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BOARD OF SUPERVISORS  
COUNTY OF NEW KENT  
VIRGINIA

R-13-16

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 13<sup>th</sup> day of June, 2016:

Present:	Vote:
Patricia A. Paige	Aye
W.R. Davis, Jr.	Aye
Thomas W. Evelyn	Aye
C. Thomas Tiller, Jr.	Aye
Ron Stiers	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-01-16, COUNTY OF NEW KENT AND  
DEPARTMENT OF PUBLIC UTILITIES  
TO AUTHORIZE THE CONSTRUCTION OF A WIRELESS COMMUNICATIONS  
TOWER LOCATED ON TAX MAP 23-28C (GPIN #J17-2227-1854)**

WHEREAS, County of New Kent (property owner) and representatives from the Department of Public Utilities (applicant), have submitted a "Conditional Use Permit Application" dated April 8, 2016; and

WHEREAS, said application requests a conditional use permit to construct a wireless radio communications tower on a portion of a parcel identified on the New Kent County digital map as GPIN #J17-2227-1854 (Tax Map and parcel 23-28C); 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 on May 16, 2016 where they carefully considered the public comment received and voted 10:0:1 to forward a recommendation of approval to the Board of Supervisors; and

WHEREAS, within the timeframes established by the Code of Virginia and New Kent County Code, the Board of Supervisors scheduled and conducted a formal and duly advertised public hearing on June 13, 2016, and carefully considered the comments received; and

WHEREAS, the Board of Supervisors has evaluated the application based on the current zoning of the parcel, which is Economic Opportunity, the standards set forth in the Conditional Use Permit Provisions of the Zoning Ordinance (Article XIX, § 98-741 et seq.), and the proposed condition in the staff memo; and

WHEREAS, the Board of Supervisors finds that approval of CUP-01-16 with the condition stated herein is appropriate to address, protect, and promote public convenience, necessity, general welfare, and good zoning practices in the County and the health, safety, and general welfare of the Citizens in the County;

NOW THEREFORE, BE IT RESOLVED that on this, the 13<sup>th</sup> day of June, 2016, by the New Kent County Board of Supervisors, that Conditional Use Permit Application CUP-01-16 submitted by County of New Kent (property owner) and Department of Public Utilities (applicant), be, and it hereby is, approved, subject to the following condition:

- 1. This Conditional Use Permit shall apply only to the application and supplemental application materials submitted as CUP-01-16 on April 8, 2016 to the Community Development Department.

Attest:

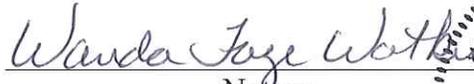
  
\_\_\_\_\_  
Rodney A. Hathaway  
County Administrator

  
\_\_\_\_\_  
Ron Stiers  
Chairman  
INSTRUMENT #160001695  
RECORDED IN THE CLERK'S OFFICE OF  
NEW KENT COUNTY ON  
JUNE 16, 2016 AT 01:11PM  
AMY P. CRUMP, CLERK  
RECORDED BY: KSM

COUNTY OF NEW KENT  
COMMONWEALTH OF VIRGINIA

The foregoing instrument was acknowledged before me this 14<sup>th</sup> day of June, 2016 by Rodney A. Hathaway, County Administrator and Clerk of the New Kent Board of Supervisors.

My commission expires: 12-31-18  
My Commission Number: 315272

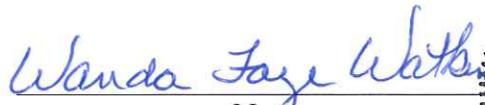
  
\_\_\_\_\_  
Notary



COUNTY OF NEW KENT  
COMMONWEALTH OF VIRGINIA

The foregoing instrument was acknowledged before me this 15<sup>th</sup> day of June, 2016 by Ron Stiers, Chairman of the New Kent Board of Supervisors.

My commission expires: 12-31-18  
My Commission Number: 315272

  
\_\_\_\_\_  
Notary

