

Hanover County,
Virginia

General Parcel Map

Legend

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

C-4-11, Am. 1-15

O. Dale Breedlove

cash proffer amendment

Zoned AR-6

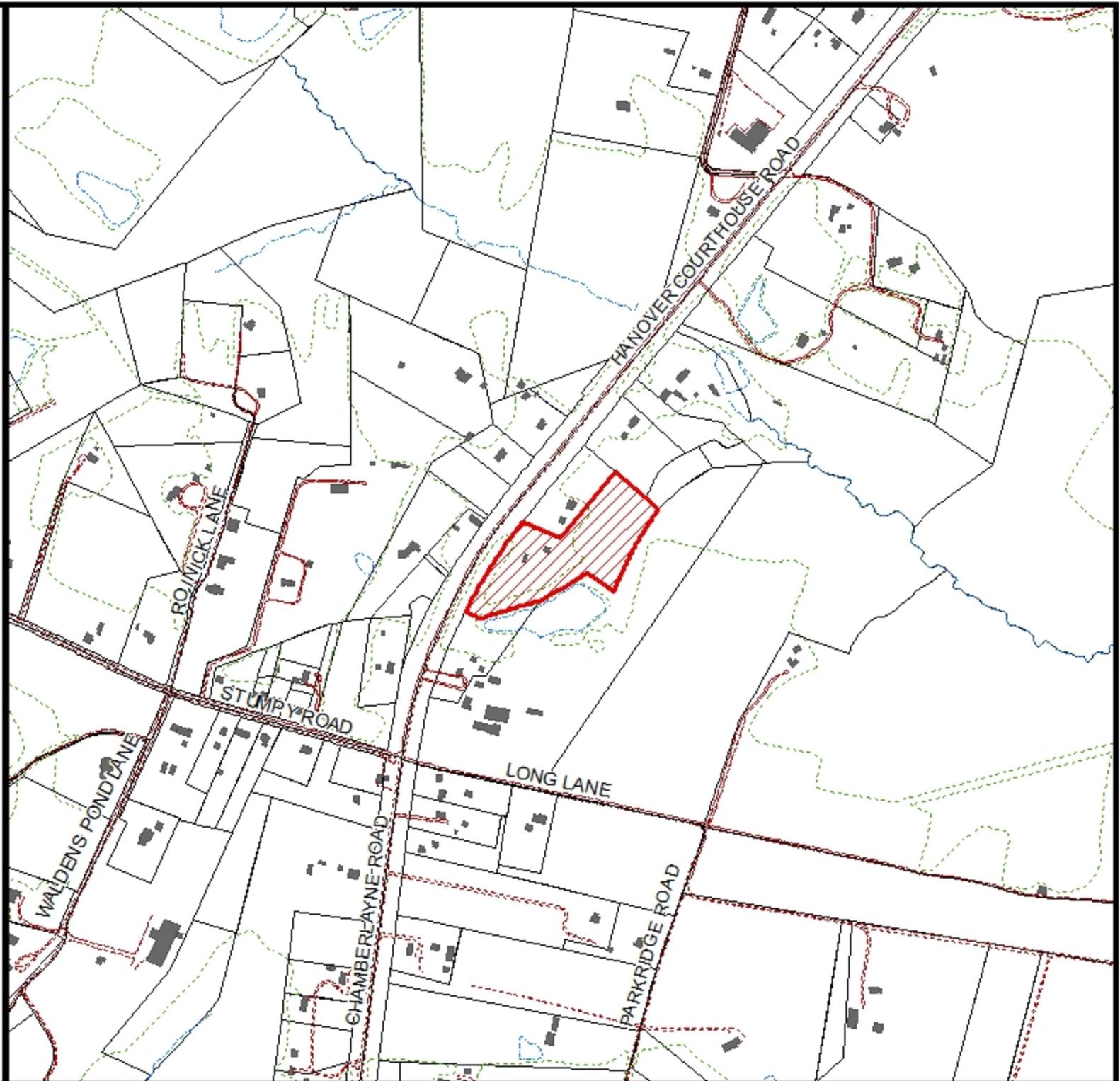
GPIN: 8708-64-7246

Henry Magisterial District



1 inch = 700 feet

September 03, 2015



Hanover County, Virginia

Zoning Map

Legend

— Roads	RS
--- Water	R-1
--- Private Road	R-2
□ Parcels	R-3
□ CUP	R-4
□ A-1	R-5
▨ PUD	R-6
▨ RRC	RM
▨ RR-1	MX
▨ RO-1	B-1
▨ PSC	B-2
▨ POB	B-3
▨ PMH	B-4
▨ HE	O-S
▨ AR-1	B-O
▨ AR-2	M-1
▨ AR-6	M-2
▨ RC	M-3

C-4-11, Am. 1-15

O. Dale Breedlove

cash proffer amendment

Zoned AR-6

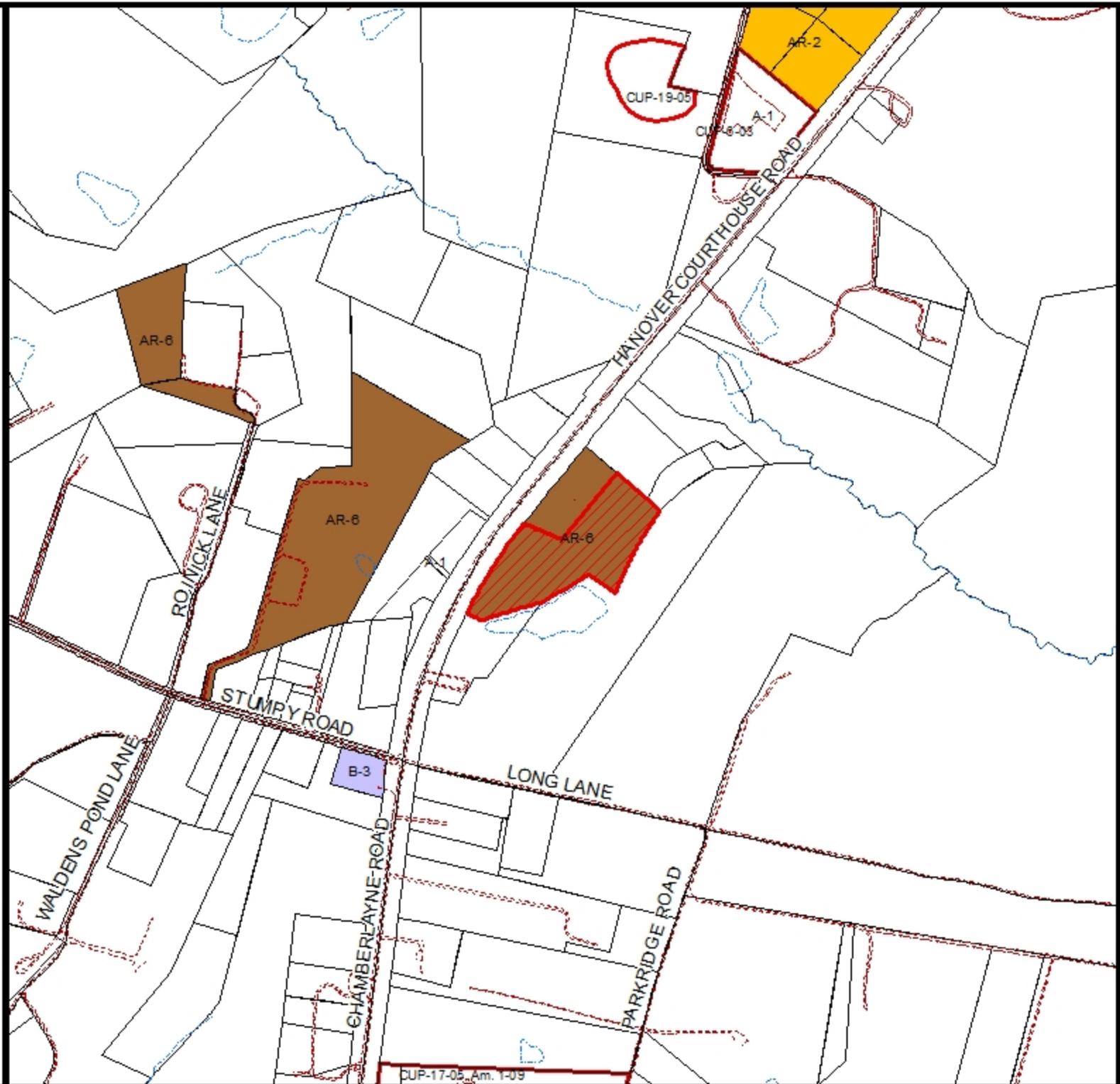
GPIN: 8708-64-7246

Henry Magisterial District



1 inch = 700 feet

September 03, 2015



C-4-11(c), AM. 1-15, O. DALE BREEDLOVE

Residential Rezoning Amendment Report
Henry Magisterial District
PC Meeting Date: October 15, 2015



Overview

Amendment Request	Amend the cash proffer
Subdivision	Diamond Hill Estates
Current Zoning	AR-6(c), Agricultural Residential with conditions
Location	On the east line of Hanover Courthouse Road (U.S. Route 301) approximately 900 feet north of its intersection with Stumpy Road (State Route 654)
GPIN	8708-64-7246
Case Planner	Gretchen Biernot

Executive Summary

Request to eliminate Proffer #3, referencing a cash proffer in the amount of \$19,503.00, accepted with rezoning case, C-4-11(c), Stephen R. Marks, for the parcel 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 \$2,306.00 prior to Certificate of Occupancy, in accordance with the Business and Residential Development Road Improvements Transportation Policy, adopted March 13, 2013.

Staff Recommendation

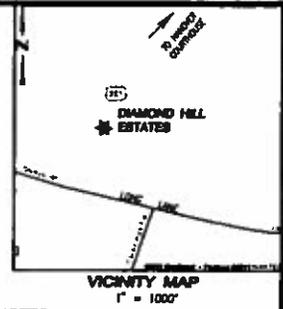
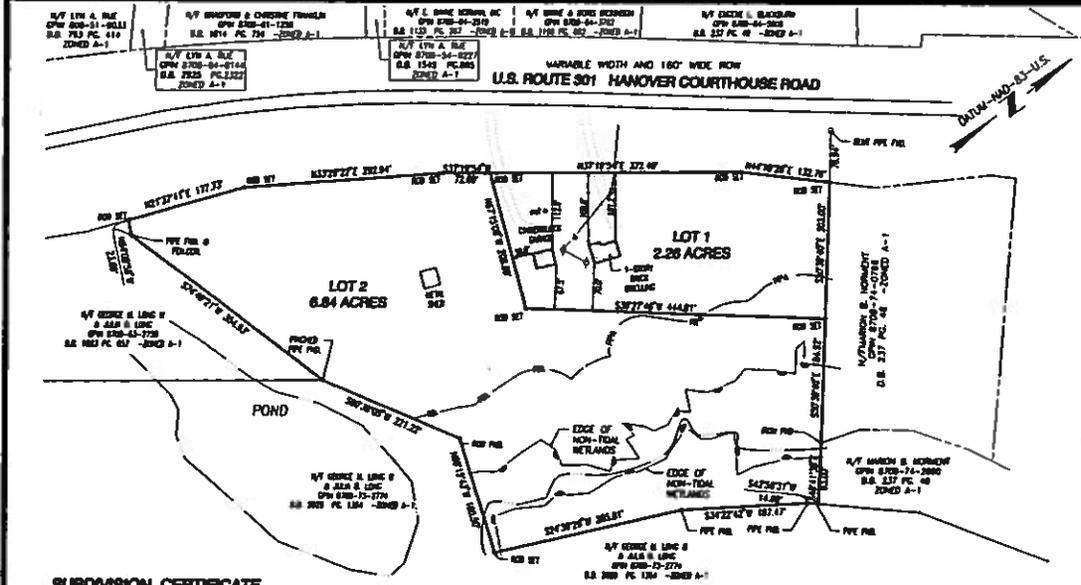
APPROVAL, subject to the proffers dated October 2, 2015, based on the Board of Supervisors' action of November 28, 2012, which allow for the consideration of eliminating cash proffers through zoning amendment, and March 13, 2013, which established a traffic impact contribution amount.

GJWB/sm/HTE

Attachments

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

2012011500000000
 DIVISION OF CLERK'S OFFICE
 01/15/2012 03:34:23 PM
 SEC 50 1-562 DIVISION'S
 THE DIVISION OF CLERK'S OFFICE
 BY: SANCHEZ



GENERAL NOTES

1. CURRENT ZONING: AR-4 (C-4-11(c))
2. NO. OF LOTS: 2
3. TOTAL AREA: 9.10 ACRES
4. AREA IN LOTS: 8.19 ACRES
5. AREA WITHIN ROAD RIGHT-OF-WAY: 8.0 ACRES
6. OWNER/DEVELOPER: STEPHEN B. MARKS
8411 STAFFY ROAD
HANOVER, VA 23069
7. PROPOSED USE: RESIDENTIAL
8. TRAFFIC ZONE: 1754
9. OPEN NUMBERS: 8708-84-7208
10. THERE ARE 80% LOCATED ON THE PROPERTY. THE REMAINDER OF THE SITE SHALL BE CONSIDERED TO BE IN AN RMA.
11. THIS PROPERTY DOES NOT LIE IN A MAJOR DESIGNATED FLOOD HAZARD ZONE (AS SHOWN ON COMMUNITY PANEL / STOREGATOR, BEARING AN EFFECTIVE DATE OF DEDUCTION 3, 2008).
12. ALL SEWAGE DISPOSAL SYSTEMS IN A CHESTNUT BAY PRESERVATION AREA (CPA) MUST BE PUMPED OUT, AT A MINIMUM, EVERY 3 YEARS IN CONFORMANCE WITH THE CHESTNUT BAY ORDINANCE. THIS SUBDIVISION IS WITHIN A CPA.
13. SEWER: INDIVIDUAL SEPTIC SYSTEMS
14. WATER: INDIVIDUAL WELLS
15. THE WETLANDS SHOWN EXIST ON THIS PROPERTY HAVE BEEN DELINEATED BY GEODEMORPHIC, INC.
16. A PLAN SHOWING THE APPROVED LOCATIONS FOR DRAINFIELD FOR EACH LOT WILL BE ON FILE WITH THE HANOVER COUNTY HEALTH DEPARTMENT.
17. ALL LOTS LOCATED WITHIN A CHESTNUT BAY PRESERVATION AREA ARE REQUIRED TO HAVE A 100% RESERVE DRAINFIELD SITE.
18. ACCESSORY BUILDING (METAL SHED ON LOT 2) SHALL NOT BE USED FOR MORE THAN 6 MONTHS UNLESS THE MAIN BUILDING IS UNDER CONSTRUCTION.

SUBDIVISION CERTIFICATE

THE SUBDIVISION OF LAND SHOWN ON THIS PLAN, DESIGNATED AS DIAMOND HILL ESTATES, IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH DESIRES OF THE UNDERSIGNED OWNERS, PROPRIETORS AND TRUSTEES, IF ANY, THE CREATION OF RIGHTS-OF-WAY AND EASEMENTS, WITHIN THE LIMITS OF THIS SUBDIVISION ARE OF THE BIRTH AND EXISTENT SHOWN ON THIS PLAN. THERE IS NOT A DEED OF TRUST ON THIS PROPERTY.

GIVEN UNDER MY HAND AND SEAL THIS 11 DAY OF JAN 2012.

 STEPHEN B. MARKS - OWNER

SOURCE OF TITLE

THE PROPERTY CONTAINED WITHIN THE LIMITS OF THIS SUBDIVISION IS OF THE SAME PRIORITY WHICH WAS CONVEYED BY DEED FROM WILMA MAE SMALLS (DEPARTED THIS LIFE ON JUNE 20, 1986) TO STEPHEN HANCOCK BY DEED BOOK 41, PAGE 637 IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF HANOVER COUNTY, VIRGINIA.

PROFFERS FOR C-4-11(c)

1. **Conceptual Plan:** The property shall be divided in substantial conformity with the conceptual plan attached, titled "Conceptual Plan to Accompany An Application for C/204 8708-84-7208 Located on the Eastern Line of Hanover Courthouse Road (175 Route 301)," dated April 4, 2011, and prepared by Goodfellow, Jaltori, Beard, and Associates.
2. **Tree Preservation:** Existing trees of 5 inch caliper or greater on the Property shall not be removed with the exception of dead or diseased trees or parts thereof. This shall not prevent the removal of trees necessary for the construction of improvements, driveways, drainfields, or drainage facilities.
3. **Cash Proffer:** The Owner, for himself, his successors and assigns, agrees to pay Hanover County the amount of \$19,503 per single family unit built on the Property, plus an amount representing the amount of taxes to the rest of living per year to the day of payment, in accordance with the cash proffer policy adopted by L.S. Board of Supervisors effective on July 1, 2010. The payment of any cash proffer pursuant to this proffer shall be required only after completion of the final inspection and prior to the time of the issuance of any certificate of occupancy for the subject property. The funds shall be used for the purpose of completing capital improvements relating to the developments allowed by the rezoning and included in the County Capital Improvement Program. In the event funds are paid and not used for such capital improvements, the County shall return the funds paid to the Owner or his successors in title. This proffer shall be interpreted and administered in accordance with the policy referred to above.

SURVEYOR CERTIFICATE

TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL OF THE REQUIREMENTS AS SET FORTH IN THE ORDINANCE FOR APPROVING PLATS OF SUBDIVISION IN THE HANOVER COUNTY, VIRGINIA HAVE BEEN COMPLIED WITH.

 PHIL A. JALBERT, P.1434 E

NOTARY CERTIFICATE

STATE OF VIRGINIA
 COUNTY/CITY OF Hanover TO WIT:
 I, Paul A. Jalbert, a Notary Public in and for the County/City of Hanover,

IN THE STATE OF VIRGINIA, DO HEREBY CERTIFY THAT STEPHEN B. MARKS WHOSE NAME IS SIGNED TO THE SUBDIVISION CERTIFICATE HEREIN, HAS ACKNOWLEDGED THE SAME BEFORE ME, IN MY COUNTY/CITY AND STATE REFERENCED, GIVEN UNDER MY HAND AND SEAL THIS 11th DAY OF January, 2012.

REGISTRATION NO. 142553
 MY COMMISSION EXPIRES 3/31/15

 NOTARY PUBLIC



APPROVED
 HANOVER CO. PLANNING DIRECTOR

 DATE 01-09-2012



Goodfellow, Jaltori, Beard, and Associates, Inc.
 7104 Meachamsville Turnpike / P.O. Box 888
 Meachamsville, Virginia 22111
 (804) 748-7087 Fax (804) 730-7878
 ENGINEERING - SURVEYING - PLANNING

DIAMOND HILL ESTATES
 HENRY DISTRICT - HANOVER CO., VA

DESIGNED BY: P.A.J. DATE: JUN 9, 2012
 DRAWN BY: TWOON SCALE: 1"=100'
 CHECKED BY: R.C.E. P.N. 5382-0011

CERTIFICATE OF RECORDING - DIVISION OF CLERK'S OFFICE - 01/15/2012 03:34:23 PM

Proffers: C-4-11(c), O. Dale Breedlove
Am. 1-15

The undersigned, owner of GPIN 8708-64-7246, ("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. Conceptual Plan. The property shall be divided in substantial conformity with the conceptual plan attached, titled "Conceptual Plan to Accompany An Application for GPIN 8708-64-7228 Located on the Eastern Line of Hanover Courthouse Road (U.S. Route 301)," dated April 4, 2011, and prepared by Goodfellow, Jalbert, Beard and Associates.
2. Tree Preservation. Existing trees of 5 inch caliper or greater on the Property shall not be removed with the exception of dead or diseased trees or parts thereof. This shall not prevent the removal of trees necessary for the construction of improvements, driveways, drainfields, or drainage facilities.
3. Cash Proffer. 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.

[Signature]
Owner

9/16/15
Date

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

I, Rebecca Breedlove, do hereby certify that
O. Dale Breedlove has acknowledged the foregoing Proffers
before me, this 16th day of Sept, 2015.

[Signature] (SEAL)
Notary Public

My Commission Expires: / /

REBECCA CAROL BREEDLOVE
NOTARY PUBLIC
REGISTRATION # 367595
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES
AUGUST 31, 2017

RECEIVED
OCT - 2 2015
HANOVER COUNTY
PLANNING OFFICE