

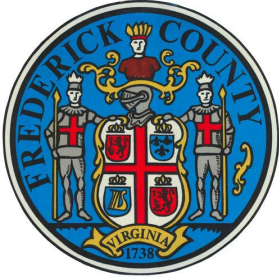
AGENDA
AGRICULTURAL DISTRICT ADVISORY COMMITTEE
TUESDAY, FEBRUARY 20, 2024
6:00 PM
THE BOARD OF SUPERVISORS ROOM
FREDERICK COUNTY ADMINISTRATION BUILDING
WINCHESTER, VA

1. **Call to Order**
2. **Meeting Minutes**
 - 2.A. March 14, 2023 Meeting Minutes
[ADAC02-20-24MinutesMarch14.pdf](#)
3. **Addition to the South Timber Ridge Agricultural and Forestal District**
 - 3.A. **Discussion Regarding the CKW Rentals, LLC. addition to the South Timber Ridge Agricultural and Forestal District**

Discussion regarding the CKW Rentals, LLC. addition to the South Timber Ridge Agricultural and Forestal District.
[ADAC02-20-24AdditionSouthTimberRidge_Redacted.pdf](#)
4. **Removal from the South Frederick Agricultural and Forestal District**
 - 4.A. **Discussion Regarding the Removal of a Parcel from the South Frederick Agricultural and Forestal District (Charles and Robin Bentley)**

Discussion regarding the removal of a parcel from the South Frederick Agricultural and Forestal District (Charles and Robin Bentley).
[ADAC02-20-24CharlesRobinBentley_Removal.pdf](#)
5. **Removal from the South Frederick Agricultural and Forestal District**
 - 5.A. **Discussion Regarding the Removal of a Parcel from the South Frederick Agricultural and Forestal District (West Oaks Farm Market, LLC.) (Joseph and Mary Snapp)**

Discussion regarding the removal of a parcel from the South Frederick Agricultural and Forestal District (West Oaks Farm Market, LLC.) (Joseph and Mary Snapp).
[ADAC02-20-24WestOaksFarmMarketRemoval_Redacted.pdf](#)



Agricultural District Advisory Committee
Agenda Item Detail
Meeting Date: February 20, 2024
Agenda Section: Meeting Minutes

Title: March 14, 2023 Meeting Minutes

Attachments:

[ADAC02-20-24MinutesMarch14.pdf](#)

MEETING MINUTES
OF THE
FREDERICK COUNTY AGRICULTURAL DISTRICT ADVISORY COMMITTEE

Held in the first-floor Board of Supervisors Room of the Frederick County Administration Building, 107 N. Kent Street, Winchester, Virginia on March 14, 2023.

PRESENT: Jason McDonald, Shawnee District; Cordell Watt, Gainesboro District; John Marker, Back Creek District Alternate; Harman Brumback, Back Creek; Patricia Scheulen-Ferrell, Gainesboro; and Mark Sutphin, Virginia Co-Extension

ABSENT: John Stelzl, Opequon District; William Cline, Stonewall District; and Shawn Graber, BOS Liaison

STAFF PRESENT: Mark Cheran, Zoning Administrator; Pam Deeter, Secretary.

CALL TO ORDER

The meeting was called to order by Mr. Cheran at 6:00 p.m.

On a motion made by Mr. Marker and seconded by Mr. Watt, the minutes for the December 6, 2022, meeting were unanimously approved as presented.

Mr. Cheran stated that the County received plans for a major rural subdivision. In reviewing the plans, staff noticed that the parcel was in Agricultural and Forestal District. Mr. Stelzl was contacted and informed that his property was in Agricultural & Forestal District. Staff was informed that the rollback taxes were paid. Mr. Cheran explained what the County needed to proceed with the request.

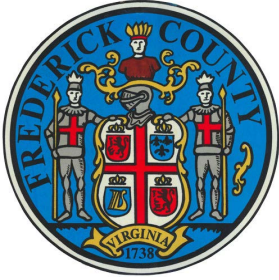
Mr. Stelzl mailed a request to removed 100.35-acre parcel 86-A-35 from the District. Mr. Stelzl explained why the property needs to be removed from the District. The parcel is needed to pay for nursing home expenses.

Staff mentioned that the Agricultural and Forestal District are renewed every 5 years. The last renewal was in 2020. The Double Church District currently contains 954.90-acres. If the Committee recommends approval of the removal, this will leave Double Church District with 854.55-acres. Mr. Cheran noted that the recommendation from the Committee will go to the Planning Commission and Board of Supervisors for their decision. Mr. Cheran noted that if the Board of Supervisors approve the removal, the County will proceed with the subdivision of land action.

Mr. Cheran introduced Mr. Stelzl. Mr. Stelzl informed the Committee of the situation for medical expenses. Mr. Stelzl said the other properties I have will stay in Agricultural and Forestal District. Mr. Stelzl said the buyer is a farmer and I think he is looking to put the acreage in Agricultural and Forestal District.

On a motion made by Mr. Watt and seconded by Mr. Marker, to remove parcel 86-A-35, which contains 100.35-acres, from the Double Church Agricultural & Forestal District were unanimously approved.

Meeting adjourned at 6:15.



Agricultural District Advisory Committee

Agenda Item Detail

Meeting Date: February 20, 2024

Agenda Section: Addition to the South Timber Ridge Agricultural and Forestal District

Title: Discussion Regarding the CKW Rentals, LLC. addition to the South Timber Ridge Agricultural and Forestal District

Attachments:

[ADAC02-20-24AdditionSouthTimberRidge_Redacted.pdf](#)



**AGRICULTURAL & FORESTAL DISTRICT
SOUTH TIMBER RIDGE DISTRICT ADDITION
Staff Report for the Agricultural District Advisory Committee
Prepared: February 6, 2024
Staff Contact: Mark R. Cheran, Zoning Administrator**

This report is prepared by the Frederick County Planning Staff to provide information to the Agricultural District Advisory Committee, Planning Commission, and the Board of Supervisors to assist them in making a decision on this application. It may also be useful to other interested in this matter.

	<u>Reviewed</u>	<u>Action</u>
Agricultural District Advisory Committee:	02/20/24	Pending
Planning Commission:	Pending	Pending
Board of Supervisors:	Pending	Pending

PROPOSAL: This is an application to add one (1) parcel of 76.866 +/- acres to the South Timber Ridge Agricultural and Forestal District.

LOCATION AND SIZE: This District is located within the Gainesboro Magisterial District and currently contains 23 parcels and 1,170.94 +/- acres managed by one (1) property owner. It is generally located along Hollow Road (Route 707) to the north, Muse Road (Route 610) and Gold Orchard Road (Route 708) to the east. This additional parcel of 76.9 +/- acres Tax Map Number 37-A-8 will bring the district to 24 parcels with a total of 1,247.84 +/- acres.

EXECUTIVE SUMMARY & STAFF CONCLUSION FOR THE 02/20/24 AGRICULTURAL AND FORESTAL DISTRICT COMMITTEE MEETING:

This is a request to the Frederick County Agricultural District Advisory Committee (ADAC) to add a parcel of 76.9 +/- acres to the South Timber Ridge Agricultural and Forestal District. Chapter 43, Section 15.2-4300 of the Code of Virginia, 1950, as amended, requires that any change to the District be reviewed by the local government. The South Timber Ridge Agricultural and Forestal District currently contains 981.08 +/- acres during the last renewal in 2020.

This proposed addition to the District meets the intent of Chapter 43, Section 15.2-433 of the Code of Virginia, 1950, as amended, and has been evaluated in conjunction with the 2035 Comprehensive Plan. This renewal provides an opportunity for the agribusiness community to conduct long range planning efforts for the management of their operations, while providing a reserve of agricultural land through the year 2025. The South Timber Ridge Agricultural and Forestal District will consist of 1,057.946 +/- acres and will be valid until August 12, 2025. Ultimately, the Board of Supervisors approves, with modifications, or denies the proposal to establish or renew an Agricultural and Forestal District.

Staff supports the addition of the 76.9 +/- acre to the South Timber Ridge Agricultural and Forestal District. A recommendation from the ADAC to forward to the Planning Commission would be appropriate.

REVIEW EVALUATIONS:

LOCATION AND SIZE: This District is located within the Gainesboro Magisterial District and currently contains 23 parcels and 1,170.94+/- acres managed by one (1) property owner. It is generally located along Hollow Road (Route 707) to the north, Muse Road (Route 610) and Gold Orchard Road (Route 708) to the east. The addition of this proposed 76.9 +/- acre parcel to the District would bring the acreage to 1,247.84 +/-acres contained within 24 parcels.

AGRICULTURAL & FORESTAL SIGNIFICANCE: The agricultural operations in the District are 90 percent agriculture (orchard and crop harvesting) and 10 percent open space/woodlands. The area within the District is rural in nature.

LAND USE: All parcels within the District contain agricultural or residential land uses.

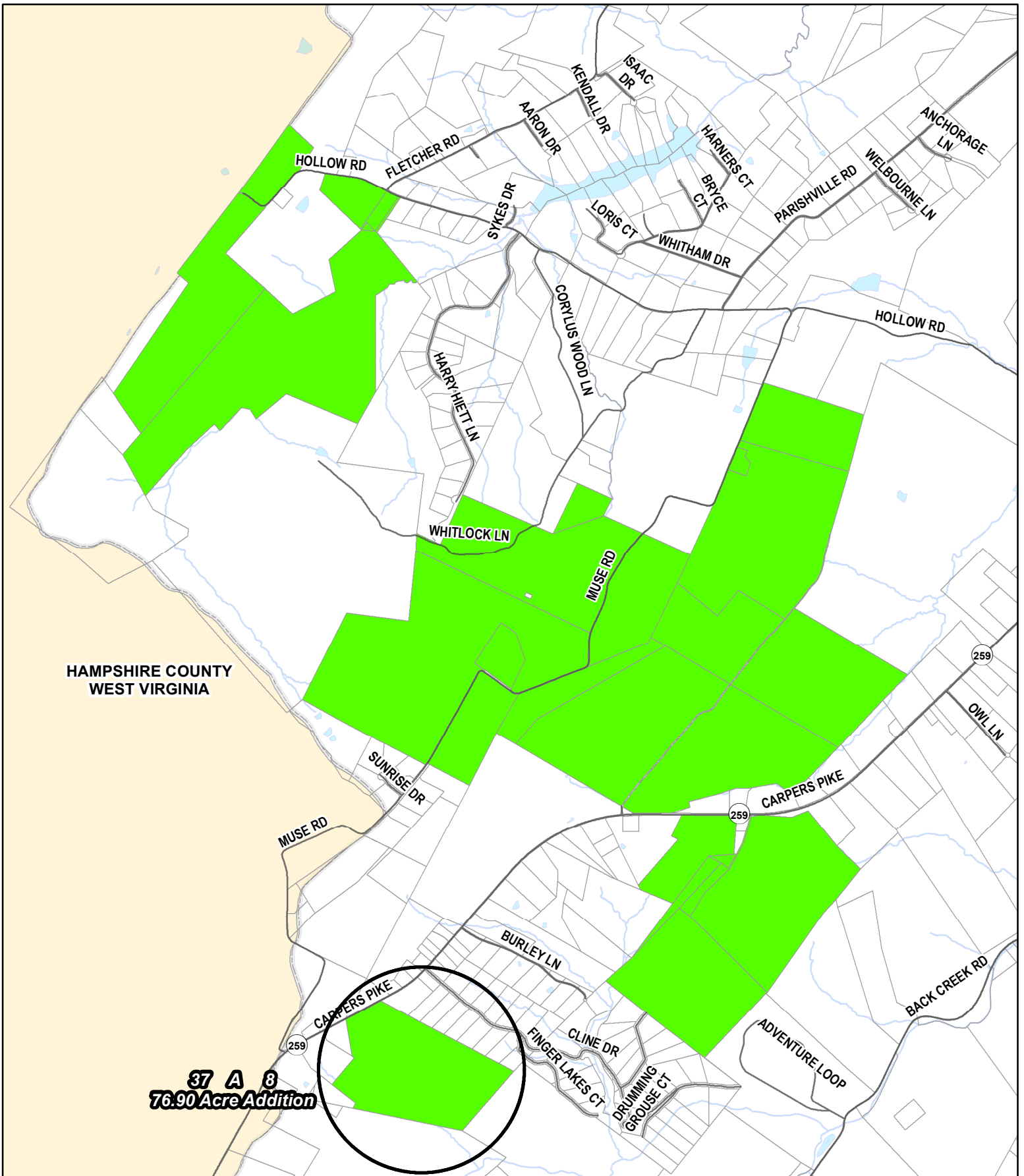
COMPREHENSIVE PLAN: The 2035 Comprehensive Plan of Frederick County provides guidance when considering land use actions. The location of the District lies outside the Urban Development Area (UDA) and Sewer and Water Service Area (SWSA) and is not part of any land use plan or study by the County. The land use within the District is agricultural, residential, and nature. The current land use should remain in its present condition with land use of orchards, agricultural, and residential.

The intent of the Rural Areas is to maintain agriculture as a significant portion of the County's economy and to maintain the rural character of areas outside of the Urban Development Area. The Comprehensive Plan can accomplish this by promoting the inclusion of additional land in Agricultural and Forestal Districts. The Comprehensive Plan supports the addition of the parcel of the District, provides an opportunity for the agribusiness community to conduct long range planning efforts for the management of their operations, while providing a reserve of agricultural land through the year 2025.

LAKES/PONDS/STREAMS: The District lies primarily within the Gainesboro drainage area. The District will further assist with managing the quality of the County's water resources.

TOPOGRAPHY: The District generally varies from rolling hills to ridges to the north, west, south and east. The District lies within the Gainesboro watershed and water is available from ponds, wells and springs.

PRIME AGRICULTURE SOIL: The largest amount of prime agricultural soil located within the District is Weikert-Berks-Blairton.



HAMPSHIRE COUNTY
WEST VIRGINIA

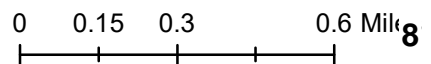
37 A 8
76.90 Acre Addition

District Acreage: 1,247.84 Ac.

2020-2025 South Timber Ridge Agricultural & Forestal District



Note:
Frederick County Dept of Planning & Development
107 N Kent St. Suite 202, Winchester, VA 22601
540 - 665 - 5651
Map Created: February 7, 2024



2020-2025 South Timber Ridge Addition Agricultural & Forestal District



-  Addition
-  Parcels

PIN	Owner	Acres
37 A 8	CKW RENTALS LLC	76.90



Note:
 Frederick County Dept of Planning & Development
 107 N Kent St. Suite 202, Winchester, VA 22601
 540 - 665 - 5651
 Map Created: February 7, 2024





APPLICATION FOR A NEW DISTRICT

Applicant Name: CKW RENTALS LLC

Address: TAX MAP 37 A 8 CARPERS PIKE

Phone: 5405007701 Email: kir[redacted]ruit.com

Proposed New District Name: _____

Location of the Proposed New District: _____

Please indicate in the table below the parcels you would like include with your request for a new District:

Tax Map #	Acreage	Qualifying Use of the Property
37 A 8	76.866	FORESTRY
Total:	76.866	

1. Are the properties currently enrolled in the land use taxation program? Yes No

2. Do the properties contain agriculturally significant soils? Yes No

3. Describe the agricultural or forestry activities conducted on the properties requesting to be included in the new district:

Forestry management in place, currently in land use and no plans of changing



- 4. Describe the environmental benefits of retaining the lands in the district for agricultural and forestal uses:

limit erosion, maintain soil quality, water conservation

Signature [redacted] member/manager Date 2.5.24
Signature [redacted] member/manager Date 2/5/24

Once the application has been submitted, it will be scheduled for review by the Agricultural District Advisory Committee and evaluated per the criteria established by the Code of Virginia. Following this review, the requested new district will be scheduled for public hearings before the Planning Commission and Board of Supervisors.

PLEASE RETURN THIS FORM TO THE DEPARTMENT OF PLANNING AND DEVELOPMENT

240000330

I, Gary R. Oates, on this the 15th day of January, 2024, do hereby certify that the plat entitled "Final Plat of a Boundary Survey of the lands of CKW Rentals, LLC Tax Parcel 37-(A)-8" attached hereto is a true copy of a survey made by me on January 9, 2024, of 77.018 acres of land conveyed to CKW Rentals, LLC from Todd Johnson, of record at the Frederick County Circuit Court Clerk's Office as Instrument 230009231. The said land lies in the Gainesboro Magisterial District of Frederick County, Virginia.





STATE OF VIRGINIA
COUNTY OF FREDERICK, TO WIT:

I, Corey Blake Carter, a Notary Public in and for the State of Virginia and County of Frederick, do hereby certify that this day personally appeared before me Gary R. Oates, whose name is signed to the forgoing instrument.

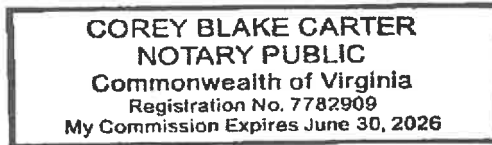
Given under my hand this 15th day of January, 2024.

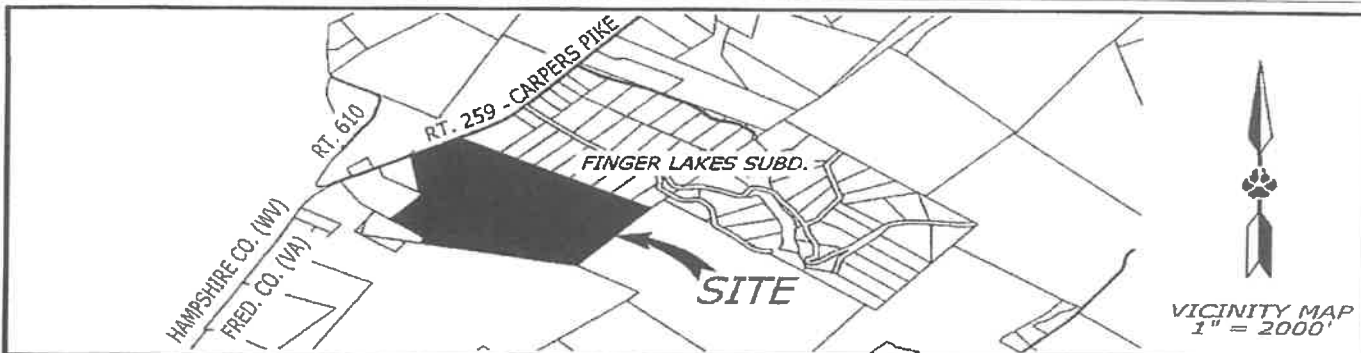
My commission expires June 30, 2026.

My registration number is 7782909.



Notary Public





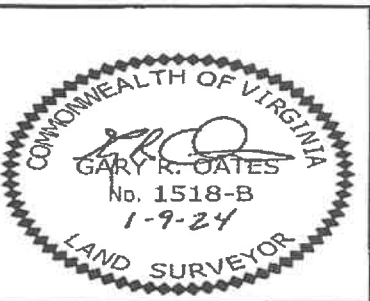
**FINAL PLAT OF A BOUNDARY SURVEY
 OF THE LANDS OF
 CKW RENTALS, LLC**
 TAX PARCEL 37-(A)-8
 GAINESBORO MAGISTERIAL DISTRICT, FREDERICK COUNTY, VIRGINIA
 JANUARY 9, 2024


NOTES

1. A FIELD SURVEY WAS PERFORMED BY GREYWOLFE, INC. IN JANUARY 2024.
2. A TITLE REPORT HAS NOT BEEN FURNISHED; THEREFORE, OTHER EASEMENTS OR ENCUMBRANCES MAY EXIST THAT ARE NOT SHOWN ON THIS PLAT.
3. THERE WAS NO READILY APPARENT EVIDENCE OF A CEMETERY WITHIN CLOSE PROXIMITY TO THE BOUNDARY LINES.
4. THESE PARCELS ARE LOCATED ON FLOOD INSURANCE RATE MAPS No. 51069C0175E IN FLOOD ZONE 'X' AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN; DATED JANUARY 29, 2021. THIS DOES NOT CONSTITUTE A FLOOD STUDY BY THIS FIRM.
5. THERE ARE RIGHTS TO A PIPELINE FROM A WELL ON THE 2.648 ACRE TRACT TO COTTAGE ON 37-(A)-8 PER INSTRUMENT #230009231. UNABLE TO SHOW SAID PIPELINE ON SURVEY.
6. ROUTE 259 - CARPERS PIKE RIGHT OF WAY ESTABLISHED FROM VDOT HIGHWAY PLAN #1192-A. SHEET 10 OF 12.

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE PARCEL CONTAINED IN THIS BOUNDARY SURVEY IS THE LAND CONVEYED TO CKW RENTALS, LLC FROM TODD JOHNSON, BY DEED DATED OCTOBER 17, 2023; OF RECORD IN THE FREDERICK COUNTY CIRCUIT COURT CLERK'S OFFICE AS INSTRUMENT 230009231.




 GARY R. OATES, LAND SURVEYOR



GreyWolfe, Inc.
 Land Surveying and Consulting

1073 Redbut Road
 Winchester, VA 22603
 GreyWolfeInc@aol.com
 540-667-2001 OFC
 540-545-4001 FAX

DRAWN BY: *CBC* FILE NO: 0938 SHEET 1 OF 3

ADJOINERS

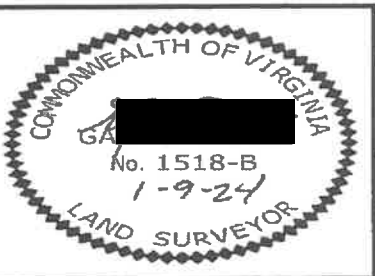
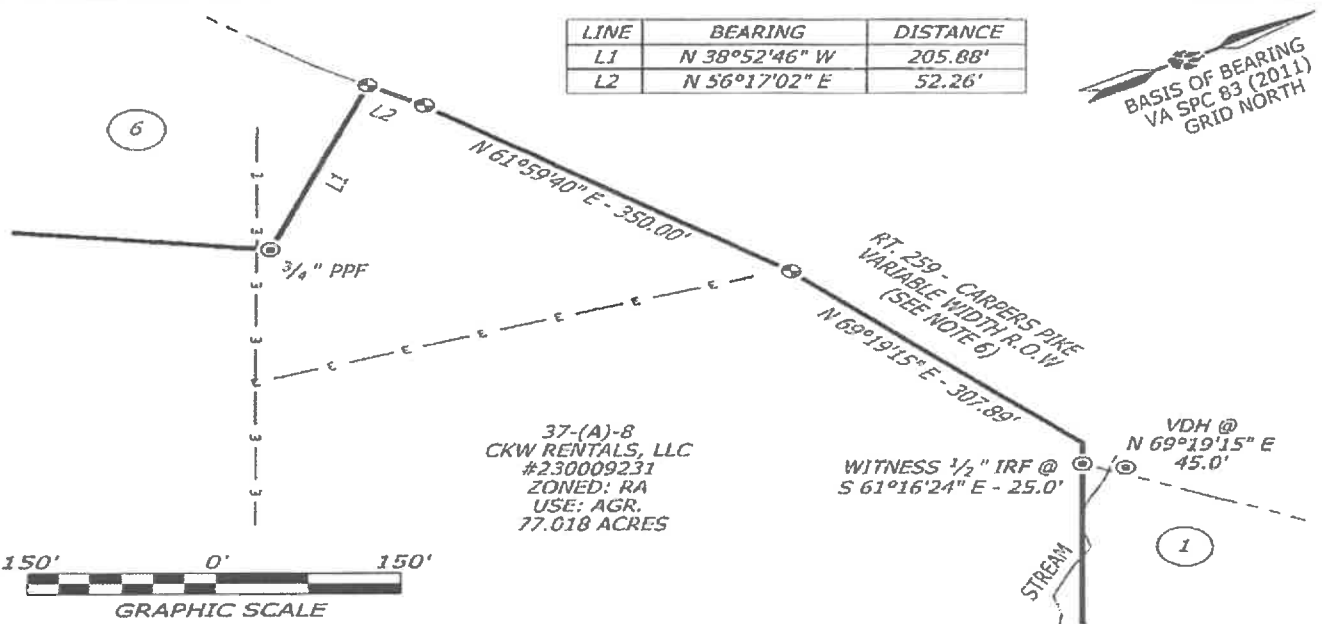
	OWNER	PARCEL	REF.	USE	ZONING	±ACREAGE
1	N. BURTON GRACE	37-(A)-A	DB 474, PG 287	RESIDENTIAL	RA	4.9
2	LUCILLE L. SELDON	37-(A)-13	WF #210000453	AGRICULTURAL	RA	135.0
3	LUCILLE L. SELDON	37-(A)-11	WF #210000453	AGRICULTURAL	RA	4.7
4	RONALD E. SELDON	37-(A)-10	#170000552	VACANT	RA	3.6
5	MAGNOLIA B. REEL	PORTION OF 37-(A)-9	#120003359	VACANT	RA	0.3
6	MAGNOLIA B. REEL	PORTION OF 37-(A)-9	#120003359	RESIDENTIAL	RA	2.6

ABBREVIATIONS

AGR. = AGRICULTURE PPF = PINCH PIPE FOUND
 DB = DEED BOOK PG = PAGE
 EX = EXISTING RES = RESIDENTIAL
 IRF = IRON ROD FOUND VDH = VIRGINIA DEPARTMENT OF HIGHWAYS MONUMENT

LEGEND

⊙ = PROPERTY CORNER FOUND
 ⊕ = 5/8" IRON ROD SET, UNLESS OTHERWISE SPECIFIED
 -E- = OVERHEAD UTILITIES
 -X- = FENCE

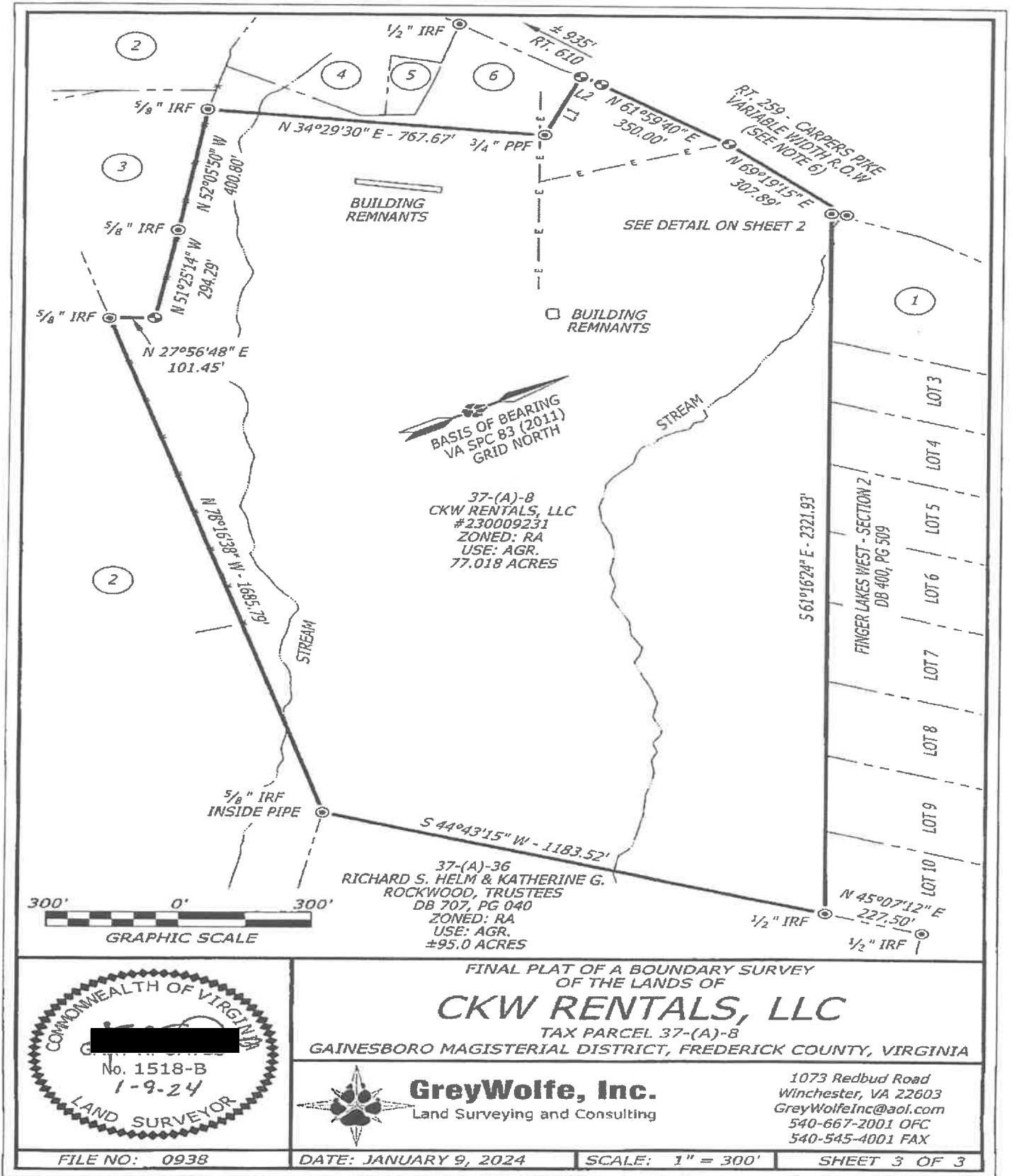


FINAL PLAT OF A BOUNDARY SURVEY
OF THE LANDS OF
CKW RENTALS, LLC
TAX PARCEL 37-(A)-8
GAINESBORO MAGISTERIAL DISTRICT, FREDERICK COUNTY, VIRGINIA

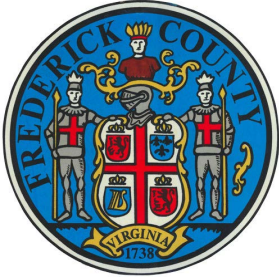
GreyWolfe, Inc.
Land Surveying and Consulting

1073 Redbud Road
Winchester, VA 22603
GreyWolfeInc@aol.com
540-667-2001 OFC
540-545-4001 FAX

FILE NO: 0938 DATE: JANUARY 9, 2024 SCALE: 1" = 150' SHEET 2 OF 3



INSTRUMENT 240000330
RECORDED IN THE CLERK'S OFFICE OF
FREDERICK CIRCUIT COURT ON
JANUARY 16, 2024 AT 11:56 AM
SARAH J. KAHLE, CLERK
RECORDED BY: NLS



Agricultural District Advisory Committee

Agenda Item Detail

Meeting Date: February 20, 2024

Agenda Section: Removal from the South Frederick Agricultural and Forestal District

Title: Discussion Regarding the Removal of a Parcel from the South Frederick Agricultural and Forestal District (Charles and Robin Bentley)

Attachments:

[ADAC02-20-24CharlesRobinBentley_Removal.pdf](#)



MEMORANDUM

TO: Agricultural District Advisory Committee

FROM: Mark R. Cheran, Zoning Administrator

RE: Request to Remove Parcel 84-A-28A, owned by Charles and Robin Bentley from the South Frederick Agricultural and Forestal District.

DATE: February 8, 2024

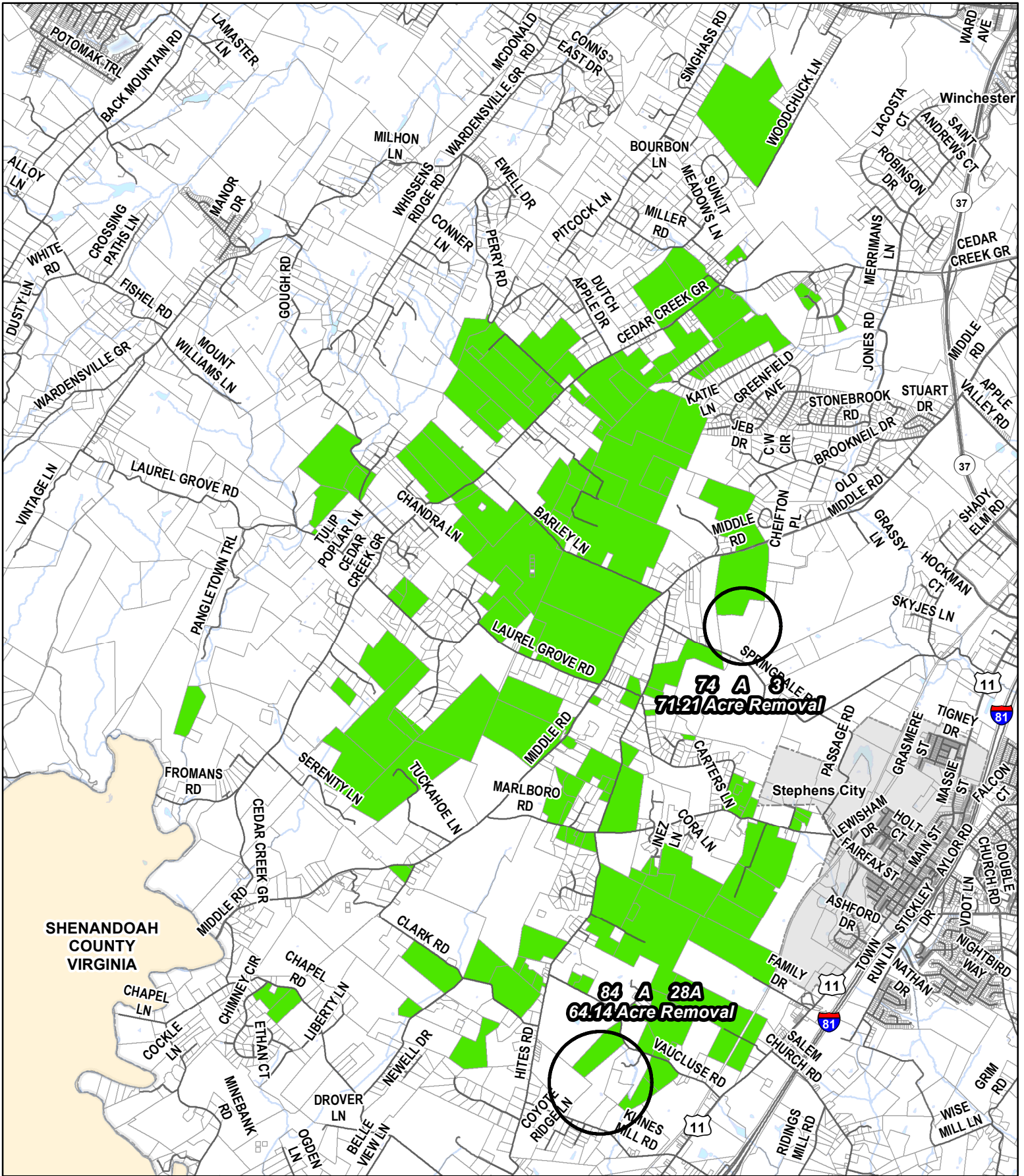
Please find attached a letter from Charles and Robin Bentley dated January 12, 2024. Mr. Bentley has requested the removal of one parcel from the South Frederick Agricultural and Forestal District. The South Frederick Agricultural and Forestal District was established in 1980 and has been renewed five times. The most recent renewal of this district occurred in September 2020 for a period of five years. Currently, 6,921.63 acres are contained in this district.

Mr. Bentley desires to remove one parcel totaling 64.14 +/- acres from the South Frederick Agricultural and Forestal District. Section 15.2-4314 of the Code of Virginia, 1950, as amended, provides property owners with the ability to request removal of land from an agricultural and forestal district through a public process via the local governing body. This removal is to allow for a subdivision of the land. The removal of this 64.14 +/- acre parcel for the South Frederick Agricultural and Forestal District will bring the total acreage to 6,857.49 +/- acres.

Staff will present mapping during the Planning Commission Meeting which delineates the location of this acreage and its proximity to other land within the South Frederick Agricultural and Forestal District.

This item is presented to the Agricultural District Advisory Committee and staff is seeking a recommendation to the Planning Commission and the Board of Supervisors.

MRC/pd

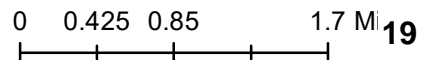


District Acreage: 6,786.28 Ac.

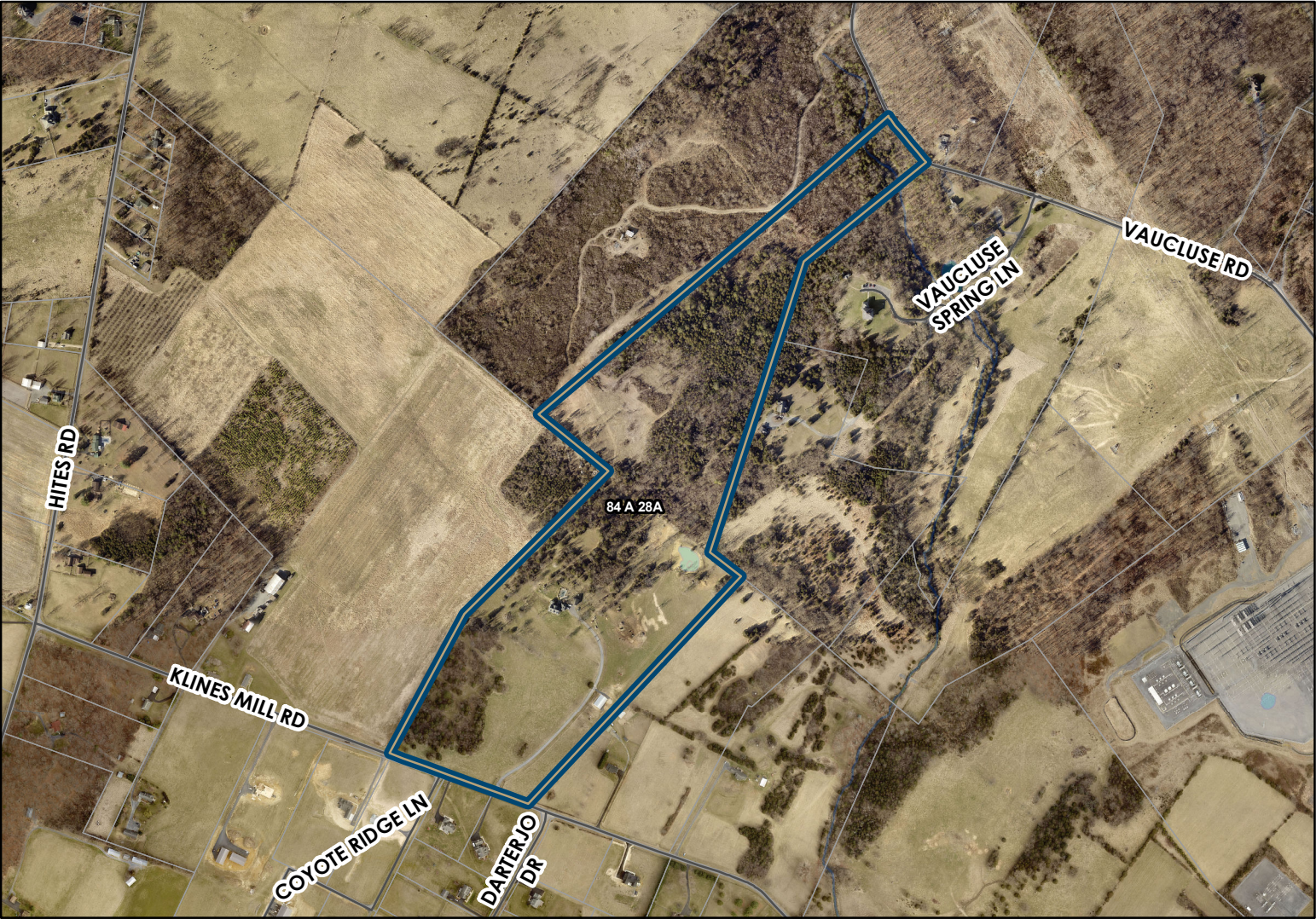
2020-2025 South Frederick Agricultural & Forestal District



Note:
Frederick County Dept of Planning & Development
107 N Kent St. Suite 202, Winchester, VA 22601
540 - 665 - 5651
Map Created: February 8, 2024



2020-2025 South Frederick Removal Agricultural & Forestal District

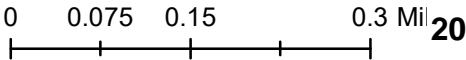


-  Removal
-  Parcels

PIN	Owner	Acres
84 A 28A	BENTLEY, CHARLES A & ROBIN J	64.14



Note:
 Frederick County Dept of Planning & Development
 107 N Kent St. Suite 202, Winchester, VA 22601
 540 - 665 - 5651
 Map Created: February 7, 2024



Charles and Robin Bentley
566 Klines Mill Road
Middletown VA 22645
540-247-6182

January 12, 2024

Agricultural and Forestal Advisory Committee
Attn: Mark Cheran
107 North Kent Street
Winchester VA 22601

Dear Mr. Cheran,

Thank you for your help with the process of giving our son a building lot. With the required setbacks and time limitations for getting a variance, we see no other alternative but to withdraw our farm from the existing South Frederick Agricultural district.

This will simplify the process and allow Alex to adjust the house site as to avoid the rock breaks and still maintain the 2-acre size.

Please let me know when we are considered out of the South Frederick Ag District.

Thank you, again, for your help in this matter. Please let me know if you need anything else.

Sincerely,

Charles and Robin Bentley

PARENT TAX PARCEL 84-A-28A
64.1411 ACRES
-2.0000 ACRES
62.1411 ACRES REMAINING

T.M. 84-A-29
WOODBINE FARMS, INC.
106.46 ACRES±
(FOXGLOVE SOLAR PROJECT)

PROPOSED 30' PRIVATE
INGRESS-EGRESS EASEMENT

2.0000 ACRES
FAMILY DIVISION LOT

2.0000 ACRES
FUTURE LOT

PROPOSED
WELL SITE

PROPOSED
DRAINFIELD
EASEMENT



KLINES MILL ROAD
VA. SECONDARY ROUTE 633
50' R/W



Agricultural District Advisory Committee

Agenda Item Detail

Meeting Date: February 20, 2024

Agenda Section: Removal from the South Frederick Agricultural and Forestal District

Title: Discussion Regarding the Removal of a Parcel from the South Frederick Agricultural and Forestal District (West Oaks Farm Market, LLC.) (Joseph and Mary Snapp)

Attachments:

[ADAC02-20-24WestOaksFarmMarketRemoval_Redacted.pdf](#)



MEMORANDUM

TO: Agricultural District Advisory Committee

FROM: Mark R. Cheran, Zoning Administrator

RE: Request to Remove Parcel 74-A-3, owned by West Oaks Farm Market, LLC., (Joseph and Mary Snapp) from the South Frederick Agricultural and Forestal District.

DATE: February 8, 2024

Please find attached a letter from Joseph and Mary Snapp (Ben Butler, POA) dated February 6, 2024. Mr. Butler has requested the removal of one parcel from the South Frederick Agricultural and Forestal District. The South Frederick Agricultural and Forestal District was established in 1980 and has been renewed five times. The most recent renewal of this district occurred in September 2020 for a period of five years. Currently, 6,857.49+/- acres are contained in this district.

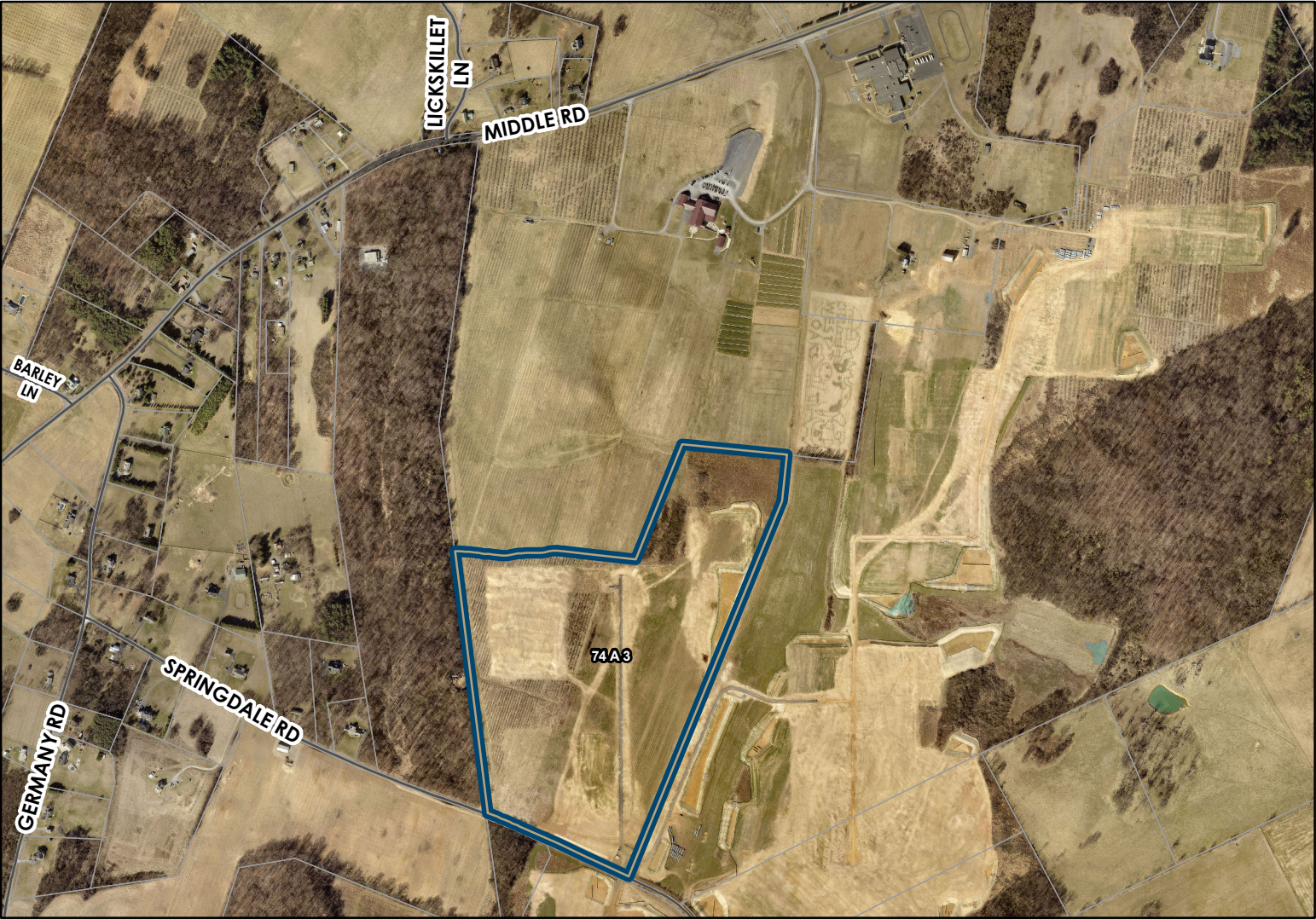
Mr. Butler desires to remove one parcel totaling 71.21+/- acres from the South Frederick Agricultural and Forestal District. Section 15.2-4314 of the Code of Virginia, 1950, as amended, provides property owners with the ability to request removal of land from an agricultural and forestal district through a public process via the local governing body. This removal is to allow for a subdivision of the land. The removal of this 71.21+/- acre parcel for the South Frederick Agricultural and Forestal District will bring the total acreage to 6,786.28+/- acres.

Staff will present mapping during the Planning Commission Meeting which delineates the location of this acreage and its proximity to other land within the South Frederick Agricultural and Forestal District.

This item is presented to the Agricultural District Advisory Committee and staff is seeking a recommendation to the Planning Commission and the Board of Supervisors.

MRC/pd

2020-2025 South Frederick Removal Agricultural & Forestal District

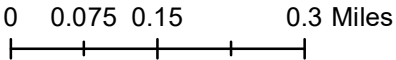


- Portion of 74-A-3 for Removal
- Parcels

PIN	Owner	Acres
74 A 3	WEST OAKS FARM MARKET, LLC	71.21



Note:
 Frederick County Dept of Planning & Development
 107 N Kent St. Suite 202, Winchester, VA 22601
 540 - 665 - 5651
 Map Created: February 8, 2024





**APPLICATION FOR RENEWAL, ADDITION OR REMOVAL FROM THE
SOUTH FREDERICK AGRICULTURAL & FORESTAL DISTRICT
FREDERICK COUNTY, VIRGINIA**

Name: West Oaks Farm Market, LLC

Address: 229 West Oaks Lane, Winchester VA 22602

Phone: [REDACTED] Email: [REDACTED]

As indicated in the attached letter, you currently have parcels in the South Frederick Agricultural and Forestal District. Please indicate in the table below which parcels you would like to keep in the District or remove from the District. If you wish to add new parcels to the District, please list those below as well.

Tax Map #	Acreage	Keep in or Add to District	Remove from District
74-A-3	209.11	137.901 acres	71.21 acres

[REDACTED]
Signature MARY V. SWAPP, Member and MANAGER

2/7/2024
Date

[REDACTED]
Signature Joseph D. SWAPP, MANAGER

2/7/2024
Date

PLEASE RETURN TO THE PLANNING DEPARTMENT BY MARCH 31, 2020

**Benjamin M. Butler, PLC
d.b.a. McKEE and BUTLER**

112 South Cameron Street
Winchester, Virginia 22601
(540)247-7073
E-Mail: bmblaw1@comcast.net

February 6, 2024

Department of Planning and Development
County of Frederick, Virginia
Attn: Mr. Mark Cheran
107 N. Kent St
Winchester, VA 22601

Mr. Cheran:

The undersigned , Benjamin M. Butler, attorney for West Oaks Farm Market, LLC presents this letter in connection with the request to remove 71.21 acres from the South Frederick Agricultural & Forestal District .The 71.21 acres is more fully described in the plat titled “ Plat showing Boundary Line Adjustment on the Lands of West Oaks Farm Market, LLC Instrument #150007227 Tax Map 74-A-3 and DESRI Bartonsville Land Holdings ,L.L.C. Instrument # 220010991 Tax Map 74-A-4” prepared by Jeffrey A. Smeraldo, Land Surveyor, dated December 20,2023 .

Respectfully ,

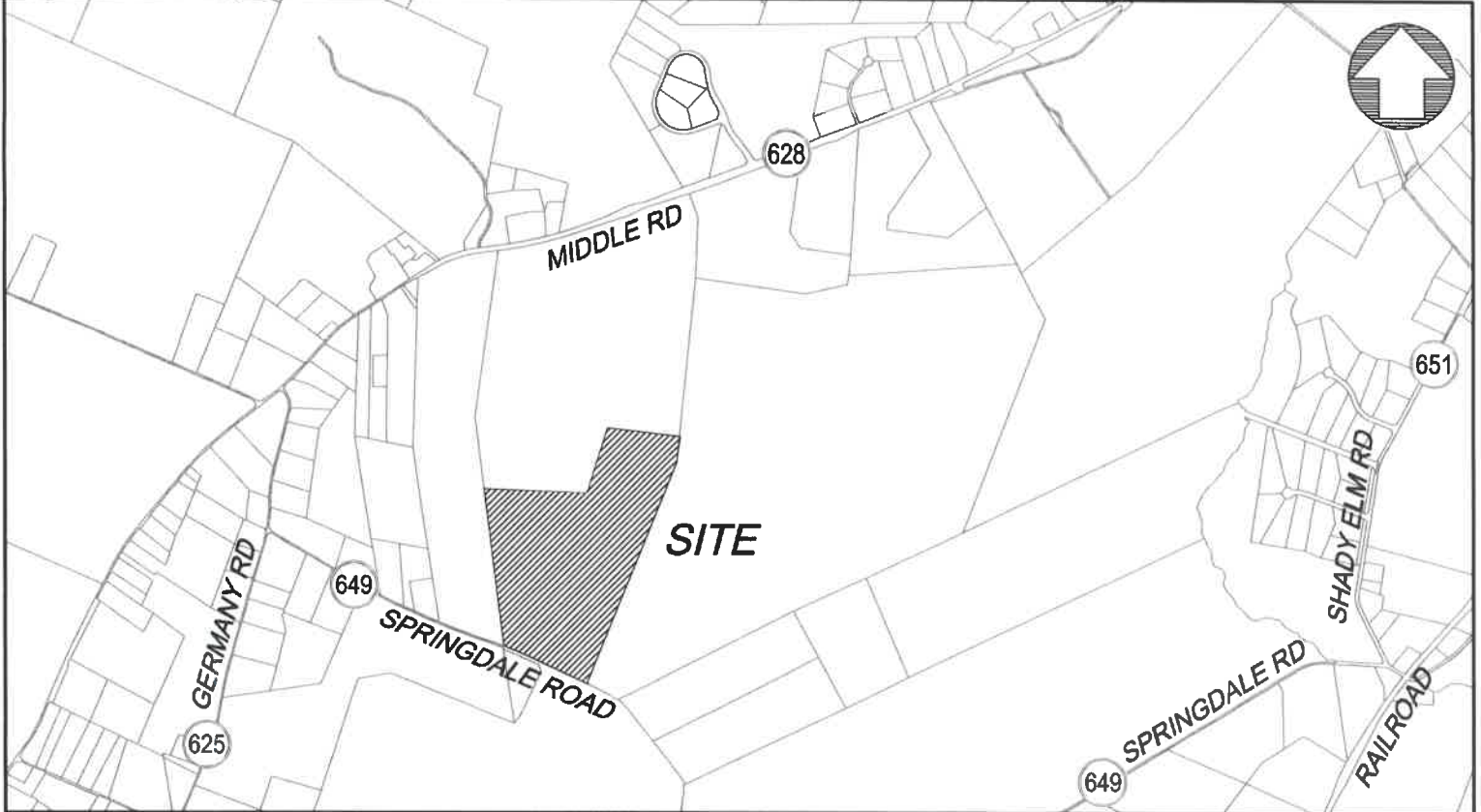

Benjamin M. Butler, Esq.
VA Bar #01357

The undersigned West Oaks Farm Market, LLC acting through its member, Mary V. Snapp and its Managers, Mary V. Snapp and Joseph D. Snapp, hereby join in this letter to ratify and confirm the request to remove the 71.21 acres, described above, from the South Frederick Agricultural & Forestal District.

West Oaks Farm Market, LLC

By: 
Mary v. Snapp, Member/Manager

By: 
Joseph D. Snapp



VICINITY MAP

1" = 2000'

APPROVAL:

 FREDERICK COUNTY SUBDIVISION ADMINISTRATOR DATE

SURVEY NOTES:

1. THE PROPERTIES DELINEATED ON THIS PLAT ARE IDENTIFIED AS FREDERICK COUNTY, VA MAP NUMBERS 74-A-3 AND 74-A-4 AND ARE ZONED "RA" PER INFORMATION OBTAINED FROM FREDERICK COUNTY, VA GIS.
2. A TITLE COMMITMENT WAS PREPARED BY STEWART TITLE GUARANTY COMPANY (COMMITMENT NUMBER 22000330417-01) DATED APRIL 1, 2022. ENCUMBRANCES RECORDED SUBSEQUENTLY TO THAT DATE ARE NOT REFLECTED HEREON.
3. THIS PLAT IS BASED ON A CURRENT FIELD SURVEY BY THIS FIRM.
4. BASED ON GRAPHIC DETERMINATION THESE PROPERTIES ARE IN ZONE "X", AREA OF MINIMAL FLOOD HAZARD, AS SHOWN ON FEMA FLOOD INSURANCE RATE MAP, COMMUNITY PANEL #51069C0330E, DATED JANUARY 29, 2021.
5. ALL UNDERLYING EASEMENTS MAY NOT BE REFLECTED ON THIS PLAT.

SURVEYOR'S CERTIFICATE

I, JEFFREY A. SMERALDO, DO HEREBY CERTIFY THAT THE PROPERTIES SHOWN ON THIS PLAT ARE NOW IN THE NAMES OF WEST OAKS FARM MARKET, LLC, AS RECORDED AT INSTRUMENT #150007227, AND DESRI BARTONSVILLE LAND HOLDINGS, L.L.C., AS RECORDED IN INSTRUMENT #220010991, ALL RECORDED AMONG THE LAND RECORDS OF FREDERICK COUNTY, VIRGINIA.

JEFFREY A. [REDACTED] 12/20/23

 DATE

PLAT SHOWING BOUNDARY LINE ADJUSTMENT
 ON THE LANDS OF
WEST OAKS FARM MARKET, LLC
 INSTRUMENT #150007227
 TAX MAP NO. 74-A-3
 AND
DESRI BARTONSVILLE LAND HOLDINGS, L.L.C.
 INST. #220010991
 TAX MAP NO. 74-A-4



THIS DRAWING PREPARED AT THE NORTHERN VIRGINIA OFFICE 20110 Ashbrook Place, Suite 100 Ashburn, VA 20147 TEL 703.554.6700 FAX 703.726.1345 www.timmons.com	YOUR VISION ACHIEVED THROUGH OURS.	Back Creek District	Frederick County
		Date: Nov. 9, 2023	Scale: As Shown
		Sheet 1 of 5	J.N.: 61414
		Drawn by: T. Barrett	Checked by: J. Smeraldo

OWNERS CERTIFICATE

THE ABOVE AND FOREGOING BOUNDARY LINE ADJUSTMENT, AS APPEARS ON THE ACCOMPANYING PLATS, IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS, PROPRIETORS, AND TRUSTEES, IF ANY.

WEST OAKS FARM MARKET, LLC *owner / member*

NOTARY STATEMENT:

OF New York
 COUNTY OF New York, New York

I, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR THE _____ OF _____ AND COUNTY AFORESAID, DO HEREBY CERTIFY THAT THE ABOVE OWNER(S) WHOSE NAME(S) IS(ARE) SIGNED ABOVE IN THE OWNER'S CONSENT AND DEDICATION APPEARED BEFORE ME AND PERSONALLY ACKNOWLEDGED THE SAME IN MY JURISDICTION AFORESAID.

MY COMMISSION EXPIRES ON THE 19th DAY OF September, 2026
 GIVEN UNDER MY HAND THIS 23rd DAY OF January, 2024

[Signature]
 NOTARY PUBLIC

TAMMIE MARIE DAVID
 Notary Public, State of New York
 No. 01DA6440926
 Qualified in New York County
 Commission Expires 09/19/2026

OWNERS CERTIFICATE

THE ABOVE AND FOREGOING BOUNDARY LINE ADJUSTMENT, AS APPEARS ON THE ACCOMPANYING PLATS, IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS, PROPRIETORS, AND TRUSTEES, IF ANY.

DESRI BARTONSVILLE LAND HOLDINGS, L.L.C.

NOTARY STATEMENT:

Commonwealth OF Virginia
 COUNTY OF Winchester
 CITY

I, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR THE Commonwealth OF Virginia AND COUNTY AFORESAID, DO HEREBY CERTIFY THAT THE ABOVE OWNER(S) WHOSE NAME(S) IS(ARE) SIGNED ABOVE IN THE OWNER'S CONSENT AND DEDICATION APPEARED BEFORE ME AND PERSONALLY ACKNOWLEDGED THE SAME IN MY JURISDICTION AFORESAID.

MY COMMISSION EXPIRES ON THE 31st DAY OF Jan, 2026
 GIVEN UNDER MY HAND THIS 29th DAY OF Jan, 2024

[Signature]
 NOTARY PUBLIC

MARGUERITE C. LOVELADY
 NOTARY PUBLIC
 REG. #7010794
 MY COMMISSION EXPIRES 12/26
 COMMONWEALTH OF VIRGINIA

*Joseph D. Shapp
 Owner / manager
 West Oaks Farm Market, LLC*

AREA TABULATION:

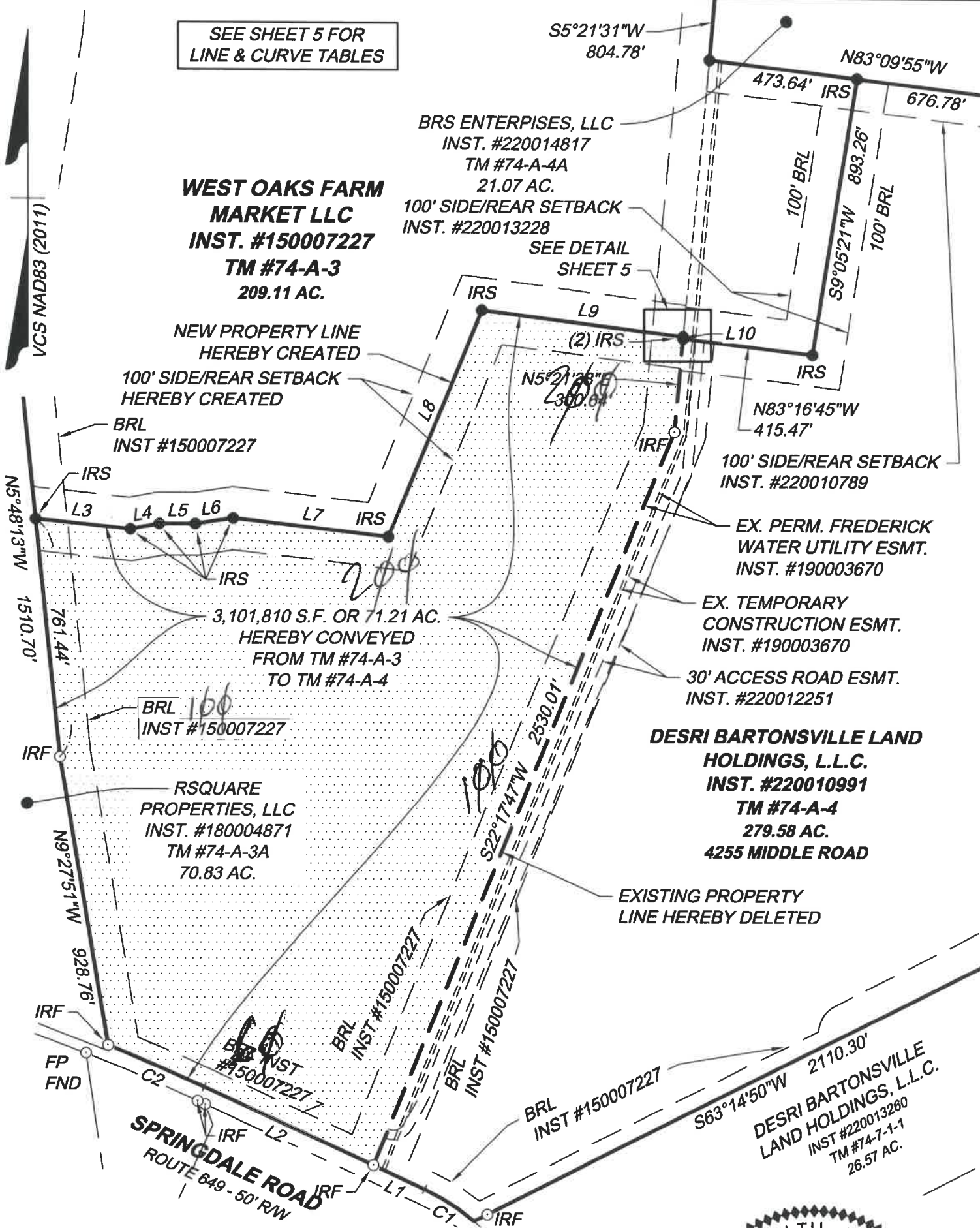
TAX MAP #74-A-3	209.11 ACRES (ORIGINAL)
TAX MAP #74-A-4	279.58 ACRES (ORIGINAL)
	488.69 ACRES (TOTAL)
TAX MAP #74-A-3	137.90 ACRES (ADJUSTED)
TAX MAP #74-A-4	350.79 ACRES (ADJUSTED)
	488.69 ACRES (TOTAL)

PLAT SHOWING BOUNDARY LINE ADJUSTMENT
 ON THE LANDS OF
WEST OAKS FARM MARKET, LLC
 INSTRUMENT #150007227
 TAX MAP NO. 74-A-3
 AND
DESRI BARTONSVILLE LAND HOLDINGS, L.L.C.
 INST. #220010991
 TAX MAP NO. 74-A-4

COMMONWEALTH OF VIRGINIA
[Signature]
 JEFFREY A. SMERALDO
 Lic. No. 2503
12/20/23
 LAND SURVEYOR

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		Date: Nov. 9, 2023	Scale: N/A
		Sheet 2 of 5	J.N.: 61414
		Drawn by: T. Barrett	Checked by: J. Smeraldo

SEE SHEET 5 FOR
LINE & CURVE TABLES



**WEST OAKS FARM
MARKET LLC**
INST. #150007227
TM #74-A-3
209.11 AC.

BRS ENTERPRISES, LLC
INST. #220014817
TM #74-A-4A
21.07 AC.
100' SIDE/REAR SETBACK
INST. #220013228

NEW PROPERTY LINE
HEREBY CREATED
100' SIDE/REAR SETBACK
HEREBY CREATED
BRL
INST #150007227

3,101,810 S.F. OR 71.21 AC.
HEREBY CONVEYED
FROM TM #74-A-3
TO TM #74-A-4

**RSQUARE
PROPERTIES, LLC**
INST. #180004871
TM #74-A-3A
70.83 AC.

**DESRI BARTONSVILLE LAND
HOLDINGS, L.L.C.**
INST. #220010991
TM #74-A-4
279.58 AC.
4255 MIDDLE ROAD

**DESRI BARTONSVILLE
LAND HOLDINGS, L.L.C.**
INST #220013260
TM #74-7-1-1
26.57 AC.

PLAT SHOWING BOUNDARY LINE ADJUSTMENT
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INSTRUMENT #150007227
TAX MAP NO. 74-A-3
AND
**DESRI BARTONSVILLE LAND
HOLDINGS, L.L.C.**
INST. #220010991
TAX MAP NO. 74-A-4

- IRF IRON ROD FOUND
- IRS IRON ROD SET
- ▨ AREA OF ADJUSTMENT

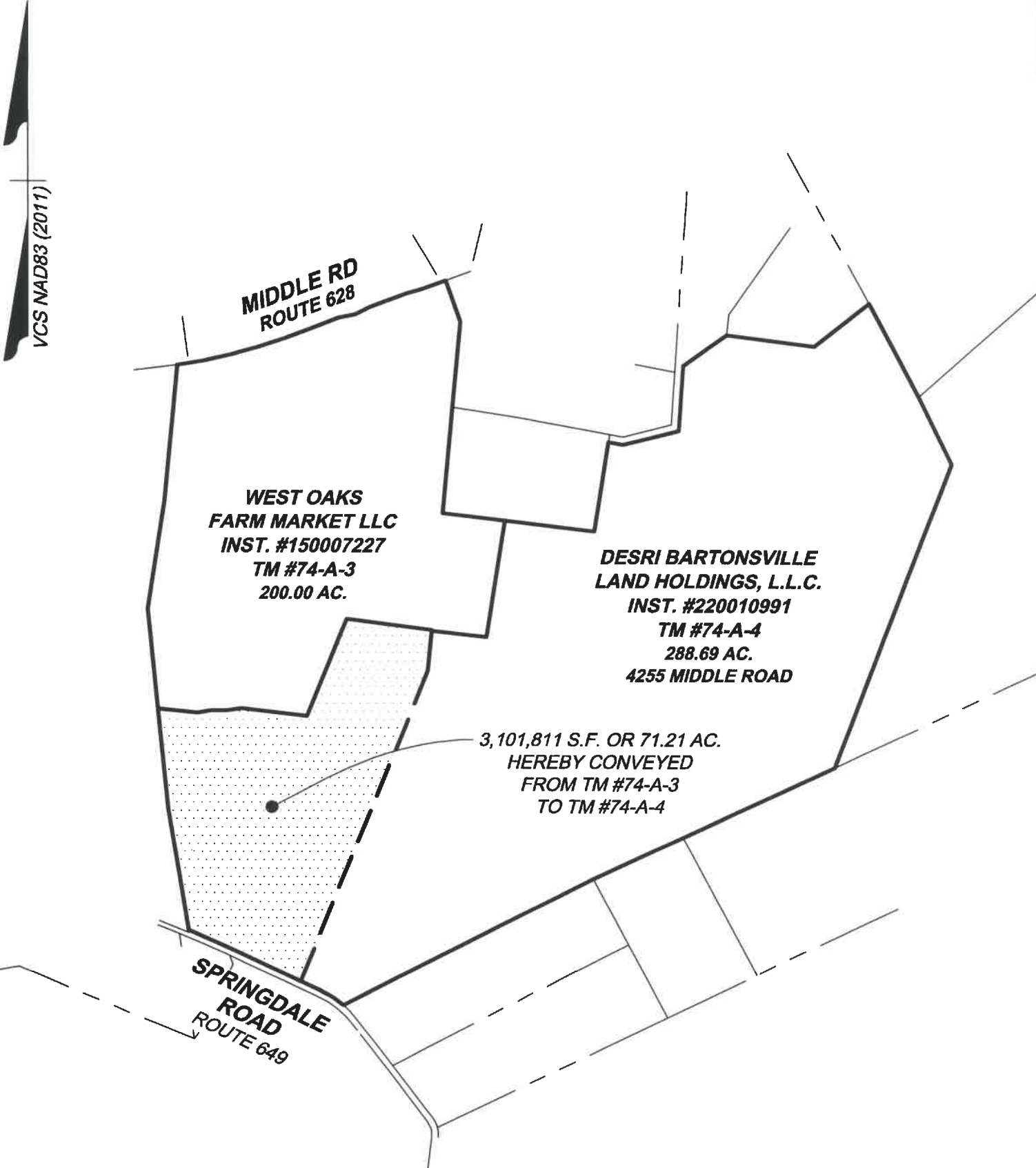
SCALE 1"=400'
0 400' 800'



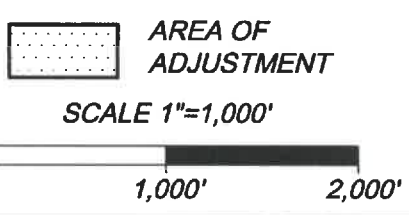
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YOUR VISION ACHIEVED THROUGH OURS.

Back Creek District	Frederick County
Date: Nov. 9, 2023	Scale: 1" = 400'
Sheet 3 of 5	J.N.: 61414
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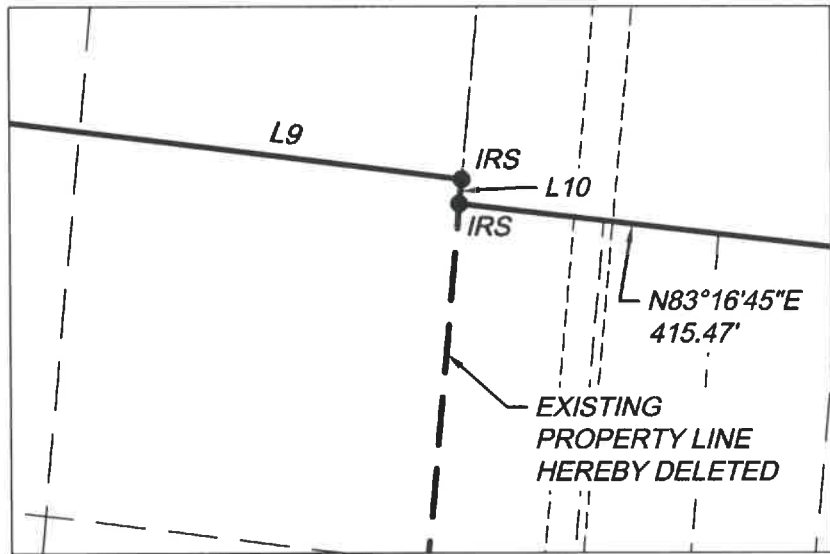
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		Sheet 4 of 5	J.N.: 61414
		Drawn by: T. Barrett	Checked by: J. Smeraldo

CURVE TABLE						
CURVE	RADIUS	LENGTH	TANGENT	DELTA	CHORD BEARING	CHORD
C1	686.16'	187.87'	94.53'	15°41'15"	N57°18'06"W	187.28'
C2	7100.00'	334.32'	167.19'	2°41'52"	N66°29'40"W	334.29'

LINE TABLE		
LINE	BEARING	LENGTH
L1	N65°08'44"W	179.61'
L2	N65°08'44"W	594.39'
L3	S83°54'45"E	303.44'
L4	N79°25'58"E	93.71'
L5	N89°55'44"E	115.79'
L6	N81°28'34"E	121.81'
L7	S83°16'03"E	498.02'
L8	N22°18'48"E	784.84'
L9	S82°46'52"E	646.58'
L10	S5°16'02"W	6.31'



DETAIL
NOT TO SCALE

PLAT SHOWING BOUNDARY LINE ADJUSTMENT
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- IRF IRON ROD FOUND
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- ▨ AREA OF ADJUSTMENT



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