

**STAFF PERSON:  
BOARD OF SUPERVISORS:**

**Christopher P. Perez  
July 8, 2015**

**Staff Report for Variation #1 from ZMA200500007 Haden Place**

**VARIATIONS FROM APPROVED PLANS, CODES, AND STANDARDS OF DEVELOPMENT**

The variation request has been reviewed for zoning and planning aspects of the regulations. Variations are considered by the Board of Supervisors as a Special Exception under Chapter 18 Sections 33.5 and 33.9. Staff analysis of each variation request under County Code § 18-8.5.5.3(c) is provided below.

**VARIATION #1- To vary the encroachment of setbacks established in the Code of Development and Application Plan:**

The applicant submitted the following request (Attachment B): to vary the Application Plan and the Code of Development to permit decks and porches on Lots 29 through 34 in Block B of the development to encroach ten (10) feet into the rear setback (Attachment C; see page A6.2).

Staff analysis of the variation request is provided below:

**1) The variation is consistent with the goals and objectives of the comprehensive plan.**

The variation is consistent with the comprehensive plan.

**2) The variation does not increase the approved development density or intensity of development.**

Density is not increased.

**3) The variation does not adversely affect the timing and phasing of development of any other development in the zoning district.**

The timing and phasing of other development in the zoning district would be unaffected by this variation.

**4) The variation does not require a special use permit.**

A special use permit is not required.

**5) The variation is in general accord with the purpose and intent of the approved rezoning application.**

This variation is in general accord with the approved rezoning application. The potential encroachments will not have a negative impact on the character or form of the development. Encroachment into the front setback of these lots is already permitted by the existing zoning approval. There was no specific concern/reason for not permitting encroachment into the rear setback with the original rezoning approval, the rear setback encroachment simply was not requested at that time.

The requested encroachment into the rear setback has been reviewed by the Department of Fire Rescue, ACSA, and Zoning staff and each has no objection to the proposed variation.

**VARIATION #1 RECOMMENDATION:**

Staff recommends that the Board adopt the attached Resolution (Attachment E) approving the special exception to vary the Application Plan and the Code of Development to permit decks and porches on Lots 29 through 34 in Block B of the development to encroach ten (10) feet into the rear setback.