

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



DATE:	4 - 23 - 15
NAME OF PLANNED DISTRICT:	Haden Place
TAX MAP/PARCEL NUMBER(s):	see attached
ZMA NUMBER(s):	2005 - 07

Contact Person: Wendell W. Gibson
Address: 706 ROSA Hill Drive City Charlottesville State VA Zip 22901
Daytime Phone (434) 293-4542 Fax # (434) 293-6172 E-mail Gibson Homes 1@gmail.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):

Encroach ment for Decks & Porchs. Not Building.

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

So that the Home will have a Deck or Porch on Rear
of House.

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

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

NO

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

NO

4. Does the variation require a special use permit?

No

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

~~NO~~ YES

§ 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.

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

FOR OFFICE USE ONLY VA # _____

SIGN # _____

ZONING ORDINANCE SECTION: _____

Fee Amount \$ 495.00 Date Paid 4-23-15 By who: Wendell W. Gibson, Inc Receipt # 99529 Ck# 11742 By: [Signature]

Application for Variance

See variation



- Variance = \$500 application
- Provide nine (9) copies of any and all plans or additional information

FEES for public notice to be paid after application

The total fee for public notice will be provided to the applicant after the final cost is determined and must be paid before the application is heard by the Board of Zoning Appeals. Staff estimates the total cost of legal advertisement and adjacent owner notification to be between \$350 and \$450 per hearing. This estimate reflects the average cost of public notice fees for Variance applications, but the cost of certain applications may be higher.

<input type="checkbox"/> Preparing and mailing or delivering up to fifty (50) notices	\$200
<input type="checkbox"/> Preparing and mailing or delivering each notice after fifty (50)	\$1.00 for each additional notice + actual cost of first-class postage
<input type="checkbox"/> Legal advertisement (published twice in the newspaper)	Actual cost (averages between \$200 and \$300)

Project Name: Haden Place

Tax map and parcel: 55F-14-08-29 thru 55F-14-08-34, 55F-14-09-14, 55F-14-09-16 Zoning: _____

Physical Street Address (if assigned): TBD, 1095, 1101, 1107, 1113, 1119 Killdeer Lane, 1262, 1264, 1266 Haden Place

Location of property (landmarks, intersections, or other): Killdeer Lane, directly off of Jarman's Gap Road

Contact Person (Who should we call/write concerning this project?): Wendell Gibson

Address PO Box 4351 City Charlottesville State VA Zip 22905

Daytime Phone (434) 962.7453 Fax # (434) 293.6172 E-mail gibsonhomes1@gmail.com

Owner of Record Haden Place, LLC

Address PO Box 4351 City Charlottesville State VA Zip 22905

Daytime Phone (434) 962.7453 Fax # (434) 293.6172 E-mail gibsonhomes1@gmail.com

Applicant (Who is the Contact person representing?): Wendell Gibson (self)

Address PO Box 4351 City Charlottesville State VA Zip 22905

Daytime Phone (434) 962.7453 Fax # (434) 293.6172 E-mail gibsonhomes1@gmail.com

The following information shall be submitted with the application and is to be provided by the applicant:

- 1) Recorded plat or boundary survey of the property requested for the variance. If there is no recorded plat or boundary survey, please provide legal description of the property and the Deed Book and page number or Plat Book and page number.
- 2) The appropriate drawings showing all existing and proposed improvements on the property, with all dimensions and distances to property lines, and any special conditions on the property that may justify the request.
- 3) Fee payable to the County of Albemarle.

4) Description of Request (include dimensions, measurements or sizes in feet):

For lots 29 - 34 on Killdeer Lane (aka TBD, 1095, 1101, 1107, 1113, 1119 Killdeer Lane) Haden Place LLC is requesting a change of the rear setback line from 30 feet to 20 feet.

5) Justification shall be based on these three (3) criteria:

1. That the strict application of this ordinance would produce undue hardship.

2. That such hardship is not shared generally by other properties in the same zoning district and the same vicinity.

3. That the authorization of such variance will not be of substantial detriment to adjacent property and that the character of the district will not be changed by the granting of the variance.

Owner/Applicant Must Read and Sign

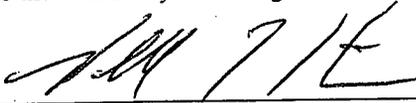
The application may be deferred by the staff or the Board of Zoning Appeals, if sufficient information necessary to this review has not been submitted by the deadline.

Ownership information – If ownership of the property is in the name of any type of legal entity or organization including, but not limited to, the name of a corporation, partnership or association, or in the name of a trust, or in a fictitious name, a document acceptable to the County must be submitted certifying that the person signing below has the authority to do so.

If the applicant is a contract purchaser, a document acceptable to the County must be submitted containing the owner's written consent to the application.

If the applicant is the agent of the owner, a document acceptable to the County must be submitted that is evidence of the existence and scope of the agency. Please attach the owner's written consent.

I hereby certify that the information provided on this application and accompanying information is accurate, true and correct to the best of my knowledge and belief.



Signature of Owner or Contract Purchaser, Agent

4-23-15
Date

434.962.7453
Daytime phone number of Signatory

Wendell Gibson
Print Name

Board of Zoning Appeals Action/vote: _____
Board of Zoning Appeals Chairman's signature: _____ Date: _____