

**Hanover County,  
Virginia**

**General Parcel Map**

**Legend**

- Roads
- Water
- Trees
- Private Road
- Structures
- Parcels

**SOE-3-15**

Civil War Preservation, L.L.C.

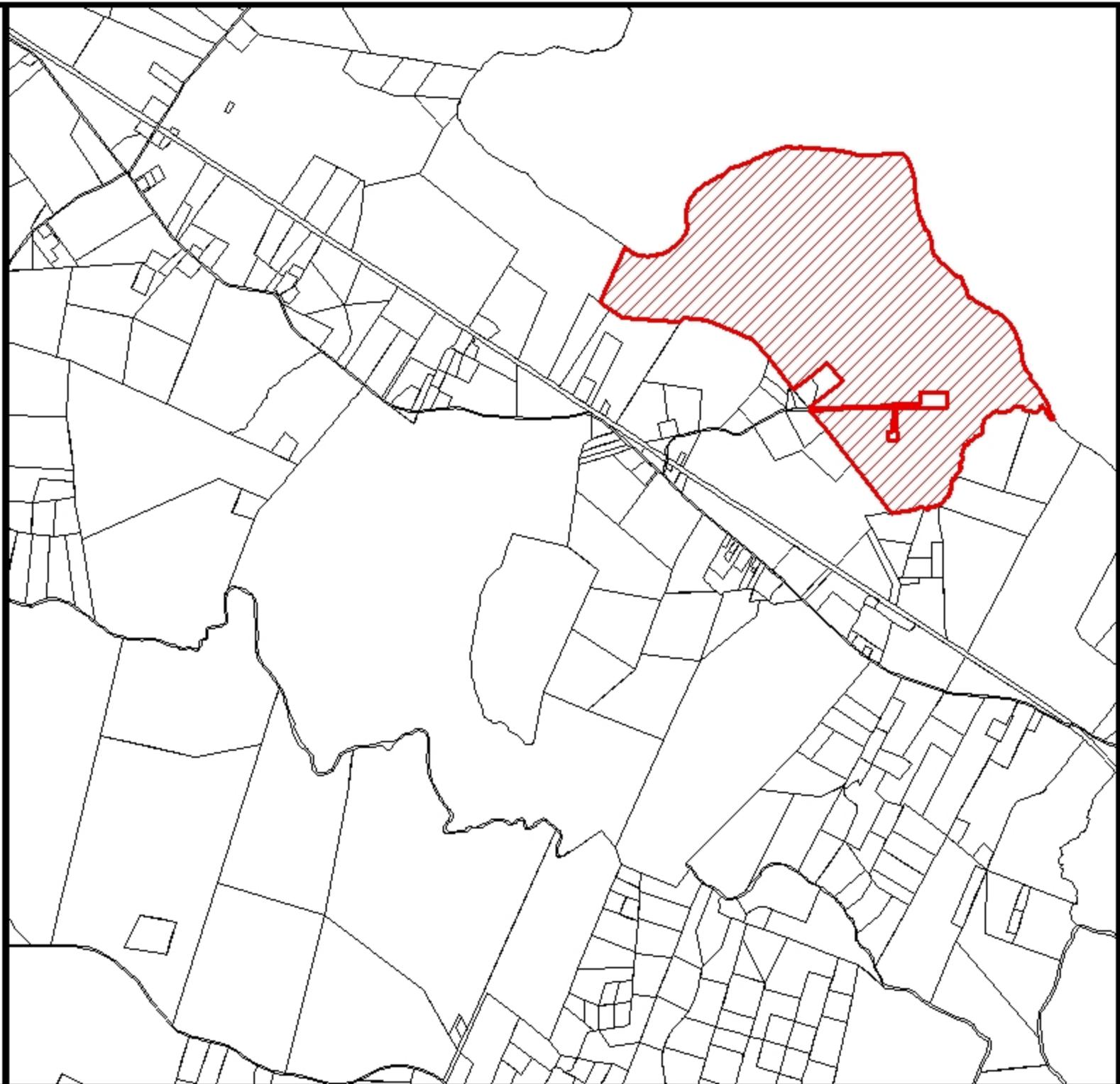
exception from private road standard

OPIN: 7865-17-9441  
*Beaverdam Magisterial District*



1 inch = 2,500 feet

May 19, 2015



# Hanover County, Virginia

## Zoning Map

### Legend

— Roads	■ R-4
- - - Water	■ R-5
- - - Private Road	■ R-6
□ Parcels	■ RM
□ CUP	■ MX
□ A-1	■ B-1
■ AR-1	■ B-2
■ AR-2	■ B-3
■ AR-6	■ O-S
■ RC	■ B-O
■ RS	■ M-1
■ R-1	■ M-2
■ R-2	■ M-3
■ R-3	

### SOE-3-15

Civil War Preservation, L.L.C.

exception from private road standard

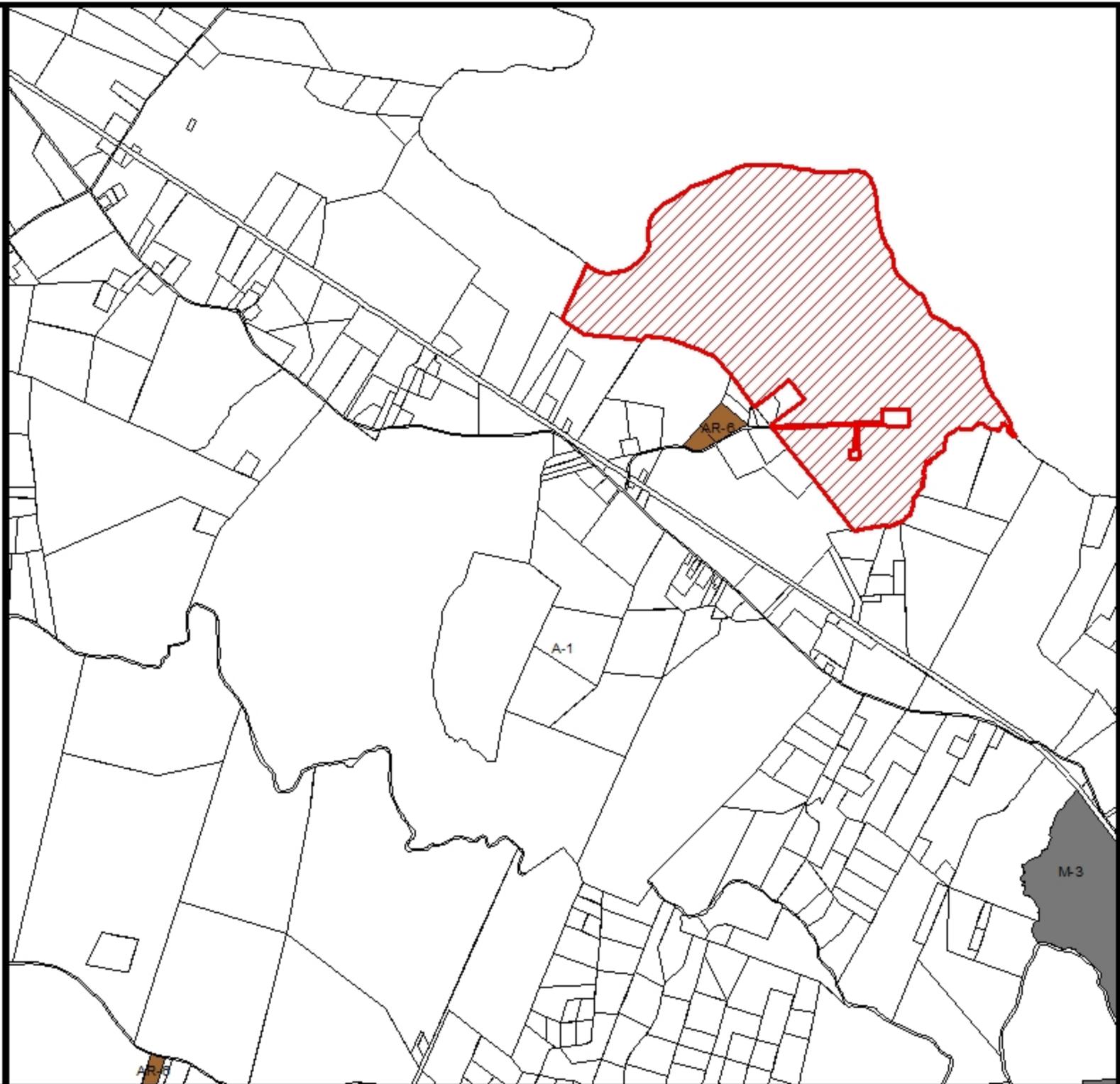
OPIN: 7865-17-9441

Beaverdam Magisterial District



1 inch = 2,500 feet

May 19, 2015





## SOE-3-15, CIVIL WAR PRESERVATION TRUST

### Subdivision Ordinance Exception

### Beaverdam Magisterial District

Administrative Agenda: July 16, 2015, 6:30 P.M.

#### Overview

Owner(s)	Civil War Preservation Trust
Developer	Civil War Preservation Trust
Engineer/Surveyor	Shadrach & Associates, LLC
Location	Intersection of Noel Road (State Route 746) and Narrow Path Trail (Private)
GPIN	7865-17-9441
Zoning	A-1
Acreage	654.35
Number of Lots	3
Public Sewer/Septic	Private
Staff Contact	Mary B. Pennock

#### Executive Summary

This is a request for a Subdivision Ordinance Exception (SOE) to eliminate the requirement that the roads within this project be upgraded to the County's private road standards pursuant to the Section 25-57 of the Subdivision Ordinance. The request is for two existing private roads extending from the terminus of Noel Road (State Route 746) on the property that is under review as Anchor's Down Farm subdivision. The Civil War Preservation Trust will be transferring the property to the National Park Service, while retaining two 10 acre parcels which are subject to life estates and contain occupied residences. After the life estates expire, the Civil War Preservation Trust will also transfer these parcels to the National Park Service. No additional development is proposed for the property. Should the request be approved, the applicant proposes to leave the existing private roads in their current state.

#### Staff Recommendation

Staff recommends **APPROVAL** of the request.

## Agency Analysis

No substantive comments have been received from any of the other reviewing departments or agencies.

## Planning Analysis

The section of the Subdivision Ordinance pertaining to private roads in the A-1, Agricultural and AR-6, Agricultural Residential Districts (Section 25-57(5)) states:

*In subdivisions of five (5) or more lots, or when five or more lots are served by the same road (whether within or outside the subdivision), the roads in the subdivision for which approval is requested and those roads necessary to provide access to a road improved to these standards or to a public road shall be improved as follows: [Design criteria listed in subsections a-k.]*  
(Ord. No. 11-09, § 7, 9-14-11)

Section 25-9 of the Subdivision Ordinance outlines the standards by which subdivision exceptions can be granted. Specifically, the standard is as follows:

*When the agent finds that the strict compliance with the standards set forth in this chapter would result in unnecessary hardship for the development of a particular property, an exception may be granted only where:*

- (1) The exception substantially complies with the provisions of this chapter, does not destroy the intent of the chapter's provisions, and protects the public interest;*

The property area in which the private roads are located will remain unchanged from its current state. No additional residences or development is proposed. The overall aesthetic and character of the area will not be impacted.

- (2) The exception will not be detrimental to public safety, health or welfare or injurious to surrounding property or improvements in the neighborhood in which the property is located;*

Permitting the roads to remain as currently constructed will not present a threat to public safety, health or welfare. There will be no change to the existing conditions of the surrounding property as no additional development of the property is contemplated.

- (3) The conditions on which the exception request is based on topographical or other conditions peculiar to the site, are not generally applicable to other properties and do not create mere inconvenience; and*

There is a condition peculiar to this site in that while the property is part of a subdivision, no additional development will take place on the property. Generally, subdivisions of land involve creation of lots for the purpose of development, which involves additional traffic generation. In this case, the subdivision is necessary in order to convey the majority of the property to the National Park Service, while the Civil War Preservation Trust continues to hold the two parcels subject to the life estates until their expiration.

The existing private road, Narrow Path Trail, appears to already serve more than five lots outside of the subdivision. No additional lots are proposed on this road. The existing private driveway leading to the life estate parcels will only serve these lots.

*(4) The exception is not based exclusively on financial considerations.*

No financial considerations have been taken into account.

The applicants have provided documentation of the significance of Anchor's Down Farm during the Civil War and the largely intact landscape of the property. The upgrade and improvement of the private roads that traverse the property would have a negative impact on the existing cultural and historic resources. The staff believes that the granting of a Subdivision Ordinance Exception is applicable in this case given the unique historic significance of the property and the absence of additional development or traffic on the existing roads.

### **Staff Recommendation**

Staff recommends **APPROVAL** of the request as a result of the above findings and supports the applicant's request to allow the existing private roads to remain in their current level of improvement.

### **Attachments**

- Maps (vicinity, zoning)
- Application Materials
- Subdivision Plat exhibit and photo

mbp/HTE

**RECEIVED**  
**MAY 18 2015**  
 HANOVER COUNTY  
 PLANNING OFFICE

**CIVIL WAR TRUST**  
 BATTLE OF  
**NORTH ANNA, VA**  
 MAY 23, 1864 – JERICHO MILL  
 Civilwar.org

**GRANT  
 MEADE  
 ARMY OF  
 THE POTOMAC**

**WARREN  
 V CORPS**

**LEE  
 ARMY OF  
 NORTHERN VIRGINIA**

**A.P. HILL**

**HETH**

**MAHONE**

**BRAGG** ROBINSON

**CUTLER**

Mink (6 guns)

**BARTLETT** Fontaine

**HOFMANN**

**LYLE**

Stewart & Hart (12 guns)

**BRAGG** ROBINSON

**SCALES**

**GRIFFIN**

**THOMAS** SWETZER

**AYRES** Fontaine

**CRAWFORD**

**SCALES**

**THOMAS**

**McGOWAN**

**LANE**

**WILCOX**

Pegram (6 guns)

Pegram (16 guns)

Quarie's Mill

North Anna River

Matthews

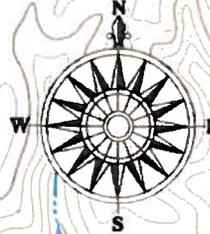
Matthews

Fall Mill

Ox Ford

Central Virginia Railroad

Lowry



**LEGEND**

Confederate	Union
First Phase	Second Phase
Second Phase	Second Phase
19th-Century Woodline	
19th-Century Structures	
19th-Century Roads	
19th-Century Roads no longer in existence	
19th-Century Fences	
Modern Roads	
Preserved by Hanover County	
Preserved in whole or part by the Civil War Trust	
Target Property	

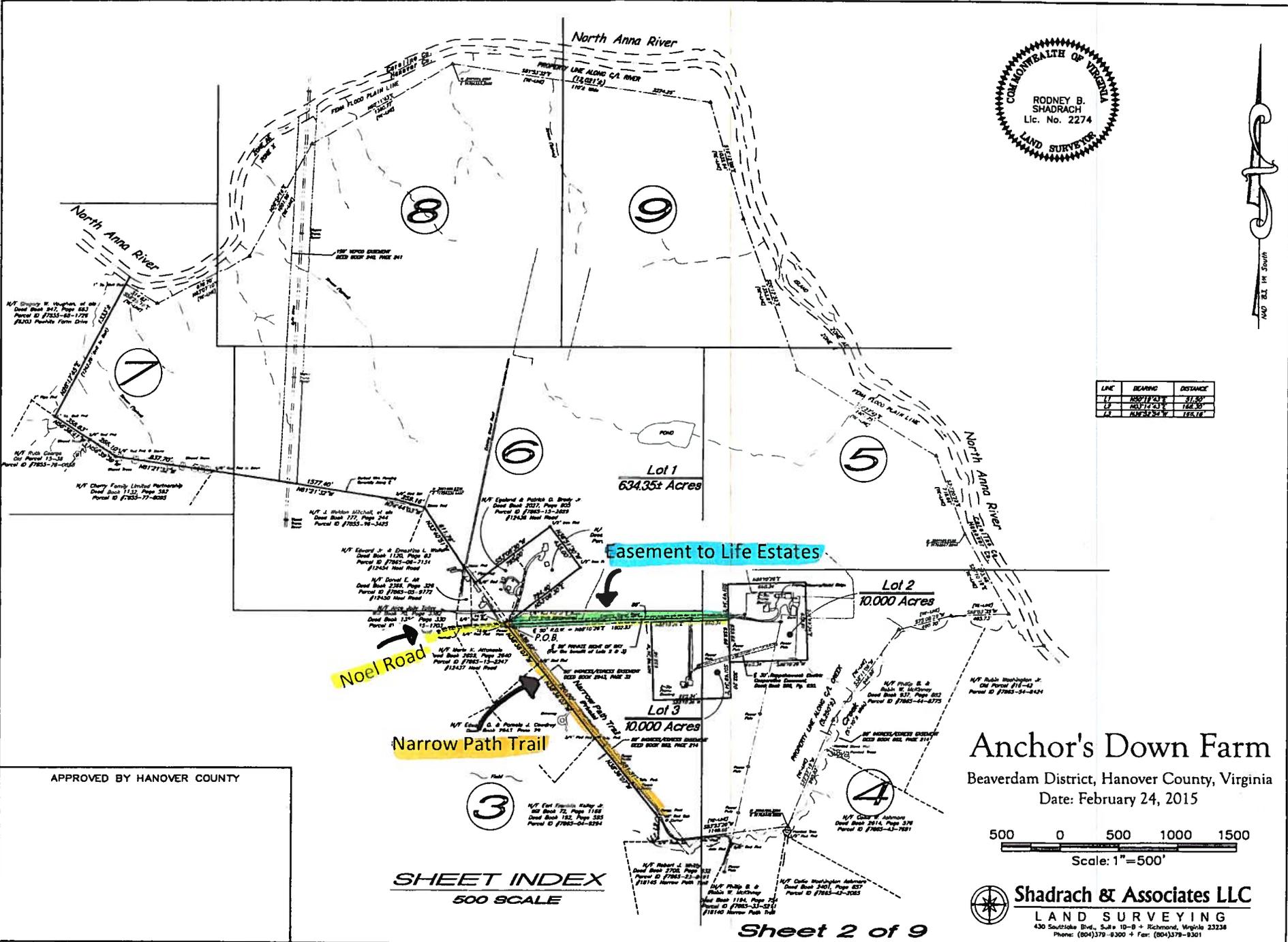
*Saving America's Civil War Battlefields*  
 Updated May 2014

0 1,000 2,000  
 FEET

Map prepared for the Civil War Trust  
 by Steven Stanley



LINE	BEARING	DISTANCE
11	N80°18'23"E	31.50'
12	N81°14'43"E	162.30'
13	N82°32'32"W	125.10'

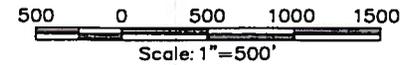


APPROVED BY HANOVER COUNTY

**SHEET INDEX**  
500 SCALE

Sheet 2 of 9

**Anchor's Down Farm**  
Beaverdam District, Hanover County, Virginia  
Date: February 24, 2015



**Shadrach & Associates LLC**  
LAND SURVEYING  
430 Sawtooth Blvd., Suite 10-B + Richmond, Virginia 23228  
Phone: (804)379-9300 + Fax: (804)379-9301



← Easement to Life Estates

↪ Narrow Path Trail

↓ Noel Road