

**PARCEL 3**  
**A-1 to R-3C**  
**17.666 Acres**

**PARCEL 2**  
**A-1 to C-1**  
**6.087 Acres**

RESIDENTIAL

**27-A-33 pts. of 13 & 12B**  
**THREE CHOPT DISTRICT**

**C-4C-01®** 0 200' 400'

HENRICO COUNTY PLANNING OFFICE



COMMONWEALTH OF VIRGINIA  
**COUNTY OF HENRICO**

February 20, 2001

Virgil R. Hazelett, P.E.  
County Manager

Re: Conditional Rezoning Case C-4C-01

Mr. G. Edward Massie, IV  
Fidelity Properties, Ltd.  
P. O. Box 423  
Mechanicsville, VA 23111

Dear Mr. Massie:

The Board of Supervisors at its meeting on February 13, 2001, granted your request to conditionally rezone property from A-1 Agricultural District to R-3C One Family Residence District (Conditional), and C-1 Conservation District, Parcel 27-A-33, and Part of Parcels 27-A-12B and 13, described as follows:

**Parcel 2: A-1 to C-1**

Beginning at a point in the centerline of Wonder Road, said point being 1498.38' +/- north of Sadler Road; thence from said point of beginning and leaving the centerline of Wonder Road S. 41°30'45" W., 912' +/- to the true point and place of beginning being the eastern line of a 100 year flood plain S. 41°30'45" W., 165' +/- to a point on the western line of a 100 year flood plain; thence following the meandering of the 100 year flood plain in a north and west direction 1293.05' +/- to a point; thence N. 47°26'50" W., 176' +/- to a point on the S. line of Interstate Route 295; thence following the S. line of Interstate Route 295 in an east direction along a curve to the right with a radius of 11,309' and a length of 617' +/- to a point on the E. line of a 100 year flood plain; thence leaving the S. line of Interstate Route 295 in a south direction 1209.87' +/- to the true point and place of beginning, containing 6.09 +/- acres of land.

**Parcel 3: A-1 to R-3C**

Beginning at a point in the centerline of Wonder Road, said point being 1498.38' +/- north of Sadler Road; thence from said point of beginning and leaving the centerline of Wonder Road S. 41°30'45" W., 912' +/- to a point on the E. line of a 100 year flood plain; thence continuing along the E. line of a 100 year flood plain in a north direction 1209.87' +/- to a point on the S. line of Interstate Route 295; thence continuing along the S. line of Interstate Route 295 in an east direction along a curve to the right with a radius of 11,309.00' and a length of 1221' +/- to a point; thence leaving the S. line of Interstate Route 295; S. 20°22'32" W., 803.00' to a point in the centerline of Wonder Road; thence continuing along the centerline of Wonder Road S. 69°44' 58" E., 526.00' to the point and place of beginning, containing 17.67 +/- acres of land.

The Board of Supervisors accepted the following proffered conditions, dated February 13, 2001, which further regulate the above described property in addition to all applicable provisions of Chapter 24, Code of Henrico (Zoning Ordinance):

1. Restrictive Covenants. Prior to or concurrent with the recordation of the 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), there shall be recorded a document in the Clerk's office of the Circuit Court of Henrico County, Virginia setting forth quality controls on the development and maintenance of all portions of the Property.
2. Minimum House Size. The minimum size for any house constructed on the Property shall be a minimum of 1,800 square feet of finished floor area.
3. Density. The development shall not exceed 2.2 dwelling units per acre on the properties defined in Rezoning Cases C-2C-01, C-3C-01 and C-4C-01 in the aggregate. The density calculations shall be provided at the time of each subdivision.
4. Building Materials. Houses on the Property shall be constructed with brick, stone, drivit or vinyl siding or other material approved by the Planning Commission, but not masonite siding or block.
5. Fireplace Chimneys. All exterior portions of fireplace chimneys shall be enclosed by brick or stone. All fireplace chimneys, and gas vents, shall be built on brick or stone foundations.
6. Foundations. The visible portions of the residence foundations shall be constructed of brick or stone.
7. Underground Utilities. All proposed utilities shall be placed underground.
8. Street Improvements. The streets of the subdivision shall be constructed of asphalt. The portion of any street where a lot fronts the street shall be designed with curb and gutter.
9. Signage. The sign identifying the residential community on the Property shall be constructed with a brick base and ground-mounted.
10. Flag Lot Regulation. No single family detached dwelling front elevation view shall be opposite any adjacent dwelling rear elevation view. No stem-shaped flag lots shall be developed on the Property.
11. Driveways. There shall be a provision in the restrictive covenants which requires all driveways to be constructed of hard surface materials.

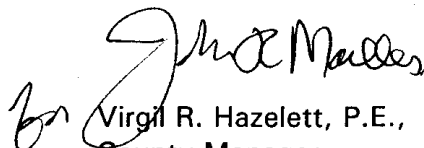
Mr. G. Edward Massie, IV  
Fidelity Properties, Ltd.  
February 20, 2001

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12. Interstate Setback. An additional setback area of thirty-five (35) feet in width shall be maintained along the Property line adjacent to Interstate 295 in addition to the required setback.
13. Phasing. Building permits for the properties in the aggregate of Cases C-2C-01, C-3C-01 and C-4C-01 may be approved for construction of up to 31 lots after January 1, 2002, for 31 additional lots after January 1, 2003 and for the remaining lots after January 1, 2004.
14. Pedestrian Access. Pedestrian trails shall be provided in the areas zoned C-1 and those areas designated flood plain, park or open space. The pedestrian trails shall be owned and maintained by a homeowners association.
15. Sound Proofing. Homes constructed on lots located within three hundred (300) feet of the Interstate 295 right of way shall incorporate a 1/2"- 5/8" layer of foamed-in-place urethane insulation in the walls in addition to the batt insulation thickness required by the Building Code.
16. Lot Size. The lots which abut the north and east side of the C-1 district (creek) on the Property shall be a minimum of ninety (90) feet in width and contain an average minimum of 12,500 square feet of area.
17. Park. A passive park area a minimum of 2.5 acres shall be provided.
18. 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.

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  
Ms. Gloria L. Freye, Esquire  
Mr. Joseph E. Liesfeld, Jr.