

RESOLUTION

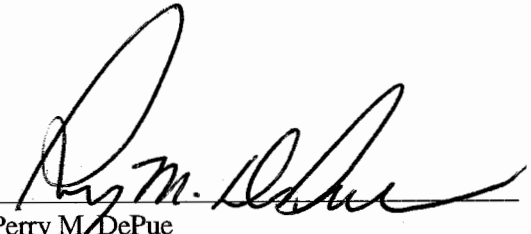
CASE NO SUP-10-94. ST. GEORGE'S HUNDRED RESIDENTIAL CLUSTER

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 process; and

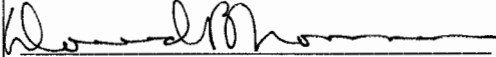
WHEREAS, the applicant has requested a Special Use Permit to allow a residential cluster development consisting of 24 lots on a portion of Parcel No. (1-2C) on James City County Real Estate Tax Map No. (46-1).

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve the issuance of Special Use Permit No. SUP-10-94 as described herein with the following conditions:

1. A right-hand turn lane to the eastbound approach at the intersection of Saint George's Boulevard and John Tyler Highway (Route 5) shall be constructed or guaranteed with surety prior to final approval of the subdivision plans.
2. The development shall consist of single-family detached units only.
3. A 35-foot wide undisturbed wooded buffer shall be maintained between the rear lot lines of the proposed lots on the northern portion of the property and the rear yard lot lines of the existing lots fronting on the south side of Arena Street.
4. At the County's request, land shall be dedicated to the County in fee simple or by a perpetual easement for the public's use as a 10-wide pedestrian/bicycle pathway along the southern boundary of the site. This pedestrian/bicycle pathway shall be part of a greenways connection linking St. George's Hundred subdivision to adjacent properties.
5. The Owner shall organize a homeowner's association ("the Association") in accordance with Virginia law whereby all property owners in the parcel which is the subject of this Special Use Permit, by virtue of their property ownership, must be members. The articles of incorporation, bylaws and restrictive covenants (together, the "Governing Documents") creating and governing the Association shall be submitted to and reviewed by the County Attorney. The Governing Documents shall require that the Association adopt an annual maintenance budget and shall grant the Association the power to: i) assess all members owning property within the parcel which is the subject of this Special Use Permit for the maintenance of all properties owned or maintained by the Association including all Best Management Practice facilities; and, ii) file liens on said members' properties for nonpayment of such assessments and for the cost of remedying violations of, or otherwise enforcing, the Governing Documents.
6. As part of the applicant's obligation to meet the open space requirements of Section 20-550 of the Residential Cluster Ordinance, the triangle shaped parcel adjacent to the St. George's Recreation area shall be maintained exclusively for recreation and conservation purposes.


Perry M. DePue
Chairman, Board of Supervisors

ATTEST:



David B. Norman
Clerk to the Board

<u>SUPERVISOR</u>	<u>VOTE</u>
MAGOON	AYE
EDWARDS	AYE
TAYLOR	AYE
SISK	AYE
DEPUE	AYE

Adopted by the Board of Supervisors of James City County, Virginia, this 3rd day of October,
1994.

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