



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

Phone (434) 296-5832

Fax (434) 972-4126

September 14, 2017

Roger W Ray & Associates, Inc.
663 Berkmar Court
Charlottesville VA 22901

RE: LOD2017-000020 - OFFICIAL DETERMINATION OF PARCEL OF RECORD & DEVELOPMENT RIGHTS – Parcel ID 06600-00-00-01100 (Property of the ST MARGARET'S FARM LLC) Rivanna Magisterial District

Dear Mr. Ray:

The County Attorney and I have reviewed the title information for the above-noted properties. It is the County Attorney's advisory opinion and my official determination that **Parcel ID 06600-00-00-01100** is comprised of three (3) parcels of record, with a total of twelve (12) theoretical development rights. The basis for this determination follows.

The Albemarle County Real Estate Assessment records indicate **Parcel ID 06600-00-00-01100** contains 236.82 acres and three (3) dwellings. The property is zoned RA, Rural Areas.

The most recent deed for **Parcel ID 06600-00-00-01100**, recorded before the December 10, 1980, adoption of the Zoning Ordinance, is found in Deed Book 431, page 39 dated July 1, 1967.

BEFORE DECEMBER 10, 1980
Parcel ID 06600-00-00-01100 (5.3 acre parcel of record)

Deed Book / Page	Date	Parcel Change Y or N	Description	Acres
231 / 516	05/29/1936	Y	...all that certain tract or parcel of land... containing 5.3 acres according to plat... hereto attached and made part of this deed...	5.3
248 / 196	10/25/1940	N	... that certain tract of land,... containing 237 (two hundred thirty-seven) acres, more or less, made up of three adjoining tracts more particularly described as follows: (1) Those two certain tracts containing 67 (sixty-seven) acres, more or less, and 165 (one hundred sixty-five) acres... in DB 231 P 465. (2) That certain tract of land containing 5.3 (five and 3/10) acres, more or less,... conveyed... in DB 231 P 516.	237 ^{+/-} = 67 165 5.3 ^{+/-}
431 / 39	7/01/1967	N	...all those two certain adjoining tracts or parcels of land... containing 236.59 acres and 7.6 acres, more or less, respectively, said two tracts of land being more particularly described... Said tract of 236.59 acres... was conveyed... in DB 248 P 196, ...	236.59 ^{+/-}

BEFORE DECEMBER 10, 1980
Parcel ID 06600-00-00-01100 (67.85 acre parcel of record)

Deed Book / Page	Date	Parcel Change Y or N	Description	Acres
164 / 399	03/06/1917	Y	...a certain tract of land... containing sixty seven and eighty-five one hundredths acres according to the plat and survey... hereto attached as a part of this deed...	67.85
178 / 277	01/05/1922	Y	...it is proposed... to locate and construct that part of State Highway No 9... near or over the land... The above described property is a strip or parcel of land... containing 1.14 acres, more or less...	67.85 - 1.14 = 66.71
178 / 557	03/18/1922	N	...all said tract or parcel of land...containing 67 acres 3 rods and 16 poles. Said land is... the same land conveyed... in DB 164 P 399... This deed did not account for the 1.14 acres removed with DB 178 P 277.	67.85
181 / 576	09/16/1922	N	...all of said tract or parcel of land...containing 67 acres 3 rods and 16 poles. Said land is... the same land conveyed... in DB 178 P 557... This deed did not account for the 1.14 acres removed with DB 178 P 277.	67.85
191 / 54	08/19/1925	N	All that certain tract or parcel of land,... containing 67 acres 3 rods and 16 poles, and being the same property... conveyed... in DB 176 P 451. This deed did not account for the 1.14 acres removed with DB 178 P 277.	67.85
196 / 376	04/01/1927	Y	...that certain tract or parcel of land... containing 67 acres, more or less. The tract... is all the land conveyed... (in) DB 191 P 54. Except that by deed... in DB 178 P 277 the Commonwealth acquired 1 14/100 acres of said land for a road. By approximation the 1.14 acres was removed from the 67.85^{+/-} acres leaving 66.71^{+/-} acres	67.85 ^{+/-} - 1.14 = 66.71
201 / 555	04/18/1928	Y	All that certain lot, piece of parcel of land...containing 0.57 acres more or less. By approximation the 0.57 acres was removed from the 66.71^{+/-} acres leaving 66.14^{+/-} acres	66.71 - 0.57 = 66.14 ^{+/-}
231 / 465	05/27/1936	N	...that certain tract or parcel of land,... and containing 232 acres, more or less, more particularly described as all of the following two tracts of land. 1. That certain tract of 67 acres, more or less, ...conveyed... in DB 196 P 376. 2. that certain tract of 165 acres and 16 poles, more or less, ...conveyed... in DB 200 P 55. SAVE AND EXCEPT a strip of land containing .57 acres conveyed... to the Chesapeake and Ohio Railway Company... in DB 201 P 555	232 ^{+/-} = 67^{+/-} 165.10 ^{+/-} This was removed from the 67^{+/-}

248 / 196	10/25/1940	N	... that certain tract of land,... containing 237 (two hundred thirty-seven) acres, more or less, made up of three adjoining tracts more particularly described as follows: (1) Those two certain tracts containing 67 (sixty-seven) acres, more or less, and 165 (one hundred sixty-five) acres... in DB 231 P 465. (2) That certain tract of land containing 5.3 (five and 3/10) acres, more or less,... conveyed... in DB 231 P 516.	237 ^{+/-} = 67 ^{+/-} 165 5.3
431 / 39	7/01/1967	N	... all those two certain adjoining tracts or parcels of land... containing 236.59 acres and 7.6 acres, more or less , respectively, said two tracts of land being more particularly described... Said tract of 236.59 acres... was conveyed... in DB 248 P 196, ...	236.59 ^{+/-}

BEFORE DECEMBER 10, 1980**Parcel ID 06600-00-00-01100 (165.10 acre parcel of record)**

Deed Book / Page	Date	Parcel Change Y or N	Description	Acres
140 / 95	06/04/1909	Y	... a certain tract or parcel of land... containing 165 acres and 16 poles, more or less, being part of the property known as "Cobham Park"... Said property is more accurately described by plat and survey... which is hereto attached as a part of this deed...	165.10 ^{+/-}
200 / 55	02/17/1928	N	... all that certain tract or parcel of land,... containing 165 acres and 16 poles, more or less, being part of the property formerly known as Cobham Park,... and being the same property... conveyed... in DB 140 P 95.	165.10 ^{+/-}
231 / 465	05/27/1936	N	... that certain tract or parcel of land,... and containing 232 acres, more or less, more particularly described as all of the following two tracts of land. 1. That certain tract of 67 acres, more or less, ...conveyed... in DB 196 P 376. 2. that certain tract of 165 acres and 16 poles, more or less, ...conveyed... in DB 200 P 55.	232 ^{+/-} = 67 165.10 ^{+/-}
248 / 196	10/25/1940	N	... that certain tract of land,... containing 237 (two hundred thirty-seven) acres, more or less, made up of three adjoining tracts more particularly described as follows: (1) Those two certain tracts containing 67 (sixty-seven) acres, more or less, and 165 (one hundred sixty-five) acres... in DB 231 P 465. (2) That certain tract of land containing 5.3 (five and 3/10) acres, more or less,... conveyed... in DB 231 P 516.	237 ^{+/-} = 67 165 ^{+/-} 5.3
431 / 39	7/01/1967	N	... all those two certain adjoining tracts or parcels of land... containing 236.59 acres and 7.6 acres, more or less, respectively, said two tracts of land being more particularly described... Said tract of 236.59 acres... was conveyed... in DB 248 P 196, ...	236.59 ^{+/-}

AFTER DECEMBER 10, 1980

Parcel ID 06600-00-00-01100 (236.59 acres consists of three parcels of record; 5.53^{+/-}, 66.14^{+/-}, and 165.10^{+/-})

Deed Book / Page	Date	Parcel Change Y or N	Description	Acres	Development Rights
803 / 473	06/18/1984		<p>...the small parcel of land shown as Parcel X containing 0.23 acres on said plat of R.O. Snow and Associates...</p> <p>This plat added 0.23 acres to the 5.3 acres. The 5.3 acres is not identified as a separate parcel at the time of the platting of this boundary adjustment. Thus after the adjustment the parcel would be 5.53 acres (5.3 + 0.23).</p>	<p>5.3 + 0.23 = 5.53</p>	2
4910 / 144	05/05/2017	N	<p>...those certain lots, tracts, or parcels of land... more particularly described on Schedule A attached hereto.</p> <p>ALL THOSE CERTAIN LOTS OR PARCELS OF LAND... made up of the following <u>Parcel 1:</u> ... <u>Parcel 2:</u> ... <u>Parcel 3:</u> ... <u>Parcel 4:</u> ... <u>Parcel 5:</u> All those two certain adjoining tracts or parcels of land... containing 236.59 acres and 7.6 acres, more or less, respectively, said two tracts of land being more particularly described... in 431 P 43. See DB 803 P 473, for a boundary line adjustment.</p>	<p>236.59^{+/-} 5.53^{+/-} 66.14^{+/-} 165.10^{+/-}</p>	<p>2 5 5</p>

By these deeds

Parcel ID 06600-00-00-01100 is determined to be three (3) parcels of record, comprised of the following;

- Approximately 5.53 acres^{+/-}, containing two (2) development rights,**
- Approximately 66.14 acres^{+/-}, containing five (5) development rights, and**
- Approximately 165.10 acres^{+/-}, containing five (5) 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 un-appealable.

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 parcels of record

Copy: Sheila Conrad, Real Estate
Travis Morris, Senior Clerk of the Board of Supervisors

Owner:
PARCEL ID 06600-00-00-01100
ST MARGARET'S FARM LLC C/O JAMES V WHITE
15 SIGNATURE CREST COURT
SPRING TX, 77382

