

58-3-E-6 - 11, 58-3-C-4 - 10, 58-3-D-1 - 7,  
 RESIDENTIAL SUBDIVISION  
 58-3-F-1 - 5, 58-2-A-3A & 4B  
 THREE CHOPT DISTRICT  
**C-14C-01** 0 200' 400'  
 HENRICO COUNTY PLANNING OFFICE



COMMONWEALTH OF VIRGINIA  
COUNTY OF HENRICO

March 20, 2001

Virgil R. Hazelett, P.E.  
County Manager

Re: Conditional Rezoning Case C-14C-01

Mr. William W. Johnson  
1670 Mountain Rd.  
Glen Allen, VA 23060

Dear Mr. Johnson:

The Board of Supervisors at its meeting on March 13, 2001, granted your request to conditionally rezone property from A-1 Agricultural and R-2 One Family Residence Districts to R-5AC General Residence District (Conditional), including Parcels 58-3-C-4 through 10, 58-3-D-1 through 7, 58-3-E-6 through 11, and 58-3-F-1 through 5 (Andover Hills Subdivision), and part of Parcels 58-2-A-3A and 4B (Broad Acres Subdivision), described below:

Parcel 58-2-A-3A:

Commencing at the SE. corner of Broad Street Road and Pemberton Road; thence along the S. line of Broad Street Road in a easterly direction 468.55' to a point; thence S. 26°20'46" W., for a distance of 1469.86' to a point on the S. line of Mayland Drive being the said "Point of Beginning;" thence S. 26°20'46" W., for a distance of 409.63' to a point; thence N. 51°47'29" W., for a distance of 175.00' to a point; thence N. 26°20'46" E., for a distance of 396.18' to a point on the S. line of Proposed Mayland Drive; thence along the S. line of proposed Mayland Drive in a southeasterly direction along a curve to the right having a radius of 1879.86', an arc length of 172.80' to the said "Point of Beginning;" together with and subject to covenants, easements, and restrictions of record, said property being 1.6 acres more or less.

Parcel 58-2-A-4B:

Commencing at the SE. corner of Broad Street Road and Pemberton Road; thence along the S. line of Broad Street Road in a easterly direction 468.55' to a point; thence S. 26°20'46" W., for a distance of 1469.86' to a point on the S. line of Mayland Drive, thence along the proposed extension of Mayland Drive in a northwesterly direction and along a curve to the left having a radius of 1879.86', an arc length of 172.80' to a point, and being the "Point of Beginning;; thence S. 26°20'46" W., for a distance of 396.18' to a point; thence N. 51°47'29" W., for a distance of 175.00' to a point; thence N.26°20'46" E., for a distance of 366.92' to a point on the

S. line of the proposed Mayland Drive extension; thence along the S. line of Mayland Drive, in a southeasterly direction and along a curve to the right having a radius of 1879.86' and an arc length of 171.45' to the said "Point of Beginning;" together with and subject to covenants, easements, and restrictions of record, said property being 1.5 acres more or less.

The combined total of all parcels equals 15.0 acres.

The Board of Supervisors accepted the following proffered conditions, dated February 12, 2001, which further regulate the above described property in addition to all applicable provisions of Chapter 24, Code of Henrico (Zoning Ordinance):

1. Dwelling Type. All dwellings constructed on the Property shall be detached structures.
2. Underground Utilities. Except for junction boxes, meters and existing overhead utility lines and technical or environmental reasons, all utility lines shall be underground.
3. Foundations. The exposed exterior portions of exterior single-family residence foundations shall be constructed of brick or natural stone; however, the exposed exterior portions of exterior foundations for single-family detached residences 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.
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. 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.
6. Square Footage. One story residences shall have a minimum of 1400 square feet of finished floor area. Two story residences shall have a minimum of 1600 square feet of finished floor area.
7. Lot Width. Twenty-five (25) percent of the lots shall have a minimum lot width of sixty-five (65) feet at the building setback line with the remaining lots having a minimum lot width of sixty (60) feet at the building setback line.

8. Phasing Plan. The developer shall not request nor be entitled to receive more than forty (40) Certificates of Occupancy on the Property until a second means of vehicular access is provided to the Property or November 1, 2003, whichever shall first occur.
9. Driveways. All driveways for individual dwellings shall be of a hard-surface material.
10. Garages. A minimum of fifty (50) percent of the residences shall have a minimum of a one-car garage.
11. Curb and Gutter. Roll-face (3'-0" section) or standard curb and gutter shall be utilized. Roll-face curb and gutter (2'-6" section) shall not be utilized.
12. 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 determined by definitive engineering studies approved by the Department of Public Works; 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, sheds, fences 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 County Code (the "Ordinance");

and the Owner shall, prior to final construction plan 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 Plan(s) of Development and/or subdivision plats approved pursuant to the Zoning and/or Subdivision Ordinance.


13. 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.

Mr. William W. Johnson  
March 20, 2001

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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,

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

cc: Director, Real Estate Assessment  
Conditional Zoning Index  
Mr. Erle P. Anderson  
Mr. & Mrs. Samuel E. Grech  
Ms Patsy Ann Heider  
Mr. Forrest G. Urban  
Mr. Jay M. Weinberg, Esquire