

RESOLUTION

CASE NO. SUP-0001-2015. SPRINT JOHN TYLER HIGHWAY TOWER

WHEREAS, the Board of Supervisors of James City County has adopted by ordinance specific land uses that shall be subjected to a Special Use Permit (SUP) process; and

WHEREAS, Mr. Phillip Stetler has applied for an SUP to allow for a 121-foot monopole tower (the "Tower") on property zoned R-8, Rural Residential, located at 4311 John Tyler Highway, Williamsburg, Virginia 23185, further identified as James City County Real Estate Tax Map Parcel No. 4620100020 (the "Property"); and

WHEREAS, the Tower is depicted on the plan prepared by the James City County Planning Division, dated February 24, 2015, and entitled "JCC-SUP-0001-2015 Sprint John Tyler Highway Master Plan" (the "Master Plan"); and

WHEREAS, the Tower is located in its entirety on the Property; and

WHEREAS, a public hearing was advertised, adjoining property owners notified, and a hearing conducted on Case No. SUP-0001-2015; and

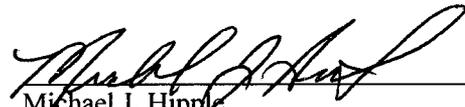
WHEREAS, the Planning Commission, following its public hearing on March 4, 2015, voted 7-0 to recommend approval of Application No. SUP-0001-2015.

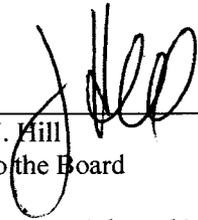
NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve Application No. SUP-0001-2015, as described herein, subject to the following conditions:

1. Master Plan and Use: This SUP shall be valid for one monopole tower on the Property at a total height not to exceed 121 feet above grade, including all appurtenances. The Tower shall be in accord with the Master Plan with such minor changes as the Director of Planning, or his designee, determines do not change the basic concept or character of the development. In the event that the Director of Planning finds that the proposed change alters the basic concept or character of the development, the applicant may appeal the Director of Planning's determination to the Development Review Committee.
2. Enclosure: All equipment shall be enclosed by fencing. Any new or replacement fencing shall be vinyl-coated and shall be dark green or black in color. Any new or replacement fencing shall be approved by the Director of Planning, or his designee, prior to final site plan approval.
3. Tower Color: The Tower and all appurtenances shall be painted gray in color. Any paint color used shall be approved by the Director of Planning, or his designee, prior to final site plan approval.
4. Lighting: Lighting, beacons, and other similar devices shall be prohibited on the Tower unless required by the Federal Communications Commission (FCC) or Federal Aviation Administration (FAA). When required by the FCC or FAA, a red beacon light or lights of low-medium intensity shall be used rather than a white strobe light. Should the regulations and requirements of this condition conflict with any regulation or

requirement by the FCC or FAA, then the regulations of the FCC and FAA shall govern. At the time of site plan review, a copy of the FCC and/or FAA findings shall be provided to the County.

- 5. Buffer: The wooded buffer on the Property, as shown on Exhibit A, shall remain in an undisturbed state. The Director of Planning, or his designee, shall approve any tree trimming or clearing plan.
- 6. Commencement: A final building inspection for the antennas on the Tower shall be obtained within 24 months from the date of the issuance of this SUP, or the SUP shall be void.
- 7. Severance Clause: This SUP is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.


 Michael J. Hipple
 Chairman, Board of Supervisors


 Bryan J. Hill
 Clerk to the Board

	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
JONES	<u>X</u>	___	___
MCGLENNON	<u>X</u>	___	___
ONIZUK	<u>X</u>	___	___
KENNEDY	<u>X</u>	___	___
HIPPLE	<u>X</u>	___	___

Adopted by the Board of Supervisors of James City County, Virginia, this 28th day of April, 2015.

Sup0001-15-SprintTower-res