

INTRODUCED: March 11, 2024

AN ORDINANCE No. 2024-088

To authorize the special use of the property known as 2127 Idlewood Avenue for the purpose of a dwelling unit within an accessory building to a single-family attached dwelling, upon certain terms and conditions.

Patron – Mayor Stoney (By Request)

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: APR 8 2024 AT 6 P.M.

WHEREAS, the owner of the property known as 2127 Idlewood Avenue, which is situated in a R-6 Single-Family Attached Residential District, desires to use such property for the purpose of a dwelling unit within an accessory building to a single-family attached dwelling, which use, among other things, is not currently allowed by section 30-412.2, concerning permitted accessory uses and structures, 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: 8 NOES: 0 ABSTAIN: _____

ADOPTED: APRIL 8 2024 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 2127 Idlewood Avenue and identified as Tax Parcel No. W000-0937/004 in the 2024 records of the City Assessor, being more particularly shown on a survey entitled “Plat Showing Improvements on No. 2127 Idlewood Avenue, in the City of Richmond, Virginia.,” prepared by McKnight & Associates, P.C., and dated January 30, 2023, 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 dwelling unit within an accessory building to a single-family attached dwelling, hereinafter referred to as “the Special Use,” substantially as shown on the plans entitled “Proposed ADU., Special Use Permit,” prepared by Paul Bethel Design, dated May 3, 2023, and last revised August 8, 2023, 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 dwelling unit within an accessory building to a single-family detached dwelling, substantially as shown on the Plans.

(b) The height of the accessory building shall not exceed two stories.

(c) 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 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 (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.

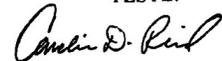
§ 6. **Implementation.** The Commissioner of Buildings is authorized to issue a building permit substantially in accordance with the Plans for the Special Use subject to the terms and conditions set forth in this ordinance. An application for the building permit shall be made within 730 calendar days 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.

APPROVED AS TO FORM:

City Attorney's Office

A TRUE COPY:
TESTE:


City Clerk



City of Richmond

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

Master

File Number: Admin-2024-0133

File ID: Admin-2024-0133

Type: Request for Ordinance or Resolution

Status: Regular Agenda

Version: 2

Reference:

In Control: City Clerk Waiting Room

Department:

Cost:

File Created: 02/13/2024

Subject:

Final Action:

Title:

Internal Notes:

Code Sections:

Agenda Date: 03/11/2024

Indexes:

Agenda Number:

Patron(s):

Enactment Date:

Attachments: Admin 2024-0133_ Application Documents,
Admin-2024-0133-Ordinance - Idlewood Avenue - AATF

Enactment Number:

Contact:

Introduction Date:

Drafter: David.Watson@rva.gov

Effective Date:

Related Files:

Approval History

Version	Seq #	Action Date	Approver	Action	Due Date
2	1	2/13/2024	Matthew Ebinger	Approve	2/15/2024
2	2	2/13/2024	Kris Daniel-Thiem - FYI	Notified - FYI	
2	3	2/14/2024	Kevin Vonck	Approve	2/20/2024
2	4	2/14/2024	Alecia Blackwell - FYI	Notified - FYI	
2	5	2/14/2024	Sharon Ebert - FYI	Notified - FYI	
2	6	2/14/2024	Caitlin Sedano - FYI	Notified - FYI	
2	7	2/22/2024	Jeff Gray	Approve	2/16/2024
2	8	2/23/2024	Lincoln Saunders	Approve	2/26/2024
2	9	2/29/2024	Mayor Stoney	Approve	2/27/2024

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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Text of Legislative File Admin-2024-0133

City of Richmond
Intracity Correspondence

O&R Transmittal

DATE: February 13, 2024

TO: The Honorable Members of City Council

THROUGH: The Honorable Levar M. Stoney, Mayor

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

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

RE: To authorize the special use of the property known as 2127 Idlewood Avenue for the purpose of a dwelling unit within an accessory building to a single-family attached dwelling, upon certain terms and conditions.

ORD. OR RES. No.

PURPOSE: To authorize the special use of the property known as 2127 Idlewood Avenue for the purpose of a dwelling unit within an accessory building to a single-family attached dwelling, upon certain terms and conditions. The applicant is requesting a Special Use Permit to allow for a dwelling unit within an accessory structure to a single-family attached dwelling within the R-6 Single Family Attached Residential District. While the accessory dwelling unit is a permitted use in the R-6 District, it exceeds the allowable floor area by approximately 28 square feet.

BACKGROUND: The property is located in the Byrd Park neighborhood between South Shields Avenue and South Rowland Street. The property is currently a 2,040 square foot (.047 acre) parcel of land with a single-family attached dwelling.

The City's Richmond 300 Master Plan designates a future land use for the subject properties as Neighborhood Mixed-Use, which is defined as, "Existing or new highly-walkable urban neighborhoods that are predominantly residential with a small, but critical, percentage of parcels

providing retail, office, personal service, and institutional uses” (Richmond 300, p. 56, 2020).

Intensity: Building heights are generally two to four stories. Buildings taller than four stories may be found along major streets. Parcels are generally between 1,500 and 5,000 sq. ft.

Primary Uses: Single-family houses, accessory dwelling units, duplexes, small multi-family buildings (typically 3-10 units), and open space.

Secondary Uses: Large multifamily buildings (10+units), retail/office/personal service, institutional, cultural, and government.

The current zoning for the property is R-6 - Residential (Single Family Attached). Adjacent properties are within the same R-6 District. The area is generally residential properties.

COMMUNITY ENGAGEMENT: The Byrd Park Civic League was notified of the application.

STRATEGIC INITIATIVES AND OTHER GOVERNMENTAL: None

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

DESIRED EFFECTIVE DATE: Upon Adoption

REQUESTED INTRODUCTION DATE: March 11, 2024

CITY COUNCIL PUBLIC HEARING DATE: April 8, 2024

REQUESTED AGENDA: Consent

RECOMMENDED COUNCIL COMMITTEE: Planning Commission, April 2, 2024

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

RELATIONSHIP TO EXISTING ORD. OR RES.: None

ATTACHMENTS: Admin 2024-0133_ Application Documents

STAFF: Matthew J. Ebinger, Planning Supervisor - Land Use Administration 804-646-6308
Shaianna Trump, Planner Associate - Land Use Administration 804-646-7319



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: 2127 Idlewood Avenue Date: 05/25/2023

Parcel I.D. #: W000937004 Fee: \$300

Total area of affected site in acres: 0.0055096

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

Zoning

Current Zoning: R-6

Richmond 300 Land Use Designation: NH-MU

Proposed Use

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

Existing Use: Residential

Is this property subject to any previous land use cases?

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

Applicant/Contact Person: Seth Tandett

Company: N/A

Mailing Address: P.O. Box 36240

City: Richmond State: VA Zip Code: 23235

Telephone: (804) 837-5630 Fax: ()

Email: seth@lojamllc.com

Property Owner: Seth Tandett

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: P.O. Box 36240

City: Richmond State: VA Zip Code: 23235

Telephone: (804) 837-5630 Fax: (N/A)

Email: seth@lojamllc.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)

Seth Tandett
11100 Jimmy Ridge Dr.
Richmond, VA 23236

May 25, 2023

Dept. of Planning & Development Review
Land Use Administration Division
900 E. Broad St., Room 511
Richmond, VA 23219

RE: 2127 Idlewood Ave. SUP

To Whom It May Concern,

I am writing to provide further details and elaborate on our proposal to construct an accessory dwelling unit (ADU) in the backyard of 2127 Idlewood. Please refer to the accompanying plan document, which includes the current survey plat, proposed plat, and dimensions of the ADU.

The primary objectives behind our plan are as follows: Firstly, we aim to increase the overall property value of 2127 Idlewood by introducing an additional living space. Secondly, we intend to create a rental opportunity, which will not only benefit us as homeowners but also contribute to the availability of affordable housing in the area. Lastly, we envision the ADU serving as a convenient retirement or in-law studio with easy access to the City.

The proposed plan entails a specific request for a setback change, allowing for a 5'-0" through-way on the southern side of the ADU. This modification will provide adequate space for movement and access around the structure. Furthermore, we have planned for a rear setback from the alley that exceeds the minimum requirement of 5'-0". This additional space will allow for parallel parking, enabling the efficient use of the alley while minimizing any potential impact on the overall building massing.

In addition to the functional considerations, we are also mindful of the aesthetics and safety aspects. We intend to incorporate exterior lighting to enhance the rear parking area, ensuring visibility and security. Furthermore, we aim to illuminate the alley for increased safety and visibility, benefiting both the occupants of the ADU and the neighboring properties.

We firmly believe that the construction of this ADU will have minimal impact on the surrounding community, utilities, and architectural integrity. The design and scale of the ADU have been carefully

May 25, 2023

Page 2

planned to blend harmoniously with the existing neighborhood. We have taken great care to ensure that the addition of the ADU does not contribute to excessive density, high energy consumption, or visual imbalances.

We kindly request your careful consideration of our proposal and hope that you find it aligns with the objectives of responsible development and community enhancement. We are available to provide any further information or address any concerns you may have regarding the plan.

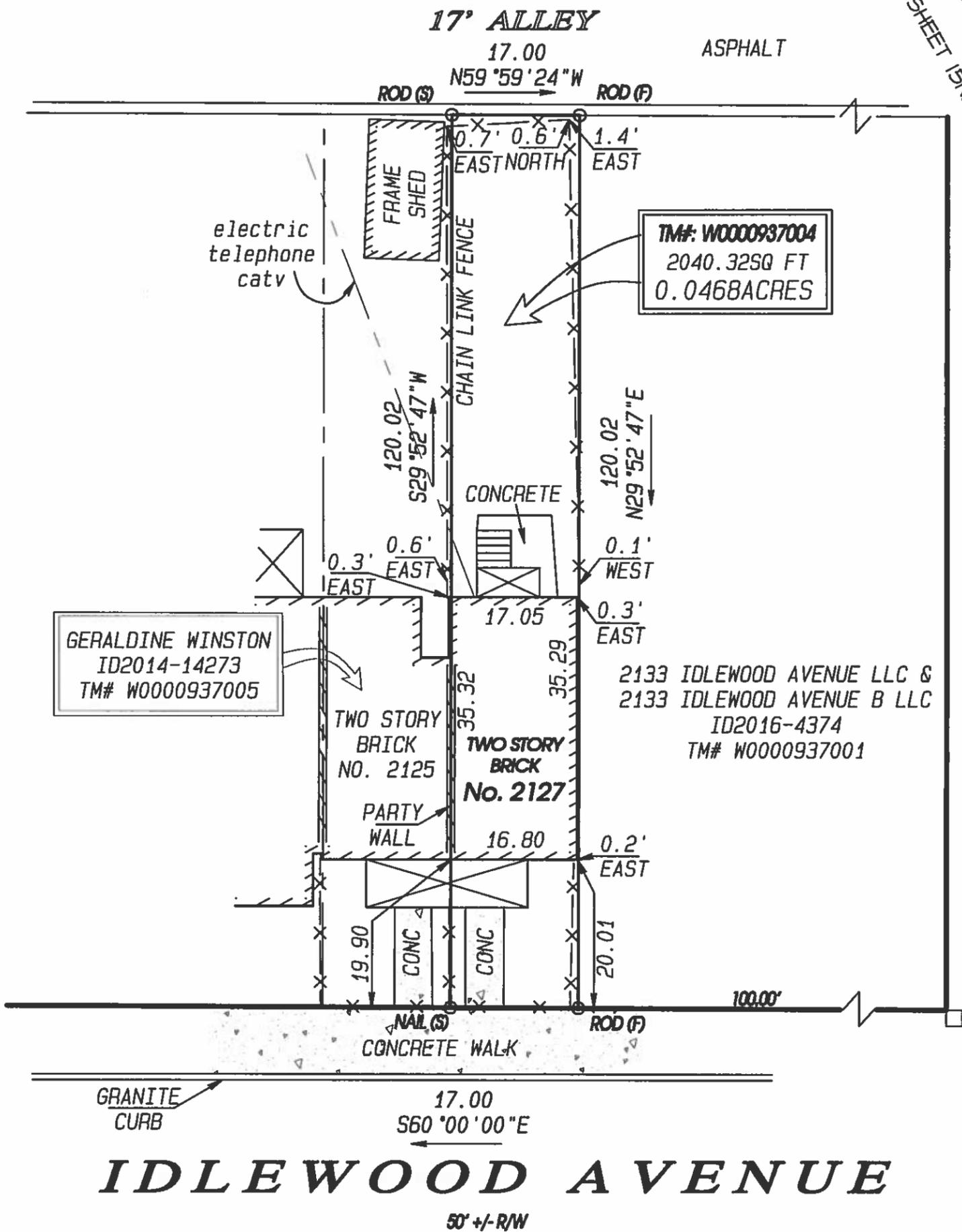
Thank you for your time and attention.

Sincerely,

Seth Tandett

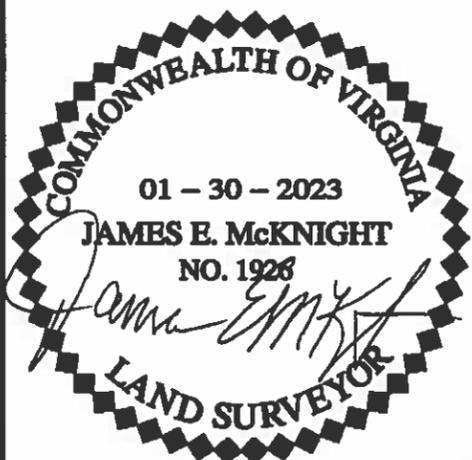
NOTES: THIS PROPERTY IS LOCATED IN F.E.M.A. FLOOD ZONE "X".
 CURRENT OWNER: SETH TANDETT ID2020-5763
 OVERHEAD UTILITIES

CITY OF RICHMOND
 BASELINE SHEET 15NE



**PLAT SHOWING IMPROVEMENTS ON
 No. 2127 IDLEWOOD AVENUE, IN THE
 CITY OF RICHMOND, VIRGINIA.**

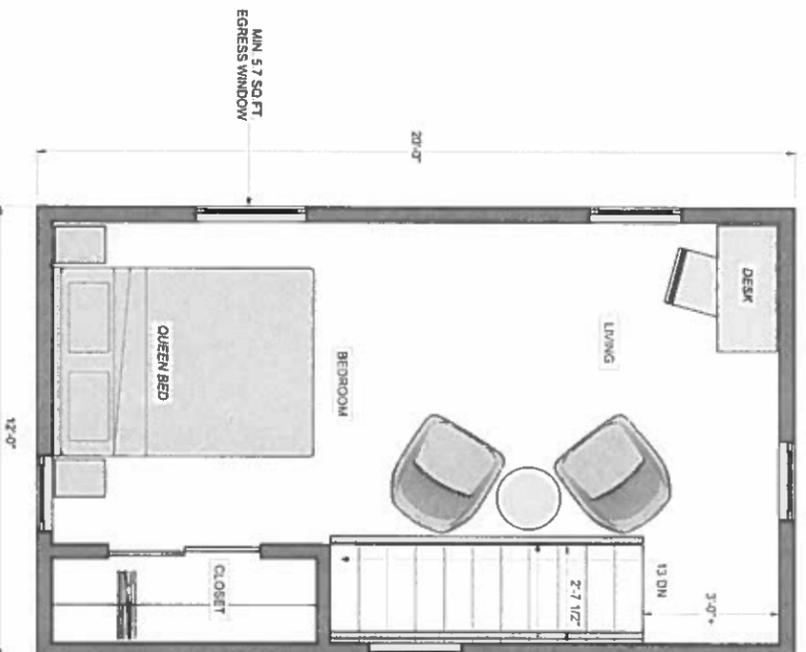
THIS IS TO CERTIFY THAT ON JANUARY 30, 2023, I MADE AN ACCURATE FIELD SURVEY OF THE PREMISES SHOWN HEREON; THAT THERE ARE NO ENCROACHMENTS BY IMPROVEMENTS EITHER FROM ADJOINING PREMISES OR FROM SUBJECT PREMISES UPON ADJOINING PREMISES, OTHER THAN AS SHOWN HEREON. THIS SURVEY IS BEING FURNISHED WITHOUT BENEFIT OF A TITLE REPORT. PREMISES SHOWN HEREON IS SUBJECT TO EASEMENTS OF RECORD OR OTHERWISE. TO THE BEST OF MY KNOWLEDGE AND BELIEF, THIS PLAT COMPLIES WITH THE MINIMUM STANDARDS ESTABLISHED BY THE VIRGINIA STATE BOARD OF ARCHITECTS, PROFESSIONAL ENGINEERS, AND LAND SURVEYORS. SCALE: 1" = 20'



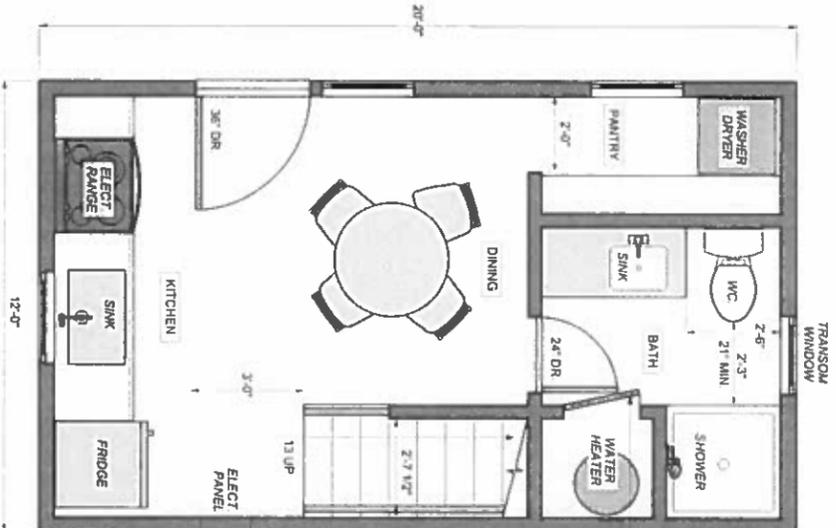
McKNIGHT & ASSOCIATES, P.C.
 LAND SURVEYORS PLANNERS

201 TWIN RIDGE LANE
 RICHMOND, VIRGINIA 23235
 TELEPHONE (804) 320-2646

JOB NUMBER: 90020627

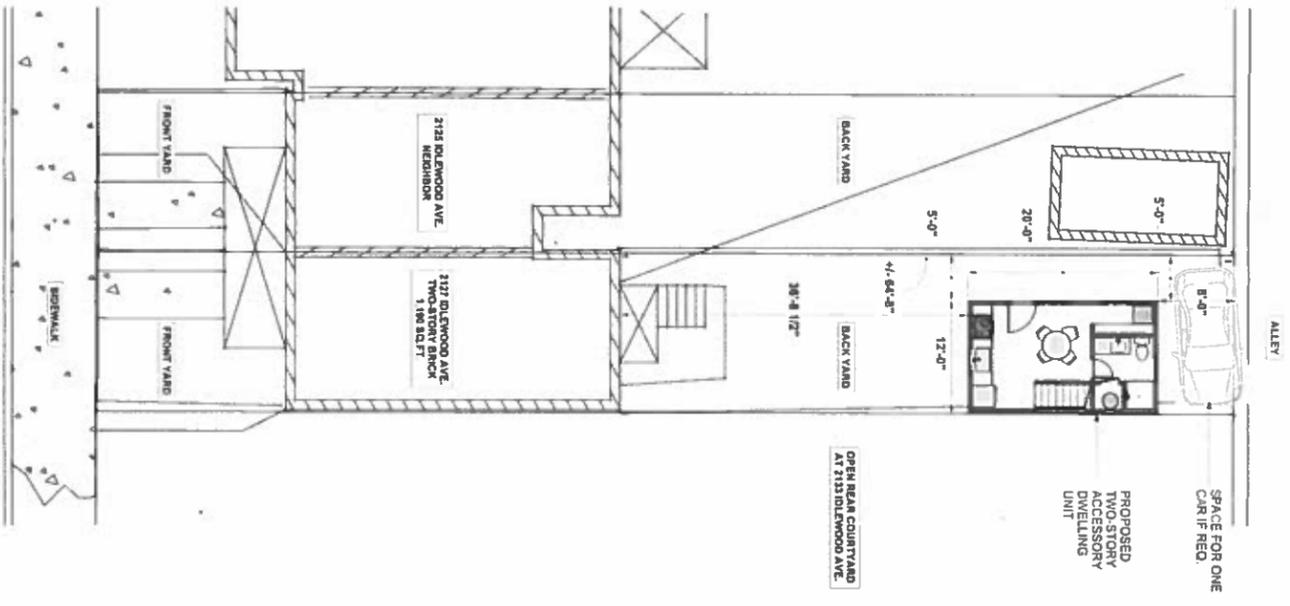


5 PROPOSED ADU, SCHEMATIC SECOND FLOOR PLAN
A101 SCALE: 1/8" = 1'-0" (124)



4 PROPOSED ADU, SCHEMATIC FIRST FLOOR PLAN
A101 SCALE: 1/8" = 1'-0" (124)

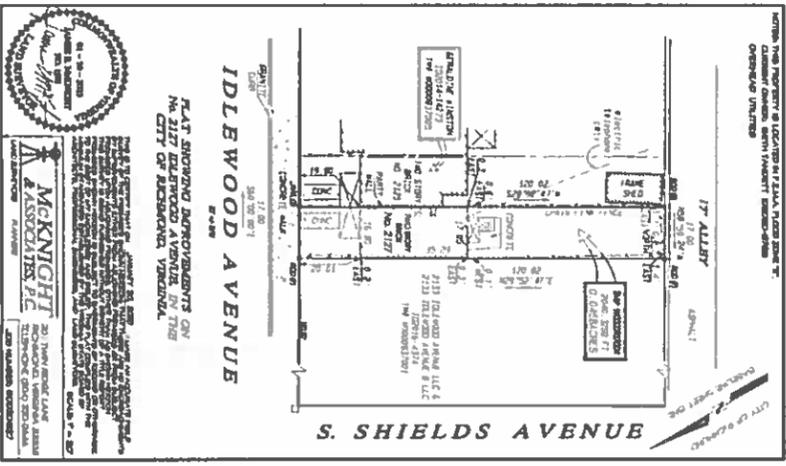
NOTES:
 1. COMPLIANT WITH VUSBC 2018 ZONE R8
 2. PROPOSED BUILDING HEIGHT: 18'-0"
 3. NOT TO EXCEED EXISTING RESIDENCE
 4. 8'-0" HEIGHT INTERIOR CEILING
 5. ELECTRIC HEATING AND COOLING
 6. ELECTRIC WATER HEATER & ELECTRIC RANGE
 7. INSULATED CONCRETE SLAB FOUNDATION
 8. CONTINUOUS RAILING ONE SIDE MINIMUM 6'-0"
 9. HEAD CLEARANCE
 10. PAINTED HARD PANEL SIDING EXTERIOR
 11. PAINTED SEAM METAL ROOF
 12. LOW-E INSULATED CASSEMENT WINDOWS



3 SURVEY PLAT SCAN WITH PROPOSED ADU
A101 SCALE: 1/8" = 1'-0" (126)



2 EXISTING SATELLITE VIEW
A101 NORTH



1 2127 DILWOOD AVE. SURVEY PLAT
A101

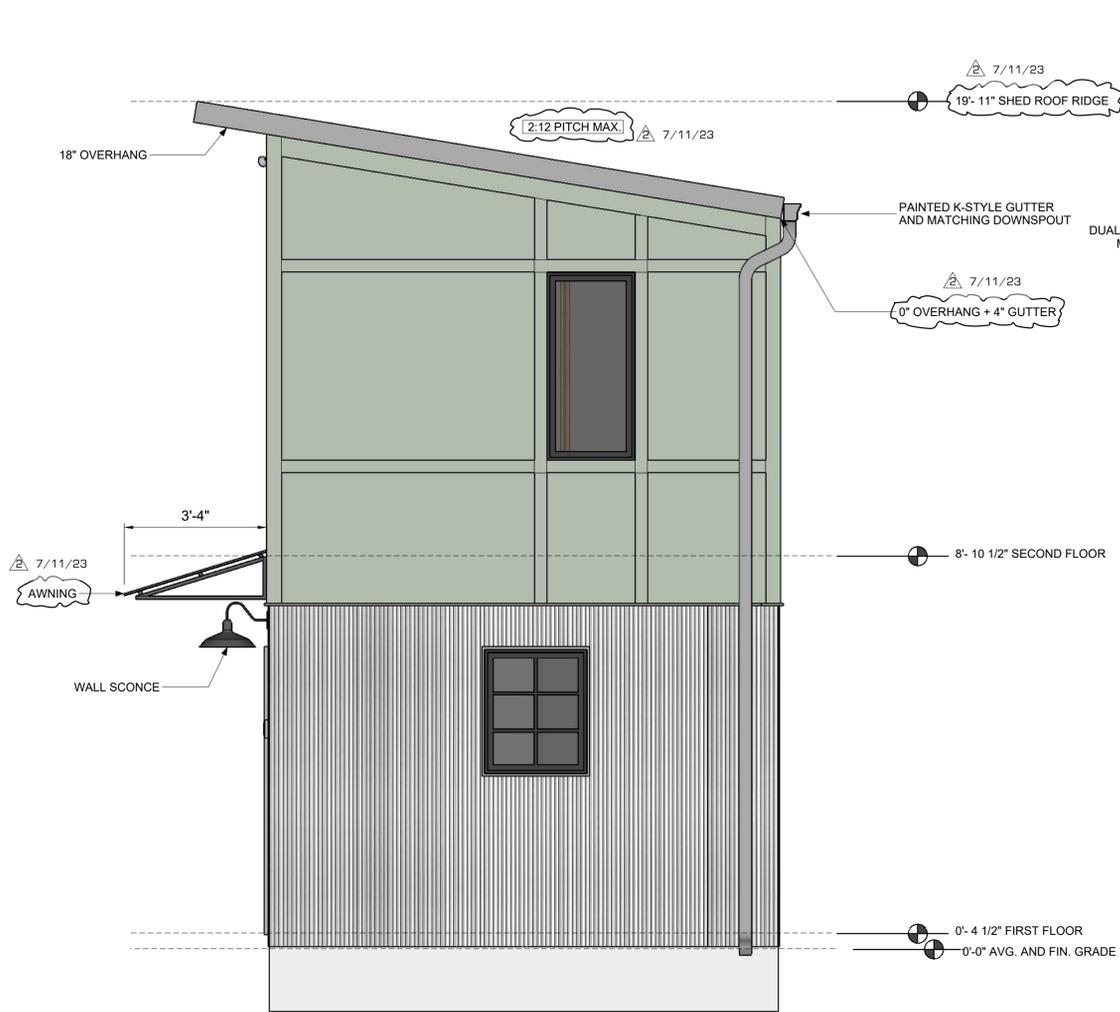
PROJECT LOCATION
 2127 Idlewood Avenue
 Richmond, VA 23220

OWNER
 Paul Bethel Design
 paulbethel.com
 804-437-5830

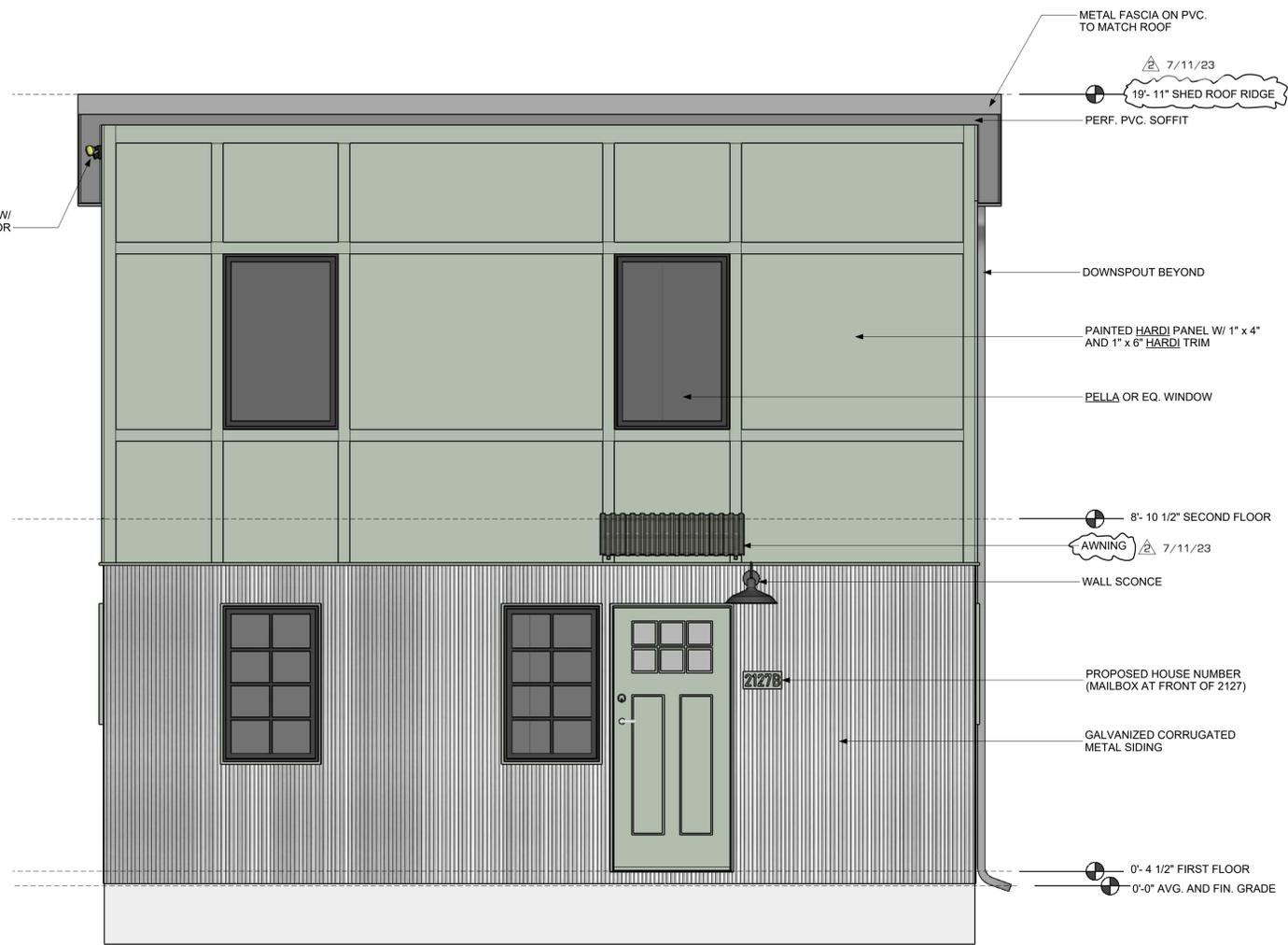
INTERIOR DESIGNER
 Paul Bethel Design
 Richmond, VA 23224
 804-437-5830
 paulbetheldesign.com

GENERAL CONTRACTOR
 2127 Idlewood Avenue LLC
 2127 Idlewood Avenue LLC
 1700 Dilwood Ave
 Richmond, VA 23220

CONSULT ENGINEER
 COMPANY N/A
 ADDRESS N/A
 CITY STATE ZIP N/A
 PROJECT N/A
 VALUE N/A



2
A201 RIGHT ELEVATION
SCALE: 1/2" = 1'-0"



1
A201 FRONT ELEVATION
SCALE: 1/2" = 1'-0"
NOTES THIS PAGE:
NOTES TYPICAL.

PROJECT LOCATION
2127 Idlewood Avenue
Richmond, VA, 23220

OWNER
Seth Tandett
seth@lojamllc.com
804-837-5630

INTERIOR-EXTERIOR DESIGN
Paul Bethel Design
Richmond, VA, 23224
804-539-7529
paul@paulbethel.design.com

GENERAL CONTRACTOR
COMPANY N/A
ADDRESS
CITY, STATE ZIP
PHONE
PROJECT MGR:
NAME

CONSULT. ENGINEER
COMPANY N/A
ADDRESS
CITY, STATE ZIP
PHONE
PROJECT MGR:
NAME

REV.
6/7/23
7/11/23
8/8/23

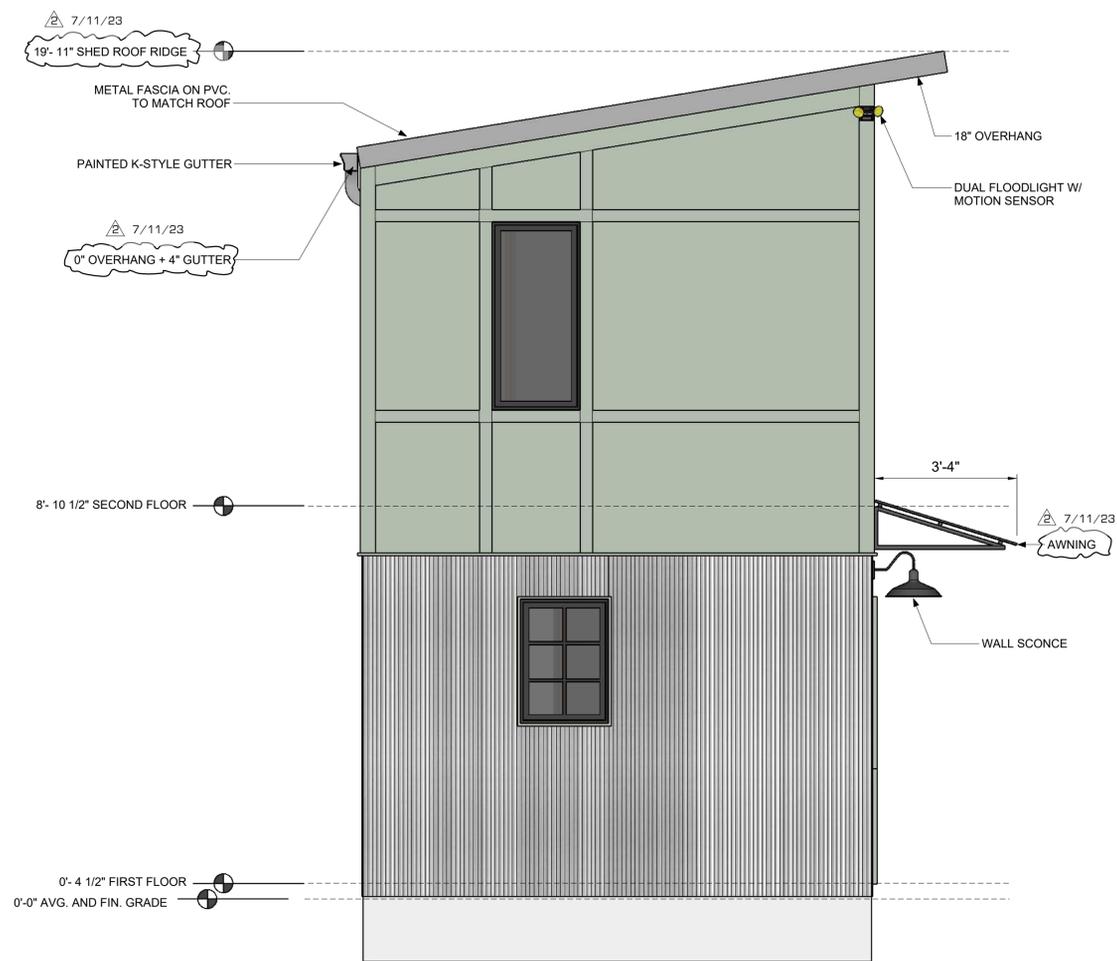
ISSUE:
5/3/23

DWN:
PAUL BETHEL

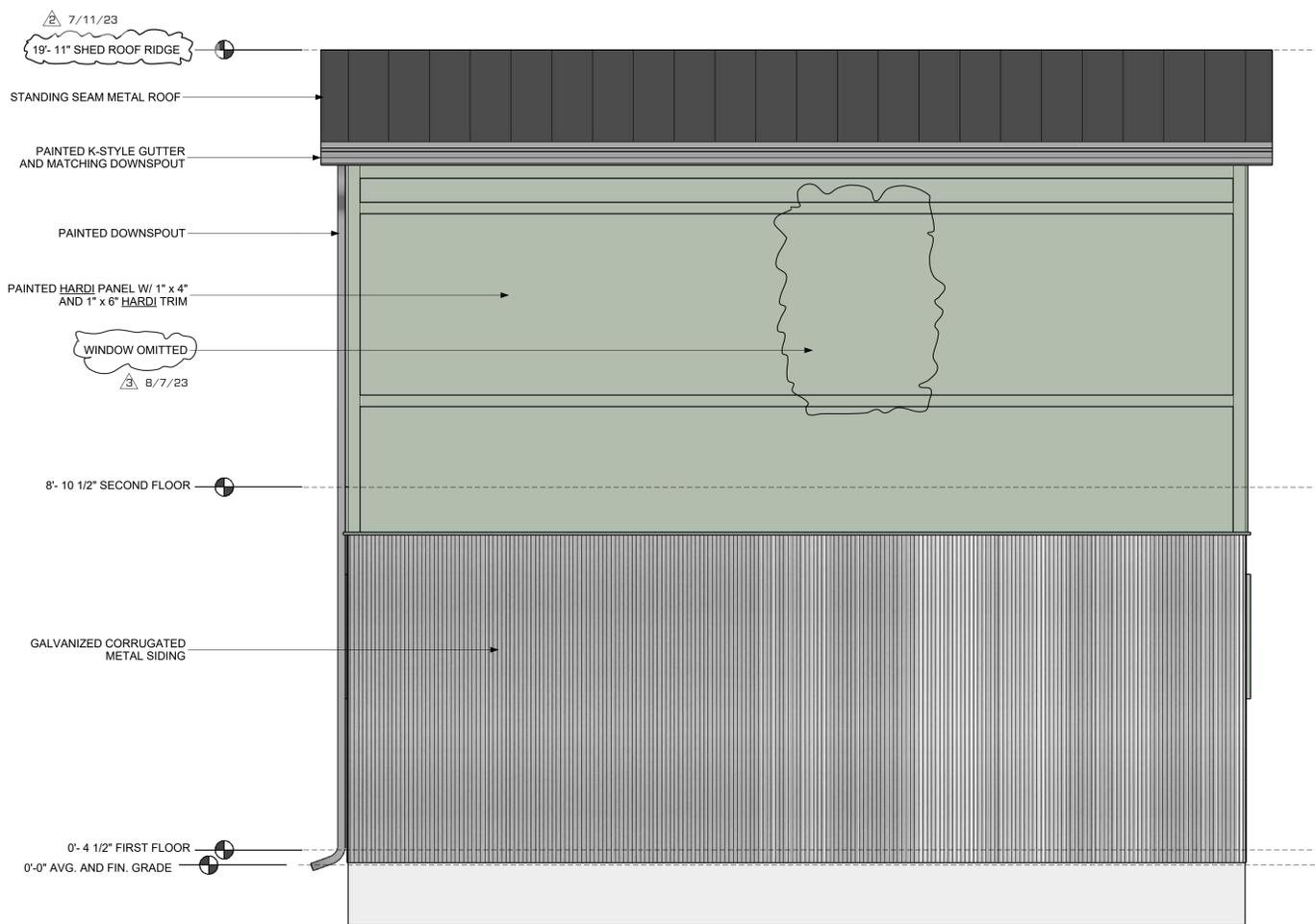
SHEET TITLE
PROPOSED ADU
SPECIAL USE PERMIT
ACCOMPANYING
DOCUMENT
PROPOSED ELEVATIONS

SHEET NUMBER 6/7/23

A201



2 LEFT ELEVATION
A202 SCALE: 1/2" = 1'-0"



1 REAR/WEST ELEVATION
A202 SCALE: 1/2" = 1'-0"

NOTES THIS PAGE:
1. NOTES TYPICAL.
2. REAR/WEST ELEVATION:
TOTAL WALL AREA: 342 SQ.FT.; WINDOW AREA: 9.84 SQ.FT.;
WINDOW = 2.88% OF WALL; 2.88% < 25% = OK!

PROJECT LOCATION
2127 Idlewood Avenue
Richmond, VA, 23220

OWNER
Seth Tandett
seth@lojamllc.com
804-837-5630

INTERIOR-EXTERIOR DESIGN
Paul Bethel Design
Richmond, VA, 23224
804-539-7529
paul@paulbethel.design.com

GENERAL CONTRACTOR
COMPANY
ADDRESS
CITY, STATE ZIP
PHONE
PROJECT MGR.:
NAME

CONSULT. ENGINEER
COMPANY N/A
ADDRESS
CITY, STATE ZIP
PHONE
PROJECT MGR.:
NAME

REV.
7/11/23
7/11/23
8/8/23

ISSUE:
5/3/23

DWN:
PAUL BETHEL

SHEET TITLE
PROPOSED ADU
SPECIAL USE PERMIT
ACCOMPANYING
DOCUMENT
PROPOSED ELEVATIONS

SHEET NUMBER 6/7/23

A202