



## CITY OF RICHMOND

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

**Ord. No. 2019-082:** To amend Ord. No. 2017-194, adopted Nov. 13, 2017, which authorized the special use of the property known as 3138 Grayland Avenue, now the properties known as 3136 Grayland Avenue and 3138 Grayland Avenue, for the purpose of two single-family detached dwellings, to modify the setback requirements pertaining to 3136 Grayland Avenue, upon certain terms and conditions.

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**To:** City Planning Commission  
**From:** Land Use Administration  
**Date:** April 1, 2019

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#### **PETITIONER**

Mark Baker – Baker Development Resources

#### **LOCATION**

3136 and 3138 Grayland Avenue

#### **PURPOSE**

To amend Ord. No. 2017-194, adopted Nov. 13, 2017, which authorized the special use of the property known as 3138 Grayland Avenue, now the properties known as 3136 Grayland Avenue and 3138 Grayland Avenue, for the purpose of two single-family detached dwellings, to modify the setback requirements pertaining to 3136 Grayland Avenue, upon certain terms and conditions.

#### **SUMMARY & RECOMMENDATION**

The single-family dwelling constructed at 3136 Grayland Avenue was built after receiving authorization through a special use permit approved in 2017 (Ord. No. 2017-194) which was needed because the proposal did not meet the lot area and width requirements of the R-5 Single-Family Residential District.

During construction, the dwelling was inadvertently placed so as not to meet the setbacks authorized by the special use permit. The applicant is therefore proposing to amend the special use permit to authorize the setbacks of the dwelling as constructed. Specifically:

The side yard setback at the rear left corner of the building would be amended from 1.7' to 1.2'  
The side yard setback at the rear right corner of the building would be amended from 2.8' to 3.0'  
The side yard setback at the front left corner of the building would be amended from 1.7' to 1.9';  
The side yard setback at the front right corner of the building would be amended from 2.8' to 2.5'

In October 2017, with regard to the original Special Use Permit request, Staff found that the proposal would be infill development of like density, scale and use, as supported by the Master Plan and consistent with the current pattern of development within the Vicinity; The proposal would not pose an undue burden on the availability of on-street parking in the area; With the ordinance conditions, the safeguards contained within the City Charter, relative to the granting of Special Use Permits, would be met...Specifically 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.

Staff maintains the same findings when considering the proposed amendment to modify the current setback requirements.

Therefore staff recommends approval of the Special Use Permit Amendment request.

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## **FINDINGS OF FACT**

### **Site Description**

3136 Grayland Avenue consists of a 2,460 SF or .05 acre parcel of land improved with a 2,292 SF residential building constructed, per tax assessment records, in 2018 as a single-family dwelling. It is located in the Carytown neighborhood of the Near West Planning District.

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

The use of the property is single-family detached residential.

### **Master Plan**

The City of Richmond's current Master Plan designates a future land use category for the subject property as Single Family Residential at low densities. Primary uses for this category are "...single-family detached dwellings at densities up to seven units per acre. Includes residential support uses such as schools, places of worship, neighborhood parks and recreation facilities, and limited public and semi-public uses. Typical zoning classifications that may accommodate this land use category: R-1, R-2, R-3, R-4, and R-5." (City of Richmond, Master Plan, 2009, p.133)

### **Zoning and Ordinance Conditions**

The current zoning for this property is R-5 (Single Family Residential) and the property is encumbered by a special use permit (Ord. No. 2017-194), which authorized the construction of the single-family dwelling located at 3136 Grayland Avenue.

The proposed amendment to the special use permit ordinance would authorize the setbacks of the existing building at 3136 Grayland Avenue, as shown on the updated plans.

### **Surrounding Area**

All adjacent properties are located within the same R-5 Single Family Residential District as the subject property. Single family residential land use predominates the area, with some two family residential and vacant land uses present as well.

### **Neighborhood Participation**

Staff has not received any correspondence from neighboring or nearby residents in opposition to, or in support of, this application.

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