

ORDINANCE NO. 30A-3

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 17, SUBDIVISIONS, ARTICLE I, IN GENERAL, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING SECTION 17-45, EXCEPTIONS TO REQUIREMENTS OF CHAPTER TO PROVIDE NOTICE TO CERTAIN PARTIES.

BE IT ORDAINED, by the Board of Supervisors of James City County that Chapter 17, Subdivisions, Article I, In General, of the Code of the County of James City, Virginia, be and the same is, hereby, amended and reordained by amending Section 17-45, Exceptions to Requirements of Chapter to provide notice to certain parties, as follows:

CHAPTER 17

SUBDIVISIONS

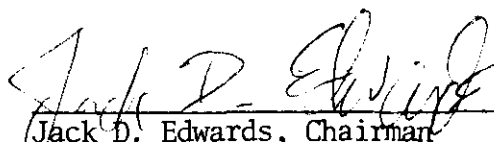
Article I, In General

Section 17-45. Exceptions to requirements of chapter.

Where the subdivider can show that a provision of the standards set out in this chapter would cause unnecessary hardship if strictly adhered to, and where, because of topographical or other conditions peculiar to the site, in the opinion of the commission, a departure may be made without destroying the intent of such provisions, the commission may authorize an exception. Any exception thus authorized is to be stated in writing in the report of the commission, with the reasoning on which the departure was justified set forth. No such variance may be granted which is opposed in writing by the county or highway engineer or health official.

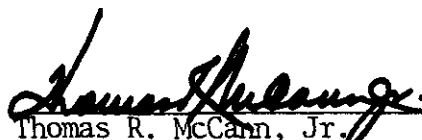
No such variance shall be granted unless the applicant shall present evidence to the satisfaction of the commission that all property owners of pre-existing development contiguous to and sharing a common property line with said applicant or whose property lies directly across from the proposed development, have been notified in writing at the time the preliminary plat is filed for approval. Evidence that such notice was sent by mail to the last known address of such owner as shown on the current real estate tax assessment books shall be deemed adequate compliance.

This ordinance shall be in full force and effect from the day of its adoption.



Jack D. Edwards, Chairman
Board of Supervisors
James City County, Virginia

ATTEST:



Thomas R. McCann, Jr.
County Administrator

Adopted by the Board of Supervisors, James City County, Virginia, this 8th day of April, 1974.