

RESOLUTION

CASE NO. SUP-20-0007. 805 ARLINGTON ISLAND 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. Michael Hipple has applied for an SUP to allow for the operation of a tourist home on property located at 805 Arlington Island Road, further identified as James City County Real Estate Tax Map Parcel No. 0940100001 (the “Property”); and
- WHEREAS, the Planning Commission, following its public hearing on May 6, 2020, recommended approval of Case No. SUP-20-0007 by a vote of 4-3; and
- WHEREAS, a public hearing was advertised, adjoining property owners notified, and a hearing conducted on Case No. SUP-20-0007; 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-20-0007 as described herein with the following conditions:

1. Master Plan. This SUP shall permit a tourist home on property located at 805 Arlington Island Road and further identified as James City County Real Estate Tax Map Parcel No. 0940100001 (the “Property”). The use and layout of the Property shall be generally as shown on the document entitled “JCC SUP-20-0007: 805 Arlington Island Road Tourist Home” and date stamped April 20, 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. Evidence of a business license and updated Certificate of Occupancy shall be provided to the Director of Planning within twelve (12) months from the issuance of the SUP, or this SUP shall automatically be void.
3. Number of rental rooms and occupants. There shall be no more than two (2) bedrooms available for rent to visitors and no more than four (4) rental occupants total at any one time. The owner may provide documentation from the Virginia Department of Health (VDH) demonstrating that the Property’s septic system is approved for the existing third bedroom of the tourist home to be rented out. Once VDH approval for the third bedroom is submitted to the Zoning Administrator, 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. 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.