

## RESOLUTION

### CASE NO. SUP-0019-07. KING OF GLORY LUTHERAN CHURCH

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 (SUP) process; and

WHEREAS, Mr. Matt Burton of DJG, Inc., has applied on behalf of King of Glory Lutheran Church for a SUP to allow for the replacement of an existing modular building of approximately 1,407 square feet with a new modular building of approximately 2,800 square feet; and

WHEREAS, in addition to the proposed modular building, approximately 861 square feet of new sidewalk is also proposed; and

WHEREAS, the proposed modular building and sidewalk are shown on the master plan prepared by DJG, Inc., dated May 30, 2007, entitled "Master Plan-King of Glory Lutheran Church New Modular Building;" and

WHEREAS, the property is currently zoned R-2, General Residential District, and is designated Low Density Residential on the 2003 Comprehensive Plan Land Use Map; and

WHEREAS, the property is located at 4897 Longhill Road on property more specifically identified as Parcel No. (1-33) on the James City County Real Estate Tax Map No. (32-4); and

WHEREAS, on July 11, 2007, following a public hearing, the Planning Commission recommended approval of the application by a vote of 7-0; and

WHEREAS, the Board of Supervisors of James City County, Virginia, finds this use to be consistent with the 2003 Comprehensive Plan Use Map designation for this site.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, following a public hearing, does hereby approve the issuance of SUP-0019-07 as described herein with the following conditions:

1. Master Plan: This SUP shall be valid for the replacement of an existing modular building of approximately 1,407 square feet with another modular building of no more than 2,800 square feet and 861 square feet of new sidewalk located on JCC Tax Parcel No. 3240100033, more commonly known as 4897 Longhill Road (the "Property"). Development of the Property shall be generally in accordance with the Master Plan entitled "Master Plan-King of Glory Lutheran Church-New Modular Building," prepared by DJG Inc., dated May 30, 2007, (the "Master Plan") with such minor changes as the Development Review Committee determines does not change the basic concept or character of the development.
2. Lighting: All new exterior light fixtures, including building lighting, on the Property shall have recessed fixtures with no lens, bulb, or globe extending below the casing. In addition, a lighting plan shall be submitted to and approved by the Planning Director or his designee, which indicates no glare outside the property lines. All light poles shall not exceed 20 feet in height unless otherwise approved by the Planning Director prior to final site plan approval. "Glare" shall be defined as more than 0.1 footcandle at the boundary of the Property or any direct view of the lighting source from the adjoining properties.

3. Water Conservation: The applicant shall be responsible for developing water conservation standards to be submitted to and approved by the James City Service Authority (the "JCSA") and subsequently for enforcing these standards. The standards shall address such water conservation measures as limitation on the installation and use of approved landscaping design and materials to promote water conservation and minimize the use of public water resources.
4. Engineering Study: Prior to final site plan approval, an engineering study shall be submitted to and approved by JCSA showing the adequacy of the water meter and capacity of the grinder pump station, and any required upgrades, if required by JCSA.
5. Building Materials: The colors, design, and building materials for the modular building shall be similar to the picture of a modular building submitted by the applicant as part of this application, titled "Exhibit 1" and date stamped May 30, 2007. Any variations in color, design, and building materials for the new modular building shall be submitted and approved by the Planning Director.
6. Landscaping: A landscaping plan shall be approved by the Planning Director or his designee prior to final site plan approval. The landscaping plan shall, at a minimum, include a reforestation plan approved by the Virginia Department of Forestry and designed to supplement the existing vegetation along the northern property line. No certificate of occupancy for the proposed modular building shall be issued until all landscaping, including that proposed within the reforestation plan, has been installed in accordance with the approved landscape plan or surety is posted in an amount and form satisfactory to the County Attorney. Should the applicant purchase the adjacent parcel located at 4881 Longhill Road, and extinguish the common property line between the two parcels, the requirement to submit and implement the reforestation plan shall be waived by the Planning Director or the amount of surety posted for the reforestation plan shall be returned to the applicant.
7. Commencement of Construction: Construction on this project shall commence within 36 months from the date of approval of this special use permit or this permit shall be void. Construction shall be defined as obtaining all the permits necessary for the construction of the modular unit, the placement of the modular unit on a foundation, and the construction and installation of the sidewalk.
8. Severance Clause: This SUP is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.



John J. McGlennon  
Chairman, Board of Supervisors

SUPERVISOR	VOTE
HARRISON	AYE
BRADSHAW	AYE
GOODSON	AYE
ICENHOUR	AYE
MCGLENNON	AYE

ATTEST:



Sanford B. Wanner  
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 11th day of September, 2007.