

A-1, R-3C, R-4C & C-1  
to R-3C  
46.7 Ac.

**C-28C-08**  
**Zoning**  
 Single-Family Residential  
 Three Chopt District

500 Feet

PS June 2008 Ref: 748-776-3108



COMMONWEALTH OF VIRGINIA  
COUNTY OF HENRICO

Virgil R. Hazelett, P.E.  
County Manager

September 16, 2008

Twin Hickory Stables, LLC  
C/O Suzanne N. Blanton  
535 St. Albans Way  
Richmond, VA 23229

Re: Conditional Rezoning Case C-28C-08

Dear Ms. Blanton:

The Board of Supervisors at its meeting on September 9, 2008, approved your request to conditionally rezone from A-1 Agricultural District, R-3C One-Family Residence District (Conditional), R-4C One-Family Residence District (Conditional) and C-1 Conservation District to R-3C One-Family Residence District (Conditional), Parcels 747-776-8848, 748-776-3108, and 747-775-9503, described as follows:

Commencing at the terminus of the south line of Holman Ridge Road (South); thence leaving the south line of Holman Ridge Road in a southerly direction S 52°05'55" W, for a distance of 298.52' to a point being the place and point of beginning total area (P.O.B.); thence S 44°56'35" W, for a distance of 489.93' to a point; thence N 10°03'50" W, for a distance of 70.83' to a point; thence S 69°51'10" W, for a distance of 223.25' to a point; thence N 15°26'20" W, for a distance of 989.17' to a point; thence N 55°48'30" E, for a distance of 25.00' to a point; thence N 72°02'34" E, for a distance of 167.74' to a point; thence N 10°16'20" W, for a distance of 311.44' to a point; thence N 19°42'50" W, for a distance of 116.24' to a point; thence N 5°39'30" W, for a distance of 133.80' to a point; thence N 45°52'30" E, for a distance of 162.42' to a point; thence N 8°01'59" W, for a distance of 334.06' to a point; thence N 5°50'10" E, for a distance of 158.20' to a point; thence N 15°06'14" E, for a distance of 114.35' to a point; thence N 25°03'10" E, for a distance of 133'+/- to a point on the western bank of the Chickahominy River; thence along the western bank of the Chickahominy River in a southerly direction for a distance of 2264'+/- to a point; thence leaving the western bank of the Chickahominy River S 52°05'55" W, for a distance of 710'+/- to a point at the terminus of the south line of Holman Ridge Road being the place and point of beginning. Said parcel containing 46.7+/- acres.

The Board of Supervisors accepted the following proffered conditions, dated September 5, 2008, which further regulate the above described property in addition to all applicable provisions of Chapter 24, Code of Henrico (Zoning Ordinance):

1. **Underground Utilities.** All proposed utilities except for junction boxes and meters shall be placed underground, unless technical or environmental reasons require otherwise.
2. **Density.** No more than ninety-one (91) single-family residential units shall be constructed on the Property.
3. **Garages.** Each residential unit on the Property shall be constructed with a two (2) car garage. Front loading garages shall be recessed beyond the front line of the dwelling, a minimum of four (4) feet. Thirty-three percent (33%) of the garages shall be side or rear loaded.
4. **Minimum House Size.** Any new house constructed on the Property shall have a minimum of 2,250 square feet of finished floor area.
5. **Sidewalks.** A sidewalk a minimum of four (4) feet in width shall be provided on both sides of Holman Ridge Road Extended if requested by the County at the time of subdivision review. A grass strip a minimum of two (2) feet in width shall be provided between the back of curb and the sidewalk if requested by the County at the time of subdivision review.
6. **Foundations and Front Steps.** All new houses shall be constructed on crawl space foundations, except for garages and basements. The exterior portion of the foundations below the first floor level which is visible above grade shall be finished with brick or stone. This proffer shall not apply to direct vent gas fireplaces or appliances. Steps to the main entrance of all homes, except for homes with country porches, shall be faced with brick or stone or a cementitious mortared stone appearing product with a finished concrete or exposed aggregate landing. Any country porches shall have brick piers.
7. **Cantilevering.** There shall be no cantilevered chimneys, direct vent gas fireplaces, closets or bay windows.
8. **Driveways.** All new driveways shall be constructed of either cobblestone, brick, asphalt, pre-cast pavers, concrete or other similar materials approved by the Director of Planning.
9. **Exterior Building Materials.** All new houses shall be constructed with brick, stone, cultured stone, EIFS, cementitious siding (e.g. Hardiplank, or an equivalent), high-grade vinyl (a minimum of .040" nominal thickness as evidenced by manufacturer's printed literature) or a combination of the foregoing unless different architectural treatment and/or materials are specifically approved

with respect to the exposed portion of any wall at the time of subdivision review. A minimum of twenty-five percent (25%) of all homes as to the visible portions of the front exterior building wall surfaces below eave height, excluding windows, doors, dormers, breezeways, gables and architectural design features shall be of brick or stone construction, unless an equivalent material is requested and specifically approved at subdivision review. Fiberboard shall not be permitted as an exterior wall material.

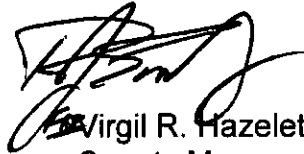
10. **Landscaping.** A minimum of two (2) trees measuring a minimum of 2.5" in caliper shall be retained or planted in the front yard of each new residential lot. The front and side yards shall be irrigated and planted with sod except where landscaping may occur.
11. **Restrictive Covenants.** Prior 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.
12. **Access.** Access to the Property shall be from Holman Ridge Road Extended. There shall be no driveway access to Holman Ridge Road Extended from any lot. Except for Holman Ridge Road Extended, no proposed street shall connect to adjacent subdivision streets. Holman Ridge Road Extended shall be designed and developed to County standards as a 55' right-of-way, and shall be dedicated to Henrico. If Henrico fails to accept Holman Ridge Road Extended, then ownership of it shall remain in the Applicant or its successor in interest. Upon acceptance by Henrico County of Holman Ridge Road Extended, the Applicant shall quit claim all right, title and interest it might have in Twin Hickory Lane.
13. **Fences.** No chain link fences shall be permitted on the Property. Any fence adjacent to Holman Ridge Road Extended shall not exceed forty-eight (48) inches in height, shall be of uniform design and construction, and shall be constructed of maintenance-free materials.
14. **Floodplain.** Application to rezone the floodplain portion of the Property to Conservation District (C-1) for areas of the Property that include floodplain shall occur prior to subdivision approval.
15. **Communications Facility.** All residential lots shall be located outside the communications facility fall zone.
16. **Minimum Lot Width.** Fifty percent (50%) of the lots shall have a minimum lot width at the building line as defined by Henrico County of 85'.

17. **Amenities.**
  - (a) A tot lot improved with playground equipment shall be provided in the common area.
  - (b) A walking trail shall be provided in the common area and shall be linked to adjacent trails if requested by Henrico County.
  
18. **Construction Hours.** The hours of exterior construction activities, including operation of bulldozers and other earthmoving equipment, shall be between 7:00 a.m. – 7:00 p.m., Monday through Saturday, except in emergencies or where unusual circumstances require extending the specific hours in order to complete work such as concrete pours or utility connections. Construction traffic shall not be permitted to access the property via the Twin Hickory Road and Holman Ridge Road intersection prior to 8:00 a.m. when school is in session, unless required otherwise by the Henrico County Department of Public Works.
  
19. **Building Permit.** The Director of Public Works shall approve all required final grading and drainage plans for development of the Property or the applicable portion thereof and shall require evidence that all easements made necessary by such plans have been obtained prior to the issuance of grading and drainage permits for the development of the Property or portion thereof.
  
20. **Greenbelt.** A greenbelt, exclusive of adjacent lots, for landscaping, natural open areas and scenic vistas will be provided twenty (20) feet in width adjacent to the right-of-way lines of Holman Ridge Road Extended, except to the extent necessary for utility easements, bicycle paths, jogging trails, signage, sidewalks and other purposes requested and specifically permitted, or if required, at the time of subdivision approval, or by any other governmental body. A landscape plan which provides for street trees in the green belt area shall be provided at the time of subdivision review.
  
21. **Chimneys.** The exposed portions of all fireplace chimneys shall be of brick or a siding similar to the exterior treatment of the dwelling. This proffer shall not apply to direct vent gas fireplaces or appliances. The exposed bases of all chimneys shall be of the same material as the dwelling foundations.
  
22. **Lot Clearing.** The clearing of healthy trees measuring six (6) or more inches in diameter on any lot shall be limited to areas required to accommodate the dwellings, driveways, sidewalks, open yard areas, utility lines and any other areas typically required for the construction of a dwelling.
  
23. **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.

Twin Hickory Stables, LLC  
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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". The signature is stylized and cursive, with a large initial "V" and "H".

Virgil R. Hazelett, P.E.  
County Manager

pc: Gloria L. Freye, Esquire  
Dr. Martha G. Blumenthal, Dir., Research & Planning, Henrico County Schools  
Director, Real Estate Assessment  
Conditional Zoning Index