

**Hanover County,  
Virginia**

**General Parcel Map**

**Legend**

- Roads
- Water
- Trees
- Private Road
- Structures
- Parcels

**C-15-08, Am. 1-14**

Margaret Westbrook Vaughan

cash proffer amendment

Zoned AR-6

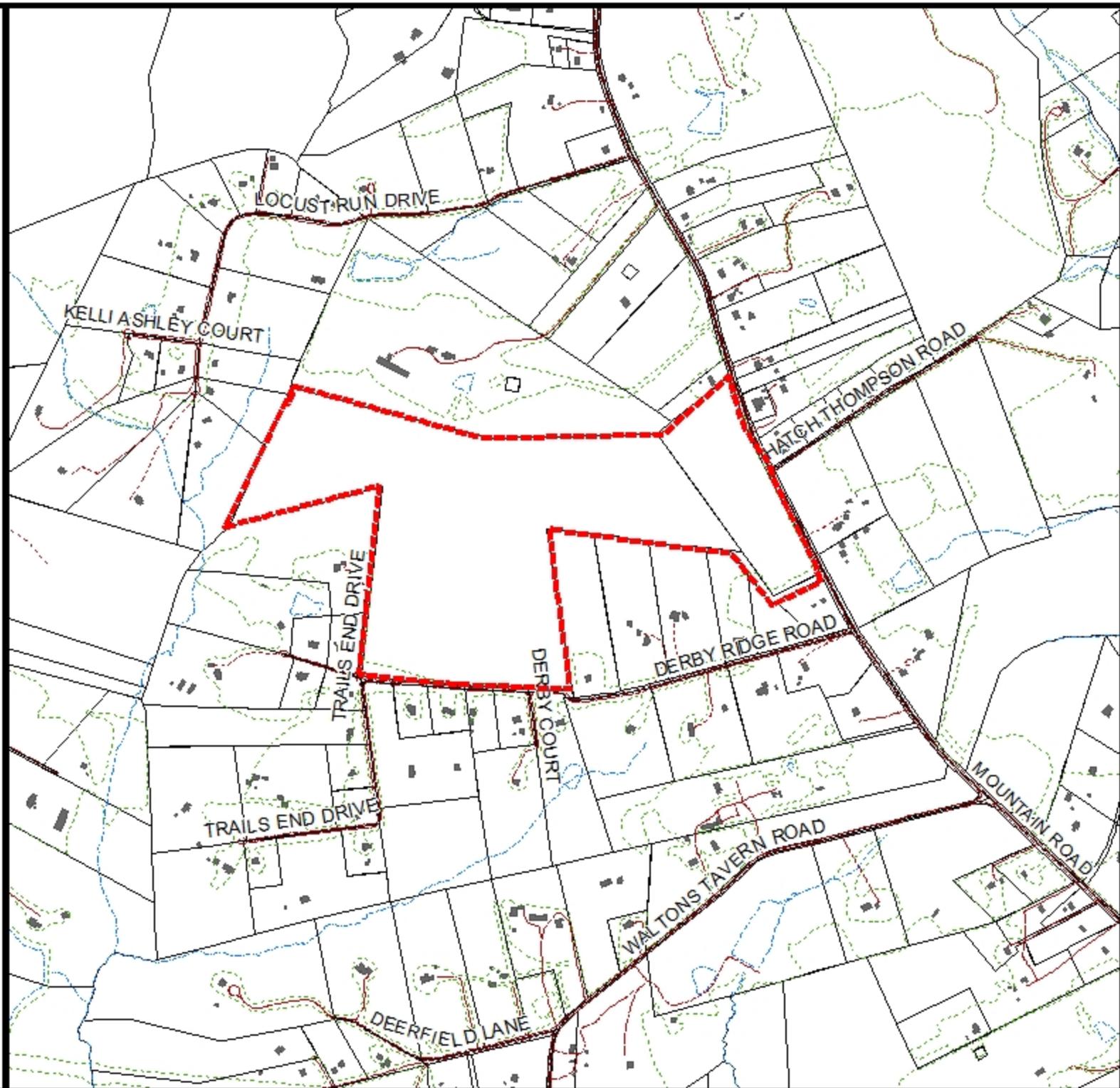
GPIN's: 7821-54-5295, 7821-73-7841  
& 7821-74-5575

South Anna Magisterial District



1 inch = 1,000 feet

February 03, 2014



# Hanover County, Virginia

## Zoning Map

### Legend

— Roads	■ R-4
- - - Water	■ R-5
- - - Private Road	■ R-6
□ Parcels	■ RM
□ CUP	■ MX
□ A-1	■ B-1
■ AR-1	■ B-2
■ AR-2	■ B-3
■ AR-6	■ O-S
■ RC	■ B-0
■ RS	■ M-1
■ R-1	■ M-2
■ R-2	■ M-3
■ R-3	

### C-15-08, Am. 1-14

Margaret Westbrook Vaughan

cash proffer amendment

Zoned AR-6

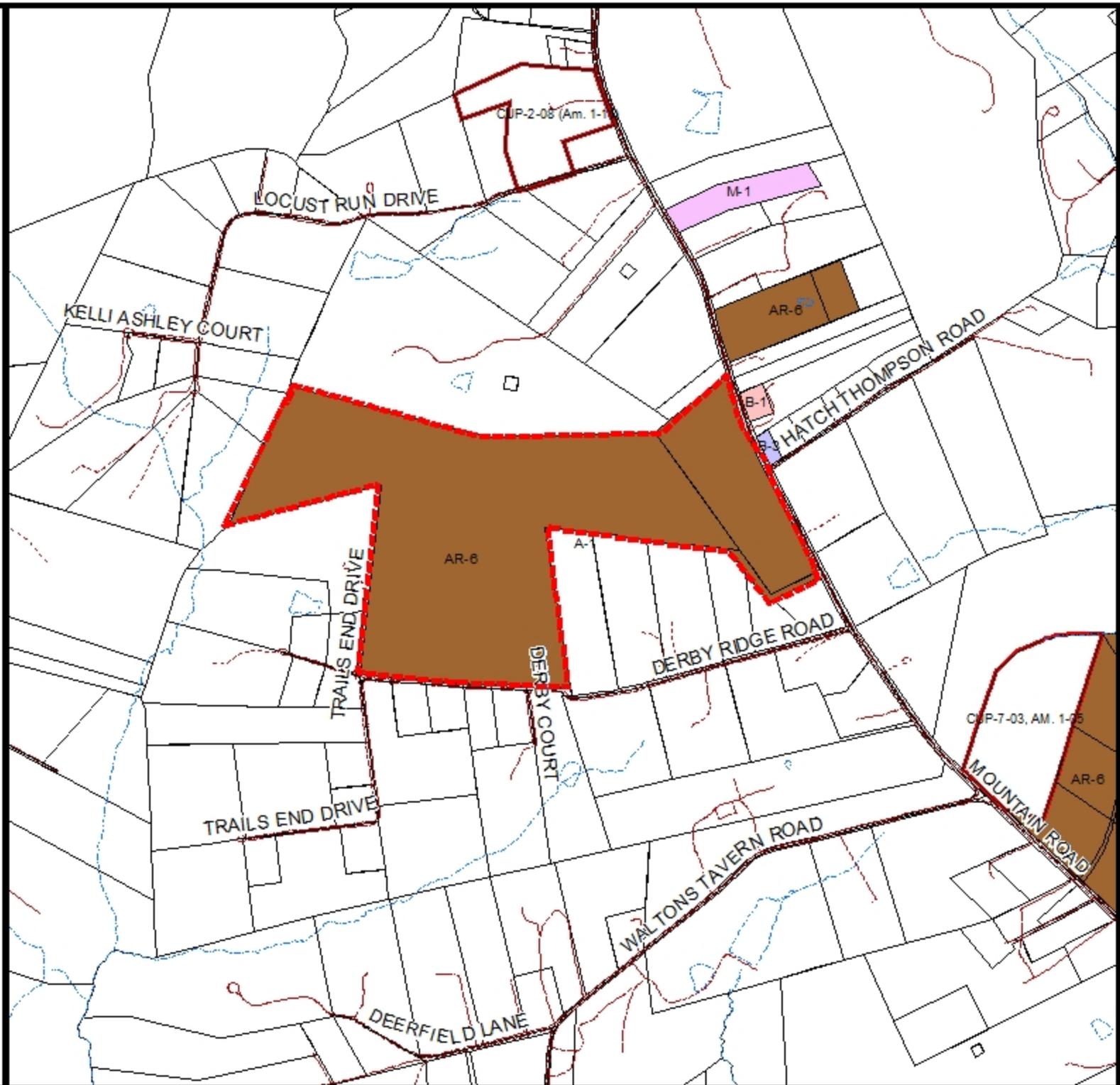
GPIN's: 7821-54-5295, 7821-73-7841  
& 7821-74-5575

South Anna Magisterial District



1 inch = 1,000 feet

February 03, 2014



# C-15-08(c), AM. 1-14, MARGARET WESTBROOK VAUGHAN

Residential Rezoning Amendment Report  
South Anna Magisterial District  
Board Meeting Date: May 28, 2014



## Overview

Amendment Request	Amend the cash proffer
Subdivision	Not approved
Current Zoning	AR-6(c), Agricultural Residential District with conditions
Location	On the west line of Mountain Road (U.S. Route 33) at its intersection with Hatch Thompson Road (State Route 672)
GPINs	7821-54-5295, 7821-73-7841, 7821-74-5575
Case Planner	Gretchen W. Biernot

## Executive Summary

Request to eliminate Proffer #1, referencing a cash proffer in the amount of \$14,240.00, accepted with zoning case C-15-08(c), Margaret Westbrook Vaughan and Franklin Richards Reynolds for the parcels identified above. In place of eliminated proffer noted above, the applicant has submitted a new proffer that would require the property owner to submit a payment of \$2,306.00 prior to Certificate of Occupancy, in accordance with the Business and Residential Development Road Improvements Transportation Policy, adopted March 13, 2013.

## Recommendations

### *Staff*

**APPROVAL** subject to the submitted proffers dated March 10, 2014.

### *Planning Commission*

**APPROVAL** subject to the submitted proffers dated March 10, 2014.

## **Planning Commission Recommendation**

At their meeting of April 17, 2014, the Hanover County Planning Commission, on a motion by Mr. Leadbetter, seconded by Mr. Padgett, voted to recommend **APPROVAL** of zoning amendment C-15-08(c), Am. 1-14, subject to the submitted proffers.

GJWB/sm/HTE

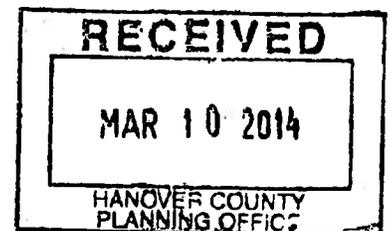
### **Attachments**

- Maps (vicinity)
- Approved Proffers
- Application Materials
- Proposed Proffers
- Ordinance

**PROFFERS: C-15-08(c), Am. 1-14, Margaret Westbrook Vaughan**

The undersigned, owner of GPINs 7821-54-5295, 7821-73-7841, and 7821-74-5575 (“the Property”), voluntarily agree for themselves, their agent, personal representatives, successors and assigns (collectively “the Property Owner”) that, in the event the proffers for the Property are amended, the development and use of the Property shall be subject to the following conditions:

1. Contribution to Road Improvements. The Property Owner, for himself, his successors and assigns, agrees to pay Hanover County prior to issuance of a Certificate of Occupancy for the Property, the amount of Two Thousand Three Hundred Six and 00/100 (\$2,306.00) per single family unit built on the Property. The funds shall be used for the purpose of completing off-site road improvements relating to the development allowed by the rezoning and included in the Business and Residential Development Road Improvements Transportation Policy, adopted March 13, 2013. In the event funds are paid and are not used for such improvements, the County shall return the funds paid to the Owner or his successors in title.
2. Conceptual Plan. The property shall be divided in substantial conformity with the conceptual plan attached, titled “Vaughan Property Rezoning,” dated August 29, 2008, and prepared by Balzer and Associates, Inc.
3. Dedication of Right-of-way. The Owner agrees to dedicate sixty feet (60’) of right-of-way from the centerline of Mountain Road (State Route 33), to the property for future road widening, free of cost to the County, upon request of the County or VDOT.
4. Tree Preservation. Existing trees of 5 inch caliper or greater on the Property shall not be removed with the exception of dead or diseased trees or parts thereof. This shall not prevent the removal of trees necessary for the construction of improvements, driveways, drainfields, or drainage facilities.
5. House Size. All homes shall have a 2,200 square foot minimum house size.
6. Access. All newly created lots shall access from internal road network. There shall be no access from Mountain Road or Derby Ridge Road.
7. Wells. Each lot shall be served by a drilled deep well.
8. Creation of Home Owners’ Association to Maintain Preservation Strip. Prior to or contemporaneous with final subdivision approval, the owner shall record documents which:
  - (1) Create an Owner’s Association for the property; and
  - (2) Establish Restrictive Covenants that:
    - a. Require membership of all lot owners in the association;



- b. Create a tree preservation strip along the property line as shown on the conceptual plan;
  - c. Require that the preservation strip remain in a natural state, that no structures shall be erected within the preservation strip, and that no improvements shall be made within the strip. With the exception of drainage basins, or channel improvements if it can be demonstrated at the time of Construction Plan Approval that there are no other locations for the above mentioned items to be placed;
  - d. Provide the association with the authority to assess fees and improve liens on all lots for the maintenance of the preservation strip and its restoration, if necessary; and
  - e. Require the association to enforce the provisions related to the maintenance and restoration of the preservation strip.
9. Thoroughfare Buffer. A 100' thoroughfare buffer along Mountain Road shall be provided as shown on the conceptual plan in accordance with the requirements of Title II, Section 5-21-1(a), of the Hanover County Subdivision Ordinance. This shall not prevent the removal of trees necessary for the construction of entrance signs, or drainage facilities.
10. Hydrogeologic Study. Prior to recordation of a subdivision plat, the owner shall submit a hydrogeologic study to the Planning Department.

Margaret Westbrook Vaughan \_\_\_\_\_ 3/4/14  
 Margaret Westbrook Vaughan Date

COMMONWEALTH OF VIRGINIA,  
 COUNTY OF HANOVER, to-wit:  
 Loudoun

I, Vadiah Barney McCann, do hereby certify that  
Margaret Westbrook Vaughan has acknowledged the foregoing Proffers  
 before me, this 4<sup>th</sup> day of March, 2014.

[Signature] (SEAE)  
 Notary Public

My Commission Expires: 6/30/2016



**ORDINANCE C-15-08(c), AM. 1-14**

**OWNER OF RECORD:** MARGARET WESTBROOK VAUGHAN

WHEREAS the Planning Commission of Hanover County has held an advertised public hearing and forwarded this case to the Board of Supervisors with a recommendation of **APPROVAL** of the adoption of the following amendment to the Zoning Ordinance and Zoning District Map of Hanover County; and

WHEREAS the Board of Supervisors has held public hearings on the 28<sup>th</sup> day of May, 2014, and advertised in the *Hanover Herald-Progress* once a week for two successive weeks as required by Virginia Code Section 15.2-2204; and

WHEREAS the Board of Supervisors has determined that the public necessity, convenience, general welfare, and good zoning practices require this amendment.

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of Hanover County that the Zoning Ordinance and the Zoning District Map of this County are amended (with conditions) by amending the proffers approved with rezoning request C-15-08(c), Margaret Vaughan and Franklin Reynolds, of the property described as GPINs 7821-54-5295, 7821-73-7841 and 7821-74-5575, located on the west line of Mountain Road (U.S. Route 33) at its intersection with Hatch Thompson Road (State Route 672) (a detailed description is filed with the Board's papers), zoned AR-6(c), Agricultural Residential District with conditions, subject to the following conditions which were proffered by the Applicant on March 10, 2014, and accepted by the Board:

1. Contribution to Road Improvements. The Property Owner, for himself, his successors and assigns, agrees to pay Hanover County prior to issuance of a Certificate of Occupancy for the Property, the amount of Two Thousand Three Hundred Six and 00/100 (\$2,306.00) per single family unit built on the Property. The funds shall be used for the purpose of completing off-site road improvements relating to the development allowed by the rezoning and included in the Business and Residential Development Road Improvements Transportation Policy, adopted March 13, 2013. In the event funds are paid and are not used for such improvements, the County shall return the funds paid to the Owner or his successors in title.
2. Conceptual Plan. The property shall be divided in substantial conformity with the conceptual plan attached, titled "Vaughan Property Rezoning," dated August 29, 2008, and prepared by Balzer and Associates, Inc.

3. Dedication of Right-of-way. The Owner agrees to dedicate sixty feet (60') of right-of-way from the centerline of Mountain Road (State Route 33), to the property for future road widening, free of cost to the County, upon request of the County or VDOT.
4. Tree Preservation. Existing trees of 5 inch caliper or greater on the Property shall not be removed with the exception of dead or diseased trees or parts thereof. This shall not prevent the removal of trees necessary for the construction of improvements, driveways, drainfields, or drainage facilities.
5. House Size. All homes shall have a 2,200 square foot minimum house size.
6. Access. All newly created lots shall access from internal road network. There shall be no access from Mountain Road or Derby Ridge Road.
7. Wells. Each lot shall be served by a drilled deep well.
8. Creation of Home Owners' Association to Maintain Preservation Strip. Prior to or contemporaneous with final subdivision approval, the owner shall record documents which:
  - (1) Create an Owner's Association for the property; and
  - (2) Establish Restrictive Covenants that:
    - a. Require membership of all lot owners in the association;
    - b. Create a tree preservation strip along the property line as shown on the conceptual plan;
    - c. Require that the preservation strip remain in a natural state, that no structures shall be erected within the preservation strip, and that no improvements shall be made within the strip. With the exception of drainage basins, or channel improvements if it can be demonstrated at the time of Construction Plan Approval that there are no other locations for the above mentioned items to be placed;
    - d. Provide the association with the authority to assess fees and improve liens on all lots for the maintenance of the preservation strip and its restoration, if necessary; and
    - e. Require the association to enforce the provisions related to the maintenance and restoration of the preservation strip.
9. Thoroughfare Buffer. A 100' thoroughfare buffer along Mountain Road shall be provided as shown on the conceptual plan in accordance with the requirements of Title II, Section 5-21-1(a), of the Hanover County Subdivision Ordinance. This shall not prevent the removal of trees necessary for the construction of entrance signs, or drainage facilities.

10. Hydrogeologic Study. Prior to recordation of a subdivision plat, the owner shall submit a hydrogeologic study to the Planning Department.

BE IT FURTHER ORDAINED that this Ordinance is effective on the date of adoption and the Planning Director is hereby directed to designate the boundaries of the foregoing area as rezoned, subject to conditions, on the Zoning District Map of Hanover County.

On motion of \_\_\_\_\_, seconded by \_\_\_\_\_, the members of the Board of Supervisors voted to approve Ordinance C-15-08(c), Am. 1-14, Margaret Westbrook Vaughan as follows:

Vote:

Sean M. Davis  
Wayne T. Hazzard  
Angela Kelly-Wiecek  
W. Canova Peterson, IV  
Aubrey M. Stanley  
G. E. Via, III  
Elton J. Wade, Sr.

**Public Hearings:**

Planning Commission \_\_\_\_\_ April 17, 2014 \_\_\_\_\_

Board of Supervisors \_\_\_\_\_ May 28, 2014 \_\_\_\_\_

Adopted \_\_\_\_\_ May 28, 2014 \_\_\_\_\_

This is to certify that the above is a true copy of \_\_\_\_\_, adopted by the Hanover County Board of Supervisors on \_\_\_\_\_.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Cecil R. Harris, Jr.  
County Administrator / Clerk  
Hanover County Board of Supervisors

GJWB/sm/hte