

**RESOLUTION TO APPROVE SE202400025
NORTH POINTE WENDY'S**

WHEREAS, upon consideration of the staff reports prepared for SE202400025 North Pointe Wendy's and the attachments thereto, including staff's supporting analysis, any comments received, and all relevant factors in Albemarle County Code §§ 18-8.5.5.3(a)(1) and 18-33.9(A), the Albemarle County Board of Supervisors hereby finds that the proposed parking setback variation:

- (i) is consistent with the goals and objectives of the comprehensive plan;
- (ii) does not increase the approved development density or intensity of development;
- (iii) does not adversely affect the timing and phasing of development of any other development in the zoning district;
- (iv) does not require a special use permit; and
- (v) in general accord with the purpose and intent of the approved application; and

WHEREAS, also upon consideration of the staff reports prepared for SE202400025 North Pointe Wendy's and the attachments thereto, including staff's supporting analysis, any comments received, and all relevant factors in Albemarle County Code §§ 18-5.1(a) and 18-33.9(A), the Albemarle County Board of Supervisors hereby also finds that a modified drive-through lane regulation would satisfy the purposes of the Zoning Ordinance to at least an equivalent degree as the specified requirement.

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby approves special exception SE2024-00025 both:

- a) to vary the minimum required setback for parking on Parcel ID 03200-00-00-02000 from 20 feet to seven feet, and
- b) to modify the minimum required setback from the Rural Areas zoning district for a drive-through lane on Parcel ID 03200-00-00-02000 from 50 feet to 46 feet.

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 _____.

Clerk, Board of County Supervisors

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