



COUNTY OF ALBEMARLE
Department of Community Development
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To: Albemarle County Board of Supervisors
From: Megan Nedostup, Principal Planner
Date: September 5, 2018
Re: Request for Special Exception for disturbance to critical slopes for SDP201800016 Keswick Hall Additions and Site Improvements- Major Amendment and SDP201800017 Keswick Hall Energy Plant- Major Amendment

TMP(s): 080000000008Z0; 080000000060A0; 08000000000900
Magisterial District: Rivanna Magisterial District
School Districts: Stone-Robinson Elementary, Burley Middle, Monticello High
Zoning District: Rural Areas (RA)

Summary of Request for Special Exception:

At its meeting on July 11, 2018 the Board of Supervisors approved a special use permit request for Keswick Hall. In the staff report it was noted that a critical slopes waiver would need to be granted for the use and would be brought back to the Board at a later date on the consent agenda.

The applicant is proposing to disturb critical slopes for the improvements that were approved with the special use permit for Keswick Hall (Attachment A). This special exception is necessary before the site plan amendment can be approved by staff.

County Code §18-4.2.5(a) allows any requirement of §18-4.2.3(b) to be waived or modified by special exception under §18-33.5 upon consideration of whether: *a) Strict application of the requirements of section 4.2 would not forward the purposes of this chapter or otherwise serve the public health, safety or welfare; b) Alternatives proposed by the developer or subdivider would satisfy the intent and purposes of section 4.2 to at least an equivalent degree; c) Due to the property's unusual size, topography, shape, location or other unusual conditions, excluding the proprietary interest of the developer or subdivider, prohibiting the disturbance of critical slopes would effectively prohibit or unreasonably restrict the use of the property or would result in significant degradation of the property or adjacent properties; or d) Granting the modification or waiver would serve a public purpose of greater import than would be served by strict application of the regulations sought to be modified or waived.*

Please see Attachment B for full details of staff's analysis.

Staff Recommendation:

Staff recommends that the Board adopt the attached Resolution (Attachment C) approving the special exception, subject to the condition attached thereto.

Attachments:

- A – Applicant Justification and Critical Slopes Exhibit
- B – Staff Analysis
- C – Resolution