

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

**R-40-10**

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 9th day of August, 2010:

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

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

**A RESOLUTION RECOMMENDING APPROVAL  
FOR THE ADDITION OF TAX MAP PARCEL 23-40F AND 23-41J TO THE EVELYN  
AGRICULTURAL AND FORESTAL DISTRICT**

WHEREAS, James W. and Carolyn O. Smith have applied to add tax map parcels 23-40F, GPIN # K18-0562-3615 containing approximately 10.34 acres and parcel 23-41J, GPIN # K17-3642-4270 containing approximately 3.61 acres, to the Evelyn Agricultural and Forestal District; and

WHEREAS, granting this request will increase the acreage of the Evelyn Agricultural and Forestal District to approximately 433 acres; and

WHEREAS, the realignment and renaming of the current Agricultural and Forestal Districts will be reviewed and, if approved, this request will become a portion of the Pelham Swamp Agricultural and Forestal District; and

WHEREAS, this request is in accordance with state and local laws governing Agricultural and Forestal Districts as administered by the locality; and

WHEREAS, the recommendation to forward parcel 23-41J may not be consistent with the administration of the tax codes governing the AFD program based on a minimum acreage requirement of 5 acres for agriculture; and

WHEREAS, this application was thoroughly considered by the Agricultural and Forestal District Advisory Committee and forwarded with the recommendation to include both parcels on the basis that there are 4 parcels, family owned, as a fully functioning agricultural farm (in conjunction with AFD-04-10, R-39-10). The current zoning and future land use designations are for agriculture and rural lands, both to promote low levels of development, the farm is also located on a major thoroughfare and is important to the protection of rural character. Individual parcel size is not indicative of management and the entire family farm should be permitted to enroll in the AFD program; and

WHEREAS, the Agricultural and Forestal District Advisory Committee voted 7:0:1 to forward a favorable recommendation of this application; and

WHEREAS, this application was thoroughly considered by the Planning Commission who, after conducting a duly advertised public hearing in accordance with the applicable requirements of the Code of Virginia, voted 8:1:1 to forward the request with a favorable recommendation; and

WHEREAS, this application has been advertised for public hearing before the Board of Supervisors in full accordance with the applicable provisions of the Code of Virginia;

NOW THEREFORE BE IT RESOLVED, this the 9th day of August, 2010, by the New Kent County Board of Supervisors, the addition of tax map parcels 23-40F, GPIN # K18-0562-3615 containing approximately 10.34 acres and parcel 23-41J, GPIN # K17-3642-4270 containing approximately 3.61 acres to the Evelyn Agricultural and Forestal District is hereby approved.



G. Cabell Lawton, IV  
County Administrator



David M. Sparks  
Chairman