

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 _____, 2012:

Present

Vote

M. Sean Fisher, Chair
Richard M. Myer, Jr., Vice Chair
Christopher A. Abel
Alexander T. Hamilton
Mario C. Buffa
Melissa S. Magowan
Mark B. Suiter

On motion of _____, which carried ____, the following resolution was adopted:

A RESOLUTION TO RECOMMEND APPROVAL OF A SPECIAL USE PERMIT TO AUTHORIZE A DETACHED ACCESSORY APARTMENT AT 103 COVE DRIVE

WHEREAS, J.H. Mitchell III has submitted Application No. UP-801-12 to request a Special Use Permit, pursuant to Section 24.1-407(b)(2) of the York County Zoning Ordinance, to authorize an accessory apartment in a detached structure in conjunction with an existing single-family detached home on a 0.51-acre parcel of land located at 103 Cove Drive and further identified as Assessor’s Parcel No. 25M-2-1-3 (GPIN# U09d-3357-0308); 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 given careful consideration to the public comments with respect to this application;

NOW, THEREFORE, BE IT RESOLVED by the York County Planning Commission this the ____ day of _____, 2012 that Application No. UP-801-12 be, and it is hereby, transmitted to the York County Board of Supervisors with a recommendation of approval to authorize a Special Use Permit, pursuant to Section 24.1-407(b)(2) of the York County Zoning Ordinance, for the establishment of an accessory apartment in a detached structure in conjunction with an existing single-family detached

home on a 0.51-acre parcel of land located at 103 Cove Drive and further identified as Assessor's Parcel No. 25M-2-1-3 (GPIN# U09d-3357-0308) subject to the following conditions:

1. This use permit shall authorize the establishment of a detached accessory apartment in conjunction with a single-family detached home on a 0.51-acre parcel of land located at 103 Cove Drive and further identified as Assessor's Parcel No. 25M-2-1-3 (GPIN# U09d-3357-0308).
2. The apartment shall be contained within a structure located behind the principal dwelling as depicted on the sketch plan and in accordance with the floor plans submitted by the applicant, copies of which shall remain on file in the office of the Planning Division.
3. Construction and occupancy of the accessory apartment shall be in compliance with the performance standards set forth in Section 24.1-407 (Standards for accessory apartments in conjunction with single-family detached dwellings) of the Zoning Ordinance.
4. Construction and occupancy of the accessory apartment shall be in compliance with the performance standards set forth in Section 24.1-373 (Floodplain Management Area overlay district) of the Zoning Ordinance.
5. Not more than one (1) accessory apartment shall be permitted in conjunction with the principal dwelling unit.
6. The habitable floor area of the accessory apartment unit shall not exceed 650 square feet.
7. The accessory apartment unit shall contain no more than one (1) bedroom and no more than one (1) bathroom with tub and/or shower facilities.
8. Adequate provisions shall be made for off-street parking of motor vehicles in such a fashion as to be compatible with the character of the single-family residence and adjacent properties.
9. The accessory apartment shall not be rented separate from the principal dwelling and shall be occupied only by family members or guests of the occupant of the single-family dwelling or by a bona fide medical/health caretaker or domestic employee of the occupant of the single-family dwelling.
10. Design and construction of the accessory apartment shall comply with all applicable regulations of the Virginia Residential Building Code. A certificate of occupancy and compliance shall be issued by the Building Code Official prior to continued occupancy of the accessory apartment.

11. Prior to issuance of a certificate of occupancy for the accessory apartment, the applicant shall be responsible for recording with the Clerk of the Circuit Court, a copy of the resolution authorizing this use permit. A court-certified copy of the document shall be submitted to the County at the time of building permit application.

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