

<p style="text-align: center;"><b>ACTIONS</b>  <b>Board of Supervisors Meeting of September 13, 2017</b></p>		
		September 15, 2017
<u><b>AGENDA ITEM/ACTION</b></u>	<u><b>ASSIGNMENT</b></u>	<u><b>VIDEO</b></u>
1. Call to Order. <ul style="list-style-type: none"> <li>Meeting was called to order at 3:31 p.m., by the Chair, Ms. McKeel. All BOS members were present. Also present were Doug Walker, Greg Kamptner, Claudette Borgersen and Travis Morris.</li> </ul>		<a href="#">Link to video</a>
2. Proposed 2018 Legislative Priorities. <ul style="list-style-type: none"> <li><b>RECEIVED.</b></li> </ul>		
3. FY 17 Annual Grant Report. <ul style="list-style-type: none"> <li><b>RECEIVED.</b></li> </ul>		
4. Website Presentation. <ul style="list-style-type: none"> <li><b>RECEIVED.</b></li> </ul>		
5. Closed Meeting. <ul style="list-style-type: none"> <li>At 5:05 p.m. the Board went into Closed Meeting pursuant to Section 2.2-3711(A) of the Code of Virginia: <ul style="list-style-type: none"> <li>Under Subsection (1), to discuss and consider appointments to boards, committees, and commissions in which there are pending vacancies or requests for reappointment</li> <li>Under Subsection (8), to consult with and be briefed by legal counsel and staff regarding specific legal matters requiring legal advice about: <ol style="list-style-type: none"> <li>A response to a Freedom of Information Act request pertaining to the Unite the Right rally and related events the same weekend; and</li> <li>Historical assets on County-owned property within the County.</li> </ol> </li> <li>Under Subsection (29), to discuss the terms and scope of a possible public contract involving the expenditure of public funds pertaining to the design and construction of a facility, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the Board of Supervisors.</li> </ul> </li> </ul>		
6. Certify Closed Meeting. <ul style="list-style-type: none"> <li>At 6:15 p.m., the Board reconvened into open meeting and certified the closed meeting.</li> </ul>		
7. Boards and Commissions: <ol style="list-style-type: none"> <li>Vacancies and Appointments. <ul style="list-style-type: none"> <li><b>REAPPOINTED</b> Ms. Cyndra Van Clief to the Albemarle-Charlottesville Regional Jail Authority with said term to expire August 6, 2020.</li> <li><b>REAPPOINTED</b> Mr. Juandiego Wade and Mr. William Wuensch to the JAUNT Board with said terms to expire September 30, 2020.</li> </ul> </li> </ol>	Clerk: Prepare appointment/reappointment letters, update Boards and Commissions book, webpage, and notify appropriate persons.	

	<ul style="list-style-type: none"> <li>• <b>APPOINTED</b> Mr. Joseph Schinstock to the Local Board of Building Code Appeals/ Fire Prevention Code Appeals Board with said term to expire November 21, 2021.</li> <li>• <b>APPOINTED</b> Leslie Deane to the Monticello Area Community Action Agency (MACAA) to fill an unexpired term ending October 31, 2018.</li> <li>• <b>REAPPOINTED</b> Mr. John Lewis, Ms. Yolanda Speed, Ms. Cynthia Neff and Ms. Kimberly Swanson to the Places 29 (Hydraulic) Community Advisory Committee with said terms to expire August 5, 2019.</li> <li>• <b>APPOINTED</b> Mr. Steven Ward to the Places 29 (Hydraulic) Community Advisory Committee with said term to expire August 5, 2019.</li> <li>• <b>REAPPOINTED</b> Mr. Benjamin Ledord and Ms. Heather Stokes to the Places 29 North) Community Advisory Committee with said terms to expire August 5, 2019</li> <li>• <b>APPOINTED</b> Mr. Scott Landman to the Places 29 (North) Community Advisory Committee with said term to expire August 5, 2019.</li> <li>• <b>REAPPOINTED</b> Ms. Michelle Busby and Ms. Nancy Hunt to the Places 20 (Rio) Community Advisory Committee with said terms to expire September 30, 2019.</li> <li>• <b>APPOINTED</b> Mr. Craig Kotarski, Mr. Martin Meth, Mr. Tom Paoletti, and Mr. Rick Seaman to the Places 29 (Rio) Community Advisory Committee with said terms to expire September 30, 2019.</li> </ul>	
8.	<p>Call Back to Order.</p> <ul style="list-style-type: none"> <li>• At 6:15 p.m., the Chair called the regular night meeting to order.</li> </ul>	
11.	<p>Adoption of Final Agenda.</p> <ul style="list-style-type: none"> <li>• By a vote of 6:0, <b>ADOPTED</b> the final agenda.</li> </ul>	
12.	<p>Brief Announcements by Board Members.</p> <p><u>Brad Sheffield:</u></p> <ul style="list-style-type: none"> <li>• Reminded the Board that he would not be in attendance at the October 4<sup>th</sup> Board of Supervisors meeting.</li> </ul> <p><u>Liz Palmer:</u></p> <ul style="list-style-type: none"> <li>• Announced that the Albemarle County Broadband Authority will have its first meeting on September 20, at 5:00 p.m. at the County Office Building.</li> <li>• Announced that a meeting regarding regulations on transient lodging will be held at Redhill Elementary School on September 14, at 6:30 p.m.</li> </ul> <p><u>Ann Mallek:</u></p> <ul style="list-style-type: none"> <li>• Announced that the first meeting of Accessory Tourist Lodging was held at the White Hall Community Center on September 11, 2017.</li> <li>• Announced that the Rivanna River Renaissance Conference will take place on September 29.</li> </ul> <p><u>Rick Randolph:</u></p>	

	<ul style="list-style-type: none"> <li>Announced that he met with the Monticello Ruritan Club on September 12.</li> </ul> <p><u>Diantha McKeel:</u></p> <ul style="list-style-type: none"> <li>Announced that Charlottesville Albemarle Technical Education Center is having a "Back to School Community Bash" on September 23 from 7:00 a.m. to 1:00 p.m.</li> <li>Announced that Gordon Wheeler passed away. Mr. Wheeler was elected as the Rivanna District representative to the Board of Supervisors in 1967. During his tenure, the Rivanna Water and Sewer Authority and Jefferson Area Board for the Aging regional agreements were initiated.</li> <li>Demonstrated a robot built by students at Burley Middle School.</li> </ul>		
13.	<p>Proclamations and Recognitions:</p> <ul style="list-style-type: none"> <li>There were none.</li> </ul>		
14.	<p>From the Public: Matters Not Listed for Public Hearing on the Agenda.</p> <ul style="list-style-type: none"> <li><u>Oliver Daniel</u>, member of the Albemarle Bahai Community addressed the Board and invited supervisors to the 200<sup>th</sup> birthday of Baha'u'llah on October 22, 2017.</li> <li><u>Cecilia Zhang</u>, resident of the Rivanna District and member of the Homeowners' Association of Still Meadow, spoke on the County's plan to build a pedestrian bridge as part of the Rivanna River Greenway Trail.</li> </ul>		
15.2	<p>Piedmont Council of the Arts Closure and Redirection of County FY 18 Contribution.</p> <ul style="list-style-type: none"> <li><b>REDIRECTED</b> the returned \$5,000 contribution to the Rivanna Conservation Alliance by approving the appropriation and <b>ADOPTED</b> resolution.</li> </ul>	<u>Clerk:</u> Forward copy of signed resolution to OMB and County Attorney's office. (Attachment 1)	
15.3	<p>Donation of Unmanned Aerial Device.</p> <ul style="list-style-type: none"> <li><b>ADOPTED</b> Resolution to accept the donation of the Unmanned Aerial System (UAS) and associated equipment from Crutchfield.</li> </ul>	<u>Clerk:</u> Forward copy of signed resolution to Albemarle County Fire Rescue and County Attorney's office. (Attachment 2)	
15.4	<p>Special Exception: UVA Squash at Boar's Head.</p> <ul style="list-style-type: none"> <li><b>APPROVED</b> the special exception to waive the buffer zone requirements as depicted on the proposed Grading Plan (dated July 10, 2017 and identified as "Page 5 of 7"), and as described in the attached staff analysis, subject to the conditions.</li> </ul>	<u>Clerk:</u> Forward copy of signed resolution to Community Development and County Attorney's office. (Attachment 3)	
15.a.	<p>B.F. Yancey Transition Team Letter Presentation.</p> <ul style="list-style-type: none"> <li><b>RECEIVED.</b></li> </ul>		
16.	<p><b><u>Alternative Use of Belvedere Greenway Proffer Funds.</u></b></p> <ul style="list-style-type: none"> <li>By a vote of 6:0, <b>ADOPTED</b> resolution to authorize the proposed alternative use of funds.</li> </ul>	<u>Clerk:</u> Forward copy of signed resolution to Community Development and County Attorney's office. (Attachment 4)	
17.	<p><b><u>SP201700009 UVa Indoor Golf Practice Facility – Amendment.</u></b></p> <ul style="list-style-type: none"> <li>By a vote of 6:0, <b>ADOPTED</b> resolution to approved SP-2017-00009 for the UVA Golf Indoor Practice Facility.</li> </ul>	<u>Clerk:</u> Forward copy of signed resolution to Community Development and County Attorney's office. (Attachment 5)	

18.	<b><u>ZMA201500006 – Shadwell Estates.</u></b> <ul style="list-style-type: none"> <li>By a vote of 6:0 <b>ADOPTED</b> the ordinance to approve ZMA2015-06.</li> <li>By a vote of 6:0, <b>ADOPTED</b> resolution approving the critical slopes special exception for ZMA2015-06.</li> <li>By a vote of 6:0, <b>ADOPTED</b> resolution approving the building site special exception for ZMA2015-06.</li> <li>By a vote of 6:0, <b>ADOPTED</b> resolution the maximum setback special exception for ZMA2015-06.</li> </ul>	<u>Clerk:</u> Forward copy of signed resolution to Community Development and County Attorney's office. (Attachment 6, Attachment 7, Attachment 8, Attachment 9)	
19.	From the Board: Committee Reports and Matters Not Listed on the Agenda. <u>Ann Mallek:</u> <ul style="list-style-type: none"> <li>Commented on the GO Virginia grant presentation and the application process.</li> <li>Mentioned that she participated in Urban Land Institute webinar for Public Private Partnerships.</li> </ul> <u>Diantha McKeel:</u> <ul style="list-style-type: none"> <li>Reported on a Southwood meeting that she attended on September 12.</li> </ul>		
20.	From the County Executive: Report on Matters Not Listed on the Agenda. <ul style="list-style-type: none"> <li>There were none.</li> </ul>		
21.	Adjourn to September 19, 2017, 10:00 a.m., Room 241. <ul style="list-style-type: none"> <li>The meeting was adjourned at 9:11 p.m.</li> </ul>		

ckb/tom

Attachment 1 – Resolution to Approve Additional FY 18 Appropriations

Attachment 2 – Resolution to Authorize Acceptance of Property

Attachment 3 – Resolution to Approve Special Exception for SDP201700028: Uva Squash Facility – Major Amendment

Attachment 4 – Resolution to Authorize an Alternative Use Of Cash Proffers Received For ZMA 2004-00007 Belvedere for the Construction of a Greenway and a Greenway Bridge

Attachment 5 – Resolution to Approve SP 2017-09 UVA Golf Indoor Practice Facility – Amendment

Attachment 6 – Ordinance to. 17-A(9) ZMA 2015-00006 Shadwell Estates

Attachment 7 – Resolution to Approve Special Exception for ZMA201500006 Shadwell Estates – Disturbance of Critical Slopes

Attachment 8 – Resolution to Approve Special Exception for ZMA201500006 Shadwell Estates – Authorize the Modification of the Rectangular Shape Requirement

Attachment 9 – Resolution to Approve Special Exception for ZMA201500006 Shadwell Estates – Modify the Required Maximum Setback(s)

**RESOLUTION TO APPROVE  
ADDITIONAL FY 18 APPROPRIATIONS**

**BE IT RESOLVED** by the Albemarle County Board of Supervisors:

- 1) That Appropriation #2018033 is approved; and
- 2) That the appropriation referenced in Paragraph #1, above is subject to the provisions set forth in the Annual Resolution of Appropriations of the County of Albemarle for the Fiscal Year ending June 30, 2018.

**RESOLUTION TO AUTHORIZE  
ACCEPTANCE OF PROPERTY**

**WHEREAS**, Crutchfield is offering to donate a Yuneec Typhoon H Hexicopter unmanned aircraft system ("UAS"), as well as associated accessories, to the County of Albemarle for use by the Albemarle County Fire Rescue Department; and

**WHEREAS**, Virginia Code § 15.2-951 authorizes counties to accept gifts of personal property.

**NOW, THEREFORE, BE IT RESOLVED** that the Albemarle County Board of Supervisors hereby authorizes the County's acceptance of Crutchfield's donation of the Yuneec Typhoon H Hexicopter unmanned aircraft system and its accessories for use by the Albemarle County Fire Rescue Department.

**RESOLUTION TO APPROVE SPECIAL EXCEPTION  
FOR SDP201700028: UVA SQUASH FACILITY – MAJOR AMENDMENT**

**WHEREAS**, the Owner of Tax Map Parcel Number 059D2-01-00-01500 (the “Property”) filed a request for a special exception in conjunction with SDP201700028: UVA Squash Facility – Major Amendment to waive the buffer zone requirement to allow land disturbance and grading.

**NOW, THEREFORE, BE IT RESOLVED** that, upon consideration of the foregoing, the Memorandum prepared in conjunction with the special exception request and the attachments thereto, including staff’s supporting analysis, and all of the factors relevant to the special exception in Albemarle County Code §§ 18-21.7, 18-33.5, and 18-33.9, the Albemarle County Board of Supervisors hereby approves the special exception to waive the buffer zone requirement for the development of the Property, subject to the condition(s) attached hereto.

\* \* \* \*

**SDP201700028: UVA Squash Facility – Major Amendment  
Special Exception Condition(s)**

1. The proposed land disturbance within the required twenty (20) foot buffer zone along the abutting residential district shall be for the general purpose of the expansion of the Boar’s Head Sports Club / McArthur Squash Center, and for the specific purposes of grading and landscape implementation as shown on pages 5 and 6 of the plan entitled “UVA Squash Facility at Boar’s Head Addition” prepared by Dewberry Engineers dated July 10, 2017.
2. Grading and construction of proposed improvements is subject to approval of SDP201700028 and all other applicable plan approval(s) and/or permit(s).

**RESOLUTION TO AUTHORIZE AN ALTERNATIVE USE  
OF CASH PROFFERS RECEIVED FOR ZMA 2004-00007 BELVEDERE  
FOR THE CONSTRUCTION OF A GREENWAY AND A GREENWAY BRIDGE**

**WHEREAS**, on October 12, 2005, the Board of Supervisors approved ZMA 2004-00007 Belvedere, which included proffers dated October 12, 2005; and

**WHEREAS**, the proffers included conditions that the owner contribute ten thousand dollars (\$10,000.00) toward the construction of a greenway trail in Belvedere and ten thousand dollars (\$10,000.00) toward the construction of a greenway bridge linking the trail along the Rivanna River Greenway in Dunlora to River Run, which funds would be refunded to the owner if not expended for the stated purpose within two (2) years of the owner's contribution of the funds; and

**WHEREAS**, the County received twenty thousand dollars (\$20,000.00) in cash payments from the owner on November 4, 2015; and

**WHEREAS**, Virginia Code § 15.2-2303.2 allows a locality to utilize cash payments proffered for capital improvements for alternative improvements of the same category within the locality if certain findings are made by the locality's governing body; and

**WHEREAS**, on September 13, 2017, the Albemarle County Board of Supervisors held a duly noticed public hearing on this matter.

**NOW, THEREFORE, BE IT RESOLVED** that, upon consideration of the foregoing, the staff report prepared for this request and all of its attachments, and the information presented to the Board of Supervisors, the Albemarle County Board of Supervisors hereby makes the findings required by Virginia Code § 15.2-2303.2 as fully set forth in Attachment B to the staff report which is incorporated herein by reference and approves the alternative use of cash proffers received for ZMA 2004-00007 Belvedere for the construction of a greenway trail on County-owned property behind Still Meadows (TMP 046C0-00-00-000A1) that abuts the future Belvedere greenway parcel and the construction of a greenway bridge linking adjacent neighborhoods to the Rivanna River Greenway.

**RESOLUTION TO APPROVE  
SP 2017-09 UVA GOLF INDOOR PRACTICE FACILITY - AMENDMENT**

**WHEREAS**, the University of Virginia Foundation filed an application to amend a previously-approved special use permit (SP 201500019) for Tax Map Parcel 07500-00-00-06300 to move the previously approved indoor golf practice facility and associated parking and infrastructure on the site, and the application is identified as Special Use Permit 2017-00009 UVa Golf Indoor Practice Facility - Amendment (SP 2017-09); and

**WHEREAS**, on August 8, 2017, after a duly noticed public hearing, the Albemarle County Planning Commission recommended approval of SP 2017-09 with conditions; and

**WHEREAS**, on September 13, 2017, the Albemarle County Board of Supervisors held a duly noticed public hearing on SP 2017-09.

**NOW, THEREFORE, BE IT RESOLVED** that, upon consideration of the foregoing, the staff report prepared for SP 2017-09 and all of its attachments, the information presented at the public hearing, and the factors relevant to a special use permit in Albemarle County Code § 18-33.8, the Albemarle County Board of Supervisors hereby approves SP 2017-09, subject to the conditions attached hereto.

\* \* \* \*

**SP-2017-00009 UVa Indoor Golf Practice Facility - Amendment Conditions**

1. Development of the indoor golf course facility shall be in general accord with the plan entitled, "Illustrative Site Plan – UVA Indoor Golf Parking Option C" prepared by the University of Virginia Foundation, dated August 21, 2017, and labeled by staff, as determined by the Director of Planning and the Zoning Administrator. To be in general accord, development and use shall reflect the following major elements as shown on the plan:
  - a. Building location, orientation, and mass;
  - b. Parking lot location;
  - c. Installation of new landscaping for screening purposes;
  - d. Retention of trees shown for preservation; and
  - e. Earthen berms adjacent to the new parking lot.

Minor modifications to the plan that do not otherwise conflict with the elements listed above may be made to ensure compliance with the Zoning Ordinance, as determined by the Zoning Administrator.

2. Design and development of the improvements shown on the Illustrative Site Plan for the indoor golf facility shall be subject to the following, as determined by the Planning Director or designee:
  - a. Placement of the parking lot within the "bowl" created by the existing terrain in a way that minimizes grading of the slope to the north of the new parking lot, which is to be preserved for its screening effect;
  - b. Construction of earthen berms adjacent to the parking lot which are compatible with existing topographic variation and which further reduce the visibility of the parking lot and parked cars from Golf Course Drive;
  - c. Approved planting plan and planting schedule which, at minimum, include:
    - i. New landscaping materials planted in naturalistic or informal arrangements which are consistent and compatible with the existing landscape in terms of character, density, and species;
    - ii. A meadow or similar grass landscape along Golf Course Drive; and
    - iii. The use of native plant materials; and
  - d. Submittal of a conservation plan prepared by a certified arborist to preserve trees identified for preservation, including the treatment of all ash trees (species *Fraxinus*) that are to be preserved for protection against the emerald ash borer (*Agrilus planipennis*), to be used in conjunction with the conservation checklist described in Condition 6. If all reasonable alternatives for preservation have been explored, and such trees cannot be

retained due to the health of the tree as determined by the certified arborist, removal may occur.

3. Ingress and egress along Birdwood Drive shall be restricted, to the satisfaction of the Zoning Administrator, to only those residences served by Birdwood Drive and shall not be used as an access to the indoor golf practice facility.
4. Any new construction at the existing golf course facility and site other than the site improvements shown on the Illustrative Site Plan referenced in Condition #1 or on the Preliminary Plan for Birdwood Golf Course approved with SP199600053, except for minor changes (such as additional practice tees, modifications of greens and other changes that do not require a site plan), shall require an amended special use permit.
5. The owner shall continue to implement an Integrated Pest Management/Nutrient Management Plan to reduce adverse water quality impacts.
6. Prior to any land disturbing activity on the site, the conservation plan and checklist, the landscape plan, and the grading plan shall be approved by the County Engineer and the Director of Planning or their designees.

**ORDINANCE NO. 17-A(9)  
ZMA 2015-00006 SHADWELL ESTATES**

**AN ORDINANCE TO AMEND THE PROFFERS  
AND APPLICATION PLAN APPROVED WITH  
ZMA 1977-24 FOR TAX MAP PARCEL NUMBER 07900-00-00-023F0**

**WHEREAS**, the application to amend the proffers and application plan that were approved with ZMA 1977-24 for Tax Map Parcel Number 07900-00-00-023F0 (the "Property") is identified as ZMA 2015-00006, Shadwell Estates ("ZMA 2015-06"); and

**WHEREAS**, ZMA 2015-06 proposes to amend the proffers and application plan that were approved with ZMA 1977-24 to allow for the development of seven residential lots on the Property; and

**WHEREAS**, staff recommended approval of ZMA 2015-06 provided that certain revisions were made to the proffers and the application plan; and

**WHEREAS**, the Planning Commission held a duly noticed public hearing on ZMA 2015-06 on June 20, 2017, and recommended approval, conditioned on the applicant making the staff-recommended revisions; and

**WHEREAS**, subsequent to the Planning Commission public hearing, the applicant made all of the recommended revisions to the proffers and the application plan; and

**WHEREAS**, on September 13, 2017, the Albemarle County Board of Supervisors held a duly noticed public hearing on ZMA 2015-06;

**BE IT ORDAINED** by the Board of Supervisors of the County of Albemarle, Virginia, that upon consideration of the staff report prepared for ZMA 2015-06 and its attachments, including the application plan dated August 27, 2015 and last revised on July 24, 2017, and the proffers dated August 25, 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 2015-06, with the application plan dated August 27, 2015 and last revised on July 24, 2017, and the proffers dated August 25, 2017.

Original Proffers \_\_\_\_\_  
Amendment \_\_\_\_\_

### PROFFER STATEMENT

ZMA No. ZMA 201500006 "Shadwell Estates"

Tax Map and Parcel Number(s): 07900-00-00-023F0

Owner(s) of Record: Country Inns Extraordinaire, Inc

Date of Proffer Signature: 8/25/17 RF

28.05 acres to be rezoned from PRD to PRD

Country Inns Extraordinaire, Inc, is the owner (the "Owner") of Tax Map and Parcel Number: 07900-00-00-023F0 (the "Property") which is the subject of rezoning application ZMA No. ZMA 201500006, a project known as "Shadwell Estates" (the "Project"), which includes the application plan prepared by Meridian Planning Group, LLC entitled, "Application Plan for Shadwell Estates," last revised July 24, 2017.

Pursuant to Section 33.3 of the Albemarle County Zoning Ordinance, the Owner hereby voluntarily proffers the conditions listed below which shall be applied to the Property if it is rezoned to the zoning district identified above. These conditions are proffered as a part of the requested rezoning and the Owner acknowledges that the conditions are reasonable.

1. Development of the Property shall be limited to no more than seven (7) detached single family dwellings, as shown on the application plan;
2. The tree preservation easement areas, as identified on the Projects application plan, shall be preserved to the satisfaction of the Director of Community Development or his designee. An easement plat and deed restrictions to protect the tree preservation easement areas shall be subject to approval by the County Attorney and recorded prior to or with concurrent with the first subdivision plat for the Property.
3. The applicant shall be required to certify the dam with the Department of Conservation and Recreation, Division of Dam Safety (DCR) and complete with all DCR's recommended dam repairs, maintenance and operations prior to approval of the first subdivision plat for the Property.
4. The applicant shall adopt architectural guidelines to ensure historical compatibility of the residences on the property with the adjacent Clifton Inn property. The architectural guidelines shall be reviewed and subject to approval by the Director of Planning, or his designee, for historical compatibility with the Clifton Inn and shall be adopted into the Property's Homeowners Association (HOA) covenants and restrictions prior to, or concurrent with, the first subdivision plat for the Property. The HOA shall enforce with the architectural guidelines contained in the covenants and restrictions.

OWNER

F. Mitchell Willey for Country Inns Extraordinaire, LLC  
Country Inns Extraordinaire, Inc

OWNER

F. Mitchell Willey  
By: Mitch Willey

Title: President

Country Inns Extraordinaire, Inc

**RESOLUTION TO APPROVE SPECIAL EXCEPTION  
FOR ZMA201500006 SHADWELL ESTATES**

**WHEREAS**, the Owner of Tax Map Parcel Number 07900-00-00-023F0 (the "Property") filed a request for a special exception in conjunction with ZMA201500006 Shadwell Estates, to allow the disturbance of critical slopes, as the Property is depicted on the pending plans under review by the County's Department of Community Development.

**NOW, THEREFORE, BE IT RESOLVED** that, upon consideration of the foregoing, the staff reports prepared in conjunction with the special exception request, including staff's supporting analysis, and all of the factors relevant to the special exception in Albemarle County Code §§ 18-4.2.3, 18-4.2.5(a), 18-33.5, and 18-33.9, the Albemarle County Board of Supervisors hereby approves the special exception to authorize the disturbance of critical slopes for the development of the Property, subject to the condition(s) attached hereto.

\* \* \* \*

**ZMA201500006 Shadwell Estates Special Exception Condition(s)**

1. The area of land disturbance on critical slopes shall not exceed 0.2 acres as shown on Sheet 2-3 of the plan entitled "Application Plan for Amendment to ZMA 77-24, Shadwell Estates, Tax Map 79, Parcel 23F, Scottsville District, Albemarle County, Virginia" prepared by Timothy Miller and dated August 27, 2015 and last revised on July 24, 2017.

**RESOLUTION TO APPROVE SPECIAL EXCEPTION  
FOR ZMA201500006 SHADWELL ESTATES**

**WHEREAS**, the Owner of Tax Map Parcel Number 07900-00-00-023F0 (the "Property") filed a request for a special exception in conjunction with ZMA201500006 Shadwell Estates, to allow the modification of the rectangular shape requirement for building sites, as the Property is depicted on the pending plans under review by the County's Department of Community Development.

**NOW, THEREFORE, BE IT RESOLVED** that, upon consideration of the foregoing, the staff reports prepared in conjunction with the special exception request, including staff's supporting analysis, and all of the factors relevant to the special exception in Albemarle County Code §§ 18-4.2.2(a)(3), 18-4.2.5(a), 18-33.5, and 18-33.9, the Albemarle County Board of Supervisors hereby approves the special exception to authorize the modification of the rectangular shape requirement for building sites for the development of the Property, subject to the condition(s) attached hereto.

\* \* \* \*

**ZMA201500006 Shadwell Estates Special Exception Condition(s)**

1. The building sites for lots 1-7 shall be in the general location and size shown on sheets 2-3 of the plan entitled "Application Plan for Amendment to ZMA 77-24, Shadwell Estates, Tax Map 79, Parcel 23F, Scottsville District, Albemarle County, Virginia" prepared by Timothy Miller and dated August 27, 2015 and last revised on July 24, 2017.

**RESOLUTION TO APPROVE SPECIAL EXCEPTION  
FOR ZMA201500006 SHADWELL ESTATES**

**WHEREAS**, the Owner of Tax Map Parcel Number 07900-00-00-023F0 filed a request for a special exception in conjunction with ZMA201500006 Shadwell Estates, to modify the required maximum setback(s), as depicted on the pending plans under review by the County's Department of Community Development.

**NOW, THEREFORE, BE IT RESOLVED** that, upon consideration of the foregoing, the staff reports prepared in conjunction with the special exception request and the attachments thereto, including staff's supporting analysis, and all of the factors relevant to the special exception(s) in Albemarle County Code §§ 18-4.19, 18-33.5, and 18-33.9, the Albemarle County Board of Supervisors hereby approves the special exception(s) to modify the required maximum setback(s) for the development of the Property, subject to the condition(s) attached hereto.

\* \* \* \*

**ZMA201500006 Shadwell Estates Special Exception Condition(s)**

1. The maximum setback on lots 1-7, as shown on the plan entitled "Application Plan for Amendment to ZMA 77-24, Shadwell Estates, Tax Map 79, Parcel 23F, Scottsville District, Albemarle County, Virginia" prepared by Timothy Miller and dated August 27, 2015 and last revised on July 24, 2017, shall be 125 feet.