



VIII.

Agenda Item

County of Hanover

Board Meeting: January 14, 2015

Subject: Villages of Beaverdam Park Recreation Lot (GPIN 8714-21-6941), request for authorization to take action to obtain title to property in order to abate a public nuisance – Department of Public Utilities (**Mechanicsville Magisterial District**)

Summary of Agenda Item: For over ten years, Hanover County has received complaints about tall grass and overgrowth on an unimproved recreational lot in the Villages of Beaverdam Park. This lot is designated as “Pitter Play Park” on the subdivision plat of the Villages of Beaverdam Park – Section 1 and is shown on the attached drawing. The lot is owned by the Villages of Beaverdam Park Homeowners Association (HOA), which was terminated by the State Corporation Commission in 1981 and which has not been active since 1979. Because Hanover County owns an adjoining lot, for many years Hanover County has cut the grass on the recreational lot in response to complaints from neighbors.

Since 2002, Hanover County has made multiple attempts to persuade the property owners in the subdivision to reorganize the HOA in order to clean up and maintain the lot as a neighborhood amenity. In 2002 and 2007 the County sent letters to all property owners within the Villages of Beaverdam Park – Section 1 suggesting that they reorganize the HOA to assume ownership and maintenance of the lot. A similar letter was sent to all property owners in the subdivision in September 2014, a copy of which is attached.

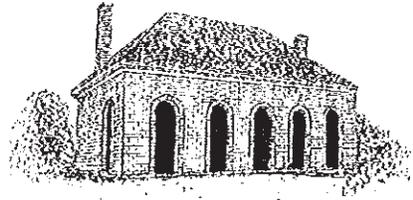
The property owners in the Villages of Beaverdam Park – Section 1 have shown no interest in reorganizing the HOA, and this property will continue to be a public nuisance unless it is maintained. In order to abate the nuisance, the County staff recommend that a lien be placed on the property for the costs of cutting the grass during 2014 and then obtain title to the lot through court action. Once the County has acquired title, it can combine the recreational lot with the County’s adjoining surplus well lot and then sell the resulting buildable lot as surplus property. Future public hearings would be required to vacate the recreational lot designation and to ultimately dispose of the property.

**County
Administrator’s
Recommended
Board Motion:**

Authorize the County Administrator to take all actions necessary obtain title to the Villages of Beaverdam Park Recreational Area Lot, GPIN 8714-21-6941, in order to abate a public nuisance

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DEPARTMENT OF PUBLIC UTILITIES

STEVEN P. HERZOG, P.E., DIRECTOR

GARY A. CRAFT, P.E., DEPUTY DIRECTOR

P. O. BOX 470
HANOVER, VA 23069-0470
PHONE: (804) 365-6019
FAX: (804) 365-6245

Website: www.hanovercounty.gov

FRANK W. HARKSEN, JR.
DEPUTY COUNTY ADMINISTRATOR

September 5, 2014

Ms. Ceclia A. Hamblin
7123 Senn Way
Mechanicsville, VA 23111

Dear Ms. Hamblin:

You are receiving this letter because you own property at 7123 Senn Way within the subdivision known as "The Villages of Beaverdam Park – Section 1". This subdivision contains an unimproved lot which has been the subject of numerous complaints to the county. The lot, shown on the attached drawing, is identified as the "Pitter Play Park" (Play Park) on the subdivision plat and is owned by the Villages of Beaverdam Park – Section 1 Homeowners Association (HOA). As a property owner within the subdivision you have an ownership interest in, and responsibility for the Play Park.

In response to complaints, the county has cut the grass on this lot a number of times over the years. Because this lot is private property the county cannot continue to maintain it indefinitely and is requesting that the property owners within the subdivision reorganize the HOA for the purpose of maintaining this lot.

If the HOA were reorganized, Hanover County Public Utilities would recommend that a surplus well lot adjoining the Play Park be conveyed to the HOA at no cost, further enhancing the park. A public hearing would be required for this to occur but Mr. Peterson, Mechanicsville District Supervisor, has indicated his support.

If the community does not reorganize the HOA to maintain the Play Park, the county plans to take action to obtain ownership of the lot with the intent to dispose of it as surplus property after a public hearing. The Play Park lot is a buildable lot and surplus buildable lots are typically auctioned off by the County. From the county's perspective, the best outcome would be for the community to reorganize the HOA.

The Villages of Beaverdam Park – Section 1
September 5, 2014
Page 2 of 2

This letter is being sent to each property owner in the subdivision. Please reach out to your neighbors and discuss the situation. If the neighborhood decides to reorganize the HOA, select a liaison to serve as the point of contact with the County, and have the liaison contact me at (804)365-6022 within the next 90 days. If the County does not hear from the community within 90 days, we may take action to obtain title to the Play Park lot.

If I can be of assistance or answer any questions I can be contacted at (804)365-6022.

Sincerely,

A handwritten signature in black ink, appearing to read "S. Herzog", with a stylized flourish at the end.

Steven P. Herzog, P.E.
Director of Public Utilities

cc: The Honorable W. Canova Peterson, Mechanicsville District Supervisor

