

COUNTY OF ALBEMARLE

APPLICATION FOR A SPECIAL EXCEPTION

☐ Request for a waiver, modification, variation or substitution permitted by Chapter 18

☐ Variation to a previously approved Planned Development rezoning application plan or Code of Development

OR

☐ Relief from a condition of approval

Provide the following

- 1 copy of a written request specifying the section or sections being requested to be waived, modified, varied or substituted, and any other exhibit documents stating the reasons for the request and addressing the applicable findings of the section authorized to be waived, modified, varied or substituted.

Provide the following

- 1 copy of the existing approved plan illustrating the area where the change is requested or the applicable section(s) or the Code of Development. Provide a graphic representation of the requested change.
- 1 copy of a written request specifying the provision of the plan, code or standard for which the variation is sought, and state the reason for the requested variation.

FEE = 523.12

Application \$503 + Technology surcharge \$20.12

Project Name : _____

Current Assigned Application Number (HS, HO, CLE, SDP, SP or ZMA) _____

Tax map and parcel(s): _____

Applicant / Contact Person _____

Address _____ **City** _____ **State** ____ **Zip** _____

Daytime Phone# (____) _____ **Fax#** (____) _____ **Email** _____

Owner of Record _____

Address _____ **City** _____ **State** ____ **Zip** _____

Daytime Phone# (____) _____ **Fax#** (____) _____ **Email** _____

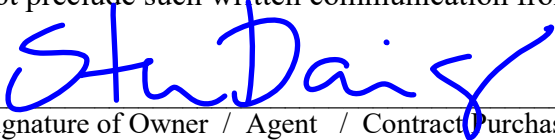
County of Albemarle
Community Development Department
401 McIntire Road Charlottesville, VA 22902 Voice: (434) 296-5832 Fax: (434) 972-4126

COUNTY OF ALBEMARLE**APPLICATION FOR A SPECIAL EXCEPTION****APPLICATION SIGNATURE PAGE**

If the person signing the application is someone other than the owner of record, then a signed copy of the "CERTIFICATION THAT NOTICE OF THE APPLICATION HAS BEEN PROVIDED TO THE LANDOWNER" form must be provided in addition to the signing the application below. (page 3)

Owner/Applicant Must Read and Sign

By signing this application, I hereby certify that I own the subject property, or have the legal power to act on behalf of the owner of the subject parcel(s) listed in County Records. I also certify that the information provided on this application and accompanying information is accurate, true, and correct to the best of my knowledge. By signing this application, I am consenting to written comments, letters and or notifications regarding this application being provided to me or my designated contact via fax and or email. This consent does not preclude such written communication from also being sent via first class mail.



Signature of Owner / Agent / Contract Purchaser

Date

Print Name

Daytime phone number of Signatory

FOR OFFICE USE ONLY APPLICATION# _____ Fee Amount \$ _____ Date Paid _____

By who? _____ Receipt # _____ Ck# _____ By _____

COUNTY OF ALBEMARLE**APPLICATION FOR A SPECIAL EXCEPTION****CERTIFICATION THAT NOTICE OF THE
APPLICATION HAS BEEN PROVIDED TO THE LANDOWNER**

This form must accompany this zoning application if the application is not signed by the owner of the property.

I certify that notice of the application for, _____
[Name of the application type & if known the assigned application #]

was provided to _____
[Name(s) of the record owners of the parcel]

the owner of record of Tax Map and Parcel Number _____

by delivering a copy of the application in the manner identified below:

_____ Hand delivery of a copy of the application to _____
[Name of the record owner if the record owner is a person; if
the owner of record is an entity, identify the recipient of the
record and the recipient's title or office for that entity]
on _____
Date

_____ Mailing a copy of the application to _____
[Name of the record owner if the record owner is a person; if
the owner of record is an entity, identify the recipient of the
record and the recipient's title or office for that entity]
on _____ to the following address _____
Date

_____ [A d d r e s s; written notice mailed to the owner at the
last known address of the owner as shown on the
current real estate tax assessment books or current real
estate tax assessment records satisfies this
requirement].

Signature of Applicant

Print Applicant Name

Date

Written Request for Special Exception

We are requesting a Special Exception for Tax Map 108, parcel 7A1 in Covesville. The primary address of the property is 5576 Boaz Road (Main House), and the property is commonly referred to as Cove Lawn. Based on Chapter 18, Section 5.1.48.i.1.ii, we request a “reduction in minimum applicable yards for a structure....” for a Homestay use.

Background

Cove Lawn Farm was established along the headwaters of Cove Creek in the Rich Cove area of Albemarle County *circa* 1782. The nearby village later became known as Covesville, and six of the current farm buildings are contributing structures to the Covesville Historic District. The farm’s main house and the cottage date to the earliest period and are the two oldest buildings in the historic district.

Over time, the farm grew to several hundred acres. In the early 2000’s, the property was subdivided, separating the farmhouse and outbuildings from most of the farmland. The current parcel is 24.66 acres.

Context

The parcel is located on a modest country lane, with few other dwellings. The setting is predominantly pastoral with hayfields and interconnected tracts of forest. The parcel is surrounded on three sides by an undeveloped property (the original Cove Lawn farm) which is now in conservation easement and contains one abandoned dwelling. On the opposite side of Boaz Rd, a larger parcel was subdivided approximately twenty years ago, but all of the parcels there remain undeveloped. To the northeast, closer to Route 29, there are two parcels, both under the same ownership, collectively containing three dwellings.

Also see attached site diagrams.

Homestay Overview

Three of the historic buildings at Cove Lawn are candidates for the Homestay use; however, all three of these structures are less than 125’ from the current boundary.

The Homestay provisions otherwise permit up to five guest bedrooms on the property. We are proposing to utilize the historic cottage as a Homestay with two guest bedrooms. We do not currently have plans for other Homestay guest rooms on the property; but on the recommendation of planning department staff, we are including all three historic structures in this application. This would enable the full by-right complement of five guest bedrooms on the property at a future date.

The special exception is requested to enable the use of these three historic structures for a Homestay use.

Cottage

The original cottage was built *circa* 1782 and has been an integral part of the pastoral setting for more than 200 years. It was expanded on at least two occasions, with the last modest expansion completed in the mid-1900's. We propose to utilize the historic cottage adjacent to the main house as a Homestay. The cottage will accommodate two guest bedrooms.

The house sits approximately 61 feet from the property line along Boaz Road. The back side of the cottage faces the road, and there are no doors on the road side. Because of the disposition, there is little connectivity between the road and the daily activity of cottage occupants.

The cottage is situated in mature landscaping. Large foundation plantings of boxwood and rhododendron, and a large spruce tree conceal much of the façade facing Boaz Road. Other evergreen trees and dense plantings screen the cottage completely from east and west approaches along the road.

The cottage parking lot is largely concealed by boxwoods and evergreen trees on three sides.

The closest dwelling to the cottage is the secondary dwelling at 5585 Boaz Road. There is not a direct line of sight between this building and the cottage.

The next most proximate dwelling is the main house at 5639 Boaz Road, which is approximately 900 feet distant. A previous owner of Cove Lawn strategically planted large boxwoods and evergreen spruce trees to conceal that dwelling from view. In turn these plantings help to conceal the cottage and cottage parking from the neighbor's view.

Also note that the Cottage is less than 30' away from the Owner's residence, so excessive noise generated by the Homestay, if any, will be quickly identified and addressed.

Please reference attached photos.

Garage Building

The garage building was constructed in the early 1900's to serve the larger farm, before the current boundary was established. It was originally part of an apple production facility and was later converted to the farm manager's apartment and migrant orchard worker housing. The building contributes to the Covesville Historic District.

The building sits askew from the current property boundary and is approximately 48 feet from the boundary at its closest point. The portion of the building that would house the Homestay is approximately 85 feet from the boundary.

The area between the Garage Building and the boundary is densely forested, and extremely difficult for one to walk through. The forest continues on the abutter's side of the boundary line. In addition, the area behind the building is steeply sloping. The combination of slope and vegetation make it extremely difficult to see the building from the west. The building naturally faces down the slope and away from the boundary, so all guest activity would also be further screened by the building itself.

An existing gravel parking area is approximately 165 feet from the boundary and screened from the boundary by the building.

The building is more than 475 feet from Boaz Road and nearly imperceptible from the public way.

The closest occupied dwelling is over one-quarter mile away.

Barn

The Barn was constructed in the mid-1900's to serve the larger farm, before the current boundary was established. The building is a contributing building to the historic district.

The building sits askew from the property boundary and is approximately 78 feet from the boundary at its closest point.

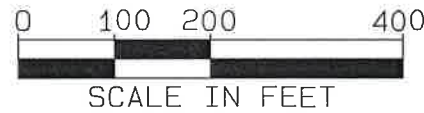
Like the Garage Building, the Barn is sits adjacent to a steep slope and dense forest. The combination of slope and vegetation make it extremely difficult to see the building from the west.

If developed, the Barn would likely share the parking area with the Garage Building, and that parking is currently 165' from the boundary.

The Barn is nearly imperceptible from Boaz Road.

The closest occupied dwelling is over one-quarter mile away.

RECORD MERIDIAN
D.B.2108 Pg.64



This plat was prepared for:
Stephen B. & Deborah L. Davis

Owners:
Jason P. & Laura M. Lavallee

Legal Reference:
D.B.4664 Pg.626

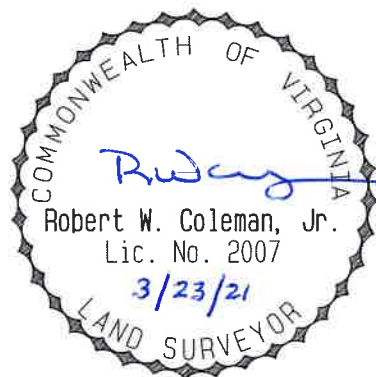
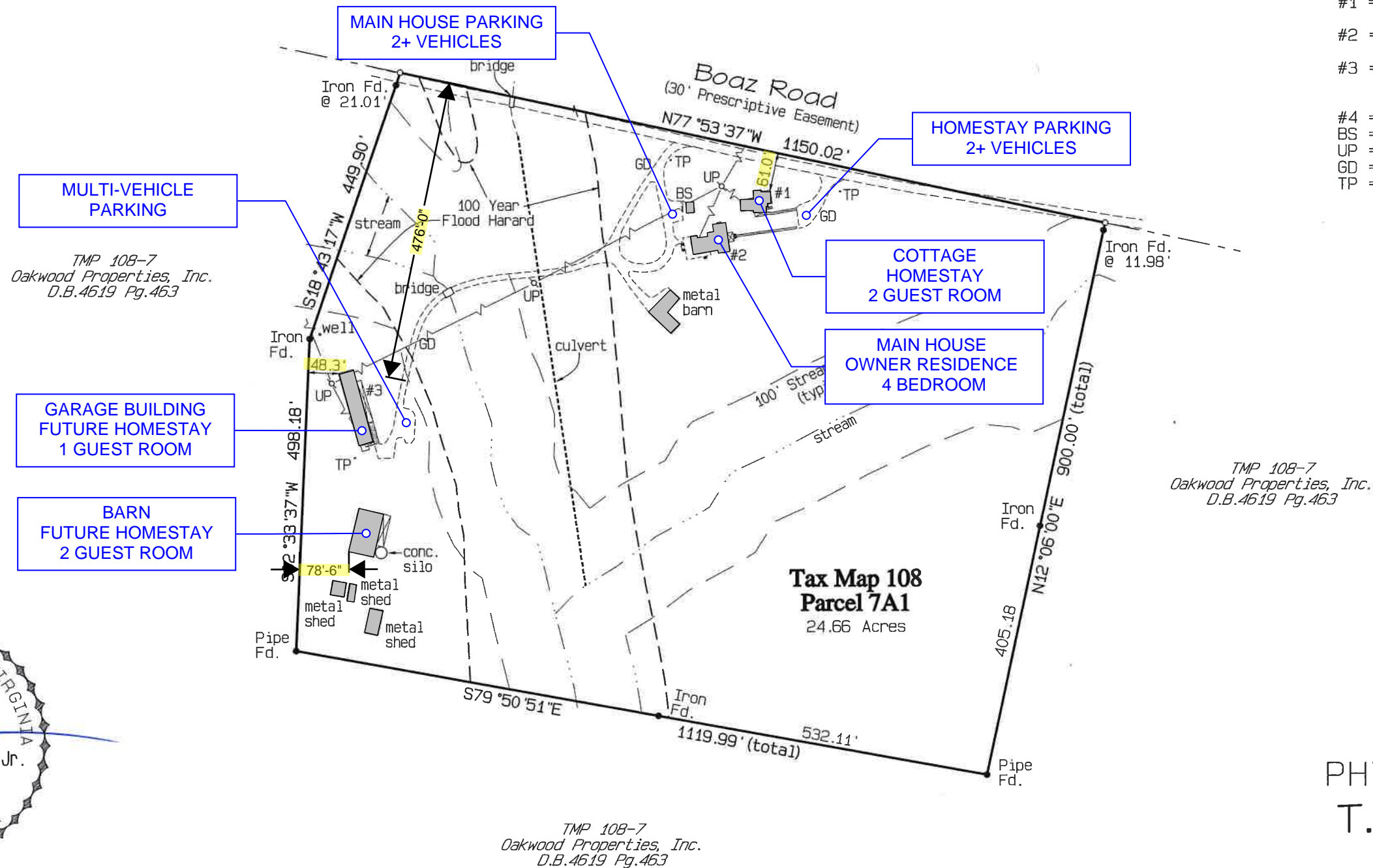
Survey performed without the benefit of a title
report and may not indicate all encumbrances on
the property.

The property lines shown hereon are according
to field evidence and plats of record.

This is to certify that on March 9, 2021,
I surveyed the property shown on this plat
and the title line and walls of the building
are shown hereon. A portion of this property
lies in a 100 Year Flood Hazard and in
Zone X which is not an area designated
a 100 Year Flood Hazard as shown on
Federal Flood Insurance Rate Maps.
effective date: Feb. 4, 2005
Map No. 51003C0400D

Legend:

- #1 = 1 1/2 Story Frame w/cellar
addressed as: 5574 Boaz Rd.
- #2 = 2 Story Frame w/Basement
addressed as: 5576 Boaz Rd.
- #3 = Block residence/garage
addressed per county GIS map as:
5550 Boaz Rd.
- #4 = Block Barn
- BS = Block Shed
- UP = Utility Pole
- GD = Gravel Driveway
- TP = Telephone Pedestal



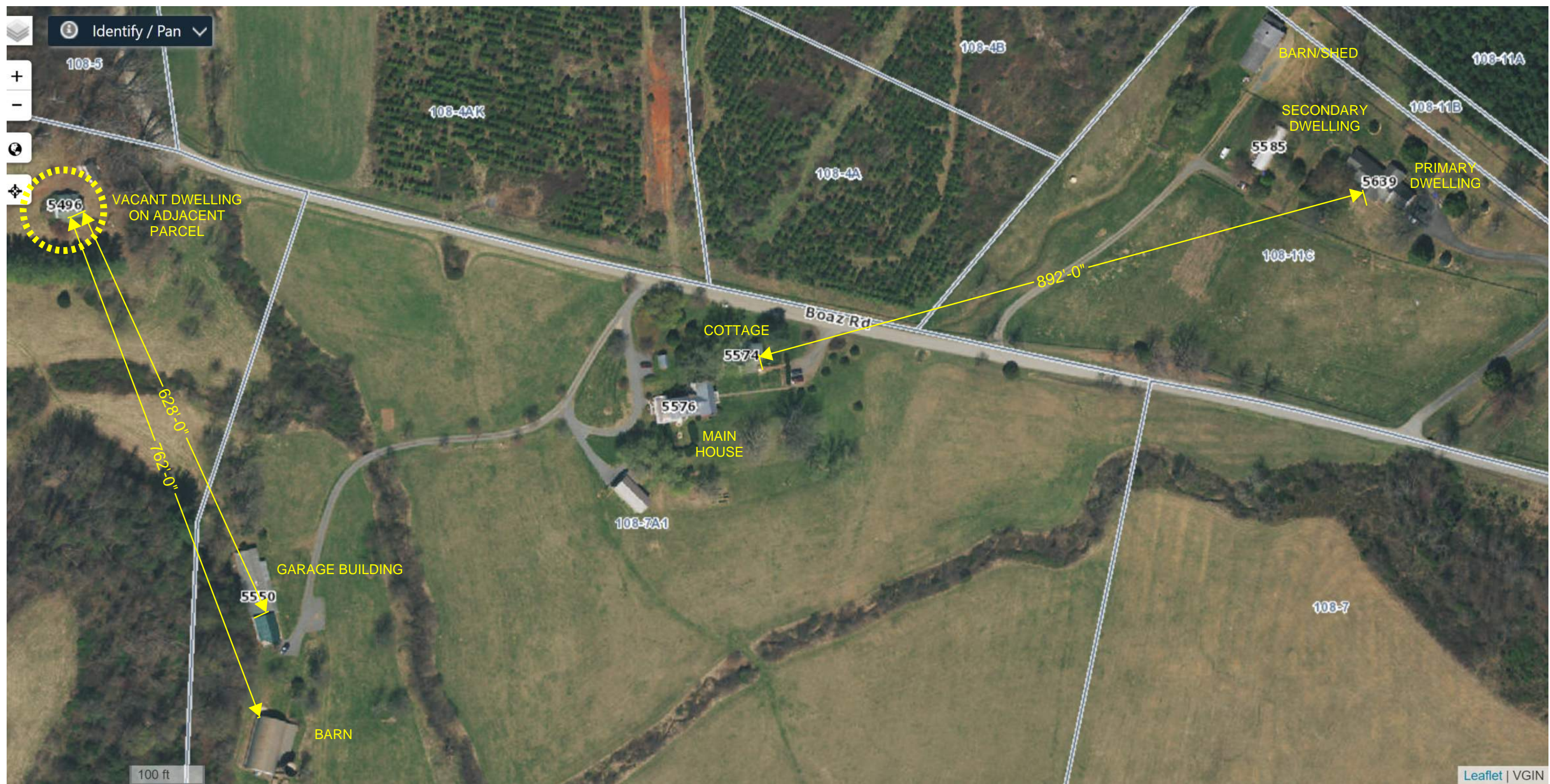
**RESIDENTIAL
SURVEYING SERVICES**
(434) 245-8744
1710 ALLIED STREET, SUITE 20A
CHARLOTTESVILLE, VIRGINIA 22903

PLAT SHOWING
PHYSICAL SURVEY OF
T.M.P. 108 - 7A1
ADDRESSED AS
5574 & 5576 BOAZ ROAD
ALBEMARLE COUNTY, VIRGINIA
MARCH 23, 2021

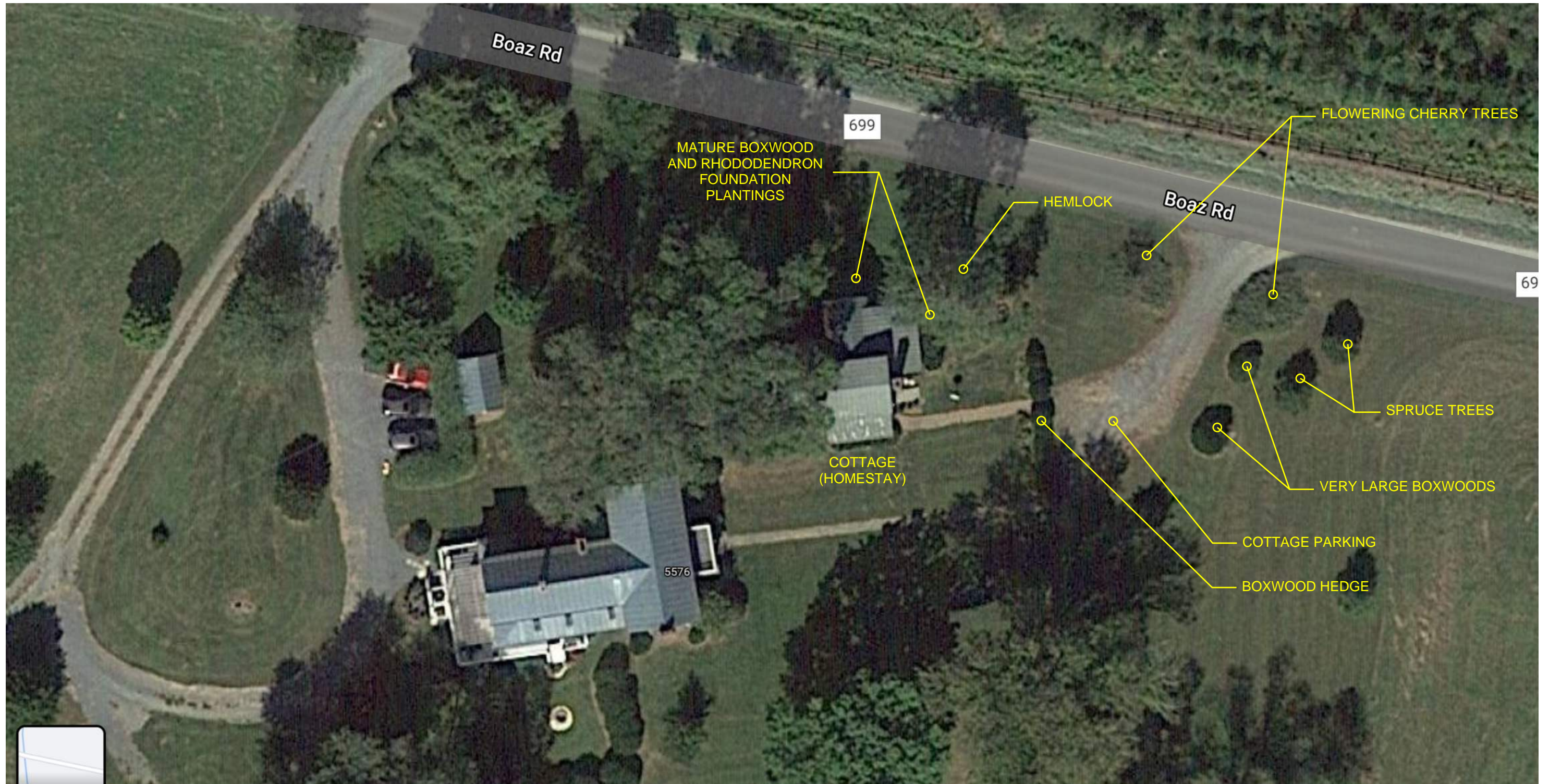
1"= 100'



SATELLITE VIEW OF SITE AND VICINITY



SATELLITE VIEW OF ABUTTING PARCELS



SATELLITE VIEW OF COTTAGE



SATELLITE VIEW OF BARN AND GARAGE BUILDING



GIS VIEW WITH PROPERTY LINE AND TOPOGRAPHY



COTTAGE: WINTER VIEW FROM EAST



COTTAGE: WINTER VIEW FROM WEST



COTTAGE: FRONT VIEW



COTTAGE: VIEW FROM PARKING AREA



COTTAGE: VIEW FROM BOAZ ROAD



COTTAGE: WINTER VIEW TOWARDS NEIGHBORING DWELLINGS LOOKING EAST FROM HOMESTAY



COTTAGE: WINTER VIEW TOWARDS NEIGHBORING DWELLINGS LOOKING EAST FROM HOMESTAY PARKING AREA



VIEW TOWARDS BARN AND GARAGE BUILDING
FROM BOAZ ROAD



VIEW TO BARN AND GARAGE BUILDING



VIEW OF GARAGE BUILDING



VIEW OF BARN