

**C-16C-08**

**Zoning**

Amend Proffered Conditions

(C-25C-92)

Tuckahoe District

400

Feet

PS February 2008 Ref: 745-745-3910



COMMONWEALTH OF VIRGINIA  
**COUNTY OF HENRICO**

Virgil R. Hazelett, P.E.  
County Manager

May 20, 2008

Mr. Ronald W. Vaughan  
Chelsea Group  
9701 Gayton Road  
Richmond, VA 23238

Re: Conditional Rezoning Case C-16C-08

Dear Mr. Vaughan:

The Board of Supervisors at its meeting on May 13, 2008, granted your request to amend proffered conditions accepted with Rezoning Case C-25C-92, on Parcel 745-745-3910, described as follows:

Beginning at a Point on the west line of Gayton Road, adjacent to Lot 5, Block A, of Ednam Forest Subdivision, proceeding along a curve with a radius of 1112.92' and an arc length of 104.56' to a point; thence S 20°46'00" E for 156.03' to a point; thence along a curve with a radius of 1178.92' and an arc length of 116.64' to a point; thence along a curve with a radius of 45.00' and an arc length of 61.71' to a point; thence along a curve with a radius of 205.00' and an arc length of 115.60' to a point; thence N 74°20'30" W for 195.54' to a point; thence N 15°39'22" E for 185.94' to a point; thence N 28°30'00" W for 197.22' to a point; thence N 61°30'00" E for 191.50' to a point, said point being the point of beginning, containing 2.05 acres more or less.

The Board of Supervisors accepted the following proffered conditions, dated April 30, 2008, which further regulate the above described property in addition to all applicable provisions of Chapter 24, Code of Henrico (Zoning Ordinance):

All proffers accepted with case C-25C-92 are still in effect except that Proffer #4 is amended as follows:

4 (c)

**Ednam Forest.** A natural and landscaped buffer will be provide at least thirty (30) feet in width adjacent to the boundary lines of the property adjacent to the Ednam Forest Subdivision and at least seventy-five (75) feet in width adjacent to Lot 5, Block A, Ednam Forest, except to the extent necessary for utility easements and other purposes requested, described and specifically permitted, or if required by the



Planning Commission at the time of Plan of Development review or by any other governmental body. Except as provided in the following sentence, or as otherwise permitted by the Planning Commission at the time of Plan of Development review, any utilities in the buffer shall be generally perpendicular to the adjacent boundary line. Utility easements that were recorded prior to this rezoning may be located in the buffer area as shown on such recorded easements.

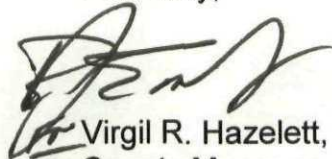
This buffer shall be left in its natural state or consist of berms, fencing and landscaping, or a combination thereof, as determined in the landscape plan approved by the Planning Commission at the time of Plan of Development review.

In addition, there shall be a six (6) foot tall opaque wooden fence located in such buffer approximately ten (10) feet from the boundary of such buffer furthest from the adjoining Ednam Forest boundary line, with such fence running generally parallel to the Ednam Forest boundary line and with such fence terminating ten (10) feet from Gayton Road and thirty (30) feet from Clearwood Road. The fence shall be of the general design, nature and appearance as shown on the attached Exhibit 2 (see case file).

In addition to any other landscaping required by the Planning Commission at the time of the Plan of Development review, there shall be six (6) evergreen trees along Cherrywood Drive and four (4) evergreen trees adjacent to Lot 5, Block A, Ednam Forest Subdivision generally as shown on the attached Exhibit 3 (see case file), which evergreen trees shall be ten (10) feet tall at the time of planting. A landscaping plan including the proposed tree species and on-going maintenance program for the buffers (to include the planting and maintenance schedule for new landscaping, mowing schedule and the removal of dead and diseased trees) shall be submitted to the Planning Department for staff review and approval prior to planting.

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,

A handwritten signature in black ink, appearing to read "Virgil R. Hazelett", written over a horizontal line.

Virgil R. Hazelett, P.E.  
County Manager

pc: Andrew M. Condlin, Esq.  
Director, Real Estate Assessment  
Conditional Zoning Index

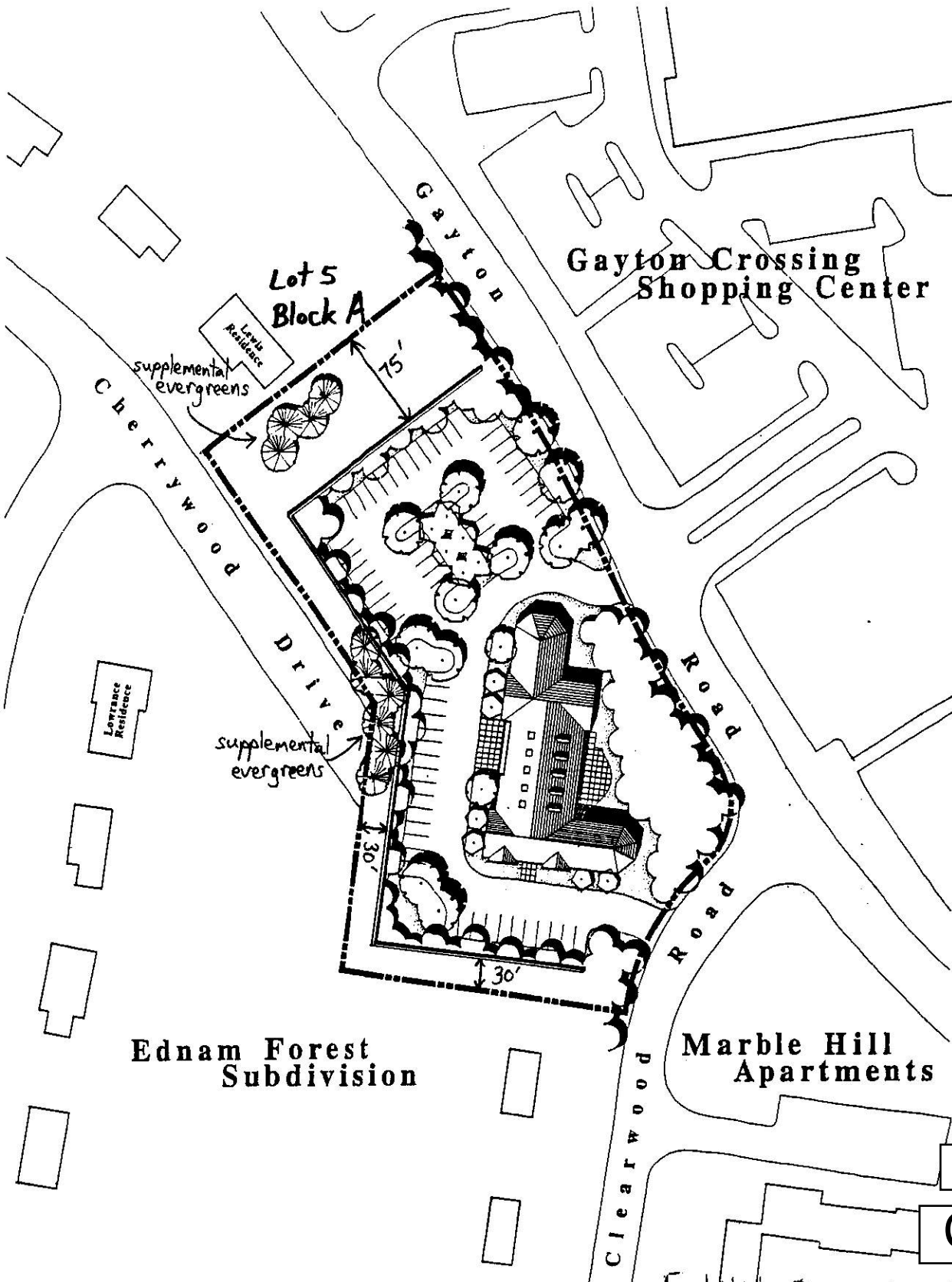
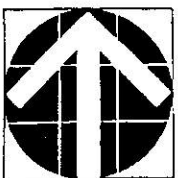


EXHIBIT 3

C-16C-08

Exhibit 3 - Accepted with Proffer  
# 10 on C-25C-92 by the BGS  
on 11-12-92.



# Illustrative Site Plan **Gayton Road Office Building**

Tuckahoe Magisterial District, Henrico County, Virginia

Omicron Development Co. Developer  
Higgins Associates, Inc. Land Planners  
November 10, 1992 P.N. 07148