

A-1 to R-2C
17.15 Ac.

C-50C-05
Zoning
 Single-Family Residential Subdivision
 Brookland District

400 Feet

PS October 2005 Ref. 762-768-2433



COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

Virgil R. Hazelett, P.E.
County Manager

January 31, 2006

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

Re: Conditional Rezoning Case C-50C-05

Dear Mr. Bjelstrand:

The Board of Supervisors at its meeting on January 24, 2006, granted your request to conditionally rezone property from A-1 Agricultural District to R-2C One Family Residence District (Conditional), Parcels 762-768-2433, 762-768-3508, and 762-767-5793, described as follows:

ALL that certain parcel of real property containing 17.152 +/- acres of land located in the Brookland Magisterial District of Henrico County, Virginia, described on plat dated October 10, 2005, prepared by Koontz-Bryant, P.C., entitled "Exhibit Drawing Showing 5 Parcels of Land Lying on the West Line of Staples Mill Road, U.S. Route 33" and being more particularly described as follows:

BEGINNING at a point on the west side of Staples Mill Road approximately 293.12' north of Sharp's Way, thence along the western right-of-way line of Staples Mill Road N 33°48'16" E 1296.68' to a point, said point being the True Point of Beginning; N 33°48'16"W 761.65' to a point; thence leaving the western right-of-way line of Staples Mill Road S 66°02'20" W 252.89' to a point; thence S 55°37'12" W 378.08' to a point; thence S 57°06'26" W 311.55' to a point; thence S 33°50'58" E 305.19' to a point; thence S 34°08'27" E 498.70' to a point; thence N 56°19'42" E 935.58' to a point; said point being the True Point of Beginning.

The Board of Supervisors accepted the following proffered conditions, dated January 24, 2006 which further regulates the above described property in addition to all applicable provisions of Chapter 24, Code of Henrico (Zoning Ordinance):

1. **Density.** There shall be no more than thirty-three (33) lots developed on the Property, not including portions of lots to be developed with adjacent property.

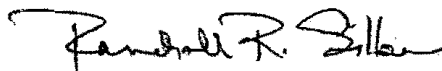
2. **Minimum House Size.** Homes shall have a minimum of two thousand seven hundred (2,700) square feet of finished floor area.
3. **Chimneys; No Cantilevering.** There shall be no cantilevered features including, but not limited to, bay windows and chimneys. The exposed portions of all fireplace chimneys 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.
4. **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.
5. **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.
6. **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.
7. **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.
8. **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.
9. **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.
10. **Yards.** Front and side yards shall be sodded and irrigated, exclusive of mulched flowerbeds and landscaping.
11. **Satellite Dishes.** No satellite dishes larger than eighteen (18) inches in diameter shall be permitted.

12. **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.
13. **Roads and Curb and Gutter.** Curb and gutter shall be used on all public 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.
14. **Recreational Vehicles.** No recreational vehicles or boats shall be parked in the streets.
15. **Fences/Walls.** Any fences or walls greater than forty-two (42) inches in height must be constructed of finished masonry or constructed with a combination of masonry piers and aluminum, metal or cast iron pickets. No wooden stockade-type fences or chain link fences shall be permitted.
16. **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.
17. **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.
18. **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.
19. **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.
20. **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.
21. **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.

22. **Burning Prohibition.** There shall be no onsite burning of cleared trees, branches, stumps and construction debris.
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. **Conceptual Plan.** Development of the Property shall be in substantial conformance with the conceptual site plan entitled "Wickham, Henrico County, Virginia", prepared by Koontz-Bryant, P.C., dated January 20, 2006 and attached hereto as Exhibit "A" (see case file).
25. **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). A planting strip of fifty (50) feet in width shall be reserved on lots adjoining the right-of-way of Staples Mill Road.
26. **Staples Mill Road Frontage Lots.** Homes to be constructed on lots 1 through 5 shown on the Conceptual Plan shall face Staples Mill Road and be accessed by a twenty (20) foot private access strip that shall be built to Henrico County public road standards except as to pavement width. Prior to issuance of any certificates of occupancy for any homes utilizing the access strip, the Applicant shall provide the Planning Office with certification from a licensed engineering firm that the roadway within the access strip was constructed according to the approved subdivision plat and in compliance with Henrico County road design standards and specifications (except as to pavement width) to include proper compaction of the sub-base soils, utility trenches, base stone and asphalt surface. The home to be constructed on Lot 129 shown on the Conceptual Plan shall face Staples Mill Road. There shall be no structures within one hundred (100) feet of the ultimate right-of-way of Staples Mill Road except for the entrance feature, walls or fences. No homes shall have direct access to Staples Mill Road.

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

Parker & Orleans Homebuilders, Inc.
January 31, 2006
Page 5

pc: Shelby Duncan, et al.
Elizabeth G. McLawhorn
Deborah Fogg Tucker
Derle Fogg Edwards
Herbert David Fogg, Jr.
James W. Theobald, Esq.
Director, Real Estate Assessment
Conditional Zoning Index
Dr. Penny Blumenthal, Dir. Research and Planning, Henrico County Schools

WICKHAM

HENRICO COUNTY, VIRGINIA

EXHIBIT M
(INCLUDES 3 ADDITIONAL PARCELS)

JANUARY 20, 2006

Prepared for
ORLEANS HOMEBUILDERS



C-50C-05

Exhibit A

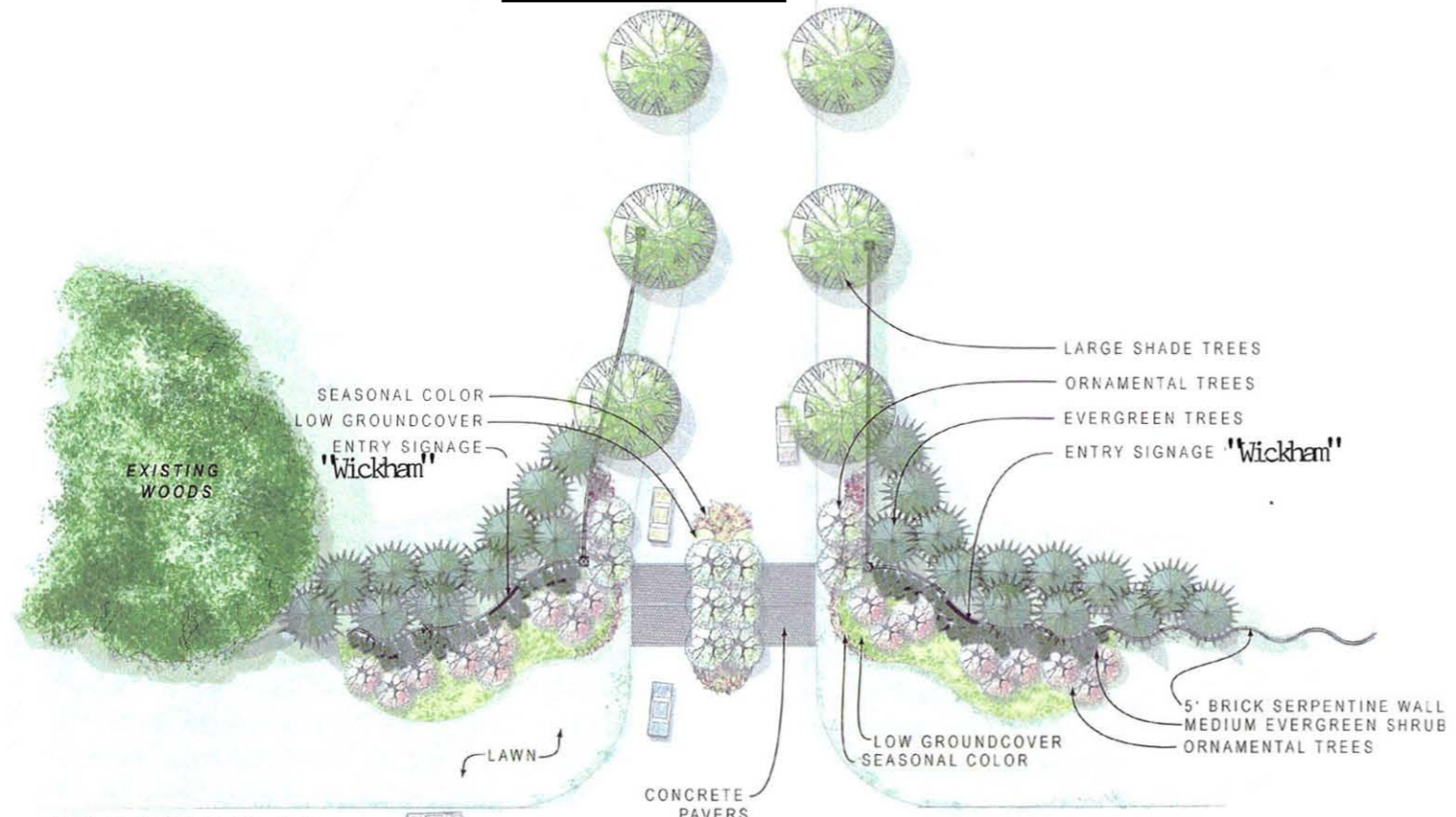
 **KOONTZ-BRYANT, P.C.**
A Full Service Civil Consulting Firm
1702 NORTH PARKWAY ROAD, SUITE 200
MCLEANSVILLE, VIRGINIA 22101
(804) 746-0500 FAX (804) 740-7238
http://www.koontzbryant.com

EXHIBIT A

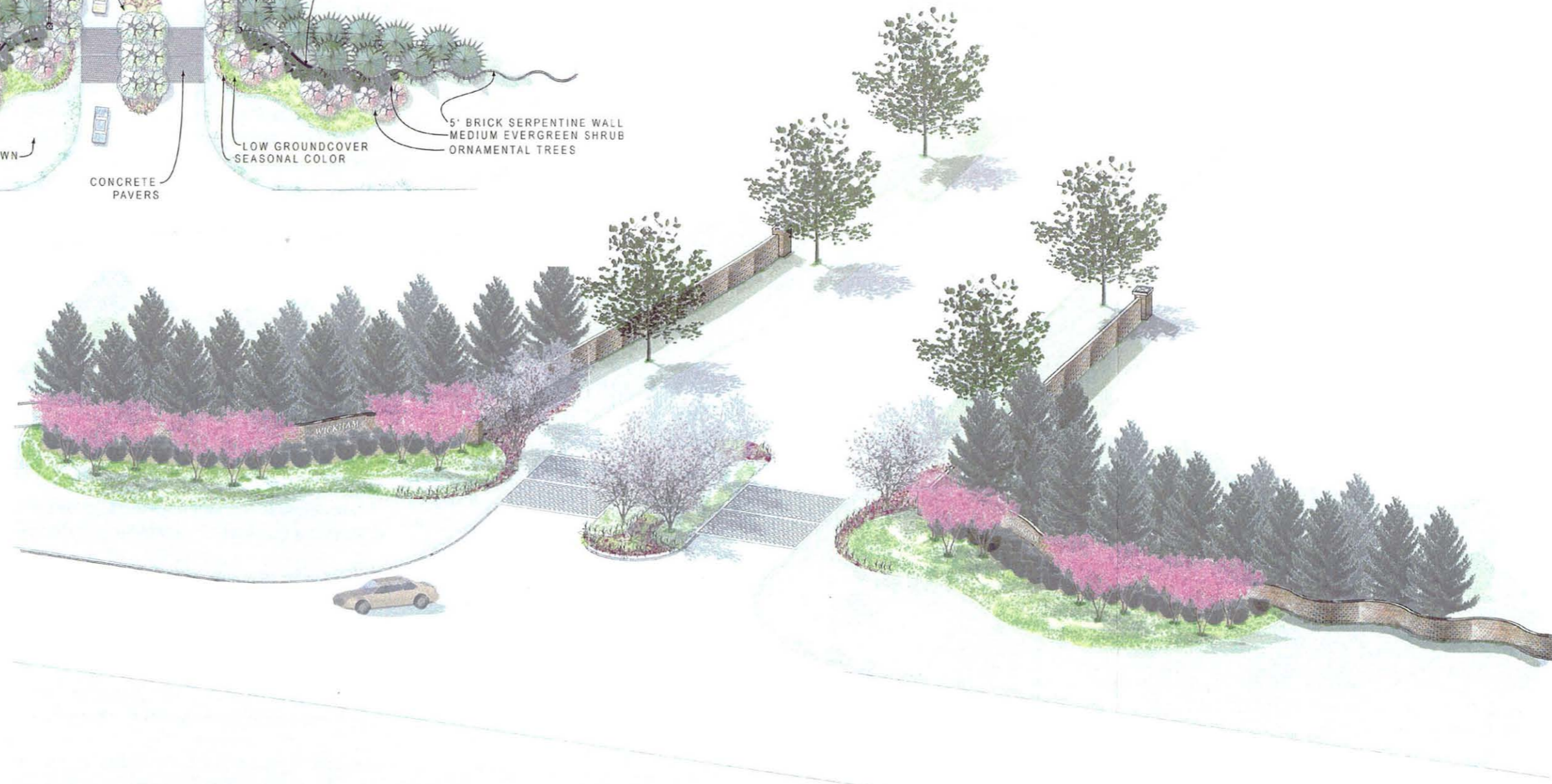
C-50C-05

N 4535

R-2



ENTRANCE PLAN
NOT TO SCALE

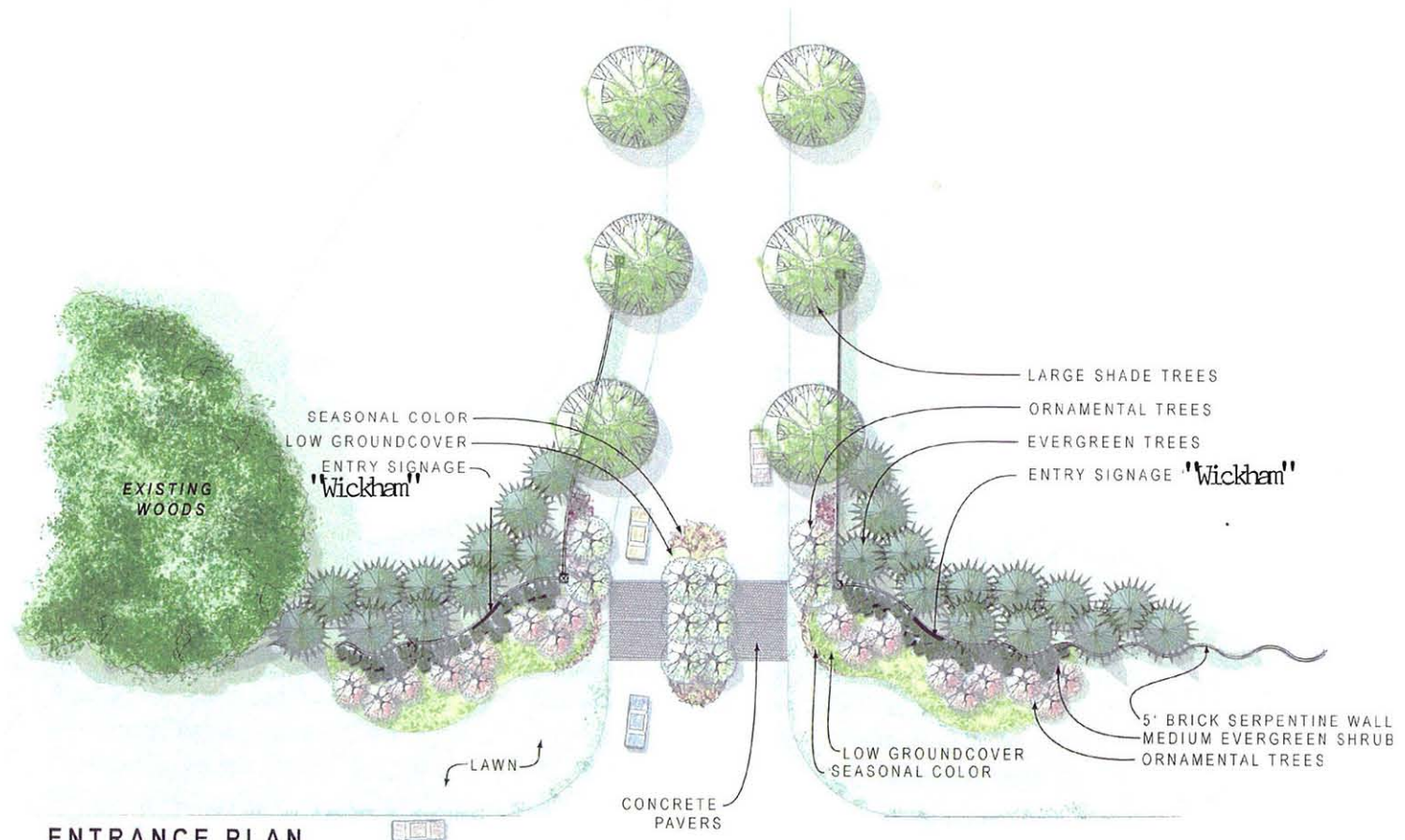


ENTRANCE AXON
NOT TO SCALE

ENTRANCE ILLUSTRATIVE
WICKHAM

Henrico County, Virginia
May 31, 2005

HIGGINS & GERSTENMAIER
LAND PLANNING LANDSCAPE ARCHITECTURE
This exhibit is for illustrative purposes only



ENTRANCE PLAN
NOT TO SCALE



ENTRANCE AXON
NOT TO SCALE

ENTRANCE ILLUSTRATIVE
WICKHAM
 Henrico County, Virginia
 May 31, 2005
HIGGINS & GERSTENMAIER
 LAND PLANNING LANDSCAPE ARCHITECTURE
 This exhibit is for illustrative purposes only