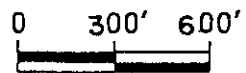


COUNTY OF HENRICO PLANNING OFFICE

SINGLE FAMILY RESID.

C-23C-89

19-A2-18
VARINA DISTRICT



®

APP.

JAS



COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

W.F. LaVECCHIA, P.E., AICP
County Manager

April 18, 1989

Re: Conditional Rezoning Case C-23C-89

First Henrico Corp.
4796 Finlay Street
Richmond, Virginia 23231

Gentlemen:

The Board of Supervisors at its meeting on April 12, granted your request to conditionally rezone from A-1 Agricultural and B-1 Business to R-2C and R-3C One Family Residence Districts (Conditional) property, described as follows:

Part of Parcel 19-A2-18 - Parcel A:

Beginning at a point on the western right-of-way line of New Market Road (State Route 5) approximately 150' from its intersection with Messer Road which point is also the intersection of the northern and eastern boundary lines of Tax Parcel 27-A1-44 now or formerly owned by Alvis; thence in a southwesterly direction S. $53^{\circ} 13' 42''$ W., 450.38' to a rod found; thence S. $43^{\circ} 44' 33''$ E., 152.25' to a pipe found; thence S. $53^{\circ} 16' 48''$ W., 164.5' +- to the centerline of a creek; thence in a generally northerly direction following the centerline of the creek as it meanders for 1,406' +- to a point; thence leaving the centerline of the creek N. $55^{\circ} 59' 21''$ E., 437.00' +- to a rod found on the western right-of-way line of New Market Road; thence along a curve to the left having a radius of 1,945.00', 286.39' to a point; thence S. $28^{\circ} 51' 00''$ E., 130.32' to a point; thence along a curve to the left having a radius of 700.00', 287.94' to a point; thence S. $43^{\circ} 39' 00''$ E., 397.03' to the point of beginning, containing 15.27 acres.

Part of Parcel 19-A2-18 - Parcel B:

Beginning at a point on the western right-of-way line of New Market Road (State Route 5) approximately 150' from its intersection with Messer Road which point is also the intersection of the northern and eastern boundary lines of Tax Parcel 27-A1-44 now or formerly owned by Alvis; thence in a southwesterly direction S. $53^{\circ} 13' 42''$ W., 450.38' to a rod found; thence S. $43^{\circ} 44' 33''$ E., 152.25' to a pipe found; thence S. $53^{\circ} 16' 48''$ W., 164.5' +- to the centerline of a creek, which point is the true point of beginning; thence from the point of beginning S. $53^{\circ} 16' 48''$ W., 312.5' +- to a stone found; thence S. $53^{\circ} 15' 20''$ W., 906.13' to a stone found; thence S. $53^{\circ} 03' 45''$ W., 508.50' to a rod found; thence S. $57^{\circ} 03' 14''$ W., 629.06' to a rod found; thence S. $56^{\circ} 27' 10''$ W., 308.20' to a rod found; thence N. $26^{\circ} 48' 45''$ W., 69.39' to a point; thence N. $53^{\circ} 00' 00''$ W., 240.00' to a point; thence N. $22^{\circ} 15' 24''$ W., 197.22' to a point; thence N. $13^{\circ} 08' 05''$ W., 309.96' to a rod found; thence S. $59^{\circ} 43' 54''$ W., 420.15' to a rod found; thence S. $69^{\circ} 48' 23''$ W., 280.89' to a point on the eastern right-of-way line of Osborne Turnpike; thence along the eastern right-of-way line of Osborne Turnpike N. $09^{\circ} 58' 06''$ W., 22.57' to a point; thence leaving Osborne Turnpike N. $70^{\circ} 49' 58''$ E., 207.26' to a point; thence N. $09^{\circ} 58' 06''$ W., 252.19' to a concrete monument; thence N. $83^{\circ} 57' 40''$ W., 30.00' to a point; thence N. $23^{\circ} 52' 12''$ E., 485.86' to a rock found; thence N. $06^{\circ} 54' 09''$ E., 635.76' to a pipe found; thence N. $72^{\circ} 49' 43''$ E., 196.00' to a point; thence N. $60^{\circ} 49' 43''$ E., 40.00' to a point; thence N. $48^{\circ} 11' 47''$ E., 158.49' to a


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point; thence N. 58° 43' 37" E., 156.72' to a point; thence N. 60° 48' 28" E., 293.39' to a point; thence N. 61° 48' 15" E., 416.98' to a point; thence N. 52° 33' 09" E., 193.45' to a point; thence N. 55° 37' 26" E., 311.97' to a point; thence N. 58° 40' 45" E., 344.86' to a point; thence S. 35° 05' 30" E., 22.53' to a pine stump; thence N. 68° 57' 15" E., 46.87' to a rod found; thence S. 17° 34' 26" E., 185.28' to a rod found; thence S. 27° 21' 59" E., 170.90' to a rod found; thence S. 31° 47' 05" E., 170.85' to a rod found; thence S. 55° 59' 21" W., 162.75' +- to the centerline of a creek; thence along the centerline of the creek as it meanders a distance of 1406' +- to the point of beginning, containing 114.29 acres.

The Board of Supervisors accepted the attached eleven proffered conditions which further regulate the above described property in addition to all applicable provisions of Chapter 22, Code of Henrico (Zoning Ordinance).

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 W. F. LaVecchia, P.E., A.I.C.P.,
County Manager

Attachments:

cc: Clerk, Board of Supervisors
Supervisor, Real Estate Assessment
✓ Conditional Zoning Index
✓ Jay M. Weinberg, Esquire



COUNTY OF HENRICO, VIRGINIA

C-23C-89

PROFFERS FOR CONDITIONAL REZONING

ORIGINAL

AMENDED
AND RESTATED

Pursuant to section 22-121(b) of the County Code, the owner or duly authorized agent hereby voluntarily proffers the following conditions which shall be applicable to the property, if rezoned:

FIRST HENRICO CORP.

By [Signature]
Signature of Owner or Applicant*

Attorney-in-Fact

March 23, 1989
Date

* If Applicant is other than Owner, Form POF-004-3/87, Special Limited Power of Attorney must be submitted with this application.

1. Architecture. All dwellings constructed on lots adjoining New Market Road shall be of colonial architectural design.

2. Foundations. The visible exterior portions of the foundations of any dwellings constructed on the Property, after the date hereof, shall be of brick or stone.

3. Public Utilities. All dwellings constructed on the Property shall be served by public water and public sewer.

4. Phasing Plan. Certificates of Occupancy shall not be granted for more than one hundred fifty (150) dwellings on the Property per year, on a cumulative basis, from the date of final action by the Board of Supervisors, except as provided in the next sentence. Certificates of Occupancy for up to two hundred (200) dwelling units per year shall be available during a given year to the extent that in prior years Certificates of Occupancy have been issued for fewer than one hundred fifty (150) residential units per year.

5. Flood Plain. Notwithstanding the uses permitted and regulated by the zoning of the Property, such portion(s) of the Property which lie within a one hundred (100) year flood plain as determined by definitive engineering studies approved by the Department of Public Works; and/or such portion(s) of the Property which may be inundated by waters impounded to a maximum elevation determined in a controlled, regulated manner by a structure or structures approved by the Department of Public Works, may only be used for the following purposes:

(a) Storm water management and/or detention areas.

(b) Ponds, lakes and similar areas intended as aesthetic and/or recreational amenities and/or wildlife habitats.

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ACCEPTED BY THE
BOARD OF SUPERVISORS APRIL 12, 1989
PLANNING OFFICE

(c) Such additional uses to the uses identified in (a) and (b) above as may be deemed compatible and of the same general character by the Planning Administrator (Director of Planning) pursuant to Chapters 19 and 22 of the County Code (the "Zoning Ordinance").

(d) Access drives and walkways installed in a manner to minimize their impacts.

The location and limits of such portion(s) of said Property shall be established by approved Subdivision Plan(s).

6. Minimum Floor Area. The minimum finished floor area of dwellings constructed on the Property shall be 1,800 square feet, except that a maximum of one-third (1/3) of the total floor area may be contained in unfinished rooms capable of being made livable floor area.

7. Protective Covenants. Prior to or concurrent with the recordation of a subdivision plat approved by the County of Henrico and before the conveyance of any of the property covered by said subdivision plat (other than for the dedication of easements, roads or utilities), there shall be recorded in the Clerk's Office of the Circuit Court of Henrico County a document setting forth controls on the development, landscaping and maintenance of the Property, including but not limited to the formation of an Architectural Control Committee which shall consist of not less than three (3) nor more than five (5) persons, *one of whom shall live within one (1) mile of the Property.*

8. Underground Utilities. All electrical and telephone utility service lines to the lots within the Property shall, to the extent reasonably available and practicable, be installed underground.

9. Green Belt. A green belt for landscaping, natural open areas and scenic vistas will be provided, at a minimum of forty (40) feet in width, adjacent to the right-of-way line of New Market Road, except to the extent necessary for utilities easements, entrance gates and signage, roads, sidewalks, driveways and other purposes specifically permitted or required by the Planning Commission at the time of subdivision approval or by any other governmental body.

10. Lamppost. No freestanding lamppost or light poles shall exceed ten (10) feet in height unless the light therefrom is from a concealed source.

11. Prefabricated Homes. There shall be no prefabricated homes on the Property.

12. Severance. The unenforceability, illegality, 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.

NOT
ACCEPTED
BY
PLANNING
COMMISSION

3-28-69

P202

C-23C-69
ACCEPTED BY THE BOARD OF
SUPERVISORS - APRIL 12, 1969