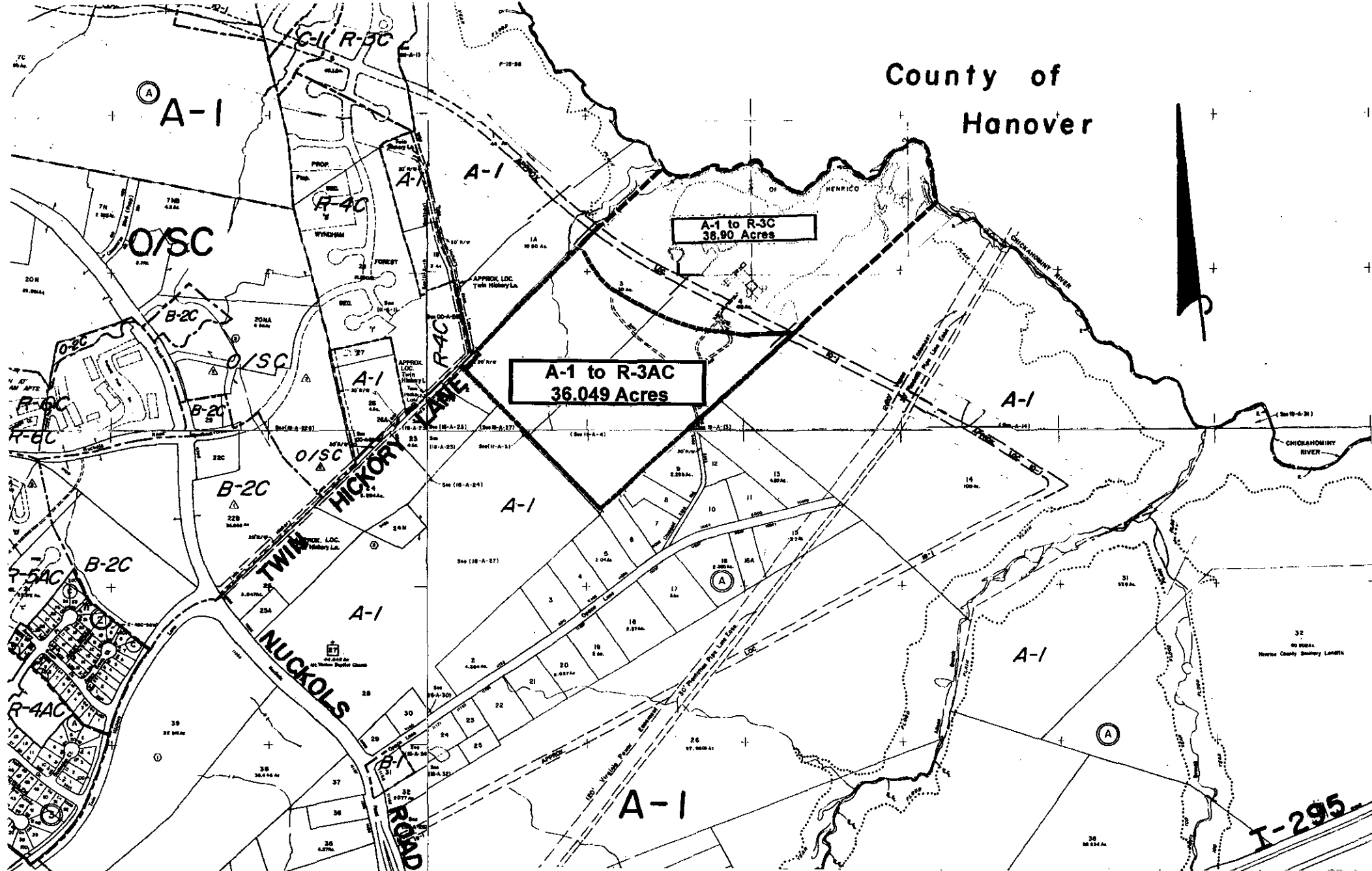


County of
Hanover



**A-1 to R-3AC
36.049 Acres**

**A-1 to R-3C
38.90 Acres**

SINGLE-FAMILY RESIDENTIAL

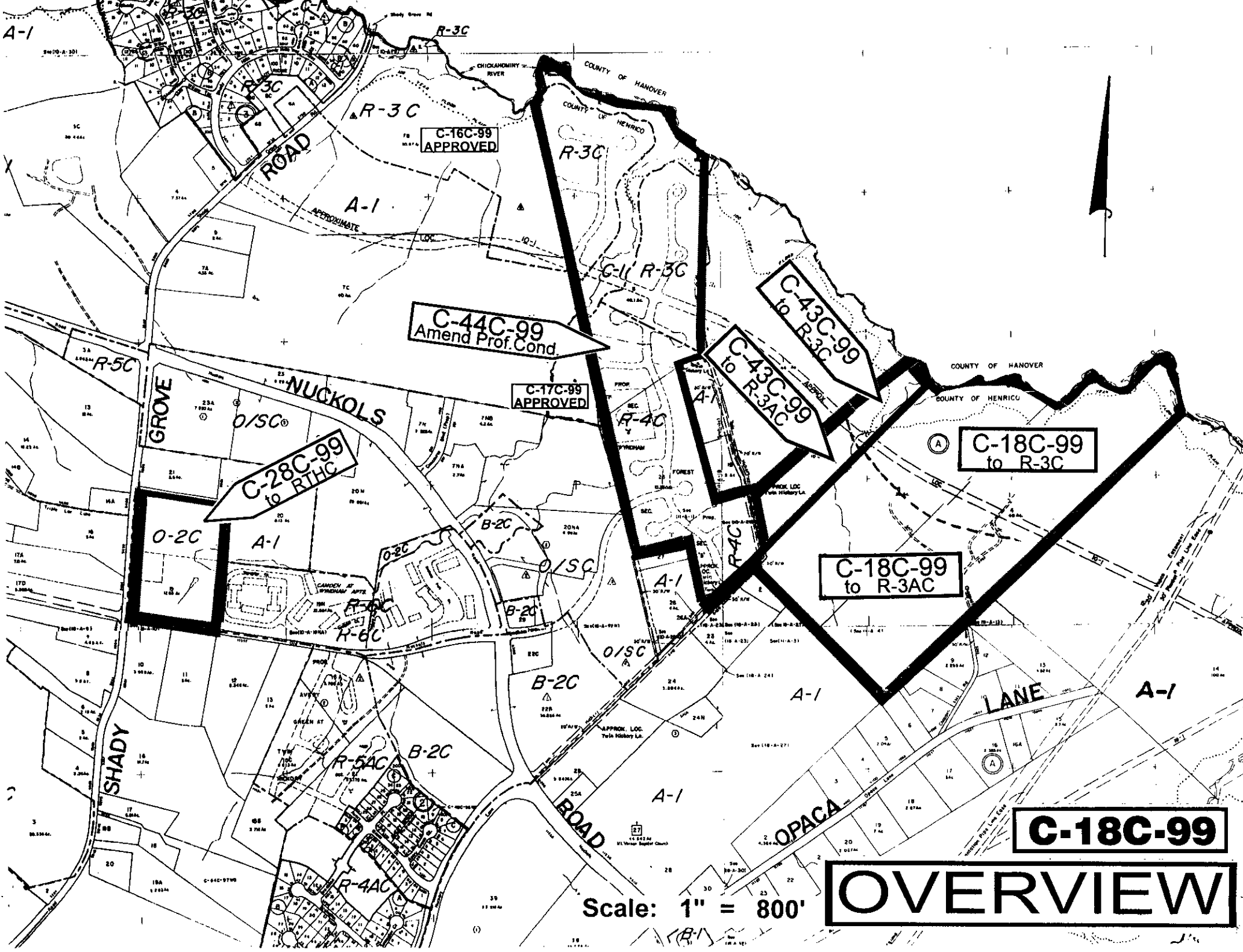
THREE CHOPT DISTRICT

11-A-3 & 4

C-18C-99 [®]



HENRICO COUNTY PLANNING OFFICE



C-16C-99
APPROVED

C-44C-99
Amend Prof. Cond.

C-17C-99
APPROVED

C-28C-99
to RTHC

C-43C-99
to R-3AC

C-18C-99
to R-3C

C-18C-99
to R-3AC

C-18C-99

OVERVIEW

Scale: 1" = 800'



COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

Virgil R. Hazelett, P.E.
County Manager

June 23, 1998

Re: Conditional Rezoning Case C-18C-99

Mr. Daniel T. Schmitt, Vice-President
H. H. Hunt Corporation
100 Concourse Blvd., Suite 100
Glen Allen, VA 23060

Dear Mr. Schmitt:

The Board of Supervisors at its meeting on June 22, 1999, granted your request to conditionally rezone property from A-1 Agricultural District to R-3C One Family Residence District (Conditional) and R-3AC One Family Residence District (Conditional), Parcels 11-A-3, 4, and 19-A-13, described as follows:

Etta M. Graser, et als - Rezone A-1 to R-3C

Beginning at a point on the south line of twin hickory lane, said point being 2,186.02' east of the East line of Nuckols Road; thence from said point of beginning N 44° 58' 05" E, 984.01' to the true point and place of beginning; thence from said true point and place of beginning N 44° 58' 05" E, 700' ± to a point in the centerline of the Chickahominy River; thence following the meandering of the centerline of the Chickahominy River in a easterly direction 970' ± to a point; thence leaving the centerline of the Chickahominy River S 45° 42' W, 1,138' ± to a point; thence along a curve in a northwest direction to the right with a radius of 1,413.51' and a length of 603.07' to a point; thence N 36° 24' 35" W, 41.98' to the true point and place of beginning containing 14.6 ± acres of land.

Etta M. Graser, et als - Rezone A-1 to R-3AC

Beginning at a point on the south line of Twin Hickory Lane, said point being 2,186.02' east of the east line of Nuckols Road; thence from said point of beginning N 44° 58' 05" E, 984.01' to a point; thence S 36° 24' 35" E, 41.98' to a point; thence along a curve to the left with a radius of 1,413.51' and a length of 603.07' to a point; thence S 45° 42' W, 1,133.89' to a point; thence N 43° 55' 08" W, 269.07' to a point; thence N 44° 01' 53" W, 355.50' to a point on the south line of Twin Hickory Lane; thence continuing along the south line of Twin Hickory Lane N 45° 01' 46" E, 107.07' to the point and place of beginning containing 15.771 acres of land.

John F. & R. M. Chappell - Rezone A-1 to R-3AC

Beginning at a point on the south line of Twin Hickory Lane; said point being 2,186.02' east of the east line of Nuckols Road; thence from said point of beginning and continuing along the south line of Twin Hickory Lane S 45° 01' 46" W, 107.07' to a point; thence leaving the south line of Twin Hickory Lane S 44° 01' 53" E, 355.50' to a point; thence S 43° 55' 08" E, 269.07' to the true point and place of beginning; thence from said true point and place of beginning N 45° 42' E, 1,133.89' to a point; thence along a curve to the left in an easterly direction with a radius of 1,413.51' and a length of 531.77' to a point; thence S 82° 24' 35" E, 278.48' to a point; thence S 47° 34' 05" W, 501.55' to a point; thence S 46° 19' 05" W, 1,051.67' to a point; thence N 43° 55' 08" W, 661.06' to the true point and place of beginning containing 20.098 acres of land.

John F. & R. M. Chappell - Rezone A-1 to R-3C

Beginning at a point on the south line of Twin Hickory Lane, said point being 2,186.02' east of the east line of Nuckols Road; thence from said point of beginning and continuing along the south line of Twin Hickory Lane S 45° 01' 46" E, 107.07' to a point; thence leaving the south line of Twin Hickory Lane S 44° 01' 53" E, 355.50' to a point; thence S 43° 55' 08" E, 269.07' to a point; thence N 45° 42' E, 1,133.89' to the true point and place of beginning; thence from said true point and place of beginning N 45° 42' E, 1,138' to a point in the centerline of the Chickahominy River; thence along the meandering of the centerline of the Chickahominy River in an easterly direction 1,553' ± to a point; thence leaving the centerline of the Chickahominy River S 47° 34' 05" W, 1,335' ± to a point; thence N 82° 24' 35" W, 278.48' to a point; thence along a curve to the right with a radius of 1,413.51' and a length of 531.77' to the true point and place of beginning containing 24.3 ± acres of land.

The Board of Supervisors accepted the following proffered conditions, dated June 22, 1999, which further regulate the above described property in addition to all applicable provisions of Chapter 24, Code of Henrico (Zoning Ordinance):

1. **Foundations.** The exposed exterior portions of exterior foundations of residences shall be constructed of brick or natural stone; however, the exposed exterior portions of exterior foundations may be constructed of exterior insulating finish systems (E.I.F.S.) if applied to a masonry surface, provided that the exterior walls of such residence are sided primarily in E.I.F.S.
2. **Chimneys.** No chimneys or gas vent units shall be cantilevered. The exposed portions of all fireplace chimneys shall be of brick or a siding similar to the exterior treatment of the dwelling. This proffer shall not apply to direct vent gas fireplaces or appliances. The exposed bases of all chimneys shall be of the same material as the dwelling foundations.
3. **Access Ways.** Pedestrian and bicycle access ways shall be provided at the time of subdivision approval.

4. **Conservation Areas.** 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 defined by Section 24-106.1 of the Henrico County Code; 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 retention areas.
 - b. Ponds, lakes and similar areas intended as aesthetic and/or recreational amenities and/or wildlife habitats.
 - c. Access drives, utility easements, signage, walkways and recreational facilities installed in a manner to minimize their impacts.
 - d. Such additional uses to the uses identified in (a), (b) and (c) above as may be deemed compatible and of the same general character by the Planning Administrator (Director of Planning) pursuant to Chapters 19 and 24 of the Henrico County Code;

and the Owner shall, prior to final subdivision approval, apply to rezone such portions of the Property to a C-1 Conservation District.

The location and limits of such portion(s) of said Property shall be established by subdivision plats approved pursuant to the Subdivision Ordinance.

5. **Minimum House Sizes.** Residences constructed on the R-3A portion of the Property shall have a minimum of 1,800 square feet of finished floor area, and residences constructed on the R-3 portion of the Property shall have a minimum of 1,850 square feet of finished floor area.
6. **Screening.** A common area thirty (30) feet in width to be owned and maintained by the Homeowners' Association for the Property shall be provided adjacent to Henrico County Tax Parcel 19-A-9. Such common area shall be maintained in its natural state and supplemented with additional evergreen plantings as set forth below. Prior to any land disturbing activity on a lot adjacent to any portion of the common area adjacent to the common boundary of the Property with such tax parcel, evergreens of a minimum height of eight (8) feet shall be planted within such common area. Such evergreens shall be staggered and no farther apart than ten (10) feet on center, unless such plantings are not required in order to provide additional screening as a result of existing evergreen vegetation. Such evergreens shall be planted within the buffer as close to the adjacent lots on the Property as practical. There shall be no improvements, utility

easements or driveways in such common area other than utility easements which are generally perpendicular to the common boundary and are to serve such tax parcel and any driveway accessing such tax parcel. The owner of Henrico County Tax Parcel 19-A-9 shall be notified of the filing of any subdivision or landscaping plan applicable to the Property within five days of such filing.

7. Flag Lot Regulation. There shall be no "stem shaped" flag lots developed on the Property.
8. Density. No more than two hundred (200) residential units shall be constructed on the Property.
9. 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.
10. Road Frontage Restriction; Access. There shall be no houses on lots adjacent to Concept Road 10-1 fronting Concept Road 10-1. No driveways shall have direct access to Concept Road 10-1.
11. Phasing. The Owner shall not request or be entitled to receive any Certificates of Occupancy on the Property prior to September 1, 2000. The Owner shall not request or be entitled to receive Certificates of Occupancy for more than fifty (50) residential units on the Property and the property which is the subject of Case No. C-43C-99 per year beginning September 1, 2000, except as provided in the next sentence. Certificates of Occupancy for more than fifty (50), but in no event more than sixty-five (65), residential units per year shall be available during a given year to the extent that in the prior year or years Certificates of Occupancy have been issued for fewer than fifty (50) residential units in any given year.
12. Road Improvements. Prior to the issuance of the first Certificate of Occupancy on the Property, the Owner shall improve Twin Hickory Lane from its current intersection with Nuckols Road to the Property to County of Henrico standards within the existing forty-five (45) foot right-of-way.
13. Secondary Access. The Owner shall not request or be entitled to receive Certificates of Occupancy for more than fifty (50) residential units on the Property and the property which is the subject of Case No. C-43C-99 until a secondary point of access is provided.
14. Concept Road 10-1. The Owner shall build Concept Road 10-1 to County standards (50' right-of-way, 40' face of curb to face of curb) consistent with adjacent phases of development.

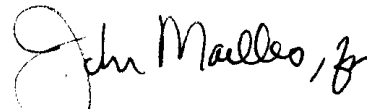
Mr. Daniel T. Schmitt, Vice-President
H. H. Hunt Corporation
June 23, 1999

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15. Greenbelt. A greenbelt, exclusive of adjacent lots, for landscaping, natural open areas and scenic vistas will be provided twenty (20) feet in width adjacent to the right-of-way lines of Concept Road 10-1, except to the extent necessary for utility easements, bicycle paths, jogging trails, signage, sidewalks, and other purposes requested and specifically permitted, or if required, at the time of subdivision approval, or by any other governmental body.

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
Mr. James W. Theobald, Esquire
Mr. Robert F. Chappell
Ms. Etta M. Graser
Mr. John F. Chappell
Mr. Rose E. Lawson
Ms. Jeanette L. Strickland
Mr. W. Gene Chappell
Mr. James A. Chappell
Ms. Rachel M. Chappell