

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

**O-06-04**

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 13<sup>th</sup> day of April 2004:

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

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

**AN ORDINANCE TO APPROVE  
REZONING APPLICATION ZM-2-04 (CONDITIONAL)  
SUBMITTED BY CURTIS GROUP, INC**

WHEREAS, Curtis Group, Inc has applied for a rezoning of a 92.7 acre parcel of land designated as Tax Map Parcel 36-38 from A-1, Agricultural, to M-2, Heavy Industrial with conditions; and

WHEREAS, the applicant has voluntarily proffered that the range of uses on this property will be limited to: wood and wood products recycling, concrete recycling, topsoil recovery, screening and enhancement, mineral resource recovery and reclamation, and minor ancillary activities accessory to those uses, including wholesale, commercial and retail sales of those products from the site; and

WHEREAS, the applicant has also proffered other conditions limiting the hours of operation, the access to the site, and the provision of buffers in order to reduce the potential external impacts of the proposed use of the property; and

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

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

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

WHEREAS, the Board finds that this rezoning as voluntarily conditioned by the applicant is in substantial accord with the County's Comprehensive Plan; and

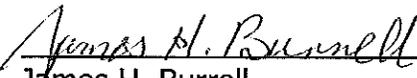
WHEREAS, in order to assure compliance with §15.2-2286.A.7 of the Code of Virginia, it is stated by the Board that the public purpose for this Ordinance is to further the public necessity, convenience, general welfare and good zoning in the County of New Kent and that approval will further these public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

NOW THEREFORE BE IT ORDAINED this, the 13<sup>th</sup> day of April 2004, by the New Kent County Board of Supervisors that Rezoning Application ZM-2-04 (Conditional) to reclassify a 92.7 acre parcel of land designated as Tax Map Parcel 36-38 from A-1, Agricultural, to M-2, Heavy Industrial be, and it is hereby, approved.

BE IT FURTHER ORDAINED that the proffer statement dated 23 March 2004 containing conditions to apply to the subject property as a part of approval of the requested rezoning be, and it is hereby, accepted by the Board and shall be binding upon the property.

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.

  
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Gary F. Christie  
County Administrator

  
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James H. Burrell  
Chairman