

**RESOLUTION TO APPROVE SPECIAL EXCEPTION
FOR CLE 2016-32 ROSE GARDEN FAMILY DAY HOME (REBECCA GARSON)**

WHEREAS, Brian and Jennifer Prax are the owners of Tax Map and Parcel Number 07000-00-00-039E0 (the "Property"); and

WHEREAS, Rebecca Garson resides at the property, and filed a request for a special exception in conjunction with CLE 2016-32 Rose Garden Family Day Home (Rebecca Garson) to allow Rose Garden Family Day Home to care for six to twelve children.

NOW, THEREFORE, BE IT RESOLVED that, upon consideration of the foregoing, the executive summary 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 18-33.9, the Albemarle County Board of Supervisors hereby approves the special exception to allow Rose Garden Family Day Home to care for six to twelve children in conjunction with CLE 2016-32, 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.

* * *

I, Travis O. Morris, 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 _____.

Senior Deputy Clerk, Board of County Supervisors

	<u>Aye</u>	<u>Nay</u>
Mr. Dill	_____	_____
Ms. Mallek	_____	_____
Ms. McKeel	_____	_____
Ms. Palmer	_____	_____
Mr. Randolph	_____	_____
Mr. Sheffield	_____	_____

CLE 2016-32 Rose Garden Family Day Home (Rebecca Garson) Special Exception Conditions

1. Hours of operation for the family day home shall be no earlier than 7:45 a.m. and no later than 3:45 p.m.
2. The applicant shall obtain a VDOT Land Use Permit and complete entrance and sight distance improvements to the satisfaction of VDOT prior to approval of a zoning clearance for the family day home.
3. Prior to approval of a zoning clearance for the family day home use, fencing shall be installed around the perimeter of playground areas. Any fencing shall satisfy the following:
 - A. Fencing shall be at least four (4) feet tall;
 - B. Fencing shall be non-climbable with no accessible openings, handholds, or footholds that can be used by children to climb the barrier;
 - C. There shall be no more than a two (2)-inch gap under any fencing; and
 - D. Any fence openings shall be small enough that a four (4) inch sphere shall not pass through.
4. Playground equipment shall be located on the southern side of the house.