



**APPLICATION  
FOR RELIEF FROM REQUIREMENTS OF THE  
CHESPEAKE BAY PRESERVATION PROGRAM  
EXCEPTIONS, WAIVERS, EXEMPTIONS AND  
BUFFER ENCROACHMENTS**

To: Department of Public Utilities  
Water Resources Division  
730 East Broad Street, 8<sup>th</sup> Floor  
Richmond, Virginia 23219  
Phone (804) 646-7586 Fax (804) 646-2870

Date: Revised 4/13/21

Type of Relief Requested (check one)

Exception       Waiver       Encroachment       Exemption

Please attach required documents.

Property Address(es): 335 Charmian Rd

Tax Parcel No(s): W0220253017

Brief Description of Exception: A buildable area is not available without encroachment into the RPA. However, this property was recorded in Jan 2003. Therefore this project does not quillify for an encroachment and an exception is requested.

**Applicant/Contact Person:** Jeff and Carrie Paris

Mailing Address: 16413 Old Castle Rd Midlothian, VA 23112

Telephone: (804) 641-4110 Fax: ( ) \_\_\_\_\_

Email address: Carrieparis3@aol.com

**Property Owner:** Jeff and Carrie Paris

Mailing Address: 16413 Old Castle Rd Midlothian, VA 23112

Telephone: (804) 641-4110 Fax: ( ) \_\_\_\_\_

**Property Owner's Signature:** *Carrie Paris* *J. Paris*

**The signatures of all owners of the property are required. Please attach additional sheets as required. If a legal representative signs for a property owner, please attach an executed power of attorney.**

**Project Information** (check appropriate boxes)

**Current Use of Property** (check one)–

- |                                                                 |                                                         |
|-----------------------------------------------------------------|---------------------------------------------------------|
| <input checked="" type="checkbox"/> Vacant Land to be developed | <input type="checkbox"/> Commercial/Office/Industrial   |
| <input type="checkbox"/> Single Family Residential              | <input type="checkbox"/> Parking or other paved surface |
| <input type="checkbox"/> Other: _____                           | <input type="checkbox"/> Multi-family residential       |

**Subdivision Name, Lot and Section Number:** \_\_\_\_\_

**Lot was last recorded:**

- Prior to October 1989  
 Between October 1989 and February 2002  
 After February 2002

**Area of Property (square footage)**

Within RPA: 26571      Outside RPA: 0      Total: 26571

**Activity requiring relief is located in** (check all that apply)

- Resource Protection Area Buffer land ward 50 feet  
 Resource Protection Area Buffer seaward 50 feet  
 Slopes greater than \_\_\_ percent  
 Wetlands  
 Resource Management Area

**Activity requiring relief involves** (check all that apply)

- |                                                                             |                                                  |
|-----------------------------------------------------------------------------|--------------------------------------------------|
| <input checked="" type="checkbox"/> Construction of New principal structure | <input type="checkbox"/> Paved pathways          |
| <input type="checkbox"/> Accessory (detached) structure                     | <input type="checkbox"/> Tree/vegetation removal |
| <input type="checkbox"/> Addition to principal structure                    | <input checked="" type="checkbox"/> Utilities    |
| <input checked="" type="checkbox"/> Parking area, or driveway, or roadway   | <input type="checkbox"/> Other: _____            |

**Total square footage of RPA impacted:** 10,000 *Revised 4/13/21*

Are there any additional approvals or permits from local, state, or federal agencies required for any portion of this project (zoning variances, wetland permits, etc)?

- No  
 Yes, Please describe: ACOE wetland Impacts

**Description of the Activity and reason for the request:**

Single home construction with attached garage and access.

---

There is no buildable area outside the RPA.

---

---

For **Exceptions**, Please complete the following

**APPLICANT'S JUSTIFICATION FOR THE REQUESTED EXCEPTION**

In accordance with Section 14-292(c) (1) of the Richmond City code, an exception cannot be granted unless specific findings are made. Please describe how the particular CBPA exception request would meet these six findings:

1. The requested exception to the criteria is the minimum necessary to afford relief;
2. Granting the exception will not confer upon the applicant any special privileges that are denied by the ordinance to other property owners who are subject to its provisions and who are similarly situated;
3. The exception request is in harmony with the purpose and intent of the Ordinance and is not of substantial detriment to water quality;
4. The exception request is not based upon conditions or circumstances that are self-created or self-imposed;
5. Reasonable and appropriate conditions are imposed, as warranted, to prevent the proposed activity from causing degradation of water quality;
6. Other findings and conditions, required by the City have been met.

1. The site plan demonstrates that impacts are held to a minimum. The amount of disturbance is limited to just beyond the house footprint and driveway.

---

2. No special privileges are requested. Mitigation procedures are being followed.

---

3. The seaward buffer of the RPA is being maintained with exception of the driveway. Water quality is protected by this buffer.

---

4. This lot was allowed to be created by the City of Richmond in 2003. The owners did not create the conditions.

---

5. Landscape replantings are proposed for mitigation and protection of water quality.

---

6. A wetland delineation and RPA determination was conducted by a qualified specialist. Streams, wetlands and a confirmed RPA are present on the site.

---

For E **EPTIONS** and **ENROACHMENTS**, please complete the following.

Describe all mitigation measures, including BMPs and vegetation enhancement\*,

A portion of the wetlands will be filled in under an Army Corp of Eng. (ACOE) permit. Wetland mitigation, if needed, will occur under the ACOE permit process. Encroachment into the RPA is to be mitigated with replanting of native trees and shrubs. Since 95% of the lot is already in forested wetlands or in RPA buffers there is limited areas available for mitigation measures. The site plan demonstrates the replanting plan locations. Native species will be used in the replanting. A stormwater management was plan was developed for the proposed improvements. Post construction runoff is to be discharged as non-erosive sheet flow, through forest/open space to the perennial stream along the property. The impacts to the seaward portion of the RPA was limited to only the driveway access to the homesite. An approved erosion and sediment control plan will be followed during construction. There will not be any stockpiling of soil during construction and appropriate sediment control measures will be employed.

- Note: all vegetation enhancement should be in accordance with the Riparian Buffers Modification and Mitigation Manual available at <http://www.deq.virginia.gov/Portals/0/DEQ/Water/Publications/RiparianBufferManual.pdf>

-----  
Do not mark below this line

#### Approvals

Program Administrator \_\_\_\_\_ Date \_\_\_\_\_

City Planning Commission \_\_\_\_\_ Date \_\_\_\_\_

Comments: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_