

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

O-14-20 R1

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 13th day of October, 2020:

Present:	Vote:
Thomas W. Evelyn	Aye
C. Thomas Tiller, Jr.	Aye
Ron Stiers	Aye
John N. Lockwood	Aye
Patricia Paige	Aye

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

**AN ORDINANCE TO APPROVE REZONING/PROFFER
AMENDMENT APPLICATION ZM-02-20, FW
ASSOCIATES AND JOHN SHURM, MANAGER OF
DISPATCH STATION DEVELOPMENT LLC, TO
AMEND THE PROFFERS ASSOCIATED WITH
ZONING MAP AMENDMENT C-08-95, DISPATCH
STATION SUBDIVISION**

WHEREAS, the New Kent County Board of Supervisors approved zoning map amendment case C-08-95 and its associated proffers on July 8, 1996; and

WHEREAS, FW Associates and John Shurm, Manager of Dispatch Station Development LLC, have submitted a "Rezoning/Ordinance Change Application" and Amended Proffer Statement dated August 19, 2020; and

WHEREAS, said application requests the amendment of Proffer #7 to read "There shall be no more than (50) building permits issued per year; and

WHEREAS, subsequent to receiving a complete application and within the timeframes established by Code, the Planning Commission scheduled and conducted a formal and duly advertised public hearing, carefully considering the public comment received; and

WHEREAS, the New Kent County Planning Commission voted 10:0:1 to forward an unfavorable recommendation to the Board of Supervisors due to the negative effects the proffer amendment would have on the local transportation system and other County services; and

WHEREAS, the rezoning/proffer amendment 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/proffer amendment 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;

NOW THEREFORE BE IT ORDAINED this, the 13th day of October, 2020, by the New Kent County Board of Supervisors, that application ZM-02-20 be, and it hereby is, approved by amending the Proffer #7 for the Dispatch Station Subdivision (Zoning Map Amendment Case C-08-95) as follows:

~~7) THERE SHALL BE NO MORE THAN TWENTY-FIVE (25) BUILDING PERMITS ISSUED PER YEAR.~~

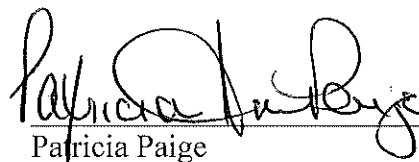
7) THERE SHALL BE NO MORE THAN TWENTY-SIX (26) BUILDING PERMITS ISSUED IN CALENDAR YEAR 2020 AND NO MORE THAN TWENTY-FIVE (25) BUILDING PERMITS ISSUED PER CALENDAR YEAR IN SUBSEQUENT YEARS.

BE IT FURTHER ORDAINED, that the County Administrator be, and he is hereby, directed to have a fully executed copy of this Ordinance recorded upon the Land Records of the County in the office of the Clerk of the Circuit Court.

Attest:



Rodney A. Hathaway
County Administrator



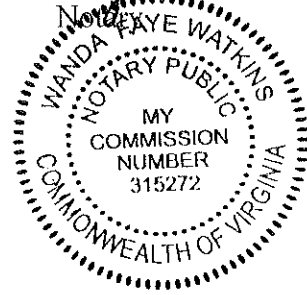
Patricia Paige
Chairwoman

COUNTY OF NEW KENT
COMMONWEALTH OF VIRGINIA

The foregoing instrument was acknowledged before me this 19th day of
October 2020 by Rodney A. Hathaway, County Administrator and Clerk of the New Kent
Board of Supervisors.

My commission expires: 12-31-2022
My commission number: 315272

Wanda Faye Watkins



COUNTY OF NEW KENT
COMMONWEALTH OF VIRGINIA

The foregoing instrument was acknowledged before me this 20th day of
October 2020 by Patricia A. Paige, Chairwoman of the New Kent Board of Supervisors.

My commission expires: 12-31-2022
My commission number: 315272

Wanda Faye Watkins
Notary



INSTRUMENT 200004537
RECORDED IN THE CLERK'S OFFICE OF
NEW KENT COUNTY CIRCUIT COURT ON
OCTOBER 21, 2020 AT 01:50 PM
AMY P. CRUMP, CLERK
RECORDED BY: KSM