

**STAFF ANALYSIS**

**STAFF PERSON:** Andy Reitelbach, Senior Planner II  
**BOARD OF SUPERVISORS:** March 15, 2023  
**PROJECT:** SE202200069 Old Trail Blocks 33 and 34 Special Exception  
**PARCEL ID:** 055E0-01-00-000A3

**Special exception request to vary the Code of Development approved in conjunction with ZMA201500001.**

**Proposal**

The Applicant requests a special exception to vary the Old Trail Village Code of Development approved in conjunction with ZMA201500001 to reduce the minimum front, side, and rear setbacks for Blocks 33 and 34 from 7.5 feet to 5 feet, and to reduce the maximum front setback for Blocks 33 and 34 from 30 feet to 25 feet. The request would only affect Blocks 33 and 34 in Table 7 of the Code of Development which provides Minimum and Maximum Setbacks Regulations. The Applicant requests the reduction in minimum and maximum setbacks to allow for a variety of housing options while not changing the overall density of the Blocks or the permitted number of units. (See Attachments B and C for the Location Map and Zoning Map of the subject parcel.)

**Analysis of Special Exception Request**

Under County Code § 18-33.9(A), requests for special exceptions are reviewed under the criteria from the applicable section(s) of the Zoning Ordinance. No specific findings are required in support of a decision. Under County Code § 18-8.5.5.3(b), an applicant may request variation(s) from its Code of Development. Supporting factors are listed in County Code § 18-8.5.5.3(c). The applicant's request (Attachment D) addresses these findings in detail. Attachment E is the revised page of the Code of Development showing the proposed changes to Table 7.

Staff offers the following analysis of the proposed variation against these criteria:

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

This special exception request would be consistent with many of the goals and objectives of the Crozet Master Plan. Block 33 is partly within the Neighborhood Density Residential and Green Systems areas of the Crozet Master Plan. The reduction of minimum and maximum setbacks would be consistent with the goals and objectives of providing a variety of housing options and levels of affordability. In addition, a reduction in the minimum lot size in Block 33, from 8,000 square feet to 4,000 square feet, was previously approved on February 16, 2022. Reducing the setback requirements would allow more flexibility of development on the smaller lots that have been approved. The special exception request would have no impact on the buffer along Route 250 or the Green Systems as shown in the Master Plan.

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

The special exception request is for the reduction of the minimum and maximum setback requirements and would not affect the permitted number of units or the density or intensity of development in the Blocks.

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

This special exception would not have any impact on the timing or phasing of any other development in

the zoning district.

***(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 Old Trail Village Code of Development provides a “framework” and “general parameters” for the development of each block area contained within the Code of Development. The Code of Development provides that these regulations are not intended as specific regulatory criteria, but are general parameters allowing for flexibility and creativity when establishing the specific locations of buildings, lots, and uses within each Block. Based on this information, the proposed special exception would be in general accord with the purpose and intent of the Old Trail Village Application Plan and Code of Development. The proposed special exception would have no impact on the permitted number of units, density, or uses in the Block and would allow for greater flexibility in the design and affordability of single-family housing options. In addition, minimum front, side, and rear setbacks of 5 feet and a maximum front setback of 25 feet would be more consistent with the majority of the other blocks in Old Trail, and would allow for more consistent parameters of development throughout the project area.

**Recommendation**

Staff recommends that the Board adopt the attached Resolution (Attachment F) to approve the special exception request varying the Code of Development for Blocks 33 and 34 of Old Trail to:

- 1) Reduce the minimum front, side, and rear setbacks from 7.5 feet to 5 feet, and
- 2) Reduce the maximum front setback from 30 feet to 25 feet.