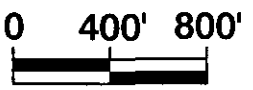


**O/SC, M-1C, R-2C & A-1C to R-1AC
176.50 Acres**

SINGLE - FAMILY RESIDENTIAL

C-12C-99



**VARIOUS PARCELS
BROOKLAND DISTRICT
HENRICO COUNTY PLANNING OFFICE**



COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

April 9, 1999

Virgil R. Hazelett, P.E.
County Manager

Re: **Conditional Rezoning Case C-12C-99**

Mr. Robert M. Atack
4435 Waterfront Dr., Suite 406
Glen Allen, VA 23060

Dear Mr. Atack:

This is a revision of our letter to you dated March 16, 1999.

The Board of Supervisors at its meeting on March 9, 1999, granted your request to conditionally rezone from A-1C Agricultural District (Conditional), O/SC Office/Service District (Conditional), M-1C Light Industrial District (Conditional) and R-2C One Family Residence District (Conditional) to R-1AC One Family Residence District (Conditional), Parcels 13-A-25, 26 and 33, 14-A-60B and 61, 22-A-1, 2, 10 and 11B and part of Parcels 13-A-31A and 32A, described as follows:

Beginning at a point on the west line of CSX railroad right of way intersected with the North line of Interstate 295; Thence along the North line of 1-295, North 70 degrees 26 minutes 35 seconds West for a distance of 3444.34' to a point; Thence along a curve to the left having a radius of 11609.16', an arc length of 498.90' to a point; Thence North 36 degrees 05 minutes 11 seconds West for a distance of 124.11' to a point; Thence North 35 degrees 56 minutes 30 seconds West for a distance of 1163.99' to a point; Thence North 66 degrees 18 minutes 09 seconds East for a distance of 459.98' to a point; Thence South 22 degrees 13 minutes 18 seconds East for a distance of 307.71' to a point; Thence South 78 degrees 12 minutes 40 seconds East for a distance of 300.74' to a point; Thence North 13 degrees 05 minutes 30 seconds East for a distance of 333.56' to a point; Thence North 83 degrees 39 minutes 30 seconds East for a distance of 467.26' to a point; Thence South 01 degrees 47 minutes 00 seconds East for a distance of 91.12' to a point; Thence South 24 degrees 47 minutes 00 seconds East for a distance of 139.88' to a point; Thence North 86 degrees 24 minutes 28 seconds East for a distance of 587.55' to a point; Thence South 84 degrees 45 minutes 50 seconds East for a distance of 960.77' to a point; Thence North 01 degrees 03 minutes 27 seconds East for a distance of 503.70' to a point; Thence South 89 degrees 01 minutes 48 seconds East for a distance of 687.53' to a point; Thence South 87 degrees 09 minutes 37 seconds East for a distance of 363.52' to a point; Thence North 00 degrees 52 minutes 07 seconds West for a distance of 553.50' to a point; Thence along a curve to the right having a radius of 1885.0' an arc length of 64.08' to a point; Thence South 00 degrees 52 minutes 07 seconds East for a distance of 579.94' to a point; Thence North 89 degrees 41 minutes 20 seconds East for a distance of 193.19' to a point; Thence South 03 degrees 40 minutes 40 seconds West for a distance of 436.00' to a point; Thence South 89 degrees 50 minutes 50 seconds East for a distance of 478.18' to a point; Thence South 06 degrees 27 minutes 31 seconds West for a distance of 2349.21' to a point; Together with and subject to covenants, easements, and restrictions of record, containing 176.5 acres more or less.

The Board of Supervisors accepted the following proffered conditions, dated, February 9, 1999, which further regulate the above described property in addition to all applicable provisions of Chapter 24, Code of Henrico (Zoning Ordinance):

1. **Clearing Limitation:** The clearing of trees shall be limited to that necessary for dwellings, road improvements, driveways, utilities, signage, customary accessory uses and wetland mitigation areas or when necessary for common areas.
2. **Protective Covenants:** Prior to or concurrent with the recordation of a 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 and utilities), there shall be recorded a document in the Clerk's Office of the Circuit Court of Henrico County setting forth controls on the development and maintenance of such portions of the property. The protective covenants will establish a homeowners association which will govern and approve among other things disturbances in the buffer areas of the property.
3. **Foundations:** All exposed exterior portions above grade of the foundations of each dwelling constructed on the property shall be of brick, stone, dryvit or stucco.
4. **Swimming Pools:** No swimming pools shall be located nearer to any street line than the rear building line of the dwelling or the side yard building line in the case of a corner lot.
5. **Architectural Treatment:** No chimneys or gas vent units shall be cantilevered but will have similar foundation as house foundation. The exposed portion of all fireplace chimneys or direct vent fireplace enclosures shall be brick or of a siding similar to the exterior treatment of the dwelling.
6. **Density:** Maximum density will not exceed 177 lots. If Henrico County purchases a portion of the property for a school site, then the maximum number of lots shall be 165.
7. **Minimum House Size:** The minimum size for any house constructed on the Property shall be 2,100 square feet of finished floor area.
8. **Utilities:** All residential lots on the Property shall be served by public water and sewer.
9. **Underground Utilities:** Except for junction boxes, meters and existing overhead utility lines, and except for any technical or environmental reason, all new utilities shall be placed underground. In addition, the developer shall not request that the existing elevated power lines located along Mill Road be relocated.
10. **Street Improvements:** The streets of the subdivision shall be constructed of asphalt.
11. **Landscaping:** Landscaping shall be installed around utility boxes that are 3 feet by 3 feet or larger, if allowed by the utility company maintaining the box or the utility easement.
12. **Hours of Construction:** No land clearing, road or water/sewer line construction, or any construction of the exterior shell of any building shall occur between the hours of 7 P.M. and 7 A.M., except in emergencies or where unusual circumstances require extending these specified hours in order to complete work such as concrete pours or utility connections.
13. **Burning:** Any burning that occurs on the Property during development shall be done in trenches or pits.

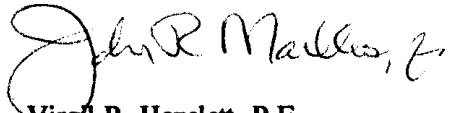
Mr. Robert M. Atack
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14. **Construction Entrance:** Any construction entrance shall be built and maintained in accordance with County standards until the roads on the Property are hard surfaced.
15. **Trash Collection:** The collection of trash during house construction shall occur no less than once a week.
16. **Holly Grove Agreement:** The agreement between Holly Grove and RF&P, its successors and assigns, to leave the 2.5 acre parcel of land between Holly Grove and I-295 undeveloped, shall remain in effect.
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 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: Director, Real Estate Assessment
Conditional Zoning Index
Star City Land & Development Co.