

September 9, 2020

Kirk Washington 216 Casey Street Sandston, Virginia 23150

To Whom It May Concern:

RE: **BZA 39-2020** 

You are hereby notified that the Board of Zoning Appeals will hold an electronic public hearing on Wednesday, October 7, 2020 due to the disaster represented by the spread of COVID-19 pursuant to and in compliance with Ordinance 2020-093 to consider an application for a building permit to construct a new single-family (detached) dwelling at 1921 5<sup>th</sup> AVENUE (Tax Parcel Number N000-0508/019), located in an R-6 (Single-Family Attached Residential District).

Please be advised that the applicant or applicant's representative is required to participate in the electronic public hearing by calling 804-316-9457 and entering code 915 316 105# beginning at 1:00 p.m. For video access by computer, smart phone or tablet visit <a href="https://richmondva.legistar.com/Calendar.aspx.">https://richmondva.legistar.com/Calendar.aspx.</a>
Select the Board of Zoning Appeals drop-down and 2020 drop-down, click meeting details for October 7, 2020 meeting and then click video access. In the event you have difficulty accessing a public hearing you may contact Mr. William Davidson at 804-396-5350 or by email at <a href="https://william.Davidson@richmondgov.com">William.Davidson@richmondgov.com</a>
for assistance. In accordance with Ordinance No. 2020-093, please be advised that an inability to access one of the enumerated public hearing through video means shall not be considered a prerequisite for participating in the subject public hearing. It will be necessary for you to stay on the line until such time as your case is called. 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. For the purposes of the record it also requested that before addressing the Board you identify yourself and spell your name.

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 39-2020 Page 2 September 9, 2020

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 <a href="http://www.richmondgov.com/PlanningAndDevelopmentReview/civicassociationgroupinformation.aspx">http://www.richmondgov.com/PlanningAndDevelopmentReview/civicassociationgroupinformation.aspx</a>. 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. The Board understands that given the current situation it is not practical to conduct face-to-face discussions with either your neighbors or neighborhood association(s) but the Board requests that you make a good faith effort to provide them with relevant information regarding your case.

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

Log W. Lonber

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.

Brown Stephanie D 2006 5th Ave Richmond VA 23222 Chao Hung-lo 1911 5th Ave Richmond VA 23222 Hb6 LLC 2155 Lanier Lane Space P Rockville VA 23146

Hingley Paul R 816 W Clay St Richmond VA 23220

Jones Peter Trust Trs 155 Helmsley Dr Atlanta GA 30327 Kayimbula Vianney K And Lubuto Immaculee M 2004 5th Ave Richmond VA 23222

Mnk Properties LLC 2500 E Leigh St Richmond VA 23223 Sixth Avenue Associates Inc C/o S B Cox Inc Po Box 7737 Richmond VA 23231 Smith Belinda M 1909 Fifth St Richmond VA 23222

Tartakovsky Yevgeny 6050 California Cir Apt 610 Rockville MD 20852 Woody Esseline 1916 5th Ave Richmond VA 23222

#### Property: 1921 5th Ave Parcel ID: N0000508019

Parcel

Street Address: 1921 5th Ave Richmond, VA 23222-

Owner: WASHINGTON KIRK

Mailing Address: 804 STONEMEADOWS DR, GLEN ALLEN, VA 23060

Subdivision Name: CHESTNUT HILL

Parent Parcel ID:

Assessment Area: 312 - Chestnut Hills

Property Class: 101 - R Single Family Vacant (R1-R7)

Zoning District: R-6 - Residential (Single Family Attached)

Exemption Code: -

**Current Assessment** 

Effective Date: 01/01/2020 Land Value: \$32,000

Improvement Value:

Total Value: \$32,000
Area Tax: \$0
Special Assessment District: None

**Land Description** 

Parcel Square Feet: 4200

Acreage: 0.096

Property Description 1: CHESTNUT HILL L10 B38
Property Description 2: 0030.00X0140.00 0000.000

State Plane Coords( ?): X= 11795380.000017 Y= 3728808.421338 Latitude: 37.55882108 , Longitude: -77.42202319

Description

Land Type: Residential Lot A

Topology: Level
Front Size: 30
Rear Size: 140
Parcel Square Feet: 4200

Acreage: 0.096

Property Description 1: CHESTNUT HILL L10 B38
Property Description 2: 0030.00X0140.00 0000.000

Subdivision Name: CHESTNUT HILL

**State Plane Coords(?):** X= 11795380.000017 Y= 3728808.421338

Latitude: 37.55882108, Longitude: -77.42202319

Other

Street improvement: Paved

Sidewalk: Yes

## Assessments

Assessment Year	Land Value	Improvement Value	Total Value	Reason
2021	\$32,000	\$0	\$32,000	Reassessment
2020	\$32,000	\$0	\$32,000	Reassessment
2019	\$23,000	\$0	\$23,000	Reassessment
2018	\$23,000	\$0	\$23,000	Reassessment
2017	\$22,000	\$0	\$22,000	Reassessment
2016	\$22,000	\$0	\$22,000	Reassessment
2015	\$22,000	\$0	\$22,000	Reassessment
2014	\$22,000	\$0	\$22,000	Reassessment
2013	\$22,000	\$0	\$22,000	Reassessment
2012	\$22,000	\$0	\$22,000	Reassessment
2011	\$22,000	\$0	\$22,000	CarryOver
2010	\$22,000	\$0	\$22,000	Reassessment
2009	\$22,000	\$0	\$22,000	Reassessment
2008	\$22,000	\$0	\$22,000	Reassessment
2007	\$20,000	\$0	\$20,000	Reassessment
2006	\$10,600	\$0	\$10,600	Reassessment
2005	\$8,000	\$0	\$8,000	Reassessment
2004	\$4,000	\$0	\$4,000	Reassessment
2003	\$4,000	\$0	\$4,000	Reassessment
2002	\$4,000	\$0	\$4,000	Reassessment
2000	\$4,000	\$0	\$4,000	Reassessment
1998	\$4,000	\$0	\$4,000	Not Available

#### Transfers

Transfer Date	Consideration Amount	Grantor Name	Deed Reference	Verified Market Sale Description
07/24/2018	\$8,000	MAZYCK JOEL L	ID2018-15069	2 - INVALID SALE-DO NOT USE
11/19/1997	\$1,500	BARNES J ODELL	09700-25524	
09/26/1997	\$1,000	MADDEN SAMUEL A ETALS	1997-21049	
09/27/1995	\$0	Not Available	000034-01218	

-Planning

Master Plan Future Land Use: SF-MD

**Zoning District:** R-6 - Residential (Single Family Attached)

Planning District: North
Traffic Zone: 1025
City Neighborhood Code: HPST

City Neighborhood Name: Highland Park Southern Tip

Civic Code:

**Civic Association Name:** 

Subdivision Name: CHESTNUT HILL

City Old and Historic District:

National historic District: Chestnut Hill-Plateau Neighborhoods in Bloom: Highland Park Southern Tip

Redevelopment Conservation Area: Highland Park

#### **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	4032	0109004	010900
1990	426	0109004	010900

#### Schools

**Elementary School:** Overby Sheppard **Middle School:** Martin Luther King Jr

High School: Armstrong

#### **Public Safety**

Police Precinct: 4
Police Sector: 411
Fire District: 15
Dispatch Zone: 093B

#### Public Works Schedules

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

#### Government Districts

Council District: 6
Voter Precinct: 604
State House District: 71
State Senate District: 9
Congressional District: 4

## Property Images

Name:N0000508019 Desc:



Click here for Larger Image

me: Desc:	
Image Not Available	

## 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 COMP	LETED BY THE APPLICANT	
OWNER: Kirk Washington	PHONE: (Home) ( )	(Mobile) ( <u>804) 683-8026</u>
ADDRESS: 216 Casey Street	FAX: (_)	
Sandston, Virginia 23150		
SHAUSTON, VII GIII A 25130	E-mail Address: <u>kirkwash</u>	ington33(a/gmail.com
PROPERTY OWNER'S		
REPRESENTATIVE;	PHONE: (Home) ()	(Mobile) (_)
(Name/Address)	FAX: (	(Work) ()
	E-mail Address:	
ZONING ORDINANCE SECTION NUMBERS(S): 30 APPLICATION REQUIRED FOR: A building permit TAX PARCEL NUMBER(S): N000-0508/019 REQUEST DISAPPROVED FOR THE REASON TH fifteen feet (15') is required along the Althea Street fro	to construct a new single-family (deta ZONING DISTRICT: R-6 (Single-Fa AT: The front yard (setback) require	ched) dwelling. mily Attached Residential)
DATE REQUEST DISAPPROVED: August 19, 2020  DATE FILED: August 13, 2020 TIME TILED: 08:00 a		E WAIVER: YES □ NO: ☒ RECEIPT NO. BZAR-077673-2020
AS CERTIFIED BY:		(ZONING ADMINSTRATOR)
I BASE MY APPLICATION ON:  SECTION 17.20 PARAGRAPH(S)  SECTION 15.2 -2309.2	OF THE CHARTER OF THE CI	TY OF RICHMOND
TO BE COM	PLETED BY APPLICANT	
I have received the handouts, Suggestions for Presenting		om the City Charter
I have been notified that I, or my representative, must be		
SIGNATURE OF OWNER OR AUTHORIZED AGEN	0/11/11	DATE: 8/24/20
*** TO BE COMPLETED BY THE SEC	The state of the s	

## BOARD OF ZONING APPEALS CASE BZA 39-2020 150' Buffer

APPLICANT(S): Kirk Washington

PREMISES: 1921 5th Avenue (Tax Parcel Number N000-0508/019)

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

REASON FOR THE REQUEST: Based on Sections 30-300, 30-412.5(1)a & 30-630.1(a)(1) of the Zoning Ordinance for the reason that:

The front yard (setback) requirement is 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 (646-6340/6701). 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 <a href="http://www.richmondgov.com/PlanningAndDevelopmentReview/civicassociationgroupinformation.aspx">http://www.richmondgov.com/PlanningAndDevelopmentReview/civicassociationgroupinformation.aspx</a> 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).
- 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:

(Revised: 4/28/16)

5TH. AVENUE OLD ROD **N.50 '00 '00 'E.** ROD 30.00' 4.64 NO. 1921 Ġ gBE 59 (UNIMPROVED) 2-STORY FRAME 59 DWELLING 9 20 "E. 4, 200.0 SF 0.096 AC. \* NO. 1917 F 140. TAX PARCEL N-000-0509-019 140.00 00 4.59

LOT 9

LOT 10 BLOCK 38 CHESTNUT HILL I HEA STREE

OLD **5.40 "00 '00 "W.** OL

ALLEY (UNIMPROVED)

30.00'

NOTE: THIS SURVEY HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND DOES NOT, THEREFORE. NECESSARILY INDICATE ALL ENCUMBRANCES ON THE PROPERTY. PLAT OF PROPERTY SITUATED
ON THE SOUTHEAST CORNER
OF 5TH. AVENUE AND
ALTHEA STREET
CITY OF RICHMOND, VIRGINIA
MAY 17, 2018 SCALE: 1"=20'

Steven B. Kent CERTIFICATE NO. 1686

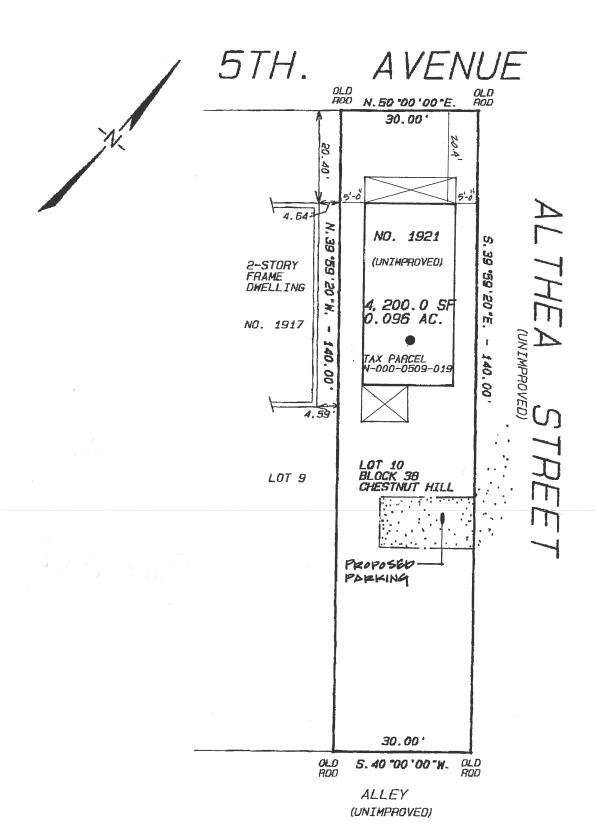
STEVEN B. KENT & ASSOCIATES, P.C.
LAND SURVEYORS
1521 Proofs Bond

1521 Brook Road Richmond, VA 23220 PH. 804-643-6113 CERTIFICATION

THIS IS TO CERTIFY THAT WE MADE AN ACCURATE FIELD SURVEY OF THE PREMISES SHOWN HEREON, THAT ALL MAPROYEMENTS AND VISIBLE EASEMENTS ARE SHOWN HEREON, THAT THERE ARE NO ENCROACHMENTS BY IMPROVEMENTS EITHER FROM ADJOINING PREMISES, OR FROM SUBJECT PREMISES, OTHER THAN SHOWN HEREON.

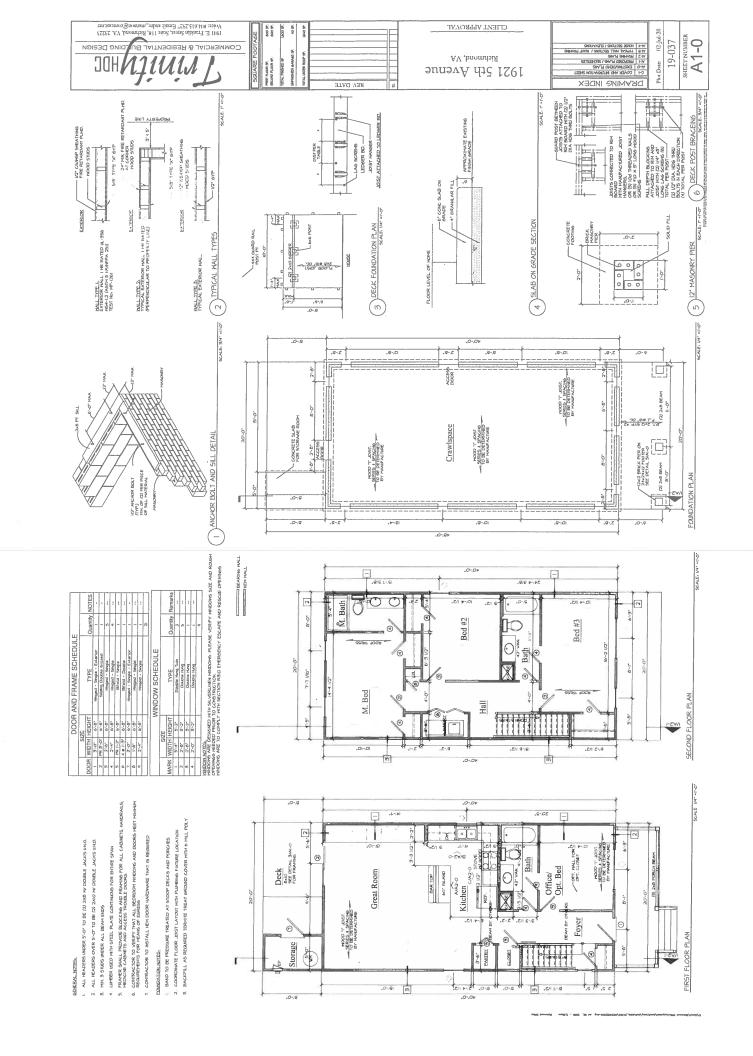
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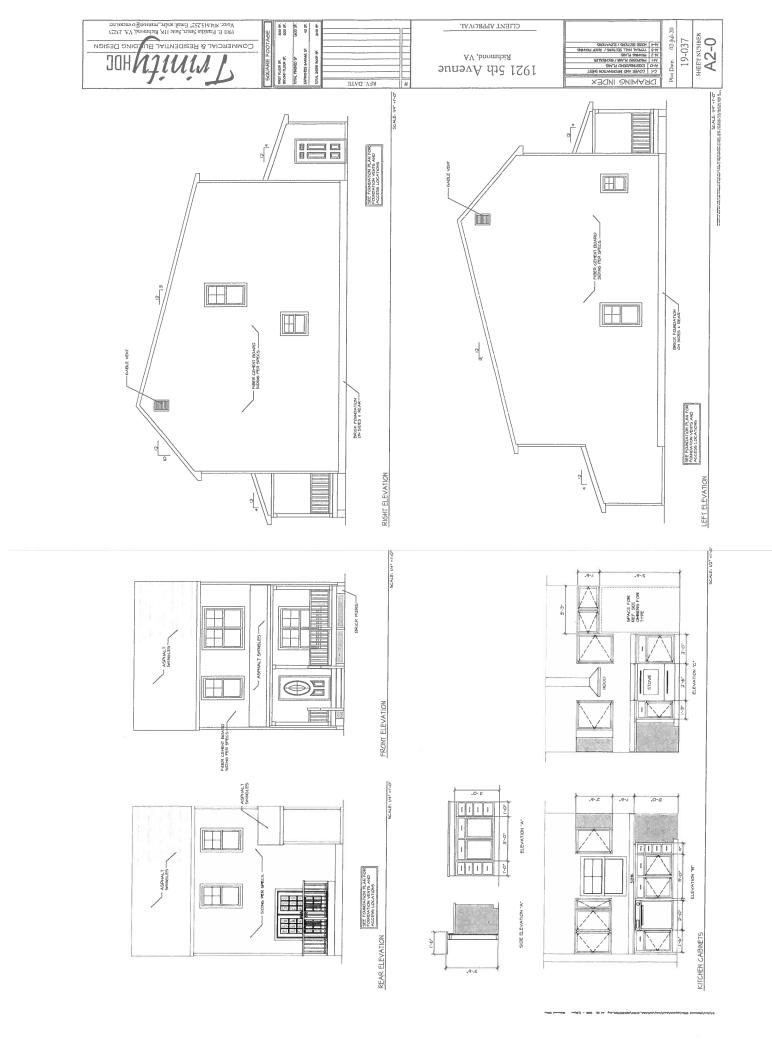
FILE 4-509



SCHEMATIC FLOOR DESIGN FOR 1921 5TH AVE. RICHMOND DATE: 11-18-19









DEPARTMENT OF
PLANNING AND DEVELOPMENT REVIEW
ZONING ADMINISTRATION

April 27, 2018

Cass Smith 6012 Faulkner Drive Richmond, Virginia 23234

Re: 1921 5th Avenue (Tax Map: N000-0508/019)

Dear Mr. Smith:

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

The property is located within a R-6 (Single-Family Attached Residential) zoning district, which requires a minimum lot area of not less than five thousand square feet (5,000 SF) and a minimum lot width of not less than fifty feet (50') for single-family dwellings. According to City Assessor's records, the subject lot has a lot width of thirty feet (30') and a lot depth of one hundred forty feet (140'), which results in a lot area of 4,200 square feet. As shown on a July 9, 1892, Subdivision Map, by James T. Redd & Sons, the subject lot is indicated as Lot 10, Block 38, "Chestnut Hill". This office cannot find any recorded deeds at the Richmond Circuit Court describing the subject lot prior to a 1997 Deed. Without recorded deeds describing the subject lot since 1942, this office cannot determine whether the lot has conveyed as an independent lot of record. However, the adjacent lot known as 1919 5th Avenue has conveyed as independent lot of record since, at least 1937. Therefore, since the subject lot (#1921) is a corner lot and since the adjacent lot (#1919) has conveyed as an independent lot of record, the subject lot (#1921) would also be deemed to be an independent lot of record. The minimum lot area and lot width requirements are deemed to be nonconforming (grandfathered) for the subject lot.

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. Other zoning requirements that may affect the potential development of the site are as follows:

- Front yard not less than fifteen feet (15') along 5th Avenue and along Althea Street
  (as determined by property that fronts on Althea Street, known as 1621 Althea Street
   See attachment) or as determined by the existing setbacks of adjacent dwellings
  within one hundred feet (100').
- 2. Interior side yard not less than three feet (3') [Sec. 114-620.1(c)].
- 3. Rear yard not less than five feet (5').

Cass Smith Re: 1921 5th Avenue April 27, 2018

Page 2

- 4. Lot coverage not to exceed fifty-five percent (55%) of the area of the lot.
- 5. Building height not to exceed thirty-five feet (35'). No accessory building shall exceed twenty feet (20') in height.
- 6. Parking minimum of one (1) on-site parking space.

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 Janell Baker at 646-6493.

William C. Davidson Zoning Administrator



DEPARTMENT OF
PLANNING AND DEVELOPMENT REVIEW
ZONING ADMINISTRATION

August 13, 2020

Kirk Washington 216 Casey Street Sandston, Virginia 23150

RE: 1921 5th Avenue - Plan No. AV-076318-2020 (Case No. 30A-20)

Dear Mr. Washington:

Your Administrative Variance request "to construct a new single-family detached dwelling" has been denied, as an adjoining property owner has objected to the request. As specified in Section 30-1040.4(a)(3), your request shall be transferred to the Board of Zoning Appeals (BZA) should you desire to continue to pursue your request. You will, however, be required to pay the normal filing fee of one-hundred fifty dollars (\$175) and re-submit the required plans in order for you case to be docketed.

If you wish for your case to be heard by the Board of Zoning Appeals (BZA), please file said request and pay the appropriate fee. I have included information on the submission requirements.

Now, therefore, be it resolved by the Zoning Administrator that a request for an Administrative Variance from the front yard (setback) requirement along the Althea Street frontage has been denied.

Very truly yours,

William C. Davidson Zoning Administrator

cc: Roy W. Benbow, Secretary, Board of Zoning Appeals



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.	 TRACK 1 TRACK 2
В	
	1 1

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

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CONTR	STATE STATE									ZIP CODE @ CONTRACTOR FAX NO.								
	10 PROPERTY OWNER NAME  KIKK WASHINGTON  116 CASH											SAND	STON		_	_	ME TELEPHONE  3.8026	NO.
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