



DEPARTMENT OF
**PLANNING AND
DEVELOPMENT
REVIEW**

**BOARD OF
ZONING APPEALS**

May 13, 2025

George and Erin Henry
4301 Augusta Avenue
Richmond, VA 23230

To Whom It May Concern:

RE: BZA 20-2025

You are hereby notified that the Board of Zoning Appeals will hold a public hearing on **Wednesday, June 4, 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 and wall accessory to an existing single-family (detached) dwelling at 4301 AUGUSTA AVENUE (Tax Parcel Number W000-1958/006), located in an R-5 (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 **757 783 363#**. 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 June 4, 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 20-2025
Page 2
May 13, 2025

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 dark ink, reading "Roy W. Benbow". The signature is fluid and cursive, with the first letters of each word being capitalized and prominent.

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.

Alley John Patrick And Terri Renne Living
Trust Trs
4303 Augusta Ave
Richmond, VA 23230

Blake Andrew E Jr & Sexton Elizabeth D
4304 Augusta Ave
Richmond, VA 23230

Campbell Samuel
4308 Cutshaw Ave
Richmond, VA 23230

Chancellor William Z And Paigelee H
4304 1/2 Augusta Ave
Richmond, VA 23230

Dawkins Koy And Blough Marcie
1509 Sauer Ave
Richmond, VA 23230

Flodstrom David And Lauren Elaine
4306 Augusta Ave
Richmond, VA 23230

Gunther Karah L And Geoffrey A
4214 Augusta Ave
Richmond, VA 23230

Jackson David R
1504 Sauer Ave
Richmond, VA 23230

Lange Patricia A And Schlegel Cecilia
Anne
4210 Cutshaw Ave
Richmond, VA 23230

Martin James And Elizabeth
1500 Sauer Ave
Richmond, VA 23230

Miller Jill Cochran Trustee Jill Cochran
Miller Living Trst
911 Monument Ave
Fredericksburg, VA 22401

Poates W Scott & Anne L
1602 Sauer Ave
Richmond, VA 23230

Rollins William R And Megan A Woody
1505 Sauer Ave
Richmond, VA 23230

Solarz Edward Keenan And Gretchen
4305 Augusta Ave
Richmond, VA 23230

Strater Kyle N And Sarah Jayne Paladino
Strater
4307 Augusta Ave
Richmond, VA 23230

Streiff Shawn Lee And Seidita Elizabeth
1507 Sauer Ave
Richmond, VA 23230

Taylor William D And Mary Jo
1601 Sauer Ave
Richmond, VA 23230

Thomson Valerie E And Denise L Laman
1502 Sauer Ave
Richmond, VA 23230

Tyree Benjamin S And Kelly R
1506 Sauer Ave
Richmond, VA 23230

Yates Susan Frances
4300 Augusta Ave
Richmond, VA 23230

Property: 4301 Augusta Ave **Parcel ID:** W0001958006**Parcel**

Street Address: 4301 Augusta Ave Richmond, VA 23230-
Owner: HENRY GEORGE M JR AND ERIN B
Mailing Address: 4301 AUGUSTA AVENUE, RICHMOND, VA 23230
Subdivision Name : MONUMENT AVENUE GARDENS
Parent Parcel ID:
Assessment Area: 112 - Westmoreland/StaplesMill
Property Class: 130 - R Two Story+ (2.5, 3.0, 3+)
Zoning District: R-5 - Residential (Single Family)
Exemption Code: -

Current Assessment

Effective Date: 01/01/2025
Land Value: \$175,000
Improvement Value: \$863,000
Total Value: \$1,038,000
Area Tax: \$0
Special Assessment District:

Land Description

Parcel Square Feet: 7200
Acreage: 0.1653
Property Description 1: MONUMENT AVE GARDENS L16 BJ; 0060.00X0120.00 0000.165 AC
State Plane Coords(?): X= 11776306.000001 Y= 3734033.382441
Latitude: 37.57372384 , **Longitude:** -77.48759668

Description

Land Type: Residential Lot A
Topology:
Front Size: 60
Rear Size: 120
Parcel Square Feet: 7200
Acreage: 0.1653
Property Description 1: MONUMENT AVE GARDENS L16 BJ; 0060.00X0120.00 0000.165 AC
Subdivision Name : MONUMENT AVENUE GARDENS
State Plane Coords(?): X= 11776306.000001 Y= 3734033.382441
Latitude: 37.57372384 , **Longitude:** -77.48759668

Other

Street improvement:
Sidewalk:

Assessments

Assessment Year	Land Value	Improvement Value	Total Value	Reason
2025	\$175,000	\$863,000	\$1,038,000	Not Available
2024	\$175,000	\$832,000	\$1,007,000	Not Available
2023	\$170,000	\$787,000	\$957,000	Not Available
2022	\$120,000	\$683,000	\$803,000	Not Available
2021	\$90,000	\$615,000	\$705,000	Not Available
2020	\$85,000	\$614,000	\$699,000	Reassessment
2019	\$85,000	\$559,000	\$644,000	Reassessment
2018	\$85,000	\$516,000	\$601,000	Reassessment
2017	\$75,000	\$482,000	\$557,000	Reassessment
2016	\$75,000	\$391,000	\$466,000	Reassessment
2015	\$72,000	\$378,000	\$450,000	Reassessment
2014	\$72,000	\$378,000	\$450,000	Reassessment
2013	\$72,000	\$378,000	\$450,000	Reassessment
2012	\$72,000	\$398,000	\$470,000	Reassessment
2011	\$72,000	\$274,000	\$346,000	Assessment
2010	\$72,000	\$280,000	\$352,000	Reassessment
2009	\$72,000	\$279,600	\$351,600	Reassessment
2008	\$72,000	\$279,600	\$351,600	Reassessment
2007	\$72,000	\$279,600	\$351,600	Reassessment
2006	\$55,400	\$261,400	\$316,800	Reassessment
2005	\$44,300	\$261,400	\$305,700	Reassessment
2004	\$41,000	\$242,000	\$283,000	Reassessment
2003	\$39,400	\$232,700	\$272,100	Reassessment
2002	\$35,500	\$209,600	\$245,100	Reassessment
2001	\$30,600	\$180,700	\$211,300	Correction
2000	\$23,000	\$150,200	\$173,200	Reassessment
1998	\$23,000	\$136,500	\$159,500	Not Available

Transfers

Transfer Date	Consideration Amount	Grantor Name	Deed Reference	Verified Market Sale Description
04/08/2021	\$841,500	Not Available	ID2021-9996	
05/20/2016	\$606,000	Not Available	ID2016-9441	
03/25/2011	\$0	Not Available	ID2011-5277	
04/22/2010	\$362,000	Not Available	ID2010-6921	1 - VALID SALE-DO NOT USE
06/03/2003	\$310,000	Not Available	ID2003-20247	
09/02/1994	\$0	Not Available	00412-0281	
08/19/1994	\$70,770	Not Available	000410-00389	
03/30/1990	\$146,000	Not Available	000231-01321	

Planning

Master Plan Future Land Use: R
Zoning District: R-5 - Residential (Single Family)
Planning District: Far West
Traffic Zone: 1068
City Neighborhood Code: SRGD
City Neighborhood Name: Sauer's Gardens
Civic Code: 1000
Civic Association Name: Sauer's Gardens Civic Association
Subdivision Name: MONUMENT AVENUE GARDENS
City Old and Historic District:
National 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	1019	0501001	050100
1990	121	0501981	050198

Schools

Elementary School: Mary Munford
Middle School: Hill
High School: Jefferson

Public Safety

Police Precinct: 3
Police Sector: 311
Fire District: 18
Dispatch Zone: 063A

Public Works Schedules

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

Government Districts

Council District: 1
Council District for 2025 (Current Election): 1
Voter Precinct: 112
State House District: 78
State Senate District: 14
Congressional District: 4

Extension 1 Details

Extension Name: 001 -
Year Built: 1927
Stories: 2.5
Units: 0
Number Of Rooms: 0
Number Of Bed Rooms: 5
Number Of Full Baths: 4
Number Of Half Baths: 0
Condition: VERY GOOD
Foundation Type:
1st Predominant Exterior: Common Brick
2nd Predominant Exterior: Masonry
Roof Style: Gable
Roof Material: Slate or tile
Interior Wall: Plaster, Drywall
Floor Finish: Hardwood, Vinyl Composition ti, Marble or
granite
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: 3124 Sqft
Attic: 0 Sqft
Finished Attic: 0 Sqft
Basement: 953 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

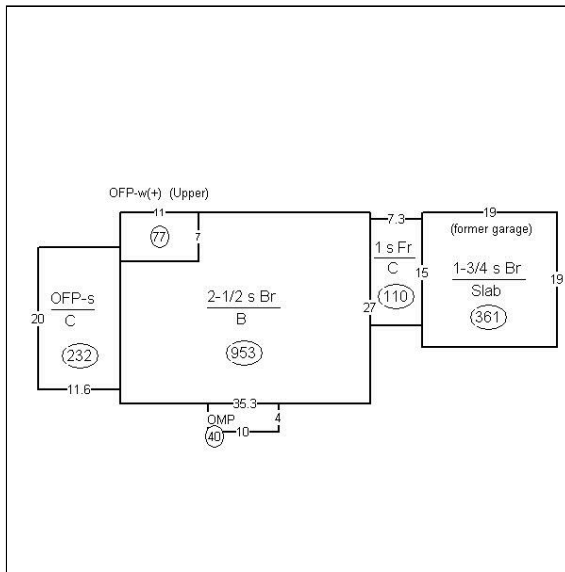
Name:W0001958006 Desc:R01



[Click here for Larger Image](#)

Sketch Images

Name: W0001958006 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

OWNER: George and Erin Henry PHONE: (Home) () () (Mobile) (601) 842-0921
ADDRESS: 4301 Augusta Avenue FAX: () () (Work) () ()
Richmond, Virginia 23230 E-mail Address: keeblerkahn8@gmail.com

PROPERTY OWNER'S

REPRESENTATIVE: () () (Mobile) () ()
(Name/Address) () () (Work) () ()
() () E-mail Address: () ()

TO BE COMPLETED BY THE ZONING ADMINISTRATION OFFICE

PROPERTY ADDRESS (ES) 4301 Augusta Avenue

TYPE OF APPLICATION: ☐ VARIANCE ☒ SPECIAL EXCEPTION ☐ OTHER ()

ZONING ORDINANCE SECTION NUMBERS(S): 30-300, 30-410.5(1), 30-630.1(a)(1) & 30-630.9(b)

APPLICATION REQUIRED FOR: A building permit to construct a new fence and wall accessory to an existing single-family (detached) dwelling.

TAX PARCEL NUMBER(S): W000-1958/006 ZONING DISTRICT: R-5 (Single-Family Residential)

REQUEST DISAPPROVED FOR THE REASON THAT: The maximum permitted fence and wall height located in a required front yard is exceeded. Fences and walls within the required front yard shall not exceed four feet (4') in height. A fence and a wall having heights of six feet (6') are proposed.

DATE REQUEST DISAPPROVED: April 9, 2025

FEE WAIVER: YES ☐ NO: ☒

DATE FILED: April 13, 2025 TIME FILED: 8:31 am PREPARED BY: Brian Mercer RECEIPT NO BZAR-166206-2025

AS CERTIFIED BY: [Signature] (ZONING ADMINISTRATOR)

I BASE MY APPLICATION ON:

SECTION 17.20 PARAGRAPH(S) () OF THE CHARTER OF THE CITY OF RICHMOND

SECTION 15.2 -2309.2 ☐ OF THE CODE OF VIRGINIA [OR]

SECTION 1040.3 PARAGRAPH(S) 8 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: 5/9/25

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

CASE NUMBER: BZA 20-2025 HEARING DATE: June 4, 2025 AT 1:00 P.M.

BOARD OF ZONING APPEALS CASE BZA 20-2025
150' Buffer

APPLICANT(S): George and Erin Henry

PREMISES: 4301 Augusta Avenue
(Tax Parcel Number W000-1958/006)

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

REASON FOR THE REQUEST: Based on Sections 30-300, 30-410.5(1), 30-630.1(a)(1) & 30-630.9(b)
of the Zoning Ordinance for the reason that:
The maximum permitted fence and wall height located in a required front 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.

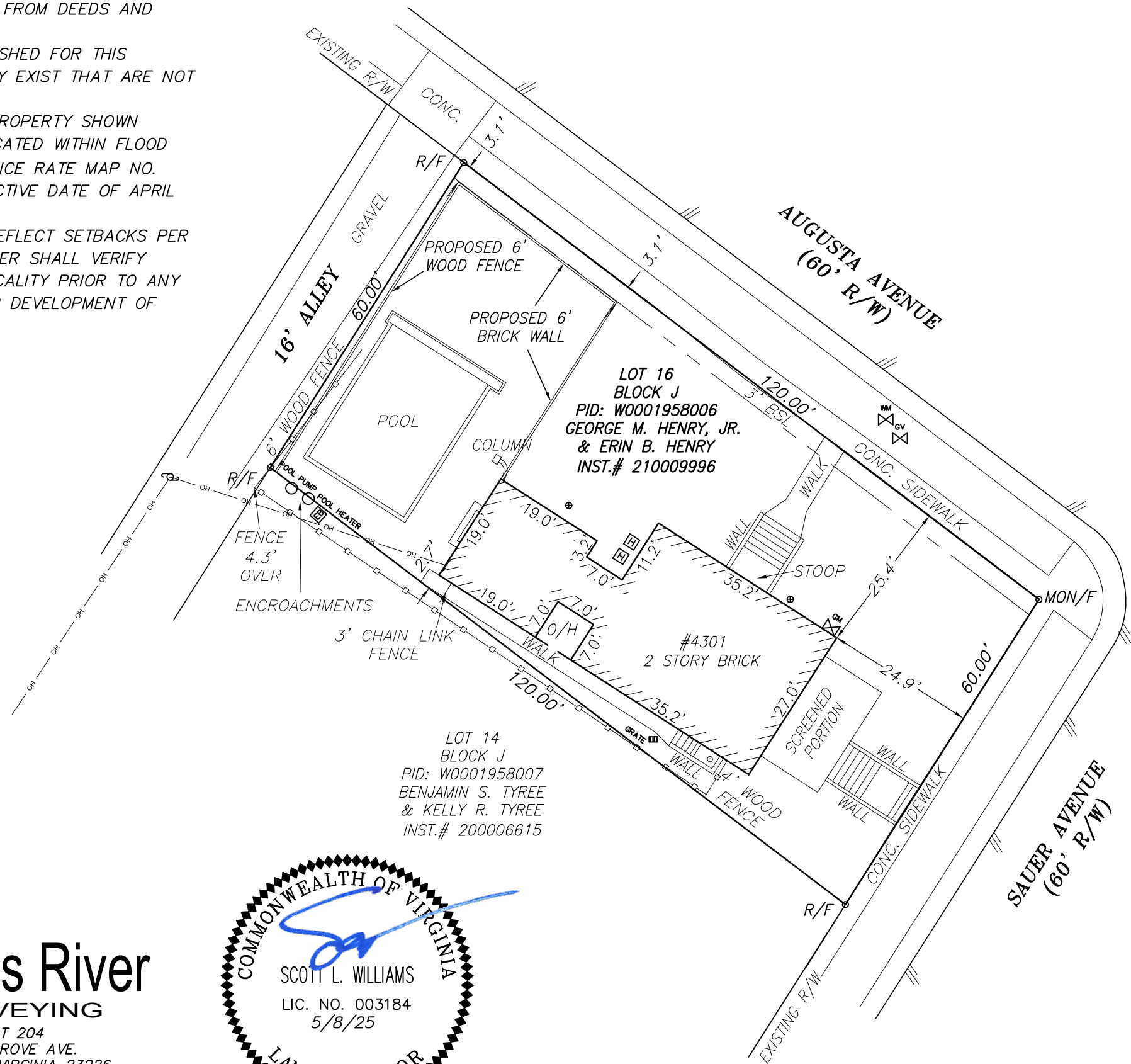
1. The powers and duties of the Board of Zoning Appeals (BZA) are specified in Section 17.20 of the City Charter and Article X, Division 5, of the Zoning Ordinance. The Zoning Office will assist you in identifying how your case should be filed. If you have questions regarding your case filing, please contact the Zoning Administration Office (804-646-6340) or at PDRZoningAdministration@Richmondgov.com. 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 essential that you discuss your case with nearby residents (notification letters are sent to all property owners within a 150-foot radius of your property) and any nearby civic association(s). Information regarding your neighborhood association(s) and/or contact person(s) may be obtained [here](#). 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.

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 one-hundred fifty dollar (\$150) 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 at (804) 240-2124 well before the hearing. The BZA Secretary can be helpful by explaining the BZA public hearing requirements and 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:  4/12/2025

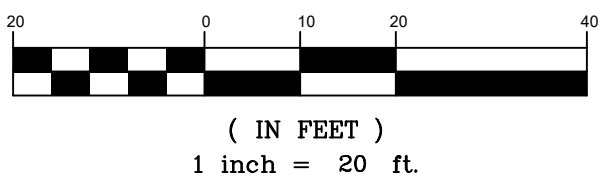
1. THIS SURVEY WAS COMPILED FROM A FIELD SURVEY COMPLETED ON 4/2/25 AND FROM DEEDS AND PLATS OF RECORD.
2. NO TITLE REPORT WAS FURNISHED FOR THIS SURVEY; ENCUMBRANCES MAY EXIST THAT ARE NOT SHOWN HEREON.
3. BY GRAPHICAL MEANS THE PROPERTY SHOWN HEREON APPEARS TO BE LOCATED WITHIN FLOOD ZONE "X" ON FLOOD INSURANCE RATE MAP NO. 5101290028D, WITH AN EFFECTIVE DATE OF APRIL 2ND, 2009.
4. SETBACKS SHOWN HEREON REFLECT SETBACKS PER THE CITY OF RICHMOND. OWNER SHALL VERIFY BUILDING SETBACKS WITH LOCALITY PRIOR TO ANY PROPOSED CONSTRUCTION OR DEVELOPMENT OF SHOWN PARCEL.



- [H] HVAC
- [EB] ELEC. BOX
- WM WATER METER
- [X] UTILITY POLE
- GM GAS METER
- GV GAS VALVE
- ⊕ IRRIGATION CONTROL VALVE
- R/W RIGHT OF WAY
- R/F ROD FOUND
- MON/F MONUMENT FOUND
- [] WOOD FENCE
- [] CHAIN LINK FENCE
- [OH] OVERHEAD WIRE

INST. # 210009996

PLAT SHOWING
PROPOSED
IMPROVEMENTS ON
MONUMENT AVENUE
GARDENS
LOT 16, BLOCK J
CITY OF RICHMOND, VIRGINIA
GRAPHIC SCALE



PROJ#	SCALE : 1" = 20'
REVISED: 5/8/25 ADDITION OF 3' SETBACK ALONG AUGUSTA AVE.	DATE: 4/3/25
	DRAWN BY: TDR
	CHECKED BY: SLW



James River
SURVEYING
UNIT 204
5806 GROVE AVE.
RICHMOND, VIRGINIA 23226
PHONE: (804) 922-4444
SURVEYOR@JAMESRIVERSURVEYING.COM



Formal Appeal to the Board of Zoning Appeals for Fence Height Exception

Subject: Request for Exception to Allow a Six-Foot Fence and Wall Height in Front Yard

To: The Board of Zoning Appeals

From: George and Erin Henry
4301 Augusta Avenue, Richmond, VA 23230

Date: April 12, 2025

Regarding: Petition for an Exception from Existing Zoning Regulations Concerning Fence Height Restrictions

This formal appeal is hereby submitted to the Board of Zoning Appeals, requesting an exception to permit the construction of a six-foot fence and wall on the property located at 4301 Augusta Avenue. The applicants respectfully request an exception to the current zoning ordinance that limits fence height to four feet in the required front yard setback.

We have constructed a pool approved by the city (Permit BLDR-138799-2024) to be in our sideyard, as our home has no backyard due to atypical lot created in 1927. The surrounding wall/fence that extends into the front yard needs an exception for a height of 6 feet for the below reasons related to Zoning Exception Sec 30-1040.3, paragraph 8.

The proposed fence and wall are necessitated by the following compelling factors:

1. **Noise Abatement:** The location of the property adjacent to both a public street and an alley subjects the premises to substantial noise pollution, which significantly impacts the quiet enjoyment of the property. The requested six-foot height is deemed necessary to mitigate this noise disturbance. This will also enhance our neighborhood's aesthetic by reducing noise emission from our own yard.
2. **Security Enhancement:** The proposed fence and wall will provide an enhanced level of security for the property and its occupants, thereby deterring unauthorized access and ensuring the safety of residents. This is especially important with having a swimming pool, as a 4 foot wall would not be a significant enough deterrent from entry into the yard. Additionally, we have 2 young daughters (ages 1 and 3) that are vulnerable and require the additional security height.
3. **Privacy Preservation:** The six-foot height is essential to ensure a reasonable level of privacy for the inhabitants of the property, shielding them from public view and maintaining their domestic tranquility. This is considerate not only for us as the occupants, but it will be beneficial for the neighborhood to prevent their viewing of the typical pool activities, which includes bathing suit attire.

Furthermore, the proposed design is intended to be aesthetically harmonious with the existing residence. Specifically, a brick wall, matching the architectural style of the house, will face the street, while a wooden fence will face the alley. This design is intended to be both functional and visually compatible with the neighborhood.

The wall and fence will not impair light or air to neighboring properties. To ensure completely unobstructed driver visibility at the intersection of the alley and roadway, the wall will be set back 15 feet from the street.

Therefore, the applicants respectfully petition the Board of Zoning Appeals to grant this exception, considering the presented justifications and proposed design.



Proposed Extension of Existing Fence Along Alley – Rendering



Proposed Brick Wall in Front Yard along Augusta Avenue – Rendering



Existing Space Behind House – No Backyard