

August 19, 2024

Planning Department
Department of Community Development
401 McIntire Road, Room 227
Charlottesville, VA 22902

RE: Victorian Heights – REQUEST FOR SPECIAL EXCEPTION
Minimum Rear Yard Setback Exception Request for R-15 Non-Infill Zoning
SDP2022-00047

Please allow this letter to serve as our official request for a special exception for the minimum rear yard setback within the R-15 zoning for the Victorian Height project. The following information and attached exhibits describe why the special exception is being sought and the reason for the special exception. Also included with this information is the proposed modification to the rear yard setback that would be part of the approval if the special exception is accepted.

A special exception is being proposed for the Victorian Heights residential development, specifically all the lots that have rear access from the private alley. These lots were created under the R15 by-right zoning for the residential development and a subdivision plat has been recorded. All the proposed lots in the development have frontage on existing public streets. This project utilizes the non-infill setbacks for residential lots within a development area, which includes a 10' side yard building separation, a 5' minimum and 25' maximum front yard setback, and a 20' rear yard setback. (Note, a special exception request has already been approved for the front yard setbacks for building #1, #2 and #3). Based on the definition of a setback, the setback is defined by the Albemarle County Zoning Ordinance as the distance by which any building or structure is separated from any street, road access easement, or lot line. Even though the rear lot lines for the lots adjacent to private alley extend past the alley, the alley is an access easement, so minimum rear yard is applied from the access easement. The building structures on these lots will all comply with the county requirement of providing a minimum 18' driveway from the access easement for parking outside of the garages. However, the design of these buildings and structures includes decks on the second floors that extend over the driveways and into this rear yard setback. Decks and porches can extend 4' into a rear yard setback, but these proposed decks and porches are 12' to 14' wide and will extend much further into the rear yard setback than currently allowed by the zoning code. Therefore, the applicant is requesting a special exception request to allow for the reduction of the rear yard setback for all lots adjacent to the private alley from 20 feet to 10 feet. All garages for these lots adjacent to the private alley shall still be minimum of 18 feet from the alley access easement, to allow for a driveway parking space. As shown in the attached exhibit, the red dashed line illustrates the 20' rear yard setback and the purple hatched line shows the proposed 10' foot rear setback from the alley access easement, represented by the blue continuous line. This exhibit shows how the structures will be a minimum of 18' from the alley and a parking space off the alley will be provided, with a minimum depth of 18 feet.

The comprehensive plan for this development area indicates a density of 6 to 36 residential units on a portion of the property and office/R&D/flex/light industrial on the other half of the site. This property is proposed to be developed at a density of 17.9 units/acre for a total of 88 units, including 8 affordable housing units. The project was also developed with a minimum of 25% open space.

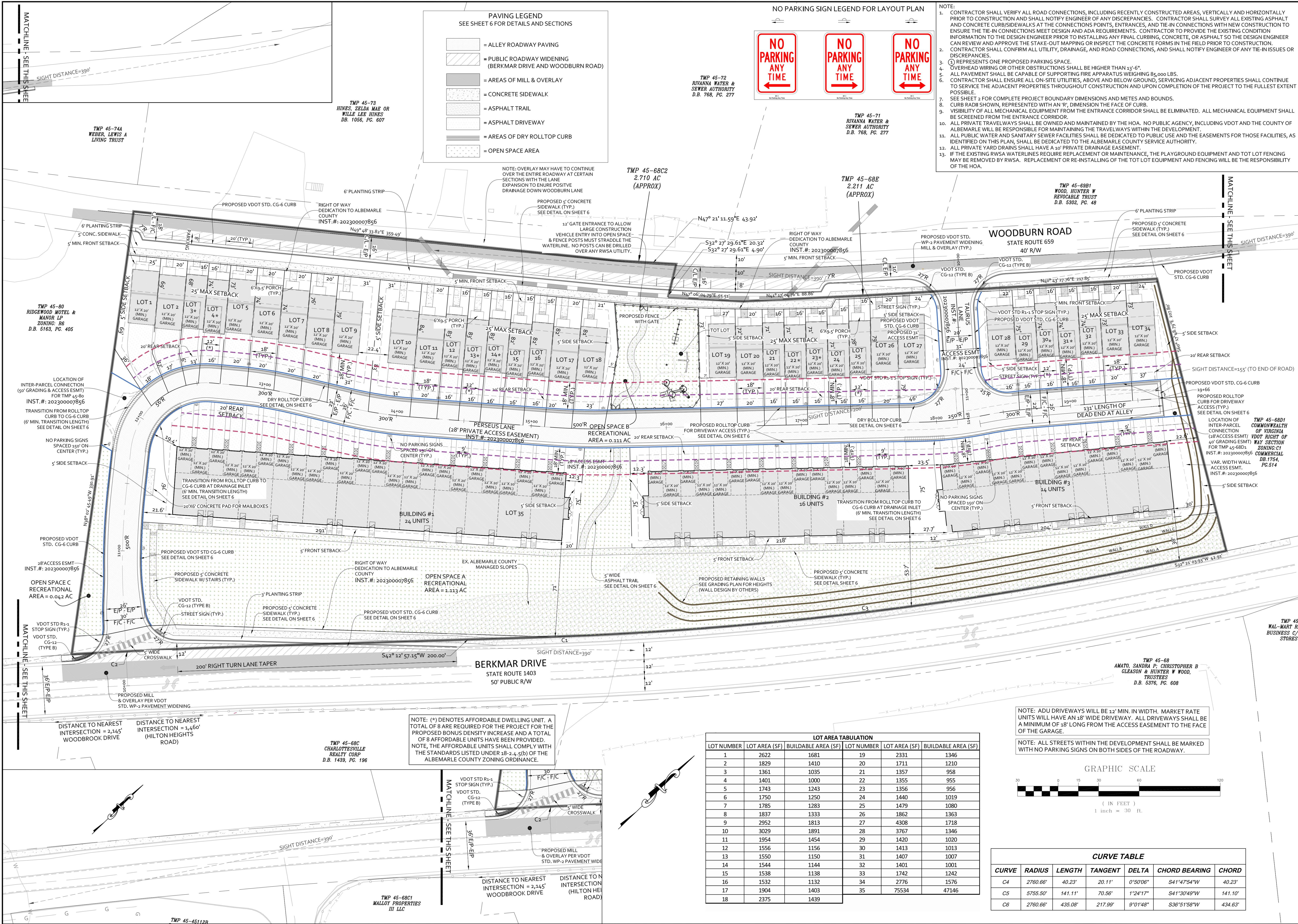
Under the Non-infill Setback requirements within section 4.19 of the Albemarle County Zoning document, a special exception may be granted for the modification of the rear yard setback for a lot within the R-4 district. With this proposed exception request, the development is meeting the design principles of the Comprehensive Plan by providing relegated parking with driveways and garages at the rear of the proposed residential structures, and restricting driveways along Berkmar Drive and Woodburn Road.

Thank you again for the consideration of this special exception request, and please contact me if you have any questions or require any further information.

Sincerely,

Scott Collins

Scott Collins



COLLINS ENGINEERING

200 GARRETT STREET, SUITE K-CHARLOTTESVILLE, VA 22902-434.293.3719

VICTORIAN HEIGHTS FINAL SITE PLAN

LAYOUT PLAN - SPECIAL EXCEPTION EXHIBIT

REVISIONS

REVISION DESCRIPTION	DATE
INITIAL SUBMISSION TO ALBEMARLE COUNTY	6/27/22
REVISED PER AGENCY COMMENTS RECEIVED	12/9/22
REVISED PLAN TO ADDRESS ACSA AND RWSA COMMENTS	01/9/23
UPDATED PROFILES FOR STRUCTURE MODIFICATIONS	03/6/23
UPDATED PLANS TO ADDRESS ACSA COMMENTS FOR APPROVAL	03/23/23
UPDATED PLANS TO ADDRESS FINAL PLANNING COMMENTS FOR APPROVAL	09/15/23

PROJECT

JOB NO.

202196

SHEET

3

SCOTT R. COLLINS

PROFESSIONAL ENGINEER

09/15/23

NO. 35791

NOTE: THESE PLANS AND ASSOCIATED DOCUMENTS ARE THE EXCLUSIVE PROPERTY OF COLLINS ENGINEERING AND MAY NOT BE REPRODUCED IN WHOLE OR IN PART AND SHALL NOT BE USED FOR ANY PURPOSE WHATSOEVER, INCLUDING, BUT NOT LIMITED TO, CONSTRUCTION, BIDDING, OR/AND CONSTRUCTION STAKING WITHOUT THE EXPRESS WRITTEN CONSENT OF COLLINS ENGINEERING.