

MEMORANDUM

TO: Chairman Rodriguez and Planning Commissioners
FROM: James Newman, Zoning Administrator
DATE: September 4, 2020 for the September 9 Planning Commission public hearing
RE: **SE 2020-04: Haven for Heroes Inc.** requests a Special Exception from City Code §72-40.2, Use Table, to permit a duplex at 315/317 McKinney Street/GPIN 7788-18-9981.

ISSUE

Proposed special exception request is to permit a former duplex to be renovated into a duplex.



PROPOSED SPECIAL EXCEPTION REQUEST

The applicant seeks an exception to Code §72-40.2, Use Table, which does not list 'Dwelling, Duplex' as an allowed use. 'Dwelling, Duplex' is defined in §72-84, Definitions. Granting this Special Exception would permit a duplex at 315/317 McKinney Street/GPIN 7788-18-9981.

RECOMMENDATION

Recommend to the City Council approval of the Special Exception subject to the following conditions:

1. Prior to occupancy the three lots must be consolidated to make the structure conform to the Unified Development Ordinance;
2. The use shall commence within 24 months of the date of adoption of this resolution. The use is permitted only so long as it continues and is not discontinued for more than 24 months.

GENERAL BACKGROUND

The applicant wishes to renovate a dilapidated duplex to make it habitable. The property is zoned R4, and a duplex is not a permitted use in the R4 Zoning District. The use is **not** legally non-conforming as the structure has not been inhabited for over two years.

City Code §72-82.4 defines a “**Dwelling, Duplex**” as

A single-family dwelling unit attached to one other single-family dwelling unit by a common vertical wall. Each dwelling unit may be located on its own lot, or both may be located on a single lot.

The structure is a duplex. The house dates to 1949, is 1,426 sq. ft. in area, and is one story with a basement below. The structure is split down the middle, with two separate entrances for each unit. The applicant proposes to remodel the building and split the units horizontally, with one unit in the basement and the other unit on the main floor. Each unit would have its own utility hookup.

The applicant is ‘Haven For Heros’. They work to provide affordable housing for veterans and their families. The applicant proposes to use this duplex for affordable housing.

Per the City’s Community Development Planner Susanna Finn:

The proposed use of the property is to be affordable housing for low-income veterans and their families. It is generally advised that rents conform to being below the [Small Area Fair Market Rent annually updated by HUD](#). It is further advised, that the property owner coordinate with the Fredericksburg Regional Continuum of Care’s [Stable Homes Partnership](#) to make this housing opportunity available for veterans exiting homelessness.

Per the Federal Department of Housing and Urban Development (HUD) affordable rent in the 22401 zip code is defined as no more than \$1,120 for a one-bedroom unit, or \$1,280 for a two bedroom unit.

While the applicant has chosen to pursue this special exception as a way to provide affordable housing, approval should be granted regardless. The property was historically used as a duplex. There are eight duplexes in the surrounding neighborhood, the approval of the exception would maintain the historic variety of housing options available in the neighborhood, and approval would lead to the renovation of a visually blighted structure.

SPECIAL EXCEPTION ANALYSIS

Unified Development Ordinance (UDO) §72-22.7 contains review criteria that the Planning Commission and City Council shall use when evaluating an application for a Special Exception. These criteria are:

1. Consistency with the Unified Development Ordinance

The purpose of the Residential-4 (R4) Zoning District is:

“established to provide for single-family detached dwellings in both developed and undeveloped areas of the City at densities of up to four units per acre. The district also allows selected uses which are compatible with the medium density residential character of the district and to implement the stated purposes and intent of the Comprehensive Plan. Cluster-style development configured in accordance with the standards in § 72-51.4, Cluster subdivisions, is permitted.”

The applicant seeks to rehabilitate a vacant duplex to make it habitable. The property is composed of three lots, which could result in 3 new units with a density of 17 units per acre. Renovating the existing duplex would result in a density of 11 units per acre. As a condition of approval, the lots should be combined to bring the property more into conformance with City Code requirements. Consolidating the lots would maintain the two units while reducing the overall density of the lot to the existing 11 units an acre.

2. Conformance with the Comprehensive Plan

The property lies within Land Use Planning Area 8: Dixon Street/Mayfield. The Future Land Use map identifies this area as Low Density Residential. This category states: *“Residential development at four units per acre is generally a conventional subdivision. Some parts of the City are zoned for two units per acre, but these districts are typically rezoned to a higher density so that can be developed in a manner more appropriate to an urban location. Where the land has historic resources and/or attractive natural features, the City encourages innovative layouts and clustering, to retain attractive open space and to protect sensitive lands.”*

The requested special exceptions and associated development are in accordance with goals of the Comprehensive Plan:

Environmental Protection Goals – pg. 1-8

Goal 6. Livability

“Strengthen existing policies and develop new ones to actively promote a sustainable future by promoting clustered and compact development, which would be balanced by additional open space, and redevelopment of land and repurposing of structures”.

Residential Neighborhoods – pg. 1-10

Goal 1. Neighborhood Character

“Preserve the character of the City’s neighborhoods, by respecting and maintaining their functional design (sidewalks, alleys, street trees, etc.)”

Goal 2. Neighborhood Quality

“Enhance the quality of the City’s residential areas, to promote livability and a sense of community. Livability is defined as safe and walkable, with a variety of housing choices and ready access (walking, biking, transit, automobile) to work, shopping, and services.”

Goal 7. Affordable Housing

“All persons who live and work in Fredericksburg should have the opportunity to rent or purchase safe, decent, and accessible housing within their means.”

Goal 8. Variety of Housing

“Provide a variety of housing opportunities throughout the City that respect the character of the community.”

3. Whether there has been a sufficient period of time for investigation and community planning with respect to the application.

The Technical Review Committee has completed its review. If approved, work would be required to be performed in accordance with all Building Code requirements, which requires that there must be a complete 1-hour fire separation between units and all supporting construction of the 1-hour horizontal fire separation assembly must be equally fire rated. Egress from the basement unit is possible via the

rear door at the basement ground level and via the windows, which meet current Building Code requirements to be emergency egress points.

- 4. *Whether the special exception is consistent with the principles of good zoning practice, including the purposes of the district in which the special exception would be located, existing and planned uses of surrounding land, and the characteristics of the property involved.***

Section 72-12 of the UDO states that “*The City Council has adopted this chapter to promote the health, safety, convenience, and general welfare of the public, to plan for the future development of the community, and to accomplish the objectives of the Code of Virginia and the City of Fredericksburg Comprehensive Plan*”. As stated in that Code Section, zoning is intended to be a tool that provides for, amongst other things:

- A. *...Adequate light, air, convenience of access, and safety from fire, flood, impounding structural failure, crime, and other dangers;*
- C. *To facilitate the creation of a convenient, attractive, and harmonious community;*
- G. *To encourage economic development that provides desirable employment, including high wage jobs, and enlarge the tax base;*
- J. *To implement the Fredericksburg Comprehensive Plan and any special area plan adopted by the City;*

The property is not located within a floodplain or floodway. Approval will allow for the rehabilitation of a vacant, dilapidated structure, and provide housing choice.

- 5. *Whether the proposed use or aspect of the development requiring the special exception is special, extraordinary or unusual.***

The property was developed as duplex in 1949. It was inhabited until 2013. The applicant proposes to restore the structure to its historic use.

- 6. *Whether the proposed exception potentially results in any adverse impacts on the surrounding neighborhood, or the community in general; and if so, whether there are any reasonable conditions of approval that would satisfactorily mitigate such impacts.***

The current structure is vacant and blighted, having a negative impact on the aesthesis of the community. Approval would permit a duplex built to current Building Code requirements, and would eliminate blight. There are eight other duplexes in the neighborhood; approval would not lead to a standalone situation. Rehabilitant the structure would keep the number of dwelling units that already exist on site. If the structure was torn down, three dwelling units could be placed on the property.

CONCLUSION

This is a proposal for a special exception to reestablish a duplex use in a structure originally designed and built for that purpose. The use is compatible with the surrounding neighborhood and meets the goals of the Comprehensive Plan. The Planning Commission should recommend approval to City Council.

ATTACHMENTS

1. Resolution
2. Application



Application #SE: 2020-04
Date: 7.1.20
Fee/Check#: CX 1016 \$900
\$750.00 + \$150.00 Per Acre

APPLICATION SPECIAL EXCEPTION

APPLICANT

NAME: Haven For Heros INC (Barzel Mckinney)

MAILING ADDRESS: 2217 Princess Anne St, Suite 106-1L, Fredericksburg, VA 22401

TELEPHONE: 540-479-1044 E-MAIL: barzel@haven4heros.org

THE UNDERSIGNED HEREBY APPLIES FOR AN EXCEPTION FOR: Duplex use in the R4 zoning district.

THE SUBJECT PROPERTY IS DESCRIBED AS FOLLOWS:

Property Location 315/317 Mckinney St, Fredericksburg, VA 22401

Property Owned By Bobby L. Smith

Owner's Mailing Address 616 Spottswood, St, Fredericksburg, VA 22401

Proposed Use of Property (*be specific*) To be renovated and used as a modern duplex for the purpose of providing affordable housing for low income veterans and their families.

HOURS OF OPERATION N/A NUMBER OF EMPLOYEES N/A

Anticipated Number of Patrons or Clients 8

Description of the development's impact on neighboring and adjacent properties, please be specific (attach additional sheet if necessary): The neighboring and adjacent properties would benefit from the upgrade of having a blighted eye soar of a property enhance the community and increase other property values. this request would be consisent with the Cities comprehensive plan to increase affordable housing units and to help our fellow veterans. The home is currently a duplex and was previously zoned in R4, the current footprint would not change. This exception in consistent with the principles f zoning and good zoning practice.

(Application Continued)

Criteria for a Special Exception: Use Separate Sheets for Explanations and be Specific and Thorough.

Whether the grant of the special exception is consistent with the City's Comprehensive Plan;

1. Whether the special exception is consistent with the goals, purposes and objectives of the City's zoning ordinance;
2. Whether there has been a sufficient period of time for investigation and community planning with respect to the application;
3. Whether the special exception is consistent with the principles of zoning and good zoning practice, including the purposes of the district in which the special exception would be located, existing and planned uses of surrounding land, the characteristics of the property involved, and the adverse impacts of the proposed use;
4. Whether the proposed use or aspect of the development requiring the special exception is special, extraordinary or unusual;
5. Whether the applicant has demonstrated that its application meets all these criteria;

I do hereby make oath or affirmation that to the best of my knowledge, the foregoing information contained in this application is true.

Barzel b. McKinney
Signature of Applicant

06/22/2020
Date

PRINT NAME OF APPLICANT Barzel b. McKinney, President of Haven For Heros Inc

The above oath or affirmation was signed before me and witnessed by me this 22nd day of JUNE, 2020 in the County/City of Fredericksburg in the state of Virginia.

Notary Signature *Rebecca Jane Easterling*

Notary Registration # 7546298 Commission Expires 08/31/2021

Bobbie L. Smith, Sr.
Signature of Owner Date

PRINT NAME OF OWNER Bobbie L. Smith, Sr.

The above oath or affirmation was signed before me and witnessed by me this 22nd day of JUNE, 2020 in the County/City of Fredericksburg in the state of Virginia.

Notary Signature *Rebecca Jane Easterling*

Notary Registration # 7546298 Commission expires 08/31/2021

REBECCA JANE EASTERLING
NOTARY PUBLIC
REG. #7546298
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES AUG. 31, 2021

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NOTARY PUBLIC
REG. #7546298
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES AUG. 31, 2021

OWNERSHIP

Applicant is (Circle One):

Property Owner

Agent of Owner

Lessee

Property Purchaser

Other

If 'Other', describe:

Source of Property Title / Instrument #:

If Property is owned by a Limited Liability Corporation (LLC):

1. Attach a "Certificate of Fact of Existence" from the State Corporation Commission; and
2. List the names and titles with authority to sign on behalf of the LLC (add additional sheets if needed):

N/A

OR

If Property is owned by a Corporation (Inc.):

1. Attach a "Certificate of Good Standing" from the State Corporation Commission; and
2. List the names and titles with authority to sign on behalf of the corporation (add additional sheets if needed):

N/A

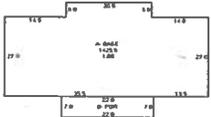
Fredericksburg, Virginia

GPIN
7788-18-9981

Property Address
315 MCKINNEY ST

Record #
3307

General

Owner's Name:	SMITH BOBBIE L	Site Information		 
Mailing Address:	616 SPOTTSWOOD ST FREDERICKSBURG, VA 22401	Acres:	0.00000000	
Description:	LTS 56-58 BL 178-38-L56	Zoning :	R4	
	315 317 MCKINNEY ST	Terrain Type:	On	
		Terrain Character:	Open	
		Right of Way:	Public	
		Easements:	Paved	
		Other Description:	LOT: 75 X 105	

Details

Size in Sq. Ft.:	1,426		
Value:	\$77,400.00		
Exterior Information		Interior Information	
Year Built:	1949	# of Rooms:	8
Occupancy:	Dwelling	# of Bedrooms:	4
Foundation:	Concrete	Full Bathrooms:	2
# of Stories:	1.0	Half Bathrooms:	0
Ext. Walls:	Brick	Floors:	Wood, Carpet
Roofing:	Comp Shg	Fireplaces:	0
Roof Type:	Hip	Stacked Fireplaces:	0
Garage:	None	Flues:	0
Garage - # Of Cars:	0	Metal Flues:	0
Built-In Garage - # Of Cars:	0	Stacked Flues:	0
Carpport:	None	Inoperable Flues/Fireplaces:	0
Carpport - # Of Cars:	0	Gas Log Fireplaces:	0
		Total SqFt:	1,426
		Basement Type:	Full
		Basement SqFT:	0
		Finished Basement SqFt:	0
		Interior Walls:	Plaster
		Heating:	Forced Air
		A/C:	No
		Utilities	
		Water:	Public
		Sewer:	Public
		Electric:	Yes
		Gas:	Yes
		Fuel Type:	Gas

Assessments

Improvements Details				Assessment Year:	2016	
				Building Value:	\$14,912	
				Total Other Improvements:	\$0	
				Total Land Value:	\$62,500	
				Rounded Taxable Value:	\$77,400	
				Percent Complete:		
				Assessment Neighbourhood:	3 - MAYFIELD RESIDENTIAL	
Total Other Improvements Value:						
\$						
Description	Size in Acres	Lump Sum/Per Acres	Unit Value	Adj	Utility Value	Acreage Value
Other		Lump Sum	\$62,500	.00%	0	62,500
Total Value:						
\$77,412						

Ownership

Current Ownership Details							
Name	Sale Date	Sale Price	Instrument	Plat Book/Page	Deed Book/Page	Will Book/Page	Grantor
SMITH BOBBIE L	1/1/1979	\$17,500.00			171 / 657		
Previous Ownership Details							
Name	Sale Date	Sale Price	Instrument	Deed Book/Page	Will Book/Page	Grantor	

Assessments

Improvements Details				Assessment Year:	2016
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Total Other Improvements Value:				Total Land Value:	\$62,500
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				Percent Complete:	
				Assessment Neighbourhood:	3 - MAYFIELD RESIDENTIAL

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Fredericksburg, Virginia

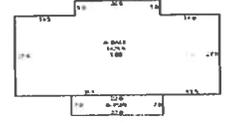
GPIN
7788-18-9981

Property Address
315 MCKINNEY ST

Record #
3307

General

Owner's Name:	SMITH BOBBIE L	Site Information	
Mailing Address:	616 SPOTTSWOOD ST FREDERICKSBURG, VA 22401	Acres:	0.00000000
Description:	LTS 56-58 BL 178-38-L56	Zoning :	R4
	315 317 MCKINNEY ST	Terrain Type:	On
		Terrain Character:	Open
		Right of Way:	Public
		Easements:	Paved
		Other Description:	LOT: 75 X 105



Details

Size in Sq. Ft.:	1,426
Value:	\$77,400.00

Exterior Information		Interior Information		Total SqFt:	1,426	Utilities	
Year Built:	1949	# of Rooms:	8	Basement Type:	Full	Water:	Public
Occupancy:	Dwelling	# of Bedrooms:	4	Basement SqFT:	0	Sewer:	Public
Foundation:	Concrete	Full Bathrooms:	2	Finished Basement SqFt:	0	Electric:	Yes
# of Stories:	1.0	Half Bathrooms:	0	Interior Walls:	Plaster	Gas:	Yes
Ext. Walls:	Brick	Floors:	Wood, Carpet	Heating:	Forced Air	Fuel Type:	Gas
Roofing:	Comp Shg	Fireplaces:	0	A/C:	No		
Roof Type:	Hip	Stacked Fireplaces:	0				
Garage:	None	Flues:	0				
Garage - # Of Cars:	0	Metal Flues:	0				
Built-In Garage - # Of Cars:	0	Stacked Flues:	0				
Carpport:	None	Inoperable Flues/Fireplaces:	0				
Carpport - # Of Cars:	0	Gas Log Fireplaces:	0				

DISCLAIMER: This data is provided without warranty of any kind, either expressed or implied, including, but not limited to, the implied warranties of merchantability and fitness for a particular purpose. Any person, firm, or corporation which uses this map or any of the enclosed information assumes all risk for the inaccuracy thereof, as City of Fredericksburg expressly disclaims any liability for loss or damage arising from the use of said information by any third party.

barzel.mckinney@gmail.com

From: Nick Feaster <nfeaster@jeswork.com>
Sent: Tuesday, June 30, 2020 8:13 PM
To: Barzel.mckinney@gmail.com
Subject: Fw: 315 McKinney Street Fredericksburg, VA Inspection

From: Nick Feaster
Sent: Monday, June 29, 2020 10:49 PM
To: info@havenforheroes.org <info@havenforheroes.org>
Subject: 315 McKinney Street Fredericksburg, VA Inspection

Mr. McKinney,

Thanks again for having me out to review the foundation of this home, as discussed on site, structurally the building is actually in pretty good shape, the brick that was falling was just sitting on a surface footing (basically formed on top of the loose back fill soil, which settled) After the brick was demoed you can clearly see the foundation which did not appear to have any major issues and was actually down about 3-4' deeper to the footings, no signs of settlement on that. The inside joist have slight amounts of deflection (mostly from moisture and sitting empty for so long) but nothing is in danger of falling down other than the steps going to the front door which can easily be repaired.

It is my personal belief that this house will turn out great and should be able to be repaired. Just make sure to repair any rot as you come in and renovate before installation of siding.

Best of luck and don't hesitate to call if you have any questions.

Nick Feaster

Inspection Manager
JES Foundation Repair

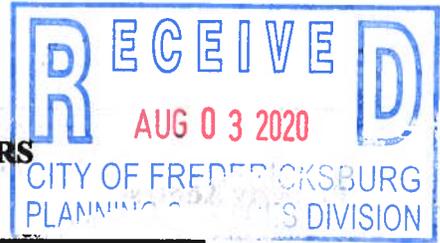
Office: 804-425-9912

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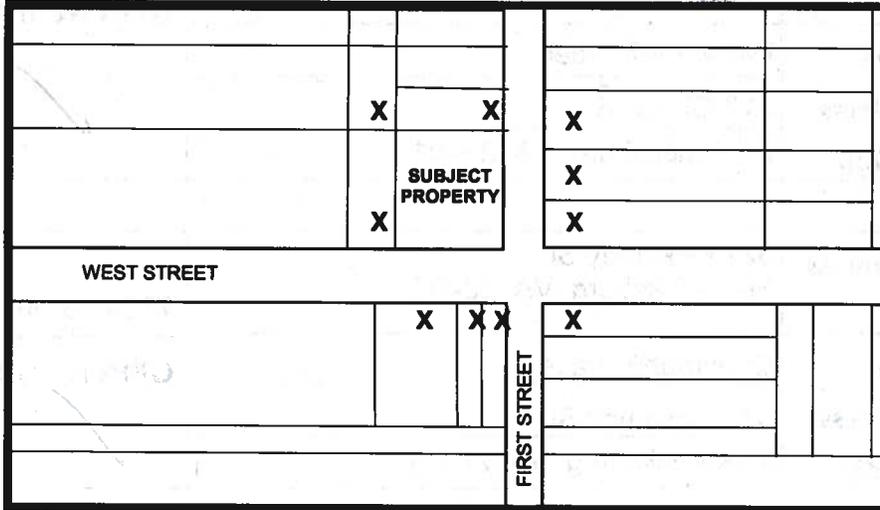
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EXAMPLE DIAGRAM OF ADJOINING PROPERTY OWNERS

X = Property owners to be notified



PROPERTY OWNERS LIST

315 Mckinney St, Fredericksburg, VA 22401

7788-18-9981

SUBJECT ADDRESS

GPIN #

Adjoining property owner names and addresses can be obtained by visiting the City website at www.fredericksburgva.gov and following the link to GIS, or by visiting the Office of Real Estate at City Hall, 715 Princess Anne Street, Room 107.

Adjoining Property Owner's Name and Mailing Address

Property Address	318 Glover St, Fredericksburg VA 22401	7788-19-9032
Owner Name	Lucille B. Jackson	GPIN NUMBER ✓
Mailing Address	318 Glover St,	
City, State, Zip	Fredericksburg, VA 22401	

Property Address		
Owner Name		GPIN NUMBER
Mailing Address		
City, State, Zip		

Property Address	312 Glover St Fredericksburg, VA 22401	7788-29-0013
		GPIN NUMBER
Owner Name	William A Mercer	✓
Mailing Address	312 Glover St	
City, State, Zip	Fredericksburg, VA 22401	

Property Address	321 Mckinney St Fredericksburg, VA 22401	7788-18-9921
		GPIN NUMBER
Owner Name	Christopher Page	✓
Mailing Address	321 Mckinney St	
City, State, Zip	Fredericksburg, VA 22401	

Property Address	311 Mckinney St Fredericksburg, VA 22401	7788-28-0941
		GPIN NUMBER
Owner Name	3337 LLC	✓
Mailing Address	1003 Bragg Rd	
City, State, Zip	Fredericksburg, VA 22407	

Property Address	320 Mckinney St Fredericksburg, VA 22401	7788-18-8787
		GPIN NUMBER
Owner Name	Taylor Jennings and Audrey Young	✓
Mailing Address	10863 Harmel Dr.	
City, State, Zip	Columbia, MD 21044	

Property Address	314 Mckinney St Fredericksburg, VA 22401	7788-28-0768
		GPIN NUMBER
Owner Name	Carlos Calderon Hernandez	✓
Mailing Address	314 Mckinney St	
City, State, Zip	Fredericksburg, VA	



Property Address	308 Mckinney St Fredericksburg, VA 22401	7788-28-1725
Owner Name	Denise Armstead	GPIN NUMBER /
Mailing Address	308 Mckinney St	
City, State, Zip	Fredericksburg, VA 22401	

Property Address		
Owner Name		GPIN NUMBER
Mailing Address		
City, State, Zip		

Property Address		
Owner Name		GPIN NUMBER
Mailing Address		
City, State, Zip		

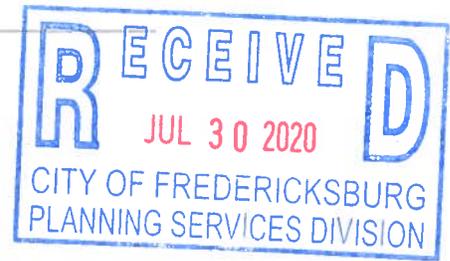
Property Address		
Owner Name		GPIN NUMBER
Mailing Address		
City, State, Zip		

Property Address		
Owner Name		GPIN NUMBER
Mailing Address		
City, State, Zip		

ATTACH ADDITIONAL SHEETS IF NECESSARY

**NOTE: Applicant to return all notice documents at least five days or prior to the public hearing to:
Office of the Zoning Administrator, 715 Princess Anne Street, Fredericksburg, VA 22401**

Haven For Heros INC



Memorandum

To: City of Fredericksbur Planning Services Division
715 Princess Anne St, Rm 209, P.O. Box 7447
Fredericksburg, VA 22404

From: Barzel B. Mckiney (Haven For Heros INC)

CC: James Newman

Ref: 315/317 Mckinney St, Fredericksburg VA 22401(Special Exception Application)

Statement: No member of the City Council / Planning Commission or any member of their immediate household or family owns or has any financial interest in such property or has any financial interest in the outcome of the decision.

BARZEL B. MCKINNEY

Haven For Heros INC



Memorandum

To: City of Fredericksburg Planning Services Division
715 Princess Anne St, Rm 209, P.O. Box 7447
Fredericksburg, VA 22404

From: Barzel B. Mckinney (Haven For Heros INC)

CC: James Newman

Ref: 315/317 Mckinney St, Fredericksburg VA 22401(Special Exception Application)

1. This request is consistent with the City's Comprehensive Plan Section II (Housing and Affordable Housing Page 7-6) providing safe/secure affordable housing.
2. Th request is consistent with the goals, purpose and standards of the City's UDO. Goal 7: Affordable Housing All persons who live and work in Fredericksburg should have the opportunity to rent or purchase safe, decent, and accessible housing within their means
3. This development's impact on adjacent and neighboring properties would eliminate a long standing blighted property eyesore within the community, adding a new more modern and appealing residence within the community with new families adding value to existing adjacent property.
4. This request is consistent with the principles of the zoning and good zoning practice. The subject property was and currently is a multi unit property, the community consist of many multi units so this would not be an unusual project for the area. The characteristics of the property involved does not constitute a tear down but a rehab that would not negatively affect the adjacent property owners at all. There are no adverse impacts on the propsed use.


Barzel B. Mckinney



820

BOOK 171 PAGE 657

THIS DEED, made and entered into this 14th day of November, 1979, by and between JOHN W. SCOTT, JR., TRUSTEE under the Last Will and Testament of Webster L. Harris, deceased, grantor, party of the first part; and BOBBIE L. SMITH and LILA C. SMITH, husband and wife, Grantees, parties of the second part.

WITNESSETH:

That for and in consideration of the sum of Ten Dollars (\$10.00), and other good and valuable consideration, the receipt of which is hereby acknowledged, the said grantor, JOHN W. SCOTT, JR., TRUSTEE under the Last Will and Testament of Webster L. Harris, deceased, does hereby bargain, sell, grant and convey with Special Warranty of Title, unto the Grantees, BOBBIE L. SMITH and LILA C. SMITH, husband and wife, as tenants by the entirety with the right of survivorship as at common law, the following described real estate, to-wit:

315 Mc Kenney St.
Frog, Va.

Those three certain lots or parcels of real estate, with all buildings and improvements thereon and rights and privileges thereto appurtenant, situate, lying and being in the City of Fredericksburg, Virginia, and described as Lots Numbers Fifty Six (56), Fifty Seven (57) and Fifty Eight (58) in Block Thirty Eight (38) on Map and Plat of the Fredericksburg Development Company, recorded in the Clerk's Office of the Circuit Court of the City of Fredericksburg, Virginia; BEING the same real estate conveyed unto W. L. Harris by deed from McGuire's, Incorporated, dated June 5, 1970, of record in the aforesaid Clerk's Office in Deed Book 140 at page 263.

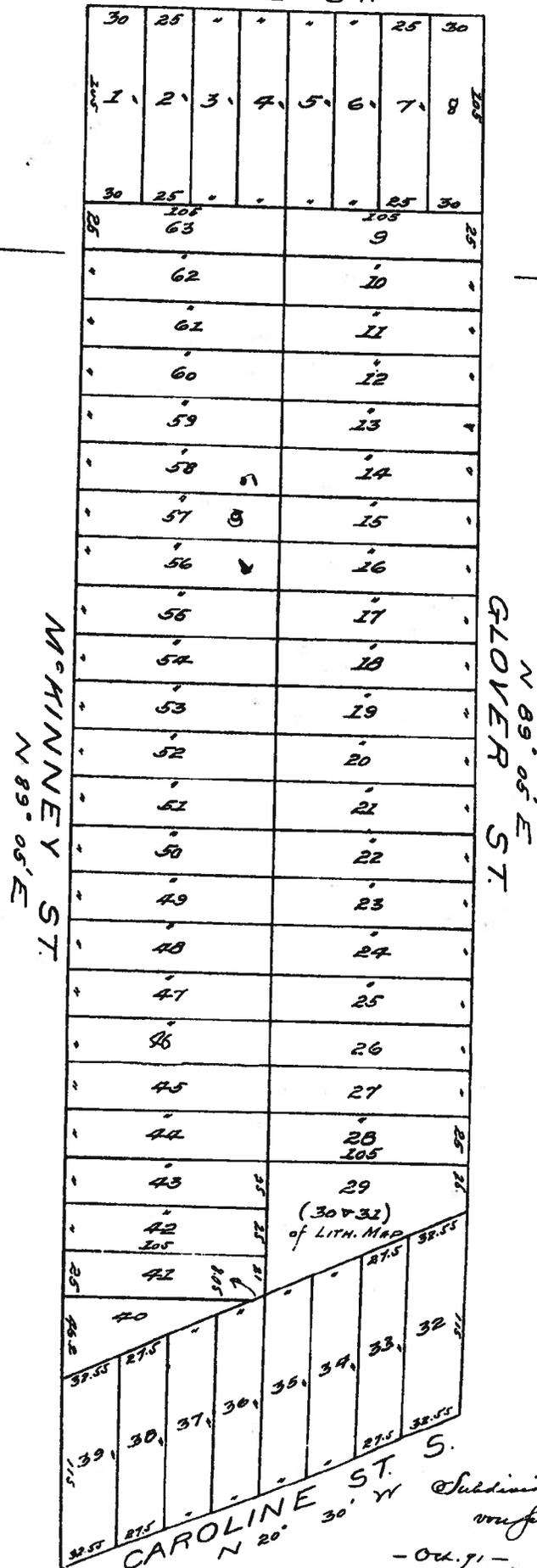
The Last Will and Testament of Webster L. Harris is recorded in the aforesaid Clerk's Office in Will Book R, page 688, and the order appointing the said John W. Scott, Jr., Trustee was entered by the Circuit Court of the City of Fredericksburg, Virginia, on March 1, 1979.

WITNESS the following signature and seal:

John W. Scott, Jr. (SEAL)
John W. Scott, Jr., Trustee under the Last Will and Testament of Webster L. Harris, deceased.

UNITED STATES OF AMERICA
COUNTY OF KINGDOM
CITY OF FREDERICKSBURG
STATE OF VIRGINIA
JOHN W. SCOTT, JR.
ATTORNEY AT LAW
FREDERICKSBURG, VA.

BLOCK No 38
 N 0° 55' W
 WHITE ST.

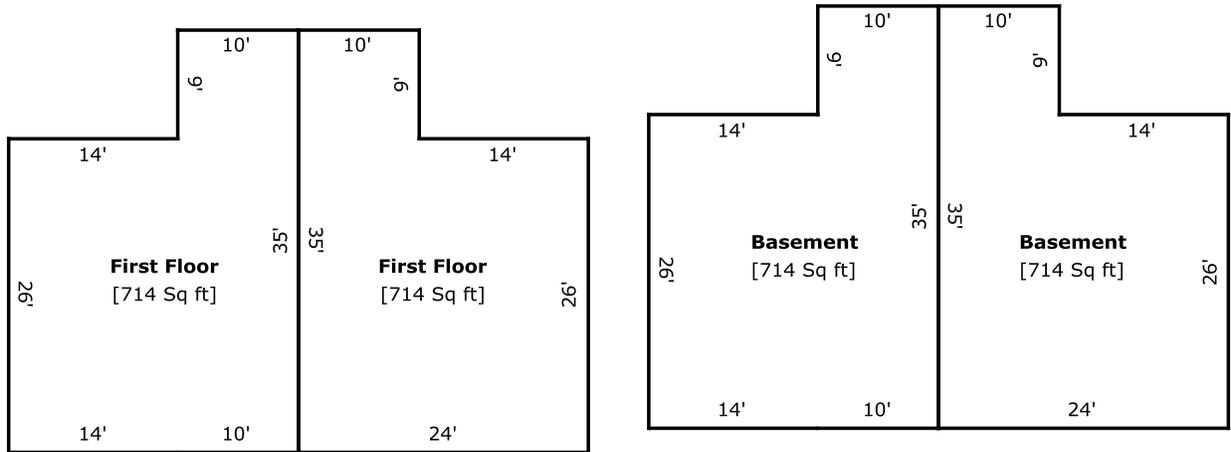


Submitted by
 [Signature]
 Eng'g
 - Oct. 71 -

Building Sketch

Borrower	Private				
Property Address	315 McKinney St				
City	Fredericksburg	County	City of Fredericksburg	State	VA Zip Code 22401
Lender/Client	Private				

This sketch is provided in all good faith and intention. The appraiser is neither architect nor surveyor. Dimensions noted are those recorded by the appraiser in the field. They may or may not match those dimensions reported by a survey crew or architectural drawings. No attempt has been made to create a perfect architectural rendering of the improvement.



Area Calculations Summary

Living Area	Calculation Details
First Floor	$24 \times 26 = 624$ $9 \times 10 = 90$
714 Sq ft	



MOTION:

SECOND:

DRAFT
Regular Meeting
Resolution 20-__

RE: Granting a special exception to permit a duplex dwelling at 315/317 McKinney Street.

ACTION: APPROVED: Ayes: 0; Nays: 0

Haven for Heros, Inc. has applied for a special exception to permit a duplex dwelling at 315/317 McKinney Street, GPIN #7788-18-9981. The property is situated at the intersection of McKinney Street and King Street in the Mayfield neighborhood, and it is zoned R-4 Residential.

The proposed special exception would permit the applicant to renovate an existing dilapidated structure, which was historically used as a duplex, into a duplex configuration. The primary structure is a 1,426 square-foot one-story duplex with a basement. It is currently split by a vertical wall through the center of the structure, with two separate entrances on the main floor, one for each unit. The proposed renovation would split the units horizontally, with one unit in the basement and the other on the main floor.

The R4 zoning district does not permit a duplex dwelling as a permitted use. However, this particular neighborhood features a variety of housing types, including duplexes, and the proposed renovation would rehabilitate a visually blighted structure and restore the property to its historic use.

Therefore, the City Council hereby resolves that:

- Council has reviewed and considered the following criteria with respect to the special exception applications: (a) whether the grant of the special exceptions is consistent with the City's Comprehensive Plan; (b) whether the special exceptions are consistent with the goals, purposes and objectives of the City's zoning ordinance; (c) whether there has been a sufficient period of time for investigation and community planning with respect to the applications; (d) whether the special exceptions are consistent with the principles of zoning and good zoning practice, including the purposes of the district in which the special exception would be located, existing and planned uses of surrounding land, the characteristics of the property involved, and the adverse impacts of the proposed use; and (e) whether the proposed use or aspect of the development requiring the special exceptions is special, extraordinary or unusual.
- Pursuant to Section 72.22.7 of the City of Fredericksburg Uniform Development Ordinance, Council hereby grants a special exception for 315/317 McKinney Street from Fredericksburg City Code Section 72-40.2, to permit a duplex in the R4 Zoning District.
- The special exception is subject to the following conditions:
 1. Prior to occupancy, the three existing lots must be consolidated to make the structure conform to the Unified Development Ordinance.
 2. The use shall commence within 24 months of the date of adoption of this resolution. The use is permitted only so long as it continues and is not discontinued for more than 24 months.

Votes:
Ayes:
Nays:
Absent from Vote:
Absent from Meeting:

Clerk's Certificate

I certify that I am Clerk of Council of the City of Fredericksburg, Virginia, and that the foregoing is a true copy of Resolution No. 20-_____, adopted at a meeting of the City Council held _____, 2020, at which a quorum was present and voted.

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Tonya B. Lacey, CMC
Clerk of Council