

D. Nothing in this section shall affect the rights of the county reserved under section 14-440. (§ 18-7, 9-5-96, 12-21-83; § 18-36 (part), 9-5-96, 8-28-74; 1988 Code, § 18-7, 18-36; Ord. 98-A(1), 8-5-98; Ord. 02-14(1), 2-6-02, § 14-313; Ord. 05-14(1), 4-20-05, effective 6-20-05)

ARTICLE IV. ON-SITE IMPROVEMENTS AND DESIGN

DIVISION 1. LOTS AND BLOCKS

14-400 Minimum lot requirements.

Each lot within a subdivision shall satisfy the minimum lot requirements established in the zoning ordinance.

(§ 18-29 (part), 9-5-96, 8-28-74; § 18-34 (part), 9-5-96, 8-28-74; 1988 Code, §§ 18-29, 18-34; Ord. 98-A(1), 8-5-98, § 14-500; Ord. 02-14(1), 2-6-02; Ord. 05-14(1), 4-20-05, effective 6-20-05)

State law reference--Va. Code §§ 15.2-2241(3).

14-401 Double frontage lots.

Double frontage lots for single family detached and attached residential uses are prohibited. The prohibition of double frontage lots may be waived by the agent as provided in section 14-224.1. In considering a waiver request, the agent shall consider whether, because of unusual size, topography, shape of the property, location of the property or other unusual conditions, excluding the proprietary interests of the subdivider, the prohibition would not forward the purposes of this chapter or serve the public interest. In approving a waiver, the agent shall find that granting the waiver would not be detrimental to the public health, safety or welfare or to the orderly development of the area. Double frontage lots shall be screened as provided in section 14-419.

(Ord. 98-A(1), 8-5-98, § 14-500; Ord. 05-14(1), 4-20-05, effective 6-20-05)

State law reference--Va. Code § 15.2-2241(3).

14-402 Lot shape.

Each lot within a subdivision shall be of a shape which provides a satisfactory and desirable building site, and shall otherwise be at least the minimum lot width allowed by the applicable provisions of the zoning ordinance. No lot shall contain peculiarly shaped elongations designed solely to provide the required square footage of area or frontage on a street.

(9-5-96, 8-28-74; 1988 Code, § 18-29; Ord. 98-A(1), 8-5-98, § 14-503; Ord. 05-14(1), 4-20-05, effective 6-20-05)

State law reference--Va. Code § 15.2-2241(3).

14-403 Lot frontage.

Each lot within a subdivision shall have frontage on an existing or proposed street.

(§ 18-30 (part), 9-5-96, 8-28-74; § 18-36, 9-5-96, 8-28-74; 1988 Code, §§ 18-30, 18-36; Ord. 98-A(1), 8-5-98, § 14-504; Ord. 05-14(1), 4-20-05, effective 6-20-05)

State law reference--Va. Code § 15.2-2241(3).

14-404 Lot location to allow access from lot onto street or shared driveway.

Each lot within a subdivision shall be located as follows:

ALBEMARLE COUNTY CODE

A. Each lot, other than a corner lot within the development areas, shall have reasonable access to the building site from only one street, shared driveway or alley established at the same time as the subdivision; provided that a lot may be located so that its driveway enters only onto a public street abutting the subdivision if: (i) the commission grants a waiver under subsection (C); (ii) the subdivider obtains an entrance permit from the Virginia Department of Transportation for the access; (iii) the entrance complies with the design standards set forth in sections 14-410(F) and 14-410(G); and (iv) the subdivider demonstrates to the agent prior to approval of the final plat that the waiver does not violate any covenants to be recorded for the subdivision. For purposes of this section, the term "reasonable access" means a location for a driveway or, if a driveway location is not provided, a location for a suitable foot path from the parking spaces required by the zoning ordinance to the building site; the term "within the subdivision" means within the exterior boundary lines of the lands being divided.

B. If the subdivision is within the rural areas, all subsequent divisions of the residue shall enter only onto such street(s) shown on the approved final plat and shall have no immediate access onto to any public street.

C. The requirements of this section may be waived by the commission as provided in section 14-225.1. In reviewing a waiver request, the commission shall determine whether: (i) the county engineer recommends an alternative standard; or (ii) because of unusual size, topography, shape of the property, location of the property or other unusual conditions, excluding the proprietary interests of the subdivider, strict application of the applicable requirements would result in significant degradation of the property or to the land adjacent thereto. In approving a waiver, the commission shall find that requiring the standard would not forward the purposes of this chapter or otherwise serve the public interest; and granting the waiver would not be detrimental to the public health, safety or welfare, to the orderly development of the area, to sound engineering practices, and to the land adjacent thereto. In reviewing a waiver request, the commission may allow a substitute design of comparable quality, but differing from that required, if it finds that the subdivider would achieve results which substantially satisfy the overall purposes of this chapter in a manner equal to or exceeding the desired effects of the requirement.

(§ 18-36 (part), 9-5-96, 8-28-74; § 18-39 (part), 9-5-96, 10-19-77, 5-10-77, 8-28-74; 1988 Code, §§ 18-36, 18-39; Ord. 98-A(1), 8-5-98, §§ 14-500(C), 14-505; Ord. 05-14(1), 4-20-05, effective 6-20-05)

State law reference--Va. Code § 15.2-2241(5).

14-405 Side lot lines.

Side lot lines of each lot within a subdivision shall be approximately at right angles or radial to the street line, except turnaround terminal points.

The requirements of this section may be waived by the agent as provided in section 14-224.1. In reviewing a waiver request, the agent shall determine whether because of unusual size, topography, shape of the property being subdivided, or the location of the property, strict application of the standard would result in significant degradation of the property or to the land adjacent thereto, or the waiver would not prevent the orderly development of the area. In approving a waiver, the agent shall find that requiring the standard would not forward the purposes of this chapter or otherwise serve the public interest; and granting the waiver would not be detrimental to the public health, safety or welfare, to the orderly development of the area, and to the land adjacent thereto.

(9-5-96, 8-28-74; 1988 Code, § 18-32; Ord. 98-A(1), 8-5-98, § 14-506; Ord. 05-14(1), 4-20-05, effective 6-20-05)

State law reference--Va. Code § 15.2-2241(3).

14-406 Remnants.

Remnants shall not be created by the subdivision of land. All pre-existing remnants shall be eliminated when the land is subdivided.