

INTRODUCED: December 17, 2018

AN ORDINANCE No. 2018-329

To authorize the special use of the property known as 2413 Carrington Street for the purpose of a dwelling unit within an accessory building, upon certain terms and conditions.

Patron – Mayor Stoney (By Request)

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: JAN 14 2019 AT 6 P.M.

WHEREAS, the owner of the property known as 2413 Carrington Street which is situated in a R-63 Multifamily Urban Residential District, desires to use such property for the purpose of a dwelling unit within an accessory building, which use, among other things, is not currently allowed by section 30-419.4(3) of the Code of the City of Richmond (2015), as amended; and

WHEREAS, in accordance with section 17.11 of the Charter of the City of Richmond (2018), as amended, it has been made to appear that, if granted subject to the terms and conditions set forth in this ordinance, the special use granted by this ordinance will not be detrimental to the safety, health, morals and general welfare of the community involved, will not tend to create congestion in streets, roads, alleys and other public ways and places in the area involved, will not

AYES: 8 NOES: 0 ABSTAIN: _____

ADOPTED: JAN 14 2019 REJECTED: _____ STRICKEN: _____

create hazards from fire, panic or other dangers, will not tend to overcrowding of land and cause an undue concentration of population, will not adversely affect or interfere with public or private schools, parks, playgrounds, water supplies, sewage disposal, transportation or other public requirements, conveniences and improvements, and will not interfere with adequate light and air; and

WHEREAS, (i) the City Planning Commission has conducted a public hearing to investigate the circumstances and conditions upon which the Council is empowered to authorize such use, (ii) the City Planning Commission has reported to the Council the results of such public hearing and investigation and its recommendations with respect thereto, and (iii) the Council has conducted a public hearing on this ordinance at which the person in interest and all other persons have had an opportunity to be heard;

NOW, THEREFORE,

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. **Finding.** Pursuant to section 30-1050.1 of the Code of the City of Richmond (2015), as amended, the Council hereby finds that the special use set forth in and subject to the terms and conditions of this ordinance will not (i) be detrimental to the safety, health, morals and general welfare of the community involved, (ii) tend to create congestion in streets, roads, alleys and other public ways and places in the area involved, (iii) create hazards from fire, panic or other dangers, (iv) tend to overcrowding of land and cause an undue concentration of population, (v) adversely affect or interfere with public or private schools, parks, playgrounds, water supplies, sewage disposal, transportation or other public requirements, conveniences and improvements, or (vi) interfere with adequate light and air.

§ 2. **Grant of Special Use Permit.**

(a) Subject to the terms and conditions set forth in this ordinance, the property known as 2413 Carrington Street and identified as Tax Parcel No. E000-0471/008 in the 2018 records of the City Assessor, being more particularly shown on a survey entitled “Survey of Lot and Improvements Thereon Located at # 2413 Carrington Street, Richmond, Virginia,” prepared by A. G. Harocopos & Associates, P.C., and dated November 20, 2015, a copy of which is attached to and made a part of this ordinance, hereinafter referred to as “the Property,” is hereby permitted to be used for the purpose of a dwelling unit within an accessory building, hereinafter referred to as “the Special Use,” substantially as shown on the plans entitled “2413 Carrington St.,” prepared by Unlimited Renovations LLC, and dated December, 2015, hereinafter referred to as “the Plans,” copies of which are attached to and made a part of this ordinance.

(b) The adoption of this ordinance shall constitute the issuance of a special use permit for the Property. The special use permit shall inure to the benefit of the owner or owners of the fee simple title to the Property as of the date on which this ordinance is adopted and their successors in fee simple title, all of which are hereinafter referred to as “the Owner.” The conditions contained in this ordinance shall be binding on the Owner.

§ 3. **Special Terms and Conditions.** This special use permit is conditioned on the following special terms and conditions:

(a) The Special Use of the Property shall be as no more than one dwelling unit within a building accessory to an existing two-family dwelling, substantially as shown on the Plans and the survey identified in section 2(a).

(b) No fewer than two on-site parking spaces shall be provided on the Property, substantially as shown on the Plans and the survey identified in section 2(a).

(c) Outdoor lighting shall be located, directed or shielded so as not to shine directly on adjoining properties or to create a traffic hazard by means of glare or similarity to or confusion with traffic signals, warning lights or lighting on emergency vehicles.

(d) The height of the Special Use shall not exceed the height as shown on the Plans.

(e) All mechanical equipment serving the Property shall be located or screened so as not to be visible from any public right-of-way.

§ 4. **Supplemental Terms and Conditions.** This special use permit is conditioned on the following supplemental terms and conditions:

(a) All required final grading and drainage plans, together with all easements made necessary by such plans, must be approved by the Director of Public Utilities prior to the issuance of the building permit.

(b) Storm or surface water shall not be allowed to accumulate on the land. The Owner, at its sole cost and expense, shall provide and maintain at all times adequate facilities for the drainage of storm or surface water from the Property so as not to adversely affect or damage any other property or public streets and the use thereof.

(c) 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 so as not to be visible from adjacent properties and public streets.

(d) Any encroachments existing, proposed on the Plans or contemplated in the future shall require separate authorization and shall be subject to the applicable provisions of the Code of the City of Richmond (2015), as amended, and all future amendments to such laws.

(e) In all other respects, the use of the Property shall be in accordance with the applicable underlying zoning regulations.

§ 5. **General Terms and Conditions.** This special use permit is conditioned on the following general terms and conditions:

(a) No permit implementing this special use permit shall be approved until satisfactory evidence has been presented to the Zoning Administrator that any delinquent real estate taxes applicable to the Property have been paid.

(b) The Owner shall be bound by, shall observe and shall comply with all other laws, ordinances, rules and regulations applicable to the Property, except as otherwise expressly provided in this ordinance.

(c) Words and phrases used in this ordinance shall be interpreted to have the meanings ascribed to them by section 30-1220 of the Code of the City of Richmond (2015), as amended, unless the context clearly indicates that a different meaning is intended.

(d) Notwithstanding any other provision of law, this special use permit is being approved due, in part, to the mitigating effects of each and every condition attached hereto; consequently, if any portion of this ordinance is determined to be invalid for any reason by a final, non-appealable order of any Virginia or federal court of competent jurisdiction, the invalidity shall cause the entire ordinance to be void and of no further effect from the effective date of such order.

(e) The privileges granted by this ordinance may be revoked pursuant to the provisions of sections 30-1050.7 through 30-1050.11 of the Code of the City of Richmond (2015), as amended, and all future amendments to such laws. Failure to comply with the terms and conditions of this ordinance shall constitute a violation of section 30-1080 of the Code of the City of Richmond (2015), as amended, and all future amendments to such law, or any other applicable laws or regulations.

(f) When the privileges granted by this ordinance terminate and the special use permit granted hereby becomes null and void, whether as a result of the Owner relinquishing this special use permit in a writing addressed to the Director of Planning and Development Review or otherwise, use of the Property shall be governed thereafter by the zoning regulations prescribed for the district in which the Property is then situated.

§ 6. **Implementation.** The Commissioner of Buildings is authorized to issue a building permit substantially in accordance with the Plans for the Special Use subject to the terms and conditions set forth in this ordinance. An application for the building permit shall be made within 730 calendar days following the date on which this ordinance becomes effective. If either the application for the building permit is not made within the time period stated in the previous sentence or the building permit terminates under any provision of the Virginia Statewide Building Code, this ordinance and the special use permit granted hereby shall terminate and become null and void.

§ 7. **Effective Date.** This ordinance shall be in force and effect upon adoption.

City of Richmond

900 East Broad Street
2nd Floor of City Hall
Richmond, VA 23219
www.richmondgov.com

Item Request
File Number: PRE. 2018.364

O & R REQUEST

4-8350

NOV 14 2018

O & R Request

Office of the
Chief Administrative Officer


¹⁴
DATE: November 14, 2018


EDITION: 1

TO: The Honorable Members of City Council

THROUGH: The Honorable Levar M. Stoney, Mayor  11/30/18
(This is no way reflects a recommendation on behalf of the Mayor.)

THROUGH: Selena Cuffee-Glenn, Chief Administrative Officer 

THROUGH: Douglas C. Dunlap, Interim Deputy Chief Administrative Officer for Economic Development and Planning 

FROM: Mark A. Olinger, Director, Department of Planning and Development Review 

RE: To authorize the special use of the property known as 2413 Carrington Street for the purpose of a dwelling unit within an accessory building, upon certain terms and conditions.

ORD. OR RES. No. _____

PURPOSE: To authorize the special use of the property known as 2413 Carrington Street for the purpose of a dwelling unit within an accessory building, upon certain terms and conditions.

REASON: The applicant is proposing a one-bedroom dwelling unit above a two-car garage that is accessory to a two-family dwelling. The property is currently located in the R-63 Urban Residential District and the proposed use is not permitted. Dwelling units accessory to an existing building are permitted only to single family dwellings. A special use permit is therefore required.

RECOMMENDATION: In accordance with the requirements of the City Charter and the Zoning Ordinance, the City Planning Commission will review this request and make a recommendation to City Council. This item will be scheduled for consideration by the Commission at its January 7, 2019 meeting. A letter outlining the Commission's recommendation will be forwarded to City Council following that meeting.

BACKGROUND: The subject property consists of a 4,650 SF or .11 acre parcel of land improved with an existing two-family detached dwelling with a detached, 1,288 SF, two-story garage. The property is located in the City's East Planning District in the Union Hill neighborhood.

The City of Richmond's current East Planning District Land Use Plan designates a land use category for the subject property as Mixed Use Residential. "Primary uses include single, two, and multi-family dwellings, live/work units and neighborhood serving commercial uses developed in a traditional urban form. These

commercial uses are limited in location, type and scale and are intended to provide for the convenience of urban neighborhood residents within walking distance, to respect the primary residential character of the neighborhood and to avoid traffic, parking, noise and other impacts that typically result from uses that draw patrons from outside the neighborhood. Typical zoning classification that may accommodate this land use category: R-63 and R-8.” (City of Richmond Master Plan)

The density of the parcel if developed as proposed would be (3) units / .107 acres or approximately (28) units per acre. Adjacent and nearby properties are primarily within the City’s Union Hill Old and Historic District. The property is a part of a large, R-63 zone. A combination of UB-PE3 (Urban Business Parking Exempt) and R-6 (Single Family Attached) zones are in close proximity to the east and north respectively.

FISCAL IMPACT / COST: The Department of Planning and Development Review does not anticipate any impact to the City’s budget for this or future fiscal years.

FISCAL IMPLICATIONS: Staff time for processing the request; preparation of draft ordinance; and publishing, mailing and posting of public notices.

BUDGET AMENDMENT NECESSARY: No

REVENUE TO CITY: \$1,800 application fee

DESIRED EFFECTIVE DATE: Upon Adoption.

REQUESTED INTRODUCTION DATE: December 10, 2018

CITY COUNCIL PUBLIC HEARING DATE: January 14, 2019

REQUESTED AGENDA: Consent.

RECOMMENDED COUNCIL COMMITTEE: None.

CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES: City Planning Commission, January 7, 2019

AFFECTED AGENCIES: Office of Chief Administrative Officer
Law Department (for review of draft ordinance)
City Assessor (for preparation of mailing labels for public notice)

RELATIONSHIP TO EXISTING ORD. OR RES.: None.

REQUIRED CHANGES TO WORK PROGRAM(S): None.

ATTACHMENTS: Draft Ordinance, Application Form, Applicant’s Report, Plans & Survey, Map

STAFF: Jonathan Brown, Senior Planner
Land Use Administration (Room 511) 646 5734

PDR O&R No. 18-61



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.richmond.gov>

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: 2413 Carrington Street

Tax Map #: E0000471008

Fee: \$ 300.00

Date: 04/24/2018

Total area of affected site in acres: 644 sq ft

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

Zoning

Current Zoning: R-83

Existing Use: 2 Car garage and Playroom above

Proposed Use

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

2nd floor to be used as a garden or loft apartment

Existing Use: Playroom

Is this property subject to any previous land use cases?

Yes

No

If Yes, please list the Ordinance Number: _____

Applicant/Contact Person: Bryan Traylor

Company: Unlimited Renovations LLC

Mailing Address: 615 Albemarle Street

City: Richmond

Telephone: (804) 399-7495

State: VA

Zip Code: 23220

Email: bryantraylor@gmail.com

Fax: (804) 780-0388

Property Owner: Unlimited Renovations LLC

If Business Entity, name and title of authorized signer: Bryan Traylor (Manager/owner)

(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: 615 Albemarle Street

City: Richmond

Telephone: (804) 399-7495

State: VA

Zip Code: 23220

Email: bryantraylor@gmail.com

Fax: (804) 780-0388

Property Owner Signature: [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)



615 Albemarle Street Richmond, VA 23220 Ph 804.780.2628 Fax 804.780.0038

SPECIAL USE PERMIT

2413 Carrington Street Carriage House apartment 2nd floor

Description of Finishes

Special Use Permit

We respectfully request your support for the SUP concerning this 644 Square foot, 1 bedroom, 1 full bath, eat in kitchen, above garage carriage house apartment.

It is our desire to obtain a Special use permit for this small 644 square foot space above the garage. This space will make a great 1 bedroom apartment. With the increased density in the Union Hill area as well as this structure backing up to commercial property and with multiple apartment complexes, mixed use buildings and large scale homes, this small 1 bedroom apartment allows its resident privacy, security and a nice quiet living environment away from a traditional apartment/townhouse/duplex setting. This unit will in no way impact the safety, health, morals and general welfare of the community due in large part to its small scale and it being located behind a larger main building. This proposed 1 bedroom apartment will not create added congestion in roads and or alleys due to its dedicated parking spaces. This new construction apartment is up to current codes for fire and emergency notification items, smoke detectors etc. There is also a 14' wide alleyway to the South of the structure to allow for EMS access to the unit. This alleyway is primarily used for commercial deliveries for the Ocean Grocery. This apartment is also equipped with a security system. This small apartment will not tend to cause overcrowding due in large part to its small scale as well as its dedicated parking spots in the garage itself as well as behind the garage. This apartment may lend itself to assisting in the school systems, parks and playground by allowing affordable housing for possible employees and or volunteers that may work or use these city programs. This second floor walkup apartment is equipped with multiple windows to allow light and air to permeate the space. This structure as seen in the pictures does not limit the adjacent property owners adequate light and air due in large part to it being positioned at the rear of the property. We have designed and constructed this space to fit in with the surrounding homes as well as used materials that will look good and last for years to come.

Exterior finishes: Are similar to some of the older homes in the neighborhood. Finishes have also been approved by CAR.
Please see photos.

1. The foundation consists of parged block.
2. Siding is premium Hardiplank siding. Prefinished with 10 year paint warranty
3. Cornice line and trim boards are PVC and or related materials.
4. Shingles are 35 year dimensional black asphalt.
5. Exterior entrance stairs are 4' wide with large landing at the top for safety.
6. Exterior doors. Fiberglass. Garage door are steel.
7. Windows are Plygem double insulated glass and are CAR approved. Color of trim are Arctic white.



615 Albemarle Street Richmond, VA 23220 Ph 804.780.2628 Fax 804.780.0038

2413 Carrington Street Carriage House apartment 2nd floor
Description of Finishes
Special Use Permit

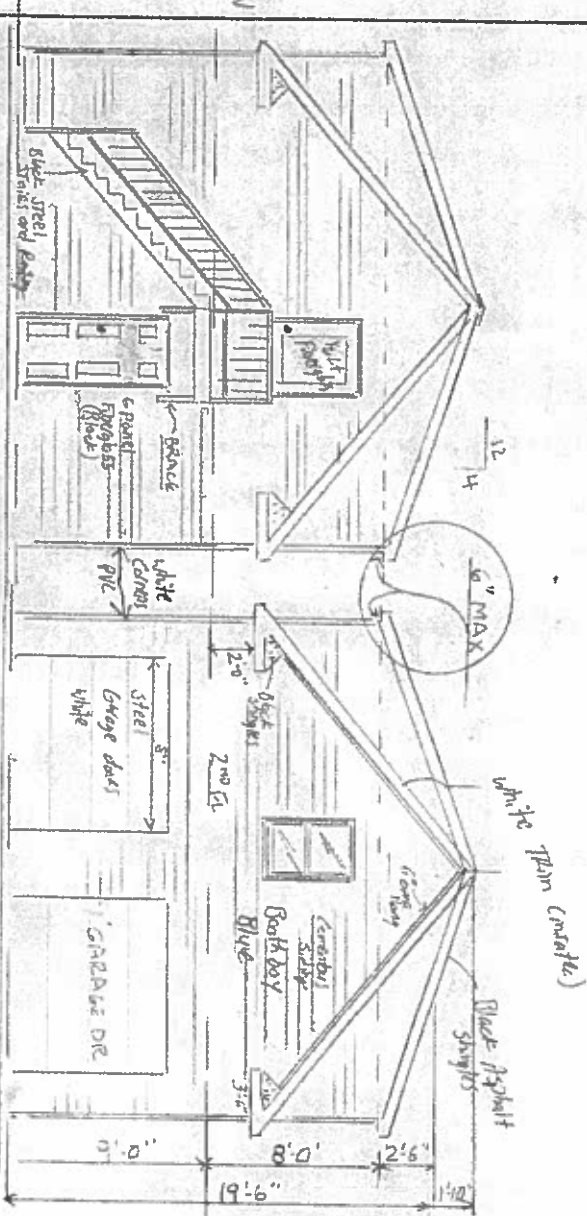
Interior Finishes:

644 Square foot, 1 bedroom, 1 full bath, eat in kitchen; above garage Apartment has 8' ceilings.

1. Floor finishes: Hardwood installed in living and bedroom areas. Baths/ laundry area have ceramic tile installed.
2. Cabinets to be 36"+ -wall stained cabinets
Vanity: White porcelain top Brushed nickel pulls are included.
3. Hardware: Door hardware to be brushed nickel/black.
4. Lighting/ mirrors/shelving: Ceiling fan light combination installed in bedroom. Mirrors to be installed in all bath. Shelving to be white ventilated and will finish out all closet spaces.
5. Security system: To be installed with door and motion sensors. 1-key pad included.
6. Showers/tubs/faucets: To be fiberglass and will have framed shower doors installed. All faucets to be chrome.
7. HVAC/ Water heater: Electric American Standard Heat Pump with 10-year compressor warranty.
8. Water heater to be 50 gallon electric.
9. Interior Painting: Antique White flat on walls and semi gloss white on trim and doors.
10. Appliances: Black fridge with ice maker, glass top electric stove, microwave, dishwasher, washer dryer (included)
11. Off street parking: 1 Space rear yard.

Respectfully submitted

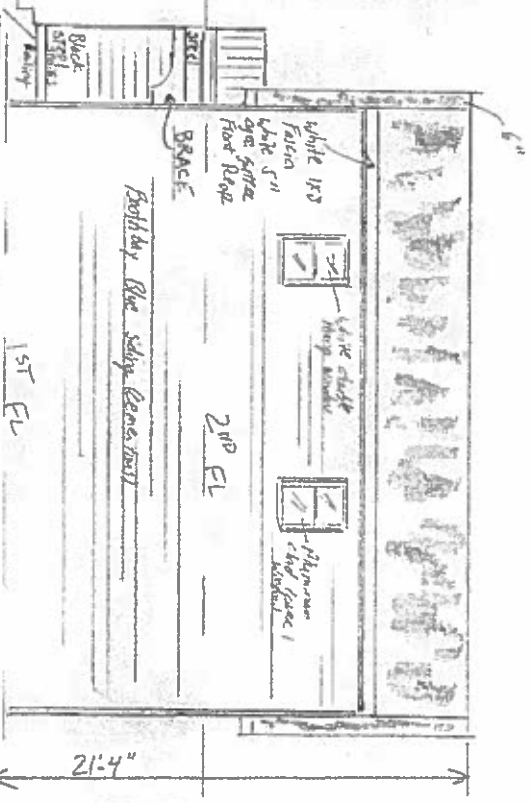
Bryan Traylor



FRONT ELEV

REAR ELEV
Public Alley

2413 BARRINGTON ST
202 WEST 15th STREET

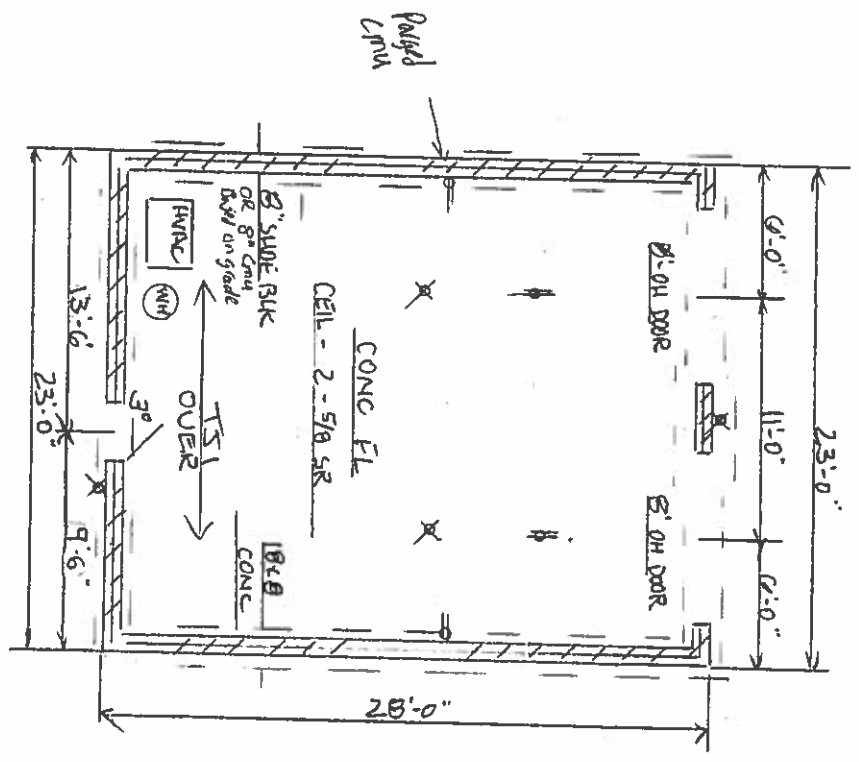


RIGHT SIDE ELEV

DOORS AND WINDOWS TO BE SET AT
6'-0" GARAGE DOORS AT 8'-0"
SILLS DEPEND ON WINDOW SIZE

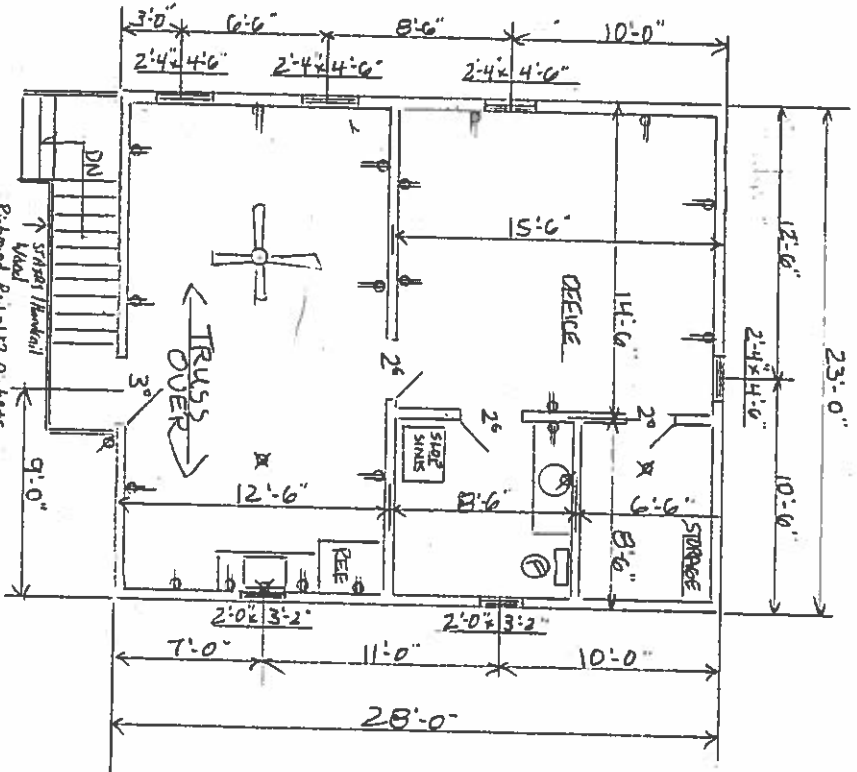
UNLIMITED RENOVATIONS LLC	
ROAD 1114 THE LEO	APPROVED BY
DATE DEC 2005	REVISION
2 OF 2	

Public Alley



FIRST FL GARAGE

Public Alley



SECOND FL

2413 CARRINGTON ST

UNLIMITED RENOVATIONS LLC
 SCALE 1/4" = 1'-0"
 DATE DEC 2015
 DRAWING NUMBER 1 OF 2

This is to certify that on 11/20/15
 I made an accurate field survey of the known premises
 shown hereon; that all improvements known or visible
 are shown hereon; that there are no encroachments by
 improvements either from adjoining premises, or from
 subject premises upon adjoining premises, other than
 shown hereon.

NOTE: THIS LOT APPEARS
 TO BE IN FEMA FLOOD ZONE
 X AS SHOWN ON HUD
 COMMUNITY PANEL NUMBERS
 510129 0041D

NOTE:
 This survey has been prepared without
 the benefit of a title report and does
 not therefore necessarily indicate all
 encumbrances on the property.

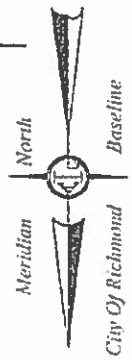
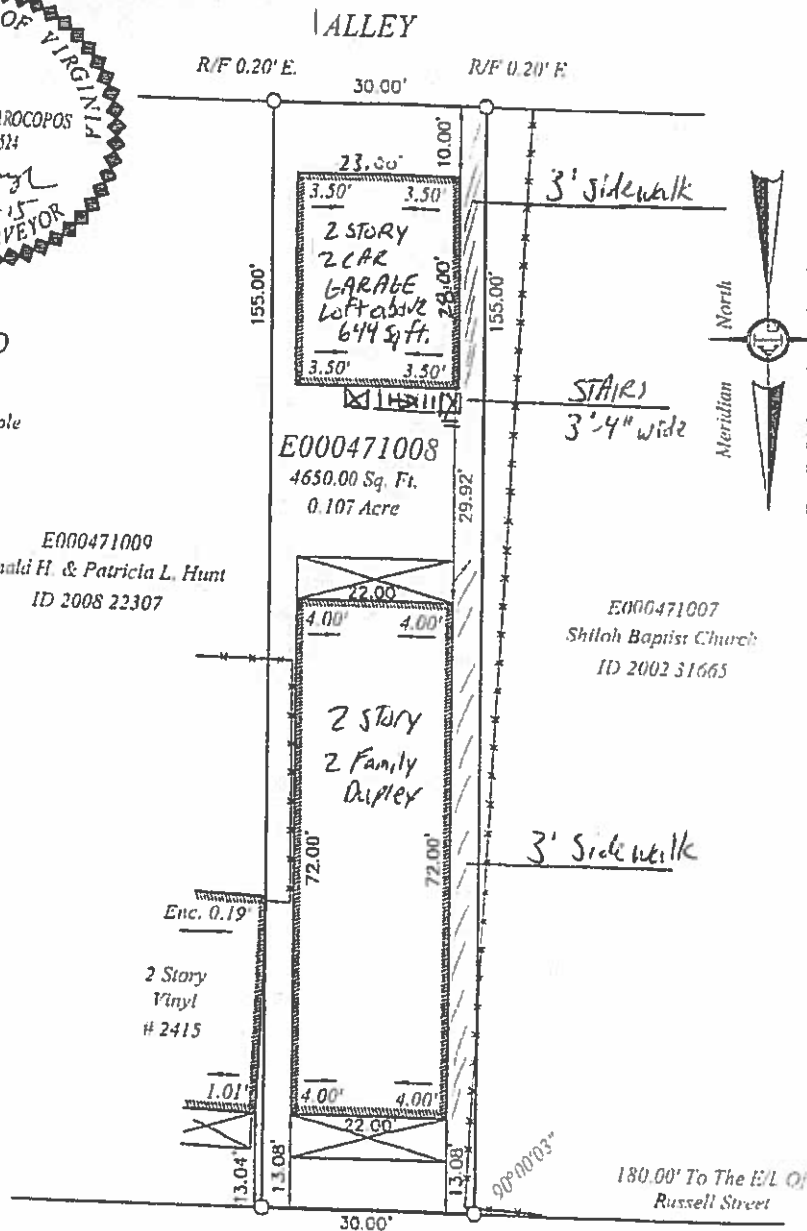


LEGEND

- Rod/S
- ⊕ Power Pole
- Rod/F

E000471009
 Ronald H. & Patricia L. Hunt
 ID 2008 22307

E000471007
 Shiloh Baptist Church
 ID 2002 31665



CARRINGTON STREET

SURVEY OF
 LOT AND IMPROVEMENTS THEREON LOCATED AT
 # 2413 CARRINGTON STREET
 RICHMOND, VIRGINIA

NOTE: PLAT PREPARED FOR THE EXCLUSIVE
 USE OF THE CONVEYANCE TO
 Unlimited Renovations

JV 45020

A. G. HAROCOPOS & ASSOCIATES, P.C.
 CERTIFIED LAND SURVEYOR AND CONSULTANT

4920 TIMBER RIDGE PKWY SUITE 200 MIDLOTHIAN VA 23113
 OFFICE 804 744 2630 FAX 804 744 2632
 E-MAIL: AGHAROCOPOS@VERIZON.NET

Scale 1"=20' Date 11/20/15 Drawn by GAIL