

STAFF ANALYSIS

STAFF PERSON: Syd Shoaf, Senior Planner II
BOARD OF SUPERVISORS: June 4, 2025
PROJECT: SE-2025-00004 Maplewood Interior Setbacks
PARCEL ID: 046B4-00-00-00400

Proposed special exception to vary the application plan approved in conjunction with ZMA202100006.

PROPOSAL

Under County Code §18-8.5.5.3(a)(1), the Board of Supervisors (Board) may grant a variation of an approved plan, code, or standard for minor changes to yard requirements, build-to lines or ranges, maximum structure heights, and minimum lot sizes. The applicant requests a special exception to vary the Maplewood Planned Residential Development (PRD) application plan, approved in conjunction with ZMA202100006, to establish interior setbacks on Parcel ID 046B4-00-00-00400. Sheet 2 of the application plan for ZMA202100006 provides the following setbacks:

- 5' minimum and 25' maximum front yard building setback
- 10' minimum and no maximum side yard building setback (10' minimum building separation)
- 20' minimum and no maximum rear yard building setback

The proposed special exception would keep the approved setbacks as exterior setbacks and establish the following new interior setbacks:

- 5' minimum and no maximum interior side yard building setback
- 5' minimum and no maximum interior rear yard building setback

In Attachment A, the blue lines represent the existing setbacks and the red lines represent the new interior setbacks.

CHARACTER OF THE AREA

The Maplewood Development rezoning (ZMA202100006) was approved on June 1, 2022, rezoning 3.41 acres to Planned Residential Development (PRD). The development is a multi-family development with up to 102 residential units. A final site plan (SDP202200067) is currently under review.

Parcels to the north and west of the development are zoned Highway Commercial. To the east is a church, with parcels zoned R-1 Residential. To the south is a proposed self-storage facility, with parcels zoned Planned Development Shopping Center.

ANALYSIS OF SPECIAL EXCEPTION REQUEST

Under County Code § 18-33.9(A), the Board is to review the factors, standards, criteria, and findings, however denominated, in the applicable sections of the Zoning Ordinance, when considering special exception applications.

Under County Code § 18-8.5.5.3(b), an applicant may request a variation. County Code § 18-8.5.5.3(c) authorizes the Board 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.

Staff's analysis of the factors in County Code § 18-8.5.5.3(c) is set forth below:

(1) Whether the proposed variation would be consistent with the goals and objectives of the comprehensive plan;

The special exception request is consistent with the goals and objectives of the comprehensive plan and setbacks established in the ordinance to implement the comprehensive plan. Under County Code § 18-4.19, the side setback minimum for infill is 10 feet with no maximum. The minimum rear setback is 20 feet with no maximum. The current special exception application is to establish an interior side yard setback minimum of 5' with no maximum, and an interior rear setback minimum of 5' with no maximum. Although the new interior setbacks differ from the setbacks in County Code § 18-4.19, the approved setbacks for the development were intended as the perimeter setbacks. The interior setbacks are for the developer to phase the construction of buildings through the condominium process. This process requires interior setbacks to be established so the approved building layouts remain the same.

(2) Whether the proposed variation would increase the approved development density or intensity of development;

The proposed variation would not increase the approved development density or intensity of development. The application plan has a maximum of 102 residential units within this development, which is not affected by this special exception request.

(3) Whether the proposed variation would adversely affect the timing and phasing of development of any other development in the zoning district;

The purpose of this special exception is to accommodate the phasing of construction of the buildings through the condominium process that the applicant is pursuing. The condominium process creates an individual lot within the development, allows a builder to purchase the lot, construct the building, and then incorporate it into the condominium association for the Maplewood PRD. The setbacks approved in conjunction with ZMA202100006 were established as perimeter setbacks. Since the applicant is pursuing the condominium process, interior setbacks need to be established so the approved building layouts may remain the same.

(4) Whether the proposed variation would require a special use permit; and

A special use permit would not be required.

(5) Whether the proposed variation would be in general accord with the purpose and intent of the approved application.

The Maplewood Development application plan establishes the unifying design guidelines, specific regulations, and characteristics of the development. Additionally, it provides certainty about the permitted uses, locations, and appearances of central features. Sheet 2 of Attachment A provides the setbacks originally intended for the development. With the condominium process, the applicant needs to establish interior setbacks so the approved application plan may develop as originally intended. The new interior setbacks will continue to be in general accord with the purpose and intent of the approved ZMA202100006.

RECOMMENDATION

Staff recommends that the Board adopt the attached Resolution (Attachment C) to approve a variation to establish the following interior setbacks:

- 5' minimum and no maximum interior side yard building setback
- 5' minimum and no maximum interior rear yard building setback