

A-1 to RTHC  
5.07 Ac.

**ZONING**

TOWNHOUSES for SALE

Ref. 744-773-8230

**C-17C-03**

Three Chopt District



April 2003



COMMONWEALTH OF VIRGINIA  
COUNTY OF HENRICO

June 17, 2003

Virgil R. Hazelett, P.E.  
County Manager

Ms. Carol Sacra  
4011 Mechanicsville Turnpike  
Mechanicsville, VA 23111

Re: Conditional Rezoning Case C-17C-03

Dear Ms. Sacra:

The Board of Supervisors at its meeting on June 10, 2003, granted your request to conditionally rezone property from A-1 Agricultural District to RTHC Residential Townhouse District (Conditional), Parcel 744-773-8230, described as follows:

Beginning at a point on the south line of Old Nuckols Road and proceeding along said south line of Old Nuckols Road S74°25'40"E for a distance of 210.19' to a point; thence leaving said south line of Old Nuckols Road along the property of Avery Green at Twin Hickory, Section E, S32°54'30"W for a distance of 229.78' to a point; thence continuing along said Avery Green at Twin Hickory, Section E, S29°35'32"W for a distance of 927.46' to a point; thence leaving said Avery Green at Twin Hickory, Section E, along the property of N/F John W. & Luitgard H. Webb N42°36'41"W for a distance of 151.87' to a point; thence continuing along said N/F John W. & Luitgard H. Webb N15°13'20"W for a distance of 88.96' to a point; thence leaving said N/F John W. & Luitgard H. Webb along the property of HHHunt Corporation N30°33'03"E for a distance of 996.55' to the south line of Old Nuckols Road to a point, said point being the point of beginning, containing 5.07± acres.

The Board of Supervisors accepted the following proffered conditions, dated June 10, 2003, which further regulates the above described property in addition to all applicable provisions of Chapter 24, Code of Henrico (Zoning Ordinance):

1. Greenbelts. Greenbelts for landscaping, natural open areas and scenic vistas will be provided twenty-five (25) feet in width adjacent to the ultimate right-of-way line of Old Nuckols Road except to the extent necessary for utility easements, bicycle paths, jogging trails, signage, sidewalks, access driveways for major project areas and other purposes requested and specifically permitted, or if required, at the time of subdivision approval and/or Plan of Development, or by any other governmental body.

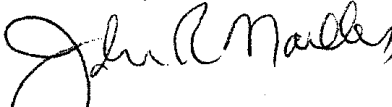
2. Underground Utilities. Except for junction boxes, meters and existing overhead utility lines and technical and environmental reasons, all utility lines shall be underground.
3. Old Nuckols Road Access. There shall be no direct access from individual lots to Old Nuckols Road unless requested and specifically permitted, or if required, at the time of subdivision approval and/or Plan of Development by the Planning Commission, Department of Public Works, or by any other governmental body.
4. Access to West. Private roads and drives shall connect to the adjoining Hickory Grove subdivision located on the western Property line to allow proper traffic circulation.
5. Foundations. The exposed exterior portions of exterior foundations shall be constructed of brick or natural stone; however, the exposed exterior portions of the exterior foundations residences may be constructed of exterior insulating finish system (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.
6. Protective Covenants. Prior to or concurrent with the recordation of the first subdivision plat or Plan of Development approved by the County and before conveyance of any portion of the Property by said subdivision plat or Plan of Development (other than 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 of development and maintenance of the Property.
7. Square Footage. Dwelling units shall have a minimum of 1,795 square feet of finished floor area.
8. Chimneys. The exposed portions of all fireplace chimneys shall be of brick construction. This proffer shall not apply to direct vent gas fireplaces or appliances; however, no gas vent units or appliances shall be cantilevered.
9. Density. No more than thirty-two (32) residential units shall be constructed on the property.
10. Architecture. Various design elements will be incorporated to provide variety amongst individual units including, but not limited to, the following: varying colors of brick, brick accents (including, but not limited to, arches with or without keystones, soldier courses, quoin corners, and accent coloring different from any main brick coloring), varying colors of siding, varying window designs. The minimum of fifty (50) percent in the aggregate, of the visible portions of the front exterior wall surfaces of each building, one hundred (100) percent of the sides of buildings which face public rights-of-way or internal driveways, and one hundred (100) percent of

the rear exteriors building surfaces of each building which the rear wall faces Old Nuckols Road shall be of brick construction excluding windows, doors, breezeways and architectural design features.

11. Parking Lot Lighting. Parking lot lighting fixtures shall not exceed fifteen (15) feet in height above grade level. Parking lot lighting shall be produced from concealed sources of light (i.e. "shoe-box" type fixtures).
12. Fence/Plantings. Prior to the issuance of the first certificate of occupancy, the Applicant shall provide a six (6) foot high wooden fence approximately ten (10) feet from the eastern property line (adjacent to Avery Green subdivision) and shall plant, between the fence and the eastern property line, trees and shrubs that meet the requirements of the Transitional Buffer 10 found in Article III of the Henrico County Landscape Manual. As many existing healthy trees as possible shall be utilized within the Transitional Buffer 10.
13. Sidewalk. Subject to obtaining all required governmental easements, approvals, and permits, a standard size pedestrian sidewalk shall be installed in accordance with County standards in the County's right-of-way along the southern right-of-way line of Old Nuckols Road.
14. Annexation. The Property shall be annexed into the Hickory Grove Property Owners Association.
15. Severance. The unenforceability, elimination, revision or amendment of any proffer set forth herein, in whole or part, shall not effect 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,

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

pc: Mr. Paul Hinson / Mr. Greg Koontz  
Director, Real Estate Assessment  
Conditional Zoning Index