

RESOLUTION

CASE NO. CBPA-19-0010. 9003 DIASCUND ROAD

JAMES CITY COUNTY CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION

WHEREAS, Mr. and Mrs. Charles and Diane Hasbrouck (the “Applicants”) have applied to the Chesapeake Bay Board of James City County (the “Board”) on March 13, 2019, to request an exception to use the Resource Protection Area (the “RPA”) on a parcel of property identified as James City County Real Estate Tax Parcel No. 0920100001 and further identified as 9003 Diascund Road (the “Property”) as set forth in the application CBPA-19-0010 for the purpose of the construction of a primary and reserve septic fields; and

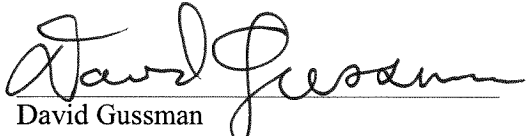
WHEREAS, the Board has listened to the arguments presented and has carefully considered all evidence entered into the record.

NOW, THEREFORE, BE IT RESOLVED that the Chesapeake Bay Board of James City County, Virginia, following a public hearing, 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:
 - a. The applicant must obtain all other necessary federal, state, and local permits as required for the project; and
 - b. The applicant must fully implement the recommendations of the Hasbrouck Equine Center Conservation Plan developed by the Colonial Soil and Water Conservation District, entitled “Colonial Soil & Water Conservation District 2018 Conservation Plan for Chesapeake Bay Preservation Act Compliance James City County, Municipal Code Sec. 23-9(b)(11). Tax Parcel Pin # 0920100001”

signed by the land owner on January 23, 2019; and

- c. This exception request approval shall become null and void if construction has not begun by March 13, 2020; and
- d. Written requests for an extension to an exception shall be submitted to the Stormwater and Resource Protection Division no later than January 31, 2020.

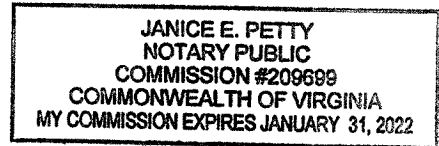

David Gussman
Chair, Chesapeake Bay Board


Michael Woolson
Secretary to the Board

Adopted by the Chesapeake Bay Board of James City County, Virginia, this 13th of March, 2019.

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 13 DAY OF March, 2019 IN THE COMMONWEALTH OF VIRGINIA, IN THE COUNTY OF JAMES CITY.


NOTARY PUBLIC



MY COMMISSION EXPIRES: January 31, 2022.