

RESOLUTION

CASE NO. HW-20-0001. KING OF GLORY LUTHERAN CHURCH

HEIGHT LIMITATION WAIVER

WHEREAS, the Board of Supervisors of James City County has adopted by Ordinance specific land uses that shall be subjected to a Height Limitation Waiver process; and

WHEREAS, Mr. Greg Warren has applied on behalf of King of Glory Lutheran Church for a Height Limitation Waiver to allow for the installation of a cupola that is approximately 87 feet above finished grade (the "Structure"); and

WHEREAS, the Structure will be constructed in its entirety on property zoned R-2, General Residential located at 4897 Longhill Road, further identified as James City County Real Estate Tax Map No. 3240100033, and commonly known as "King of Glory Lutheran Church"; and

WHEREAS, the location of the highest point of the Structure is depicted on the plan prepared by LandTech Resources, entitled "Plan of Development King of Glory Lutheran Church Building and Parking Lot Expansion;" and

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

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby finds that the requirements of Section 24-261(3) of the James City County Zoning Ordinance have been satisfied, in order to grant a Height Limitation Waiver to allow for the erection of a structure in excess of 60 feet in height and not to exceed 100 feet.

BE IT FURTHER RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve Height Limitation Waiver HW-20-0001 to grant the applicant a waiver to the height limitation requirements set forth in the James City County Code to allow for the erection of a cupola up to 90 feet tall from finished grade as described herein, pursuant to the following conditions:

1. Plan: This Height Waiver shall be valid for the erection of a cupola up to 90 feet above finished grade (the "Structure") on property zoned R-2, General Residential located at 4897 Longhill Road, further identified as James City County Real Estate Tax Map No. 3240100033 (the "Property"). The Structure shall be constructed as generally shown on the plan prepared by LandTech Resources., entitled "Plan of Development King of Glory Lutheran Church Building and Parking Lot Expansion."
2. Lighting: All lighting locations and specifications shall be shown on future development plans. Unless otherwise required by the Federal Aviation Authority or

necessary for safety purposes, installation of any lights on the Structure at points above 60 feet in height or any installation of lights that direct light upward to illuminate any part of the Structure.

3. Architectural Review: Prior to final approval of any site plan for the Structure, architectural elevations, building materials, and building colors shall be submitted to the Director of Planning or designee for review and approval. The purpose of this condition is to ensure that the Structure is uniform and compatible in terms of design, scale, materials, and colors with other structures on the Property and consistent with the architectural elevations prepared by Hopke & Associates, Inc. dated April 17, 2019, and submitted with Case No. SUP-19-0009.
4. Commencement of Construction: Construction on the Structure shall commence within 36 months from the date of approval of this Height Limitation Waiver or this Height Limitation Waiver shall be void. Construction shall be defined as the obtaining of permits for the construction of foundations and/or footings for the Structure.
5. Severance Clause: This Height Limitation Waiver is not severable. Invalidity of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

BE IT FURTHER RESOLVED by the Board of Supervisors of James City County, Virginia, that the Height Limitation Waiver issued herein as part of Case No. HW-20-0001 shall replace and supersede the Height Limitation Waiver issued in Case No. HW-0001-1996 which shall no longer have any force of effect.

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 14th day of July, 2020.

HW20-1KGlryChurch-res