



CITY OF RICHMOND

DEPARTMENT OF
PLANNING AND DEVELOPMENT REVIEW
BOARD OF ZONING APPEALS

April 8, 2019

Robert and Magdalen Ferguson
315 Overbrook Road
Richmond, Virginia 23222

Claireview ENT I, LLC
7330 Staples Mill Road #184
Richmond, Virginia 23228
Attn: E. Pou, Jr.

To Whom It May Concern:

RE: **BZA 17-2019**

You are hereby notified that the Board of Zoning Appeals will hold a public hearing on Wednesday, May 1, 2019 at 1:00 p.m. in the 5th floor conference room, City Hall, 900 East Broad Street, to consider an application for a building permit to construct a new single-family detached dwelling at 411 NORTH 22nd STREET (Tax Parcel Number E000-0257/020), located in an R-8 (Urban Residential District).

Please be advised that the applicant or the applicant's representative must be present at the hearing. The Board of Zoning Appeals Rules of Procedure provides that in the case of an application for a variance or a special exception, the applicant, proponents or persons aggrieved under §15.2-2314 of the Code of Virginia, shall be permitted a total of six (6) minutes each to present their case. The Board of Zoning Appeals will withhold questions until the conclusion of the respective presentations.

Finally, when you submitted your application to the zoning office you were given an handout entitled, Suggestions for Presenting Your Case to the Board, which indicated that you should discuss your request with your neighbor(s) and neighborhood

BZA 17-2019

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association(s) prior to appearing before the Board of Zoning Appeals. Contact information for civic group(s) can be found by navigating to the Civic Group webpage of the City's website at <http://www.richmondgov.com/PlanningAndDevelopmentReview/civicasassociationgroupinformation.aspx>. Once there, you can search for your property using the interactive map. A dialogue box will provide you with the names of all civic groups within which your property may lie. Once you have those group names, simply scroll down the page to the appropriate group(s) to find the contact information for each.

Please be advised that if you fail to discuss your request with your neighbors and neighborhood association(s), you should anticipate that your case will be continued until the Board's next regularly scheduled meeting. Please note that the Board's Rules of Procedure require payment of a \$150.00 continuance fee if the applicant must request a continuance for the reason that the applicant failed to discuss their case with their neighbors and neighborhood association(s). Please contact your neighborhood association to determine their meeting schedule. Be sure you allow yourself enough time to talk to all concerned parties prior to the hearing before the Board. For your convenience a list of the property owner(s) which have been identified based on the City Assessor's records as being located within a 150' radius of subject property is being provided to you (see attachment).

If you have any questions regarding the Board's procedures or any issue involving presentation of your case, please feel free to contact me.

Very truly yours,



Roy W. Benbow, Secretary

Phone: (804) 240-2124

Fax: (804) 646-5789

E-mail: Roy.Benbow@richmondgov.com

cc: Zoning Administrator

Notice of this meeting is being sent to the persons whom the Board of Zoning Appeals believes to be property owners in the immediate vicinity of the property concerned in this application. This notice is for their information only, and there is no need for them to appear unless they so desire. The Board will, however, welcome such views as any persons care to express during the hearing on this application.

2108 LLC
5 Paige Court
Charleston SC 29403

404 N 23rd St LLC
411 N 23rd St
Richmond VA 23223

417 North 22nd Street LLC
515 North 22nd St
Richmond VA 23223

Addoms Ellen M & Malcomb
412 N 23rd St
Richmond VA 23223

Barrineau Erin E W & Michael C
2216 E Marshall St
Richmond VA 23223

Beller Michael S Trust Trustee
2200 E Marshall St
Richmond VA 23223

Brennan Thomas D & Alexandra
2115 Jefferson Ave
Richmond VA 23223

Chubb William S Iii
415 N 22nd St
Richmond VA 23223

Colen Eva M & Salerno Derek A
2207 Jefferson Ave
Richmond VA 23223

Flores John A
9511 Lakewater Ct
Henrico VA 23229

Hartsock William H
2202 E Marshall St
Richmond VA 23223

Heindl Louis A & Virlinda U
9129 Femway Dr
Mechanicsville VA 23116

Hsc Renovation LLC
11494 Bienvenue Rd
Rockville VA 23146

Hystoric Properties One LLC
2910 Libby Terrace
Richmond VA 23223

J E Realty LLC
6209 Greenwich Drive
Glen Allen VA 23059

Jacobs Audrey F
2214 E Marshall St
Richmond VA 23223

Kojcsic Thomas M
2218 E Marshall St
Richmond VA 23223

Langston Ashley
2204 E Marshall St
Richmond VA 23223

Lynch Dodie A
1712 Ellen Road
Richmond VA 23230

Schreher Leigh H & Jeremy A & Iwashyna
Brian J
412 Kilmarnock Dr
Richmond VA 23229

Shubert Mark B
2220 E Marshall St
Richmond VA 23223

Sterling Bilder LLC
17 S Belmont Ave
Richmond VA 23221

Stiles Joseph Lee
2122 E Marshall St
Richmond VA 23223

Stokes Margaret A
2124 E Marshall St
Richmond VA 23223

Sykes Robert K Jr & Donna J Hancock
406 N 23rd St
Richmond VA 23223

Tjc Realty Homes LLC
1401 E Cary St
Richmond VA 23219

Wagstaff Jamie Anita & Sampson Bertha D
408 N 23rd St
Richmond VA 23223

Wiedeman David M & Melissa T
403 Mashie Dr S E
Vienna VA 22180

Property: 411 N 22nd St **Parcel ID:** E0000257020**Parcel**

Street Address: 411 N 22nd St Richmond, VA 23223-0
Owner: FERGUSON ROBERT & MAGDALEN
Mailing Address: 315 OVERBROOK RD, RICHMOND, VA 2322200000
Subdivision Name : NONE
Parent Parcel ID:
Assessment Area: 334 - Tobacco Row/Undertakers Row
Property Class: 101 - R Single Family Vacant (R1-R7)
Zoning District: R-8 -
Exemption Code: -

Current Assessment

Effective Date: 01/01/2019
Land Value: \$60,000
Improvement Value:
Total Value: \$60,000
Area Tax: \$0
Special Assessment District: None

Land Description

Parcel Square Feet: 1760
Acreage: 0.04
Property Description 1: 0020.00X0088.00 0000.000
State Plane Coords(?<#>): X= 11796028.224349 Y= 3719893.899175
Latitude: 37.53431722 , **Longitude:** -77.42013102

Description

Land Type: Residential Lot A
Topology:
Front Size: 20
Rear Size: 88
Parcel Square Feet: 1760
Acreage: 0.04
Property Description 1: 0020.00X0088.00 0000.000
Subdivision Name : NONE
State Plane Coords(?<#>): X= 11796028.224349 Y= 3719893.899175
Latitude: 37.53431722 , **Longitude:** -77.42013102

Other

Street improvement:
Sidewalk:

Assessments

Assessment Year	Land Value	Improvement Value	Total Value	Reason
2019	\$60,000	\$0	\$60,000	Reassessment
2018	\$60,000	\$0	\$60,000	Reassessment
2017	\$40,000	\$0	\$40,000	Reassessment
2016	\$25,000	\$0	\$25,000	Reassessment
2015	\$25,000	\$0	\$25,000	Reassessment
2014	\$25,000	\$0	\$25,000	Reassessment
2013	\$25,000	\$0	\$25,000	Reassessment
2012	\$23,000	\$0	\$23,000	Reassessment
2011	\$23,000	\$0	\$23,000	CarryOver
2010	\$23,000	\$0	\$23,000	Reassessment
2009	\$23,000	\$0	\$23,000	Reassessment
2008	\$23,000	\$0	\$23,000	Reassessment
2007	\$22,800	\$0	\$22,800	Reassessment
2006	\$4,100	\$0	\$4,100	Reassessment
2005	\$3,900	\$0	\$3,900	Reassessment
2004	\$3,400	\$0	\$3,400	Reassessment
2003	\$3,100	\$0	\$3,100	Reassessment
2002	\$2,800	\$0	\$2,800	Reassessment
1998	\$2,500	\$0	\$2,500	Not Available

Transfers

Transfer Date	Consideration Amount	Grantor Name	Deed Reference	Verified Market Sale Description
07/23/1968	\$4,900	Not Available	00653-B0195	

Planning

Master Plan Future Land Use: SF-MD
Zoning District: R-8 -
Planning District: East
Traffic Zone: 1062
City Neighborhood Code: CH
City Neighborhood Name: Church Hill
Civic Code: 0200
Civic Association Name: Church Hill Association of RVA
Subdivision Name: NONE
City Old and Historic District: Church Hill North
National historic District: Church Hill North
Neighborhoods in Bloom:
Redevelopment Conservation Area:

Economic Development

Care Area: -
Enterprise Zone:

Environment

100 YEAR Flood Plain Flag: Contact the Water Resources Division at 646-7586.
500 YEAR Flood Plain Flag: N
Resource Protection Flag: Contact the Water Resources Division at 646-7586.
Wetland Flag: N

Census

Census Year	Block	Block Group	Tract
2000	2013	0206002	020600
1990	305	0206003	020600

Schools

Elementary School: Bellevue
Middle School: Martin Luther King Jr
High School: Armstrong

Public Safety

Police Precinct: 1
Police Sector: 111
Fire District: 1
Dispatch Zone: 120A

Public Works Schedules

Street Sweep: TBD
Leaf Collection: TBD
Refuse Collection: Thursday
Bulk Collection:

Government Districts

Council District: 7
Voter Precinct: 707
State House District: 71
State Senate District: 16
Congressional District: 4

<#>

Property Images

Name: Desc:

A large rectangular box with a black border. Inside the box, the text "Image Not Available" is centered in a bold, black, sans-serif font.[Click here for Larger Image](#)

Sketch Images

Name: Desc:

A large rectangular box with a black border, containing the text "Image Not Available" in the center.

RICHMOND BOARD OF ZONING APPEALS APPLICATION FORM



THE RICHMOND ZONING ADMINISTRATION OFFICE
ROOM 110, CITY HALL, 900 EAST BROAD STREET
RICHMOND, VIRGINIA 23219
(804) 646-6340

TO BE COMPLETED BY THE APPLICANT

PROPERTY

OWNER: Robert and Magdalen Ferguson

PHONE: (Home) () () (Mobile) () ()

ADDRESS 315 Overbrook Road

FAX: () () (Work) () ()

Richmond, Virginia 23222

E-mail Address:

PROPERTY OWNER'S

REPRESENTATIVE: Clairview ENT L LLC

PHONE: (Home) (804) 482-0806 (Mobile) (804) 370-9208

(Name/Address) 7330 Staples Mill Road #184

FAX: (804) 755-6659 (Work) () ()

Richmond, Virginia 23228

E-mail Address: epouir@cve1.com

Attn: E. Pou, Jr.

TO BE COMPLETED BY THE ZONING ADMINISTRATION OFFICE

PROPERTY ADDRESS (ES) 411 North 22nd Street

TYPE OF APPLICATION: ☒ VARIANCE ☐ SPECIAL EXCEPTION ☐ OTHER _____

ZONING ORDINANCE SECTION NUMBERS(S): 30-300, 30-413.15(2)a & 30-710.3:1.

APPLICATION REQUIRED FOR: A building permit to construct a new single-family detached dwelling.

TAX PARCEL NUMBER(S): E000-0257/020 ZONING DISTRICT: R-8 (Urban Residential)

REQUEST DISAPPROVED FOR THE REASON THAT: The side yard (setback) and parking requirements are not met. A side yard of three feet (3') is required; none is proposed. The minimum aisle-width and stall-depth are not met. An aisle width of twenty-three feet (23') is required; twelve feet (12') is proposed. A stall depth of seventeen and one-half feet (17.5') is required; seventeen feet (17') feet is proposed.

DATE REQUEST DISAPPROVED: February 15, 2019

FEE WAIVER: YES ☐ NO: ☒

DATE FILED: February 15, 2019 TIME FILED: 3:15 p.m. PREPARED BY: Josh Young RECEIPT NO. BZAR:049470-2019

AS CERTIFIED BY: [Signature] (ZONING ADMINISTRATOR)

I BASE MY APPLICATION ON:

SECTION 17.20 PARAGRAPH(S) _____ OF THE CHARTER OF THE CITY OF RICHMOND

SECTION 15.2 -2309.2 ☒ OF THE CODE OF VIRGINIA [OR]

SECTION 1040.3 PARAGRAPH(S) _____ OF THE ZONING ORDINANCE OF THE CITY OF RICHMOND

TO BE COMPLETED BY APPLICANT

I have received the handouts, *Suggestions for Presenting Your Case to the Board & Excerpts from the City Charter* ☒

I have been notified that I, or my representative, must be present at the hearing at which my request will be considered.

SIGNATURE OF OWNER OR AUTHORIZED AGENT: Enal Pou Jr AGENT DATE: 2/27/2019

*** TO BE COMPLETED BY THE SECRETARY TO THE BOARD OF ZONING APPEALS ***

CASE NUMBER: BZA 17-2019 HEARING DATE: May 1, 2019 AT 1:00 P.M.

BOARD OF ZONING APPEALS CASE BZA 17-2019
150' Buffer

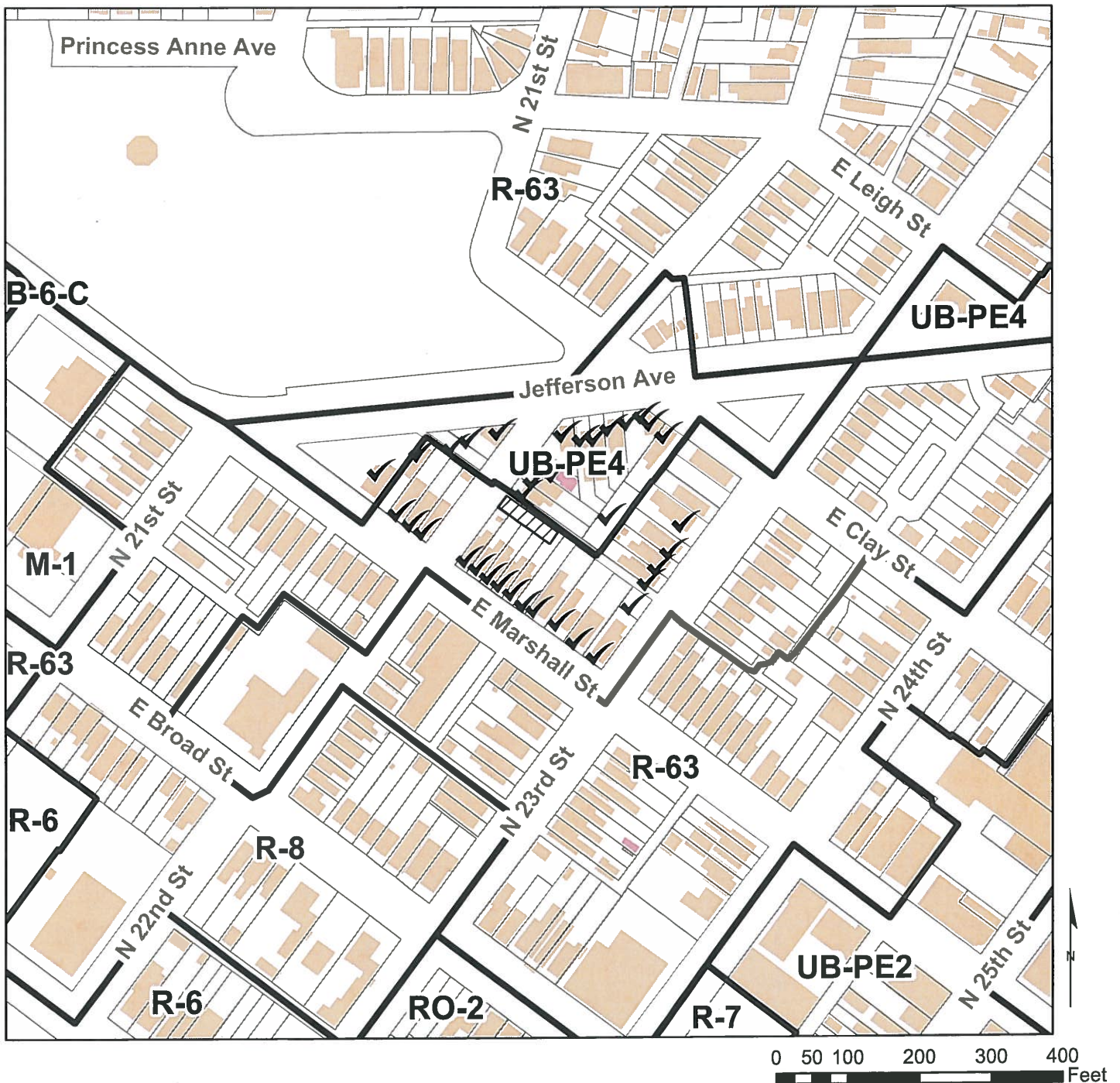
APPLICANT(S): Robert and Magdalen Ferguson

PREMISES: 411 North 22nd Street

(Tax Parcel Number E000-0257/020)

SUBJECT: A building permit to construct a new single-family detached dwelling.

REASON FOR THE REQUEST: Based on Sections 30-300, 30-413.15(2)a & 30-710.3:1
of the Zoning Ordinance for the reason that:
The side yard (setback) and parking requirements are not met.





BOARD OF ZONING APPEALS PRESENTATION SUGGESTIONS

CITY OF RICHMOND, VIRGINIA

When presenting your request for a variance or exception to the Board of Zoning Appeals, it is important that you consider the points outlined below. The City Charter requires that every decision of the Board must be based upon a finding of fact that the Board must determine from sworn testimony, together with pertinent evidence, presented at its public hearing. It is essential that the Board receive thorough and complete information in order for it to adequately consider your case and make an informed decision.

1. The powers and duties of the Board of Zoning Appeals are specified in Section 17.20 of the City Charter and Article X, Division 5, of the Zoning Ordinance. The Zoning Office will assist you in identifying how your case should be filed. If you have questions regarding your case filing, please contact the Zoning Administration Office (646-6340). Please review the applicable provisions of the City Charter or the Zoning Ordinance thoroughly and address them when presenting your case to the Board to show that the applicable requirements have been satisfied.
2. The Board of Zoning Appeals is a quasi-judicial board whose decisions are controlled by statutory law and also take into consideration applicable case law that has been handed down by the Richmond Circuit Court and the Virginia Supreme Court. The Board suggests that if you have any legal questions regarding statutory or case law as it may apply to your application, that those legal issues should be discussed with an attorney before you make your final decision to submit an application to the Board.
3. The Board considers it absolutely essential that you discuss your case with your neighbors (notification letters are sent to property owners within a 150-foot radius of your property) as well as your neighborhood association(s). Information regarding your neighborhood association(s) and/or contact person(s) may be obtained from the City's website at <http://www.richmondgov.com/PlanningAndDevelopmentReview/civicasociationgroupinformation.aspx>. Once on the page, you can search for your property using the interactive map. A dialogue box will provide you with the names of all civic groups within which your property may lie. Once you have those group names, scroll down the page to the appropriate group(s) to find the contact information for each.
4. **Please be advised that if you fail to discuss your request with your neighbors and neighborhood association(s), you should anticipate that your case will be continued until the Board's next regularly scheduled meeting. It is highly recommended that you contact your neighborhood association as soon as possible to determine their meeting schedule in order to be sure you allow yourself enough time to talk to all concerned parties prior to the hearing before the Board.** The Board's Rules of Procedure require payment of a \$150.00 continuance fee if the applicant must request a continuance for the reason that the applicant failed to discuss their case with their neighbor(s) or neighborhood association(s).
4. **You are also strongly encouraged to discuss your pending case with the Secretary of the Board, Roy Benbow (804-240-2124) well before the hearing.** The Secretary can be helpful by explaining the BZA public hearing process.
5. Utilizing photographs, plans, maps, diagrams and such other written or graphic evidence as needed to fully explain your request can be a great help to the Board in understanding your request and thereby improve your chances for success. Remember a picture is worth a thousand words.
6. Note that, although the Board is not authorized to grant a waiver from the zoning regulations based on financial circumstances alone, it may be a factor to be taken into consideration along with other facts in a case. If your case involves such a factor, please provide the Board with complete and relevant financial information for its review.
7. The Board's hearings are informal, although all testimony is taken under oath. You are not required to be represented by an attorney in presenting your case. However, if you choose, you may have legal representation and/or may utilize such technical experts or other persons to testify on your behalf as you feel are needed to adequately explain your request to the Board.

Acknowledgement of Receipt by Applicant or Authorized Agent: E. POU, JR., MGR 2/15/19 (Revised: 8/8/14)

E. POU, JR., MGR
CLAIREVIEW ENTERPRISES I, LLC



CITY OF RICHMOND

DEPARTMENT OF
PLANNING AND DEVELOPMENT REVIEW
ZONING ADMINISTRATION

January 22, 2019

Attorney John L. Taylor III
P.O. Box 8027
Richmond, Virginia 23223

Attn: Robert Ferguson, Owner

RE: 411 North 22nd Street
Tax Parcel: E000-0257/020

Dear Mr. Ferguson:

Thank you for your request of a Zoning Confirmation Letter regarding the above referenced property. In response to your request, as of the date of this letter, be advised of the following:

The property is located within an R-8 (Urban Residential) zoning district. The R-8 District requires a minimum lot area of not less than three thousand square feet (3,000 SF) and a minimum lot width of not less than twenty-five feet (25') for single family detached dwellings. According to the City Assessor's records and deeds, the subject property has a lot width of twenty feet (20'), and a lot depth of eighty-eight feet (88'), which results in a lot area of 1,760 square feet.

According to a July 8, 1963, Deed (most current), the property has been conveyed as "*All that certain lot of land, with the improvements thereon, designated by Street No. 411 North 22nd Street, Richmond, Virginia, and described as follows:*

Commencing at a point on the east line of 22nd Street between Marshall Street and Jefferson Avenue, distant 100 from the northeastern intersection of 22nd and Marshall Streets, thence running northwardly along the east line of 22nd Street, and fronting thereon 20 feet, more or less, then running back between parallel lines 88 feet, more or less." The property is deeded as an independent lot of record and has been since at least 1939. The property is currently unimproved.

Note: A recent site visit revealed that adjacent property owners have utilized the lot as access to the rear of their parcels for the purpose of off-street parking and have installed of landscaping and other decorative structures on the parcel.

In summary, based on the information available to me at this time, it is my determination that the lot is buildable from the zoning perspective for a single-family detached dwelling. Other zoning requirements that would affect the potential development of the site are as follows:

1. Front yard – not less than ten feet (10') and not greater than eighteen feet (18'), provided that:
 - Where existing buildings are located on both adjacent lots along the same street frontage, the front yard shall be the same as the front yard provided for the existing building closest to the street, except that if the front yard of the existing building furthest

Robert Ferguson
RE: 411 North 22nd Street
January 22, 2019
Page 2

from the street more closely represents the average of the front yards for all buildings on the block, the front yard shall be the same as the front yard provided for the building furthest from the street.

2. Side yards – not less than three feet (3').
3. Rear yard – not less than five feet (5').
4. Lot coverage – not to exceed sixty-five percent (65%) of the area of the lot.
5. First floor elevation – the finished elevation of the first floor of a building devoted to a dwelling use shall not be less than two (2) feet above the mean grade level at the building façade along the street frontage of the lot.
6. Building height – no building or structure shall exceed three (3) stories in height. Every main building hereinafter constructed shall have a minimum height of not less than two (2) stories, except that porches, porticos, and similar structures attached to a main building may be of lesser height. No accessory building shall exceed twenty feet (20') in height.
7. Parking – minimum of one (1) on-site parking space.

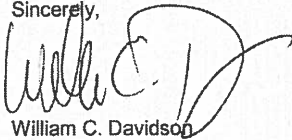
For information concerning environmental concerns that may affect these lots such as grading, erosion control issues, wetland, floodplain and Chesapeake Bay Preservation Areas, please contact the Water Resources Division of the Department of Public Utilities at (804) 646-7674.

Upon submittal of specific development plans, including detailed floor plans, for any proposed use(s), this office will evaluate for conformance with all zoning requirements in effect at that time.

You are hereby advised that you have thirty (30) days from this notice in which to appeal this decision to the Board of Zoning Appeals, in accordance with §15.2-2311 of the Code of Virginia and §17.19 of the Richmond City Charter, or this decision shall be final and unappealable. Such appeal must be in writing and must be filed with the Secretary to the Board of Zoning Appeals. Said appeal shall indicate in specific terms the grounds for the appeal and must be accompanied by a filing fee of two hundred fifty dollars (\$250.00).

I hope this information is sufficient. Should you have any additional questions, please contact Zoning Officer Josh Young by E-mail at: joshua.young@richmondgov.com or by telephone at: (804) 646-6923.

Sincerely,



William C. Davidson
Zoning Administrator

Cc: Robert & Magdalen Ferguson
315 Overbrook Road
Richmond, Virginia 23222

B.Z.A. REVIEW

411 N 22ND ST, RICHMOND, VA 23223

DRAWING INDEX:

- T-1 TITLE SHEET
- A-1 ARCHITECTURAL SITE PLAN
- A-2 FIRST & SECOND FLOOR PLAN
- A-3 ELEVATION - NORTH
- A-4 ELEVATION - WEST
- A-5 ELEVATION - SOUTH
- A-6 ELEVATION - EAST
- A-7 DOOR & WINDOW DETAILS
- C-1 CONTEXT DRAWINGS

VICINITY MAP

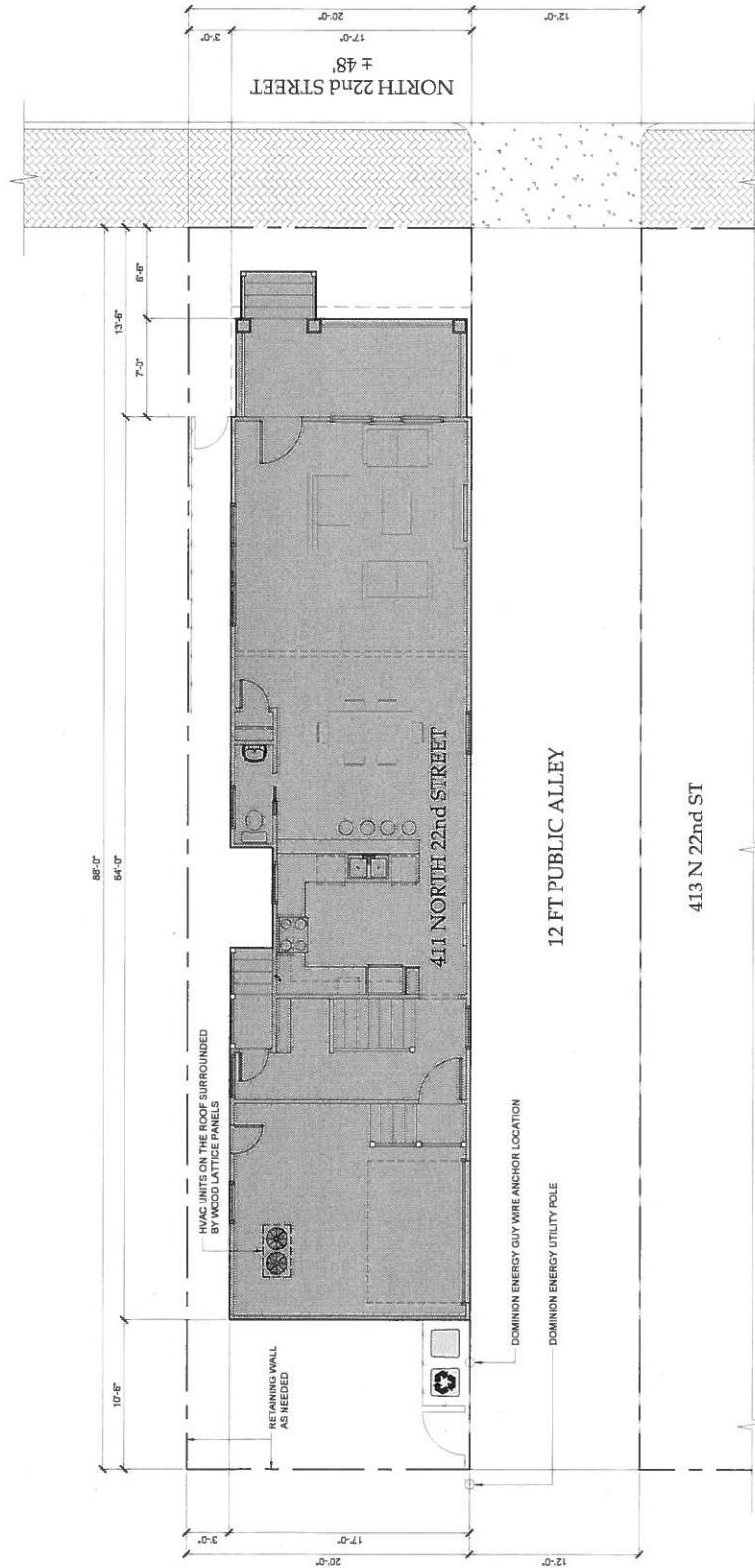


BUILDING INFORMATION:

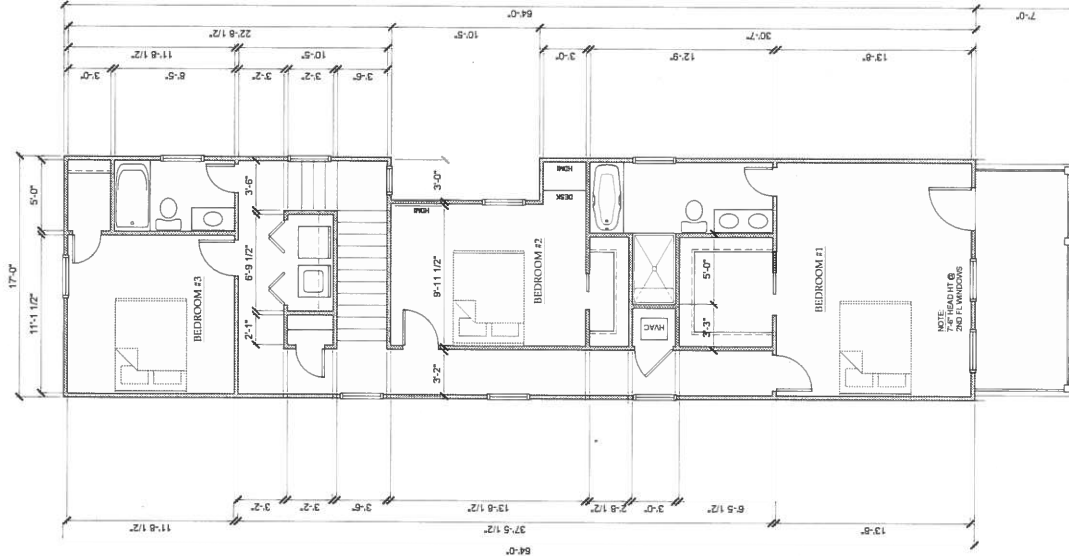
1ST FLOOR:	785 S.F.
2ND FLOOR:	1,057 S.F.
TOTAL LIVABLE SPACE:	1,842 S.F.
GARAGE:	260 S.F.
TOTAL GROSS SQUARE FOOTAGE	2,102 S.F.
FRONT ELEVATION HEIGHT:	± 26'

LOCATION MAP





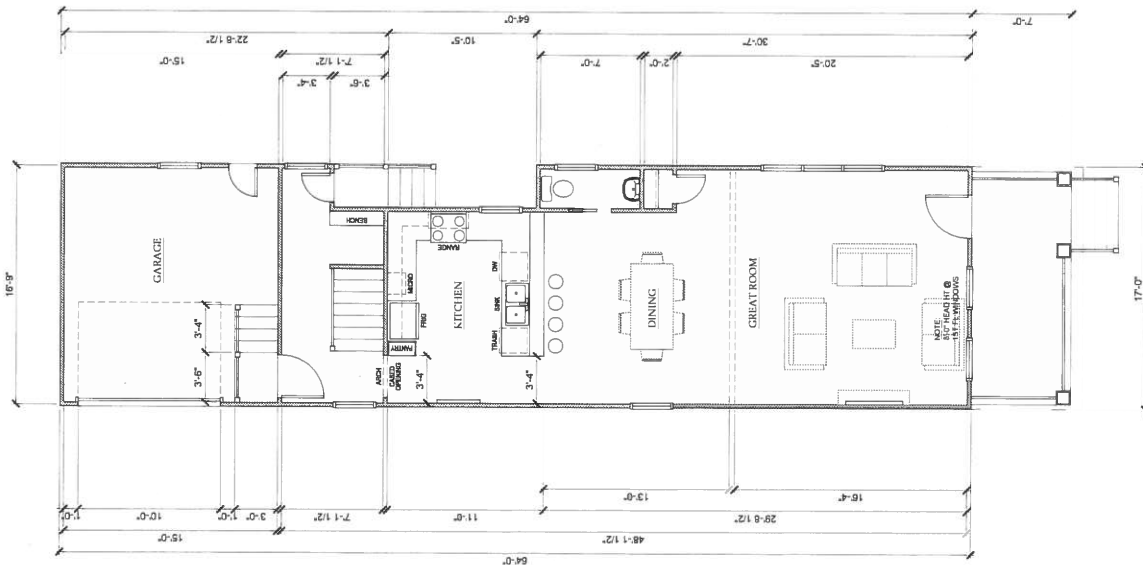
ARCHITECTURAL SITE PLAN
SCALE: 1/4"=1'-0"



SECOND FLOOR PLAN
SCALE: 1/4"=1'-0"

SQUARE FOOTAGE

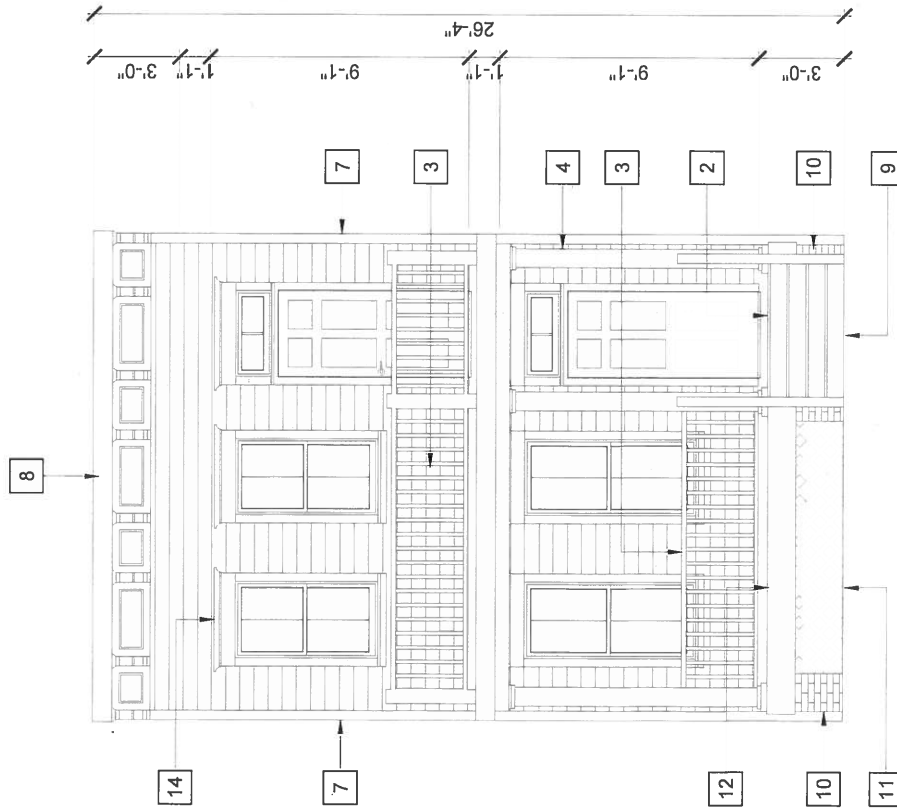
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TOTAL LIVABLE SPACE:	1,842 S.F.
GARAGE:	260 S.F.
TOTAL GROSS SQUARE FOOTAGE:	2,102 S.F.



FIRST FLOOR PLAN
SCALE: 1/4"=1'-0"

ARCHITECTURAL KEY NOTES: 1

1. FOUNDATION: BRICK EXTERIOR
2. FRONT PORCH FLOORING AND TRIM: TONGUE AND GROOVE DECKING
3. RAILING: RICHMOND RAIL, PAINTED
4. FRONT COLUMNS: 8X8 SQUARE WOOD COLUMNS, PAINTED
5. WINDOWS: ALUMINUM CLAD WOOD; BLACK
6. DOORS: SEE PLAN & SCHEDULE FOR SIZE
7. SIDING AND TRIM: FIBER-CEMENT ('HARDIPANEL' MATERIAL OR EQUAL)
8. FASCIA BOARD: FIBER-CEMENT, EDWARDS CORBEL (FYRON)
9. WOOD STEPS & RAILING: RICHMOND STYLE
10. PORCH PIER: 16"X16" BRICK PIER. 24"X24"X12" CONCRETE FOOTING. (3) #4 REBAR HORIZONTAL
11. WOOD LATTICE PANEL (PAINTED)
12. P.T. WOOD PORCH FRAMING, PAINTED
13. 18" x 24" ATTIC VENT
14. CROSSHEAD 6" (FYRON)
15. HARDIE SMOOTH PANELS W/ VERTICAL 2.5" TRIM
16. 6" HALF ROUND GUTTER
17. VENTED SOFFIT
18. 24x36 FOUNDATION ACCESS PANEL
19. UPPER ROOF: MEMBRANE ROOFING OVER 5/8" OSB SHEATHING ON TRUSSES PER MANUFACTURER
20. 10' x 7' OVERHEAD GARAGE DOOR

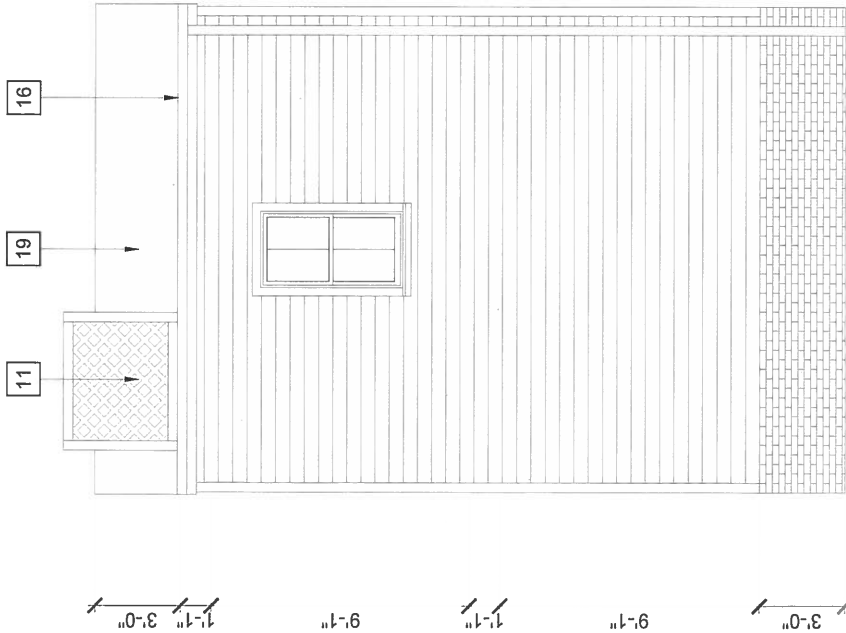


NORTH ELEVATION

SCALE: 1/4"=1'-0"

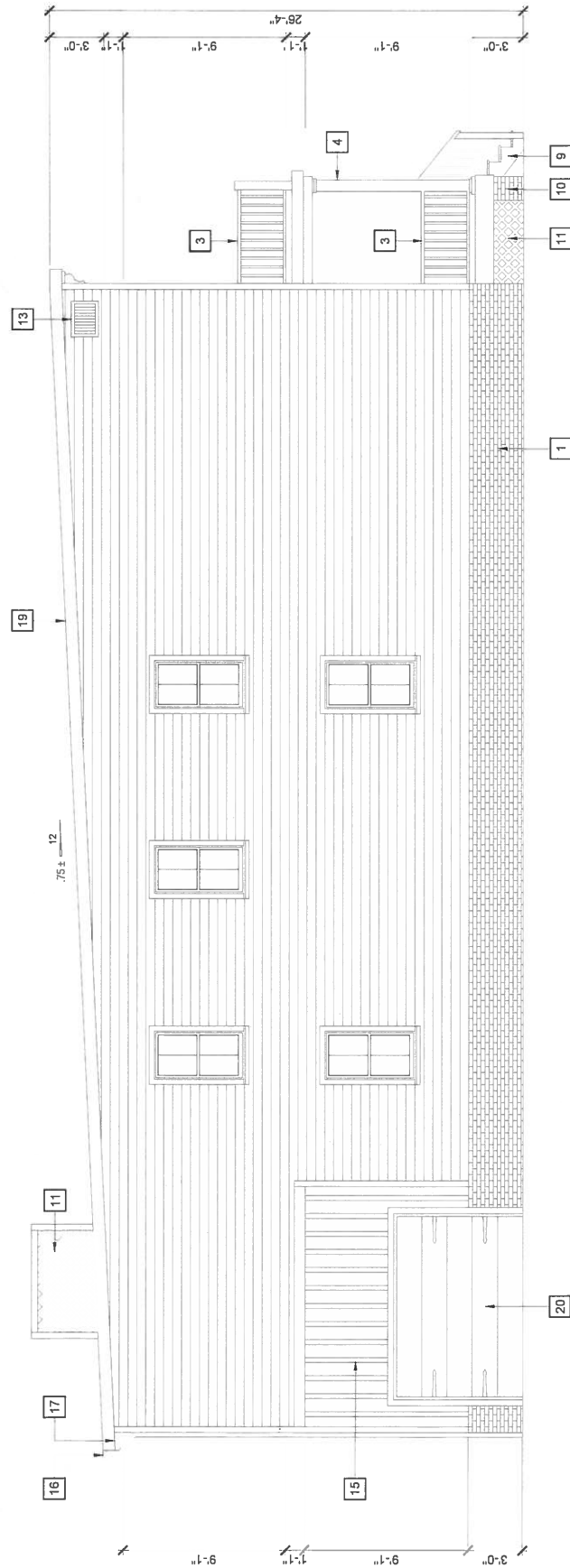


ARCHITECTURAL KEY NOTES: 1	
1.	FOUNDATION: BRICK EXTERIOR
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20.	10' x 7' OVERHEAD GARAGE DOOR

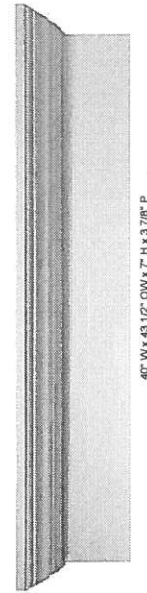
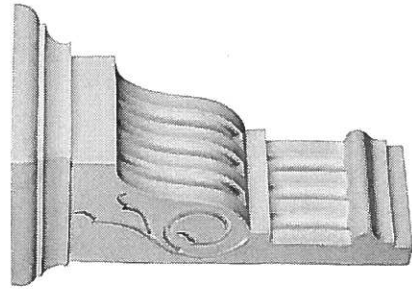
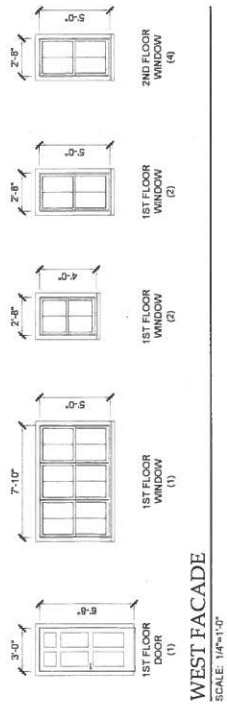
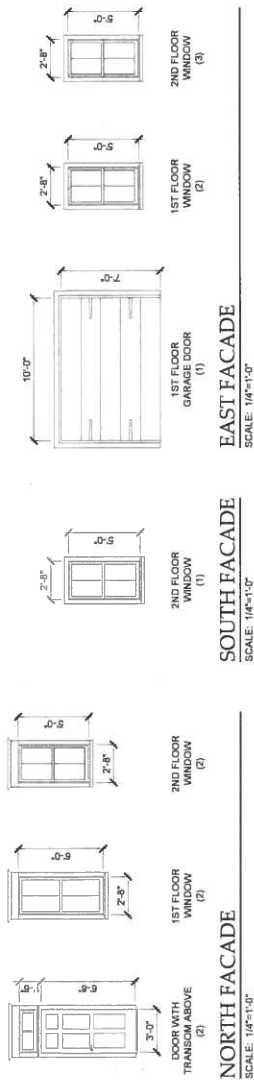
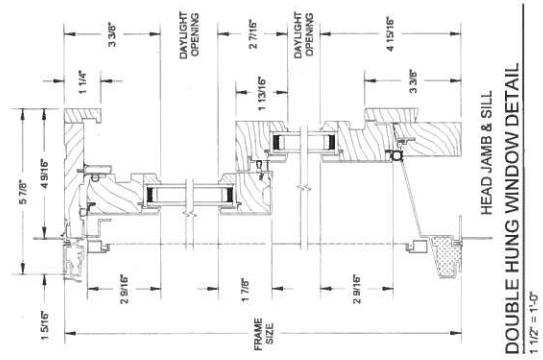
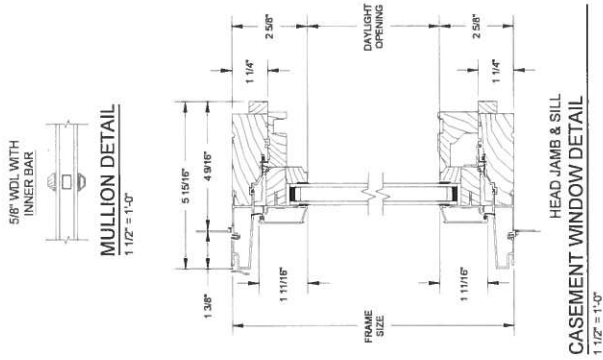


SOUTH ELEVATION

SCALE: 1/4"=1'-0"

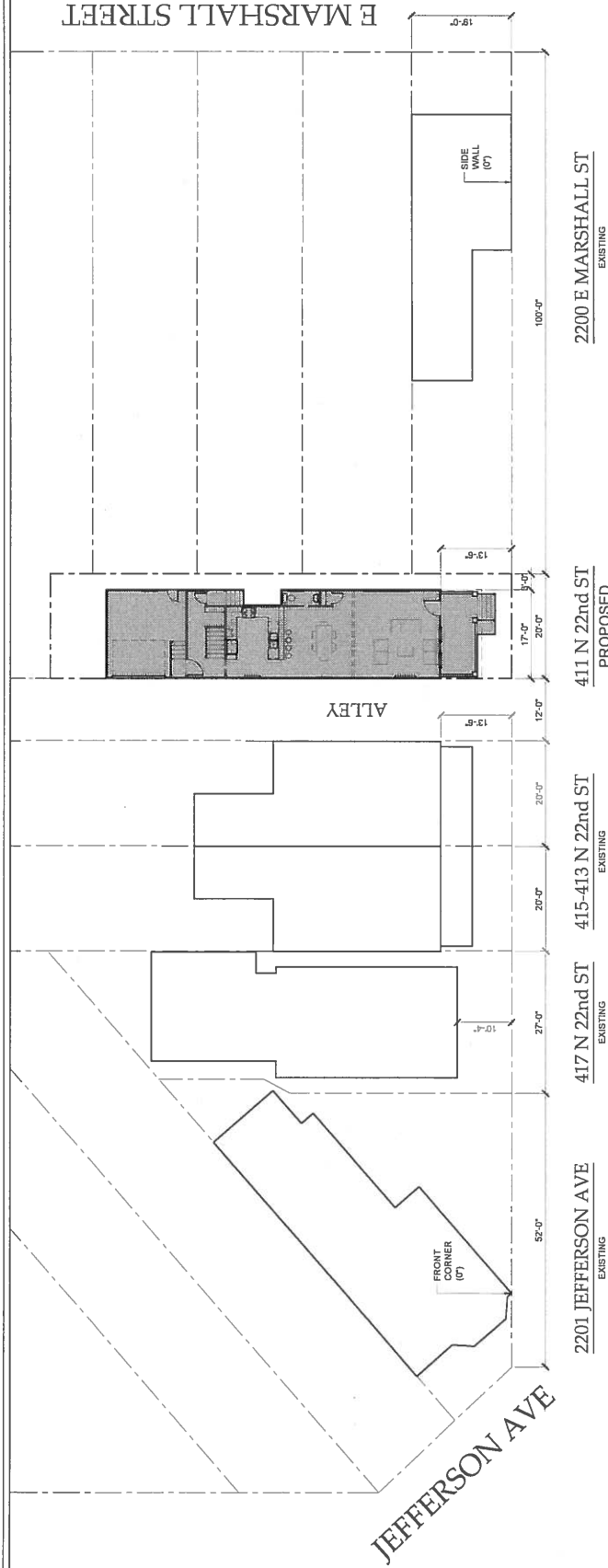


EAST ELEVATION
SCALE: 1/4"=1'-0"



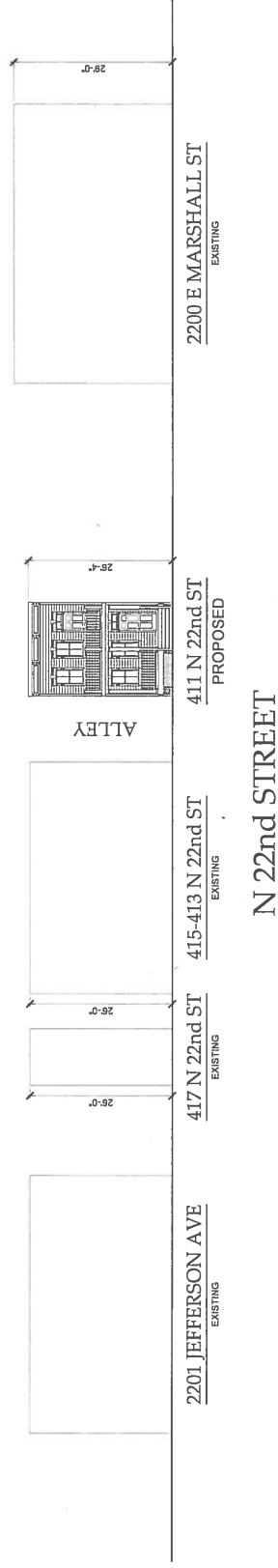
2 EDWARDS CORBEL

1 CROSSHEAD



N 22nd STREET

CONTEXT SETBACK PLANS
SCALE: 1"=10'-0"



CONTEXT ELEVATIONS
SCALE: 1"=10'-0"

411 North 22nd Street
Richmond, VA 23223-7001
Church Hill North - City Old and Historic District
(all photos taken February 2019)

Photo 1. Subject property at center with 12 foot alley at eastern property line; 413 North 22nd Street immediately across alley; rear of 2200 East Marshall Street at far right



Photo 2. View from rear of lot to North 22nd Street; 413 N 22nd St at right of alley

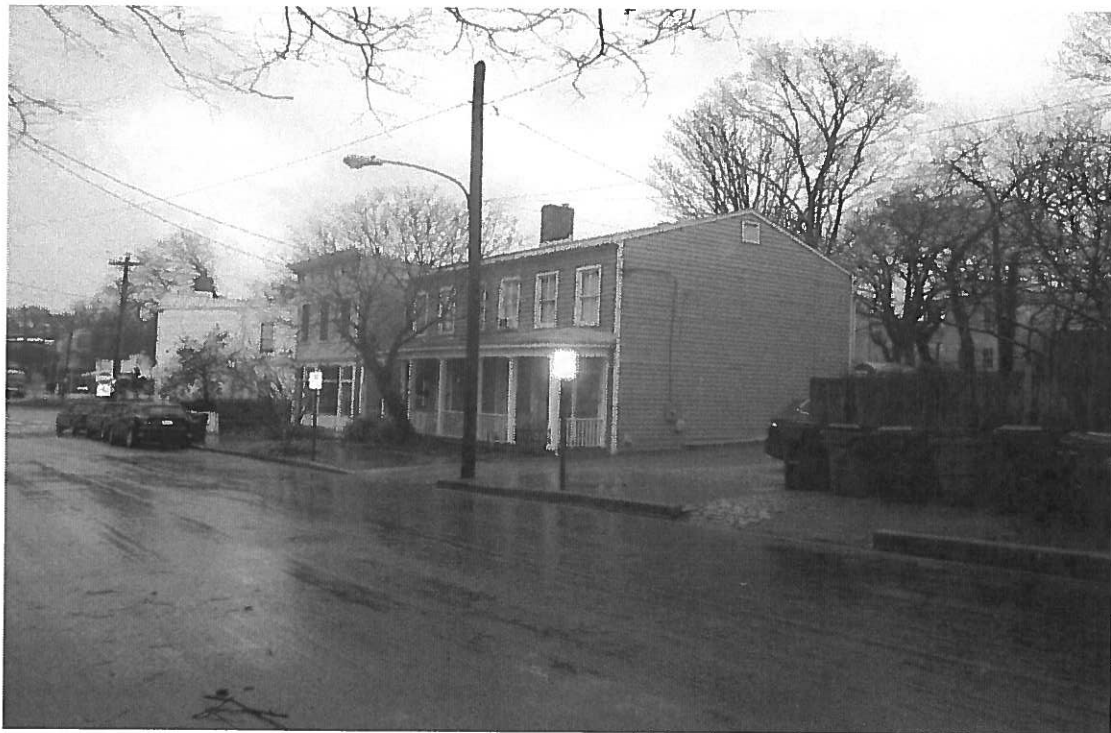


411 North 22nd Street
Richmond, VA 23223-7001
Church Hill North - City Old and Historic District

Photo 3. Streetscape; subject at left; 2200 E. Marshall St at right



Photo 4. Streetscape; subject at right; 413 N 22nd St with zero lot line at left;
2201 Jefferson Ave is the yellow building at far left



411 North 22nd Street
Richmond, VA 23223-7001
Church Hill North - City Old and Historic District

Photo 5. Front Porch at 413 and 415 N 22nd St with 13'6" setback from property line to the structure



Photo 6. Front Porch at 413 and 415 N 22nd St; 12 foot alley shared with 411 N 22nd St at right



The Honorable Council of the City of Richmond, Virginia

**c/o The Dept. of Planning and Development Review
Land Use Administration Division
900 East Broad Street
Room 511
Richmond, VA 23219**

Board of Zoning Appeals Variance Request Application

Applicant's Report

Subject Property

411 North 22nd Street

Tax Parcel Number

E-000-0257/020

Owner/Contact

Robert Ferguson and Magdalen Ferguson
c/o ClaireView Enterprises I, LLC
7330 Staples Mill Road, #184
Richmond, VA 23228
Office: (804) 482-0806
Fax: (804) 755-6659

Proposed Use

The applicant is proposing to construct a detached, single family home on the currently vacant and buildable lot.

Reason

The subject property has been verified as a legal lot of record by the Zoning Administrator. The current R-8, Urban Residential District zoning allows a zero lot line option to be utilized. The Applicant is requesting that they be allowed to utilize the zero lot line option along a twelve foot wide public alley adjacent to the lot and have a minimum three foot (3'0") setback on the opposite side of the same lot. The front and rear yard setback requirements and Lot Coverage Ratio restrictions will remain unchanged and be met.

I. Property Description

The lot is currently zoned R-8, Urban Residential District (Single Family) and has 20.00 feet of frontage along North 22nd Street and has 88.00 feet of depth for a total square footage of 1,760 square feet. The lot rests approximately midway between East Marshall Street and Jefferson Avenue in the Church Hill North neighborhood (see Photos 1-4).

The site slopes slightly from south to north. It is bounded on its northern property line by North 22nd Street, on the east by a public alley 12'0" in width, on the south by the northern property line of 2208 East Marshall Street, and on the west by the rear property lines of the addresses of 2200 through 2208 East Marshall Street (see the enclosed General Parcel Map). A Site Plan showing boundaries and proposed physical features, is included in the attached Plans on page A-1. The lot is currently vacant. The site will be cleared of any encroaching materials and leveled prior to development.

The R-8 zoning classification requires a minimum side yard setback of not less than three feet in width with one permissible exception being where the zero lot line option is utilized (*Sec. 30-413.15, Yards*). The zoning classification also requires a front yard of not less than 10 feet and not more than 18 feet, a rear yard of not less than 5 feet in depth, and lot coverage of not more than 65 percent of the area of the lot (*Sec. 30-413.16, Lot Coverage*).

The R-8 zoning classification also has a provision to allow for a zero lot line, thereby allowing one side yard for a single-family detached dwelling to be equal to zero.

Via the submission of this Application, we are requesting a variance to allow a zero lot line along the twelve foot wide alley with a width of three feet on the opposite side yard.

What follows is information garnered from the City Assessor's Office as it pertains to Building and Lot Widths of properties, as shown on the General Parcel Map, along the 400 block of North 22nd Street and properties along East Marshall Street that are adjacent to the subject lot:

ADDRESS	BUILDING WIDTH	LOT WIDTH
413 N. 22 nd St	20.0 ft	20.0 ft
415 N. 22 nd St	20.3 ft	21.82 ft
417 N. 22 nd St	21.0 ft	26.92 ft
2200 E. Marshall St	18.5 ft	19.1 ft
2202 E. Marshall St	19.0 ft	21.75 ft
2204 E. Marshall St	19.0 ft	19.0 ft
2206 E. Marshall St	18.0 ft	19.0 ft
2208 E. Marshall St	19.0 ft	19.0 ft

As represented by the information immediately above, and on the enclosed map entitled Building and Lot Widths, none of the existing structures would meet the current zoning requirement of a minimum of three feet between structures. Also, because, 1) the physical structures along East

Marshall Street have rear elevations of significant distance from the western property line of the subject, and 2) the City has deeded the property Owners in the 2200 Block of East Marshall Street a 10 foot alley in common that essentially has added to their rear yards, there will be more than adequate distance between structures if 411 North 22nd Street is granted the requested variance.

II. Concept of Proposed New Construction

As previously existed on the site, we are proposing to build a single-family detached dwelling on the site. The home will be two levels one of which will incorporate a one-car garage with its entrance along the alley. There will be two levels of living space. As the enclosed Elevations show (see Plans, Elevations, pages A-3 thru A6), at both levels, all elevations will have hardiplank siding.

We have taken great care to design a structure that emulates many homes throughout the immediate neighborhood in appearance and scale. Because the lot is located within a City Old and Historic District, the enclosed plans are a result of the incorporation of comments from the Conceptual Review of Staff and the Commission with regard to: 1) the ornate nature of the project, 2) the delineation of the garage space along the alley, and 3) screening of the roof mounted HVAC condenser units. The exact same plans and elevations that are enclosed are being submitted to the Commission of Architectural Review for final review and approval.

III. Size, Front Yard Setbacks, and Amenities

The home will consist of a 3-bedroom, 2.5 bath home-with approximately 1,842 square feet of finished living space. The 260 square feet of garage space is not included in that number (see Plans, Floor Plans, page T-1 or page A-2). The homes size and scale will be in keeping with other homes in the vicinity. As shown on the Context Elevations (see Plans, Context Exterior Elevations, page C-1) submitted with this Application, the height of the home is congruent with the height of its immediate neighbors.

The home is also congruent, per Zoning requirements, with the front yard setbacks of its immediate neighbors. North 22nd Street is considered a front yard for both 2200 East Marshall Street and 2201 Jefferson Avenue. Both of those properties have a zero lot line at the section of the physical structure that rests along North 22nd Street. The double house at 413/415 North 22nd Street has a 13'6" front yard setback with a six foot deep front porch (see Photos 5 and 6). The commercial property at 417 North 22nd Street has a 10'4" front yard setback. In accordance with the R-8 Zoning requirements, the proposed dwelling at 411 North 22nd Street is required to have a 13'6" front yard setback. It will have a seven foot deep front porch. The front yard setbacks are shown on the Context Setbacks (see Plans, Context Setbacks, page C-1) submitted with this Application.

The home will contain two zones of central heating and air conditioning, a security system, high-speed internet connections, dishwasher, gas range, disposal, microwave, refrigerator, washer and dryer connections, solid surface countertops, hardwood flooring throughout, and porcelain tile in the kitchens and bathrooms.

The home will make use of the water, sewer, trash, and natural gas services offered by the City of Richmond. All of which are readily available to the site.

IV. Off-Street Parking

There is no access to the southern (rear) property line of the lot. Also, there is a Dominion Energy power pole with a guy wire that is anchored along the eastern property line of the lot (see Photo 2 and the Site Plan, page A-1). The placement of this guy wire prevents vehicular access to the very rear of the lot and therefore negates the possibility of using the rear portion of the lot for off-street parking. The Zoning Ordinance requires at least one off-street parking opportunity for new single-family homes. Hence, the Applicant has incorporated a one car garage into the design of the house. The garage door will be accessed from the public alley that runs along the entire eastern property line.

The garage parking will satisfy the requirement of providing off street parking for all newly constructed single-family homes in the City of Richmond. North 22nd Street is a two-way street that allows on street parking on both sides of the street. The Commission of Architectural Review has reviewed and approved the incorporation of the integrated garage.

V. Required Findings of Fact as Specified in the City Charter and Zoning Ordinance

The proposed Variance Request will not:

- a) be detrimental to the safety, health, morals and general welfare of the community involved;

This proposal represents a significant investment for the predevelopment, utility connections, and construction costs associated with taking an unused, vacant lot toward a homeownership opportunity in a highly visible and thriving area of the city. The proposed construction will have a positive effect on the community involved by placing a vacant lot into service.

- b) tend to create congestion in street, roads, alley and other public ways and places in the area involved;

The proposed development provides the required off-street parking space accessed via the garage door at the east elevation. There will be no congestion on the street nor in the alley.

c) create hazards from fire, panic or other dangers;

The existing thoroughfares, both North 22nd Street and the public alley immediately adjacent to the parcel, will meet the access requirements necessary for fire and any other emergency vehicles. All construction materials will be consistent with building and fire code requirements.

d) tend to cause overcrowding of land and an undue concentration of population;

This development will be a single-family home as are the homes in the immediate vicinity and most of the structures in the Church Hill North community. It will be built on an existing legal lot of record that does not require subdivision of a larger parcel.

e) adversely affect or interfere with public or private schools, parks, playgrounds, water supplies, sewage disposal, transportation or other public requirements, conveniences and improvements;

This proposal offers the opportunity to significantly increase the taxable value of a underutilized parcel of real-estate without creating additional demands for City services, such as schools, social service needs, or infrastructure development. The property is in very close proximity to public transportation.

f) interfere with adequate light and air;

The house is designed to be in keeping with the height and scale of other buildings in the immediate vicinity as well as the community. As the Context Elevations show (see Plans, Context Exterior Elevations, page C-1), the overall house height is in keeping with its immediate neighbors. Because it will be bound on the west elevation by the rear property line of the neighboring properties perpendicular to it and along East Marshall Street, it will in no way interfere with adequate light and air of any properties in the community.

Conclusion

Throughout this Applicant's Report, we have offered evidence to support the following request:

That a variance to Sec. 30-413.15, Yards of the R-8 Zoning Classification be granted for the development of a detached, single-family dwelling allowing a zero lot line at the alley along the eastern property line. There will be a three foot setback along the opposite property line. All other setback and lot coverage requirements will be met in accordance with the R-8 Zoning.

411 North 22nd Street
BZA Applicant's Report
April 1, 2019
Page 6 of 6

During its planning of the single-family home at 411 North 22nd Street the applicant has made tremendous efforts to address the nature of the immediate community while working to be part of the City's desire for infill housing and homeownership opportunities on currently vacant lots. We have taken into consideration esthetics, conformity, parking, and the community's desire for homeownership opportunities within its boundaries.

Respectfully submitted,

Robert Ferguson and Magdalen Ferguson

enclosures

- General Parcel Map

- Photos

- Building and Lot Width Map

- Plans:

 - Title Page, page T-1

 - Proposed Site Plan, page A-1

 - Floor Plans, page A-2

 - Elevations, page A-3 thru A-6

 - Context Setback Plans, page C-1

 - Context Exterior Elevations, page C-1

1:1,128

Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS,

Citations appear in map service do not include Richmond. However, this map product is produced from a City of Richmond application source. The default map service is provided by ESRI and the City has no control over metadata tags appearing therein.

INSTRUCTIONS:
DO NOT
DETACH THIS STUB

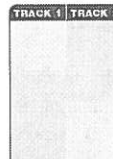
COMPLETE ALL ITEMS ON THIS SIDE OF FORM
NOTE: FAILURE TO FOLLOW THESE INSTRUCTIONS
WILL VOID APPLICATION.



DEPARTMENT OF PLANNING AND DEVELOPMENT REVIEW
BUREAU OF PERMITS AND INSPECTION
ROOM 110 CITY HALL
900 E. BROAD STREET
RICHMOND, VIRGINIA 23219
PHONE (804) 646-4169
FAX (804) 646-1569

BUILDING
PERMIT/CERTIFICATE
APPLICATION

PERMIT NO.
B



THIS IS AN APPLICATION ONLY. IT IS NOT AUTHORIZATION TO START ANY WORK.
NO WORK SHALL START UNTIL A PERMIT IS POSTED ON THE JOB SITE.

CONTRACTOR/OWNER INFORMATION	1 JOB/PROPERTY ADDRESS (STREET & NUMBER) 411 North 22nd Street				2 FLOOR/ROOM NO.																						
	3 CONTRACTOR NAME		4 LICENSE TYPE	5 CLASS <input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C	6 STATE LICENSE NO.																						
	7 CONTRACTOR STREET ADDRESS		8 CONTRACTOR TELEPHONE NO. / EMAIL ADDRESS																								
BUILDING INFORMATION	9 CITY		STATE		ZIP CODE																						
	10 CONTRACTOR FAX NO.																										
	11 PROPERTY OWNER NAME Robert & Magdalen Ferguson		12 PROPERTY OWNER ADDRESS/ZIP 315 Overbrook Road Richmond, VA 23220		13 OWNER DAYTIME TELEPHONE NO.																						
WORK DESCRIPTION	14 DESCRIBE CURRENT STRUCTURE USE				15 DESCRIBE PROPOSED STRUCTURE USE																						
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	B. ELEC. COST \$		D. PLUMB. COST \$		F. ELEVATOR COST \$																						
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	34 LIEN AGENT NAME				35 PHONE NO.																						
	36 ADDRESS				ZIP CODE																						
RE-ENTRY ONLY	37 CONTACT PERSON Claireview ENT I, LLC Attn: E. Pou, Jr.				38 CONTACT PHONE NO. 804-370-9208																						
	39 CONTACT ADDRESS 7330 Staples Mill Road #184 Richmond, VA				40 CONTACT FAX NO.																						
	41 CONTACT ADDRESS 7330 Staples Mill Road #184 Richmond, VA				42 EMAIL epoujr@cve1.com																						
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	70 WILL THERE BE A <input type="checkbox"/> NEW CURB <input type="checkbox"/> RELOCATED CURB <input type="checkbox"/> DRIVEWAY		71 WILL THERE BE ANY SITE GRADING OR LAND DISTURBING ACTIVITY? <input type="checkbox"/> YES <input type="checkbox"/> NO		72 TOTAL AREA TO BE DISTURBED (SQ. FT.)																						
	73 IS SURVEY OR SITE PLAN ATTACHED? <input type="checkbox"/> YES <input type="checkbox"/> NO		74 IS SURVEY OR SITE PLAN ATTACHED? <input type="checkbox"/> YES <input type="checkbox"/> NO																								
ASBESTOS CERTIFICATION	I HEREBY AFFIRM THAT UNDER THE PROVISIONS OF TITLE 34.1-101 OF THE CODE OF VIRGINIA, I AM NOT SUBJECT TO LICENSURE AS A CONTRACTOR OR SUBCONTRACTOR. BY THIS AFFIDAVIT I ASSUME FULL RESPONSIBILITY FOR COMPLETION OF THE PROPOSED WORK IN ACCORDANCE WITH ALL APPLICABLE BUILDING CODES AND LAW. I ALSO UNDERSTAND IT IS A VIOLATION OF STATE LAW TO KNOWINGLY HIRE AN UNLICENSED CONTRACTOR.																										
	PRINTED NAME		SIGNATURE		DATE																						
	A. (NAME OF APPLICANT) CERTIFY THAT THE BUILDING AT (ADDRESSES, FLOOR OR SUITE) HAS BEEN INSPECTED OR MEETS THE EXCEPTIONS OF SECTION 110.3, THE VIRGINIA UNIFORM STATEWIDE BUILDING CODE. THE ASBESTOS ABATEMENT WILL BE DONE AS PER REQUIREMENT OF THE "CLEAN AIR ACT" NATIONAL EMISSION STANDARD FOR THE HAZARDOUS AIR POLLUTANT (NESHAPS) AND OSHA "STANDARDS FOR CONSTRUCTION WORKERS". C. SIGNATURE																										
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A COPY OF YOUR STATE CONTRACTOR'S LICENSE AND BUSINESS LICENSE MUST BE ON FILE BEFORE A PERMIT WILL BE ISSUED.