

**RESOLUTION**

**GRANTING AN APPEAL ON JCC RE TAX PARCEL NO. 4812300018**

WHEREAS, Alan and Julie Moore, (the "Appellant") have submitted a request to the Chesapeake Bay Board of James City County (the "Board") to appeal a Notice of Violation (CBV-16-002) dated July 21, 2015, ordering the removal of a retaining wall constructed on and behind their property at 2844 Castling Crossing in the Lake Powell Forest subdivision, JCC RE Tax Parcel No. 4812300018 (the "Property") 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 meeting on September 9, 2015, the Chesapeake Bay Board of James City County by a majority vote of its members FINDS that all of the following conditions have been met:

1. The hardship is not generally shared by other properties in the vicinity;
2. The Chesapeake Bay, its tributaries and other properties in the vicinity will not be adversely affected: and
3. The appellant acquired the property in good faith and the hardship is not self-inflicted.

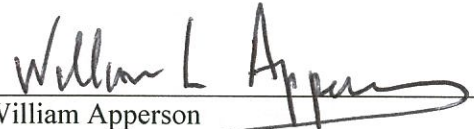
THEREFORE, the Chesapeake Bay Board of James City County is granting the appeal filed by Alan and Julie Moore on August 19, 2015 and overturning the July 21, 2015 Notice of Violation issued by James City County Engineering and Resource Protection Division.

In granting this appeal, the following conditions are hereby imposed to prevent this project from causing degradation of water quality:

- 1) Complete and record the property line adjustment plat and Deed of Exchange for Natural Open Space within 180 days or be subject to removing and rebuilding the wall per the approval granted on April 10, 2013 for CBE-13-077



Michael Woolson  
Senior Watershed Planner



William Apperson  
Vice Chair, Chesapeake Bay Board

Adopted by the Chesapeake Bay Board of James City County, Virginia, this 9<sup>th</sup> day of Sept 2015.

THE FORGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 17<sup>th</sup> DAY OF September 2015 IN THE COMMONWEALTH OF VIRGINIA IN THE COUNTY OF JAMES CITY.



NOTARY PUBLIC  
MY COMMISSION EXPIRES 12/31/18

