RESOLUTION TO APPROVE
SE2022-00068 – KINDRICK FARM – CLEAN EARTH FILL
(4394 CARRIAGE HILL DRIVE)

WHEREAS, upon consideration of the staff reports prepared for SE2022-00068 Kindrick Farm – Clean Earth Fill and the attachments thereto, including staff's supporting analysis, any comments received, and all of the factors relevant to the special exceptions in Albemarle County Code § 18-5.1.28 and § 18-33.9, the Albemarle County Board of Supervisors hereby finds that modified regulations would satisfy the purposes of the Zoning Ordinance to at least an equivalent degree as the applicable requirements, and that:

(1) the proposed fill activity would further agricultural use of the property;
(2) the special exceptions would allow for a more natural appearance of the site after the fill activity has occurred;
(3) the special exceptions are supported by an abutting owner impacted by them; and
(4) approval of the special exceptions is consistent with an approved and valid initial or preliminary site plan or other land use decision of the County.

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby approves special exceptions SE2022-00068 – Kindrick Farm – Clean Earth Fill to modify the requirements of Albemarle County Code § 18-5.1.28(a)(7), (a)(11), and (b)(5) for clean earth fill activity on Parcels 03200-00-00-00100 and 03200-00-0000200, subject to the conditions attached hereto.

* * *

I, Claudette K. Borgersen, do hereby certify that the foregoing writing is a true, correct copy of a Resolution duly adopted by the Board of Supervisors of Albemarle County, Virginia, by a vote of _____ to _____, as recorded below, at a regular meeting held on _____.

_____
Clerk, Board of County Supervisors

	Aye	Nay	
Mr. Andrews	____	____	
Mr. Gallaway	____	____	
Ms. LaPisto-Kirtley	____	____	
Ms. Mallek	____	____	
Ms. McKeel	____	____	
Ms. Price	____	____	
	____		_____

SE202200068 Kindrick Farm -Clean Earth Fill Conditions

1. Hours of operation are limited to 7:30 am to 6:00 pm, Monday through Saturday. Fill operations are prohibited on Sunday.
2. No more than 10 trucks may be used for fill activity on any day of operation.
3. Trucks must access the site through the intersection of Advance Mills Road and Earlysville Forest Drive to the greatest extent possible.
4. The owner(s) must provide evidence to the County of fill activity related to this Special Exception upon request.
5. Fill activity must conform with Best Management Practices and with the standards, specifications, and other special program criteria obtained from the Natural Resources Conservation Service (NRCS).
6. No more than four acres of activity may be active at any one time: no more than two acres may be in the reclamation process and no more than two acres may be in the fill activity process.
7. Each fill activity must be completed within one year of its commencement.
8. All fill activity under this special exception must be completed by August 31, 2028.