

RESOLUTION

GRANTING AN EXCEPTION ON JCC RE TAX PARCEL NO. 48402000050A


WHEREAS, Donovan and Sandra Boyd, (the “Applicants”) have appeared before the Chesapeake Bay Board of James City County (the “Board”) on October 9, 2013 to request an exception to the use of the Resource Protection Area (the “RPA”) on a parcel of property identified as JCC RE Tax Parcel No. 4840200005A and further identified as 2642 Jockey’s Neck Trail in the Vineyards at Jockey’s Neck subdivision (the “Property”) as set forth in the application CBE-14-023 for the purpose of installing a raised terrace and pool; and

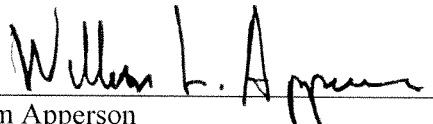
WHEREAS, the Board has listened to the arguments presented and has carefully considered all evidence entered into the record.

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

1. The exception request is the minimum necessary to afford relief.
2. Granting the exception 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:
 - 1) **The applicant must obtain all other necessary federal, state, and local permits as required for the project.**
 - 2) **Surety of \$500 will be required in a form satisfactory to the County Attorney’s office.**
 - 3) **The applicant shall follow the DEQ’s “Guidelines for the Release of Swimming Pool Water”, Release of Pool Water to Well Vegetated Areas on your Property, Part B and Best Management Practices implementation, Page 2.**


- 4) Implementation of the crushed stone dry well/level spreader/dissipater (Best Management Practice) as shown in the Sensitive Area Activity Application submitted by the applicant. The BMP device shall be provided at a location and constructed to dimensions, depth and of material types acceptable to and approved by County staff.
- 5) This exception request approval shall become null and void if construction has not begun by October 9, 2014.
- 6) Written requests for an extension to an exception shall 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.

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