

**RESOLUTION TO APPROVE CERTAIN SPECIAL EXCEPTIONS FOR
R. A. YANCEY LUMBER CORPORATION: SPECIAL EXCEPTION REQUEST**

BE IT RESOLVED that, upon consideration of the Memorandum prepared in conjunction with the special exceptions application of the R. A. Yancey Lumber Corporation and the attachments thereto, including staff's supporting analysis, the recommendations of the Planning Commission at its June 23, 2020 meeting, and all of the factors relevant to special exceptions in Albemarle County Code §§ 18-4.18, 18-4.20, 18-5.1(a), 18-5.1.15, 18-33.43, and 18-33.49, the Albemarle County Board of Supervisors hereby approves the following special exceptions, all subject to the conditions attached hereto, for and on County Parcel ID Numbers 05500-00-00-111B0 and 05500-00-00-11200:

1. A special exception from the provisions of County Code § 18-4.20b to reduce the 100-foot setback for the Mill Building (building 7b) and Pole Shed (building 8).
2. A special exception from the provisions of County Code § 18-4.20b to reduce the 10-foot setback for the Stem Loader.
3. A special exception from the provisions of County Code § 18-4.20b to reduce the 30-foot setback for parking adjacent to Rural Areas property.
5. A special exception from the provisions of County Code § 18-5.1.15a to reduce setback for the storage of lumber, logs, chips or timber to zero (0) feet.
8. A special exception from the provisions of County Code § 18-5.1.15b to allow the location of the Pole Shed (building 8) approximately 540 feet from the dwelling located to the north on Tax Map 55, Parcel 111A.
9. A special exception from the provisions of County Code § 18-5.1.15b to allow the location of the Silo (building 10) approximately 570 feet from the dwelling located to the north on Tax Map 55, Parcel 111A.
10. A special exception from the provisions of County Code § 18-5.1.15b to allow the location of the Boiler (building 11) approximately 570 feet from the dwelling located to the north on Tax Map 55, Parcel 111A.
11. A special exception from the provisions of County Code § 18-5.1.15b to allow the location of the Kiln (building 12A) approximately 515 feet from the dwelling located to the north on Tax Map 55, Parcel 111A.
12. A special exception from the provisions of County Code § 18-5.1.15b to allow the location of the Planer (buildings 18, 22 and 23) approximately 550 feet from the dwelling located to the north on Tax Map 55, Parcel 111A.
13. A special exception from the provisions of County Code § 18-5.1.15b to allow the location of the Mill Building (building 7a and 7b) approximately 520 feet from the dwelling located to the south on Tax Map 55, Parcel 100.
14. A special exception from the provisions of County Code § 18-5.1.15b to allow the location of the Stem Loader (adjacent to Rockfish Gap Turnpike) approximately 500 feet from the dwelling located to the west on Tax Map 55A, Parcel 28.

15. A special exception from the provisions of County Code § 18-5.1.15c to permit the warming up of equipment and preparing the equipment area to process wood between 6:00 am and 7:00 am.

16. A special exception from the provisions of County Code § 18-5.1.15c that the loading or unloading of wood products be permitted from 6:00 am to 11:00 pm.

17. A requested special exception from the provisions of County Code § 18-5.1.15c that the loading and unloading associated with the kiln be permitted 24 hours a day.

BE IT FURTHER RESOLVED that, also upon consideration of all the foregoing factors, the Board of Supervisors hereby defers acting on the following special exception requests until August 5, 2020:

4. A requested special exception from the provisions of County Code § 18-4.20b to reduce the 100-foot setback for the proposed Sorter/Stacker (building 27) to 35 feet.

6. A requested special exception from the provisions of County Code § 18-5.1.15a to reduce the 100-foot setback for the proposed Sorter/Stacker (building 27) to 35 feet.

7. A requested special exception from the provisions of County Code § 18-5.1.15b to allow the location of the proposed Sorter/Stacker (building 27) approximately 350 feet from the dwelling located to the north on Tax Map 55, Parcel 111A.

BE IT FURTHER RESOLVED that upon the applicant’s withdrawal of the following special exception requests, no action was taken on them:

18. A requested special exception from the provisions of County Code § 18-4.18.04 to increase daytime noise limits.

19. A requested special exception from the provisions of County Code § 18-4.18.04 to increase nighttime noise levels limits.

I, Claudette K. Borgersen, do hereby certify that the foregoing writing is a true, correct copy of an Ordinance 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. Gallaway	_____	_____
Ms. LaPisto-Kirtley	_____	_____
Ms. Mallek	_____	_____
Ms. McKeel	_____	_____
Ms. Palmer	_____	_____
Ms. Price	_____	_____

R. A. Yancey Lumber Corporation: Special Exception Request Conditions

1. Structures and Machinery will be permitted as shown on a survey titled “Alta/NSPS Land Title Survey” prepared by Timmons Group and dated August 2, 2017, except for the Sorter/Stacker, which shall not be permitted.
2. The owner must obtain a Certificate of Occupancy for all existing structures by February 1, 2021. For any structure that is not issued a Certificate of Occupancy by February 1, 2021 the owner must cease use of the structure until such time as a Certificate of Occupancy is obtained.