

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

O-03-21

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, 2021:

<u>Present:</u>	<u>Vote:</u>
C. Thomas Tiller, Jr.	Aye
Patricia A. Paige	Aye
Ron Stiers	Aye
John N. Lockwood	Aye
Thomas W. Evelyn	Aye

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

**AN ORDINANCE APPROVING APPLICATION AFD-04-20 TO DEFER RE-
CREATION OF DIASCUND CREEK AGRICULTURAL AND FORESTAL DISTRICT
DUE TO BOARD MORATORIUM R-23-20, WITH EXCEPTION OF TAX MAP
PARCEL 45-19, GPIN E25-3490-2440**

WHEREAS, all the members of the Diascund Creek Agricultural and Forestal District have applied to re-create the said district, consisting of 124 parcels totaling approximately 4,051.78 acres, with the exception of tax map parcel 45-19, GPIN E25-3490-2440, owned by Edgar R. Walls, II; and

WHEREAS, granting this request would defer the re-creation of the Diascund Creek Agricultural and Forestal District per the objective of the New Kent County Board of Supervisors and allow tax map parcel 45-19, GPIN E25-3490-2440 to expire immediately upon approval; and

WHEREAS, this request is in accordance with the New Kent County Board of Supervisors moratorium resolution R-23-20 as well as state and local laws governing Agricultural and Forestal Districts; and

WHEREAS, the Diascund Creek Agricultural and Forestal District term that was set to expire on August 31, 2020 would be extended one year to August 31, 2021; and

WHEREAS, this application was thoroughly considered by the Agricultural and Forestal District Advisory Committee; and

WHEREAS, after conducting a duly advertised public meeting on the 1st day of December, 2020, the Agricultural and Forestal District Advisory Committee voted 7:0:0 to forward a favorable recommendation to the Planning Commission to defer with the exception; and

WHEREAS, the Planning Commission scheduled and conducted a formal and duly advertised public hearing on December 21, 2020 in accordance with the applicable requirements of the Code of Virginia, carefully considering the public comments received; and

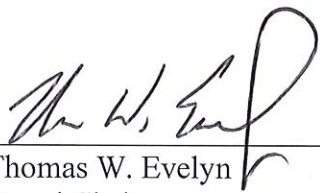
WHEREAS, the Planning Commission carefully reviewed the application and the recommendation of the Agricultural and Forestal District Advisory Committee and considered the goals and objectives of the County's Comprehensive Plan as well as resolution R-23-20 and voted 8:0:0 to forward a favorable recommendation to defer with the exception.

NOW THEREFORE BE IT ORDAINED, that on this, the 12th day of January, 2021, pursuant to Section 15.2-4311 of the Code of Virginia, the New Kent County Board of Supervisors approves the deferral of the re-creation of the Diascund Creek Agricultural and Forestal District and extends the expiration date one year from August 31, 2020 to August 31, 2021 with the exception of tax map parcel 45-19, GPIN E25-3490-2440, owned by Edgar R. Walls, II, which is hereby allowed to expire, without penalty, effective upon the date of adoption.

Adopted this 12th day of January, 2021.



Rodney A. Hathaway
County Administrator



Thomas W. Evelyn
Board Chair