

**RESOLUTION**

**CASE NO. SUP-35-04. BURLINGTON WOODS**

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

WHEREAS, Mr. Michael Baust of Rickmond + Bury has applied on behalf of Tidewater Partners Property & Development, LLC for a special use permit to allow a single-family subdivision with a maximum gross density of 1.5 units per acre in accordance with the provisions of Section 24-254 (c) of the Zoning Ordinance; and

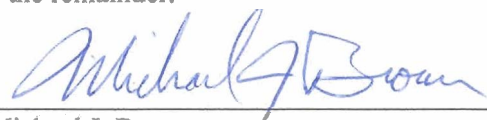
WHEREAS, the property is identified as Parcel No. (1-20) on James City County Real Estate Tax Map No. (33-3); and

WHEREAS the Planning Commission of James City County, following its Public Hearing on April 4, 2005, recommended approval of Case No. SUP-35-04 by a vote of 5 to 1.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve the issuance of Special Use Permit No. 35-04 as described herein with the following conditions:

If construction has not commenced on this project within thirty-six months from the issuance of a special use permit, the special use permit shall become void. Construction shall be defined as obtaining a land-disturbing permit and start of land-disturbing construction activities for the project.

2. A landscaping plan shall be approved by the Planning Director or his designee prior to final approval of any subdivision plat for the development. The owner shall provide enhanced landscaping for the area along the property frontage on Longhill Road and adjacent to any residential dwellings. Enhanced landscaping shall be defined as 133 percent of Zoning Ordinance landscape requirements.
3. This special use permit is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.



Michael J. Brown  
Chairman, Board of Supervisors

ATTEST:



Sanford B. Wanner  
Clerk to the Board

<u>SUPERVISOR</u>	<u>VOTE</u>
HARRISON	AYE
GOODSON	AYE
MCLENNON	NAY
BRADSHAW	NAY
BROWN	AYE

Adopted by the Board of Supervisors of James City County, Virginia, this 24th day of May, 2005.