

BOARD OF SUPERVISORS  
COUNTY OF NEW KENT  
VIRGINIA

RE-RECORDED TO ADD  
PROFFER STATEMENT

O-10-18

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 11<sup>th</sup> day of June, 2018:

Present:	Vote:
Patricia Paige	Aye
Ron Stiers	Aye
W.R. Davis, Jr.	Aye
C. Thomas Tiller, Jr.	Aye
Thomas W. Evelyn	Aye

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

**AN ORDINANCE TO REZONE APPROXIMATELY  
1.5 ACRES OF LAND FROM R-2 TO ECONOMIC  
OPPORTUNITY**

WHEREAS, Ms. Holly Miller Bopp with J.C. Mulch, LLC has submitted a "Rezoning/Ordinance Change Application" and Proffer Statement dated April 17, 2018; and

WHEREAS, said application requests the rezoning of approximately 1.5 acres identified on the New Kent County digital map as GPIN #F30-1660-3834 (Tax Parcel 46-25); and

WHEREAS, subsequent to receiving a complete application and within the timeframes established by Code, on May 21, 2018 the Planning Commission scheduled and conducted a formal and duly advertised public hearing, carefully considering the public comment received; and

WHEREAS, the Planning Commission voted 7:2:0 to forward the application to the New Kent County Board of Supervisors with a favorable recommendation; 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

BK 0678PG 1457

WHEREAS, approval of the rezoning 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; and

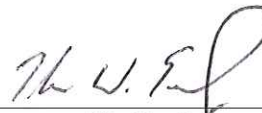
NOW THEREFORE BE IT ORDAINED this, the 11<sup>th</sup> day of June, 2018, by the New Kent County Board of Supervisors, that application ZM-02-18 be, and it hereby is, approved by amending the New Kent County Zoning Map to reclassify GPIN #F30-1660-3834 (Tax Parcel 46-25) as Economic Opportunity.

BE IT FURTHER ORDAINED, that the Board of Supervisors accepts the proffers voluntarily offered by the applicant.

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

Attest:

  
\_\_\_\_\_  
Rodney A. Hathaway  
County Administrator

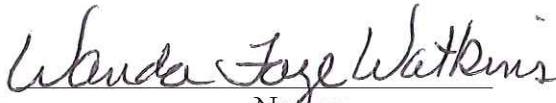
  
\_\_\_\_\_  
Thomas W. Evelyn  
Chairman

BK 0678PG1458

COUNTY OF NEW KENT

COMMONWEALTH OF VIRGINIA

The foregoing instrument was acknowledged before me this 14<sup>th</sup> day of June, 2018 by Rodney A. Hathaway, County Administrator and Clerk of the New Kent Board of Supervisors.

  
\_\_\_\_\_  
Notary

My commission expires: 12-31-2018  
My Commission Number: 315272



COUNTY OF NEW KENT

COMMONWEALTH OF VIRGINIA

The foregoing instrument was acknowledged before me this 19th day of June, 2018 by Thomas W. Evelyn Chairman of the New Kent Board of Supervisors.

*Wanda Faye Watkins*  
Notary

My commission expires: 12-31-2018  
My Commission Number: 315272



BK0678PG1459

INSTRUMENT 180001990  
RECORDED IN THE CLERK'S OFFICE OF  
NEW KENT COUNTY CIRCUIT COURT ON  
July 2, 2018 AT 11:49 AM  
AMY P. CRUMP, CLERK  
RECORDED BY: KSM

INSTRUMENT 180001852  
RECORDED IN THE CLERK'S OFFICE OF  
NEW KENT COUNTY CIRCUIT COURT ON  
June 20, 2018 AT 12:27 PM  
AMY P. CRUMP, CLERK  
RECORDED BY: KSM



**PROFFER STATEMENT**  
County of New Kent, Virginia  
Planning Department  
Web site:  
[www.co.new-kent.va.us/planning](http://www.co.new-kent.va.us/planning)

OFFICE USE ONLY	
<b>*DO NOT WRITE IN THIS BOX*</b>	
Application #:	<u>ZM-02-18</u>
Date Received:	<u>4-17-18</u>
Staff Initials:	<u>KLZ</u>

New Kent County ♦ Community Development Department-Planning ♦ P O Box 150 ♦ New Kent, VA 23124 ♦ Phone 804-966-9690 ♦ Fax 804-966-8531  
\*\*Use P O Box for all mail. Street address: 12007 Courthouse Circle, New Kent, VA 23124 FOR DELIVERIES ONLY\*\*

**Information and Instructions:**

Sections 98-781 to 98-790 of the New Kent County Code govern the establishment of conditions at the time of rezoning of property. The proffer of conditions must be prepared and submitted voluntarily by the property owner. Conditions must be specific and must bear a direct relationship to the rezoning request. Conditions may not impose any obligations upon the County beyond the granting of the requested zoning.

Proffers or amendments thereto must be filed within (ten) 10 business days prior to the public hearing at which the rezoning request will be heard.

**All property owners of record must sign the proffer statement before a Notary Public.** If a person signs on behalf of a company or organization, or if someone other than the property owner signs, then a Power of Attorney Form will need to accompany the Proffer Statement.

I/We hereby voluntarily proffer that the development of the subject property of this application shall be in strict accordance with the conditions set forth below:

1. concrete pad to place colored mulch to sell
2. keep shop already on property & turn into office / shop
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_
7. \_\_\_\_\_
8. \_\_\_\_\_

**Use Additional sheets if needed**

Holly D Miller Bopp  
 Applicant     Agent     Contract Purchaser

Date: 4/17/2018

**STATE OF VIRGINIA**  
**CITY/COUNTY OF WILLIAMSBURG, TO-WIT:**

This day HOLLY D. MILLER-BOPP personally appeared before me, HOLLY WILKES, a Notary Public in and for the County and State aforesaid, swore or affirmed that the matters stated in the foregoing Statement of Proffer are true to the best of his acknowledgement and belief. Given under my hand this 17<sup>TH</sup> date of APRIL, 2018.

Notary registration No.: 7746843  
My commission expires: 12-31-2021

Holly Wilkes  
 \_\_\_\_\_  
 Notary Public