

Old Mill Estates

A-1

R-2AC

Prop.
Four Mile Run

Four Mile Run

A-1 to R-2AC
12.73 Acres



A-1

A-1

ZONING

Single - Family
Residential

C-66C-04

Varina District



October 2004

Parcels or Portions thereof identified on this sheet are within the Airport Safety Overlay District and are subject to Special Regulations

Ref. 820-686-4881

0 500 Feet



COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

Virgil R. Hazelett, P.E.
County Manager

March 15, 2005

FON-SAW, LLC
8911 Tresco Road
Richmond, VA 23229

Re: Conditional Rezoning Case C-66C-04

Dear Sir:

The Board of Supervisors at its meeting on March 8, 2005, granted your request to conditionally rezone property from A-1 Agricultural District to R-2AC One Family Residence District (Conditional), Parcel 820-686-4881 and part of Parcel 821-687-2291, described as follows:

Commencing at the point of beginning, said point being a rod found at the north right-of-way line at the eastern terminus of Goldeneye Lane; thence N28°37'22"E, a distance of 42.74'; thence S77°12'13"E, a distance of 1166.02'; thence S11°32'20"W, a distance of 189.55'; thence N78°27'40"W, a distance of 384.32' to the beginning of a curve concave to the northwest having a radius of 50' and a central angle of 72°08'24" and being subtended by a chord which bears S53°21'05"W 58.88'; thence southerly, southwesterly and westerly along said curve, a distance of 62.96' to a point of compound curvature; thence westerly and northwesterly a distance of 48.76' along the arc of said curve concave to the northeast having a radius of 50' and a central angle of 55°52'19" to a point of reverse curvature; thence northwesterly and westerly a distance of 30.55' along the arc of said curve concave to the southwest having a radius of 40' and a central angle of 43°45'22"; thence N78°27'40"W tangent to said curve, a distance of 4.83'; thence S20°50'58"W, a distance of 375.63'; thence S29°54'32"W, a distance of 79.31'; thence S60°09'29"W, a distance of 11.69'; thence N67°34'27"W, a distance of 751.65'; thence N28°37'22"E, a distance of 524.86' to the point of beginning, containing 12.730 acres, more or less.

The Board of Supervisors accepted the following proffered conditions, dated February 7, 2005, which further regulates the above described property in addition to all applicable provisions of Chapter 24, Code of Henrico (Zoning Ordinance):

1. All homes to be built on the subject property shall have at least Eighteen Hundred (1,800) square feet of finished floor area, excluding area used for garages and Seventy percent (70%) of all homes to be built on the subject property shall have at least Two Thousand (2,000) square feet of finished floor area, excluding area used for garages. The developer will provide a listing of the square footage for all dwellings approved in the development, at any time, upon the request of the Henrico County Planning Office.
2. Development of the subject property will be limited to no more than 2.0 units per acre.
3. The exposed exterior walls below the first floor level shall be finished with brick. At least 35% of the homes will have brick fronts. The homes will not "step down" siding due to changes in the topography.
4. The exterior of all buildings to be constructed on the subject property will be of vinyl, brick, stone, dryvit or natural wood siding. The Planning Commission may approve alternative materials that are compatible with adjacent homes.
5. All dwellings to be constructed on the subject property shall be constructed with a crawl space beneath the first floor except as specifically excluded as follows:
 - a) The dwelling may be constructed over a basement.
 - b) An attached garage may have a concrete slab on grade floor system.
 - c) The dwelling may contain accessory first floor rooms such as a Florida room, den, storage room, utility room, etc., which may have a concrete slab on grade floor system which does not exceed twenty percent (20%) of the area of the total first floor living space of the dwelling.
6. All lots shall be served by public water and sewer service.
7. There shall be no cantilevered chimneys, bay windows, closets or direct vent gas fireplaces or appliances. This shall not be interpreted as to prohibit direct vent fireplaces.
8. Standard six-inch curb and gutter will be used on all streets within the subdivision unless otherwise approved by the Director of Public Works.
9. All driveways shall extend to the rear building line of the house or to the garage or carport and will be uniformly paved. The Director of Planning shall have the authority to grant an exception in cases where construction of an extended driveway is not physically possible or feasible.

10. At the time of development, a buffer area of a minimum of thirty-five (35) feet in width shall be provided on lots and other property contiguous to the existing Virginia Power easement for transmission lines. The existing trees within these buffers shall be preserved by the property owner, successors, and assigns shall be mandated by restrictive covenants to be recorded on the subject property at or prior to the recordation of the subdivision plat, except as follows:
 - a) Dead trees may be removed.
 - b) Trees with a trunk diameter less than 3" may be removed.
 - c) Public roadways and underground utility lines may cross the buffer areas; however, only the minimum amount of clearing necessary for the crossing may be performed.
 - d) A private driveway not exceeding twelve (12) feet in width may cross the buffer areas in order to allow a resident access to his/her property located under the power lines.
 - e) Trees which overhang the power easement may be trimmed or if impractical to trim may be removed by Virginia Power.
 - f) In the event that a private drive in excess of twelve (12) feet in width is required by Henrico County (such as for a community center or club facility) then the minimum amount of clearing required to permit the construction of the drive or associated improvements will be permitted.
 - g) The buffer area along the Virginia Power easement shall be in addition to the minimum required setback except that the total of the setback & buffer shall in no case exceed eighty (80') feet for rear yards and in no case exceed 55' for side yards.
11. All new electrical, telephone, cable tv or other utility service lines excluding those within the existing Virginia Power easements for transmission lines shall be installed underground.
12. Sidewalks shall be constructed to connect the main thoroughfare of the existing Four Mile Run Subdivision through the subject property to Heather Ridge Drive as shown and consistent with the approved construction plan of Four Mile Run Section E. No certificates of occupancy shall be issued until said sidewalk has been installed.

13. Prior to the recordation of the subdivision plat on the subject property, a set of executed Restrictive Covenants shall be filed with the Planning Department. The covenants shall address the following concerns:
 - a) The Architectural Review Committee.
 - b) The preservation of the existing trees in the landscaped and buffer areas. If any homeowner shall remove a tree over six inches in diameter, they will be required to plant a replacement tree.
 - c) The landscaping of each lot.
 - d) Fencing, tool sheds, and detached garages.

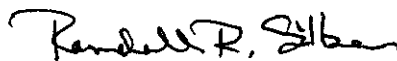
Henrico County shall have no obligation or liability of any kind for the enforcement of the specifications and conditions of said restrictive covenants.

14. A member of the Four Mile Creek Baptist Church and two members of the community shall be appointed to serve on the Architectural Review Committee.
15. Fifty percent (50%) of the homes to be built on the subject property shall have side or rear entry garages. A minimum of twenty-five (25%) of the front loading garages shall be recessed from the front elevation of the unit by at least ten feet. The developer will provide a listing of garage entries for all homes to be built on the subject property, at any time, upon the request of the Henrico County Planning Department.
16. Supplemental landscaping shall be either installed or maintained. Supplemental landscaping shall include, but not be limited to, installing or retaining at least 2 trees in the front yard of each unit and 2 trees in the side yard of each unit on a corner lot with a minimum caliper of 2.5 inches.
17. Land identified to be within the floodplain shall be rezoned to C-1 before final recordation of the plat.
18. Prior to the release of a building permit, a cash proffer pursuant to the cash 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.

FON-SAW, LLC
March 15, 2005
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The Planning Department 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

pc: Centex Homes
Mr. Todd Borden
Director, Real Estate Assessment
Conditional Zoning Index
Dr. Penny Blumenthal – Director, Research and Planning