

HEIGHT LIMITATION WAIVER

- **The R-5 Zoning District allows structures to be built up to 35 feet in height.** The request is for a 5-foot height waiver to allow building(s) to be constructed up to 40 feet in height above finished grade.
- Section 24-310(g) of the Zoning Ordinance states that structures in excess of 35 feet may be erected only upon the granting of a height limitation waiver by the Board of Supervisors, upon finding that:
 1. Structure will not obstruct light from adjacent property;
Staff finding: The structures will be located a minimum of 120 feet from any property lines. Therefore, staff finds the proposed structures will not obstruct light from adjacent property.
 2. Structure will not impair the enjoyment of historic attractions and areas of significant historic interest and surrounding developments;
Staff finding: Staff did not identify any historic attractions or areas of significant historic interest in close proximity to this project. The closest current surrounding developments are the CrossWalk Church and the Village at Candle Station, both of which would be several hundred feet from the closest structure and would be visually screened by the Resource Protection Area buffer. The other current surrounding development is the Oakland neighborhood which uses Oakland Drive as its entrance. The proposed structures may be visible from Oakland Drive, but would also be screened by the proposed perimeter buffer landscaping.
 3. Structure will not impair property values in the area;
Staff finding: The Director of Real Estate Assessments reviewed the proposal and determined that buildings will not negatively affect the surrounding property values.
 4. Structure is adequately designed and served from the standpoint of safety and the County Fire Chief finds the fire safety equipment installed is adequately designed and that the structure is reasonably well located in relation to fire stations and equipment, so as to offer adequate protection to life and property;
Staff finding: The Building Safety and Permits Division and the Fire Department have reviewed the height waiver request and did not indicate any concerns.
 5. Such structure will not be contrary to the public health, safety and general welfare.
Staff finding: Staff finds that the proposed buildings will not adversely affect the public health, safety or general welfare.

The proposed Height Limitation Waiver conditions are attached to this staff report.