

Case No: _____

Date Application & Fee Received By: ✓

Application Fee: \$300

Reviewed By: Robert S

Application for an Appeal Board of Zoning Appeals City of Harrisonburg, Virginia

<https://www.harrisonburgva.gov/variances-appeals>

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

Location (Street Address): 395 E. Elizabeth Street

Tax Map Number Sheet: 034 Block: RR Lot: 11

Existing Zoning District: R-2

PROPERTY OWNER INFORMATION

Property Owner's Name Blind Squirrel Investments LLC

Mailing Address: 11089 Soldiers Rest Lane Email: jonmeyerdc@gmail.com

City: Marshall State: VA Zip: 20115

Telephone Work: _____ Fax: _____ Mobile: 301-6743222

APPLICANT INFORMATION (IF DIFFERENT FROM PROPERTY OWNER)

Applicant's Name _____

Mailing Address: _____ Email: _____

City: _____ State: _____ Zip: _____

Telephone Work: _____ Fax: _____ Mobile: _____

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: 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: _____

Property Owner

25 Oct 2019
Date

Signature: _____

Applicant
(if different from Property Owner)

Date

FOR BOARD OF ZONING APPEALS USE ONLY

☐ Approved ☐ Denied ☐ Conditions Attached ☐ Withdrawn

Recording Secretary _____ Date: _____

Chairman _____ Date: _____



City of Harrisonburg, Virginia

Department of Planning & Community Development

409 South Main Street
Harrisonburg, Virginia 22801
(540) 432-7700 / FAX (540) 432-7777
www.harrisonburgva.gov/community-development

Building Inspections

Engineering

Planning & Zoning

Certified Mail – Return Receipt Requested

Correction Notice

RECEIVED OCT 15 2019

October 10, 2019

Blind Squirrel Investments LLC
11089 Soldiers Rest Ln
Marshall, VA 20115

Re: Property Maintenance Violation at 398 E Elizabeth St
Tax Parcel(s): 034 RR11, R-2 District

Dear Blind Squirrel Investments LLC:

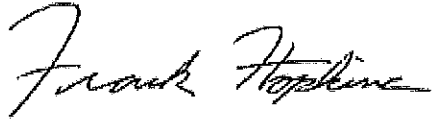
This office has received a concern regarding occupancy at the above referenced property. City personnel visited the property and spoke with a tenant. The tenant confirmed that there are four unrelated individuals living in the residence. The Castle Property's website also list the house for rent by the bedroom with five bedrooms listed. City tax records list Blind Squirrel Investments LLC as the owner(s).

The City of Harrisonburg Zoning Ordinance, Article H, Section 10-3-33(2) states: Nonowner-occupied single-family dwellings, which may include rental of space for occupancy by not more than one (1) person, providing such rental space does not include new kitchen facilities. As this property in not owner-occupied, there can only be two unrelated tenants.

You are hereby notified that you are in violation of Article H, Section 10-3-33 & 39: Uses permitted by right. You have thirty (30) days from receipt of this letter to bring the property into compliance by reducing the occupancy to two (2) unrelated individuals. Upon correction of the violation, city personnel will require an inspection of the property to verify compliance. Failure to bring the property into compliance shall result in the City of Harrisonburg proceeding with legal action to have the violation corrected.

In accordance with section 15.2-2286(4) of the Code of Virginia, you have ten (10) days to appeal this decision or it is final. The cost of an appeal is \$275.00. If you have any questions regarding this matter or the appeals process, please contact this office.

Sincerely,
The City of Harrisonburg

A handwritten signature in black ink that reads "Frank Hopkins". The signature is written in a cursive style with a large, stylized "F" and "H".

Frank Hopkins
Zoning Inspector

cc: Adam Fletcher, Director

October 24, 2019

To: Board of Zoning Appeals
City of Harrisonburg, Virginia

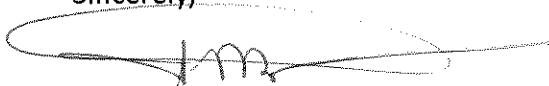
From: Jon Meyer, Managing Partner Blind Squirrel Investments, LLC
Owner of 395 E. Elizabeth Street, Harrisonburg, VA

To Whom It May Concern:

I purchased 395 E. Elizabeth as an investment property in June of this year. I was assured by the seller that the property status was legal, non-conforming as it had been a four-unit rental for many years. The seller, Glenn Loucks, had consistently rented it to four students during his ownership, as had the owners before him dating back over 20 years (according to Mr. Loucks). It was my understanding that this met the requirements for legal, non-conforming status. My biggest concern about the board's decision, is that I have students in the property. I do not want to leave them without housing, and particularly with very short notice. At the appeal I intend to request that you allow the students to remain for the remainder of the lease, and then I can convert the rental to R-2 or sell the property.

I appreciate your consideration in light of the students' disruption in having to move mid academic year.

Sincerely,

A handwritten signature in black ink, appearing to be "Jon Meyer", written over a horizontal line.

Jon Meyer