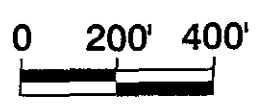


AMEND PROFFERED CONDITIONS

43-A-46 & 53-A-1
FAIRFIELD DISTRICT

C-42C-97



HENRICO COUNTY PLANNING OFFICE



COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

Virgil R. Hazelett, P.E.
County Manager

July 15, 1997

Re: Conditional Rezoning Case C-42C-97

Mr. Henry L. Wilton
Wilton Development Corp.
6421 Rigsby Rd.
Richmond, VA 23226

Dear Mr. Wilton:

The Board of Supervisors at its meeting on July 9, 1997 granted your request to amend proffered conditions on Conditional Rezoning Case C-16C-96, being Parcels 43-A-46 and 53-A-1.

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). Only Proffer 1 was changed from the proffered conditions originally accepted with C-16C-96. The new proffered conditions are as follows:

1. **FOUNDATIONS** - All exposed exterior portions (above grade) of the foundations of each dwelling constructed on the Property shall be of brick or stone. Any front entrance steps shall be constructed of either brick, stone, or wood with brick pillars. Porches shall be constructed with brick pillars.
2. **FIREPLACES** - All coal burning or wood burning fireplaces must have brick or stone chimneys; gas or ornamental fireplaces may be wall-vented with no chimneys as allowed by applicable building codes, provided, however, such vented enclosures shall not be cantilevered and must have a base to match the foundation.
3. **UTILITIES** - Each dwelling constructed on the Property must be connected to and be served by public water and sewer facilities.
4. **PROHIBITED USES** - No trailer, tent, garage, barn or other outbuilding erected on any lot shall, at any time, be used as a residence either temporarily or permanently.
5. **HOUSE SIZE** - Each dwelling constructed on the Property shall meet the minimum requirements for finished floor area applicable to dwellings constructed in an R-3 zoning district.

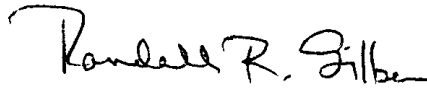
6. **SEVERANCE** - The unenforceability, elimination, revision or amendment of any proffer set forth herein, in whole or in part, shall not affect the validity or enforceability of the other proffers or the unaffected part of any such proffer.
7. Density to be no greater than three (3) units per acre.
8. Entrance sign to the subdivisions to be lighted.
9. **BUFFERS**
 - (a) For purposes of lessening the visual impact of Interstate 95 and Telegraph Road from adjacent single family, detached homes, a minimum buffer area of twenty-five (25) feet abutting 1-95 and twenty (20) feet abutting Telegraph Road consisting of berms, landscaped or natural area, or a combination thereof, will be provided on the single family zoned portion of the Property along the eastern and western portions of the Property, except to the extent required for utilities easements, signage, nature trails, or access to and from public or private rights-of-way and other purposes requested and specifically permitted, or required by the Planning Commission at the time of Plan of Development and/or Subdivision review or by any other governmental body or agency.
 - (b) Any utility easements or other uses permitted within the aforesaid buffer area shall extend generally perpendicular to the buffer area, unless otherwise requested and specifically permitted or if required by the County at the time of Plan of Development and/or Subdivision review and, where permitted, areas disturbed for utility installation shall be restored to the extent reasonably practicable.
 - (c) The aforesaid buffers shall be provided and maintained by the owners of the Property.
10. **PROTECTIVE COVENANTS** - Prior or concurrent with the recordation of a subdivision plat approved by the County and before the conveyance of any portion of the Property covered by said subdivision plat (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. Such controls shall include the provision for all driveways to be constructed of hard surface materials such as asphalt, concrete, brick pavers, cobblestones, or similar materials.

Mr. Henry L. Wilton
Wilton Development Corp.
July 15, 1997
C-42C-97

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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,


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

cc: Director, Real Estate Assessment
Conditional Zoning Index