

# **Index File**

**UP-824-13**

## **Trinity Assisted Living**

**Assessor's Parcel Nos. 3-2-1-70**

**Application No. UP-824-13, Trinity Assisted Living:** Request for a Special Use Permit, pursuant to Section 24.1-306 (Category 1, No. 7) of the York County Zoning Ordinance, to authorize the establishment of a group home with up to 8 occupants and up to 8 shift employees (no more than 3 at one time) in an existing single-family detached home located on a 2.1-acre parcel located at 101 Shady Bluff Point (Route 1613) and further identified as Assessor's Parcel No. 3-2-1-70. The group home would operate as an assisted living facility, as defined by Section 63.2-100 of the Code of Virginia, containing residential living facilities for older persons and providing/coordinating various types of assistance, scheduled and unscheduled, in daily living. The property is zoned RR (Rural Residential) and is designated Low Density Residential in the Comprehensive Plan.

### **Attachments:**

- Zoning Map
- Site Map
- Narrative Description
- Floor Plan
- Proposed Resolution No. PC13-4

# COUNTY OF YORK

## MEMORANDUM

**DATE:** March 28, 2013 (PC Mtg. 4/10/13)  
**TO:** York County Planning Commission  
**FROM:** Timothy C. Cross, AICP, Principal Planner  
**SUBJECT:** Application No. UP-824-13, Trinity Assisted Living

### ISSUE

This application requests a Special Use Permit, pursuant to Section 24.1-306 (Category 1, No. 7) of the York County Zoning Ordinance to authorize the establishment of a group home in an existing single-family detached home located on a 2.1-acre parcel of land located at 101 Shady Bluff Point (Route 1613) and further identified as Assessor's Parcel No. 3-2-1-70.

### DESCRIPTION

- Property Owner: DWM Properties LLC (The applicants are leasing the property.)
- Location: 101 Shady Bluff Point (Route 1613)
- Area: 2.1 acres
- Frontage: Approximately 273 feet on Shady Bluff and approximately 224 feet on Skimino Road (Route 797)
- Utilities: Private well and septic system
- Topography: Relatively flat
- 2025 Land Use Map Designation: Low Density Residential
- Zoning Classification: RR – Rural Residential
- Existing Development: Single-family detached home operated as a residential care facility for three senior adults with a resident employee
- Surrounding Development:
  - North: Single-family detached home
  - East: Single-family detached homes (across Shady Bluff Point)
  - South: Single-family detached homes (across Skimino Road)
  - West: Horse farm with a single-family detached home, barn, and horse stable

- Proposed Development: Group home operated as a residential assisted living facility as defined by the Virginia Department of Social Services with up to eight (8) residents and up to three (3) employees on the premises at any one time

## **BACKGROUND**

The applicants, Mr. Todd Mayer and Ms. Tracy Anthony, are currently operating a residential care facility – Trinity Assisted Living – as a business enterprise in a single-family detached home located at 101 Shady Bluff Point. There are currently three occupants and one staff member residing in the facility. This activity is permitted as a matter of right under Zoning Ordinance definition of “family” as “an individual, or two (2) or more persons related by blood, marriage or adoption, or a *group of not more than four (4) unrelated persons, occupying a single dwelling unit*” (emphasis added). The applicants would like the opportunity to house up to eight (8) residents as well as non-resident employees, which is only permitted upon approval of a Special Use Permit authorizing a group home. Last year the applicants filed an appeal with the Board of Zoning Appeals, challenging the Zoning Administrator’s determination that a use permit was required in order to authorize the non-resident employees. In support of their case, the applicants cited Section 15.2-2291(b) of the Code of Virginia, set forth below:

*“Zoning ordinances for all purposes shall consider a residential facility in which no more than eight aged, infirm or disabled persons reside, with one or more resident counselors or other staff persons, as residential occupancy by a single family. No conditions more restrictive than those imposed on residences occupied by persons related by blood, marriage, or adoption shall be imposed on such facility. For purposes of this subsection, “residential facility” means any assisted living facility or residential facility in which aged, infirm or disabled persons reside with one or more resident counselors or other staff persons and for which the Department of Social Services is the licensing authority pursuant to this Code.”*

The applicants contended that the Zoning Ordinance definition and the *Code of Virginia* provisions that require localities to provide the residential care/assisted living facility exemption do not prohibit non-resident employees. The Zoning Administrator has determined, to the contrary, that the statute applies only if the employees reside on the premises and that the coming and going of non-resident staff must be authorized by Special Use Permit, just as it is for any home occupation in a residential district. The Board of Zoning/Subdivision Appeals (BZA) heard this appeal at its October 25, 2012 meeting, and, subsequent to conducting a public hearing, voted unanimously to uphold the Zoning Administrator’s determination that the state Code exemption does not authorize non-resident employees. In upholding that determination, however, members of the BZA expressed support for the applicants’ proposal as long as they go through the prescribed process (i.e., apply for a Special Use Permit for a *Group Home*, the performance standards for which allow non-resident employees). Following the vote to uphold the Zoning Administrator’s determination, the BZA took a second vote, which was approved unanimously, to make a recommendation to the Board of Supervisors to “have a positive attitude towards” a Special Use Permit for this property and use. The

applicants have filed an appeal of the BZA decision with the Circuit Court that might or might not move forward, depending on the outcome of this use permit application.

### **CONSIDERATIONS/CONCLUSIONS**

1. The subject parcel is located in the Skimino Landing Estates subdivision, which is a large-lot subdivision of single-family detached homes in the Skimino area of the upper County, which is identified in the Comprehensive Plan as one of the County's most rural areas. As is true of most of the Skimino area, public water and sewer are not available in Skimino Landing Estates; therefore, as required by Section 24.1-204 of the Zoning Ordinance (*Area requirements for lots without public utilities*), all of the lots are at least two acres in size. The subject parcel and the entire surrounding area are zoned RR (Rural Residential) and designated in the Comprehensive Plan for Low Density Residential development.
2. The existing structure is a one-story 6,539-square foot single-family detached home with a total of six bedrooms, one of which is occupied by the resident staff member. Two of the bedrooms are large enough for double occupancy, according to the applicant, and could potentially be made available to married couples. Accordingly, the applicants are requesting authorization to house up to eight (8) residents. Because the subject parcel is at least two times the one-acre minimum lot size allowed in the RR district, a maximum of eight (8) residents – excluding staff – can be permitted to live in the group home, pursuant to Section 24.1-408(f) of the Zoning Ordinance. The applicants wish to maintain the residential appearance of the facility and do not plan to install any signage or make any exterior changes to either the building or the property.
3. Although the proposed facility falls within the Zoning Ordinance definition of *group home*, it would be classified as an Assisted Living Facility by the Virginia Department of Social Services. Section 63.2-100 of the *Code of Virginia* defines an *assisted living facility* as “any congregate residential setting that provides or coordinates personal and health care services, 24-hour supervision, and assistance (scheduled and unscheduled) for the maintenance or care of four or more adults who are aged, infirm or disabled and who are cared for in a primarily residential setting.” Since there currently are only three occupants, the facility is not licensed by the state; the applicants plan to apply for a license if and when this application is approved.

Licensing standards for assisted living facilities are set forth in a 122-page document published by the Department of Social Services. These standards govern all aspects of operation, including admission and discharge procedures, staffing requirements, resident care and accommodations, buildings and grounds, and emergency preparedness. (Regarding emergency preparedness, the standards specify that each facility with six or more residents “must be able to connect to a temporary emergency electrical power source for the provision of electricity during an interruption of the normal electric power supply.” In addition, each facility must ensure the availability of a 96-hour supply of emergency food and drinking water, as well as oxygen for residents who use it.) Licenses (and license renewals) can be issued for six months, a

year, two years, or three years depending on the compliance history of the facility and the extent to which it meets or exceeds state licensing standards. Licensees are subject to unannounced inspections by Department of Social Services staff.

4. Assisted living facilities tend not to be major traffic generators since most of the residents generally do not drive. National survey data suggests that less than 5% of assisted living facility residents own cars, and these are rarely driven. (According to the applicant, none of the current residents, other than the resident employee, drives a car.) Nevertheless, with two to three employees working eight-hour shifts, the proposed group home would likely generate more traffic than would an average single-family detached home. Unfortunately, the trip generation rates published by the ITE (Institute of Transportation Engineers) in its *Trip Generation* manual (8<sup>th</sup> edition) are based on large assisted living facilities (i.e., 60 beds or more and at least 35 employees) and probably are not applicable to the proposed facility, which would be a much smaller scale operation. Based on these numbers, the facility can be expected to generate approximately 22 weekday trips, on average. Most of the trips generated by the group home would likely be employees driving to and from work. Staff estimates there would be 12 to 18 employee trip ends during a 24-hour period, with no more than 4 to 6 in any peak hour. There would also be occasional visitors, and the facility offers transportation services to the residents and has a vehicle for this purpose, although the applicant indicates that so far there has been little demand for this service. Based on this information, staff believes a maximum of 15 to 20 trips per day to be a reasonable estimate. By comparison, a typical single-family detached home generates approximately ten (10) trips per day, on average, although a large house such as this would likely generate more. According to the ITE, homes that are larger in size, more expensive, or farther away from the central business district have a higher rate of trip generation per unit than those smaller in size, less expensive, or closer to the CBD. It should also be noted that since the subject parcel is located at the entrance to Skimino Landing Estates, the impact that any additional traffic would have on streets within the subdivision would be negligible and virtually unnoticeable to most of the neighborhood.

According to published VDOT traffic volume data, Shady Bluff Point carries only 510 vehicles per day, on average, while this segment of Skimino Road carries approximately 1,300 vehicles per day. Skimino Road is a substandard road with a pavement width of eighteen feet (18'), which extends for approximately 4,800 feet to a dead end at the Camp Peary fence line. There is sufficient right-of-way to widen Skimino Road should there ever be a need. Currently there are no such plans, and the potential for future development along this corridor is not significant; staff estimates that a maximum of approximately 54 additional homes can be built under the existing zoning – including the 24 undeveloped lots that remain in Skimino Landing Estates – or approximately 84 homes if public water and sewer are ever extended to this area.

5. For group homes, the Zoning Ordinance requires a minimum of three parking spaces plus one additional space for every two beds, which in this case translates into a total of seven spaces. Since the house has a three-car garage, adjacent to which is a driveway/parking area of approximately 1,600 square feet (32 feet by 50 feet) that can

easily accommodate at least six parked vehicles, staff believes sufficient parking space is available on-site. A condition prohibiting on-street parking is included in the proposed resolution of approval.

For a typical group home, the Zoning Ordinance requires that all off-street parking in excess of that required of single-family detached dwellings be located at least twenty-five feet (25') from any residential property line and to be effectively screened from view from adjacent residential properties by a Type 25 (25-foot) Transitional Buffer. In this case, the parking area is approximately 54 feet from the front (i.e., eastern) property line, 84 feet from the side (i.e., northern) property line, and approximately 214 feet from the nearest home. Because of the large size of both the subject parcel and surrounding parcels, the distance between the existing parking area and adjacent homes, and the existing trees in the front and side yards, staff is of the opinion that no additional screening of this legally existing parking area is needed or warranted. However, staff has proposed a condition of approval stating that if the applicants should decide to provide additional parking in the future, a additional landscaping could be required depending on the proposed location.

6. Public water and sewer are not available in Skimino Landing Estates; the property is served by a private well and septic system subject to the permitting procedures of the Virginia Department of Health (VDH). Accordingly, the Health Department has reviewed this application and has indicated that in 2004 it received a complaint that the mound septic system was failing and discharging raw sewage. The mound was being hydraulically overloaded, and this problem was resolved when the owner (a previous owner) reduced the water usage. Because of this history and the likely increase in water usage that would be associated with the proposed number of residents and employees, the Health Department recommends that the applicants have an engineer complete a Wastewater Characterization to determine if the septic system can handle the change in use. Staff has proposed a condition making approval of the use permit contingent on VDH approval of the use and proposed occupancy subsequent to the applicant's submittal of a Wastewater Characterization in accordance with Health Department standards.

## **RECOMMENDATION**

As members of the Commission will recall, at the Joint Community Comprehensive Plan Forums that were held in February and March 2012, several senior citizen advocates spoke of the need for more assisted living and other senior housing options in residential neighborhoods as opposed to institutional facilities. The Lakeside Adult Home on Lakeside Drive, which is approved for up to twelve (12) residents and also has non-resident employees, is the only other group home facility in the County. It was first approved through a Special Use Permit in 1980 and then again in 1988 following a two-year hiatus after which the use permit expired. For over twenty years this adult home has operated adjacent to a medium-density subdivision of single-family detached homes on half-acre lots with no record of any complaints to the County.

Assisted living facilities by their nature tend to be relatively quiet, unobtrusive uses, and staff believes the subject home, located on a large lot in a very low-density residential area, is an appropriate location for a facility of this type. With regard to the additional traffic generated, the proposed use is comparable to numerous home occupations that have been previously approved in much higher-density residential settings. Therefore, based on the considerations and conclusions as noted, staff recommends that this application be forwarded to the Board of Supervisors with a recommendation of approval subject to the conditions set forth in proposed Resolution No. PC13-4.

TCC

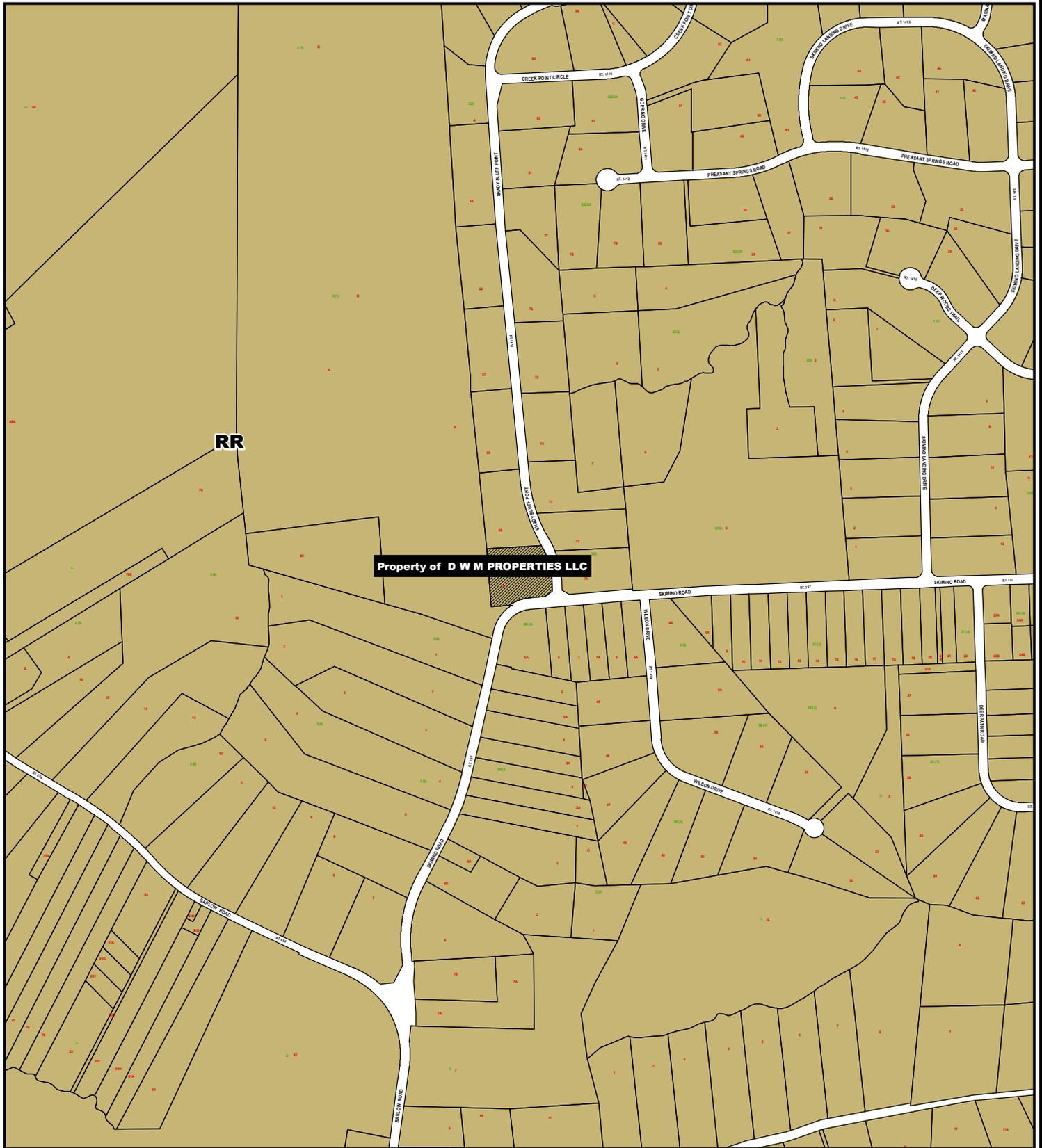
Attachments:

- Zoning Map
- Site Map
- Narrative Description
- Floor Plan
- Proposed Resolution No. PC13-4

**APPLICANT**  
**Trinity Assisted Living**  
Group home for senior adults  
101 SHADY BLUFF PT

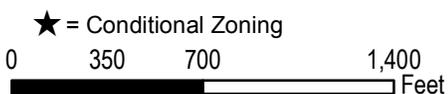
# ZONING MAP

**APPLICATION NUMBER:** UP-824-13



**Property of D W M PROPERTIES LLC**

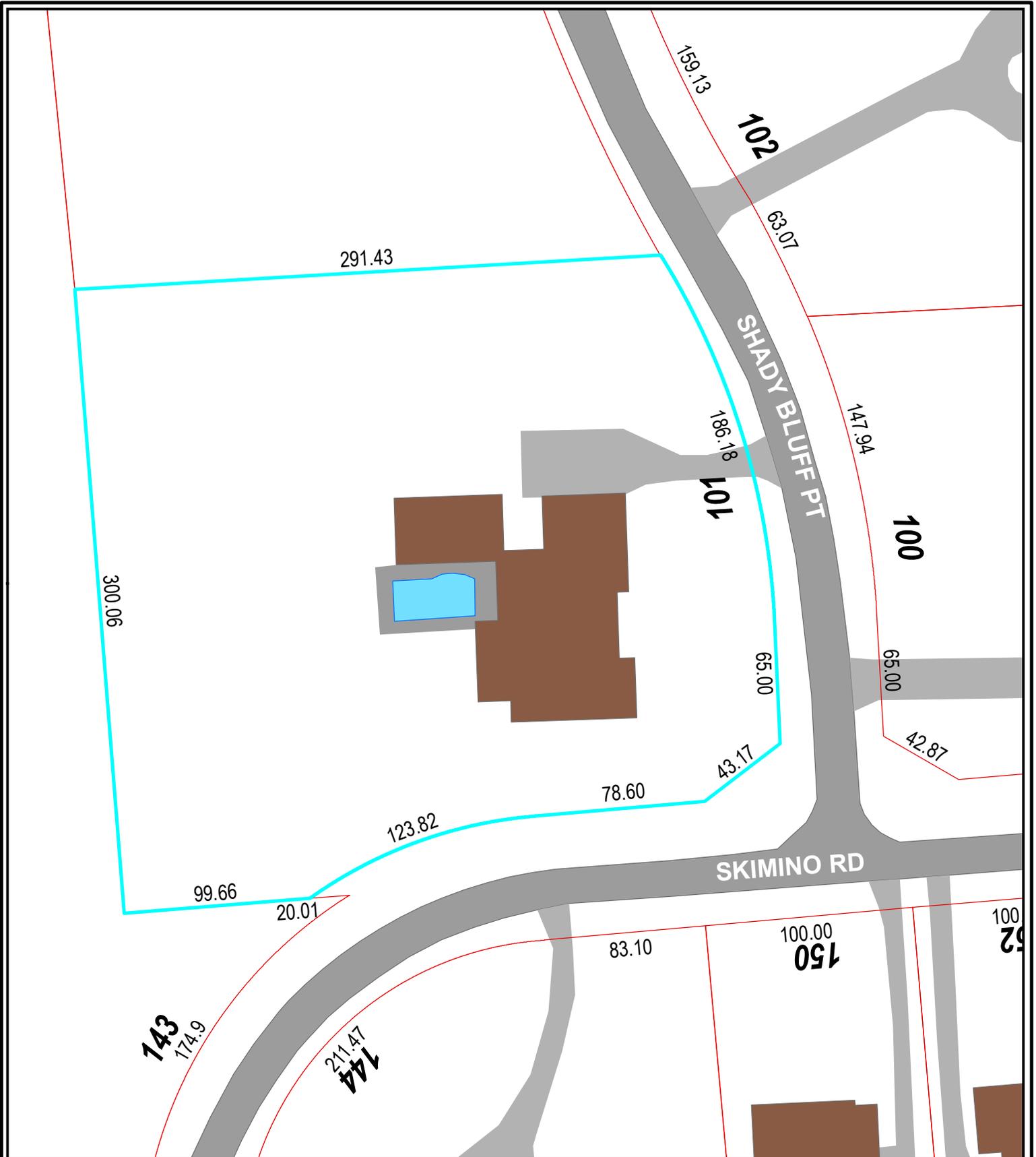
**RR**



**SOURCE: YORK COUNTY GIS PARCEL DATA and ZONING COVERAGE**

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

Printed on March 05, 2013



## 101 Shady Bluff Point



GEOGRAPHIC INFORMATION SYSTEMS  
 Division of Computer Support Services  
 Department of Financial & Management Services  
 WWW.YORKCOUNTY.GOV

HORIZONTAL ACCURACY: +/- 2.5 feet DATUM: VA State Plane South, NAD 83  
 VERTICAL ACCURACY: +/- 1 foot DATUM: NAVD 1988  
 DATE OF ELEVATION INFORMATION: 2007

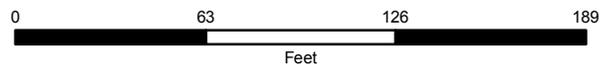
This map should NOT be used for engineering or other design purposes without full verification having been undertaken by a qualified surveyor.

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



## Attachment 1

The types of clients that Trinity Assisted Living will be permitted to retain are the aged and infirmed. Most of which are handicapped clients none of them will require skilled nursing. These clients just need some help getting around and making sure that medicine and care is distributed properly. They could have bladder control problems, old age, trouble walking, forgetfulness, etc...

For Admission potential clients are screened by a registered nurse and then seen by a doctor to make sure that they are able to live in an environment such as ours. Clients in need of more advanced care are not accepted into our home. Once the potential resident is approved by both the clients Doctor and the Registered Nurse for Trinity Assisted living an Individual care plan is created and discussed with the family.

To accommodate our clients our proposed staff will be hand selected and offered the best training available. The proposed staffing would eventually increase to 8 staff members when at full capacity. Two staff would be on shift at any given time for 8 hour shifts and a separate team would cover the weekends and holidays. With three residents we would operate with up to 4 staff members with 4 residents we would operate with 5 staff members, and 5 or more we would operate with 8 staff members. No more than 8 residents will be accepted after we get licensed. No more than three residents will be accepted until our license is approved.

The licensing agency is the department of Social Services. I asked Mrs. Glenda Ames for a letter and she suggested that I give you her information for you to call her. .

***Glenda Ames***, Licensing Inspector Facility Trainer

**Eastern Regional Licensing Office**

**291 Independence Blvd. Pembroke 4, Suite 300**

**Virginia Beach, Virginia 23462**

**(757) 491-3952 phone**

**(757) 552-1832 fax**

**[glenda.ames@dss.virginia.gov](mailto:glenda.ames@dss.virginia.gov)**

Trinity Assisted Living Services.

Trinity Assisted Living is committed to providing high-quality, compassionate care. Trinity Assisted Living offers a wide range of services, each tailored to meet our clients' unique needs. Trinity is proud to offer the following services:

- Vital signs monitoring
  - Assistance with mobility
  - Grooming assistance
  - Hygiene support and monitoring
  - Administration of medicine
  - Blood pressure monitoring and care
  - Assistance with lifts
  - Assistance with transfers
  - Bathing
  - Toileting
  - Housekeeping
  - Assistance with dressing
  - Activities
- 
- Denture care
  - Diabetes Care
  - Transportation
  - Exercise and stretching support
  - Feeding
  - Finger and nail care
  - Incontinence support
  - Record keeping
  - Meals
  - Security
  - Assisted Living
  - Continuing Care

Trinity Assisted Living also supports families and friends with the following services:

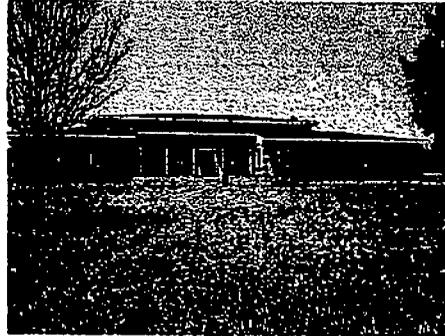
- Care giving education
- Community support and resources
- Ongoing assessment
- Emotional support



**Trinity Assisted Living**  
(757) 585-0115  
tracy@trinityassistedliving.net

# York County, Virginia

**Property:** 101 SHADY BLUFF PT  
**Map#:** 003 2 1 70  
**GPIN:** E20a-0429-3103  
**Owner:** D W M PROPERTIES LLC  
**Owner Address:** 1328 CAVALIER BLVD  
**Owner Address (Cont'd):** No Data  
**Owner City/State/Zip:** CHESAPEAKE VA 23323



## Site Details

**Deeded Lot Size:** 2.09  
**Deed Reference:** 070000773  
**Legal Description:** SKIMINO LANDING ESTATES PHASE 1 LOT 70  
**Zoning Code:** RR: Rural Residential  
**Government District:** BRUTON  
**Census Tract:** 510.00

## Election Information

**Voting Precinct:** WALLER MILL  
**Polling Place:** WALLER MILL ELEMENTARY SCHOOL  
**House District:** 96  
**Senate District:** 3

## School Districts

**Elementary School District:** WALLER MILL  
**High/Middle School District:** BRUTON/QUEENS LAKE

## Waste Management

**Garbage Day:** N/A  
**Recycle Day:** WEDNESDAY

## Assessment Information

	Current Assessment	2010 Assessment	2008 Assessment
<b>Land Value:</b>	\$150,000	\$175,000	\$175,000
<b>Improvement Value:</b>	\$712,500	\$757,800	\$762,700
<b>Total Value:</b>	\$862,500	\$932,800	\$937,700

## Site Information

### Environmental Considerations

**Waterfront:** N  
**Flood Zone(s):** X  
**Flood Map:** 51199C0055C

### Utilities

**Public Water:** Y  
**Public Sewer:** N  
**Well Water:** No Data

**DISCLAIMER:** This data is provided without warranty of any kind, either expressed or implied, including, but not limited to, the implied warranties of merchantability and fitness for a particular purpose. Any person, firm or corporation which uses this map or any of the enclosed information assumes all risk for the inaccuracy thereof, as York County expressly disclaims any liability for loss or damage arising from the use of said information by any third party.

**Base Flood Elevation:** NONE  
**Resource Protection Area:** NO  
**Resource Management Area:** NO  
**200' Watershed Mgt Prot Area:** NO  
**500' Watershed Mgt Prot Area:** NO

**Septic Tank:** Y

**Improvements**

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**Year Built:** 2001  
**Square Footage:** 6,539  
**Stories:** 1  
**Total Rooms:** 14  
**Bedrooms:** 6  
**Bathrooms:** Full Baths 5  
**Fireplaces:** 1  
**Central Heat:** Y  
**Central Air:** Y  
**Fuel Type:** PRO-FA

**Construction**  
**Foundation Type:** CRAWL  
**Roof Type:** ARCH SHNG  
**Exterior Type:** EIFS(DRYVIT)  
**Basement:** NONE

**Additional Details**

<u>Building</u>	<u>Size/Quantity</u>
GAR ATT 1000/F	936
POR COV 300	275
POR COV 300	176

**Other Details**

<u>Building</u>	<u>Size/Quantity</u>
POOL CONCRETE	720
RETAINING WALL	413

**Ownership History**

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<b>Owner Name</b>	<b>Date of Transfer</b>	<b>Consideration</b>	<b>Deed</b>	<b>Fair Market Sale</b>
D W M PROPERTIES LLC	10-01-2007	\$550,000	070000773	No Data
BROWNING GARY W	12-12-2006	\$250,000	060030582	
KOLIOPOULOS LYCOURGOS C ETUX	04-03-1999	\$50,000	1077 41	

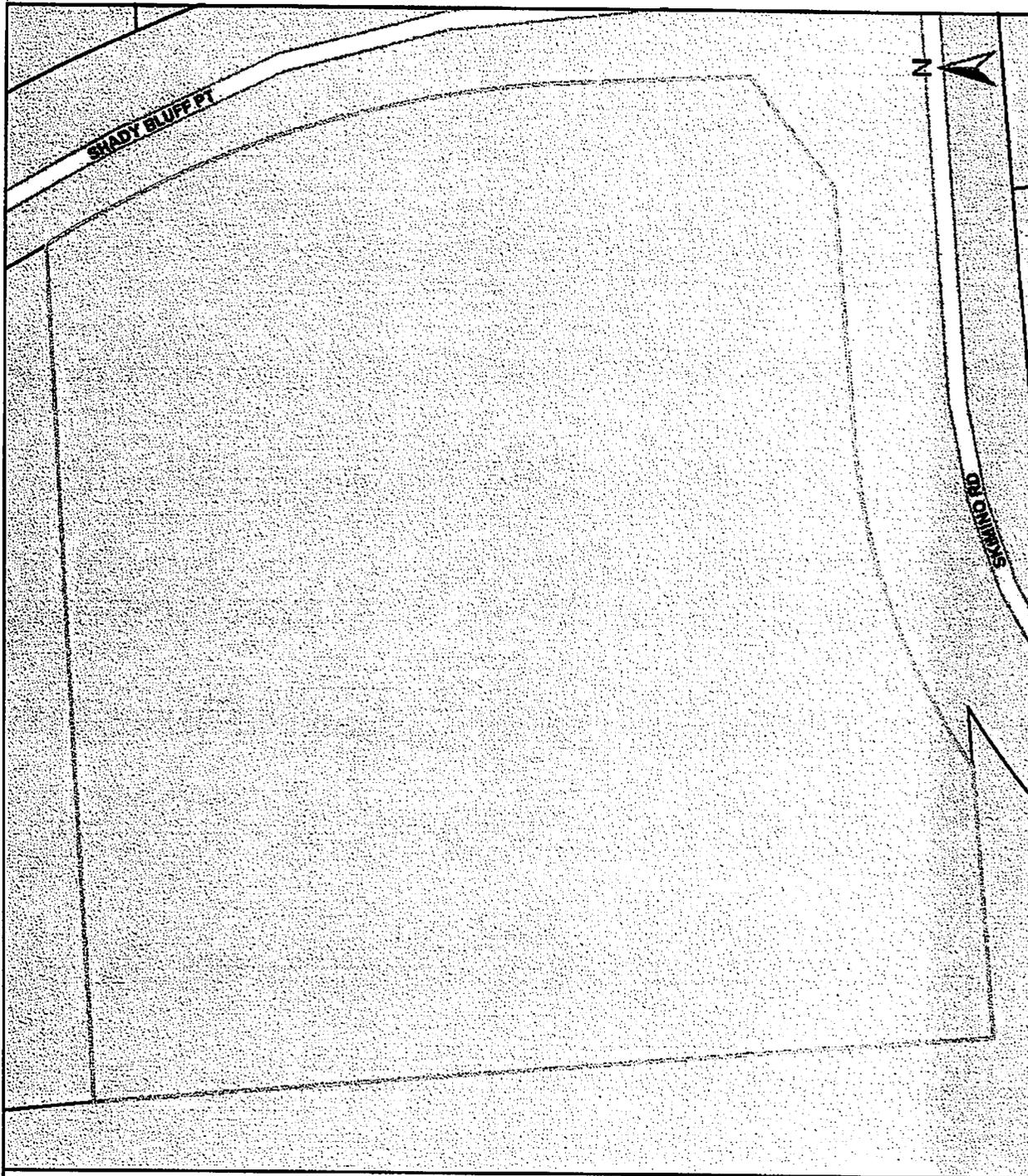
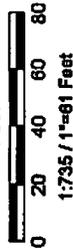
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# York County

## Legend

 Parcel Boundary

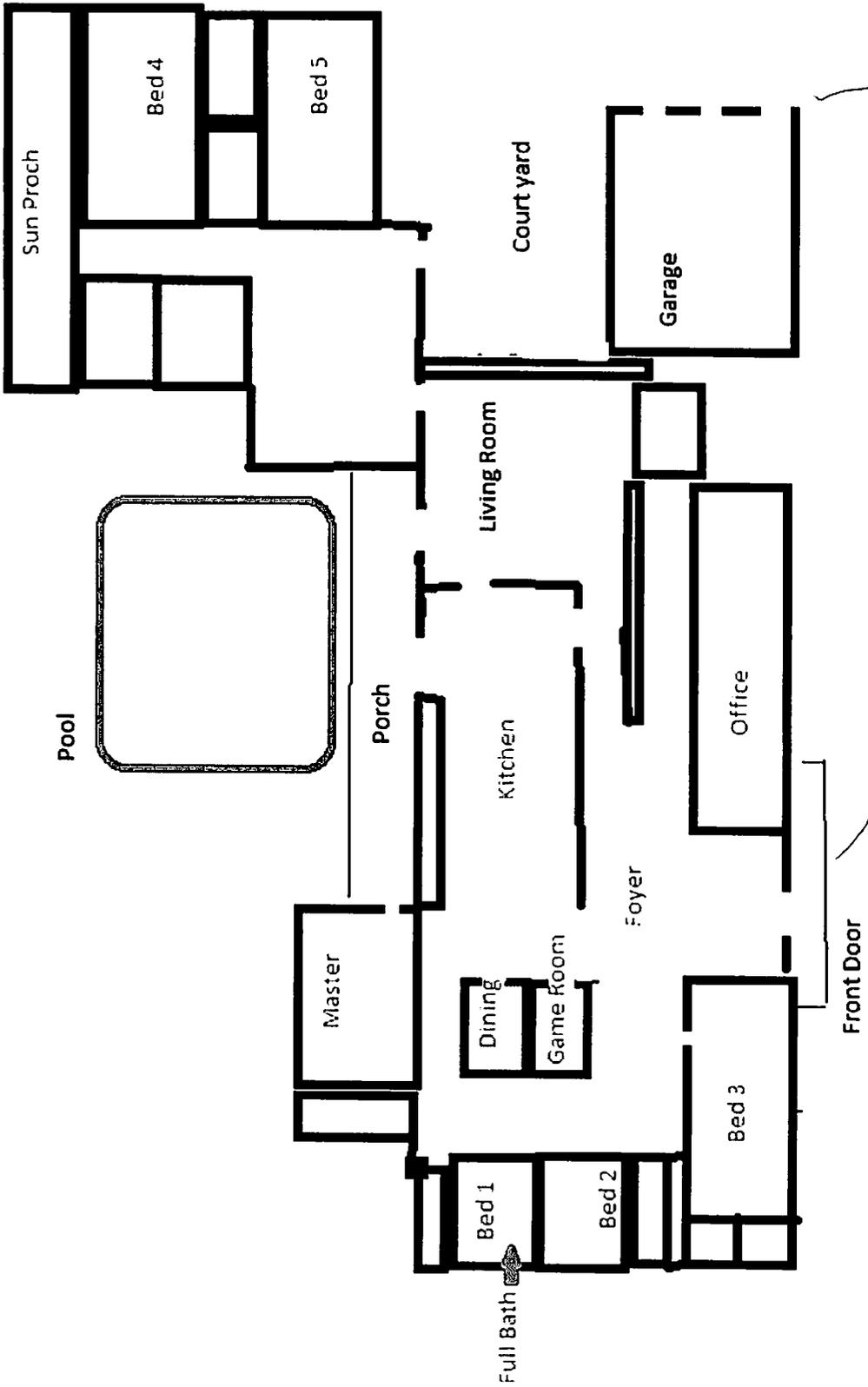
Feet



**GPIN:** E20a-0429-3103

**Date:** 11/1/2012

DISCLAIMER: This drawing is neither a legally recorded map nor a survey and is not intended to be used as such. The information displayed is a compilation of records, information, and data obtained from various sources, and the County of York is not responsible for its accuracy or how current it may be.



PLANNING COMMISSION  
COUNTY OF YORK  
YORKTOWN, VIRGINIA

Resolution

At a regular meeting of the York County Planning Commission held in the Board Room, York Hall, Yorktown, Virginia, on the \_\_\_\_ day of \_\_\_\_\_, 2013:

\_\_\_\_\_

Present

Vote

Richard M. Myer, Jr., Chair  
Mark B. Suiter, Vice Chair  
Alexander T. Hamilton  
Christopher A. Abel  
Timothy D. McCulloch  
Todd H. Mathes  
Melissa S. Magowan

\_\_\_\_\_

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

**A RESOLUTION TO RECOMMEND APPROVAL OF A SPECIAL USE PERMIT TO AUTHORIZE A GROUP HOME AT 101 SHADY BLUFF POINT**

WHEREAS, Trinity Assisted Living has submitted Application No. UP-824-13 requesting a Special Use Permit to authorize a group home with up to eight (8) occupants and up to three (3) employees at any one time in an existing single-family detached dwelling located on a 2.1-acre parcel of land located at 101 Shady Bluff Point (Route 1613) and further identified as Assessor’s Parcel No. 3-2-1-70; 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 \_\_\_\_ day of \_\_\_\_\_, 2013 that Application No. UP-824-13 be, and it

is hereby, transmitted to the York County Board of Supervisors with a recommendation of approval of a Special Use Permit authorizing the establishment of a group home with up to eight (8) occupants and up to three (3) employees at any one time in an existing single-family detached dwelling located on a 2.1-acre parcel of land located at 101 Shady Bluff Point (Route 1613) and further identified as Assessor's Parcel No. 3-2-1-70 subject to the following conditions:

1. This Special Use Permit shall authorize the establishment of a group home with up to eight (8) occupants and up to three (3) non-resident employees at any one time in an existing single-family detached dwelling located on a 2.1-acre parcel of land located at 101 Shady Bluff Point (Route 1613) and further identified as Assessor's Parcel No. 3-2-1-70.
2. The facility shall comply at all times with all applicable licensing requirements of the Virginia Department of Social Services.
3. The facility shall be under 24-hours-a-day care for and supervision of at least one and no more than three professional staff persons (at any one time), one or more of whom may also reside in the facility. The facility may include and offer on-site counseling, education, and training services for residents; however, such services may not be offered at the premises to non-residents.
4. The external appearance and arrangement of such facility retain a form and character that is compatible with the appearance and arrangement of other residential uses in the general area.
5. No signage shall be permitted.
6. All parking associated with the group home shall be accommodated off the street in a suitably surfaced and located space. The existing landscape buffering of the current parking area shall be maintained. Any additional parking area of expansion of or addition to the existing parking area shall be located not less than 25 feet from any residential property line and shall be effectively screened from view from adjacent residential properties by additional landscaping consistent with the Type 25 (25-foot) Transitional Buffer requirements.
7. Prior to issuance of a Certificate of Occupancy for the group home, the applicants shall submit to the Virginia Department of Health (VDH) a Wastewater Characterization, prepared by an appropriately licensed professional engineer, to determine the ability of the existing on-site sewage disposal system to accommodate the group home. Approval of this Special Use Permit, and issuance of a Certificate of Occupancy, shall be contingent upon VDH approval of the proposed use and subject to any occupancy limits established by the VDH as noted in Condition No. 8 below.

8. The maximum number of residents shall be eight (8), and no more than three (3) employees shall be on the premises at any one time, or such lower limits on the number of residents and/or employees as may be established by the Virginia Department of Health based on the capacity and capabilities of the on-site sewage disposal system.
9. 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 prior to issuance of a Certificate of Occupancy for the group home.

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.