

**RESOLUTION**

**CASE NO. HW-0001-2013. A-B BREWERY, BULK POWDER STORAGE SILO**

WHEREAS, the Board of Supervisors of James City County has adopted by ordinance specific land uses that shall be subjected to a Height Limitation Waiver process; and

WHEREAS, Mr. Michael Brandt has applied on behalf of Anheuser Busch, Inc. for a Height Limitation Waiver to allow for the installation of a bulk powder storage silo that is approximately 80 feet above grade (the "Silo"); and

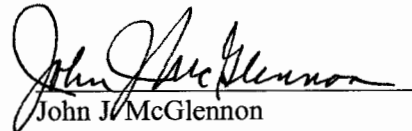
WHEREAS, a public hearing was advertised, adjoining property owners notified, and a hearing conducted on Case No. HW-0001-2013; and

WHEREAS, the proposed expansion will be constructed in its entirety on property zoned M-2, General Industrial, further identified as Parcel No. (1-1) on James City County Real Estate Tax Map No. (51-3), and commonly known as the "Anheuser Busch Brewery" (the "Property"); and

WHEREAS, the Board of Supervisors finds that the requirements of Section 24-443(c) of the James City County Zoning Ordinance have been satisfied, in order to grant a height limitation waiver to allow for the erection of structures in excess of 60 feet in height.

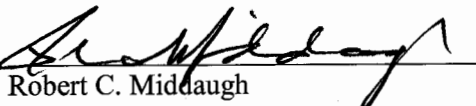
NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve Height Limitation Waiver HW-0001-2013 to grant the applicant a waiver to the height limitation requirements set forth in the James City County Code to allow for the erection of a single Silo up to 80 feet tall as described herein, pursuant to the following conditions:

1. Commencement of Construction: Construction on this project shall commence within 24 months from the date of approval of this Height Limitation Waiver or this Height Limitation Waiver shall be void. Construction shall be defined as the obtaining of permits for the construction of foundations and/or footings.
2. Severance Clause: This Special Use Permit 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>
MC GLENNON	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
JONES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
KENNEDY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ICENHOUR	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
BRADSHAW	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Adopted by the Board of Supervisors of James City County, Virginia, this 10th day of September, 2013.