



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

Phone (434) 296-5832

Fax (434) 972-4126

October 26, 2017

Julie L. Norris  
319 W Arch Street  
Kill Devil Hills, NC 27948

**RE: LOD201700009 - OFFICIAL DETERMINATION OF PARCELS OF RECORD AND DEVELOPMENT RIGHTS - Tax Map 7, Parcels 60 & 59C.**

Dear Ms. Norris:

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 7, Parcel 60 is one (1) parcel of record, being 23.25 acres in size, with five (5) theoretical development rights and that Tax Map 7, Parcel 59C is one (1) parcel of record, being 11.50 acres in size, with five (5) theoretical development rights. The basis for this determination follows.

**Tax Map 7, Parcel 60**

The most recent deed for **Tax Map 7, Parcel 60** is recorded in Deed Book 3653, page 24 and is dated September 15, 2008.

Albemarle County records indicate **Tax Map 7, Parcel 60** contains 23.25 acres located in the White Hall Magisterial District. The property is zoned RA Rural Areas.

**PRIOR TO DECEMBER 10, 1980**  
**TMP 7-60**

Deed Book / Page	Date	Parcel Change Y or N	Description	Acres
246/534	4/8/1940	N	"That certain tract or parcel of land, with improvements thereon, situated near Boonesville, in Albemarle County, Virginia, containing 23 ¼ acres." <b>This Deed establishes the parcel of record that is Tax Map Parcel 7-60.</b>	23.25
251/324	8/19/1941	N	"That certain tract or parcel of land, with improvements thereon, situated near Boonesville, in Albemarle County, Virginia, containing 23 ¼ acres. ...is the same property which was conveyed...in Deed Book 246, page 534,..." <b>This Deed had no effect on the parcel.</b>	23.25

**AFTER DECEMBER 10, 1980  
 TMP 7-60**

Deed Book / Page	Date	Parcel Change Y or N	Description	Acres
3653/24	9/15/2008	N	"That certain tract or parcel of land..., containing 23 1/4 acres." This deed describes the conveyance of the rest of this parcel to you as Executor of the estate of your mother, Miriam L. Norris, who had inherited the parcel from her mother, Gracie D. Lever. It is further described as being the same property conveyed to her and your father, Pierce D. Lever, by deed dated August 19, 1941, Deed Book 251, page 324. <b>This Deed had no effect on the parcel.</b>	23.25

**Tax Map 7, Parcel 59C**

The most recent deed for **Tax Map 7, Parcel 59C** is recorded in Deed Book 3653, page 29 and is dated September 15, 2008.

Albemarle County records indicate **Tax Map 7, Parcel 59C** contains 11.50 acres located in the White Hall Magisterial District. The property is zoned RA Rural Areas.

**PRIOR TO DECEMBER 10, 1980  
 TMP 7-59C**

Deed Book / Page	Date	Parcel Change Y or N	Description	Acres
336/455	12/4/1957	N	"...a tract of 30 acres, more or less,...save and except a tract of 3 acres, more or less, situated on the North side of said road..."(Nortonsville-Boonesville Road). <b>This deed establishes the original parcel from which the 11.50 acres came.</b>	27.00
384/3	11/23/1962	Y	This Deed conveyed, from "...Ellis P. Walton and Alma V. Walton, his wife,....to R. T. Davis and Carrie E. Davis, husband and wife...all that certain tract or parcel of land...containing 11.50 acres...Said tract of land is a portion of a boundary of land conveyed to Ellis P. Walton in D. B. 336 page 455 , and is a portion of the 30 acre tract of land described in said deed as Parcel #3." <b>This deed establishes the 11.50 acre tract, TMP 7-59C, as a parcel of record with five (5) theoretical development rights.</b>	11.50
390/187	6/14/1963	N	This Deed conveyed 11.50 acres from R. T. Davis and Carrie E. Davis, husband and wife, to Raymond L. Norris and Miriam L. Norris, husband and wife, "...all that certain tract or parcel of land containing 11.50 acres... shown on plat dated November 12, 1962, made by T. W. Saunders, C.L.S., which plat is attached to and recorded as a part of...D. B. 384 page3." <b>This Deed had no effect on the parcel.</b>	11.50

**AFTER TO DECEMBER 10, 1980  
TMP 7-59C**

Deed Book / Page	Date	Parcel Change Y or N	Description	Acres
3653/29	9/15/2008	N	"...all that certain tract or parcel of land containing 11.50 acres...shown on plat dated November 12, 1962...attached to...Deed Book 384, page 3." <b>This Deed had no effect on the parcel.</b>	11.50

**On the basis of these deeds Tax Map 7, Parcel 60 is determined to be a parcel of record containing five (5) theoretical development rights and Tax Map 7, Parcel 59C 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.

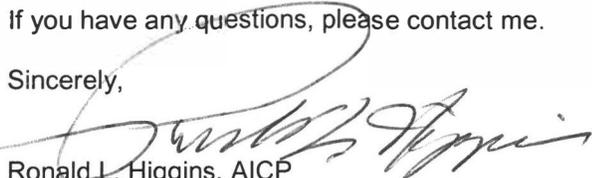
Applications for Appeal of the Zoning Administrator's Determination are available at the Department of Community Development located at 401 McIntire Road, Charlottesville, Virginia 22902 or online at [www.albemarle.org/cdapps](http://www.albemarle.org/cdapps). This form applies to the appeal of a decision 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](http://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](http://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  
Claudette Borgersen, Clerk of the Board of Supervisors

Attachment: Tax Map

