

BK 0397PG0269

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

0-02-04

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 12th day of January, 2004:

| Present: | Vote: |
|------------------------|-------|
| Stran E. Trout | Aye |
| W. R. "Ray" Davis, Jr. | Aye |
| Mark W. Hill | Aye |
| David M. Sparks | Aye |
| James H. Burrell | Aye |

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

AN ORDINANCE TO APPROVE APPLICATION ZM-6-03

WHEREAS, Edward B. Wood has submitted Application No. ZM-6-03 which requests reclassification of 7.11 acres of property located on Pocahontas Trail approximately 3,000 feet east of VA Route 106 and further identified as Assessor's Parcel 31-12G, from A-1, Agriculture, to M-2, Heavy Industrial (Conditional); and

WHEREAS, the subject property is located adjacent to M-2 zoned property owned by the Applicant; and

WHEREAS, the applicant has voluntarily proffered that only certain, specified uses shall be permitted on the subject property; and

WHEREAS, this application was referred to and considered by the New Kent County Planning Commission; and

BK 0397PG0270

WHEREAS, after conducting a duly advertised public hearing, the Planning Commission voted 9:1 to recommend approval of this application; and

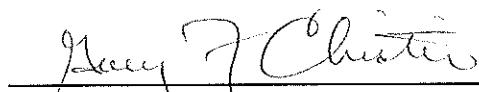
WHEREAS, this application has been advertised for public hearing before the Board in full accord with the applicable provisions of the Code of Virginia, and

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

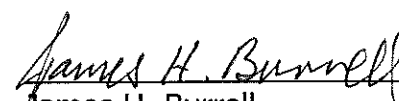
NOW THEREFORE BE IT ORDAINED this, the 12th day of January 2004, by the New Kent County Board of Supervisors that Application ZM-6-03 be, and it is hereby, approved reclassifying 7.11 acres of land identified as Tax Map Parcel 31-12G from A-1 (Agriculture) to M-2, Heavy Industrial (Conditional).

BE IT FURTHER ORDAINED that approval of this application is conditioned upon the proffers contained in the Proffer Statement submitted by the Applicant and notarized November 25, 2003.

BE IT FURTHER ORDAINED that the County Administrator is directed to cause this ordinance together with the proffer statement referenced above to be recorded upon the land records of the County as maintained by the Clerk of the Circuit Court.



Gary F. Christie
County Administrator



James H. Burrell
Chairman

BK0397PG0271

Edward B. Wood

Tax Map Parcel 31-12G

I, Edward B. Wood, state that the following would be the only allowable uses on the property of Tax Map Parcel 31-12G:

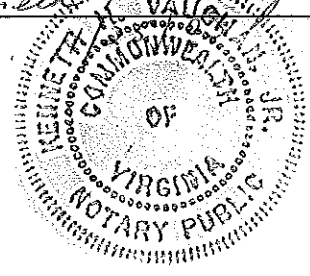
- 1. Auto Body Repair
- 2. Auto Body Painting
- 3. Rebuild Vehicles
- 4. *Sell Cars*
- 5. *Storage inoperable vehicles for the body shop.*

Edward B Wood
 Edward B. Wood

STATE OF VIRGINIA
 COUNTY OF NEW KENT, TO-WIT

Sworn and subscribed to before me, the undersigned Notary Public, on the 25th ^{KLV} day of November, 2003, in the aforesaid county and state, by Edward B. Wood.

Kenneth A. Walker



INSTRUMENT #040000768
 RECORDED IN THE CLERK'S OFFICE OF
 NEW KENT COUNTY ON
 FEBRUARY 24, 2004 AT 11:58AM
 DEBORAH M. JANSEN, CLERK

BY: *Karen A. Burns* (DC)

My Commission Expires January 31, 2007