

SUBJECT PROPERTY

C-32C-09
Zoning
 Amend Proffered Conditions
 (C-65C-06)
 Fairfield District
 400



COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO



Virgil R. Hazelett, P.E.
County Manager

March 16, 2010

Barrington Investors Ltd.
3307 Church Road, Suite 101
Richmond, VA 23233

Re: Conditional Rezoning Case C-32C-09

Dear Sir:

The Board of Supervisors at its meeting on March 9, 2010, approved your request to amend proffered conditions accepted with Rezoning Case C-65C-06, on Parcels 799-732-4991, 799-733-5351, -7350, -7644, -7938, -8231, -8525, -8819, -9113, -9209, -9504, -8204, -7808, -7513, -7318, -7023, -6728, -6533, -6338, -6143, -4535, -4830, -5025, -5223, -5419, -5614, -5810, 799-732-8887, -8597, and -6697, located between the east line of the Chesapeake and Ohio Railway right-of-way and the west line of Barrington Road at its intersection with Springton Road, described as follows:

Beginning at a point on the west line of Barrington Road, said point being located 479' east of the east line of Dill Road; thence with the west line of Barrington Road, S 25°54'20" E 845.46' to a point; thence departing said Barrington Road, S 80°31'50" W 425.31' to a point; thence S 49°54'54" W 837.47' to a point on the approximate east line of a Chesapeake and Ohio Railway right-of-way; thence with said C&O right-of-way, approximately along the following calls: Along a curve to the left having Radius of 1727.80', Delta of 23°07'36", Arc length of 697.40' and Chord of N 05°10'57" W 692.68' to a point; thence due west 10.00' to a point; thence N 09°16'42" W 409.36' to a point; thence with the lands now or formerly of Trinity Baptist Church, N 61°39'14" E 456.29' to a point; thence S 11°00'35" E 158.19' to a point; thence N 61°39'14" E 451.84' to a point on the west line of Barrington Road, said point being the point and place of beginning and containing 19.98 acres.

The Board of Supervisors accepted the following proffered conditions, dated January 26, 2010, which further regulate the above described property in addition to all applicable provisions of Chapter 24, Code of Henrico (Zoning Ordinance):

1. **General Development.** Development of the Property shall be comparable to the attached Concept Plan by Bay Design Group (see case file). All lots fronting Barrington Road shall have a minimum lot width of seventy (70) feet. At least

50% of the remaining lots on the Property shall have a width of at least sixty (60) feet.

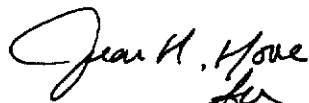
2. **Exterior Materials.** Exterior wall materials shall be brick, stone, premium beaded vinyl siding (a minimum of .042" nominal thickness as evidenced by the manufacturer's printed literature, which shall be provided at the time of building permit application), composite-type siding, cementitious siding or other material of comparable quality determined at the time of Plan of Development review. At least seventy-five percent (75%) of homes along Barrington Road shall have a minimum of fifty percent (50%) of their front elevations constructed of brick, or stone or other material of comparable quality unless otherwise approved at time of P.O.D. review. At least fifty percent (50%) of the remainder of homes within the Property shall have a minimum of 50% of their front elevations constructed of brick, stone, or other material of comparable quality unless otherwise approved at time of P.O.D. review. Foundations shall be excluded from percentage calculations.
3. **Foundations.** All homes shall be constructed on a crawl space or a concrete slab elevated a minimum of 16" above finished grade and surrounded by brick or stone or other material of comparable quality and appearance to provide the appearance of a crawl space. All elevated slab foundations shall have at least 2 faux foundation vents on the front elevation. All visible exposed portions of foundations of each home below the first floor level shall be constructed of brick, or stone, or other material of comparable quality. Front steps and stoops to the main entrance of all the homes shall be constructed of brick, stone, or other material of comparable quality with a brick, stone, concrete or exposed aggregate landing unless a porch is provided at the main entrance.
4. **Chimneys and Cantilevered Features.** Other than bay windows with decorative corbels, there shall be no cantilevered chimneys, direct vent gas fireplaces, closets or other architectural features on the front or side elevations. There shall be no cantilevered chimneys or closets on the rear elevation. The exposed portions of all fireplace chimneys shall be of the same materials as the foundation or adjacent exterior treatment of the dwelling. The exposed foundations of all chimneys, direct vent gas fireplaces, closets or other architectural features on the front and side elevations shall be of the same materials as the dwelling foundation.
5. **Minimum House Size.** Single-Family Dwellings shall be a minimum of 1300 square feet of finished floor area.
6. **Density.** There shall be no more than fifty-four (54) units developed on the property.
7. **Underground Utilities.** Except for junction boxes, meters and existing overhead utility lines and technical or environmental reasons, all utility lines shall be underground.

8. **Trash.** There shall be no central trash receptacles.
9. **Hours of Construction.** The hours of exterior construction including operation of bulldozers and other earthmoving equipment, shall be between 7:00 a.m. and 7:00 p.m., Monday through Friday and 8:00 a.m. and 5:00 p.m. on Saturday and Sunday, except in emergencies or where unusual circumstances require extending the specific hours in order to complete work such as concrete pours or utility connections.
10. **Protective Covenants.** Prior to or concurrent with the recordation of the first subdivision plat approved by the County and before the conveyance of any portion of the Property covered by said subdivision plan (other than for the dedication of easements, roads or utilities) a document shall be recorded in the Clerk's Office in the Circuit Court of Henrico County, Virginia setting forth controls on the development and maintenance of such portions of the Property.
11. **Driveways.** All homes shall have an asphalt or brushed concrete driveway.
12. **Garages.** A minimum of a one car garage with interior dimensions of at least 18 feet in depth by 9 feet in width clear of as built obstructions shall be provided for at least 50% of homes on the property. At least 63% of garages shall be side or rear loaded.
13. **Roads.** All roads within the Property shall be public roads. The developer shall construct six (6) inch standard curb and gutter along all roads with the Property and along Barrington Road, as determined by the Director of Public Works at the time of subdivision or Plan of Development review. Should the dedicated property not be used for its intended purpose within thirty (30) years of the dated of dedication, title to the dedicated property shall revert to the owner or its successors in interest.
14. **Entrance Feature.** An entrance sign with brick, stone or stucco base shall be installed along Road A, at its intersection with Barrington Road and within the common area, as shown on the Concept Plan (see case file). A landscape plan for the entrance feature shall be submitted during Plan of Development review for approval by the Planning Commission.
15. **Street Trees.** Minimum 2" caliper street trees shall be provided along Barrington Road and all roads within the Property at intervals of approximately 35 feet, unless otherwise requested and approved by the Planning Commission at the time of Plan of Development review. A landscape plan for street trees shall be provided for review by the Planning Commission at the time of Plan of Development review.
16. **Fences.** Any fencing of yard shall not extend beyond the front of the house and must meet requirements regarding height, design and materials specified in covenants and restrictions to be recorded with the lots.

17. **C-1 Zoning.** The Applicant shall file an application for C-1 zoning for the areas within the Property that are within the 100-year flood plain, unless such areas are needed for roads, access ways or other purposes approved by the Planning Commission or any other governmental body or official at the time of Plan of Development review. Such rezoning application shall be filed prior to final Plan of Development approval for the Property. The acreage then zoned C-1 may or may not be included in any lot on the Property, at the discretion of the Applicant.
18. **Elevations.** A minimum of two (2) windows per side elevation shall be provided for each dwelling.
19. **Foundation Plantings.** Prior to the issuance of a final Certificate of Occupancy for any individual dwelling, foundation plantings consisting of a minimum of ten (10) shrubs for the front elevation shall be provided.
20. **Compliance Certification.** The property owner and/or builder shall provide the amount of brick (or other comparable material) used on each dwelling for all dwellings approved in the development upon the submittal of a building permit application. A cumulative count of such materials used for homes, the type of garage constructed with each home, and lot widths shall be provided upon request of the Henrico Planning Department or Permit Center.

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,



Virgil R. Hazelett, P.E.
County Manager

pc: Elder Homes Corp.
Mr. John J. Hanky, III
Dr. Martha G. Blumenthal, Dir., Research & Planning, Henrico County Schools
Director, Real Estate Assessment
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