

CITY OF CHARLOTTESVILLE, VIRGINIA  
CITY COUNCIL AGENDA



Agenda Date:	March 4, 2025
Action Required:	Approval of a Resolution
Presenter:	Carrie Rainey, Urban Designer/City Planner
Staff Contacts:	Carrie Rainey, Urban Designer/City Planner
Title:	<b>Resolution for a Special Exception Permit at 818-820 E Jefferson</b>

### **Background**

The applicant requests a Special Exception Permit (SEP) pursuant to City Code Sections 34-2.5.5.B.6 and 34-5.2.15, which states a SEP may be granted for physical dimensional standards. The applicant has requested to install fencing on a proposed deck in the front and side street yards on 9<sup>th</sup> Street NE and E Jefferson Street. Per Section 34-2.10.1.B.1.d, 9th Street NE is designated as the primary street and E Jefferson Street is designated as the side street. The NX-10 Node Mixed Use district does not permit fencing in front yards or side street yards unless a SEP is granted. Virginia Building Code requires the deck, which is more than 30 inches above grade, to have vertical protection (guardrails/fencing). The subject property has street frontage on 9<sup>th</sup> Street NE and E Jefferson Street and is located within an Entrance Corridor Overlay District.

### **Discussion**

The Planning Commission considered this application at their meeting on February 25, 2025. The staff report and supporting documentation presented to the Planning Commission can be found starting on page 10 at the following link:

<https://charlottesvilleva.portal.civicclerk.com/event/2389/files/agenda/5452>

The Planning Commission discussed potential modifications to the proposed fencing and confirmed with staff that any modification will be reviewed for consistency with the Entrance Corridor Certificate of Appropriateness.

### **Alignment with City Council's Vision and Strategic Plan**

The application supports Strategic Outcome Area Economic Prosperity: Charlottesville develops strategies and economic development opportunities that drive economic prosperity for all.

### **Community Engagement**

Staff has received no public comments at the publishing of this report.

### **Budgetary Impact**

There are no budgetary impacts anticipated from this application.

## **Recommendation**

Staff recommends approval of the Special Exception Permit to permit the installation of fences and gates on the subject property. Staff does not recommend any conditions be placed on this Special Exception Permit. Any proposed modifications to the fence and gate details will be reviewed by staff for consistency with the issued Corridor Review Certificate of Appropriateness.

The Planning Commission voted 4-0 to recommend approval of the Special Exception Permit at their February 25, 2025 meeting.

## **Alternatives**

City Council has several alternatives:

1. By motion, approve the requested Special Exception Permit as recommended by the Planning Commission with the following suggested motion: "I move the adoption of the Resolution included in our agenda materials, permitting fencing shown within Application PL-24-0132, based on the finding that granting the proposed Special Exception Permit would serve the public necessity, convenience, general welfare or good zoning practice."
2. By motion, request changes to the attached Resolution, and then approve the Special Exception Permit;
3. By motion, take action to defer the Special Exception Permit; or
4. By motion, take action to deny the Special Exception Permit.

## **Attachments**

1. Attach 1\_818 E Jefferson SEP Resolution
2. Attach 2\_Minor Development Plan
3. Attach 3\_EC COA