

**RESOLUTION**

**CASE NO. HW-0002-2017. AB INBEV BREWERY**

**HEIGHT LIMITATION WAIVER**

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. Piotr Swietuchowski has applied on behalf of Anheuser Busch Brewing Properties, LLC. for a Height Limitation Waiver to allow for a ±135-foot brewery building with associated mechanical equipment; and

WHEREAS, a public hearing was advertised, adjoining property owners notified and a hearing conducted on Case No. HW-0002-2017; and

WHEREAS, the proposed expansion will be constructed in its entirety on property zoned M-2, General Industrial, further identified as Parcel (1-1) on James City County Real Estate Tax Map Parcel 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.

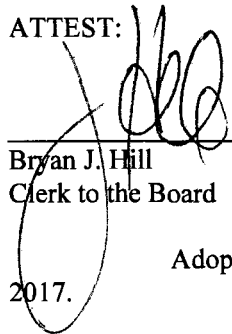
NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve Height Limitation Waiver HW-0002-2017 to grant the applicant a waiver to the height limitation requirements set forth in the James City County Code to allow for the installation of mechanical equipment and a Height Limitation Wavier for the ±135-foot-tall brewery building as described herein, pursuant to the following conditions:

1. **Height Limitations:** This Height Limitation Waiver (the Waiver) shall be valid for a 75-foot waiver to the height limitation requirements set forth in the James City County Code to allow for the erection of a structure up to ±75 feet above finished grade on property zoned M-2, General Industrial, further identified as James City County Real Estate Tax Map Parcel No. 5130100001. For purposes of the Waiver, the maximum "finish grade" for the building will be ±135 feet above the mean sea level.
2. **Severance Clause:** This Special Use Permit is not severable. Invalidation of any word, phrase, clause, sentence or paragraph shall invalidate the remainder.



Kevin D. Onizuk  
Chairman, Board of Supervisors

ATTEST:



Bryan J. Hill  
Clerk to the Board

VOTES

	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
MCLENNON	✓	—	—
SADLER	✓	—	—
HIPPLE	✓	—	—
LARSON	✓	—	—
ONIZUK	✓	—	—

Adopted by the Board of Supervisors of James City County, Virginia, this 9th day of May,

2017.

HW02-17A-BBrewery-res