



Application for **SPECIAL USE PERMIT**

Department of Planning and Development Review
Land Use Administration Division
900 E. Broad Street, Room 511
Richmond, Virginia 23219
(804) 646-6304
<http://www.richmondgov.com>

Application is hereby submitted for: (check one)

- special use permit, new
- special use permit, plan amendment
- special use permit, text only amendment

Project Name/Location

Property Address: 1412 Grove Avenue, Richmond VA Date: 10/02/2017
 Tax Map #: W0000528015 Fee: _____
 Total area of affected site in acres: .103

(See **page 6** for fee schedule, please make check payable to the "City of Richmond")

Zoning

Current Zoning: R-6

Existing Use: Single Family Attached

Proposed Use

(Please include a detailed description of the proposed use in the required applicant's report)
Proposed use is Tourist House

Existing Use: Single Family

Is this property subject to any previous land use cases?

Yes No If Yes, please list the Ordinance Number: _____

Applicant/Contact Person: Joseph E. Nelson

Company: _____
 Mailing Address: 3515 N. 25th Street
 City: Arlington State: VA Zip Code: 22207
 Telephone: (703) 2,825,001 Fax: ()
 Email: jnelson@chainbridgebank.com

Property Owner: Joseph E. and Anne F. Nelson

If Business Entity, name and title of authorized signee: _____

(The person or persons executing or attesting the execution of this Application on behalf of the Company certifies that he or she has or have been duly authorized and empowered to so execute or attest.)

Mailing Address: 3515 N. 25th Street
 City: Arlington State: VA Zip Code: 22207
 Telephone: (703) 282-5001 Fax: ()
 Email: jnelson@chainbridgebank.com

Property Owner Signature: Joseph E. Nelson  10/10/17

The names, addresses, telephone numbers and signatures of all owners of the property are required. Please attach additional sheets as needed. If a legal representative signs for a property owner, please attach an executed power of attorney. **Faxed or photocopied signatures will not be accepted.**

NOTE: Please attach the required plans, checklist, and a check for the application fee (see Filing Procedures for special use permits)

Amendment to Special Use Permit Application

Date: 11/2/2017

To: Jonathan W. Brown
Senior Planner
Land Use Administration
City of Richmond, VA

From: Joe Nelson

Regarding SUP Application Number- 024716

Property Address: 1412 Grove Avenue, Richmond VA 23220

Requestor- Joseph E. Nelson and Anne F. Nelson (Property Owners)

Dear Mr. Brown,

On Monday October 30th, 2017 I had a meeting with neighbors and representatives from The Fan District Association. Based on feedback and concerns brought forward during the meeting I would like to amend our application for the special use permit which is currently pending with the City.

Please note the following amendments:

Rental days per month- The application as submitted states that we will limit the number of days rented per month to 50% or 15 days out of a 30 day rental period. We are changing our application to limit the maximum number of days that the home can be rented to a maximum of 12 days per month.

Number of rentals per month- The current application does not have any restriction on the number of times the home can be rented in the allotted rental time frame. We are changing our application to limit the maximum number of rentals in any month to 4.

Occupants- The current application does not address or stipulate any restrictions with regard to the occupants who are eligible to rent the home. We are changing the application to state that the home will not be rented to any group of un-related adults.

Procedure for checking in guests- The current application does not address or stipulate a procedure for checking in guests to the home. We are changing our application to state that all efforts will be made for the homeowner, family member of the home owner or agent of the home owner to personally greet and to check in the guests upon their arrival to the home.

Sincerely,



Joseph E. Nelson

Date: 10/10/2017

Request for Special Use Permit

Property Address: 1412 Grove Avenue, Richmond VA 23220

Request for a Special Use Permit to Allow the Operation of a Tourist Home

Requestor- Joseph E. Nelson and Anne F. Nelson (Property Owners)

About the Owners- Joe and Anne Nelson purchased the home on 06/20/2017. The Nelsons purchased the home with two intended uses. The first use is to serve as a family base for the Nelson family in Richmond. The Nelsons have six children, four of whom live in Richmond and in close proximity to the home. Two of the four children live in the Fan District. The home offers an ideal location, configuration and size to accommodate their family needs. The second use is for the home to be used as a rental property when the home is not being used by family members or friends of the Nelson's. The rentals in-between personal usage helps to support the cost of owning and maintaining the home.

Joe works as a Senior Vice President for a community bank located in McLean, Virginia. Anne is currently a full time college student seeking a degree in nursing following a long career as a math teacher.

Of their six children, three are students enrolled full-time at VCU. Charlie is a freshman business student, Caroline a sophomore art student and Maddie is a 1st year graduate student enrolled in the occupational therapy school. In addition to their three children at VCU, their son-in-law is a full time medical student at MCV. Their oldest daughter is a reading teacher at an independent school in the Richmond area.

Why did the Nelson's buy a home in the Fan? The Nelson's fell in love with the Fan area when they rented a home in the Fan through AIRBNB in March of 2017 for their daughter's wedding. They love the architecture of the area, charming neighborhoods, walkability, convenience to restaurants, shopping, local attractions and proximity to their children's housing. After their daughter's wedding, they made several trips to look at real estate in the Richmond area and purchased the home on Grove Avenue in the Fan.

The Nelson's near-term plan for the property is to use the home 50% of the time for personal use and to rent the home 50% of the time. The long-term plan is that Joe and Anne will occupy the property upon retirement.

About the Property- The home was built in 1900 and was beautifully restored in 2007. The home features 3,542 square feet, 4 bedrooms, 3 bathrooms, a front porch, rooftop porch deck, rear deck, private courtyard and private parking for up to 3 cars. The home is located within a few blocks of VCU. The home is detached on the left side. The right side of the house is attached to the neighboring property by a small addition. The lot size of the property is .103 acres. The parking spots are accessed off of an alley which borders the rear of the property. The property has a fenced rear yard and a rear deck that provides access to the back door of the home. The home is in excellent condition.

Summary of Request- The request is for a special use permit for the operation of a tourist home.

The Zoning Ordinance defines Tourist Home as "a building containing not more than ten guest rooms, with or without kitchens and with or without board, intended to be rented for compensation for occupancy by the traveling public and similar transient guests on a daily basis and in which access to individual guest rooms is provided exclusively from within the building, as distinguished from a hotel, motel, lodging house, group home, shelter or similar form of housing."

Currently the R-6 zoning code allows the home to be rented for minimum lease period of 30 days with the maximum number of rentals in any given 12 month period of time to 12 total rentals. The Tourist Home Special Use Permit will offer flexibility to offer rentals which are shorter in term than 30 days. Our proposed tourist home use will consist of a four bedroom home to be rented for durations shorter than 30 days. We are not proposing to rent the bedrooms separately to different guests with a shared common area. Guests will rent the entire home for their visit to Richmond.

The special use permit application package provides a list of items to be addressed by the applicant. We have detailed those items and our response to each can be found below:

Exterior Changes to The Home- We are not proposing to make any changes to the exterior of the home.

Interior Changes to The Home- We are not proposing to make any interior changes to the home.

Detrimental to the safety, health, morals and general welfare of the community- We believe the addition of a regulated short-term rental home to the Fan district will be an asset for the neighborhood, area businesses and residents. The home will provide high quality, upscale, short-term rental housing to residents and visitors. A search for hotels and bed and breakfasts in the city

shows that the majority of all hotels are located in the downtown area of the city. Two bed and breakfast options are located on the edge of the Fan district closer to the VMFA. Proximity of the home to VCU will also provide families of VCU students a convenient and well located short-term housing option. Local residents will benefit from the access to a short-term rental home for their friends, guests and business associates traveling to Richmond. Local businesses will benefit from the increased visitors to the immediate area. We have polled our visitors and most all have frequented local restaurants and retail establishments while staying in our home.

We do not believe that the home will pose any type of detriment to the health, morals and general welfare of the community.

Tends to create congestion in streets, roads, alleys and other public ways and places in the area- We believe the proposed use will have a low impact on the roads, streets, alleys and public ways and places. As mentioned above the home has 3 private parking places.

Create hazards from fire, panic or other dangers- We do not believe that the proposed use will create any hazards for fire, panic or dangers.

Tend to cause over-crowding of land and undue concentration of population- the use as a tourist home will not create any hazards from fire, panic or other dangers.

Adversely affect or interfere with public or private schools, parks, playgrounds, water supplies, sewage disposal, transportation or other public requirements, conveniences and improvements- The use as a 4 bedroom tourist home will not impact or interfere with public or private schools, parks, playgrounds, water supplies, sewage disposal or other such public improvements and conveniences.

Interfere with adequate light and air- The use as a tourist home will not impact or interfere with adequate light or air supplies.

Reasonable use within the code- The Fan District is a destination for travelers to Richmond. The travelers could be visiting friends and family members who live in the Fan area or could be visiting Richmond to visit one of the many colleges or attractions. A high quality, up-scale short term rental home providing accommodations to those travelers is a reasonable use within the code.

In addition to being a reasonable use within the code the special use permit will provide additional limits and remedies if guests are not compliant with house rules and local ordinances.

Compatible with surrounding area- The immediate area surrounding the home consists of single family homes, multi-family homes, group/student housing, condos, some small businesses, and restaurants. As a result of the home's proximity to VCU, the predominate use of the properties surrounding the home appear to be group housing or multi-family dwellings/condos. A quality, up-scale short-term rental home would be an asset to the area's mix of housing and residents. The home will provide much needed short term housing for visitors to the immediate area.

Compatible with surrounding area- The appearance of the home is perfectly compatible and fits well with the mix of property types located in the immediate area. The proposed tourist home use is also a compatible use for the property and will serve the needs of the area residents and visitors to the area.

Vehicular traffic- We believe the use of the home as a tourist home will not impact traffic in the area in a negative fashion. Traffic to-and-from the property is estimated to be nominal and comparable to any 4 bedroom rental property.

Appropriate use for the site- We believe the site for the property fits well for the proposed use. The primary difference for the use under the R-6 zoning code and that of a tourist home is the additional turn-over of occupants. As stated previously, the Nelson family intends to use the home 50% of the time. The other 50% would ideally be rented on a short-term basis to families, business people and other groups visiting the area. The Nelson's use of the home will minimize the turnover of occupants to an estimated 3-4 per month. The site allows for the use with minimal impact on the neighboring properties. Parking in the area will not be impacted due to the three private parking places that come with the home. The home is detached on the left side and only attached on the right side via a small 12' wide addition. Interactions between the guests and the neighbors is typically limited to an occasional encounter in the rear yard while accessing the property and on the front porch.

Negative aspect of the special use permit- In all fairness, the application needs to address the potential negative aspects of granting the tourist home special use permit. We have tried to list and address the potential negative aspects below:

Turnover of guests- As stated above the Nelson's proposed use of the home being occupied by them for 50% of the time will help to minimize the turnover of visitors. Turn-over will exist but it will not be a continuous stream which could accompany a typical tourist home use that would be renting rooms.

Un-known visitors in close proximity to neighbors and residents- Use of booking sites such as AIRBNB and VRBO allow the host to screen visitors by using past reviews and allow contact with

the visitors prior to accepting the rental agreement. In addition, renters using the site are required to provide a valid government-issued identification. This differs from the typical booking process in a hotel, which will book a guest for a room via only requiring a credit card. The property is the Nelson's home-base in Richmond. They have no desire to simply rent the home to any group requesting a rental. They will screen the guests to the best of their ability to ensure a good fit with the property. It is possible that a misfitting group could rent the home. All efforts will be made to reduce that possibility. It should be noted that the home alternatively could be rented to as many as 4 unrelated adults on a lease term of 30 days or greater. 4 unrelated adults would likely result in more unknown visitors at all hours and have a potentially higher impact on the neighboring properties and parking in the area in comparison to the proposed use.

Potential for noise and other offenses- The home is masonry construction and is largely detached from its neighbors. The construction and the site help to limit noise issues with the surrounding area. In addition, the house will have rules for guests about noise. The house will not be rented for events and or parties.

Other potential offenses- In addition to the noise limits, we will not allow smoking and have a zero tolerance policy for drugs.

It is possible that an occasional visitor could break any of the rules. All efforts will be made to ensure the visitor is well informed of the rules prior to booking their visit and will follow the rules during their visit.

The special use permit provides neighbors and area residents with the ability to enforce offenses through the request to revoke the special use permit in the event that the use of the property is determined to be in conflict with the neighbors' peaceful enjoyment of their homes. This potential course of action will help to ensure compliance with the special use permit and its requirements. .

Summary- We believe that the addition of a quality, up-scale, 4 bedroom, short-term rental home located in the heart of the Fan district will be an asset and will benefit the community and local businesses. Sites such as AIRBNB and VRBO provide hundreds of housing rental options in the city of Richmond with dozens of short-term rental options located in close proximity to the property. The vast majority of these homes are operating outside of the allowed zoning code and are not contributing to the tax base of the city. Travelers increasingly prefer to stay in rental homes over traditional hotel accommodations. I believe most people reading this application will recognize the benefits of a home rental compared to those of a hotel room, especially when traveling with family members or in a group. Rental homes tend to be located in neighborhoods offering the traveler the neighborhood experience compared to that of staying in a business district and being limited to the confines of a hotel room. Short-term rental homes also offer more space for traveling families and other such groups in addition to the convenience of a kitchen. A legally

zoned, tax collecting, tax paying, 4 bedroom short-term rental home would be an excellent option for travelers to Richmond and visitors to the Fan district.

We hope that you allow us to share our home with travelers to Richmond. Our home purchase in the Fan was prompted by a short-term rental of a home in the Fan for our daughter's wedding. Opening up the opportunity for other travelers to enjoy our neighborhood helps to increase the number of people frequenting our businesses, along with increasing the number of people who want to live in the neighborhood and purchase homes to be part of this vibrant area.

Sincerely,



Joe Nelson