



August 28, 2024

Hunter Law Firm / Thomas L. Hunter, P.C.
910 W. Mercury Boulevard, Suite 2A
Hampton, Virginia 23666
Attn: Ms. Megan Behrns

Dear Ms. Behrns:

SUBJECT: 403 Ilex Drive

Thank you for your patience while I researched your question as to the legality of the creation of the lot known as 403 Ilex Drive. Our research has found evidence that the subject parcel was a result of a split of the original property into two parcels known as Lots 81B and 81D by the plat of the Willard E. and Mary C. Warren dated December 9, 1956 recorded in Deed Book 115 Page 142 in the York-Poquoson Courthouse (*"the plat"*) recorded on January 29, 1957. In 1957, the properties were zoned A-1, Agriculture – Forestry – Rural Residential, as shown on the 1955 Zoning Map. The zoning regulations in effect in 1957 included the minimum lot area for a lot in A-1 zoning to be 20,000 square feet and the minimum frontage of one hundred (100') feet per lot. The plat indicates the two resulting lots are .99 acres (43,124 sq. ft.) and .76 acres (33,105 sq. ft.) and 130 feet and 100 feet of frontage respectively which complied with the zoning minimums.

The Subdivision Regulations, adopted by the Board of Supervisors on July 16, 1953, were in effect at the time of the split. In those regulations, subdivision was defined as "the division of a lot, tract or parcel of land into *three* or more lots..." Therefore, the split of the property into two parts in 1957 was not considered a subdivision by the County's regulations.

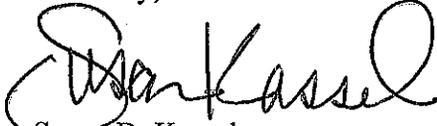
The 1957 division of the property into two lots with 130 feet and 100 feet of frontage by the duly-recorded plat was in conformance with the standards of the A-1 zoning that was in effect at the time.

After conducting research of the regulations in effect at the time and the records of the subject properties, I have determined that the separation of the properties occurred in accordance with the regulations in effect at the time with a properly recorded plat. Therefore, it is my determination that the property at 403 Ilex Drive (GPIN: T06B-4605-4740) is a legal lot of record in accordance with the Zoning Ordinance of the County of York.

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Should you have questions or require additional information, please do not hesitate to contact me at (757) 890-3531.

Sincerely,



Susan D. Kassel
Zoning Administrator

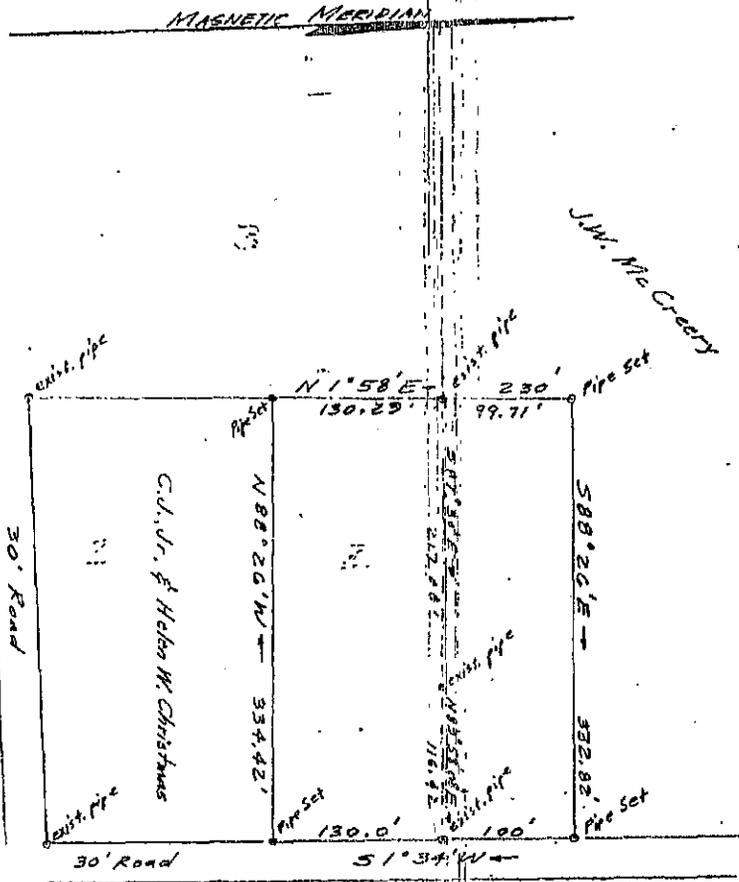
Enclosure

(a) Plat of Willard E. and Mary C. Warren

CC: Dina Goode, Zoning and Code Enforcement Supervisor
Earl Anderson, Chief of Development Services

NOTICE

In accordance with Section 15.2-2311 of the Code of Virginia, a decision of the Zoning Administrator, or any order, requirement, decision or determination of an administrative officer in the enforcement of the Zoning Ordinance may be appealed within thirty (30) days to the Board of Zoning Appeals, and, if not, the decision, order or requirement shall be final and unappealable. The filing fee for an appeal application is \$310. Information regarding the appeal application process can be obtained by contacting the Secretary of the Board of Zoning Appeals (757-890-3531).



VIRGINIA County of York to-wit:
 In the Clerk's Office of the Circuit Court for the County of
 York, this 29 day of January, 1957
 This deed was presented with the certificate annexed and admitted
 to record at 1:50 o'clock P.M.
 Teste: MEVILLE B. BRYANT, Clerk
 [Signature] Deputy Clerk

PLAT OF THE PROPERTY OF
 Villard E. & Mary C. Warren
 Part of Parcel #2 formerly property
 of J.W. McCreey and part of a
 parcel shown as J.W. McCreey Land
 on a Plat of tracts of Land Prop of J.W. McCreey
 Grafton District, York County, Virginia
 LAWSON & RAWLES ENGINEERING AND SURVEYING
 JOHN W. LAWSON: CERTIFIED LAND SURVEYOR, N. N. VA.
 CHARLES S. RAWLES: CERTIFIED CIVIL ENGINEER, N. N. VA.
 SCALE: 1" = 100' DATE: Dec. 8, 1956

[Signature: John W. Lawson]

30-81B