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 County Finance Building, Yorktown, Virginia, on the 20th day of January, 1999:

Present	Vote
Sheila S. Noll, Chairman	Yea
James W. Funk, Vice Chairman	Yea
Albert R. Meadows	Yea
Jere M. Mills	Yea
Walter C. Zaremba	Yea

On motion of Mr. Mills, which carried 5:0, the following resolution was adopted:

A RESOLUTION TO APPROVE A SPECIAL USE PERMIT TO AUTHORIZE THE ESTABLISHMENT OF A CONTRACTING BUSINESS OPERATED AS A HOME OCCUPATION LOCATED AT 143 SKIMINO ROAD (ROUTE 797)

WHEREAS, George J. Nice has submitted Application No. UP-540-98 which requests a special use permit, pursuant to Section 24.1-283 (Category 3, No. 3) of the York County Zoning Ordinance, to authorize the establishment of a contracting business operated as a home occupation, with associated equipment and outdoor vehicle storage, on the parcel located at 143 Skimino Road (Route 797) and further identified as Assessor's Parcel No. 3-(1)-B; and

WHEREAS, said application has been referred to the York County Planning Commission; and

WHEREAS, the Commission has recommended approval of this application; and

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

WHEREAS, the Board has conducted a duly advertised public hearing in accordance with applicable procedure;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 20th day of January, 1999, that Application No. UP-540-98 be, and it is hereby, approved to authorize the establishment of a contracting business operated as a home occupation, with associated equipment and outdoor vehicle storage, on the parcel located at 143 Skimino Road (Route 797) and further identified as Assessor's Parcel No. 3-(1)-B, subject to the following conditions:

1. This use permit shall authorize George J. Nice, principal owner of George Nice & Sons, Inc., the operation of a contracting business operated as a home occupation with associated equipment and outdoor vehicle storage on the parcel located at 143 Skimino Road (Route 797) and further identified as Assessor's Parcel No. 3-(1)-B.

2. A site plan, to include a stormwater runoff management plan, prepared in accordance with Article V of the York County Zoning Ordinance, shall be submitted to the County within ninety (90) days and approved by the County within six (6) months of the issuance of the use permit or the use permit shall be null and void.

3. No more than twenty-five (25) non-resident employees shall work or assemble/report on site in connection with the business conducted on the subject property. The applicant, George J. Nice, shall reside on the subject property.

4. A fifty-foot (50') transitional buffer shall be installed in accordance with Section 24.1-243 of the Zoning Ordinance. In conjunction with the transitional buffer, a fence shall be installed that effectively screens from view the storage area from the adjacent Skimino Landing Estates subdivision. The transitional buffer and fence shall be installed within twelve (12) months of the issuance of the use permit or the use permit shall be null and void.

5. No more than twenty-four (24) of the following types of vehicles or equipment related to the contracting business shall be stored on the site at any given time:

   (a) commercial vehicles weighing over one (1) ton;

   (b) equipment weighing over one (1) ton;

   (c) employee vehicles.

6. The area covered by outdoor storage associated with such use shall not exceed the approximate one-acre storage lot as depicted on the site plan submitted by the applicant and included as part of the application. In addition, all structures used primarily in connection with the contracting business, including offices and covered storage areas, shall not exceed a total covered area of nine thousand (9,000) square feet.

7. The hours of operation of the contracting business, including the moving, transporting, and maintenance of vehicles and equipment associated with the business, shall be Monday through Saturday from 7:00 a.m. to 8:00 p.m.

8. All structures, parking and loading areas and storage areas associated with the contracting business shall be located at least one hundred feet from any lot line.

9. There shall be no on-site manufacturing of products or materials.

10. There shall be no change in the outside appearance of the buildings or premises or other evidence of the conduct of such home occupation visible from the street.

11. There shall be no on-premises sales of goods or materials to the general public.

12. No mechanical or electrical equipment of flammable or toxic substances shall be utilized other than that which would customarily be utilized in the home in association with a horse farm or agricultural operation, hobby, or avocation not conducted for gain or profit.

13. In accordance with the provisions in Section 24.1-283(g) of the Zoning Ordinance, this use permit shall expire and become null and void three (3) years from the date of approval, unless in the opinion of the Zoning Administrator substantial progress is being made to relocate to a properly zoned parcel, in which case it can be extended for up to an additional two (2) years.

14. The contracting business shall be conducted in accordance with all the conditions set forth in Section 24.1-283(c) of the Zoning Ordinance (home occupations permitted by use permit).

A Copy Teste:

_____

Mary E. Simmons
Deputy Clerk