

REZ-2024-100695
Zoning
Business
Fairfield District

200 Feet

PS April 2024 Ref: 780-748-5202



COMMONWEALTH OF VIRGINIA

COUNTY OF HENRICO

July 16, 2024

John A. Vithoulkas
County Manager

MCM Enterprises LLC
c/o Hobnob
6010 Hermitage Rd.
Henrico, VA 23228-5502

Re: Rezoning Case REZ-2024-100695

Dear Sir/Madam:

The Board of Supervisors at its meeting on July 9, 2024, approved your request to conditionally rezone from B-1 Business District to B-2C Business District (Conditional) Parcel 780-748-5202 containing 0.51 acres located at the southwest intersection of Kenwood Avenue and Hermitage Road, described as follows:

All that certain lot, piece, or parcel of land situated in Fairfield District, Henrico County, Virginia, being located on the western line of Hermitage Road and the northern line of Kenwood Avenue, also being as shown on a certain plat of survey prepared by Koontz Bryant Johnson Williams, sealed and dated by William F. Ware, Jr., LS on 03-04-2024, entitled "Boundary & Improvement Survey showing lot 13 & parts of lots 12, 27, 28 & former 15' alley, block 6, Hermitage Park, containing 0.511 acre", said parcel being more particularly described as follows: Beginning at a set nail, said nail being at the intersection of the southern right-of-way line of Kenwood Avenue (40' in width) and the western right-of-way line of Hermitage Road (variable in width); 1. Thence, with the western right-of-way line of Hermitage Road, S 25°49'10" E 223.57', to a set nail; 2. Thence, leaving the western right-of-way line of Hermitage Road, S 73°54'56" W 89.40', to a set rod; 3. Thence, N 16°05'04" W 70.45', to a set nail; 4. Thence, S 73°54'56" W 45.00', to a found rod; 5. Thence, N 16°05'04" W 149.71', to a found rod, said rod being on the southern right-of-way line of Kenwood Avenue; 6. Thence, with the southern right-of-way line of Kenwood Avenue, N 73°48'04" E 96.59', to a set nail, said nail being the true point and place of beginning, containing an area of 0.511 acres or 22,270 square feet, more or less. Being the same parcel as conveyed to MCM Enterprises, LLC by the following; a) deed from William W. Towler dated July 10, 1997 and recorded on July 29, 1997 in deed book 2736, page 1449, and b) ordinance from Henrico Board of Supervisors dated April 10, 2007 (and certified on May 10, 2007) and recorded on May 11, 2007 in deed book 4339, page 1773 all being recorded in the clerk's office of the Circuit Court, Henrico County, Virginia.

The Board of Supervisors accepted the following proffered conditions, dated May 20, 2024, which further regulate the above-described property in addition to all applicable provisions of Chapter 24, Code of Henrico (Zoning Ordinance):

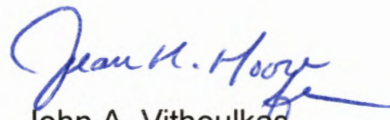
1. **Uses.** Use restrictions shall be those legally permitted in a B-2 Business District.

The following uses shall be prohibited on the subject property:

- a. Restaurants with drive throughs.
 - b. Dancehalls.
 - c. Parking lots for rent.
2. **Parking:** Parking shall be limited to patrons of the restaurant, employees and delivery vehicles to the restaurant.
 3. **Truck deliveries:** No truck deliveries shall be made after 7:00 pm or before 7:00 am.
 4. **Public Address System:** No public address system will be permitted.
 5. **Hours of Operation:** There shall be no service to the public or outside activity on the subject site after 11:00 pm or before 7:00 am.
 6. **Site Layout:** The site shall be or has been developed in accordance with the attached exhibit "Boundary & Improvement Survey Showing Existing Improvements, dated February 29, 2024" (see case file).

The Planning Department has been advised of the action of the Board of Supervisors and will revise its records.

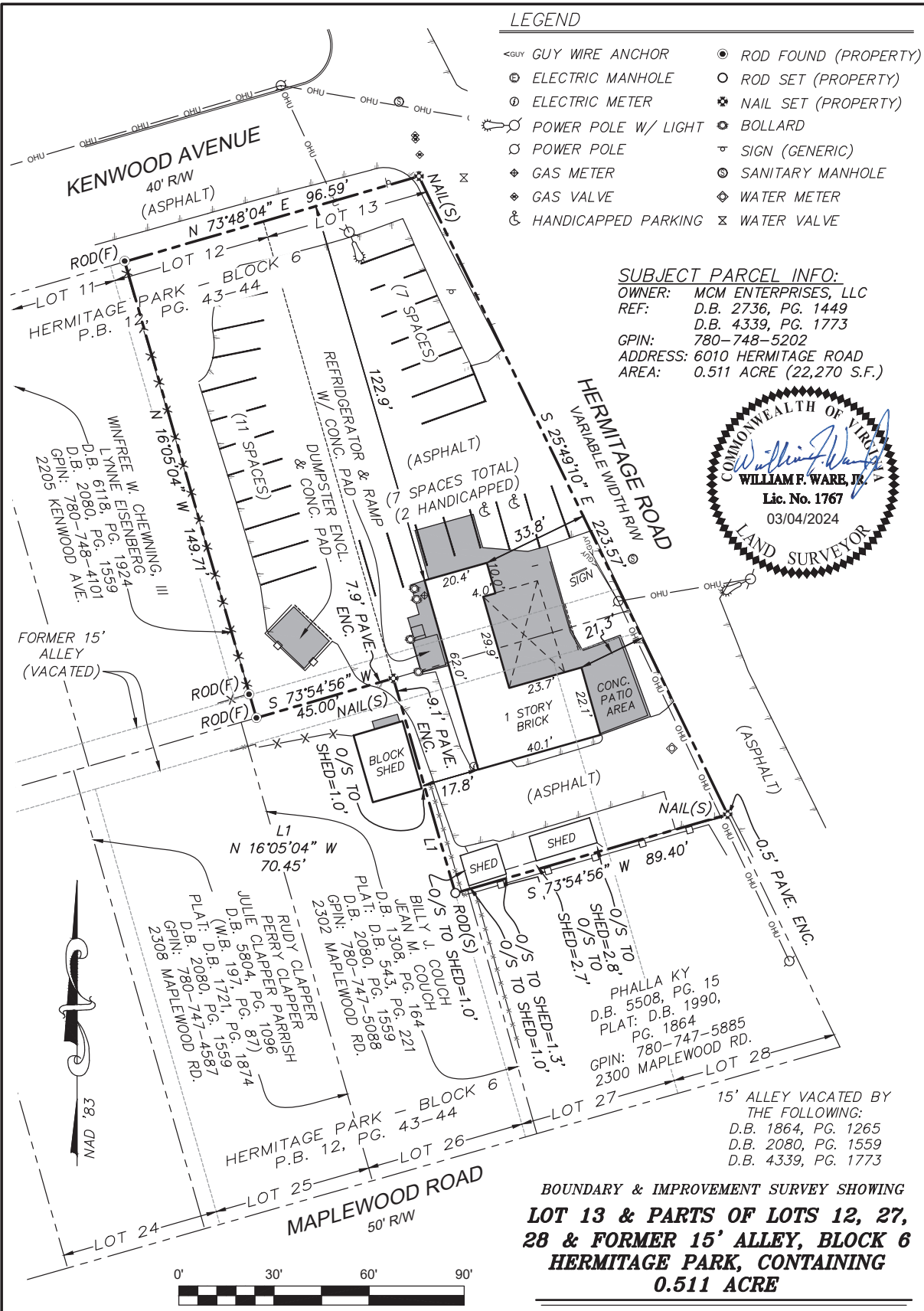
Sincerely,



John A. Vithoulkas
County Manager

pc: Tracey Thoroman
John C. Meyer
Alvin S. Mistr, Jr., PE
Director, Real Estate Assessment

Exhibit A



**BOUNDARY & IMPROVEMENT SURVEY SHOWING
 LOT 13 & PARTS OF LOTS 12, 27,
 28 & FORMER 15' ALLEY, BLOCK 6
 HERMITAGE PARK, CONTAINING
 0.511 ACRE**

FAIRFIELD DISTRICT * HENRICO COUNTY, VIRGINIA

	1703 North Parham Road Suite 202 Henrico, Virginia 23229 www.kbjwggroup.com (804) 740-9200 Office (804) 740-7338 Fax	
	DATE: 02-29-2024	SCALE: 1" = 30'
	CHECKED BY: WFW	DRAWN BY: WFW
	JOB NO.: 24-29248-001	SHEET : 1 OF 1

REZ-2024-100695