

## RESOLUTION

### CASE NO. SUP-19-0019. 530 NECK-O-LAND ROAD TOURIST HOME

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, Mrs. Emily Huffman has applied for an SUP to allow for the rental of up to 10 bedrooms in her home and duplex located at 530 Neck-O-Land Road, consisting of approximately 0.918 acres, and further identified as James City County Real Estate Tax Map Parcel No. 5510200009; and

WHEREAS, a public hearing was advertised, adjoining property owners notified, and a hearing conducted on Case No. SUP-19-0019; and

WHEREAS, the Planning Commission, following its public hearing on November 6, 2019, recommended denial of the application by a vote of 4-2; and

WHEREAS the Board of Supervisors of James City County, Virginia finds that, with appropriate conditions, Case No. SUP-19-0019 is consistent with the Comprehensive Plan and good zoning practice

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-19-0019 as described herein with the following conditions:

1. Master Plan: This SUP shall permit tourist homes for two dwellings each containing two units on property located at 530 Neck-O-Land Road and further identified as James City County Real Estate Tax Map Parcel No. 5510200009 (the "Property"). The use and layout of the Property shall be generally as shown on the document entitled "SUP-19-0019, 530 Neck-O-Land Road Tourist Home" and date stamped October 16, 2019 (the "Master Plan"), with any deviations considered per Section 24-23(a)(2) of the Zoning Ordinance, as amended. This condition does not restrict improvements typical of a residential property as determined by the Director of Planning.
2. Commencement: An updated Certificate of Occupancy and evidence of a business license shall be provided to the Director of Planning within 12 months from the issuance of this SUP or this SUP shall automatically be void.
3. Number of Rental Rooms and Occupants: The number of rental rooms and occupants shall be as follows:
  - Dwelling 1 contains units A and B. Unit A shall have a maximum of three (3) bedrooms available for rent with a maximum occupancy of six (6) people. Unit B shall have a maximum of one (1) bedroom for rent with a maximum occupancy of two (2) people.

- Dwelling 2 contains Units C and D. Units C and D shall each have a maximum of two (2) bedrooms available for rent and a maximum occupancy of four (4) people.
  - At no time shall the total occupancy on the property exceed sixteen (16) occupants.
4. Contracts per Rental Period: Units A, B, C, and D may each be rented simultaneously under separate contracts; however, no individual unit shall be rented simultaneously under separate contracts.
  5. Signage: No signage related to the tourist home shall be permitted on the Property.
  6. Parking: Off-site parking for the tourist home shall be prohibited. No oversized commercial vehicles associated with rental occupants of the tourist home such as, but not limited to, buses and commercial trucks and trailers, shall be allowed to park on the Property. Dwelling 1 with Units A and B shall provide space for at least three vehicles, and Dwelling 2 with Units C and D shall provide space for at least four vehicles.
  7. Lighting: No exterior lighting shall be permitted on the Property, other than lighting typically used at a single-family residence.
  8. Severability: This SUP is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

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James O. Icenhour, Jr.  
Chairman, Board of Supervisors

ATTEST:

\_\_\_\_\_  
Teresa J. Fellows  
Deputy Clerk to the Board

	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
HIPPLE	_____	_____	_____
LARSON	_____	_____	_____
SADLER	_____	_____	_____
MCGLENNON	_____	_____	_____
ICENHOUR	_____	_____	_____

Adopted by the Board of Supervisors of James City County, Virginia, this 10th day of December, 2019.

SUP19-19NkOLand-res