

Route 29 LLC Appeal of Deputy
Zoning Administrator's
Determination of Proffer Violation

RE: "Willow Glen Connection"
Right-of-way Dedication
Proffer #12 ZMA2007-001

Board of Supervisors
August 4, 2010

Relevant Chronology

The relevant chronology of events regarding this appeal is as follows:

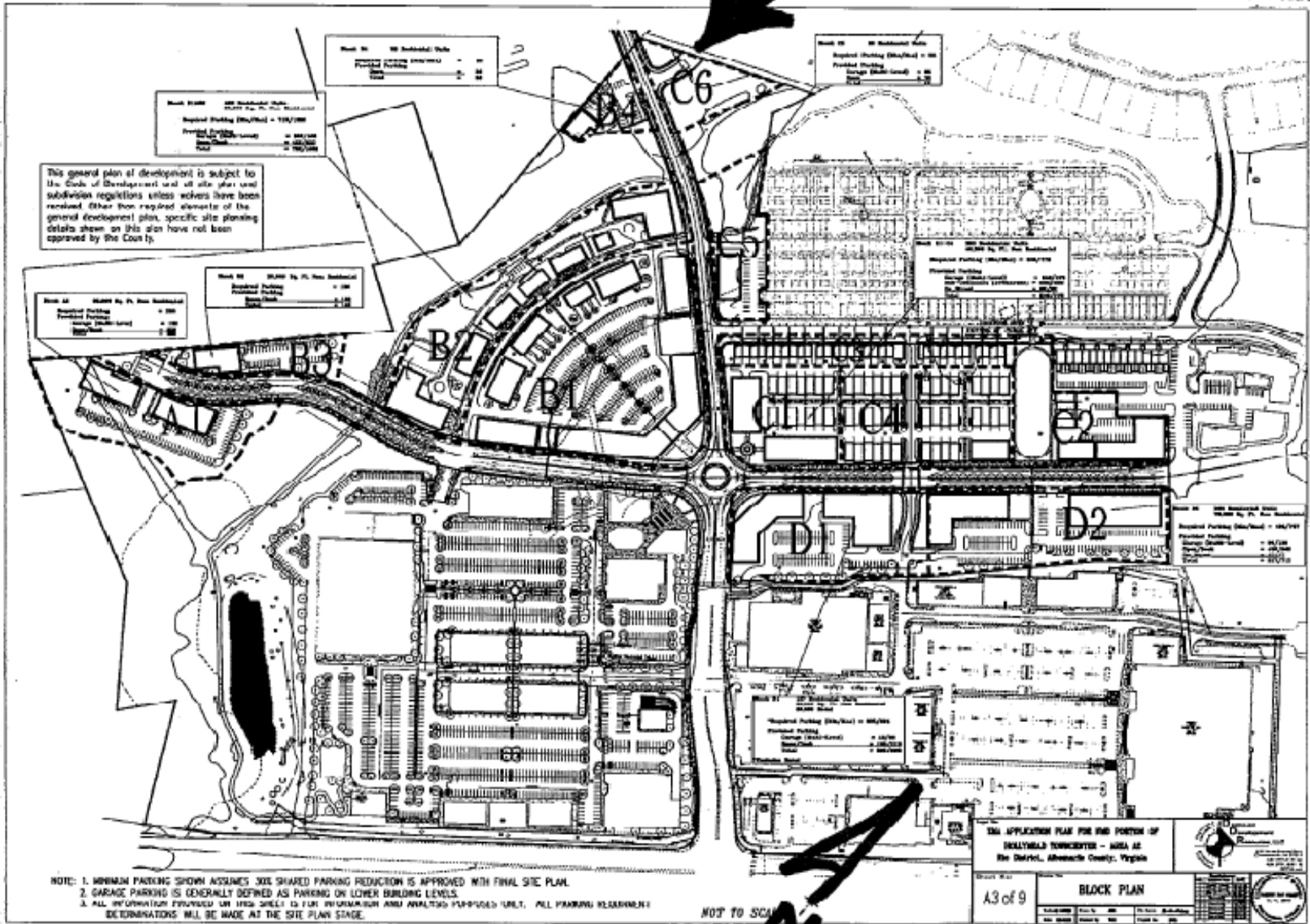
- -September 12, 2007--ZMA2007-001(HTC-A2) is rezoned, with proffers, including “Willow Glen Connection” - requiring right-of-way **dedication**.
- -October 10, 2007--ZMA2006-019(Willow Glen) is rezoned with proffers, requiring **construction** of connection.
- -August 24, 2009--Letter from Sarah Baldwin, Sr. Planner, to Octagon Partners **requesting r-o-w** as per Proffer #12 of ZMA2007-001.
- -January 26, 2010--Letter from Sarah Baldwin, Sr. Planner, to new owners, Route 29 LLC **requesting r-o-w** as per Proffer #12 of ZMA2007-001 by February 29, 2010.
- -April 19, 2010--**Notice of Violation** of Proffer #12 issued to owners, Route 29 LLC requiring satisfaction of Proffer by June 21, 2010.
- -May 18, 2010--Letter from Route 29 LLC received in **appeal of the Notice of Violation** determination.
- -May 20, 2010--Complete **Application for Appeal** received with fee and addendum.

Proffer #12 – ZMA 2007-001

“12. Willow Glen Connection. Upon request of the County, the Owner shall dedicate for public use a public right-of-way determined to be appropriate by VDOT and the County Engineer, extending from Town Center Drive to the Property’s boundary with the proposed Willow Glen development, as shown on the General Development Plan and within Block C6 as shown on the Block Plan (the “Willow Glen Connection”). Upon request of the County, the Owner shall grant all necessary drainage

Proffer #12 – ZMA 2007-001 (cont.)

easements to appropriate parties, including the developer of the proposed Willow Glen development, to allow the construction of the Willow Glen Connection. Approval of the County Engineer and the Owner for the location of the connection to Willow Glen may be shifted from the area shown in the General Development Plan to a more suitable location to both the Owner and the County which still provides access from Willow Glen to Town Center Drive.”



This general plan of development is subject to the Code of Development and all site plan and subdivision regulations unless waivers have been received. Other than required elements of the general development plan, specific site planning details shown on this plan have not been approved by the County.

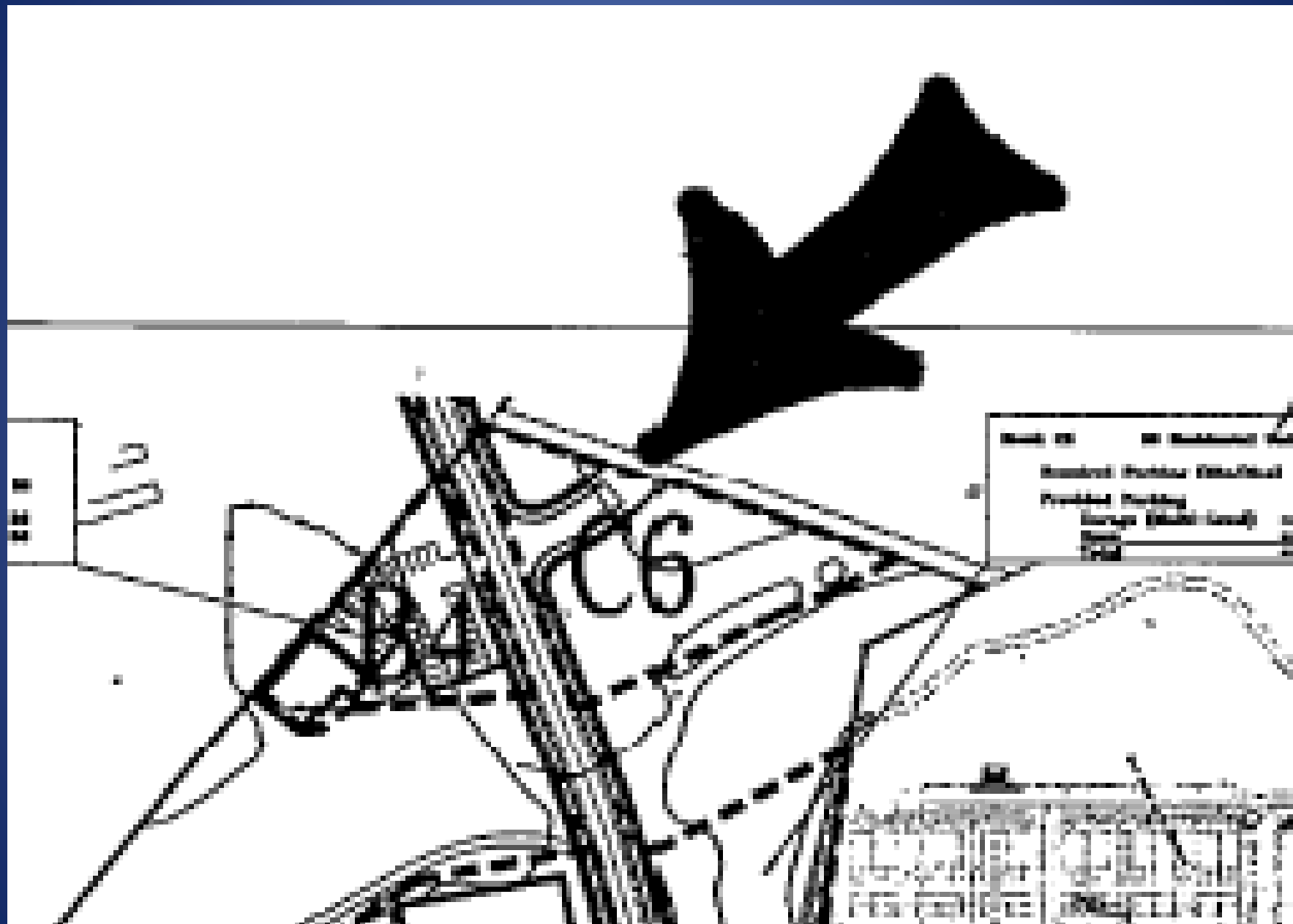
- NOTE: 1. MINIMUM PARKING SHOWN ASSUMES 30% SHARED PARKING REDUCTION IS APPROVED WITH FINAL SITE PLAN.
 2. GARAGE PARKING IS GENERALLY DEFINED AS PARKING ON LOWER BUILDING LEVELS.
 3. ALL INFORMATION PROVIDED ON THIS SHEET IS FOR INFORMATION AND ANALYSIS PURPOSES ONLY. ALL PARKING REQUIREMENT DETERMINATIONS WILL BE MADE AT THE SITE PLAN STAGE.

THE APPLICATION PLAN FOR THE PORTION OF VALLEYFIELD TOWNCENTER - AREA 22 THE DISTRICT, ALLEGANY COUNTY, VIRGINIA

NOT TO SCALE

A3 of 9

BLOCK PLAN

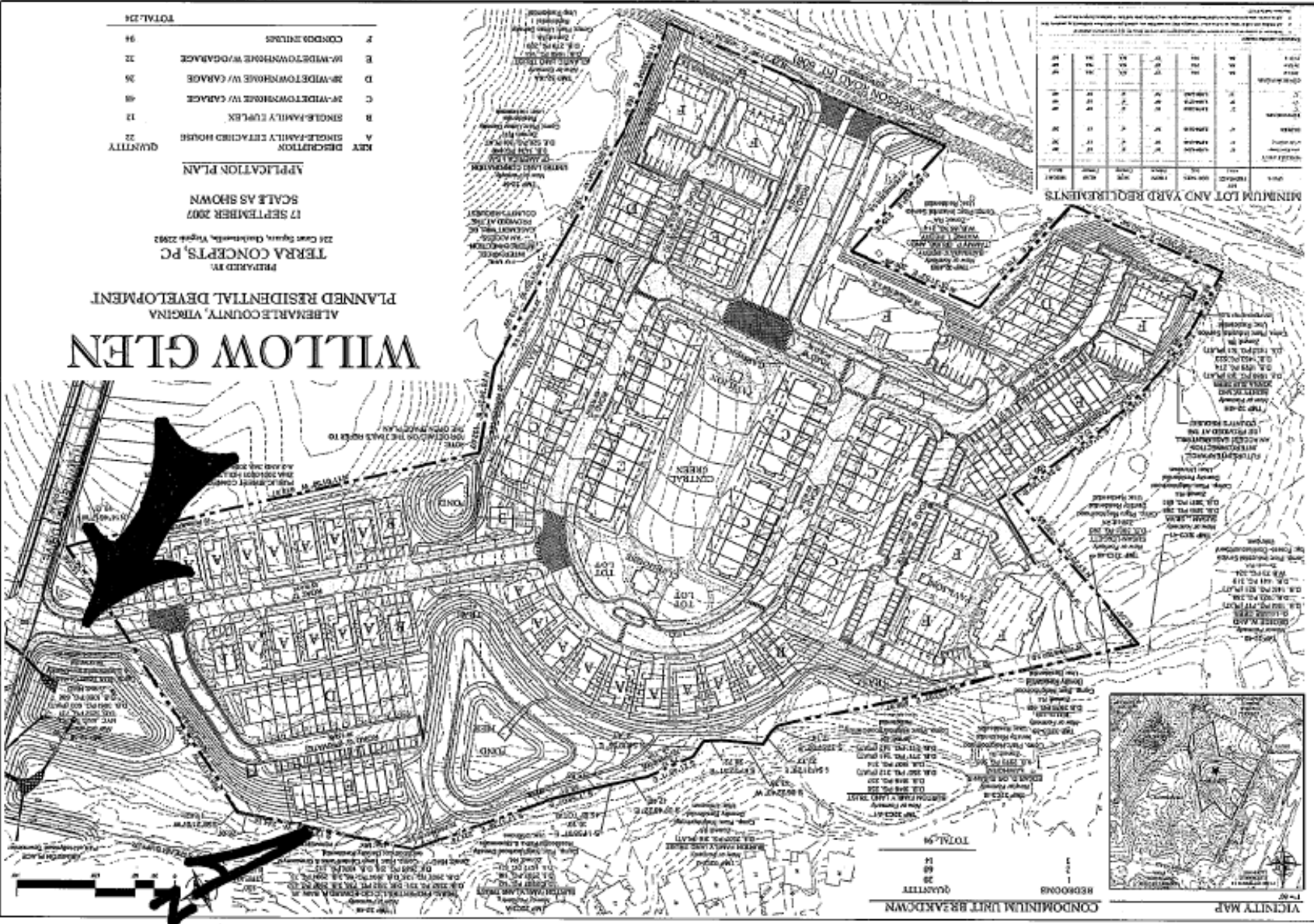


WILLOW GLEN

ALBERTA COUNTY, VIRGINIA
 PLANNED RESIDENTIAL DEVELOPMENT

PREPARED BY
TERRA CONCEPTS, PC
 221 East Square, Charlottesville, Virginia 22902
 17 SEPTEMBER 2007
 SCALE AS SHOWN
 APPLICATION PLAN

KEY	DESCRIPTION	QUANTITY
A	SINGLE-FAMILY DETACHED HOUSE	22
B	SINGLE-FAMILY DUPLEX	11
C	2A WIDETOWNHOUSE W/ CARAGE	40
D	2B WIDETOWNHOUSE W/ CARAGE	36
E	3A WIDETOWNHOUSE W/DGARAGE	21
F	CONDO UNITS	94
TOTAL: 234		



MINIMUM LOT AND YARD REQUIREMENTS

UNIT TYPE	MIN. LOT AREA (SQ. FT.)	MIN. FRONT YARD SETBACK (FT.)	MIN. SIDE YARD SETBACK (FT.)	MIN. REAR YARD SETBACK (FT.)
Single-Family Detached House	10,000	25	5	10
Single-Family Duplex	10,000	25	5	10
2A Widetownhouse w/ Carage	10,000	25	5	10
2B Widetownhouse w/ Carage	10,000	25	5	10
3A Widetownhouse w/ DGarage	10,000	25	5	10
Condo Units	10,000	25	5	10



CONDOMINIUM UNIT BREAKDOWN

QUANTITY	TOTAL SQ. FT.
24	60
20	60
TOTAL: 94	



