

**RESOLUTION TO APPROVE SPECIAL EXCEPTION  
FOR SE 2021-00012 BOYS & GIRLS CLUB DRIVER'S EDUCATION**

**WHEREAS**, upon consideration of the Memorandum prepared in conjunction with the application and the attachments thereto, including staff's supporting analysis, any comments received, and all of the factors relevant to the special exception in Albemarle County Code §§ 18-4.2.3(b), 18-4.2.5(a), and 18-33.49, the Albemarle County Board of Supervisors hereby finds that the special exception would not be detrimental to the public health, safety or welfare, to the orderly development of the area, or to adjacent properties; would not be contrary to sound engineering practices; and

- (a) strict application of the requirements of Albemarle County Code [§ 18-4.2](#) would not forward the purposes of Albemarle County Code chapter 18 or otherwise serve the public health, safety or welfare;
- (b) alternatives proposed by the developer or subdivider would satisfy the intent and purposes of Albemarle County Code [§ 18-4.2](#) to at least an equivalent degree;
- (c) due to the property's unusual size, topography, shape, location or other unusual conditions, excluding the proprietary interest of the developer or subdivider, prohibiting the disturbance of critical slopes would effectively prohibit or unreasonably restrict the use of the property or would result in significant degradation of the property or adjacent properties; and
- (d) granting the special exception would serve a public purpose of greater import than would be served by strict application of the regulations sought to be modified or waived.

**NOW, THEREFORE, BE IT RESOLVED** that the Albemarle County Board of Supervisors hereby approves the special exception to allow the disturbance of critical slopes associated with SDP202100011 Boys & Girls Club Driver's Education, subject to the condition 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. Gallaway	_____	_____
Ms. LaPisto-Kirtley	_____	_____
Ms. Mallek	_____	_____
Ms. McKeel	_____	_____
Ms. Palmer	_____	_____
Ms. Price	_____	_____

**SE 202100012 Boys & Girls Club Driver's Education Condition**

1. The disturbance of critical slopes must not exceed the "Critical Slope Area Disturbed by Project ( $\pm 0.42$  Acres)" shown in the Exhibit to the request entitled "Boys & Girls Club -- Driver's Education: Critical Slopes Waiver -- Special Exception Request," prepared by Timmons Group, dated February 10, 2021, and last revised April 7, 2021.