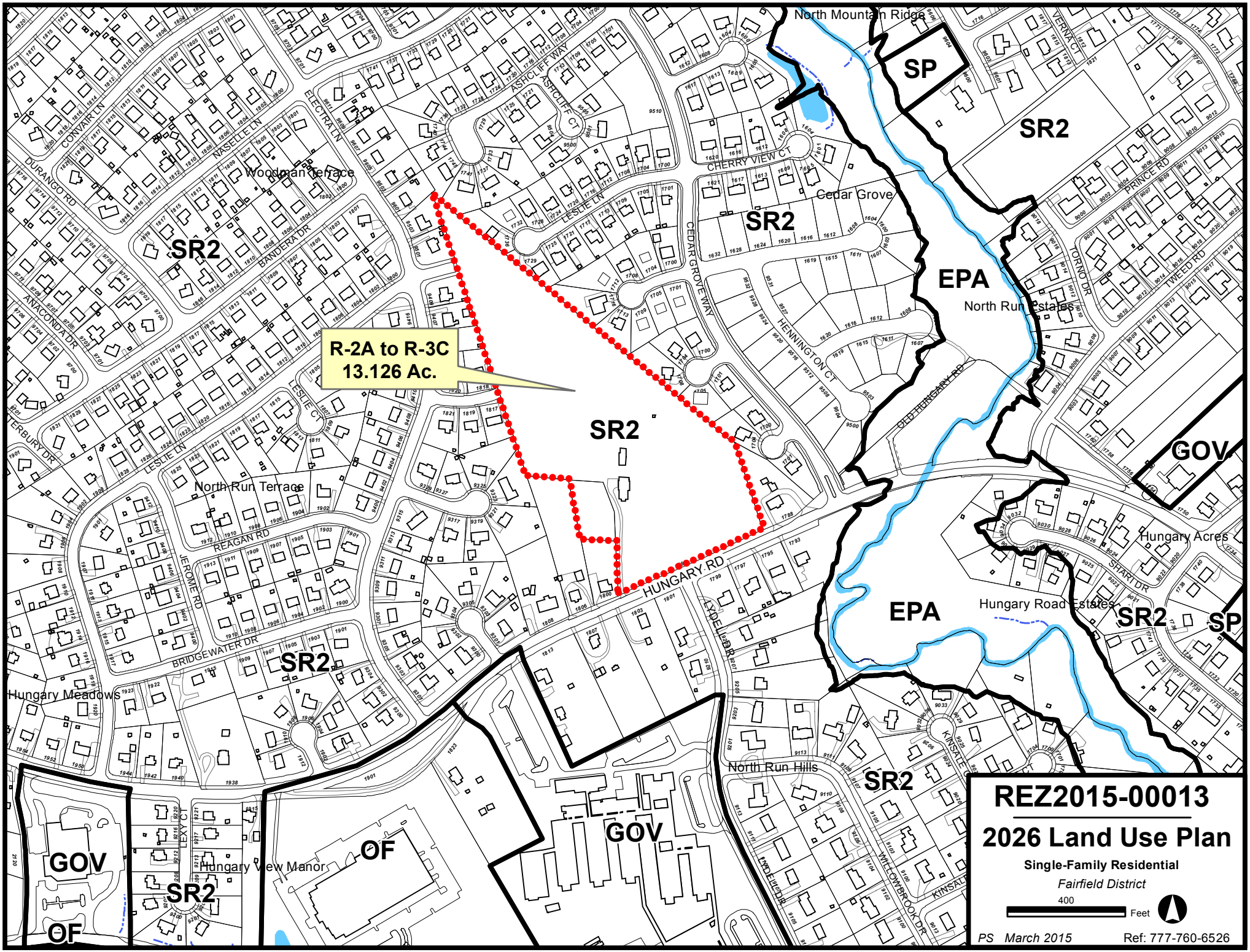

R-2A to R-3C
13.126 Ac.
SR2
SP
EPA
GOV
OF
North Mountain Ridge
Woodman Terrace
Cedar Grove
North Run Estates
North Run Terrace
Hungary Acres
Hungary Road Estates
Hungary Meadows
Hungary View Manor
North Run Hills
HUNGARY RD
REAGAN RD
BRIDGEWATER DR
CEDAR GROVE WAY
CHERRY VIEW CT
OLD HUNGARY RD
REZ2015-00013
2026 Land Use Plan
Single-Family Residential
Fairfield District
400
Feet
PS March 2015
Ref: 777-760-6526

COMMONWEALTH OF VIRGINIA

COUNTY OF HENRICO

John A. Vithoulkas
County Manager

June 16, 2015

Oak Knoll, LLC
Attn: Mr. Arthur McGurn
P.O. Box 8
Manakin-Sabot, VA 23103

Re: Rezoning Case REZ2015-00013

Dear Mr. McGurn:

The Board of Supervisors at its meeting on June 9, 2015, granted your request to conditionally rezone from R-2A One-Family Residence District to R-3C One-Family Residence District (Conditional) Parcels 777-760-6526 and 777-759-6295 containing 13.126 acres located on the north line of Hungary Road at its intersection with Lydell Drive, described as follows:

Beginning at a pipe found on the north line of Hungary Road; said pipe being 237.97' west of the west line of Cedar Grove Way; then from the point of beginning S 66°22'32" W for 542.73' to a bent rod found; then N 02°30'31" W for 168.44' to a pipe found; then N 86°45'31" W for 120' to a pipe found; then N 11°30'37" W for 205.3' to a rod found; then N 85°40'06" W for 141.04' to a rod found; then N 16°52'42" W for 58.47' to an axle found; then N 18°29'46" W for 965.70' to a rod found; then S 50°26'37" E for 1307.03' to a rod found; then S 21°30'08" E for 331.90' to the point and place of beginning; said tract containing 13.126 acres.

The Board of Supervisors accepted the following proffered conditions, dated May 12, 2015, which further regulate the above described property in addition to all applicable provisions of Chapter 24, Code of Henrico (Zoning Ordinance):

1. **Concept Plan.** If approved by the County, the lots and roads will be platted generally as shown on the – "OAK KNOLL SUBDIVISION CONCEPT PLAN" dated April 13, 2015 ("Conceptual Plan") attached hereto as Exhibit A (see case file).

2. **Density.** There shall be no more than 32 residential building lots platted on the Property.

3. **Finished Floor Area.** All two-story dwellings shall have a minimum finished floor area of at least 1,800 square feet. All one and one-half story dwellings shall have a minimum finished floor area of at least 1,500 square feet. All one-story dwellings shall have a minimum finished floor area of at least 1,400 square feet. The 32 homes

to be constructed on the Property shall contain the following minimum square feet of finished floor area:

a. at least 10 dwellings shall have at least 2,000 square feet of finished floor area; and in addition,
b. at least 11 dwellings shall have at least 1,800 square feet of finished floor area; and in addition,
c. at least 11 dwellings shall have at least 1,400 square feet of finished floor area.

Upon the request of the Director of Planning, the applicant shall provide the County with the necessary calculations that illustrate that the homes constructed are in compliance with this proffer.

4. **Foundations and Chimneys.** The main body of the dwellings shall not be constructed on a slab, provided that basements, garages and patios may be constructed on a slab. The exterior portions of all residential dwelling foundations below the first floor level which are visible above grade shall be constructed of brick or stone. Any homes with a fireplace, other than direct vent gas fireplaces or appliances, shall have chimneys constructed on a foundation and faced with brick or stone. Garages constructed on a slab shall have a brick or stone foundation surrounding such garage a minimum height of 2 courses of brick.

5. **Garages.** At least 17 of the homes shall be constructed with at least a one (1) car garage, attached or detached, which can accommodate a car parked inside. Each garage shall have a minimum interior dimension clear space at the time of construction of eleven (11) feet wide by eighteen (18) feet deep. Any attached front loading garage shall be recessed beyond the front line of the home a minimum of 2 feet. Doors to any front loading garages shall have various design elements, such as windows, hardware, material articulation and other features. No two homes adjoining each other side by side shall have identical design elements on their front loading garage doors.

6. **Cantilevering.** All features of a home, including fireplace enclosures, box and bay windows, stand-alone closets and similar features, shall be constructed on a foundation. This proffer shall not apply to features constructed on the second floor rear elevation of a home that are at least 12 feet in width, or as may otherwise be approved by the Director of Planning.

7. **Exterior Material.** The siding on the dwellings shall be constructed of brick, stone, concrete board or vinyl with a minimum thickness of .044 inches.

8. **Steps, Stoops and Porches.** Except for country porches, steps to the main front entrance of homes and front stoops shall be brick or stone. County porches with piers on the front elevation of the home shall have piers constructed of brick or stone to match the foundation of the home.

9. **Lot Landscaping.** Each lot shall contain the following landscaped features prior to the final certificate of occupancy issued by the County for a dwelling on such lot: (a) the area adjacent to the foundation of the front elevation of each home shall be screened by landscaping; with 6 small shrubs and (b) at least 1 tree measuring at least 2" in diameter shall be located in the front yard and in addition at least 1 tree measuring at least 2" in diameter shall be located in the side yard. Existing trees may be used that meet this criterion.

10. **Driveways.** Any driveway on a lot shall be constructed of a hard surface material consisting of cobblestone, brick, asphalt, pre-cast pavers, concrete or other similar materials approved by the Director of Planning.

11. **Utilities.** All proposed utilities, except for junction boxes, meters, pedestals, transformers, transmission mains, similar elements, and existing overhead utility lines, shall be placed underground, unless technical or environmental reasons require otherwise or unless not otherwise approved by the applicable utility company.

12. **Access Limitations.** There shall be no vehicular access from a lot on the Property to Hungary Road.

13. **Curb and Gutter.** Roll-faced curb and gutter of a standard width of 3 feet shall be provided for the interior roads within the development, subject to approval by the Director of Public Works.

14. **BMP.** If any BMP is required on the Property, such BMP shall be landscaped as an amenity and maintained by the Association, and if such BMP is wet, it shall be aerated.

15. **Construction Hours.** The hours of exterior construction activities, including operation of bulldozers and other earth moving equipment, shall be between 7:00 AM and 7:00 PM Monday through Saturday, except in emergencies or where unusual circumstances require extending the specific hours in order to complete work such as concrete pours and utility connections. Hours shall be posted in both English and Spanish during construction.

16. **Sidewalk.** Developer shall install a pedestrian sidewalk in accordance with the County Standards along one side of Concept Road A (see case file).

17. **Fencing.** Any fencing installed along Hungary Road shall be uniform in style and made of weather resistant, durable material. No wooden privacy fence shall be used.

18. **Home Owners Association (HOA)/Restrictive Covenants.** Prior to or concurrent with any subdivision plat recordation, restrictive covenants describing development controls and maintenance of the portion of the Property so subdivided shall be recorded in the Clerk's Office of the Circuit Court of Henrico County. In addition, there shall be a Homeowners Association and/or Condominium Association of the

owners of the units on the Property that shall be responsible for the enforcement of the restrictive covenants, including design guidelines and standards which shall provide for consistent fencing along Hungary Road.

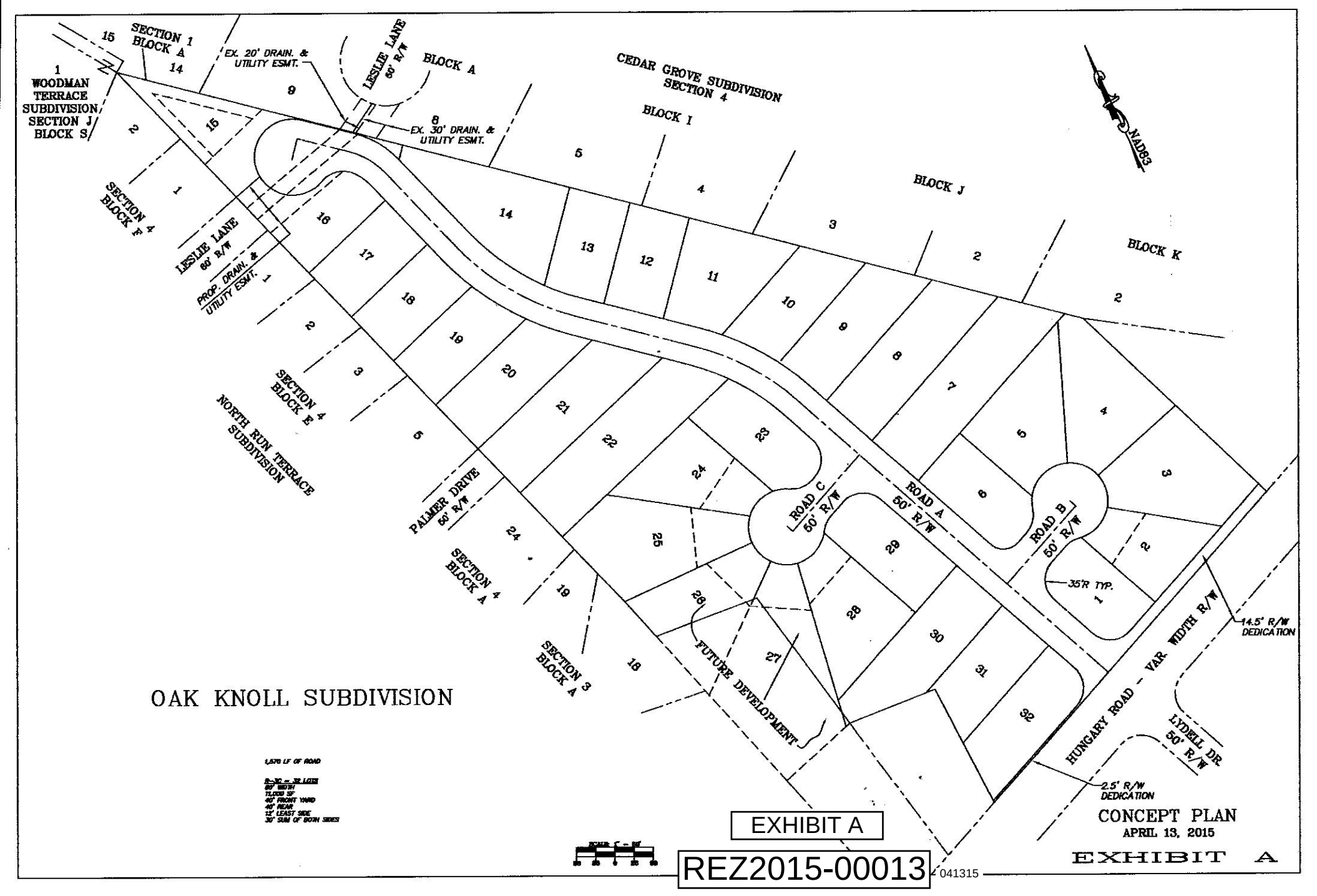
19. **Severance.** The unenforceability, elimination, revision or amendment of any proffer set forth herein, in whole or part, shall not affect the validity or enforceability of any other proffer or the unaffected portion of a proffer.

The Planning Department has been advised of the action of the Board of Supervisors and will revise its records.

Sincerely,

John A. Vithoulkas
County Manager

pc: Mr. Louis A. Lutto, Jr.
Ms. Lois S. Lutto
Mr. Manton & Mrs. Frances Kibler, III
Mr. Bruce S. Hulcher
Director, Real Estate Assessment
Tiffany S. Hinton, Ph.D., Dir. Research and Planning - Schools


OAK KNOLL SUBDIVISION
WOODMAN TERRACE SUBDIVISION SECTION J BLOCK S
SECTION 1 BLOCK A
EX. 20' DRAIN. & UTILITY ESMT.
LESLIE LANE 60' R/W
BLOCK A
EX. 30' DRAIN. & UTILITY ESMT.
CEDAR GROVE SUBDIVISION SECTION 4
BLOCK I
BLOCK J
BLOCK K
NAD83
SECTION 4 BLOCK F
LESLIE LANE 60' R/W
PROP. DRAIN. & UTILITY ESMT.
NORTH RUN TERRACE SUBDIVISION
SECTION 4 BLOCK E
PALMER DRIVE 50' R/W
SECTION 4 BLOCK A
SECTION 3 BLOCK A
FUTURE DEVELOPMENT
ROAD C 50' R/W
ROAD A 50' R/W
ROAD B 50' R/W
35'R TYP.
HUNGARY ROAD - VAR. WIDTH R/W
14.5' R/W DEDICATION
LYDELL DR. 50' R/W
2.5' R/W DEDICATION
1,570 LF OF ROAD
CONCEPT PLAN
APRIL 13, 2015
EXHIBIT A
EXHIBIT A
REZ2015-00013
041315