

**BOARD OF SUPERVISORS  
COUNTY OF NEW KENT  
VIRGINIA**

**O-08-12**

At the regular meeting of the Board of Supervisors of the County of New Kent in the Boardroom of the Administration Building in New Kent, Virginia, on the 09<sup>th</sup> day of July, 2012:

Present:	Vote:
Ron Stiers	Aye
W. R. Davis, Jr.	Aye
Thomas W. Evelyn	Aye
C. Thomas Tiller, Jr.	Aye
James H. Burrell	Aye

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Motion was made by Mr. Davis, which carried 5:0, to adopt the following ordinance:

**A RESOLUTION TO AMEND THE  
ZONING ORDINANCE FOR THE CREATION OF  
THE PLUM POINT AREA OVERLAY REGULATIONS**

**WHEREAS**, the New Kent County Board of Supervisors adopted resolution R-26-12 on the 14<sup>th</sup> day of May, 2012 to initiate an amendment to the New Kent County zoning ordinance for the purpose of creating the Plum Point Area Overlay Regulations; and

**WHEREAS**, the purpose of the zoning text amendment is to bring properties within the Plum Point neighborhood into consistent and appropriate general lot dimensional requirements based upon the subdivision plan as platted in 1915 and the County's zoning ordinance; and

**WHEREAS**, subsequent to receiving the initiating resolution from the New Kent County Board of Supervisors, the Commission scheduled and conducted a formal and duly advertised public hearing on 18 June 2012, and carefully considered the public comment received; and

**WHEREAS**, the Commission voted 10:0:1 to forward a favorable recommendation to amend Chapter 98 of the new Kent County Code to create the Plum Point Area Overlay Regulations; and

**WHEREAS**, the New Kent County Board of Supervisors find that adoption of the zoning text amendments supports the public necessity, convenience, general welfare and good zoning practices in the County of New Kent;

**NOW THEREFORE BE IT ORDAINED** by the New Kent County Board of Supervisors this the 09<sup>th</sup> day of July 2012 that Chapter 98 of the New Kent County Code be, and it is hereby, amended as set forth below:

#### **ARTICLE V. - PLUM POINT AREA OVERLAY REGULATIONS**

Sec. 98-137. - Intent of article.

It is the intent of the regulations of this article to establish design criteria to provide for a responsible community that accounts for the recorded subdivision plan and rural character of the area. In addition to protecting the general health, safety and welfare of the public and managing the land use and aesthetics in the Plum Point area with setbacks and lot area that promote these goals.

Sec. 98-138. - District boundaries.

The Plum Point overlay district shall consist of all properties north of Mattaponi Drive and south of the York River, identified on the subdivision plat titled "Manhattan Subdivision" and recorded in New Kent County plat book 2, page 27.

Sec. 98-139. - Application of article.

The requirements of this article shall be applicable to all development and redevelopment within the Plum Point overlay district requiring subdivision approval in accordance with chapter 91 of this Code, or a site plan prepared in accordance with article XXII of this chapter. The requirements listed in this article are in addition to the requirements listed in the underlying zoning district article of the New Kent County code. Where

multiple or conflicting regulations exist, the regulations contained in this article shall apply.

Sec. 98-140. - Permitted uses.

All uses permitted by right or with a conditional use permit in the underlying zoning district shall be permitted by right or with a conditional use permit respectively in the Plum Point overlay district.

Sec. 98-141. – Lot dimensional requirements.

Plum Point Overlay District	
Standard	Requirement
Minimum Lot Area	15,000 square feet
Minimum Lot Width	80 feet
Minimum Front Setback	
Principle Structure	35 feet
Accessory Structure	35 feet
Minimum Rear Yard	
Principal Structure	25 feet
Accessory Structure	5 feet
Minimum Side Yard	
Principal Structure Least Side Yard Setback	10 feet
Principal Structure Sum of Side Yard Setbacks	25 feet
Accessory Structure	5 feet
Maximum Height	35 feet

Secs. 98-142 —98-660. - Reserved.

**NOW THEREFORE, BE IT ALSO ORDAINED** by the New Kent County Board of Supervisors this the 09<sup>th</sup> day of July 2012, that Chapter 98 of the New Kent County code be and it is hereby amended as set forth below:

Article ~~V~~ **VI.** Conservation, C-1

Article ~~VI~~ **VII.** Agricultural, A-1

Article ~~VII~~ **VIII.** Intensive Livestock

Article ~~VIII~~ **IX.** Single-Family Residential, R-O, R-OA, R-1, R-1A

Article ~~IX~~ **X.** General Residential, R-2, R-2A

Article ~~X~~ **XI.** Multiple-Family Residential, R-3

Article ~~XI~~ **XII.** Area, Frontage, Yards, Height, Setback and Building Size in Residential Districts

Article ~~XII~~ **XIII.** Mobile Home Parks, MHP

Article ~~XIII~~ **XIV.** Business District

Article ~~XIV~~ **XV.** Special Area Districts

Article ~~XV~~ **XVI.** Economic Opportunity District

Article ~~XVI.~~ Reserved



G. Cabell Lawton, IV  
County Administrator



James H. Burrell  
Chairman