

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

# C-4C-12

## Zoning

Amend Proffered Conditions  
(C-58C-07)  
Fairfield District

500

Feet

PS

November 2011

Ref: 814-720-6887



COMMONWEALTH OF VIRGINIA  
**COUNTY OF HENRICO**

Virgil R. Hazelett, P.E.  
County Manager

February 21, 2012

Gelletly and Associates, Inc.  
c/o Skip Gelletly  
11248 Prescott Place  
Glen Allen, VA 23059

Re: Rezoning Case C-4C-12

Dear Mr. Gelletly:

The Board of Supervisors, at its meeting on February 14, 2012, approved your request to amend proffered conditions accepted with Rezoning Case C-58C-07 on Parcels 814-720-6887, -6991, -7099, -8869, -8877, -9084, -9193, -9252, 814-721-7007, -7214, -7322, -7530, -7738, -7846, -7954, -8062, -8169, -8377, -8484, -8694, -9201, -9308, -9516, -9624, -9733, -9940, -9965, 814-722-8801, -9225, 815-720-0480, -0687, -0895, -2466, -2873, -3081, -3388, -3696, 815-721-0048, -0277, -0484, -0492, -0699, -0965, -1002, -1037, -1310, -1317, -1325, -1859, -1934, -2653, -3348, -3804, -3914, -6748, and 815-722-0708 located between the south line of Oakleys Lane and the north line of the Southern Railway east of the Hechler Village subdivision.

The Board of Supervisors accepted the following proffered conditions, dated January 12, 2012, which further regulate the above described property in addition to all applicable provisions of Chapter 24, Code of Henrico (Zoning Ordinance):

The following proffers shall supersede proffers originally approved in the C-58C-07 zoning case.

1. **Maximum Density.** The maximum number of building lots on the property shall not exceed one hundred and thirty-two (132).
2. **Dwelling Design.**
  - a. **Minimum Finished Floor Area:** The minimum finished floor area for all dwellings shall be fourteen hundred fifty (1,450) square feet. Sixty percent (60%) of all dwellings shall have a minimum square footage of eighteen hundred square feet.
  - b. **Exterior Materials:** The exterior of all dwellings shall be constructed of brick, brick veneer, fiber cement siding, vinyl, stone, synthetic stone, or similar masonry material. If vinyl is used then the thickness of the vinyl shall be a minimum of .042" and manufacturer's printed literature shall be provided as evidence at the time of building permit application. A minimum of 40% of the dwellings shall have 30% brick or stone on the dwelling's front façade.
  - c. **Foundations:** The main portion of the dwelling shall not be constructed on a slab, provided that garages, patios and out buildings may be constructed on a slab. The

exposed exterior portion of all dwelling foundations and front stoops and front steps, shall be brick, brick veneer, stone, synthetic stone or similar masonry material.

- d. Fireplace Chimneys: The exposed portion of a fireplace chimney shall be clad in brick, brick veneer, stone, synthetic stone or similar masonry material. No chimney or gas vent unit shall be cantilevered. This proffer shall not apply to direct vent gas fireplaces or appliances.
  - e. Garages: Each dwelling shall be constructed with a garage and at least fifty percent (50%) of dwellings shall have a two-car garage. Front access two-car garages shall have interior dimensions free of as-built obstruction of at least 18 feet in width and at least 20 feet in depth. Front access one-car garages shall have interior dimensions free of as-built obstructions of at least 10 feet in width and at least 20 feet in depth. Side access two-car garages shall have interior dimensions free of as-built obstruction of at least 18 feet in width and at least 18.5 feet in depth. Side access one-car garages shall have interior dimensions free of as-built obstructions of at least 10 feet in width and at least 20 feet in depth.
  - f. Cantilevering: No closets or windows shall be cantilevered.
  - g. Windows: All side elevations in homes constructed for which a building permit is obtained after the date of the approval of this request shall contain a minimum of one window.
3. Elevations. The architectural appearance of the dwellings shall be generally consistent with the buildings depicted by Exhibit "A" attached hereto (see case file), unless otherwise requested and approved by the Director of Planning. The architectural appearance of dwellings under 1,800 sf shall be generally consistent with the buildings depicted by Exhibit "B" attached hereto (see case file).
4. Landscaping and Foundation Plantings and Buffering. All homes shall be provided a landscape package. A diversity of plant materials will be used, including a variety of ground cover, plants and trees. Prior to the issuance of a final C.O. for any individual dwelling, a minimum of 6 trees or shrubs (or a combination thereof) shall be provided for the front elevation. Street trees shall be provided along both sides of all internal roadways at a minimum of two per lot with a maximum spacing of 40 feet along street property lines and within 10 feet of the property line (right-of-way), unless otherwise approved at the time of subdivision review. Cul de sac lots shall only require one street tree per lot. A 50-foot buffer (to remain in its natural state) shall be provided along the eastern side of the parcel adjacent to GPIN 816-721-1410. A 40-foot wide buffer (to remain in its natural state) shall be provided along the southern side of the parcel. A 35-foot natural buffer to be supplemented with street trees at intervals of not less than 40 feet and additional landscaping as needed to meet the requirements for a thirty-five foot transitional buffer shall be provided along the ultimate right-of-way of Oakleys Lane. The applicant may supplement all aforementioned buffers with additional plantings to exceed the stated requirements, as approved by the Director of Planning. Underbrush, fallen, diseased or dead trees and plant growth may be removed from any buffer area; if such underbrush, trees, and plant growth are removed, additional supplemental plantings

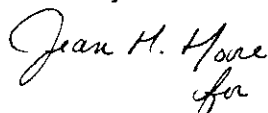
shall be added to such buffer as approved by the Director of Planning. Utility easements, driveways, roads and signage may be permitted in any buffer as approved at the time of subdivision review. Cutting, grading and other construction as needed for road, lot and utility improvements may take place within any such buffer so long as landscaping is replanted as required by the Director of Planning. Any such new road or new utility easement shall be extended generally perpendicular to such buffer.

5. Dwelling Orientation. Dwellings shall not be situated on a lot in a manner where the front of one house fronts the rear of another house. No stem lots shall be permitted.
6. Driveways. All driveways shall be constructed of exposed aggregate, concrete, brick, stone, asphalt or pre-cast pavers.
7. Road and Curb and Gutter. All roads shall be constructed with 6" standard full faced curb and gutter.
8. Underground Utilities. All utilities except for junction boxes, meters and existing overhead utility lines or for technical or environmental reasons shall be installed underground.
9. C-1 Zoning. 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 or required by the Planning Commission or any other governmental body or official at the time of subdivision review. The application for C-1 shall be filed no later than final subdivision approval. The acreage then zoned C-1 may or may not be included in any subdivision or lot on the Property, at the sole discretion of the Applicant.
10. Storm-Water Facilities. Any wet Best Management practice areas shall be aerated and landscaped as approved by the Planning Commission at the time of subdivision review. Any dry Best Management Practice areas shall be screened from any public and/or private roadways with landscaping as approved by the Planning Commission at the time of subdivision review.
11. Protective Covenants/Homeowners Association. 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), 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 property owners that shall be responsible for the enforcement of the restrictive covenants and the maintenance of the common area, which common area shall include the areas noted on the Concept Plan (see case file) as buffers, open space and SWM/BMP. These proffers accepted with this case shall be attached as an exhibit to and recorded with, such protective covenants. The restrictive covenants shall provide for uniform mailboxes and post lights and prohibit wooden stockade-style fences.

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 or the unaffected part of any such proffer.
13. Conceptual Site Plan. The Property shall be developed generally consistent with the layout plans on file in the Henrico Planning Department.
14. 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 9:00 a.m. and 6:00 p.m. on 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. Exceptions shall require the Director of Planning's approval. Construction signs shall be posted in English and in Spanish. The construction sign shall state the hours of construction and that construction traffic is prohibited from using Orinda Drive and Dalglish Road.
15. Compliance Certification. Upon request by the Director of Planning, the developer shall provide the County with the necessary calculations that illustrate that the dwellings and lots constructed in the subdivision are in compliance with all the allowable and required percentages set forth in these proffers.
16. Recreation Amenities. Prior to the issuance of the final certificate of occupancy for the thirty-fifth (35th) dwelling, a tot lot containing at least 0.4 of an acre shall be constructed within the open space area for use in common by owners of the lots and their invitees. The tot lot shall include, but not be limited to, play equipment and/or an open recreation area, benches, and trash receptacles.
17. Entrance Sign. An entrance sign and landscaping shall be placed at the entry to the subdivision along Oakleys Lane. The sign shall be a monument sign constructed of brick, brick veneer, stone, synthetic stone or similar masonry material, or some combination thereof.

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 cursive script, appearing to read "Virgil R. Hazelett", with a small "for" written below it.

Virgil R. Hazelett, P.E.  
County Manager

pc: Director, Real Estate Assessment  
Conditional Zoning Index



EXHIBIT A

C-4C-12





EXHIBIT A

C-4C-12



EXHIBIT A

C-58C-07





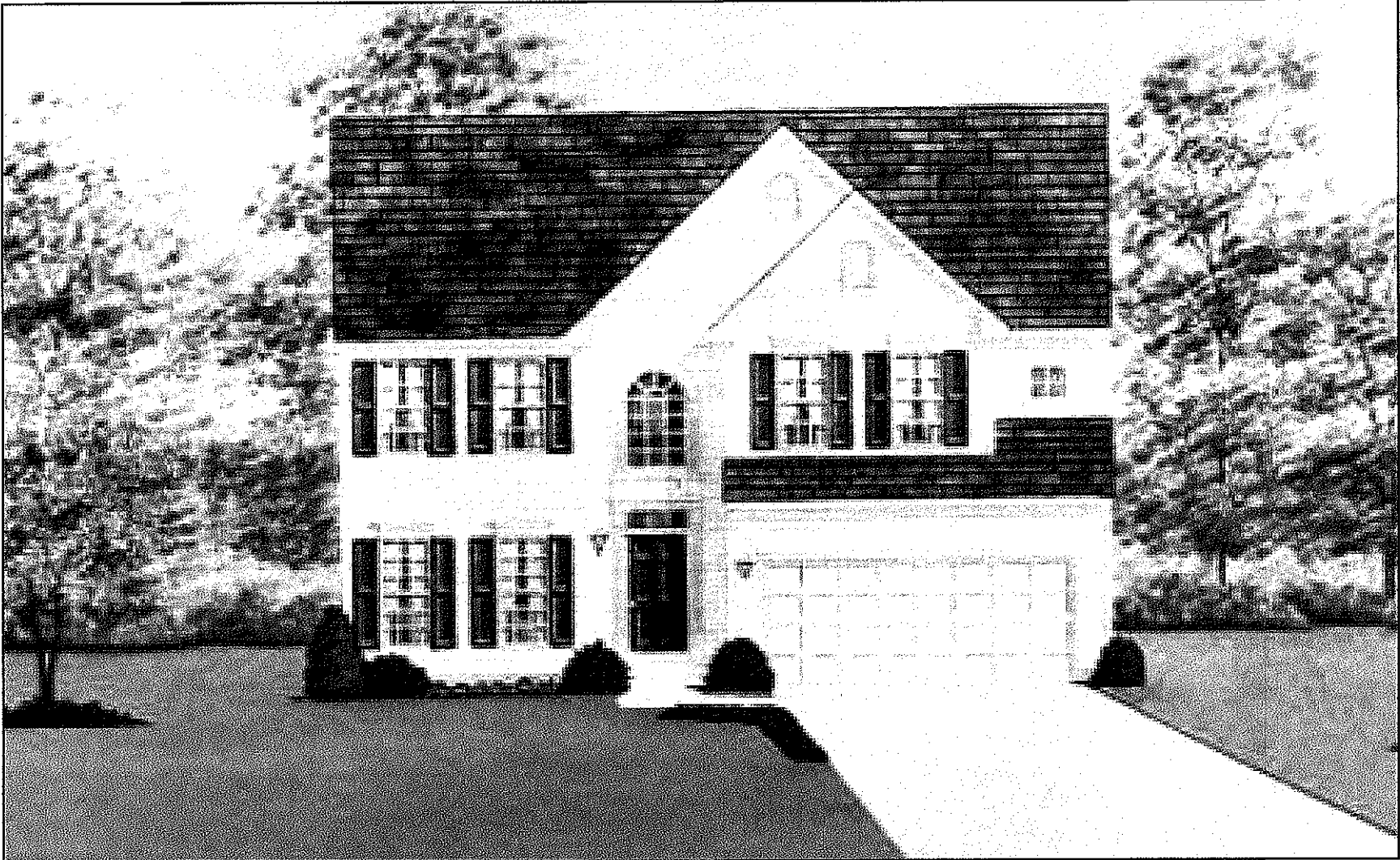
EXHIBIT A

C-4C-12



EXHIBIT A

C-4C-12



**The Jasmine**  
by

EXHIBIT A

C-4C-12

**Ryan**  
Homes



# THE SORRENTO



ELEVATION B



ELEVATION A



ELEVATION C

EXHIBIT B  
1 of 3

C-4C-12

**Ryan**  
Homes

WELCOMING FAMILIES HOME FOR OVER 60 YEARS



# THE SIENNA



ELEVATION C



ELEVATION A



ELEVATION B

EXHIBIT B  
2 of 3

C-4C-12

**Ryan**  
Homes

WELCOMING FAMILIES HOME FOR OVER 60 YEARS



# THE PISA



ELEVATION C



ELEVATION A



ELEVATION B

EXHIBIT B  
3 of 3

C-4C-12

**Ryan**  
Homes

WELCOMING FAMILIES HOME FOR OVER 60 YEARS



