

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

R-52-16

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 16th day of November, 2016:

| <u>Present:</u> | <u>Vote:</u> |
|-----------------------|--------------|
| Thomas W. Evelyn | Aye |
| C. Thomas Tiller, Jr. | Aye |
| Patricia A. Paige | Aye |
| W. R. Davis, Jr. | Aye |
| Ron Stiers | Aye |

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

**A RESOLUTION TO APPROVE
CONDITIONAL USE PERMIT APPLICATION CUP-03-16,
ANTEBELLUM ASSEMBLY HALL/VENUE
ON TAX MAP & PARCEL 33-17C (GPIN #F16-1078-5208) AND
TAX MAP & PARCEL 33-19 (GPIN #G16-1568-0050)**

WHEREAS, Patricia Parsley, Alex Johnson, and Jesse Martin (applicants) and Clyde and Carol Brenneman (property owners), have submitted a “Conditional Use Permit Application” dated September 14, 2016; and

WHEREAS, said application requests a conditional use permit to construct an assembly hall/venue for events on two parcels identified on the New Kent County digital map as GPIN #F16-1078-5208 (Tax Map and parcel 33-17C) and GPIN #G16-1568-0050 (Tax Map and parcel 33-19); and

WHEREAS, said application was considered by the New Kent County Planning Commission (the “Planning Commission”) in accordance with applicable procedures at a formal and duly advertised public hearing on October 17, 2016, where they carefully considered the public comment received and voted 7:0:1 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 November 16, 2016, and carefully considered the comments received, the application and conditions; and

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

WHEREAS, the Board of Supervisors finds that the standards for granting a Conditional Use Permit have been satisfied; and

WHEREAS, the Board of Supervisors finds that approval of this application would 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 16th day of November, 2016, by the New Kent County Board of Supervisors, that Conditional Use Permit Application CUP-03-16 submitted by Patti Parsley, Alex Johnson, and Jesse Martin (applicants) and Clyde and Carol Brenneman (property owners), be, and it hereby is, approved, subject to the following conditions:

1. The applicant shall provide a 50-foot undisturbed vegetative buffer around the perimeter of the property except in the areas utilized for ingress/egress, utilities or stormwater management outfalls.
2. All business related activities shall be prohibited on the property between the hours of 12:00 am and 8:00 am, all days of the week.
3. This Conditional Use Permit shall expire five years from the date of approval if a Certificate of Occupancy has not been issued.

Attest:



Rodney A. Hathaway
County Administrator



Ron Stiers
Chairman

COUNTY OF NEW KENT
COMMONWEALTH OF VIRGINIA

The foregoing instrument was acknowledged before me this 20th day of November, 2016 by Rodney A. Hathaway, County Administrator and Clerk of the New Kent Board of Supervisors.

Wanda Faye Watkins
Notary

My commission expires: 12-31-18

My Commission Number: 315272



COUNTY OF NEW KENT
COMMONWEALTH OF VIRGINIA

The foregoing instrument was acknowledged before me this 28th day of November, 2016 by Ron Stiers, Chairman of the New Kent Board of Supervisors.

Wanda Faye Watkins
Notary

My commission expires: 12-31-18

My Commission Number: 315272



INSTRUMENT #160003672
RECORDED IN THE CLERK'S OFFICE OF
NEW KENT COUNTY ON
DECEMBER 7, 2016 AT 02:37PM

AMY P. CRUMP, CLERK
RECORDED BY: KSM