

AGENDA



CITY OF HOPEWELL
Hopewell, Virginia 23860

CITY COUNCIL

Patience A. Bennett, Mayor, Ward #7
John B. Partin, Jr., Vice Mayor, Ward #3
Deborah B. Randolph, Councilor, Ward #1
Arlene Holloway, Councilor, Ward #2
Jasmine E. Gore, Councilor, Ward #4
Janice B. Denton, Councilor, Ward #5
Brenda S. Pelham, Councilor, Ward #6

AGENDA

(804) 541-2408
www.hopewellva.gov
info@hopewellva.gov
cityclerk@hopewellva.gov

John M. Altman, Jr., City Manager
Cynthia E. Hudson, Acting City Attorney
Mollie P. Bess, City Clerk

March 22, 2022

REGULAR MEETING

Closed Meeting - 6:30 p.m.
Work Session – 7:00 p.m.
Regular Meeting – 7:30 p.m.

OPEN MEETING

6:30 p.m. Call to order, roll call, and welcome to visitors

SUGGESTED MOTION: Move into closed session pursuant to Va. Code Section §2.2-3711(A)(1); and to discuss prospective candidates for employment (City Attorney) and appointment and to discuss the terms of employment of a council appointee (City Clerk).

CLOSED MEETING

RECONVENE OPEN MEETING

Roll Call

CERTIFICATION

CERTIFICATION PURSUANT TO VIRGINIA CODE §2.2-3712 (D): Were only public business matters (1) lawfully exempted from open-meeting requirements and (2) identified in the closed-meeting motion discussed in closed meeting?

Roll Call

WORK SESSION

WS-1 – Conditional Use Permit 1211 Arlington Road

WS-2 - Conditional Use Permit 3300 Trenton Street

REGULAR MEETING

Call to order, roll call, and welcome to visitors

Prayer by Rev. Danny Tucker, followed by the Pledge of Allegiance to the Flag of the United States of America led by Councilor Gore

SUGGESTED MOTION: To amend/adopt Regular Meeting agenda

Roll Call

CONSENT AGENDA

All matters listed under the Consent Agenda are considered routine by Council and will be approved or received by one motion in the form listed. Items may be removed from the Consent Agenda for discussion under the regular agenda at the request of any Councilor.

C-1 Minutes: February 8, 2022

C-2 Pending List:

C-3 Information for Council Review:

C-4 Personnel Change Report:

C-5 Public Hearings: Real Estate Tax Rate Hearing – 4/12/22; City Sale of E. Poythress Street Property – 4/12/22

C-6 Routine Approval of Work Sessions: Redistricting – 4/26/22

C-7 Ordinances on Second & Final Reading:

C-8 Routine Grant Approval:

C-9 Resolutions, Proclamations:

SUGGESTED MOTION: To amend/adopt consent agenda

Roll Call

INFORMATION/PRESENTATIONS

Presentation of Proclamation to Hopewell High School Aravelly Avila-Jimenez

James River Soil and Water Conservation District

PUBLIC HEARING

PH-1 – Conditional Use Permit for 1404 Roanoke Avenue

PH-2 – Conditional Use Permit for 214 S. 16th Avenue

PH-3 – Conditional Use Permit for Sub-Parcel #024-0303

PH-4 – Conditional Use Permit for Sub-Parcel #024-0310

UNFINISHED BUSINESS

COMMUNICATIONS FROM CITIZENS

CITY CLERK: *A Communications from Citizens period, limited in total time to 30 minutes, is part of the Order of Business at each regular Council meeting. All persons addressing Council shall approach the microphone, give name and, if they reside in Hopewell, their ward number, and limit comments to **three minutes**. No one is permitted to speak on any item scheduled for consideration on the regular agenda of the meeting. All remarks shall*

be addressed to the Council as a body, any questions must be asked through the mayor only, and there shall be no discussion without permission of the mayor. Any person who makes personal, impertinent, abusive, or slanderous statements, or incites disorderly conduct in Council Chambers, may be barred by the mayor from further audience before Council and removed, subject to appeal to a majority of Council. (See Rules 405 and 406.)

Reports of Boards and Commissions:

REGULAR BUSINESS

Reports of City Manager:

R-1 – Declaration of Local Emergency

R-2 – TLC Annual Health Insurance Renewal

Reports of City Attorney:

Reports of City Clerk:

**Board/Commission Vacancies: Historic Preservation Committee – 4 Vacancies
 Architectural Review Board – 2 Vacancies
 Planning Commission – 1 Vacancy
 Economic Development Authority – 1 vacancy**

Reports of City Council:

Committees

COUNCILORS REQUEST

**CR-1 – Re-implement Municode Meeting Software/Council Rules & Procedures - GORE
MOTION:**

Roll Call

Presentations from Boards and Commissions

Other Council Communications

Adjournment

CLOSED
MEETING

WORK SESSION

WS-1



The City
of
Hopewell, Virginia

300 N. Main Street · Department of Development · (804) 541-2220 · Fax: (804) 541-2318

CONDITIONAL USE PERMIT APPLICATION

APPLICATION FEE: \$300

APPLICATION #

APPLICANT: LG Grillz LLC.

ADDRESS: 1211 Arlington Rd
Hopewell, VA. 23860

PHONE #: (804) 252-4516 FAX #: _____

EMAIL ADDRESS: ttententprizes@yahoo.com terence Crosby

INTEREST IN PROPERTY: _____ OWNER OR AGENT [↑]
IF CONTRACT PURCHASER, PROVIDE A COPY OF THE CONTRACT OR A LETTER
OF THE PROPERTY OWNER'S CONSENT TO MAKE APPLICATION.

OWNER: Anthony Bennett

ADDRESS: 1211 Arlington Rd
Hopewell, VA. 23860

PHONE #: (804) 640-1762 FAX #: _____

PROPERTY ADDRESS / LOCATION:
1211 Arlington Rd

PARCEL #: 0731010 ACREAGE: 0.115 ZONING: B2

*** IF REQUIRED BY ARTICLE 16 OF THE ZONING ORDINANCE, ***
A SITE PLAN MUST ACCOMPANY THIS APPLICATION

ATTACH A SCALED DRAWING OR PLAT OF THE PROPERTY SHOWING:

- 1. FLOOR PLANS OF THE PROPOSED BUILDINGS. _____
- 2. THE PROPOSED DEVELOPMENT WITH FRONT, SIDE, AND REAR ELEVATIONS. _____

App # 20210945

THIS REQUEST FOR A CONDITIONAL USE PERMIT IS FILED UNDER SECTION _____ OF THE ZONING ORDINANCE.

PRESENT USE OF PROPERTY:

RESTAURANT/GRILL

THE CONDITIONAL USE PERMIT WILL ALLOW:

three storage containers; dimensions 8' x 13' each to include current shed

PLEASE DEMONSTRATE THAT THE PROPOSAL AS SUBMITTED OR MODIFIED WILL NOT AFFECT ADVERSELY THE HEALTH, SAFETY, OR WELFARE OF PERSONS RESIDING OR WORKING IN THE NEIGHBORHOOD OF THE PROPOSED USE.

These storage containers will house various grills and equipment used to operate business, will provide an orderly and neat area to store these items.

PLEASE DEMONSTRATE THAT THE PROPOSAL WILL NOT BE DETRIMENTAL TO PUBLIC WELFARE OR INJURIOUS TO THE PROPERTY OR IMPROVEMENTS IN THE NEIGHBORHOOD.

These containers will not be obtrusive or an eyesore to the community, and will continue to help develop a healthy and alternative food delivery system to community.

PLEASE DEMONSTRATE HOW THE PROPOSAL AS SUBMITTED OR MODIFIED WILL CONFORM TO THE COMPREHENSIVE PLAN AND THE PURPOSES AND THE EXPRESSED INTENT OF THE ZONING ORDINANCE.

This proposal will not deter from any current zoning ordinances, it may enhance them.

AS OWNER OF THIS PROPERTY OR THE AUTHORIZED AGENT THEREFOR, I HEREBY CERTIFY THAT THIS APPLICATION AND ALL ACCOMPANYING DOCUMENTS ARE COMPLETE AND ACCURATE TO THE BEST OF MY KNOWLEDGE.

Terence Crosby

APPLICANT SIGNATURE

11-15-2021

DATE

Terence Crosby

APPLICANT PRINTED NAME

OFFICE USE ONLY

DATE RECEIVED 11-16-21

DATE OF ACTION _____

APPROVED

DENIED

APPROVED WITH THE FOLLOWING CONDITIONS:



side
Dublin
St

LG Grillz, LLC

Arlington Rd



City of Hopewell, VA
Dept. of Code Enforcement
300 N. Main Street
Hopewell, VA 23860
804-541-2220
Welcome

016792-0004 debra m. 11/18/2021 09:54AM

PERMITS / INSPECTIONS

CONDITIONAL USE PERMIT -
REVIEW

2021 Item: 20210945|CUP 300.00
Payment Id: 236858

300.00

Subtotal 300.00
Total 300.00

CASH 300.00

Change due 0.00



Thank you for your payment.

CUSTOMER COPY



L.G Grillz LLC
1211 Arlington Road
Sub-Parcel # 073-1010

**Conditional Use Permit to locate a carport on
property located in a B-2 Zoning Distrit**

Staff Report prepared for Hopewell Planning
Commission

Revised: January 28, 2022

This report is prepared by the City of Hopewell Department of Development Staff to provide information to the Planning Commission and City Council to assist them in making an informed decision on this matter.

I. PUBLIC HEARINGS & MEETINGS:

Planning Commission Public Hearing	January 6, 2022	Tabled
Planning Commission Meeting	February 3, 2022	Decision Pending

II. IDENTIFICATION AND LOCATIONAL INFORMATION:

Proposed Zoning:	N/A
Existing Zoning:	B-2, Limited Business District
Size of Area:	5,009 square feet or .115 acres
Owner:	Marie V. Bennett
Location of Property:	1200 block of Arlington Road
Election Ward:	Ward 2
Land Use Plan Recommendation:	Urban Residential
Strategic Plan Goal:	N/A
Zoning of Surrounding Property:	North: B-2 South: B-2 East: R-3 West: B-2

III. EXECUTIVE SUMMARY:

The City of Hopewell has received a Conditional Use Permit request from L.G Grillz LLC to locate a shed on property identified as 1211 Arlington Road.

IV. APPLICATION UPDATE:

During the January 6, 2022 meeting, the Planning Commission tabled a decision in order to get more information regarding the size and material of the new shed. The Commission asked Staff to determine the square footage allowed and discuss exterior material requirements.

Staff met with the applicant on Thursday, January 27, 2022. Based on Article XVIII, the accessory structures at this location cannot exceed 709 square feet. The applicant can place a second shed that is no more than 325 square feet or the current shed can be removed and replaced with a 709 square foot shed.

The applicant has agreed to place a brick façade around two sides of each shed (covering 1/3 of each side from the bottom up) than can be seen from Dublin Street and Arlington Road.

On Wednesday, January 26, 2022, Hopewell Police responded to shots fired in the 1200 block of Arlington Road. We have now confirmed that a person was shot in the back and taken to Saint Mary's Hospital. The victim is now conscious but in serious condition. This incident took place at 1211 Arlington Road in or around the current shed. Since this case is active a police report is not available. The co-applicant was a person of interest.

When visiting the Department of Development, the co-applicant did reveal the incident took place but stated that the shed was not open and that he is not certain what took place on the day of the shooting.

V. STAFF RECOMMENDATION:

Staff recommends denial of the current shed, placed without zoning approval or a building permit. Additionally, staff recommends denial of an additional shed being placed on the property.

The conditional use does not meet two criteria required for approval of the permit, and they are:

1. The establishment, maintenance, or operation of the proposed use is not detrimental to, and will not endanger, the public health, safety, morals, comfort, or general welfare.
2. The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially impair the use of other property within the immediate proximity.

In light of the recent shooting at the shed, Staff opines that the establishment and operation of the use is a danger to the safety, comfort and general welfare. Additionally, the use is injurious to the enjoyment of other property in the immediate vicinity.

A denial of this application will require the applicant to remove the shed within 14 days of the denial. Failure to remove the shed in the time specified by the Zoning Administrator will result in the shed being removed by the City and the cost of removal plus any fees associated placed as a lien on the property.

Concerns about the use of the shed in association with the approved restaurant were raised at the Planning Commission meeting. Specifically, the applicant was asked why the storage shed, to be used for storage, did not have double doors, easier for hauling cooking equipment in and out, but instead was equipped with one door for human passage. The applicant revealed that the current shed is used as an office for the restaurant. The requested additional shed would be used for storage. The applicant was asked why an office could not be located in the main building. Size limitations were cited.

The final question asked was if the shed could be used as an office as this is not the function of a storage shed. In a commercial district, the commercial use should take place in the main structure

VI. SUBJECT PROPERTY:

The subject property is zoned B-2, Limited Commercial District and is identified as Tax Sub-parcel #073-1010. The legal description of the property is Lots 23-24, Block 32, Virginia Heights. The subject property is located on Arlington Road, 50 feet from the intersection with Dublin Street.

There are two buildings on Sub-Parcel #073-1010. The City (911) assigned address is 1211 Arlington. There are two business in this building; L.G Grillz is one of them. The restaurant officially opened in March 2021. The current shed on the property was placed without a permit. The applicant is requesting permission to keep the Metal 8' x 13' shed and add an additional metal building. Dimensions have not been provided for this building.

VII. ZONING STAFF ANALYSIS

Accessory structures not seen from a public right of way are allowed in the B-2 zoning district with a Conditional Use Permit.

The current accessory structure is not metal appears to be vinyl or wood composite material. According to the applicant, the additional proposed shed is metal.

Metal buildings that can be seen from a public right of way are required to have an alternative façade in accordance with Article XVIII, Section 6. Architectural Treatment, Sub-section d. "...No portion of a building constructed or cinder block or corrugated and/or sheet metal that is not completely covered with an acceptable façade shall be visible from any adjoining residential and business districts or any public right-of-way."

While the property is not a corner lot, the current shed and any additional accessory structures can be seen from Arlington Road and Dublin Street.

If the applicant is granted a metal accessory structure, an alternative façade is required on three sides. Additionally, both structures, the current and metal, must be screened with a fence or landscaping.

The applicant states the following on the application:

The accessory structures will house various grills and equipment used to operate the business. The structures will provide an orderly and neat area to store the items. The structures will not be obtrusive or an eyesore to the community and will continue to help develop a healthy and alternative food delivery system to the community. This proposal will not deter from any current zoning ordinances, it may enhance them.

VIII. APPLICABLE ZONING ORDINANCE SECTION(S):

An accessory structure is defined in Article I, Definitions, Section B., as a use or structure of a nature customarily incidental and subordinate to the principal use or structure and, unless otherwise specifically provided on the same premises. Where a building is attached to the principal building, it shall be considered part thereof, and not an accessory building.

Article X. Limited Business District (B-2), Section A., Use Regulations

Structures to be erected and land to be used shall be only for the following uses:

1. *Accessory structures not seen from the public right-of-way, with a Conditional Use Permit issued by City Council.*

Article XXI, Amendments, Section G, Conditional and Special Use Permits, Sub-Section c. 1-4:

1. *When the Director has certified that the application is complete, it shall be deemed received and referred to the Planning Commission for its review and recommendation to City Council.*
2. *The Planning Commission shall, within ninety (90) days after the first meeting of the Planning Commission after such referral, report to the City Council its recommendation as to the approval or disapproval of such application and any recommendation for establishment of conditions, in addition to those set forth in this Article, deemed necessary to protect the public interest and welfare. Failure of the Planning Commission to report within ninety (90) days shall be deemed a recommendation of approval.*
3. *Upon receipt of the recommendation of the Planning Commission, the City Council, after public notice in accordance with Virginia Code § 15.2-2204, shall hold at least one public hearing on such application, and as a result thereof, shall either approve or deny the request.*
4. *In approving any conditional use permit, the City Council may impose conditions or limitations on any approval as it may deem necessary to protect the public interest and welfare. Such additional standards may include, but need not be limited to:*
 - i. *Special setbacks, yard or construction requirements, increased screening or landscaping requirements, area requirements, development phasing, and standards pertaining to traffic, circulation, noise, lighting, hours of operation and similar characteristics; and*
 - ii. *A performance guarantee, acceptable in form, content and amount to the City, posted by the applicant to ensure continued compliance with all conditions and requirements as may be specified.*

Article XXI, Amendments, D. Conditional and Special Use Permits, Sub-Section d.

d. *Approval Criteria*

As may be specified within each zoning district, uses permitted subject to conditional use review criteria shall be permitted only after review by the Planning Commission and approval by the City Council only if the applicant demonstrates that:

3. *The proposed conditional use is in compliance with all regulations of the applicable zoning district, the provisions of this Article, and any applicable General Provisions as set forth in the Zoning Ordinance.*
4. *The establishment, maintenance, or operation of the proposed use is not detrimental to, and will not endanger, the public health, safety, morals, comfort, or general welfare.*
5. *The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially impair the use of other property within the immediate proximity.*
6. *The proposed conditional use conforms to the character of the neighborhood within the same zoning district in which it is located. The proposal as submitted or modified shall have no more adverse effects on health, safety or comfort of persons living or working in or driving through the neighborhood, and shall be no more injurious to property or improvements in the neighborhood, than would any other use generally permitted in the same district. In making such a determination, consideration shall be given to the location, type, size, and height of buildings or structures, type and extent of landscaping and screening on the site, and whether the proposed use is consistent with any theme, action, policy or map of the Comprehensive Plan.*
7. *The exterior architectural appeal and function plan of any proposed structure will not be so at variance with either the exterior architectural appeal and functional plan of the structures already constructed or in the course of construction in the immediate neighborhood or the character of the applicable zoning district, and shall enhance the quality of the neighborhood.*
8. *The public interest and welfare supporting the proposed conditional use is sufficient to outweigh the individual interests which are adversely affected by the establishment of the proposed use.*
9. *The proposed use will not result in the destruction, loss or damage of any feature determined to be of significant ecological, scenic or historic importance.*

IX. PLANNING COMMISSION RECOMMENDATION

1. The Planning Commission recommended *approval, approval with conditions or denial* of the request received by L.G Grillz, LLC for a Conditional Use Permit to construct an accessory structure in the B-2 Zoning District, specifically at 1211 Arlington Road, also identified as Sub-Parcel # 073-1010.

Attachments:

1. Application

Aerial Map



Picture of front of restaurant (far left store front)



Picture showing current shed in rear of restaurant



City Council Work Session

March 22, 2022

1211 Arlington Road

- Conditional Use Permit to keep a shed located in rear yard & to add an additional shed to a property zoned Limited Commercial (B-2)



1211 Arlington Road



Picture of 1211 Arlington (left)



Current wood shed in rear of property

Conditional Use Permit requirements

1. Accessory Structures in a B-2 Zoning District can be approved by City Council if through a Conditional Use Permit, if not seen from the street.
 - Screening required to block view of shed (s) from Arlington Road and Dublin Street

Development Standards

- Prohibits sheet metal buildings without a façade that matches the design of the main building.

Planning Commission Recommendation

- The Planning Commission recommended denial of the request because:
 1. The current shed will be used as an office.
 2. The request does not meet Condition #4. The establishment, maintenance, or operation of the proposed use is not detrimental to, and will not endanger, the public health, safety, morals, comfort, or general welfare.

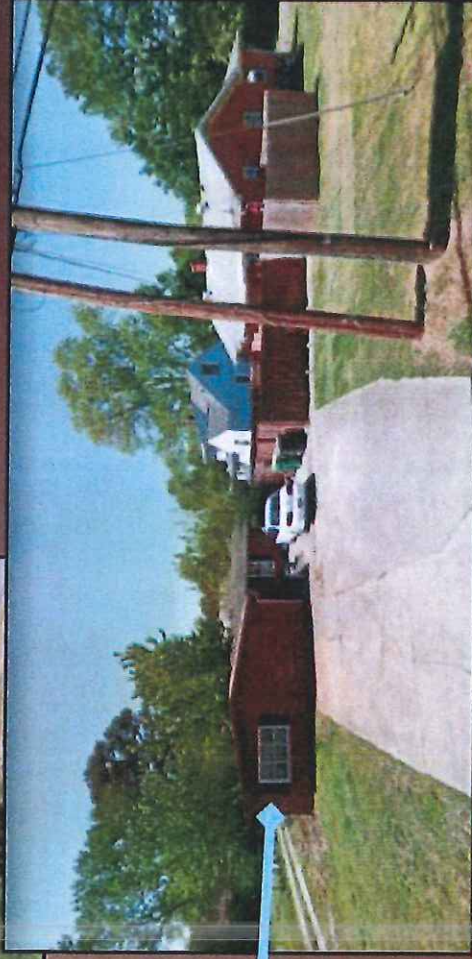
3300 Trenton Street



- Request to allow an accessory apartment in the R-2 Zoning District
- Use: Elderly, disabled mother-in-law



3300 Trenton Street



Proposed Accessory
Apartment

Conditional Use Permit Requirements

- Accessory Apartments, shall be permitted, subject to the following conditions and requirements:
- 1. Owner/occupants may apply to the City Council for a Conditional Use Permit to convert an existing garage to an apartment, as follows:
 - a. Applicant must certify that such apartment will be occupied by a related family member 55 years of age or older or handicapped.
 - b. Applicant must acknowledge that upon vacation by such family member, the building may no longer be used as an apartment, unless another family member meets the required criteria, and is no case shall it be used as a rental unit.
 - c. Applicant must demonstrate that sufficient off street parking will be provided.
- 2. Permits for such apartments shall be issued for a period of one (1) year and must be renewed annually. All other requirements of the Zoning Ordinance and Building Code, including but not limited to building permits and occupancy permits, must be complied with.

Planning Commission Recommendation

- The Planning Commission recommended approval with the condition that the Building Official will inspect the unit prior to a tenant occupying the apartment to ensure it is compliant with Building Code regulations.

WS-2



The City
of
Hopewell, Virginia

300 N. Main Street · Department of Development · (804) 541-2220 · Fax: (804) 541-2318

CONDITIONAL USE PERMIT APPLICATION

APPLICATION FEE: \$300

APPLICATION # 200210973

APPLICANT: SHARLA S. KIRK

ADDRESS: 3300 TRENTON ST.
HOPEWELL, VA. 23860

PHONE #: 804-720-2803 FAX #: _____

EMAIL ADDRESS: SKirk20039@aol.com

INTEREST IN PROPERTY: OWNER OR _____ AGENT
IF CONTRACT PURCHASER, PROVIDE A COPY OF THE CONTRACT OR A LETTER
OF THE PROPERTY OWNER'S CONSENT TO MAKE APPLICATION.

OWNER: SAME AS APPLICANT

ADDRESS: _____

PHONE #: _____ FAX #: _____

PROPERTY ADDRESS / LOCATION:
3300 Trenton St.

PARCEL #: 0892280 ACREAGE: _____ ZONING: R2

*** IF REQUIRED BY ARTICLE 16 OF THE ZONING ORDINANCE, ***
A SITE PLAN MUST ACCOMPANY THIS APPLICATION

ATTACH A SCALED DRAWING OR PLAT OF THE PROPERTY SHOWING:

- 1. FLOOR PLANS OF THE PROPOSED BUILDINGS. _____
- 2. THE PROPOSED DEVELOPMENT WITH FRONT, SIDE, AND REAR ELEVATIONS. _____

THIS REQUEST FOR A CONDITIONAL USE PERMIT IS FILED UNDER SECTION _____ OF THE ZONING ORDINANCE.

PRESENT USE OF PROPERTY:

Converted garage

THE CONDITIONAL USE PERMIT WILL ALLOW:

APARTMENT for elderly, handicapped relative

Mother-in-law

PLEASE DEMONSTRATE THAT THE PROPOSAL AS SUBMITTED OR MODIFIED WILL NOT AFFECT ADVERSELY THE HEALTH, SAFETY, OR WELFARE OF PERSONS RESIDING OR WORKING IN THE NEIGHBORHOOD OF THE PROPOSED USE.

IT DOES NOT AFFECT ADVERSELY IN ANY WAY THE NEIGHBORS OR THE NEIGHBORHOOD. IT BLOCKS NO MAIN ROADS, NO EMERGENCY ACCESS ROADS. IT IS A STURDY BUILDING.

PLEASE DEMONSTRATE THAT THE PROPOSAL WILL NOT BE DETRIMENTAL TO PUBLIC WELFARE OR INJURIOUS TO THE PROPERTY OR IMPROVEMENTS IN THE NEIGHBORHOOD.

SEE ABOVE

PLEASE DEMONSTRATE HOW THE PROPOSAL AS SUBMITTED OR MODIFIED WILL CONFORM TO THE COMPREHENSIVE PLAN AND THE PURPOSES AND THE EXPRESSED INTENT OF THE ZONING ORDINANCE.

IT WILL BE USED AS AN APARTMENT FOR AN ELDERLY, handicapped relative with limited resources.

AS OWNER OF THIS PROPERTY OR THE AUTHORIZED AGENT THEREFOR, I HEREBY CERTIFY THAT THIS APPLICATION AND ALL ACCOMPANYING DOCUMENTS ARE COMPLETE AND ACCURATE TO THE BEST OF MY KNOWLEDGE.

Sharla S. Kirk

APPLICANT SIGNATURE

AUG 17, 2021

DATE

SHARLA S. KIRK

APPLICANT PRINTED NAME

OFFICE USE ONLY

DATE RECEIVED _____

DATE OF ACTION _____

APPROVED

DENIED

APPROVED WITH THE FOLLOWING CONDITIONS:



City of Hopewell, VA
 Dept. of Code Enforcement
 300 N. Main Street
 Hopewell, VA 23860
 804-541-2220
 Welcome

16836-0001 debra m. 11/24/2021 10:53AM

PERMITS / INSPECTIONS

CONDITIONAL USE PERMIT -
 REVIEW

2021 Item: 202109731CUP 300.00
 Payment Id: 237459

	300.00
Subtotal	300.00
Tax	300.00
Change due	0.00



Thank you for your payment.

CUSTOMER COPY

No. 90000249

\$300.00 DOLLARS

RECEIPT

DATE 11-24-21

FROM Shorla S. Kirk

FOR Conditional Use Permit

FROM TO

BY K. Kirk

ACCT.	
PAID	300.00
DUE	

CASH
 CHECK
 MONEY ORDER
 CREDIT CARD



3300 Trenton Street
Owner: Sharla S. Kirk
Conditional Use Permit to use an accessory structure as an apartment

Staff Report prepared for the Hopewell Planning Commission

Last Revised: January 28, 2022

This report is prepared by the City of Hopewell Department of Development Staff to provide information to the Planning Commission and City Council to assist them in making an informed decision on this matter.

I. PUBLIC HEARINGS & MEETINGS:

Planning Commission public hearing	January 6, 2022	Tabled
Planning Commission meeting	February 3, 2022	Pending a decision

II. IDENTIFICATION AND LOCATIONAL INFORMATION:

Requested Zoning:	N/A
Existing Zoning:	R-2, Residential, Medium Density District
Acreage:	7,250
Legal Description:	LOTS 23-24 BLK 43 SUBDIVISION; WOODLAWN
Election Ward:	Ward 7
Land Use Plan Recommendation:	Urban Mixed Residential
Strategic Plan Goal:	N/A
Map Location(s):	Sub Parcel #: 089-3380
Zoning of Surrounding Property:	North: R-2 South: R-2 East: R-2 West: R-2

III. UPDATED STAFF REPORT:

The applicant did not attend the January 6, 2022 public hearing and the Planning Commission decided to table a decision. Staff made contact with the applicant after the meeting. She apologize for not making the meeting due to health reasons. She will be present on February 3, 2022.

IV. EXECUTIVE SUMMARY:

The City of Hopewell has received a request for a Conditional Use Permit from Sharla S. Kirk, owner of 3300 Trenton Street, also identified as Sub-Parcel # 089-2280, to allow a detached garage to be used as an accessory apartment in the Residential, Medium Density District (R-2).

V. SUBJECT PROPERTY:

The property is a corner lot, located at the intersection of Trenton Street and Blackstone Avenue. The detached garage is 944 square feet.

The property consists of a single family detached home with a detached garage in the rear yard. The driveway is located in the rear of the house adjacent to the garage. A privacy fence encloses a portion of the rear yard. There are no other accessory structures on the property.

VI. OWNER'S POSITION REVISED:

Excerpts from Application

The applicant proposes to use the detached garage as a home for a mother in law who is elderly and disabled.

The applicant contends that the garage is sturdy and the re-use will not adversely affect the neighbors.

VIII. ZONING/STAFF ANALYSIS:

The applicant has owned the property since 2003.

Comprehensive Plan Land Use Category

The 2028 Comprehensive Plan designates this property and those immediately in the vicinity as Urban Mixed Residential. This designation and the Multifamily Residential category recommend high density dwellings (including retirement and age-restricted projects) and development flexibility for new, infill and redevelopment projects. The

Urban Mixed Residential qualify for selective re-subdivision of qualifying projects where lots or entire blocks could be consolidated for redevelopment.

The following are characteristics of the Urban Mixed Residential Category:

- Primary Land Use Detached and Attached Residences, Small to Medium Lots, Multifamily Permitted within Planned Mixed Residential Neighborhoods
- Typical Density Ranges: Detached- 4-5 Dwelling Units/ Per Acre (DU/PA)
Attached: 6-12 DU/PA
Multifamily: 16-30 DU/PA
- Typical Dwelling Size: 1,000 – 2,000 Square Feet

As constructed, both units are detached structures that are equipped as dwelling units. The square footage (9,000) of the lot conforms to the Urban Mixed Residential land use category. The subdivision meets the density ranges outlined for detached dwelling units. The dwelling size of both units are less than outlined in the Comprehensive Plan for this land use category.

IX. APPLICABLE CODE SECTIONS:

The provisions of the Zoning Ordinance that are germane to this request for a Conditional Use Permit are the following:

Article IX, Residential, Medium Density District (R-2)

STATEMENT OF INTENT

This district is intended as a single family residential area with low to medium population density. The regulations for this district are designed to stabilize and protect the essential characteristics of the district and to promote and encourage a suitable environment for family life. To these ends, development is limited to a relatively low to medium concentration and permitted uses are limited basically to providing homes to the residents plus certain additional uses such as schools, parks, churches and other types of public facilities that will serve the residents of the area.

Section A Use Regulations

In the R-2 Residential District, land may be used and buildings or structures may be erected, altered or used, only for the following (with off street parking as required for the uses permitted within the district):

- 11. Accessory apartments with a Conditional Use Permit (see Section H of this Article) from City Council (special definition)*

H. ACCESSORY APARTMENTS

Accessory Apartments, (special definition) shall be permitted, subject to the following conditions and requirements:

1. *Owner/occupants may apply to the City Council for a Conditional Use Permit to convert an existing garage to an apartment, as follows:*
 - a. *Applicant must certify that such apartment will be occupied by a related family member 55 years of age or older or handicapped.*
 - b. *Applicant must acknowledge that upon vacation by such family member, the building may no longer be used as an apartment, unless another family member meets the required criteria, and in no case shall it be used as a rental unit.*
 - c. *Applicant must demonstrate that sufficient off street parking will be provided.*
2. *Permits for such apartments shall be issued for a period of one (1) year and must be renewed annually. All other requirements of the Zoning Ordinance and Building Code, including but not limited to building permits and occupancy permits, must be complied with.*
3. *No such permit shall be authorized except after notice and hearing, as provided by Section 15.1-431 of the Code of Virginia, (1950), as amended.*
4. *City Council may impose such conditions relating to the use for which such Conditional Use Permit is granted as it may deem necessary in the public interest and may require a guarantee or bond to insure that the conditions imposed are being and will continue to be complied with.*
5. *Upon approval by the City Council, and prior to the issuance of a permit, the owners must execute an agreement acknowledging the limitations in such permit, which will be recorded at the owner's expense in the Clerk's Office of the Circuit Court of the City of Hopewell.*

(Article I. Definitions)

The Zoning Ordinance identifies an accessory apartment located in a detached residential building as a garage apartment. The definition is:

117. GARAGE APARTMENT: A second subsidiary dwelling unit located in an accessory building.

Article XXI. Amendments, Section D. Conditional and Special Use Permits

D. CONDITIONAL AND SPECIAL USE PERMITS.

1. Conditional Use Permit:

Purpose:

The purpose of this section is to provide for certain uses which, because of their unique characteristics or potential impacts on adjacent land uses, are not generally permitted in certain zoning districts as a matter of right, but which may, under the right set of

circumstances and conditions, be acceptable in certain specific locations. These uses are permitted only through the issuance of a conditional use permit by the City Council after ensuring that the use can be appropriately accommodated on the specific property, will be in conformance with the Comprehensive Plan, can be constructed and operated in a manner which is compatible with the surrounding land uses and overall character of the community, and that the public interest and general welfare of the citizens of the City will be protected.

No inherent right exists to receive a conditional use permit; such permits are a special privilege granted by the City Council under a specific set of circumstances and conditions, and each application and situation is unique. Consequently, mere compliance with the generally applicable requirements may not be sufficient, and additional measures, occasionally substantial, may be necessary to mitigate the impact of the proposed development. In other situations, no set of conditions would be sufficient to approve an application, even though the same request in another location would be approved.

a. Initiation

The applicant, who shall be an owner of record or contract owner with written approval of the owner of the land involved (if a contract owner, a copy of said contract shall be filed with and made a part of application), shall make application for the use permit to the Director of Development on the form provided for that purpose, giving all information required by such form, including such other information which the Director of Development may deem necessary for an intelligent consideration of the project for which a permit is desired.

b. Completeness

- 1. A pre-application conference may be scheduled by the applicant with the Director of Development or his designated agent to discuss the proposal.*
- 2. The application shall be accompanied by the required number of copies of the following:*
 - i. A site plan in accordance with Article XVI Site Plan Requirements of the Zoning Ordinance.*
 - ii. The front, side and rear elevations and floor plans of the proposed buildings.*

c. Review of Application

- 1. When the Director has certified that the application is complete, it shall be deemed received and referred to the Planning Commission for its review and recommendation to City Council.*
- 2. The Planning Commission shall, within ninety (90) days after the first meeting of the Planning Commission after such referral, report to the City Council its recommendation as to the approval or disapproval of such application and any recommendation for establishment of conditions, in addition to those set forth in this Article, deemed necessary to protect the*

public interest and welfare. Failure of the Planning Commission to report within ninety (90) days shall be deemed a recommendation of approval.

3. *Upon receipt of the recommendation of the Planning Commission, the City Council, after public notice in accordance with Virginia Code § 15.2-2204, shall hold at least one public hearing on such application, and as a result thereof, shall either approve or deny the request.*
4. *In approving any conditional use permit, the City Council may impose conditions or limitations on any approval as it may deem necessary to protect the public interest and welfare. Such additional standards may include, but need not be limited to:*
 - i. *Special setbacks, yard or construction requirements, increased screening or landscaping requirements, area requirements, development phasing, and standards pertaining to traffic, circulation, noise, lighting, hours of operation and similar characteristics; and*
 - ii. *A performance guarantee, acceptable in form, content and amount to the City, posted by the applicant to ensure continued compliance with all conditions and requirements as may be specified.*

d. Approval Criteria

As may be specified within each zoning district, uses permitted subject to conditional use review criteria shall be permitted only after review by the Planning Commission and approval by the City Council only if the applicant demonstrates that:

1. *The proposed conditional use is in compliance with all regulations of the applicable zoning district, the provisions of this Article, and any applicable General Provisions as set forth in the Zoning Ordinance.*
2. *The establishment, maintenance, or operation of the proposed use is not detrimental to, and will not endanger, the public health, safety, morals, comfort, or general welfare.*
3. *The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially impair the use of other property within the immediate proximity.*
4. *The proposed conditional use conforms to the character of the neighborhood within the same zoning district in which it is located. The proposal as submitted or modified shall have no more adverse effects on health, safety or comfort of persons living or working in or driving through the neighborhood, and shall be no more injurious to property or improvements in the neighborhood, than would any other use generally permitted in the same district. In making such a determination,*

consideration shall be given to the location, type, size, and height of buildings or structures, type and extent of landscaping and screening on the site, and whether the proposed use is consistent with any theme, action, policy or map of the Comprehensive Plan.

5. *The exterior architectural appeal and function plan of any proposed structure will not be so at variance with either the exterior architectural appeal and functional plan of the structures already constructed or in the course of construction in the immediate neighborhood or the character of the applicable zoning district, and shall enhance the quality of the neighborhood.*
6. *The public interest and welfare supporting the proposed conditional use is sufficient to outweigh the individual interests which are adversely affected by the establishment of the proposed use.*
7. *The proposed use will not result in the destruction, loss or damage of any feature determined to be of significant ecological, scenic or historic importance.*

X. STAFF RECOMMENDATION:

Staff has reviewed the application and offers the following:

An accessory apartment is allowed by the issuance of a Conditional Use Permit approved by City Council if certain conditions are met. These conditions have been provided on Pages 3 and 4 of this document.

There is sufficient parking for the accessory apartment. The dwelling has a separate driveway from the main dwelling.

The ordinance requires the applicant to certify that the accessory apartment will be occupied by a related family member 55 years of age or older or handicapped, and to acknowledge that when the building is vacated by such family member, it can no longer be used an accessory structure. The applicant has a family member in place and will certify occupancy according to the ordinance requirements.

Adjacent property owner letters were mailed to all addresses provided on the attached spreadsheet. An informational zoning sign and a public hearing ad was placed in the local circulating newspaper two weeks prior to the meeting. To date there have been no objections to the request. There is still the possibility that persons concerned with the request can speak at the public hearing.

Staff recommends approval of the application. Staff contends that the applicant has met the provisions of Article XXI. Amendments, Section D. Conditional and Special Use Permits, sub-section d. Approval Criteria. Additionally, the applicant is willing to certify that the person moving into the home is the owner's mother in law, a permit will be issued and recorded, and the permit will be renewed annually.

Attachment(s):

1. Conditional Use Permit
2. Pictures of structure
3. Adjacent property owner list

Aerial Map of Surrounding Area – 3300 Trenton Street



Picture of front of home



Picture of detached garage- location of proposed accessory apartment



City Council Work Session

March 22, 2022

1211 Arlington Road

- Conditional Use Permit to keep a shed located in rear yard & to add an additional shed to a property zoned Limited Commercial (B-2)



1211 Arlington Road



Picture of 1211 Arlington (left)



Current wood shed in rear of property

Conditional Use Permit requirements

1. Accessory Structures in a B-2 Zoning District can be approved by City Council if through a Conditional Use Permit, if not seen from the street.
 - Screening required to block view of shed (s) from Arlington Road and Dublin Street

Development Standards

- Prohibits sheet metal buildings without a façade that matches the design of the main building.

Planning Commission Recommendation

- The Planning Commission recommended denial of the request because:
 1. The current shed will be used as an office.
 2. The request does not meet Condition #4. The establishment, maintenance, or operation of the proposed use is not detrimental to, and will not endanger, the public health, safety, morals, comfort, or general welfare.

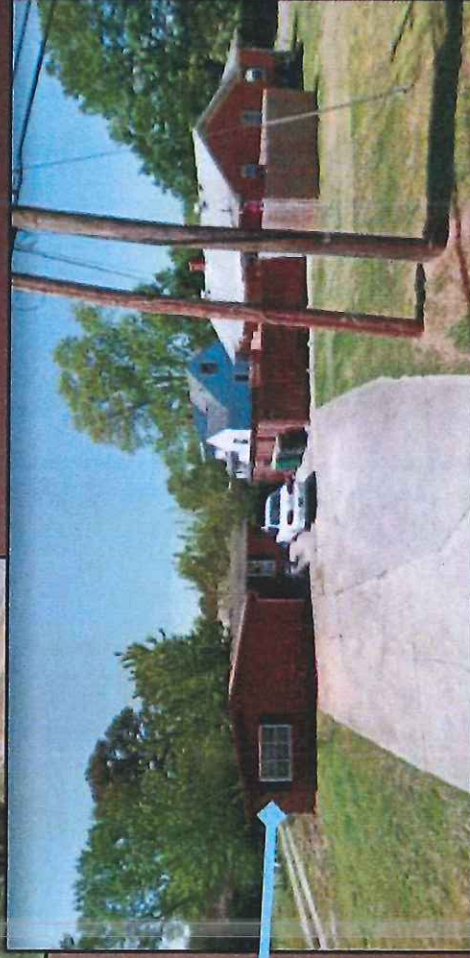
3300 Trenton Street



- Request to allow an accessory apartment in the R-2 Zoning District
- Use: Elderly, disabled mother-in-law



3300 Trenton Street



Proposed Accessory
Apartment

Conditional Use Permit Requirements

- Accessory Apartments, shall be permitted, subject to the following conditions and requirements:
- 1. Owner/occupants may apply to the City Council for a Conditional Use Permit to convert an existing garage to an apartment, as follows:
 - a. Applicant must certify that such apartment will be occupied by a related family member 55 years of age or older or handicapped.
 - b. Applicant must acknowledge that upon vacation by such family member, the building may no longer be used as an apartment, unless another family member meets the required criteria, and is no case shall it be used as a rental unit.
 - c. Applicant must demonstrate that sufficient off street parking will be provided.
- 2. Permits for such apartments shall be issued for a period of one (1) year and must be renewed annually. All other requirements of the Zoning Ordinance and Building Code, including but not limited to building permits and occupancy permits, must be complied with.

Planning Commission Recommendation

- The Planning Commission recommended approval with the condition that the Building Official will inspect the unit prior to a tenant occupying the apartment to ensure it is compliant with Building Code regulations.

CONSENT AGENDA

MINUTES

February 8, 2022
Regular Meeting
DRAFT

MINUTES OF THE CITY COUNCIL MEETING

A Regular Meeting of the City Council of the City of Hopewell, Virginia, was held Tuesday, February 8, 2022, at 6:00 p.m. in the City Council Chambers, Municipal Building, 300 North Main Street, Hopewell, Virginia.

PRESENT: Patience Bennett, Mayor (Ward 7)
 Johnny Partin, Vice Mayor (Ward 3)
 Deborah Randolph, Councilor (Ward 1)
 Arlene Holloway, Councilor (Ward 2)
 Jasmine Gore, Councilor (Ward 4) – (arrived late)
 Brenda S. Pelham, Councilor (Ward 6)

Absent: Janice B. Denton, Councilor (Ward 5)

Staff: John M Altman, City Manager
 Mollie P. Bess, City Clerk

ROLL CALL

Vice Mayor Partin opened the meeting at 6:30 p.m. Roll call was taken as follows:

Mayor Bennett	-	present
Vice Mayor Partin	-	present
Councilor Randolph	-	present
Councilor Holloway	-	present
Councilor Gore	-	absent (arrived late)
Councilor Denton	-	absent
Councilor Pelham	-	present

Moved to go into Closed Session by Vice Mayor Partin and seconded by Councilor Randolph pursuant to Va. Code Section §2.2-3711 (A)(1) for discussion of personnel matters pertaining to specific council appointee terms of employment and to interview prospective candidates for employment to the School Board; and pursuant to Va. Code Section §2.2-3711 (A)(6) for the purpose of discussion or consideration of the investment of public funds where competition or bargaining is involved, where, if made public initially, the financial interest of the city would be adversely affected.

Roll Call:	Councilor Pelham	-	yes
	Mayor Bennett	-	yes
	Councilor Randolph	-	yes
	Councilor Holloway	-	yes
	Vice Mayor Partin	-	yes
	Councilor Gore	-	yes

Motion Passes: 6 – Ayes
 0 – Nays

Councilor Gore arrived at the meeting at 6:40 p.m.

CLOSED SESSION

**February 8, 2022
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Motion to come out of closed by Vice Mayor Parton and seconded by Councilor Pelham

Roll Call:	Councilor Pelham	-	yes
	Mayor Bennett	-	yes
	Councilor Randolph	-	yes
	Councilor Holloway	-	yes
	Vice Mayor Partin	-	yes
	Councilor Gore	-	yes

Motion Passes: 6– Ayes
0 – No

CERTIFICATION

Certification pursuant to Virginia Code 2.2-3712(D) were only public business matters (1) lawfully exempted from open-meeting requirements and (2) identified in the closed-meeting motion discussed in closed meeting?

Roll Call:	Councilor Pelham	-	yes
	Mayor Bennett	-	yes
	Councilor Randolph	-	yes
	Councilor Holloway	-	yes
	Vice Mayor Partin	-	yes
	Councilor Gore	-	yes

Motion Passes: 6– Ayes
0 – No

Mayor Bennett opened the meeting with roll call:

	Councilor Pelham	-	yes
	Mayor Bennett	-	yes
	Councilor Randolph	-	yes
	Councilor Holloway	-	yes
	Vice Mayor Partin	-	yes
	Councilor Gore	-	yes

Mayor Bennett then welcomed visitors and turned the meeting over to Tevya Griffin for the Work Session

WORK SESSION

Director Griffin stated that the work session was to introduce four Unconditional Use Permit cases that will come before City Council at a Public Hearing at the March 8, 2022 meeting. The first case is 214 South 16th Avenue, which is located in Ward 1, which is R2 our residential medium density district. This property has 6194 square feet. The applicant is requesting to build a single family detached home on a non-conforming parcel. In the R2 district you are required to have 7500 square feet and at least 75 for the

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frontage. He has to come to City Council in order to build this home. The property has 38 feet of frontage. The home he wants to build is 112 x 17, he would have a parking area, a driveway and he would meet all the setbacks for the R2 district. The average home size in this neighborhood is 1,423 square feet, average number of bedroom is 3, there are 1.5 baths and 1.5 stories is the average stories in this particular neighborhood. The architectural style of most of the home is bungalow and cape cod. The applicant is proposing to build a 200 square foot studio, he will provide a brick porch and foundation, it is a studio home with a bath, kitchen and living area. The Planning Commission has voted 3-0 to recommend denial of this permit because the applicant did not meet the criterial 4 outlined in Article XXI, Section D. Approval Criteria. Councilor Randolph asked he was planning to live and Director Griffin stated YES, it is for him to live in.

The second case is 1404 Roanoke Avenue, it is located in Ward 7 (Councilor corrected Ms. Griffin stating that is Ward 6), the applicant is requesting a six foot fence be placed in the front yard, the fence was placed without a permit, so his next step was to come before the Planning Commission and City Council to request to keep fence. In the front yard. our ordinance requires a four foot fence for safety reasons. The fire department and police have been out and looked at the safety of the location of the fence, normally they have asked that fences be no higher than 4 feet, in this instance, both the police and fire departments have no issues with this fence, because it is not obstructing the entrance to the home. The Planning Commission did add a condition that the fence be screened with shrubbery and vegetation and the applicants have agreed to that, the Planning Commission voted to approve with the condition to plant shrubbery within two years to obscure the bottom three feet of the fence in its entirety.

The third case is located on Maryland Avenue in Ward 1. It is zoned R2 with same requirements as above. The parcel frontage size is 61 ft. and it has to be 75 ft. so therefore they (the Edwards) are coming to the Planning Commission and City Council to request a conditional use permit. This home has been built before in the area. The Planning Commission voted 3-0 to approve this permit with conditions. The condition is that the owner must work with the Dept. of Development to provide brick front porch and foundation. And to provide a front building façade with varying architectural elements. Vice Mayor Partin requested they put overhang on the front of the house to help with preserving the foundation. The last case is sub-parcel #024-0305, which is also for the Edwards and is in Ward 1. They are proposing the same house and the Planning Commission has requested the same conditions. On that particular property there is a fence that encroaching that property The Planning Commission has required that the fence be removed before a building permit is allowed and the applicants have agreed to that.

Mayor Bennett called the meeting to order.

ROLL CALL: Mayor Bennett opened the meeting with roll call:

Councilor Pelham	-	yes
Mayor Bennett	-	yes
Councilor Randolph	-	yes
Councilor Holloway	-	yes
Vice Mayor Partin	-	yes
Councilor Gore	-	yes
Councilor Denton	-	yes

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Prayer by Vice Mayor Partin, followed by the Pledge of Allegiance to the Flag of the United States of America led by Mayor Bennett

Motion by Vice Mayor Partin and seconded by Councilor Denton to amend the agenda to add R3 Residency Requirements to the agenda.

Point of Information by Councilor Randolph to amend the agenda to add a section to request the attorney to provide information on Residency which not provided by previous attorney.

Point of Information by Councilor Gore asking what is the actual ask for Councilor Randolph. Councilor Gore stated it would be more proper to put this on the agenda as an R item so that we can have a discussion.

ROLL CALL:	Councilor Denton	-	yes
	Councilor Pelham	-	yes
	Mayor Bennett	-	yes
	Councilor Randolph	-	yes
	Councilor Holloway	-	yes
	Vice Mayor Partin	-	yes
	Councilor Gore	-	yes

Motion Passes: 7 – 0

Motion made by Vice Mayor Partin and seconded by Councilor Pelham to adopt the consent agenda.

ROLL CALL:	Councilor Denton	-	yes
	Councilor Pelham	-	yes
	Mayor Bennett	-	yes
	Councilor Randolph	-	yes
	Councilor Holloway	-	yes
	Vice Mayor Partin	-	yes
	Councilor Gore	-	yes

Motion Passes: 7 – 0

Mr. Terry is having technical difficulties so we are moving on to Vice Mayor Partin's HWR Commission report and will circle back to Mr. Terry after Vice Mayor Partin.

HWR Commission Report

Vice Mayor Partin stated it had been about 5-6 months since the last update and he wanted to provide an update to Council. No action needed, just an informational update. At the end of 2021, they operated slightly under budget. There have been 8 separate sanitary overflows in the year 2021, these overflows were the result of increased rain storms and rain intensity that we had over the year. We were treating the influx of stormwater and wastewater which did result in overflows, which is an issues that is being seen across the Commonwealth of Virginia. The Commission has been working on I&I projects, the inflow and infiltration where we had stormwater getting into the wastewater system and then wastewater getting into the stormwater system. So the Commission approved about a \$1.45 million list of projects to help address this issue. This list of projects for Council approval will be brought to Council at

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the next February meeting or the first meeting in March. The goal is to work toward reducing the stress on our wastewater treatment plant. With all the matches it is about \$3.6 million in overall projects. Moving on to items No. 4, we are still anticipating that we're going to have to make a massive major capital investment in phosphorus removal by lowering our overall total phosphorus amount from an average of 1.06 milligrams per liter to 0.2 milligrams per liter and it can be anywhere from \$75 million to \$120 million depending on technology, labor shortages. Good news is our nitrogen permit was set at a little over 1.8 million pounds per year and we reported out less than 900,000 pounds being discharged which means we were able to sell \$200,000 in excess nitrogen credits. Unfortunately we did have our phosphorus permit lowered from a little over 76,000 pounds per year to just under 62,000 pounds per year and last year we reported out almost 69,000 pounds discharged, so we ended up purchasing 62,000 pounds in phosphorus credits. When putting them together we still came out on the positive side. Recently formed a capital budget subcommittee for the commission to help with staff and bring in some additional expertise to develop a more comprehensive and aggressive capital budget and the goal is not just to eliminate backlog of maintenance capital projects dating back to 2011, but want to focus on getting ahead of schedule and being proactive.

Financial Report

Mr. Terry presented his financial report stating that this report starts covering a period of July 1, 2021 through the end of January 2022. It will cover the external reporting, the budget and the internal. It was reported that FY16 is done, FY17 is done and the single audit for FY18 is completed and will be uploaded to federal website clearing house and will make sure to get hard copies to Councilors, Dr. Hackney, and the School Board. The single audit is complete, it is a good report, no negative, a clean report. Called attention to FY19, the City issued a (RFP) Request for Proposal for financial audit services for the City, for our audit firm to perform audits for 2019, FY2020, FY2021, FY2022, Robinson, Farmer, Cox Associates was the selected firm from staff and staff has requested City Council to approve RFC & Assoc. and you have done so and have authorized the City Manager authority in creating a contract for Council to review and approve. City is current on State Board Reporting. We are now reporting that we have completed our compliance filing on the CARES Report. FEMA new system, we did another step to upload the grant that was covered by emergency services, if we are awarded the grant, it is about \$275,000. Munis training was done for staff. The Tyler Open Finance implementation, in process now where it is being rolled out. We had a target date for March but we are looking at some software issues that need to be fixed, the goal is to have this operative and out for citizens to look at by June 30, 2022. Arbitrage calculation, we are in compliance with that. VDOT, was a little difficult, because we did not have FY19 or FY20 annual report, but were able to supply them with sufficient amount of information and documentation that they were able to determine that we knew our numbers, and our numbers agreed with their numbers. Until we can get the audits done, they were satisfied that they met their compliance requirements. Budget development for 2022/2023, we are on track. There were no cross fund transfers **made by the City Manager.**

REGULAR BUSINESS

R-1 – Appropriate Funds to the Downtown Façade Program

Mr. Altman opened by stating that this is a request for Council to consider approving \$40,000 to reimburse four developers that's work has been completed on their façades. Mrs. Griffin then took over the presentation to state that this grant started in 2012 and at that time Council provided \$250,000 into this fund for downtown façades. To date, \$194,000 has gone to the Façade Grant Program, the remaining \$56,000, the EDA was given \$36,000 and the Hopewell Downtown Partnership was given \$20,000 out of that fund. The balance now is \$5,877.29. In 2020, there were four businesses that moved forward to rehab their buildings. An update on the total amount spent on the buildings. At 256 W. Broadway, the

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building was purchased by the developer for \$175,000, the rehab was \$92,000 and the tenant up-fit of the Silva Yoga, that's on the first floor was \$24,000. So, to date spent on this building is \$291,000. The façade grant program requires a property owner to put in at least half and they are able to get back up to \$10,000 for the work that is completed and this property owner has requested the \$10,000 for the work that was completed. The next building is 201 E. Broadway at the corner of Randolph and Broadway. This property owner purchased for \$155,000 and to date has put in \$90,000, this does not include things they did not come to the city for. The approximate total invested for this property is \$245,000, this property owner has put in over \$20,000 and is requesting the \$10,000 of reimbursement. The next is 222 E. Broadway, the rehab is \$20,000 and the tenet up-fit is \$29,400, the approximate total is \$49,400 and they are asking for the reimbursement of \$10,000 for the façade. Next is 106 N. Main Street, this property was purchased for \$120,000, the total building up-fit was \$700,000 and that was all the interior and the glass work on the outside as well as the windows to the front façade and interior work. There are five apartments on the second floor. So the interior \$700,000 and the total \$820,000, they are also requesting the \$10,000 reimbursement.

The request of \$40,000 for these four properties, is for the work that was done in 2020. There are several other property owners that are waiting for the grant to be replenished and that was a request of the Downtown Hopewell Partnership, also through the Dept. of Development, the same request was put in as we have some folks that are awaiting to do some investment knowing that this grant is just at the \$5,000 mark. This is to help those that have already put in the funding to be able to provide them with the \$40,000, \$10,000 each for each property owner. The Dept. of Development never promised these property owners anything, it is being brought to you know because these developers have requested this. It is endorsed because they did put in the funding. Grants are approved individually by the Downtown Design Review Committee.

Motion made by Councilor Gore and seconded by that we approve the request for \$40,000 to provide the Façade Improvement Grants from the Unassigned Funds and for the City Manager to incorporate recommendations in the upcoming fiscal year budget to reinstate the program July 1, 2022.

Motion made by Councilor Gore and seconded by Vice Mayor Partin to appropriate \$40,000 for the Façade Improvement Grant to award it to the applicants presented tonight from the Unassigned Funds.

Friendly amend made by Councilor Pelham and agreed to by Councilor Gore and Vice Mayor Partin. The motion now reads:

ROLL CALL:	Councilor Denton	-	yes
	Councilor Pelham	-	yes
	Mayor Bennett	-	yes
	Councilor Randolph	-	yes
	Councilor Holloway	-	yes
	Vice Mayor Partin	-	yes
	Councilor Gore	-	yes

Motion made by Councilor Gore and seconded by Vice Mayor Partin to appropriate \$40,000 from the American Rescue Plan Funds Act to reimburse the applicants presented tonight.

ROLL CALL:	Councilor Denton	-	yes
	Councilor Pelham	-	yes

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Mayor Bennett	-	yes
Councilor Randolph	-	yes
Councilor Holloway	-	yes
Vice Mayor Partin	-	yes
Councilor Gore	-	yes

Motion Passes: 7 – 0

Motion made by Councilor Gore and seconded by Mayor Bennett to waive the rules to allow Mr. Eliades to speak to this issue.

ROLL CALL:	Councilor Denton	-	yes
	Councilor Pelham	-	yes
	Mayor Bennett	-	yes
	Councilor Randolph	-	yes
	Councilor Holloway	-	yes
	Vice Mayor Partin	-	yes
	Councilor Gore	-	yes

Motion Passes: 7 – 0

Mr. Eliades then spoke as a member of the EDA and Planning Commission. He stated that they write the rules for these grants and the grants that were done for the most recent awards, they didn't have non-profits. So the question is, are you telling them to do something or to look into something because the rules of these grants are written by the EDA, which is a separate body from the Council. The EDA gets the money from Council, but then Council typically says that the EDA needs to figure out what the rules should be. But if you are saying we want you to change the rules to "ABC" then the EDA just needs to be clear that when the motion is completed are you directing the EDA to do something specific or are you asking them to investigate and make their best judgement when we do the next grant cycle?

Councilor Gore answered and stated the motion was for Mr. Altman to work with Director Griffin to look at it and give recommendations to Council. To answer the second part of your question, when we give the grant monies, we can designate who will execute them and when we did the Legacy Business Grant, we gave the EDA the money to execute, but when these recommendations come back, the recommendation may be another approach. So, it was for Director Griffin and Mr. Altman to look at it and give us the best recommendations and they can work with EDA.

Motion made by Councilor Gore and seconded by Vice Mayor Partin for the City Manager to work with Director Griffin to provide recommendations on how to fund the Façade Improvement Program in the upcoming budget cycle and to also expand ways to the other enterprise areas and to provide alternatives for the legacy program, to include non-profits.

ROLL CALL:	Councilor Denton	-	yes
	Councilor Pelham	-	yes
	Mayor Bennett	-	yes
	Councilor Randolph	-	no
	Councilor Holloway	-	yes
	Vice Mayor Partin	-	yes
	Councilor Gore	-	yes

Motion Passes: 6 – 1

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R-2 – 2023 Citywide Real Estate Assessment

City Manager Mr. Altman began by stating that this item is dealing with the 2023 state real estate assessment. The City is required by Virginia Code Section 58.1 3250, to conduct a general re-assessment of real estate every two years. Staff is requested that Council amend the FY22 budget by budgeting and appropriating \$130,000 from the Unassigned Fund Balance to begin work on the citywide general reassessment and authorize the City Manager to take the necessary actions to begin the general re-assessment. The plan was to conduct the general re-assessment in house, due to two untimely departures from the real estate office and not having the staff to go out in the field and do the re-assessment work. In order to complete the re-assessment January 1, of 2023, we need to begin now. That is the reason for the request coming to Council this evening. There is \$6,391,737 available in the Unassigned Fund Balance to move forward with this request. We are looking at total to fund the re-assessment in the next budget year, what will ask for in the FY23 budget will be approximately \$275,000 to complete the amount but we currently only need the \$130,000 to get the project moving forward so that we can get started.

Motion made by Vice Mayor Partin and seconded Councilor Randolph by that City Council amend the 2022 budget and appropriate \$130,000 from the Unassigned Fund Balance to begin work on the citywide general re-assessment of real estate and to authorize the City Manager to take the necessary actions to begin the 2023 general re-assessment of real estate.

ROLL CALL:	Councilor Denton	-	yes
	Councilor Pelham	-	yes
	Mayor Bennett	-	yes
	Councilor Randolph	-	yes
	Councilor Holloway	-	yes
	Vice Mayor Partin	-	yes
	Councilor Gore	-	no

Motion Passes: 6 – 1

Councilor Gore asked is this to hire a firm to come in and help like was done before, Mr. Altman stated yes. Will this be done with an RFP process, Mr. Altman – we will look an RFP, will also look at any firms listed under state contracts that are already contracted that we can utilize through the state procurement system. Gore would like recommendation brought back to Council. Councilor Gore brought up Board of Equalization and said we need to diversify this board. Ask was for City Clerk to bring back information on Board of Equalization, as in who are members, when they expire, term limits, when they need to be meeting, etc. In terms of the office, where are we at with the technology to start moving to a table format? Mr. Altman stated he would check with her on the status, we have not purchased the tablets yet. Maybe get in in house for 2025 assessment. Gore – If Council is amenable to having that group come in and having the assessor present to Council whatever the recommendation for that group at the same time, could she give us a small snapshot of if she thinks it is feasible.

R-3 – Residency Requirements

Added by Councilor Randolph. Council had asked the Interim City Attorney at that time, while we were looking at Residency Requirements and requested him to give us information about what state law says and other factors and we still have the outstanding what we are or are not going to do. Choices are keep it the way it is or if we changed it who we could change it for. So this is to give Council a chance to direct our current interim City Attorney to care for what the previous interim attorney did not handle.

**February 8, 2022
Regular Meeting
DRAFT**

Motion made by Councilor Randolph and seconded Vice Mayor Partin by to have the current Interim City Attorney to investigate residency requirements and whether Council can dictate employee's residency in Hopewell and report back to Council via email.

ROLL CALL:	Councilor Denton	-	yes
	Councilor Pelham	-	yes
	Mayor Bennett	-	yes
	Councilor Randolph	-	yes
	Councilor Holloway	-	yes
	Vice Mayor Partin	-	yes
	Councilor Gore	-	yes

Motion Passes: 7 – 0

Councilor Gore stated that City Council has in our Charter, Residency Requirements for City Clerk, City Attorney and City Manager. Additionally, we have an Ordinance that provides additional guidelines for Directors and the Assistant City Manager. Our Ordinance says that if a Director is hired and lives outside of the City at the time of hire, he/she can remain there. But if he/she decides to move during the time of employment, he/she would have to the City of Hopewell. Part of that Ordinance says that if want to get waived from that requirement, you would need to get permission from Council.

Motion by Vice Mayor Partin and seconded by Councilor Denton to adjourn.

ROLL CALL:	Councilor Denton	-	yes
	Councilor Pelham	-	yes
	Mayor Bennett	-	yes
	Councilor Randolph	-	yes
	Councilor Holloway	-	yes
	Vice Mayor Partin	-	yes
	Councilor Gore	-	yes

Motion Passes: 7 – 0

Meeting Adjourned

Patience Bennett, Mayor

Mollie Bess, City Clerk

INFORMATION FOR COUNCIL REVIEW

**MINUTES OF THE FEBRUARY 17, 2022 MEETING
OF THE ARCHITECTURAL REVIEW BOARD
City of Hopewell**

A meeting of the Architectural Review Board for the City of Hopewell was held on Thursday, February 17, 2022 at 6:00PM. The meeting was held in the HMA Room of the Appomattox Regional Library located at 209 E. Cawson Street, Hopewell, Virginia.

Architectural Review Board Members present:

Rita E. Joyner, Chairman
Joseph Bailey, Vice Chairman
Stephanie Dayberry
Mary Calos

Staff:

Chris Ward, Senior Planner

The meeting was called to order at 6:01 p.m. by Ms. Joyner. Mr. Ward conducted the roll call. A quorum was established. Ms. Joyner welcomed the ARB members.

ADMINISTRATIVE MATTERS / CONSENT ITEMS

Ms. Joyner asked if there were any requested changes to the agenda. There were none. Ms. Joyner asked if there were any corrections to the minutes. There were none. Ms. Dayberry made a motion to approve the ARB meeting minutes from December 16, 2021. Mr. Bailey seconded. The motion carried 4-0.

CITIZEN COMMENTS

None

CERTIFICATES OF APPROPRIATENESS (COAs)

None

OLD BUSINESS

Mr. Ward stated that 449 Prince Henry was reported for painting the exterior before obtaining an approved Certificate of Appropriateness. He continued that he sent the property owner a violation notice. Mr. Ward stated that the property owner's daughter responded that they had received COA approval in 2016 and the painting job was never finished until now. He continued that, luckily, the property owner's daughter furnished the approval letter from Mr. Wade dated August 5, 2016 since he was unable to find any information in the city files. The ARB members agreed that the matter is now resolved and no further action is needed.

Mr. Ward stated that 505 Prince Henry also received a zoning violation notice because there was concern that the chimney was not being built back to its original profile. He continued that the property owner submitted a COA application stating that the chimney would be built back according to its original profile. Mr. Ward stated that the property owner was unable to attend the meeting that evening but that she would attend a meeting in the spring.

Mr. Ward noted that several community engagements will be occurring this spring and it would be a good time to hold a neighborhood meeting regarding the A Village nomination for listing on the state and federal historic registers. Ms. Calos asked what the ratio was of renters to owners in A Village. Mr. Ward responded that he did not know at this time. Ms. Calos stated that she believes that state and federal designation is meaningless without a local historic district designation because there is no enforcement capability. She continued that houses are being altered and disfigured daily and the local designation is the only way to stop it. Ms. Calos also mentioned that the zoning should be changed to eliminate multi-family housing. Ms. Joyner replied that she has already approached the Planning Commission about that they have declined to take action. She continued that she does not support local district designation for A Village at this time and that DHR was very clear at the one neighborhood meeting we had with the consultants that local designation would not be pursued. Ms. Joyner stated that City Council considered revoking the City Point local district a number of years ago because of some enforcement complaints. Ms. Calos replied that local district status does not need to occur immediately but should be the goal in the long term.

NEW BUSINESS

Mr. Ward noted that he had a discussion with Austin Anderson, City Engineer, about possibly converting the vacant, city-owned property formerly known as the Bank Street garages property, to a public parking lot. He continued that the parking lot would solve the crowded parking issues on Maplewood, Bank and James Streets and could also be a dumpster location, allowing for all the problematic trash to be removed. Ms. Dayberry commented that with the upcoming neighborhood improvements such as the rehabbed Shiloh Lodge and the art gallery at 505 Prince Henry, this would offer additional parking options. The other members agreed. Ms. Dayberry made a motion to approve investigating further the conversion of the Bank Street property to a public parking lot by the City Engineer and City Planner. Mr. Bailey seconded. The motion carried 4-0.

REPORTS FROM BOARD MEMBERS & STAFF

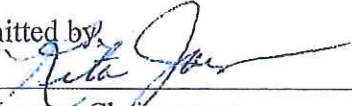
Ms. Joyner asked if there were any reports from members or staff. Mr. Ward asked if the members were agreeable to moving the meeting date because he had a personal conflict with the third Thursdays. Mr. Bailey made a motion to move the meetings to the second Thursday of the month. Ms. Dayberry seconded. The motion carried 4-0.

Ms. Joyner stated that she is working on the nomination of Veterans Circle to the state and national registers.


Mr. Ward updated the members on the planning and research work that is starting with the Shiloh Lodge.

Ms. Dayberry made a motion to adjourn. Mr. Bailey seconded. The motion carried 4-0. The meeting adjourned at 7:02 PM.

Submitted by:



Rita Joyner, Chairperson



Christopher Ward, Senior Planner

DATE: 3/14/2022

HOPEWELL REDEVELOPMENT AND HOUSING AUTHORITY
350 East Poythress Street
Hopewell, VA 23860

REGULAR MEETING OF February 14, 2022

*** MINUTES ***

Minutes of Regular Meeting of the Board of Commissioners of the Hopewell Redevelopment and Housing Authority of the City of Hopewell, Virginia, held Monday, February 14, 2022 at 6:00 p.m.

The meeting was called to order by the Chairman. Roll call, those present and absent were as follows:

- Present:
 - Sheila Flowers, Chairman
 - John Tunstall, Vice-Chairman
 - Ruth Johnson, Commissioner
 - Shamika Lewis, Commissioner
 - Susan Temple, Commissioner – arrived at 6:05 p.m.
 - Anthony Bennett, Jr., Commissioner
 - David Silvestro, Commissioner
- Absent:
 - None
- Also Present:
 - Steven Benham, Chief Executive Officer
 - Madelyn Peay, Chief Operating Officer
 - Sherry Henderson, Executive Secretary
 - Tarvaris McCoy, Chief Development Officer
 - Matt Rigby, Project Manager – Gordian Group

CONSENT AGENDA

C-1 Upon motion made by Vice-Chairman Tunstall and seconded by Commissioner Johnson, with all Commissioners present responding, the Consent Agenda was approved.

Upon roll call, the vote resulted:

- Chairman Flowers - Yes
- Vice-Chairman Tunstall - Yes
- Commissioner Johnson - Yes
- Commissioner Lewis - Yes
- Commissioner Bennett - Yes
- Commissioner Silvestro - Yes

6 Yes; Motion Passed

COMMUNICATIONS FROM CITIZENS: None

R-1 Election of Chair and Vice-Chair for the February 14, 2022 – February 13, 2023 term.

Vice-Chairman Tunstall nominated Sheila Flowers as Chairman, with all Commissioners present responding, the vote resulted:

- Chairman Flowers - Yes
- Vice-Chairman Tunstall - Yes
- Commissioner Johnson - Yes
- Commissioner Silvestro - Yes

Commissioner Lewis nominated Shamika Lewis as Chairman, with all Commissioners present responding, the vote resulted:

- Commissioner Lewis - Yes
- Commissioner Bennett - Yes

The majority vote resulted in Sheila Flowers being elected as Chairman.

Commissioner Johnson nominated Shamika Lewis as Vice-Chairman, with all Commissioners present responding, the vote resulted:

- Commissioner Johnson - Yes
- Commissioner Lewis - Yes
- Commissioner Bennett - Yes
- Commissioner Silvestro - Yes

Chairman Flowers nominated John Tunstall as Vice-Chairman, with all Commissioners present responding, the vote resulted:

- Chairman Flowers - Yes
- Vice-Chairman Tunstall - Yes

The majority vote resulted in Shamika Lewis being elected as Vice-Chairman.

R-2 Summary Report Discussion.

There was no report available for discussion.

R-3 Discussion of Pending List

Mr. Benham presented the pending list to the Board of Commissioners. The following will be completed for the pending list:

1. Item number 54 will remain as a pending item.
2. Item number 55 will remain as a pending item.
3. Item number 56 will remain as a pending item.
4. Item number 57 will remain as a pending item.
5. Item number 58 will be moved to Items Completed.
6. Item number 59 will be added - Discussion of Job Order Contracting.
7. Item number 60 will be added - Commissioner Lewis requested the costs associated with the sewer line issues at Thomas Rolfe Court.
8. Item number 61 will be added - Commissioner Lewis provided an email from Councilor Polkham requesting information from a previous Board of Commissioners meeting.

R-4

Request approval of Resolution No. 908. Contract with Centennial Contractor Enterprises, Inc. VA in the amount of \$179,340.96 to approve cleaning the sewer lines and camera work in Thomas Rolfe Court.

Upon motion made by Commissioner Lewis and seconded by Commissioner Temple, with all Commissioners present responding, approved Resolution No. 908, contract with Centennial Contractor Enterprises, Inc. VA in the amount of \$179,340.96 to approve cleaning the sewer lines and camera work in Thomas Rolfe Court.

Upon roll call, the vote resulted:

- Chairman Flowers - Yes
- Vice-Chairman Tunstall - Yes
- Commissioner Johnson - Yes
- Commissioner Lewis - Yes
- Commissioner Temple - Yes
- Commissioner Bennett - Yes
- Commissioner Silvestro - Yes

7 Yes; Motion Passed

920

R-5 Other Matters

Mr. Benham presented the Board of Commissioners with: 1. Announcement of our new employees: Donna Williams (HCVF Specialist), Paulette Michel (Property Manager for TRC/DV/BC), and Marcus Raney (Maintenance Mechanic); 2. Black History month celebration at John Randolph Hospital is scheduled for February 28 at 2:00 p.m.; 3. Health insurance and Social Security COLA increases, 8.5% and 5.9% respectively; and 4. Joint work session with City Council, dates are March 15 or March 29, does anyone have a conflict with either date? Majority of Board members elected to have March 29 as the date.

R-6 Commissioner Comments (and recommendations for next meeting).

Commissioner Johnson – Can we receive more Emergency Housing Vouchers? Mrs. Peay – During Covid, we received them but I do not see additional vouchers becoming available soon.
There were no other comments by commissioners.

ADJOURNMENT

Upon motion made Commissioner Lewis seconded by Commissioner Johnson with all Commissioners present responding affirmatively, the meeting was adjourned at 7:04 p.m.

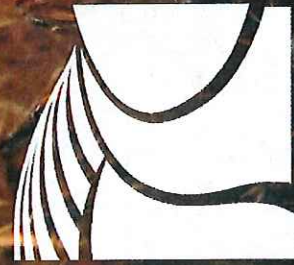
Sheila Flowers

Sheila V. Flowers, Chairman

Steven A. Benham, Jr

Steven A. Benham, Secretary-Treasurer

INFORMATION/ PRESENTATION



JAMES RIVER SOIL AND WATER CONSERVATION DISTRICT

HOPEWELL CITY COUNCIL

MARCH 22ND 2022

District Programs and Services

Community Conservation	Conservation Education	Agricultural Conservation
Virginia Conservation Assistance Program (VCAP)	Dominion Energy Envirothon	Virginia Agricultural Cost-Share Program (VACS)
Rain Barrel Workshops	Youth Conservation Camp	Soil and Water Quality Assessments
Yards of Tomorrow Workshop	Conservation Poster Contest	No-Till Drill Rental

Virginia Conservation Assistance Program (VCAP)

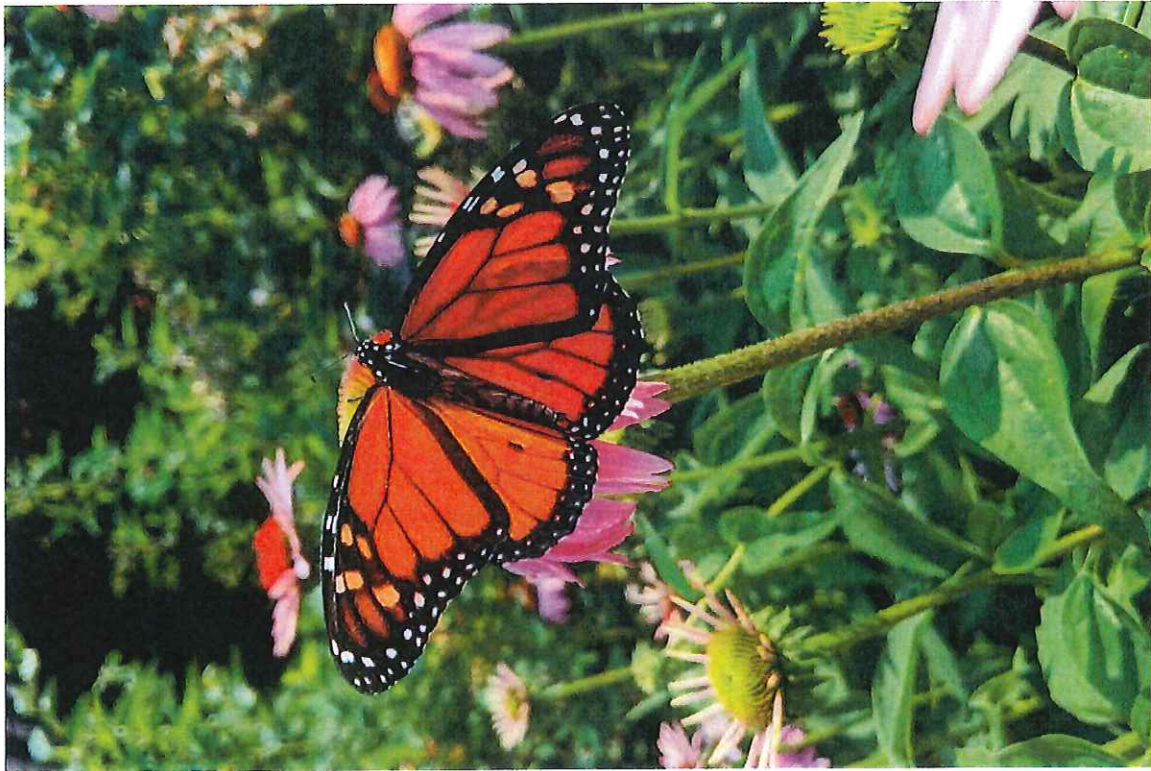
Community Conservation for Home and Business Owners

Support is provided to landowners in urban, suburban, and rural areas to control erosion and runoff on non-agricultural properties through the Virginia Conservation Assistance Program (VCAP).

The VCAP program has twelve practices available to help landowners understand and manage the unique aspects of stormwater runoff on their property.

Cost-share is provided at either a flat rate per practice or a percentage of the total project costs. The VCAP program not only supports our community financially but includes invaluable technical assistance from local conservation professionals.

VCAP is a "retro-fit" program, meaning that all qualifying properties must be five years post-construction.



VCAP Conservation Practices

Conservation Landscaping

Permeable Pavers

Impervious Surface Removal

Rain Gardens

Rainwater Harvesting

Living Shoreline

Dry Wells

Bioretention

Vegetated Stormwater Conveyance

Green Roof

Infiltration

Constructed Wetlands

Conservation Workshops

Rain Barrel Workshops

During these workshops you can create your own custom rain barrel to help keep your yard and garden green all summer long. This workshop provides you with all the knowledge, tools, and equipment needed to DIY your own barrel



Yards of Tomorrow

Like all great endeavors, urban conservation is both a science and an art. During this workshop, we explain how the yards we tend affect our water bodies and communities, and how you can assess, plan and implement your Yard of Tomorrow.

Environmental Education



Dominion Energy Envirothon

The Virginia Dominion Energy Envirothon is a team-based natural resources competition for high school students. Students who participate learn stewardship and management concepts and work to solve real-world environmental problems. The program is field-oriented, community-based and gives students an opportunity to work with natural resource professionals.

Youth Conservation Camp

The Virginia Association of Soil and Water Conservation Districts sponsors a week-long summer conservation camp for Virginia high school students (currently enrolled in grades 9-12) on the campus of Virginia Tech. The program brings together about 60 interested students for a week of learning about Virginia's natural resources from conservation professionals and faculty from Virginia Tech. Most of the instruction is hands-on and outdoors.

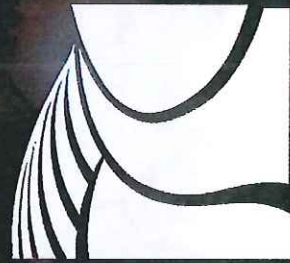
Conservation Poster Contest

The annual Conservation Poster Contest provides kindergarten through twelfth grade students an opportunity to convey their thoughts about soil, water and related natural resource issues through art. It also highlights the educational outreach efforts of conservation districts and their state conservation associations, auxiliaries and agencies. The poster contest theme follows the annual NACD Stewardship theme.

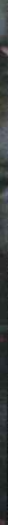
Virginia Agricultural Cost-Share Program

The Virginia Agricultural Cost-Share Program (VACS) supports farmers and landowners in implementing various conservation practices. These practices aim to address runoff on cropland, pastureland, hay land, and forested land. Cost-share is provided at either a flat rate per practice or a percentage of the total project costs. All practices in the VACS program have been included because of their ability to improve or protect water quality; however, many of these practices increase farm productivity by conserving soil, nutrient, and water resources.





**JAMES RIVER
SOIL AND WATER
CONSERVATION DISTRICT**



PUBLIC HEARING

PH-1



CITY OF HOPEWELL CITY COUNCIL ACTION FORM

Strategic Operating Plan Vision Theme:

- Civic Engagement
- Culture & Recreation
- Economic Development
- Education
- Housing
- Safe & Healthy Environment
- None (Does not apply)

Order of Business:

- Consent Agenda
- Public Hearing
- Presentation-Boards/Commissions
- Unfinished Business
- Citizen/Councilor Request
- Regular Business
- Reports of Council Committees

Action:

- Approve and File
- Take Appropriate Action
- Receive & File (no motion required)
- Approve Ordinance 1st Reading
- Approve Ordinance 2nd Reading
- Set a Public Hearing
- Approve on Emergency Measure

COUNCIL AGENDA ITEM TITLE:

Conditional Use Permit for 1404 Roanoke Avenue

ISSUE: The City has received a request from Arlin Griffin, owner of 1404 Roanoke Avenue, for a Conditional Use Permit to place a six (6) foot privacy fence in the front yard.

RECOMMENDATION: Staff recommends the City Council consider public comments regarding the request and vote to approve, approve with conditions or deny the request.

TIMING: The public hearing will be held on March 22, 2022.

BACKGROUND: Privacy fences are not allowed in the front yard without a Conditional Use Permit approved by City Council.

ENCLOSED DOCUMENTS:

- Staff Report
- Application
- Supplemental Documents

STAFF:

Tevya Williams Griffin, AICP, Director, Department of Development

FOR IN MEETING USE ONLY

MOTION: _____

SUMMARY:

Y N

- Councilor Debbie Randolph, Ward #1
- Councilor Arlene Holloway, Ward #2
- Vice Mayor John B. Partin, Ward #3
- Councilor Jasmine Gore, Ward #4

Y N

- Councilor Janice Denton, Ward #5
- Councilor Brenda Pelham, Ward #6
- Mayor Patience Bennett, Ward #7

Roll Call

SUMMARY:

- | Y | N | |
|--------------------------|--------------------------|------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Debbie Randolph, Ward #1 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Arlene Holloway, Ward #2 |
| <input type="checkbox"/> | <input type="checkbox"/> | Vice Mayor John B. Partin, Ward #3 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Jasmine Gore, Ward #4 |

- | Y | N | |
|--------------------------|--------------------------|----------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Janice Denton, Ward #5 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Brenda Pelham, Ward #6 |
| <input type="checkbox"/> | <input type="checkbox"/> | Mayor Patience Bennett, Ward #7 |



Applicant: Arlin Griffin
1404 Roanoke Avenue
Conditional Use Permit

Staff Report prepared for the City Council Regular Meeting

March 22, 2022

This report is prepared by the City of Hopewell Department of Development Staff to provide information to the Planning Commission to assist them in making an informed decision on this matter.

I. PUBLIC HEARINGS:

Planning Commission	December 2, 2021	Recommended approval with conditions
City Council	March 22, 2022	Pending

II. IDENTIFICATION AND LOCATIONAL INFORMATION:

Requested Zoning:	N/A
Existing Zoning:	R-2, Residential, Medium Density
Acreage:	9,150 square feet
Owner:	Arlin Griffin, Jr. and Alisha Bennett
Election Ward:	Ward 7
Land Use Plan Recommendation:	Urban Residential
Strategic Plan Goal:	N/A
Map Location(s):	Sub Parcel #: 047-1165 Lots 19-21, Block 34, Hopewell Terrace Subdivision
Zoning of Surrounding Property:	North: R-2 South: R-2 East: R-2 West: R-2

III. EXECUTIVE SUMMARY:

The City of Hopewell has received a request from Arlin Griffin for a Conditional Use Permit (CUP) to construct a six (6) foot privacy fence in the front yard in accordance with Article XVIII. Development Standards, Section 7. Fencing, sub-section b1(i).

IV. APPLICABLE CODE SECTIONS:

The provisions of the Zoning Ordinance that are germane to this request for a Conditional Use Permit are the following:

Article XVIII. Development Standards, Section 7, Fencing, sub-section b1(i).

b. Permitted Fences.

(1) Residential Zoning Districts.

Fences up to seven (7) feet high shall be permitted along all property lines, subject to the necessary setbacks, for property zoned residential or residential-office or used for single family residences, except:

- i. No fence higher than four (4) feet shall be permitted in any front or corner side yard between the street line and the front or side building line of the subject property and any adjacent property; provided, however, that City Council may grant a Conditional Use Permit for a fence not to exceed seven (7) feet in height in these areas.

Article XXI, Amendments, Section D, Conditional and Special Use Permits, Sub-Section c. 1-3:

1. When the Director has certified that the application is complete, it shall be deemed received and referred to the Planning Commission for its review and recommendation to City Council.
2. The Planning Commission shall, within ninety (90) days after the first meeting of the Planning Commission after such referral, report to the City Council its recommendation as to the approval or disapproval of such application and any recommendation for establishment of conditions, in addition to those set forth in this Article, deemed necessary to protect the public interest and welfare. Failure of the Planning Commission to report within ninety (90) days shall be deemed a recommendation of approval.
3. Upon receipt of the recommendation of the Planning Commission, the City Council, after public notice in accordance with Virginia Code § 15.2-2204.

shall hold at least one public hearing on such application, and as a result thereof, shall either approve or deny the request.

Article XXI, Section D, Conditional and Special Use Permits, subsection (4)

4. In approving any conditional use permit, the City Council may impose conditions or limitations on any approval, as it may deem necessary to protect the public interest and welfare. Such additional standards may include, but need not be limited to:
 - i. Special setbacks, yard or construction requirements, increased screening or landscaping requirements, area requirements, development phasing, and standards pertaining to traffic, circulation, noise, lighting, hours of operation and similar characteristics; and
 - ii. A performance guarantee, acceptable in form, content and amount to the City, posted by the applicant to ensure continued compliance with all conditions and requirements as may be specified.

Article XXI, Amendments, Section D, Sub-Section d.

d. Approval Criteria

As may be specified within each zoning district, the Planning Commission and approval by the City Council shall permit uses permitted subject to conditional use review criteria only after review only if the applicant demonstrates that:

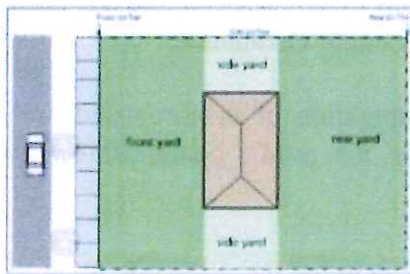
1. The proposed conditional use is in compliance with all regulations of the applicable zoning district, the provisions of this Article, and any applicable General Provisions as set forth in the Zoning Ordinance.
2. The establishment, maintenance, or operation of the proposed use is not detrimental to, and will not endanger, the public health, safety, morals, comfort, or general welfare.
3. The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially impair the use of other property within the immediate proximity.
4. The proposed conditional use conforms to the character of the neighborhood within the same zoning district in which it is located. The proposal as submitted or modified shall have no more adverse effects on

health, safety or comfort of persons living or working in or driving through the neighborhood, and shall be no more injurious to property or improvements in the neighborhood, than would any other use generally permitted in the same district. In making such a determination, consideration shall be given to the location, type, size, and height of buildings or structures, type and extent of landscaping and screening on the site, and whether the proposed use is consistent with any theme, action, policy or map of the Comprehensive Plan.

5. The exterior architectural appeal and function plan of any proposed structure will not be so at variance with both the exterior architectural appeal and functional plan of the structures already constructed or in the course of construction in the immediate neighborhood or the character of the applicable zoning district, and shall enhance the quality of the neighborhood.
6. The public interest and welfare supporting the proposed conditional use is sufficient to outweigh the individual interests, which are adversely affected by the establishment of the proposed use.
7. The proposed use will not result in the destruction, loss or damage of any feature determined to be of significant ecological, scenic or historic importance.

V. SUBJECT PROPERTY:

The applicant placed a six foot privacy fence into the front yard of 1404 Roanoke Avenue. The front yard is described as open space, on the same lot as a building, between the front line of the building (excluding steps) and the front lot or street line, and extending across the full width of the lot. The diagram below gives an illustration of the location of a front, side, and rear yard as defined in the Zoning Ordinance. For easy accessibility during an emergency and for neighborhood aesthetics fences up to four feet are only allowed in a front yard.



The required front yard setback of a primary structure in the R-2 Zoning District is 25 feet. This means that the home must be at least 25 feet from the front property line. The SFD at 1404 Roanoke is 75 feet from the front property line; 45 feet more than required. As the entire length of the property is 122 feet, and the length of the SFD is 32 feet, the rear yard is 15 feet. The applicant contends that the fence was placed in the front yard for privacy and that it does not block the view of any streets.

Staff from the City's Police and Fire department have reviewed this application and have no objection because the fence, while 6 feet, still allows for accessibility. The fence has a gate and does not block the front door.

VI. PLANNING COMMISSION RECOMMENDATION:

In accordance with Article XXI, Amendments, of the Hopewell Zoning Ordinance, the Hopewell Planning Commission recommends approval of the request with conditions. The Planning Commission voted 5-0 to allow the 6 ft. privacy fence in the front yard with the additional condition that the owners plant shrubbery to obscure the bottom 3ft of fence in its entirety within 2 years. This recommendation was given because the City's Fire and Police Department have no conflict with the request, and the application meets the approval criteria as outlined in Article XXI. Amendments.

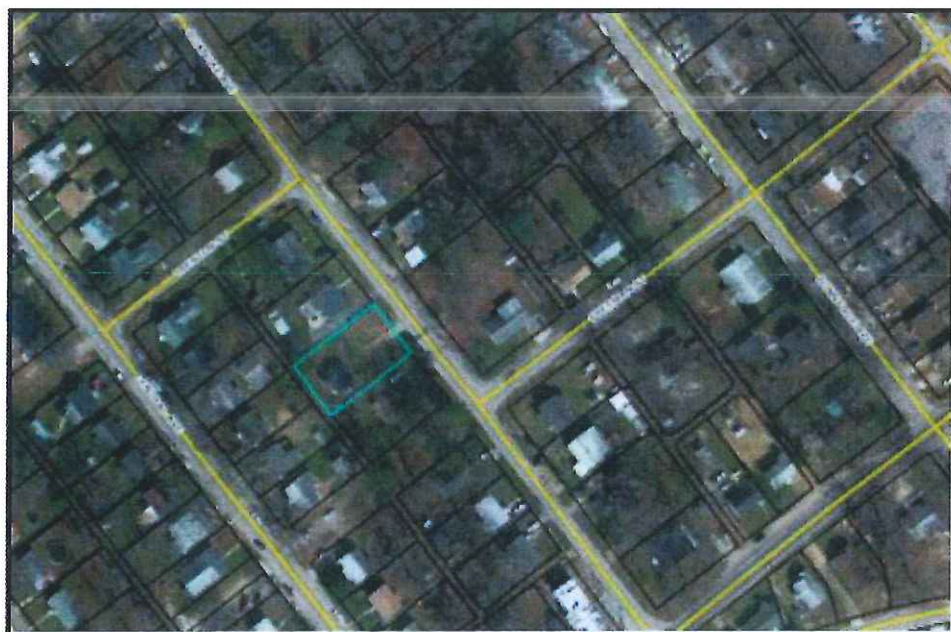
VII. CITY COUNCIL RESOLUTION:

The Hopewell City Council recommends *approval, approval with conditions, or denial* of a request submitted by Arlin Griffin, to keep a 6 ft. privacy fence in the front yard of 1404 Roanoke Avenue.

Attachment(s):

1. Application for Conditional Use Permit
2. Affidavit of Mailing
3. Presentation

Aerial Map



1404 Roanoke Avenue



The City
of
Hopewell, Virginia

300 N. Main Street · Department of Development · (804) 541-2220 · Fax: (804) 541-2318

CONDITIONAL USE PERMIT APPLICATION

APPLICATION FEE: \$300

APPLICATION #

APPLICANT: Antoni Gr. Flin
ADDRESS: 1404 Roanoke Ave Hopewell
Va
PHONE #: 804 926 0687 FAX #: _____
EMAIL ADDRESS: Big AB in Va @ Gmail.com

INTEREST IN PROPERTY: OWNER OR AGENT
IF CONTRACT PURCHASER PROVIDE A COPY OF THE CONTRACT OR A LETTER OF THE PROPERTY OWNER'S CONSENT TO MAKE APPLICATION

OWNER: _____
ADDRESS: _____
PHONE #: _____ FAX #: _____

PROPERTY ADDRESS / LOCATION:

PARCEL #: 0471165 ACREAGE: 9160^{sq} ZONING: R2

*** IF REQUIRED BY ARTICLE 16 OF THE ZONING ORDINANCE, A SITE PLAN MUST ACCOMPANY THIS APPLICATION ***

ATTACH A SCALED DRAWING OR PLAT OF THE PROPERTY SHOWING:

- 1. FLOOR PLANS OF THE PROPOSED BUILDINGS. _____
- 2. THE PROPOSED DEVELOPMENT WITH FRONT, SIDE, AND REAR ELEVATIONS. _____

Application # 20210885

THIS REQUEST FOR A CONDITIONAL USE PERMIT IS FILED UNDER SECTION _____ OF THE ZONING ORDINANCE.

PRESENT USE OF PROPERTY: Residential

THE CONDITIONAL USE PERMIT WILL ALLOW: to not encroach to extend into front yard

PLEASE DEMONSTRATE THAT THE PROPOSAL AS SUBMITTED OR MODIFIED WILL NOT AFFECT ADVERSELY THE HEALTH, SAFETY, OR WELFARE OF PERSONS RESIDING OR WORKING IN THE NEIGHBORHOOD OF THE PROPOSED USE.

wouldn't harm anything see that the fence

PLEASE DEMONSTRATE THAT THE PROPOSAL WILL NOT BE DETRIMENTAL TO PUBLIC WELFARE OR INTERFERE WITH THE PROPERTY OR IMPROVEMENTS IN THE NEIGHBORHOOD.

fence will not block view of any adjacent just the privacy is well provide

PLEASE DEMONSTRATE HOW THE PROPOSAL AS SUBMITTED OR MODIFIED WILL CONFORM TO THE COMPREHENSIVE PLAN AND THE PURPOSES AND THE EXPRESSED INTENT OF THE ZONING ORDINANCE.

AS OWNER OF THIS PROPERTY OR THE AUTHORIZED AGENT THEREFOR, I HEREBY CERTIFY THAT THIS APPLICATION AND ALL ACCOMPANYING DOCUMENTS ARE COMPLETE AND ACCURATE TO THE BEST OF MY KNOWLEDGE.

[Signature]

APPLICANT SIGNATURE

10/26/21

DATE

Patricia Critter

APPLICANT PRINTED NAME

OFFICE USE ONLY

DATE RECEIVED _____ DATE OF ACTION _____

____ APPROVED _____ DENIED

____ APPROVED WITH THE FOLLOWING CONDITIONS:

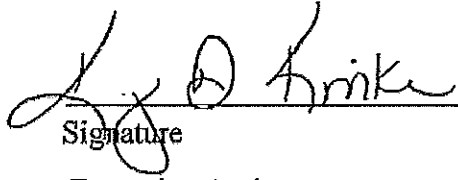






AFFIDAVIT OF MAILING

I, *(Kimberly D. Kinker)*, under oath, hereby certify that the City of Hopewell received a request from Arlin Griffin, owner of 1404 Roanoke Avenue, for a request at 1404 Roanoke Ave. for a Conditional Use Permit to a place a six (6) foot privacy fence in the front yard. Notice was mailed on *(February 25, 2022)* by first class mail, postage prepaid, to all interested property owners, agents, occupants and other parties listed on the attached mailing matrix, all in accordance with Section 15.2-2204, Code of Virginia, 1950, as amended.



Signature

Executive Assistant

Title

COMMONWEALTH OF VIRGINIA
CITY OF HOPEWELL, TO WIT:

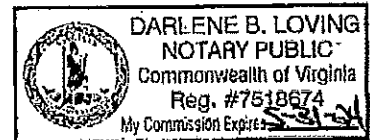
I, undersigned, a Notary Public in and for the jurisdiction aforesaid, do hereby certify that *(Kimberly D. Kinker)* whose name is signed to the foregoing as Executive Assistant for the *(Department of Development/Planning)*, has signed, acknowledged and sworn to the same before me in my jurisdiction aforesaid and, under oath, acknowledged the contents of the foregoing instrument to be true and accurate.

Given under my hand this 28 day of February 2022.

My Commission expires: May 31, 2024



Notary Public





City of Hopewell
Department of Development

300 North Main Street
Hopewell, VA 23860

February 25, 2022

Arlin Griffin
1404 Roanoke Ave.
Hopewell, VA 23860

Dear Mr. Griffin:

The Hopewell City Council will meet on Tuesday, March 22, 2022 at 7:30 p.m. to hold a public hearing regarding your request for a Modification of the Development Standards to locate an accessory structure in the front yard instead of the backyard as required by the Hopewell Zoning Ordinance, Article XVIII, Section 12, Accessory Structures and Structures. Also, your request for a Conditional Use Permit to place a six (6) foot privacy fence in the front yard.

At a public hearing City Staff will provide an overview of the request, with a recommendation. As the applicant, you are allowed to present the request to the City Council. The City Council may also ask you questions. The Code of Virginia also requires the City to notify adjacent property owners of your request. If they choose, they are allowed to provide their opinion in writing or at the meeting.

The meeting on Tuesday, March 22, 2022 will be held in City Council Chambers located at 300 North Main Street, Hopewell, Virginia in City Hall. Please plan to attend this meeting or have a representative attend that can answer questions regarding the application.

Sincerely,

A handwritten signature in cursive script that reads 'Tevya Williams Griffin'.

Tevya Williams Griffin, AICP
Director
Department of Development

SALLIE N LEWIS
7601 SANDY RIDGE RD
HOPEWELL, VA 23860

MELODY N BENNETT
1504 ROANOKE AVE
HOPEWELL, VA 23860

FRANK A WIRTH
9534 HEATHER RD
NORTH CHESTERFIELD, VA
23237-4036

ASUNCION GUADALUPE
1501 ROANOKE AVE
HOPEWELL, VA 23860

SMITH ROCHELLE
1502 ROANOKE AVE
HOPEWELL, VA 23860

EASTER JAMOL & RACHAEL
CLAYTON
1503 CENTRAL AVE
HOPEWELL, VA 23860

RILEY E SR INGRAM
3302 OAKLAWN BLVD
HOPEWELL, VA 23860

CLIFFORD D HARRIS
1403 ROANOKE AVE
HOPEWELL, VA 23860

BRIZZA FRANK
1401 CENTRAL AVE
HOPEWELL, VA 23860

ERIC & JENNIFER MAYTON
PO BOX 443
HOPEWELL, VA 23860

ROBLES JORGE L & JULISSA &
ALEZANDER J
1507 ROANOKE AVE
HOPEWELL, VA 23860

STEVEN BENNETT JR & SALLIE
N LEWIS
2903 BERRY ST
HOPEWELL, VA 23860

ARLIN B GRIFFIN
1404 ROANOKE AVE
HOPEWELL, VA 23860

ALISHA E BENNETT
1404 ROANOKE AVE
HOPEWELL, VA 23860

CHERYL Y EVANS
1403 CENTRAL AVE
HOPEWELL, VA 23860

BARBARA A MCDUGAL
1509 ROANOKE AVE
HOPEWELL, VA 23860

KIRK L TAYLOR
1407 CENTRAL AVE
HOPEWELL, VA 23860

JUNE M TAYLOR
1407 CENTRAL AVE
HOPEWELL, VA 23860

REO RICH, LLC TRUSTEE OF
LAND TRUST
400 A SOUTHLAKE BLVD
NORTH CHESTERFIELD, VA 23236

GLEN & MARTHA N PENLEY
1400 ROANOKE AVE
HOPEWELL, VA 23860

ATLAS NESTA LLC
5200 STONELEIGH RD
HENRICO, VA 23228

CONNIE MASSEY HEART
1402 ROANOKE AVE
HOPEWELL, VA 23860

STEVEN BENNETT JR
2903 BERRY ST
HOPEWELL, VA 23860

SUN FA JIN
261 BLUFFS TERRACE
COLONIAL HEIGHTS, VA 23834

LIN SAI ZHEN
261 BLUFFS TER
COLONIAL HEIGHTS, VA 23834

VANESSA BENTON
1509 CENTRAL AVE
HOPEWELL, VA 23860

WHITNEY MAE WAID
1503 ROANOKE AVE
HOPEWELL, VA 23860

SUSAN P KEPHART
107 OXFORD RD
HOPEWELL, VA 23860

HUDSON FAMILY LIMITED
PARTNERSHIP
601 N 6TH AVE
HOPEWELL, VA 23860



*The City of
Hopewell, Virginia*

Department of Development

300 N. Main Street • Hopewell Virginia 23860 • (804) 541-2220 • Fax: (804) 541-2318

February 25, 2022

NOTICE OF PUBLIC HEARING & MEETING
CITY OF HOPEWELL

Dear Adjacent Property Owner:

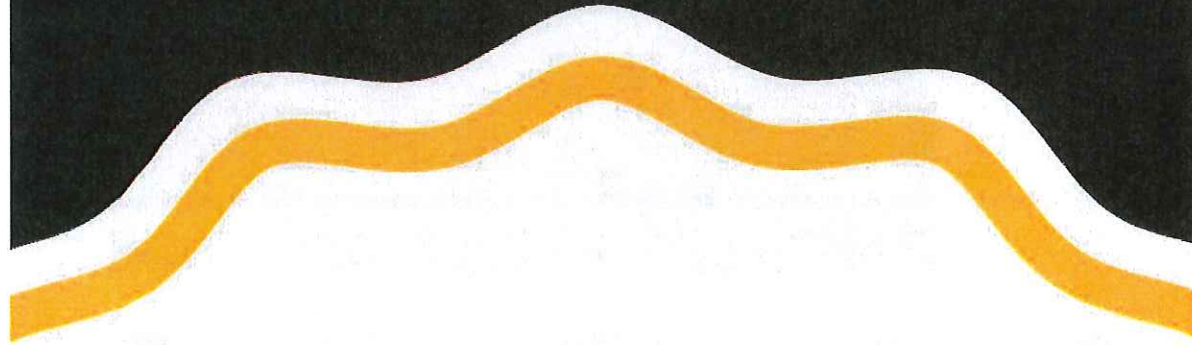
Due to the amount of work loan the Hopewell City Council has your case has been moved to a new date. The Hopewell City Council will conduct a public hearing at a meeting on **Tuesday, March 22, 2022 at 7:30 p.m.** in the City Council Chambers in the Municipal Building, 300 North Main Street, Hopewell, Virginia 23860, for the purpose of receiving comments regarding the following requests in accordance with Article XXII, Amendments of the Hopewell Zoning Ordinance and the Code of Virginia 15.2-2285, and Article XVIII, Development Standards, Section G., Modification to Development Standards and/or Development Requirements:

1. A request from Arlin Griffin, owner of 1404 Roanoke Avenue, for a Conditional Use Permit to a place a six (6) foot privacy fence in the front yard.

If you desire additional information regarding this hearing, please contact the Department of Development at (804) 541-2220. If you would like to speak in favor or against this application please attend the meeting on March 22, 2022. If you are unable to attend the meeting, written correspondence can be hand delivered or mailed to City Hall, at 300 North Main Street, Suite 321, Hopewell, Virginia 23860. Email comments to devdept@hopewellva.gov.

Sincerely,

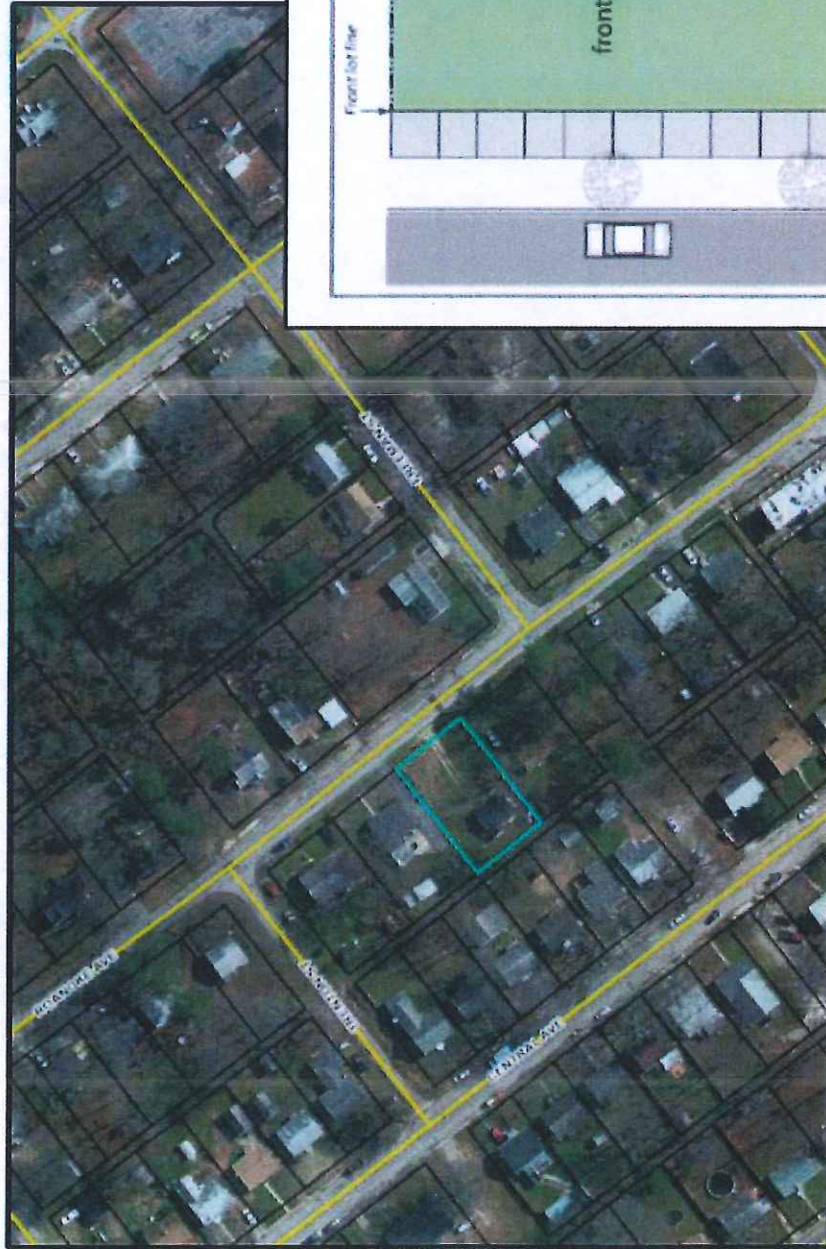
Tevya Williams Griffin, AICP
Director
Department of Development



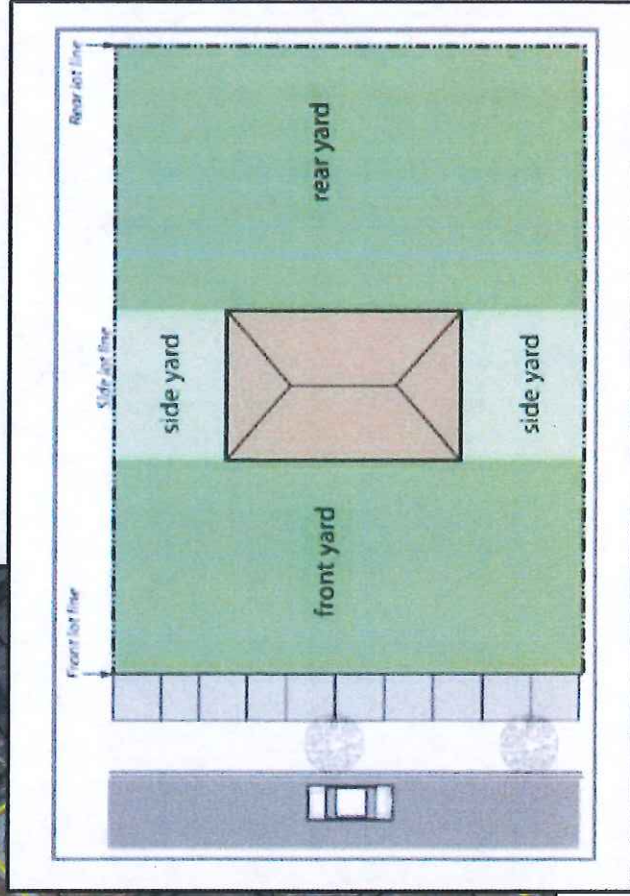
1404 ROANOKE AVE.
CONDITIONAL USE PERMIT

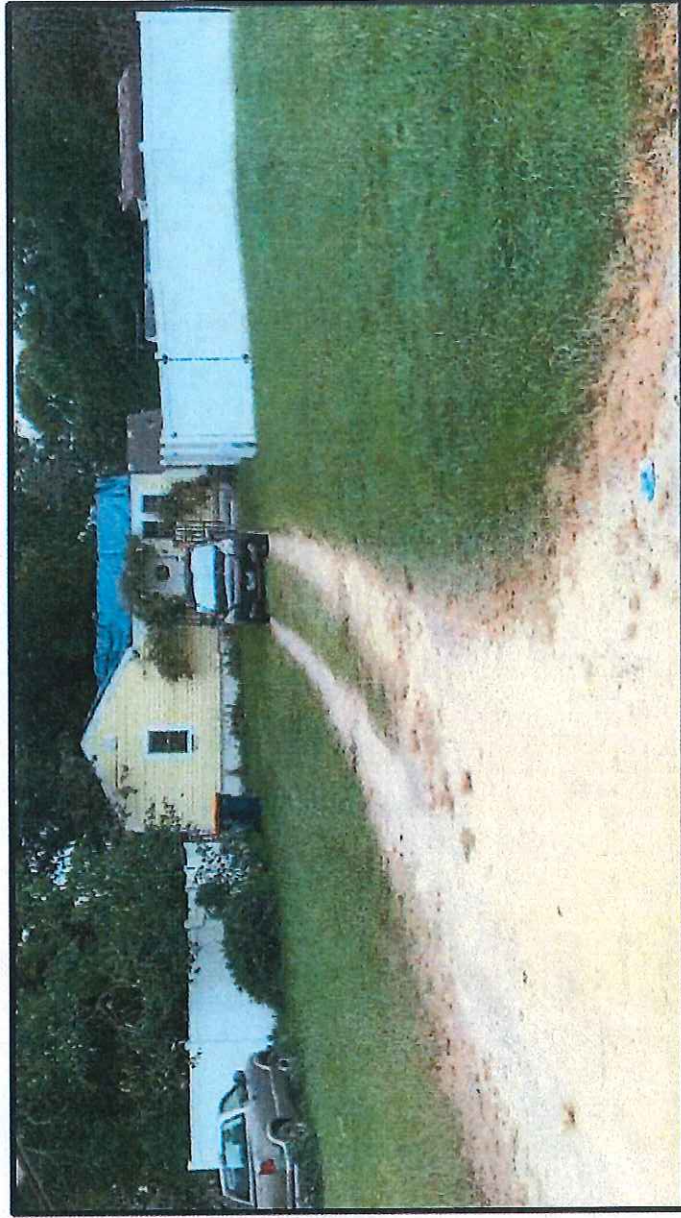
AERIAL MAP OF PROPERTY

1404 Roanoke Avenue



Typical yard setbacks diagram





FENCE IN FRONT YARD



Planning Commission Recommendation

- The Planning Commission voted 5-0 to recommend approval of the permit, with conditions, because the application met the criteria outlined in Article XXI, Section D. Sub-Section d. of the Hopewell Zoning Ordinance. The condition is that the owners must plant shrubbery within 2 years to obscure the bottom 3ft of fence in its entirety.
- Additionally, the Fire and Police Department had no objections to the placement of the fence. According to both departments, the presence of functioning gates gave emergency personnel access to the yard and home.

CITY COUNCIL RESOLUTION

- The Hopewell City Council votes to *approve*, *approve with conditions*, or *deny* a request submitted by Arlin Griffin, to keep a 6 ft. privacy fence in the front yard of 1404 Roanoke Avenue.

PH-2



CITY OF HOPEWELL CITY COUNCIL ACTION FORM

Strategic Operating Plan Vision Theme:

- Civic Engagement
- Culture & Recreation
- Economic Development
- Education
- Housing
- Safe & Healthy Environment
- None (Does not apply)

Order of Business:

- Consent Agenda
- Public Hearing
- Presentation-Boards/Commissions
- Unfinished Business
- Citizen/Councilor Request
- Regular Business
- Reports of Council Committees

Action:

- Approve and File
- Take Appropriate Action
- Receive & File (no motion required)
- Approve Ordinance 1st Reading
- Approve Ordinance 2nd Reading
- Set a Public Hearing
- Approve on Emergency Measure

COUNCIL AGENDA ITEM TITLE:

Conditional Use Permit for 214 South 16th Avenue

ISSUE: The City has received a request from Edgardo Ledee for a Conditional Use Permit to construct a single family detached home at 214 South 16th Avenue, Sub-Parcel #024-0845, in the Residential Medium Density District, (R-2). The parcel size is below the minimum lot square footage requirement and a Conditional Use Permit must be approved prior to construction.

RECOMMENDATION: Staff recommends the City Council consider public comments regarding the request and vote to approve, approve with conditions or deny the request.

TIMING: The public hearing will be held on March 22, 2022.

BACKGROUND: In order to construct a single family detached home in the R-2 Zoning District a parcel must be at least 7,500 square feet. When a parcel is less than the minimum, a Conditional Use Permit is required prior to construction.

ENCLOSED DOCUMENTS:

- Staff Report
- Application
- Supplemental Documents

STAFF:

Tevya Williams Griffin, AICP, Director, Department of Development

FOR IN MEETING USE ONLY**SUMMARY:**

Y	N		Y	N	
<input type="checkbox"/>	<input type="checkbox"/>	Councilor Debbie Randolph, Ward #1	<input type="checkbox"/>	<input type="checkbox"/>	Councilor Janice Denton, Ward #5
<input type="checkbox"/>	<input type="checkbox"/>	Councilor Arlene Holloway, Ward #2	<input type="checkbox"/>	<input type="checkbox"/>	Councilor Brenda Pelham, Ward #6
<input type="checkbox"/>	<input type="checkbox"/>	Vice Mayor John B. Partin, Ward #3	<input type="checkbox"/>	<input type="checkbox"/>	Mayor Patience Bennett, Ward #7
<input type="checkbox"/>	<input type="checkbox"/>	Councilor Jasmine Gore, Ward #4			

MOTION: _____

Roll Call

SUMMARY:

- | Y | N | |
|--------------------------|--------------------------|------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Debbie Randolph, Ward #1 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Arlene Holloway, Ward #2 |
| <input type="checkbox"/> | <input type="checkbox"/> | Vice Mayor John B. Partin, Ward #3 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Jasmine Gore, Ward #4 |

- | Y | N | |
|--------------------------|--------------------------|----------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Janice Denton, Ward #5 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Brenda Pelham, Ward #6 |
| <input type="checkbox"/> | <input type="checkbox"/> | Mayor Patience Bennett, Ward #7 |



Applicant: Edgardo Ledee
214 South 16th Avenue
Conditional Use Permit
Staff Report prepared for the City Council Regular Meeting

This report is prepared by the City of Hopewell Department of Development Staff to provide information to the City Council to assist them in making an informed decision on this matter.

I. PUBLIC HEARINGS:

Planning Commission	November 2021	Recommended Denial
City Council	March 22, 2022	Pending

II. IDENTIFICATION AND LOCATIONAL INFORMATION:

Requested Zoning: N/A
Existing Zoning: R-2, Residential, Medium Density
Acreage: 6,194 square feet
Owner: Jackie Butterworth
Election Ward: Ward 1
Land Use Plan Recommendation: Urban Residential
Strategic Plan Goal: N/A
Map Location(s): Sub Parcel #: 024-0845
Lots 47 & ½ of 48, Block 8, Buren Subdivision
Zoning of Surrounding Property: North: R-2
South: R-2
East: R-2
West: R-2

III. EXECUTIVE SUMMARY:

The City of Hopewell has received a request from Mr. Edgardo Ledee for a Conditional Use Permit (CUP) in accordance with Article IV, Section I, Special Conditions for Nonconforming Lots and Article XVII, Nonconforming Uses, Section F., Nonconforming

Lots of Record, in order to build a single family detached home on a nonconforming lot of record in the Medium Density, R-2. Zoning District.

IV. APPLICABLE CODE SECTIONS:

The provisions of the Zoning Ordinance that are germane to this request for a Conditional Use Permit are the following:

Article IV, Section I, Special Conditions for Non-conforming Lots

For property consisting of less than seven thousand five hundred (7,500) square feet but five thousand (5,000) or more square feet and/or less than seventy (75) feet but fifty (50) feet or more of frontage, an applicant may appeal to City Council for a Conditional Use Permit as allowed in Section XVIII of the Zoning Ordinance for approval to construct a single family dwelling on such lot in accordance with the procedures given in Section XVIII of the Zoning Ordinance.

Article XXI, Amendments, Section D, Conditional and Special Use Permits, Sub-Section c. 1-3:

1. When the Director has certified that the application is complete, it shall be deemed received and referred to the Planning Commission for its review and recommendation to City Council.
2. The Planning Commission shall, within ninety (90) days after the first meeting of the Planning Commission after such referral, report to the City Council its recommendation as to the approval or disapproval of such application and any recommendation for establishment of conditions, in addition to those set forth in this Article, deemed necessary to protect the public interest and welfare. Failure of the Planning Commission to report within ninety (90) days shall be deemed a recommendation of approval.
3. Upon receipt of the recommendation of the Planning Commission, the City Council, after public notice in accordance with Virginia Code § 15.2-2204, shall hold at least one public hearing on such application, and as a result thereof, shall either approve or deny the request.

Article XXI, Section D, Conditional and Special Use Permits, subsection (4)

4. In approving any conditional use permit, the City Council may impose conditions or limitations on any approval, as it may deem necessary to protect the public interest and welfare. Such additional standards may include, but need not be limited to:
 - i. Special setbacks, yard or construction requirements, increased screening or landscaping requirements, area requirements, development phasing, and standards pertaining to traffic.

circulation, noise, lighting, hours of operation and similar characteristics; and

- ii. A performance guarantee, acceptable in form, content and amount to the City, posted by the applicant to ensure continued compliance with all conditions and requirements as may be specified.

Article XXI, Amendments, Section D, Sub-Section d.

d. Approval Criteria

As may be specified within each zoning district, the Planning Commission and approval by the City Council shall permit uses permitted subject to conditional use review criteria only after review only if the applicant demonstrates that:

1. The proposed conditional use is in compliance with all regulations of the applicable zoning district, the provisions of this Article, and any applicable General Provisions as set forth in the Zoning Ordinance.
2. The establishment, maintenance, or operation of the proposed use is not detrimental to, and will not endanger, the public health, safety, morals, comfort, or general welfare.
3. The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially impair the use of other property within the immediate proximity.
4. The proposed conditional use conforms to the character of the neighborhood within the same zoning district in which it is located. The proposal as submitted or modified shall have no more adverse effects on health, safety or comfort of persons living or working in or driving through the neighborhood, and shall be no more injurious to property or improvements in the neighborhood, than would any other use generally permitted in the same district. In making such a determination, consideration shall be given to the location, type, size, and height of buildings or structures, type and extent of landscaping and screening on the site, and whether the proposed use is consistent with any theme, action, policy or map of the Comprehensive Plan.
5. The exterior architectural appeal and function plan of any proposed structure will not be so at variance with either the exterior architectural appeal and functional plan of the structures already constructed or in the course of construction in the immediate neighborhood or the character of the applicable zoning district, and shall enhance the quality of the neighborhood.

6. The public interest and welfare supporting the proposed conditional use is sufficient to outweigh the individual interests, which are adversely affected by the establishment of the proposed use.
7. The proposed use will not result in the destruction, loss or damage of any feature determined to be of significant ecological, scenic or historic importance.

V. SUBJECT PROPERTY:

The minimum square footage required to construct a single family detached home in the R-2 Zoning District is 7,500 square feet. The required lot width at the right-of-way line is 75 linear feet. The subject property meets the minimum square footage requirement but only has 38 feet of frontage at the right of way line and is therefore required to obtain a Conditional Use Permit from City Council.

The subject property is a vacant lot located in the Buren Subdivision at 216 South 16th Avenue, also identified as Sub-Parcel #024-0845. The property is located between two single family detached homes. On this portion of 16th Street from Atlantic Street to Buren there are 15 dwellings. West End Presbyterian Church is located at Atlantic and 16th. An unimproved parking lot is located at the western corner of Atlantic and South 16th and is used for overflow parking for West End Presbyterian Church.

VI. ZONING/STAFF ANALYSIS:

As of March 26, 2019, in order to construct a permitted use on a non-conforming lot of record, applicants must receive a Conditional Use Permit regardless of the zoning district.

When considering a conditional use permit, the City Council must consider the seven conditions outlined in Article XXI of the Zoning Ordinance, cited on page 3. The Council may also impose conditions that are suitable to ensure the character of the neighborhood and zoning district in which the use is locating will not be adversely affected. Conditions may also dictate the architectural style of a proposed structure to ensure it will not be a variance with either the exterior architectural appeal and/or the functional plan of the structures already constructed in the immediate neighborhood or the character of the applicable zoning district.

A single family detached home is a suitable use on this property. The required side yard setback in the R-2 District is 10 feet. With a 38 foot wide lot, the maximum width of the home can be 18 feet.

The applicant has proposed to build a 12' x 17' home. The 204 square studio would have a kitchen and bath as shown on the drawing marked, "Floor Plan". The structure will have a crawl space and brick foundation.

The Building Official and Director met with the applicant to discuss the Conditional Use Permit process and the architectural inventory survey requested by City Council.

An inventory of fourteen (14) homes in the immediate vicinity of the lot in question is attached to this report. The average square feet of the homes are 1,423. All homes were

built prior to 1951. Most homes are Bungalow style with a few Cape Cod's. The exterior material varies from brick, masonite, vinyl and asbestos.

The applicant advised Staff that he plans to construct additions onto the home as finances permit. This initial build should be considered phase 1. Any addition must be constructed to the rear of the home to not encroach in the side yard setback.

VII. PLANNING COMMISSION RESOLUTION:

At their November 2021 meeting the Planning Commission voted 3-0 to recommend denial of the request as submitted by Edgardo Ledee for the following reasons:

The application does not meet standards outlined in *Article XXI, Amendments, Section D, Sub-Section d. Approval Criteria*: Condition 4 and 5, as follows:

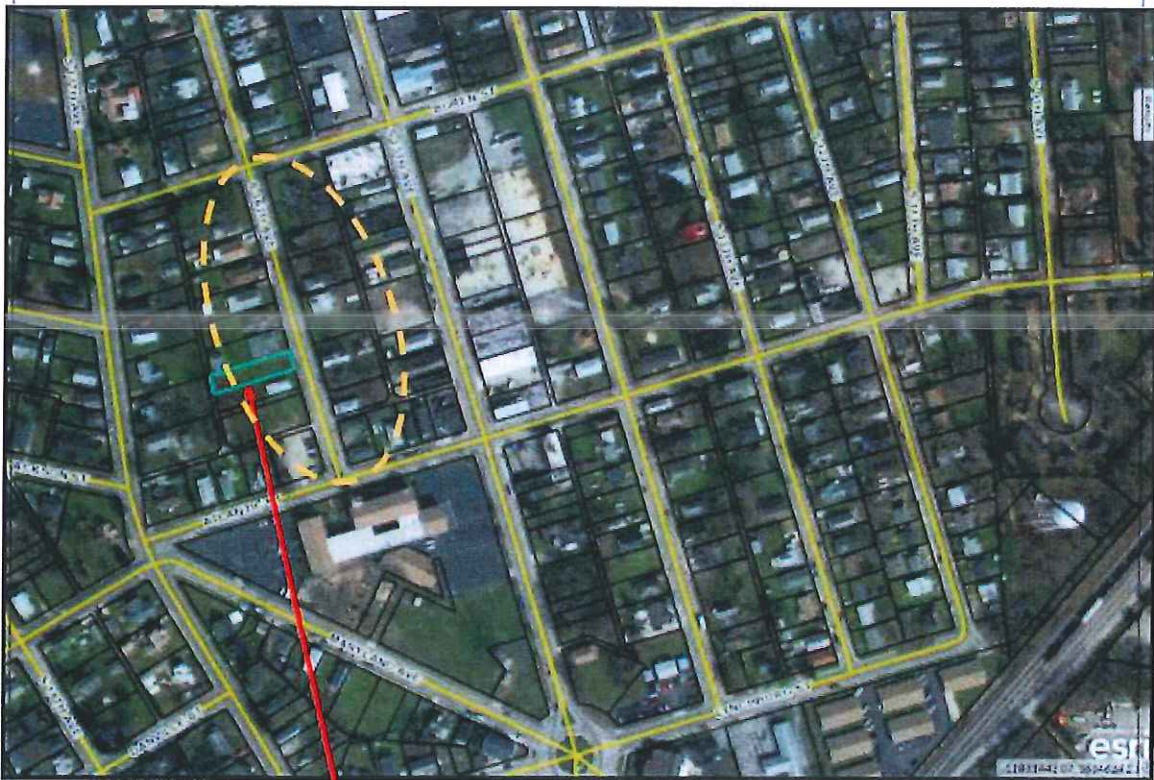
4. The proposed conditional use [does not] conform to the character of the neighborhood within the same zoning district in which it is located. The proposal as submitted or modified shall have no more adverse effects on health, safety or comfort of persons living or working in or driving through the neighborhood, and shall be no more injurious to property or improvements in the neighborhood, than would any other use generally permitted in the same district. In making such a determination, consideration shall be given to the location, type, size, and height of buildings or structures, type and extent of landscaping and screening on the site, and whether the proposed use is consistent with any theme, action, policy or map of the Comprehensive Plan.

5. The exterior architectural appeal and function plan of any proposed structure [is] at variance with either the exterior architectural appeal and functional plan of the structures already constructed or in the course of construction in the immediate neighborhood or the character of the applicable zoning district, and [will not] enhance the quality of the neighborhood.

Attachment(s):

1. Application for Conditional Use Permit
2. Neighborhood housing inventory

Aerial Map



214 South 16th Avenue

Housing Inventory Survey
Area

CITY OF HOPEWELL, VA
Permits & Inspect... - 202107821CUP - 2021
016341-0003 Debra Mc... 09/17/2021 09:12AM
0 -
CONDITIONAL USE PERMIT - REVIEW 300.00
Payment Amount: 300.00
Transaction Amount:
CASH:



The City
of
Hopewell, Virginia

300 N. Main Street · Department of Development · (804) 541-2220 · Fax: (804) 541-2318

CONDITIONAL USE PERMIT APPLICATION

APPLICATION FEE: \$300

APPLICATION #

App # 20210782

APPLICANT: Edgardo Ledee

ADDRESS: 7118 Perrin Dr Prince George, VA 23875

PHONE #: 804-720-5496 FAX #: _____

EMAIL ADDRESS: ledee80@gmail.com

INTEREST IN PROPERTY: OWNER OR _____ AGENT
IF CONTRACT PURCHASER, PROVIDE A COPY OF THE CONTRACT OR A LETTER
OF THE PROPERTY OWNER'S CONSENT TO MAKE APPLICATION.

OWNER: Jackie Butterworth

ADDRESS: 6802 Paragon Pl Ste 410 Richmond, VA 23230

PHONE #: 804-426-4005 / 804-729-5188 FAX #: _____

PROPERTY ADDRESS / LOCATION:
214 S 16th Ave Hopewell, VA 23860

PARCEL #: 024-0845 ACREAGE: .15 ZONING: _____

*** IF REQUIRED BY ARTICLE 16 OF THE ZONING ORDINANCE, ***
A SITE PLAN MUST ACCOMPANY THIS APPLICATION

ATTACH A SCALED DRAWING OR PLAT OF THE PROPERTY SHOWING:

- 1. FLOOR PLANS OF THE PROPOSED BUILDINGS.
- 2. THE PROPOSED DEVELOPMENT WITH FRONT, SIDE, AND REAR ELEVATIONS.

THIS REQUEST FOR A CONDITIONAL USE PERMIT IS FILED UNDER SECTION
OF THE ZONING ORDINANCE.

PRESENT USE OF PROPERTY:

None

THE CONDITIONAL USE PERMIT WILL ALLOW:

To build a modern style property that will comply with all city codes and regulations.

PLEASE DEMONSTRATE THAT THE PROPOSAL AS SUBMITTED OR MODIFIED WILL NOT AFFECT ADVERSELY THE HEALTH, SAFETY, OR WELFARE OF PERSONS RESIDING OR WORKING IN THE NEIGHBORHOOD OF THE PROPOSED USE.

Property will use all available city services. Sewage, water and electric will follow and comply with city codes and regulations.

PLEASE DEMONSTRATE THAT THE PROPOSAL WILL NOT BE DETRIMENTAL TO PUBLIC WELFARE OR INJURIOUS TO THE PROPERTY OR IMPROVEMENTS IN THE NEIGHBORHOOD.

The proposed building will be a dwelling and will be use as a primary residence.

PLEASE DEMONSTRATE HOW THE PROPOSAL AS SUBMITTED OR MODIFIED WILL CONFORM TO THE COMPREHENSIVE PLAN AND THE PURPOSES AND THE EXPRESSED INTENT OF THE ZONING ORDINANCE.

The proposed development will be a modern style building that will fit the land as per codes and regulations.

AS OWNER OF THIS PROPERTY OR THE AUTHORIZED AGENT THEREFOR, I HEREBY CERTIFY THAT THIS APPLICATION AND ALL ACCOMPANYING DOCUMENTS ARE COMPLETE AND ACCURATE TO THE BEST OF MY KNOWLEDGE.



APPLICANT SIGNATURE

09.17.2021

DATE

Edgardo Ledee

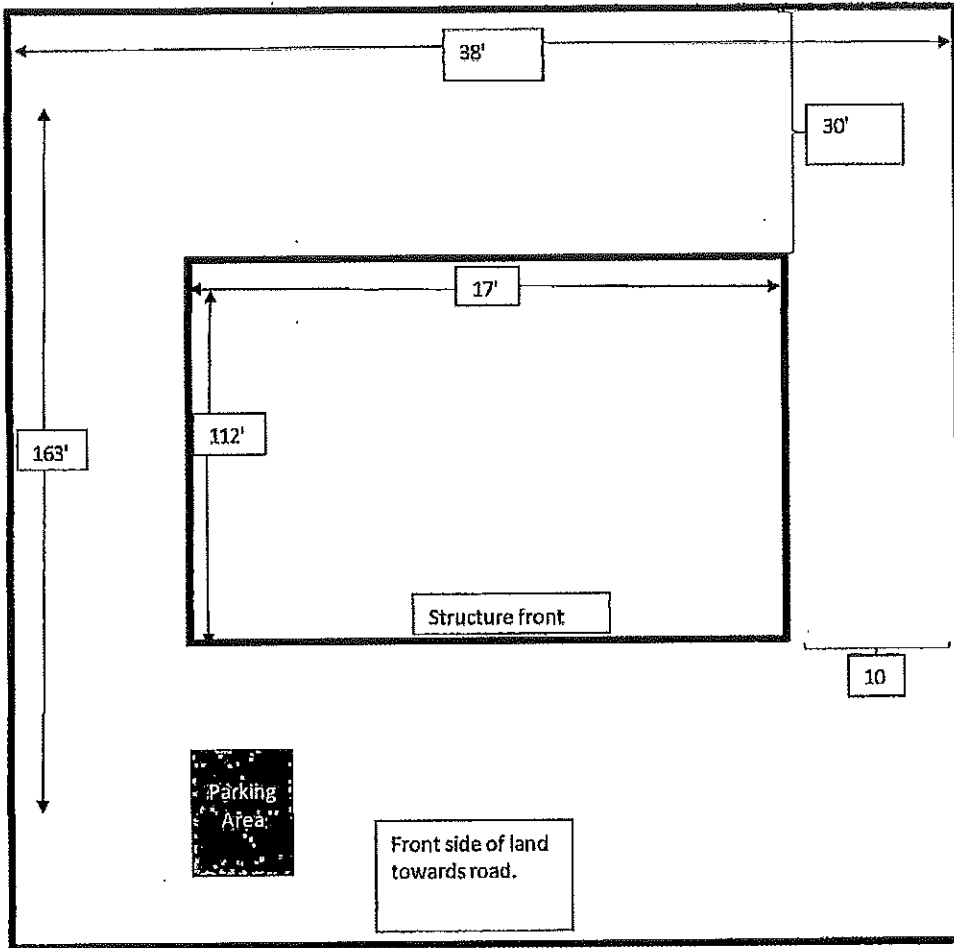
APPLICANT PRINTED NAME

OFFICE USE ONLY

DATE RECEIVED _____ DATE OF ACTION _____

APPROVED _____ DENIED

APPROVED WITH THE FOLLOWING CONDITIONS:





City of Hopewell, VA
Dept. of Code Enforcement
300 N. Main Street
Hopewell, VA 23860
804-541-2220
Welcome

6341-0003 debra m. 09/17/2021 09:12AM

PERMITS / INSPECTIONS	
CONDITIONAL USE PERMIT -	
REVIEW	
2021	Item: 202107821CUP 300.00
Payment Id: 232946	

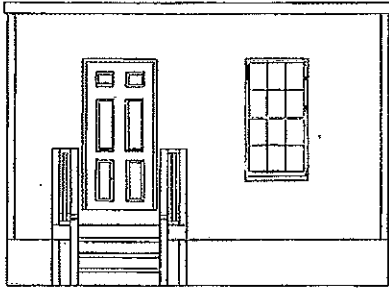
	300.00
Subtotal	300.00
Total	300.00
ASH	300.00

Change due	0.00



Thank you for your payment.

CUSTOMER COPY

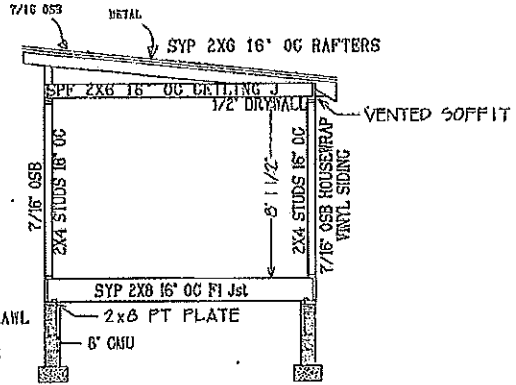


Front Elevation

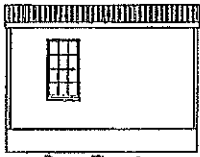
Scale 1/4"=1'

THIS PLAN IS DRAWN TO MEET
IRC 2018 & VRC 2018
BRACED WALL LINES USING
PRACTICAL METHOD

NOTE: FINISHED AREA
R-38 ATTIC INSULATION
R-15 SIDEWALL INSULATION
R-19 FLOOR INSULATION

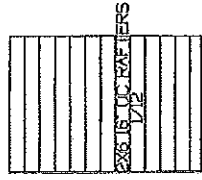


THRU WALL SECTION
SCALE 1/4"=1'



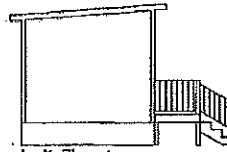
Rear Elevation

Scale 1/8"=1'



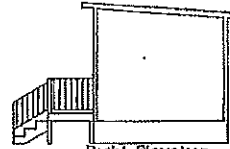
Roof Framing Detail

Scale 1/8"=1'



Left Elevation

Scale 1/8"=1'



Right Elevation

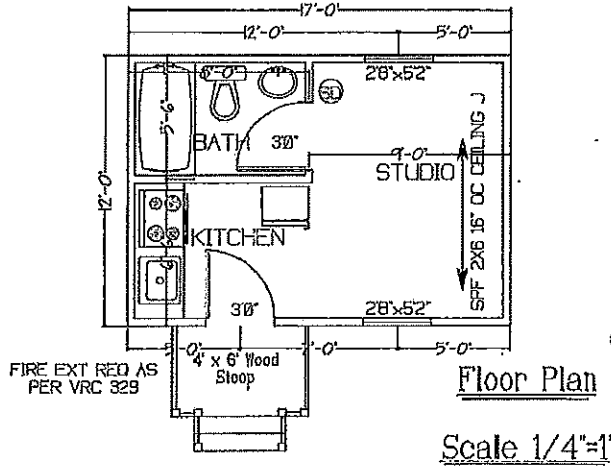
Scale 1/8"=1'

DATE OF PLANS
1/4/21
PLANS DRAWN BY
BRAD PRICE

NetCadDrafting.com
RESIDENTIAL HOUSE PLAN
SERVICES
804-640-0751

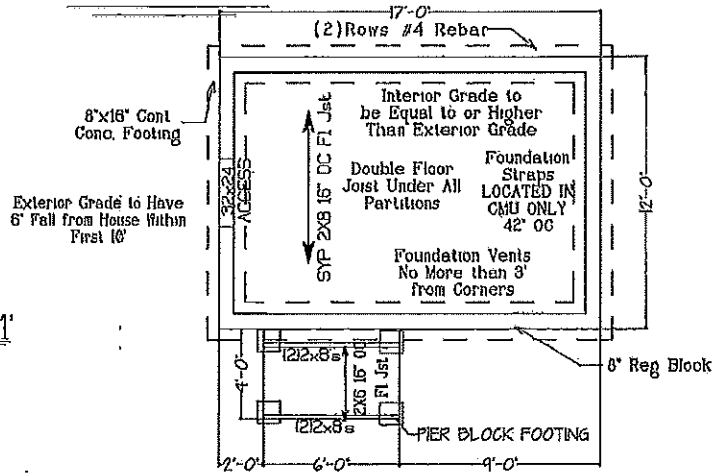
THIS PLAN WAS DESIGNED FOR
STUDIO
HOPEWELL, VA

1
OF
2



NOTE:
UNLESS OTHERWISE NOTED ALL HEADERS
ARE AS FOLLOWS
UNDER 48" - (2)2x8s
48" TO 60" - (2)2x10s
60" TO 72" - (2)2x12s
FOR ALL BEARING WALLS

Foundation Plan
Scale 1/4"=1'



DATE OF PLANS 1/14/21
PLANS DRAWN BY BRAD PRICE

NetCadDrafting.com
RESIDENTIAL HOUSE PLAN SERVICES
804-648-0151

THIS PLAN WAS DESIGNED FOR
STUDIO
HOPEWELL, VA

N
OF
N

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Central Virginia Regional MLS Purchase Agreement For Unimproved Property



(This is a legally binding contract. If you do not understand any part of it,
please seek competent advice before signing.)
(Paragraphs marked with an asterisk * require a blank to be filled in or checked.)

*This Purchase Agreement (the "Agreement") is dated September 9th, 2021, between
Lex Real Estate LLC ("Seller") and
Edgardo Ledea ("Purchaser").
The parties acknowledge EXP Realty LLC ("Listing Broker") represents Seller, and
EXP Realty LLC ("Selling Broker") represents Purchaser.

* 1. **REAL PROPERTY:** Purchaser agrees to buy and Seller agrees to sell the land, all improvements thereon, and appurtenances thereto belonging, located in the City/County of Hopewell, Virginia, and described as (legal description) LOT 47 & 1/2 OF 48 BLK 8 SUBDIVISION: BUREN, Tax Parcel # 024-0845 and more commonly known as: 214 S 16th AVE Hopewell VA 23860 together with the items of personal property described in paragraph 2 (the "Property").

*2. **PERSONAL PROPERTY INCLUDED:** The following items of personal property are Included in this sale:

*3. **PURCHASE PRICE:** The purchase price for the Property is Eight Thousand Dollars (\$ 8,000.00) and shall be determined as follows [select one box]:

- This sale shall be in gross, and the stated purchase price shall be the exact sales price. **OR**
- The Purchase price shall be adjusted at settlement to an exact purchase price of \$ _____ per sq. ft. **OR** per acre. The exact measurements are to be determined by a survey to be made by a licensed surveyor and paid for by _____.

PAYMENT SOURCE: Purchaser shall pay to Seller at settlement the purchase price, subject to the prorations herein and from the following sources [select applicable boxes]:

- This sale is not subject to financing. Purchaser shall pay all cash at closing by bank certified funds or bank wire.
- This sale is is subject to financing. This is subject to Purchaser being able to obtain a [insert loan type]:
\$ _____ ("Loan Amount"), secured by a first deed of trust lien on the Property bearing interest at a [select one box]:
 - fixed rate not exceeding _____% per year **OR**
 - at an adjustable rate with an initial rate not to exceed _____% per year and a maximum rate not to exceed _____% during the term of the loan **OR**
 - at the prevailing rate of interest at the time of settlement.

The loan shall be amortized for a term of _____ years and shall require not more than a total of _____ discount and origination points. Purchaser shall pay the balance of the Purchase Price at settlement, less any deposit, loan amount and/or other credits set forth in this Agreement. Nothing in this Agreement prohibits Purchaser from seeking financing other than as specified above so long as settlement is not delayed and there is no cost to Seller. Purchaser's failure to obtain such alternative financing does not relieve Purchaser from the obligations to obtain the financing specified above.

This sale is subject to Seller financing. Seller Financing Addendum must be completed and attached to this Agreement.

Purchaser shall pay the balance of the Purchase Price at settlement, less any deposit, loan amount and/or other credits set forth in this Agreement.

***4. APPRAISAL:** This sale [select one]: is **OR** is not further subject to the Property's appraised value equaling or exceeding the Purchase Price, which value shall be determined by an appraiser selected by Purchaser's lender (if a cash purchase, the appraiser shall be selected by Purchaser). The appraisal shall be ordered within fifteen (15) days of the Date of Ratification. It shall be the responsibility of Purchaser to advise Purchaser's lender of this requirement. If the appraisal is not ordered within 15 days of the Date of Ratification, then Seller may terminate this Agreement by written notice to Purchaser and subject to the provisions of Paragraph 7, Purchaser's Deposit shall be refunded in full to Purchaser and neither party shall have any further obligation hereunder. If the appraisal is ordered after the 15 day period but Seller has not yet terminated this Agreement, then Seller's right to terminate this Agreement for said purpose is waived.

Regarding the appraisal, if the Purchase Price exceeds the appraised value, Purchaser shall either: (i) proceed with consummation of this Agreement without regard to the amount of the appraised value, or (ii) make a written request to Seller within five (5) days of receipt of the appraisal for a reduction in the Purchase Price so long as the reduced Purchase Price is not lower than the appraised value, and provide Seller a copy of the appraisal (or lender verification of the appraised value). Seller shall then have five (5) days to respond to Purchaser's request for a reduction in the Purchase Price (the "Response Deadline"). If the parties are unable to agree in writing as to a Purchase Price within five (5) days following the Response Deadline, then either Purchaser or Seller may terminate this Agreement by written notice to the other party, and subject to the provisions of Paragraph 7, Purchaser's Deposit shall be refunded in full to Purchaser and neither party shall have any further obligation hereunder. For purposes of this paragraph, Purchaser is deemed to have received a copy of the appraisal when Purchaser is notified in writing of the appraised value of the Property. If Purchaser does not request a reduction in the Purchase Price within five (5) days after receipt of the appraisal, then this condition shall be deemed waived by Purchaser.

***5. FINANCING:** If this Agreement is conditioned upon Purchaser obtaining financing, Purchaser shall make written application for such loan within seven (7) days after the Date of Ratification (as defined in Paragraph 21) and shall make diligent effort to secure a written loan commitment no later than 5:00 p.m. on [select one box]: the settlement date set forth in Paragraph 8 **OR** _____, 20____. If, at the time of such loan application, Purchaser chooses not to lock-in the rate and/or points that meet or exceed the requirements set forth in Paragraph 3, Purchaser waives such rate and point contingency. If this Agreement is not conditioned upon Purchaser obtaining financing, Purchaser shall provide Seller with written verification from a third-party in possession of Purchaser's assets within seven (7) days after the Date of Ratification that Purchaser has sufficient assets to pay the balance of the Purchase Price at settlement. If Purchaser fails to comply with any of the provisions of this paragraph or fails to obtain a written loan commitment by 5:00 p.m. on the date set forth above, then Seller may terminate this Agreement by written notice to Purchaser, and subject to the provisions of Paragraph 7, Purchaser's Deposit shall be refunded in full to Purchaser, and neither party shall have any further obligation hereunder. As used in this paragraph, "diligent effort" shall mean that Purchaser has provided all information or documentation requested by a lender within seven days of each such request and paid all costs associated with such loan application, including but not limited to, application fees, credit reports and appraisal(s). Purchaser authorizes the lender to: (i) disclose to the Listing Broker and Selling Broker information about the progress of Purchaser's loan application and approval, including whether Purchaser has complied with the lender's requests and paid all costs associated with such application and (ii) furnish a copy of Purchaser's loan estimate(s) and closing disclosure(s) to the Selling Broker. If, after diligent effort, Purchaser is unable to obtain financing, then this Agreement shall terminate, and subject to the provisions of Paragraph 7, Purchaser's Deposit shall be refunded in full to Purchaser, and neither party shall have any further obligation hereunder.

6. WIRE FRAUD ALERT: Criminals are hacking email accounts of real estate agents, settlement attorneys/agents and others resulting in fraudulent wire instructions being sent to divert Seller or Purchaser's funds to the criminal's account. These emails look legitimate, but they are not. **Purchaser and Seller are advised not to wire any funds without personally speaking with the intended recipient of the wire to confirm the bank routing number and account number.**

***7. DEPOSIT:** Purchaser shall make a deposit of \$ 100.00 to be held by Brad Butterworth Esq. (the "Escrow Agent") in the form of: check cash other _____ (the "Deposit"). Purchaser [select one]: has paid the Deposit to the Escrow Agent **OR** will pay the Deposit to the Escrow Agent within 5 days (the "Extended Deposit Date") after the Date of Ratification. If Purchaser fails to pay the Deposit as set forth herein, then Purchaser shall be in breach of this Agreement. In such event, at Seller's option and in lieu of all other remedies set forth in this Agreement, Seller may terminate this Agreement by written notice to Purchaser and neither party shall have any further obligation hereunder. If the Escrow Agent is a Virginia Real Estate Board ("VREB") licensee, the parties direct the Escrow Agent to place the Deposit in an escrow account by the end of the fifth business banking day following the latter of: (i) ratification and delivery of this Agreement as defined in Paragraph 21, or (ii) the Extended Deposit Date. If the Escrow Agent is not a VREB licensee, the parties direct the Escrow Agent to place the Deposit in

an escrow account in conformance with applicable Federal or Virginia law and regulations. The Deposit may be held in an interest bearing account and the parties waive any claim to interest resulting from such Deposit. The Deposit shall not be released by the Escrow Agent until (i) credited toward the purchase price at settlement; (ii) Seller and Purchaser agree in writing as to its disposition, (iii) a court of competent jurisdiction orders a disbursement of the funds, or (iv) disbursed in such manner as authorized by the terms of this Agreement and subject to Virginia law and/or VREB regulations. Seller and Purchaser agree that Escrow Agent shall have no liability to any party for disbursing the Deposit in accordance with this paragraph, except in the event of Escrow Agent's negligence or willful misconduct.

If the Property is foreclosed upon while this Agreement is pending, the terms of Virginia Code Section 54.1-2108.1 shall apply to the disbursement of the Deposit. The foreclosure shall be deemed a termination of this Agreement by Seller and, absent any default by Purchaser, the Deposit shall be disbursed to Purchaser.

***8. SETTLEMENT; POSSESSION:** Settlement shall be made at the offices of Brad Butterworth Esq. on or before [select one box and insert closing date]:

December 30th, 2021, or a reasonable time thereafter if the Purchaser or Seller is making diligent effort to satisfy any contingencies contained in this Agreement.

OR
 _____, 20____, if settlement does not occur within ten (10) days following such date (but subject to Seller's right to cure any title defects as set forth in Paragraph 18B, a party who is ready, willing and able to close under the terms of this Agreement may terminate this Agreement by written notice to the other party, and subject to the provisions of Paragraph 7, Purchaser's Deposit shall be refunded in full to Purchaser, and neither party shall have any further obligation hereunder.

Possession of the Property shall be given at settlement, unless otherwise agreed in writing by the parties. Failure to check one box above shall not invalidate this Agreement. The settlement date shall be as inserted above. Seller and Purchaser authorize and direct the settlement agent to provide a copy of Purchaser's closing disclosure (if Purchaser obtains lender financing), settlement statement and/or disbursement summary for this transaction to the Seller, Purchaser, Listing Broker and Selling Broker.

***9. STUDY PERIOD:** Purchaser shall have 60 days from the Date of Ratification to determine whether Purchaser's use or plan of development for the Property is practical. If, prior to the expiration of the study period, Purchaser determines that Purchaser's proposed use or plan of development for the Property is not practical, then Purchaser may terminate this Agreement by written notice to Seller and subject to the provisions of Paragraph 7, Purchaser's Deposit shall be refunded in full to Purchaser, and neither party shall have any further obligation hereunder, except as provided herein. Time shall be of the essence for this Paragraph.

***10. SOIL STUDY:** This Agreement is contingent for _____ days from the Date of Ratification to allow _____ to obtain a soil study and/or percolation test, which shall lawfully allow for the erection and use of _____ on the Property. Such study or test shall be pursued diligently and in good faith and if such study or test reveals that Purchaser's intended use of the Property is not permissible or practicable, Purchaser may terminate this Agreement by written notice to Seller and subject to the provisions of Paragraph 7, Purchaser's Deposit shall be refunded in full to Purchaser, and neither party shall have any further obligation hereunder, except as provided herein.

11. ACCESS: Purchaser and Purchaser's representatives and engineers shall have the right to enter onto the Property at all reasonable times prior to settlement for purposes of engineering, surveying, title or such other work as is permitted under this Agreement, so long as such studies do not result in a permanent change in the character or topography of the Property. Purchaser shall not interfere with Seller's use of the Property, and Purchaser, at Purchaser's expense, shall promptly restore the Property to its prior condition upon completion of Purchaser's studies or work. Purchaser shall keep the Property free and clear from all liens resulting from its work, studies, investigations or other activities performed pursuant to this Agreement and shall indemnify and hold Seller harmless against any loss or liability to person or property resulting from Purchaser's presence or activities on the Property. This obligation shall survive settlement and transfer of title and possession to the Property.

***12. PROPERTY OWNERS' ASSOCIATION DISCLOSURE:** The Seller represents that the Property [select one]:
 is OR is not located within a development which is subject to the Virginia Property Owners' Association Act (Sections 55.1-1800 et. seq. of the Code of Virginia) (the "Act"). If the Property is within such a development, the Act requires the Seller to obtain from the property owners' association an association disclosure packet and provide it to the Purchaser, or Purchaser's authorized agent. The information contained in the association disclosure packet shall be

current as of the specified date on the disclosure packet. The Purchaser may cancel this Agreement (a) within 3 days after the date of this Agreement, if on or before the date that the Purchaser signs this Agreement, the Purchaser receives the association disclosure packet or is notified that the association disclosure packet is not available; (b) within 3 days after receiving the association disclosure packet, if the association disclosure packet or notice that the association disclosure packet will not be available is hand delivered, delivered by electronic means or delivered by a commercial overnight delivery service or the United Parcel Service, and a receipt obtained; or (c) within 6 days after the postmark date if the association disclosure packet or notice that the association disclosure packet will not be available is sent to the Purchaser by United States mail. The Purchaser may also cancel this Agreement at any time prior to settlement if the Purchaser has not been notified that the association disclosure packet will not be available and the association disclosure packet is not delivered to the Purchaser. Notice of cancellation shall be provided to the Seller (owner) or his agent by one of the following methods: (i) hand delivery; (ii) United States mail, postage prepaid, provided the sender retains sufficient proof of mailing, which may be either a United States postal certificate of mailing or a certificate of service prepared by the sender confirming such mailing; (iii) electronic means provided the sender retains sufficient proof of the electronic delivery, which may be an electronic receipt of delivery, a confirmation that the notice was sent by facsimile, or a certificate of service prepared by the sender confirming the electronic delivery; or (iv) overnight delivery using a commercial service or the United States Postal Service. In the event of a dispute, the sender shall have the burden to demonstrate delivery of the notice of cancellation. Such cancellation shall be without penalty, and the Seller shall cause any deposit to be returned promptly to the Purchaser, but not later than thirty days from the date of cancellation. Seller shall provide written instructions to the Association for delivery of the disclosure packet to Purchaser or Purchaser's authorized agent. The right to receive the association disclosure packet and to cancel this Agreement terminates at settlement. If the Purchaser has received the association disclosure packet, the Purchaser has a right, at Purchaser's sole expense, to request an update of such disclosure packet from the property owners' association in accordance with subsection G of Section 55,1-1810. A request for an updated disclosure packet does not extend the cancellation periods set forth above.

13. BROKERAGE FEE: Seller authorizes and directs the settlement agent to disburse to Listing Broker and Selling Broker from the settlement proceeds their respective brokerage fees payable as a result of the sale and settlement set forth under this Agreement. Prior to settlement, Listing Broker and/or Selling Broker shall deliver to the settlement agent a signed written statement setting forth the disbursement instructions for payment of any brokerage fees and any sales incentives payable to each broker.

14. DEFAULT: If either Seller or Purchaser defaults under this Agreement, the defaulting party, in addition to all other remedies available at law or in equity, shall be liable for the brokerage fees set forth in Paragraph 13 and any brokerage fees set forth in Seller's Listing Agreement with the Listing Broker for the Property (which document is hereby incorporated herein by this reference) as if this Agreement and Seller's Listing Agreement had been performed, and for any damages and all expenses incurred by the non-defaulting party, the Listing Broker and the Selling Broker in connection with this transaction and the enforcement of this Agreement and Seller's Listing Agreement, including, without limitation, attorney's fees and court costs. Payment of a real estate broker's fee as the result of a transaction relating to the Property which occurs subsequent to a default under this Agreement, shall not relieve the defaulting party of liability for any brokerage fees due under this Agreement or Seller's Listing Agreement, or for any damages and expenses, including attorney's fees and court costs, incurred by the non-defaulting party, the Listing Broker and the Selling Broker in connection with this transaction.

***15. RELATED BUSINESS AND SERVICES:** The Listing Broker and Selling Broker may engage in mortgage loan, homeowner's and title insurance, real estate settlement, home warranty and other real estate related businesses and services from which they receive compensation during the course of this transaction, in addition to the real estate brokerage fees.

16. PURCHASER DISCLOSURE: Purchaser warrants he/she does not own any real or personal property that must be sold and settled prior to the settlement of this Agreement, except as disclosed in this Agreement.

***17. ADDITIONAL TERMS:**

This contract is contingent on the Buyer receiving approval to build on this lot.

If this does not close before January 1, 2022 this contract will become voided.

18. STANDARD PROVISIONS:

A. EXPENSE PRORATIONS: Seller agrees to pay the expense of preparing the deed and the applicable grantors tax, release fees, and any other fees applicable to the grantor by custom. Except as otherwise agreed herein, Purchaser shall pay all expenses incurred by Purchaser in connection with this Agreement, including without limitation, title examination fees, title insurance premiums, survey costs, recording costs and Purchaser's attorney's fees. All taxes, assessments, interest, rent escrow deposits and other ownership fees, if any, shall be prorated as of the date of settlement. In addition to the Purchase Price, Purchaser agrees to pay Seller for all fuel oil and propane/LP gas remaining in any tanks (if applicable) at the prevailing market price as of the date of settlement.

B. TITLE: At settlement Seller shall convey the Property to Purchaser by a general warranty deed containing English covenants of title, free of all encumbrances, tenancies, and liens (for taxes or otherwise), but subject to such restrictive covenants and utility easements of record which do not materially and adversely affect Purchaser's proposed use of the Property or render the title unmarketable. If the Property does not abut a public road, title to the Property must include a recorded easement providing adequate access thereto satisfactory to Purchaser. In the event this sale is subject to a financing contingency under Paragraph 3, the access to a public road must also be satisfactory to the lender. If the examination reveals a title defect that can be remedied by legal action or otherwise within a reasonable time, Seller, at his/her expense, shall promptly take such action as is necessary to cure such defect. If the defect is not cured within thirty (30) days after Seller receives notice of the defect or if seller is unable to provide access to a public road as provided above, then either party may terminate this Agreement (at the expiration of the thirty (30) day period if termination relates to title defect(s) not being cured) by written notice to the other party. Upon termination of this Agreement, and subject to the provisions of Paragraph 7, Purchaser's Deposit shall be refunded in full to Purchaser and neither party shall have any further obligation hereunder. The parties agree that the settlement date prescribed in Paragraph 8 shall be extended if necessary to enable Seller to cure any title defect, but not for more than thirty (30) days, time being of the essence.

C. LAND USE ASSESSMENT: In the event the Property is taxed under land use assessment and this sale results in disqualification from land use eligibility, Seller shall pay any rollback taxes assessed. If the Property continues to be eligible for land use assessment, Purchaser agrees to make application at Purchaser's expense for continuation under land use, and to pay any rollback taxes resulting from failure to file or to qualify. Notwithstanding anything herein to the contrary, the provisions of this Paragraph C shall survive settlement and the delivery of the deed.

D. RISK OF LOSS: All risk of loss or damage to the Property by fire, windsform, casualty, or other cause is assumed by Seller until settlement. In the event of substantial loss or damage to the Property before settlement, Purchaser shall have the option of either (i) terminating this Agreement, and subject to the provisions of Paragraph 7, Purchaser's Deposit shall be refunded in full to Purchaser and neither party shall have any further obligation hereunder, or (ii) affirming this Agreement, in which event Seller shall assign to Purchaser all of Seller's rights under any policy or policies of insurance applicable to the Property.

E. VA/FHA LOANS: If a VA or FHA loan is selected in Paragraph 3, it is expressly agreed that notwithstanding any other provisions of this Agreement, Purchaser shall not be obligated to complete the purchase of the Property or to incur any penalty by forfeiture of earnest money deposits or otherwise unless the Purchaser has been given in accordance with HUD/FHA or VA requirements a written statement by the Federal Housing Commissioner, Veterans Administration, or a direct endorsement lender setting forth the appraised value of the Property of not less than the Purchase Price. Purchaser shall have the privilege and option of proceeding with consummation of this Agreement without regard to the amount of the appraised value. The appraised value is arrived at to determine the maximum mortgage the Department of Housing and Urban Development will insure. HUD does not warrant the value or the condition of the Property. Purchaser should satisfy himself/herself that the price and condition of the Property are acceptable.

F. MISCELLANEOUS: This Agreement represents the entire agreement between Seller and Purchaser and may not be modified or changed except by written instrument executed by the parties. This Agreement shall be construed according to the laws of the Commonwealth of Virginia and shall be binding upon and shall inure to the benefit of the heirs, personal representatives, successors, and assigns of the parties. To the extent any handwritten or typewritten terms herein conflict with, or are inconsistent with the pre-printed terms hereof, the handwritten or typewritten terms shall control. This Agreement may only be assigned by Purchaser with the written consent of the Seller. If the Seller agrees in writing to an assignment of this Agreement, Purchaser shall remain obligated hereunder until settlement. The parties agree that faxed or electronic transmission of any signed original document shall have the same effect as an original. As used in this Agreement, a "day" shall mean a calendar day and all times are local Eastern Standard Time unless otherwise noted. This Agreement may be signed in one or more counterparts, each of which is deemed to be an original and all of which shall together constitute the same instrument. No party will refuse delivery of any notice from the other party in order to

hinder or delay any deadline established in this Agreement. Unless otherwise provided herein, the provisions of this Agreement affecting title shall be deemed merged into the deed delivered at settlement and shall not survive settlement.

G. MECHANIC'S LIEN DISCLOSURE: Virginia law (§ 43-1 et seq.) permits persons who have performed labor or furnished materials for the construction, removal, repair or improvement of any building or structure to file a lien against the Property. This lien may be filed at any time after the work is commenced or the material is furnished, within 90 days from the last day of the month in which the lien or last performed work or furnished materials or 90 days from the time the construction, removal, repair or improvement is terminated. **AN EFFECTIVE LIEN FOR WORK PERFORMED PRIOR TO THE DATE OF SETTLEMENT MAY BE FILED AFTER SETTLEMENT. LEGAL COUNSEL SHOULD BE CONSULTED.** Seller shall deliver to Purchaser at settlement an affidavit in a form acceptable to Purchaser's title company, signed by Seller, that no labor or materials have been furnished to the Property within the statutory period for the filing of mechanics' or materialmen's liens against the Property. If labor or materials have been furnished to the Property during the statutory period, Seller shall deliver to Purchaser an affidavit signed by Seller and the person(s) furnishing the labor and/or materials that such items have been paid.

19. SELLER REPRESENTATION: Seller warrants each person signing this Agreement as "Seller" includes all persons possessing an ownership interest in the Property or who will be a necessary party to convey clear title to the Property.

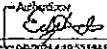
20. ELECTRONIC SIGNATURES: In accordance with the Uniform Electronic Transactions Act (UETA) regarding electronic signatures and transactions, the parties do hereby expressly authorize and agree to the use of electronic signatures (such as Authentisign) as an additional method of signing and/or initialing this Agreement.

***21. ACCEPTANCE:** This Agreement becomes a legally binding agreement only upon ratification and delivery. Unless ratification and delivery of this Agreement occurs by 12 a.m. or p.m. on ~~September 12~~, 2021, this offer shall expire and shall not be binding on either party. If the parties desire to accept an offer that has expired, then (i) the date set forth in this paragraph 21 must be revised to the ratification date (or later), (ii) each party must initial such revision, and (iii) ratification and delivery must occur prior to the revised expiration date.

As used herein, "ratification and delivery" means delivery of a final accepted and signed Agreement to the other party or their respective broker or salesperson by hand delivery, fax or electronic transmission, or by a professional courier service (including overnight delivery service) or by United States mail with return receipt requested. In the event of a dispute, the sender shall have the burden to demonstrate delivery to the recipient of the final accepted and signed Agreement. "Date of Ratification" means the date upon which ratification and delivery occurs. Purchaser and Seller understand that they shall have the right to withdraw any offer at any time prior to ratification and delivery. If either party withdraws an offer, notice shall be deemed effective upon receipt. If any offer is withdrawn, all deposits shall be returned to the Purchaser at no penalty.

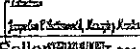
[Signatures appear on next page.]

WITNESS the following authorized signatures:

 09/09/2021
 Purchaser Eduardo Ledea Date

 Purchaser Date

 Purchaser Date

 09/09/2021
 Seller Lex Real Estate LLC Date

 Seller Date

 Seller Date

The following is for informational purposes only:

Selling Broker Company's Name and Address

Listing Company's Name and address

EXP Realty LLC
6802 Paragon Pl Ste 410
Richmond VA 23230

EXP Realty LLC
Richmond VA 23230

Office Phone 8047295188
 Office Fax _____
 DPOR Firm License No.: _____

Office Phone 8047295188
 Office Fax (571) 295-5809
 DPOR Firm License No.: 226027967

Purchaser's Authorized Agent's Information:

Name Jackie Butterworth
 Email realtorbutterworth@gmail.com
 Cell No. 8044264005
 Agent's DPOR License No.: 0225100128

Seller's Authorized Agent's Information:

Name Jackie Butterworth
 Email realtorbutterworth@gmail.com
 Cell No. (804) 426-4005
 Agent's DPOR License No.: 0225100128

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(3) Building Blocks Spread Sheet Community Survey

Filters:

Shape 0.011 sq. miles

Parcel ID	Address	Year Built	Building Stories	Bedrooms
240905	211 16 S, Hopewell, VA	1918	1	3
240885	223 16 S, Hopewell, VA	1939	2	4
240830	208 16 S, Hopewell, VA	1910	1	3
240955	212 15 S, Hopewell, VA	1978	1	
240970	224 15 S, Hopewell, VA	1932	1	
240930	200 15 S, Hopewell, VA	1957	1	
240760	225 17 S, Hopewell, VA	1949	1	3
240765	221 17 S, Hopewell, VA	1974	1	3
240945	208 15 S, Hopewell, VA	1972	1	
240775	215 17 S, Hopewell, VA	1920	1	3
240840	212 16 S, Hopewell, VA	1920	1	2
240825	206 16 S, Hopewell, VA	1915	1	3
240849	216 16 S, Hopewell, VA	1920	1	3
240815	202 16 S, Hopewell, VA	1920	1	3
240845	214 16 S, Hopewell, VA			
240850	16 S, Hopewell, VA			
240935	204 15 S, Hopewell, VA	1958	1	2
240975	226 15 S, Hopewell, VA	1950	1	
240960	S 15TH AVE, Hopewell, VA			
240810	201 17 S, Hopewell, VA	1920	1	4
240890	219 16 S, Hopewell, VA	1940	2	3
240835	210 16 S, Hopewell, VA	1920	2	4
240985	230 15 S, Hopewell, VA	1955	1	
240950	210 15 S, Hopewell, VA	1964	1	
240785	207 17 S, Hopewell, VA	1928	1	2
240780	209 17 S, Hopewell, VA	1920	1	3
240920	201 16 S, Hopewell, VA	1950	2	3
240910	207 16 S, Hopewell, VA	1920	2	3
240820	204 16 S, Hopewell, VA	1920	1	3
240755	237 17 S, Hopewell, VA	1939	2	6
240805	203 17 S, Hopewell, VA	1950	1	3
240900	213 16 S, Hopewell, VA	1920	2	3
		AVERAGE	1.461538462	3.363636364

AFFIDAVIT OF MAILING

I, *(Kimberly D. Kinker)*, under oath, hereby certify that the City of Hopewell received a request for a Conditional Use Permit at 214 S 16th Avenue, also identified as Sub-Parcel # 024-0845, to allow for a single family detached home be built on a non-conforming lot. Notice was mailed on *(February 25, 2022)* by first class mail, postage prepaid, to all interested property owners, agents, occupants and other parties listed on the attached mailing matrix, all in accordance with Section 15.2-2204, Code of Virginia, 1950, as amended.

Kimberly D. Kinker

Signature
Executive Assistant

Title

COMMONWEALTH OF VIRGINIA
CITY OF HOPEWELL, TO WIT:

I, undersigned, a Notary Public in and for the jurisdiction aforesaid, do hereby certify that *(Kimberly D. Kinker)* whose name is signed to the foregoing as Executive Assistant for the *(Department of Development/Planning)*, has signed, acknowledged and sworn to the same before me in my jurisdiction aforesaid and, under oath, acknowledged the contents of the foregoing instrument to be true and accurate.

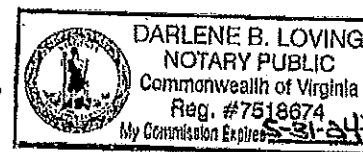
Given under my hand this 28 day of February 2022

My Commission expires:

May 31, 2024

Darlene B. Loving

Notary Public





City of Hopewell
Department of Development

300 North Main Street
Hopewell, VA 23860

February 25, 2022

Edgardo Ledee
7118 Perrin Drive
Prince George, VA 23875

Dear Mr. Ledee:

Due to the amount of work loan the City Council has your case has been moved to a new date. The Hopewell City Council will meet on **Tuesday, March 22, 2022 at 7:30 p.m.** to hold a public hearing regarding your request Sub-Parcel #024-0845, for a Conditional Use Permits to construct a single family detached home on a non-con forming lot located at 214 S 16th Avenue in the Residential, Medium Density (R-2) District.

At a public hearing City Staff will provide an overview of the request, with a recommendation. As the applicant, you are allowed to present the request to the City Council. The City Council may also ask you questions. The Code of Virginia also requires the City to notifying adjacent property owners of your request. If they choose, they are allowed to provide their opinion in writing or at the meeting.

The meeting on **Tuesday, March 22, 2022** will be held in City Council Chambers located at 300 North Main Street, Hopewell, Virginia in City Hall. Please plan to attend this meeting or have a representative attend that can answer questions regarding the application.

Sincerely,

Tevya Williams Griffin, AICP
Director
Department of Development

Estelle & Douglas R Fullerton
204 S 16TH AVE
HOPEWELL, VA 23860

Arnold K Daye
P O BOX 243
HOPEWELL, VA 23860

Raymond L Wyatt
413 JEFFERSON AVE
HOPEWELL, VA 23860

FILE COPY

Brush Randall
232 S 15TH AVE STE C
HOPEWELL, VA 23860

Nguyen Nga Trinh & Nguyen Phung
Duc
4305 MOUNT SINAI ROAD
PRINCE GEORGE, VA 23875

Carol L & Carroll E Wilson
7515 HIDDEN LAKE CIRCLE
MECHANICSVILLE, VA 23111

Jose D & Carol J Hernandez
PO BOX 2397
PETERSBURG, VA 23804

Delancey Kaine
208 S 16TH AVE
HOPEWELL, VA 23860

Mark & Joanna C Kawa
1301 BERMUDA HUNDRED RD
HOPEWELL, VA 23860

PACUN ELIZA L & EMELY
DASALLIA MUSCAT
903 E WESTOVER AVE
COLONIAL HEIGHTS, VA 23834

Robert E JR Brown & Naomi
12413 HENRY LANE
CHESTER, VA 23836

Mark & Joanna C Kawa
212 S 15TH AVE
HOPEWELL, VA 23860

Gile P Hamrick & Janet G
225 S 17TH AVE
HOPEWELL, VA 23860

221 S 17TH AVE LLC
14406 MAYFAIR DR
CHESTER, VA 23836

Dolly B Crowder
11606 MERCHANTS HOPE RD
N PRINCE GEORGE, VA 23860

Oliver Brandon Lee
3417 PRINCE GEORGE DRIVE
PRINCE GEORGE, VA 23875

WESSEL BEVERLY M LIFE
ESTATE
212 S 16TH AVE
HOPEWELL, VA 23860

Stevenson Connor
7203 SPRINGLAKE DR
PRINCE GEORGE, VA 23875

Richard & Frances R Wooten
13112 HOLLIS ROAD
CHESTER, VA 23836

James & Kimberly D Crews
202 S 16TH AVE
HOPEWELL, VA 23860

LEX REAL ESTATE LLC
4103 MONTREAL AVE
PRINCE GEORGE, VA 23875

Russell & Deborah R Hughes
15425 APPOMATTOX ST
CHESTER, VA 23368

Dolly B Crowder
11606 MERCHANTS HOPE RD
N PRINCE GEORGE, VA 23860

Raymond L Wyatt
413 JEFFERSON AVE
HOPEWELL, VA 23860

Robert E & Naomi B Brown
12413 HENRY LANE
CHESTER, VA 23836

Frances & Richard P Wooten
13112 HOLLIS ROAD
CHESTER, VA 23836

Robert D Dereski
8209 SANDY RIDGE RD
N PRINCE GEORGE, VA 23860

Naomi & Roebert Brown
12413 HENRY LN
CHESTER, VA 23836

LEON INVESTMENTS
LLCCONNECT DEALS LLC
7210 COURTHOUSE RD
CHESSTERFIELD, VA 23832

Ronald S & Tracy Wilson
15709 PROVIDENCE RD
PETERSBURG, VA 23805

SILVIA & REGINALD JOHNSON
6981 FOX DRIVE
PRINCE GEORGE, VA 23875

Harold E Harrison
210 S 16TH AVE
HOPEWELL, VA 23860

Kim J & Anthony R Bennett
P O BOX 402
HOPEWELL, VA 23860

Busby Cynthia Demaria
1605 ATLANTIC ST
HOPEWELL, VA 23860

Riley E Ingram Sr.
3302 OAKLAWN BLVD
HOPEWELL, VA 23860

ELITE RENTALS LLC
PO BOX 3208
CHESTER, VA 23831

WEST END PRESBY CHURCH
1600 ATLANTIC ST
HOPEWELL, VA 23860

EAI RENTALS LLC
PO BOX 3208
CHESTER, VA 23831

Michele L & Wesley R Neal
8824 KING DRIVE
DISPUTANTA, VA 23842

ELIZABETH A & RICHARD A
HALL JR
207 S 16TH AVE
HOPEWELL, VA 23860

Estelle & Douglas R Fullerton
204 S 16TH AVE
HOPEWELL, VA 23860



*The City of
Hopewell, Virginia*

Department of Development

300 N. Main Street • Hopewell Virginia 23860 • (804) 541-2220 • Fax: (804) 541-2318

February 25, 2022

NOTICE OF PUBLIC HEARING & MEETING
CITY OF HOPEWELL

Dear Adjacent Property Owner:

Due to the amount of work loan the City Council has your case has been moved to a new date. The Hopewell City Council will conduct a public hearing on **Tuesday, March 22, 2022 at 7:30 p.m.** at the Hopewell Municipal Building, 300 North Main Street, in Council Chambers for the purpose of receiving comments regarding the following requests in accordance with, Article XXI, Amendments, of the Hopewell Zoning Ordinance. The following item will be considered:

1. A request from Edgardo Ledee for a Conditional Use Permit to build a single family detached home on a non-conforming lot located at 214 S 16th Avenue, also identified as Sub-Parcel #024-0845.

If you desire additional information regarding this hearing, please contact the Department of Development at (804) 541-2220. If you would like to speak in favor or against this application please attend the meeting on March 22, 2022. If you are unable to attend the meeting, written correspondence can be hand delivered or mailed to City Hall, at 300 North Main Street, Suite 321, Hopewell, Virginia 23860. Email comments to devdept@hopewellva.gov.

Sincerely,

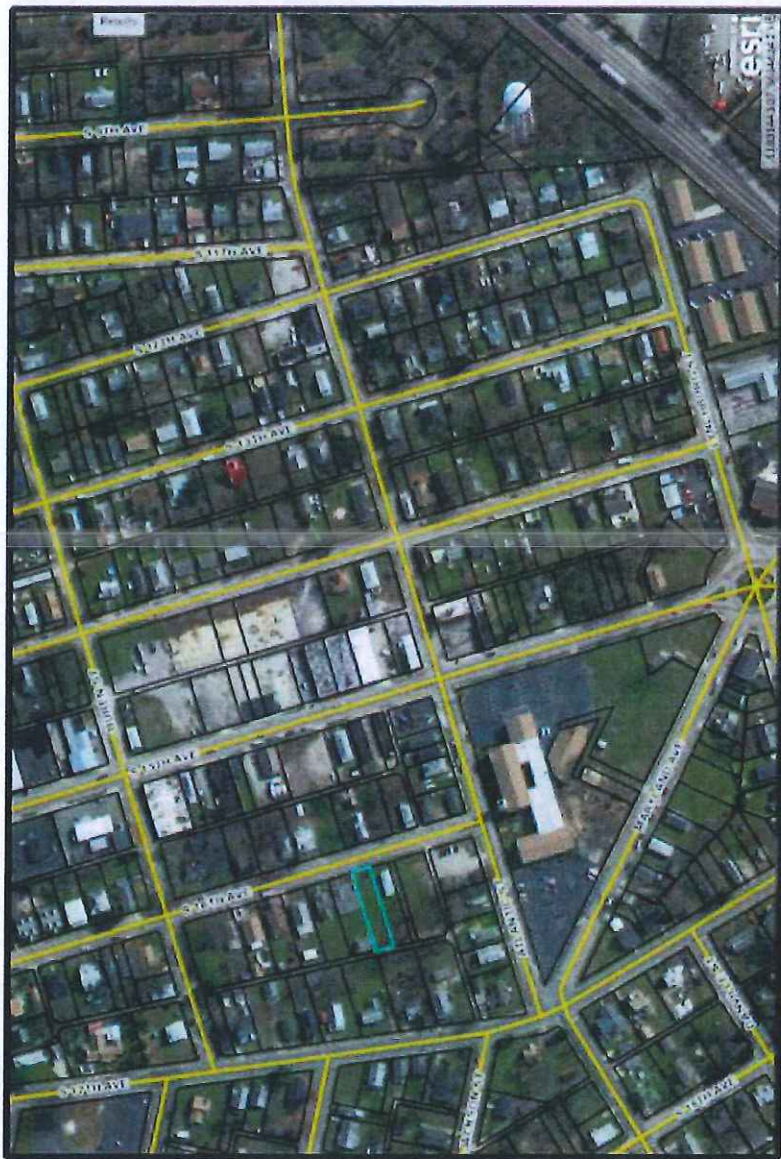
Tevya Williams Griffin, AICP
Director
Department of Development



214 S. 16TH AVE.

CONDITIONAL USE PERMIT

214 SOUTH 16TH AVENUE



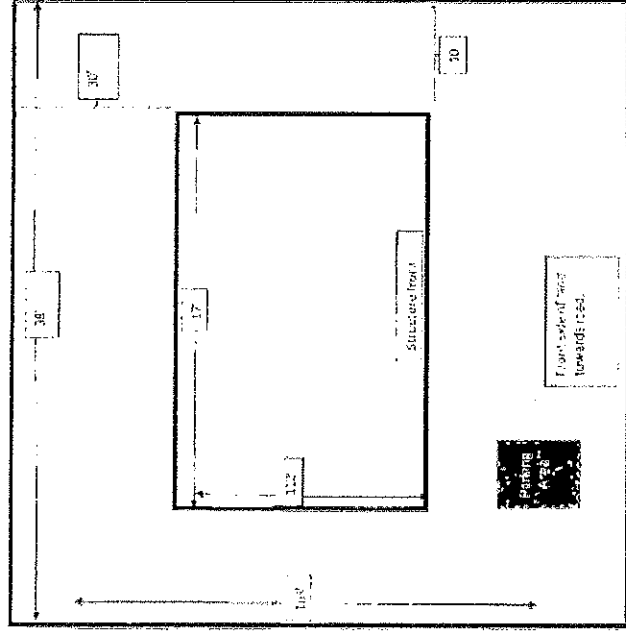


Conditional Use Permit

- REQUEST TO BUILD A SINGLE FAMILY DETACHED HOME ON A NON-CONFORMING PARCEL
- LOCATED IN THE R-2, RESIDENTIAL, MEDIUM DENSITY ZONING DISTRICT


SUBJECT PROPERTY

- Lot Size = 6,194 sq. ft.
- 38 ft. of frontage
- Required lot size: 7,500 sq. ft.
- Required frontage: 75 ft.



NEIGHBORHOOD CHARACTERISTICS

- Average home size: 1,423 square feet
- 3 bedrooms
- 1.5 baths
- 1.5 stories
- Architectural style: Bungalow & Cape Cod



Planning Commission Recommendation

The Planning Commission voted 3-0 to recommend denial of the permit because the application did not meet criteria 4 outlined in Article XXI, Section D. *Sub-Section d. Approval Criteria*. Specifically:

- The size of the structure, is not in keeping with the average size of homes present in the neighborhood.
- The architecture of the proposed home

CITY COUNCIL DECISION

The Hopewell City Council votes *to approve, approve with condition(s), deny a request from Mr. Edgardo Ledee for a Conditional Use Permit (CUP) in accordance with Article IV, Section I, Special Conditions for Nonconforming Lots and Article XVII, Nonconforming Uses, Section F., Nonconforming Lots of Record, to build a single family detached home on a nonconforming lot of record in the Medium Density, R-2, Zoning District.*

PH-3



CITY OF HOPEWELL CITY COUNCIL ACTION FORM

Strategic Operating Plan Vision Theme:

- Civic Engagement
- Culture & Recreation
- Economic Development
- Education
- Housing
- Safe & Healthy Environment
- None (Does not apply)

Order of Business:

- Consent Agenda
- Public Hearing
- Presentation-Boards/Commissions
- Unfinished Business
- Citizen/Councilor Request
- Regular Business
- Reports of Council Committees

Action:

- Approve and File
- Take Appropriate Action
- Receive & File (no motion required)
- Approve Ordinance 1st Reading
- Approve Ordinance 2nd Reading
- Set a Public Hearing
- Approve on Emergency Measure

COUNCIL AGENDA ITEM TITLE:

Conditional Use Permit for Sub-Parcel #024-0305

ISSUE: The City has received a request from David Edwards, owner of Sub-Parcel #024-0305, for a Conditional Use Permit to construct a single family detached home on a non-conforming parcel located in the Residential, Medium Density (R-2) District.

RECOMMENDATION: Staff recommends the City Council consider public comments regarding the request and vote to approve, approve with conditions or deny the request.

TIMING: The public hearing will be held on March 22, 2022.

BACKGROUND: In order to construct a single family detached home in the R-2 Zoning District a parcel must be at least 7,500 square feet. When a parcel is less than the minimum, a Conditional Use Permit is required prior to construction.

ENCLOSED DOCUMENTS:

- Staff Report
- Application
- Supplemental Documents

STAFF:

Tevya Williams Griffin, AICP, Director, Department of Development

FOR IN MEETING USE ONLY

MOTION: _____

SUMMARY:

Y	N		Y	N	
<input type="checkbox"/>	<input type="checkbox"/>	Councilor Debbie Randolph, Ward #1	<input type="checkbox"/>	<input type="checkbox"/>	Councilor Janice Denton, Ward #5
<input type="checkbox"/>	<input type="checkbox"/>	Councilor Arlene Holloway, Ward #2	<input type="checkbox"/>	<input type="checkbox"/>	Councilor Brenda Pelham, Ward #6
<input type="checkbox"/>	<input type="checkbox"/>	Vice Mayor John B. Partin, Ward #3	<input type="checkbox"/>	<input type="checkbox"/>	Mayor Patience Bennett, Ward #7
<input type="checkbox"/>	<input type="checkbox"/>	Councilor Jasmine Gore, Ward #4			

Roll Call

SUMMARY:

Y N

- Councilor Debbie Randolph, Ward #1
- Councilor Arlene Holloway, Ward #2
- Vice Mayor John B. Partin, Ward #3
- Councilor Jasmine Gore, Ward #4

Y N

- Councilor Janice Denton, Ward #5
- Councilor Brenda Pelham, Ward #6
- Mayor Patience Bennett, Ward #7



Applicant: David Edwards
Maryland Avenue – Sub-Parcel# 024-0305
Conditional Use Permit
Staff Report prepared for the City Council Regular Meeting

March 22, 2022

This report is prepared by the City of Hopewell Department of Development Staff to provide information to the City Council to assist them in making an informed decision on this matter.

I. PUBLIC HEARINGS:

Planning Commission	December 2, 2021	Recommended Approval
City Council	March 22, 2022	Pending

II. IDENTIFICATION AND LOCATIONAL INFORMATION:

Requested Zoning:	N/A
Existing Zoning:	R-2, Residential, Medium Density
Acreage:	7,840 square feet
Owner:	David Edwards
Election Ward:	Ward 1
Land Use Plan Recommendation:	Urban Residential
Strategic Plan Goal:	N/A
Map Location(s):	Sub Parcel #: 024-0305 Lots 10 & 11, Block 4, Buren Subdivision
Zoning of Surrounding Property:	North: R-2/B3 South: R-2 East: R-2 West: R-2

III. EXECUTIVE SUMMARY:

The City of Hopewell has received a request from David Edwards for a Conditional Use Permit (CUP) in accordance with Article IV, Section I, Special Conditions for Nonconforming Lots and Article XVII, Nonconforming Uses, Section F., Nonconforming

Lots of Record, in order to build a single family detached home on a non-conforming lot of record in the Medium Density, R-2, Zoning District.

IV. APPLICABLE CODE SECTIONS:

The provisions of the Zoning Ordinance that are germane to this request for a Conditional Use Permit are the following:

Article IV, Section I, Special Conditions for Non-conforming Lots

For property consisting of less than seven thousand five hundred (7,500) square feet but five thousand (5,000) or more square feet and/or less than seventy (75) feet but fifty (50) feet or more of frontage, an applicant may appeal to City Council for a Conditional Use Permit as allowed in Section XVIII of the Zoning Ordinance for approval to construct a single family dwelling on such lot in accordance with the procedures given in Section XVIII of the Zoning Ordinance.

Article XXI, Amendments, Section D, Conditional and Special Use Permits, Sub-Section c. 1-3:

1. When the Director has certified that the application is complete, it shall be deemed received and referred to the Planning Commission for its review and recommendation to City Council.
2. The Planning Commission shall, within ninety (90) days after the first meeting of the Planning Commission after such referral, report to the City Council its recommendation as to the approval or disapproval of such application and any recommendation for establishment of conditions, in addition to those set forth in this Article, deemed necessary to protect the public interest and welfare. Failure of the Planning Commission to report within ninety (90) days shall be deemed a recommendation of approval.
3. Upon receipt of the recommendation of the Planning Commission, the City Council, after public notice in accordance with Virginia Code § 15.2-2204, shall hold at least one public hearing on such application, and as a result thereof, shall either approve or deny the request.

Article XXI, Section D, Conditional and Special Use Permits, subsection (4)

4. In approving any conditional use permit, the City Council may impose conditions or limitations on any approval, as it may deem necessary to protect the public interest and welfare. Such additional standards may include, but need not be limited to:

- i. Special setbacks, yard or construction requirements, increased screening or landscaping requirements, area requirements, development phasing, and standards pertaining to traffic, circulation, noise, lighting, hours of operation and similar characteristics; and
- ii. A performance guarantee, acceptable in form, content and amount to the City, posted by the applicant to ensure continued compliance with all conditions and requirements as may be specified.

Article XVI. Amendments, Section D, Sub-Section d.

d. Approval Criteria

As may be specified within each zoning district, the Planning Commission and approval by the City Council shall permit uses permitted subject to conditional use review criteria only after review only if the applicant demonstrates that:

1. The proposed conditional use is in compliance with all regulations of the applicable zoning district, the provisions of this Article, and any applicable General Provisions as set forth in the Zoning Ordinance.
2. The establishment, maintenance, or operation of the proposed use is not detrimental to, and will not endanger, the public health, safety, morals, comfort, or general welfare.
3. The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially impair the use of other property within the immediate proximity.
4. The proposed conditional use conforms to the character of the neighborhood within the same zoning district in which it is located. The proposal as submitted or modified shall have no more adverse effects on health, safety or comfort of persons living or working in or driving through the neighborhood, and shall be no more injurious to property or improvements in the neighborhood, than would any other use generally permitted in the same district. In making such a determination, consideration shall be given to the location, type, size, and height of buildings or structures, type and extent of landscaping and screening on the site, and whether the proposed use is consistent with any theme, action, policy or map of the Comprehensive Plan.
5. The exterior architectural appeal and function plan of any proposed structure will not be so at variance with either the exterior architectural appeal and functional plan of the structures already constructed or in the

course of construction in the immediate neighborhood or the character of the applicable zoning district, and shall enhance the quality of the neighborhood.

6. The public interest and welfare supporting the proposed conditional use is sufficient to outweigh the individual interests, which are adversely affected by the establishment of the proposed use.
7. The proposed use will not result in the destruction, loss or damage of any feature determined to be of significant ecological, scenic or historic importance.

V. SUBJECT PROPERTY:

The minimum square footage required to construct a single family detached (SFD) home in the R-2 Zoning District is 7,500 square feet. The required lot width at the right-of-way line is 75 linear feet. The subject property is 7,840 square feet with 61 feet of frontage on the street. Therefore, a conditional use permit must be approved to build a SFD.

The property is surrounded by residential structures but commercial establishments are nearby on 15th Avenue (Route 36). This property is considered a non-conforming lot of record.

VI. ZONING/STAFF ANALYSIS:

As of March 26, 2019, in order to construct a permitted use on a non-conforming lot of record, applicants must receive a Conditional Use Permit regardless of the zoning district.

When reviewing a request for a conditional use permit, the Planning Commission must consider the seven conditions outlined in Article XXI of the Zoning Ordinance, cited on page 3. The Commission may also impose conditions that are suitable to ensure the character of the neighborhood and zoning district in which the use is locating will not be adversely affected. Conditions may also dictate the architectural style of a proposed structure to ensure it will not be a variance with either the exterior architectural appeal and/or the functional plan of the structures already constructed in the immediate neighborhood or the character of the applicable zoning district.

When considering a conditional use permit to construct a single family detached home in an established neighborhood Staff conducts an inventory of current homes to determine if the proposed structure is compatible.

The table below provides a summary of the inventory. A total of 26 structures were considered.

Average Year Built	1932	
# of Bedrooms	4	
# of Stories	1.5	
Exterior Siding	50% vinyl	11% masonite
	23% brick	12% stucco, asbestos siding, wood, and concrete block

Average Square Feet	1,309
Average Value of SFD	\$82,776

The applicant is proposing to construct a 1300 square foot home with 3 bedrooms and 2 baths with a brick foundation and covered front porch. The exterior material of the home will be vinyl.

VII. PLANNING COMMISSION RECOMMENDATION:

The Planning Commission voted 5-0 on December 2, 2021 to recommend approval of the request submitted by David Edwards for a Conditional Use Permit (CUP) in accordance with Article IV, Section I, Special Conditions for Nonconforming Lots and Article XVII, Nonconforming Uses, Section F., Nonconforming Lots of Record. The Commission approved the construction of a 1300 square feet single family detached home with 3 bedrooms and 2 bathrooms on a nonconforming lot of record, Sub-Parcel # 024-0305 in the Medium Density, R-2, Zoning District with the additional condition of a brick front porch and foundation.

VIII. CITY COUNCIL RESOLUTION:

In accordance with Article XXI, Amendments, of the Hopewell Zoning Ordinance, the Hopewell City Council votes to *(approve) (approve with conditions) (deny)* the request submitted by David Edwards for a Conditional Use Permit (CUP) in accordance with Article IV, Section I, Special Conditions for Nonconforming Lots and Article XVII, Nonconforming Uses, Section F., Nonconforming Lots of Record, in order to build a single family detached home on a nonconforming lot of record, Sub-Parcel # 024-0305 in the Medium Density, R-2, Zoning District.

Attachment(s):

1. Application for Conditional Use Permit
2. Floor Plan and picture of propose home
3. Neighborhood housing map and inventory

Aerial Map



Sub-Parcel #024-0305



The City
of
Hopewell, Virginia

300 N. Main Street · Department of Development · (804) 541-2220 · Fax: (804) 541-2318

City of Hopewell, VA
Permits / Inspect... - 20210911CUP - 2021
16887-0002 debra mc... 11/04/2021 12:13PM
CONDITIONAL USE PERMIT - REVIEW
Payment Amount: 300.00
Transaction Amount: 300.00
CHECK: 8080

CONDITIONAL USE PERMIT APPLICATION

APPLICATION FEE: \$300

APPLICATION # 20210911

APPLICANT: David Edwards
ADDRESS: PO Box 669
Prince George VA 23875
PHONE #: 804-691-6092 FAX #: _____
EMAIL ADDRESS: debbie.edwards@jamescrest.net

INTEREST IN PROPERTY: OWNER OR _____ AGENT
IF CONTRACT PURCHASER, PROVIDE A COPY OF THE CONTRACT OR A LETTER
OF THE PROPERTY OWNER'S CONSENT TO MAKE APPLICATION.

OWNER: David Edwards
ADDRESS: PO. Box 669
Prince George VA 23875
PHONE #: 804-691-6092 FAX #: _____

PROPERTY ADDRESS / LOCATION:

Maryland Ave Hopewell, VA
PARCEL #: 0240305 ACREAGE: _____ ZONING: R-2
10-11

*** IF REQUIRED BY ARTICLE 16 OF THE ZONING ORDINANCE, ***
A SITE PLAN MUST ACCOMPANY THIS APPLICATION

ATTACH A SCALED DRAWING OR PLAT OF THE PROPERTY SHOWING:

1. FLOOR PLANS OF THE PROPOSED BUILDINGS. _____
2. THE PROPOSED DEVELOPMENT WITH FRONT, SIDE, AND REAR ELEVATIONS. _____

THIS REQUEST FOR A CONDITIONAL USE PERMIT IS FILED UNDER SECTION _____ OF THE ZONING ORDINANCE.

PRESENT USE OF PROPERTY:

OPEN LAND

THE CONDITIONAL USE PERMIT WILL ALLOW:

Construction of a 3BR Home

PLEASE DEMONSTRATE THAT THE PROPOSAL AS SUBMITTED OR MODIFIED WILL NOT AFFECT ADVERSELY THE HEALTH, SAFETY, OR WELFARE OF PERSONS RESIDING OR WORKING IN THE NEIGHBORHOOD OF THE PROPOSED USE.

Proposed dwelling will improve the neighborhood & eliminate unsightly open land where others congregate without permission of owners.

PLEASE DEMONSTRATE THAT THE PROPOSAL WILL NOT BE DETRIMENTAL TO PUBLIC WELFARE OR INJURIOUS TO THE PROPERTY OR IMPROVEMENTS IN THE NEIGHBORHOOD.

Proposed dwelling will not create adverse parking or additional traffic.

PLEASE DEMONSTRATE HOW THE PROPOSAL AS SUBMITTED OR MODIFIED WILL CONFORM TO THE COMPREHENSIVE PLAN AND THE PURPOSES AND THE EXPRESSED INTENT OF THE ZONING ORDINANCE.

Proposed dwelling is within the appropriate zoning of R-2

AS OWNER OF THIS PROPERTY OR THE AUTHORIZED AGENT THEREFOR, I HEREBY CERTIFY THAT THIS APPLICATION AND ALL ACCOMPANYING DOCUMENTS ARE COMPLETE AND ACCURATE TO THE BEST OF MY KNOWLEDGE.

David Edwards
APPLICANT SIGNATURE

10-28-21

DATE

DAVID EDWARDS

APPLICANT PRINTED NAME

OFFICE USE ONLY

DATE RECEIVED _____

DATE OF ACTION _____

APPROVED

DENIED

APPROVED WITH THE FOLLOWING CONDITIONS:



Department of Development
 City of Hopewell, Virginia
 Residential Lot Plans

Official Use Only
Application Number: _____
Permit Number: _____

Affidavit of Responsibility

Application for the following:

Property Address/Parcel: 0240305

Lot: 10-11 Block: 4 Subdivision: Burns

I, David Edwards, by filing this affidavit certify that I am the owner or authorized agent of David Edwards Custom Builder, Inc.; and further, certify that I have enclosed the Residential Lot Plan to be included as part of the Building Permit.

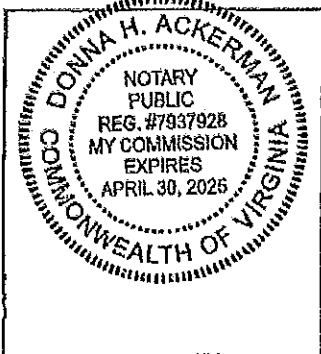
Furthermore, I certify that the lot grading of the aforementioned parcel will be consistent with the submitted plan. If within 12 months after a CO has been issued the City of Hopewell determines that the drainage configuration does not function properly, I will assume full responsibility to make corrections in order that the drainage will function as intended and approved by the City of Hopewell.

APPLICANT NAME (PRINT):

David Edwards

SIGNATURE: [Signature]

DATE: 10/28/2021



CITY/COUNTY OF Prince George

COMMONWEALTH OF VIRGINIA

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME

THIS 28th DAY OF October, ²⁰²¹ 2020 BY

NOTARY PUBLIC: Donna Hewlett Ackerman

NOTARY PUBLIC REGISTRATION NUMBER: 7937928

MY COMMISSION EXPIRES: 4/30/2025

**RESIDENTIAL LOT PLAN CHECKLIST
FOR APPLICANT**

ADDRESS:	_____	PREPARER:	_____
PARCEL/TAX ID:	_____	SF/DUPLEX:	_____
APPLICANT:	_____		
OWNER:	_____		

FORMATTING	INCLUDED	NOT APPLICABLE	COMMENT
Address of Proposed Work			
Tax Map Reference #			
Subdivision Name			
Deed Reference			
North Arrow			
1"=20' Scale or Greater			
Lot Dimensions			
Name, Address, Phone # of Plan Preparer			
Name, Address, Phone # of Lot Owner			
Professional Certification of Lot Plan			

ZONING	INCLUDED	NOT APPLICABLE	COMMENT
Setback Line - Front:	30'		
Setback Line - Side:	10'		
Setback Line - Rear:	40'		
Lot Square Footage	7042 sq ft		
Dimensional Setbacks - deck, pool, accessory, etc.			

EXISTING CONDITIONS	INCLUDED	NOT APPLICABLE	COMMENT
Existing Structure(s) - Location			
Existing Structure(s) - Dimensions			
Existing Structure(s) - Lot Coverage Calc.			
Existing Impervious Surfaces - Location			
Existing Impervious Surfaces - Dimensions			
Existing Impervious Surfaces - Lot Coverage Calc.			
Easements			
Existing utility connection points			
Existing Septic Field/Reserve Drainfields			

ENVIRONMENTAL & STORMWATER	INCLUDED	NOT APPLICABLE	COMMENT
Allowable Buildable Area w/ Enviro. Constraints			
Existing Topography @ 2' Contours			
Topo @ 2' Contours for Site Improvements			
Existing Storm Drainage			
Proposed Storm Drainage			
Water Features			
100-yr Floodplain			
Limits of Clearing/Removal of Vegetation			
E&S Location and Design			
RPA/RMA Boundaries			

PROPOSED IMPROVEMENTS	INCLUDED	NOT APPLICABLE	COMMENT
Proposed Structure - Location			
Proposed Structure - Dimensions			
Proposed Structure - Lot Coverage Calc.			
Temporary Construction Entrance			
Driveway/Off-Street Parking Area(s)			
Retaining Wall(s) - Location & Design			

UNDER SEPARATE COVER (If Applicable)	INCLUDED	NOT APPLICABLE	COMMENT
Soils Test			
Water Quality Impact Assessment (WQIA)			
Wetlands Permit			

ON THE PLAT *



**City of Hopewell
Department of Development
Residential Lot Plans**

This document provides information regarding the requirements to submit a residential lot plan within the City of Hopewell, Virginia. It outlines when a residential lot plan is required and the review process utilized by the City. All plans must be submitted to the Department of Development located in Suite 321 of the Hopewell Municipal Building, 300 North Main Street, Hopewell, VA 23860. Currently there is no fee for this submittal.

The intent of the residential lot plan is to ensure that proposed uses and certain related lot development activities are compatible with approved subdivision plats, proposed subdivision plan applications, and other land disturbing activities as well as to ensure consistency with the zoning regulations and other City ordinances and development guidelines.

For more information about this process please contact the Department of Development at (804) 541-2220.

Why is a Residential Lot Plan Required?

A residential lot plan for each subdivision lot is required to ensure that uses and certain related lot development activities are compatible with approved subdivision plats, new subdivision plats, and public improvements plans as well as to ensure consistency with the zoning regulations. Plans are required for the following land use activities:

- a. Any residential use or any land disturbing activity in a designated Chesapeake Bay Preservation Area related to a residential use;
- b. detached residences in any zoning district on lots or parcels less than 30,000 square feet in area;
- c. accessory buildings or apartments, accessory uses on a residential lot;
- d. private detached garages on a residential lot; and
- e. lots with terrain, utility or locational characteristics that, at the discretion of the Development Director, require lot plan review.

Purpose

The plan is intended to provide necessary and sufficient information to the City to ensure the following:

- f. the lot and the siting and use of the intended structure(s) are in conformance with the approved subdivision plat and public improvements plans for the subdivision in which the lot(s) is located;
- g. site grading, storm water drainage improvements and storm runoff patterns for the subject lot meet or exceed contemporary requirements for residential lot development and do not adversely impact adjoining lots and properties,
- h. all existing easements and rights of way have been identified and respected,
- i. yard and setback requirements and other zoning requirements are identified and respected,
- j. appropriate site planning initiatives are incorporated into the lot development plan,
- k. the development of the lot and as well as the physical siting and use of the intended structure(s) on the lot will not adversely impact or encroach upon adjoining properties,
- l. adequate erosion and sediment controls are provided to protect adjoining properties and public rights of way,
- m. lot access and driveway arrangements that connect to a public or private street meet City standards,
- n. CBPA-O District requirements, where applicable, are fully coordinated with any proposed single family dwelling.

Process

The residential lot plan shall be submitted either in advance of or concurrently with the application for a zoning or building permit:

- o. The residential lot plan shall be submitted to, reviewed by, and acted upon by the Development Director within ten (10) business days upon receipt and application for a zoning permit and building permit, provided that if the residential lot plan is submitted concurrently with the building permit application, the Development Director shall notify the Building Official of action taken on the residential lot plan not later than the Building Official's mandatory building permit review timeframe but not less than five (5) business days from the date of concurrent application.
- p. The Development Director may request the input of the City Engineer,

Building Official or other City Staff in the review of the residential lot plan.

- q. In the event of denial of the residential lot plan by the Development Director, the Development Director shall notify the Building Official of action taken.
- r. If the residential lot plan is denied by the Development Director, the applicant may either (a) revise and resubmit the plan, or (b) petition the matter to be heard by the Planning Commission at their next regularly scheduled meeting.
- s. The applicant shall submit copies (8) copies of the residential lot plan on a sheet not to exceed 11" x 17", unless otherwise approved by the Development Director.
- t. The lot development plan shall be prepared by a certified engineer, surveyor, architect, or landscape architect qualified to do such plans unless otherwise waived by the Development Director.

Required Information

The contents of the residential lot plan shall include the following:

Format

- Address and tax map reference number of lot, deeded name of subdivision plat in which the lot is located, and deed reference for the subject lot.
- North arrow; dimensions of the lot drawn to scale of 1" = 20' or greater, with metes and bounds of lot and yard, and yard setback lines for front, rear and side yards established by zoning district.
- Name, address and telephone number of **plan preparer and lot owner.**
- Certification of the residential lot plan by a professional engineer, surveyor, architect or landscape architect licensed in the State of Virginia. *In lieu of a certified residential plot plan as described, the applicant may submit a self-prepared residential plot plan and an Affidavit of Responsibility.*

Zoning

- Dimensional setbacks from property lines to any structure or improvement, including porches, decks, stairwells, garages, swimming pools, accessory uses, etc.
- Square footage of lot per recorded subdivision plat; calculation and depiction of impervious surfaces.

Existing Conditions

- Location, dimensions, and lot coverage calculation of existing structure(s) and impervious surfaces.
- Easements contained within the lot or physical improvements that impact the lot or contiguous lots.
- Location of utility service connections to public water and sewer, including meter placement for domestic water.
- Location of any existing septic field and reserve drainfield location.

Environmental & Storm water

- *Allowable buildable area of the lot that considers the size and shape of the lot, environmental constraints, and the zoning district setbacks* (i.e. allowable building perimeter in accord with applicable geometric requirements of the zoning district in which the lot is located, and considers environmental constraints.) Include location of existing and proposed vegetation.
- Existing topography and lot improvements, if any, and proposed finished lot grading shown with two foot (2') contour intervals and spot elevations.
- Location of all existing natural or man-made drainage channels and storm sewer facilities, as well as location of proposed drainage improvements, to ensure the adequate conveyance of storm water on and through the property.
- Location and boundaries of any existing storm water management improvements, water features and 100-year floodplain limits that impacts the subject lot(s). In the absence of existing or proposed storm water management improvements within the subdivision, the lot developer shall address alternative Low Impact Development (LID) measures.
- Limits of clearing and lot disturbance.
- Location and design of any erosion and sediment practices that may be required to protect adjoining properties, public rights of way, and utility infrastructure during the construction period.
- Site-specific determination of RPA and RMA boundaries (to be conducted in accord with the requirements of the CBPA-O District.) Any applicable Resource Protection Areas (RPA) notations as may be related to: (1) retention of an undisturbed, vegetated 100' RPA, and (2) land development within the RPA is to be limited to water dependent facilities or redevelopment as shown on city maps.

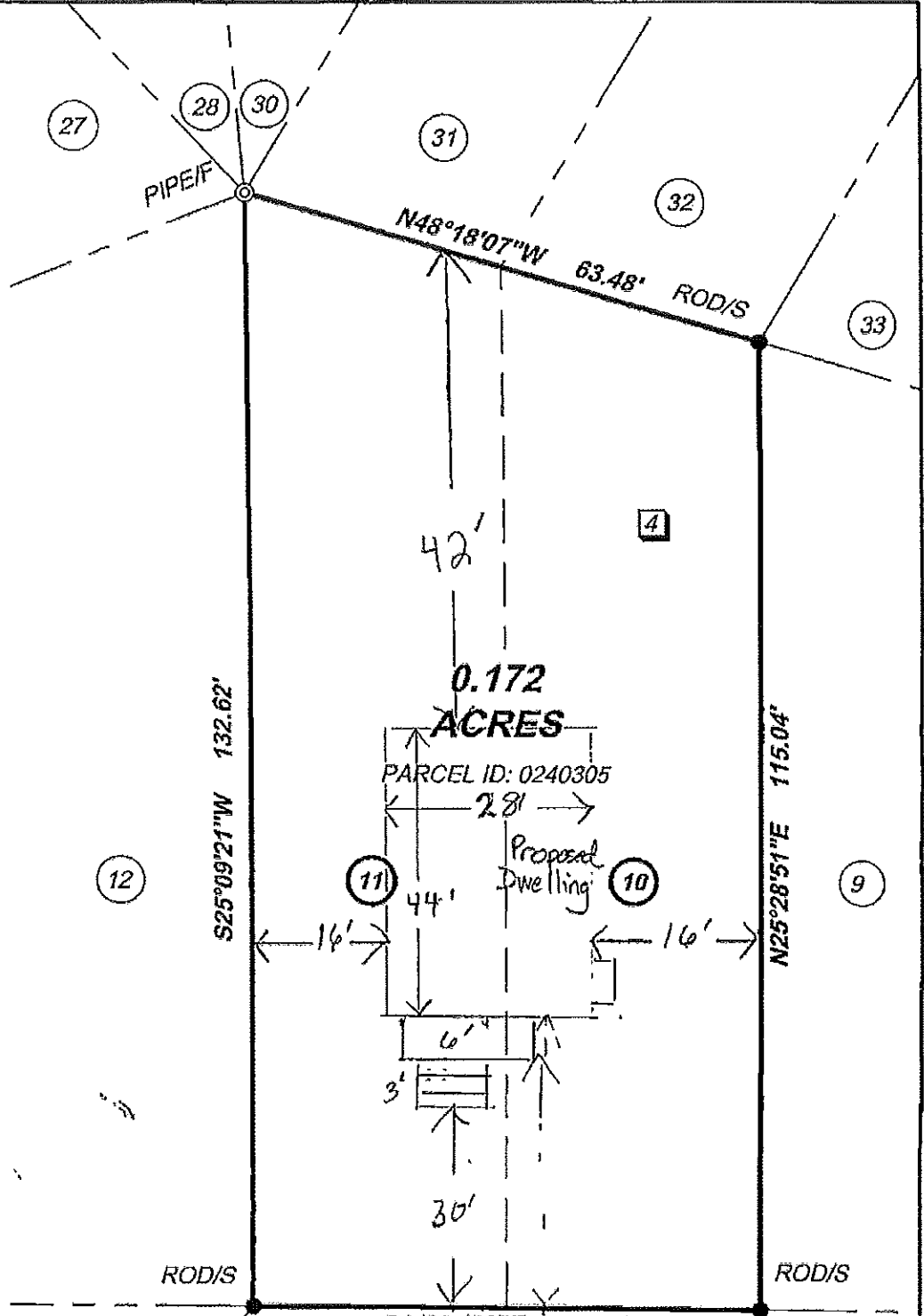
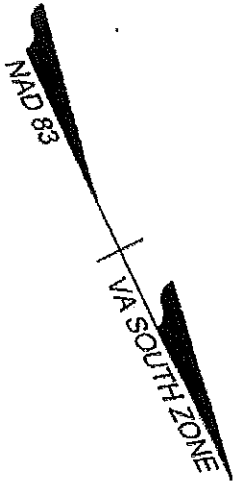
Proposed Improvements

- Location, dimensions, and lot coverage calculation of proposed structure(s) and impervious surfaces.
- Location, design, material type, and coverage of all required off-street parking, parking access, street entrances, driveways, and temporary construction entrances, where applicable.
- Location and design of retaining walls.

Under Separate Cover, If Applicable

- Geotechnical evaluation and certified engineering design for building foundation for lots that contain shrink/swell soils, highly erodible soils, or other geological attribute(s) that could impact construction, *as required by the Building Official.*
- Evidence of approved Water Quality Impact Assessment, if required by the Zoning Administrator.
- Evidence of wetlands permits *if required by Chapter 25 Code of Hopewell and approved by the Hopewell Wetlands Board. If you have not gone through this process it is likely the property does not have wetlands and this requirement is not applicable.*

Words in italics represent additional information provided to clarify residential lot plan requirements. They are not included in the Hopewell Zoning Ordinance.



SURVEY NOTES:

BASED ON GRAPHIC DETERMINATION THIS PROPERTY IS IN ZONE "X" OF THE HUD DEFINED FLOOD HAZARD AREA AS SHOWN ON F.E.M.A. FLOOD INSURANCE RATE MAP, COMMUNITY PANEL #5100800016D DATED 07/16/15

THIS IS TO CERTIFY THAT ON 09/02/2021 TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF, I MADE AN ACCURATE FIELD SURVEY OF THE PREMISES SHOWN HEREON, THAT ALL IMPROVEMENTS KNOWN OR VISIBLE ARE SHOWN HEREON; THAT THERE ARE NO VISIBLE ENCROACHMENTS BY IMPROVEMENTS EITHER FROM ADJOINING PREMISES OR FROM SUBJECT PREMISES UPON ADJOINING PREMISES OTHER THAN AS SHOWN HEREON.

THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE BINDER AND MAY THEREFORE NOT SHOW ALL EXISTING EASEMENTS OR OTHER PERTINENT FACTS WHICH MAY AFFECT THE PROPERTY.

0.172 ACRES

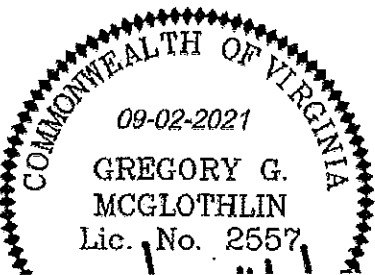
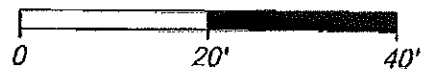
PARCEL ID: 0240305

Proposed Dwelling

321.40' TO WASHINGTON CIRCLE INTERSECTION

**MARYLAND AVE.
60' R/W
P.B.1 PG. 3**

SCALE 1"=20'



PLAT SHOWING A LOT SURVEY OF 0.721 ACRES OF LOTS NO.10 AND 11,

SECRET

SECRET SUBDIVISION
DR 1 DC 2

BEDROOM 3

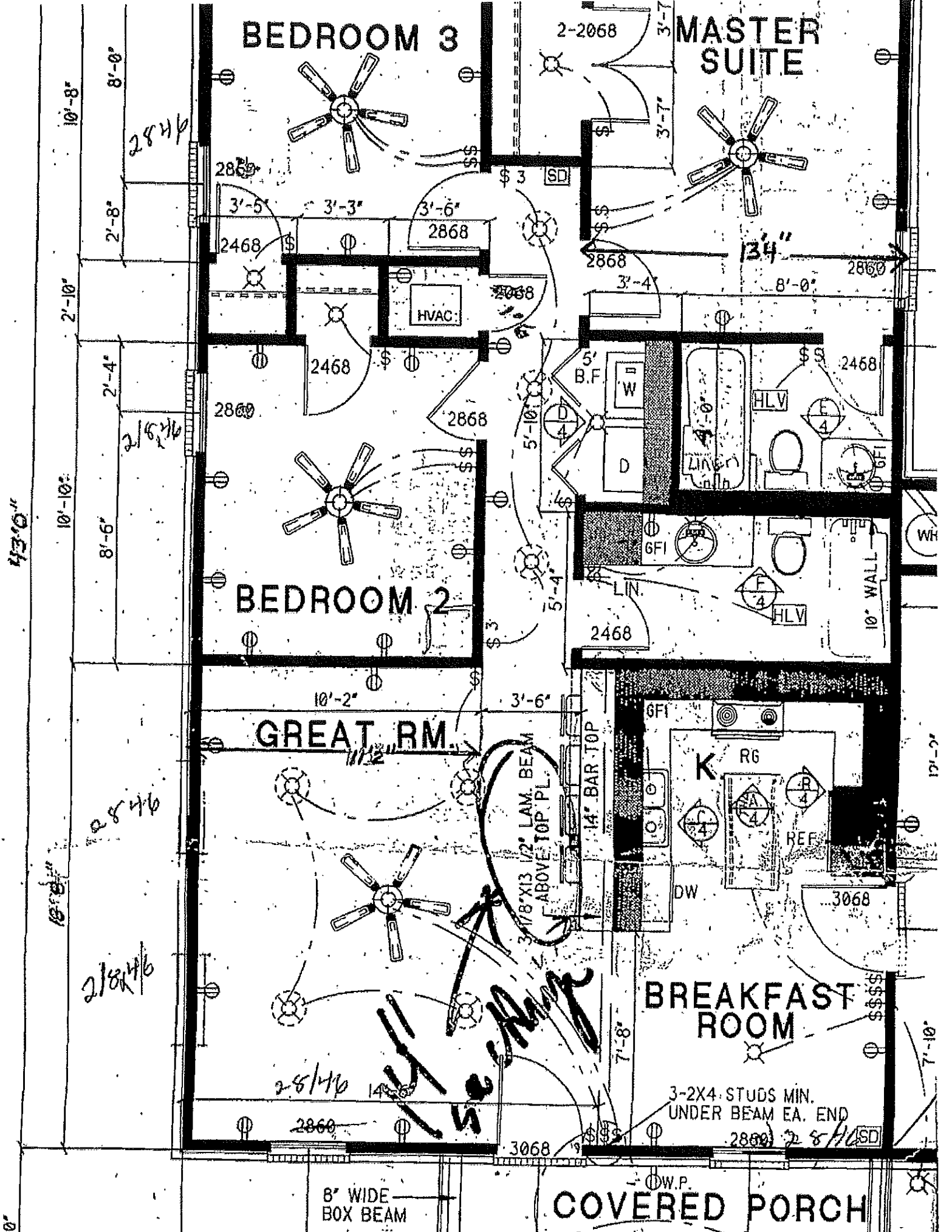
MASTER SUITE

BEDROOM 2

GREAT RM.

BREAKFAST ROOM

COVERED PORCH



43'-0"

2846

21846

2846

21846

2846

3-2X4 STUDS MIN. UNDER BEAM EA. END

8' WIDE BOX BEAM

D.W.P.

10'-8"
8'-0"
2'-8"
2'-10"
2'-4"
10'-10"
8'-6"
10'-2"
10'-0"

2-2068

2860

2468

2868

2860

2868

2868

2860

2860

2468

2468

10'-2"

3'-6"

3068

3068

2860

28 ASD

1'-0"

10'-0"

7'-10"

10'-0"

10'-0"

3x18x13 1/2" LAM. BEAM ABOVE TOP PL.

14" BAR TOP

10" WALL

HVAC

B.F.

D

W

K

DW

RG

REF

WH

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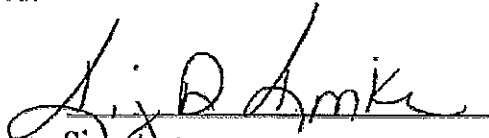
HLV

Proposed dwelling for C.D.P. apps.



AFFIDAVIT OF MAILING

I, (*Kimberly D. Kinker*), under oath, hereby certify that the City of Hopewell two request submitted by David Edwards, owner of Sub-Parcel #024-0305, for a Conditional Use Permit to construct a single family detached home on a non-con forming parcel located in the Residential, Medium Density (R-2) District. Also, request submitted by David Edwards, applicant, for a Conditional Use Permit to construct a single family detached home on a non-conforming parcel identified as Sub-Parcel #024-0310 located in the Residential, Medium Density (R-2) District. Notice was mailed on (*February 25, 2022*) by first class mail, postage prepaid, to all interested property owners, agents, occupants and other parties listed on the attached mailing matrix, all in accordance with Section 15.2-2204, Code of Virginia, 1950, as amended.



Signature
Executive Assistant

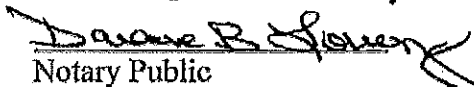
Title

COMMONWEALTH OF VIRGINIA
CITY OF HOPEWELL, TO WIT:

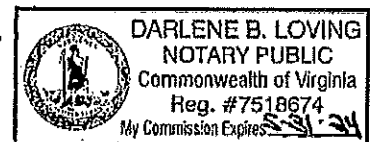
I, undersigned, a Notary Public in and for the jurisdiction aforesaid, do hereby certify that (*Kimberly D. Kinker*) whose name is signed to the foregoing as Executive Assistant for the (*Department of Development/Planning*), has signed, acknowledged and sworn to the same before me in my jurisdiction aforesaid and, under oath, acknowledged the contents of the foregoing instrument to be true and accurate.

Given under my hand this 28 day of February, 2022.

My Commission expires: May 31, 2024



Notary Public





City of Hopewell
Department of Development

300 North Main Street
Hopewell, VA 23860

February 25, 2022

David Edwards
P. O. Box 669
Prince George, VA 23875

Dear Mr. Edwards:

The Hopewell City Council will meet on **Tuesday, March 22, 2022 at 7:30 p.m.** to hold a public hearing regarding your request Sub-Parcel #024-0305 & #024-0310, for a Conditional Use Permits to construct a single family detached home on a non-con forming parcels located in the Residential, Medium Density (R-2) District.

At a public hearing City Staff will provide an overview of the request, with a recommendation. As the applicant, you are allowed to present the request to the City Council. The City Council may also ask you questions. The Code of Virginia also requires the City to notifying adjacent property owners of your request. If they choose, they are allowed to provide their opinion in writing or at the meeting.

The meeting on **Tuesday, March 22, 2022** will be held in City Council Chambers located at 300 North Main Street, Hopewell, Virginia in City Hall. Please plan to attend this meeting or have a representative attend that can answer questions regarding the application.

Sincerely,

Tevya Williams Griffin, AICP
Director
Department of Development

GREGORY M SISSON
2701 LEE ST
HOPEWELL, VA 23860

THURMAN L ROGERS
310 MARYLAND AVE
HOPEWELL, VA 23860

OPTIMIST CLUB OF HOPEWELL
INC
P O BOX 1194
HOPEWELL, VA 23860

BERNICE D TAYLOR
11204 THOMAS DR
HOPEWELL, VA 23860

WEST END PRESBYTERIAN
CHURCH OF HOPEWELL
TRUSTEES
1600 ATLANTIC ST, HOPEWELL,
VA 23860

KELLY A GILL
P O BOX 669
PRINCE GEORGE, VA 23875

JOHN P CAPPIALI III
318 E BROADWAY
HOPEWELL, VA 23860

STEVENSON CONNER
7203 SPRINGLAKE DR
PRINCE GEORGE, VA 23875

ROBERT D DERESKI
8209 SANDY RIDGE RD
N PRINCE GEORGE, VA 23860

DAVID EDWARDS CUSTOM
BUILDER INC
P O BOX 669
PRINCE GEORGE, VA 23875

HARRY P IRVING ET ALS
8011 CHANTWELL DRIVE
MECHANICSVILLE, VA 23116

THOMAS E WILLIAMS
10425 OLD STAGE RD, PRINCE
GEORGE, VA 23875

RANDY V CARGILL
2618 WYCLIFFE AVE,
ROANOKE, VA 24014

LATOYA M LEWIS
1507 LYNCHBURG ST,
HOPEWELL, VA 23860

LINDA M LANE
1511 LYNCHBURG ST
HOPEWELL, VA 23860

PATRICIA D VAUGHAN
2101 JOHNSON ST
HOPEWELL, VA 23860

SHIRLEY HILL HARVEY-
CLARKE
309 S 17TH AVE
HOPEWELL, VA 23860

RANDY V & D GRIFFO
CARGILL ESTATE
2618 WYCLIFFE AVE
ROANOKE, VA 24014

CHARLES P HALLMAN
307 S 17TH AVE
HOPEWELL, VA 23860

JASMINE NICOLE GAMBLE
335 S 17 AVE
HOPEWELL, VA 23860

ANGEL VIERA
1505 LYNCHBURG ST
HOPEWELL, VA 23860

WILLIAM J GOODMAN
P O BOX 473
PRINCE GEORGE, VA 23875



*The City of
Hopewell, Virginia*

Department of Development

300 N. Main Street • Hopewell Virginia 23860 • (804) 541-2220 • Fax: (804) 541-2318

February 25, 2022

NOTICE OF PUBLIC HEARING & MEETING
CITY OF HOPEWELL

Dear Adjacent Property Owner:

Due to the amount of work loan the City Council has your case has been moved to a new date. The Hopewell City Council will conduct a public hearing on Tuesday, March 22, 2022 at 7:30 p.m. at the Hopewell Municipal Building, 300 North Main Street, in Council Chambers for the purpose of receiving comments regarding the following requests in accordance with, Article XXI, Amendments, of the Hopewell Zoning Ordinance. The following item will be considered:

1. A request submitted by David Edwards, owner of Sub-Parcel #024-0305, for a Conditional Use Permit to construct a single family detached home on a non-conforming parcel located in the Residential, Medium Density (R-2) District.
2. A request submitted by David Edwards, applicant, for a Conditional Use Permit to construct a single family detached home on a non-conforming parcel identified as Sub-Parcel #024-0310 located in the Residential, Medium Density (R-2) District.

If you desire additional information regarding this hearing, please contact the Department of Development at (804) 541-2220. If you would like to speak in favor or against this application please attend the meeting on March 22, 2022. If you are unable to attend the meeting, written correspondence can be hand delivered or mailed to City Hall, at 300 North Main Street, Suite 321, Hopewell, Virginia 23860. Email comments to devdept@hopewellva.gov.

Sincerely,

Tevya Williams Griffin, AICP
Director
Department of Development

NeighborhoodHousing Inventory

Parcel ID	Address	Improvement Value	Size of SFD	Exterior Material	Year Built	Bedrooms	Building Stories	Owner Occupied
0240355	1505 LYNCHBURG, Hopewell, VA	\$132,200.00	1296	brick	1963	3	1	Yes
0240360	1507 LYNCHBURG, Hopewell, VA	\$144,600.00	1288	vinyl	2007	3	1	Yes
0240370	1511 LYNCHBURG, Hopewell, VA	\$127,100.00	1248	vinyl	2005	3	1	Yes
0131540	1715 DANVILLE, Hopewell, VA	\$111,900.00	1789	wood	1950	4	1.5	Yes
0131525	301 18 S, Hopewell, VA	\$59,500.00	1124	vinyl	1920	3	1	No
0131520	302 17 S, Hopewell, VA	\$127,800.00	1248	vinyl	1950	3	1	Yes
0131515	304 17 S, Hopewell, VA	\$92,500.00	3156	stucco	1952	5	2	Yes
0240426	307 17 S, Hopewell, VA	\$129,500.00	1473	vinyl	2003	3	2	Yes
0240427	309 17 S, Hopewell, VA	\$122,900.00	1278	vinyl	2003	3	1	Yes
0131535	309 18 S, Hopewell, VA	\$58,500.00	1904	vinyl	1913	3	2	No
0240270	310 MARYLAND, Hopewell, VA	\$51,200.00	936	concrete block	1920	3	1	Yes
0240428	311 17 S, Hopewell, VA	\$68,400.00	748	asbestos siding	1955	2	1	No
0131510	314 17 S, Hopewell, VA	\$74,400.00	1164	vinyl	1951	4	2	Yes
0240285	314 MARYLAND, Hopewell, VA	\$53,300.00	1032	masonite	1920	3	1	No
0240405	315 17 S, Hopewell, VA	\$37,300.00	736	vinyl	1920	2	1	No
0240290	318 MARYLAND, Hopewell, VA	\$34,700.00	984	masonite	1920	3	1	No
0240395	319 17 S, Hopewell, VA	\$17,800.00	943	masonite	1920	2	1	No
0131830	320 17 S, Hopewell, VA	\$91,400.00	1333	brick	1952	3	1	Yes
0240325	328 MARYLAND, Hopewell, VA	\$128,300.00	1704	brick	1954	4	2	No
0240330	330 MARYLAND, Hopewell, VA	\$31,800.00	864	brick	1920	2	1	No
0131825	332 17 S, Hopewell, VA	\$49,100.00	1298	brick	1951	2	1	Yes
0131815	334 17 S, Hopewell, VA	\$40,800.00	717	vinyl	1950	2	1	No
0240371	335 17 S, Hopewell, VA	\$118,500.00	1191	vinyl	2004	3	1	Yes
0131855	337 18 S, Hopewell, VA	\$69,800.00	1215	vinyl	1964	3	1	No
0131805	338 17 S, Hopewell, VA	\$81,600.00	1492	vinyl	1914	4	2	Yes
0131860	339 18 S, Hopewell, VA	\$97,300.00	1894	brick	1938	3	1	Yes
		\$82,776.92	1309.807692		1950.73073		1.25	
								0.576923077 yes
								0.423076923 no

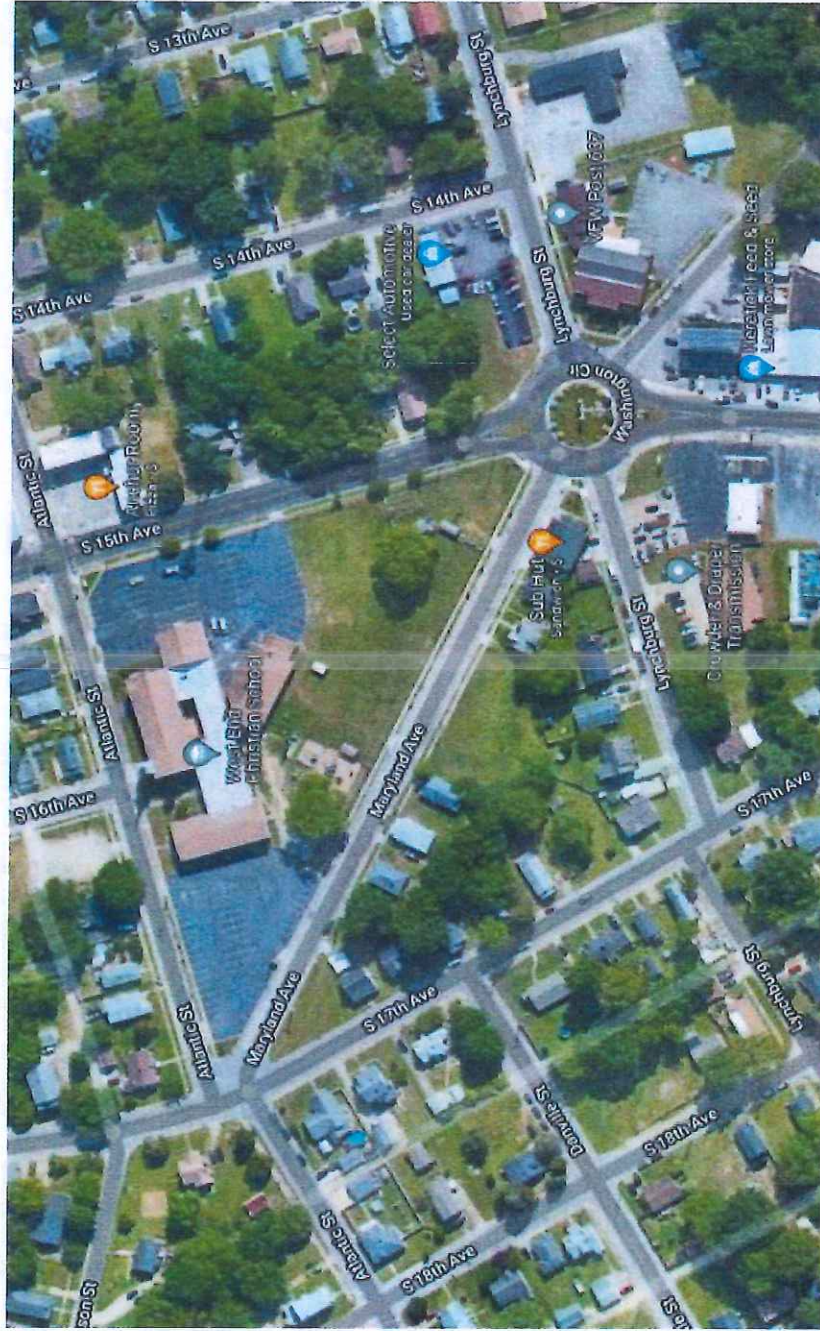




SUB-PARCEL#024-0305

CONDITIONAL USE PERMIT

VICINITY MAP



PROPERTY INFORMATION

- Lots 10-11, Block 4, Buren Subdivision
- Ward 1
- R-2 Zoning District
- Parcel Size: 7,840 sq. ft.
- Parcel frontage: 61 ft.



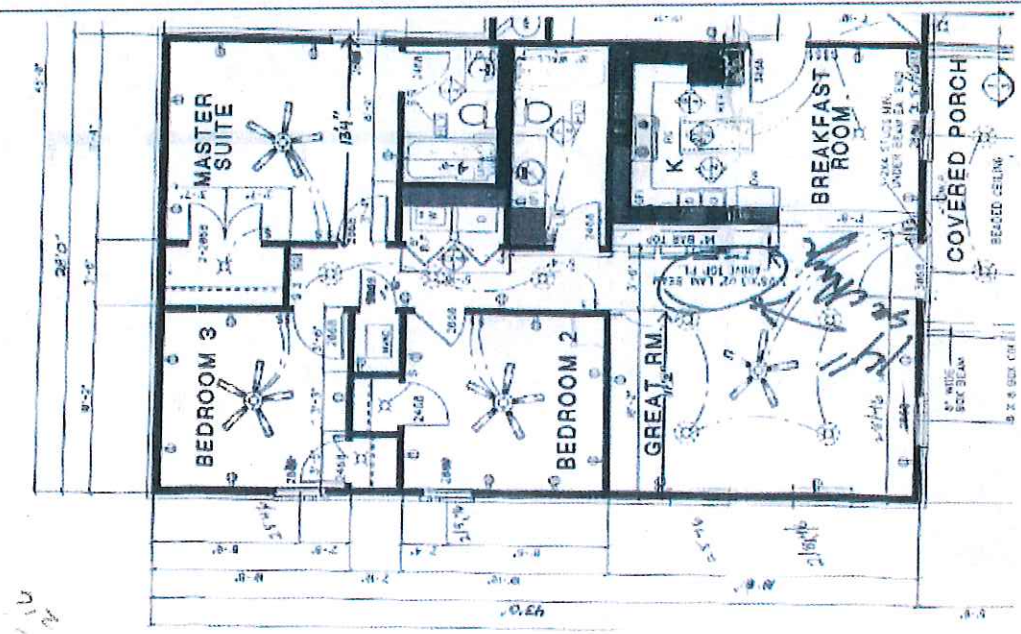
NEIGHBORHOOD INVENTORY

Average Year Built	1932
# of Bedrooms	3
# of Stories	1.25
Exterior Siding	50% vinyl 23% brick 11% masonite Other: stucco, asbestos siding, wood, and concrete block
Average Square Feet	1,309
Average Value of SFD	\$82,776.92



FLOOR PLAN

PROPOSED CONSTRUCTION





- The Planning Commission voted 5-0 to recommend approval of the application to construct a 1,300 square foot single family detached home with 3 bedrooms and 2 bathrooms. The Commission imposed the following conditions in which the applicant agreed.

1. Work with the Department of Development to provide a front building façade with varying architectural elements.
2. Brick front porch
3. Brick foundation

CITY COUNCIL WORKSESSION

- Applicant was asked to consider providing additional drainage mechanism on the home.

CITY COUNCIL

In accordance with Article XXI, Amendments, of the Hopewell Zoning Ordinance, the Hopewell City Council votes to *(approve)* *(approve with conditions)* *(deny)* the request submitted by David Edwards for a Conditional Use Permit (CUP) in accordance with Article IV, Section I, Special Conditions for Nonconforming Lots and Article XVII, Nonconforming Uses, Section F., Nonconforming Lots of Record, in order to build a single family detached home on a nonconforming lot of record, Sub-Parcel # 024-0305 in the Medium Density, R-2, Zoning District.

QUESTIONS?

PH-4



CITY OF HOPEWELL CITY COUNCIL ACTION FORM

Strategic Operating Plan Vision Theme:

- Civic Engagement
- Culture & Recreation
- Economic Development
- Education
- Housing
- Safe & Healthy Environment
- None (Does not apply)

Order of Business:

- Consent Agenda
- Public Hearing
- Presentation-Boards/Commissions
- Unfinished Business
- Citizen/Councilor Request
- Regular Business
- Reports of Council Committees

Action:

- Approve and File
- Take Appropriate Action
- Receive & File (no motion required)
- Approve Ordinance 1st Reading
- Approve Ordinance 2nd Reading
- Set a Public Hearing
- Approve on Emergency Measure

COUNCIL AGENDA ITEM TITLE:

Conditional Use Permit for Sub-Parcel #024-0310

ISSUE: The City has received a request from David Edwards, owner of Sub-Parcel #024-0305, for a Conditional Use Permit to construct a single family detached home on a non-conforming parcel located in the Residential, Medium Density (R-2) District.

RECOMMENDATION: Staff recommends the City Council consider public comments regarding the request and vote to approve, approve with conditions or deny the request.

TIMING: The public hearing will be held on March 22, 2022.

BACKGROUND: In order to construct a single family detached home in the R-2 Zoning District a parcel must be at least 7,500 square feet. When a parcel is less than the minimum, a Conditional Use Permit is required prior to construction.

ENCLOSED DOCUMENTS:

- Staff Report
- Application
- Supplemental Documents

STAFF:

Tevya Williams Griffin, AICP, Director, Department of Development

FOR IN MEETING USE ONLY

MOTION: _____

SUMMARY:

Y	N		Y	N	
<input type="checkbox"/>	<input type="checkbox"/>	Councilor Debbie Randolph, Ward #1	<input type="checkbox"/>	<input type="checkbox"/>	Councilor Janice Denton, Ward #5
<input type="checkbox"/>	<input type="checkbox"/>	Councilor Arlene Holloway, Ward #2	<input type="checkbox"/>	<input type="checkbox"/>	Councilor Brenda Pelham, Ward #6
<input type="checkbox"/>	<input type="checkbox"/>	Vice Mayor John B. Partin, Ward #3	<input type="checkbox"/>	<input type="checkbox"/>	Mayor Patience Bennett, Ward #7
<input type="checkbox"/>	<input type="checkbox"/>	Councilor Jasmine Gore, Ward #4			

Roll Call

SUMMARY:

Y	N	
<input type="checkbox"/>	<input type="checkbox"/>	Councilor Debbie Randolph, Ward #1
<input type="checkbox"/>	<input type="checkbox"/>	Councilor Arlene Holloway, Ward #2
<input type="checkbox"/>	<input type="checkbox"/>	Vice Mayor John B. Partin, Ward #3
<input type="checkbox"/>	<input type="checkbox"/>	Councilor Jasmine Gore, Ward #4

Y	N	
<input type="checkbox"/>	<input type="checkbox"/>	Councilor Janice Denton, Ward #5
<input type="checkbox"/>	<input type="checkbox"/>	Councilor Brenda Pelham, Ward #6
<input type="checkbox"/>	<input type="checkbox"/>	Mayor Patience Bennett, Ward #7



Applicant: David Edwards
Maryland Avenue – Sub-Parcel# 024-0310
Conditional Use Permit
Staff Report prepared for the City Council Regular Meeting

March 22, 2022

This report is prepared by the City of Hopewell Department of Development Staff to provide information to the Planning Commission to assist them in making an informed decision on this matter.

I. PUBLIC HEARINGS:

Planning Commission	December 2, 2021	Recommended Approval with conditions
City Council	March 22, 2022	Pending

II. IDENTIFICATION AND LOCATIONAL INFORMATION:

Requested Zoning:	N/A
Existing Zoning:	R-2, Residential, Medium Density
Acreage:	7,200 square feet
Owner:	Christopher & Kelly Gill
Election Ward:	Ward 1
Land Use Plan Recommendation:	Urban Residential
Strategic Plan Goal:	N/A
Map Location(s):	Sub Parcel #: 024-0310 Lots 12 & 13, Block 4, Buren Subdivision
Zoning of Surrounding Property:	North: R-2/B3 South: R-2 East: R-2 West: R-2

III. EXECUTIVE SUMMARY:

The City of Hopewell has received a request from David Edwards for a Conditional Use Permit (CUP) in accordance with Article IV, Section I, Special Conditions for Nonconforming Lots and Article XVII, Nonconforming Uses, Section F.,

Nonconforming Lots of Record, in order to build a single family detached home on a nonconforming lot of record in the Medium Density, R-2, Zoning District.

IV. APPLICABLE CODE SECTIONS:

The provisions of the Zoning Ordinance that are germane to this request for a Conditional Use Permit are the following:

Article IV, Section I, Special Conditions for Non-conforming Lots

For property consisting of less than seven thousand five hundred (7,500) square feet but five thousand (5,000) or more square feet and/or less than seventy (75) feet but fifty (50) feet or more of frontage, an applicant may appeal to City Council for a Conditional Use Permit as allowed in Section XVIII of the Zoning Ordinance for approval to construct a single family dwelling on such lot in accordance with the procedures given in Section XVIII of the Zoning Ordinance.

Article XXI, Amendments, Section D, Conditional and Special Use Permits, Sub-Section c. 1-3:

1. When the Director has certified that the application is complete, it shall be deemed received and referred to the Planning Commission for its review and recommendation to City Council.
2. The Planning Commission shall, within ninety (90) days after the first meeting of the Planning Commission after such referral, report to the City Council its recommendation as to the approval or disapproval of such application and any recommendation for establishment of conditions, in addition to those set forth in this Article, deemed necessary to protect the public interest and welfare. Failure of the Planning Commission to report within ninety (90) days shall be deemed a recommendation of approval.
3. Upon receipt of the recommendation of the Planning Commission, the City Council, after public notice in accordance with Virginia Code § 15.2-2204, shall hold at least one public hearing on such application, and as a result thereof, shall either approve or deny the request.

Article XXI, Section D, Conditional and Special Use Permits, subsection (4)

4. In approving any conditional use permit, the City Council may impose conditions or limitations on any approval, as it may deem necessary to protect the public interest and welfare. Such additional standards may include, but need not be limited to:
 - i. Special setbacks, yard or construction requirements, increased screening or landscaping requirements, area requirements, development phasing, and standards pertaining to traffic,

circulation, noise, lighting, hours of operation and similar characteristics; and

- ii. A performance guarantee, acceptable in form, content and amount to the City, posted by the applicant to ensure continued compliance with all conditions and requirements as may be specified.

Article XVI. Amendments, Section D, Sub-Section d.

d. Approval Criteria

As may be specified within each zoning district, the Planning Commission and approval by the City Council shall permit uses permitted subject to conditional use review criteria only after review only if the applicant demonstrates that:

1. The proposed conditional use is in compliance with all regulations of the applicable zoning district, the provisions of this Article, and any applicable General Provisions as set forth in the Zoning Ordinance.
2. The establishment, maintenance, or operation of the proposed use is not detrimental to, and will not endanger, the public health, safety, morals, comfort, or general welfare.
3. The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially impair the use of other property within the immediate proximity.
4. The proposed conditional use conforms to the character of the neighborhood within the same zoning district in which it is located. The proposal as submitted or modified shall have no more adverse effects on health, safety or comfort of persons living or working in or driving through the neighborhood, and shall be no more injurious to property or improvements in the neighborhood, than would any other use generally permitted in the same district. In making such a determination, consideration shall be given to the location, type, size, and height of buildings or structures, type and extent of landscaping and screening on the site, and whether the proposed use is consistent with any theme, action, policy or map of the Comprehensive Plan.
5. The exterior architectural appeal and function plan of any proposed structure will not be so at variance with either the exterior architectural appeal and functional plan of the structures already constructed or in the course of construction in the immediate neighborhood or the character of the applicable zoning district, and shall enhance the quality of the neighborhood.

6. The public interest and welfare supporting the proposed conditional use is sufficient to outweigh the individual interests, which are adversely affected by the establishment of the proposed use.
7. The proposed use will not result in the destruction, loss or damage of any feature determined to be of significant ecological, scenic or historic importance.

V. SUBJECT PROPERTY:

The minimum square footage required to construct a single family detached (SFD) home in the R-2 Zoning District is 7,500 square feet. The required lot width at the right-of-way line is 75 linear feet. The subject property is 7,200 square feet with 60 feet of frontage on the street. Therefore, a conditional use permit must be approved to build a SFD.

The property is surrounded by residential structures but commercial establishments are nearby on 15th Avenue (Route 36). This property is considered a non-conforming lot of record.

It appears that a fence erected at 1507 Lynchburg Street is encroaching on the subject property. This matter will be rectified between the property owners and should not impact the outcome of this request.

VI. ZONING/STAFF ANALYSIS:

As of March 26, 2019, in order to construct a permitted use on a non-conforming lot of record, applicants must receive a Conditional Use Permit regardless of the zoning district.

When reviewing a request for a conditional use permit, the Planning Commission must consider the seven conditions outlined in Article XXI of the Zoning Ordinance, cited on page 3. The Commission may also impose conditions that are suitable to ensure the character of the neighborhood and zoning district in which the use is locating will not be adversely affected. Conditions may also dictate the architectural style of a proposed structure to ensure it will not be a variance with either the exterior architectural appeal and/or the functional plan of the structures already constructed in the immediate neighborhood or the character of the applicable zoning district.

When considering a conditional use permit to construct a single family detached home in an established neighborhood Staff conducts an inventory of current homes to determine if the proposed structure is compatible.

The table below provides a summary of the inventory. A total of 26 structures were considered.

Average Year Built	1932	
# of Bedrooms	4	
# of Stories	1.5	
Exterior Siding	50% vinyl	11% masonite
	23% brick	12% stucco, asbestos siding, wood, and

	concrete block
Average Square Feet	1,309
Average Value of SFD	\$82,776

The applicant is proposing to construct a 1300 square foot home with 3 bedrooms and 2 baths with a brick foundation and covered front porch. The exterior material of the home will be vinyl.

VII. PLANNING COMMISSION RECOMMENDATION:

At their meeting on December 2, 2021 the Hopewell Planning Commission voted 5-0 to recommend approval of the request submitted by David Edwards for a Conditional Use Permit (CUP) in accordance with Article IV, Section I, Special Conditions for Nonconforming Lots and Article XVII, Nonconforming Uses, Section F., Nonconforming Lots of Record. The applicant was approved to construct a 1,300 square feet single family detached home on a nonconforming lot of record, Sub-Parcel # 024-0305, in the Medium Density. R-2. Zoning District. The Planning Commission added the following conditions: (1) brick front porch (2) brick foundation. (3) to work with the Department of Development to provide a distinct architectural element to the front building façade, (4) and the fence encroachment issue be cleared in favor of owner with the fence removed prior to issuance of a building permit.

VIII. CITY COUNCIL RESOLUTION:

In accordance with Article XXI, Amendments, of the Hopewell Zoning Ordinance, the Hopewell City Council recommends by a vote of ___ - ___ to *(approve) (approve with conditions) (deny)* the request submitted by David Edwards for a Conditional Use Permit (CUP) in accordance with Article IV, Section I, Special Conditions for Nonconforming Lots and Article XVII, Nonconforming Uses, Section F., Nonconforming Lots of Record, in order to build a single family detached home on a nonconforming lot of record, Sub-Parcel # 024-0310 in the Medium Density. R-2. Zoning District.

Attachment(s):

1. Application for Conditional Use Permit
2. Neighborhood housing map and inventory
3. Picture of proposed home
4. Affidavit of Mailing

Aerial Map



Sub-Parcel #024-0310



The City
of
Hopewell, Virginia

300 N. Main Street · Department of Development · (804) 541-2220 · Fax: (804) 541-2318

CONDITIONAL USE PERMIT APPLICATION

APPLICATION FEE: \$300

APPLICATION # 20210909

APPLICANT: David Edwards
ADDRESS: P.O. Box 669
Prince George VA 23875
PHONE #: 804-691-6092 FAX #: _____
EMAIL ADDRESS: debbie.edwards@jamescrest.net

INTEREST IN PROPERTY: _____ OWNER OR AGENT
IF CONTRACT PURCHASER, PROVIDE A COPY OF THE CONTRACT OR A LETTER
OF THE PROPERTY OWNER'S CONSENT TO MAKE APPLICATION.

OWNER: Christopher & Kelly Gill
ADDRESS: P.O. Box 669
Prince George VA 23875
PHONE #: 804-691-6092 FAX #: _____

PROPERTY ADDRESS / LOCATION:

Maryland Ave.
PARCEL #: 0240310, 0240311, 0240312 ACREAGE: _____ ZONING: R-2

*** IF REQUIRED BY ARTICLE 16 OF THE ZONING ORDINANCE, ***
A SITE PLAN MUST ACCOMPANY THIS APPLICATION

ATTACH A SCALED DRAWING OR PLAT OF THE PROPERTY SHOWING:

1. FLOOR PLANS OF THE PROPOSED BUILDINGS. _____
2. THE PROPOSED DEVELOPMENT WITH FRONT, SIDE, AND REAR ELEVATIONS. _____

THIS REQUEST FOR A CONDITIONAL USE PERMIT IS FILED UNDER SECTION _____ OF THE ZONING ORDINANCE.

PRESENT USE OF PROPERTY:

Open Land

THE CONDITIONAL USE PERMIT WILL ALLOW:

Construction of a 3 bedroom home

PLEASE DEMONSTRATE THAT THE PROPOSAL AS SUBMITTED OR MODIFIED WILL NOT AFFECT ADVERSELY THE HEALTH, SAFETY, OR WELFARE OF PERSONS RESIDING OR WORKING IN THE NEIGHBORHOOD OF THE PROPOSED USE.

Proposed construction will improve the neighborhood & eliminate unsightly open land where others congregate without permission of owners.

PLEASE DEMONSTRATE THAT THE PROPOSAL WILL NOT BE DETRIMENTAL TO PUBLIC WELFARE OR INJURIOUS TO THE PROPERTY OR IMPROVEMENTS IN THE NEIGHBORHOOD.

Proposed construction will not create adverse parking or additional traffic.

PLEASE DEMONSTRATE HOW THE PROPOSAL AS SUBMITTED OR MODIFIED WILL CONFORM TO THE COMPREHENSIVE PLAN AND THE PURPOSES AND THE EXPRESSED INTENT OF THE ZONING ORDINANCE.

Proposed construction is within the appropriate zoning of R-2.

AS OWNER OF THIS PROPERTY OR THE AUTHORIZED AGENT THEREFOR, I HEREBY CERTIFY THAT THIS APPLICATION AND ALL ACCOMPANYING DOCUMENTS ARE COMPLETE AND ACCURATE TO THE BEST OF MY KNOWLEDGE.

David Edwards
APPLICANT SIGNATURE

10/28/21
DATE

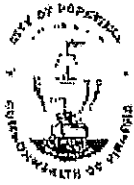
DAVID EDWARDS
APPLICANT PRINTED NAME

OFFICE USE ONLY

DATE RECEIVED _____ DATE OF ACTION _____

_____ APPROVED _____ DENIED

_____ APPROVED WITH THE FOLLOWING CONDITIONS:



City of Hopewell, VA
 Dept. of Code Enforcement
 300 N. Main Street
 Hopewell, VA 23860
 804-541-2220
 Welcome

16675-0007 debra m. 11/03/2021 03:44PM

PERMITS / INSPECTIONS

CONDITIONAL USE PERMIT -
 REVIEW

2021 Item: 20210909|CUP 300.00

Payment Id: 235265

 300.00

Subtotal 300.00

Total 300.00

CHECK 300.00

Check Number 13096

Change due 0.00



Thank you for your payment.

CUSTOMER COPY

DAVID EDWARDS CUSTOM BUILDER, INC.

Treasurer, City of Hopewell

10/20/2021

13096

CUP fee for both maryland avenue properties \

300.00



Department of Development
City of Hopewell, Virginia
Residential Lot Plans

Official Use Only
Application Number: _____
Permit Number: _____

Affidavit of Responsibility

Application for the following:

Property Address/Parcel: 0240310

Lot: 12-13 Block: 4 Subdivision: Buren

I, DAVID Edwards, by filing this affidavit certify that I am the owner or authorized agent of Christopher & Kelly Gill, and further, certify that I have enclosed the Residential Lot Plan to be included as part of the Building Permit.

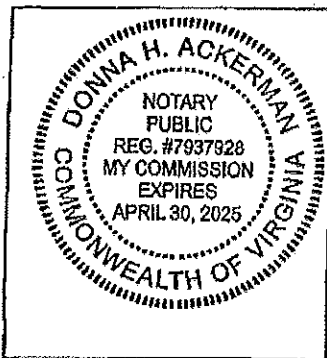
Furthermore, I certify that the lot grading of the aforementioned parcel will be consistent with the submitted plan. If within 12 months after a CO has been issued the City of Hopewell determines that the drainage configuration does not function properly, I will assume full responsibility to make corrections in order that the drainage will function as intended and approved by the City of Hopewell.

APPLICANT NAME (PRINT):

David Edwards

SIGNATURE: David Edwards

DATE: 10/28/21



CITY/COUNTY OF Prince George

COMMONWEALTH OF VIRGINIA

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME

THIS 28th DAY OF October, ²⁰²¹ 2020 BY

NOTARY PUBLIC: Donna H. Ackerman

NOTARY PUBLIC REGISTRATION NUMBER: 7937928

MY COMMISSION EXPIRES: 04/30/2025

**RESIDENTIAL LOT PLAN CHECKLIST
FOR APPLICANT**

ADDRESS: _____
 PARCEL/TAX ID: _____
 APPLICANT: _____ PREPARER: _____
 OWNER: _____ SF/DUPLEX: _____

FORMATTING	INCLUDED	NOT APPLICABLE	COMMENT
Address of Proposed Work			
Tax Map Reference #			
Subdivision Name			
Deed Reference			
North Arrow			
1"=20' Scale or Greater			
Lot Dimensions			
Name, Address, Phone # of Plan Preparer			
Name, Address, Phone # of Lot Owner			
Professional Certification of Lot Plan			

ZONING

Setback Line - Front:	0.30'		
Setback Line - Side:	10'		
Setback Line - Rear:	30'		
Lot Square Footage	7275 sq'		
Dimensional Setbacks - deck, pool, accessory, etc.			

EXISTING CONDITIONS

Existing Structure(s) - Location			
Existing Structure(s) - Dimensions			
Existing Structure(s) - Lot Coverage Calc.			
Existing Impervious Surfaces - Location			
Existing Impervious Surfaces - Dimensions			
Existing Impervious Surfaces - Lot Coverage Calc.			
Easements			
Existing utility connection points			
Existing Septic Field/Reserve Drainfields			

ENVIRONMENTAL & STORMWATER

Allowable Buildable Area w/ Enviro. Constraints			
Existing Topography @ 2' Contours			
Topo @ 2' Contours for Site Improvements			
Existing Storm Drainage			
Proposed Storm Drainage			
Water Features			
100-yr Floodplain			
Limits of Clearing/Removal of Vegetation			
E&S Location and Design			
RPA/RMA Boundaries			

PROPOSED IMPROVEMENTS

Proposed Structure - Location			
Proposed Structure - Dimensions			
Proposed Structure - Lot Coverage Calc.			
Temporary Construction Entrance			
Driveway/Off-Street Parking Area(s)			
Retaining Wall(s) - Location & Design			

UNDER SEPARATE COVER (If Applicable)

Soils Test			
Water Quality Impact Assessment (WQIA)			
Wetlands Permit			

ON THE PLAT *



**City of Hopewell
Department of Development
Residential Lot Plans**

This document provides information regarding the requirements to submit a residential lot plan within the City of Hopewell, Virginia. It outlines when a residential lot plan is required and the review process utilized by the City. All plans must be submitted to the Department of Development located in Suite 321 of the Hopewell Municipal Building, 300 North Main Street, Hopewell, VA 23860. Currently there is no fee for this submittal.

The intent of the residential lot plan is to ensure that proposed uses and certain related lot development activities are compatible with approved subdivision plats, proposed subdivision plan applications, and other land disturbing activities as well as to ensure consistency with the zoning regulations and other City ordinances and development guidelines.

For more information about this process please contact the Department of Development at (804) 541-2220.

Why is a Residential Lot Plan Required?

A residential lot plan for each subdivision lot is required to ensure that uses and certain related lot development activities are compatible with approved subdivision plats, new subdivision plats, and public improvements plans as well as to ensure consistency with the zoning regulations. Plans are required for the following land use activities:

- a. Any residential use or any land disturbing activity in a designated Chesapeake Bay Preservation Area related to a residential use;
- b. detached residences in any zoning district on lots or parcels less than 30,000 square feet in area;
- c. accessory buildings or apartments, accessory uses on a residential lot;
- d. private detached garages on a residential lot; and
- e. lots with terrain, utility or locational characteristics that, at the discretion of the Development Director, require lot plan review.

Purpose

The plan is intended to provide necessary and sufficient information to the City to ensure the following:

- f. the lot and the siting and use of the intended structure(s) are in conformance with the approved subdivision plat and public improvements plans for the subdivision in which the lot(s) is located;
- g. site grading, storm water drainage improvements and storm runoff patterns for the subject lot meet or exceed contemporary requirements for residential lot development and do not adversely impact adjoining lots and properties,
- h. all existing easements and rights of way have been identified and respected,
- i. yard and setback requirements and other zoning requirements are identified and respected,
- j. appropriate site planning initiatives are incorporated into the lot development plan,
- k. the development of the lot and as well as the physical siting and use of the intended structure(s) on the lot will not adversely impact or encroach upon adjoining properties,
- l. adequate erosion and sediment controls are provided to protect adjoining properties and public rights of way,
- m. lot access and driveway arrangements that connect to a public or private street meet City standards,
- n. CBPA-O District requirements, where applicable, are fully coordinated with any proposed single family dwelling.

Process

The residential lot plan shall be submitted either in advance of or concurrently with the application for a zoning or building permit:

- o. The residential lot plan shall be submitted to, reviewed by, and acted upon by the Development Director within ten (10) business days upon receipt and application for a zoning permit and building permit, provided that if the residential lot plan is submitted concurrently with the building permit application, the Development Director shall notify the Building Official of action taken on the residential lot plan not later than the Building Official's mandatory building permit review timeframe but not less than five (5) business days from the date of concurrent application.
- p. The Development Director may request the input of the City Engineer,

Building Official or other City Staff in the review of the residential lot plan.

- q. In the event of denial of the residential lot plan by the Development Director, the Development Director shall notify the Building Official of action taken.
- r. If the residential lot plan is denied by the Development Director, the applicant may either (a) revise and resubmit the plan, or (b) petition the matter to be heard by the Planning Commission at their next regularly scheduled meeting.
- s. The applicant shall submit copies (8) copies of the residential lot plan on a sheet not to exceed 11" x 17", unless otherwise approved by the Development Director.
- t. The lot development plan shall be prepared by a certified engineer, surveyor, architect, or landscape architect qualified to do such plans unless otherwise waived by the Development Director.

Required Information

The contents of the residential lot plan shall include the following:

Format

- Address and tax map reference number of lot, deeded name of subdivision plat in which the lot is located, and deed reference for the subject lot.
- North arrow; dimensions of the lot drawn to scale of 1" = 20' or greater, with metes and bounds of lot and yard, and yard setback lines for front, rear and side yards established by zoning district.
- Name, address and telephone number of plan preparer and lot owner.
- Certification of the residential lot plan by a professional engineer, surveyor, architect or landscape architect licensed in the State of Virginia. *In lieu of a certified residential plot plan as described, the applicant may submit a self-prepared residential plot plan and an Affidavit of Responsibility.*

Zoning

- Dimensional setbacks from property lines to any structure or improvement, including porches, decks, stairwells, garages, swimming pools, accessory uses, etc.
- Square footage of lot per recorded subdivision plat; calculation and depiction of impervious surfaces.

Existing Conditions

- Location, dimensions, and lot coverage calculation of existing structure(s) and impervious surfaces.
- Easements contained within the lot or physical improvements that impact the lot or contiguous lots.
- Location of utility service connections to public water and sewer, including meter placement for domestic water.
- Location of any existing septic field and reserve drainfield location.

Environmental & Storm water

- *Allowable buildable area of the lot that considers the size and shape of the lot, environmental constraints, and the zoning district setbacks (i.e. allowable building perimeter in accord with applicable geometric requirements of the zoning district in which the lot is located, and considers environmental constraints.)* Include location of existing and proposed vegetation.
- Existing topography and lot improvements, if any, and proposed finished lot grading shown with two foot (2') contour intervals and spot elevations.
- Location of all existing natural or man-made drainage channels and storm sewer facilities, as well as location of proposed drainage improvements, to ensure the adequate conveyance of storm water on and through the property.
- Location and boundaries of any existing storm water management improvements, water features and 100-year floodplain limits that impacts the subject lot(s). In the absence of existing or proposed storm water management improvements within the subdivision, the lot developer shall address alternative Low Impact Development (LID) measures.
- Limits of clearing and lot disturbance.
- Location and design of any erosion and sediment practices that may be required to protect adjoining properties, public rights of way, and utility infrastructure during the construction period.
- Site-specific determination of RPA and RMA boundaries (to be conducted in accord with the requirements of the CBPA-O District.) Any applicable Resource Protection Areas (RPA) notations as may be related to: (1) retention of an undisturbed, vegetated 100' RPA, and (2) land development within the RPA is to be limited to water dependent facilities or redevelopment as shown on city maps.

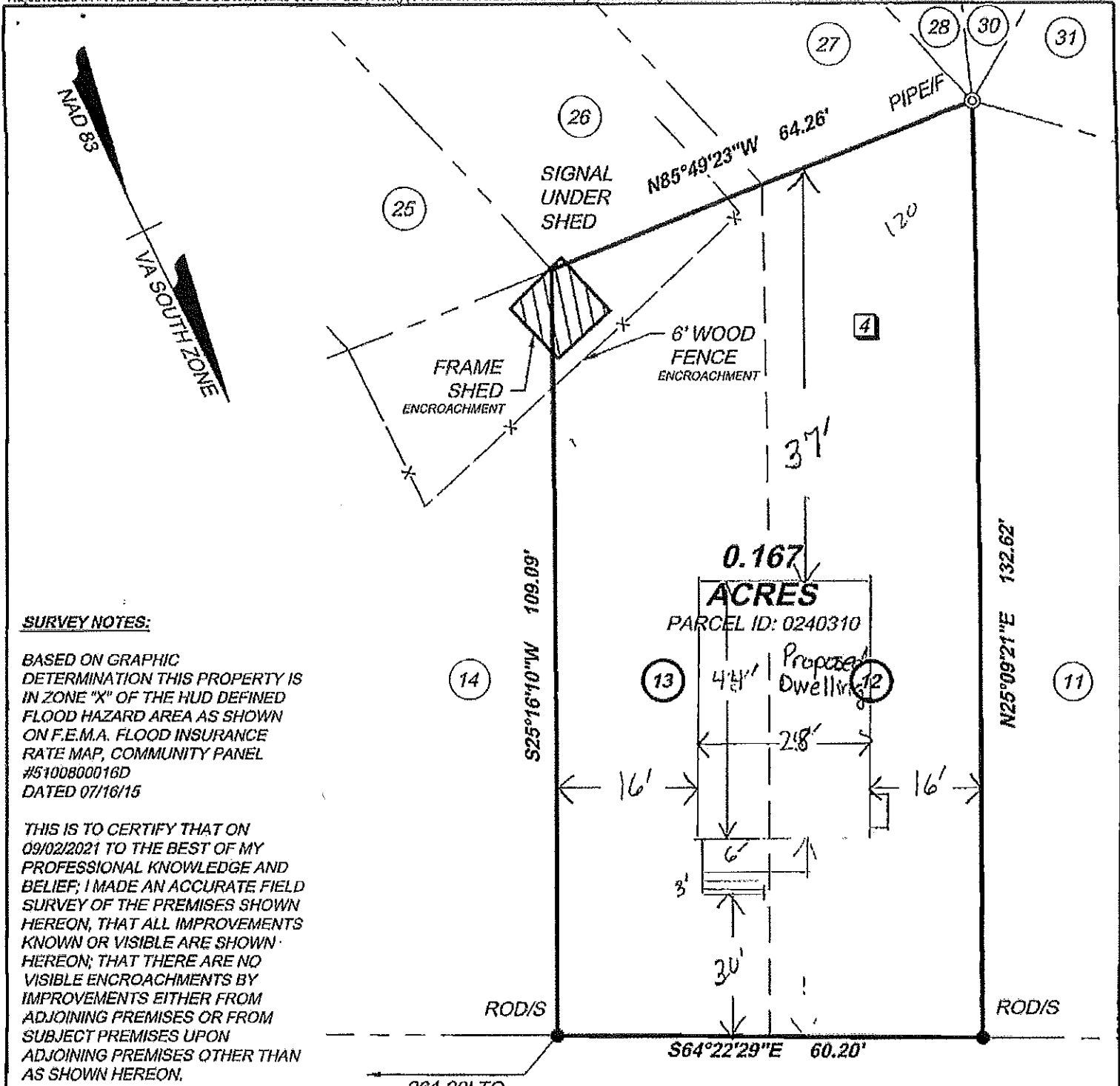
Proposed Improvements

- Location, dimensions, and lot coverage calculation of proposed structure(s) and impervious surfaces.
- Location, design, material type, and coverage of all required off-street parking, parking access, street entrances, driveways, and temporary construction entrances, where applicable.
- Location and design of retaining walls.

Under Separate Cover, If Applicable

- Geotechnical evaluation and certified engineering design for building foundation for lots that contain shrink/swell soils, highly erodible soils, or other geological attribute(s) that could impact construction, *as required by the Building Official.*
- Evidence of approved Water Quality Impact Assessment, if required by the Zoning Administrator.
- Evidence of wetlands permits *if required by Chapter 25 Code of Hopewell and approved by the Hopewell Wetlands Board. If you have not gone through this process it is likely the property does not have wetlands and this requirement is not applicable.*

Words in italics represent additional information provided to clarify residential lot plan requirements. They are not included in the Hopewell Zoning Ordinance.



SURVEY NOTES:

BASED ON GRAPHIC DETERMINATION THIS PROPERTY IS IN ZONE "X" OF THE HUD DEFINED FLOOD HAZARD AREA AS SHOWN ON F.E.M.A. FLOOD INSURANCE RATE MAP, COMMUNITY PANEL #5100800016D DATED 07/16/15

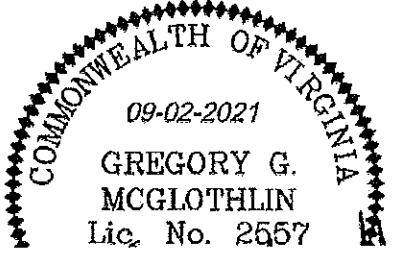
THIS IS TO CERTIFY THAT ON 09/02/2021 TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF; I MADE AN ACCURATE FIELD SURVEY OF THE PREMISES SHOWN HEREON, THAT ALL IMPROVEMENTS KNOWN OR VISIBLE ARE SHOWN HEREON; THAT THERE ARE NO VISIBLE ENCROACHMENTS BY IMPROVEMENTS EITHER FROM ADJOINING PREMISES OR FROM SUBJECT PREMISES UPON ADJOINING PREMISES OTHER THAN AS SHOWN HEREON.

THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE BINDER AND MAY THEREFORE NOT SHOW ALL EXISTING EASEMENTS OR OTHER PERTINENT FACTS WHICH MAY AFFECT THE PROPERTY.

261.20' TO WASHINGTON CIRCLE INTERSECTION

MARYLAND AVE.
60' R/W

SCALE 1"=20'



PLAT SHOWING A LOT SURVEY OF 0.167 ACRES OF

LAND SURVEY

BUREN SUBDIVISION

214

45'-0"

28'-0"

10'-2"

3'-6"

11'-4"

BEDROOM 3

MASTER SUITE

2868

2-2068

3'-5"

3'-3"

3'-6"

2468

2868

\$ 3 SD

2868

13'-4"

2868

3'-4"

8'-0"

HVAC

2468

2868

2868

5'-10"

5' B.F.

W

D

HLV

E

2468

BEDROOM 2

D

HLV

GFI

LIN.

2468

HLV

F

HLV

10' WALL

GREAT RM.

10'-2"

3'-6"

3/8" X 13 1/2" LAM. BEAM ABOVE TOP PL.

14' BAR TOP

GFI

K

R6

C

B

REF

DW

3068

43'-0"

2'-10"

10'-10"

2'-4"

8'-6"

10'-8"

8'-0"

2'-8"

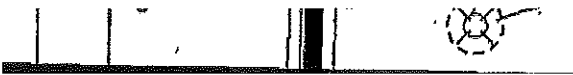
2846

21516

2846

10'-8"

12'-0"



BREAKFAST
ROOM



Proposed dwelling for C.D.P. apps.



NeighborhoodHousing Inventory

Parcel ID	Address	Improvement Value	Size of SFD	Exterior Material	Year Built	Bedrooms	Building Stories	Owner Occupied
0240355	1505 LYNCHBURG, Hopewell, VA	\$132,200.00	1296	brick	1963	3	1	Yes
0240360	1507 LYNCHBURG, Hopewell, VA	\$144,600.00	1288	vinyl	2007	3	1	Yes
0240370	1511 LYNCHBURG, Hopewell, VA	\$127,100.00	1248	vinyl	2005	3	1	Yes
0131540	1715 DANVILLE, Hopewell, VA	\$111,900.00	1789	wood	1950	4	1.5	Yes
0131525	301 18 S, Hopewell, VA	\$59,500.00	1124	vinyl	1920	3	1	No
0131520	302 17 S, Hopewell, VA	\$127,800.00	1248	vinyl	1950	3	1	Yes
0131515	304 17 S, Hopewell, VA	\$92,500.00	3156	stucco	1952	5	2	Yes
0240426	307 17 S, Hopewell, VA	\$129,500.00	1473	vinyl	2003	3	2	Yes
0240427	309 17 S, Hopewell, VA	\$122,900.00	1278	vinyl	2003	3	1	Yes
0131535	309 18 S, Hopewell, VA	\$58,500.00	1904	vinyl	1913	3	2	No
0240270	310 MARYLAND, Hopewell, VA	\$51,200.00	936	concrete block	1920	3	1	Yes
0240428	311 17 S, Hopewell, VA	\$68,400.00	748	asbestos siding	1955	2	1	No
0131510	314 17 S, Hopewell, VA	\$74,400.00	1164	vinyl	1951	4	2	Yes
0240285	314 MARYLAND, Hopewell, VA	\$53,300.00	1032	masonite	1920	3	1	No
0240405	315 17 S, Hopewell, VA	\$37,300.00	736	vinyl	1920	2	1	No
0240290	318 MARYLAND, Hopewell, VA	\$34,700.00	984	masonite	1920	3	1	No
0240395	319 17 S, Hopewell, VA	\$17,800.00	943	masonite	1920	2	1	No
0131830	320 17 S, Hopewell, VA	\$91,400.00	1333	brick	1952	3	1	Yes
0240325	328 MARYLAND, Hopewell, VA	\$128,300.00	1704	brick	1954	4	2	No
0240330	330 MARYLAND, Hopewell, VA	\$31,800.00	864	brick	1920	2	1	No
0131825	332 17 S, Hopewell, VA	\$49,100.00	1298	brick	1951	2	1	Yes
0131815	334 17 S, Hopewell, VA	\$40,800.00	717	vinyl	1950	2	1	No
0240371	335 17 S, Hopewell, VA	\$118,500.00	1191	vinyl	2004	3	1	Yes
0131855	337 18 S, Hopewell, VA	\$69,800.00	1215	vinyl	1964	3	1	No
0131805	338 17 S, Hopewell, VA	\$81,600.00	1492	vinyl	1914	4	2	Yes
0131860	339 18 S, Hopewell, VA	\$97,300.00	1894	brick	1938	3	1	Yes

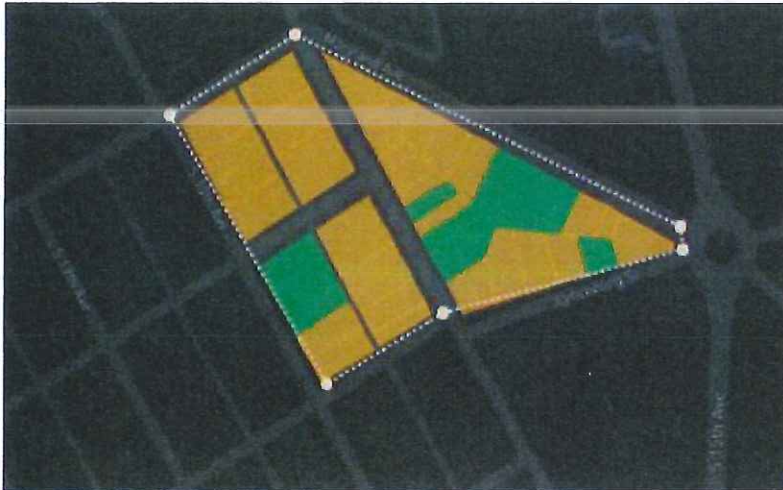
\$82,776.92

1309.807692

1950.73073

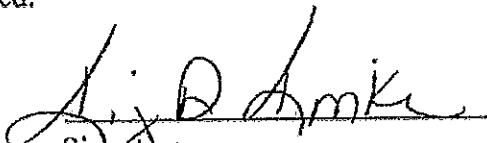
1.25

0.576923077 yes
0.423076923 no



AFFIDAVIT OF MAILING

I, (*Kimberly D. Kinker*), under oath, hereby certify that the City of Hopewell two request submitted by David Edwards, owner of Sub-Parcel #024-0305, for a Conditional Use Permit to construct a single family detached home on a non-con forming parcel located in the Residential, Medium Density (R-2) District. Also, request submitted by David Edwards, applicant, for a Conditional Use Permit to construct a single family detached home on a non-conforming parcel identified as Sub-Parcel #024-0310 located in the Residential, Medium Density (R-2) District. Notice was mailed on (*February 25, 2022*) by first class mail, postage prepaid, to all interested property owners, agents, occupants and other parties listed on the attached mailing matrix, all in accordance with Section 15.2-2204, Code of Virginia, 1950, as amended.

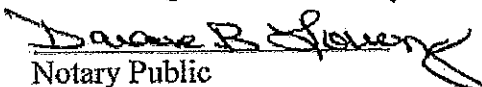

Signature
Executive Assistant
Title

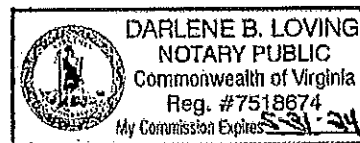
COMMONWEALTH OF VIRGINIA
CITY OF HOPEWELL, TO WIT:

I, undersigned, a Notary Public in and for the jurisdiction aforesaid, do hereby certify that (*Kimberly D. Kinker*) whose name is signed to the foregoing as Executive Assistant for the (*Department of Development/Planning*), has signed, acknowledged and sworn to the same before me in my jurisdiction aforesaid and, under oath, acknowledged the contents of the foregoing instrument to be true and accurate.

Given under my hand this 28 day of February, 2022.

My Commission expires: May 31, 2024


Notary Public





FILE COPY

February 25, 2022

David Edwards
P. O. Box 669
Prince George, VA 23875

Dear Mr. Edwards:

The Hopewell City Council will meet on **Tuesday, March 22, 2022 at 7:30 p.m.** to hold a public hearing regarding your request Sub-Parcel #024-0305 & #024-0310, for a Conditional Use Permits to construct a single family detached home on a non-con forming parcels located in the Residential, Medium Density (R-2) District.

At a public hearing City Staff will provide an overview of the request, with a recommendation. As the applicant, you are allowed to present the request to the City Council. The City Council may also ask you questions. The Code of Virginia also requires the City to notifying adjacent property owners of your request. If they choose, they are allowed to provide their opinion in writing or at the meeting.

The meeting on **Tuesday, March 22, 2022** will be held in City Council Chambers located at 300 North Main Street, Hopewell, Virginia in City Hall. Please plan to attend this meeting or have a representative attend that can answer questions regarding the application.

Sincerely,

Tevya Williams Griffin, AICP
Director
Department of Development

GREGORY M SISSON
2701 LEE ST
HOPEWELL, VA 23860

THURMAN L ROGERS
310 MARYLAND AVE
HOPEWELL, VA 23860

OPTIMIST CLUB OF HOPEWELL
INC
P O BOX 1194
HOPEWELL, VA 23860

BERNICE D TAYLOR
11204 THOMAS DR
HOPEWELL, VA 23860

WEST END PRESBYTERIAN
CHURCH OF HOPEWELL
TRUSTEES
1600 ATLANTIC ST, HOPEWELL,
VA 23860

KELLY A GILL
P O BOX 669
PRINCE GEORGE, VA 23875

JOHN P CAPPALI III
318 E BROADWAY
HOPEWELL, VA 23860

STEVENSON CONNER
7203 SPRINGLAKE DR
PRINCE GEORGE, VA 23875

ROBERT D DERESKI
8209 SANDY RIDGE RD
N PRINCE GEORGE, VA 23860

DAVID EDWARDS CUSTOM
BUILDER INC
P O BOX 669
PRINCE GEORGE, VA 23875

HARRY P IRVING ET ALS
8011 CHANTWELL DRIVE
MECHANICSVILLE, VA 23116

THOMAS E WILLIAMS
10425 OLD STAGE RD, PRINCE
GEORGE, VA 23875

RANDY V CARGILL
2618 WYCLIFFE AVE,
ROANOKE, VA 24014

LATOYA M LEWIS
1507 LYNCHBURG ST,
HOPEWELL, VA 23860

LINDA M LANE
1511 LYNCHBURG ST
HOPEWELL, VA 23860

PATRICIA D VAUGHAN
2101 JOHNSON ST
HOPEWELL, VA 23860

SHIRLEY HILL HARVEY-
CLARKE
309 S 17TH AVE
HOPEWELL, VA 23860

RANDY V & D GRIFFO
CARGILL BSTATE
2618 WYCLIFFE AVE
ROANOKE, VA 24014

CHARLES P HALLMAN
307 S 17TH AVE
HOPEWELL, VA 23860

JASMINE NICOLE GAMBLE
335 S 17 AVE
HOPEWELL, VA 23860

ANGEL VIERA
1505 LYNCHBURG ST
HOPEWELL, VA 23860

WILLIAM J GOODMAN
P O BOX 473
PRINCE GEORGE, VA 23875



*The City of
Hopewell, Virginia*

Department of Development

300 N. Main Street • Hopewell Virginia 23860 • (804) 541-2220 • Fax: (804) 541-2318

February 25, 2022

NOTICE OF PUBLIC HEARING & MEETING
CITY OF HOPEWELL

Dear Adjacent Property Owner:

Due to the amount of work loan the City Council has your case has been moved to a new date. The Hopewell City Council will conduct a public hearing on Tuesday, March 22, 2022 at 7:30 p.m. at the Hopewell Municipal Building, 300 North Main Street, in Council Chambers for the purpose of receiving comments regarding the following requests in accordance with, Article XXI, Amendments, of the Hopewell Zoning Ordinance. The following item will be considered:

1. A request submitted by David Edwards, owner of Sub-Parcel #024-0305, for a Conditional Use Permit to construct a single family detached home on a non-conforming parcel located in the Residential, Medium Density (R-2) District.
2. A request submitted by David Edwards, applicant, for a Conditional Use Permit to construct a single family detached home on a non-conforming parcel identified as Sub-Parcel #024-0310 located in the Residential, Medium Density (R-2) District.

If you desire additional information regarding this hearing, please contact the Department of Development at (804) 541-2220. If you would like to speak in favor or against this application please attend the meeting on March 22, 2022. If you are unable to attend the meeting, written correspondence can be hand delivered or mailed to City Hall, at 300 North Main Street, Suite 321, Hopewell, Virginia 23860. Email comments to devdept@hopewellva.gov.

Sincerely,

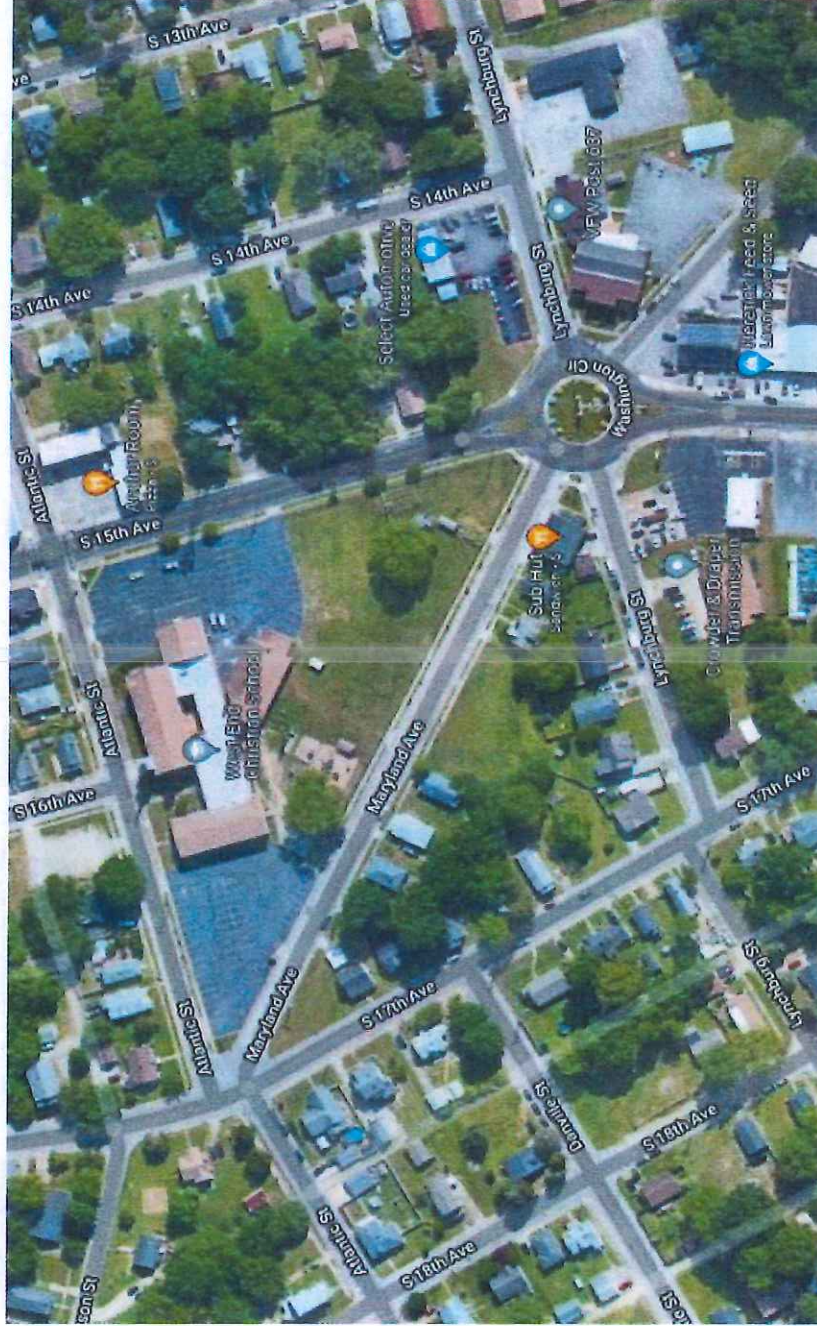
Tevya Williams Griffin, AICP
Director
Department of Development



SUB-PARCEL#024-3510

CONDITIONAL USE PERMIT

VICINITY MAP



PROPERTY INFORMATION

- Lots 12-13, Block 4, Buren Subdivision
- Ward 1
- R-2 Zoning District
- Parcel Size: 7,200 sq. ft.
- Parcel frontage: 60 ft.

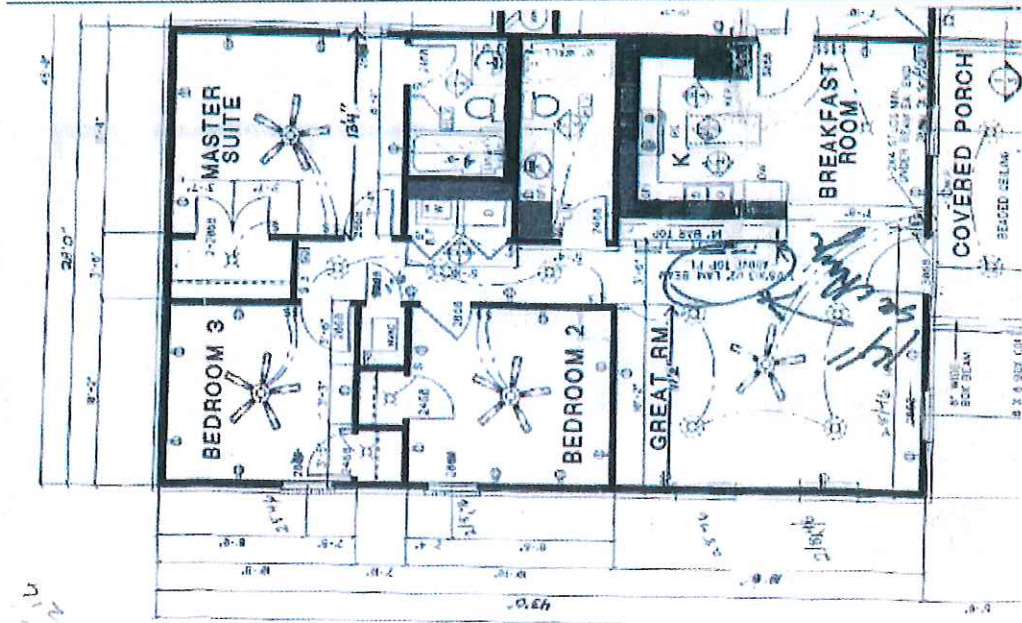


NEIGHBORHOOD INVENTORY

Average Year Built	1932
# of Bedrooms	3
# of Stories	1.25
Exterior Siding	50% vinyl 23% brick 11% masonite Other: stucco, asbestos siding, wood, and concrete block
Average Square Feet	1,309
Average Value of SFD	\$82,776.92

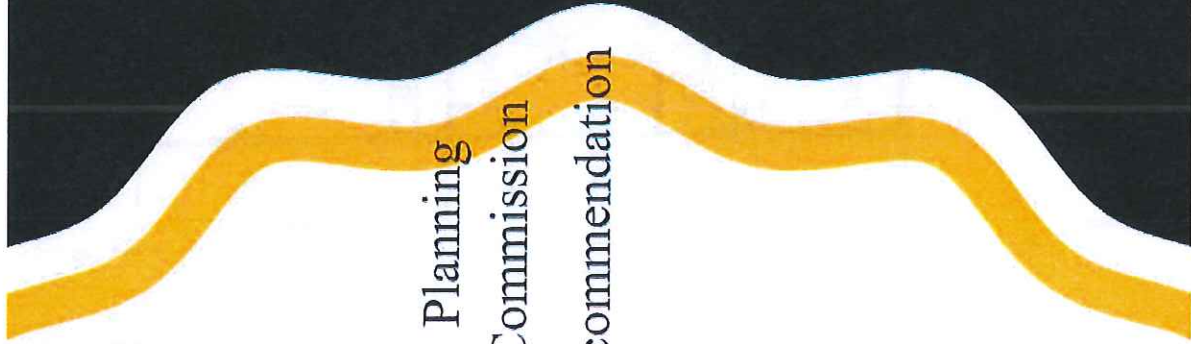


FLOOR PLAN



PROPOSED CONSTRUCTION





Planning Commission Recommendation

- The Planning Commission voted 5-0 to recommend approval of the application to construct a 1,300 square foot single family detached home with 3 bedrooms and 2 bathrooms. The Commission imposed the following conditions in which the applicant agreed.
 1. Work with the Department of Development to provide a front building façade with varying architectural elements;
 2. Brick front porch;
 3. Brick foundation; and
 4. Fence encroachment issue be cleared in favor of owner with the fence removed prior to issuance of a building permit.

CITY COUNCIL WORKSESSION

- Applicant was asked to consider providing additional drainage mechanism on the home.

CITY COUNCIL

In accordance with Article XXI. Amendments, of the Hopewell Zoning Ordinance, the Hopewell City Council votes to *(approve)* *(approve with conditions)* *(deny)* the request submitted by David Edwards for a Conditional Use Permit (CUP) in accordance with Article IV, Section I, Special Conditions for Nonconforming Lots and Article XVII, Nonconforming Uses, Section F., Nonconforming Lots of Record, in order to build a single family detached home on a nonconforming lot of record, Sub-Parcel # 024-0305 in the Medium Density, R-2, Zoning District.

QUESTIONS?

COMMUNICATIONS

FROM

CITIZENS

REGULAR
MEETING

R-1



CITY OF HOPEWELL CITY COUNCIL ACTION FORM

Strategic Operating Plan Vision Theme:

- Civic Engagement
- Culture & Recreation
- Economic Development
- Education
- Housing
- Safe & Healthy Environment
- None (Does not apply)

Order of Business:

- Consent Agenda
- Public Hearing
- Presentation-Boards/Commissions
- Unfinished Business
- Citizen/Councilor Request
- Regular Business
- Reports of Council Committees

Action:

- Approve and File
- Take Appropriate Action
- Receive & File (no motion required)
- Approve Ordinance 1st Reading
- Approve Ordinance 2nd Reading
- Set a Public Hearing
- Approve on Emergency Measure

**COUNCIL AGENDA ITEM TITLE: Declaration of Local Emergency – COVID-19
Omicron Variant**

ISSUE: In accordance with §44-146.21 of the Code of Virginia, the governing body shall take appropriate action to end the declared local emergency.

RECOMMENDATION: City Administration recommends City Council approve the resolution to end the declared local emergency for the Coronavirus Omicron variant outbreak.

TIMING: Action is requested at the March 22, 2022 meeting

BACKGROUND: On January 11, 2022 a local state of emergency was declared in accordance with §44-146.21 of the Code of Virginia in response to the threat to public health and safety to the residents of the City posed by and resulting from the COVID-19 virus Omicron variant outbreak. The Declaration shall remain in full force and effect until the Hopewell City Council determines that all necessary emergency actions have been taken and takes appropriate action to end the declared emergency by a majority vote taken at an open meeting, in accordance with the provisions of Virginia Code § 44-146.21(A).

ENCLOSED DOCUMENTS:

- Proposed Resolution Ending Declared Local Emergency
- Resolution Declaring a Local Emergency, January 11, 2022

STAFF:

John M. Altman, Jr., City Manager

SUMMARY:

- | Y | N | | Y | N | |
|--------------------------|--------------------------|------------------------------------|--------------------------|--------------------------|----------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Debbie Randolph, Ward #1 | <input type="checkbox"/> | <input type="checkbox"/> | Councilor Janice Denton, Ward #5 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Arlene Holloway, Ward #2 | <input type="checkbox"/> | <input type="checkbox"/> | Councilor Brenda Pelham, Ward #6 |
| <input type="checkbox"/> | <input type="checkbox"/> | Vice-Mayor John B. Partin, Ward #3 | <input type="checkbox"/> | <input type="checkbox"/> | Mayor Patience Bennett, Ward #7 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Jasmine Gore, Ward #4 | | | |

**RESOLUTION
ENDING THE DECLARATION OF A LOCAL EMERGENCY
IN RESPONSE TO CORONAVIRUS 2019 (COVID-19)OMICRON VARIANT**

WHEREAS, the World Health Organization has declared Coronavirus 2019 (COVID-19) a Public Health Emergency of International Concern; and

WHEREAS, the World Health Organization declared the spread of COVID-19 a pandemic on March 11, 2020; and

WHEREAS, the Governor of Virginia declared a State of Emergency on March 12, 2020 to prepare and coordinate Virginia's response to the potential spread of COVID-19; and

WHEREAS, the threat to public health and safety to the residents of the City of Hopewell, Virginia posed by and resulting from the COVID-19 virus Omicron Variant was of sufficient severity and magnitude that a local emergency was declared on January 11, 2022; and

WHEREAS, the Hopewell City Council confirmed the declaration of local emergency at the January 11, 2022 meeting of City Council; and

NOW, THEREFORE, BE IT PROCLAIMED pursuant to the authority vested by Virginia Code § 44-146.21(A), the Hopewell City Council has determined that all necessary emergency actions have been taken; and

IT IS FURTHER PROCLAIMED AND ORDERED that the declaration of local emergency in the City of Hopewell in response to COVID-19 Omicron Variant shall end effective March 22, 2022 upon approval of this resolution.

Dated: March 22, 2022

Patience A. Bennett
Mayor
City of Hopewell, Virginia

Attest:

Mollie P. Bess
City Clerk
City of Hopewell, Virginia

R-2



CITY OF HOPEWELL CITY COUNCIL ACTION FORM

Strategic Operating Plan Vision Theme:

- Civic Engagement
- Culture & Recreation
- Economic Development
- Education
- Housing
- Safe & Healthy Environment
- None (Does not apply)

Order of Business:

- Consent Agenda
- Public Hearing
- Presentation-Boards/Commissions
- Unfinished Business
- Citizen/Councilor Request
- Regular Business
- Reports of Council Committees

Action:

- Approve and File
- Take Appropriate Action
- Receive & File (no motion required)
- Approve Ordinance 1st Reading
- Approve Ordinance 2nd Reading
- Set a Public Hearing
- Approve on Emergency Measure

COUNCIL AGENDA ITEM TITLE: The Local Choice (TLC) Annual Health Insurance Renewal

ISSUE: City Council to approve TLC plans and rates as recommended by OneDigital for the 2022-2023 plan year.

RECOMMENDATION: City Administration recommends approval of Option E plans and rates.

TIMING: Action is requested at the March 22, 2022 meeting to meet TLC's March 25, 2022 renewal submission deadline and move forward with the annual open enrollment.

BACKGROUND: The final annual renewal for the 2022-2023 plan year came in at an increase of 13.2%, or \$565,044, over the 2021-2022 plan year rates. The total Health Insurance Premium is \$4,845,576 of which the City contribution to the Premium under Option A is \$3,924,753, and the Employee contribution is \$920,823.

ENCLOSED DOCUMENTS:

- OneDigital's Renewal Presentation

STAFF:

- John M. Altman, Jr., City Manager

SUMMARY:

Y N

- Councilor Debbie Randolph, Ward #1
- Councilor Arlene Holloway, Ward #2
- Vice-Mayor John B. Partin, Ward #3
- Councilor Jasmine Gore, Ward #4

Y N

- Councilor Janice Denton, Ward #5
- Councilor Brenda Pelham, Ward #6
- Mayor Patience Bennett, Ward #7

FOR IN MEETING USE ONLY

MOTION: _____

Roll Call

SUMMARY:

- | Y | N | |
|--------------------------|--------------------------|------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Debbie Randolph, Ward #1 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Arlene Holloway, Ward #2 |
| <input type="checkbox"/> | <input type="checkbox"/> | Vice-Mayor John B. Partin, Ward #3 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Jasmine Gore, Ward #4 |

- | Y | N | |
|--------------------------|--------------------------|----------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Janice Denton, Ward #5 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Brenda Pelham, Ward #6 |
| <input type="checkbox"/> | <input type="checkbox"/> | Mayor Patience Bennett, Ward #7 |



2022 Renewal

Mary Jones, Managing Consultant



Renewal Summary

- The Local Choice (TLC) renewal is calling for a 13.2% increase, or \$565,044 to current for the active employees and pre-Medicare eligible retirees
- Medicare eligible retirees Medicare Supplement rates are increasing from \$201 to \$206
- OneDigital's analysis of the claims experience suggests that the TLC renewal is fair

Option A The City and Employees Share the Renewal Increase

Option	Plan 1	Plan 2	Plan 3	Total Premium	Employer Premium Contribution	Employee Premium Contribution
Current Local Choice	HDHP \$2800/20%	Key Advantage 500	Key Advantage 250	\$4,280,532	\$3,359,709	\$920,823
Option A: Renewal Local Choice	HDHP \$2800/20%	Key Advantage 500	Key Advantage 250	\$4,845,576 13.2% \$565,044	\$3,803,187 13.2% \$443,477	\$1,042,389 13.2% \$121,567

Total increase to the City 13.2% or \$443,477

Total increase to the employees 13.2% or \$121,567

Option B Replace Key Advantage 500 with the 1,000 and Employees Share the Increase

Option	Plan 1	Plan 2	Plan 3	Total Premium	Employer Premium Contribution	Employee Premium Contribution
Current Local Choice	HDHP \$2800/20%	Key Advantage 500	Key Advantage 250	\$4,280,532	\$3,359,709	\$920,823
Option B Local Choice	HDHP \$2800/20%	Key Advantage 1000	Key Advantage 250	\$4,837,440 13.0% \$556,908	\$3,796,607 13.0% \$436,897	\$1,040,833 13.0% \$120,011

Total increase to the City 13.0% or \$463,897

Total increase to the employees 13.0% or \$120,011

Option C Keep Plan Options as is, Increase Employee Contributions for the Key Advantage 250

Option	Plan 1	Plan 2	Plan 3	Total Premium	Employer Premium Contribution	Employee Premium Contribution
Current Local Choice	HDHP \$2800/20%	Key Advantage 500	Key Advantage 250	\$4,280,532	\$3,359,709	\$920,823
Option C Local Choice	HDHP \$2800/20%	Key Advantage 500	Key Advantage 250	\$4,845,576	\$3,542,048	\$1,303,528
<i>250 ctrb buyup from 500</i>				13.2% \$565,044	5.4% \$182,339	41.6% \$382,705

Total increase to the City 5.4% or \$182,339

Total increase to the employees 41.6% or \$382,705



Option D Replace Key Advantage 500 with the 1,000 and Increase Employee Contributions for the Key Advantage 250

Option	Plan 1	Plan 2	Plan 3	Total Premium	Employer Premium Contribution	Employee Premium Contribution
Current Local Choice	HDHP \$2800/20%	Key Advantage 500	Key Advantage 250	\$4,280,532	\$3,359,709	\$920,823
Option D Local Choice	HDHP \$2800/20%	Key Advantage 1000	Key Advantage 250	\$4,837,440	\$3,399,779	\$1,437,661
<i>250 ctrb buyup from 1000</i>				13.0% \$556,908	1.2% \$40,070	56.1% \$516,838

Total increase to the City 1.2% or \$40,070

Total increase to the employees 56.1% or \$516,838



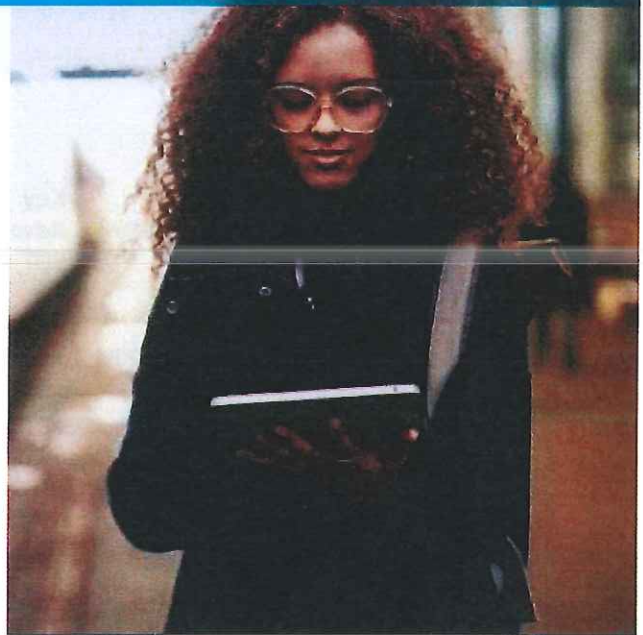
Option E City Absorbs the Renewal Increase

Option	Plan 1	Plan 2	Plan 3	Total Premium	Employer Premium Contribution	Employee Premium Contribution
Current Local Choice	HDHP \$2800/20%	Key Advantage 500	Key Advantage 250	\$4,280,532	\$3,359,709	\$920,823
Option E Local Choice	HDHP \$2800/20%	Key Advantage 500	Key Advantage 250	\$4,845,576	\$3,924,753	\$920,823
<i>A w/ no increase to Ees</i>				13.2% \$565,044	16.8% \$565,044	0.0% \$0

Total increase to the City 16.8% or \$565,044
 Total increase to the employees 0.00% or \$0.00

Recommendation

- Option E - Continue with TLC offering the three current plan options to active employees and pre-Medicare eligible retirees
 - HDHP
 - Key Advantage 250
 - Key Advantage 500
- Contributions
 - Keep employee contributions as is and the City absorbs the increase
- This will allow the City to be positioned to retain and attract new talent



VALUE SELECTSM Summary of Options

City of Hopewell								
Effective Date: 7/1/2022								
Renewal Contribution Assumption:								
Maximum to Employee								
Maximum to Dependent								
Option	Plan 1	Plan 2	Plan 3	Total Premium	Employer Premium Contribution	Employee Premium Contribution	Employer Contrib. to HSA	Employer Total Cost
							1400/2700	
Current	HDHP	Key Advantage	Key Advantage	\$4,280,532	\$3,359,709	\$920,823	\$40,900	\$3,400,609
Local Choice	\$2800/20%	500	250					
Option A: Renewal	HDHP	Key Advantage	Key Advantage	\$4,845,576	\$3,803,187	\$1,042,389	\$40,900	\$3,844,087
Local Choice	\$2800/20%	500	250	13.2%	13.2%	13.2%	0.0%	13.0%
				\$565,044	\$443,477	\$121,567	\$0	\$443,477
Option B	HDHP	Key Advantage	Key Advantage	\$4,837,440	\$3,796,607	\$1,040,833	\$40,900	\$3,837,507
Local Choice	\$2800/20%	1000	250	13.0%	13.0%	13.0%	0.0%	12.8%
				\$556,908	\$436,897	\$120,011	\$0	\$436,897
Option C	HDHP	Key Advantage	Key Advantage	\$4,845,576	\$3,542,048	\$1,303,528	\$40,900	\$3,582,948
Local Choice	\$2800/20%	500	250	13.2%	5.4%	41.6%	0.0%	5.4%
<i>250 ctrb buyup from 500</i>				\$565,044	\$182,339	\$382,705	\$0	\$182,339
Option D	HDHP	Key Advantage	Key Advantage	\$4,837,440	\$3,399,779	\$1,437,661	\$40,900	\$3,440,679
Local Choice	\$2800/20%	1000	250	13.0%	1.2%	56.1%	0.0%	1.2%
<i>250 ctrb buyup from 1000</i>				\$556,908	\$40,070	\$516,838	\$0	\$40,070
Option E	HDHP	Key Advantage	Key Advantage	\$4,845,576	\$3,924,753	\$920,823	\$40,900	\$3,965,653
Local Choice	\$2800/20%	500	250	13.2%	16.8%	0.0%	0.0%	16.6%
<i>A w/ no increase to Ees</i>				\$565,044	\$565,044	\$0	\$0	\$565,044

VALUE SELECT™

Contribution Detail

Option:	Current 1	Current 2	Current 3	Option A: Renewal	Option A: Renewal	Option A: Renewal	Option B	Option B	Option B	Option C	Option C	Option C	Option D	Option D	Option D
Carrier	Local Choice	Local Choice	Local Choice	Local Choice	Local Choice	Local Choice	Local Choice	Local Choice	Local Choice	Local Choice	Local Choice	Local Choice	Local Choice	Local Choice	Local Choice
Plan Description	HDHP \$2800/20%	Key Advantage 500	Key Advantage 250	HDHP \$2800/20%	Key Advantage 500	Key Advantage 250	HDHP \$2800/20%	Key Advantage 1000	Key Advantage 250	HDHP \$2800/20%	Key Advantage 500	Key Advantage 250	HDHP \$2800/20%	Key Advantage 1000	Key Advantage 250
Value Score	1.00	1.06	0.98	1.00	1.06	0.98	1.00	1.04	0.98	1.00	1.06	0.98	1.00	1.04	0.98
Enrollment: EE-Only	8	9	168	8	9	168	8	9	168	8	9	168	8	9	168
Enrollment: EE+Sp	3	1	34	3	1	34	3	1	34	3	1	34	3	1	34
Enrollment: EE+1C	0	2	25	0	2	25	0	2	25	0	2	25	0	2	25
Enrollment: EE+Cn	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Enrollment: EE+Fam	8	3	72	8	3	72	8	3	72	8	3	72	8	3	72
Total	19	15	299	19	15	299	19	15	299	19	15	299	19	15	299
Monthly															
Premium: EE-Only	\$503.00	\$624.00	\$689.00	\$569.00	\$706.00	\$780.00	\$569.00	\$676.00	\$780.00	\$569.00	\$706.00	\$780.00	\$569.00	\$676.00	\$780.00
Premium: EE+Sp	\$931.00	\$1,154.00	\$1,275.00	\$1,053.00	\$1,306.00	\$1,443.00	\$1,053.00	\$1,251.00	\$1,443.00	\$1,053.00	\$1,306.00	\$1,443.00	\$1,053.00	\$1,251.00	\$1,443.00
Premium: EE+1C	\$931.00	\$1,154.00	\$1,275.00	\$1,053.00	\$1,306.00	\$1,443.00	\$1,053.00	\$1,251.00	\$1,443.00	\$1,053.00	\$1,306.00	\$1,443.00	\$1,053.00	\$1,251.00	\$1,443.00
Premium: EE+Cn	\$1,358.00	\$1,685.00	\$1,860.00	\$1,536.00	\$1,906.00	\$2,106.00	\$1,536.00	\$1,825.00	\$2,106.00	\$1,536.00	\$1,906.00	\$2,106.00	\$1,536.00	\$1,825.00	\$2,106.00
Premium: EE+Fam	\$1,358.00	\$1,685.00	\$1,860.00	\$1,536.00	\$1,906.00	\$2,106.00	\$1,536.00	\$1,825.00	\$2,106.00	\$1,536.00	\$1,906.00	\$2,106.00	\$1,536.00	\$1,825.00	\$2,106.00
Monthly															
ER Ctrb: EE-Only	\$431.73	\$537.87	\$588.00	\$488.38	\$608.55	\$665.66	\$488.38	\$587.69	\$665.66	\$488.38	\$608.55	\$665.66	\$488.38	\$587.69	\$665.66
ER Ctrb: EE+Sp	\$729.11	\$901.75	\$972.38	\$824.67	\$1,020.49	\$1,100.55	\$824.67	\$972.47	\$1,100.55	\$824.67	\$1,020.49	\$1,100.55	\$824.67	\$972.47	\$1,100.55
ER Ctrb: EE+1C	\$764.70	\$949.56	\$1,033.05	\$864.35	\$1,074.62	\$1,169.19	\$864.35	\$1,029.34	\$1,169.19	\$864.35	\$1,074.62	\$1,169.19	\$864.35	\$1,029.34	\$1,169.19
ER Ctrb: EE+Cn	\$1,191.20	\$1,480.58	\$1,618.05	\$1,347.33	\$1,674.74	\$1,832.05	\$1,347.33	\$1,603.57	\$1,832.05	\$1,347.33	\$1,674.74	\$1,832.05	\$1,347.33	\$1,603.57	\$1,832.05
ER Ctrb: EE+Fam	\$1,024.41	\$1,262.10	\$1,347.78	\$1,158.70	\$1,427.66	\$1,526.01	\$1,158.70	\$1,366.99	\$1,526.01	\$1,158.70	\$1,427.66	\$1,526.01	\$1,158.70	\$1,366.99	\$1,526.01
Monthly															
EE Ctrb: EE-Only	\$71.27	\$86.13	\$101.00	\$80.62	\$97.45	\$114.34	\$80.62	\$93.31	\$114.34	\$80.62	\$97.45	\$114.34	\$80.62	\$93.31	\$114.34
EE Ctrb: EE+Sp	\$201.89	\$252.25	\$302.62	\$228.33	\$285.51	\$342.45	\$228.33	\$273.53	\$342.45	\$228.33	\$285.51	\$342.45	\$228.33	\$273.53	\$342.45
EE Ctrb: EE+1C	\$166.80	\$204.44	\$241.95	\$188.65	\$231.38	\$273.81	\$188.65	\$221.66	\$273.81	\$188.65	\$231.38	\$273.81	\$188.65	\$221.66	\$273.81
EE Ctrb: EE+Cn	\$166.80	\$204.44	\$241.95	\$188.67	\$231.26	\$273.95	\$188.67	\$221.43	\$273.95	\$188.67	\$231.26	\$273.95	\$188.67	\$221.43	\$273.95
EE Ctrb: EE+Fam	\$333.59	\$422.90	\$512.22	\$377.30	\$478.34	\$579.99	\$377.30	\$458.01	\$579.99	\$377.30	\$478.34	\$579.99	\$377.30	\$458.01	\$579.99
Employer Contribution Percent															
Ctrb % EE-Only	85.83%	86.20%	85.34%	85.83%	86.20%	85.34%	85.83%	86.20%	85.34%	85.83%	86.20%	85.34%	85.83%	86.20%	85.34%
Ctrb % (for depts): EE+Sp	69.48%	68.66%	65.59%	69.48%	68.66%	65.59%	69.48%	68.66%	65.59%	69.48%	68.66%	65.59%	69.48%	68.66%	65.59%
Ctrb % (for depts): EE+1C	77.68%	77.68%	75.95%	77.68%	77.68%	75.95%	77.68%	77.68%	75.95%	77.68%	77.68%	75.95%	77.68%	77.68%	75.95%
Ctrb % (for depts): EE+Cn	88.83%	88.83%	87.96%	88.83%	88.85%	87.96%	88.83%	88.85%	87.96%	88.83%	88.85%	87.96%	88.83%	88.85%	87.96%
Ctrb % (for depts): EE+Fam	69.32%	68.26%	64.88%	69.32%	68.26%	64.88%	69.32%	68.26%	64.88%	69.32%	68.26%	64.88%	69.32%	68.26%	64.88%
Payroll Deduction \$ Change/Mo															
\$ Change: EE-Only	\$9.35	\$11.32	\$13.34	\$9.35	\$11.32	\$13.34	\$9.35	\$7.18	\$13.34	\$9.35	\$11.32	\$13.34	\$9.35	\$7.18	\$13.34
\$ Change: EE+Sp	\$26.44	\$33.26	\$39.83	\$26.44	\$33.26	\$39.83	\$26.44	\$21.28	\$39.83	\$26.44	\$33.26	\$39.83	\$26.44	\$21.28	\$39.83
\$ Change: EE+1C	\$21.85	\$26.94	\$31.86	\$21.85	\$26.94	\$31.86	\$21.85	\$17.22	\$31.86	\$21.85	\$26.94	\$31.86	\$21.85	\$17.22	\$31.86
\$ Change: EE+Cn	\$21.87	\$26.82	\$32.00	\$21.87	\$26.82	\$32.00	\$21.87	\$16.99	\$32.00	\$21.87	\$26.82	\$32.00	\$21.87	\$16.99	\$32.00
\$ Change: EE+Fam	\$43.71	\$55.44	\$67.77	\$43.71	\$55.44	\$67.77	\$43.71	\$35.11	\$67.77	\$43.71	\$55.44	\$67.77	\$43.71	\$35.11	\$67.77
Deduction 2K per Month (24-Pay)															
EE Ctrb: EE-Only	\$35.64	\$43.07	\$50.50	\$40.31	\$48.72	\$57.17	\$40.31	\$46.65	\$57.17	\$40.31	\$48.72	\$57.17	\$40.31	\$46.65	\$57.17
EE Ctrb: EE+Sp	\$100.95	\$126.13	\$151.31	\$114.17	\$142.75	\$171.23	\$114.17	\$136.77	\$171.23	\$114.17	\$142.75	\$171.23	\$114.17	\$136.77	\$171.23
EE Ctrb: EE+1C	\$83.40	\$102.22	\$120.98	\$94.33	\$115.69	\$136.91	\$94.33	\$110.83	\$136.91	\$94.33	\$115.69	\$136.91	\$94.33	\$110.83	\$136.91
EE Ctrb: EE+Cn	\$83.40	\$102.22	\$120.98	\$94.33	\$115.69	\$136.91	\$94.33	\$110.72	\$136.91	\$94.33	\$115.63	\$136.91	\$94.33	\$110.72	\$136.91
EE Ctrb: EE+Fam	\$166.80	\$211.45	\$256.11	\$188.65	\$239.17	\$290.00	\$188.65	\$229.00	\$290.00	\$188.65	\$239.17	\$290.00	\$188.65	\$229.00	\$290.00
Minimum ER Ctrb per TLC:															
ER Minimum Ctrb:	HDHP	All Other Plans		HDHP	All Other Plans		HDHP	All Other Plans		HDHP	All Other Plans		HDHP	All Other Plans	
ER Ctrb: EE-Only	\$402.40	\$525.20	\$525.20	\$455.20	\$594.40	\$594.40	\$455.20	\$582.40	\$594.40	\$455.20	\$564.80	\$564.80	\$455.20	\$582.40	\$594.40
ER Ctrb: EE+Sp	\$488.00	\$636.80	\$636.80	\$552.00	\$720.70	\$720.70	\$552.00	\$706.20	\$720.70	\$552.00	\$684.80	\$684.80	\$552.00	\$706.20	\$720.70
ER Ctrb: EE+1C	\$488.00	\$636.80	\$636.80	\$552.00	\$720.70	\$720.70	\$552.00	\$706.20	\$720.70	\$552.00	\$684.80	\$684.80	\$552.00	\$706.20	\$720.70
ER Ctrb: EE+Cn	\$573.40	\$748.40	\$748.40	\$648.60	\$847.00	\$847.00	\$648.60	\$829.90	\$847.00	\$648.60	\$804.80	\$804.80	\$648.60	\$829.90	\$847.00
ER Ctrb: EE+Fam	\$573.40	\$748.40	\$748.40	\$648.60	\$847.00	\$847.00	\$648.60	\$829.90	\$847.00	\$648.60	\$804.80	\$804.80	\$648.60	\$829.90	\$847.00
Check ER Ctrb:															
Check ER Ctrb:	HDHP \$2800/20%	Key Advantage 500	Key Advantage 250	HDHP \$2800/20%	Key Advantage 500	Key Advantage 250	HDHP \$2800/20%	Key Advantage 1000	Key Advantage 250	HDHP \$2800/20%	Key Advantage 500	Key Advantage 250	HDHP \$2800/20%	Key Advantage 1000	Key Advantage 250
ER Ctrb: EE-Only	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK
ER Ctrb: EE+Sp	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK
ER Ctrb: EE+1C	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK
ER Ctrb: EE+Cn	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK
ER Ctrb: EE+Fam	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK

VALUE SELECTSM
Contribution Detail

Option:	Option E	Option E	Option E
Carrier	Local Choice	Local Choice	Local Choice
Plan Description	HDHP \$2800/20%	Key Advantage 500	Key Advantage 250
Value Score	1.00	1.06	0.98
Enrollment: EE-Only	8	9	168
Enrollment: EE+Sp	3	1	34
Enrollment: EE+1C	0	2	25
Enrollment: EE+Cn	0	0	0
Enrollment: EE+Fam	8	3	72
Total	19	15	299
Monthly			
Premium: EE-Only	\$569.00	\$706.00	\$780.00
Premium: EE+Sp	\$1,053.00	\$1,306.00	\$1,443.00
Premium: EE+1C	\$1,053.00	\$1,306.00	\$1,443.00
Premium: EE+Cn	\$1,536.00	\$1,906.00	\$2,106.00
Premium: EE+Fam	\$1,536.00	\$1,906.00	\$2,106.00
Monthly			
ER Ctrb: EE-Only	\$497.73	\$619.87	\$679.00
ER Ctrb: EE+Sp	\$851.11	\$1,053.75	\$1,140.38
ER Ctrb: EE+1C	\$886.20	\$1,101.56	\$1,201.05
ER Ctrb: EE+Cn	\$1,369.20	\$1,701.56	\$1,864.05
ER Ctrb: EE+Fam	\$1,202.41	\$1,483.10	\$1,593.78
Monthly			
EE Ctrb: EE-Only	\$71.27	\$86.13	\$101.00
EE Ctrb: EE+Sp	\$201.89	\$252.25	\$282.61
EE Ctrb: EE+1C	\$166.80	\$204.44	\$241.95
EE Ctrb: EE+Cn	\$166.80	\$204.44	\$241.95
EE Ctrb: EE+Fam	\$333.59	\$422.90	\$512.22
Employer Contribution Percent			
Ctrb %: EE-Only	87.47%	87.80%	87.05%
Ctrb % (for depts): EE+Sp	73.01%	72.31%	69.59%
Ctrb % (for depts): EE+1C	80.26%	80.28%	78.74%
Ctrb % (for depts): EE+Cn	90.12%	90.14%	89.37%
Ctrb % (for depts): EE+Fam	72.87%	71.91%	68.99%
Payroll Deduction \$ Change/Mo			
\$ Change: EE-Only	\$0.00	\$0.00	\$0.00
\$ Change: EE+Sp	\$0.00	\$0.00	\$0.00
\$ Change: EE+1C	\$0.00	\$0.00	\$0.00
\$ Change: EE+Cn	\$0.00	\$0.00	\$0.00
\$ Change: EE+Fam	\$0.00	\$0.00	\$0.00
Deduction 2X per Month (24-Pay)			
EE Ctrb: EE-Only	\$35.64	\$43.07	\$50.50
EE Ctrb: EE+Sp	\$100.95	\$126.13	\$151.31
EE Ctrb: EE+1C	\$83.40	\$102.22	\$120.98
EE Ctrb: EE+Cn	\$83.40	\$102.22	\$120.98
EE Ctrb: EE+Fam	\$166.80	\$211.45	\$256.11
	Minimum ER Ctrb per TLC:		
ER Minimum Ctrb:	HDHP	All Other Plans	
ER Ctrb: EE-Only	\$455.20	\$594.40	\$594.40
ER Ctrb: EE+Sp	\$552.00	\$720.70	\$720.70
ER Ctrb: EE+1C	\$552.00	\$720.70	\$720.70
ER Ctrb: EE+Cn	\$648.60	\$847.00	\$847.00
ER Ctrb: EE+Fam	\$648.60	\$847.00	\$847.00
	Check ER Ctrb:		
	HDHP \$2800/20%	Key Advantage 500	Key Advantage 250
Check ER Ctrb:			
ER Ctrb: EE-Only	OK	OK	OK
ER Ctrb: EE+Sp	OK	OK	OK
ER Ctrb: EE+1C	OK	OK	OK
ER Ctrb: EE+Cn	OK	OK	OK
ER Ctrb: EE+Fam	OK	OK	OK

COUNCILOR REQUESTS

ADJOURNMENT

