



M-1C to R-5AC
18.252 Ac.

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

C-20C-06
Zoning
 Single-Family Residential
 Varina District
 400 Feet
 Hechler Vill PS February 2006 Ref: 809-724-5973



COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

Virgil R. Hazelett, P.E.
County Manager

October 17, 2006

Steeple Lane Development, LLC
c/o Mr. Kevin McNulty
6301 Harbourside Drive
Midlothian, VA 23112

Re: Conditional Rezoning Case C-20C-06

Dear Mr. McNulty:

The Board of Supervisors at its meeting on October 10, 2006, granted your request to conditionally rezone from M-1C Light Industrial District (Conditional) to R-5AC General Residence District (Conditional), Parcel 809-724-5973, described as follows:

All that certain parcel of real property containing 18.252 acres of land located in the Fairfield Magisterial District of Henrico County, Virginia, described on plat dated September 28, 1999, prepared by Resource International, Ltd., entitled "Plat of 18.252 Acres of Land Lying East of Old Richmond Road Fairfield District Henrico County, Virginia" and being more particularly described as follows:

Beginning at a rod found at the northwest corner of Henrico County Tax Parcel 146-A-112 and the southwest corner of Henrico County Tax Parcel 146-A-107, said point being the True Point of Beginning; thence N 72°38'51" E, 952.32' to a point; thence S 4°55'00" W, 1,706.01' to a rod found; thence S 55°25'50" W, 70.76' to a point; thence along a curve to the right having a radius of 202.00' for a length of 335.94' to a point; thence N 54°31'06" W, 153.62' to a point; thence N 32°19'21" E, 212.54' to a point; thence along a curve to the left having a radius of 244.64' for a length of 260.83' to a point; thence N 28°45'57" W, 359.12' to a point; thence along a curve to the left having a radius of 1,290' for a length of 177.46' to a point; thence N 36°35'23" W, 347.05' to the True Point of Beginning, containing 18.252 acres.

The Board of Supervisors accepted the following proffered conditions, dated September 28, 2006, which further regulate the above described property in addition to all applicable provisions of Chapter 24, Code of Henrico (Zoning Ordinance):

1. **Site Plan:** Development of the Property will be in substantial conformance with the concept plan prepared by Timmons Group, attached hereto as Exhibit A (see case file), unless otherwise requested and approved at the time of Plan of Development or subdivision review.
2. **East Richmond Road Landscape Strip:** A planting strip easement a minimum of ten (10) feet in width shall be provided along East Richmond Road, which shall be planted to a Transitional Buffer 25 standard. Roads, trails, utility easements, access to BMP's, and fences/walls adjacent to any roads, signage and any other uses, which are specifically requested and approved at the time of Plan of Development or subdivision review, shall be permitted within such landscape strip; provided, any such road or utility easements (other than existing) shall be extended generally perpendicular to East Richmond Road unless otherwise requested by the Owner and specifically permitted at the time of Plan of Development.
3. **Street Trees:** The neighborhood shall have a street tree landscape plan in which trees shall be planted or retained equaling at least one tree with a minimum 2.5 inch caliper for each home within the front yard and one within the side yard if on a corner lot.
4. **Architecture:** At a minimum, the facade of all side-loading garages facing the front of the home shall be brick up to the watertable, excluding windows and architectural design features. In addition, various design elements will be incorporated to provide variety amongst individual homes including, but not limited to, the following: varying colors of brick, brick accents (including, but not limited to, arches with or without keystones, soldier courses, quoin corners, and accent coloring different from any main brick coloring), varying colors of siding, varying window designs, and varying doorway designs.
5. **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.
6. **Roads and Curb and Gutter:** Roads shall be public. All roads within the Property shall have six (6) inch standard curb and gutter unless otherwise directed or prohibited by any governmental agency and shall meet Henrico County standards.
7. **Minimum Home Size:** All homes shall have a minimum of 2,000 square feet of finished floor area.
8. **Density:** There shall be no more than sixty-four (64) homes developed on the

Property.

9. **Garages:** All homes shall have a minimum of a two (2) car, side-loading garage.
10. **Foundations:** All homes shall either (a) be constructed on a crawl space with brick or stone foundations on all exterior sides; or (b) be finished with a minimum of seven (7) courses of brick around the exterior portion of a building below the first floor elevation which is visible above grade.
11. **No Cantilevering:** There shall be no cantilevered chimneys, closets or bay windows.
12. **Yards:** Front yards of all lots and side yards of corner lots shall be sodded and irrigated, exclusive of mulched flowerbeds and landscaping.
13. **Driveways:** All driveways for individual dwellings shall be of a hard-surface material.
14. **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 development's Covenants and Restrictions.
15. **Restrictive Covenants/Homeowners' Association:** Prior to or concurrent with the recordation of a 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), a document shall be recorded in the Clerk's Office of the Circuit Court of Henrico County, Virginia, setting forth controls on the development and maintenance of such portions of the Property. In addition, there shall be a Homeowners' Association of the owners of homes on the Property that shall be responsible for the enforcement of the restrictive covenants, including, but not limited to, maintenance of common areas.
16. **Clearing Limitation:** Where practicable, the clearing of trees shall be limited to areas necessary for dwellings, driveways, utilities, entrance features, road improvements, drainage requirements, or when necessary for common areas.
17. **Underground Utilities:** Except for junction boxes, meters, pedestals, transformers and existing overhead utility lines, and for technical and environmental reasons, all utility lines shall be underground.
18. **BMPs:** Any wet BMPs shall be aerated.
19. **Passive Amenities:** Passive amenities such as a gazebo, a bench or benches, and, subject to obtaining all required governmental approvals and permits, a

pedestrian bridge crossing the creek running as generally depicted in the Site Plan (see case file), shall be provided and dedicated as common area.

20. **Construction Activity:** The hours of exterior construction, including operation of bulldozers and other earthmoving equipment, shall only occur between 7:00 am and 7:00 pm, Monday through Friday, and between 8:00 am and 4:00 pm on Saturday, with the exception emergencies or where unusual circumstances require extending the specific hours in order to complete work such as concrete pours or utility connections. No exterior construction shall occur on Sunday. All clearing, grading and construction contracts will contain these provisions. 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. **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.
22. **Access:** There shall be no direct vehicular access to and from the Property to East Richmond Road, other than access for emergency vehicles if required by the County at the time of Plan of Development or subdivision review.
23. **Stub Road:** A stub road shall be provided to parcel adjacent to the north of the Property (GPIN: 809-725-3662).

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: James W. Theobald, Esquire
Mr. Rino E. Balducci
Director, Real Estate Assessment
Conditional Zoning Index
Dr. Penny Blumenthal, Director, Research and Planning

