

**RESOLUTION**

**GRANTING AN APPEAL ON JCC RE TAX PARCEL NO. 4930280017**

WHEREAS, Mr. Jeremy L. Findlay, President, J. Lloyd Builder, Inc. (the "Applicant"), on behalf of RJGC Equipment Leasing (the "Owner"), has appeared before the Chesapeake Bay Board of James City County (the "Board") on October 13, 2010 appealing a Notice of Violation CBV-11-006 dated August 31, 2010, ordering removal of a patio and restoration of the Resource Protection Area (RPA), on the property identified as JCC RE Tax Parcel No. 4930280017 and further identified as 104 Archers Court in the Kingspoint Subdivision (the "Property") and;

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

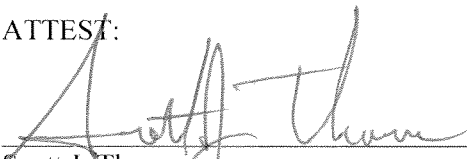
NOW, THEREFORE, following a public hearing, the Chesapeake Bay Board of James City County by a majority vote of its members FINDS that all of the following conditions have been met:


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 granting the appeal filed by the Applicant on September 10, 2010 and overturning the August 31, 2010 Notice of Violation issued by James City County Environmental Division with the following condition:

**A Sensitive Area Activity Application for the patio must be submitted and considered by the Chesapeake Bay Board at a public hearing.**

ATTEST:

  
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Scott J. Thomas  
Secretary to the Board

  
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David Gussman  
Chair, Chesapeake Bay Board

Adopted by the Chesapeake Bay Board of James City County, Virginia, this 13th day of October 2010.