

INTRODUCED: April 11, 2016

AN ORDINANCE No. 2016-127

To authorize the special use of the property known as 2701 Woodrow Avenue for the purpose of an addition to an existing single-family dwelling, upon certain terms and conditions.

\_\_\_\_\_  
Patron – Mayor Jones (By Request)

\_\_\_\_\_  
Approved as to form and legality  
by the City Attorney  
\_\_\_\_\_

PUBLIC HEARING: MAY 9 2016 AT 6 P.M.

WHEREAS, the owner of the property known as 2701 Woodrow Avenue, which is situated in a R-5 Single-Family Residential District, desires to use such property for the purpose of an addition to an existing single-family dwelling, which use, among other things, does not currently meet the requirements of section 30-630.2(b)(1) of the Code of the City of Richmond (2015), as amended, concerning required front yards; and

WHEREAS, in accordance with section 17.11 of the Charter of the City of Richmond (2010), 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

AYES:            9            NOES:            0            ABSTAIN:        \_\_\_\_\_

ADOPTED:        MAY 9 2016        REJECTED:        \_\_\_\_\_        STRICKEN:        \_\_\_\_\_

congestion in streets, roads, alleys and other public ways and places in the area involved, will not 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 2701 Woodrow Avenue and identified as Tax Parcel No. N000-0707/014 in the 2016 records of the City Assessor, being more particularly shown on a survey entitled “Survey of Lot 1, Woodrow Park, Richmond, Virginia, 2701 Woodrow Ave.,” prepared by A.G. Harocopos & Associates, P.C., and dated June 4, 2013, a copy of which is included as an inset on sheet S-1 of the plans entitled “Addition Plan, Paula & William Cooper, 2701 Woodrow Ave., Richmond, Virginia 23222,” prepared by CAD Images Int’l, and dated September 10, 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 an addition to an existing single-family dwelling, hereinafter referred to as “the Special Use,” substantially as shown on sheets A-2, dated September 10, 2015; A-3, dated October 30, 2015, A-4, dated August 10, 2015; and D-1, dated August 10, 2015, of the plans entitled “Addition Plan, Paula & William Cooper, 2701 Woodrow Ave., Richmond, Virginia 23222,” and prepared by CAD Images Int’l, 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 use of the Property shall be a single-family dwelling with a side addition substantially as shown on the Plans.

(b) All building materials, material colors, and site improvements shall be substantially as shown on the Plans.

§ 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 or when the Special Use of the Property as authorized by this ordinance is abandoned for a period of 730 consecutive calendar days, 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

## Intracity Correspondence

Pre Introduction to Council: PRE. 2016-57

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

RECEIVED

MAR 21 2016

File Number: PRE. 2016-57

OFFICE OF CITY ATTORNEY

To authorize the special use of the property known as 2701 Woodrow Avenue for the purpose of an addition to an existing single-family dwelling, upon certain terms and conditions.

### O & R Request

4-4891  
O & R REQUEST

DATE: February 26, 2016 EDITION: 1

MAR 7 2016

TO: The Honorable Members of City Council

THROUGH: Dwight C. Jones, Mayor *DCJ*

Chief Administration Office  
City of Richmond

THROUGH: Selena Cuffee Glenn, Chief Administrative Officer *SCG*

THROUGH: Peter L. Downey, Jr., Deputy Chief Administrative Officer for Economic Development and Planning *PLD*

FROM: Mark A. Olinger, Director, Dept. of Planning and Development Review *MAO*

RE: To authorize the special use of the property known as 2701 Woodrow Avenue for the purpose of an addition to an existing single-family dwelling, upon certain terms and conditions.

ORD. OR RES. No. \_\_\_\_

**PURPOSE:** To authorize the special use of the property known as 2701 Woodrow Avenue for the purpose of an addition to an existing single-family dwelling, upon certain terms and conditions.

**REASON:** The proposed side addition to an existing single-family dwelling on a corner lot does not meet the front yard setback required by the Zoning Ordinance. 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 April 18, 2016, meeting. A letter outlining the Commission's recommendation will be forwarded to City Council following that meeting.

**BACKGROUND:** The subject property consists of 0.175 acres (7,623 SF) of land improved with a

single-family dwelling constructed, per tax assessment records, in 1923. The property is located at the northeast corner of the intersection of Woodrow and East Norwood Avenues, in the City's Northern Barton Heights neighborhood and North planning district.

The Land Use Plan of the City of Richmond's Master Plan designates the subject property for Single-Family (Low Density) land use. Primary uses in this category are single-family detached dwellings at densities up to seven units per acre (p. 133). More specifically for the North planning district, the Master Plan states, "The predominant residential character of the District should be kept intact (p. 255)."

The subject property and adjacent properties to the west, north, and east are part of a larger R-5 Single-Family Residential Zoning District. Properties to the south are located in an R-6 Single-Family Attached Residential District. Single- and two-family residential use predominates the immediate vicinity, with some institutional and public-open space land uses present as well.

**FISCAL IMPACT / COST:** The Department 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:** \$300.00

**DESIRED EFFECTIVE DATE:** Upon Adoption

**REQUESTED INTRODUCTION DATE:** March 28, 2016

**CITY COUNCIL PUBLIC HEARING DATE:** April 25, 2016

**REQUESTED AGENDA:** Consent

**RECOMMENDED COUNCIL COMMITTEE:** None.

**CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES:** City Planning Commission, April 18, 2016.

**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:** Matthew J. Ebinger, AICP, Senior Planner  
Land Use Administration (Room 511)  
804-646-6308

*PDR O&R No. 16-06*

Paid w/ credit card



# 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) 646-8304  
<http://www.richmondgov.com/>

RECEIVED

SEP 01 2015

Application is hereby submitted for: (check one)

- special use permit, new
- special use permit, plan amendment
- special use permit, text only amendment

LAND USE ADMINISTRATION

### Project Name/Location

Project Name: William COOPER Date: 8/31/15

Property Address: 2701 Woodrow Ave Richmond, VA Tax Map #: \_\_\_\_\_

Fee: 300.00 Total area of affected site in acres: \_\_\_\_\_  
(See page 3 for fee schedule, please make check payable to the "City of Richmond")

Zoning  
Current Zoning: R5D

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

Existing Use: 1 Bedroom Suite

Is this property subject to any previous land use cases? NO

Yes  No  
 If Yes,  please list the Ordinance Number:

Applicant/Contact Person: William COOPER

Company: \_\_\_\_\_

Mailing Address: 2701 Woodrow Av

City: Richmond State: VA Zip Code: 23222

Telephone: (914) 954-6995 Fax: \_\_\_\_\_

Email: WCCOOP3@AOL.COM

Property Owner: William COOPER

If Business Entity, name and title of authorized signee: \_\_\_\_\_

(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: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: \_\_\_\_\_

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)

September 18, 2015

Division of Land Use Administration  
Matthew Ebinger, Senior Planner  
900 East Broad Street Suite 511  
Richmond, Virginia 23219

RECEIVED

OCT 9 2015

LAND USE ADMINISTRATION

**SUBJECT: Permit Tracking #B15040709**

Dear Mr. Ebinger,

I am writing this letter in reference to the subject permit. My wife and I bought this property in May 2013. Your records should reveal that it was listed as a two-family house. During the past two years, we have made substantial improvements to the house, bringing it back to its "former glory," all of which, we submit, has added to the Barton Heights Community.

We have gutted the old wiring and upgraded the electric, insulation and walls. Currently, there are two projects on file. The first is a mud/laundry room that I would like to build on the first level. The laundry area is currently located in the unfinished basement which has a narrow stairway and low head room. The second project is a bedroom suite on the first floor. This would add additional space and provide us with two bedrooms. My 83 year old mother will be coming to live with us, so these two projects would give us the additional space required, provide safety measures for her and provide the ease and convenience needed in this situation; for example, everything on one level.

We have off street parking which is to the rear of the house. Although there seems to be a discrepancy with regard to whether or not the house is a two-family; what concerns me is when I purchased our home, two meters for the electric and two for the gas were already installed. I have invested in and installed the necessary upgrades for the electricity, and the city has put in new meters for the gas. The Assessor's office has had the property listed as a two-family dwelling since 1962.

**If the Board decides to make it a one family dwelling, I would like to propose that we keep the electric and gas meters as is, since we have already invested both time and money. I have no issue with paying the two separate bills to the City.**

**However, regarding the one bedroom suite; the house sits on the corner of Woodrow and Norwood. The addition would not impede but only enhance the neighborhood; I have spoken to my neighbors, and they have no objections to the addition. As I mentioned this is a great area, and we have excellent neighbors, who are excited to see property improvements in an old neighborhood. I have done a substantial amount of work in my home, and we would love to see the house become what we envisioned when we purchased it.**

**Thank you for your consideration of this matter, and we look forward to your favorable reply.**

**Sincerely,**

A handwritten signature in black ink, appearing to read "William C. Cooper", with a long horizontal flourish extending to the right.

**Mr. and Mrs. William C. Cooper**

**Owners**

**2701 Woodrow Avenue**

**Richmond, Virginia 23222**

**cc: Lory Markham (Principal Planner)**

RECEIVED  
SEP 10 2015  
LAND USE ADMINISTRATION

09.10.2015

William C. Cooper

2701 Woodrow Avenue

Richmond, Virginia 23222

Lory Markham (Principal Planner)

I am writing this letter in reference to Permit Tracking # B15040709. My wife and I brought this property in May 2013. It had been listed as a two family house. Since that time we have put life back into the house as well as the Barton Height community. We have up graded the electric, insulation and walls.

There are two projects that are presently on file. The first is a mud/laundry room that I propose that would be on the first level. The wash area now is in the unfinished basement which has a narrow stairway that we must go down and low head room.

The second is a bedroom suite also on the first floor. This would add an additional bedroom giving us two bedrooms. My mother who is eighty three years of age is coming to live with us; so these projects would be beneficial to all of us, health wise. We have off street parking which is to the rear of the house. Although there is some discrepancy as to the issue of the house being a two family, the concerns I have are that the property when I brought had two meters for the electric two for the gas. I have invested in the upgrade of the electric and the city has put in new meters for the gas. The Assessor's office has the property as a two family dwelling since 1962. If the Board decides to make it a one family dwelling, I would like to propose that we keep the electric and gas meters as is we have invested time and money. My family and I have no problems with two separate bills to the City. With regards to the one bedroom suite the house sits on the corner of Woodrow and Norwood. There is the setback issue with the corner house that is on Collins. The addition would not impede but only enhance the neighborhood; the home owners in the area have no objection as to the addition. As I had mentioned this is a great area and we have excellent neighbors.

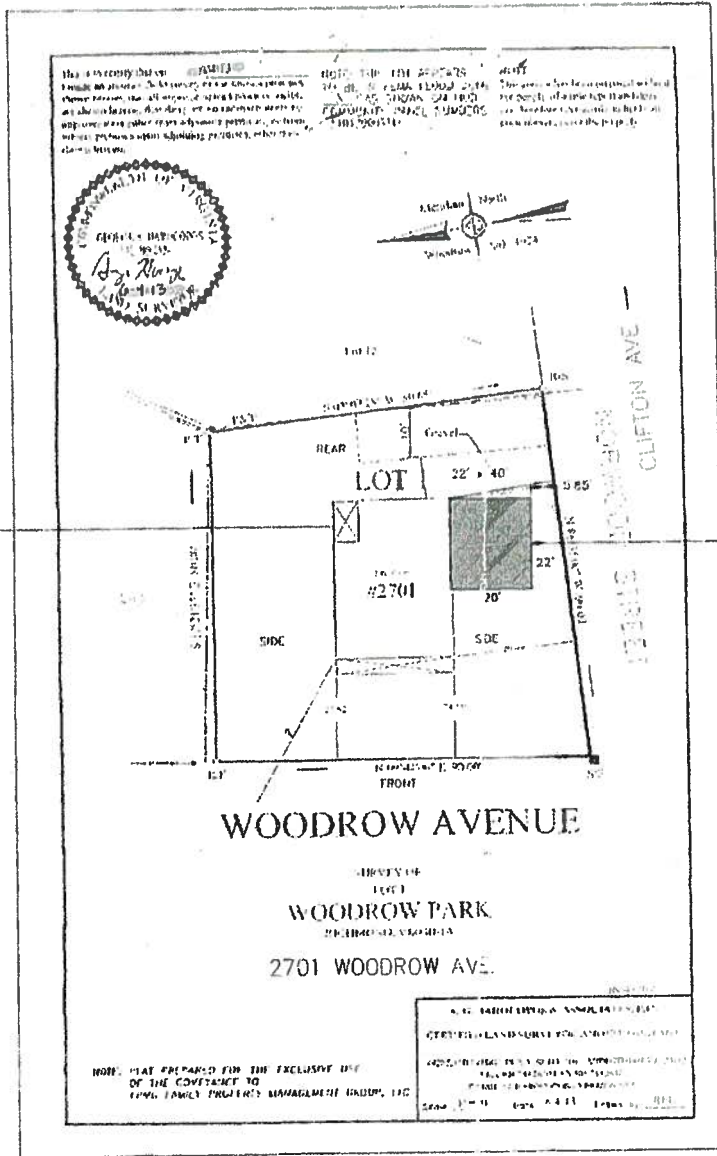
Sincerely,

William C. Cooper

CC: Matthew Ebinger

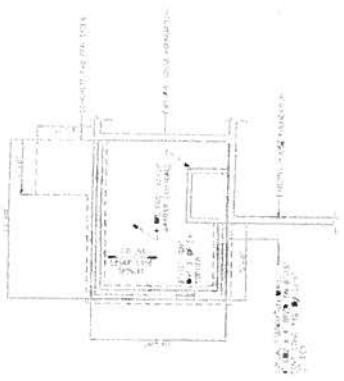
# TITLE SHEET

ADDITION PLAN  
 PAULA & WILLIAM COOPER  
 2701 WOODROW AVE  
 RICHMOND, VIRGINIA 23222

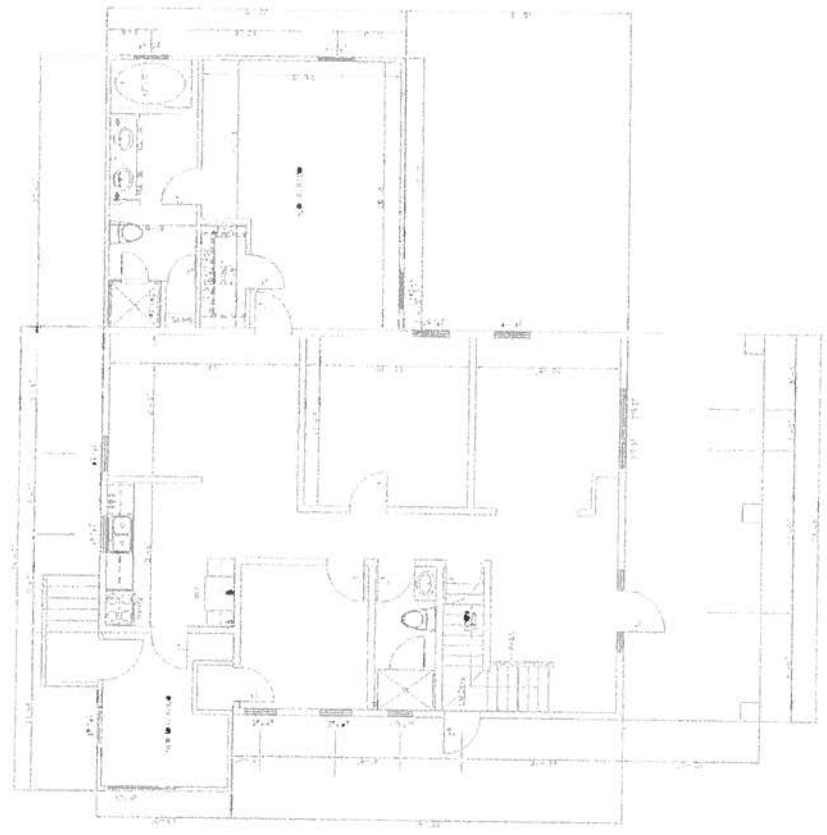


## SITE PLAN

SCALE: 1" = 20'-0"



FOUNDATION PLAN  
SCALE 1/4" = 1'-0"



FIRST FLOOR (NEW)  
SCALE 1/4" = 1'-0"



- NOTES:
1. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
  2. ALL WALLS ARE 12" THICK UNLESS OTHERWISE NOTED.
  3. ALL FLOORS ARE 4" THICK CONCRETE ON 2" SAND.
  4. ALL CEILING ARE 8" THICK CONCRETE ON 2" SAND.
  5. ALL ROOF ARE 4" THICK CONCRETE ON 2" SAND.
  6. ALL EXTERIOR WALLS ARE TO BE FINISHED WITH BRICK.
  7. ALL INTERIOR WALLS ARE TO BE FINISHED WITH PLASTER.
  8. ALL FLOORS ARE TO BE FINISHED WITH POLISHED CONCRETE.
  9. ALL CEILING ARE TO BE FINISHED WITH PLASTER.
  10. ALL ROOF ARE TO BE FINISHED WITH ASPHALT/FLYSH.



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SEP 18 2 1

LAND USE ADMINISTRATION

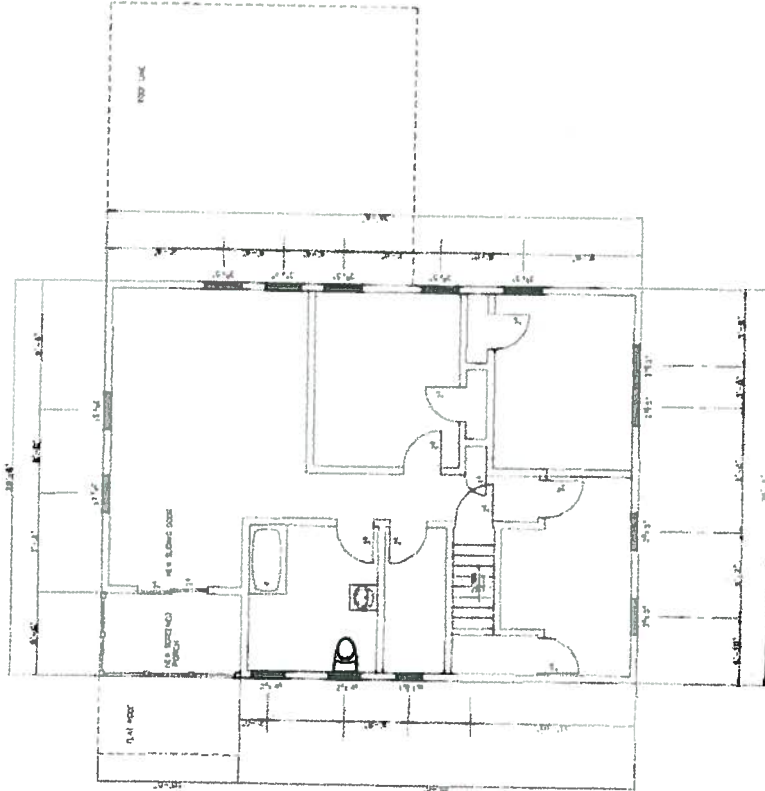
REVISIONS

NO.	DATE	DESCRIPTION
1		
2		
3		
4		
5		

CAD: MAGES INTL  
 A PROFESSIONAL CAD SERVICE BUREAU  
 P.O. BOX 31764  
 RICHMOND, VIRGINIA 23234  
 (804) 241-4010

FOUNDATION AND FIRST FLOOR PLAN

AUGUST 2004  
 PAUL A. WILSON  
 230 W. MAIN ST.  
 RICHMOND, VIRGINIA 23220



- NOTES:
1. ALL DIMENSIONS, UNLESS OTHERWISE NOTED, ARE IN FEET AND INCHES.
  2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
  3. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
  4. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
  5. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
  6. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
  7. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
  8. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.



**SECOND FLOOR**  
SCALE: 1/4" = 1'-0"

REVISIONS

NO.	DATE	DESCRIPTION

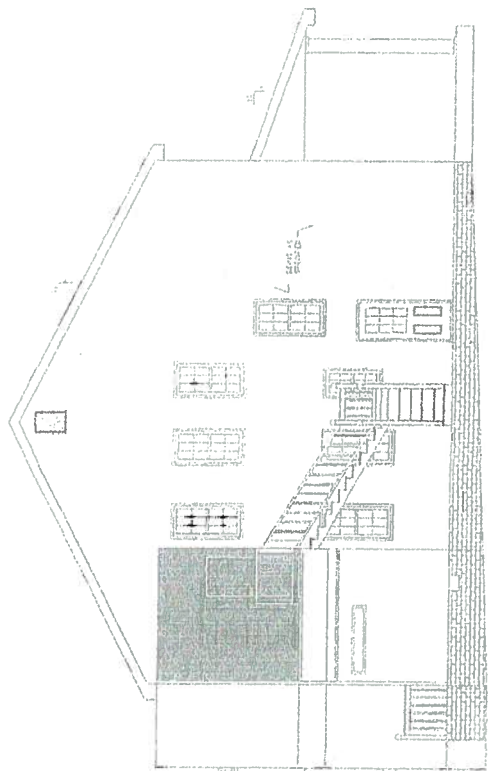
DESIGN  
 CAD IMAGES INT'L  
 A PROFESSIONAL CAD SERVICE BUREAU  
 P.O. BOX 31584  
 RICHMOND, VIRGINIA 23294  
 (804)346-4010

SECOND FLOOR PLAN

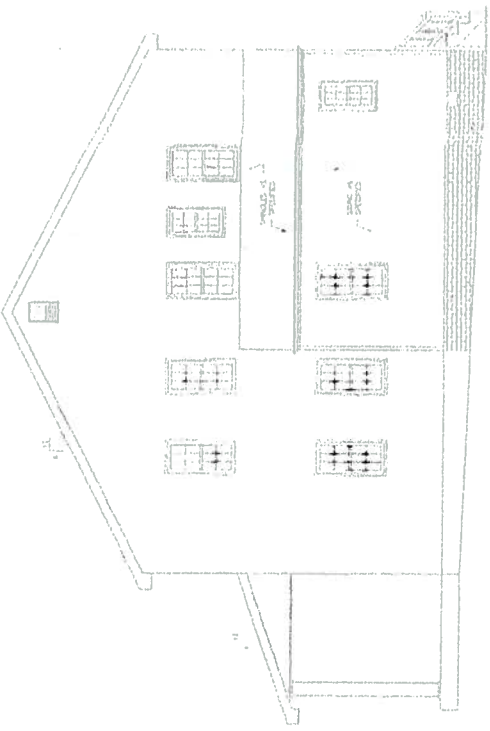
ADDITON PLAN  
 PAULA & WILLIAM COOPER  
 2701 WOODROW AVE  
 RICHMOND, VIRGINIA 23222

DATE: 12/22/93  
 DRAWN BY: [Signature]  
 SHEET NO. 1  
 OF SHEETS 4  
**A3**

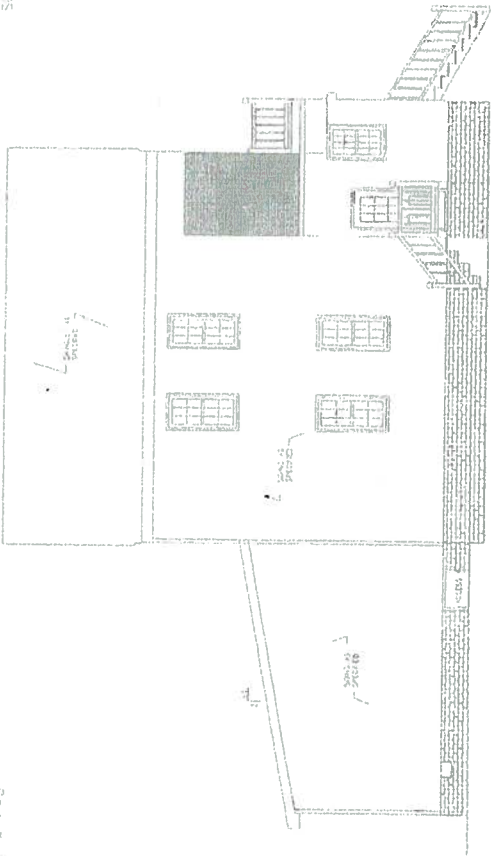




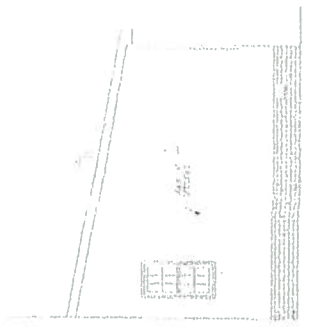
LEFT SIDE ELEVATION  
SCALE 1/4" = 1'-0"



RIGHT SIDE ELEVATION  
SCALE 1/4" = 1'-0"



REAR ELEVATION  
SCALE 1/4" = 1'-0"



FRONT ADDITION ELEVATION  
SCALE 1/4" = 1'-0"

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SEP 18 2012  
LAND USE ADMINISTRATION

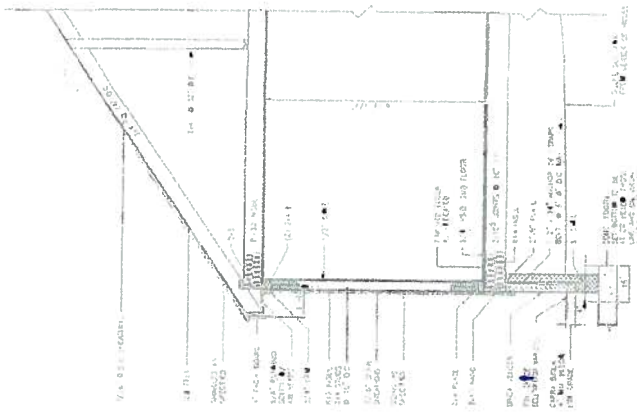
ALL DIMENSIONS UNLESS OTHERWISE NOTED  
DO NOT SCALE DRAWINGS  
FOR CONSTRUCTION



REVISIONS		REVISED		DATE	
NO.	DATE	BY	CHK.	DATE	REVISION

CAD: MARGES HILL PROFESSIONAL CAD SERVICE BUREAU P.O. BOX 31364 RICHMOND, VIRGINIA 23204 (804) 346-4010		ELEVATIONS ASSOCIATION PLAN PAUL & JULIA GOSPER 2301 WOODSTOCK AVE RICHMOND, VIRGINIA 23221	
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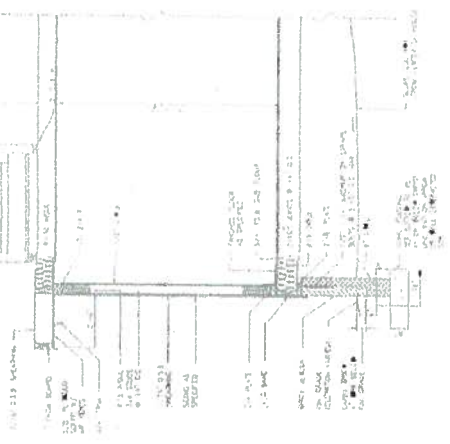


WALL SECTION FROM BEYOND ADDITION  
1/2\"/>



STAIR PLATFORM DETAIL  
1/2\"/>

1. FINISH FLOOR TO BE 1\"/>



WALL SECTION FROM BEYOND ADDITION  
1/2\"/>

RECEIVED  
SEP 18 2015

LAND USE ADMINISTRATION

ONE WARDEN AVE.  
A PROFESSIONAL AND SERVICE GROUP  
P.O. BOX 31504  
REIMOND, VIRGINIA 22181  
(504) 746-4010

PROJECT

25001

DATE

1/21/15

SCALE

AS SHOWN

DATE

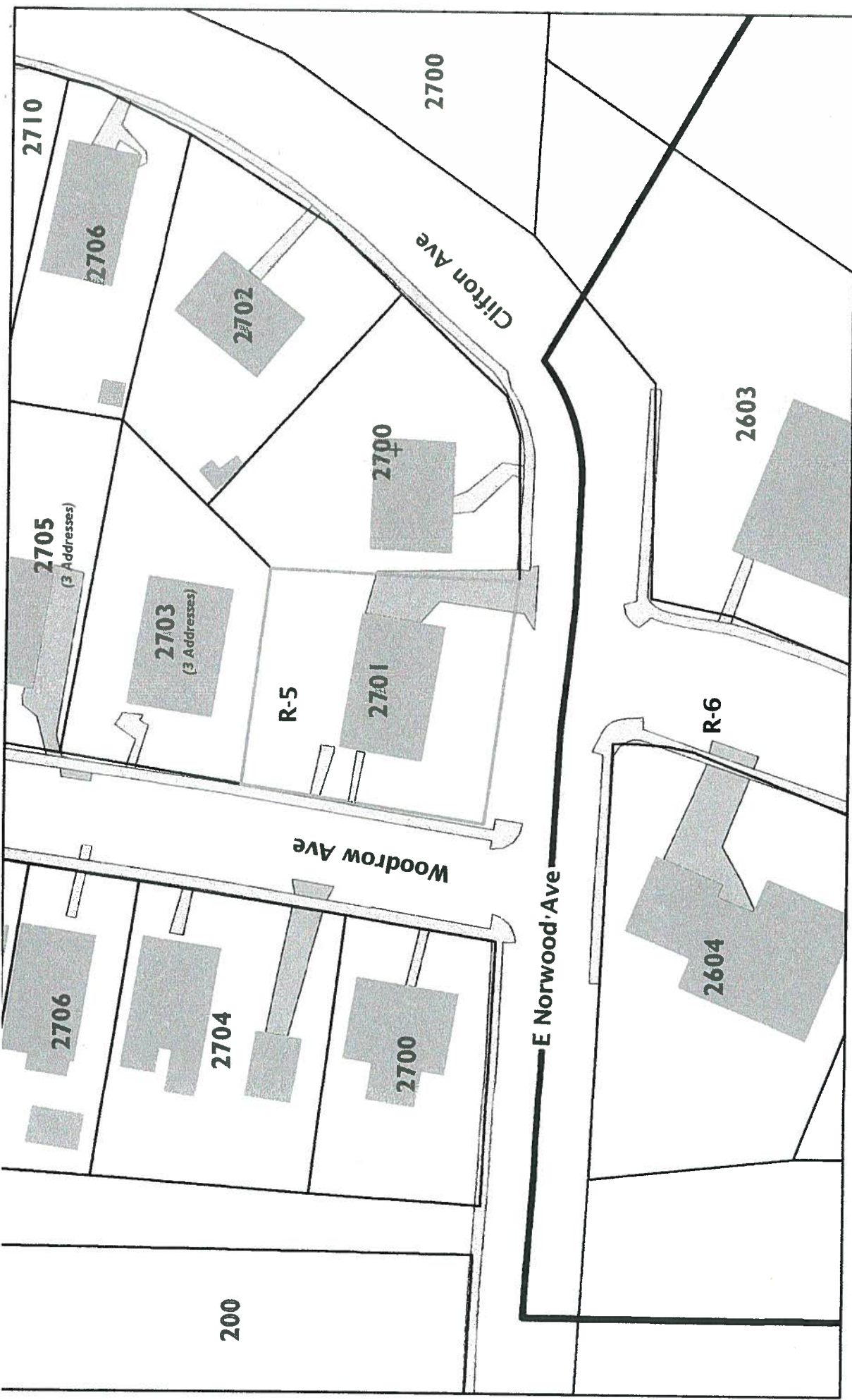
1/21/15

1/21/15

REVISED BY: JLM  
DATE: 1/21/15  
PROJECT: 25001 WARDEN AVE.  
REVISION: 1/21/15

DETAILS AND SECTIONS

D-1



**SPECIAL USE PERMIT REQUEST**

**Location:** 2701 Woodrow Avenue  
**Council District:** 3  
**Existing Use:** Single-Family Dwelling  
**Proposal:** Construction of side addition

City of Richmond  
 Department of Planning & Development Review  
 Land Use Administration  
 2/26/2016

