

RESOLUTION

CASE NO. SUP-0008-2014. GILLEY ENTERPRISES EQUIPMENT STORAGE

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

WHEREAS, Mr. Gregory Davis has applied for an SUP to allow for the storage of heavy equipment on property located at 320 Neck-O-Land Road; and

WHEREAS, the proposed project is depicted on the plan prepared by LandTech Resources, Inc., dated May, 5, 2014, and entitled "Exhibit Showing Proposed Parcel 2 of the Properties of REGJAG, L.L.C & Leigh Ann Gilley" (the "Master Plan"); and

WHEREAS, the proposed project is located on property zoned A-1, General Agricultural, further identified as James City County Real Estate Tax Map Parcel No. 4740100041; and

WHEREAS, the SUP shall also allow the use of an existing farm road and a 50-foot ingress and egress easement located on a parcel at 318 Neck-O-Land Road and further identified as James City County Real Estate Tax Map Parcel No. 4740100040 for ingress/egress of heavy equipment; and

WHEREAS, approval of this application indicates that the Board of Supervisors finds the proposed use to be consistent with the uses allowed by the Deed of Easement Agreement made between REGJAG, L.L.C and James City County and recorded by the Clerk of the Circuit Court for the City of Williamsburg and County of James City as Instrument No. 140006461 on April 22, 2014; and

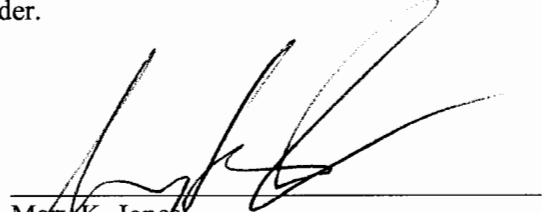
WHEREAS, a public hearing was advertised, adjoining property owners notified, and a hearing conducted on Case No. SUP-0008-2014; and

WHEREAS, the Planning Commission, following its public hearing on November 5, 2014, voted 7-0 to recommend approval of Case No. SUP-0008-2014.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve Application No. SUP-0008-2014, as described herein, pursuant to the following conditions:

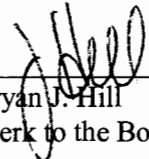
1. This SUP shall be valid for the storage of construction equipment and vehicles on an area of up to 3,200 square feet (the "Proposal"), on a property located at 320 Neck-O-Land Road and further identified as James City County (JCC) Real Estate Tax Map No. 4740100041, as well as use of an existing farm road and a 50-foot ingress and egress easement located on a parcel at 318 Neck-O-Land Road and further identified as JCC Real Estate Tax Map No. 4740100040 for ingress/egress of such construction equipment (altogether referred to as the "Property"). Development of the Property shall be generally in accordance with the Master Plan, with such minor changes as the Director of Planning determines do not change the basic concept or character of the development.

2. No work associated with the Proposal, except for maintenance of equipment and vehicles, storage, and loading of materials on trucks shall be conducted at the Property.
3. Transportation of equipment to and from the construction equipment storage site shall be limited to 8 a.m.-5 p.m., Monday through Friday, except for occasional after-hours transportation related to storm damage work, snow removal jobs, and the like.
4. Storage of equipment and vehicles associated with the Proposal shall be contained within the 3,200-square-foot area as shown on the Master Plan.
5. No outdoor signage advertising the Proposal shall be allowed on the Property.
6. All new exterior light 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 Director of Planning 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 boundary of the Property or any direct view of the lighting source from the adjoining properties.
7. An amendment to this SUP application shall be necessary should the number of vehicles and/or machinery associated with the Proposal exceed the storage capacity of the 3,200-square-foot area.
8. Prior to final site plan approval, a spill prevention and containment plan which addresses chemical handling, including but not limited to, oil, diesel and gasoline shall be submitted to the Engineering and Resource Protection Director and the Fire Chief for their respective review and approval.
9. No soil disturbance, parking, or storage of equipment or vehicles shall occur within 15 feet of an RPA buffer or areas designated by the Department of Conservation and Recreation as containing natural heritage resources.
10. A site plan shall be required for this Proposal. Final approval of the site plan must be obtained within 18 months of issuance of this SUP, or the SUP shall become void.
11. 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:



Bryan J. Hill
Clerk to the Board

	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
KENNEDY	<u>X</u>	___	___
HIPPLE	<u>X</u>	___	___
MCGLENNON	<u>X</u>	___	___
ONIZUK	<u>X</u>	___	___
JONES	<u>X</u>	___	___

Adopted by the Board of Supervisors of James City County, Virginia, this 9th day of December, 2014.