

**Hanover County,  
Virginia**

**General Parcel Map**

**Legend**

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

**C-39-05, Am. 2-13**

Royal Dominion Homes  
cash proffer amendment

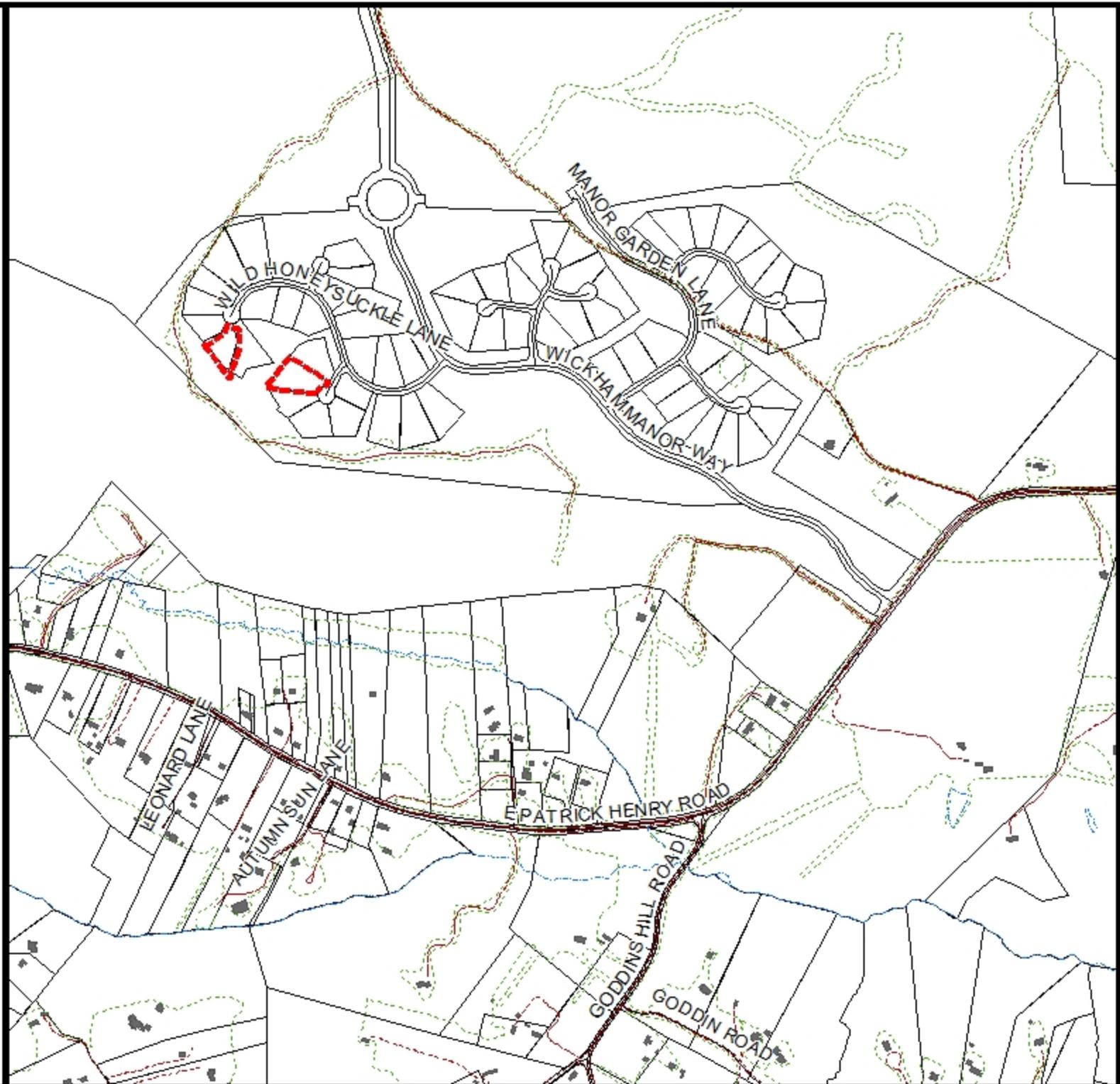
Zoned RC

GPINs: 7890-61-3804 & 7890-52-7082  
Beaverdam Magisterial District



1 inch = 900 feet

November 04, 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-39-05, Am. 2-13

Royal Dominion Homes  
cash proffer amendment

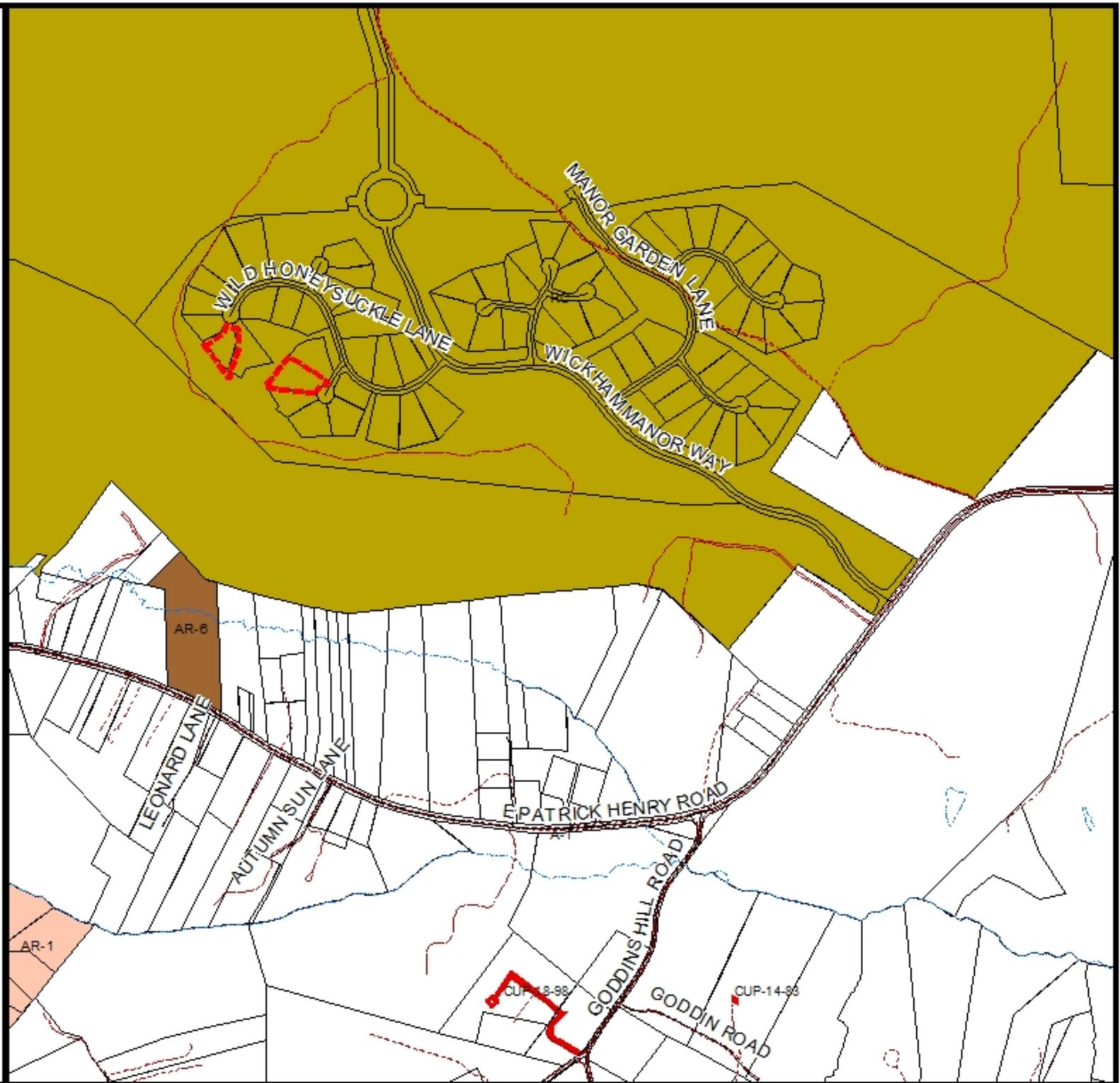
Zoned RC

GPINs: 7890-61-3804 & 7890-52-7082  
Beaverdam Magisterial District



1 inch = 900 feet

November 04, 2013



# C-39-05(c), AM. 2-13, ROYAL DOMINION HOMES

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



## Overview

Amendment Request	Amend the cash proffer
Subdivision	Hickory Hill
Current Zoning	RC(c), Rural Conservation District with conditions
Location	On the north line of East Patrick Henry Road (State Route 54) approximately 2,000 feet east of its intersection with Goddins Hill Road (State Route 798)
GPINs	7890-61-3804 and 7890-52-7082
Case Planner	Gretchen W. Biernot

## Executive Summary

Request to eliminate Proffer # 1, referencing a cash proffer in the amount of \$11,246.00, accepted with zoning case C-39-05(c), Hickory Hill, L.L.C., 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 \$2,574.00 prior to Certificate of Occupancy. This development will have more than 50 lots and has therefore been reviewed by the Director of Public Works in accordance with the Business and Residential Development Road Improvements Transportation Policy, adopted March 13, 2013.

The road projects impacted by this development include I-95 ramp improvements and State Route 54 widening. Based on the transportation impact proffer methodology and credit for a completed I-95 southbound turn lane, the transportation impact is equal to \$2,574.00 per unit.

## Staff Recommendation

**APPROVAL**, subject to the proffers dated November 1, 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.

GJWB/sm/HTE

## **Attachments**

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

**Proffers: C-39-05(c), Am. 2-13**

The undersigned, owners of GPINs 7890-61-3804 and 7890-52-7082 (“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. Cash Proffers. The Property Owner, for himself, his successors and assigns, agrees to pay Hanover County, prior to the issuance of a Certificate of Occupancy for the Property, the amount of Two Thousand Five Hundred Seventy-Four and 00/100 (\$2,574.00) 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. Dwelling Size. The minimum dwelling size shall be 2,000 square feet for a one-story dwelling and 2,500 for a one and one-half or two story dwelling. Minimum floor area shall not include garages or breezeways in any category. Floor area shall be measured along the exterior walls of the structure.
3. Tree Preservation. The required rear and side yard area of each lot, as required by the Zoning Ordinance, along with a minimum of 50 feet front setback shall be selectively cut with no cutting of trees of 5-inch caliper or greater to be allowed. Additional clearing may be allowed (i) when said areas may be used for driveways, wells, drainfields, drainage and utility easement when necessary for dwelling or all other outbuilding construction and/or (ii) when required by the County of Hanover, and then only to the minimum extent necessary, except when cutting is permitted in accordance with approved grading plans, issued by the Public Works Department. The foregoing shall not prohibit the removal of dead or diseased trees. In addition, trees may be cut wherever necessary to establish required storm water detention, or drainage facilities.
4. Homeowners Association. Prior to the conveyance of the first lot, the Property Owner shall cause to be formed a Homeowners Association in which membership will be required of all lot owners. The Homeowners Association shall be charged with maintenance of the common areas, the street lights, the signage, the sidewalks, and the pedestrian trails. Control of the Homeowners Association shall be relinquished by the Property Owner when 75 percent of the lots are developed and owner occupied, but nothing contained herein shall prevent the Property Owner from retaining architectural control until all lots are developed. All common areas shall be conveyed by the Property Owner, subject to the further provisions hereof, to the Homeowners Association upon its formation. The Property Owner may reserve the right to enter upon the common areas to install utilities and to complete the improvements contemplated by these proffers.

5. Architectural Control. An architectural control committee shall be created by restrictive covenants applicable to the Property which shall be filed by the Property Owner prior to recordation of the subdivision plat. House plans shall be approved by the architectural control committee prior to the issuance of a building permit by Hanover County, and all applications for building permits shall be accompanied by verification by the architectural control committee or its representative that the requested structure has been approved.
6. Cemeteries.
  - A. Should a grave or cemetery, not reflected on the Conceptual Plan, be discovered at any point in the development of the subject Property that cannot remain in its current location and must be relocated, the Property Owner shall remove and relocate the human remains from the cemetery through the permit procedure administered by the Virginia Department of Historic Resources. The Property Owner shall be responsible for all costs and expenses associated with the cemetery removal or relocation.
  - B. The Property Owner agrees to grant ingress and egress easements for the purpose of accessing the cemeteries located on the Property to the families of those interred in said cemeteries.
  - C. The Property Owner agrees to employ an Archeologist to study the Slave Cemetery shown on the Conceptual Plan to determine the boundaries of the cemetery. The Property Owner agrees to build a fence around the boundary of the cemetery and place a suitable marker identifying the cemetery.
7. Dedication of Right-of-Way – Patrick Henry Road (State Route 54). The Owner agrees to dedicate 50 feet of right-of-way from the centerline of Patrick Henry Road (State Route 54) to the property for future road widening, free of cost to the County, upon request of the County or VDOT.
8. Dedication of Right-of-Way – Providence Church Road. The Owner agrees to dedicate 25 feet of right-of-way from the centerline of Providence Church Road to the property for future road widening, free of cost to the County, upon request of the County or VDOT.
9. Transportation Improvements. Transportation improvements to be constructed in accordance with VDOT standards and specifications:
  - A. SR54/West Access Driveway (Plantation Way). The southbound access driveway shall be configured to include at least one inbound and one outbound lane. The southbound approach shall be STOP

controlled and constructed in accordance with *VDOT Road Design Manual: Appendix B, Subdivision Design Guide and the Minimum Standards of Entrances to State Highways*. A left turn land shall be provided with 200 feet of storage length and 200 feet of taper.

- B. SR54/East Site Driveway (Wickham's Crossing). The east access driveway shall be configured to include a shared left/right-turn lane. The configuration shall be configured to include at least one inbound and one outbound lane. The southbound approach shall be STOP controlled and constructed in accordance with *VDOT Road Design Manual: Appendix B, Subdivision Design Guide and the Minimum Standards of Entrances to State Highways*. A left turn land shall be provided with 200 feet of storage length and 200 feet of taper.
  - C. I-95 Southbound Off-Ramp/SR54. A left turn lane shall be provided for westbound SR 54 to southbound I-95 with 150 feet of storage length and 75 feet of taper.
10. Manor House, Preservation.
- A. The current historic structures including the manor house and associated dependencies including approximately 50 acres as shown on the Conceptual Plan will be sold as a subdivision lot to a person or entity that exhibits the desire to preserve and or restore the historic structures, subject to subparagraph B below.
  - B. An open-space preservation easement that conforms to the standards designated by the Virginia Board of Historic Resources shall be recorded to preserve the historic, architectural, archaeological and cultural resources located on the portion of the Property comprising approximately 50 acres including the manor house, family cemetery and the majority of the historic outbuildings. This lot is depicted on the Conceptual Plan. The timing of the recordation of this easement shall not be dependent on the approval of recordation of any subdivision plat.

Jimmy Sower  
Property Owner

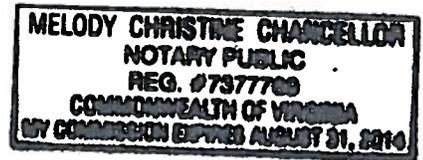
10-31-13  
Date

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

I, Melody Chancellor, do hereby certify that  
Samir Sower has acknowledged the foregoing  
Proffers before me, this 31<sup>st</sup> day of October, 2013.

[Signature] (SEAL)  
Notary Public

My Commission Expires: 8/31/14



[Signature]  
Property Owner

10/31/13  
Date

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

I, Melody Chancellor, do hereby certify that  
Brent Sower has acknowledged the foregoing  
Proffers before me, this 31<sup>st</sup> day of October, 2013.

[Signature] (SEAL)  
Notary Public

My Commission Expires: 8/31/14



Jerry Kayode  
Property Owner

11/01/13  
Date

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

I, Melody Chancellor, do hereby certify that  
Adcyem Kayode has acknowledged the foregoing  
Proffers before me, this 1st day of October, 2013.

[Signature] (SEAL)  
Notary Public

My Commission Expires: 8/31/14

**MELODY CHRISTINE CHANCELLOR**  
**NOTARY PUBLIC**  
**REG. #737769**  
**COMMONWEALTH OF VIRGINIA**  
**MY COMMISSION EXPIRES AUGUST 31, 2014**

[Signature]  
Property Owner

11/01/13  
Date

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

I, Melody Chancellor, do hereby certify that  
Kerryam Kayode has acknowledged the foregoing  
Proffers before me, this 1st day of November, 2013.

[Signature] (SEAL)  
Notary Public

My Commission Expires: 8/31/14

**MELODY CHRISTINE CHANCELLOR**  
**NOTARY PUBLIC**  
**REG. #737769**  
**COMMONWEALTH OF VIRGINIA**  
**MY COMMISSION EXPIRES AUGUST 31, 2014**