

April 2005

**ZONING**  
Single Family Residential

Ref. 761-767-6317

**C-19C-05**  
Brookland District

0 600 Feet



COMMONWEALTH OF VIRGINIA  
COUNTY OF HENRICO

Virgil R. Hazelett, P.E.  
County Manager

June 21, 2005

Parker & Orleans Homebuilders, Inc.  
c/o Mr. Kenneth Bjelstrand  
711 Moorefield Park Drive, Suite E  
Richmond, VA 23236

Re: Conditional Rezoning Case C-19C-05

Dear Mr. Bjelstrand:

The Board of Supervisors at its meeting on June 14, 2005, granted your request to conditionally rezone property from A-1 Agricultural District and R-2 One Family Residence District to R-2C One Family Residence District (Conditional), Parcels 761-767-6317, 761-767-2889 and 762-767-8633, described as follows:

Beginning at a point at the northern intersection of Sharp's Way and Staples Mill Road thence N33°48'16"W for 293.12' to a point; thence with the lands of the Oaks At Crossridge Section 1 S75°14'19"W for 1909' to a point; thence with the lands of Castle Point Section 1 N78°28'38"W for 1180.01' to a point; thence N11°38'02"E for 1371.24' to a point; thence with the lands of Doubletree Section 4 N55°59'20"E for 718.14' to a point; thence S33°50'58"E for 629.23' to a point; thence S34°08'27"E for 498.70' to a point; thence N56°19'42"E for 935.58' to a point; thence S33°48'16"E for 1296.68' to the point of beginning, containing 78.814 acres.

The Board of Supervisors accepted the following proffered conditions, dated June 2, 2005, which further regulates the above described property in addition to all applicable provisions of Chapter 24, Code of Henrico (Zoning Ordinance):

1. **Conceptual Site Plan.** The Property shall be developed in general conformance with the conceptual site plan prepared by Koontz-Bryant, P.C. dated April 28, 2005 attached hereto (see case file).

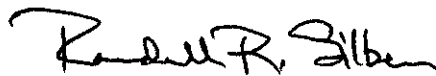
2. **Access.** Access to the Property shall be provided at two points on Staples Mill Road as shown on the Conceptual Site Plan. There shall be no ingress or egress to any adjacent property.
3. **Density.** There shall be no more than ninety-eight (98) lots developed on the Property.
4. **Minimum House Size.** Homes shall have a minimum of two thousand seven hundred (2,700) square feet of finished floor area.
5. **Chimneys; No Cantilevering.** There shall be no cantilevered features including, but not limited to, bay windows and chimneys. The exposed portions of all fireplace chimneys shall be of brick, stone or, if the building is primarily sided with exterior insulating finishing systems ("E.I.F.S."), then E.I.F.S. The exposed bases of all chimneys shall be of the same material as the building foundations.
6. **Foundations.** All homes shall be constructed on a crawl space with brick or stone foundations on all exterior sides. The exterior portion of a building below the first floor elevation which is visible above grade shall be finished with brick or stone.
7. **Restrictive Covenants.** Prior to or concurrent with the recordation of the 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) there shall be recorded a document 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.
8. **Underground Utilities.** Except for junction boxes, meters, transmission mains and existing overhead utility lines and technical or environmental reasons, all utility lines shall be underground.
9. **Paved Parking.** All driveways on each individual subdivision lot shall be paved. The type of pavement may include asphalt, concrete, aggregate materials, and brick or stone pavers.
10. **Brick/Stone Steps.** Steps to the main entrance of homes shall be of brick or stone. Stoops shall be brick or stone with finished concrete or exposed aggregate landing.
11. **Garages.** All homes on the Property shall have a minimum of a two-car garage, with seventy-five (75) percent of such garages being side-or rear-loaded.
12. **Yards.** Front and side yards shall be sodded and irrigated, exclusive of mulched flowerbeds and landscaping.

13. **Satellite Dishes**. No satellite dishes larger than eighteen (18) inches in diameter shall be permitted.
14. **Swimming Pools**. No swimming pools shall be located nearer to any street line than the rear building line of the dwelling or the side yard building line in the case of a corner lot. No above-ground swimming pools will be allowed.
15. **Roads and Curb and Gutter**. Curb and gutter shall be used on all streets and shall be designed to meet the current County standard for "roll top" curb and gutter and shall measure not less than three (3) feet from edge of pavement to back of curb. Roads shall be designed to have a minimum width of thirty-six (36) feet from back of curb to back of curb (thirty (30) foot edge of pavement to edge of pavement with an additional three (3) feet from edge of pavement to back of curb).
16. **Recreational Vehicles**. No recreational vehicles or boats shall be parked in the streets.
17. **Fences/Walls**. No fence shall exceed seventy-two (72) inches in height. Any fences or walls greater than forty-two (42) inches in height must be constructed of finished masonry or constructed with a combination masonry piers and aluminum, metal or cast iron pickets. No wooden stockade-type fences or chain link fences shall be permitted.
18. **Clearing**. The clearing of trees shall be limited to that necessary for dwellings, road improvements, driveways, utilities, signage, customary accessory uses and wetland mitigation areas or when necessary for common areas.
19. **Landscaping**. The neighborhood shall have a street tree landscape plan in which a minimum of two (2) trees shall be planted within the front yard and side yard if on a corner lot of each home, a minimum of two and one-half inch (2 ½") in caliper in size at time of planting.
20. **Hours of Construction**. No land clearing, road or water/sewer line construction, or any construction of the exterior shell of any building shall occur between the hours of 7:00 p.m. and 7:00 a.m., except in emergencies or where unusual circumstances require extending these specified hours in order to complete work such as concrete pours or utility connections. Signs, in both English and Spanish, stating the above-referenced provisions shall be posted and maintained at all entrances to the Property prior to any land disturbance activities thereon.
21. **Mail Boxes and Lamp Posts**. All improved lots shall be required to have a post lamp and a mail box with supporting post of design and installation as specified in the Subdivision's Covenants and Restrictions.

22. **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.
23. **Sidewalks**. Subject to obtaining all required governmental approvals and permits, a sidewalk shall be provided within the road right-of-way adjacent to one side of interior roadways, except for the cul-de-sac at the end of cul-de-sac streets, and shall be constructed to current County road standards and specifications for sidewalks.
24. **Entrance Feature**. An irrigated landscaped entrance feature shall be provided, substantially in accordance with the plan entitled "Entrance Illustrative Wickham", prepared by Higgins & Gerstenmaier, dated May 31, 2005 and filed herewith (see case file).
25. **Exterior Materials**. All homes utilizing all brick on the front elevation shall have the brick wrap at least twelve (12) inches around the corner of the side elevation.
26. **Burning Prohibition**. There shall be no onsite burning of cleared trees, branches, stumps and construction debris.
27. **Setback from Staples Mill Road**. There shall be no structures within seventy (70) feet of the ultimate right-of-way of Staples Mill Road except for the entrance feature, including walls.

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: Charles M. Marchetti  
Louis D. Marchetti, III  
Mr. James Theobald, Esquire  
Mr. Ralph Axelle, Jr., Esquire  
Director, Real Estate Assessment  
Conditional Zoning Index  
Dr. Penny Blumenthal, Director, Research and Planning

# MARCHETTI PROPERTY

EXHIBIT I  
HENRICO COUNTY, VIRGINIA  
APRIL 28, 2005

Prepared by  
PARKER & ORLEANS HOMEBUILDERS



STAPLES MILL ROAD

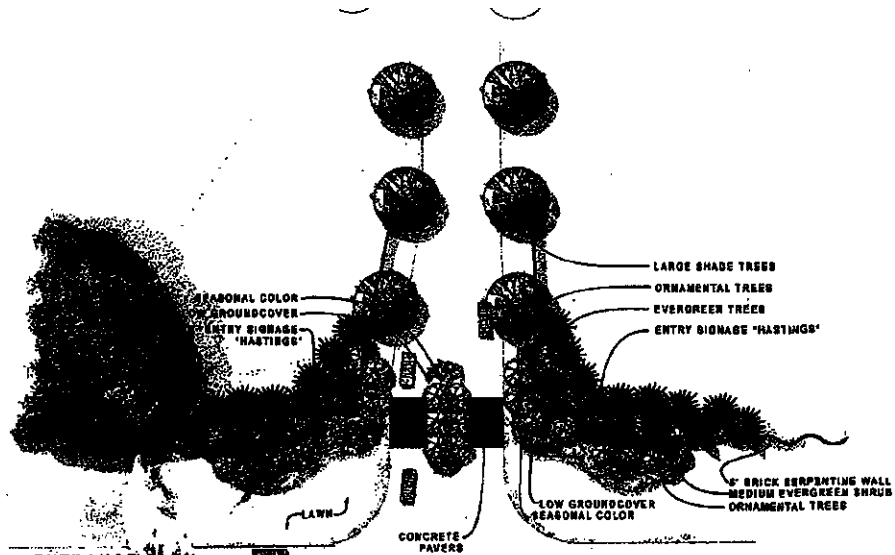
**KOONTZ-BRYANT, P.C.**  
P.L.L.C.  
10000 WOODBURN ROAD  
DUMFRIES, VIRGINIA 22024  
TEL: 703-841-1111  
WWW.KOONTZ-BRYANT.COM

JN 4535

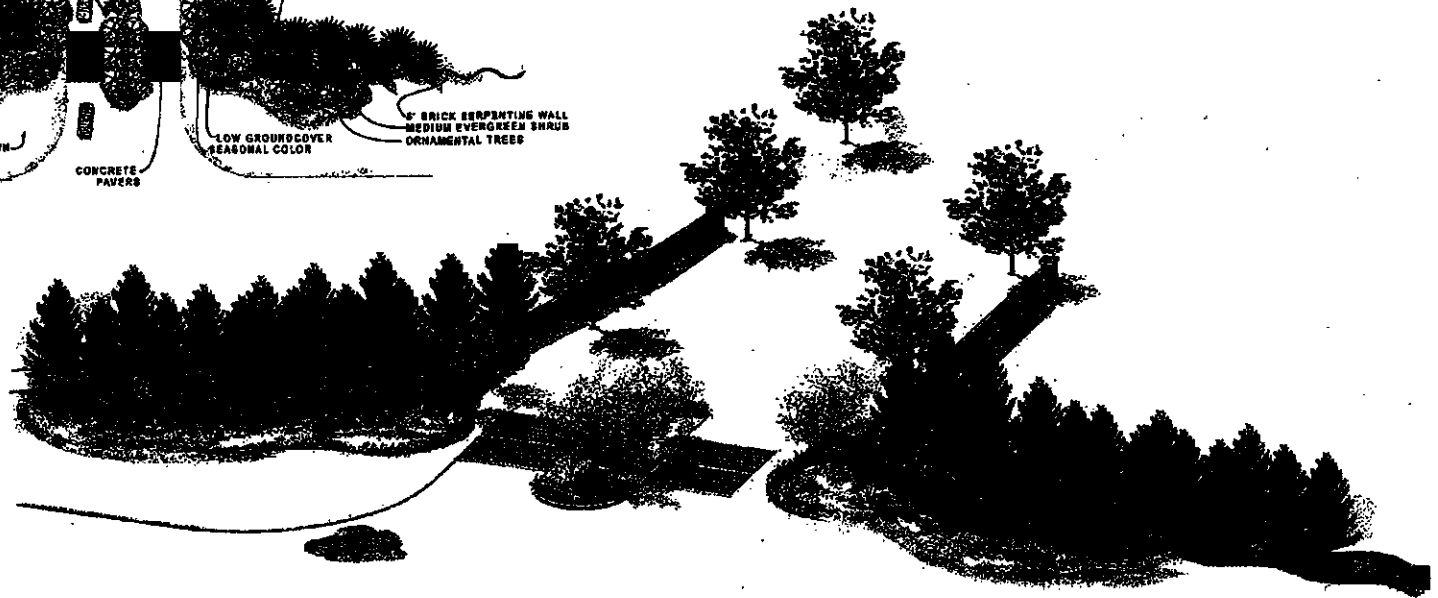
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C-19C-05

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**ENTRANCE PLAN**  
NOT TO SCALE



**ENTRANCE AXON**  
NOT TO SCALE

**ENTRANCE ILLUSTRATIVE  
HASTINGS**

Henrico County, Virginia  
 Alcock Properties  
 October 21, 2004

HIGGINS & GERSTENMAIER  
 LAND PLANNING LANDSCAPE ARCHITECTURE  
 The owner is to bear the payment only.