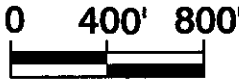


NOTE:
 This Rezoning Case Lies Within The Airport Safety Overlay District as Adopted by the Board of Supervisors June 12, 1991, in Accordance with Chapter 24, Addendum 58 (Zoning Ordinance Amendment)

SINGLE - FAMILY RESIDENTIAL

C-61C-99



216-A-55 & 100

VARINA DISTRICT

HENRICO COUNTY PLANNING OFFICE



COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

Virgil R. Hazelett, P.E.
County Manager

February 29, 2000

Re: Conditional Rezoning Case C-61C-99

Mr. Neil Farmer
Willbrook LLC
2114 Spencer Rd.
Richmond, VA 23230

Dear Mr. Farmer:

The Board of Supervisors at its meeting on February 22, 2000, granted your amended request to conditionally rezone property from A-1 Agricultural District to R-2C One Family Residence District (Conditional), Parcels 216-A-55 and 100, described as follows:

Commencing at a point in the south line of Britton Road, said point being 0.37 miles east of the intersection of Britton Road and Darbytown Road, thence along the south line of Britton Road N89°30'E, a distance of 165.69' to a point; thence leaving Britton Road S0°30'E, a distance of 315' to a point beginning; thence from a point beginning S0°30'E, a distance of 120'; thence N89°30'E, a distance of 170' to point; thence N0°30'W, a distance of 145' to a point, thence N89°30'E, a distance of 150' to a point, thence N0°30'W, a distance of 80' to point; thence N89°30'E, a distance of 210' to a point, thence S0°30'E, a distance of 80' to point; thence N89°30'E, a distance of 310' to a point, thence N0°42'30"W, a distance of 299.71' to point in the south line of Britton Road; thence leaving Britton Road S74°12'20"E, a distance of 405± to the centerline of Deer Licking Creek; thence along the centerline of Deer Licking Creek in a southerly direction as it meanders 865± to a point; thence N83°11'W, a distance of 1557± to a point, thence N6°55'E, a distance of 410' to point; thence S68°03'30"E, a distance of 214' to point and place beginning, Said parcel containing 19.7 ± acres.

The Board of Supervisors accepted the following proffered conditions, dated February 21, 2000, which further regulate the above described property in addition to all applicable provisions of Chapter 24, Code of Henrico (Zoning Ordinance):

1. The exterior portions of the foundation of any dwelling constructed on the property shall be of brick or stone. Any dwelling, however, which has a principal exterior finish made of "dryvit" or similar finish may have foundation consisting of the same material.
2. All chimneys of any dwellings constructed on the property shall be brick or stone except on dryvit or vinyl siding dwellings, on which the chimneys may be dryvit or vinyl siding. All

chimneys or direct vent fireplaces shall have foundations with the exposed portions made of the same material as the house foundation. No cantilevered chimneys will be allowed

3. The minimum finished livable footage of dwellings shall be as follows: One-story = 1,500 sq. ft., Two-story = 1,800 sq. ft., Cape style = 1,800 sq. ft.
4. There shall be no "slab construction" of any dwellings constructed on the property, exclusive of garages, attached storage building, utility rooms, storage spaces, porches, stoops or accessory buildings.
5. There will be no more than twenty-three (23) residential lots developed on the property.
6. 65% of the houses constructed on lots in this subdivision of the property will be two-story or cape style homes.
7. At least fifty percent (50%) of all garages built on the subject project shall have side or rear entry. The developer will provide a listing of garage entries for all homes built on the subject property at any time, upon the request of the Henrico County Planning Office.
8. To the extent reasonably practicable, the clearing of mature trees on residential lots by the developer shall be limited to trees in areas required to accommodate the structure and its normal and customary accessories, open areas and areas required to permit utility services and driveways.
9. Prior to concurrent with the recordation of a subdivision plat approved by the County, there shall be recorded in the Clerk's Office of the Circuit Court of Henrico County, Virginia, a document setting forth the controls on the development and maintenance of portions of the property. The provisions of such document shall identify and set forth the requirements of all proffered conditions. Those provisions shall also include the following requirements:
 - a. A tree preservation area of a minimum of twenty (20) feet in width shall be provided adjacent to Parcels 216-A-56 and 57. The tree preservation area shall be left in its natural state. There shall be no buildings, fences or other improvements in such tree preservation area, except that a stub road to access 216-A-56 is permitted in such tree preservation area. To the maximum extent possible, all utilities or drainage easements placed on the property in the tree preservation area after rezoning shall run generally perpendicular to such area.
 - b. Tree preservation shall be provided on all portions of the property designated in green as shown on the attached exhibit entitled "Bewdley, Tentative Plan." This tree preservation area shall be left in its natural state. There shall be no roads, buildings, fences or other improvements in such tree preservation area. Utility easements and drainage easements may be in such tree preservation area.

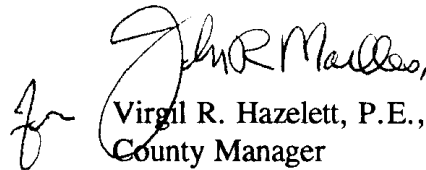
Mr. Neil Farmer
Willbrook LLC
February 29, 2000

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- c. A tree preservation area a minimum of twenty (20) feet in width shall be provided adjacent to Parcels 216-101, 103, and 104. This tree preservation area shall be left in its natural state. There shall be no buildings, fences or other improvements in such tree preservation area. Supplemental plantings shall be provided as determined appropriate by the Planning Commission at the time of Plan of Development approval. To the maximum extent possible, all utilities or drainage easements placed on the property in the tree preservation area after rezoning shall run generally perpendicular to such area.
10. The enforceability, elimination, revision or amendment to any proffer set forth herein, in whole or in part, shall not affect the validity or enforcement of any of the other proffers or the unaffected part of any such proffer.

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