

August 17, 2020

Rebecca Ragsdale, Principal Planner  
Community Development  
County of Albemarle  
401 McIntire Road  
Charlottesville, VA 22903

Re: The Manors Home Stay Special Exception Request (HS201900026)

Dear Ms. Ragsdale,

There were a few points you have raised that you felt were unfavorable to the Homestay Special Exception request I have applied for. I have taken several steps to address these points.

First, I am withdrawing the special exception request to waive the owner occupancy requirement under the County's zoning ordinance Section 5.1.48(j)(1)(iv). I will be residing in the primary dwelling (2405 Northfields Road) which will be my personal home. I informed you of this in my previous letter to you in April but wanted to make certain you take note of this. You previously have suggested that "the sole use of the primary dwelling (#2405) would be for homestay use." This is not true as the principal use of 2405 will be as my residence, with guest rooms in my residence being occasionally occupied as part of the proposed homestay use.

You have repeatedly raised a concern that the property at 2405 Northfields Road was owned in the name of a corporate entity (my limited liability company, The Manors LLC). I don't agree that the type of ownership should have anything to do with how the proposed homestay use is reviewed or approved. However, in order to address any concerns you or others may have with the form of ownership, I have transferred the property's ownership back into my own name. The recent deed is attached. There should no longer be any concerns expressed about the form of ownership.

A concern was also expressed that the proposed homestay use "would be commercial in nature and appear out of character with the surrounding neighborhood." A homestay is, by its very definition in Section 3.1 of the County's Zoning Ordinance, recognized as "an accessory residential use." It is thus by definition a "residential use" and conforms with the Places 29 master plan that designates the area for neighborhood residential uses. It is important to keep in mind that the use of the property will remain entirely residential as it will be my home. The property will continue to appear residential in nature in all aspects. No one objectively viewing the property from Northfields Road or any other vantage point will notice anything "commercial" about the property.

As for the scale and character, the improvements I have made to the residence at 2405 Northfields Road cannot fairly be said to have any negative impact on the neighborhood. While I've expanded the size of the residence from what it was before, my newly renovated residence is not at all out of line with some of the larger homes in the neighborhood such as the one directly across the road at 2406 Northfields Road or the residences at 2418 Northfields Road and 1430 Old Brook Road. Prior to my renovations, the residence was more of an eyesore that hurt the neighborhood's character because it was in need of substantial repairs and yard maintenance (see photo of prior condition attached). The improvements I have made to the residence at 2405 Northfields Road have resulted in a much more attractive and up-scale residence which only enhances the character of the neighborhood. (see photo of renovated residence attached).

As for the homestay use, it is unlikely that the neighbors will even notice it. The homestay will have occasional guests, mostly over weekends. Guests will likely spend much of their time away from my residence attending events they have traveled to Charlottesville for. All guests will be directed to access the homestay directly from Rio Road so there will not be any noticeable additional traffic going through the neighborhood. Guests will generally park their vehicles in the rear of the residence. The parking area will not be visible from Northfield Road as it is fenced on all sides and there will be a gated entrance. The yard areas are fenced and heavily landscaped for my privacy and enjoyment, but they will also serve to protect my immediate neighbors.

I ask you to carefully re-evaluate my application for an increase in the number of guest rooms permitted from two to five. Given the changes I have outlined, there should no longer be any concerns related to owner occupancy, the form of ownership, the nature of the homestay use, or its scale and character.

Sincerely,

A large, stylized handwritten signature in black ink, appearing to read 'Darrick Harris', written over a horizontal line.

Darrick Harris, Owner

202000009269.002

Tax Map / Parcel : 062A1-00-0G-01800  
Consideration: Deed from LLC, exempt pursuant to  
Code of Virginia Section 58.1-811(A)(11).  
Title Insurer for this transaction: None. This deed is  
prepared without benefit of title examination. No opinion on title  
is provide.

Prepared by and return to:  
Lair D. Haugh, VSB # 25187  
Haugh & Haugh, P.C.  
435 Park Street  
Charlottesville, Virginia  
22902

THIS DEED OF GIFT dated this the 15th day of July, 2020, by and between  
THE MANORS, LLC, a Virginia limited liability company, GRANTOR, and  
DARRICK HARRIS, GRANTEE, whose address is 255 Lakeview Dr., Charlottesville,  
Virginia 22901.

WITNESSETH:

THAT for and in consideration of \$10.00, receipt of which is hereby  
acknowledged, the said Grantor does hereby GIVE, GRANT, and CONVEY, with  
GENERAL WARRANTY and ENGLISH COVENANTS OF TITLE unto the Grantee,  
all that certain lot or parcel of land, with the improvements thereon and appurtenances  
thereto belonging as described in Schedule A attached hereto.

This conveyance is made expressly subject to any and all easements, conditions,  
restrictions, covenants, and reservations contained in duly recorded deeds, plats, and  
other instruments constituting constructive notice in the chain of title to the said property  
hereby conveyed, as the same may lawfully apply, which have not expired by a time  
limitation contained therein or have not otherwise become ineffective.

WITNESS the following signatures and seals:

THE MANORS, LLC

BY: [Signature]  
Its: Owner

COMMONWEALTH OF VIRGINIA  
CITY/COUNTY OF Charlottesville; to-wit:

The foregoing was signed and acknowledged before me this the 12<sup>th</sup> day of July, 2020, by Derrick Harris, owner of The Manors, LLC, on behalf of said company.

My commission expires: 07/24/2021

[Signature]  
Notary Public



ANA VICTORIA GONZALEZ  
NOTARY PUBLIC 7559488  
COMMONWEALTH OF VIRGINIA

MY COMMISSION EXPIRES FEBRUARY 28, 2021

Photograph of residence prior to renovations



Photograph of renovated house viewed from Northfields Road

