

INTRODUCED: December 9, 2019

AN ORDINANCE No. 2019-345

To authorize the special use of the property known as 1512 North 27<sup>th</sup> 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: JAN 13 2020 AT 6 P.M.

WHEREAS, the owner of the property known as 1512 North 27<sup>th</sup> Street, which is situated in a R-5 Single-Family 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 30-410.1 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:    JAN 13 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 1512 North 27<sup>th</sup> Street, and identified as Tax Parcel No. E000-0713/007 in the 2019 records of the City Assessor, being more particularly as shown on a plat entitled “Building Permit Plat for Lots 13 & 14, Block 2, ‘Map of the Lands of Mr. Valentine Hechler, Jr.’ in the City of Richmond, VA (formerly Henrico County, VA),” prepared by Edwards, Kretz, Lohr & Associates, PLLC, dated February 15, 2019, and last revised April 1, 2019, a copy of which is attached to and made a part of this ordinance, hereinafter referred to as “the Property,” is hereby permitted for the purpose of a two-family detached dwelling, hereinafter referred to as “the Special Use,” substantially as shown on the plat entitled “Building Permit Plat for Lots 13 & 14, Block 2, ‘Map of the Lands of Mr. Valentine Hechler, Jr.’ in the City of Richmond, VA (formerly Henrico County, VA),” prepared by Edwards, Kretz, Lohr & Associates, PLLC, dated February 15, 2019, and last revised April 1, 2019, and on the plans entitled “New Two-Family Residence, 1514 North 27<sup>th</sup> Street, Richmond, Virginia,” prepared by David R. Winn, LLC, and dated February 15, 2017, hereinafter collectively 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 parking spaces shall be provided on-site and shall be accessed by the alley that exists along the rear property line.

(d) All building materials, elevations, setbacks, and site improvements pertaining to the Special Use shall be substantially as shown on the Plans.

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

(f) Prior to the issuance of any certificate of occupancy for the Special Use, establishment of two residential lots, substantially as shown on the Plans, shall be accomplished by obtaining subdivision approvals from the City and recording the appropriate plats among the land records of the Clerk of the Circuit Court of the City of Richmond.

§ 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) The Owner shall make improvements within the right-of-way, including sidewalk improvements along North 27<sup>th</sup> Street, which improvements may be completed in one or more phases as approved by the Director of Public Works. All improvements and work within the public right-of-way shall be (i) completed in accordance with the requirements of the Director of Public Works, (ii) considered completed only upon written confirmation by the Director of Public Works that such improvements and work are in accordance with such requirements, and (iii) transferred to the City, following written confirmation by the Director of Public Works, pursuant to a transfer of interest document approved as to form by the City Attorney and accepted by the Chief Administrative Officer or the designee thereof on behalf of the City. The Chief Administrative Officer or the designee thereof, for and on behalf of the City, is hereby authorized to accept, in the manner for which this subsection provides, all improvements and work required by and meeting the requirements of this subsection. The final certificate of occupancy shall not be issued for the Property until all requirements of this subsection are full satisfied.

(f) 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

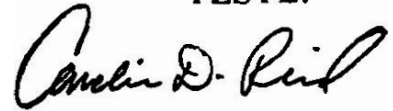
otherwise, use of the Property shall be governed thereafter by the zoning regulations prescribed for the district in which the Property is then situated.

§ 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:**

A handwritten signature in black ink, appearing to read "Carolin D. Reed". The signature is written in a cursive style with a large initial 'C'.

**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.2019.247

O & R REQUEST

RECEIVED

DEC 02 2019

4-9395  
NOV 12 2019

Office of the  
Chief Administrative Officer

### O & R Request

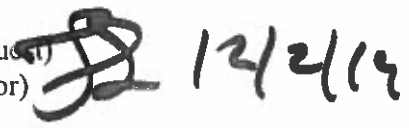
OFFICE OF THE CITY ATTORNEY

DATE: November 8, 2019

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: Lenora G. Reid, Acting 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 1512 N. 27th Street for the purpose of a two-family detached dwelling on a newly created lot, upon certain terms and conditions.

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

**PURPOSE:** To authorize the special use of the property known as 1512 N. 27th Street for the purpose of a two-family detached dwelling on a newly created lot, upon certain terms and conditions.

**REASON:** The Property is located in the R-5 Single-Family Residential District. In regard to this district, Section 30-410.1 (Permitted Principal Uses) of the Zoning Ordinance states that only single-family detached dwellings are allowed in the R-5 District. Thus the proposed two-family dwelling is not a permitted principal use in the R-5 Single-Family Residential District and a Special Use Permit is required.

**RECOMMENDATION:** In accordance with the requirements of the City Charter and the Zoning Ordinance, the City Planning Commission will review this request and make a recommendation to City Council. This item will be scheduled for consideration by the Commission at its January 6, 2020, meeting.

**BACKGROUND:** The subject property referenced as 1512 North 27th Street is a mid-block lot with 60 feet of street frontage and 130 feet of depth, located in the Woodville neighborhood of the East Planning District. A single-family detached dwelling is located along the western property line. The proposed Special



Use would authorize a two-family detached dwelling on a lot created by subdividing the subject property. The new lot would have approximately 28 feet of street frontage and 130 feet of depth.

The City of Richmond's Master Plan designates the subject property for Single-Family (Medium Density) uses. Primary uses are single-family and two-family dwellings, both detached and attached, at densities of 8 to 20 units per acre. The proposed development would create an overall density of approximately 17 units per acre.

The subject property, along with those properties located to the north, south and west, is located in the R-5 Single-Family Residential District. These properties predominately contain single-family dwellings along with a few vacant properties. The properties located across N. 27th Street to the east are in the B-2 Community Business District and contain business uses as well as multi-family housing.

**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:** December 9, 2019

**CITY COUNCIL PUBLIC HEARING DATE:** January 13, 2020

**REQUESTED AGENDA:** Consent

**RECOMMENDED COUNCIL COMMITTEE:** None

**CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES:** City Planning Commission  
January 6, 2020

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

**RELATIONSHIP TO EXISTING ORD. OR RES.:** None

**REQUIRED CHANGES TO WORK PROGRAM(S):** None

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

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

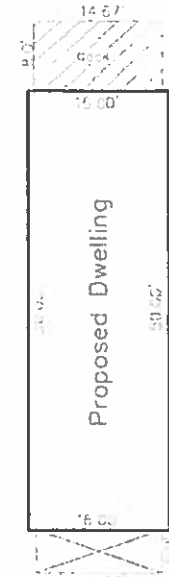
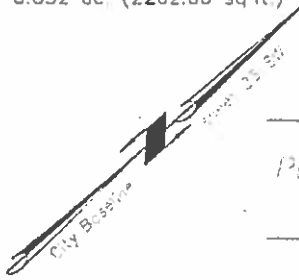
Address: #1512 N. 27th Street  
 Current Owner: Project Homes, LLC  
 Parcel ID: E0000713007  
 I.D. 2018 2281  
 Area = 3601.00 Sq.Ft.

Note: Bearings proctored from City  
 Baseline sheet 23 SW.

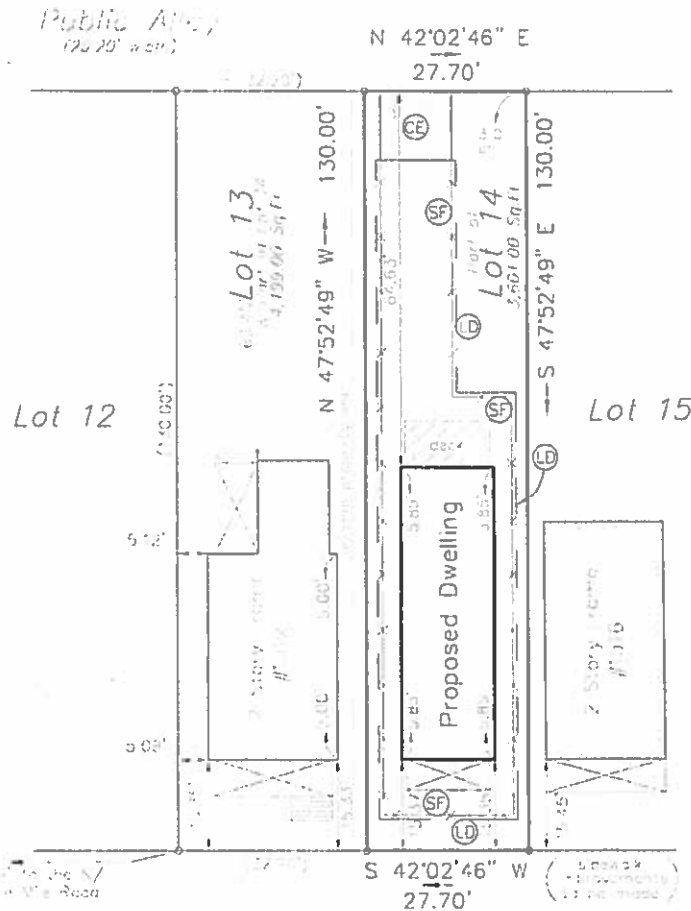
This survey references a plat by  
 J.T. Redd, dated August 12, 1887,  
 in Henrico County at P.B. 8, Pg. 42

Area of Disturbance is  
 0.052 ac. (2262.60 sq ft.)

Sidewalk improvements to be made  
 in front of property



House Detail  
 (not to scale)



## N. 27th STREET

Building Permit Plat for  
 Lots 13 & 14, Block 2,  
 "Map of the Lands of  
 Mr. Valentine Hechler, Jr."  
 in the City of Richmond, VA  
 (formerly Henrico County, VA)



- Construction Entrance  
 (gravel only/no land disturbance)
- Silt Fence
- Limits of Disturbance



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

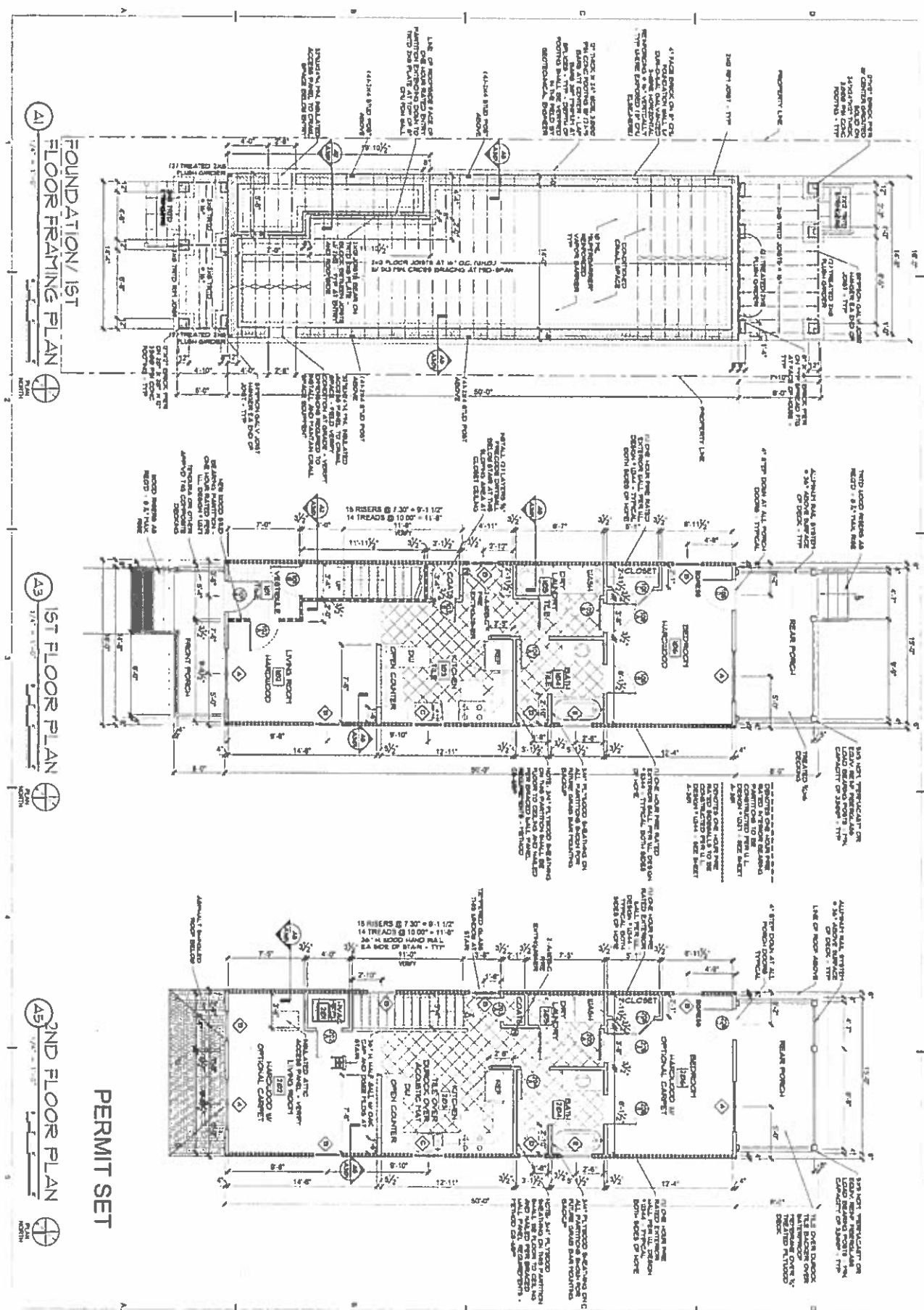
FLOOD INSURANCE NOTE: By graphics plotting only,  
 this property is in ZONE X  
 of the Flood Insurance Rate Map, Community Panel No  
 5101290041E effective date of 07/16/14

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.

Scale: 1"=25'  
 Drawn: TCJ  
 Job: 1047-18

Date: 02/15/19  
 Revised: 04/01/19  
 Checked: JAL





**FOUNDATION/1ST FLOOR FRAMING PLAN**

**1ST FLOOR PLAN**

**2ND FLOOR PLAN**

**PERMIT SET**

**A-101**  
 Sheet 2 of 7  
 © COPYRIGHT 2017

**FLOOR PLANS**

DATE: 02/13/17  
 DRAWN BY: [Name]  
 CHECKED BY: [Name]  
 APPROVED BY: [Name]

**new two-family residence**  
**1514 NORTH 27TH STREET**  
 RICHMOND, VIRGINIA  
 PREPARED FOR PROJECT: HOMES

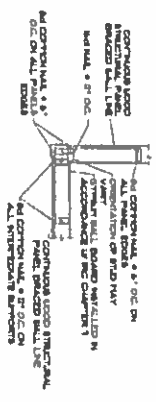
**DAVID R. WINN, LLC**  
 Residential design  
 1212 BURNING WOOD PLAZA  
 SUITE 107  
 RICHMOND, VA 23220



**STRUCTURAL NOTES**

1. THE DESIGN IS BASED ON THE ASSUMPTION THAT ALL FOUNDATION AND RETAINING WALLS SHALL BE CONSTRUCTED WITH A 4000 PSI STRENGTH CONCRETE. THE VALUE VARYING BY CONCRETE STRENGTH, REINFORCEMENT, AND VERTICAL REINFORCEMENT, CONCRETE REINFORCEMENT SHALL BE PERMITTED TO VARY BY 10% FROM THE DESIGN VALUE. ALL FOUNDATION AND RETAINING WALLS SHALL BE PERMITTED TO VARY BY 10% FROM THE DESIGN VALUE. ALL FOUNDATION AND RETAINING WALLS SHALL BE PERMITTED TO VARY BY 10% FROM THE DESIGN VALUE.

**INSULATED T1 WALL DETAIL**



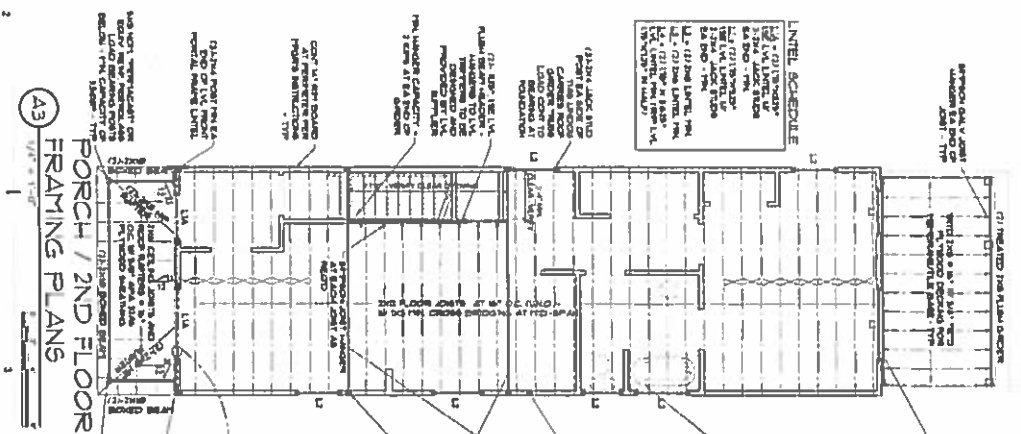
**CONTINUOUS SHEATHING OUTSIDE CORNER DETAIL**



2. ALL FOUNDATION AND RETAINING WALLS SHALL BE PERMITTED TO VARY BY 10% FROM THE DESIGN VALUE. ALL FOUNDATION AND RETAINING WALLS SHALL BE PERMITTED TO VARY BY 10% FROM THE DESIGN VALUE. ALL FOUNDATION AND RETAINING WALLS SHALL BE PERMITTED TO VARY BY 10% FROM THE DESIGN VALUE.

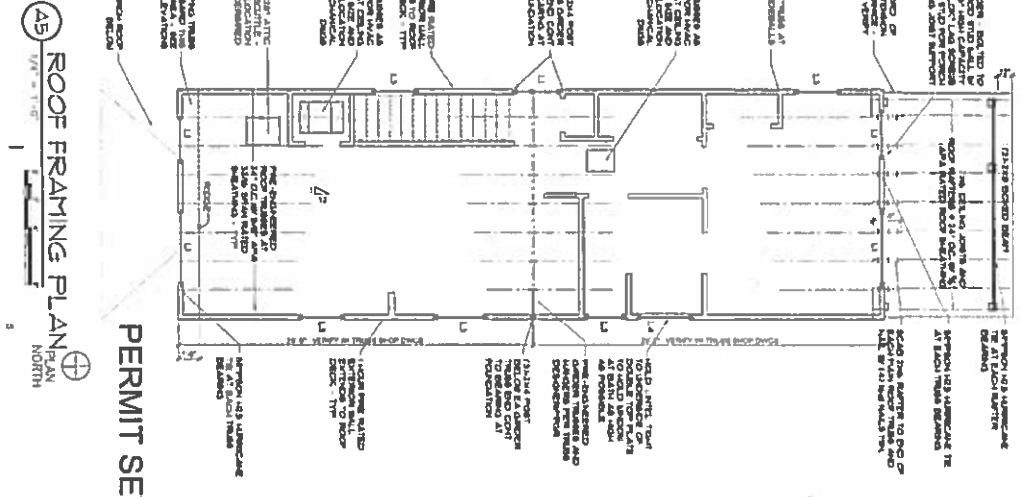
**INTEL SCHEDULE**

1. (1) 1/2" GYPSUM BOARD	1/2" OC PM
2. 2" RIGID INSULATION	1/2" OC PM
3. 1/2" GYPSUM BOARD	1/2" OC PM
4. 1/2" GYPSUM BOARD	1/2" OC PM
5. 1/2" GYPSUM BOARD	1/2" OC PM
6. 1/2" GYPSUM BOARD	1/2" OC PM
7. 1/2" GYPSUM BOARD	1/2" OC PM
8. 1/2" GYPSUM BOARD	1/2" OC PM
9. 1/2" GYPSUM BOARD	1/2" OC PM
10. 1/2" GYPSUM BOARD	1/2" OC PM



1. THE LEADERS - SOUGHT TO BE LOCATED IN THE WALLS AT EACH END OF THE WALLS. THE LEADERS SHALL BE LOCATED IN THE WALLS AT EACH END OF THE WALLS. THE LEADERS SHALL BE LOCATED IN THE WALLS AT EACH END OF THE WALLS.

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**A-102**  
Sheet 3 of 7  
11/1/2017

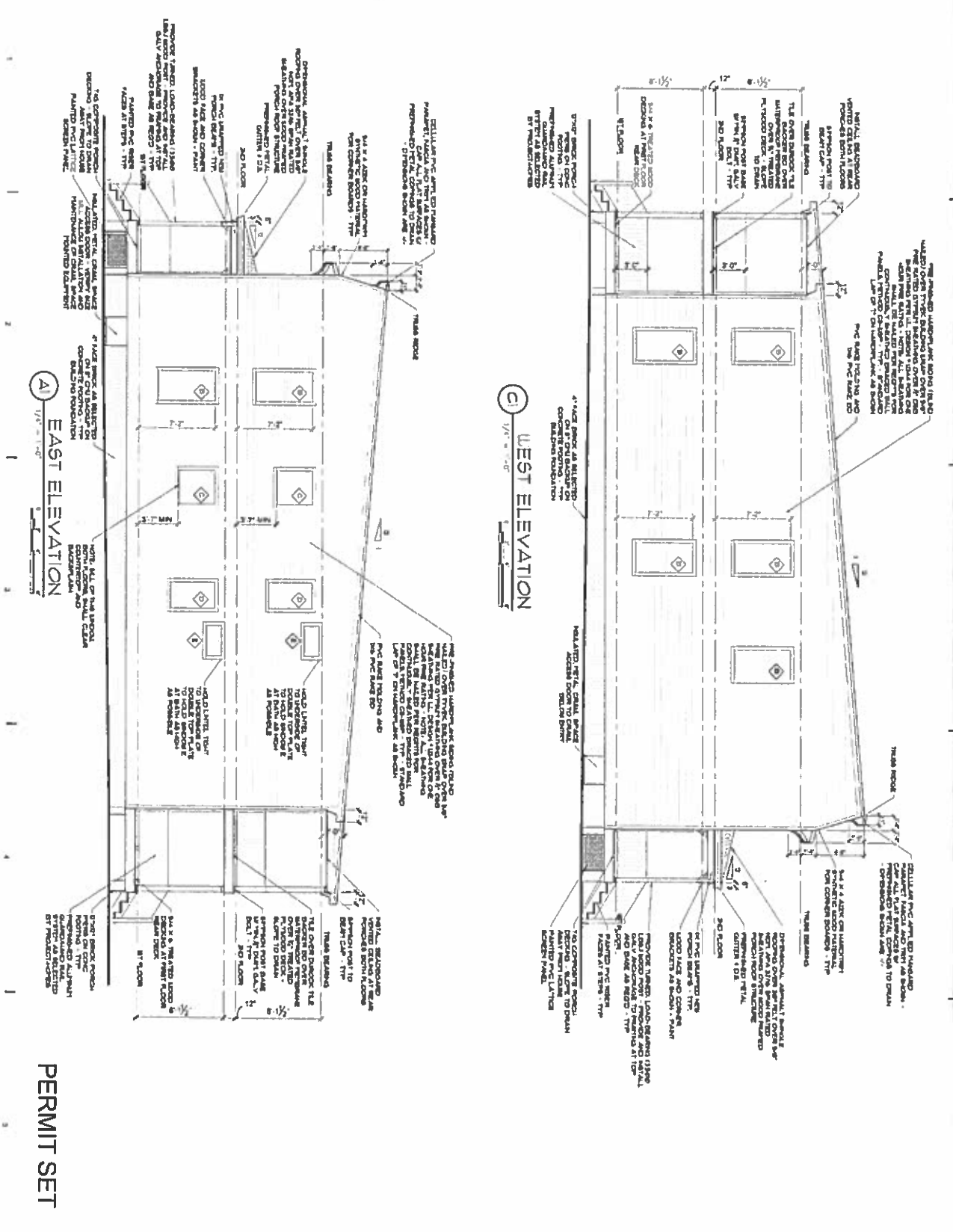
**PERMIT SET**  
2ND FLOOR AND ROOF FRAMING PLANS  
STRUCTURAL NOTES

**new two-family residence**  
**1514 NORTH 27TH STREET**  
RICHMOND, VIRGINIA  
PREPARED FOR PROJECT: HOMES

DAVID R. EYRE, LLC  
Professional Engineer  
1514 North 27th Street  
Richmond, VA 23223-0948  
(804) 232-0948







**DAVID R. WINN, LLC**  
10132 BERRYVALE PLACE  
RESIDENTIAL DESIGN  
OAKLEY, VA 22129

**new two-family residence**  
**1514 NORTH 27TH STREET**  
RICHMOND, VIRGINIA  
PREPARED FOR PROJECT-HOMES

CL1514 PERMIT SET  
DATE: 04/15/2017  
DRAWN BY: [Name]  
CHECKED BY: [Name]  
SCALE: AS SHOWN

**A-202**  
Sheet 6 of 7  
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SUP-049638-2019

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

Application is hereby submitted for: (check one)

- [X] special use permit, new
[ ] special use permit, plan amendment
[ ] special use permit, text only amendment

Project Name/Location

Property Address: 1512 N 27th Street Date: 02/04/2019
Tax Map #: E0000713007 Fee:
Total area of affected site in acres: 0.179

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

Zoning

Current Zoning: R-5

Existing Use: Single Family

Proposed Use

(Please include a detailed description of the proposed use in the required applicant's report)
Subdivide lot into two, build new two-family home on newly created lot

Existing Use: Single family home on wide lot

Is this property subject to any previous land use cases?

Yes [ ] No [X] If Yes, please list the Ordinance Number:

Applicant/Contact Person: Matt Morgan

Company: project HOMES
Mailing Address: 88 Camation Street
City: Richmond State: VA Zip Code: 23225
Telephone: (804) 5.257.851 Fax: (804) 2,300,778
Email: matthew.morgan@projecthomes.org

Property Owner: ElderHomes

If Business Entity, name and title of authorized signee: Leo Householder, CEO

(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: 88 Camation Street
City: Richmond State: VA Zip Code: 23225
Telephone: (804) 2,332,827 Fax: (804) 2,300,778
Email: leo.householder@projecthomes.org

Property Owner Signature: [Signature]

The names, addresses, telephone numbers and signatures of all owners of the property are required. Please attach additional sheets as needed. If a legal representative signs for a property owner, please attach an executed power of attorney. Faxed or photocopied signatures will not be accepted.

NOTE: Please attach the required plans, checklist, and a check for the application fee (see Filing Procedures for special use permits)

Special Use Permit Applicant's Report: 1512 N 27<sup>th</sup> Street

With this application, Project:HOMES is requesting a Special Use Permit to subdivide an existing lot, and build a detached two family dwelling at 1512 North 27<sup>th</sup> street, which is in an R-5 zoning district. The proposed structure consists of two 800 Square foot one bedroom apartments. Our non-profit, project:HOMES, intends to build an affordable two-family building on the lot. Project:HOMES is a Richmond-based non-profit, that provides neighborhood infill, affordable housing, repairs for low-income families, and weatherization across the region.

This property contains a single family home on one half of the existing single lot. On the new lot, project:HOMES will build a new two-family detached home. All of our new homes are designed with the character of the neighborhood in mind. The aesthetic look of the home is designed to match its neighbors. All aspects from the columns, to trim, to the type of windows used are selected based on what will best suit the neighborhood. All of our homes built for the Model Block and throughout North Church Hill have been submitted to, and approved by the Section 106 historic review process. The home design we have chosen for this project (see attached elevations and floor plans) will feature neighborhood housing characteristics.

Furthermore, as both units in this building are one-bedroom units, there will be no adverse impact on traffic, congestion, or parking. The plans for the building reflect two parking spaces at the rear of the home for the tenants. The home will not have any negative environmental effects, create density problems, or create an additional hazard for fires and other dangers.

In summary, the proposed use of the property at 1512 N 27<sup>th</sup> Street will be an affordable, two-family home that will be owned and maintained by project:HOMES. This house will match the historic character of the neighborhood, while providing opportunity for affordable housing, reduced vacancy, and neighborhood infill for North Church Hill. There will be no adverse impacts to community health, traffic congestion, or safety.