



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

Phone (434) 296-5832

Fax (434) 972-4126

December 12, 2007

J. Alden English  
P.O BOX 1288  
Charlottesville, VA 22902

**RE: LOD 2007-00036 OFFICIAL DETERMINATION OF DEVELOPMENT RIGHTS –  
Tax Map 57, Parcel 73C2 (Property of J. RAMSEY MARTIN) Samuel Miller  
Magisterial District**

Dear Mr. English:

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 Tax Map 57, Parcel 73C2 has four (4) theoretical development rights. The basis for this determination follows:

Our records indicate Tax Map 57, Parcel 73C2 contains 9.54 acres and zero (0) dwellings. The property is not in an Agricultural and Forestal District. The most recent recorded instrument for this property is recorded in Deed Book 830, page 727.

This analysis begins with the deed of record in Deed Book 473, page 303 that is dated June 18, 1970 which is a "Statement of Subdivision" by J. Lawrence Meem Jr. and Buena Vista S. Meem that created parcels A, B, C, D and E. The 9.54 acres known as Parcel D was one of five parcels created. **This established the 9.54 acres as an original parcel of record.**

The most recent instrument for this parcel recorded prior to the adoption of the Zoning Ordinance, December 10, 1980 is recorded in Deed Book 692, page 308, and is dated April 15, 1980. The deed conveyed 9.54 acres known as Parcel D from J. Lawrence Meem Jr. and Buena Vista S. Meem to Jeffery W. Sobel and Linda L. Martin. **Based on this deed, Tax Map 57, Parcel 73C2 is determined to be a parcel of record with four (4) development rights.**

Deed Book 830, page 727, dated March 18, 1985, conveyed 9.54 acres from Jeffery W. Sobel and Linda L. Martin to J. Ramsey Martin and Barbara B. Martin. The property is described as being the same as was conveyed by Deed Book 473, page 308A and Deed Book 692, page 308. **This transaction had no effect on the parcels.**

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 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. In addition to the development right lots, the parcel may create as many smaller parcels containing a minimum of twenty-one acres as it has land to make.

If you are aggrieved by this determination, you have a right to appeal it within thirty days of the date notice of this determination is given, in accordance with Section 15.2-2311 of the Code of Virginia. If you do not file a timely appeal, this determination shall be final and unappealable. An appeal shall be taken only by filing with the Zoning Administrator and the Board of Zoning Appeals a notice of appeal which specifies the grounds for the appeal. An appeal application must be completed and filed along with the fee of \$120. The date notice of this determination was given is the same as the date of this letter.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'W.D. Fritz', written over a horizontal line.

William D. Fritz, AICP  
Chief of Zoning

Copy: Gay Carver, Real Estate Supervisor  
Ella Jordan, Clerk of the Board of Supervisors