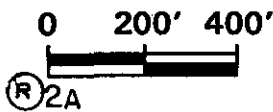


90-BI-7, 8,49 & 50

SINGLE FAMILY RESID.

BROOKLAND DISTRICT

C-28C-93



HENRICO COUNTY PLANNING OFFICE

12

COUNTY OF HENRICO

December 14, 1993



Virgil R. Hazelett, P.E.
County Manager

Re: Conditional Rezoning Case C-28C-93

Mr. Robert M. Atack
Atack Properties, Inc.
P. O. Box 32007
Richmond, Virginia 23294

Dear Mr. Atack:

The Board of Supervisors at its meeting on December 8, granted your request to conditionally rezone property from A-1 Agricultural to R-2C One Family Residence District (Conditional), Parcels 90-B2-7, 8 and 90-B1-50 and Part of Parcel 90-B1-49, described as follows:

Beginning at a point on the southern line of Mountain Road 425.68' west of the western line extended of Courtney Road; from said point of beginning and continuing along the southern line of Mountain Road in an easterly direction along a curve to the left having a radius of 1053.34', 69.51' to a point; thence S. 66° 57' 11" E., 325.85' to a point; thence leaving the southern line of Mountain Road S. 15° 16' 32" W., 42.79' to a point on the western line of Courtney Road; thence continuing along the western line of Courtney Road; S., 29° 29' 03" W., 235.77' to a point; thence S. 65° 02' 47" E., 16.53' to a point; thence S. 29° 06' 30" W., 623.86' to a point; thence leaving the western line of Courtney Road N. 59° 04' 30" W., 439.57' to a point; thence N. 29° 43' 52" E., 437.30' to a point; thence N. 66° 03' 00" W., 10.47' to a point; thence N. 30° 05' 10" E., 399.34' to the point and place of beginning, containing 8.599 acres.

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

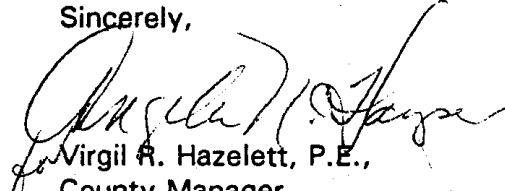
1. All homes shall have a minimum floor area of 2000 square feet of which 80% must be finished.
2. No homes will rear on Courtney Road.
3. All lots shall be served by public water and sewer service.
4. Exposed portions of the foundation of any dwelling constructed on the property shall be of brick.
5. A ten foot nonbuildable buffer area comprised of open space shall be provided along the lots siding to Courtney Road and the lots siding or backing to the existing Virginia Power easement. Landscaping may be included in this buffer at the option of the developer or property owner.
6. All dwellings shall be constructed with a crawl space beneath the first floor except as specifically excluded as follows:
 - a. Dwelling may be constructed over a basement.
 - b. Attached garage may have a concrete slab on grade floor system.
 - c. Dwelling may contain accessory first floor room such as utility room.

Mr. Robert M. Atack
Atack Properties, Inc.
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December 14, 1993

7. Development shall contain no more than 21 homes including the 2 existing dwellings.
8. Developer will dedicate to County of Henrico appropriate amount of property under his ownership for right of way as requirement for widening of Courtney and Mountain Roads as determined at time of final subdivision approval. Right-of-way will be dedicated with recording of subdivision plat.
9. Curb and gutter will be used on all new streets within the subdivision.
10. Asphalt will be used on all streets within the subdivision.
11. No fence shall be located closer than ten feet to Courtney and Mountain Roads' rights-of-way. Rights-of-way will be determined at time of subdivision approval.
12. All homes with wood burning fireplaces shall have brick chimneys. All gas vented fireplaces shall have brick bases similar to the foundation.
13. No more than two (2) homes will have direct access to Courtney Road.
14. Existing residential dwellings (2) are exempt from the above proffers.
15. All lots will contain a minimum of 18,000 square feet.

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,



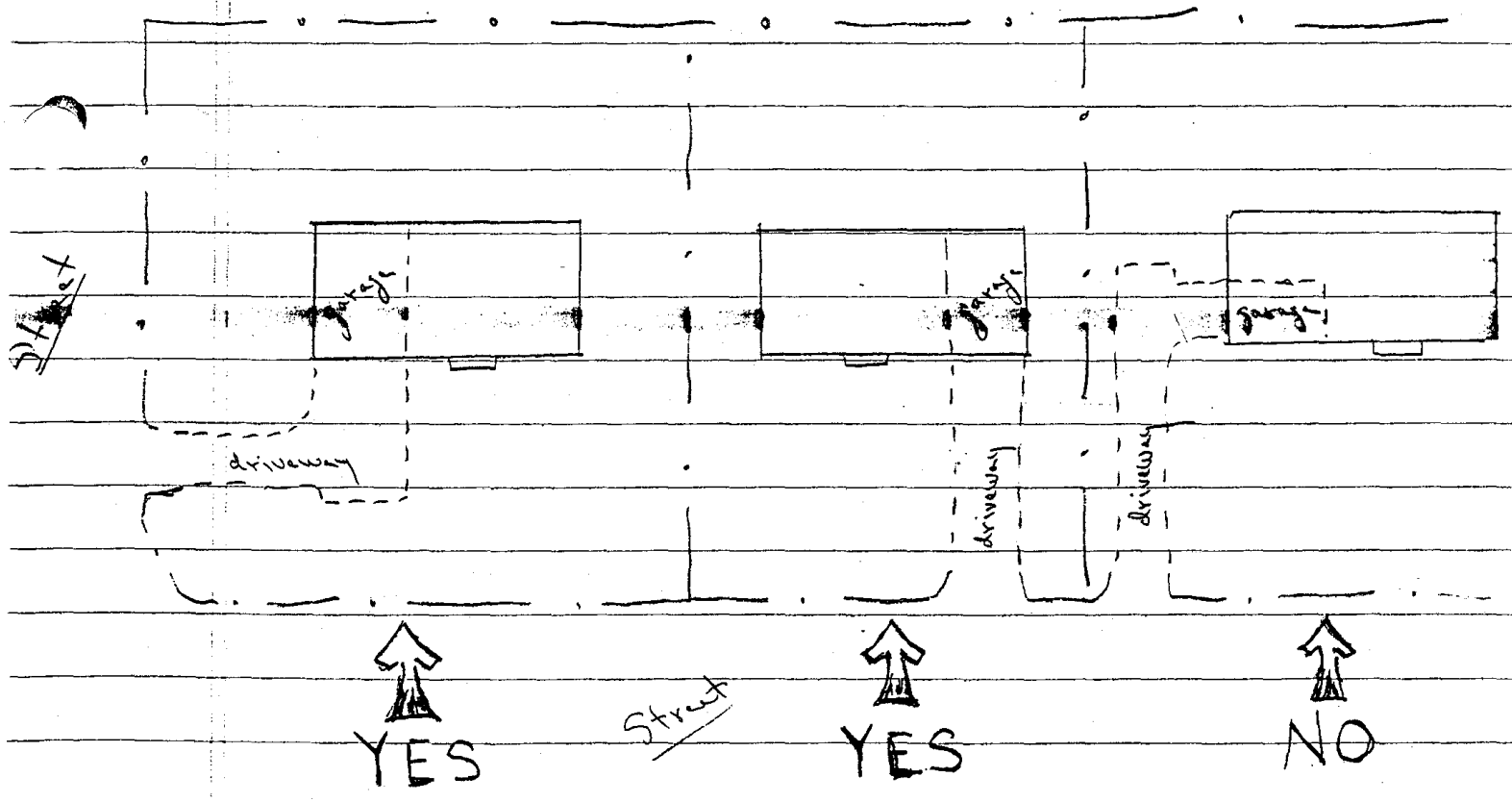
Virgil R. Hazelett, P.E.,
County Manager

cc: Clerk, Board of Supervisors
Director, Real Estate Assessment
Conditional Zoning Index
Mr. F. Wayne Barlow
Mr. W. S. Barlow, Jr.
Mr. & Mrs. Michael S. Colley
Mr. & Mrs. Joseph B. Colley

Interpretation of Proffer #22

22. "Gravel driveways shall be constructed from the street to the edge of the rear of each home to be constructed in the subdivision."

This proffer can be complied with, if a gravel driveway extends into a garage, which in turn extends to the rear of the house. Examples are shown below:



Randy Silber
12-20-93