

ORDINANCE NO. 17-A()
ZMA 2014-00006 AVON PARK II

**AN ORDINANCE TO AMEND THE PROFFERS
AND APPLICATION PLAN APPROVED WITH
ZMA 2012-00004 FOR TAX MAP PARCEL NUMBER 09000-00-00-03100**

WHEREAS, the application to amend the proffers and application plan that were approved with ZMA 2012-00004 for Tax Map Parcel Number 09000-00-00-03100 is identified as ZMA 2014-00006, Avon Park II ("ZMA 2014-06"); and

WHEREAS, ZMA 2014-06 proposes to amend the proffers and application plan that were approved with ZMA 2012-00004 to: 1) address the conditions related to parking and emergency access that were imposed with the approval of the initial site plan related to SDP2014-00024; and 2) reduce the cash proffer amounts; and

WHEREAS, staff recommended approval of ZMA 2014-06 provided that technical revisions were made to the proffers and the application plan; and

WHEREAS, the Planning Commission held a duly noticed public hearing on ZMA 2014-06 on July 12, 2016, and recommended approval with the exception of the reduction of cash proffers, conditioned on the applicant making the staff-recommended revisions, demonstrating that access to water exists for the neighboring properties to the south, and investigating three issues that concerned property owners to the north regarding screening, recreational amenities, and erosion and sediment control; and

WHEREAS, subsequent to the Planning Commission public hearing, the applicant made all of the recommended revisions to the proffers and the application plan, with the exception of the cash proffer amounts, and addressed the Planning Commission's other conditions of approval noted above; and

WHEREAS, on April 12, 2017, the Albemarle County Board of Supervisors held a duly noticed public hearing on ZMA 2014-06;

BE IT ORDAINED by the Board of Supervisors of the County of Albemarle, Virginia, that upon consideration of the staff report prepared for ZMA 2014-06 and its attachments, including the application plan dated February 10, 2015 and last revised on May 24, 2016, and the proffers dated March 27, 2017, the information presented at the public hearing, the material and relevant factors in County Code § 18-33.6, Virginia Code § 15.2-2284, and for the purposes of public necessity, convenience, general welfare and good zoning practices, the Board hereby approves ZMA 2014-06, with the application plan dated February 10, 2015 and last revised on May 24, 2016, and the proffers dated March 27, 2017.

* * *

I, Claudette K. Borgersen, do hereby certify that the foregoing writing is a true, correct copy of an Ordinance duly adopted by the Board of Supervisors of Albemarle County, Virginia, by a vote of ____ to ____, as recorded below, at a regular meeting held on _____.

Clerk, Board of County Supervisors

	<u>Aye</u>	<u>Nay</u>
Mr. Dill	_____	_____
Ms. Mallek	_____	_____
Ms. McKeel	_____	_____
Ms. Palmer	_____	_____
Mr. Randolph	_____	_____
Mr. Sheffield	_____	_____