

RESOLUTION

CASE NO. SUP-20-0001. 2898 LAKE POWELL 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, Mr. Franklin Berggren has applied for an SUP to allow for the operation of a tourist home on property located at 2898 Lake Powell Road, further identified as James City County Real Estate Tax Map Parcel No. 4810100040 (the "Property"); and

WHEREAS, the Planning Commission, following its public hearing on March 4, 2020, recommended approval of Case No. SUP-20-0001 by a vote of 5-2; and

WHEREAS, a public hearing was advertised, adjoining property owners notified, and a hearing conducted on Case No. SUP-20-0001; and

WHEREAS, the Board of Supervisors of James City County, Virginia, finds this use to be consistent with good zoning practices and the 2035 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-20-0001 as described herein with the following conditions:

1. Master Plan. This SUP shall permit a tourist home on property located at 2898 Lake Powell Road and further identified as James City County Real Estate Tax Map Parcel No. 4810100040 (the "Property"). The use and layout of the Property shall be generally as shown on the document entitled "SUP-20-0001, 2898 Lake Powell Road Tourist Home" and date stamped January 7, 2020 (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 twelve (12) months from the issuance of this SUP or this SUP shall automatically be void.
3. Number of rental rooms and occupants. There shall be no more than three (3) bedrooms available for rent to visitors and no more than six (6) rental occupants total at any one time.
4. Contracts per rental period. There shall not be simultaneous rentals of the Property 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.
7. Lighting. No exterior lighting shall be permitted on the Property, other than lighting typically used at a single-family residence.
8. Severance Clause. This SUP is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

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>
SADLER	_____	_____	_____
MCGLENNON	_____	_____	_____
LARSON	_____	_____	_____
HIPPLE	_____	_____	_____
ICENHOUR	_____	_____	_____

Adopted by the Board of Supervisors of James City County, Virginia, this 9th day of June, 2020.

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