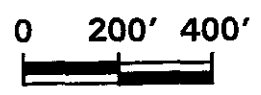


PT. OF 75-B1-1 & 7
THREE CHOPT DISTRICT

SINGLE FAMILY RESIDENTIAL
C-84C-94



HENRICO COUNTY PLANNING OFFICE



COMMONWEALTH OF VIRGINIA

COUNTY OF HENRICO

January 31, 1995

Virgil R. Hazelett, P.E.
County Manager

Re: Conditional Rezoning Case C-84C-94

Loch Levan Land Limited Partnership
c/o Mr. Daniel C. VanEpp
3601 Lauderdale Drive
Richmond, Virginia 23233

Gentlemen:

The Board of Supervisors at its meeting on January 25, granted your request to conditionally rezone property from O-1C Office District (Conditional) and R-6C General Residence District (Conditional) to R-4C One Family Residence District (Conditional), Part of Parcel 75-B1-1 and 75-B1-7, described as follows:

Beginning at a point on the E. line of Wyndham Lake Drive; said point being 32.64' from the N. line extended of Wyndham Park Drive, from said point of beginning in a northerly direction along the E. line of Wyndham Lake Drive along a curve to the left with a radius of 1041.92' and a length of 178.49' to a point; thence along a curve to the left with a radius of 793.70' and a length of 277.27' to a point; thence N. 12° 13' 41" W., 84.93' to a point; thence along a curve to the left with a radius of 1026.92' and a length of 228.91' to a point; thence leaving the E. line of Wyndham Lake Drive N. 65° E., 13' +- to the elevation 232.5' contour of Wyndham Lake; thence in an easterly direction along the meandering of the 232.5' contour of Wyndham Lake 1860' +- to a point; thence leaving the elevation 232.5' contour S. 01° 18' 00" E., 48 +- to a point; thence leaving the elevation 232.5' contour S. 01° 18' 00" E., 48 +- to a point; thence S. 46° 18' 00" E., 25.00' to a point; thence N. 88° 42' E., 45.00' to a point; thence N. 43° 42' 00" E., 35.00' to a point; thence N. 15° 35' 00" E., 40.00' to a point; thence N. 46° 18' 00" W., 17' +- to a point on the elevation 232.5' contour of Wyndham Lake; thence along the meandering of the elevation 232.5' contour in an easterly direction 340' +- to a point; thence leaving Wyndham Lake S. 61° E., 20' +- to a point on the W. line of Dominion Club Drive; thence along the W. line of Dominion Club Drive along a curve to the left with a radius of 831.27' and a length of 439.61' to a point; thence S. 02° 49' 49" W., 180.50' to a point; thence along a curve to the right with a radius of 741.15' and a length of 544.80' to a point; thence S. 40° 49' W., 118.03' to a point; thence S. 44° 50' W., 99.93' to a point; thence S. 40° 49' W., 144.20' to a point; thence along a curve to the right with a radius of 25' and a length of 37.78' to a point on the N. line of Wyndham Park Drive; thence continuing along the N. line of Wyndham Park Drive along a curve to the left with a radius of 1148.15' and a length of 54.36' to a point; thence N. 55° 19' W., 113.06' to a point; thence along a curve to the right with a radius of 1462.36' and a length of 85.52' to a point; thence N. 55° 19' W., 93.88' to a point; thence along a curve to the left with a radius of 2045.07' and a length of 467.13' to a point; thence N. 68° 24' 15" W., 145.74' to a point; thence along a curve to the right with a radius of 35' and a length of 52.54' to a point on the E. line of Wyndham Lake Drive being the point and place of beginning, containing 29.4 +- acres.

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Loch Levan Land Limited Partnership
c/o Mr. Daniel C. VanEpp
January 31, 1995

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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. **Greenbelt.** A Greenbelt for landscaping, natural open areas and scenic vistas will be provided twenty-five (25) feet in width adjacent to the western right-of-way line of Dominion Club Drive, the northeastern right-of-way line of Wyndham Park Drive, and the eastern boundary of Wyndham Lake Drive, except to the extent necessary for utility easements, bicycle paths, jogging trails, signage, sidewalks, access driveways for major project areas and other purposes requested and specifically permitted, or if required by, the Planning Commission at the time of subdivision approval, or by any other governmental body. The Greenbelt shall be common area and not included within any lots developed on the Property.
2. **Driveways.** No driveways serving individual dwellings shall have direct access to Dominion Club Drive or Wyndham Park Drive or Wyndham Lake Drive.
3. **Minimum Floor Area.** Residences constructed on the Property shall have a minimum of 1,500 square feet of finished floor area.
4. **Foundations.** The exposed exterior portions of exterior residence foundations shall be constructed of brick or stone; however, the exposed exterior portions of exterior foundations for single-family detached residences may be constructed of dryvit if applied to a masonry surface, provided that the exterior walls of such residence are sided primarily of dryvit.
5. **Clearing.** To the extent reasonably practicable, at the time of development, the clearing of mature trees on residential lots shall be limited to trees in areas required to accommodate the structure and its normal and customary accessories, open yard areas and those limited areas required to permit utility services and driveways.
6. **Overall Density Limitation.** The number of residential units constructed on the Property shall apply against and be governed by the overall density limitation set forth in Proffer No. 14 of Case No. C-29C-89.
7. **Phasing Plan.** The number of residential units constructed on the Property shall apply against and be governed by the phasing limitations set forth in Proffer No. 15 of Case No. C-29C-89.
8. **Severance.** The unenforceability, elimination, revision or amendment of any proffers set forth herein, in whole or in part, shall not affect the validity or enforceability of the other proffers or the unaffected part of any such proffer.
9. **Chimneys.** No chimneys or gas vent units shall be cantilevered. The exposed portions of all fireplace chimneys shall be brick or of a siding similar to the exterior treatment of the dwelling. This proffer shall not apply to direct vent gas fireplaces or appliances.

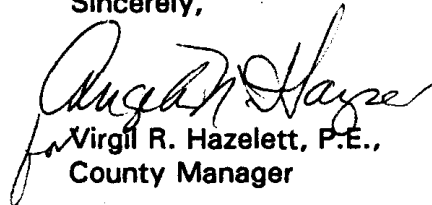
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The exposed bases of all chimneys shall be of the same material as the dwelling foundation.

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,


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

cc: Director, Real Estate Assessment
Conditional Zoning Index
Mr. James W. Theobald, Esquire