



COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

John A. Vithoulkas
County Manager

September 15, 2015

Leinster Nutrient Exchange, LLC
Attn: Mr. Herbert E. Fitzgerald
5407 Patterson Avenue, Suite #100
Richmond, VA 23226

Re: Rezoning Case REZ2015-00020

Dear Mr. Fitzgerald:

The Board of Supervisors at its meeting on September 8, 2015, granted your request to conditionally rezone from A-1 Agricultural District to R-2AC One-Family Residence District (Conditional) Parcel 809-732-9704 containing 19 acres located on the east line of Harvie Road approximately 450' north of its intersection with Harvest Crest Court, described as follows:

Beginning at a stake on the East line of Harvie Road, 467.2' \pm from the North line of Harvest Crest Court, being labeled P.O.B. on this plat; thence N 02°02'14" E 588.51' thence S 89°42'00" E 290.53'; thence N 02°02'00" E 300.00'; thence S 89°42'00" E 682.47'; thence S 04°34'40" E 900.60'; thence N 89°12'30" W 1076.53' to the point and place of beginning and containing 19.00 acres of land.

The Board of Supervisors accepted the following proffered conditions, dated August 12, 2015, which further regulate the above described property in addition to all applicable provisions of Chapter 24, Code of Henrico (Zoning Ordinance):

1. **Maximum Density.** The maximum number of building lots on the property shall not exceed thirty seven (37).
2. **Dwelling Design.**
 - a. **Maximum 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 (1,800) 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 0.046" and manufacturer's printed literature shall be provided as evidence at the time of building permit application. A minimum of 50% of the dwellings shall have 30% brick or stone on the dwelling's front façade, exclusive of the exterior foundation. Roof shingles shall be warranted to last at least thirty (30) years.

c. Foundations: The main portion of the dwellings shall be constructed with crawl space foundations. The exposed exterior portion of all foundations, 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. Any areas above garage doors exceeding four (4) feet in height shall include an architectural feature to break up the visual mass.

f. Cantilevering: No closets or windows shall be cantilevered.

g. Windows: All side elevations in homes shall contain a minimum of one window. All side elevations that are adjacent to a public right-of-way shall contain a minimum of two windows except when the side elevation includes a garage.

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.

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.

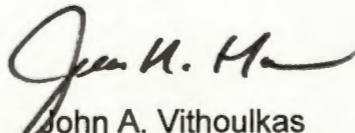
a. Lot landscaping: Prior to the issuance of a final C.O. for any individual dwelling, a minimum of 6 trees or shrubs (or a combination thereof) shall be provided for the front elevations.

- b. Street trees: 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.
- c. Sod: Front yards and side yards (to the rear elevation of the main structure) shall be sodded. Irrigation shall be installed unless a drought-tolerant grass is planted.
5. **Driveways.** All driveways shall be constructed of exposed aggregate, concrete, brick, stone, asphalt or pre-cast pavers. Gravel driveways shall not be permitted.
6. **Sidewalks.** A County standard sidewalk shall be provided along one side of Road A, as shown on Exhibit B (see case file), and along the east line of Harvie Road.
7. **Fencing.** A six (6) foot privacy fence shall be installed as shown on Exhibit B (see case file) and shall be installed prior the first certificate of occupancy. Fence materials shall either be vinyl or double-sided wood.
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. **Storm-Water Facilities.** Any permanent wet pond shall be aerated and landscaped as approved at the time of construction plan review. Any permanent dry pond shall be screened from any public and/or private roadways with landscaping as approved at the time of construction plan review.
10. **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 (see case file) shall be attached as an exhibit to and recorded with such protective covenants. The restrictive covenants shall provide for uniform mailboxes and post lights.
11. **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.

12. **Conceptual Site Plan.** The Property shall be developed generally consistent with Exhibit B (see case file). Stub Road E shall be constructed to Henrico County standards and paved.
13. **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.
14. **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.
15. **Entrance Sign.** Any entrance sign and landscaping shall be placed at the entry to the subdivision along Harvie Road. 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.

Sincerely,


John A. Vithoulkas
County Manager

pc: Mr. Dan Caskie
Director, Real Estate Assessment
Tiffany S. Hinton, Ph.D., Dir. Research and Planning - Schools

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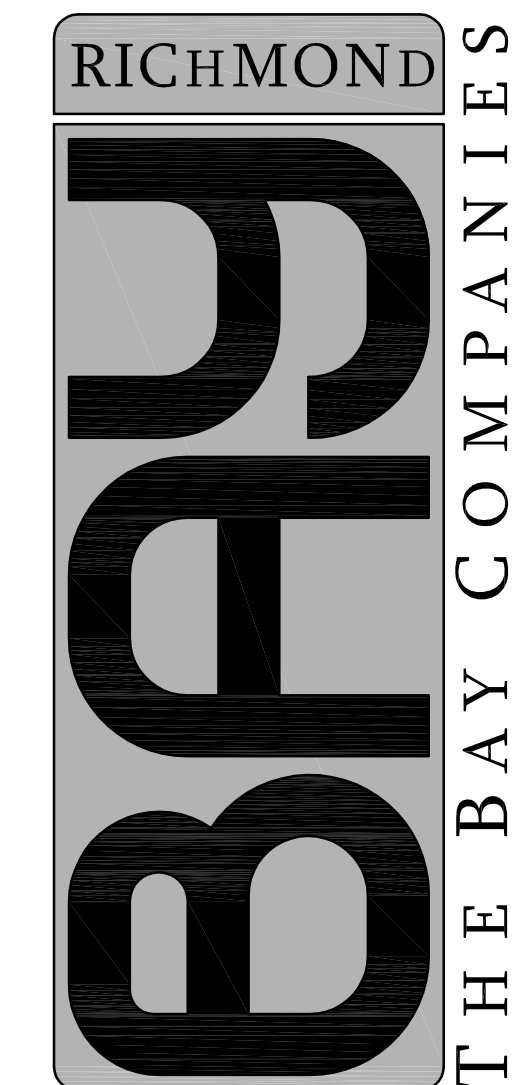
FILED: 11076_color

DATE: JULY 9, 2015

REVISED:

REVISED:

REVISED:



8500 BELL CREEK ROAD
MECHANICSVILLE, VA 23116
(804) 569-7060
FAX: (804) 569-7061

Consulting
Engineers

PROJECT:

Harvie
Road
Property

Fairfield District
Henrico County, Virginia

SHEET:

Architectural
Plans

SHEET NO:

C1

JOB NO. 11076

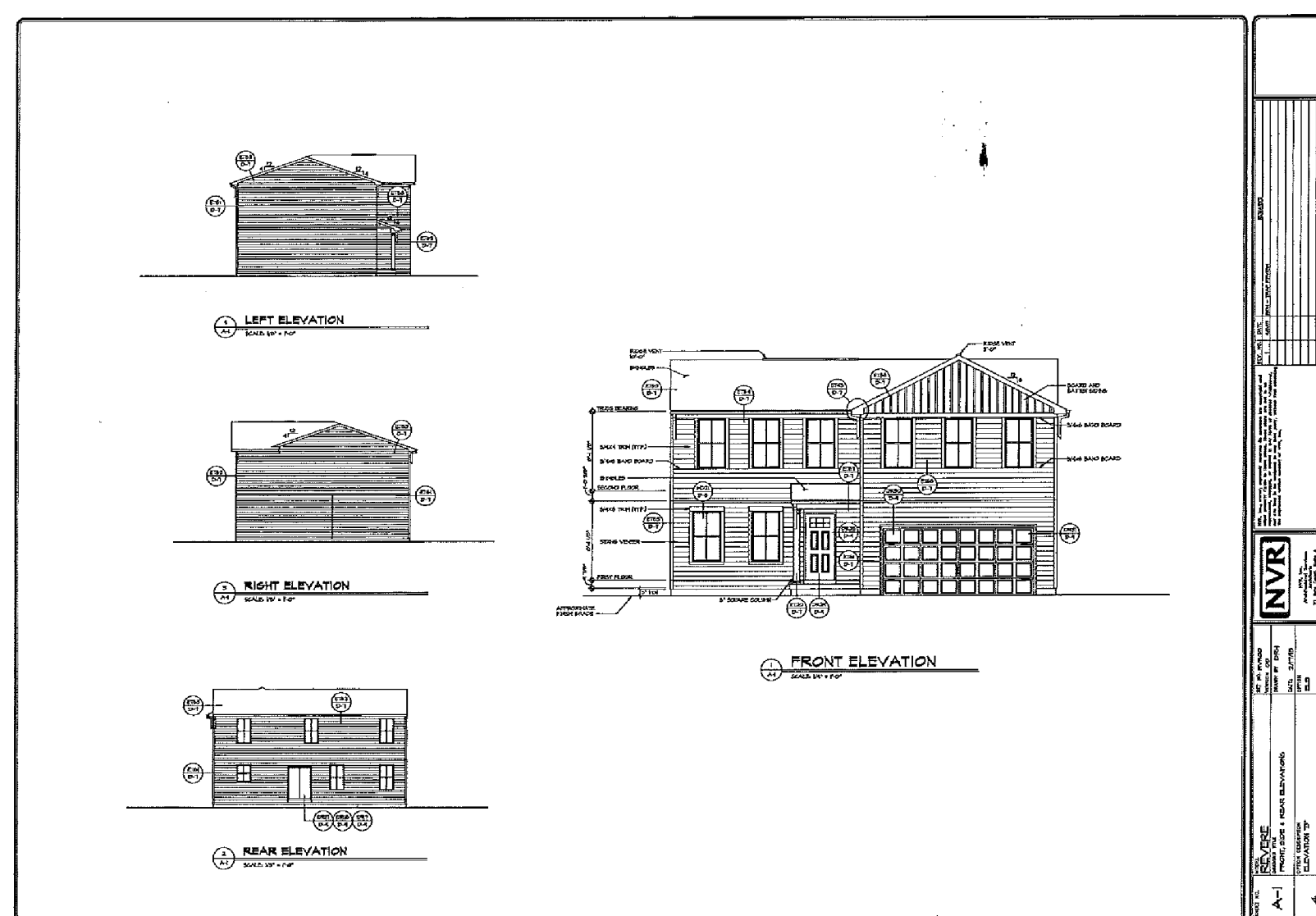
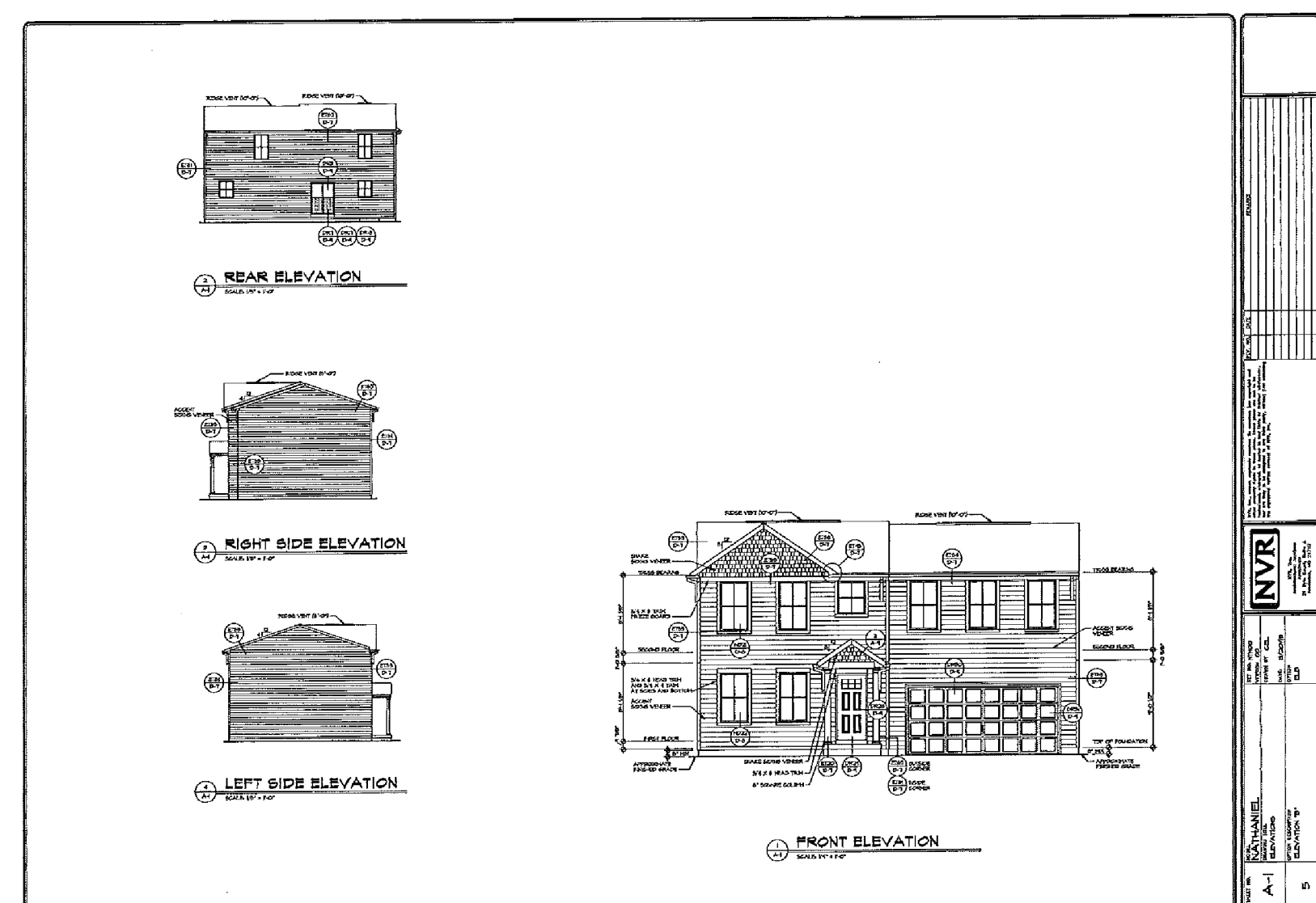
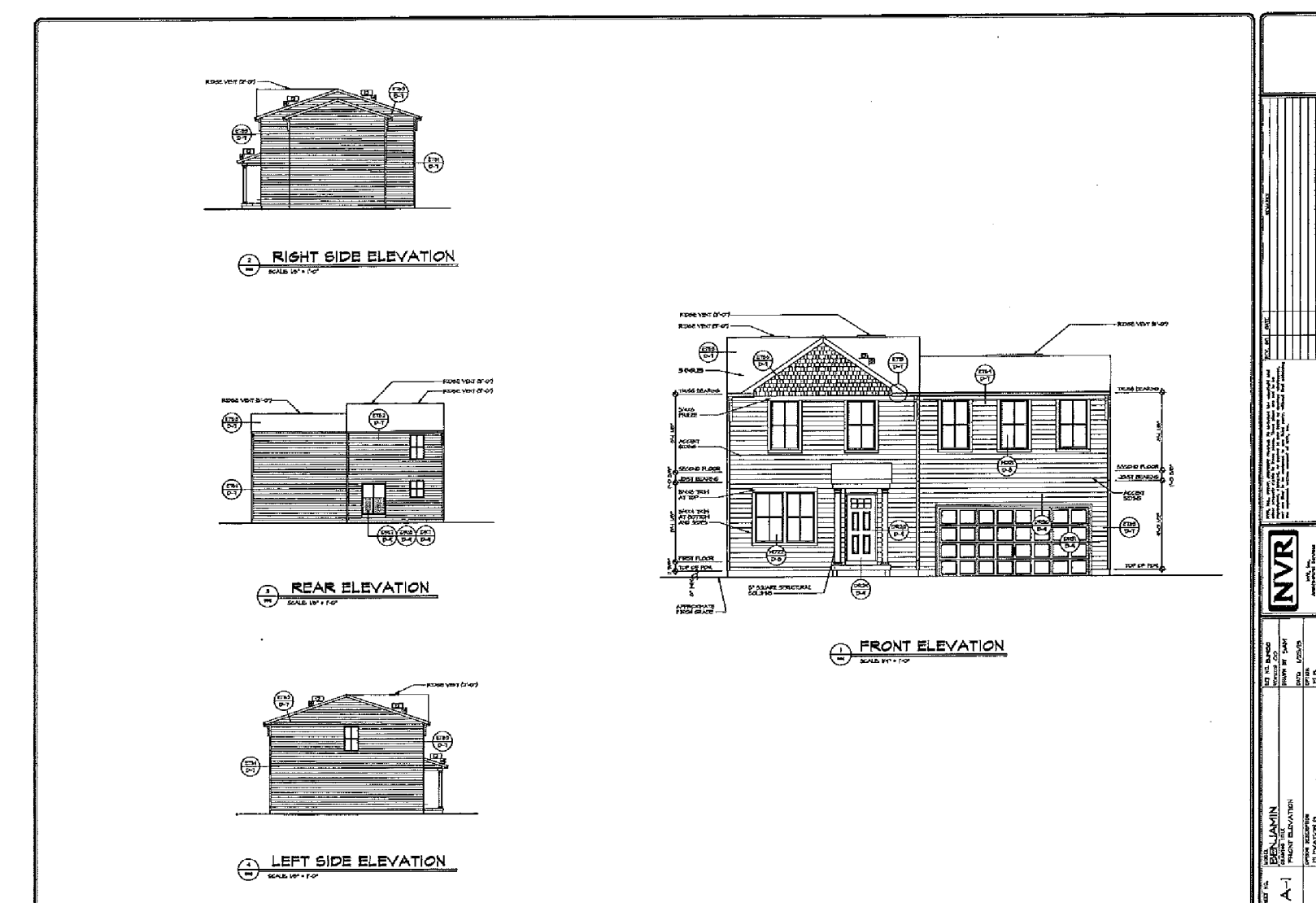
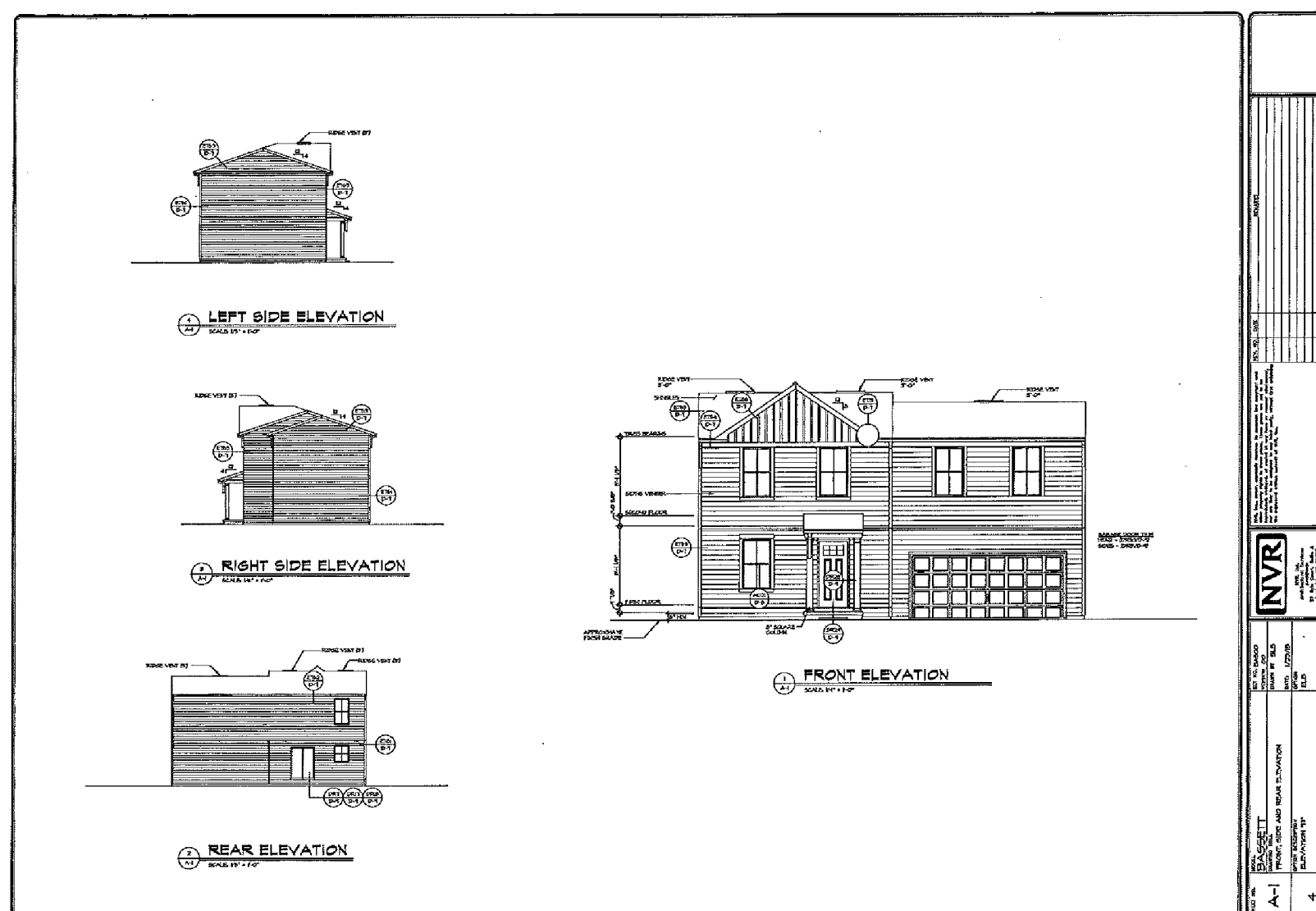
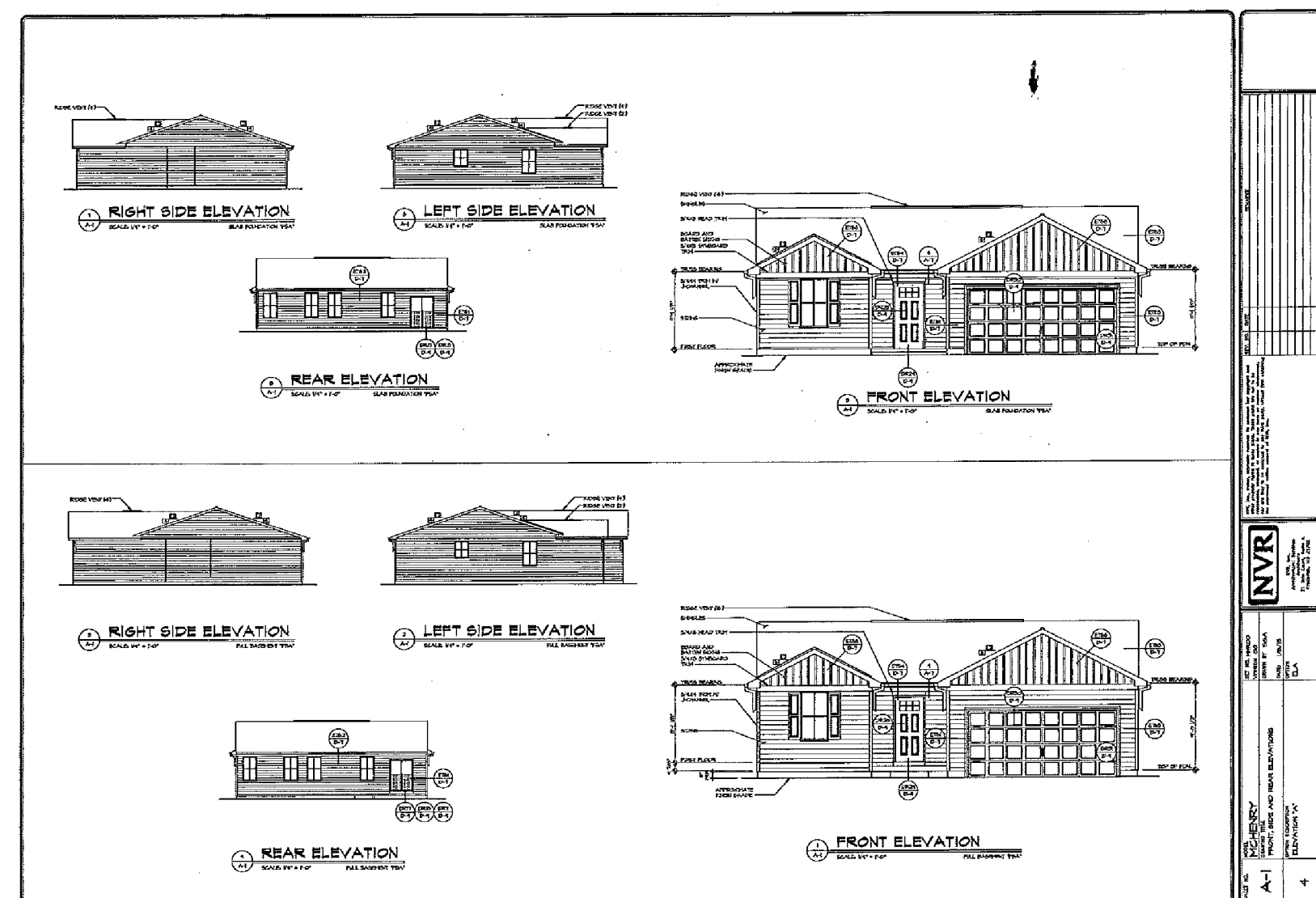


EXHIBIT A

REZ2015-00020

081215

EXHIBIT A



EXHIBIT B

REZ2015-00020

081215

www.thebaycompanies.com

SCALE: 1" = 60'

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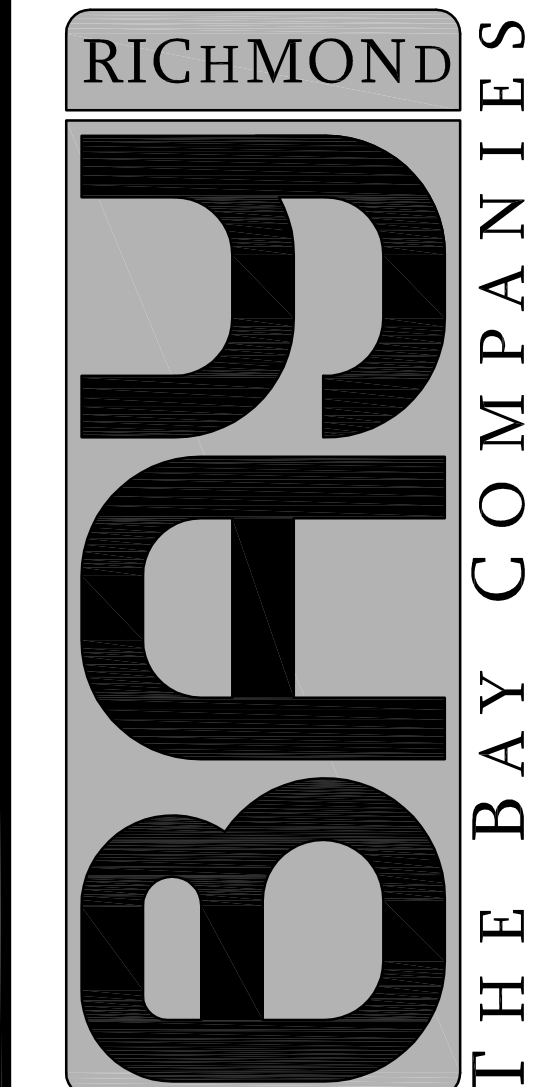
FILED: 11076gis

DATE: August 4, 2015

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8500 BELL CREEK ROAD
MECHANICSVILLE, VA 23116
(804) 569-7060
FAX: (804) 569-7061

Consulting
Engineers

PROJECT:

Harvie
Road
Property

Fairfield District
Henrico County, Virginia

SHEET:

Concept
Plan

SHEET NO:

C1

JOB NO. 11076