

## RESOLUTION

### CASE NO. SUP-10-02. VOICESTREAM WIRELESS - VDOT TOWER EXTENSION

WHEREAS, the Board of Supervisors of James City County has adopted by ordinance specific land uses that shall be subject to a special use permit process; and

WHEREAS, the applicant has requested a special use permit to allow for a ten foot extension of the existing monopole telecommunications tower located in the northern most quadrant of Exit No. 238 on Interstate 64; and

WHEREAS, the existing monopole telecommunications tower is located on State-owned property which is currently zoned A-1, General Agricultural, and designated Low Density Residential on the 1997 Comprehensive Plan Land Use Map; and

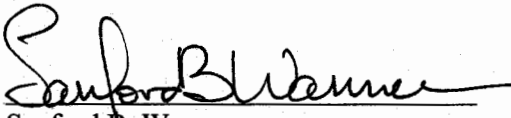
WHEREAS, on June 3, 2002, the Planning Commission recommended approval of the application by a vote of 6-1.

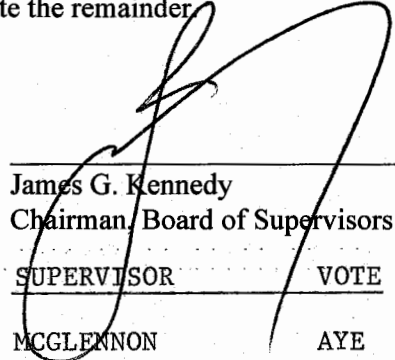
NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve the issuance of SUP-10-02 as described herein with the following conditions:

1. This special use permit shall be valid for one monopole tower not to exceed a height of 199 feet.
2. Tree clearing after the issuance of this special use permit shall be limited to the minimum necessary to accommodate all new accessory facilities and access ways as determined by the Planning Director. Any new access drive shall be designed in a manner that provides no off-site view of the tower's base or related facilities as determined by the Planning Director.
3. A final inspection by the James City County Codes Compliance division shall be obtained within one year of approval of this special use permit, or the permit shall become void.
4. Within 30 days of the final inspection by the James City County Codes Compliance division, certification by the manufacturer, or an engineering report by a Virginia-registered structural engineer, shall be filed by the applicant indicating the tower height, design, structure, installation, and total anticipated capacity of the structure, including number and type of antennas, which could be accommodated, demonstrating to the satisfaction of the building official that all structural requirements and other safety considerations set forth in the BOCA Basic Building Code and Section 222(D) of the standards adopted by the Electronics Industrial Association, or any amendment thereof, have been met.

5. Prior to any final inspections by the James City County Codes Compliance division, around the south-western limits of the existing equipment compound, evergreen shrubs, planted four feet on center, and Loblolly pine trees, planted eight feet on center, shall be planted in a manner approved by the Director of Planning. The final locations of the vegetation to be planted may be adjusted by the Director of Planning depending on the location of existing vegetation to better reforest the site and screen the base of the tower and the equipment pads from the roadway.
6. This special use permit is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

ATTEST:

  
Sanford B. Wanner  
Clerk to the Board

  
James G. Kennedy  
Chairman, Board of Supervisors

<u>SUPERVISOR</u>	<u>VOTE</u>
MC GLENNON	AYE
BROWN	AYE
GOODSON	AYE
HARRISON	ABSENT
KENNEDY	AYE

Adopted by the Board of Supervisors of James City County, Virginia, this 9th day of July,  
2002.

sup-10-02.res