



C-27C-07
Zoning
 Single-Family Residential
 Varina District

400 Feet

PS April 2007 Ref. 807-702-3149



COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

Virgil R. Hazelett, P.E.
County Manager

July 17, 2007

WWLP Development, LLC
Attention: Alvin S. Mistr, Jr.
1670 Mountain Road
Glen Allen, VA 23060

Re: Conditional Rezoning Case C-27C-07

Dear Mr. Mistr:

The Board of Supervisors at its meeting on July 10, 2007, granted your request to conditionally rezone from A-1 Agricultural District to R-2AC One Family Residence District (Conditional), Parcel 807-702-3149, described as follows:

Commencing at the intersection of the east line of Alyssalane Drive and the north line of Midview Road; thence along the north line of Midview Road in an easterly direction for a distance of 1153.75' to a point being the place and point of beginning (P.O.B.); thence leaving the north line of Midview Road N 15°33'03" W, for a distance of 307.00' to a point; thence N 23°57'03" W, for a distance of 39.83' to a point; thence N 76°39'27" E, for a distance of 473.09' to a point; thence S 13°20'33" E, for a distance of 345.92' to a point on the north line of Midview Road; thence along the north line of Midview Road S 76°39'27" W, for a distance of 453.93' to the place and point of beginning (P.O.B.). Said parcel contains 3.660 acres and is County of Henrico, Virginia, Parcel ID: 807-702-3149.

The Board of Supervisors accepted the following proffered conditions, dated July 5, 2007, which further regulate 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 lampposts for the new homes constructed on the Property.
2. **Minimum House Sizes.** All dwellings shall have a minimum finished floor area of 1950 square feet. No more than 25% of the dwellings shall have less than 2000 square feet of finished floor area.
3. **Garages.** All houses shall have a minimum two-car garage. Garage doors for front-loaded garages will be installed with windows, decorative cutouts, or other architectural features to avoid the appearance of a blank door. Garages will have a minimum interior clear space of 18' by 18' to accommodate two vehicles with open doors.
4. **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. At least 40% of the houses on the Property shall have a minimum of 30% brick or stone fronts, or accents. The houses will be similar in design to those in Oakland Chase as described in case C-64C-02. Vinyl siding shall have a minimum thickness of 0.044 mils.
 - B. **Spacing.** No homes with similar elevations will occur side by side.
5. **Fireplace Chimneys and Cantilevered Windows.** All exterior portions of fireplace chimneys shall be enclosed by brick, brick face, or stone. All fireplace chimneys and gas vents shall be built on brick, brick face or stone foundations. No chimneys or gas vent units shall be cantilevered. This proffer shall not apply to direct vent gas fireplaces or appliances. Cantilevered bay windows and closets will be prohibited.
6. **Foundations.** The visible portions of the residence foundations below the first floor elevation shall be constructed of brick or stone. This proffer shall apply to future additions that are constructed for year round use. All residences shall be built with crawl space foundations, with the exception of dwellings built with

- basements. Front porches shall be supported with a solid brick or stone foundation, or brick or stone piers.
7. **Underground Utilities.** All proposed utilities except for junction boxes and meters shall be placed underground, unless technical or environmental reasons require otherwise.
 8. **Right of Way Dedication.** The owner shall dedicate to Henrico County the right of way needed for the ultimate right of way for Midview Road. This dedication shall not exceed twenty (20) feet. Should the dedicated property not be used for the widening of Midview Road within 20 years of the date of the dedication, the property will revert to the ownership of the adjoining property owners along Midview Road.
 9. **Landscape Plan.** An overall Landscape Plan for the area along Midview Road shall be submitted for review and approval by the Director of Planning, prior to approval of the Final Subdivision construction plans.
 12. **Street Improvements.** The streets in the subdivision shall be constructed of asphalt and designed with roll top (36-inch) curb & gutter.
 13. **Density.** No more than six (6) new dwellings shall be constructed on the property.
 14. **Construction.** All houses in the subdivision shall be custom built on-site.
 15. **Wet Pond BMP.** Any wet pond BMP will be aerated.
 16. **Driveways.** All driveways shall be hard surface throughout the subdivision, with the minimum surface being paved asphalt, concrete, or exposed aggregate.
 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.
 18. **Existing Dwelling.** The existing dwelling will not be bound by proffers concerning architectural requirements, size, driveways, or garages. The existing dwelling shall not be counted toward the total number of lots allowed.
 19. **Midview Road Improvements.** The owner shall escrow funds to widen Midview Road to its ultimate right-of-way.
 20. **Entrance Feature.** One (1) entrance sign will be placed at the entrance to Midview Road. The entrance sign will be included in the Landscape Plan for approval by the Director of Planning. The entrance feature will only be provided if the cul-de-sac is constructed.

21. **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 along the sides of any lot that is a corner lot.
22. **Midview Road** All dwellings located adjacent to Midview Road shall be oriented to face Midview Road. Any lot adjacent to a cul-de-sac within the subdivision shall have access from that cul-de-sac. No direct access to Midview Road from such lots shall be provided.

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,



Virgil R. Hazelett, P.E.
County Manager

pc: Lisa A. Weymouth
Dr. Penny G. Blumenthal, Dir., Research & Planning, Henrico County Schools
Director, Real Estate Assessment
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