

RESOLUTION


CASE NO. SUP-0008-2013. FLEA MARKET, 9299 RICHMOND ROAD

- 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 (the "SUP") process; and
- WHEREAS, Mr. John Filichko has requested an SUP to allow for a seasonal flea market in the A-1, General Agricultural District, located at 9299 Richmond Road and further identified as James City County Real Estate Tax Map Parcel No. 1010100004; and
- WHEREAS, the proposed development is shown on a plan titled "Special Use Permit Exhibit for Flea Market, 9299 Richmond Road" dated June 17, 2013; and
- WHEREAS, the Planning Commission, following its public hearing on July 3, 2013, voted 6-0 to recommend approval of this application; and
- WHEREAS, the Board of Supervisors of James City County, Virginia, finds this use to be consistent with the 2009 Comprehensive Plan Use Map designation for this site.

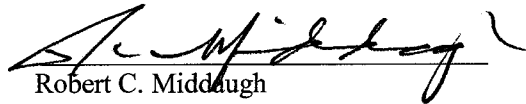
NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve the issuance of SUP-0008-2013 as described herein with the following conditions:

1. Master Plan: This SUP shall be valid for a seasonal flea market and accessory uses thereto (the "flea market") for operation from May 1 through October 31 and December 15 through December 24 on approximately 0.2 acre (the "Property") in the area shown as "Area for Flea Market Operation" on the master plan titled "Special Use Permit Exhibit for Flea Market, 9299 Richmond Road" dated June 17, 2013 (the "Master Plan"). Development of the Property shall be generally in accordance with the Master Plan with such minor changes as the Planning Director determines does not change the basic concept or character of the development.
2. Hours of Operation: The flea market hours of operation shall be limited to 8 a.m. to 5 p.m. Friday through Sunday.
3. Parking: Parking shall only be permitted in the area designated as "Parking Lot" on the Master Plan. Such parking areas shall be graveled or paved. All non-paved areas shall be flagged and shall be labeled with "No Parking" signs.
4. Location of Merchandise: Merchandise to be sold at the flea market may be sold only in the areas designated as "Building for Flea Market Operations" and "Outdoor Display Area" on the Master Plan.
5. Signage: All signs and sign locations shall be reviewed and approved by the Planning Director or his designee prior to final approval of any sign permit.
6. Certificate of Occupancy: A Certificate of Occupancy (CO) will be required prior to operating the flea market. A permanent CO shall be obtained within one year of approval of this SUP, or the permit shall become void.

7. Septic/Sewer Systems: A valid operation permit from the Health Department shall be maintained in order to operate the flea market. The owner shall provide verification of a valid permit on an annual basis by the end of January.
8. Term of Validity: This SUP shall be valid for a period of 48 months from the date of approval by the Board of Supervisors.
9. Severance Clause: This SUP is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.


John J. McGlennon
Chairman, Board of Supervisors

ATTEST:


Robert C. Middaugh
Clerk to the Board

	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
MCGLENNON	<u>X</u>	___	___
JONES	<u>X</u>	___	___
KENNEDY	<u>X</u>	___	___
ICENHOUR	<u>X</u>	___	___
BRADSHAW	<u>X</u>	___	___

Adopted by the Board of Supervisors of James City County, Virginia, this 13th day of August, 2013.

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