

BOARD OF SUPERVISORS
COUNTY OF NEW KENT
VIRGINIA

R-26-17

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 14th day of August, 2017:

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

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

**A RESOLUTION TO APPROVE
CONDITIONAL USE PERMIT APPLICATION CUP-03-17,
JOLENE FARM WINERY
ON TAX MAP & PARCEL 19-B-3 (GPIN #J05-3996-1664)**

WHEREAS, Brian Mikelaites, Cynthia Mikelaites, and Sandra Lewis (property owners and applicants), have submitted a "Conditional Use Permit Application" dated June 2, 2017; and

WHEREAS, said application requests a conditional use permit to operate a Farm Winery/Farm Brewery as a business and also for agritourism events on a parcel identified on the New Kent County digital map as GPIN #J05-3996-1664 (Tax Map and parcel 19-B-3); 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 July 17, 2017, where they carefully considered the public comment received and voted 10:0:1 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 August 14, 2017, and carefully considered the comments received, the application and conditions; and

WHEREAS, the Board of Supervisors has evaluated the application based on the current zoning of the parcel, which is Business, 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 14th day of August, 2017, by the New Kent County Board of Supervisors, that Conditional Use Permit Application CUP-03-17 submitted by Brian Mikelaite, Cynthia Mikelaite, and Sandra Lewis (applicants and property owners), be, and it hereby is, approved, subject to the following condition:


1. All business-related activities shall be prohibited on the property between the hours of 12:00 am and 8:00 am, all days of the week.

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

Attest:



 Rodney A. Hathaway
 County Administrator

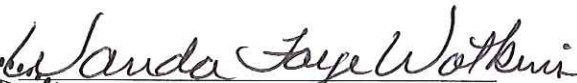


 W.R. Davis, Jr.
 Chairman

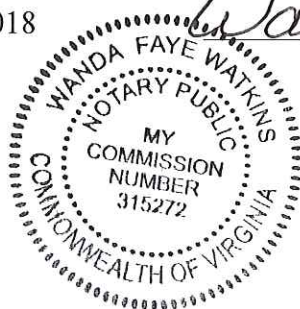
COUNTY OF NEW KENT
COMMONWEALTH OF VIRGINIA

The foregoing instrument was acknowledged before me this 15th day of August, 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 17th day of August, 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 170002596
RECORDED IN THE CLERK'S OFFICE OF
NEW KENT COUNTY CIRCUIT COURT ON
August 22, 2017 AT 11:35 AM
AMY P. CRUMP, CLERK
RECORDED BY: KSM