

## RESOLUTION

### CASE NO. SUP-33-06. JOHNNY TIMBERS TREE SERVICE

WHEREAS, the Board of Supervisors of James City County has adopted by ordinances specific land uses that shall be subjected to a special use permit (SUP) process; and

WHEREAS, Mr. John W. Hull has applied for an SUP to allow a contractors warehouse and office; and

WHEREAS, the property is currently zoned A-1, General Agriculture, and is designated Rural Lands on the 2003 Comprehensive Plan Land Use Map; and

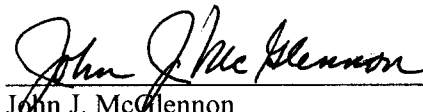
WHEREAS, the property is located at 2201 Jolly Pond Road on property more specifically identified as Parcel No. (1-9) on the James City County Real Estate Tax Map No. (29-4); and

WHEREAS, on January 10, 2007, following a public hearing, the Planning Commission recommended approval of the application by a vote of 7-0.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, following a public hearing, does hereby approve the issuance of SUP-33-06 as described herein with the following conditions:

1. This SUP shall be valid for the operation of Johnny Timbers Tree Service, Inc. (Business) and accessory uses thereto as shown on the Master Plan titled "2201 Jolly Pond Master Plan" date stamped December 20, 2006. Development of the site shall be generally in accordance with the above-referenced Master Plan as determined by the Development Review Committee (DRC) of the James City County Planning Commission. Minor changes may be permitted by the DRC, as long as they do not change the basic concept or character of the development.
2. Should new exterior site or building lighting be installed for the operation of the business, such fixtures shall have recessed fixtures with no bulb, lens, or globe extending below the casing. The casing shall be opaque and shall completely surround the entire light fixture and light source in such a manner that all light will be directed downward and the light source is not visible from the side. Fixtures, which are horizontally mounted on poles, shall not exceed 15 feet in height. No glare defined as 0.1 footcandle or higher, shall extend outside the property lines.
3. Hours of operation including, and subject to the provisions of Condition No. 6, the operation of power tools, machinery, truck deliveries, and pickups, shall be limited to 7 a.m. to 5 p.m., Monday through Friday.
4. Freestanding signage shall be limited to one monument style sign. For purposes of this condition, a "monument" style sign shall be defined as a freestanding sign with a completely enclosed base not to exceed 16 square feet in size and not to exceed six feet in height from grade.

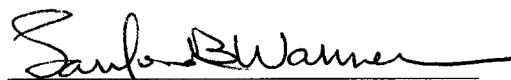
5. Only one entrance shall be allowed onto Jolly Pond Road (Route 611) as shown on the Master Plan.
6. There shall be no tree stumps, trunks, limbs, tree roots, chipped wood, mulch, sawdust, or other wood by-products stored, placed, or processed on the property.
7. A landscaping plan shall be approved by the Planning Director or his designee to effectively screen the storage of mechanical equipment from Jolly Pond Road. This buffer shall be installed or bonded in a manner satisfactory to the County Attorney within six months of the approval date of this SUP by the Board of Supervisors. The owner shall provide enhanced landscaping so that the required size of plants and trees equals, at a minimum, 125 percent of the requirements of the James City County Landscape Ordinance.
8. With the exception of a drive aisle and supplemental plantings, the area depicted as "Proposed Green Space" as shown on the Master Plan shall remain in a natural undisturbed state unless otherwise approved by the Planning Director.
9. The applicant shall receive full approval from the Health Department for septic tank and drainfield capacity prior to final site plan approval.
10. This SUP is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.



John J. McGlennon  
Chairman, Board of Supervisors

SUPERVISOR	VOTE
HARRISON	AYE
BRADSHAW	AYE
GOODSON	AYE
ICENHOUR	AYE
MCGLENNON	AYE

ATTEST:



Sanford B. Wanner  
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 13th day of February, 2007.

Sup-33-06.res