

RESOLUTION

CASE NO. SUP-0012-2010. CAMP ROAD TOWER DEVELOPMENT

CORPORATION WIRELESS TOWER

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. Byron Scyzgial of Georgia Towers LLC has applied for an SUP to allow for a 199-foot wireless communications facility; and

WHEREAS, the proposed tower is shown on a preliminary site plan, entitled "Kings Corner" dated March 8, 2010; and

WHEREAS, the property is located at 126 Camp Road on land zoned A-1, General Agricultural, and can be further identified as James City County Real Estate Tax Map/Parcel No. 1020100012; and

WHEREAS, the Planning Commission of James City County, following its public hearing on May 5, 2010, recommended approval of this application by a vote of 6-0; and

WHEREAS, the Board of Supervisors of James City County, Virginia, finds this use to be consistent with the 2009 Comprehensive Plan Land Use Map designation for this site.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, after a public hearing does hereby approve the issuance of SUP No. 0012-2010 as described herein with the following conditions:

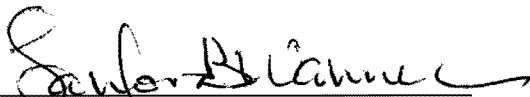
1. A maximum of one wireless communications tower shall be permitted at the property located at 126 Camp Road, further identified as James City County Real Estate Tax Map No. 1020100012 ("Property"). The tower and supporting equipment shall be located and designed as generally shown on the overall site layout plan, prepared by BC Architects Engineers, titled "Kings Corner" and dated March 8, 2010 ("Master Plan").
2. The tower shall be located on the Property in a manner that maximizes the buffering effects of existing trees. Tree clearing shall be limited to the minimum necessary to accommodate the tower and related facilities. A screening and landscaping plan shall be provided for approval by the Director of Planning or his designee prior to final site plan approval.
3. The tower shall be a gray galvanized finish unless approved otherwise by Director of Planning or his designee prior to final site plan approval.
4. The maximum height of the tower, including the lightning rod, shall not exceed 199 feet from existing grade.

5. Within 30 days of the issuance of a final Certificate of Occupancy (CO) by the County Codes Compliance Division, certification by the manufacturer or an engineering report by a structural engineer licensed to practice in the Commonwealth of Virginia shall be filed by the applicant indicating the tower height, design, structure, installation, and total anticipated capacity of the tower, including the total number and type of antennas which may be accommodated inside the tower, demonstrating to the satisfaction of the County Building Official that all structural requirements and other safety considerations set forth in the 2000 International Building Code, or any amendment thereof, have been met.
6. No advertising material or signs shall be placed on the tower.
7. The tower shall be designed and constructed for at least four users and shall be certified to that effect by an engineering report prior to the site plan approval.
8. A final CO shall be obtained from the James City County Codes Compliance Division within two years of approval of this SUP, or the permit shall become void.
9. The tower shall be freestanding and shall not use guy wires for support.
10. The fencing used to enclose the area shall be vinyl-coated and shall be dark green or black in color, or shall be another fencing material of similar or superior aesthetic quality as approved by the Director of Planning. Any fencing shall be reviewed and approved by the Director of Planning prior to final site plan approval.
11. A minimum buffer of 100 feet in width of existing mature trees shall be maintained around the tower. This buffer shall remain undisturbed except for the access drive and necessary utilities for the tower as depicted on Sheet C-1 of the Master Plan.
12. This SUP is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

James G. Kennedy
 Chairman, Board of Supervisors

<u>SUPERVISOR</u>	<u>VOTE</u>
MCGLENNON	AYE
GOODSON	AYE
ICENHOUR	AYE
JONES	AYE
KENNEDY	AYE

ATTEST:


 Sanford B. Wanner
 Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 8th day of June, 2010.