May 20, 2008

Elderhomes Corporation
C/O Marion Cake
88 Carnation Street
Richmond, VA 23225

Re: Conditional Rezoning Case C-14C-08

Dear Mr. Cake:

The Board of Supervisors at its meeting on May 13, 2008, granted your request to conditionally rezone from B-2 Business District to R-3C One-Family Residence District (Conditional), Parcel 814-725-2886, described as follows:

To find the place and point of beginning commence at the pipe located at the western line of Bayard Road and the southeastern corner of Lot 3, Block A, Thacker Place; thence N 74°39' W 150 feet to a pipe which is the place and point of beginning; thence S 15°21' W a distance of 100 feet to a point; thence N 74°39' W a distance of 12.75 feet to a point; thence N 8°13' W a distance of 139.75 feet to a point; thence S 73°46' W a distance of 125 feet to a point; thence N 0°44' W for a distance of 13 feet to a point; thence S 73°46' W a distance of 66 feet to a point; thence N 3°09' W a distance of 346.5 feet to a point; thence S 74°39' E a distance of 337.5 feet to a point; thence S 15°21' W a distance of 250 feet to the place and point of beginning. The described thus containing 1.94 acres.

The Board of Supervisors accepted the following proffered conditions, dated May 8, 2008, which further regulate the above described property in addition to all applicable provisions of Chapter 24, Code of Henrico (Zoning Ordinance):

1. Density: No more than four (4) units shall be developed on the site.

2. Minimum Dwelling Size: The minimum finished floor area of any dwelling shall be 1,150 square feet.

3. Brick Foundation: Any dwelling constructed on the property shall have a brick-faced foundation on all sides of the dwelling.
4. Crawl Space: All dwellings on the property shall be constructed on crawl space foundations. This shall also apply to any future additions for year-round use.

5. A 10' wide buffer of trees and a 6' high, vinyl privacy fence shall line the south, west, and north sides of the property and shall tie into the existing fence at the rear of the apartment complex as shown on Exhibit B (see case file), dated 4/8/08.

6. Exterior Materials: The exterior of the dwellings shall be constructed of brick, brick veneer, and vinyl. All porch piers shall be brick.

7. Appearance: The architectural appearance of the dwellings shall be generally consistent with the buildings depicted by Exhibit A (see case file) unless otherwise requested and approved by the Director of Planning.

8. Cantilevers: No windows, closets, chimneys or gas vents shall be cantilevered. This proffer shall not apply to direct vent appliances.

9. Driveways: All driveways shall be constructed of exposed aggregate, concrete, brick, stone, asphalt or pre-cast pavers.

10. Construction Hours: The hours of exterior construction, including operation of bulldozers and other earthmoving equipment, shall be between 7:00 a.m. and 7:00 p.m., Monday through Friday, and 9:00 a.m. through 6:00 p.m. on Saturday, except in emergencies or where unusual circumstances require extending the specific hours in order to complete work such as concrete pours or utility connections. Exceptions shall require the Director of Planning's approval.

11. The proposed development shall be constructed in general conformance to the conceptual plan labeled Exhibit B (see case file), dated 4/8/08, unless otherwise requested and approved by the Planning Commission at the time of subdivision review.

12. Underground Utilities: All utilities on the proposed residential lots except for junction boxes, meters, and existing overhead utility lines or for technical or environmental reasons shall be installed underground.

13. A landscaping and lighting plan shall be provided for Planning Commission approval during the time of subdivision review. The plan shall contain elements consistent with CPTED concepts to minimize trespassing on the property.

14. Ownership: All dwelling units shall be marketed as owner-occupied homes.
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,

[Signature]

Virgil R. Hazelett, P.E.
County Manager

pc: Charles I. Thacker, Jr.
C.M. Thacker
Dr. Martha G. Blumenthal, Dir., Research & Planning, Henrico County Schools
Director, Real Estate Assessment
Conditional Zoning Index
Chuck Road
Rear Elevation
Elderhomes Corporation