



CITY OF HARRISONBURG
**COMMUNITY
DEVELOPMENT**

Special Use Permit Application

www.harrisonburgva.gov/zoning

PROPERTY INFORMATION

217 Franklin Street
Property Address

026 L 2
Tax Map

~~VA~~ ⁴/₁-14,268
Total Land Area

acres or (sq.ft.)
(circle)

Existing Zoning Classification: ~~Old Town~~ U-R

Special Use being requested: Short Term Rental 10-3-180(6)

PROPERTY OWNER INFORMATION

Heather and Bronson Griscom
Property Owner Name

5409087294
Telephone

217 Franklin Street
Street Address

griscohp@jmu.edu
E-Mail

Harrisonburg VA 22801
City State Zip

OWNER'S REPRESENTATIVE INFORMATION

Owner's Representative

Telephone

Street Address

E-Mail

City State Zip

CERTIFICATION

I certify that the information supplied on this application and on the attachments provided (maps and other information) is accurate and true to the best of my knowledge. In addition, I hereby grant permission to the agents and employees of the City of Harrisonburg to enter the above property for the purposes of processing and reviewing this application. I also understand that, when required, public notice signs will be posted by the City on any property.

Heather Griscom
PROPERTY OWNER

11/13/21
DATE 11/13/21

REQUIRED ATTACHMENTS

- Site or Property Map
- Letter explaining proposed use & reasons for seeking a Special Use Permit.
- Traffic Impact Analysis (TIA) Determination Form OR Traffic Impact Analysis (TIA) Acceptance Letter signed by Public Works Department. Applicant is responsible for coordinating with Public Works prior to submitting this application. For more information, visit www.harrisonburgva.gov/traffic-impact-analysis. This requirement is waived for the following SUPs: major family day homes, reducing required parking areas, reduction in required side yard setback, wireless telecommunication facilities, wall and fences, and short-term rentals. To prevent delays in reviewing your application, please consult with Planning staff to confirm your application does not require a TIA Determination Form or TIA Acceptance Letter.

Note: If applying for a Wireless Telecommunications Facility allowed only by SUP, then also submit a wireless telecommunications facility application.

TO BE COMPLETED BY PLANNING & ZONING DIVISION

11-15-2021
Date Application and Fee Received

Total Fees Due: \$ 455⁰⁰
Application Fee: \$425.00 + \$30.00 per acre

(Signature)
Received By

To Whom It May Concern:

We would like to open the second floor of our detached garage structure to short term rental. The structure is located on our property at 217 Franklin St and it is accessed via Ashtree lane. This second floor space above the garage has been rented, as a long-term rental, since before we bought the property in 2017. We live full time in the main house on our 217 Franklin st property. The second floor space above the garage is a one-room studio apartment with a bathroom. We would allow a maximum of four guests at a time. Lodgers would park their car on our property (existing paved parking space beside stairs to apartment).

Please let us know if any of these specifications would need to be adjusted for compliance.

~ Heather & Bronson Griscom



261 4

261 3

261 2

261 1

Parking

Parking

ASH TREE LN

S MASON ST

26 N 1

26 K 12

217 FRANKLIN ST

Location 217 FRANKLIN ST

Acct# 026 L 2

Owner GRISCOM BRONSON W &
HEATHER P

Building Name

Assessment \$422,500

Building Count 1

Legal Description QUADRANT 3 SS FRANKLIN ST

Bill Acct Num P1004346

Assessing District OLD TOWN

Current Value

Assessment					
Valuation Year	Building	Extra Features	Outbuildings	Land	Total
2021	\$296,900	\$17,000	\$22,600	\$86,000	\$422,500

Owner of Record

Owner GRISCOM BRONSON W & HEATHER P
Co-Owner
Address 217 FRANKLIN ST
HARRISONBURG , VA 22801

Sale Price \$436,500
Book & Page 4893/614
Sale Date 06/26/2017
Instrument 20

Ownership History

Ownership History				
Owner	Sale Price	Book & Page	Instrument	Sale Date
GRISCOM BRONSON W & HEATHER P	\$436,500	4893/614	20	06/26/2017
NICHOLS DEAN M LORNA W	\$0	975/264	20	09/05/1989

Building Information

Building 1 : Section 1

Year Built: 1900
Living Area: 3,220
Building Percent Good: 87

Building Attributes	
Field	Description
Style	(2) 2 Story
Model	Residential

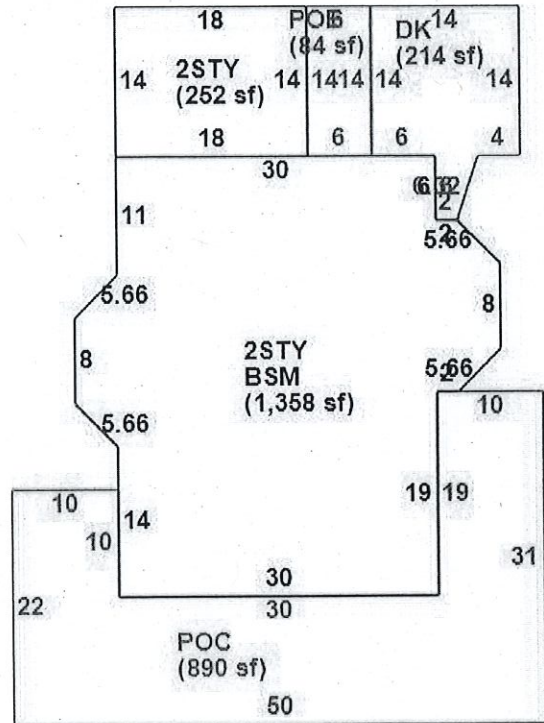
Quality	(B_5) B-5
Story Height	2.00
Foundation	
Exterior Wall	(B_W) Mixed - Brk/Wood
Roof Structure	
Roof Cover	(MTL) Metal
Interior Wall 1	(PLS) Plaster
Heat Type	(FAG) Forced Air - Gas
AC Type	Yes
Bedroom(s)	5
Full Bath(s)	3
Half Bath(s)	0
Extra Fixture(s)	0
Total Room(s)	10
Owner Occ	Yes
Kitchen Style	
Dining Room(s)	0
Family Room(s)	0
Bsmt SF	1358
Fin Bsmt SF	0
Bsmt Gar	0.00
Usrflid 101	
Living Room(s)	0
Int Finish	
Usrflid 300	
Usrflid 301	

Building Photo



(<http://images.vgsi.com/photos2/HarrisonburgVAPhotos//VIDEO/P0000010VP0004511.jpg>)

Building Layout



(ParcelSketch.ashx?pid=3780&bid=3780)

Building Sub-Areas (sq ft)			Legend
Code	Description	Gross Area	Living Area
2STY	2.00 Sty	1,610	3,220
BSM	Basement	1,358	0
DK	Deck	214	0
POC	Covered Porch	890	0
POE	Porch Enclosed	84	0
		4,156	3,220

Extra Features

Extra Features				Legend
Code	Description	Size	Assessed Value	Bldg #
DK	Deck	214.00 SQFT	\$2,200	1
POC	Porch, Covered	890.00 SQFT	\$13,000	1
POE	Porch, Enclosed	84.00 SQFT	\$1,800	1

Land

Land Use

Use Code 006
 Description Dwelling
 Zone UR
 Neighborhood OLD TOWN
 Alt Land Appr No
 Category

Land Line Valuation

Size (Acres) 0
 Frontage 0
 Depth 0
 Assessed Value \$86,000

Outbuildings

Outbuildings				Legend
Code	Description	Size	Assessed Value	Bldg #
BRF	Finished Bonus Room	308.00 UNITS	\$14,200	1
GFS	Det. Frame Garage Small	308.00 UNITS	\$6,200	1
PDA	Paved Driveway Asphalt	1.00 UNITS	\$1,000	1
GZB	Gazebo	1.00 UNITS	\$1,200	1

Valuation History

Assessment					
Valuation Year	Building	Extra Features	Outbuildings	Land	Total
2020	\$295,500	\$24,600	\$16,400	\$86,000	\$422,500
2019	\$293,900	\$24,600	\$14,900	\$86,000	\$419,400



City of Harrisonburg, Virginia
DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT
409 South Main Street, P.O. Box 20031
Harrisonburg, Virginia 22801-7531

Building Inspection (540) 434-0757
Engineering (540) 434-7451

May 5, 1999

Planning & Zoning (540) 434-2463
Department FAX (540) 434-2464

Mr. Dean Nichols
217 Franklin Street
Harrisonburg, VA 22801

RE: 217 Franklin Street, Tax Map Sheet 26, Block L, Lot 2

Dear Mr. Nichols,

I have reviewed the files for Board of Zoning Appeals cases involving the above referenced property. In 1980, Mr. and Mrs. Danny Logan, owners of the property at the time, applied for and obtained setback and lot density variances to allow the improvement of an existing accessory building for use as a rental dwelling unit. These variances were granted with the restriction that it be for uses of "a single family dwelling classification." The Logans apparently did not establish this rental unit. In 1983, a new owner, Mr. Timothy Milligan, requested approval from the Board of Zoning Appeals for a setback variance and change of use to convert the garage at the rear of the property into an apartment for their children while they attended college. The Board of Zoning Appeals denied this request.

The following summer (1984), Mr. Milligan applied for and received a building permit allowing him to improve the accessory structure with plumbing, wiring and interior partitions. The permit stated that the structure was not to be leased or otherwise used for separate living/sleeping purposes.

There has now been an inquiry made of this office from a potential purchaser of the property regarding whether the apartment existing in the accessory building is a permitted use.

As the variance granted in 1980 to allow the use of the accessory building for a separate dwelling unit has never specifically been overturned, an accessory dwelling unit is permitted, under the condition set forth in the 1980 case. The condition set forth in 1980 was "to restrict uses to that of a single family dwelling classification and otherwise comply with all other city regulations."

Should you have any other questions regarding this manner, please do not hesitate to call. Thank you for your patience in waiting while this matter was reviewed.

Sincerely,

Stacy H. Turner
Stacy H. Turner
Director

cc: Earl Q. Thumma, Jr., City Attorney
Alison Banks, Planning and Zoning Inspector

SUBJECT: Setback and lot density variance by Mr. and Mrs. Danny Logan.

EXTRACT TAKEN FROM MINUTES OF BOARD
OF ZONING APPEALS MEETING HELD ON:

Regular Meeting
June 2, 1980

Chairman Trobaugh then read the third request.

A request by Mr. and Mrs. Danny Logan of 217 Franklin Street for a setback variance form Ash Tree Lane and a lot density variance in order to improve an existing accessory building for use as a rental unit.

Reference is made to Section 31-31 of the Harrisonburg Zoning Ordinance. Property is identified as Sheet 26, Block L, Lot 2 of City Block Maps.

Chairman Trobaugh asked Mr. Logan to come forward and tell the Board what he plans to do. Mr. Logan said he and his wife had bought the home at 217 Franklin Street and they would like to take the garage in back of this home and make a rental unit for couples only. Chairman Trobaugh asked how big this would be and Mr. Logan stated it would have two bedrooms upstairs and the downstairs would be like a large efficiency apartment. Mr. Logan also said he had talked to the neighbors and they had no objections. Mr. Byrd informed the Board his contact on this request had been with Mrs. Logan and that he suggested that she verify the exact square footage of their property by deed description in order to determine the amount of lot area variance necessary. It would appear by City Block Maps that needed lot area variance would be minimal. A minimum of 14,000 square feet of land is required. Mr. Byrd further stated that the important issue is that of the variance for converting a non-conforming use to another use which is still non-conforming due to setback regulations, and a permit cannot be approved which would change and/or improve a violation of zoning.

Mr. Lowery asked if sufficient off-street parking could be provided for those residing in the proposed new dwelling unit, and Mr. Logan responded that required off-street parking spaces could be met. Mr. Trobaugh asked if the present garage is right on the rear property line, and Mr. Mackenzie asked asked about the setback regulations fronting the alley. Mr. Byrd replied that he was uncertain as to the exact setback situation in relation to the rear property line, but that it was obviously in violation inasmuch as Ash Tree Lane was considered a street rather than an alley by the City as it applied to this block, and a minimum 30 foot setback is required.

Mr. Mackenzie inquired about available fire and police protection for back alley situations, and Mr. Byrd again stated that the City would consider this right-of-way as any other street. He further stated that the matter of parking problems along this "street" has recently come to the attention of the City staff. Mr. Logan responded that he could provide three parking spaces to the side of the present structure and on-street parking would not be encouraged.

Mr. Byrd stated that no visual documents such as plans for this improvement had been submitted by the Logans. He also mentioned that the City does have water and sewer lines in Ash Tree Lane, and in fact was presently improving utilities in this street. He suggested that with utilities available there may be other new dwellings constructed along this street which would be held to the required setbacks.

Mr. Trobaugh asked Mr. Logan if his principal dwelling facing Franklin Street contained any apartment units at the present time and Mr. Logan said the dwelling is now single family use.

There being no further comments, Mr. Trobaugh asked for a motion.

WHEREAS: Mr. Mackenzie moved to grant the variance as requested inasmuch as existing conditions presented hardship for improvements as desired and

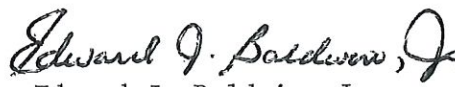
WHEREAS: Mr. Byrd recommended that the motion be supplemented to restrict uses to that of a single family dwelling classification and otherwise comply with all other City regulations and

WHEREAS: the motion was so amended and Mr. Mackenzie and Mr. Lowery voted for such motion and Mr. Blair voted against

THEREFORE BE IT RESOLVED: That the variances requested from the Board were approved by a two to one vote.

I, Edward J. Baldwin, Jr., Recording Secretary of the Harrisonburg Board of Zoning Appeals, do hereby certify that the foregoing is a true copy of an excerpt taken from the minutes of a regular meeting on Monday, June 2, 1980.

GIVEN UNDER MY HAND THIS 25 DAY OF AUGUST, 1983.


Edward J. Baldwin, Jr.
Recording Secretary