



**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. Michelle Christian  
102 Pepper Place  
Charlottesville, VA 22902

**RE: LOD2016-00012 - OFFICIAL DETERMINATION OF PARCEL(S) OF RECORD – Parcel ID 06500-00-00-112A0 (Property of Robert Lee Gardner) Rivanna Magisterial District.**

Dear Ms. Christian:

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 06500-00-00-112A0** is comprised of two (2) parcels of record, containing approximately .30 acres and .34 acres, respectively. The basis for this determination follows.

The Albemarle County Real Estate Assessment records indicate **Parcel ID 06500-00-00-112A0** contains .64 acres and one (1) dwelling. The property is zoned RA, Rural Areas.

The most recent deed for **Parcel ID 06500-00-00-112A0**, recorded prior to December 10, 1980, the date of adoption of the Zoning Ordinance, is recorded in Deed Book 361, page 29 and dated August 1, 1960.

**ALL PRIOR TO DECEMBER 10, 1980**  
**Parcel ID 06500-00-00-112A0**

Deed Book / Page	Date	Parcel Change Y or N	Description	Acres
213 / 61	10/22/1930	N	"...all that certain lot containing 3/10 of an acre according to a plat thereof attached..." <b>The plat showed the 3/10 acre portion on the west half of Tax Map 65, parcels 112A and established it as a parcel of record.</b>	.30 <sup>+/-</sup>
239 / 228	02/24/1938	N	"...all those four certain lots or parcels of land ...known and designated as Lots 1,2,7 and 10 on a plat...hereto attached..." <b>This deed established Lots 1 and 2 as lots of record that would become Tax Map 65, parcel 112A.</b>	.30 <sup>+/-</sup> .34 <sup>+/-</sup> .64 <sup>+/-</sup>
357 / 254	06/23/1959	N	"Lots Nos. 2 and 7 on plat... by deed ...recorded in D. B. 239 p. 228." and "...that certain tract of land containing 3/10 of an acre...and recorded in...D. B. 213, p. 61..." <b>This deed had no effect on the parcels.</b>	.30 <sup>+/-</sup> .34 <sup>+/-</sup> .64 <sup>+/-</sup>
361 / 29	08/01/1960	N	"Lot No. 2 as shown on plat...recorded in... D. B. 239 p. 228." and "...that certain tract of land containing 3/10 of an acre...of record in...D. B. 213, p. 61..." <b>This deed had no effect on the parcels.</b>	.30 <sup>+/-</sup> .34 <sup>+/-</sup> .64 <sup>+/-</sup>

**On the basis of these deeds:**

**Parcel ID 06500-00-00-112A0 is determined to be two (2) parcels of record comprised of approximately .30 acres and .34 acres, respectively.**

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

Robert Lee Gardner  
6102 Louisa Road  
Keswick, VA 22947

