

**STAFF ANALYSIS**

**STAFF PERSON:** Cameron Langille, Principal Planner  
**BOARD OF SUPERVISORS:** March 6, 2024  
**PROJECT:** SE2023-35 Afton Scientific Loading Space Special Exception  
**PARCEL ID(s):** 07700-00-00-009A0

**PROPOSAL**

The subject property is located on the north side of Avon Court, just west of the intersection between Avon Court and Avon Street Extended, in Neighborhood 4 of the Southern and Western Neighborhoods Development Area. The primary property address is 2030 Avon Court and the property is zoned Light Industry (LI).

A major site plan amendment is currently under review for the property. A new building is proposed that would contain 2,968 sq.ft. of industrial office space, with another 11,000 sq.ft. of industrial floor area. Because County Code §18-4.12.13(c) requires one loading space for the first 8,000 square feet of office space plus one loading space for the first 10,000 square feet of industrial floor area, two loading spaces are required. As explained in the applicant's narrative (Attachment A), the office use is of such a size that the users of the building do not need a loading space. Therefore, this proposed special exception is to modify the number of required loading spaces from two to one.

**ANALYSIS OF SPECIAL EXCEPTION REQUEST**

Under County Code § 18-33.5(B), the Board may approve special exceptions to waive, modify, vary, or substitute any requirement of the Zoning Ordinance that is expressly authorized to be waived, modified, varied, or substituted. County Code § 18-33.9(A) directs the Board to take into consideration the factors, standards, criteria, and findings, however denominated, in the applicable sections of the Zoning Ordinance. County Code § 18-4.12.13(f) in turn provides that the requirements of that subsection may be modified or waived in an individual case if the Board of Supervisors, in consultation with the County Engineer, finds:

- i. that the public health, safety or welfare would be equally or better served by the modification or waiver;
- ii. that the modification or waiver would not be a departure from sound engineering and design practice; and
- iii. that the modification or waiver would not otherwise be contrary to the purpose and intent of the Zoning Ordinance.

Staff analysis of this request under County Code §18-4.12.13(f) is provided below.

***(i) the public health, safety or welfare would be equally or better served by the modification or waiver;***

Staff from Planning, Zoning, and the County Engineer have evaluated the request and concur with the applicant that one loading space would be adequate to serve the office and industrial uses proposed. Therefore, the public health, safety, and welfare would be equally served by the modification.

***(ii) the modification or waiver would not be a departure from sound engineering and design practice;***

One loading space would still be provided on site, in a location reflecting sound civil engineering and design practice for parking lots serving buildings with office and industrial uses. Requiring an additional loading space would likely disrupt vehicular flow through the parking lot and drive aisles.

***(iii) the modification or waiver would not otherwise be contrary to the purpose and intent of this chapter.***

This request is consistent with the purposes of section 4.12.1 of the Zoning Ordinance, which include to provide parking and loading facilities in a reasonable proportion to one or more use's needs, and to reduce minimum parking requirements to coincide with common usage rather than peak usage. One loading space is ample to serve the proposed uses. Staff finds that this request meets the purpose and intent of Section 4.12.1 of the Zoning Ordinance.

### **RECOMMENDATION**

Staff recommends that the Board adopt the attached Resolution (Attachment D) to approve a special exception to modify the required loading spaces from two to one.