

AN ORDINANCE No. 87-106-77

ADOPTED MAY 11 1987

To authorize the use of the real estate known as 3410 Hermitage Road, containing 10,000 square feet, more or less, located on the southwest corner of Hermitage Road and Oakdale Avenue, being more completely described as follows: beginning at the point of intersection of the west right of way line of Hermitage Road and the south right of way line of Oakdale Avenue; thence extending in a southerly direction 50 feet along the west right of way line of Hermitage Road to a property line; thence extending in a westerly direction 199.92 feet between parallel lot lines to a property line, for purposes of a non-medical office facility, together with accessory parking, and to authorize conversion of an existing dwelling for such purposes, substantially as shown on site plan and floor plans, entitled: "Proposed Offices for James Carr Insurance Agency", upon certain terms and conditions.

Patron - City Manager (By Request)

Approved as to form and legality
by City Attorney

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That the real estate known as 3410 Hermitage Road, containing 10,000 square feet, more or less, located on the southwest corner of Hermitage Road and Oakdale Avenue, being more completely described as follows: beginning at the point of intersection of the west right of way line of Hermitage Road and the south right of way line of Oakdale Avenue; thence extending in a southerly direction 50 feet along the west right of way line of Hermitage Road to a property line; thence extending in a westerly direction

199.92 feet between parallel lot lines to a property line, is hereby permitted to be used for purposes of a non-medical office facility, substantially as shown on site plan and floor plans, entitled: "Proposed Offices for James Carr Insurance Agency", dated March 25, 1987, which plans are attached to and incorporated as a part of this ordinance, and the building to be converted on such real estate is hereby permitted to be used for the purposes of a non-medical office facility, together with accessory parking.

§ 2. That the Commissioner of Buildings is hereby authorized to issue to the owner of the real estate, or successor or successors in fee simple title, a building permit for the purpose of converting the building and permit the occupancy of the property for purposes of a non-medical office facility. The special use permit shall be transferable to the successor or successors in title of the owner, whether acquired by operation of law, deed or otherwise, and shall run with the land, subject to the following terms and conditions:

(a) That the acceptance of the permits and the exercise of the privileges granted by this ordinance by the owner and successor or successors in title shall constitute a warranty on the part of the owner and successor or successors that title to the land and the building shall be vested in the same person or persons or corporation;

(b) That the owner shall be bound by, observe and shall comply with all other laws, ordinances and rules and regulations adopted pursuant thereto, applicable to the land and building, except as otherwise provided in this ordinance;

(c) That six parking spaces shall be provided as shown on the attached plans. The parking area shall be screened from view from Oakdale Avenue and adjacent properties to the west by evergreen vegetative material not less than four and one-half feet in height substantially as shown on the attached plans;

(d) That the parking area and access aisles shall be paved with a dust-free, all-weather surface and parking spaces shall be delineated on the pavement surface;

(e) That the driveway from the street shall be constructed as shown on the attached plans;

(f) That a cross easement, approved as to form by the City Attorney, shall be recorded for the properties at 3408 and 3410 Hermitage Road to ensure continued availability of the shared access aisle.

(g) There shall be no enlargement or exterior alterations to the building except for those which are shown on the attached plans and normal repair and maintenance.

(h) That final grading and drainage plans shall be approved by the Director of Public Works prior to the issuance of building permits;

(i) That facilities for the collection of refuse shall be provided in accordance with the requirements of the Director of Public Works. Such facilities shall be located or screened as not to be visible from adjacent properties or public streets;

(j) That storm or surface water shall not be allowed to accumulate on the land, and adequate facilities for drainage of storm or surface water from the land or building shall be provided by the owner at owner's cost and expense so as not to adversely affect or damage adjacent properties or public streets and the use thereof;

(k) That identification of the premises shall be limited to one sign, not exceeding six square feet in area mounted flat on a vertical surface of the building;

(l) That exterior lighting shall be directed or shielded so as not to shine directly on adjacent residential properties;

(m) That should the owner use the premises for any purpose which is not permitted by this ordinance, or fails, refuses, or neglects to comply with the provisions of foregoing paragraphs (a) through (l) and does not terminate such use or comply with such provisions within ninety days after written notice so to do has been given to the owner by the Zoning Administrator, the privileges granted by this ordinance shall terminate and the special use permit shall become null and void;

(n) That when the privileges granted by this ordinance terminate and the special use permit becomes null and void or when use of the premises is abandoned for a period of twenty-four consecutive months, use of the real estate shall be governed thereafter by the zoning regulations prescribed for the district in which the real estate is then situated; and

(o) That application for a building permit to convert the building shall be made within twelve months from the effective date of this ordinance, which building permit shall expire by limitation and become null and void if conversion of the building is not commenced within one hundred eighty days from the date of the building permit, or if conversion of the building is suspended or abandoned for a period of one hundred eighty days at any time after the work is commenced, as provided in Section 109.1 of the Uniform Statewide Building Code. Should application for the building permit not be made within twelve months from the effective date of this ordinance or should the building permit expire and become null and void, the privileges granted by this ordinance shall terminate and the special use permit shall become null and void.

§ 3. This ordinance shall be in force and effect upon adoption.

SPECIAL USE PERMIT APPLICATION
CITY OF RICHMOND, VIRGINIA

Date 2-04-87

TO: The Honorable Council of the City of Richmond
c/o The Department of Planning & Community Development
900 East Broad Street, Room 511
Richmond, Virginia 23219

Application is hereby made for a SPECIAL USE PERMIT for (proposed use):

Office Use

at the premises designated or described as follows: 3410 Hermitage Road
Richmond, Va. 23227

in accordance with attached plans designated (title, sheet numbers, preparer, date)

DePasquale & Associates

James Carr Ins. Agency - 12-86

The current zoning of the property is: Residential

Attached is a check for \$ 500.00, payable to "City of Richmond."

Signature of owner of property: *James V Carr*

Address: Rt. 4, Box 428, Glen Allen, Va.

Zip Code: 23060

Phone: 359-5744

Applicant or owner's representative: *James V Carr*

Address: Same

Zip Code: _____

Phone: _____

Staff Note:

Application, plans, report, fee and other required information received: _____

Affects Master Plan YES _____ NO _____



James Carr Insurance Agency, Ltd.



Post Office Box 9200 • 3408 Hermitage Road • Richmond, Virginia 23227 • (804) 355-5791

February 5, 1987

The Honorable Council of the City of Richmond
c/o The Department of Planning & Community Development
900 East Broad Street, Room 511
Richmond, Virginia 23219



Gentlemen:

Enclosed find application and check for \$500.00 covering a special use permit for 3410 Hermitage Road, Richmond, Virginia 23227.

This special use permit will allow for the expansion of office space for the James Carr Insurance Agency, Ltd. and Commonwealth Premium Finance Company located next door (3408 Hermitage Road).

The use of this location would be for:

1. Six Employees
2. Hours of operation between 8:30 a.m. to 5:00 p.m. Monday thru Friday
3. General office use

There will be no additional vehicular traffic other than the employee parking. Customer traffic will remain the same as before at 3408. Six paved parking spaces are planned in the rear yard with access through a common driveway between 3408 and 3410.

The parking area is to be landscaped as per enclosed drawings. This additional parking will relieve the on-street parking used by present employees. Parking lot is to be illuminated consistent with that property of 3408.

The special use permit will be compatible to the property at 3408 Hermitage Road and with the surrounding area. The general office use is appropriate for the site in accordance with James DePasquale, Architect.

Please review this request and advise. If there is any additional information required, please let me know.

Cordially,

James N. Carr, Jr.

JNC/ja

City of Richmond
City Planning Commission



900 East Broad Street, Richmond, Virginia 23219
804 • 780-4347

May 5, 1987

To the Honorable Council of the
City of Richmond, Virginia

At its meeting of May 4, 1987, the City Planning Commission voted (9-0) to recommend APPROVAL of:

Ordinance No. 87-106

To authorize the use of the real estate known as 3410 Hermitage Road, * for purposes of a non-medical office facility, together with accessory parking *** upon certain terms and condition.**

Approval of this special use ordinance would authorize the conversion of an existing dwelling at 3410 Hermitage Road into a non-medical office. The property contains approximately 10,000 square feet of lot area and is located at the southwest corner of Hermitage Road and Oakdale Avenue. A special use permit was adopted in 1985 to authorize an addition and conversion of the dwelling for psychiatrists' offices. However, that special use was not implemented and has expired.

The property is zoned R-5 Single-Family, as are properties to the west and north which are developed with single-family dwellings. The petitioner also owns the adjacent property to the south. It is zoned RO-1 Residential-Office, and used for insurance and finance company offices. Further to the south in this block is a bank zoned B-2 Community Business. Across Hermitage to the east is the Hermitage Methodist Nursing Home in an R-3 Single-Family District. The Master Plan shows the subject property as "Single-Family Residential" and the adjacent properties to the south as "Community Commercial."

The existing one and one-half story brick building contains approximately 1600 square feet of floor area. The petitioner's existing insurance agency is located on the adjacent property at 3408 Hermitage Road. The subject property would be converted to office space to accommodate the expansion of the insurance agency. The petitioner proposes a small deck (approximately 150 square feet) at the rear of the building which would serve as a landing for a proposed handicapped ramp and as an entranceway into the building. There would be no other exterior changes to the building, and its residential appearance would be retained. Identification of the premises would be limited to one sign not exceeding six square feet in area attached to the front of the building.

Six parking spaces would be provided at the rear of the property which would meet normal zoning requirements. Access would be from Hermitage Road via a shared driveway between 3408 and 3410 Hermitage. The driveway would be widened to eighteen feet in width at the street to accommodate vehicles entering and exiting the property at the same time. The parking area would

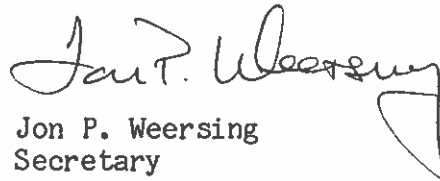
May 5, 1987

be paved and screened from view from Oakdale Avenue and the adjacent property to the west by four and one-half-foot high evergreen shrubs. Under the previous special use permit, the parking area had its access from Oakdale Avenue. At that time, the staff had suggested the idea of a shared access drive to Hermitage as is now proposed. The Commission feels the proposed access is an improvement over the previously adopted plan, since it would avoid any traffic impact on Oakdale Avenue and the residential area to the west.

At the time of the previous special use permit, the Commission felt that office use of the subject property would serve as an appropriate transition between the commercial area to the south and the residential areas to the north and west. The Commission feels the proposed plan is preferable to the previously adopted plan. The use would be less intensive, and the plan has been improved with regard to screening, access and appearance of the building. This property is uniquely situated in that it is the only remaining residential building on this block and abuts an existing office use. As was stated when the original special use was recommended, the Commission would not support further office use to the north along Hermitage Road or to the west along Oakdale Avenue, and feels the subject property is a reasonable stopping point for nonresidential use in the area. The conditions and safeguards set forth in the Charter relative to the granting of special use permits appear to be met, and approval is recommended.

The petitioner discussed the proposal with the Rosedale Civic Association and nearby residents and has indicated that no opposition was expressed. One nearby resident appeared at the Commission meeting in opposition, but later indicated to the staff that he was reassured by the Commission's position regarding no further nonresidential encroachment in the area.

Very truly yours,


Jon P. Weersing
Secretary

JPW:lk

cc: Mr. James N. Carr - Applicant

ORDINANCE OR RESOLUTION SUMMARY
CITY OF RICHMOND, VIRGINIA

Resolution Ordinance No. 87-106	Subject Special Use Permit for a Non-Medical Office at 3410 Hermitage Road
Requested by City Manager, By Request	
Received City Manager's Office --	
Summarized 5/4/87	

SUMMARY

This Ordinance would authorize the conversion of an existing dwelling at 3410 Hermitage Road into a non-medical office. The existing 1½-story brick building contains approximately 1600 sq. ft. of floor area. The petitioner's existing insurance agency is located on the adjacent property at 3408 Hermitage Road. The property would be converted to office space to accommodate the expansion of the insurance agency. A small deck, approximately 150 sq. ft., will be built at the rear of the building to serve as a landing for a handicap ramp and as a entrance way into the building. No other exterior changes are planned and the residential appearance would be retained.

Six (6) parking spaces will be provided in the rear of the property which would meet zoning requirements.

Access would be from Hermitage Road via a shared driveway between 3408 and 3410 Hermitage Road. The present driveway would be widened to 18 ft. in width to accommodate vehicles entering and existing the property at the same time. The parking area would be paved and screened from view of Oakdale Avenue and the adjacent property.

Identification would be limited to 1-sign, not exceeding 6 sq. ft. in area, attached to the front of the building.

Planning Commission granted approval (9-0) May 4, 1987.

COUNCIL ACTION

On Docket 5/11/87
Amended
Adopted
Rejected