

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

R-52-10

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 29th day of September 2010:

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

Motion was made by Mr. Davis, which carried 4:0 to adopt the following resolution:

**A RESOLUTION TO SPONSOR AN AMENDMENT
TO THE CONDITIONAL USE PERMIT
PROVISIONS CONTAINED IN THE NEW KENT
COUNTY ZONING ORDINANCE**

WHEREAS, the New Kent County Board of Supervisors has become 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 desires to obtain the advice of the Planning Commission and the citizens of New Kent County in determining how or if to resolve this potential problem; and

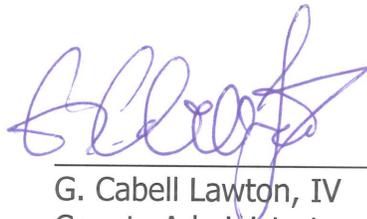
WHEREAS, the Board finds that sponsoring an amendment to the Code section in question ensures that both the Planning Commission and the public will have an appropriate opportunity to advise the Board on this matter;

NOW THEREFORE BE IT RESOLVED by the New Kent County Board of Supervisors on this the 29th day of September 2010 that the Board does hereby sponsor the following 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:

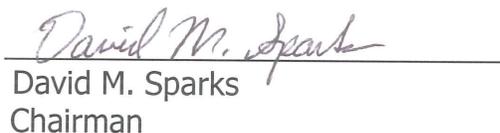
Sec. 98-742. Conditional use permits.

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.*

BE IT FURTHER RESOLVED that this amendment is hereby transmitted to the New Kent County Planning Commission for its recommendation after conducting a duly advertised public hearing and careful consideration.



G. Cabell Lawton, IV
County Administrator



David M. Sparks
Chairman