

COUNTY OF ALBEMARLE

APPLICATION FOR VARIATION FROM APPROVED PLANS, CODES & STANDARDS OF DEVELOPMENT

What type of change is requested?

☒ Variation to the Application Plan REVEST # 1

☐ Variation to the Code or Standard of Development

Fee = \$425

Project Name: Avinity Estates

Name of Planned District: PRD - Planned Residential Development

Tax map and parcel: 91-16C, 91-16E, 91-16A, and 91-14

ZMA Number(s) ZMA2013-00016

Contact Person Scott Collins - Collins Engineering

Address 200 Garrett Street, Suite K **City** Charlottesville **State** VA **Zip** 22902

Daytime Phone# (434) 293-3719 **Fax#** () **Email** scott@collins-engineering.com

☒ Specify the provision of the plan, code or standard for which the variation is sought, and state the reason for the requested variation. The request may be rejected if it fails to include the required information.

☒ Provide a copy of the existing plan (may be a reduced copy) illustrating the area for which the change is requested.
Provide a graphic representation of the requested change.

Submitted in conjunction with the Avinity Estates Initial site plan 1/22/2018

Describe the variation being sought (Attach separate sheet(s) as needed):

A VARIATION IS BEING SOUGHT FOR THE LANDSCAPING MAINTENANCE AND ACCESS EASEMENT. A 10' EASEMENT WAS ESTABLISHED DURING THE REZONING REQUEST TO PROVIDE ROOM FOR STREET TREES OUTSIDE THE RIGHT-OF-WAY. THE APPLICANT IS REQUESTING A VARIATION OF THIS LANDSCAPING AND MAINTENANCE EASEMENT DOWN FROM 10' TO A TOTAL OF 6' (5' OUTSIDE OF THE ROW, 1' FROM THE BACK OF CURB TO THE ROW), PER THE TYPICAL PLANTING STRIP WIDTH EMPLOYED IN STANDAR ROAD SECTIONS.

What is the reason for each of the requested variations?:

1. THE REDUCED LANDSCAPING EASEMENT WILL PROVIDE THE SAME FUNCTION AT 10' WIDTH AS IT DOES WHEN REDUCED TO 6' WIDTH. THE ADDITIONAL EASEMENT WIDTH IS NOT NECESSARY FRO THE STREET TREES TO BE INSTALLED ALONG THE ROAD SECTION.
2. ALLOWING A REDUCTION IN THE LANDSCAPING EASEMENT WIDTH WILL ALLOW THE PARKING BUMP OUTS TO REMAIN, AS THEY WOULD CONFLICT WITH THE FRONT OF THE UNITS IF OFFSET 10' FROM THE BACK OF THE BUMPED OUT SIDEWALK AND CREATE CONFLICTS WITH THE FRONT PORCHES, WHICH ARE REQUIRED BY THE REZONING TO PROTRUDE 3' IN FRONT OF THE GARAGES.

FOR OFFICE USE ONLY Fee Amount \$

425.00

Date Paid

1.22.18

By who?

Collins Eng.

Receipt #

3455

Ck#

112430

By

J. Frazier

County of Albemarle

Department of Community Development

401 McIntire Road Charlottesville, VA 22902 Voice: (434) 296-5832 Fax: (434) 972-4126

COUNTY OF ALBEMARLE

APPLICATION FOR VARIATION FROM APPROVED PLANS, CODES, & STANDARDS OF DEVELOPMENT

In accordance with § 8.5.5.3 c) of the Zoning Ordinance, the following 5 criteria must be met before a recommendation for a variation may be considered by the Board of Supervisors. Please provide information about these criteria for consideration (Attach separate sheet(s) as needed).

1. Is the variation consistent with the goals and objectives of the comprehensive plan?

~~Yes, it helps pull the units closer to the streets, while still ensuring an 18' driveway in front of the garages.~~

2. Does the variation increase the approved development density or intensity of development?

~~No, there is no proposed increase in the overall intensity or density for the development.~~

3. Does the variation adversely affect the timing and phasing of development of any other development in the zoning district?

~~No.~~

4. Does the variation require a special use permit?

~~No.~~

5. Is the variation in general accord with the purpose and intent of the approved rezoning application?

~~Yes.~~

§ 8.5.5.3 VARIATIONS FROM APPROVED PLANS, CODES, AND STANDARDS OF DEVELOPMENTS

A site plan or subdivision plat for a planned development may be varied from an approved application plan, standard of development and, also, in the case of a neighborhood model district, a code of development, as provided herein:

The following provisions of an approved plan, code or standard may be varied:

1. Minor changes to yard requirements, build-to lines or ranges, maximum structure heights and minimum lot sizes;
2. Changes to the arrangement of buildings and uses shown on the plan, provided that the major elements shown on the plan and their relationships remain the same;
3. Changes to phasing plans;
4. Minor changes to landscape or architectural standards;
5. Minor changes to street design and street location, subject to a recommendation for approval by the county engineer; and
6. Minor changes to the design and location of stormwater management facilities, minor land disturbance including disturbance within conservation areas, and mitigation, all subject to a recommendation for approval by the county engineer.

An updated application plan and, in the case of changes to a code of development, a complete amended code of development, reflecting the approved variation and the date of the variation may be required. If an updated application plan or code of development is required, the granting of the variation shall be conditional upon the applicant providing the plan or code within thirty (30) days after approval of the variation and a determination by the director that the plan or code were revised to correctly reflect the granted variation.

COUNTY OF ALBEMARLE

APPLICATION FOR VARIATION FROM APPROVED PLANS, CODES & STANDARDS OF DEVELOPMENT

What type of change is requested?

☒ Variation to the Application Plan **REQUEST #2**

☐ Variation to the Code or Standard of Development

Fee = \$425

Project Name: Avinity Estates

Name of Planned District: PRD - Planned Residential Development

Tax map and parcel: 91-16C, 91-16E, 91-16A, and 91-14

ZMA Number(s) ZMA2013-00016

Contact Person Scott Collins - Collins Engineering

Address 200 Garrett Street, Suite K **City** Charlottesville **State** VA **Zip** 22902

Daytime Phone# (434) 293-3719 **Fax#** () **Email** scott@collins-engineering.com

☒ Specify the provision of the plan, code or standard for which the variation is sought, and state the reason for the requested variation. The request may be rejected if it fails to include the required information.

☒ Provide a copy of the existing plan (may be a reduced copy) illustrating the area for which the change is requested.
Provide a graphic representation of the requested change.

Submitted in conjunction with the Avinity Estates Initial site plan 1/22/2018

Describe the variation being sought (Attach separate sheet(s) as needed):

A variation is being sought for the front yard setbacks for the project. The front yard setback was established during the rezoning request at 18' to ensure that there is enough room between the garage and the sidewalk to park a vehicle outside of the garage without hanging over onto the sidewalk. The applicant is requesting a variation to this front yard setback for the proposed development front 18' to 6', but still requiring an 18' minimum from the garage to the sidewalk.

What is the reason for each of the requested variations?:

1. The modified front yard setback will allow additional room to extend the building units beyond the garage for the house and porch extensions on the units. 2. The modified front yard setback will account for the setback issues for lots fronting on (2) streets, allowing the building to be constructed closer to the road and sidewalk for the front yard that does not have the garage/driveway access. Front setbacks do not conflict with the proposed landscaping easements along the streets.

FOR OFFICE USE ONLY Fee Amount \$ 425.00 Date Paid 1.22.18

By who? Collins Eng. Receipt # 3455 Ck# 112430 By J. Frazer

County of Albemarle
Department of Community Development
401 McIntire Road Charlottesville, VA 22902 Voice: (434) 296-5832 Fax: (434) 972-4126

COUNTY OF ALBEMARLE

APPLICATION FOR VARIATION FROM APPROVED PLANS, CODES, & STANDARDS OF DEVELOPMENT

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~~No, there is no proposed increase in the overall intensity or density for the development.~~

3. Does the variation adversely affect the timing and phasing of development of any other development in the zoning district?

~~No.~~

4. Does the variation require a special use permit?

~~No.~~

5. Is the variation in general accord with the purpose and intent of the approved rezoning application?

~~Yes.~~

§ 8.5.5.3 VARIATIONS FROM APPROVED PLANS, CODES, AND STANDARDS OF DEVELOPMENTS
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2. Changes to the arrangement of buildings and uses shown on the plan, provided that the major elements shown on the plan and their relationships remain the same;
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5. Minor changes to street design and street location, subject to a recommendation for approval by the county engineer; and
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