

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 AN APPLICATION FOR A SPECIAL USE PERMIT TO AUTHORIZE SHELLFISH HARVESTING AS A HOME OCCUPATION WITH UP TO THREE NON-RESIDENT EMPLOYEES AT A TIME AT 1818 CALTHROP NECK ROAD

WHEREAS, Riggins Enterprises, LLC, has submitted Application No. UP-849-14, which requests a Special Use Permit, pursuant to Sections 24.1-283(d) and 24.1-283(e) of the York County Zoning Ordinance, to authorize seafood harvesting as a home occupation with up to three non-resident employees on a 2.56-acre parcel of land located at 1818 Calthrop Neck Road (Route 606) and further identified as Assessor's Parcel No. 30-255 (GPIN U05b-4813-4368); 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-849-14 be, and it is hereby, approved subject to the following conditions:

1. This Special Use Permit shall authorize seafood harvesting as a home occupation with up to three non-resident employees on a 2.56-acre parcel of land located at 1818 Calthrop Neck Road (Route 606) and further identified as Assessor's Parcel No. 30-255 (GPIN U05b-4813-4368).
2. All permitted activities shall be conducted in accordance with all applicable provisions set forth in Sections 24.1-281, 24.1-283(d), and 24.1-283(e) of the Zoning Ordinance, except as modified herein.
3. All permitted activities shall be established and conducted as depicted on the Sketch Plan and as described in the Narrative submitted by the applicant, copies of which shall remain on file in the office of the Planning Division.
4. Permitted activities associated with the home occupation shall consist of growth and propagation of harvestable shellfish, and cleaning of shellfish, cages, floats, and bags in accordance with the standards set forth herein.
5. On-premises wholesale or retail sale of seafood, docking of workboats, offloading of produce onto the subject property or any piers attached thereto, and transporting the produce to market from the property shall be prohibited.
6. Up to three (3) non-resident employees shall be permitted in conjunction with the home occupation at any one time, and they shall work a cumulative total of no more than thirty (30) man-hours per week. Pursuant to Section 24.1-283(e)(3) of the Zoning Ordinance, this authorization of non-resident employees shall expire two years from the date of approval of this application. Any request to reauthorize the approval of non-resident employees shall be in accordance with the procedures set forth in Section 24.1-283(e) of the Zoning Ordinance.
7. Pressure washing or the operation of any gas-powered equipment on the property shall be limited to the hours of 10:00 AM to 4:00 PM, Mondays through Saturdays.
8. No permitted activity shall generate noise, measured at or outside the property boundary of the noise source or at any point within any other property affected by the noise, that exceeds a maximum A-weighted sound pressure level standard of 50 dB at any time.
9. All permitted activities shall be conducted in such a manner as to prevent potentially offensive odors from being produced which are detectable at or beyond any property boundary by a person of ordinary sensitivity. No overnight storage of seafood waste shall be permitted on the property.

10. Outdoor storage of goods, equipment, or materials shall be limited to a total of one thousand (1,000) square feet, located a minimum of 100 feet from the western, southern, and eastern property lines, and adequately screened with landscaping, supplemented as necessary by fencing, from view from all public streets and adjacent properties. Any outdoor storage, structures, or impervious cover associated with the activity shall be subject to all applicable requirements of Chapter 23.2, Chesapeake Bay Preservation Areas, of the York County Code.
11. Any outdoor or security lighting shall be shielded so that glare is not directed onto adjacent property.
12. In accordance with Section 24.1-115(b)(7) of the York County Zoning Ordinance, a certified copy of the resolution authorizing this Special Use Permit shall be recorded at the expense of the applicant in the name of the property owner as grantor in the office of the Clerk of the Circuit Court.

BE IT FURTHER RESOLVED that this Special Use Permit is not severable and invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.