

Accessory Apartment Permit Program Public Input Meeting January 25, 2017

Seven people from the public attended – see attached sign-in sheet

Staff: Anne McClung, Planning & Building Director
Elisabeth Willis, Housing & Community Development Project Manager

o Ms. McClung provided a brief overview of the program and highlighted input from the Zoning Review Committee and the Housing and Community Development Advisory Board.

o There was a question as to whether the occupancy limitations violate fair housing regulations. For example, if a couple lived in the accessory apartment and had a child overall occupancy limitation would be exceeded.

o The group was supportive of the concept of owner occupancy but there was discussion about the proposed 9 month limitation. There was also a question if there is a minimum age in Virginia for someone to be included on a deed.

o There were questions about how accessory apartments would work with the Town's homestay regulations and why could homeowners not have both. What flexibility could there be to alternate between the two programs? For example, if an owner wanted to have an accessory apartment January through July but then use the space for homestay during football season. There was discussion about the difficulty for staff if the programs become too burdensome to review and monitor.

o There were questions about what the registration time frame would be for the accessory apartment program. When would application be due to the Town? Instead of running on a calendar year could the applications run on the academic year or from the date of application? Opinions varied as to which would be preferable.

o An attendee had a question about universal design features and how they would work based on type of apartment being created. There was overall support for including universal design features.

o An attendee expressed concern that even though one parking space is being required in the draft ordinance that often times two people rent a unit so there may be parking impacts. However, he was supportive of the draft ordinance.

o An attendee expressed support for allowing the owner to live in either unit and eliminating any restriction that would limit where the homeowner would chose to live.

o There was a question about how a "dwelling unit" is defined in the Zoning Ordinance. Ms. McClung referenced the definition in the zoning ordinance.

o There was a question about how much the application/registration fee will be? Ms. McClung indicated it would likely be fairly low and designed to cover staff review time but that fees are determined through a separate ordinance process.

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Accessory Apartment Public Input Meeting

January 25, 2017

Sign-In Sheet

Name - Printed	Address
Joshua B. Sharitz	HF Director @ Hethwoodfoundation.com
Isabel Berner	105 Countryside Ct., Blacksburg
Nola Elliott	611 Lee St. Ring
Susan Hughes	502 Edgewood Lane
Kristen Wisda	404 Edgewood
Patrick + Kim Reucnt	1302 Gladewood

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**Accessory Apartments
Preliminary Public Input Meeting
(Prior to drafting of any amendment text)**

10/19/16 – 16 attendees

10/23/16 – 12 attendees

An attendee asked about the standards that apply to accessory apartments today with regard to size and occupancy. The attendee noted an appeal to the Board of Zoning Appeals regarding an accessory apartment for their property and expressed support for now allowing accessory apartments. The citizen was supportive of requiring owner occupancy and noted the income from an accessory unit might provide money to invest in an older property.

An attendee commented on their experience of trying to provide more independent living space for an aging parent and expressed support for allowing accessory apartments. She concurred the use could help with aging-in-place, affordable housing and multi-generational housing. She noted that concerns should not be about the size of the unit but about the occupancy level. Parking would need to be sorted out. She suggested that the Town not make standards “lower” for the properties with an accessory apartment. The regulations should require parking and also restrict occupancy.

An attendee expressed that he thought allowing accessory apartments would be a good move for town but noted such regulations can be complicated to write. He noted that the use of an existing basement space for an accessory apartment would not have the same issues as detached units where issues such as setbacks, height and window locations are important. He noted that some of the existing accessory apartments in the Miller/Southside neighborhood are designed so that in some ways you have more privacy in the accessory apartment than is found in homes in Fiddler’s Green. In Fiddler’s Green the houses are so close together you are looking right at your neighbor. Don’t limit architecture. Parking on street is a good thing. Don’t increase parking requirements when there is an accessory apartment.

A citizen shared that he has no problem with allowing accessory apartments for parents or caregivers but he does have an issue with allowing student occupancy. He inquired if there is an option to separate out these types of tenants and not allow student rentals. The concern with students is the impact they can have on neighborhood character.

A resident expressed support for allowing accessory apartments. He noted there are many illegal apartments and suggested the Town complete the amendment as soon as possible. He also noted that if the proposed regulations are too strict owners with illegal apartments won’t come forward to participate legally in the program. He commented that the setbacks should be the same as for the primary structure but owners should be able to request a variance. For example, if the granting of a variance was needed to save an existing tree. He did not support limiting the size of the accessory apartment and suggested that if someone wanted to have an apartment in a finished basement that was the same size as the upstairs that should be allowed. He also noted an example where a friend had lived

in the main house but then moved in the apartment and rented the main house. The owner should be allowed to live in either unit.

An attendee asked if it would be allowed for an owner to have a detached unit that is as large as the existing primary house and noted that could be a problem.

An attendee asked if the regulations would apply to new developments.

An attendee asked if there will be a fee to apply for the program or for inspections and what the dollar amount of the fee would be.

A citizen noted that there is room for infill growth in walkable areas of Town. He commented that as more people live closer in Town you can have growth without the same traffic impacts as other locations. There are fewer cars and more people walk or bike.

An attendee asked the previous speaker why he thought apartment occupants would not have cars.

The citizens responded that his family is a one-car family and based on the location of where you live you may not need to drive. He noted that good quality infill development can occur and still maintain neighborhood character.

An attendee indicated that he owned a large lot and would like to put more houses on the lot but lacked enough road frontage to subdivide the parcel. Adding an accessory apartment may be an alternative they would consider.

A citizen commented that "character" is everything in neighborhoods. The attendee also commented that considering elder housing and looking at universal design is important and can be easily accommodated in new construction. There was a concern that if a size limit is imposed and it is too small than it may prevent the incorporation of universal design features. The attendee also noted that proximity to bus stops is critical for residential density and that we should not think of ourselves as just a college town. It is important to see a variety of ages living in the Town.

A citizen asked if the existing restrictions would be impediment to creating accessory apartments such as having to have a very large code compliant sized egress window in a basement apartment. This may be an impediment for those currently operating an accessory apartment illegally to come forward or for others to create an accessory apartment.

Another citizen commented on the value of the building safety regulations and that such regulations are needed if an owner is going take on the responsibility of having tenants in an accessory apartment.

An attendee noted that Blacksburg is listed as one of the top 15 places to retire. Allowing accessory apartments could help young couples to be able to afford to buy a house here and help keep more variety in the ages of residents in the Town.

Citizens commented that the cost of housing is an issue in Town along with problems of deferred maintenance on housing. Having an accessory apartment could help with the problem by providing income to make repairs.

A citizen commented that while students are likely tenants, it is really the families that need this program. This would help so many people with housing affordability. It would also help couples who want to have older relatives live with them. She asked about the ability to have a short term student renter for a semester. Allowing accessory apartments would be a great thing for the Town.

It was suggested the Town look at the Berkeley CA and Seattle WA regulations for accessory apartments.

A citizen expressed interested in having an accessory apartment and expressed support for the concept. The citizen also asked for clarification regarding the difference between someone renting a room in your house vs. an accessory apartment.

An attendee expressed enthusiastic support for the idea of allowing accessory apartments. The citizen suggested that the Town should not lower any development standards, like setbacks, in allowing the apartment. Providing lesser standards could cause concerns on the part of neighbors. It would help the conversation about allowing accessory apartments if the standards are the same as an owner would be subject to if adding onto the home for their own use. The citizen indicated the occupancy standards a little confusing but suggested that the standards be stringent for the accessory apartment. It was noted having the accessory apartment could make homes more affordable.

A citizen indicated that in order to afford her mortgage she has had to have housemates. She indicated that she would like to have the ability to separate the spaces in her house to give her more privacy. She noted that her housemates are mostly graduate students or faculty. She commented that she would never have undergraduate student living in her home.

A citizen expressed concerned about the enforcement of occupancy limits noting that once accessory apartments are allowed, the unit is there permanently. He noted existing difficulties with code enforcement of over occupancy. He commented that allowing this could profoundly affect the character of a neighborhood. Some neighborhoods in Town are already seriously impacted by existing, non-conforming lots and parking challenges. He is very concerned this may open the door for more problems.

An attendee asked if the annual permit fee would cover the cost of enforcement.

The previous speaker responded regarding adequate staffing for code enforcement.

A citizen reiterated concerns about student rentals changing the character of the Town and that he does not want them living in his neighborhood. He would like to see limits on who can rent the accessory apartment.

An attendee commented that the first two homes he owned had accessory apartments and it worked out very well to have tenants in the apartment. The rental income help pay for family expenses such as

private school for a special needs child. He noted that often there are more problems in Town with a whole houses being rented than there are with just accessory apartments begin rented. He acknowledged that enforcement is a challenge.

There was discussion about what led to consideration of this amendment. It was noted that the amendment was not related to the growth at the University but had been on a priority list of Town Council for some time.

An attendee noted that the parking issue in the Miller Southside neighborhood is not from the parking for accessory apartments but is from students parking in the neighborhood and going to class on campus.

An attendee noted that her biggest concern is the number of people living in the residence.

A citizen asked about what would happen if owner ages and then wants to live in the smaller unit? Would that be allowed?

An attendee asked about the impact of adding accessory apartments on the limits on residential density by zoning district in the Zoning Ordinance. He also asked if it would be possible to limit the use by neighborhood. He inquired if the Town would have to issue permits to everyone? He expressed concern about potential changes to the character of neighborhoods.

A citizen reiterated concerns about not making the program too complicated. It should be easy to do by- right. Also the flexibility to live in either the main house or the apartment should be allowed.

An attendee indicated that the addition of the accessory apartment does not increase overall occupancy if you keep same standards for occupancy as exist today. She expressed concern about creeping density and compatibility issues that occur if the occupancy issue is not addressed.

A citizen asked how compatibility would be determined.

An attendee noted that the people attending these meetings may not be a representative sample of the population as the meeting is drawing people who want to have accessory apartments.

A citizen commented that he did not see who this program would address student growth.

An attendee asked if allowing accessory apartments could be allowed through an overlay district and then pick the specific geography it would apply to.

An attendee noted that there are varying opinion on the use at the meeting and people who want the use with very different approaches: real regulation and control vs. no regulation.

A citizen asked if the fees would cover cost to the Town of running the program.

An attendee reiterated that he agrees with some permitting regulations but does not want a program that creates big costs for the Town or big costs to the homeowner for permitting. Try to keep the permitting system simple.

A citizen suggested that owners file a statement each year. He commented that the development and occupancy standards should not be liberalized. He noted that buyers have to disclose if they intend it to be primary dwelling. Sellers could take some responsibility for who they sell to.

E-mail comments received

I am totally in favor of permitting accessory apartments as long as the owner lives there obviously. People typically don't want an absentee landlord because the house can get run down. But when the owner lives there, usually there's not a problem. (In fact the extra money might be what they need in order to help with the maintenance aspects of their property.)
gingerdakin@yahoo.com

I'm glad to see this moving forward.

I'm all for this as long as it is not creating "under the radar duplexes"...with owner/manager creating over occupied properties. I'm guessing that the permit and inspection program will attempt to keep this from happening.

Thanks!

Best,

Mike Rosenzweig

540-392-2002

615 McConkey St.

Dear Ms. Willis,

I am in favor of allowing accessory apartments n Blacksburg.

Dean O'Donnell

<odonnell@vt.edu> [8 letters, 2 Ls]

412 Marlinton St.

Blacksburg VA 24060-5929

cellfon 540/320-1140

In my opinion, as long as there are no more than three unrelated persons in the home, I see no reason to maintain the fiction of "roommates" just because there is only one stove in the house.

Muriel Kranowski [murielk@vt.edu]

Dear Ms. Willis,

I do not have an accessory apartment or any interest in building one, but I'll share some comments from my interest in community studies.

Allowing accessory apartments in Blacksburg seems to have many benefits.

- The geographically homogeneous housing provided by accessory apartments should be better for traffic flow, storm drainage, and parking than construction of more concentrated apartment buildings.
- In some situations, being able to rent an accessory apartment may tip the financial scales and allow a long-time resident to keep their home.
- Allowing additional accessory apartments could heal some wounds among our permanent residents. Not being able to rent an accessory apartment may be a source of ill-will for some residents, especially when they see hastily-constructed apartment complexes being erected annually.
- The concept of accessory apartments is harmonious with our town's progressive zoning and historic relationship with Virginia Tech.

As a 20-year resident of Blacksburg, I like the idea of students and others living throughout the community. While the Town and University are distinct entities, they are also inseparable. The personal nature of renting a part of your home, multiplied many times across Blacksburg, could weave a social fabric between Landlord and Renter, "Town and Gown," where each learns about the other and shares that empathy with others.

Sincerely,

Todd Fitch
1206 Mount Tabor Rd

A few comments on the infill proposal, based on my experience of the same infill permitted in Austin, TX in my former neighborhood.

Infill HELPS people who already own homes in the neighborhood - through additional income, aging in place, moving "kids" back in as well as students.

Infill concerns: PARKING - can be an issue as density increases. Everyone has at least one, most have two vehicles. When driveway space runs out - street parking is used. The density in my former neighborhood (where we still own property) is so intense that getting an emergency vehicle down some of the streets, with cars parked on both sides, would be challenges.

"Nightmare" Homes - Those properties purchased by investors or allowed by homeowners who move out, that become de facto "Frat and Party Houses". This has become a HUGE problem in Austin, disrupting entire neighborhoods, and creating severe backlash. A SIMPLE and DIRECT way to immediately remedy such problems and/or regulate said activities would be helpful.

Other than that...I totally support this infill proposal.

Brenda K Cross
P: 540

I noted this information on NRVnews.com

"The Town of Blacksburg is considering allowing accessory apartments through a permitting system in residential neighborhoods and would like feedback from residents before moving forward with the drafting of any regulations."

I think this is an excellent idea. Additionally, I would very much like 'Tiny houses' to be considered as part of the Accessory Apartments option. For the past several years many localities (such as Floyd) have begun allowing the influx of tiny homes into their communities, for elderly, students, single adults etc to use as an alternative housing option. They are essentially the same approach and solution as what you are referring to as 'accessory apartments.'

Are they also on the table as a possible housing alternative? As things currently stand, I do not foresee relocating from Pembroke to Blacksburg without allowing Tiny Homes. I currently work in Blacksburg, but since I do not reside there, items I purchase, food I consume, so forth and so on are funds that

distribute outside of Blacksburg. If I resided within Blacksburg, I daresay I would also become more likely to spend my money within the locale I resided in.

I look forward to a response

Sincerely,

James Pollock
(540)922-3896

Elisabeth,
I am unable to attend either meeting but wanted to send my support for lifting the ban on these accessory units.
Thank you,
Ginny Peebles
2814 Tall Oaks Drive

Assuming a base unit and two accessory apartments, what is the maximum number of unrelated people could legally live in a single family dwelling?
Ken Anderson owner of 805 Allendale Ct.

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Accessory Apartment Public Input Meeting

October 19, 2016

Sign-In Sheet

Name - Printed	Address
Ride i Laura Tensen	1310 Harding Rd, Blacksburg, VA jensenent.edu
Susan Hughes	502 Edgewood Lane, 24060, susanhughes214@gmail.com LSJ262@gmail.com
Kristen Wisda	Kristen.wisda@gmail.com
Isabel Berney	105 Countryside Court
Margaret Marsille	509 Monte Vista mmarsille@gmail.com
Suzie Leslie	110 Cohoe sleslie@vt.edu
Greg Tew	107 Chart St SE gtew@vt.edu
April Dentists	211 Craig Drive dentists@montgomerycountymd.gov
Kimberly Thomas	222 Pine Street homerkout.edu
Jana & Torahinejad	1600 Wingham Dr. jtorahinejad@yahoo.com
Tim Conway	2801 Starbous Lake Rd. tim.college@colgate.edu

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Accompanying Apartment Public Input Meeting

October 19, 2016

Sign-In Sheet

Name - Printed	Address
Yann Rainie	1580 N. Franklin Street, Christiansburg VA
Richard Blumett	1005 Chatham Court, Blacksburg - Neighborhood Hogshead Farm

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Accompanying Apartment Public Input Meeting

October 19th, 2016

Sign-In Sheet

Name - Printed	Address
Kim Kipling	700 Preston Ave. Blacksburg 24062
Susan Anderson	"
Pete Tensen	1310 Harting Rd. Blacksburg
Patrick Feucht & Kim Feucht	1302 Gladewood Dr. Blacksburg
Isabel Berner	105 Countryside Ct. Blacksburg
LISA RESS	1709 GINGER LANE RESS@shadowlakevillage.org
CHEL'S CHITTENDEN	405 PRESTON CHEL'S@CHEL'SCHITTENDEN.COM
Mike Eggleston	901 Preston Mike Mike Eggleston 7@gmail.com
Sean Beliveau	111 Lake Rd Blacksburg VA Sean@shames.com

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→ send powerpoint

Hi Anne

I'm sorry I am not going to make it the meeting tonight.

I wanted to bring up my points and hope this email isn't too tardy to be presented to the committee.

I am in favor of the accessory apartments. My parents, husband and I are hoping to build a garage apartment to our home for my parents to stay in when visiting and so they can ultimately age closer to us. We plan to incorporate universal standards, since it is part of our goal, however the no-step entry is an obstacle. I was hoping for an exception if steps were wide enough to install a stair chair, when needed. There was a suggestion that an exception be made for basement apartments and garage apartments. In summary, I am also in favor of that exception, or another exception in lieu of the proposed one.

We have a narrow odd shaped lot which prohibits us from building anywhere but the side of the home. Without obtaining land from our neighbor, we would be limited to a 12 foot wide unit, with a 10 foot buffer. The suggested 5 foot buffer for the accessory apartments would be very helpful for our situation.

I may just need clarification on a couple possible concerns. The 800 sq ft limit would not apply to the garage portion? It will be used by the primary home residents, us. Second, the 10ft height restriction would only apply to the apartment portion of the garage? If either of these assumptions are incorrect, our goal is not possible.

Last but not least, the rental option for these structures. This is not a make or break it for us, but I would love to be able to have the additional household income to rent out the apartment on VRBO or Airbnb when my parents are not here.

Thank you for your consideration

Hannah McKnight and Noah Gillie
R-4
Lucas Dr
Blacksburg

RECEIVED

MAR 07 2017

Planning and Engineering
Department