

A-1 to R-3C
12.373 Ac.

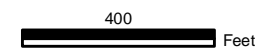
ZONING

Residential

Ref. 777-764-6922

C-7C-05

Three Chopt District





COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

Virgil R. Hazelett, P.E.
County Manager

September 20, 2005

Fidelity Properties, Ltd.
P. O. Box 423
Mechanicsville, VA 23111

Re: Conditional Rezoning Case C-7C-05

Dear Sir:

The Board of Supervisors at its meeting on September 13, 2005, granted your request to conditionally rezone property from A-1 Agricultural District to R-3C One Family Residence District (Conditional), Parcels 745-764-1645, 745-764-2159, 745-764-1031, 745-764-6608, 745-764-7122, 745-764-7834, described as follows:

Parcels A Rezone from A-1 to R-3C

Beginning at a point on the east line of Belfast Road, having a coordinate value N=3764365.03 and E=11744803.91 of the Henrico County GPS Monumentation and control project of June 2000; thence continuing along the east line of Belfast Road N23°41'47"E, a distance of 400.22' to a point; thence along a curve to the right with a delta of 89°58'28", a radius of 50', and a length of 78.52' to a point on the south line of Dublin Road; thence leaving the east line of Belfast Road and continuing along the south line of Dublin Road S66°19'45"E, a distance of 550.03' to a point; thence leaving the south line of Dublin Road S23°41'47"W, a distance of 450' to a point; thence N66°20'51"W, a distance of 600.01' to the point and place of beginning, containing 6.187 acres.

Parcel B Rezone from A-1 to R-3C

Beginning at a point on the west line of Glasgow Road having a coordinate value N=3763883.42 and E=11745903.05 of the Henrico County GPS Monumentation and control project of June 2000; thence leaving the west line of Glasgow Road N66°19'45"W, a distance of 600.01' to a point; thence N23°41'47"E, a distance of 450' to a point on the south line of Dublin Road; thence continuing along the south line of Dublin Road S66°19'45"E, a distance of 549.99' to a point; thence along a curve to the right with a delta of 90°01'32", a radius of 50' and a length of 78.56' to a point on the west line of Glasgow Road; thence leaving the south line of Dublin Road and continuing along the west line of Glasgow Road S23°41'47"W, a distance of 399.98' to the point and place of beginning, containing 6.186 acres.

The Board of Supervisors accepted the following proffered conditions, dated September 12, 2005, which further regulates the above described property in addition to all applicable provisions of Chapter 24, Code of Henrico (Zoning Ordinance):

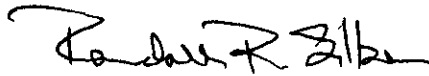
1. **Underground Utilities.** All proposed utilities except for junction boxes and meters shall be placed underground, unless technical or environmental reasons require otherwise. Junction boxes, meters, pedestals and transformers shall be screened with opaque vegetation or screening materials.
2. **Phased Development.** There shall be no building permit applications to allow construction before July 1, 2007.
3. **Streets.** All new streets on the Property shall be constructed of asphalt and designed with standard six (6) inch curb and gutter. The south side of Dublin Street where adjacent to the Property, the east side of Belfast Street where adjacent to the Property and the west side of Glasgow Road where adjacent to the Property shall be improved with standard six (6) inch curb and gutter.
4. **Streetlights.** Streetlights a maximum of twelve (12) feet in height and of a uniform style shall be provided along both sides of the new streets, along the south side of Dublin Street where adjacent to the Property, the east side of Belfast Street where adjacent to the Property and the west side of Glasgow Road where adjacent to the Property.
5. **Sidewalks.** Sidewalks a minimum of four (4) feet in width shall be provided on both sides of the new streets, along the south side of Dublin Street where adjacent to the Property, the east side of Belfast Street where adjacent to the Property and the west side of Glasgow Road where adjacent to the Property. A grass strip a minimum of two (2) feet in width shall be provided between the back of curb and the sidewalk.
6. **Foundations.** All houses shall be constructed on crawl space foundations, except for garages and basements. The exterior portion of the foundations below the first floor level which is visible above grade shall be finished with brick or stone. This proffer shall not apply to direct vent gas fireplaces or appliances. There shall be no cantilevered chimneys, direct vent gas fireplaces, closets or bay windows.
7. **Driveways.** All driveways shall be constructed of either cobblestone, brick, asphalt, pre-cast pavers, concrete or other similar materials approved by the Director Planning.

8. **Building Materials.** All buildings shall be constructed with brick, stone, EIFS, hardiplank, or an equivalent, vinyl siding or other material approved by the Director of Planning.
9. **Landscaping.** A minimum of two (2) trees measuring a minimum of 2.5" in caliper shall be retained or planted in the front yard of each residential lot, plus a minimum of two (2) trees of the same caliper shall be retained or planted in the side yard adjacent to the street if the residential lot is a corner lot. One of the trees shall be a street tree located within ten (10) feet of the back of the curb of the front yard of each residential lot and, if the residential lot is a corner lot in the side yard also. Each house and building shall have prototypical plantings (shrubs and/or ornamental ground cover) along the front foundation. The front and side yards shall be irrigated and planted with sod except where mulching or landscaping may occur.
10. **Recreational Vehicles.** No recreational vehicles, campers, trailers or boats shall be parked or stored on the Property, unless within enclosed garages.
11. **Density.** The development shall not exceed 2.2 dwelling units per acre on the properties defined in this case and Rezoning Cases C-9C-04, C-11C-04, C-3C-03, C-53C-03, C-74C-02, C-2C-01, C-4C-01 and C-77C-99 in the aggregate. The density calculations shall be provided at the time of each subdivision.
12. **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 substantially in accord with the Restrictive Covenants recorded in Book 3920, Page 1974 in the Clerk's Office of the Circuit Court of Henrico County, Virginia.
13. **Minimum House Size.** Any house constructed on the Property shall have a minimum of 2,200 square feet of finished floor area.
14. **Brick or Stone Fronts.** A minimum of fifty percent (50%) of the houses on the Property shall have brick or stone fronts or an equivalent amount of brick or stone used on houses as approved by the Director of Planning, exclusive of architectural features. A minimum of twenty percent (20%) of the homes shall be constructed of brick or stone, exclusive of architectural features. All homes on corner lots shall be constructed of brick or stone, exclusive of architectural features.

15. **Lot Size.** The lots shall be a minimum of eighty-five (85) feet in width.
16. **Garages.** Each house on the Property shall be constructed with a two (2) car garage, except for houses originally used as a model home. A minimum of fifty percent (50%) of the garages shall have a side or rear entry. Front loading garages shall be recessed beyond the front line of the dwelling, a minimum of five (5) feet.
17. **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.

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: Mr. and Mrs. James Oglethorpe
Ms. Joan Trent
Mr. George F. Coleman, Jr.
Ms. Ruth F. Duncan
Ms. Dorothy M. Mayo
Ms. Gloria Freye, Esquire
Director, Real Estate Assessment
Conditional Zoning Index
Dr. Penny Blumenthal, Director, Research and Planning



**YOUNGBLOOD, TYLER
& ASSOCIATES, P.C.**
 CONSULTING ENGINEERS, PLANNERS & SURVEYORS
 7209 MANOR GREEN DRIVE, P.O. BOX 317, MECHANICSVILLE, VIRGINIA 23111
 PHONE: (804) 744-5385 FAX: (804) 730-7824 EMAIL: YOUNGBLOOD-TYLER@YOUNGBLOOD-TYLER.COM

**DUNCAN PARK
AT GREENBROOKE**
 HENRICO COUNTY, VIRGINIA

SITE PLAN

DATE: AUGUST 8, 2005

NO.	DATE	REVISIONS

DESIGNED BY: WLT
 DRAWN BY: BDF
 CHECKED BY: WLT

J. N.
 CAD FILE: DUNCANPARK.LT3

KEVIN M. CRAND
 224-175-0551
 03/2002 PC 454
 107-27

SHEET 1 OF 1