

BK0556PG0586

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

**O-14-09**

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 10<sup>th</sup> day of August, 2009:

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

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

**AN ORDINANCE TO REZONE 4.4 ACRES OF LAND  
FROM A-1, AGRICULTURAL TO BUSINESS**

WHEREAS, Eric Whitlow and Janet Whitlow have submitted an "Application for Rezoning" dated 11 March, 2009; and

WHEREAS, the subject property is identified on the New Kent County digital map as GPINS L10-1579-2486 & L10-1672-2796 and is identified on the New Kent County tax map as parcels 21-6 & 21-7B; and

WHEREAS, the subject property was intended to be rezoned from A-1, Agricultural to Business as part of the zoning ordinance amendment proposed by the Zoning Ordinance Rewrite Committee (Ordinance O-15-08(R2)) and while the subject property was shown as Business on the Proposed Zoning Map Amendment which was presented to the Planning Commission, Board of Supervisors, and the public, due to a database or clerical error was not included on the list of parcels to be rezoned in Ordinance O-15-08(R2)); and

WHEREAS, the Application for Rezoning seeks to reconcile Ordinance O-15-08(R2) with the adopted Zoning Map by placing the subject property in the Business zoning classification by ordinance; and

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

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

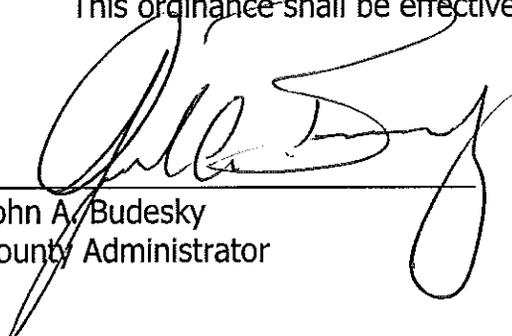
WHEREAS, this application has been advertised for public hearing before the Board of Supervisors in full accord with applicable provisions of the Code of Virginia; and

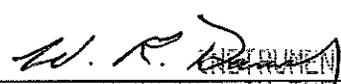
WHEREAS, in order to assure compliance with §15.2-2286.A.7 of the Code of Virginia, it is stated by the Board of Supervisors that the public purpose for this Ordinance is to further public necessity, convenience, general welfare and good zoning practices in the County of New Kent and that its approval will further these public purposes; and

NOW THEREFORE BE IT ORDAINED this, the 10<sup>th</sup> day of August, 2009, by the New Kent County Board of Supervisors, that application ZM-08-09 be, and it hereby is, approved by placing the subject property in the Business zoning classification by ordinance and reconciling Ordinance O-15-08(R2) with the adopted Zoning Map; and

BE IT FURTHER ORDAINED, that the County Administrator be, and he is, hereby directed to have a fully executed copy of this Ordinance recorded upon the Land Records of the County in the office of the Clerk of the Circuit Court.

This ordinance shall be effective immediately.

  
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John A. Budesky  
County Administrator

  
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W. R. Davis, Jr.  
Chairman

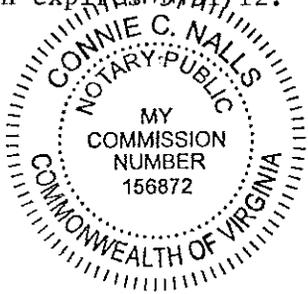
INSTRUMENT #090003183  
RECORDED IN THE CLERK'S OFFICE OF  
NEW KENT COUNTY ON  
AUGUST 17, 2009 AT 08:35AM

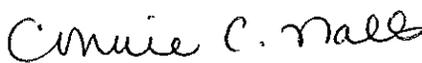
KAREN A. BUTLER, CLERK  
RECORDED BY: KSM

STATE OF VIRGINIA  
County of New Kent, to-wit:

Subscribed to before me, the undersigned Notary Public, in New Kent County; Virginia, on August 12, 2009.

My commission expires 5/31/12.



  
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Notary Public