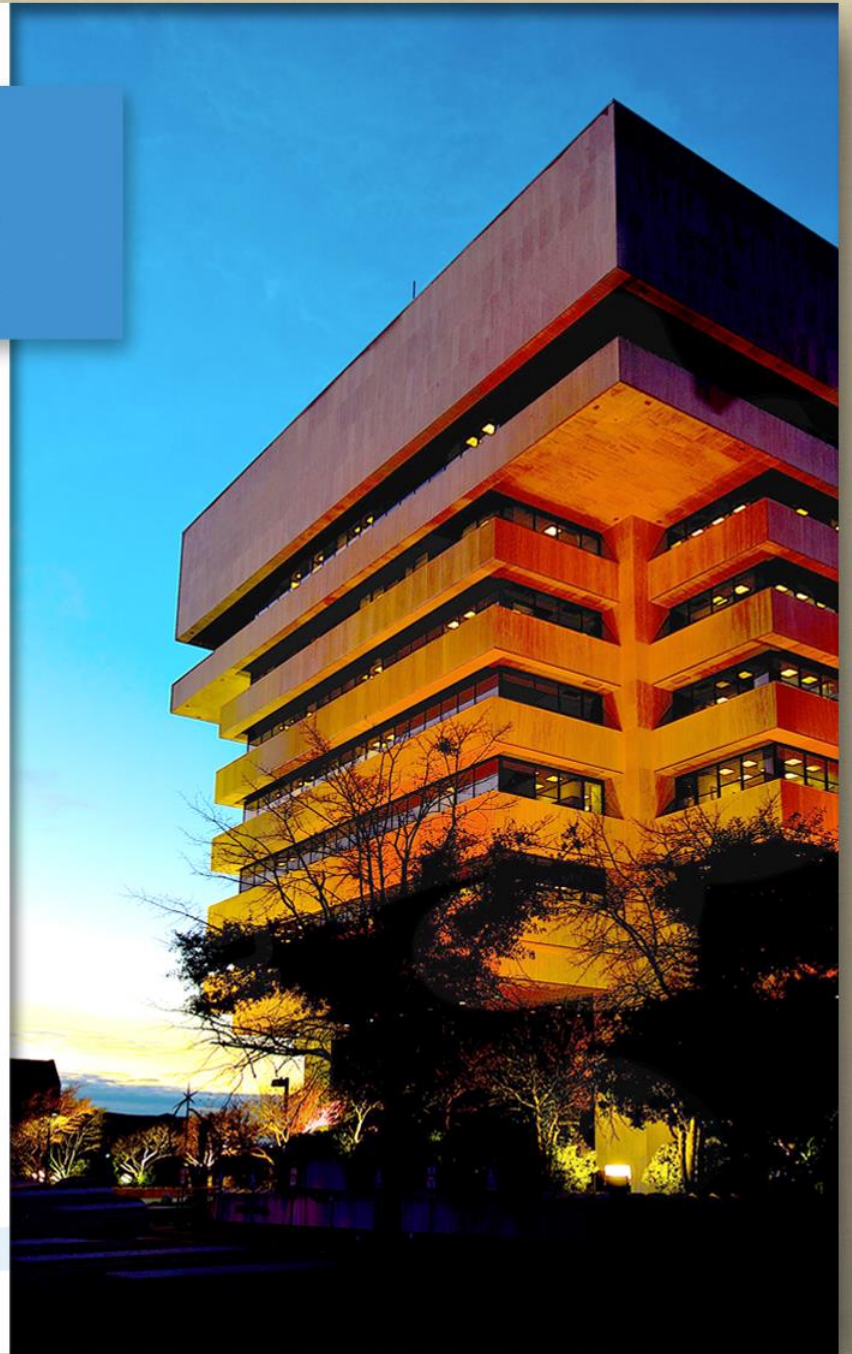


# HAMPTON VA

**Item No. 23-0185**

**616 Beach Rd.  
*Paul & Heidi Blaski***

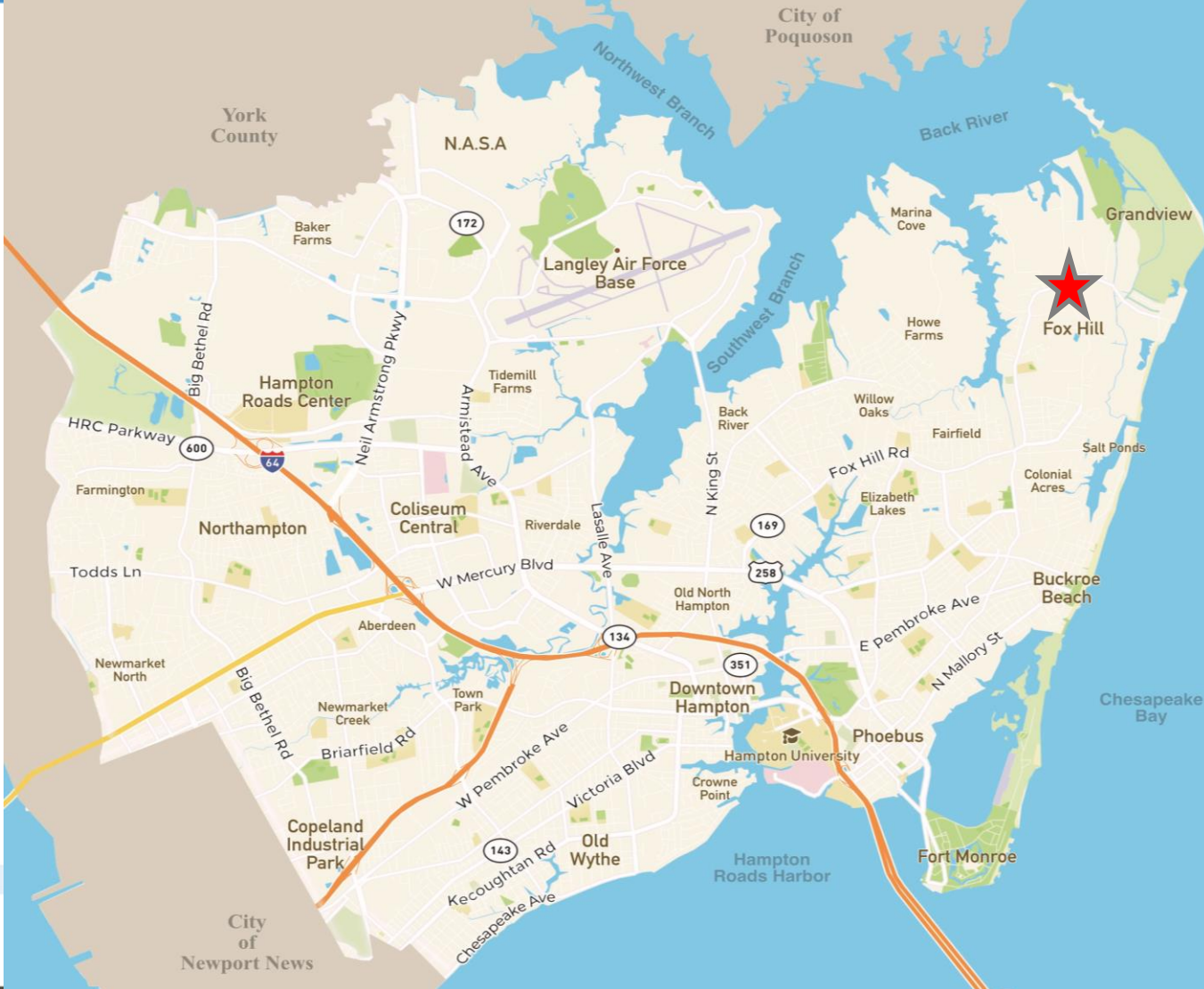
**City Council  
July 12, 2023**



# Application

Use permit to allow for a *short-term rental* in the One-Family Residential (R-11) district

# Location





# Location



# Proposal

## Dwelling/Property Details:

- +/- 1,250 SF of living area
- 3-bedroom dwelling
- On-site parking able to accommodate five (5) vehicles

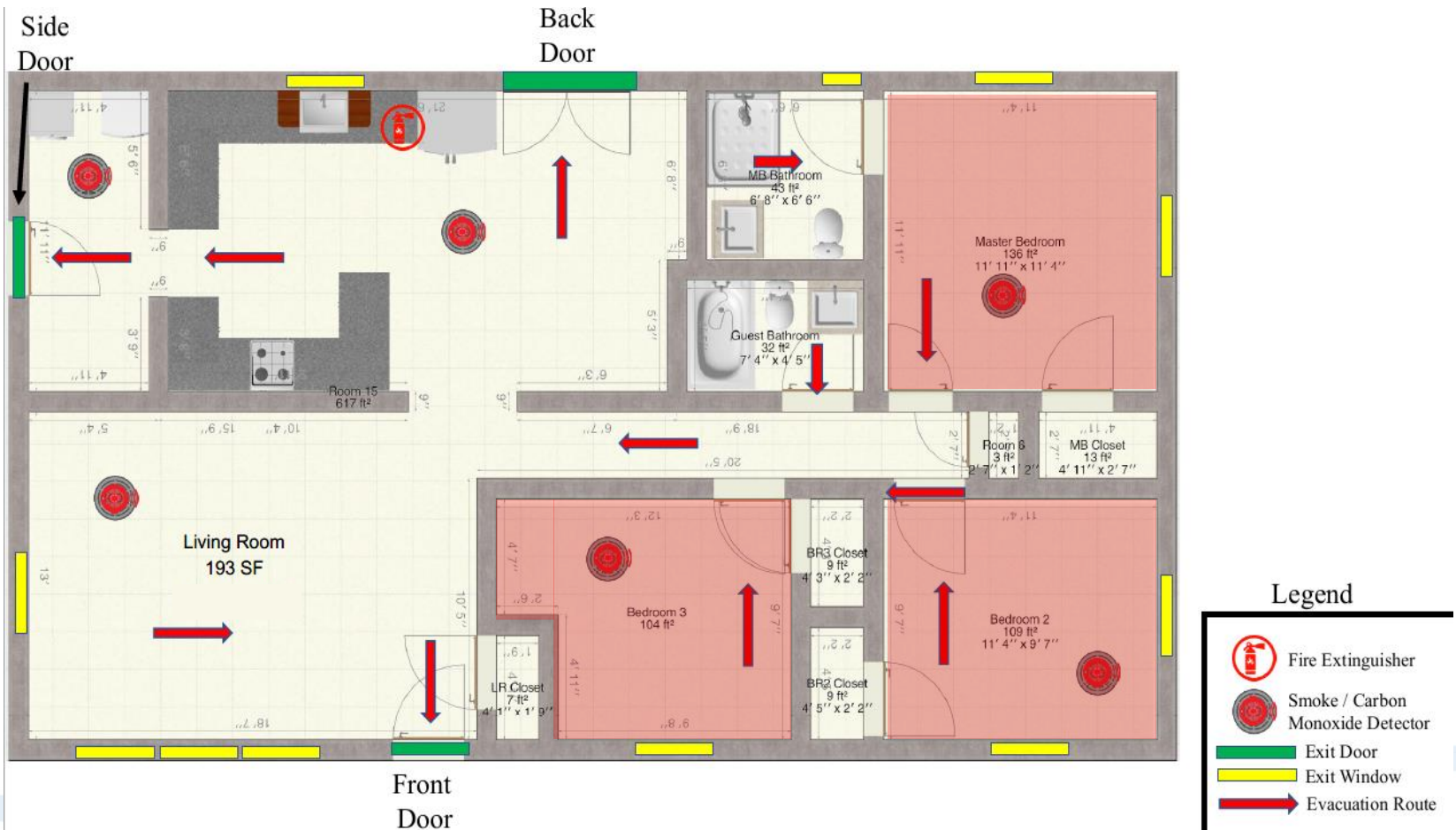
## Operation Details:

- Not currently operating
- No complaints received
- One open violation (permitted uses)

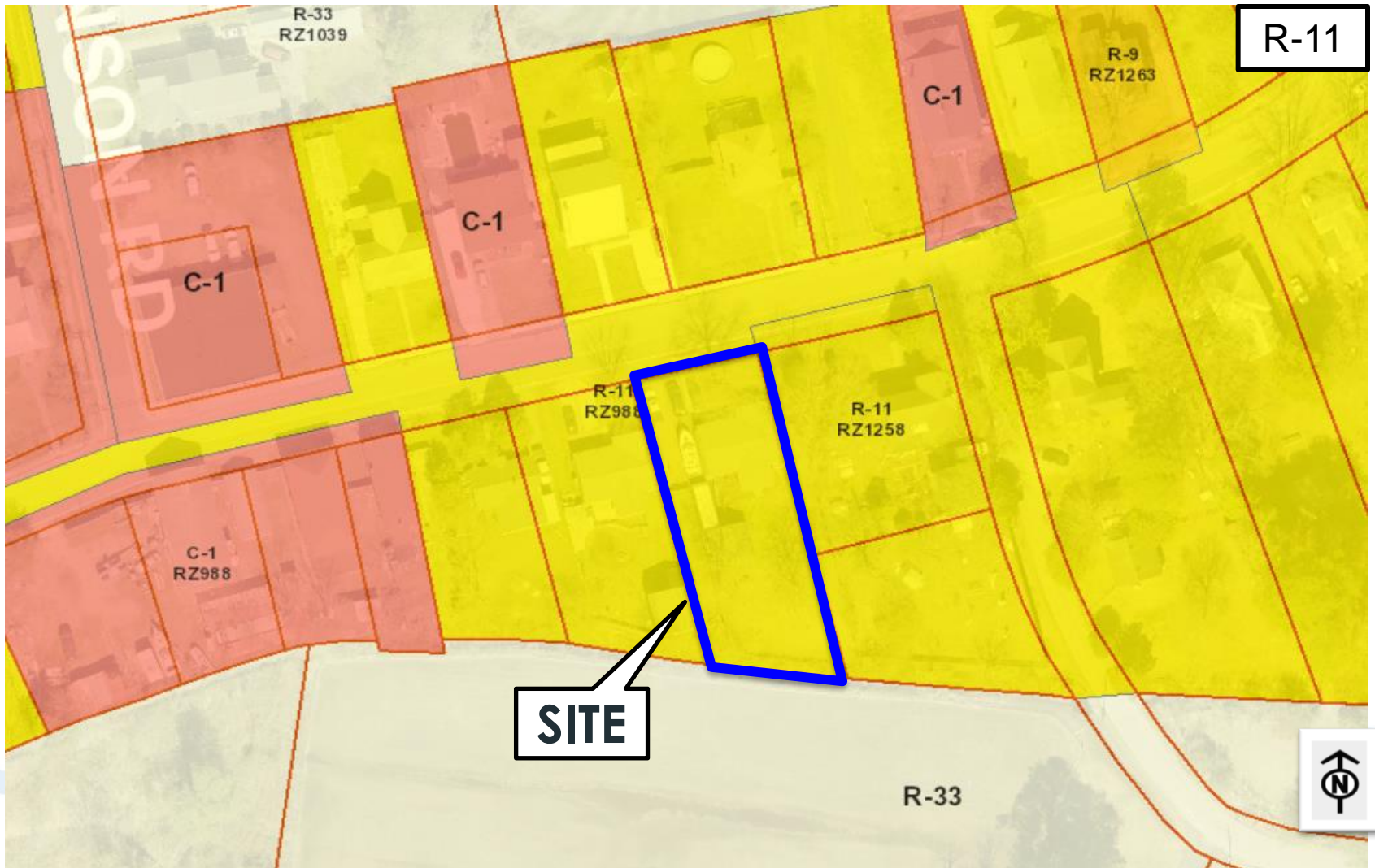




# Proposal

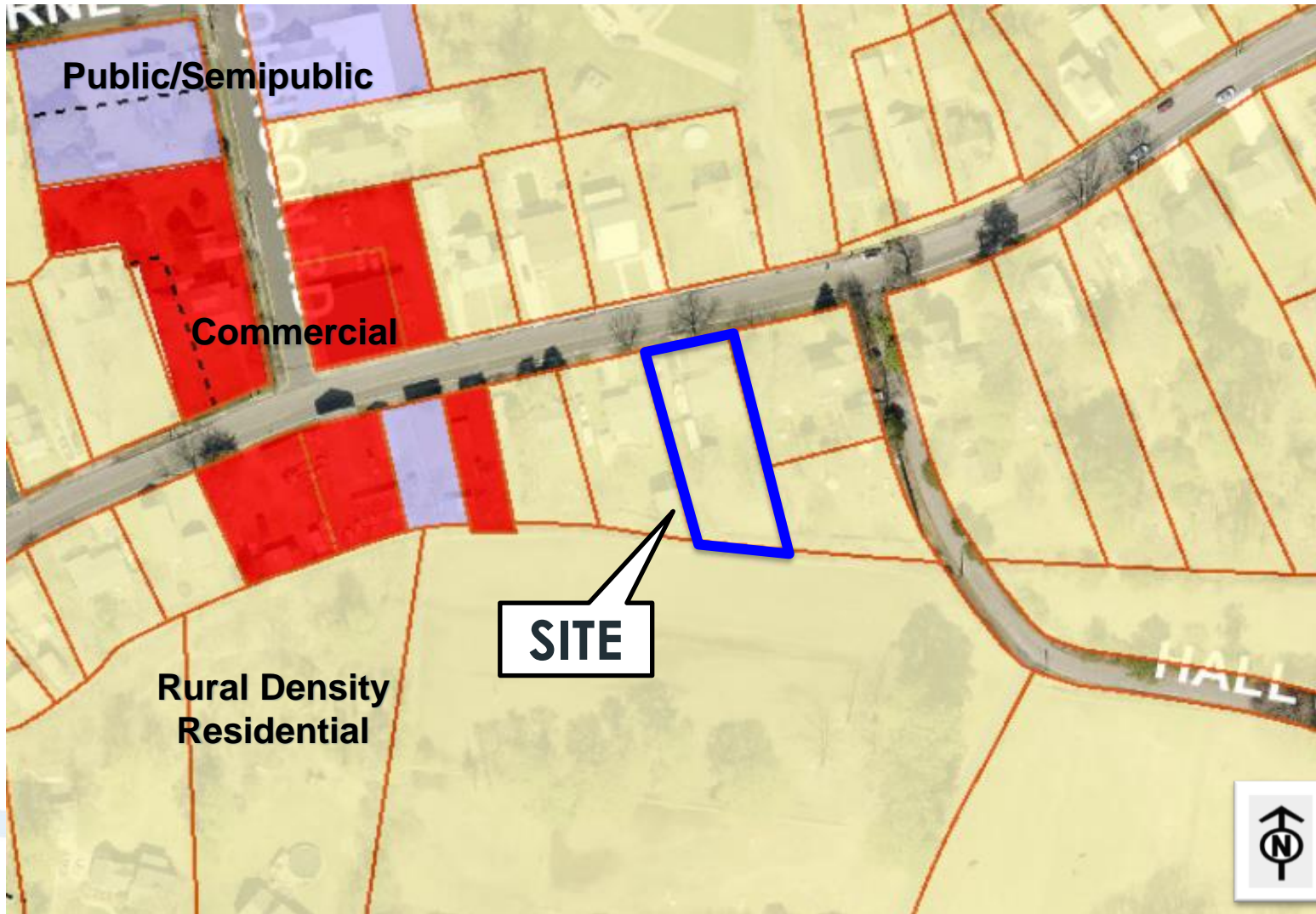


# Zoning Map



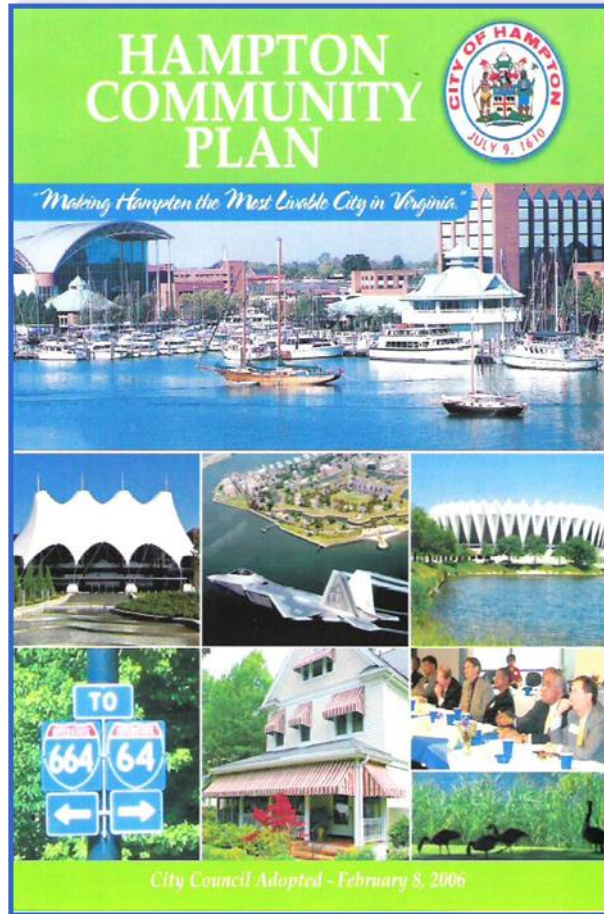


# Land Use Map





# Public Policy



Hampton Community Plan (2006, as amended)

- **LU-CD Policy 4:** Evaluate land use proposals from a regional, city-wide, and neighborhood perspective.
- **LU-CD Policy 7:** Safeguard the integrity of existing residential neighborhoods.
- **LU-CD Policy 31:** Encourage a mix of land uses that is appropriate for each district. Promote the efficient use of land and high-quality urban design.
- **ED Policy 6:** Expand tourism, entertainment, and cultural opportunities within the city.

# Brief History

- **Feb. 26, 2023:** HPD responded to the area in reference to five or six shots being fired and multiple cars fleeing the area.
  - It was discovered that the property was being used as a short-term rental (STR) where an alleged event by the overnight lodger was being hosted
- **Feb 27, 2023:** Zoning confirmed that the STR was operating illegally and the property owner(s) were instructed to cease operation of the STR. City Staff contacted Paul Blaski regarding the Use Permit application process. A Notice of Violation (NOV) was sent to the subject property, addressed to the previous property owner(s) and the current residents.
- **Mar. 30, 2023:** It was discovered that the property was continuing to be used and operated as a STR, and was still available for booking on the Airbnb website



# Brief History

- **April 11, 2023:** One of the applicants met with City Staff who informed them that only legally operating STRs were eligible to continue operation until December 31, 2024. Otherwise, all other STRs would need to obtain a Use Permit
- **April 12, 2023:** One of the applicants met with different City Staff who reiterated that using the property as a STR shall not continue until a Use Permit is approved by City Council
- **Apr.13, 2023:** A Notice of Violation (NOV) was sent, addressed to the current property owners
- **Apr. 25, 2023:** Issue escalated to the Deputy Director who spoke with property owner(s) and reiterated that booking shall not continue until a Use Permit is approved.

# Analysis

- The use of the property as a short-term rental (STR) was illegal as it did not have zoning approval or a business license
- The STR hosted an event/party that resulted in a shooting (Events/gatherings are prohibited under Airbnb policy)
- After being advised to cease operation of the STR, the property owner(s) continued to advertise and offer the property for-rent



# Recommended Conditions

- Overnight lodging capacity limited to no more than **four (4)**
- No more than **three (3) bedrooms** shall be rented or offered for rent as an overnight sleeping area
- No common space (e.g., living room, game room) shall be offered or advertised as an overnight sleeping area
- All parking within the street frontage yard shall be on an improved surface
- Events are not permitted
- **Only authorized overnight lodgers** not exceeding the approved capacity limit are allowed on the property
- Must provide a Responsible Local Person (RLP) to contact and address conditions occurring at STR
- The operator of the short-term rental shall maintain a ledger that be made available upon request

\*Additional Recommended Conditions found in PC Package

# Conclusion

- Applicant opportunity to present
- Public hearing
- Action
  - Staff and Planning Commission recommend **DENIAL** of Item No. 23-0185.
  - In the event this application is granted, staff recommends approval of this Use Permit with fifteen (15) conditions based upon the proposed use's operational and land use characteristics