#### AN ORDINANCE No. 2025-080

#### As Amended

To authorize the special use of the property known as 418 Hunt Avenue for the purpose of up to one two-family detached dwelling and one single-family detached dwelling, upon certain terms and conditions.

Patron – Mayor Avula (By Request)

Approved as to form and legality by the City Attorney

PUBLIC HEARING: MAY 12 2025 AT 6 P.M.

WHEREAS, the owner of the property known as 418 Hunt Avenue, which is situated in a R-5 Single-Family Residential District, desires to use such property for the purpose of up to one two-family detached dwelling and one single-family detached dwelling, which use, among other things, is not currently allowed by sections 30-410.4, concerning lot area and width, and 30-410.5, concerning yards, of the Code of the City of Richmond (2020), as amended; and

WHEREAS, in accordance with section 17.11 of the Charter of the City of Richmond (2020), as amended, it has been made to appear that, if granted subject to the terms and conditions set forth in this ordinance, the special use granted by this ordinance will not be detrimental to the safety, health, morals and general welfare of the community involved, will not tend to create

AYES:	9	NOES:	0	ABSTAIN:	
ADOPTED:	SEP 8 2025	REJECTED:		STRICKEN:	

congestion in streets, roads, alleys and other public ways and places in the area involved, will not create hazards from fire, panic or other dangers, will not tend to overcrowding of land and cause an undue concentration of population, will not adversely affect or interfere with public or private schools, parks, playgrounds, water supplies, sewage disposal, transportation or other public requirements, conveniences and improvements, and will not interfere with adequate light and air; and

WHEREAS, (i) the City Planning Commission has conducted a public hearing to investigate the circumstances and conditions upon which the Council is empowered to authorize such use, (ii) the City Planning Commission has reported to the Council the results of such public hearing and investigation and its recommendations with respect thereto, and (iii) the Council has conducted a public hearing on this ordinance at which the person in interest and all other persons have had an opportunity to be heard;

NOW, THEREFORE,

#### THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. **Finding.** Pursuant to section 30-1050.1 of the Code of the City of Richmond (2020), as amended, the Council hereby finds that the special use set forth in and subject to the terms and conditions of this ordinance will not (i) be detrimental to the safety, health, morals and general welfare of the community involved, (ii) tend to create congestion in streets, roads, alleys and other public ways and places in the area involved, (iii) create hazards from fire, panic or other dangers, (iv) tend to overcrowding of land and cause an undue concentration of population, (v) adversely affect or interfere with public or private schools, parks, playgrounds, water supplies, sewage disposal, transportation or other public requirements, conveniences and improvements, or (vi) interfere with adequate light and air.

#### § 2. Grant of Special Use Permit.

- (a) Subject to the terms and conditions set forth in this ordinance, the property known as 418 Hunt Avenue and identified as Tax Parcel No. N000-1555/021 in the 2025 records of the City Assessor, being more particularly shown on a survey entitled "Map Showing the Improvements on Lots 24 & 25, 'Providence Park,' in the City of Richmond, VA.," prepared by Virginia Surveys, and dated June 19, 2024, a copy of which is attached to and made a part of this ordinance, hereinafter referred to as "the Property," is hereby permitted to be used for the purpose of up to one two-family detached dwelling and one single-family detached dwelling, hereinafter referred to as "the Special Use," substantially as shown on the plans entitled "Sketch Showing the Proposed Improvements on Lot 24, 'Providence Park,' in the City of Richmond, VA.," prepared by Virginia Surveys, dated June 19, 2024, and last revised [December 3, 2024] June 5, 2025, and "420 Hunt Ave," prepared by River Mill Development, and dated June [20, 2024] 1, 2025, hereinafter referred to, collectively, as "the Plans," copies of which are attached to and made a part of this ordinance.
- (b) The adoption of this ordinance shall constitute the issuance of a special use permit for the Property. The special use permit shall inure to the benefit of the owner or owners of the fee simple title to the Property as of the date on which this ordinance is adopted and their successors in fee simple title, all of which are hereinafter referred to as "the Owner." The conditions contained in this ordinance shall be binding on the Owner.
- § 3. **Special Terms and Conditions.** This special use permit is conditioned on the following special terms and conditions:
- (a) The Special Use of the Property shall be as up to one two-family detached dwelling and one single-family detached dwelling, substantially as shown on the Plans.
  - (b) No [less] fewer than [two] four parking spaces shall be provided for the Special Use.
  - (c) The height of the Special Use shall not exceed two stories, substantially as shown

on the Plans.

- (d) All building materials, elevations, and site improvements, including landscaping, shall be substantially as shown on the Plans.
- (e) All mechanical equipment serving the Property shall be located or screened so as not to be visible from any public right-of-way.
- (f) Prior to the issuance of a building permit for the Special Use, the establishment of up to two residential lots, substantially as shown on the Plans, shall be accomplished by obtaining the necessary approvals from the City and recording the appropriate plats and deeds among the land records of the Clerk of the Circuit Court of the City of Richmond.
- § 4. **Supplemental Terms and Conditions.** This special use permit is conditioned on the following supplemental terms and conditions:
- (a) All required final grading and drainage plans, together with all easements made necessary by such plans, must be approved by the Director of Public Utilities prior to the issuance of the building permit.
- (b) Storm or surface water shall not be allowed to accumulate on the land. The Owner, at its sole cost and expense, shall provide and maintain at all times adequate facilities for the drainage of storm or surface water from the Property so as not to adversely affect or damage any other property or public streets and the use thereof.
- (c) Facilities for the collection of refuse shall be provided in accordance with the requirements of the Director of Public Works. Such facilities shall be located or screened so as not to be visible from adjacent properties and public streets.
- (d) Any encroachments existing, proposed on the Plans or contemplated in the future shall require separate authorization and shall be subject to the applicable provisions of the Code of the City of Richmond (2020), as amended, and all future amendments to such laws.

- (e) The Owner shall make improvements within the right-of-way, including the removal of the concrete apron and the installation of curb and sidewalk along Hunt Avenue, substantially as shown on the Plans, which improvements may be completed in one or more phases as approved by the Director of Public Works. All improvements and work within the public rightof-way shall be (i) completed in accordance with the requirements of the Director of Public Works, (ii) considered completed only upon written confirmation by the Director of Public Works or the designee thereof that such improvements and work are in accordance with such requirements, and (iii) transferred to the City, following such written confirmation by the Director of Public Works or the designee thereof, pursuant to a transfer of interest document approved as to form by the City Attorney and accepted by the Chief Administrative Officer or the designee thereof on behalf of the City. The Chief Administrative Officer or the designee thereof, for and on behalf of the City, is hereby authorized to accept, in the manner for which this subsection provides, all improvements and work required by and meeting the requirements of this subsection. The final certificate of occupancy shall not be issued for the Property until all requirements of this subsection are fully satisfied.
- (f) In all other respects, the use of the Property shall be in accordance with the applicable underlying zoning regulations.
- § 5. **General Terms and Conditions.** This special use permit is conditioned on the following general terms and conditions:
- (a) No permit implementing this special use permit shall be approved until satisfactory evidence has been presented to the Zoning Administrator that any delinquent real estate taxes applicable to the Property have been paid.
- (b) The Owner shall be bound by, shall observe and shall comply with all other laws, ordinances, rules and regulations applicable to the Property, except as otherwise expressly

provided in this ordinance.

- (c) Words and phrases used in this ordinance shall be interpreted to have the meanings ascribed to them by section 30-1220 of the Code of the City of Richmond (2020), as amended, unless the context clearly indicates that a different meaning is intended.
- (d) Notwithstanding any other provision of law, this special use permit is being approved due, in part, to the mitigating effects of each and every condition attached hereto; consequently, if any portion of this ordinance is determined to be invalid for any reason by a final, non-appealable order of any Virginia or federal court of competent jurisdiction, the invalidity shall cause the entire ordinance to be void and of no further effect from the effective date of such order.
- (e) The privileges granted by this ordinance may be revoked pursuant to the provisions of sections 30-1050.7 through 30-1050.11 of the Code of the City of Richmond (2020), as amended, and all future amendments to such laws. Failure to comply with the terms and conditions of this ordinance shall constitute a violation of section 30-1080 of the Code of the City of Richmond (2020), as amended, and all future amendments to such law, or any other applicable laws or regulations.
- (f) When the privileges granted by this ordinance terminate and the special usepermit granted hereby becomes null and void, whether as a result of the Owner relinquishing this special use permit in a writing addressed to the Director of Planning and Development Review or otherwise, use of the Property shall be governed thereafter by the zoning regulations prescribed for the district in which the Property is then situated.
- § 6. **Implementation.** The Commissioner of Buildings is authorized to issue a building permit substantially in accordance with the Plans for the Special Use subject to the terms and conditions set forth in this ordinance. An application for the building permit shall be made within 1,096 calendar days following the date on which this ordinance becomes effective. If either the

application for the building permit is not made within the time period stated in the previous sentence or the building permit terminates under any provision of the Virginia Statewide Building Code, this ordinance and the special use permit granted hereby shall terminate and become null and void.

§ 7. Effective Date. This ordinance shall be in force and effect upon adoption.

A TRUE COPY:

TESTE:

City Clerk

**DATE:** March 4, 2025

**TO:** The Honorable Members of City Council

**THROUGH:** The Honorable Dr. Danny Avula, Mayor (by request)

(This in no way reflects a recommendation on behalf of the Mayor)

**THROUGH:** Sabrina Joy-Hogg, Interim Chief Administrative Officer

THROUGH: Sharon L. Ebert, DCAO for Planning & Economic Review

**FROM:** Kevin J. Vonck, Director of Planning & Development Review

**RE:** To authorize the special use of the property known as 418 Hunt Avenue for the

purpose of up to one two-family detached dwelling and one single-family detached

dwelling, upon certain terms and conditions.

ORD.	OR	RES.	No.

**PURPOSE:** To authorize the special use of the property known as 418 Hunt Avenue for the purpose of up to one two-family detached dwelling and one single-family detached dwelling, upon certain terms and conditions.

**BACKGROUND:** The property is located in the Providence Park neighborhood on the northern line of Hunt Ave and west of Branch Ave. The property is currently a 8,100 sq. ft. (.186 acre) parcel of land. The City's Richmond 300 Master Plan designates a future land use for the subject property as Residential, which is defined as "Neighborhood consisting primarily of single-family houses on large- or medium-sized lots more homogeneous in nature.

Intensity: Buildings are generally one to three stories.

Lot sizes generally range up to 5,000 to 20,000+ sq. ft. Residential density of 2 to 10 housing units per acre. Primary Uses: Single-family houses, accessory dwelling units, and open space.

Secondary Uses: Duplexes and small multi-family buildings (typically 3-10 units), institutional, and cultural. Secondary uses may be found along major streets. The current zoning for this property is R-5 Residential. Adjacent properties are also R-5. The area is generally single-family residential, with primarily single-story homes and some two-story homes. The density of the proposed is two unites upon .186 acres, or 3.33 units per acre.

**COMMUNITY ENGAGEMENT:** Civic notice was given to the Providence Park Civic Association. No feedback was given. Additional community notification will take place by staff after introduction.

#### STRATEGIC INITIATIVES AND OTHER GOVERNMENTAL: Richmond 300 Master Plan

FISCAL IMPACT: \$300 application fee.

**DESIRED EFFECTIVE DATE:** Upon adoption

**REQUESTED INTRODUCTION DATE:** April 14, 2025

CITY COUNCIL PUBLIC HEARING DATE: May 12, 2025

**REQUESTED AGENDA:** Consent

**RECOMMENDED COUNCIL COMMITTEE:** Planning Commission May 6, 2025

AFFECTED AGENCIES: Office of Chief Administrative Officer; Law Department (for review

of draft ordinance)

**RELATIONSHIP TO EXISTING ORD. OR RES.:** None

**ATTACHMENTS:** Application Form, Applicant's Report, Plans, Survey

STAFF: Madison Wilson, Land Use Administration (Room 511) 646-7436



#### Application for SPECIAL USE PERMIT

Department of Planning and Development Review
Land Use Administration Division
900 E. Broad Street. Room 511
Richmond, Virginia 23219
(804) 646-6304

http://www.richmondgov.com/

Application is hereby submitted for: (check one)  special use permit, new special use permit, plan amendment		
special use permit, text only amendment		
Project Name/Location Property Address: 41B Hunt Avenue		Date:
Tax Map#: Nooo1555021 Fee:		
Total area of affected si te in acres: .186		
(See page 6 for fee schedu le, please make chec k payab le to the "City of Ric	chmond")	
<b>Zoning</b> Current Zo ning: R-5		
Existing Use: Two-Family Detached		
Proposed Use (P lease include a detailed description of the proposed use in the required a Lot split and construction of new single-family detached dwelling  Existing Use: Two-Family Detached		
Is this property sub je ct to any previous land use cases?  Yes  If Yes, p lea se list the Ord inance Number:		
Applicant/Contact Person: Mark Baker Company: Baker Development Resources		
Mailing Address: 530 E Main Street, Suite 730		
Cit y: Richmond		Zip Code: <u>23219</u>
Telep ho ne: _( <u>804</u> ) <u>874-6275</u>	_Fax: _(	
Email: markbaker@bakerdevelopmentresources.com		
Property Owner: JsTCAPITALLLC  If Bu siness Ent it y, name and title of au t ho rized signee:		<del></del>
(The person or persons execut ing or attest ing the execution of this Applications she has or have been duly authorized and empowered to so execute or attest		Compa ny certifies that he or
Mailing Add ress: 9213 LYNDONWAY DR, Cit y: Henrico	State: <u>VA</u>	Zip Code: <u>2329</u>
Telephone: _( <u>804</u> ) <u>248 6419</u>	_Fax: _(	
Email: slocumpd@gmail.com		
	J/JY	

The names, addresses, te lephone num bers and signatures of all o wners of the property are required. Please at tach additional sheets as needed. If a legal representative signs for a property owner, please attach an executed power of attorney. **Faxed or photocopied signatures will not be accepted.** 

NOTE: Please attach the required plans, check list, and a check for the application fee (see Filing Procedures for special use permits)

SUP Application | Last Revised September 7,2018 | CITY OF RICHMOND

## **APPLICANT'S REPORT**

July 1st, 2024

Special Use Permit Request 418 Hunt Avenue, Richmond, Virginia Map Reference Number: N000-1555/021

Submitted to: City of Richmond

Department of Planning and Development Review

Land Use Administration 900 East Broad Street, Suite 511 Richmond, Virginia 23219

Submitted by: Baker Development Resources

530 East Main Street, Suite 730

Richmond, VA 23219

## Introduction

The applicant is requesting a special use permit (the "SUP") for the property known as 418 Hunt Avenue (the "Property"). The SUP would authorize the division of the parcel and the construction of one new single-family detached dwelling. While the single-family detached use is permitted by the underlying R-5 Single Family Residential zoning district, some of the applicable feature requirements cannot be met. Therefore, the SUP is required.

## **Existing Conditions**

#### SITE DESCRIPTION AND EXISTING LAND USE

The Property is located on the northern line of Hunt Avenue between Branch and Woodson Avenues. The Property is referenced by the City Assessor as tax parcel N000-1555/021 and is currently improved by a two-family detached dwelling. The Property is approximately 60 feet in width and contains roughly 8,100 square feet of lot area. The Property is afforded access to the rear via an east-west public alley.



The properties in the immediate vicinity are developed primarily with residential uses and include a range of building forms. Single-family dwellings are the most common uses found in the area though two-family and multi-family dwellings can also be found nearby.

#### **EXISTING ZONING**

The Property and the surrounding properties are zoned R-5 Single-Family Residential, which permits single-family detached dwellings. Further to the North are properties zoned R-48 Multifamily Residential. Beyond that to the West, at the intersection of Hazelhurst Avenue and E Ladies Mile Road, there are properties zoned B-1 Neighborhood Business District.

#### TRANSPORTATION

The Property is located less than 0.5 miles from Bus Stop 2012, which is serviced by Route 3 (including 3A, 3B, and 3C)) and provides connection south towards Bellemeade, and centrally to the transfer station providing connection throughout the City.

#### MASTER PLAN DESIGNATION

The Richmond 300 Master Plan (the "Master Plan") suggests "Residential" for the Property. The Master Plan suggests this future land use designation allow for a variety of housing types that are consistent with the scale, density, and design of what exists in the vicinity. This designation also encourages that developments reinforce a gridded street pattern to increase connectivity. Single-family dwellings are the contemplated primary use in the Residential future land use designation (p. 54).

In addition to the Property-specific guidance offered by the Vision and Core Concepts chapter, there are a number of other goals elsewhere within the Master Plan that support this request, including:

- Page 109 (Equitable Transportation Chapter), Objective 6.1 to "Increase the number of residents and jobs at Nodes and along enhanced transit corridors in a land development pattern that prioritizes multi-modal transportation options."
  - b. Develop housing at all income levels in and near Nodes and along major corridors (see strategies Goal 14).
- Page 136 (Diverse Economy Chapter), Objective 11.1 to "Increase the areas of appropriately zoned land near various transportation modes and housing to retain, create, and attract employers."
  - o d. Encourage the development of a variety of quality housing types to house employees across the economic spectrum (see Goal 14).
- Page 150 (Inclusive Housing Chapter), Objective 14.1 to "Increase city-wide awareness of the importance of integrating housing at all income levels into every residential neighborhood so every household has housing choice throughout the city."
- Amend the Zoning Ordinance to allow accessory dwelling units in all residential zones to allow for in-law apartments. (Inclusive Housing)
- Page 152 (Inclusive Housing Chapter) (see map on p. 153), Objective 14.4 to "Increase the number of mixed-income communities along enhanced transit corridors."
- Page 152 (Inclusive Housing Chapter) (see map on p. 153), Objective 14.5 to "Encourage more housing types throughout the city and greater density along enhanced transit corridors and at Nodes (shown in Figure 38 [p.153]) by amending the Zoning Ordinance. "
- Page 159 (Thriving Environment Chapter) Objective 15.1 to "Reduce air pollution related to transportation."

- o a. Increase the number of Richmonders living in a development pattern that encourages density and reduces dependency on single-occupancy vehicles (see Goal 1, Goal 8, Goal 14).
- Page 86 (High-Quality Places Chapter), Objective 1.4, to "maintain and improve primarily residential areas by increasing their linkages to...corridors...and maintaining high-quality design standards"
- Page 100 (High Quality Places Chapter), Objective 4.1, to "create and preserve high-quality, distinctive, and well-designed neighborhoods and nodes throughout the City," as the request introduces thoughtfully designed new construction in a manner not otherwise assured by-right.

## **Proposal**

#### PROJECT SUMMARY

The SUP would permit the division of the Property into two lots and the construction of a new single-family detached dwelling on the newly created lot. The existing two-family dwelling would be retained.

#### PURPOSE OF REQUEST

The Property is roughly 60 feet wide and approximately 8,100 square feet of lot area. The owner is proposing to split the lot into two lots and construct a new single-family detached dwelling on the eastern portion of the Property. The existing two-family detached dwelling would be retained on a new lot roughly 30 feet in width and 4,050 square feet of lot area while the new dwelling would be constructed on a new lot of similar size. While the new dwelling is consistent with the goals of the Richmond 300 Master Plan and the single-family detached dwelling use is a permitted use, the underlying R-5 requirements for lot width and area would not be met. Therefore, in order to permit the proposed development, a SUP is required.

In exchange for the SUP, the intent of this request is to ensure the development of a high-quality infill dwelling. The overall project will remain respectful to the historic development pattern in the vicinity thereby remaining consistent with the predominant character of the area. Also, the quality assurances conditioned through the SUP will guarantee a higher quality development and better neighborhood compatibility than might otherwise be guaranteed with a by right development.

#### PROJECT DETAILS/DESIGN

The proposed dwelling would be approximately 20 feet in width, 38 feet in depth, and two stories in height. It would include approximately 1,520 square feet of finished floor area and consist of three bedrooms and two-and-one-half bathrooms. The dwelling is designed to be compatible with the historic development pattern found throughout the neighborhood and consistent with the architectural character of nearby homes. The proposed floor plans are modern and designed to meet the needs of the market with an open kitchen and living area on the first floor. The second floor includes a primary suite with en suite bathroom and walk-in closet. A full-width front porch to provide additional outdoor space and engage the street is also proposed for the new dwelling.

## **Findings of Fact**

The following are factors included in Section 17.11 of the Charter and Section 30-1050.1 of the Zoning Ordinance relative to the approval of special use permits by City Council. The proposed special use permit will not:

 Be detrimental to the safety, health, morals and general welfare of the community involved

The proposed SUP will not impact the safety, health, morals and general welfare of the nearby neighborhoods. The proposed site improvements and density are consistent with the existing development in the vicinity. This request would simply permit the efficient utilization of the Property by allowing for new development to occur in a manner that is both of quality as well as consistent with the neighborhood. The improvement of the Property in conjunction with the high quality/benefits provided by the SUP will provide positive impacts in terms of health, welfare, etc., and furthermore will add to the vibrancy of the neighborhood.

• Tend to create congestion in streets, roads, alleys and other public ways and places in the area involved.

The proposed SUP will not result in significant traffic impacts to nearby residential neighborhoods. The traffic generation for one dwelling unit will be negligible. As such, the SUP will not create congestion on streets, roads, alleys or any other public right of way.

• Create hazards from fire, panic or other dangers.

The Property will be developed in a manner consistent with the requirements of the building code and in accordance with the requirements of Fire and Emergency Services. The City's codes applicable to this development are designed to eliminate such hazards.

• Tend to overcrowding of land and cause an undue concentration of population.

The SUP will not tend to overcrowd the land or create an undue concentration of population. The request is reflective of the existing development pattern.

 Adversely affect or interfere with public or private schools, parks, playgrounds, water supplies, sewage disposal, transportation or other public requirements, conveniences and improvements.

The SUP would not adversely affect the above referenced City services. To the contrary, the proposal would provide positive fiscal (tax) benefits that would enhance the City's ability to provide these services to the proposed development.

• Interfere with adequate light and air.

The light and air available to the subject and adjacent properties will not be affected. The massing of the proposed structures is similar to what the underlying zoning district and

feature regulations applicable to single-family detached dwellings allow for by-right. As it relates to adjacent properties, normal side yard setbacks would be met.

## **Summary**

In summary we are enthusiastically seeking approval for the construction of one single-family detached dwelling on the Property. The SUP represents an ideal, small-scale urban infill development for this location that is mindful of its surroundings. In exchange for the SUP, the quality assurances conditioned therein would guarantee the construction of a quality housing opportunity consistent with Master Plan guidance.

### NOTE: ALL WALLS (EXTERIOR AND INTERIOR) ARE DRAWN AT 3.5" THICKNESS

NOTE: DOOR & WINDOW GLAZING SHALL HAVE A MAX U-FACTOR OF 0.32 NOTE: DOOR & WINDOW GLAZING SHALL HAVE A MAX SOLAR HEAT GAIN COEFFICIENT (SHGC) OF 0.4



420 HUNT AVE

OPT. MECH PLATFORM

12

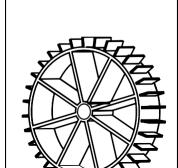
RIVER MILL DEVELOPMENT

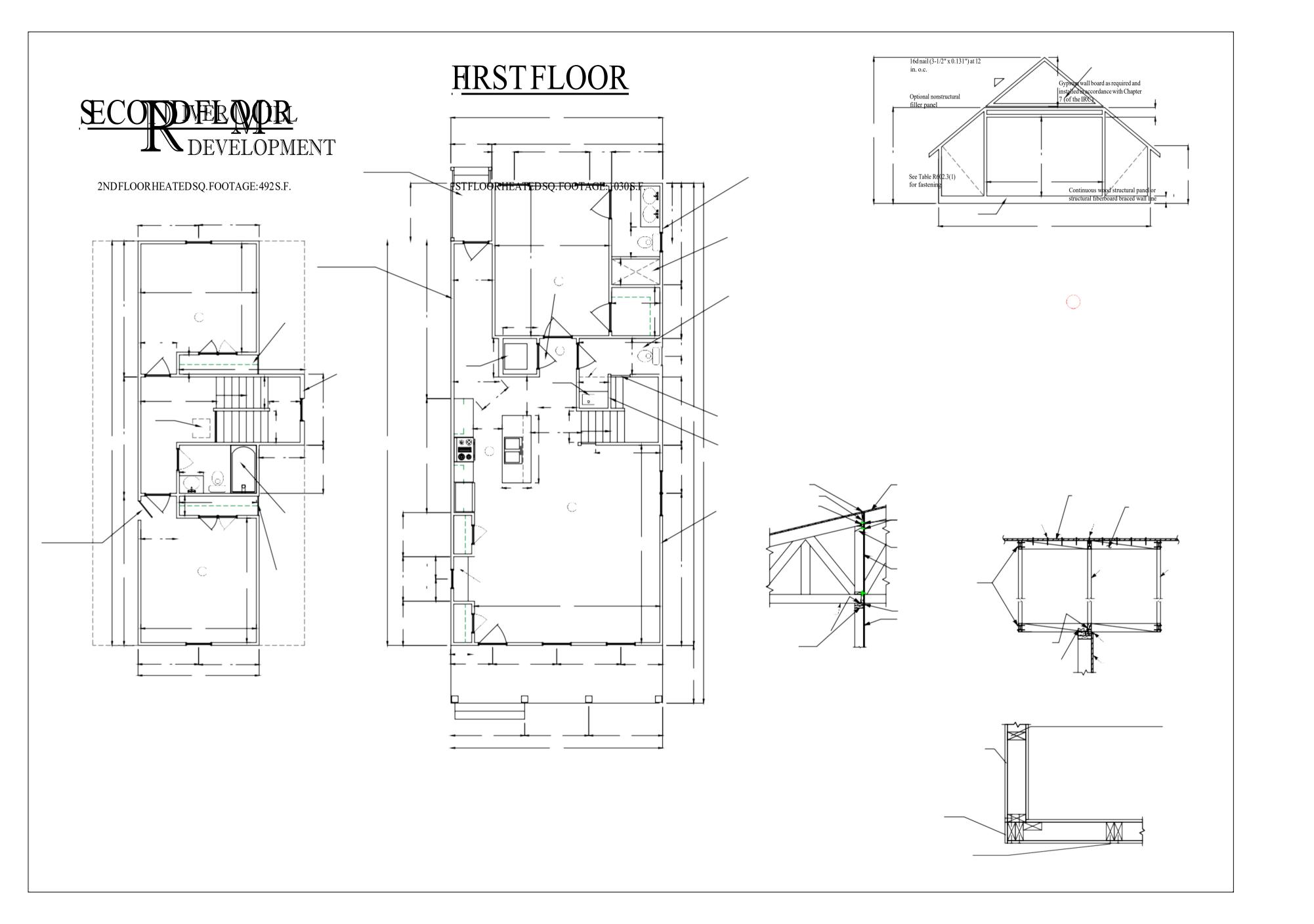
REVISION NOTES

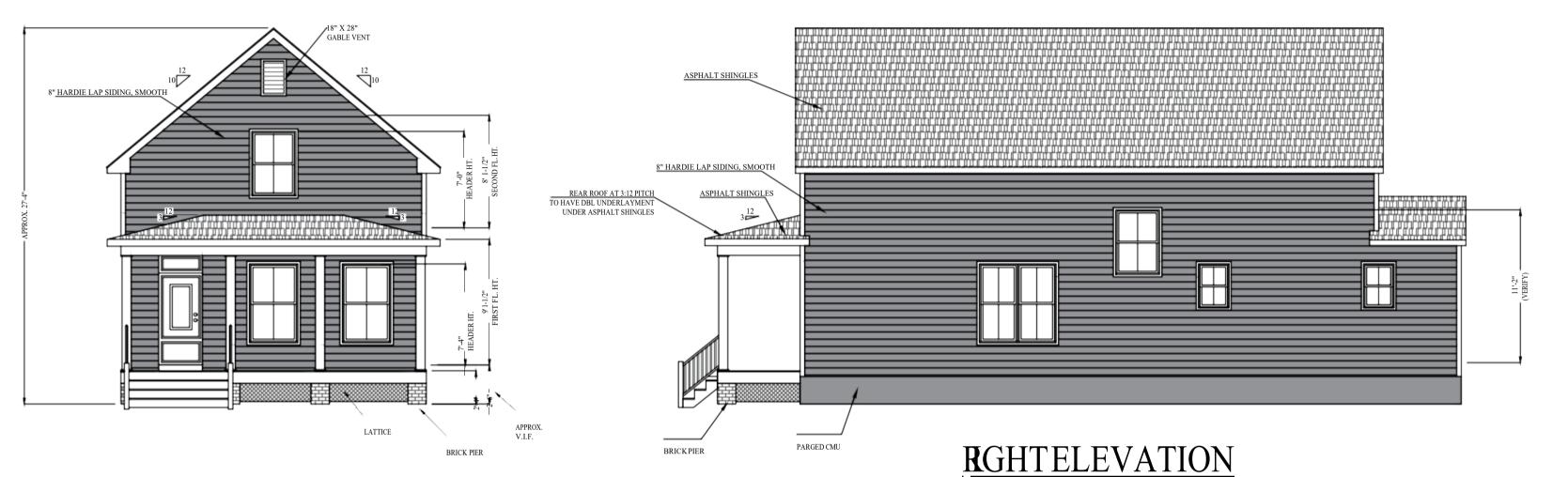
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DATE: 6-01-2025

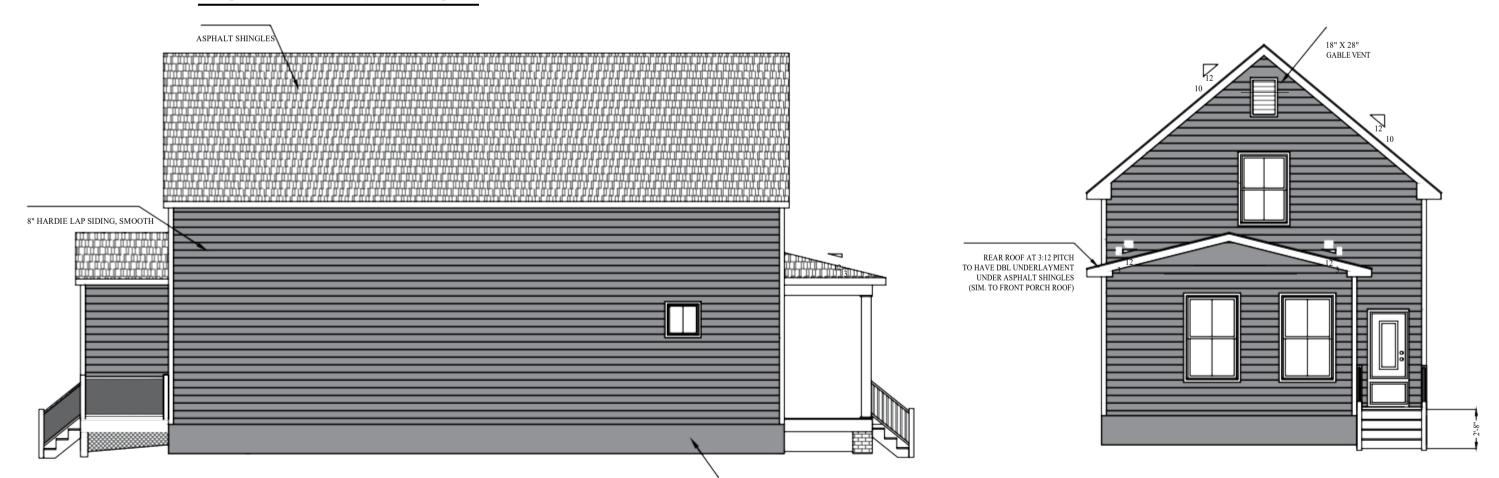
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# FRONT ELEVATION



PARGED CMU

**IEFTELEVATION** 

**REAR ELEVATION** 

420 HUNT AVE

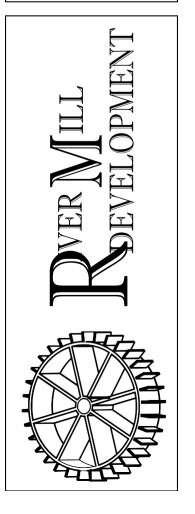
RIVER MILL DEVELOPMENT RIVERMILLDEVELOPMENT @GMAIL.COM

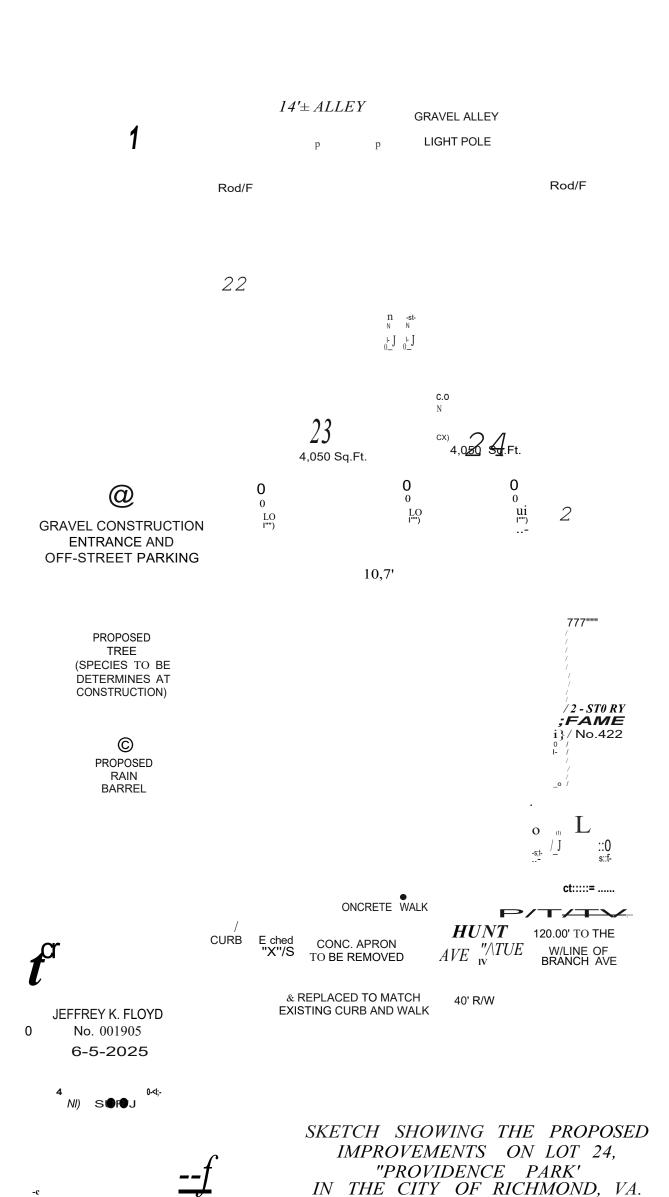
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DATE: 6-01-2025

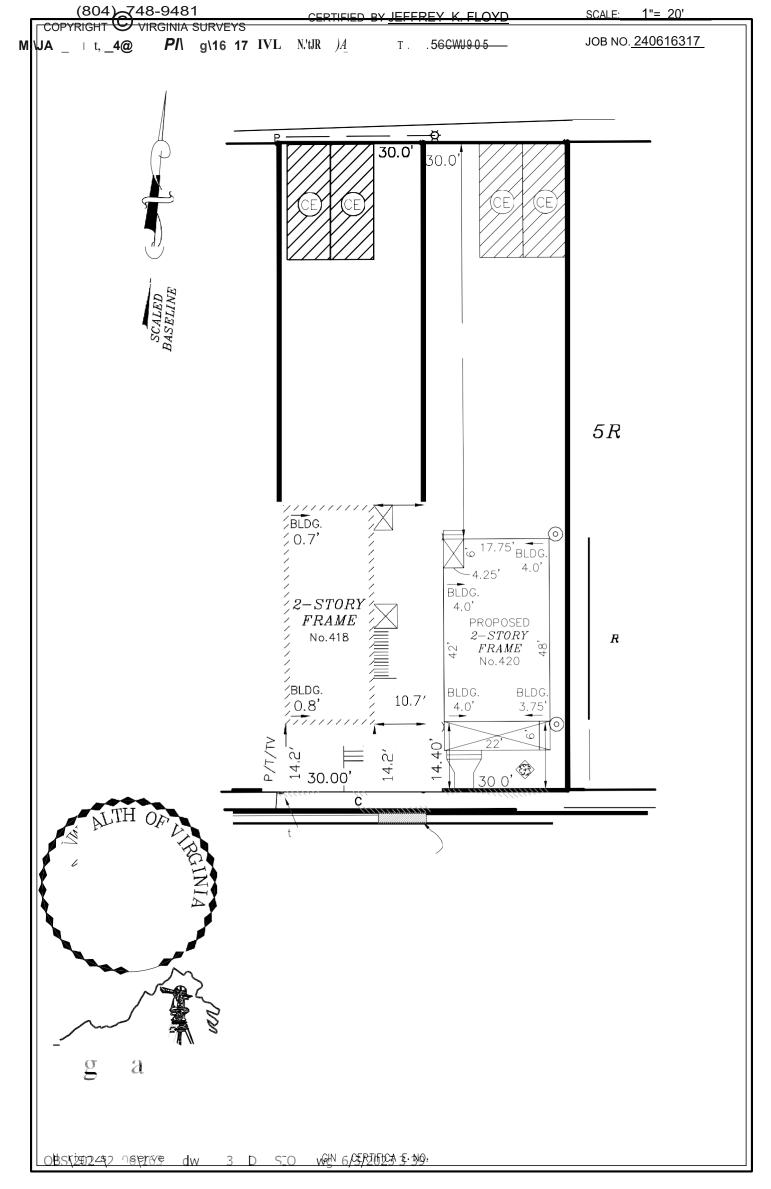
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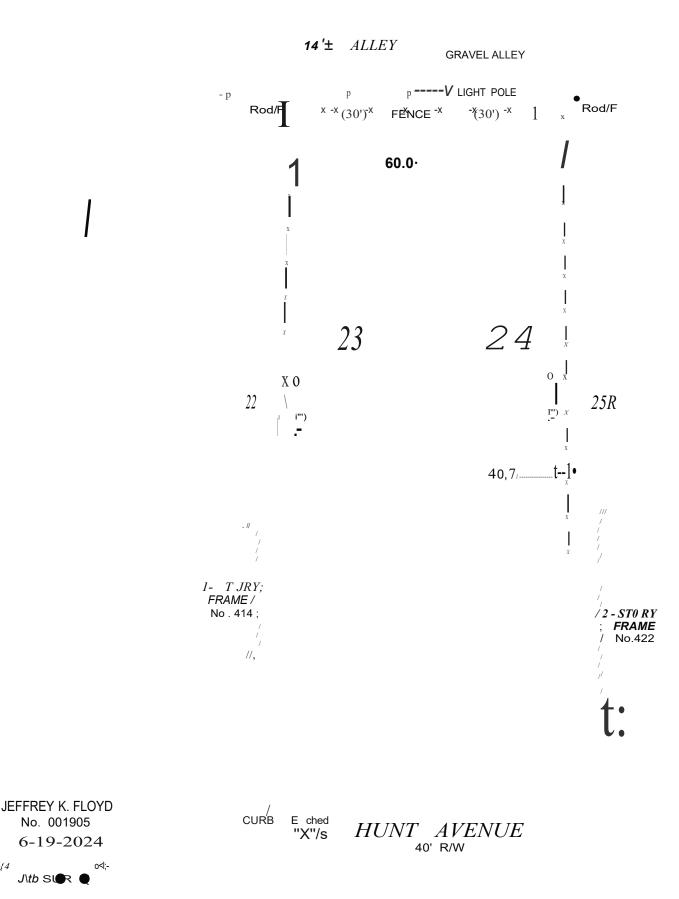


# Vir ini Surveys

P.O. BOX 118 CHESTERFIELD, VA 23832 REVISED: 6-5-2025 DATE: 6-19-2024



This is to certify to the PURCHASER / OWNER shown hereon, and his TITLE INSURER and Lender, that on 6-19-2024 I made an Accurate survey of the premises shown hereon and that there are no easements or encroachments visible on the ground other than those shown hereon. This survey has been made without the benefit of a title search and is subject to any uses recorded and unrecorded and other pertinent facts in which a title search may disclose. Copies of this plat without the certifyingsurveyor's seal with an original signature are INVALID.



Vir ini Surveys

MAP SHOWING THE IMPROVEMENTS
ON LOTS 24 & 25,
"PROVIDENCE PARK"
IN THE CITY OF RICHMOND, VA.

DATE: <u>6-19-2024</u>

CERTIFIED BY JEFFREY K. FLOYD

SCALE: 1 "= 20'

