

ACTIONS		
Board of Supervisors Meeting of August 16, 2023		
		August 17, 2023
AGENDA ITEM/ACTION	ASSIGNMENT	VIDEO
1. Call to Order. <ul style="list-style-type: none"> The meeting was called to order at 1:00 p.m., by the Chair, Ms. Price. All BOS members were present except for Mr. Andrews, who participated remotely, and Mr. Gallaway, who was absent. Also present were Jeff Richardson, Steve Rosenburg, and Claudette Borgersen. 		Link to Video
Non-Agenda: Electronic Participation for Jim Andrews. <ul style="list-style-type: none"> By a vote of 4:0, APPROVED electronic participation for Supervisor Jim Andrews. 		
4. Adoption of Final Agenda. <ul style="list-style-type: none"> By a vote of 5:0, ADOPTED the final agenda. 		
5. Brief Announcements by Board Members. <u>Ann Mallek:</u> <ul style="list-style-type: none"> Spoke towards the recent heat in the area and encouraged neighbors to look in on each other. Mentioned concerns regarding the residents of Maui who were displaced by the wildfires in Hawaii. Commented that she attended a concert by the Charlottesville Band, and pointed out that it is in its 101st year of providing free concerts to community members and mentioned some of the highlights. <u>Diantha McKeel:</u> <ul style="list-style-type: none"> Announced that there are two VDOT pipeline study surveys open until August 18, 2023, for community members to provide feedback: Barracks Road safety improvements, and improvements for Ivy Road and Old Ivy Road. Ms. Kilroy said that the survey links could be found on the Albemarle County website. Mentioned that she, Ms. LaPisto Kirtley, and Ms. Mallek had attended the dedication of Southwood Phase I (The Village) on August 5, 2023, and commended staff for their hard work on the project. Commented that she saw a report in the Washington Post that indicated that the speed and devastation of the wildfires in Hawaii was in part related to non-native grasses, which are dryer than native grasses, and pine trees. <u>Bea LaPisto-Kirtley:</u> <ul style="list-style-type: none"> Echoed Ms. McKeel's comments regarding Southwood. Announced that the Board had been invited to the Paramount Arts Education Teacher reception at the Paramount held on August 20, 2023. Asked Jeff Richardson about the status of the new Native Plant List. Ms. Kilroy commented that it was online. <u>Jim Andrews:</u> <ul style="list-style-type: none"> In addition to the VDOT surveys mentioned by Ms. McKeel, announced that the Cell Tower Regulation Review survey was open until August 25, 2023. <u>Donna Price:</u> <ul style="list-style-type: none"> Mentioned that the DMV has a new website 		

	<p>and encouraged community members to check their renewal.</p> <ul style="list-style-type: none"> • Remarked on the amount of cigarette butts she had cleaned up and reminded community members of the fire hazard they can present. • Shared that a recent fire in Albemarle County was caused by a lithium battery and reminded community members to practice safety precautions when charging devices. • Commented that the reason she was unable to attend the Southwood dedication was due to a virus and reminded community members to get flu and COVID vaccinations as fall and winter approach. • Expressed appreciation for the dedication of the many first responders who participated in a Blood Drive the previous week. • Noted that she was one of 20 local elected officials who received a briefing from the White House regarding the CHIPS (Creating Helpful Incentives to Produce Semiconductors) Act, the Inflation Reduction (IRA) Act, and the PACT (Promise to Address Comprehensive Toxics) Act. • Stated that she would be attending a Virginia Association of Counties (VACo) meeting in Richmond the following day. • Complemented the Paramount for the number of community related events they have hosted and seats they have made available at reduced or no cost. • Mentioned that the upcoming monthly meeting for the Virginia Council on Women would be hosted in Albemarle County and thanked staff for supporting the meeting. 	
6.	<p>Proclamations and Recognitions:</p> <p>a. Proclamation Commemorating Women's Equality Day 2023.</p> <ul style="list-style-type: none"> • By a vote of 5:0, ADOPTED Proclamation and presented to Jane McDonald. 	(Attachment 1)
7.	<p>From the Public: Matters Not Listed for Public Hearing on the Agenda or on Matters Previously Considered by the Board or Matters that are Pending Before the Board.</p> <ul style="list-style-type: none"> • <u>Neil Williamson</u>, President of the Free Enterprise Forum, commented on item #9 on the agenda. 	
8.2	<p>Fiscal Year 2025 Operating and Capital Budget Calendar.</p> <ul style="list-style-type: none"> • ADOPTED the preliminary budget calendar. 	<u>Clerk:</u> (Attachment 2)
8.3	<p>Revisions to the Albemarle County Office of Housing Administrative Plan.</p> <ul style="list-style-type: none"> • ADOPTED the Albemarle County Office of Housing's Administrative Plan. 	<u>Clerk:</u> (Attachment 3)
8.4	<p>Appointment of Capt. Gilbert Monroe as an Assistant Fire Marshal.</p> <ul style="list-style-type: none"> • ADOPTED resolution appointing Captain Gilbert Monroe as an Assistant Fire Marshal with the powers authorized by Title 27, Chapter 3 of the Virginia Code and found in the Virginia Statewide Fire Prevention Code. 	<u>Clerk:</u> Forward copy of signed resolution to Fire/Rescue and County Attorney's office. (Attachment 4)
8.5	<p>Schedule a Public Hearing for Spot Blight Ordinance for 2087 Commonwealth Drive, Parcel ID 061W0-03-00-05600.</p>	<u>Clerk:</u> Schedule on agenda and advertise in the Daily Progress when ready.

	<ul style="list-style-type: none"> AUTHORIZED a public hearing for a spot blight abatement ordinance on 2087 Commonwealth Drive, Parcel ID 061W0-03-00-05600. 	<u>Community Development:</u> Notify Clerk when ready to schedule.
8.6	<p>Schedule a Public Hearing for Spot Blight Ordinance for 2941 Rolling Road, Parcel ID 10300-00-00-06700.</p> <ul style="list-style-type: none"> AUTHORIZED a public hearing for a spot blight abatement ordinance on 2941 Rolling Road, Parcel ID 10300-00-00-06700. 	<p><u>Clerk:</u> Schedule on agenda and advertise in the Daily Progress when ready.</p> <p><u>Community Development:</u> Notify Clerk when ready to schedule.</p>
8.7	<p>Schedule a Public Hearing for Spot Blight Ordinance for 3247 Rolling Road, Parcel ID 10300-00-00-051B0.</p> <ul style="list-style-type: none"> AUTHORIZED a public hearing for a spot blight abatement ordinance on 3247 Rolling Road, Parcel ID 10300-00-00-051B0. 	<p><u>Clerk:</u> Schedule on agenda and advertise in the Daily Progress when ready.</p> <p><u>Community Development:</u> Notify Clerk when ready to schedule.</p>
8.8	<p>Schedule a Public Hearing for Spot Blight Ordinance for 3239 Rolling Road, Parcel ID 10300-00-00-05100.</p> <ul style="list-style-type: none"> AUTHORIZED a public hearing for a spot blight abatement ordinance on 3239 Rolling Road, Parcel ID 10300-00-00-05100. 	<p><u>Clerk:</u> Schedule on agenda and advertise in the Daily Progress when ready.</p> <p><u>Community Development:</u> Notify Clerk when ready to schedule.</p>
8.9	<p>Schedule a Public Hearing for Spot Blight Ordinance for 5005 Rolling Road, Parcel ID 11500-00-00-027A4.</p> <ul style="list-style-type: none"> AUTHORIZED a public hearing for a spot blight abatement ordinance on 5005 Rolling Road, Parcel ID 11500-00-00-027A4. 	<p><u>Clerk:</u> Schedule on agenda and advertise in the Daily Progress when ready.</p> <p><u>Community Development:</u> Notify Clerk when ready to schedule.</p>
8.10	<p>Schedule a Public Hearing for Spot Blight Ordinance for 8038 Blenheim Road, Parcel ID 13100-00-00-01200.</p> <ul style="list-style-type: none"> AUTHORIZED a public hearing for a spot blight abatement ordinance on 8038 Blenheim Rd, Parcel ID 13100-00-00-01200. 	<p><u>Clerk:</u> Schedule on agenda and advertise in the Daily Progress when ready.</p> <p><u>Community Development:</u> Notify Clerk when ready to schedule.</p>
8.11	<p>SE202300019 Brookhill Town Center Stepback Special Exception.</p> <ul style="list-style-type: none"> ADOPTED Resolution to approve the special exception request. 	<u>Clerk:</u> Forward copy of signed resolution to Community Development and County Attorney's office. (Attachment 5)
8.12	<p>SE202300023 Dunlora Park Phase II (Rear Setback Reduction Request) Special Exception.</p> <ul style="list-style-type: none"> ADOPTED Resolution to approve a special exception for a reduced 10-foot setback on the subject parcels, allowing the projected features to be as close as six feet to the lot lines, as permitted. 	<u>Clerk:</u> Forward copy of signed resolution to Community Development and County Attorney's office. (Attachment 6)
9.	<p>Discussion: Community Development Department Fee Restructuring.</p> <ul style="list-style-type: none"> Held. 	
10.	<p>From the County Executive: Report on Matters Not Listed on the Agenda.</p> <ul style="list-style-type: none"> Presented the County Executive's Monthly report. 	
11.	<p>From the Board: Committee Reports and Matters Not Listed on the Agenda.</p> <p><u>Ann Mallek:</u></p> <ul style="list-style-type: none"> Mentioned that she attended a Workforce meeting with the City of Charlottesville Vice Mayor Wade. <p><u>Diantha McKeel:</u></p> <ul style="list-style-type: none"> Shared the 2022-2023 Annual Report from the Advisory Committee on Environmental Sustainability in the School System with the Board and commented that the work between local government and schools was starting to pay off. Mentioned that the Chamber of Commerce 	

<p>Public Policy Committee met on August 9 and that the first ever legislative forum would be held Wednesday, September 27 at 8:30 a.m. at The Center.</p> <p><u>Bea LaPisto-Kirtley:</u></p> <ul style="list-style-type: none"> • Commented that she had visited the SPCA a few weeks ago and noted a positive attitude difference with staff and volunteers and recognized Sue Friedman for her work. • Announced that the County Parks Foundation had completed work on the articles of incorporation and were finishing work on the Memorandum of Understanding between the County and the Parks Foundation. • Mentioned that the Community Advisory Committee expressed interest in micro-transit. • Invited community members to attend the Maple Pine Thai Kitchen's grand opening, on August 31 at 4:00 p.m. near Grit Coffee on Route 20. <p><u>Jim Andrews:</u></p> <ul style="list-style-type: none"> • Thanked Ms. McKeel for mentioning the environmental annual report for the schools. <p><u>Donna Price:</u></p> <ul style="list-style-type: none"> • Announced that the Chamber of Commerce State of the Community event was set for February 15, 2024. 		
<p>12. Closed Meeting.</p> <ul style="list-style-type: none"> • At 3:42 p.m., the Board went into closed meeting pursuant to section 2.2-3711(A) of the Code of Virginia: • under subsection (7), to consult with legal counsel and receive briefings by staff members pertaining to probable litigation relating to a claim arising from law enforcement activity, where consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the County and the Board; and • under subsection (8), to consult with and be briefed by legal counsel regarding specific legal matters requiring legal advice relating to the Americans with Disabilities Act of 1990. 		
<p>13. Certify Closed Meeting.</p> <ul style="list-style-type: none"> • At 6:00 p.m., the Board reconvened into open meeting and certified the closed meeting. 		
<p>14. From the Public: Matters on the Agenda but Not Listed for Public Hearing or on Matters Previously Considered by the Board or Matters that are Pending Before the Board.</p> <ul style="list-style-type: none"> • There were none. 		
<p>15. <u>Pb. Hrg.: ACSA202300001 Albemarle County Service Authority Jurisdictional Area Amendment (Hunters Way).</u></p> <ul style="list-style-type: none"> • By a vote of 3:2 (LaPisto-Kirtley/Mallek), ADOPTED Resolution to Approve ACSA202300001 Hunters Way for Parcel ID 07900-00-00-004P0. 	<p><u>Clerk:</u> Forward copy of signed resolution to Community Development and County Attorney's office. (Attachment 7)</p>	
<p>16. <u>Pb. Hrg.: SP202200029 and SE202300010 Park Road Manufactured Home Park.</u></p> <ul style="list-style-type: none"> • By a vote of 5:0, ADOPTED Resolution to Approve SP202200029. • By a vote of 5:0, ADOPTED Resolution to Approve Special Exceptions 1-20, 22, and 23 of SE202300010. 	<p><u>Clerk:</u> Forward copy of signed resolutions to Community Development and County Attorney's office. (Attachments 8-10)</p>	

<ul style="list-style-type: none"> By a vote of 5:0, ADOPTED Resolution to Disapprove Special Exception 21 for SE202300010 Park Road Manufactured Home Park. 		
17. Adjourn to September 6, 2023, 1:00 p.m. Lane Auditorium. <ul style="list-style-type: none"> The meeting was adjourned at 8:33 p.m. 		

ckb/tom

Attachment 1 – Proclamation to Commemorate Women’s Equality Day 2023

Attachment 2 – Recommended Fiscal Year 2025 Budget Calendar

Attachment 3 – **On File in Clerk’s Office**

Attachment 4 – Resolution to Appoint Captain Gilbert Monroe as an Assistant Fire Marshal with Police Powers

Attachment 5 – Resolution to Approve SE 2023-00019 Brookhill Town Center Stepback Special Exception

Attachment 6 – Resolution to Approve SE 2023-00023 Dunlora Park Phase II

Attachment 7 – Resolution to Approve ACSA202300001 Hunters Way for Parcel ID 07900-00-00-004P0

Attachment 8 – Resolution to Approve SP202200029 Park Road Manufactured Home Park

Attachment 9 – Resolution to Approve Special Exceptions 1-20, 22, and 23 for SE202300010 Park Road Manufactured Home Park

Attachment 10 – Resolution to Disapprove Special Exception 21 for SE202300010 Park Road Manufactured Home Park

Proclamation to Commemorate Women's Equality Day 2023

- WHEREAS** on August 26, 1920, millions of women won voting rights, the greatest single expansion of democracy in U.S. history, yet 103 years later, women still have not achieved full equality and face ongoing and increasing threats of discrimination, violence and loss of bodily autonomy; and
- WHEREAS** although on January 27, 2020, Virginia became the final of the requisite 38 states to ratify the Equal Rights Amendment, fulfilling the requirements of the U.S. Constitution, yet the ERA has not been published, allowing gender-based discrimination to continue without recourse under the foundational document undergirding all our laws; and
- WHEREAS** federal laws ensuring the equal rights and safety of women can be weakened or removed, with the U.S. Supreme Court recently demonstrating retreat from its own precedent to take away previous constitutional rights, imperiling women country wide and impeding their ability to make decisions about their own bodies, families, and futures; and
- WHEREAS** females make up nearly 52 percent of Albemarle County's population and the Albemarle County government has an appropriate and legitimate role in securing and defending gender equality in the Commonwealth of Virginia and the United States.
- NOW, THEREFORE, BE IT PROCLAIMED** that we, the Albemarle County Board of Supervisors, do hereby proclaim August 26, 2023, as Women's Equality Day in Albemarle County, in celebration and remembrance of all who worked to gain voting rights for women and those who have continued the fight for gender equity.

Signed this 16th day of August 2023.



Recommended FISCAL YEAR 2025 BUDGET CALENDAR

July 2023	
19 (Wed.)	Community Non-Profit Process Modifications
August 2023	
16 (Wed.)	Approval of FY 25 Budget Calendar
October 2023	
4 (Wed.)	Economic Outlook Report
18 (Wed)	Transit Work Session
November 2023	
15 (Wed.)	Long-Range Financial Planning – Initial Assumptions and Overview, Connection to Strategic Plan
December 2023	
6 (Wed.)	Long-Range Financial Planning – Joint meeting with School Board for Capital Improvements Plan (CIP)
13 (Wed.)	Long-Range Financial Planning – To include Tax Relief for the Elderly and Disabled Program
February 2024	
21 (Wed.)	County Executive's presentation to Board – Recommended Budget and CIP
28 (Wed.)	Public Hearing on County Executive's Recommended Budget and CIP
March 2024	
06 (Wed.)	Work Session #1
11 (Mon.)	Work Session #2 – School Board funding request and CIP
13 (Wed.)	Work Session #3
14 (Thur.)	School Board approves Public Schools budget request
25 (Mon.)	Work Session #4 – Board proposes budget and sets maximum tax rate for advertisement
27 (Wed.)	If needed - Work Session #5
April 2024	
Week of 1-5	Spring Break
10 (Wed.)	If needed - Work Session #6
17 (Wed.)	Public Hearing on Board's Proposed Budget
24 (Wed.)	Public Hearing on the CY 24 tax rate
25 (Thur.)	School Board adopts Public Schools Final budget
May 2024	
1 (Wed.)	Board approves and appropriates FY 25 Budget and sets tax rate

**ON FILE IN
CLERK'S OFFICE**

**RESOLUTION TO APPOINT CAPTAIN GILBERT MONROE
AS AN ASSISTANT FIRE MARSHAL WITH POLICE POWERS**

WHEREAS, Virginia Code § 27-30 provides that the governing body of a county may appoint a fire marshal, and Albemarle County Code § 6-111 establishes the Office of the Fire Marshal; and

WHEREAS, Albemarle County Code §§ 6-111, 6-200, and 6-201 recognize the Fire Marshal as Albemarle County's Fire Official for the duties and responsibilities as established by Title 27 of the Virginia Code, the Virginia Statewide Fire Prevention Code, and the Albemarle County Code; and

WHEREAS, Virginia Code § 27-34.2:1 provides that the governing body of a county may authorize the fire marshal to have the same police powers as a sheriff, police officer, or law enforcement officer upon completion of required training; and

WHEREAS, Virginia Code § 27-36 provides that the governing body of a county may appoint one or more assistants, who, in the absence of the fire marshal, shall have the powers and perform the duties of the fire marshal; and

WHEREAS, the appointment of Captain Gilbert Monroe as an Assistant Fire Marshal will promote the efficient and effective operation of the Albemarle County Department of Fire and Rescue.

NOW, THEREFORE, BE IT RESOLVED, that the Albemarle County Board of Supervisors hereby appoints Captain Gilbert Monroe as an Assistant Fire Marshal who shall have all powers authorized by Title 27, Chapter 3 of the Virginia Code.

**RESOLUTION TO APPROVE
SE 2023-00019 BROOKHILL TOWN CENTER
STEPBACK SPECIAL EXCEPTION**

WHEREAS, upon consideration of the Memorandum prepared in conjunction with the SE202300019 Brookhill Town Center Stepback Special Exception application and the attachments thereto, including staff's supporting analysis, any comments received, and all of the relevant factors in Albemarle County Code §§ 18-8.5.5.3 and 18-33.9, the Albemarle County Board of Supervisors hereby finds that the proposed special exception would:

- (1) be consistent with the goals and objectives of the Comprehensive Plan,
- (2) not increase the approved development density or intensity of development,
- (3) not adversely affect the timing and phasing of development of any other development in the zoning district,
- (4) not require a special use permit, and
- (5) be in general accord with the purpose and intent of the approved application.

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby approves as a special exception a variation to the Brookhill Code of Development, in general accord with the special exception application submitted by Collins Engineering, dated March 13, 2023.

**RESOLUTION TO APPROVE
SE 2023-00023 DUNLORA PARK PHASE II**

WHEREAS, upon consideration of the staff reports prepared for SE2023-00023 Dunlora Park Phase II and the attachments thereto, including staff's supporting analysis, any comments received, and all relevant factors in Albemarle County Code §§ 18-4.19, 18-4.11.1, and 18-33.9, the Albemarle County Board of Supervisors hereby finds that the proposed special exception:

- (i) would be consistent with the intent and purposes of the R-4 Residential district under the particular circumstances, and satisfy all other applicable requirements of Albemarle County Code § 18-4.19;
- (ii) would be consistent with R-4 Residential district design principles; and
- (iii) would not adversely affect the public health, safety, or general welfare.

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby approves a special exception to reduce the 20-foot minimum rear setback required by County Code § 18-4.19 to 10 feet on Parcel IDs 062F0-04-00-02900, 062F0-04-00-03000, 062F0-04-00-03100, 062F0-04-00-03200, 062F0-04-00-03300, and 062F0-04-00-03400.

**RESOLUTION TO APPROVE
ACSA202300001 HUNTERS WAY
FOR PARCEL ID 07900-00-00-004P0**

WHEREAS, in application ACSA202300001 (“ACSA 2023-01”), the owner of Parcel 07900-00-00-004P0 (“Parcel 79-4P”) has applied for an amendment to the Albemarle County Service Authority (ACSA) Jurisdictional Area to include Parcel 79-4P in the area for limited water and sewer service; and

WHEREAS, on August 16, 2023, the Albemarle County Board of Supervisors held a duly noticed public hearing on ACSA 2023-01; and

NOW, THEREFORE, BE IT RESOLVED that, upon consideration of the foregoing, the staff report prepared for ACSA 2023-01 and all of its attachments, the information presented at the public hearing, and the relevant factors in Virginia Code § 15.2-5111, in Chapter 12.1, Community Facilities, Strategy 9a, of the Albemarle County Comprehensive Plan, and in the Comprehensive Plan’s Growth Management Policy and Land Use Plan, the Albemarle County Board of Supervisors hereby approves ACSA 2023-01.

**RESOLUTION TO APPROVE
SP202200029 PARK ROAD
MANUFACTURED HOME PARK**

WHEREAS, upon consideration of the staff report prepared for SP 202200029 Park Road Manufactured Home Park and the attachments thereto, including staff's supporting analysis, the information presented at the public hearing, any comments received, and all of the relevant factors in Albemarle County Code §§ 18-16.2.2 and 18-33.8(A), the Albemarle County Board of Supervisors hereby finds that the proposed special use would:

1. not be a substantial detriment to adjacent parcels;
2. not change the character of the adjacent parcels and the nearby area;
3. be in harmony with the purpose and intent of the Zoning Ordinance, with the uses permitted by right in the R-6 Residential zoning district, with the applicable provisions of Albemarle County Code § 18-5, and with the public health, safety, and general welfare (including equity); and
4. be consistent with the Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby approves SP 202200002 Park Road Manufactured Home Park, subject to the conditions attached hereto.

* * * * *

SP202200029 Park Road Manufactured Home Park Special Use Permit Conditions

1. Development of the use must be in general accord with the revised conceptual plan titled "Crozet Mobile Home Community," prepared by Shimp Engineering and submitted 7/26/2023. To be in general accord with this Conceptual Plan, development must reflect the following major elements essential to the design of the development:
 - a. Location of buildings;
 - b. Location of parking areas;
 - c. Location of roads, alleys, and cul-de-sacs; and
 - d. Location of trail and access easement
 Minor modifications to the plan that do not conflict with the elements above may be made to ensure compliance with the Zoning Ordinance.
2. Prior to the issuance of the Certificate of Occupancy for the 74th manufactured home on the subject property, the owner must provide a pedestrian path and trees along Park Road from Adele Street to Alfred Street
3. The manufactured home park must not exceed eighty-seven (87) manufactured homes.
4. Final site plan design must include on-site recreational amenities, including a minimum of one tot-lot, or equivalent substitutions as may be approved by the Director of Planning, in accordance with *County Code* Section 18-4.16.2.1.

**RESOLUTION TO APPROVE SPECIAL EXCEPTIONS 1-20, 22, AND 23 FOR
SE202300010 PARK ROAD MANUFACTURED HOME PARK**

WHEREAS, County staff recommends that certain special exceptions sought by the applicant (listed in its submission as Special Exceptions 1, 2, 8-15, and 20) be approved by the Albemarle County Board of Supervisors; and

WHEREAS, County staff also recommends that certain other special exceptions sought by the applicant (listed in its submission as Special Exceptions 3-7, 16-19, 22 and 23) be approved by the Albemarle County Board of Supervisors with conditions; and

WHEREAS, upon consideration of the Memorandum prepared in conjunction with the special exceptions application SE202300010 Park Road Manufactured Home Park and the attachments thereto, including staff's supporting analysis, the recommendations of the Planning Commission at its June 27, 2023 meeting, and all of the relevant factors in Albemarle County Code §§ 18-5.3.3(a), 18-5.3.4(d), 18-5.3.5(a), 18-5.3.5(b), 18-5.3.5(c), and 18-5.3.5(d), 18-5.3.7(b), 18-5.3.8(a), 18-5.3.8(b), 18-5.3.8(b)(3)(a), 18-5.3.8(b)(3)(b), 18-5.3.8(b)(3)(e), 18-5.3.8(b)(3)(g), 18-5.3.8(b)(3)(j), 18-5.3.8(b)(3)(k), 18-5.3.8(b)(3)(i), 18-5.3.8(b)(3)(m), 18-5.3.8(d), and 18-5.3.8(g), the Albemarle County Board of Supervisors hereby finds that as to proposed Special Exceptions 1-20, 22, and 23, a modified regulation would satisfy the purposes of 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 each of the following Special Exceptions, all subject to the conditions attached hereto, for and on County Parcel ID 05600-00-00-04800:

1. A special exception from the provisions of County Code § 18-5.3.3(a) to waive the minimum lot size regulation of existing lots.
2. A special exception from the provisions of County Code § 18-5.3.4(d) to reduce the minimum distance between the existing structures that do not meet the required 30' of separation on all sides.
3. A special exception from the provisions of County Code § 18-5.3.5(a), to reduce the 50-foot setback for manufactured homes and other structures from the right-of-way of the existing public street.
4. A special exception from the provisions of County Code § 18-5.3.5(b) to reduce the 50-foot setback for manufactured homes and other structures from the property line when it is adjacent to a residential or rural district.
5. A special exception from the provisions of County Code § 18-5.3.5(c) to increase the setback distance of 25 feet allowed between manufactured homes and other structures at roadway intersections and along internal public streets.
6. A special exception from the provisions of County Code § 18-5.3.5(d) to waive the setback requirement of at least six feet for an existing structure and the manufactured home space lot line.
7. A special exception from the provisions of County Code § 18-5.3.7(b) to waive the requirement to post and maintain markers for all existing lots, provided that each new proposed lot receive a marker and be clearly defined.
8. A special exception from the provisions of County Code § 18-5.3.7(b) to waive the outdoor living area requirement for all pre-existing and proposed lots and to waive the storage area requirements for all existing structures.
9. A special exception from the provisions of County Code § 18-5.3.8(a) to waive the requirement for off-street parking for all existing and proposed lots.
10. A special exception from the provisions of County Code § 18-5.3.8(b) to waive the 40 foot right-of-way minimum for all existing and proposed to remain streets.
11. A special exception from the provisions of County Code § 18-5.3.8(b) to waive the minimum typical sections for park streets that abut manufactured home sites for all existing streets.
12. A special exception from the provisions of County Code § 18-5.3.8(b)(3)(a) to waive the required minimum width provided that a clear unobstructed travelway width of 22' be sufficient.

13. A special exception from the provisions of County Code § 18-5.3.8(b)(3)(b) to waive the pavement requirements for all private roads that are pre-existing and proposed to remain.

14. A special exception from the provisions of County Code § 18-5.3.8(b)(3)(e) to waive the minimum horizontal centerline curve radius of 250 feet.

15. A special exception from the provisions of County Code § 18-5.3.8(b)(3)(g) to waive the minimum radius of edge of pavement intersections of 25 feet provided that no parking signs be provided at intersections to allow for safe turns.

16. A special exception from the provisions of County Code § 18-5.3.8(b)(3)(h) to waive the drainage requirements as the pre-existing and proposed to remain system does not pose any flooding issues for the property.

17. A special exception from the provisions of County Code § 18-5.3.8(b)(3)(j) to waive the requirement that driveways should be paved the same as streets to the right-of-way line.

18. A special exception from the provisions of County Code § 18-5.3.8(b)(3)(k) to waive the curb drop inlets requirement as there are no known drainage issues and drainage will be addressed with the VSMP Plan which will meet all state and county requirements.

19. A special exception from the provisions of County Code § 18-5.3.8(b)(3)(l) to waive the requirement that storm sewers shall be designed in accordance with VDOT criteria as there are no known drainage issues and that grading and drainage will be addressed with the VSMP Plan which will meet all state and county requirements.

20. A special exception from the provisions of County Code § 18-5.3.8(b)(3)(m) to waive the requirement that all construction and materials should be in accordance with current VDOT road and bridge standards and specifications since the streets are existing and there are no new streets being proposed.

22. A special exception from the provisions of County Code § 18-5.3.8(d) to waive the requirements of pedestrian access.

23. A special exception from the provisions of County Code § 18-5.3.8(g) to waive the landscaping and screening requirements provided that street trees are provided along Park Road.

**RESOLUTION TO DISAPPROVE SPECIAL EXCEPTION 21 FOR
SE202300010 PARK ROAD MANUFACTURED HOME PARK**

WHEREAS, County staff recommends that proposed Special Exception 21 sought by the applicant be disapproved by the Albemarle County Board of Supervisors; and

WHEREAS, upon consideration of the Memorandum prepared in conjunction with special exceptions application SE202300010 Park Road Manufactured Home Park and the attachments thereto, including staff's supporting analysis, the recommendations of the Planning Commission at its June 27, 2023 meeting, and all of the relevant factors in Albemarle County Code § 18-5.3.8(c), the Albemarle County Board of Supervisors hereby finds that as to proposed Special Exception 21, a modified regulation would not satisfy the purposes of 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 disapproves proposed Special Exception 21 for and on County Parcel ID 05600-00-00-04800.