

STAFF ANALYSIS

ATTACHMENT B

STAFF PERSON: Rebecca Ragsdale, Principal Planner
BOARD OF SUPERVISORS: September 18, 2019
PROJECT: Request for Special Exception to ZMA200400007
Belvedere Code of Development and Application Plan
(Variations #60) ZMA200400007
Tax Map Parcels: 062G0-00-07-000C0, 062G0-00-09-000A0

The applicant is requesting a special exception for a minor change to the Belvedere Code of Development (COD) and Application Plan approved with ZMA200400007. 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.

60) Variation to modify the Preservation Area in Block 9 as shown on the Application Plan and in the Code of Development to Greenspace Area

The applicant is requesting a change to the COD for Belvedere, specifically to change the designation of 0.30 acres of Preservation area to Greenspace in Block 9. This area is shown on an attached exhibit and is behind lots 196-201 in Block 9 of Belvedere. These lots back up to Dunlora open space and R4 zoned property that will be developed as Phase 5 of Belvedere.

Preservation areas may not be disturbed and must be preserved in their natural state. The applicant seeks to designate a 0.30 portion of the Preservation Area as Greenspace. Designating the area as Greenspace will allow sewer to be extended and the area filled. The total amount of Greenspace for the development will not be reduced and will remain 83.88 acres.

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. There were also no Engineering concerns with this request.

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

The variation request results in changing the classification of Preservation Area to Greenspace. The density and intensity of the development will remain the same.

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.

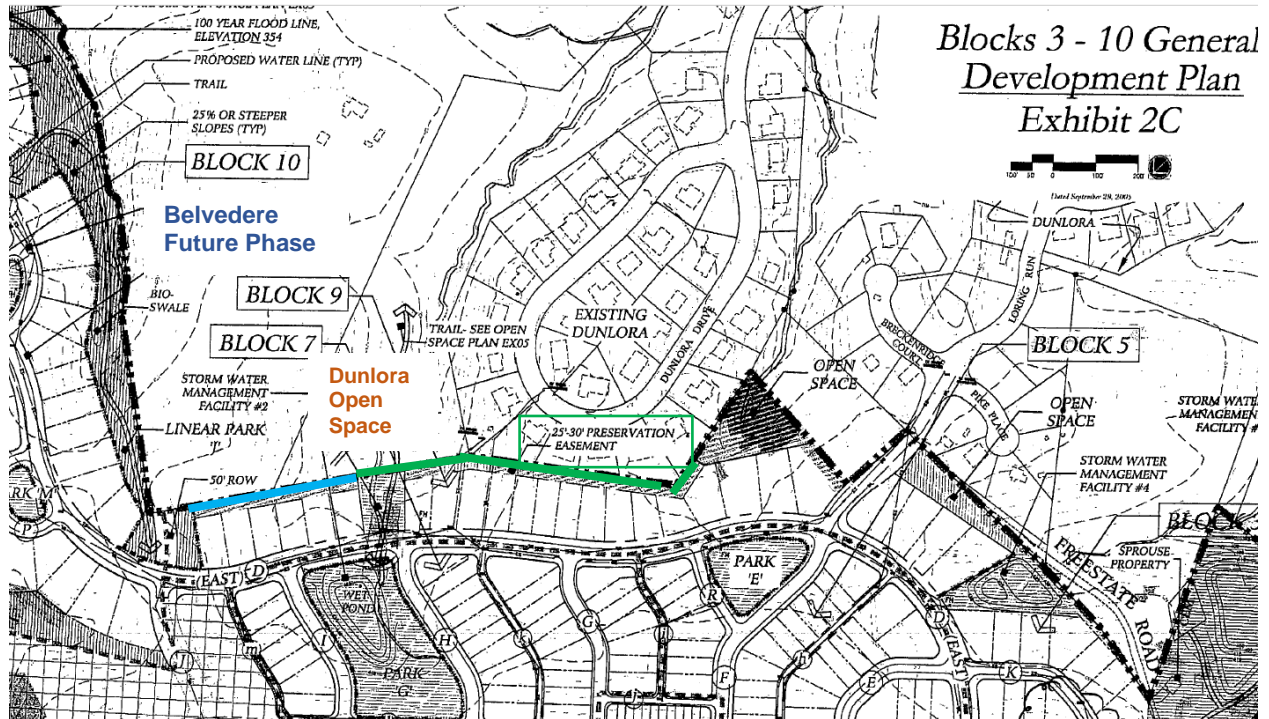
4) The variation does not require a special use permit.

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 intent of the preservation area is described as follows in the Code of Development:

Block 9- As a transition to the adjacent Dunlora community and steeper, natural areas, this area consists of larger width, front loaded (60' +) lots and stream buffer conservation areas. Open Space and a 25'-30' preservation easement along Block 9's Eastern Boundary will serve to protect mature hardwood vegetation between these lots and the existing Dunlora community.



The purpose and intent of the Preservation Area will be met. The majority of the Preservation Area will remain (green above), including the entire portion between Belvedere and developed lots in Dunlora. The portion shown as blue above (0.30 acres), which adjoins Belvedere open space and a future phase of development will be designated Greenspace. This variation is in general accord with the approved rezoning application.

RECOMMENDATION:

Staff recommends that the Board adopt the attached Resolution (Attachment C) approving the special exception, subject to the condition attached thereto.