

## **Attachment A - Staff Analysis**

**STAFF PERSON:** Lea Brumfield, Senior Planner II  
**BOARD OF SUPERVISORS:** October 2, 2024  
**PROJECT:** SE202400001 1234 Carter Street Homestay  
**PROPERTY OWNER:** The Square LLC  
**LOCATION:** 1234 Carter Street  
**PARCEL ID:** 056A1-01-00-041A0  
**MAGISTERIAL DISTRICT:** White Hall

### **APPLICANTS'S PROPOSAL:**

The applicant is requesting to authorize a resident manager to fulfill the residency requirements for a homestay use, and to increase the number of guest sleeping spaces permitted 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 The Square LLC, held solely by Mr. Ross Stevens. This application is requesting a special exception to permit a full-time resident manager residing in the basement of 1234 Carter Street to fulfill the residency requirements for a homestay, and another special exception to increase the number of permitted guest sleeping spaces from two to three.

### **CHARACTER OF THE PROPERTY AND AREA:**

The 0.5-acre property is located in Crozet, across the street from the Downtown Crozet District. The property contains a single family dwelling with three bedrooms and a finished basement containing another bedroom, intended for use by the resident manager. The parcel is bordered by parcels owned by The Square LLC on the majority of three sides (Attachment E). The Square LLC owns a total of nine parcels on the block, four of which are long-term rentals, four of which are vacant parcels, and one of which is the location of the proposed homestay.

The property is located across the street from the Crozet post office, and one parcel separates the property from the Buckingham Branch Railroad. The neighborhood consists of a mix of residential and commercial properties ranging from approximately 0.16 acres to 1.0 acres, with the commercial properties concentrated on parcels designated as Downtown Crozet District zoning across Carter Street from the property.

### **PLANNING AND ZONING HISTORY:**

The applicant previously applied for a special exception for the property in 2021, under SE202100032 The Square LLC Homestay Special Exceptions. That application requested an increase in the number of guest sleeping spaces from two to three, and requested that the property be exempt from any residency requirements. The motion failed at a Board of Supervisors meeting on November 3, 2021.

The applicant applied for a special exception requesting the same increase in the number of guest sleeping spaces and exemption from residency requirements in January 2024. Following consultation with staff, the application was suspended, and the applicant renovated the basement as living space for a resident manager. The work was completed without a building permit, and triggered a building and zoning violation for an accessory apartment without a permit, but following notice of the violations, the applicant submitted a building application to renovate

the basement and bring the property into compliance. That permit has been issued and as of September 11, 2024, the permit is awaiting final zoning inspections for completion.

Following the completion of the renovation, the applicant reactivated the application on August 19, 2024, and submitted a revised request for a special exception (Attachment B).

**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 Neighborhood Mixed Use in the Comprehensive Plan. Neighborhood Mixed Use is intended to be both residential and neighborhood-serving retail and service uses for nearby residential areas. The primary indicated uses are residential at a density of up to 18 units per acre, commercial/retail, office, religious assembly, schools and child care, and institutional, with commercial uses located in small buildings or as part of mixed-use buildings.

This proposed homestay use would be a use in an existing, small building that will meet both commercial tourism demand and provide a long-term residence for a resident manager. The Comprehensive Plan also indicates a priority of developing and promoting heritage and cultural tourism. Staff does not believe that the proposed special exception would conflict with these overall goals of the Comprehensive Plan.

**CROZET TOURISM ZONE :**

The property is located within the Crozet Development Area and Tourism Zone. The Board adopted a tourism zone ordinance on October 2, 2013, which included a tourism zone map encompassing the entire Crozet Development Area. The tourism zone was established in Crozet because an analysis of tourism assets and deficiencies revealed a critical lack of sufficient options for lodging in the western area of the County, where there are significant tourism assets, including Monticello Artisan Trail sites, wineries, breweries, County parks, the Shenandoah National Park, Skyline Drive and the Blue Ridge Parkway, orchards, and other agritourism attractions.

**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 a resident manager to fulfill the residency requirements for a homestay at 1234 Carter Street, and increasing the number of permitted guest sleeping spaces from two to three, 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 lack of complaints about the applicant's existing long and short-term rental properties in Crozet is favorable, and the provision of a basement living space for a resident agent provides long-term housing on the property, addressing concerns about use of the property as a residence.

The applicant 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 (Attachment G) to approve two Homestay special exceptions to permit a resident manager to fulfill the residency requirements for a homestay use and increase the permitted guest sleeping spaces from two to three at 1234 Carter Street.

#### **ATTACHMENTS**

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