

INTRODUCED: April 10, 2023

AN ORDINANCE No. 2023-120

To authorize the special use of the property known as 14 Granite Avenue for the purpose of a single-family detached dwelling with driveway access to the street, upon certain terms and conditions.

Patron – Mayor Stoney (By Request)

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: MAY 8 2023 AT 6 P.M.

WHEREAS, the owner of the property known as 14 Granite Avenue, which is situated in a R-4 Single-Family Residential District, desires to use such property for the purpose of a single-family detached dwelling with driveway access to the street, which use, among other things, is not currently allowed by section 30-408.8, concerning driveways from streets, of the Code of the City of Richmond (2020), as amended; and

WHEREAS, in accordance with section 17.11 of the Charter of the City of Richmond (2020), 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 8 2023 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 (2020), 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 14 Granite Avenue and identified as Tax Parcel No. W020-0227/016 in the 2023 records of the City Assessor, being more particularly shown on a survey entitled “Survey of Lot 29, Section 1, Westview, Richmond, Virginia,” prepared by A. G. Harocopos & Associates, P.C., and dated January 11, 2022, 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 single-family detached dwelling with driveway access to the street, hereinafter referred to as “the Special Use,” substantially as shown on the plans entitled “New Residence, 14 Granite Avenue, Richmond, Virginia,” prepared by Appich Architects, dated February 21, 2021, and last revised April 13, 2022, 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 single-family detached dwelling with driveway access to the street, substantially as shown on the Plans.

(b) All mechanical equipment, including heating, ventilation, and air conditioning units, serving the Property shall be located or screened so as not to be visible from any public right-of-way.

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

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

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

(c) Facilities for the collection of refuse shall be provided in accordance with the requirements of the Director of Public Works. Such facilities shall be located or screened so as not to be visible from adjacent properties and public streets.

(d) Any encroachments existing, proposed on the Plans or contemplated in the future shall require separate authorization and shall be subject to the applicable provisions of the Code of the City of Richmond (2020), 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 (2020), 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 (2020), 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 (2020), as amended, and all future amendments to such law, or any other applicable laws or regulations.

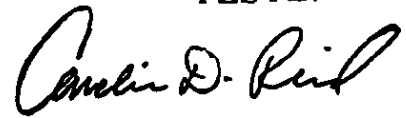
(f) When the privileges granted by this ordinance terminate and the special use permit granted hereby becomes null and void, whether as a result of the Owner relinquishing this special use permit in a writing addressed to the Director of Planning and Development Review or

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 Zoning Administrator is authorized to issue a certificate of zoning compliance for the Special Use subject to the terms and conditions set forth in this ordinance. An application for the certificate of zoning compliance shall be made within 730 calendar days following the date on which this ordinance becomes effective. If the application for the certificate of zoning compliance is not made within the time period stated in the previous sentence, 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:**

A handwritten signature in black ink, appearing to read "Camelin D. Reed". The signature is written in a cursive, flowing style.

City Clerk



City of Richmond

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

Item Request File Number: PRE.2022.0710

O & R Request

DATE: February 27, 2023

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)

THROUGH: J.E. Lincoln Saunders, Chief Administrative Officer

THROUGH: Sharon L. Ebert, Deputy Chief Administrative Officer for Economic Development and Planning

FROM: Kevin J. Vonck, Director, Department of Planning and Development Review

RE: To authorize the special use of the property known as 14 Granite Avenue for the purpose of a single-family detached dwelling, with driveway access to the street, upon certain terms and conditions.

ORD. OR RES. No. ____

PURPOSE: To authorize the special use of the property known as 14 Granite Avenue for the purpose of a single-family detached dwelling, with driveway access to the street, upon certain terms and conditions.

REASON: The subject property is located in the R-4 Single-Family Residential District and the zoning ordinance prohibits driveway access from the street when alley access from the rear is available. The property contains a nonconforming driveway and the proposal calls for expanding the driveway by adding a second access point. Therefore, a Special Use Permit is requested.

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.

BACKGROUND: The .308 acre subject property is located on the western side of Granite Avenue between Matoaka Road and Tuckahoe Avenue. The property is serviced by an alley that runs along the rear property line.

The subject property, as well as the other properties on the block, is improved with a single-family dwelling.

The City's Richmond 300 Master Plan designates the property for Residential uses which consists primarily of single-family houses on large- or medium-sized lots more homogeneous in nature.

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

BUDGET AMENDMENT NECESSARY: None

REVENUE TO CITY: \$300 application fee

DESIRED EFFECTIVE DATE: Upon Adoption

REQUESTED INTRODUCTION DATE: March 27, 2023

CITY COUNCIL PUBLIC HEARING DATE: April 24, 2023

REQUESTED AGENDA: None

RECOMMENDED COUNCIL COMMITTEE: None

CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES: City Planning Commission
April 17, 2023

AFFECTED AGENCIES: Office of Chief Administrative Officer
Law Department (for review of draft ordinance)

RELATIONSHIP TO EXISTING ORD. OR RES.: None

REQUIRED CHANGES TO WORK PROGRAM(S): None

ATTACHMENTS: Draft Ordinance, Application Form, Applicant's Report, Plans, and Survey

STAFF: David Watson, Senior Planner, Land Use Administration, 804-646-1036



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: 14 Granite Avenue Date: November 2 2022

Tax Map #: W0200227016 Fee: \$300

Total area of affected site in acres: 0.30

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

Zoning

Current Zoning: R-4

Existing Use: Single Family

Proposed Use

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

Existing Use: Single Family

Is this property subject to any previous land use cases?

Yes No If Yes, please list the Ordinance Number: _____

Applicant/Contact Person: Lewis Little

Company: Siwel Renovations LLC

Mailing Address: PO Box 8301

City: Richmond State: VA Zip Code: 23226

Telephone: (804) 513-6000 Fax: ()

Email: siwelholdingsllc@gmail.com

Property Owner: Siwel Renovations LLC

If Business Entity, name and title of authorized signee: Lewis Little, Managing Member


(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: PO Box 8301

City: Richmond State: VA Zip Code: 23226

Telephone: (804) 513-6000 Fax: ()

Email: siwelholdingsllc@gmail.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)

November 2, 2022

Special Use Report:

14 Granite Avenue

14 Granite Avenue (“The property”) is located on the west side of Granite Avenue between Matoaka Road and Cary Street in the western portion of the City of Richmond. It is bounded by an alley to the west, Granite Avenue to the east, by 5601 Matoaka Road to the north and by 12 Granite Avenue to the south. The property consists of 13,395 square feet and is zoned R-4. The current use for the property is single family.

The proposed plan would reconfigure the existing driveway into a circular driveway between the front of the house and Granite Avenue with two entrances onto Granite Avenue. This portion of Granite Avenue does not have curb cuts and does not allow on street in front of the property or within 100 feet of it. This driveway will make it safer to enter and exit the property without having to reverse into Granite Avenue.

The project will not be detrimental to the safety, health, morals and general welfare of the community.

Parking is being provided in accordance with the zoning ordinance. The level of density is commensurate with the current and historic patterns of this district. The project will not tend to create congestion in streets, roads, alleys, and other public ways and places in the area involved.

All work will be done in accordance with local building codes and will not create hazards from fire, panic, or other dangers.

There is no concentration of population which could cause overcrowding of land and undue concentration of population.

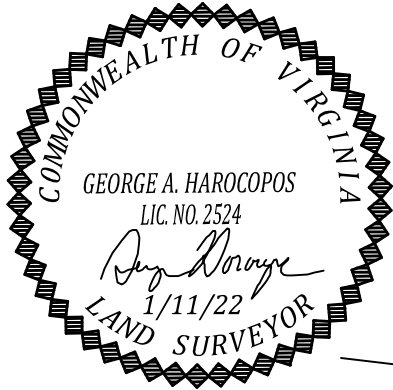
The proposed project will not adversely affect or interfere with public or private schools, parks, playgrounds, water supplies, sewage disposals, transportation or other public requirements, conveniences and improvements.

The project will not interfere with adequate light and air.

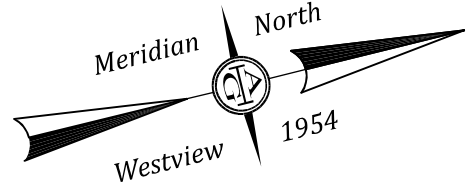
This is to certify that on 1/11/2022
 I made an accurate field survey of the known premises shown hereon; that all improvements known or visible are shown hereon; that there are no encroachments by improvements either from adjoining premises, or from subject premises upon adjoining premises, other than shown hereon.

NOTE: THIS LOT APPEARS TO BE IN FEMA FLOOD ZONE X AS SHOWN ON HUD COMMUNITY PANEL NUMBERS 5101290009D

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

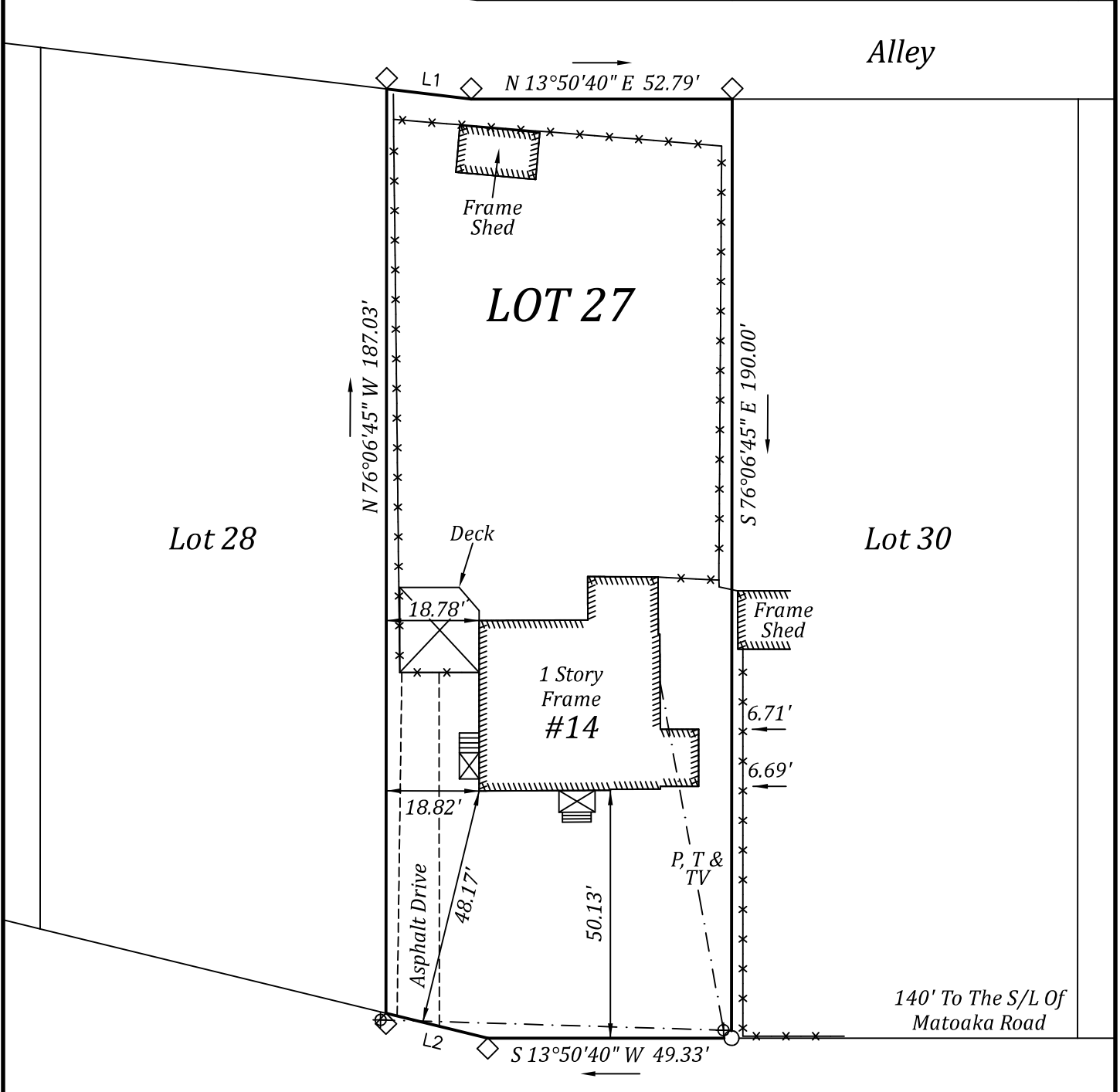


LINE	BEARING	DISTANCE
L1	N 20°40'08" E	17.23'
L2	S 27°32'29" W	21.17'



LEGEND

- ⊕ Power Pole
- Rod/F
- ◇ Stone/F



GRANITE AVENUE

SURVEY OF
LOT 29 SECTION 1
WESTVIEW
 RICHMOND, VIRGINIA

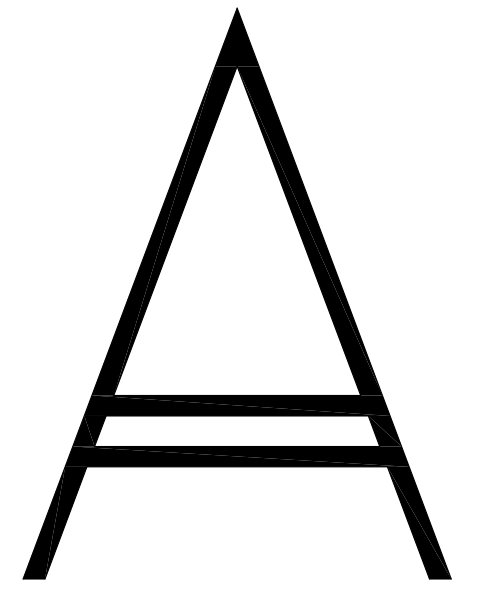
JN 51414

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

4920 E. MILLRIDGE PKWY. SUITE 200 MIDLOTHIAN VA. 23112
 Office 804 744 2630 FAX 804 744 2632
 E-MAIL AGHAROCOPOS72@GMAIL.COM

Scale 1"=30' Date 1/11/22 Drawn by GAH

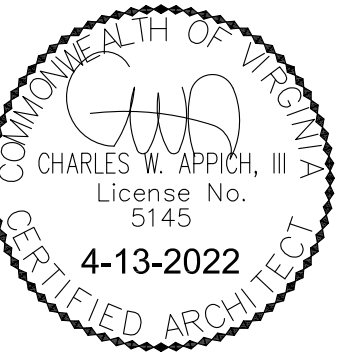
NOTE: PLAT PREPARED FOR THE EXCLUSIVE USE OF THE CONVEYANCE TO LEWIS LITTLE



APPICH
ARCHITECTS

appicharchitects.com
14321 Winter Ridge Lane
Midlothian, VA 23113
m 804.399.7217
cwappich@gmail.com

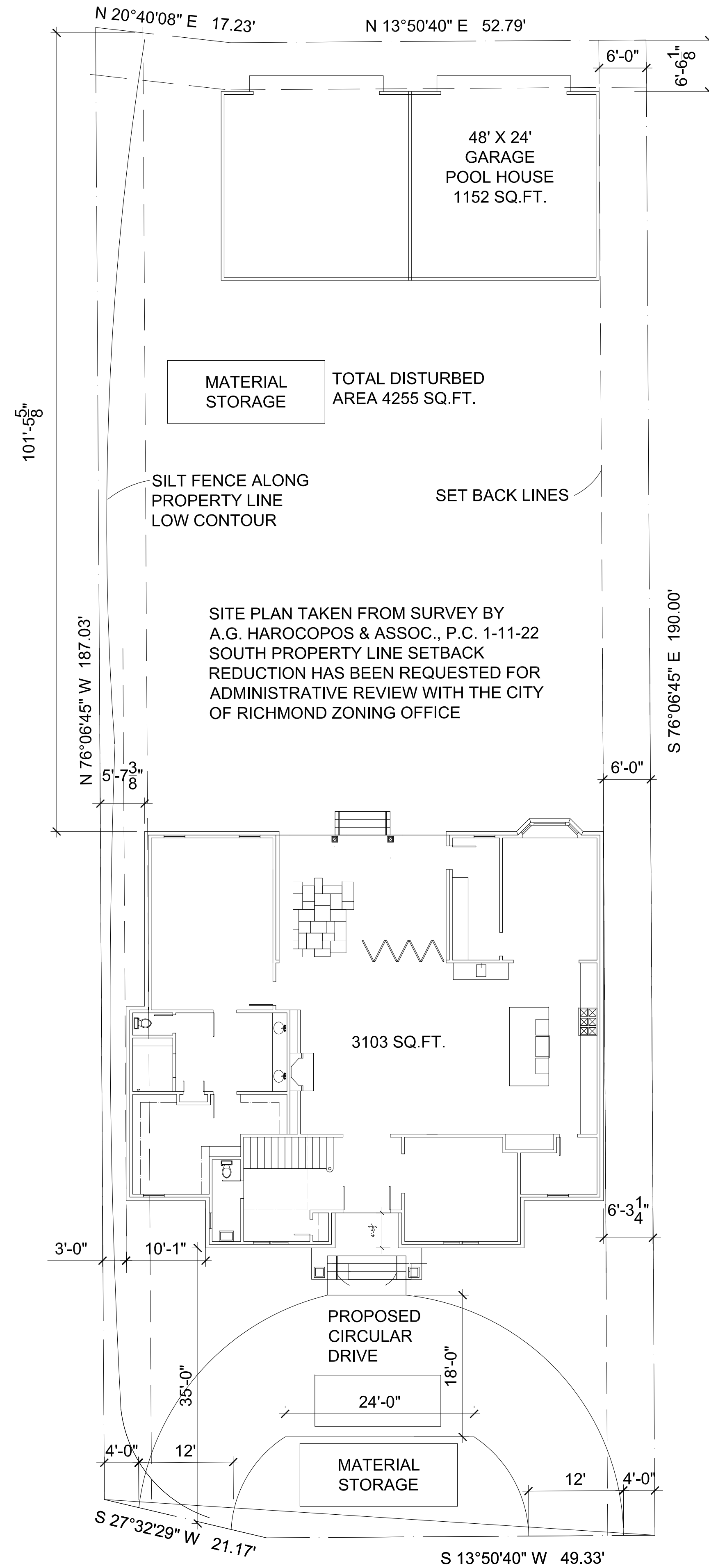
residential commercial reconstruction



NEW RESIDENCE
14 GRANITE AVENUE
RICHMOND, VIRGINIA

PROJECT NUMBER: 2022-2
DATE: FEBRUARY 21, 2022
DRAWN BY: CWA

A-1
SITE PLAN
FIRST FLOOR PLAN



SITE PLAN
SCALE: 1" = 10'

