

# Department of Planning & Community Development



October 27, 2023

Russell Seneff  
Woltz & Associates, Inc.  
Real Estate Brokers & Auctioneers  
23 Franklin Road, SW  
Roanoke, VA 24011

RE: Zoning Verification on Tax Map Parcel Number 0320005400

Dear Mr. Seneff:

The correspondence is referencing the zoning of 26.09-acre property identified as Tax Map Parcel Number 0320005400, owned by Franklin Real Estate Company. The property is zoned A-1 Agricultural and RPD Residential Planned Development. Majority of the property is zoned A-1 and 600 square feet (0.0138 acres) of the parcel is zoned RPD. This change occurred through a rezoning on February 17, 2004, in accordance with the final order issued by the Board of Supervisors. The 600 square foot area zoned RPD is located along the shoreline near to and/or below the Smith Mountain Lake 795-foot contour. The purpose of the rezoning was to relocate a community dock for Montego Bay Subdivision. **All developable land on Parcel ID 0320005400 is zoned A-1, Agricultural.** Please find attached the final order and conceptual plan for the rezoning. In addition, a letter is enclosed from AEP stating how the community dock will be extended over the property line between lot 31 and property owned by Franklin Real Estate Company.

Please let me know if you have any questions concerning this particular piece of property.

Sincerely,

Lisa M Cooper, CZA and CTM  
Director of Planning/Zoning Administrator



American Electric Power  
P O Box 2021  
Roanoke, VA 24022-2121  
www.aep.com

Mr. Jay Carter, Deputy Director  
Franklin County  
Department of Planning and Community Development  
70 East Court Street  
Rocky Mount, VA 24151

January 9, 2004

Dear Mr. Carter:

**RE: Alouf Petition to Amend a Concept Plan for the Purpose of Relocating the Community Dock**

Thank you for the opportunity to comment on the Alouf Construction and Development Company's petition to amend a previously approved concept plan in order to relocate a community dock.

As you are aware, American Electric Power is the Federal Energy Regulatory Commission's licensee for the Smith Mountain Pumped Storage Hydroelectric Project and we have the responsibility to monitor and authorize activities within the project boundary (800 foot contour at Smith Mountain Lake) that can impact the Project's scenic, recreational, and environmental values. On October 20, 2003 I issued a permit for the construction of a ten slip dock on Lot 31 of Montego Bay contingent upon the following additional conditions.

1. The dock has to be relocated so that it does not encroach over the extended property line between Lot 31 and Lot 30. AEP recognizes that the dock will then encroach approximately five to six feet over the extended property line between Lot 31 and property owned by Franklin Real Estate.
2. The slips will have to be built in conjunction with the dwellings that they will serve. If the dock approved under the conditions of the attached permit is not completed within one year of the issue date, then a new permit will be required and the requirements of the Smith Mountain Pumped Storage Project Shoreline Management Plan dated August 29, 2003 will then apply.

It is my understanding that a copy of this letter and the permit has been mailed to you.

Should you have any questions, please contact either Liz Parcell or me. Liz can be reached at 540-489-2556.

Sincerely,

A handwritten signature in cursive script that reads "Teresa P. Rogers". The signature is written in black ink and is positioned above the printed name and title.

Teresa P. Rogers  
Reservoir Superintendent

**APPROVED PROFFERS**

(FEBRUARY 18, 2003)

- MINIMUM LOT SIZE: 10,000 SQUARE FEET
- MINIMUM LOT WIDTH: 74'
- MINIMUM LOT FRONTAGE: 70'
- MINIMUM FRONT/REAR SETBACK: 30'
- MINIMUM SIDE SETBACK: 10'
- MINIMUM PRIVATE R/W SETBACK: 10'
- TOTAL LOTS: 15
- TOTAL AREA IN LOTS: +/- 6.5 ACRES
- TOTAL AREA IN OPEN SPACE: +/- 21.5 ACRES (+/- 77%)
- TOTAL AREA SUBDIVIDED: +/- 28 ACRES
- DENSITY: ONE UNIT PER 1.9 ACRES
- UNIT SIZE: +/- 50' X 72'
- TOTAL AREA IN UNITS: +/- 1.0 ACRE (+/- 4%)
- 1 STORY BRICK/DRYVET/SIDING WITH TWO CAR GARAGE WITH TWO ADDITIONAL PARKING SPACES
- TOTAL PARKING PER UNIT: FOUR SPACES
- 6' WALK TRAIL: +/- 1.0 ACRE DEVELOPED OPEN SPACE
- DOCK ACCESS PARKING: +/- 0.1 ACRE DEVELOPED OPEN SPACE
- COVERED BOAT SLIPS: +/- 0.1 ACRE DEVELOPED OPEN SPACE
- TOTAL DEVELOPED OPEN SPACE: +/- 1.4 ACRES (+/- 5%)
- TRAFFIC IMPACT: 15 X 10 VEHICLE TRIPS PER DAY = 150 VPD
- PROPOSED DRAINFIELDS BY CHARLES NELSON, SETEC, APPROVED ON SITE EVALUATOR #13.
- CONSTRUCTION TO BEGIN IMMEDIATELY WITH TOTAL BUILD OUT IN TWO TO THREE YEARS

1. PROPERTY TO BE DEVELOPED IN SUBSTANTIAL COMPLIANCE WITH PRELIMINARY CONCEPT PLAN FOR SECTION 11, MONTEGO BAY DATED DECEMBER 12, 2002 PREPARED BY PHILIP W. NESTER AND REVISED FEBRUARY 17, 2003.
2. PROJECT TO BE SERVED BY A PUBLIC WATER SYSTEM. THE PUBLIC WATER SYSTEM WILL CONFORM TO CHAPTER 22 OF THE FRANKLIN COUNTY CODE.
3. PROPOSED UNITS WILL BE SUBJECT TO THE SAME COVENANTS AND RESTRICTIONS AS THE MONTEGO BAY SUBDIVISION AND WILL BE REQUIRED TO JOIN THE MONTEGO BAY HOMEOWNERS ASSOCIATION.
4. SHORT TERM RENTALS WILL NOT BE PERMITTED.
5. ALL UTILITIES WILL BE LOCATED UNDERGROUND.
6. THE PROPOSED COMMON DRIVES AND FIFTY FOOT PRIVATE RIGHT OF WAY WILL BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION AND WILL BE CONSTRUCTED AT A MINIMUM WIDTH OF EIGHTEEN FEET WITH ASPHALT PAVEMENT.
7. PRIOR TO THE START OF ANY CONSTRUCTION, THE APPLICANT WILL COMPLY WITH VDOT PROCEDURES FOR COMMERCIAL ENTRANCE PERMIT FOR EACH ENTRANCE OF THE PROPOSED COMMON DRIVES ONTO CALYPSO ROAD, MONTEGO BAY DRIVE, AND PARK AVENUE.
8. PRIOR TO THE START OF ANY CONSTRUCTION, THE APPLICANT WILL OBTAIN APPROVAL FROM THE FRANKLIN COUNTY FIRE MARSHAL REGARDING THE DESIGN OF THE PRIVATE ROADS TO INSURE THAT THE HOMES IN THE PROJECT CAN BE IMMEDIATELY ACCESSED FOR FIRE PROTECTION IN THE FUTURE.
9. ALL OPEN SPACE AREAS (BOTH DEVELOPED AND UNDEVELOPED) ARE TO BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION.
10. LANDSCAPED SCREENING EVERGREENS AT +/- 10' CENTERS WILL BE PROVIDED AS SHOWN ALONG THE OUTSIDE PERIMETER OF THE PROPOSED RV/BOAT/TRAILER STORAGE LOT AND ALONG THE DUSTY PERIMETERS OF LOT 31 TO BUFFER THE PARKING AREA AND THE COMMUNITY FROM NOISE AND DUST. THE DEVELOPER SHALL INSTALL AT LEAST FIFTEEN TO TWENTY UNITS OF CONDOMINIUM FEASIBLE TO THE DEVELOPER.
11. NO ADDITIONAL SIGNS ARE TO BE PLACED ON THE PROPERTY.
12. FRONT AND REAR OF PATIO HOMES WILL BE OF BRICK, STONE, OR DRIVIT TYPE FACADE.
13. THERE WILL NOT BE ANY BOAT RAMP ACCESS TO SMITH MOUNTAIN LAKE.

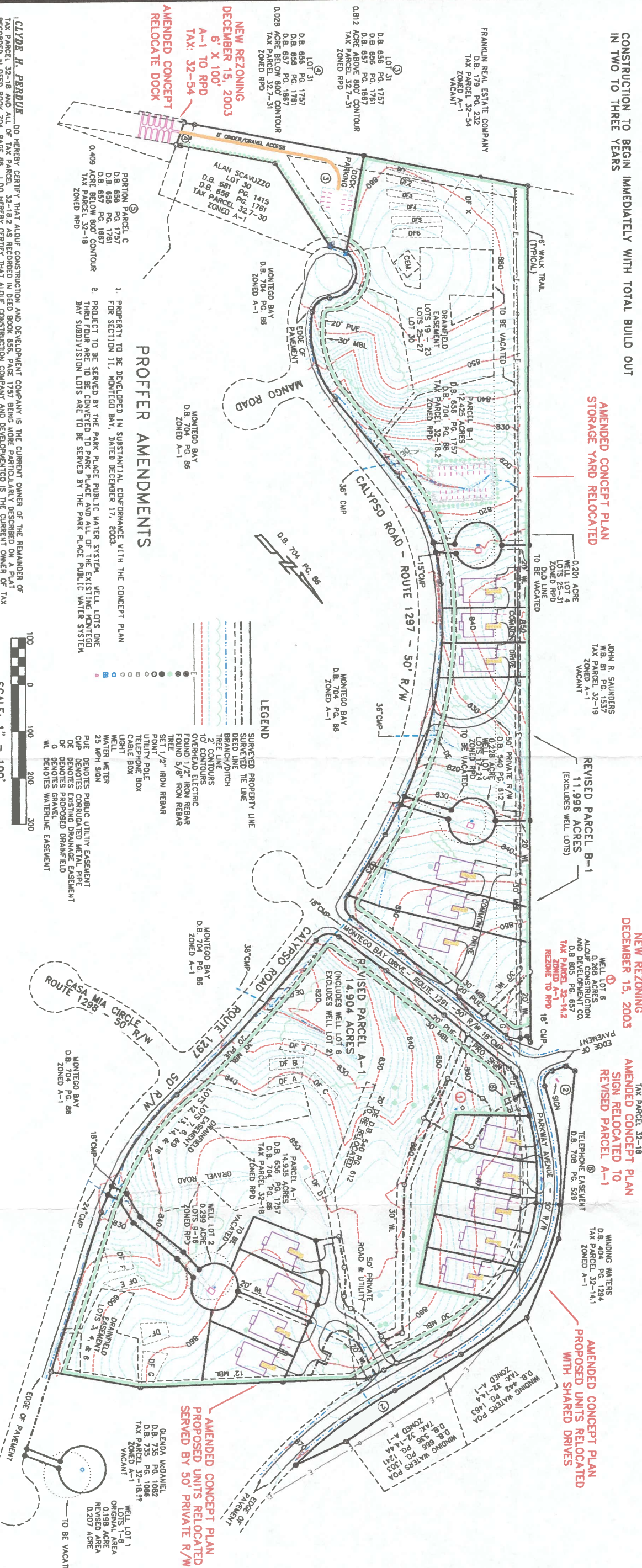
**AMENDED CONCEPT PLAN REQUEST**

28.471 ACRES ABOVE 800' CONTOUR  
 0.409 ACRE BELOW 800' CONTOUR  
 TAX PARCELS: 32-18.2 & 37.7-31 & PORTION OF 32-18  
 (INCLUDES WELLS 1 THRU 4)  
**REZONING REQUEST**

6,000 SQUARE FEET BELOW 795' CONTOUR  
 A-1 TO RPD  
 PORTION TAX PARCEL: 32-54  
**REZONING REQUEST**

WELL LOT 6  
 0.268 ACRE ABOVE 800' CONTOUR  
 A-1 TO RPD  
 TAX PARCEL: 32-14.2  
**SECTION II**  
**MONTEGO BAY**

GILLS CREEK MAGISTERIAL DISTRICT  
 FRANKLIN COUNTY, VIRGINIA  
 SURVEYED NOVEMBER 13, 2003  
 JOB NO. 165-02  
 CONCEPT PLAN: DECEMBER 17, 2003



**PROFFER AMENDMENTS**

1. PROPERTY TO BE DEVELOPED IN SUBSTANTIAL COMPLIANCE WITH THE CONCEPT PLAN FOR SECTION 11, MONTEGO BAY, DATED DECEMBER 17, 2003.
2. PROJECT TO BE SERVED BY THE PARK PLACE PUBLIC WATER SYSTEM. WELL LOTS ONE THROUGH NINE TO BE CONNECTED TO THE EXISTING MONTEGO BAY SUBDIVISION LOTS ARE TO BE SERVED BY THE PARK PLACE PUBLIC WATER SYSTEM.

**CLAYDE H. PERDUE** DO HEREBY CERTIFY THAT ALDOR CONSTRUCTION AND DEVELOPMENT COMPANY IS THE CURRENT OWNER OF THE REMAINDER OF TAX PARCEL 32-18 AND ALL OF TAX PARCEL 32-18.2 AS RECORDED IN DEED BOOK 858, PAGE 1751 BEING MORE PARTICULARLY DESCRIBED ON A PLAT TAX RECORDED IN DEED BOOK 704, PAGE 88. I DO HEREBY CERTIFY THAT ALDOR CONSTRUCTION COMPANY AND DEVELOPMENT COMPANY IS THE CURRENT OWNER OF TAX PARCEL 32-14.2 AS DESCRIBED IN DEED BOOK 805, PAGE 897 AND THAT FRANKLIN REAL ESTATE COMPANY IS THE CURRENT OWNER OF TAX PARCEL 32-54 AS DESCRIBED IN DEED BOOK 179, PAGE 232.

VIRGINIA:

BEFORE THE BOARD OF SUPERVISORS OF FRANKLIN COUNTY

A +/- 600 square foot portion of land, generally ) FINAL ORDER  
located on State Route 1292 and Montego Bay )  
Drive, within the Gills Creek Magisterial District, )  
and recorded as Tax Map # 32, Parcel # 54, in the )  
Franklin County Real Estate Records. )

TO THE HONORABLE SUPERVISORS OF FRANKLIN COUNTY:

WHEREAS, your Petitioner, Alouf Construction and Development Company, did petition the Franklin County Board of Supervisors to rezone the above-referenced parcel of land from (A-1) Agricultural to (RPD) Residential Planned Unit Development, for the purpose of relocating a community dock.

WHEREAS, after due legal notice as required by Section 15.2-2204, and 15.2-2205, of the Code of Virginia of 1950, as amended, the Planning Commission did hold a public hearing on January 13, 2004, at which time all parties in interest were given an opportunity to be heard; and

WHEREAS, after full consideration at the public hearing held on February 17, 2004, the Franklin County Board of Supervisors determined that the rezone request be **APPROVED**.

NOW, THEREFORE BE IT ORDERED that the aforementioned parcel of land, which is contained in the Franklin County Tax Records as Tax Map # 32, Parcel # 54, recorded in Deed Book 179, Page 232, be rezoned from (A-1) Agricultural to (RPD) Residential Planned Unit Development for the purpose of the relocating a community dock.

BE IT FURTHER ORDERED that a copy of this order be transmitted to the Secretary of the Planning Commission and that she be directed to reflect this change on the official zoning map of Franklin County.

ADOPTED on motion of Supervisor Mr. Russ Johnson, seconded by Mr. Charles Wagner, upon the following recorded vote:

AYES: Wagner, Johnson, Hurt, Angell, Matherly, Quinn, Poindexter  
NAYES:  
ABSENT:  
ABSTAIN:

  
Clerk  
Franklin County Board of Supervisors

2-18-04