

COUNTY OF ALBEMARLE

APPLICATION FOR A SPECIAL EXCEPTION

- Request for a waiver, modification, variation or substitution permitted by Chapter 18 = \$457
- Variation to a previously approved Planned Development rezoning application plan or Code of Development = \$457

OR

- Relief from a condition of approval = \$457

Provide the following

- 3 copies of a written request specifying the section or sections being requested to be waived, modified, varied or substituted, and any other exhibit documents stating the reasons for the request and addressing the applicable findings of the section authorized to be waived, modified, varied or substituted.

Provide the following

- 3 copies of the existing approved plan illustrating the area where the change is requested or the applicable section(s) or the Code of Development. Provide a graphic representation of the requested change.
- 1 copy of a written request specifying the provision of the plan, code or standard for which the variation is sought, and state the reason for the requested variation.

Project Name and Assigned Application Number (SDP, SP or ZMA): SDP2016-00012 Nationwide Homes - Major

Tax map and parcel(s): 07800-00-00-049A0

Contact Person Justin Shimp

Address 201 E Main Street, Suite M City Charlottesville State VA Zip 22902

Daytime Phone# (434) 227-5140 Fax# () Email justin@shimp-engineering.com

Owner of Record HEARTROCK FARM LLC

Address 2521 SUMMIT RIDGE TRAIL VA City CHARLOTTESVILLE State VA Zip 22911

Daytime Phone# () Fax# () Email

Applicant (Who is the Contact Person representing?)

The owner

COUNTY OF ALBEMARLE

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Owner/Applicant Must Read and Sign

Each owner-initiated application for a zoning map amendment shall be signed by the owner of each parcel that is the subject of the proposed zoning map amendment, provided that:

- a. An owner whose parcel is subject to proffers may apply to amend the proffers applicable solely to the owner's parcel, provided that written notice of the application is provided to the owners of other parcels subject to the same proffers under Virginia Code §§ 15.2-2204(H) and 15.2-2302. However, the signatures of the owners of the other parcels subject to the same proffers shall not be required.

- b. An owner within an existing planned development may apply for a zoning map amendment, and the signatures of any other owners within the planned development is required only if the amendment could result in or require:
 - (i) a change in use, density or intensity on that parcel;
 - (ii) a change to any regulation in a code of development that would apply to that parcel;
 - (iii) a change to an owner's express obligation under a regulation in a code of development; or
 - (iv) a change to the application plan that would apply to that parcel.

The applicant must submit documentation establishing ownership of any parcel and the authority of the signatory to sign the application on behalf of the owner.

SEE PAGE 3 FOR SIGNATURES


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Owner/Applicant Must Read and Sign

The foregoing information is complete and correct to the best of my knowledge.

By signing this application I am consenting to written comments, letters and or notifications regarding this application being provided to me or my designated contact via fax and or email. This consent does not preclude such written communication from also being sent via first class mail.



6-24-2016

Signature of Owner, Contract Purchaser, Agent

Date

Kevin Schumler, managing member

434-409-4308

Print Name

Daytime phone number of Signatory

*****If multiple property owners are required to sign the application per Section 33.2 b (1b) then make copies of this page and provide a copy to each owner to sign. Then submit each original signed page for the Special Exception Application.**

Tax Map & Parcel Number : _____

Owner Name of above Parcel: _____

FOR OFFICE USE ONLY SDP, SP or ZMA # SDP 2016-12 Fee Amount \$ 457.00 Date Paid 8/11/16
By who? Heartrock Farm LLC Receipt # 1051e1e1 Clk# 5028 By JP

**Nationwide Homes – Major Site Plan Amendment
(SDP201600012)**

Critical Slopes Waiver Request

TMP: 07800-00-00-049A0

Date: August 10, 2016

Request:

In conjunction with a major site plan amendment application, the Applicant requests a waiver of Section 4.2 (Critical Slopes) of the Albemarle County to allow disturbance of slopes greater than 25%.

Specifics of Request:

- The slopes in question are man-made slopes created by the construction of Hunter's Way (S.R. 1146) and approved Site Plan SDP198600029.*
- The area of critical slopes is approximately 14,485 square feet and represents approximately 22.8% of the parcel.*
- The application proposes to disturb approximately 3,491 square feet of the critical slopes created with SDP198600029 and by the construction of Hunter's Way. The 3,491 total square feet of disturbance is 24.1% of the critical slopes present on the parcel.*
- Critical Slope Disturbance is necessary to provide adequate entrance sight distance.*

The primary concerns with development on critical slopes are addressed as follows:

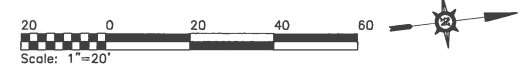
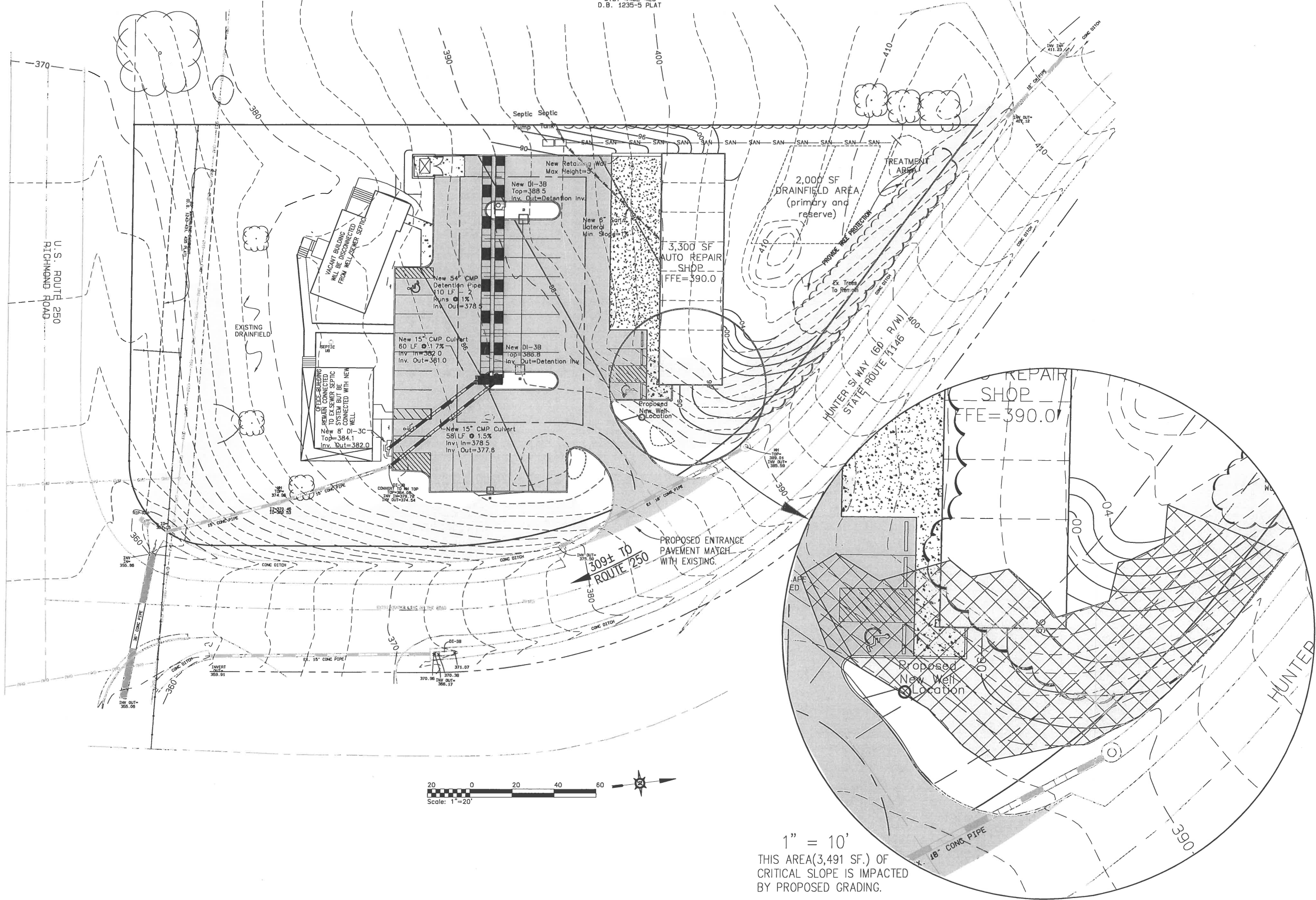
- Rapid or Large Scale Movements of Rock and Soil:** *Construction will consist of cutting into existing native soils and the scale and nature of the disturbance does not present high probabilities of erosion. Erosion control measures shall be installed in accordance with the water protection ordinance to prevent any erosion from leaving the site.*
- Excessive Storm Water Runoff:** *The proposed construction will provide new water quality measures and new or upgraded stormwater conveyance structures, and stormwater detention/infiltration structures for the proposed development. Additional verifications of downstream channels will be provided in conjunction with site plan approval. The water quality treatment, detention, infiltration, and conveyance system represent an improvement to the current conditions at the site. These measures will protect against any increase in runoff.*
- Siltation of Natural or Man Made Bodies of Water:** *All development shall be subject to the current standards of the County Water Protection Ordinance and erosion and sediment control measures shall be installed to prevent siltation of water bodies. The slopes are not adjacent to any water features or sensitive environmental features.*
- Loss of Aesthetic Resource:** *This proposal is to redevelop this parcel with a by-right use. The subject parcel is adjacent to other HC zoned parcels and in close proximity to several LI parcels. The critical slopes on this parcel were created during previous construction and do not offer an aesthetic resource in this setting.*

In summary, the reasons for the request are to allow a small disturbance of manmade slopes of 25% or greater for the purposes of redeveloping TMP 07800-00-00-049A0.

Prepared and submitted on behalf of the Applicant by:

Justin Shimp, P.E.
Shimp Engineering, P.C.
201 E. Main Street
Charlottesville, VA 22902
(434) 227-5140

T.M. 78-49B
 LOT 28
 IRISH CAVIERS PROPERTIES, LLC
 USE-BRIGHT EYES COMMUNITY CHILD CARE CENTER
 CURRENT ZONING-HIGHWAY COMMERCIAL, ENTRANCE CORRIDOR
 D.B. 44B2-425
 D.B. 1235-5 PLAT



1" = 10'
 THIS AREA (3,491 SF.) OF
 CRITICAL SLOPE IS IMPACTED
 BY PROPOSED GRADING.

SHIMP ENGINEERING, P.C.
 ENGINEERING - LAND PLANNING - PROJECT MANAGEMENT
 201 E MAIN ST. SUITE M
 CHARLOTTEVILLE, VA 22602
 PHONE: (434) 227-5140
 JUSTIN@SHIMP-ENGINEERING.COM

CRITICAL SLOPE WAIVER EXHIBIT

Rev. #	Date	Description
1	02/29/16	ARB Submittal
2	06/30/16	County Comments
3	08/19/16	Critical Slope and County Comments

MAJOR SITE PLAN AMENDMENT FOR:
2300 HUNTERS WAY
 ALBEMARLE COUNTY, VIRGINIA

Date	02/19/16
Scale	1" = 20'
Sheet No.	C4 OF 7
File No.	16.003