



PUBLIC NOTICE
WILLIAMSBURG BOARD OF ZONING APPEALS

The Williamsburg Board of Zoning Appeals will hold a public hearing on Tuesday, May 7, 2019, 4:00 P.M. in the Council Workroom, Room #123, of the Stryker Center, 412 North Boundary Street, to consider the following:

BZA#19-009: Request of James R. Stevens & Phillip P. Ettinger for a special exception pursuant to Section 21-605.2 of the Zoning Ordinance to approve a short term rental of one room to transient visitors in a single-family detached dwelling. The property is located at 116 Washington Street, Williamsburg Tax Map Number 438-15-00-E and is zoned, Single-Family Dwelling District RS-3.

Additional information is available at <http://www.williamsburgva.gov/bzameetings>; and at the Planning Department [(757) 220-6130], 401 Lafayette Street. Interested citizens are invited to attend these hearings and present their comments to the Board.

If you are disabled and need accommodations in order to participate in the public hearings, please call the Planning Department at (757) 220-6130, (TDD) 220-6108, no later than 12:00 noon, Monday, April 29, 2019.

The Board will view the site as a group on May 7, 2019 at 3:30 p.m. at 116 Washington Street (BZA#19-009).

Heather I Markle
Zoning Administrator



BOARD OF ZONING APPEALS
WILLIAMSBURG PLANNING DEPARTMENT
401 LAFAYETTE STREET
WILLIAMSBURG, VIRGINIA 23185-3617
(757) 220-6130 FAX (757) 220-6130

BZA# 19-009
DATE 3/18/2019

OWNER(S): JAMES R. STEVENS & Phillip P. ETTINGER

ADDRESS: Phillips - 2904 Maplewood Pl. Alexandria, VA 22302

PHONE/FAX NUMBER/E-MAIL: 703-549-5762 / (F) 703-549-1444 / Phillip.ETTINGER@outlook.ca

APPLICANT/REPRESENTATIVE: EITHER ONE OF OWNERS will be present

ADDRESS: 33278 Maple Lane Wallops Island, VA 23337

PHONE/FAX NUMBERS/E-MAIL: 757-894-3007

LOCATION OF THE REQUEST: 116 Washington St. Williamsburg, VA 43185

ATTACH PLAT OR DETAILED DRAWING OF PROPERTY SHOWING EXISTING STRUCTURES, PROPOSED STRUCTURES, SET BACK LINES AND ENCROACHMENTS.

THE FOLLOWING REQUEST IS MADE TO THE BOARD OF ZONING APPEALS FOR:

- AN APPEAL TO AN INTERPRETATION OF THE ZONING ORDINANCE, ZONING MAP, OR AN APPEAL OF AN ADMINISTRATIVE DECISION.

Provide narrative statements describing the nature and purpose of the appeal and specifying the action requested of the Board of Zoning Appeals.

- A VARIANCE RELATING TO _____

Provide narrative statements demonstrating that the requested variance meets each of the following tests:

1. The property was acquired in good faith.
2. Narrowness, shallowness, topographic conditions, size of the property or shape of the property at the time of the effective date of the Zoning Ordinance or use/development of the property immediately adjacent creates a hardship.
3. The strict application of the terms of the ordinance would effectively prohibit or unreasonably restrict the use of the property.
4. The above described hardship does not result from the actions of the owner(s).
5. The degree of variance requested is the minimum needed to remove the hardship. If not, why is more needed?
6. Granting the variance would not adversely impact adjacent properties.

- A SPECIAL EXCEPTION FOR SHORT TERM RENTAL

Provide narrative statements demonstrating that the requested special exception meets each of the following requirements:

1. It is designed, constructed and operated to adequately safeguard the health, safety and welfare of the occupants of the adjoining and surrounding property.
2. It does not unreasonably impair an adequate supply of light and air to adjacent property.
3. It does not increase public danger from fire or otherwise unreasonably restrict public safety.
4. It does not impair the established property values in surrounding areas.

Initials PE
JS

BZA # 19-009

I/We, respectfully request that a determination be made by the Board of Zoning Appeals for the above-noted request which is true to the best of my/our knowledge and belief.

Philip B. Attenza
Signature of Owner(s)

March 19, 2019
Date

Sworn before me this 11 day of April, 2019.

[Signature]
Notary

03/31/2022
My Commission Expires



FOR OFFICE USE ONLY

TAX MAP NUMBER: 438-15-00-E ZONING: RS-3

DATE OF PUBLIC HEARING: 5-7-19 NOTICES MAILED: 4-17-19
(SEE ATTACHED SHEET FOR PERSONS NOTIFIED)

DECISION:

THE DECISION OF THE BOARD OF ZONING APPEALS MAY BE APPEALED TO THE CIRCUIT COURT WITHIN 30 DAYS AFTER THE FINAL DECISION OF THE BOARD.

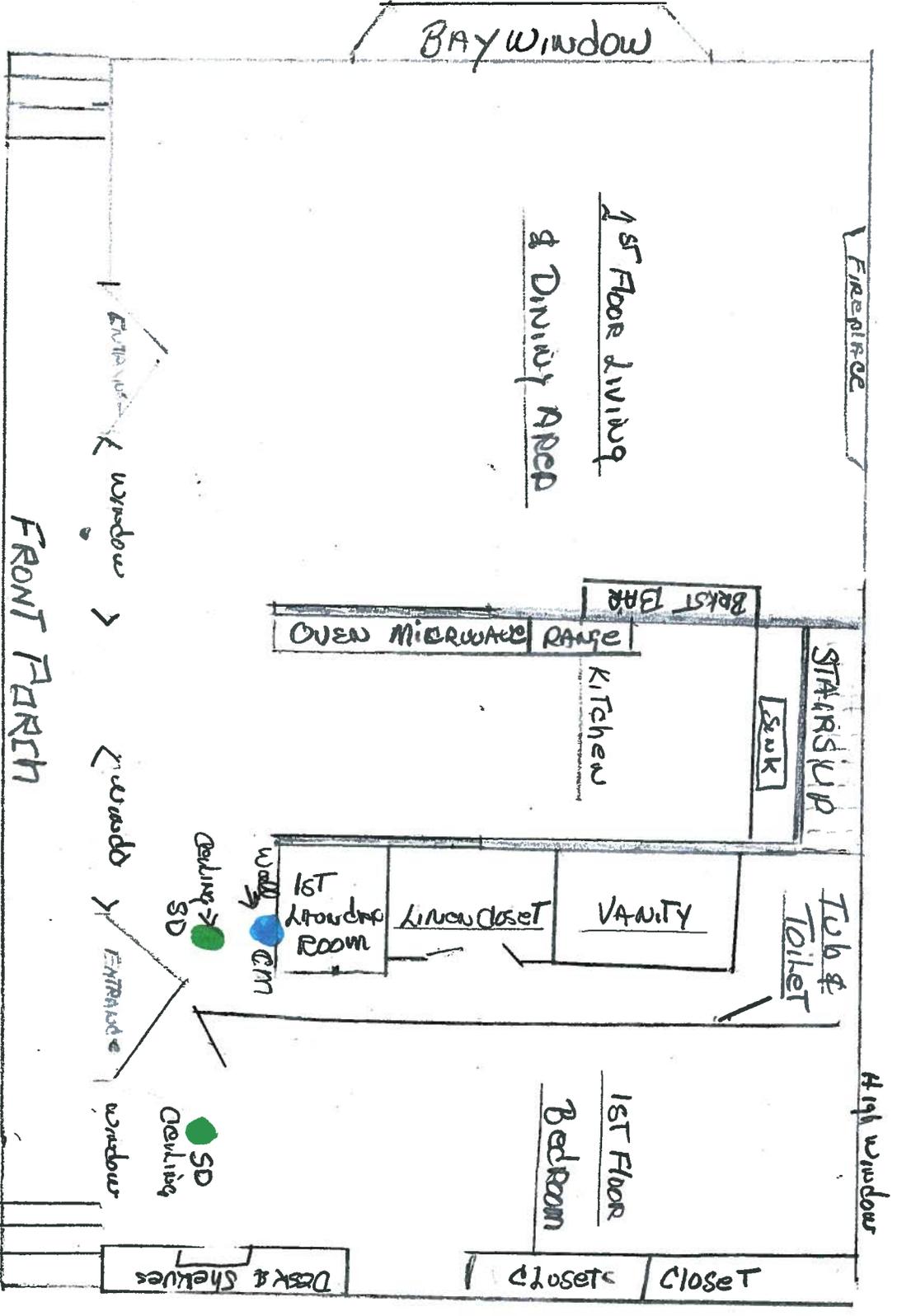
ZONING ADMINISTRATOR

DATE

March, 2007

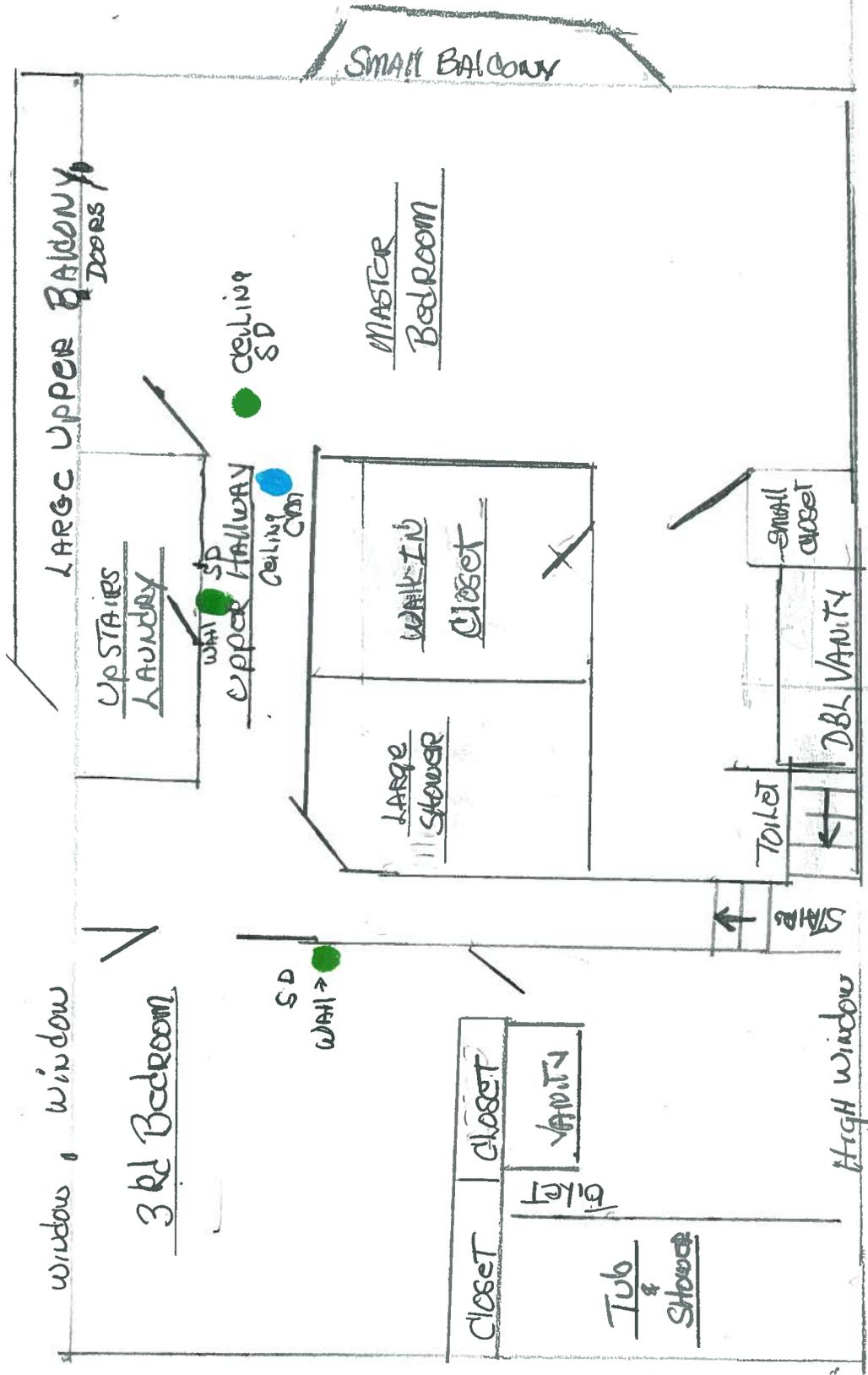
[FORMS\BZA APPLICATION FORM]

1507 Bay St NW #116 Washington DC 20004



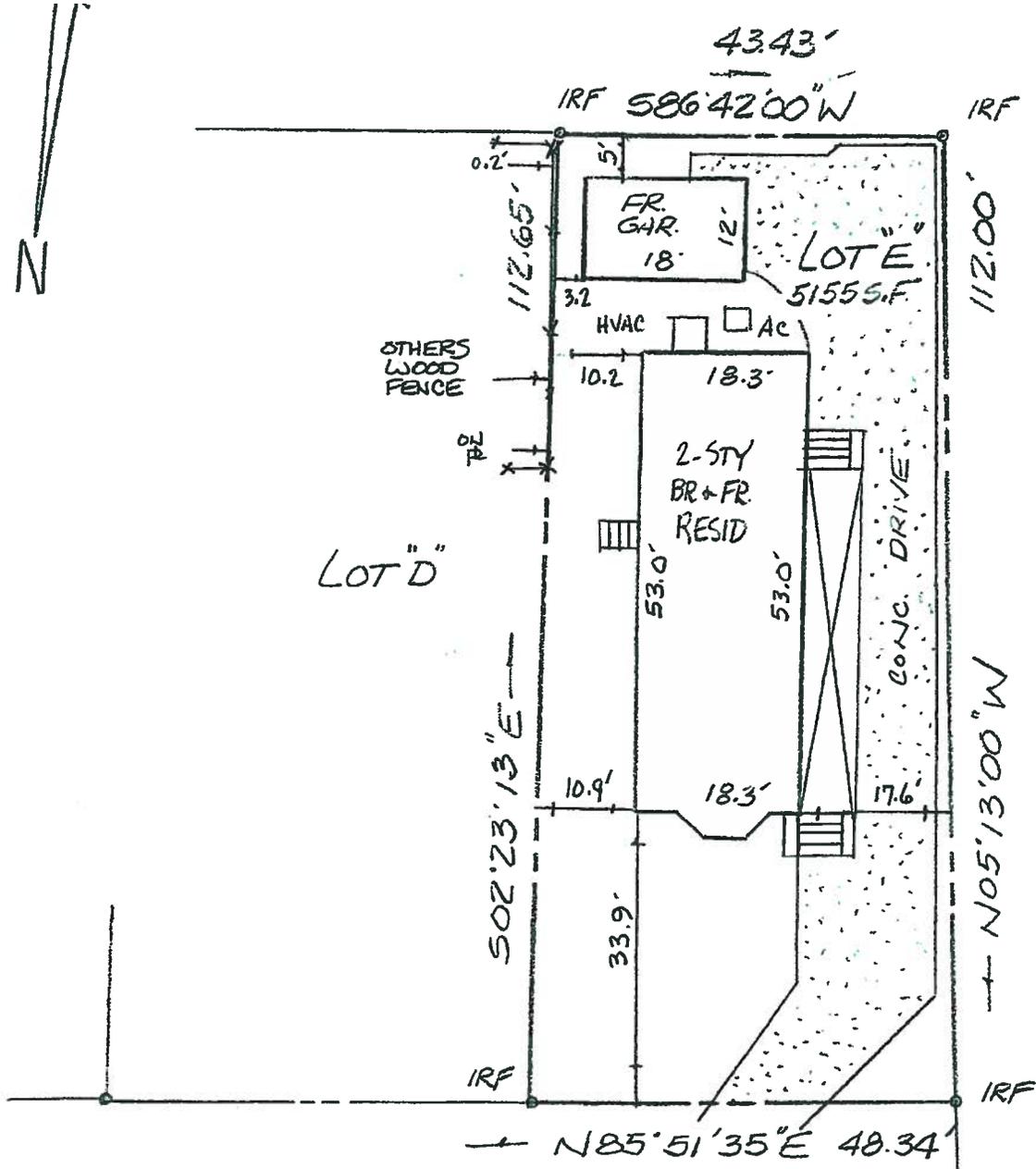
● SD = Smoke Detector
 ● CM = Carbon Monoxide

2nd Floor @ #116 Washington St.



● = Smoke Detector

● = Carbon Monoxide



WASHINGTON STREET

THIS IS TO CERTIFY THAT ON APRIL 5, 2019, I SURVEYED THE PROPERTY SHOWN ON THIS PLAT AND FOUND THE PROPERTY LINES TO BE CORRECT AS SHOWN HEREON. THERE ARE NO VISIBLE ENCROACHMENTS EITHER WAY ACROSS THE LINES EXCEPT AS SHOWN. THE PROPERTY IS SUBJECT TO EASEMENTS, SERVITUDES AND COVENANTS OF RECORD.

FLOOD ZONE: X
 FLOOD INSURANCE RATE MAP: 51095C 0139D
 DATE OF F.I.R.M.: 12/16/15
 NOTE: UNDERGROUND UTILITIES

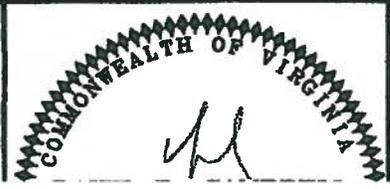
THIS SURVEY WAS DONE WITHOUT BENEFIT OF A CURRENT TITLE REPORT.

116 WASHINGTON STREET

[Signature]
 DAVID P. CAMPBELL, C.L.S. 1419B

PLAT OF THE PROPERTY OF
 JAMES STEVENS, REBECCA STEVENS & PHILLIP P. ETTINGER

- LEGEND**
- I.R.F. IRON ROD FOUND
 - I.P.F. IRON PIPE FOUND
 - I.R.S. IRON ROD SET
 - C.M.F. CONCRETE MONUMENT FOUND
 - PROPERTY LINE



LOT "E"
 BOUNDARY LINE ADJUSTMENT, LOTS 11-19, BLOCK A, CAPITOL HEIGHTS (P.B. 90, PG. 14)



**SHORT TERM RENTAL
TITLE CERTIFICATE**

For: CITY OF WILLIAMSBURG
Re: RECORD OWNERSHIP FOR RENTAL OF ONE BEDROOM
AS REQUIRED BY CITY CODE SECTION 21-605.2(d)(2).

Property Address: 116 Washington Street, Williamsburg, VA 23185

Parcel Size: Parcel "E", 5,153 sq ft , 118 acre

I have examined the land records maintained in the Clerk's Office for the Circuit Court of the City of Williamsburg and County of James City. Insofar as the records of the Clerk's Office are properly kept and indexed, the fee simple owners of the above captioned property are as follows:

Name of Owners: James Stevens, Rebecca Stevens and Phillip P. Ettinger as tenants by the entirety with the right of survivorship as at common law.

By Deed dated February 26, 2019 from Marcia K. Bignall
of record at Deed Book 191251 page .

SUBJECT TO THE LIENS, ENCUMBRANCES AND OTHER OBJECTIONS TO TITLE OF RECORD OR AS MAY BE DISCLOSED BY A CURRENT AND ACCURATE SURVEY OF THE PREMISES.

CERTIFIED DOWN TO: 03/07/2019 AT 8:00AM A.M./P.M.
Date Time


Attorney Signature

Allen C. Tanner, Jr./Peninsula Title Company, Inc.

16174

Attorney

Va. St. Bar #

11835 Fishing Point Drive, Suite 201

Address

Newport News, VA 23606

757-595-2536

Phone

Stallop

Deed of Bargain and Sale

Consideration:	\$405,000.00
Tax ID:	438-15-00-E
Assessed Value:	\$378,800.00
Property Address:	116 Washington Street, Williamsburg, Virginia 23185
Grantee Address:	P.O. Box 623, Atlantic, VA 23303
Scrivener:	Lytle Law, PC (Brian D. Lytle, Esq., Bar #24036)
Return To:	Peninsula Title Company, 11835 Fishing Point Drive, Suite 201, Newport News, Virginia 23606
Title Insurance:	Old Republic National Title Insurance Co.

This Deed of Bargain and Sale, dated February 26, 2019, from **MARCIA K. BIGNALL, TRUSTEE** of the Marcia K. Bignall Living Trust dated August 11, 2014 ("Grantor"), to **JAMES STEVENS** and **REBECCA STEVENS**, husband and wife, and **PHILLIP P. ETTINGER**, unmarried ("Grantees"), provides that:

In consideration of the monetary amount noted above cash in hand paid and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Grantor does hereby bargain, sell, grant and convey, subject to such matters as are set out herein, with **GENERAL WARRANTY AND ENGLISH COVENANTS OF TITLE**, unto Grantees, with an undivided fifty percent (50%) held by James and R. Stevens and Rebecca Stevens, husband and wife, as tenants by the entirety with the right of survivorship as at common law, and an undivided fifty percent (50%) held by Phillip P. Ettinger, with each such fifty percent undivided interest held jointly with the other as joint tenants with right of survivorship as at common law, the following described real property, *to-wit*:

The property is commonly known as **116 Washington Street, Williamsburg, Virginia 23185.**

SEE EXHIBIT A, ATTACHED, FOR LEGAL DESCRIPTION.

Together with all and singular the buildings and improvements thereon, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining; subject, however, to all recorded easements, conditions, restrictions and agreements that lawfully apply to the property.

**EXHIBIT A
LEGAL DESCRIPTION**

All that certain lot, piece or parcel of land situate in the City of Williamsburg, Virginia, known and designated as Lot "E" on that certain plat entitled, "BOUNDARY LINE ADJUSTMENT, LOTS 11-19, BLOCK A, CAPITOL HEIGHTS, PROPERTY OF PEARL R. MCMANUS ESTATE, WILLIAMSBURG, VIRGINIA", dated December 4, 2000, made by Evans Surveying, LLC, recorded in the Clerk's Office of the Circuit Court for the City of Williamsburg, Virginia, in Plat Book 80, at Page 14.

It being the same property conveyed unto Marcia K. Bignall, Trustee of the Marcia K. Bignall Living Trust dated August 11, 2014 by instrument dated March 24, 2016 and recorded in the Clerk's Office aforesaid as Instrument No. 162008, to which deed reference is here made.

INSTRUMENT 191251
RECORDED IN THE CLERK'S OFFICE OF
WM3006/JAMES CITY CIRCUIT ON
MARCH 7, 2019 AT 12:49 PM
\$405.00 GRANTOR TAX WAS PAID AS
REQUIRED BY SEC 58.1-802 OF THE VA. CODE
STATE: \$202.50 LOCAL: \$202.50
MONA A. FOLEY, CLERK
RECORDED BY: J LZ

Please see Page 2 & 3



NATIONWIDE PROPERTY AND CASUALTY
Homeowner Memorandum of Insurance
Non-Assessable

This Memorandum of Insurance provides basic information regarding Coverage, premium and interests protected by your policy as of MAR 06, 2019. A formal Declarations page superseding this Memorandum will be mailed which will provide complete updated coverages and premium details.

Policy Number:
5345HR044393

Policyholder:
(Named Insured)
JAMES R STEVENS &
REBECCA STEVENS
PO BOX 623
ATLANTIC, VA 23303-0623

Policy Period From:

JAN 01, 2019 to JAN 01, 2020 but only if the required premium for this period has been paid, and only for annual renewal periods if premiums are paid as required. Each period begins and ends at 12:01 A.M. standard time at the Residence Premises.

Residence Premises Information:

33278 MAPLE ST
ATLANTIC
VA 23303

PURCHASED 01/1600
BUILT 2006
CONSTRUCTION FRAME
ROOF COMPOSITION SHINGLE
SUPPLEMENTAL HEATING? N
002 OCCUPANTS IN DWELLING
ONE FAMILY

FD ATLANTIC FD
PROTECTION CLASS 8B
MILES FROM FIRE DEPT 000

Additional Rating Information: The following is used when determining your policy's premium. Please advise immediately if this information is incorrect.

RATING AGE OF INSURED: 37

SECTION I

Property Coverages	Limits of Liability
COVERAGE-A-DWELLING	\$501,700
COVERAGE-B-OTHER STRUCTURES	\$233,542
COVERAGE-C-PERSONAL PROPERTY	\$376,275
COVERAGE-D-LOSS OF USE	ALS*
*ACTUAL LOSS SUSTAINED	
PAYMENT NOT TO EXCEED 24	
MONTHS	

Deductible: \$500 ALL PERILS

In case of a loss under Section I, we cover only that part of each loss over the deductible stated.

EXCEPTIONS

5% OF COVERAGE A - DWELLING LIMIT = \$25,085. THIS DEDUCTIBLE APPLIES TO HURRICANE LOSSES.

Form
LLC-1011

(Rev. 12/2017)

Virginia State
Corporation
Commission



Articles of Organization Virginia Limited Liability Company

▶ See instructions that follow

Filing Fee:
\$100.00

Pursuant to Chapter 12 of Title 13.1 of the Code of Virginia the undersigned states as follows:

Article I

The name of the limited liability company ("the company") is:

Patriot House 1776 LLC

EIN 83-4227347

(The name must contain the words limited company or limited liability company or the abbreviation L.C., LC, LLC, or LLC)

Article II

A. The name of the company's initial registered agent is

Phillip P. Ettinger

B. The initial registered agent is (mark appropriate box):

- (1) an **INDIVIDUAL** who is a resident of Virginia and
 - a member or manager of the limited liability company.
 - a member or manager of a limited liability company that is a member or manager of the limited liability company.
 - an officer or director of a corporation that is a member or manager of the limited liability company.
 - a general partner of a general or limited partnership that is a member or manager of the limited liability company.
 - a trustee of a trust that is a member or manager of the limited liability company.
 - a member of the Virginia State Bar.

OR

- (2) a domestic or foreign stock or nonstock corporation, limited liability company or registered limited liability partnership authorized to transact business in Virginia.

Article III

A. The company's initial registered office address, including the street and number, if any, which is identical to the business office of the initial registered agent, is

2904 Maplewood Place

City of Alexandria

VA 22302

(number/street)

(city or town)

(zip)

B. The registered office is located in the county or city of **Alexandria**

Article IV

The company's principal office address, including the street and number, is

6759A Maddox Blvd. %S. Taylor

Chincoteague

VA 23336

(number/street)

(city or town)

(state)

(zip)

Signature(s) of Organizer(s):

Signature	Printed Name	Date	Telephone No. (optional)
	Phillip P. Ettinger	4-09-19	2028615800
	James R. Stevens	4-09-19	

phillipettinger@outlook.com

To: BOARD OF ZONING APPEALS - WILLIAMSBURG PLANNING DEPARTMENT
Cc: HEATHER MARKLE - ZONING ADMINISTRATOR
Subject: PROPERTY MANAGEMENT PLAN - SHORT TERM RENTAL - 116 WASHINGTON ST.

APRIL 15, 2019

THANK YOU FOR THE OPPORTUNITY TO SUBMIT OUR APPLICATION FOR A SHORT TERM RENTAL CERTIFICATE ON CAPTIONED PROPERTY IN THE CITY OF WILLIAMSBURG VIRGINIA. MY CO- OWNER AND OUR WIVES HAVE LONG WANTED A VACATION/SECOND HOME IN YOUR COMMUNITY FOR GOING ON SEVERAL DECADES. F IN THAT REGARD AND TO SATISFY THE REQUIRMENTS OF OUR APLICATION WE SUBMIT TO THE BOARD OUR PLAN TO PROPERLY MANAGE THIS PROPERTY AND ANY OF THE GUEST RENTALS:

WE WILL, OUR WIVES, OR MEMBERS OF OUR IMMEDIATE FAMILY WILL BE IN THE HOUSE AND AVAILABLE AT ALL TIMES. WE WILL OR HAVE MADE ARRANGEMENTS TO HAVE THE EXTERIOR OF THE PROPERTY PROPERLY MAINTAINED IE.... LAWN AND LANDSCAPING, GARBAGE AND TRASH REMOVAL, PROPER PARKING, EXTERIOR OF THE HOME. WE ACKNOWLEDGE THE RERQUIREMENTS AND RESTRICTIONS ON THE APPLICATION CHECKLIST AND WILL OBSEVE AND ENFORCE THEM.

ADDITIONALLY WE WILL MAINTAIN PROPER BOOKS AND RECORD KEEPING OF THE GUEST AND TIMES OF THEIR OCCUPANCY. WE HAVE MADE ARRANGEMENTS WITH MY PARTNER'S SISTER THAT MANAGES A REAL ESTATE OFFICE ON CHINCOTEAGUE VIRGINIA TO KEEP AND MAINTAIN THESE RECORDS SO THAT THE PROPER STATE OF VIRGINIA AND CITY OF WILLIAMSBURG TAXES ALONG WITH THE CITY OF WILLIAMSBURG ROOM TAX ARE COLLECTED AND PAID AT THE PROPER TIMES AS REQUIRED.

RESPECTFULLY,


PHILLIP P. ETTINGER


JAMES R. STEVENS