

CITY OF CHARLOTTESVILLE
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PLANNING COMMISSION REGULAR MEETING
APPLICATION FOR A SPECIAL EXCEPTION PERMIT
APPLICATION NUMBER: PL-25-0118
DATE OF MEETING: September 9, 2025

DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT SERVICES STAFF REPORT

Project Planner: Benjamin Koby

Date of Staff Report: August 27, 2025

Applicant: Geoff Moran, Shimp Engineering

Applicant's Representative(s): Geoff Moran

Current Property Owner: LLANDAFF FARM, LLC

Application Information

Property Street Address: 1107 Myrtle Street ("Subject Property")

Tax Map & Parcel/Tax Status: 570136000 / Taxes are up to date

Total Square Footage/ Acreage Site: Approx. 0.17 acres (7405.2 square feet)

Comprehensive Plan (General Land Use Plan): General Residential

Current Zoning Classification: R-A Residential A

Overlay District: None

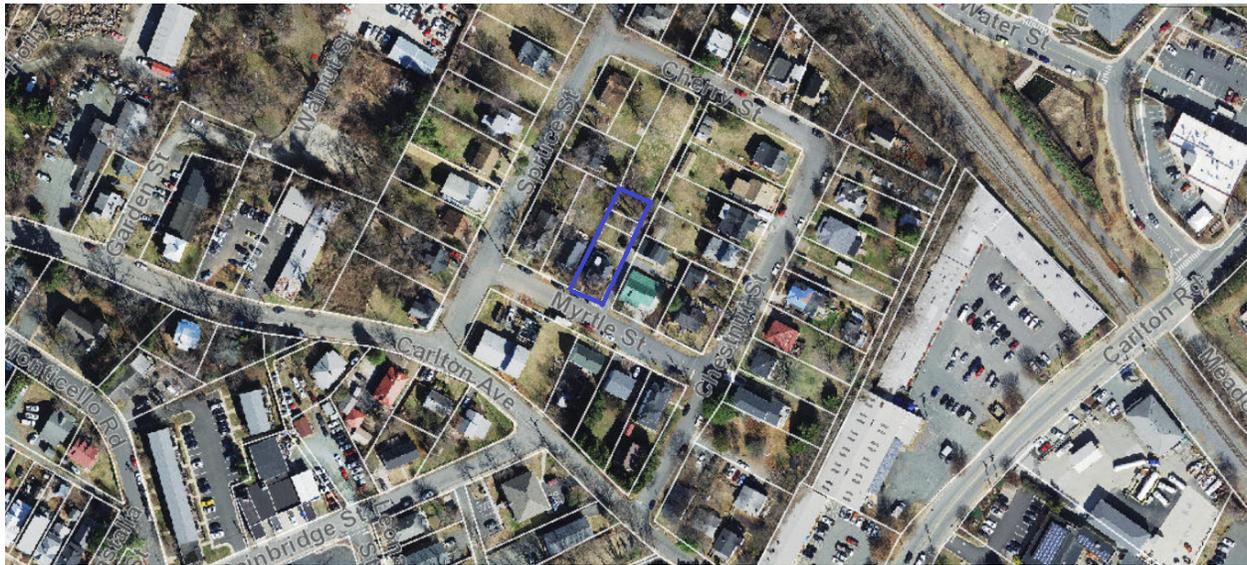
Applicant's Request (Summary)

The applicant is requesting a Special Exception Permit (SEP) pursuant to City Code Sections 34-2.4.3.A.5 (Build-to) and 34-5.2.15 (Special Exception), which states a SEP may be granted for the modification of any physical dimensional standards within Division 2.10, 4.3, 4.5, 4.7, and 4.8. In the Residential A (R-A) Zoning District, there is a required build-to width of 50%. Which means that within the front setback range (10'-20' or utilizing the existing range) building(s) must take up 50% of that space to meet that requirement. The existing house (with a width of 21'-9"), proposed to stay on site, does not meet the build-to width requirement (minimum width of 25') of the parcel (50' wide). The applicant is applying for a Special Exception to facilitate the development of three single-family residences to the rear of the parcel. The R-A zoning district allows four (4) dwelling units on one parcel with the preservation of the existing structure bonus. As presented in the SEP application and Major Development Plan application (PL-25-

0033) the use and density is by-right. To move the project forward, the applicant has three options, demolish the existing structure and rebuild in a fully conforming way, build a new structure or an addition within the build-to range to meet the requirement, or pursue a SEP to allow for building in the rear. In addition to this application, the City approved a subdivision (PL-25-0090) in July of this year to create four (4) sublots on the Subject Property. As of the date of this report staff has completed two (2) rounds of the Major Development Plan (PL-25-0033) and is currently waiting on the applicant to resubmit an updated plan.

The Development Plan review, under project number PL-25-0033, has gone through two iterations of review since the initial submittal on February 12th, 2025. The three remaining commenters are from Neighborhood Development Services (Planning), Utilities, and the Fire Marshall's Office. Seemingly all comments can be addressed within the next round of review and do not interact with the SEP that they are pursuing within this application. Reference the attached comment letter for the remaining comments.

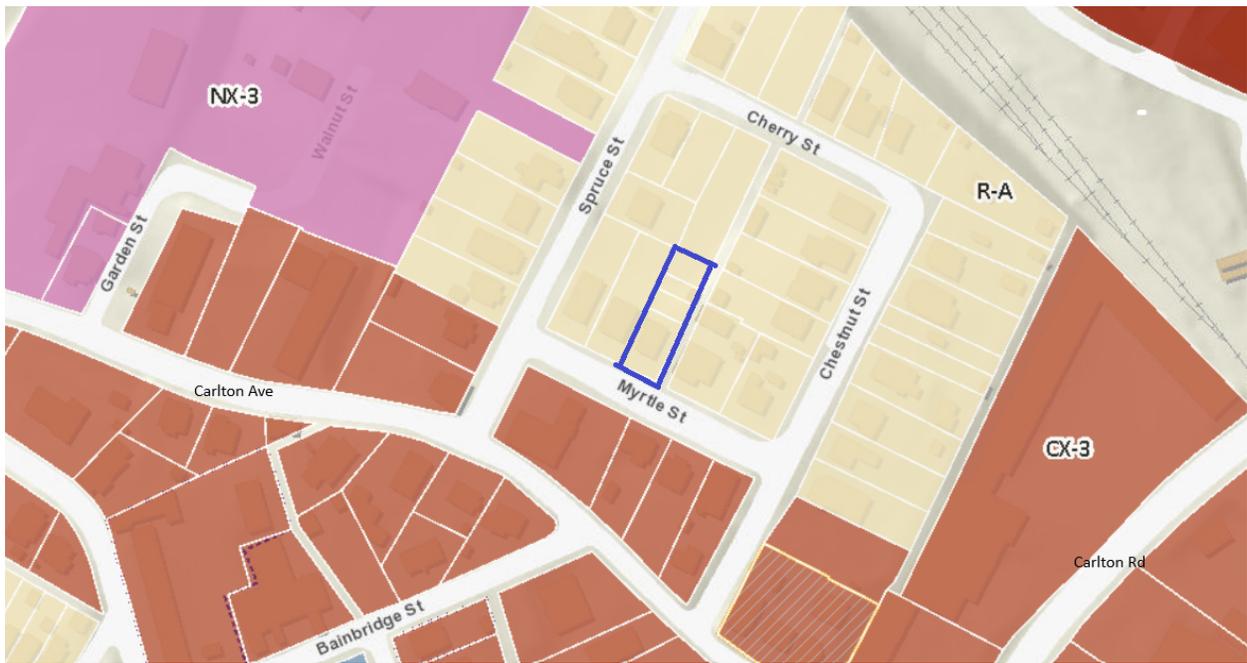
Vicinity Map



Context Map 1



Context Map 2- Zoning Classifications



Context Map 3- Future Land Use Plan, 2021 Comprehensive Plan



Standard of Review

City Council may grant an applicant a Special Exception Permit (SEP), giving consideration to a number of factors set forth within Zoning Ordinance Section 34-5.2.15.D. If Council finds that a proposed use or development will have potentially adverse impacts, and if Council identifies development conditions that could satisfactorily mitigate such impacts, then Council may set forth reasonable conditions within its SEP approval. The role of the Planning Commission is to make an advisory recommendation to the City Council, as to (i) whether or not Council should approve a proposed SEP and if so, (ii) whether there are any reasonable development conditions that could mitigate potentially adverse impacts of the proposed development.

Section 34-5.2.15.D of the City's Zoning Ordinance lists a number of factors that Council will consider in making a decision on a proposed SEP. Following below is staff's analysis of those factors, based on the information provided by the applicant. The applicant's analysis can be found in Attachment A.

1. Whether the proposed modifications to physical dimensional standards will be harmonious with existing and approved patterns of development on the same or an opposing block face or abutting property;

Staff analysis: The existing house at 1107 Myrtle St is already harmonious with the existing and approved patterns of development within the area. However, the new proposed development is proposing to improve the existing alley on the block and provide three additional units in the rear. We can give some consideration to the proposed single family residences that will be constructed. However, if the existing house was already wide enough to meet the build-to requirement of the code, the proposal would be allowable by-right. Considering the development as a whole, it would be a slight intensity increase in the area, but it is not uncommon for houses to have

accessory structures in the rear yard. The area is characterized by small houses on relatively small lots. From a form perspective, the construction of three new single-family residences would not be out of line with the existing built form.

2. Whether the proposed modification supports the goals and strategies of the Comprehensive Plan;

Relevant guiding principles:

The Future Land Use Map from the Comprehensive Plan designates this area as General Residential and it is intended to provide an opportunity for a range of housing types within residential areas and to increase housing choice within the existing neighborhoods. Per Table 2 Land Use Category Descriptions (Page 29), general residential areas should “Allow up to 4-unit dwellings if the existing structure is maintained.”

Within The Comprehensive Plan Chapter 4, Goal 3 states the goal to Protect and enhance the existing distinct identities of the city’s neighborhoods and places while promoting and prioritizing infill development, housing options, a mix of uses, and sustainable reuse in our community.”

Staff Analysis:

The intent of the build-to zone requirements of the Development Code, born out of the goals of the Comprehensive Plan, speaks to the desire to create attractive and harmonious streets with a consistent pattern of development. The build-to zone aim is to bring consistency by requiring new developments be placed forward on a property toward the primary street lot lines. The existing structure is already meeting the build-to zone and setback requirements. However, the build-to width requirements are intended to manage lot sizes by promoting subdivision of parcels to create new and smaller lots so it is easier to meet the build-to width requirements of the district in which you are located. However, with this being an infill development on a parcel with an existing house, and subdivision would not be a feasible strategy, the Special Exception is the most viable and logical alternative to allow for this development.

Subdivision is not a feasible solution, as the existing house is centrally located on the parcel, making it impossible to divide the land without compromising the integrity or functionality of the structure. Additionally, adjusting the lot lines in an attempt to meet the required build-to width would still fail to bring the property into compliance with zoning regulations. The current placement of the house inherently prevents alignment with the prescribed standards, regardless of boundary modifications.

Another alternative is to demolish the existing structure and rebuild a slightly larger structure. Demolition of the existing structure would run counter to the goals of existing structure preservation within the Comprehensive Plan, and would not be a suitable option for Planning Commission or City Council to require.

The final alternative that Staff explored is to require building within the build-to zone, either a new structure or an addition, to meet the build-to requirement. Staff finds this option to be unnecessarily costly and would be a needless alteration to the existing street facing building facade. The existing structure is already similar enough to the other houses in the proximity, that requiring an addition would achieve no tangible benefit for the cost that the applicant would incur.

3. Whether, with conditions, the Special Exception Permit is consistent with the public necessity, convenience, general welfare, and good zoning practice.

Staff does not believe there are any conditions warranted for this application. The development is in-line with the goals of the Comprehensive Plan and the build-to width Special Exception request is appropriate given the preservation of the existing structure and the existing characteristics of the community.

Public Comments Received

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

Staff Recommendation

Based on the proposed use of the structures, the existing street scape, and neighborhood characteristics, staff recommends the Planning Commission recommend approval of the Special Exception Permit to the build-to width requirements in this case.

Recommended Conditions

Staff recommends no added conditions.

Suggested Motions

1. I move to recommend approval of this application for a Special Exception Permit in the R-A Residential A zone at 1107 Myrtle St to permit the construction of three single unit homes outside of the build-to requirement.
 - a. The size, location, and use will be consistent with the materials submitted in application PL-25-0033 dated February 12th, 2025.
 - b. [condition(s) proposed by Planning Commission]

OR,

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2. I move to recommend Denial of this application for a Special Exception Permit in the R-A Residential A zone at 1107 Myrtle St to permit the construction of three single unit homes outside of the build-to requirement.

Attachments

1. Special Exception Request Letter
2. Development Plan Overview
3. Development Plan Comment Letter dated July 29th, 2025