

Attachment A - Staff Analysis

STAFF PERSON: Lea Brumfield, Senior Planner II
BOARD OF SUPERVISORS: June 18, 2025
PROJECT: SE202500012 1757 Franklin Drive Homestay
PROPERTY OWNER: James and Tanya Skeen
LOCATION: 1757 Franklin Drive
PARCEL ID: 06200-00-00-13000
MAGISTERIAL DISTRICT: Rivanna

APPLICANTS'S PROPOSAL:

The applicants are requesting authorization to increase the permitted number of guest rooms used for sleeping from two to five with a homestay use on a parcel of less than five acres in the Rural Areas zoning district (Attachment B).

County Code § 18-5.1.48(c)(1)(iii) permits two guest rooms to be used for sleeping for homestays on Rural Areas parcels. The applicants are requesting a special exception to increase the number of guest rooms used for sleeping from two to five with a homestay in an existing second single-family dwelling on the property, in which they indicate that they currently host family and friends.

CHARACTER OF THE PROPERTY AND AREA:

The 4.04-acre property is located north of Pantops, close to Darden Towe Park. The surrounding neighborhood is made up of wooded residential parcels. Beyond the immediate neighborhood are larger agricultural and forested parcels.

The subject parcel was previously two two-acre parcels, combined to form a single parcel in 2024.

The Skeens' residence is a 4,560 square-foot single-family dwelling at 1737 Franklin Drive, built in 1986. The second single-family residence on the property at 1757 Franklin Drive, proposed for use as a homestay, is a 4,200 square-foot dwelling built in 1987 with five bedrooms.

The owner's residence is approximately 80 feet from the proposed homestay. The next nearest dwelling is approximately 140 feet from the proposed homestay, and the next nearest dwelling after that is approximately 260 feet from the proposed homestay.

PLANNING AND ZONING HISTORY:

As of May 29, 2025, the property has been issued a building violation (BCPLT-2025-00022) for alterations without a permit. The applicant submitted a building permit on May 29, 2025 (ARR-2025-00268) to address this violation. Once that building permit has been approved, the violation will be abated.

ABUTTING PROPERTY OWNER COMMENTS

Following a notice sent to abutting owners on May 2, 2025, staff received a phone call from one neighbor, asking for clarification on the permissions afforded by the special use permit, and asking generally about homestay regulations. He did express concerns about homestays in general in the neighborhood, but noted that he did not wish to object to the application.

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 permitting the use of the existing residence 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 already consistent in size and scale with the surrounding neighborhood. The dwelling does possess sufficient parking for five or more cars in the circular driveway and in paved parking spaces.

As a homestay use on a Rural Areas parcel of less than five acres, the owners would not be permitted to offer unhosted stays. With the close proximity of their dwelling, and the requirement that they be in residence during all homestays, they should be able to address any issues promptly, thereby reducing any potential impacts to the neighborhood. Additionally, the homestay location is screened on the rear and sides by either dense vegetation or the owner's residence.

The applicants would be required to obtain a homestay zoning clearance prior to operating a homestay. The homestay regulations to be met at that time include parking requirements, safety inspections, building code, neighbor notification of emergency contact, and visible addressing for Fire Rescue. Additionally, any related building code violations would be required to be addressed prior to approval of the zoning clearance and commencement of the homestay. The zoning clearance process would follow special exception approval.

RECOMMENDATION:

Staff recommends that the Board adopt the attached resolution (Attachment F) to approve a special exception to permit up to five guest rooms to be used for sleeping with the homestay use at 1757 Franklin Drive.

ATTACHMENTS

- A. Staff Analysis

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