

INTRODUCED: January 13, 2020

AN ORDINANCE No. 2020-015

To authorize the special use of the property known as 1018 North 32nd Street for the purpose of a two-family detached dwelling, upon certain terms and conditions.

Patron – Mayor Stoney (By Request)

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: FEB 10 2020 AT 6 P.M.

WHEREAS, the owner of the property known as 1018 North 32nd Street, which is situated in a R-6 Single-Family Attached Residential District, desires to use such property for the purpose of a two-family detached dwelling, which use, among other things, is not currently allowed by section 30-412.4, concerning lot area and width, density, and unit width, 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 (2019), 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: 9 NOES: 0 ABSTAIN: _____

ADOPTED: FEB 10 2020 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 1018 North 32nd Street and identified as Tax Parcel No. E000-0723/035 in the 2020 records of the City Assessor, being more particularly shown on a survey entitled “Survey and Plat of the Property Known as #1018 N. 32nd Street in the City of Richmond, VA,” prepared by Edwards, Kretz, Lohr & Associates, PLLC., and dated March 28, 2019, 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 two-family detached dwelling, hereinafter referred to as “the Special Use,” substantially as shown on the plans entitled “New 2-Story Two-Family House in Historic Church Hill, 1018 North 32nd Street,” prepared by Chris Wolf Architecture, PLLC, and dated June 3, 2019, 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 a two-family detached dwelling, substantially as shown on the Plans.

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

(c) Two off-street parking spaces shall be provided on the Property to the rear of the proposed dwelling.

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

(d) All building materials, elevations, and setbacks 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.

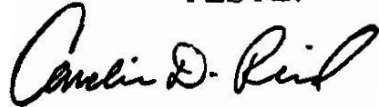
(e) The privileges granted by this ordinance may be revoked pursuant to the provisions of sections 30-1050.7 through 30-1050.11 of the Code of the City of Richmond (2015), as amended, and all future amendments to such laws. Failure to comply with the terms and conditions of this ordinance shall constitute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

A TRUE COPY:
TESTE:

City Clerk

City of Richmond

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

Item Request
File Number: PRE.2019.481

RECEIVED O & R REQUEST
4-9517
JAN 07 2020
DEC 17 2019

O & R Request

Office of the
Chief Administrative Officer

DATE: December 13, 2020

EDITION: 1

TO: The Honorable Members of City Council

THROUGH: The Honorable Levar M. Stoney, Mayor (Patron: Mayor, by Request)
(This in no way reflects a recommendation on behalf of the Mayor)

88 1/6/2020

THROUGH: Lenora Reid, Interim Chief Administrative Officer

THROUGH: Sharon Ebert, 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 1018 North 32nd Street for the purpose of a two-family detached dwelling on a lot less than 6,000 square feet in area and less than 50 feet in width within the R-6 Single-Family Attached Residential District upon certain terms and conditions.

ORD. OR RES. No. _____

PURPOSE: To authorize the special use of the property known as 1018 North 32nd Street for the purpose of a two-family detached dwelling on a lot less than 6,000 square feet in area and less than 50 feet in width within the R-6 Single-Family Attached Residential District upon certain terms and conditions.

REASON: Two-family detached homes are allowed in the R-6 Single-Family Attached residential district provided that a minimum lot area of 6,000 square feet is provided and a minimum of 50 feet of lot width is met. As proposed the lot area is 2,887 square feet and has a width of 32 feet. A special use permit is required in order to build the proposed structure on this nonconforming lot.

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 February 3, 2020, meeting. A letter outlining the Commission's recommendation will be forwarded to City Council following that meeting.

BACKGROUND: The subject property is vacant and located on North 32nd Street between P and Q Streets with alley access in the rear. It is 32 feet wide and approximately 90 feet in depth, for a total of 2,886 square feet of area. The subject property is typical of the size and configuration of properties within the neighborhood, however it does not meet the lot size and area requirements of the R-6 Single-Family Attached Residential District. The proposed development would meet all other requirements of this district.

The City of Richmond's Master Plan designates a future land use category for the subject property as single-family medium density. Primary uses are single-family and two-family dwellings, both detached and attached. The Master Plan's Neighborhoods and Housing chapter notes general goals for the creation of market rate rental housing and the provision of a variety of housing choices in neighborhoods

The proposed two-family attached dwelling is two stories in height. From the street, the structure reads as a single-family dwelling, and is thereby consistent with other residential buildings in the vicinity in terms of scale and character. The building would contain approximately 2,200 square feet of floor area, with each unit having approximately 1,100 square feet, respectively. Each unit would contain two bedrooms and two bathrooms.

The plans call for the structure to be clad in cementitious lap siding in order to ensure quality and consistency with other dwellings in the vicinity. A full-width front porch and full width upper and lower rear porches are provided. Two parking spaces located to the rear of the dwellings are accessed by the rear alley.

The subject property, as well as all the properties contained in the adjacent blocks to the north, south, east and west are located in the R-6 Single-Family Attached Residential District. The surrounding blocks contain a mix of vacant properties and residential uses.

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: \$300 application fee

DESIRED EFFECTIVE DATE: Upon Adoption

REQUESTED INTRODUCTION DATE: January 13, 2020

CITY COUNCIL PUBLIC HEARING DATE: February 10, 2020

REQUESTED AGENDA: Consent

RECOMMENDED COUNCIL COMMITTEE: None

CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES: City Planning Commission
February 20, 2020

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.:

REQUIRED CHANGES TO WORK PROGRAM(S): None

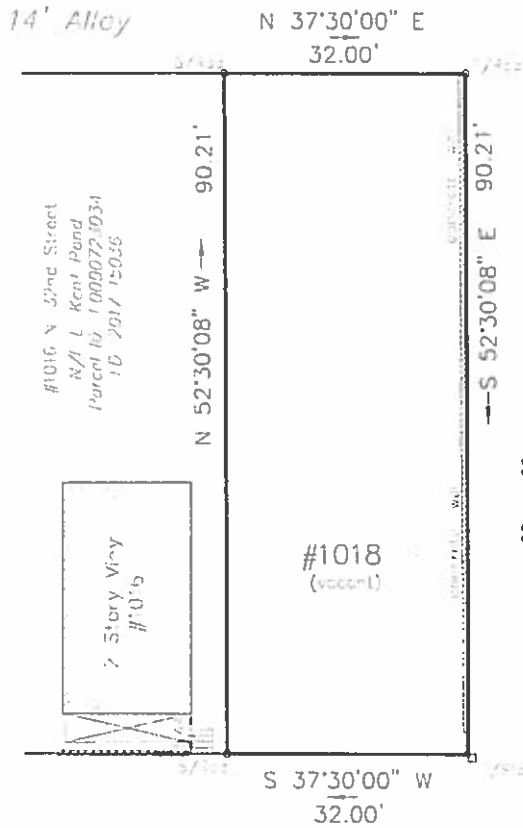
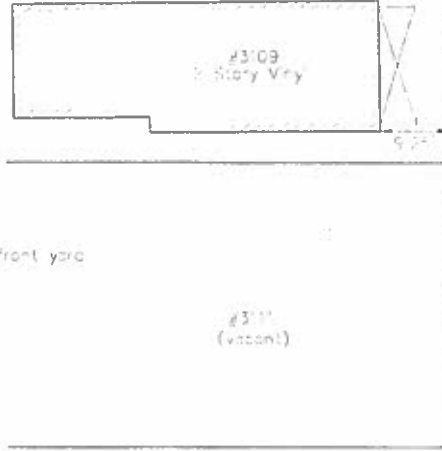
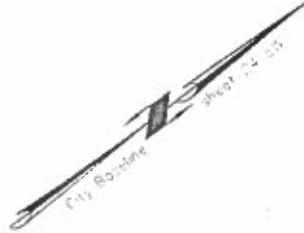
ATTACHMENTS: Application Form, Applicant's Report, Amended Plan, Map

STAFF: David Watson, Senior Planner, Land Use Administration (Room 511) 646-6304

Address: #1018 N. 32nd Street
 Current Owner: Evolve HLD, LLC
 Parcel ID: E0000723035
 ID 2016 629

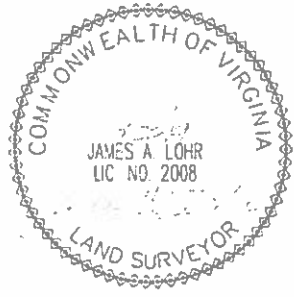
Note: Bearings protracted from City
 Baseline sheet 24 NW

City Zoning Subtasks:
 Front Yard - non-applicable
 Determined by adjacent front yard
 Rear Yard - 5'
 Side Yard - 10' lot width = 13'
 Corner Side Yard - none applicable
 existing front yard of 70' Street



#1016 N 32nd Street
 N/A L Kent Pond
 Parcel ID: E0000723034
 ID 2017 15056

"Q" STREET

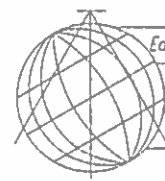


N. 32nd STREET

Survey and Plat of
**The Property Known as
 #1018 N. 32nd Street in
 the City of Richmond, VA**

In s is to certify that on 03/20/19 I made an accurate field survey of the premises shown hereon that all improvements and easements known or visible are shown herein, that there are no encroachments by improvements either from adjoining premises or from subject premises upon adjoining premises other than shown hereon. THIS PLAT WAS MADE WITHOUT THE BENEFIT OF A TITLE SURVEY OR REPORT.

FLOOD INSURANCE NOTE: By graphics plotting only, this property is in ZONE X of the Flood Insurance Rate Map, Community Panel No 5101290041E effective date of 07/16/14. Exact designations can only be determined by an Elevation Certificate. Based on the above information, this property IS NOT in a Special Flood Hazard Area.



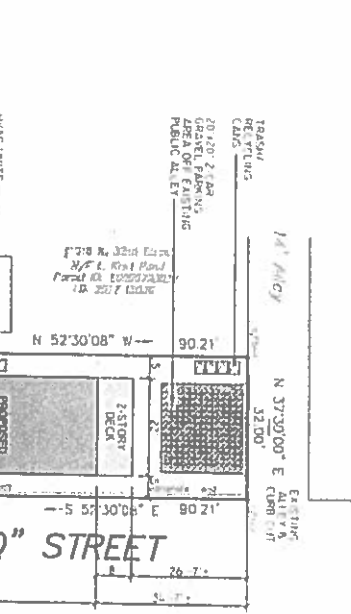
Edwards, Kretz, Lohr & Associates, PLLC
 Land Surveyors-Planners
 Virginia-North Carolina
 4914 Radford Avenue, Suite 206
 Richmond, Virginia, 23230
 Phone (804) 673-9666
 Fax (804) 673-9990

Scale: 1"=20'
 Drawn: TCJ
 Job 1133-19
 Date: 03/28/19
 Checked: JAL

Address: #1018 N. 32nd Street
Current Owner: Exide HD, LLC
Parcel ID: F0000723035
ID: 2016 659

Note: Bookings produced from City
Base/Trim Street 24 NW

Address: #1018 N. 32nd Street
Current Owner: Exide HD, LLC
Parcel ID: F0000723035
ID: 2016 659

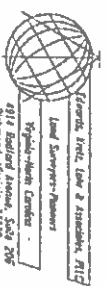


N. 32nd STREET

Survey and Plot of
The Property Known as
#1018 N. 32nd Street in
the City of Richmond, VA

This is to certify that on 03/28/19 I made an original and true copy of the ground plan shown hereof, which was presented to me by the owner or his duly authorized agent, and that the same is a correct and true copy of the original filed in my office and that I am a duly licensed and qualified Land Surveyor in the Commonwealth of Virginia.

FLOOD HAZARD INFORMATION: This property is in Zone 2. Flood Hazard Maps are available at the Flood Hazard Data User's Conference. Flood hazard information can only be determined by an American Certified. Based on the above information, the property is in Zone 2.



Scale: 1" = 30'
Date: 03/28/19
Checked: JAL
Drawn: TCI
Job #: 1133-19

Land Surveyor/Planner
Virginia-Licensed Engineer
4112 Laurel Road, S-21 208
Richmond, Virginia 23230
Phone (804) 671-6665
Fax (804) 671-5990

PROPOSED SITE PLAN OVERLAIN
ON ORIGINAL PLAT BY OTHERS
MAY BE TO INDICATE

01 CIVIL SITE PLAN

PROJECT CONTACTS
K.E. OPRR
DANIEL MEYMAN
804.991.4111
ARCHITECT
CHRISTOPHER WOLF
CHRIS WOLF ARCHITECTURE PLLC
804.516.7644

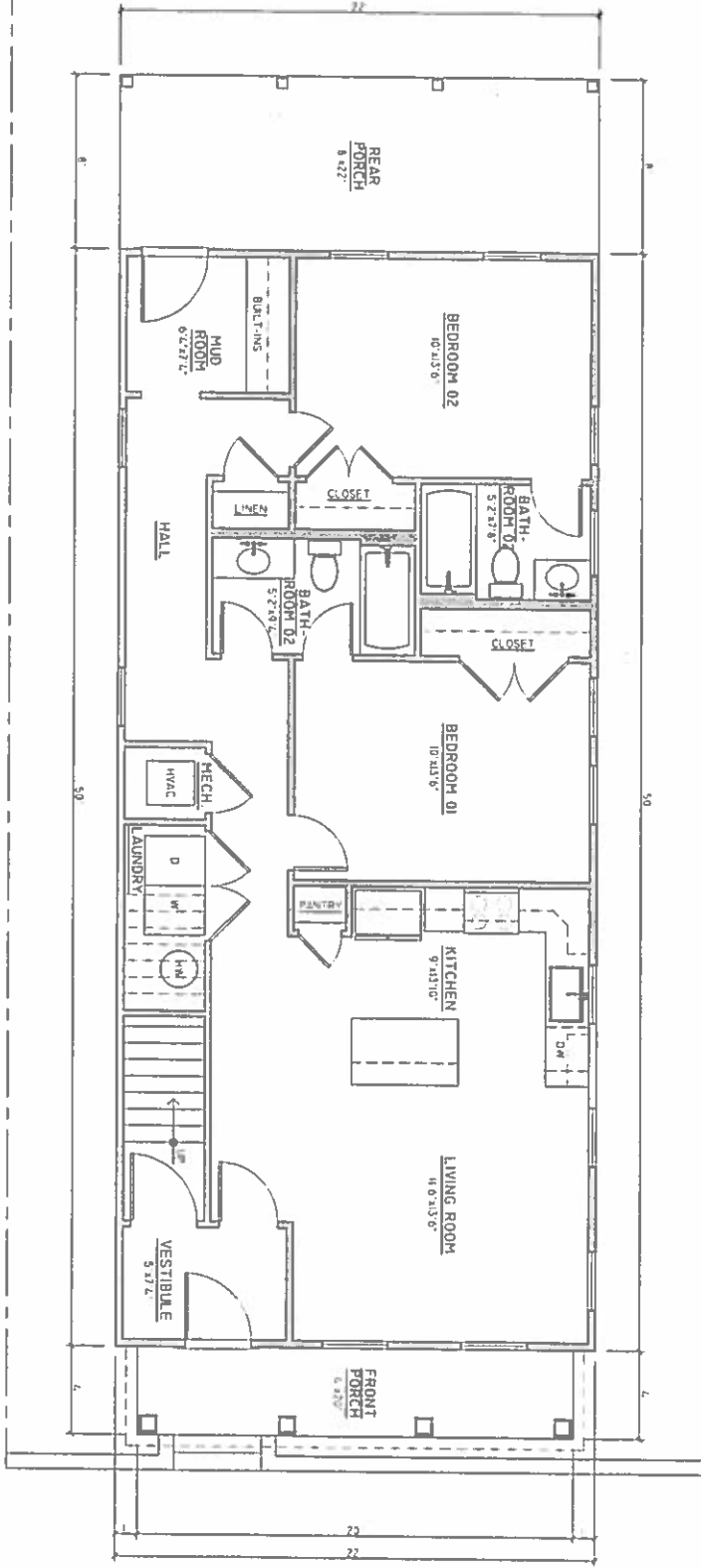
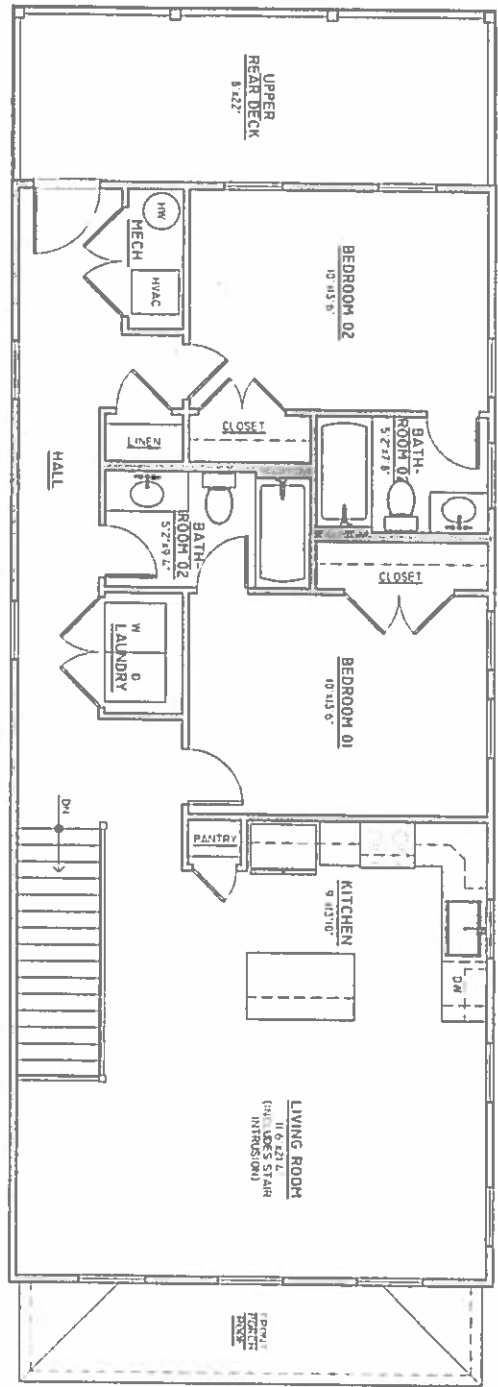
NEW 2-STORY, TWO-FAMILY HOUSE
IN HISTORIC CHURCH HILL
1018 NORTH 32ND STREET
1018 NORTH 32ND STREET
RICHMOND, VIRGINIA 23223

NOT FOR CONSTRUCTION

SCALE: VISUAL
SUBMITTAL
DATE: 06.03.2019

DATE: 06.03.2019

CIVIL/SITE PLAN
C.I.1



01 | FIRST FLOOR PLAN

02 | SECOND FLOOR PLAN

NEW 2-STORY, TWO-FAMILY HOUSE
IN HISTORIC CHURCH HILL

1018 NORTH 32ND STREET

1018 NORTH 32ND STREET
RICHMOND, VIRGINIA 23223

PROJECT CONTACTS

DEVELOPER
DANIEL ALEMANI
804-991-6200

ARCHITECT
CHRISTOPHER WOLFF
CHRIS WOLF ARCHITECTURE, PLLC
804-516-7044

NOT FOR
CONSTRUCTION

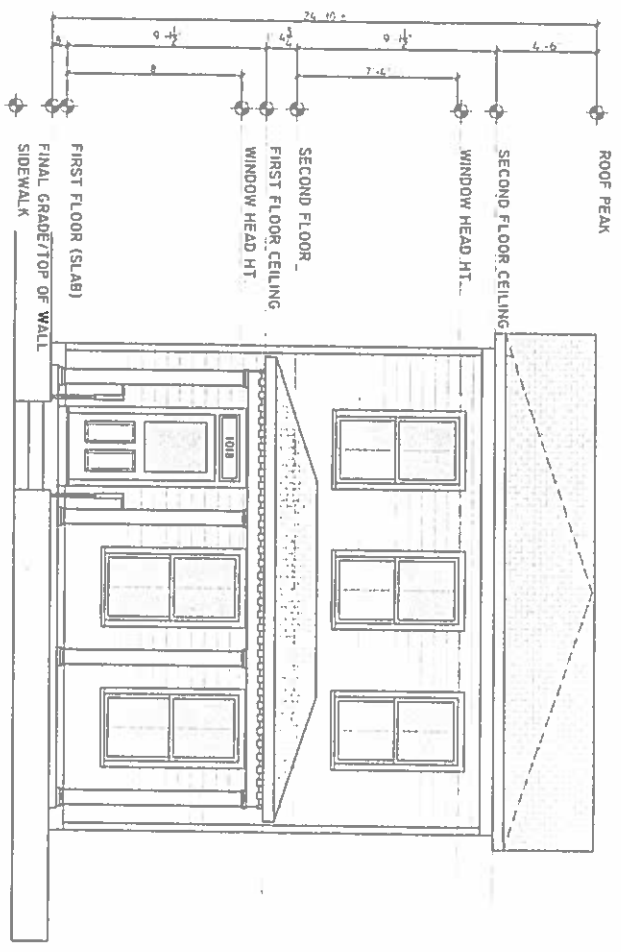
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S.U.P. SUBMITTAL

DATE/PLN
06.03.2019

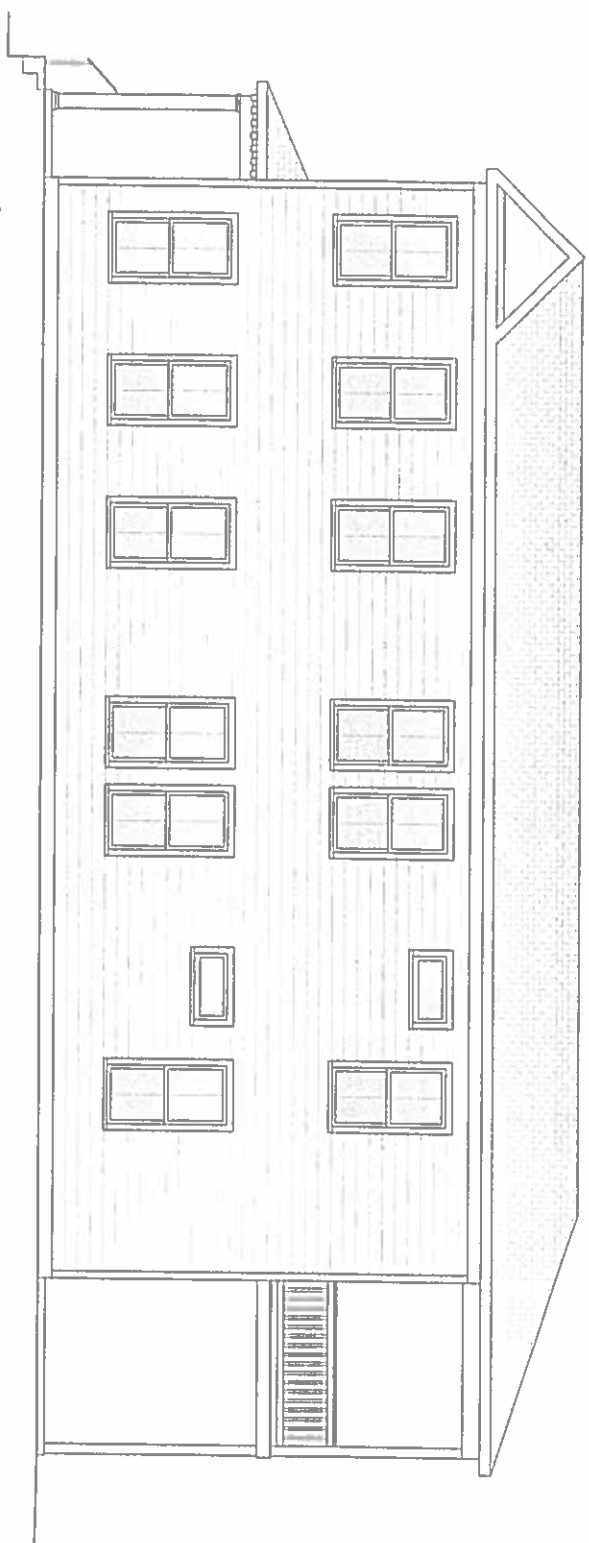
FLOOR PLANS

A.I.I

EXTERIOR FINISH SCHEDULE		
NO.	COMPONENT/MATERIAL	COLOR/FINISH
01	PAVED FOUNDATION	CEMENT
02	1/2" GYP BOARD	1B3
03	1/2" GYP BOARD	1B3
04	1/2" GYP BOARD	1B3
05	1/2" GYP BOARD	1B3
06	1/2" GYP BOARD	1B3
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99	1/2" GYP BOARD	1B3
100	1/2" GYP BOARD	1B3



01 | FRONT ELEVATION



02 | RIGHT SIDE ELEVATION

PROJECT CONTACTS
 DEVEL OPER
 DANIEL ALEYMAN
 802.991.4111
 ARCHITECT
 CHRISTOPHER WOLF
 CHAS WOLF ARCHITECTURE PLLC
 802.316.7666

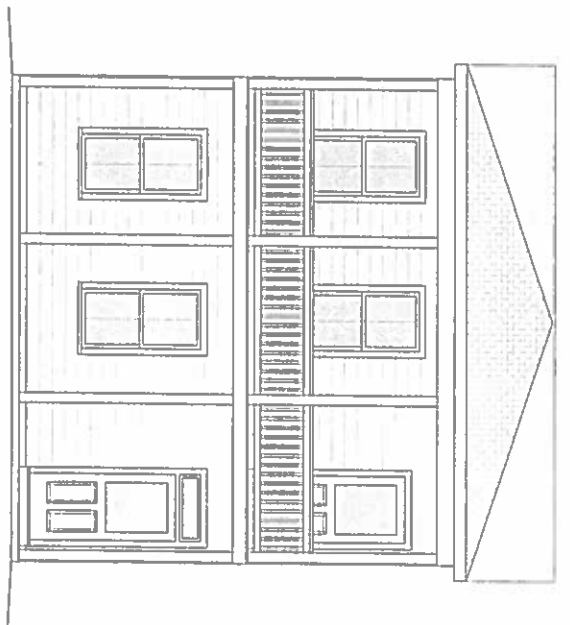
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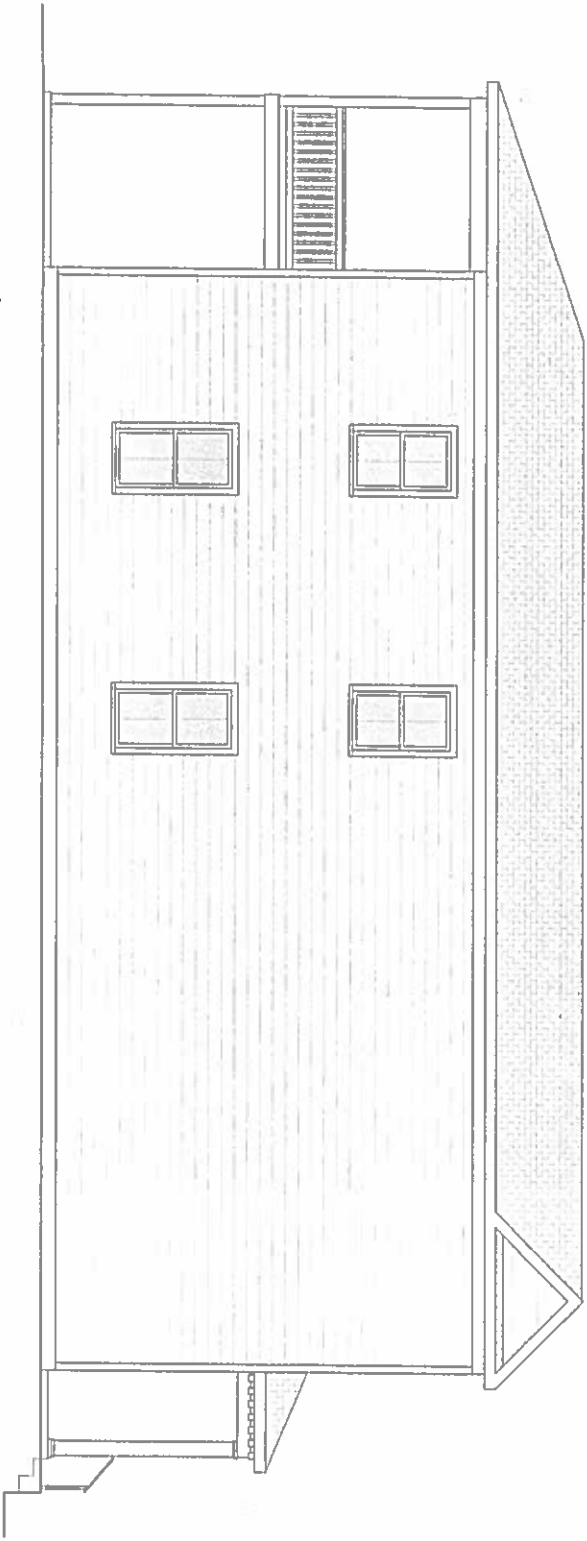
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 S.U.P. SUBMITTAL
 DATE/PLANK
 05.03.2019

FRONT & RIGHT SIDE
 EXTERIOR ELEVATIONS

A2.1



01 | REAR ELEVATION



02 | LEFT SIDE ELEVATION

PROJECT CONTACTS
 OWNER
 DANIEL KLEYMAN
 804.591.4111
 ARCHITECT
 CAROL TOPPHER WOLFF
 804.514.7644

NEW 2-STORY, TWO-FAMILY HOUSE
 IN HISTORIC CHURCH HILL
1018 NORTH 32ND STREET
 1018 NORTH 32ND STREET
 RICHMOND, VIRGINIA 23223

**NOT FOR
 CONSTRUCTION**

SE/REVISION
 S U P SUBMITTAL

DATE: 06/03/2019

REAR & LEFT SIDE
 EXTERIOR ELEVATIONS
A2.2



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.richmondgov.com/>

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: 1018 N 32nd Date: _____

Tax Map #: E-000-0723/035 Fee: 300

Total area of affected site in acres: 0.066

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

Zoning

Current Zoning: R-6

Existing Use: vacant land

Proposed Use

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

one (1) two-family detached dwelling

Existing Use: vacant land

Is this property subject to any previous land use cases?

Yes

No

If Yes, please list the Ordinance Number: BZA Case No. 89-05

Applicant/Contact Person: Mark Baker

Company: Baker Development Resources

Mailing Address: 11 S. 12th Street, Suite 500

City: Richmond

State: VA

Zip Code: 23219

Telephone: (804) 874-6275

Fax: ()

Email: markbaker@bakerdevelopmentresources.com

Property Owner: EVOLVE HLD LLC

If Business Entity, name and title of authorized signee: Daniil Kleyman, 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: 3420 PUMP RD #169

City: Richmond

State: VA

Zip Code: 23233

Telephone: (804) 991-4111

Fax: ()

Email: dvk5f@yahoo.com

Property Owner 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)

APPLICANT'S REPORT

June 19, 2019

*Special Use Permit Request
1018 N 32nd Street, Richmond, Virginia
Map Reference Number: E000-0723/035*

Submitted to:	City of Richmond Department of Planning and Development Review Land Use Administration 900 East Broad Street, Suite 511 Richmond, Virginia 23219
Submitted by:	Baker Development Resources 11 South 12 th Street, Suite 500 Richmond, Virginia 23219

Introduction

The property owner is requesting a special use permit ("the SUP") for 1018 N 32nd Street ("the Property"). The SUP would authorize the construction of one (1) two-family detached dwelling which does not meet all the feature requirements of the underlying R-6 Single-Family Attached Residential zoning.

Existing Conditions

SITE DESCRIPTION AND EXISTING LAND USE

The Property is located on the west side of N 32nd Street between P Street and Q Street, and is referenced by the City Assessor as tax parcel E000-0723/035. The Property is a vacant lot that is roughly 32' wide by 90.21' in depth and contains approximately 2,886.72 square feet of lot area per assessment records. The lot is relatively flat and is afforded access in the rear by means of a public alley with access from Q Street and N. 31st Street, respectively.



The properties in the immediate vicinity are either developed by single-family detached dwellings or are undeveloped vacant lots. Within a one to two block radius, though, there are multiple examples of single family attached, two-family detached, multifamily, institutional, and commercial uses.

Directly across Oakwood Avenue from the Property are two two-family dwellings, as well as one mixed-use property that was permitted through special use permit in 1996, which features a

ground-floor grocery use as well as two dwelling units on the second floor. The adjacent property to the east is a two-family dwelling. In 1984, the Board of Zoning Appeals granted a variance from the use and off-street parking requirements at 1106 Oakwood Ave to permit a two-family dwelling that was originally constructed during a period when zoning permitted two-family uses in this area. With that, the context of the surrounding area is denser, both from a use perspective and a feature perspective, than the current zoning would suggest.

EXISTING ZONING

The Property is zoned R-6 Single-Family Attached, which permits the proposed two-family Attached dwelling use. The surrounding properties are also zoned R-6.

MASTER PLAN DESIGNATION

The Master Plan recommends "Single-Family (Medium Density)" for the Property. The Master Plan describes this land use category as follows: "Primary uses are single-family and two-family dwellings, both detached and attached...Typical zoning classifications that may accommodate this land use category: R-5A, R-6 and R-7." There are also a variety of general housing goals contained in the Master Plan Neighborhoods and Housing chapter that are applicable to the request. These goals include, among other things, recognition of the need for the continued creation of market rate rental housing and a desire for neighborhoods to provide a variety of housing choices while remaining culturally and economically diverse.

Proposal

PROJECT SUMMARY

The proposed development includes the construction of one (1) two-family detached dwelling on the Property with two (2) accessory parking spaces.

PURPOSE OF REQUEST

The Property consists of a single lot of record that is of typical size and configuration for the vicinity. The Property has a lot width of roughly 32' and contains approximately 2,887 square feet of lot area. The owner would like to construct a two-family dwelling on the Property. The R-6 district permits the two-family detached dwellings, however, several feature requirements applicable to two-family detached dwellings are not met. Therefore, a SUP is required in order to permit the proposed development.

The R-6 district would require a lot width of 50' and a lot area of 6,000 square feet of lot area for the two-family dwelling use; this special use permit would grant relief from these feature requirements. The new two-family detached dwelling would meet all other applicable R-6 district requirements.

The Property's lot width and area are compatible with other lots in the vicinity, which vary in size but are all characteristically smaller urban lots. On the subject block face, a majority of the lots are vacant. Developed lots in the vicinity include a mix of residential uses. In addition to single-family dwellings in the immediate vicinity, there are two two-family dwellings and a three-family

multi-family dwelling across 32nd Street to the west (1110 through 1116 N 32nd Street) and two two-family dwelling lies to the rear across the alley (1108 and 1122 N 33rd Street). Two of those two-family dwellings are located on lots that are smaller in area than the Property. Overall, based on the historic lot pattern, the majority of lots in the vicinity are nonconforming with regard to lot area and lot width. In addition, there have been a number of lots authorized by SUP or variance granted by the Board of Zoning Appeals. The proposed 5-foot side yards for the dwellings exceed the minimum requirements and existing setbacks commonly seen in the area.

In exchange for the SUP, the intent of this request is to ensure a high-quality market rate infill development. The overall project would be appropriately dense and efficient. It would be consistent with the use permitted by-right by the underlying zoning. At the same time, it would remain respectful to the historic lot pattern in the vicinity thereby remaining consistent with the predominant character of the area. Finally, the quality assurances conditioned through the SUP would guarantee a higher quality development than might otherwise be developed by right.

PROJECT DETAILS

The two-family attached dwelling would be two stories in height. From the street, the proposed building reads as a single-family dwelling, and is thereby consistent with other residential buildings in the vicinity in terms of scale and character. The building would contain approximately 2,200 square feet of floor area, with each unit having approximately 1,100 square feet, respectively. Each unit would contain two bedrooms and two bathrooms. The dwelling floor plans are spacious and modern with open living areas

The buildings would be clad in cementitious lap siding in order to ensure quality and consistency with many other dwellings in the vicinity. A full-width front porch and full width upper and lower rear porches are proposed and would provide ample usable outdoor area. Two parking spaces are proposed for the two dwellings. Parking spaces would be located to the rear of the dwellings and accessed by the rear alley.

Findings of Fact

The following are factors indicated in Section 17.11 of the Charter and Section 114-1050.1 of the Zoning Ordinance relative to the approval of special use permits by City Council. The proposed special use permit will not:

- *Be detrimental to the safety, health, morals and general welfare of the community involved.*

The proposed special use permit for high-quality infill construction will not impact the safety, health, morals and general welfare of the nearby neighborhoods.

- *Tend to create congestion in streets, roads, alleys and other public ways and places in the area involved.*

The proposed special use permit will not result in significant traffic impacts to nearby residential neighborhoods. The negligible traffic generation and two off street parking spaces for the two dwelling units will create no congestion on streets, roads, alleys or any other public right of way.

- *Create hazards from fire, panic or other dangers.*

The property will be developed in a manner consistent with the requirements of the building code and in accordance with the requirements of Fire and Emergency Services. The City's codes applicable to this development are designed to eliminate such hazards.

- *Tend to overcrowding of land and cause an undue concentration of population.*

The proposed special use permit will not tend to over crowd the land or create an undue concentration of land.

- *Adversely affect or interfere with public or private schools, parks, playgrounds, water supplies, sewage disposal, transportation or other public requirements, conveniences and improvements.*

The special use permit would not adversely affect the above referenced City services. To the contrary, the proposal would provide positive fiscal (tax) benefits that would enhance the City's ability to provide these services to the proposed development. This benefit can be attributed to the investment in the property coupled with the anticipated absence of school-age children residing within the dwelling, who require substantial City spending in schools and playground facilities.

- *Interfere with adequate light and air.*

The light and air available to the subject and adjacent properties will not be affected. The proposed buildings are of compatible massing and spacing to the existing in the vicinity, which are in many cases attached dwellings. The normal required side yard setbacks are exceeded by this request. As a result, this request will not interfere with the provision of adequate light and air to the adjacent buildings.

Summary

In summary we are enthusiastically seeking approval for the construction of the proposed two-family attached dwelling. The building has been thoughtfully designed in order to provide appropriate, high quality market rate infill development. The request offers compatibility with the City's Master Plan in terms of use. The request would contribute to the ongoing revitalization of the neighborhood, upgrading the Property while maintaining a desirable variation in housing style and density in the vicinity and providing for continued economic diversity in housing options within the neighborhood.

The proposed development would respectfully help restore an appropriate urban fabric in a block face in which a majority of lots are vacant. It would help encourage a pedestrian friendly urban streetscape in the block and contribute to the vibrancy of the block through the addition street life in the form of a street-oriented full width front porch. An appropriate urban form coupled with the provision of accessory parking to the rear of the property would give the property the much-desired traditional neighborhood design which is appropriate to this area of the City. The provision of off-street parking spaces per zoning standards would help mitigate any impact on

parking related to the development. Finally, the quality assurances conditioned through the SUP would guarantee a higher quality development than might otherwise be developed by right.