



A-1

A-1

A-1

A-1

A-1

A-1

A-1

A-1 & R-2A to R-3C
51.04 Acres

A-1

A-1

R-4

Parcels or Portions thereof identified on this sheet are within the Airport Safety Overlay District and are subject to Special Regulations



ZONING
SINGLE-FAMILY RESIDENTIAL
ZERO LOT LINE

C-71C-02

Fairfield District

Ref. 813-729-0099



0 600 Feet

November 2002



COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

September 16, 2003

Virgil R. Hazelett, P.E.
County Manager

Mr. Robert M. Atack / Mr. F. Robert Loftis
Cedar Fork Properties, LC
12000 Bennett Court
Glen Allen, VA 23059

Re: Conditional Rezoning Case C-71C-02

Dear Mr. Atack & Mr. Loftis:

The Board of Supervisors at its meeting on September 9, 2003, granted your request to conditionally rezone property from A-1 Agricultural District and R-2A One Family Residence District to R-3C One Family Residence District (Conditional), Parcels 813-729-0099, 813-729-1810, 813-728-1795, 812-729-4468 and 812-729-5529, described as follows:

PARCEL A

Beginning at a rod set on the west line of Cedar Fork Road, said rod being located 898.31' from the south line of Creighton Road; thence continuing along the western right of way of Cedar Fork Road along a curve to the right having a radius of 1009.99', an arc length of 90.08', a chord of 90.04' and a chord bearing of S10°59'14"W; thence S14°57'32"W for 590.93' to a rod found; thence S14°58'27"W for 108.22'; thence leaving said right of way S85°40'33"W for 858.92'; thence N2°34'21"E for 273.73' to a rod found; thence N2°44'09"E for 500.10' to a rod found; thence N86°38'39"E for 399.72' to a rod found; thence N87°01'13"E for 619.78' to the point of beginning, containing 16.447 acres of land, more or less.

PARCEL B

Beginning at a rod set on the west line of Cedar Fork Road, said rod being located 1687.54' from the south line of Creighton Road; thence continuing along the western right of way of Cedar Fork Road S14°58'27"W for 1275.11'; thence leaving said right of way N71°35'31"W for 1544.16'; thence N9°33'33"E for 389'; thence S82°33'33"W for 386'; thence N5°48'53"E for 102.74'; thence N82°33'33"E for 660'; thence N11°59'09"W for 114.11'; thence N85°40'33"E for 1475.81' to the point of beginning, containing 34.593 acres of land, more or less.

The Board of Supervisors accepted the following proffered conditions, dated September 3, 2003, which further regulates the above described property in addition to all applicable provisions of Chapter 24, Code of Henrico (Zoning Ordinance):

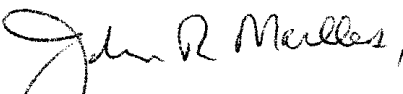
1. **Architectural Treatment.** Buildings constructed on the Property shall have an exterior architectural style generally consistent with the exterior elevation plans labeled 1-6 by McAllister & Foltz Architecture P.C., copies of which are attached hereto (see case file), subject to such changes as may be requested by the owner and approved at the time of Subdivision approval. No more than two (2) homes with the same front elevation shall be built next to one another. When aggregated with the lots that are the subject of Case C-40C-03 at least thirty percent (30%) of all homes shall have a covered front porch. Any street-facing side façade shall have a minimum of two (2) windows except for i.) when that side façade contains a garage, or ii.) except as otherwise prohibited by any governmental or regulatory authority or building code requirements. When aggregated with the lots that are the subject of Case No. C-40C-03 a minimum of fifty percent (50%) of the homes shall have a minimum of fifty percent (50%) brick on the front of each home, excluding windows, doors, and architectural design features, unless an equivalent material is requested and specifically approved at the time of Subdivision approval.
2. **Conceptual Plan.** The Property shall be developed generally consistent with the layout plan dated August 11, 2003, entitled "Illustrative Master Plan, Cedar Run, Henrico County, Virginia", prepared by Higgins & Gerstenmaier, attached hereto as Exhibit A (see case file), which layout plan is conceptual in nature and may vary in detail.
3. **Brick Steps.** Steps to the main entrance of homes shall be of brick. Homes with a front porch without a brick foundation shall utilize brick pier supports with lattice screening between the porch floor and ground, and porch steps may be of brick or wood.
4. **Square Footage.** One-story homes shall have a minimum of one thousand six hundred (1,600) square feet of finished floor area. Homes other than one story shall have a minimum of one thousand eight hundred (1,800) square feet of finished floor areas; however, when aggregated with the lots that are the subject of Case C-40C-03, thirty-three percent (33%) of such homes shall have a minimum of two thousand (2,000) square feet of finished floor area.
5. **Garages.** When aggregated with the lots that are the subject of Case No. C-40C-03 a minimum of seventy-five percent (75%) of homes shall have at least a one-car garage; a minimum of fifty percent (50%) of garages shall be two-car, and at least fifty percent (50%) of the homes with garages shall have side or rear-loading garages.
6. **Height.** When aggregated with the lots that are the subject of Case No. C-40C-03 no more than fifteen percent (15%) of the homes shall be one story in height.

7. **Lot Widths.** Lots, when aggregated with the lots that are the subject of Case No. C-40C-03, shall have an average lot width of eight-five (85) feet. At least thirty (30) percent of the lots, when aggregated with the lots that are the subject of Case No. C-40C-03, shall have a minimum lot width of ninety (90) feet. The term "lot width" shall be defined herein as the width of a lot measured at the front yard setback line, except for lots on cul-de-sac roads where the width shall be measured at the actual building line of the dwelling.
8. **Driveways.** All driveways shall be finished with asphalt, concrete, or exposed aggregate.
9. **Density.** No more than one hundred (100) homes shall be constructed on the Property.
10. **Entrance Features.** Entrances onto Cedar Fork Road shall incorporate boulevard-style medians unless otherwise prohibited by any government agency.
11. **Recreational Amenities.** Recreational amenities such as tot lot(s) or picnic area(s) shall be provided in the community and dedicated as common area.
12. **Access Restrictions.** There shall be no vehicular access to Korth Lane. No lots shall front on Cedar Fork Road.
13. **Home Foundations.** All homes shall be constructed on a crawl space with brick or stone foundations on all sides.
14. **Restrictive 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), a document shall be recorded in the Clerk's Office of the Circuit Court of Henrico County, Virginia, setting forth controls on the development and maintenance of such portions of the Property.
15. **Street Trees.** The neighborhood shall have a street tree landscape plan in which trees shall be planted upon home completion within a ten (10) foot strip behind the curb on each side of the roadway at an average spacing of fifty (50) feet between trees.
16. **Landscape Strip.** A planting strip easement a minimum of ten (10) feet in width shall be provided along Cedar Fork Road, such easement area to include a white vinyl fence and supplemental landscaping where existing vegetation is not preserved or does not exist, consisting of a bayberry/wax myrtle hedge (or equivalent) every five (5) feet on center.

17. **Mail Boxes.** All improved lots shall be required to have a post lamp and a mail box with supporting post of design and installation as specified in the Subdivision's Covenants and Restrictions.
18. **Roads and Curb and Gutter.** Standard six inch (6") curb and gutter will be provided for the roads within the subdivision.
19. **Chimneys.** No chimneys, gas vent units or bay windows shall be cantilevered. The exposed portions of all fireplaces shall be of brick, stone, E.F.I.S. or a material 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 foundation.
20. **Cumulative Count.** Upon the request of the County of Henrico, the developer or his designee shall provide a cumulative count of the homes and their designated finished floor area, lot widths, brick frontage, and garage styles to ensure compliance with conditions #1, #4, #5, #6 and #7.
21. **Reserved Area.** The area labeled "Reserved area for potential dedication to Mitchell Tree Residents" on the conceptual plan referenced in proffer 2 shall be reserved for potential dedication to the Michelltree Homeowners that abut this area. In no event shall this area be part of the recreational area of the Property.
22. The unenforceability, elimination, revision or amendment or any proffer set forth herein, in whole or in part, shall not affect the validity or enforceability 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

pc: Ms. Elizabeth C. Irby
Mr. Horace Gifford
Ms. Joan Parsons Mayo
Mr. Richard Gifford
Director, Real Estate Assessment
Conditional Zoning Index