

DRAFT APPROVAL

At a meeting of the Spotsylvania County Board of Supervisors held on July 9, 2019 on a motion by _____ and passed __-__, the Board adopts the following ordinance:

AN ORDINANCE No. RO19-0002

To amend the zoning map to rezone the property known as Tax Map No. 43-4-1 and 7841 Panier Road from Agricultural 3 (A-3) to Planned Residential Rural 2 (PRR-2) subject to the proffered conditions attached hereto incorporated herein and made a part hereof.

PUBLIC HEARING: July 9, 2019

WHEREAS, William and Laura Cutler request a rezoning of approximately 30.81 acres from Agricultural 3 (A-3) to Planned Residential Rural 2 (PRR-2) with proffers for a three (3) lot subdivision of single-family detached homes. The property is 7841 Panier Road, located on the southwest side of Post Oak Road (Route 606), approximately 0.84 miles south of the intersection of Post Oak Road and Pamunkey Road (Route 612). This property is located outside of the Primary Development District and within the Rural Residential Development District of the Comprehensive Plan. Tax map parcel 43-4-1.. Livingston Voting District; and

WHEREAS, staff has reviewed the subject application and recommends approval of the rezoning as stated in the staff report and executive summary; and

WHEREAS, the Spotsylvania County Planning Commission held a public hearing on June 19, 2019, duly advertised in a local newspaper for a period of two weeks, 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 5-0; and

WHEREAS, the Spotsylvania County Board of Supervisors held a public hearing on July 9, 2019, duly advertised in a local newspaper for a period of two weeks, and interested citizens were given an opportunity to be heard; and

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

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

§ 1. That the property known as Tax Parcel 43-4-1 currently zoned Agricultural 3 (A-3) is rezoned to Planned Residential Rural 2 (PRR-2) with proffers.

§ 2. The Spotsylvania County Board of Supervisors' approval and adoption of any conditions does not relieve the applicant and/or subsequent owners from compliance with the provisions of any applicable Spotsylvania County Ordinances, rules, regulations, or adopted

standards. To the extent anything in this rezoning is less restrictive than the County's Ordinances, or its rules, regulations, or adopted standards, the lessened restriction shall be void and the County's Ordinances, or its rules, regulations, or adopted standards shall control and be applicable to the rezoning.

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

AYES: _____ NOES: _____ ABSTAIN: _____

ADOPTED: _____ REJECTED: _____ STRICKEN: _____

VOLUNTARY PROFFER STATEMENT

Applicants/Owners: William and Laura Cutler (“Applicants and Owners”)
7841 Panier Road, Spotsylvania, VA 22551

Project Name: Cutler Rezoning

Property: Tax map parcel 43-4-1 consisting of approximately 30.81 acres
located at 7841 Panier Road, Spotsylvania, VA 22551 (“Property”)

Date: May 14, 2019

Rezoning Request: From Agricultural 3 (“A-3”) to Planned Residential Rural 2
 (“PRR-2”)

Rezoning File Number: R19-0002

I. General Information:

The Applicants and Owners, its successors and assigns, hereby agrees that the development of the Property, subsequent to approval of the rezoning application to which these proffers are attached, will be in conformance with the following proffered conditions (the “Proffers”) pursuant to Section 15.2-2303 and 15.2-2303.4, et al. of the Code of Virginia (1950, as amended), and Section 23-4.6.3, et al. of the Zoning Ordinance of Spotsylvania County (1995, as amended). The Proffers are the only conditions offered in this rezoning application. The Proffers will be effective only upon Spotsylvania County’s full and final approval of rezoning application R19-0002 submitted by the Applicants and Owners to reclassify the Property from A-3 to PRR-2 to allow subdivision of the Property into three (3) parcels and development of the Property pursuant to the Planned Residential Rural (PRR) District (Section 23-6.27, et al. of the Zoning Ordinance of Spotsylvania County (1995, as amended)).

II. Land Use:

- A. Subdivision of the Property shall be in conformance with Exhibit A.
- B. The Property shall be subdivided into no more than three (3) parcels.

[Authorized Signatures to Follow]

The Applicants and Owners make these proffers voluntarily, in support of their rezoning application.

WITNESS the following signatures:

APPLICANTS AND OWNERS:

By: [Signature]
William Cutler

By: [Signature]
Laura Cutler

COMMONWEALTH OF VIRGINIA

CITY/COUNTY OF Spotsylvania

The foregoing was subscribed, sworn to and acknowledged before me this 30 day of May, 2019, by William Cutler, owner of the Property.

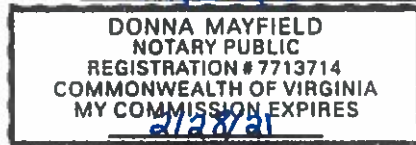
[Signature]
Notary Public

Print Name: Donna Mayfield

My Commission Expires: 2/28/21

Registration No. 7713714

[Seal]



COMMONWEALTH OF VIRGINIA

CITY/COUNTY OF Spotsylvania

The foregoing was subscribed, sworn to and acknowledged before me this 30 day of May, 2019, by Laura Cutler, owner of the Property.

[Signature]
Notary Public

Print Name: Donna Mayfield

My Commission Expires: 2/28/21

Registration No. 7713714

[Seal]





Owners/Applicants: William and Laura Cutler
Address: 7841 Panier Road
Tax Map: 43-4-1
Area: 30.81 acres
Request: PRR-2
Overlays: None