

**RESOLUTION TO APPROVE
SP 2017-01 NORTH GARDEN FARMERS' MARKET**

WHEREAS, North Garden Volunteer Fire Company, Inc. filed an application to operate a farmers' market one day per week from April through November each year on Tax Map Parcel 08800-00-00-006A1 (the "Property"), and the application is identified as Special Use Permit 2017-00001 North Garden Farmers' Market ("SP 2017-01"); and

WHEREAS, on March 21, 2017, after a duly noticed public hearing, the Albemarle County Planning Commission recommended approval of SP 2017-01 with staff-recommended conditions, with an exception to Condition 2, which was revised to extend the months of operation through December of each year; and

WHEREAS, on April 18, 2017, the Albemarle County Board of Supervisors held a duly noticed public hearing on SP 2017-01.

NOW, THEREFORE, BE IT RESOLVED that, upon consideration of the foregoing, the staff report prepared for SP 2017-01 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 2017-01, 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

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

SP 2017-00001 North Garden Farmers' Market Conditions

1. Development and use shall be in general accord with the conceptual plan titled "Red Hill Farmers Market" prepared by Shimp Engineering, P.C., and dated 03-01-2017 (hereafter "Conceptual Plan"), as determined by the Director of Planning and the Zoning Administrator.
2. The use shall operate only through the months of April through December of each year.
3. The use shall operate no more than one day per calendar week.
4. The use shall operate no earlier than 8:00 a.m. and no later than 8:00 p.m.
5. No amplified sound and no lighting shall be installed or used for the market use.
6. If the use, structure, or activity for which this special use permit is issued is not commenced by April 18, 2019, the permit shall be deemed abandoned and the authority granted thereunder shall thereupon terminate.