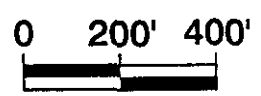


PT. OF 4-A-7B & 5-A-1C

THREE CHOPT DISTRICT

SINGLE - FAMILY DETACHED CONDOMINIUMS

C-11C-96



HENRICO COUNTY PLANNING OFFICE

May 14, 1996

Re: Conditional Rezoning Case C-11C-96

Mr. Daniel T. Schmitt
Loch Levan Land Limited Partnership
100 Concourse Blvd., Ste. 100
Glen Allen, Va. 23060

Dear Mr. Schmitt:

This is a correction of our letter to you dated March 19, 1996.

The Board of Supervisors at its meeting on March 13, 1996 granted your request to conditionally rezone property from R5C and R-5AC General Residence Districts (Conditional) to RTHC Residential Townhouse District (Conditional), Part of Parcels 4-A-7B and 5-A-1C, described as follows:

Beginning at a point on the east line of Old Wyndham Drive, 1188.13' south of the southern line of Dominion Club Drive; thence leaving the east line of Old Wyndham Drive S. 68° 17' 21" E., 604.37' to the true point and place of beginning; thence from said true point and place of beginning N. 86° 05' 00" E., 565.00' to a point; thence S. 82° 00' 00" E., 165.00' to a point; thence S. 71° 30' 00" E., 420.00' to a point; thence S. 63° 30' 00" E., 110.00' to a point; thence S. 17° 51' 00" W., 343.00' to a point; thence S. 52° 00' 00" W., 249.09' to a point; thence S. 88° 40' 00" W., 770.00' to a point, thence N. 51° 50' 00" W., 315.00' to a point; thence N. 52° 00' 00" W., 210.00' to a point; thence N. 23° 03' 40" E., 252.31' to the true point and place of beginning, containing 16.388 acres of land.

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

1. Dwelling Type. All dwellings constructed on the Property shall be single family detached condominiums.
2. Foundations. The exposed exterior portions of exterior residence foundations shall be constructed of brick or natural stone; however, the exposed exterior portions of exterior foundations for single family detached residences may be constructed of drivit if applied to a masonry surface, provided that the exterior walls of such residence are sided primarily in drivit.
3. Chimneys. No chimneys or gas vent units shall be cantilevered. The exposed portions of all fireplace chimneys shall be brick or a siding similar to the exterior treatment of the

Mr. Daniel T. Schmitt
Loch Leven Land Limited Partnership
May 14, 1996

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dwelling. This proffer shall not apply to direct vent gas fireplaces or appliances. The exposed bases of all chimneys shall be of the same material as the dwelling foundation.

4. Protective Covenants. Prior to or concurrent with the conveyance of any portion of the Property covered by a subdivision plat or plan of development approved by the County (other than for the dedication of easements, roads or utilities), there shall be recorded a document in the Clerk's Office of the Circuit Court of Henrico County, Virginia, setting forth controls on the development and maintenance of such portions of the Property.
5. Pedestrian and Bicycle Access. Pedestrian and bicycle access ways will be provided within and between major project areas at the time of subdivision or plan of development approval.
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 proffer 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.

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

RS
AH:jt

cc: Director, Real Estate Assessment
Conditional Zoning Index
Messrs. James W. Theobald &
Charles H. Rothenberg, Esquires