



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 28, 2016

Ross L. Stevens
5785 The Square, Suite 200
Crozet VA 22932

**RE: LOD2016-00006 - OFFICIAL DETERMINATION OF PARCEL OF RECORD &
DEVELOPMENT RIGHTS – Parcel ID 09000-00-00-014C1 (Property of CRICKET'S HEARTH
LAND TRUST; ALEXANDER SLIVINSKE JR TRUSTEE) Samuel Miller Magisterial District**

Dear Mr. Stevens:

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 09000-00-00-014C1** is comprised of three (3) parcels of record one with three (3) theoretical developments rights, one with four (4) theoretical developments rights and one with four (4) theoretical developments rights. The basis for this determination follows.

The Albemarle County Real Estate Assessment records indicate **Parcel ID 09000-00-00-014C1** contains 25.48 acres and one (1) dwelling. The property is zoned RA, Rural Areas.

The most recent deed for **Parcel ID 09000-00-00-014C1**, recorded prior to December 10, 1980, the date of adoption of the Zoning Ordinance, is recorded in Deed Book 400, page 292 dated August 14, 1964.

PRIOR TO DECEMBER 10, 1980
Parcel ID 09000-00-00-014C1 – (6.00, 9.13, and 9.61 acres)

Deed Book / Page	Date	Parcel Change Y or N	Description	Acres
312 / 114	08/19/1954	Y	This is a contract sale of lots other than Tracts Nos. 13, 14 and 15. The plat for Tracts Nos. 13, 14 and 15 are on page 116 of DB 312.	Tract No 13 6.0 Tract No 14 9.13 Tract No 15 9.61
312 / 253	08/19/1954	N	...all those two certain tracts or parcel of land ...designated as Tracts Nos. 5 and 15 on plat of "Woodlands", dated 1954 made by T. W. Saunders, S.N.C., and attached to a contract sale in DB 312 P 114 ...from which plat it appears that Tract No. 5 contains 12.83 acres, more or less, and Tract No. 15 contains 9.61 acres , more or less,	Tract No 15 9.61
323 / 126	08/19/1954	N	...all those two certain tracts or parcels of land ...designated as Tracts Nos. 13 and 14 on plat of "Woodlands", dated 1954 made by T. W. Saunders, S.N.C., and attached to a contract sale in DB 312 P 114 ...from which plat it appears that Tract No. 13 contains 6 acres, more or less, and Tract No. 14 contains 9.13 acres , more or less,	Tract No 13 6.0 Tract No 14 9.13

323 / 430	04/19/1956	N	...all those two certain tracts or parcels of land ... designated as Tracts Nos. 13 and 14 on plat of "Woodlands", dated 1954 made by T. W. Saunders, S.N.C., and of record in ...DB 312 P 116, containing the aggregate 15.13 acres , more or less, and being the same property ...in DB 326 P 126.	15.13
400 / 292	08/14/1964	N	...all those three certain tracts or parcels of land ... and described as aggregating 25.48 acres and designated as Tracts Nos. 13, 14 and 15, on plat and survey thereof made by O. R. Randolph, Engineer, dated July 17, 1957, attached hereto and made a part hereof.	25.48

**AFTER DECEMBER 10, 1980
 Parcel ID 09000-00-00-014C1 – (25.48 acres)**

Deed Book / Page	Date	Parcel Change Y or N	Description	Acres	Development Rights
3159 / 253	11/25/2005	N	<p>Deed of Gift... For...all those three tracts or parcels of land... described as aggregating 25.48 acres and designated as Tracts Nos. 13, 14 and 15 on a plat of O. R. Randolph, Engineer, dated July 17, 1957,... in DB 400 P 294.</p> <p>The revised survey was for all three parcels totaling 25.48 acres. The total of the three lots with the acreage from the plat in DB 312 P 116 is 24.74 acres. This is only a 0.74 acre difference but if a revised survey were done for each of the three lots they would more than likely be larger than the numbers noted in DB 312 P 116.</p>	25.48	

On the basis of these deeds

Parcel ID 09000-00-00-014C1 is determined to be three (3) parcels of record, one is comprised of approximately 6.00 acres[±], containing 3 development rights; one is comprised of approximately 9.13 acres[±], containing 4 development rights; one is comprised of approximately 9.61 acres[±], containing 4 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. 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,



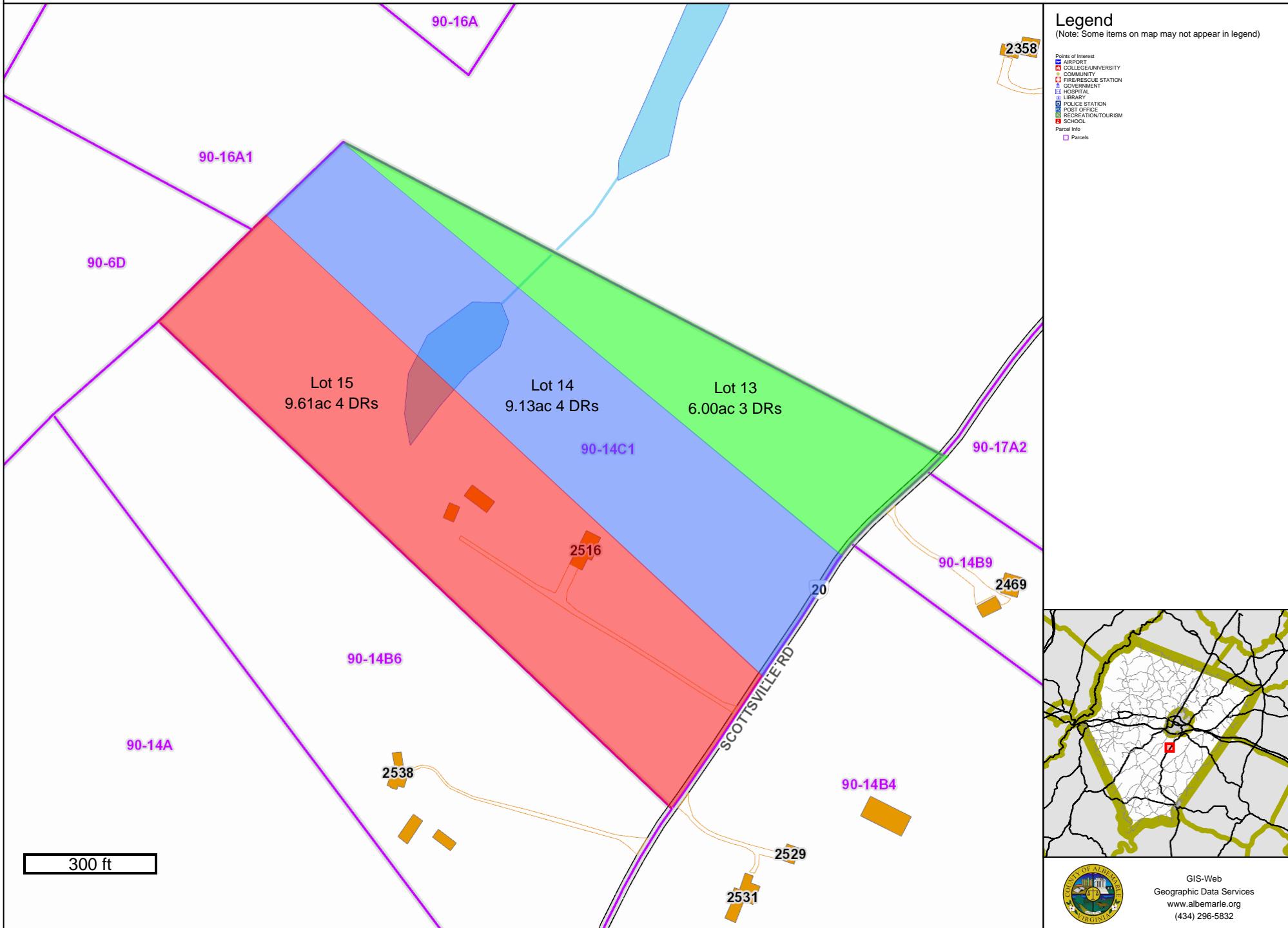
Francis H. MacCall
Principal Planner

Attachment: Map delineating parcel of record

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

CRICKET'S HEARTH LAND TRUST;
ALEXANDER SLIVINSKE JR TRUSTEE
10601 HASTINGS LN
AUSTIN TX, 78750

LOD2016-00006 2516 Scottsville Rd



GIS-Web
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