

**Homestay Zoning Waiver Application**

Parcel: 26-20B

To: Rebecca Ragsdale, Principal Planner, Community Development

11/16/2020

Dear Rebecca,

Greetings, I hope all is well with you and the team.

We are writing to apply for a zoning waiver for home stay application HS201900033.

Our follow up was delayed for many months due to family issues related to the COVID-19 outbreak. We have pre existing conditions related to the outbreak and are remote schooling our two young children while continuing to both work at our jobs. We ask for your support in these trying times.

We occasionally share space in our house on Airbnb while we are on site (residential). This is an important source of revenue that helps us pay the bills for us and our two kids. We want to work with you to make sure that we are in compliance to all regulations and very much support this process.

Please find below our application for the zoning waiver.

Sincerely,

Mark & Kirsten

  
5525 Break Heart Rd  
Crozet, VA 22932

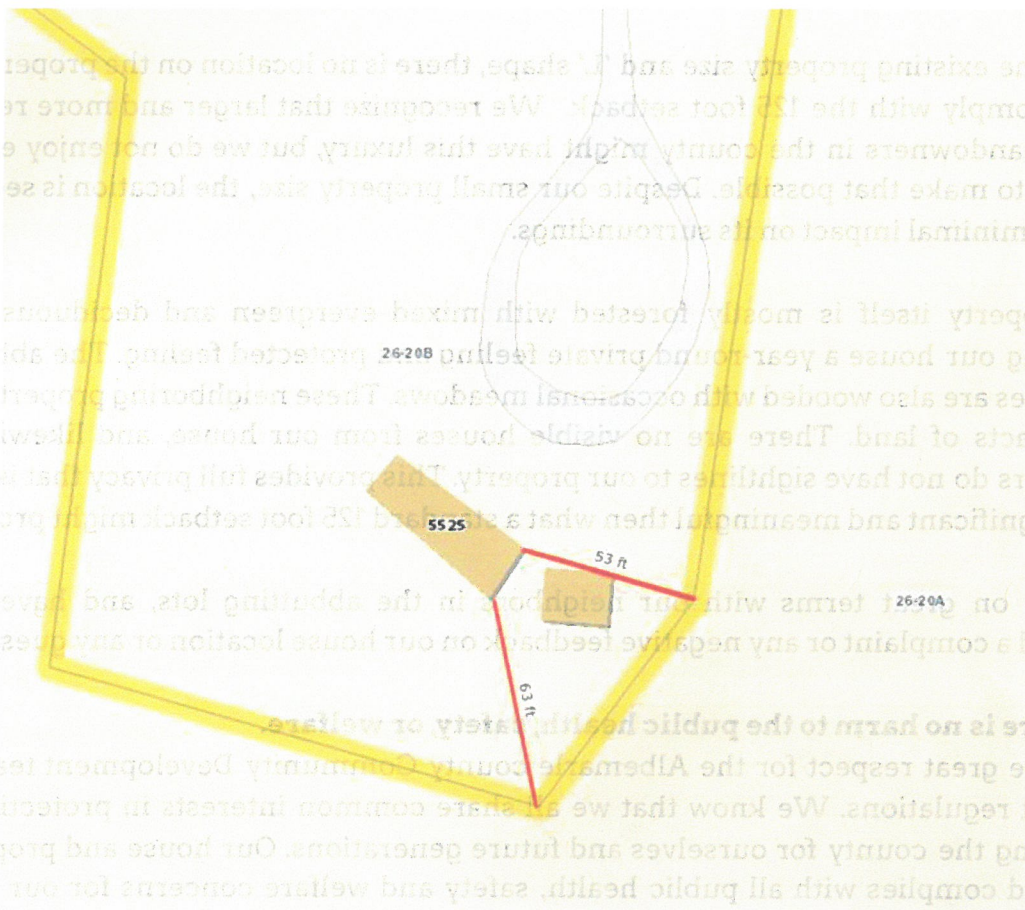
**Homestay Zoning Waiver Application**  
**Parcel: 26-20B**

**Summary**

Community development colleagues contacted us to advise that our homestay requires an additional zoning variance to proceed. Based on the County's GIS mapping, it appears that the house does not meet the required 125' to all property lines. The map below describes the setbacks.

We would like to apply for a zoning waiver for the setback requirements due to the private nature of our home, the support of our neighbors, and the fact that our hosting is safe, and provides benefits to the Albemarle economy through additional tax revenue to the county and support to local businesses.

Thank you for your review and support.



We are sending this application to request a reduced setback through a special

exception that will be reviewed and approved by the Board of Supervisors.

There are several extenuating circumstances that make our property unique.

Please find below a detailed explanation of the factors to be considered in review of the special exception request:

We recognize that special exceptions may be granted after notice to abutting property owners upon consideration of the following:

**(i) There is no detriment to any abutting lot**

Our home stands on 3.5 acres of property in western Albemarle county. We love our home and are grateful for the chance to live in such a beautiful location. As someone born and raised in Albemarle county, it was an obvious choice to choose this location to start a family and build a house. Due to our financial situation, we were not able to purchase a larger parcel that would allow for greater setbacks.

Due to the existing property size and 'L' shape, there is no location on the property that would comply with the 125 foot setback. We recognize that larger and more recently arrived landowners in the county might have this luxury, but we do not enjoy enough acreage to make that possible. Despite our small property size, the location is secluded and has minimal impact on its surroundings.

The property itself is mostly forested with mixed evergreen and deciduous trees, providing our house a year-round private feeling and protected feeling. The abutting properties are also wooded with occasional meadows. These neighboring properties are large tracts of land. There are no visible houses from our house, and likewise our neighbors do not have sightlines to our property. This provides full privacy that is much more significant and meaningful than what a standard 125 foot setback might provide.

We are on great terms with our neighbors in the abutting lots, and have never received a complaint or any negative feedback on our house location or any guests.

**(ii) There is no harm to the public health, safety, or welfare.**

We have great respect for the Albemarle county Community Development team and relevant regulations. We know that we all share common interests in protecting and managing the county for ourselves and future generations. Our house and property is safe, and complies with all public health, safety and welfare concerns for our family, neighbors and wider community. We take our responsibility as Albemarle County residents seriously, and hosting occasional guests at our house causes no harm to our surroundings.

In fact, we have seen the immense benefit that hosting guests in our house has provided to the local farms, national park, local wineries, restaurants and other businesses, as well as contribution to increasing tax revenue for Albemarle County. We feel lucky to be a part of helping people experience what makes our shared area so special and unique. We happily play a role in supporting those local businesses.

Thank you for your review and consideration. We respectfully request a zoning waiver to complete our homestay application process.

Sincerely,

Mark & Kirsten

A handwritten signature in black ink, appearing to be 'Mark & Kirsten', written in a cursive style.

5525 Break Heart Rd  
Crozet, VA 22932

# COUNTY OF ALBEMARLE

## APPLICATION FOR A SPECIAL EXCEPTION

- Request for a waiver, modification, variation or substitution permitted by Chapter 18 = \$457
- Variation to a previously approved Planned Development rezoning application plan or Code of Development = \$457

OR

- Relief from a condition of approval = \$457

Provide the following

Provide the following

- 3 copies 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.

- 3 copies 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.

Project Name : Homestay Application Waiver HS201900033

Current Assigned Application Number (SDP, SP or ZMA) HS201900033

Tax map and parcel(s): 28-20B

Applicant / Contact Person Mark Slezak

Address 5525 Break Heart Rd City Crozet State VA Zip 22932

Daytime Phone# ( 540 ) 454-4228 Fax# (      ) Email malezak@hotmail.com

Owner of Record Mark Slezak and Kirsten Geladorf

Address 5525 Break Heart Rd City Crozet State VA Zip 22932

Daytime Phone# ( 540 ) 454 4228 Fax# (      ) Email malezak@hotmail.com

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

# COUNTY OF ALBEMARLE

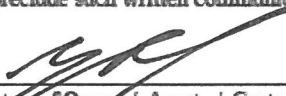
## APPLICATION FOR A SPECIAL EXCEPTION

### 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

11/11/2020  
\_\_\_\_\_  
Date

Mark Slezak  
\_\_\_\_\_  
Print Name

540 454 4228  
\_\_\_\_\_  
Daytime phone number of Signatory

FOR OFFICE USE ONLY APPLICATION# SE 2020-25 Fee Amount \$ 457 Date Paid 11/25/2020  
By who? Mark Z. Slezak Receipt # 122431 Cl# 1420 By JS