

C-3C-10

Zoning

Single-Family Residential

Three Chopt District

400 Feet

PS November 2009 Ref. 738-756-7754

COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO



Virgil R. Hazelett, P.E.
County Manager

March 16, 2010

Mr. Edward L. Clay
Mr. Carl J. Bailey Clay
3000 Pump Road
Henrico, VA 23233

Re: Conditional Rezoning Case C-3C-10

Dear Messrs. Clay:

The Board of Supervisors at its meeting on March 9, 2010, approved your request to conditionally rezone from A-1 Agricultural District to R-3C One-Family Residence District (Conditional), Parcel 738-756-7754, containing 1.93 acres, located at the northwest intersection of Sunrise and Pump Roads, described as follows:

Beginning at a point on the return of the western line of Pump Road and the northern line of Sunrise Road, the Point of Beginning; thence, (1) in a westwardly direction along the northern line of Sunrise Road, S 67°01'00" W, 411.00' to a point; thence, (2) in a northwardly direction, N 20°41'48" W, 190.44' to a point; thence, (3) in an eastwardly direction N 67°03'29" E, 445.52' to a point on the western line of Pump Road, the point of curve; thence, (4) in a southwardly direction along the western line of Pump Road in a curve to the left having a radius of 17,221.73', a length of 154.75', and a chord bearing and distance of S 20°42'34" E, 154.71' to a point; thence, (5) continuing in a southwardly direction along a return on the western line of Pump Road, S 22°29'56" W, 50.46' to a point on the northern line of Sunrise Road, the point of beginning. The herein described Parcel of land contains 1.930 acres.

The Board of Supervisors accepted the following proffered conditions, dated February 11, 2010, which further regulate the above described property in addition to all applicable provisions of Chapter 24, Code of Henrico (Zoning Ordinance):

1. **Minimum Finished Floor Area.** Two-story homes shall have a minimum of 1800 square feet of finished floor area and one-story homes shall have a minimum of 1500 square feet finished. There shall be no more than three one-story homes constructed on the property including the existing house.
2. **Foundations and Chimneys.** All new houses shall be constructed on crawl space foundations, except for garages and basements. The exterior portions of all residential dwelling foundation below the first floor level which is visible above grade shall be brick or stone. Any dwellings with a fireplace other than direct vent gas fireplaces or appliances will have masonry chimneys faced with brick or

stone similar to the foundation. Front stoops and steps shall be constructed of material to match the foundations.

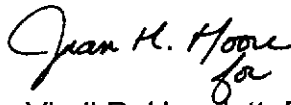
3. To the extent reasonably practical, the clearing of mature trees on residential lots by the developer shall be limited to trees in areas required to accommodate the structure and its normal and customary accessories, open areas and areas required to permit utility services and driveways. A minimum of two (2) trees measuring a minimum of 2" in caliper at the time of planting shall be retained or planted in the front yard of each new residential lot.
4. Except for the driveway serving the existing house on the property in its current location, there shall be no direct vehicular access to or from any residential lot developed on the property to or from Pump Road.
5. **Underground Utilities.** All proposed utilities except for junction boxes and meters shall be placed underground, unless technical or environmental reasons require otherwise.
6. **Garages.** Each residential unit on the Property shall be constructed with at least a one (1) car garage. Front loaded garages shall be recessed beyond the front line of the dwelling a minimum of two (2) feet.
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), 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. Fiberboard is not permitted as an exterior wall material. With the exception of the existing house on the property, which can be moved to another lot on the property, vinyl siding is prohibited.
10. **Fences.** No chain link fences shall be permitted on the Property.
11. **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.

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12. **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 of the unaffected part of any such proffer.
13. Landscaping shall be provided along Pump Road to include retention of existing trees and the planting of an evergreen hedge in an area within twenty feet of the Pump Road right-of-way. The plantings shall not interfere with the operation of the driveway as long as it exists.
14. There shall be at least one window included in each side elevation of the houses.

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: Mr. Stuart Grattan
Dr. Martha G. Blumenthal, Dir., Research & Planning, Henrico County Schools
Director, Real Estate Assessment
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