



CITY OF HARRISONBURG
**COMMUNITY
DEVELOPMENT**

**Preliminary Subdivision
Plat Application**

www.harrisonburgva.gov/subdividing-property

PROPERTY INFORMATION

Title of Subdivision: Two Lot Residential Subdivision

1270 Smithland Road 64 B 4
Property Address(es) Tax Map Parcel(s)/ID(s)

5.278 2 R-1
Total Acreage Number of Lots Proposed Zoning Classifications

PROPERTY OWNER INFORMATION

Betty Heavner c/o Rebecca Heavner, Conservator 702-288-4488
Property Owner Name Telephone
6125 West 42nd Avenue becky@beckyheavner.com
Street Address E-Mail
Wheat Ridge CO 80033
City State Zip

OWNER'S REPRESENTATIVE INFORMATION (if applicable)

Todd C. Rhea 540-433-2601
Owner's Representative Telephone
92 N. Liberty Street tcrhea@clark-bradshaw.com
Street Address E-Mail
Harrisonburg VA 22802
City State Zip

SURVEYOR INFORMATION

Hal Benner 540-434-0267
Name Telephone
8 Pleasant Hill Road halbenner@comcast.net
Street Address E-Mail
Harrisonburg VA 22801
City State Zip

VARIANCES

- No variances requested. (Continue to next section.)
- Variance requested. **If a variance is requested, please provide the following information:**

I (we) hereby apply for a variance from:

- The Harrisonburg Subdivision Ordinance section(s): 10-2-42(c) All lots must front on a public street
- The Harrisonburg Design and Construction Standards Manual section(s): _____

which requires:

The attached letter shall describe why the applicant believes a variance should be granted based on the following "unnecessary hardship" which is peculiar to the property in question. (See Section 10-2-2 of the Subdivision Ordinance.)

CERTIFICATION

The City of Harrisonburg's preliminary plat and subdivision requirements are in the code of the City of Harrisonburg, Subdivision Ordinance Sections 10-2-1 through 10-2-86. Please read these requirements carefully.

I have read the ordinance requirements. I certify that the information supplied on this application and on the attachments provided (plats 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] 6-25-2021
 PROPERTY OWNER DATE

REQUIRED ATTACHMENTS

- Letter explaining proposed use & reasons for seeking Preliminary Subdivision Plat Approval.
- Plat of properties meeting requirement of Subdivision Ordinance Section 10-2-23 – see checklist.
- 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.

TO BE COMPLETED BY PLANNING & ZONING DIVISION

6-25-2021
 Date Form Received

[Signature]
 Form Received By

Total Fees Due: \$ 215⁰⁰ ✓
 Application Fee:
 w/o Variance Request \$175.00 plus \$20.00 per lot
 with Variance Request \$200.00 plus \$20.00 per lot

CLARK & BRADSHAW, P.C.

ATTORNEYS AT LAW

92 North Liberty Street

Post Office Box 71

Harrisonburg, Virginia 22803-0071

Telephone: (540) 433-2601

Facsimile: (540) 433-5528

CLARK-BRADSHAW.COM

August 5, 2021

M. STEVEN WEAVER
OF COUNSEL

ELLEN H. BRODERSEN, C.P.A.
(RETIRED) (NOT AN ATTORNEY)

AMY L. RUSH, C.P.A.
(NOT AN ATTORNEY)

MARK B. CALLAHAN
TODD C. RHEA
MATTHEW C. SUNDERLIN
BRADLEY J. MOYERS
QUINTON B. CALLAHAN
KAREN L. ROWELL
KATHERINE M. MANN

VIA HAND DELIVERY

Mr. Adam Fletcher
City of Harrisonburg
Director of Planning and Community Development
409 S. Main Street
Harrisonburg, VA 22801

Re: Preliminary Plat Subdivision Approval Request

Dear Mr. Fletcher:

This letter is a supplement to the preliminary subdivision application and request on behalf my client, Betty Lea Heavner, in care of Rebecca Heavner, Conservator, for the single family residence property located at 1270 Smithland Road in the City. This letter will also serve as an update to the Preliminary Plat application to request a variance for the newly created residential 1.496 acre parcel that is served by a private shared driveway easement and does not front on a public street. This property, until very recently, was the primary residence of Mrs. Heavner and her late husband. Due to Mr. Heavner's passing and Mrs. Heavner's relocation to live with family members in Colorado, it is in the best interest of the family to divide off the residence and surrounding yard for sale in order to provide funds for her future care.

The proposed preliminary plat subdivision is a simple two lot subdivision separating the house, and just under 1.5 acres, from the remaining undeveloped land owned by the applicant. In almost all respects, this would be a minor lot subdivision request, save for the fact that the combined acreage of both lots is just over 5 acres, which under applicable City ordinance requires preliminary plat approval by the Planning Commission.

As you can see on the plat, both residential parcel and undeveloped residue have access to Smithland Road and no variances or other land use changes are requested in connection with the preliminary plat. The Applicant and Owner will also be requesting a variance from City Council to allow the newly created residential lot to not have to front on a public street.

Please feel free to contact me with additional information or concerns relating to this submittal.

Regards,



Todd C. Rhea



City of Harrisonburg, VA
Department of Public Works

**Determination of Need for a
Traffic Impact Analysis (TIA)**

www.harrisonburgva.gov/traffic-impact-analysis

For inclusion in an application for Planning Commission review (for Special Use Permit, Rezoning or Preliminary Plat), this form must be submitted to the Public Works Department at least 5 business days prior to the Planning Commission application deadline.

Contact Information			
Consultant Name:	Todd C. Rhea, Esq		
Telephone:	540-433-2601		
E-mail:	tcrhea@clark-bradshaw.com		
Owner Name:	Betty Heavner c/o Rebecca Heavner, Conservator		
Telephone:	702-288-4488		
E-mail:	beck@beckyheavner.com		
Project Information			
Project Name:	Two-Lot Residential Subdivision just over 5-acres total size combined.		
Project Address: TM #:	1270 Smithland Road, Harrisonburg, VA 22802 64 B 4		
Existing Land Use(s):	Residential / Open		
Proposed Land Use(s): (if applicable)	Residential / Open		
Submission Type:	Comprehensive Site Plan <input type="radio"/>	Special Use Permit <input type="radio"/>	Rezoning <input type="radio"/> Preliminary Plat <input checked="" type="radio"/>
Project Description: (Include site plan or preliminary sketch and additional details on land use, acreage, access to site, etc)	Simple division of house and approximately 1.5 acres for sale due to age and relocation of owner. Existing shared driveway to exclusively share house parcel. Remaining 3.7 acre parcel (unimproved by structures and merely open field) to be served by existing 50' access frontage on Smithland Road. Unimproved with no immediate plans for improvement.		
Peak Hour Trip Generation (from row 15 on the second page)			
AM Peak Hour Trips:	0		
PM Peak Hour Trips:	1		

(reserved for City staff)

TIA required? Yes _____ No X

Comments:

Accepted by: Johel Zamora Falcade

Date: 6/23/21

Peak Hour Trip Generation by Land Use

Row	ITE Land Use		ITE Land Use Code	Unit	Quantity	AM Peak Hour of Adjacent Street Traffic	PM Peak Hour of Adjacent Street Traffic
1	Proposed #1	Single-Family Detached Housing	210	Dwelling Units	2	1	2
2	Proposed #2						
3	Proposed #3						
4	Proposed #4						
5	Proposed #5						
6	Proposed #6						
7	Total New Trips					1	2
8	Existing #1	Single-Family Detached Housing	210	Dwelling Units	1	1	1
9	Existing #2						
10	Existing #3						
11	Existing #4						
12	Existing #5						
13	Existing #6						
14	Total Existing Trips					1	1
15	Final Total (Total New – Total Existing)					0	1

Instructions

Determination of trip generation rates shall be in conformance with ITE guidelines.

1. Based on the intended use(s), calculate the AM Peak and PM Peak trip generation using the AM and PM Peak Hour of Adjacent Street Traffic rates from the most current version of the ITE Trip Generation Manual (rows 1-6). Attach additional sheets as necessary for more uses.
2. Sum up all of the trips generated for the new uses in the Total New Trips row (row 7).
3. If the development has any existing uses, calculate the AM Peak and PM Peak trip generations using the AM and PM Peak Hour of Adjacent Street Traffic rates from the most current version of the ITE Trip Generation Manual (rows 8-13). Attach additional sheets as necessary for more uses.
4. Sum up all of the trips generated for the existing uses in the Total Existing Trips row (row 14).
5. Subtract the total existing trips from the total new trips to get the final total number of trips generated by the development (row 15). Enter these numbers on the first page.