

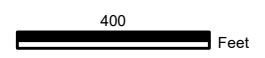
SUBJECT PROPERTY

PUP2023-00020

Zoning

Bed and Breakfast

Varina District





COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

John A. Vithoukas
County Manager

February 20, 2024

Cappie and John Montgomery
2666 Kingsland Road
Henrico, VA 23231

RE: Provisional Use Permit PUP2023-00020

Dear Cappie and John Montgomery:

The Board of Supervisors, at its meeting on February 13, 2024, approved your request for a Provisional Use Permit under Sections 24-4205 and 24-4325.A of Chapter 24 of the County Code to allow a bed and breakfast and an event venue on parcel 826-679-8969 located on the north line of Kingsland Road at its intersection with Deep Bottom Road, subject to the following conditions:

1. **Permitted Uses.** – In addition to a single-family residence and farm, the property may only be used for:
 - a. a single-bedroom bed and breakfast (B&B);
 - b. events such as weddings, receptions, anniversaries, birthdays; and
 - c. meetings and receptions for civic groups, neighborhood groups, private individuals and groups.
2. **Total Events & Guests.** The number of events with more than 50 guests will be limited to 15 per year, and the maximum number of guests for any single function will be 150. Wedding parties will be the only event guests permitted to use the living quarters. The applicant must maintain a list of events and event attendance and produce such list at the request of the Director of Planning.
3. **Hours of Event Functions.** All uses permitted in Conditions 1.b and 1.c may occur only between the hours of 12:00 noon and 11:00 p.m.
4. **Employees.** The maximum number of employees working on-site for events may not exceed twenty (20) at any one time. This will not apply to farm employees

5. **Event Areas & Tents.**

- a. All events will be outdoor-only, however, members of wedding parties may be allowed to use the house for dressing and other preparations.
- b. Planned gathering areas for outdoor events will be limited to the two (2) locations identified on layout Exhibit A (see case file), not to exceed an aggregate total of 800 square feet.
- c. Tents must only be installed by a licensed and insured company with a minimum of \$1M in liability insurance.
- d. Tents may be installed up to two (2) business days before a function and must be removed not less than two (2) business days after the conclusion of the function.

6. **Food Preparation & Meals.** With the exception of meals for the owners, their personal guests, and guests of the bed and breakfast, food preparation will be limited to cooking of meals for functions located on the farm and will be done in accordance with State and Local regulations regarding food service. No food prepared on the farm may be distributed offsite, except as may be provided and allowed under Virginia Department of Agriculture and Consumer Services (VDACS) regulations for items to be sold at farmers' markets and similar outlets. No more than two (2) meals may be served daily to B&B guests.

7. **Access & Parking.**

- a. All guests will enter the farm via the main driveway entrance off of Kingsland Road.
- b. Guest parking for functions will be limited to the prepared area along the southern property line adjacent to Kingsland Road, as identified on layout Exhibit A (see case file). The parking area will be maintained to avoid any debris leaving the farm onto Kingsland Road.
- c. Adequate parking must be provided for each event. The perimeter of the event parking area must be clearly delineated, and drive aisles a minimum of 24' in width must be maintained. Each parking space must be at least 8' 6" wide x 18' deep.
- d. All functions regardless of the number of guests must have at least one parking attendant to help move guests quickly and safely from Kingsland Road to the parking area. All functions with more than 50 guests must have at least two parking attendants.
- e. Guests with mobility limitations may be driven up to the house, but cars must be parked in the designated parking area.
- f. No parking will be allowed in or along the driveway in order to keep the drive clear for ingress / egress and to ensure access for emergency service vehicles.
- g. Parking will not be permitted in the minimum 50-foot required front yard along the ultimate right-of-way of Kingsland Road.

8. **Right-of-Way Dedication.** Prior to business operation under this permit, right-of-way measuring 33 feet from the centerline of Kingsland Road must be dedicated to the county for future widening. Should the dedicated property not be utilized for the stated purpose within fifteen (15) years of the date of the dedication, title to the dedicated property will revert to the landowner or its successors in interest. The deadline for dedication may be extended upon written request from the property owner, subject to approval by the Director of Planning.

9. **Restrooms & Waste Removal.**
 - a. Portable Toilets:
 - i. All functions regardless of the number of guests must have at least one (1) portable toilet available for guests. All functions with more than 50 guests must have at least two (2) portable toilets available for guests.
 - ii. All guests must use outdoor portable toilets.
 - iii. Portable toilets may be installed up to two (2) business days before the function and must be removed not less than two (2) business days after the conclusion of the function.
 - b. Waste Removal and Recycling:
 - i. Recycling will be required for all functions and there will be adequate provisions for the collection of recyclable materials.
 - ii. All functions must have adequate provisions for collection of waste and garbage.
 - iii. After all functions, waste and recycling must be assembled in closed containers, and all such material must be removed from the farm within two (2) business days of the function.

10. **Public Address & Music.** The use of outdoor sound amplification will abide by the following operational standards to minimize impacts on adjacent properties:
 - a. Speakers must contain full volume controls;
 - b. Amplification must be limited to the minimum level necessary to entertain guests and minimize or prevent sound from being heard beyond the property boundaries;
 - c. Speakers must be located a minimum of 250' from the property lines and must be directed northward, away from the closest existing homes; and
 - d. Amplified music or speakers may only be permitted during the following days and times:
 - i. Friday between 5:00 p.m. and 10:00 p.m.
 - ii. Saturday between 12:00 p.m. and 10:00 p.m.
 - iii. Sunday between 12:00 p.m. and 8:00 p.m.

11. **Natural Tree Buffers.** To maintain the existing noise-dampening and light-screening qualities of the site's wooded perimeter, portions of these areas must be maintained as undisturbed natural buffers as long as the property is used for

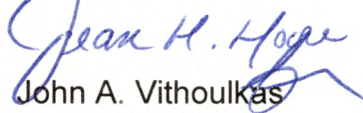
events as described in this permit. The minimum preserved widths from the property lines will be 25' to the south and west, and 50' to the north and east. If widening of Kingsland Road requires removal of the existing southern tree buffer, the applicant must submit a landscape plan to the Director of Planning within 60 days of completion of said road improvements for approval of alternative buffer planting in that location.

12. **Lighting.** Temporary lighting must be provided as needed for safe movement about the event spaces, including to and from the parking area. Such lighting must be the minimum necessary for guests and will be directed downward and toward the interior of the farm so as to minimize glare on adjacent properties.
13. **Alcoholic Beverages.** Alcoholic beverages must not be served except in strict compliance with all Virginia Alcohol Beverage Control Board rules and regulations.
14. **Client Contracts.** All persons and organizations using the farm for functions must only do so after entering a written contract requiring strict compliance with the conditions in this permit and other requirements stated in the hosts' Standard Operating Procedures document.
15. **Other Regulations.** The bed and breakfast, tents, buildings, and food preparation must comply with all County and State regulations and be coordinated with appropriate County and State agencies.
16. **Signage.** There may be no more than one (1) sign installed on the Property along Kingsland Road. The sign may be no more than twelve (12) square feet in size and no more than seven (7) feet in height. If the sign is to be illuminated, only ground-mounted lights may be used.
17. **Plan Review.** – Prior to business operation under this permit, the owner must submit a site layout for review and approval by the Director of Planning. The layout must be prepared by a licensed engineer, landscape architect, or surveyor and must show the locations and dimensions of each of the following:
 - a. the subject property,
 - b. existing and proposed permanent and temporary structures, including corresponding setbacks,
 - c. parking areas,
 - d. septic field,
 - e. perimeter tree preservation areas, and
 - f. other relevant features necessary to determine consistency with PUP conditions.

18. **Revocation.** As detailed in Zoning Ordinance Section 24-2306 C.7(b), should evidence or registered complaints indicate that the events use is having adverse effects on the area, the Board of Supervisors may hold a public hearing to consider revoking the PUP, or amending all or some conditions.

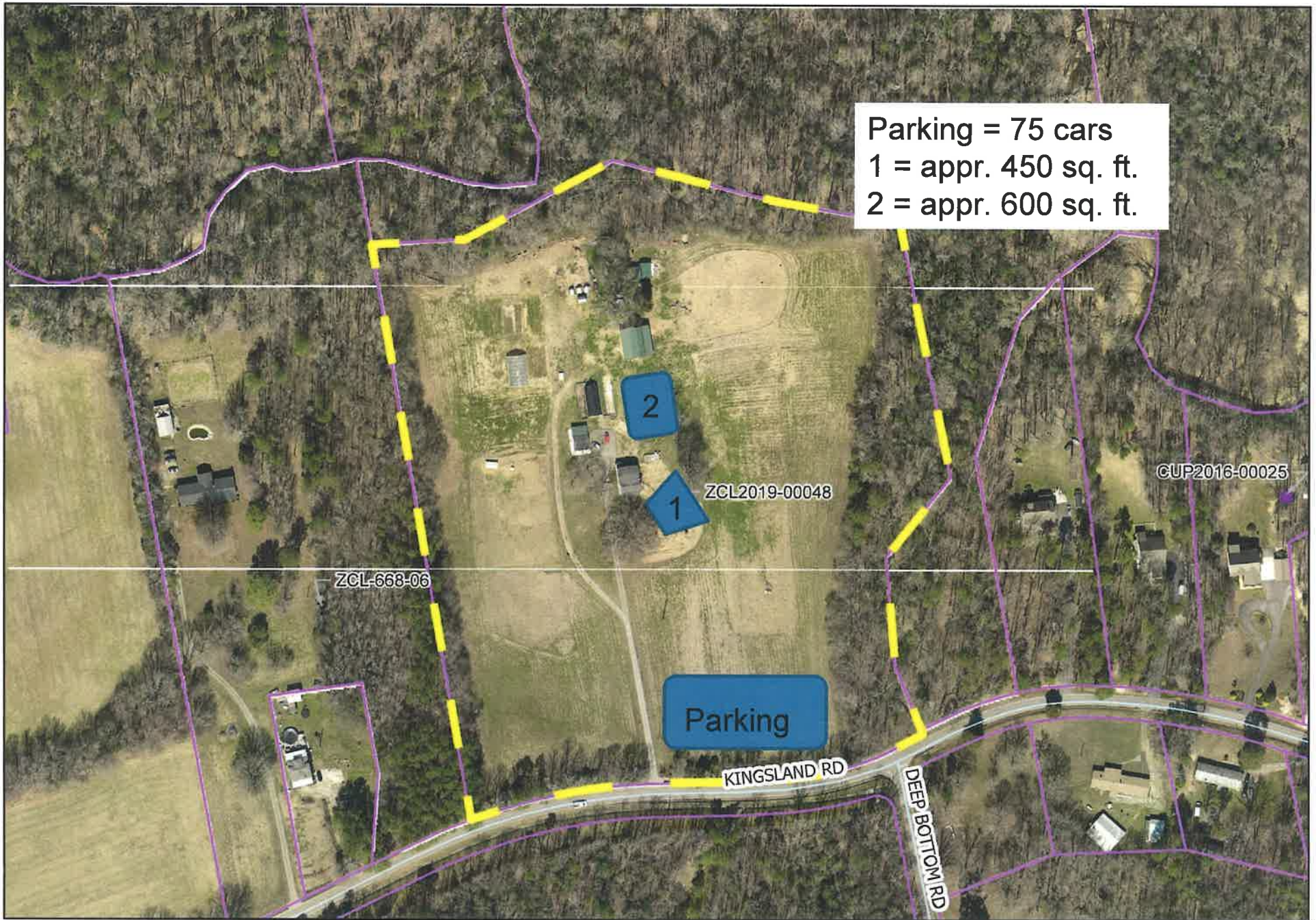
The Planning Department has been advised of the action of the Board of Supervisors and requested to revise its records.

Sincerely,



John A. Vithoukas
County Manager

pc: Director, Real Estate Assessment
Police, Special Services
Fire Marshall



Parking = 75 cars
1 = appr. 450 sq. ft.
2 = appr. 600 sq. ft.

Aerial: 2666 Kingsland Road
(GPIN: 826-679-8969)

PUP2023-00020
Exhibit A

