

Attachment A - Staff Analysis

STAFF PERSON: Lea Brumfield, Senior Planner II
BOARD OF SUPERVISORS: October 2, 2024
PROJECT: SE202400017 4975 Blue Fox Farm Homestay
PROPERTY OWNER: Blue Fox LLC
LOCATION: 4975 Blue Fox Farm
PARCEL ID: 01400-00-00-01700
MAGISTERIAL DISTRICT: White Hall

APPLICANT'S PROPOSAL:

The applicant is requesting to permit resident managers to fulfill the residency requirements for a homestay use (Attachment B).

County Code § 18-5.1.48(b)(2) requires at least one individual owner of the homestay parcel to reside on the subject parcel for a minimum of 180 days in a calendar year. The property is owned by Blue Fox LLC, held solely by Mr. Claude Dussaud. This application is requesting a special exception to permit Mr. Claude Dussaud and Ms. Friederike Dussaud to serve as resident managers for Blue Fox LLC.

CHARACTER OF THE PROPERTY AND AREA:

The 238.52-acre property is located in Browns Cove, north of White Hall, along Browns Gap Turnpike. The property primarily consists of cow pastures and forested areas. There are two dwellings on the property, a 1,699 sf dwelling at 4975 Blue Fox Farm built in 1976 near the front of the property, and a 3,141 sf dwelling at 5035 Blue Fox Farm built in 1985 in the center of the property. The property also contains multiple farm buildings.

The applicants reside in 5035 Blue Fox Farm, and intend to rent 4975 Blue Fox Farm as a homestay.

Blue Fox LLC also owns a 19.92-acre parcel directly east of the parcel, at 5498 Browns Gap Turnpike, which contains a dwelling and outbuildings.

The nearest dwelling is approximately 460 feet from the proposed homestay location. The next nearest dwelling not owned by Blue Fox LLC is approximately 970 feet from the proposed homestay. The majority of the surrounding parcels are forested and contain dwellings over 2000 feet away from the proposed homestay location.

PLANNING AND ZONING HISTORY:

The property is currently in compliance with zoning and taxation/licensing regulations.

ABUTTING PROPERTY OWNER COMMENTS

Staff had received no comments or concerns about the proposed homestay special exception as of September 11, 2024.

COMPREHENSIVE PLAN:

The property is designated as Rural Area in the Comprehensive Plan. This designation includes preservation and protection of agricultural, forestal, open space, and natural, historic, and scenic resources. The Rural Area chapter of the Comprehensive Plan recognizes tourism as a vital part

of the County's economy but urges that care be taken with tourist activities so that they do not overwhelm or negatively affect the very resources that make rural Albemarle attractive to residents and tourists. Staff does not believe that the proposed special exception would conflict with these overall goals of the Comprehensive Plan.

ANALYSIS OF THE SPECIAL EXCEPTION REQUEST:

Special exceptions are subject to County Code § 18-33.5, under which the Board may either approve or deny an application, defer action to allow for changes prior to final action, or refer the application to the Planning Commission.

County Code §18-5.1.48(d)(3) provides that among other relevant factors, in granting homestay special exceptions, the Board may consider whether:

- (i) *There would be any adverse impact(s) to the surrounding neighborhood;*
- (ii) *There would be any adverse impact(s) to the public health, safety, or welfare;*
- (iii) *The proposed special exception would be consistent with the Comprehensive Plan and any applicable master or small-area plan(s); and*
- (iv) *The proposed special exception would be consistent in size and scale with the surrounding neighborhood.*

Staff's opinion is that permitting the Dussauds to act as resident managers for Blue Fox LLC would not cause adverse impacts to the surrounding neighborhood or to the public health, safety, or welfare. As an accessory use to a residential dwelling, the proposed use would be consistent with the Comprehensive Plan, and as the structure is already in existence, it is consistent in size and scale with the surrounding neighborhood.

The applicants would be required to meet all homestay requirements of the County Code prior to operating a homestay. The homestay regulations to be met at that time include parking requirements, safety inspections and meeting building code, neighbor notification of emergency contact, and visible addressing for Fire Rescue. These requirements, along with residency of the residential managers, are verified through the zoning clearance process, which would follow special exception approval.

RECOMMENDATION:

Staff recommends that the Board adopt the attached resolution (Attachments F) to approve a Homestay special exception to permit resident managers to fulfill the residency requirements for a homestay use at 4975 Blue Fox Farm.

ATTACHMENTS

- A. Staff Analysis
- B. Applicant's Request
- C. County Code § 18-5.1.48 Homestay Zoning Regulations
- D. Location Map
- E. Parking and Structures Location Exhibit
- F. Resolution