

PARCEL B
A-1 to C-1C
2.02 Ac.

PARCEL A
A-1 to R-3C
21.37 AC.

RESIDENTIAL DEVELOPMENT

20-A-27C Pts. of 27A & 27F
THREE CHOPT DISTRICT

C-53C-98



HENRICO COUNTY PLANNING OFFICE



COMMONWEALTH OF VIRGINIA

COUNTY OF HENRICO

September 15, 1998

Virgil R. Hazelett, P.E.
County Manager

Re: Conditional Rezoning Case C-53C-98

Mr. Robert M. Attack
Attack Properties, Inc.
4435 Waterfront Dr., Suite 406
Glen Allen, VA 23060

Dear Mr. Attack:

The Board of Supervisors at its meeting on September 9, 1998, granted your request to conditionally rezone property from A-1 Agricultural District to R-3C One Family Residence District (Conditional) and C-1 Conservation District, Parcel 20-A-27C, Part of Parcels 20-A-27A and 27F, described as follows:

Beginning at a point on the southwest boundary of the right of way line of Springfield Road, said point being approximately 4220 feet north of the northern right of way line of Nuckols Road; thence leaving the southwestern boundary of the right of way line of Springfield Road in an westerly direction with five (5) courses and distances along lines common to the lands owned by now or formerly Martha T. Jenkins; (1) S. 86° 51' 43" W., 684.13 feet to a point; (2) thence N. 63° 29' 12" W., 321.34 feet to a point; (3) thence S. 37° 43' 38" W., 122.16 feet to a point; (4) thence N. 71° 44' 29" W., 155.78 feet to a point; (5) thence S. 59° 44' 31" W., +/- 5.0 feet to a point on the limits of the 100 Year FEMA Flood Plain; thence along the limits of the 100 Year FEIVIA Flood Plain in a northerly direction +/-909 feet to a point on the 100 Year FEMA Floodplain, said point also being on a line common to lands owned by the County of Henrico; thence in an easterly direction with lines common to the lands of the County of Henrico with two (2) courses and distances; (1) S. 69° 51' 53" E., +/- 50.0 feet to a point; (2) thence N. 37° 06' 24" E., 178.21 feet to a point on the southern boundary of the right of way line of Springfield Road; thence with the southern boundary of the right of way line of Springfield Road along a circular curve to the left having delta angle of 06° 03' 02", a radius of 1416.61 feet and an arc length of 149.60 feet to a point on said right of way line; thence leaving the southern boundary of the right of way line of Springfield Road in a southerly direction with three (3) courses and distances: (1) S. 18° 41' 24" W., 265.67 feet to a point; (2) Thence S. 71° 18' 36" E., 150.00 feet to a point; (3) thence N 18° 41' 24" E., 296.37 feet to a point on the southern boundary of the right of way line of Springfield Road; thence with the southern boundary of the right of way line of Springfield Road in a southeasterly direction with four (4) courses and distances: (1) S. 76° 05' 47" E., 345.41 feet to a point; (2) Thence S. 71° 46' 27" E., 50.06 feet to a point; (3) Thence S 74° 10' 06" E., 50.47 feet to a point; (4) Thence along a circular curve to the right having delta angle of 05°16' 29", a radius of 355.21 feet and an arc length of 32.70 feet to a point on said right of way line; thence leaving the southern boundary of the right of way line of Springfield Road in a southerly direction with three (3) courses and distances: (1) S 37° 27' 30" W., 220.00 feet to a point; (2) thence S. 52° 32' 30" E 200.00 feet to a point; (3) thence N. 37° 27' 30" E.,

220.00 feet to a point on the southwestern boundary of the right of way line of Springfield Road; thence with the southwestern boundary of the right of way line of Springfield Road in a southeasterly direction with four (4) courses and distances: (1) Along a circular curve to the right having delta angle of $16^{\circ} 38' 54''$, a radius of 355.21 feet and an arc length of 103.21 feet to a point; (2) Thence S. $19^{\circ} 32' 33''$ E., 91.69 feet to a point; (3) thence along a circular curve to the right having delta angle of $05^{\circ} 34' 20''$, a radius of 4050.80 feet and an arc length of 393.96 feet to a point; (4) thence S. $13^{\circ} 41' 58''$ E., 149.98 feet to a point, said point being the Point and Place of Beginning for Parcel A and containing approximately 21.37 acres.

Beginning at a point on the southwest boundary of the right of way line of Springfield Road, said point being approximately 4220 feet north of the northern right of way line of Nuckols Road; thence leaving the southwestern boundary of the right of way line of Springfield Road in a westerly direction with five (5) courses and distances along lines common to the lands owned by now or formerly Martha T. Jenkins; (1) S. $86^{\circ} 51' 43''$ W., 684.13 feet to a point; (2) thence N. $63^{\circ} 29' 12''$ W., 321.34 feet to a point; (3) thence S. $37^{\circ} 43' 38''$ W., 122.16 feet to a point; (4) thence N. $71^{\circ} 44' 29''$ W., 155.78 feet to a point; (5) Thence S. $59^{\circ} 44' 31''$ W., +/- 5.0 feet to a point on the limits of the 100 Year FEMA Flood Plain, said point being the Actual Point and Place of Beginning for Parcel B; thence continuing in a westerly direction with three (3) courses and distances along lines common to the lands owned by now or formerly Martha T. Jenkins; (1) S. $59^{\circ} 44' 31''$ W., 135.49 feet to a point; (2) Thence N. $63^{\circ} 17' 30''$ W., 32.54 feet to a point; (3) thence S. $83^{\circ} 52' 54''$ W. 56.21 feet to a point on a line common with the lands of the County of Henrico; thence in a northerly direction with five (5) courses and distances along lines common to the lands owned by the County of Henrico; (1) N. $11^{\circ} 37' 24''$ W., 117.63 feet to a point; (2) thence N. $02^{\circ} 54' 42''$ E., 165.95 feet to a point; (3) thence N. $16^{\circ} 46' 37''$ E., 361.20 feet to a point; (4) N. $01^{\circ} 04' 47''$ E., 291.33 feet to a point; (5) Thence S. $69^{\circ} 51' 53''$ E., +/-16.61 feet to a point on the limits of the 100 Year FEMA Flood Plain; thence along the limits of the 100 Year FEIVIA Flood Plain in a southerly direction +/-909 feet to a point on the 100 Year FEMA Floodplain, said point also being the Point and Place of Beginning for Parcel B and containing approximately 2.0 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. Clearing Limitation: When practicable, the clearing of trees shall be limited to that necessary for dwellings, road improvements, driveways, utilities, signage, customary accessory uses and wetland mitigation areas or when necessary for common area.
2. Protective Covenants: Prior to 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 and utilities), there shall be recorded a document in the Clerk's Office of the Circuit Court of Henrico County setting forth controls on the development and maintenance of such portions of the property. The protective covenants will establish a homeowners association which will govern and approve among other things disturbances in the buffer areas of the property.

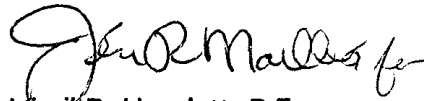
3. Foundations: All exposed exterior portions above grade of the foundations of each dwelling constructed on the property shall be of brick, stone, dryvit or stucco.
4. Swimming Pools: No swimming pools shall be located nearer to any street line than the rear building line of the dwelling or the side yard building line in the case of a corner lot.
5. There will be no more than 49 single family homes developed on the property.
6. There will be no lots fronting on Springfield Road.
7. Minimum House Size: All houses shall have a minimum of 2,000 square feet in floor area.
8. Architectural Treatment: No chimneys or gas vent units shall be cantilevered but will have similar foundation as house foundation. The exposed portion of all fireplace chimneys or direct vent fireplace enclosures shall be brick or of a siding similar to the exterior treatment of the dwelling.
9. A natural buffer area, fifty (50) feet in width adjacent to Echo Lake Park will be provided and maintained by the Owner, except to the extent necessary for utility and drainage easements, nature trails, wildlife management structures (including, but not limited to, bird houses, bird baths, etc.), picnic tables and fences or other purposes specifically approved by the homeowners association as described in the Protective Covenants.
 - a) 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.
 - b) Existing vegetation and underbrush may, and fallen, diseased or dead plant growth shall, be removed from the buffer area and, if so removed, additional plantings shall be added.
10. There will be a 25-foot landscape buffer on any new lots along Springfield Road. The buffer will be left in its natural state with the exceptions of when it must be penetrated for the purpose of easements such as electricity, utilities, telephone, cable and the installation of a perimeter fence. New utilities shall be installed perpendicular within the buffer. Any other disturbances must be approved by the homeowners association as described in the Protective Covenants.

Mr. Robert M. Atack
Atack Properties, Inc.
September 15, 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,

A handwritten signature in cursive script, appearing to read "Virgil R. Hazelett".

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

cc: Director, Real Estate Assessment
Conditional Zoning Index
Mr. John A. Jorstad
Ms. Martha T. Jenkins
Ms. Sandra L. Tignor