



DEPARTMENT OF
**PLANNING AND
DEVELOPMENT
REVIEW**

**BOARD OF
ZONING APPEALS**

August 11, 2023

Bertha LLC
21119 Baileys Grove Drive
S Chesterfield, Virginia 23803

Baker Development Resources
530 East Main Street, Suite 730
Richmond, VA 23219
Attn: Mark Baker

To Whom It May Concern:

RE: BZA 30-2023

You are hereby notified that the Board of Zoning Appeals will hold a public hearing on **Wednesday, September 6, 2023 at 1:00 PM** in the 5th Floor Conference Room, City Hall, 900 E. Broad Street to consider an application for a lot split and building permits to construct two new single-family (detached) dwellings at 2916 GARLAND AVENUE (Tax Parcel Number N000-0889/011), located in an R-6 (Single-Family Attached Residential) District. This meeting will be open to in-person participation with a virtual option. The public will have the option to provide their comments by teleconference/videoconference via Microsoft Teams, or in writing via email as indicated below.

Please be advised that the applicant or applicant's representative is required to participate in the subject public hearing either by teleconference/videoconference or in person. For teleconference participation call 804-316-9457 and entering code **977 783 632#**. For video access by computer, smart phone or tablet visit <https://richmondva.legistar.com/Calendar.aspx>. Select the Board of Zoning Appeals drop-down and 2023 drop-down, click meeting details for September 6, 2023 meeting and then click video access. In the event you have difficulty accessing a public hearing you may contact Mr. William Davidson at 804-396-5350 or by email at Chuck.Davidson@rva.gov for assistance. The Board of Zoning Appeals Rules of Procedure provides that in the case of an application for a variance or a special exception, the applicant, proponents or persons aggrieved under §15.2-2314 of the Code of Virginia, shall be permitted a total of six (6) minutes each to present their case. The Board of Zoning Appeals will withhold questions until the conclusion of the respective presentations. For the purposes of the record it also requested that before addressing the Board you identify yourself and spell your name.

Finally, when you submitted your application to the zoning office you were given an handout entitled, Suggestions for Presenting Your Case to the Board, which indicated that you should discuss your request with your neighbor(s) and neighborhood

BZA 30-2023
Page 2
August 11, 2023

association(s) prior to appearing before the Board of Zoning Appeals. Contact information for civic group(s) can be found by navigating to the Civic Group webpage of the City's website at <https://www.rva.gov/planning-development-review/civic-groups>. Once there, you can search for your property using the interactive map. A dialogue box will provide you with the names of all civic groups within which your property may lie. Once you have those group names, simply scroll down the page to the appropriate group(s) to find the contact information for each. The Board understands that given the current situation it is not practical to conduct face-to-face discussions with either your neighbors or neighborhood association(s) but the Board requests that you make a good faith effort to provide them with relevant information regarding your case.

If you have any questions regarding the Board's procedures or any issue involving presentation of your case, please feel free to contact me.

Very truly yours,

A handwritten signature in dark ink, reading "Roy W. Benbow". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Roy W. Benbow, Secretary
Phone: (804) 240-2124
E-mail: Roy.Benbow@rva.gov

cc: Zoning Administrator

Notice of this meeting is being sent to the persons whom the Board of Zoning Appeals believes to be property owners in the immediate vicinity of the property concerned in this application. This notice is for their information only, and there is no need for them to appear unless they so desire. The Board will, however, welcome such views as any persons care to express during the hearing on this application.

107 West Brookland Park Boulevard Llc
Po Box 4064
Glen Allen, VA 23058

115, 119, 121 W Brookland Park Blvd Llc
Po Box 14609
Richmond, VA 23221

Akers Dylan Nathaniel
2915 Hanes Ave
Richmond, VA 23222

Brod Brandon Michael And Stirling Daniel
William
2905 Hanes Ave
Richmond, VA 23222

Campbell Courtney L
2919 Garland Ave
Richmond, VA 23222

Colonial One Investment Group Llc
5511 Staples Mill Rd #300
Richmond, VA 23228

Cousins Rae C
2917 Hanes Ave
Richmond, VA 23222

Davis Cary M
2925 Garland Ave
Richmond, VA 23222

Davis Lord Senon Jr And Christina Lindsey
2908 Garland Ave
Richmond, VA 23222

Elliott Stephanie R
2922 Garland Ave
Richmond, VA 23222

Fox & The Ram Group Llc
113 W Brookland Park Blvd
Richmond, VA 23222

Gorfain Yannick And Sarah L
2911 Garland Ave
Richmond, VA 23222

Green Andrew And Goldman Mallory
2921 Garland Ave
Richmond, VA 23222

Grinnage Kerri And Ennis Brian
2904 Garland Ave
Richmond, VA 23222

Guzman Investment Group Llc
19058 Bent Oak Ln
Montpelier, VA 23192

Herman Donovan E And Stanton Stephanie
A
2927 Garland Ave
Richmond, VA 23222

Holick Andrew J
8907 Royal Birkdale Dr
Chesterfield, VA 23832

Howell David L And Pearle L
2923 Garland Ave
Richmond, VA 23222

Jabez Llc
Po Box 70367
Richmond, VA 23255

Koeble Susan M
2917 Garland Ave
Richmond, VA 23222

Lundy Leroy M And Jerilyn C
6921 Marlowe Rd #1007
Richmond, VA 23225

Megyeri Investments Llc
2800 Patterson Ave
Richmond, VA 23221

North Side Holdings Llc
8800 Cardiff Rd
N Chesterfield, VA 23236

Nova Commercial Ventures Iii Llc
1035 Riva Ridge Dr
Great Falls, VA 22066

Prendergast Heather June
2920 Garland Ave
Richmond, VA 23222

Smith Ethan Odell
2915 1/2 Garland Ave
Richmond, VA 23220

Snook Jason And Katie
2909 Hanes Ave
Richmond, VA 23222

Thompson Sabrina A
2912 Garland Ave
Richmond, VA 23222

Tunstall Yvonne M
2913 Hanes Ave
Richmond, VA 23222

Property: 2916 Garland Ave Parcel ID: N0000889011**Parcel**

Street Address: 2916 Garland Ave Richmond, VA 23222-
Owner: BERTHA LLC
Mailing Address: 21119 BAILEYS GROVE DR, S CHESTERFIELD, VA 23803
Subdivision Name : BROOKLAND PARK
Parent Parcel ID:
Assessment Area: 316 - Battery Court
Property Class: 161 - R Two Family Converted
Zoning District: R-6 - Residential (Single Family Attached)
Exemption Code: -

Current Assessment

Effective Date: 01/01/2023
Land Value: \$75,000
Improvement Value: \$114,000
Total Value: \$189,000
Area Tax: \$0
Special Assessment District: None

Land Description

Parcel Square Feet: 8100
Acreage: 0.186
Property Description 1: 0060.00X0135.00 0000.000
State Plane Coords(?): X= 11791775.096044 Y= 3733153.012092
Latitude: 37.57086624 , **Longitude:** -77.43413969

Description

Land Type: Residential Lot A
Topology: Level
Front Size: 60
Rear Size: 135
Parcel Square Feet: 8100
Acreage: 0.186
Property Description 1: 0060.00X0135.00 0000.000
Subdivision Name : BROOKLAND PARK
State Plane Coords(?): X= 11791775.096044 Y= 3733153.012092
Latitude: 37.57086624 , **Longitude:** -77.43413969

Other

Street improvement: Paved
Sidewalk: Yes

Assessments

Assessment Year	Land Value	Improvement Value	Total Value	Reason
2023	\$75,000	\$114,000	\$189,000	Reassessment
2022	\$65,000	\$104,000	\$169,000	Reassessment
2021	\$50,000	\$98,000	\$148,000	Reassessment
2020	\$50,000	\$93,000	\$143,000	Reassessment
2019	\$45,000	\$93,000	\$138,000	Reassessment
2018	\$45,000	\$82,000	\$127,000	Reassessment
2017	\$40,000	\$50,000	\$90,000	Reassessment
2016	\$29,000	\$50,000	\$79,000	Reassessment
2015	\$29,000	\$49,000	\$78,000	Reassessment
2014	\$29,000	\$49,000	\$78,000	Reassessment
2013	\$29,000	\$49,000	\$78,000	Reassessment
2012	\$29,000	\$49,000	\$78,000	Reassessment
2011	\$29,000	\$58,000	\$87,000	CarryOver
2010	\$29,000	\$58,000	\$87,000	Reassessment
2009	\$28,500	\$65,600	\$94,100	Reassessment
2008	\$28,500	\$65,600	\$94,100	Reassessment
2007	\$26,000	\$65,600	\$91,600	Reassessment
2006	\$18,900	\$65,600	\$84,500	Reassessment
2005	\$14,300	\$52,500	\$66,800	Reassessment
2004	\$12,100	\$44,500	\$56,600	Reassessment
2003	\$11,600	\$42,800	\$54,400	Reassessment
2002	\$11,000	\$40,800	\$51,800	Reassessment
2001	\$10,350	\$38,500	\$48,850	Reassessment
2000	\$9,000	\$38,500	\$47,500	Reassessment
1998	\$9,000	\$38,500	\$47,500	Not Available

Transfers

Transfer Date	Consideration Amount	Grantor Name	Deed Reference	Verified Market Sale Description
06/26/2023	\$212,300	WINSTON GRACE G T EST	ID2023-9445	2 - INVALID SALE-Foreclosure, Forced Sale, etc.
04/30/2003	\$0	WINSTON GRACE	IW2003-405	
10/05/1966	\$9,000	Not Available	00641-C0508	

Planning

Master Plan Future Land Use: R
Zoning District: R-6 - Residential (Single Family Attached)
Planning District: North
Traffic Zone: 1018
City Neighborhood Code: NBHG
City Neighborhood Name: Northern Barton Heights
Civic Code: 4001
Civic Association Name: Battery Park Civic Association
Subdivision Name: BROOKLAND PARK
City Old and Historic District:
National historic District: Brookland Park
Neighborhoods in Bloom:
Redevelopment Conservation Area:

Economic Development

Care Area: -
Enterprise Zone:

Environment

100 YEAR Flood Plain Flag: Contact the Water Resources Division at 646-7586.
500 YEAR Flood Plain Flag: N
Resource Protection Flag: Contact the Water Resources Division at 646-7586.
Wetland Flag: N

Census

Census Year	Block	Block Group	Tract
2000	3009	0107003	010700
1990	401	0107004	010700

Schools

Elementary School: Barack Obama
Middle School: Henderson
High School: Marshall

Public Safety

Police Precinct: 4
Police Sector: 411
Fire District: 14
Dispatch Zone: 091C

Public Works Schedules

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

Government Districts

Council District: 3
Voter Precinct: 305
State House District: 79
State Senate District: 14
Congressional District: 4

Extension 1 Details

Extension Name: R01 - Residential record #01
Year Built: 1919
Stories: 2
Units: 0
Number Of Rooms: 8
Number Of Bed Rooms: 4
Number Of Full Baths: 2
Number Of Half Baths: 0
Condition: normal for age
Foundation Type: Full Crawl
1st Predominant Exterior: Alum/Vinyl
2nd Predominant Exterior: N/A
Roof Style: Gable-Hip
Roof Material: Metal
Interior Wall: Plaster
Floor Finish: Hardwood-std oak
Heating Type: Hot water or steam
Central Air: N
Basement Garage Car #: 0
Fireplace: N
Building Description (Out Building and Yard Items) :

Extension 1 Dimensions

Finished Living Area: 1761 Sqft
Attic: 0 Sqft
Finished Attic: 0 Sqft
Basement: 0 Sqft
Finished Basement: 0 Sqft
Attached Garage: 0 Sqft
Detached Garage: 0 Sqft
Attached Carport: 0 Sqft
Enclosed Porch: 0 Sqft
Open Porch: 433 Sqft
Deck: 0 Sqft

Property Images

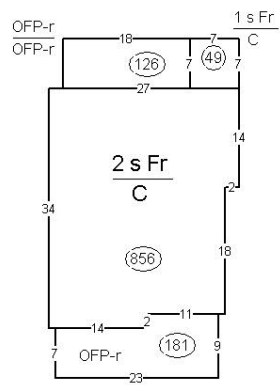
Name:N0000889011 Desc:R01



[Click here for Larger Image](#)

Sketch Images

Name:N0000889011 Desc:R01



RICHMOND BOARD OF ZONING APPEALS APPLICATION FORM



THE RICHMOND ZONING ADMINISTRATION OFFICE
ROOM 110, CITY HALL, 900 EAST BROAD STREET
RICHMOND, VIRGINIA 23219
(804) 646-6340

TO BE COMPLETED BY THE APPLICANT

PROPERTY	2916 Garland Ave	PHONE: (Home) _____ (Mobile) _____
OWNER:	Bertha LLC	FAX: (Home) _____
(Name/Address)	21119 Baileys Grove Dr	E-mail: _____
	S Chesterfield, VA 23235	
OWNER'S	Baker Development Resources	PHONE: (Home) _____ (Mobile) (804) 874-6275
REPRESENTATIVE	530 East Main Street, Ste 730	FAX: (Home) () (Mobile) _____
(Name/Address)	Richmond, VA 23219	E-mail: <u>markbaker@bakerdevelopmentresources.com</u>
	Attn: Mark Baker	

TO BE COMPLETED BY THE ZONING ADMINISTRATION OFFICE

PROPERTY ADDRESS (ES): 2916 Garland Avenue

TYPE OF APPLICATION: ☐ VARIANCE ☒ SPECIAL EXCEPTION ☐ OTHER _____

ZONING ORDINANCE SECTION NUMBERS(S): 30-300 and 30-412.4(1)

APPLICATION REQUIRED FOR: A lot split and building permits to construct two (2) new single family detached dwellings

TAX PARCEL NUMBER(S): N000-088/9011 ZONING DISTRICT: R-6 - (Single Family Attached Residential)

REQUEST DISAPPROVED FOR THE REASON THAT: The lot area and lot width requirements are not met. Lot areas of five thousand square feet (5000 SF) and lot widths of fifty feet (50') are required. For Zoning purposes, one (1) lot having a lot area of 8,100.0 square feet and a lot width of sixty feet (60') currently exists; lot areas of 4,050.0 square, and lot widths of 30.0 feet are proposed.

DATE REQUEST DISAPPROVED: 7/12/2023 FEE WAIVER: ☐ YES ☒ NO

DATE FILED: 7/12/2023 TIME FILED: 03:27pm PREPARED BY: Delva Daley RECEIPT NO. BZAR-133277-2023

AS CERTIFIED BY: [Signature] (ZONING ADMINSTRATOR)

I BASE MY APPLICATION ON:

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

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

SECTION 1040.3 PARAGRAPH(S) (2) OF THE ZONING ORDINANCE OF THE CITY OF RICHMOND

TO BE COMPLETED BY APPLICANT

I have received the handouts, *Suggestions for Presenting Your Case to the Board & Excerpts from the City Charter* ☒

I have been notified that I, or my representative, must be present at the hearing at which my request will be considered.

SIGNATURE OF OWNER OR AUTHORIZED AGENT: [Signature] DATE: 8/2/2023

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

CASE NUMBER: BZA 30-2023 HEARING DATE: September 6, 2023 AT 1:00 P.M.

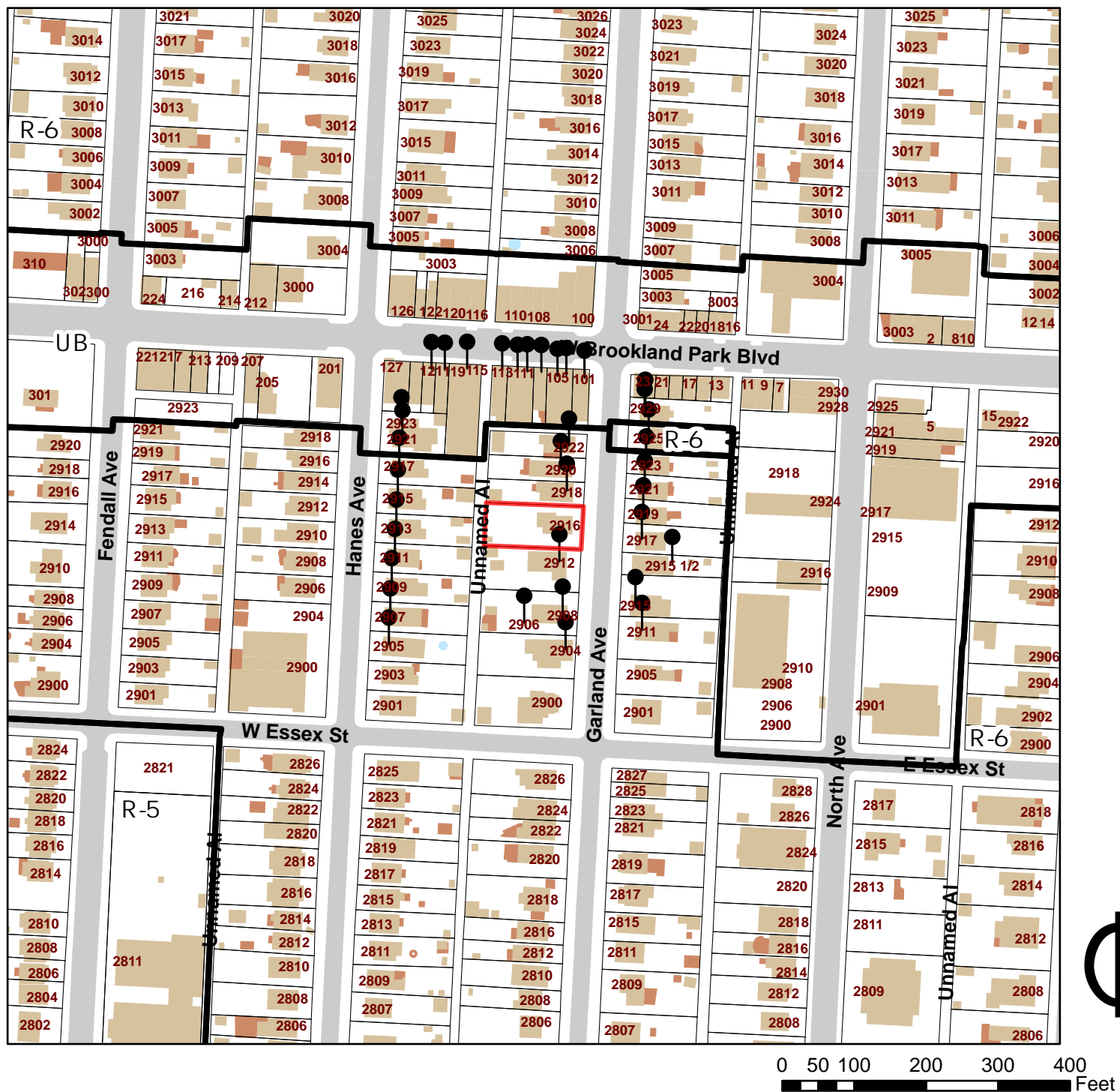
BOARD OF ZONING APPEALS CASE BZA 30-2023
150' Buffer

APPLICANT(S): Bertha LLC

PREMISES: 2916 Garland Avenue
(Tax Parcel Number N000-0889/011)

SUBJECT: A lot split and building permits to construct two new single-family (detached) dwellings.

REASON FOR THE REQUEST: Based on Sections 30-300 & 30-412.4(1)
of the Zoning Ordinance for the reason that:
The lot area and lot width requirements are not met.





BOARD OF ZONING APPEALS PRESENTATION SUGGESTIONS

CITY OF RICHMOND, VIRGINIA

When presenting your request for a variance or exception to the Board of Zoning Appeals, it is important that you consider the points outlined below. The City Charter requires that every decision of the Board must be based upon a finding of fact that the Board must determine from sworn testimony, together with pertinent evidence, presented at its public hearing. It is essential that the Board receive thorough and complete information in order for it to adequately consider your case and make an informed decision.

1. The powers and duties of the Board of Zoning Appeals (BZA) are specified in Section 17.20 of the City Charter and Article X, Division 5, of the Zoning Ordinance. The Zoning Office will assist you in identifying how your case should be filed. If you have questions regarding your case filing, please contact the Zoning Administration Office (804-646-6340) or at PDRZoningAdministration@Richmondgov.com. Please review the applicable provisions of the City Charter or the Zoning Ordinance thoroughly and address them when presenting your case to the Board to show that the applicable requirements have been satisfied.
2. The Board of Zoning Appeals is a quasi-judicial board whose decisions are controlled by statutory law and also take into consideration applicable case law that has been handed down by the Richmond Circuit Court and the Virginia Supreme Court. The Board suggests that if you have any legal questions regarding statutory or case law as it may apply to your application, that those legal issues should be discussed with an attorney before you make your final decision to submit an application to the Board.
3. The Board considers it essential that you discuss your case with nearby residents (notification letters are sent to all property owners within a 150-foot radius of your property) and any nearby civic association(s). Information regarding your neighborhood association(s) and/or contact person(s) may be obtained [here](#). Once on the page, you can search for your property using the interactive map. A dialogue box will provide you with the names of all civic groups within which your property may lie. Once you have those group names, scroll down the page to the appropriate group(s) to find the contact information for each.

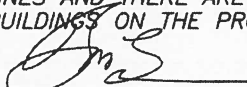
Be advised that if you fail to discuss your request with your neighbors and neighborhood association(s), you should anticipate that your case will be continued until the Board's next regularly scheduled meeting. It is highly recommended that you contact your neighborhood association as soon as possible to determine their meeting schedule in order to be sure you allow yourself enough time to talk to all concerned parties prior to the hearing before the Board. The Board's Rules of Procedure require payment of a one-hundred fifty dollar (\$150) continuance fee if the applicant must request a continuance for the reason that the applicant failed to discuss their case with their neighbor(s) or neighborhood association(s).

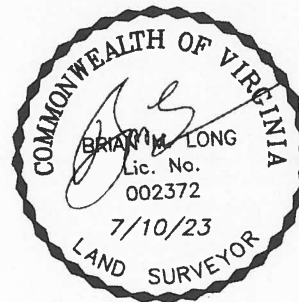
4. You are also strongly encouraged to discuss your pending case with the Secretary of the Board, Roy Benbow at (804) 240-2124 well before the hearing. The BZA Secretary can be helpful by explaining the BZA public hearing requirements and process.
5. Utilizing photographs, plans, maps, diagrams and such other written or graphic evidence as needed to fully explain your request can be a great help to the Board in understanding your request and thereby improve your chances for success. Remember . . . a picture is worth a thousand words.
6. Note that, although the Board is not authorized to grant a waiver from the zoning regulations based on financial circumstances alone, it may be a factor to be taken into consideration along with other facts in a case. If your case involves such a factor, please provide the Board with complete and relevant financial information for its review.
7. The Board's hearings are informal, although all testimony is taken under oath. You are not required to be represented by an attorney in presenting your case. However, if you choose, you may have legal representation and/or may utilize such technical experts or other persons to testify on your behalf as you feel are needed to adequately explain your request to the Board.

Acknowledgement of Receipt by Applicant or Authorized Agent: _____

A handwritten signature in dark ink, appearing to be "M. Benbow", is written over a horizontal line.

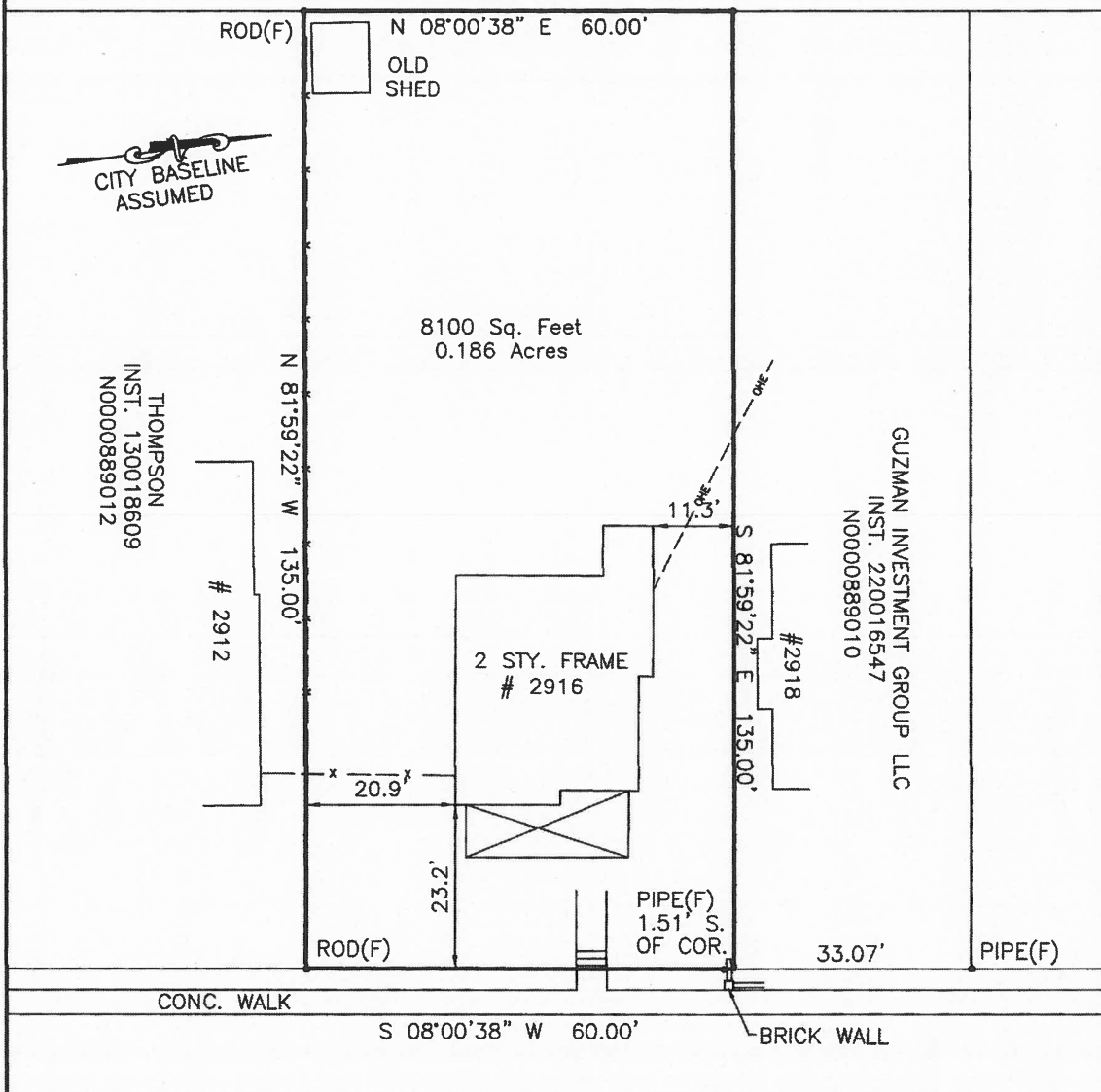
THIS IS TO CERTIFY THAT ON 7/10/23 I SURVEYED
THE PROPERTY SHOWN ON THIS PLAT AND THAT THE TITLE
LINES AND WALLS OF THE BUILDING ARE AS SHOWN ON
THIS PLAT. THE BUILDINGS STAND STRICTLY WITHIN THE TITLE
LINES AND THERE ARE NO ENCROACHMENTS OF OTHER
BUILDINGS ON THE PROPERTY EXCEPT AS SHOWN


BRIAN LONG, L.S.



- 1) THIS PARCEL IS NOT IN A FEMA FLOOD HAZARD ZONE
- 2) THIS SURVEY IS BASED ON CURRENT FIELD WORK
- 3) THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT
OF A TITLE REPORT, THEREFORE ALL ENCUMBRANCES
MIGHT NOT BE SHOWN.

15' PUBLIC ALLEY



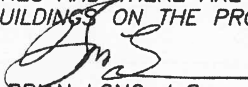
GARLAND AVE.
60'± PUBLIC R/W

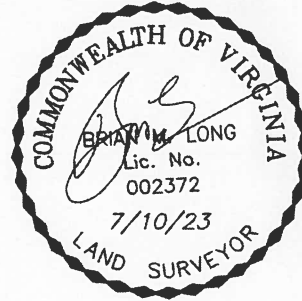
**SURVEY OF
2916 GARLAND AVE.**

LONG SURVEYING, LLC
4650 FACTORY MILL ROAD
MAIDENS, VA 23012
804-314-5620

CITY OF RICHMOND
VIRGINIA
JULY 11, 2023
SCALE: 1"=20'

THIS IS TO CERTIFY THAT ON 7/10/23 I SURVEYED
THE PROPERTY SHOWN ON THIS PLAT AND THAT THE TITLE
LINES AND WALLS OF THE BUILDING ARE AS SHOWN ON
THIS PLAT. THE BUILDINGS STAND STRICTLY WITHIN THE TITLE
LINES AND THERE ARE NO ENCROACHMENTS OF OTHER
BUILDINGS ON THE PROPERTY EXCEPT AS SHOWN

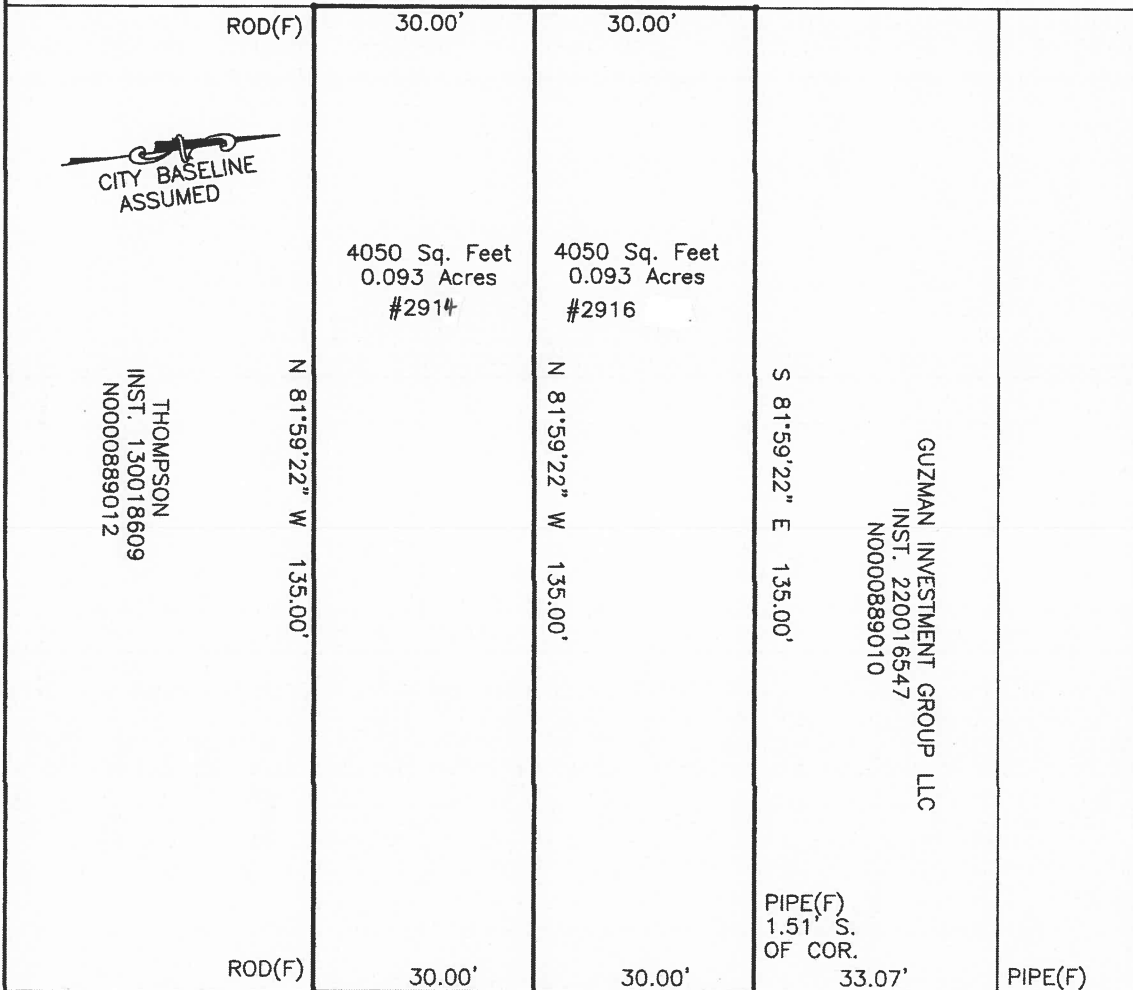

BRIAN LONG, L.S.



- 1) THIS PARCEL IS NOT IN A FEMA FLOOD HAZARD ZONE
- 2) THIS SURVEY IS BASED ON CURRENT FIELD WORK
- 3) THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT
OF A TITLE REPORT, THEREFORE ALL ENCUMBRANCES
MIGHT NOT BE SHOWN.

N 08°00'38" E 60.00'

15' PUBLIC ALLEY



S 08°00'38" W 60.00'

155.3' TO S/L OF
W. BROOKLAND PARK
BLVD.

GARLAND AVE.

60'± PUBLIC R/W

**DIVISION OF
2916 GARLAND AVE.**

LONG SURVEYING, LLC
4650 FACTORY MILL ROAD
MAIDENS, VA 23012
804-314-5620

CITY OF RICHMOND
VIRGINIA
JULY 11, 2023
SCALE: 1"=20'

SCALE: 1"=20'

ADDRESS: 2914 GARLAND
PARCEL: N0000889011 (PART)
ZONED R-6
SETBACKS

FRONT: 15'
SIDE: 3'
REAR: 5'

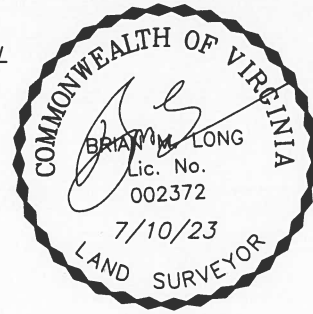
EX. LOT SIZE: 4050 SQ.FT.

AREA OF DISTURBANCE: 2569 Sq. Feet

ONCE CONSTRUCTION IS COMPLETE SITE
IS TO BE PERMANENTLY SEEDED.



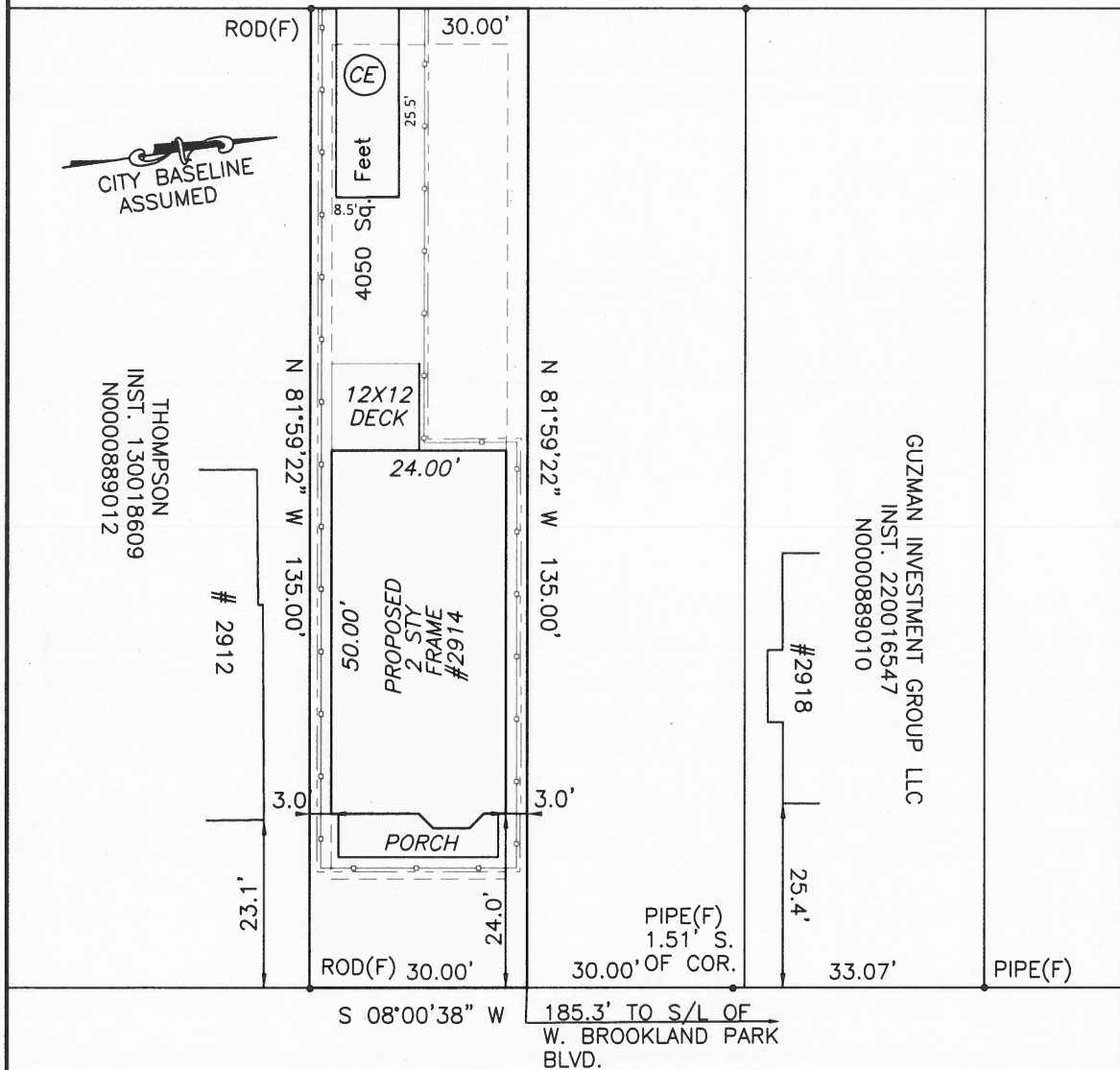
CONSTRUCTION ENTRANCE
FUTURE 8.5'x 25.5' GRAVEL
PARKING SPACE



—○—○— SILT FENCE
- - - - - SETBACKS
- - - - - LIMITS OF DISTURBANCE

N 08°00'38" E

15' PUBLIC ALLEY

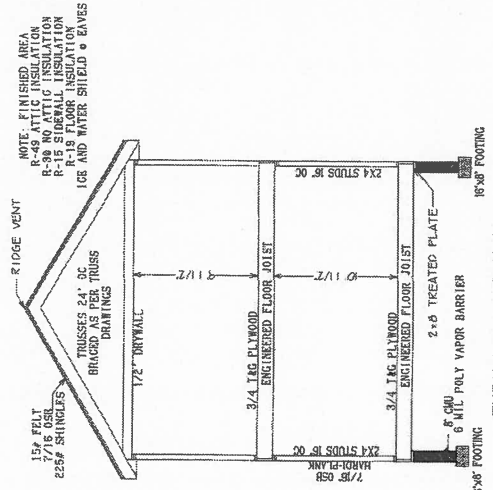
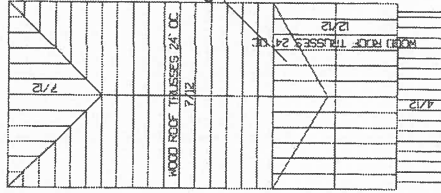
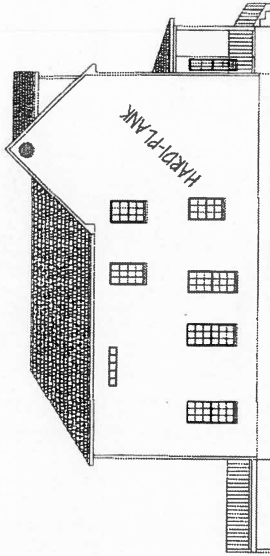
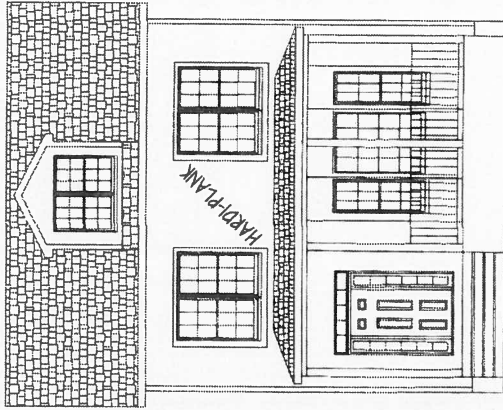


GARLAND AVE.
60'± PUBLIC R/W

SITE PLAN 2914 GARLAND AVE.

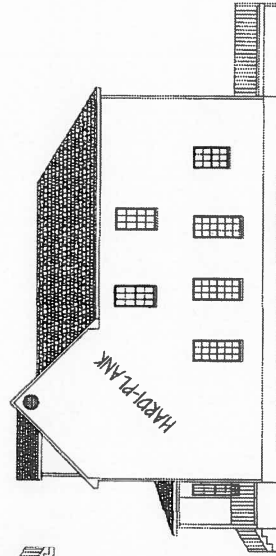
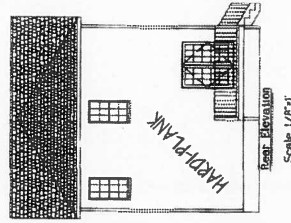
LONG SURVEYING, LLC
4650 FACTORY MILL ROAD
MAIDENS, VA 23012
804-314-5620

CITY OF RICHMOND
VIRGINIA
JULY 11, 2023
SCALE: 1"=20'

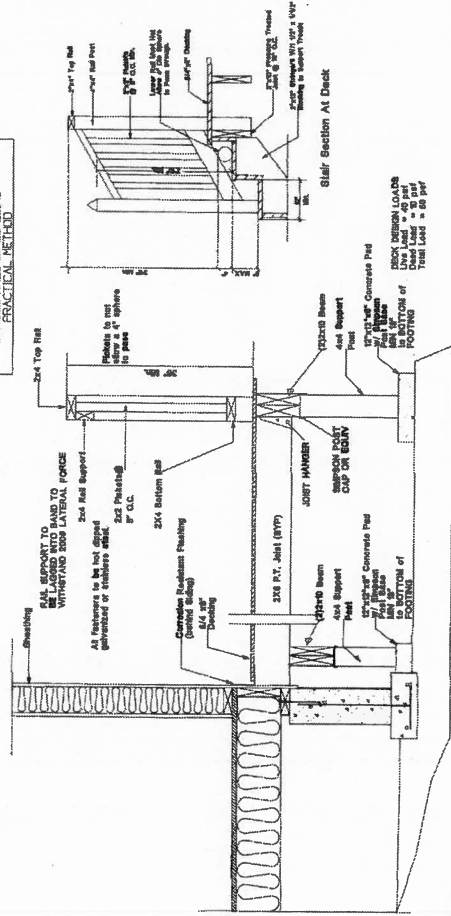


Front Elevation

Scale 1/4"=1'



MIRROR



THIS PLAN WAS DESIGNED FOR

2916 GARLAND AVE

THIS PLAN DESIGNED BY

NetCadDrafting

804-607-1910
info@netcad-drafting.com

TWO STORY

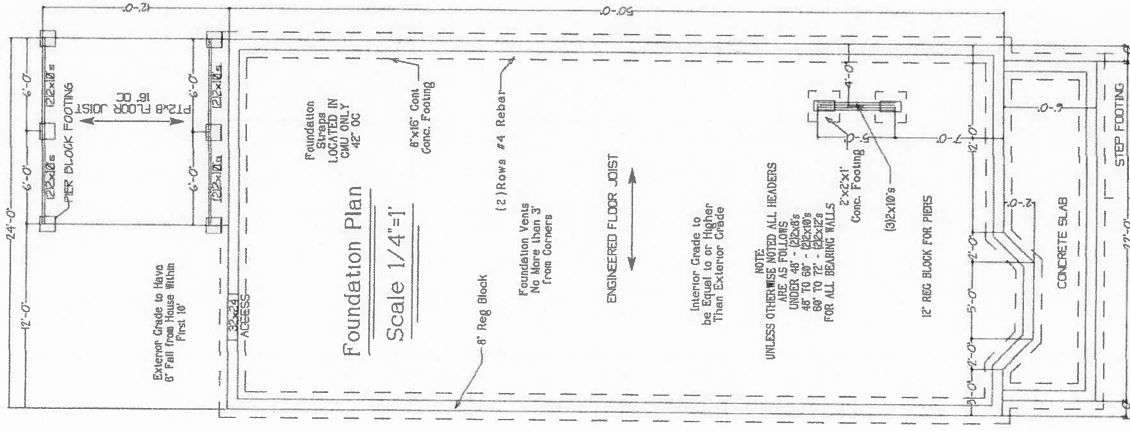
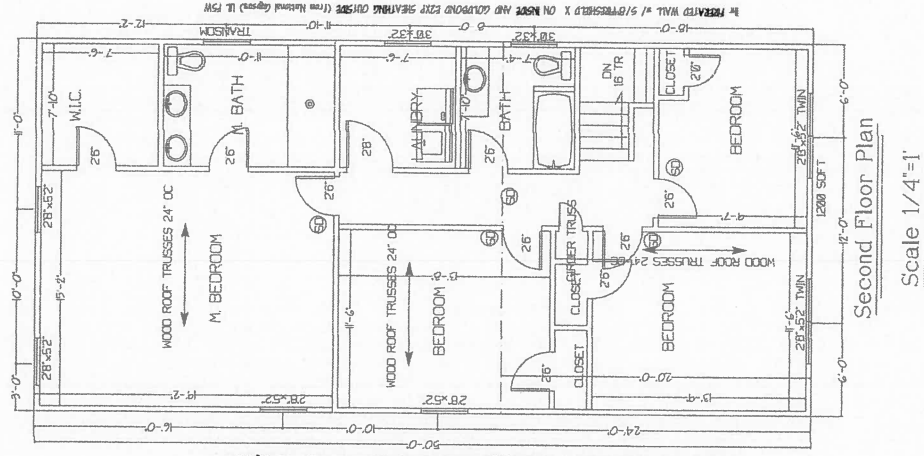
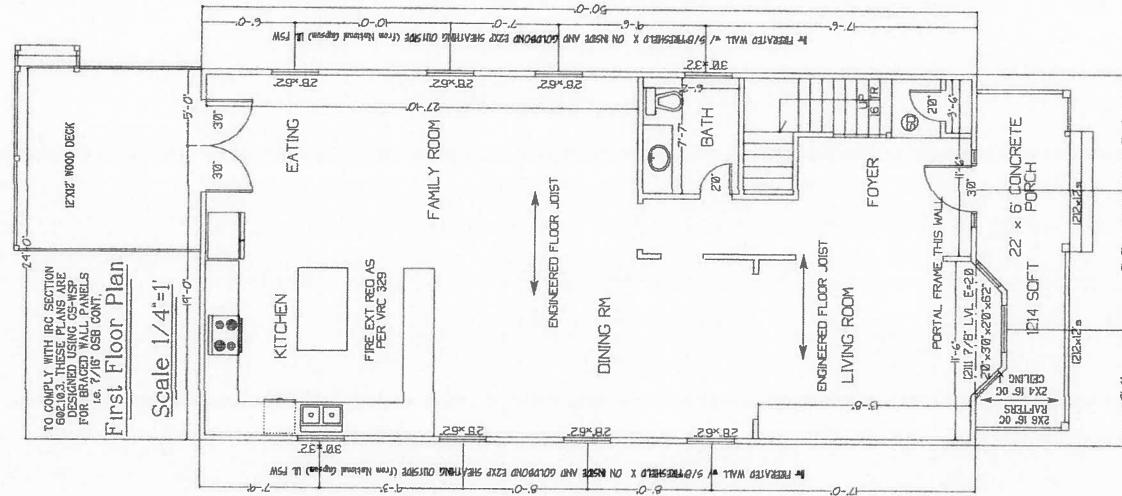
ELEVATIONS

DATE OF PLANS

7/7/23

PLANS DRAWN BY

BRAD PRICE



Left Elevation
Scale 1/8"=1'