

Attachment A - Staff Analysis

STAFF PERSON: Lea Brumfield, Senior Planner II
Francis MacCall, Deputy Zoning Administrator
BOARD OF SUPERVISORS: October 5, 2022
PROJECT: SE202200042 Tiffin Farm Cottage Homestay
PROPERTY OWNER: Michael C. and Sarah N. Larsen
LOCATION: 1800 Tiffin Farm Lane
PARCEL ID: 02900-00-00-008H1
MAGISTERIAL DISTRICT: White Hall

APPLICANTS'S PROPOSAL:

The applicants are seeking a zoning clearance special exception to permit a homestay use within a new accessory structure. (Attachment B).

County Code § 18-5.1.48(c)(2)(ii) requires homestay uses on parcels in the Residential zoning districts to be located in a detached single-family dwelling or within its accessory apartments. The applicants are requesting a special exception to waive that requirement, to operate a homestay within an accessory structure built after August 7, 2019.

CHARACTER OF THE PROPERTY AND AREA:

The 88.31-acre property is located at 1800 Tiffin Farm Lane in Free Union. The property is surrounded by forested and agricultural parcels. The parcel is the site of an agricultural operation, a primary dwelling, and multiple farm buildings. The proposed homestay accessory structure would be located on the southeastern section of the parcel, adjacent to an existing farm structure. The homestay structure would be approximately 275 feet from the nearest property boundary, and approximately 1,700 feet from the nearest abutting dwelling (Attachment D).

The proposed structure would be a farmhouse style structure of approximately 1,200-1,500 square feet, intended to be a similar style to the existing farmhouse on the parcel.

PLANNING AND ZONING HISTORY:

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

ABUTTING PROPERTY OWNER COMMENTS

Staff has received no comments or concerns about the proposed homestay as of September 14, 2022.

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. The homestay is proposed on a large parcel screened from abutting parcels by existing mature vegetation, over 1,700 feet from the nearest abutting dwelling.

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) identifies the following factors for consideration, as to 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 homestay use within a new accessory structure 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 would be designed to match the existing farmhouse, it would be consistent in size and scale with the surrounding neighborhood. The use itself is permitted by-right in any existing dwelling or accessory structure.

The applicants would be required to meet all other homestay requirements of the County Code, including parking, safety inspections/building code, neighbor notification of emergency contact, and addressing. These requirements, along with conditions of approval, 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 a Homestay special exception, subject to the following condition:

1. Homestay use is limited to (i) a proposed accessory structure of less than 2,000 square feet in the general location depicted on the Proposed Homestay Location Exhibit (Attachment E), (ii) an existing structure depicted on the Tiffin Cottage Lane Homestay Location Map (Attachment D) dated September 14, 2022 or a primary dwelling, either of which must meet all homestay setbacks.

ATTACHMENTS

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