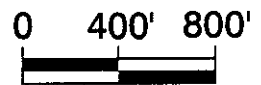


85-A-2, 3 and 5

FAIRFIELD DISTRICT

SINGLE FAMILY RESIDENTIAL

C-15C-98



HENRICO COUNTY PLANNING OFFICE



COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

October 23, 1998

Virgil R. Hazelett, P.E.
County Manager

Re: Conditional Rezoning Case C-15C-98

Mr. Clement K. Tingley
P. O. Box 17841
Richmond, VA 23226

Dear Mr. Tingley:

The Board of Supervisors at its meeting on October 14, 1998, granted your request to conditionally rezone property from A-1 Agricultural District to R-4AC One Family Residence District (Conditional), Parcels 85-A-2, 3, and 5, described as follows:

Beginning at a point marking the southeastern corner of Lot 58 (reserved), Block A, Village of Azalea, and running along the centerline of a creek as it meanders in a northern direction for 1150' +/- to a point; thence S. 78° 00' E., +/-, 1137' +/- to a point; thence S. 6° 53' W., +/- for 1156' +/- to a point on the N. line of North Road; thence along the N. line of North Road N. 86° 00' W., +/- for 912' +/- to a point; thence leaving the N. line of North Road and running N. 1° 33' 20" E., +/- for 100' +/- to a point; thence N. 11° 56' 40" W., +/- for 83' +/- to a point; thence N. 51° 56' 40" W., +/- for 188' +/- to the point marking the place and point of beginning, containing 31.0 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. House Size Proffers:
 - a. All homes shall have a minimum of 1,100 square feet of finished, livable floor space.
 - b. No more than 10 homes shall be less than 1,200 square feet.
 - c. A minimum of fifty percent of the homes shall be two-story homes containing a minimum of 1,500 square feet of finished, livable floor space. A minimum of twenty percent of the homes shall be two-story homes containing a minimum of 1,650 square feet of finished livable floor space. Up to seventy percent of the square footage may be on the first floor.
 - d. Upon request of Henrico County, applicant shall provide documentation of compliance with a, b, and c, above.

2. Exterior Design Proffers:

- a. All exposed portions of the foundations shall be brick. Sixteen inches of the foundation shall be exposed except on garages.
- b. All fireplaces shall have foundations with the exposed portion of the foundation the same material as the house foundation. No cantilevered chimneys shall be permitted. All exposed wood burning chimneys shall be brick.
- c. The Restrictive Covenants shall prescribe that all driveways located in front of the front plane of each house shall be paved.
- d. The Restrictive Covenants shall prescribe that all tool sheds, garages or other outbuildings shall be constructed of materials similar to the main structure on the property.
- e. All homes constructed on lots adjoining North Road on the side of the lot shall be two story homes constructed according to 1c above and shall be constructed using crawl space construction techniques.
- f. All homes constructed on lots which back up to North Road shall be set back from North Road at least fifty feet and shall be two story homes constructed according to 1c above and shall be constructed using crawl space construction techniques.
- g. Crawl space construction shall be offered as an option during the marketing of the homes in the community.

3. Community Design Proffers:

- a. The overall density of the project shall not exceed 2.8 units per gross acre (eighty-seven lots).
- b. The lots abutting the eastern property line shall have a 30-foot wide buffer adjacent to the eastern property line. No living tree over four inches in diameter shall be cut within this buffer unless a utility line, drainage facility or other public facility is required by Henrico County to be located within the buffer. This buffer shall be in addition to the required yard setback. The Restrictive Covenants shall prescribe that the buffer be maintained by the homeowner's association.
- c. Lots backing up to North Road shall have a fifteen foot vegetative, no access buffer along the rear of the lots planted with evergreen trees. The initial height of the trees shall be at least 4 feet. The spacing shall be every eight feet. This buffer shall be maintained by the homeowner's association. The restrictive covenants shall require that any fence on these lots enclosing the rear yard shall be inside the buffer and shall not be a privacy type fence.
- d. The lots adjoining North Road on the side of the lot shall be at least 110 feet in width. Homes constructed on these lots shall face North Road and shall be set back from North Road at least 40 feet. These lots shall have a minimum depth of 125 feet. Where North Road is in the Henrico County road system, an additional 10 feet of right-of-way shall be dedicated to Henrico County.

Mr. Clement K. Tingley
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- e. If Henrico County does not require the dedication of the entire ten feet, then any amount less than ten feet shall be added to the lot width of the lots in 3d, and the set back from North Road shall be adjusted an equal amount.
 - f. If requested by the owner of the property located to the east of the subject property prior to recordation of the plat for the first section of the subdivision, developer shall enter into an agreement to pay one half of the cost of a privacy fence between the two properties. Said fence shall be located within five feet of the property line.
 - g. There shall be two entrances to North Road.
4. The model home shall be constructed using crawl space construction techniques.
 5. Prior to recordation of the subdivision plat for the subject property, a set of executed restrictive covenants shall be filed with the Planning Office. All requirements and limitations regarding buffers shall be shown in the restrictive covenants in a larger, bold typeface.
 6. Henrico County representatives will be permitted to map any historic earthworks prior to construction on the site.
 7. The applicant shall rezone the unused portion of the site to C-1 - Conservation District upon written request of the County.
 8. All utilities shall be underground. Clay water stops shall be installed on the sanitary sewer within 300 feet from North Road.

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
Messrs. Ronald A. and Steven W. Gregory
Mr. Roy T. Tepper & Mrs. Gracie Tepper
Mr. John Wright & Ms. Nada Wood