

## RESOLUTION

### CASE NO. SUP-22-0019. 4090 IRONBOUND ROAD DETACHED ACCESSORY APARTMENT

WHEREAS, the Board of Supervisors of James City County, Virginia, has adopted by Ordinance specific land uses that shall be subjected to a Special Use Permit (SUP) process; and

WHEREAS, Mr. Hoa Huynh, the owner of the property located at 4090 Ironbound Road, further identified as James City County Tax Map Parcel No. 3840400002 (the "Property"), has applied for an SUP to allow for the construction of a detached accessory apartment within an existing detached garage on the Property as shown on the Master Plan titled "SUP-22-0019, 4090 Ironbound Road Detached Accessory Dwelling" dated September 13, 2022, and revised October 18, 2022; and

WHEREAS, the Planning Commission, following its public hearing on November 2, 2022, recommended approval of Case No. SUP-22-0019 by a vote of 7-0; and


WHEREAS, a public hearing was advertised, adjoining property owners notified, and a hearing conducted on Case No. SUP-22-0019; and

WHEREAS, the Board of Supervisors of James City County, Virginia, finds this use to be consistent with good zoning practices and the 2045 Comprehensive Plan Land Use Map designation for the Property.


NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, after consideration of the factors in Section 24-9 of the James City County Code, does hereby approve the issuance of Case No. SUP-22-0019 as described herein with the following conditions:

1. Master Plan. This SUP shall be valid for a detached accessory apartment (the "Project") located at 4090 Ironbound Road, further identified as James City County Real Estate Tax Map Parcel No. 3840400002 (the "Property"). Development of the Project on the Property shall be in accordance with Section 24-32 (b) of the James City County Code (the "County Code"), as amended, and shall occur generally as shown on the exhibit entitled, "4090 Ironbound Road Detached Accessory Apartment," dated September 13, 2022 (the "Master Plan"), with any deviations considered pursuant to Section 24-23(a)(2) of the County Code, as amended.
2. Recordation. A certified copy of the Board of Supervisors' SUP resolution shall be recorded against the Property in the Williamsburg/James City County Circuit Court prior to issuance of any Certificate of Occupancy for the Project. Proof of recordation shall be provided to the Zoning Administrator.
3. Dwelling Occupied. Within 24 months from the issuance of this SUP, a permanent Certificate of Occupancy for the Project shall be issued, or the SUP shall become void.
4. Square Footage. The detached accessory apartment shall be no more than 400 square feet.
5. Access. No new ingress/egress points shall be created to Ironbound Road.

6. Parking. Off-site parking for this use shall be prohibited.
7. Severance Clause. This SUP is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

  
John J. McGlennon  
Chairman, Board of Supervisors

ATTEST:

  
Teresa J. Saeed  
Deputy Clerk to the Board

	VOTES			
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
ICENHOUR	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HIPPLE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
LARSON	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SADLER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MCGLENNON	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Adopted by the Board of Supervisors of James City County, Virginia, this 13th day of December, 2022.

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