



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

Phone (434) 296-5832

Fax (434) 972-4126

May 17, 2017

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

**RE: LOD2017-000010 - OFFICIAL DETERMINATION OF PARCEL OF RECORD &
DEVELOPMENT RIGHTS – Parcel ID 139A0-00-00-01900 (Property of JAMES E CREWS)
Samuel Miller 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 139A0-00-00-01900 is comprised of three (3) parcels of record, with a total of three (3) theoretical development rights. The basis for this determination follows.

The Albemarle County Real Estate Assessment records indicate **Parcel ID 139A0-00-00-01900** contains 2.89 acres and zero (0) dwellings. The property is zoned RA, Rural Areas.

The most recent deed for **Parcel ID 139A0-00-00-01900**, recorded before the December 10, 1980, adoption of the Zoning Ordinance is found in Deed Book 439, page 108 dated October 31, 1967.

BEFORE DECEMBER 10, 1980
Parcel ID 139A0-00-00-01900 (2 acre portion)

Deed Book / Page	Date	Parcel Change Y or N	Description	Acres
91 / 480	04/23/1889	N	...and lot of about two acres of land, more or less... said lot or parcel of land lies on the Northern ridge of the Street or road leading from the _____ ferry on the James River and is bounded by the said Street or road in front, by the land of Mrs. George A Sangreat and the James River on the East and on the other parts by the land of H. C. Bragg and wife...	2.0
179 / 579	06/19/1922	Y	...all of that certain lot or parcel of land... known as the "Library" property and bounded and described as follows... Beginning... North 42 feet... eastwardly direction 81 feet... South 42 feet... westerly direction 81 feet to the point of beginning. This deed creates a small lot for transfer to the son of the grantor. The description identifies a corner that starts on the described owner's property and follows lines of the known adjacent owner and the grantor. It is determined per the description that this is a portion of the parcel described in DB 91 P 460,	Approx. 0.078ac (42ft X 81ft X 42ft X 81ft) 2.0 - 0.078 = Approx. 1.922

			<p>as the grantor owned the property described in DB 91 P 460 at the time of this deed.</p> <p>According to the current owner, the described "Library" parcel is shown on a map provided to Roger W Ray & Associates.</p>	
415 / 432	02/01/1966	N	<p>...that certain parcel of land,... containing 2.50 acres, more or less, and being made up of two contiguous parcels as follows:</p> <p>(1) A parcel of 2 acres, more or less, which was conveyed... in DB 91 P 480.</p> <p>(2) A parcel of one-half an acres, more or less, which was conveyed... in DB 130 P 186.</p>	<p>Approx. 1.922</p> <p>.50</p>
416 / 324	03/16/1966	N	<p>...all that certain parcel of land,... and containing 2.50 acres, more or less; and being in all respects the same property which was devised to John T. Irving by the will of Ida Turner Irving in WB 42 P 598. By deed... in DB 415 P 432.</p>	<p>Approx. 1.922 of the described 2.50</p>
416 / 464	04/12/1966	N	<p>...all that certain parcel of land,... and containing 2.50 acres, more or less; and being the same property in all respects conveyed... in DB 416 P 324</p>	<p>Approx. 1.922 of the described 2.50</p>
439 / 108	10/31/1967	N	<p>All that certain tract or parcel of land... and containing 2.50 acres, more or less; and being the same property in all respects was conveyed... in DB 416 P 464</p>	<p>Approx. 1.922 of the described 2.50</p>

BEFORE DECEMBER 10, 1980
Parcel ID 139A0-00-00-01900 (Library)

Deed Book / Page	Date	Parcel Change Y or N	Description	Acres
179 / 579	06/19/1922	Y	<p>...all of that certain lot or parcel of land... known as the "Library" property and bounded and described as follows... Beginning... North 42 feet... eastwardly direction 81 feet... South 42 feet... westerly direction 81 feet to the point of beginning.</p> <p>This deed creates a small lot for transfer to the son of the grantor. The description identifies a corner that starts on the described owner's property and follows lines of the known adjacent owner and the grantor. It is evident per the description that this is a portion of the parcel described in DB 91 P 460, as the grantor owned it at this time.</p> <p>According to the current owner, the described "Library" parcel is shown on a map provided to Roger W Ray & Associates.</p>	<p>Approx. 0.078ac</p> <p>(42ft X 81ft X 42ft X 81ft)</p>

BEFORE DECEMBER 10, 1980
Parcel ID 139A0-00-00-01900 (.50 acres)

Deed Book / Page	Date	Parcel Change Y or N	Description	Acres
129 / 151	09/15/1904	Y	...those two certain lots of land... just South of the village of Howardsville, lying on the East side of the road from Howardsville to the ferry on James River, and containing 2 acres, be the same more or less, and being a part of the real estate which formerly belonged to C.F. May... devised by him by his last will and testament...	2.0 in two lots One being the .50 acres
130 / 186	03/07/1905	N	<p>WHEREAS... DB 129 P 151... conveyed... two certain lots of land... containing Two (2) acres more or less... AND WHEREAS said Irving and Turner desire to make partition of said real estate...</p> <p>FIRST,... front of about 63yds on the west... a depth along the south... of about 67yds... with a width in rear, that is on the east of about 41yds,... on the North... of about 78yds.; and</p> <p>SECONDLY. ...the residue of said real estate in the preamble described, lying just North, that is towards the village of Howardsville of the lot hereinbefore conveyed to J.C. Turner Jr., and bounded as follows, On the West for a distance of about 24 yds along the road from Howardsville to the ferry on James River, thence south along the line of said Turner lot for a distance of about 78 yds., thence northward or in rear for a distance of about 28 yds., thence along the line of J.K. Irving store lot on the North for a distance of about 80 yds, to said road from Howardsville to the James River Ferry.</p> <p>The reference to "Two (2) acres more or less" appears that it is much less than 2 acres for these two tracts. A new survey will be needed to identify the actual acreage within the described boundaries of each of these two parcels, in particular, the second description.</p>	<p>Approx. 0.424</p> <p>(24yds X 78yds X 28yds X 80yds)</p>
415 / 432	02/01/1966	N	<p>...that certain parcel of land,... containing 2.50 acres, more or less, and being made up of two contiguous parcels as follows:</p> <p>(1) A parcel of 2 acres, more or less, which was conveyed... in DB 91 P 480.</p> <p>(2) A parcel of one-half an acre, more or less, which was conveyed... in DB 130 P 186.</p>	<p>2</p> <p>.50 (Approx. 0.424)</p>
416 / 324	03/16/1966	N	...all that certain parcel of land,... and containing 2.50 acres, more or less; and being in all respects the same property which was devised to John T. Irving by the will of Ida Turner Irving in WB 42 P 598. By deed... in DB 415 P 432.	(Approx. 0.424) of the described 2.50
416 / 464	04/12/1966	N	...all that certain parcel of land,... and containing 2.50 acres, more or less; and being the same property in all respects conveyed... in DB 416 P 324	(Approx. 0.424) of the described 2.50

439 / 108	10/31/1967	N	All that certain tract or parcel of land... and containing 2.50 acres, more or less; and being the same property in all respects was conveyed... in DB 416 P 464	(Approx. 0.424) of the described 2.50
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AFTER DECEMBER 10, 1980
Parcel ID 139A0-00-00-01900 (2.5 acres)

Deed Book / Page	Date	Parcel Change Y or N	Description	Acres	Development Rights
WB 106 P 576	08/06/2003	N	Last will and testament of Charles R Baber devising his interest in 2.50 acres to the current owner James E. Crews	Approx. 1.922 Approx. 0.078 Approx. 0.424	1 1 1
3573 / 714	02/27/2008	N	...all the following described real estate, to-wit: <u>PARCEL A:</u> ... <u>PARCEL B:</u> All that certain lot or parcel of land,... containing Two and one-half (2.5) acres, more or less, said lands being the aggregate residues of two lots conveyed in... DB 439 P 108... said lands being known as Albemarle County Tax Map #139A0-00-00-01900. <u>PARCEL C:</u> ...	Approx. 1.922 Approx. 0.078 Approx. 0.424	1 1 1

By these deeds

Parcel ID 139A0-00-00-01900 is determined to be three (3) parcels of record, comprised of the following;

**Approximately 1.922 acres^{+/-}, containing one (1) development right,
 Approximately 0.078 acres^{+/-}, containing one (1) development right, and
 Approximately 0.424 acres^{+/-}, containing one (1) development right.**

If a survey is completed and new acreage totals are identified, then each of the identified parcels will still include one development right.

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,



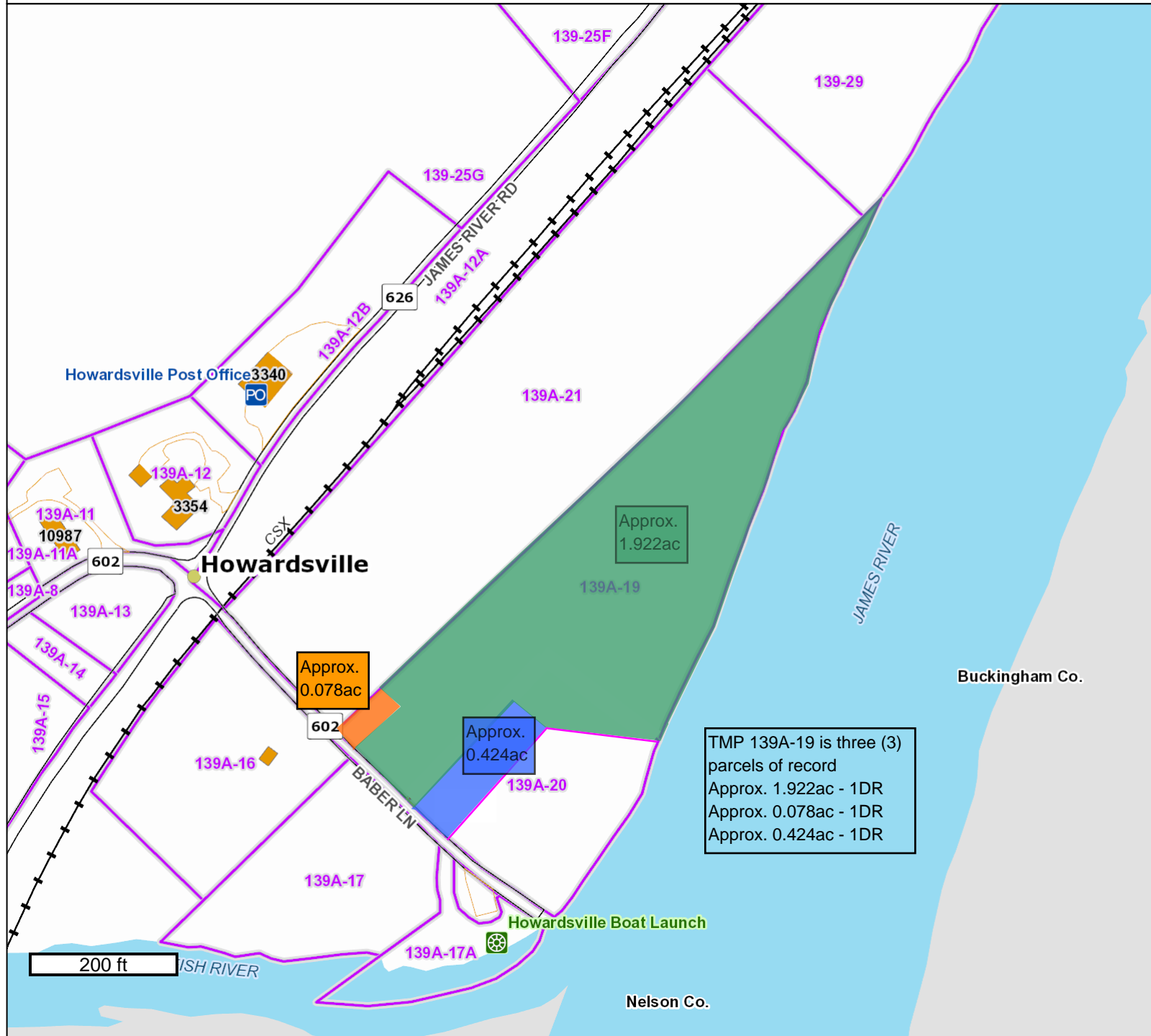
Francis H. MacCall
Principal Planner

Attachment: Map delineating parcels of record

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

Owner:
TMP 139A-19
James E Crews
247 Circle C Farm Drive
Dillwyn VA 23936

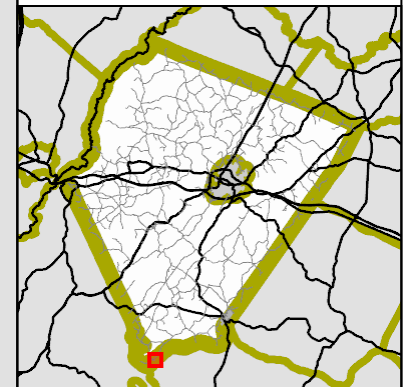
LOD2017-00010 Crews



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
www.albemarle.org
(434) 296-5832