



**Town of Irvington, Virginia Planning Commission
Regular Meeting, December 6, 2022
53 King Carter Drive, Irvington, VA**

Summary Minutes from the December 6 Regular Meeting

1. Call To Order – Tom Chapman, Chair 6:30 PM

2. Roll Call to Determine Quorum

| | |
|----------|------------------------|
| Fuller | Present |
| Chapman | Present |
| Robinson | Present |
| Taylor | Present |
| Capps | Present (By Telephone) |
| Pollard | Present |
| Clarke | Present |

Chair Determines Quorum is Present

3. Public Hearing for Conditional Use Permits (CUP's)

- a. A Public Hearing was held for the following CUPS for Short Term Rentals (STR's). The number of written letters of support or objection are listed

- i. **Harding-Boyd – 4262 Irvington Road** – No Letters
- ii. **Wert – 67 Park Place** – 5 Letters of Objection, 2 Letters in Favor
- iii. **Hanky – 882 King Carter Drive** – No Letters
- iv. **Smith – 110 Lancaster Road** – 1 Letter in Support
- v. **Flynn – 816 King Carter Drive** – 2 letters in Support

- b. The following members of the public spoke on the indicated CUPS

- i. **Jud Burke, 155 Park Place** – Spoke in opposition of the Wert CUP, asking that the 10% Irvington STR percentage be applied specifically to Vineyard Grove
- ii. **Johan Grieco – 131 Park Place** - Spoke in opposition of the Wert CUP. Among other issues, stated that the current STR's in Vineyard Grove work as micro-hotels without a front desk. Mr. Grieco provided a map of current STR's (attached). Also asked how the town certifies that the owners can respond within 60 minutes.



- iii. **Mary Cay Bradley – 991 King Carter** – Wanted to remind the Planning Commission that the STR ordinance did not address density.
- iv. **Colleen Sweeny – 130 Edgewood Lane** – Was not informed about the previous Baker STR application for 125 Edgewood Lane. Had concern about other STR's on the road who have blocked with trucks and boats.

4. Approve Minutes – November 1, 2022 Regular Meeting

Motion to Approve: **Clarke**
Second: **Taylor**

| | |
|----------|---------|
| Fuller | Approve |
| Chapman | Approve |
| Robinson | Approve |
| Taylor | Approve |
| Capps | Approve |
| Pollard | Approve |
| Clarke | Approve |

Total: Yes = 7 No = 0 **Motion Approved**

5. Report from the Chair – Tom Chapman, Chair

- a. Congratulations from the Chair to Commissioner Robinson who was elected to Town Council, and Commissioner Fuller who got significant support in the same election.

6. Public Comment

- a. **Commissioner Fuller** noted that a business was operating in Town without a CUP, and that instead of pausing the business until the CUP was approved, that the Town Council will be consulted as to whether or not to place a pause on the business. After discussion, the Commissioners generally felt that no business should be allowed to operate until the requested CUPs and Business Licenses were in order, with Commissioner Pollard dissenting. Commissioner Pollard felt that if the business was a “by-right” use, and the lack of approval was unintentional, that the business should be allowed to operate until approval is granted.



- b. **Mary Cay Bradley – 991 King Carter** – Noted that some properties in Town, in the past, have not been forced to get CUP's if the new business is consistent with a previous business in the same location.
- c. **Marston Smith – 110 Lancaster Road** – Thinks that “by-right” uses of businesses should be allowed and that a grace period should be allowed to get a Business License.

7. Report from Zoning Administrator

- a. New deck on Cedardale Lane
- b. Site visit to Crockets Landing and Steamboat Road
- c. New CUP application for a studio on 301 Steamboat Road
- d. 21 STR's were grandfathered and 10 applications are in process
- e. Showed a map of approved and applicant STR's

8. Old Business

a. Criteria for Short Term Rental CUP Approval

- i. Each of the Commissioners spoke briefly on the conditions that they would set for approval of a Short Term Rental CUP. Some noted that they would take neighbor opposition and density into consideration, with others stating that if the application was legal according to Town code, and was consistent with the Comprehensive Plan, that they felt obligated to approve it. Commissioner Chapman stated that any denial needs to be applied consistently with all applications.
- ii. As mentioned in the previous Planning Commission meeting, Chair passed around a list of conditions (attached) to be included with every STR CUP approval, essentially mirroring the conditions set forth with the previously grandfathered CUPS. Commissioner Chapman asked if there were any objections to adding these to all STR CUPS. There were no objections by any of the Commissioners. All STR CUPS coming before the Planning Commission will have these conditions attached.
- iii. Commissioner Fuller recommended that the Vineyard Grove be given time to work out the details of their HOA regulations with respect to STR's, allowing the Vineyard Grove STR applicants to hold their place in line. Commissioner Chapman recommended that Vineyard Grove applications be placed on hold until April 2023.



- b. **Motion to Defer the Landers (Tax Map 34K -1 14) STR CUP and Wert (Tax Map 34K - 1 13) and any future Vineyard Grove Short Term Rental CUP applications until the April 2023 PC Meeting (with spaces reserved in the STR priority of applications)**

Motion to Approve: Chapman

Second: Pollard

| | |
|----------|------------|
| Fuller | Approve |
| Chapman | Approve |
| Robinson | Disapprove |
| Taylor | Approve |
| Capps | Approve |
| Pollard | Approve |
| Clarke | Approve |

Total: Yes = 6 No = 1 Abstain = 0 **Motion Approved**

- c. **Motion to Approve the Stephens (Tax Map 33-361), Harding – Boyd (Tax Map 33-427), Smith (Tax Map 33-230A), Hanky (Tax Map 33-253), and Flynn (Tax Map-33-246) Short Term Rental CUP Applications**

Motion to Approve: Pollard

Second: Clarke

| | |
|----------|---------|
| Fuller | Approve |
| Chapman | Approve |
| Robinson | Approve |
| Taylor | Approve |
| Capps | Approve |
| Pollard | Approve |
| Clarke | Approve |

Total: Yes = 7 No = 0 Abstain = 0 **Motion Approved**



- d. **Motion to Defer the Baker (Tax Map 33B – 1 7A) Short Term Rental CUP until the February 2023 PC Meeting (with space reserved in the STR priority of applications)**

Motion to Approve: Clarke
Second: Pollard

| | |
|----------|------------|
| Fuller | Disapprove |
| Chapman | Approve |
| Robinson | Disapprove |
| Taylor | Approve |
| Capps | Approve |
| Pollard | Approve |
| Clarke | Approve |

Total: Yes = 5 No = 2 Abstain = 0 **Motion Approved**

- e. **Comprehensive Plan Update**

Commissioner Chapman stated that Will Cockrell of EPR, PC will engage with all PC and TC members and come up with a draft of a public engagement plan for presentation to the Planning Commission and the Town Council.

9. New Business

- a. **Fence Ordinances and Sign Ordinances** – Commissioners Pollard and Capps are going to work on the fence ordinances.
- b. **Secretary for Planning Commission** – No commissioners volunteered to take on the role of Secretary. Commissioner Fuller recommended that the Town Council nominate a new Planning Commissioner who may have the skillset to take on that role.



10. Next Meeting

- a. Regular PC Meeting: 6:30 PM on January 3, 2023 at Irvington Town Office.

11. Adjournment

Motion to Adjourn: Robinson
Second: Clarke

| | |
|----------|---------|
| Fuller | Approve |
| Chapman | Approve |
| Robinson | Approve |
| Taylor | Approve |
| Capps | Approve |
| Pollard | Approve |
| Clarke | Approve |

Total: Yes = 7 No = 0 **Motion Approved**

Meeting Adjourned at 7:55 PM.

Respectfully Submitted - Philip A. Robinson, Secretary

Attachments:

1. **Harding-Boyd CUP**
2. **Wert CUP**
3. **Hanky CUP**
4. **Smith CUP**
5. **Flynn CUP**
6. **Baker CUP**
7. **Stevens CUP**
8. **Landers CUP**
9. **Vineyard Grove Objection Letters**
10. **Baker Objection Letter**
11. **Vineyard Grove Charts**
12. **STR Approval Conditions**



Application for Conditional Use Permit

Town of Irvington

P.O. Box 174, Irvington, VA 22480
804-438-6044 (Zoning & Land Use)
Application Fee \$200

Internal Use Only

RECEIVED 10/18/2022
APP FEE PD _____
APPLICATION # _____
PC Public Hearing _____
TC Public Hearing _____

IMPORTANT NOTE: The application must be filled out completely. The application may not be signed by an agent or attorney but must be signed by the owner, agent of owner or owners before a Notary Public in the space provided on page 4.

Applicant Name (s): Harding ; Boyd LLC

Tax Map Parcel(s): # 33-427

Address/Location: 4262 Irvington Road Irvington VA 22480

Deed Restrictions: Yes _____ No X (If yes, attach copy of deed) Current Zoning R1

Proposed Use: STR

Acreage of Parcel: .64 Overlay District(s): Chesapeake Bay _____ Yes ✓ No

| | | |
|---|------------------------------|--|
| Is this an amendment to an existing conditional use permit? If so, provide CUP number: _____ | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| A scale drawing (see p.3) is required to be attached to any CUP application. Is a scale drawing attached to this application? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Is this an application for a private pier or dock? If so, please attach your VMRC and ACOE applications and permits. | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

Owner or Agent Contact: Amber Walker

Address: 361 greenfields Lane

City: White Stone State: VA Zip: 22578

Phone Number: 804 436 2018 Email address: amber@braggco.com

Official Owner(s) of Record (If different than applicant): Harding ; Boyd LLC

Address: 361 greenfields Lane

City: White Stone State: VA Zip: 22578

Phone Number: 804 436 2018 Email address: amber@braggco.com

Does the property owner also own or have any ownership interest in any abutting property? If yes, please list those tax map numbers: N/A

Section 154.017 of the Town of Irvington Zoning Ordinance provides guidelines for conditional use permit applications. Please address the following standards which will be reviewed by the staff in analysis of your request. If you need assistance filling out these items, staff is available.

Provide a written statement demonstrating that:

1. The establishment, maintenance or operation of the CUP will not adversely affect the public health, safety, morals and general welfare and is in compliance with the Chesapeake Bay Act;
2. The establishment of the CUP will not substantially diminish or impair property values within the neighborhood nor will it be detrimental to the environment and surrounding properties;
3. The purpose of the CUP is to provide for certain uses which may not be compatible with certain surrounding uses or which may be compatible with surrounding uses only if the use in question is established in conformance with certain limiting conditions;
4. That proper landscape designs detailing plantings, screening for sight and sound and proper buffers be provided, that only certain appropriate activities shall occur;
5. Adequate utilities, and off street parking are provided;
6. That soil erosion and sedimentation be avoided;
7. The height, area, yard and sign limitations shall be the same as for other uses in the district;
8. That businesses and other operations be carried out only at appropriate times;
9. The establishment of the CUP is not in conflict with the Comprehensive Plan;
10. The CUP shall, in all other respects, conform to the applicable regulations of the zoning district in which it is located, except as such regulations may, in each instance, be modified by the Governing Body.

(Governing Body may impose reasonable conditions to make use compatible, to protect environment, surrounding properties, persons, neighborhood values.)

Please attach your written statement with this document upon submission.

Describe your request in detail and include any relevant information such as the number of persons involved in the use, operating hours, or any unique features of the proposed use.

If any improvements are being proposed, briefly state whether new structures are to be constructed, existing structures are to be used or modifications, expansion, reconstruction, or additions are to be made to existing structures. If available, provide dimensions of any structures that will be used for this CUP.

Attachments Required – provide three copies of each

1. *A scale drawing showing the size and shape of the parcel of land on which the proposed use is located.* Scale drawing shall show the size and shape of the parcel of land on which the proposed building is to be constructed, the nature of the proposed use of the building or land and the location of such building or use with respect to the property lines of said parcel of land to the right-of-way of any street or highway adjoining said parcel of land.
2. *Ownership information* – If ownership of the property is in the name of any type of legal entity or organization including, but not limited to, the name of a corporation, partnership or association, or in the name of a trust, or in a fictitious name, an acceptable document must be submitted certifying that the person signing below has the authority to do so.

Certification

State of Virginia, Town of Irvington, To Wit

I (We) Amber Walker, being duly sworn, depose and say that I am the Owner/Or Agent of Owner of the property involved in the application. If I am not the Owner, I have attached written certification from the owner granting me the right to submit this application. I further declare that I have familiarized myself with the rules and regulations pertaining to preparing and filing this application and that the foregoing statements and answers provided herein are in all respects true and correct.

I have read this application, understand its intent, and freely consent to its filing. Furthermore, I have the power to authorize and hereby grant permission to Town of Irvington officials and other authorized government agents on official business to enter the property as necessary to process this application and to monitor compliance with any permit issued hereunder. I hereby have posted a notice on my property, near the boundary, in a place visible to the public notifying the public of my application.

Signature of Owner or Agent

Date

Shale 10-18-22

Mailing Address

22518

Phone No.

804/4362018

Subscribed and sworn to before me this ____ day of _____, 20____.

My Commission Expires

Notary Public

Signature of Property Owner

Date

Shale 10-18-22

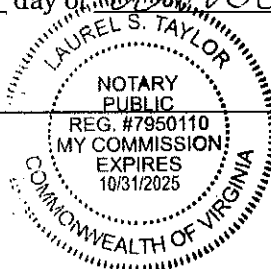
Mailing Address

Phone No.

804/4362018Subscribed and sworn to before me this 18th day of October, 2022.

My Commission Expires

Notary Public

10/31/2025Laurel S. Taylor

October 15, 2022

To the Town of Irvington, Zoning & Land Use,

Let me introduce myself as Amber Walker. I am a real estate agent with Bragg & Company Real Estate previously a full time Registered Dental Hygienist. I worked with Dr. Westbrook when "The Office" was the dental office!! My mother, Sandra Matthews of Creative DeSIGNS of Virginia, moved us into Irvington back in 1997 to 63 Rappahannock Road and we all fell in love with the quaint town. We have seen wonderful growth throughout the years here in Irvington, bringing new families and business' while maintaining our "hometown feel".

My husband Brendan Walker, nephew of the late Richard and Barbara Newlon, and I have purchased 4262 Irvington Road. While the Conkles will remain in the home while they choose their next adventure, we would like to choose our next adventure with 4262 Irvington Road. We are so excited to "spruce" up the property with all new landscaping, a beautiful new front porch and sidewalk/driveway! We would like to make the property a short term rental for guests to come and enjoy everything our area has to offer.

As you know, people love our community and all the wonderful amenities we have to offer. I currently host the STRs on Edgewood Lane here in Irvington for owner Zach Fauver. We have hosted a multitude of wonderful guests and have been over the top ecstatic at the response and respect for the property that we have received from our valued guests. Brendan and I have also kept his grandmothers home in Kilmarnock and have been using as a short and long term rental for over 2 years now. We have been pleased to find out how accommodating we have been for families visiting. For example, we have a couple coming to stay through the Christmas holiday so they can be close to their parents at RWC during the holidays. It makes us happy to able to provide short term rentals to families coming to our area!

Please consider our request and reach out with any questions or concerns.

Thank you,

Amber & Brendan Walker

amber@braggco.com (804)436-2018

brendan@braggco.com (804)366-1241

OPERATING AGREEMENT

OF

HARDING & BOYD, LLC

THIS OPERATING AGREEMENT, effective as of March 23, 2022, is entered into by and between **BRENDAN WALKER**, individually, **AMBER WALKER**, individually, and **ROBERT BOYD BRAGG, IV** and **CAMILLE K. BRAGG, TRUSTEES UNDER JOINT TRUST MADE BY ROBERT BOYD BRAGG, IV AND CAMILLE K. BRAGG DATED DECEMBER 16, 2019** (each a "Member" and, collectively, the "Members").

WITNESSETH:

In consideration of the covenants and mutual agreements hereinafter set forth, the parties hereto (hereinafter collectively referred to as the "Members") agree as follows:

1. **FORMATION OF LIMITED LIABILITY COMPANY.** The Members form a limited liability company (hereinafter referred to as the "Company") pursuant to the provisions of the Virginia Limited Liability Company Act, Section 13.1-1100, et seq., Code of Virginia (1950), as amended ("Act").

2. GENERAL PROVISIONS.

A. **Name.** The name of the Company shall be Harding & Boyd, LLC and all business of the Company shall be in that name. The business of the Company may be conducted under such trade or fictitious names as the Managers deem advisable.

B. **Purpose.** The primary purpose of the Company is to own real estate for investments purposes and to share in the benefits of ownership and the revenues generated thereby, and the general purpose of the Company is to engage in such other activities permitted under the laws of the Commonwealth of Virginia governing limited liability companies.

C. **Principal Office.** The principal office and place of business of the Company shall be located at 361 Greenfields Lane, White Stone, Virginia 22578 or such other place as the Members or Managers may from time to time determine following notice to the Members.

D. **Term.** The period of duration of the limited liability company shall be perpetual unless terminated in accordance with the provisions of Section 12 of this Agreement.

E. **Taxation.** The Company intends to be treated for local, state and federal tax purposes as a partnership and shall conduct its business in such a manner as to comply with the requirements to be treated as such a partnership.



Application for Conditional Use Permit

Town of Irvington

P.O. Box 174, Irvington, VA 22480
804-438-6044 (Zoning & Land Use)
Application Fee \$200

Internal Use Only

RECEIVED _____
APP FEE PD _____
APPLICATION # _____
PC Public Hearing _____
TC Public Hearing _____

IMPORTANT NOTE: The application must be filled out completely. The application may not be signed by an agent or attorney but must be signed by the owner, agent of owner or owners before a Notary Public in the space provided on page 4.

Applicant Name (s): NEIL C. WERT, JR. | DEBRA THOMPSON WERT

Tax Map Parcel(s): 34K113

Address/Location: 67 PARK PLACE, IRVINGTON, VA 22480

Deed Restrictions: Yes _____ No ☒ (If yes, attach copy of deed) Current Zoning _____

Proposed Use: SHORT TERM RENTAL

Acreage of Parcel: 2.51 Acres Overlay District(s): Chesapeake Bay _____ Yes _____ No _____

| | | |
|---|------------------------------|--|
| Is this an amendment to an existing conditional use permit? If so, provide CUP number: _____ | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| A scale drawing (see p.3) is required to be attached to any CUP application. Is a scale drawing attached to this application? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| Is this an application for a private pier or dock? If so, please attach your VMRC and ACOE applications and permits. | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

Owner or Agent Contact: NEIL C. WERT / DEBRA THOMPSON WERT

Address: 5221 CHAPPELL RIDGE PLACE

City: GLEN ALLEN State: VA Zip: 23059

Phone Number: 804-467-1100 Email address: NCWPLANNER@GMAIL.COM
804-402-7900 DWERTCPA@GMAIL.COM

Official Owner(s) of Record (If different than applicant): SAME

Address: _____

City: _____ State: _____ Zip: _____

Phone Number: _____ Email address: _____

Does the property owner also own or have any ownership interest in any abutting property? If yes, please list those tax map numbers:

N/A

Section 154.017 of the Town of Irvington Zoning Ordinance provides guidelines for conditional use permit applications. Please address the following standards which will be reviewed by the staff in analysis of your request. If you need assistance filling out these items, staff is available.

Provide a written statement demonstrating that:

1. The establishment, maintenance or operation of the CUP will not adversely affect the public health, safety, morals and general welfare and is in compliance with the Chesapeake Bay Act;
2. The establishment of the CUP will not substantially diminish or impair property values within the neighborhood nor will it be detrimental to the environment and surrounding properties;
3. The purpose of the CUP is to provide for certain uses which may not be compatible with certain surrounding uses or which may be compatible with surrounding uses only if the use in question is established in conformance with certain limiting conditions;
4. That proper landscape designs detailing plantings, screening for sight and sound and proper buffers be provided, that only certain appropriate activities shall occur;
5. Adequate utilities, and off street parking are provided;
6. That soil erosion and sedimentation be avoided;
7. The height, area, yard and sign limitations shall be the same as for other uses in the district;
8. That businesses and other operations be carried out only at appropriate times;
9. The establishment of the CUP is not in conflict with the Comprehensive Plan;
10. The CUP shall, in all other respects, conform to the applicable regulations of the zoning district in which it is located, except as such regulations may, in each instance, be modified by the Governing Body.

(Governing Body may impose reasonable conditions to make use compatible, to protect environment, surrounding properties, persons, neighborhood values.)

Please attach your written statement with this document upon submission.

Describe your request in detail and include any relevant information such as the number of persons involved in the use, operating hours, or any unique features of the proposed use.

WE HAVE OWNED TENT 13 AT 67 PARK PLACE SINCE 2007, WITH AN ORIGINAL INTENT TO MAKE A SHORT TERM RENTAL AS WERE 8 OTHER TENTS AT THE TIME. DUE TO ECONOMIC CONDITIONS CAUSED BY THE MORTGAGE CRISIS AND RECESSION, WE INSTEAD OPTED TO RENT LONG TERM LEASE ARRANGEMENTS. GIVEN THE CURRENT CIRCUMSTANCES, WE WOULD LIKE TO REALIZE OUR ORIGINAL DREAM AND CONVERT THE PROPERTY TO A SHORT TERM RENTAL IN KEEPING WITH THE STANDARDS OF THE VINEYARD GROVE COMMUNITY AND BROTHER TOWN OF IRVINGTON SO AS TO PROVIDE VACATION HOUSING TO FAMILIES WISHING TO ENJOY OUR SPECIAL COMMUNITY.

If any improvements are being proposed, briefly state whether new structures are to be constructed, existing structures are to be used or modifications, expansion, reconstruction, or additions are to be made to existing structures. If available, provide dimensions of any structures that will be used for this CUP.

IMPROVEMENTS WILL BE MINOR. I ONLY ANTICIPATE SOME CLEANING, REPAIRS, AND UPGRADES OF THE INTERIOR AND EXTERIOR TO ENHANCE CURB APPEAL AND THE BEAUTY AND COMFORT OF THE HOME TO MEET COMPETITIVE SHORT TERM RENTAL STANDARDS. IE. REPAIR ROTTEN WOOD, FRESH PAINT, LANDSCAPING, NEW CARPET, POTENTIALLY NEW COUNTERTOPS.

Attachments Required – provide three copies of each

1. *A scale drawing showing the size and shape of the parcel of land on which the proposed use is located. Scale drawing shall show the size and shape of the parcel of land on which the proposed building is to be constructed, the nature of the proposed use of the building or land and the location of such building or use with respect to the property lines of said parcel of land to the right-of-way of any street or highway adjoining said parcel of land.*
2. *Ownership information – If ownership of the property is in the name of any type of legal entity or organization including, but not limited to, the name of a corporation, partnership or association, or in the name of a trust, or in a fictitious name, an acceptable document must be submitted certifying that the person signing below has the authority to do so.*

Certification

State of Virginia, Town of Irvington, To Wit

I (We) NEIL C. WEAT + DEBRA T. WEAT, being duly sworn, depose and say that I am the Owner/Or Agent of Owner of the property involved in the application. If I am not the Owner, I have attached written certification from the owner granting me the right to submit this application. I further declare that I have familiarized myself with the rules and regulations pertaining to preparing and filing this application and that the foregoing statements and answers provided herein are in all respects true and correct.

I have read this application, understand its intent, and freely consent to its filing. Furthermore, I have the power to authorize and hereby grant permission to Town of Irvington officials and other authorized government agents on official business to enter the property as necessary to process this application and to monitor compliance with any permit issued hereunder. I hereby have posted a notice on my property, near the boundary, in a place visible to the public notifying the public of my application.

Signature of Owner or Agent_____
Date_____
Mailing Address_____
Phone No.

Subscribed and sworn to before me this ____ day of _____, 20____.

My Commission Expires_____
Notary Public-----
MAE / Debra T Weat 10/25/22_____
Signature of Property Owner_____
Date5221 CHAPPELL RIDGE PLACE, GLEN ALLEN, VA_____
Mailing Address_____
Phone No.

Subscribed and sworn to before me this ____ day of _____, 20____.

My Commission Expires_____
Notary Public



Application for Conditional Use Permit

Town of Irvington

P.O. Box 174, Irvington, VA 22480
804-438-6044 (Zoning & Land Use)
Application Fee \$200

Internal Use Only

RECEIVED 10/18/2022
APP FEE PD _____
APPLICATION # _____
PC Public Hearing _____
TC Public Hearing _____

IMPORTANT NOTE: The application must be filled out completely. The application may not be signed by an agent or attorney but must be signed by the owner, agent of owner or owners before a Notary Public in the space provided on page 4.

Applicant Name (s): Michael C Hanky

Tax Map Parcel(s): 33-253

Address/Location: 882 King Carter Drive Irvington, VA 22480

Deed Restrictions: Yes _____ No X (If yes, attach copy of deed) **Current Zoning** R1

Proposed Use: SFR

Acreage of Parcel: 0.55 **Overlay District(s):** Chesapeake Bay Yes _____ No _____

| | | |
|---|---|--|
| Is this an amendment to an existing conditional use permit? If so, provide CUP number: _____ | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| A scale drawing (see p.3) is required to be attached to any CUP application. Is a scale drawing attached to this application? | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| Is this an application for a private pier or dock? If so, please attach your VMRC and ACOE applications and permits. | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

Owner or Agent Contact: Michael C Hanky

Address: 2641 Leaffield Terrace

City: Midlothian **State:** VA **Zip:** 23113

Phone Number: 804-399-7788 **Email address:** mikehanky@srmfre.com

Official Owner(s) of Record (If different than applicant): same as above

Address: _____

City: _____ **State:** _____ **Zip:** _____

Phone Number: _____ **Email address:** _____

Does the property owner also own or have any ownership interest in any abutting property? If yes, please list those tax map numbers:

33-253A

Section 154.017 of the Town of Irvington Zoning Ordinance provides guidelines for conditional use permit applications. Please address the following standards which will be reviewed by the staff in analysis of your request. If you need assistance filling out these items, staff is available.

Provide a written statement demonstrating that:

1. The establishment, maintenance or operation of the CUP will not adversely affect the public health, safety, morals and general welfare and is in compliance with the Chesapeake Bay Act;
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(Governing Body may impose reasonable conditions to make use compatible, to protect environment, surrounding properties, persons, neighborhood values.)

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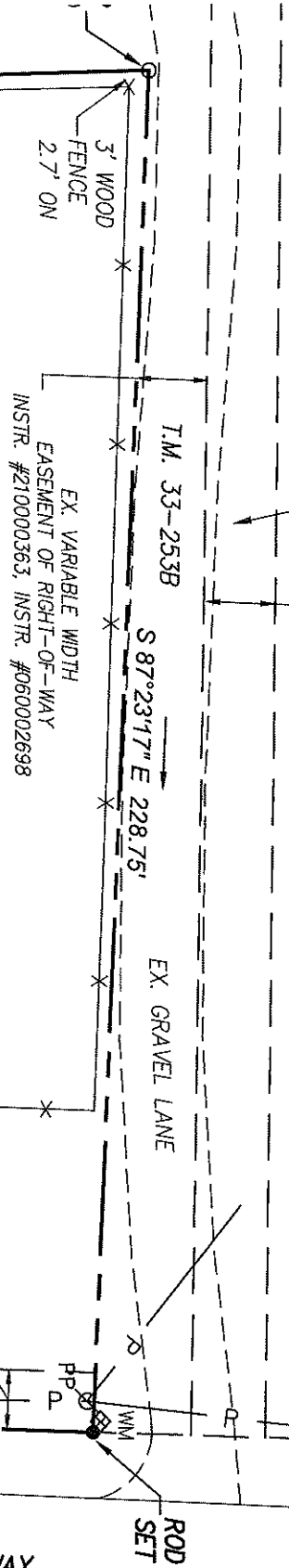
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If any improvements are being proposed, briefly state whether new structures are to be constructed, existing structures are to be used or modifications, expansion, reconstruction, or additions are to be made to existing structures. If available, provide dimensions of any structures that will be used for this CUP.

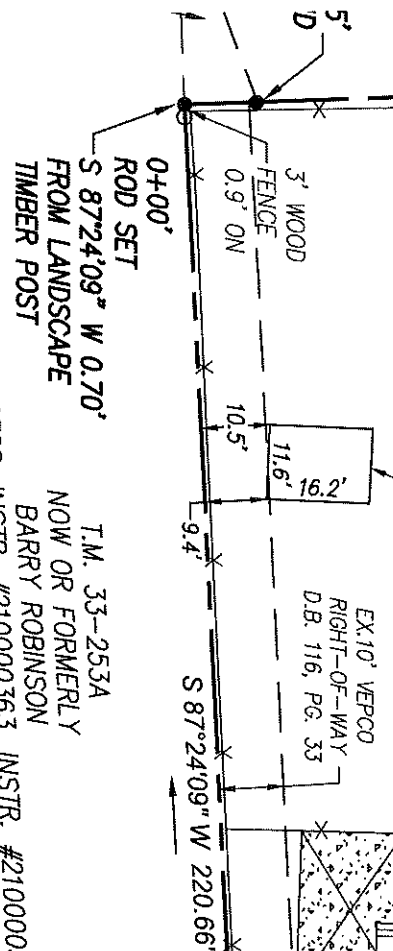
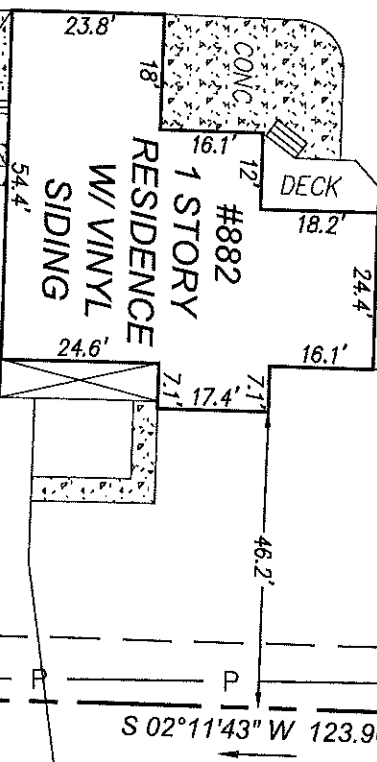
Attachments Required – provide three copies of each

1. *A scale drawing showing the size and shape of the parcel of land on which the proposed use is located. Scale drawing shall show the size and shape of the parcel of land on which the proposed building is to be constructed, the nature of the proposed use of the building or land and the location of such building or use with respect to the property lines of said parcel of land to the right-of-way of any street or highway adjoining said parcel of land.*
2. *Ownership information* – If ownership of the property is in the name of any type of legal entity or organization including, but not limited to, the name of a corporation, partnership or association, or in the name of a trust, or in a fictitious name, an acceptable document must be submitted certifying that the person signing below has the authority to do so.

49, PG. 104, D.B. 369, PG. 463 (PLAT)
D.B. 72, PG. 291 (PLAT).
INSTR. #060002700



PARCEL 253
ON TAX MAP 33
30097 S.F.
0.691 ACRE



T.M. 33-253A
NOW OR FORMERLY
BARRY ROBINSON
INSTR. #210000362, INSTR. #210000363, INSTR. #210000367,
INSTR. #210000368, INSTR. #210000369, INSTR. #210000370,
INSTR. #210000357, INSTR. #210000215, INSTR. #210000362, INSTR. #09000759, INSTR. #050004076
#090001642, INSTR. #09000759, INSTR. #050004076

COMMONWEALTH OF VIRGINIA
8/24/2021
MARK A. INDZERIS
LIC. NO. 003197

KING CARTER DRIVE

STATE ROUTE #634 41' PUBLIC RIGHT-OF-WAY
D.B. 124, PG. 585


288'± TO INTX.
CARTERS CREEK ROAD

314, D.B. 24,
203, PG. 21
680, D.B. 12
PHYSICAL A
FLOOD ZONE
4. ZONE X (NC
DETERMINED
MANAGEMENT
RATE MAP (OCTOBER 2,
THIS PLAT I.
SURVEY, FOR
OTHER AVAL
SHOWN THE
COVENANTS,
AFFECT THIS
PREPARED 1
TITLE REPOF

PLAT SHON
LOCATION
PARCEL 25;
PREPARED
MIKE HANK

TOWN OF IF
LANCASTER
AUGUST 24

REFE
LAN.
8;
GLOUC

| | | | | | |
|---|------------|------------|------------|------------|------------|
|  | Beds | Full Baths | Half Baths | Sale Price | Sale Date |
| | 2 | 2 | N/A | \$430,000 | 09/02/2021 |
| | Bldg Sq Ft | Lot Sq Ft | Yr Built | Type | |
| | 2,262 | 23,958 | 1993 | SFR | |

OWNER INFORMATION

| | | | |
|----------------------|--------------------|----------------|-------|
| Owner Name | Hanky Michael C | Mailing Zip | 23113 |
| Mailing Address | 2641 Leafield Turn | Owner Occupied | No |
| Mailing City & State | Middleton, VA | | |

LOCATION INFORMATION

| | | | |
|---------------|-------------------|-----------------|---------------------|
| Magisterial | Town Of Irvington | Topography | Flat/Level |
| Zip Code | 22480 | Census Tract | 303.02 |
| Carrier Route | R001 | Parcel Comments | CARPORT ON FOR 2010 |
| Zoning | R1 | | |

TAX INFORMATION

| | | | |
|-------------------|----------------------------|------------|--------|
| PID | 33-253 | Parcel ID | 33-253 |
| Old Map # | 10184 | % Improved | 76% |
| Legal Description | IRVINGTON .55 AC DB311/314 | | |

ASSESSMENT & TAX

| Assessment Year | 2021 | 2020 | 2019 |
|---------------------------|-----------|-----------|-----------|
| Assessed Value - Total | \$307,000 | \$307,000 | \$307,000 |
| Assessed Value - Land | \$75,000 | \$75,000 | \$75,000 |
| Assessed Value - Improved | \$232,000 | \$232,000 | \$232,000 |
| Market Value - Total | \$307,000 | \$307,000 | \$307,000 |
| Market Value - Land | \$75,000 | \$75,000 | \$75,000 |
| Market Value - Improved | \$232,000 | \$232,000 | \$232,000 |
| YOY Assessed Change (%) | 0% | 0% | |
| YOY Assessed Change (\$) | \$0 | \$0 | |

| Tax Year | Total Tax | Change (\$) | Change (%) |
|----------|-----------|-------------|------------|
| 2019 | \$2,026 | | |
| 2020 | \$2,026 | \$0 | 0% |
| 2021 | \$2,026 | \$0 | 0% |

CHARACTERISTICS

| | | | |
|-------------------------------|---------------------------|-----------------------|---------------------|
| Lot Acres | 0.55 | Roof Material | Composition Shingle |
| Lot Sq Ft | 23,958 | Roof Shape | Gable |
| Land Use - County | Single Family Resi -Urban | Interior Wall | Drywall |
| Land Use - CoreLogic | SFR | Exterior | Vinyl |
| Stories | 1 | Floor Cover | Wood |
| Year Built | 1993 | Foundation | Concrete Block |
| Bldg Area - Finished Sq Ft | 2,262 | Water | Public |
| Bldg Area - Total Sq Ft | 2,262 | Sewer | Septic Tank |
| Bldg Area - Main Floor Sq Ft | 1,734 | Electric Service Type | Type Unknown |
| Bldg Area - Ground Fl Sq Ft | 2,262 | Condition | Good |
| Bldg Area - Above Grade Sq Ft | 2,262 | Quality | Average |
| Total Rooms | 5 | Porch Type | Porch |
| Bedrooms | 2 | Patio Type | Deck |
| Baths - Total | 2 | No. of Patios | 1 |
| Baths - Full | 2 | Patio/Deck 1 Area | 113 |
| Cooling Type | Yes | Patio/Deck 2 Area | 150 |
| Heat Type | Baseboard | Porch | Porch |
| Heat Fuel Type | Electric | Porch 1 Area | 240 |
| Roof Type | Gable | | |

FEATURES

| Feature Type | Unit | Size/Qty | Width | Depth | Value |
|--------------|------|----------|-------|-------|-------|
|--------------|------|----------|-------|-------|-------|

| | | | | | |
|------------|---|-----|----|----|---------|
| Shed-Frame | S | 288 | 24 | 12 | \$1,000 |
| Shed-Frame | S | 192 | 16 | 12 | \$500 |
| Pavement | | | | | \$2,000 |
| Carport | | | | 14 | \$95 |

| | |
|----------------------|---------------|
| Building Description | Building Size |
| Base Section | 1,734 |
| Porch | 240 |
| Deck | 113 |
| Porch | 150 |
| Addition W/ No Bsmt | 528 |

| | | | |
|-------------------|-----|-------------|---------------------|
| SELL SCORE | | | |
| Rating | Low | Value As Of | 2022-10-09 04:44:18 |
| Sell Score | 462 | | |

| | | | |
|------------------------|-----------------------|-----------------------------|----|
| ESTIMATED VALUE | | | |
| RealAVM™ | \$445,800 | Confidence Score | 82 |
| RealAVM™ Range | \$401,100 - \$490,400 | Forecast Standard Deviation | 10 |
| Value As Of | 09/19/2022 | | |

(1) RealAVM™ is a CoreLogic® derived value and should not be used in lieu of an appraisal.

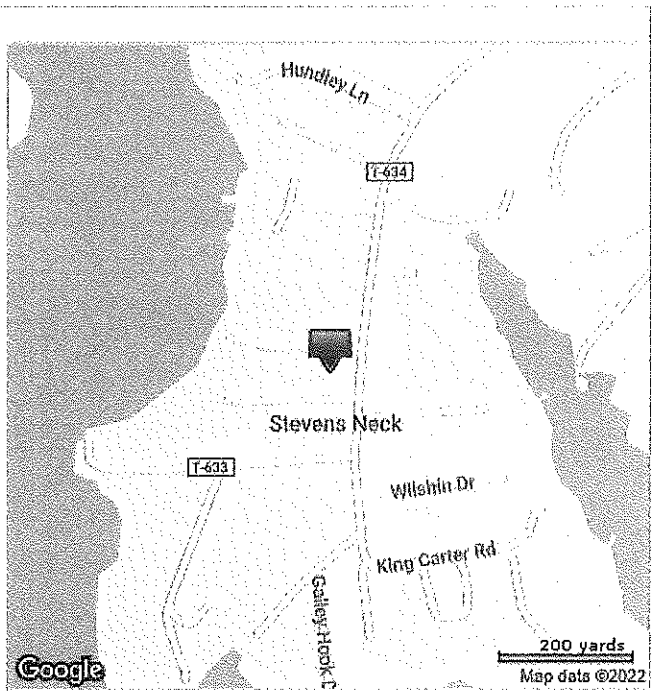
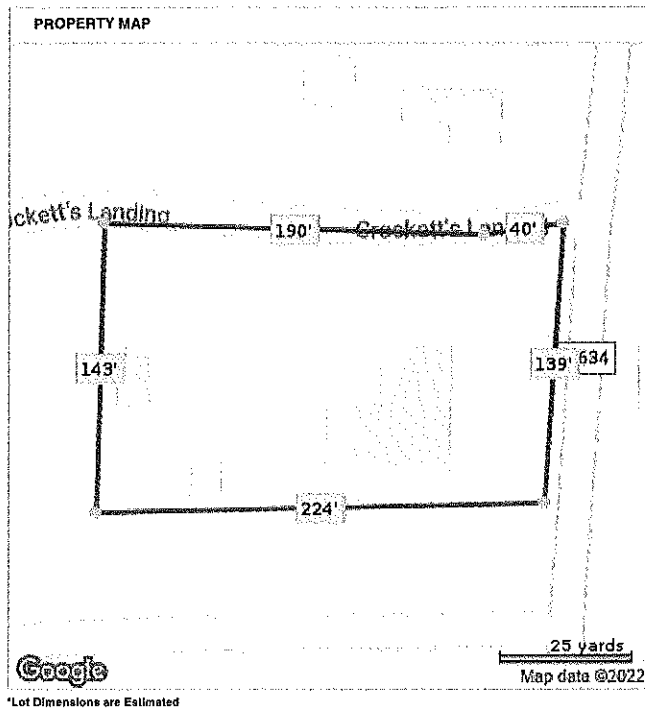
(2) The Confidence Score is a measure of the extent to which sales data, property information, and comparable sales support the property valuation analysis process. The confidence score range is 50 - 100. Clear and consistent quality and quantity of data drive higher confidence scores while lower confidence scores indicate diversity in data, lower quality and quantity of data, and/or limited similarity of the subject property to comparable sales.

(3) The FSD denotes confidence in an AVM estimate and uses a consistent scale and meaning to generate a standardized confidence metric. The FSD is a statistic that measures the likely range or dispersion an AVM estimate will fall within, based on the consistency of the information available to the AVM at the time of estimation. The FSD can be used to create confidence that the true value has a statistical degree of certainty.

| | | | |
|---|------------|-----------------|---------------------|
| LAST MARKET SALE & SALES HISTORY | | | |
| Recording Date | 09/02/2021 | Seller | Jenkins Katherine M |
| Settle Date | 09/02/2021 | Owner Name | Hanky Michael C |
| Sale Price | \$430,000 | Document Number | 2534 |
| Price Per Square Foot | \$190.10 | Deed Type | Warranty Deed |

| | | | |
|----------------------|---------------------|---------------------|---------------------|
| Recording Date | 09/02/2021 | 09/09/2015 | |
| Sale/Settlement Date | 09/02/2021 | 09/09/2015 | |
| Sale Price | \$430,000 | | |
| Nominal | | Y | |
| Buyer Name | Hanky Michael C | Francis Theresa A J | Jenkins Katherine M |
| Buyer Name 2 | | Jenkins Celena J | |
| Seller Name | Jenkins Katherine M | Jenkins Katherine M | Owner Record |
| Document Number | 2534 | 1425 | 311-314 |
| Document Type | Warranty Deed | Deed (Reg) | Deed (Reg) |

| | | | |
|-------------------------|-----------------|-----------------|--------------------------|
| MORTGAGE HISTORY | | | |
| Mortgage Date | 09/02/2021 | 04/06/2018 | 05/04/2017 |
| Mortgage Amount | \$344,000 | \$33,000 | \$60,000 |
| Mortgage Lender | Blue Ridge Bk | Chesapeake Bk | Chesapeake Bk |
| Mortgage Term | 30 | 15 | 10 |
| Mortgage Term | Years | Years | Years |
| Mortgage Int Rate | | 4.25 | |
| Mortgage Int Rate Type | Fixed Rate Loan | Fixed Rate Loan | Adjustable Int Rate Loan |
| Mortgage Purpose | Resale | Refi | Refi |
| Mortgage Type | Conventional | Conventional | Conventional |
| Mortgage Doc # | 2535 | 648 | 837 |





Application for Conditional Use Permit

Town of Irvington

P.O. Box 174, Irvington, VA 22480
804-438-6044 (Zoning & Land Use)
Application Fee \$200

Internal Use Only

RECEIVED _____

APP FEE PD _____

APPLICATION # 2017-CUP-0011

PC Public Hearing _____

TC Public Hearing _____

IMPORTANT NOTE: The application must be filled out completely. The application may not be signed by an agent or attorney but must be signed by the owner, agent of owner or owners before a Notary Public in the space provided on page 4.

Applicant Name (s): Marston Smith

Tax Map Parcel(s): 33-230A

Address/Location: 110 Lancaster Road, Irvington VA 22480

Deed Restrictions: Yes ☐ No ☒ (If yes, attach copy of deed) **Current Zoning** R-1

Proposed Use: R-1/ Short-term Rental

Acreage of Parcel: 0.656 acres **Overlay District(s):** Chesapeake Bay Yes ☐ No ☒

| | | |
|---|------------------------------|--|
| Is this an amendment to an existing conditional use permit? If so, provide CUP number: | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| A scale drawing (see p.3) is required to be attached to any CUP application. Is a scale drawing attached to this application? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Is this an application for a private pier or dock? If so, please attach your VMRC and ACOE applications and permits. | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

Owner or Agent Contact: Marston Smith

Address: 110 Lancaster Road

City: Irvington **State:** VA **Zip:** 22480

Phone Number: 804.467.5968 **Email address:** marston.s.smith@gmail.com

Official Owner(s) of Record (If different than applicant): _____

Address: _____

City: _____ **State:** _____ **Zip:** _____

Phone Number: _____ **Email address:** _____

Does the property owner also own or have any ownership interest in any abutting property? If yes, please list those tax map numbers:

No

Section 154.017 of the Town of Irvington Zoning Ordinance provides guidelines for conditional use permit applications. Please address the following standards which will be reviewed by the staff in analysis of your request. If you need assistance filling out these items, staff is available.

Provide a written statement demonstrating that:

1. The establishment, maintenance or operation of the CUP will not adversely affect the public health, safety, morals and general welfare and is in compliance with the Chesapeake Bay Act;
2. The establishment of the CUP will not substantially diminish or impair property values within the neighborhood nor will it be detrimental to the environment and surrounding properties;
3. The purpose of the CUP is to provide for certain uses which may not be compatible with certain surrounding uses or which may be compatible with surrounding uses only if the use in question is established in conformance with certain limiting conditions;
4. That proper landscape designs detailing plantings, screening for sight and sound and proper buffers be provided, that only certain appropriate activities shall occur;
5. Adequate utilities, and off street parking are provided;
6. That soil erosion and sedimentation be avoided;
7. The height, area, yard and sign limitations shall be the same as for other uses in the district;
8. That businesses and other operations be carried out only at appropriate times;
9. The establishment of the CUP is not in conflict with the Comprehensive Plan;
10. The CUP shall, in all other respects, conform to the applicable regulations of the zoning district in which it is located, except as such regulations may, in each instance, be modified by the Governing Body.

(Governing Body may impose reasonable conditions to make use compatible, to protect environment, surrounding properties, persons, neighborhood values.)

Please attach your written statement with this document upon submission.

Describe your request in detail and include any relevant information such as the number of persons involved in the use, operating hours, or any unique features of the proposed use.

Per our attached letter, Cille and I wish to obtain the STR designation on our property. We have prepared the property for such use, and will contract local professional contractors for services we cannot perform ourselves. We will list our property on certain STR websites for rental, and will pay all occupancy taxes derived and due the Town of Irvington.

If any improvements are being proposed, briefly state whether new structures are to be constructed, existing structures are to be used or modifications, expansion, reconstruction, or additions are to be made to existing structures. If available, provide dimensions of any structures that will be used for this CUP.

No improvements are proposed.

Attachments Required – provide three copies of each


- n/a
1. *A scale drawing showing the size and shape of the parcel of land on which the proposed use is located.* Scale drawing shall show the size and shape of the parcel of land on which the proposed building is to be constructed, the nature of the proposed use of the building or land and the location of such building or use with respect to the property lines of said parcel of land to the right-of-way of any street or highway adjoining said parcel of land.
 2. *Ownership information* – If ownership of the property is in the name of any type of legal entity or organization including, but not limited to, the name of a corporation, partnership or association, or in the name of a trust, or in a fictitious name, an acceptable document must be submitted certifying that the person signing below has the authority to do so.
- n/a

Certification

State of Virginia, Town of Irvington, To Wit

I (We) Marston Smith, being duly sworn, depose and say that I am the Owner/Or Agent of Owner of the property involved in the application. If I am not the Owner, I have attached written certification from the owner granting me the right to submit this application. I further declare that I have familiarized myself with the rules and regulations pertaining to preparing and filing this application and that the foregoing statements and answers provided herein are in all respects true and correct.

I have read this application, understand its intent, and freely consent to its filing. Furthermore, I have the power to authorize and hereby grant permission to Town of Irvington officials and other authorized government agents on official business to enter the property as necessary to process this application and to monitor compliance with any permit issued hereunder. I hereby have posted a notice on my property, near the boundary, in a place visible to the public notifying the public of my application.

 10/26/22
 Signature of Owner or Agent Date
110 Lancaster Road, Irvington VA 22480 804.467.5968
 Mailing Address Phone No.

Subscribed and sworn to before me this ____ day of _____, 20____.

 My Commission Expires Notary Public

n/a

 Signature of Property Owner Date

 Mailing Address Phone No.

Subscribed and sworn to before me this ____ day of _____, 20____.

 My Commission Expires Notary Public

Marston Smith
110 Lancaster Road
Irvington, VA 22480

10/26/22

Dear Town of Irvington,

This conditional use permit application seeks to establish 110 Lancaster Road as a legal short-term rental (STR) property within the Town of Irvington. This property was originally licensed by the Town as a short-term rental, but with the new ordinance requiring previous STR income, the property was not grandfathered this use. Thus, we seek to again obtain this use.

Since the purchase of our property, we have been making gradual improvements not only to make it both a beautiful place for us to live, but also safe and appropriate to one day serve well as a short-term rental. Given its location immediately adjacent to the Tides Inn, we knew it would serve well for a larger group that all wanted to stay together, and we began taking on projects to help us achieve this aim.

To ensure adequate parking, we enlarged the existing driveway and created a circular drive in the underutilized front of our property.

To ensure safety, we performed significant demolition in our backyard of broken, rusted fence and unstable trees lingering near the house. There is no fire pit, pool, or otherwise potentially dangerous structure on our property.

To ensure adequate screening and privacy, we installed a continuous wood fence around the entire backyard. The house is shaped as a horseshoe around an exterior back courtyard, which naturally screens sound well. We also performed planting and landscaping beyond this for additional aesthetic appeal, including new surrounding house plantings and the restoration of two very prominent oak and magnolia trees in the front/ side.

Our property is located immediately fronting the Tides Inn, an operating hotel, and backs up to an operating short-term rental (61 Virginia Road). Thus, the establishment of this CUP will not adversely affect or further impair neighbors and is compatible with surrounding existing uses.

Cille and I cherish being integrated in the community of Irvington, and this application does not signal a departure from the area, but just maintaining a possible use we have long planned for and intended to implement in Q1 2023 before the Town began discussing STR Ordinances. We feel that the upgrades we have made to date on this property improve the neighborhood, while enhancing the safety and adequacy of this property for this short-term rental use.

Our property is in compliance with all local and federal regulations and the Chesapeake Bay Act, and this application satisfies all elements of Section 154.017 of the Town of Irvington Zoning Ordinance. For these reasons, please consider re-granting the STR use for 110 Lancaster Road.

Thank you,

Marston Smith

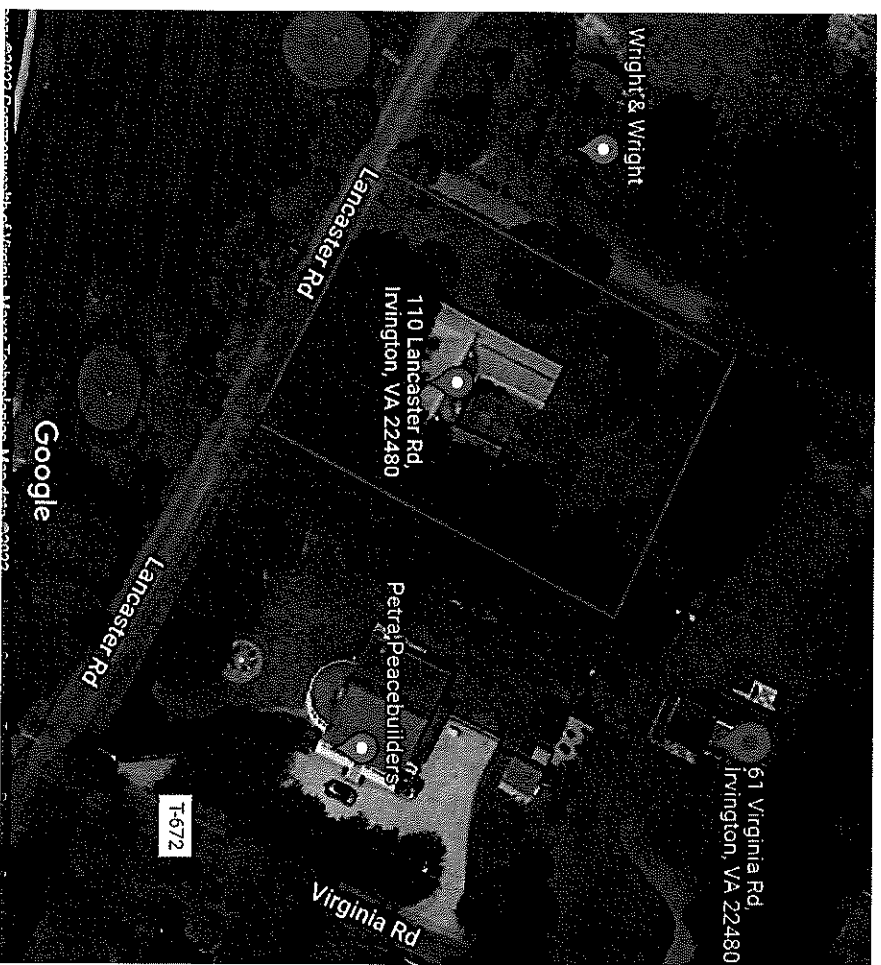
Marston Smith

Lucille C. Smith

Lucille Smith

110 Lancaster Road Aerial

- Subject property outlined in blue
- Neighbors
 - To west- 132 Lancaster Rd, owned by the Tides Inn, and Quinby entrance easement
 - To east- Thaxter residence
 - To north- 61 Virginia Road, an operating STR
 - To south- the Tides Inn
- Improved with new driveway, new fence, significant landscaping
- U-shape with back courtyard provides natural privacy/ screening
- No new buildings to be constructed with this CUP





Application for Conditional Use Permit

Town of Irvington

P.O. Box 174, Irvington, VA 22480
804-438-6044 (Zoning & Land Use)
Application Fee \$200

Internal Use Only

RECEIVED _____
APP FEE PD _____
APPLICATION # _____
PC Public Hearing _____
TC Public Hearing _____

IMPORTANT NOTE: The application must be filled out completely. The application may not be signed by an agent or attorney but must be signed by the owner, agent of owner or owners before a Notary Public in the space provided on page 4.

Applicant Name (s): Thomas V Flynn

Tax Map Parcel(s): _____

Address/Location: 816 King Carter Drive

Deed Restrictions: Yes _____ No ☒ (If yes, attach copy of deed) Current Zoning _____

Proposed Use: STR

Acreage of Parcel: _____ Overlay District(s): Chesapeake Bay _____ Yes _____ No

| | | |
|---|------------------------------|-----------------------------|
| Is this an amendment to an existing conditional use permit? If so, provide CUP number: _____ | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| A scale drawing (see p.3) is required to be attached to any CUP application. Is a scale drawing attached to this application? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| Is this an application for a private pier or dock? If so, please attach your VMRC and ACOE applications and permits. | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

Owner or Agent Contact: Thomas V Flynn

Address: 816 King Carter Drive

City: Irvington State: VA Zip: 22480

Phone Number: 804-577-0919 Email address: cheFTVF@gmail.com

Official Owner(s) of Record (If different than applicant): _____

Address: _____

City: _____ State: _____ Zip: _____

Phone Number: _____ Email address: _____

Does the property owner also own or have any ownership interest in any abutting property? If yes, please list those tax map numbers:

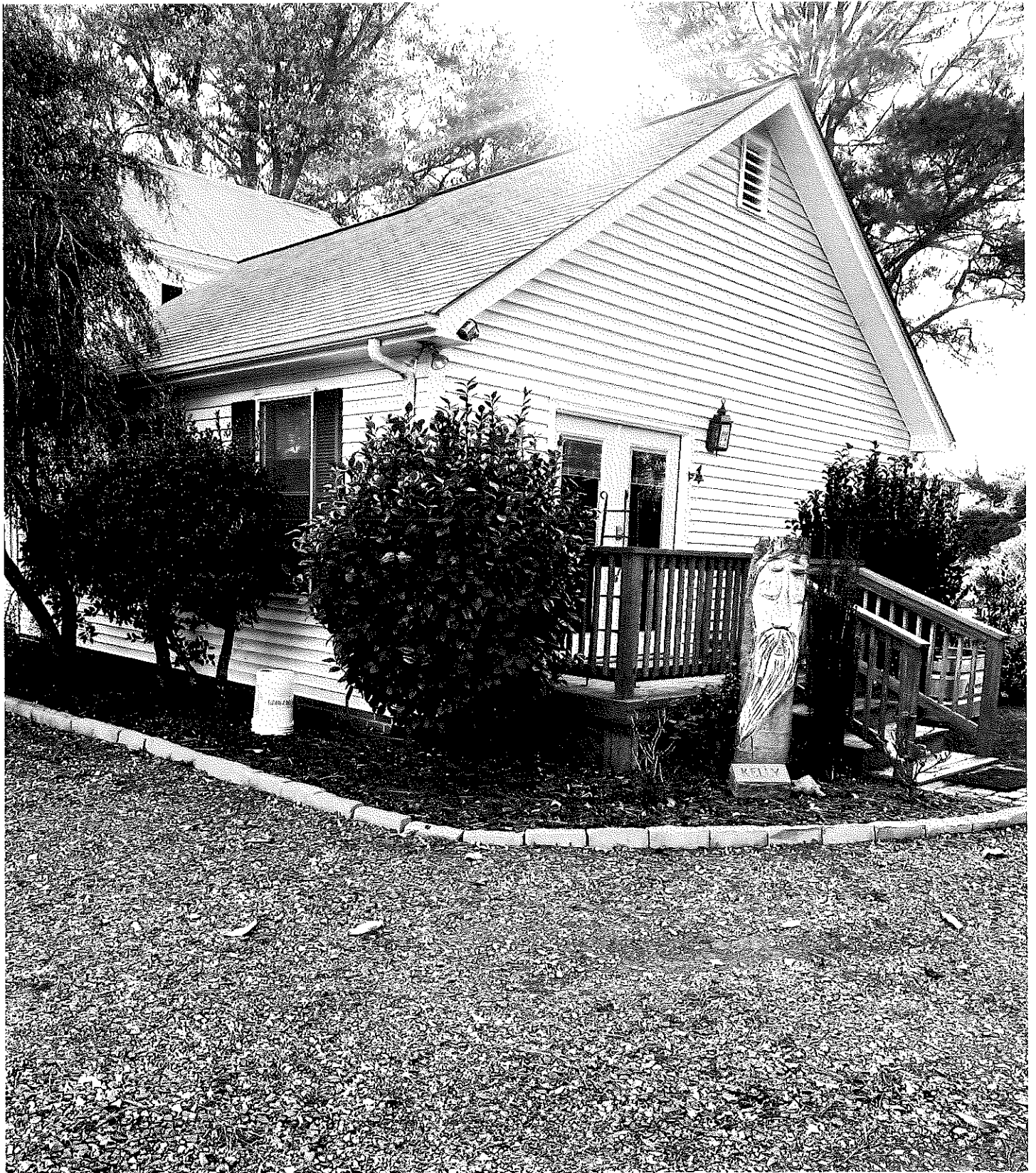
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Provide a written statement demonstrating that:

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5. Adequate utilities, and off street parking are provided;
6. That soil erosion and sedimentation be avoided;
7. The height, area, yard and sign limitations shall be the same as for other uses in the district;
8. That businesses and other operations be carried out only at appropriate times;
9. The establishment of the CUP is not in conflict with the Comprehensive Plan;
10. The CUP shall, in all other respects, conform to the applicable regulations of the zoning district in which it is located, except as such regulations may, in each instance, be modified by the Governing Body.

(Governing Body may impose reasonable conditions to make use compatible, to protect environment, surrounding properties, persons, neighborhood values.)

Please attach your written statement with this document upon submission.





thomas flynn <cheftvf@gmail.com>

From Justin w/Town of Irvington

thomas flynn <cheftvf@gmail.com>

Mon, Oct 17, 2022 at 9:42 AM

To: Justin Nelson <jnelson@town.irvington.va.us>

Justin, I've had 4 different tennents in 2021 and one of them stayed through September of this year. They were not booked through an Air bnb. My rental is part of my property where I reside. Capacity for the rental is limited to 2 Adults and 1 Child.

Regards, TV Flynn

[Quoted text hidden]

Describe your request in detail and include any relevant information such as the number of persons involved in the use, operating hours, or any unique features of the proposed use.

Hope to continue Short Term Rental at my property. I've had 4 different renters in 2021 and one of them stayed through September of 2022

If any improvements are being proposed, briefly state whether new structures are to be constructed, existing structures are to be used or modifications, expansion, reconstruction, or additions are to be made to existing structures. If available, provide dimensions of any structures that will be used for this CUP.

Attachments Required – provide three copies of each

1. *A scale drawing showing the size and shape of the parcel of land on which the proposed use is located.* Scale drawing shall show the size and shape of the parcel of land on which the proposed building is to be constructed, the nature of the proposed use of the building or land and the location of such building or use with respect to the property lines of said parcel of land to the right-of-way of any street or highway adjoining said parcel of land.
2. *Ownership information* – If ownership of the property is in the name of any type of legal entity or organization including, but not limited to, the name of a corporation, partnership or association, or in the name of a trust, or in a fictitious name, an acceptable document must be submitted certifying that the person signing below has the authority to do so.

Certification

State of Virginia, Town of Irvington, To Wit

I (We) Thomas V Flynn, being duly sworn, depose and say that I am the Owner/Or Agent of Owner of the property involved in the application. If I am not the Owner, I have attached written certification from the owner granting me the right to submit this application. I further declare that I have familiarized myself with the rules and regulations pertaining to preparing and filing this application and that the foregoing statements and answers provided herein are in all respects true and correct.

I have read this application, understand its intent, and freely consent to its filing. Furthermore, I have the power to authorize and hereby grant permission to Town of Irvington officials and other authorized government agents on official business to enter the property as necessary to process this application and to monitor compliance with any permit issued hereunder. I hereby have posted a notice on my property, near the boundary, in a place visible to the public notifying the public of my application.

[Signature]
Signature of Owner or Agent

10/20/22
Date

Mailing Address

Phone No.

Subscribed and sworn to before me this ____ day of _____, 20____.

My Commission Expires

Notary Public

Signature of Property Owner

Date

Mailing Address

Phone No.

Subscribed and sworn to before me this ____ day of _____, 20____.

My Commission Expires

Notary Public



Application for Conditional Use Permit

Town of Irvington

P.O. Box 174, Irvington, VA 22480
804-438-6044 (Zoning & Land Use)
Application Fee \$200

Internal Use Only

RECEIVED _____

APP FEE PD _____

APPLICATION # 2002-00000000

PC Public Hearing _____

TC Public Hearing _____

IMPORTANT NOTE: The application must be filled out completely. The application may not be signed by an agent or attorney but must be signed by the owner, agent of owner or owners before a Notary Public in the space provided on page 4.

Applicant Name (s): JOHN EDGAR BAKER IV

Tax Map Parcel(s): 33B-1-7A, 8, 9, 10, 11, 12

Address/Location: 125 EDGEWOOD LANE

Deed Restrictions: Yes _____ No X (If yes, attach copy of deed) **Current Zoning** P-1 / SINGLE FAMILY

Proposed Use: SHORT-TERM RENTAL (STR)

Acreage of Parcel: 0.914 **Overlay District(s):** Chesapeake Bay X Yes _____ No _____

| | | |
|---|---|--|
| Is this an amendment to an existing conditional use permit? If so, provide CUP number: _____ | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| A scale drawing (see p.3) is required to be attached to any CUP application. Is a scale drawing attached to this application? | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| Is this an application for a private pier or dock? If so, please attach your VMRC and ACOE applications and permits. | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

Owner or Agent Contact: JOHN EDGAR BAKER IV

Address: 1137 WASHINGTON ST, APT 7

City: DORCHESTER **State:** MA **Zip:** 02124

Phone Number: (339) 368-1061 **Email address:** johnedgarbaker@gmail.com

Official Owner(s) of Record (If different than applicant): _____

Address: _____

City: _____ **State:** _____ **Zip:** _____

Phone Number: _____ **Email address:** _____

AD # 2002-00000000

Does the property owner also own or have any ownership interest in any abutting property? If yes, please list those tax map numbers:

Section 154.017 of the Town of Irvington Zoning Ordinance provides guidelines for conditional use permit applications. Please address the following standards which will be reviewed by the staff in analysis of your request. If you need assistance filling out these items, staff is available.

Provide a written statement demonstrating that:

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9. The establishment of the CUP is not in conflict with the Comprehensive Plan;
10. The CUP shall, in all other respects, conform to the applicable regulations of the zoning district in which it is located, except as such regulations may, in each instance, be modified by the Governing Body.

(Governing Body may impose reasonable conditions to make use compatible, to protect environment, surrounding properties, persons, neighborhood values.)

Please attach your written statement with this document upon submission.

Describe your request in detail and include any relevant information such as the number of persons involved in the use, operating hours, or any unique features of the proposed use.

PLEASE SEE ATTACHED RESPONSE WITH WRITTEN STATEMENT.

If any improvements are being proposed, briefly state whether new structures are to be constructed, existing structures are to be used or modifications, expansion, reconstruction, or additions are to be made to existing structures. If available, provide dimensions of any structures that will be used for this CUP.

PLEASE SEE ATTACHED RESPONSE WITH WRITTEN STATEMENT.

Attachments Required – provide three copies of each

1. *A scale drawing showing the size and shape of the parcel of land on which the proposed use is located.* Scale drawing shall show the size and shape of the parcel of land on which the proposed building is to be constructed, the nature of the proposed use of the building or land and the location of such building or use with respect to the property lines of said parcel of land to the right-of-way of any street or highway adjoining said parcel of land.
2. *Ownership information* – If ownership of the property is in the name of any type of legal entity or organization including, but not limited to, the name of a corporation, partnership or association, or in the name of a trust, or in a fictitious name, an acceptable document must be submitted certifying that the person signing below has the authority to do so.

Certification

State of Virginia, Town of Irvington, To Wit

I (We) John Baker, being duly sworn, depose and say that I am the Owner/Or Agent of Owner of the property involved in the application. If I am not the Owner, I have attached written certification from the owner granting me the right to submit this application. I further declare that I have familiarized myself with the rules and regulations pertaining to preparing and filing this application and that the foregoing statements and answers provided herein are in all respects true and correct.

I have read this application, understand its intent, and freely consent to its filing. Furthermore, I have the power to authorize and hereby grant permission to Town of Irvington officials and other authorized government agents on official business to enter the property as necessary to process this application and to monitor compliance with any permit issued hereunder. I hereby have posted a notice on my property, near the boundary, in a place visible to the public notifying the public of my application.

[Signature]

Signature of Owner or Agent

10/12/22

Date

1137 Washington Street Apt 7
Dorchester MA 02124

Mailing Address

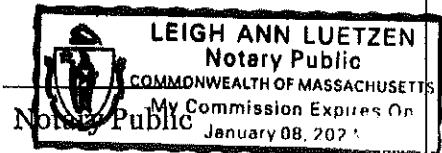
339-365
1061

Phone No.

Subscribed and sworn to before me this 12 day of October, 2022.

[Signature]

My Commission Expires



Signature of Property Owner

Date

Mailing Address

Phone No.

Subscribed and sworn to before me this ____ day of _____, 20____.

My Commission Expires

Notary Public

Town of Irvington / CUP Application
Re: STR at 125 Edgewood Lane
Written Statement

In response to standards defined on Page 2 of the CUP application

1. Use of our personal residence will not adversely affect the public health, safety, morals and general welfare of the Town of Irvington. We will post in our residence the required STR Safety and Insurance Requirements for all guests. Our residence is not located within the RPA. We will meet the performance standards for RMAs outlined in the Chesapeake Bay Preservation Act where applicable.
2. The establishment of the CUP would allow families to vacation in our home and enjoy the Town of Irvington. We will not permit inappropriate behavior or activities that would be a detriment to the neighborhood, environment, or surrounding properties.
3. Our residence is proximate to both commercial and residential property therefore the use of a short term rental could be considered compatible. In the Business District, lodging establishments are situated next to residential parcels.
4. The yard surrounding our residence is well defined by plantings and hedges. These plantings screen for both sight and sound and both buffer and define our property from that of our neighbors. The activities of vacationing, sleeping, eating, and enjoying family time are the activities we will promote and condone within our friends and family network.
5. Our residence has adequate off-street parking for up to 3 vehicles and trash receptacles are kept out of view. Our residence has a septic system rated for 3 bedrooms and at no time will our occupancy exceed 5 persons.
6. Soil erosion and sedimentation will be avoided.
7. There are no changes proposed to the site that would adversely alter details of the residence, including height, area, yard or signage, that would deviate from other similar uses in the district.
8. The operation of guests staying overnight(s) will be the only operation allowed on the premise.
9. If approved, the CUP will not be in conflict with the Town Comprehensive Plan.
10. While the approval of the CUP will allow the operation of overnight guests other than by owner for stays of less than 30 days as an STR, it will effectively remain a residence.

Town of Irvington / CUP Application
Re: STR at 125 Edgewood Lane
Written Statement
Page 2 of 2

In response to questions on Page 3 of the CUP application

Question 1 – Describe your request in detail...

Our residence has 2 bedrooms and 2 full bathrooms. We are limiting our occupancy to 5 persons per stay. Guests will be allowed to use our home for family stays and enjoy the charming Town of Irvington and the beauty of the Northern Neck. The operating hours will be from 3:00 PM on the day of arrival to 11:00 AM on the day of departure. The STR Safety and Insurance Requirements will be posted as required. These define quiet hours which would apply to the operating hours.

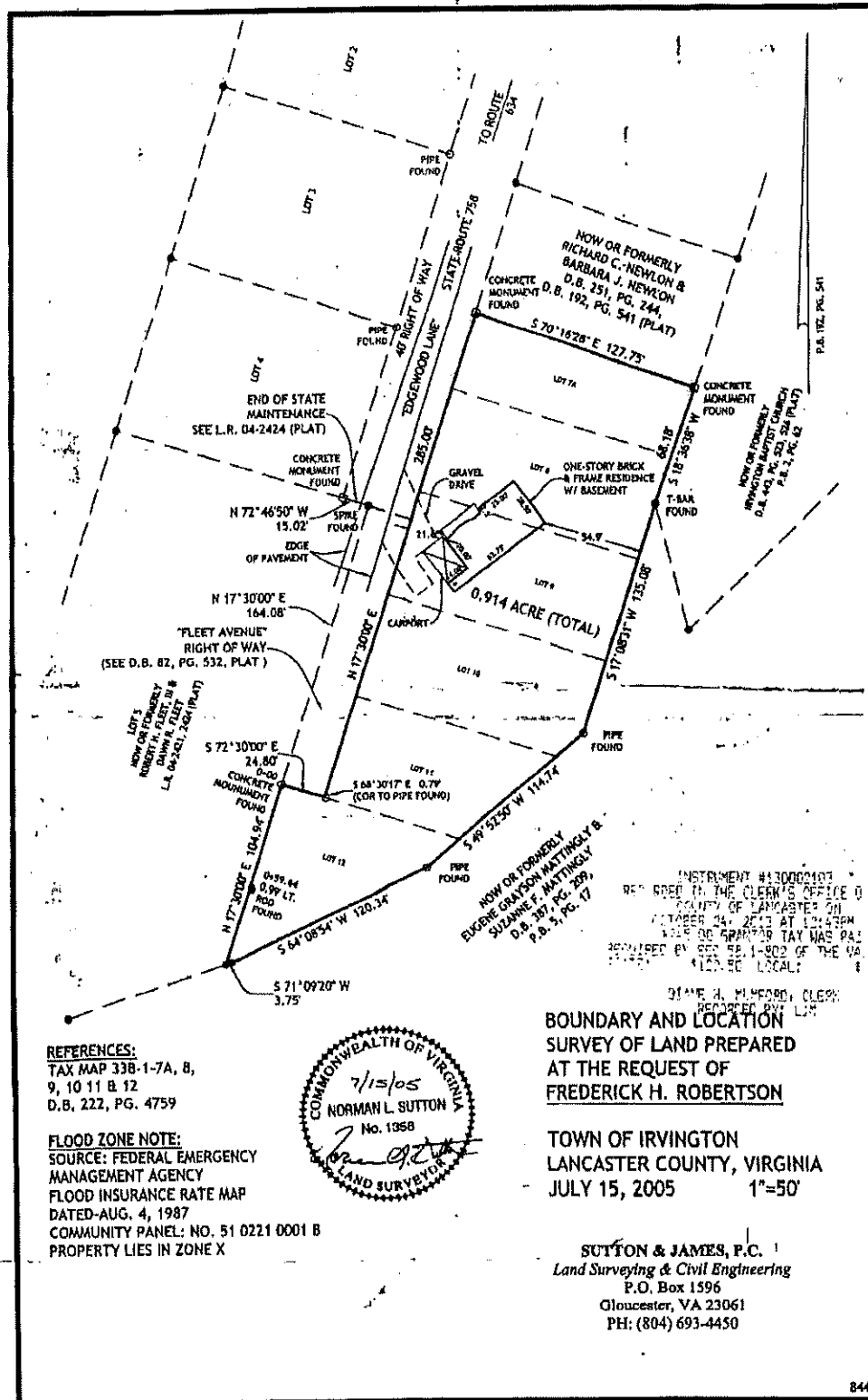
We recognize that we no longer permanently reside in close proximity to the Town of Irvington. To ensure that the residence remains well-maintained, to meet the requirements defined by the Town for the operation of an STR, and to promptly address any issues that may arise during operation, we will contract with a local property manager to assist with operations and be on call in the event of an issue.

Question 2 – If any improvements...

No new improvements to the property are being proposed.

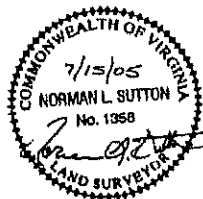
Plat # 0415

See Instrument # 130002103



REFERENCES:
TAX MAP 338-1-7A, 8,
9, 10 11 B 12
D.B. 222, PG. 4759

FLOOD ZONE NOTE:
SOURCE: FEDERAL EMERGENCY
MANAGEMENT AGENCY
FLOOD INSURANCE RATE MAP
DATED-AUG. 4, 1987
COMMUNITY PANEL: NO. 51 0221 0001 B
PROPERTY LIES IN ZONE X



**BOUNDARY AND LOCATION
SURVEY OF LAND PREPARED
AT THE REQUEST OF
FREDERICK H. ROBERTSON**

**TOWN OF IRVINGTON
LANCASTER COUNTY, VIRGINIA
JULY 15, 2005 1"=50'**

SUTTON & JAMES, P.C.
Land Surveying & Civil Engineering
P.O. Box 1596
Gloucester, VA 23061
PH: (804) 693-4450



Application for Conditional Use Permit

Town of Irvington

P.O. Box 174, Irvington, VA 22480
804-438-6044 (Zoning & Land Use)
Application Fee \$200

| | |
|-------------------|---------------|
| Internal Use Only | |
| RECEIVED | 9.9.2020 |
| APP FEE PD | PAID |
| APPLICATION # | 2020-STEPHENS |
| PC Public Hearing | |
| TC Public Hearing | |

IMPORTANT NOTE: The application must be filled out completely. The application may not be signed by an agent or attorney but must be signed by the owner, agent of owner or owners before a Notary Public in the space provided on page 4.

Applicant Name (s): TOPSIDE LLC

Tax Map Parcel(s): 33 361

Address/Location: 416 STEAMBOAT ROAD

Deed Restrictions: Yes ☐ No ☐ (If yes, attach copy of deed) Current Zoning

Proposed Use: SHORT TERM RENTAL

Acreage of Parcel: 2.42 Overlay District(s): Chesapeake Bay ☒ Yes ☐ No

| | | |
|---|------------------------------|--|
| Is this an amendment to an existing conditional use permit? If so, provide CUP number: | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| A scale drawing (see p.3) is required to be attached to any CUP application. Is a scale drawing attached to this application? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Is this an application for a private pier or dock? If so, please attach your VMRC and ACOE applications and permits. | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

Owner or Agent Contact: ROBERT LEE STEPHENS III

Address: 415 STEAMBOAT ROAD

City: IRVINGTON State: VA Zip: 22480

Phone Number: 804-761-7149 Email address: ROB.STEPHENS3@GMAIL.COM
ROBERT LEE STEPHENS and ELYNOR N.

Official Owner(s) of Record (If different than applicant): STEPHENS JOINT TRUST

Address: 416 STEAMBOAT ROAD

City: IRVINGTON State: VA Zip: 22480

Phone Number: 804-212-9907 Email address: SCOTT@SMSARCHITECT.COM

Does the property owner also own or have any ownership interest in any abutting property? If yes, please list those tax map numbers:

33 361A

Section 154.017 of the Town of Irvington Zoning Ordinance provides guidelines for conditional use permit applications. Please address the following standards which will be reviewed by the staff in analysis of your request. If you need assistance filling out these items, staff is available.

Provide a written statement demonstrating that:

1. The establishment, maintenance or operation of the CUP will not adversely affect the public health, safety, morals and general welfare and is in compliance with the Chesapeake Bay Act;
2. The establishment of the CUP will not substantially diminish or impair property values within the neighborhood nor will it be detrimental to the environment and surrounding properties;
3. The purpose of the CUP is to provide for certain uses which may not be compatible with certain surrounding uses or which may be compatible with surrounding uses only if the use in question is established in conformance with certain limiting conditions;
4. That proper landscape designs detailing plantings, screening for sight and sound and proper buffers be provided, that only certain appropriate activities shall occur;
5. Adequate utilities, and off street parking are provided;
6. That soil erosion and sedimentation be avoided;
7. The height, area, yard and sign limitations shall be the same as for other uses in the district;
8. That businesses and other operations be carried out only at appropriate times;
9. The establishment of the CUP is not in conflict with the Comprehensive Plan;
10. The CUP shall, in all other respects, conform to the applicable regulations of the zoning district in which it is located, except as such regulations may, in each instance, be modified by the Governing Body.

(Governing Body may impose reasonable conditions to make use compatible, to protect environment, surrounding properties, persons, neighborhood values.)

Please attach your written statement with this document upon submission.

Describe your request in detail and include any relevant information such as the number of persons involved in the use, operating hours, or any unique features of the proposed use.

The Stephens family would like to be granted an STR for the Topside property to rent sparingly to assist the family in maintaining the property. Our goal is not to turn this into a profit-focused, significant income generator, rather to help at least break even financially to maintain the property in our family.

If any improvements are being proposed, briefly state whether new structures are to be constructed, existing structures are to be used or modifications, expansion, reconstruction, or additions are to be made to existing structures. If available, provide dimensions of any structures that will be used for this CUP.

n/a

Attachments Required – provide three copies of each

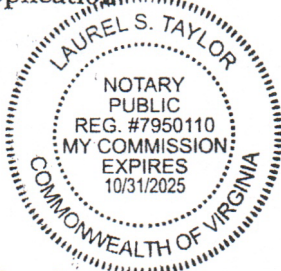
1. *A scale drawing showing the size and shape of the parcel of land on which the proposed use is located.* Scale drawing shall show the size and shape of the parcel of land on which the proposed building is to be constructed, the nature of the proposed use of the building or land and the location of such building or use with respect to the property lines of said parcel of land to the right-of-way of any street or highway adjoining said parcel of land.
2. *Ownership information* – If ownership of the property is in the name of any type of legal entity or organization including, but not limited to, the name of a corporation, partnership or association, or in the name of a trust, or in a fictitious name, an acceptable document must be submitted certifying that the person signing below has the authority to do so.

Certification

State of Virginia, Town of Irvington, To Wit

I (We) ROBERT LEE STEPHENS III, being duly sworn, depose and say that I am the Owner/Or Agent of Owner of the property involved in the application. If I am not the Owner, I have attached written certification from the owner granting me the right to submit this application. I further declare that I have familiarized myself with the rules and regulations pertaining to preparing and filing this application and that the foregoing statements and answers provided herein are in all respects true and correct.

I have read this application, understand its intent, and freely consent to its filing. Furthermore, I have the power to authorize and hereby grant permission to Town of Irvington officials and other authorized government agents on official business to enter the property as necessary to process this application and to monitor compliance with any permit issued hereunder. I hereby have posted a notice on my property, near the boundary, in a place visible to the public notifying the public of my application.


RLS
 Signature of Owner or Agent

9/9/22
 Date

415 STEAMBOAT RD., IRVINGTON, VA 22480
 Mailing Address

804-761-7149
 Phone No.

Subscribed and sworn to before me this 9th day of September, 2022.

10/31/2025
 My Commission Expires

Laurel S. Taylor
 Notary Public

 Signature of Property Owner

 Date

 Mailing Address

 Phone No.

Subscribed and sworn to before me this ____ day of _____, 20____.

 My Commission Expires

 Notary Public



Application for Conditional Use Permit

Town of Irvington

P.O. Box 174, Irvington, VA 22480
804-438-6044 (Zoning & Land Use)
Application Fee \$200

| | |
|-------------------|-------------------|
| Internal Use Only | |
| RECEIVED | 10/11/22 |
| APP FEE PD | \$ 200 (ck #1079) |
| APPLICATION # | _____ |
| PC Public Hearing | _____ |
| TC Public Hearing | _____ |

IMPORTANT NOTE: The application must be filled out completely. The application may not be signed by an agent or attorney but must be signed by the owner, agent of owner or owners before a Notary Public in the space provided on page 4.

Applicant Name (s): PAUL AND JENNIFER LANDERS

Tax Map Parcel(s): _____

Address/Location: 89 PARK PLACE / VINEYARD GROVE

Deed Restrictions: Yes _____ No ☒ (If yes, attach copy of deed) Current Zoning _____

Proposed Use: SHORT TERM RENTAL

Acreage of Parcel: 2.564 Overlay District(s): Chesapeake Bay _____ Yes _____ No

| | | |
|---|------------------------------|--|
| Is this an amendment to an existing conditional use permit? If so, provide CUP number: _____ | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| A scale drawing (see p.3) is required to be attached to any CUP application. Is a scale drawing attached to this application? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Is this an application for a private pier or dock? If so, please attach your VMRC and ACOE applications and permits. | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

Owner or Agent Contact: PAUL AND JENNIFER LANDERS

Address: 209 N. LEE ST

City: FALLS CHURCH State: VA Zip: 22046

Phone Number: 703-930-8135 Email address: PJMLANDERS@ME.COM

Official Owner(s) of Record (If different than applicant): _____

Address: _____

City: _____ State: _____ Zip: _____

Phone Number: _____ Email address: _____

recd. 10/11/22
CUP permit
ck. # 1079
for \$ 200

Does the property owner also own or have any ownership interest in any abutting property? If yes, please list those tax map numbers:

N/A

Section 154.017 of the Town of Irvington Zoning Ordinance provides guidelines for conditional use permit applications. Please address the following standards which will be reviewed by the staff in analysis of your request. If you need assistance filling out these items, staff is available.

Provide a written statement demonstrating that:

1. The establishment, maintenance or operation of the CUP will not adversely affect the public health, safety, morals and general welfare and is in compliance with the Chesapeake Bay Act;
2. The establishment of the CUP will not substantially diminish or impair property values within the neighborhood nor will it be detrimental to the environment and surrounding properties;
3. The purpose of the CUP is to provide for certain uses which may not be compatible with certain surrounding uses or which may be compatible with surrounding uses only if the use in question is established in conformance with certain limiting conditions;
4. That proper landscape designs detailing plantings, screening for sight and sound and proper buffers be provided, that only certain appropriate activities shall occur;
5. Adequate utilities, and off street parking are provided;
6. That soil erosion and sedimentation be avoided;
7. The height, area, yard and sign limitations shall be the same as for other uses in the district;
8. That businesses and other operations be carried out only at appropriate times;
9. The establishment of the CUP is not in conflict with the Comprehensive Plan;
10. The CUP shall, in all other respects, conform to the applicable regulations of the zoning district in which it is located, except as such regulations may, in each instance, be modified by the Governing Body.

(Governing Body may impose reasonable conditions to make use compatible, to protect environment, surrounding properties, persons, neighborhood values.)

Please attach your written statement with this document upon submission.

ATTACHMENT: CUP APPLICATION FOR 89 PARK PLACE/LANDERS

In response to Section 154.017 of the Town of Irvington Zoning Ordinance, we can confirm, with certainty, the following:

1. The establishment, maintenance or operation of the CUP will not adversely affect the public health, safety, morals, and general welfare and is following the Chesapeake Bay Act.

Our family has owned and operated a custom homebuilding company in northern Virginia for over 34 years. We fully intend in operating our short-term rental business with the same integrity and regard for safety, morals and general welfare and compliance with the Chesapeake Bay Act.

2. The establishment of the CUP will not substantially diminish or impair property values within the neighborhood, nor will it be detrimental to the environment and surrounding properties.

We purchased our home in Vineyard Grove with the expressed intent of using it as a short-term rental. We were pleased to learn that the recorded covenants of the Vineyard Grove Association, expressly permit short- and long-term rentals. The community was developed, in part, for that purpose.

3. The purpose of the CUP is to provide certain uses which may not be compatible with certain surrounding uses, or which may be compatible with surrounding uses only if the use in question is established in conformance with certain limiting conditions.

As previously mentioned, our community has always had a mix of short and long-term rentals, as well as owners who only use their home for personal.

4. That proper landscape designs detailing plantings, screening for sight and sound and proper buffers be provided, that only certain appropriate activities shall occur. ACKNOWLEDGED

5. Adequate utilities, and off-street parking are provided.

We have already setup adequate utilities for residential use. We would limit the number of cars allowed to the 3 off-street parking spaces we currently have.

6. That soil erosion and sedimentation be avoided. ACKNOWLEDGED
7. The height, area, yard, and sign limitations shall be the same as for other uses in the district. ACKNOWLEDGED
8. That businesses and other operations be carried out only at appropriate times. ACKNOWLEDGED
9. The establishment of the CUP is not in conflict with the Comprehensive Plan. ACKNOWLEDGED
10. The CUP shall, in all other respects, conform to the applicable regulations of the zoning district in which it is located, except as such regulations may, in each instance, be modified by the Governing Body. ACKNOWLEDGED

Describe your request in detail and include any relevant information such as the number of persons involved in the use, operating hours, or any unique features of the proposed use.

WE REQUEST THIS CONDITIONAL USE PERMIT IN ORDER TO OPERATE A SHORT TERM RENTAL AT OUR HOME. WE FULLY ACKNOWLEDGE CURRENT ORDINANCES GOVERNING STRS IN THE TOWN OF IRVINGTON.

If any improvements are being proposed, briefly state whether new structures are to be constructed, existing structures are to be used or modifications, expansion, reconstruction, or additions are to be made to existing structures. If available, provide dimensions of any structures that will be used for this CUP.

N/A

Attachments Required – provide three copies of each

1. *A scale drawing showing the size and shape of the parcel of land on which the proposed use is located.* Scale drawing shall show the size and shape of the parcel of land on which the proposed building is to be constructed, the nature of the proposed use of the building or land and the location of such building or use with respect to the property lines of said parcel of land to the right-of-way of any street or highway adjoining said parcel of land.
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Certification

State of Virginia, Town of Irvington, To Wit

I (We) JENNIFER M. LANDERS, being duly sworn, depose and say that I am the Owner/Or Agent of Owner of the property involved in the application. If I am not the Owner, I have attached written certification from the owner granting me the right to submit this application. I further declare that I have familiarized myself with the rules and regulations pertaining to preparing and filing this application and that the foregoing statements and answers provided herein are in all respects true and correct.

I have read this application, understand its intent, and freely consent to its filing. Furthermore, I have the power to authorize and hereby grant permission to Town of Irvington officials and other authorized government agents on official business to enter the property as necessary to process this application and to monitor compliance with any permit issued hereunder. I hereby have posted a notice on my property, near the boundary, in a place visible to the public notifying the public of my application.

JMLanders

Signature of Owner or Agent

10/6/2022

Date

209 N. LEE ST, FAUSCHURCH, VA 22046Mailing Address 703-930-8135

Phone No.

Subscribed and sworn to before me this 6th day of October, 2022.

10/31/2025

My Commission Expires

Mary Katherine Reilly

Notary Public

Signature of Property Owner_____
Date_____
Mailing Address_____
Phone No.


Subscribed and sworn to before me this ____ day of _____, 20____.

My Commission Expires_____
Notary Public

RE: CUP Application, #2022.Landers for the operation of a Short Term Rental

My home is three doors away in Vineyard Grove Association (VGA) from Applicant. I am against Applicant receiving permission to operate as an STR, at this time.

- We have way too many, already. STRs are causing upheaval and tensions in VGA and we've all taken sides. Three years ago, when we bought, of the HOA's 19 homes, there was but one STR. Now we have 14. The 7 active ones were all purchased, in the last two years. They are the product of the covid-inspired housing market. They have flipped the culture of VGA and we're struggling to deal with them. A conservative estimate by one Owner is that STRs have caused our population to more than triple, and they are using way more than their share of our assets – pool, dock and paths – while deducting business expenses and not contributing one extra penny to our HOA dues. STR guests do not have the same regard for the property they rent as Owners naturally do. First time sightings include vehicles driven at high speed, excessive noise late into the evening, beer bottles and trash left in the pool, and a stolen kayak. Earlier this year, when our HOA insurance provider was surprised to learn we had STRs, they promptly said they wouldn't renew their policy as they don't insure HOAs with STRs. In the ten-month search for a replacement, we've learned that very few companies do. What do they know! Just since August, in reaction to the all this and to the lack of empathy from our STR-biased Board, four of our owners hurriedly put their houses on the market. Our problems may not all be greater Irvington's problems, but I hope you will acknowledge the fact that we're currently struggling, and give us time to see if we can sort things out.
- Vineyard Grove Association (VGA) Covenants and Bylaws, written in 2004, do say that short term rentals are allowed, but this intended to be managed by Hope and Glory Inn and was well before the COVID-induced housing market began. And like the Town of Irvington, which limited STRs earlier this year, VGA is now in the process of trying to clarify its position on them.
- STRs operate like a hotel with no front desk. There is little control over which or how many guests show up.


Julian Burke
10/27/22

RE: CUP Application, #2022.Landers for the operation of a Short Term Rental

_____ I have NO objection to the application.

☒ I have these concerns about the CUP Application.
Please give details.

SEE ATTACHED.

Julian Burke Signature
JULIAN BURKE Print Name
155 PARK PL Address
703-966-8343 Phone
10/27/2022 Date

Signature
Print Name
Address
Phone
Date

Please return this page to:

Town of Irvington
PO Box 174
Irvington, VA 22480

Or

Town of Irvington Office
4203 Irvington Rd
Irvington, VA 22480

Justin Nelson, Zoning Administrator, 438-6044
jnelson@town.irvington.va.us

**Statement submitted to the Town of Irvington by Barbara
Cousens (Tent 17) VGA in respect of CUP
Application#2022.Landers for the operation of a Short Term
Rental. October 28, 2022**

I am strongly opposed to STR/CUPs existing at all. Our community has only 19 tents and we already have an overwhelming number of 12 sanctioned STR/CUPs with 7 being active which are proving to be a threat to our investment and, in time, a threat to the attractiveness of Irvington Town itself.

- The numbers of STR/CUPs allowed are **disproportionate to the size of our sub division** and the **distance between our tents**. There is approximately 100' of frontage to each lot and thus within the space of roughly 1900' (Park Place; Spring St and Broadway) there are now possibly 12 tents within that close proximity that may be able to rent out their properties on a part time basis with 7 being active. 7/19 is 37% of the properties within an effective space of 1900' This is certainly above the Town limits and nothing short of a rezoning.
- At present **four tents are being sold** which may give you some idea of the dissension these STR/CUPs are causing in our sub-division. It only takes one bad experience for an owner to turn around and decide to sell. Instead of enjoying each others' company, the community is now subjected to an ever increasing pipeline of strangers who have no interest in upholding the standards expected of owners and who bring their own circles of friends and acquaintances along for the ride.
- The STR concept has completely annihilated the **delicate balance of nature and human** interaction that the developers of Vineyard Grove initially envisaged. Strangers coming into the town on a regular basis do not have a vested interest in the future well-being of the community or its facilities. Their usage of common parts adds to the

expense and overall maintenance and, since it is not possible to monitor the behavior of these so called 'guests', without the owners being present, they have the full run of the environs.

- If the City of Irvington were to take our **experience as a microcosm**, they would think twice before awarding any properties within an HOA of our character, any STR/CUP status at all. There is a fine line between maintaining the peace and tranquility that attracts professional people to want to invest in such places, and the disillusionment of those same investors when their expectations are not met.

From: Johann Grieco jagkey@comcast.net
Subject: Grieco - Key Reply to CUP application # 2022 for STR
Date: Oct 27, 2022 at 4:03:34 PM
To: jnelson@town.irvington.va.us
Cc: 1Dorothy Key (home) dekey@comcast.net, John Grieco jagkey@comcast.net

Justin - Reference subject application from Jennifer and Paul Landers, 89 Park Place ("Tent 14")

My wife, Dorothy Key, and I are on a cruise and will not be able to sign our reply to this request, so please accept this email

My wife and I strongly object to the subject CUP application for the following reasons:

1. We have been owners of 131 Park Place ("Tent 16") since 2007. Prior to 2020, Vineyard Grove had been primarily a second home community with very limited STRs and not an investment community
2. Currently, 7 of the 19 "Vineyard Grove" Tents are already active STRs and several others are in an non-active status (see attached), which presumably may mean they desire to also operate them as STRs one day.
3. Tent 14 is just two Tents to the left of us. Tent 15, also to our left, is a very active STR as is Tent 18 to our right. That would mean there could be 3 STRs within 200 feet of us.
4. As I and others in Vineyard Grove have previously expressed to the Town, **our small community of 19 bears the brunt of the STRs currently operating in the Town.**
5. Our community is unique in that it has an exterior pool and a kayak dock, which has limited capacity to handle large numbers of people. Most transients from STRs usually try to use these amenities when they are renting. This increased usage has adversely **changed the character of the community** because of the increased noise, traffic, issues with dogs off their leash, and reduced privacy at the pool.
6. We understand that the Town has little control over the behaviors and regulation of the STRs in our community as this is an HOA matter. Several of us who oppose STRs submitted our names to serve as candidates on the five-member board of

directors. Despite what half of the community feel was an "unfair" election (two ballots were not accepted because they were 30 minutes late in submission...), two of the four of us were selected as directors. The other three members favor STRs, row of whom operate STRs. The two new directors have already proposed establishing an STR committee in our community, with the task of developing regulations for future STR use.

7. In the meantime, the primary issue and our personal objection to this application is the **density** of the STRs in our community is greater than we and others think it should be. It is doubtful the current HOA board as composed will seek to limit the number of STRs in our community. **Therefore, we are seeking assistance from the Town by limiting the density/number of STRs in Vineyard Grove and disapproving this request.**

John Grieco & Dorothy Key

131 Park Place (Tent 16)
Irvington, VA 22480
jagkey@comcast.net
(c) 703.850.7970



December 4, 2022

Mr. Justin Nelson
Zoning Administrator
Town of Irvington Office
4203 Irvington Rd
Irvington, VA 22480
jnelson@town.irvington.va.us

RE: Landers (Tent 14) CUP Application for the operation of a Short Term Rental (STR) at VGA

Mr. Nelson,

Thank you for the opportunity to comment on the subject. My name is Allen Whitaker and I have just purchased Tent 12 in Vineyard Grove Association (VGA) where I will live full time. My home is two doors away from the Applicant on Park Place and I am against the Applicant receiving permission to operate as an STR because of the disproportionate density of STRs already experienced in VGA.

As you know VGA is an HOA of 19 properties located in close proximity to one another on three streets: Park Place, Spring Street and Broadway. While Irvington as a town allows 10% of properties to be operated as STR, VGA currently has 37%. The addition of the current applicant increases that to 42%. Viewed on a smaller scale, each of the three streets is approaching 50% STR to full time or second home residency.

Like the town of Irvington, I do not want our community to be further overwhelmed by short term renters. I am requesting you to deny the CUP Application and not increase the number of STRs at Vineyard Grove.

Sincerely,



Allen Whitaker, AIA
55 Park Place
Irvington, VA 22480
202 230 7479
Allen.whitaker@stantec.com

Planning Commission and Town Council Leadership:

Please accept the following as my objection to the above two CUP applications.

I purchased my home in Vineyard Grove (VG) in 2015 (Tent 1, 221 Broadway) from the original owner. Over the years, I have enjoyed the peace and tranquility and small-town atmosphere and safety that Vineyard Grove specifically for these reasons.

Although I was generally aware that Hope and Glory Inn had arrangements with some VG owners to allow them to be aware of any issues with Inn guests occasionally renting VG tents on a short term basis. I served as board member of the Association a few years ago.

Only recently have I and other owners become aware that recent purchasers of VG tents are using the language that has already brought hundreds if not thousands of transient occupants into our small community. The language that allows them to rent out their homes to transient occupants is the language in the VGA bylaws and other declarations adopted in 2004 for the express purpose of permitting Hope and Glory Inn limited usage. Airbnb and VRBO rental services are not mentioned in the governing documents.

STRs in Vineyard Grove have and will continue to jeopardize the quiet enjoyment, safety, and small-town character of the Town. The Town's own STR survey results, new STR ordinance, and STR FAQs posted on the Town's website all indicate that STRs have had and will continue to have on our community (from Town FAQ #12: "The STR Commission and the Council agreed, that a cap would be important to preserve the character of the town as predominantly residential . . . "). We are grateful that Town leadership appreciates that robust limitations are necessary to maintain the character of the town, to protect private property, and to address noise (see FAQ #23 that addresses Town concerns and survey results regarding trespasser issues).

Those of us who object to STRs in Vineyard Grove do not lightly raise objections to our neighbor's expansion of their business in a community of 19 homes built very close to each other. We have no opportunity to buffer noise or views with a fence in our property so that transient occupants cannot trespass. We have already experienced late-night parties, damaged personal property, and usage of our common areas well beyond what we experienced prior to the STR boom.

Our community is already overburdened by STRs -- 7 out of 19 homes are registered STRs in Irvington, and the entire town of Irvington. Any additional STRs will further increase the density of STRs, and therefore impact the surrounding areas.

Thank you for considering these objections. I would be pleased to discuss these issues further.

Shauna Alonge
221 Broadway (Tent 1)
Irvington, VA

--

Shauna Alonge, JD, LCSW
salongelaw@gmail.com
703/795-6188



ReplyForward

December 4, 2022

Mr. Justin Nelson
Zoning Administrator
Town of Irvington Office
4203 Irvington Rd
Irvington, VA 22480
jnelson@town.irvington.va.us

RE: Wert (Tent 13) CUP Application for the operation of a Short Term Rental (STR) at VGA

Mr. Nelson,

Thank you for the opportunity to comment on the subject. My name is Allen Whitaker and I have just purchased Tent 12 in Vineyard Grove Association (VGA) where I will live full time. My home is next door to the Applicant on Park Place and I am against the Applicant receiving permission to operate as an STR because of the disproportionate density of STRs already experienced in VGA.

As you know VGA is an HOA of 19 properties located in close proximity to one another on three streets: Park Place, Spring Street and Broadway. While Irvington as a town allows 10% of properties to be operated as STR, VGA currently has 37%. The addition of the current applicant increases that to 42%. Viewed on a smaller scale, each of the three streets is approaching 50% STR to full time or second home residency.

Like the town of Irvington, I do not want our community to be further overwhelmed by short term renters. I am requesting you to deny the CUP Application and not increase the number of STRs at Vineyard Grove.

Sincerely,



Allen Whitaker, AIA
55 Park Place
Irvington, VA 22480
202 230 7479
Allen.whitaker@stantec.com

TO: Irvington Planning Commission:

FROM: John Grieco & Dorothy Key, 131 Park Place, Irvington, VA

RE: STR CUP Application #2022WERT regarding 67 Park Place, Irvington

We are submitting our opposition to this CUP application as we believe this and other additional STR operations in Vineyard Grove (VG):

- will have an adverse impact on our quality of life, safety, and the longtime character of the community
- is not compatible to the surrounding use, which is primarily second homes
- diminishes the community's overall value

• **FACTS AND ASSUMPTION:**

- We have been owners of 131 Park Place ("Tent 16") since 2007.
- Prior to 2020, VG was primarily a second home community with only 7 STRs managed by the Hope & Glory (H&G); Tent 16 was one of them.
- Our property line is within the 300' from the Wert ("Tent 13") property (it is the third home to our left)
- As you may recall, we have written to the Town in opposition to the previous STR CP from Landers ("Tent 14" at 89 Park Place).
- "Tent 14" is 2 homes to our left. STR "Tent 15" is next door to our left, and STR "Tent 18" is 2 homes to our right. With the approval of Landers and Wert's CUPs, there could be **4 STRs within 300'** of our home.
- VG has elected 2 new members to the 5-member HOA board of directors to bring more "balance" to the debate on VG STR rules and regulations.
- VG has also established a "balanced" 4 person STR Committee of which I am a member. It has drafted a committee charter, extrapolated estimated VG STR data, and is in the process of researching best practices on how an HOA can manage STRs with reasonable rules and regulations.
- Currently, 7 of the 19 VG "Tents" are already active STRs (**37%**). All 7 were purchased since 2020, as investment properties and not second homes.
- An additional 2 approved STRs will raise the number to almost **47%**
- VG's 7 STRs bears the brunt of the 21 STRs currently operating in the Town (**33%**). Assuming the other 8 pending STR CUPs are approved, if the Wert and Landers CUP applications are also approved, VG's total of 9 STRs will still account for **29%** of Irvington's 31 STRs.

• **ASSUMPTIONS**

- H&G had a legacy rental program from 2004-2016 consisting of only 7 homes at its maximum, with an estimated average of 23 rental days per year (based on extrapolation of Tent 16's, 9-year rental history).
- However, the total number of rental days from the H&G rentals can be estimated to be only 200 days a year for all 7!
- VG's 7 Airbnb average 2022 rental days is estimated to be 135 days each (based on extrapolation of 217 Airbnb reviews completed in 2022)

- It was calculated that the 2022 VG STR transient population compared to the 2nd homeowner population is **almost double**.

- **REASONS FOR OPPOSITION:** We have the same reasons for opposing this STR CUP as we did with the Landers application, so I will just summarize them below again. We believe that approving the Wert CUP will only exacerbate the following:

- The increased usage has adversely **changed the character of the community**.
- The **density** of the STRs in our community is greater than we think is reasonable and the **proportion** is not equitable to the overall 10% cap in Irvington.
- Except for 2 STRs, which are managed by a VG resident, the other 5 are decentralized as opposed to the central management of the H&G legacy rentals. They are essentially operating as “**micro-hotels without a front desk**.”

Therefore, we are seeking assistance from the Town by:

- Not approving the Wert and Landers STR CUPs
- Continuing to limiting the density/number of STRs in VG until the number of its STRs in VG is reduced to 10% by market “attrition” as homes are sold.

Respectfully,

John Grieco & Dorothy Key
131 Park Place (Tent 16)
Irvington, VA 22480
jagkey@comcast.net
(c) 703.850.7970

From: Jud Burke Jud@judburke.com
Subject: STR CUP Application #2022WERT
Date: Dec 2, 2022 at 7:40:14 AM
To: Justin Nelson jnelson@town.irvington.va.us

Justin,

Please acknowledge receipt of this email and confirm it is in an acceptable format to be considered by The Planning Commission, Dec 6.

RE: STR CUP Application #2022WERT regarding 67 Park Place, Irvington, under consideration by Irvington Planning Commission, Dec 6., 2022

From: Julian Burke, 155 Park Place, Irvington, about 400 feet south

I am **opposed** to this CUP application, at this time.

- **We already have an excessively high concentration of STRs which is undesirable.** - Our Vineyard Grove Association (VGA) has 19 homes, and already has 7 grandfathered STRs, and with this application now has 2 additional ones under consideration. That is 37% existing STRs and 47% potentially, whereas for Irvington as a whole, only 10% are allowed. I ask that the Planning Commission and Town Council limit VGA's STRs to 10% of our 19 properties.
- **Is VGA typical?** – STRs' transient occupants more than doubled VGA's population, this year.
All VGA's homes are tree covered over their patios, where BBQs and cookouts might be held, and most homes are entirely surrounded by trees. This makes us vulnerable to the naturally relaxed and less concerned behavior of vacationers. None of VGA's STR owners are from Irvington or Lancaster County; the closest owners live in Richmond, Chesapeake and northern Virginia, 1.5 – 3 hours away. Yes, they're required to have someone respond, within 60 minutes.
- **Public hearings have merit** – We're grateful that in the Nov 10 Town Council meeting - Town Attorney A. McRoberts said that public remarks (such as these written remarks and remarks made at Public Hearings like the Town Council meeting) can be considered along with the STR Ordinance.
- I would like to resubmit my remarks with respect of the #2022LANDERS STR CUP application
- In response to statements of others, who contend that VGA's purpose is STRs, I would respectfully like to point out that:
 - VGA Covenants state that both long and short term rentals are allowed, in this sentence: "Homes constructed on any Lot may be rented for residential purposes for long or short terms, subject to reasonable regulations provided by the Association."

(Page 5. 5.1)

§ These words were written in 2003, when no one was thinking of Airbnb-type STRs

From: Lynn Beasley widget_lmb@yahoo.com
Subject: Short-Term Rental Application Opposition - WERT - 67 Park Place,
Irvington, VA
Date: Nov 29, 2022 at 6:48:15 PM
To: jnelson@town.irvington.va.us
Cc: Lynn Beasley widget_lmb@yahoo.com

Good Evening Justin,

The purpose of this email is to provide concerned homeowner opposition to the Short-Term Rental (STR) application for WERT, 67 Park Place, Irvington, VA. Although my property is not within the 300' distance from the WERT property, as a homeowner within the Vineyard Grove Association (VGA), I have a vested interest in the matter.

My immediate request is to place a moratorium on allowing any new STRs in VGA including those who are currently on the list and are not in operation. I have written to you and the Town Council in the past expressing my concerns the negative impacts that short-term-rental operations are having on our small community and to request your assistance in maintaining the stability of the Association as it contributes to the charm of the Town of Irvington therefore, I will not rehash all of the points again here. However, my concerns remain the same. At this point I am most concerned that the growing phenomenon of owners offering their second homes to the STR market in Irvington needs to be paused until we learn the true impacts to our small homeowners' association. The Town's assistance is needed. We are quickly approaching over 50% of the homes on the STR market – vastly out of line with the 10% goal for Irvington overall.

The current owners of 67 Park Place have had a long-term renter of their property for many years. The tenant has fully integrated into the association and is a true part of the community. As I understand it, the property owners have notified the tenant that the lease will not be extended because the owners choose to place their property on the STR market.

In the years 2020-2022, Vineyard Grove (VG) has seen 12 Tents turnover in ownership. Some recent purchases are for cash, with no contingencies or inspections requested. Most (~10) of those purchases were made by buyers who have also decided to participate in short-term rental (STR) businesses such as Airbnb or VRBO. The greater the number of VG STRs, the fewer the options and diversity of inventory for those who want to experience an Irvington vacation. That is, other Irvington properties that might offer unique features become increasingly blocked from the marketplace if VG is taking up an increasing number of available conditional use permits under the Town's ordinance (approaching 25% of Irvington CUPs).

I continue to be concerned by the potential for any increased liability to all VGA homeowners, safety and security of the community due to the significant increase in transients, trespassing and noise. While the VGA By-laws allow for STRs, that doesn't mean that every homeowner should receive an automatic green light to join the STR market. As there are already have several homes that were grandfathered by the Town's ordinance, the CUPs do not transfer with the sale of the property, and the fact that homeowners must apply for a CUP should not be a rubber stamp for approval, I respectfully request that no additional CUPs be granted to VG homeowners until the number of STRs in the VG Association has decreased substantially – to be more in line with the Town's 10% goal.

I thank you for your consideration of the concerns that I have for the quality of life in both our small VG community as well as the Town of Irvington. If you would like to reach out, I welcome meeting with you to address any questions or concerns that you may have.

Sincerely,

Lynn Beasley, 181 Park Place (since 2004)

From: Colleen Sweeney colleen.marie.sweeney@gmail.com
Subject: Re: STR objection procedure
Date: Nov 22, 2022 at 10:42:48 AM
To: Justin Nelson jnelson@town.irvington.va.us
Cc: Julie Harris jharris@town.irvington.va.us

Hi Justin,

First, I would like to note that I did not receive notice about this application. I only knew it was happening because others in town told me.

My house is at the end of Edgewood Ln and backs to woods. Currently, two out of the three houses closest to me are STR businesses (run by out-of-town investors). These are not second homes that are rented out occasionally, they are investment properties run as businesses in a neighborhood. This application for 125 Edgewood Ln. would mean that the three closest houses to me are investment STRs operated and run by out-of-town investors. As everyone knows, houses on Edgewood Ln are situated very close to each other. If approved, there will be 3 bedrooms across 3 properties within 100 ft of my house (attached).

A year ago, I would not have been writing this letter to object to a STR. However, having two houses next to me purchased by out-of-town investors and turned into STRs has given me a new perspective. I have summarized concerns and past experiences with current Edgewood Ln businesses below, grouped by issue:

- Safety
 - As a young woman who lives by myself, it is very worrying that the three houses closest to me would be either unoccupied or have random strangers. I chose to buy in Irvington because as a female living by myself, I didn't want to be isolated in the woods at a rural location with no wanted neighbors. Having random strangers in and out of all neighboring properties is a major safety concern.
 - I have twice found random strange men by my house since moving to Irvington (one shirtless and smoking a cigarette in the yard, one with a rifle in a tree 20 ft from my house). Neighbors coordinated to watch out for each other.
 - STR experience: Strange dogs off leash that run into the road whenever someone walks by. These dogs could potentially be aggressive and attack my dog, or me.
 - STR experience: Frequent strangers – not just those staying in the STRs but also cleaners, hot tub maintenance, yard maintenance, guest prep, etc. all unmonitored by owners.
- Impact to property values
 - STR experience: Worker trucks tearing up my driveway (various workers hired by STRs are using my driveway to turn around and leave large ruts).
 - My house is small. Part of the value of the property is that it is at the quiet end of a residential street. The lot is worth less because it is positioned next to three businesses.
- General welfare
 - STR experience: Guests screaming
 - STR experience: Visiting dogs constantly barking at my dog minding her business in her own yard
 - Blocking of access to my property
 - § STR experience: STR workers parking their trucks in the middle of Edgewood Ln. while they work at the STRs (I have to go around them and ask them to move their trucks to access my driveway).

§ STR experience: STR visitors parking boats blocking my driveway and then leaving the STR – so I have no way of a move it so I can get in or out of my house.

§ STR experience: Trash cans left in the road for days before/after pickup, since no one lives there to take them in.

§ The existing two businesses on Edgewood Ln. have a local property manager. This has not prevented the issues li

- STR experience: I am the one here on Edgewood Ln. dealing with STR downsides while profits from these businesses go to town investors.

A function of government is to prevent tragedies of the commons. What might be okay for one house to do individually ends up negatively impacting the town if everyone does it. In this case – one STR business is inconvenient, two is isolating, three changes the character of

Thank you for your consideration,

Colleen Sweeney

On Mon, Nov 21, 2022 at 9:48 AM Justin Nelson <jnelson@town.irvington.va.us> wrote:
Yes, please do.

On Mon, Nov 21, 2022 at 9:47 AM Colleen Sweeney <colleen.marie.sweeney@gmail.com> wrote:
Hi Justin, thank you!! If it's ok with you, I'll write a more thorough email that will include the issues neighbors have had with the existing note to Julie was just asking if there was anything I could do! I'll get that over to you today.

I did not receive a notice.

On Mon, Nov 21, 2022 at 9:45 AM Justin Nelson <jnelson@town.irvington.va.us> wrote:
Good Morning All!
Ms Sweeney, you should have received a notice about this, but I will register in the file that you object to this STR CUP on the ground stated in your email to Julie.
You may also attend the Planning Commission hearing on December 6th at 6:30pm at the Town office and/or the Town Council meeting on December 8th at 6:30pm at the Irvington Baptist Church.
Please let me know if you have any additional concerns or questions you would like to share with me.

Justin

Sent from my iPad

On Nov 21, 2022, at 9:10 AM, Julie Harris <jharris@town.irvington.va.us> wrote:

Colleen,
Thank you for sharing your concerns.
The CUP has not yet been voted on for the Edgewood address.

Please contact the Zoning Administrator, Justin Nelson, for an update. [804-438-6230](tel:804-438-6230)

Again, thank you for contacting me,
Julie

On Sun, Nov 20, 2022 at 8:16 PM Colleen Sweeney <colleen.marie.sweeney@gmail.com> wrote:

Hi Julie,

I hope you are doing well.

I have a question and I'm hoping you could point me in the right direction. As you know, I'm fairly new here and don't know how things work. I just found out through town talk that the house across the street is hoping to become a STR. I went on the notices part of the town website and saw that they'd submitted an application for the Nov 10 meeting, which I see here: [833149_6f610388b5ad4569b65a38eb23cd0a2c.pdf \(Irvington, VA, US\)](#).

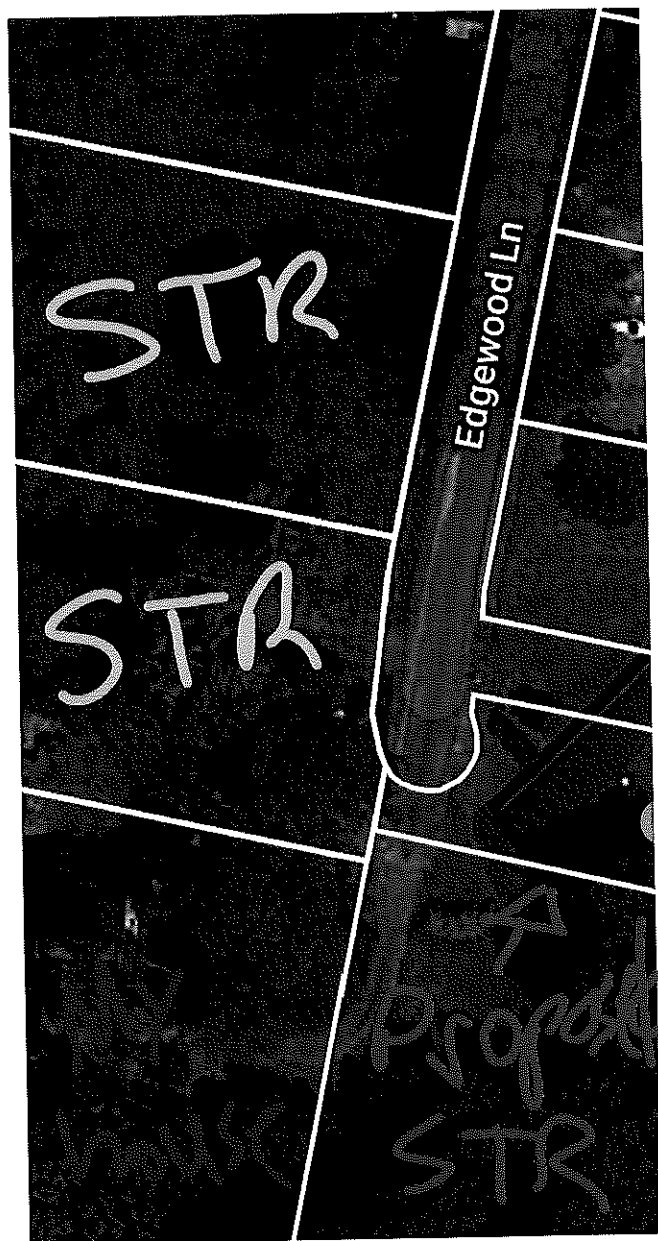
I'm very surprised that if someone is applying for a CUP, they aren't required to notify neighbors. I received no notice - thank goodness for town gossip. I'm having a hard time telling from the website if this has already been approved.


I was wondering what would be the procedure for objecting to this? I know that you and I have discussed before, there are already two houses next to me that are 100% short term rental, owned by people who live in Richmond. This will mean that the three houses closest to me are 100% short term rental. As you know, I live at the end of Edgewood Ln and back to woods. As a woman who lives by myself, it is very worrying that the three houses closest to me would be either unoccupied or full of strangers. I chose to move to Irvington because as a female living by myself, I didn't want to be isolated in the woods at a rural property. Isolated by strangers is even worse!

I'm not really sure what the procedures are or if there's anything I can do about this. Any advice would be greatly appreciated.

Thank you,

Colleen





While not specifically opposed to the STR 2022.cuphanky, as a resident of Irvington and Lancaster county, I am opposed to increasing further the number of short term rentals in the area. We already have too many for the comfort of the permanent residents.

STR's remove housing stock from the market ensuring that no permanent residents can move in, only transients. The Northern Neck is a treasure and to continue thrive and grow systematically, we need to improve our schools, medical care, and encourage employers to bring jobs to our area. Transient housing does not accomplish this but works against it by increasing home prices to price locals out of the market. We already have a housing shortage and rentals should instead be made available to long term tenants so we could house nurses, teachers, and other dynamic individuals that are needed in our community.

We are allowing our community to turn into commercial businesses, meaning that each STR is a commercial business. This does not help the area. It does not bring jobs to our areas, it exacerbates the housing shortage and rising prices, it increases crime, noise, traffic and destroys the integrity of the area. Transient guests speed through our neighborhoods, walk through are yards, leave trash in our streets and yards, and are simply inconsiderate of neighbors.

The permanent residents, and those with a second home here, are here for a reason, and STR's are single handedly destroying our community, not helping it. Soon the permanent residents are going to be forced to move out of the area to once again seek safety, peace and quiet.

While I certainly understand why the local businesses are pushing for more STR's, so they can sell a few more sandwiches and glasses of wine, it will backfire when the area becomes unattractive in to the permanent residents and they start to vacate.

From: betsy delph betsydelph@yahoo.com
Subject: STR CUP 2022.cuphanky
Date: Nov 30, 2022 at 5:48:51 AM
To: Justin Nelson jnelson@town.irvington.va.us

1)

RE: STR CUP # 2022.CUPHANKY

☐ I have NO objection to the STR CUP application.

☒ I have these concerns about the STR CUP application.
Please give details.

B Delph
Signature
Betsy Delph Print Name
932 King Carter Dr Address
540 2702242 Phone
Nov 30, 2022 Date

Signature

Print Name

Address

Phone

Date

Please return this page to:

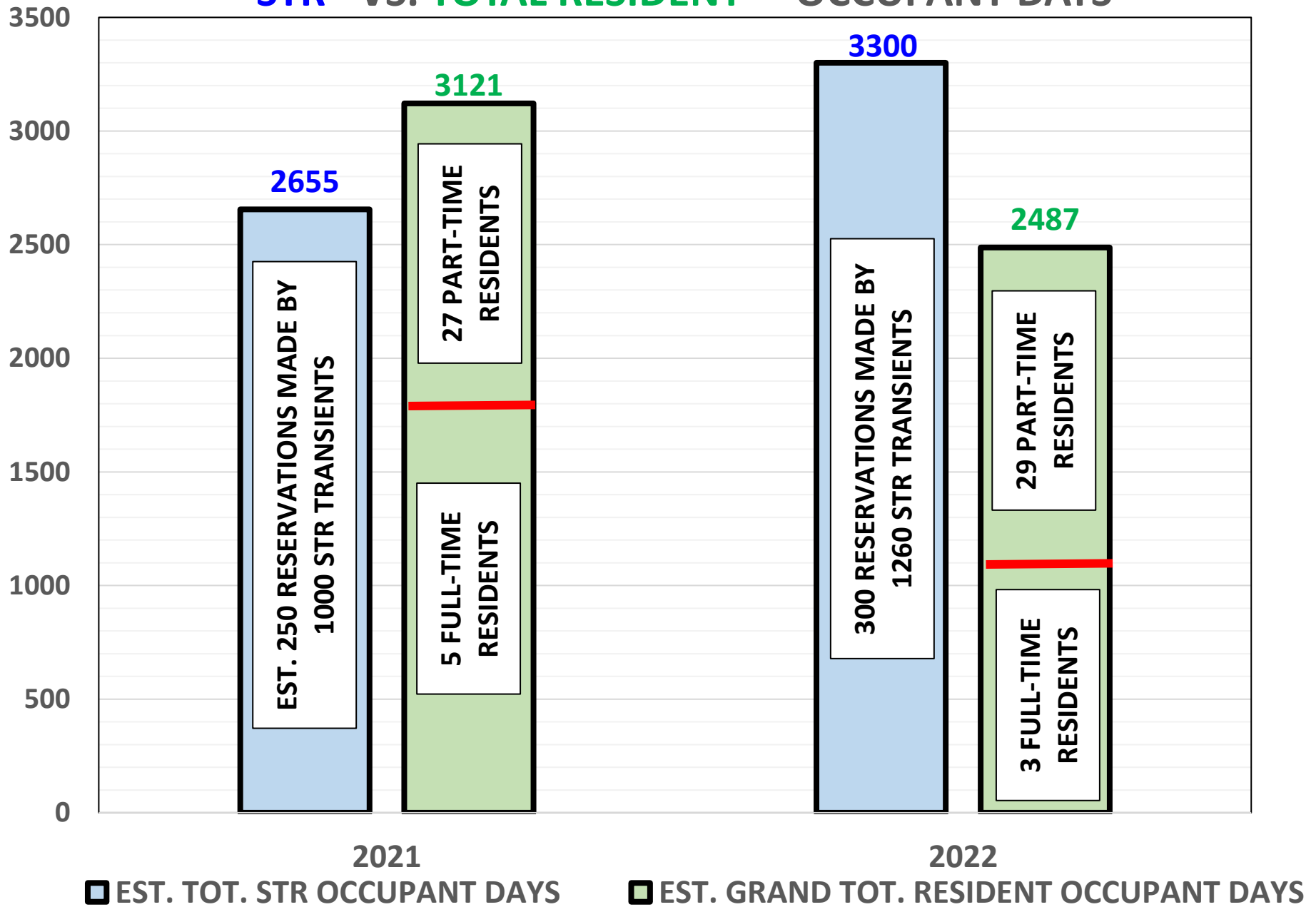
Town of Irvington
PO Box 174
Irvington, VA 22480

Or

Town of Irvington Office
4203 Irvington Rd
Irvington, VA 22480

Irvington Zoning Administrator
Justin Nelson 804-438-6044 or jnelson@town.irvington.va.us

STR* VS. TOTAL RESIDENT* "OCCUPANT DAYS"

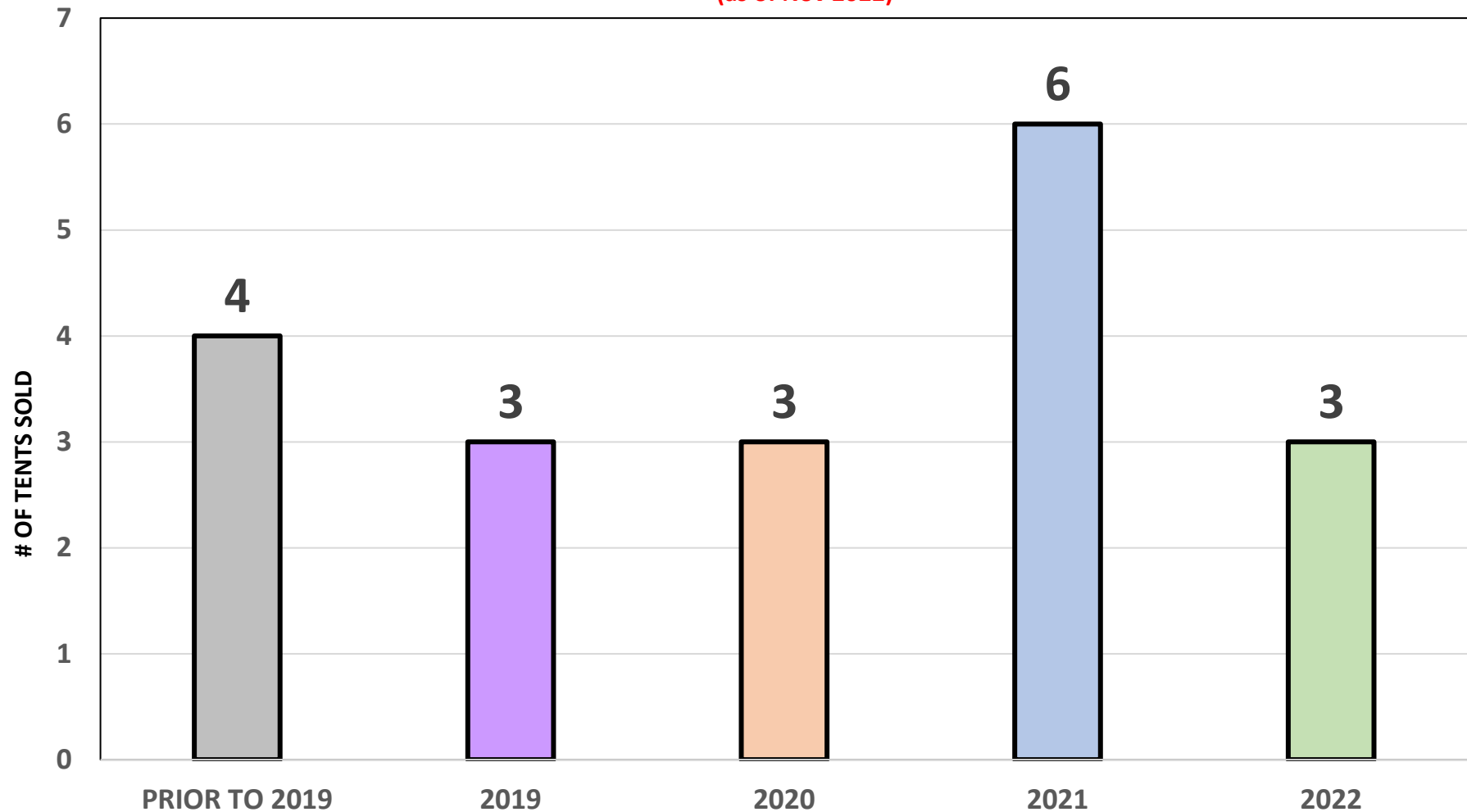


* 3.5 DAYS & 4 OCCUPANTS PER STR RESERVATION

* 2 DAYS PER PART-TIME RESIDENT VISITS 2X/MO.

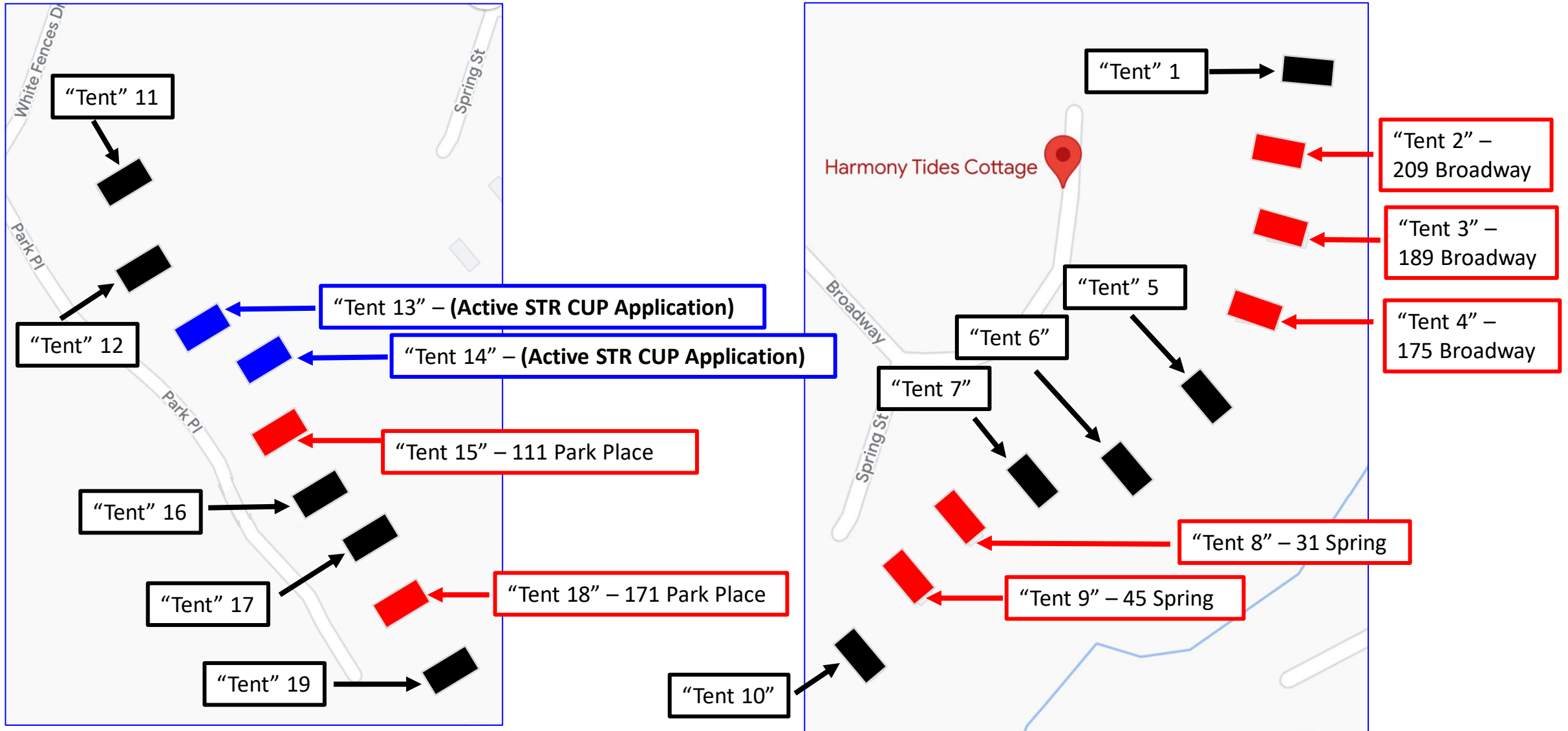
THE YEARS IN WHICH THE 19 "TENTS" WERE SOLD

(as of Nov 2022)



IN ONLY 3 YEARS (2020-2022), 12 OF THE 19 TENTS SOLD,
AND 7 OF THEM ARE STRs AND 1 HAS APPLIED FOR A STR CUP

THE DENSITY OF VINEYARD GROVE'S ACTIVE STRs AND CURRENT STR CUP APPLICATIONS



Suggested Language to be included in any approved STR CUP Application:

This CUP shall expire upon the earlier to occur of the following:

- a. The STR ceases active operation for more than ten months. "Active operation" during that period shall include a minimum of two rentals to unrelated guests, payment of STR transient occupancy taxes, and compliance with the safety and insurance regulations of Section 154.184 above. ✓
 - b. The property on which the STR operates changes title ownership, beneficial interest, or effective control; ✓
 - c. The STR ceases to be validly registered with the Town, or if exempted, the STR Operator fails to have a valid business license permit with the Town.
 - d. Town Council adopts an ordinance to revoke the CUP of any Short Term Rental due to a change in circumstances, including but not limited to violations of this ordinance or other applicable state or local laws.
-