



# Albemarle County

## Legislation Details (With Text)

**File #:** 23-369      **Version:** 1      **Name:**  
**Type:** Ordinance      **Status:** Consent Agenda  
**File created:** 7/22/2023      **In control:** Board of Supervisors  
**On agenda:** 8/16/2023      **Final action:**  
**Title:** Schedule a Public Hearing for Spot Blight Ordinance for 8038 Blenheim Road, Parcel ID 13100-00-00-01200.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Att.A - Vicinity Map - 8038 Blenheim Rd., 2. Att.B - Property Conditions - 8038 Blenheim Rd

| Date | Ver. | Action By | Action | Result |
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**AGENDA DATE:** 8/16/2023

**TITLE:**

Schedule a Public Hearing for Spot Blight Ordinance for 8038 Blenheim Road, Parcel ID 13100-00-00-01200

**SUBJECT/PROPOSAL/REQUEST:** Schedule a Public Hearing for Spot Blight Ordinance for 8038 Blenheim Road, Parcel ID 13100-00-00-01200

**ITEM TYPE:** Consent Action Item

**STAFF CONTACT(S):** Richardson, Rosenberg, Herrick, Filardo, Dellinger

**PRESENTER (S):** Michael Dellinger, Jodie Filardo

**LEGAL REVIEW:** Yes

**REVIEWED BY:** Jeffrey B. Richardson

**BACKGROUND:** The presence of blighted and deteriorated properties can have negative safety, economic, and environmental impacts on properties and neighborhoods, resulting in unsafe communities and other public nuisances.

"Blighted property" is defined as a structure or improvement that is dilapidated or deteriorated because it violates minimum health and safety standards (Virginia Code § 36-3). Though blight is more often considered in the context of Development Areas; it exists also in the Rural Areas.

The Community Development Department (CDD) currently administers several regulations that relate to blight and building maintenance: uncontrolled vegetation (County Code § 7-501 et seq.), stagnant water (County Code § 7-505 et seq.), inoperable vehicles (County Code § 9-500), trash and refuse (County Code § 13-302), safety/health-related upkeep of residential rental properties (Virginia Uniform Statewide Building Code (USBC) § 104.1), unsafe buildings and structures (County Code § 5-300 et seq.), and Zoning Ordinance provisions

that prohibit junk yards (County Code § 18-5.1.10).

On April 6, 2016, the Board authorized staff to address problem properties using the County's spot blight abatement authority enabled by Virginia Code § 36-49.1:1. Previously, this process was used for the property located at 2514 Smithfield Road.

On December 1, 2021, the Board directed staff to continue to pursue spot blight abatement using the County's current authority and to report back on the results. Since that time, seven properties were investigated, with six properties identified as possibly blighted. The seventh, 2632 Hydraulic Road, was mitigated using other ordinances and remains an ongoing maintenance obligation today. The remaining six properties on the Board's consent agenda present ongoing public health and safety concerns.

This specific item requests the scheduling of a public hearing for a spot blight ordinance for 8038 Blenheim Road, Parcel ID 13100-00-00-01200. The overall process was outlined in the executive summary for 2087 Commonwealth Dr., and will not be repeated here. All six requests for the scheduling of public hearings followed the same process.

In this staff report, the specifics for 8038 Blenheim Road, Parcel ID 13100-00-00-01200, are outlined.

Staff identified this property as a "blighted property," and initiated the required steps to abate the identified blight. Specifically, as the County Executive's designee, the County Building Official made a preliminary determination that the property was blighted and sent notice to the property owners specifying the reasons why the property was blighted. Because the property owners failed to respond within 30 days with a written spot blight abatement plan acceptable to the County Executive's designee, staff is requesting that the Board schedule and advertise a public hearing in the future to consider an ordinance declaring this property to be blighted.

Staff has engaged with the property owner to summarize the following items to be corrected by the owner in the County-generated Abatement Plan: "The work is to include the razing of the structure, removal of debris to an authorized facility, and grading/seeding the disturbed area."

If the Board authorizes a public hearing, staff would generate the necessary information, including a cost estimate for this work. In addition, CDD would work with the Department of Finance and Budget to determine a funding source and recommendation.

**STRATEGIC PLAN:** Safety & Well-being - Nurture a safe and healthy community.

**DISCUSSION:** This agenda item, if approved, would authorize the scheduling of a public hearing on a spot blight ordinance for 8038 Blenheim Rd, Parcel ID 13100-00-00-01200.

**BUDGET IMPACT:** Abatement costs for 8038 Blenheim Rd, Parcel ID 13100-00-00-01200 would be presented at the public hearing, if approved.

**RECOMMENDATION:**

Staff recommends that the Board authorize a public hearing for a spot blight abatement ordinance on 8038 Blenheim Rd, Parcel ID 13100-00-00-01200.

**ATTACHMENTS:**

- A - Vicinity map
- B - Property condition