



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

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February 9, 2017

smp Perkins@gmail.com

Susan M. Perkins
Sparkle Real Estate
100 Dryden Lane
Charlottesville, VA 22903

RE: LOD2016-00020 – Scottsville Magisterial District

Dear Ms. Perkins:

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 09300-00-00-04400** is comprised of one (1) parcel of record with three (3) theoretical developments rights. The basis for this determination follows.

The Albemarle County Real Estate Assessment records indicate **Parcel ID 09300-00-00-04400** contains 27.45 acres and two (2) dwellings and a country store. The property is zoned RA, Rural Areas.

The most recent deeds for the following parcel recorded prior to December 10, 1980, the date of adoption of the Zoning Ordinance for **Parcel ID - 09300-00-00-04400** is recorded in Deed Book 317, page 319 dated July 5, 1955.

PRIOR TO DECEMBER 10, 1980
Parcel ID 09300-00-00-04400 (33 acres)

Deed Book / Page	Date	Parcel Change Y or N	Description	Acres
253/367	01/17/1942	N	...plat of 33 6/10 A of land, exclusive of Palmyra Road, situated in the vicinity of Nicks Post Office, Albemarle. Co., Va., sold by E.O. McCue to Blanche M. Eppard.....	33+/-
411/402	9/28/1965	Y	All that certain tract or parcel of land....fronting...on the northeast margin of State Route 53 containing 4.07 acres	4.07
489/171	6/15/1971	Y	All that certain lot of land containing 2.05 acres...on the western side of the center line of the Old Milton Road near its intersection with State Route 729	2.05

AFTER DECEMBER 10, 1980
Parcel ID 09300-00-00-04400 – (27.45 acres)

Deed Book / Page	Date	Parcel Change Y or N	Description	Acres
1540/157	2/14/1996	N	All that certain tract or parcel of land...lying in the Scottsville Magisterial District...containing 27.48 acres....	27.4

On the basis of these deeds

Parcel ID 09300-00-00-04400 is determined to be one (1) parcel of record, comprised of approximately 27.45 acres^{+/-}, containing 3 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.)

In response to your additional questions, I provide the following:

1. A new single family home may be constructed on the portion of property south of Thomas Jefferson Parkway, provided that a building site, health department approval and other Albemarle County Zoning Ordinance requirements are met.
2. The County does not acknowledge the private 10' recorded access easement because it never received County approval for a public or private street.

3. The property north of Route 53 may be subdivided as long as it contains a division right and a minimum of 2 acres or 21 acres and meets the other requirements of the Subdivision and Zoning Ordinance.

If you have any questions, please contact me.

Sincerely,



Sarah Baldwin
Senior Planner
Designee to the Zoning Administrator

Attachment: Map delineating parcel of record

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

