

SE2024-00008, RICO MORRIS AND ANNLEETA CHAVIS

Special Exception Report
South Anna Magisterial District
Board Meeting Date: June 26, 2024



Overview

| | |
|-------------------------|---|
| Request | Special Exception to permit a manufactured home in the case of a medical hardship |
| Zoning | A-1, Agricultural District |
| Acreage | 1.3 acres |
| Street Address | 15570 Scotchtown Road |
| Location | West line of Scotchtown Road (State Route 671) approximately 300 feet south of its intersection with South Anna Lane (private road) |
| GPIN | 7830-87-3068 |
| General Land Use Plan | Rural/Agricultural |
| Major Thoroughfare Plan | Scotchtown Road (Minor Collector: 60' ultimate right-of-way) |
| Suburban Service Area | Outside |
| Case Planner | Jessica Crews |

Executive Summary

This is a request for a Special Exception to allow a manufactured home in the case of medical hardship, in accordance with Section 26-21.17(b) of the Zoning Ordinance. The applicant's grandmother will live in a manufactured home, temporarily placed behind an existing single-family home occupied by the applicant.

Outstanding Issues

No known outstanding issues at this time.

Draft Motions

I move that the Board of Supervisors:

- a. Approve SE2024-00008 as submitted.
- b. Approve SE2024-00008 with the following amendments: _____.
- c. Deny SE2024-00008.
- d. Defer SE2024-00008 until the Board of Supervisor's July 24, 2024, meeting.

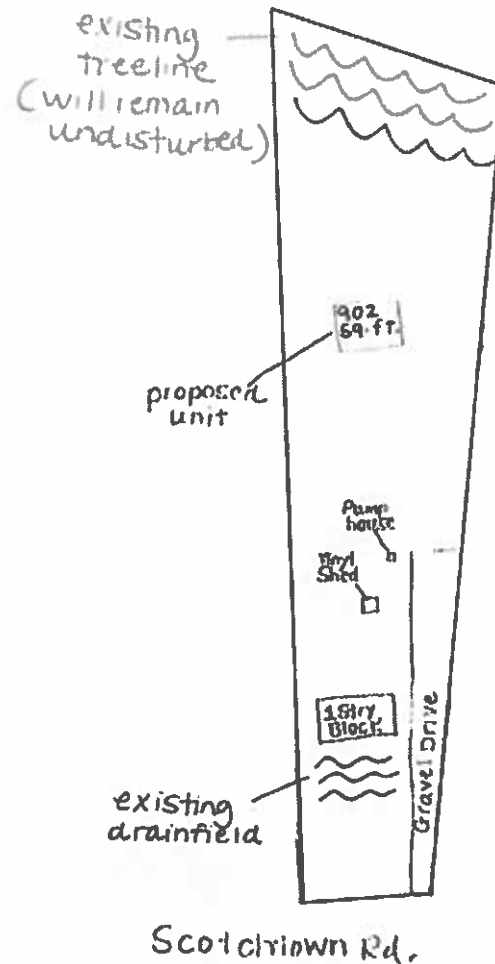
Planning Analysis

The subject property is located on the northwest side of Scotchtown Road about ½ mile from its intersection with U.S. Route 33 (Mountain Road). The applicants live in an existing single-family home on the property. If this request is approved, a manufactured home would be temporarily placed behind the primary residence, allowing the grandmother to live on-site and more easily receive assistance from the applicants.

Sketch Plan and Elevations

The sketch plan shows the following:

- The existing single-family home and accessory structures on the property;
- An existing tree line that is to remain undisturbed, providing screening from adjacent homes and a private drive behind the property;
- The existing drainfield in the front yard of the property (which the manufactured home will connect to); and,
- The proposed manufactured home placed behind the applicant's existing home.



The elevations show a manufactured home with light gray siding and white trim. The gray and white color scheme will blend with the existing primary residence on the property, which is a light green shade with white trim.



Ordinance Regulations

Special Exceptions for manufactured homes in cases of medical hardship are considered temporary and must be removed once the condition resulting in the hardship no longer exists. The time period for the Special Exception cannot exceed two (2) years, but the term can be renewed upon application to the Planning Department for an extension prior to expiration of the initial two-year term. The conditions of approval will be reaffirmed during the extension request process.

Standard Findings

A special exception may only be granted if the Board makes the following findings per Section 26-332:

1. *The proposed use or proposed modification of generally applicable regulations is compatible with the character of the surrounding area;*

Manufactured homes can be found in rural areas and are compatible with the character of the surrounding neighborhood. Visibility of the temporary manufactured home will be limited from adjacent roadways and properties, as it will be placed behind the existing home. An existing treeline to the rear of the property will be maintained, reducing visibility from Whispering Springs Lane (adjacent private road).

2. *The proposed use or proposed modification will not produce noise, odor, vibration, or glare beyond that which is generally produced by uses that are permitted by right in the applicable zoning district;*

The additional dwelling will not produce noise, odor, vibration, or glare beyond that which is generally produced by a single-family dwelling.

- The proposed use or proposed modification will not create traffic congestion and will not impair the safe and efficient travel along the county's road network;*

There will only be one additional vehicle for the applicant's grandmother, minimizing transportation impacts.

- The proposed use or proposed modification will not diminish the view shed as seen from the public right-of-way, or unreasonably impact historic or natural resources;*

The proposed unit will be in the rear yard of the property and behind the existing dwelling. The location will aid in maintaining the existing viewshed as seen from the public right-of-way, and the scale and materials proposed are compatible with the existing on-site residence.



- The proposed use or proposed modification will not impair the public health, safety, and general welfare;*

The proposed home will not impair public health, safety, and general welfare.

- The approval of the special exception is consistent with good zoning practices and the comprehensive plan; and,*

Manufactured homes in cases of medical hardship allow residents to temporarily live close to family members, which is consistent with good zoning practices and the Comprehensive Plan.

7. *All other additional requirements for a proposed use or proposed modification that are set forth elsewhere in this chapter are satisfied.*

The applicant has provided documentation demonstrating that the proposal meets the requirements for a manufactured home in the case of a medical hardship (identified in Section 26-23 of the Zoning Ordinance) and that the unit can be placed on the property to meet setback requirements and minimize impacts to the surrounding community.

Agency Analysis

Fire Marshal's Office

The Fire Marshall's Office provided comments to advise the applicant of the following:

- If the trailer has the same mailing address, emergency response times could be delayed due to possible confusion of the location of the emergency.
- Adequate street markings will aid in reducing emergency response if needed.

Ordinance Required Conditions

In accordance with Article 6, Division 3, Section 26-333, the site shall be developed and maintained in substantial conformity with the sketch plan titled, "Morris Chavis," dated April 19, 2024, revised June 5, 2024, and prepared by AnnLeeTa Chavis.

A site plan, prepared in accordance with the requirements of Chapter 26, Article 6, Division 2, of the Hanover County Zoning Ordinance, shall be submitted for review and approval prior to commencement of the requested use.

Staff's Recommended Conditions

1. *Special Exception Validity and Extensions:* This Special Exception will be valid for a period of two (2) years following the date of approval, or for the duration of the hardship, whichever occurs first. The permit will be void unless the Director of Planning approves an extension beyond that time pursuant to written application. If approved, all original conditions of approval will continue in effect, unless modified by the Director. If disapproved, or upon cessation of the hardship, the home shall be removed within 60 days from the parcel. The applicants will notify the Hanover County Planning Office if this occurs, and upon request of the County, must provide evidence of continued compliance.
2. *Tree Preservation:* The existing rear tree line as shown on the "Morris Chavis" sketch plan and trees of 5-inch caliper or greater on the property must not be disturbed, with the exception of dead or diseased trees or parts thereof. This will not prevent the removal of trees necessary for the construction of improvements, driveways, drain fields, or drainage facilities.
3. *Adherence to Local Building Requirements:* All requirements of the Building Inspector's Office, the Fire Department, and the Hanover County Public Utilities Department must be met.

4. *Adherence to Development Regulations:* All development and use of the property must comply with all federal, state, and local statutes.

Attachments

- Maps (land use, vicinity, zoning, aerial)
- Photographs
- Application
- Traffic Study
- Approval Letter Proffers/Elevations/Conceptual Plan
- Historical Commission Recommendation
- Agency Review Comments
- Citizen Correspondence
- Proffers
- Sketch Plan
- Elevations

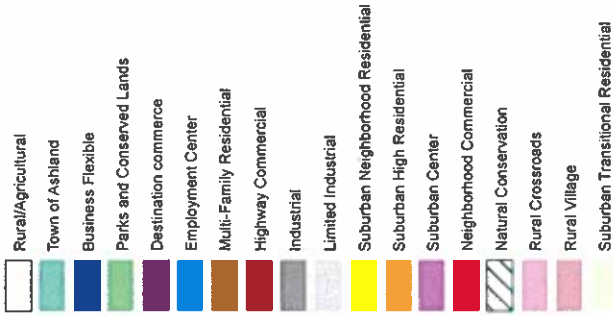
Initials: JWC

Maps

Hanover County, Virginia

Land Use Map

Legend



SE2024-00008

Rico Morris & Annleeta Chavis

medical hardship

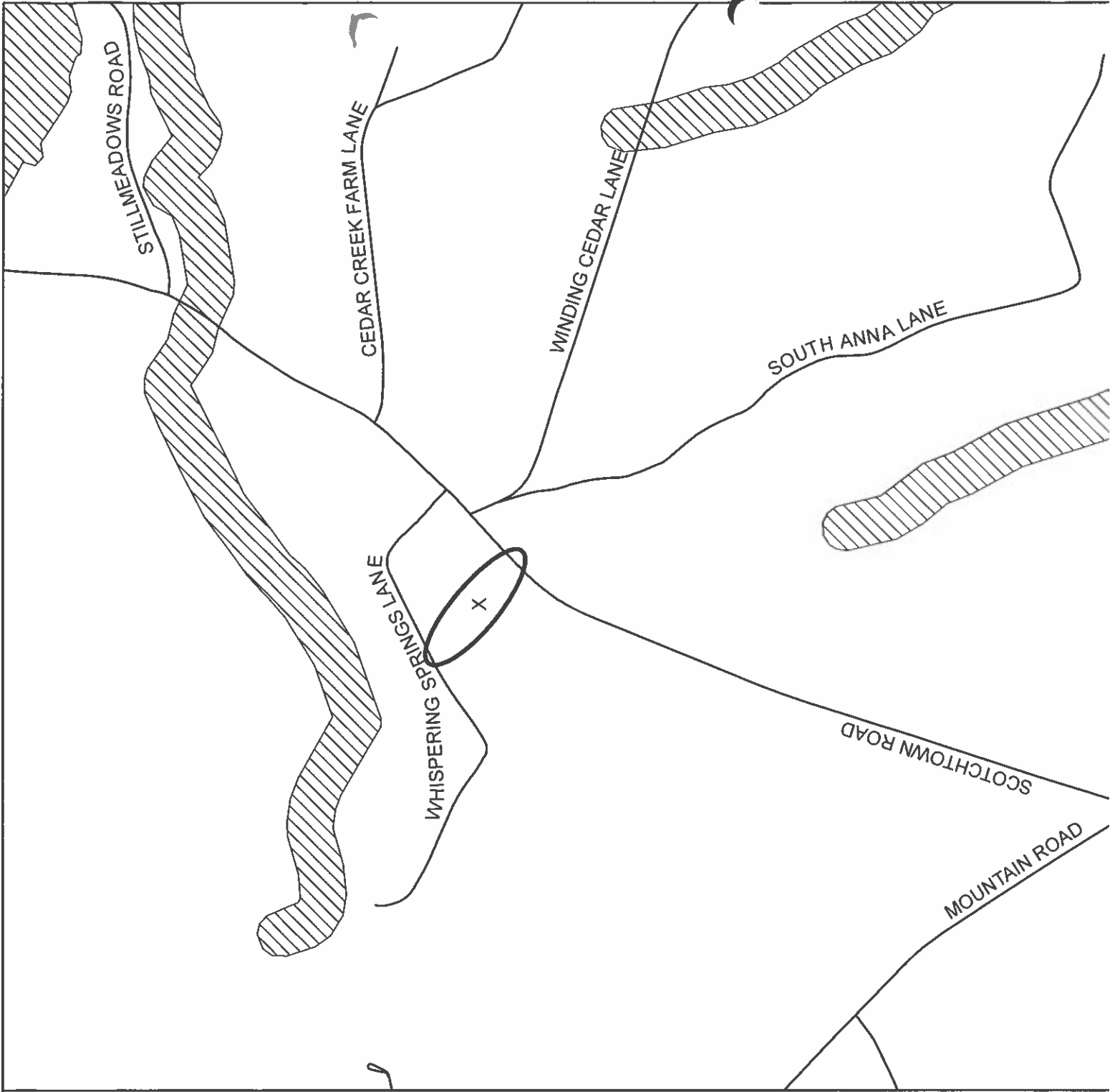
Rural/Agricultural Land Use

GPIN: 7830-87-3068
South Anna Magisterial District



1 inch = 600 feet

April 23, 2024



**Hanover County,
Virginia**

General Parcel Map

Legend

- Roads
- - - Water
- Structures
- Parcels
- 🌳 Trees

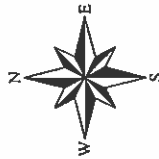
SE2024-00008

Rico Morris & Annleeta Chavis

medical hardship

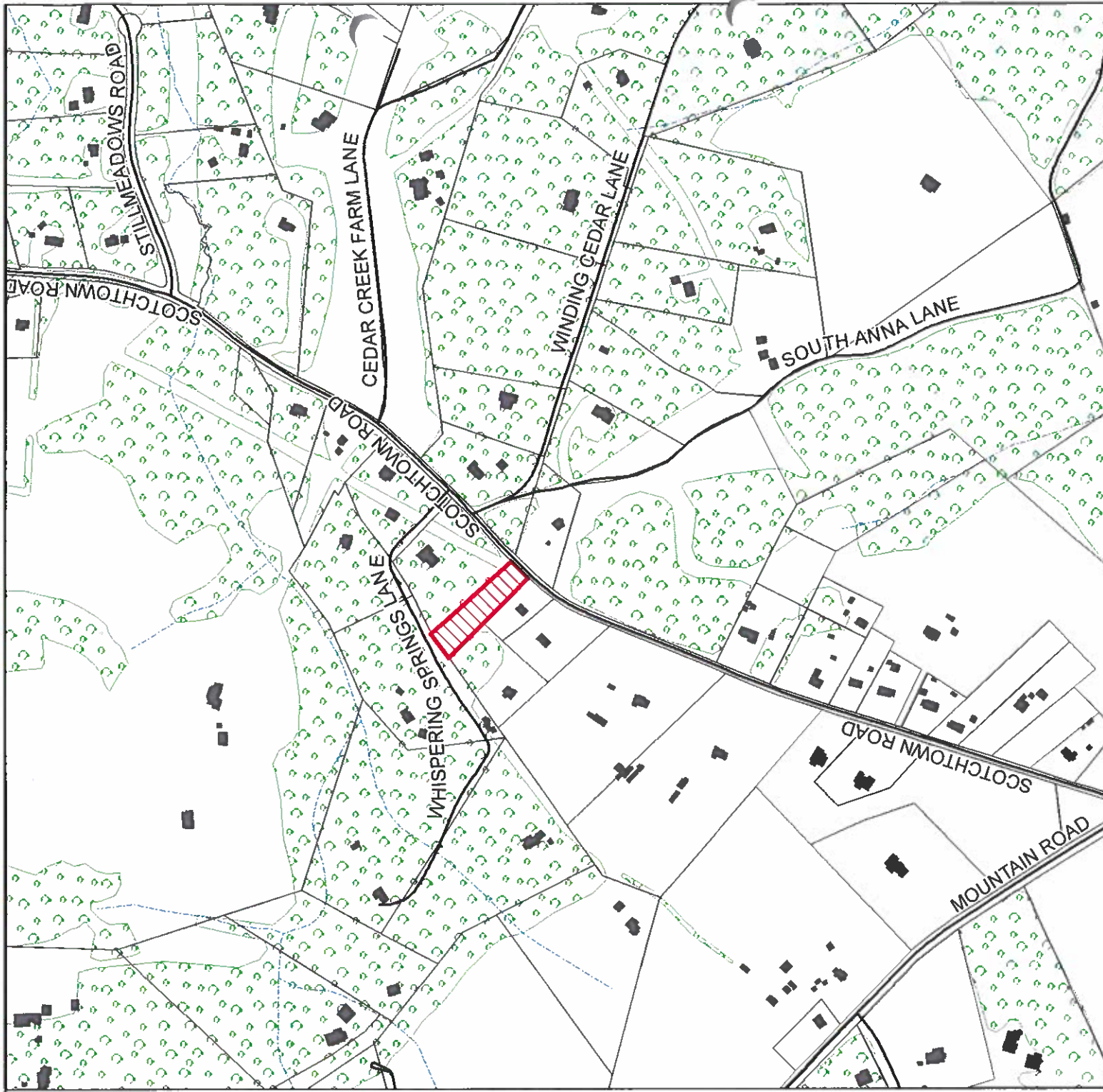
Zoned A-1

GPIN: 7830-87-3068
South Anna Magisterial District



1 inch = 600 feet

April 23, 2024



Hanover County, Virginia

Zoning Map

Legend

| | | | |
|--|---------|--|-----|
| | Roads | | R-1 |
| | Water | | R-2 |
| | Parcels | | R-3 |
| | CUP | | R-4 |
| | A-1 | | R-5 |
| | PUD | | R-6 |
| | RRC | | RM |
| | RR-1 | | MX |
| | RO-1 | | B-1 |
| | PSC | | B-2 |
| | POB | | B-3 |
| | PMH | | B-4 |
| | HE | | O-S |
| | AR-1 | | B-O |
| | AR-2 | | M-1 |
| | AR-6 | | M-2 |
| | RC | | M-3 |
| | RS | | |

SE2024-00008

Rico Morris & Annleeta Chavis

medical hardship

Zoned A-1

GPIN: 7830-87-3068
South Anna Magisterial District



1 inch = 600 feet

April 23, 2024



SE2024-00008



Application

Hanover County Planning Department Application

Request for a Special Exception

Case #: SE2024-00008

Please type or print in black ink.

| APPLICANT INFORMATION | |
|--|------------------------------------|
| Owner/Applicant: <u>Rico Morris, annleeta chavis</u> | Telephone No. <u>(804)429-7922</u> |
| Contact Name: <u>annleeta chavis</u> | Fax No. _____ |
| Address: <u>15570 Scotchtown Rd.</u> | Email Address _____ |
| <u>Montpelier, Va 23192</u> | <u>annleetachavis12@gmail.com</u> |

| PARCEL INFORMATION | For multiple parcels, please also complete Page 4 <input type="checkbox"/> |
|---|--|
| GPIN(s)(Tax Parcel #'s) <u>7830-87-3048</u> | Area (acres/square feet) <u>1.303</u> |
| Deed Book <u>173</u> Page <u>307</u> | Current Zoning <u>A1</u> |
| Magisterial District <u>Beaverdam South Anna</u> | Requested Use/Exception <u>Medical Hardship Trailer</u> |
| Location Description (Street Address, if applicable) <input type="checkbox"/> | _____ |
| <u>15570 Scotchtown Rd.</u> | _____ |
| <u>Montpelier, Va 23192</u> | _____ |

| SIGNATURE OF OWNER <input type="checkbox"/> POWER OF ATTORNEY <input type="checkbox"/> CONTRACT PURCHASER <input type="checkbox"/> (attach contract) | |
|--|---------------------|
| As owner or authorized agent of this property, I hereby certify that this application is complete and accurate to the best of my knowledge, and I authorize County representatives entry onto the property for purposes of reviewing this request. | |
| Signature <u>Annleeta Chavis</u> | Date <u>3/29/24</u> |
| Print Name <u>annleeta chavis</u> | |
| Signature <u>Rico Morris</u> | Date <u>3/29/24</u> |
| Print Name <u>Rico Morris</u> | |

| QUESTIONS/ LETTERS/ REPORTS SHOULD BE FORWARDED TO THE FOLLOWING**: | |
|--|------------------------------------|
| Name <u>annleeta chavis</u> | Telephone No. <u>(804)429-7922</u> |
| Address: <u>15570 Scotchtown Rd.</u> | Fax No. _____ |
| <u>Montpelier, Va 08008 23192</u> | Email Address _____ |
| | <u>annleetachavis12@gmail.com</u> |
| **It is the responsibility of the contact person to provide copies of all correspondence to other interested parties to the application. | |

RECEIVED

APR 19 2024

HANOVER COUNTY
PLANNING DEPARTMENT

REQUIREMENTS/ ATTACHMENTS - For ALL REQUESTS you must submit the following:

- a. **Signature of Property Owner or Contract Purchaser (Page 3)** – If the contract purchaser signs the application, please provide a copy of the signed contract, with all sensitive information redacted.
- b. **Acknowledgement of Application Fee Payment Procedure (Page 6)**
- c. **Adjacent property owners and Board of Supervisors notification form (Page 7)** - please list all adjacent property owners including those across roadways, watercourses, and/or railroads as well as the member of the Board of Supervisors for the magisterial district in which the property is located. Adjacent property owners and Board members must be notified prior to submittal of this application. The form must include owners' names, address, and GPINs for all adjacent property owners. (This information is available from the County website or can be obtained from the Planning Department.) The form on Page 9 may be used to notify these property owners.
- d. **A plat of the subject property**, which accurately reflects the current property boundaries and the location of existing structures on the property. If the full-size plat is larger than 8 ½" x 11", the plat must be folded no larger than 9" x 12", and a reduction of the plat must be submitted which is 8 ½" x 11" in size. (Typically available from the County Clerk's Office in the Circuit Court building.)
- e. **Historic Impact Information (Page 10)** (This information is available on the County website or may be obtained from the Planning Department.)
- f. **Responses to questions on Page 11**
- g. **Community Meeting Guide** (Check the box if you have read and understand Pages 13 & 14. Please note that applicants that schedule community meetings without coordinating with the staff may be required to reschedule the meeting, which may cause the application process to be delayed.)
- h. **A sketch of your proposal**, showing the following:
 - 1) The proposed title of the project, the name of the developer, and the name of the preparer of the plan.
 - 2) The north point, scale, and date. The scale of the plan shall not exceed 1" = 200'.
 - 3) The boundaries of the property involved; county or town boundaries; property lines; existing streets, buildings, and waterways; areas affected by Chesapeake Bay preservation requirements; and major tree masses.
 - 4) The general location and character of construction of proposed parking lots, driveways, curb cuts, entrances, and exits.
 - 5) The locations of all proposed buildings and structures.
 - 6) The general locations, heights, and materials of all fences, walls, screen plantings, berms, and landscaping.

If the full-size sketch is larger than 8 ½" x 11", please provide **ten (10) copies of the sketch and elevations**, folded no larger than 9" x 12", and **one (1) a reduction of the sketch**, which is 8 ½" x 11". Sheets must be no larger than 24" x 36".
- i. For applications for manufactured/mobile home needed for **medical hardship** please provide a note from a medical doctor verifying that it is necessary for someone to live in close proximity to provide care.
- j. For SE applications for telecommunication facilities, a **Telecommunications application** must be completed and include all of the required attachments.

ACKNOWLEDGEMENT OF APPLICATION FEE PAYMENT PROCEDURE

Application fees are not accepted at the time of submittal. I hereby acknowledge that this application is not complete until the payment for all application fees has been received by the Hanover County Planning Department. The Hanover County Planning Department shall notify me by mail, email or fax (as selected below), of the applicable fee(s) at such time that they determine that the application is complete and acceptable. I acknowledge that I am responsible for ensuring that such fees are received by the Hanover County Planning Department by the Tuesday the week following the application deadline. I further acknowledge that any application fee submitted after this date shall result in the application being considered filed for the next Application Deadline.

Should the applicable fees not be submitted within forty-five (45) days of the date of the notification letter, it shall be my responsibility to arrange for the retrieval of all application materials. The application and any supplementary materials for incomplete applications that are not retrieved within forty-five (45) days of the date of the notification letter shall be destroyed by the Hanover County Planning Department.

Should my application be accepted, my payment will be due by _____. (To be filled in by a Planning Staff member.)

Signature of applicant/authorized agent Annleeta Chavis Date 4/19/24
Print Name Annleeta Chavis

Signature of applicant/authorized agent R. Morris Date 4/19/24
Print Name Rico Morris

Address to which notification letter is to be sent:
15570 Scotchtown Rd.
Montpelier, VA 23192

If you would like your letter emailed and/or faxed, please make selections, and provide the information below:

* Email annleetachavis12@gmail.com Fax _____

FEES

After application is accepted for review, make checks payable to Treasurer, Hanover County:

| | |
|---|-------|
| Special Exception | \$750 |
| Extension | \$20 |
| Special Exceptions for manufactured homes needed in a medical hardship case | \$200 |

Please note: Applicants which request tax-exempt status may have their application fee waived upon presentation of official documentation of such status.

FOR STAFF USE ONLY:

Fee: _____ Accepted by: _____
HTE #: _____

NOTIFICATION OF ZONING APPLICATION SUBMITTAL

TO: Adjacent Property Owner

FROM: AnnleeTa Chavis; Rico Morris

DATE: 4/19/24

The following application will be submitted for review to the Hanover County Planning Department:

- Rezoning
- Conditional Use Permit
- Special Exception

Applicant: AnnleeTa Chavis; Rico Morris

Property Location: 15570 Scotchtown Rd.
Montpelier, VA 23192

GPIN(s): 7830-87-3068

Requested Zoning District: _____

Requested Use/Exception: Medical Hardship Special Exception

The application will be available for viewing at the Hanover County Planning Department. The Planning Department shall notify all adjacent property owners of the time, day, and place of the public hearings to be held on this application. Should you have any questions or comments, please contact the Planning Department at (804) 365-6171.

HISTORIC SITE IMPACT ANALYSIS

Please identify any known or suspected historic resources on both the subject property and adjacent properties, to include both structural and non-structural resources, such as trenches, cemeteries, and archeological sites. Please include the GPIN (Tax Parcel Number) associated with the resource. Please attach additional sheets, if necessary. Should you need assistance completing this form, please contact the Planning Staff.

- 1. Historic Resource/File No. _____ GPIN _____
- 2. Historic Resource/File No. _____ GPIN _____
- 3. Historic Resource/File No. _____ GPIN _____

If you have identified known or suspected historic resources on the subject property or adjacent property, please provide the following information on each site:

- a) Is the historic site listed as a National or State Registered Landmark? _____
- b) Is the historic site open to the public? _____
- c) Describe the impact the proposed request will have on the identified historic resources with regard to noise, traffic, dust, vibration, visual impact, and air pollution. _____

- d) Describe voluntary measures that will be undertaken to help mitigate the impact that the proposed use may have on the identified historic resources. _____

If there are no known or suspected historic resources on the subject property or immediately adjacent, including structural and non-structural resources, trenches, cemeteries, and archeological sites, **please sign and date.**

Signature: Andrew Chavis Date: 4/19/24

EXPLANATION: (Attach additional sheets, if necessary)

1. This Special Exception is being requested in order to: ^{help} provide everyday ~~care~~ for our family member who has fallen on medical hardship and requires extensive care.

2. Briefly describe how you plan to develop the property for the proposed use and any associated uses. Our plan for the property is for a manufactured home to be placed where the required measurements would allow so that around the clock care is available.

3. Describe why the proposed use or exception is desirable and appropriate for the area. What measures will be taken to assure that the proposed use or exception will not have a negative impact on the surrounding vicinity? (For example, this may include traffic or environmental impacts.)

This medical exception would greatly help our family so that accurate and reliable help is always available for our family member. We recently sold our brand new home and land in Goochland County ~~located in Goochland County~~ to be closer to our family member who requires everyday help. We also closely monitor her pacemaker heart machine and if abnormal activity is detected, we are only a few steps away.

4. Are there any deed restrictions concerning the type of use proposed? If so, provide the date the said restrictions expire. (You may attach a copy of the restrictions.) N/A.

5. Is the subject property located in a Dam Break Inundation Zone? Yes No (Please contact the Department of Planning or Public Works for assistance in addressing this question.) If yes, please contact the Department of Public Works for further information.

COMPLIANCE WITH VDOT & COUNTY TRAFFIC IMPACT ANALYSIS REQUIREMENTS

The following must be completed for all applications: The selection below is based on a projected daily trip generation of 5 vehicles per day and a site peak hour trip generation of _____ vehicles per hour, based on the stipulations of 24 VAC 30-155. The _____ edition (latest edition) of the ITE Trip Generation Manual was used in determining the trip generation (Code Number _____ and Page Number _____).

Choose one of the two options below:

- I certify that this proposal **DOES NOT EXCEED** 380 vehicle trips per day that would require submittal of a Traffic Impact Analysis.
- I certify that this proposal **DOES EXCEED** 380 vehicle trips per day that would require a Traffic Impact Analysis be submitted.

Choose one of the two options below:

- I certify that this proposal **DOES NOT MEET** any of the VDOT thresholds identified in the Traffic Impact Analysis Regulations Administrative Guidelines (24 VAC 30-155) that would require a Traffic Impact Analysis to be submitted in conjunction with this application.
- I certify that this proposal **MEETS** at least one of the VDOT thresholds identified in the Traffic Impact Analysis Regulations Administrative Guidelines (24 VAC 30-155) that would require a Traffic Impact Analysis to be submitted in conjunction with this application. A Traffic Impact Analysis, prepared in accordance with the Traffic Impact Analysis Regulations Administrative Guidelines (24 VAC 30-155), has been prepared and will be submitted to VDOT the same day.

Anneta Charis
(Signature of Applicant/Applicant's Representative)

4/19/24
(Date)

anneta charis
(Applicant/Applicant's Representative - Print Name)

Sketch Plan

MOLLE CHAVIS

existing
treeline
(will remain
undisturbed)

proposed
unit

902
69-ft.

Pump
house

Vinyl
Shed

1 Story
Block

existing
drainfield

Gravel Drive



1.3 acreage

Scotchtown Rd.

1" = 60'

Medical Hardship Unit

7830-81-3068

Andreda Chavis 4/19/24

Andreda Chavis Rev. 6/15/24

RECEIVED

JUN 05 2024

HANOVER COUNTY
PLANNING DEPARTMENT

Elevations

3 beds 2 baths 902 sq. ft.

APPLICATION PLAN

RECEIVED

APR 23 2024

HANOVER COUNTY
PLANNING DEPARTMENT

