

**From:** [PDR Land Use Admin](#)  
**To:** [Oliver, Alyson E. - PDR](#); [Ebinger, Matthew J. - PDR](#)  
**Subject:** FW: 2301 Grove Avenue - Special Use Permit - OPPOSE  
**Date:** Monday, July 17, 2023 9:45:55 AM  
**Attachments:** [FINAL FDA Resolutions Related to Three Zoning Changes July 16 2023](#)

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**From:** Melissa Savenko [mailto:[melissa@mikemelissa.com](mailto:melissa@mikemelissa.com)]

**Sent:** Sunday, July 16, 2023 3:57 PM

**To:** PDR Land Use Admin <[PDRLandUseAdmin@rva.gov](mailto:PDRLandUseAdmin@rva.gov)>; Trump, Shaianna L. - PDR <[Shaianna.Trump2@rva.gov](mailto:Shaianna.Trump2@rva.gov)>; Ebinger, Matthew J. - PDR <[Matthew.Ebinger@rva.gov](mailto:Matthew.Ebinger@rva.gov)>

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**Subject:** 2301 Grove Avenue - Special Use Permit - OPPOSE

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Thank you for the opportunity to comment on this application. While the FDA Zoning Committee (the "Committee") appreciates the applicant's commitment to operating a short term rental ("STR") with all required approvals, and their application for a Special Use Permit (the "SUP" or the "application"), the Committee has voted unanimously to OPPOSE this application. The reasons are as follows:

1. There is a City-wide zoning change pending with respect to STRs. It is not appropriate for us to support this application when the regulatory environment is unclear.
2. The Committee wants to ensure there is no precedent that could be interpreted as support for the general concept of accessory dwelling units ("ADUs") as STRs. The FDA Board adopted a resolution at a Special Meeting on May 22, 2023 opposing the use of ADUs as STRs. I have attached a copy of the adopted resolutions for your consideration.
3. Most importantly, it has been the long-standing position of the Committee and the FDA Board that any SUP application for an accessory dwelling explicitly agree that it will not be used as an STR. See 2513 Rear Hanover, 2417 Stuart, and 109 N. Plum, among others. We conclude it would be inequitable and unfair to change this position for this applicant, in the absence of any change in the City's regulatory scheme with respect to ADUs and STRs.

Based on the above, we ask the Planning Commission to OPPOSE this application. I am happy to address any questions you might have.

Best,  
Melissa

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