Hanover County, Virginia

General Parcel Map

Legend

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

C-29-03, Am. 4-13

Royal Dominion Homes

cash proffer amendment

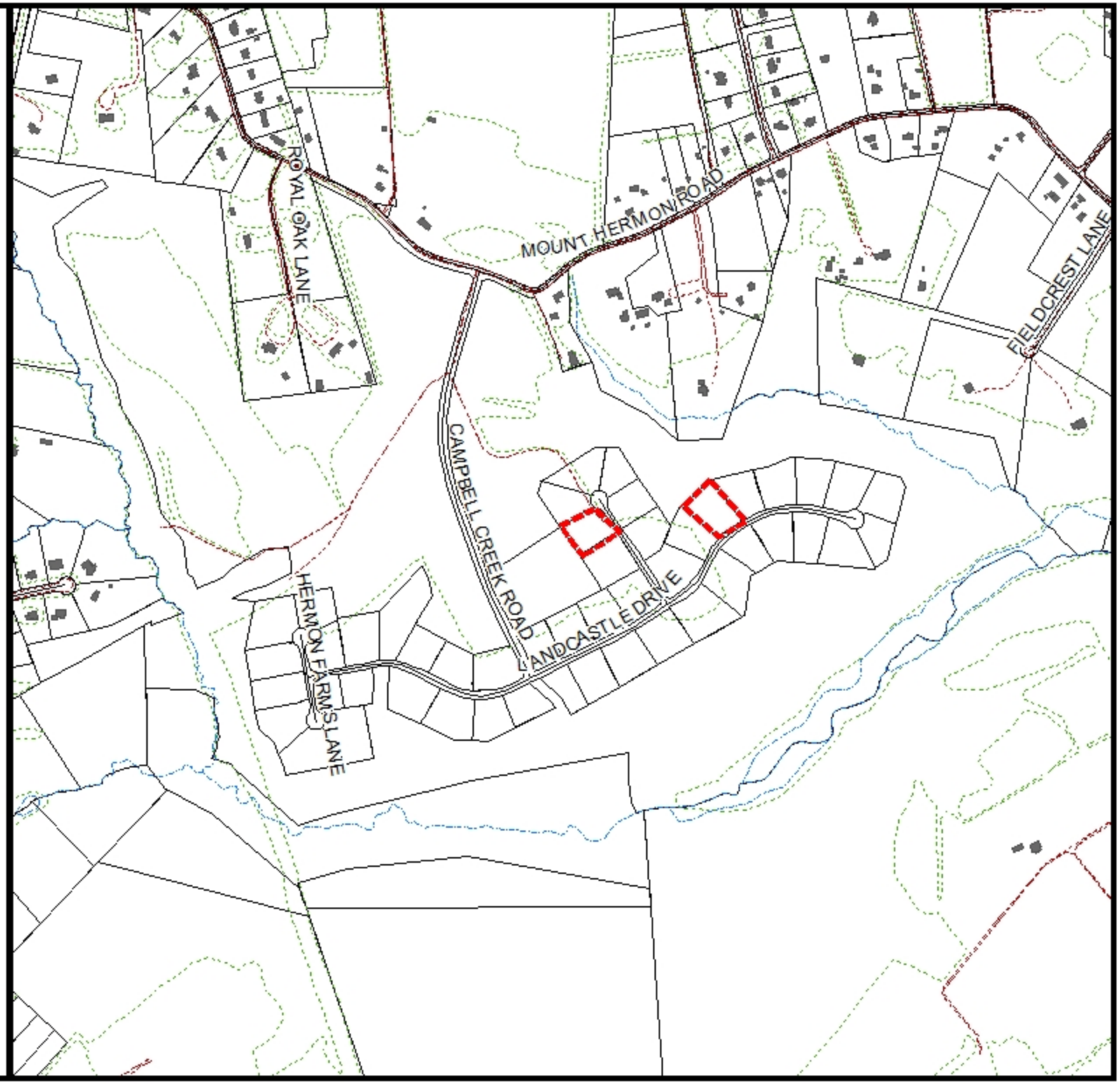
Zoned RC

GPIN's: 7799-32-7838 & 7799-32-0714

Beaverdam Magisterial District

1 inch = 800 feet

October 30, 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-O
RS	M-1
R-1	M-2
R-2	M-3
R-3	

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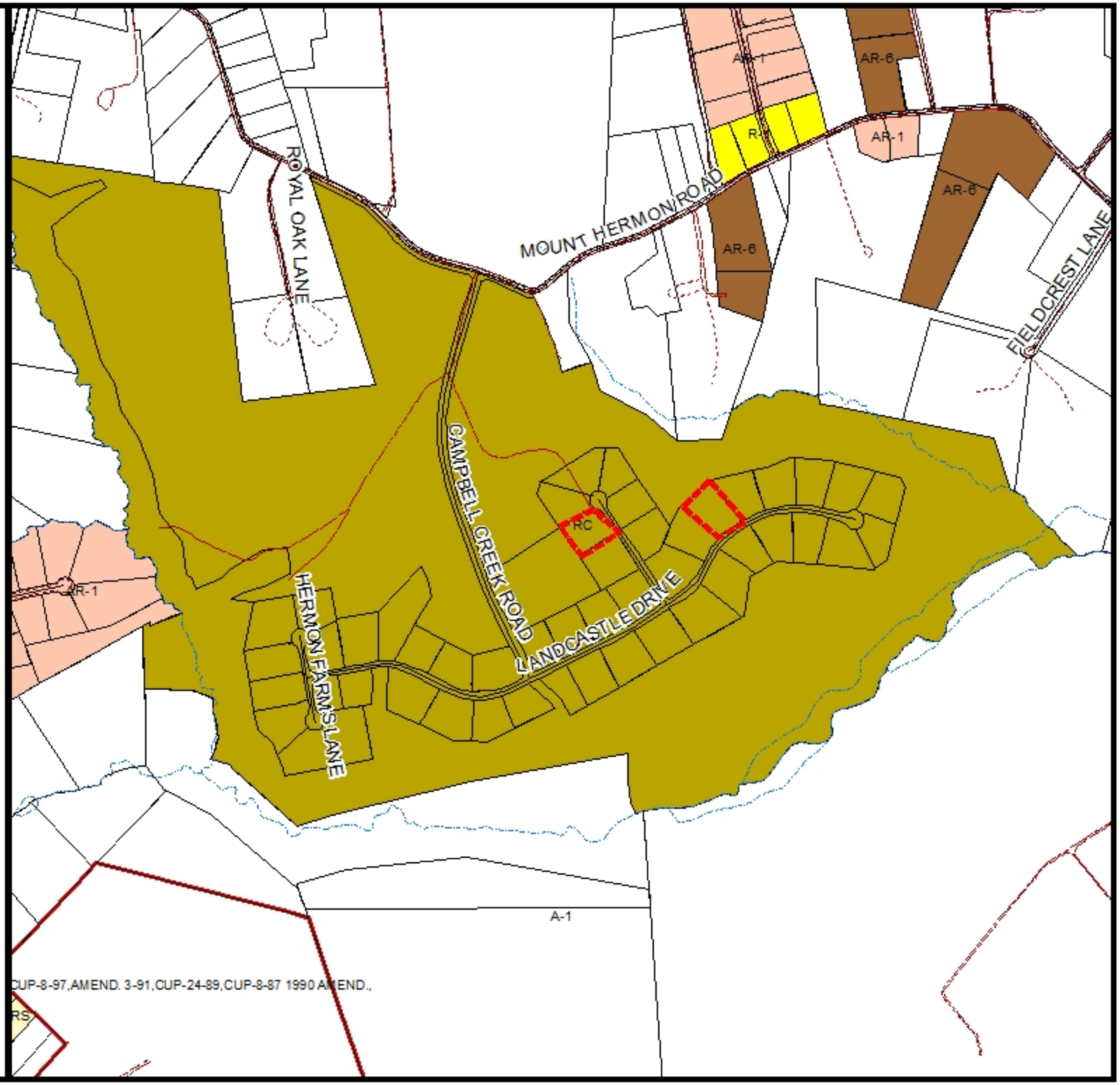

C-29-03(c), AM. 4-13, ROYAL DOMINION HOMES

Residential Rezoning Amendment Report
Beaverdam Magisterial District
PC Meeting Date: January 16, 2014

Overview

Amendment Request	Amend the cash proffer
Subdivision	Mount Hermon Farms
Current Zoning	RC(c), Rural Conservation District with conditions
Location	On the south line of Mount Hermon Road (State Route 656) at its intersection with Campbell Creek Road (State Route 1071)
GPINs	7799-32-7838 and 7799-32-0714
Case Planner	Gretchen W. Biernot

Executive Summary

Request to eliminate Proffer #1, referencing a cash proffer in the amount of $8,700.00, accepted with zoning case C-29-03(c), Arthur L. Traylor, Jr., 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 $2,306.00 prior to Certificate of Occupancy, in accordance with the Business and Residential Development Road Improvements Transportation Policy, adopted March 13, 2013, for subdivisions with 49 or fewer remaining lots.

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

Staff Recommendation

APPROVAL, subject to the proffers dated December 18, 2013, 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

RECEIVED
DEC 18 2013
HANOVER COUNTY
PLANNING OFFICE

Proffers: C-29-03(c), Am. 4-13, Royal Dominion Homes

The undersigned, owners of GPINs 7799-32-7838 and 7799-32-0714 ("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 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. Exterior foundation of houses shall be of brick or stone construction unless the house is constructed of synthetic stucco (DriVit) in which case the foundation may be of like material. Above the foundation exterior of the houses shall be constructed of brick, stone, synthetic stucco (DriVit), premium vinyl siding or concrete-based siding material (Hardi Plank).

3. Minimum house size shall be 2,500 square feet. Minimum floor area shall not include garages or breezeways in any category. Floor area shall be measured along the exterior walls of the structure.

4. 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 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 open 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.

5. The Property Owner agrees to dispose of or stabilize all fill material located on the Property in compliance with all applicable federal, state, and local guidelines and regulations. The Property Owner shall also provide a Groundwater Risk Analysis as recommended in the memo prepared by the County's Environmental Consultant EEE on May 5, 2004, to determine the potential for any risk to groundwater and well contamination. The Property Owner shall submit a remediation plan ("the Plan") and Groundwater Risk Analysis or Groundwater Sample Analysis with the construction plans for the project. The Plan shall indicate the steps the Property Owner will undertake to properly dispose of, remediate, or stabilize the areas of unconsolidated fill or

contamination. The Plan and the Groundwater Risk Analysis or sample shall be submitted to Hanover County no later than one year following rezoning. The Plan shall include cost estimates for the removal and disposal of any necessary material, the stabilization of the consolidation fill areas and, should the results of the Groundwater Risk Assessment or sample indicate a risk to human health or the environment, the remediation of ground water and/or contaminated soils in accordance with applicable guidelines and/or regulations. The Plan shall be reviewed by the Department of Public Works. The Property Owner agrees to modify the Plan as required by the Department of Public Works. The Property Owner acknowledges that the Department of Public Works shall only approve the Plan if the Plan meets all federal, state, and local requirements and guidelines, and the Plan results in the complete remediation of the conditions and eliminates the risk to human health or the environment resulting from the fill activity.

All remediation work described herein shall be bonded as a subdivision improvement in an amount determined by the Department of Public Works to be adequate for the completion of the remediation work. The location of all fill areas on the Property shall be shown on the final record plat for the Property. No building permits shall be issued by the County until all remediation work has been completed on the Property.

Should any unidentified fill material be discovered on the Property during the design or construction phase, the owner shall dispose of this fill material in conformity with all federal, state, and local statutes, regulations, and standards.

6. The Property Owner agrees to dedicate twenty-five (25') feet of right-of-way from the centerline of Mount Hermon Road (State Route 656) to the Property for future road widening free of cost to the County, upon request of the County or VDOT.

7. The Property Owner shall build the internal road to VDOT standards and specifications for residential subdivisions and the internal roads shall be dedicated to VDOT for maintenance and acceptance into the State highway system.

8. The Property Owner shall provide an ingress and egress easement as shown on the Conceptual Plan to the owner of GPIN 7799-11-7150. A deed of easement shall be recorded prior to or concurrently with recordation of the Subdivision Plat.

9. The Property Owner, his successors or assigns shall have developed a timber management plan for the timber located on the Preservation area and the Common Open Space areas as shown on the Conceptual Plan titled "Mt. Hermon Farms, Beaverdam District, Hanover County, Virginia, Conceptual Plan" by Resource International, LTD., dated December 15, 2003, (herein referred to as the "Timber Plan"). Said Timber Plan will be delivered to the Hanover County Planning Office prior to construction plan approval. Any thinning of timber recommended by the Timber Plan to be done immediately will be carried out prior to issuance of any building permits. The Owner, his successors or assigns reserve the right to cut, thin or otherwise remove timber from the said Common Open Space and Preservation Area as the Timber Plan and any of its amendments may recommend.

10. The Property Owner shall provide a drilled deep well upon each lot. Should production from the deep well prove inadequate for requisite household use with respect to either quantity or quality, a shallow well may be used.

12/18/13

Owner Date

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

I, Melody Chancellor, do hereby certify that Peyton Fletcher has acknowledged the foregoing Proffers before me, this 18th day of December, 2013.

(SEAL)

Notary Public

My Commission Expires: 8/31/14

MELODY CHRISTINE CHANCELLOR
NOTARY PUBLIC
REG. #7377769
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES AUGUST 31, 2014

10. The Property Owner shall provide a drilled deep well upon each lot. Should production from the deep well prove inadequate for requisite household use with respect to either quantity or quality, a shallow well may be used.

Roger R. Zynsky Pres.
Owner Date 12/10/13

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

I, Melody Chancellor, do hereby certify that Roger R. Zynsky has acknowledged the foregoing Proffers before me, this 10 day of December, 2013.

(SEAL)
Notary Public

My Commission Expires: 8/31/14

MELODY CHRISTINE CHANCELLOR
NOTARY PUBLIC
REG. #7377769
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES AUGUST 31, 2014