

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

**R-36-17**

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 9<sup>th</sup> day of October, 2017:

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

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

**A RESOLUTION TO APPROVE  
HOME OCCUPATION/CONDITIONAL USE  
PERMIT APPLICATION CUP-05-17,  
VAIDEN INN BED AND BREAKFAST (BONNIE SHEPHERD)  
ON TAX MAP & PARCELS 24-14 (GPIN #K20-1410-2069),  
24-14A (GPIN #K20-1710-1989), AND 24-14B (GPIN #K20-0969-2210)**

WHEREAS, Bonnie Shepherd and Jessica Kuehl (property owners and applicants), have submitted a "Home Occupation Conditional Use Permit Application" dated August 1, 2017; and

WHEREAS, said application requests a conditional use permit to operate a Bed and Breakfast/Inn on parcels identified on the New Kent County digital map as GPIN #K20-1410-2069, K20-1710-1989, and K20-0969-2210 (Tax Map and parcels 24-14, 24-14A, and 24-14B); 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 September 18, 2017, where they carefully considered the public comment received and voted 8:0:1 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 October 9, 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 parcels, which are R-2 and A-1, 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 9<sup>th</sup> day of October, 2017, by the New Kent County Board of Supervisors, that Home Occupation Conditional Use Permit Application CUP-05-17 submitted by Bonnie Shepherd and Jessica Kuehl (applicants and property owners), be, and it hereby is, approved, subject to the following condition:

1. Should the applicant need to hire additional employees, no more than four (4) non-resident employees may be employed on the site.
2. All site lighting shall utilize full "cut-off" fixtures and luminaires that prevent upward light scatter and preserve the dark night sky. Luminaires shall be installed to prevent direct glare into adjacent properties and rights-of-way.
3. In the event that the applicant should discontinue using the property as a Bed and Breakfast, the applicant shall notify the Planning Division of that decision. If, within 12 months after notice, the property is still not operating as a Bed and Breakfast, this Conditional Use Permit shall become null and void.

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 10th day of October, 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

Wanda Faye Watkins  
Notary



COUNTY OF NEW KENT  
COMMONWEALTH OF VIRGINIA

The foregoing instrument was acknowledged before me this 11 day of October, 2017 by W.R. Davis, Jr., Chairman of the New Kent Board of Supervisors.

My commission expires: 09.30.2020  
My commission number: 352061

Andrea N. Finn  
Notary



INSTRUMENT 170003272  
RECORDED IN THE CLERK'S OFFICE OF  
NEW KENT COUNTY CIRCUIT COURT ON  
October 19, 2017 AT 11:45 AM  
AMY P. CRUMP, CLERK  
RECORDED BY: KSM