

RESOLUTION

CASE NO. SUP-0003-2012. DAVID NICE BUILDING EXPANSION

WHEREAS, the Board of Supervisors of James City County has adopted by Ordinance specific land uses that shall be subjected to a Special Use Permit (SUP) process; and

WHEREAS, Mr. Brandon Nice has applied for an SUP to allow an expansion to the existing David A. Nice Builders, Incorporated office building in an A-1 zoning district; and

WHEREAS, the proposed expansion is not to exceed 1,700 square feet; and

WHEREAS, the property is located at 4575 Ware Creek Road on land zoned R-8, Rural Residential, and can be further identified as James City County Real Estate Tax Map/Parcel No. 1410100015B; and

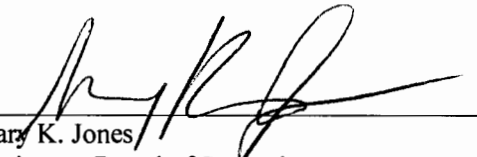
WHEREAS, the Planning Commission of James City County, following its public hearing on April 4, 2012, recommended approval of this application by a vote of 5-0; and

WHEREAS, the Board of Supervisors of James City County, Virginia, finds this use to be consistent with the 2009 Comprehensive Plan Land Use Map designation for this site.

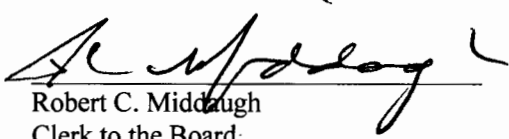
NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, after a public hearing, does hereby approve the issuance of SUP 0003-2012 as described herein with the following conditions:

1. Master Plan: This Special Use Permit (the "SUP") shall be valid for an addition, not to exceed 1,700 square feet, to the existing 4,415-square-foot building located at 4575 Ware Creek Road and also identified as James City County Tax Map/Parcel No. 1410100015B (the "Property"). Development and use of the Property shall be generally in accordance with and bound by the Master Plan entitled "David A. Nice Builders Conference Room Addition", prepared by Mike Suerdieck and dated December 6, 2011 and updated on March 2, 2012 (the "Master Plan"), with such minor changes as the Director of Planning determines does not change the basic concept or character of the development.
2. Commencement of Use: If construction has not commenced on the project within 12 months from the issuance of the SUP, the permit shall become void. Construction shall be defined as obtaining permits for building construction and a final framing inspection of the addition.
3. Architectural Review: The building materials and colors of the addition shall match those of the existing office building. The colors and building materials shall be submitted to the Director of Planning or his designee for review and approval prior to final site plan approval.

4. Lighting: All new exterior lighting fixtures, including building lighting, on the Property shall have recessed fixtures with no lens, bulb, or globe extending below the casing. In addition, a lighting plan shall be submitted to and approved by the Planning Director or his designee, which indicates no glare outside the property lines. All light poles shall not exceed 20 feet in height unless otherwise approved by the Director of Planning prior to final site plan approval. "Glare" shall be defined as more than 0.1 foot-candle at the property line or any direct view of the lighting source from the adjoining properties.
5. Severance Clause: This SUP is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.



Mary K. Jones
Chairman, Board of Supervisors

ATTEST:


Robert C. Middaugh
Clerk to the Board

<u>SUPERVISOR</u>	<u>VOTE</u>
MCGLENNON	AYE
ICENHOUR	AYE
KALE	AYE
KENNEDY	AYE
JONES	AYE

Adopted by the Board of Supervisors of James City County, Virginia, this 8th day of May, 2012.

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