

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

O-23-05

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 11th day of July, 2005:

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

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

**AN ORDINANCE TO REZONE APPROXIMATELY
6.68 ACRES OF LAND IN THE SAINT PETERS
MAGISTERIAL DISTRICT FROM A-1, AGRICULTURAL
TO B-1, GENERAL BUSINESS**

WHEREAS, Mr. Carlton Revere submitted application ZM-03-05 on 20 April 2005; and

WHEREAS, said application requests the rezoning of approximately 6.68 acres of land, more specifically Tax Map Parcel numbers 41-22 and 41-23 from A-1, Agricultural to B-1, General Business; and

WHEREAS, said application was formally referred to the New Kent County Planning Commission (the "Planning Commission") in accordance with applicable procedures; and

WHEREAS, within the timeframes established by the Code of Virginia and New Kent County Code, the Planning Commission scheduled and conducted a formal and duly advertised public hearing on 20 June 2005, and carefully considered the public comment received; and

WHEREAS, the Planning Commission voted 9:0:1 to forward the subject application to the New Kent County Board of Supervisors ("the Board of Supervisors") with a favorable recommendation because the rezoning of the land would result in the zoning classification that is consistent with the Vision 2020 Comprehensive Plan; 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, this Ordinance will further the public necessity, convenience, general welfare and good zoning practices in the County of New Kent; and

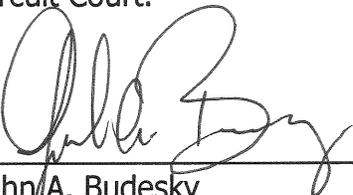
WHEREAS, the Board of Supervisors has made the following findings with regard to this application:

- The application is generally in conformance with the New Kent County Comprehensive Plan, "Vision 2020".
- Approval of the subject application would further the health, safety and general welfare of the citizens of New Kent County and support the implementation of good zoning practice within the County.

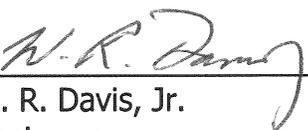
NOW THEREFORE BE IT ORDAINED this, the 11th day of July 2005, by the New Kent County Board of Supervisors that application ZM-03-05 be, and it hereby is, approved by amending the New Kent County Zoning Map to rezone tax map parcels 41-22 and 41-23 consisting of 6.68 acres to B-1, Business General.

BE IT FURTHER ORDAINED that approval of this application is conditioned upon the proffers contained in the Proffer Statement submitted by the applicant and dated 10 June 2005.

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.



John A. Budesky
County Administrator



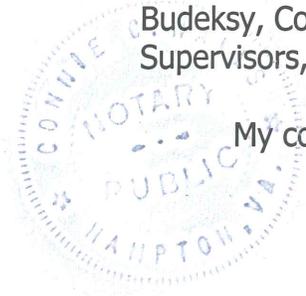
W. R. Davis, Jr.
Chairman

STATE OF VIRGINIA

County of New Kent, to-wit:

Subscribed to before me, the undersigned Notary Public, by John A. Budeksy, County Administrator, and W. R. Davis, Jr., Chairman of the Board of Supervisors, on the 20th day of July, 2005.

My commission expires May 31, 2008.



Connie C. Nalls

Notary Public