

**To:** Danna O'Connell, Senior Planner, NDS  
**Re:** Special Exception — 408 Harris Road, Longwood Drive  
**Applicant:** Neighborhood Properties, LLC, Roudabush, Gale & Associates., Inc.  
**Date:** March 3rd, 2026

### **Special Exception – Outdoor Amenity Space Requirement**

The R-B zoning district requires outdoor amenity space equal to ten percent (10%) of the total lot area. For this 8,858-square-foot property, the ordinance requires 886 square feet of outdoor amenity space.

Due to the configuration of the existing right-of-way (ROW), the required amenity space cannot be provided in full compliance with the ordinance standards while remaining entirely within the existing property boundaries. Specifically, Section 2.10.4.C requires that each amenity space contain a minimum area of 400 square feet and maintain a minimum horizontal dimension of ten (10) feet. The location of the existing ROW line prevents the site from accommodating amenity areas that satisfy these dimensional requirements without encroaching into the area between the property line and the proposed sidewalk.

As illustrated on Exhibit A, when the amenity spaces are confined strictly within the existing property boundaries, the available area created by the existing ROW alignment prevents full compliance with the minimum dimensional standards. However, as illustrated on Exhibit B, if the usable amenity space were permitted to extend to a line located one (1) foot behind the proposed sidewalk (consistent with the City's typical "1 foot behind back-of-curb" condition), the required 886 square feet of amenity space could be fully provided and each area would meet the minimum dimensional requirements.

The hardship is therefore created by the existing right-of-way configuration rather than by the applicant's design. The current ROW alignment reflects historic conditions and prior right-of-way dedication practices associated with streetscape improvements.

The applicant previously approached the City regarding the potential purchase of the narrow strip of land between the existing property line and the typical 1-foot-behind-sidewalk alignment, but was advised that relief should instead be pursued through a special exception request.

Accordingly, the applicant requests approval of a special exception to either reduce the required outdoor amenity space dimensional standards or allow the removal of the amenity space requirement for this site. The proposed development still provides usable outdoor space for residents and maintains appropriate open areas consistent with the intent of Section 2.10.4.C.

Granting this request would recognize the practical limitations imposed by the existing right-of-way while allowing reasonable development of the property without compromising the intent of the ordinance.

Best Regards,



Dustin E. Greene, PE