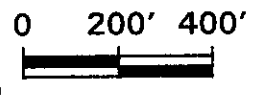


PT. OF 70-B2-11
 PT. OF 79-A1-22

TUCKAHOE DISTRICT

SINGLE FAMILY RESIDENTIAL

C-42C-94 [®]



HENRICO COUNTY PLANNING OFFICE



COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

July 19, 1994

Virgil R. Hazelett, P.E.
County Manager

RE: Conditional Rezoning Case C-42C-94

Mr. Henry L. Wilton
Mr. Neil Farmer
12095 Gayton Road
Richmond, VA 23233

Dear Messrs. Wilton and Farmer:

The Board of Supervisors at its meeting on July 13, 1994, granted your request to conditionally rezone property from A-1 Agricultural District to R-3AC One Family Residence District (Conditional), Part of Parcels 70-B2-11 and 79-A1-22, described as follows:

Beginning at a point on the S. line of Church Road said point being 719' ± W. of the intersection of Church Road and Pump Road; thence from said point of beginning along the S. line of Church Road N. 67° 47' 27" E., a distance of 58.89' to a point; thence S. 10° 40' 58" W., a distance of 599.87' to a point; thence N. 71° 59' 11" E., a distance of 234.69' to a point; thence S. 10° 35' 52" W., a distance of 180' to a point; thence S. 80° 32' 22" E., a distance of 238.61' to a point in the center line of proposed John Rolfe Parkway; thence along the center line of the proposed John Rolfe Parkway along a curve to the right with a radius of 6,250.45' a length of 1,825.00' to a point; thence N. 11° 13' 44" E., a distance of 2,373.77' to a point and place of beginning, all is shown as Parcel A containing 13.19 acres on a plat prepared by E. D. Lewis & Associates, P.C. dated April 19, 1994, revised May 19, 1994, and June 22, 1994.

The Board of Supervisors accepted the following proffered conditions which further regulate the above described property in addition to all applicable provisions of Chapter 22, Code of Henrico (Zoning Ordinance):

1. The exposed exterior portions of single family residence foundations shall be constructed of brick, dryvit, or stone. Dryvit shall be on dryvit homes only. Application of dryvit materials shall be of a minimum thickness to assure a uniform consistency (ie., under no circumstances shall the seams of the building blocks be visible).
2. All dwellings shall have a minimum finished floor area of at least 1,350 square feet. Total of all homes shall average finished square footage of no less than 1,450 square feet.
3. A 25' landscaped or natural buffer, in addition to the minimum rear yard setbacks, shall be provided along the proposed John Rolfe Parkway.

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4. No more than 25% of the homes to be constructed on the subject property shall be of a ranch (one story) style.
5. Density shall be no greater than 3.0 units per gross acre.
6. No lot developed on the property shall have a driveway providing direct vehicular access to Church Road or John Rolfe Parkway.
7. The necessary right-of-way needed for the widening of Church Road will be provided at the time of subdivision approval.
8. A buffer will be provided adjacent to Church Road. The buffer width will be 15 feet for lots which side on Church Road and 25' for lots which back up to Church Road. This buffer will be in addition to the minimum setback requirements specified by the Henrico Zoning Ordinance. Up to 15 feet of this aforesaid buffer may be used for utility easements.
9. All chimneys including gas vents shall be enclosed by brick or siding similar to the home's exterior. (No cantilevering of chimneys or direct gas vents shall be allowed.)
10. Developer herein agrees to use best efforts to allow vehicular access for the Tuckahoe Little League facility to John Rolfe Parkway.
11. Right-of-Way Dedication - The dedication for a portion of the right-of-way for John Rolfe Parkway shall be dedicated at no cost to the County of Henrico or the Virginia Department of Transportation at such time as the subdivision is recorded. The width of the dedication shall be forty feet (40') from the centerline with an additional twenty foot (20') wide strip reserved for future widening. This requirement shall be for any portion of the subject property that is adjacent to John Rolfe Parkway. Should the Director of Public Works, at some later date, determine that the right-of-way or the twenty foot (20') reserved strip is no longer needed, the subject property would be deeded back to and made a part of the original parcel of land.

The twenty five foot (25') buffer as stated in Proffer No. 3 shall be outside of the twenty foot (20') reserve strip.
12. Temporary Construction Easements. In the event the final road constructions for Church Road and John Rolfe Parkway require that temporary construction easements are needed along the property, such temporary construction easements shall be granted to the County.

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13. To the extent reasonably practicable during initial development, the clearing of mature trees on single-family residential lots shall be limited to trees and areas required to accommodate the residence and its normal and customary accessories, open yard areas and those limited areas required to permit utility services and driveways.
14. Certificates of Occupancy shall be granted for no more than a total of one hundred forty (140) dwellings over the four-year period from 1994 through 1997. No more than ten (10) occupancy permits shall be issued in 1994, fifty (50) permits in 1995, fifty (50) permits in 1996, and thirty (30) occupancy permits in 1997. Any permits not used in the current year shall be available in the following years.
15. No more than 50 occupancy permits shall be issued prior to an additional point or points of access as approved by the Henrico Planning Commission.

The Planning Office 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,



Virgil R. Hazelett, P.E.,
County Manager

cc: Director, Real Estate Assessment
Conditional Zoning Index
Earl Thompson