



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  
<http://www.richmondgov.com/>

Application is hereby submitted for: (check one)

- special use permit, new**
- special use permit, plan amendment**
- special use permit, text only amendment**

**Project Name/Location**

Property Address: 1303 and 1305 North 29th Street Date: September 28, 2017  
 Tax Map #: E0000632001, 4, 5 & 6 Fee: \$300.00  
 Total area of affected site in acres: 0.23 acres (9,900 SF)

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

**Zoning**

Current Zoning: R-6

Existing Use: single-family dwelling and vacant lot

**Proposed Use**

(Please include a detailed description of the proposed use in the required applicant's report)

Construct new single-family dwelling  
 Existing Use: Single-family dwelling and vacant lot

Is this property subject to any previous land use cases?

Yes  No  If Yes, please list the Ordinance Number: N/A

**Applicant/Contact Person:** Mark Baker

Company: Baker Development Resources, LLC  
 Mailing Address: 919 East Main Street, Suite 2110  
 City: Richmond State: VA Zip Code: 23219  
 Telephone: ( 804 ) 874-6275 Fax: ( )  
 Email: markbaker@bakerdevelopmentresources.com

**Property Owner:** Kiwi Realty, LLC

If Business Entity, name and title of authorized signee: Casey White

(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: 1704 Avondale Ave  
 City: Richmond State: VA Zip Code: 23223  
 Telephone: ( 804 ) 869-8600 Fax: ( )  
 Email: casey@kiwidevelopmentva.com

**Property Owner 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)



October 11, 2017

Mr, Matthew Ebinger  
City of Richmond  
Department of Planning and Development Review  
Land Use Administration Division, Room 511  
City Hall, 900 East Broad Street  
Richmond, Virginia 23219

**Re: Special Use Permit: 1303 and 1305 N 29<sup>th</sup> Street**

Dear Matthew:

I am representing Kiwi Realty, LLC in their application for a special use permit for the properties known as 1303 and 1305 N 29<sup>th</sup> Street, identified as Tax Parcels E000-0624/020 and 022 (the "Property"). The Property is generally located at the east side of N 29<sup>th</sup> Street between S and T Streets. The Property consists of two lots with 1303 N 29<sup>th</sup> being occupied by a single-family dwelling and 1305 N 29<sup>th</sup> being vacant. This special use permit would permit the construction of a single-family dwelling on the vacant lot at 1305 N 29<sup>th</sup> Street.

Deed research indicates that the two lots have been recorded individually and have been conveyed as individual lots dating back to prior to 1940. At that time, the lots would have been buildable individual lots of record. The fact that these lots were never intentionally combined and remain separate deeded lots would suggest that both lots would remain buildable today – that 1305 N 29<sup>th</sup> could be developed by right. However, the Zoning Administrator has determined that the two lots were combined (unintentionally) as a single lot from a zoning perspective based on the actions of a previous owner. At some point in the past, both lots were fenced together with a single perimeter fence. As a result, while its history would suggest otherwise, the existing vacant lot at 1305 N 29<sup>th</sup> is now deemed to be unbuildable.

Due to this determination, in order to separate the lots, both lots would now need to meet all the R-6 feature requirements, including 5,000 square feet of lot area, 50 feet of lot width and applicable yard (setback) requirements. As depicted on the attached survey and site plan, 1303 N 29<sup>th</sup> meets the lot area and width requirements. However, with 25 feet of lot width and 3,300 square feet of lot area, 1305 N 29<sup>th</sup> does not meet the current R-6 standards. Due to the inadvertent consolidation of the lots from a zoning perspective a special use permit is now required to develop 1305 N 29<sup>th</sup>.

The proposed single-family dwelling at 1305 N 29<sup>th</sup> would be two stories in height and traditional in style. The dwelling would contain approximately 1,700 square feet of finished floor area and would include three bedrooms and 2 ½ baths. The primary building material would be cementitious horizontal lap siding with parged block foundation. A full-width front porch and full width upper and lower rear porches are proposed. The dwelling's floor plan is modern with open living areas and includes a master bedroom complete with en suite master bath and walk-in closet. The existing single-family dwelling at 1303 N 29<sup>th</sup>, contains 2,200 square feet of finished floor area on two levels and would be renovated as a high quality dwelling for sale.

In exchange for the SUP, the intent of this request is to ensure a quality renovation of the existing single-family dwelling while authorizing the construction of a high-quality, for sale, infill dwelling. The overall project would be consistent with the historic varied development pattern in the area, which includes dwellings constructed on both 25' and 50' wide lots. By permitting the proposed development, the SUP would allow for the sale of the existing and proposed high quality single-family dwelling units as home ownership opportunities, thereby addressing objectives of the Master Plan.

The following are factors indicted in Section 17.11 of the Charter and Section 30-1050.1 of the Zoning Ordinance relative to the approval of special use permits by City Council. The proposed special use permit will not:

- ***Be detrimental to the safety, health, morals and general welfare of the community involved.***

The proposed SUP will not impact the safety, health, morals and general welfare of the nearby community. The proposed site improvements and density are consistent or compatible with the varied lot pattern existing in the vicinity. The development of this underutilized property as proposed in conjunction with the high quality/benefits provided by the SUP will provide positive impacts in terms of health, welfare, etc.

- ***Tend to create congestion in streets, roads, alleys and other public ways and places in the area involved.***

The proposed SUP will not result in significant traffic impacts to nearby residential neighborhoods. The negligible traffic generation for one additional single-family dwelling will easily be handled by the existing road network. Off-street parking is proposed on site and will alleviate any potential impacts due to additional parking demand. As such, the SUP will not create congestion on streets, roads, alleys or any other public right of way.

- ***Create hazards from fire, panic or other dangers.***

The property will be developed in a manner consistent with the requirements of the building code and in accordance with the requirements of Fire and Emergency Services. The City's codes applicable to this development are designed to eliminate such hazards.

- ***Tend to overcrowding of land and cause an undue concentration of population.***

The proposed SUP will not tend to over crowd the land or create an undue concentration of population. The request represents a density that is consistent and compatible based on the exiting varied lot pattern in the vicinity.

- ***Adversely affect or interfere with public or private schools, parks, playgrounds, water supplies, sewage disposal, transportation or other public requirements, conveniences and improvements.***

The special use permit amendment would not adversely affect the above referenced City services. To the contrary, the proposal would provide positive fiscal (tax) benefits that would enhance the City's ability to provide these services to the proposed development.

- ***Interfere with adequate light and air.***

The light and air available to the subject and adjacent properties will not be affected. The proposed development would meet applicable setback requirements thereby preventing any interference with the provision of light and air.

In summary, the applicant is enthusiastically seeking approval for the construction of a single-family dwelling and the renovation of an existing single-family dwelling on the Property. This proposal represents an ideal, small-scale urban infill development for this location. The special use permit would not authorize any additional density over what would be permitted for the exiting lots of record were the lots not inadvertently combined. In exchange, the quality assurances conditioned through the SUP would guarantee the thoughtful rehabilitation of the original single-family dwelling on the Property and the construction of a higher quality new single-family dwelling than might otherwise be developed by right. This would contribute to the vibrancy of the block through the provision of the much desired traditional neighborhood design that is consistent with the historic development pattern of the surrounding neighborhood.

Thank you for your time and consideration of this request. Please let me know if you have any questions.

Sincerely,



Mark R. Baker

Enclosures

cc: The Honorable Cynthia I. Newbille