

A-1 to RTHC
6.981 Acres

ZONING

Town Homes for Sale

C-58C-04

Fairfield District



August 2004

Ref. 800-730-7438

0 300 Feet



COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

Virgil R. Hazelett, P.E.
County Manager

June 21, 2005

Mr. F. Robert Loftis
Loftis Real Estate & Development
8401 Mayland Drive
Suite B
Richmond, VA 23294

Re: Conditional Rezoning Case C-58C-04

Dear Mr. Loftis:

The Board of Supervisors at its meeting on June 14, 2005, granted your request to conditionally rezone property from A-1 Agricultural District to RTHC Residential Townhouse District (Conditional), on part of Parcel 800-730-7438, described as follows:

Beginning at a point on the northerly line of Elkridge Lane, approximately 678' east of Mechanicsville Turnpike (U.S. Route 360); thence along the northerly line of Elkridge Lane N53°14'35"W 277.65' to a point; thence leaving Elkridge Lane and running N34°23'15"E a distance of 823.55' to a point; thence S53°20'30"E a distance of 342.91' to a point; thence S23°54'10"W a distance of 325.45' to a point; thence S34°24'15"W a distance of 365.71' to a point; thence N50°40'40"W a distance of 125.34' to a point; thence S34°32'30"W a distance of 146.50' to the point in the northerly line of Elkridge Lane, being the point or place of beginning, containing 6.981 acres.

The Board of Supervisors accepted the following proffered conditions, dated June 1, 2005, which further regulates the above described property in addition to all applicable provisions of Chapter 24, Code of Henrico (Zoning Ordinance):

1. **Entrance Features.** Entrance features substantially similar to those shown on the Illustrative Master Plan prepared by Higgins & Gerstenmaier, dated April 5, 2005, filed herewith (the "Illustrative Master Plan") (see case file), shall be provided at the entrance to the Property from Elkridge Lane and 20th Street,

unless otherwise requested and specifically approved at the time of Plan of Development.

2. **Square Footage.** All homes located on the Property shall have a minimum of 1,350 square feet of finished floor area.
3. **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.
4. **Roads and Curb and Gutter.** Standard six inch (6") curb and gutter will be provided for the roads within the development. Prior to the issuance of the first permanent certificate of occupancy on the Property, the Owner shall provide the Planning Office with certification from a licensed engineering firm that the roadways within the development were constructed according to the approved Plan of Development and in compliance with Henrico County road design standards and specifications to include proper compaction of the sub-base soils, utility trenches, base stone and asphalt surface, but excluding road widths and turning radii.
5. **Chimneys.** No chimneys, gas vent units or bay windows shall be cantilevered. The exposed portions of all fireplaces shall be of brick 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 brick.
6. **Sidewalks.** A sidewalk shall be provided adjacent to interior roadways and shall be constructed to the current County road standards and specifications for sidewalks. A minimum of a two (2) foot wide grass strip shall be provided between the back of curb and sidewalks.
7. **Underground Utilities.** Except for junction boxes, meters, pedestals, transformers and existing overhead utility lines and for technical or environmental reasons, all utilities shall be underground.
8. **Clearing.** Where practicable, the clearing of trees shall be limited to areas necessary for dwellings, driveways, roads, utilities, entrance features, drainage, or access and use of common areas.
9. **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 any of the other proffers or the unaffected part of any such proffer.

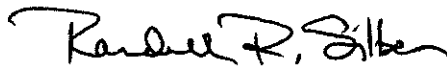
10. **Density**. There shall be no more than 37 homes developed on the Property.
11. **Illustrative Master Plan**. The Property shall be developed in substantial conformance with the Illustrative Master Plan (see case file) unless otherwise specifically requested or approved at the time of Plan of Development.
12. **Materials**. The exterior façades of all homes shall be of brick or high-grade vinyl or a combination of both. When taken together as a whole, the front elevations of all homes in the aggregate shall be comprised of twenty-five (25) percent brick. The Owner shall maintain a cumulative record of the amount of brick utilized on front elevations and provide such record to the County with each building permit submission.
13. **Garages**. A minimum of thirty-three (33%) percent of all homes shall have a minimum of a one-car garage. Any front-loaded garage shall be recessed a minimum of five (5) feet from the front of the home.
14. **Street Trees**. The neighborhood shall have a street tree landscape plan in which trees shall be planted or retained equaling at least one tree with a minimum 2.5 inch caliper within the front yard if on a corner lot of each home.
15. **Lawns**. Front yards shall be sodded and irrigated.
16. **Foundations**. The exterior portion of a building below the first floor elevation which is visible above grade shall be finished with a minimum of five (5) courses of brick and shall have faux foundation vents. Foundation plantings shall be provided on all front elevations.
17. **Type of Homes**. Homes constructed on the Property shall be single family detached condominiums.
18. **Construction Activity**. The hours of exterior construction, including operation of bulldozers and other earthmoving equipment, shall only occur between 7:00 am and 7:00 pm, Monday through Friday, and between 8:00 am and 4:00 pm on Saturday, with the exception emergencies or where unusual circumstances require extending the specific hours in order to complete work such as concrete pours or utility connections. No exterior construction shall occur on Sunday. All clearing, grading and construction contracts will contain these provisions. Signs, in both English and Spanish, stating the above-referenced provisions shall be posted and maintained at all entrances to the Property prior to any land disturbance activities thereon.

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19. **Conceptual Elevations.** Homes to be constructed on the Property shall be generally consistent with the style and quality of the elevations filed herewith unless otherwise requested and specifically approved at the time of Plan of Development. Each façade shall contain at least two (2) windows.

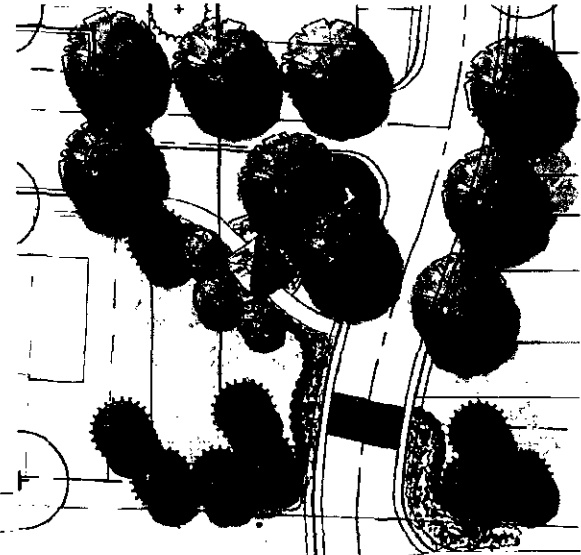
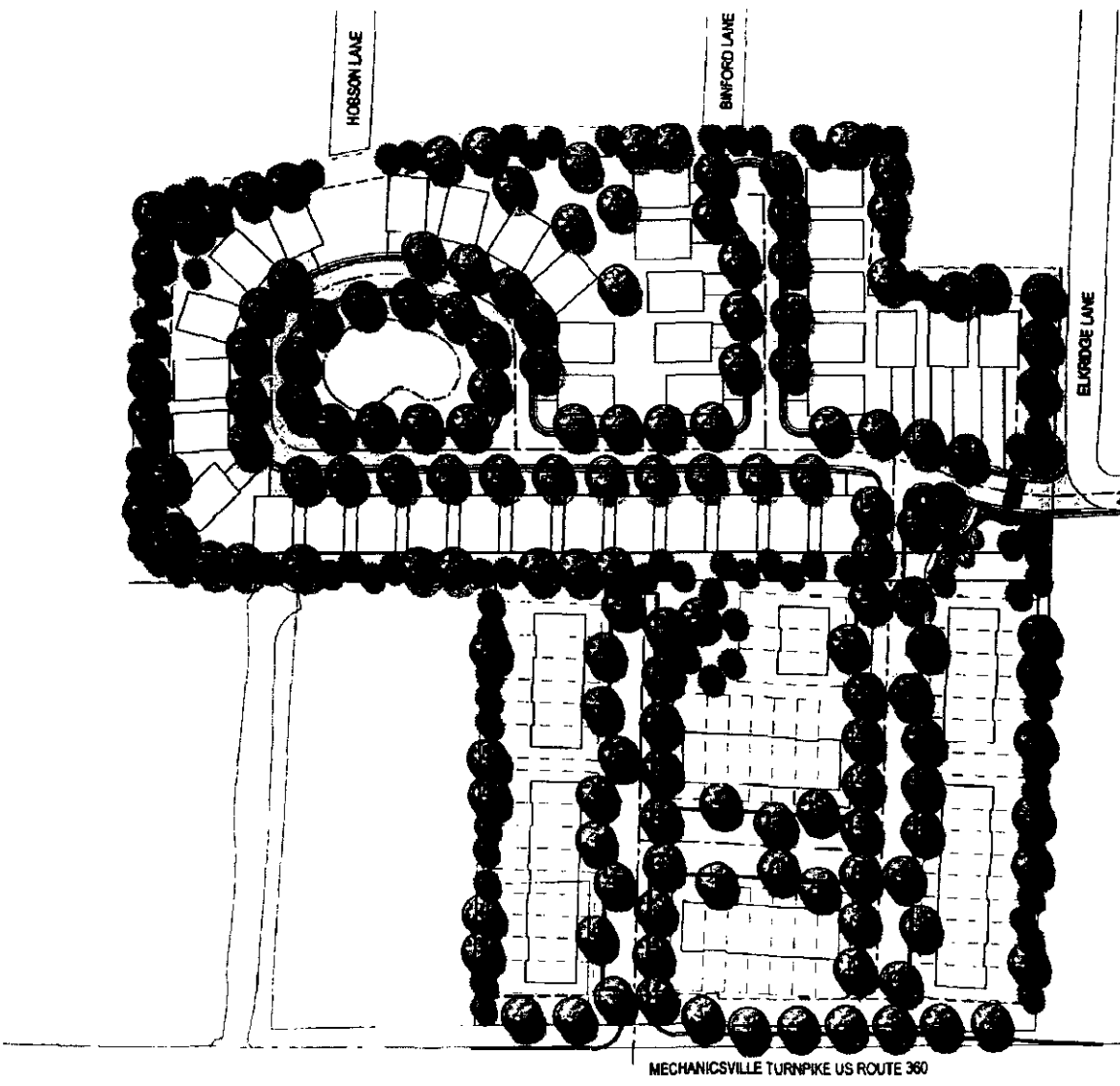
The Planning Department has been advised of the action of the Board of Supervisors and will revise its records and place a copy of the accepted proffered conditions in the Conditional Zoning Index.

Sincerely,

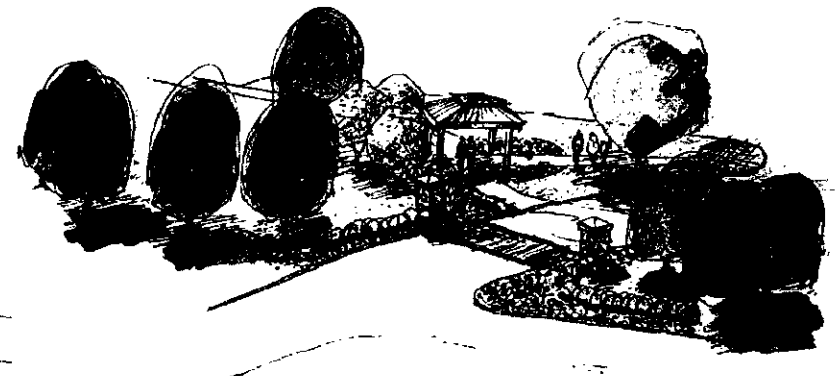


for Virgil R. Hazelett, P.E.
County Manager

pc: Ms. JoAnn Turner
Ms. Victoria Little
Director, Real Estate Assessment
Conditional Zoning Index
Dr. Penny Blumenthal – Director, Research and Planning



➔
ENTRANCE PLAN BLOWUP



Site Plan prepared by
HIGGINS & GERSTENMAIER
 LANDSCAPE ARCHITECTS
 1015 11th St.
 N. W. Cor.


OSTHEIMER PROPERTY
 ILLUSTRATIVE MASTER PLAN
 APRIL 5, 2005

C-58C-04

ATTACHMENT A



Attachment B



ELEMENT B