

**RESOLUTION**

**CONSIDERATION OF THE REQUEST TO AMEND CONDITION 2F**

**OF A WAIVER TO SECTION 19-57, WATER FACILITIES, OF THE JAMES CITY COUNTY**

**SUBDIVISION ORDINANCE FOR PROPERTY LOCATED AT 1805 FORGE ROAD**

WHEREAS, the Board of Supervisors of James City County has adopted Section 19-57, Water Facilities, of the James City County Subdivision Ordinance which requires major subdivisions to construct a central water system to serve the subdivision; and

WHEREAS, the requirement for a central water system may be waived by the James City Service Authority (JCSA) manager; and

WHEREAS, that waiver may be subject to reasonable conditions which shall be communicated in writing to the agent and subdivider; and

WHEREAS, the Board of Supervisors authorized the General Manager of the JCSA to grant a waiver request for property located at 1805 Forge Road on November 14, 2006, subject to appropriate conditions; and

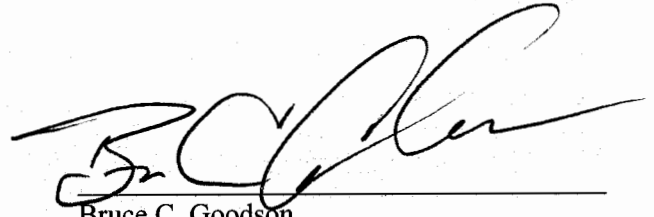
WHEREAS, the property is located on land zoned A-1, General Agricultural, and can be further identified as Parcel No. (1-1) on James City County Real Estate Tax Map No. (21-1); and

WHEREAS, the lot layout and provision of open space are shown on the plan prepared by AES Consulting Engineers, dated July 21, 2006, and entitled "Conceptual Layout The Preserve at Uncle's Neck."

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby grant the amendment to condition 2f of the waiver request as described herein as follows:

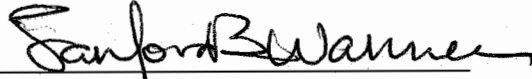
2. The restrictive covenants for the subdivision shall contain the following provisions and shall be subject to the approval of the County Attorney prior to approval and recordation of the final subdivision plat:

f. Limitations on Piers and Water Access. Lots located in the area now shown on the Conceptual Plan as lots 1-6 and 20 and 21 shall not be permitted to have piers. Lots in the area now shown on the Conceptual Plan as lots 13-18 shall only utilize steps to access Uncle's Neck Creek. Such steps shall be built in a manner to minimize impacts on slopes. Piers and access steps shall be subject to the approval of the Covenants Committee and to any required County or other regulatory approvals.



Bruce C. Goodson  
Chairman, Board of Supervisors

ATTEST:



Sanford B. Wanner  
Clerk to the Board

<u>SUPERVISOR</u>	<u>VOTE</u>
ICENHOUR	NAY
MCGLENNON	NAY
JONES	AYE
KENNEDY	AYE
GOODSON	AYE

Adopted by the Board of Supervisors of James City County, Virginia, this 10th day of June,  
2008.

1805ForgeRd2\_res