

REVISED ORDINANCE NO. 23-A(2)
ZMA 2021-00008

**AN ORDINANCE TO AMEND THE ZONING MAP FOR PARCELS 06000-00-00-05100,
06000-00-00-024C0, 06000-00-00-024C1, 06000-00-00-024C3, AND 06000-00-00-024C4**

WHEREAS, an application was submitted to rezone 5.52 acres on Parcel 06000-00-00-05100 from R-1 Residential to R-15 Residential zoning, and approximately 1.8 acres on Parcel 06000-00-00-024C1 from R-10 Residential to R-15 Residential zoning, to amend the proffers of ZMA 198500021 as they apply to Parcels 06000-00-00-024C0, 06000-00-00-024C1, 06000-00-00-024C3, and 06000-00-00-024C4, and to amend the concept plan and proffers of ZMA199600020 as they apply to Parcel 06000-00-00-024C1, to be rezoned with the amended plan and proffers;

WHEREAS, following a public hearing on March 1, 2023, the Board duly approved the proposed rezoning by adopting Ordinance No. 23-A(2);

WHEREAS, following the adoption of Ordinance No. 23-A(2), it was discovered that the title and recitals of said Ordinance inadvertently omitted Parcel 06000-00-00-024C0 and misidentified Parcel 06000-00-00-05100 and certain aspects of the original proffers being amended; and

WHEREAS, although ZMA 2021-00008 was effectively approved with the adoption of Ordinance No. 23-A(2), as these clerical errors were limited to the title and the recitals of the Ordinance and not in the operative provisions of such Ordinance, the Board now wishes to correct these clerical errors by the adoption of this revised Ordinance;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Albemarle, Virginia, that upon consideration of the transmittal summary and staff report prepared for ZMA 2021-00008 and their attachments, including the Concept Plan last revised August 15, 2022 and the Proffers revised February 17, 2023, the information presented at the public hearings, any written comments received, the material and relevant factors in Virginia Code § 15.2-2284 and County Code § 18-18.1, and for the purposes of public necessity, convenience, general welfare, and good zoning practices, the Board, with reference to the corrected recitals of this revised ordinance and retroactively to March 1, 2023, hereby reaffirms its approval of ZMA 2021-00008 with the revised Concept Plan entitled “ZMA 2021-00008 Rezoning Concept Plan for Old Ivy Residences” prepared by Timmons Group, dated July 19, 2021, last revised on August 15, 2022, and the Proffers revised February 17, 2023.

* * *

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. Andrews | _____ | _____ |
| Mr. Gallaway | _____ | _____ |
| Ms. LaPisto-Kirtley | _____ | _____ |
| Ms. Mallek | _____ | _____ |
| Ms. McKeel | _____ | _____ |
| Ms. Price | _____ | _____ |