

BK0667PG1521

BOARD OF SUPERVISORS  
COUNTY OF NEW KENT  
VIRGINIA

R-24-17

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 6<sup>th</sup> day of July, 2017:

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

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

**A RESOLUTION TO APPROVE  
CONDITIONAL USE PERMIT APPLICATION CUP-01-17,  
ROBERT G. ALLEY, INC. AND SCOTT SEARS, APPLICANT,  
TO ALLOW FOR TRUCK AND TRAILER REPAIR ON  
TAX MAP AND PARCEL NUMBERS 28A1-3-102 (GPIN #L32-0227-0790),  
28A1-3-103 (GPIN #L32-0183-0768), 28A1-3-104 (GPIN #L32-0139-0743),  
28A1-3-105 (GPIN #L32-0096-0718), AND 28A1-3-105A (GPIN #L31-4229-0779)**

WHEREAS, Scott Sears with Robert G. Alley, Inc. has submitted a “Conditional Use Permit Application” dated April 27, 2017; and

WHEREAS, said application requests a conditional use permit to allow for truck and trailer repair on parcels identified on the New Kent County digital map as Tax Parcels 28A1-3-102 (GPIN #L32-0227-0790), 28A1-3-103 (GPIN #L32-0183-0768), 28A1-3-104 (GPIN #L32-0139-0743), 28A1-3-105 (GPIN #L32-0096-0718), and 28A1-3-105A (GPIN #L31-4229-0779); and

WHEREAS, said application was considered by the New Kent County Planning Commission (the “Planning Commission”) in accordance with applicable procedures at a formal and duly advertised public hearing on June 19, 2017, where they carefully considered the public comment received and voted 9:0:1 to forward a recommendation of approval to the Board of Supervisors; and

WHEREAS, within the timeframes established by the Code of Virginia and New Kent County Code, the Board of Supervisors scheduled and conducted a formal and duly advertised

public hearing on July 6, 2017, and carefully considered the comments received, the application and conditions; and

WHEREAS, the Board of Supervisors has evaluated the application based on the standards set forth in the Conditional Use Permit Provisions of the Zoning Ordinance (Article XIX, § 98-741 et seq.), and the proposed conditions in the staff memo; and

WHEREAS, the Board of Supervisors finds that the standards for granting a Conditional Use Permit have been satisfied; and

WHEREAS, the Board of Supervisors finds that approval of this application would address, protect, and promote public convenience, necessity, general welfare, and good zoning practices in the County and the health, safety, and general welfare of the Citizens in the County;

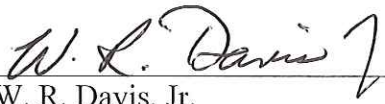
NOW THEREFORE, BE IT RESOLVED that on this, the 6<sup>th</sup> day of July, 2017, by the New Kent County Board of Supervisors, that Conditional Use Permit Application CUP-01-17 submitted by Scott Sears with Robert G. Alley, Inc., be, and it hereby is, approved, subject to the following condition:

- 1. If a final Certificate of Occupancy for the new Commercial building is not issued within 5 years of approval, this Conditional Use Permit shall become null and void.

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

Attest:

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

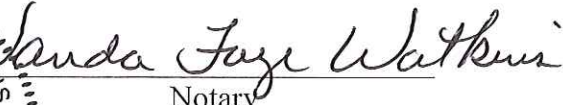
  
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 W. R. Davis, Jr.  
 Chairman

COUNTY OF NEW KENT  
COMMONWEALTH OF VIRGINIA

The foregoing instrument was acknowledged before me this 26<sup>th</sup> day of July, 2017 by Rodney A. Hathaway, County Administrator and Clerk of the New Kent Board of Supervisors.

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



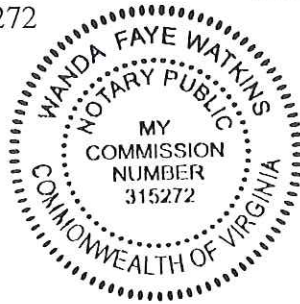
  
 \_\_\_\_\_  
 Notary

COUNTY OF NEW KENT  
COMMONWEALTH OF VIRGINIA

The foregoing instrument was acknowledged before me this 26<sup>th</sup> day of July, 2017  
by W.R. Davis, Jr., Chairman of the New Kent Board of Supervisors.

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

Wanda Faye Watkins  
Notary



INSTRUMENT 170002260  
RECORDED IN THE CLERK'S OFFICE OF  
NEW KENT COUNTY CIRCUIT COURT ON  
July 27, 2017 AT 11:18 AM  
AMY P. CRUMP, CLERK  
RECORDED BY: KSM