

**A-1 to R-2AC
28.21 Acres**



September 2004

ZONING
Single Family Residential

Parcels or Portions thereof identified on this sheet are within the Airport Safety Overlay District and are subject to Special Regulations
Ref. 823-693-4446

C-65C-04

Varina District

0 700 Feet



COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

Virgil R. Hazelett, P.E.
County Manager

December 21, 2004

Mr. Kenneth S. Merner
Boyd Corporation
544 Newtown Road, Suite 128
Virginia Beach, VA 23462

Re: Conditional Rezoning Case C-65C-04

Dear Mr. Merner:

The Board of Supervisors at its meeting on December 14, 2004, granted your request to conditionally rezone property from A-1 Agricultural District to R-2AC One Family Residence District (Conditional), Parcel 823-693-4446, described as follows:

Beginning at a point situated on the east line of Doran Road, a 50' R/W, said point being $\pm 1,290'$ south of the southern line of Darbytown Road, leave said east line $N86^{\circ}26'12''E$, 1,114.02' to a point; thence $S04^{\circ}03'39''E$, 1,415.69' to a point; thence $N73^{\circ}39'52''W$, 391.90' to a point; thence $S83^{\circ}29'02''W$, 353.04' to a point; thence $N14^{\circ}07'06''E$, 557.37', to a point; thence $S83^{\circ}27'58''W$, 605.95' to a point situated on the east line of Doran Road; thence continue along said east line on a curve to the left with a chord $N02^{\circ}05'10''E$, 42.20' and a length = 42.22', $\Delta = 06^{\circ}23'22''$, radius = 378.60' to a point; thence $N01^{\circ}06'31''W$, 300' to a point; thence along a curve to the left with a chord $N01^{\circ}44'36''W$, 370.01' and a length = 370.02', $\Delta = 01^{\circ}16'09''$, radius = 16,703.81' to a point; thence $N02^{\circ}22'40''W$, 89.28' to a point and the point of beginning, containing 28.21 acres .

The Board of Supervisors accepted the following proffered conditions, dated December 14, 2004, which further regulates the above described property in addition to all applicable provisions of Chapter 24, Code of Henrico (Zoning Ordinance):

1. The exterior portions of the foundation of any dwellings constructed on the property shall be of brick or stone veneer. There shall be a minimum of two (2) single windows or one (1) double window on dwelling side elevations.
2. All chimneys of any dwelling constructed on the property shall be brick, stone or vinyl siding. All chimneys or direct vent fireplaces shall have foundations with the

exposed portions made of the same material as the house foundation. No cantilevered chimneys or closets will be allowed.

3. The minimum finished livable square footage of dwellings constructed on the property shall be as follows: (A) One story – 1800 S.F.; (B) Two story – 2200 S.F.; (C) Cape Style – 2200 S.F.
4. There shall be no one-story dwellings constructed on lots that are adjacent to Doran Road. There shall be no stockade wood privacy fences or chain link fences at the rear of the lots on lots that are adjacent to Doran Road.
5. There shall be no “slab construction” of any dwellings constructed on the property, exclusive of garages, attached storage buildings, utility rooms, storage spaces, porches, stoops or accessory buildings.
6. Building elevations of side-by-side dwellings shall have a variation in elevation design and shall be made a part of the restrictive covenants of the subdivision.
7. No direct access to Doran Road is to be provided from the parcels. No improvements along Doran Road will be provided.
8. In accordance with Section 24-94(aa) of the Henrico County Code a landscape buffer of twenty-five (25) feet in width will be provided adjacent to the right-of-way line of Doran Road as such right of way is determined at the time of tentative subdivision review. At least ten (10) feet of such buffer shall contain landscaping and berming, except to the extent necessary for utility easements, drainage easements, sidewalks, signage, and other purposes requested and specifically permitted, or if required, by the Planning Commission at the time of subdivision approval; in such ten (10) feet, any easements shall be generally perpendicular to the adjacent Doran Road. The balance of the buffer would permit utility easements to run through the buffer in a parallel fashion. The landscaped buffer will be coordinated with a uniform design and appearance and be coordinated with the adjacent Windsor Oaks subdivision and Castleton subdivision to present a unified and consistent frontage along Doran Road. The landscape plan, showing proposed improvements within the landscaped buffer shall be submitted with the construction plans for Staff review and approval prior to recordation of the subdivision. The landscaped buffer shall be in addition to the minimum setback requirements as specified by the R-2A zoning classification of the Henrico County Zoning Ordinance.
9. The dedication of any right-of-way along Doran Road as determined at the time of tentative subdivision review shall be part of the recorded plat of the subdivision.

10. There will be no more than 60 residential lots developed on the subject property.
11. Prior to or concurrent with the recordation of the subdivision plat approved by the County and before conveyance of any portion of the property covered by said subdivision plat (other than for the dedication of easements, roads or utilities), there shall be recorded restrictive covenants in the Clerk's office of the Circuit Court of Henrico County, Virginia setting forth quality controls on the development and maintenance of all portions of the Property. Such items included in the restrictive covenants will be that mailboxes and lamp posts will be provided for each lot and will be consistent as to design and quality; that all driveways will be constructed of hard surface materials and all building structures must be approved by an architectural control committee as designated by the developer. These items are by way of illustration, not limitation.
12. Standard 6" curb and gutters complying with Henrico County standards shall be provided on the streets of the Property, except as otherwise required by the County. The streets of the subdivision shall be constructed of asphalt and to the standards set forth by the Henrico County Department of Public Works.
13. All proposed utilities except for junction boxes, meters and existing overhead utility lines and technical or environmental reasons, all newly-installed utility lines shall be installed underground.
14. At least fifty (50%) of all garages built on the property shall be side loading entry. Front loading garages shall be setback a minimum of 5' from the closest portion of the dwelling to the street.
15. There will be one (1) tree measuring 2.5" in caliper provided along each side of the internal streets for every fifty (50) linear feet of lot frontage. There shall be a minimum of one (1) tree measuring 2.5" in caliper provided in the front yard of each lot. Mature trees shall be retained where practical.
16. There will be combination sidewalks/bike paths of four (4) feet in width along one side of the major thoroughfare roads within the Project as shown on the Ultimate Overall Plan of Castleton Subdivision prepared by Townes Site Engineering dated July 28, 2004 with latest revision of October 7, 2004 (see case file). A grass strip shall be provided between the back of curb and the sidewalk.
17. Cash Proffer: Prior to the release of a building permit, a cash proffer pursuant to the case proffer policy adopted by Henrico County, not to exceed \$12,000, and applicable to the proposed residential development shall be paid per residential lot to mitigate the development's impact on public facilities. Cash proffers not used for the purposes specified in the County policy shall be returned fifteen (15) years after receipt to the payor.

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18. 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.

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

pc: Mr. Byrl S. Sutton, Jr.
Ms. Sharon S. Johnson
Director, Real Estate Assessment
Conditional Zoning Index
Dr. Penny Blumenthal – Director, Research and Planning

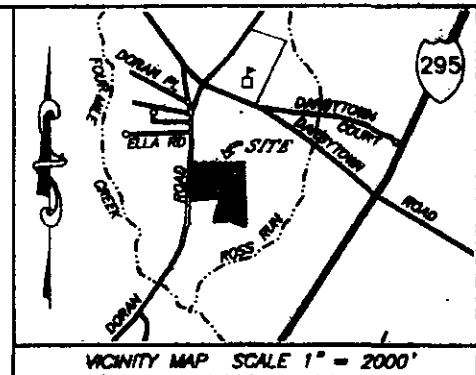
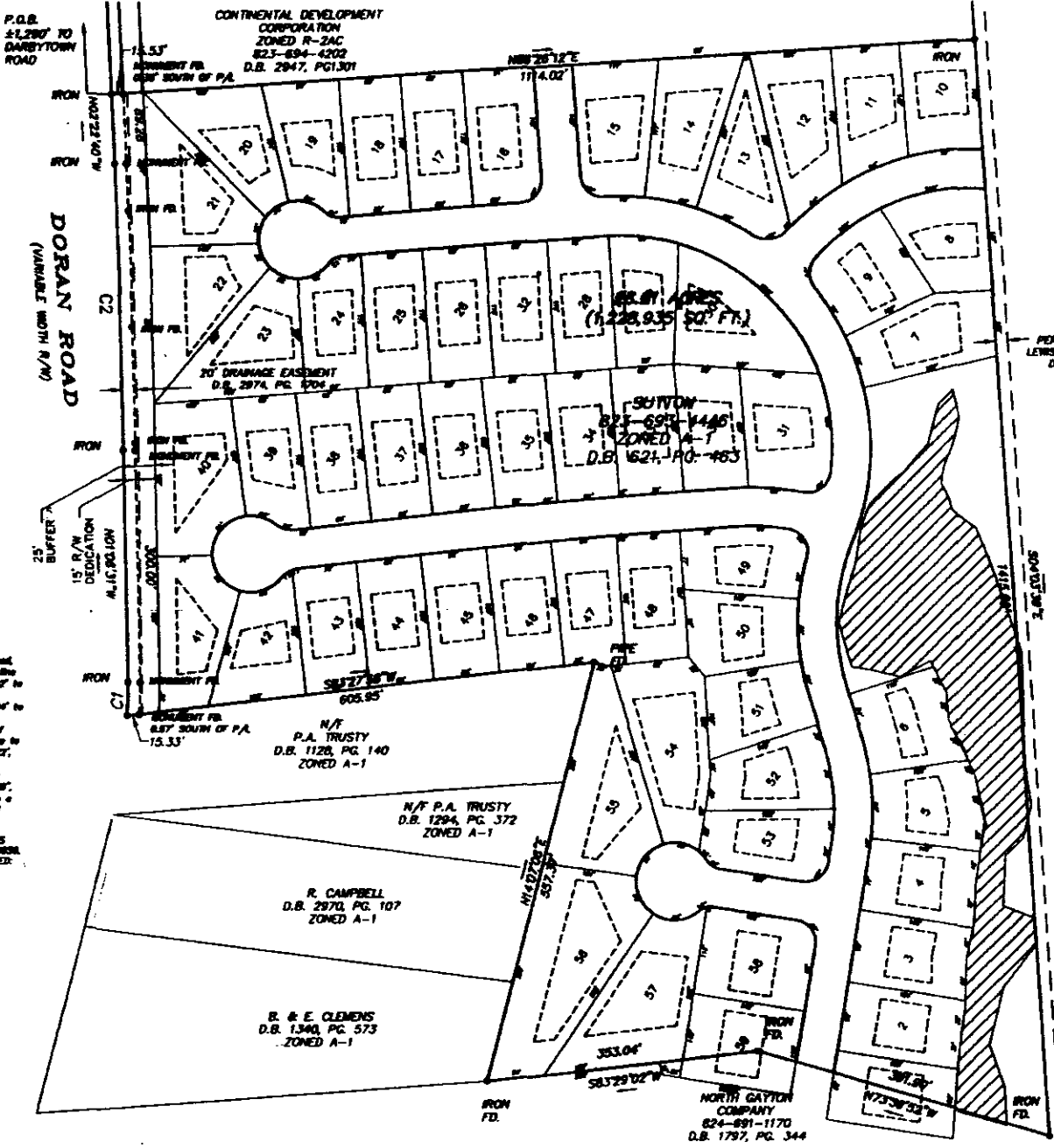
- NOTES**
- 1) THIS SURVEY WAS MADE WITH THE BENEFIT OF A TITLE COMMITMENT FROM LAWYERS TITLE INSURANCE CORPORATION, COMMITMENT NO. 0033408, DATED: JULY 26, 2004.
 - 2) THE SUBJECT PROPERTY APPEARS NOT TO BE LOCATED WITHIN THE LIMITS OF THE 100 YEAR FLOOD PLAIN BOUNDARY AS DEFINED BY THE FEDERAL INSURANCE ADMINISTRATION (ZONE C) COMMUNITY PANEL NO. 10018077 0070 B EFFECTIVE DATE: FEBRUARY 1, 1999.
 - 3) ONLY SURFACE INDICATIONS OF UNDER GROUND UTILITIES WERE LOCATED ON THIS SURVEY.
 - 4) EASEMENTS THAT DO NOT AFFECT THE SUBJECT PROPERTY:
 - A) COMMONWEALTH OF VIRGINIA - D.B. 1921, PG. 698
 - 5) SURVEY BASED ON PHYSICAL MONUMENTATION FOUND IN FIELD.

6) THIS SURVEY WAS MADE FOR THE PURPOSE OF DETERMINING LEGAL BOUNDARIES. THIS SURVEY DOES NOT SUPPORT OR IDENTIFY ENVIRONMENTAL FEATURES SUCH AS WETLANDS OR POLLUTANTS WHICH AN ENVIRONMENTAL ASSESSMENT WOULD IDENTIFY.

NOTES & MONUMENT

REVISION of a point situated on the east line of Doran Road, a 57' R/W, said point being 21.20' south of the southern line of Dabneytown Road, have said east line N89°28'12"E, 1714.02' to a point; thence S89°45'29"E, 1,425.89' to a point; thence N73°39'52"W, 309.99' to a point; thence S63°29'05"W, 353.04' to a point; thence N19°19'19"E, 582.27', to a point; thence S87°27'37"W, 688.89' to a point situated on the east line of Doran Road; thence continue along said east line on a curve to the left with a chord N82°05'14"E, 48.20' and a length=48.20', Δ=08°21'22", radius=578.89' to a point; thence N89°16'31"W, 300.00' to a point; thence along a curve to the left with a chord N89°44'28"W, 370.89' and a length=370.89', Δ=04°17'18", radius=10,703.61' to a point; thence N82°22'47"W, 88.50' to a point and the point of beginning. Said parcel contains 28.21 Acres or 1,228,935 sq. ft.

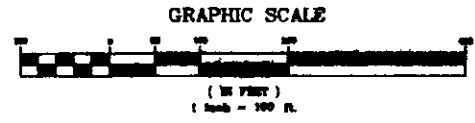
THE PROPERTY DESCRIBED ABOVE IS THE SHINE PROPERTY AS DESCRIBED IN SCHEDULE A OF TITLE COMMITMENT NO. 0033408, PROVIDED BY LAWYERS TITLE INSURANCE CORPORATION, DATED: JULY 26, 2004.



POTENTIAL 15' R/W SHOWN ON PLAT BY E.D. LEWIS & ASSOCIATES, DATED: DECEMBER 2, 1989 D.B. 182 A, PG. 184 & P.B. 88, PG. 827 ALSO REFER TO D.B. 1918, PG. 389 D.B. 2974, PG. 1704

PRATT PROPERTIES, INC. 824-893-6757 D.B. 3194, PG. 479

CURVE DATA				
CURVE	LENGTH	ARC	CHORD	CHORD
C1	42.27	134.60	127.72	131.28
C2	370.89	10,703.61	10,703.61	370.89

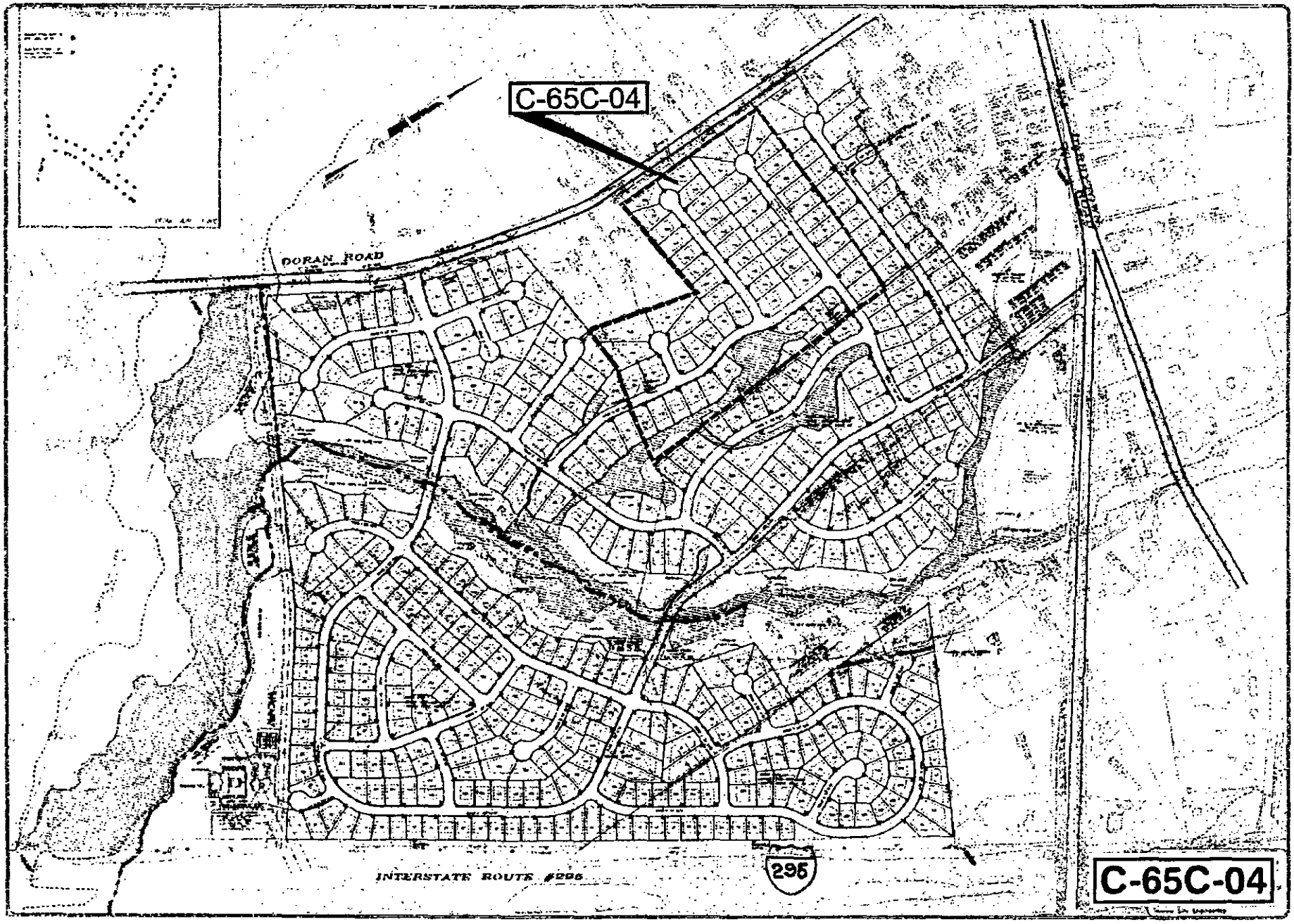


SUTTON - EXHIBIT A
OF 28.21 ACRES OF LAND SITUATED
ON DORAN ROAD
 VARINA DISTRICT
 HENRICO COUNTY, VIRGINIA

SCALE: 1" = 100' SEPTEMBER 8, 2004

TOWNES
 SURVEYING & ENGINEERING
 8000 LEE ROAD, SUITE 201
 CHESTERFIELD, VIRGINIA 23060
 PHONE: (804) 748-0011 FAX: (804) 748-2880
 Email: townes@townes.com

C-65C-04



C-65C-04

DORAN ROAD

INTERSTATE ROUTE #295

295

C-65C-04

Townes
 SITE ENGINEERING
 8009 Fern Road, Suite 201
 Henrico, Virginia 23034
 Phone: (804) 271-1000
 Fax: (804) 271-1001
 E-mail: townes@townes.com

CASTLETON
 VIRGINIA DISTRICT
 HENRICO COUNTY, VIRGINIA
 ULTIMATE OVERALL

PROPOSED STREETS
 EXISTING STREETS
 PROPOSED LOTS
 EXISTING LOTS

DATE: 10/20/01
 DRAWN BY: J. B. BROWN
 CHECKED BY: J. B. BROWN
 SCALE: AS SHOWN
 SHEET NO. 1 OF 1