

A-1 to R-2C
28.59 Acres

A-1 to R-2AC
23.57 Acres

A-1 to R-2AC
15.40 Acres

SINGLE - FAMILY RESIDENTIAL

PT. OF 17-A-7A, 7B & 8

THREE CHOPT DISTRICT

C-19C-99®



HENRICO COUNTY PLANNING OFFICE



COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

Virgil R. Hazelett, P.E.
County Manager

April 20, 1999

Re: Conditional Rezoning Case C-19C-99

BAWIN, LLC
4701 Cox Road, Suite 111
Glen Allen, VA 23060

Gentlemen:

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-2C, and R-2AC One Family Residence Districts (Conditional), Parcels 17-A-7A, 7B, and 8, described as follows:

R-2C

BEGINNING at an iron rod, said point being the northwestern most corner of Parcel B, Part of 73-A2-5 currently know as 17-A-7B, as shown on the plat recorded in Plat Book 100, Page 177 in the County of Henrico, Virginia; THENCE along a non-tangent curve to the left, said curve having a radius of 1197.92 feet, a length of 446.77 feet, a chord of 444.19 feet, and a chord bearing of N 83° 09' 02" E to a concrete monument; THENCE S 72° 27' 17" W 75.05 feet to an iron rod; THENCE N 72° 27' 17" E 223.35 feet to a point; THENCE S 19° 31' 19" E 528.60 feet to a point; THENCE S 22° 52' 07" W 86.82 feet to a point; THENCE S 78° 35' 24" E 45.23 feet to a point; THENCE S 04° 40' 17" E 226.01 feet to a point; THENCE S 18° 13' 17" W 350.32 feet to a point; THENCE S 42° 29' 35" E 341.33 feet to a point; THENCE S 47° 30' 23" W 410.00 feet to a point; THENCE N 42° 29' 35" W 372.97 feet to a point; THENCE S 47° 30' 14" W 80.46 to an iron rod; THENCE N 65° 54' 13" W 307.45 feet to an iron rod; THENCE N 39° 36' 35" W 150.07 feet to an iron rod; N 07° 53' 10" W 468.41 feet to an iron rod; THENCE N 70° 18' 55" W 198.21 feet to an iron rod; THENCE N 19° 18' 35" E 570.34 feet to said point of BEGINNING, containing 28.59 acres more or less.

R-2AC

COMMENCING at an iron rod, said point being the northwestern most corner of Parcel B, Part of 73-A2-5 currently known as 17-A-7B, as shown on the plat recorded in Plat Book 100, Page 177 in the County of Henrico, Virginia; THENCE along a non-tangent curve to the left, said curve having a radius of 1197.92 feet, a length of 446.77 feet, a chord of 444.19 feet, and a chord bearing of N 83° 09' 02" E to a concrete monument; THENCE S 72° 27' 17" W 75.05 feet to an iron rod; THENCE N 72° 27' 17" E 223.35 feet to a point of BEGINNING; THENCE N 72° 27' 17" E 987.08 feet to a point; THENCE S 17° 32' 43" E 152.05 feet to a point; THENCE S 65° 43' 52" W 112.58 feet to a point; THENCE S 08° 58' 32" W 322.75 feet to a point; THENCE S 11° 57' 45" E 615.99 feet to point; THENCE S 47° 30' 23" W 861.22 feet to a point; THENCE N 42° 29' 35" W 341.33 feet to a point, THENCE N 18 13' 17" E 350.32 feet to a point; THENCE N 04° 40' 17" W 226.01 feet to a point; THENCE N 78° 35' 24" W 45.23 feet to a point; THENCE N 22° 52' 07" E 86.82 feet to a point; THENCE N 19° 31' 19" W 528.60 feet to said point of BEGINNING, containing 23.57 acres more or less.

R-2AC

COMMENCING at an iron rod, said point being the northwestern most corner of Parcel B, Part of 73-A2-5 currently known as 17-A-7B, as shown on the plat recorded in Plat Book 100, Page 177 in the County of Henrico, Virginia; THENCE along a non-tangent curve to the left, said curve having a radius of 1197.92 feet, a length of 446.77 feet, a chord of 444.19 feet, and a chord bearing of N 83° 09' 02" E to a concrete monument; THENCE S 72° 27' 17" W 75.05 feet to an iron rod; THENCE N 72° 27' 17" E 223.35 feet to a point; THENCE N 72° 27' 17" E 987.08 feet to the point of BEGINNING; THENCE N 72° 27' 17" E 91.25 feet to a concrete monument; THENCE along a tangent curve to the left, said curve having a radius of 1689.02 feet, a length of 354.05 feet, a chord of 353.40 feet, and a chord bearing of N 66° 26' 58" E to a iron rod; THENCE N 77° 55' 25" E 107.16 feet to a concrete monument; THENCE S 21° 05' 10" E 231.74 feet to an iron rod; THENCE S 25° 42' 00" E 39.81 feet to an iron rod; THENCE S 25° 42' 00" E 389.58 feet to an iron rod; THENCE S 47° 30' 23" W 1037.24' to a point; THENCE N 11° 57' 45" W 615.99 feet to a point; THENCE N 08° 58' 32" E 322.75 feet to a point; THENCE N 65° 43' 52" E 112.58 feet to a point; THENCE N 17° 32' 43" W 152.05 feet to said point of BEGINNING, containing 15.40 acres more or less.

The Board of Supervisors accepted the following proffered conditions, dated April 8, 1999, which further regulate the above described property in addition to all applicable provisions of Chapter 24, Code of Henrico (Zoning Ordinance):

1. Dwelling and Lot Requirements

- a. Minimum Finished Floor Area - The dwellings shall have a minimum finished floor area of 2,800 square feet in the R-2 District (Parcel A), 2,500 square feet in the R-2A District (Parcel B) and 2,200 square feet in the R-2A District (Parcel C).
- b. Overall Density Limitation - The maximum number of building lots which may be constructed on the Property shall not exceed one hundred forty-eight (148). Any residual areas of land not meeting the minimum lot size in the respective zoning classification shall not be included in the maximum number of lots permitted hereby, if subsequently platted as a lot with land from any adjacent property.
- c. Minimum Lot Width - The lots shall have a minimum lot width at the permitted front yard setback line of 100 feet in the R-2 District (Parcel A), 85 feet in the R-2A District (Parcel B) and 80 feet in the R-2A District (Parcel C).

2. Foundations and Chimneys. The visible portions of the dwelling's foundations and chimneys shall be constructed of brick, stone or 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 dwelling are sided primarily in dryvit).

3. Planting Strip Easement. A 25-foot planting strip shall be provided on any lot which abuts the right-of-way of Nuckols Road. 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 constructed within the planting strip at least 23 feet from the right-of-way line, except as required to accommodate utility lines within the planting strip. Except as set forth herein, no other structure shall be located in the planting strip. Any dwelling setback requirement shall be computed exclusive of this area.

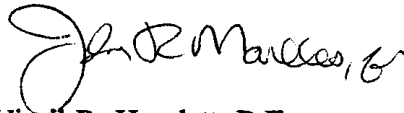
4. Entrance Feature. The main entrances from Nuckols Road shall be complemented with landscaping and architectural design features such as walls, columns, fences, gates and/or other similar features, constructed of permanent finished materials of either brick, dryvit, or stone. Landscaping of the entrance features shall include an irrigation system and sod. The entrance feature for any subdivision or section shall be bonded or completed prior to the issuance of a certificate of occupancy for a dwelling in that subdivision or section.
5. Protective Covenants. Prior to the recordation of each subdivision plat approved by the County of Henrico, there shall be recorded in the Clerk's Office of the Circuit Court of the County of Henrico, Virginia a restrictive covenants agreement for a homeowner's association, approved by the County of Henrico, which shall set forth the following requirements;
 - a. Maintenance of any common area, entrance features, planting strips and its improvements shall be the responsibility of the Homeowner's Association.
 - b. Driveways shall be required for each dwelling. They shall be constructed of exposed aggregate, concrete, brick or asphalt. No driveway serving any lot shall have direct access over the planting strip or to Nuckols Road.
 - c. Detached accessory buildings shall be constructed on either a slab or foundation. Their exterior wall surfaces and foundations, if any, shall match the color and quality of the materials used primarily on the dwelling.
 - d. No chimney or gas vent enclosed shall be cantilevered.
 - e. To the extent reasonably practical, at the time of development, the clearing of mature trees on the lots shall be limited to areas required to accommodate the dwelling and its normal and customary accessories, open yard areas and those areas required to permit utility service and driveways. On lots with a cleared front yard area, a minimum of 3 trees, with a 2" caliper in diameter shall be required to be planted.
6. Severance. The unenforceability, elimination, revision or amendment of a proffer set forth herein, in whole or part, shall not affect the validity or enforceability of the other proffers or the unaffected part of any such proffer.

BAWIN, LLC
April 20, 1999

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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,



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

cc: Director, Real Estate Assessment
Conditional Zoning Index
Mr. Andrew M. Conclin, Esquire
Ayers Realty, LLC
Messrs. Gregory A. Windsor & Robert P Bain
Ms. Martha A. Keyser Davis & H. W. Atkinson
Ms. Cheryl A. Hall & Ms. Teresa A. Stockner