



22SN0064 – Mendoza RV

Magisterial District – Bermuda

Applicant – **Edwin and Brenmarie Mendoza**
(804-943-4357)

CPC Public Hearing – **January 17, 2023**

Time Remaining
100 Days

Case Manager
Thomas Jenkins
(804-318-8898)

Request

Conditional Use

Request to park recreational equipment outside of a rear yard.

Staff Recommendation

Denial

The Property

4612 Finney Court

Site Size

0.3 Acre

Comprehensive Plan – Land Use Designation

Suburban Residential II

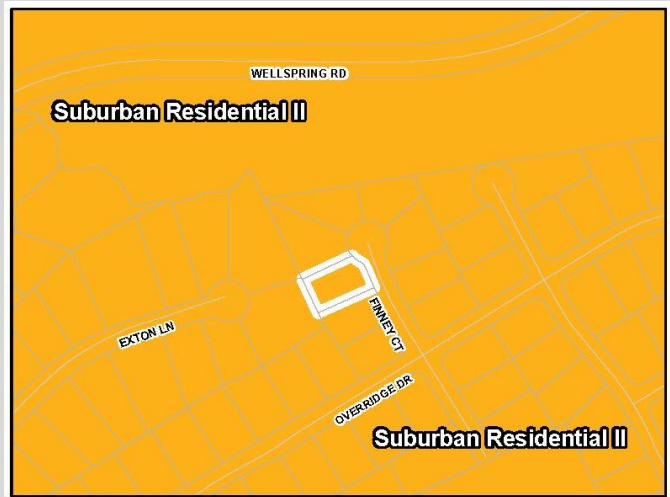
Plan Area

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 to park a recreational vehicle outside of a rear yard in a Residential (R-12) District.

Recommendations

STAFF - DENIAL

Applicant's requested parking location is in a driveway in the front yard with no screening.

NOTES FOR THE PLANNING COMMISSION AND BOARD OF SUPERVISORS

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

Table of Contents

Summary of Proposal.....	1
Recommendations	1
Table of Contents	2
Planning.....	3
Current Zoning Map.....	5
Supplemental Analysis	6
Community Enhancement	6
Environmental Engineering.....	6
Fire & Emergency Medical Services	6
Police.....	6
Transportation - County Department of Transportation.....	6
Transportation - Virginia Department of Transportation	6
Utilities – Water and Wastewater	6
Community Engagement & Public Hearings	7
Conditions	7
Case Contacts.....	8

Zoning History

88SN0010: Approved (6/1988)

Rezoning to residential (R-12) permitting a single-family subdivision with a maximum of 230 dwelling units. Proffered Conditions of approval addressed dwelling type and minimum square footage.

Comprehensive Plan – Land Use Plan Designation

The Comprehensive Plan designates the Property for Suburban Residential II, which suggests the Property is appropriate for residential development at a maximum density of 2.0 to 4.0 dwellings per acre.

Proposal

Recreational equipment is defined in the zoning ordinance as “equipment, including boats, boat trailers, rafts, house trailers, travel trailers, pick-up campers, or coaches, motorized dwellings, tent trailers and the like, and trailers, and cases or boxes used for transporting recreational equipment, whether occupied by such equipment or not. The term recreational equipment includes recreational vehicle.” Parking and storage of recreational equipment in a Residential (R-12) district is a restricted use. Applicable restrictions include:

- a. No more than 2 items of equipment are located outside of a totally enclosed building on a zoning lot for each dwelling unit thereon;
- b. Except for loading and unloading, equipment is located in a rear yard and set back ten (10) feet from the rear property line and five (5) feet from the side property line;
- c. except for repair, the wheels of the equipment are not removed;
- d. Equipment is not used for living or commercial purposes; and
- e. Except for repair, equipment is not connected to utility services

These restrictions are designed to minimize impacts on area residential development and the streetscape. §19.1-52.C.2.a of the Zoning Ordinance states that if the restrictions for a use cannot be met, the use may be allowed by conditional use.

In April of 2021, the Community Enhancement Department received a complaint relative to the parking of recreational equipment, consisting of a boat and trailer. The combined length of the boat and trailer is approximately twenty-four (24) feet long. Currently, the boat and trailer are parked within a front-loaded attached garage. The applicant is requesting conditional use to park the boat in the front yard. A photograph of the boat parked in the front yard can be seen below in Figure 1. An aerial view of the site conditions can be seen below in Figure 2.

Typically, a request such as this one can be supported if the applicant demonstrates they cannot adhere to ordinance parking requirements. In these cases, staff typically works with the applicant to park the boat in the side yard and provide some element of screening. The applicant has parked the boat in the rear yard in the past and has stated that he neither wants to park the boat in the rear yard nor wants to park the boat in the side yard and provide some screening. Since June of 2022, the boat has been stored in the enclosed attached garage. In this case, the applicant has demonstrated there are options for parking the boat other than parking the boat in the front yard, and as such, staff recommends denial of this request. Should the Commission recommend approval, staff recommends [conditions](#) in this report be imposed.



Figure 1: Community Enhancement inspection photo

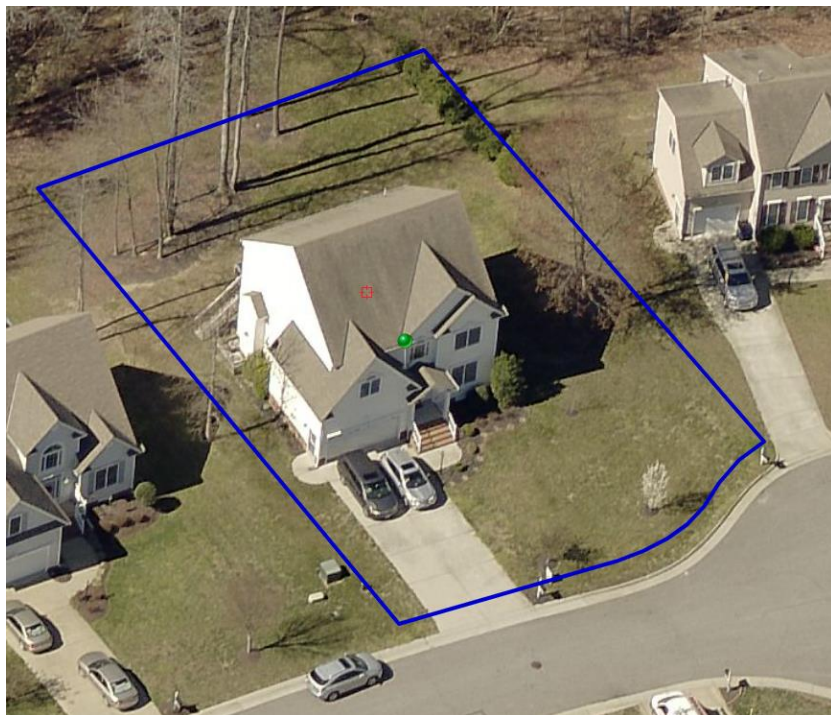
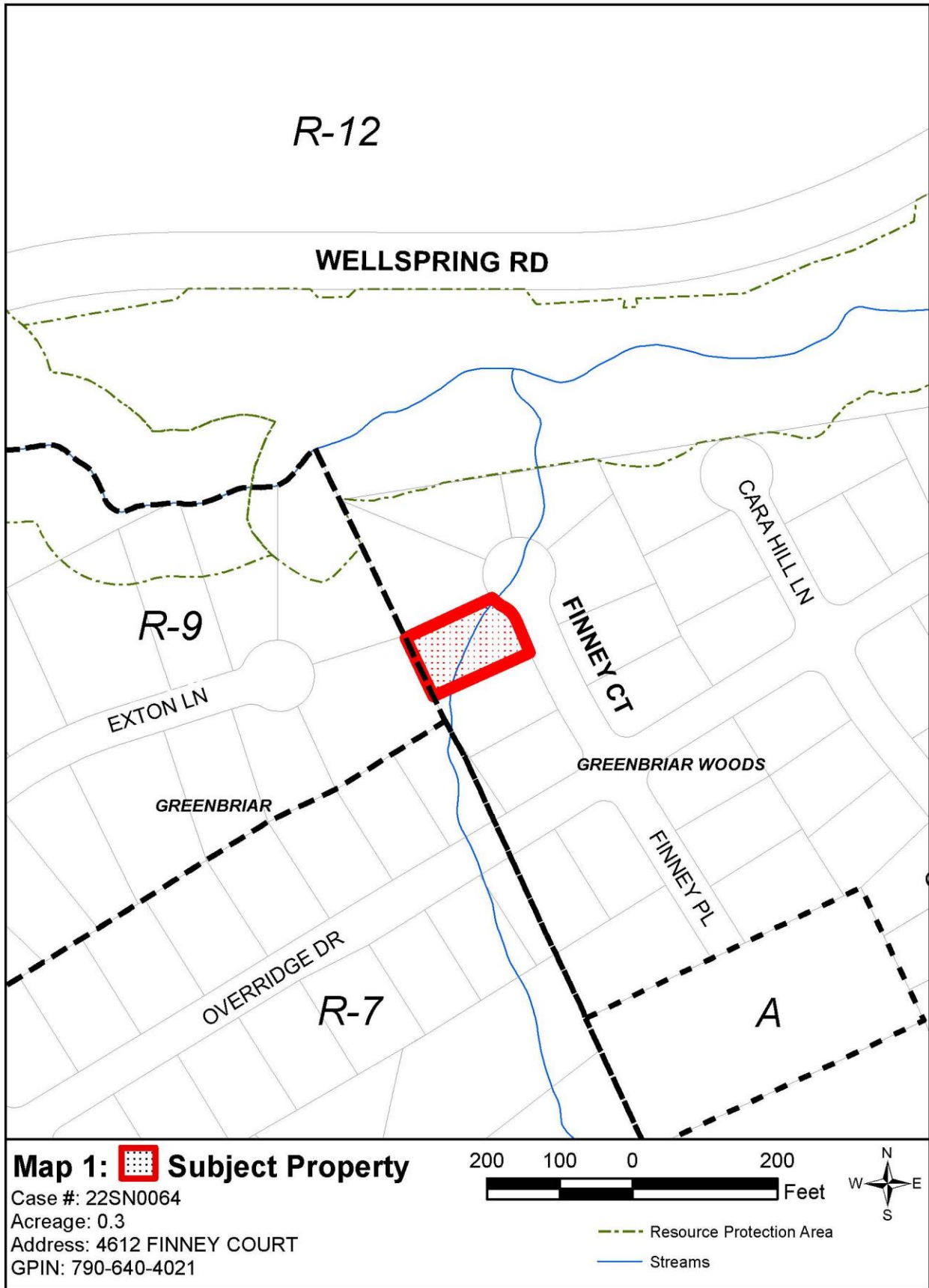


Figure 2: Aerial view of the subject property



Map 1:  **Subject Property**

Case #: 22SN0064

Acreage: 0.3

Address: 4612 FINNEY COURT

GPIN: 790-640-4021



--- 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 Harrowgate Fire Station, Company Number 21

Additional Information

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

Police

Division	Beat	District
Appomattox	78	Bermuda

Additional Information

This request is anticipated to have minimal impacts on Police.

Transportation - County Department of Transportation

This request will have no impact on the transportation network.

Transportation - Virginia Department of Transportation

The Virginia Department of Transportation (VDOT) has reviewed zoning Case 22SN0064 for a conditional use to park a recreational vehicle outside of the rear yard. This request appears to be a local matter, and VDOT offers no additional comments at this time.

Utilities – Water and Wastewater

The residential structure on the request property is connected to the public water and wastewater systems. There is a public wastewater line within an easement along the rear property line. This request will not impact the public wastewater system. The Utilities Department supports this request.

Community Engagement & Public Hearings

Community Meetings

No community meeting was held for this application.

Conditions

Should the Commission determine the request should be recommended for approval, staff recommends conditions be imposed.

1. Non-Transferable Ownership. This conditional use approval shall be granted exclusively to Edwin & Brenmarie Mendoza and shall not be transferable nor run with the land. (P)
2. Use. This conditional use approval shall be for the parking of one (1) trailered boat no greater than twenty-four (24) feet in combined length. (P)
3. Location of recreational vehicle. The recreational vehicle shall be parked within the side yard on the south side of the property, behind the front plane of the house, no closer than 5' to a side property line. (P)
4. Screening. A six-foot privacy fence shall be erected along the south property line, along with a six-foot privacy fence with an access gate between the boat and the street. (P)

Case Contacts

Applicant

- **Applicant's Contact:**
Edwin and Brenmarie Mendoza (804-943-4357)
atlanticdetail7@aol.com

District Planning Commissioner

- **Gib Sloan (804-892-5633)**
sloang@chesterfield.gov

Staff

- **Planning Department Case Manager:** Thomas Jenkins (804-318-8898) jenkinsst@chesterfield.gov
- **Budget & Management:** David Oakley (804-706-2586) oakleyd@chesterfield.gov
- **Community Enhancement:** Carl Schlaudt (804-318-8674) schlaudtc@chesterfield.gov
- **Environmental Engineering:** Scott Dunn (804-748-1030) dunns@chesterfield.gov
- **Fire & Emergency Medical Services:** Anthony Batten (804-717-6167) battena@chesterfield.gov
- **Libraries:** Jennifer Stevens (804-751-4998) stevensj@chesterfield.gov
- **Parks & Recreation:** Janit Llewellyn (804-751-4482) llewellynJa@chesterfield.gov
- **Police:** Jim Eicher (804-318-8693) eicherj@chesterfield.gov
- **Schools:** ashbyl (804-318-8043) ashbyl@chesterfield.gov
- **Transportation - County Department of Transportation:** Steve Adams (804-751-4461)
adamsst@chesterfield.gov
- **Transportation - Virginia Department of Transportation:** Dustin Dunnagan (804-674-2907)
dustin.dunnagan@vdot.virginia.gov
- **Utilities:** Randy Phelps (804-796-7126) phelpsc@chesterfield.gov