



CITY OF RICHMOND

Department of Planning & Development Review *Staff Report*

Ord. No. 2021-329: To authorize the special use of the property known as 2317 Rosewood Avenue for the purpose of an elevated deck and fence with screening panels accessory to a single-family dwelling, upon certain terms and conditions.

To: City Planning Commission
From: Land Use Administration
Date: December 6, 2021

PETITIONER

Lloyd Little

LOCATION

2317 Rosewood Avenue

PURPOSE

To authorize the special use of the property known as 2317 Rosewood Avenue for the purpose of an elevated deck and fence with screening panels accessory to a single-family dwelling, upon certain terms and conditions.

SUMMARY & RECOMMENDATION

The applicant is requesting to legalize a fence that was recently constructed on the property. A portion of the fence and screening encroaches into the required 3' side yard (setback). Fences and walls may project into a required side or rear yard with a height of up to 6.5'. A portion of the fence and screening panels are 8.5' in height in order to provide screening from the adjacent property along an elevated deck which is attached to the house and 4' above grade. Therefore, a special use permit is required.

Staff finds that the fence and screening panels are consistent with Residential land use designation for the property. The only portion of the fence and screening panels that exceed 6.5' is along a small elevated deck that is attached to the house. The remainder of the fence is in compliance with the zoning regulations.

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.

FINDINGS OF FACT

Site Description

The subject property consists of a single parcel of land that has a lot area of 2,685 square feet (0.06 acres) and is currently improved with a two-story single-family detached dwelling that has a floor area of approximately 1,700 square feet.

Proposed Use of the Property

The proposed Special Use Permit would legalize the existing fence, a portion of which exceeds the height limit for fences and walls located within a required side yard.

Master Plan

The City's Richmond 300 Master Plan designates the property as Neighborhood Mixed-Use. This land use category is described 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.

Development Style: A variety of building types that are close to one another and create a unified street wall. The building size, density, and zoning districts for these areas vary depending on historical densities and neighborhood characteristics. Future development should generally complement existing context. Setbacks, plazas, and parks create a sense of place and community gathering areas. New developments on larger parcels continue or introduce a gridded street pattern to increase connectivity within the neighborhood and to adjacent neighborhoods. In historic neighborhoods, small-scale commercial uses exist today or should be allowed to reestablish. In new neighborhoods, small scale commercial buildings should be introduced.

Mobility: Bicycle, pedestrian, and transit access are prioritized and accommodated. Bike parking is provided. New driveways are prohibited on Priority and Principal Street frontages. Vehicular access to parcels should use alleys wherever possible. Parking areas should be located to the rear of street-facing buildings.

Intensity: Buildings heights are generally two to four stories. Buildings taller than four stories may be found along major streets.

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

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

Zoning and Ordinance Conditions

The subject property is located within the R-6 Single Family Attached Residential District. The fence exceeds the height permitted for fences and wall within a required side yard (6.5' permitted vs. 8.5' existing). If adopted the ordinance would impose the following conditions on the property:

- (a) The Special Use of the Property shall be as an elevated deck and fence with screening panels accessory to a single-family dwelling, substantially as shown on the Plans.
- (b) There shall be no side yard requirement applicable to the elevated deck or for the portions of fence and screening panels that exceed 6.5 feet in height at the location shown on the Plans.
- (c) The combined height of the deck, fence, and screening panels shall not exceed ten feet.

Surrounding Area

The property and all surrounding properties are located within the R-6 Single Family Residential District. The property is within a residential neighborhood, and mostly single family detached dwellings are located within the block.

Neighborhood Participation

Staff notified area residents and property owners, as well as the Byrd Park Civic League. Staff has not received any letters of support or opposition.

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