

BOARD OF SUPERVISORS
COUNTY OF YORK
YORKTOWN, VIRGINIA

Resolution

At a regular meeting of the York County Board of Supervisors held in the Board Room, York Hall, Yorktown, Virginia, on the ____ day of _____, 2014:

Present

Vote

Donald E. Wiggins, Chairman
Thomas G. Shepperd, Jr., Vice Chairman
Walter C. Zaremba
Sheila S. Noll
George S. Hrichak

On motion of _____, which carried ____, the following resolution was adopted:

A RESOLUTION TO APPROVE A SPECIAL USE PERMIT APPLICATION TO AUTHORIZE AN ACCESSORY APARTMENT IN A DETACHED STRUCTURE IN CONJUNCTION WITH AN EXISTING SINGLE-FAMILY DETACHED HOME AT 509 OLD LAKESIDE DRIVE

WHEREAS, Cheryl and Randal Nelson have submitted Application No. UP-843-14 to request a Special Use Permit, pursuant to Section 24.1-407(b)(2) of the York County Zoning Ordinance, to authorize an accessory apartment in a detached structure in conjunction with an existing single-family detached home on a 0.54-acre parcel of land located at 509 Old Lakeside Drive and further identified as Assessor’s Parcel No. 30K-2-16 (GPIN T06b-2972-4578); and

WHEREAS, said application has been forwarded to the York County Planning Commission in accordance with applicable procedure; and

WHEREAS, the Planning Commission recommends approval of this application; and

WHEREAS, the York County Board of Supervisors has conducted a duly advertised public hearing on this application; and

WHEREAS, the Board has carefully considered the public comments and Planning Commission recommendation with respect to this application;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the ____ day of _____, 2014 that Application No. UP-843-14 be, and it is hereby, approved to authorize a Special Use Permit to authorize an accessory apartment

in a detached structure in conjunction with an existing single-family detached home subject to the following conditions:

1. This use permit shall authorize the establishment of a detached accessory apartment in conjunction with a single-family detached home on a 0.54-acre parcel of land located at 509 Old Lakeside Drive and further identified as Assessor's Parcel No. 30K-2-16 (GPIN T06b-2972-4578).
2. The apartment shall be contained within a structure located behind the principal dwelling as depicted on the sketch plan and in accordance with the floor plans submitted by the applicant on February 24, 2014, copies of which shall remain on file in the office of the Planning Division.
3. Construction and occupancy of the accessory apartment shall be in compliance with the performance standards set forth in Section 24.1-407 (Standards for accessory apartments in conjunction with single-family detached dwellings) of the Zoning Ordinance.
4. Not more than one (1) accessory apartment shall be permitted in conjunction with the principal dwelling unit.
5. The habitable floor area of the accessory apartment unit shall not exceed 470 square feet.
6. The accessory apartment unit shall contain no more than one (1) bedroom and no more than one (1) bathroom with tub and/or shower facilities.
7. Adequate provisions shall be made for off-street parking of motor vehicles in such a fashion as to be compatible with the character of the single-family residence and adjacent properties.
8. The accessory apartment shall not be rented separate from the principal dwelling and shall be occupied only by family members or guests of the occupant of the single-family dwelling or by a bona fide medical/health caretaker or domestic employee of the occupant of the single-family dwelling.
9. Prior to issuance of a certificate of occupancy for the accessory apartment, the applicant shall be responsible for recording with the Clerk of the Circuit Court, a copy of the resolution authorizing this use permit. A court-certified copy of the document shall be submitted to the County at the time of building permit application.

BE IT FURTHER RESOLVED that the above conditions are not severable and invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.