



COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

February 18, 1998

Virgil R. Hazelett, P.E.
County Manager

Re: Conditional Rezoning Case C-80C-97

Mr. Gibson M. Wright
Dominion Land & Development Partnership
8100 Three Chopt Road, Suite 113
Richmond, VA 23229

Dear Mr. Wright:

The Board of Supervisors at its meeting on February 11, 1998, granted your request to conditionally rezone property from A-1 Agricultural District to R-2C and R-2AC One Family Residence Districts (Conditional), Parcel 9-A-26 and Part of Parcel 9-A-37, described as follows:

R-2 Zoning:

Beginning at a point on the northern line of Nuckols Road, said point being approximately 200' south of the intersection of Wyndham Lake Drive and Nuckols Road; thence N. 66° 38' 42" W., 545.94' the point of beginning; thence S. 26° 23' 16" W., 1303.30' to a point; thence N. 10° 39' 23" W., 248.99' to a point; thence N. 26° 23' 16" E., 1096.60' to a point; thence S. 66° 38' 42" E., 150.62' to the point and place of beginning, containing 4.13 acres.

R-2A Zoning:

Beginning at a point on the northern line of Nuckols Road, said point being approximately 200' south of the intersection of Wyndham Lake Drive and Nuckols Road; thence S. 39° 35' 57" W., 181.55' to a point; thence N. 66° 58' 39" W., 6.98' to a point; thence S. 39° 43' 45" W., 721.39' to a point; thence along the arc of a curve to the right having a radius of 1585.02', 614.44' to a point; thence N. 10° 39' 23" W., 128.74' to a point; thence N. 26° 23' 16" E., 1303.30' to a point; thence S. 66° 38' 42" E., 545.94' to the point and place of beginning, containing 11.40 acres.

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 Floor Area.** The minimum floor area of dwellings constructed on the Property shall be 2,800 square feet for all lots contiguous to Cross Creek (Sections 2 & 3) and Belstead at Wyndham, and 2,400 square feet for the remainder of the lots. The unfinished floor area of any dwelling shall not exceed 425 square feet.
2. **Foundations and Chimneys.** All dwellings shall be built on foundations (exclusive of garage areas). The exterior portion of all residence foundations which are above


ground level shall be constructed of brick or stone. Dryvit may be used on foundations if the majority of the exterior wall surface of the dwelling is dryvit. Chimneys constructed on the exterior wall of a dwelling shall be constructed of brick or stone. Dryvit may be used on chimneys if the majority of the exterior wall surface of the dwelling is dryvit. A direct vent fireplace extending outward from the wall of the dwelling shall be constructed of brick or of the same material as the dwelling's exterior. The exterior of the foundation of an enclosure for a direct vent fireplace shall be constructed of the same material as the exterior of the dwelling foundation. No chimney or fireplace enclosure may be cantilevered.

3. Density. No more than thirty-four (34) dwellings shall be developed on the Property.
4. Planting Strip Easement.
 - (a) A buffer area of a minimum of twenty (20) feet in width in addition to required side or rear yards shall be maintained along the Nuckols Road frontage of the Property which has lots backing or siding to it. Utility easements, signage, fences, and other facilities requested and specifically permitted or as required by the Planning Commission at the time of Subdivision Approval, or by any other governmental body, may be permitted within the buffer area. Where permitted, areas disturbed for utility installation shall be restored to the extent reasonably practicable.
 - (b) A privacy fence a minimum of six feet in height shall be constructed within the Planting Strip Easement twenty (20) feet from the right of way line, provided however that in areas that are more than five (5) feet below the existing road grade of Nuckols Road the Applicant may plant evergreens within the easement in lieu of the fence. The design and material specifications of the fence and supplemental evergreen plantings shall be approved by the Planning Office prior to recordation of the subdivision plat.
 - (c) The privacy fence and any landscaping within the Planting Strip Easement shall be maintained by the subdivision homeowners association.
5. Driveways. Driveways are required to be installed and must be either exposed aggregate, concrete, brick or asphalt.
6. Vehicular Access. There shall be no direct vehicular ingress and/or egress to or from Nuckols Road for individual lots on the Property.
7. Outbuilding Restriction. No detached accessory buildings shall be permitted unless they are constructed on a brick foundation or concrete slab. Any such building shall have all exterior wall surfaces constructed with the same materials used on the exterior of the dwelling.

8. Clearing Limitation. To the extent reasonably practical, the clearing of mature trees on all lots shall be limited to those in areas required to accommodate the structure and its normal customary accessories, open yard areas and those limited areas required to permit utility service and driveways.
9. Garage Requirement. Each dwelling developed on the Property shall have an attached two (2) car garage.
10. Entrance Feature. The main entrance to the Property shall be complemented with landscaping and architectural design features such as walls, columns, fences, gates and/or other similar features, constructed of permanent finished materials such as brick, wood and stone. Landscaping installed in conjunction with the entrance feature shall include an irrigation system, to enhance the maintenance of the landscaping. The entrance feature shall be completed (or bonded) prior to the issuance of a certificate of occupancy for any residence constructed on the Property.
11. Development Standards. Any lot contiguous to Cross Creek (Sections 2 & 3) shall comply with the development standards of the R-2 zoning district with the exception of the minimum floor area which shall comply with proffer # 1.
12. Lot Width. All lots contiguous to Nuckols Road shall average a minimum of eighty-five (85) feet at the actual front building line, and all lots contiguous to Belstead at Wyndham shall be a minimum of eighty-five (85) feet at the actual front building line.

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. John W. Gibbs, Jr.
Mr. Gregory A. Windsor