

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

O-11-16

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 7th day of September, 2016:

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

Motion was made by Mr. Evelyn, which carried 4:0:1, to adopt the following ordinance:

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

WHEREAS, Ken Pair from Windmill Realtors (applicant) has submitted a "Rezoning/Ordinance Change Application" and Proffer Statement dated June 21, 2016; and

WHEREAS, said application requests the rezoning of approximately 2 acres identified on the New Kent County digital map as GPIN #L09-4016-2627 (Tax Parcel 21-9-3); and

WHEREAS, subsequent to receiving a complete application and within the timeframes established by Code, on August 15, 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 9:0 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 7th day of September, 2016, by the New Kent County Board of Supervisors, that application ZM-02-16 be, and it hereby is, approved by amending the New Kent County Zoning Map to reclassify GPIN #L09-4016-2627 (Tax Parcel 21-9-3) as Business.

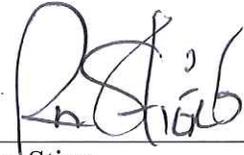
BE IT FURTHER ORDAINED that the Board of Supervisors accepts the proffers voluntarily offered by the applicant.

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.

Attest:



Rodney A. Hathaway
County Administrator



Ron Stiers
Chairman

COUNTY OF NEW KENT
COMMONWEALTH OF VIRGINIA

The foregoing instrument was acknowledged before me this 9th day of ^{September} ~~June~~, 2016 by Rodney A. Hathaway, County Administrator and Clerk of the New Kent Board of Supervisors.

My commission expires: 12-31-2018

My Commission Number: 315272



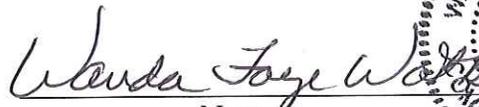
Notary

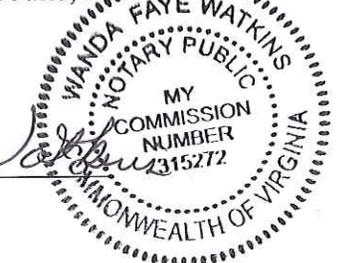

COUNTY OF NEW KENT
COMMONWEALTH OF VIRGINIA

The foregoing instrument was acknowledged before me this 9th day of ^{September} ~~June~~, 2016 by Ron Stiers, Chairman of the New Kent Board of Supervisors.

My commission expires: 12-31-2018

My Commission Number: 315272



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 #:	<u>ZM-02-16</u>
Date Received:	<u>6/21/16</u>
Staff Initials:	<u>KLN</u>

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.

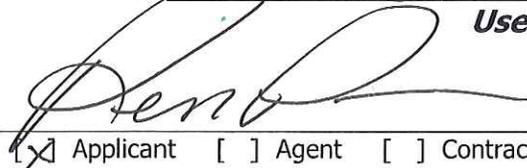
All property owners of record must sign the proffer statement before a Notary Public. If a person signs on behalf of a company or organization, or if someone other than the property owner signs, then a Power of Attorney Form will need to accompany the Proffer Statement.

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 Auto Fueling
2. NO Auto Sales
3. NO Auto Service
4. No Hotel Motel
5. NO Mini Storage
6. NO Truck Fueling
7. No Amusement Facility
8. NO Indoor Archery or Firearms

INSTRUMENT #160002652
RECORDED IN THE CLERK'S OFFICE OF
NEW KENT COUNTY ON
SEPTEMBER 13, 2016 AT 10:34AM
AMY P. GRUMP, CLERK
RECORDED BY: KSM

Use Additional sheets if needed


 Applicant Agent Contract Purchaser

Date: 6-17-16

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

This day Ken Pair personally appeared before me, Melody Powell, 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 17 date of June 2016.


 Notary Public

Notary registration No.: 7041511
My commission expires: 1-31-2019