

BOARD OF ZONING APPEALS

May 13, 2025

Watchtower Homes and Construction LLC 3912 Seminary Avenue Richmond, VA 23227

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

To Whom It May Concern:

RE: BZA 19-2025

You are hereby notified that the Board of Zoning Appeals will hold a public hearing on **Wednesday, June 4, 2025** 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 permit to construct a new single-family (detached) dwelling at 1203 NORTH 38th STREET (Tax Parcel Number E000-1768/002), located in an R-5 (Single-Family 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 757 783 363#. For video access by computer. smart phone or tablet visit https://richmondva.legistar.com/Calendar.aspx. Select the Board of Zoning Appeals dropdown and 2025 drop-down, click meeting details for June 4, 2025 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

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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,

Log W. Conter

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

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.

38th Legacy Trust C/o Lori Eubanks 9176 Cudlipp Ave Mechanicsville, VA 23116

City Of Richmond Public Works 900 E Broad St Rm 701 Richmond, VA 23279

Clark John A 1214 N 38th St Richmond, VA 23223

Enrichmond Foundation Po Box 25609 Richmond, VA 23260

Fuller Earl B& Elizabeth T 1315 Garber St Richmond, VA 23223

Nexus Land Management Llc 8003 Franklin Farms Dr Ste 233 Henrico, VA 23229

Scott Allison 1202 N 38th St Richmond, VA 23223

Thacker William Larry 1207 N 38th St Richmond, VA 23223 Abila John E Jr And Nancy L Trustees Trust 1108 N 35th St Richmond, VA 23223

City Of Richmond Recreation & Parks 1209 Admiral St Richmond, VA 23220

Crawford Jeryl J & Logan Deborah J 1213 N 38th St Richmond, VA 23223

Fay Christopher M And Cartwright Erin Margaret 1200 North 38th St Richmond, VA 23223

Jones Berkley L & Malinda S 1213 N 38th St Richmond, VA 23223

Richmond Homes And Land Llc 16413 Old Castle Road Midlothian, VA 23113

Singleteary Gwendolyn L & Gertrude Anderson 1210 N 38th St Richmond, VA 23223

Watson Joyce M 1205 N 38th St Richmond, VA 23223 Boyett Adam Stewart 913 N 38th St Richmond, VA 23223

Clack Deborah Regina 909 N 38th St Richmond, VA 23219

Durdan James W Nma Richmond, VA 23219

Folks Holly R & Jessie M 809 N 29th St Richmond, VA 23223

Kizzie Lamont 5531 Germain Rd Richmond, VA 23224

Rva Rental Group Llc Po Box 25989 Richmond, VA 23260

Talon Protection Group Llc 63 Wolftrap Ct Bumpass, VA 23024 Property: 1203 N 38th St Parcel ID: E0001768002

Parcel	
Street Address:	1203 N 38th St Richmond, VA 23223-
Owner:	WATCHTOWER HOMES AND CONSTRUCTION LLC
Mailing Address:	2912 SEMINARY AVE, RICHMOND, VA 23227
Subdivision Name :	
Parent Parcel ID:	
Assessment Area:	
	110 - R One Story
	R-5 - Residential (Single Family)
Exemption Code:	-
Current Assessment	
Effective Date:	01/01/2025
Land Value:	\$75.000
Improvement Value:	
Total Value:	
Area Tax:	
Special Assessment District:	
Special Assessment District.	
Land Description	
Parcel Square Feet:	6032.5
Acreage:	
	LS 16-17; 0063.50X0095.00 0000.000
	X= 11801733.103633 Y= 3718451.878867
	37.53024735 , Longitude: -77.40047459
	57.55024755 , Ebrightude: -77.40047459
Description	
Land Type:	Residential Lot A
Topology:	
Front Size:	
Rear Size:	
Parcel Square Feet:	
Acreage:	
	LS 16-17; 0063.50X0095.00 0000.000
Subdivision Name :	
. ,	X= 11801733.103633 Y= 3718451.878867
Latitude:	37.53024735 , Longitude: -77.40047459
Other	
Street improvement:	
Sidewalk:	
oldewalk.	

Assessments

Assessment Year	Land Value	Improvement Value	Total Value	Reason
2025	\$75,000	\$84,000	\$159,000	Not Available
2024	\$75,000	\$82,000	\$157,000	Not Available
2023	\$75,000	\$79,000	\$154,000	Not Available
2022	\$60,000	\$75,000	\$135,000	Not Available
2021	\$45,000	\$63,000	\$108,000	Not Available
2020	\$40,000	\$62,000	\$102,000	Reassessment
2019	\$35,000	\$56,000	\$91,000	Reassessment
2018	\$30,000	\$52,000	\$82,000	Reassessment
2017	\$30,000	\$51,000	\$81,000	Reassessment
2016	\$30,000	\$46,000	\$76,000	Reassessment
2015	\$28,000	\$47,000	\$75,000	Reassessment
2014	\$28,000	\$47,000	\$75,000	Reassessment
2013	\$28,000	\$47,000	\$75,000	Reassessment
2012	\$28,000	\$47,000	\$75,000	Reassessment
2011	\$28,000	\$49,000	\$77,000	CarryOver
2010	\$28,000	\$49,000	\$77,000	Reassessment
2009	\$28,000	\$49,000	\$77,000	Reassessment
2008	\$28,000	\$49,000	\$77,000	Reassessment
2007	\$25,000	\$48,500	\$73,500	Reassessment
2006	\$14,500	\$48,500	\$63,000	Reassessment
2005	\$8,900	\$48,500	\$57,400	Reassessment
2004	\$7,700	\$42,200	\$49,900	Reassessment
2003	\$7,100	\$39,100	\$46,200	Reassessment
2002	\$7,000	\$38,700	\$45,700	Reassessment
2001	\$6,840	\$37,620	\$44,460	Reassessment
1998	\$6,000	\$33,000	\$39,000	Not Available

-Transfers-

Transfer Date	Consideration Amount	Grantor Name	Deed Reference	Verified Market Sale Description
04/18/2025	\$215,000	Not Available	ID2025-6018	
01/27/1998	\$0	Not Available	09800-2375	
04/01/1996	\$28,000	Not Available	009600-06317	
06/21/1995	\$35,844	Not Available	000443-00449	

AIVI	City of Rich		
Planning			
-	iture Land Use: NH-	MU	
:	Zoning District: R-5	- Residential (Single Family)	
Pla	anning District: Eas		
	Traffic Zone: 106	1	
	borhood Code: OK		
City Neighl	borhood Name: Oak		
	Civic Code: 300		
		Irch Hill Central Civic Association	
	division Name: NOI	NE	
	listoric District: iistoric District: Oak	wood Chimborozo	
	oods in Bloom:	wood-Chimbolazo	
Redevelopment Con			
	oor valion Alba		
Economic Development	• •		
-	Care Area: -		
E	nterprise Zone:		
Environment			
100 YEAR FI	ood Plain Flag: Cor	tact the Water Resources Division at 64	6-7586.
500 YEAR FI	ood Plain Flag: N		
Resource F	Protection Flag: Cor	tact the Water Resources Division at 64	6-7586.
	Wetland Flag: N		
Census			
Census Census Year	Block	Block Group	Tract
Census Year		Block Group	
2000	1011	0209001	020900
Census Year			
Census Year 2000 1990	1011	0209001	020900
Census Year 2000 1990 Schools	1011 103	0209001	020900
Census Year 2000 1990 Schools Elem	1011 103 nentary School: Chin	0209001 0209001 mborazo	020900
Census Year 2000 1990 Schools Elem	1011 103	mborazo tin Luther King Jr	020900
Census Year 2000 1990 Schools Elem	1011 103 nentary School: Chin Middle School: Mar	mborazo tin Luther King Jr	020900
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Census Year 2000 1990 Schools Elem Public Safety	1011 103 nentary School: Chin Middle School: Mar High School: Arm Police Precinct: 1	mborazo tin Luther King Jr	020900
Census Year 2000 1990 Schools Elem Public Safety	1011 103 nentary School: Chin Middle School: Mar High School: Arm Police Precinct: 1 Police Sector: 111	mborazo tin Luther King Jr	020900
Census Year 2000 1990 Schools Elem Public Safety	1011 103 nentary School: Chin Middle School: Mar High School: Arm Police Precinct: 1 Police Sector: 111 Fire District: 11	mborazo tin Luther King Jr Istrong	020900
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Census Year 2000 1990 Schools Elem Public Safety	1011 103 nentary School: Chin Middle School: Mar High School: Arm Police Precinct: 1 Police Sector: 111 Fire District: 11 Dispatch Zone: 110.	A	020900
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Census Year 2000 1990 Schools Elerr Public Safety Public Works Schedules	1011 103 nentary School: Chin Middle School: Mar High School: Arm Police Precinct: 1 Police Sector: 111 Fire District: 11 Dispatch Zone: 110. Street Sweep: TBE Leaf Collection: TBE	A	020900
Census Year 2000 1990 Schools Elerr Public Safety F Public Works Schedules	1011 103 nentary School: Chin Middle School: Mar High School: Arm Police Precinct: 1 Police Sector: 111 Fire District: 11 Dispatch Zone: 110 Street Sweep: TBE Leaf Collection: TBE Fuse Collection: Thu	A O209001 0209001 mborazo tin Luther King Jr A A	020900
Census Year 2000 1990 Schools Elerr Public Safety F Public Works Schedules	1011 103 nentary School: Chin Middle School: Mar High School: Arm Police Precinct: 1 Police Sector: 111 Fire District: 11 Dispatch Zone: 110. Street Sweep: TBE Leaf Collection: TBE	A O209001 0209001 mborazo tin Luther King Jr A A	020900
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Census Year 2000 1990 Schools Elerr Public Safety Public Works Schedules I Ref E Government Districts	1011 103 nentary School: Chin Middle School: Mar High School: Arm Police Precinct: 1 Police Sector: 111 Fire District: 11 Dispatch Zone: 110 Street Sweep: TBE Leaf Collection: TBE Fuse Collection: TBE Sulk Collection: TBE Council District: 7	A O209001 0209001 mborazo tin Luther King Jr A A	020900
Census Year 2000 1990 Schools Elerr Public Safety Public Works Schedules I Ref E Government Districts	1011 103 nentary School: Chin Middle School: Mar High School: Arm Police Precinct: 1 Police Sector: 111 Fire District: 11 Dispatch Zone: 110 Street Sweep: TBE Leaf Collection: TBE Fuse Collection: TBE Sulk Collection: TBE Council District: 7	A C C C C C C C C C C C C C	020900
Census Year 2000 1990 Schools Elerr Public Safety Public Works Schedules I Ref Government Districts Council District for 2025 (Current context)	1011 103 nentary School: Chin Middle School: Mar High School: Arm Police Precinct: 1 Police Sector: 111 Fire District: 11 Dispatch Zone: 110. Street Sweep: TBE Leaf Collection: TBE Guard Collection: TBE Subscription: TBE Council District: 7 Irrent Election): 7	A C C C C C C C C C C C C C	020900
Census Year 2000 1990 Schools Elerr Public Safety Public Works Schedules I Ref Government Districts Council District for 2025 (Cu	1011 103 nentary School: Chin Middle School: Mar High School: Arm Police Precinct: 1 Police Sector: 111 Fire District: 11 Dispatch Zone: 110. Street Sweep: TBE Leaf Collection: TBE Guuccil District: 7 Council District: 7 Yoter Precinct: 703	A C C C C C C C C C C C C C	020900

Extension 1 Details	
Extension Name:	001 -
Year Built:	1925
Stories:	1
Units:	0
Number Of Rooms:	0
Number Of Bed Rooms:	2
Number Of Full Baths:	1
Number Of Half Baths:	0
Condition:	FAIR
Foundation Type:	
1st Predominant Exterior:	Metal or Vinyl Siding
2nd Predominant Exterior:	N/A
Roof Style:	Gable
Roof Material:	Metal, preformed corrugat
Interior Wall:	Drywall, Paneling
Floor Finish:	Carpet, Vinyl Composition ti
Heating Type:	Forced Air
Central Air:	Y
Basement Garage Car #:	0
Fireplace:	Ν
Building Description (Out Building and Yard Items) :	

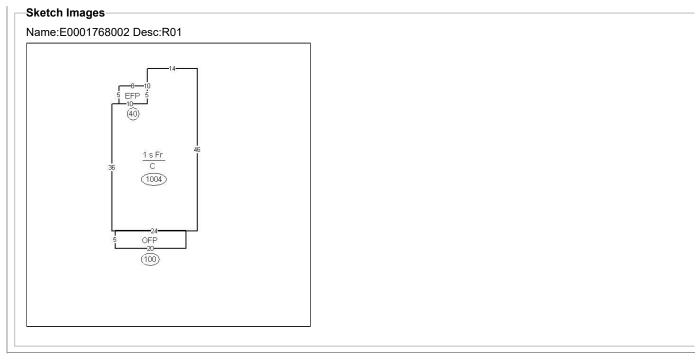
Extension 1 Dimensions

Finished Living Area:1004 SqftAttic:0 SqftFinished Attic:0 SqftBasement:0 SqftFinished Basement:0 SqftAttached Garage:0 SqftDetached Garage:0 SqftAttached Carport:0 SqftAttached Carport:0 SqftEnclosed Porch:0 SqftOpen Porch:0 SqftDeck:0 Sqft

- Property Images
- Name:E0001768002 Desc:R01



Click here for Larger Image



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	1203 N 38th Street	PHONE: (Home) (Mobile)
OWNER:	Watchtower Homes And Construction LLC	FAX: (Home)
(Name/Address)	3912 Seminary Avenue	E-mail :
(Richmond, VA 23227	N-194645 -
OWNER'S	Rakas Davalana ant Daaaaaa	
	Baker Development Resources	PHONE: (Home) (Mobile) (804) 874-6275
REPRESENTATIVE		ne) ((Mobile)
(Name/Address)	530 East Main Street, Ste 730	E-mail: markbaker@bakerdevelopmentresourcescom
	Richmond, VA 23219	
	TO BE COMPLETED BY THE ZONII	
	ESS (ES): <u>1203 N 38th Street</u>	
TYPE OF APPLICA		
	CE SECTION NUMBERS(S): <u>30-300 & 30-4</u>	
APPLICATION REC	QUIRED FOR: <u>A lot split and building permi</u>	t to construct one (1) new single family detached
dwelling		
TAX PARCEL NUM	BER(S): E000-176/8002 ZONING DI	STRICT: R-5 - (Single Family Residential)
REQUEST DISAPP	ROVED FOR THE REASON THAT: <u>The I</u>	ot area and lot width requirements are not met. Lot
		of fifty feet (50') are required. For Zoning purposes,
		dth of 63.3 feet currently exists. A lot area of 2,709
		1201 ¹ / ₂ . A lot area of 3,180 square feet and a lot width
	posed for No. 1203.	
	ISAPPROVED: <u>4/11/2025</u>	
		D BY: <u>Delva Daley</u> RECEIPT NO. <u>BZAR-165995-2025</u>
AS CERTIFIED BY:	40000 CN	(ZONING ADMINSTRATOR)
I BASE MY APPLIC	ATION ON:	
SECTION 17.20 PA	RAGRAPH(S) OF THE (CHARTER OF THE CITY OF RICHMOND
SECTION 15.2 -230	9.2 C OF THE CODE OF VIRGINIA	[OR]
SECTION 1040.3 PA	ARAGRAPH(S) (2) OF THE Z	ONING ORDINANCE OF THE CITY OF RICHMOND
	TO BE COMPLETED E	V ADDI ICANT
	Construction of the second	se to the Board & Excerpts from the City Charter
I have been notified considered.	d that I, or my representative, must be pro	esent at the hearing at which my request will be
		11/11/10
SIGNATURE OF ON	WNER OR AUTHORIZED AGENT:	DATE: 5/8/25 -
*** TO	BE COMPLETED BY THE SECRETARY T	O THE BOARD OF ZONING APPEALS ***
	B7A 10-2025	
CASE N	UMBER: BZA 19-2025 HEARING DA	TE: <u>June 4, 2025</u> AT <u>1:00</u> P.M.

BOARD OF ZONING APPEALS CASE BZA 19-2025 150' Buffer

APPLICANT(S): Watchtower Homes and Construction LLC

PREMISES: 1203 North 38th Street (Tax Parcel Number E000-1768/002)

SUBJECT: A lot split and building permit to construct a new single-family (detached) dwelling.

REASON FOR THE REQUEST: Based on Sections 30-300 & 30-410.4 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 <u>PDRZoningAdministration@Richmondgov.com</u>. 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 <u>here</u>. 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.

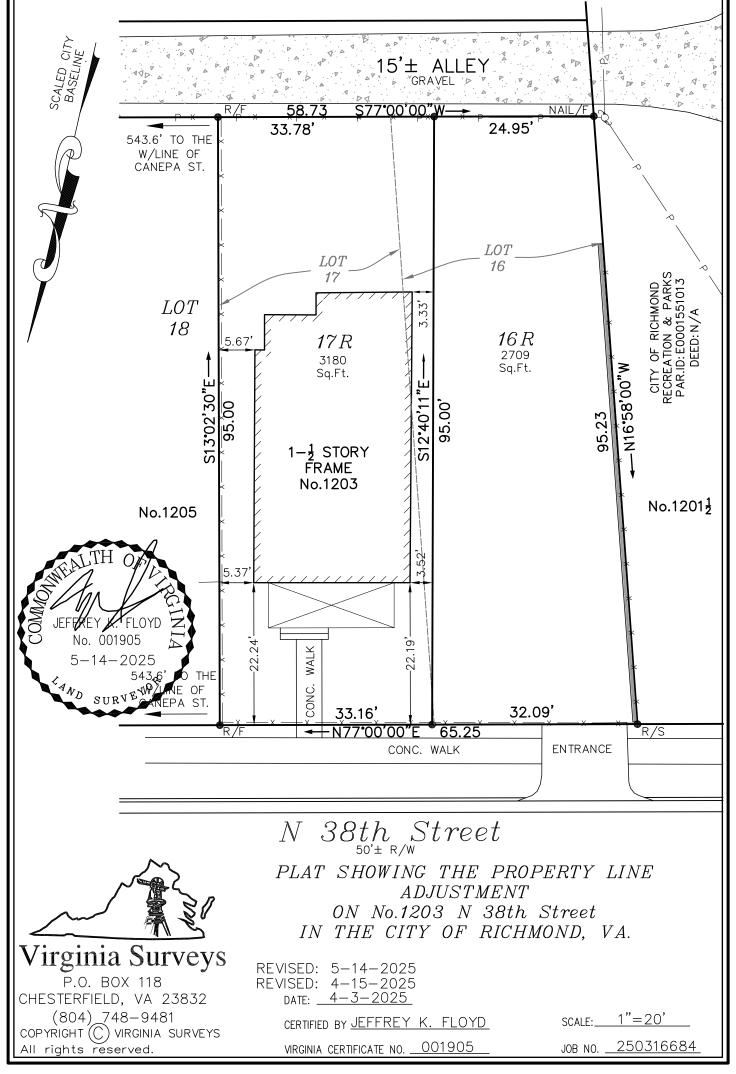
Be advised that if you fail to discuss your request with your neighbors and neighborhood association(s), you should anticipate that your case will be continued until the Board's next regularly scheduled meeting. It is highly recommended that you contact your neighborhood association as soon as possible 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: _

and

This is to certify to the PURCHASER/OWNER shown hereon, and his TITLE INSURER and Lender, that on 4-15-2025 I made an Accurate survey of the premises shown hereon and that there are no easements or encroachments visible on the ground other than those shown hereon. This survey has been made without the benefit of a title search and is subject to any uses recorded and unrecorded and other pertinent facts in which a title search may disclose. Copies of this plat without the certifying surveyor's seal with an original signature are INVALID.



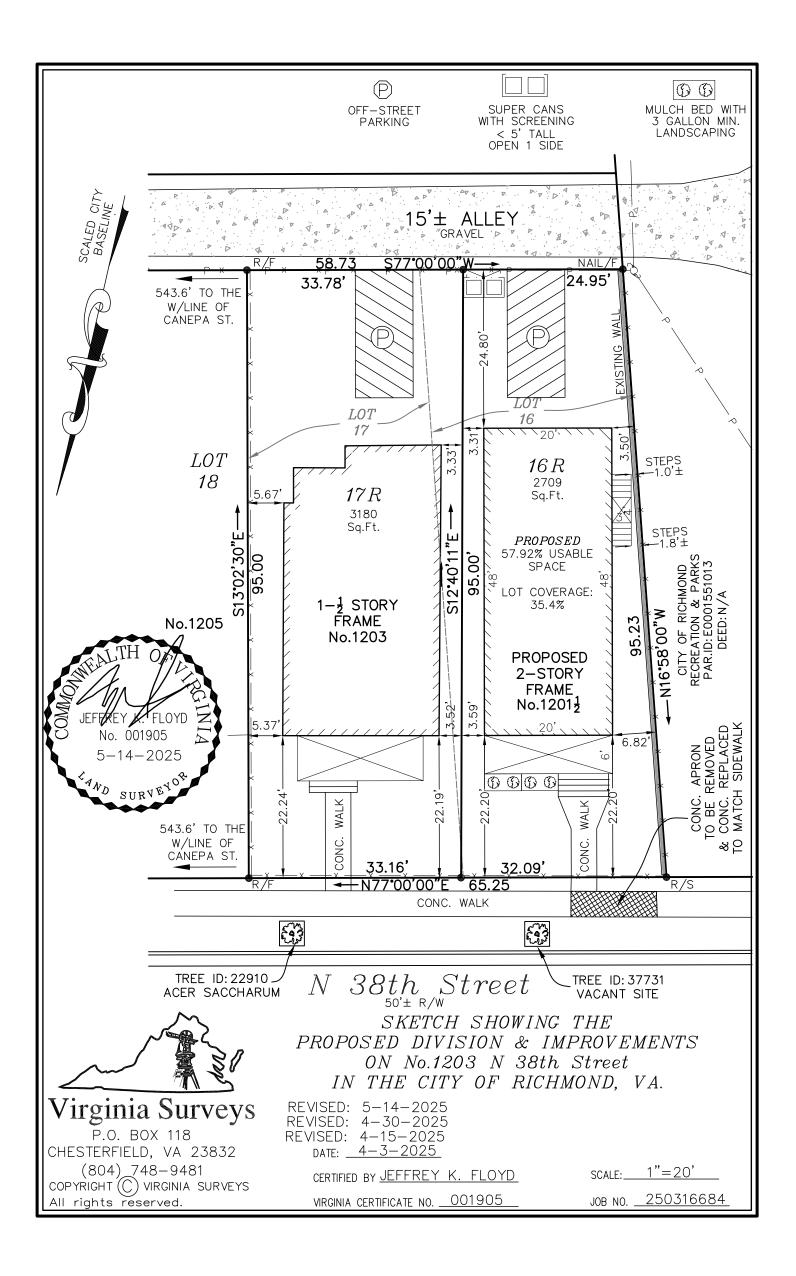




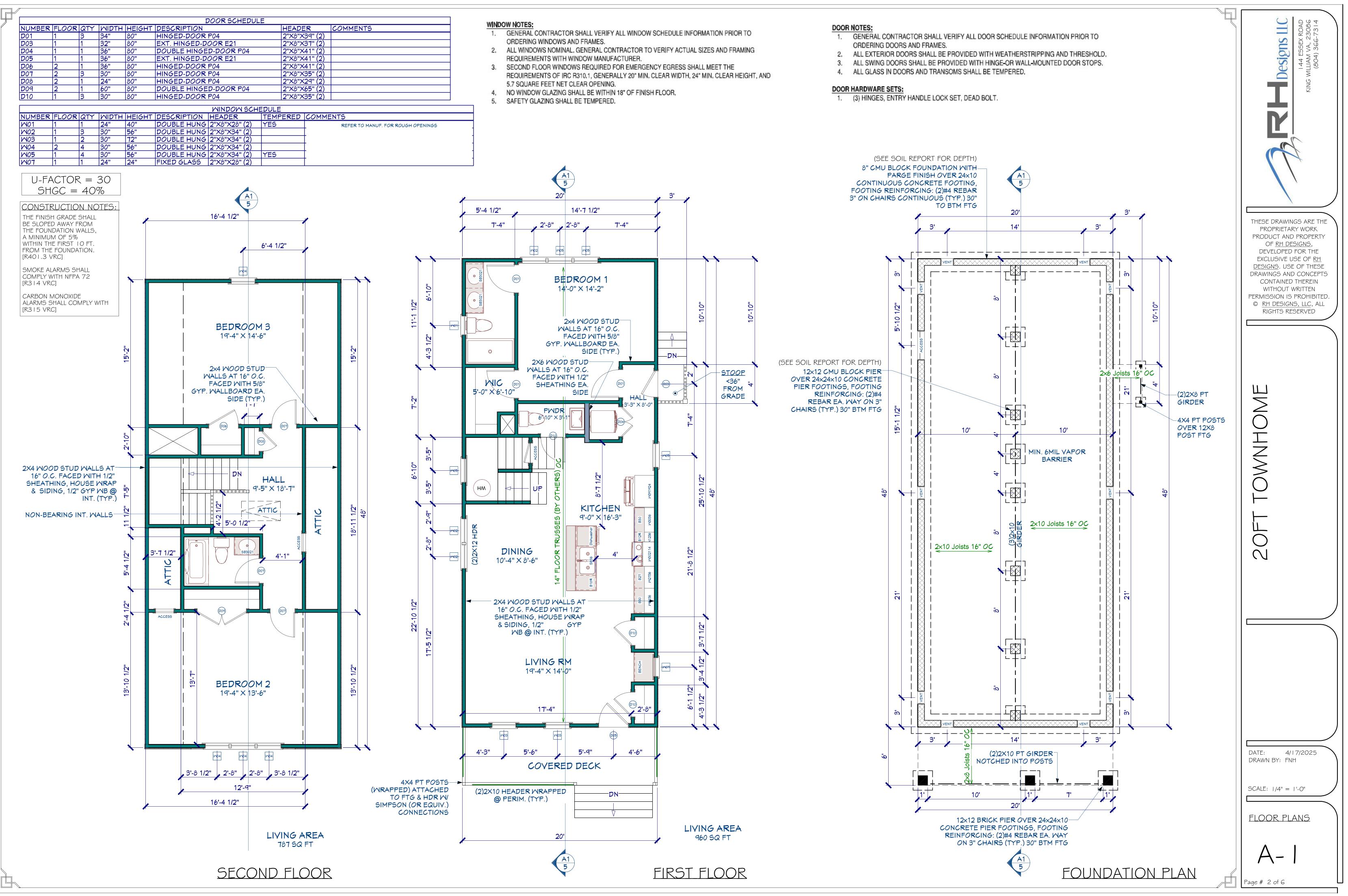
	Image: Sector
	THESE DRAWINGS ARE THE PROPRIETARY WORK PRODUCT AND PROPERTY OF <u>RH DESIGNS</u> , DEVELOPED FOR THE EXCLUSIVE USE OF <u>RH</u> <u>DESIGNS</u> . USE OF THESE DRAWINGS AND CONCEPTS CONTAINED THEREIN WITHOUT WRITTEN PERMISSION IS PROHIBITED. © <u>RH DESIGNS, LLC</u> , ALL RIGHTS RESERVED
	ZOFT TOWNHOME
-	DATE: 4/17/2025 DRAWN BY: FNH SCALE: NTS COVER
	RH Page # 1 of 6

LANS DESIGNED BY THE - 2021 VRC
ROST DEPTH - 18"
SOIL REPORT FTG DEPTH - SEE SOIL REPORT
DESIGN WIND SPEED - 90MPH, 3 SECOND GU
JLTIMATE DESIGN WIND SPEED FOR RISK

CONSTRUCTION NOTS:

DESIGN WIND SPEED - 90MPH, 3 SECOND GUST ULTIMATE DESIGN WIND SPEED FOR RISK CATEGORY II BUILDINGS - 115 MPH SNOW LOAD - 20 PSF SEISMIC DESIGN CATEGORY – B

OCCUPANCY GROUP - R5 TYPE OF CONSTRUCTION - VB SQUARE FOOTAGE - 960 IST FLR, 855 2ND FLR - TOTAL 1,815 SF SPRINKLERS: NO STORIES AND HEIGHT - 2 STORY, 24'-9"



Cemen	titious Sid <u>ing</u>	RATED EAVES AND SOFF THIS SIDE OF HOUSE (SI DETAIL SHEET S	FIT EE -1)
			Cementitio
		PARGI	E FIN.



