

2400 Leeds Manor Road
Markham, VA 22643

Mary Leigh McDaniel
Board of Supervisors
10 Hotel Street, Suite 208
Warrenton, VA 2018

Dear Supervisor McDaniel:

We are writing about the 8 lots owned by Zand78 LLC and Demavand9 LLC in the Apple Manor subdivision that the Virginia Supreme Court has ruled were unlawfully created in violation of the Fauquier County subdivision ordinance. We understand that the owners of these lots are asking the County to "waive" the ordinance requirements governing private streets in order to prevent the lots from being vacated.

We want to be sure that you are aware of the already difficult street arrangement that serves this subdivision, which is across the street from our property. Our driveway is opposite the entrance to Apple Manor Road, which is a narrow gravel road that provides the only public street access for the Apple Manor subdivision. Both our driveway and Apple Manor Road join Leeds Manor Road (Rte. 688) at the crest of a hill where it is difficult to see oncoming traffic coming over the hill. Leeds Manor Road is no more than 20 feet wide at this point. VDOT has refused to lower the speed limit on this hill, despite requests by us and others, and the increased traffic (and speed of traffic) on Leeds Manor Road is a growing hazard. The entrance to Apple Manor Road is not wide enough to handle one car going in if one car is coming out. The entrance already is inadequate, and the additional traffic that would be generated by the lots in question would exacerbate the inadequacy. The safety of our driveway and the public roadway would be affected.

We have lived across from Apple Manor for more than 25 years and are familiar with the roads in the subdivision. They are steep and narrow and particularly difficult to negotiate in snow and ice. We understand that the County's ordinances impose limits on length and grade of private roads, the number of lots they can serve, a requirement that private roads connect directly to the public street, and other restrictions designed to assure safe access for emergency vehicles and cars and trucks using the roads. There is good reason for these requirements. The County should not waive them here where the existing roads and public street entrance already are inadequate and create safety issues. Otherwise, the ordinance has no meaning.

We urge you to see that the County's requirements are observed in this case, not waived. The County should not undermine the provisions and purposes of its ordinances. The Virginia Supreme Court has upheld them—so should the County. And if the County is serious about conserving the rural environment in this Rural Conservation District, it will vacate these unlawfully created lots which should not have been recorded in the first place.

Sincerely,

Paul Redden, Sue Redden, Paul Redden, Jr.

Copy to: Kimberly Johnson, Chief of Zoning
29 Ashby Street, 3rd Floor, Warrenton, VA 20186
