

Special Use Permit Application Form

Montgomery County, Virginia
 755 Roanoke St. Suite 2A, Christiansburg, VA 24073
 540-394-2148 | mcplan@montgomerycountyva.gov

Applicant Information: (PLEASE PRINT – if additional owners, please attach additional sheets)

Owner of Record (attach separate page for add'l owners): Amazonite, LLC	Address: 751 University City Blvd. Blacksburg, VA 24060
Telephone: 540.525.3116	Email: austin@gravitygroup.us

Applicant Name: Owner Contract Purchaser/Lessee Austin J. Cummings, President	Address: 751 University City Blvd. Blacksburg, VA 24060
Telephone: 540.525.3116	Email: austin@gravitygroup.us

Representative Name and Company:	Address:
Telephone:	Email:

Property Description:


Location or Address: <i>(Describe in relation to nearest intersection)</i> 940 Nellies Cave Rd. Blacksburg, VA 24060 // 0.2 Miles from Shelor Ln. Blacksburg, heading away from town into the county limits.		
Parcel ID Number(s): 012766	Acreage: 0.183	Existing Zoning: Residential (R3)
Comprehensive Plan Designation: Transitional Residential District	Existing Use: Single Family Residence/ Rental	

Description of Request: (Please provide additional information on attached sheet if necessary)

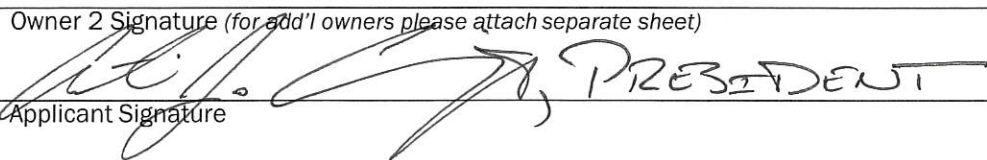
Proposed Use(s) including acreage: Short Term Tourist Rental. Single family residence on 0.183 acres.
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I certify that the information supplied on this application and on the attachments provided (maps or other information) is accurate and true to the best of my knowledge. In addition, I hereby grant permission to the agents and employees of Montgomery County and State of Virginia to enter the above property for the purposes of processing and reviewing the above application.

If signing on behalf of a Corporation, Partnership, or LLC, please specify your title with the entity and provide documentation clarifying your authority to sign on behalf of the entity.


 , PRESIDENT 01/28/25

 Owner 1 Signature Date

Owner 2 Signature (for add'l owners please attach separate sheet) Date

 , PRESIDENT 01/28/25

 Applicant Signature Date

 Representative/Agent Signature Date

Section 10-54(3)(g), Montgomery County Zoning Ordinance

(g) Issues for Consideration. In considering a Special Use Permit application, the following factors shall be given reasonable consideration. The application shall address all the following in its statement of justification or Special Use Permit plat unless not applicable, in addition to any other standards imposed by this Ordinance:

1. Whether the proposed Special Use Permit is consistent with the Comprehensive Plan (Addressed under “3. Comprehensive Plan Justification”).

PLU1.5.1, A-C: The property is a single-family residence and is compatible in scale with surrounding homes and properties.

PLU1.5.2, A-C: The parcel is currently zoned R-2 and is situated on 0.183 acres. There will be no modifications to the natural landscape or surrounding area because of this application. The home, as it exists today, is compatible with the surrounding homes and properties and will remain as such as part of this proposed use.

PLU1.5.3, A-C: The home is served by public water and a private septic system, requiring no additional water or sewer extensions. The home has, and will continue to have, a minimal impact on local traffic.

2. Whether the proposed Special Use Permit will adequately provide for safety from fire hazards and have effective measures of fire control.

The property is equipped with smoke detectors, fire extinguishers, and clear safety instructions for guests, including adherence to Virginia Department of Forestry Burn Laws. No open fires are allowed without compliance with these regulations.

3. The level and impact of any noise emanating from the site, including that generated by the proposed use, in relation to the uses in the immediate area.

Guests are required to adhere to strict house rules prohibiting parties or excessive noise. Quiet hours are enforced, and the property manager is available to address any issues promptly.

4. The glare or light that may be generated by the proposed use in relation to uses in the immediate area.

The property uses standard residential outdoor lighting, which is consistent with the neighborhood. No additional lighting is proposed that would generate glare or impact neighbors.

5. The proposed location, lighting and type of signs in relation to the proposed use, uses in the area, and the sign requirements of this Ordinance.

No signs are proposed for advertising the property. Lighting is limited to existing porch and front door lights, ensuring minimal impact on surrounding properties.

6. The compatibility of the proposed use with other existing or proposed uses in the neighborhood, and adjacent parcels.

The short-term rental use is compatible with the residential character of the neighborhood. No structural changes are planned, and the property will maintain its current appearance and use.

7. The location and area footprint with dimensions (all drawn to scale), nature and height of existing or proposed buildings, structures, walls, and fences on the site and in the neighborhood.

The property is a single-family residence with no planned expansions or structural changes. The existing footprint and dimensions remain unchanged.

(Survey attached to application)

8. The nature and extent of existing or proposed landscaping, screening and buffering on the site and in the neighborhood.

The property features well-maintained landscaping, including mulch beds and flower arrangements along the front and sides of the house. Currently, no screening exists between the property and the adjacent lots, which are utilized as short-term and long-term rentals, respectively.

9. The timing and phasing of the proposed development and the duration of the proposed use.

The property has operated as a short-term rental for the past three years, providing accommodations for visitors and local residents in need of temporary housing. During this time, we have consistently paid occupancy and business taxes to Montgomery County.

At the time we began operations, the county had no special zoning restrictions for short-term rentals, and we were unaware of any additional permit requirements. We were recently informed of the new zoning rules and are proactively seeking compliance to ensure that the property can continue to serve guests and the community as it has for the past three years.

If approved, we plan to continue operating the property as a professionally managed short-term rental indefinitely.

10. Whether the proposed Special Use Permit will result in the preservation or destruction, loss or damage of any topographic or physical, natural, scenic, archaeological or historic feature of significant importance.

No changes to the property's topography, natural features, or historic elements are planned. The area immediately at the rear of the property is preserved as a family cemetery.

11. Whether the proposed Special Use Permit at the specified location will contribute to or promote the welfare or convenience of the public.

This property has had a positive impact on Montgomery County through its financial contributions and community benefits. Over the past three years, it has generated over \$15,000 in occupancy taxes, in addition to business taxes, which directly support county resources and services.

Furthermore, this short-term rental has helped stimulate local businesses, including restaurants, shops, and service providers, by attracting visitors to the area.

Beyond tourism, this property also serves an important function for local residents – it has provided temporary housing for individuals facing home repairs, insurance-related displacements, and real estate clients transitioning between buying and selling homes.

The ability to continue offering these accommodations will directly benefit the community while remaining in compliance with county regulations.

12. The traffic expected to be generated by the proposed use, the adequacy of access roads and the vehicular and pedestrian circulation elements (on and off-site) of the proposed use, all in relation to the public's interest in pedestrian and vehicular safety and efficient traffic movement.

The property generates minimal traffic, as it accommodates a single-family occupancy. Existing roads and access points are sufficient to handle the traffic.

13. Whether, in the case of existing structures proposed to be converted to uses requiring a Special Use Permit, the structures meet all code requirements of Montgomery County.

The existing structure meets all relevant code requirements. It has been inspected and is in compliance with county health and safety regulations.

14. Whether the proposed Special Use Permit will be served adequately by essential public facilities and services.

The property is adequately served by utilities, including public water, septic, power, and waste management. No additional public services are required.

15. The effect of the proposed Special Use Permit on groundwater supply.

The property operates on public water and a septic system designed to meet residential needs, with no anticipated impact on the groundwater supply.

16. The effect of the proposed Special Use Permit on the structural capacity of the soils.

No structural changes or soil disturbances are planned. The property remains in compliance with existing soil and septic regulations.

17. Whether the proposed use will facilitate orderly and safe road development and transportation.

The property is accessed via existing county-maintained roads. No additional road development or transportation infrastructure is needed.

18. The effect of the proposed Special Use Permit on environmentally sensitive land or natural features, wildlife habitat and vegetation, water quality and air quality.

No adverse effects on environmentally sensitive land, wildlife habitats, or air/water quality are anticipated. Guests are instructed to respect the natural environment.

19. Whether the proposed Special Use Permit use will provide desirable employment and enlarge the tax base by encouraging economic development activities consistent with the Comprehensive Plan.

The short-term rental provides tax revenue and attracts visitors who contribute to local businesses, aligning with economic development goals in the Comprehensive Plan.

20. Whether the proposed Special Use Permit considers the needs of agriculture, industry, and businesses in future growth.

The use does not interfere with agriculture or industry and supports local businesses through guest spending.

21. The effect of the proposed Special Use Permit use in enhancing affordable shelter opportunities for residents of the County.

The property provides short-term accommodations for visitors and temporary housing for local residents who require immediate housing solutions.

It has been used to assist:

- *Real estate clients in transition between selling and purchasing a home.*
- *Property management clients facing unexpected home emergencies such as water damage, insurance claims, or renovations.*
- *Families needing short-term housing options due to unforeseen circumstances.*

Maintaining this versatile and community-oriented housing option aligns with the county's goal of providing diverse and flexible accommodations for residents and visitors alike.

22. The location, character, and size of any outdoor storage.

No outdoor storage is proposed.

23. The proposed use of open space.

The backyard remains open and features a small fire pit, which is set 3 feet below ground level and surrounded by a 2-foot-high paver retaining wall. This space provides recreational opportunities for guests. No additional structures are planned.

24. The location of any major floodplain and steep slopes.

The property does not encroach on any major floodplains and does not contain any steep slopes.

25. The location and use of any existing non-conforming uses and structures.

The property has no existing non-conforming uses or structures.

26. The location and type of any fuel and fuel storage.

The property does not have any fuel or fuel storage.

27. The location and use of any anticipated accessory uses and structures.

No additional accessory uses or structures are anticipated.

28. The area of each use; if appropriate.

No additional accessory uses are anticipated.

29. The proposed days/hours of operation.

The property is available year-round, with guest check-in after 3:00 PM and check-out by 10:00 AM.

30. The location and screening of parking and loading spaces and/or areas.

Parking is limited to the driveway, which accommodates up to three vehicles. No loading zones are required. There is no screening currently near the parking area, this is consistent with adjoining properties.

31. The location and nature of any proposed security features and provisions.

A ring security doorbell camera is installed at the front door for monitoring guest entry and exit.

32. The number of employees.

No employees are directly employed at the property.

33. The location of any existing and/or proposed adequate on and off-site infrastructure.

The property utilizes existing on-site infrastructure, including septic and public water system, with no need for additional development.

34. Any anticipated odors, which may be generated by the uses on site.

No odors are anticipated. Waste is managed by regular trash removal after each guest stay.

35. Whether the proposed Special Use Permit uses have sufficient measures to mitigate the impact of construction traffic on existing neighborhoods and school areas.

No construction is planned, so there will be no impact from construction traffic.

Short-term Tourist Rental Management Plan

Property Address: 940 Nellies Cave Road, Blacksburg, VA 24060

Emergency Contact: Austin J. Cummings

Property Management Company: GRAVITY Property Management, LLC

Office Address: 751 University City Blvd Blacksburg, VA 24060

Office Phone: 540.739.3153

Personal Phone: 540.525.3116

Email: hospitalitygroup@gravitygroup.us

Management and Operations

The property is professionally managed by GRAVITY Property Management, LLC, a full-service property management company with a physical office where guests can call or visit during business hours for assistance. Additionally, emergency maintenance staff are available 24/7 to address any urgent issues.

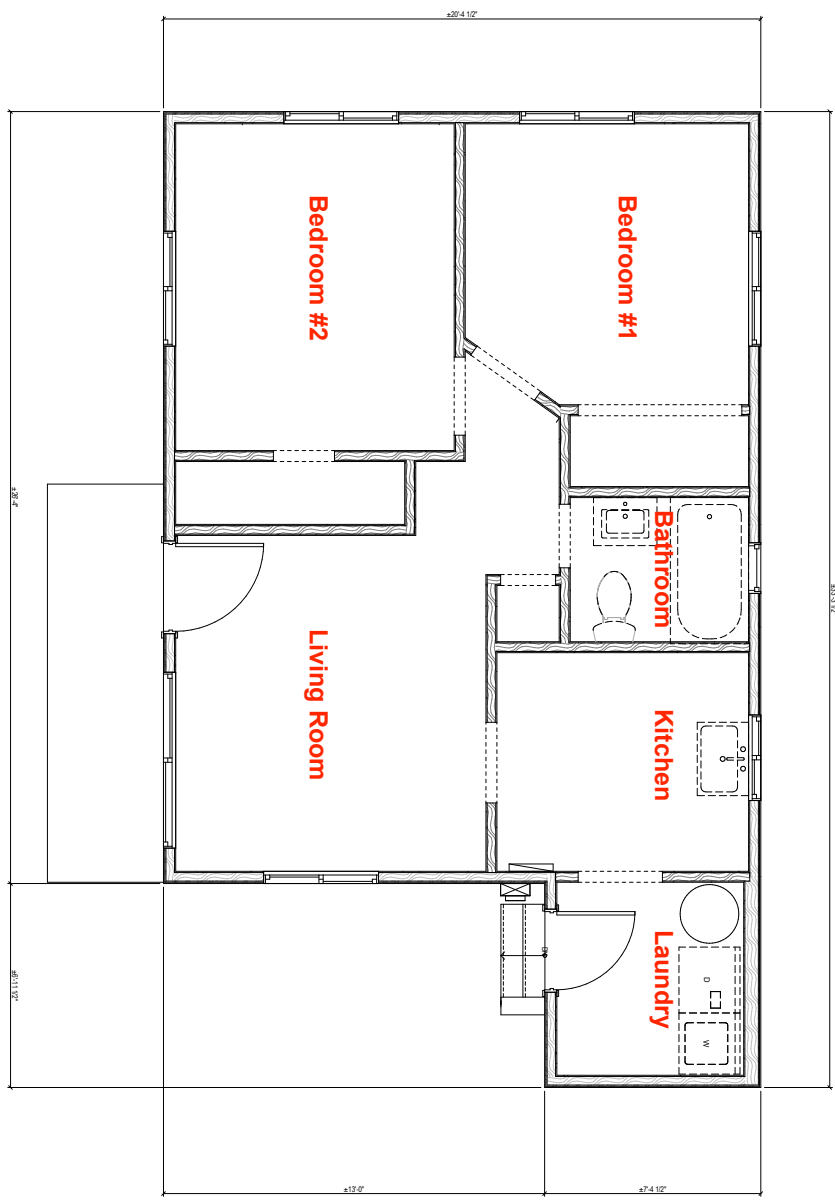
As part of the check-in process, guests receive a welcome message that includes all host contact information, house rules as well as recommendations for local businesses and services.

To ensure the peaceful enjoyment of both guests and neighbors, the following policies are strictly enforced:

- A maximum of **4 guests** may stay at the property at any given time.
- **No parties or large gatherings** are permitted.
- **Quiet hours** are enforced between **9:00 PM and 8:00 AM daily** to minimize disruption to neighbors.

This management plan ensures the property is well-maintained and operated in compliance with county regulations.

(Attached to this management plan is a floor plan of the home and survey with dedicated parking area marked.)



FLOOR PLAN AS-BUILT

SCALE: 1/4" = 1'-0"

GENERAL AS-BUILT NOTES
 1. DRAWINGS OF EXISTING CONDITIONS HAVE BEEN OBTAINED FROM EXISTING DOCUMENTS AND FIELD MEASUREMENTS. THE ARCHITECT HAS NOT CONDUCTED A FIELD SURVEY TO VERIFY THE ACCURACY OF INFORMATION RECEIVED. VERIFY ALL DIMENSIONS AND CONDITIONS OF ANY EXISTING WORK PRIOR TO PROCEEDING WITH WORK. ALL MATERIAL DIMENSIONS GIVEN BY CONTRACTOR.
 2. FIELD NOTES WERE OBTAINED BY: [redacted]
 [redacted]

BAZGER & ASSOCIATES
 PLANNERS / ARCHITECTS
 80 College Street, Suite 111
 Chesapeake, VA 23073
 www.bazger.co
 804.981.4200

PRELIMINARY
 not for construction

NELLIES CAVE RD
 RENOVATION/ADDITION
 AS-BUILT FLOOR PLAN

340 NELLIES CAVE RD
 BLACKSBURG, VIRGINIA

DATE: 11/20/21
 SCALE: As Indicated
 REVISIONS:

AB 01
 PROJECT NO. ZR1000180

NOTES

- OWNERS OF RECORD: AMAZONITE, LLC
- PROPERTY ADDRESS: 940 NELLIES CAVE ROAD
- LEGAL REFERENCES: INSTRUMENT NUMBER 2021006280
- TAX MAP NUMBERS: 055-A-8
- PARCEL ID NUMBERS: 012766
- THE PROPERTIES LIES IN F.E.M.A. DEFINED ZONE X (UNSHADED) AS SHOWN ON FIRM MAP NUMBER 51121C0134C (SEE EFFECTIVE DATE: SEPTEMBER 25, 2009).
- THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT AND IS SUBJECT TO INFORMATION WHICH MAY BE DISCLOSED BY SUCH.
- ALL EASEMENTS AND ENCUMBRANCES MAY NOT BE SHOWN HEREON.
- NO VISIBLE EVIDENCE OF GRAVES, OBJECTS OR STRUCTURES MARKING A PLACE OF BURIAL WERE FOUND ON THE PROPERTY AT THE TIME OF THE FIELD SURVEY OTHER THAN SHOWN HEREON. SURVEYOR EXPRESSLY DISCLAIMS ANY LEGAL OR FINANCIAL RESPONSIBILITY FOR ANY GRAVES THAT WERE NOT DETECTED.
- UNDERGROUND UTILITIES MAY BE PRESENT.
- THIS PLAT IS BASED ON A CURRENT FIELD SURVEY. INFORMATION SHOWN HEREON MAY NOT CONFORM TO ALL DEEDS AND PLATS OF RECORD.
- VISIBLE IMPROVEMENTS AND VISIBLE EVIDENCE OF EASEMENTS ARE SHOWN HEREON. NO VISIBLE EVIDENCE OF ENCROACHMENTS BY IMPROVEMENTS EITHER FROM ADJOINING PREMISES OR FROM SUBJECT PREMISES WAS FOUND. OTHER THAN SHOWN HEREON.
- CONTACT BUILDING AND ZONING OFFICIALS FOR BUILDING AND DEVELOPMENT REGULATIONS.

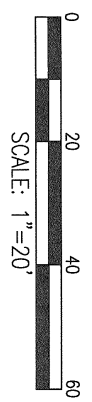
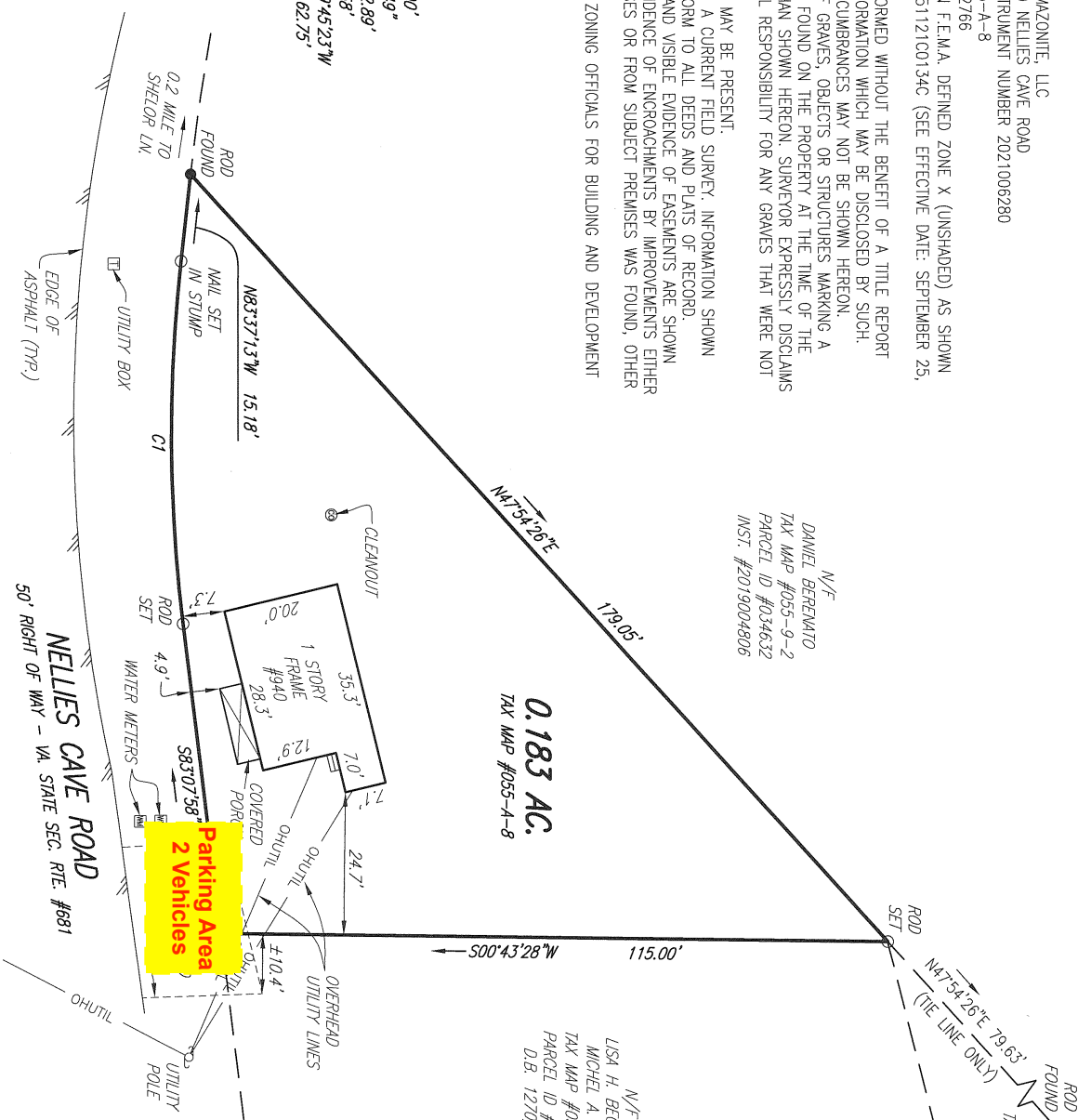
N/F
DANIEL BERENATO
TAX MAP #055-9-2
PARCEL ID #034632
INST. #2019004806

0.183 AC.
TAX MAP #055-A-8

N/F
LSA H. BECK AND
MICHEL A. BECK
TAX MAP #055-A-9
PARCEL ID #0199807
D.B. 1270, 820

N/F
MILLS CEMETERY
TAX MAP #055-A-114
PARCEL ID #071082

CURVE C1
RADIUS = 272.00'
DELTA = 137.449°
ARC LENGTH = 62.89'
TANGENT = 31.58'
CHORD BEARING = S89.4523°W
CHORD DISTANCE = 62.75'



PHYSICAL IMPROVEMENT SURVEY FOR
AMAZONITE, LLC
OF
TAX MAP #055-A-8
LOCATED AT #940 NELLIES CAVE ROAD
MT. TABOR MAGISTERIAL DISTRICT
MONTGOMERY COUNTY, VIRGINIA
DATE: AUGUST 26, 2021
SCALE: 1" = 20'
JOB NUMBER: 25210143HS

PLANNERS / ARCHITECTS / ENGINEERS / SURVEYORS
ROANOKE/ RICHMOND / NEW RIVER VALLEY / SHENANDOAH VALLEY / LYNCHBURG
80 College Street, Suite H / Christiansburg, Virginia 24073 / Phone (540) 381-4290 / www.bautzer.com



RECORD
P.B. 18, PG. 260



Family Cemetery

Long Term Rental Properties

Existing Approved Short Term Tourist Rental

Subject

Out of state owner

Owner Occupant(s)

Long Term Rental Properties

681

1260

Nellies Cave Rd

Nellies Cave Rd

Nellies Cave Rd

Nellies Cave Rd

920

930

931

915

941

947

940

950

970

978

978

971

969

961

966

961