

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

O-10-16

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 13th day of June, 2016:

Present:	Vote:
C. Thomas Tiller, Jr.	Aye
Patricia A. Paige	Aye
W.R. Davis, Jr.	Aye
Thomas W. Evelyn	Aye
Ron Stiers	Aye

BK0654PG1055

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

**AN ORDINANCE TO REZONE APPROXIMATELY
1 ACRE OF LAND FROM A-1 TO BUSINESS**

WHEREAS, Dwight and Delores Sheffield of Chickahominy Riverside Investments, LLC (applicants) and John C. Jones (agent) have submitted a "Rezoning/Ordinance Change Application" and Proffer Statement dated April 4, 2016; and

WHEREAS, said application requests the rezoning of approximately 1 acre identified on the New Kent County digital map as GPIN #D26-2261-2921 (Tax Parcel 45-77); and

WHEREAS, subsequent to receiving a complete application and within the timeframes established by Code, on May 16, 2016 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 10:0:1 to forward the application to the New Kent County Board of Supervisors with a favorable recommendation; and

WHEREAS, the rezoning 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, approval of the rezoning request through the adoption of this Ordinance will further the public necessity, convenience, general welfare and good zoning practices in the County of New Kent; and

NOW THEREFORE BE IT ORDAINED this, the 13th day of June, 2016, by the New Kent County Board of Supervisors, that application ZM-01-16 be, and it hereby is, approved by amending the New Kent County Zoning Map to reclassify GPIN #D26-2261-2921 (Tax Parcel 45-77) as Business.

BE IT FURTHER ORDAINED that the Board of Supervisors accepts the proffers voluntarily offered by the applicants and agent.

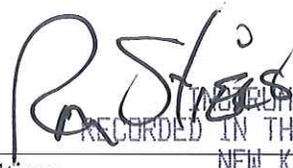
BE IT FURTHER ORDAINED, that the County Administrator be, and he is hereby, directed to have a fully executed copy of this Ordinance and Proffer Statement recorded upon the Land Records of the County in the office of the Clerk of the Circuit Court.

BK0654PG1056

Attest:



Rodney A. Hathaway
County Administrator



Ron Stiers
Chairman

INSTRUMENT #160001681
RECORDED IN THE CLERK'S OFFICE OF
NEW KENT COUNTY ON
JUNE 16, 2016 AT 11:27AM

AMY P. CRUMP, CLERK
RECORDED BY: KSM

COUNTY OF NEW KENT
COMMONWEALTH OF VIRGINIA

The foregoing instrument was acknowledged before me this 14th 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



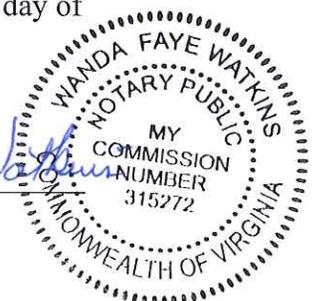
COUNTY OF NEW KENT
COMMONWEALTH OF VIRGINIA

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

My commission expires:
My Commission Number:



Notary





PROFFER STATEMENT
County of New Kent, Virginia
Planning Department
Web site: www.co.new-kent.va.us/planning

OFFICE USE ONLY
DO NOT WRITE IN THIS BOX
Application #: ZM-01-16
Date Received: 4/4/16
Staff Initials: KCB

New Kent County ♦ Community Development Department-Planning ♦ P O Box 50 ♦ New Kent, VA 23124 ♦ Phone 804-966-9690 ♦ Fax 804-966-8531
Use P O Box for all mail. Street address: 12007 Courthouse Circle, New Kent, VA 23124 FOR DELIVERIES ONLY

Information and Instructions:
Sections 98-781 to 98-790 of the New Kent County Code govern the establishment of conditions at the time of rezoning of property. The proffer of conditions must be prepared and submitted voluntarily by the property owner. Conditions must be specific and must bear a direct relationship to the rezoning request. Conditions may not impose any obligations upon the County beyond the granting of the requested zoning.
Proffers or amendments thereto must be filed within (ten) 10 business days prior to the public hearing at which the rezoning request will be heard.
All property owners of record must sign the proffer statement before a Notary Public. If a person signs on behalf of a company or organization, or if someone other than the property owner signs, then a Power of Attorney Form will need to accompany the Proffer Statement.

I/We hereby voluntarily proffer that the development of the subject property of this application shall be in strict accordance with the conditions set forth below:

- 1. No Amusement facilities, or similar business
2. No animal Hospitals, or similar business
3. No Barber or Beauty salons, or similar business
4. No B&B or restaurant, or affiliated business
5. No car wash, or automotive business.
6. No mini supermarket, or similar business.
7. No group residential home, or similar business.
8.

Use Additional sheets if needed

[Handwritten signature]

[] Applicant [X] Agent [] Contract Purchaser

Date: 4-4-16

STATE OF VIRGINIA
CITY/COUNTY OF New Kent, TO-WIT:

This day John C. Jones Jr personally appeared before me, Sandra D. Ragsdale, a Notary Public in and for the County and State aforesaid, swore or affirmed that the matters stated in the foregoing Statement of Proffer are true to the best of his acknowledgement and belief. Given under my hand this 4th date of April, 2016.

Sandra D. Ragsdale
Notary Public

Notary registration No.: 222221
My commission expires: 9/30/18

Dwight E. Sheffield

Date: 4-4-16

Applicant [] Agent [] Contract Purchaser

STATE OF VIRGINIA
CITY/COUNTY OF New Kent, TO-WIT:

JILL R. O'BRIEN-JONES
NOTARY PUBLIC
REGISTRATION # 242859
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES 2-28-18

This day DWIGHT E. SHEFFIELD personally appeared before me, JILL R. O'BRIEN-JONES, a Notary Public in and for the County and State aforesaid, swore or affirmed that the matters stated in the foregoing Statement of Proffer are true to the best of his acknowledgement and belief. Given under my hand this 4 date of APRIL, 2016.

Notary registration No.: 242859
My commission expires: 2-28-18

Jill R. O'Brien-Jones
Notary Public

Delores D. Sheffield

Date: 4-4-16

Applicant [] Agent [] Contract Purchaser

STATE OF VIRGINIA
CITY/COUNTY OF New Kent, TO-WIT:

JILL R. O'BRIEN-JONES
NOTARY PUBLIC
REGISTRATION # 242859
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES 2-28-18

This day Delores D. Sheffield personally appeared before me, JILL R. O'BRIEN-JONES, a Notary Public in and for the County and State aforesaid, swore or affirmed that the matters stated in the foregoing Statement of Proffer are true to the best of his acknowledgement and belief. Given under my hand this 4 date of April, 2016.

Notary registration No.: 242859
My commission expires: 2-28-18

Jill R. O'Brien-Jones
Notary Public

Date: _____

[] Applicant [] Agent [] Contract Purchaser

STATE OF VIRGINIA
CITY/COUNTY OF _____, TO-WIT:

This day _____ personally appeared before me, _____, a Notary Public in and for the County and State aforesaid, swore or affirmed that the matters stated in the foregoing Statement of Proffer are true to the best of his acknowledgement and belief. Given under my hand this _____ date of _____, 20____.

Notary registration No.: _____
My commission expires: _____

Notary Public

INSTRUMENT #160001753
RECORDED IN THE CLERK'S OFFICE OF
NEW KENT COUNTY ON
JUNE 23, 2016 AT 12:21PM

AMY P. CRUMP, CLERK
RECORDED BY: KSM