

A-1 to R-3C
25.403 Acres

7B
30.67 Ac.

A-1

A-1

A-1

R-4C

A-1

SINGLE-FAMILY RESIDENTIAL

C-16C-99

PT. OF 10-A-7B

THREE CHOPT DISTRICT



HENRICO COUNTY PLANNING OFFICE



COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

April 20, 1998

Virgil R. Hazelett, P.E.
County Manager

Re: Conditional Rezoning Case C-16C-99

Mr. Daniel T. Schmitt, Vice-President
H. H. Hunt Corporation
100 Concourse Blvd., Suite 100
Glen Allen, VA 23060

Dear Mr. Schmitt:

The Board of Supervisors at its meeting on April 13, 1999, granted your request to conditionally rezone property from A-1 Agricultural District to R-3C One Family Residence District (Conditional), Part of Parcel 10-A-7B, described as follows:

BEGINNING at a rod found on the eastern right-of-way line of Shady Grove Road, which point is $\pm 1150'$ from its intersection with the northern line of Nuckols Road, thence along the eastern right-of-way line of Shady Grove Road N $46^{\circ}18'52''$ E $191.83'$ to a point; thence N $46^{\circ}39'34''$ E $102.36'$ to a point; thence along a curve to the right having a radius of $3047.74'$ for a length of $221.98'$ to a point; thence N $50^{\circ}49'57''$ E $194.51'$ to a point; thence along a curve to the left having a radius of $5120.39'$ for a length of $301.97'$ to a point, said point being the True Point of Beginning; thence along a curve to the left having a radius of $5120.39'$ for a length of $37.77'$ to a point; thence N $47^{\circ}01'51''$ E $106.80'$ to a point; thence along a curve to the left having a radius of $741.20'$ for a length of $471.83'$ to a point in the centerline of the Chickahominy River; thence along the meandering of the Chickahominy River in a southeasterly direction $\pm 1530'$ to a point; thence S $28^{\circ}00'00''$ E $\pm 27.4'$ to a point; thence S $03^{\circ}56'53''$ W $35.00'$ to a point; thence S $83^{\circ}56'53''$ W $66.00'$ to a point; thence S $12^{\circ}36'40''$ E $1053.57'$ to a rod found; thence N $82^{\circ}08'31''$ W $227.20'$ to a rod found; thence N $77^{\circ}37'09''$ W $296.18'$ to a point; thence N $16^{\circ}56'13''$ E $371.32'$ to a point; thence along a curve to the right having a radius of $335.00'$ for a length of $117.44'$ to a point; thence N $55^{\circ}27'27''$ W $219.18'$ to a point; thence S $34^{\circ}32'33''$ W $117.38'$ to a point; thence N $65^{\circ}54'26''$ W $139.71'$ to a point; thence N $75^{\circ}21'04''$ W $91.75'$ to a point; thence along a curve to the right having a radius of $800.00'$ for a length of $522.89'$ to a point; thence N $42^{\circ}45'53''$ W $252.37'$ to the True Point of Beginning, containing ± 25.403 acres.

The Board of Supervisors accepted the following proffered conditions, dated April 5, 1999, which further regulate the above described property in addition to all applicable provisions of Chapter 24, Code of Henrico (Zoning Ordinance):

1. Foundations. The exposed exterior portions of exterior foundations of residences shall be constructed of brick or natural stone; however, the exposed exterior portions of

exterior foundations may be constructed of exterior insulating finish systems (E.I.F.S.) if applied to a masonry surface, provided that the exterior walls of such residence are sided primarily in E.I.F.S.

2. Chimneys. No chimneys or gas vent units shall be cantilevered. The exposed portions of all fireplace chimneys shall be of brick or a siding similar to the exterior treatment of the dwelling. This proffer shall not apply to direct vent gas fireplaces or appliances. The exposed bases of all chimneys shall be of the same material as the dwelling foundations.
3. Access Ways. Pedestrian and bicycle access ways shall be provided at the time of subdivision approval.
4. Conservation Areas. Notwithstanding the uses permitted and regulated by the zoning of the Property, such portion(s) of the Property which lie within a one hundred (100) year flood plain as defined by Section 24-106.1 of the Henrico County Code; and/or such portion(s) of the Property which may be inundated by waters impounded to a maximum elevation determined in a controlled, regulated manner by a structure or structures approved by the Department of Public Works, may only be used for the following purposes:
 - a. Storm water management and/or retention areas.
 - b. Ponds, lakes and similar areas intended as aesthetic and/or recreational amenities and/or wildlife habitats.
 - c. Access drives, utility easements, signage, walkways and recreational facilities installed in a manner to minimize their impacts.
 - d. Such additional uses to the uses identified in (a), (b) and (c) above as may be deemed compatible and of the same general character by the Planning Administrator (Director of Planning) pursuant to Chapters 19 and 24 of the Henrico County Code;

and the Owner shall, prior to final subdivision approval, apply to rezone such portions of the Property to a C-1 Conservation District.

The location and limits of such portion(s) of said Property shall be established by subdivision plats approved pursuant to the Subdivision Ordinance.

5. Minimum House Sizes. Residences shall have a minimum of 1,850 square feet of finished floor area.

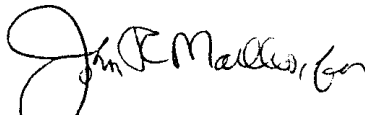
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6. Flag Lot Regulation. There shall be no "stem shaped" flag lots developed on the Property.
7. Density. No more than forty-five (45) residential units shall be constructed on the Property.
8. Severance. The unenforceability, elimination, revision 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.
9. Access. Prior to any Certificate of Occupancy being issued on the Property, a road shall be constructed from Shady Grove Road to the terminus of Future Lemoore Way as shown on Exhibit A of the Staff Report applicable to this request and prepared by the County of Henrico.

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
Mr. James W. Theobald, Esquire
Ms. Vernelle H. Barr