



CITY OF HARRISONBURG
**COMMUNITY
DEVELOPMENT**

Board of Zoning Appeals
Determination Appeal Form
<https://www.harrisonburgva.gov/zoning>
COMMUNITY DEVELOPMENT DEPT.
TIME



An appeal to the board may be taken by any person aggrieved or by an officer, department, board or bureau of the city affected by any decision of the administrator, or from any order, requirement, decision or determination made by any other administrative officer in the administration or enforcement of this chapter. Such an appeal shall be taken within 10 days for a notice of violation involving temporary or seasonal commercial uses, maximum occupancy limitation of a residential dwelling unit, keeping of inoperable vehicles and junk, or similar short term, recurring violations, or within thirty (30) days after the entry of any other decision appealed from by filing with the administrator, and with the board, a notice of appeal specifying the grounds thereof.

PROPERTY INFORMATION

1110 N. Liberty St 45-A-1
Property Address Tax Map Parcel/ID

PROPERTY OWNER INFORMATION

Valley Corner, LLC 540-975-3844
Property Owner Name Telephone
POB 719
Mailing Address E-Mail
New Market VA 22844
City State Zip

APPLICANT INFORMATION (IF DIFFERENT FROM PROPERTY OWNER)

same
Applicant Name Telephone
Mailing Address E-Mail
City State Zip

NATURE OF APPEAL

- An interpretation of Article _____ Section _____ of the Harrisonburg Zoning Ordinance.
- An interpretation of the Zoning Ordinance Map.
- An appeal of an administrative decision.

ATTACHMENTS:

- A letter from the applicant stating the nature of the appeal.
- Supporting materials such as a site plan, plat, topographic map, drainage map, building elevation, photos, etc.

CERTIFICATION

By signing below, 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.

[Signature] 6-14-21
APPLICANT OR PROPERTY OWNER SIGNATURE DATE

TO BE COMPLETED BY PLANNING & ZONING DIVISION

6/15/2021 Ch Prof
Date Form Received Form Received By
Application Fee: \$300

Glen Turner who, together with his wife, Sandy Turner, are the shareholders of Valley Corner, LLC, which is the property owner of Tax Map Parcel # 45-A-1 appeals the finding of a use violation as set forth in the letter, dated May 14, 2021 from the Zoning Technician on the following grounds:

Valley Corner, LLC acquired Parcel #45-A-1 by deed from Charles Knight, Jr. *et als* on February 24, 2017, a copy of which is attached hereto. At the time of the purchase the Zoning Office informed Mr. Turner that the allowable use of the property was "grandfathered in" such that, though it was presently zoned M-1, he could continue to use it in the manner in which it had been used when he acquired it.

At the time Valley Corner, LLC purchased this property there were three (3) enclosed structures on the property plus a carport. More significantly there were two (2) residences on this property at the time of the transfer. Mr. Richard Sampson was the executor of Nellie Knight's estate, from which the grantors derived their interests in said property. He can testify that there was a second residence on this property in which Eddie Knight lived and Mr. Sampson was even personally instrumental in renovating this structure to facilitate Mr. Knight's being able to live in it.

Therefore, at the time Valley Corner, LLC acquired the property it was already being used as a multi-unit residence and thus there was no change in the use of the property from the date of acquisition to present.



The existence of title insurance is unknown to the preparer.

Consideration: \$220,000

Actual Value: \$220,000

Harrisonburg Tax Map No. 045-A-1

THIS DEED, made this 24th day of February, 2017, by and among CHARLES E. KNIGHT, JR., BONNIE SUE WARNER, BETTY LOU SAMPSON, and JOHN WAYNE KNIGHT, Grantors, and VALLEY CORNER, LLC, a Virginia limited liability company, Grantee,

WITNESSETH:

That for and in consideration of the sum of Ten Dollars (\$10.00), cash in hand paid by the Grantee to the Grantors, before the execution and delivery hereof and of other good and valuable consideration given, the receipt of all of which is hereby acknowledged, the Grantors do hereby grant and convey with General Warranty with English Covenants of Title unto Valley Corner, LLC, a Virginia limited liability company, Grantee, all that certain tract or parcel of land, together with all improvements thereon, and all rights, privileges, easements, appurtenances, and rights of way, thereunto belonging or in anywise appertaining, located at 1110 N. Liberty Street in the City of Harrisonburg, Virginia, (formerly in Central District, Rockingham County, Virginia) and bounded according to a survey made by G. K. Harnsberger, Surveyor, in February, 1959, as follows:

"Beginning at an iron pin in a lane on the east side of the Kratzer Road 432.8 feet from the Martin Z. Eby corner, thence with the Kratzer Road, S. 26 37' W. 95.2 feet, S. 23 04' E. 15.1 feet to the north line of Charles Street, thence with the same, S. 58 08' E. 240.8 feet to an iron pin, a new corner to Tract 3 now occupied by the

Harrisonburg Wholesale Meat Company, thence with the line of Tract 3, N. 31 52' E. 98.2 feet to an iron pin near the well, thence with the norther line of a lane or driveway, N. 57 02' W. 262.5 feet to the beginning, containing 0.594 acres, more or less."

The real estate herein conveyed is the same property acquired by Charles Edward Knight and Nellie K. Knight, husband and wife, as tenants by the entirety with the right of survivorship as at common law, by deed dated June 26, 1959, from The First National Bank of Harrisonburg, Harrisonburg, Virginia, a corporation, Executor under the last will and testament of J. L. Thompson, deceased, which said deed is duly of record in the Clerk's Office of the Circuit Court of Rockingham County, Virginia, in Deed Book 273, page 417. Charles Edward Knight died on July 7, 2011, his interest thereby vesting in Nellie K. Knight by virtue of survivorship. Nellie K. Knight died on May 27, 2016, and her Will is of record in the aforesaid Clerk's Office in Will File No. 160248. Pursuant to Article II of Nellie Knight's Last Will and Testament, the residue of her estate is to be divided in equal shares to her children--Charles E. Knight, Jr., Bonnie Sue Warner, Betty Lou Sampson, and John Wayne Knight.

This conveyance is made subject to all recorded easements, conditions, restrictions and agreements as they may lawfully apply to the real estate hereby conveyed or any part thereof.

Reference is hereby made to the aforesaid deed and survey plat for further description and derivation of title to the property described herein.

This deed was prepared without benefit of a title examination by its preparer.

WITNESS the following signatures and seals:

Charles E Knight Jr. (SEAL)
CHARLES E. KNIGHT, JR.

COMMONWEALTH/STATE OF Virginia,
CITY/COUNTY OF Shenandoah, to-wit:

The foregoing instrument was acknowledged before me in the jurisdiction
aforesaid this 21st day of March, 2017, by CHARLES E. KNIGHT, JR.

My commission expires: May 31, 2020

Notary Registration Number: NA 168150

Marilyn Golladay
Notary Public

Commonwealth of Virginia
Marilyn Golladay - Notary Public
Commission ID: 168150
My Commission Expires 05/31/20 20

Bonnie Sue Warner (SEAL)
BONNIE SUE WARNER

COMMONWEALTH/STATE OF Virginia,
~~CITY~~/COUNTY OF Shenandoah, to-wit:

The foregoing instrument was acknowledged before me in the jurisdiction
aforesaid this 21st day of March, 2017, by BONNIE SUE WARNER.

My commission expires: May 31, 2020

Notary Registration Number: 168150

Marilyn Golladay
Notary Public

Commonwealth of Virginia
Marilyn Golladay - Notary Public
Commission ID: 168150
My Commission Expires 05/31/20 20

Betty Lou Sampson (SEAL)
BETTY LOU SAMPSON

COMMONWEALTH/STATE OF Virginia,
CITY/COUNTY OF Shenandoah, to-wit:

The foregoing instrument was acknowledged before me in the jurisdiction
aforesaid this 21st day of March, 2017, by BETTY LOU SAMPSON.

My commission expires: May 31, 2020.

Notary Registration Number: 168150

Marilyn Golladay
Notary Public

Commonwealth of Virginia
Marilyn Golladay - Notary Public
Commission ID: 168150
My Commission Expires 05/31/20 20

John Wayne Knight (SEAL)
JOHN WAYNE KNIGHT

COMMONWEALTH/STATE OF Virginia,
CITY/COUNTY OF Shenandoah, to-wit:

The foregoing instrument was acknowledged before me in the jurisdiction
aforesaid this 21st day of March, 2017, by JOHN WAYNE KNIGHT.

My commission expires: May 31, 2020.

Notary Registration Number: 168150

Marilyn Golladay
Notary Public

Commonwealth of Virginia
Marilyn Golladay - Notary Public
Commission ID: 168150
My Commission Expires 05/31/2020

Grantee's Address:

PO Box 719
New Market VA 22844

C:\CLIENT\DEED\KNIGHT NELLIE ESTATE TO VALLEY CORNER LLC DEED