

## **Attachment A - Staff Analysis**

**STAFF PERSON:** Lea Brumfield, Senior Planner II  
**BOARD OF SUPERVISORS:** April 16, 2025  
**PROJECT:** SE-202500005 3130 Sugar Hill Lane Homestay  
**PROPERTY OWNER:** Albert D. and Stella S. Kim  
**LOCATION:** 3130 Sugar Hill Lane  
**PARCEL ID:** 04100-00-00-041A2  
**MAGISTERIAL DISTRICT:** White Hall

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

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

County Code § 18-5.1.48(c)(2)(ii) permits homestays on Rural Areas parcels of five acres or more only in a detached single-family dwelling, its accessory apartment, or an accessory structure built on or before August 7, 2019. The applicants are requesting a special exception to use the existing guest space over a garage for a homestay.

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

The 7.72-acre property is located close to historic White Hall, off Garth Road, and backs up to the Doyles River. The property and its neighboring parcels are heavily forested, with residential use. The property to the rear, across the Doyles River, is used for forestry.

Both the 2,990 sf dwelling and the 856 sf garage were built in 2023. The garage structure is attached to the dwelling by a breezeway but is not legally within the primary dwelling and thus requires a special exception for an accessory structure.

The conditioned guest space above the garage consists of a bedroom, bathroom, closet, and kitchenette. The kitchenette currently contains a sink and a minifridge, and the applicant has expressed a plan to add a microwave. The kitchenette size would not accommodate further kitchen appliances or permanent cooking provisions.

The nearest dwelling is approximately 370 feet from the proposed homestay location. The next nearest dwelling is approximately 741 feet from the proposed homestay.

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

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

### **ABUTTING PROPERTY OWNER COMMENTS**

Staff had received no comments or concerns about the proposed homestay special exception as of April 3, 2025. One neighbor did express concerns about a pre-existing homestay on Sugar Hill Lane but was confident that the applicant for this special exception would be an exemplary host and neighbor.

### **COMPREHENSIVE PLAN:**

The property is designated as Rural Area in the Comprehensive Plan. This designation includes preserving and protecting 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 the 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, 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 the use of the existing garage for a homestay 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. The existing structure 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, the building code, neighbor notification of emergency contact, and visible addressing for Fire Rescue. These requirements 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 special exception to permit the homestay use of an accessory structure at 3130 Sugar Hill Lane.

#### **ATTACHMENTS**

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