

RESOLUTION

CASE NO. SUP-0017-2008. BURLINGTON WOODS SUBDIVISION – SUP RENEWAL

WHEREAS, Mr. Vernon Geddy, III, on behalf of Burlington Woods, L.L.C., has applied for a Special Use Permit (SUP) to replace expired SUP-0035-2004 to allow for the continued development and construction of the Burlington Woods subdivision on a 17.22-acre parcel zoned R-2, General Residential, with proffers; and

WHEREAS, the proposed development is shown on a binding Master Plan, entitled "Burlington Woods Master Plan," prepared by Rickmond + Bury Engineering Solutions, identified by James City County as MP-0012-2004, and dated December 23, 2004; and

WHEREAS, the proposed development was initially approved by the Board of Supervisors on May 24, 2005, with Rezoning Z-0016-2004 and Special Use Permit SUP-0035-2004 as a 26-lot, single-family detached home subdivision; and

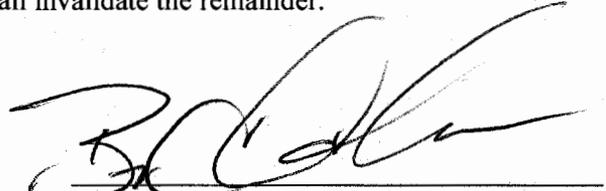
WHEREAS, the subject parcel may be identified as James City County Real Estate Tax Map Parcel No. 3130100020 located at 3931 Longhill Road; and

WHEREAS, the Planning Commission of James City County, following its public hearing on October 1, 2008, recommended approval of this application by a vote of 6-0.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve the issuance of SUP-0017-2008 with the following conditions:

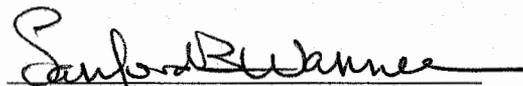
1. **Terms and Validity of Special Use Permit:** This SUP allows for the creation of a 26-lot, single-family detached home subdivision ("the Project") as originally laid out in Z-0016-2004 and SUP-0035-2004. This SUP allows for the density of the project to be increased from 1.0 dwelling units per acre to a maximum density of 1.5 dwelling units per acre in accordance with the provisions of Section 24-254(c) of the Zoning Ordinance. A final plat must be recorded for the project within 24 months of the approval of this SUP, or the SUP shall become void. If a final plat is properly approved and recorded within the time allowed, the SUP shall run in perpetuity with the land.
2. **Development of the Subdivision:** The Project, to be located at 3931 Longhill Road and further identified as James City County Real Estate Tax Map No. 3130100020 (the "Property"), shall be generally developed in accordance with and as depicted on the Master Plan drawing entitled "Burlington Woods Master Plan," prepared by Rickmond + Bury Engineering Solutions, and dated December 23, 2004, (further identified by the County as MP-0012-2004 and hereafter referred to as "the Master Plan") as determined by the Planning Director of James City County ("Planning Director"). Minor changes may be permitted by the Planning Director, as long as they do not change the basic concept or character of the development.

- 3. **Landscape Plan:** A landscaping plan shall be approved by the Planning Director or his designee prior to final approval of any subdivision plat for the development. The owner shall provide enhanced landscaping for the area along the property frontage on Longhill Road and adjacent to any existing residential dwellings on neighboring properties. Enhanced landscaping shall be defined as 133 percent of Zoning Ordinance landscape requirements.
- 4. **Severance Clause:** This SUP 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>
ICENHOUR	AYE
MCGLENNON	NAY
JONES	AYE
KENNEDY	AYE
GOODSON	AYE

Adopted by the Board of Supervisors of James City County, Virginia, this 14th day of October, 2008.

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