



BOARD OF ZONING APPEALS

MEETING MINUTES

WEDNESDAY, JANUARY 4, 2023

On Wednesday, January 4, 2023, 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 December 21 and 28, 2022 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
 Michael A. Way, Jr.

Staff Present: Roy W. Benbow, Secretary
 William C. Davidson, Zoning Administrator
 Brian P. Mercer, Planner II
 Andrew Gore, Assistant City Attorney

The Vice-Chairman, Mr. Roger York, called the meeting to order. In accordance with Article II, Section 1 of the Board's Rules of Procedure upon motion made by Ms. Hogue and seconded by Mr. Robertson, Members voted (5-0) to elect Mr. Rodney Poole as the Chairman and Mr. Roger York as the Vice-Chairman of the Richmond Board of Zoning Appeals for 2023, and appoint Mr. Rodney Poole as the Board's representative to the Planning Commission for 2023.

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.

BZA 38-2022
(CONTINUED FROM DECEMBER 7, 2022 MEETING)

APPLICANT: Amada Cerritos

PREMISES: 2414 TERMINAL AVENUE
(Tax Parcel Number S008-0560/001)

SUBJECT: A building permit to construct a new single-family (detached) dwelling.

DISAPPROVED by the Zoning Administrator on March 29, 2022, based on Sections 30-300, 30-410.5(1) & 30-630.1(a)(1) of the zoning ordinance for the reason that: In an R-5 (Single-Family Residential) District, the front yard (setback) requirement is not met. A front yard of twenty-five feet (25') is required along the Columbia Street frontage; eighteen feet (18') is proposed.

APPLICATION was filed with the Board on April 14, 2022, based on Section 1040.3(1) of the City of Richmond Zoning Ordinance.

APPEARANCES:

For Applicant: None

Against Applicant: None

FINDINGS OF FACT: The Board finds from sworn testimony and exhibits offered in this case that the applicant, Amada Cerritos, has requested a special exception to construct a single-family detached dwelling for the property located at 2414 Terminal Avenue.

The Board finds that the applicant failed to be in attendance at the December 7, 2022 meeting of the Board which case was continued. The Board further finds that the applicant failed to be in attendance at the January 4, 2023 meeting of the Board. Based on the fact that the applicant was not present at either of the aforementioned duly advertised public hearings to present their case the Board declined to approve the requested special exception and denied the applicant's request.

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 denied to Amada Cerritos for a building permit to construct a new single-family (detached) dwelling.

ACTION OF THE BOARD: (5-0)

Vote to **Deny**

affirmative: Poole, York, Hogue, Robertson, Way

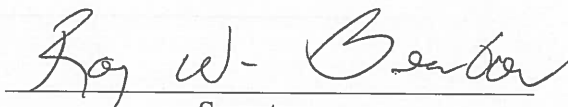
negative: None

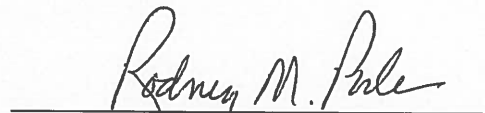
Upon motion made by Ms. Hogue and seconded by Mr. York, Members voted (3-0) to adopt the Board's December meeting minutes.

The Secretary, Mr. Benbow, presented Board Members with a copy of the Board's Annual Report. Mr. Benbow provided a brief summary of the report and pointed out that the Board had not denied a single case in the previous calendar year. The Chairman, Mr.

Poole, commented that this fact was a direct result of staffs exemplary work in prescreening cases and mitigating neighborhood disputes when they arose. Mr. Poole indicated that as a result of these efforts the Board's effectiveness was greatly enhanced.

The meeting was adjourned at 1:20 p.m.


Secretary


Chairman