

Hanover County,
Virginia

General Parcel Map

Legend

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

C-15-00(c), Am. 1-13

Ann B. and James S. Davis, Jr., et al.

cash proffer amendment

Zoned RC

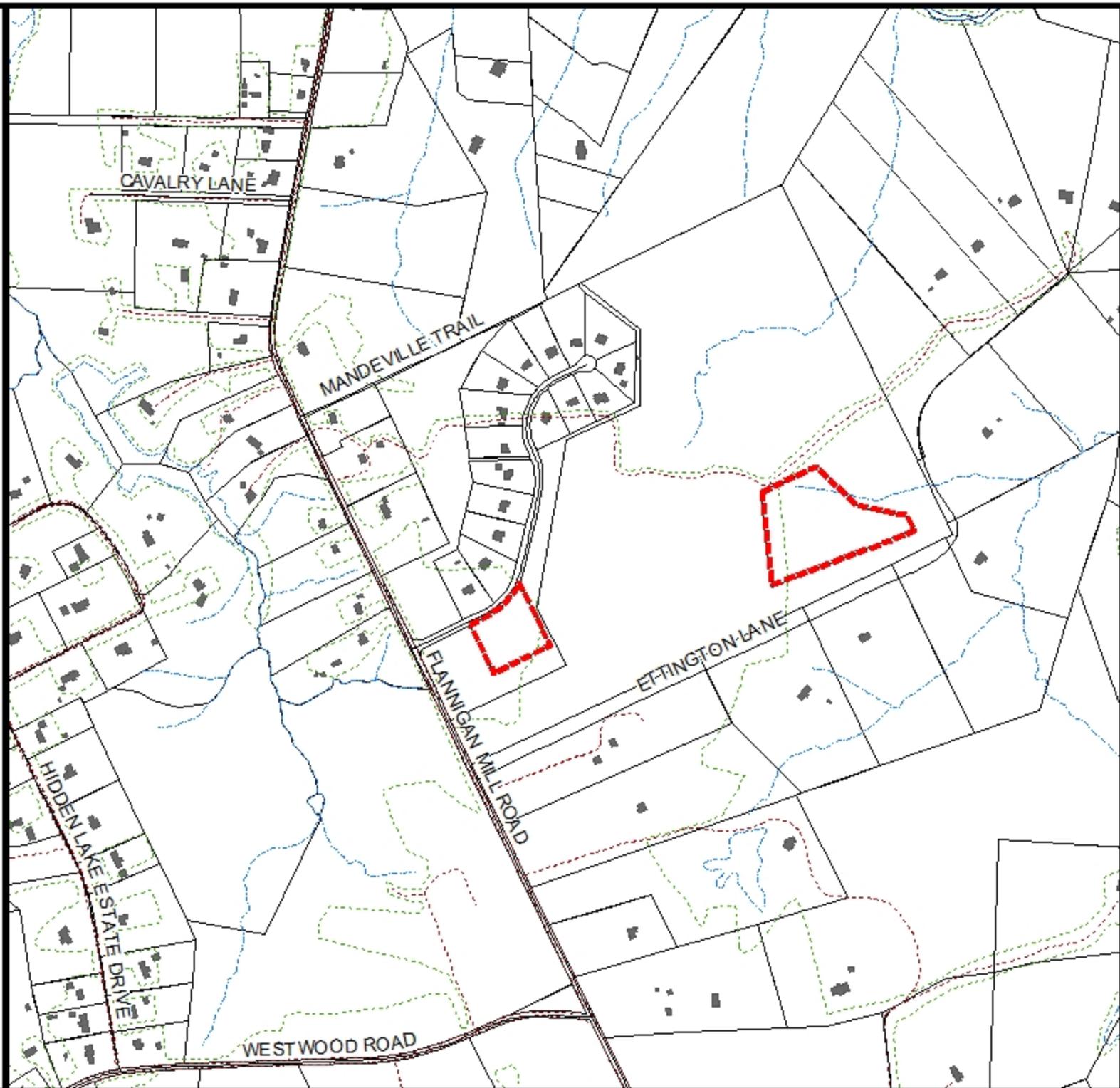
GPIN: 8764-57-5208

Cold Harbor Magisterial District



1 inch = 700 feet

December 02, 2013



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-15-00(c), Am. 1-13

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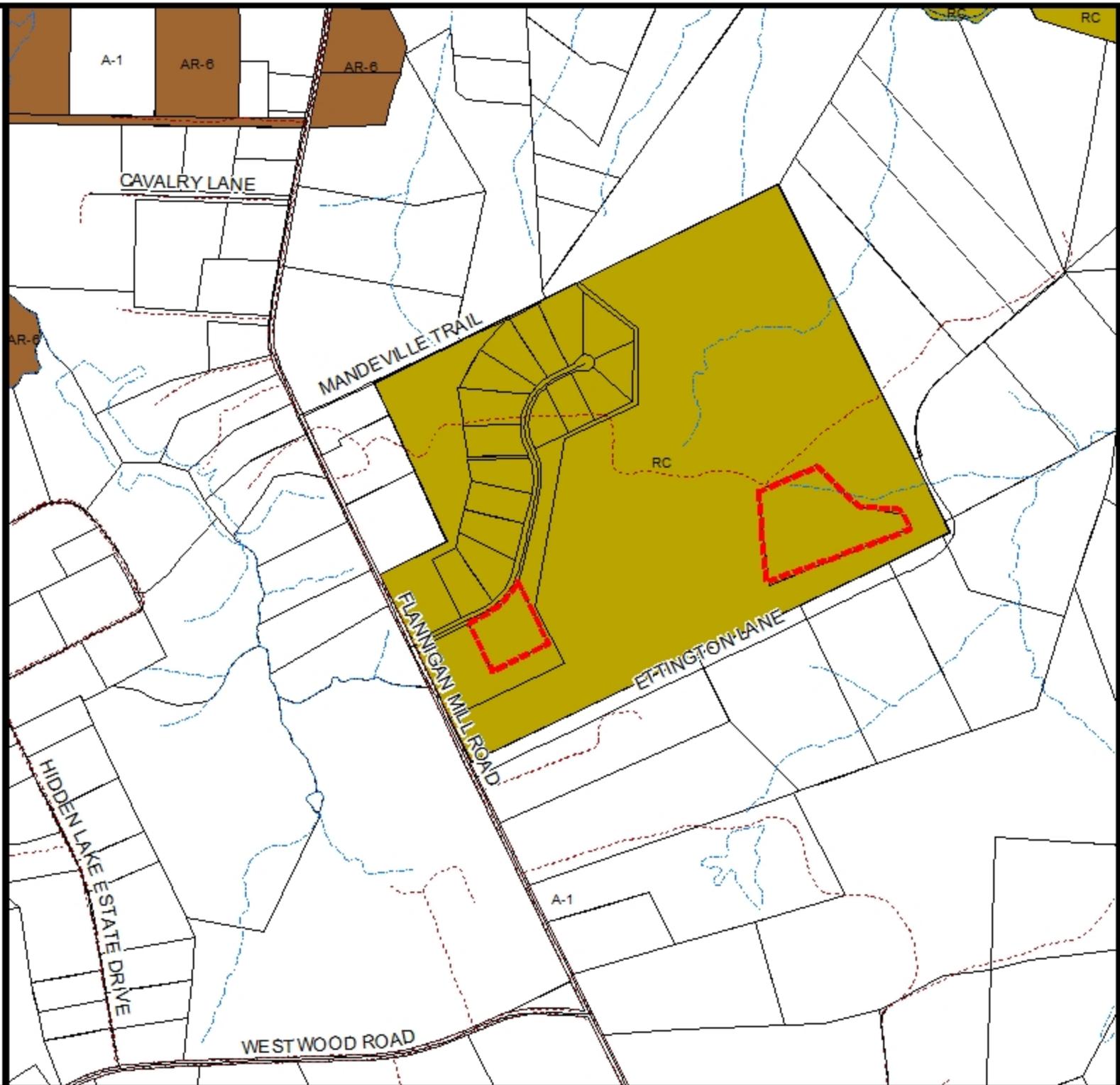
GPIN: 8764-57-5208

Cold Harbor Magisterial District



1 inch = 700 feet

December 02, 2013



C-15-00(c), AM. 1-13, ANN BROOKE W. AND JAMES S. DAVIS, JR., ET AL.

Residential Rezoning Amendment Report
Cold Harbor Magisterial District
PC Meeting Date: May 15, 2014



Overview

Amendment Request	Amend the cash proffer
Subdivision	Baylor Springs
Current Zoning	RC(c), Rural Conservation District with conditions
Location	On the east line of Flannigan Mill Road (State Route 693) at its intersection with Babbling Brooke Lane (State Route 1014)
GPINs	8764-57-5208 and 8764-77-1930
Case Planner	Gretchen W. Biernot

Executive Summary

Request to eliminate Proffer #1, referencing a cash proffer in the amount of \$6,319.00, accepted with zoning case C-15-00(c), Helen S. and Matthew T. Blackwood, 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 \$2,126.00 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 Baylor Springs is \$2,126.00, 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 draft proffer document, which includes a road proffer that reflects the lower amount.

Staff Recommendation

APPROVAL, subject to the proffers dated April 23, 2014, based on the Board of Supervisors' action of November 28, 2012, which allow for the consideration of eliminating cash proffers through zoning amendment, and March 13, 2013, which established a traffic impact contribution amount.

GJWB/sm/HTE

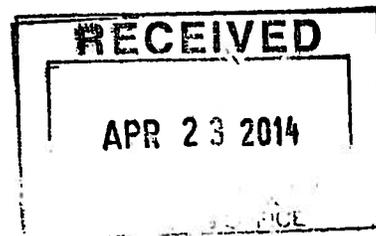
Attachments

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

PROFFERS: C-15-00(c), AM. 1-13, Ann Brooke and James Davis, Jr. et al.

The undersigned, owners of GPINs 8764-57-5208 and 8764-77-1930 (“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. 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 One Hundred Twenty-Six and 00/100 (\$2,126.00) 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. Exterior foundation of houses shall be of brick or stone construction unless the house is constructed of synthetic stucco in which case the foundation may be of like material.
3. Minimum house sizes shall be as follows: 2000 square feet for a one-story building and 2200 square feet for a one and one-half or two-story building. Minimum floor area shall not include garages or breezeways in any category. Floor area shall be measured along the exterior walls of the structure. All attached garages shall open to the side or rear of the dwelling. No cinder block, cement block, solite block, or asbestos shingle shall be permitted for the finished exterior of any structure.
4. The road as shown on the plan conceptual, titled “Baylor Springs,” dated 9-25-00, submitted and prepared by Engineering Design Associates, Consulting Engineers and Surveyors, shall be constructed to the state secondary road standards.
5. In the event the United States Postal Service elects not to deliver mail to mail boxes located in front of each lot along Babbling Brooke Lane, a “pull off” area will be constructed along Babbling Brooke Lane, not closer than 50 feet to Flannigan Mill Road, in order to provide a location for the placement of mail boxes for subdivision residents.
6. All wells to be constructed on each lot in the subdivision shall, at a minimum, comply with the requirements for a Class 111C well, also known as a bored deep well.
7. The Open Space Easement, as required by the Hanover County RC Rural Conservation District Zoning Ordinance, as it applies to Lot 18 (the Preservation Lot), shall contain a provision stating that such Open Space Easement shall not be vacated or modified without the written consent of all lot owners in the subdivision.



8. There shall be no removal of trees of five inch (5") or larger caliper in the required rear and side yard area of each building lot, as defined by the Zoning Ordinance, with the exception of dead or diseased trees. This, however, shall not prevent the removal of trees necessary for the construction of improvements, driveways, utility easements, drain fields, drainage facilities, wells, swimming pools or basketball or tennis areas. In addition, this shall not prevent the removal of trees for pastures, ponds, or for agricultural uses on preservation lots or for open areas within the walking trails and recreation areas in the Common Open Space areas as shown on the Conceptual Plan. No trees five inches (5") in caliper or greater may be cleared in the remaining area of the Common Open Space with the exception of clearing necessary for the installation of utilities.

Ann Brooke W. Davis
Ann Brooke W. Davis

4-23-14
Date

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

I, _____, do hereby certify that
_____ has acknowledged the foregoing Proffers
before me, this ___ day of _____, 2014.

(SEAL)
Notary Public

My Commission Expires: / /

James S. Davis, Jr.
James S. Davis, Jr.

4-23-14
Date

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

I, _____, do hereby certify that
_____ has acknowledged the foregoing Proffers
before me, this ___ day of _____, 2014.

(SEAL)
Notary Public

My Commission Expires: / /

Tammy R Click
Tammy R. Click

1/28/14
Date

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

I, Angela W. Pitts, do hereby certify that
Tammy R. Click has acknowledged the foregoing Proffers
before me, this 28th day of January, 2014.

Angela W. Pitts (SEAL)
Notary Public

My Commission Expires: 03/31/15

Kenneth W. Smith
Kenneth W. Smith

1-28-14
Date



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

I, Angela W. Pitts, do hereby certify that
Kenneth W. Smith has acknowledged the foregoing Proffers
before me, this 28th day of January, 2014.

Angela W. Pitts (SEAL)
Notary Public

My Commission Expires: 03/31/15

