

RESOLUTION

GRANTING AN APPEAL ON JAMES CITY COUNTY REAL ESTATE

TAX PARCEL NO. 1910500017

WHEREAS, Mr. Vladimir Arana, (the “Appellant”) has submitted a request to the Chesapeake Bay Board of James City County (the “Board”) to appeal a Notice of Violation (NOV) (CBV-18-008) dated December 28, 2017, ordering the removal of a patio and retaining wall in the Resource Protection Area (RPA), on a property identified as James City County Real Estate Tax Parcel No. 1910500017 and further identified as 4069 South Riverside Drive in the Chickahominy Haven subdivision (the “Property”); and

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

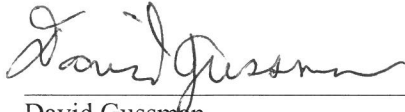
NOW, THEREFORE, BE IT RESOLVED that the Chesapeake Bay Board of James City County, Virginia, following a public meeting on February 14, 2018, by a majority vote of its members FINDS that all of the following conditions have been met:

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, Virginia, is granting the appeal filed by Mr. Arana on December 29, 2017 and overturning the December 28, 2017 NOV issued by James City County Stormwater 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. Submit a Sensitive Area Activity Application and Application Fee for the patio and retaining wall for review and approval by the Chesapeake Bay Board at a public hearing, at the next available Chesapeake Bay Board meeting.
2. The required mitigation rates are doubled for the impervious impact to the RPA from the patio and retaining wall.



David Gussman
Chair, Chesapeake Bay Board



Michael Woolson
Senior Watershed Planner

Adopted by the Chesapeake Bay Board of James City County, Virginia, this 14th day of February, 2018.

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 14 DAY OF February, 2018 IN THE COMMONWEALTH OF VIRGINIA, IN THE COUNTY OF JAMES CITY.



NOTARY PUBLIC

MY COMMISSION EXPIRES: 1/31/2022

Notary Registration Number: 209699

AplNOV-4069SRvrseDr-res

