



22SN0115 – Moehls Two Family Dwelling

Magisterial District – Dale

Applicant – William Moehl (860-620-2334)

CPC Public Hearing – November 15, 2022

Time Remaining
100 Days

Case Manager
Thomas Jenkins
(804-318-8898)

Request

Conditional Use

Conditional use for a two family dwelling.

Staff Recommendation

Approval

The Property

9420 Waterfowl Flyway

Site Size

1.18 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

The applicant is requesting conditional use for a two-family dwelling in a Residential (R-15) District. The existing dwelling unit on the property will be occupied by the applicant and the second dwelling unit is intended only for occupancy by the applicant's family.

Recommendations

STAFF - APPROVAL

Staff recommends approval. Impacts on surrounding properties will be minimal. Occupancy of the two-family dwelling is limited by conditions.

NOTES FOR THE PLANNING COMMISSION

1. Conditions may be imposed.
2. Conditions are attached to this report.

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Planning

Zoning History

85SN0005: Approved (2/1985)

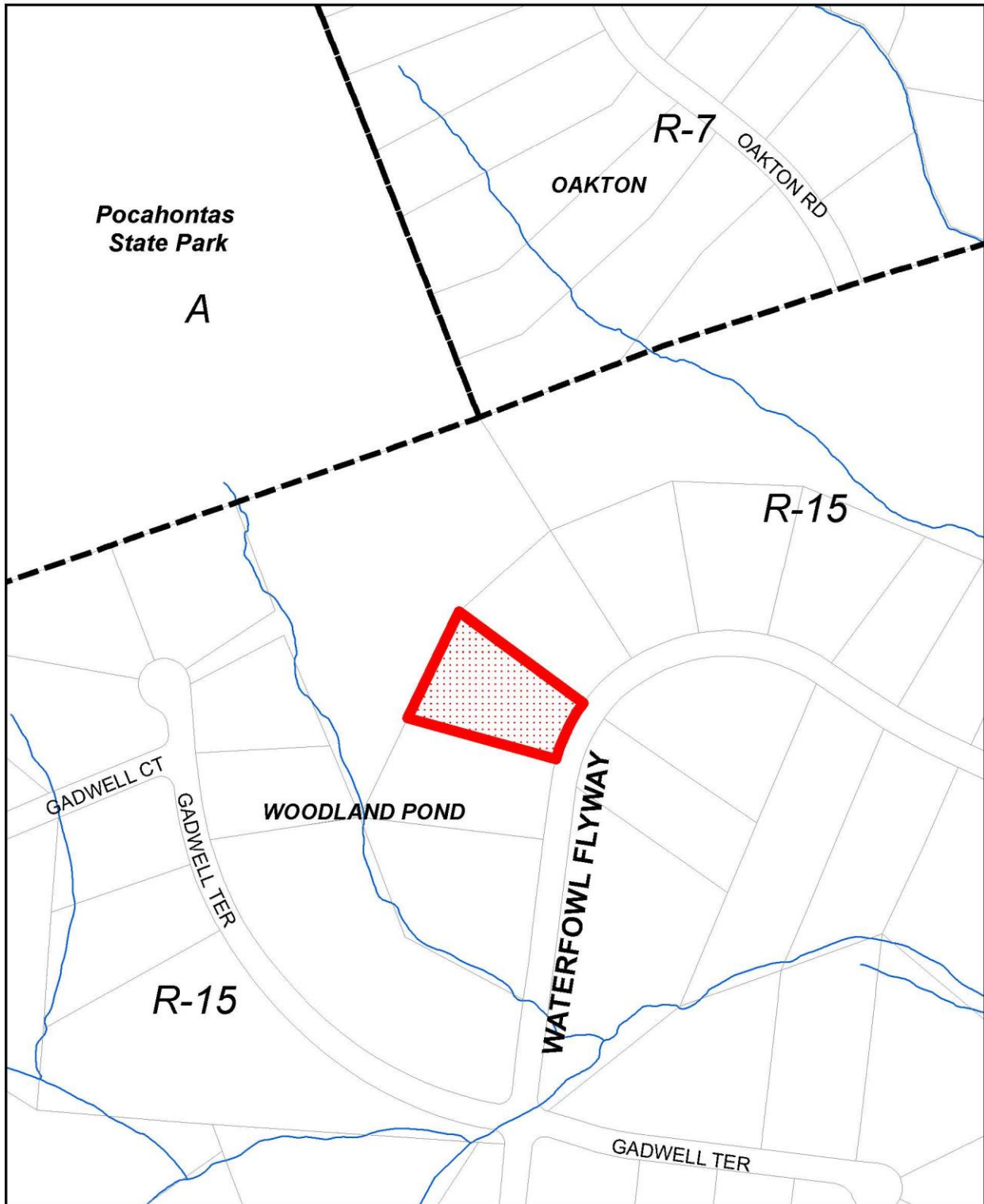
Rezoning from Agricultural (A) District to Residential (R-15) District permitting a single-family subdivision on 1,425 acres.

Comprehensive Plan – Land Use Plan Designation

The Comprehensive Plan designates the Property for Residential Agricultural, which suggests the Property is appropriate for subdivisions with lots of 2.0 acres or larger, or subdivisions with lots smaller than 2.0 acres if usable open space is provided to maintain the overall density recommendations. Such open space should preserve rural vistas such as ponds, pastures and wooded areas, while providing passive recreational areas (i.e. walking and riding trails).

Proposal

The applicant is requesting conditional use for a two-family dwelling. The second dwelling unit will be located in a proposed twenty-seven (27) foot by forty-two (42) foot addition to the existing dwelling structure on the property.



Map 1:  Subject Property

Case #: 22SN0115

Acreage: 1.18


Address: 9420 WATERFOWL FLYWAY

GPIN: 755-658-6406

300 150 0 300

 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 Airport Fire Station, Company Number 15

Additional Information

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

Parks & Recreation

No comment on this request.

Police

Division	Beat	District
Appomattox	81	Dale

Additional Information

This request is anticipated to have minimal impacts on Police.

Transportation - County Department of Transportation

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

Transportation - Virginia Department of Transportation

The Virginia Department of Transportation (VDOT) has reviewed zoning case 22SN0115 to request conditional use to for an attached accessory dwelling unit. This request does not appear to impact VDOT maintained right of way and VDOT offers no comment at this time.

Utilities – Water and Wastewater

The primary residential structure on the request site is connected to the public water system. Public wastewater is not available. The proposed second dwelling unit will be attached to the primary dwelling, and not required to have a separate water service connection. The Utilities Department supports this request.

Community Engagement & Public Hearings

Community Meetings

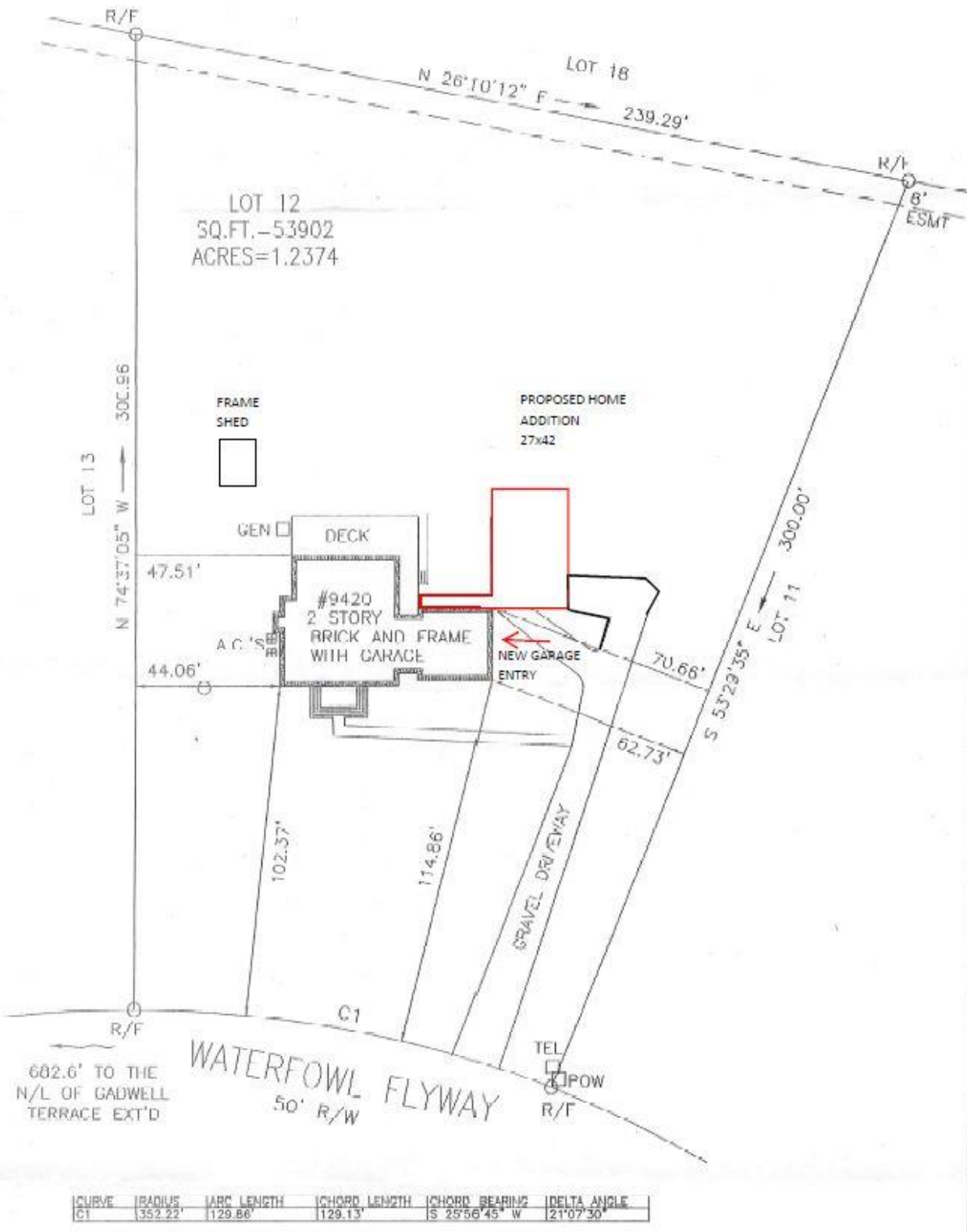
10/25/2022 – Discussion Topics:

1. Growing trend of accessory dwelling units
2. Difference between a by-right addition and a two-family dwelling
3. Conditions and deed restriction
4. Enforcement process

Conditions

1. Occupancy Limitations: Occupancy of the second dwelling unit shall be limited to the occupants of the principal dwelling unit, individuals related to them by blood, marriage, adoption or guardianship, foster children, personal guests, and household employees. (P)
2. Deed Restrictions: For the purpose of providing record notice, prior to the issuance of a certificate of occupancy for the second dwelling unit, a deed restriction shall be recorded setting forth the limitation in Condition 1. The deed book and page number of such restriction and a copy of the restriction as recorded shall be submitted to the Planning Department. (P)

Proposed Layout Plan – Exhibit A



Conceptual Elevations – Exhibit B



Case Contacts

Applicant

- **Applicant's Contact:**
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District Planning Commissioner

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Staff

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