

## Anderson, Earl

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**From:** Richard Howell <[rhowell14@cox.net](mailto:rhowell14@cox.net)>  
**Sent:** Thursday, June 6, 2019 2:34 PM  
**To:** Anderson, Earl  
**Subject:** Letter of Opposition for Special Use Application for 105 Sherwood Drive, Williamsburg, VA  
**Attachments:** June 2019 Letter to Earl Anderson, Planning Commission York County.docx

Mr. Anderson,

Once again I find myself alarmed and engaged in trying to defend the single family, residential nature of Queens Lake. Attached you will find a letter of opposition on behalf of my husband and I stating our concerns regarding the special use application under consideration for 105 Sherwood Drive.

I only recently learned about this application and went online to read the Applicant's narrative. I have also learned through social media postings that this homeowner lost her job a couple of years ago and this is her answer to resolving her personal crisis. It is unfortunate that both applications for special use permits in this neighborhood have been a result of homeowners in distress over financial hardship. While I am sympathetic to those issues, I continue to object to the solution to the problem to simply be--apply for a permit and invite a revolving door of tourists into our neighborhood.

My husband and I have talked at length about the short term rental challenges. I note when area localities are conducting meetings to discuss and establish guidelines or restrictions for short term rentals. I pay attention when various neighborhoods are holding association meetings to review their by-laws to prevent or regulate short term rentals.

As we addressed in our letter, Queens Lake is unique. Being the oldest planned community in Williamsburg, there is no security gate. Properties were purchased and homes built with an evolving homeowner association that even today only includes about 71% of the homeowners. We are quite simply very vulnerable to applications for special use permits for short term rentals--especially because we are located alongside the Colonial Parkway with a pathway to historical Williamsburg, Jamestown, and Yorktown.

I have reviewed the applicant's narrative and noted the guidelines she intends to establish if her permit is granted. With a favorable recommendation from the Planning Commission and Board of Supervisors, she will be able to operate her tourist home with little or no oversight or remedy for problems that might develop. It is not clear to me who would evaluate the operations of her business over time to insure she is operating as she has stated in her narrative. I feel that if her application is approved, she will be provided a "blank approval" to operate as she finds convenient for herself, with little consideration as to the community at large.

I continue to remain strongly opposed to special use permits for short term rentals in residential neighborhoods. The risks to safety, property value, and community spirit are too great for the good of one, or just a few, financially distressed homeowners trying to solve their problem on the backs of years of individuals building a beautiful community.

Please forward this to all who are involved in this application process.

If you will confirm receipt of the email and attachment, it will be appreciated. If there are any questions, my husband and I are available by email at [rhowell14@cox.net](mailto:rhowell14@cox.net) or phone 757-645-3259.

Thank you for your assistance.

Sincerely,  
Dianne M. Howell

We would like to thank you for this opportunity to voice our opposition to the special use permit application currently being considered for 105 Sherwood Drive, Williamsburg (Queens Lake Community).

We have lived in Queens Lake for 16 years and are alarmed that once again another resident has applied for a special use short term rental permit. We recognize there has been an explosion in this rental market and that many communities on the Peninsula have had ongoing discussions and studies to try to find a way to navigate this new rental situation. We feel that the use of a home for a short term rental is not consistent with the residential nature of the Queens Lake community. We are concerned that the issuance of a short term permit to this one property owner may encourage others to also apply for special use permits to operate short term rentals in their homes. We are concerned about the potential for future applications and the potential for reduction in property values. These applications are filed with little knowledge throughout the community. Unless one is vigilant to check the County Agenda or notice hearing signage posted in the yard of an applicant's property, we have little opportunity to learn more about each individual situation. These special permit applications seem to just slip into the fabric of the community with little awareness throughout the entire neighborhood. Our concerns have generated conversations about whether we should sell and seek a community less vulnerable to short term rentals.

Almost two years ago we, along with many of our neighbors and other homeowners in the Queens Lake Community, wrote letters of opposition and/or attended the Planning Commission Hearing to oppose another special use permit application for a Horseshoe Drive property. The applicant for this property pulled her application before the Board of Supervisors hearing. (Note: This short term rental business operated for over nine months without any permit until problems at the property alerted the neighbors of this unpermitted activity and we engaged with the commission to address the matter).

We remain opposed to special use permits being issued to homeowners in residential neighborhoods. The Queens Lake Association is a non-mandatory homeowners' association with two membership options. One option requires the property be "deeded" into the Association and the second option "traditional" does not require the property be deeded, but homeowners must pay \$1000 for non-deeded membership and the cost for use of amenities is billed at a higher fee. There are 534 homes in Queens Lake with approximately 271 deeded to the Association and 107 non-deeded. The Queens Lake Association has approximately 378 members representing about 71% of the homeowners in the community. For this reason, the Community has no ability to create by laws providing guidelines or restrictions for short term rentals. Queens Lake is more vulnerable to these special use permit applications than other communities in the area with fully deeded properties and HOA's with 100% mandatory membership. We therefore depend on the members of the Planning Commission and The Board of Supervisors to review each application with mindfulness as to the possible challenges to specific communities who find the residential properties in their neighborhood being turned into mini short term stay hotels. Queens Lake is a beautiful and unique community, designed and built with the single focus of single family dwellings, but it is now at risk for more and more special use permit applications due to our proximity to so many tourist attractions. Allowing businesses to operate in this

community goes against the design and purpose of Queens Lake...it changes the community into something it was never designed or desired to be for those of us who have made it our home.

We strongly and respectfully request that you deny a special use permit for a short term rental to the property owner at 105 Sherwood Drive, Williamsburg, VA.

Thank you for your consideration of our concerns. If you have any questions, you may reach us at (757) 645-3259.

Sincerely,

SIGNED

Richard C. Howell

Dianne M. Howell

## Anderson, Earl

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**From:** Anne Bradstreet Smith <annebradstreetsmith@gmail.com>  
**Sent:** Friday, June 7, 2019 10:01 AM  
**To:** Anderson, Earl  
**Cc:** Walter C. Zaremba Esq.; Les  
**Subject:** Tourist Home Proposal in Queens Lake

Good morning Earl, I am writing to express our concern and strong opposition to the establishment of a tourist home in this single family neighborhood. That is a commercial use that is totally inappropriate for both the zoning and the nature of this neighborhood.

**Application No. UP-929-19, Heather Phillips:** Request for a Special Use Permit, pursuant to Section 24.1-306 (category 1, no. 6) of the York County Zoning Ordinance, to authorize the establishment of a tourist home in an existing single-family detached house on a 0.6-acre parcel of land located at 105 Sherwood Drive (Route 1315) and further identified as Assessor's Parcel No. 11B-2EJ-12. The property is zoned RR (Rural Residential) and designated Low Density Residential in the Comprehensive Plan. [Staff Report and Attachments](#). For more information, please contact [Earl W. Anderson, AICP, Senior Planner](#).

Thank you very much.

*Anne Smith*

288 East Queens Dr.

Williamsburg, Va. 23185

(757) 253-1970

[annebradstreetsmith@gmail.com](mailto:annebradstreetsmith@gmail.com)

June 10, 2019

To whom it may concern:

I am writing in regard to the application Heather Phillips has in for the ability to list and use her home at 105 Sherwood Dr. Williamsburg, 23185 on Air B&B. I feel that I am qualified to discuss this and how it will affect the neighborhood as former neighbors of mine has used theirs in a similar way through a vacation rental home website. The former neighbors we directly next to me, and when they rented out their home, they rented the entire home (at 104 Valor Ct, Williamsburg 23185). Due to needing the home to be 'sellable' the property was impeccably maintained, potential renters vetted and neighbors' feelings taken into consideration. When they were notified that they needed to submit an application to use their property in this way, they immediately canceled all rentals and filed the appropriate paperwork. Due to a business trip, we were unable to go down and speak on their behalf. We wanted to let the board of supervisors know that we never encountered one issue with any of the renters. Since I knew in advance that we were unable to be there I did write a letter of recommendation for them and sent it to my board of Supervisor, Walt Zaremba. Later I found out that not only did Mr. Zaremba not attend the meeting himself but that another neighbor went down and spoke untruths about their renters, and thus they were not approved. This was an unfortunate outcome, as not only did we end up losing very nice neighbors, but the lies were told mostly due to a personal dislike-not for anything the renters or owners had done.

I mention this as a word of caution. Not everyone who speaks out against rentals is doing so out of a personal bad experience. Once again, I find myself in a situation where a neighbor has an application up for review to list extra rooms in her home on Air B&B while she is currently unemployed. I have had the pleasure of receiving a tour of her home, and it, like my former neighbors, is immaculate inside and out. The work that Heater Phillips has put into her home is what we all wish our neighbors would do as it only helps everyone else's property values. Heather Phillips's renters are always greeted with a warm friendly smile- mostly due to the fact that she is still there 100% of the time she has renters. This should be seen as a bonus- as even after she properly vets the possible renters, if there ever is an issue with someone, she can take care of it right away.

Approving vacation and Air B&B rentals can only benefit York County in the long run. It increases tax revenue, and we as neighbors, and owners are always quick to suggest places to eat & shop in York County- knowing that we like to keep the tax money in our own county.

I urge you to approve Heather Phillip's application to use her spare rooms as extra income on Air B&B so that we may all benefit as a community.

Thank You,

Heather Walters

106 Valor Ct

Williamsburg, VA 23185