



# Albemarle County

## Legislation Details (With Text)

**File #:** 19-107      **Version:** 1      **Name:**  
**Type:** Resolution      **Status:** Consent Agenda  
**File created:** 12/12/2018      **In control:** Board of Supervisors  
**On agenda:** 1/9/2019      **Final action:**  
**Title:** Resolution of Intent Zero Lot Line ZTA.  
**Sponsors:**  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. Attach. A - Zero Lot Line ROI

Date	Ver.	Action By	Action	Result
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**AGENDA DATE:** 1/9/2019

**TITLE:**  
Zero Lot Line ZTA

**SUBJECT/PROPOSAL/REQUEST:** Resolution of Intent to amend the residential district setback and building separation regulations.

**ITEM TYPE:** Consent Action Item

**STAFF CONTACT(S):** Richardson, Walker, Kamptner, Herrick, Graham, McCulley, Brumfield

**PRESENTER (S):** N/A

**LEGAL REVIEW:** Yes

**REVIEWED BY:** Jeffrey B. Richardson

**BACKGROUND:** Currently, minimum non-infill side setbacks in residential districts are 0 feet. Building separations for non-infill residential structures are 10 feet unless a building shares a common wall. Additionally, in R-10 and R-15 districts, if the abutting lot is zoned residential other than R-10, R-15, RA, or Monticello Historic District, the building separation increases by 1 foot for every 1 foot the building exceeds thirty-five feet in height.

**STRATEGIC PLAN:** Mission: To enhance the well-being and quality of life for all citizens through the provision of the highest level of public service consistent with the prudent use of public funds; and Quality Government Operations: Ensure County government's capacity to provide high quality service that achieves community priorities.

**DISCUSSION:** The current requirements for non-infill side setbacks and building separations result in an unbalanced advantage of lot utilization to the property owners who develop their lots before their neighbors. Additionally, a building placed too close to a shared lot line can result in trespass onto a neighboring property, either during the building's construction or during maintenance of the property. An amendment of County Code

§ 18-4.19 to require minimum side setbacks for non-infill residential development would eliminate this unfair lot utilization and unintended trespass. If the Board adopts the attached Resolution of Intent (Attachment A), staff would bring a proposed zoning text amendment to the Planning Commission and the Board of Supervisors in 2019. Because this is a focused issue, staff does not anticipate the need for an extensive public engagement process outside of that for the zoning text amendment.

**BUDGET IMPACT:** Staff does not anticipate that adopting the Resolution will result in the need for additional staff or funding.

**RECOMMENDATION:**

Staff recommends that the Board adopt the attached Resolution of Intent (Attachment A).

**ATTACHMENTS:**

A - Resolution of Intent - Zero Lot Line ZTA