

REZ2022-00007

Zoning

Single-Family Residential
Brookland District

400 Feet

PS December 2021

Ref: 769-774-5336



COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

John A. Vithoulkas
County Manager

March 15, 2022

Eagle Construction of VA, LLC
10618 Patterson Avenue
Henrico, VA 23238

Re: Rezoning Case REZ2022-00007

Dear Sir/Madam:

The Board of Supervisors at its meeting on March 8, 2022, approved your request to conditionally rezone from A-1 Agricultural District to R-2C One-Family Residence District (Conditional) Parcel 769-774-5336 containing 7.59 acres located on the south line of Mill Road approximately 200' east of its intersection with Wyatt Farm Drive, described as follows:

All that parcel of land lying in the Brookland District of Henrico County, Virginia situated on the north line of Mill Road and being more particularly described as follows:

Beginning at a point on the north line of Mill Road and 181' ± from the east line of Wyatt Farm Drive being labeled the point of beginning "P.O.B." on this plat: thence N 74°27'15" E 15.50'; thence along a curve to the right with a radius of 1,121.00' and an arc length of 378.57'; thence S 86°11'45" E 110.88'; thence S 00°22'35" W 684.50'; thence N 84°50'25" W 501.87'; thence N 00°22'35" E 604.01' to the point and place of beginning, containing 7.59 acres of land known as GPIN: 769-774-5336.

The Board of Supervisors accepted the following proffered conditions, dated February 10, 2022, which further regulate the above-described property in addition to all applicable provisions of Chapter 24, Code of Henrico (Zoning Ordinance):

1. **Concept Plan.** Development of the Property shall conform generally to the conceptual drawing by Bay Design entitled "Concept Plan" and revised February 8, 2022, as shown herein and attached hereto as Exhibit A (hereinafter, the "Concept Plan"); (see case file), unless otherwise approved at the time of subdivision. The subdivision road serving the lots shall be a public road, and as such, shall be constructed to Henrico County standards. The proposed lot lines and open space configurations are conceptual in nature and may vary on the final subdivision plan depending upon the final soil studies, road design, other engineering reasons, and requirements of governmental entity or as otherwise approved during subdivision review.

2. **Right-of-Way Dedication.** Prior to issuance of the first Certificate of Occupancy for any new dwelling constructed on the Property, the applicant shall dedicate, free and unrestricted to the County or its designee, a thirty-two and a half (32.5) foot right of way measured from the centerline of Mill Road along the entire frontage of the Property, or as otherwise approved at the time of subdivision or Plan of Development review. Should any of the dedicated right-of-way not be used within fifteen (15) years of the dedication, title to the dedicated property shall revert to the owner or its successors in interest.
3. **Open Space.** The open space shall be dedicated to and maintained by the homeowners' association for the subdivision.
4. **Density.** No more than eleven (11) detached single-family dwellings shall be constructed on the Property.
5. **Sod and Irrigation.** Each front and side yard, exclusive of mulched planting beds, shall be initially sodded and irrigated.
6. **Mill Road Buffer.** The Mill Road buffer shall be planted with large deciduous trees at least six (6) feet in height at the time of planting and at intervals of approximately forty (40) feet on center. An entrance feature with project identification signage and enhanced landscaping shall be located within this buffer and shall include black split rail fence and a stone wall or columns, similar to the images entitled "Sheppard Mill, Mill Road Streetscape" dated January 19, 2022, shown herein and attached hereto as Exhibit C (see case file).
7. **Architecture and Exterior Materials.** All dwellings shall be constructed primarily of brick or brick veneer, stone veneer, or cementitious siding, exclusive of trim, windows, doors and architectural design features and shall be substantially similar in appearance to the elevations entitled "Sheppard Mill Conceptual Elevations, January 19, 2022", as shown herein and attached hereto as Exhibit B (see case file). The front facades of all dwellings, excluding windows, doors, and gables, shall be brick or brick veneer. As shown on Exhibit A (see case file), the northern facades, excluding windows, doors, and gables, of dwellings located on Lots 1 and 11 shall be brick or brick veneer.
8. **Foundations.** All newly constructed single-family detached dwellings shall be constructed on a crawl space (not to exclude optional basements). The exterior portion of all residential foundations, including the portion below the first-floor level which is visible above grade, shall be constructed of brick, brick veneer, stone, or stone veneer for a minimum vertical height of twelve (12) inches.
9. **Dwelling Size.** All new dwellings shall have a minimum of three thousand (3,000) square feet of finished floor area with the exception of Lot 5 shown on the Conceptual

Plan (see case file) which shall have a minimum of two thousand eight hundred (2,800) square feet of finished floor area.

10. **Garages.** All dwellings shall have a minimum of a two-car garage, except for dwellings originally used as a model home.
11. **Driveways.** All driveways shall be constructed of hard surface materials (concrete, aggregate materials, asphalt, or brick or stone pavers).
12. **Chimneys and Flues.** The exposed portion of any chimney shall be constructed on brick or stone. The exposed portion of a flue for a direct-vent gas fireplace shall be constructed of the same material used on the adjacent siding and shall be built on a foundation that is constructed of the same material that is used on the adjacent foundation.
13. **Fences.** No chain link or wooden stockade-style fencing shall be permitted on the Property.
14. **Porches.** Any exposed piers for any porches shall be of brick veneer or stone veneer. Porch steps shall have "backs" and not be open.
15. **Hours of Construction.** The hours of exterior construction, including operation of bulldozer and other earthmoving equipment, shall only be between 7:00 a.m. and 7:00 p.m., Monday through Friday and between 8:00 a.m. and 5:00 p.m. on Saturday with no construction activities on Sunday, except in emergencies or where unusual circumstances require extending the specific hours in order to complete work including, but not limited to, concrete pours or utility connections. Signs in both English and Spanish, stating the above referenced provisions, shall be posted and maintained at the entrance to the Property prior to any land disturbance activities thereon.
16. **Restrictive Covenants.** Prior to or concurrent with any subdivision plat recordation, restrictive covenants describing development controls and maintenance responsibilities for all common areas within the Property shall be recorded in the Clerk's Office of the Circuit Court of Henrico County.
17. **Trash Receptacles.** HVAC and Emergency Generators. Trash receptacles, emergency generators and heating, ventilation, and air conditioning (HVAC) equipment shall be screened from view at ground level at the property lines.
18. **Maintenance Activities.** Trash pick-up, leaf blowing, and similar maintenance activities by the homeowners' association shall be restricted to the hours of 7:00 a.m. to 7:00 p.m. Monday through Friday and 9:00 a.m. to 7:00 p.m. on Saturday with no such maintenance activities on Sunday.

19. **Stormwater BMPs.** Any BMP designed and constructed as a wet pond shall be aerated.
20. **Underground Utilities.** All proposed new utilities except for boxes, meters, pedestals, and transformers shall be placed underground, unless technical or environmental reasons require otherwise.
21. **Access to Mill Road.** No residential lot created after approval of this rezoning shall have direct access to Mill Road. These aforementioned lots shall be accessed only via the internal subdivision roadway.
22. **Typical Lot Landscaping.** Each residential lot created after approval of this rezoning shall contain at least two (2) trees in the front yard and foundation plantings along the front facade of each home (excluding walkways, steps, doors, and driveways).
23. **Sidewalk on Mill Road.** As required at the time of subdivision or Plan of Development review, a sidewalk a minimum of five (5) feet in width, constructed to Henrico County standards, shall be provided along the Property ' s frontage on Mill Road.
24. **Landscaped Buffers.** A Transitional Buffer 25 shall be planted as shown on the Concept Plan. A Transitional Buffer 10 shall be planted and/or retained as shown on the Concept Plan (see case file).
25. **Wetland Preservation.** The area located within wetlands shall remain undisturbed unless necessary for infrastructure or utility improvements, or as otherwise approved at the time of Plan of Development or Subdivision review.
26. **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.

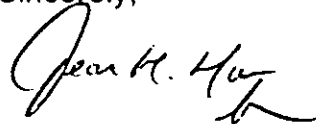
Eagle Construction of VA, LLC

March 15, 2022

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The Planning Department has been advised of the action of the Board of Supervisors and will revise its records.

Sincerely,

A handwritten signature in black ink, appearing to read "John A. Vithoulikas", with a stylized flourish at the end.

John A. Vithoulikas
County Manager

pc: Thomas E. Sharpe, Jr.
Nathalie Croft
Director, Real Estate Assessment

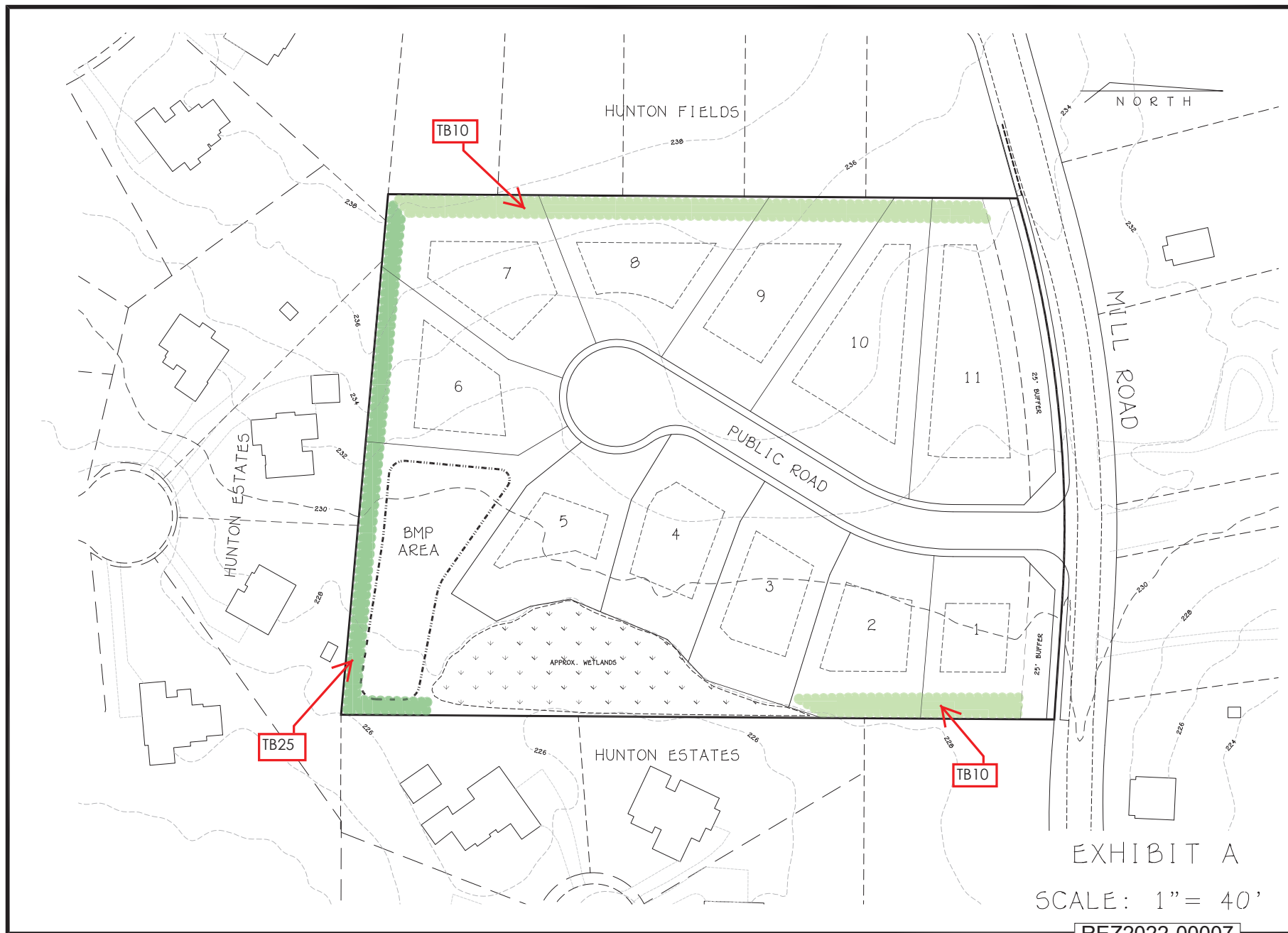


EXHIBIT A
SCALE: 1" = 40'

REZ2022-00007

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AND IS NOT TO BE REPRODUCED IN
WHOLE OR IN PART WITHOUT
EXPRESS WRITTEN PERMISSION.

FILED: 21041_concept_plans

DATE: November 29, 2021

REVISED: February 8, 2022

REVISED:

REVISED:



8500 BELL CREEK ROAD
MECHANICSVILLE, VA 23118
(804) 569-7060
FAX: (804) 569-7061

PROJECT:

11647
Mill Road

Brookland District
Henrico County, Virginia

SHEET:

Concept
Plan

SHEET NO:

C1

JOB NO.

20021

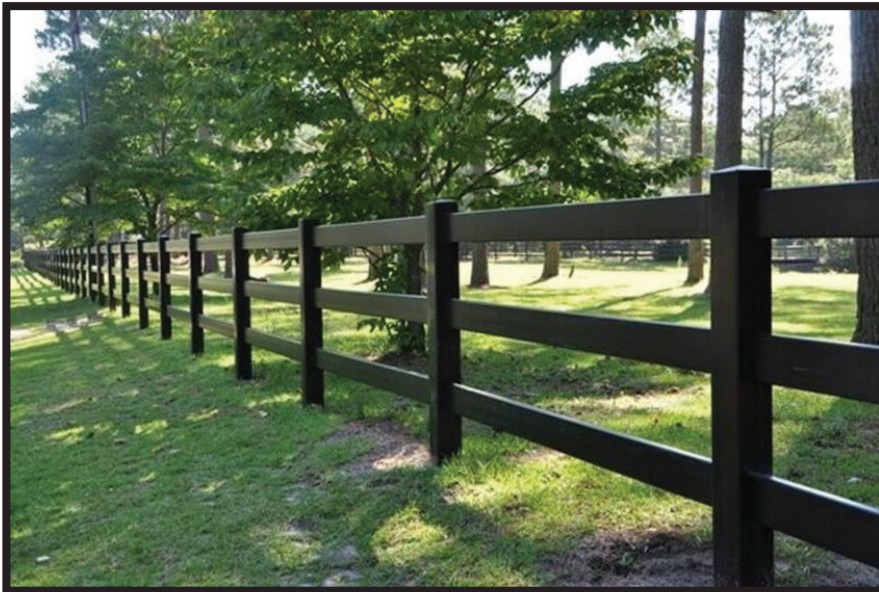
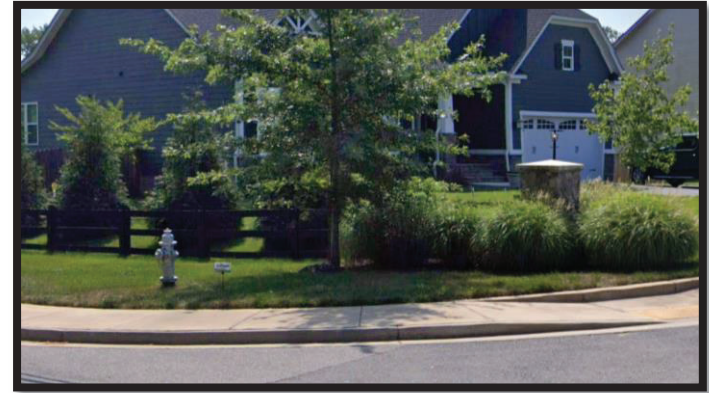
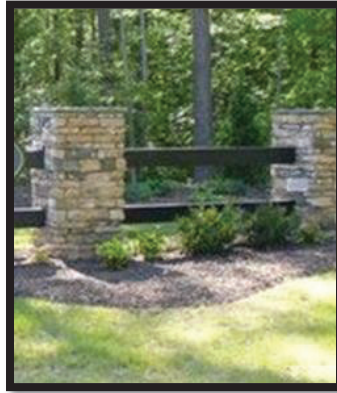


SHEPPARD MILL

Conceptual Elevations, January 19, 2022

Exhibit B

REZ2022-00007



SHEPPARD MILL Mill Road Streetscape, January 19, 2022

Exhibit C REZ2022-00007