

September 15, 2023

Daily Progress:

Please publish this following legal notice in the Daily Progress for the issue of Saturday, September 16th and Saturday, September 23rd, 2023. Proof of publication is required.

**LEGAL NOTICE
PUBLIC HEARING
THERE WILL BE A REGULAR SCHEDULED MEETING OF THE
CHARLOTTESVILLE BOARD OF ZONING APPEALS
Thursday, September 28th, AT 4PM
City Space, 100 5th Street NE**

The following cases are on the agenda:

BZA 23-09-001 –Mr. Sam Gulland of 0 Caroline Avenue has appealed a zoning determination made on April 14, 2023; relating to the calculation of height for a project proposed at 0 E High Street. The zoning determination outlined how height is calculated for all structures in all zoning districts in the City. Without Architectural drawings available, the Zoning Administrator was unable to make a determination on how tall the proposed structure will be. The Applicant contends that the information made available to the Zoning Administrator is sufficient to determine whether the proposed plan complies with the building height restrictions in the B-1 Zoning District. The maximum height of structures located within the B-1 zoning district is forty-five (45) feet.

BZA 23-09-002- Zach Sanger has applied for a variance on behalf of the property owners Mr. & Mrs. Krosby, to reduce the required setbacks to for a deck constructed at 616 Hinton Avenue. Section 34-1101(b)(7) of the Zoning Ordinance allows decks to encroach into a rear yard setback only if that structure is less than 3 feet above grade. If a deck is over 3 feet from grade it is considered part of the single family home and must abide by the setbacks set forth in section 34-353 of the Zoning Ordinance. As a result, the Applicant is seeking a variance to reduce the required rear yard setback from twenty-five (25) feet to eight (8) feet to accommodate a deck that has been constructed on the Property. Additionally, the required left side yard setback will need be reduced from five (5) feet to four (4) feet to accommodate the deck.

BZA 23-09-003- Ms. Erin Stushek has applied for to reduce the required setbacks to for a deck constructed at 1001 King Street. Section 34-1101(b)(7) of the Zoning Ordinance allows decks that are not taller than 3 feet above grade to encroach into a rear yard setback, but not closer than five (5) feet to the rear property line. Additionally, decks may not exceed 30% of a rear yard. The Applicant is seeking a variance to both encroach into the required five (5) foot setback and exceed the 30% threshold with a new deck.

If you have any questions regarding this case, please call the Department of Neighborhood Development Services at 434-970-3182.