

## **Attachment - Staff Analysis**

**STAFF PERSON:** Rebecca Ragsdale, Principal Planner  
**BOARD OF SUPERVISORS:** January 8, 2020  
**PROJECT:** HS201900013 Crozet Restoration  
**PROPERTY OWNERS:** Bird, Shawn L. and Atieno  
**LOCATION:** 1301 McCauley Street  
**TAX MAP/PARCEL:** 056A2-01-00-07300  
**MAGISTERIAL DISTRICT:** White Hall

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

The applicants are seeking a homestay zoning clearance and special exception on their property that would include rental of up to four guest rooms within the existing house. (Attachment B) During rental of the house, the applicant/owners would reside on the property in the existing accessory structure located behind the house. The applicants would also like to have the option to rent one guest room in the accessory structure and they would be residing in the house during that rental. Approval of the special exception will allow the applicants to continue the homestay rental use in compliance with what they have previously conducted on the property. There have been no complaints or concerns regarding this homestay use from neighbors. The applicant's application, along with support from neighbors located at 5611 St. George Avenue, 5568 St. George Avenue, and 1317 McCauley Street, is provided as Attachment B.

The zoning ordinance regulations found in County Code §18-5.1.48 (Attachment C) limit the number of guest rooms to two and do not allow use of an accessory structure for homestay use in the Residential Zoning Districts. County Code §18-5.1.48(i)(1)(i) of the regulations allow for an increase in the number of guest rooms and use of an accessory structure if a special exception is approved by the Board and after notice has been provided to abutting property owners. The definition of "Homestay" in County Code § 18-3.1 allows for no more than five guest rooms for lodging.

### **CHARACTER OF THE AREA:**

The property is 0.62 acres in size in the Wayland Park subdivision. The lot is located at the corner of Saint George Avenue and McCauley Street and the applicants also own the 0.56 acre lot adjacent to theirs on Saint George Avenue. The yard is fenced and parking is located off-street from the McCauley Street entrance to the property. The house is situated more than 25 feet from the streets and the accessory structure is approximately 25 feet from McCauley Street and 14 feet from the adjoining property. (Attachment D) This complies with the setback requirements of County Code §18-5.1.48



The property, along with the entire Crozet Development Area, is located within the Crozet Tourism zone established by the Board in 2013. The tourism zone was recommended and established in Crozet because an analysis of tourism assets and deficiencies revealed a critical lack of sufficient options for lodging in the western area of the County where there are significant tourism assets, including Monticello Artisan Trail sites, wineries, breweries, County parks, the Shenandoah National Park, Skyline Drive and the Blue Ridge Parkway, orchards, and other agritourism attractions.

## **COMPREHENSIVE PLAN:**

The property is designated Neighborhood Density Residential in the Crozet Master Plan (CMP) and is located within the Downtown Crozet Geographic Sector as defined by the CMP. (Attachment E)

### **Neighborhood Density:**

This designation represents residential areas with a desired density of 3 – 6 residential units per acre. It also represents existing residential areas within or below this range. Housing in this area is primarily single-family detached with some single-family attached/townhouses. Non-residential uses include institutional uses, such as places of worship, public and private schools, and early childhood education centers (daycare centers and preschools). Neighborhood-serving retail/commercial areas and office uses of less than 5,000 square feet may be allowed by exception only in Neighborhood Density Residential areas located within half a block of Downtown along Blue Ridge Avenue and east of Firehouse Lane.

## **CROZET TOURISM ZONE**

The Board adopted a tourism zone ordinance on October 2, 2013, which included a tourism zone map establishing the entire Crozet Development Area as a tourism zone. Staff recommended that the tourism zone be established in Crozet because an analysis of tourism assets and deficiencies revealed a critical lack of sufficient options for lodging in the western area of the County where there are significant tourism assets, including Monticello Artisan Trail sites, wineries, breweries, County parks, the Shenandoah National Park, Skyline Drive and the Blue Ridge Parkway, orchards, and other agritourism attractions.

## **ANALYSIS OF THE SPECIAL EXCEPTION REQUEST:**

Special exceptions are subject to approval by the Board under County Code §18-33.49:

Sec. 33.49 - Action by the Board of Supervisors.

The Board of Supervisors shall act on an application for a special exception as follows:

- A. *Action* . The Board may either approve the application, deny the application, or defer action to either allow changes to be made to the application or any proposed conditions prior to final action by the Board, or to refer the matter to the Commission for further consideration and recommendation within the time for an action provided in subsection (D).
- B. *Factors to be considered* . In acting on a special exception, the Board shall consider the factors, standards, criteria, and findings, however denominated, in the applicable sections of this chapter, provided that the Board shall not be required to make specific findings in support of its action.
- C. *Conditions* . In approving a special exception, the Board may impose reasonable conditions to address any possible impacts of the special exception. Except as the Board may specify in a particular case, any condition imposed on a special exception shall be deemed to be essential and nonseverable from the special exception itself. Any condition determined to be unreasonable, invalid, void, or unlawful shall invalidate the special exception.
- D. *Time for action* . The Board shall act on an application for a special exception within 90 days after the application is determined to be complete. The 90-day period may be extended if the applicant requests a deferral pursuant to [Section 33.52](#).

According to County Code §18-5.1.48(i)(2), Special exceptions may be granted after notice to abutting property owners upon consideration of the following factors:

- (i) *There is no detriment to any abutting lot; and*
- (ii) *There is no harm to the public health, safety, or welfare.*

According to County Code §18-33.49(B), the Board is not required to make specific findings in support of its action. Staff's opinion is that authorizing the homestay use of up to four (4) guest

rooms and use of the accessory structure in the homestay use, with the proposed conditions, would not cause detriment to abutting lots or cause harm to the public health, safety, or welfare. The application will meet all requirements of County Code (parking, safety inspection, addressing) and there has been no objection or concerns from neighbors to-date. Tourist lodging is also supportive of recommendations of the Crozet Master Plan for the Downtown Crozet Area to support tourism and this property is located within the Crozet Tourism Zone.

**RECOMMENDATION:**

Staff recommends that the Board adopt the attached resolution (Attachment F) to approve the homestay special exception, subject to the following condition:

1. No more than four (4) guest rooms may be rented for homestay use.

**ATTACHMENTS:**

- A. Staff Analysis
- B. Applicant's Proposed Homestay and Neighbor Support
- C. County Code § 18-5.1.48 Homestay Zoning Regulations
- D. Location Map
- E. Crozet Master Plan Recommendations for Downtown Crozet
- F. Resolution