

## RESOLUTION

### CASE NO. SUP-0013-2009. CARDINAL ACRES TWO-FAMILY DWELLING

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. Michael Putt has applied on behalf of First Investments of Virginia for an SUP to allow for the construction of a two-family dwelling on a parcel of land zoned R-2, General Residential with Proffers; and

WHEREAS, the proposed development is shown on a plan prepared by LandTech Resources, Inc, with a final revision date of September 2, 2009 (the "Master Plan") and entitled "SUP Drawing for Remnant Lot – Cardinal Acres Subdivision (A Duplex Community)"; and

WHEREAS, the property is located at 114 Cardinal Acres Drive and can be further identified as James City County Real Estate Tax Map Parcel No. 4640400006A; and

WHEREAS, the Planning Commission, following its public hearing on September 9, 2009, voted 7-0 to recommend approval of this application; 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, does hereby approve the issuance of SUP-0013-2009 as described herein with the following conditions:

1. Terms of Validity: Construction shall commence on the Project within 36 months from the date of approval of this SUP by the Board of Supervisors, or the SUP shall become void. For purposes of this SUP condition, "construction" shall be defined as having obtained building permits for, and passed inspection of, footings and/or foundation.
2. Water Conservation Standards: The owner/developer shall be responsible for developing and enforcing water conservation standards, which shall be submitted to and approved by the James City Service Authority (JCSA) prior to final site plan approval. The standards shall include, but not be limited to, such water conservation measures as limitations on the installation and use of irrigation systems and irrigation wells, the use of approved landscaping materials including the use of drought-resistant native and other adopted low-water-use landscaping materials and warm-season turf where appropriate, and the use of water-conserving fixtures and appliances to promote water conservation and minimize the use of public water resources.

3. Stormwater Runoff: Stormwater management/runoff reduction measures will be applied to the development of this parcel, subject to the approval of the Environmental Division Director, to mitigate the increased post-development runoff from this site and provide a safe mode of bypass for less-frequent, higher-intensity storms. Runoff reduction measures may include, but are not limited to, pervious pavers, rain barrels, soil amendments, lot-scale rain gardens, or biofiltration strips with landscaping. A site plan, detailing the stormwater management/runoff reduction measures, shall be approved prior to the issuance of a building permit.
4. Severance Clause: This SUP is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

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Mary Jones  
Vice Chair, Board of Supervisors

ATTEST:

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Sanford B. Wanner  
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 13th day of October, 2009.

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