

RESOLUTION

DENYING AN APPEAL ON JCC RE TAX PARCEL NO. 3841760010

WHEREAS, **Jeffery A. Hines**, (the "Applicant") and **Brandi Brand**, (the "Owner") have appeared before the Chesapeake Bay Board of James City County (the "Board") on **October 14, 2009** appealing a Notice of Violation (**CBV-09-013**) dated **July 28, 2009**, ordering restoration of the Resource Protection Area (RPA) on the property identified as JCC RE Tax Parcel No. **3841760010** and further identified as **3657 Bridgewater Drive, in the Mill Creek Landing Subdivision** (the "Property") and

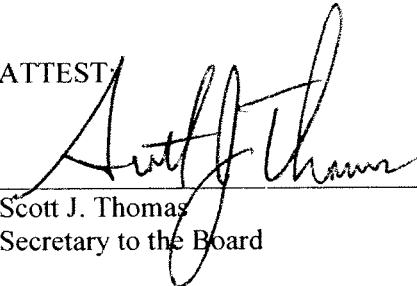
WHEREAS, the Board has listened to the arguments presented and has carefully considered all evidence entered into the record.

NOW, THEREFORE, following a public hearing, the Chesapeake Bay Board of James City County by a majority vote of its members FINDS that all of the following conditions have NOT been met:


1. The hardship is not generally shared by other properties in the vicinity;
2. The Chesapeake Bay, its tributaries and other properties in the vicinity will not be adversely affected: and
3. The appellant acquired the property in good faith and the hardship is not self-inflicted.

THEREFORE, the Chesapeake Bay Board of James City County is denying the appeal filed by **Jeffery A. Hines on August 7, 2009**, and upholds the **July 28, 2009** Notice of Violation issued by Patrick T. Menichino, James City County Environmental Division.

ATTEST



Scott J. Thomas
Secretary to the Board



William Apperson
Chair, Chesapeake Bay Board

Adopted by the Chesapeake Bay Board of James City County, Virginia, this 14th day of October, 2009.

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