

## **RESOLUTION**

### **GRANTING AN EXCEPTION ON JCC RE TAX PARCEL 5031300003**


WHEREAS, Mr. Aaron Williams on behalf of Patricia and Ronald Ward, (the "Applicants") has applied to the Chesapeake Bay Board of James City County (the "Board") on January 9, 2014 requesting an exception to the use of the Resource Protection Area (the "RPA") on a parcel of property identified as JCC RE Tax Parcel No. 5031300003 and further identified as 516 Sir George Percy in the Kingsmill subdivision (the "Property") as set forth in the application CBE-14-060 for the purpose of constructing a retaining wall; and

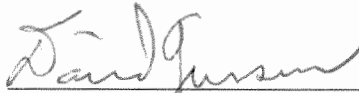
WHEREAS, the Board has listened to the arguments presented and has carefully considered all evidence entered into the record.

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; and
  - 2) A surety in the amount of \$500, in a form acceptable to the James City County Attorney's office, be submitted prior to work commencing; and
  - 3) This exception request approval shall become null and void if construction has not begun by 9 January 2015; and


- 4) 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

  
David Gussman  
Chair, Chesapeake Bay Board

Adopted by the Chesapeake Bay Board of James City County, Virginia, this 9<sup>th</sup> day of January 2014.

THE FORGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 9<sup>th</sup> DAY OF January 2014 IN THE COMMONWEALTH OF VIRGINIA IN THE COUNTY OF JAMES CITY.

  
NOTARY PUBLIC

7014335  
REGISTRATION

MY COMMISSION EXPIRES 12/31/14.

