



DEPARTMENT OF
**PLANNING AND
DEVELOPMENT
REVIEW**

**BOARD OF
ZONING APPEALS**

February 11, 2025

Daniel Olson
3208 Bute Lane
Richmond, VA 23221

To Whom It May Concern:

RE: BZA 11-2025

You are hereby notified that the Board of Zoning Appeals will hold a public hearing on **Wednesday, March 5, 2025 at 1:00 PM** in the 5th Floor Conference Room, City Hall, 900 E. Broad Street to consider an application for a building permit to construct a new fence accessory to an existing single-family (detached) dwelling at 3208 BUTE LANE (Tax Parcel Number W000-1435/042), located in an R-4 (Single-Family Residential) District. This meeting will be open to in-person participation with a virtual option. The public will have the option to provide their comments by teleconference/videoconference via Microsoft Teams, or in writing via email as indicated below.

Please be advised that the applicant or applicant's representative is required to participate in the subject public hearing either by teleconference/videoconference or in person. For teleconference participation call 804-316-9457 and entering code **499 866 557#**. For video access by computer, smart phone or tablet visit <https://richmondva.legistar.com/Calendar.aspx>. Select the Board of Zoning Appeals drop-down and 2025 drop-down, click meeting details for March 5, 2025 meeting and then click video access. In the event you have difficulty accessing a public hearing you may contact Mr. William Davidson at 804-396-5350 or by email at Chuck.Davidson@rva.gov for assistance. The Board of Zoning Appeals Rules of Procedure provides that in the case of an application for a variance or a special exception, the applicant, proponents or persons aggrieved under §15.2-2314 of the Code of Virginia, shall be permitted a total of six (6) minutes each to present their case. The Board of Zoning Appeals will withhold questions until the conclusion of the respective presentations. For the purposes of the record it also requested that before addressing the Board you identify yourself and spell your name.

Finally, when you submitted your application to the zoning office you were given an handout entitled, Suggestions for Presenting Your Case to the Board, which indicated that you should discuss your request with your neighbor(s) and neighborhood

BZA 11-2025
Page 2
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association(s) prior to appearing before the Board of Zoning Appeals. Contact information for civic group(s) can be found by navigating to the Civic Group webpage of the City's website at <https://www.rva.gov/planning-development-review/civic-groups>. Once there, you can search for your property using the interactive map. A dialogue box will provide you with the names of all civic groups within which your property may lie. Once you have those group names, simply scroll down the page to the appropriate group(s) to find the contact information for each. The Board understands that given the current situation it is not practical to conduct face-to-face discussions with either your neighbors or neighborhood association(s) but the Board requests that you make a good faith effort to provide them with relevant information regarding your case.

If you have any questions regarding the Board's procedures or any issue involving presentation of your case, please feel free to contact me.

Very truly yours,

A handwritten signature in cursive script that reads "Roy W. Benbow".

Roy W. Benbow, Secretary
Phone: (804) 240-2124
E-mail: Roy.Benbow@rva.gov

cc: Zoning Administrator

Notice of this meeting is being sent to the persons whom the Board of Zoning Appeals believes to be property owners in the immediate vicinity of the property concerned in this application. This notice is for their information only, and there is no need for them to appear unless they so desire. The Board will, however, welcome such views as any persons care to express during the hearing on this application.

Bokinsky James E And Rachel L
3202 Bute Lane
Richmond, VA 23221

Goff Janet Lee And Christon Maria
Christine
3203 Bute Lane
Richmond, VA 23221

Hardesty Emily E
3203 Sunset Ave
Richmond, VA 23221

Cook Tench Diane Trustee
3204 Bute Lane
Richmond, VA 23221

Bracey Thomas A & Barbara R
3205 Bute Lane
Richmond, VA 23221

Bragg Clarence Windell And Bettye Jeane
3205 Sunset Ave
Richmond, VA 23221

Ford Alfred L & Elizabeth N
3207 Bute Lane
Richmond, VA 23221

Quinn Ryan And Nora
3207 Sunset Ave
Richmond, VA 23221

Lewis Milton M And Regina M Keener-
lewis
3209 Bute Lane
Richmond, VA 23221

Fornash Virginia L And Ives Rublee Noel
Robert
3209 Bute Lane
Richmond, VA 23221

Gariulo Raymond J
3209 Sunset Ave
Richmond, VA 23221

Jamesite Company
6802 Paragon Place Ste 205
Richmond, VA 23230

Property: 3208 Bute Lane **Parcel ID:** W0001435042

Parcel

Street Address: 3208 Bute Lane Richmond, VA 23221-
Owner: OLSON DANIEL AND LAURA
Mailing Address: 3208 Bute Lane, RICHMOND, VA 23221
Subdivision Name : L W BATES?
Parent Parcel ID:
Assessment Area: 230 - Byrd Park
Property Class: 115 - R One Story+ (1.25, 1.5, 1.75)
Zoning District: R-4 - Residential (Single Family)
Exemption Code: -

Current Assessment

Effective Date: 01/01/2025
Land Value: \$175,000
Improvement Value: \$333,000
Total Value: \$508,000
Area Tax: \$0
Special Assessment District:

Land Description

Parcel Square Feet: 14425
Acreage: 0.3312
Property Description 1: L14PT13; 0050.00X0158.64 IRG0000.000
State Plane Coords(?): X= 11775899.000016 Y= 3722679.720685
Latitude: 37.54248197 , **Longitude:** -77.48944647

Description

Land Type: Residential Lot F
Topology:
Front Size: 50
Rear Size: 158
Parcel Square Feet: 14425
Acreage: 0.3312
Property Description 1: L14PT13; 0050.00X0158.64 IRG0000.000
Subdivision Name : L W BATES?
State Plane Coords(?): X= 11775899.000016 Y= 3722679.720685
Latitude: 37.54248197 , **Longitude:** -77.48944647

Other

Street improvement:
Sidewalk:

Assessments

Assessment Year	Land Value	Improvement Value	Total Value	Reason
2025	\$175,000	\$333,000	\$508,000	Not Available
2024	\$175,000	\$319,000	\$494,000	Not Available
2023	\$170,000	\$303,000	\$473,000	Not Available
2022	\$150,000	\$275,000	\$425,000	Not Available
2021	\$135,000	\$278,000	\$413,000	Not Available
2020	\$125,000	\$285,000	\$410,000	Reassessment
2019	\$125,000	\$260,000	\$385,000	Reassessment
2018	\$105,000	\$243,000	\$348,000	Reassessment
2017	\$105,000	\$173,000	\$278,000	Reassessment
2016	\$105,000	\$162,000	\$267,000	Reassessment
2015	\$82,000	\$172,000	\$254,000	Reassessment
2014	\$82,000	\$172,000	\$254,000	Reassessment
2013	\$82,000	\$172,000	\$254,000	Reassessment
2012	\$82,000	\$176,000	\$258,000	Reassessment
2011	\$82,000	\$187,000	\$269,000	CarryOver
2010	\$82,000	\$187,000	\$269,000	Reassessment
2009	\$82,000	\$186,300	\$268,300	Reassessment
2008	\$82,000	\$229,700	\$311,700	Reassessment
2007	\$82,000	\$199,700	\$281,700	Reassessment
2006	\$45,000	\$199,700	\$244,700	Reassessment
2005	\$34,000	\$141,200	\$175,200	Reassessment
2004	\$33,300	\$138,400	\$171,700	Reassessment
2003	\$31,700	\$131,800	\$163,500	Reassessment
2002	\$27,600	\$114,600	\$142,200	Reassessment
2001	\$23,400	\$97,100	\$120,500	Reassessment
2000	\$20,000	\$83,000	\$103,000	Reassessment
1998	\$20,000	\$79,000	\$99,000	Not Available

Transfers

Transfer Date	Consideration Amount	Grantor Name	Deed Reference	Verified Market Sale Description
12/19/2024	\$650,000	Not Available	ID2024-20149	
09/29/2017	\$385,000	Not Available	ID2017-20603	
07/23/2008	\$280,500	Not Available	ID2008-19970	
09/30/1996	\$118,500	Not Available	09602-00466	
06/27/1986	\$48,500	Not Available	000084-00961	
03/14/1966	\$12,500	Not Available	000637-C00671	

Planning

Master Plan Future Land Use: R
Zoning District: R-4 - Residential (Single Family)
Planning District: Near West
Traffic Zone: 1129
City Neighborhood Code: CARN
City Neighborhood Name: Carillon
Civic Code: 4027
Civic Association Name: Carillon Civic Association
Subdivision Name: L W BATES?
City Old and Historic District:
National historic District: Carillon Neighborhood Historic District
Neighborhoods in Bloom:
Redevelopment Conservation Area:

Economic Development

Care Area: -
Enterprise Zone:

Environment

100 YEAR Flood Plain Flag: Contact the Water Resources Division at 646-7586.
500 YEAR Flood Plain Flag: N
Resource Protection Flag: Contact the Water Resources Division at 646-7586.
Wetland Flag: N

Census

Census Year	Block	Block Group	Tract
2000	1020	0416001	041600
1990	139	0416001	041600

Schools

Elementary School: Cary
Middle School: Hill
High School: Jefferson

Public Safety

Police Precinct: 3
Police Sector: 311
Fire District: 12
Dispatch Zone: 049B

Public Works Schedules

Street Sweep: TBD
Leaf Collection: TBD
Refuse Collection: Monday
Bulk Collection: TBD

Government Districts

Council District: 5
Council District for 2025 (Current Election): 5
Voter Precinct: 501
State House District: 78
State Senate District: 14
Congressional District: 4

Extension 1 Details

Extension Name: 001 -
Year Built: 1946
Stories: 1.75
Units: 0
Number Of Rooms: 0
Number Of Bed Rooms: 4
Number Of Full Baths: 2
Number Of Half Baths: 1
Condition: GOOD
Foundation Type:
1st Predominant Exterior: Common Brick
2nd Predominant Exterior: Common Brick
Roof Style: Gable
Roof Material: Composition shingle
Interior Wall: Drywall, Plaster
Floor Finish: Hardwood, Softwood, Carpet
Heating Type: Heat Pump
Central Air: Y
Basement Garage Car #: 0
Fireplace: N
Building Description (Out Building and Yard Items) :

Extension 1 Dimensions

Finished Living Area: 2072 Sqft
Attic: 0 Sqft
Finished Attic: 0 Sqft
Basement: 352 Sqft
Finished Basement: 0 Sqft
Attached Garage: 0 Sqft
Detached Garage: 0 Sqft
Attached Carport: 0 Sqft
Enclosed Porch: 0 Sqft
Open Porch: 0 Sqft
Deck: 0 Sqft

Property Images

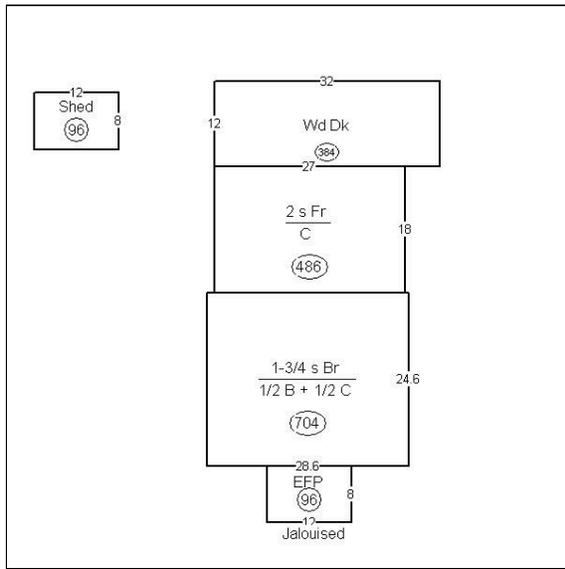
Name:W0001435042 Desc:R01



[Click here for Larger Image](#)

Sketch Images

Name:W0001435042 Desc:R01



RICHMOND BOARD OF ZONING APPEALS APPLICATION FORM



**THE RICHMOND ZONING ADMINISTRATION OFFICE
ROOM 110, CITY HALL, 900 EAST BROAD STREET
RICHMOND, VIRGINIA 23219
(804) 646-6340**

TO BE COMPLETED BY THE APPLICANT

PROPERTY Daniel Olson PHONE: (Home) () _____ (Mobile) (804)514-7920
OWNER: _____ FAX: (Home) () _____ (Mobile) _____
(Name/Address) 3208 Bute Lane E-mail Address: dolson4490@gmail.com
OWNER'S Richmond, Virginia 23221 PHONE: (Home) _____ (Mobile) _____
REPRESENTATIVE _____ FAX: (Home) () _____ (Mobile) _____
(Name/Address) _____ E-mail Address _____

TO BE COMPLETED BY THE ZONING ADMINISTRATION OFFICE

PROPERTY ADDRESS (ES): 3208 Bute Lane

TYPE OF APPLICATION: VARIANCE SPECIAL EXCEPTION OTHER

ZONING ORDINANCE SECTION NUMBER(S): 30-630.9

APPLICATION REQUIRED FOR: A permit to build an eight-foot (8') fence to be located within the required front, side and rear yards along the western property line.

TAX PARCEL NUMBER(S): W000-1435/042 ZONING DISTRICT: R-4 Single-family residential district.

REQUEST DISAPPROVED FOR THE REASON THAT: The maximum permitted height for a fence/wall is exceeded. No fence or wall shall exceed 6 1/2 feet in height when located within required side and rear yards. Fences and walls located in the required front yard shall not exceed four feet in height; eight feet (8') is proposed for the front, side and rear yards along the western property line.

DATE REQUEST DISAPPROVED: 01-17-2025 FEE WAIVER: YES NO

DATE FILED: 01-17-2025 TIME FILED: 1:30 PREPARED BY: Andrea Cuffee RECEIPT NO. BZAR-160437-2025

AS CERTIFIED BY: [Signature] (ZONING ADMINSTRATOR)

I BASE MY APPLICATION ON:

SECTION 17.20 PARAGRAPH(S) b OF THE CHARTER OF THE CITY OF RICHMOND
SECTION 15.2 -2309.2 OF THE CODE OF VIRGINIA [OR]
SECTION 1040.3 PARAGRAPH(S) _____ OF THE ZONING ORDINANCE OF THE CITY OF RICHMOND

TO BE COMPLETED BY APPLICANT

I have received the handouts, *Suggestions for Presenting Your Case to the Board & Excerpts from the City Charter*

I have been notified that I, or my representative, must be present at the hearing at which my request will be considered.

SIGNATURE OF OWNER OR AUTHORIZED AGENT: [Signature] DATE: 2/4/25

***** TO BE COMPLETED BY THE SECRETARY TO THE BOARD OF ZONING APPEALS *****

CASE NUMBER: BZA 11-2025 HEARING DATE: March 5, 2025 AT 1:00 P.M.

BOARD OF ZONING APPEALS CASE BZA 11-2025
150' Buffer

APPLICANT(S): Daniel Olson

PREMISES: 3208 Bute Lane
(Tax Parcel Number W000-1435/042)

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

REASON FOR THE REQUEST: Based on Sections 30-300 & 30-630.9(b)
of the Zoning Ordinance for the reason that:
The maximum permitted fence height located in a required front and side yard is exceeded.





BOARD OF ZONING APPEALS PRESENTATION SUGGESTIONS

CITY OF RICHMOND, VIRGINIA

When presenting your request for a variance or exception to the Board of Zoning Appeals, it is important that you consider the points outlined below. The City Charter requires that every decision of the Board must be based upon a finding of fact that the Board must determine from sworn testimony, together with pertinent evidence, presented at its public hearing. It is essential that the Board receive thorough and complete information in order for it to adequately consider your case and make an informed decision.

1. The powers and duties of the Board of Zoning Appeals are specified in Section 17.20 of the City Charter and Article X, Division 5, of the Zoning Ordinance. The Zoning Office will assist you in identifying how your case should be filed. If you have questions regarding your case filing, please contact the Zoning Administration Office (646-6340/6701). Please review the applicable provisions of the City Charter or the Zoning Ordinance thoroughly and address them when presenting your case to the Board to show that the applicable requirements have been satisfied.
2. The Board of Zoning Appeals is a quasi-judicial board whose decisions are controlled by statutory law and also take into consideration applicable case law that has been handed down by the Richmond Circuit Court and the Virginia Supreme Court. The Board suggests that if you have any legal questions regarding statutory or case law as it may apply to your application, that those legal issues should be discussed with an attorney before you make your final decision to submit an application to the Board.
3. The Board considers it absolutely essential that you discuss your case with your neighbors (notification letters are sent to property owners within a 150-foot radius of your property) as well as your neighborhood association(s). Information regarding your neighborhood association(s) and/or contact person(s) may be obtained from the City's website at <http://www.richmondgov.com/PlanningAndDevelopmentReview/civicasociationgroupinformation.aspx>. Once on the page, you can search for your property using the interactive map. A dialogue box will provide you with the names of all civic groups within which your property may lie. Once you have those group names, scroll down the page to the appropriate group(s) to find the contact information for each.
4. **Please be advised that if you fail to discuss your request with your neighbors and neighborhood association(s), you should anticipate that your case will be continued until the Board's next regularly scheduled meeting.** It is highly recommended that you contact your neighborhood association as soon as possible to determine their meeting schedule in order to be sure you allow yourself enough time to talk to all concerned parties prior to the hearing before the Board. The Board's Rules of Procedure require payment of a \$150.00 continuance fee if the applicant must request a continuance for the reason that the applicant failed to discuss their case with their neighbor(s) or neighborhood association(s).
4. You are also strongly encouraged to discuss your pending case with the Secretary of the Board, Roy Benbow (804-240-2124) well before the hearing. The Secretary can be helpful by explaining the BZA public hearing process.
5. Utilizing photographs, plans, maps, diagrams and such other written or graphic evidence as needed to fully explain your request can be a great help to the Board in understanding your request and thereby improve your chances for success. Remember a picture is worth a thousand words.
6. Note that, although the Board is not authorized to grant a waiver from the zoning regulations based on financial circumstances alone, it may be a factor to be taken into consideration along with other facts in a case. If your case involves such a factor, please provide the Board with complete and relevant financial information for its review.
7. The Board's hearings are informal, although all testimony is taken under oath. You are not required to be represented by an attorney in presenting your case. However, if you choose, you may have legal representation and/or may utilize such technical experts or other persons to testify on your behalf as you feel are needed to adequately explain your request to the Board.

Acknowledgement of Receipt by Applicant or Authorized Agent:

A handwritten signature in black ink, appearing to be "Roy Benbow", is written over a horizontal line.

(Revised: 4/28/16)

Daniel Olson

3208 Bute Lane, Richmond VA 23221

To whom it concerns,

I respectfully request a variance, as defined by Section 15.2-2201 of the Code of Virginia. This request is for a reasonable deviation from those provisions regulating height, area, bulk, or location of a building or structure when the strict application of the ordinance would unreasonably restrict the utilization of the property regarding safety and noise, and such need for a variance would not be shared generally by other properties and is not contrary to the purpose of the ordinance. This request is not to change the use of the property.

The underlying zoning ordinance permits fences and walls within the front yard setback up to four (4') feet in height. This request is to permit up to an additional 4 feet of wood fencing in the front yard and an additional 1 ½ along the side yard. The request is for the minimum relief necessary in order to provide an extra measure of safety and as a noise buffer, due to the proximity of my property to Interstate 76 as well as the CSX railroad. For reasons stated above, a variance is requested.

Intent Statement Requesting a Variance to Build an 8-Foot Tall Sound-Barrier Fence

January 9, 2025

Richmond Board of Zoning Appeals
900 E Broad St
Richmond, VA 23219

Dear Board Members,

I am writing to formally request a variance to the current zoning regulations to allow for the construction of an 8-foot tall privacy fence along the western edge of my property at 3208 Bute Lane. This request is prompted by the significant noise pollution caused by the nearby Powhite Parkway and the CSX railroad, which intersect less than 300 feet from my home. The primary purpose of the fence is to act as a sound barrier, mitigating the persistent and disruptive noise from the highway and railroad. In addition to improving the livability of my property, the noise reduction from the fence would also benefit other residents on Bute Lane who are similarly affected. The relief sought by the variance application is not available through a special exception process.

The noise from both the high-traffic Powhite Parkway and the passing freight trains frequently exceeds 70 decibels, a level known to disrupt sleep and negatively impact health and well-being. These noise levels create a challenging living environment, making it difficult for my family and I to enjoy the outdoor spaces and find peace within the home, particularly during the night.

My property is the last home on a dead-end street. The proposed fence would be constructed exclusively along the western property line, which abuts a wooded area that is corporately owned. It will not border any other residential properties, nor negatively impact the visual aesthetics of neighboring homes.

The fence would be built in accordance with the Virginia Uniform Statewide Building Code using either pine or cedar pickets, materials that are both durable and aesthetically pleasing, while effectively reducing external noise.

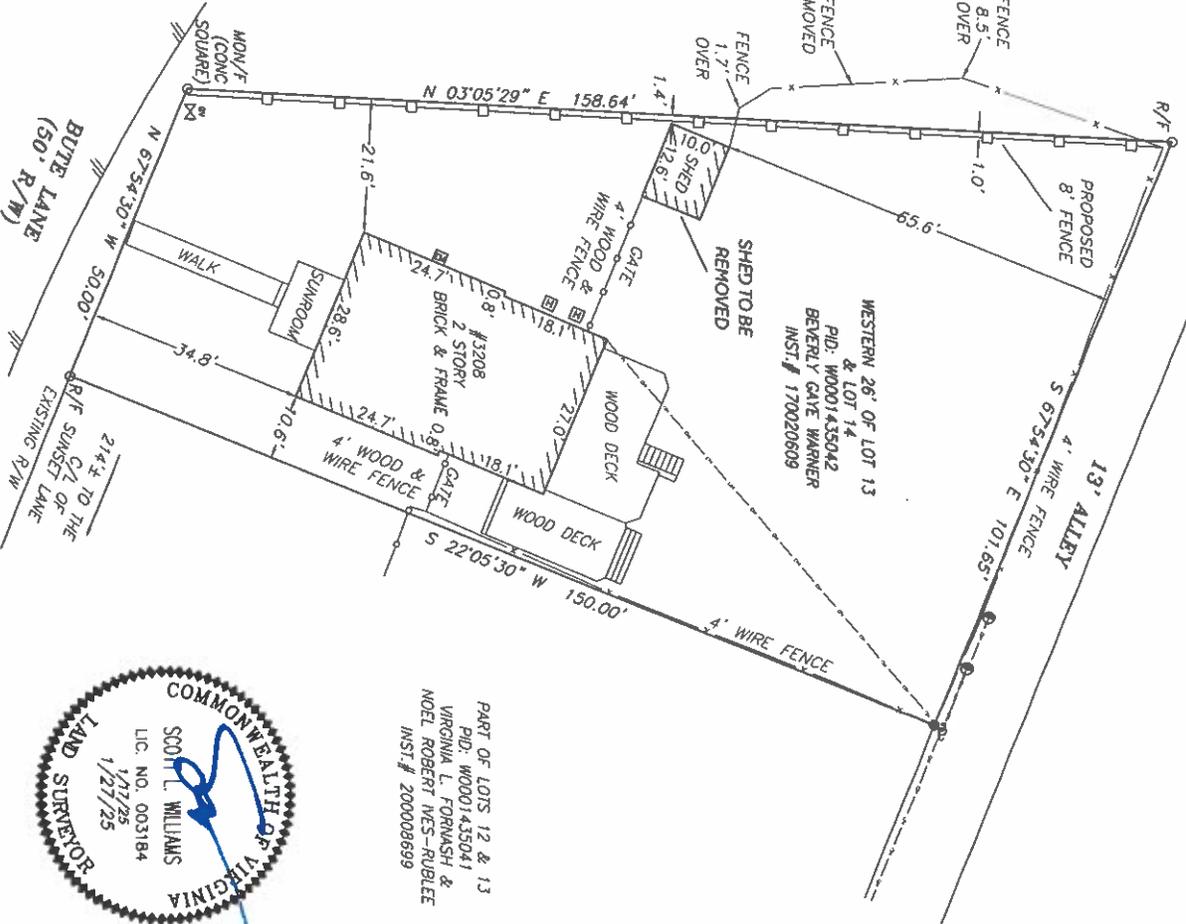
I respectfully request that the Richmond Board of Zoning Appeals approve this variance. The fence is not only essential for enhancing the livability of my property but also provides broader benefits by mitigating the negative effects of noise pollution for other residents in the area.

Thank you for your time and consideration. I am happy to provide any additional information or answer any questions you may have regarding this request.

Sincerely,
Daniel Olson
3208 Bute Lane, Richmond, Va 23221
804-514-7920
Dolson4490@gmail.com

1. THIS SURVEY WAS COMPILED FROM A FIELD SURVEY COMPLETED ON 1/15/25 AND FROM DEEDS AND PLATS OF RECORD.
2. NO TITLE REPORT WAS FURNISHED FOR THIS SURVEY. ENCUMBRANCES MAY EXIST THAT ARE NOT SHOWN HERON.
3. BY GRAPHICAL MEANS THE PROPERTY SHOWN HERON APPEARS TO BE LOCATED WITHIN FLOOD ZONE "X" ON FLOOD INSURANCE RATE MAP NO. 5101290036D, WITH AN EFFECTIVE DATE OF APRIL 2ND, 2009.
4. OWNER SHALL VERIFY SETBACKS WITH LOCALITY PRIOR TO ANY PROPOSED CONSTRUCTION OR DEVELOPMENT OF SHOWN PARCEL.

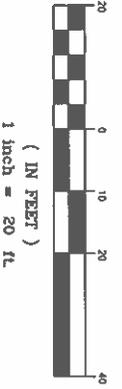
PARCELS A & B
 PID: W0001433001
 JAMESITE COMPANY
 INST.# 970021134



- DB. 312D FC. 390
- HVAC
- ELEC. METER
- X— GAS VALVE
- UTILITY POLE
- GUY WIRE
- R/W RIGHT OF WAY
- R/W ROD FOUND
- MON./F. MONUMENT FOUND
- WOOD & WIRE FENCE
- X— WIRE FENCE
- OVERHEAD WIRE

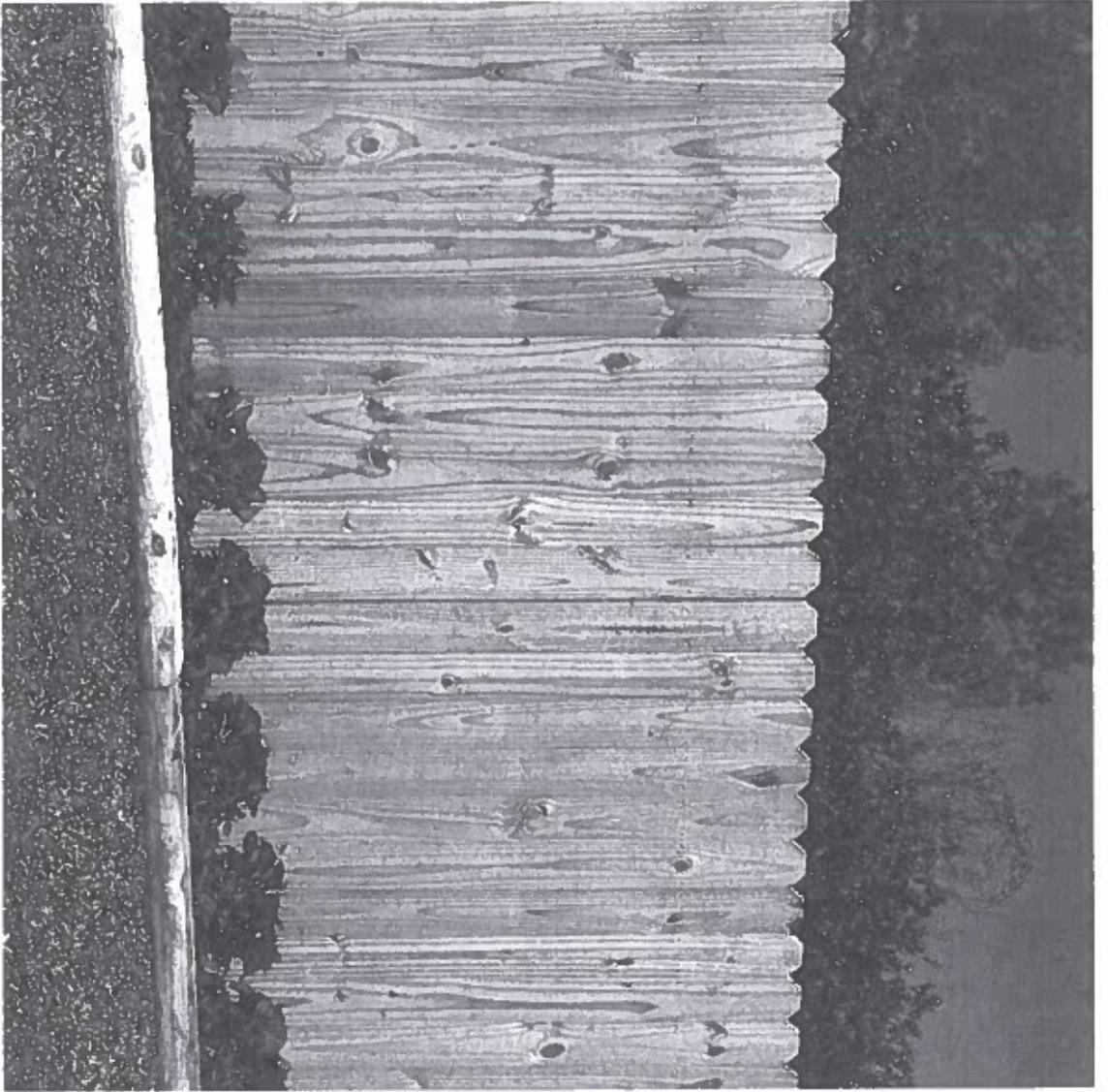
PART OF LOTS 12 & 13
 PID: W0001435041
 VIRGINIA L. FORNASH &
 NOEL ROBERT IVES-RUBLEE
 INST.# 200008699

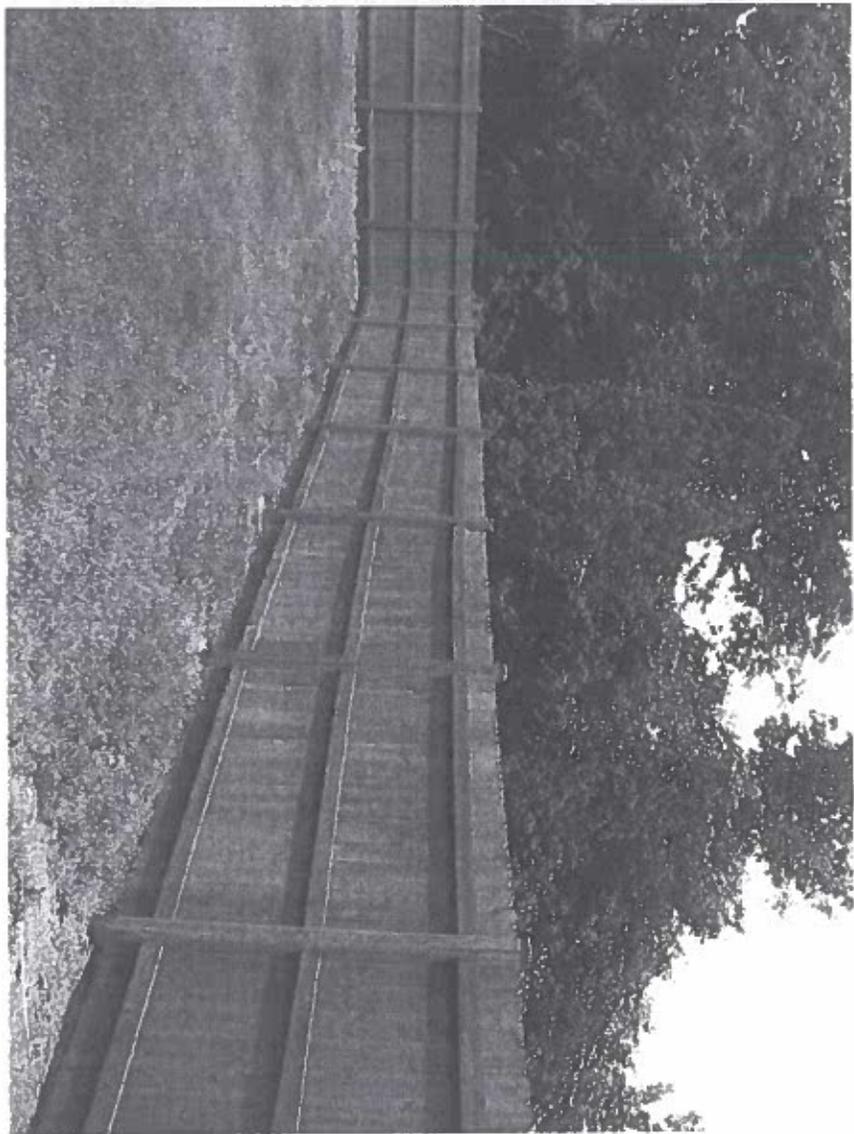
UNIT 204
 5805 CROWE AVE.
 RICHMOND, VIRGINIA 23226
 PHONE: (804) 922-4444
 SURVEYOR@JAMESRIVERSURVEYING.COM



PHYSICAL IMPROVEMENT
SURVEY OF
#3208 BUTE LANE
 CITY OF RICHMOND, VIRGINIA
GRAPHIC SCALE

PROJ#	SCALE: 1" = 20'
REVISED: 1/17/25 ADDED PROPOSED FENCE	DATE: 1/16/25
	DRAWN BY: TDR
	CHECKED BY: CDS







Powhite Pkwy (Toll road)

73

146

73

146

Powhite Pkwy (Toll road)

Google

Blue Shingles Ln

Blue Shingles Ln

Sunset Ln

Bulle Ln

Low Path Cir

Sunset Ln

Bulle Ln

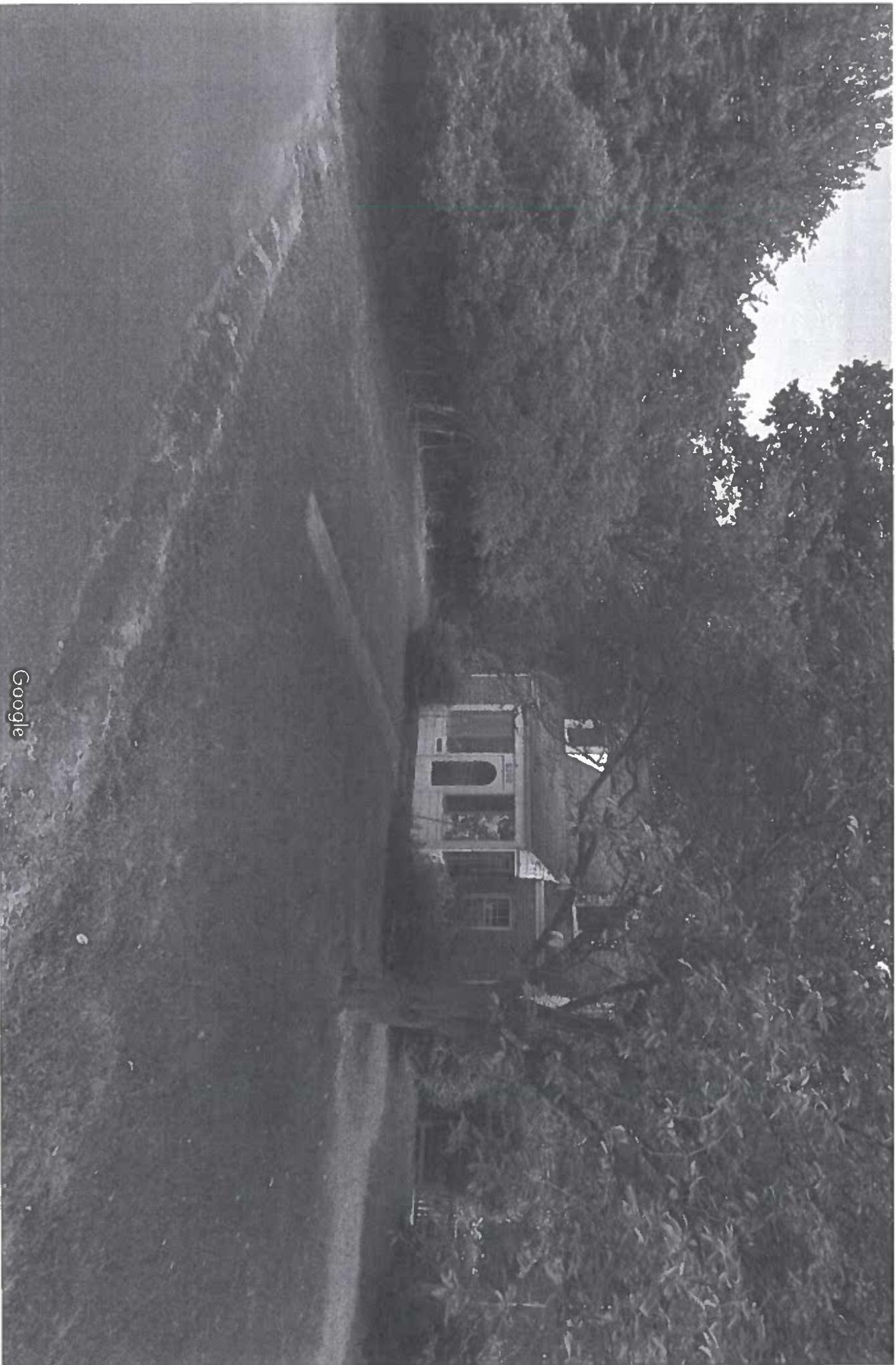
Low Path Cir

Bulle Ln

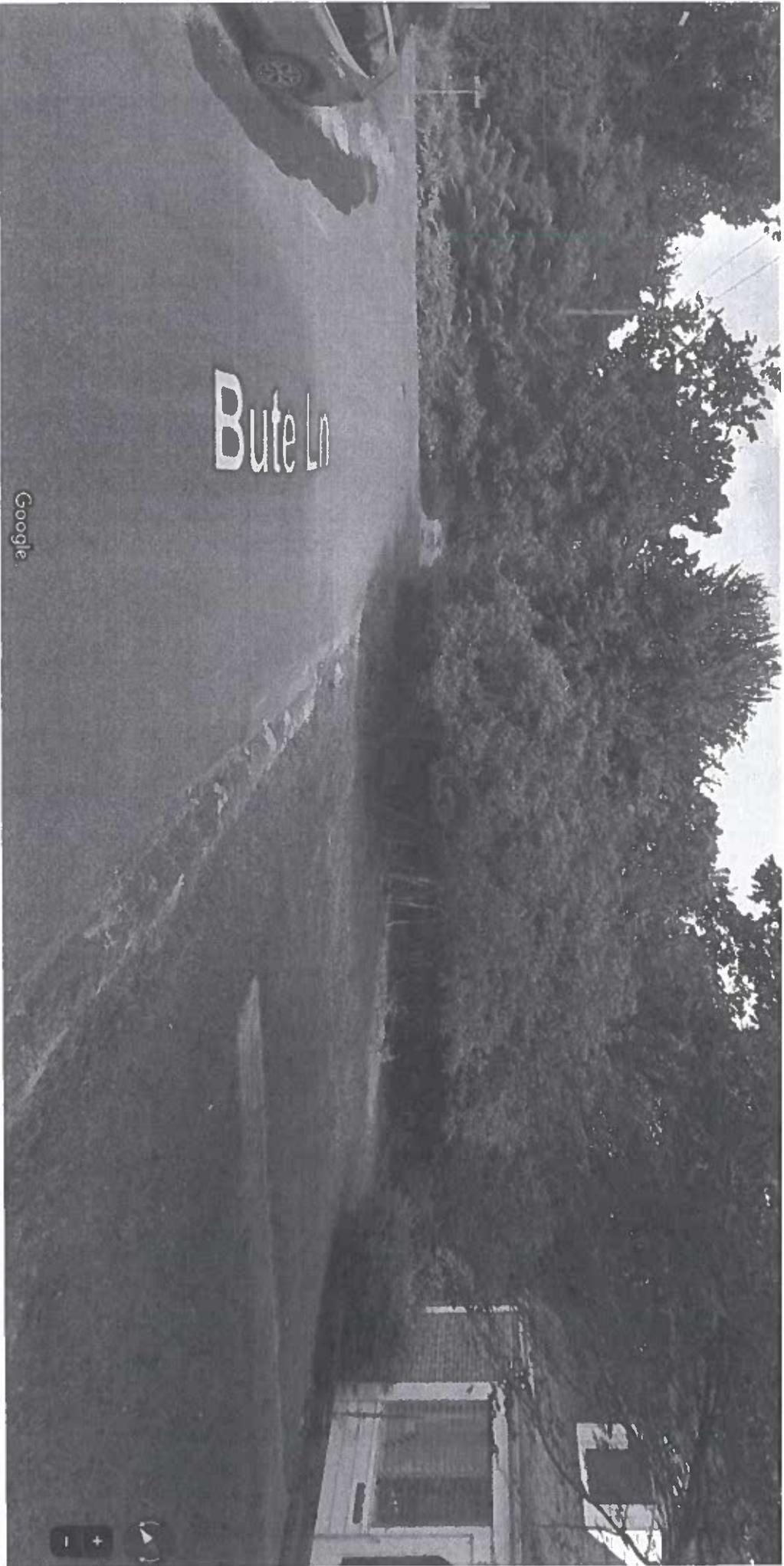
Sunset Ln

Sunset Ave

Sunset



Google



Bute Ln

Google

