

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

**R-03-11(R)**

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 14<sup>th</sup> day of February, 2011:

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

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

**A RESOLUTION TO APPROVE  
CONDITIONAL USE PERMIT APPLICATION CUP-08-10  
AUTHORIZING THE INSTALLATION & OPERATION OF A  
COMMUNICATION TOWER NO GREATER THAN 195' IN HEIGHT  
(EXCLUSIVE OF LIGHTNING ROD) IN THE  
A-1, AGRICULTURAL ZONING DISTRICT**

WHEREAS, James H. & Lottie D. Shiflett have submitted an Application for Conditional Use Permit dated 29 October 2010; and

WHEREAS, said application requests a Conditional Use Permit to install and operate a communication tower located on property identified on the New Kent County digital map as GPIN L10-0651-3567 and is identified on the New Kent County tax map as parcel 21-3A; and

WHEREAS, this application was referred to and considered by the New Kent County Planning Commission ("the Commission"); and

WHEREAS, subsequent to receiving a complete application and within the timeframes established by Code, the Commission scheduled and conducted a formal and duly advertised public hearing, carefully considering the public comment received; and

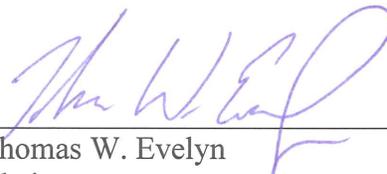
WHEREAS, the Commission voted 9:0:1 to forward the subject application to the New Kent County Board of Supervisors (“the Board”) with a favorable recommendation; and

NOW THEREFORE BE IT RESOLVED by the New Kent County Board of Supervisors on this, the 14<sup>th</sup> day of February, 2011, that Conditional Use Permit Application CUP-08-10 be and is hereby, approved subject to the following conditions:

1. The communication tower shall meet all applicable requirements set forth in New Kent County Code Section 98-873(m) – Standards for communication and broadcast towers: radio, television, cellular telephone, and microwave, and in New Kent County Code Section 98-745(b)(12) – Conditions for radio, television or communication stations and/or towers which exceed 50 feet in height in the conservation and agricultural zoning districts.
2. The telecommunication tower erected on the subject property shall not exceed 195 feet in height exclusive of a lightning rod.
3. This Conditional Use Permit shall expire on the third anniversary of its approval if a building permit pertaining to the communication tower has not been issued.



G. Cabell Lawton, IV  
County Administrator



Thomas W. Evelyn  
Chairman