



21SN0702 – Joy and Timothy Alexander

Magisterial District – Matoaca

Agent – Joy and Timothy Alexander (757-651-6731)

BOS Public Hearing – May 26, 2022

Time Remaining

365 Days

Case Manager

Marianne Pitts

(804-796-7122)

Request

Conditional Use

Operation of a tourist home within an existing single family dwelling.

Planning Commission Recommendation

Approval

Staff Recommendation

Approval

The Property

12608 Beach Road

Site Size

2.49 Acres

Comprehensive Plan – Land Use Designation

Residential Agricultural

Plan Area

County Wide Plan

Figure 1: Aerial of Request Area – Click Image for Link to GIS



Figure 2: Area Map of Request & Land Use Plan Map



Summary of Proposal

Request for conditional use to permit a business (tourist home) incidental to a dwelling in an Agricultural (A) District. The applicants are currently rehabilitating the Property to include renovating the existing single family dwelling and removing the existing outbuildings. The applicants request to operate a tourist home by renting one bedroom in the existing single family dwelling as a short-term rental. The applicants propose to rent to a maximum of four (4) individuals at a time for a maximum of seven (7) nights per booking. The applicants will be onsite during all bookings.

Recommendations

PLANNING COMMISSION - APPROVAL

STAFF - APPROVAL

The **Comprehensive Plan** notes that in areas that are designated **Residential Agricultural**, agricultural related activities should be promoted through agricultural tourism and commercial uses with minimal site improvements that are designed and operated to minimize the impact on the surrounding area. The proposed use is intended to complement Pocahontas State Park by providing accommodations for visitors to this major County tourist attraction. Conditions and the larger size of the property ensure residential/agricultural character of the area is maintained. As the property is located outside of a residential subdivision, impacts of the tourist home use on adjacent residential development will be minimized.

NOTES FOR THE PLANNING COMMISSION AND BOARD OF SUPERVISORS

1. Conditions may be imposed.
2. Conditions are attached to this report.
3. Both the Planning Commission and Staff recommend the conditions identified in the staff report.

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Comprehensive Plan – Land Use Plan Designation

The Comprehensive Plan designates the Property for Residential Agricultural, which suggests the Property is appropriate for a combination of agricultural and residential uses with a maximum of 0.5 dwellings per acre. In an Agricultural (A) District, appropriate uses include single family dwellings on a minimum of five (5) acres when fronting existing public roads, farming and forestry, open space, and conservation easements. In Residential (R) Districts, appropriate uses include single family dwellings on large lots and small scale farming.

Proposal

The Property is located along Beach Road and is not within a residential subdivision. The property to the north and west of the subject property was rezoned to Residential (R-25) in 1989 to permit a single family residential development with a maximum 132 lots. This development has not occurred, and these properties remain undeveloped. The additional surrounding properties are developed with single family dwelling on larger lots. The Property is developed with a single family dwelling and multiple outbuildings. The applicants are renovating the existing dwelling and propose to remove all existing outbuildings and consolidate the vehicles onsite in a barn to be constructed at the rear of the property.

The applicants request to operate a tourist home incidental to their dwelling. The applicants propose to rent one bedroom in the home for the tourist home use. The bedroom will include one bed and one pullout sofa, and the rental will be limited to a maximum of four (4) people. The dwelling on the Property will be the applicants' primary dwelling, and they will be present for all rentals. The applicants have stated that they would like to offer this room as a short-term rental to provide non-camping, sleeping accommodations to visitors of nearby Pocahontas State Park. Additionally, the applicants are owners of a dairy and would appreciate the opportunity to share their knowledge about dairy farming and production with interested guests.

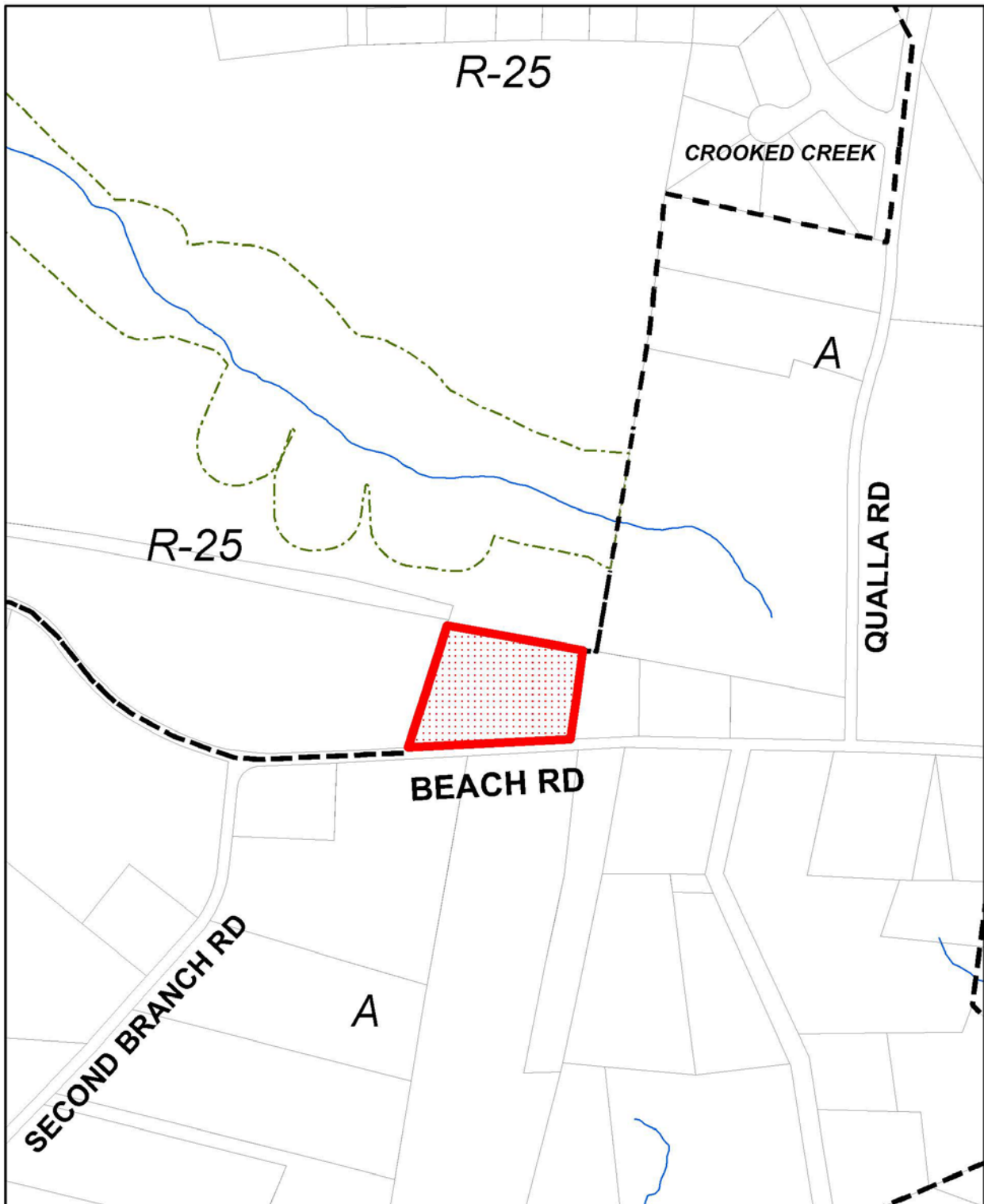
Use Limitations

The Zoning Ordinance specifies that a tourist home is not a home occupation, and therefore a conditional use is required to operate this business from the home at the Property in the Agricultural (A) District. To limit the potential for adverse impacts of the proposed use on adjoining property owners, staff recommends the following conditions to ensure the use is properly supervised and compatible with existing and planned area development:

1. Non-transferrable ownership of the zoning approval to the applicants only
2. Use is limited to the primary residence of the applicants; the applicants must be onsite during all rental stays
3. A time limitation of 2 years for the tourist home use
4. Compliance with federal, state, and local laws to include but not limited to required taxes and business licenses
5. Operational requirements to include:
 - a. Smoke detectors and fire extinguishers onsite
 - b. Limit occupancy to four (4) renters
 - c. Prohibit double booking of the tourist home use
 - d. Require advertisements to include the Zoning Approval number to aid in future enforcement efforts
 - e. Limit the sleeping quarters for the use to one bedroom
 - f. Prohibit the operation of a special events business
6. Prohibit the expansion of the tourist home use through exterior additions or alterations of the existing dwelling
7. Prohibit signage associated with the tourist home use

Findings

Staff supports the applicants' request for conditional use to operate a tourist home incidental to a dwelling as the use of the property maintains the agricultural character of the area by utilizing the existing dwelling unit and restricting the operation of the tourist home use. The use will be highly supervised with the dwelling being the applicants' primary residence and the applicants being onsite for all stays to respond to any concerns from adjacent property owners. The Property's location is not within a residential subdivision and near Pocahontas State Park making it an appropriate location for the tourist home use. Neighboring property owners have not expressed concerns regarding this use. Additionally, the recommended time limit for this conditional use allows for re-evaluation of the impacts of this use after two(2) years of operation.




Map 1:  **Subject Property**

Case #: 21SN0702
Acreage: 2.49
Address: 12608 BEACH ROAD
GPIN: 738-652-1836

400 200 0 400

 Feet



 Resource Protection Area

 Streams

Supplemental Analysis

Community Enhancement

No comment on this request.

Environmental Engineering

No comment on this request.

Fire & Emergency Medical Services

Service Area

The Winterpock Fire Station, Company Number 19

Additional Information

This request will have minimal impacts on Fire & Emergency Medical Services.

Police

Division

Beat

District

Swift Creek

34

Matoaca

Additional Information

This request is anticipated to have minimal impacts on Police.

Transportation - County Department of Transportation

The anticipated traffic impact of the request is anticipated to be minimal.

Transportation - Virginia Department of Transportation

The applicant is requesting a conditional use for a tourist home. This zoning case is a local matter and the Virginia Department of Transportation (VDOT) has no comment at this time.

Utilities – Water and Wastewater

1. The request site is within a mandatory water connection area for new residential development, but not for wastewater. Public water and wastewater are not available.
2. The existing residence is served by a private well and septic system.
3. No new structures are planned for the tourist home use.
4. The Utilities Department supports this request.

Community Engagement & Public Hearings

Community Meeting

2/22/2022 – Discussion Topics:

A virtual community meeting was held for this request, and no concerns were raised at this meeting. The applicants contacted all adjacent property owners and received communications from neighbors stating that they have no opposition with the request.

Planning Commission

4/19/2022: **Citizen Comments:** No citizens spoke to this request.

Recommendation: APPROVAL AND ACCEPTANCE OF THE [CONDITIONS](#)

Motion: Freye **Second:** Hylton

AYES: Owens, Petroski, Freye, Hylton, Sloan

Conditions

Staff Note: Both the Planning Commission and Staff recommend approval with the following conditions agreed to by the applicant.

1. Non-Transferable Ownership. This conditional use shall be granted to Joy and/or Timothy Alexander, exclusively, and shall not be transferable nor run with the land. (P)
2. Use. This conditional use shall be limited to the operation of a business (tourist home) within the primary residence of the operators, Joy and Timothy Alexander. The operators shall be on-site during times when the dwelling is occupied by lodgers to supervise guests and manage operations. (P)
3. Time Limitation. The conditional use shall be granted for a period of two (2) years from the date of approval. (P)
4. Compliance with Laws. The tourist home business shall be operated in compliance with all applicable federal, state and local laws. (P)
5. Operation & Occupancy. The operation of use and occupancy shall be as follows:
 - a. Safety Requirements: A working smoke detector shall be provided and maintained in each bedroom. A fire extinguisher shall be present and be accessible at all times.
 - b. Occupancy: Occupancy shall be limited to a maximum of four (4) lodgers at any one (1) time.
 - c. Double Booking. The operators shall not agree to more than one booking transaction during the same period or any portion thereof that results in reservation for two or more separately-booked tourist home renters present at the property at the same time.
 - d. Advertising. The zoning case number (21SN0702) shall be posted on all advertisements for the tourist home.
 - e. Sleeping Quarters. Sleeping quarters for the use shall be limited to a single bedroom, as shown on Exhibit A.
 - f. Special Events. This business shall not permit operation of a special events business for lodgers or others. (P)
6. Expansion of Use. There shall be no exterior additions or alterations to the existing dwelling to accommodate this use. (P)
7. Signage. There shall be no signs permitted to identify the tourist home business. (P)

Proposed Layout Plan – Exhibit A



Case Contacts

Applicant

- **Applicants' Contact:**
Joy and Timothy Alexander (757-651-6731)
timandjoyalexander@gmail.com

District Planning Commissioner

- **Tommy Owens (804-869-2214)**
owenstommy@chesterfield.gov

Staff

- **Planning Department Case Manager:** Marianne Pitts (804-796-7122) pittsm@chesterfield.gov
- **Community Enhancement:** Carl Schlaudt (804-318-8674) schlaudtc@chesterfield.gov
- **Environmental Engineering:** Rebeccah Rochet (804-748-1028) rochetr@chesterfield.gov
- **Fire & Emergency Medical Services:** Anthony Batten (804-717-6167) battena@chesterfield.gov
- **Police:** Jim Eicher (804-318-8693) eicherj@chesterfield.gov
- **Transportation - County Department of Transportation:** Steve Adams (804-751-4461) adamsst@chesterfield.gov
- **Transportation - Virginia Department of Transportation:** Willie Gordon (804-674-2907) willie.gordon@vdot.virginia.gov
- **Utilities:** Randy Phelps (804-796-7126) phelpsc@chesterfield.gov