

# Application for Variations from Approved Plans, Codes and Standards of Development



DATE: <u>January 4, 2016 - Updated May 18, 2016</u>
NAME OF PLANNED DISTRICT: <u>Briarwood Subdivision</u>
TAX MAP/PARCEL NUMBER(s): <u>32G-1</u>
ZMA NUMBER(s): <u>1991-13, 1995-005, 2004-014, and 2005-009</u>

Contact Person: Collins Engineering  
Address 200 Garrett Street, Suite K City Charlottesville State VA Zip 22902  
Daytime Phone ( 434 ) 293-3719 Fax # (      )      E-mail scott@collins-engineering.com

What type of change is requested?

Variation to the Plan     Variation to the Code or Standard

Provide a copy of the existing plan (may be a reduced copy) illustrating the area for which the change is requested. Provide a graphic representation of the requested change.

Describe the variation being sought (may attach separate sheets):

Modification to the Phasing of the Development - There is a portion of Phase 4 incorporating 7 lots at the intersection of Sunset Drive and Sparrow Lane and at the intersection of Sunset Drive and Jersey Pine that we are requesting to move out of Phase 4 and add them as part of Phase 6.

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What is the reason for each of the requested variations?:

The current lot layout for the Phase 4 of portion of Briarwood yields about 58 lots, based on the desired lot layout and proposed lot widths. This total lot count exceeds the maximum number of units allowed in this phase (which is 52 lots). Phase 6, based on the updated County mapping of the preserved slopes, can only accommodate about 20+ lots, but this section has an allowable lot yield of 31 SFD lots. Therefore, the applicant is requesting a variation to modify the phasing lines to accommodate the proposed lot yields by amending the phasing lines between Phase 4 and Phase 6. This variation does not increase the overall density for the project, and no additional variations for the completion of the Briarwood project are anticipated.

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In accordance with § 8.5.5.3 c) of the Zoning Ordinance, in order to grant the variation, the Planning Director must make positive findings under 5 criteria. Please provide information about these criteria for the Director's consideration (may attach separate sheets).

1. Is the variation consistent with the goals and objectives of the comprehensive plan?

Yes

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2. Does the variation increase the approved development density or intensity of development?

No

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3. Does the variation adversely affect the timing and phasing of development of any other development in the zoning district?

No

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4. Does the variation require a special use permit?

No

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5. Is it in general accord with the purpose and intent of the approved rezoning application?

Yes

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#### § 8.5.5.3 VARIATIONS FROM APPROVED PLANS, CODES, AND STANDARDS OF DEVELOPMENT

The director of planning and community development 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 general development plan or code of development, as provided herein:

a. The director is authorized to grant a variation from the following provisions of an approved plan, code or standard:

1. Minor variations to yard requirements, 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; and
5. Minor variations to street design.

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d. Any variation not expressly provided for herein may be accomplished by rezoning.