

February 2005

**ZONING**  
Single-Family Residential

Ref. 777-764-6922

**C-11C-05**

Fairfield District

0 600 Feet

July 12, 2005

Rogers-Chenault, Inc.  
7240 Lee Davis Road  
Mechanicsville, VA 23111

Re: Conditional Rezoning Case C-11C-05

Dear Sir:

This is a correction to the letter dated June 21, 2005. The Board of Supervisors at its meeting on June 14, 2005, granted your request to conditionally rezone property from A-1 Agricultural District to R-3C One Family Residence District (Conditional), Parcels 777-764-6922, described as follows:

**Parcel A**

Beginning at a point on the west line of Mountain Road, said point being 650'± north of the intersection of the west line of Mountain Road and the north line of Nicewood Road extended; thence, leaving the said west line of Mountain Road, S65°12'00"W, 1372'± to a point in the centerline of North Run Creek; thence, in a northern direction, along the said centerline of North Run Creek, 1075'± to a point at the intersection of the centerline of North Run Creek and the centerline of a branch; thence, leaving the said centerline of North Run Creek, in a easterly direction, along the said centerline of a branch, 1050'± to a point; thence, leaving the said centerline of a branch, N71°45'00"E, 263'± to a point; thence S15°49'00"E, 232' to a point; thence N71°53'00"E, 508.11' to a point on the west line of Mountain Road; thence along the said west line of Mountain Road the following two courses: S15°42'18"E, 776' to a point; thence along a curve to the left having a radius of 1939.86' and a length of 247.86' to the point of beginning, containing 41.6± acres.

The Board of Supervisors accepted the following proffered conditions, dated June 13, 2005, which further regulates the above described property in addition to all applicable provisions of Chapter 24, Code of Henrico (Zoning Ordinance):

1. **Finished Floor Size.** All residential dwellings located on the property shall have a minimum of 1500 square feet of finished floor area for a one-story dwelling and 2000 square feet of finished floor area for a two-story dwelling. At least Seventy-

five Percent (75%) of the dwellings will be two-story. The property owner/builder shall provide a listing of the number of stories, the square footage, and/or garage loading for all dwellings approved in the development upon the request of the Henrico Planning Department.

2. **Foundations.** The exposed exterior walls from the first floor level down shall be constructed of brick or stone. However, any residence, which has a principal exterior finish, made of EIFS or other similar finish may have foundations consisting of the same material.
3. **Access Limitations.** There shall be no direct vehicular access to or from any residential lot developed on the Property to Mountain Road.
4. **Mountain Road Buffer Area.** A landscaped buffer of a minimum of twenty-five (25) feet in width will be provided adjacent to the right-of-way line of Mountain Road as such right-of-way is determined at the time of the conditional subdivision review. This buffer area will be in addition to the required yard setbacks. Utilities, drainage easements, roads and other items may be within such buffer. Any roads or easements within such buffer area shall be extended generally perpendicular thereto. The said Twenty-five (25) foot buffer shall contain planting equivalent to a Transitional Buffer 25. All homes constructed on lots facing Mountain Road (Lots numbered 81, 82, 83, and 84 as shown on the Conceptual Plan drawn by Timmons Group, dated April 14, 2005, entitled "Spring Lake Subdivision, Fairfield District, Henrico County, Layout Plan" and submitted as a part of this application) (see case file) shall be oriented such that the front of each house will be facing Mountain Road. Lots 81, 82, 83, and 84 will be a depth of at least 180 feet.
5. **Chimneys.** All exposed surfaces of chimneys shall be brick, stone, EFIS, or material similar to the exterior treatment of the house. Exposed foundations of all chimneys shall be of the same material as the dwelling foundation. No cantilevered chimneys, gas vents, or bay windows shall be allowed.
6. **Overall Density Limitation.** The maximum number of building lots, which may be constructed on the Property, shall not exceed eighty-six (86).
7. **Curb and Gutter.** Standard Six (6) inch curb and gutters shall be provided along the roadways in the subdivision.
8. **Utilities.** All proposed utilities except for junction boxes, meters and existing overhead utility lines and except for technical or environmental reasons, shall be installed underground.
9. **Trees.** The number of trees either planted or retained along each side of the internal streets shall be equivalent to no less than one tree per Fifty (50) feet on center for every Fifty (50) linear feet of lot frontage. All trees to be planted will be of

a caliper of at least two and one half (2.5) inches. The clearing of trees with a minimum of Six (6) inches in caliper will be limited to areas necessary for dwellings, driveways, sidewalks, and utility lines. The trees shall be planted within 10 feet of the curb on each side of the street and be spaced no more than 50 feet apart.

10. **Landscape/Entrance Feature.** The side yards, front yards and landscaped areas will be irrigated and sod will be installed. The entrance to the subdivision will be designed, constructed and landscaped in an attractive manner, which will include a monument sign constructed in stone or brick to identify the project.
11. **Garages.** Each dwelling shall have a minimum of a two-car garage. All corner lots shall have a side-entry garage. At least 28% of the dwellings (24 dwellings) shall have side or rear loaded garages. Front load garages shall not extend beyond the front elevation of the house. All houses constructed on lots facing Mountain Road, utilizing front load garages, shall have the front elevation of such garage recessed at least Five (5) feet behind the front elevation of the house.
12. **Unit Design.** Each dwelling will be constructed using brick, hardiplank or vinyl exterior. 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. No dwellings with the same architectural design shall be built side by side. No cantilevered bay windows will be allowed. At least twenty-five percent (25%) of all dwellings on the Property shall have brick front elevations excluding windows, doors and other architectural features. An architectural review committee to be formed by the developer will establish architectural standards and a dwelling will not be allowed to be constructed without approval of such review committee.
13. **Sidewalks.** A sidewalk shall be installed along Mountain Road from the northern property line to the southern property line. The sidewalk shall be constructed of concrete and will be a uniform width of Four (4) feet. A sidewalk of the same width and construction will be installed along one side of the "spine" street of the subdivision.
14. **Driveways.** All driveways shall be constructed of asphalt, concrete or exposed aggregate.
15. **Stub Road.** A stub road in the vicinity of Lots 11 and 12 shall be provided to the adjacent property to the southeast of the subject property.
16. **Protective Covenants.** The property shall be subjected to protective covenants to help insure the orderly, quality development of the Property and to help ensure the continued quality of the development. Such protective covenants shall be recorded in the Clerk's Office of the Circuit Court of Henrico County 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).

17. **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 any of the other proffers or the unaffected part of any such proffer.
18. **Right of Way Dedication**. The owner shall dedicate to Henrico County the right of way needed for the ultimate right of way along Mountain Road, not to exceed Twenty-five (25) feet in width. Should the dedicated property not be used for the widening of Mountain Road within Thirty (30) years of the date of the dedication, title to the dedicated property will revert to the owner or its successors in interest.
19. **C-1 Zoning**. An application shall be filed for C-1 zoning for the areas within the Property that are within the 100-year floodplain. Such rezoning application shall be filed as soon as reasonably practical, but in no case later than the date of the recordation of the subdivision plat for the Property.
20. **Conceptual Plan**. The project will be developed in substantial conformity with the Conceptual Plan drawn by Timmons Group, dated April 14, 2005, entitled "Spring Lake Subdivision, Fairfield District, Henrico County, Layout Plan" that has been submitted with this application.

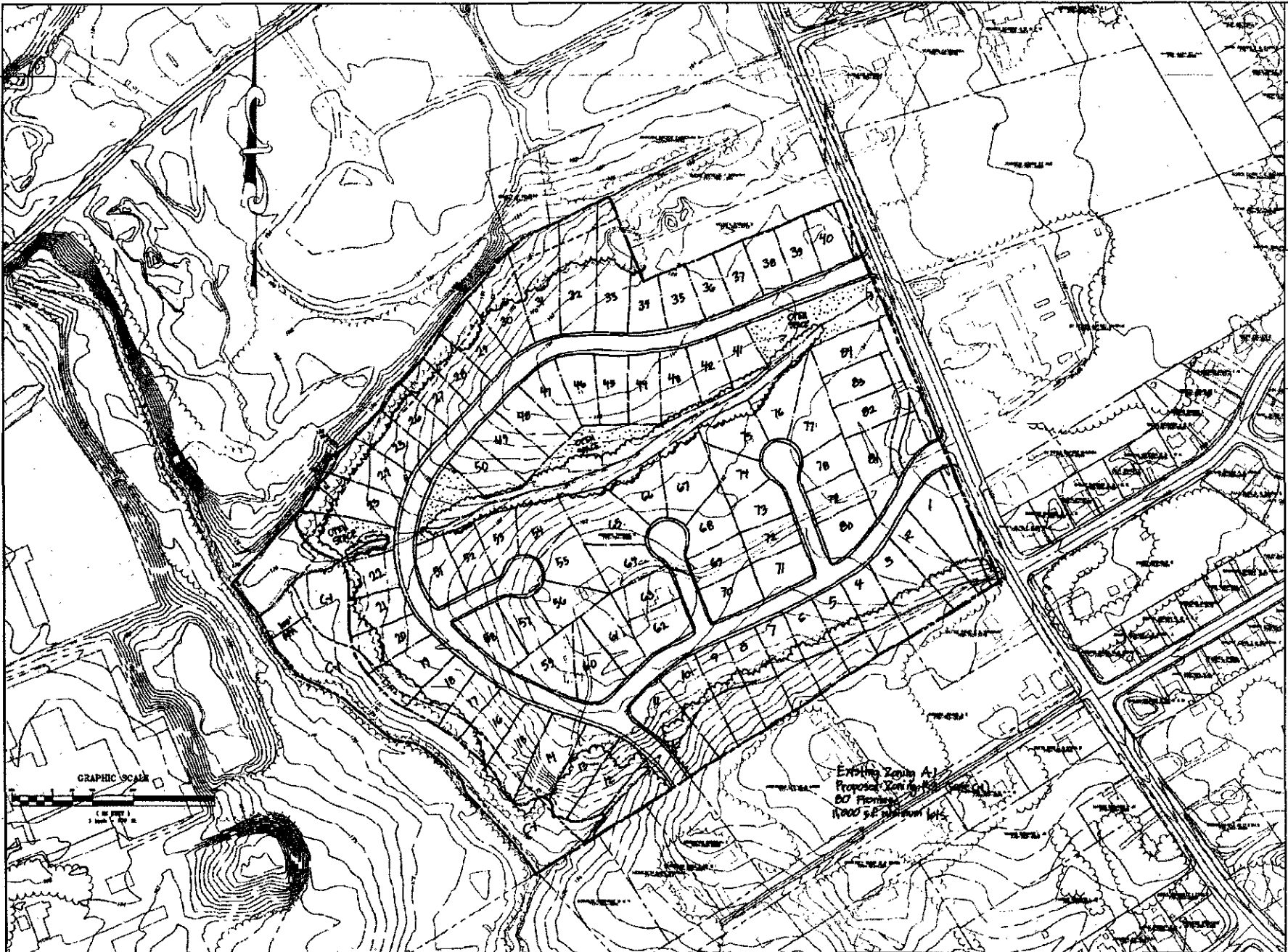
The Planning Department has been advised of the action of the Board of Supervisors and will revise its records and place a copy of the accepted proffered conditions in the Conditional Zoning Index.

Sincerely,

Virgil R. Hazelett, P.E.  
County Manager

  
VRH/RRS:sem

pc: Mr. Thomas W. Kenney  
Mr. L. McCauley Chenault, Esquire  
Director, Real Estate Assessment  
Conditional Zoning Index  
Dr. Penny Blumenthal, Director, Research and Planning



GRAPHIC SCALE

1" = 100'

Existing Zoning A-1  
Proposed Zoning R-1  
80' Frontage  
1000 sq ft minimum lot

**TIMMONS GROUP**

SPRING LAKE SUBDIVISION  
 FAIRFIELD DISTRICT, INDIANA, VIRGINIA  
 LAYOUT PLAN C-11C-05

DATE: 4-14-05  
 DRAWN BY: S. Cow  
 CHECKED BY: S. Cow  
 SCALE: 1"=100'

THIS DEVELOPMENT:  REDEVELOPMENT  RECONSTRUCTION  NEW CONSTRUCTION

THE COUNTY ENGINEER OF THE STATE OF INDIANA HAS REVIEWED THIS PLAN AND HAS DETERMINED THAT IT COMPLIES WITH THE REQUIREMENTS OF THE SUBDIVISION ACT AND THE ZONING ORDINANCE OF THE COUNTY OF FAIRFIELD, INDIANA.

DATE: 4-14-05  
 DRAWN BY: S. Cow  
 CHECKED BY: S. Cow  
 SCALE: 1"=100'

C-11C-05