



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

Phone (434) 296-5832

Fax (434) 972-4126

December 28, 2015

Roger W Ray & Associates, Inc.
1717-1b Allied Street
Charlottesville VA 22903

RE: LOD2015-00016 - OFFICIAL DETERMINATION OF PARCEL OF RECORD & DEVELOPMENT RIGHTS – Parcel ID 01400-00-00-05100 (Property of RONALD W & EILEEN F LAVIS) Scottsville Magisterial District

Dear Mr. Ray:

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 01400-00-00-05100** is comprised of four (4) parcels of record, each parcel with one (1) theoretical development right. The basis for this determination follows.

The Albemarle County Real Estate Assessment records indicate **Parcel ID 01400-00-00-05100** contains 6.97 acres and two (2) dwellings. The property is zoned RA, Rural Areas.

The most recent deed for **Parcel ID 01400-00-00-05100**, recorded prior to December 10, 1980, the date of adoption of the Zoning Ordinance, is recorded in Deed Book 256, page 72 dated December 28, 1942.

PRIOR TO DECEMBER 10, 1980
Parcel ID 01400-00-00-05100 – (0.5 acres and Approx. 2.0 acres)

Deed Book / Page	Date	Parcel Change Y or N	Description	Acres
98 / 450	12/24/1892	Y	...the two following parcels of real estate... First a lot of land, supposed to contain one half acres, more or less, and, Secondly a certain other lot of land adjoining the first. (Description follows but no acreage is noted)	.5 Approx. 2.0
130 / 147	03/06/1903	N	...those two parcels on land FIRST: ...ALOT ...Supposed to contain one-half acres more or less, and SECONDLY: A certain other lot of land adjoining the first, and recorded in DB 98 P 450. (Description follows but no acreage is noted)	.5 Approx. 2.0
185 / 349	06/01/1917	N	...the tract of land being the same land conveyed in DB 130 P 147, and therein described as two lots or tracts of land.	2.5
188 / 413	12/24/1924	N	...all that lot or parcel of land containing 2½ acres, more or less, and being the same two lots of land described in DB 130 P 147.	2.5
196 / 171	02/28/1927	N	...all that certain tract or parcel of land containing 2½ acres, more or less, and recorded in DB 188 P 413.	2.5
215 / 149	01/04/1932	N	...all that certain tract or parcel of land containing 2½ acres, more or less, and recorded in DB 196 P 171.	2.5

222 / 428	03/22/1934	N	...all of the following lands..., and particularly described as follows: (1) That certain tract or parcel of land, containing 2½ acres, more or less, and of record in DB 215 P 149. (2) That certain tract or parcel of land, containing 1 2/10 acres, according to plat made by Hugh F. Simms, S.A.C., March 1932 and more particularly described in DB 215 P 566. (3) That certain other tract or parcel of land that was conveyed in DB 221 P 512, described by the boundaries... this last named tract being now sold and conveyed in gross and not by the acre.	2.5 1.2 Unknown acres
256 / 72	12/28/1942	N	...all of the following lands..., and particularly described as follows: (1) That certain tract or parcel of land, containing 2½ acres, more or less, and of record in DB 215 P 149. (2) That certain tract or parcel of land, containing 1 2/10 acres, according to plat made by Hugh F. Simms, S.A.C., March 1932 and more particularly described in DB 215 P 566. (3) That certain other tract or parcel of land that was conveyed in DB 221 P 512, described by the boundaries... this last named tract being now sold and conveyed in gross and not by the acre. The land conveyed is the same property which was conveyed in DB 222 P 428.	2.5 1.2 Unknown acres

PRIOR TO DECEMBER 10, 1980
Parcel ID 01400-00-00-05100 - (1.2ac)

Deed Book / Page	Date	Parcel Change Y or N	Description	Acres
215 / 566	03/31/1932	Y	...all that certain tract or parcel of land, containing one and two tenths (1.2) acres and more particularly described according to survey and plat made by High F. Simms, S.A.C. March 1932 to be recoded with this deed.	1.2
222 / 428	03/22/1934	N	...all of the following lands..., and particularly described as follows: (4) That certain tract or parcel of land, containing 2 ½ acres, more or less, and of record in DB 215 P 149. (5) That certain tract or parcel of land, containing 1 2/10 acres, according to plat made by Hugh F. Simms, S.A.C., March 1932 and more particularly described in DB 215 P 566. (6) That certain other tract or parcel of land that was conveyed in DB 221 P 512, described by the boundaries... this last named tract being now sold and conveyed in gross and not by the acre.	2.5 1.2 Unknown acres
256 / 72	12/28/1942	N	...all of the following lands..., and particularly described as follows: (4) That certain tract or parcel of land, containing 2 ½ acres, more or less, and of record in DB 215 P 149. (5) That certain tract or parcel of land, containing 1 2/10 acres, according to plat made by Hugh F. Simms, S.A.C., March 1932 and more particularly described in DB 215 P 566.	2.5 1.2

			(6) That certain other tract or parcel of land that was conveyed in DB 221 P 512, described by the boundaries... this last named tract being now sold and conveyed in gross and not by the acre. The land conveyed is the same property which was conveyed in DB 222 P 428.	Unknown acres
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PRIOR TO DECEMBER 10, 1980

Parcel ID 01400-00-00-05100 - (Estimated by new survey to be approximately 3.27 acres)

Deed Book / Page	Date	Parcel Change Y or N	Description	Acres
221 / 512	01/05/1934	Y	The tract hereby conveyed is the southern portion of the 8 acres and 99 poles tract of land conveyed in DB 219 P 75.	Unknown acres
222 / 428	03/22/1934	N	...all of the following lands..., and particularly described as follows: (7) That certain tract or parcel of land, containing 2 ½ acres, more or less, and of record in DB 215 P 149. (8) That certain tract or parcel of land, containing 1 2/10 acres, according to plat made by Hugh F. Simms, S.A.C., March 1932 and more particularly described in DB 215 P 566. (9) That certain other tract or parcel of land that was conveyed in DB 221 P 512, described by the boundaries... this last named tract being now sold and conveyed in gross and not by the acre.	2.5 1.2 Unknown acres
256 / 72	12/28/1942	N	...all of the following lands..., and particularly described as follows: (7) That certain tract or parcel of land, containing 2 ½ acres, more or less, and of record in DB 215 P 149. (8) That certain tract or parcel of land, containing 1 2/10 acres, according to plat made by Hugh F. Simms, S.A.C., March 1932 and more particularly described in DB 215 P 566. (9) That certain other tract or parcel of land that was conveyed in DB 221 P 512, described by the boundaries... this last named tract being now sold and conveyed in gross and not by the acre. The land conveyed is the same property which was conveyed in DB 222 P 428.	2.5 1.2 Unknown acres

AFTER DECEMBER 10, 1980

Parcel ID 01400-00-00-05100 - (2.5ac, 1.2ac & Unknown acres (Est. 3.27ac))

Deed Book / Page	Date	Parcel Change Y or N	Description	Acres	Development Rights
1612 / 46	05/01/1997	N	All that certain tract or parcel of land, containing 6.97 acres, as more particularly shown and described on a plat of boundary and physical survey prepared by Roger W. Ray & Associates, Inc., C.L.S., dated April 24, 1997.	6.97 total 2.0 & 0.5 1.2	1 1 1

			This plat does not show the separate parcels but refers to the Deed Book and Page numbers of what is determined with this letter to be separate parcels of record. With the acreages described in previous deeds and the new surveyed amount of acreage (6.97ac) it can be estimated that remaining portion of the property which is the parcel referenced in DB 221 P 512 is 3.27acres.	Unknown acres (estimate to be 3.27ac)	1
2375 / 578	01/16/2003	N	All that certain tract or parcel of land, containing 6.97 acres, as more particularly shown and described on a plat of boundary and physical survey prepared by Roger W. Ray & Associates, Inc., C.L.S., dated April 24, 1997, recorded in DB 1612 P 46	6.97 total 2.0 & 0.5 1.2 Unknown acres (estimate to be 3.27ac)	1 1 1 1

On the basis of these deeds

Parcel ID 01400-00-00-05100 is determined to be four (4) parcels of record, one comprised of approximately 2.0 acres[±], containing 1 development right, one comprised of approximately 0.5 acres[±], containing 1 development right, one comprised of approximately 1.20 acres[±], containing 1 development right, and one comprised of an estimated 3.27 acres[±], containing 1 development right.

The parcel is 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 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 Zoning Ordinance. 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,

A handwritten signature in black ink, appearing to read "Francis H. MacCall", written over a horizontal line.

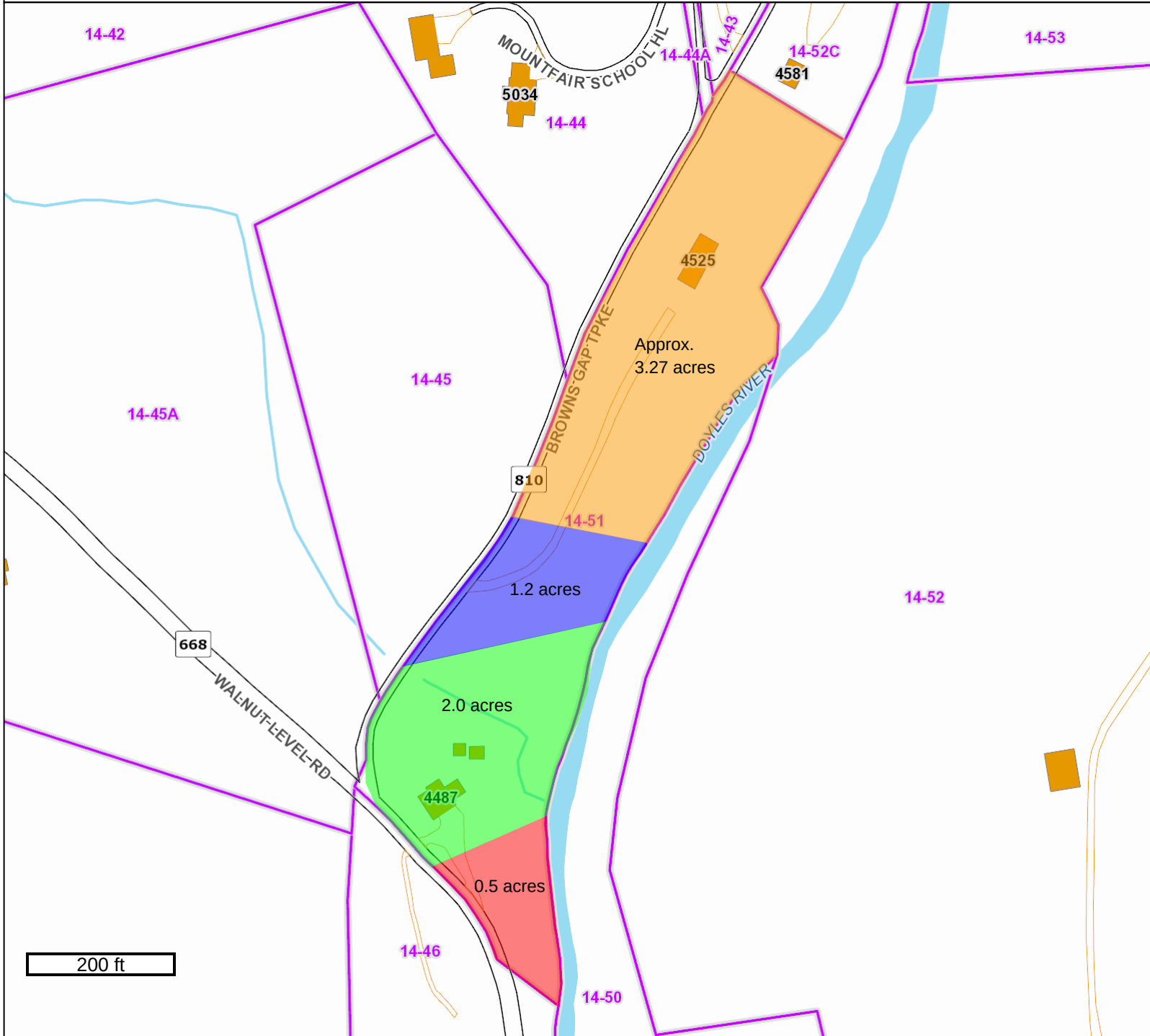
Francis H. MacCall
Principal Planner

Attachment: Map delineating parcels of record.

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

RONALD W OR EILEEN F LAVIS
4487 BROWNS GAP TPKE
CROZET VA, 22932-1834

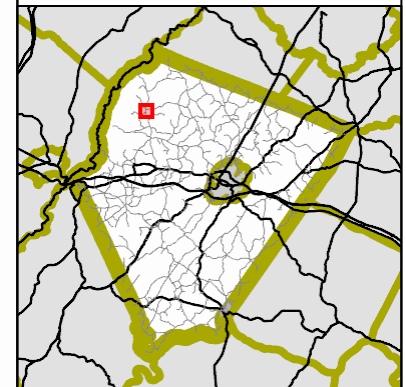
LOD2015-00016 LAVIS TMP 14-51



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
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