

County of Albemarle
Department of Community Development
401 McIntire Road, North Wing
Charlottesville, Virginia 22902

RE: 5600 Turkey Sag Road Homestay – Special Exception

5600 Turkey Sag Road LLC is the owner (the “Owner”) of tax parcel 49-24A, a 370.4 acre parcel located within the Rivanna magisterial district of Albemarle County (the “Property”). The Owner seeks to establish a homestay use on the Property, which is zoned Rural Areas; homestays are permitted by-right in the Rural Areas district provided that the use complies with the supplemental regulations in Sec. 5.1.48 of the Albemarle County Zoning Ordinance.

Sec. 5.1.48(b)(2) requires that “at least one individual owner of the homestay parcel must reside on the subject parcel for a minimum of 180 days in a calendar year of the homestay use, provided that by special exception, the Board of Supervisors may authorize the residency of a property-managing agent to meet this requirement.” Since the Owner of the property is a limited liability company, it is the County’s current interpretation that the Owner does not fulfill the residency requirement of Sec. 5.1.48(b)(2) and therefore, the Owner respectfully requests a special exception from Sec. 5.1.48(b)(2) to permit a homestay on the Property. For the purposes of this special exception request, Bradford Manning will be the property-managing agent.

Ownership Structure:

The attached letter from David J. Zawitz, Esq. explains the ownership of 5600 Turkey Sag Road. The LLC is wholly-owned by the 2012 PBM GRAT for benefit of Bradford James Manning, a grantor retained annuity trust for the benefit of Bradford Manning. Bradford is the sole manager of the LLC and has resided on the Property since 2020.

Property Context:

The Property is accessed from Turkey Sag Road. The single family home, with a physical address of 5600 Turkey Sag Road, will serve as the homestay. The home is located nearly a mile, as the crow flies, from Turkey Sag Road and is more than 1,300’ from the nearest property boundary. The nearest residence to the 5600 Turkey Sag home is approximately 1,800’ away, and that nearest residence is on an adjacent parcel that is under common ownership. This is an extremely isolated home within the context of Albemarle County and establishing a homestay on this Property will not have an adverse impact on neighboring properties.

Considerations for Granting Special Exception:

In accordance with Sec. 5.1.48(d)(3), please consider the following analysis in your consideration of this special exception request:

- (i) *There is no adverse impact to the surrounding neighborhood;*

There will be no adverse impact to the surrounding neighborhood by granting this special exception. This exception is being pursued because of the County’s current interpretation of “owner.”

- (ii) *There is no adverse impact to the public health, safety, or welfare;*

There will be no adverse impact to the public health, safety, or welfare by granting this special exception request.

- (iii) *The proposed special exception is consistent with the Comprehensive Plan; and*

Granting of this special exception is consistent with the Comprehensive Plan as the Property upholds many features expected in the Rural Area of the Comprehensive Plan such as protected natural resources as there are environmentally sensitive features on the property and the property is under conservation easement, and rural landscapes that enhance the visitor's experience.

- (iv) *The proposed special exception is consistent in size and scale with the surrounding neighborhood.*

Granting of this special exception is consistent in size and scale with the surrounding neighborhood; granting of this special exception would not permit a homestay operation that is more intense than what is permitted by-right.

ATTACHMENTS:

Ownership of Homestay – Zawitz Letter (July 23, 2021)