

GEORGE I. VOGEL, II  
JAMES R. CROMWELL  
GEORGE I. VOGEL, III  
CHRISTIAN "KIRK" VOGEL

LAW OFFICES  
VOGEL & CROMWELL, L.L.C.  
204 McCLANAHAN ST., S.W.  
ROANOKE, VA 24014

P.O. Box 18188, ROANOKE, VA 24014  
(540) 982-1220  
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SMITH MOUNTAIN LAKE OFFICE  
13245 B.T. WASHINGTON HWY., SUITE B  
HARDY, VA 24101

(540) 721-3988  
FAX (540) 721-1978

October 7, 2019

**(VIA HAND DELIVERY)**

Franklin County  
Board of Zoning Appeals  
c/o Steve Sandy  
Director of Planning  
1255 Franklin Street, Suite 103  
Rocky Mount, VA 24151

**RE: Lot 7, Section I Chestnut Creek Subdivision  
Variance from Front Lot Line Setback**

Dear Steve:

Enclosed please find an Application for Variance on behalf of my client Wanda G. Redmond, Sole Surviving Trustee of the Redmond Living Trust dated March 8, 2005. This application seeks a variance to the front lot line set back requirements of Section 25-298 of the Franklin County Code. I have attached a survey of the property showing the property and the as-built dimensions of the home located on the property.

As you will see, the corner of the home closest to the front lot line is only 21' from the right of way of Chestnut Creek Drive. The variance requests that the house be permitted to remain in its current location by reducing the front lot line set back to 21' as shown on the survey. The cost and hardship of correcting the violation greatly outweigh any damage as a result of the variance.

The house located on Lot 7, Section 1, Chestnut Creek was built in 1994. Mrs. Redmond purchased the home with her late husband in November, 2003. At the time of their purchase, Mr. and Mrs. Redmond were not aware of the setback violation and were not made aware of the problem until my firm was retained by a potential purchaser of the home.

It appears that this issue may be the result of the abnormal circumstances along Chestnut Creek Drive in front of Lot 7. Chestnut Creek drive was created by that "Plat of Section No. 1 Chestnut Creek dated May 12, 1988 prepared by Lumsden & Associates, P.C. and recorded in the Clerk's Office of the Circuit Court for the County of Franklin, Virginia in Deed Book 433, Page 1422. A copy of the plat for Section 1 is attached hereto. As you will see, the right of way for Chestnut Creek is a

October 7, 2019

Page # 2

variable width right of way in front of Lot 7 and it is significantly wider than 50'. However, looking at the County records as they appear on the GIS, Chestnut Creek is shown as a standard width 50' right of way. I have attached two printouts from the County GIS showing the right of way dimensions and the location of the house in relation to the road and the neighboring properties.

As a result of the variable width of the road and the incorrect data shown in the County records, someone measuring from the center the road and believing Chestnut Creek to be a 50' wide right of way, would have miscalculated the location of the edge of the right of way and subsequently mistaken the location of the 30' set back. It is easy to see how the location of the house could have been unknowingly placed within the 30' setback.

The granting of this variance with permit Mrs. Redmond to sell her home without substantial and expensive modification to the home that will only reduce its value. The variance will not be of any detriment to the adjacent properties whose structures appear to be as close to the right of way as Mrs. Redmond's home. Finally, given the unusual configuration of Chestnut Creek Drive, this appears to be a unique situation that applies only to a few properties at the entrance to the Chestnut Creek Subdivision.

Thank you for your assistance with this matter. Please let me know if you need any additional information regarding this application. Thank you.

Very Truly Yours,

Vogel & Cromwell, LLC

A handwritten signature in blue ink, appearing to read 'G. Vogel', written over a circular stamp or mark.

George L. Vogel, III

cc: Mrs. Wanda G. Redmond

Oct. 3. 2019 9:50AM

No. 0793 P. 1

**FRANKLIN COUNTY  
APPLICATION  
FOR VARIANCE  
(Type or Print)**

I/We, George I. Vogel, III, as Owner(s), Contract Purchasers, or Owner's Authorized Agent of the property described below, hereby apply to the Franklin County Board of Zoning Appeals for a variance from requirements of the Zoning Ordinance as hereinafter described:

- 1. Applicant's Name: George I. Vogel, III
- 2. Property Owner's Name: Wanda G. Redmond, Sole Surviving Trustee
- 3. Address of Property: 55 Chestnut Creek Drive, Hardy, VA 24101
- 4. Phone Number: 1-336-317-8956
- 5. Exact Directions to Property from Rocky Mount: Rte. 40 East; Left on Rte. 122; Left on Morewood Road (Rte. 616); Left on Chestnut Creek Drive to house on left.

6. Tax Map and Parcel Number: 0150500700

7. Magisterial District: Gills Creek

8. Property Information:

A. Size of Property: 0.667 acre

B. Existing Land Use: Single Family Residential

C. Existing Zoning: RPD

D. Is property located within any of the following overlay zoning districts:

     Corridor District   X   Westlake Overlay District      Smith Mountain Lake Surface District

E. Is any land submerged under water or part of a lake? Yes      No   X  

If yes, explain: \_\_\_\_\_  
\_\_\_\_\_

F. Describe how the strict application of the ordinance would unreasonably restrict the use of the property or how the granting of the variance would alleviate a hardship due to a physical condition of the property: (See attached letter)  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**9. Proposed Development Information:**

A. Proposed Land Use: Single Family Residential

B. Proposed Zoning: RPD

C. Size of Proposed Use: (same)

- Section of the Zoning Ordinance for which a variance is being requested: 25-298  
(Zoning Code section must be correct and all applicable code sections included in request.)

Oct. 3. 2019 9:51AM

No. 0793 P. 3

1.

**Checklist for completed items:**

- Application Form
- Letter of Application
- Concept Plan
- Application Fee

I certify that this application for a variance and the information submitted herein is correct and accurate.

Applicant's Name (Print): George I. Vogel, III

Signature of Applicant: 

Date: 10/2/2019

Mailing Address: 204 McClanahan Street, S.W.  
Roanoke, VA 24014

Telephone: 540-982-1220

Email Address (optional): gvogel13@vogelandcromwell.com

Owner's consent, if applicant is not property owner:

Owner's Name (Print): Wanda G. Redmond, Sole Surviving Trustee

Signature of Owner: 

Date: 10-3-2019

Date Received by Planning Staff: \_\_\_\_\_

Time: \_\_\_\_\_

Clerk's Initials: \_\_\_\_\_

CHECK#: \_\_\_\_\_

RECEIPT #: \_\_\_\_\_

AMOUNT: \_\_\_\_\_

**CURRENT OWNER - DONALD R. REDMOND  
WANDA G. REDMOND  
TRUSTEES  
DB 844, PG 1888**

REFERENCE - TAX No. 15.5-7

LOT 7, SECTION 1, CHESTNUT CREEK  
PLAT: DB 433, PG 1482

**NOTES:**

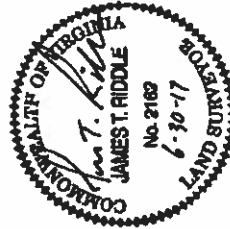
THIS IS A RE-SURVEY OF AN EXISTING LOT AND IS  
IS EXEMPT FROM THE FRANKLIN COUNTY  
SUBDIVISION ORDINANCE.

ALL IRON RODS SET ARE 6/8" REBAR.

THIS SURVEY WAS PERFORMED WITHOUT THE  
BENEFIT OF A TITLE REPORT AND THEREFORE  
MAY NOT NECESSARILY INDICATE ALL ENCUMBRANCES  
UPON THE PROPERTY.

THIS IS TO CERTIFY THAT THE PROPERTY  
SHOWN HEREON IS NOT LOCATED WITHIN  
THE 100 YEAR FLOOD ZONE AS DETERMINED BY THE  
DEPARTMENT OF HOMELAND SECURITY AND F.E.M.A.  
ZONE X, FRM 51087001150, DATED 1-8-10

THIS IS TO CERTIFY THAT ON JUNE 30  
2017 AN ACCURATE SURVEY WAS MADE OF THE  
PREMISES SHOWN HEREON AND THAT THERE  
ARE NO EASEMENTS OR ENCROACHMENTS VISIBLE  
ON THE GROUND OTHER THAN THOSE SHOWN  
HEREON.

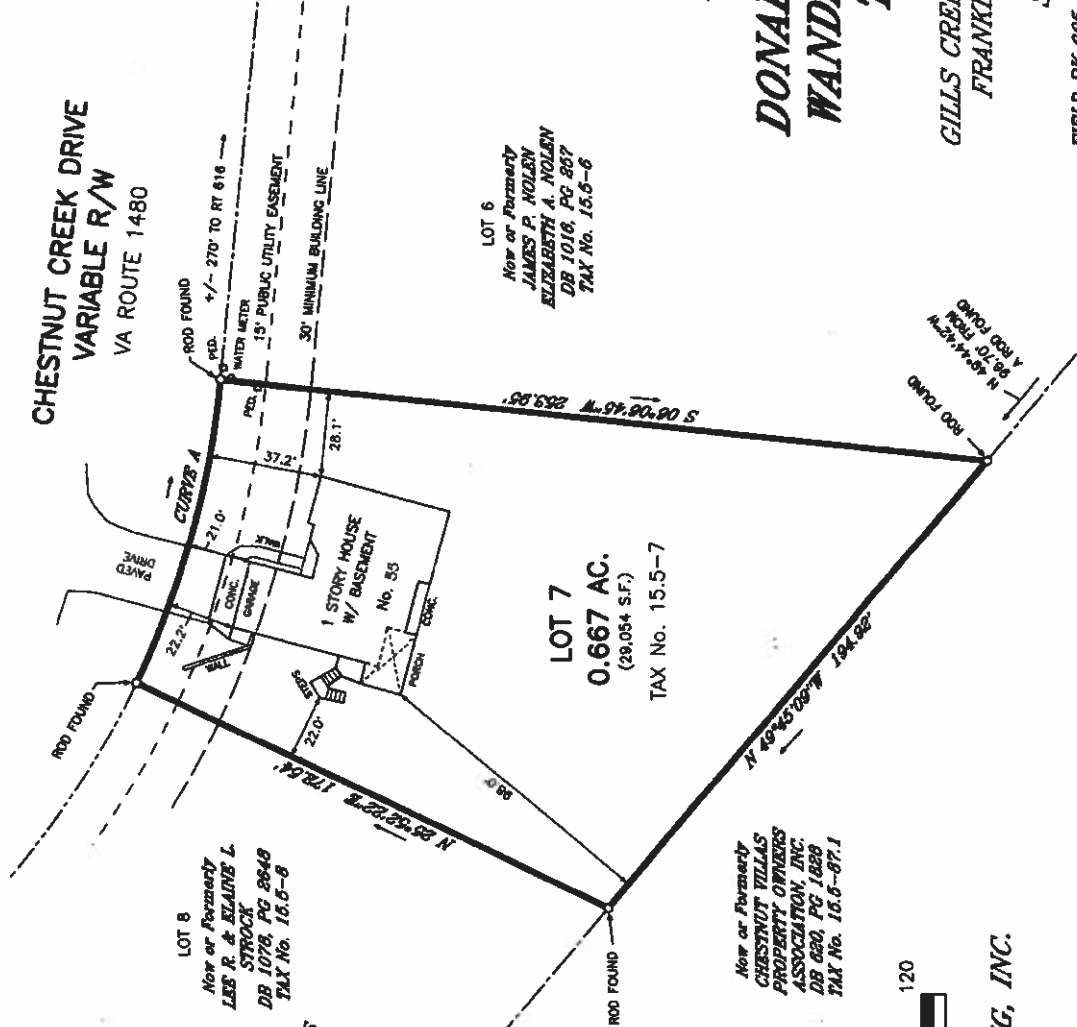


**CORNERSTONE LAND SURVEYING, INC.**

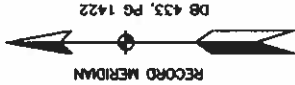
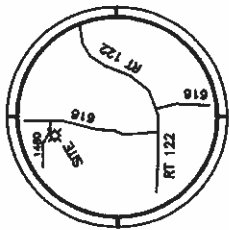
850 SOUTH MAIN STREET  
P. O. BOX 779  
ROCKY MOUNT, VIRGINIA 24151  
840-489-3590

| CURVES | RADIUS  | TANGENT | LENGTH  | DELTA     | CHORD   | CH. BEARING  |
|--------|---------|---------|---------|-----------|---------|--------------|
| A      | 306.52' | 53.05'  | 105.05' | 19°43'08" | 104.53' | N 74°04'48"W |

**CHESTNUT CREEK DRIVE  
VARIABLE R/W  
VA ROUTE 1480**



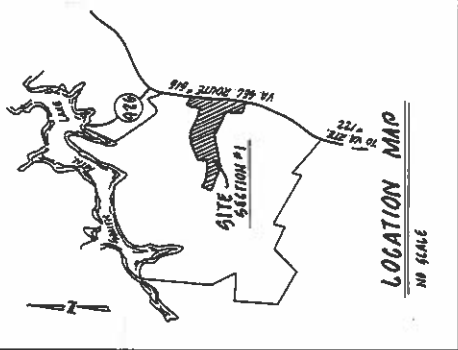
**LOCATION MAP**



**PLAT OF SURVEY  
PREPARED FOR  
DONALD R. REDMOND  
WANDA G. REDMOND  
TRUSTEES**

LOCATED IN  
GILLS CREEK MAGISTERIAL DISTRICT  
FRANKLIN COUNTY, VIRGINIA  
JUNE 30, 2017  
SCALE 1" = 40'

FIELD BK 665, JOB No. 17218, DRAWING No. B-3151



LOCATION MAP  
NW 6446

IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF FRANKLIN COUNTY, VIRGINIA, THIS PLAT WITH THE CERTIFICATE OF ADEQUACY AND DOCUMENT THEREIN INCORPORATED IS FILED IN BOOK NO. 0' CLOCK - N. 1988, AT TESTER: \_\_\_\_\_ CLERK: \_\_\_\_\_ DEPUTY CLERK: \_\_\_\_\_

RESTRICTIONS AND COVENANTS:  
1. ALL OWNERS OF PROPERTY WITHIN CHESTNUT CREEK MUST BECOME MEMBERS OF THE CHESTNUT CREEK PROPERTY OWNERS ASSOCIATION, INC., AND WILL BE REQUIRED TO PAY DUES TO SAID ASSOCIATION AS PROVIDED IN THE BY-LAWS WHICH WILL BE DEPOSITED ON LOTS SUBJECT TO A UNIFORM DUES AND ASSESSMENTS SCHEDULE.  
2. A CENTRAL WATER SYSTEM WILL BE ESTABLISHED AND EACH PROPERTY OWNER WILL BE RESPONSIBLE FOR PAYING HIS SHARE OF THE COSTS OF SUCH SYSTEM AND FOR THE MAINTENANCE AND REPAIRS THEREON.  
3. A CENTRAL SEWER SYSTEM MAY BE ESTABLISHED AND EACH PROPERTY OWNER WILL BE RESPONSIBLE FOR PAYING HIS SHARE OF THE COSTS OF SUCH SYSTEM AND FOR THE MAINTENANCE AND REPAIRS THEREON.  
4. OWNER, DEVELOPER RESERVES RIGHT TO ESTABLISH A 20' PUBLIC UTILITY EASEMENT ON 20' DRAINAGE EASEMENT, 10' EASEMENT FOR ALL UTILITIES, PUBLIC UTILITY EASEMENTS (PUE) AND BUILDING SETBACK LINES MAY BE ESTABLISHED ON THIS PLAT OR BY SEPARATE RESTRICTION.

TOTAL ACREAGE 22.01 ACRES  
PLAT OF SECTION No. 1  
"CHESTNUT CREEK"  
PROPERTY OF CHESTNUT CREEK PROPERTIES, INC.  
GULLS CREEK MAGISTERIAL DISTRICT FRANKLIN COUNTY, VIRGINIA

SCALE: 1" = 100' DATE: 12 MAY 1988  
BUFORD T. LUMSDEN & ASSOCIATES, P.C. ENGINEERS - SURVEYORS  
ROANOKE, VIRGINIA #67-483

KNOW ALL MEN BY THESE PRESENTS, TO WIT: THAT CHESTNUT CREEK PROPERTIES, INC. IS THE TRUE AND PROPER OWNER AND PROPRIETOR OF THE LAND SHOWN HEREON TO BE DEVELOPED AS A RESIDENTIAL SUBDIVISION, AND SAID LAND IS SHOWN HEREON AS BEING PART OF THE LAND COMPRISING PART OF THE LAND CONVEYED TO SAID OWNER BY DEED DATED DECEMBER 15, 1987 FROM MARGARET W. CURRIE TO SAID OWNER, AND ALSO COMPRISING PART OF THE LAND CONVEYED TO SAID OWNER BY DEED DATED JANUARY 11, 1988 FROM SAMUEL W. CURRIE AND DOROTHY V. CURRIE TO SAID OWNER, AND ALSO COMPRISING PART OF THE LAND CONVEYED TO SAID OWNER BY DEED DATED JANUARY 11, 1988 FROM M. E. CUNDIFF, ET UX AND PART OF THE LAND CONVEYED TO SAID OWNER BY DEED DATED JANUARY 11, 1988 FROM F. D. BALDWIN AND CALVIN L. LILLY, TRUSTEES, SECURING CENTRAL FIDELITY BANK, INC., BENEFICIARY DATED JANUARY 11, 1988 AND RECORDED IN THE AFORESAID CLERK'S OFFICE IN DEED BOOK 425, PAGE 1433 WHICH LAND IS ALSO SUBJECT TO A SECOND DEED OF TRUST TO CHARLES L. WILLIAMS, JR. AND WILLIAM R. RAKES, TRUSTEES SECURING SAMUEL W. CUNDIFF AND DOROTHY V. CURRIE, BENEFICIARIES DATED JANUARY 11, 1988 AND RECORDED IN THE AFORESAID CLERK'S OFFICE IN DEED BOOK 425, PAGE 1486.

THE SAID OWNER CERTIFIES THAT IT HAS SUBDIVIDED THIS LAND AS SHOWN HEREON ENTIRELY WITH ITS OWN FREE WILL AND CONSENT AND PURSUANT TO AND IN COMPLIANCE WITH SECTIONS 15-1 THROUGH 15-467 OF THE VIRGINIA CODE OF 1970, AS AMENDED TO DATE, AND FURTHER PURSUANT TO AND IN COMPLIANCE WITH THE FRANKLIN COUNTY LAND SUBDIVISION ORDINANCES.

THE SAID OWNER WITH CONSENT OF THE UNDERSIGNED TRUSTEES DOES, BY VIRTUE OF THE RECORDATION OF THIS PLAT, DEDICATE IN PER SIMPLE TO THE COUNTY OF FRANKLIN, ALL OF THE LAND EMBRACED WITHIN THE STREETS OF THIS SUBDIVISION AND ALL OF THE EASEMENTS ARE HEREBY DEDICATED FOR PUBLIC USE.

THE SAID OWNER DOES AS A CONDITION PRECEDENT TO THE APPROVAL OF THIS PLAT AND SUBDIVISION AND THE ACCEPTANCE OF THE DEDICATION OF THE STREETS SHOWN HEREON BY THE BOARD OF SUPERVISORS OF FRANKLIN COUNTY, VIRGINIA, ON ITS OWN BEHALF AND FOR AND ON ACCOUNT OF ITS HEIRS, SUCCESSORS, DEVISEES AND ASSIGNS, SPECIFICALLY RELEASE THE COUNTY AND THE VIRGINIA DEPARTMENT OF TRANSPORTATION FROM ANY AND ALL CLAIMS OR DAMAGES WHICH SUCH OWNER, ITS HEIRS, SUCCESSORS, DEVISEES AND ASSIGNS MAY OR MIGHT HAVE AGAINST THE COUNTY OR VIRGINIA DEPARTMENT OF TRANSPORTATION BY REASON OF ESTABLISHING PROPER GRADE LINES ON AND ALONG SUCH STREETS AND BY REASON OF DOING SUCH WORK, INCLUDING CHANGING STREETS, THE PURPOSE OF WHICH IS TO IMPROVE THE FUTURE USE AND TRAVEL OF SUCH STREETS, AND TO ESTABLISH AND SAID COUNTY OR VIRGINIA DEPARTMENT OF TRANSPORTATION SHALL NOT BE REQUIRED TO CONSTRUCT ANY RETAINING WALL OR WALLS ALONG THE STREETS AND PROPERTY LINES THEREON.

IN WITNESS WHEREOF ARE HEREBY PLACED THE FOLLOWING SIGNATURES AND SEALS ON THIS 13th DAY OF June 1988.

BY: David C. Smith DAVID C. SMITH, PRESIDENT, CHESTNUT CREEK PROPERTIES, INC. BY: Calvin L. Lilly CALVIN L. LILLY, TRUSTEE

BY: William R. Rakes WILLIAM R. RAKES, TRUSTEE BY: Samuel W. Cundiff SAMUEL W. CUNDIFF, BENEFICIARY

BY: Charles L. Williams, Jr. CHARLES L. WILLIAMS, JR., TRUSTEE BY: Dorothy V. Cundiff DOROTHY V. CUNDIFF, BENEFICIARY

STATE OF VIRGINIA  
City of Roanoke  
I, Cathy Lynn Leard, A NOTARY PUBLIC IN AND FOR THE AFORESAID STATE AND STATE CLERK OF THE COUNTY OF FRANKLIN, DO HEREBY CERTIFY THAT DAVID C. SMITH, PRESIDENT, CHESTNUT CREEK PROPERTIES, INC., F. D. BALDWIN, CALVIN L. LILLY, WILLIAM R. RAKES, TRUSTEES AND Samuel W. Cundiff, Dorothy V. Cundiff, BENEFICIARIES WITH ME TO THE FOREGOING WRITING DATED June 13, 1988 AND HAS PERSONALLY APPEARED BEFORE ME IN MY OFFICE AND ACKNOWLEDGED THE SAME ON June 13, 1988 ON BEHALF OF THEMSELVES AND THE COMPANIES THEY REPRESENT.  
MY COMMISSION EXPIRES ON July 28, 89  
Cathy Lynn Leard  
NOTARY PUBLIC



- NOTES:
- FOR DRAINFIELD LOCATIONS AND OTHER SPECIFIC INFORMATION, SEE PLAT ON FILE AT THE FRANKLIN COUNTY HEALTH DEPARTMENT.
  - IRON PINS SET AT ALL CORNERS UNLESS OTHERWISE NOTED.
  - THIS PROPERTY, AS PLATTED, DOES NOT FALL WITHIN THE FEDERAL INSURANCE RATE MAP ONE HUNDRED YEAR FLOOD PLAIN.
  - BOUNDARY CLOSURE AND ALL LOT CLOSURES ARE GREATER THAN ONE IN TEN THOUSAND.
  - OWNER, DEVELOPER AGREES TO CONSTRUCT A CENTRAL WATER SYSTEM FOR CHESTNUT CREEK SUBDIVISION.
  - THERE WILL BE AN 30' SETBACK FROM ANY IRRIGATED PORTION OF THE GOLF COURSE. SEPARATE COVENANTS AND RESTRICTIONS WILL BE RECORDED SEPARATELY FROM THIS PLAT AND WILL AFFECT THE USE OF THE PROPERTY.
  - OWNER, DEVELOPER MAY CONSTRUCT A CENTRAL SEWER SYSTEM FOR CHESTNUT CREEK SUBDIVISION.
  - OWNER, DEVELOPER RESERVES RIGHT, PRIVILEGE, AND POWER TO GRANT ANY PUBLIC UTILITY AND/OR DRAINAGE EASEMENTS OVER ANY PORTION OF PLATTED LOTS, PROVIDED THAT NO SUCH EASEMENT WILL INTERFERE WITH APPROVED DRAINAGE PATTERNS.
  - THIS IS A PHASED DEVELOPMENT AND EACH PURCHASER IS ADVISED THAT THE DEVELOPER MAY EXPAND THE DEVELOPMENT ONTO PROPERTY NOW OWNED BY THE DEVELOPER OR ONTO PROPERTY TO BE PURCHASED BY THE DEVELOPER. THERE IS NO GUARANTEED MAXIMUM OR MINIMUM NUMBER OF LOTS TO BE DEVELOPED.
  - ALL AREAS SHOWN AS PORTIONS OF A GOLF COURSE AND ALL AREAS NOT SPECIFICALLY SHOWN AS LOTS WILL BE RETAINED BY THE DEVELOPER AND WILL BE USED BY THE DEVELOPER, ITS SUCCESSORS OR ASSIGNS AS A SEPARATE PASTURE. NO AREAS EXCEPT THOSE SPECIFICALLY SHOWN AS LOTS SHALL HAVE ANY ABSOLUTE PROPERTY RIGHT TO USE ANY AREAS NOT SPECIFICALLY DESIGNATED AS A COMMON AREA.

| CURVE | ANGLE     | RADIUS | LENGTH | CHORD  | TANGENT |
|-------|-----------|--------|--------|--------|---------|
| C-1   | 05°48'22" | 948.03 | 96.07  | 96.03  | 48.06   |
| C-2   | 90°00'00" | 35.00  | 54.36  | 49.50  | 35.00   |
| C-3   | 39°22'58" | 305.38 | 209.31 | 205.80 | 109.29  |
| C-4   | 19°42'00" | 305.38 | 105.00 | 104.48 | 52.02   |
| C-5   | 19°42'00" | 305.38 | 104.91 | 104.39 | 52.02   |
| C-6   | 48°00'00" | 395.00 | 317.13 | 308.88 | 167.87  |
| C-7   | 08°51'54" | 395.00 | 100.00 | 99.48  | 75.01   |
| C-8   | 08°51'54" | 395.00 | 100.00 | 99.48  | 75.01   |
| C-9   | 29°42'30" | 395.00 | 157.13 | 156.00 | 79.49   |
| C-10  | 90°00'00" | 25.00  | 39.27  | 35.36  | 25.00   |
| C-11  | 90°00'00" | 25.00  | 39.27  | 35.36  | 25.00   |
| C-12  | 11°17'20" | 325.00 | 64.03  | 63.93  | 32.12   |
| C-13  | 42°00'00" | 274.59 | 201.28 | 196.80 | 105.40  |
| C-14  | 32°58'07" | 274.59 | 158.00 | 155.83 | 81.25   |
| C-15  | 09°01'32" | 274.59 | 43.28  | 43.24  | 21.69   |
| C-16  | 01°48'37" | 274.59 | 35.88  | 35.84  | 17.93   |
| C-17  | 02°41'05" | 274.59 | 32.91  | 32.87  | 16.46   |
| C-18  | 07°44'05" | 274.59 | 27.83  | 27.79  | 13.91   |
| C-19  | 08°48'37" | 274.59 | 25.00  | 24.96  | 12.50   |
| C-20  | 01°45'04" | 425.00 | 309.70 | 308.79 | 162.00  |
| C-21  | 08°15'44" | 425.00 | 48.45  | 48.43  | 24.25   |
| C-22  | 08°15'49" | 425.00 | 48.45  | 48.43  | 24.25   |
| C-23  | 17°15'31" | 425.00 | 135.23 | 134.66 | 68.19   |
| C-24  | 30°51'13" | 425.00 | 128.02 | 127.54 | 64.50   |
| C-25  | 30°51'13" | 425.00 | 293.60 | 291.02 | 148.69  |
| C-26  | 42°04'27" | 475.00 | 340.81 | 341.02 | 182.69  |
| C-27  | 42°00'00" | 274.59 | 201.28 | 196.80 | 105.40  |
| C-28  | 42°00'00" | 274.59 | 237.83 | 232.64 | 124.60  |
| C-29  | 01°25'38" | 324.59 | 34.59  | 34.51  | 17.25   |
| C-30  | 01°25'38" | 324.59 | 34.59  | 34.51  | 17.25   |
| C-31  | 30°13'46" | 250.00 | 136.26 | 135.33 | 67.52   |
| C-32  | 42°42'52" | 230.00 | 105.38 | 104.90 | 57.72   |
| C-33  | 20°08'19" | 300.00 | 186.58 | 185.34 | 94.67   |
| C-34  | 20°08'19" | 300.00 | 186.58 | 185.34 | 94.67   |
| C-35  | 25°38'47" | 445.00 | 199.19 | 197.53 | 101.29  |
| C-36  | 11°11'46" | 445.00 | 86.36  | 84.82  | 43.82   |
| C-37  | 11°11'46" | 445.00 | 86.36  | 84.82  | 43.82   |
| C-38  | 39°22'58" | 330.38 | 158.35 | 155.28 | 82.45   |
| C-39  | 90°00'00" | 445.00 | 54.36  | 49.50  | 35.00   |
| C-40  | 07°21'35" | 445.00 | 57.21  | 57.17  | 28.64   |
| C-41  | 07°21'35" | 445.00 | 57.21  | 57.17  | 28.64   |
| C-42  | 08°51'54" | 445.00 | 100.00 | 99.48  | 75.01   |
| C-43  | 08°51'54" | 445.00 | 100.00 | 99.48  | 75.01   |
| C-44  | 10°13'30" | 555.00 | 102.32 | 101.87 | 51.93   |
| C-45  | 12°25'20" | 555.00 | 122.32 | 121.87 | 61.93   |
| C-46  | 01°08'08" | 605.00 | 11.99  | 11.99  | 6.00    |
| C-47  | 01°08'08" | 605.00 | 11.99  | 11.99  | 6.00    |
| C-48  | 04°44'56" | 455.00 | 35.23  | 35.22  | 17.62   |
| C-49  | 12°42'00" | 355.00 | 119.37 | 118.42 | 60.70   |
| C-50  | 28°39'13" | 300.78 | 150.42 | 148.88 | 76.82   |
| C-51  | 10°18'40" | 475.00 | 85.21  | 85.09  | 42.72   |
| C-52  | 44°52'13" | 35.00  | 43.07  | 41.98  | 22.71   |
| C-53  | 08°22'10" | 25.00  | 2.76   | 2.76   | 1.39    |
| C-54  | 39°35'48" | 230.78 | 174.84 | 171.32 | 91.14   |

- NOTES: (CONT)
- ALL AREAS RETAINED BY THE DEVELOPER INCLUDING BUT NOT LIMITED TO THE GOLF COURSE, THE CLUBHOUSE, THE SWIMMING POOL, AND THE TERMS COURTS SHALL BE OWNED AND OPERATED AT THE ABSOLUTE DISCRETION OF THE DEVELOPER AND WILL BE SUBJECT TO RULES AND REGULATIONS ESTABLISHED BY THE DEVELOPER, ITS SUCCESSORS OR ASSIGNS, AND PROPERTY OWNERS MAY NOT HAVE ANY CONTROL OVER THE ESTABLISHMENT OF SUCH RULES AND REGULATIONS.
  - THE DEVELOPER MAY ESTABLISH OR ERCT ON ANY PARCEL NOT SPECIFICALLY RESTRICTED TO SINGLE FAMILY RESIDENTIAL USE, CERTAIN MULTI-FAMILY OR COMMERCIAL BUILDINGS AND DWELLINGS. ANY EASEMENT DEDICATED FOR DRAINFIELD PURPOSES MAY BE ELIMINATED UPON THE ESTABLISHMENT OF A CENTRAL SEWER DISPOSAL SYSTEM.
  - ALL LOTS ARE SPECIFICALLY SUBJECT TO AN EASEMENT RETAINED BY THE DEVELOPER AS PART OF THE APPOINTMENT TO ANY LOT OVER WHICH A GOLF COURSE IS OR MAY BE ESTABLISHED FOR THE PURPOSE OF PERMITTING ALL ACTIVITY NORMALLY INCIDENT TO THE PLAYING OF THE GAME OF GOLF. SUCH EASEMENT SHALL PERMIT COLPERS TO WALK ONTO ANY LOT FOR THE PURPOSE OF RETRIEVAL OF GOLF BAGS, PROVIDING HOWEVER THAT A COLPER SHALL NOT BE PERMITTED TO ENTER ANY LOT OR PARCEL FOR ANY OTHER PURPOSE OR THE RESERVATION OF THIS EASEMENT.

SEE LETTER AND PLAT ON FILE AT THE FRANKLIN COUNTY HEALTH DEPARTMENT FOR LIMITATIONS AND/OR CONDITIONS.

That this plan was prepared by the State Board of Supervisors, the Health Department and the County Engineer of Franklin County, Virginia, in accordance with the provisions of the Code of Virginia.

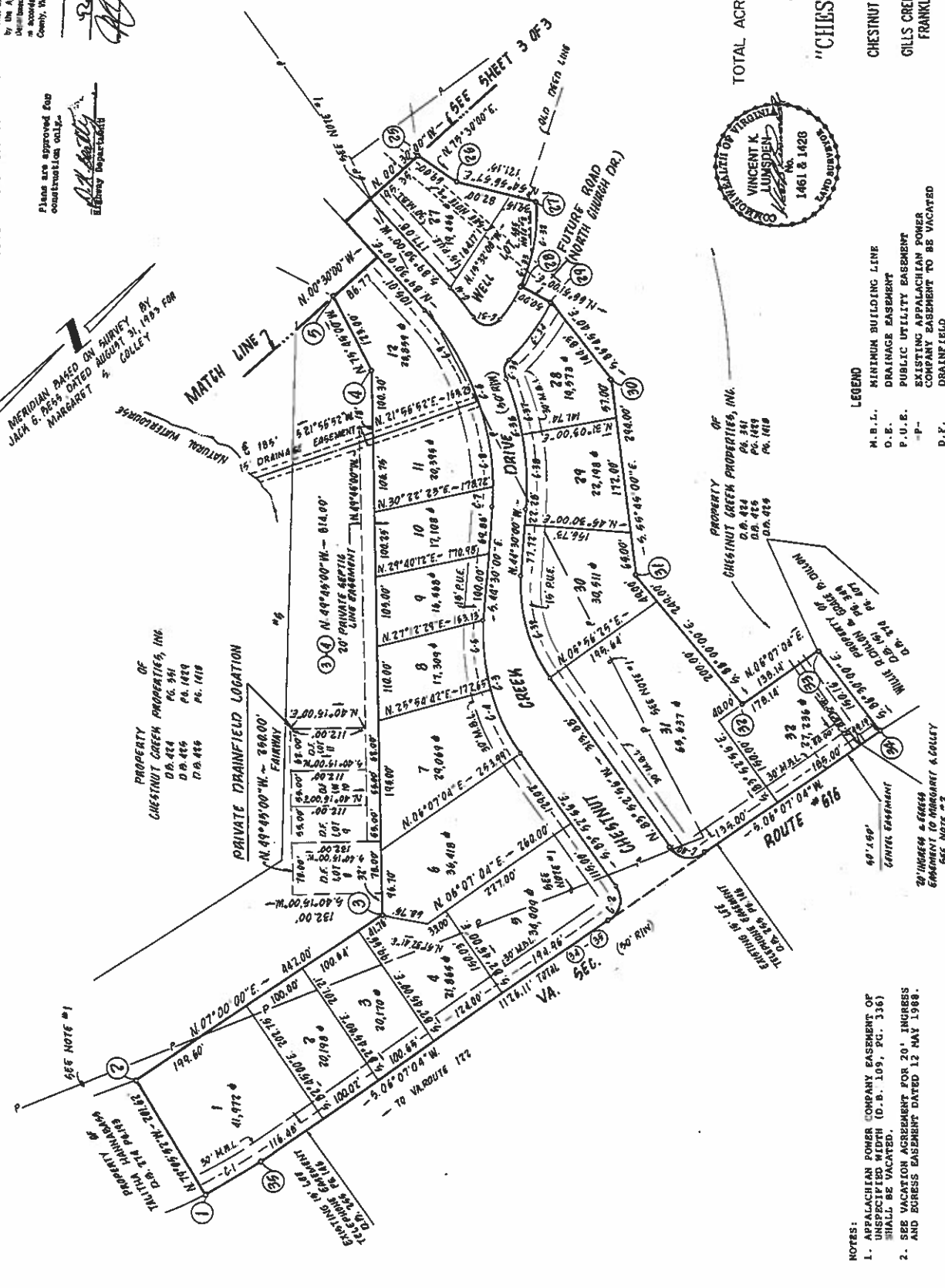
Plans are approved for construction only.

Highway Engineer  
Roadway  
John D. Black  
7/12/88

MERIDIAN BASED ON SURVEY BY JACK B. PESSA DATED AUGUST 31, 1985 FOR MARGARET & COLLETT

PROPERTY OF CHESTNUT GREEN PROPERTIES, INC.  
D.B. 424 PG. 341  
D.B. 425 PG. 1429  
D.B. 426 PG. 1018

PRIVATE DRAINFIELD LOCATION



TOTAL ACREAGE 220+ ACRES  
PLAT OF  
SECTION No. 1

"CHESTNUT CREEK"

PROPERTY OF  
CHESTNUT CREEK PROPERTIES, INC.  
GILLS CREEK MAGISTERIAL DISTRICT  
FRANKLIN COUNTY, VIRGINIA

SCALE: 1" = 100' DATE: 12 MAY 1988  
DUFORD T. LUMSDEN & ASSOCIATES, P.C.  
ENGINEERS - SURVEYORS  
ROANOKE, VIRGINIA # BT-493



- LEGEND
- M.B.L. MINIMUM BUILDING LINE
  - D.E. DRAINAGE EASEMENT
  - P.U.E. PUBLIC UTILITY EASEMENT
  - P- EXISTING APPALACHIAN POWER COMPANY EASEMENT TO BE VACATED
  - D.F. DRAINFIELD

PROPERTY OF CHESTNUT GREEN PROPERTIES, INC.  
D.B. 424 PG. 341  
D.B. 425 PG. 1429  
D.B. 426 PG. 1018

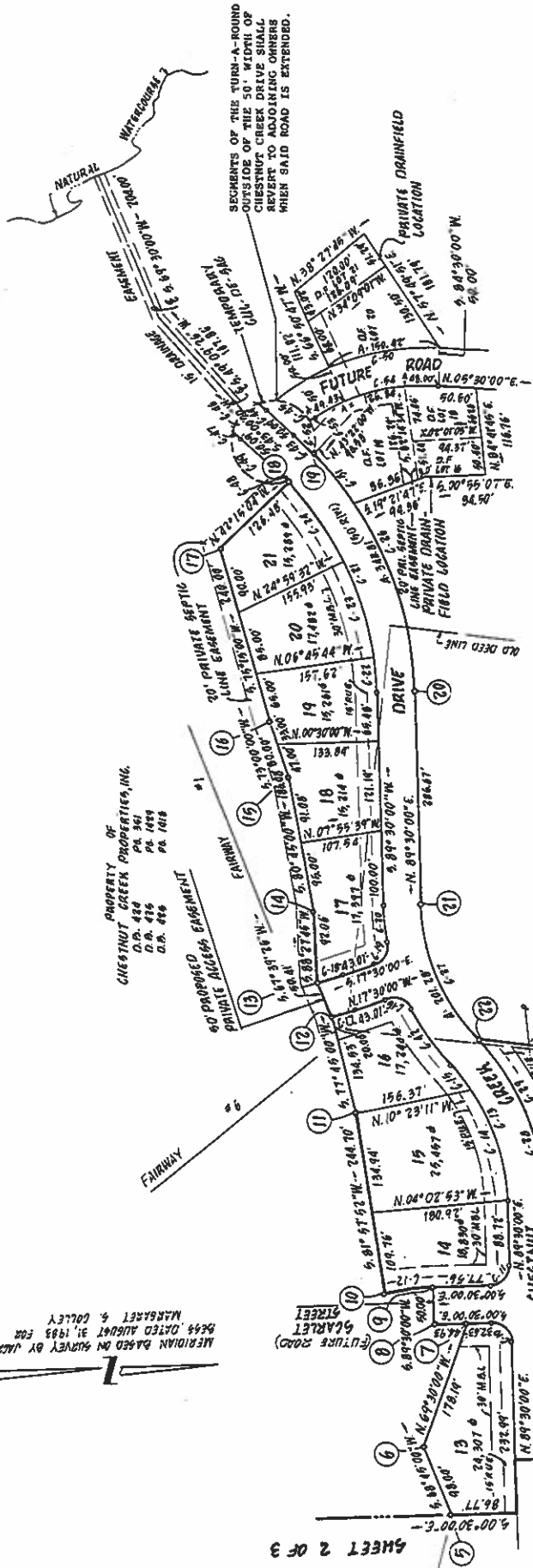
- NOTES:
- APPALACHIAN POWER COMPANY EASEMENT OF UNSPECIFIED WIDTH (D.B. 109, PG. 336) SHALL BE VACATED.
  - SEE VACATION AGREEMENT FOR 20' INGRESS AND EGRESS EASEMENT DATED 12 MAY 1988.



MERIDIAN BASED ON SURVEY BY JACK & MARGARET S. COLLEY  
5645 DATED AUGUST 31, 1983 FOR

PROPERTY OF  
CHESTNUT CREEK PROPERTIES, INC.  
D.B. 484 PG. 361  
D.B. 485 PG. 1489  
D.B. 486 PG. 1416

SHEET 2 OF 3



SEGMENTS OF THE TURN-A-ROUND CURVE OF THE 50' WIDTH OF PUBLIC HIGHWAY TO ALSO BE REVERTED TO ADJOINING OWNERS WHEN SAID ROAD IS EXTENDED.

In the Clerk's Office of the Circuit Court of Franklin County, Va., this 13 day of July, 1988, the instrument was presented with the conditions of acknowledgment annexed & admitted to record at 1:11 P.M. The tax imposed under Sec. 68.1-602 has been paid.  
Treas. *[Signature]*, Clerk.

|                         |          |
|-------------------------|----------|
| ST. TAX 68.1-601 (0389) | \$       |
| LOCAL TAX (219)         | \$       |
| TOTAL TAX FEE (219)     | \$       |
| CLERK'S FEE (601)       | \$       |
| PLANS (201)             | \$       |
| ST. TAX 68.1-602 (0389) | \$       |
| LOCAL 68.1-602 (220)    | \$       |
| LOCAL 68.1-602 (223)    | \$       |
| TOTAL:                  | \$ 34.02 |

TOTAL ACREAGE = 22.01 ACRES  
PLAT OF SECTION No. 1

# "CHESTNUT CREEK"

PROPERTY OF  
CHESTNUT CREEK PROPERTIES, INC.  
GILLS CREEK MAGISTERIAL DISTRICT  
FRANKLIN COUNTY, VIRGINIA

SCALE: 1" = 100' DATE: 12 MAY 1988  
DUFORD T. LUJASDIN & ASSOCIATES, P.C.  
ENGINEERS - SURVEYORS  
ROANOKE, VIRGINIA #67-483



- LEGEND
- H.B.L. - MINIMUM BUILDING LINE
  - D.E. - DRAINAGE EASEMENT
  - P.U.E. - PUBLIC UTILITY EASEMENT
  - p- - EXISTING APPALACHIAN POWER COMPANY EASEMENT TO BE VACATED
  - D.F. - DRAINFIELD

CHESTNUT CREEK PROPERTIES, INC.

|          |          |
|----------|----------|
| D.B. 484 | PG. 361  |
| D.B. 485 | PG. 1489 |
| D.B. 486 | PG. 1416 |

- NOTES:
- 1) APPALACHIAN POWER COMPANY EASEMENT OF UNSPECIFIED WIDTH (D.B. 109, PAGE 1316) SHALL BE VACATED.
  - 2) SEE VACATION AGREEMENT FOR 20' EGRESS AND EGRESS EASEMENT DATED 12 MAY 1988.







**LIST OF NAMES, ADDRESSES, AND TAX MAP NUMBERS OF  
PROPERTY OWNERS THAT ABUT OR ARE DIRECTLY ACROSS  
THE PUBLIC RIGHT OF WAY TO 15.5-7**

| <b>TAX MAP #</b> | <b>NAMES</b>                            | <b>ADDRESS</b>                              |
|------------------|---|---|
| 15.5-6           | James P. Nolen<br>Elizabeth A. Nolen    | 45 Chestnut Creek Drive<br>Hardy, VA 24101  |
| 15.5-8           | Lee R. Strock<br>Elaine L. Strock       | 75 Chestnut Creek Drive<br>Hardy, VA 24101  |
| 15.5-32          | James J. Bocckinfuso                    | 95 Chestnut Creek Drive<br>Hardy, VA 24101  |
| 15.5-31          | Clifton A. Hardy<br>Jacqueline I. Hardy | 110 Chestnut Creek Drive<br>Hardy, VA 24101 |