

10. CONSIDERATION OF A RESOLUTION INITIATING A CHANGE IN ZONING OF A PORTION OF TAX MAP PARCEL 24-43

As directed by motion last month, I have corresponded with Mr. Anthony Scodes advising him of your intention to initiate on the Board's behalf, and at no expense to him, a change in zoning of approximately 55 acres of his property from C-M1, Conditional Limited Industrial to A-1, Agricultural, effectively seeking to reverse the zoning change approved by the Board on July 28, 2008.

Mr. Scodes received the letter on February 6, and at this writing (February 17), has not responded. I advised him that the matter was subject to no less than 2 public hearings, one each before the Planning Commission and the Board of Supervisors.

As you are aware, the July 2008 rezoning approval was subject to a signed, written voluntary proffer by Mr. and Mrs. Scodes expressly and exclusively limiting the use of the 55 acres for a race track or course as permitted in Section 18-282 (a) (49) of the Southampton County Code. However, in the absence of an approved conditional use permit, which was denied by the Board on October 27, 2008, the owners are currently and unfairly deprived of any use of their property. The resolution notes that restoration of the zoning classification to A-1 Agricultural is consistent with the Comprehensive Plan, follows good zoning practice, and provides for the general welfare by restoring the property owners' rights to all uses consistent in the A-1 Agricultural zoning district.

In accordance with the provisions of Section 18-541 of the Southampton County Code, and § 15.2-2286 (7) of the Code of Virginia, please find a resolution attached for your consideration which will initiate the rezoning process.

MOTION REQUIRED: If the Board is so inclined, a motion is required to adopt the attached resolution.