


**A-1 to R-2C  
17.12 Acres**

HOMES FOR SALE FOR SENIORS

Pt. of 20-A-29A  
THREE CHOPT DISTRICT

**C-31C-99** 

HENRICO COUNTY PLANNING OFFICE



COMMONWEALTH OF VIRGINIA  
COUNTY OF HENRICO

September 21, 1999

Virgil R. Hazelett, P.E.  
County Manager

Re: Conditional Rezoning Case C-31C-99

Mr. Russell H. Malone, L.C.  
Duma & Associates, L.C.  
3524 Mayland Ct.  
Richmond, VA 23233

Dear Mr. Malone:

The Board of Supervisors at its meeting on September 14, 1999, granted your request to conditionally rezone property from A-1 Agricultural District to R-2C One Family Residence District (Conditional), Part of Parcel 20-A-29A, described as follows:

Beginning at a point on the western line of Staples Mill Road 813.119' from the intersection of the northern line of relocated Springfield Road; thence N. 27° 11' 51" W., 358.51' to a point on a curve; thence along said curve to the right, having a radius of 2044.86', arc length of 319.52' to a point; thence N. 15° 17' 30" W., 114.50' to a point on the southern line of Old Springfield Road; thence N. 45° 19' 00" W., 79.43' to a point; thence N. 85° 40' 50" W., 150.82' to a point; thence S. 56° 22' 40" W., 49.30' to a point; thence N. 33° 37' 20" W., 10.00' to a point; thence along a curve to the left having a radius of 3826.03'; arc length of 100.39' to a point; thence S. 57° 52' 54" W., 55.02' to a point on a curve; thence along said curve to the left, having a radius of 1356.52', arc length of 363.77' to a point; thence S. 42° 31' 01" W., 263.35' to a point; thence S. 19° 39' 21" E., 269.26' to a point; thence S. 26° 36' 58" W., 56.67' to a point; thence S. 66° 02' 00" W., 88.72' to a point; thence S. 27° 15' 05" E., 76.96' to a point; thence N. 66° 06' 30" E., 14.57' to a point; thence S. 45° 13' 00" E., 126.80' to a point; thence S. 19° 39' 21" E., 38.00' to a point; thence N. 70° 20' 39" E., 957.87' to the point of beginning, containing 17.117 acres.

The Board of Supervisors accepted the following proffered conditions, dated August 31, 1999, which further regulate the above described property in addition to all applicable provisions of Chapter 24, Code of Henrico (Zoning Ordinance):

1. **Buffer.** A natural and/or landscaped buffer shall be provided a minimum of fifteen (15) feet in width exclusive of yard requirements adjacent to the right-of-way line of Staples Mill Road as such right-of-way is determined at the time of subdivision review. The existing row of leyland cypresses along Staples Mill Road shall be preserved, maintained and, as necessary, replaced. Sidewalks, utility easements, drainage easements, roads, signage, entrance gates and such other uses as may be

permitted or required at the time of subdivision review may be placed within such buffer. Any easement or road (other than existing utility easements or roads) within the buffer shall be extended generally perpendicular with the buffer areas unless otherwise specifically permitted or required at the time of subdivision review.

2. **Foundations.** The exposed exterior portions of exterior foundations 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.
3. **Chimneys.** No chimneys or gas vent units shall be cantilevered. The exposed portions of all fireplace chimneys shall be of brick, stone or, if the dwelling is primarily sided with exterior insulating finishing systems ("E.I.F.S."), then E.I.F.S. This proffer shall not apply to appliance vents. The exposed bases of all chimneys shall be of the same material as the dwelling foundations.
4. **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 or utilities), a document shall be recorded in the Clerk's Office of the Circuit Court of Henrico County, Virginia, setting forth controls on the development and maintenance of such portions of the Property.
5. **Minimum House Sizes.** Except as set forth below, residences shall have a minimum of 2,400 square feet of finished floor area. Residences adjacent to Henrico County Tax Parcel Nos. 20-A-29F, 20-A-29D and 20-A-29E shall have a minimum of 3,000 square feet of finished floor area.
6. **Garages.** There shall be no front-facing garages for any residence on the Property.
7. **Controlled Density.** The Developer shall not seek approval under Henrico County Ordinance Section 24-95 (q) Controlled Density Development.
8. **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.
9. **Clearing Limitation.** When practicable, 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.
10. **Driveways; Access.** All driveways for individual dwellings shall be paved and shall not utilize surface-treated gravel. No driveways shall have direct access to Staples Mill Road.

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11. Sodding; Irrigation. All front lawns shall initially be sodded and shall be serviced by an irrigation system.
12. Layout Plan. The Property shall be developed in substantial conformance with the layout plan attached hereto as Exhibit A, unless otherwise specifically approved at the time of Subdivision review.
13. Curb and Gutter. Curb and gutter shall be provided on all internal subdivision streets.
14. Prohibited Fences and Walls. Chain link and wooden stockade-type fences and unfinished or painted cinderblock walls are specifically prohibited on any individual lots.

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  
Virginia Land Trust, Ltd.