



County of Albemarle
COMMUNITY DEVELOPMENT DEPARTMENT

401 McIntire Road, North Wing
Charlottesville, VA 22902-4579
Telephone: 434-296-5832
WWW.ALBEMARLE.ORG

To: Albemarle County Board of Supervisors
From: Francis H. MacCall, Deputy Zoning Administrator
Date: November 19, 2025
Re: SE-2025-00029
Parcel ID(s): 07800-00-00-04800, 07800-00-00-048A0 and 07800-00-00-04900
Magisterial District: Scottsville
School Districts: Stone Robinson E.S., Burley M.S., Monticello H.S.
Zoning District: RA - Rural Areas and HC - Highway Commercial

Summary of Request for Special Exception:

Pursuant to County Code § 18-5.1.28(d), the applicant is seeking a special exception to waive the requirement pertaining to the access setback from property lines to the clean earth and inert waste fill activity on parcels 07800-00-00-048A0 and 07800-00-00-04900. (Attachment B) County Code § 18-5.1.28(a)(7) requires access to the clean earth fill activity be set back 50 feet from property lines.

The applicant's proposed access to the fill area is shown on parcels 07800-00-00-048A0 and 07800-00-00-04800 in Attachment B. The access road setback from the property line of parcel 07800-00-00-047A0 varies from 31 feet to 48.9 feet.

The area where the clean earth fill will be placed is approximately 1.77 acres on parcels 07800-00-00-04800 and 07800-00-00-04900.

The applicant states that the purpose of the fill is development. There is currently no application to develop the site further with a subdivision. Attachment A provides further analysis of the requested special exception and the factors to be considered by the Board.

Staff Recommendation:

Based on the analysis and information provided in Attachment A, staff recommends that the Board adopt the proposed resolution (Attachment F) to approve the special exception for the access to the proposed clean earth fill area on parcels 07800-00-00-048A0 and 07800-00-00-04800, provided that placement of any fill on parcels 07800-00-00-04800, and 07800-00-00-04900 must be in general accord with the Water Protection Ordinance (WPO) plan entitled VESMP Plan, 2238 Richmond Road, Albemarle County, Virginia, dated February 10, 2025 and last revised on July 10, 2025 (Attachment C) and any duly-issued building permit.

Attachments:

- A. Staff Analysis
- B. Application and Information (includes map)
- C. WPO Application
- D. County Code § 18-4.3.1 - Fill areas, waste areas
§ 18-5.1.28 - Clean Earth and Inert Waste Fill Activity Regulations
- E. Correspondence with abutting property owner
- F. Resolution to Approve