

RESOLUTION

GRANTING AN EXTENSION OF AN EXCEPTION ON JCC RE TAX PARCEL NO. 4321400003

WHEREAS, Mr. Wesley Boyd on behalf of Jody and Wilma Forsyth, (the "Applicant") has requested an extension of the exception granted by the Chesapeake Bay Board of James City County (the "Board") on September 12, 2012. The exception request is for encroachment into the Resource Protection Area (RPA), on property identified as JCC RE Tax Parcel No. 4321400003 and further identified as 1784 Cypress Isle in The Governor's Land at Two Rivers subdivision (the "Property") as set forth in the application *CBE-13-006* for the purpose of constructing a pervious paver walkway system and;

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

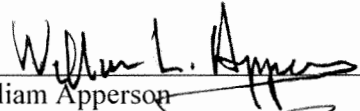
NOW, THEREFORE, having conducted a public hearing on September 12, 2012, and pursuant to the current request for an extension, the Chesapeake Bay Board of James City County by a majority vote of its members FINDS that:

1. The exception request is the minimum necessary to afford relief.
2. Granting the extension will not confer upon the Applicant any special privileges denied by Chapter 23, Chesapeake Bay Preservation, of the James City County Code, to other property owners similarly situated in the vicinity.
3. The exception request will be in harmony with the purpose and intent of Chapter 23 of the James City County Code, and is not of substantial detriment to water quality.
4. The exception request is not based on conditions or circumstances that are self-created or self-imposed, nor does the request arise from conditions or circumstances either permitted or non-conforming that are related to adjacent parcels.
5. Reasonable and appropriate conditions are hereby imposed, as set forth below, which will prevent the exception request from causing a degradation of water quality.
6. In granting this exception, the following conditions are hereby imposed to prevent this exception request from causing degradation of water quality:
 - **The applicant must obtain all other necessary federal, state and local permits as required for the project; and**
 - **The applicant shall follow the County's Pervious Paver Block System Guidelines for installation of the walkway paver system; and**
 - **The surety of \$5,000.00 will be held in escrow by the County pending completion and acceptance of the required mitigation.**

- This exception request approval shall become null and void if construction has not begun by October 9, 2014
- Written requests for an extension to this exception must be submitted to the Engineering and Resource Protection Division no later than 6 weeks prior to the expiration date.




Michael Woolson
Senior Watershed Planner



William Apperson
Vice-Chair, Chesapeake Bay Board

Adopted by the Chesapeake Bay Board of James City County, Virginia, this 9th
day of October 2013.

THE FORGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 9th DAY OF
October 2013 IN THE COMMONWEALTH OF VIRGINIA IN THE COUNTY OF
JAMES CITY.



NOTARY PUBLIC

MY COMMISSION EXPIRES 12/31/14

7014 335

REGISTRATION

MELANIE J. DAVIS
NOTARY PUBLIC
REG. #7014335
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES DEC. 31, 2014