

**RESOLUTION TO APPROVE SPECIAL EXCEPTION  
TO MODIFY MINIMUM YARD REQUIREMENTS  
FOR 1895 AVON STREET EXTENDED**

**WHEREAS**, the Owner of Tax Map Parcel Number 09000-00-00-035A1 (the “Property”) filed an Application for a special exception in conjunction with SP201800007 and SP201800008 for 1895 Avon Street Extended to modify the minimum yard requirements of County Code § 18-26.5, and more specifically to modify the disturbance buffer requirements of County Code § 18-26.5(c) and to modify the side yard setback requirements of County Code §§ 18-26.5(b) and 18-4.20(b), in order to allow grading and construction activity for off-street parking spaces within the buffer zone and setback area.

**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 September 25, 2018 Planning Commission staff report, and all of the factors relevant to the special exception in Albemarle County Code §§ 1-4.20, 18-26.5 and 18-33.49, the Albemarle County Board of Supervisors hereby approves the special exception to modify the disturbance buffer requirements and side yard setback requirements for the development of the Property, 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	_____	_____
Mr. Gallaway	_____	_____
Ms. Mallek	_____	_____
Ms. McKeel	_____	_____
Ms. Palmer	_____	_____
Mr. Randolph	_____	_____

**SP201800007 and SP201800008 1895 Avon Street Extended  
Special Exception Conditions**

1. The development and use of the Property within the disturbance buffer zone and side yard setback area shall be in general accord with the Special Exception Request application materials (including Letter of Justification and Conceptual Plan) prepared and submitted by Mr. Michael Myers, PE, CFM, dated July 30, 2018. To be in general accord, the development and use of the Property within the disturbance buffer zone and side yard setback area shall reflect the following major elements in the Special Exception Request application materials:
  - a. The location and extent of the parking spaces and parking canopy;
  - b. The area of re-claimed landscaping; and
  - c. The double row of evergreen shrubs for screening the southern property boundary.