

AMEND PROFFERED CONDITIONS

PT. OF 64-A-23A  
 FAIRFIELD DISTRICT

**C-84C-96**



HENRICO COUNTY PLANNING OFFICE



COMMONWEALTH OF VIRGINIA  
**COUNTY OF HENRICO**

May 20, 1997

VIRGIL R. HAZELETT, P.E.  
County Manager

Re: Conditional Rezoning Case C-84C-96

Mr. James R. Gilbert, Pastor/President  
Faith Landmark Ministries  
8491 Chamberlayne Rd.  
Richmond, Virginia 23227

Dear Mr. Gilbert:

The Board of Supervisors at its meeting on May 14, 1997 granted your request to amend proffered conditions on Conditional Rezoning Case C-11C-86, being Part of Parcel 64-A-23A.

The following substitute proffered conditions accepted by the Board of Supervisors, further regulate the use of your property in addition to all applicable provisions of Chapter 24, Code of Henrico (Zoning Ordinance).

1. The Property shall be used only for one-family dwellings and normal and customary accessory uses incidental thereto and model homes or church and church-related uses within the permitted one-family residence district.
2. The minimum finished floor area of any dwelling constructed on the subject Property shall be 2,000 square feet.
3. All exterior, exposed portions of foundations of dwellings constructed on the subject Property shall be brick.
4. All exterior, visible portions of fireplaces and chimneys of dwellings constructed on the subject Property shall be brick.
5. All vehicular access to or from the subject Property shall be limited to Chamberlayne Road (U.S. Route 301), the adjacent property to the north under common ownership with the subject Property, or a driveway or a road east of the intersection of Parham Road and Route 301 (referred to as "Parham Road extended").
6. All construction on the Property, including but not limited to streets, utilities, drainage and dwellings, shall be in full compliance with all County ordinances, regulations, standards and policies.
7. Buffers and Fence: In the event the subject Property is developed for church or church related uses, the following buffers and fence shall apply; however, if the subject Property is not developed for church or church related uses, then the buffers and fence shall not be put in place.

- A. Along the southern property line, adjacent to lots 1-10 of Shrader Woods Subdivision, Section 1:
1. The Property Owner shall reserve a natural buffer area of existing vegetation (as shown in Exhibit A dated September 23, 1996, and revised May 1, 1997, attached). (see case file) for a minimum of one hundred (100) feet in width, except for a fence referenced below in A(2), any necessary grading or clearing relating thereto and any existing easements. The Planning Commission may request or permit encroachment in the buffer area for utility easements, grading, drainage and other purposes at the time of Plan of Development approval. Any future utility easements permitted within this buffer area shall be generally perpendicular to the southern property line unless otherwise requested, permitted or required by the Planning Commission at the time of Plan of Development approval. Vegetation in areas disturbed for utility installation shall be restored to the extent reasonably practicable. The Property Owner shall maintain the buffer area.
  2. Prior to commencement of clearing or grading relating to construction of any new sanctuary or any parking facilities for such sanctuary anywhere on the subject property or any adjacent property under common ownership, the Property owner shall construct and maintain an opaque, pressure-treated wood or otherwise architecturally solid fence of a minimum of seven (7) feet in height, one hundred (100) feet from the southern boundary line of the property adjacent to Lots 1-9 of Shrader Woods Subdivision, Section 1, to a point 5 feet east of the eastern edge of the pond at the rear of Lot 9 and then parallel to the pond along the eastern edge of the pond for approximately seventy-five (75) feet, (as shown on Exhibit A dated September 23, 1996 and revised May 1, 1997, attached (see case file).
- B. Along the southern boundary line of the property adjacent to and southeastern Tax Parcels 64-A-24 and 64-A-26:
1. The Property owner shall reserve a buffer area of existing vegetation (as shown in Exhibit A dated September 23, 1996, and revised May 1, 1997, attached) (see case file) for a minimum of one hundred (100) feet in width, except for a fence referenced below in B(2) and any necessary grading or clearing relating thereto, the landscaping/screening referenced below in B(2) and that the Planning Commission may request or permit encroachment for utility easements, grading, drainage and other purposes at the time of Plan of Development approval. Any future utility easements permitted within this buffer area shall be generally perpendicular to the southern property line unless otherwise requested, permitted or required by the Planning Commission at the time of Plan of Development approval. Vegetation in areas disturbed for utility

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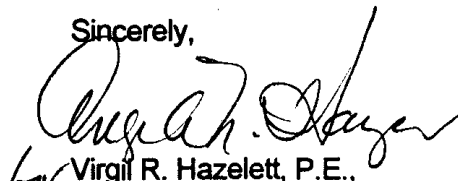
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installations shall be restored to the extent reasonably practicable. The Property Owner shall maintain the buffer area.

2. When a subdivision plat is recorded with the County of Henrico for property currently in Tax Parcels 64-A-24 or 64-A-26 adjoining the subject property, the Property Owner shall construct and maintain an opaque, pressure-treated wood or otherwise architecturally solid fence of a minimum of seven (7) feet in height approximately one hundred (100) feet from and parallel to the property line of any adjacent lot in the new subdivision; provided however, such fence shall not extend any further to the east than approximately one hundred (100) feet east of the eastern edge of any parking lot developed on the subject property. (See Exhibit A dated September 23, 1996, and revised May 1, 1997, attached (See case file).
8. No exterior lighting standard on the subject property shall exceed twenty-five (25) feet in height above grade level. All exterior light fixtures shall be positioned in such a manner as to minimize the impact of such lighting on any adjacent property, other than adjacent property under common ownership with the subject Property, and shall be of a type that conceals the direct source of light (such as, and not limited to, "shoe box" type fixtures). All exterior lighting on the subject property shall be reduced to no greater than a security level within twenty (20) minutes after the conclusion of night-time activities on the premises.
9. The unenforceability, elimination, revision or amendment of any proffer set forth herein, in whole or in part, shall not affect the validity or enforceability of the other proffers or the unaffected part of any such proffer.

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

Sincerely,

  
for Virgil R. Hazelett, P.E.,  
County Manager

cc: Clerk, Board of Supervisors  
Director, Real Estate Assessment  
Conditional Zoning Index  
Mr. John G. Mizell, Esquire