

**STAFF PERSON:
BOARD OF SUPERVISORS:**

**J.T. Newberry
July 8, 2015**

Staff Report for Variation #22 from ZMA200400024 Old Trail Village

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 #22 - To vary the Code of Development to permit architectural features to encroach:

The applicant submitted the following request (Attachment B): to vary the Code of Development to permit architectural features such as front porches, stoops, and overhangs/eaves on Lots 5 through 11 in Block 3C and Lots 14 through 20 in Block 1B of the development to encroach one (1) foot into the required twelve (12) foot sidewalk and planting strip.

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 the development is unaffected.
- 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 encroachments will not have a significant negative impact on the sidewalk and planting strip area or the character and form of this block.

Also, the requested encroachment has been reviewed by the Department of Fire Rescue, Zoning, and Planning staff, and each has no objection to the proposed variation.

VARIATION #22 RECOMMENDATION:

Staff recommends that the Board adopt the attached Resolution (Attachment D) approving the special exception to vary the Code of Development to permit architectural features on Lots 5 through 11 in Block 3C and Lots 14 through 20 in Block 1B of the development to encroach one (1) foot into the required twelve (12) foot sidewalk and planting strip.