

**Staff Report for Special Exception to Vary the Code of Development and Application Plan  
approved with ZMA201300007 Spring Hill Village**

**Applicant's Request**

The applicant is seeking minor changes to street design and street location internal to the proposed development. The changes were a result of VDOT's determination that two 90 degree intersections, as opposed to the approved curvilinear main road alignment, would better serve the community in terms of safety and would be more likely to discourage cut-through traffic between Avon Extended (Rte. 742) and Scottsville Road (Rte 20). The changes were approved by the County Engineer [§18-8.5.5.3a5].

These changes result in minor alterations in acreage for Blocks C - G, but no Block changes by more than 0.1 acres, as seen in the revised Code of Development. The new road alignment also influences the Open and Amenity Space, decreasing acreage from 2.83 acres to 2.81. The number of pocket parks also drops from five to four. Overall, these variations in open space results less than a 1% difference and still meets the Neighborhood Model District's (NMD) open space requirements.

There is also a minor change to the phasing plan, where Block C changes from phase 2 to phase 1 [§18-8.5.5.3a3].

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

Each 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 County Code §§ 18-33.5 and 18-33.9. Staff analysis under County Code § 18-8.5.5.3(c) 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.**  
The variation does not pertain to density.
- 3) The variation does not adversely affect the timing and phasing of development of any other development in the zoning district.**  
The phasing of block C is changing from phase 2 to phase 1 but does not adversely affect any other development in the zoning district.
- 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.