

STAFF PERSON: Rebecca Ragsdale, Senior Planner
BOARD OF SUPERVISORS: November 7, 2018
PROJECT: Request for Special Exceptions to ZMA200400007
Belvedere Code of Development and Application Plan
(Variations #53, 54, 55) ZMA200400007
Tax Map Parcels: 06100000016000, 062000000002B0, 062A3000000100,
062G00009000A0

The applicant is requesting three special exceptions for minor changes to the Belvedere Code of Development (COD) and Application Plan approved with ZMA200400007. Prior to these requests, 52 other minor changes to the COD and applicant plan have been approved. The applicant's proposal and plans are provided as Attachment A.

Each special exception request has been reviewed for zoning and planning aspects of the County's regulations. Variations are considered by the Board of Supervisors as Special Exceptions under County Code §§ 18-33.43 and 18-33.49. Staff analysis under County Code § 18-8.5.5.3(c) is provided below.

53) Variation to change densities between Blocks 7&9 and Blocks 4&6 in the Code of Development

The applicant is requesting a change to the Code of Development (COD) for Belvedere. The COD establishes minimum and maximum densities by block in Table 1. This variation will redistribute two single family detached units from Block 6 to Block 4 and redistribute two single family detached units from Block 7 to Block 9.

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 request only redistributes two units among the affected blocks resulting in very minor changes in density among the blocks. The intensity of the development will not be affected and the overall density will remain unchanged.

3) *The variation does not adversely affect the timing and phasing of development of any other development in the zoning district.*

The timing and phasing of the development is unaffected.

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.*

The changes requested are very minor and the major elements of the Belvedere application plan and COD will remain in place.

54) Variation to modify the arrangement of Greenspace/Preservation/Conservation space in Blocks 9 and 10 as shown on the Application Plan and in the Code of Development

The applicant is requesting a change to the COD for Belvedere, specifically to decrease Greenspace in Block 9 and increase Greenspace in Block 10. This includes a reduction in Conservation Area at the northern edge of Block 9, adjacent to Fowler Street, and on the edge of Block 10. While the area will be reduced, a condition of approval is recommended to provide a landscape screen so that the purpose and intent of the Conservation Area is still met. Recommended condition of approval:

Screening shall be installed in accordance with County Code § 18-32.7.9.7 and completed prior to a Certificate of Occupancy for the lot adjacent to the Conservation Area. The landscape plan for the screening must be submitted and approved prior to a building permit being issued for that lot.

1) *The variation is consistent with the goals and objectives of the comprehensive plan.*

The variation is consistent with the comprehensive plan. Critical Resources shown on the Places 29 South Parks and Green Systems Map will still be preserved.

2) *The variation does not increase the approved development density or intensity of development.*

The variation request results in minor Greenspace changes throughout the blocks in Belvedere and the overall total of Greenspace is increased from 83.88 acres to 84.16 acres. Therefore, the density and intensity will not be increased.

3) *The variation does not adversely affect the timing and phasing of development of any other development in the zoning district.*

The timing and phasing of the development is unaffected.

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.*

The Greenspace, Conservation, and Preservations areas remain in the same general location identified on the approved rezoning application plan. This variation is in general accord with the approved rezoning application

55) Variation to modify the minimum lot frontage for Block 9 single family detached lots in the Code of Development

The applicant is reducing the minimum lot width from 60' to 55' for five lots in Block 9.

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 maximum residential density within this block, and the development, does not change with this variation.

- 3) *The variation does not adversely affect the timing and phasing of development of any other development in the zoning district.***

The timing and phasing of the development is unaffected.

- 4) *The variation does not require a special use permit.***

The variation does not require a special use permit.

- 5) *The variation is in general accord with the purpose and intent of the approved rezoning application.***

The major elements of Block 9, which include larger lots to provide a transition to the Dunlora community and additional Greenspace areas, will remain unchanged and the intended purpose will still be achieved.