

FPNA Issue Spotlight:

Bed & Breakfast or Special Event Center?

*If you would like to share questions or comments, **please do so online by Monday, March 24 at noon OR attend our board meeting at 6:30 pm on Monday, March 24.***

See details in the final section below, "Next Steps".

Background

- The Julian Price House at 301 Fisher Park Circle operates under a Special Use Permit (SUP) granted in November 2019 allowing it to function as a Tourist Home/Bed & Breakfast
- The property is zoned R-5 (Residential Single Family)
- Nearby neighbors have complained of large special events (weddings, fundraisers, etc.) occurring with increasing frequency over the last few years
- Neighbors report being unable to enjoy the peace and quiet of their homes during these events
- Neighbors also report issues with parking and excessive traffic more consistent with a special events venue than a bed & breakfast
- Property owners believe their business operations are within their rights and have stated they have capacity to host up to 150 guests for events on their property when someone rents all of their rooms / the entire house
- The FPNA's position is that renting all of the bed & breakfast rooms for the express purpose of holding a special event is not a legitimate approved use of the property
- The FPNA also believes that the owners have not been / are not in compliance with several explicit regulations. All of the relevant regulations are listed in the next section.

Applicable Regulations

Tourist Home/B&B Regulations (Land Development Ordinance):

- May not locate within 400 feet of a rooming house or another tourist home
- No more than 6 guest rooms allowed
- Owner/operator must reside on site

- Only one kitchen facility allowed
- Meals only for guests and employees
- Patrons may not stay more than 15 days within a 60-day period
- Limited signage restrictions

Special Use Permit Conditions (November 2019):

1. Property owner must maintain guest records and make them available to City Zoning Administrator upon request
2. Required parking must be located on site
3. No DJs, musical bands, amplified speakers or amplified instruments outdoors at any time or indoors after 10pm

Recent Issues

- The City of Greensboro issued two Notices of Violation (NOV) to the property owners last year:
 - **August 21, 2024:** Violation of SUP condition #3 - outdoor amplified music during an event on May 25, 2024
 - **September 24, 2024:** Use as a special event center, which is not permitted in R-5 zoning - event on September 18, 2024
- The property owners appealed both NOVs to the Board of Adjustment as well as the city's interpretation on permitted uses for the property. They later dropped their appeal of the interpretation, but continue to appeal the two NOVs.
- In December 2024, the City clarified that the only permitted uses for this property are a single-family dwelling and a Tourist Home/B&B subject to the SUP conditions.

FPNA Involvement

- In September 2024, the FPNA board received a letter from 30+ neighbors expressing concerns about disruptive, large-scale events at the property.
- As a result, the FPNA board and a few neighbors sought and received official recognition to be a party to the appeals process before the BOA (intervenor status).
- The FPNA board has retained attorney Marsh Prause for representation in this matter.
- Legal expenses were initially covered by a special pool of private donations for this specific purpose.
- Legal expenses are now being covered by general funds of the FPNA.

- The board is seeking more donations to help cover legal expenses. Our only regular source of funds is the annual Luminaria fundraiser event.
- While this issue disproportionately affects our neighbors closest to the property, the outcome of this situation could have widespread effects on our entire neighborhood.

Potential Paths Forward

Option 1. Allow the appeals process to proceed without further negotiations

- The FPNA would remain a party to the proceedings and can offer facts to the BOA when the appeals are heard. The appeals have been on hold for a few months now as all parties have been attempting to find a resolution.
- This may be the easiest and most straightforward approach, but it also involves the most uncertainty. We have less control over the outcome than if we agreed to pursue negotiations with owners on SUP modifications or a private agreement.
- The City has stated they plan to argue that the property has been operating in violation of some regulations, which is of course our position. However, this issue is just one of many issues the City faces and it's a fair question whether they will pursue this as aggressively as some negatively affected neighbors would hope.
- The owners have stated that they plan to aggressively fight for their ability to have events, up to and including a "nuclear option" to challenge basic tenets of city planning ordinances.

Option 2. Explore modifications to the Special Use Permit to clarify permitted uses and conditions

- The current Special Use Permit has only 3 regulations (see previous section "Applicable Regulations").
- This would be an effort to add more regulations in clear, plain language to resolve questions about what level of event activity is allowed at a permitted Bed & Breakfast that has no additional Special Event type permits.
- It would follow the standard formal process for modifying SUPs which would include public input and eventually a vote by the Board of Adjustments or Zoning Commission.

Option 3. Discuss a potential private agreement with the property owners

- This would be a private agreement between the FPNA and the property owners. The City would not be involved in enforcement and private legal action would need to be taken anytime an alleged violation occurs.

- The private nature of the contract would allow regulations on certain things the city cannot regulate (such as a max number of events or a max number of guests, etc.).
- This option would only be entertained by the FPNA if the agreed on regulations were acceptable. It remains to be seen whether such an agreement could be made that would please the FPNA, concerned neighbors and the property owners.
- For the FPNA, an acceptable private agreement would include the following at a minimum:
 - Narrowly tailored rules for a Bed & Breakfast with small informal gatherings allowed / nothing to explicitly permit a "small" or even "occasional" event venue
 - A requirement that the agreement be transferred to new ownership if the property is sold
 - Financial penalties sufficient to encourage compliance
 - A condition that the losing side of any legal proceeding cover the legal expenses of the other party

Next Steps

- The FPNA seeks additional input from the neighborhood before the board votes on how to proceed. If you have questions or comments, please:
 - Use the [Contact Us form](#) on our website to share your views **by Monday, March 24 at noon.**
 - Attend our next board meeting
 - **Monday, March 24 at 6:30 PM** in the Temple Emmanuel Basement
 - Our attorney, Marsh Prause, will be present to help answer questions
- The FPNA board is asking for donations to help cover legal expenses for this matter. Please donate here if you would like to contribute: [Donate to the FPNA](#)