

COUNTY OF ALBEMARLE**APPLICATION FOR A SPECIAL EXCEPTION**

☒ Request for a waiver, modification, variation or substitution permitted by Chapter 18

☐ Variation to a previously approved Planned Development rezoning application plan or Code of Development

OR

☐ Relief from a condition of approval

Provide the following

- 1 copy of a written request specifying the section or sections being requested to be waived, modified, varied or substituted, and any other exhibit documents stating the reasons for the request and addressing the applicable findings of the section authorized to be waived, modified, varied or substituted.

Provide the following

- 1 copy of the existing approved plan illustrating the area where the change is requested or the applicable section(s) or the Code of Development. Provide a graphic representation of the requested change.
- 1 copy of a written request specifying the provision of the plan, code or standard for which the variation is sought, and state the reason for the requested variation.

FEE = 523.12

Application \$503 + Technology surcharge \$20.12

Project Name : lot 64 new bishopgate place

Current Assigned Application Number (HS, HO, CLE, SDP, SP or ZMA) ~~111-4499~~ 2015-001 ^{ZMA}

Tax map and parcel(s): 055E0013206500

Applicant / Contact Person peter basile

Address 28 murray lane **City** harvard **State** ma **Zip** 01451

Daytime Phone# (978) 2571212 **Fax#** () **Email** basilepeter@gmail.com

Owner of Record Peter & diane basile

Address 28 murray lane **City** harvard **State** ma **Zip** 01451

Daytime Phone# (978) 2571212 **Fax#** () **Email** basilepeter@gmail.com

County of Albemarle
Community Development Department
401 McIntire Road Charlottesville, VA 22902 Voice: (434) 296-5832 Fax: (434) 972-4126

COUNTY OF ALBEMARLE**APPLICATION FOR A SPECIAL EXCEPTION****APPLICATION SIGNATURE PAGE**

If the person signing the application is someone other than the owner of record, then a signed copy of the "CERTIFICATION THAT NOTICE OF THE APPLICATION HAS BEEN PROVIDED TO THE LANDOWNER" form must be provided in addition to the signing the application below. (page 3)

Owner/Applicant Must Read and Sign

By signing this application, I hereby certify that I own the subject property, or have the legal power to act on behalf of the owner of the subject parcel(s) listed in County Records. I also certify that the information provided on this application and accompanying information is accurate, true, and correct to the best of my knowledge. By signing this application, I am consenting to written comments, letters and or notifications regarding this application being provided to me or my designated contact via fax and or email. This consent does not preclude such written communication from also being sent via first class mail.

peter basile

Signature of Owner / Agent / Contract Purchaser

09/14/2023

Date

peter basile

Print Name

978-257-1212

Daytime phone number of Signatory

My reason for requesting an exception to further setback from 25' to a maximum of 50' is to ease grade transition of the driveway

FOR OFFICE USE ONLY APPLICATION# _____ Fee Amount \$ _____ Date Paid _____

By who? _____ Receipt # _____ Ck# _____ By _____

COUNTY OF ALBEMARLE**APPLICATION FOR A SPECIAL EXCEPTION****CERTIFICATION THAT NOTICE OF THE
APPLICATION HAS BEEN PROVIDED TO THE LANDOWNER**

This form must accompany this zoning application if the application is not signed by the owner of the property.

I certify that notice of the application for, special exceptions, variations and exceptions
[Name of the application type & if known the assigned application #]

was provided to peter and diane basile
[Name(s) of the record owners of the parcel]

the owner of record of Tax Map and Parcel Number 005e03206500

by delivering a copy of the application in the manner identified below:

☐ Hand delivery of a copy of the application to peter basile
[Name of the record owner if the record owner is a person; if the owner of record is an entity, identify the recipient of the record and the recipient's title or office for that entity]

on 09/14/2023
Date

☐ Mailing a copy of the application to _____
[Name of the record owner if the record owner is a person; if the owner of record is an entity, identify the recipient of the record and the recipient's title or office for that entity]

on _____ to the following address _____
Date

[Address; written notice mailed to the owner at the last known address of the owner as shown on the current real estate tax assessment books or current real estate tax assessment records satisfies this requirement].

peter basile
Signature of Applicant

peter basile
Print Applicant Name

09/14/2023
Date

Sec. 8.5.5.3 - Variations from approved plans, codes, and standards of developments.

The Board of Supervisors may allow a site plan or subdivision plat for a planned development to vary from an approved application plan, standard of development and, also, in the case of a neighborhood model district, a code of development, as provided herein:

- a. The Board of Supervisors is authorized to grant a variation from the following provisions of an approved plan, code or standard:
 1. Minor changes to yard requirements, build-to lines or ranges, maximum structure heights and minimum lot sizes;
 2. Changes to the arrangement of buildings and uses shown on the plan, provided that the major elements shown on the plan and their relationships remain the same;
 3. Changes to phasing plans;
 4. Minor changes to landscape or architectural standards;
 5. Minor changes to street design and street location, subject to a recommendation for approval by the county engineer; and
 6. Minor changes to the design and location of stormwater management facilities, minor land disturbance including disturbance within conservation areas, and mitigation, all subject to a recommendation for approval by the county engineer.
- b. The applicant shall submit a written request for a variation to the director of planning. The request shall specify the provision of the plan, code or standard for which the variation is sought, and state the reason for the requested variation. The director may reject a request that fails to include the required information.
- c. The Board of Supervisors is authorized to grant a variation upon a determination that the variation: (1) is consistent with the goals and objectives of the comprehensive plan; (2) does not increase the approved development density or intensity of development; (3) does not adversely affect the timing and phasing of development of any other development in the zoning district; (4) does not require a special use permit; and (5) is in general accord with the purpose and intent of the approved application.
- d. The director of planning may require that the applicant provide an updated application plan and, in the case of changes to a code of development, a complete amended code of development, reflecting the approved variation and the date of the variation. If the director requires an updated application plan or code of development, the granting of the variation shall be conditional upon the applicant providing the plan or code within 30 days after approval of the variation and a determination by the director that the plan or code were revised to correctly reflect the granted variation.

- e. Any variation not expressly provided for herein may be accomplished by zoning map amendment.

(§ 8.5.6.3, 12-10-80; 9-9-92; § 8.5.5.3, Ord. 03-18(2), 3-19-03; Ord. 09-18(9), 10-14-09; Ord. 21-18(5), 12-1-21)

Table 6a: Single Family Detached Minimum Lot Size Regulations

Blocks	Square Feet
5, 7, 12, 16-18, 19-26, 32	4,000
10, 28, 29	5,500
34	3,000
30, 31, and 33	8,000
35	9,000

Minimum lot size shall be 1,000 square feet for single family attached and multi-family uses in all permitted blocks.

Notwithstanding the provisions of Table 6a: Single Family Detached Minimum Lot Size Regulations to the contrary, minimum lot sizes for cluster cottage units and/or affordable housing units shall be 1,000 square feet in all blocks.

The setbacks for single family (attached and detached), multi-family, and non-residential development shall vary by block according to Table 7. The setbacks in Table 7 show both the minimum and maximum setbacks and these setbacks shall also apply to accessory structures. Roof overhangs and eaves shall be allowed to encroach into the 5 foot building setback line up to 1 foot. There shall be no minimum setback (i.e. zero feet) along the side property line at the point of attachment of two or more single family dwelling units of any type.

Attached garages shall be permitted for single family dwelling units in all blocks.

Table 7: Minimum and Maximum Setbacks

Blocks	Single Family Attached and Detached				Multi-family				Non-residential			
	<i>Front Min.</i>	<i>Front Max.</i>	<i>Side Min.</i>	<i>Rear Min.</i>	<i>Front Min.</i>	<i>Front Max.</i>	<i>Side Min.</i>	<i>Rear Min.</i>	<i>Front Min.</i>	<i>Front Max.</i>	<i>Side Min.</i>	<i>Rear Min.</i>
5, 6, 7	0	25	0	0	0	25	0	0	0	25	0	0
10, 12, 16, 17, 18	5	25	5	5	5	25	0	5	5	25	0	5
19	5	25	5	5	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
20 thru 22	5	25	5	5	5	25	0	5	5	25	0	5
24, 25	5	25	5	5	n/a	n/a	n/a	n/a	5	25	5	5
26, 28, 29	5	25	5	5	5	25	0	5	5	25	0	5
32	5	25	5	5	5	25	0	5	n/a	n/a	n/a	n/a
30, 31, 33 thru 35	7.5	30	7.5	7.5	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a

