

Z-6-98 Strickland Road, north side, and Kempton Road, east side of Sandown Place, being Wake County Tax Parcel 0798.16 93 6735. Approximately 3 acres rezoned to Residential-6 Conditional Use.

Conditions: (06/16/98)

A. The property will be developed in accordance with Planning Commission Certified Requirement 7107.

B. The reimbursement rate for any future right of way shall be at the value of RR zoning at the time of purchase.

C. Upon development of the subject property, a minimum buffer 20 feet in width and a closed fence six feet in height will be established and maintained along the boundary line with Wake County PIN numbers: 0798.16 93 3057, 0798.16 93 4172, and 0798.16 93 6129. Buffer area will remain undisturbed except for:

1. Storm drainage facilities, erosion control devices, fences, berms, electric, telephone, cable television, and similar installations(fiber optic cable, etc.), gas and/or water, sanitary sewer installations, and similar utilities approved by the appropriate government authority. Any such construction shall be underground and designed and undertaken so as to create as little disturbance of the buffer as possible while still honoring public service, health and safety requirements.

2. The planting of new vegetation, construction of fences, walls, berms, or similar construction which tends to enhance the area's visual appeal, or sign and noise screening characteristics.

3. Treatment or removal of nuisance or diseased vegetation as certified by city arborist or other public official designated by the Raleigh city manager. To illustrate, but not limit, the foregoing: trees which encroach upon property boundaries or whose limbs hang over adjacent properties, overhead electric lines, streets or drives may be removed; pine trees infested with or threatened by pine bark beetles or similar pests may be removed.

D. Any exterior lighting shall be aimed downward and shielded so as to prevent direct view of the light source from adjacent residential properties. Any freestanding light poles within 50 feet of properties containing a dwelling unit shall not exceed 18 feet in height.

E. Building heights shall be limited to three (3) stories but no higher than thirty-eight (38) feet.

F. Any refuse containers and heating and air-conditioning units will be maintained within wooden or masonry enclosures or otherwise screened from direct view from adjacent residentially zoned lots.

G. The following uses otherwise permitted in the R-6 zoning district shall be prohibited:

1. Utility services and substation.
2. Outdoor stadium, outdoor theater, outdoor race track, outdoor movie theater.
3. Telecommunications tower.

H. No access shall be available from Kempton Road. If and when access becomes available from the extension of Lead Mine Road, said Lead mine Road access shall provide sole access to the subject property so long as the extension of Lead mine Road is contiguous to the subject property. In the interim, access to the property shall be provided via one entrance/exit on Strickland Road.

I. Density on the subject property shall be limited to no more than four (4) units per acre.