

BOARD OF SUPERVISORS  
COUNTY OF YORK  
YORKTOWN, VIRGINIA

Resolution

At a regular meeting of the York County Board of Supervisors held in York Hall, Yorktown, Virginia, on the 17th day of October, 2017:

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<u>Present</u>	<u>Vote</u>
Sheila S. Noll, Chairman	Yea
Jeffrey D. Wassmer, Vice Chairman	Yea
Walter C. Zaremba	Yea
W. Chad Green	Yea
Thomas G. Shepperd, Jr.	Yea

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

A RESOLUTION TO APPROVE A SPECIAL USE PERMIT TO AUTHORIZE A TOURIST HOME IN AN EXISTING SINGLE-FAMILY DETACHED DWELLING AT 113 EDALE AVENUE

WHEREAS, Ryan W. Moberley has submitted Application No. UP-895-17, requesting a Special Use Permit, pursuant to Section 24.1-306 of the York County Zoning Ordinance (Category 1, No. 6), to authorize the establishment of a tourist home in an existing single-family detached dwelling on a 0.22-acre parcel located at 113 Edale Avenue (Route 731) and further identified as Assessor's Parcel No. 10B-1-C-12 (GPIN G14c-0188-1256); 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 this the 17th day of October, 2017 that Application No. UP-895-17 be, and it is hereby, approved by the York County Board of

Supervisors to authorize to authorize the establishment of a tourist home in an existing single-family detached dwelling on a 0.22-acre parcel located at 113 Edale Avenue (Route 731) and further identified as Assessor's Parcel No. 10B-1-C-12 (GPIN G14c-0188-1256), subject to the following conditions:

1. This use permit shall authorize the establishment of a tourist home in an existing single-family detached dwelling on a 0.22-acre parcel located at 113 Edale Avenue and further identified as Assessor's Parcel No. 10B-1-C-12 (GPIN G14c-0188-1256).
2. The tourist home shall be operated in accordance with the application description, sketch plan, and floor plans provided by the applicant and received by the York County Planning Division July 26, 2017 – copies of which shall remain on file in the office of the Planning Division – except as modified herein.
3. The applicant shall be responsible for obtaining all applicable permits and/or approvals required in accordance with regulations of the Virginia Uniform Statewide Building Code prior to use of the dwelling as a tourist home.
4. The authorization to offer accommodations to transient guests shall be dependent on the applicant's continued use and occupancy of the property as his permanent residence. Not more than four (4) guests shall occupy the tourist home at any one time, and rentals shall occur only during the time period of Friday through Sunday on any given week.
5. The owner/operator of the tourist home shall be in residence on the premises overnight on all occasions when the property is rented to overnight guests.
6. The off-street parking area for guest vehicles shall be maintained on the property in the existing driveway. A screening buffer of evergreen plantings (e.g., trees and shrubs) shall be maintained between the driveway and the adjacent property.
7. The following emergency/life safety requirements shall apply to the operation of the tourist home:
  - a) An Emergency Action Plan identifying exit routes, fire extinguisher locations, and other life safety procedures shall be prepared, approved by the Fire Marshal, and posted conspicuously for guests' review.
  - b) Fire extinguishers with a minimum rating of 3A40BC per the 2012 Virginia Fire Prevention Code, Section 906, shall be installed at locations to be determined and approved by the Fire Marshal.
  - c) The tourist home shall be maintained in accordance with the State and Local Fire Prevention Code and have a fire inspection conducted annually by the Department of Fire and Life Safety.

- d) All smoke detectors shall be interconnected and installed in accordance with the 2012 Virginia Residential Code, Section R314.
8. Approval of this Special Use Permit shall not be construed to supersede or negate the effect and application of any private covenants that may be applicable to the proposed use/activity nor the authority of any property owners association to enforce compliance with any applicable covenants.
9. The term of this Special Use Permit shall be one year from the date of approval. A request for extension of the term, if submitted prior to the current term expiration, may be processed as a minor amendment with review and authorization by Board resolution, and provided that the request is accompanied by written statements from the owners of each of the properties abutting the subject property indicating that they have no objection to continuation of the tourist home use. In the event the request is not received before the end of the current term, or if such statements of approval cannot be provided by the applicant, the request for an extension shall be required to be submitted and processed as if it were an original application for a Special Use Permit.
10. A certified copy of this resolution 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 prior the issuance of a Certificate of Use and Occupancy for the tourist home.

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

A Copy Teste:

  
Mary E. Simmons  
Deputy Clerk

BOARD OF SUPERVISORS  
 COUNTY OF YORK  
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Resolution

At a regular meeting of the York County Board of Supervisors held in York Hall, Yorktown, Virginia, on the 16th day of October, 2018:

---

<u>Present</u>	<u>Vote</u>
Sheila S. Noll, Chairman	Yea
Thomas G. Shepperd, Jr., Vice Chairman	Yea
Walter C. Zaremba	Yea
W. Chad Green	Yea
Jeffrey D. Wassmer	Yea

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

A RESOLUTION TO APPROVE THE EXTENSION OF A PREVIOUSLY APPROVED SPECIAL USE PERMIT FOR A TOURIST HOME AT 113 EDALE AVENUE

WHEREAS, Ryan W. Moberley submitted Application No. UP-895-17, requesting a Special Use Permit, pursuant to Section 24.1-306 of the York County Zoning Ordinance (Category 1, No. 6), to authorize the establishment of a tourist home in an existing single-family detached dwelling on a 0.22-acre parcel located at 113 Edale Avenue (Route 731) and further identified as Assessor's Parcel No. 10B-1-C-12 (GPIN G14c-0188-1256); and

WHEREAS, on October 17, 2017, the York County Board of Supervisors approved said application through the adoption of Resolution R17-128; and

WHEREAS, pursuant to Condition No. 9 of the referenced resolution, the use permit will expire one year from the date of approval unless renewed by the Board; and

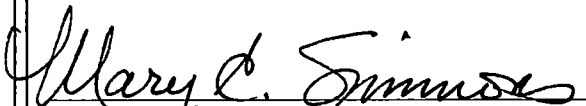
WHEREAS, Mr. Moberley has submitted Application No. UP-915-18 to request a minor modification to the above-referenced Special Use Permit, pursuant to Section 24.1-115(d)(2) of the York County Zoning Ordinance and in accordance with Condition No. 9 of Resolution R17-28, authorizing an extension of the term of the Special Use Permit;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 16th day of October, 2018, that Application No. UP-915-18, be, and

it is hereby, approved to authorize the extension of the term of the Special Use Permit, Resolution R17-128, and that said use permit shall be subject to the term requirements for Special Use Permits set forth in Section 24.1-115(c)(2) of the York County Zoning Ordinance.

BE IT FURTHER RESOLVED that all other terms of the Special Use Permit set forth in Resolution R17-128 shall remain in full force and effect.

A Copy Teste:

A handwritten signature in cursive script that reads "Mary E. Simmons". The signature is written in black ink and is positioned above the printed name and title.

Mary E. Simmons  
Deputy Clerk