



COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

Virgil R. Hazelett, P.E.
County Manager

June 19, 2001

Re: Conditional Rezoning Case C-7C-01

West End Developers, L.L.C.
2629 Laclede Avenue
Richmond, VA 23233

Dear Gentlemen:

The Board of Supervisors at its meeting on June 12, 2001, granted your request to conditionally rezone property from A-1 Agricultural District to R-3C One Family Residence District (Conditional), Parcels 56-1-A-1 and 56-A-4, described as follows:

Beginning at a point on the N. line of Church Road, said point being 200' west of the W. line extended of Abbey Lane; thence continuing along the N. line of Church Road N. $64^{\circ} 49' 06''$ W., 368.46' to a point; thence leaving the N. line of Church Road N. $51^{\circ} 35' 53''$ E., 998.47' to a point; thence N. $50^{\circ} 14' 32''$ E., 167.43' to a point; thence S. $39^{\circ} 07' 56''$ E., 202.98' to a point; thence S. $51^{\circ} 35' 05''$ W., 855.36' to a point; thence S. $54^{\circ} 48' 38''$ E., 50.80' to a point; thence S. $25^{\circ} 11' 22''$ W., 191.76' to the point and place of beginning, containing 5.550 acres.

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

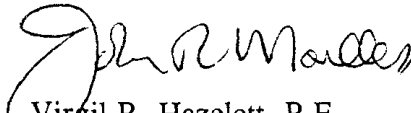
1. Exhibit A, dated May 21, 2001, is the master plan for the development, and the development shall substantially conform to the master plan.
2. As shown on the master plan, dated May 21, 2001, lots shall be offset as shown from the lots in the Glen Gary subdivision so as to minimize the visual impact to the Glen Gary subdivision.
3. If a B.M.P. is determined necessary by the county, the B.M.P. shall be an attractively landscaped dry pond/depression. The homeowners' association shall be responsible for the maintenance of the B.M.P. The exact location, design and landscaping of the B.M.P. shall be approved by the county at the time of final subdivision review.
4. All lots that are adjacent to either the Waterford or Glen Gary subdivisions shall have a twenty (20) foot buffer area along adjacent lot lines which border either Waterford or Glen Gary and the cutting upon development by the Developer or

- the initial home builder of any trees with a five (5) inch caliper or greater in this buffer area shall be prohibited, except those which are naturally dead or diseased.
5. Single level dwellings may be constructed only on the three (3) lots numbered 1, 2, and 3 on the master plan. All other dwellings shall be no less than two stories.
 6. The exterior foundation of any dwelling constructed on the property shall be brick or stone. Further, the exterior siding shall be either brick, cement cellulose siding, e.g., hardy plank, vinyl or stone. These restrictions shall apply to future conversions and additions, except for porches.
 7. There shall be a twenty (20) foot common area between the new subdivision and certain existing Waterford homes as shown on the master plan. Within this common area, the cutting of all trees with a 5 inch caliper or greater, except those which are either diseased or naturally dying, shall be prohibited. This common area shall be supplemented with evergreen plantings as determined at the time of landscape plan review, and shall be maintained by the homeowners' association.
 8. All two or three story dwellings shall contain a minimum 2,300 square feet enclosed living space, exclusive of garages and porches, and all single level dwellings shall contain a minimum 2,000 square feet enclosed living space, exclusive of porches and garages.
 9. The rear yard set backs for the principal structure on any lot adjacent to Glen Gary subdivision shall be a minimum of 55 feet in depth.
 10. All dwellings shall be constructed in a colonial style, except single level dwellings. If determined necessary by Henrico County, the builder will provide documentation by a licensed architect that a proposed dwelling is "colonial" in style.
 11. There shall be a twenty-five foot (25) landscaped buffer provided adjacent to the ultimate right-of-way line of Church Road. This buffer shall be in addition to the required setbacks. The landscaping within the twenty-five (25) foot buffer shall at a minimum meet the Henrico County twenty-five (25) foot transitional buffer requirements. Exceptions allowed within this landscaped buffer shall include utility easements and fences. Any fence within the buffer shall be at least fifteen (15) feet from the ultimate right-of-way of Church Road. All new utilities shall run generally perpendicular to the landscaped buffer area.
 12. The lots numbered 12 and 13 on the Master Plan may have a side yard adjacent to the lots in the Glen Gary and Waterford subdivisions. The minimum side yards adjacent to the Glen Gary and Waterford lots shall be thirty feet and shall include a twenty foot buffer in which all trees with a five inch caliper or greater cannot be cut upon development by the Developer or the initial home builder, except those trees which are diseased or naturally dying. Further, supplemental evergreens shall be planted in these side yards so as to reduce the visual impact to Glen Gary and Waterford. The exact plantings shall be approved by the

- county at the time of final subdivision review.
13. All construction and development shall begin no earlier than 7:00 a.m. and shall end no later than 8:30 p.m., Monday through Friday, and 8:00 a.m. to 8:30 p.m. Saturday and Sunday
 14. Only lot numbered 12 on the master plan may have a side yard adjacent to any lot in the Glen Gary subdivision.
 15. No lots shall have direct access to Church Road.
 16. Cantilevered chimneys shall be prohibited. All chimneys shall be brick veneers.
 17. There shall be a maximum of 13 lots.
 18. There shall be a mandatory homeowners' association created with deeded assessments for the maintenance of all common areas, BMPs and amenities. The necessary documents creating this homeowners' association shall be approved by the county at the time of final subdivision review.
 19. No rear loaded garages shall be constructed on lots which border Glen Gary or Waterford subdivisions.

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,


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

cc: - Director, Real Estate Assessment
Conditional Zoning Index
Ms. Annie B. Gordon
Mr. Curtis D. Gordon