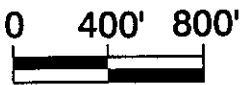


PT. OF 9-A-36

THREE CHOPT DISTRICT

SINGLE - FAMILY RESIDENTIAL

C-25C-98



HENRICO COUNTY PLANNING OFFICE



COMMONWEALTH OF VIRGINIA

COUNTY OF HENRICO

May 19, 1998

Virgil R. Hazelett, P.E.
County Manager

Re: Conditional Rezoning Case C-25C-98

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

Dear Mr. Wilton:

The Board of Supervisors at its meeting on May 13, 1998, granted your request to conditionally rezone property from A-1 Agricultural District to R-2C One Family Residence District (Conditional), Part of Parcel 9-A-36, described as follows:

Beginning at a point at the intersection of the southwest corner of Windsor Woods and the right-of-way line of Nuckols Road just North of Pouncey Tract Road, Thence with the lands of Windsor Woods Development Corp. N. 62° 27' 11" E., 589.59 feet to a point; Thence N. 19° 04' 29" W., 624.09 feet to a point; Thence with the lands of Cross Creek Subdivision Section 1; N. 71° 41' 21" E., 509.55 feet to a point; Thence S. 45° 36' 39" E., 1643.64 feet to a point; Thence along the north right-of-way line of Nuckols Road S. 71° 27' 12" W., 922.00 feet to a point, Thence along a curve to the right with a radius of 1093.92 feet, length of 1246.80 feet, an included angle of 65° 18' 12" and a CH = 69 07' 58" W., 1180.41' to the point of beginning at the intersection of the right-of-way of Nuckols Road and Windsor Woods Development Corp. and containing 35.512 acres of land.

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 All dwellings shall have a minimum of 2,500 square feet of finished floor area except dwellings on lots which are adjacent to the Cross Creek Subdivision shall have a minimum finished floor area of 2,800 square feet.
2. Foundations and Chimneys The visible portions of exterior residence foundations and chimneys shall be constructed of brick or stone; however, the visible portions of exterior foundations and chimneys may be constructed of dryvit if applied to a masonry surface in such a manner as to prevent the outline of the underlying masonry from showing through, provided that the exterior walls of such residence are sided primarily in dryvit. No chimney or gas vent enclosure may be cantilevered.
3. Planting Strip Easement A 25-foot planting strip adjacent to the right-of-way shall be provided to any lot which abuts the right-of-way lines of Nuckols and/or Pouncey Tract Roads. This area shall contain landscaping and natural open areas, except to

the extent required for utility and drainage easements which shall run perpendicular to the planting strip. Subdivision identification signage can be located within the planting strip. A six foot privacy fence shall be located within the planting strip at least 23 feet from the right-of-way. No other structure shall be located in the planting strip. Any dwelling setback requirement shall be computed exclusive of this area.

4. Clearing Limitations To the extent reasonably practical, at the time of development, the clearing of mature trees on residential lots shall be limited to trees in areas required to accommodate the structure and its normal and customary accessories, open yard areas and those limited areas required to permit utility service and driveways.
5. Covenants Prior to or concurrent with the recordation of each subdivision plat approved by the County of Henrico, Virginia, there shall be recorded in the Clerk's Office of the Circuit Court of the County of Henrico, Virginia a document approved by the County of Henrico, Virginia setting forth control upon and requiring a uniform development and maintenance of the improvements in the planting strip and the entrance amenities. Additionally, the document shall provide the following stipulations:
 - a. Any detached accessory building shall be constructed on either a slab or foundation; and that the exterior wall surfaces and foundation, if any, shall match the color and quality of the materials used on the dwelling.
 - b. Maintenance of any common areas, entrance features, and planting strips shall be the responsibility of the homeowners association
 - c. Driveways are required to be installed and must be either exposed aggregate, concrete, brick or asphalt. No driveways serving individual lots shall have direct access to Nuckols and/or Pouncey Tract Roads.
6. Entrance Feature The main entrances 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 features shall include an irrigation system, to enhance the maintenance of the landscaping. The entrance features for any Section shall be completed (or bonded) prior to the issuance of a certificate of occupancy for a residence constructed in that Section.
7. Number of Lots There shall be a maximum of sixty (60) lots developed on the Property.

Mr. Henry L. Wilton
Wilton Development Corp.
May 19, 1998

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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 conditions in the Conditional Zoning Index.

Sincerely,



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

cc: Director, Real Estate Assessment
Conditional Zoning Index
Mr. and Mrs. Theodore Kefalas