

**Hanover County,  
Virginia**

**General Parcel Map**

**Legend**

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

**C-38-98, Am. 1-14**

**Amar and Harvinder Singh**

**cash proffer amendment**

**Zoned AR-6**

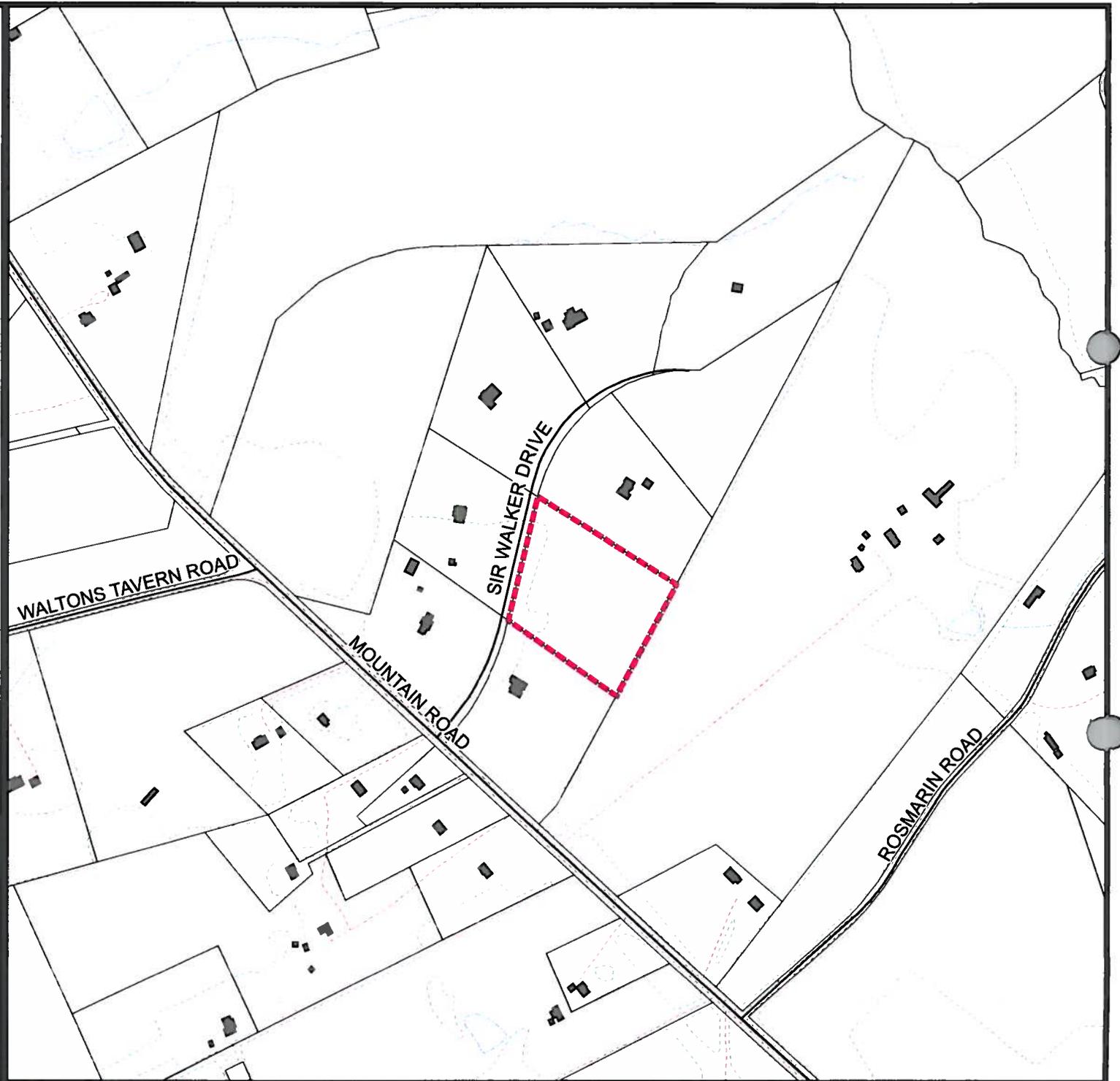
GPIN: 7831-02-6166

*South Anna Magisterial District*



**1 inch = 500 feet**

*January 06, 2014*



**C-38-98(c), AM. 1-14, AMAR AND HARVINDER SINGH, ET AL.**



Residential Rezoning Amendment Report  
South Anna Magisterial District  
Board Meeting Date: April 23, 2014

**Overview**

Amendment Request	Amend the cash proffer
Subdivision	Walton Tavern Estates
Current Zoning	AR-6(c), Agricultural Residential District with conditions
Location	On the east line of Sir Walker Drive (private road) approximately 500 feet north of its intersection with Mountain Road (U.S. Route 33)
GPIN	7831-02-6166
Case Planner	Gretchen W. Biernot

**Executive Summary**

Request to eliminate Proffer #1, referencing a cash proffer in the amount of \$5,185.00, accepted with zoning case C-38-98(c), W. Pettus Gilman and William B. Gilman, for the parcel 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 \$1,259.00 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 Walton Tavern Estates is \$1,259.00, 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.

Staff would note that there is one (1) remaining eligible lot within the development for which an application for proffer amendment may be made.

**Recommendations**

*Staff*

**APPROVAL** subject to the submitted proffers dated May 22, 2014.

*Planning Commission*

**APPROVAL** subject to the submitted proffers dated May 22, 2014.

**Planning Commission Recommendation**

At their meeting of March 20, 2014, the Hanover County Planning Commission, on a motion by Mr. Leadbetter, seconded by Mr. Whittaker, voted to recommend **APPROVAL** of zoning amendment **C-38-98(c), Am. 1-14**, subject to the submitted proffers.

GJWB/sm/HTE

**Attachments**

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

**ORDINANCE C-38-98(c), AM. 1-14**

**OWNER OF RECORD:** AMAR AND HARVINDER SINGH, ET AL.

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 25<sup>th</sup> day of June, 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-38-98(c), W. Pettus Gilman and William B. Gilman, of the property described as GPIN 7831-02-6166, located on the east line of Sir Walker Drive (private road) approximately 500 feet north of its intersection with Mountain Road (U.S. Route 33) (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 31, 2014, and revised May 22, 2014, and accepted by the Board:

1. The Property Owner, for himself, his successors and assigns, agree to pay Hanover County prior to issuance of a Certificate of Occupancy for the Property, the amount of One Thousand Two Hundred Fifty-Nine and 00/100 (\$1,259.00) 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. Applicants have provided to the Director of Planning a conceptual site plan (the "Conceptual Plan") showing proposed development of the Property which is the subject of this rezoning. The Property will be developed in substantial conformity with the Conceptual Plan, but Owners reserve the right to adjust road and lot lines, subject to the approval of the Planning Commission, to effectively design the subdivision following detailed engineering. In particular, the number of lots shall not exceed nine. The access road shall end at a cul-de-sac at the approximate location shown upon the conceptual plan and shall not be extended to serve additional land.

3. Each residence erected upon any lot shall have not less than 1600 square feet of living floor space for a one story building, not less than 1800 square feet for any one and one-half building, and not less than 2000 square feet for a two story building.
4. All exterior foundations shall be of brick or stone, or synthetic stucco for a dwelling constructed of that material.
5. Except as hereinafter provided, the required front yard area, and the required side yard area of each lot from the building line to the rear line, shall only be selectively cut leaving all trees of five inch or greater caliper. This shall not preclude the removal of diseased or deformed trees or prohibit the removal of trees where necessary in conjunction with the placement of fill on any lot or the placement of drainage or other utility features where necessary or appropriate for the development of the subdivision.
6. The owner agrees to dedicate sixty (60) feet of right-of-way from the centerline of U.S. Route 33 to the property for future road widening in accordance with the Major Thoroughfare Plan when requested by the County, free of cost and free of encumbrances restricting use for the road purposed.

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-38-98(c), Am. 1-14, Amar and Harvinder Singh, et al., 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 March 20, 2014  
 Board of Supervisors June 25, 2014  
 Adopted June 25, 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