

ATTACHMENT B – STAFF ANALYSIS

STAFF PERSON: Megan Nedostup, AICP, Development Process Manager
BOARD OF SUPERVISORS: January 6, 2021

Staff analysis of this special exception request to vary from the approved ZMA Code of Development and Application Plan was conducted pursuant to the following applicable provisions and evaluation criteria contained in County Code §18-8.5.5.3:

8 PLANNED DEVELOPMENT DISTRICTS - GENERALLY

8.5 PROCEDURES FOR PLANNED DEVELOPMENT APPLICATIONS

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

- a. The director of planning is authorized to grant a variation from the following provisions of an approved plan, code or standard:
 - 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;

- c. The director of planning is authorized to grant a variation upon a determination that the variation:
 - (1) is consistent with the goals and objectives of the comprehensive plan;
 - (2) does not increase the approved development density or intensity of development;
 - (3) does not adversely affect the timing and phasing of development of any other development in the zoning district;
 - (4) does not require a special use permit; and
 - (5) is in general accord with the purpose and intent of the approved application.

Staff Analysis – Request for Special Exception to Vary:

Special Exception request to vary the Code of Development of ZMA201800003, Southwood Phase 1, for changes to the garage setbacks in Blocks 5-8 and rear setbacks in Blocks 6-8. Variation is per County Code §18-8.5.5.3(a)(1)(2).

Evaluation criteria per County Code §18-8.5.5.3(c):	
(1)	The requested variation is consistent with the goals and objectives in the Comprehensive Plan. The proposed changes are consistent with the Neighborhood Model District and Neighborhood Model principles. <u>Evaluation criteria met.</u> Garages will be setback from the front façade or porch of the units. The lots requesting the modification to the rear setback will be located adjacent to open space.
(2)	The requested Variation would not increase the approved development density or intensity of development. <u>Evaluation criteria met.</u> The density or intensity of development is not increasing.
(3)	The requested Variation does not adversely affect the timing or phasing of development of any other development in the zoning district. <u>Evaluation criteria met.</u> No change in the timing or phasing of development will occur with these changes.
(4)	The requested Variation does not require a Special Use Permit. <u>Evaluation criteria met.</u> These changes do not require a special use permit.
(5)	The requested Variation is in general accord with the purpose and intent of the approved application plan. The proposal will provide additional open space. The total density and non-residential square footage remain the same. The proposal is consistent with the Neighborhood Model District and Neighborhood Model principles and provides additional pedestrian connectivity and open space. <u>Evaluation criteria met.</u>

Additional factors for consideration:
A. Please see the application for Variation Request (Attachment A) for the applicant's description and justification.

Staff Recommendation – Request for Special Exception:

With regards to the findings contained herein, inclusive of the criteria to be considered per County Code §18-8.5.5.3(c), as well as other additional factors, staff recommends approval of this Special Exception Request, subject to the following condition:

1. All changes to the Code of Development shall be in accordance with the Front-loaded garage scenario, the "No min" rear setback scenario, and the revised Table 5 prepared by BRW Architects entitled "Attachment 2B: Front-load Garage Scenarios"; "Attachment 3B: "No Min." Rear Setback Scenarios" and "Attachment 4: Modifications to Table 5 as requested (changes highlighted)" last revised on December 4, 2020.