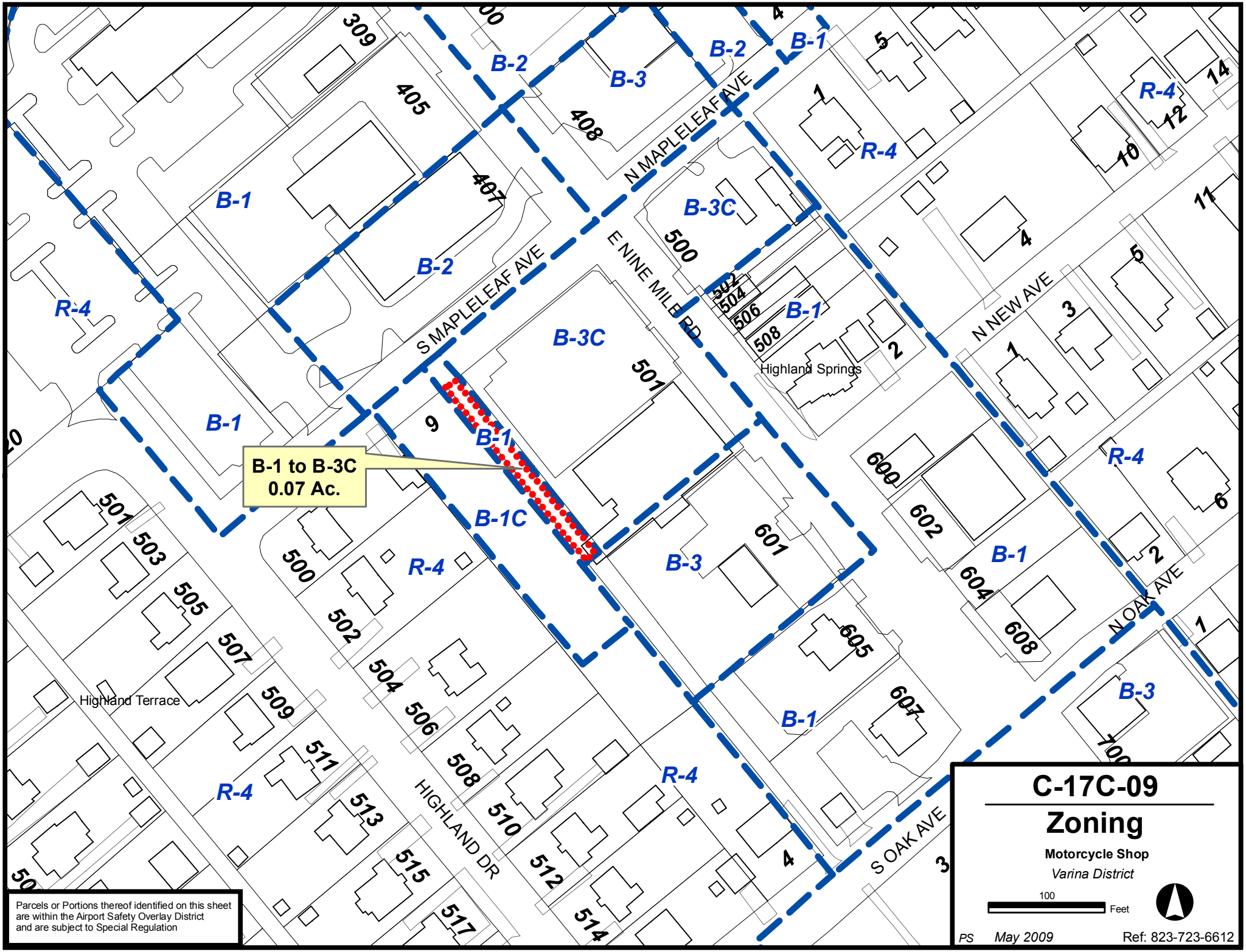
B-1 to B-3C
0.07 Ac.
C-17C-09
Zoning
Motorcycle Shop
Varina District
100
Feet
PS May 2009
Ref: 823-723-6612
Parcels or Portions thereof identified on this sheet are within the Airport Safety Overlay District and are subject to Special Regulation
N MAPLELEAF AVE
S MAPLELEAF AVE
E NINE MILE RD
N NEW AVE
N OAK AVE
S OAK AVE
HIGHLAND DR
Highland Springs
Highland Terrace
B-1
B-1C
B-2
B-3
B-3C
R-4

COMMONWEALTH OF VIRGINIA

COUNTY OF HENRICO

Virgil R. Hazelett, P.E.
County Manager

August 18, 2009

Kenneth A. & Yvonne H. Germain
501 E. Nine Mile Road
Highland Springs, VA 23075

Re: Conditional Rezoning Case C-17C-09

Dear Mr. & Mrs. Germain:

The Board of Supervisors at its meeting on August 11, 2009, granted your request to conditionally rezone from B-1 Business District to B-3C Business District (Conditional), part of Parcel 823-723-6612, containing 0.073 acre, located on the southeast line of S. Mapleleaf Avenue approximately 150 feet southwest of E. Nine Mile Road (State Route 33), described as follows:

BEGINNING AT A POINT in the southerly line of S. Mapleleaf Avenue, said point being South 57°15'30" West 166.00 feet from the westerly line of E. Nine Mile Road, running thence along the southerly line of S. Mapleleaf Avenue North 57°15'30" East 16.00 feet to a point, running thence South 32°33'45" East 200.00 feet to a point, running thence South 57°15'30" West 16.00 feet to a point, running thence North 32°33'45" West 200.00 feet to the point or place of beginning containing 0.073 acre of land.

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

1. **Use Restrictions.** The property may not be used for the following purposes:
   a. Fortuneteller, palmist astrologist, numerologist, clairvoyant, craniologist, phrenologist, card reader, spiritual reader or similar activity.
   b. Rifle or pistol range.
   c. Shell houses or display houses.
   d. Gun shop, sales and repair.
   e. Adult businesses as regulated in Section 24-65(n) of the County of Henrico Zoning Ordinance.
   f. Building materials store.
   g. Car wash.
   h. Exterminating establishment.
   i. Manufactured home sales, display and storage or sales.
   j. Public dance halls.

k. Outdoor sales lots and stand for retail sales other than for (i) automobiles or motorcycles and (ii) Christmas trees, wreaths, holly and similar decorative horticultural materials shall be permitted and as regulated in the B-1 district.
l. Hotels, motels and motor lodges.
m. Flea markets.
n. Pawn shops.
o. Tattoo parlors.
p. Funeral home, mortuary, crematorium and/or undertaking establishments.
q. Private clubs, lodges, meeting halls and fraternal organizations.
r. Check cashing establishments and payday loan establishments as defined and regulated by Sections 6.1-432 et. Seq., and 6.1-444 et. Seq. of the Code of Virginia provided the foregoing shall not preclude banks, savings and loans or similar financial institutions that are not regulated by the foregoing Virginia Code sections.
s. Laundromats and self-service dry-cleaning establishments.
t. *Towing services.*
u. Permanent on-site recycling collection facilities.
v. Parking lots, commercial (nothing herein shall preclude parking lots as an accessory use to a principally permitted use).

2. **Parking Lot Lighting.** Other than existing parking lot lighting fixtures, all free standing parking lot fixtures shall be similar in style and height with the existing light fixtures currently located along E. Nine Mile Road adjacent to the property, or as otherwise approved by the Director of Planning of the County of Henrico, Virginia.

   Parking lot lighting shall be reduced to a minimum level necessary for security purposes following the close of business conducted on the property.

3. **Trash Receptacles.** Trash receptacles shall be screened from public view at ground level. No trash pickup, parking lot cleaning or leaf blowing shall occur before 7:00 a.m. or after 7:00 p.m. or on the weekend or any holiday.

4. **Signage.** Signage on the property shall be regulated as provided for in a B-2 district in the Henrico County Zoning Ordinance. There shall be no portable or mobile signs on the property. There shall be no detached signage on the property. All signs on the property shall be internally lit.

5. **Hours of Operation.** *The hours of operation on the property shall be limited to the* hours of 7:00 a.m. to 8:00 p.m. Monday through Saturday and 10:00 a.m. through 7:00 p.m. *on Sunday.*

6. **Public Address System.** No outdoor speakers or public address systems shall be permitted.

7. **Outside Storage.** All refuse, tires, salvage, damaged or scrap vehicle parts shall be screened from view from the perimeter of the property within a building or by an opaque wooden fence or masonry.

8. **Building Improvements.** Within one year of the issuance of the first Certificate of Occupancy of the new building addition located on the property after the approval of this case C-17C-09, the exterior of such building addition shall be painted to match exterior building colors proffered with C-60C-99.

9. **Vehicle Repair.** All vehicle repair work shall be performed within an enclosed building on the Property.

10. **Severance.** 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 any of the other proffers or the unaffected part of any such proffer.

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,

Joan M. Howe for

Virgil R. Hazelett, P.E.
County Manager

pc: Randy Hooker
Director, Real Estate Assessment
Conditional Zoning Index