

# COUNTY OF YORK

## MEMORANDUM

**DATE:** August 2, 2016 (BOS Mtg. 8/16/16)  
**TO:** York County Board of Supervisors  
**FROM:** Neil A. Morgan, County Administrator   
**SUBJECT:** Application Nos. YVA-37-16 and YVA-38-16, Grace Episcopal Church

### ISSUE

These applications have been submitted in accordance with the terms of the YVA – Yorktown Village Activity District provisions of the Zoning Ordinance that require Board of Supervisors approval for:

- any new or expanded use other than single-family residential; and
- any setbacks less than those specified by the YVA provisions.

The applications pertain to the structure located at 109 Church Street (Parcel No. 18A-1-40), owned by Grace Episcopal Church, and identified by the church as the “Riverview” house. The applications request authorization to expand the non-residential use component of the structure by 310 square feet (a 20% increase) and to construct a deck with front and side setbacks of nine feet (9’) and five feet (5’) rather than the 25-foot and 10-foot setbacks specified by the YVA provisions.

### BACKGROUND

The subject parcel is owned by and adjacent to Grace Episcopal Church, located at 111 Church Street. In January 2002, the Board approved the church’s YVA (Yorktown Village Activity) application to allow the single-family residential structure to be used also for various church activities such as small group meetings, Sunday school classes, and indoor and outdoor social activities related to the church. The 2002 approval is subject to the following conditions:

- Residential use of the structure is permitted.
- Non-residential uses are limited to classrooms, meeting space, indoor and outdoor social activities, and other accessory uses customarily associated with places of worship.
- The ingress/egress easement from Church Street (a private driveway) can only be used for ingress, egress, handicapped access, short-term loading and unloading, and emergency vehicle access and cannot be used by buses or trolleys.

- Outdoor activities for non-residential uses are limited to the period between 8:00 am and 10:00 pm.
- Outdoor lighting must be directed away from residential property lines and rights-of-way and cannot cast unreasonable or objectionable glare on adjacent residential properties and streets.

The YVA zoning district regulations require Board of Supervisors' approval for any new or expanded use other than single-family residential. Pursuant to Section 24.1-115(d) of the Zoning Ordinance, the current request can be processed as a minor enlargement that only requires review and authorization by Board resolution (i.e., with no Planning Commission review or public hearings) provided that:

- 1) there would be no more than a 25% increase in floor area or lot coverage,
- 2) there would be no detrimental impact on any adjacent property,
- 3) the currently valid approval does not preclude or limit the expansion, and
- 4) the proposal is in the spirit or intent of the adopted comprehensive plan.

The YVA provisions require setback modifications to be reviewed by the Planning Commission before action by the Board, which the Planning Commission accomplished at its July 13, 2016 meeting.

New or modified structures in Yorktown also are subject to review and approval by the Historic Yorktown Design Committee (HYDC) as to consistency with the architectural guidelines set forth in the Yorktown Design Guidelines. The HYDC completed its review at its June 22, 2016 meeting and approved the structural additions subject to several conditions, none of which preclude approval of the expansion or setback requests before the Board. However, the church has submitted an appeal of the HYDC decision and that matter is scheduled as a separate agenda item for the Board's consideration and action.

### **CONSIDERATIONS/CONCLUSIONS**

1. The subject building has 1,556-square feet of habitable floor area (excluding the unfinished basement) and occupies a 0.27-acre parcel that has no street frontage. The church is located immediately to the south. A steeply sloped, undeveloped National Park Service-owned parcel lies to the east. The Yorktown Pub, which fronts on and is oriented toward Water Street, lies to the north of the property, which sits on a bluff approximately sixteen feet (16') above the Pub. A staircase located on the Pub property leads from the subject parcel to Read Street. A former motel building, for which demolition is imminent, lies between the Pub and the subject property. Located to the west are two single-family detached homes with a shared driveway, one of which is within approximately thirty feet (30') of the subject house. A driveway that lies within a fifteen-foot (15') wide ingress/egress easement provides access to the subject residence from Church Street. The church

uses this driveway only for handicapped access and short-term loading and not for parking.

2. The church wishes to expand and modernize the existing structure by providing additional habitable space and increasing its handicap accessibility. The church proposes to add an approximately 310-square foot addition to the first and second floors (a total of 620 square feet) on the eastern side (i.e., facing Read Street) of the structure and an approximately 116-square foot addition to the first floor on the south side (i.e., facing the Parish Hall). These building additions meet the minimum setback requirements. The church currently uses the living room for the church-related activities approved under the previous YVA application (i.e., the non-single-family use component) and the proposed 310 square feet addition to that area represents the 20% increase requiring Board approval.

To improve the outdoor space, the applicant is requesting to add an approximately 1,000-square foot deck, sixteen feet (16') wide extending from the front (north side - i.e., facing Water Street) and eleven feet (11') wide wrapping around and extending from the proposed addition to the eastern side of the structure (i.e., facing Read Street). The applicant's proposed deck design would result in a front setback ranging from nine to seventeen feet (rather than the required 25 feet) and a side yard setback of five feet (rather than the required 10 feet). The proposed 18-foot long handicap ramp extending from the southern addition (i.e., facing the Parish Hall) would meet the minimum setback requirements.

3. The Zoning Ordinance requires that any enlargement be in keeping with the spirit and intent of the adopted Comprehensive Plan. The Plan identifies Yorktown with a distinct land use designation in recognition of its the unique history and encourages development to be consistent with the mix of historic, residential, and commercial land uses already present. The use of the subject structure by Grace Episcopal Church was previously determined by the Board to be consistent with the character of the village and the relatively small addition to the living room will not alter the consistency in staff's opinion.

However, the size of the proposed deck addition does raise concerns about compatibility of outdoor non-residential activities with the residential uses to the west of the property. Simply put, the larger the deck the greater the number of people that could be accommodated at an outdoor non-residential activity and the greater the potential for impacting the neighboring properties. Accordingly, the staff recommended to the Planning Commission, and the Commission concurred, that the deck be permitted at a consistent width of eleven feet (11'), which would result in a front yard setback of fourteen feet (14') rather than the nine feet (9') requested by the church.

4. The original conditions of approval adopted in 2002 remain in effect. These conditions, as stipulated above, will continue to limit the use of the property church-related uses. The applicant is meeting all these requirements.

## **PLANNING COMMISSION RECOMMENDATION**

The Planning Commission considered this application at its July 13 meeting and, subsequent to conducting a public hearing at which the applicant's representative and eight others spoke, voted 4:0 (with Mr. King and Ms. Magowan absent and Mr. Phillips recusing himself) to recommend approval of the staff recommendation to allow the front and side yard setbacks to be reduced to fourteen (14) and five (5) feet, respectively.

## **RECOMMENDATION**

The Board has strived to protect the character and significant history within Yorktown by designating the area as a special zoning district and creating specific design guidelines. Development in the village – including Church Street – consists of an eclectic mix of residential, commercial, tourist-related, municipal, and institutional land uses, many of them in reasonably close proximity to one another. The homes that would be most affected by the proposed use are located directly adjacent or in close proximity to the Yorktown Pub, the Beach Delly restaurant, and the Duke of York Motel. As noted above, the property to the north is commercial in nature and sits below this property and is separated from it by heavy vegetation. My recommendations concerning these requests are as follows:

- Interior Space Expansion: The proposed expansion of the church-related interior space would not be so significant as to make the non-residential use of the house incompatible with the adjacent uses nor the previously approved conditions. Therefore, I recommend that the Board approve the requested 20% increase in the non-residential use component floor area.
- Setbacks: With respect to the proposed deck, I share the Planning Commission's concerns about authorizing a size that could accommodate and encourage outdoor gatherings with attendance greater than might be compatible with the adjacent single-family residences and neighborhood character. I agree with the Planning Commission's assessment that an eleven-foot (11') wide deck would be an ample and appropriate size for the property and, accordingly, recommend that the Board approve setbacks of fourteen feet (14') and five feet (5') for the front and side, respectively.

These recommendations can be approved through the adoption of proposed Resolution R16-88.

However, should the Board choose to recommend approval of the application with the 9-foot front yard setback requested by the applicant, it can do so through the adoption of proposed Resolution R16-89.

Please note that each of the resolutions has been drafted to include approval of the 20% expansion for the non-single-family residential interior space expansion. If the Board decides not to approve that expansion, that clause in the resolution could be deleted.

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Attachments:

- Planning Commission minutes excerpts, July 13, 2016
- Vicinity Map
- Applicant Letter
- Resolution R02-4
- Sketch plan
- Floor plan
- Renderings
- Proposed Resolution R16-88 (approval as recommended by staff)
- Proposed Resolution R16-89 (approval as requested by the applicant)

**Application No. YVA-37-16, Grace Episcopal Church:** Request for Yorktown Village Activity approval, pursuant to Section 24.1-327(b)(6) of the York County Zoning Ordinance, to authorize a front yard setback of nine feet (9') and a side yard setback of five feet (5') for an accessory deck on an existing structure rather than the normally required 25-foot front yard and 10-foot side yard setbacks along the northern and eastern property lines of a 0.27-acre parcel located at 109 Church Street (Route 1003), further identified as Assessor's Parcel No. 18A-1-40, zoned YVA (Yorktown Village Activity) and designated Yorktown in the Comprehensive Plan.

**Dr. Phillips** stated that he is a member of the congregation of Grace Episcopal Church and that in order to avoid the appearance of a conflict of interest, he would be recusing himself from participating in the discussion and vote on this application.

**Earl W. Anderson, Senior Planner**, summarized the staff report for Application No. YVA-37-16, dated July 5, 2016, stating that staff recommends the Commission forward the application to the Board of Supervisors with a recommendation of approval, modified to allow the front and side yard setbacks to be reduced to fourteen (14) and five (5) feet respectively, through the adoption of Resolution No. PC16-12. He added that if the Commission should choose to recommend approval of the application with the 9-foot front setback requested by the applicant, it can do so through the adoption of Resolution No. PC16-11.

**Mr. Jons** asked if the shared driveway is the primary access to the property.

**Mr. Anderson** responded that he believes the staircase from the adjacent church property is the primary access but that the applicant would be better able to answer the question.

**Mr. Jons** asked if the deck would meet the minimum setback requirement if it were located at the rear of the house.

**Mr. Anderson** responded that it would.

**Mr. Myers** asked if the ingress/egress easement sets forth any limitations on the use of the driveway.

**Mr. Anderson** responded that the easement prevents the driveway from being used by construction equipment but that the applicant has made other arrangements to bring construction equipment to the site.

**Mr. Myer** asked if the term "small" is defined in reference to church group activities that are allowed on the subject property.

**Mr. Anderson** responded that it is not. He added that outdoor and indoor church social activities are permitted, which includes the well-attended July 4<sup>th</sup> picnic.

**Mr. Myer** asked how large the deck would be both as requested by the church and as proposed by staff.

**Mr. Anderson** responded that it would be about 1,150 square feet in area under the church's original request, about 1,000 square feet under the church's revised request, and about 840 square feet under the staff recommendation.

**Mr. Peterman** asked if outside groups are permitted to use the building.

**Mr. Anderson** responded that groups using the building have to be church-related.

**Chair Brazelton** noted that homeowners with legal home occupations are permitted to dedicate a certain proportion of their homes to business use. He asked if there are any other examples in the County of churches with residential structures used for nonresidential purposes.

**Mr. Anderson** responded that he did not know of any.

**Mr. Jons** asked how the view of the building would change with the demolition of the adjacent cottage.

**Mr. Anderson** responded that portions of the deck would be visible from Water Street. He stated that under the conditions of the Historic Yorktown Design Committee approval, the deck rails would have to have a picket fence appearance, which would be similar to existing fencing in the area.

**Chair Brazelton** opened the public hearing.

**Scott Foster**, attorney with the law firm of Tarley Robinson, 4808 Courthouse Street, Williamsburg, spoke on behalf of the applicant. He explained that the church's growth has led to an expansion in its ministry and an increased need for space, and he noted that the building, known as Riverview, is in need of renovation and improved handicap accessibility. Mr. Foster stated that the church objects to the staff's recommended five-foot reduction in the width of the deck in front of the house. He stated that it would be extremely difficult for people in wheelchairs to maneuver on an eleven-foot deck that has tables and chairs. He opined that reducing the deck size would decrease its functionality with little to no positive effect on surrounding properties. He noted that the house is used as an accessory building to the church and is much less intensive than other nearby uses such as the Yorktown Pub and Yorktown Beach. He encouraged the Commission to approve Resolution No. PC16-11 and offered to answer questions.

**Mr. Peterman** asked specifically how the Riverview building is used by the church.

**Mr. Foster** responded that it is typically used for meetings and prayer groups attended by ten to fifteen people as well as for church picnics.

**Mr. Peterman** asked about the residential use of the property.

**Mr. Foster** responded that in the past the residence has been used to house victims of natural disasters and has occasionally been used by parishioners for short periods. He added that all use is related to the church missions and ministries.

**Mr. Peterman** asked about the use of the house by the Trans-America bicyclists.

**Mr. Foster** responded that that is part of the church's ministry.

**Mr. Myer** asked if the church has ever allowed people who are not members to use the house for a fee.

**Mr. Foster** responded that he would have to defer to the church Rector, Reverend Carleton Bakkum, but that his understanding is that all use is related to the church.

**Mr. Jons** noted that the original application had requested a zero-foot side yard setback, and he asked if the change to five feet was in recognition of the need to provide room for servicing and maintenance.

**Mr. Foster** responded that it was and that it would also provide room for cutting the grass and maintaining the lot.

**Mr. Jons** asked if an eleven-foot deck would be difficult for handicapped people in the front but not in the side.

**Mr. Foster** responded in the affirmative, stating that the church feels reducing the side deck represents a reasonable compromise. He stated that the side deck could be kept clear of tables and chairs that would limit wheelchair maneuverability and that eleven feet is the absolute minimum size needed to accommodate wheelchairs. He stated that on the front deck, with tables and chairs, a wheelchair would be very hard to maneuver.

**Marsha Brown**, 213 Nelson Street, stated that the deck is inappropriate and does not comply with the Yorktown Design Guidelines as they pertain to deck locations. She added that she feels a freestanding elevator as proposed by the church would be out of character in a historic area or in any residential area. Ms. Brown stated that she attended the June 22 meeting of the Historic Yorktown Design Committee (HYDC) and that she felt the Committee members and staff were looking for ways to get around the guidelines. She urged the Commission to recommend denial of the application.

**Chair Brazelton** explained that the Commission has no jurisdiction over the decisions of the HYDC, which relate to architecture and design. He stated that the Planning Commission deals with minimum setbacks and other zoning and land use issues.

**Brian Schempf**, attorney with the law firm of Schempf & Ware, 4000 George Washington Memorial Highway, stated that he represents Beverly Krams, an adjacent property owner. He commended Dr. Phillips for recusing himself. With regard to the access question raised by Mr. Myer, he explained that this is spelled out in the recorded deed of easement and that the allowable use of the driveway depends on whether the property is used for residential or for church-related purposes. He stated that if the building is used as something other than a single-family detached home, construction vehicles involved in a substantial building expansion are not permitted. With regard to use by non-members, he added that the deed does not specifically address this issue.

**Mr. Peterman** asked Mr. Schempf to expand on the question of use of the property by non-members of the church.

**Mr. Schempf** stated that allowing the property to be used by outside groups would not appear to be consistent with the YVA approval or the deed. He stated that such activity directly affects the adjacent property owners.

**Myrna Kreps**, 508 Carlton Avenue, Durham, North Carolina, stated that she is a researcher and writer and producer of a play about Yorktown and a former resident of Yorktown. She stated that the church's expansion plans for the house threaten the historic character and integrity of the

Yorktown village. She stated that an outside elevator and large decks are not appropriate in such a compact area.

**Walter Reiser**, 103 North Beach Road, stated that he formerly served on the Planning Commission. He stated that the church's request is tantamount to a rezoning of the property that could pave the way for it to be used for commercial purposes. He stated that he felt more restrictions should be placed on the use of the property and that the needs of the surrounding property owners should be taken into consideration. He encouraged the Commission to recommend denial of the application.

**Beverly Krams**, resident of 105 Church Street and owner of 107 Church Street, stated that she is the person most affected by the application. She explained that her property is located in the area designated in the Yorktown Design Guidelines as the "Historic Core" whereas the Pub is located in the area designated as "Waterfront", where the guidelines are less restrictive. She stated that the proposed deck would be highly visible from inside her house and that her son and granddaughter's house would be within thirty feet of it. Ms. Krams stated that wedding receptions and other outdoor activities that take place on the subject property generate people, noise, and odors from outdoor grills and fire pits, and are not appropriate in this area. She stated that the deck can be built onto the rear of the house. She stated that the church's proposed improvements would reduce the value of her property and destroy her quality of life, and she urged the Commission to recommend denial.

**Carleton Bakkum**, 107 Lafayette Road, Rector of Grace Church, spoke about the church's need to be a living, growing church while respecting, preserving, and protecting its historic building, which he described as iconic.

**Chair Brazelton** noted that the church facilities, including the Parish Hall, are fairly sizable, and he asked Reverend Bakkum why the church needs the Riverview house.

**Reverend Bakkum** responded that there are times when there is not enough room to accommodate all of the church's activities

**John Oppenhuizen**, 108 Church Street, stated that he lives across the street from the church and that activities at the Riverview house generate less noise than the bands that play on the waterfront on Thursday evenings. He said he did not see a problem.

There being no one else present wishing to address the Commission on this application, **Chair Brazelton** closed the public hearing.

**Mr. Jons** asked the applicant if the church has given any consideration to relocating the deck to the rear of the building.

**Mr. Foster** responded that the location at the front of the building is intended to take advantage of the spectacular view from the front of the property.

**David Grimsley**, 103 Barncord Way, added that it would not be possible to build a deck onto the rear because the church plans to add a handicap ramp there.

**Chair Brazelton** asked Mr. Anderson about the limitations on the hours of operation noted in the staff report.

**Mr. Anderson** explained that those limitations were established as part of the original YVA approval in 2002 and are not part of the current application, which only concerns the minimum setback requirements.

**Chair Brazelton** asked Mr. Barnett about the deed of easement and if it creates any legal concerns.

**Mr. Barnett** responded that he has not been given a copy of the deed but that regardless, it represents an agreement between private property owners and is not something that the County enforces.

**Chair Brazelton** explained that his concern has to do with limitations on the use of the driveway for construction traffic.

**Mr. Barnett** responded that any limitation set forth in the easement will have to be followed. He stated that if the church cannot construct its improvements without violating the easement, then it cannot construct the improvements.

**Mr. Peterman** stated that he can appreciate both sides of this issue. He stated that he believes the staff recommendation will achieve an appropriate balance between the needs of both the church and the adjacent residents. He said he does not feel that the church needs a sixteen-foot deck to achieve its goal of accommodating small group activities.

**Mr. Myer** noted that the building is to be used for small group activities, and he stated that he has concerns about the size of the deck and its impact on surrounding residences. He said he wanted to hear the comments of his fellow Commission members.

**Mr. Jons** stated that he would like to have seen a spirit of cooperation and compromise among the various landowners in an area such as this where uses are in close proximity to one another. He expressed concern about making exceptions to setback requirements, which could set a precedent for more exceptions in the future.

**Chair Brazelton** stated that his father uses a wheelchair, so he understands the mobility needs of the disabled. He stated that this is a challenging application involving a growing church with limited land on which to grow located in a residential area. He stated that he had no objection to the use of the house by small church groups but that larger activities, such as July 4<sup>th</sup> picnics, cause him concern. For these reasons, he stated that he is inclined to support the smaller deck alternative recommended by staff.

**Mr. Myer** moved the approval of Resolution No. PC16-12.

A RESOLUTION TO RECOMMEND APPROVAL OF AN APPLICATION TO AUTHORIZE A FRONT YARD SETBACK OF FOURTEEN FEET (14') AND A SIDE YARD SETBACK OF FIVE FEET (5') FOR AN ACCESSORY DECK ON AN EXISTING STRUCTURE LOCATED AT 109 CHURCH STREET IN THE YORKTOWN VILLAGE RATHER THAN THE NORMALLY REQUIRED 25 FOOT FRONT YARD AND 10 FOOT SIDE YARD SETBACKS

WHEREAS, Grace Episcopal Church has submitted Application No. YVA-37-16, pursuant to Section 24.1-327(b)(6) of the York County Zoning Ordinance, to authorize a front yard setback of fourteen feet (14') and a side yard setback of five feet (5') for an accessory deck

on an existing structure rather than the normally required 25-foot front yard and 10-foot side yard setbacks along the northern and eastern property lines of a 0.27-acre parcel located at 109 Church Street (Route 1003), further identified as Assessor's Parcel No. 18A-1-40 (GPIN P12d-3096-0643); and

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

WHEREAS, the Planning Commission has conducted a duly advertised public hearing on this application; and

WHEREAS, the Commission has carefully considered the public comments with respect to this application;

NOW, THEREFORE, BE IT RESOLVED by the York County Planning Commission this the 13<sup>th</sup> day of July 2016, that Application No. YVA-37-16 be, and it is hereby, transmitted to the York County Board of Supervisors with a recommendation of approval to authorize a front yard setback of fourteen feet (14') and a side yard setback of five feet (5') for an accessory deck on an existing structure rather than the normally required 25-foot front yard and 10-foot side yard setbacks along the northern and eastern property lines of a 0.27-acre parcel located at 109 Church Street (Route 1003), further identified as Assessor's Parcel No. 18A-1-40 (GPIN P12d-3096-0643), subject to the following conditions:

1. This Yorktown Village Activity permit shall authorize a front yard setback of fourteen feet (14') and a side yard setback of five feet (5') for an accessory deck on an existing structure rather than the normally required 25-foot front yard and 10-foot side yard setbacks along the northern and eastern property lines of a 0.27-acre parcel located at 109 Church Street (Route 1003), further identified as Assessor's Parcel No. 18A-1-40 (GPIN P12d-3096-0643),
2. A building permit application shall be submitted in accordance with the provisions of the York County Code and shall be approved by the York County Division of Building Regulations prior to the commencement of any land clearing or development activities. Said permit application shall be in substantial conformance, except as modified herein, with the sketch plan, renderings/elevations, and narrative documents submitted by the applicant and received by the Planning Division on May 2, 2016 and May 12, 2016, copies of which shall remain on file in the office of the Planning Division.
3. In accordance with York County Zoning Ordinance Section 24.1-115(b)(7), a certified copy of the resolution authorizing this Special Use 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 to site plan approval.

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

On roll call the vote was:

Yea: (4) Myer, Peterman, Jons, Brazelton  
Nay: (0)

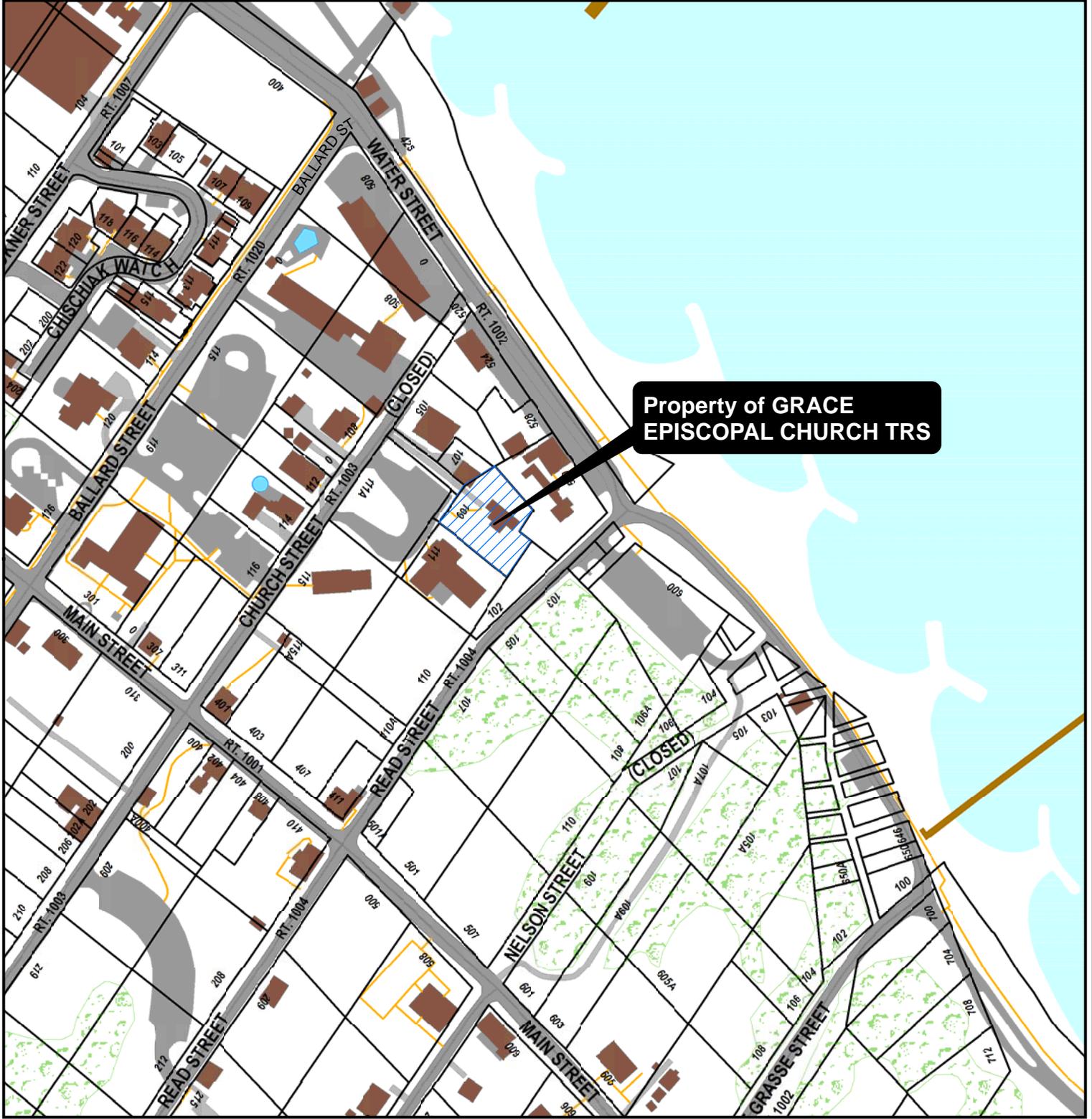
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# APPLICANT

Grace Episcopal Church  
Yorktown Village Activity request for reduced setbacks  
109 Church Street

# VICINITY MAP

APPLICATION NUMBER: YVA-37-16



Property of GRACE  
EPISCOPAL CHURCH TRS



Printed on May 20, 2016

SOURCE: YORK COUNTY  
GIS PARCEL DATA and  
ZONING COVERAGE

THIS IS NOT A LEGAL PLAT.  
This map should be used for  
information purposes. It is not  
suitable for detailed site planning.

### **Additional Narrative for the Riverview Property**

The Riverview House was built in 1946 and has not been modernized in more than 25 years, by expanding and modernizing the indoor and outdoor spaces, as well as increasing accessibility, will create additional opportunities for fellowship and outreach of Grace Episcopal Church in an inspired, comfortable and intimate setting. This house is used for outreach by offering space for Church related small group meetings and gathering, small meetings space for community organizations, which include AA, Yorktown Women's Club and their officers, lodging for visiting clergy and their families while they visit the Historical Triangle and finally the Transamerica Bicyclists. In the pass the Church offered the house a single mom and her daughter for lodging and comfort after the hurricane Katina.

With the proposed renovations the Church will add an ADA restroom on the first floor, enlarge the living room for small group settings. Add additional space in the existing kitchen to update and modernize it to the 21<sup>st</sup> century. The renovations will also entail the up grading the electrical systems, plumbing and heating/cooling systems, adding new energy efficiency windows through the house.

There will be added additional access to the property from the Church parking lot area exterior enclosed elevator for handicap persons and a new stairs adjacent to the elevator. Attached to the rear of the house will be a ramp for wheelchair access.

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**York County**

**MAY - 2 2016**

**Planning Division**

### **Additional Attachment for Proposed Use of Property**

Grace Episcopal Church proposes to add additional space to the existing living room and existing kitchen by adding to the existing structure on the first floor. In addition, the existing half bath and existing first floor bedroom will be removed to make possible the construction of a handicap restroom and the addition floor space in the living. The Church also proposes to add over the first floor new expansion to add additional floor space to the existing bedroom over the living room. The Church proposes to add two decks on to the house one in the front of the house and one on Read Street side on the house. Further Church proposes to add a handicap ramp to the rear of the house. See the submitted drawings package and renderings for additional information.

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Planning Division

## Access to Property

Church access to the property is governed by the decision set forth in order from the York County Circuit Court entered 18 February 1988, in Chancery number 6951, which limits the access on the easement through the Krams' property to the Church's property. The church proposes to install an exterior elevator for handicap persons along with new stairs to the property to be used as the primary access to the property with the driveway easement as secondary access. The location of the exterior elevator and stairs are shown on the architectural drawings A-1.1 and A-1.2 in the drawing package.

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MAY - 2 2016

Planning Division

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 15<sup>th</sup> day of January, 2002:

<u>Present</u>	<u>Vote</u>
Donald E. Wiggins, Chairman	Yea
Walter C. Zaremba, Vice Chairman	Yea
Sheila S. Noll	Yea
James S. Burgett	Yea
Thomas G. Shepperd, Jr.	Yea

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

A RESOLUTION TO APPROVE A CHANGE IN USE IN THE YORKTOWN VILLAGE ACTIVITY DISTRICT TO AUTHORIZE THE USE OF A SINGLE-FAMILY DETACHED HOME FOR CHURCH-RELATED USE IN CONNECTION WITH GRACE EPISCOPAL CHURCH

WHEREAS, Grace Episcopal Church has submitted Application No. YVA-9-02, which requests a change in use in the Yorktown Village Activity District, pursuant to Section 24.1-327(b)(4) of the Zoning Ordinance, to authorize the use of a single-family detached home located at 109 Church Street, further identified as Assessor's Parcel Nos. 18A-1-40 and 18A-1-133E, for church-related use; and

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

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

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

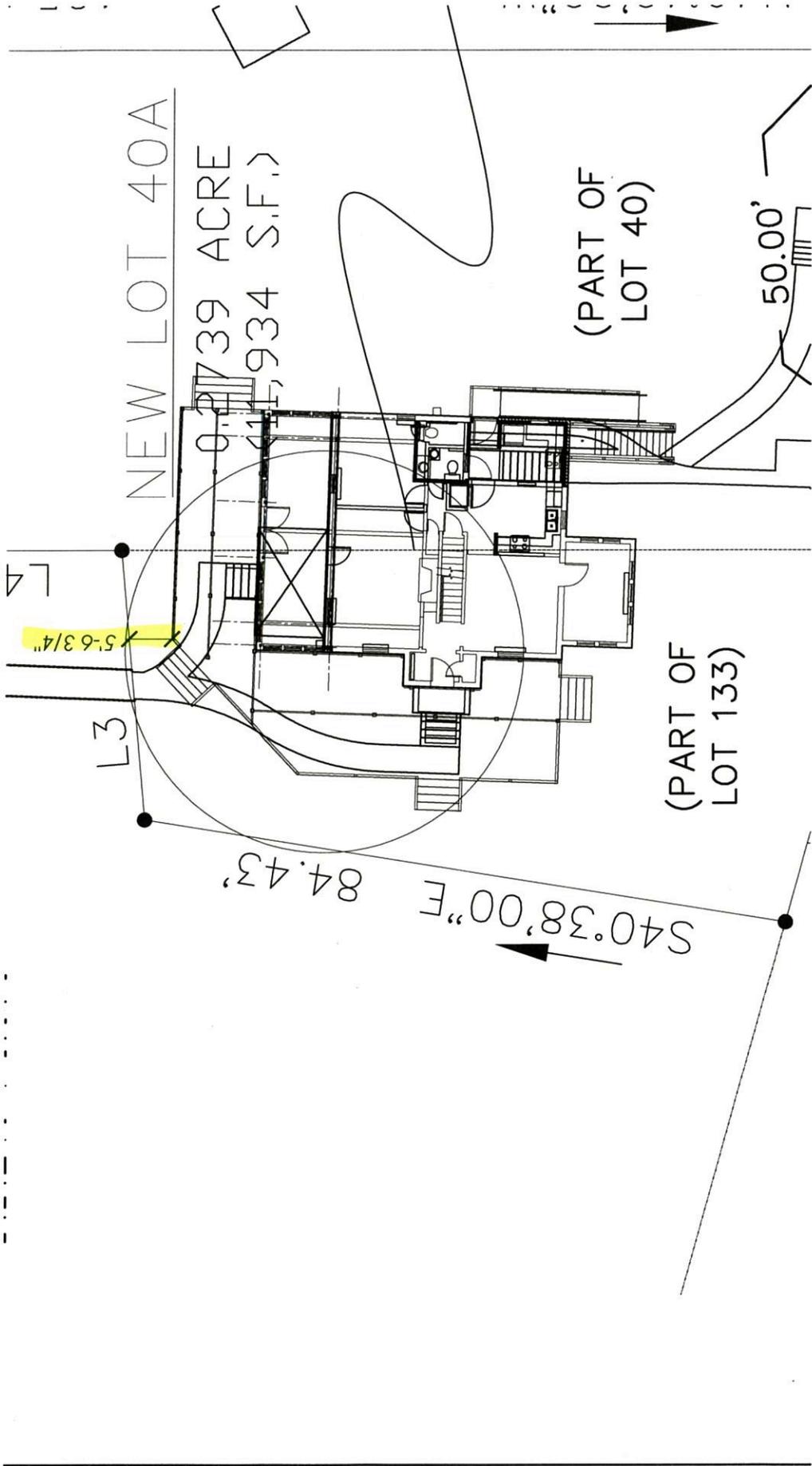
WHEREAS, the Board has given careful consideration to the public comments and Planning Commission recommendation with respect to this application;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 15<sup>th</sup> day of January, 2002, that Application No. YVA-9-02 be, and it is hereby, approved subject to the following conditions:

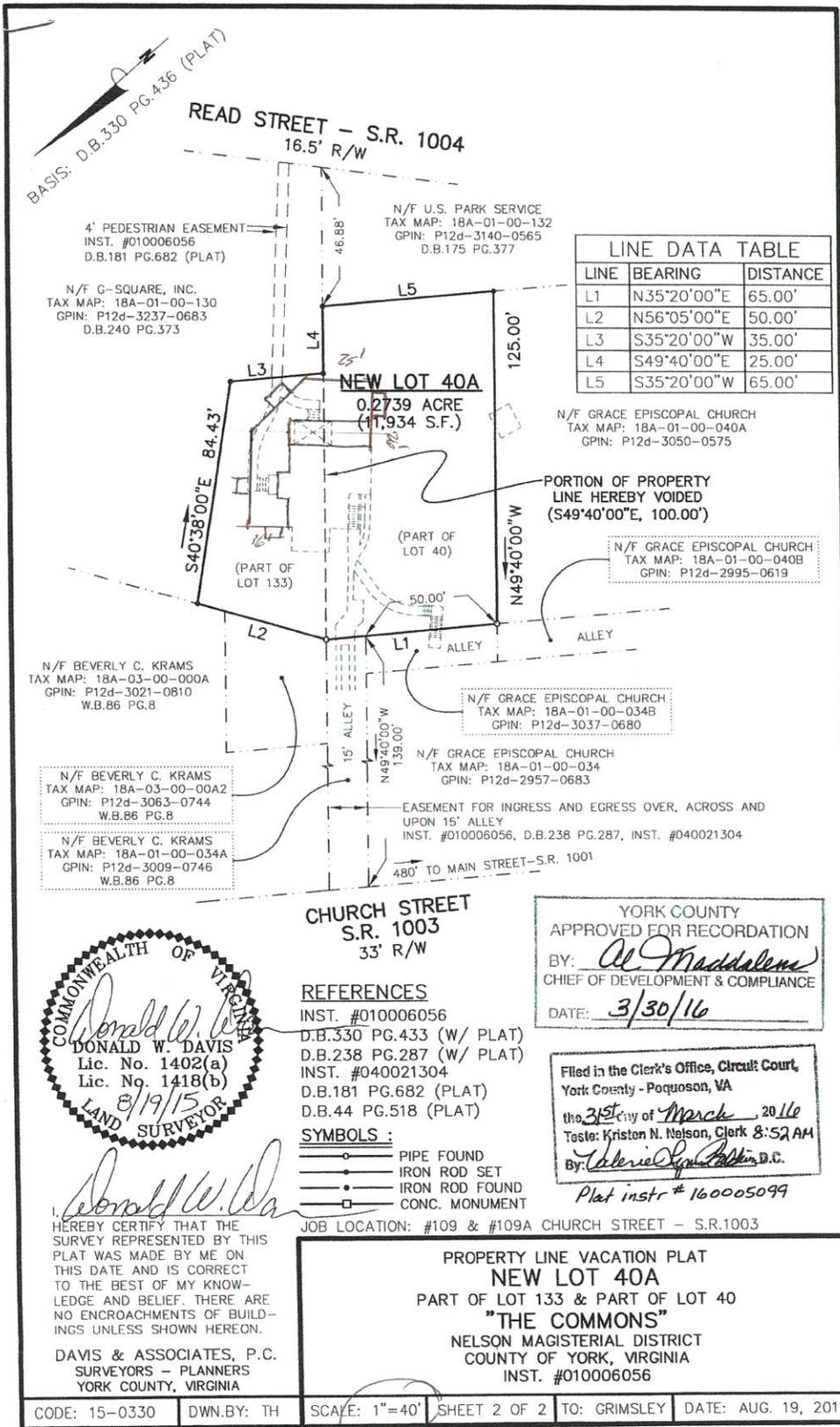
1. This approval shall authorize the use of the property located at 109 Church Street and further identified as Assessor's Parcel Nos. 18A-1-40 and 18A-1-133E, including the structures located thereon, for church-related uses accessory to Grace Episcopal Church, located at 111 Church Street.
2. Permitted uses of the property shall include classrooms, meeting space, indoor and outdoor social activities, and other accessory uses customarily associated with places of worship. No expansion of or addition to the Parish Hall shall be permitted on the subject property without approval of the Board of Supervisors in accordance with the procedures set forth in Section 24.1-327(b) of the York County Zoning Ordinance.
3. Nothing in this YVA approval shall be construed as prohibiting continued residential use of the property, including but not limited to its use as living quarters for the Rector of the church.
4. The fifteen-foot (15') ingress/egress easement, further identified as Assessor's Parcel No. 18A-1-34A, which provides access to the property from Church Street shall be used only for ingress and egress, handicapped access, short-term loading and unloading (fifteen-minute maximum), and emergency vehicle access. Nothing in this YVA approval shall be construed as authorizing any use of the easement contrary to the terms and conditions set forth in that order of the York County Circuit Court entered on February 18, 1988, in Chancery No. 6951, to the extent that the order remains in effect. The church shall establish and enforce appropriate use guidelines for the subject property to ensure that the driveway is used in a manner consistent with these conditions.
5. Use of the above-referenced easement by buses or trolleys shall be prohibited.
6. No outdoor activities associated with non-residential use of the property shall occur before 8:00 a.m. or after 10:00 p.m.
7. Outdoor lighting shall be directed away from residential property lines and rights-of-way and shall not cast unreasonable or objectionable glare on adjacent residential properties and streets.
8. 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.

A Copy Teste:

  
Mary E. Simmons  
Deputy Clerk



CHECKED JUN 20 2016



LINE DATA TABLE		
LINE	BEARING	DISTANCE
L1	N35°20'00"E	65.00'
L2	N56°05'00"E	50.00'
L3	S35°20'00"W	35.00'
L4	S49°40'00"E	25.00'
L5	S35°20'00"W	65.00'

BASIS: D.B.330 PG.436 (PLAT)

4' PEDESTRIAN EASEMENT  
INST. #010006056  
D.B.181 PG.682 (PLAT)

N/F G-SQUARE, INC.  
TAX MAP: 18A-01-00-130  
GPIN: P12d-3237-0683  
D.B.240 PG.373

N/F BEVERLY C. KRAMS  
TAX MAP: 18A-03-00-000A  
GPIN: P12d-3021-0810  
W.B.86 PG.8

N/F BEVERLY C. KRAMS  
TAX MAP: 18A-03-00-00A2  
GPIN: P12d-3063-0744  
W.B.86 PG.8

N/F BEVERLY C. KRAMS  
TAX MAP: 18A-01-00-034A  
GPIN: P12d-3009-0746  
W.B.86 PG.8

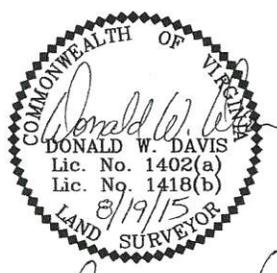
N/F U.S. PARK SERVICE  
TAX MAP: 18A-01-00-132  
GPIN: P12d-3140-0565  
D.B.175 PG.377

N/F GRACE EPISCOPAL CHURCH  
TAX MAP: 18A-01-00-040A  
GPIN: P12d-3050-0575

N/F GRACE EPISCOPAL CHURCH  
TAX MAP: 18A-01-00-040B  
GPIN: P12d-2995-0619

N/F GRACE EPISCOPAL CHURCH  
TAX MAP: 18A-01-00-034B  
GPIN: P12d-3037-0680

N/F GRACE EPISCOPAL CHURCH  
TAX MAP: 18A-01-00-034  
GPIN: P12d-2957-0683



CHURCH STREET - S.R. 1003  
33' R/W

- REFERENCES**
- INST. #010006056
  - D.B.330 PG.433 (W/ PLAT)
  - D.B.238 PG.287 (W/ PLAT)
  - INST. #040021304
  - D.B.181 PG.682 (PLAT)
  - D.B.44 PG.518 (PLAT)

- SYMBOLS :**
- PIPE FOUND
  - IRON ROD SET
  - IRON ROD FOUND
  - CONC. MONUMENT

YORK COUNTY  
APPROVED FOR RECORDATION  
BY: *De Maddalena*  
CHIEF OF DEVELOPMENT & COMPLIANCE  
DATE: *3/30/16*

Filed in the Clerk's Office, Circuit Court,  
York County - Poquoson, VA  
the *31st* day of *March*, 20*16*  
Teste: Kristen N. Nelson, Clerk 8:52 AM  
By: *Terrie Lynn Patton, D.C.*  
Plat instr # 160005099

HEREBY CERTIFY THAT THE SURVEY REPRESENTED BY THIS PLAT WAS MADE BY ME ON THIS DATE AND IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. THERE ARE NO ENCROACHMENTS OF BUILDINGS UNLESS SHOWN HEREON.

DAVIS & ASSOCIATES, P.C.  
SURVEYORS - PLANNERS  
YORK COUNTY, VIRGINIA

JOB LOCATION: #109 & #109A CHURCH STREET - S.R.1003

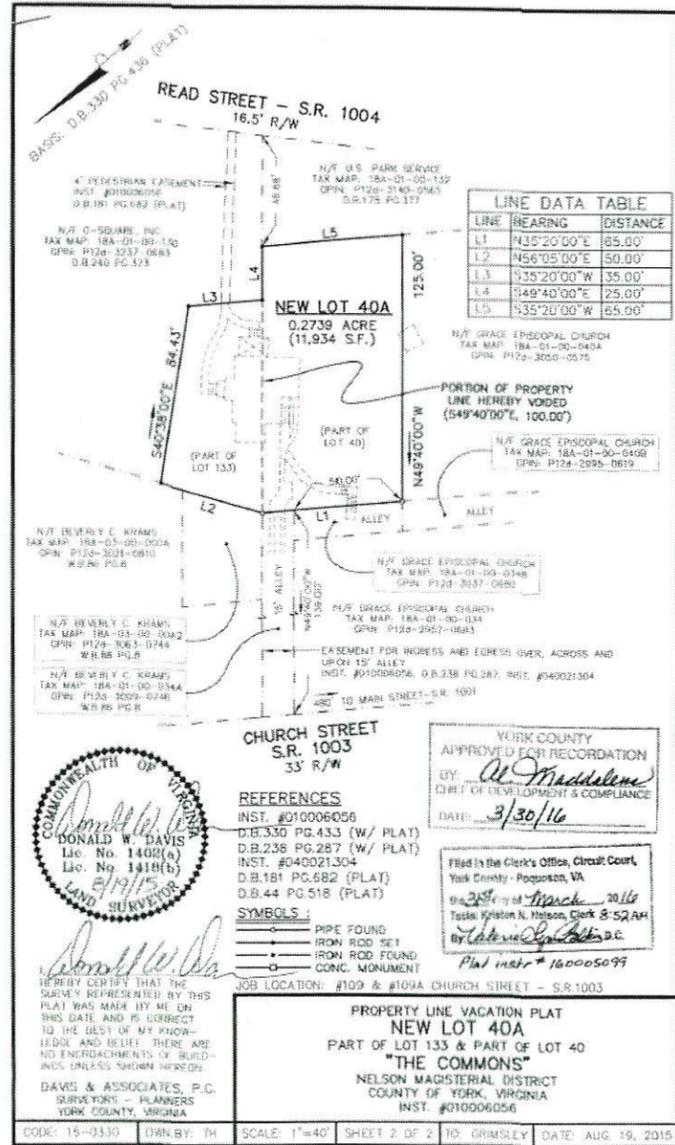
PROPERTY LINE VACATION PLAT  
NEW LOT 40A  
PART OF LOT 133 & PART OF LOT 40  
"THE COMMONS"  
NELSON MAGISTERIAL DISTRICT  
COUNTY OF YORK, VIRGINIA  
INST. #010006056

CHECKED MAY 12 2016

RECEIVED  
York County

MAY - 2 2016

Planning Division



SURVEY

# GRACE CHURCH RIVERVIEW HOUSE

111 CHURCH STREET  
YORKTOWN, VA 23690

## HOUSE AREAS

EXISTING FIRST FLOOR	1129 SF. GROSS
EXISTING SECOND FLOOR	666 SF. GROSS
<b>EXISTING TOTAL</b>	<b>1795 SF. GROSS</b>
EXPANDED FIRST FLOOR	1408 SF. GROSS
EXPANDED SECOND FLOOR	819 SF. GROSS
<b>EXPANDED TOTAL</b>	<b>2227 SF. GROSS</b>
ADDITION TOTAL	437 SF. GROSS (24.5% INCREASE)

## TAX ASSESSORS AREAS

EXISTING FIRST FLOOR	1129 SF. GROSS
EXISTING SECOND FLOOR	436 SF. GROSS
<b>EXISTING TOTAL</b>	<b>1565 SF. GROSS</b>
EXPANDED FIRST FLOOR	1369 SF. GROSS
EXPANDED SECOND FLOOR	599 SF. GROSS
<b>EXPANDED TOTAL</b>	<b>1968 SF. GROSS</b>
ADDITION TOTAL	403 SF. GROSS (27% INCREASE)

## CODE COMPLIANCE NOTES:

2012 INTERNATIONAL RESIDENTIAL CODE (IRC) FOR ONE AND TWO-FAMILY DWELLINGS  
CONSTRUCTION TYPE: SB COMBUSTIBLE, UNPROTECTED

GLOUCESTER / YORK COUNTY, VIRGINIA	
SNOW LOAD	20 #PSF
SEISMIC CONDITION	ZONE C
WIND SPEED	100 MPH (3 SECOND GUST)
WEATHERING	MODERATE
FROST LINE DEPTH	16 INCHES
TERMITE	MODERATE TO HEAVY
DECAY	SLIGHT-MODERATE
WINTER DESIGN TEMP.	17
FLOOD HAZARD	YES
WALL BRACING	SAFETY FACTOR +20%
CLIMATE	ZONE 4

## SHEET LIST

SHEET #	DESCRIPTION
T-1	TITLE SHEET, CODE DATA & SHEET LIST
<b>ARCHITECTURAL DRAWINGS</b>	
A-1	DEMOLITION PLANS
A-2	FLOOR PLANS & DOOR SCHEDULE
A-3	ELEVATIONS
A-4	ADDITION SECTION, WINDOW SCHEDULE & FINISH SCHEDULE
A-1.1	STAIR AND LIFT PLAN, SECTIONS, SITE KEY PLAN AND VICINITY MAP
A-1.2	ELEVATIONS AND DETAILS
<b>STRUCTURAL DRAWINGS</b>	
S-1	FOUNDATION PLAN, DETAILS, SCHEDULES AND NOTES
S-2	FOUNDATION SECTIONS AND DETAILS
S-3	FIRST FLOOR FRAMING PLAN
S-4	SECOND FLOOR FRAMING PLAN
S-5	ROOF FRAMING & CEILING FRAMING PLAN
S-6	FRAMING SECTIONS AND DETAILS
S-7	FRAMING SECTIONS AND DETAILS
<b>RETAINING WALL DRAWINGS</b>	
S-1R	GENERAL STRUCTURAL NOTES
S-2R	FOUNDATION PLAN, DETAILS AND SCHEDULE
S-3R	FOUNDATION SECTIONS AND DETAILS
<b>PLUMBING DRAWINGS</b>	
P-1	PLUMBING SCHEDULES & DETAILS
P-2	PLUMBING DEMOLITION PLANS
P-3	WASTE PIPING NEW WORK PLANS
P-4	WATER PIPING NEW WORK PLANS
<b>MECHANICAL DRAWINGS</b>	
M-1	MECHANICAL NOTES & DETAILS
M-2	MECHANICAL DEMOLITION PLANS
M-3	MECHANICAL NEW WORK PLANS
M-4	MECHANICAL PIPING PLANS AND DETAILS
M-5	MECHANICAL SCHEDULES & DETAILS
<b>ELECTRICAL DRAWINGS</b>	
E-1	ELECTRICAL COVER SHEET
E-2	ELECTRICAL DEMOLITION PLANS
E-3	ELECTRICAL POWER & LIGHTING PLAN
E-4	ELECTRICAL SCHEDULES
E-5	ELECTRICAL LIFT POWER PLAN

Michael  
**HENRY**  
ARCHITECT  
PHONE (757) 599-1212  
FAX (757) 599-4555  
mike@mh-a.com  
780 Fleet House Drive Suite 100-B  
Newport News, Va. 23606  
www.mh-a.com

PROJECT NAME: RENOVATIONS FOR GRACE CHURCH RIVERVIEW HOUSE  
111 CHURCH STREET, YORKTOWN, VIRGINIA 23690  
DWG TITLE: TITLE SHEET

NO.	DATE	REVISION

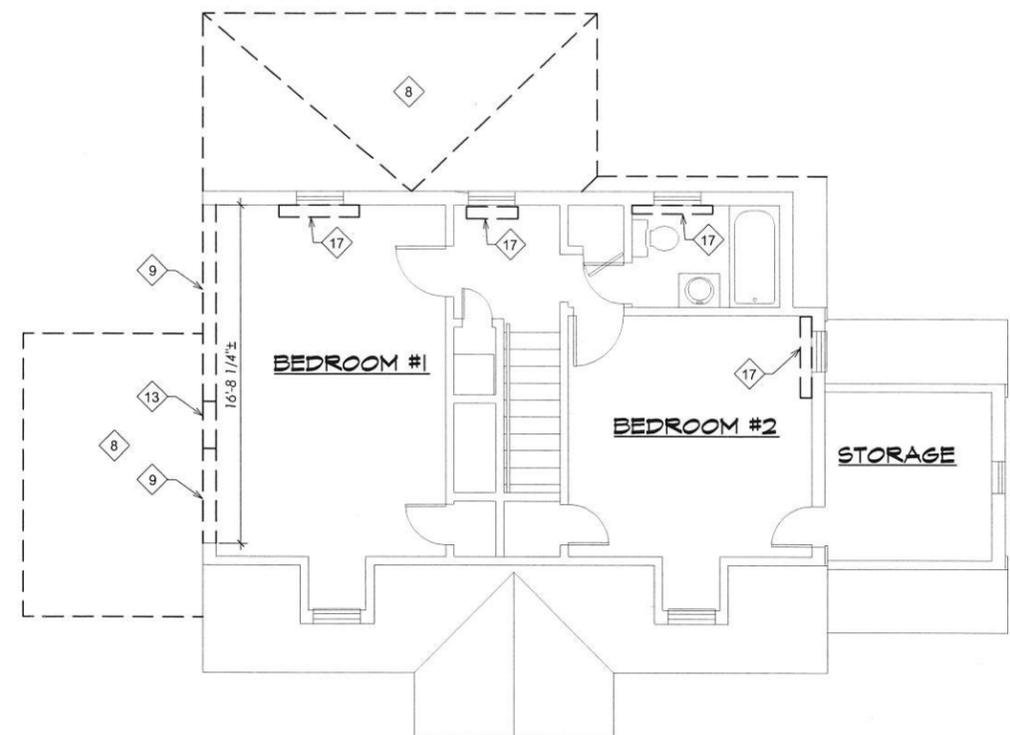
FILE NAME: 1605 - A1  
DATE: 14 APR 16  
DRAWN BY: DRS  
CHECKED BY: CHH

Michael Henry  
14 APR 16  
ARCHITECT

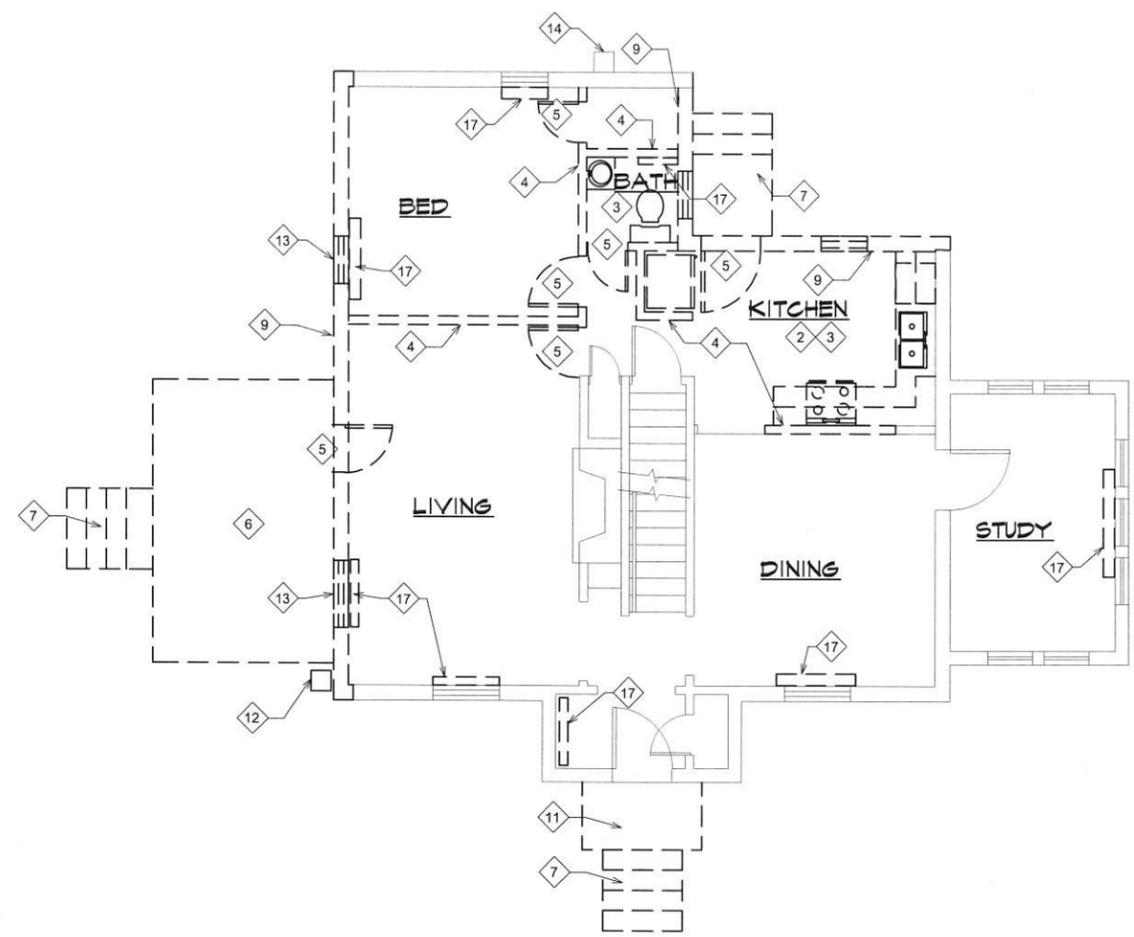
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T-1

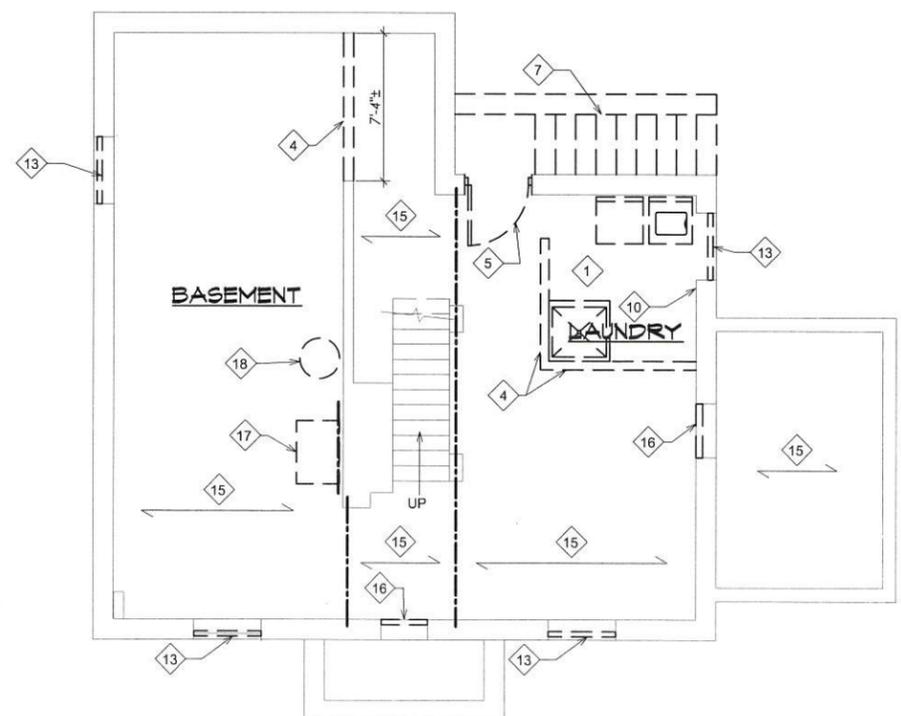
SHEET 1 OF 1



**SECOND DEMOLITION PLAN**  
 SCALE: 1/4" = 1'-0"



**FIRST DEMOLITION PLAN**  
 SCALE: 1/4" = 1'-0"



**BASEMENT DEMOLITION PLAN**  
 SCALE: 1/4" = 1'-0"

- # DEMOLITION NOTES:
- IMPORTANT: PROVIDE TEMPORARY SUPPORTS AS REQUIRED BEFORE EXCAVATING OR REMOVING BEARING WALLS OR STRUCTURE**
1. REMOVE EXIST. WASHER, DRYER & SHOWER; STORE FOR RE-USE
  2. REMOVE CABINETS AND APPLIANCES; STORE FOR RE-USE
  3. REMOVE PLUMBING FIXTURES; STORE FOR RE-USE
  4. REMOVE EXIST. GYPBOARD / WOOD STUD WALL
  5. REMOVE EXIST. WOOD DOOR & FRAME
  6. REMOVE EXIST. SCREENED PORCH, CONC. SLAB, MASONRY FOUNDATION WALLS & FOOTINGS COMPLETELY
  7. REMOVE EXIST. CONC. STAIRS & MASONRY RETAINING WALL COMPLETELY
  8. REMOVE EXIST. ASPHALT SHINGLE ROOFING SYSTEM, ROOF DECK & WOOD ROOF FRAMING COMPLETELY
  9. REMOVE EXIST. BRICK VENEER / WOOD STUD WALL COMPLETELY
  10. REMOVE 8" CMU WALL FOR NEW DOOR
  11. REMOVE EXIST. CONC. & BRICK STOOP COMPLETELY
  12. REMOVE ELEC. METER FOR RELOCATION
  13. REMOVE EXIST. WINDOW
  14. EXISTING GAS METER TO REMAIN
  15. EXISTING FLOOR JOISTS (ABOVE) TO REMAIN
  16. REMOVE ACCESS PANEL FROM MASONRY WALL
  17. REMOVE ALL RADIATORS, RELATED PIPING & BOILER SYSTEM COMPLETELY; DISPOSE
  18. REMOVE WATER HEATER COMPLETELY; DISPOSE

PROJECT NAME: RENOVIATIONS FOR: GRACE CHURCH RIVERVIEW HOUSE  
 YORKTOWN, VIRGINIA 23690  
 DWG TITLE: DEMOLITION PLANS

NO.	DATE	REVISION	BY

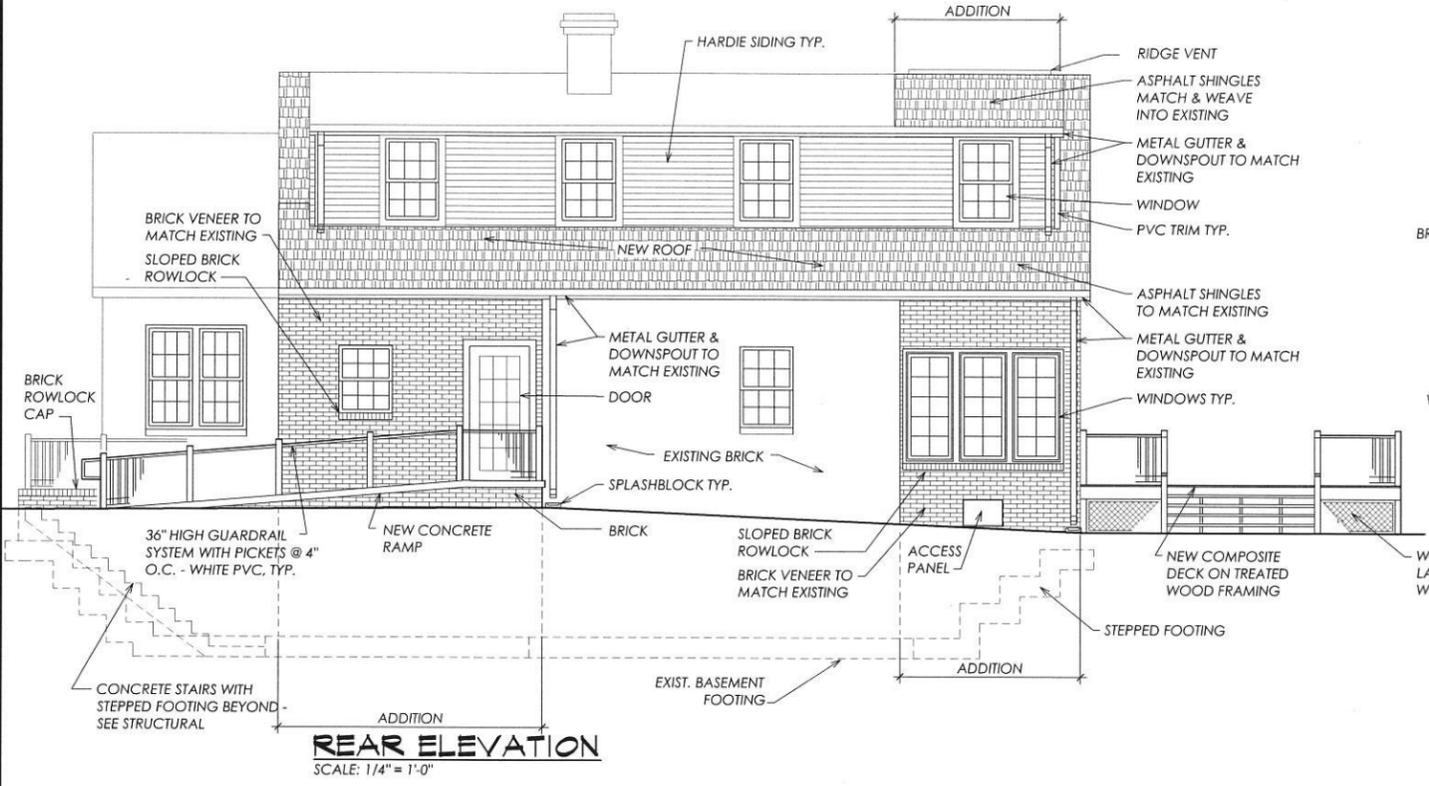
FILE NAME: 1605 - A1  
 DATE: 14 APR 16  
 DRAWN BY: MLJ  
 CHECKED BY: CMH



JOB NO: 1605

A-1

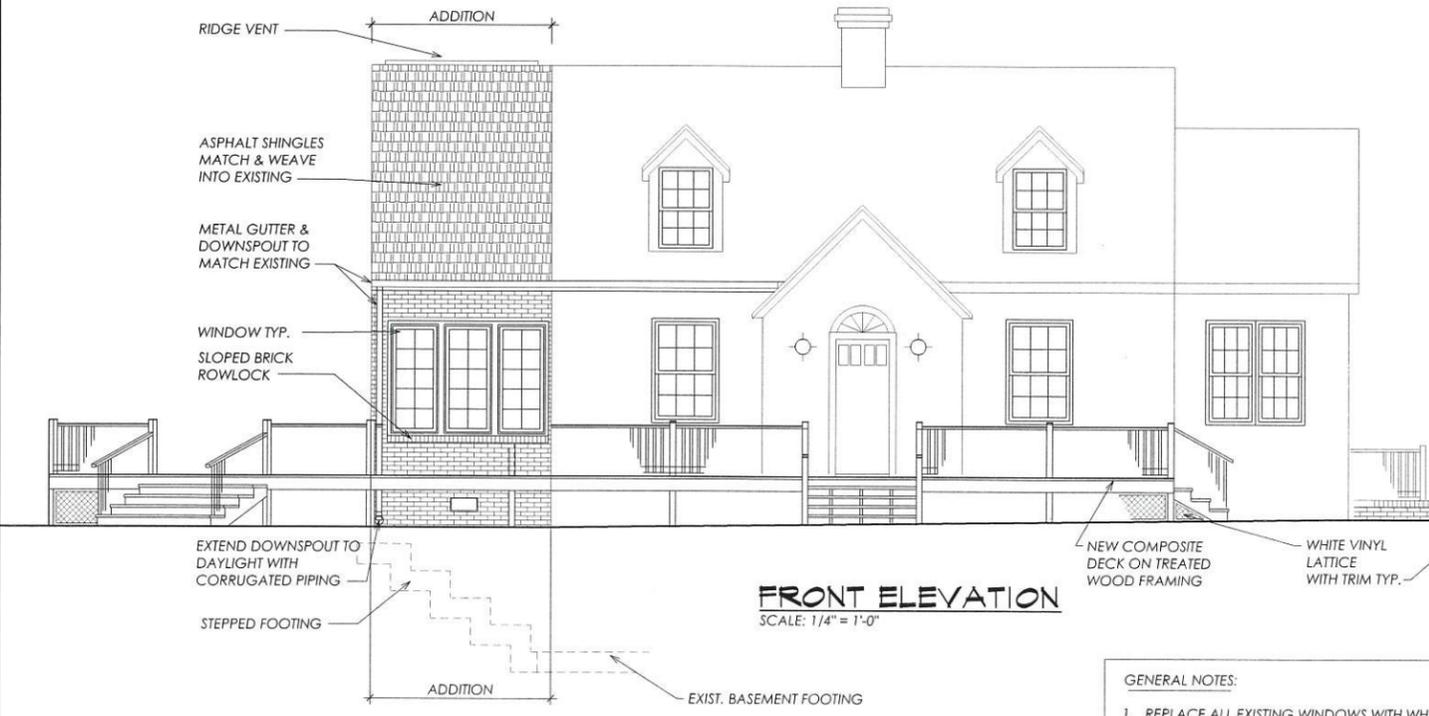




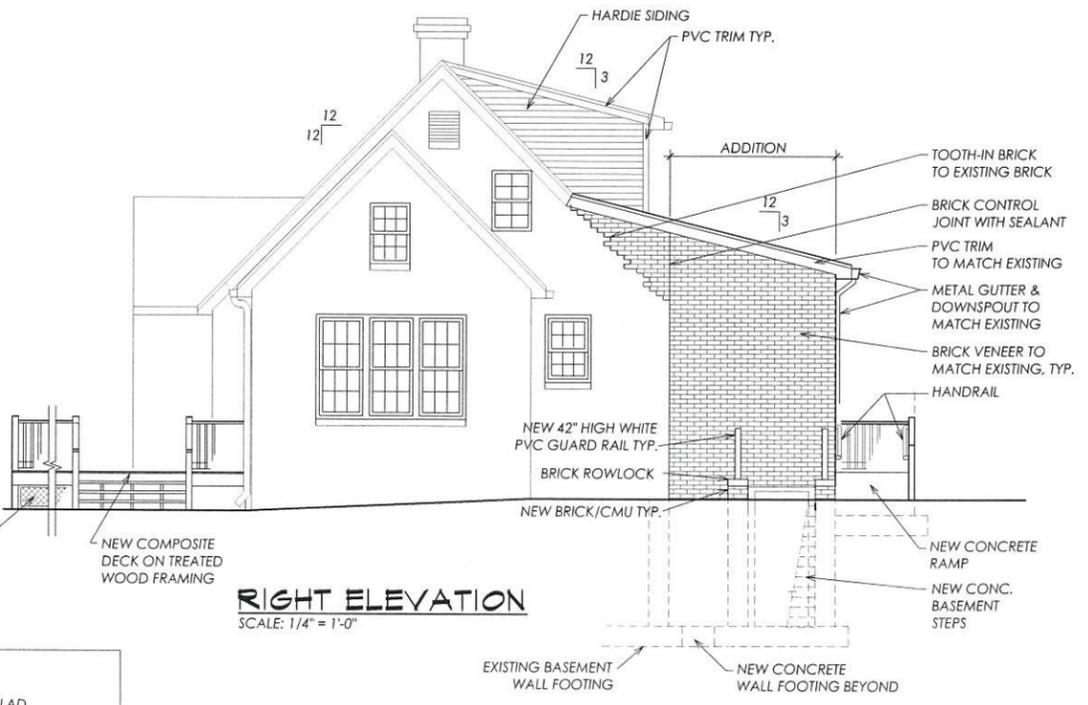
**REAR ELEVATION**  
 SCALE: 1/4" = 1'-0"



**LEFT ELEVATION**  
 SCALE: 1/4" = 1'-0"



**FRONT ELEVATION**  
 SCALE: 1/4" = 1'-0"



**RIGHT ELEVATION**  
 SCALE: 1/4" = 1'-0"

GENERAL NOTES:  
 1. REPLACE ALL EXISTING WINDOWS WITH WHITE CLAD ANDERSEN 200 SERIES ENERGY-EFFICIENT WINDOWS  
 2. ROOF SLOPES ARE APPROXIMATE, MATCH EXISTING

NO.	DATE	REVISION

FILE NAME: 1605 - A1  
 DATE: 14 APR 16  
 DRAWN BY: M.J.M.  
 CHECKED BY: C.M.H.

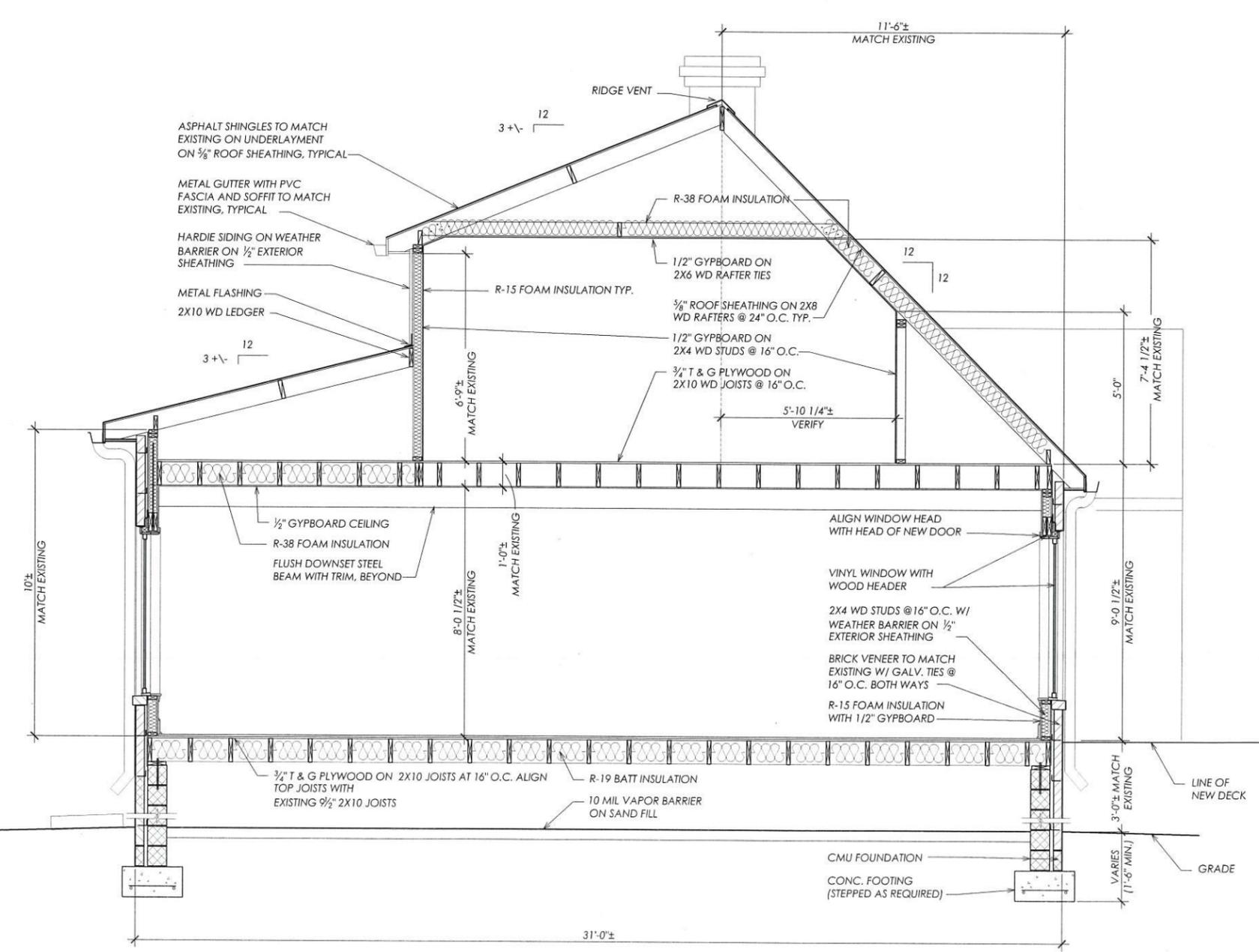


JOB NO: 1605

NO.	NOMINAL SIZE W x H	DESCRIPTION	FRAME FINISH	GLAZING
(A)	2'-4" x 5'-6"	WHITE CLAD CASEMENT WINDOW	VINYL	1" INSULATING TEMPERED GLASS UNITS
(B)	NOT USED			
(C)	2'-8" x 3'-4" **	WHITE CLAD DBL HUNG WINDOW	VINYL	1" INSULATING GLASS UNITS
(D)	2'-0" x 3'-0" **	WHITE CLAD DBL HUNG WINDOW	VINYL	1" INSULATING GLASS UNITS
(E)	VERIFY ALL SIZES	WHITE CLAD DBL HUNG REPLACEMENT WINDOW	VINYL	1" INSULATING GLASS UNITS

\* VERIFY THAT NEW SECOND FLOOR WINDOWS MATCH EXISTING SECOND FLOOR WINDOW HEIGHTS

NOTES:  
 1. ALL WINDOWS SHALL BE ANDERSEN WHITE CLAD WITH PRIMED & PAINTED INTERIORS & WHITE GRIDS.  
 2. CASEMENT WINDOWS SHALL BE ANDERSEN 400 SERIES  
 3. DOUBLE-HUNG WINDOWS SHALL BE ANDERSEN 200 SERIES



FINISH SCHEDULE							
ROOM NAME	FLOOR	BASE	WALLS				CEILING
			SOUTH	NORTH	EAST	WEST	
LIVING	WOOD	WOOD	GWB	GWB	GWB	GWB	GWB
BATH #1	CT	WOOD	GWB	GWB	GWB	GWB	GWB
KITCHEN	WOOD	WOOD	GWB	GWB	GWB	GWB	GWB
BEDROOM #1	WOOD	WOOD	GWB	GWB	GWB	GWB	GWB

FLOOR FINISHES  
 WOOD HARDWOOD  
 CT CERAMIC TILE

WALL & CEILING FINISHES  
 GWB GYPSUM WALLBOARD

BASES  
 WOOD WOOD BASE

GENERAL FINISH NOTES:  
 1. PATCH & REPAIR ALL EXISTING PLASTER WALLS & CEILINGS FOR SMOOTH FINISHES. PRIME & PAINT ENTIRE WALLS & CEILINGS THAT ARE AFFECTED BY WORK.  
 2. MATCH EXISTING HARDWOOD FLOORING, PATCH AS REQUIRED & RE-FINISH WOOD FLOORING IN ENTIRE HOUSE  
 3. MATCH EXISTING WOOD BASES, INCLUDING WOOD CAP & SHOE MOLD  
 4. PROVIDE MARBLE THRESHOLD AT BATHROOM DOOR

A-4 ADDITION SECTION  
 SCALE: 1/2" = 1'-0"

NO.	DATE	BY	REVISION

FILE NAME: 1605 - A1  
 DATE: 14 APR 16  
 DRAWN BY: M.L.M.  
 CHECKED BY: C.M.H.



JOB NO: 1605

A-4

RECEIVED







REVISION TABLE	
NUMBER	DATE

RIVERVIEW HOUSE  
INTERIOR VIEWS

DRAWINGS PROVIDED BY:

DATE:

3/7/2016

SCALE:

SHEET:

A#

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 \_\_\_\_\_, 2016:

Present

Vote

Jeffrey D. Wassmer, Chairman  
Sheila S. Noll, Vice Chairman  
Walter C. Zaremba  
W. Chad Green  
Thomas G. Shepperd, Jr.

On motion of \_\_\_\_\_, which carried \_\_\_\_, the following resolution was adopted:

A RESOLUTION TO APPROVE A REQUEST TO INCREASE THE ALLOWABLE SQUARE FOOTAGE FOR A PREVIOUSLY APPROVED CHURCH-RELATED USE AND A REQUEST TO AUTHORIZE FRONT AND SIDE YARD SETBACK MODIFICATIONS FOR AN ACCESSORY DECK, BOTH REQUESTS BEING ASSOCIATED WITH THE EXISTING STRUCTURE LOCATED AT 109 CHURCH STREET IN THE YORKTOWN VILLAGE

WHEREAS, Grace Episcopal Church has submitted Application Nos. YVA-37-16 and 38-16 to request, pursuant to Section 24.1-327(b)(3) of the Zoning Ordinance, approval of an increase in the allowable floor area for church-related uses in the structure located at 109 Church Street (Assessor's Parcel No. 18A-1-40) and, pursuant to Section 24.1-327(b)(6) of the York County Zoning Ordinance, authorization of a front yard setback of nine feet (9') and a side yard setback of five feet (5') for an accessory deck on that structure rather than the normally required 25-foot front yard and 10-foot side yard setbacks along the northern and eastern property lines; and

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

WHEREAS, the Planning Commission recommends approval of the setbacks request, modified to authorize a minimum front yard setback of fourteen feet (14'); and

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

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

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the \_\_\_\_ day of \_\_\_\_\_ 2016, that Application No. YVA-37-16 be, and it is hereby, approved subject to the following conditions:

1. This Yorktown Village Activity approval shall authorize a minimum front yard setback of fourteen feet (14') and a minimum side yard setback of five feet (5') for an accessory deck on an existing structure rather than the normally required 25-foot front yard and 10-foot side yard setbacks along the northern and eastern property lines of a 0.27-acre parcel located at 109 Church Street (Route 1003), further identified as Assessor's Parcel No. 18A-1-40 (GPIN P12d-3096-0643),
2. A building permit application shall be submitted in accordance with the provisions of the York County Code and shall be approved by the York County Division of Building Regulation prior to the commencement of any land disturbing or development activities. Said permit application shall be in substantial conformance, except as modified herein or pursuant to the results of the Yorktown Design Guidelines review and approval process, with the sketch plan, renderings/elevations, and narrative documents submitted by the applicant and received by the Planning Division on May 2, 2016, and May 12, 2016, copies of which shall remain on file in the office of the Planning Division.
3. In accordance with York County Zoning Ordinance Section 24.1-115(b)(7), 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 to site plan approval.

BE IT FURTHER RESOLVED that Application No. YVA-38-16 be, and it is hereby, approved to authorize the non-single-family, church-related use of the subject structure to be increased by 310 square feet of floor area subject to the following condition:

A building permit application shall be submitted in accordance with the provisions of the York County Code and shall be approved by the York County Division of Building Regulation prior to the commencement of any land disturbing or development activities. Said permit application shall be in substantial conformance, except as modified herein or pursuant to the results of the Yorktown Design Guidelines review and approval process, with the sketch plan, renderings/elevations, and narrative documents submitted by the applicant and received by the Planning Division on May 2, 2016 and May 12, 2016, copies of which shall remain on file in the office of the Planning Division.

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

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 \_\_\_\_\_, 2016:

Present

Vote

Jeffrey D. Wassmer, Chairman  
Sheila S. Noll, Vice Chairman  
Walter C. Zaremba  
W. Chad Green  
Thomas G. Shepperd, Jr.

On motion of \_\_\_\_\_, which carried \_\_\_\_, the following resolution was adopted:

A RESOLUTION TO APPROVE A REQUEST TO INCREASE THE ALLOWABLE SQUARE FOOTAGE FOR A PREVIOUSLY APPROVED CHURCH-RELATED USE AND A REQUEST TO AUTHORIZE FRONT AND SIDE YARD SETBACK MODIFICATIONS FOR AN ACCESSORY DECK, BOTH REQUESTS BEING ASSOCIATED WITH THE EXISTING STRUCTURE LOCATED AT 109 CHURCH STREET IN THE YORKTOWN VILLAGE

WHEREAS, Grace Episcopal Church has submitted Application Nos. YVA-37-16 and 38-16 to request, pursuant to Section 24.1-327(b)(3) of the Zoning Ordinance, approval of an increase in the allowable floor area for church-related uses in the structure located at 109 Church Street (Assessor's Parcel No. 18A-1-40) and, pursuant to Section 24.1-327(b)(6) of the York County Zoning Ordinance, to authorize a front yard setback of nine feet (9') and a side yard setback of five feet (5') for an accessory deck on that structure rather than the normally required 25-foot front yard and 10-foot side yard setbacks along the northern and eastern property lines; and

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

WHEREAS, the Planning Commission recommends approval of this application, modified to authorize a minimum front yard setback of fourteen feet (14'); and

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

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

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the \_\_\_\_ day of \_\_\_\_\_ 2016, that Application No. YVA-37-16 be, and it is hereby, approved subject to the following conditions:

1. This Yorktown Village Activity approval shall authorize a minimum front yard setback of nine feet (9') and a minimum side yard setback of five feet (5') for an accessory deck on an existing structure rather than the normally required 25-foot front yard and 10-foot side yard setbacks along the northern and eastern property lines of a 0.27-acre parcel located at 109 Church Street (Route 1003), further identified as Assessor's Parcel No. 18A-1-40 (GPIN P12d-3096-0643),
2. A building permit application shall be submitted in accordance with the provisions of the York County Code and shall be approved by the York County Division of Building Regulation prior to the commencement of any land disturbing or development activities. Said permit application shall be in substantial conformance, except as modified herein or pursuant to the results of the Yorktown Design Guidelines review and approval process, with the sketch plan, renderings/elevations, and narrative documents submitted by the applicant and received by the Planning Division on May 2, 2016, and May 12, 2016, copies of which shall remain on file in the office of the Planning Division.
3. In accordance with York County Zoning Ordinance Section 24.1-115(b)(7), 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 to site plan approval.

BE IT FURTHER RESOLVED that Application No. YVA-38-16 be, and it is hereby, approved to authorize the non-single-family, church-related use of the subject structure to be increased by 310 square feet of floor area subject to the following condition:

A building permit application shall be submitted in accordance with the provisions of the York County Code and shall be approved by the York County Division of Building Regulation prior to the commencement of any land disturbing or development activities. Said permit application shall be in substantial conformance, except as modified herein or pursuant to the results of the Yorktown Design Guidelines review and approval process, with the sketch plan, renderings/elevations, and narrative documents submitted by the applicant and received by the Planning Division on May 2, 2016 and May 12, 2016, copies of which shall remain on file in the office of the Planning Division.

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