

**Hanover County,  
Virginia**

**General Parcel Map**

**Legend**

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

**C-27-97, Am. 1-15**

RCI Builders, L.L.C.

cash proffer amendment

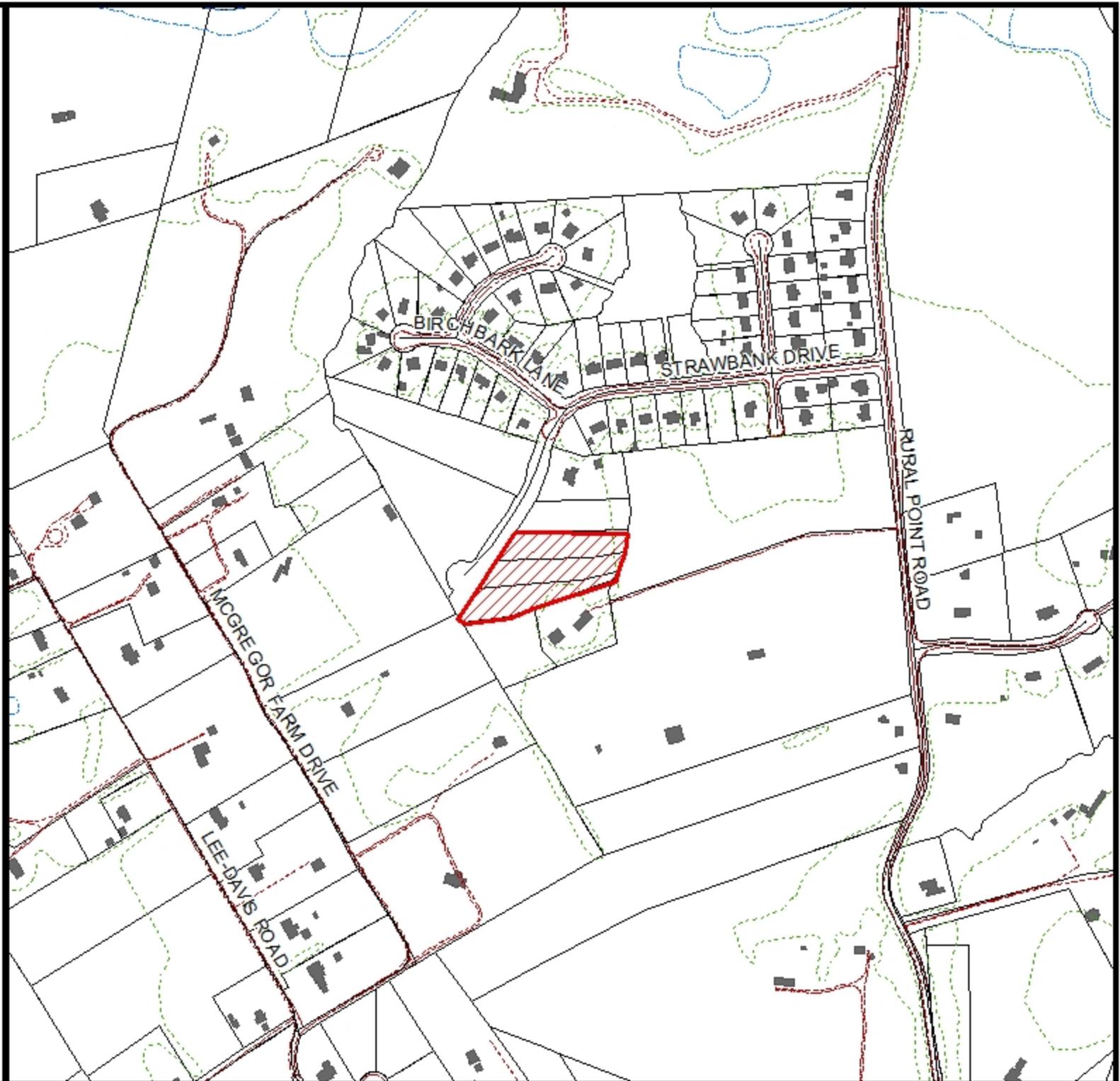
Zoned R-2

GPIN's: 8725-01-0196, et al  
Henry Magisterial District



1 inch = 500 feet

April 28, 2015



# 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-27-97, Am. 1-15

RCI Builders, L.L.C.

cash proffer amendment

Zoned R-2

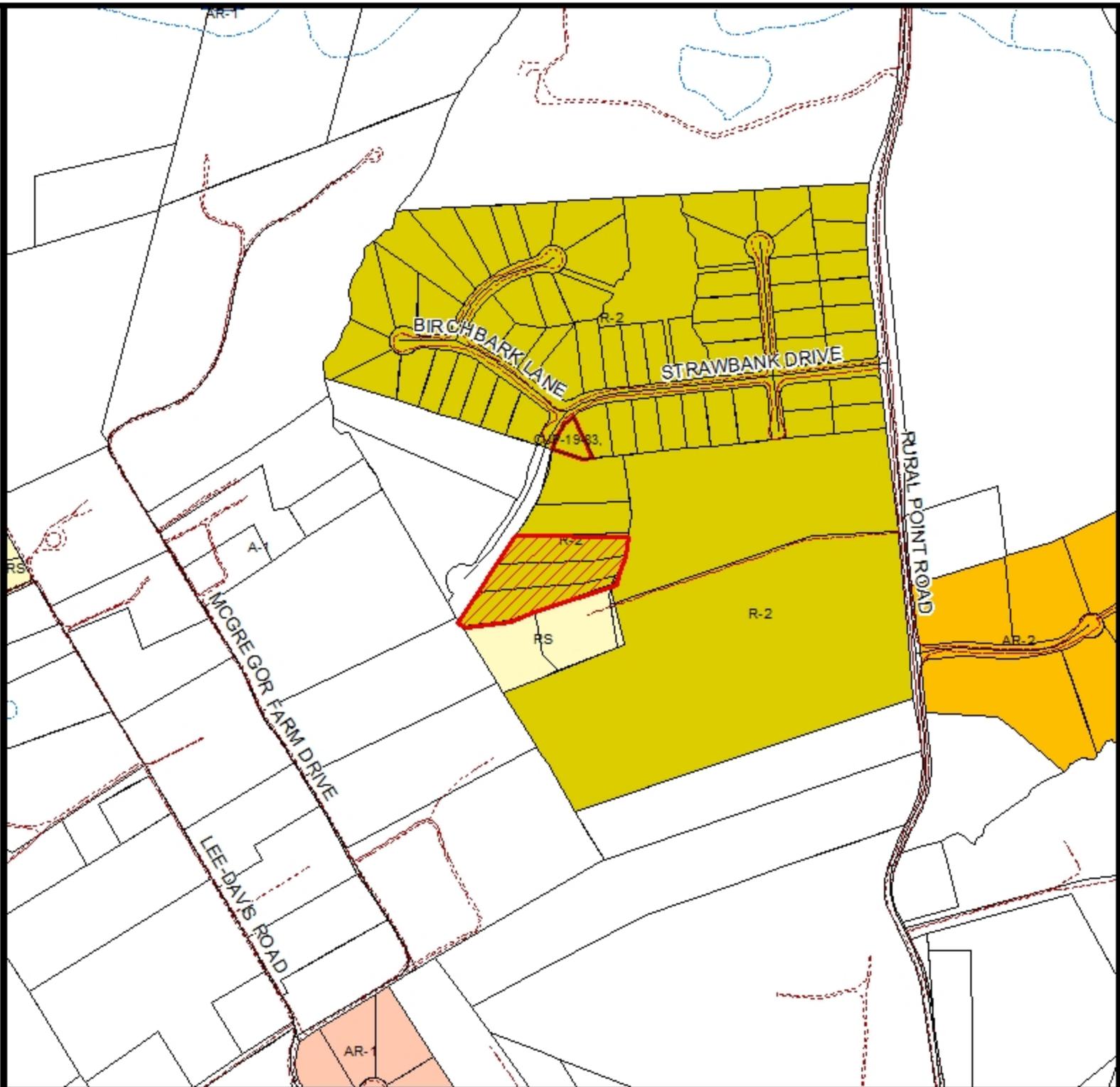
GPIN's: 8726-01-0196, et al

Henry Magisterial District



1 inch = 500 feet

April 28, 2015



**C-27-97, AM. 1-15, RCI BUILDERS, L.L.C. ET AL.  
(MASSEY'S ADDITION, SECTION 1)**

Residential Rezoning Amendment Report  
Henry Magisterial District  
Board Meeting Date: August 26, 2015



**Overview**

Amendment Request	Amend the cash proffer
Subdivision	Massey's Addition, Section 1
Current Zoning	R-2(c), Single-Family Residential District with conditions
Location	On the east line of Strawbank Drive (State Route 1756) approximately 750 feet south of its intersection with Birchbark Lane (State Route 1767)
GPINs	8726-01-0196, 8726-01-0036, 8716-90-9938
Case Planner	Gretchen Biernot

**Executive Summary**

Request to eliminate Proffer #11, referencing a cash proffer in the amount of \$4,542.00, accepted with rezoning case, C-27-97(c), Historic Pole Green Church Foundation, for the parcels identified above. In place of the eliminated proffer noted above, the applicant has submitted a new proffer that would require the property owner to submit a payment of \$1,302.00 prior to Certificate of Occupancy, in accordance with the Business and Residential Development Road Improvements Transportation Policy, adopted March 13, 2013. Staff would note that the current road proffer amount for Massey's Addition, Section 1 is \$1,302.00, which is less than the \$2,306.00 that was approved as part of the new transportation policy. However, in accordance with the cash proffer policy, the road cash proffer should not increase from what was previously accepted. The applicant has submitted a proffer document, which includes a road proffer that reflects the lower amount.

**Recommendations**

*Staff*

**APPROVAL** subject to the submitted proffers, dated June 9, 2015 and July 23, 2015.

*Planning Commission*

**APPROVAL** subject to the submitted proffers, dated June 9, 2015 and July 23, 2015.

### **Planning Commission Recommendation**

At their meeting of July 16, 2015, the Hanover County Planning Commission, on a motion by Mr. Bailey, seconded by Mr. Padgett, voted to recommend **APPROVAL** of zoning amendment **C-27-97(c), Am. 1-15**, subject to the submitted proffers.

Staff would note that RCI Builders, L.L.C. sold GPIN 8726-01-0036 to Tiffany and Darrell Bohatec following the submittal of this application. Two separate proffer documents were signed by the different owners and were received in our office on two separate dates.

GJWB/sm/HTE

#### **Attachments**

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

**ORDINANCE C-27-97 (c), AM. 1-15**

**OWNER OF RECORD: RCI BUILDERS, L.L.C.**

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 26<sup>th</sup> day of August, 2015, 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-27-97(c), Historic Pole Green Church, of the property described as GPINs 8726-01-0196, 8726-01-0036 and 8716-90-9938, (a detailed description is filed with the Board's papers), zoned R-2(c), Single-Family Residential District with conditions, subject to the following conditions which were proffered by the Applicant on June 9, 2015 and July 23, 2015, and accepted by the Board:

1. The property shall be developed in general conformity with the plan entitled "concept plan, Massey's addition," dated February 10, 1998, revised March 31, 1998, which is attached hereto as Exhibit A. The general configuration of the conceptual plan shall be followed, but the applicant reserves the right to adjust the road and lot lines, subject to the approval of the Planning Commission to effectively design this subdivision following detailed engineering.
2. A right-of-way will be dedicated at no cost to the County, free of encumbrances to title along Rural Point Road to provide 50 feet of right-of-way from the existing road centerline. If a future County plan reduces the right-of-way to 60 feet total for Rural Point Road, up to 30 feet will be dedicated from the existing centerline.
3. A fencing and Planting buffer of a minimum of one hundred feet in width shall be created and maintained along Rural Point Road in compliance with the planting standards outlined in Title I., Article 7, Section 2A.2 of the Hanover County Zoning Ordinance. A white board fence shall be located and maintained within the buffer in front of the plantings and on the Rural Point Road side, and designed in accordance with plans

approved by the Planning Commission with the Preliminary Subdivision approval. The buffers may contain utility or drainage easements and such other uses as may be permitted or required by governing authorities at the time of final subdivision approval. Easements or roadways within landscape buffers will be placed generally perpendicular to the buffer area wherever possible, or unless specifically permitted or required by the governing authorities at the time of final subdivision approval. Buffer areas will be exclusive of any lot and will be considered common areas.

4. Fifty-foot reservation for possible construction of the Heritage Greenway, as shown on Exhibit A, to be conveyed to Hanover County upon written request, at no cost to the County, free of encumbrances to title, along the rear of the Property.
5. There will be no more than 64 single-family lots developed as a result of this rezoning.
6. Exposed foundations and chimneys (except direct-vent gas) will be brick.
7. No cutting of trees of five-inch caliper or greater will be allowed in the required rear and side area of each lot, except for drainage and utility facilities necessary for appropriate development of the Property, and when required by the County, but only to the minimum extent necessary. Four deciduous trees of a minimum of three-inch caliper will be placed on each lot where no existing tree cover is provided, before issuance of a certificate of occupancy. During the construction and installation of the utilities and roads, all trees to be protected, adjacent to such construction, will be clearly marked.
8. No prefabricated, factory-produced or mobile homes will be permitted.
9. All streets within this development will include curb and gutter.
10. All houses will contain a minimum of 2200 square feet of living space measured from the exterior faces of the exterior walls, but exclusive of garages, basements, open porches and decks. At least 50% of the dwellings will be 2500 square feet as calculated above.
11. 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 One Thousand Three Hundred Two and 00/100 (\$1,302.00) 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.
12. There shall be no more than 50 building permits issued per year for development within the Property.

13. The applicant will construct a left turn lane off of Rural Point Road and into the proposed subdivision. Construction shall be completed in accordance with VDOT standards.

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-27-97(c), Am. 1-15, RCI Builders, L.L.C., as follows:

Vote:

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

**Public Hearings:**

Planning Commission \_\_\_\_\_ July 16, 2015  
Board of Supervisors \_\_\_\_\_ August 26, 2015  
Adopted \_\_\_\_\_ August 26, 2015

This is to certify that the above is a true copy of C-27-97(c), Am. 1-15, 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