

## **Attachment A - Staff Analysis**

**STAFF PERSON:** Lisa Green, Manager of Code Compliance  
**BOARD OF SUPERVISORS:** October 28, 2024  
**PROJECT:** SE202400022 3065 Gables Run Homestay  
**PROPERTY OWNER:** Michael A and Cheryle A Trice  
**LOCATION:** 3065 Gables Run Road  
**PARCEL ID:** 09300-00-00-06500  
**MAGISTERIAL DISTRICT:** Scottsville

### **APPLICANT'S PROPOSAL:**

The applicants/property owners are requesting authorization to use an accessory structure for a homestay use on a parcel of less than five acres (Attachment B).

County Code § 18-5.1.48(c)(1)(ii) requires that on a parcel of less than five acres in the Rural Areas zoning district, homestays may be conducted only in a detached single-family dwelling or within its accessory apartment, provided that by special exception, the Board of Supervisors may authorize the homestay use of accessory structures. This application is to request a special exception to permit the property owners Michael and Cheryle Trice to operate a homestay use in an accessory structure on the parcel.

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

The 4.229-acre property is located south of Milton, along Gables Run Road, just off Milton Road. The property primarily consists of manicured lawn and trees. The parcel contains a 3050-sf dwelling built in 1973, and a 1328-sf two-story detached accessory structure with a 506-sf finished space above, built in 1992. The property also contains a 1344-sf pole barn containing a two-car garage and a workshop, built in 2002.

The applicants reside at 3065 Gables Run Road and intend to rent the 560-sf finished space above the detached garage accessory structure as a homestay.

The nearest neighboring dwelling is approximately 671 feet from the proposed homestay location. The majority of the surrounding parcels are a mixture of mowed fields and forested land.

### **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 October 28, 2024.

### **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, 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 authorizing an accessory structure 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 are verified through the zoning clearance process, which would follow special exception approval.

**RECOMMENDATION:**

Staff recommends that the Board adopt the attached resolution (Attachments F) to approve a special exception to use an accessory structure as a homestay at 3065 Gables Run Road.

**ATTACHMENTS**

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