



Received

FEB 19 2016

COUNTY OF ALBEMARLE
Department of Community Development
401 McIntire Road, North Wing
Charlottesville, Virginia 22902-4596

County of Albemarle
Board of Supervisor's Office

Phone (434) 296-5832

Fax (434) 972-4126

February 17, 2016

Gary Robert Moon
4534 Hamner Road
Charlottesville, VA 22903

RE: LOD201500019 - OFFICIAL DETERMINATION OF PARCELS OF RECORD AND DEVELOPMENT RIGHTS - Tax Map 112, Parcels 1 & 1A.

Dear Mr. Moon:

The County Attorney and I have reviewed the title information for the above-noted property. It is the County Attorney's advisory opinion and my official determination that Tax Map 112, Parcel 1 is one (1) parcel of record, being 121.00 acres in size, with five (5) theoretical development rights and that Tax Map 112, Parcel 1A is one (1) parcel of record, being 10.00 acres in size, with five (5) theoretical development rights. The basis for this determination follows.

The most recent deed for **Tax Map 112, Parcels 1 & 1A** is recorded in Deed Book 2803, page 460 and is dated July 22, 2004.

Albemarle County records indicate **Tax Map 112, Parcel 1** contains 121.00 acres located in the White Hall Magisterial District. The property is zoned RA Rural Areas.

**PRIOR TO DECEMBER 10, 1980
TMP 112-1**

Deed Book / Page	Date	Parcel Change Y or N	Description	Acres
175/483	10/01/1920	N	"...all that certain lot or parcel of land containing 131 acres...more or less...situated on the Hardware River, in the County of Albemarle..." This is the parent parcel which the 121 acre tract, now known as TMP 112-1, comes from.	131.00
353/564	10/23/1959	Y	"...all that certain lot or parcel of land...containing 121 acres more or less and which is the same land as was conveyed to the Grantor by...in Deed Book 175, page 483, less the parcel of about 10 acres conveyed ...to the Grantee by deed ...in Deed Book 304, page 339." This deed establishes the 121 acre tract, TMP112-1, as a parcel of record with five (5) theoretical development rights.	121.00
427/033	3/20/1967	N	"...all that certain parcel of land...containing 121 acres, more or less, and being the same land...conveyed...in Deed Book 353, page 564..." This deed had no effect on the parcel.	121.00

**AFTER DECEMBER 10, 1980
 TMP 112-1**

Deed Book / Page	Date	Parcel Change Y or N	Description	Acres
1049/659	5/25/1989	N	"...those two certain tracts or parcels of land...containing 10 acres, more or less,...and containing 121 acres, more or less, and more particularly identified on the Tax Maps of Albemarle County as Tax Map 112, Parcel 1A*..." This Deed had no effect on parcel 1. *incorrectly identified as parcel 1A.	121.00
2803/460	7/22/2004	N	"...all those two certain tracts or parcels of land....and containing 121 acres, more or less and more particularly identified...as Tax Map 112, Parcel 1." This Deed had no effect on parcel 1.	121.00

On the basis of these deeds Tax Map 112, Parcel 1 is determined to be a parcel of record containing five (5) theoretical development rights.

Albemarle County records indicate **Tax Map 112, Parcel 1A** contains 10.00 acres located in the White Hall Magisterial District. The property is zoned RA Rural Areas.

**PRIOR TO DECEMBER 10, 1980
 TMP 112-1A**

Deed Book / Page	Date	Parcel Change Y or N	Description	Acres
175/483	10/01/1920	N	"...all that certain lot or parcel of land containing 131 acres...more or less...situated on the Hardware River, in the County of Albemarle..." This is the parent parcel which the 10 acre tract, now known as TMP 112-1A, comes from.	131.00
304/339	10/18/1952	Y	"...certain tract or parcel of land...containing ten (10) acres, more or less and being a tract approximately 2 acres in width and 5 acres in length, ...being a portion of that property conveyed...by deed dated October 1, 1920...in D.B. 175, page 483..." This deed establishes the 10 acre tract, TMP 112-1A, as a parcel of record with five (5) theoretical development rights.	10.00

**AFTER TO DECEMBER 10, 1980
 TMP 112-1A**

Deed Book / Page	Date	Parcel Change Y or N	Description	Acres
1049/659	5/25/1989	N	"...those two certain tracts or parcels of land...containing 10 acres, more or less, and more particularly identified on the Tax Maps of Albemarle County as Tax Map 112, Parcel 1*..." This Deed had no effect on parcel 1A. *incorrectly identified as parcel 1.	10.00
2803/460	7/22/2004	N	"...all those two certain tracts or parcels of land...containing 10 acres, more or less, and more particularly identified...as Tax Map 112, Parcel 1A..." This Deed had no effect on parcel 1A.	10.00

On the basis of these deeds Tax Map 112, Parcel 1A is determined to be a parcel of record containing five (5) theoretical development rights.

The parcels are entitled to the noted development rights if all other applicable regulations can be met. These development rights may only be utilized within the bounds of the original parcel of record with which they are associated. These development rights are theoretical in nature but do represent the maximum number of lots containing less than twenty one acres allowed to be created by right.

If you are aggrieved by this determination, you have a right to appeal it within thirty (30) days of this notice, in accordance with *Virginia Code* § 15.2-2311. If you do not file a timely appeal, this determination shall be final and unappealable.

An appeal may be taken only by filing an appeal application with the Zoning Administrator and the Board of Zoning Appeals, in accordance with § 34.3 of the Zoning Ordinance, along with a fee of \$258 plus the actual cost of advertising the appeal for public hearing.

Applications for Appeal of the Zoning Administrator's Determination are available at the Department of Community Development located at 401 McIntire Road, Charlottesville, Virginia 22902 or online at www.albemarle.org/cdapps. This form applies to the appeal of a decision of the zoning administrator or any other administrative officer pertaining to the Zoning Ordinance.

Regulations pertaining to the filing of an appeal to the Board of Zoning Appeals are located in Chapter 18, Section 34.3 of the Albemarle County Code. They may be reviewed online at www.albemarle.org/countycodebza.

(Please note that our online documents are in Adobe Acrobat PDF format and must be viewed with the Adobe Acrobat Reader or an equivalent. A link to download the free plug-in is available at the bottom of www.albemarle.org/cdapps.)

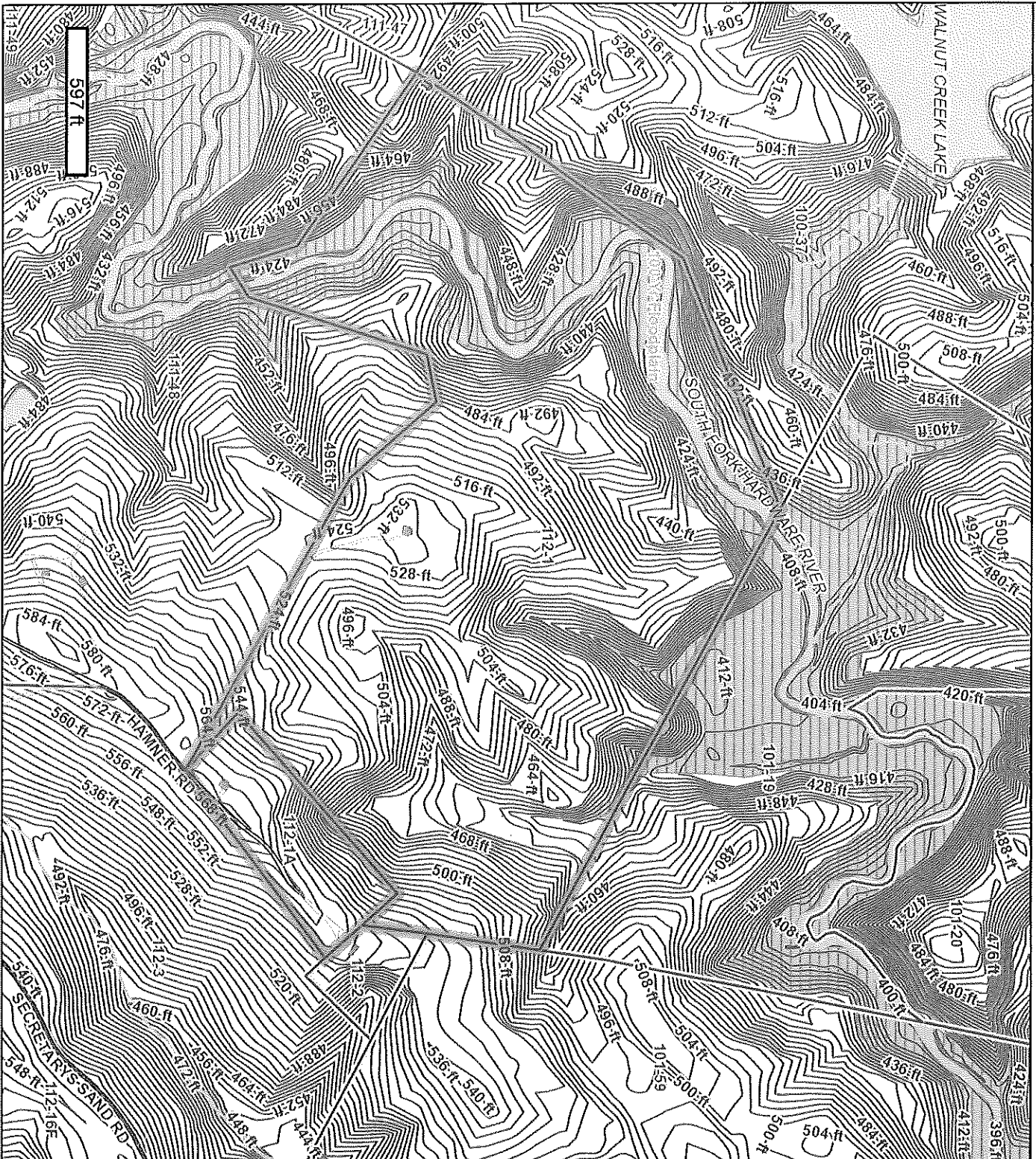
If you have any questions, please contact me.

Sincerely,



Ronald L. Higgins, AICP
Chief of Zoning/Deputy Zoning Administrator

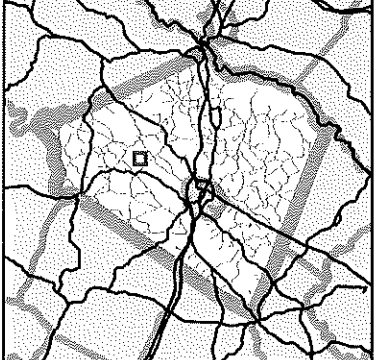
Copy: Sheila L. Conrad, Real Estate Tech, Real Estate
Ella Jordan, Clerk of the Board of Supervisors



Legend

(Note: Some items on map may not appear in legend)

- ☐ Airport
- ☐ Cemetery
- ☐ Commercial
- ☐ Industrial
- ☐ Institutional
- ☐ Medical
- ☐ Military
- ☐ Public
- ☐ Religious
- ☐ School
- ☐ Shopping
- ☐ Sports
- ☐ Utility
- ☐ Water
- ☐ Wetland
- ☐ Woodland
- ☐ Other



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