



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**

Property Address: 3413 S Street Richmond, VA 23223 Date: 08/28/2017  
 Tax Map #: E0001104007 Fee: \$300  
 Total area of affected site in acres: 0.04 (PER CITY GIS)

(See **page 6** for fee schedule, please make check payable to the "City of Richmond")

**Zoning**

Current Zoning: R-5

Existing Use: RESIDENTIAL/VACANT (R-5)

**Proposed Use**

(Please include a detailed description of the proposed use in the required applicant's report)  
SF RESIDENTIAL- SEE ATTACHED APPLICANT'S REPORT

Existing Use: RESIDENTIAL/VACANT

Is this property subject to any previous land use cases?

Yes  No  If Yes, please list the Ordinance Number: \_\_\_\_\_

**Applicant/Contact Person:** MARY A. PEARSON, AICP

Company: POSITIVE K, LLC  
 Mailing Address: 2605 FENDALL AVENUE  
 City: RICHMOND State: VA Zip Code: 23222  
 Telephone: (540) 5,208,182 Fax: ( )  
 Email: FENDALLRVA@GMAIL.COM

**Property Owner:** POSITIVE K, LLC

If Business Entity, name and title of authorized signee: MARY A. PEARSON, MANAGING MEMBER

(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: SEE ABOVE  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
 Telephone: ( ) Fax: ( )  
 Email: \_\_\_\_\_

**Property Owner Signature:** Mary A Pearson

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)

Applicant's Report  
SUP Application  
3413 S Street

## Introduction

The property owner, Positive K LLC, requests a special use permit for 3413 S Street, Richmond, Virginia, 23222 (the "Property"). The special use permit would authorize the construction of an addition which would exceed the R-5 zoning maximum lot coverage ratio.

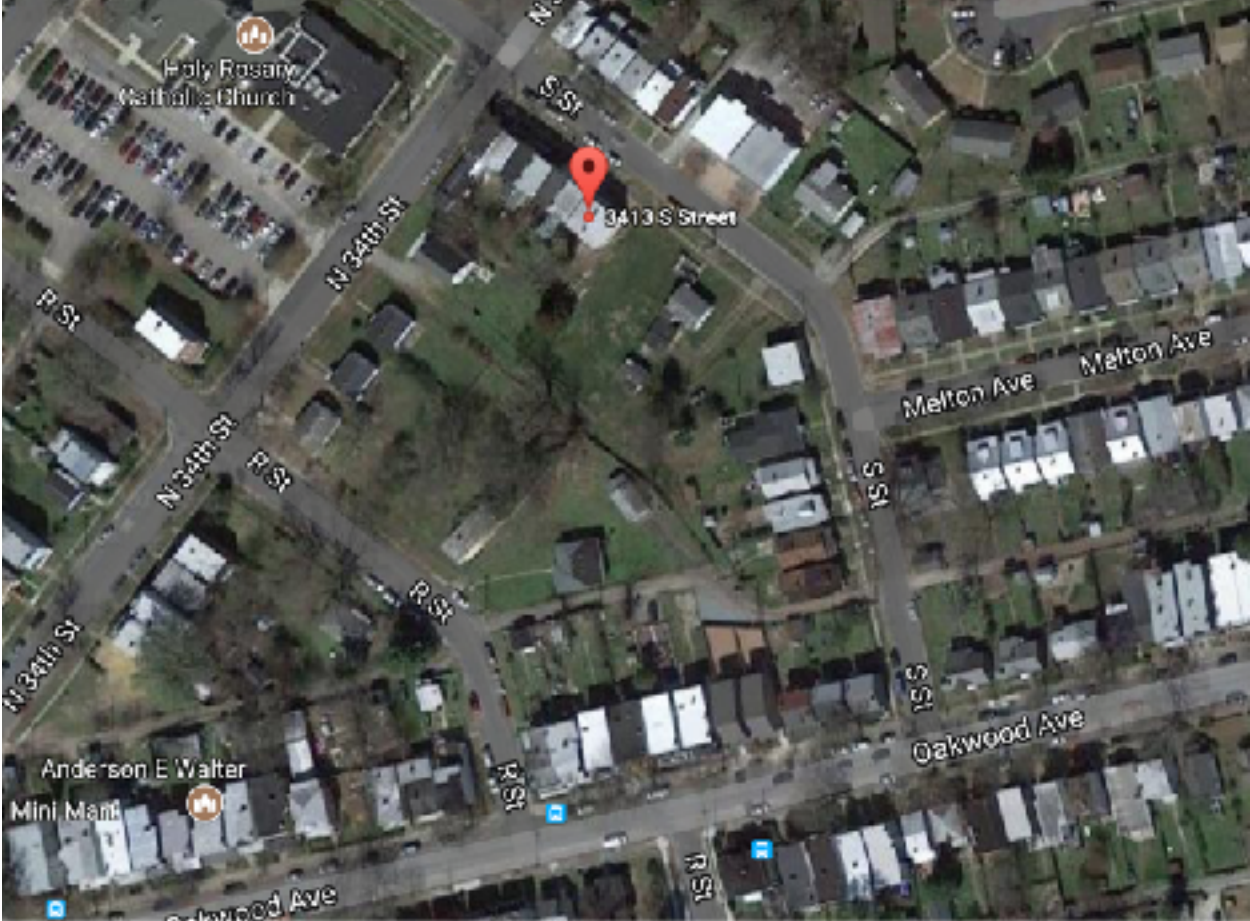
## Existing Conditions

The Property consists of a narrow rectangular lot. The parcel is referenced by the City Assessor as tax parcel number E000-1104/007. The lot size is 1,727.07 square feet. It contains a two-story single-family residential dwelling which shares a party wall with a similar dwelling located at 3415 S Street, also owned by the applicant.



The area is largely residential, characterized by two-story wood frame semi-detached and detached row-houses and bungalows situated on narrow rectangular lots. The Property is part of a row of eight similarly configured lots, each containing a semi-detached, two-story wood frame house. To the north across S Street is a complementary row of two-story wood frame single-family dwellings. To the west across 34<sup>th</sup> Street is a church and surface parking lot.

Properties to the south and east are single-family dwellings on narrow rectangular lots with a handful of larger lots created by idiosyncrasies in the street grid.



The current zoning is R-5, Single Family Residential. Like the majority of the parcels on the 3400 Block of S Street and surrounding blocks, the Property is nonconforming with respect to the 6,000 square-foot minimum lot size and 50-foot minimum lot width requirements of R-5 zoning. The East Planning District Land Use Plan from the City of Richmond’s 2000-2010 Master Plan designates the Property as Single-Family (low density).

**Proposal**

Purpose of Request

The purpose of this request is to permit the construction of a two-story, 469 square-foot addition to the Property, as part of the historic rehabilitation of 3413 and 3415 S Street. The project would comply with the recommendations of the Master Plan and would be consistent with the R-5 zoning classification. However, the proposed addition would exceed the maximum lot coverage ratio. Therefore a special use permit is required.

Project Summary

The existing structure at 3413 S Street is a two-story house with a total of five rooms, including two bedrooms and one full bathroom. The existing finished living space contains a footprint of 496 square feet, for a total of 992 square feet. The property formerly contained a one-story

extension at the rear of the structure, but this has been demolished. The proposed addition would match the footprint of the former extension, and would create room to add a third bedroom and second full bathroom to the Property.

The proposed addition would create a total building footprint of 730.27 square feet, creating a total lot coverage ratio of **42.28%**, which exceeds the R-5 zoning requirement of a maximum of **35%** lot coverage ratio. The applicant intends to construct a matching addition (with shared party wall) to the adjacent property at 3415 S Street, which is permissible due to 3415 S Street having a slightly larger lot size. However, due to the shared party wall, applicant's building permit and zoning approval for 3415 S Street are contingent upon obtaining a special use permit for the proposed addition for 3413 S Street.

The Property is located in the Oakwood-Chimborazo State and Federal Historic District. Applicant's rehabilitation plans, including the proposed addition, have been conditionally approved by the Virginia Department of Historic Resources and the National Park Service as being consistent with the Secretary of the Interior's Standards for Historic Rehabilitation. Remnants of footings and party walls suggest that all eight of the matching semi-detached row houses on this block were built with rear-extensions, although only five of the eight still retain these rear extensions.

The Property is currently vacant and in a state of disrepair. Improvements to the Property will eliminate blight and benefit the safety, health and general welfare of the surrounding community. No additional congestion in streets, alleys or other is anticipated; any congestion from construction vehicles would be temporary. Similarly, the proposal is not anticipated to cause overcrowding of land and an undue concentration of population, or to interfere with adequate light and air. As an existing structure is proposed to be improved, no adverse impacts to schools, parks, water/sewer, transportation or related is anticipated.

According to Federal Emergency Management Agency (FEMA) flood map 5101290042D, the Property is outside of floodplain and flood zone boundaries.

According to the United States Fish and Wildlife Service (USFWS) National Wetlands Inventory, there are no wetlands on the Property.

The survey conducted on this parcel did not identify any streams on the Property. As no wetlands or streams exist on the Property, the proposal would not impact Chesapeake Bay Preservation Areas (either Resource Protection Areas or Resource Management Areas).

### **Findings of Fact**

The following are factors indicated in Section 17.11 of the Charter and Section 30-1050.1 of the Zoning Ordinance relative to the approval of special use permits by City Council. The proposed special use permit will not:

- *Be detrimental to the safety, health, morals, and general welfare of the community involved.*

The proposed special use permit will not impact the safety, health, morals and general welfare of the nearby neighborhoods. The proposed development would allow the

existing vacant structure to be rehabilitated in a manner that retains its historic character while creating room for modern living and amenities.

- *Tend to create congestion in streets, roads, alleys and other public ways and places in the area involved.*

The proposed special use permit will not result in significant traffic impacts to nearby residential neighborhoods. The proposal does not change the use of the Property, and is designed to be consistent with the Property's master-plan recommendation for low-density single-family residential use.

- *Create hazards from fire, panic, or other dangers.*

The proposed special use permit will not create hazards from fire, panic, or other dangers. The Property will be developed in compliance with the requirements of the building code and in accordance with the requirements of Fire and Emergency Services, which are designed to eliminate such hazards.

- *Tend to overcrowding of land and cause an undue concentration of population.*

The proposed special use permit will not tend to over crowd the land or create an undue concentration of population. The proposed density and form are appropriate to the Property's location, compatible with the surrounding neighborhood, and consistent with the recommendations of the Master Plan.

- *Adversely affect or interfere with public or private schools, parks, playgrounds, water supplies, sewage disposal, transportation or other public requirements, conveniences, and improvements.*

The special use permit would not adversely affect the above-referenced City services. The proposal, which seeks a minimal increase in lot coverage for an existing dwelling unit, will have no material impact on the above-referenced considerations.

- *Interfere with adequate light and air.*

The light and air available to the Property or its surrounding neighborhood will not be affected. The proposed addition will not encroach on setback requirements will not interfere with the provision of adequate light and air.