

LAND USE PLAN C-53C-04
 Single - Family Residential Three Chopt District



September 2004

Ref. 742-771-2730

0 500 Feet





COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

Virgil R. Hazelett, P.E.
County Manager

November 16, 2004

Mr. Gordon A. Brooks
BMJ, LLC
1670 Mountain Road
Glen Allen, VA 23060

Re: Conditional Rezoning Case C-53C-04

Dear Mr. Brooks:

The Board of Supervisors at its meeting on November 9, 2004, granted your request to conditionally rezone property from A-1 Agricultural District to R-2AC One Family Residence District (Conditional), Parcels 742-771-2730 and 742-771-5837, described as follows:

Commencing at a point on the west line of Shady Grove Road intersected with the north line of Twin Hickory Road extended, thence in a northerly direction along the west line of Shady Grove Road for a distance of 1213'± to the said "point of beginning"; thence N69°12'17"W for a distance of 787.68' to a point; thence N40°23'45"E for a distance of 528.71' to a point; thence S67°41'25"E for a distance of 637.34' to a point; thence S24°58'42"W for a distance of 160.38' to a point; thence S23°28'28"W for a distance of 321.62' to the said "point of beginning", containing 8.0± acres.

The Board of Supervisors accepted the following proffered conditions, dated November 9, 2004, which further regulates 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. The restrictive covenants shall contain provisions for uniform mailboxes and lamp posts, 30 year dimensional shingles and hard surface driveways (concrete, asphalt, etc.) for the new homes constructed on the Property.

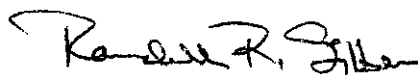
2. **Lot Widths.** No lot shall be less than Ninety (90) wide feet at the building line.
3. **Minimum House Sizes.** The minimum finished floor area of houses constructed on the Property shall be 2800 square feet.
4. **Garages.** All homes on the Property shall be constructed with a minimum two-car garage. The owner shall provide this information upon request. There will be no front load Garages.
5. **Architectural Features.**
 - A. **Building Materials.** Houses on the Property shall be constructed with brick, stone, drivit, vinyl siding, hardiplank or an equivalent, or other material approved by the Director of Planning, but not masonite siding or block. The exterior building materials on all of the houses shall be a minimum of fifty percent (50%) brick or stone. The owner shall provide this information upon request.
6. **Fireplace Chimneys.** All exterior portions of fireplace chimneys shall be enclosed by brick, brick face or stone. All fireplace chimneys, gas vents and bay windows shall be built on brick, brick face or stone foundations.
7. **Foundations.** The visible exterior portions of the building below the first floor elevation shall be finished with brick or stone. This proffer shall apply to future additions that are intended for year round use. All residences shall be built with crawl space foundations. Front porches shall be supported with a solid brick or stone foundation.
8. **Underground Utilities.** All proposed utilities except for junction boxes and meters shall be placed underground, unless technical or environmental reasons require otherwise.
9. **Stem Lot Regulation.** No stem lots shall be developed on the Property.
10. **Trees.** A minimum of two (2) trees measuring a minimum of 2.5" in caliper shall be retained or planted in the front of each new lot, and in the side yard of all corner lots.
11. **Right of Way Dedication.** The owner shall dedicate to Henrico County the right of way needed for the ultimate right of way along Shady Grove Road.
12. **Cash Proffer.** Prior to the release of a building permit, a cash proffer pursuant to the cash proffer policy adopted by Henrico County and applicable to the proposed residential development shall be paid per residential lot to mitigate the

development's impact on public facilities. The road improvements portion of the cash proffer shall be designated for the particular traffic shed in which the Property is located. Cash proffers not used for the purposes specified in this proffer and/or the policy shall be returned fifteen (15) years after receipt to the payor.

13. **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.
14. **Irrigation**. The front and side yards of all homes shall be sodded and irrigated.
15. **Planting Strip**. A thirty (30) foot planting strip shall be provided along Shady Grove Road. This planting strip shall be landscaped to the standards of the thirty-five (35) foot transitional buffer.
16. **Entrance Feature**. A landscaped entrance feature with the project identification sign shall be provided. The feature will include a monument sign constructed of brick or stone similar to others along Shady Grove Road as shown in the attached photographs (see case file).
17. **Street Improvements**. The streets in the subdivision shall be constructed of asphalt and designed with standard six (6) inch curb & gutter.
18. **Right of Way Dedication**. A fifty-foot (50') strip of land at the end of the cul-de-sac will be dedicated to Henrico County.
19. **Sidewalks**. A four-foot (4') sidewalk shall be installed along Shady Grove Road with a two-foot (2') planting strip behind the curb.
20. **Density**. No more than fourteen (14) dwellings shall be constructed in this development.

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.

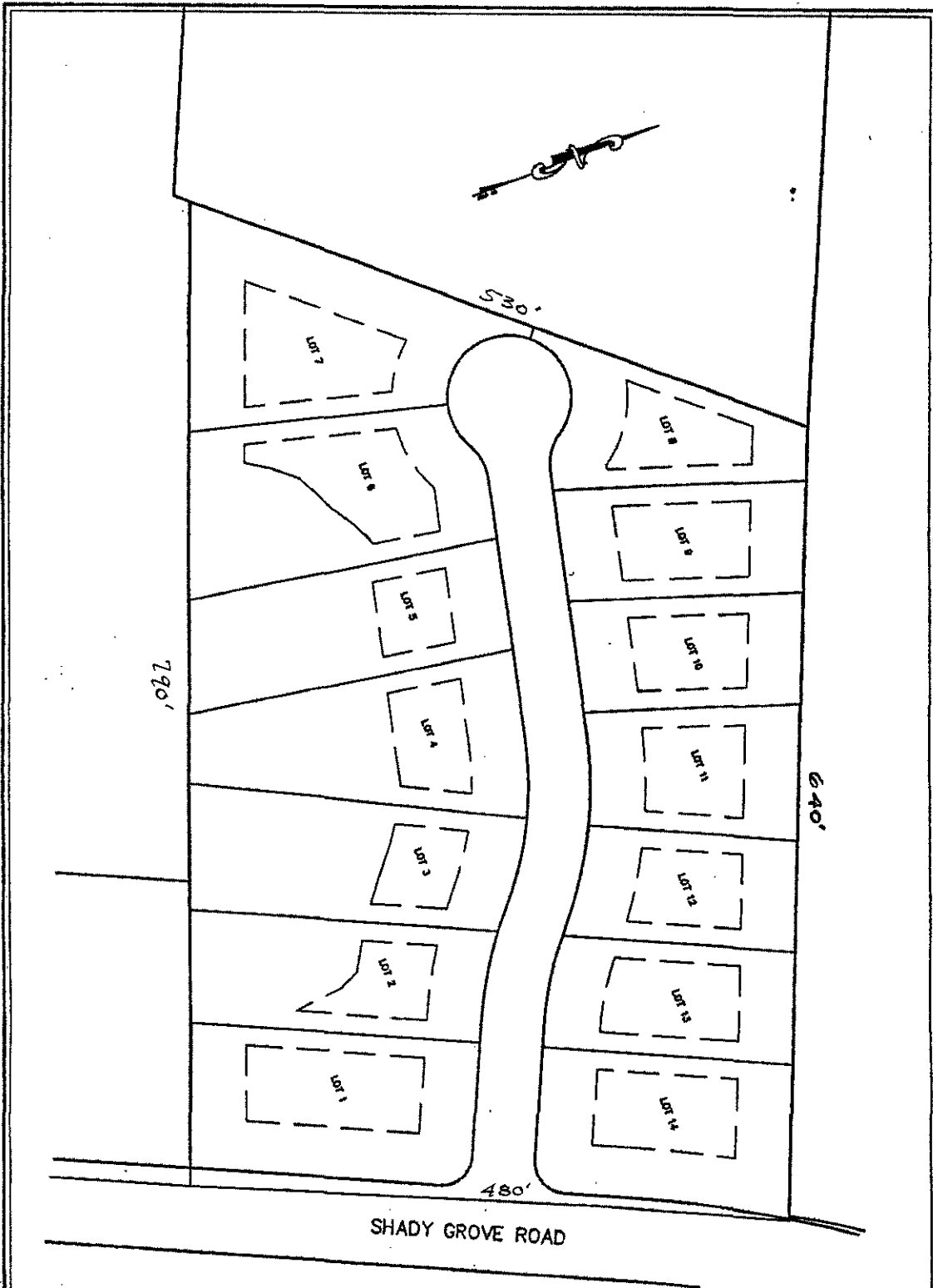
Sincerely,



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

Mr. Gordon A. Brooks
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pc: Mr. William L. Ellis
Ms. Margie E. Dawson
Ms. Anne E. Nuckols
Mr. Edward & Mrs. Jaqueline Disse, Jr.
Director, Real Estate Assessment
Conditional Zoning Index
Dr. Penny Blumenthal – Director, Research and Planning



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SCALE: 1" = 100' DATE: 8-18-04
 COMPUTED BY: GAB DRAWN BY: GAB
 CHECKED BY: 48401/SALES

C-53C-04