

VIO-2019-387

Parcel ID 05700-00-00-053F0

Cottage 705 Mechums West Drive

It seems we do not have a permit. When we signed on with Guesthouses in 2010, it was our understanding that they took care of necessary permitting and tax remittances thus serving as an umbrella company.

We have a new permit application ready. As per County instructions, we did not submit the application because we are non-compliant with the new Homestay regulations.

Our Cottage is approximately 80' from Gillum's Ridge Road. In 1989, we took out a permit for the construction of the structure that became the Cottage. When building our primary residence, we understood, as a corner lot, we could establish which side of the lot was our front yard (75' front, 65' secondary). Because our House enters from Mechums West Drive (a paved road) via the driveway, we established Mechums as our front at 75' and the side at 65' from Gillums Ridge Road (a dirt road). The County determined our approach was backwards and we had to move the structure (Cottage) to a compliant position, at that time 82' from Gillum's Ridge Road. After that, in the late 1990's, VDOT widened and paved Gillum's Ridge Road with a 50' ROW, an increase from the previous 40'. We were required to "sell" a strip of property to VDOT; hence the Cottage is approximately 80'.

In 2009, we remodeled the interior of the Cottage, with no change in footprint or mass. In 2010, we began renting as a B&B through Guesthouses.

At any one time, only one or two people stay in the cottage (approximately 315 sf). In other words, an individual or couple. Guests sleep in the Cottage and tour vineyards and breweries by day or sometimes go to football games. The Cottage is closer to our house physically than the road. The road is bordered by a mature cedar screen and the Cottage is screened by 12' boxwoods and Magnolia trees. The House and Cottage are generally not visible from Gillum's Ridge Road, only by fleeting glimpses through our 10' farm gate. There is no noise and there has not been any noise. The guest's car parks in front of our garage. Neighbors have rented the Cottage for use by visiting relatives and friends.

We have tried to do everything correctly and thought we were "permitted." We would like to continue offering the Cottage and allow visitors the chance to experience the beauty Albemarle County. Our ability to do so provides fuel for the economy of Albemarle through taxes and expenditures at various retail establishments.

Monroe Kirk and Cathy Smith Train