

From: [CDD Inquiry](#)

Sent: Wed, 28 Jan 2026 20:32:47

To: webent@ibyfax.com

Subject: TMP 129-6 129-7 & 7A 129-9A through 9F CDDINQ-2026-00032 (#669) (Cant do CivicAccess) Poultry houses at the Scottsville location. Land questions

Importance: Normal

Sensitivity: None

Attachments: 2025-11-03 18-4.10.3.1 Exceptions to heights but requiring larger setbacks.pdf; 2025-11-03 18-10.4 Area and bulk regulations in the Rural Area RA district.pdf; 2025-11-03 18-4.11 and 4.11.1 and 4.11.2 Uses and structures permitted in required yards.pdf;

Archived: Thursday, April 16, 2026 3:53:07 PM

Warren Beery,

Good morning and thank you for the additional information.

FIRST, with the exception of TMP 129-6 the parcels you are asking about are not the ones I previously gave you information on (Oct & Nov 2025).

Since you are now working with a licensed surveyor that understands Albemarle County's ordinances, regulations and requirements I will assume they are checking the ordinances for you in reference to Development Rights, more than 1 dwelling on a parcel without subdivision and/or subdividing the parcels to permit another dwelling.

If you need Inquiries help on any of this, please let us know.

SECOND, the fact that all 10 parcels have public road frontage helps, since in order to have a second dwelling on a parcel without subdivision public road frontage is required (unless the dwellings already exist and predated those ordinances).

As we discussed in our October meeting, to have a 2nd dwelling on a parcel without subdivision also requires that there be at least 2 Development Rights on the parcel and at least 4 acres (and all other ordinances, regulations and requirements must also be met).

Again, I will assume you are working with your consultant on this, and do not need Inquiries help, unless you tell me otherwise.

THIRD, I've reattached the setbacks information I sent to you on 11/3/25:

1) Setbacks for PRIMARY Structures (dwelling), or additions to the primary structure, in the RA district are found in 18-10.4 (see attached).

2) Setbacks for ACCESSORY structures then you refer to 18-4.11 Uses and structures in permitted and required yards (see attached).

3) Setbacks for covered porches, balconies, chimneys and like features (including decks) you should refer to 18-4.11.1 (see attached).

4) Special setback requirements when FARM BUILDINGS, based upon their height, can be found in 18-4.10.3.1 Exceptions under "Height of building and other structures".

FOURTH, all of these ordinance impact the setbacks depending on the circumstances.

The key is to look at either the Primary Setbacks (18-10.4) OR the Accessory Structure setbacks (18-4.11), know the height of the building, AND THEN look at the setback based upon farm building heights (18-4.10.3.1) IF the structure will be taller than the "Maximum Structure Height" (18-10.4) in the district.

FIFTH, the most farm building specific ordinance to impact this is 18-4.10.3.1 Exceptions under "Height of building and other structures".

This is the most important one to look at for Farm Buildings, IF they will be more than the Maximum Structure Height for the district (18-10.4).

Even though this is about "HEIGHT" you will see that (a) talks about "Farm Buildings" and (b) it states "... shall not: (1) be located closer in distance to any lot line than the height of the structure;...".

That is why I was asking you what the height of the building would be.

SIXTH, IMPORTANT: The definition of Building Height in the Zoning Ordinance is, "... the vertical distance measured from the level of the finished grade or the established curb grade opposite the middle of the front of the structure to the highest point of the roof if a flat roof; to the deck line of a mansard roof; or the mean height level between the eaves and ridge of a gable, hip or gambrel roof. For buildings set back from the street line, the height shall be measured from the average elevation of the ground surface along the front of the building."

SEVENTH, I asked for the specific parcel information because if a dwelling already exists on the parcel the dwelling is the "primary structure" and the farm building would be an "accessory structure".

If however, there is no dwelling on the parcel yet, then the farm building would be considered a "primary structure".

- * For primary structure setback see 18-10.4 Area and bulk regulations.

- * For accessory structure setbacks see 18-4.11.1 & 4.11.2

EIGHTH, in reference to "... land parcel size requirements for 1 or more poultry houses..." the County does not regulate the minimum size of a parcel for specific (or any) farming uses.

It is up to the farmers to know what the minimums are needed.

However, please note, that is only related the County's ordinances.

If there are other regulations/requirements at the State or Federal level related to this type of farm use we would not know.

Since you are already farming in another location within the State you probably would already know that type of requirement, but I just wanted to mention that caveat.

NINTH, because your questions is so general, and you do not have more information at this time, I think I have answered your question.

If that is not correct, please let me know.

TENTH, as previously noted, that CDD Inquiry looks for red flags but it is not a "review".

The County cannot state if something can be approved or not until it is officially submitted and reviewed.

Once it is officially submitted and reviewed other issues may become apparent.

Thank you for submitting an inquiry with the CDD Inquiry Team. The CDD Inquiry Team will research your questions and either email you our findings, forward your request to the appropriate Staff, or request additional information so that we can better assist you. Due to the research time often involved, we cannot give an exact time of response. Typically, response time is 3-4 weeks.

Be well,

CDD Inquiry Team

Community Development Department

Albemarle County

434 296-5832 ext 3440

cddinquiry@albemarle.org

This email is not intended to be and shall not be deemed an official order, requirement, decision, or determination made on behalf of the Zoning Administrator.

-----Original Message-----

From: Warren Beery <webent@ibifax.com>

Sent: Tuesday, January 27, 2026 11:46 AM

To: Patricia "Paty" Saternye <psaternye@albemarle.org>

Subject: CDDINQ-2026-00032 (#669) (Cant do CivicAccess) Poultry houses at the Scottsville location. Land questions

CAUTION: This message originated outside the County of Albemarle email system. DO NOT CLICK on links or

open attachments unless you are sure the content is safe.

Good day, Patty. Hope you are well and staying warm.

Thanks for replying to my last email. Maybe this will help clarify what we are looking for at this time.

The project at liberty corner/scotland farms probably has no easy answers. We are hoping for some generalisations in what may be workable for poultry. The plan is to purchase tax map #'s 129-9c / 129-7a / 129-7 / 129-6 / 129-9a / 129-9b / 129-9d / 129-9e / 129-9g / 129-9f. After the purchase has been completed, we are looking at completely resurveying the entire plots to try to generate homesteads for about 20 families. The surveyor we are talking to seems fairly familiar with the requirements that the county has and thinks this could maybe work. We realise there is a lot of unknowns in this project. The buying group (Countryside Homesteads LLC) has signed a LOI with the owner and are trying to be sure there is not anything that may not allow this to work. Since poultry does not require growing crops and typically can be done on smaller plots, any direction on this would be helpful.

Thank you

--

Warren Beery
Web Enterprises
7517 Rushville Road
Dayton VA 22821
540-879-7038

From: CDD Inquiry <cddinquiry@albemarle.org>

Sent: Friday, January 23, 2026 3:10 PM

To: webent@ibyfax.com

Subject: CDDINQ-2026-00032 (#669) (Cant do CivicAccess) Poultry houses at the Scottsville location

Warren Beery,

Good afternoon and thank you for your follow up question.

FIRST, Michael Barnes mentioned you were concerned when you got our automated email about using CivicAccess to submit your inquiry.

That automated email can't be blocked, and is very important for most requestors to help them maneuver through the process.

SECOND, as discussed in our previous meeting (10/24/25), we are very willing to help your through the process as much as we can since you cannot use our webpages or submission portal.

THIRD, I have now created an inquiry for you.

For future reference, it is CDDINQ-2026-00032.

FOURTH, could you please provide additional information about the parcel you are considering adding the poultry house to?

Also, do you know approximately where it would be located.

I need to look at the circumstances for a few things, just two of which are the Critical Resources and whether there is already a primary use (dwelling) on the parcel.

FIFTH, also, would you be able to specify the height of the poultry house?

Agricultural building heights can impact the permitted setbacks.

SIXTH, for future reference, if you can include in your initial email submitting a new inquiry request the fact that you cannot use our online services and that we have discussed this in the past that would really help me serve you better.

You having reached out to Michael made me aware of that this time.

Since we work with so many people I don't think I would have realized that was the case just by seeing your name.

Thank you.

Thank you for submitting an inquiry with the CDD Inquiry Team. The CDD Inquiry Team will research your questions and either email you our findings, forward your request to the appropriate Staff, or request additional information so that we can better assist you. Due to the research time often involved, we cannot give an exact time of response. Typically, response time is 3-4 weeks.

Be well,
CDD Inquiry Team
Community Development Department
Albemarle County
434 296-5832 ext 3440
cddinquiry@albemarle.org

This email is not intended to be and shall not be deemed an official order, requirement, decision, or determination made on behalf of the Zoning Administrator.

-----Original Message-----

From: no-replyepl <no-replyepl@albemarle.org>
Sent: Friday, January 23, 2026 2:49 PM
To: webent <webent@ibifax.com>
Cc: Patricia "Paty" Saternye <psaternye@albemarle.org>; Francis MacCall <FMACCALL@albemarle.org>
Subject: CDDINQ-2026-00032 (#669) (Cant do CivicAccess) Poultry houses at the Scottsville location. Property Inquiry Email Request

Thank you for submitting an inquiry with the CDD Inquiry Team.

The CDD Inquiry Team will research your questions and either email you our findings, forward your request to the appropriate Staff, or request additional information so that we can better assist you.

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CDD Inquiry Team
Community Development Department
Albemarle County
434 296-5832 ext 3440
cddinquiry@albemarle.org

-----Original Message-----

From: Warren Beery <webent@ibifax.com>
Sent: Thursday, January 22, 2026 10:02 AM
To: CDD Inquiry <cddinquiry@albemarle.org>
Subject: CDDINQ-2026-00032 (#669) (Cant do CivicAccess) Poultry houses at the Scottsville location

CAUTION: This message originated outside the County of Albemarle email system. DO NOT CLICK on links or open attachments unless you are sure the content is safe.

Good day

To whom it may concern.

We are wondering about land parcel size requirements for 1 or more poultry houses per parcel. Also what setbacks may be and if square footage per house comes into play

Thanks for your help.

Warren

--

Warren Beery
Web Enterprises

7517 Rushville Road
Dayton VA 22821
540-879-7038

-----Original Message-----

From: CDD Inquiry <cddinquiry@albemarle.org>

Sent: Tuesday, November 4, 2025 6:40 PM

To: webent@ibyfax.com

Subject: TMP 129-5 129-6 129-6A 129-7 CDDINQ-2025-00669 Inquiry concerning agricultural use of parcels on Irish Rd. Re: Reminder: Friday 11 am - Community Development Department (CDD) Inquiry Meeting - Warren Beery

Warren & Naomi,

Good evening again.

Here is the final/fourth email (of the last two days) that has the plats and deeds attached.

FIRST, please reference the email below in reference to the specific plats that state the Development Rights for each of the six parcels.

SECOND, CDD Inquiry has tried to provide you with what we can, especially since you cannot access the webpages or ordinances yourselves.

However, please keep in mind that County staff members cannot take the place of a consultant.

We suggest that you reach out to a licensed surveyor or engineer who is knowledgeable and experienced in Albemarle County's ordinances, regulations, and requirements.

They likely can suggest what may or may not be able to be approved by the County and can suggest proposed lot layouts that might maximize the divisions.

Some of them will also guide you through the plat creation, submission, review, and approval process.

Thank you for submitting an inquiry with the CDD Inquiry Team. The CDD Inquiry Team will research your questions and either email you our findings, forward your request to the appropriate Staff, or request additional information so that we can better assist you. Due to the research time often involved, we cannot give an exact time of response. Typically, response time is 3-4 weeks.

Be well,

CDD Inquiry Team

Community Development Department

Albemarle County

434 296-5832 ext 3440

cddinquiry@albemarle.org

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-----Original Message-----

From: CDD Inquiry <cddinquiry@albemarle.org>

Sent: Tuesday, November 4, 2025 6:32 PM

To: webent@ibyfax.com

Subject: TMP 129-5 129-6 129-6A 129-7 CDDINQ-2025-00669 Inquiry concerning agricultural use of parcels on Irish Rd. Re: Reminder: Friday 11 am - Community Development Department (CDD) Inquiry Meeting - Warren Beery

Warren & Naomi,

Good evening again.

Please note that some of this will be partially redundant to what was sent in the Buildings email I sent last night, but I wanted you to have all the general information in one place.

FIRST, this is the more general/miscellaneous email.

Topics that apply to processes/standards/resources that don't fall into only one category.

SECOND, attached please find a PDF for both the uses permitted by-right (see 10.2.1 attached) and permitted by Special Use Permit (see 10.2.2 attached) in the RA district.

THIRD, attached please find a PDF of the Home Occupations webpage.

As discussed, some uses not listed in the "by-right" list it might be possible (depending on use/scale and other factors) that it might be able to be permitted as a Home Occupation.

Two things specifically mentioned on that webpage are that uses that require a Special Use Permit (see 10.2.2) cannot be permitted by a Home Occupation clearance and also there is a list of uses that are prohibited from being a Home Occupation.

Please note that when making the PDF of that webpage I didn't expand the section on "Residential Districts" since it does not apply to the Rural Areas district.

FOURTH, please see the attached setbacks information :

1) Setbacks for PRIMARY Structures (dwelling), or additions to the primary structure, in the RA district are found in 18-10.4 (see attached).

2) Setbacks for ACCESSORY structures then you refer to 18-4.11 Uses and structures in permitted and required yards (see attached).

3) Setbacks for covered porches, balconies, chimneys and like features (including decks) you should refer to 18-4.11.1 (see attached).

FIFTH, I chatted with an Application Services team member (applicationservices@albemarle.org).

They said that because you cannot use the internet the way you would submit your applications, and associated required Materials, would be IN-PERSON.

However, it would be really important for you to communicate with them ahead of time to ensure you have everything needed on the day you do so

They also suggested that you schedule a day/time with them just so they will know you are coming and be ready to help you.

You can use that email address to reach out to them initially.

SIXTH, driveway requirements can be found in 4.6.6 Lot Access Requirements, under subsection "b".

However, this is for serving one lot/parcel.

See below for "private street standards" for when an access serves more than one lot/parcel.

SEVENTH, attached find the following in reference to street standards:

- * When private streets in the rural areas may be authorized
- * Standards for Private Streets Only
- * Standards for all streets and alleys

As mentioned, for streets that serve 5 or more parcels it is the default that it is a "Public" rather than a "Private" street.

EIGHTH, please see the attached Special Use Permit (SP) webpage.

Some things of note in reference to SPs:

- * An SP is required both for a Private School and for a Church for more than 200 People.

* One of the early steps for an SP is to have a "Pre-Application Meeting". I chatted with my supervisor about whether you should have a Pre-Application Meeting now to discuss future SPs and he said that no, you would not schedule one until you are closer to actually applying one, which from our discussion I understand to be years in the future.

- * It is not abnormal for the SP process to take 1 1/2 to 2 years.

- * With an SP there is no way to know if the Board of Supervisors (BOS) will approve it or now until they take

their final action.

NINTH, attached please find the Development Rights webpage.

In reference to Development Rights please remember (from our discussion) that:

- * Development Rights (DR) are “theoretical” in nature and can only be utilized if all other ordinances, regulations and requirements can also be met.
- * What CDD Inquiry provides is only an INFORMAL Development Rights Assessment. If you wish to receive an official Letter of Determination (LOD) of Development Rights that requires an application and fee.
- * Development Rights (DR) are required for any subdivisions of less than 21 acres in size.
- * Sufficient Development Rights (DR) are also required in order to have more than one dwelling on any parcel in the Rural Areas (RA) district (in addition to all other ordinances and requirements).
- * A parcel having at least two DR is required to have two dwelling on a parcel (without subdividing) no matter how large the parcel is.

TENTH, as we discussed in our meeting, with any subdivision, improvements and/or grading to the parcel the Critical Resources within the parcel must be protected based upon the regulations for them.

You can see these in the COUNTY's GIS Web Viewer when the three Critical Resource layers are turned on. Please see the nine PDFs I sent to you on 10/30, for the parcels you requested.

- * Water Protection Ordinance (WPO) buffer (shown in purple)
- * Critical Slopes (shown in orange).
- * 100 year Floodplain (Flood Hazard Overlay district) (shown in blue hatched/stripe)

I've attached the WPO buffer, Flood Hazard overlay, and Critical Slopes portions of the ordinance for your reference.

ELEVENTH, as I mentioned in our meeting, the INFORMAL Development Rights Assessment for the six parcels we discussed were:

* TMP 129-6 - 4 DR (DB 1123 PG 166 - 1990) However, all 4 of these are already being utilized. Also, as we discussed, this is the parcel that does not show the same parcel size on the GIS as it does on the plat. So further research to ensure another portion of the parcel was not subdivided off (and possibly using a Development Right) would be good to have a licensed surveyor or engineer do prior to purchasing it. I did not find any signs of another division, but CDD Inquiry just does a quick check, and our research is NOT exhaustive or definitive.

* TMP 129-10D - 1 DR (DB 4473 PG 434 - 2014) It is already being utilized for the parcel to exist, since it is under 21 acres in size.

- * TMP 129-10A - 0 DR (DB 4544 PG 287 - 2014)
- * TMP 130-7Q - 0 DR (DB 2849 PG 151 - 2004)
- * TMP 130-7Y - 1 DR (DB 2849 PG 142 - 2004)
- * TMP 130-17 - 4 DR (DB 3014 PG 519 - 2005)

Because of their size, and so many PDFs already attached to this email, I will send the plats and deeds attached to a 4th email.

TWELFTH, please note that CDD Inquiry looks for red flags but it is not a "review".

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cddinquiry@albemarle.org

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-----Original Message-----

From: CDD Inquiry <cddinquiry@albemarle.org>

Sent: Monday, November 3, 2025 6:14 PM

To: webent@ibyfax.com

Subject: TMP 129-5 129-6 129-6A 129-7 CDDINQ-2025-00669 Inquiry concerning agricultural use of parcels on Irish Rd. Re: Reminder: Friday 11 am - Community Development Department (CDD) Inquiry Meeting - Warren Beery

Warren & Naomi,
Good evening again.

FIRST, this is the Building Code and Building Permit related email.

SECOND, the Building Inspections related staff member who could be a resource for you would be:

Dave Duffy (dduffy@albemarle.org)

(434) 872-4528 ext. 3238

Dave is the "Commercial Plan Reviewer"

THIRD, topics Dave could be a resource for are:

- 1) Poultry houses
- 2) Green houses
- 3) Farm Building Exemptions (and when they may not apply)

FOURTH, please see the attached resources (ex. like the "Exemption of Farm Buildings or Structures Form").

FIFTH, please see the attached setbacks information :

- 1) Setbacks for PRIMARY Structures (dwelling), or additions to the primary structure, in the RA district are found in 18-10.4 (see attached).
- 2) Setbacks for ACCESSORY structures then you refer to 18-4.11 Uses and structures in permitted and required yards (see attached).
- 3) Setbacks for covered porches, balconies, chimneys and like features (including decks) you should refer to 18-4.11.1 (see attached).
- 4) Special setback requirements when farm buildings are above a specified height can be found in 18-4.10.3.1 Exceptions under "Height of building and other structures".

SIXTH, pay special attention to subsections (a.) & (b.) of 18-4.10.3.1, which talks about the maximum height (18-10.4) not applying to certain types of farm buildings but also how any structure allowed to be over that height needs to be further from the property lines than normally required with standard setbacks (see attached).

SEVENTH, both a dwelling and a farm building can be the first structure built in the RA district.

Both a dwelling and an agricultural use are permitted by-right in the RA district (see 10.2.1 attached).

Whichever is built first would be considered the primary use.

This can change which setbacks a farm building might be required to meet.

If the farm building is the first structure built, and therefore considered the "primary use", then it must meet primary setbacks (unless it meets the criteria mentioned above when further distance from a property line is required).

EIGHTH, please note that even if you would be using the Farm Exception for a building you still have to submit things to the County.

Those will be the forms themselves as well as anything needed in order for Zoning to review that the proposed building meets setbacks.

NINTH, I chatted with an Application Services team member (applicationservices@albemarle.org).

They said that because you cannot use the internet the way you would submit your applications, and associated required Materials, would be IN-PERSON.

However, it would be really important for you to communicate with them ahead of time to ensure you have everything needed on the day you do so

They also suggested that you schedule a day/time with them just so they will know you are coming and be ready to help you.

You can use that email address to reach out to them initially.

SIXTH, please note that CDD Inquiry looks for red flags but it is not a "review".

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434 296-5832 ext 3440

cddinquiry@albemarle.org

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-----Original Message-----

From: CDD Inquiry <cddinquiry@albemarle.org>

Sent: Monday, November 3, 2025 4:55 PM

To: webent@ibyfax.com

Subject: TMP 129-5 129-6 129-6A 129-7 CDDINQ-2025-00669 Inquiry concerning agricultural use of parcels on Irish Rd. Re: Reminder: Friday 11 am - Community Development Department (CDD) Inquiry Meeting - Warren Beery

Warren & Naomi,

Good evening and thank you for your patience.

FIRST, I will be sending you multiple emails, because during our meeting we found a number of topics you could use more information on.

One will be related to engineering.

One will be related to Building Code and Building Permit

Then a third will be in reference to everything else.

These will not include PDFs of the individual parcels showing the Critical Resources since those were sent to you on Thursday.

SECOND, this is the Engineering related email.

The County Engineer is:

Frank Pohl (fpohl@albemarle.org)

(434) 296-5832 ext. 7914

THIRD, topics that Frank would be an appropriate source for are:

- 1) Floodplain regulations (Flood Hazard Overlay District)
- 2) Water Protection Ordinance (WPO) Buffer
- 3) Permitting for disturbance/VESMP (Virginia Erosion and Stormwater Management Program)

FOURTH, each of those have their own ordinances and regulations.

So, please do not assume that exceptions that Farming might have for WPO buffers would be the same for Floodplain.

It is best to look at the ordinances, and get all information from Frank, and be perfectly clear which one(s) he is providing any answers for.

FIFTH, attached please find some PDFs I've made for you, from webpages and sections of the ordinances, in reference to these topics.

SIXTH, please note that CDD Inquiry looks for red flags but it is not a "review".

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Thank you for submitting an inquiry with the CDD Inquiry Team. The CDD Inquiry Team will research your questions and either email you our findings, forward your request to the appropriate Staff, or request additional information so that we can better assist you. Due to the research time often involved, we cannot give an exact time of response. Typically, response time is 3-4 weeks.

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434 296-5832 ext 3440

cdinquiry@albemarle.org

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-----Original Message-----

From: Warren Beery <webent@ibyfax.com>

Sent: Thursday, October 30, 2025 5:22 PM

To: CDD Inquiry <cdinquiry@albemarle.org>

Subject: TMP 129-5 129-6 129-6A 129-7 CDDINQ-2025-00669 Inquiry concerning agricultural use of parcels on Irish Rd. Re: Reminder: Friday 11 am - Community Development Department (CDD) Inquiry Meeting - Warren Beery

CAUTION: This message originated outside the County of Albemarle email system. DO NOT CLICK on links or open attachments unless you are sure the content is safe.

Thank you!

--Warren Beery

Web Enterprises

-- On Thu, 30 Oct 2025 21:17:51 +0000, CDD Inquiry wrote:

> Naomi & Warren,

> Great :).

> Attached please find a PDF of the remaining three parcels TMP 134-20, 134-21A & 135-2.

>

> As mentioned previously, once I am able to pull together all the PDF for you (of resources and webpages that we discussed in our meeting) I will send you those and the contact information for Buildings and Engineering.

>
> Be well,
> Paty Saternye
> Senior Planner
> Albemarle County
>
> psaternye@albemarle.org
> 434-296-5832 x3250
> 401 McIntire Road, Suite 228, Charlottesville, VA 22902 This email is
> not intended to be and shall not be deemed an official order, requirement, decision, or determination made on
behalf of the Zoning Administrator.
>
> -----Original Message-----
> From: Warren Beery <webent@ibyfax.com>
> Sent: Thursday, October 30, 2025 4:57 PM
> To: CDD Inquiry <cddinquiry@albemarle.org>
> Subject: TMP 129-5 129-6 129-6A 129-7 CDDINQ-2025-00669 Inquiry
> concerning agricultural use of parcels on Irish Rd. Re: Reminder:
> Friday 11 am - Community Development Department (CDD) Inquiry Meeting
> - Warren Beery
>
> CAUTION: This message originated outside the County of Albemarle email system. DO NOT CLICK on links or
open attachments unless you are sure the content is safe.
>
> Patty,
> Yes, we did receive the email and attachments. I am responding for dad, he was confused and did not read the
contents correctly. We do have the parcels 129-10D, 129-10A, 130-7Y, 130-7Q, 130-17 & 129-6. If you can supply
the remaining three, that would be very helpful.
> Thanks again for your time and patience!
> Regards,
> Naomi J. Beery
>
> --Warren Beery
> Web Enterprises
>
>
> -- On Thu, 30 Oct 2025 20:27:08 +0000, CDD Inquiry wrote:
>> Warren,
>> Most of those were included in the PDF I attached to the email I sent to you @ 12:28 today.
>> QUESTIONS:
>> 1) Did you not receive that email?
>> 2) Or did you receive the email but there was no PDF attached?
>>
>> I will send a separate email with 134-21A, 135-2 & 134-20 attached.
>>
>> Be well,
>> CDD Inquiry Team
>> Community Development Department
>> Albemarle County
>> 434 296-5832 ext 3440
>> cddinquiry@albemarle.org
>> This email is not intended to be and shall not be deemed an official order, requirement, decision, or
determination made on behalf of the Zoning Administrator.
>>
>> -----Original Message-----
>> From: Warren Beery <webent@ibyfax.com>

>> Sent: Thursday, October 30, 2025 2:45 PM
>> To: CDD Inquiry <cddinquiry@albemarle.org>
>> Subject: RE: TMP 129-5 129-6 129-6A 129-7 CDDINQ-2025-00669 Inquiry
>> concerning agricultural use of parcels on Irish Rd. Re: Reminder:
>> Friday 11 am - Community Development Department (CDD) Inquiry
>> Meeting
>> - Warren Beery
>>
>> CAUTION: This message originated outside the County of Albemarle email system. DO NOT CLICK on links
or open attachments unless you are sure the content is safe.
>>
>> Patty
>> I am sorry, I should have sent the TMP's first.
>> In order for whatever time allows
>> 129-10D
>> 129-10A
>> 130-7Y
>> 130-7Q
>> 134-21A
>> 135-2
>> 134-20
>> 130-17
>> Thank you for your patience!!!
>> Warren
>>
>> --Warren Beery
>> Web Enterprises
>>
>>
>> -- On Thu, 30 Oct 2025 18:26:20 +0000, CDD Inquiry wrote:
>>> I don't know which of the other 21 parcels from the original list you are referring to.
>>> The ones I sent were the 6 we discussed in last Friday's meeting.
>>>
>>> If you have maybe up to 6 additional parcels you want to provide TMPs for, I'm not positive if it will be today
but I could try.
>>> Without the specific TMPs I don't know what you need.
>>>
>>> Be well,
>>> CDD Inquiry Team
>>> Community Development Department
>>> Albemarle County
>>> 434 296-5832 ext 3440
>>> cddinquiry@albemarle.org
>>> This email is not intended to be and shall not be deemed an official order, requirement, decision, or
determination made on behalf of the Zoning Administrator.
>>>
>>> -----Original Message-----
>>> From: Warren Beery <webent@ibyfax.com>
>>> Sent: Thursday, October 30, 2025 1:31 PM
>>> To: CDD Inquiry <cddinquiry@albemarle.org>
>>> Subject: TMP 129-5 129-6 129-6A 129-7 CDDINQ-2025-00669 Inquiry
>>> concerning agricultural use of parcels on Irish Rd. Re: Reminder:
>>> Friday 11 am - Community Development Department (CDD) Inquiry
>>> Meeting
>>> - Warren Beery
>>>

>>> CAUTION: This message originated outside the County of Albemarle email system. DO NOT CLICK on links or open attachments unless you are sure the content is safe.

>>>

>>> Patty

>>> Thank you for your efforts

>>> Some are doing a walk over on the Scottsville farm tomorrow also. Would it be possible to get the maps associated with those parcels some time yet today.

>>> Thanks again

>>> --Warren Beery

>>> Web Enterprises

>>>

>>>

>>> -- On Thu, 30 Oct 2025 16:27:33 +0000, CDD Inquiry wrote:

>>>> Warren Beery,

>>>> Good afternoon and thank you for your patience.

>>>>

>>>> First, attached please find a PDF with 6 pages, one for each parcel.

>>>> This is showing the Critical Resources, as requested.

>>>>

>>>> Second, in looking at them the following information might be helpful

>>>> O Water Protection Ordinance (WPO) buffer (shown in purple)

>>>> O Critical Slopes (shown in orange).

>>>> O 100 year Floodplain (Flood Hazard Overlay district) (shown in blue hatched/stripe)

>>>> Please just keep in mind the parcel is highlighted in light blue which changes the colors for each of the resources a little bit.

>>>>

>>>> Third, more information will be forwarded to you in a separate email, as I create the many other PDFs that will be needed for the information we discussed in the meeting.

>>>>

>>>>

>>>> Thank you for submitting an inquiry with the CDD Inquiry Team. The CDD Inquiry Team will research your questions and either email you our findings, forward your request to the appropriate Staff, or request additional information so that we can better assist you. Due to the research time often involved, we cannot give an exact time of response. Typically, response time is 3-4 weeks.

>>>>

>>>> Be well,

>>>> CDD Inquiry Team

>>>> Community Development Department Albemarle County

>>>> 434 296-5832 ext 3440

>>>> cddinquiry@albemarle.org

>>>> This email is not intended to be and shall not be deemed an official order, requirement, decision, or determination made on behalf of the Zoning Administrator.

>>>>

>>>> -----Original Message-----

>>>> From: Warren Beery <webent@ibyfax.com>

>>>> Sent: Wednesday, October 29, 2025 11:14 AM

>>>> To: CDD Inquiry Meetings: Please pick 1) the day and time you

>>>> want to meet directly below, 2) the meetings day of the month in

>>>> the calendar,

>>>> 3) the meetings time to the right of the calendar, and also 4)

>>>> fill in the fields below the calendar.

>>>> <InquiryPlannerMeetingsAlbemarleCounty@albemarle.org>

>>>> Subject: TMP 129-5 129-6 129-6A 129-7 CDDINQ-2025-00669 Inquiry

>>>> concerning agricultural use of parcels on Irish Rd. Re: Reminder:

>>>> Friday 11 am - Community Development Department (CDD) Inquiry

>>>> Meeting

>>>> - Warren Beery

>>>>

>>>> CAUTION: This message originated outside the County of Albemarle email system. DO NOT CLICK on links or open attachments unless you are sure the content is safe.

>>>>

>>>> Good day, Patty

>>>> First, I want to thank you for your time last week. We are still working through information overload.

>>>> Second, The one question that I am not clear on is how this sub-dividing and development rights works. If a parcel has no development rights, can it be sub-divided to gain a development right? Third, Not sure how you are getting along with the info we are after. There is a group headed there this Friday. Wondering if possible to get maps for the larger portions of the Greenfield farms showing the restrictions associated with that.

>>>>

>>>> Also is there a phone number for someone without email to talk

>>>> to about a specific tax map number for whatever restrictions may

>>>> apply

>>>>

>>>> Again thanks for your help

>>>> Warren Beery

>>>> Web Enterprises

>>>> 7517 Rushville Road

>>>> Dayton VA 22821

>>>> 540-879-7038

>>>>

>>>>

>>>> -- On Thu, 23 Oct 2025 15:00:04 +0000, CDD Inquiry Meetings: Please pick 1) the day and time you want to meet directly below 2) the meetings day of the month in the calendar 3) the meetings time to the right of the calendar and also 4) fill in the fields below the calendar. wrote:

>>>>> CDD Inquiry Meetings: Please pick 1) the day and time you want to meet

>>>>> directly below, 2) the meetings day of the month in the calendar, 3)

>>>>> the meetings time to the right of the calendar, and also 4) fill in the

>>>>> fields below the calendar.

>>>>> 434-296-5832

>>>>> [1] [https://www.albemarle.org/government/community-development/request/p](https://www.albemarle.org/government/community-development/request/property-inquiry)

>>>>> roperty-inquiry

>>>>>

>>>>> Hi Warren Beery,

>>>>> You have an upcoming booking.

>>>>>

>>>>> Appointment reminder

>>>>> Just a quick reminder that your service is coming up soon.

>>>>>

>>>>> Booking details

>>>>>

>>>>> Service Name

>>>>>

>>>>> Friday 11 am - Community Development Department (CDD) Inquiry Meeting -

>>>>> Warren Beery

>>>>>

>>>>> When

>>>>>

>>>>> Friday, October 24, 2025

>>>>> 11:00 AM - 12:00 PM

>>>>> (UTC-05:00) Eastern Time (US & Canada)

>>>>>

>>>>> Location

>>>>>

>>>> Albemarle County (401 McIntire Rd, Charlottesville, VA,
>>>> United
>>>> States)
>>>>
>>>>
>>>>
>>>> CDD Inquiry Meetings: Please pick 1) the day and time you want to meet
>>>> directly below, 2) the meetings day of the month in the calendar, 3)
>>>> the meetings time to the right of the calendar, and also 4) fill in the
>>>> fields below the calendar.
>>>> The Policies and Practices of CDD Inquiry Meetings: Please pick 1) the
>>>> day and time you want to meet directly below, 2) the meetings day of
>>>> the month in the calendar, 3) the meetings time to the right of the
>>>> calendar, and also 4) fill in the fields below the calendar. apply to
>>>> the use of your data
>>>>
>>>> Powered by Microsoft Bookings
>>>> A simpler way to organize schedules and manage appointments.
>>>>
>>>> References
>>>>
>>>> 1.
>>>> <https://www.albemarle.org/government/community-development/request>
>>>> ue
>>>> st
>>>> /p
>>>> ro
>>>> perty-inquiry
>>>>
>>>>
>>>> -----Original Message-----
>>>> From: CDD Inquiry <cddinquiry@albemarle.org>
>>>> Sent: Friday, October 17, 2025 10:24 AM
>>>> To: webent@ibyfax.com
>>>> Subject: TMP 129-6 129-10A 129-10D 130-7Q 130-7Y & 130-17
>>>> CDDINQ-2025-00669 Inquiry concerning agricultural use of parcels
>>>> on Irish Rd
>>>>
>>>> Warren Beery,
>>>> Good morning.
>>>>
>>>> FIRST, I have now booked an In-Person CDD Inquiry meeting for you on Friday 10/24 @ 11AM.
>>>>
>>>> SECOND, Albemarle County's McIntire building is located at 401 McIntire Road Charlottesville, VA
>>>> 22902.
>>>>
>>>> THIRD, when parking in the visitors parking area you will be on the north side of the building.
>>>> When walking towards the building you will see an entrance with "VISITORS ENTRANCE" sign above
>>>> the door.
>>>> That is NOT where you want to go in.
>>>> While walking towards that entrance if you look to your right, you will see another entrance with
>>>> "COMMUNITY DEVELOPMENT" above the door.
>>>> That is where you want to go in.
>>>> Then you go up to the front desk, sign in, and let them know you are attending a Inquiry meeting.
>>>>
>>>> FOURTH, thank you for reducing the number of parcels down to six (TMP 129-6, 129-10D, 129-10A,

130-7Y, 130-7Q & 130-17).

>>>> That helps a lot.

>>>>

>>>> FIFTH, if you need to change or cancel the meeting, or if you need to change the number of attendees, please use this email address to reach out us to let us know.

>>>>

>>>>

>>>> Be well,

>>>> CDD Inquiry Team

>>>> Community Development Department Albemarle County

>>>> 434 296-5832 ext 3440

>>>> cddinquiry@albemarle.org

>>>> This email is not intended to be and shall not be deemed an official order, requirement, decision, or determination made on behalf of the Zoning Administrator.

>>>>

>>>> -----Original Message-----

>>>> From: Warren Beery <webent@ibyfax.com>

>>>> Sent: Friday, October 17, 2025 8:49 AM

>>>> To: CDD Inquiry <cddinquiry@albemarle.org>

>>>> Subject: TMP 129-5 129-6 129-6A 129-7 CDDINQ-2025-00669 Inquiry

>>>> concerning agricultural use of parcels on Irish Rd

>>>>

>>>> CAUTION: This message originated outside the County of Albemarle email system. DO NOT CLICK on links or open attachments unless you are sure the content is safe.

>>>>

>>>> Paty

>>>> Good morning

>>>>

>>>> 1 Tax map parcels with the most interest for now are 129-6 *

>>>> 129-10D

>>>> * 129-10A * 130-7Y * 130-7Q * 130-17 *

>>>> 2 We will keep our group size to a max 6

>>>> 3 If Friday 10/24 works for you we will plan that way

>>>> Could you please include the address to your office Thank you

>>>> for your help Warren

>>>>

>>>> Warren Beery

>>>> Web Enterprises

>>>> 7517 Rushville Road

>>>> Dayton VA 22821

>>>> 540-879-7038

>>>>

>>>>

>>>> -- On Thu, 16 Oct 2025 15:16:38 +0000, CDD Inquiry wrote:

>>>>> Warren Beery,

>>>>> Good morning.

>>>>> This is the email I said I would send to you when we chatted late yesterday.

>>>>>

>>>>> FIRST, it is my understanding that you want:

>>>>> * to set up an In-Person meeting for about 8 attendees,

>>>>> * for that meeting to be In-Person, and

>>>>> * you will try to narrow down the number of parcels from the 27 you initially sent to Jered Tate.

>>>>>

>>>>> SECOND, below I will list the currently available meeting days and times.

>>>>> However, please remember that:

>>>>> * It is on a first come first serve basis so there is some chance a meeting might be booked by

someone else prior to you letting me know you want it.

>>>>> * Please do not book one of the two closest meeting dates unless you significantly reduce the number of parcels you want to talk about in this first inquiry.

>>>>>

>>>>> THIRD, the currently available meeting days and times are:

>>>>> *Friday 10/24 @ 11AM

>>>>> *Monday 10/27 @ 1:30PM

>>>>> *Friday 10/31 @ 10AM

>>>>> *Friday 10/31 @ 11AM

>>>>> *Monday 11/3 @ 1:30PM

>>>>> *Monday 11/3 @ 2:30PM

>>>>>

>>>>> FOURTH, these meeting days and times are somewhat limited because of the size of your group of attendees.

>>>>> If your number drops down to only four or five attendees there might be additional times available.

>>>>> So, please let me know if your number of attendees changes (in either direction).

>>>>>

>>>>> FIFTH, attached is the Frequently Asked Questions (FAQ) sheet for Albemarle County Agricultural Operations.

>>>>> This is the FAQ I mentioned that outlines what is by-right (no permit required) in a farm (when the Zoning District allows farming) and what requires Clearances or Special Use Permits.

>>>>>

>>>>> SIXTH, from the spreadsheet you provided it appears that the parcels you have listed are all in the Rural Areas (RA) district.

>>>>> Agriculture (in general) is a by-right use in the RA district, but please look over the FAQ to see if anything you would be proposing would fall under needing other approvals or might not be permitted.

>>>>>

>>>>> SEVENTH, as discussed, if you want information on what may and may not be permitted, we would need to know all "cottage industries" that would be proposed so that we could determine if they would be considered a normal part of a "farm" or if they would be considered a commercial use.

>>>>> We would also need to know the scale and the details so that we could see if it could fall under a "farm" or if it could be considered what we refer to as "Home Occupations".

>>>>>

>>>>> EIGHTH, once you let me know what days and times (listed above) that might work for you then I will see what is still available.

>>>>>

>>>>>

>>>>>

>>>>> Thank you for submitting an inquiry with the CDD Inquiry Team. The CDD Inquiry Team will research your questions and either email you our findings, forward your request to the appropriate Staff, or request additional information so that we can better assist you. Due to the research time often involved, we cannot give an exact time of response. Typically, response time is 3-4 weeks.

>>>>>

>>>>> Be well,

>>>>> CDD Inquiry Team

>>>>> Community Development Department Albemarle County

>>>>> 434 296-5832 ext 3440

>>>>> cddinquiry@albemarle.org

>>>>> This email is not intended to be and shall not be deemed an official order, requirement, decision, or determination made on behalf of the Zoning Administrator.

>>>>>

>>>>> -----Original Message-----

>>>>> From: Warren Beery <webent@ibyfax.com>

>>>>> Sent: Tuesday, October 14, 2025 4:19 PM

>>>>> To: CDD Inquiry <cddinquiry@albemarle.org>

>>>>> Subject: TMP 129-5 129-6 129-6A 129-7 CDDINQ-2025-00669

>>>> Inquiry concerning agricultural use of parcels on Irish Rd

>>>>

>>>> CAUTION: This message originated outside the County of Albemarle email system. DO NOT CLICK on links or open attachments unless you are sure the content is safe.

>>>>

>>>> Good day

>>>> Sorry the email you just received from me was not complete. I wanted to add that I would like to have a direct extension to talk to someone on this matter or please call me @ 540-879-7038 as a short conversation would help us both clarify a few things. P.S. My email is not internet based, therefore I cannot open links which limits my ability to communicate online. Thanks for your understanding.

>>>> --Regards

>>>> Warren

>>>> Warren Beery

>>>> Web Enterprises

>>>> 7517 Rushville Road

>>>> Dayton VA 22821

>>>> 540-879-7038

>>>>

>>>>

>>>> -- On Tue, 14 Oct 2025 19:45:44 +0000, CDD Inquiry wrote:

>>>> Warren Beery,

>>>>

>>>> Good afternoon and thank you for your inquiry.

>>>>

>>>>

>>>> First, could you please respond to this email so that I know you have received it?

>>>>

>>>> Sometimes our emails go to JUNK/SPAM/OTHER folders and people don't see them.

>>>>

>>>>

>>>> Second, could you provide more details on what it is that you are asking about?

>>>>

>>>> Jered mentioned the following:

>>>> 1. Using the parcels for agricultural uses such as cattle, poultry, and crop production.

>>>>

>>>> a. Other than crop production and livestock husbandry are there other uses you would want to use the farm(s) for? (ex. pick your own produce)

>>>>

>>>> Adjacent uses such as farm stands and cottage industries:

>>>> a. What do you mean by "cottage industries"?

>>>> b. How big would the Farm Stand be? Would it be within one of the parcels that is being farmed?

>>>>

>>>> Questions concerning residential use of certain properties.

>>>> a. Are you referring to only one detached single-family dwelling per parcel?

>>>>

>>>> b. Are you referring to subdivision?

>>>> c. Which parcels do you want to know this about?

>>>>

>>>> The more information you can provide the better we will be able to help you.

>>>>

>>>>> Thank you for submitting an inquiry with the CDD Inquiry Team. The CDD
>>>>> Inquiry Team will research your questions and either email you our
>>>>> findings, forward your request to the appropriate Staff, or request
>>>>> additional information so that we can better assist you. Due to the
>>>>> research time often involved, we cannot give an exact time of response.
>>>>> Typically, response time is 3-4 weeks.

>>>>> Be well,

>>>>> CDD Inquiry Team

>>>>> Community Development Department

>>>>> Albemarle County

>>>>> 434 296-5832 ext 3440

>>>>> [1]cddinquiry@albemarle.org

>>>>> This email is not intended to be and shall not be deemed an official
>>>>> order, requirement, decision, or determination made on behalf of the
>>>>> Zoning Administrator.

>>>>> From: Jered Tate <jtate@albemarle.org>

>>>>> Sent: Tuesday, October 14, 2025 1:06 PM

>>>>> To: CDD Inquiry <cddinquiry@albemarle.org>

>>>>> Cc: Rebecca Ragsdale <ragsdale@albemarle.org>; Francis MacCall
>>>>> <FMACCALL@albemarle.org>

>>>>> Subject: TMP 129-5 129-6 129-6A 129-7 CDDINQ-2025-00 Inquiry concerning
>>>>> agricultural use of parcels on Irish Rd

>>>>> Hi Paty,

>>>>> Thanks for coordinating on this request. Mr. Beery's phone number is
>>>>> (540)879-7038. His email is [2]webent@ibifax.com. Please let me know if
>>>>> you have any other questions on this one.

>>>>> Best,

>>>>> Jered Tate

>>>>> Senior Planner I – Planning Division

>>>>> [3]Albemarle County

>>>>> [4]jtate@albemarle.org

>>>>> office - 434-296-5832 ext.3261

>>>>> 401 McIntire Rd, Charlottesville, VA 22902

>>>>>
>>>>>
>>>>>
>>>>>
>>>>> From: CDD Inquiry <[5]cddinquiry@albemarle.org>
>>>>> Sent: Tuesday, October 14, 2025 12:10 PM
>>>>> To: Jered Tate <[6]jtate@albemarle.org>
>>>>> Cc: Rebecca Ragsdale <[7]rragsdale@albemarle.org>; Francis MacCall
>>>>> <[8]FMACCALL@albemarle.org>
>>>>> Subject: Inquiry concerning agricultural use of parcels
>>>>> on Irish Rd

>>>>>
>>>>>
>>>>> Jered,
>>>>>
>>>>> Thanks for clarifying some things through chat.
>>>>>
>>>>> Please provide me with Warren Beery's contact information, so that I
>>>>> can reach out to them.
>>>>>
>>>>>

>>>>> Just for future reference, although we really try to get people to do
>>>>> the Inquiry submission, and meeting setup, themselves I do on occasion
>>>>> do it for people who find it challenging.
>>>>>
>>>>>

>>>>> Be well,
>>>>>
>>>>> CDD Inquiry Team
>>>>>
>>>>> Community Development Department
>>>>>
>>>>> Albemarle County
>>>>>
>>>>> 434 296-5832 ext 3440
>>>>>
>>>>> [9]cddinquiry@albemarle.org
>>>>>

>>>>> This email is not intended to be and shall not be deemed an official
>>>>> order, requirement, decision, or determination made on behalf of the
>>>>> Zoning Administrator.
>>>>>
>>>>>

>>>>> From: Jered Tate <[10]jtate@albemarle.org>
>>>>> Sent: Tuesday, October 14, 2025 10:20 AM
>>>>> To: Patricia "Paty" Saternye <[11]psaternye@albemarle.org>
>>>>> Cc: Rebecca Ragsdale <[12]rragsdale@albemarle.org>; Francis Hilbig
>>>>> <[13]fhilbig@albemarle.org>
>>>>> Subject: Inquiry concerning agricultural use of parcels
>>>>> on Irish Rd

>>>>>
>>>>>
>>>>> Good morning, Paty,
>>>>>
>>>>>
>>>>> I've been speaking with Warren Beery concerning his interest in a

>>>>> rather extensive list of parcels along Irish Rd. Mr. Beery was put in
>>>>> touch with me by Michael Barnes, who believed a preapp meeting would
>>>>> suit Mr. Beery's needs. In gathering some info from Mr. Beery and
>>>>> speaking with Francis concerning the potential for a preapp, Francis
>>>>> suggested that an Inquiry meeting might better serve Mr. Beery at this
>>>>> time.

>>>>>
>>>>> I've attached the original pdf list of parcels that Mr. Beery sent me,
>>>>> as well as an excel sheet of those same parcels pulled from County GIS,
>>>>> for your reference. Through several phone conversations, Mr. Beery has
>>>>> indicated that he is mostly interested in using the parcels for
>>>>> agricultural uses such as cattle, poultry, and crop production, but
>>>>> also has questions concerning adjacent uses such as farm stands and
>>>>> cottage industries. He also may have some questions concerning
>>>>> residential use of certain properties. At this time, he has not
>>>>> indicated if he intends to purchase all of the parcels on the included
>>>>> list.

>>>>>
>>>>> I haven't yet asked Mr. Beery to put in a CDD-Inquiries request as I
>>>>> wanted to speak with you first. The final eccentricity with this
>>>>> request is that I'm not certain as to Mr. Beery's ability to interface
>>>>> with our current systems. All interactions I've had thus far have been
>>>>> phone calls, and I am under the impression that Mr. Beery is part of
>>>>> the Mennonite community. I intend to send the standard inquiry request
>>>>> language to Mr. Beery shortly, but if he is unable to request the
>>>>> meeting digitally, is there another way I could have him get in touch
>>>>> with you? I understand if there is not, but want to do my due diligence
>>>>> up front.

>>>>>
>>>>> I recognize that this is a lot of information, so please let me know if
>>>>> you have any additional questions. I'll do my best to answer them.

>>>>>
>>>>> Best,

>>>>>
>>>>> Jered Tate

>>>>>
>>>>> Senior Planner I – Planning Division

>>>>>
>>>>> [14]Albemarle County

>>>>>
>>>>> [15]jtate@albemarle.org

>>>>>
>>>>> office - 434-296-5832 ext.3261

>>>>>
>>>>> 401 McIntire Rd, Charlottesville, VA 22902

>>>>>
>>>>> References

>>>>> 1. <mailto:cddinquiry@albemarle.org>
>>>>> 2. <mailto:webent@ibyfax.com>

- >>>>> 3. <http://www.albemarle.org/>
- >>>>> 4. <mailto:jtate@albemarle.org>
- >>>>> 5. <mailto:cddinquiry@albemarle.org>
- >>>>> 6. <mailto:jtate@albemarle.org>
- >>>>> 7. <mailto:rragsdale@albemarle.org>
- >>>>> 8. <mailto:FMACCALL@albemarle.org>
- >>>>> 9. <mailto:cddinquiry@albemarle.org>
- >>>>> 10. <mailto:jtate@albemarle.org>
- >>>>> 11. <mailto:psaternye@albemarle.org>
- >>>>> 12. <mailto:rragsdale@albemarle.org>
- >>>>> 13. <mailto:fhilbig@albemarle.org>
- >>>>> 14. <http://www.albemarle.org/>
- >>>>> 15. <mailto:jtate@albemarle.org>
- >>>>>

Sec. 4.10 - Height of building and other structures.



Sec. 4.10.1 - Intent.



It is the intent of these height regulations to secure safety, to provide adequate light and air, and to protect the character of districts and the interests of the general public. To accomplish these purposes, the following requirements and limitations are established.

Sec. 4.10.2 - Fire and safety requirements.



Sec. 4.10.2.1 - Fire protection.



No building exceeding 35 feet in height above grade shall be erected without certification from the Albemarle County fire official that such building, as proposed to be located, constructed and equipped, and particularly occupants of upper stories, can be properly protected in case of fire. In the case of structures other than buildings exceeding 35 feet in height, the commission may require such certification where a determination is made that there is substantial fire danger to such structure or to surrounding properties.

Sec. 4.10.2.2 - Aerial navigation.



No building or other structure shall be located in a manner or built to a height which constitutes a danger to aerial navigation. In such case where the commission believes a danger to navigation may result, such structure shall not be located or erected without certification from the Federal Aviation Administration and the Virginia Department of Aviation that such structure will not reasonably constitute a danger to air traffic. No building or structure exceeding 150 feet in height above ground level (AGL) shall be located or erected until certification for the same has been obtained from the Virginia Department of Aviation.

Sec. 4.10.3 - Height limitation—Exceptions.



The following exceptions to height limitations for certain buildings and structures shall be permitted provided that no building or structure shall be exempt from the requirements of [section 4.10.2.2](#).

Sec. 4.10.3.1 - Exceptions—Excluded from application.



The structures identified below shall be subject to height limitations as follows:

- a. The height limitations of this chapter shall not apply to barns, silos, farm buildings, agricultural museums designed to appear as traditional farm buildings, residential chimneys, spires, flag poles, monuments, transmission towers and cables, smokestacks, water tanks, or radio or television antennas or towers.
- b. Any structure identified in subsection (a), other than one now or hereafter located on an existing public utility easement, shall not: (1) be located closer in distance to any lot line than the height of the structure; and (2) within a residential district, exceed 100 feet in height, except for telecommunications facilities owned or operated in whole or in part by the county, which shall not exceed 115 feet in height.
- c. The Board of Supervisors may modify or waive either requirement of subsection (b) in an individual case if it determines that the public health, safety or welfare would be equally or better served by the modification or waiver. In granting such modification or waiver, the Board of Supervisors may impose such conditions as it deems necessary to protect the public health, safety or welfare.

(12-10-80; 12-20-89; [Ord. 01-18\(4\)](#), 5-9-01; [Ord. 01-18\(5\)](#), 5-16-01; [Ord. 21-18\(5\)](#), 12-1-21)

Sec. 4.10.3.2 - Exceptions—Limited.



The following structures are excepted from the height limitations in the applicable zoning districts:

- a. Towers, gables, penthouses, scenery lofts, cupolas, similar structures and necessary mechanical appurtenances may be erected on a building to a height 20 percent greater than the limit established for the district in which the building is located, provided that no such exception shall be used for sleeping or housekeeping purposes or for any commercial or industrial purpose; and provided further that access by the general public to any such area shall be expressly prohibited.
- b. Poles that support outdoor luminaires for lighting athletic facilities, subject to approval of a modification by the Board of Supervisors as provided in [section 4.17.5\(a\)\(3\)](#).

(12-10-80; [Ord. 08-18\(5\)](#), 7-9-08; [Ord. 21-18\(5\)](#), 12-1-21)

Sec. 4.10.3.3 - Parapet walls, cornices, etc.



A parapet wall, cornice or similar projection may exceed the height limit established for the district by no more than four feet. (Amended 12-16-81; 9-9-92)

Sec. 4.10.3.4 - Accessory buildings in residential districts.



Except as permitted by the provisions of [section 4.10.3.1](#), no accessory building in a residential district shall exceed a height of 24 feet. In no case shall a parking structure, other than a parking lot or garage located entirely at and/or below grade, be deemed to be accessory to any use in any residential district. (Amended 11-7-84)

Sec. 10.4 - Area and bulk regulations.

Area and bulk regulations within the RA, rural areas, zoning district are as follows:

 EXPAND

REQUIREMENTS	DIVISIONS BY RIGHT	DIVISIONS BY SPECIAL USE PERMIT
Gross density	0.5 du/ac	0.5 du/ac
Minimum lot size	2.0 acres	2.0 acres
Minimum frontage existing public roads	250 feet	250 feet
Minimum frontage internal public or private roads	150 feet	150 feet
Yards, minimum:		
Front (existing public roads)	75 feet	75 feet
Front (internal public or private road)(Amended 11-13-91)	25 feet	25 feet
Side	25 feet	25 feet
Rear	35 feet	35 feet
Maximum structure height	35 feet	35 feet

(§ 20-10.4, 12-10-80; 8-14-85; § 18-10.4, Ord. 98-A(1), 8-5-98; [Ord. 08-18\(7\)](#), 11-12-08)

Sec. 10.5 - Special provisions for multiple single-family dwelling units.

80; 9-9-92; [Ord. 19-18\(5\)](#), 7-17-19)

1.2 - Accessory structures in required yards.

a. *Front yards.* Accessory structures, including detached garages, are prohibited within the minimum front yard required by the applicable district regulations except as otherwise provided in subsection (c).

c. *Accessory structures permitted in required yards.* The following accessory structures are permitted in required yards provided that they comply with the visibility clearance requirements of [section 4.4](#):

4. Shelters for school children traveling to and from school.

Accessory structures located closer than three feet to primary structure. Accessory structures for which any part is located closer than three feet to any part of a primary structure shall comply with the minimum

12-10-80, 3-18-81; § 4.11.2.1, 12-10-80, 1-1-83, [Ord. 02-18\(2\)](#), 2-6-02, § 4.11.2.2, 12-10-80, 3-18-81, § 4.11.2.3, 3-18-81, [Ord. 09-18\(4\)](#), 7-1-09; [Ord. 19-18\(5\)](#), 7-17-19)

