

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
FAX (540) 982-0422

SMITH MOUNTAIN LAKE OFFICE
13245 B.T. WASHINGTON HWY., SUITE B
HARDY, VA 24101

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

December 6, 2021

(VIA HAND DELIVERY)

Franklin County Department of
Planning and Community Development
c/o Carrie Spencer
1255 Franklin Street, Suite 103
Rocky Mount, VA 24151

RE: The Coves at Smith Mountain Lake

Dear Ms. Spencer:

On behalf of my clients, The Coves at Smith Mountain Lake Owner's Association, Inc. and Coves Land Holdings, LLC (collectively hereinafter "The Coves") I am requesting a Zoning Map Amendment and Concept Plan Revision for the development known as The Coves at Smith Mountain Lake. I have enclosed twenty-eight 24" x 36" copies of the Revised Concept Plan along with a check in the amount of \$680.00. This application is being submitted to revise the proffers for The Coves subdivision previously approved by the Franklin County Board of Supervisors, to revise the previously approved concept plan for The Coves, and to increase the acreage included in The Coves by adding property.

The Coves at Smith Mountain Lake is a subdivision located in the Union Hall Magisterial District of Franklin County that was created in 2006. The original developer, Optima Properties - Smith Mountain Lake, LLC has assigned all of its developer rights and obligations to Coves Land Holdings, LLC.

The revised proffers being requested are below with supporting narrative following:

1. The Property will be developed in substantial compliance with the "Revised Concept Plan for The Coves and The Cliffs at Smit Mountain Lake, Franklin County, Virginia dated 12/6/2021. The configuration of area shown as open space and lots may be revised upon approval of subdivision plats provided the overall percentage of open space to gross area is maintained at a minimum of 50%, and the overall lot density does not exceed the following maximum density of the RPD District:

<u>Residential Use:</u>	<u>Units Per Acre:</u>
Single-Family	3
Two Family, detached dwelling, duplexes	5
Multifamily	15
Townhouses	10

2. The areas designated on the revised Concept Plan as Open Spaces A, A-1, A-2, A-3 and A-5 may be used by The Coves as a venue for the assembly of the general public for paid and unpaid events. This is a deviation from the permitted uses in RPD. All developed and undeveloped areas of this open space will be used in conjunction with the operation of the events.

3. That side setback requirement for all lots located within The Coves are reduced to 0 feet with a minimum building separation of 20'. This is a deviation from the minimum dimensions in RPD.

- This deviation is necessary to aid in the placement of new home that may be constrained as a result of the topology of the lots. Buildings will maintain the 20' minimum distance between them for fire protection and The Coves will have the ability to locate the structures as part of the architectural review process.

4. That the front setback requirement for all lots located within The Coves are reduced to 20' setback from the edge of the right of way. This is a deviation from the minimum dimensions in RPD.

- This deviation is necessary because of the severe terrain of the lots. Allowing the structures to be located closer to road will result in reduced construction costs and less grading on the lots so as the preserve the natural setting being promoted within The Coves.

5. That the Franklin County standard 10x20 parking spot dimensions are reduced to an 8x18 national standard since parking areas are on a level terrain.

In addition to the amended proffers, the attached Revised Concept Plan depicts certain changes to the Property. The changes reflected in the Revised Concept Plan are on property owned by The Coves and are summarized as follows:

1. Add Commodore Cape Lot being 3.03 acres (Tax Map # 0520604300) to The Coves and change its zoning classification to RPD from A-1.

2. Add Lot 74, The Retreat (Tax Map # 0520907400) to The Coves and change its zoning classification to RPD from R-1.

3. Develop the areas shown on the Concept Plan as: Lot 5, Lot 8, Lot 28, Lot 29, Lot 33, Lot 34, Lot 35, Lot 36, Lot 37, Lot 38, Lot 39, and Lot 40.

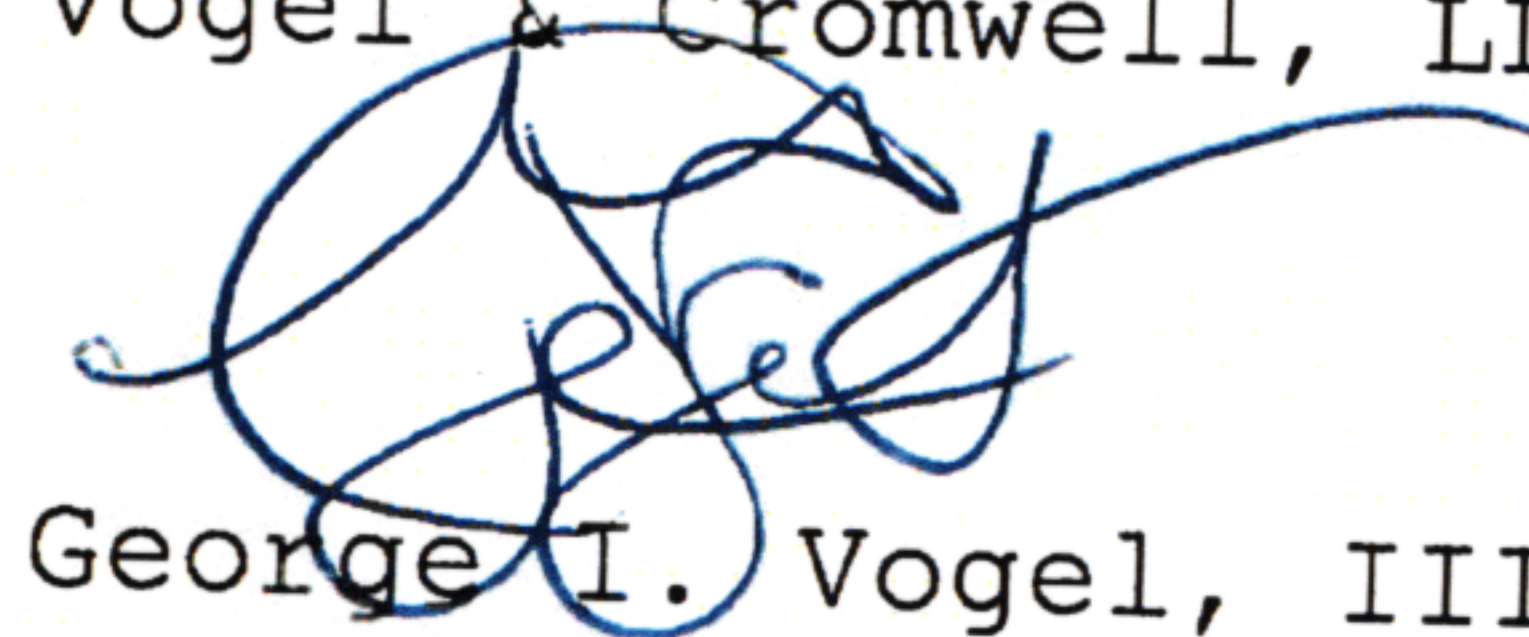
4. The open space areas, as reconfigured on the Revised Concept Plan, will be held in common ownership subject to restrictive covenants that ensure development in accordance with a common development plan and reflected as such on recorded subdivision plats for the areas.

5. Vacate the 30' preservation buffer along the exterior boundaries of The Coves, as shown on the concept plan. The preservation buffers are all located on Open Spaces to be maintained by the Association. Their vacation will allow for proper maintenance of the property lines and installation of fences without interference with in-ground utilities.

Thank you for your assistance with this matter. If you need any additional information regarding this application, please let me know.

Very Truly Yours,

Vogel & Cromwell, LLC



George I. Vogel, III

cc: (via e-mail)
Dennis Crumpler

**FRANKLIN COUNTY
ZONING MAP AMENDMENT APPLICATION**

(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 Supervisors for a zoning map amendment on the property as described below:

Petitioner's Name: George I. Vogel, III

Petitioner's Address: 204 McClanahan Street, S.W., Roanoke, VA 24014

Petitioner's Phone Number: 540-982-1220

Petitioner's E-mail: gvogel13@vogelandcromwell.com

Property Owner's Name: Coves Land Holdings, LLC

Property Owner's Address: 6525 The Corners Parkway, Suite 311, Norcross, GA 30092

Property Owner's Phone Number: 404-423-8606

Property Owner's E-mail: dennis@crumpler.net

Physical Address of the Property The Coves at Smith Mountain Lake

Directions to Property from Rocky Mount: Route 40 East; Left on Kemp Ford Road; Left on Standiford Road; Right on Rock Cliff Road; Left on Ivy Lane to Subdivision entrance on Right

4. Tax Map and Parcel Number: See attached List of Parcels (Total 37.59 acres)

5. Magisterial District: Union Hall

6. Property Information:

- A. Size of Property: See Attached List of Parcels (Total 37.559 acres)
RPD (Residential Planned Dev.) &
B. Existing Zoning: See Attached List of Parcels A-1 (Agricultural District)
R-1 (Residential Suburban Sub-
C. Existing Land Use: Low Density Residential Division District)

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

Corridor District Westlake Overlay District X Smith Mountain Lake Surface District

E. Is any land submerged under water or part of a lake? Yes No If yes, explain.

Smith Mountain Lake

7. Proposed Zoning Map Amendment Information:

- A. Proposed Land Use: Low Density Residential and Assembly for use as an event venue
- B. Size of Proposed Use: See Attached List of Parcels (Total 37.59 acres)
- C. Other Details of Proposed Use: This application is to revise the previously approved concept plan, permitted uses and unplatted lot dimensions. This application also requests a rezone of 4.47 acres included in the revised concept plan.

Checklist for completed items:

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

****I certify that this application for a zoning map amendment and the information submitted herein is correct and accurate. I authorize County staff to access this property for purposes related to the review and processing of this application.**

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

Signature of Petitioner: 

Date: 12/6/2021

Mailing Address: 204 McClanahan Street, S.W.

Roanoke, VA 24014

Telephone: 540-982-1220

Email Address: gvogel13@vogelandcromwell.com

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

Owner's Name (Print): Dennis Crumpler, Managing Member

Signature of Owner: 

Date: 12/6/2021

Tax Map #s	Description	Acreage	Zoning	Owner
0520000400	Open Space A	8.39	RPD	The Coves at Smith Mountain Lake Owners Association, Inc.
0520000401	Open Space A-2-A	11.21	RPD	The Coves at Smith Mountain Lake Owners Association, Inc.
0521003300	Open Space C	3.72	RPD	The Coves at Smith Mountain Lake Owners Association, Inc.
0521003400	Open Space D	2.07	RPD	The Coves at Smith Mountain Lake Owners Association, Inc.
0521003500	Open Space E	6.99	RPD	Coves Land Holdings, LLC
0520604300	Commodore Cape Lot	3.03	A-1	Coves Land Holdings, LLC
0521001800	Lot 18, The Coves at SML	0.74	RPD	Coves Land Holdings, LLC
0520907400	Lot 74, The Retreat	1.44	R-1	Coves Land Holdings, LLC

Total 37.59

Information Panel

Clear

(1 of 1)

Zoom To

Parcels: 0520000400

Primary Details

Parcel ID	0520000400
Map Number	052.00
Parcel Number	004.00
Owner	COVES AT SMITH MOUNTAIN LAKE OWNERS ASSOCIATION INC (THE)
Owner Address	PO BOX 363
City	MONETA
State	VA
Zip Code	24121
Physical Address	
Legal Description 1	COVES AT SML
Legal Description 2	OPEN SPACE A
Zoning	RPD
District	UNION HALL
Acreage	8.39
Land Value	\$100.00
Building Value	\$0.00
Assessed Total	\$100.00
Land Use Value	\$0.00
Grantor	OPTIMA PROPERTIES-SMITH MOUNTAIN
Consideration	\$0.00
Consideration Date	6/7/2012, 8:00 PM
Instrument Yr	2012
Instrument No	4171
Subdivision	THE COVES AT SML
Deed Book	1015
Deed Page	1408
Plat Book	899



- NOTES:
1. THIS SURVEY WAS PERFORMED WITH THE BENEFIT OF A TRUE REPORT BY AN ATTORNEY AND, THEREFORE, MAY NOT NECESSARILY INDICATE ALL ENCUMBRANCES UPON THE PROPERTY.
 2. THIS CONCEPT PLAN IS SUBJECT TO APPROVAL. ALL INFORMATION PRESENTED HEREON IS SUBJECT TO CHANGE AND SHALL NOT BE CONSIDERED AS A FIELD SURVEY NOR SHOULD IT BE CONSIDERED FINAL.
 3. THIS CONCEPT PLAN SHALL NOT BE DEEMED COMPLETE UNLESS ALL THREE SHEETS ARE CONSIDERED TOGETHER.
 4. ALL NOTES AND ACREAGE TABULATIONS ARE FOUND ON SHEET 2 OF 3.
 5. LOT LINES ARE SHOWN AS APPROXIMATE AND WILL BE FINALLY DETERMINED UPON THE RECORDING OF SUBDIVISION PLATS.



TRACT B-1
417 ACRES
(BELOW 600 ft. CONTOUR)
D.B. 662, PG. 1360
D.B. 749, PG. 1887 (MAP)

TRACT A-2
0.923 ACRE

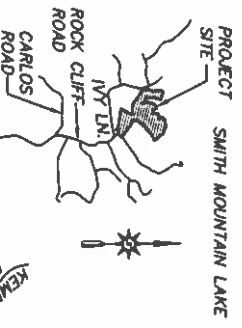
TRACT A-3
2.591 ACRES

TRACT A-4
0.429 ACRE

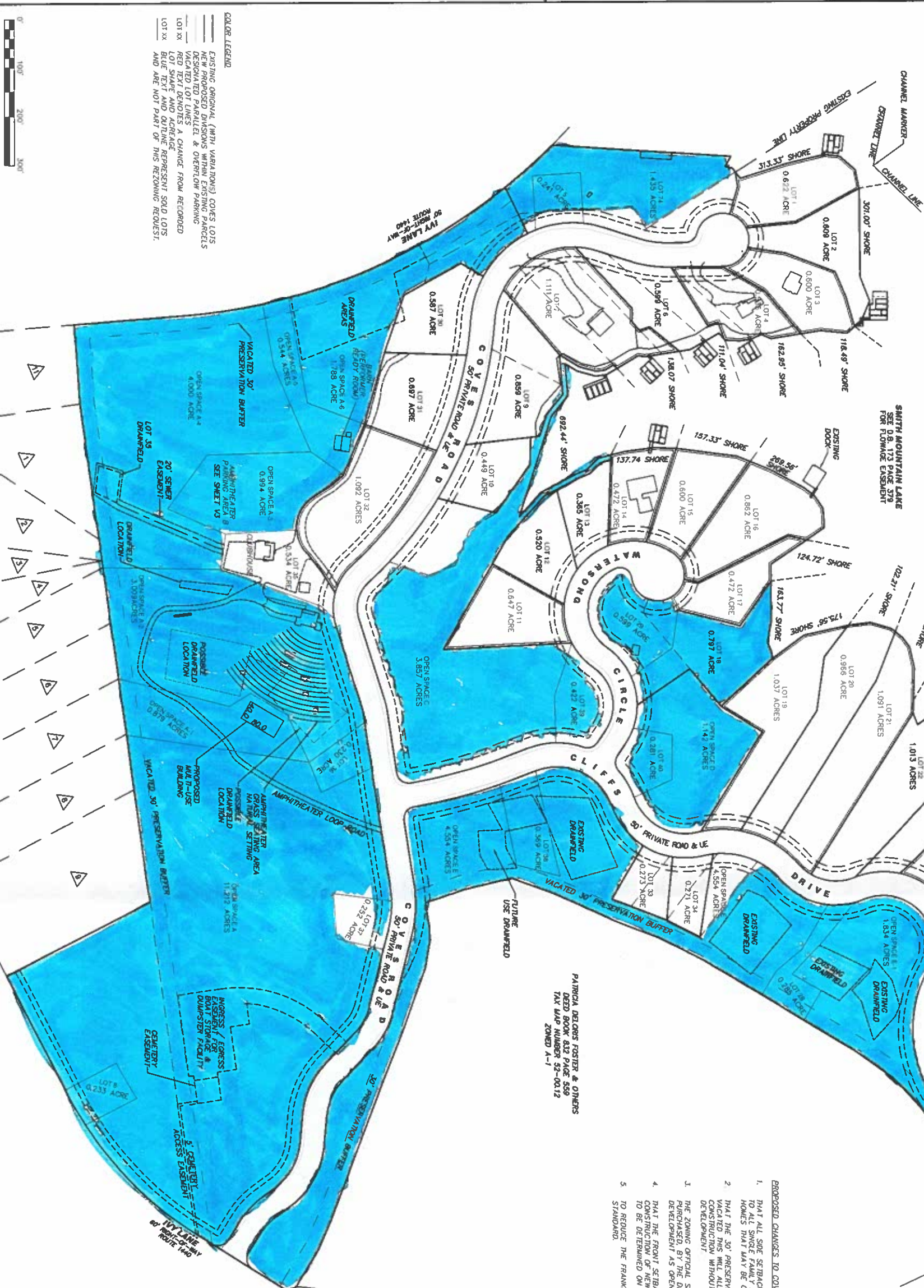
TRACT A-5
0.468 ACRE

TRACT A-6
0.481 ACRE

TRACT A-7
0.491 ACRE



VICINITY MAP
NOT TO SCALE



- PROPOSED CHANGES TO CONVEY PROGRESS NARRATIVE:
1. THAT ALL SIDE SETBACKS BE REDUCED TO 0-5 FEET THIS WOULD APPLY TO ALL SINGLE FAMILY AND MULTI-FAMILY LOTS AND WILL AID IN PLACEMENT OF NEW HOMES THAT MAY BE CONSTRUCTED DUE TO TOPOGRAPHY.
 2. THAT THE 30' PRESERVATION BUFFER BE ELIMINATED IN AREAS DESIGNATED AS VACATED THIS WILL ALLOW FOR PROPERTY MAINTENANCE IN AREAS AND CONSTRUCTION WITHOUT OBSTRUCTION OF IN-GROUND UTILITIES TO SERVICE THE DEVELOPMENT.
 3. THE ZONING OFFICIAL SHALL ALLOW ANY ADDITIONAL CONTIGUOUS ADJACENT LAND PROPOSED TO BE DEVELOPED OR THE HOME OWNERS ASSOCIATION INTO THE DEVELOPMENT AS OPEN SPACE.
 4. THAT THE FRONT SETBACK MAY BE REDUCED FROM 30' TO 20' TO AID IN CONSTRUCTION OF NEW HOMES AND FACILITIES DUE TO THE SEVERITY OF THE TERRAIN TO BE DETERMINED ON AN AS NEEDED BASIS.
 5. TO REDUCE THE FRANKLIN COUNTY STANDARD 10x20' PARKING SPOT TO AN 8x18' STANDARD.

REVISED MASTER PLAN FOR THE COVES & CLIFFS AT SMITH MOUNTAIN LAKE FRANKLIN COUNTY, VIRGINIA

ACTUAL
SURVEYORS, PLLC

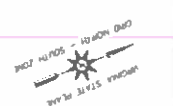
P.O. BOX 424 | AMHERST, VIRGINIA 24521-0424
PH: 434-946-7300 | WWW: ACTUALSURVEYORS.COM

DRAWN BY:	M.T.C.	
DESIGNED BY:	M.T.C.	
CHECKED BY:	M.T.C.	
DATE:	12-8-21	
SCALE:	1" = 100'	
REVISIONS		
1	CLIENT REVISIONS	10-22-21
2	CLIENT REVISIONS	11-4-21
3	CLIENT REVISIONS	11-22-21
4	CLIENT REVISIONS	12-1-21
5	CLIENT REVISIONS	12-5-21
6	CLIENT REVISIONS	12-6-21
7	COUNTY REVISIONS	12-28-21

V-1

PROPOSED LAYOUT COVES
SHEET 1 OF 3
JOB No. 2012-10-70

1. THIS SURVEY WAS PERFORMED WITH THE BEST OF 1/4" SCALE RECORDS BY AN
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TRACT #1-1
 417 ACRES
 (BELOW 200' E. CORNER)
 244' 10" (E. 1/4) (1/4) (1/4)

TRACT #1-2
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TRACT #1-3
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TRACT #1-4
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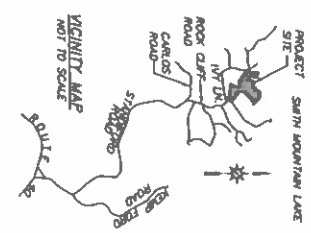
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TRACT #1-8
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TRACT #1-9
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ACTUAL SURVEYORS, PLLC
 P.O. BOX 4241 AMHERST, VIRGINIA 24521-0424
 PH 434-946-7300 | WWW.ACTUALSURVEYORS.COM

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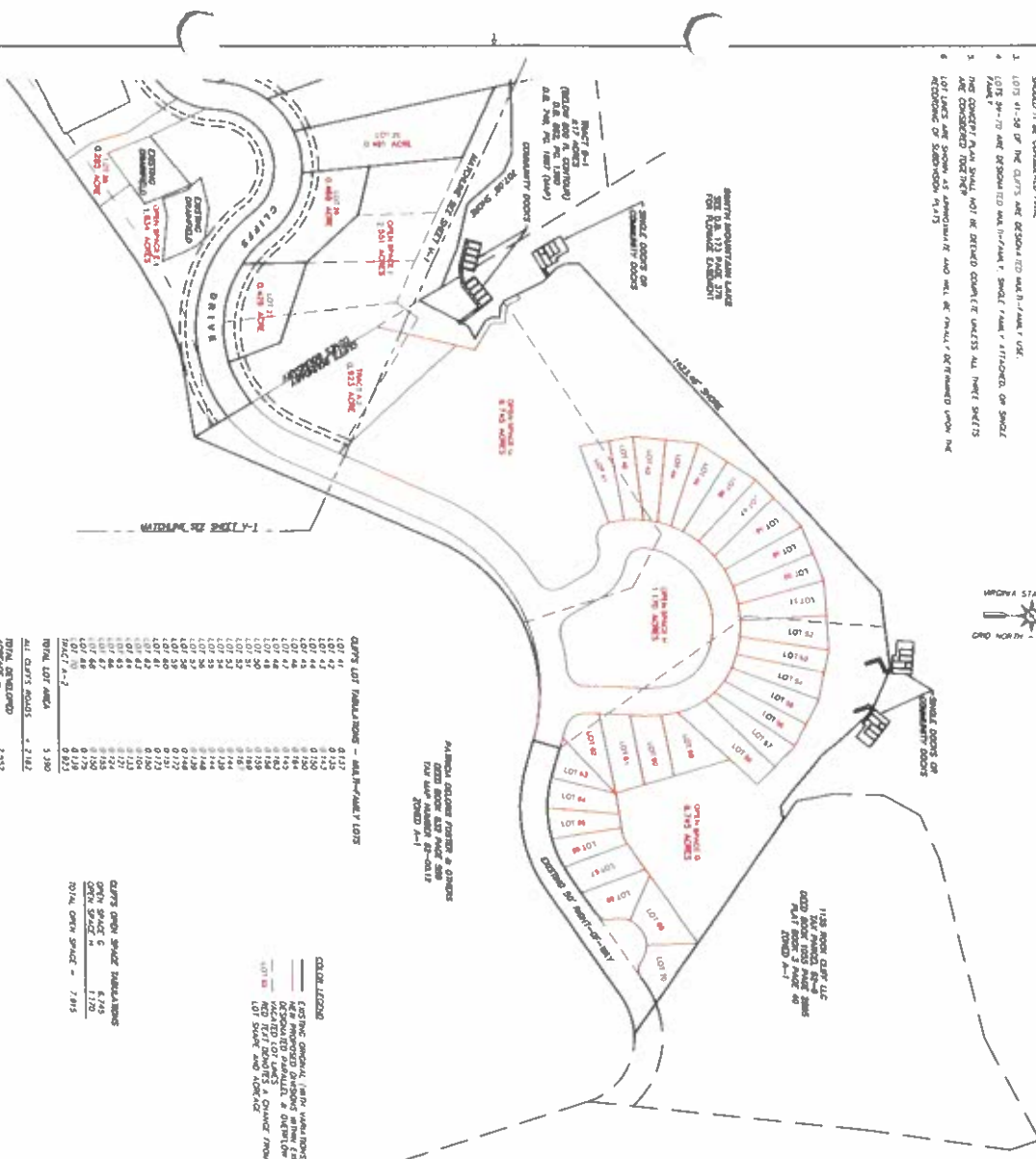
**REVISED MASTER PLAN FOR THE COVES & CLIFFS AT SMITH MOUNTAIN LAKE
 FRANKLIN COUNTY, VIRGINIA**

QUANTITY: _____ DATE: _____
 REVISION: _____ DATE: _____
 SCALE: 1" = 100'

NO.	DESCRIPTION	DATE
1	ORIGINAL	12-1-21
2	REVISION	12-1-21
3	REVISION	12-1-21
4	REVISION	12-1-21
5	REVISION	12-1-21
6	REVISION	12-1-21
7	REVISION	12-1-21
8	REVISION	12-1-21
9	REVISION	12-1-21
10	REVISION	12-1-21

V-1

- WISCONSIN STATE PLANE
GRID NORTH - SOUTH ZONE

[illegible]

CARRY OVER SPACE TOTALS
 OPEN SPACE C 6.74
 OPEN SPACE M 1.72
 2014 OPEN SPACE = 7.81

TABLE OF ADJOINING PROPERTY OWNERS (FROM SHEET V-1)					
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**REVISED MASTER PLAN FOR THE COVES
& CLIFFS AT SMITH MOUNTAIN LAKE
FRANKLIN COUNTY, VIRGINIA**

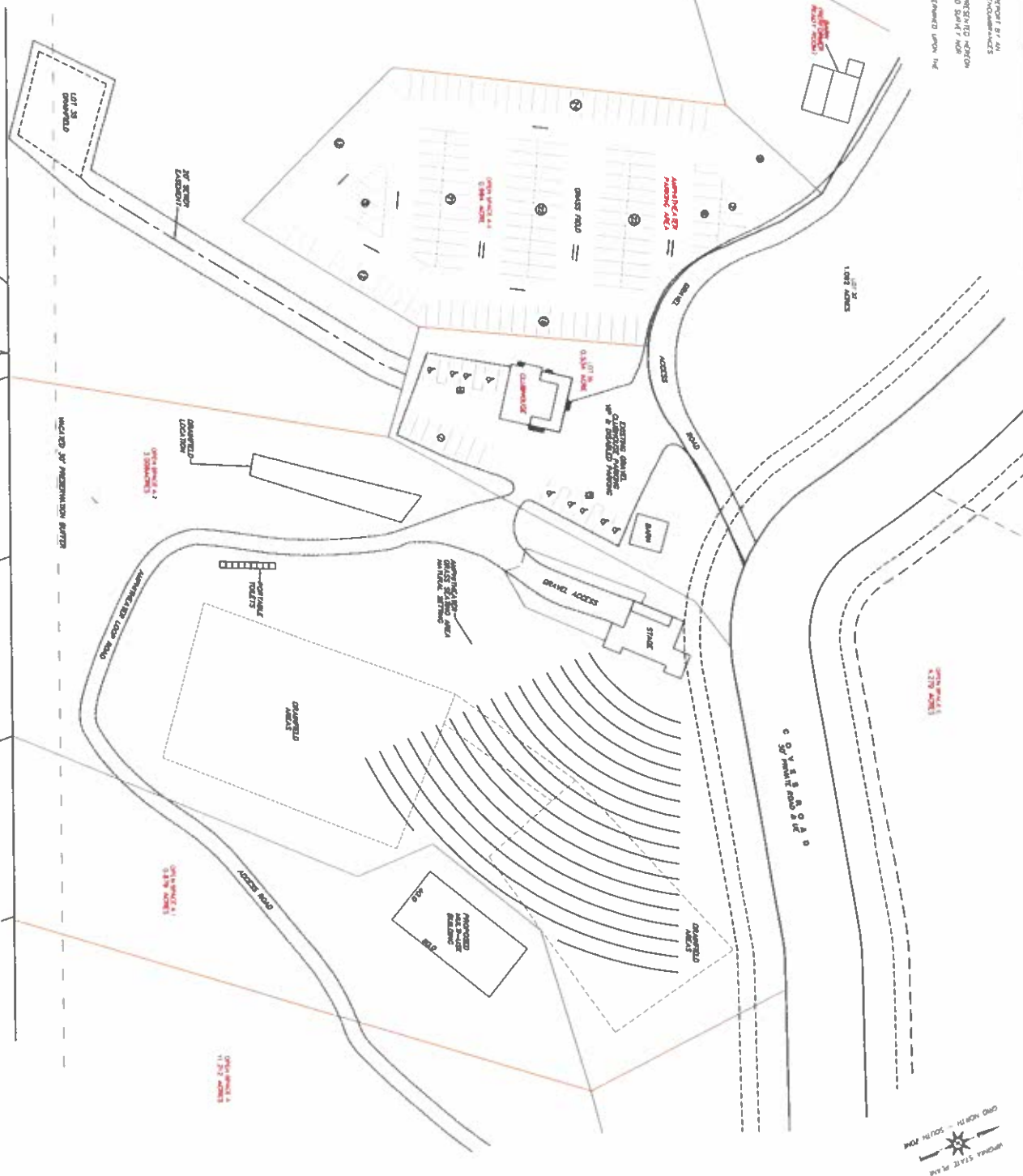
ACTUAL
SURVEYORS, PLLC

P.O. BOX 424 | AMHERST, VIRGINIA 24521-0424
PH: 434-946-7300 | WWW: ACTUALSURVEYORS.COM

15-00000

CONCRETE

— EASY TO ORDER, WITH VARIOUS COLOURS
— WE PROPOSED BORDERS WITH EASYING PATTERN
— PERSONALIZED PARALLEL & ORTHOGONAL PATTERN
— VACUATED LOT LINES
— RED TIE CHOICES A CHANGE FROM RECORDED
— 10'11" SQUARE AND AHEAD



AMENDED PLAN
SHEET 3 OF 3
JOB No. 2012-00-70

V-3

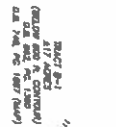
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3	CLUB 7 MEMBERS	12-13-1
4	CLUB 7 MEMBERS	13-14-1
5	CLUB 7 MEMBERS	14-15-1
6	CLUB 7 MEMBERS	15-16-1

ORDER BY: _____
 ORDERED BY: _____
 ORDERED BY: _____
 DATE: _____
 SCALE: 1" = 100'
 REVISIONS

**REVISED MASTER PLAN FOR THE COVES
& CLIFFS AT SMITH MOUNTAIN LAKE
FRANKLIN COUNTY, VIRGINIA**

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SURVEYORS, PLLC

PO BOX 424 | AMHERST, VIRGINIA 24521-0424
PH: 434-946-7300 | WWW: ACTUALSURVEYORS.COM

[illegible]

PROXIMITY MAP
NOT TO SCALE

**ACTUAL
SURVEYORS, PLLC**
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946-7300 | WWW: ACTUALSURVEYORS.COM

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PH: 434-946-7300 | WWW: ACTUALSURVEYORS.COM

SECTION	REVISIONS	DATE
1	CLIENT REVISIONS	12-8-21
2	CLIENT REVISIONS	12-8-21
3	CLIENT REVISIONS	12-8-21
4	CLIENT REVISIONS	12-8-21
5	CLIENT REVISIONS	12-8-21
6	CLIENT REVISIONS	12-8-21

DATE: 12-8-21

SCALE: 1" = 100'

DESIGNED BY: M.C.

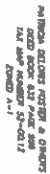
CHECKED BY: M.C.

PROJECT NO.:

PROPOSED LAND USE
SHEET 1 OF 3
JOB No. 2012-10-70

JOS No. 2012-10-70

- WINDY STATE PLANE
EAST NORTH - SOUTH ZONE



PAID FOR BY THE POSTER & OTHERS
 DATED BOOK 437 PAGE 258
 TAX MAP NUMBER 85-0212
 ROWED A-1

EXISTING ORANGE (WITH VARIATIONS) COVERS ITS
 HERE PROPOSED QUESTIONS AS FROM EXISTING PLANS
 DESIGNATED PARALLEL & QUANTIFY PLANNING
 VACATED FOR LINES
 RED TEXT DEMONSTRATES A CHANGE FROM RECONSTRUCT
 LOT SHOWN AND ACQUIRE

[illegible]

COOKS OPEN SPACE - AS PROPOSED WITH THIS REVISED MASTER PLAN

OPEN SPACE (-)	1.824
OPEN SPACE (+)	1.251
TOTAL ALL OPEN SPACE	3.075

TOTAL REVENUES
ACTUAL - \$1,476,409.55

NO	OWNER	1/4 ACRES +/-	DEED REFERENCE	2004 AC	ADJOINING	REMARKS
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66	OWNER	0.00		0.00	OWNER	OWNER
67	OWNER	0.00		0.00	OWNER	OWNER
68	OWNER	0.00		0.00	OWNER	OWNER
69	OWNER	0.00		0.00	OWNER	OWNER
70	OWNER	0.00		0.00	OWNER	OWNER
71	OWNER	0.00		0.00	OWNER	OWNER
72	OWNER	0.00		0.00	OWNER	OWNER
73	OWNER	0.00		0.00	OWNER	OWNER
74	OWNER	0.00		0.00	OWNER	OWNER
75	OWNER	0.00		0.00	OWNER	OWNER
76	OWNER	0.00		0.00	OWNER	OWNER
77	OWNER	0.00		0.00	OWNER	OWNER
78	OWNER	0.00		0.00	OWNER	OWNER
79	OWNER	0.00		0.00	OWNER	OWNER
80	OWNER	0.00		0.00	OWNER	OWNER
81	OWNER	0.00		0.00	OWNER	OWNER
82	OWNER	0.00		0.00	OWNER	OWNER
83	OWNER	0.00		0.00	OWNER	OWNER
84	OWNER	0.00		0.00	OWNER	OWNER
85	OWNER	0.00		0.00	OWNER	OWNER
86	OWNER	0.00		0.00	OWNER	OWNER
87	OWNER	0.00		0.00	OWNER	OWNER
88	OWNER	0.00		0.00	OWNER	OWNER
89	OWNER	0.00		0.00	OWNER	OWNER
90	OWNER	0.00		0.00	OWNER	OWNER
91	OWNER	0.00		0.00	OWNER	OWNER
92	OWNER	0.00		0.00	OWNER	OWNER
93	OWNER	0.00		0.00	OWNER	OWNER
94	OWNER	0.00		0.00	OWNER	OWNER
95	OWNER	0.00		0.00	OWNER	OWNER
96	OWNER	0.00		0.00	OWNER	OWNER
97	OWNER	0.00		0.00	OWNER	OWNER
98	OWNER	0.00		0.00	OWNER	OWNER
99	OWNER	0.00		0.00	OWNER	OWNER
100	OWNER	0.00		0.00	OWNER	OWNER

DATE	REVISION	BY
1	CLIENT REVISIONS	10-22-21
2	CLIENT REVISIONS	11-02-21
3	CLIENT REVISIONS	11-22-21
4	CLIENT REVISIONS	12-1-21
5	CLIENT REVISIONS	12-01-21
6	CLIENT REVISIONS	12-01-21

**REVISED MASTER PLAN FOR THE COVES
& CLIFFS AT SMITH MOUNTAIN LAKE
FRANKLIN COUNTY, VIRGINIA**

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