

Attachment A - Staff Analysis

STAFF PERSON: Lisa Green, Manager of Code Compliance
BOARD OF SUPERVISORS: December 3, 2025
PROJECT: SE202500030 315 Wandering Bear Road Homestay
PROPERTY OWNER: John Kimball & Mary Ashley Lavoy
LOCATION: 315 Wandering Bear Road
PARCEL ID: 07300-00-00-007B0
MAGISTERIAL DISTRICT: Samuel Miller

APPLICANTS'S PROPOSAL:

The applicants/property owners are requesting authorization to use an accessory structure built after August 7, 2019 for a homestay use on a parcel greater than five acres in the Rural Areas zoning district. (Attachment B).

County Code § 18-5.1.48(c)(2)(ii) requires that on parcels of five acres or more in the Rural Areas zoning district, homestays must be conducted in a detached single-family dwelling, within its accessory apartment, or within an accessory structure built on or before August 7, 2019, provided that by special exception, the Board of Supervisors may authorize the homestay use of accessory structures built after August 7, 2019. This application is to request a special exception to permit the property owners John Lavoy and Ms. Mary Lavoy to operate a homestay use in an accessory structure built after August 7, 2019, on the parcel.

CHARACTER OF THE PROPERTY AND AREA:

The 8.302-acre property is located southeast of Crozet, adjacent to Interstate 64. It is primarily forested and is surrounded by a mix of forested, agricultural, and residential parcels. The property includes a 2,784-square-foot dwelling built in 2003 at 315 Wandering Bear Road, located in the northwest corner of the parcel; a 1,120-square-foot, two-story garage built in 2007 at 310 Wandering Bear Road, which includes a one-bedroom accessory sleeping unit on the second floor; and a 1,140-square-foot, two-bedroom accessory sleeping unit constructed in 2024 at 305 Wandering Bear Road, located in the northeast corner of the property.

The applicants and property owners reside at 315 Wandering Bear Road and intend to rent the 400-square-foot finished space above the detached garage as a homestay. The subject of this special exception request is to allow the use of the newly constructed two-bedroom accessory structure at 305 Wandering Bear Road as a homestay.

The existing one-bedroom unit used for homestay use is located approximately 427 feet from the nearest neighboring dwelling to the east, while the newly constructed two-bedroom unit is approximately 358 feet from the closest neighboring dwelling to the east. The next nearest dwelling is located over 1,000 feet from either of the structures in all directions. The majority of the parcel is wooded, with existing vegetation providing screening on all sides.

PLANNING AND ZONING HISTORY:

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

ABUTTING PROPERTY OWNER COMMENTS

Staff have received no comments or concerns about the proposed homestay special exception as of November 6, 2025.

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, or 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 finds that authorizing use of an accessory structure built after August 7, 2019 for a homestay use 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 (Attachment F) to approve the homestay special exception to use an accessory structure built after August 7, 2019 for a homestay use at 315 Wandering Bear Road.

ATTACHMENTS

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