

# C-23-01, AM. 1-15, SHARON AND ROBERT MURRAY

Residential Rezoning Amendment Report  
South Anna Magisterial District  
PC Meeting Date: November 19, 2015



## Overview

Amendment Request	Amend proffers and conceptual plan to allow one additional lot for family
Current Zoning	AR-6(c), Agricultural Residential District
Acreage	18.57 acres
Location	On the east line of Kings Grant Lane (private road) at its intersection with King Road (State Route 776)
GPINs	7842-70-2522
General Land Use Plan	Agricultural
Major Thoroughfare Plan	King Road – not a major thoroughfare
Suburban Service Area	Outside
Case Planner	Gretchen Biernot

## Executive Summary

This is a request to amend rezoning case, C-23-01(c), Carolyn and Phillip Guthrie, to permit changes to the proffers and conceptual plan. The original case, approved on June 27, 2001, allowed the creation of a 2.78 acre lot and an 18.57 acre lot. Parcels that are 14-24.99 acres in size are eligible for three (3) total lots in the AR-6 district. Therefore, the 18.57 acre subject property is eligible for one more lot. The applicant is requesting one additional lot to be conveyed to a family member.

## Staff Recommendation

**APPROVAL** subject to the submitted proffers, dated October 7, 2015.

**Planning Analysis**

The applicant has submitted a conceptual plan showing the 18.57 acre subject parcel to be divided into two lots. The plan identifies the "Parent Tract" to contain the existing house and accessory buildings. The "Family Division Lot" will be conveyed to a family member to allow them to build a new house in which to reside. Access to both lots will be provided by Kings Grant Lane, a 50' private road. The minimum yard requirements for the new house on this lot are a 60' front yard, 25' side yard, and 30' rear yard. Should this rezoning application be approved, the applicant must submit a family division application for review and approval that is in substantial conformity with the proffered conceptual plan.

This application for AR-6 zoning for one additional lot is consistent with the Agricultural land use designation in the Comprehensive Plan and should have little impact to the existing rural residential character of the area. The proposed lots are similar in size or larger than others in the area, and a tree preservation proffer has been submitted to limit the clearing of large trees on the property.

Approval of this request could result in one additional dwelling unit. Schools affected are listed below:

Population Increase				
General Population	1 units	x	2.69 (avg. persons per household)	= 2.69 persons
School Children	2.69 persons	x	20% (avg. % of children per pop.)	= .54 children

School Enrollment Forecast				
Schools Affected:	Capacity	2015 Enrollment	2016	2017
South Anna Elementary	732	613	587	560
Liberty Middle	1,131	1,051	1,020	1,022
Patrick Henry High	1,669	1,454	1,452	1,425

**Agency Analysis**

There were no substantive comments from any of the reviewing agencies.

**Proffers**

The applicant has submitted the standard proffers for a rezoning application to allow a family division. These proffers cover the following topics: conceptual plan, tree preservation, wetlands certification, perennality study, family division, and reservation of right-of-way. Staff recommends approval of the submitted proffers, dated October 7, 2015.

GJWB/HTE

**Attachments**

- Maps (land use, vicinity, zoning, aerial)
- Historical Commission Recommendation
- Approved Proffers/Elevations/Conceptual Plan
- County Traffic Study
- Application Materials
- Agency Review Comments
- Citizen Correspondence

**Hanover County,  
Virginia**

**Land Use Map**

**Legend**

-  Urban AFD
-  Agriculture
-  Business Park
-  Commercial
-  Extractive
-  Flood Plain
-  Multi-Family
-  Industrial
-  Suburban Transitional
-  Limited Industrial
-  Suburban General
-  Suburban High
-  Office Services
-  Park

**C-23-01, Am. 1-15**

**Sharon A. and Robert A. Murray**

**proffer amendment**

**Agriculture Land Use**

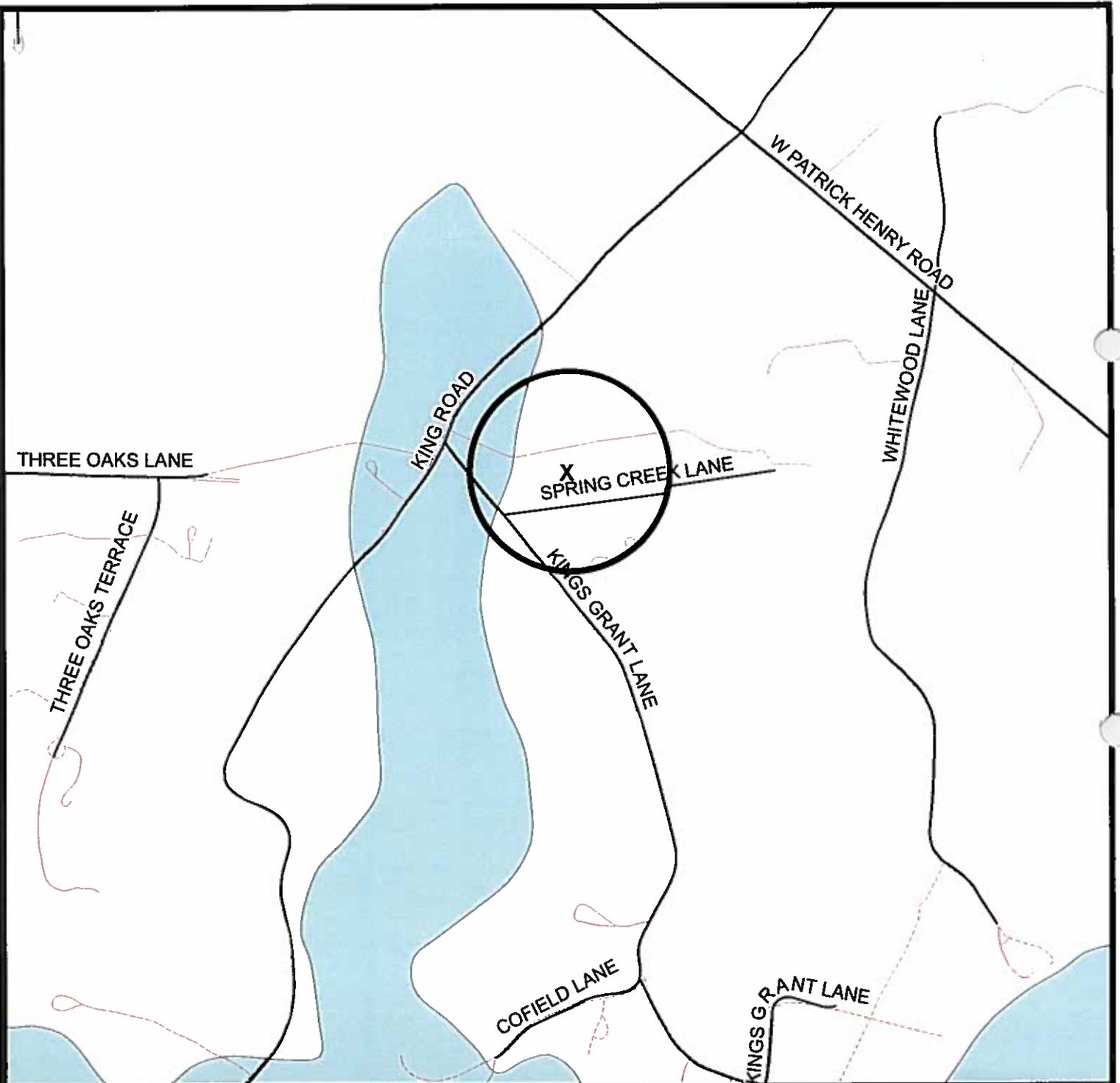
GPIN: 7842-70-2522

*South Anna Magisterial District*



**1 inch = 700 feet**

*September 08, 2015*



**Hanover County,  
Virginia**

**General Parcel Map**

**Legend**

- Roads
- Water
- - - Trees
- - - Private Road
- Structures
- Parcels

**C-23-01, Am. 1-15**

**Sharon A. and Robert A. Murray**

**proffer amendment**

**Zoned AR-6**

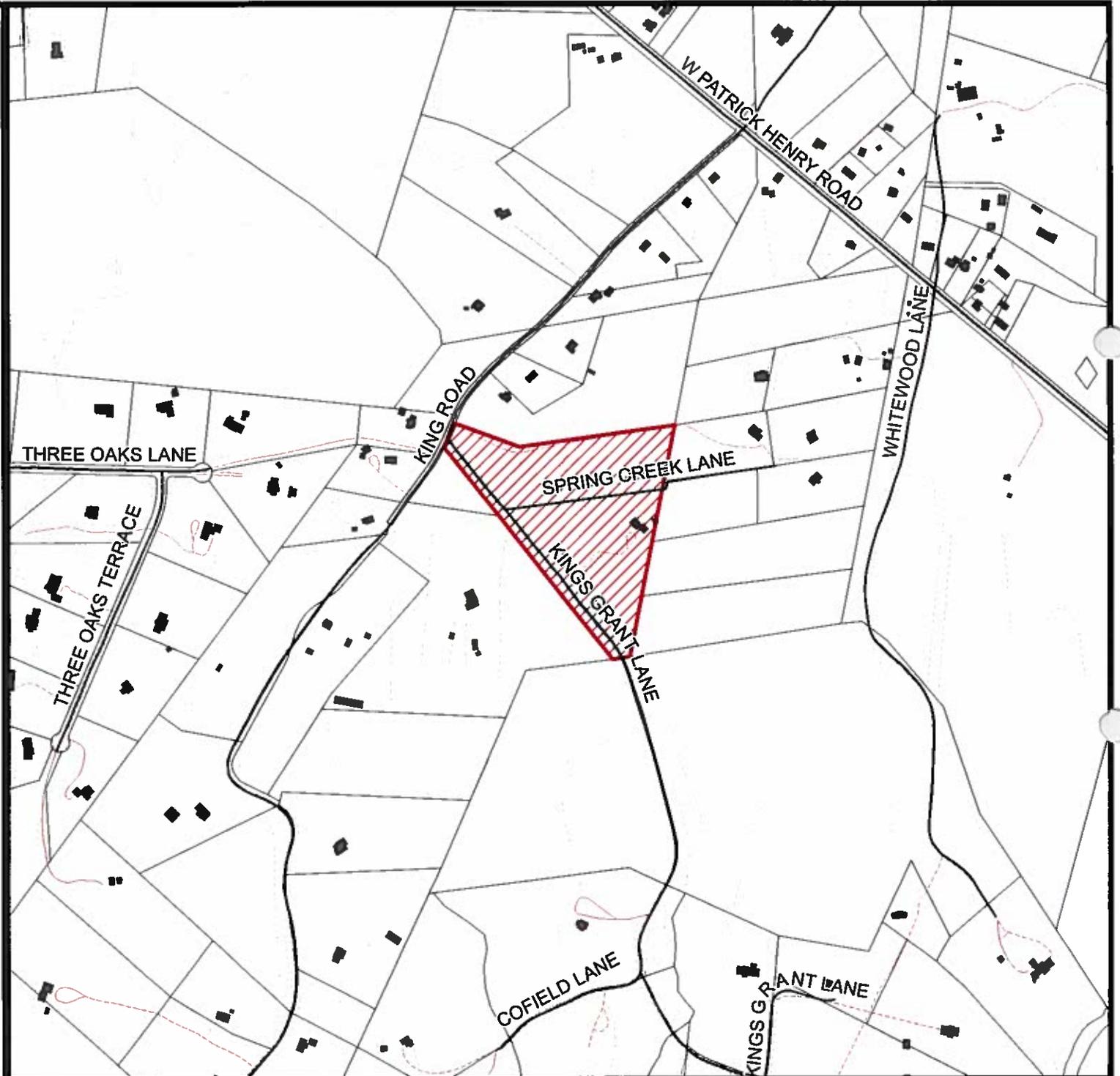
**GPIN 7842-70-2522**

**South Anna Magisterial District**



**1 inch = 700 feet**

**September 08, 2015**



# Hanover County, Virginia

## Zoning Map

### Legend

— Roads	□ RS
— Water	□ R-1
- - - Private Road	□ 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

### C-23-01, Am. 1-15

Sharon A. and Robert A. Murray

proffer amendment

Zoned AR-6

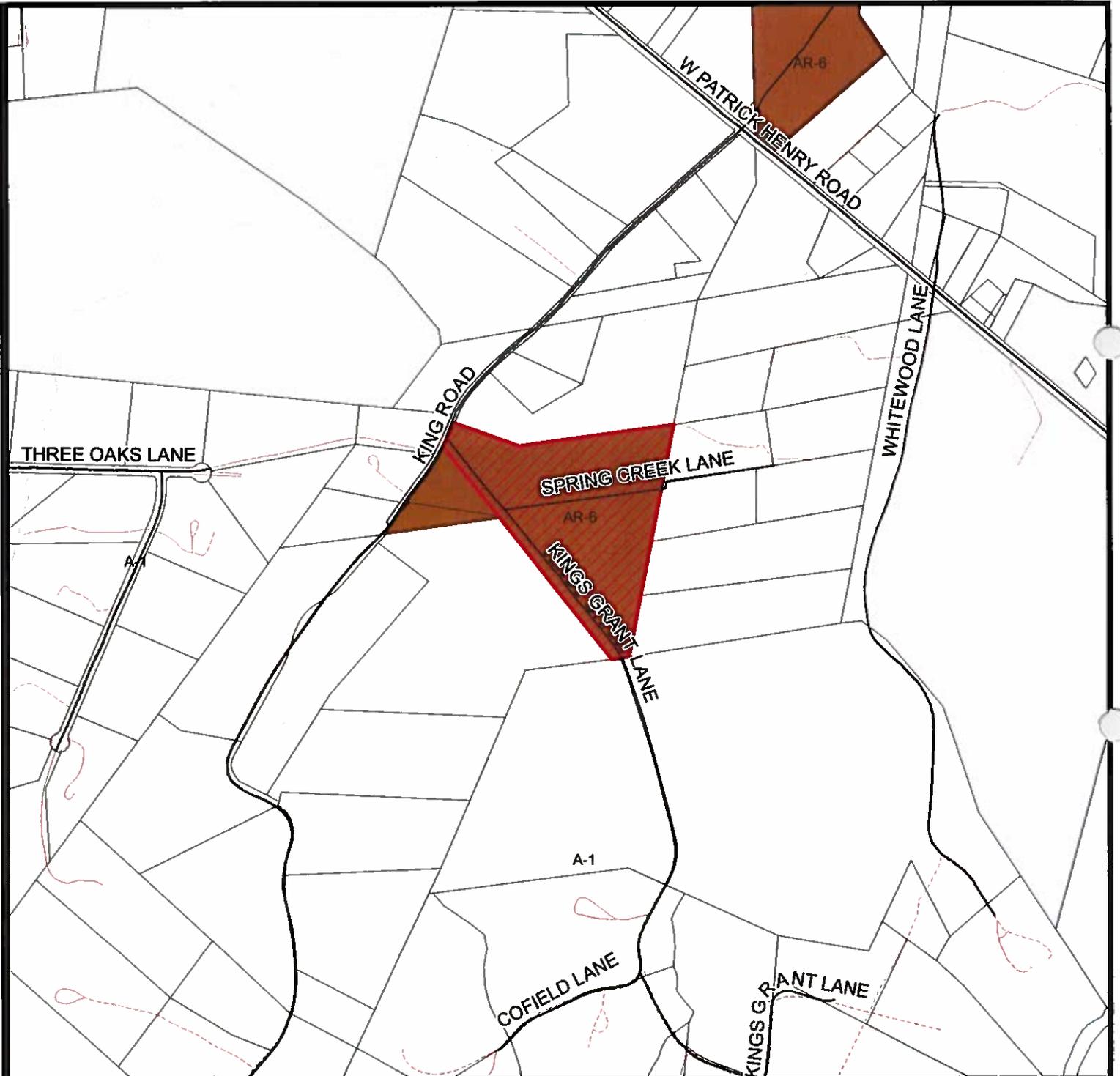
GPIN: 7842-70-2522

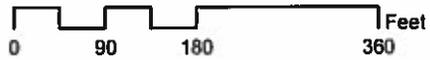
South Anna Magisterial District



1 inch = 700 feet

September 08, 2015

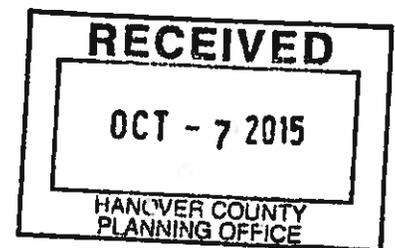




**Proffers: C-23-01, Am. 1-15(c), Sharon A. and Robert A. Murray**

The undersigned, Sharon A. and Robert A. Murray, owner of parcel designated GPIN 7842-70-2522, ("the Property"), voluntarily agrees for himself, his agent, personal representatives, successors and assigns (collectively "the Property Owner") that, in the event the proffers for the Property are amended, the development and use of the Property shall be subject to the following conditions:

1. Conceptual Plan. The property shall be divided in substantial conformity with the conceptual plan attached, titled "Family Division of 18.56 Acres of Land Situated on the East Line of King Road," dated July 22, 2015, and prepared by William Knoop.
2. Tree Preservation. Existing trees of 5 inch caliper or greater on the Property shall not be removed with the exception of dead or diseased trees or parts thereof. This shall not prevent the removal of trees necessary for the construction of improvements, driveways, drainfields, or drainage facilities.
3. Wetlands Certification. The Owner agrees to submit a wetlands certification for the property to the Hanover County Department of Public Works for its review and approval prior to or concurrent with the submission of an application for a Family Division. The Family Division shall not be approved unless the Department of Public Works approves the wetlands certification.
4. Perenniality Study. The Owner agrees to submit a perenniality study for the property to the Hanover County Department of Public Works for its review and approval prior to or concurrent with the submission of an application for a Family Division. The Family Division shall not be approved unless the Department of Public Works approves the perenniality study.
5. Family Division. The Property shall only be divided for family, in accordance with Chapter 25, Article II, Division 5 of the Hanover County Code. The family member to whom the property was sold or given shall hold title to and reside on the newly created lot for at least three (3) years following the issuance of a Certificate of Occupancy, unless the lot is the subject of an involuntary transfer caused by foreclosure, death, judicial sale, condemnation, or bankruptcy.
6. Reservation of Right-of-Way. The Owner agrees to reserve twenty-five (25) feet of right-of-way from the centerline of King Road (State Route 776) to the property for the future road widening.



Robert A. Murray  
Owner

Oct 7, 2015  
Date

COMMONWEALTH OF VIRGINIA,  
COUNTY OF HANOVER, to-wit:

I, Angela W. Pitts, do hereby certify that  
Robert A. Murray has acknowledged the foregoing Proffers  
before me, this 7th day of October, 2015.

Angela W. Pitts (SEAL)  
Notary Public

My Commission Expires: 03 31 19

Sharon A. Murray  
Owner

10/7/15  
Date

COMMONWEALTH OF VIRGINIA,  
COUNTY OF HANOVER, to-wit:

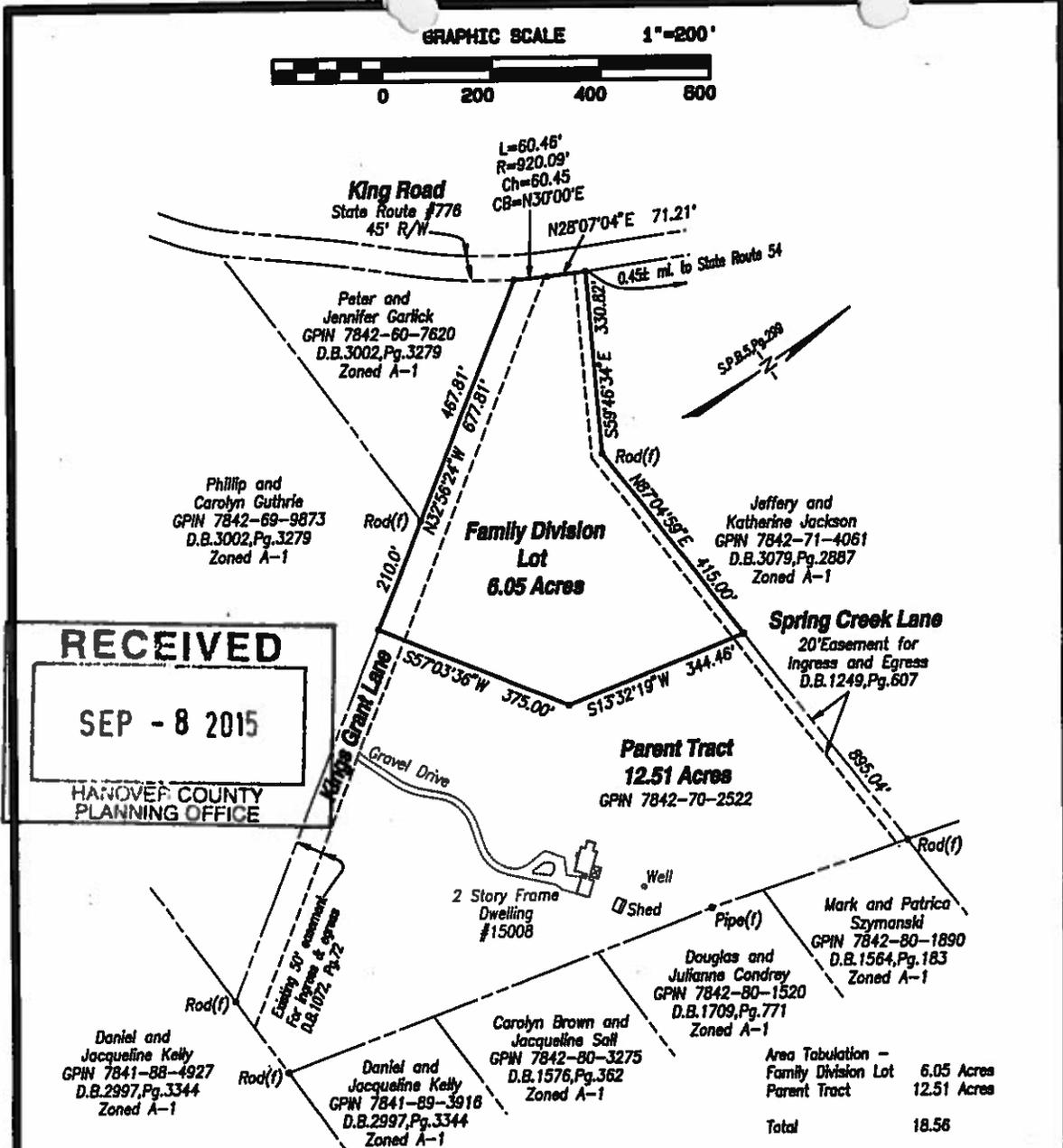
I, Angela W. Pitts, do hereby certify that  
Sharon A. Murray has acknowledged the foregoing Proffers  
before me, this 7th day of October, 2015.

Angela W. Pitts (SEAL)  
Notary Public

My Commission Expires: 03/31/19



GRAPHIC SCALE 1"=200'



**RECEIVED**  
SEP - 8 2015  
HANOVER COUNTY  
PLANNING OFFICE

**Parent Tract**  
12.51 Acres  
GPIN 7842-70-2522

2 Story Frame Dwelling #15008

Area Tabulation -	
Family Division Lot	6.05 Acres
Parent Tract	12.51 Acres
<b>Total</b>	<b>18.56</b>

- Notes:
1. Owners: Robert and Sharon Murray #15008 Kings Grant Lane Doswell, Va. 23047
  2. Zoning: AR-8
  3. Legal Reference: D.B.1849, Pg.480

A. This property is in a Chesapeake Resource Management Area. This property may contain a 100' Resource Protection Area Buffer which will be determined through the building permit review process. A perennial stream assessment will need to be performed on all drainage ways and a wetland delineation performed on the property in order to accurately locate the limits of the RPA buffer, prior to approval of a building permit for the property.

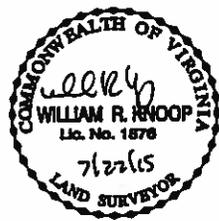
B. All lots located within a Chesapeake Bay Preservation Act Area are required to have a 100% reserve drain field.

C. All septic systems located within a Chesapeake Bay Preservation Act Area (Resource Management Area) must be pumped out every 5 years.

D. Resource Protection Areas are to be retained as undisturbed and vegetated 100' wide buffer area, as specified in Chapter 10 of the Hanover County Code.

E. Only water dependent facilities and redevelopment, as defined in chapter 10 of the Hanover County code are permissible within the Resource Protection Area, including the 100' wide buffer.

F. Property lies within F.E.M.A. defined flood zone "X" per community panel number 51085C01658, dated December 2, 2008.



**Family Division of 18.56 Acres of Land**  
Sited on the East Line of King Road  
State Route #778, GPIN 7842-70-2522  
South Anna Harbor District, Hanover County, Virginia  
Date: July 22, 2015 Scale: 1"= 200' JN: 53380015

**Goodfellow, Talbert, Beard, and Associates Inc.**  
7104 Mechanicsville Turnpike / P.O. Box 539  
Mechanicsville, Virginia 23111  
(804) 746 - 7097 Fax (804) 730 - 7275  
ENGINEERING - SURVEYING - PLANNING