



Application for SPECIAL USE PERMIT

Department of Planning and Development Review
Land Use Administration Division
900 E. Broad Street, Room 511
Richmond, Virginia 23219
(804) 646-6304
<http://www.richmondgov.com/>

Application is hereby submitted for: (check one)

- special use permit, new
- special use permit, plan amendment
- special use permit, text only amendment

Project Name/Location

Project Name: 3100 East Marshall Street, Richmond VA 23223 Date: 8/28/15

Property Address: 3100 East Marshall Street, Richmond VA 23223 Tax Map #: E0000730020

Fee: \$1,800 Total area of affected site in acres: 0.06 acres
(See page 3 for fee schedule, please make check payable to the "City of Richmond")

Zoning

Current Zoning: R-63 Residential multifamily

Proposed Use

(Please include a detailed description of the proposed use in the required applicant's report)

Existing Use: Duplex with detached carriage house

Is this property subject to any previous land use cases? Duplex with dwelling unit in carriage house, see attached

Yes No

If Yes, please list the Ordinance Number:
Board of Zoning Appeals case 226-46 from 12/2/1946

Applicant/Contact Person: Marie B. Assouan

Company: _____

Mailing Address: 1700 Timberly Waye

City: Richmond State: VA Zip Code: 23238

Telephone: (804) 647 - 1427 Fax: ()

Email: Marybe.Assouan@gmail.com

Property Owner: Marie B. Assouan

If Business Entity, name and title of authorized signee: _____

(The person or persons executing or attesting the execution of this Application on behalf of the Company certifies that he or she has or have been duly authorized and empowered to so execute or attest.)

Mailing Address: 1700 Timberly Waye

City: Richmond State: VA Zip Code: 23238

Telephone: (804) 647 - 1427 Fax: ()

Email: Marybe.Assouan@gmail.com

Property Owner Signature: 

The names, addresses, telephone numbers and signatures of all owners of the property are required. Please attach additional sheets as needed. If a legal representative signs for a property owner, please attach an executed power of attorney. **Faxed or photocopied signatures will not be accepted.**

NOTE: Please attach the required plans, checklist, and a check for the application fee (see Filing Procedures for special use permits)

Special Use Permit Application
3100 East Marshall Street
Richmond, VA 23223

Applicant's Report

I. Proposed Use

I am applying for a special use permit to convert the rear carriage house, unit #3 at 3100 East Marshall Street, currently listed as a detached garage in the tax records, into a one bedroom dwelling. The property is located in the Oakwood-Chimborazo Historic District, and stands at the corner of Marshall Street and 31st Street. The alternate address 407 North 31st Street sometimes shows up in City records.

The unit is currently boarded up, grows vine, and is an eye-sore to the beautiful community it belongs to, not to mention the depreciating impact it currently has on neighbor properties. The unit also poses a health and safety hazard as it stands, as rodents and looters might be attracted to an empty unit. This is particularly dangerous, since the garage is located on 31st Street, directly across from Chimborazo Elementary School.

Therefore, rehabilitating the unit would contribute to a significant improvement to the community's safety, health, morals and general welfare.

The unit can no longer be used as a garage (see background info below), and the inside already has the layout and amenities of a dwelling unit, so converting it into a one-bedroom apartment is the most logical and cost effective use of the building. In addition, the conversion to a one-bedroom unit is the transformation that would minimize any alterations to the building structure as it currently stands. Finally, this residential use would be consistent with all the homes on the same 31st block between Marshall Street and Clay Street.

The conversion would only add one car to street parking in the surroundings, which does not constitute a burden, as there is currently ample parking space available on 31st Street and Marshall Street. The location of the garage unit at the corner of a narrow off of 31st Street would make it impossible to take a turn and park in the garage, so the property has always relied on street parking.

II. Background

I purchased the property in August 2012, in good faith, and found that the garage unit was (and still is) boarded up. Upon removing the screws on the door leading to the rear yard, and entering the premises,

I noticed that the inside had been converted into a dwelling, and could no longer be used as a garage.

Upon further research at the zoning office, I discovered that the unit was approved to be used as an office in 1945, per the attached certificate of occupancy (*exhibit 2*), which explains the inside transformation. The garage unit already has its own electric meter, and is labeled unit #3, as can be seen on the attached pictures (*exhibit 12*) and Dominion bill (*exhibit 6*).

III. Detailed Description of Project

➤ Outside

Consistent with the plans submitted to and approved by the Commission for Architectural Review (CAR) (*exhibit 7*), I plan on minimizing any changes to the outside of the building. The elevations (*exhibit 4*), current and proposed plans (*exhibit 3*) are attached.

I plan to keep the original colors of the building and trim, and color match any touch ups required.

• Windows

The existing structure currently exhibits five double hung six-by-six wood windows, and one double hung two-by-one window at the rear of the building.

The windows are currently boarded up from the outside, some from the inside as well, as can be seen on the attached pictures. The glass is missing on some, and it's unclear if any of the windows are operational.

To the extent the existing windows can be refurbished and restored, they will be. Otherwise, likewise replacement double hung six by six wood windows will be used. Once installed, the windows will be stained to match the color of the existing windows.

The window at the rear of the building cannot be seen from any public place, including the back alley, as the view of that wall is completely obstructed by the neighbor's fence (see attached picture). The new interior plans call for a bearing wall that will go through the middle of the window. Therefore, it will be restored from the outside so as to appear functional, to preserve the historical character of the property, and sheet rocked from the inside.

• Exterior Doors

The existing structure currently features one front door facing 31st Street, and another door on the right side of the building that looks into the rear yard of the property and is partially hidden from the outside by the wood fence and gate.

The door openings are currently boarded up. I plan on installing six wood-panel doors consistent with the residential doors guidelines found in the Old and Historic Districts Handbook.

The frame around the front door on 31st Street will be kept as is, and repaired as needed.

The front step will be kept as is and repaired as needed.

- **Lighting**

I plan on using a traditional lantern design for the light by the front door on 31st Street, which is compatible with the historical district and has been approved by CAR. The white color matches the white trim color around the door and windows. The built-in photocell will turn the lamp on at dusk and off again at dawn, which will provide safety right across from Chimborazo Elementary School.

For the door opening to the rear yard, I will use a light fixture that matches the existing light fixture outside of the kitchen door on the main building. It's currently a white motion sensor floodlight. It will be installed on the side furthest away from the road, per CAR's recommendations.

- **HVAC**

The unit will need its own HVAC system. The HVAC systems for the main building units #1 and #2 are located on the roof of the main building. My plan, which has been approved by CAR, is to place the HVAC on the garage unit on the roof as well, in the corner that is the furthest away from the road.

- **Inside**

The existing and proposed plans are attached ([exhibit 3](#)). The layout is very similar on both. The bearing wall separating the living room from the bedroom will be kept in place. It will be extended to the wall on the rear side of the property, to provide a cleaner separation between the kitchen and the bedroom.

The bathroom will remain in the same location, but be extended by half a foot. A utility closet with washer and dryer hookup will be installed between the bathroom and the bearing wall.

The kitchen, facing the living room, will feature a peninsula.

IV. City Approvals and Support from the Community

This project is dear to me, so I have attempted to go through the proper channels in order to enlist support from all the affected parties.

I worked closely with the staff in the CAR office while preparing my application, and received CAR approval at the July 28, 2015 meeting (staff report and approval confirmation letters attached, [exhibit 7](#)).

I applied for an encroachment permit for existing and proposed encroachments on the garage unit, and received approval on August 11, 2015 ([exhibit 8](#)).

I went door to door on 31st Street and Marshall Street to speak to my neighbors about my plans, and

received unanimous support for my project, with no concerns expressed. I am attaching signed affidavits of support (*exhibit 10*) from the following:

- 4 adjacent neighbors on 31st Street (409, 411, 413, 415 North 31st Street), the side most affected by the garage's current appearance and conversion.
- Neighbor residing at the corner of 31st Street and Clay Street (address 425 North 31st Street).
- 3 adjacent neighbors on Marshall Street (3102, 3104, 3108, 3110 Marshall Street).

The signatures I did not obtain are for residents I was not able to get in touch with, despite my efforts.

I also discussed my plans with the Church Hill Association (CHA) which I'm a member of, and attended their Board meeting on July 2nd 2015. On July 21st, 2015, the CHA general membership voted at the monthly meeting to support my application. A letter from the Vice-President of the Association, and President of the Zoning Committee (Bill Dinkin) is attached (*exhibit 9*).

Finally, I reached out to Chimborazo Elementary School Assistant Principal Sharon Collins to discuss my plans and enlist the school's support. Chimborazo School is located at 3000 East Marshall Street, and located directly across from my property on 31st Street. Ms. Collins referred me to her supervisor, Dr. Anthony Leonard, Executive Director of Elementary Education. I exchanged emails with Dr. Leonard and talked to him on the phone. His signed affidavit of support is attached (*exhibit 11*).

V. Previous Land Use Cases

I reviewed previous cases heard by the Board of zoning appeals and have outlined below cases that were similar to mine and received approval.

➤ Case No. 02-13 based on section 114-1040.3(14) of the City Code

Approval to convert into one dwelling unit, a building that contains 2 existing dwelling units (*resulting property would have 3 units like mine*).

Board was satisfied that the property was acquired in good faith, and that the building could not reasonably be devoted to a conforming use.

➤ Case No. 07-14 based on section 114-1040.3(13) & (14) of the City Code

Approval to renovate, expand (*which I'm not doing*), structurally alter (*which I'm not doing*) and to re-establish the nonconforming use rights for a two-family dwelling.

Board was satisfied that:

- o The property was acquired in good faith
- o The alterations were primarily for the purpose of enabling the nonconforming use to be operated more efficiently or safely in a manner that does not adversely impact adjoining and surrounding properties

- The building could not reasonably be devoted to a conforming use.

➤ **Case No. 21-13 based on section 114-1040.3(11) of the City Code**

Approval of a Certificate of Occupancy (C.O.) for a multi-family (3-units) dwelling.

- House constructed and first occupied as a two-family dwelling in 1913 (*early 1900s like mine*)
- The third unit is a one bedroom/one bath (*like my proposed garage renovation*)

Board was satisfied that:

- The property was acquired in good faith
- The exception will not result in an inadequate supply of parking or other adverse impact on the neighborhood.

➤ **Case No. 28-13 based on section 114-1040.3(14) of the City Code**

Approval to convert an existing 2-story vacant building into a 4-unit multi-family dwelling (*resulting in increased number of dwellings like mine*).

Board was satisfied that the property was acquired in good faith, and that the building could not reasonably be devoted to a conforming use.

VI. Exhibits

- Exhibit 1: Checklist of Plan Requirements
- Exhibit 2: 1945 Certificate of Occupancy
- Exhibit 3: Existing and proposed plans
- Exhibit 4: Elevations
- Exhibit 5: Survey
- Exhibit 6: 3100 E. Marshall St #3 Dominion electricity bill
- Exhibit 7: Commission of Architectural Review (CAR) approval and staff report
- Exhibit 8: Encroachment permit approval
- Exhibit 9: Church Hill Association (CHA) letter of support
- Exhibit 10: Neighbors signatures
- Exhibit 11: Signed support from Chimborazo school
- Exhibit 12: Pictures

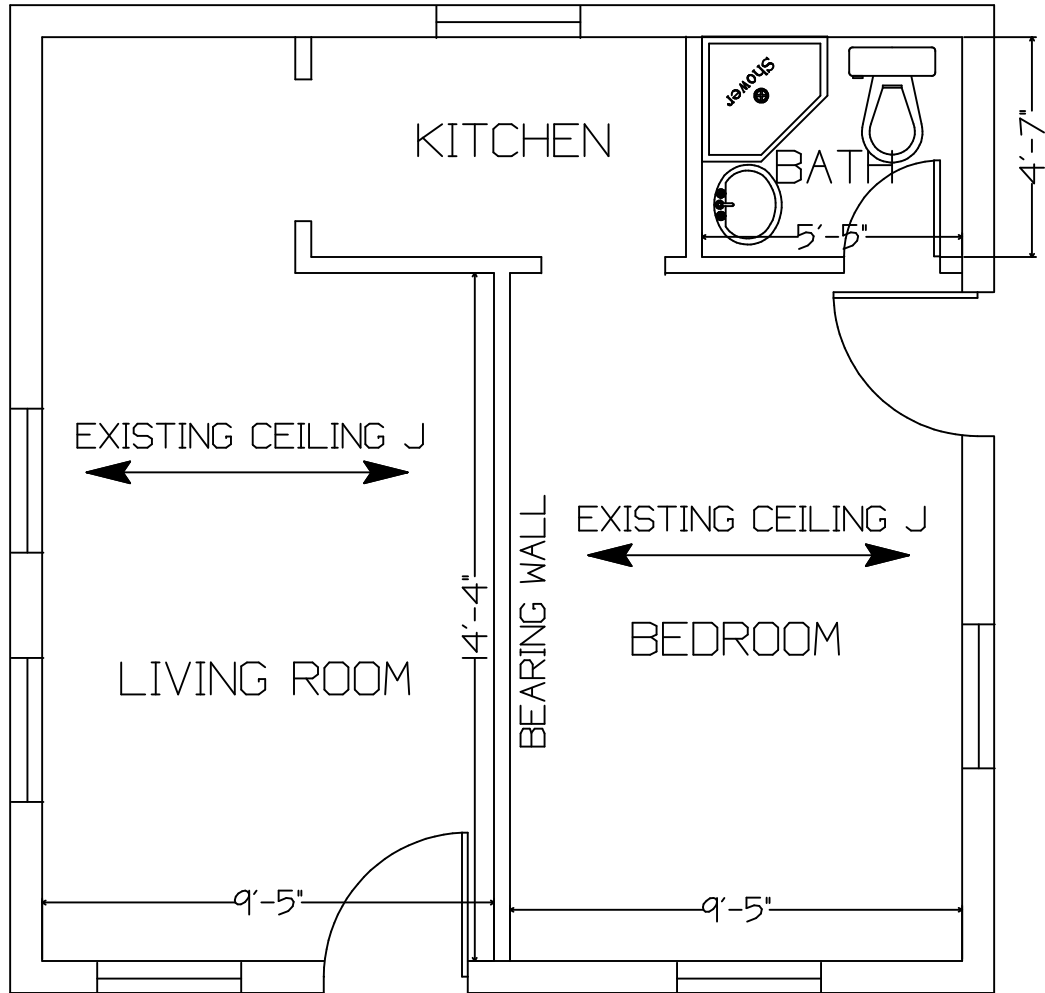
Special Use Permit Application

3100 East Marshall Street

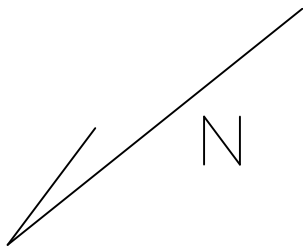
Richmond, VA 23223

EXHIBIT 3

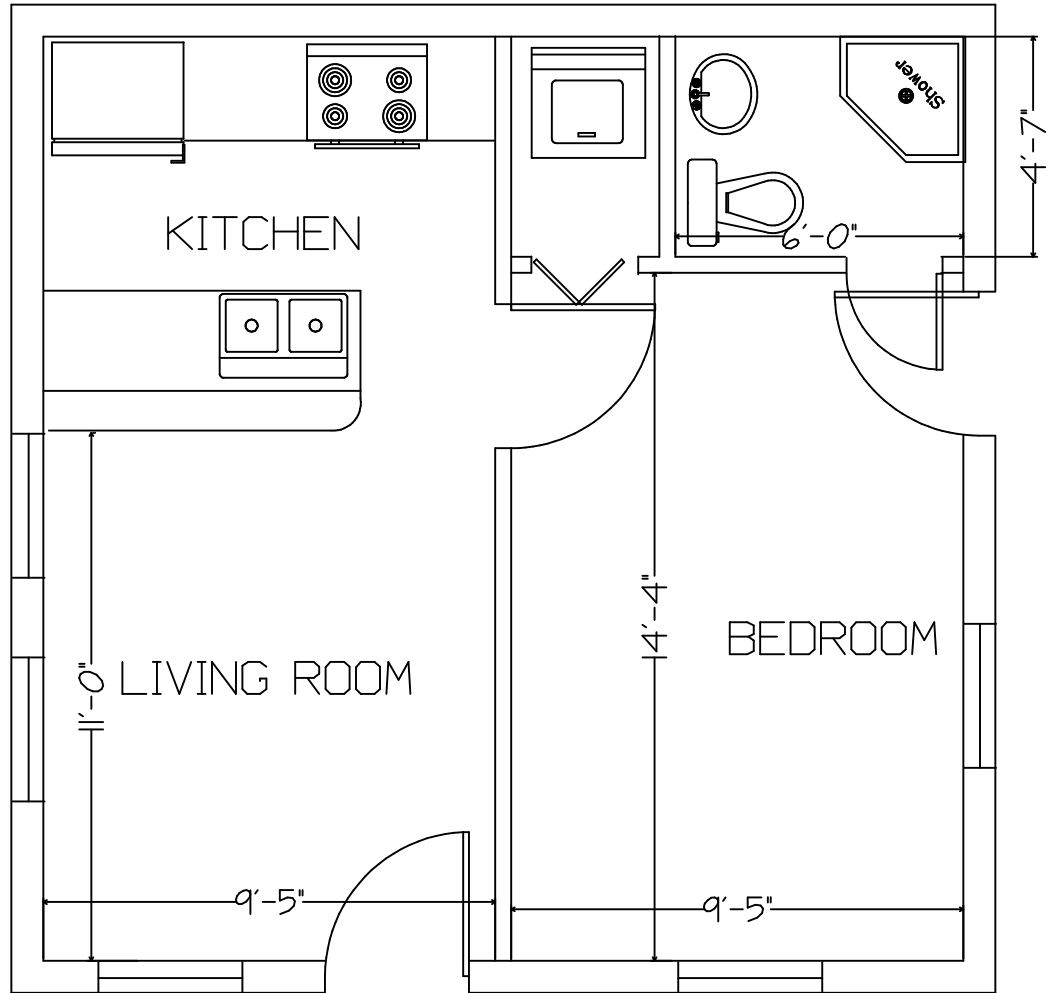
Existing and Proposed Plans



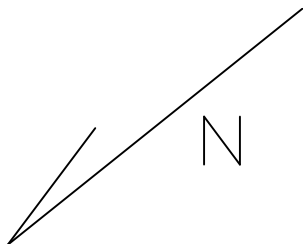
3100 E MARSHALL ST #3
 RICHMOND, VA
 FIRST FLOOR / EXISTING
 DRAWING #1
 SCALE 1/4"=1'



| | | | |
|-----------|---|--|------------------------------|
| 1 OF 3 | THIS PLAN WAS DESIGNED FOR 3100 E MARSHALL ST #3 RICHMOND, VA | NetCadDrafting.com RESIDENTIAL HOUSE PLAN SERVICES 804-640-0791 | DATE OF PLANS 5/5/15 |
| | | | PLANS DRAWN BY BRAD PRICE |



3100 E MARSHALL ST #3
 RICHMOND, VA
 FIRST FLOOR / PROPOSED
 DRAWING #2
 SCALE 1/4"=1'



| | | | |
|-------------------|--|---|--|
| <p>2 OF 3</p> | <p>THIS PLAN WAS DESIGNED FOR 3100 E MARSHALL ST #3 RICHMOND, VA</p> | <p>NetCadDrafting.com RESIDENTIAL HOUSE PLAN SERVICES 804-640-0791</p> | <p>DATE OF PLANS 5/5/15 PLANS DRAWN BY BRAD PRICE</p> |
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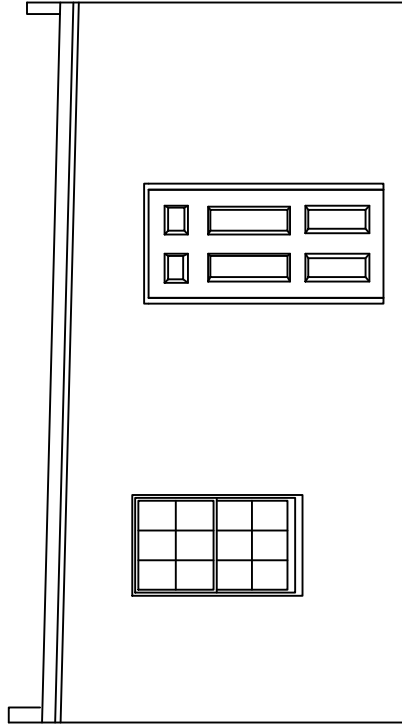
Special Use Permit Application

3100 East Marshall Street

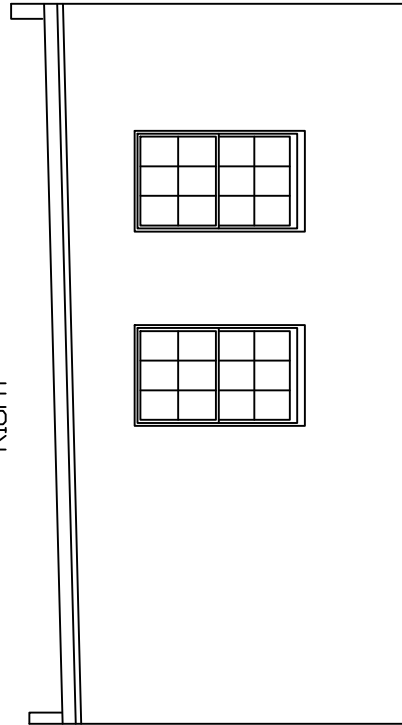
Richmond, VA 23223

EXHIBIT 4

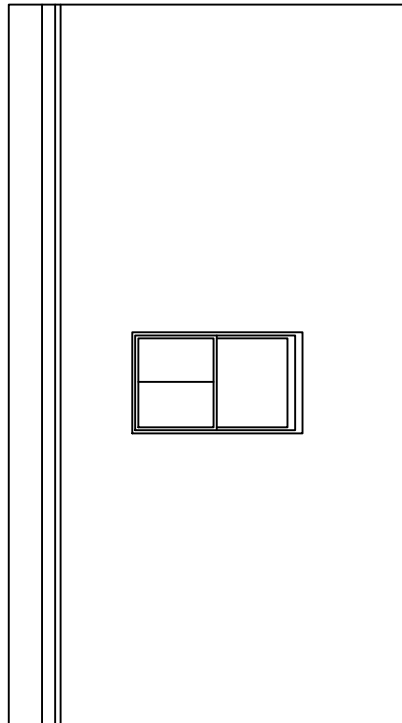
Elevations



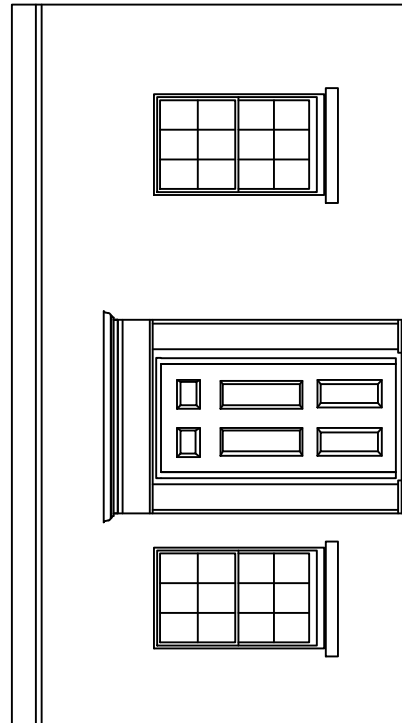
RIGHT



LEFT



REAR



FRONT

3100 E MARSHALL ST #3
 RICHMOND, VA
 ELEVATIONS / EXISTING & PROPOSED
 DRAWING #3
 SCALE 3/16"=1'

3
 OF
 3

THIS PLAN WAS DESIGNED FOR
 3100 E MARSHALL ST #3
 RICHMOND, VA

NetCadDrafting.com
 RESIDENTIAL HOUSE PLAN
 SERVICES
 804-640-0791

DATE OF PLANS
 5/5/15

PLANS DRAWN BY
 BRAD PRICE

Special Use Permit Application

3100 East Marshall Street

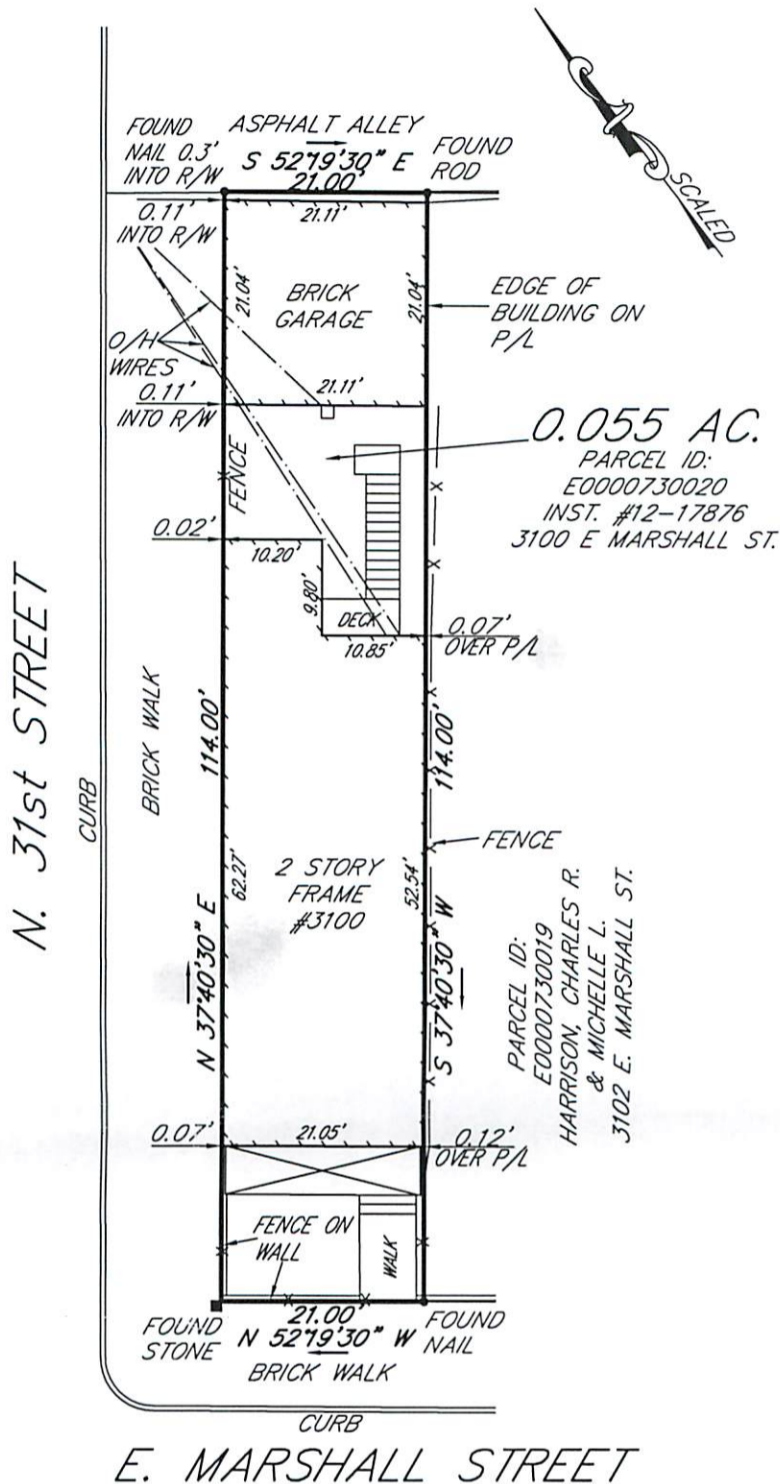
Richmond, VA 23223

EXHIBIT 5

Survey

THIS PROPERTY IS LOCATED WITHIN FLOOD ZONE "X" AS SHOWN ON FLOOD INSURANCE RATE MAP (F.I.R.M.) PANEL NUMBER: 5101290043E EFFECTIVE DATE: 7-16-2014

THIS IS TO CERTIFY THAT ON APRIL 15, 2015 I MADE AN ACCURATE SURVEY OF THE PREMISES SHOWN HEREON AND THAT THERE ARE NO ENCROACHMENTS VISIBLE ON THE GROUND OTHER THAN THOSE SHOWN HEREON.

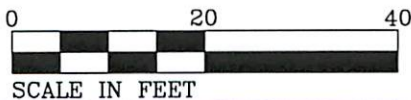


PLAT SHOWING A PHYSICAL SURVEY OF PROPERTY KNOWN AS 3100 E. MARSHALL STREET CITY OF RICHMOND, VIRGINIA

THIS SURVEY IS SUBJECT TO ANY EASEMENTS OF RECORD AND OTHER PERTINENT FACTS WHICH A TITLE SEARCH MIGHT DISCLOSE.



OWNER OF RECORD
MARIE B. ASSOUAN
INST. #12-17876



10400 CHESTER ROAD
CHESTER, VA. 23831
PHONE: 804-748-8707

DATE: APRIL 15, 2015 SCALE: 1"=20'
DRAWN BY: RLL
CHECKED BY: RLL
DWG NAME: 3100 E MARSHALL