

	<ul style="list-style-type: none"> • <u>Neil Williamson</u>, Free Enterprise Forum, commented on the current state of affairs with the Architectural Review Board and the maps and regulations it was charged with enforcing and encouraged the Board to change the code and map to reflect reality. • <u>Machiah Ledford</u>, Whitehall District, addressed the issue of open burning and commented that there was enough data on open burning complaints to support drastic changes to distances and requirements for permission from neighbors and suggested they restrict burning to certain days. 		
8.2	FY 19 Appropriations. <ul style="list-style-type: none"> • ADOPTED Resolution to approve appropriations #2019081, #2019082, #2019083, #2019084, #2019085, #2019086 and #2019087 for local government and school project and programs. 	Clerk: Forward copy of signed resolution to OMB and County Attorney's office. (Attachment 3)	
8.3	Revenue Sharing Programmatic Project Administration Agreement Renewal. <ul style="list-style-type: none"> • ADOPTED Resolution to approve the Revenue Sharing Programmatic Project Administration Agreement. 	Clerk: Forward copy of resolution to County Attorney and Jack Kelsey. (Attachment 4) County Attorney: Provide Clerk with fully executed copy of agreement.	
8.4	Ordinance to Amend County Code Appendix A.1 (Acquisition of Conservation Easements (ACE) Program. <ul style="list-style-type: none"> • SET public hearing for June 19, 2019. 	Clerk: Schedule on June 19 agenda and advertise in Daily Progress.	
8.5	Special Exceptions for SDP 201800067, Northside Material Recovery Facility. <ul style="list-style-type: none"> • ADOPTED resolution to approve the requested special exceptions subject to the conditions. 	Clerk: Forward copy of signed resolution to County Attorney and Community Development. (Attachment 5)	
8.6	Resolution to accept road(s) in the Estes Park Phase I and II Subdivision into the State Secondary System of Highways. <ul style="list-style-type: none"> • ADOPTED resolution. 	Clerk: Forward copy of signed resolution to Community Development. (Attachment 6)	
8.7	Set public hearing for June 5, 2019, on an ordinance to amend Chapter 2, Administration, of the Albemarle County Code, <u>to amend Section 2-202, Compensation of board of supervisors</u> , to increase the compensation of the members of the Board of Supervisors by an inflation factor of 2.3% effective July 1, 2019. <ul style="list-style-type: none"> • SET public hearing for June 5, 2019. 	Clerk: Schedule on June 5, 2019 agenda and advertise in Daily Progress.	
8.8	Change start time of June 5, 2019, Meeting from 1:00 p.m. to 9:00 a.m. <ul style="list-style-type: none"> • CHANGED start time of June 5, 2019 meeting to 9:00 a.m. 	Clerk: Notify appropriate individuals on new start time.	
9.	Work Session: VDOT FY 20-25 Secondary Six-Year Plan. <ul style="list-style-type: none"> • HELD. • By a vote of 6:0, APPROVED the recommended prioritized list of paving projects set forth in the staff report for inclusion in the County's draft FY2020-2025 SSYP; and SET public hearing on the SSYP for June 19, 2019. 	Clerk: Schedule on June 5, 2019 agenda and advertise in Daily Progress. (Attachment 7)	
10.	Work Session: Yard/Property Maintenance Open-Air Burning. <ul style="list-style-type: none"> • HELD. • CONSENSUS to increase burn distances from structures to no closer than 300 feet from houses. 		

	<ul style="list-style-type: none"> • CONSENSUS to eliminate the ability of neighbors to grant permission to move a burn closer to a structure on neighboring property, • CONSENSUS to utilize time restrictions. • DIRECTED staff to research how to establish a permit process. • Directed staff to schedule for follow up on a future agenda. 	<u>Clerk:</u> Schedule when ready.	
11.	<p>Review of Pilot Board of Supervisors Meeting Schedule.</p> <ul style="list-style-type: none"> • CONSENSUS to extend the Board meeting pilot schedule change to December 2019. 	<u>Clerk:</u> Update calendars and the website as necessary.	
8.9	<p>Environmental Services Division Quarterly Report – 3rd Quarter FY 19.</p> <ul style="list-style-type: none"> • Ann Mallek asked the following questions: • Regarding the Safe Chemical Waivers for the parks, she inquired about the oversight of determining the success of a program. • She requested information on the process and how these waivers were carrying out the true spirit of the Safe Chemical Policy. • She inquired about who was making the determination of what chemicals should be used. 	<u>Staff:</u> Respond as requested.	
12.	<p>Closed Meeting.</p> <ul style="list-style-type: none"> • At 3:34 p.m., the Board went into Closed Meeting pursuant to Section 2.2-3711(A) of the Code of Virginia: • Under Subsection (1), to discuss and consider appointments to the Community Policy and Management Team and the Rivanna Solid Waste Authority for which there are pending vacancies or requests for reappointments; and • Under Subsection (6), to discuss and consider the investment of public funds in an affordable housing project in the northern portion of the Scottsville Magisterial District and infrastructure improvements in Crozet where bargaining was involved and where, if made public initially, would adversely affect the financial interest of the County; and • Under Subsection (8), to consult with and be briefed by legal counsel and staff regarding specific legal matters requiring legal advice relating to: <ul style="list-style-type: none"> ○ 1. The County's duty to maintain and repair real property that it owns in the Scottsville Magisterial District; and ○ 2. A possible boundary adjustment with an abutting locality. 		
13.	<p>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. 		
14.	<p>Vacancies and Appointments.</p> <ul style="list-style-type: none"> • APPOINTED, Mr. Lance Stewart, Director of Facilities and Environmental Services to the Rivanna Solid Waste Authority with said term to expire April 1, 2021. 	<u>Clerk:</u> Prepare appointment/reappointment letters, update Boards and Commissions book, webpage, and notify appropriate persons.	
15.	<p>From the Public: Matters Not Listed for Public Hearing on the Agenda.</p> <ul style="list-style-type: none"> • <u>Roger Schickedanz</u>, resident of Scottsville District and Co-Chair, 5th and Avon Community Advisory Committee, requested the Board evaluate County-owned land off Mill Creek 		

	<p>Drive for its highest and best use and the CAC has put together a resolution asking the Board to initiate a small area plan process, as called for in the Comprehensive Plan.</p> <ul style="list-style-type: none"> Nancy Gill, resident and Mayor of the Town of Scottsville, invited the Board and staff to attend the next public session on Monday, May 20 at 7:00 p.m. to discuss short and long-term plans for the dissolved Scottsville Volunteer Fire Department. Sean Tubbs, Piedmont Environmental Council, addressed item #18 on the agenda and noted that a major rezoning for the area was coming in a few months, and commented that it would be great if staff would create a list of what the County wanted in this area. <u>Laura Mellusi</u>, resident and Vice-Mayor of the Town of Scottsville share positive aspects about their town and invited the Board to join her and promote the Town of Scottsville and the regional community as a desirable place to live, work, and visit. 	
16.	<p><u>Pb. Hrg.: CLE 201800250 Elizabeth Gruss Family Day Home.</u></p> <ul style="list-style-type: none"> By a vote of 6:0, ADOPTED resolution to approve CLE201800250. 	<p><u>Clerk:</u> Forward copy of signed resolution to County Attorney and Community Development. (Attachment 8)</p>
17.	<p><u>Pb. Hrg.: SP201800022 Dogtopia.</u></p> <ul style="list-style-type: none"> By a vote of 6:0, ADOPTED Resolution to approve SP201800015 Dogtopia subject to the conditions contained therein and as revised in the resolution. 	<p><u>Clerk:</u> Forward copy of signed resolution to County Attorney and Community Development. (Attachment 9)</p>
18.	<p><u>Pb. Hrg.: SP201800016 EcoVillage Charlottesville Preserved Steep Slopes.</u></p> <ul style="list-style-type: none"> By a vote of 6:0, ADOPTED Resolution to approve SP201800016 subject to the conditions contained therein. 	<p><u>Clerk:</u> Forward copy of signed resolution to County Attorney and Community Development. (Attachment 10)</p>
19.	<p><u>Pb. Hrg.: SP201800020 WVIR-TV Replacement of Existing TV Broadcasting Tower.</u></p> <ul style="list-style-type: none"> By a vote of 6:0, ADOPTED resolution to approve SP 201800020 subject to the conditions contained therein. By a vote of 6:0, ADOPTED resolution to approve a special exception to modify setback requirements for SP201800020, as conditioned. 	<p><u>Clerk:</u> Forward copy of signed resolutions to County Attorney and Community Development. (Attachments 11 and 12)</p>
20.	<p>From the Board: Committee Reports and Matters Not Listed on the Agenda.</p> <p><u>Norman Dill:</u></p> <ul style="list-style-type: none"> Announced that the NIFI Free Bridge project was now open. <p><u>Ann Mallek:</u></p> <ul style="list-style-type: none"> Announced that the Rivanna River Festival would be held on May 11. <p><u>Liz Palmer:</u></p> <ul style="list-style-type: none"> Announced that she and Mr. Randolph had learned at the last Albemarle Broadband Authority meeting that CVEC was moving very quickly, was already on the ground for Midway, and expected everyone to be connected by February 2020, with the area around Zion Crossroads to be completed by this October and the area of Cash's Corner to be completed by January <p><u>Ned Gallaway:</u></p>	

<ul style="list-style-type: none"> Requested that the Board to entertain a process to amend the code to allow for reprocessing or repurposing of used asphalt and concrete of materials. CONSENSUS to study the zoning text amendment related to recycling facilities and the solid waste related ordinance provisions. <p><u>Diantha McKeel</u></p> <ul style="list-style-type: none"> Reminded the Board that they had received the legislature's permission to make changes to ordinances and would like a status update on the regulation of parking on secondary roads, maintenance issues, and snow removal. 	<p><u>Staff:</u> Prepare the necessary information for Board consideration.</p> <p><u>Clerk:</u> Schedule on agenda when ready.</p> <p><u>Staff:</u> Provide the update as requested.</p>	
<p>21. From the County Executive: Report on Matters Not Listed on the Agenda.</p> <p><u>Jeff Richardson:</u></p> <ul style="list-style-type: none"> Provided the Board with information on Project ENABLE and showed a video on economic development to the Board. Updated the Board on the County's Pillars of Excellence and commented that every department was developing service standards and guidelines as determined by employee advisory teams. 		
<p>22. Adjourn to May 9, 2019, 4:00 p.m., Lane Auditorium.</p> <ul style="list-style-type: none"> The meeting was adjourned at 8:07 p.m. 		

ckb/tom

Attachment 1 – Brigadier General Sandra Louise Alvey

Attachment 2 – Public Service Recognition Week

Attachment 3 – Resolution to Approve Additional FY 19 Appropriations

Attachment 4 – Resolution to Approve a New State-Wide Programmatic Project Administration Agreement (PPAA)

Attachment 5 – Resolution to Approve Special Exceptions for SDP 2018-67 Northside Materials Recovery Facility

Attachment 6 – Resolution to accept road(s) in the Estes Park Subdivision into the State Secondary Highway System

Attachment 7 – Draft Priority Paving List

Attachment 8 – Resolution to Approve Special Exception for CLE 2018-250 Blossom Play School (Elizabeth Gruss)

Attachment 9 – Resolution to Approve SP 2018-22 Dogtopia

Attachment 10 – Resolution to Approve SP 2018-16 EcoVillage Charlottesville – Preserved Steep Slopes

Attachment 11 – Resolution to Approve SP 2018-20 WVIR-TV Replacement of Existing TV Broadcasting Tower

Attachment 12 – Resolution to Approve Special Exception to Modify Setback Requirements for SP 2018-20 WVIR-TV

BRIGADIER GENERAL SANDRA LOUISE ALVEY

WHEREAS, Brigadier General Sandra Louise Alvey, USAR, a distinguished military officer and an accomplished medical entomologist, will retire from the United States Army Reserve Force in May 2019, after 32 years of outstanding service to the Commonwealth and the United States; and

WHEREAS, Sandra Alvey was commissioned as a second lieutenant in the United States Army Ordnance Corps and served on active duty for 10 years before joining the United States Army Reserve Force; and

WHEREAS, Sandra Alvey's duty stations have included deputy commanding general of the 807th Medical Command, a command of approximately 11,000 Army Reserve soldiers; commander of the 196th Medical Support Unit in Germany; the 133rd Preventive Medicine Unit in Germany; the 20th CBRNE Command at Aberdeen Proving Ground, Maryland; and Joint Task Force-Bravo in Honduras; and

WHEREAS, Sandra Alvey has participated in numerous United States Army Reserve recruitment and yellow ribbon events, and she supports historical military reenactment events in Virginia to promote public awareness of the history of our Commonwealth; and

WHEREAS, Sandra Alvey is currently an analyst for the Defense Intelligence Agency at Rivanna Station in Albemarle County and her commitment to service has had an immeasurable impact on both our community and the nation.

NOW, THEREFORE BE IT RESOLVED, that we, the Albemarle County Board of Supervisors do hereby recognize Brigadier General Alvey's thirty-two years of service and acknowledge with civic pride her formal retirement from the US Army Reserve Force.

Signed this 1st day of May 2019.

Public Service Recognition Week

WHEREAS, Americans are served daily by public servants at the federal, state, county, and city levels. These unsung heroes do the work that keeps our nation working; and

WHEREAS, public service is among the most demanding and noble of professions; and

WHEREAS, Public Service Recognition Week is observed annually to celebrate and recognize the valuable service that public servants provide to the nation; and

WHEREAS, over 3,000 Albemarle County Local Government and Schools employees work tirelessly to serve our residents, businesses, and visitors, providing them with outstanding customer service while maintaining careful stewardship of the resources with which they have been entrusted; and

WHEREAS, we appreciate the many accomplishments and contributions made daily by these public servants;

NOW, THEREFORE, BE IT RESOLVED, that we, the Albemarle County Board of Supervisors, do hereby recognize

**May 5 through May 11, 2019
as
Public Service Recognition Week**

and call upon the citizens of Albemarle County to join their fellow citizens across the County to recognize the significant and important contribution that public employees make to our community.

Signed this 1st day of May 2019.

**RESOLUTION TO APPROVE
ADDITIONAL FY 19 APPROPRIATIONS**

BE IT RESOLVED by the Albemarle County Board of Supervisors:

- 1) That Appropriations #2019081, #2019082, #2019083, #2019084, #2019085, #2019086 and #2019087 are approved; and
- 2) That the appropriations referenced in Paragraph #1, above, are subject to the provisions set forth in the Annual Resolution of Appropriations of the County of Albemarle for the Fiscal Year ending June 30, 2019.

A RESOLUTION TO APPROVE A NEW STATE-WIDE PROGRAMMATIC PROJECT ADMINISTRATION AGREEMENT (PPAA) FOR REVENUE SHARING PROJECTS AWARDED FOR FISCAL YEARS FY2013 THROUGH FY2019

WHEREAS, the Virginia Department of Transportation and the County of Albemarle have executed a state-wide Programmatic Project Administration Agreement (PPAA), for Revenue Sharing projects funded solely with revenue sharing funds awarded in fiscal years FY2013 through FY2019, that will expire on June 30, 2019 and,

WHEREAS, the Virginia Department of Transportation requires the County of Albemarle, by resolution, to provide assurance of its commitment to funding its local share for each PPAA project for fiscal years FY2013 through FY2019, and in meeting its financial obligation under the Program;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Albemarle County, Virginia, hereby commits to fund its local share of preliminary engineering, right-of-way and construction (as applicable) of the project(s) under agreement with the Virginia Department of Transportation in accordance with the project financial document(s).

BE IT FURTHER RESOLVED, that the County Executive is hereby authorized to execute the Programmatic Project Administration Agreement (PPAA), subject to approval as to form and substance by the County Attorney, as well as the Appendices and amendments to the Appendices.

**RESOLUTION TO APPROVE SPECIAL EXCEPTIONS
FOR SDP 2018-67 NORTHSIDE MATERIALS RECOVERY FACILITY**

WHEREAS, the owner of Tax Map Parcels 03200-00-00-022C30, 03200-00-00-07000, 03200-00-00-07100, 03200-00-00-07200, and 03200-00-00-07300 filed a request for special exceptions to modify or waive requirements of the following Zoning Ordinance requirements in conjunction with SDP 2018-67 Northside Materials Recovery Facility as depicted on the pending plans under review by the County's Department of Community Development:

Supplementary regulations:

- § 18-5.1.51(a) and (b) – Outdoor Activities in Industrial Districts
- § 18-5.1.52 (a), (c), (e) – Outdoor Storage in Industrial Districts

Industrial District – Generally:

- § 18-26.5(c) – Buffer requirements

General Regulations – Noise:

- § 18-4.18.04; and

NOW, THEREFORE, BE IT RESOLVED that, upon consideration of the foregoing, the Memorandum and Staff Analysis prepared in conjunction with the application, all of the factors relevant to the special exceptions in County Code §§ 18-5.1.51, 18-5.1.52, 18-26.5(c), 18-4.18.04, 18-4.18.07, and 18-33.49, and the information provided at the Board of Supervisors' meeting, the Albemarle County Board of Supervisors hereby approves the special exceptions to authorize the modification and waiver of the County Code sections set forth above, subject to the conditions attached hereto.

* * * * *

SDP 2018-67 Northside Materials Recovery Facility Special Exception Conditions

1. **MATERIALS (18-5.1.52):** The recycling processing center use shall be limited to recycling asphalt, concrete, dirt and materials associated with recycling these inert materials such as rebar. The recycling center shall not process trash, paper, glass, plastic, electronics, wood, or any other material not specified. A recycling collection station is prohibited.
2. **IMPORT OF ADDITIONAL MATERIALS:** No additional import of recyclable or recycled materials to the site is allowed until the existing stockpiles have been reduced to the allowable maximum heights specified on Sheet C5 of the plan titled "Initial Site Development Plan for Northside Material Recovery Facility" prepared by Shimp Engineering, P.C., last revised 4/10/2019 (the "Plan"). This requirement will be in effect on the date of the Special Exception approval. Once the stockpiles comply with the height restrictions the stockpiles must remain below the limits at all times.
3. **TIMING:** After the approval of the Special Exception (SE), the applicant must meet the following schedule for review and approval process to ensure that the site is brought into compliance with the special exceptions, ordinances and standards:
 - a. A VSMP application must be submitted within 30 days of the SE approval.
 - b. The final site plan must be submitted within 30 days of the SE approval.
 - c. The final site plan must be approved within 6 months of its first submittal. If it is not approved by that deadline *the recyclable and recycled materials must be removed and the site stabilized.*
 - d. The site must comply with the final site plan within 120 days of the final site plan approval with the exception of the tree buffer adjacent to the entrance and south of the stockpile of reclaimed material (shown on sheet C4 as "existing tree buffer (to remain)"). Site compliance in this area is extended for an additional 60 days to allow removal of material from this tree buffer. If it is not in compliance by that deadline *the materials must be removed and the site stabilized.*
 - e. The following improvements shall be installed prior to commencement of use:
 - i. The berm and landscaping
 - ii. Any tree conservation measures
 - iii. Security fence
 - f. Height of stockpiles visible markers must be certified by a registered surveyor prior to commencement of use and upon request by the Zoning Administrator.

4. LOCATION AND HEIGHT OF STOCKPILES: Storage of recycled or reclaimed materials shall be in accord with the exhibit shown on Sheet C4 of the Plan . Additionally, the following specific criteria must also be met:
 - a. The maximum height of stockpiles, 28 and 24 feet, shall be in accord with Sheet C5 of the Plan . Sheet C5 is used for stockpile heights only.
 - b. Visible markers shall be utilized to measure and limit the height of stockpiles according to this condition.
 - c. Stockpiles are not allowed within the 50-foot Outdoor Storage Setback.
 - d. A tree preservation plan must be submitted with the final site plan and must be in general accord with Sheet C4 of the Plan.
 - e. The horizontal location of stockpiles and stockpile management activities shall be in general accord with Sheet C4 and dimensioned on the final site plan.
 - i. Stockpiles and the stockpile activity may be no closer than the dripline of any tree shown as being preserved on Sheet C4 of the Plan , and the dripline shall be demarcated by a permanent tree protection fence or other physical barrier, the design of which shall be approved with the final site plan.
 - ii. Stockpiles shall not be located closer than 70 feet to the property line with TMP 32-73 and shall not be any closer than 10 feet to the property line with TMP 32-22C1 unless a barrier is installed in which case stockpiles shall not be located closer than 5 feet.
5. LOCATION AND HEIGHT OF EQUIPMENT: The location of the equipment required to process the approved recyclable materials shall be in general accord with the exhibit shown on Sheet C4 of the Plan . The height of the equipment shall be as specified in the Certified Engineers Report dated March 1, 2019 prepared by Shimp Engineering, P.C. Additionally, the following specific criteria must also be met:
 - a. No processing equipment or conveyors shall be more than 31' feet in height and shall be lowered when not in use.
 - b. The conveyors, crusher, and screen plant shall not be located within the Entrance Corridor overlay district, as depicted on the final site plan.
 - c. Stockpiles and equipment utilized to move and maintain stockpiles shall never be within the first 50-feet adjacent to residential parcel TMP 32-22I.
6. SOUND (18-4.18.04): The zoning administrator may require a new zoning clearance, Certified Engineers Report, and sound study if operations, equipment, and/or equipment locations are changed from the Certified Engineers Report dated March 1, 2019, prepared by Shimp Engineering, P.C.
7. USES WITHIN THE OUTDOOR ACTIVITY SETBACK (18-5.1.51 b): The only use allowed within the portion of the property between the 50-foot outdoor storage setback and the 100-foot outdoor activity setback adjacent to TMP 32-22I is storage of the allowed recycled materials and activities associated with the storage.
8. FENCE (18-5.1.51 a & 18-5.1.52 a): A minimum 7 foot tall security fence shall be provided in general accord with the location shown on Sheet C4 of the Plan . The fence shall connect up to the existing fence within TMP 32-67. The segment of fencing located on TMP 32-67 shall be opaque unless the Planning Director finds that a berm or landscaping provides adequate screening.
9. LANDSCAPING: A landscape plan according to County Code §18- 32.7.9.4 and subject to Architectural Review Board ("ARB") approval must be provided and no ordinance minimums (parking lot trees, street trees, etc.) of this section are waived. The landscape plan must be provided with final site plan and must include:
 - a. Screening must be provided in compliance with County Code §18-32.7.9.7(d) where existing vegetation does not provide adequate screening on TMP 32-73. If deemed necessary by the Planning Director, a landscape preservation easement on TMP 32-73 must be recorded prior to approval of the final site plan to preserve the trees designated as "existing trees to be preserved for screening" as shown on Sheet C4 of the Plan .
 - b. Supplemental landscaping for screening is subject to ARB review and approval on the final site plan. Such screening shall include, but not be limited to, landscaping to compensate for trees in the drainage easement that are not under the control of the property owner.
 - c. Screening along the property line with TMP 32-22I shall include an 8 foot tall earthen berm with a double staggered row of evergreen trees planted on the top of the berm ten (10) feet on center as shown on Sheet C4 of the Plan.

- d. The quantity and species of landscaping screening trees will be determined during the final site plan and ARB review process. However the minimum height of the evergreen screening trees on the berm adjacent to TMP 32-221 shall be 6 feet.
10. Final Site Plan: Anything not explicitly approved with this special exception, must satisfy all applicable Ordinance and Design requirements prior to final site plan approval.

The Board of County Supervisors of Albemarle County, Virginia, in regular meeting on the 1st day of May 2019, adopted the following resolution:

R E S O L U T I O N

WHEREAS, the street(s) in **Estes Park Phase I and II Subdivision**, as described on the attached Additions Form AM-4.3 dated **May 1, 2019**, fully incorporated herein by reference, is shown on plats recorded in the Clerk's Office of the Circuit Court of Albemarle County, Virginia; and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised the Board that the street(s) meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED, that the Albemarle Board of County Supervisors requests the Virginia Department of Transportation to add the street(s) in **Estes Park Phase I and II Subdivision**, as described on the attached Additions Form AM-4.3 dated **May 1, 2019**, to the secondary system of state highways, pursuant to §33.2-705, Code of Virginia, and the Department's Subdivision Street Requirements; and

BE IT FURTHER RESOLVED that the Board guarantees a clear and unrestricted right- of-way, as described, exclusive of any necessary easements for cuts, fills and drainage as described on the recorded plats; and

FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

* * * * *

Report of Changes in the Secondary System of State Highways

Project/Subdivision Estes Park Phase I and II

Type Change to the Secondary System of State Highways:

Addition

The following additions to the Secondary System of State Highways, pursuant to the statutory provision or provisions cited, are hereby requested; the right of way for which, including additional easements for cuts, fills and drainage, as required, is hereby guaranteed:

Reason for Change: New subdivision street

Pursuant to Code of Virginia Statute: §33.2-705

Street Name and/or Route Number

☐ **Regent Street, State Route Number 1856**

Old Route Number: 0

☐ From: Route 1722, Worth Crossing

To: 0.17 miles South to Route 1859, Decatur Drive, a distance of: 0.17 miles.

Right of Way width (feet) = 0

**Street Name and/or Route
Number**

- ☐ **Conway Lane, State Route Number 1858**

Old Route Number: 0

- ☐ From: Route 1856, Regent Street

To: 0.05 miles East to Route 1859, Decatur Dr, a
distance of: 0.05 miles.

Recordation Reference: DB 4221; PG 690-705

Right of Way width (feet) = 0

**Street Name and/or Route
Number**

- ☐ **Burgundy Lane, State Route Number 1857**

Old Route Number: 0

- ☐ From: Route 1856, Regent Street

To: 0.12 miles South to ESM, a distance of: 0.12 miles.

Recordation Reference: DB 4421; PG 690-705

Right of Way width (feet) = 0

**Street Name and/or Route
Number**

- ☐ **Decatur Drive, State Route Number 1859**

Old Route Number: 0

- ☐ From: Route 1856, Regent Street

To: 0.09 miles Est to ESM, a distance of: 0.09 miles.

Recordation Reference: DB 4421; PG 690-705

Right of Way width (feet) = 0

**Street Name and/or Route
Number**

- ☐ **Decatur Drive, State Route Number 1859**

Old Route Number: 0

- ☐ From: Route 1856, Regent Street

To: 0.09 miles West to Route 1857, Burgundy Lane, a
distance of: 0.09 miles.

Recordation Reference: DB 4421; PG 690-705

Right of Way width (feet) = 0

ALBEMARLE COUNTY PRIORITY LIST FOR SECONDARY ROAD IMPROVEMENTS, UNPAVED ROADS - Approved June 7, 2017-UPDATED 3.29.2019												
RURAL RUSTIC ROAD PAVING PROJECTS IN PRIORITY ORDER (HIGH TO LOW)												
Current Priority (Recommended)	Route Number, Road Name Priority	Location From - To	Length (mi.)	Current Funding/ Project Status	Most Current Traffic	Year of Count	Crash Data 2010-2016	thru or dead end	Description/Comments	Year Project placed on	VDOT's Cost Est	
1	731 Keswick Road	Rt. 744 - Rt. 22	0.7	Complete Spring 2019	300	2012	3	thru	Public request. Provides thru road connection to primary road (Rt. 22). Serves Keswick Club.	2005	\$361,433	
2	747 Freddy Creek Road	Rt. 600 - Rt. 640	1.6	Complete March 2019	120	2012	0	thru	School request.		\$420,000	
3	824 Patterson Mill Lane	Rt. 688 - paved section	0.73	Starting summer/fall 2019	250	2012	1	thru	Public request. Provides improved connection to Rt. 250 and I-84 interchange	2011	\$270,000	
4	637 Dick Woods Road	Rt. 151 - Nelson County Line	0.7	starting spring 2019	130	2015	1	thru	Public request. Provides thru road connection to primary route (Rt. 151). Advanced in priority to take advantage of reduced cost resulting from recent maintenance	2007	\$325,000	
5	712 North Garden Lane	Rt. 692 - Rt. 29	0.87	starting 2019/2020	290	2012	4	thru	Public request. Serves former DA Village/VR zoning. Access to primary road. (Rt. 29)		\$235,000	
6	712 Coles Rolling Road	Rt. 713 - Rt. 795	2.75	in SSYP FY20	300	2012	3	thru	Public request. Provides thru road connection to primary route (Rt. 20)		\$1,062,000	
7	784 Bunt Mill Rd	Rt. 600 - Cindy Ln	0.71	in SSYP FY21	300	2012	1	dead end	Public request. Provides thru road connection to primary route (Rt. 20) to Farnbrook Natural Area and school bus route. Only portion to Cindy Lane can be under RRR.	2018	\$319,500	
8	702 Reservoir Rd	From paved portion of Reservoir Rd - Holiday Trails Ln	0.97	in SSYP FY21-22	255	2015	3	dead end	Public request. Serves Camp Holiday Trails, Ragged Mountain Natural Area and access to Ragged Mountain Reservoir	2018	\$436,500	
9	720 Harris Creek Road	Rt. 20 - Dead End	0.38	in SSYP FY22	230	2012	0	dead end	Provides thru road connection	2007	\$102,500	
10	707 Blair Park Road	Rt. 691 - Dead End	0.28	in SSYP FY22	180	2012	0	dead end	Public request. Serves large orchard operation		\$110,000	
11	612 Hammocks Gap Road	Rt. 20 - Dead End	1.65	in SSYP FY22-23	170	2015	0	dead end	Public Request - Only portion closest to Rt. 20 can be done under Rural Rustic Program	2016	\$91,000	
12	760 Red Hill School Road	Rt. 29 - Rt. 712	1.53	in SSYP FY 23	140	2012	1	thru	Public request. Provides access to school. Serves former DA Village/VR zoning. Provides thru road connection to primary road (Rt. 29), previously killed by residents	2011	\$267,750	
13	671 Wesley Chapel Road	Rt.668 Chapel Spring Rd - Rt. 668 Fox Mountain Rd	0.09	in SSYP FY 23	140	2012	0	thru	School transportation request. BOS request	2018	\$55,000	
14	721 Old Dominion Road	Rt. 6 - Rt. 630	1.21	in SSYP FY 23	130	2012	0	thru	Public request. Serves active quarry site (soapstone)	2006	\$211,750	
15	856 Burton Lane	Rt. 711 - Dead End	0.4	in SSYP FY23-24	130	2012	0	dead end	Public request. Rt. 711 also unpaved (310/100 asphalt)	2007	\$70,000	
16	633 Cove Garden	Rt. 29 - Rt. 712	4.5	in SSYP FY23-24	120	2015	1	thru	Public request. Provides thru road connection to primary road (Rt. 29)	2004	\$787,500	
17	600 Stony Point Pass	Rt. 231 - 2.5 miles east of Rt. 231	2.5	in SSYP FY25	70	2015	3	thru	Public request. Provides thru road connection between Rt. 20 to Rt. 231 over Southwest Mtns.		\$437,500	
18	805 Henderson Ln	Rt. 29 - dead end	0.34	in SSYP FY25	70	2012	0	dead end	Public request. Provides access from Rt. 29 to church.	2018	\$76,500	
19	736 White Mountain Road	Rt. 635 Crag Store Road - Rt. 636 Batesville Rd	2.6	in SSYP FY25	80	2012	0	thru	Public request. Opposition to the project has been noted.		\$455,000	
20	723 Sharon Road	Rt. 6 - Rt. 722	1.85	not yet funded	70	2012	0	thru	Public request.	2004		
21	813 Starlight Road	Rt. 712 - Dead End	0.5	not yet funded	70	2012	0	dead end	Public request.			
22	672 Via Ln	Rt. 810 - dead end	2.75	not yet funded	65	2012	0	dead end	BOS request	2018		
23	769 Bean Road	Rt. 1484 - Dead End	0.27	not yet funded	50	2012	0	dead end	Public request.			
NOTES: All updated traffic counts as of 3.22.19												
VDOT makes the determination on whether a road is eligible for RRR paving. All projects are placed on the regular paving list until the determination is made by VDOT. [Some projects may not be completed as prioritized due to project complexity and/or available funding]												

NOTES: all undated traffic counts as of 3.22.19

VDOT makes the determination on whether a road is eligible for RRR paving. All projects are placed on the regular paving list until the determination is made by VDOT. [Some projects may not be completed as prioritized due to project complexity and/or available funding].

REGULAR PAVING PROJECTS IN PRIORITY ORDER (HIGH TO LOW)									
Current Priority	Route Number, Road Name	Location From - To	Length (mi.)	Funding Status	Most Current Traffic Count	Year of Count	crash data	Year Project placed on Priority List	Description/Comments
24	643 Rio Mills Road	Rt. 29 - Rt. 743		in VDOT SSYP	700	2012	4	2003	Staff request. Serves Davel. Area, provides access to quarry; provides thru road connection to primary road (Rt. 29). Recommended in Comp. Plan and LRTP. Will need reevaluation upon completion of Connector Road.
25	829 Horseshoe Bend Road	Rt. 601 - Dead End	1.22	not yet funded	240	2012	1	2004	Public request. At current ranking due to traffic count.
26	761 Briery Creek Road	Rt. 622 - County Line	1.35	not yet funded	230	2012	2	2005	Public request. At current ranking due to traffic count.
27	640 Gilbert Station Road	Ashleigh Way Rd 1094 - paved section		not yet funded	120	2012	0		Public request. At current ranking due to traffic count.
28	696 Hungytown Road	Rt. 633 - Dead End	1.81	not yet funded	110	2015	1	2006	School transportation request
29	683 Shelton Mill Road	Rt. 751 - Dead End	1.48	not yet funded	110	2015	2	2007	Public request. At current ranking due to traffic count.
30	682 Broad Axe Road	Rt. 637 - current paved sections	1	not yet funded	90	2015	2		Public request. At current ranking due to traffic count.
31	600 Stony Point Pass	2.5 miles west - Rt. 20 near stonecount Farm- Rt. 231	2.36	not yet funded	70	2015	8		Public request. At current ranking due to traffic count.
32	634 Spring Valley Road	Rt. 633 - Nelson County Line	3.02	not yet funded	85 avg	2015	3	2007	Public request. At current ranking due to traffic count.
33	689 Burch's Creek Road	Rt. 250 - Rt. 635	2.35	not yet funded	60 avg	2015	0		Public request. At current ranking due to traffic count. (previously Pounding Creek Rd)
34	737 Mountain Vista Rd	Trotter Creek bridge - 20 Valley St (Scottsville)	0.93	not yet funded	42.5	2014	1	2018	Public request- town of Scottsville
35	629/624 Browns Gap TP/Headquarters Lane	Rt. 810 - end of Rt 624	1.5	not yet funded	30	2015	1		Public request. May not be eligible for traditional paving funds due to traffic counts below 50
36	668 Fox Mountain Rd	810 Browns Gap Turnpike - 671 Wesley Chapel Rd	4.93	not yet funded	30	2015	0	2018	BOS request- Waiting for resident petition

UNPAVED ROADS SECTIONS REMOVED BY BOARD OF SUPERVISORS							
Road Name/No.	Location from - to	Length	year removed	Most Current Traffic Count	Crash Data	Year Placed on Priority List	Description/Comments
667 Catterton Road	Rt. 601 to east of Rt. 676	1.83		77			
662 Bleak House Road	Rt. 665 to paved portion	1.03	2010	160			
637 Dick Woods Road	Rt. 691 to Rt. 758	2.17	2014	150			
795 Blenheim Road	north and south of Rt. 713		2012				
					</		

**RESOLUTION TO APPROVE SPECIAL EXCEPTION
FOR CLE 2018-250 BLOSSOM PLAY SCHOOL (ELIZABETH GRUSS)**

WHEREAS, Elizabeth E. Gruss, a property owner of Tax Map Parcel 031B0-00-00-06800, submitted a request for a special exception in conjunction with CLE 2018-250 Blossom Play School (Elizabeth Gruss) to allow Blossom Play School to care for ten children.

NOW, THEREFORE, BE IT RESOLVED that, upon consideration of the foregoing, the Memorandum prepared in conjunction with the special exception request, staff's supporting analysis included in the executive summary, and all of the factors relevant to special exceptions in Albemarle County Code §§ 18-5.1.56(b)(7)(b) and 18-33.49, the Albemarle County Board of Supervisors hereby approves the special exception to allow Blossom Play School to care for ten children in conjunction with CLE 2018-250, as described hereinabove, subject to the performance standards for this use in Albemarle County Code § 18-5.1.56(b) and the conditions attached hereto.

* * * * *

CLE 2018-250 Blossom Play School (Elizabeth Gruss) Special Exception Conditions

1. No more than ten (10) children may be in care at the family day home, exclusive of the provider's own children and any children who reside in the home.
2. Child drop-off and pick-up times shall be staggered at a minimum ten (10) - minute interval so that no more than two vehicles arrive to drop off or pick up children at the same time.

**RESOLUTION TO APPROVE
SP 2018-22 DOGTOPIA**

WHEREAS, the Applicant submitted an application for a special use permit to allow an indoor kennel use in an existing strip commercial building on Tax Map Parcel 04500-00-00-10900, as well as an outdoor play space in an existing lawn area directly beside the tenant space the kennel will occupy, and the application is identified as SP201800022 Dogtopia ("SP 2018-22"); and

WHEREAS, on March 5, 2019, after a duly noticed public hearing, the Albemarle County Planning Commission recommended approval of SP 2018-22 with staff-recommended conditions at the Planning Commission meeting;

WHEREAS, on May 1, 2019, the Albemarle County Board of Supervisors held a duly noticed public hearing on SP 2018-22.

NOW, THEREFORE, BE IT RESOLVED that, upon consideration of the foregoing, the staff report prepared for SP 2018-22 and all of its attachments, the information presented at the public hearing, any written comments received, and the factors relevant to a special use permit in Albemarle County Code §§ 18-24.2.2(10) and 18-33.40, the Albemarle County Board of Supervisors hereby approves SP 2018-22, subject to the applicable performance standards for kennels in Albemarle County Code § 18-5.1.11, and the conditions attached hereto.

* * * * *

**SP-2018-22 Dogtopia
Special Use Permit Conditions**

1. Development of the use shall be in general accord with the conceptual plan titled "Dogtopia" prepared by RJA Architect and Roudabush, Gale & Associates, with the latest revision date of 2/4/2019, as determined by the Director of Planning and the Zoning Administrator. To be in general accord with the Conceptual Plan, development shall reflect the following major elements within the development essential to the design of the development:

Location of outdoor play area and fence as shown on the plan.

Minor modifications to the plan which do not conflict with the elements above may be made to ensure compliance with the Zoning Ordinance.
2. Outdoor play hours shall be restricted to no earlier than 8am and no later than 7pm.
3. The proposed landscaping within the stormwater drainage easement will be limited to shrubs and small trees (as listed in the County approved plant list). No medium or large tree(s) shall be planted within the easement.
4. Prior to the issuance of a building permit, the applicant must submit information to the satisfaction of the County Engineer and the Zoning Administrator (of their designees) that demonstrates the proposed use will not exceed a 65-decibel maximum as measured in any adjacent commercial space in accord with County Code 18-4.18-04.
5. A parking study shall be provided by the applicant, subject to approval by the Zoning Administrator, to confirm that there are a sufficient number of spaces on site and to ensure there are no parking conflicts with other shopping center tenants when more than the seven allotted parking spaces are needed, prior to the approval of the site plan amendment.
6. The fence shall not conceal any part of the triple window on the southeast corner of the building or either of the 2 easterly brick piers.
7. The fence material and detailing are subject to Architectural Review Board (ARB) review. An 8-foot-tall fence shall have only bottom and top rails (no intermediate rails). The fence color shall be coordinated with the existing building colors and is subject to ARB approval.

8. Landscaping shall be provided on the east and south sides of the fence to the satisfaction of the ARB.
9. No tinted or reflective films or similar materials shall be applied to windows visible from the Entrance Corridor. Window glass visible from the Entrance Corridor shall remain transparent.

**RESOLUTION TO APPROVE SP 2018-16 ECOVILLAGE
CHARLOTTESVILLE - PRESERVED STEEP SLOPES**

WHEREAS, the Applicant submitted an application for a special use permit to allow the disturbance of steep slopes to accommodate the development of private facilities on Tax Map Parcel 06100-00-00-21000, and the application is identified as SP201800016 Ecovillage Charlottesville – Preserved Steep Slopes (“SP 2018-16”); and

WHEREAS, on January 15, 2019, after a duly noticed public hearing, the Albemarle County Planning Commission agreed to the Applicant’s request to defer action to allow the Applicant to address several issues of concern; and

WHEREAS, on March 19, 2019, after a second duly noticed public hearing, the Albemarle Planning Commission recommended approval of SP 2018-16 with staff-recommended conditions; and

WHEREAS, on May 1, 2019, the Albemarle County Board of Supervisors held a duly-noticed public hearing on SP 2018-16.

NOW, THEREFORE, BE IT RESOLVED that, upon consideration of the foregoing, the staff report prepared for SP 2018-16 and all of its attachments, the information presented at the public hearings, any written comments received, and the factors relevant to a special use permit in Albemarle County Code §§ 18-30.7.4.b.2 and 18-33.40, the Albemarle County Board of Supervisors hereby approves SP 2018-16, subject to the conditions attached hereto.

* * * * *

**SP-2018-16 Ecovillage Charlottesville – Preserved Steep Slopes
Special Use Permit Conditions**

1. The limits of disturbance within the Preserved Steep Slopes Overlay District shall be limited to the sizes, locations, and extents of disturbance as proposed in the “Ecovillage: Special Use Permit Supplementary Exhibits” packet prepared by Shimp Engineering, P.C. and dated 2/4/2019.
2. The final site plan and landscaping plan for Ecovillage Charlottesville shall be in general accord with the “Habitat Planting Plan” and “Landscape Schedule” exhibits prepared by Shimp Engineering, P.C. and dated 2/4/2019 and subsequently revised 2/26/2019, inclusive of additional modifications, as noted in a. and b. below, and to the satisfaction of the Director of Planning.
 - a. The “Landscape Schedule” for the “Habitat Planting Plan” must be revised so that a certain portion (25% - 33%) of the tree plant materials and shrub plant materials are specified at a minimum caliper or minimum height that, at the time of planting, meets the minimum size requirements for landscaping materials as would be required within the Entrance Corridor.
 - b. The “Habitat Planting Plan” must be revised to be supplemented with additional numbers of evergreen shrubs and evergreen trees at strategic locations in the vicinity of the proposed parking area private facility in order to sufficiently provide screening for this proposed private facility within the preserved steep slopes overlay district. A certain portion (33% - 66%) of these vegetative screening materials in this vicinity shall be specified at a minimum caliper or minimum height that, at the time of planting, meets the minimum size requirements for landscaping materials as would be required within the Entrance Corridor.
3. Improvements related to stormwater, drainage, and grading shown on the final site plan and water protection ordinance plan for Ecovillage Charlottesville shall be in general accord with the same improvements and grading shown on the “Stormwater Improvements” exhibit and “Proposed Entrance Layout” exhibit for SP201800016, prepared by Shimp Engineering, P.C. and dated 2/4/2019 and subsequently revised 2/27/2019, inclusive of additional modifications as noted in a. – c. below, and to the satisfaction of the County Engineer.
 - a. All modified or newly constructed slopes to the east of the commercial entrance shall have a grade that does not exceed a 3:1 slope. Grading up to a 2:1 slope may be permitted for modified or newly constructed slopes to the west of the commercial entrance, if such grading is for the purpose of minimizing the limits of disturbance in order to prevent impacts to preserved steep

slopes and to preserve existing vegetation, and provided that such grading complies with the applicable Design Standards specified in Zoning Ordinance Section 30.7.5.

- b. Drainage improvements along Rio Road East shall be designed to manage the 25-year storm event without flooding.
 - c. Curb inlets shall be provided on both sides of the new entrance to collect site runoff before it enters the Rio Road East right-of-way.
 - d. The specific materials and practices for the proposed “off-site bank erosion control” are subject to approval by the County Engineer.
4. All stormwater treatment facilities and practices for ensuring water quality compliance shall be provided on-site through the use of DEQ-approved BMPs found on the Virginia Stormwater BMP Clearinghouse Website, or through the preservation of onsite forest/open space, to the satisfaction of the County Engineer.

**RESOLUTION TO APPROVE
SP 2018-20 WVIR-TV REPLACEMENT
OF EXISTING TELEVISION BROADCASTING TOWER**

WHEREAS, Virginia Broadcasting, LLC submitted an application for a special use permit to replace an existing 314.25 foot tall guy-wired television broadcasting tower with a new 314.25 foot tall self-supporting television broadcasting tower in the same location on Tax Map Parcel 09100-00-00-02800, and the application is identified as Special Use Permit 2018-20 WVIR-TV Replacement of Existing Television Broadcasting Tower ("SP 2018-20"); and

WHEREAS, on March 5, 2019, after a duly noticed public hearing, the Albemarle County Planning Commission recommended approval of SP 2018-20; and

WHEREAS, on May 1, 2019, the Albemarle County Board of Supervisors held a duly noticed public hearing on SP 2018-20.

NOW, THEREFORE, BE IT RESOLVED that, upon consideration of the foregoing, the staff report prepared for SP 2018-20 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 §§ 18-10.2.2(6) and 18-33.40, the Albemarle County Board of Supervisors hereby approves SP 2018-20, subject to the applicable performance standards for personal wireless service facilities in Albemarle County Code § 18-5.1.40, and the conditions attached hereto.

* * * * *

**SP-2018-00020 WVIR-TV Replacement Of Existing Television Broadcasting Tower
Special Use Permit Conditions**

1. The development of the site, and any modifications, shall be in general accord with the conceptual plan, provided in this staff report as Attachment B, consisting of (a) a survey by Thomas B. Lincoln, dated October 17, 2018, last revised October 31, 2018, titled "*Exhibit Showing WVIR-TV Self Supporting Replacement Tower Lease Area*," (b) a preliminary antenna design by Alan Dick Jampro Antennas, Inc, and (c) an aerial locator map depicting the site location (collectively, hereafter "Conceptual Plan"), as determined by the Director of Planning and the Zoning Administrator. To be in general accord with the Conceptual Plan, development and use shall reflect the following major elements within the development essential to the design of the development, including but not limited to all concealment elements and concealment technique, as shown and described on the Conceptual Plan and mentioned below:
 - a. The height of the tower may not exceed 240.25 feet and the top of any antenna may not exceed 314.25 feet above ground level. No equipment, with the exception of any FAA required flight safety lighting, may extend more than 50 feet above the top of any antenna.
 - b. The width of each side of the tower may not exceed 26 feet at its base, and 3.5 feet at the top.
 - c. The colors of the tower shall be red and white.
 - d. Antennas that support services other than television broadcasting may not be attached to the facility.
 - e. Only those satellite and microwave dishes that are necessary to support the transmission of television signal(s) shall be permitted on the tower or the television antenna.
 - f. No guy wires shall be permitted.
 - g. Notwithstanding the above conditions, additional facilities, including equipment, antennas, and microwave dishes necessary for emergency communications system(s), may be placed on this tower if the applicant and lessee of the tower enter into an agreement with the County to do so.

Minor modifications to the plan which do not conflict with the elements above may be made to ensure compliance with the Albemarle County Zoning Ordinance.

2. Prior to the issuance of a building permit, the applicant shall submit, and Planning staff shall review, the final set of site drawings for construction of the facility to ensure compliance with all conditions of the special use permit.
3. The facility shall be disassembled and removed from the site within 90 days of the date its use for television transmission is discontinued. If the Zoning Administrator determines at any time that surety is required to guarantee that the facility will be removed as required, the permittee shall furnish to the Zoning Administrator a certified check, a bond with surety satisfactory to the County, or a letter of credit satisfactory to the County, in an amount sufficient for, and conditioned upon, the removal of the facility. The type of surety guarantee shall be to the satisfaction of the Zoning Administrator and the County Attorney.
The use, structure or activity for which this permit is issued shall commence no later than September 6, 2020. The term "Commence" shall mean commencement of the structure that is necessary for mounting the television antenna.

**RESOLUTION TO APPROVE SPECIAL EXCEPTION
TO MODIFY SETBACK REQUIREMENTS FOR
SP 2018-20 WVIR-TV REPLACEMENT OF EXISTING
TELEVISION BROADCASTING TOWER**

WHEREAS, Virginia Broadcasting, LLC submitted an application for a special exception in conjunction with SP201800020 to modify the minimum setback requirement for the proposed new television broadcasting tower from 314.25 feet to 35 feet, later revising the request to 30 feet, in order to locate a new tower in the same location as the existing tower on Tax Map Parcel 09100-00-00-02800, which is located approximately 35 feet from the adjacent property line of Tax Map Parcel 09100-00-00-018A; and

WHEREAS, County Code § 18-4.10.3.1(b) requires that radio or television towers shall be located no closer in distance to any lot line than the height of the structure; and County Code § 18-4.10.3.1(c) allows waivers or modifications to the setback requirements to be considered.

NOW, THEREFORE, BE IT RESOLVED that, upon consideration of the foregoing, the special exception request and the attachments thereto, including staff's supporting analysis included in the Planning Commission staff report, and all of the factors relevant to the special exception in Albemarle County Code §§ 18-4.10.3.1(b) and (c) and 18-33.49, the Albemarle County Board of Supervisors hereby approves the special exception to modify the setback requirement as set forth above, subject to the condition attached hereto.

* * * * *

**SP 2018-20 WVIR-TV Replacement Of Existing Television Broadcasting Tower
Special Exception Condition**

1. The tower shall be built no closer than 30 feet to the adjacent property line (Tax Map Parcel 09100-00-00-018A).