



SINGLE - FAMILY RESIDENTIAL

THREE CHOPT DISTRICT

C-33C-99



HENRICO COUNTY PLANNING OFFICE

20-A-15



COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

Virgil R. Hazelett, P.E.
County Manager

September 21, 1999

Re: Conditional Rezoning Case C-33C-99

Mr. Robert P. Bain
3002 Hungary Spring Road
Richmond, Virginia 23228

Dear Mr. Bain:

The Board of Supervisors at its meeting on September 14, 1999, granted your request to conditionally rezone property from A-1 Agricultural and C-1 Conservation Districts to R-2AC One Family Residence District (Conditional), Parcel 20-A-15, described as follows:

BEGINNING at a point on the northern right-of-way line of Springfield Road State Route 157 at its intersection with Old Springfield Road, thence along the northern right-of-way line of Springfield Road State Route 157 N 80°08'48" W 267.97' to a point; thence along a curve to the left having a radius of 2257.46' for a length of 185.14' to a point; thence along a curve to the right having a radius of 2795.78' for a length of 130.51' to a point; thence N 82°10'15" W 78.32' to a point; thence along a curve to the right having a radius of 1304.37' for a length of 261.85' to a point; thence N 73°51'21" W 197.12' to a point; thence along a curve to the left having a radius of 1001.28' for a length of 176.92' to a point; thence N 83°58'47" W 122.81' to a point; thence along a curve to the left having a radius of 276.11' for a length of 80.22' to a point; thence along a curve to the left having a radius of 196.00' for a length of 80.54' to a point; thence leaving the northern right-of-way line of Springfield Road State Route 157 N 82°58'23" W 153.72' to a rod found; thence N 16°40'11" E 778.80' to a rod found; thence S 74°33'23" E 696.43' to a rod in the centerline of a creek; thence along the meandering of such creek in an easterly direction 370' ± to a point; thence S 81°24'50" E 326.08' to the centerline of a creek; thence along the meandering of such creek in an easterly direction 750' ± to a point on the western right-of-way line of Old Springfield Road; thence along the western right-of-way line of Old Springfield Road along a curve to the left having a radius of 801.17' for a length of 109.6' to a point; thence S 36°32'11" W 629.62' to a point; thence along a curve to the right having a radius of 45.00' for a length of 49.73' to the point of beginning, containing 28.71 acres.

The Board of Supervisors accepted the following proffered conditions, dated July 21, 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 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, 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.
3. 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.
4. Development Standards. Homes in the R-2A district shall have a minimum of 2,400 square feet of finished floor area. Lots shall have a minimum lot width of ninety (90) feet. Lots shall average 18,000 square feet exclusive of floodplain; however, any lot abutting Springfield Road shall contain a minimum of 18,000 square feet.
5. 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.
6. Road Frontage Restriction; Access. There will be no lots fronting on Springfield Road. No driveways shall have direct access to Springfield Road.
7. Buffer. There shall be a forty-five (45) foot buffer on along Springfield Road except to the extent necessary or allowed for utility easements, roads and other purposes requested and specifically permitted, or if required, at the time of subdivision review. This area will be designated on the subdivision plat as a Planting Strip Easement and shall be exclusive of rear yard requirements. Within such buffer there shall be a berm with plantings. Except as set forth below, any utility easements (other than existing utility easements or roads) permitted within the aforesaid buffer area shall be extended generally perpendicular to the buffer area unless otherwise requested and specifically permitted or if required by the County at the time of subdivision review. However, utility easements may be placed parallel to Springfield Road within a fifteen (15) foot strip between Springfield Road and the aforesaid berm.

8. **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 as 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.

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. **Garages.** There shall be no front-facing garages for any residence on the Property.
11. **Driveways.** All driveways for individual dwellings shall be paved and shall not utilize surface-treated gravel.
12. **Sodding; Irrigation.** All front lawns shall initially be sodded and shall be serviced by an irrigation system.
13. **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.

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14. Planting Strip. There shall be a ten (10) foot landscaped planting strip exclusive of yard requirements along Old Springfield Road from Springfield Road to the entrance to the proposed subdivision.

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
Ms. Virginia W. Wingfield
Mr. Harvey N. Wingfield