

May 1, 2023

Cameron Langille
Principal Planner
Department of Community Development
401 McIntire Road, Room 227
Charlottesville, VA 22902

RE: Dunlora Park Phase II – REQUEST FOR SPECIAL EXCEPTION
Minimum Rear Yard Setback Exception Request for R-4 Non-Infill Zoning
SDP2021-00023

Dear Cameron Langille:

Please allow this letter to serve as our official request for a special exception for the minimum rear yard setback within the R-4 zoning for the Dunlora Park Phase II 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.

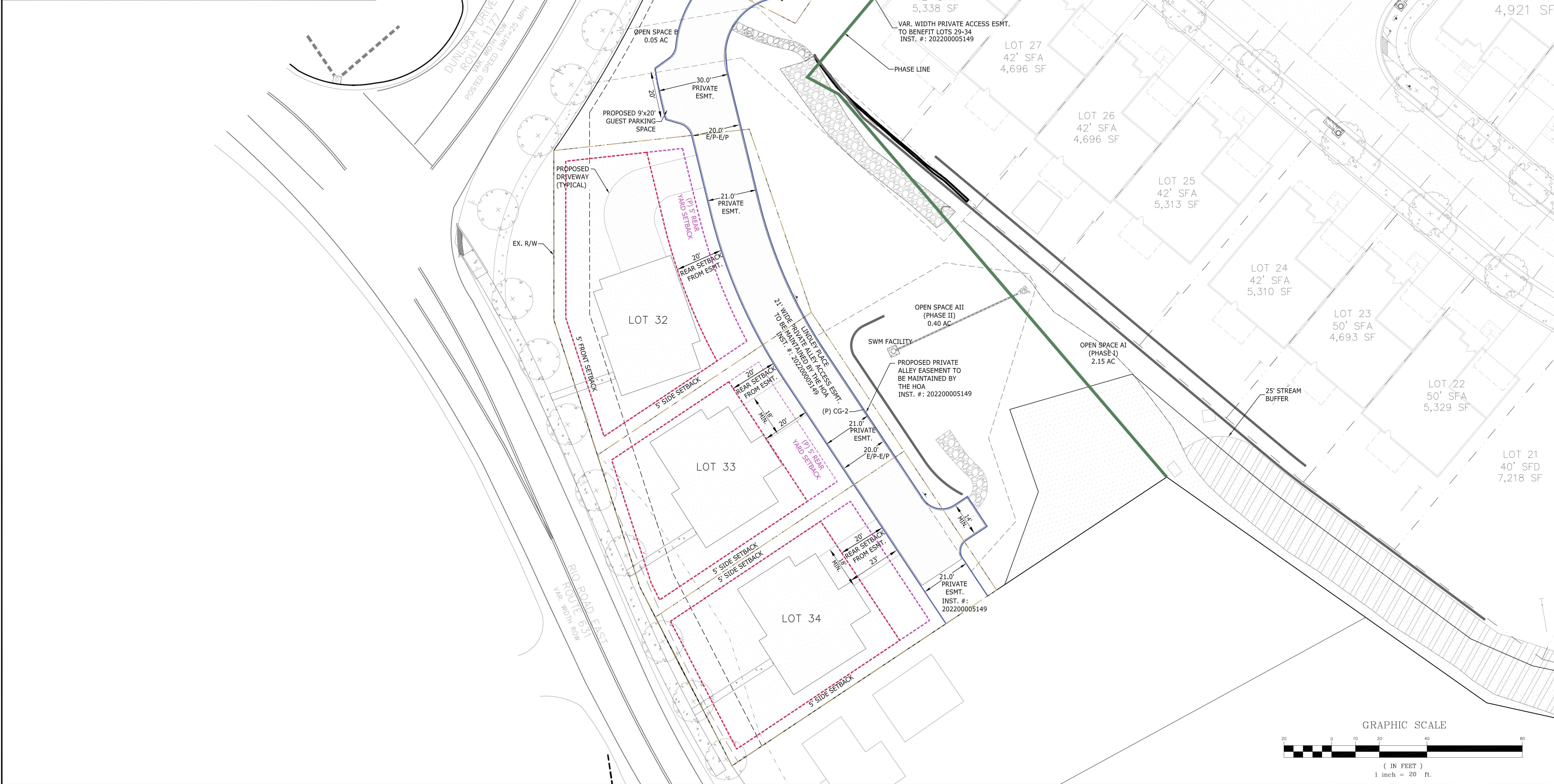
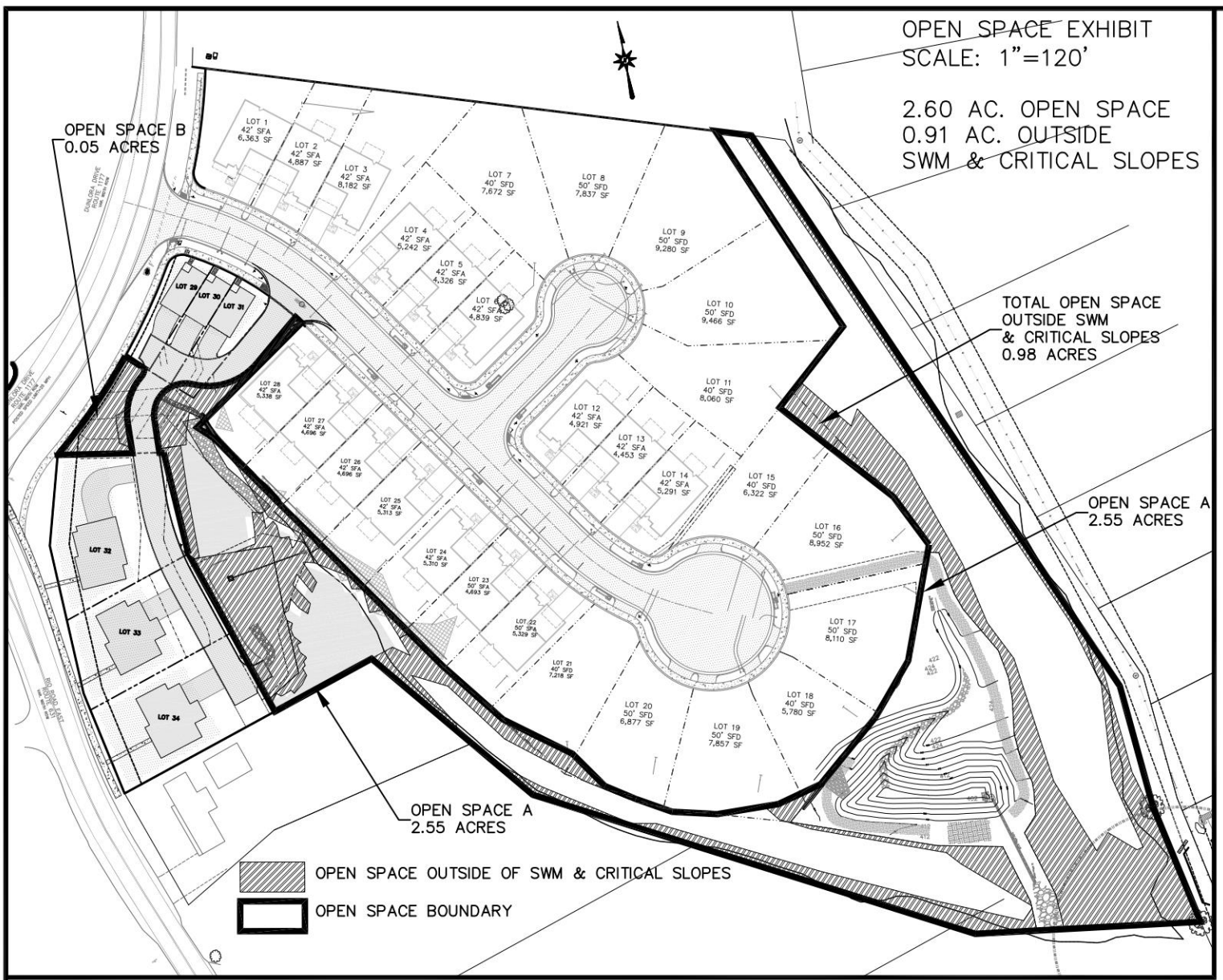
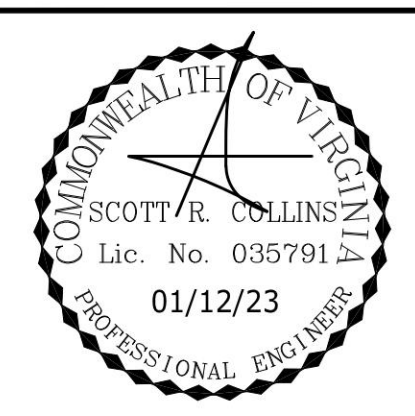
A special exception is being proposed for the Dunlora Park Phase II portion of the residential development, specifically all lots located along Lindley Place private alley. These lots were created under the R4 by-right zoning for the development and are located within the Phase II portion of the Dunlora Park development. All the proposed lots in Phase II have frontage on existing public streets or public streets platted and constructed with the Phase I development. 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. 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 Lindley Place 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 Lindley Place private alley from 20 feet to 5 feet. All garages for these lots adjacent to Lindley Place 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 5 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 3 to 6 residential units on the property. This property is proposed to be developed at a density of 4 units. The project was also developed with a minimum of 25% open space to preserve the existing streams and preserved slopes on the property. The development includes (2) cul-de-sac road designs, due to the existing streams and preserved slopes on (3) sides of the property. In addition, this development is an infill development within an existing residential neighborhood, where no future road connections were established for a connection to this property. Lindley Place private alley does extend to the property line for a future connection to the parcels located east of the development along Rio Road.

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 Rio 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



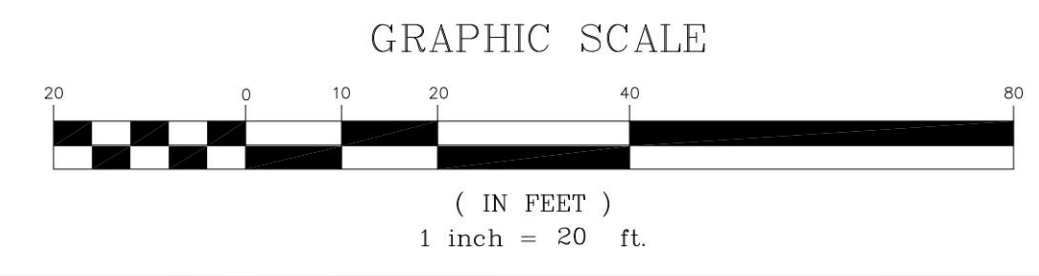
REVISIONS

| DATE | REVISION DESCRIPTION |
|----------|--|
| 10/31/18 | SIGNATURE SET |
| 03/08/21 | SITE PLAN AMENDMENT #2 INITIAL SUBMITTAL |
| 06/18/21 | SITE PLAN AMENDMENT #2 INITIAL SUBMITTAL |
| 02/10/22 | ADDRESS ACSA COMMENTS FOR APPROVAL |
| 01/12/23 | FINAL SITE PLAN FOR SIGNATURES |

COLLINS ENGINEERING
 200 GARRETT STREET, SUITE K - CHARLOTTEVILLE, VA 22902 - 434.293.3719

PROJECT: **DUNLORA PARK - PHASE II FINAL SITE PLAN AMENDMENT #2**
 SHEET TITLE: **LAYOUT AND LANDSCAPING PLAN**

| | |
|-----------|----------|
| JOB NO. | 152115 |
| SCALE | AS NOTED |
| SHEET NO. | 3 |



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