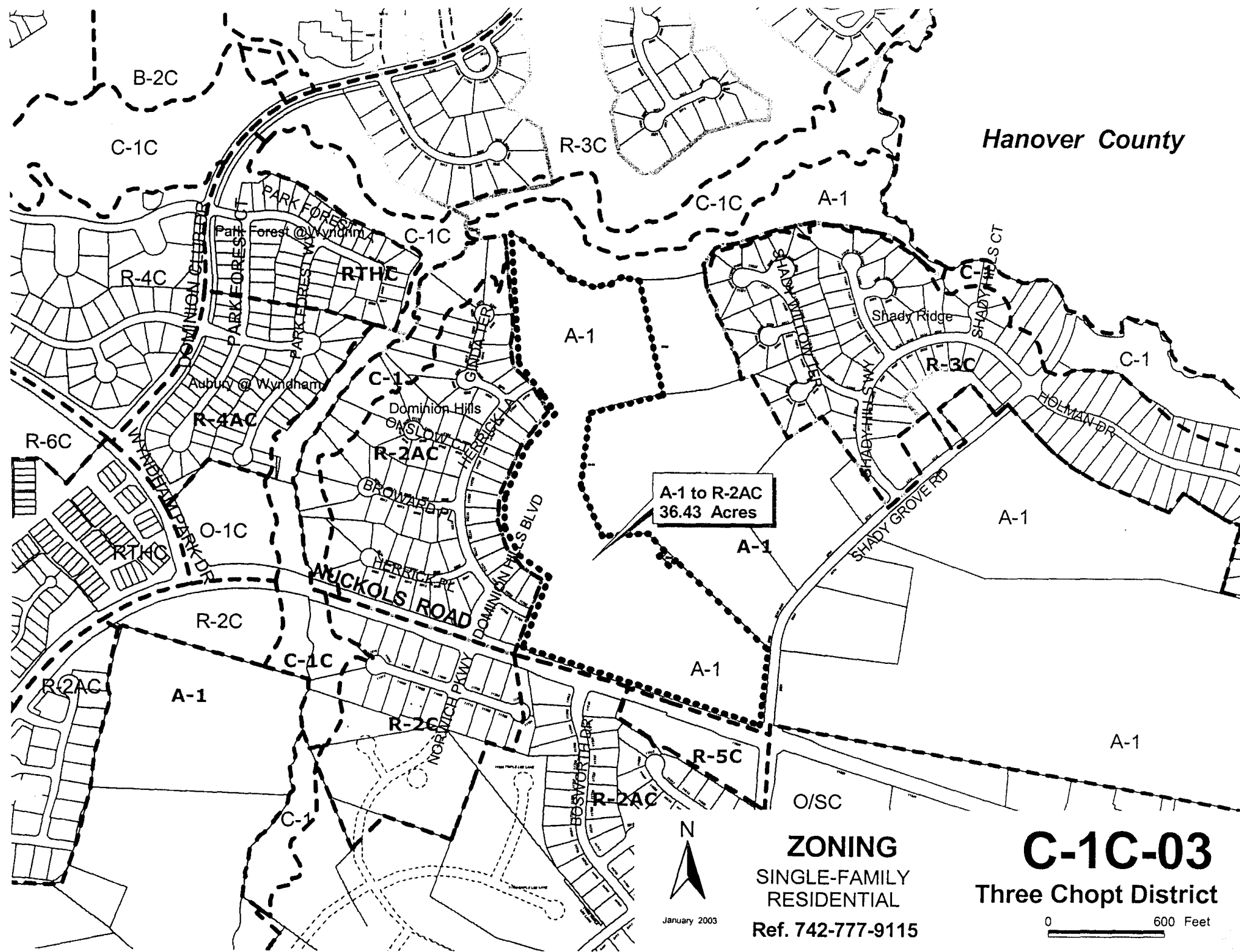


Hanover County



A-1 to R-2AC
36.43 Acres



January 2003

ZONING
SINGLE-FAMILY
RESIDENTIAL
Ref. 742-777-9115

C-1C-03
Three Chopt District



COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO



February 18, 2003

Virgil R. Hazelett, P.E.
County Manager

Wilton Development Corp.
6405-G Dickens Place
Richmond, VA 23230

Re: Conditional Rezoning Case C-1C-03

Dear Sir:

The Board of Supervisors at its meeting on February 11, 2003, granted your request to conditionally rezone property from A-1 Agricultural District to R-2AC One Family Residence District (Conditional), Parcel 742-777-9115, described as follows:

Beginning at a iron pin on the north line of Nuckols Road and the west line of Shady Grove Road and proceeding along said north line of Nuckols Road N71°55'15"W for a distance of 1235.47' to an iron pin; thence continuing along said road N18°4'45"E for a distance of 12' to an iron pin; thence continuing along said road N71°55'15"W for a distance of 70' to an iron pin; thence leaving said north line of Nuckols Road along the property of Dominion Hills, Section One, N21°4'19"E for a distance of 365.98' to an iron pin; thence continuing along said Dominion Hills N58°24'16"W for a distance of 129.52' to an iron pin; thence continuing along said Dominion Hills N37°21'26"W for a distance of 129.52' to an iron pin; thence continuing along said Dominion Hills N17°6'45"W for a distance of 135.32' to an iron pin; thence continuing along said Dominion Hills N1°51'43"E for a distance of 134.86' to an iron pin; thence N22°0'55"E for a distance of 142.24' to an iron pin; thence continuing along said Dominion Hills N24°4'E for a distance of 149.60' to an iron pin; thence continuing along said Dominion Hills N38°50'5"E for a distance of 225.47' to an iron pin; thence continuing along Dominion Hills N30°53'10"W for a distance of 190' to an iron pin; thence continuing along said Dominion Hills N49°7'16"W for a distance of 102.71' to an iron pin; thence continuing along said Dominion Hills N10°14'25"W for a distance of 120' to an iron pin; thence continuing along said Dominion Hills N9°28'55"E for a distance of 95.67' to an iron pin; thence continuing along said Dominion Hills N5°6'51"W for a distance of 480' to an iron pin; thence leaving said Dominion Hills, N80°51'5"E along the property of Loch Levan Land Limited Partnership a distance of 50.01' to a iron pipe; thence continuing along said Loch Levan Land Limited Partnership S60°34'13"E for a distance of 104.51' to an iron pin; thence continuing along said Loch Levan Land Limited Partnership S50°8'41"E for a distance of 259.99' to an iron pin; thence continuing along said Loch Levan Land Limited Partnership S73°36'11"E for a distance of 111' to an iron pin; thence continuing along said Loch Levan Land Limited Partnership N88°53'24"E for a distance of 58.22' to

an iron pin; thence continuing along said Loch Levan Land Limited Partnership N60°41'30"E for a distance of 89.90' to an iron pin; thence continuing along said Loch Levan Land Limited Partnership S84°11'17"E for a distance of 103.25' to an iron pin; thence leaving said Loch Levan Land Limited Partnership, S11°12'39"E along the property of Peggy Nuckols a distance of 640.17' to an iron pin; thence leaving said Peggy Nuckols, S81°54'50"W along the property of Peggy Nuckols a distance of 102.04' to an iron pin; thence continuing along said Peggy Nuckols S75°17'33"W for a distance of 279.72' to an iron pin; thence continuing along said Peggy Nuckols S6°13'37"W for a distance of 381.11' to an iron pin; thence continuing along said Peggy Nuckols S20°8'12"E for a distance of 315.98' to an iron pin; thence continuing along said Peggy Nuckols N85°38'37"E for a distance of 263.09' to an iron pin; thence continuing along said Peggy Nuckols S46°6'12"E for a distance of 101.30' to an iron pin; thence continuing along said Peggy Nuckols S43°53'48"W for a distance of 50' to an iron pin; thence continuing along said Peggy Nuckols S46°6'12"E for a distance of 50' to an iron pin; thence continuing along said Peggy Nuckols N43°53'48"E for a distance of 50' to an iron pin; thence continuing along said Peggy Nuckols S46°6'12"E for a distance of 671.41' to an iron pin; thence leaving said Peggy Nuckols, on a non-tangent curve to the left with a radius of 460.22', arc length of 0.19', a chord bearing of S4°44'38"W and a chord distance of 0.19' along the west line of Shady Grove Road to an iron pin; thence continuing along said Shady Grove Road S4°43'55"W for a distance of 392.47' to an iron pin; thence continuing along said Shady Grove Road S56°24'20"W to the intersection of Nuckols Road for a distance of 37.21' to an iron pin being the point of beginning, containing 36.43 acres.

The Board of Supervisors accepted the following proffered conditions, dated February 11, 2003, which further regulates the above described property in addition to all applicable provisions of Chapter 24, Code of Henrico (Zoning Ordinance):

- 1) House Size: Dwellings shall have a minimum of 3,000 square feet of finished floor area, except dwellings constructed on the lots along the cul-de-sac road serving as the eastern terminus of Herrick Lane shall have a minimum of 2,700 square feet of finished floor area.
- 2) Density: The maximum number of lots shall not exceed 73 lots.
- 3) Lot Widths: At least seventy-five (75) percent of the lots shall have widths of at least ninety (90) feet wide as measured at the minimum front yard depth, and no lot shall be less than eighty-five (85) feet wide at the minimum front yard depth. On cul-de-sac lots, the lot width shall be measured at the actual building line, not the minimum front yard depth.
- 4) Lot Clearing: To the extent reasonably practicable, at the time of development, the clearing of trees six (6) inches in caliper or greater on residential lots shall be

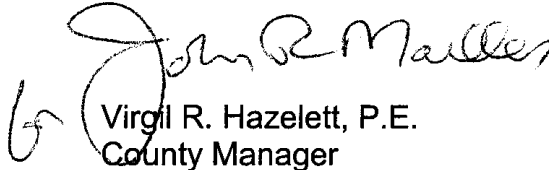
limited to areas required to accommodate the structure, driveways, sidewalks, open yard areas, and those limited areas required to permit utility services.

- 5) Chimneys: No chimneys or gas vent units shall be cantilevered. The exposed portions of all fireplace chimneys 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 foundations.
- 6) Foundations: The exterior foundation of any dwelling constructed on the property shall be brick, stone or E.F.I.S. (E.F.I.S. will only be used if applied to a masonry surface, provided that the exterior walls of such residence are sided primarily in E.F.I.S.). This will apply to future conversions or additions that are enclosed and intended for year-round use.
- 7) Underground Utilities: Except for junction boxes, meters and existing overhead utility lines and unless not possible for technical or environmental reasons, all utilities lines shall be underground.
- 8) 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 conveyed 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 controls on the development and maintenance of such portions of the property to include but not limited to:
 - a. The front and side yards to the rear building line of each dwelling shall be irrigated and sodded.
 - b. Deluxe landscaping package.
 - c. Twenty-five (25) year life dimension shingle roofs.
 - d. Standard subdivision-wide mailbox.
- 9) Two Car Garages: All the dwellings shall have two (2) car garages.
- 10) Front Elevations: All the dwellings shall have a minimum of forty (40) percent of the front elevations constructed of brick, stone or E.F.I.S.
- 11) Additional Trees: For lots generally void of trees in the front yard, three (3) trees each having a caliper of at least 2½ inches shall be planted in the front yard prior to issuance of the final certificate of occupancy.

- 12) Curb and Gutter: All road shall be constructed with standard full-face curb and gutter (CG-2) unless requested by Public Works.
- 13) Planting Strip: A planting strip shall be provided on or adjacent to any lot that abuts the right-of-way of Nuckols Road and Shady Grove Road. Within the planting strip, all trees six (6) inch caliper or larger, unless dead or diseased, shall be identified on the plan and maintained (unless otherwise allowed by the Director of Planning) and additional landscaping shall be provided, meeting the plant quantities required for a twenty-five (25) foot transitional buffer, in accordance with a landscape plan approved by the Henrico County Planning Office. The landscape plan shall be approved concurrent with final construction plan approval.
- 14) Cemetery Screening: The cemetery adjacent to the subdivision shall be enclosed with a 42 inch high fence around the three (3) sides that are located within the subdivision.
- 15) Access Limitations:
 - a. There shall be no public right-of-way connection from the Property to the existing northern terminus of Herrick Lane in the Dominion Hills Subdivision. This shall not prevent the installation of a twenty (20) foot wide emergency access if required by the Planning Commission at the time of conditional subdivision approval.
 - b. The eastern terminus of Herrick Lane shall terminate in a cul-de-sac.
- 16) The Entrance Sign Feature: The entrance sign feature to the subdivision from Nuckols Road shall be built of either brick or stone, have sod, irrigation, landscaping and lighting in accordance with a landscape plan approved by the Henrico Planning Office concurrent with final construction approval.

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: Director, Real Estate Assessment
Conditional Zoning Index