

77-23-B-17 THRU 30,32,33,34 & 35

AMEND PROFFERED CONDITIONS

TUCKAHOE DISTRICT

**C-31C-96**




HENRICO COUNTY PLANNING OFFICE

COMMONWEALTH OF VIRGINIA  
COUNTY OF HENRICO

December 18, 1996

Re: Conditional Rezoning Case C-31C-96



Virgil R. Hazelett, P.E.  
County Manager

Mr. James. F. Pascal, Esquire  
700 E. Franklin St., #1402  
Richmond, VA. 23219

Dear Mr. Pascal:

The Board of Supervisors at its meeting on December 12, granted your request to amend proffered conditions on Conditional Rezoning Case C-32C-89, being Parcels 77-23-B-17-30, 32-35.

The following substitute proffered conditions accepted by the Board of Supervisors, further regulate the use of your property in addition to all applicable provisions of Chapter 24, Code of Henrico (Zoning Ordinance).

1. The rear yard of any lot abutting the southern boundary of Parcel F shall be a minimum of sixty-five (65) feet in depth. The southernmost twenty (20) feet of any such rear yard shall be maintained as a landscape easement (the "Landscape Easement"), and the southernmost eight (8) feet of this twenty (20) foot Landscape Easement shall continue as a drainage or utility easement in accordance with the Royal Oaks subdivision plat previously approved and recorded, the intent being that the eight (8) foot utility easement be located within the twenty (20) foot Landscape Easement.
2. Only picket fences shall be permitted within the Landscape Easement as hereinafter set forth. Picket fences are defined for the purpose of this proffer as wooden fences, unpainted or stained in a wooden tone, the decorative portions of which consist of vertical slats or pickets no more than three and one-half (3-1/2) inches wide and spaced no less than two and one-quarter (2-1/4) inches from each other. Said pickets shall be attached to the exterior face of no more than two (2) horizontal wooden braces connected to vertical wooden fence posts. The fences may have wire mesh or screening on the interior thereof to contain children or household pets. Fences constructed within the Landscape Easement shall not exceed four (4) feet in height excluding posts supporting the fences, except as specifically permitted below.
3. Fences erected within the Landscape Easement on Lots 21 and 22 of Block B, Section A, Royal Oaks may be placed no less than six (6) feet from the southern property line and shall not exceed five (5) feet in height, excluding the posts supporting the fences. At or about the time of construction of fences within the Landscape Easement on said Lots 21 and 22, American holly trees or similar evergreens at least four (4) feet in height shall be planted immediately

adjacent to the southern side of the fence at sufficient density to screen the fence on the south side of the fence.

4. Fences erected in the Landscape Easement on Lots 33 and 34, Block B, Section B, Royal Oaks, shall not exceed four (4) feet in height and may be placed no less than three (3) feet from the southern property line where the property line is adjacent to the curvature of Tunbridge Road as shown on the attached drawing (see case file). The other remaining portions of the fences may be located up to the southern property line. The area immediately south of such fences that is adjacent to the curvature of Tunbridge road must be landscaped with holly trees or similar evergreens of sufficient density to screen the fences as shown on the attached drawing (see case file).
5. No buildings or other such permanent structures such as garages, carports, tool sheds or animal pens shall be permitted in the Landscape Easement, but ornamental and recreational items such as (without limitation) picnic tables, bird baths and feeders, and swing sets, shall be permitted in the Landscape Easement. Clearing of trees and other vegetation within the Landscape Easement shall be limited to diseased, dying, or dead material, and supplemental plantings, to include (without limitation) grass and shrubbery, may be added and maintained in the Landscape Easement. Vegetation in the Landscape Easement may be disturbed to provide utility service to residents from the eight (8) foot utility easement or for the installation or maintenance of utilities in the eight (8) foot utility easement.

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 condition in the Conditional Zoning Index.

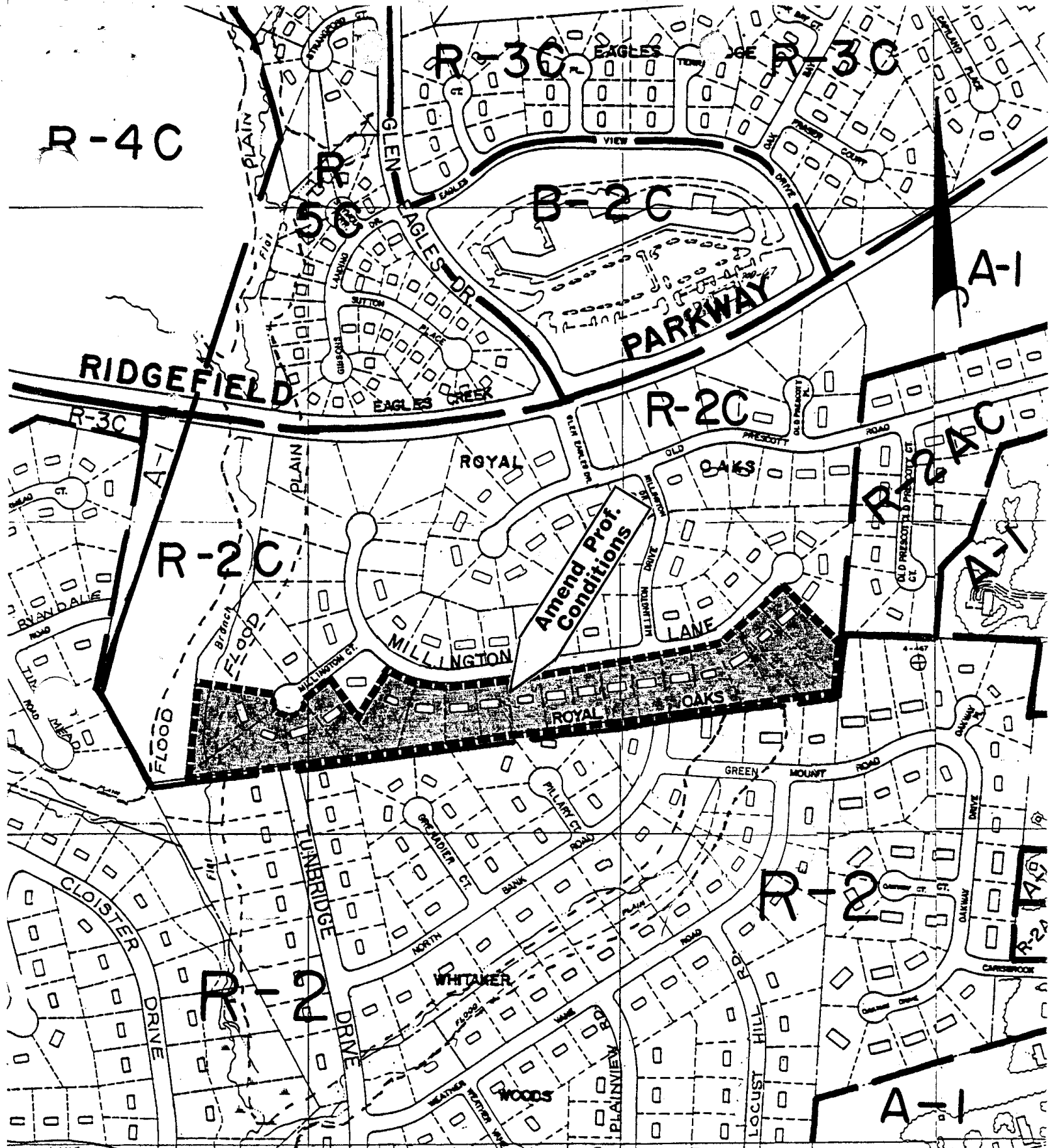
Sincerely,

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

  
AH:jt  
cc:

Director, Real Estate Assessment  
Conditional Zoning Index  
Kenneth & Toby Brown  
Howard & Susan Feller  
Dennis & Nora Harston  
John & Patricia Reid  
Richard & C. P. B. Longerbeam  
Jufu & Alai Shiau  
Frank & Mary Feibelman  
Garland & J. E. C. Harwood, III

Kevin & Jennifer Derr  
Kenneth Garvey & R. J. Mehl  
Thomas & Cory Podraza  
John & Marie Seeds  
Barbara Sweeney  
James & Sandra Peck  
Colonial Homecrafters, Ltd.  
Alexander & J. K. Paoletto  
Robert & Janice Taylor  
R. Watts & T. B. Bragg, Jr.



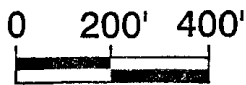
AS APPROVED BY THE  
BOARD OF SUPERVISORS  
12 / 11 / 96

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