

DRAFT

At a meeting of the Spotsylvania County Board of Supervisors held on April 25, 2017 on a motion by _____, seconded by _____ and passed _____, the Board adopts the following ordinance:

AN ORDINANCE No. RO16-0004

To amend the proffered conditions on the property known as Tax Parcels 21-A-60F, 21-A-60G and 21-A-95 ("Property") as stated in the proffered conditions attached hereto incorporated herein, and made a part hereof.

PUBLIC HEARING: April 25, 2017

WHEREAS, Catherine T. Neale and Rebecca T. Acors (Thorburn Estates), request a proffer amendment to an approved rezoning R14-0008 Catherine T. Neale and Rebecca T. Acors (Thorburn Estates) which rezoned approximately 171 acres from Rural (RU) to Residential 2 (R-2) with proffers for a maximum of a 59-lot subdivision of single-family, detached units with a minimum of 2800 finished square feet. The requested amendment would extend the deadline to either complete the proffered off-site transportation improvements at the intersection of Chancellor Road and Old Plank Road or provide a cash contribution to the County in the amount of \$971,664.00 to a time not later than the issuance of the 30th occupancy permit. The property is located along the south side of Chancellor Road (Route 674), approximately one (1) mile west of the intersection of Chancellor Road (Route 674) and Gordon Road (Route 627). This property is located outside of the Primary Development Boundary in the Rural Residential Area as identified on the Future Land Use Map. The primary goal of the Rural Residential land use is the preservation of farms, forestland, and open space, with a residential density range of 1 to 2 units per acre. Tax parcels 21-A-60F, 21-A-60G and 21-A-95. Chancellor Voting District; and

WHEREAS, staff has reviewed the subject application and recommends denial of the proffer amendment as stated in the staff report and executive summary; and

WHEREAS, the Spotsylvania County Planning Commission held a public hearing, duly advertised in a local newspaper for a period of two weeks, on January 4, 2017, and interested citizens were given an opportunity to be heard; and

WHEREAS, the Spotsylvania County Planning Commission recommended approval of the project, with a vote of 7-0; and

WHEREAS, the Spotsylvania County Board of Supervisors held a public hearing, duly advertised in a local newspaper for a period of two weeks, on April 25, 2017, and interested citizens were given an opportunity to be heard; and

AYES: _____ NOES: _____ ABSTAIN: _____

ADOPTED: _____ REJECTED: _____ STRICKEN: _____

WHEREAS, the general welfare and good zoning practice are served by approval of the application.

**NOW, THEREFORE, THE SPOTSYLVANIA COUNTY BOARD OF SUPERVISORS
HEREBY ORDAINS:**

§ 1. That the proffered conditions are hereby amended and the Property is now subject to the proffered conditions dated December 8, 2016, attached hereto, which are incorporated herein and made a part hereof.

§ 2. This ordinance shall be in force and effect upon adoption.