

Prepared by: Kerry Brian Hutcherson, VSB# 75018
Rudy, Coyner & Associates, PLLC
9910 Wagners Way
Chesterfield, VA 23832

Tax Map Parcel ID: 20-3 (a portion)

PROFFERED CONDITIONS

THESE PROFFERED CONDITIONS, made this ____ day of _____, 2022, by JAMES G. FLOWERS, together with his heirs, successors, and assigns (the “Owner” and a grantor for indexing purposes),

WITNESSETH:

WHEREAS, the Owner is the owner of that certain 2.02-acre portion of the parcel of real property identified as Dinwiddie County Tax Map Parcel ID 20-3, which 2.02-acre portion is referred to herein as the “Property” and is shown and more particularly described on that certain subdivision plat prepared by Crutchfield & Associates, dated December 2, 2021, entitled “Plat of Survey of 2.02 Acres,” and incorporated herein and attached hereto, and

WHEREAS, the Property is in the Urban Area on the County’s Comprehensive Plan, and an application has been made to rezone the Property from Agricultural, General (A-2) to Business, General (B-2), with proffered conditions, and

WHEREAS, the Owner desires to offer to the County certain conditions on the development of the Property not generally applicable to land zoned Business, General (B-2).

CONDITIONS

NOW, THEREFORE, for and in consideration of the approval of the requested rezoning, and pursuant to Section 15.2-2298 of the Code of Virginia, 1950, as amended, and the County

Zoning Ordinance, the Owner agrees that, if the requested rezoning is granted by the County, the Owner shall meet and comply with all of the following conditions in developing the Property:

1. The uses on the Property shall be limited to those uses permitted in the Business, General (B-2) district, except that the following uses shall not be permitted:
 - a) Drugstores,
 - b) Auto and home appliance services,
 - c) Funeral homes,
 - d) Dry cleaners,
 - e) Machinery sales and service,
 - f) Public billiard parlors and poolrooms, bowling alleys, dance halls and similar forms of public amusement,
 - g) Amusement centers,
 - h) Cabinet, furniture and upholstery shops,
 - i) Veterinary hospital,
 - j) Classic and collectable car sales and restoration facility,
 - k) Nursery and landscaping,
 - l) Show horse facility and riding academy,
 - m) Kennel, and
 - n) Flea market.
2. Building materials used on the southern, western, and eastern elevations of any building constructed on the Property shall be a combination of brick and cementitious siding (such as HardiePlank), or equivalent materials, as determined by the Planning Department. The exterior of any accessory building or structure shall be compatible in architectural style, material, and color with the principal building. The architectural design of the principal building shall generally conform to the conceptual elevations attached hereto and incorporated herein as EXHIBIT A, provided that deviations from the conceptual elevations shall be permitted in order to comply with the requirements of Dinwiddie County Code, Article XI, Division 4 – RT. 1, RT. 460, and Dinwiddie Courthouse Area Entrance Corridor Overlay Districts (including, but not limited to, those development standards specified in Dinwiddie County Code § 22-350).

3. Except for the lighting inside building(s), and lighting installed on the Property shall be directed downward and inward to the Property to avoid casting light on adjacent properties or into the night sky.

WITNESS the following signature:

OWNER

_____ (SEAL)

James G. Flowers

COMMONWEALTH OF VIRGINIA

COUNTY OF _____, to-wit:

The foregoing instrument was acknowledged before me this ____ day of _____, 2022 by James G. Flowers, who is either personally known to me or who has provided sufficient photoidentification proving that he is one and the same person whose signature appears above.

My commission expires: _____.

Notary Public

Registration No.: _____

EXHIBIT A