



## CITY OF RICHMOND

### Department of Planning & Development Review *Staff Report*

**Ord. No. 2023-224:** To authorize the special use of the property known as 7110 Cherokee Road for the purpose of an accessory building to a single-family detached dwelling, upon certain terms and conditions.

---

**To:** City Planning Commission  
**From:** Land Use Administration  
**Date:** August 21, 2023

---

#### **PETITIONER**

Zachary and Kathryn Kroko

#### **LOCATION**

7110 Cherokee Road

#### **PURPOSE**

To authorize the special use of the property known as 7110 Cherokee Road for the purpose of an accessory building to a single-family detached dwelling, upon certain terms and conditions.

#### **SUMMARY & RECOMMENDATION**

The subject property is located in the R-2 Single-Family Residential District and an accessory structure is a specified permitted use listed in this zoning district. However, the proposal does not meet all setback requirements. Therefore, a Special Use Permit is requested.

Staff finds that the unique situation where a parcel has frontages along three streets presents an undue hardship for the reasonable use and enjoyment of the property. The request to eliminate the front yard setback for two of these frontages will not adversely impact adjacent or neighborhood properties.

Staff further finds that the proposed use is consistent with the historic pattern of the development in the area, which is primarily single-family detached dwellings with accessory structures on individual lots. The Special Use Permit would allow for an accessory structure that shall hold side yard setback of nine feet rather than a thirty-foot setback required for properties fronting public streets. Staff finds that the proposed location of the accessory structure will not adversely impact the neighborhood.

Staff finds that with the ordinance conditions, the safeguards contained within the City Charter relative to the granting of Special Use Permits are met. Specifically, staff finds that the proposed use would not be detrimental to the general welfare of the community involved and would not create congestion in the streets in the area involved.

Therefore staff recommends approval of the Special Use Permit request.

## **FINDINGS OF FACT**

### **Site Description**

The .77 acre subject property is located on the corner of Cherokee Road, Old Westham Road, and Old Quarry Road. The property is located in the R-2 Single-Family Residential District where the setbacks for corner properties is 30 feet. The property has frontages along three roads and is required to hold a 30 foot setback from each frontage.

### **Proposed Use of the Property**

A single-family detached dwelling with an accessory building.

### **Master Plan**

The City's Richmond 300 Master Plan designates a future land use for the subject property as Residential, which is defined as neighborhoods "...consisting primarily of single-family houses on large- or medium-sized lots more homogeneous in nature."

#### **Development Style:**

Houses on medium-sized and large-sized lots in a largely auto-dependent environment. Homes are setback from the street. Future developments continue and/or introduce a gridded street pattern to increase connectivity. Future single-family housing, accessory dwelling units, duplexes, and small multi-family residential buildings are built to a scale and design that is consistent with existing buildings.

#### **Mobility:**

Bicycle and pedestrian access are prioritized and accommodated. Low residential density means that it is not possible to provide frequent transit within these areas; however, frequent transit may be found at the edges of these areas within more intense future land use designations. Many homes have driveways and/or garages, which are located off an alley behind the home if an alley is present.

#### **Intensity:**

Buildings are generally one to three stories. Lot sizes generally range up to 5,000 to 20,000+ sq. ft. Residential density of 2 to 10 housing units per acre.

#### **Primary Uses:**

Single-family houses, accessory dwelling units, duplexes, and open space.

#### **Secondary Uses:**

Duplexes and small multi-family buildings (typically 3-10 units), institutional, and cultural. Secondary uses may be found along major streets

### **Zoning and Ordinance Conditions**

The current zoning for this property is R-2 Single-Family Residential Zoning District. The following conditions of the proposed development do not comply with the current zoning regulations:

#### **Sec. 30-404.5 – Yard regulations in the R-2 Single-Family Residential District**

- (1) *Front yard.* There shall be a front yard with a depth of not less than 30 feet.
- (2) *Side yards.* There shall be side yards not less than nine feet in width.
- (3) *Rear yard.* There shall be a rear yard with a depth of not less than nine feet

The special use permit ordinance will impose development conditions on the property, including:

- The Special Use of the Property shall be as an accessory building to a single-family detached dwelling, substantially as shown on the Plans.
- The Special Use shall not be located (i) less than nine feet from the street line of Old Quarry Road. (ii) less than nine feet from the street line of Old Westham Road, and (iii) less than 42 feet from the street line of Cherokee Road.
- The height of the accessory dwelling unit shall not exceed 20 feet.
- All building elevations shall be substantially as shown on the Plans.
- All mechanical equipment serving the Property shall be located or screened so as not to be visible from any public right-of-way.

### **Surrounding Area**

The surrounding land uses are primarily residential.

### **Neighborhood Participation**

Staff notified area residents, property owners, the Southhampton Citizens Association, and the Cherokee Area Neighbors Association. Staff has received no objections to date regarding the proposal.

**Staff Contact:** David Watson, PDR, Land Use Division, 804-646-1036