

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

O-10-10

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 13th day of December 2010:

Present:	Vote:
W. R. Davis, Jr.	Aye
Thomas W. Evelyn	Nay
James H. Burrell	Aye
Stran L. Trout	Aye
David M. Sparks	Aye

Motion was made by Mr. Trout, which carried 4:1 to adopt the following ordinance:

**AN ORDINANCE TO AMEND TIME LIMITS
ASSOCIATED WITH THE CONDITIONAL USE
PERMIT PROVISIONS CONTAINED IN THE NEW
KENT COUNTY ZONING ORDINANCE**

WHEREAS, the New Kent County Board of Supervisors became aware of a potential problem with the wording in the Zoning Ordinance with respect to the time limit imposed by the Conditional Use Permit issuance provisions found in §98-742 of the New Kent County Code; and

WHEREAS, the Board by Resolution R-52-10 sponsored an amendment to the relevant Code section in order to ensure that both the Planning Commission and the public would have an appropriate opportunity to advise the Board on this matter; and

WHEREAS, subsequent to thoroughly evaluating the proposed amendment, conducting two duly advertised public hearings and carefully considering the public input received, the Planning Commission voted 6:2:1 to recommend approval of this amendment; and

WHEREAS, the Board of Supervisors finds that adoption of the proposed amendment would positively further planning and zoning practice in the County and provide for and protect the public health, safety and general welfare of the citizens of New Kent County;

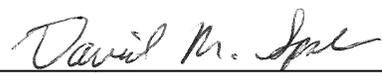
NOW THEREFORE BE IT ORDAINED by the New Kent County Board of Supervisors on this the 13th day of December 2010, that the following proposed amendment to §98-742 of the New Kent County Zoning Ordinance as it relates to the time limit imposed on Conditional Use Permits issued by the Board be, and it is hereby, approved:

Sec. 98-742. Conditional use permits.

All conditional uses set forth in this chapter shall require a conditional use permit in order to be lawfully conducted. The permit shall be subject to such conditions in addition to any which may be specified in this article as are deemed necessary to carry out the intent of this chapter. There shall be a charge for the examination and approval or disapproval of every conditional use permit application and renewal. Such charge shall be established by the board of supervisors from time to time. The board of supervisors may at its discretion waive any and all required fees for conditional use permits to nonprofit civic organizations whose fund raising events require conditional use permits. All conditional use permits shall ~~expire one year after issuance~~ *have an expiration date established by the board in approving each conditional use permit such that if a building permit for the use has not commenced-been issued and construction diligently pursued within that time period the authority granted by the conditional use permit shall terminate.*



G. Cabell Lawton, IV
County Administrator



David M. Sparks
Chairman