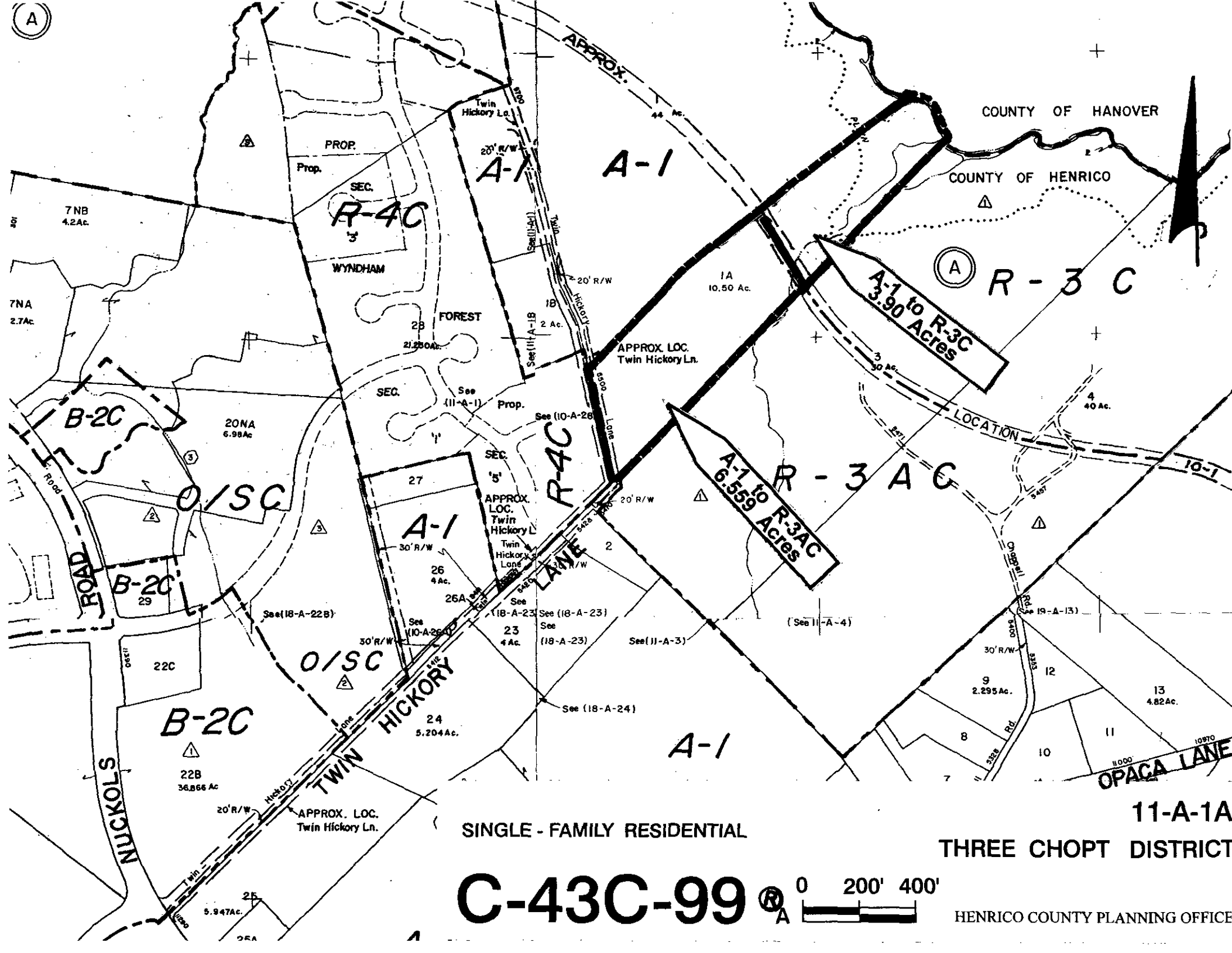


(A)



COUNTY OF HANOVER

COUNTY OF HENRICO

(A) R-3C

A-1 to R-3C  
3.90 Acres

1A  
10.50 Ac.

R-3AG  
A-1 to R-3AC  
6.559 Acres

11-A-1A

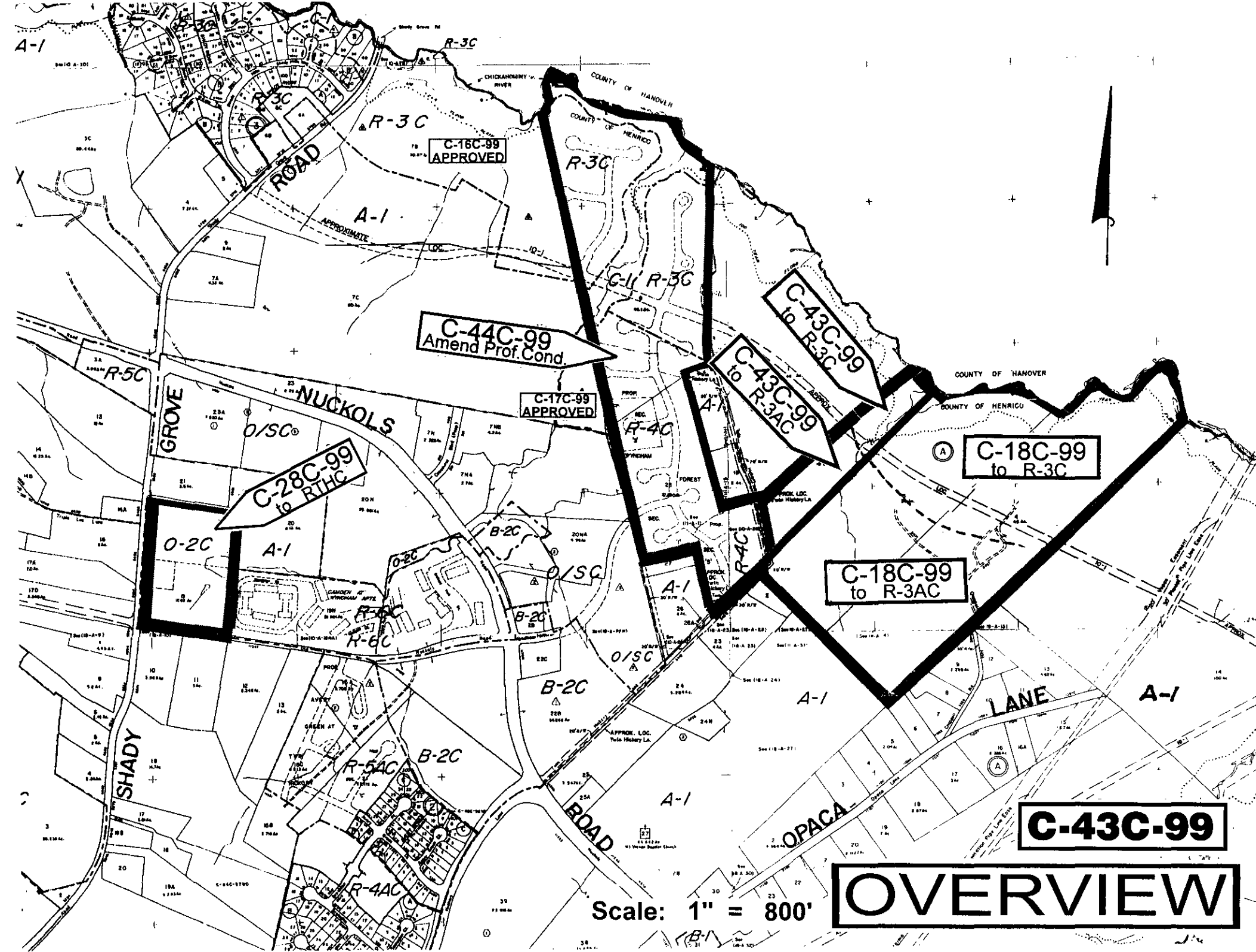
THREE CHOPT DISTRICT

SINGLE - FAMILY RESIDENTIAL

C-43C-99<sup>®</sup>



HENRICO COUNTY PLANNING OFFICE



C-16C-99  
APPROVED

C-44C-99  
Amend Prof. Cond.

C-17C-99  
APPROVED

C-28C-99  
to RTHC

C-43C-99  
to R-3AC

C-43C-99  
to R-3C

C-18C-99  
to R-3C

C-18C-99  
to R-3AC

**C-43C-99**

**OVERVIEW**

Scale: 1" = 800'



COMMONWEALTH OF VIRGINIA  
COUNTY OF HENRICO

Virgil R. Hazelett, P.E.  
County Manager

May 21, 2001

Re: Conditional Rezoning Case C-43C-99

Mr. Daniel T. Schmitt  
H. H. Hunt Corporation  
100 Concourse Blvd., Ste. 100  
Glen Allen, VA 23060

Gentlemen:

A correction has been made to the letter sent to you on July 20, 1999. The Board of Supervisors at its meeting on July 13, 1999, granted your request to conditionally rezone property from A-1 Agricultural District to R-3C and R-3AC One Family Residence Districts (Conditional), Parcel 11-A-1A, described as follows:

A-1 to R-3C:

Beginning at a point on the south line of Twin Hickory Lane, said point being 787.50' east of the east line of Nuckols Road; thence from said point of beginning and leaving the south line of Twin Hickory Lane N 5° 23' 15" W, 316.41' to a point; thence N 3° 55' 30" W, 73.09' to a point; thence N 51° 13' 30" E, 489.85' to a point; thence N 58° 19' 40" E, 383.84' to the true point and place of beginning; thence from said true point and place of beginning N 58° 19' 40" E, 680' +/- to a point in the centerline of the Chickahominy River; thence following the meandering of the Chickahominy River in a southeast direction 225' +/- to a point; thence leaving the centerline of the Chickahominy River S 51° 13' 30" W, 700' +/- to a point; thence N 30° 09' 10" W, 287.38' to the true point and place of beginning containing 3.9 +/- acres of land.

A-1 to R-3AC:

Beginning at a point on the south line of Twin Hickory Lane, said point being 787.50' east of the east line of Nuckols Road; thence from said point of beginning and leaving the south line of Twin Hickory lane N 5° 23' 15" W, 316.41' to a point; thence N 3° 55' 30" W, 73.09' to a point; thence N 51° 13' 30" E, 489.85' to a point; thence N 58° 19' 40" E, 323.84' to a point; thence S 30° 9' 10" E, 287.38' to a point; thence S 51° 13' 30" W, 984.01' to the point and place of beginning containing 6.559 acres of land.

The Board of Supervisors accepted the following proffered conditions, dated July 12, 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 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 constructed on the R-3A portion of the Property shall have a minimum of 1,800 square feet of finished floor area, and residences constructed on the R-3 portion of the Property shall have a minimum of 1,850 square feet of finished floor area.
6. Flag Lot and Stem Lot Regulation. There shall be no flag lots or stem lots developed on the Property. For purposes of this proffer, a flag lot shall be defined as a lot having access to a public cul-de-sac street through a strip of land a minimum of twenty (20) feet wide being a part of the lot, which does not meet the minimum street frontage or lot width provisions of the County Code. For further purposes of this proffer, a stem lot shall be defined as a lot which does not meet minimum street frontage or lot width requirements but which has access to a public cul-de-sac street through a part of the lot (its access strip) at least twenty (20) feet wide.
7. Density. No more than thirty-two (32) residential units shall be constructed on the Property.
8. Road Frontage Restriction: Access. There shall be no houses on lots adjacent to Concept Road 10-1 fronting Concept Road 10-1. No driveways shall have direct access to Concept Road 10-1.
9. Phasing. The Owner shall not request or be entitled to receive any Certificates of Occupancy on the Property prior to September 1, 2000. The Owner shall not request or be entitled to receive Certificates of Occupancy for more than fifty (50) residential units on the Property and the property which is the subject of Case No. C-18C-99 per year beginning September 1, 2000, except as provided in the next sentence. Certificates of Occupancy for more than fifty (50), but in no event more than sixty-five (65), residential units per year shall be available during a given year to the extent that in the prior year or years Certificates of Occupancy have been issued for fewer than fifty (50) residential units in any given year.
10. 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.

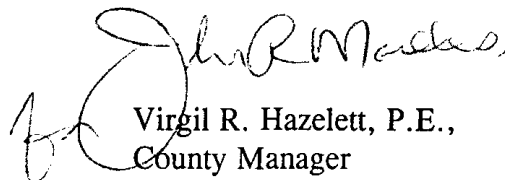
Mr. Daniel T. Schmitt  
H. H. Hunt Corporation  
May 21, 2001

4

11. Road Improvements. Prior to the issuance of the first Certificate of Occupancy on the Property, the Owner shall improve Twin Hickory Lane from its current intersection with Nuckols Road to the Property to County of Henrico standards within the existing forty-five (45) foot right-of-way.
12. Secondary Access. The Owner shall not request or be entitled to receive Certificates of Occupancy for more than fifty (50) residential units on the Property and the property which is the subject of Case No. C-18C-99 until a secondary point of access is provided.
13. Concept Road 10-1. The Owner shall build Concept Road 10-ito County standards (50' right-of-way, 40' face of curb to face of curb) consistent with adjacent phases of development.
14. Greenbelt. A greenbelt, exclusive of adjacent lots, for landscaping, natural open areas and scenic vistas will be provided twenty (20) feet in width adjacent to the right-of-way lines of Concept Road 10-1, except to the extent necessary for utility easements, bicycle paths, jogging trails, signage, sidewalks, and other purposes requested and specifically permitted, or if required, at the time of subdivision approval, or by any other governmental body.

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. & Mrs. Norman V. Edwards  
Mr. James W. Theobald, Esquire