



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

Phone (434) 296-5832

Fax (434) 972-4126

April 11, 2016

Fred Miller  
880 Sassafras Hill  
Charlottesville VA 22911

**RE: LOD2016-00004 - OFFICIAL DETERMINATION OF PARCEL OF RECORD & DEVELOPMENT RIGHTS – Parcel ID 06200-00-00-07000 (Property of MARGARET NEALE MILLER ESTATE) Rivanna Magisterial District**

Dear Mr. Miller:

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 **Parcel ID 06200-00-00-07000** is comprised of two (2) parcels of record, one with three (3) theoretical development rights, and one with three (3) theoretical development rights. The basis for this determination follows.

The Albemarle County Real Estate Assessment records indicate **Parcel ID 06200-00-00-07000** contains 14.21 acres and one (1) dwelling. The property is zoned RA, Rural Areas.

The most recent deed for **Parcel ID 06200-00-00-07000**, recorded prior to December 10, 1980, the date of adoption of the Zoning Ordinance, is recorded in Deed Book 687, page 783 dated January 7, 1980.

**PRIOR TO DECEMBER 10, 1980**  
**Parcel ID 06200-00-00-07000 – (14.21 acres)**

| Deed Book / Page | Date       | Parcel Change Y or N | Description                                                                                                                                                                                               | Acres |
|------------------|------------|----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|
| 117 / 259        | 08/15/1899 | Y                    | ...all of that certain lot of land ...containing nine and 113/160 acres according to survey and plat hereto attached said tract of land being part of the mountain tract ...                              | 9.314 |
| 123 / 415        | 08/04/1902 | N                    | ...all that certain lot or parcel of land ...containing 9 and 113/160 acres and being the same lot or parcel of land which was conveyed ...in DB 120 P 401.                                               | 9.314 |
| 161 / 131        | 07/14/1916 | N                    | ...all that certain lot or parcel of land ...containing nine and 113/160 acres, more or less, as described on plat recorded in... DB 117 P 259 ...being in all respects the same land ...in DB 123 P 415. | 9.314 |
| 165 / 52         | 04/21/1917 | N                    | ...all that certain lot, tract or parcel of land ...containing 9 113/160 acres, more or less, as described on plat recorded in... DB 117 P 259 ...being in all respects the same land ...in DB 161 P 131. | 9.314 |
| 302 / 544        | 10/28/1952 | N                    | ...all that certain lot, tract or parcel of land ...containing 9 113/160 acres, more or less, as described on plat recorded in... DB 117 P 259 ...being in all respects the same land ...in DB 165 P 52.  | 9.314 |
| 306 / 184        | 07/17/1953 | Y                    | ...recorded survey of the Ridgemont Subdivision showing Lot No. 36 on page 185B.                                                                                                                          | 10.00 |

**AFTER DECEMBER 10, 1980**  
**Parcel ID 06200-00-00-07000 -- (6.314 acres & 7.507 acres)**

| Deed Book / Page | Date | Parcel Change Y or N | Description                                                                                                                         | Acres | Development Rights |
|------------------|------|----------------------|-------------------------------------------------------------------------------------------------------------------------------------|-------|--------------------|
|                  |      | N                    | There are no deeds after 12/10/1980 that describe the properties further or alter the parcels that would affect development rights. | 6.314 | 3                  |
|                  |      |                      |                                                                                                                                     | 7.507 | 3                  |

**On the basis of these deeds**

**Parcel ID 06200-00-00-07000 is determined to be two (2) parcels of record, one comprised of approximately 6.314 acres<sup>±</sup>, containing 3 development rights, and one comprised of approximately 7.507 acres<sup>±</sup>, containing 3 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 Chapter 18, Section 34.3 of the Albemarle County Code, 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,



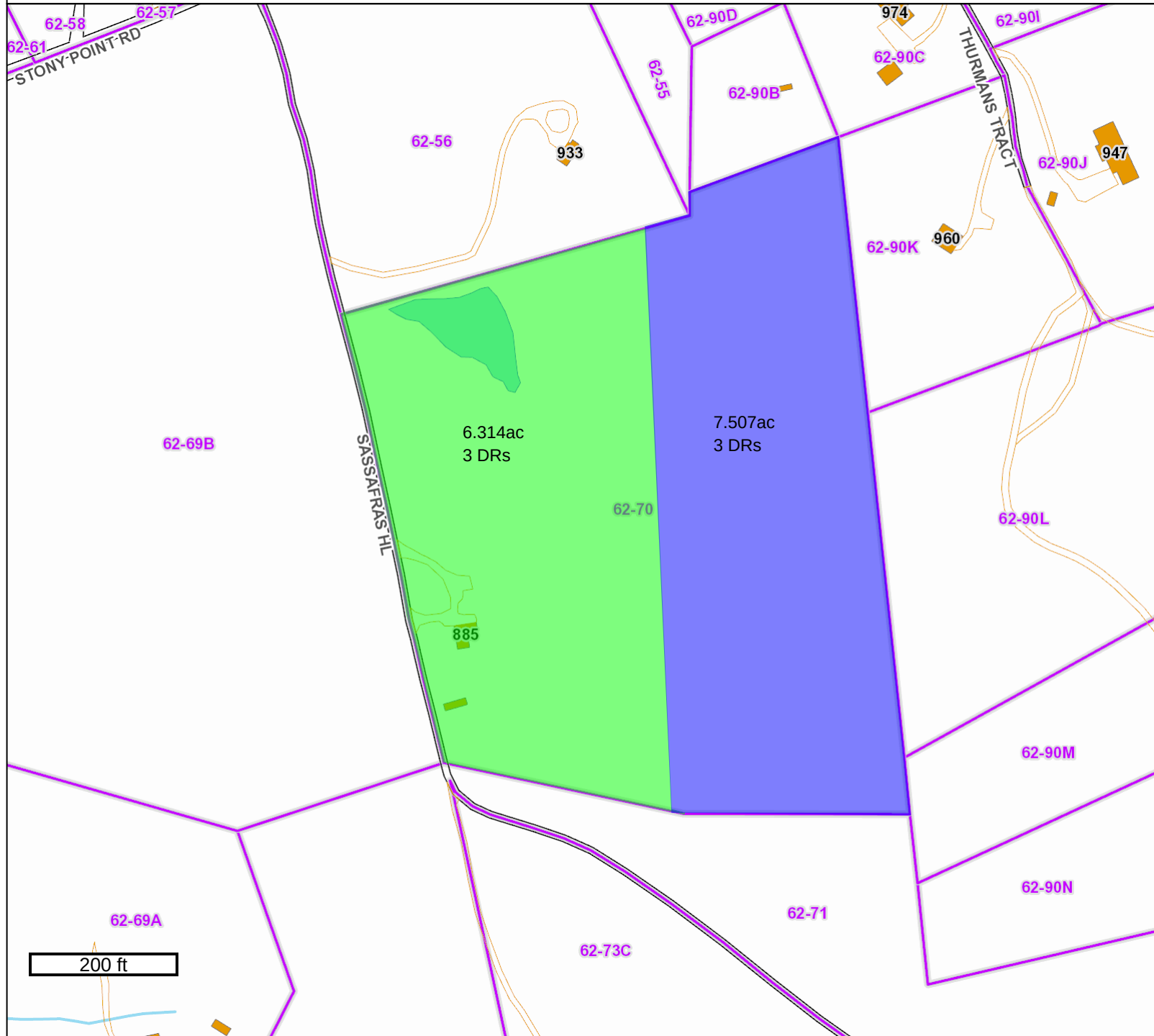
Francis H. MacCall  
Principal Planner

Attachment: Map delineating parcel of record and development rights.

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

MARGARET NEALE MILLER, ESTATE  
C/O RICHARD G MILER III, EXEC  
8680 LEES RIDGE RD  
WARRENTON VA, 20186

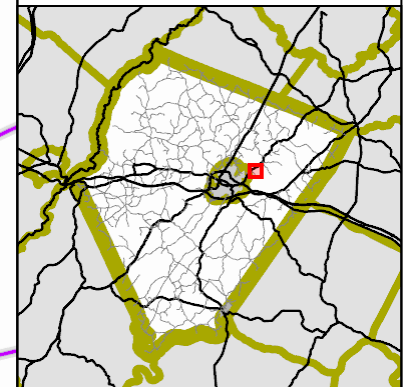
# LOD2016-00004 885 Sassafra Hill



## Legend

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

- Points of Interest
  - AIRPORT
  - COLLEGE/UNIVERSITY
  - COMMUNITY
  - FIRE/RESCUE STATION
  - GOVERNMENT
  - HOSPITAL
  - LIBRARY
  - POLICE STATION
  - POST OFFICE
  - RECREATION/TOURISM
  - SCHOOL
- Parcel Info
  - Parcels



GIS-Web  
Geographic Data Services  
[www.albemarle.org](http://www.albemarle.org)  
(434) 296-5832