

RESOLUTION TO APPROVE SE-2025-00029
2238 RICHMOND ROAD - ACCESS SETBACK FOR CLEAN EARTH FILL ACTIVITY

WHEREAS, upon consideration of the staff reports prepared for SE2025-00029 2238 Richmond Road - Access Setback for Clean Earth Fill Activity and the attachments thereto, including staff's supporting analysis, the applicant's materials, any comments received, and all of the relevant factors in *Albemarle County Code* § 18-5.1.28 and § 18-33.9, the Albemarle County Board of Supervisors hereby finds that the applicable requirements would not forward the purposes of the Zoning Ordinance or otherwise serve the public health, safety, or welfare, and that the proposed variation or exception is supported by the abutting owners impacted by the variation or exception.

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby approves a special exception to waive the 50-foot access setback from property lines otherwise required by *County Code* § 18-5.1.28(a)(7) across Parcel 07800-00-00-048A0 for clean earth fill activity on Parcels 07800-00-00-04800 and 07800-00-00-04900, provided that placement of any fill on these Parcels must be in general accord with both (a) the Water Protection Ordinance plan (WPO 202500011) entitled "VESMP Plan 2238 Richmond Road," prepared by Shimp Engineering on February 10, 2025, and last revised on July 10, 2025, and (b) any duly-issued building permit.

I, Claudette K. Borgersen, do hereby certify that the foregoing writing is a true, correct copy of a Resolution 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 November 19, 2025.

Clerk, Board of County Supervisors

	<u>Aye</u>	<u>Nay</u>
Mr. Andrews	_____	_____
Mr. Gallaway	_____	_____
Ms. LaPisto-Kirtley	_____	_____
Ms. Mallek	_____	_____
Ms. McKeel	_____	_____
Mr. Pruitt	_____	_____