

**R-3 to O-2C
0.676 Ac.**

C-29C-09

Zoning
Office
Fairfield District

400 Feet

PS September 2009 Ref: 777-758-4306



COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

Virgil R. Hazelett, P.E.
County Manager

December 15, 2009

Duke M. du Frane
710 Zeuswyn Drive
Culpeper, VA 22701

Re: Conditional Rezoning Case C-29C-09

Dear Mr. du Frane:

The Board of Supervisors at its meeting on December 8, 2009, granted your request to conditionally rezone from R-3 One-Family Residence District to O-2C Office District (Conditional), part of Parcel 777-758-4306, containing 0.676 acres, located on the north line of E. Parham Road approximately 215 feet west of Lydell Drive, described as follows:

Beginning at a point along the east line of East Parham Road 0.05± mile east of Lydell Drive; thence continuing along the east line of East Parham Road along a curve to the right having a radius of 1095.92 feet, and arc length of 80.35 feet and a chord of N 58° 48'23" W 80.33 feet to a point; thence departing the east line of East Parham Road N 12°40'55" E 351.58 feet to a point; thence S 78°58'45" E 30.50 feet to a point; thence S 12°42'15" W 101.78 feet to a point; thence along a curve to the left having a radius of 25.00 feet, an arc length of 29.33 feet and a chord of S 20°54'10" E 27.67 feet to a point; thence S 54°30'35" E 19.10 feet to a point; thence along a curve to the right having a radius of 636.16 feet, an arc length of 83.26 feet and a chord of S 50°45'37" E 83.20 feet to a point; thence S 29°08'25" W 217.44 feet to a point; said point being the POINT OF BEGINNING containing 29,484 square feet or 0.676 acre of land.

The Board of Supervisors accepted the following proffered conditions, dated November 12, 2009, which further regulate the above described property in addition to all applicable provisions of Chapter 24, Code of Henrico (Zoning Ordinance):

1. No portion of the property shall be used for the following purposes that are otherwise allowed in an O-2 zoning classification: funeral homes or undertaking establishment, parking deck, or free standing day-care center.
2. All trash receptacle areas and rooftop mechanical systems which are visible from ground level shall be screened from view in such a manner as required by the Planning Commission at the time of Plan of Development review.

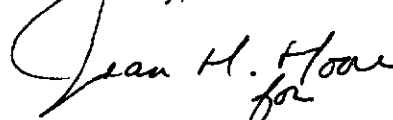
3. Any parking light standards located on the property shall not exceed thirty (30) feet in height and shall be lower height if required by the Planning Commission at the time of Plan of Development approval or by any other governmental body, agency or official having jurisdiction with respect thereto.

All parking lot lighting standards shall be of low intensity, shall be positioned in such a manner as to minimize the impact of such lighting on any adjacent single-family residential homes and shall be "absolute cut-off" type (light source being substantially concealed from view by the design of the luminaire) or of such type as required by the Planning Commission at the time of the approval of the Plan of Development for such property.

4. No building shall exceed forty-five (45) feet in height.
5. There shall be no permanent access to Parham Road from this parcel.
6. Any proposed buildings located on the property shall be similar and consistent with the architecture of the Parham Place I and II buildings as required by the Planning Commission at the time of the Plan of Development approval or by any other governmental body, agency or official having jurisdiction with respect thereto.
7. There shall be a 40 foot landscaped setback for buildings, parking areas, and BMP's from Parham Road unless otherwise required and approved by the Planning Commission at the time of Plan of Development approval.

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,



Virgil R. Hazelett, P.E.
County Manager

pc: JEDD of South Carolina
Jeff Staub
Dr. Martha G. Blumenthal, Dir., Research & Planning, Henrico County Schools
Director, Real Estate Assessment
Conditional Zoning Index