



Board of Supervisors

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September 8, 2021

NOTICE TO ABUTTING PROPERTY OWNERS

Subject: ***Vesting Determination; Application #21154077; Tax Map Parcel No. 38-83C***

To whom it may concern:

This is to notify you that an application for a Vesting Determination has been submitted to the Stafford County Zoning Administrator in the Department of Planning and Zoning.

The applicant, Juan Martinez (C/O H. Clark Leming, Leming and Healy, P.C.), is requesting a vesting determination as to the landowners approximately 4.2-acre parcel of land identified as Tax Map Parcel No. 38-83C also known as lot 17 of the Wyche Industrial Park.

Enclosed is a copy of the request submitted. You will be notified by copy of the vesting determination when completed. If you have any question, please contact me at the Department of Planning and Zoning at 540-658-8668.

Sincerely,

Douglas S. Morgan, CZA, CTM
Zoning Administrator

DSM: mm

STAFFORD COUNTY
Department of Planning and Zoning



RECEIVED BUT NOT OFFICIALLY SUBMITTED

DATE: 8/25/21 INITIALS: REA

OFFICIALLY SUBMITTED

DATE: 9/7/2021 INITIALS: MM

ZONING VESTING DETERMINATION APPLICATION

ZONING VESTING DETERMINATION
TYPE OF APPLICATION

2154077
APPLICATION NUMBER

APPLICANT INFORMATION

JUAN ORTIZ MARTINEZ (C/O H. Clark Leming, Leming and Healy, P.C.)

NAME

233 Garrisonville Road, Suite 104

STREET ADDRESS

Stafford

VA

22554

CITY

STATE

ZIP

540-659-5155

540-850-5155

PHONE

CELL

540-659-1651

lemingandhealy1@msn.com

FAX

EMAIL

OWNER INFORMATION (If different than applicant)

SAME AS APPLICANT

NAME

ADDRESS

CITY

STATE

ZIP

PHONE

CELL

FAX

EMAIL

PROPERTY INFORMATION

38-83C

Wyche Industrial Lot 17

4.2005 acres

TAX MAP

SECTION

PARCEL/LOTS

LOT SIZE

March 18, 2008

ORDINANCE(S) #

DATE(S) OF RECLASSIFICATION

FOR OFFICE USE ONLY

2154077
APPLICATION #

NUMBER OF ADJACENT PROPERTY OWNERS

Fees Paid:

Yes ☒

No ☐

Amount: \$ _____

**ZONING VESTING DETERMINATION
LIST OF ABUTTING PROPERTY OWNERS**

Provide additional pages if needed

<u>38-85A</u>	<u>ORANGE ENTERPRISES LLC</u>		
Assessor's Map/Parcel	Name		
7288 HANOVER GREEN DR	MECHANICSVILLE	VA	23111
Address	City	State	Zip

<u>38-83L</u>	<u>55 VENTURE DRIVE LLC</u>		
Assessor's Map/Parcel	Name		
6933 COLCHESTER PARK DR	MANASSAS	VA	20112
Address	City	State	Zip

<u>38-83B</u>	<u>BLACK BRANCH TERMINALS LLC</u>		
Assessor's Map/Parcel	Name		
PO BOX 25612	RICHMOND	VA	23260
Address	City	State	Zip

<u>38-83F</u>	<u>EQUIPMENTSHARE COM INC</u>		
Assessor's Map/Parcel	Name		
5710 BULL RUN DR	COLUMBIA	MO	65201
Address	City	State	Zip

<u>Assessor's Map/Parcel</u>	<u>Name</u>		
<u>Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>

<u>Assessor's Map/Parcel</u>	<u>Name</u>		
<u>Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>

Vesting Justification

Pursuant to Virginia Code § 15.2-2286(A)(4), Juan Ortiz Martinez (“Martinez” or the “landowner”)¹, by counsel, hereby requests a vesting determination as to the landowner’s approximately 4.2005-acre parcel of land identified as Tax Map Parcel Number 38-83C in the records for the Commissioner of the Revenue of the County of Stafford (“County”), and commonly known as Lot 17 of the Wyche Industrial Park (hereafter referred to as “Lot 17” or the “Property”).² The Property, and the Wyche Industrial Park as a whole, was zoned to the County’s Light Industrial (M-1) Zoning District until the County Board of Supervisors (“Board”) rezoned it on its own initiative to the County’s B-3 Office Zoning District on or about March 18, 2008.

Background

I. The County’s approval of the Lot 17 Final Plat and the landowner’s development efforts pursuant to that approval.

On or about September 13, 1993, the Board, through its Subdivision Agent, approved a Final Subdivision Plat for Wyche Industrial Park, Lots 17 and 18 (the “Lot 17 Final Plat”). The Final Plat is duly recorded in the Office of the Clerk of the Circuit Court in Plat Book 24, Page 301, and is attached hereto as Exhibit A.

On or about March 23, 1998, the landowner prepared and submitted to the County a Construction Plan for the Wyche Industrial Park (the “1998 Construction Plan”). The Construction Plan is attached hereto as Exhibit B. The 1998 Construction Plan showed the necessary infrastructure improvements (water, sewer, erosion, and sediment control etc.) to serve the light industrial (“M-1”) development of Lot 17, and further included the construction of a turnaround to serve as temporary access for Lot 17 and the landowner’s other Wyche Industrial Park Lots along Venture Drive (Lots 8, 10, and 11) until a planned extension to Venture Drive was completed. The County approved the 1998 Construction Plan on or about August 27, 1998.

In 2003, as a precondition to the M-1 development of Lot 17 and the landowner’s other Lots along Venture Drive, the County required the landowner to submit plans for a grading permit to construct the turnaround in accordance with the 1998 Construction Plan. The County further required the submission of a construction bond in the amount of \$30,918.00 and an Erosion and Sediment Control (E&S) bond in the amount of \$34,656.25 to secure the construction of the turnaround. The foregoing is reflected in a May 21, 2003 letter from Planning Director Jeffrey A. Harvey, a copy of which is attached hereto as Exhibit C.

¹ The Justification will collectively refer to Martinez and his predecessors in interest (Chesapeake-Stafford Associates, LLC and Unger, LLC) as the “landowner” for ease of reference.

² The Property is shown as Lot 17 on the Wyche Industrial Park Preliminary Plan approved by the County on or about February 3, 1989 (SUB88-340).

The landowner duly prepared and submitted the required grading plans for the turnaround at an approximate cost of \$8,305.00 and further submitted the required \$30,918.00 construction and \$34,656.25 E & S bonds. *See* Exhibit D. The County approved the grading plan, and the landowner constructed the turnaround pursuant to that approval at an approximate cost of \$29,300.00. *Id.* The County released the construction and E & S bonds upon satisfactory completion of such construction. *Id.* Upon the County's approval of the turnaround construction, the landowner executed and recorded a Road Maintenance Agreement dated December 23, 2003, wherein the landowner agreed to maintain the portion of Venture Drive connecting Lot 17 and the landowner's other Lots along Venture Drive 11 to State Route 702 until such time that Venture Drive is accepted into the Virginia State Highway System (the "Road Maintenance Agreement"). The Road Maintenance Agreement is attached hereto as Exhibit E.

On or about February 24, 2004, the landowner prepared and submitted a major site plan to pursue development of an M-1 manufacturing facility on Lot 17 in reliance on the Lot 17 Final Plat (AP No. 240988; the "Major Site Plan"). The landowner incurred approximately \$55,000.00 in engineering, planning, surveying, and other development expenditures in preparing the Major Site Plan, as detailed in Exhibit F. Moreover, the landowner in 2006 incurred approximately \$10,000.00 in engineering, planning, surveying, and other development expenditures in preparing offsite drainage and temporary construction easement plans to serve the M-1 development of Lot 17 in reliance on the Lot 17 Final Plat (AP No. 2600656; the "Easement Plans"). *See* Exhibit F.

II. The prior vesting case involving Lot 11 of the Wyche Industrial Park.

In 2010, the landowner requested a determination from the Zoning Administrator that the County's February 19, 2004, approval of a final subdivision plat for Lots 8, 10, and 11 of the Wyche Industrial Park (the "Lot 11 Final Plat") vested Lot 11 to M-1 land uses permitted at the time of approval (hereafter referred to as "M-1 land uses"). *See* Exhibit D. The Lot 11 Final Plat, attached hereto Exhibit G, is virtually identical in character and substance to the Lot 17 Final Plat.

By letter dated January 14, 2010, the Zoning Administrator determined that the County's approval of the Lot 11 Final Plat did not vest Lot 11 to M-1 land uses, stating in pertinent part:³

The [Lot 11 Final Plat] was a significant affirmative governmental act and remains in effect. However, even though the subdivision plat remains in effect, there has been no County approval of a plan of development for any specific use of the property. Therefore, even though there have been substantial expenditures associated with erosion and sediment control design for the existing turnaround . . . this was not in pursuit of a specific project . . .

The landowner appealed the Zoning Administrator's determination to the BZA. After a hearing held at its September 28, 2010, meeting, the BZA unanimously voted to reverse the

³ This letter is attached hereto as Exhibit H.

determination and found that Lot 11 was vested to M-1 land uses pursuant to the County's approval of the Lot 11 Final Plat.

The County appealed the BZA's decision to the Circuit Court (Case No. CL10-1425). After a hearing held on August 15, 2011, the Circuit Court issued a Final Order, dated September 12, 2021, which upheld the BZA's decision (the "Final Order"). A copy of the Final Order is attached hereto as Exhibit I. In upholding the BZA, the Circuit Court found, *inter alia*, that the County's approval of the Lot 11 Final Plat was "a significant affirmative governmental act which remains in effect allowing development of a specific project" and consequently held that the landowner's "rights are vested in all permitted uses under the M-1, Light Industrial, Zoning District." *Id.*

The County appealed the Final Order to the Virginia Supreme Court alleging, *inter alia*, that the Lot 11 Final Plat was not an approval for a "specific use or project." *See* SCV Record No. 112203. The Virginia Supreme Court rejected the County's appeal, finding no reversible error in the Circuit Court's Final Order. *Id.*

Analysis

Pursuant to Virginia Code § 15.2-2286(A)(4), the Zoning Administrator is authorized to "make findings of fact, and with the concurrence of the attorney for the governing body, conclusions of law regarding the determinations rights accruing under §15.2-2307"

Virginia Code § 15.2-2307 establishes a three-pronged test for determining whether a landowner's development rights are deemed vested in a land use notwithstanding a subsequent amendment to the applicable zoning ordinance. For development rights to vest, the landowner must: (1) obtain or be the beneficiary of a significant affirmative governmental act ("SAGA") which remains in effect allowing development of a specific project; (2) rely in good faith on the SAGA; and (3) incur extensive obligations or substantial expenses in diligent pursuit of the specific project in reliance on the SAGA (the "Statutory Test").

For the reasons that follow, Lot 17 of the Wyche Industrial Park satisfies the Statutory Test and is vested to M-1 land uses pursuant to the County's approval of the Lot 17 Final Plat.

1. The County's approval of the Lot 17 Final Plat is a SAGA under prong 1 of the Statutory Test.

Virginia Code § 15.2-2307(B) lists seven land use approvals that "are deemed to be [SAGAs] allowing development of a specific project." The operative SAGA is set forth in Virginia Code § 15.2-2307(B)(iv), which states that "the governing body or its designated agent *has approved a final subdivision plat, site plan or plan of development for the landowner's property.*" (Emphasis added.)

The County's approval Lot 17 Final Plat is undeniably a SAGA under Virginia Code § 15.2-2307(B)(iv) which remains in effect, and is thereby deemed to allow the development of M-

1 land uses of the Property pursuant thereto.⁴ Further, the Lot 17 Final Plat is substantively indistinguishable from the Lot 11 Final Plat, which the Circuit Court conclusively held was a SAGA “which remains in effect allowing development of a specific project” and which vests the landowner’s rights “in all permitted uses under the M-1, Light Industrial, Zoning District.” *See* Final Order, 1-2. Accordingly, the County’s approval of the Lot 17 Final Plat satisfies prong 1 of the Statutory Test.

2. The landowner relied on the Lot 17 Final Plat in good faith under prong 2 of the Statutory Test.

When a landowner takes any extensive or substantial subsequent action in reliance on a SAGA, it is presumed to be done in good faith under the second prong of the Statutory Test.⁵ The landowner relied on the Lot 17 Final Plat in good faith when it undertook the extensive engineering, planning, development, site preparation, and construction work in pursuit of the M-1 development of the Property in reliance on the Lot 17 Final Plat, including, *inter alia*: (1) preparation and submission of the 1998 Construction Plan; (2) preparation and submission of the grading plan, construction bond, and E & S bond for the turnaround; (3) construction of the turnaround; (4) execution and recordation of the Road Maintenance Agreement; and (5) preparation and submission of the Major Site Plan and Easement Plans. Accordingly, prong 2 of the Statutory Test has been satisfied.

3. The landowner has incurred substantial expenditures in diligent pursuit of developing the Property in reliance on the County’s approval of the Lot 17 Final Plat under Prong 3 of the Statutory Test.

Prong 3 of the Statutory Test may be satisfied by either “extensive obligations or substantial expenses” incurred in diligent pursuit of the development in reliance on the SAGA. While there is no bright-line rule on what constitutes “substantial expenses” under prong 3, there are several instructive cases on the subject. For instance, in *City of Suffolk v. Board of Zoning Appeals*, 580 SE 2d 796 (2003), the Supreme Court concluded that a landowner’s expenditure of “over \$158,000 between 1993 and 1998 toward development of the Property” was sufficiently substantial. In *Stafford County Board of Supervisors v. Board of Zoning Appeals*, (Stafford County Case No. 2000-505) the Stafford County Circuit Court found \$20,000 spent in pursuit of development to constitute “substantial expenses,” while the Spotsylvania County Circuit Court in *Salem Fields, L.L.C. v. Spotsylvania County Zoning Appeals Board*, 40 Va. Circ. 289 (1996) found that approximately \$57,000 spent in furtherance of a development constituted “substantial expenses.” Finally, in the prior Lot 11 vesting case (Stafford County Case

⁴ The Final Plat remains in effect indefinitely pursuant to Virginia Code § 15.2-2261(F). It should be noted that the 1998 Construction Plan is also a SAGA, as it is an approval of a “site plan or plan of development for the landowner’s property” under Virginia Code § 15.2-2307(B)(iv). The 1998 Construction Plan did, however, expire in 2003.

⁵ *See City of Suffolk v. Board of Zoning Appeals*, 580 SE 2d 796 (2003).

No. CL10-1425), the Circuit Court held that the landowner incurred “substantial expenses in diligent pursuit of the specific project in reliance on the [SAGA]” when the landowner: (a) incurred \$8,350.00 in plan development expenses and \$29,300.00 in construction expenses (for a combined amount of \$37,850.00) for the turnaround to serve the Lots along Venture Drive (Lots 8, 10, 11, and 17); (b) furnished construction and E & S bonds totaling \$65,574.25 to secure construction of the turnaround; and (c) incurred \$17,312.50 in engineering expenditures to develop a site plan for the M-1 development of Lot 11. Final Order, 2; Ex. D.

While the above-cited \$37,850.00 in plan development and construction expenses and \$65,574.25 in bonded obligations for the turnaround supported the M-1 development of Lot 11 in the prior vesting case, these expenses and obligations were also undeniably incurred in pursuit of the M-1 development of *this Property (Lot 17)*, as the turnaround served as access to Lot 17 until the Venture Drive extension was completed. *See* Ex. B, C. The Zoning Administrator already determined the foregoing to be “substantial expenditures associated with erosion and sediment control design for the existing turnaround” in the Lot 11 vesting case. *See* Ex. G. The Circuit Court agreed and entered the Final Order finding that the landowner incurred “substantial expenses” as detailed above. Final Order, 2.

In addition to the indisputably substantial expenses and obligations associated with the turnaround, the landowner further incurred the following substantial expenses and extensive obligations in diligent pursuit of the M-1 development of Lot 17 in reliance on the County’s approval of the Lot 17 Final Plan: (a) execution and recordation of the Road Maintenance Agreement obligating the landowner to maintain Venture Drive from Lot 17 to Route 702 until Venture Drive was accepted into the Virginia Highway System (*see* Ex. E); (b) incurrence of approximately \$55,000.00 in plan development expenditures in connection with the Major Site Plan for the M-1 development of the Property (*see* Ex. F); (c) incurrence of approximately \$10,000.00 in plan development expenditures in connection with Easement Plans for the M-1 development of the Property (*Id*); and (d) incurrence of roughly \$20,000⁶ in plan development expenditures in connection with the 1998 Construction Plan.⁷ As such, the third and final prong of the Statutory Test has clearly been satisfied.

⁶ This is a “ballpark” estimate based on the experience of the landowner’s engineer (Hamilton Palmer, P.E.) preparing similar plans during this time period.

⁷ Both the 1998 Construction Plan and 2003 Road Maintenance Agreement predated the Lot 11 Final Plat (approved in 2004) and thus were not cited as “extensive obligations or substantial expenses” incurred in reliance on that SAGA in the prior vesting case. They do, however, constitute relevant “extensive obligations or substantial expenses” *in this case* as they postdate the Lot 17 Final Plat (approved in 1993) and were prepared in reliance thereon.

Conclusion

Based on the foregoing, the landowner respectfully requests that the County Zoning Administrator determine that Lot 17 of the Wyche Industrial Park is vested to M-1 land uses pursuant to the County's approval of the Lot 17 Final Plat.

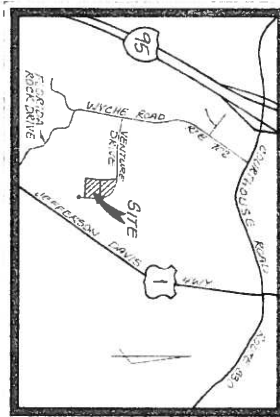
SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY TO THE BEST OF MY KNOWLEDGE AND BELIEF THAT ALL OF THE REQUIREMENTS OF THE BOARD OF SURVEYING AND LAND SURVEYING OF THE COUNTY OF STAFFORD, VIRGINIA, AND CHAPTER 16 OF THE PLATING OF SUBDIVISIONS ACTING THE COUNTY HAVE BEEN MET.

DATE: 9/13/93 BY: [Signature]

WYCHE ROAD
STATE ROUTE NO. 702

STAFFORD COUNTY
ALFRED W. GAY
JULY 1993
REGISTERED PROFESSIONAL SURVEYOR



WYCHE INDUSTRIAL PARK
PLAT OF SUBDIVISION
LOT 17 & LOT 18
STAFFORD COUNTY, VIRGINIA
JULY 1993
1:50' SCALE



NOTES

1. THE PROPERTY (SOUTH) BOUNDARY OF LOT 18 IS THE SAME AS THE BOUNDARY OF LOT 17.
2. THE PROPERTY (EAST) BOUNDARY OF LOT 18 IS THE SAME AS THE BOUNDARY OF LOT 17.
3. THE PROPERTY (WEST) BOUNDARY OF LOT 18 IS THE SAME AS THE BOUNDARY OF LOT 17.
4. THE PROPERTY (NORTH) BOUNDARY OF LOT 18 IS THE SAME AS THE BOUNDARY OF LOT 17.
5. THE PROPERTY (SOUTH) BOUNDARY OF LOT 17 IS THE SAME AS THE BOUNDARY OF LOT 18.
6. THE PROPERTY (EAST) BOUNDARY OF LOT 17 IS THE SAME AS THE BOUNDARY OF LOT 18.
7. THE PROPERTY (WEST) BOUNDARY OF LOT 17 IS THE SAME AS THE BOUNDARY OF LOT 18.
8. THE PROPERTY (NORTH) BOUNDARY OF LOT 17 IS THE SAME AS THE BOUNDARY OF LOT 18.
9. THE PROPERTY (SOUTH) BOUNDARY OF LOT 17 IS THE SAME AS THE BOUNDARY OF LOT 18.
10. THE PROPERTY (EAST) BOUNDARY OF LOT 17 IS THE SAME AS THE BOUNDARY OF LOT 18.
11. THE PROPERTY (WEST) BOUNDARY OF LOT 17 IS THE SAME AS THE BOUNDARY OF LOT 18.
12. THE PROPERTY (NORTH) BOUNDARY OF LOT 17 IS THE SAME AS THE BOUNDARY OF LOT 18.
13. THE PROPERTY (SOUTH) BOUNDARY OF LOT 17 IS THE SAME AS THE BOUNDARY OF LOT 18.
14. THE PROPERTY (EAST) BOUNDARY OF LOT 17 IS THE SAME AS THE BOUNDARY OF LOT 18.
15. THE PROPERTY (WEST) BOUNDARY OF LOT 17 IS THE SAME AS THE BOUNDARY OF LOT 18.
16. THE PROPERTY (NORTH) BOUNDARY OF LOT 17 IS THE SAME AS THE BOUNDARY OF LOT 18.
17. THE PROPERTY (SOUTH) BOUNDARY OF LOT 17 IS THE SAME AS THE BOUNDARY OF LOT 18.
18. THE PROPERTY (EAST) BOUNDARY OF LOT 17 IS THE SAME AS THE BOUNDARY OF LOT 18.
19. THE PROPERTY (WEST) BOUNDARY OF LOT 17 IS THE SAME AS THE BOUNDARY OF LOT 18.
20. THE PROPERTY (NORTH) BOUNDARY OF LOT 17 IS THE SAME AS THE BOUNDARY OF LOT 18.

VENTURE DRIVE

LEGEND

OWNER'S CONSENT AND DEDICATION

THE PLATTING AND DEDICATION OF THE LOT 17 AND LOT 18 ARE IN ACCORDANCE WITH THE REQUIREMENTS OF THE PLATTING OF SUBDIVISIONS ACTING THE COUNTY OF STAFFORD, VIRGINIA, AND CHAPTER 16 OF THE PLATING OF SUBDIVISIONS ACTING THE COUNTY.

NOTARY PUBLIC
DATE: 8-2-93

NOTARY CERTIFICATE

I, [Signature], a Notary Public for the State of Virginia, do hereby certify that the foregoing plat of subdivision of Lot 17 and Lot 18 was duly recorded in the Office of the Clerk of the Circuit Court of the County of Stafford, Virginia, on the 2nd day of August, 1993.

CERTIFICATE OF APPROVAL

THIS CERTIFICATE OF APPROVAL IS FOR LOT 17 & LOT 18, WYCHE INDUSTRIAL PARK, STAFFORD COUNTY, VIRGINIA, AND CHAPTER 16 OF THE PLATTING OF SUBDIVISIONS ACTING THE COUNTY OF STAFFORD, VIRGINIA, AND CHAPTER 16 OF THE PLATING OF SUBDIVISIONS ACTING THE COUNTY.

CURVE TABLE

STATION	CHORD BEARING	CHORD DISTANCE	ARC DISTANCE	ANGLE
1	S 89° 15' E	150.00	150.00	90.00
2	S 89° 15' E	150.00	150.00	90.00
3	S 89° 15' E	150.00	150.00	90.00
4	S 89° 15' E	150.00	150.00	90.00
5	S 89° 15' E	150.00	150.00	90.00
6	S 89° 15' E	150.00	150.00	90.00
7	S 89° 15' E	150.00	150.00	90.00
8	S 89° 15' E	150.00	150.00	90.00
9	S 89° 15' E	150.00	150.00	90.00
10	S 89° 15' E	150.00	150.00	90.00
11	S 89° 15' E	150.00	150.00	90.00
12	S 89° 15' E	150.00	150.00	90.00
13	S 89° 15' E	150.00	150.00	90.00
14	S 89° 15' E	150.00	150.00	90.00
15	S 89° 15' E	150.00	150.00	90.00
16	S 89° 15' E	150.00	150.00	90.00
17	S 89° 15' E	150.00	150.00	90.00
18	S 89° 15' E	150.00	150.00	90.00
19	S 89° 15' E	150.00	150.00	90.00
20	S 89° 15' E	150.00	150.00	90.00
21	S 89° 15' E	150.00	150.00	90.00
22	S 89° 15' E	150.00	150.00	90.00
23	S 89° 15' E	150.00	150.00	90.00
24	S 89° 15' E	150.00	150.00	90.00
25	S 89° 15' E	150.00	150.00	90.00
26	S 89° 15' E	150.00	150.00	90.00
27	S 89° 15' E	150.00	150.00	90.00
28	S 89° 15' E	150.00	150.00	90.00
29	S 89° 15' E	150.00	150.00	90.00
30	S 89° 15' E	150.00	150.00	90.00
31	S 89° 15' E	150.00	150.00	90.00
32	S 89° 15' E	150.00	150.00	90.00
33	S 89° 15' E	150.00	150.00	90.00
34	S 89° 15' E	150.00	150.00	90.00
35	S 89° 15' E	150.00	150.00	90.00
36	S 89° 15' E	150.00	150.00	90.00
37	S 89° 15' E	150.00	150.00	90.00
38	S 89° 15' E	150.00	150.00	90.00
39	S 89° 15' E	150.00	150.00	90.00
40	S 89° 15' E	150.00	150.00	90.00
41	S 89° 15' E	150.00	150.00	90.00
42	S 89° 15' E	150.00	150.00	90.00
43	S 89° 15' E	150.00	150.00	90.00
44	S 89° 15' E	150.00	150.00	90.00
45	S 89° 15' E	150.00	150.00	90.00
46	S 89° 15' E	150.00	150.00	90.00
47	S 89° 15' E	150.00	150.00	90.00
48	S 89° 15' E	150.00	150.00	90.00
49	S 89° 15' E	150.00	150.00	90.00
50	S 89° 15' E	150.00	150.00	90.00
51	S 89° 15' E	150.00	150.00	90.00
52	S 89° 15' E	150.00	150.00	90.00
53	S 89° 15' E	150.00	150.00	90.00
54	S 89° 15' E	150.00	150.00	90.00
55	S 89° 15' E	150.00	150.00	90.00
56	S 89° 15' E	150.00	150.00	90.00
57	S 89° 15' E	150.00	150.00	90.00
58	S 89° 15' E	150.00	150.00	90.00
59	S 89° 15' E	150.00	150.00	90.00
60	S 89° 15' E	150.00	150.00	90.00
61	S 89° 15' E	150.00	150.00	90.00
62	S 89° 15' E	150.00	150.00	90.00
63	S 89° 15' E	150.00	150.00	90.00
64	S 89° 15' E	150.00	150.00	90.00
65	S 89° 15' E	150.00	150.00	90.00
66	S 89° 15' E	150.00	150.00	90.00
67	S 89° 15' E	150.00	150.00	90.00
68	S 89° 15' E	150.00	150.00	90.00
69	S 89° 15' E	150.00	150.00	90.00
70	S 89° 15' E	150.00	150.00	90.00
71	S 89° 15' E	150.00	150.00	90.00
72	S 89° 15' E	150.00	150.00	90.00
73	S 89° 15' E	150.00	150.00	90.00
74	S 89° 15' E	150.00	150.00	90.00
75	S 89° 15' E	150.00	150.00	90.00
76	S 89° 15' E	150.00	150.00	90.00
77	S 89° 15' E	150.00	150.00	90.00
78	S 89° 15' E	150.00	150.00	90.00
79	S 89° 15' E	150.00	150.00	90.00
80	S 89° 15' E	150.00	150.00	90.00
81	S 89° 15' E	150.00	150.00	90.00
82	S 89° 15' E	150.00	150.00	90.00
83	S 89° 15' E	150.00	150.00	90.00
84	S 89° 15' E	150.00	150.00	90.00
85	S 89° 15' E	150.00	150.00	90.00
86	S 89° 15' E	150.00	150.00	90.00
87	S 89° 15' E	150.00	150.00	90.00
88	S 89° 15' E	150.00	150.00	90.00
89	S 89° 15' E	150.00	150.00	90.00
90	S 89° 15' E	150.00	150.00	90.00
91	S 89° 15' E	150.00	150.00	90.00
92	S 89° 15' E	150.00	150.00	90.00
93	S 89° 15' E	150.00	150.00	90.00
94	S 89° 15' E	150.00	150.00	90.00
95	S 89° 15' E	150.00	150.00	90.00
96	S 89° 15' E	150.00	150.00	90.00
97	S 89° 15' E	150.00	150.00	90.00
98	S 89° 15' E	150.00	150.00	90.00
99	S 89° 15' E	150.00	150.00	90.00
100	S 89° 15' E	150.00	150.00	90.00

AREA TABULATION

NUMBER OF LOTS	7		
LOT 18	154.276	56.4	3,547 ACRES
LOT 19	182.976	56.4	4,205 ACRES
TOTAL AREA	337,252	56.4	7,752 ACRES

1. ALL WATER LINES AND SEWER LINES AND CONNECTIONS TO BE INSTALLED SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF LOS ANGELES' STANDARD SPECIFICATIONS FOR WATER MAINS, SEWER MAINS, AND SEWER LATERALS, VOLUME 1A, 1B, 1C, 1D, 1E, 1F, 1G, 1H, 1I, 1J, 1K, 1L, 1M, 1N, 1O, 1P, 1Q, 1R, 1S, 1T, 1U, 1V, 1W, 1X, 1Y, 1Z, 2A, 2B, 2C, 2D, 2E, 2F, 2G, 2H, 2I, 2J, 2K, 2L, 2M, 2N, 2O, 2P, 2Q, 2R, 2S, 2T, 2U, 2V, 2W, 2X, 2Y, 2Z, 3A, 3B, 3C, 3D, 3E, 3F, 3G, 3H, 3I, 3J, 3K, 3L, 3M, 3N, 3O, 3P, 3Q, 3R, 3S, 3T, 3U, 3V, 3W, 3X, 3Y, 3Z, 4A, 4B, 4C, 4D, 4E, 4F, 4G, 4H, 4I, 4J, 4K, 4L, 4M, 4N, 4O, 4P, 4Q, 4R, 4S, 4T, 4U, 4V, 4W, 4X, 4Y, 4Z, 5A, 5B, 5C, 5D, 5E, 5F, 5G, 5H, 5I, 5J, 5K, 5L, 5M, 5N, 5O, 5P, 5Q, 5R, 5S, 5T, 5U, 5V, 5W, 5X, 5Y, 5Z, 6A, 6B, 6C, 6D, 6E, 6F, 6G, 6H, 6I, 6J, 6K, 6L, 6M, 6N, 6O, 6P, 6Q, 6R, 6S, 6T, 6U, 6V, 6W, 6X, 6Y, 6Z, 7A, 7B, 7C, 7D, 7E, 7F, 7G, 7H, 7I, 7J, 7K, 7L, 7M, 7N, 7O, 7P, 7Q, 7R, 7S, 7T, 7U, 7V, 7W, 7X, 7Y, 7Z, 8A, 8B, 8C, 8D, 8E, 8F, 8G, 8H, 8I, 8J, 8K, 8L, 8M, 8N, 8O, 8P, 8Q, 8R, 8S, 8T, 8U, 8V, 8W, 8X, 8Y, 8Z, 9A, 9B, 9C, 9D, 9E, 9F, 9G, 9H, 9I, 9J, 9K, 9L, 9M, 9N, 9O, 9P, 9Q, 9R, 9S, 9T, 9U, 9V, 9W, 9X, 9Y, 9Z, 10A, 10B, 10C, 10D, 10E, 10F, 10G, 10H, 10I, 10J, 10K, 10L, 10M, 10N, 10O, 10P, 10Q, 10R, 10S, 10T, 10U, 10V, 10W, 10X, 10Y, 10Z, 11A, 11B, 11C, 11D, 11E, 11F, 11G, 11H, 11I, 11J, 11K, 11L, 11M, 11N, 11O, 11P, 11Q, 11R, 11S, 11T, 11U, 11V, 11W, 11X, 11Y, 11Z, 12A, 12B, 12C, 12D, 12E, 12F, 12G, 12H, 12I, 12J, 12K, 12L, 12M, 12N, 12O, 12P, 12Q, 12R, 12S, 12T, 12U, 12V, 12W, 12X, 12Y, 12Z, 13A, 13B, 13C, 13D, 13E, 13F, 13G, 13H, 13I, 13J, 13K, 13L, 13M, 13N, 13O, 13P, 13Q, 13R, 13S, 13T, 13U, 13V, 13W, 13X, 13Y, 13Z, 14A, 14B, 14C, 14D, 14E, 14F, 14G, 14H, 14I, 14J, 14K, 14L, 14M, 14N, 14O, 14P, 14Q, 14R, 14S, 14T, 14U, 14V, 14W, 14X, 14Y, 14Z, 15A, 15B, 15C, 15D, 15E, 15F, 15G, 15H, 15I, 15J, 15K, 15L, 15M, 15N, 15O, 15P, 15Q, 15R, 15S, 15T, 15U, 15V, 15W, 15X, 15Y, 15Z, 16A, 16B, 16C, 16D, 16E, 16F, 16G, 16H, 16I, 16J, 16K, 16L, 16M, 16N, 16O, 16P, 16Q, 16R, 16S, 16T, 16U, 16V, 16W, 16X, 16Y, 16Z, 17A, 17B, 17C, 17D, 17E, 17F, 17G, 17H, 17I, 17J, 17K, 17L, 17M, 17N, 17O, 17P, 17Q, 17R, 17S, 17T, 17U, 17V, 17W, 17X, 17Y, 17Z, 18A, 18B, 18C, 18D, 18E, 18F, 18G, 18H, 18I, 18J, 18K, 18L, 18M, 18N, 18O, 18P, 18Q, 18R, 18S, 18T, 18U, 18V, 18W, 18X, 18Y, 18Z, 19A, 19B, 19C, 19D, 19E, 19F, 19G, 19H, 19I, 19J, 19K, 19L, 19M, 19N, 19O, 19P, 19Q, 19R, 19S, 19T, 19U, 19V, 19W, 19X, 19Y, 19Z, 20A, 20B, 20C, 20D, 20E, 20F, 20G, 20H, 20I, 20J, 20K, 20L, 20M, 20N, 20O, 20P, 20Q, 20R, 20S, 20T, 20U, 20V, 20W, 20X, 20Y, 20Z, 21A, 21B, 21C, 21D, 21E, 21F, 21G, 21H, 21I, 21J, 21K, 21L, 21M, 21N, 21O, 21P, 21Q, 21R, 21S, 21T, 21U, 21V, 21W, 21X, 21Y, 21Z, 22A, 22B, 22C, 22D, 22E, 22F, 22G, 22H, 22I, 22J, 22K, 22L, 22M, 22N, 22O, 22P, 22Q, 22R, 22S, 22T, 22U, 22V, 22W, 22X, 22Y, 22Z, 23A, 23B, 23C, 23D, 23E, 23F, 23G, 23H, 23I, 23J, 23K, 23L, 23M, 23N, 23O, 23P, 23Q, 23R, 23S, 23T, 23U, 23V, 23W, 23X, 23Y, 23Z, 24A, 24B, 24C, 24D, 24E, 24F, 24G, 24H, 24I, 24J, 24K, 24L, 24M, 24N, 24O, 24P, 24Q, 24R, 24S, 24T, 24U, 24V, 24W, 24X, 24Y, 24Z, 25A, 25B, 25C, 25D, 25E, 25F, 25G, 25H, 25I, 25J, 25K, 25L, 25M, 25N, 25O, 25P, 25Q, 25R, 25S, 25T, 25U, 25V, 25W, 25X, 25Y, 25Z, 26A, 26B, 26C, 26D, 26E, 26F, 26G, 26H, 26I, 26J, 26K, 26L, 26M, 26N, 26O, 26P, 26Q, 26R, 26S, 26T, 26U, 26V, 26W, 26X, 26Y, 26Z, 27A, 27B, 27C, 27D, 27E, 27F, 27G, 27H, 27I, 27J, 27K, 27L, 27M, 27N, 27O, 27P, 27Q, 27R, 27S, 27T, 27U, 27V, 27W, 27X, 27Y, 27Z, 28A, 28B, 28C, 28D, 28E, 28F, 28G, 28H, 28I, 28J, 28K, 28L, 28M, 28N, 28O, 28P, 28Q, 28R, 28S, 28T, 28U, 28V, 28W, 28X, 28Y, 28Z, 29A, 29B, 29C, 29D, 29E, 29F, 29G, 29H, 29I, 29J, 29K, 29L, 29M, 29N, 29O, 29P, 29Q, 29R, 29S, 29T, 29U, 29V, 29W, 29X, 29Y, 29Z, 30A, 30B, 30C, 30D, 30E, 30F, 30G, 30H, 30I, 30J, 30K, 30L, 30M, 30N, 30O, 30P, 30Q, 30R, 30S, 30T, 30U, 30V, 30W, 30X, 30Y, 30Z, 31A, 31B, 31C, 31D, 31E, 31F, 31G, 31H, 31I, 31J, 31K, 31L, 31M, 31N, 31O, 31P, 31Q, 31R, 31S, 31T, 31U, 31V, 31W, 31X, 31Y, 31Z, 32A, 32B, 32C, 32D, 32E, 32F, 32G, 32H, 32I, 32J, 32K, 32L, 32M, 32N, 32O, 32P, 32Q, 32R, 32S, 32T, 32U, 32V, 32W, 32X, 32Y, 32Z, 33A, 33B, 33C, 33D, 33E, 33F, 33G, 33H, 33I, 33J, 33K, 33L, 33M, 33N, 33O, 33P, 33Q, 33R, 33S, 33T,

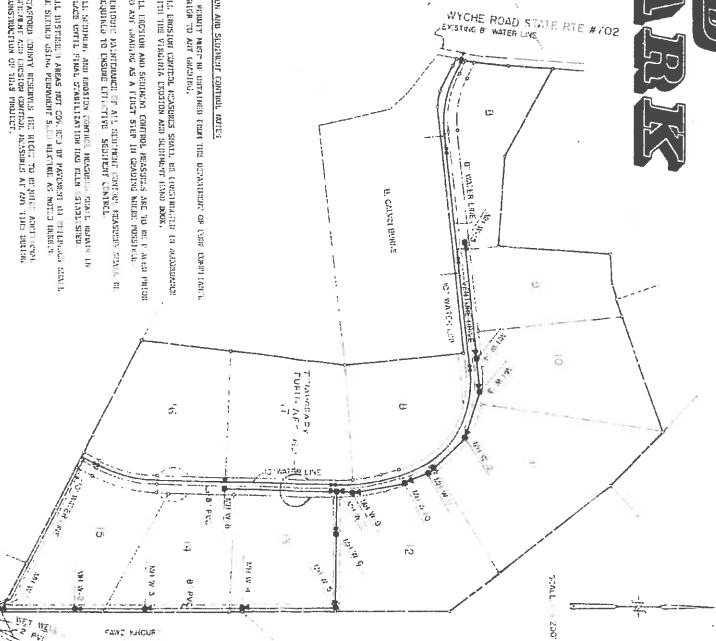
VICINITY MAP
SCALE 1" = 2,000'[illegible]

OF CONSTRUCTION FIRM.
AND ESTIMATIONS.

- SECTION 1. THE BOARD OF DIRECTORS OF THE COMPANY SHALL HAVE THE FOLLOWING POWERS AND DUTIES:
1. TO MANAGE THE BUSINESS OF THE COMPANY AND TO SEE THAT THE BUSINESS IS CONDUCTED IN ACCORDANCE WITH THE CHARTER AND THE BY-LAWS OF THE COMPANY AND TO TAKE SUCH ACTION AS MAY BE NECESSARY TO CARRY OUT THE DUTIES OF THE BOARD.
 2. TO EMPLOY, FIX THE SALARY OF, AND DISMISS SUCH OFFICERS AND MANAGERS AS MAY BE NECESSARY FOR THE PROPER CONDUCT OF THE BUSINESS OF THE COMPANY.
 3. TO BORROW MONEY AND TO MORTGAGE THE PROPERTY OF THE COMPANY FOR THE PURPOSES OF THE BUSINESS OF THE COMPANY.
 4. TO MAKE SUCH CONTRACTS AS MAY BE NECESSARY FOR THE PROPER CONDUCT OF THE BUSINESS OF THE COMPANY.
 5. TO MAKE SUCH INVESTMENTS AS MAY BE NECESSARY FOR THE PROPER CONDUCT OF THE BUSINESS OF THE COMPANY.
 6. TO MAKE SUCH DISBURSEMENTS AS MAY BE NECESSARY FOR THE PROPER CONDUCT OF THE BUSINESS OF THE COMPANY.
 7. TO MAKE SUCH PAYMENTS AS MAY BE NECESSARY FOR THE PROPER CONDUCT OF THE BUSINESS OF THE COMPANY.
 8. TO MAKE SUCH DISTRIBUTIONS AS MAY BE NECESSARY FOR THE PROPER CONDUCT OF THE BUSINESS OF THE COMPANY.
 9. TO MAKE SUCH OTHER ACTIONS AS MAY BE NECESSARY FOR THE PROPER CONDUCT OF THE BUSINESS OF THE COMPANY.
 10. TO MAKE SUCH OTHER ACTIONS AS MAY BE NECESSARY FOR THE PROPER CONDUCT OF THE BUSINESS OF THE COMPANY.
 11. TO MAKE SUCH OTHER ACTIONS AS MAY BE NECESSARY FOR THE PROPER CONDUCT OF THE BUSINESS OF THE COMPANY.
 12. TO MAKE SUCH OTHER ACTIONS AS MAY BE NECESSARY FOR THE PROPER CONDUCT OF THE BUSINESS OF THE COMPANY.

EROSION AND SEDIMENT CONTROL RATE

- [illegible]



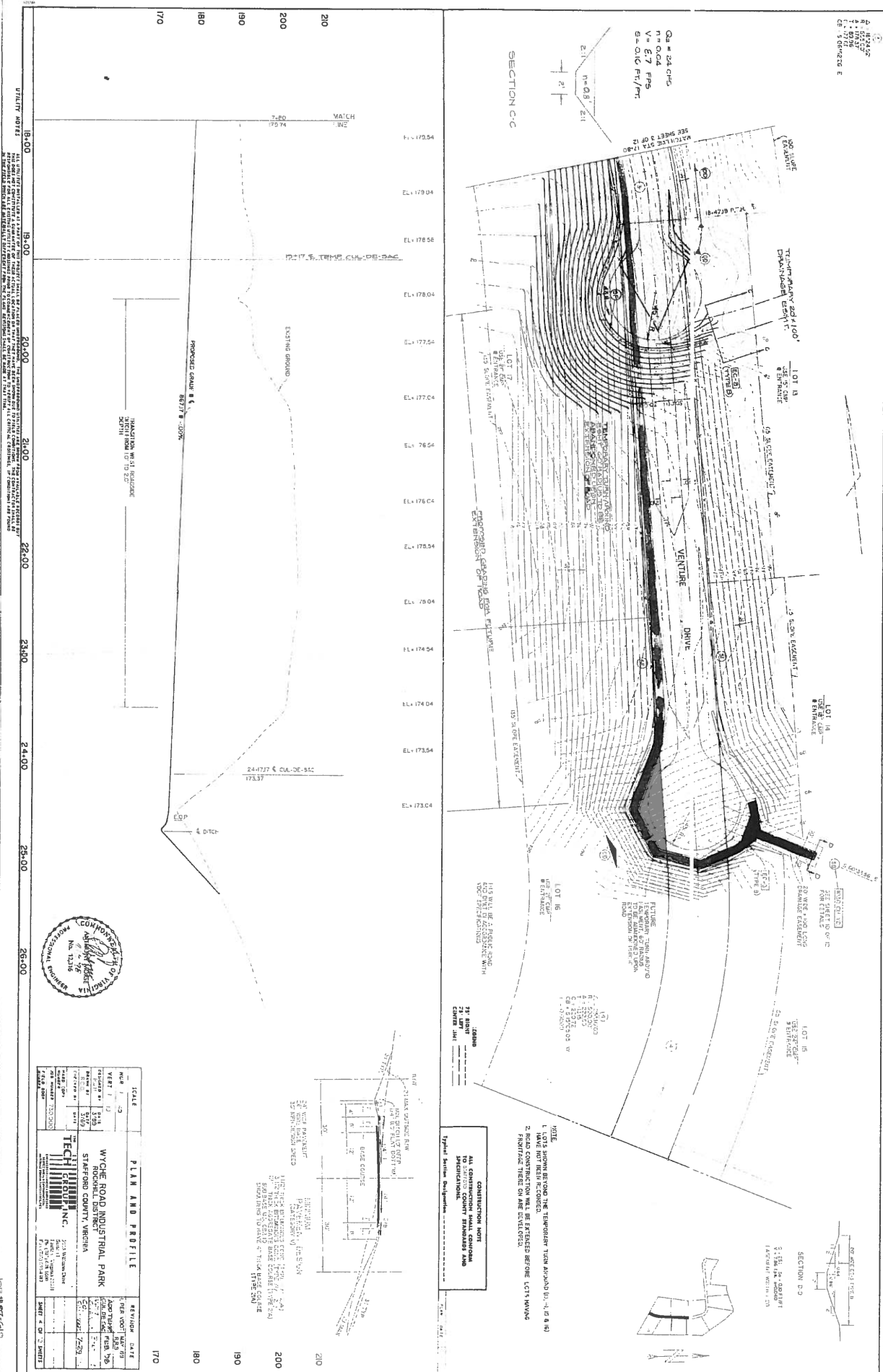
3-27-58
 DATE
 10/19/98
 DATE
 OFFICE OF THE ATTORNEY GENERAL
 STATE OF MISSISSIPPI
 J. B. McIVER, JR.
 ATTORNEY GENERAL
 OFFICE OF THE ATTORNEY GENERAL
 12/A
 OFFICE OF THE ATTORNEY GENERAL
 DATE

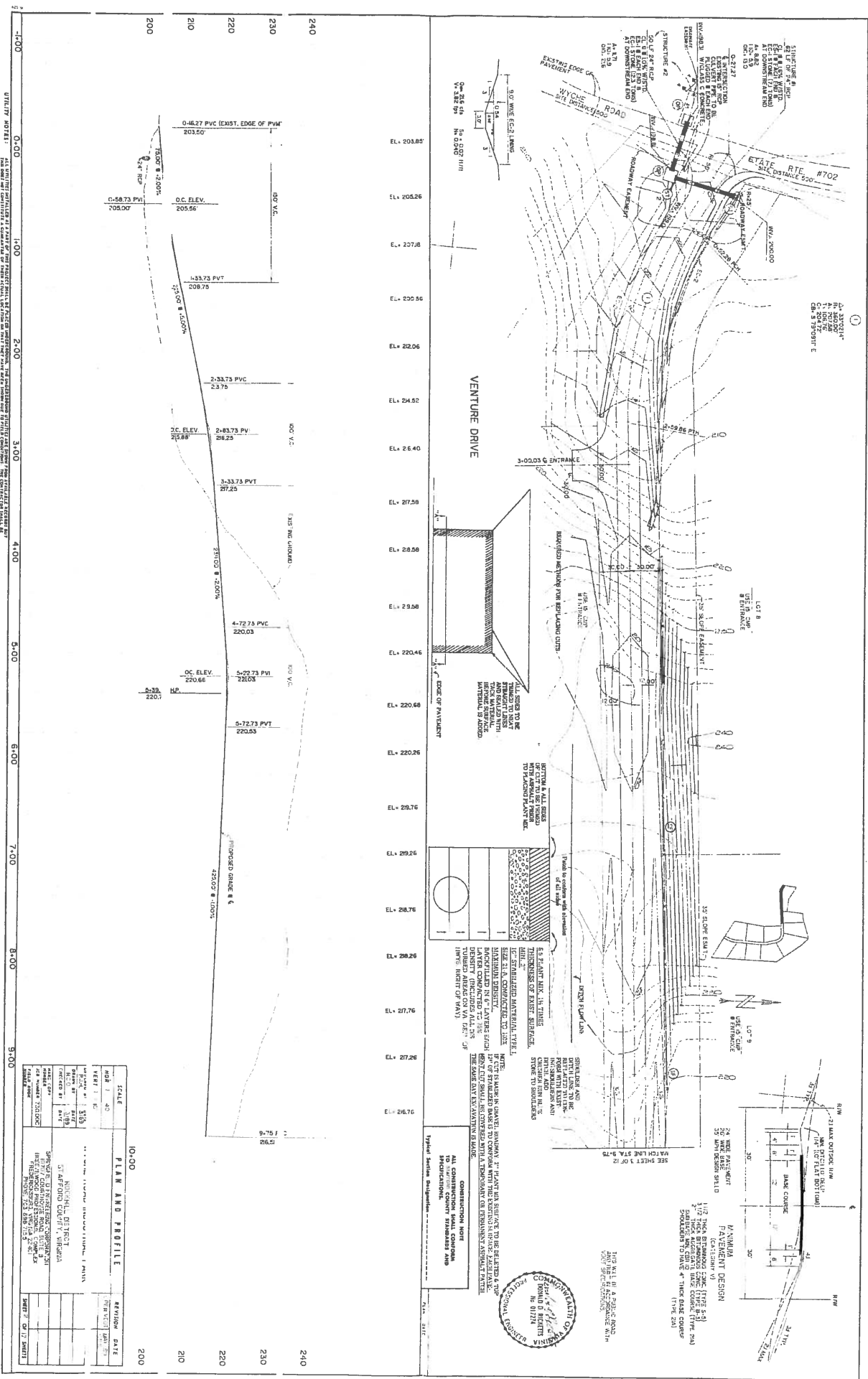
[illegible]

REVISIONS: 1. PER VOT MAY 09 RRS
2. ADD FAMILAR SEWER JUNE 09 RRS
3. RELOCATE OFFSITE UTILITIES SEPT.09 RRS

WYCHE ROAD INDUSTRIAL PARK
COVER SHEET
ROCKHILL DISTRICT
STAFFORD COUNTY, VIRGINIA

THE TECH GROUP, INC.

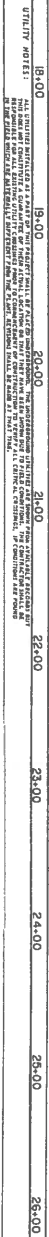
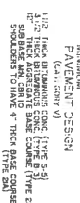




⑤

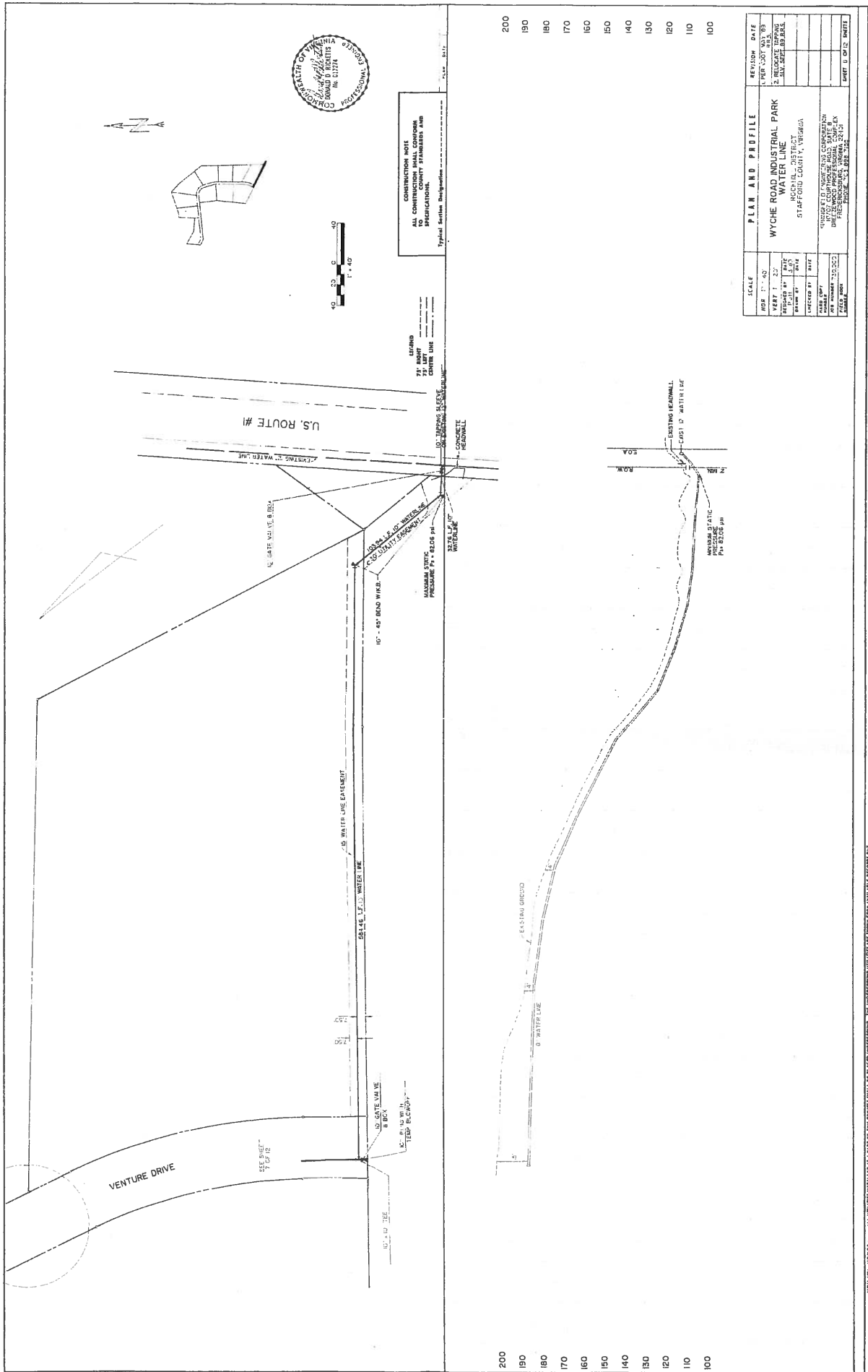


CONSTRUCTION NOTE
ALL CONSTRUCTION SHALL CONFORM
TO THE LATEST COUNTY STANDARDS AND
SPECIFICATIONS.

[illegible]

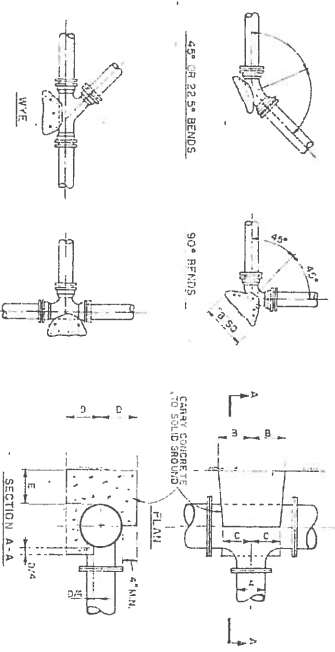
A: 23°02'14"
R: 360.00°
A: 207.58°
I: 106.76°
C: 204.72°
CB: 5 79°09'11" E





UTILITY - WATER
ALL UTILITIES SHOWN ARE BASED ON THE LATEST AVAILABLE RECORDS. THE ENGINEER HAS CONDUCTED VISUAL INSPECTIONS OF THE EXISTING UTILITIES AND HAS FOUND NO DISCREPANCIES. THE ENGINEER HAS CONDUCTED VISUAL INSPECTIONS OF THE EXISTING UTILITIES AND HAS FOUND NO DISCREPANCIES.

[illegible]



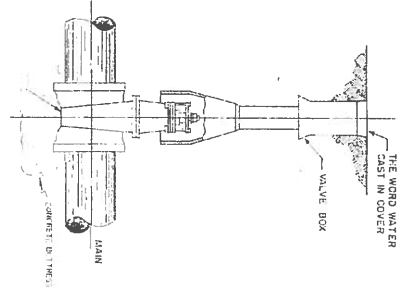
NOTE
ALL CONCRETE SHALL
BE 2500 PSI

CONCRETE THRUST
LOCATIONS

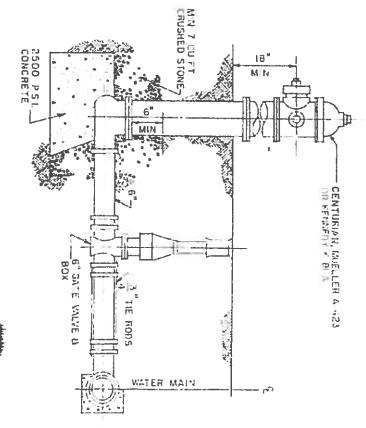
1. ALL CONCRETE TO BE CLASS "B" (GROUP 1)
2. BUTTRESS DIMENSIONS SHOWN ARE BASED UPON
EQL BEARING PRESSURE OF 3000 PSI AND STATIC WATER PRESSURE OF
100 PSI. IF DIFFERENT BEARING PRESSURE OR ALLOWABLE SOIL BEARING
PRESSURE IS LESS THAN 3000 PSI, SPECIAL BUTTRESS DESIGN IS REQUIRED

BUTTRESS FOR TEES

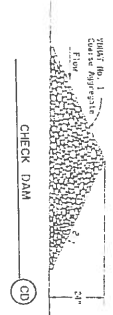
SIZE OF BRANCH	SIZE OF MAIN
A 6" x 10"	12" x 18"
B 7" x 12"	18" x 24"
C 8" x 14"	24" x 30"
D 9" x 16"	30" x 36"
E 10" x 18"	36" x 42"



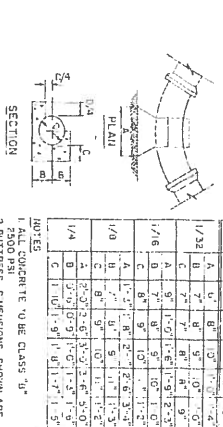
GATE VALVE A
SLIP TYPE VALVE BOX



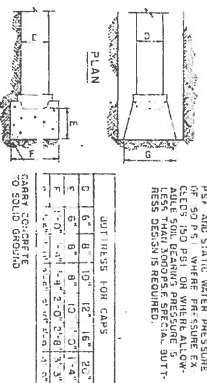
FIRE HYDRANT
ASSEMBLY



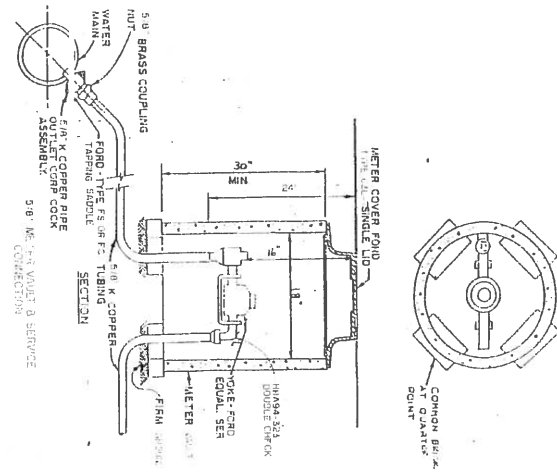
CHECK DAM



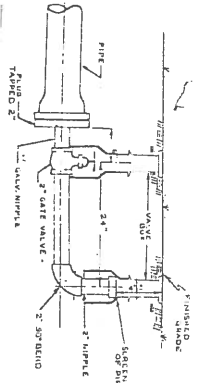
BUTTRESS FOR HORIZONTAL BEAMS



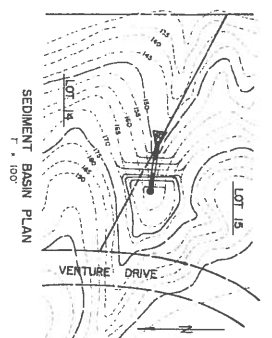
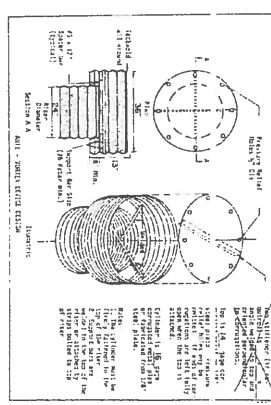
BUTTRESS FOR CAPS



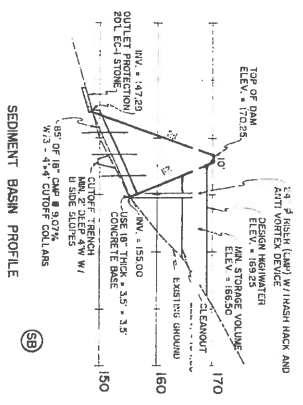
PAINT ALL BURIED IRON
PIPE ENDS WITH AUTOMATIC
PROTECTION.



BLOWOFF ASSEMBLY



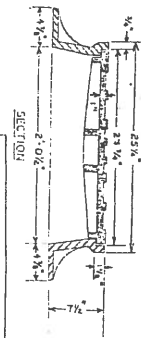
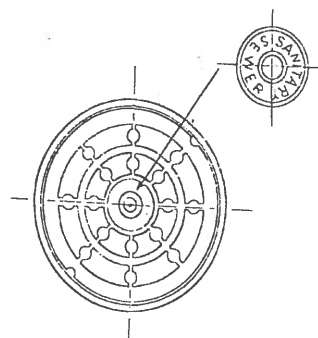
SEDIMENT BASIN PLAN



SEDIMENT BASIN PROFILE

3.1
FAUCET
3.1

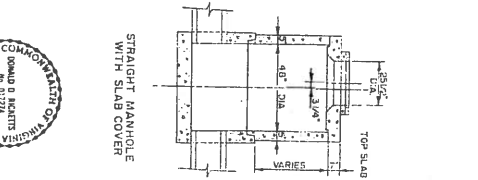
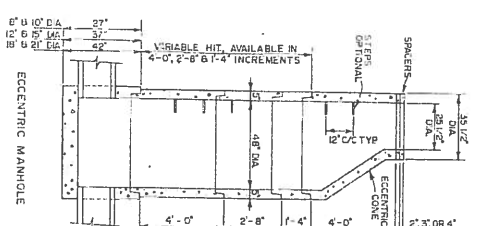
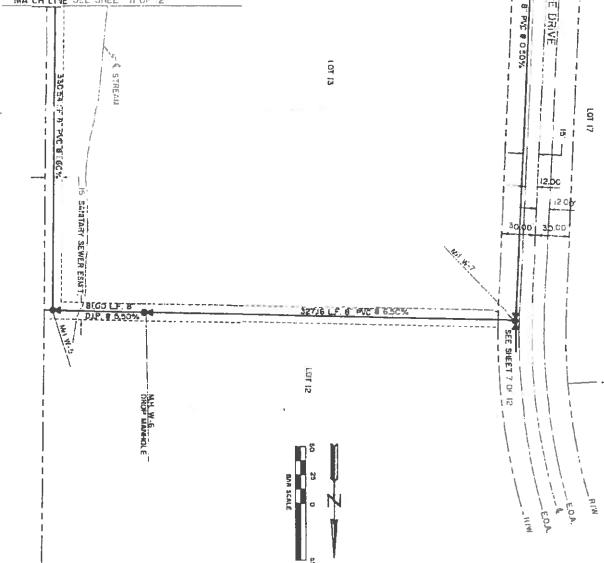
WORLD 1 AIR ELEVATION 1:1000 WITH TYPICAL



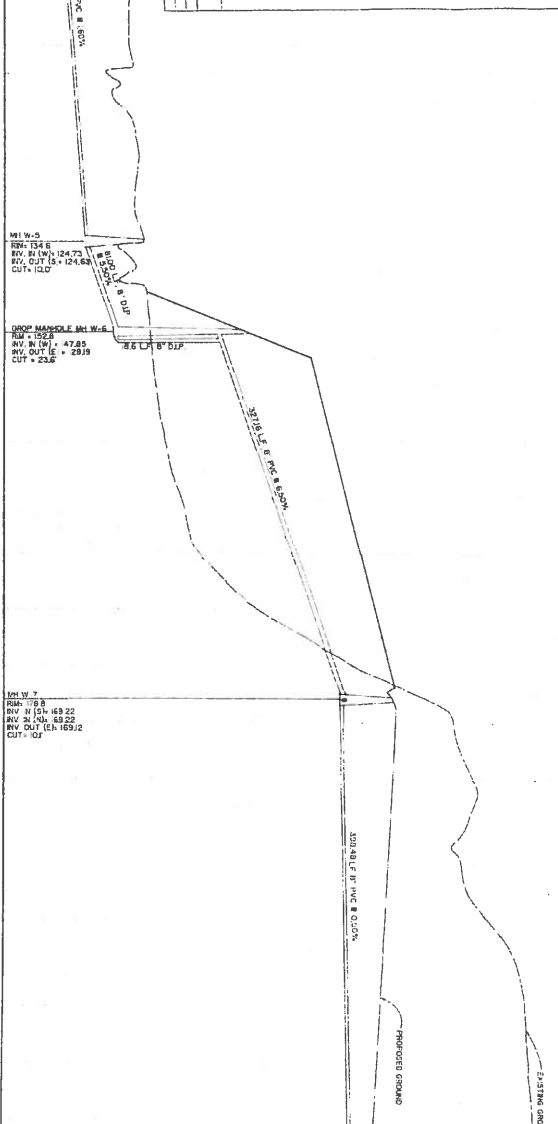
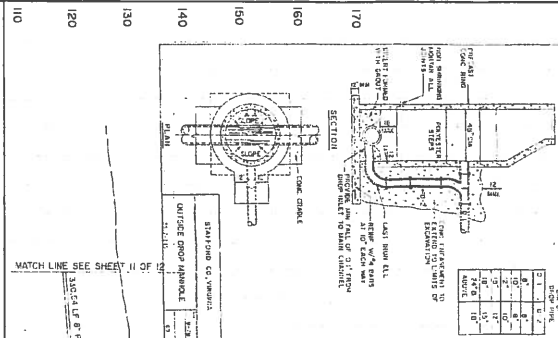
WEIGHT: FRAME, 210 LBS
LID, 165 LBS
TOTAL, 375 LBS

STAFFORD CO. VIRGINIA
STANDARD MANHOLE
FRAME WITH SOLID LID
76-2-141

MATCH LINE SEE SHEET 110-2



CONSTRUCTION NOTE
ALL CONSTRUCTION SHALL CONFORM
TO THE LATEST EDITIONS OF THE
VIRGINIA STANDARD SPECIFICATIONS
FOR HIGHWAYS AND BRIDGES



PLAN AND PROFILE	
SCALE	AS SHOWN
DATE	11/1/72
DESIGNED BY	W.C. BROWN
CHECKED BY	W.C. BROWN
APPROVED BY	W.C. BROWN
PROJECT	WYCHE ROAD INDUSTRIAL PARK SANITARY SEWER
LOCATION	STAFFORD COUNTY, VIRGINIA
CONTRACT	STAFFORD COUNTY, VIRGINIA STAFFORD COUNTY, VIRGINIA
CONTRACT NO.	STAFFORD COUNTY, VIRGINIA STAFFORD COUNTY, VIRGINIA
CONTRACT DATE	STAFFORD COUNTY, VIRGINIA STAFFORD COUNTY, VIRGINIA
CONTRACT VALUE	STAFFORD COUNTY, VIRGINIA STAFFORD COUNTY, VIRGINIA
CONTRACT TYPE	STAFFORD COUNTY, VIRGINIA STAFFORD COUNTY, VIRGINIA
CONTRACT NO.	STAFFORD COUNTY, VIRGINIA STAFFORD COUNTY, VIRGINIA
CONTRACT DATE	STAFFORD COUNTY, VIRGINIA STAFFORD COUNTY, VIRGINIA
CONTRACT VALUE	STAFFORD COUNTY, VIRGINIA STAFFORD COUNTY, VIRGINIA
CONTRACT TYPE	STAFFORD COUNTY, VIRGINIA STAFFORD COUNTY, VIRGINIA

UTILITY NOTES:
ALL UTILITIES SHOWN ARE BASED ON THE RECORD DRAWINGS OF THE VIRGINIA DEPARTMENT OF TRANSPORTATION, DIVISION OF HIGHWAYS, AND THE VIRGINIA DEPARTMENT OF WATER RESOURCES, DIVISION OF WATER SUPPLY. THE USER OF THIS DRAWING SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO CONSTRUCTION.

BOARD OF SUPERVISORS

PETER J. FIELDS
CHAIRMAN

ROBERT C. GIBBONS
VICE CHAIRMAN

JACK R. CAVALIER
KANDY A. HILLIARD
MARK W. OSBORN
GARY D. PASH
GARY F. SNELLINGS



1300 COURTHOUSE ROAD
P. O. BOX 339
STAFFORD, VIRGINIA 22555-0339

PHONE: (540) 658-8603
METRO: (703) 690-8222
FAX: (540) 658-7643
<http://co.stafford.va.us>

COUNTY ADMINISTRATOR
STEVE CROSBY

May 21, 2003

William J. Blanton, P.E.
Chesapeake-Stafford Associates, LLC
2951 Jefferson Davis Highway
Stafford, Virginia 22554

Subject: Wyche Road Industrial Park

Dear Mr. Blanton:

This is in response to your letter dated April 14, 2003 regarding proposed development and subdivision along Venture Drive in the Wyche Road Industrial Park. I am hoping to clarify the County's requirements for development and subdivision along Venture Drive as it has been of concern for some time.

Section 22-144(a) of the Subdivision Ordinance allows the subdivision of commercial and industrial properties served by private streets. Current policy requires that the applicant must demonstrate that a maintenance agreement or covenant is signed and recorded outlining maintenance responsibilities for the private street from the subject property to the existing state road prior to subdivision or site plan approval. The County has a general concern for public safety and maintenance of private streets and the agreement or covenant would ensure that maintenance is the responsibility of at least one owner. The County will not evaluate the agreement to monitor that all lot owners are equally responsible or that each is a part of the agreement as your letter requested, as these issues are a private matter.

In your letter, you noted that Venture Drive is unsafe for the vehicles which use it on a daily basis. Due to safety concerns, a temporary turnaround must be constructed at the end of Venture Drive with a minimum forty-five foot radius and a pavement section which can support a minimum of 35 tons in weight prior to the issuance of any occupancy permits for development along Venture Drive. The temporary turnaround should be constructed to the standards approved on the construction plan entitled "Revised Wyche Road Industrial Park" dated March 23, 1998 and approved on August 27, 1998. The plan is valid for 5 years, with the expiration date of August 27, 2003. If a grading permit is not issued prior to the expiration date of this plan, the

Grading Permit Required Oct 03

Mr. William J. Blanton, P.E.

Page 2

May 21, 2003

plan must be resubmitted for approval in accordance with current regulations, prior to issuance of the grading permit.

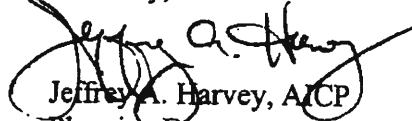
Prior to the issuance of a grading permit, securities for Erosion and Sediment Control must be posted. The security amount approved with the construction plan for E&S is \$34,656.25. This estimate was based on improvements for the entire road. In lieu of the approved estimate, an estimate from a professional engineer may be submitted to the Planning Department for review and approval that would address the Erosion and Sediment Control requirements for the temporary turnaround improvements only. The Department of Finance administers the security policy and can provide you with assistance in processing your Performance Agreement and security. Nancy Collins is the Securities and Records Manager and may be reached at (540) 658-8676. *-ONE OUT 03*

Prior to the recordation of a subdivision plat for lots, which would utilize Venture Drive for access, a security must be posted for any of the required roadwork still remaining. A cost estimate from a professional engineer should be submitted to the Planning Department for review and approval that would address all outstanding roadwork items including but not limited to grading, pavement, and ditch lining. *-ONE OUT 03*

Please be aware that there may be additional issues regarding offsite easements for water and sanitary sewer within Wyche Road Industrial Park. Dale Allen in the Department of Utilities may be reached at (540) 658-8630 to discuss any potential issues.

I appreciate your interest in developing in the Wyche Road Industrial Park and your approach to addressing the issues. Hopefully, this letter lays the groundwork so that development can begin in the near future. Should there be any questions, please call me or Marne Sherman at (540) 658-8668.

Sincerely,


Jeffrey A. Harvey, AICP
Planning Director

JAH:mes

cc: Clyde Hamrick, VDOT
Rachel Hudson, Assistant Zoning Administrator
Gail G. Roberts, Assistant County Attorney
Nancy Collins, Department of Finance
Dale Allen, Department of Utilities

2951 Jefferson Davis Highway
Stafford, Virginia 22554

August 26, 2009

Rachel T. Hudson
Zoning Administrator, Stafford County
P.O. Box 339
Stafford, Virginia 22555

Dear Ms. Hudson:

On March 18, 2008, the Stafford County Board of Supervisors voted on and enacted an ordinance that down-zoned property in Wyche Road Industrial Park. As a result, the zoning for Parcel 38-83H ("Lot 11"), owned by Chesapeake-Stafford Associates, L.L.C., changed from M-1, Light Industrial, to B-3, Office.

Before the zoning designation was changed on March 18, 2008, this firm, Chesapeake-Stafford Associates, L.L.C. ("CSA"), invested considerable engineering and construction expense into Lot 11 and the surrounding property. Specifically, Parcel 38-83D was subdivided, and engineering and construction work was completed on the offsite access road as required by Stafford County as a condition precedent to the subdivision of Parcel 38-83D. We seek to establish that our rights in the M-1 zoning on Lot 11 are vested pursuant to applicable state law.

CSA purchased the Wyche Industrial Park parcels (Lots 8, 10, 11, and 17) in 1997. The plat prepared by the original developer for the property was recorded without the proper county approvals and thus Lots 8, 10, and 11, while platted, were not considered by the county to have been legally subdivided. As a result, Stafford County issued a standard letter to property owners (attached Exhibit #1) stating that before occupancy permits would be issued for those lots, the following had to be corrected by the then-current property owners:

- A final plat must be re-submitted for review and must meet current regulations;
- All required easements for utilities and road drainage must be shown on the plat;
- A maintenance bond for the existing water and sewer must be posted with the County;
- The right-of-way must be dedicated to public use on the plat;
- The road construction for Venture Drive must be completed and a maintenance bond must be posted until such time that the road is taken into the state system.

In a follow-up letter dated May 21, 2003 (attached, Exhibit #2), Jeffrey Harvey, the Stafford County Planning Director, clarified questions regarding the County's requirements for development, as well as imposing on CSA the following additional requirements:

- A temporary turnaround must be constructed at the end of Venture Drive prior to the issuance of any occupancy permits for development along Venture Drive. To construct the turnaround, a grading permit as well as a security for erosion and sediment control are required.
- Prior to recording a subdivision plat, security must be posted for any required road work still remaining (in a follow-up letter, it was clarified that this referred to the temporary turnaround).

As required by the County to legally subdivide Parcel 38-83D, CSA had engineering and survey work for Venture Drive and the temporary turn-around completed. This work, along with the associated erosion and sediment control design and final plat preparation was done per the County's request. The total value of the engineering work done by Bagby, Caldwell and Associates was \$8,305.00. The Tech Group performed the as-built survey of the existing road and the design of the turnaround for a fee of \$7,500.00. In addition, a construction bond of \$30,918.00 and an erosion and sediment control bond of \$34,656.25 were posted for the temporary turn-around.

The new plat was approved by the county on February 19, 2004, and Lots 8, 10, 11, and 17 were legally subdivided. Subsequently, the cul-de-sac has been completed at a cost of \$29,300.00 and CSA's bonds were released. CSA then incurred considerable expenses to develop Lot 11 under the M-1 Light Industrial zoning designation, including site engineering and erosion and sediment control design performed by Bagby, Caldwell, and Associates for a fee of \$17,312.50. A grading permit was obtained and a bond of \$34,648.00 was posted for Lot 11, and a fee of \$500 was paid to the County.

Virginia Code s. 15.2-2307 states that "...a landowner's rights shall be deemed vested in a land use and such vesting shall not be affected by a subsequent amendment to a zoning ordinance when the landowner (i) obtains or is the beneficiary of a significant affirmative governmental act which remains in effect allowing development of a specific project, (ii) relies in good faith on the significant affirmative governmental act, and (iii) incurs extensive obligations or substantial expenses in diligent pursuit of the specific project in reliance on the significant affirmative governmental act."

The Code states "the following are deemed to be significant affirmative governmental acts allowing the development of a specific project: (vi) the governing body or its designated agent has approved a final subdivision plat, site plan or plan of development for the landowner's property."

We believe the code criteria for vesting are met by the following actions of this firm and the County of Stafford: (i) the County of Stafford approved our subdivision plat subdividing parcel 38-83D into Lots 8, 10, and 11, which approval constituted a significant government act, (ii) subsequent to that approval this firm incurred expenses to construct a cul-de-sac and associated improvements, and (iii) this firm continued to pursue development of the project by investing in the engineering and bond and obtaining a grading permit for Lot 11 based upon the subdivision approval. Having met the code criteria for vesting, we request a determination that our rights to the former M-1 zoning are vested in Parcel 38-83H, Lot 11 under applicable state law.

Sincerely,

Susan M. Blanton
Manager
Chesapeake Stafford Associates, LLC

Tax Map: 38-83C and 38-83D

ROAD MAINTENANCE AGREEMENT

THIS MAINTENANCE AGREEMENT, made the 23rd day of December,

2003, by CHESAPEAKE-STAFFORD ASSOCIATES, L.L.C., a Virginia limited liability company. (Index as Grantor and Grantee).

RECITALS

R1: By virtue of the deed dated November 18, 1997 and recorded as Instrument Number LR 970017701 among the land records of Stafford County, Virginia, Grantor is the owner of Lots 8, 10, 11 and 17 ("the Lots") as described in the aforesaid deed, located in the Wyche Industrial Park, Stafford County, Virginia.

R2: Grantor desires to provide for the maintenance of a portion of a temporary and non-exclusive right of way for ingress and egress known as "Venture Drive" from the Lots to State Route 702 ("Wyche Road").

NOW, THEREFORE, WITNESSETH, that the Grantor, for itself, its' successors and/or assigns, does hereby agree to maintain a portion of said Venture Drive so as to keep said Venture Drive passable year round for vehicular traffic to and from the Lots. The portion of Venture Drive to be maintained is shown as a cross-hatched area within an existing ingress-egress easement on a plat prepared by Bagby, Caldwell and Associates, P.C. entitled "EXHIBIT PLAT SHOWING APPROXIMATE ROAD LOCATION FOR MAINTENANCE AGREEMENT WYCHE INDUSTRIAL PARK", which plat is attached hereto and recorded herewith. This agreement to maintain said Venture Drive is intended to run with the land described herein until such time as said Venture Drive is taken into the Virginia Department of Highways System, at which time it will terminate. The cost of maintenance is to be shared equally between the owners' of the Lots.

WITNESS the following signature and seal:

Chesapeake-Stafford Associates, L.L.C.

By: [Signature]

William J. Blanton, Jr., Managing

Member

STATE OF MARYLAND

COUNTY OF ST. MARY'S, to-wit:

The foregoing Road Maintenance Agreement was acknowledged before me this 23rd day of December, 2003, by William J. Blanton, Jr, as Managing Member of Chesapeake-Stafford Associates, L.L.C., a Virginia limited liability company.

[Signature]
Notary Public

My Commission expires: 7/1/04

easement\blanton1

COMMONWEALTH OF VIRGINIA



OFFICIAL RECEIPT
STAFFORD COUNTY CIRCUIT COURT
DEED RECEIPT

DATE: 12/30/03 TIME: 09:42:23 ACCOUNT: 179CLR030053337 RECEIPT: 09000046853
CASHIER: NFK REG: SJ74 TYPE: A6 PAYMENT: FULL PAYMENT
INSTRUMENT : 030053337 BOOK: PAGE:
GRANTOR: CHESAPEAKE STAFFORD ASSOCIATES LLC
GRANTEE: CHESAPEAKE STAFFORD ASSOCIATES LLC
AND ADDRESS :
RECEIVED OF : JOHN A KAILA
CHECK : \$20.00
DESCRIPTION 1: ROAD MAINTENANCE AGREEMENT WYCHE INDUS PARK PAGES: 0
2: NAMES: 0
HAP:
CONSIDERATION:
CODE DESCRIPTION PAID CODE DESCRIPTION PAID
301 DEEDS 14.50 145 VSLF 1.50
106 TECHNOLOGY FUND FEE 3.00 442 TRANSFERS (113/315) 1.00

DATE OF DEED: 12/23/03

TENDERED : 20.00
AMOUNT PAID: 20.00
CHANGE AMT : .00

CLERK OF COURT: BARBARA G. DECATUR

Purina Tower, Suite 100
401 Charles Street
Fredericksburg, VA 22401
540-371-5171 373-4150 (fax)
email: hpalmer@hgp.biz

August 19, 2021

Clark Leming, Attorney

Via email to: lemingandhealy1@msn.com

Re: Wyche Road Industrial Park

Dear Mr. Leming,

Following are cost estimates to prepare:

240988 (2/24/2004) Site Plans for a Panel Plant on Lot 17, Wyche Industrial Park:
Mobilization, Research, Field Surveys, Site Plan to include grading, E&S Phases 1 &2,
geometric plan, Stormwater Management Plan and Narrative, Landscaping, Fire Lane,
Lighting plans, Address County Comments,
Easement Plats, Bonds, Permits **\$55,000.00**

2600656 (8/31/2006) Offsite Drainage and Easements for Lot 17
Including research preparation of storm drainage plan, including surveys, easement plats,
administrative costs, bond estimates and applicaiton **\$10,000.00**

Please let me know if you have any questions or need additional information.

Sincerely,



Hamilton G. Palmer, LS Lic. No. 1661

P M0400000035

OWNER'S CONSENT & DEDICATION

KNOW ALL MEN BY THESE PRESENTS, THAT THE PLATTING OF LAND SHOWN ON THIS PLAT, CONTAINING 12.457 ACRES AND DESIGNATED AS PLAT SHOWING DIVISION THE WYCHE INDUSTRIAL PARK, TAX MAP NO. 38-83D, IS APPROVED BY THE ROCKHILL MAGISTERIAL DISTRICT IN THE COUNTY OF STAFFORD, VIRGINIA, WITH FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS, PROPRIETORS AND TRUSTEES, IF ANY.

THE SAID 12.457 ACRES OF LAND HEREBY SHOWN WAS CONVERTED TO CHESAPEAKE-STAFFORD ASSOCIATES, L.L.C. FROM NATIONSBANK, N.A. BY DEED DATED NOVEMBER 18, 1997 AND RECORDED IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF STAFFORD COUNTY, VIRGINIA IN LAND RECORD 97007101 ON NOVEMBER 21, 1997.

OWNER: CHESAPEAKE-STAFFORD ASSOCIATES, L.L.C. DATE: 2-11-2004
(TITLE) WILLIAM J. BLANTON

NOTARY

COMMONWEALTH OF VIRGINIA
CITY/COUNTY OF STAFFORD, TO WIT:

THE FOREGOING WAS ACKNOWLEDGED BEFORE ME THIS 11th DAY OF February, 2004 BY:

William J. Blanton

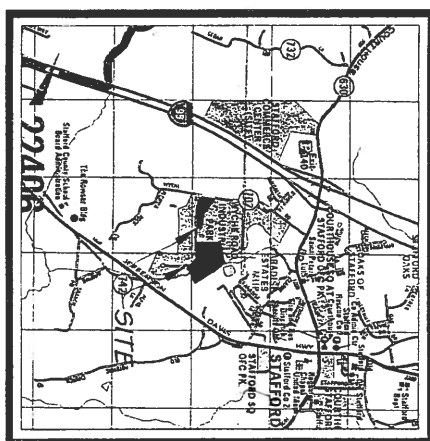
OWNER, CHESAPEAKE-STAFFORD ASSOCIATES, L.L.C.

GIVEN UNDER MY HAND AND SEAL THIS 11th DAY OF February, 2004

NOTARY PUBLIC

MY COMMISSION EXPIRES: 11-11-2004

- COUNTY REVIEW WAS NOT REQUIRED WHEN VENTURE DRIVE WAS CREATED ADDING FORMER LOT 10 WHICH IS NOW DEPICTED AS NEW PARCEL 10 AND NEW PARCEL 11



VICINITY MAP
1" = 2000'

OWNER/DEVELOPER

WILLIAM L. BLANTON
TAX MAP 38-83D
CHESAPEAKE-STAFFORD ASSOCIATES, L.L.C.
2501 EFFERSON DRIVE, SUITE 100
STAFFORD, VA 22654-1724
OFFICE (540) 458-0908
FAX (540) 458-0193

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL OF THE REQUIREMENTS OF STAFFORD COUNTY, VIRGINIA, REGARDING THE PLATTING OF LAND WITHIN THE COUNTY HAVE BEEN COMPLIED WITH.

THE SAID 12.457 ACRES OF LAND HEREBY SHOWN WAS CONVERTED TO CHESAPEAKE-STAFFORD ASSOCIATES, L.L.C. FROM NATIONSBANK, N.A. BY DEED DATED NOVEMBER 18, 1997 AND RECORDED IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF STAFFORD COUNTY, VIRGINIA IN LAND RECORD 97007101.

GIVEN UNDER MY HAND THIS 11th DAY OF Feb 2004

DARRELL H. CALDWELL, LAND SURVEYOR

CERTIFICATE OF APPROVAL

THE SUBDIVISION SHOWN AS "PLAT SHOWING DIVISION & DEDICATION OF WYCHE INDUSTRIAL PARK, TAX MAP NO. 38-83D" IS APPROVED BY THE REGULATIONS OF THE COUNTY OF STAFFORD AND MAY BE COMMITTED TO RECORD.

AGENT FOR THE COUNTY BOARD OF SUPERVISORS
DATE: 2/19/04

Chesapeake-Stafford
Associates to
WYCHE INDUSTRIAL PARK
TAX MAP NO. 38-83D
PM 0400000035
Feb 20, 2004

AREA TABULATION

EXISTING	
T.M. 38-83D (PART)	2.766 ACRES
PARCEL 8	
T.M. 38-83D (PART)	9.691 ACRES
T.M. 38-83D (TOTAL)	12.457 ACRES
PROPOSED	
T.M. 38-83D (PART)	2.766 ACRES
PARCEL 8	
NEW PARCEL 10	4.266 ACRES
NEW PARCEL 11	5.425 ACRES
TOTAL	12.457 ACRES

DATE	REVISIONS
1/04	COUNTY COMMENTS

B C A
BAGBY, CALDWELL and ASSOCIATES, P.C.
CIVIL ENGINEERS AND LAND SURVEYORS
2710 INDEPENDENCE STREET
FREDERICKSBURG, VIRGINIA 22401
TELEPHONE: (800) 717-1126
FAX: (540) 371-6291

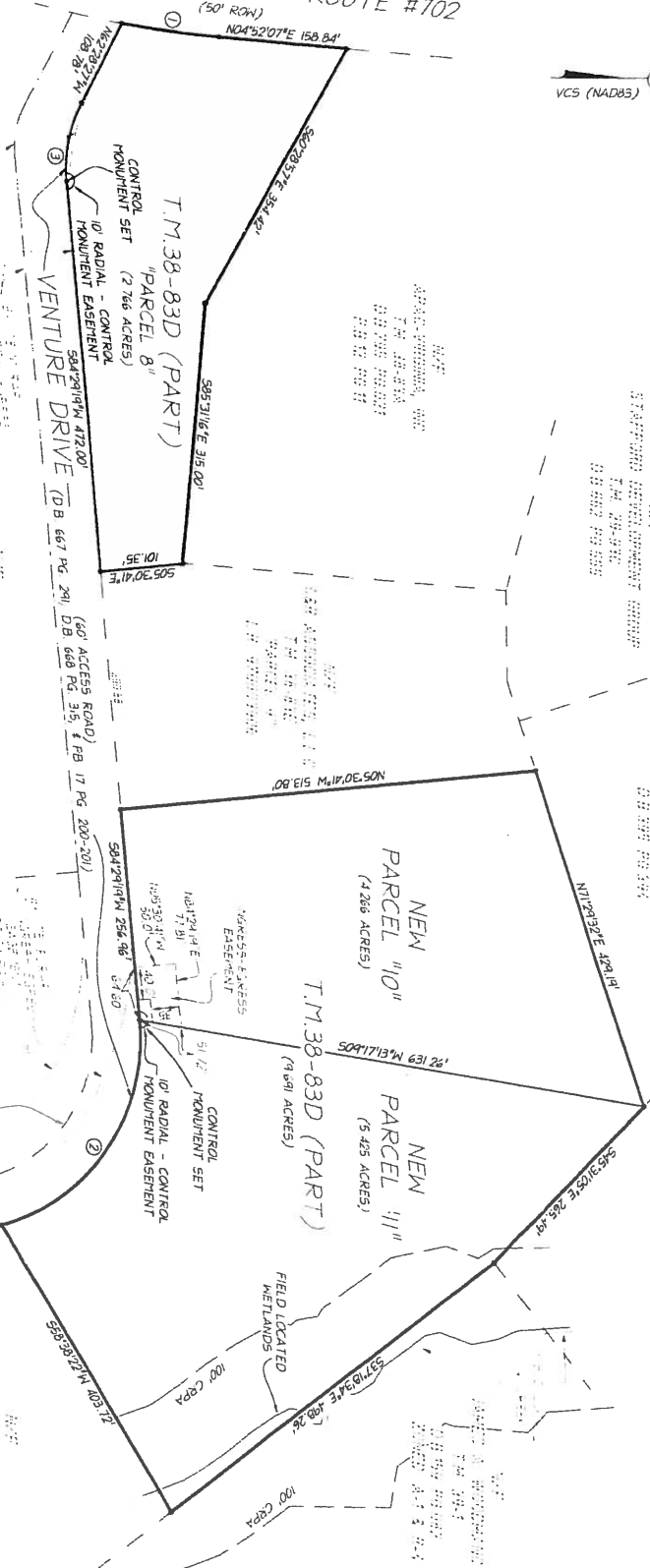
COMMONWEALTH OF VIRGINIA
DARRELL H. CALDWELL
CERTIFICATE NO. 1411
2/19/04
LAND SURVEYOR

PLAT SHOWING
DIVISION & DEDICATION ON
WYCHE INDUSTRIAL PARK
TAX MAP No. 38-83D
ROCKHILL MAGISTERIAL DISTRICT
STAFFORD COUNTY, VIRGINIA

DATE	AUGUST 1, 2003
SCALE	N/A
DESIGNED BY	
DRAWN BY	RLT
CHECKED BY	
FILE NAME	306-01-RP1
JOB NO	20306-01
SHEET	1 OF 2

P M0400000035

WYCHE ROAD - STATE ROUTE #702
(50' ROW)

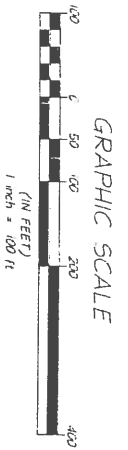


NOTES

1. TITLE REPORT NOT FURNISHED EASEMENTS AND/OR RIGHTS-OF-WAY MAY EXIST
2. THE PROPERTY SHOWN HEREON IS LOCATED ON STAFFORD COUNTY TAX MAP NO. 38-83D AND IS CURRENTLY ZONED I-1 (LIGHT INDUSTRIAL)
3. NO PORTION OF LAND HEREON IS LOCATED IN THE F.I.R. 100-YEAR SPECIAL FLOOD AREA ZONE, AS INDICATED ON THE FLOOD MAP DATED NOVEMBER 19, 1980. HOWEVER, THIS LAND IS LOCATED IN FLOOD ZONE "C" (AREAS OF MINIMAL FLOODING)
4. THIS SITE WILL BE SERVICED BY PUBLIC WATER AND SEWER
5. PERMANENT MONUMENTATION HAS BEEN SET AT ALL CORNERS IN ACCORDANCE WITH SECTION 22-132 (C) OF THE STAFFORD COUNTY ORDINANCE
6. A ROAD MAINTENANCE AGREEMENT BY CHESAPEAKE-STAFFORD ASSOCIATES, L.L.C. FOR MAINTENANCE OF VENTURE DRIVE AND WYCHE ROAD (WYCHE-EDGEMOOR EASEMENT) HAS BEEN RECORDED AT DIST NO. 03063337

CURVE TABLE

CURVE	LENGTH	RADIUS	DELTA	TAN	CURV BEARING	CHORD
1	119.48	131.75	57.046°	97.78	N07°21'30"E	119.44
2	326.14	295.00	77°35'53"	176.16	N55°42'50"W	300.02
3	98.02	170.00	33°02'14"	50.42	N78°59'34"W	96.67



<p>PLAT SHOWING</p> <p>DIVISION & DEDICATION ON</p> <p>WYCHE INDUSTRIAL PARK</p> <p>TAX MAP No. 38-83D</p> <p>ROCKHILL MAGISTERIAL DISTRICT</p> <p>STAFFORD COUNTY, VIRGINIA</p>				<p>DATE</p> <p>1/04</p> <p>REVISIONS</p> <p>COUNTY COMMENTS</p>
<p>CHECKED BY:</p> <p>FILE NAME: 38-01-RP</p> <p>JOB NO: 20366-01</p> <p>SHEET 2 OF 2</p>	<p>DATE</p> <p>AUGUST 1, 2003</p> <p>SCALE</p> <p>1" = 100'</p> <p>DESIGNED BY</p> <p>DRAWN BY: PLM</p>			

Exhibit H

Board of Supervisors

Mark Dudenhefer

Chairman

Paul V. Milde, III

Vice Chairman

Harry E. Crisp, II

Gary F. Snellings

Cord A. Sterling

Susan B. Stimpson

Robert "Bob" Woodson



County Administrator

Anthony J. Romanello, ICMA-CM

January 14, 2010

Chesapeake-Stafford Associates, LLC

2951 Jefferson Davis Highway

Stafford, Virginia 22554

Attn: Chesa Blanton

Subject: Vesting Determination
Tax Map 38-83H, Zoned B-3, Office

Dear Ms. Blanton:

This letter is in response to your vesting determination formally requested October 6, 2009 on behalf of Chesapeake-Stafford Associates, LLC.

Pursuant to the Code of Virginia 15.2-2307 (1950) as amended, I have determined that the landowner's rights are not vested in land use under the M-1, Light Industrial, zoning district. The division and dedication plat of tax map 38-83D approved February 19, 2004, which created lot 38-83H was a significant affirmative governmental act and remains in effect. However, even though the subdivision plat remains in effect, there has been no County approval of a plan of development for any specific use of the property. Therefore, even though there have been substantial expenditures associated with erosion and sediment control design for the existing road and turnaround as well as engineering for the subject lot, this was not in pursuit of a specific project, plan of development or specific use of the property. Accordingly, the property is not vested for zoning, and the use of the property must conform to the current zoning classification of the property.

This determination may be appealed to the Board of Zoning Appeals within thirty (30) days from receipt of this letter, in accordance with 15.2-2311 of the Code of Virginia, or this decision shall be final and unappealable.

Sincerely,

Rachel T. Hudson

Zoning Administrator

Joseph L. Howard, Jr.

County Attorney

Cc: Anthony Romanello, County Administrator
Mike Neuhard, Deputy County Administrator
Jeff Harvey, Director, Planning & Zoning

1300 Courthouse Road P.O. Box 338
Stafford VA 22555-0338
Phone: 540.658.6603 Fax: 540.658.7643
www.StaffordCountyVa.gov

George Washington's
Boyhood Home



VIRGINIA:

IN THE CIRCUIT COURT OF STAFFORD COUNTY

IN RE: SEPTEMBER 28, 2010
DECISION OF THE BOARD OF
ZONING APPEALS OF STAFFORD
COUNTY, VIRGINIA - APPEAL
A10-1/1000030

CASE NO.: CL10001425-00

FINAL ORDER

THIS CAUSE CAME to be heard on the 15th day of August, 2011, upon the Petition for Writ of Certiorari of the September 28, 2010, decision of the Board of Zoning Appeals of Stafford County, Virginia ("BZA") to overturn the Stafford County Zoning Administrator's determination in Appeal A10-1/1000030. Such Petition was submitted by the Board of Supervisors of Stafford County, Virginia, moving this Court, after reviewing the case, to enter an order: (1) upholding the Zoning Administrator's determination that Chesapeake-Stafford Associates, LLC's rights are not vested in land use under the M-1, Light Industrial, Zoning District; (2) reversing the BZA's September 28, 2010, decision in Appeal A10-1/1000030; and (3) granting such other and further relief as is just and equitable. Further, the parties represented to the Court that no testimony was necessary for the proper disposition of the matter.

UPON REVIEW of the BZA record, and the memoranda of law and oral arguments submitted by counsel of record, the Court finds that: (1) testimony was not necessary for the proper disposition of the matter; (2) the BZA's September 28, 2010, decision is supported by the findings and conclusions of the BZA on questions of fact, which are reasonably inferred by such decision and presumed to be correct under Virginia Code §15.2-2314; and (3) Chesapeake-Stafford Associates, LLC (i) obtained or was the beneficiary of a significant affirmative

9.12.11

CS

HCL

1366

9.21.11

JC

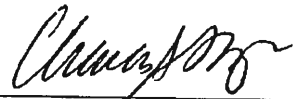
governmental act which remains in effect allowing development of a specific project, (ii) relied in good faith on the significant affirmative governmental act, and (iii) incurred substantial expenses in diligent pursuit of the specific project in reliance on the significant affirmative governmental act. Accordingly, it is hereby

ORDERED that:

1. The BZA's September 28, 2010, decision overturning the Stafford County Zoning Administrator's determination in Appeal A10-1/1000030 is affirmed;
2. Chesapeake-Stafford Associates, LLC's rights are vested in all permitted uses under the M-1, Light Industrial, Zoning District; and
3. This case is dismissed with prejudice.

The Clerk is directed to mail a copy of this Final Order to all counsel listed below once entered by this Court.

ENTERED this 12th day of September, 2011.



Hon. Charles S. Sharp, Judge
Stafford County Circuit Court

SEEN AND AGREED TO:

By: 

H. Clark Leming, VSB #24633

Kevin M. Stokes, VSB#71490

Leming and Healy P.C.

Post Office Box 445

Garrisonville, VA 22463

Telephone: (540) 659-5155


Facsimile: (540) 659-1651

Counsel for Chesapeake-Stafford Associates, LLC

SEEN AND OBJECTED TO:

For all the reasons stated in the Board of Supervisors' (the "Board") pleadings and memoranda, and for all the reasons stated during oral argument, including, but not limited to, the following: there was no evidence presented establishing that Chesapeake-Stafford Associates, LLC ("CSA") had the County's approval for the development of a "specific project," as required by Virginia Code § 15.2-2307; CSA failed to establish prongs one and three of the vested rights test in Virginia Code § 15.2-2307 because there was no evidence of a "specific project;" CSA's expenditures were not made in diligent pursuit of a "specific project," but were made for general development of the property and preparing the property for subdivision; the final subdivision plat did not allow the development of a "specific project;" CSA failed to meet its burden of presenting "clear, express, and unambiguous" evidence to establish its alleged vested right (as required by Hale v. Board of Zoning Appeals for the Town of Blacksburg, 277 Va. 250, 274 (2009)); the Circuit Court did not rule on the Board's argument that, even if CSA met the requirements of Virginia Code § 15.2-2307, CSA did not obtain a vested right to develop its property in the M-1, Light Industrial zoning classification because the County did not "affirmatively act[] upon" CSA's right to develop its property in that zoning classification or CSA's rights regarding any land use (as required by Hale v. Board of Zoning Appeals for the Town of Blacksburg, 277 Va. 250, 274 (2009)); and even if CSA met the requirements of Virginia Code § 15.2-2307, CSA did not obtain a vested right to develop its property under the M-1, Light Industrial zoning classification because the County did not "affirmatively act[] upon" CSA's right to develop its property in that zoning classification or CSA's rights regarding any land use (as required by Hale v. Board of Zoning Appeals for the Town of Blacksburg, 277 Va. 250, 274 (2009)). The Board also objects to the Circuit Court's consideration of the past history of the property at issue, including, but not limited to, the property's 1975 rezoning, the 1989 preliminary subdivision plan, the 1989 construction plan, and the 1998 revised construction plan, in determining whether there was a "specific project." The Board did not waive any of its asserted arguments or make any concessions in its pleadings or memoranda, or during oral argument.

STAFFORD COUNTY ATTORNEY

By: 

Charles L. Shumate (VSB No. 06181), County Attorney

Alan F. Smith (VSB No. 73423), Deputy County Attorney

Rysheda M. McClendon (VSB No. 78802), Assistant County Attorney

Keith H. Bensten (VSB No. 76496), Assistant County Attorney

Stafford County Attorney's Office

P.O. Box 339

Stafford, VA 23555-0339

Telephone: (540) 658-8636

Facsimile: (540) 658-4530

*Counsel for Petitioner, the Board of Supervisors of
Stafford County, Virginia*