



# Albemarle County

## Legislation Details (With Text)

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**Title:** SUB201700067 Dunlora Park- Special Exception to Front Setbacks  
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**Attachments:** 1. A - Application Material, 2. B - Staff Analysis, 3. C - Resolution

Date	Ver.	Action By	Action	Result
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**AGENDA DATE:** 4/4/2018

**TITLE:**  
SUB201700067 Dunlora Park- Special Exception to Front Setbacks

**SUBJECT/PROPOSAL/REQUEST:** The developer of Dunlora Park, phase 1 has requested a special exception to increase the maximum front setback for Lots 7, 8, 10, and 11 from 25 feet to 50 feet.

**ITEM TYPE:** Consent Action Item

**STAFF CONTACT(S):** Richardson, Walker, Kamptner, Blair, Benish, Nedostup, Perez

**PRESENTER (S):** Christopher Perez

**LEGAL REVIEW:** Yes

**REVIEWED BY:** Jeffrey B. Richardson

**BACKGROUND:** The developer of Dunlora Park, Phase 1 (SUB2017-67, approved on 9-28-2017) has requested a special exception to increase the maximum front setback for Lots 7, 8, 10, and 11 (TMP 062F0040000700, 062F0040000800, 062F0040001000, and 062F0040001100) from 25' to 50'. These four (4) lots were developed under the by-right R-4 zoning and utilize non-infill setbacks, and are located on a cul-de-sac, Marin Court. In this development the use of cul-de-sacs was essential to provide a minimum of 25% open space and preserve the existing streams and preserved slopes, which make up (3) sides of the property. In order to preserve these environmental features the development included two (2) cul-de-sacs. The density of the development is in conformity with the Comprehensive Plan, which designates a recommended density of 3 - 6 residential units/acre for this area. The development was approved at a density of 4.87 units/acre by providing four (4) affordable homes, which allowed four (4) additional market rate units.

**STRATEGIC PLAN:** Thriving Development Areas: Attract quality employment, commercial, and high density residential uses into development areas by providing services and infrastructure that encourage redevelopment and private investment while protecting the quality of neighborhoods; Economic Prosperity: Foster an environment that stimulates diversified job creation, capital investments, and tax revenues that

support community goals.

**DISCUSSION:** The frontage for the cul-de-sac lots vary in width between 38' and 45'. They narrow at the right-of-way and widen as the lots get deeper. Utilizing the 5' minimum or the 25' maximum front yard setbacks on a cul-de-sac lot creates a serious hardship for any builder. In order to meet these setbacks the homes on a cul-de-sac lot must be front loaded with garages that extend closer to the road, a form of development (often referred to as "snout houses") discouraged by County policies. Allowing the front yard setback to be increased to 50' on these cul-de-sac lots allows the construction of single-family detached homes that does not require a front loaded garage that is stretched to meet the maximum setback. The houses can be developed in a manner that relegates the garages behind the front porches of the proposed units.

Section 4.19(4) of the Albemarle County Zoning Ordinance permits a special exception to be granted for the maximum front setback of a lot within the R-4 district to accommodate low impact design, unique parking or circulation plans, or a unique target market design. With this proposed exception request, the special exception addresses the unique circumstances created by the shape of cul-de-sac lots and allows for a better parking and circulation plan with the garages relegated by the front porches or fronts of the houses on these four (4) lots. Second, by relegating the garages, the design meets the target market design of the neighborhood and a design principle of the neighborhood model within the Comprehensive Plan for this area (relegating parking).

Based on the above-mentioned circumstance staff supports the special exception. Additionally the proposal does not cause an unusual layout or design and does not have any apparent negative affect on neighboring or nearby development. As illustrated in the attached exhibits these four (4) lots will be consistent with the other homes in the development, and all the houses on the cul-de-sac will be constructed on the same plane, creating a homogenous streetscape.

**BUDGET IMPACT:** None

**RECOMMENDATION:**

Staff recommends that the Board adopt the attached Resolution (Attachment C) to approve the special exception.

**ATTACHMENTS:**

- A - Application Materials (Applications for Special Exception)
- B - Staff Analysis
- C - Resolution