

## RESOLUTION

### REQUEST FOR SPECIAL USE PERMIT EXTENSION

- WHEREAS, on October 10, 2006 the Board of Supervisors of James City County (the “Board”) approved Special Use Permit No. SUP-19-2006 (the “SUP”) permitting a residential development known as Mason Park (the “Project”) on property located at 1916 Jamestown Road and further identified as James City County Real Estate Tax Map No. 4640100017 (the “Property”); and
- WHEREAS, Condition Number 2 of the SUP requires that construction on the Project commence within thirty-six (36) months of January 1, 2008 or the SUP shall become invalid; and
- WHEREAS, though construction was not commenced within thirty-six (36) months of January 1, 2008, Section 15.2-2209.1 of the Code of Virginia, 1950, as amended (the “Virginia Code”) automatically extended the SUP’s January 1, 2011 expiration date to July 1, 2020; and
- WHEREAS, Section 15.2-2209.1 no longer automatically extends the expiration date but instead allows localities to agree to an extension date; and
- WHEREAS, on behalf of George Nice & Sons, Inc., and Mason Park LLC, Mr. Vernon Geddy has requested that the Board grant an extension of the SUP to July 1, 2021, citing Mason Park, LLC’s recent acquisition of the Property and the effects of the COVID-19 pandemic as reasons for the need for such extension; and
- WHEREAS, the Board has determined that granting an extension of the SUP’s expiration date to July 1, 2021 is be required by public necessity, convenience, general welfare, and good zoning practice.
- NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, pursuant to Section 15.2-2209.1(B) of the Code of Virginia, 1950, as amended, does hereby extend the construction commencement deadline contained in Condition Number 2 of Special Use Permit No. SUP-19-2006 to July 1, 2021.

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

ATTEST:

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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.