

AN ORDINANCE No. 87-155-14B

ADOPTED JUL 13 1987

To authorize the use of the real estate known as and located at 1211 Westover Hills Boulevard, containing 14,000 square feet, more or less, situate on the east right of way line of Westover Hills Boulevard south of Forest Hill Avenue, being more completely described as follows: beginning at a point on the east right of way line of Westover Hills Boulevard, said point being 214.11 feet south of the south right of way line of Forest Hill Avenue; thence extending S 72° 40' E 124.55 feet along the south right of way line of a 14-foot east-west alley to a point; thence extending S 17° 20' W 109.27 feet along the west right of way line of a 14-foot north-south alley to a point; thence extending N 72° 40' W 134.63 feet along a property line to the east right of way line of Westover Hills Boulevard; thence extending N 22° 36-1/4" E 109.73 feet along the east right of way line of Westover Hills Boulevard to the point of beginning, for purposes of outside storage of equipment used in conjunction with operation of a tool equipment rental business, 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 and located at 1211 Westover Hills Boulevard, containing 14,000 square feet, more or less, situate on the east right of way line of Westover Hills Boulevard south of Forest Hill Avenue, being more completely described as follows: beginning at a point on the east right of way line of Westover Hills Boulevard, said point being 214.11 feet south of the south right of way

line of Forest Hill Avenue; thence extending S 72° 40' E 124.55 feet along the south right of way line of a 14-foot east-west alley to a point; thence extending S 17° 20' W 109.27 feet along the west right of way line of a 14-foot north-south alley to a point; thence extending N 72° 40' W 134.63 feet along a property line to the east right of way line of Westover Hills Boulevard; thence extending N 22° 36-1/4" E 109.73 feet along the east right of way line of Westover Hills Boulevard to the point of beginning, is hereby permitted to be used for outside storage of equipment used in conjunction with the operation of a tool equipment rental business, substantially as shown on a drawing of property at 1211 Westover Hills Boulevard, dated April 20, 1987, a copy of which is attached to and incorporated as a part of this ordinance, and the above-described real estate is hereby permitted to be used for the purpose of outside storing of said equipment as indicated on the drawing.

§ 2. That the Commissioner of Buildings is hereby authorized to permit the occupancy of the property for purposes of such outside equipment storage by the tenant operators of the business. The special use permitted herein shall be transferable to the successor or successors in title of the owners of the business in conjunction with lease from owner, or successors to the owner of the real

estate, whether ownership of the real estate be acquired by operation of law, deed or otherwise, and shall run with the land, subject to the following terms and conditions:

(a) That the tenants or owners of the real estate shall be bound by, observe and shall comply with all other laws, ordinances and rules and regulations adopted thereto, applicable to the property, except as otherwise provided in this ordinance;

(b) That all tool rental equipment stored outside shall be kept within the fenced area. The fence shall be located and designed as shown on the attached drawing;

(c) That the landscaped islands shall be provided as shown on the attached drawing;

(d) That a wood fence, eight feet in height, shall be erected on the property as shown on the attached drawing;

(e) Should trash facilities be located on the property, such facilities shall be screened from view from adjoining properties and public streets;

(f) That signage shall not exceed that currently existing on the site (i.e. a 64 square-foot freestanding sign and a 25 square-foot sign attached to the building);

(g) In all other respects, the property shall be subject to B-2 Community Business requirements set forth in the City of Richmond Zoning Regulations;

(h) That should the tenants or owners use the premises for any purpose which is not permitted by this ordinance, or fail, refuse or neglect to comply with the provisions of foregoing paragraphs (a) through (g) and do not terminate such use or comply with such provisions within ninety days after written notice so to do has been given to the owners by the Zoning Administrator, the privileges granted by this ordinance shall terminate and the special use permit shall become null and void;

(i) 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

(j) That application for a building permit (if necessary) for adapting the property for storage as herein authorized shall be made within twelve months from the effective date of this ordinance, which building permit (if issued) shall expire by limitation and become null and void if construction is not commenced within one hundred eighty days from the date of the building permit, or if work upon the property 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 (if requisite) 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: April 7, 1987



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):
Nash Rental & Sales

at the premises designated or described as follows:
1211 Westover Hills Blvd. , Richmond, Va. 23225

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

The current zoning of the property is: B-2

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

Signature of owner of property: *J. W. Bradley*

Mailing Address: 10310 Cherokee Rd
Richmond, Virginia

ZIP CODE: 23235

PHONE: (804) 272-0825

Applicant or owner's representative: Nelson Parker/Nash Rentals *Nelson Parker*

Mailing Address: 6007 W. Broad St.
Richmond, Virginia

ZIP CODE: 23230

PHONE: 288-0018

STAFF NOTE:

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

AFFECTS MASTER PLAN YES _____ NO _____

CALL US FOR ANYTHING, WE MAY HAVE IT.

NASH RENTALS & SALES

6007 W. BROAD ST.
RICHMOND, VA. 23230
PHONE 288-0018

1211 WESTOVER HILLS BLVD.
RICHMOND, VA. 23225
PHONE 231-9137

March 11, 1987

Dear Members of the Department of Planning & Community Development,

As the new owners of Nash Rentals and Sales, we intend to provide a top quality equipment rental service for the Richmond area. This proposal deals with our second store location at 1211 Westover Hills Boulevard, which we rent from the former owner of Nash Rentals.

Nash began operation at the Westover Hills store in 1976. Prior to this time the property had been used as a full service gas station. The equipment rented at this store has always been a large selection of homeowner and small contractor tools. The contractor equipment has consisted of walk behind and ride on trenching machines, tow behind air compressors, scaffolding and large extension ladders. In the past, this equipment, along with the trailers to transport it on, has been stored outside in front of the building. The contractor equipment has been and will continue to be a very important part of Nash Rentals success.

Our intentions for the business are to promote a very clean, bright image. We have already removed the two existing gas pump islands in front and repaved the parking lot. We are working with a professional decorator to improve the interior and exterior appearance of the building. Well placed potted shrubs and flowers will enhance the surroundings. The site plan shows the desired locations of an attractive color coordinated fence to screen the outside storage of equipment.

When applying for our business license we were informed that the zoning code allowed for the rental of residential but not contractor types of equipment. We understand that this is to protect our residential neighbors, however, in the last ten years, there have been no complaints to indicate that there should be a concern. Through the special use permit we request permission to continue renting equipment in the same manner Nash Rentals has operated for the last decade. This proposal will in no way be detrimental to the area but instead will provide a valuable service to the community.

We thank you very much for your consideration in this matter.

Sincerely,


Raymond N. Parker


T. Nelson Parker


Kenneth R. Wagner

CALL US FOR ANYTHING, WE MAY HAVE IT.

NASH RENTALS & SALES

6007 W. BROAD ST.
RICHMOND, VA. 23230
PHONE 288-0018

1211 WESTOVER HILLS BLVD.
RICHMOND, VA. 23225
PHONE 231-9137

DESCRIPTION OF FENCE

- 1) 8' High
- 2) Wooden Privacy Fence
- 3) Color Coordinated with the Building

PURPOSE OF THE FENCE

- 1) Storage of Equipment
- 2) Security

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RICHMOND, VA. 23225
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EQUIPMENT TO BE STORED

- 1) Air compressors
- 2) Brush chipper
- 3) Concrete mixer
- 4) Ladders
- 5) Leaf mulcher
- 6) Log splitters
- 7) Mortar mixer
- 8) Riding lawn mowers
- 9) Scaffolding
- 10) Small trailers
- 11) Sod cutter
- 12) Stump cutter
- 13) Trenchers
- 14) Wheelbarrows

ORDINANCE OR RESOLUTION SUMMARY
CITY OF RICHMOND, VIRGINIA

Resolution Ordinance No. 87-155	Subject Special Use Permit for a Tool Equipment Rental Business at 1211 Westover Hills Boulevard.
Requested by City Manager by Request	
Received City Manager's Office -----	
Summarized July 7, 1987	

SUMMARY

This Ordinance would authorize the outside storage of tools for an existing tool equipment rental business at 1211 Westover Hills Boulevard.

The property is zoned B-2 Community Business, which permits the existing tool rental business but does not permit outside storage.

The petitioner purposes an outside storage area which would wrap around both sides and the rear of the building. The storage area would be enclosed by an 8-foot high solid wood fence and would contain approximately 1700 sq. ft. of area.

The Planning Commission granted approval (6-0) July 6, 1987.

COUNCIL ACTION

On Docket 7/13/87
Amended
Adopted
Rejected

City of Richmond
City Planning Commission



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

July 7, 1987

To the Honorable Council of the
City of Richmond, Virginia

At its meeting of July 6, 1987, the City Planning Commission voted (6-0) to
recommend APPROVAL of:

Ordinance No. 87-155

**To authorize the use of the real estate known as and located
at 1211 Westover Hills Boulevard, containing 14,000 square
feet, more or less, *** for purposes of outside storage of
equipment used in conjunction with operation of a tool
equipment rental business, upon certain terms and conditions.**

Approval of this special use ordinance would authorize outside storage of
tools for an existing tool equipment rental business at 1211 Westover Hills
Boulevard. The property is located on the east side of Westover Hills
Boulevard south of Forest Hill Avenue and contains approximately 14,000
square feet of lot area. The property is zoned B-2 Community Business,
which permits the existing business. However, the B-2 District does not
permit outside storage.

Properties to the north, south and west are also zoned B-2 Community
Business. Properties to the east are zoned R-5 Single-Family. To the
north is a service station and to the south is a beauty salon. Across
Westover Hills Boulevard to the west are offices and other commercial
establishments. To the east across an alley is a parking area, approved by
a variance, which serves a restaurant that fronts on Forest Hill Avenue.
Also to the east are the rears of single-family dwellings which front on W.
48th Street. The Master Plan recommends "community commercial" use for the
subject property.

The property is developed with a one-story building containing
approximately 1600 square feet of floor area. The building was converted
from a service station in 1976. The petitioner acquired the business in
1986 and has made a number of improvements to the building and site.

The petitioner proposes an outside storage area which would wrap around
both sides and the rear of the building. The storage area would be
enclosed by an 8-foot high solid wood fence, and would contain
approximately 1700 square feet. The petitioner requests the outside
storage area because of a lack of space within the building for some of the
larger rental equipment items such as ladders, riding lawn mowers,
wheelbarrows, etc. At the staff's suggestion, and in an effort to beautify
the site, the petitioner proposes to remove existing pavement at the front
of the site in order to create three landscaped islands at the entrance


July 7, 1987

drives. The islands would be planted with evergreen shrubs and the center island would also contain a deciduous tree.

Normal zoning would require seven parking spaces for the proposed use. With the proposed landscaping, the paved area in front of the building can accommodate over 20 parking spaces. Signage would be limited by this ordinance to the existing 25-square-foot sign attached to the building and the existing 64-square-foot freestanding sign in front of the building. Normal zoning would permit up to five signs, including the freestanding sign, with an aggregate area of 110 square feet.

The Commission is satisfied the proposed outside storage area would be attractively screened and would not result in any adverse impact on the surrounding area. The storage area would be at the back of the site and would be at least 85 feet from the street line. The Commission is also influenced by the proposed landscaping and limitations on signage, which will substantially enhance the overall appearance of the site. The conditions and safeguards set forth in the Charter relative to the issuance of special use permits appear to be met, and approval is recommended. No opposition has been expressed to the Commission.

Very truly yours,



Jon P. Weersing
Secretary

JPW:lk

cc: Mr. Nelson Parker - Applicant