



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

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**To:** Albemarle County Board of Supervisors  
**From:** Mariah Gleason, Senior Planner  
**Date:** April 15, 2020  
**Item:** SDP201900051 Beaver Creek Medical Office Building – Request for Special Exceptions to disturb a required buffer area and reduce the rear setback  
**Tax Map Parcel(s):** 06000-00-00-03800  
**Magisterial District:** Jack Jouett  
**School Districts:** Albemarle H.S.; Jouett M.S.; Greer E.S.  
**Zoning District:** Highway Commercial

**Summary of Request for Special Exceptions:**

The applicant, on behalf of the developer and owner, is requesting two Special Exceptions: (1) disturb a required 20ft buffer area abutting a residential zoning district, and (2) reduce the rear minimum setback for off-street parking from 20 feet to 5 feet.

**Special Exception #1**

On commercial properties, County Code §18-21.7(c) requires that no construction activity, including grading or clearing of vegetation, occur closer than 20 feet to any residential or rural areas district, and that screening must be provided as required by County Code §18-32.7.9. The applicant is requesting an exception to this requirement to allow improvements to be made to an existing parking area and the installation of a new fence and landscaping, as part of a redevelopment of the commercial property into a medical office building.

The Board of Supervisors may authorize a disturbance in the buffer by special exception upon consideration of whether: (i) the developer or subdivider 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.

**Special Exception #2**

Zoned Highway Commercial, County Code § 18-4.20 requires a rear minimum setback of at least 20 feet for any off-street parking if the abutting lot is zoned residential. The property is currently non-conforming, with an existing parking area and spaces located 5 feet from the rear property boundary. The applicant is requesting an exception to this requirement so the existing parking area may be retained and improved.

A reduction to the rear minimum setback is allowed by special exception pursuant to County Code § 18-4.20.

Please see Attachment B for staff's full analysis.

**Staff Recommendation:**

Staff recommends that the Board adopt the attached Resolution (Attachment C) to approve the special exceptions.

**Attachments:**

- A – Application Materials
- B – Staff Analysis
- C – Resolution