

RESOLUTION

GRANTING AN EXCEPTION ON JCC RE TAX PARCEL 5040200019

WHEREAS, Gregg Bleam, Gregg Bleam Landscape Architect, on behalf of Susan Anton (the "Applicant") has applied to the Chesapeake Bay Board of James City County (the "Board") 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 5040200019 and further identified as 19 Mile Course in the Kingsmill subdivision (the "Property") as set forth in the application CBE-16-033 for the purpose of reconstructing a single family dwelling with associated terraces and pools; and

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

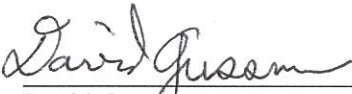
NOW, THEREFORE, following a public hearing on October 14, 2015, the Chesapeake Bay Board of James City County by a majority vote of its members FINDS that:

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) Design and installation of the green vegetated roof system shall follow an appropriate industry accepted standard such as Virginia DEQ Stormwater Design Specification No. 5 (Vegetated Roof) or similar ASTM, AIA, or equivalent standard; and
 - 3) Surety of \$8,000 will be required in a form acceptable to the County Attorney's office.

- 4) A land disturbing/stormwater construction permit application and associated erosion and sediment control plan shall be submitted to the Engineering and Resource Protection Division for review and approval; and
- 5) This exception request approval shall become null and void if construction has not begun by October 14, 2016.
- 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



 David Gussman
 Chair, Chesapeake Bay Board

Adopted by the Chesapeake Bay Board of James City County, Virginia, this 14th day of October 2015.

THE FORGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 14th DAY OF October 20 15 IN THE COMMONWEALTH OF VIRGINIA IN THE COUNTY OF JAMES CITY.



 NOTARY PUBLIC

7014335

 REGISTRATION

MY COMMISSION EXPIRES 12/31/18

MELANIE J. DAVIS
 NOTARY PUBLIC
 REG. #7014335
 COMMONWEALTH OF VIRGINIA
 MY COMMISSION EXPIRES DECEMBER 31, 2018