

LAW OFFICES
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204 McCLANAHAN ST., S.W.
ROANOKE, VA 24014

GEORGE I. VOGEL, II
JAMES R. CROMWELL
GEORGE I. VOGEL, III
CHRISTIAN "KIRK" VOGEL

SMITH MOUNTAIN LAKE OFFICE
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P.O. Box 18188, ROANOKE, VA 24014
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FAX (540) 982-0422

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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 to 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.

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December 6, 2021

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)

C. Existing Land Use: Low Density Residential R-1 (Residential Suburban Sub-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

B. Size of Proposed Use: See Attached List of Parcels (Total 37.59 acres) venue

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

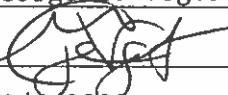
Letter of Application

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.

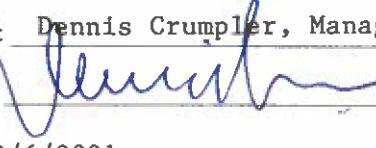
Roanoke, VA 24014

Telephone: 540-982-1220

Email Address: gvogel3@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

(1 of 1)

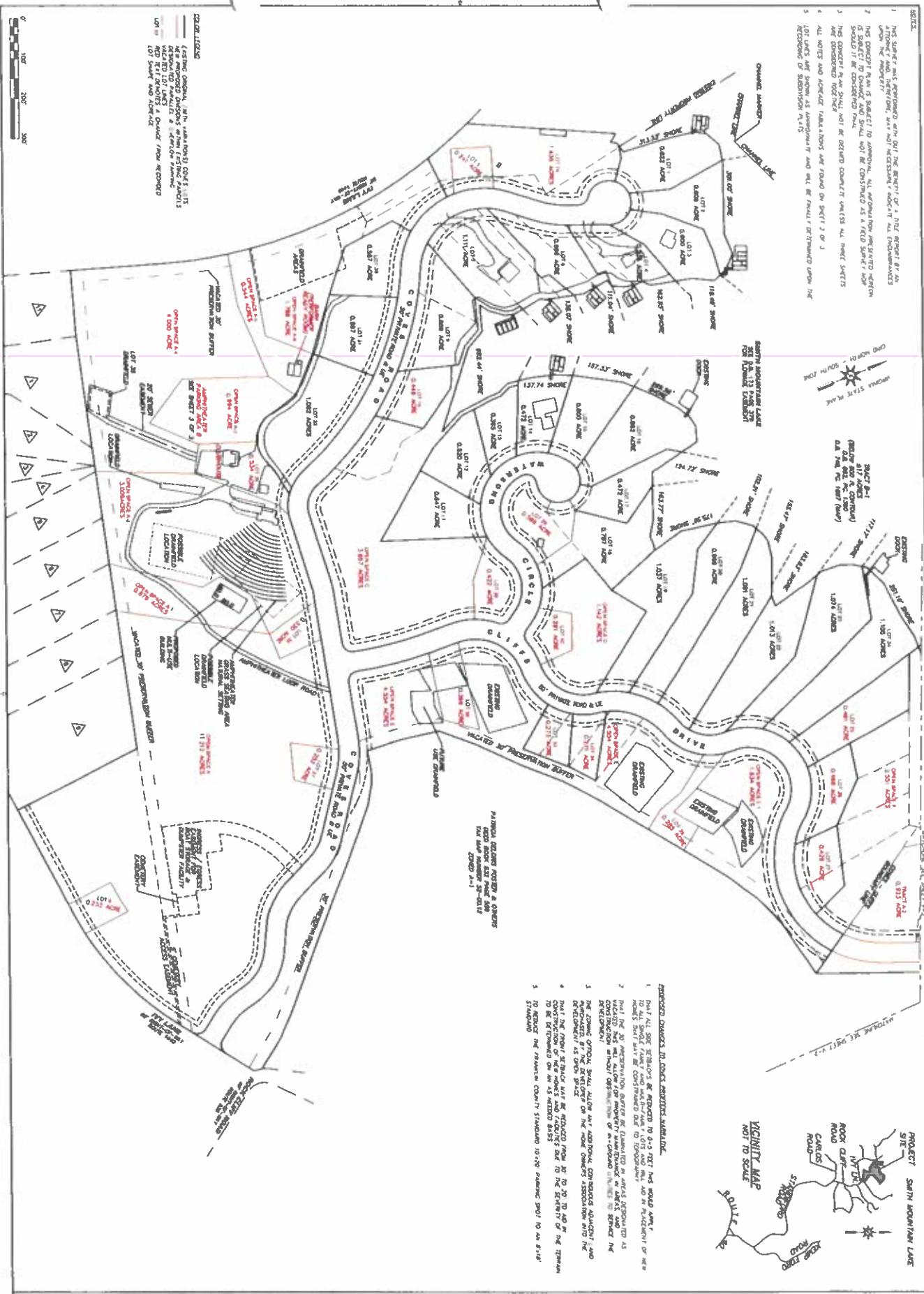
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Zoom to
Parcels: 05200000400

Primary Details

Parcel ID	05200000400
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	COVES AT SML
Legal Description 1	OPEN SPACE A
Legal Description 2	RPD
Zoning	UNION HALL
District	
Acreage	8.39
Land Value	\$1100.00
Building Value	\$0.00
Assessed Total	\$1100.00
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





**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
946-7300 | [WWW.ACTUALSURVEYORS.COM](http://ACTUALSURVEYORS.COM)

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ITEM	DESCRIPTION	UNIT
1	CLIENT REVISIONS	100-4-10
2	CLIENT REVISIONS	111-4-11
3	CLIENT REVISIONS	111-4-12
4	CLIENT REVISIONS	111-4-13
5	CLIENT REVISIONS	111-5-14
6	CLIENT REVISIONS	111-4-15

SEARCHED: _____

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THE SIGHTS AND PERSPECTIVES OF THE GULF REGION IN 1910. REPORT BY AN
INTERESTED AND INFORMED PERSON, WHO IS NOT IN A POSITION TO INFLUENCE
THEIR PROPERTY.

THIS CONCERN IS BASED ON AN APPROPRIATE INFORMATION RECEIVED
AS RELATED TO CHANGES MADE, NOT TO BE CONSIDERED AS A PREDICTIVE REPORT
SHOULD IT BE CONSIDERED FALSY.

LOST 41-59 OF THE GULF AND SOUTHERN CO. WAS DRAINED IN 1906.
LOST 34-70 AND SOUTHERN CO. AND FORTRESS CO. SUGGESTED A STRETCHER OR SPUD
THAT COULD NOT BE DRAINED COMPLETELY UNLESS THE PIPES SAWED
IN TWO. THIS CONCERN PLANS SMALL, NOT TO DRAINED COMPLETELY UNLESS THE PIPES SAWED
IN TWO.

LOT LINES AND SURVEYS ARE APPROXIMATE AND NOT TO BE RELIED UPON FOR THE PRESENT.
NOTES OF SURVEYS ARE APPROXIMATE.

ACTUAL
SURVEYORS, PLLC
P. O. BOX 424 | AMHERST, VIRGINIA 24521-0424
434-46-7300 | WWW: ACTUALSURVEYORS.COM

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

TABLE OF ADJOINING PROPERTY OWNERS (FROM SHEET V-1)

1. APPROVALS AND PERMITTING: Any City, County, or State agency, including all subdivisions, zoning, the Board of Zoning Appeals, and the Virginia Department of Conservation and Recreation should be contacted as soon as possible to determine if any permits are required.

2. THE CONCEPT PLAN SUBSET TO APPROVALS AND PERMITTING: The Concept Plan should not be construed as a final plan; however, it is intended to provide a general overview of the proposed development.

3. LOT LINES ARE SHOWN AS APPROXIMATE AND WILL BE FINALLY DETERMINED UPON THE ACQUISITION OF SUBDIVISION PLATS.

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