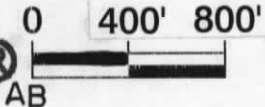


SINGLE - FAMILY RESIDENTIAL

10-A,12,13,14,14A,14B,16,17A,17B &17C

THREE CHOPT DISTRICT

C-39C-00



HENRICO COUNTY PLANNING OFFICE



COMMONWEALTH OF VIRGINIA

COUNTY OF HENRICO

October 17, 2000

Virgil R. Hazelett, P.E.
County Manager

Re: Conditional Rezoning Case C-39C-00

Mr. Henry L. Wilton
Dickens Place LLC
6405-G Dickens Place
Richmond, VA 23230

Dear Mr. Wilton:

The Board of Supervisors at its meeting on October 10, 2000, granted your request to conditionally rezone property from A-1 Agricultural and R-2AC One Family Residence Districts to R-2C and R-2AC One Family Residence Districts (Conditional), Parcels 10-A-12, Part of 10-A-13, 14, 14A, 14B, 16, 17A, 17B, and 17C, described as follows:

Beginning at a point on the Western right-of-way line of Shady Grove Road, said point being located approximately 150 feet Northeast of the intersection of said Shady Grove Road and Old Nuckols Road and is the Southwest corner of the herein described parcel. Thence, leaving the right-of-way of said Shady Grove Road along the land now or formerly of Noel D. Lloyd, North $73^{\circ}40'43''$ West 1493.91 Feet to a point. Thence, along the land now or formerly of Gregory A. Windsor, North $47^{\circ}15'40''$ West 326.70 Feet to a point. Thence, North $41^{\circ}15'40''$ West 211.08 Feet to a point. Thence, North $27^{\circ}16'10''$ West 151.80 Feet to a point. Thence, North $21^{\circ}49'55''$ West 203.05 Feet to a point. Thence, North $46^{\circ}12'50''$ East 124.09 Feet to a point. Thence North $17^{\circ}47'10''$ West 298.57 Feet to a point. Thence, continuing North $17^{\circ}47'10''$ West 291.18 Feet to a point; Thence, along the land now or formerly of Loch Levan Land LTD Partnership, North $84^{\circ}44'38''$ East 94 Feet to a point at the approximate location of the 100 year flood plain. Thence along the meandering of the said 100 year flood plain in a Northerly direction 739 Feet to a point on the Southern right-of-way of Nuckols Road. Thence, along the southern right-of-way of said Nuckols Road, South $68^{\circ}42'21''$ East 1546 Feet more or less to a point; Thence departing the said right-of-way of Nuckols Road South $20^{\circ}53'06''$ West 110.96 Feet to a point; Thence South $54^{\circ}12'26''$ East 237.13 Feet to a point; Thence South $33^{\circ}47'09''$ East, 64.43 Feet to a point; thence South $69^{\circ}03'00''$ East 87.75 Feet to a point; Thence South $54^{\circ}12'26''$ East 486.28 Feet to a point on the on the Western right-of-way of Shady Grove Road. Thence, along the right-of-way of said Shady Grove Road South $09^{\circ}45'58''$ West, 508.20 Feet to a point. Thence, continuing South $09^{\circ}45'58''$ West 95.73 Feet to a point; Thence, South $09^{\circ}20'16''$ West 166.00 Feet to a point. Thence, South $08^{\circ}41'11''$ West 427.28 Feet to a point. Thence, South $09^{\circ}13'42''$ West 123.75 Feet to the point of beginning and containing approximately 79 acres.

Less and except the land standing in the name now or formerly of W. L. Jones Jr. designated as Henrico County tax parcel 10-A-15 and described as follows: Beginning at a point located North

77°11'19" West 608.21 Feet from the Northeast corner of the land now or formerly of Gordon W. & B. L. Smith, said corner being located on the Western right-of-way of Shady Grove Road approximately 700 feet Northeast of the intersection of said Shady Grove Road and Old Nuckols Road. Thence, along the land of said Smith, South 11°22'17" West 199.70 Feet to a point. Thence, North 71°41'43" West 158.00 Feet to a point. Thence North 69°15'27" West 504.76 Feet to a point. Thence, North 54°05'06" West 393.00 Feet to a point. Thence, along the land now or formerly of said Smith and Richard C. Brown North 24°27'54" East 696.74 Feet to a point in the line now or formerly of Willie Alvin Bell Jr. Thence along the line of said Bell and the land now or formerly of Ernest J. Wingo South 34°49'56" East 999.46 Feet to a point. Thence South 47°23'56" East 61.27 Feet to a point. Thence South 64°44'56" East 83.14 Feet to the point of beginning and containing approximately 10 acres.

The parcel herein described is located in the Three Chopt District of Henrico County, Virginia and is shown as tax parcels 10-A-12, part 10-A-13, 10-A-14, 10-A-14A, 10-A-14B, 10-A-16, 10-A-17A, 10-A-17B and 10-A-17C and contains approximately 69 acres.

The Board of Supervisors accepted the following proffered conditions, dated October 9, 2000, which further regulate the above described property in addition to all applicable provisions of Chapter 24, Code of Henrico (Zoning Ordinance):

1. Landscaped Greenbelt: A thirty (30) foot landscaped greenbelt shall be provided adjacent to the right-of-way line of Shady Grove Road and Nuckols Road. Exceptions allowed within the greenbelt area shall include utility easements, signage, fences, entrance roads to the project, and other purposes requested and specifically permitted or required by the Planning Commission at the time of subdivision approval. Any new utility easements (including any relocation of the existing easement) shall be perpendicular through the greenbelt. This greenbelt is in addition to the required setback requirements. The design for the greenbelt along Shady Grove Road shall be done in conjunction with and shall be compatible to the greenbelt proffered in zoning Case C-40C-00.
2. Underground Utilities: Except for junction boxes, meters and existing overhead utility lines and technical or environmental reason, all utility lines shall be underground.
3. Driveways: No driveways serving individual dwellings shall have direct access to Shady Grove Road or Nuckols Road.
4. Foundations: The exterior foundation of any dwelling constructed on the property shall be brick or stone, however, foundations may be constructed of exterior insulating finish systems (E.I.F.S. i.e. stucco/dryvit etc.) if applied to a masonry surface, provided that the exterior walls of such residence are sided primarily in E.I.F.S. This will apply to future conversions or additions that are enclosed and intended for year-round use.

5. 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 or utilities), restrictive covenants describing development controls and maintenance of the Property shall be recorded in the Clerk's Office of the Circuit Court of Henrico County. The County of Henrico shall not be responsible for enforcing these restrictive covenants. The provisions in such documents shall identify and set forth the requirements of all proffered conditions. In addition to proffers, the covenants shall also include the following requirements: A landscaping package of a minimum of \$650 per dwelling, standardized mailboxes and lampposts, exposed aggregate sidewalks to all homes, two car garages (may be converted to living space), sod in front yard, twenty-five year dimensional shingles on the roof, hard surface driveway (asphalt, concrete, etc. except on dwellings with front loading garages, driveway surfaces shall only be aggregate, textured concrete, pavers or a similar material with sidewalk material to match), gutters and downspouts, and irrigation in front and side yards.
6. Square Footage: Residences shall have a minimum of 2,500 square feet of finished floor area in the R-2C portion of the Property and a minimum of 2,300 square feet of finished floor area in the R-2AC portion of the Property.
7. 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.
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. Density: The maximum density of the entire development shall not exceed 2.1 units per acre.
10. Conceptual Plan: The site shall be developed in substantial conformance with the Conceptual Plan "Exhibit A" by Bay Design dated September 12, 2000 with revisions as approved during subdivision review by the Planning Commission.
11. Lot Widths: No more than thirty (30) percent of the lot widths in the R-2A portion of the Property shall be less than ninety (90) feet wide at the minimum front yard depth. On cul-de-sacs lots, the lot width shall be measured at the actual building line, not the minimum front yard depth.


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12. Fencing Along Shady Grove and Nuckols Road: A decorative fence with brick or stone accents shall be provided along Shady Grove and Nuckols Road with the appearance to be approved during subdivision review.
13. Sidewalks: Sidewalks shall be provided adjacent to Nuckols and Shady Grove Roads and shall be constructed to the County of Henrico's Standards and Specifications for sidewalks.
14. Front Loading Garages: No more than twenty-five (25) percent of all of the dwellings shall have garage doors on the front of the home.
15. Curb and Gutter: All roads shall be constructed with standard full-face curb and gutter (CG-2) unless requested by Public Works.

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,


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

cc: Director, Real Estate Assessment
✓ Conditional Zoning Index
Loch Levan Land Limited Partnership
Mr. & Mrs. Dudley A. Brill
Mr. & Mrs. Alvin W. Bell, Jr.
Mr. & Mrs. Kenneth Arno
Mr. & Mrs. Ernest Wingo, Jr.
Mr. & Mrs. Gordon W. Smith
Mr. & Mrs. Rick Brown