

OFFICE USE ONLY

HO # 2021-57
 Fee Amount \$ 27 Date Paid 5/5/21 By who? Jason Pecarich Receipt # 20193851VTDW1734D JS

Application for Major Home Occupation Clearance

(Only for parcels in the Rural Areas Zoning District)



Major Home Occupation Clearance = \$27.00 + applicable fees

This application may require additional review by the Fire Marshal. Fees in addition to those shown on this application may be required by the Fire Prevention Code Fee Schedule. A copy of the schedule is available from the Fire Marshal.

Home Occupation, Major: An occupation, not expressly prohibited by section 5.2A, conducted for profit within a dwelling unit solely by one or more members of the family residing within the dwelling unit and up to two (2) additional persons not residing within the dwelling unit, with or without the use of accessory structures; provided that nothing herein prohibits the occupation from engaging other persons who work off-site and do not come to the dwelling unit or to any accessory structure to engage in the occupation.

Applicant **MUST HAVE** the following information to apply:

- 1) Tax Map and Parcel Number (or Address) and a description of the Home Occupation.
- 2) A Floor Plan Sketch on the next page with the following:
 - a) The total square footage of the dwelling;
 - b) The square footage of area within the home being used for the occupation (note this cannot be more than 25% of the gross square footage of the dwelling).
- 3) If applicable, a survey, plat, or aerial map showing accessory structures and parking associated with the home occupation. The GIS Web enables easy viewing and printing of aerial maps.

Name of Business: Division Road, Inc.

Type of Business: E-Commerce Menswear Retailer Tax map and parcel: 103-33

Contact Person (Who should we call/write concerning this project?): Jason Pecarich

Address 3104 Western Ave. #406 City Seattle State WA Zip 98121

Daytime Phone (805) 746-5203 Fax # () E-mail jason@divisionroadinc.com

Owner of Record Randolph & Gwyn Kohr

Address 3612 Rolling Rd. City Scottsville State VA Zip 24590

Daytime Phone (434) 906-2140 Fax # () E-mail randy@kohrbros.com

DESCRIPTION OF USE (If necessary, attach an additional sheet. Include information about the number of vehicles and number of employees associated with the use, hours of operation, use of accessory structures, etc.):

Division Road is seeking a Major Home Occupation Clearance for a Home-based, e-commerce retail business

within a niche, low-volume menswear marketplace focused on quality goods made in the USA with high

standards of craftsmanship. Continued on Page 5...

14100

Each major home occupation authorized in the Rural Areas zoning district is subject to the following:

PLEASE CHECK EACH BOX SO THAT IT IS CLEAR THAT YOU HAVE READ AND UNDERSTAND THE REQUIREMENTS FOR THIS CLEARANCE

☒ **LOCATION & AREA**

This home occupation shall be conducted within the dwelling unit or accessory structures, or both, provided that not more than twenty-five (25) percent of the gross floor area of the dwelling unit shall be used for the home occupation and further provided that the cumulative area used for the home occupation, including the gross floor area within the dwelling unit or any accessory structure and the area used for outdoor storage as provided in section 5.2A(g), shall not exceed one thousand five hundred (1500) square feet. Plants that are planted in the ground that are to be used for a major home occupation do not count toward the one thousand five hundred (1500) square feet limitation. [Section 5.2A (b) (1)]

☒ **EXTERIOR APPEARANCE**

There shall be no change in the exterior appearance of a dwelling unit or other visible evidence of the conduct of the home occupation, except that one home occupation sign may be erected as authorized by section 4.15. Accessory structures shall be similar in façade to a single-family dwelling, private garage, shed, barn or other structure normally expected in a residential area and shall be specifically compatible in design and scale with other residential development in the area in which it is located. Any accessory structure that does not conform to the applicable setback and yard requirements for primary structures shall not be used for a home occupation. [Section 5.2A (c) (1)]

☒ **VISITORS & SALES**

Customers, clients and students are permitted to visit the property where the home occupation is conducted. Only goods that are hand-crafted on-site and goods that are directly related to the home occupation, including but not limited to tools for pottery making and frames for artwork are permitted to be for sale to customers who comes to the site. [Section 5.2A (d) (1)]

☒ **TRAFFIC**

The traffic generated by the home occupation shall not exceed ten (10) vehicle round trips per day or more than thirty (30) vehicle round trips per week. For the purposes of this section, a "vehicle round trip" means one vehicle entering and exiting the site. [Section 5.2A (e)]

☒ **PARKING**

All vehicles used in the home occupation and all vehicles of employees, customers, clients or students related to the home occupation shall be parked on-site. [Section 5.2A (f)]

☒ **OUTDOOR STORAGE**

The storage of goods, products, equipment other than vehicles used in the home occupation, or any materials associated with the home occupation, other than natural landscaping materials such as mulch and plants, outside of an enclosed structure is prohibited. [Section 5.2A (g)]

☒ **HOURS OF OPERATION**

The home occupation may operate up to six (6) days per week and the hours of operation shall be between 7:00 a.m. and 8:00 p.m. for those home occupations that have employees, customers, clients or students visiting the site. [Section 5.2A (h)]

☒ **NUMBER OF VEHICLES**

The number of vehicles that may be used in the home occupation that are parked or stored on-site shall not exceed two (2) motor vehicles and two (2) trailers. [Section 5.2A (i)]

☒ **NUMBER OF HOME OCCUPATIONS**

More than one home occupation is permitted on a parcel, provided that the area occupied and the traffic generated by the home occupations shall be considered cumulatively and all requirements of this section shall apply. [Section 5.2A (j)]

☒ **PERFORMANCE STANDARDS**

The home occupation shall comply with the performance standards in section 4.14. [Section 5.2A (k)]

Does the use involve **procedures, machinery or chemicals** that may cause the following?

NOISE

VIBRATION

GLARE

HEAT

AIR POLLUTION

WATER POLLUTION

RADIOACTIVITY

ELECTRICAL DISTURBANCE

NON-DOMESTIC WASTE DISCHARGED TO A SEPTIC FIELD OR SEWER

YES	NO
	X
	X
	X
	X
	X
	X
	X
	X
	X

If YES, then applicable standards must be addressed with a Certified Engineer's Report (available from staff).

☒ **PROHIBITED USES**

(1) any use requiring a special use permit under section 10.2.2

(2) animal rescue centers

(3) automobile graveyards

(4) restaurants

(5) storage yards

(6) gun sales, unless the guns are made on-site by one or more family members residing within the dwelling unit

(7) on-site pet grooming

(8) body shops

(9) equipment, trailers, vehicles or machinery rentals

[Section 5.2A (l)]

(10) shooting ranges

(11) commercial stables

(12) rummage or garage sales other than those determined by the zoning administrator to be occasional

(13) veterinary clinics or hospitals

(14) pyrotechnic (fireworks or bomb) device manufacturing or sale

(15) Any other use not expressly listed that is determined by the zoning administrator to be contrary to the purpose and intent of section 5.2A.

☒ **NOTIFICATIONS & INSPECTIONS**

Written notice that an application for a zoning clearance for a major home occupation has been submitted will be sent to the owner of each abutting parcel under different ownership than the parcel on which the proposed home occupation would be located. The notice will identify the proposed home occupation, its size, its location, and whether there is a request for a waiver or modification. The notice shall invite the recipient to submit any comments before the zoning clearance is acted upon. The notice shall be mailed at least five (5) days prior to the action on the zoning clearance as provided in section 32.4.2.5.

[Section 5.2A (n)]

☒ **SIGNAGE**

One sign that does not exceed four (4) square feet in sign area and only states the name of the person occupying the dwelling and identifies the product or service offered by the home occupation is permitted. No additional permit is required for this sign, however, it must not exceed 6 ft. in height and must be setback at least 5 ft. from the public road right-of-way. [Section 4.15.2 (25) and 4.15.8]

☒ **ADDITIONAL IMPROVEMENTS AND REVIEWS FROM OTHER AGENCIES**

A zoning clearance shall not be issued if, after review of any site, additional improvements are necessary to protect public health or safety. [Section 31.5 (c)]

Other state and local resources, including but not limited to the Health Department, Virginia Department of Transportation, Building Official, and County Engineer are commonly asked to comment on Home Occupation applications.

WAIVERS OR MODIFICATIONS MAY BE SOUGHT ONLY FOR THE FOLLOWING:

AREA

The area requirements in section 5.2A(b) may be waived or modified, provided that the waiver or modification shall not authorize the home occupation to occupy more than forty-nine (49) percent of the gross floor area of the dwelling. In granting a waiver or modification of the area requirement, the commission shall make the following findings in addition to those findings in section 5.1: (1) the nature of the home occupation requires storage or additional space within the dwelling unit to conduct the home occupation; (2) the primary use of the dwelling unit as a residence is maintained; and (3) the waiver or modification would not change the character of the neighboring agricultural area or the residential neighborhood.
[Section 5.2A (m) (1)]

TRAFFIC

The traffic limitation in section 5.2A (e) may be waived or modified. In granting a waiver or modification of the traffic limitation, the commission shall find, in addition to those findings in section 5.1, that the waiver or modification would not change the character of the neighboring agricultural area or the residential neighborhood.
[Section 5.2A (m) (2)]

A public notice sign will posted on the property for the duration of the review of the special exception.

REVIEW PROCESS AND ADDITIONAL FEES

<u>WITHOUT WAIVER REQUEST (\$27 + notice fees)</u>	<u>WITH A SPECIAL EXCEPTION (\$27 + \$457 + notice fees)</u>
<ol style="list-style-type: none">1. Submit Home Occupation application (\$27).2. Staff will review for completion and mail abutting owner notification (Fee varies based on number of letters).3. Staff will visit property to review parking areas, proposed location of sign, and storage areas (if applicable).4. Staff will approve application if requirements have been met.	<ol style="list-style-type: none">1. Submit Home Occupation application and Waiver application (\$25 + \$457).2. Staff will review for completion and mail abutting owner notification (Fee varies based on number of letters).3. Staff will visit property to post public notice sign, review parking areas, proposed location of sign, and storage areas (if applicable).4. Staff will coordinate date of next available Board of Supervisors meeting to process special exception5. Staff will approve application if requirements have been met and pick-up public notice sign.

Owner/Applicant Must Read and Sign

I hereby apply for approval to conduct the Home Occupation identified above, and certify that this address is my legal residence. I also certify that I have read the restrictions on Home Occupations, that I understand them, and that I will abide by them. This certificate, in conjunction with a business license, represents zoning approval to conduct the Major Home Occupation identified above.

Signature of Applicant

Date

Other Official

Date

Building Official

Date

Zoning Official

Date

ENGINEER'S REPORT ATTACHED: YES _____ NO ☒

CONDITIONS: Change of use permit complying w/ 2015 VEBC + VCC

Division Road, Inc.

DESCRIPTION OF USE:

Division Road is seeking a Major Home Occupation Clearance for a Home-based, e-commerce retail business within a niche, low-volume menswear marketplace focused on quality goods made in the USA with high standards of craftsmanship.

Functionally, Division Road will be running web-store operations from 3612 Rolling Rd in the form of: Product and Editorial Photography, Design, Client Communication via Phone and Email, Shipping and Receiving.

Operational hours will be from 10am-6pm Monday-Saturday. Two employees will be on-site with two vehicles associated, with parking provided on property. Roughly four vehicle trips per day including deliveries, estimated 20 trips per week. No engagement of Physical Retail Sales will be conducted on site, but we will have some visits from remote clients. No outdoor storage of goods or any visible signs of occupation.

Home Occupation will take place in portions of the Accessory building, specifically the "Studio" building at 1,350 Sq Ft in total. This will include a photography studio, product and supply storage, and an office-related space. Residential "Dwelling" and Accessory "Barn" buildings will not be used for business.

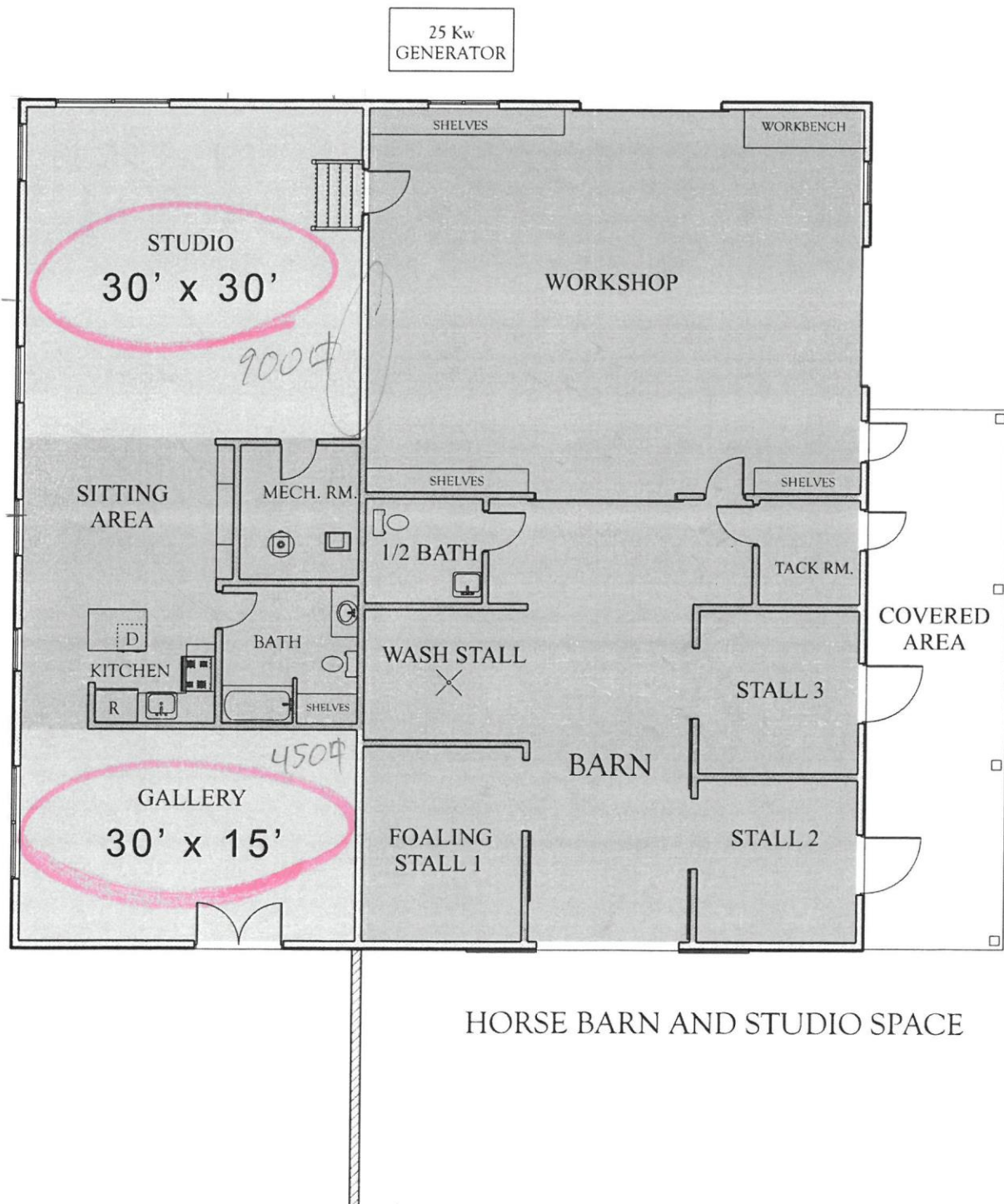
Please feel free to request further information via any means and thank you for your time and consideration of this matter.

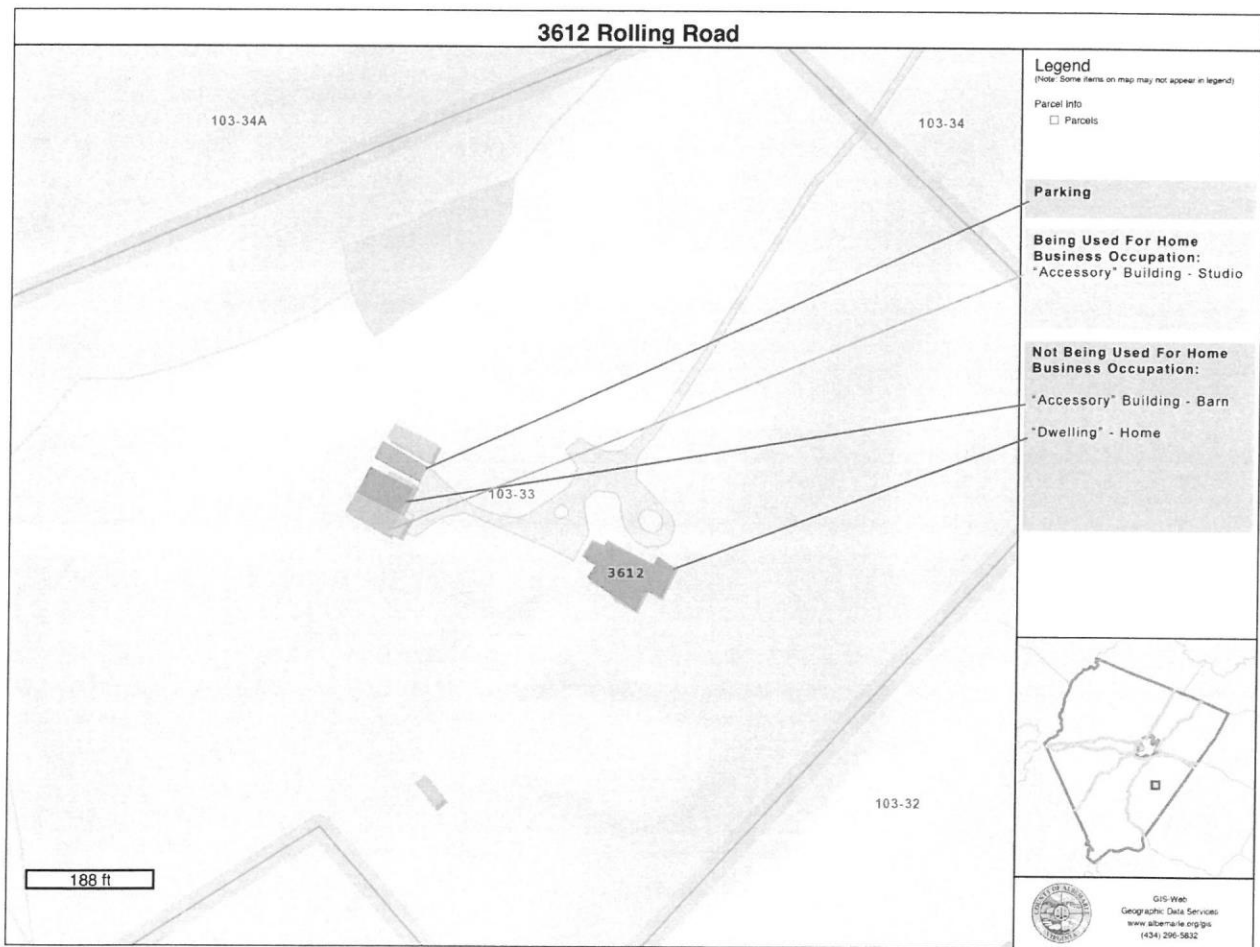
Best Regards,

Jason Pecarich
President

Accessory Building "Studio"
Being Used for Home Business Occupation:
(30' x 30') + (30' x 15') = 1350 Sq. Ft.

Not Being Used For Home Business Occupation





Any determination of topography or contours, or any depiction of physical improvements, property lines or boundaries is for general information only and shall not be used for the design, modification, or construction of improvements to real property, or for flood plain determination. Map elements may scale larger than GIS data measured in the map or as provided on the data download page due to the projection used. Map Projection: WGS84 Web Mercator (Auxiliary Sphere) (EPSG 3857).

April 29, 2021

3612 Rolling Road

103-34B

103-34A

103-34

103-33

103-32

103-32A

103-32B

104-12B

104-6D

103-34P

103-34N

376 ft

Legend
(Note: Some items on map may not appear in legend)

Parcel Info
□ Parcels

Water Features
Ponds
Other Streams

Parking

Being Used For Home Business Occupation:

Not Being Used For Home Business Occupation:

City of Albany
GIS Web:
Geographic Data Services
www.albanyga.org/gis
(434) 296-5832

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March 12, 2021



COUNTY OF ALBEMARLE
Department of Community Development
401 McIntire Road, North Wing
Charlottesville, Virginia 22902-4596

Phone (434) 296-5832

Fax (434) 972-4012

May 21, 2021

RE: HO2021-0057: Division Road, Inc.
Tax Map Parcel ID: 10300-00-00-03300

3612 Rolling Rd., Scottsville, VA 24590

Dear Adjoining Property Owner:

Albemarle County has received a request to establish a Major Home Occupation on the parcel listed above. Per Section 5.2A (n) of the Zoning Ordinance, you are receiving this notification because you are the owner or agent of abutting property or property immediately across the street from the site under review. The location of the site under review is shown on the attached vicinity map as **3612 Rolling Rd., Scottsville, VA 24590**

This request is to utilize 1,350sq.ft of an existing "studio" accessory structure to conduct a home occupation, for the purposes of engaging in e-commerce retail business for the sale of menswear. The space will be used for storage, office and as a photography studio. Two employees will work on-site and operational hours will be from 10am to 6pm Monday-Saturday. Roughly 4 vehicle trips per day and 20/week are expected and there will be no on-site sales or outdoor storage of goods. No waiver or modification is being requested with this proposed Home Occupation.

The County will not take action on this request until at least five days after the date of this letter. We invite any comments, questions, or concerns you may have about this proposal. However, if the application meets all ordinance requirements, it will be approved. Please contact Rebecca Ragsdale at (434) 296-5832, ext. 3226 or rragsdale@albemarle.org for additional information.

All information related to this request is available for review in the Department of Community Development during normal business hours (8 a.m.-5p.m., Mon-Fri). To assure the information is ready for your viewing and to allow staff to be available to help with any questions, we encourage you to schedule a viewing time. Please call (434) 296-5832 during business hours to schedule an appointment.

Sincerely,

A handwritten signature in dark ink, appearing to read "Jeff Baker", is written over a light blue circular stamp.

Jeff Baker, Senior Planner
Zoning Services

(Note: Some items on map may not appear in legend)

☐ Parcels

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