

190016182

Z-17-86. Henry Branscome

PROFFER FOR PARCEL 46

Whereas, Henry S. and Lavelle M. Branscome are the owners of all that certain lot, piece or parcel of land, situate, lying and being in Berkeley Magisterial District, James City County, Virginia, containing 6.29 Acres, shown and set forth on plat of survey entitled "SURVEY OF 6.29 ACRES, PROPERTY OF C.C., R.T. AND C.L. CASEY TO BE CONVEYED HENRY S. & LAVELLE N. BRANSCOME", dated August 7, 1985, revised May 23, 1986, made by AES, a professional corporation, a copy of which is attached hereto.

Being the same property as that conveyed unto the Grantor herein by deed dated December 16, 1982, from Olive D. Casey, widow, which deed is of record in James City County Deed Book 228, page 298, located in the County of James City, Virginia, and have made application for a change in zoning of the subject property from A-2 to B-1; and

Whereas, as a part of their application, Henry S. and Lavelle H. Branscome, voluntarily proffer conditions which shall be in addition to the limitations provided for in the zoning district; and

Whereas, these conditions are proffered as a part of the requested rezoning and it is agreed that the limitations; (1) are required or arise because of the nature of the property and the rezoning sought, and (2) have a reasonable relation to the rezoning requested.

Therefore, the following conditions are proffered in consideration for the rezoning of the above referenced property:

A sixty (60) foot wide green space corridor free of parking lot or other structures will be established along the entire John Tyler Highway frontage. The green space corridors will be graded as necessary to provide a gentle slope between the roadway neighboring parcel to the west, and developable area of the parcel.

A blend of plant materials consisting of native type shade, evergreen and flowering trees (such as Red and White Oak, Red Maple, White Pine, Hemlock, American Holly, Flowering Dogwood and Redbud), interspersed with plantings of medium height growing shrub masses (such as Southern Wax Myrtle, Burning Bush, etc.) will be installed within the green space corridor.

Shade type trees will be at least eight (8) to ten (10) feet high, flowering trees at least five (5) to six (6) feet high and shrubs one and one-half (1 1/2) to two (2) feet in spread or height. All plant material will be transplanted by tree space method, balled and burlapped, or container grown and will meet the standards of the American Association of Nurserymen.

Shade trees planted forty (40) to fifty (50) feet on center will be arranged individually or in groups and enhanced with underplantings of shrub masses containing at least five plants per group. Flowering trees will be planted individually or in groups of three or more and placed to accent the length of the green space corridor. Where evergreen trees are planted, they will be twelve (12) to fifteen (15) feet on center and arranged individually or in groups of three or more.

Approximately fifty (50) to sixty (60) percent of the length of the green space corridor will be planted with a balanced arrangement of these shade trees, flowering trees, and shrubs. The balance of the area will be planted in grass which will be kept mowed by the property owner.

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Z-21-85/Z-22-85. Branscome Office Park

Whereas, Henry S. and Lavelle M. Branscome are the owners of approximately 1.5 acres of land located in the County of James City, Virginia, and have made application for a change in zoning of the subject property from A-2 to M-1; and

Whereas, as a Part of their application, Henry S. and Lavelle M. Branscome, voluntarily proffer conditions which shall be in addition to the limitations provided for in the zoning district; and

Whereas, these conditions are proffered as a part of the requested rezoning and it is agreed that the limitations: (1) are required or arise because of the nature of the property and the rezoning sought, and (2) have a reasonable relation to the rezoning requested.

Therefore, the following conditions are proffered in consideration for the rezoning of the above referenced property:

- (1) Use of the property will be limited to a two story office building and an equipment storage yard.
- (2) The equipment storage yard will be located on the rear portion of the property behind the proposed office building and shall not be constructed until construction of the office building has progressed towards completion to a significant degree.
- (3) Landscape screening around the equipment storage yard for the benefit of adjacent property owners and traffic along John Tyler Highway shall be provided that at a minimum blocks the view of the equipment storage area from John Tyler Highway.

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The portion of green area east of the driveway proposed to cross the green area will be planted in an arrangement to identify with the existing natural wooded areas immediately to the east. Areas west of the driveway will be arranged in a manner to be compatible with existing and proposed plantings in the adjoining office and retail business areas.

These proposed plantings will be install by November 1, 1987.

REVISED PROFFER FOR PARCEL 28

Whereas, Henry S. and Lavelle H. Branscome are the owners of all certain pieces or parcel of land containing 3.717 acres situated on the North side of the road leading from Williamsburg to Five Forks, and being just East of Five Forks, in Jamestown District, James City County, Virginia, bounded and described as follows: Beginning at a point on the North side of said road 395 feet East of the eastern Boundary line of the property now or formerly belonging to Isiah Armistead, and being the eastern boundary of the tract of land now or formerly belonging to Lucy Barrow, et als; thence in an easterly direction along said road the distance of 395 feet, more or less, to the center of a pond, thence in a northerly direction up to the pond, along the line of J. B. Vaiden, and thence in a westerly direction to the point where the eastern boundary line of the land now or formerly belonging to Lucy Barrow, et als, intersects the southern line of the land J. B. Vaiden, and being the same parcel of land conveyed to Rosa Armistead Cumber by deed from Lucy Barrow, et als, dated August 1, 1939 and recorded in James City County Deed Book 31, pages 234-235 on September 8, 1939.

EXCEPT

That portion being as shown on plans approved March 28, 1954, and lying on the North (left) side of and adjacent to the center of existing Route 5 from the lands of Lucy Barrows et als opposite approximate survey centerline Station 571 + 84 to the lands of James B. Vaiden Estate opposite approximate survey centerline Station 575 + 79, and containing 0.35 acres, more or less, land, of which 0.14 acre is included in the existing right of way and 0.21 acre, more or less, is additional land.

For a more particular description of the land herein conveyed, reference is made to photocopy of said Sheet No. 3, showing outlined in RED the land conveyed in fee simple, which photo is hereto attached as a part of this conveyance and recorded simultaneously herewith in the State Highway Plat Book No. 1, page 61. This conveyance is of record in James City County Deed Book 58, page 465.

An being the same property as that conveyed to Robert C. Walker and Hugh H. Sisson, Jr. by deed of Rosa Armistead Cumber and Ernest F. Cumber, her husband by Deed dated August 14, 1958 recorded in James City Deed Book 65, page 521; the said Hugh H. Sisson, Jr. having conveyed his interest in the said property to Hugh H. Sisson, Jr. and Frances B. Sisson, husband and wife, tenants by the entireties with the right of survivorship as at Common law by Deed dated May 20, 1971 recorded in James City Deed Book 132, page 59; and, the said Hugh H. Sisson, Jr. having departed this life leaving Frances B. Sisson, now Frances S. Baldwin, surviving, located in the County of James City, Virginia, and have made application for a change in zoning of the subject property from A-2 to B-1; and

Whereas, as a part of their application, Henry S. and Lavelle M. Branscome, voluntarily proffer conditions which shall be in addition to the limitations provided for in the zoning district; and

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Community Development
101-A Mounts Bay Road
P.O. Box 8784
Williamsburg, VA 23187-8784
P: 757-253-6671
F: 757-253-6822
community.development@jamescitycountyyva.gov
jamescitycountyyva.gov

Building Safety & Permits
757-253-6620

Neighborhood Development
757-253-6640

Planning
757-253-6685

Zoning
757-253-6671

May 6, 2019

Mr. Richard M. Wiatt, Jr.
c/o VHB
351 McLaws Circle
Williamsburg, Virginia 23185

RE: Case No.BZA-19-0004 4551 John Tyler Highway

Mr. Wiatt:

At the May 2, 2019 meeting of the James City County Board of Zoning Appeals, your application, submitted on behalf of Branscome Office Property LLC, for a variance to Section 24-393 (a) Yard Requirements of the James City County Zoning Ordinance was approved. The approved variance to Section 24-393(a), Yard Requirements, reduces the rear yard setback from 50 feet to 48.27 feet. This variance allows for the continued placement of the warehouse building

This property is currently zoned B-1, General Business, and can further be identified as James City County Real Estate Tax Map Parcel No. 4710100116.

If you have any questions please feel free to contact Terry Costello at (757) 253-6672.

Sincerely,

Christy Parrish
Zoning Administrator

3 Large/Small Plat(s) Recorded
herewith as # 190016182

City of Williamsburg & County of James City
Circuit Court: This PLAT was recorded on
Nov 4 2019
at 1:49 PM, PG
Document # 190016182
MONA A. FOLEY, CLERK

Whereas, these conditions are proffered as a part of the requested rezoning and it is agreed that the limitations: (1) are required or arise because of the nature of the property and the rezoning sought, and (2) have a reasonable relation to the rezoning requested.

Therefore, the following conditions are proffered in consideration for the rezoning of the above referenced property:

A sixty (60) foot wide green space corridor free of parking lot or other structures will be established along the entire John Tyler Highway frontage. The green space corridors will be graded as necessary to provide a gentle slope to proposed turning lane and to meet grades of development proposed adjacent to the green areas.

A blend of plant materials consisting of native type shade, evergreen and flowering trees (such as Red and White Oak, Red Maple, White Pine, Hemlock, American Holly, Flowering Dogwood and Redbud), interspersed with plantings of medium height growing shrub masses (such as Southern Wax Myrtle, Burning Bush, etc.) will be installed within the green space corridor.

Shade type trees will be at least eight (8) to ten (10) feet high, flowering trees at least five (5) to six (6) feet high and shrubs one and one-half (1 1/2) to two (2) feet in spread or height. All plant material will be transplanted by tree space method, balled and burlapped, or container grown and will meet the standards of the American Association of Nurserymen.

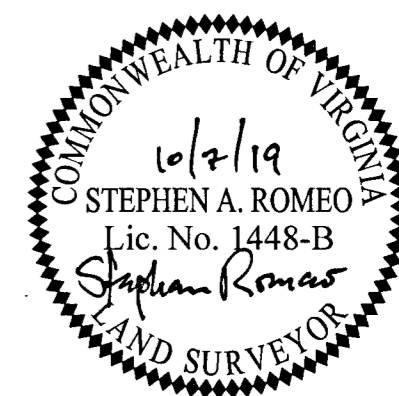
Shade trees planted forty (40) to fifty (50) feet on center will be arranged individually or in groups and enhanced with underplantings of shrub masses containing at least five plants per group. Flowering trees will be planted individually or in groups of three or more and placed to accent the length of the green space corridor. Where evergreen trees are planted, they will be twelve (12) to fifteen (15) feet on center and arranged individually or in groups of three or more.

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These proposed plantings will be installed by November 1, 1987.

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**Boundary Line Adjustment
Being The Property Of
Branscome Office Property LLC PARCEL
4710100046 And Branscome Investment
Property, L.L.C. PARCEL 4710100116
James City County, Virginia**

DATE: 10/7/2019	SHEET 2 OF 3	SCALE: NA
PROJECT NO: 34509.00	DRAWN BY: CRO	CHECKED BY: SAR

Transportation
Land Development
Environmental Services
351 McLaws Circle, Suite 3
Williamsburg, Virginia 23185
757 220 0500 • FAX 757 903 2794