



**BOARD OF ZONING APPEALS**

**MEETING MINUTES**

**WEDNESDAY, MAY 1, 2024**

On Wednesday, May 1, 2024, the Board of Zoning Appeals held a public hearing in the Fifth Floor Conference Room, 900 East Broad Street, at 1:00 p.m.; display notice having been published in the Richmond Legacy Newspaper on April 17 and 24, 2024 and written notice having been sent to interested parties.

Members Present:                   Rodney M. Poole, Chair  
  Roger H. York, Jr., Vice-Chair  
  Mary J. Hogue  
  Bryce L. Robertson

Staff Present:                       Roy W. Benbow, Secretary  
  William C. Davidson, Zoning Administrator  
  Brian P. Mercer, Planner  
  Neil R. Gibson, Senior Assistant City Attorney

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The Chairman called the meeting to order and read the Board of Zoning Appeals Introductory Statement, which explains the proceedings of the meeting. The applicant and those appearing in support of an application speak first, followed by those appearing in opposition.

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BZA 13-2024

APPLICANT:                       Dannon Featherston and Laci M Combs

PREMISES:                        1501 WHITLONE DRIVE  
  (Tax Parcel Number C005-0403/002)

**SUBJECT:** A building permit to construct an accessory structure (garage) to an existing single-family (detached) dwelling.

**DISAPPROVED** by the Zoning Administrator on December 18, 2023, based on Sections 30-300, 30-630.1(a)(1) & 30-680.1(d) of the zoning ordinance for the reason that: In an R-3 (Single-Family Residential) District, the front yard (setback) requirement is not met. Accessory buildings and structures are not permitted in the front yard, as established by the main building. An accessory building or structure may only be located in a front yard if located 100 feet or greater from the nearest street line. A front yard of 24.04 feet, as established by the existing main building, exists; a front yard of four feet (4') is proposed for the garage.

**APPLICATION** was filed with the Board on March 26, 2024, based on Section 30-1040.3(1) of the City of Richmond Zoning Ordinance.

**APPEARANCES:**

For Applicant: Dannon Featherston

Against Applicant: None

**FINDINGS OF FACT:** The Board finds from sworn testimony and exhibits offered in this case that the applicant, Dannon Featherston, has requested a special exception to construct an accessory structure (garage) for property located at 1501 Whitlone Drive. Mr. Featherston testified that his lot is located at the corner of Westover Drive and Whitlone Drive and as such is required to provide front yard setbacks adjacent to each street frontage which severely limits the development potential of his property. Mr. Featherston noted that although he is requesting a setback of 4 feet that in actuality there is approximately 23 feet of public right-of-way adjacent to the street. Mr. Featherston indicated that the lot is heavily forested which has the effect of camouflaging the proposed accessory garage from adjacent properties and also while looking down the street. Mr. Featherston noted that in general the neighborhood is heavily forested. Mr. Featherston indicated that the proposed garage is necessary due to the fact that his mother recently passed away and left him all of the family's belongings which he currently has in storage. The proposed garage will be constructed by Tough Shed and will include cementitious siding. Mr. Featherston noted that if required to meet the setback the proposed garage would be located in the middle of the lot which would severely limit its accessibility and result in removal of numerous trees. In closing, Mr. Featherston stated that he had notified surrounding property owners and was aware of no objections. Further, that the proposed structure is in keeping with other structures in the neighborhood and is compatible with his dwelling, a portion of which includes cementitious siding.

The Board is satisfied that the property was acquired in good faith and pursuant to Section 30-1040.3(1) of the City Code, the intended purpose and use of the proposed accessory use is consistent with the zoning district regulations; departure from the yard requirements is the minimum necessary to accommodate the intended purpose of the accessory use; the accessory use or similar construction serving the same purpose cannot reasonably be located elsewhere on the lot in compliance with the zoning ordinance; and the accessory use will be in keeping with the architectural character of the dwelling and development within the neighborhood.

RESOLUTION: NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ZONING APPEALS that a request for a special exception from the front yard (setback) requirement be granted to Dannon Featherston and Laci M Combs for a building permit to construct an accessory structure (garage) to an existing single-family (detached) dwelling, subject to substantial compliance with the plans submitted to the Board and provision of cementitious siding.

ACTION OF THE BOARD: (4-0)

Vote to Grant Conditionally

affirmative: Poole, York, Hogue, Robertson

negative: None

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Upon motion made by Ms. Hogue and seconded by Mr. Robertson, Members voted (3-0) to adopt the Board's March meeting minutes.

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The meeting was adjourned at 1:25 p.m.  
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Ray W. Barber  
Secretary

Raymond M. Poole  
Chairman