



County of Albemarle  
COMMUNITY DEVELOPMENT DEPARTMENT

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**To:** Albemarle County Board of Supervisors  
**From:** Kevin McCollum, Senior Planner  
**Date:** September 7, 2022  
**Re:** **SE202200022 DS Tavern**

**TMP:** 05900-00-00-015A0  
**Magisterial District:** Samuel Miller  
**School Districts:** Murray E.S.; Henley M.S.; Western Albemarle H.S.  
**Zoning:** C1 Commercial

**Summary of Request for Special Exception:**

The applicant requests a special exception to County Code § 18-21.7(c), which provides minimum yard requirements for commercially-zoned properties:

***21.7(c) Use buffer adjacent to residential and rural areas districts.  
...no construction activity including grading or clearing of vegetation shall occur closer than 20 feet to any residential or rural areas district.***

The applicant has requested this special exception for the purpose of installing underground utilities near the property's western property line. Specifically, the special exception is to allow for three improvements: i) installation of a new septic line that would run through the buffer but to a new drainfield outside the buffer, ii) burial of an underground propane tank partially within the buffer, and iii) maintenance and improvements to the existing stormwater channel located within the buffer (Attachment A).

**Staff Recommendation:**

Staff recommends that the Board adopt the attached Resolution (Attachment D) to approve the special exception, subject to the condition below.

1. Development of the use must be in general accord (as determined by the Director of Planning and the Zoning Administrator) with the plan titled, "DS Tavern" major site plan amendment (SDP202200025) prepared by Woolley Engineering, dated August 9, 2022.

**Attachments:**

- A. Application Materials (Special Exception Request)
- B. Staff Analysis
- C. SDP202200025 DS Tavern Major Site Plan Amendment
- D. Resolution