

WILLIAMS MULLEN

TO: Albemarle County Staff

FROM: Nedostup, Megan

DATE: December 18, 2022

RE: ZMA2015-001 Old Trail Blocks 33 and 34 Special Exception Request- Table 7
Minimum and Maximum Setbacks

Please accept this request for the following variation to ZMA 2015-001 Old Trail Neighborhood Model District's Code of Development (COD). We are requesting a modification to Table 7 on page 18 of the COD for the minimum and maximum setbacks for Single Family Attached and Detached unit types for Blocks 33 and 34 (see attached approved Application Plan exhibit). We request that the minimum front, side, and rear setbacks be reduced from 7.5 feet to 5 feet, and the front maximum setback be reduced from 30 feet to 25 feet to match the existing pattern of development in similar blocks within Old Trail. The overall density of Old Trail and maximum number of units permitted in this block will remain unchanged.

Below, you will find the existing and revised table and how this request meets the criteria set in Chapter 18 Section 8.5.5.3 of the Zoning Ordinance for approval of variations to codes of development.

Existing Code of Development:

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

Proposed:

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	0	25	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, 35	7.5	30	7.5	7.5	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
33, 34	5	25	5	5	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a

Section 8.5.5.3 (code in italics, response following)

(1) is consistent with the goals and objectives of the comprehensive plan;

One of the guiding principles within the most recently adopted Crozet Master Plan includes the following: "...ensuring that new and infill development is compatible in scale and design and provides housing choice for all community members...."

The reduction of setbacks in Blocks 33 and 34 will allow a smaller unit type that will provide more housing choice in Crozet, meeting the guiding principle outline in the Master Plan. This request also furthers the Growth Management Policy and Objective 4 of the Comprehensive Plan's Development Areas Chapter: "Use Development Area land efficiently to prevent premature expansion of the Development Areas" by providing smaller lots to produce the allowable units approved under the Old Trail code of development. This decrease in setback would match the existing form of development in Old Trail.

(2) does not increase the approved development density or intensity of development;

As stated above, the overall permitted density for Blocks 33 and 34 and Old Trail NMD will remain unchanged.

(3) does not adversely affect the timing and phasing of development of any other development in the zoning district;

The proposed change to the setbacks in these blocks will not adversely affect the timing and phasing of any other development in the zoning district.

(4) does not require a special use permit; and

This proposed change does not require a special use permit and is permitted under 8.5.5.3(a)(1) "Minor changes to yard requirements, build-to lines or ranges, maximum structure heights and minimum lot sizes".

(5) is in general accord with the purpose and intent of the approved application.

This change is in general accord with the purpose and intent of the approved application, as the number of permitted units will remain unchanged.