

RESOLUTION

CASE NO. SUP-18-01. WALTRIP COMMUNICATIONS 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 process; and

WHEREAS, the applicant requested a special use permit to allow for the construction of a 165-foot tall communications tower on property adjacent to the Williamsburg-Jamestown Airport; and

WHEREAS, on February 4, 2002, the Planning Commission recommended denial of the application by a vote of 6-1; and

WHEREAS, the applicant subsequently amended the application to allow for the construction of a 133 foot tall communication tower; and

WHEREAS, the Board of Supervisors remanded the case back to the Planning Commission for further consideration; and

WHEREAS, on May 6, 2002, the Planning Commission recommended denial of the application by a vote of 6-0; and

WHEREAS, the property is currently zoned R-8, Rural Residential and designated Airport on the 1997 Comprehensive Plan Land Use Map, and

WHEREAS, the property is specifically identified as Parcel No.(1-12) on the James City County Real Estate Tax Map Number (48-2).

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve the issuance of SUP-18-01 as described herein with the following conditions:

1. This special use permit shall be valid for a total of two towers. The maximum height of all towers shall not be greater than 133 feet. All towers shall have the appearance of vegetation native to eastern Virginia, including texture and color, as determined by the Director of Planning.
2. Each individual tower shall be designed and constructed for at least three users and shall be certified to that effect by an engineering report prior to site plan approval.
3. Towers shall be located on the site in a manner that maximizes the buffering effects of trees as determined by the Planning Director. Tree clearing shall be limited to the minimum necessary to accommodate the tower and related facilities as determined by the Planning Director. Access drives shall be designed in a manner that provides no off-site view of the tower's base or related facilities as determined by the Planning Director. 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.

4. A final inspection shall be obtained within one year of approval of this Special Use Permit, or the permit shall become void.
5. Unless otherwise approved by the Director of Planning, all supporting equipment sheds, buildings and huts shall be of a similar design to that generally used on a single-family residence and shall be approved by the Director of Planning prior to final site plan approval. A gable or shed roof shall be used on all equipment sheds, buildings and huts as determined by the Director of Planning prior to final site plan approval.
6. Following construction of the facility, certification by the manufacturer, or an engineering report by a Virginia-registered structural engineer, shall be filed by the applicant indicating the tower height, design, structure, installation and total anticipated capacity of the structure, including number and type of antennas which could be accommodated, demonstrating to the satisfaction of the building official that all structural requirements and other safety considerations set forth in the BOCA Basic Building Code and Section 222(D) of the standards adopted by the Electronics Industries Association, or any amendment thereof, have been met.
7. This special use permit is not severable. Invalidation of any word, phrase, clause, sentence or paragraph shall invalidate the remainder.

James G. Kennedy
Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 11th day of June, 2002.

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