



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

Phone (434) 296-5832

Fax (434) 972-4126

July 25, 2016

Ms. Elaine Taylor  
700 Belmont Avenue  
Charlottesville, VA 22902

**RE: LOD2016-00011 - OFFICIAL DETERMINATION OF PARCELS OF RECORD – Parcel ID 10300-00-00-025A0 & 025A1 (Property of Mary A Newton) Scottsville Magisterial District**

Dear Ms. Taylor:

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 10300-00-00-025A0** is comprised of one (1) parcel of record with three (3) theoretical development rights and is separate from **Parcel ID 10300-00-00-025A1**, which is also a parcel of record having one (1) development right. The basis for this determination follows.

The Albemarle County Real Estate Assessment records indicate **Parcel ID 10300-00-00-025A1** contains 3.00 acres and one (1) dwelling. The property is zoned RA, Rural Areas.

The Albemarle County Real Estate Assessment records indicate **Parcel ID 10300-00-00-025A0** contains 7.00 acres and no dwellings. The property is zoned RA, Rural Areas.

The most recent deed for **Parcel ID 10300-00-00-025A1**, recorded prior to December 10, 1980, the date of adoption of the Zoning Ordinance, is recorded in Deed Book 507, page 464 and dated June 1, 1972.

**ALL PRIOR TO DECEMBER 10, 1980**  
**Parcel ID 10300-00-00-025A0 & 025A1**

Deed Book / Page	Date	Parcel Change Y or N	Description	Acres
385 / 165	01/11/1963	N	...those certain adjoining parcels of land...containing in the aggregate 63 acres, on the southerly and southeasterly side of State Route 795, shown on plat hereto attached..." <b>The plat showed lands which included, what would later become, Tax Map 103, parcels 25A &amp; 25A1.</b>	<b>63.00<sup>+/-</sup></b>
470 / 303	03/14/1970	Y	...all that certain lot or parcel of land containing 10 acres, more or less, ...on the southeasterly side of State Route 795..." This was described as being a portion of the 63 acre tract conveyed by Deed Book 385, page 165. <b>This Deed established a 10 acre tract that would become Tax Map 103, parcel 25A from which 25A1 would come.</b>	<b>10.00<sup>+/-</sup></b>
507 / 464	06/01/1972	Y	This is a deed of trust that includes the description and survey for "3.00 acres...being a portion of...10 acres ...conveyed ...by ...Deed Book 470, page 303. This establishes the two parcels of record, the plat approved by Albemarle County 11/23/1971, but not recorded as this Deed of Trust was recorded instead of the subdivision.	<b>3.00</b>

**On the basis of these deeds:**

**Parcel ID 10300-00-00-025A0 is determined to be one (1) parcel of record comprised of approximately 7.00 acres, having three (3) theoretical development rights and Parcel ID 10300-00-00-025A1 is determined to be one (1) parcel of record comprised of approximately 3.00 acres, having one (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 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,



Ronald L. Higgins, AICP  
Chief of Zoning/Deputy Zoning Administrator

Attachment: Tax Map delineating parcels of record.

Copy: Sheila L. Conrad, Real Estate Tech, Real Estate  
Travis Morris, Clerk of the Board of Supervisors

Mary A. Newton  
981 Sugar Plum Road  
Louisa, VA 23093

