

RESOLUTION

CASE NO. SUP-16-03. WILLIAMSBURG WINERY - GABRIEL ARCHER TAVERN

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, Mr. Vernon Geddy III of Geddy, Harris, Franck And Hickman, L.L.P., has applied on behalf of Williamsburg Farms, Inc., for a special use permit to allow the continued operation of Gabriel Archer Tavern consisting of approximately 2,500 square feet including indoor and outdoor dining areas located on the first floor of a two-story structure near the Williamsburg Winery; and

WHEREAS, taverns are a specially permitted use in the R-8, Rural Residential, zoning district; and

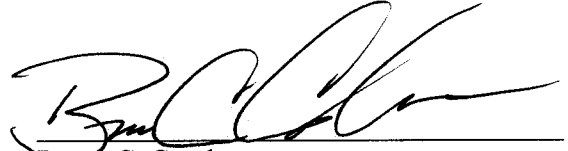
WHEREAS, the property is located on land zoned R-8, Rural Residential, at 2638 Lake Powell Road, and can be further identified as Parcel No. (1-10) on James City County Real Estate Tax Map No. (48-4); and

WHEREAS, the Planning Commission, following its public hearing on December 8, 2003, voted 6-0 to recommend approval of this application.

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-16-03 as described herein with the following conditions:

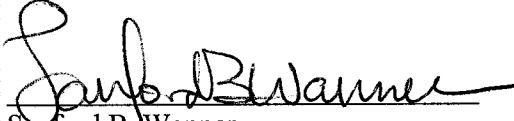
1. Prior to April 30, 2004, all of the following conditions shall be met for Gabriel Archer's Tavern, ("the Tavern"):
 - a. The Tavern shall have an approved site plan for water and sewer;
 - b. The Tavern shall have acquired all necessary building and accessory permits to bring the Tavern into compliance with the Virginia Uniform Statewide Building Code with all final inspections completed and approved;
 - c. The Tavern shall have connected to the James City Service Authority public water system;
 - d. The Tavern shall have paid all connection fees for water service; and
 - e. The Tavern shall have all connection fees and sewer service bills paid up to date.
2. The Tavern shall have no more than 72 seats; expansion of the Tavern shall require an amendment to this SUP and an approved site plan.
3. No outdoor amplified music or loud speakers shall be permitted in connection with the operation of the Tavern.

4. The Tavern shall only operate between 10 a.m. and 9 p.m.
5. The special use permit is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.



Bruce C. Goodson
Chairman, Board of Supervisors

ATTEST:



Sanford B. Wanner
Clerk to the Board

<u>SUPERVISOR</u>	<u>VOTE</u>
BRADSHAW	AYE
HARRISON	AYE
BROWN	AYE
MCGLENNON	AYE
GOODSON	AYE

Adopted by the Board of Supervisors of James City County, Virginia, this 13th day of January, 2004.

sup-16-03 (011304)