

RESIDENTIAL & CONSERVATION AREA 27-A-32,35 Pt. of 37-A-14  
**C-2C-01** THREE CHOPT DISTRICT  
 HENRICO COUNTY PLANNING OFFICE

CZ

COMMONWEALTH OF VIRGINIA  
COUNTY OF HENRICO



February 20, 2001

Virgil R. Hazelett, P.E.  
County Manager

Re: Conditional Rezoning Case C-2C-01

Mr. G. Edward Massie, IV  
Fidelity Properties, Ltd.  
P. O. Box 423  
Mechanicsville, VA 23111

Dear Mr. Massie:

The Board of Supervisors at its meeting on February 13, 2001, granted your request to conditionally rezone property from A-1 Agricultural District to R-3C One Family Residence District (Conditional) and C-1 Conservation District, Parcels 27-A-32, 34, and 35 and Parcel 37-A-14, described as follows:

**Parcel 1**

Beginning at a point in the centerline of Wonder Road, said point being 421.98' ± north of the north line of Sadler Road; thence from said point of beginning S 64° 08' 40" W, 1017.87' to a point; thence N 50° 15' 15" W, 43.98' ± to the true point and place of beginning being the East line of a 100 year flood plain; thence from said true point and Place of beginning N 50° 15' 15" W, 422.40' ± to a point; thence N 47° 11' 55" W, 114.94' to a point; thence N 41° 30' 45" E, 330.12' ± to a point on the east line of a 100 year flood plain; thence following the meandering of the 100 year flood plain in a south direction 545.05' to the true point and place of beginning containing 2.103 ± acres.

**Parcel 2**

Beginning at a point in the centerline of wonder road, said Point being 421.98' ± north of Sadler Road; thence from said point of beginning and leaving the centerline of Wonder Road S 64° 08' 40" W, 1017.87' to a point; thence N 50° 15' 15" W, 43.98' to a point on the east line of a 100 year flood plain; thence following the meandering of the east line of a 100 year flood plain in a north direction 545.05' ± to a point; thence N 41° 30' 45" E, 911.8' ± to a point in the centerline of Wonder Road; thence leaving the centerline of Wonder Road N 21° 29' 15" E, 355.21' to a point; thence S 68° 30' 47" E, 339.95' to a point; thence S 20° 56' 15" W, 513.03' to a point in the centerline of Wonder Road; thence continuing along the centerline of Wonder Road S 22° 27' 17" E, 662.68' to the point and place of beginning containing 22.809 acres.

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The Board of Supervisors accepted the following proffered conditions, dated February 13, 2001, which further regulate the above described property in addition to all applicable provisions of Chapter 24, Code of Henrico (Zoning Ordinance):

1. Restrictive Covenants. 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), there shall be recorded a document in the Clerk's office of the Circuit Court of Henrico County, Virginia setting forth quality controls on the development and maintenance of all portions of the Property.
2. Minimum House Size. The minimum size for any house constructed on the Property shall be a minimum of 1,800 square feet of finished floor area.
3. Density. The development shall not exceed 2.2 dwelling units per acre on the properties defined in Rezoning Cases C-2C-01, C-3C-01 and C-4C-01 in the aggregate. The density calculations shall be provided at the time of each subdivision.
4. Building Materials. Houses on the Property shall be constructed with brick, stone, drivit or vinyl siding or other material approved by the Planning Commission, but not masonite siding or block.
5. Fireplace Chimneys. All exterior portions of fireplace chimneys shall be enclosed by brick or stone. All fireplace chimneys, and gas vents, shall be built on brick or stone foundations.
6. Foundations. The visible portions of the residence foundations shall be constructed of brick or stone.
7. Underground Utilities. All proposed utilities shall be placed underground.
8. Street Improvements. The streets of the subdivision shall be constructed of asphalt. The portion of any street where a lot fronts the street shall be designed with curb and gutter
9. Signage. The sign identifying the residential community on the Property shall be constructed with a brick base and ground-mounted.

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10. Flag Lot Regulation. No single family detached dwelling front elevation view shall be opposite any adjacent dwelling rear elevation view. No stem-shaped flag lots shall be developed on the Property.
11. Driveways. There shall be a provision in the restrictive covenants which requires all driveways to be constructed of hard surface materials.
12. Phasing. Building permits for the properties in the aggregate of Cases C-2C-01, C-3C-01 and C-4C-01 may be approved for construction of up to 31 lots after January 1, 2002; for 31 lots after January 1, 2003, and for the remaining lots after January 1, 2004.
13. Pedestrian Access. Sidewalks shall be provided along the south side of Wonder Road for an approximate distance of 1000 feet beginning at the Property line and along the north side beginning at the Property line for an approximate distance of 200 feet. Pedestrian trails shall be provided in the areas zoned C-1 and those areas designated flood plain, park or open space. The sidewalks and pedestrian trails shall be owned and maintained by a homeowners association.
14. Buffers. A minimum twenty (20) feet buffer shall be maintained along both sides of Wonder Road for an approximate distance of 1000 feet beginning at the Property line on the south side of Wonder Road and 200 feet beginning at the Property line on the north side. Healthy trees measuring four (4) inches or greater caliper shall be retained wherever possible. Sidewalks and pedestrian trails shall be permitted in the buffer areas. The buffers shall be owned and maintained by a homeowners association.
15. Parks. Two passive park areas a minimum of 3.0 acres in the aggregate shall be provided. The park areas shall be owned and maintained by a homeowners association.
16. Lot Size. The lots which abut the north and east side of the C-1 district (creek) on the Property shall be a minimum of ninety (90) feet in width and contain an average minimum of 12,500 square feet of area.
17. Fence. A fence shall be constructed of opaque materials to a minimum height of six (6) feet along the southeast Property line adjacent to Tax Map Parcel 37-A-15 and situated three (3) feet inside the Property line with the finished side of the fence facing Tax Map Parcel 37-A-15. The fence shall be constructed simultaneously with the construction of homes adjacent to the southeast Property line.

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18. 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.

The Planning Office 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

cc:  Director, Real Estate Assessment  
 Conditional Zoning Index  
Ms. Gloria L. Freye, Esquire  
T-N Corporation of VA  
Ms. Queen Esther Bush  
Lillie Morton Estate