

**B-2 to B-3C
2.611 Ac.**

C-21C-08
Zoning
 Dog Kennel
 Brookland District

400 Feet

PS April 2008 Ref: 772-750-5496



COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

Virgil R. Hazelett, PE
County Manager

July 15, 2008

CWP Properties
Attn: Ms. Betti Bachman Smythe
1509 Monmouth Drive
Richmond, VA 23238

Re: Conditional Rezoning Case C-21C-08

Dear Ms. Smythe:

The Board of Supervisors at its meeting on July 8, 2008, granted your Request to conditionally rezone from B-2 Business District to B-3C Business District (Conditional), Parcel 772-750-5496, described as follows:

Beginning at a point in the eastern line of Staples Mill Road 432.79' from the northern line of Bremner Boulevard, thence N 37°47'22" W 149.94' along said eastern line to a point marked by a rod, thence N 54°36'20" E 111.17' to a rod, thence N 36°19'45" W 137.28' to a point, thence N 53°21'25" E 383.97' to a point, thence S 20°21'33" E 295.47' to a point, thence S 53°11'46" W 410.02' to the point and place of the beginning, containing 2.611 acres.

The Board of Supervisors accepted the following proffered conditions, dated June 10, 2008, which further regulate the above described property in addition to all applicable provisions of Chapter 24, Code of Henrico (Zoning Ordinance):


1. **Buildings** Any future buildings constructed on the property shall be architecturally similar in color, style, and material with the existing buildings on the property as determined by the Planning Commission at the time of Plan of Development Review. In no event shall any corrugated metal or exposed, unfinished cinderblock be exposed to view on any building unless otherwise approved by the Planning Commission at the time of Plan of Development.
2. **Fencing** There shall be no chain link or wooden stockade-style fencing between the principal building and Staples Mill Road.
3. **Waste Receptacles** All dumpsters and/or waste receptacles, not including convenience cans, shall be screened from public view in a manner satisfactory to and approved by the Director of Planning.
4. **Lighting** Any exterior lighting shall be provided by concealed sources of light and lighting fixtures shall not exceed 25 feet in height.

- 5 **Hours.** Except for the operation of an animal kennel, hours of operation for any use on the Property shall be limited to those permitted in the B-2 District
- 6 **Permitted Uses.** Principal uses on the property shall be limited to those permitted in the B-2 District, except the operation of an animal kennel as permitted in the B-3 District as regulated by Section 24-62 1(c) of the county code. In addition, the following uses shall not be permitted on any portion of the property
- a hotels or motels,
 - b flea markets,
 - c gun shop sales and repair,
 - d private clubs and lodges, including fraternal organizations,
 - e billiard parlors, except as part of a restaurant use,
 - f bars and taverns, except as part of a restaurant use,
 - g massage parlors and establishments,
 - h sign painting shop,
 - i recreational facilities, indoor, including theaters, bowling alleys, skating rinks (ice skating and roller skating), swimming pools, tennis, model racing tracks, electronic video game rooms, bingo halls, archery ranges, and similar activities,
 - j funeral home, mortuary, crematorium and/or undertaking establishment,
 - k parking lots, commercial (nothing herein shall preclude parking lots as an accessory use to a principally permitted use),
 - l automotive service station,
 - m towing service,
 - n billboards,
 - o truck stops,
 - p communication tower, except as part of a permitted retail use,
 - q self-storage facilities, unless otherwise approved by the Board of Supervisors upon the issuance of a Provisional Use Permit per Sec 24-58 2(b) of the Zoning Ordinance,
 - r off-track betting parlors,
 - s permanent on-site recycling collection facilities not associated with a permitted on-site retail use,
 - t check cashing and/or the making of payday loans as defined and regulated by Section 6 1-444 et seq of the Code of Virginia, provided the foregoing shall not preclude banks, saving and loans or similar financial institutions that are not regulated by the *foregoing Virginia Code sections*
- 7 **Signs.** Signage shall be limited to that allowed in the B-2 District. Furthermore, detached signs shall be ground mounted and shall not exceed 9 feet in height

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The Planning Department has been advised of the action of the Board of Supervisors and will revise its records and place a copy of the accepted proffered conditions in the Conditional Zoning Index

Sincerely,

A handwritten signature in black ink, appearing to read "Virgil R. Hazelett". The signature is stylized and somewhat cursive.

Virgil R. Hazelett, P E
County Manager

pc Director, Real Estate Assessment
Conditional Zoning Index