



COUNTY OF ALBEMARLE
Department of Community Development
401 McIntire Road, North Wing
Charlottesville, Virginia 22902-4596
(434) 296-5832

To: Albemarle County Board of Supervisors
From: Christopher Perez
Date: October 25, 2018
Re: SDP201800036 Oak Hill Convenience Store - Special Exception to Disturb Buffers

TMP: 07600-00-00-052L0
Magisterial District: Samuel Miller
School Districts: Albemarle H.S.; Burley M.S. Cale E.S
Zoning District: Commercial C-1 & Residential R-4

Associated with the above referenced site plan the developer has requested a special exception to waive the requirements of County Code § 18-21.7(c) to disturb required 20' undisturbed buffers between a commercial district and residential districts.

The regulation requires that no construction activity including grading or clearing of vegetation shall occur closer than 20 feet to any residential or rural area district. Screening shall be provided as required in Section 32.7.9. The Board of Supervisors may waive by special exception the prohibition of construction activity, grading or clearing of vegetation in the buffer in a particular case upon consideration of whether: i) the developer demonstrates that grading or clearing is necessary or would result in an improved site design; ii) minimum screening requirements will be satisfied; and iii) existing landscaping in excess of minimum requirements is substantially restored.

Attachment A is the applicant's request, Attachment B is their exhibit depicting the proposal, and Attachment C is staff's analysis of the request.

Recommendation:

Staff recommends that the Board adopt the attached Resolution (Attachment D) to approve the Special Exception to permit disturbance of the buffers as requested.

ATTACHMENTS:

- A – Special Exception Request
- B – Exhibit dated October 11, 2018
- C – Staff Analysis
- D – Resolution