

PT. OF 35-A-12B

SINGLE-FAMILY RESIDENTIAL

THREE CHOPT DISTRICT

C-25C-96



HENRICO COUNTY PLANNING OFFICE



COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

Virgil R. Hazelett, P.E.
County Manager

May 14, 1996

Re: Conditional Rezoning Case C-25C-96

Mr. William W. Johnson
3951-C Stillman Pkwy.
Glen Allen, Virginia 23060

Dear Mr. Johnson:

The Board of Supervisors at its meeting on May 8, 1996, granted your request to conditionally rezone property from A-1 Agricultural District to R-3AC One Family Residence District (Conditional), Parcel 35-A-12B, described as follows:

Commencing at a point on the N. line of the proposed extension of Gayton Hills Lane, said point 786.90' from the W. line of Gayton Station Boulevard extended; thence N. 76° 30' 58" E., 216.23' to a point; thence N. 16° 04' 27" W., 240.52' to the point of beginning; thence N. 80° 45' 08" W., 550.00' to a point; thence N. 56° 06' 01" W., 198.70' to a point; thence N. 21° 20' 50" E., 39.11' to a point; thence S. 46° 45' 00" E., 202.27' to a point; thence S. 80° 45' 08" E., 532.34' to a point; thence S. 61° 04' 27" E., 23.76' to a point and being the point of beginning, together with and subject to covenants, easements, and restrictions of record, containing 0.196 acres more or less.

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

1. Minimum House Size. Each residence shall have a minimum of 1,700 square feet of livable floor area as defined in Section 22-94(u) of the Henrico County Zoning Ordinance and a minimum of eighty percent (80%) shall be two-story dwellings.
2. Foundations. The exterior portion of residence foundations above finished grade shall be constructed of brick.
3. Fireplaces. All fireplace chimneys, including gas vents, shall have a brick foundation and be enclosed by brick or a siding similar to the home's exterior. There shall be no cantilevered chimneys or fireplaces.
4. Conservation Area. The area to be zoned C-1C (exclusive of any BMP's of lot setback areas) shall be conveyed to the Homeowners Association as Common

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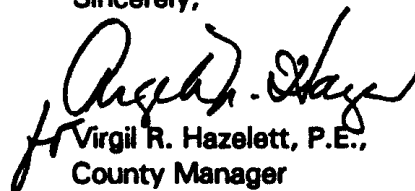
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Area or the County of Henrico at such time and as determined by the Planning Commission at the time of subdivision approval.

5. **Trees.** Before the issuance of a Certificate of Occupancy, there shall be a minimum of two (2) trees having at least a two and one-half inch (2-1/2") caliper in the front yard of such lot.
6. **No Controlled Density.** No portion of the property shall be developed as a controlled density subdivision.
7. **Historic Site.** As long as the Nuckols historic farm house (Site Number 43-259) remains in existence, the existing trees which adjoin the farm house on the southern line of the Property shall be retained to the extent reasonably practical as determined by the Planning Commission at the time of subdivision approval.
8. **Vehicular Access.** Vehicular access to and from the Property shall be provided to and from N. Gayton Road.
9. **Tree Retention:** The cedar trees along the southern boundary of the Property shall, to the extent reasonably practicable, be retained at the time of the original development of lots in the subdivision, except to the extent required for utilities and access which shall generally run perpendicular to said property line.
10. **Severance:** The unenforceability or 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

cc: Director, Real Estate Assessment
Conditional Zoning Index
Mr. Oscar N. Nuckols &
Ms. Nancy Nuckols Rhodes