September 16, 2024

Oak Bluff Development

Special Exception Application Narrative: Rear Setbacks

SE 2023-002

In connection with the zoning map amendment application ZMA 2023-002 (the "ZMA Application"), submitted by Riverbend Development. (the "Applicant"), this Application for a Special Exception respectfully requests a modification of the 20-foot rear setback requirement of Section 4.19 of the Albemarle County Zoning Ordinance that would otherwise apply to Planned Unit Developments. We request that the minimum rear setback be reduced from 20 feet to 10 feet.

The surrounding area is comprised of residential uses consistent with the proposed residential uses in the Oak Bluff Rezoning Development. The application proposes a 30-foot buffer along the northern and eastern perimeter, adjacent to the residential lots within the Westlake Hills Development. The reduction of the rear yard setback from 20 feet to 10 feet allows for the proposed 30-foot buffer along this perimeter. The rear yard setback reduction would allow this landscape buffer to be located entirely within common open space for the development and would be owned and maintained by the Oak Bluff HOA. The first 20 feet of the buffer shall remain undisturbed, and the additional 10 feet adjacent to the Oak Bluff Development may be disturbed and replanted in accordance with Albemarle County buffer landscaping requirements. With the buffer completely within common open space, it is protected from individual lot owners disturbing the buffer and plantings that could be located within the rear yard setback of their lot. The reduction of the rear yard setback allows the buffer area and plantings to remain in common open space and not within the residential lots.

The reduction in the rear yard setback shall also allow for the construction of decks on the rear of the units adjacent to any private alleys or open space areas. These decks overhang the driveways, and the reduction of the rear setback will allow the decks to be installed along the rear of the units.

The proposed reduction of the rear yard setbacks shall apply to all residential lots within the Oak Bluff development.

<u>The Proposed Special Exceptions Supports the Goals of the Comprehensive Plan</u>

Modifying the rear setback requirement is consistent with the recommended future land use of the Property under the Comprehensive Plan. The Project, located in the Development Area of Crozet, is designated for Neighborhood Density Residential uses, with a density between 2 and 6 dwelling units per acre. When placed in the context of the existing development in the surrounding area, the Project would efficiently use this Neighborhood Density Residential land in a manner consistent with the Master Plan's guidelines. Approval of the rear setback reduction is also consistent with the goals and design principles of the Neighborhood model. The reduction of the rear yard setback allows the HOA to maintain a 30-foot buffer along the eastern perimeter adjacent to the neighboring development. In addition, the rear yard setback modification promotes relegated parking with alleys and garage/driveway parking for the units in the rear yards.

For these reasons, the Applicant requests a special exception to modify the rear setback for PRD districts from 20 feet to 10 feet as required per Section 4.19. Given the location of the project and the proposed perimeter buffer, and the County's goal of efficient use of the development area land, granting the reduction of rear setbacks from 20 feet to 10 feet will further the goals of the Comprehensive Plan without creating any adverse impacts.

Thank you for your consideration of this request.