



**BOARD OF ZONING APPEALS**

**MEETING MINUTES**

**WEDNESDAY, JUNE 4, 2025**

On Wednesday, June 4, 2025, the Board of Zoning Appeals held a public hearing in the Fifth Floor Conference Room, 900 East Broad Street, at 1:00 p.m.; display notice having been published in the Richmond Legacy Newspaper on May 21 and 28, 2025 and written notice having been sent to interested parties.

Members Present:                   Rodney M. Poole, Chair  
  Mary J. Hogue  
  Bryce L. Robertson  
  Leigh V. Kelley  
  Charles L. Menges

Staff Present:                       Roy W. Benbow, Secretary  
  William C. Davidson, Zoning Administrator  
  Neil R. Gibson, Senior Assistant City Attorney

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The Chairman called the meeting to order and read the Board of Zoning Appeals Introductory Statement, which explains the proceedings of the meeting. The applicant and those appearing in support of an application speak first, followed by those appearing in opposition.

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**BZA 15-2025 (CONTINUED FROM MAY 7, 2025 MEETING)**

APPLICANT:                   Amanda and William Loy  
  
PREMISES:                    1023 WEST 45<sup>th</sup> STREET  
  (Tax Parcel Number S006-0374/005)

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

DISAPPROVED by the Zoning Administrator on March 14, 2025, based on Sections 30-300 & 30-410.4 of the zoning ordinance for the reason that: In an R-5 (Single-Family Residential) District, the lot area requirement is not met. Lot areas of six thousand square feet (6,000 SF) are required. For zoning purposes, one lot having a lot area of 10,000 square feet currently exists. Lot areas of 5,000 square feet are proposed.

APPLICATION was filed with the Board on March 14, 2025, based on Section 30-1040.3(2) of the City of Richmond Zoning Ordinance.

**APPEARANCES:**

For Applicant: Alessandro Ragazzi

Against Applicant: None

**FINDINGS OF FACT:** The Board finds from sworn testimony and exhibits offered in this case that the applicant, Amanda and William Loy, have requested a special exception to construct a new single-family detached dwelling for property located at 1023 W. 45<sup>th</sup> Street. Mr. Alessandro Ragazzi, representing the applicant, testified that the property is located on the Eastern line of West 45<sup>th</sup> Street near its intersection with Dunstan Avenue. The request is consistent with the special exception intent of creating infill housing that is compatible with the neighborhood. Mr. Ragazzi explained that the existing two-story frame dwelling on the northern portion of the parcel will be retained. Further, the proposed dwelling has been designed to be compatible with the existing homes in the area and will include approximately 2576 ft.<sup>2</sup> of floor area and three bedrooms and three and one half baths. The proposed lot will be 50 feet in width and contain 5000 ft.<sup>2</sup> of lot area and off-street parking will be provided. The side yard requirements are being met and no subdivision is required. Mr. Ragazzi indicated that the proposed lots are consistent with the predominant lot width and lot areas in the vicinity and the proposed dwelling will be compatible with other dwellings in the vicinity. Mr. Ragazzi noted that this hearing had been continued from the previous months agenda in an effort to meet with the Forest Hill Association which was done on May 20. Mr. Ragazzi concluded by stating that several letters of support for the project had been received.

The Board is satisfied that the property was acquired in good faith and pursuant to Section 30-1040.3 (2) of the zoning ordinance, the subject lots have previously consisted of legal lots of record that were subsequently combined by deed or other means, and the number of lots to be created do not exceed the number of

previously existing lots of record, the new lots comply with Section 30-610.1 of the zoning ordinance and off-street parking requirements will be met, each lot created by the division will comply with the requisite side yard requirements, the division will comply with applicable requirements of the subdivision regulations, the areas and widths of the lots created by the division are consistent with the predominant lot areas and lot widths in the immediate vicinity of the property and that dwellings to be constructed on the lots will be compatible with the dwellings existing or to be constructed in the immediate vicinity of the property.

RESOLUTION: NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ZONING APPEALS that a request for a special exception from the lot area requirement be granted to Amanda and William Loy for a lot split and building permit to construct a new single-family (detached) dwelling, subject to substantial compliance with the plans submitted to the Board and provision of cementitious siding.

ACTION OF THE BOARD: (5-0)

Vote to Grant Conditionally

affirmative: Poole, Hogue, Robertson, Kelley, Menges

negative: None

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BZA 17-2025

APPLICANT: Cava Capital LLC

PREMISES: 2502 COURTLAND STREET  
(Tax Parcel Number S009-0224/010)

SUBJECT: A lot split and building permits to construct two new single-family (detached) dwellings.

DISAPPROVED by the Zoning Administrator on March 14, 2025, based on Sections 30-300 & 30-408.4 of the zoning ordinance for the reason that: In an R-4 (Single-Family Residential) District, the lot width requirement is not met. Lot widths of sixty feet (60') are required. For zoning purposes, one lot having a lot width of one hundred feet (100') currently exists. Lot widths of fifty feet (50') are proposed.

APPLICATION was filed with the Board on March 14, 2025, based on Section 30-1040.3(2) of the City of Richmond Zoning Ordinance.

## APPEARANCES:

For Applicant: Mark Baker

Against Applicant: None

**FINDINGS OF FACT:** The Board finds from sworn testimony and exhibits offered in this case that the applicant, Cava Capital LLC, have requested a special exception to construct two new single-family detached dwellings for property located at 2502 Courtland Street. Mr. Mark Baker, representing the applicant, testified that the property is located at the southwest corner of Courtland Street and Lynnhaven Avenue. The goal is to permit construction of two new single-family detached dwellings on what was historically lots 12 & 13 of the Villa Heights Subdivision. Mr. Baker noted that the request is consistent with the special exception intent of creating compatible infill housing. The proposed structures will be approximately 1600 ft.<sup>2</sup> in floor area, including three bedrooms and 2 ½ baths with a full width front porch. Quality building materials will be utilized including cementitious siding. The proposed lots will be 50 feet in width and 150 feet in depth containing 7500 ft.<sup>2</sup> of lot area. Mr. Baker stated that the lot was originally two legal subdivision lots that were subsequently combined. The street frontage and side yard requirements are met, and no subdivision is required. The proposed lots are consistent with the predominant lot widths and lot areas in the vicinity and the new homes will be compatible with dwellings in the vicinity. Mr. Baker indicated that letters were sent to all property owners within 150-foot radius and that the Richmond Highway Neighborhood Civic Association was made aware of the request and to date no negative responses had been received.

The Board is satisfied that the property was acquired in good faith and pursuant to Section 30-1040.3 (2) of the zoning ordinance, the subject lots have previously consisted of legal lots of record that were subsequently combined by deed or other means, and the number of lots to be created do not exceed the number of previously existing lots of record, the new lots comply with Section 30-610.1 of the zoning ordinance and off-street parking requirements will be met, each lot created by the division will comply with the requisite side yard requirements, the division will comply with applicable requirements of the subdivision regulations, the areas and widths of the lots created by the division are consistent with the predominant lot areas and lot widths in the immediate vicinity of the property and that dwellings to be constructed on the lots will be compatible with the dwellings existing or to be constructed in the immediate vicinity of the property.

**RESOLUTION:** NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ZONING APPEALS that a request for a special exception from the lot width requirement be granted to Cava Capital LLC for a lot split and building permits to construct two new single-family (detached) dwellings, subject to substantial

compliance with the plans submitted to the Board and provision of cementitious siding.

ACTION OF THE BOARD: (5-0)

Vote to Grant Conditionally

affirmative: Poole, Hogue, Robertson, Kelley, Menges

negative: None

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BZA 18-2025 (CONTINUED TO JULY 2, 2025 MEETING WIHTOUT FEE)

APPLICANT: Mark and Shaleetta Drawbaugh

PREMISES: 1308 OAKWOOD AVENUE  
(Tax Parcel Number E000-1104/032)

SUBJECT: Building permits to construct a one-story rear addition and two-story detached garage accessory to an existing single-family (detached) dwelling.

DISAPPROVED by the Zoning Administrator on April 8, 2025, based on Sections 30-300, 30-410.5(2), 30-410.6 & 30-620.1(c) of the zoning ordinance for the reason that: In an R-5 (Single-Family Residential) District, the side yard (setback) and lot coverage requirements are not met. A side yard of three feet (3') is required; 0.25 feet ± is proposed along the western property line for the proposed detached garage. Maximum lot coverage shall not exceed thirty-five percent (35%) of the area of the lot. A lot coverage of 1,402.63 square feet (35%) is permitted. A lot coverage of 1,198.27 square feet (30%) currently exists for the main building and 1,158 square feet (29%) will exist after the removal of the rear panty (40.26 SF). A lot coverage of 1,457 (36%) is proposed for the one-story rear addition and 2,033 square feet (51%) is proposed with the two-story detached garage.

APPLICATION was filed with the Board on March 23, 2025, based on Section 30-1040.3(1) of the City of Richmond Zoning Ordinance.

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BZA 19-2025

APPLICANT: Watchtower Homes and Construction LLC

PREMISES: 1203 NORTH 38<sup>th</sup> STREET  
(Tax Parcel Number E000-1768/002)

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

DISAPPROVED by the Zoning Administrator on April 11, 2025, based on Sections 30-300 & 30-410.4 of the zoning ordinance for the reason that: In an R-5 (Single-Family Residential) District, the lot area and lot width requirements are not met. Lot areas of six thousand square feet (6,000 SF) and lot widths of fifty feet (50') are required. For zoning purposes, one lot having a lot area of 5,889 square feet and a lot width of 63.3 currently exists. A lot area of 2,709 square feet and lot width of 30.41 feet are proposed for No. 1201 ½. A lot area of 3,180 square feet and lot width of 32.89 feet are proposed for No. 1203.

APPLICATION was filed with the Board on April 11, 2025, based on Section 30-1040.3(2) of the City of Richmond Zoning Ordinance.

APPEARANCES:

For Applicant: Alessandro Ragazzi

Against Applicant: None

FINDINGS OF FACT: The Board finds from sworn testimony and exhibits offered in this case that the applicant, Watchtower Homes and Construction LLC, has requested a special exception to construct a new single-family detached dwelling for property located at 1203 N. 38<sup>th</sup> Street. Mr. Alessandro Ragazzi, representing the applicant, testified that the subject property is located on the southern block face North 38<sup>th</sup> Street between P Street and Canepa Street. The goal is to permit construction of a new single-family detached dwelling to be known as 1201.5 N. 38<sup>th</sup> Street. Historically the subject parcel consisted of lot 16 & 17 of the original subdivision. Mr. Ragazzi explained that the request is consistent with the special exception intent of creating infill housing that is compatible with the neighborhood. The proposal is to construct a two-story frame dwelling on the western portion of the parcel of approximately 1815 ft.<sup>2</sup> of floor with three bedrooms and 2 ½ baths. The proposed dwelling will be compatible with other dwellings in the neighborhood and meet the needs of today's homebuyer with an open first floor kitchen and dining area and a primary bedroom suite with a walk-in closet and en suite bath. The exterior of the dwelling will reflect existing dwellings in the area and utilize quality building materials with cementitious siding. Mr. Ragazzi stated that the street frontage and side yard requirements are met, and no subdivision is required. The proposed lots are consistent with the predominant lot width and lot areas in the vicinity. Further, the proposed dwelling

will be compatible with other dwellings in the vicinity which include a range of building materials and architectural styles. Letters were sent to property owners within a 150-foot radius and the Church Hill Central Civic Association was contacted and no opposition was received.

The Board is satisfied that the property was acquired in good faith and pursuant to Section 30-1040.3 (2) of the zoning ordinance, the subject lots have previously consisted of legal lots of record that were subsequently combined by deed or other means, and the number of lots to be created do not exceed the number of previously existing lots of record, the new lots comply with Section 30-610.1 of the zoning ordinance and off-street parking requirements will be met, each lot created by the division will comply with the requisite side yard requirements, the division will comply with applicable requirements of the subdivision regulations, the areas and widths of the lots created by the division are consistent with the predominant lot areas and lot widths in the immediate vicinity of the property and that dwellings to be constructed on the lots will be compatible with the dwellings existing or to be constructed in the immediate vicinity of the property.

RESOLUTION: NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ZONING APPEALS that a request for a special exception from the lot area and lot width requirements be granted to Watchtower Homes and Construction LLC for a lot split and building permit to construct a new single-family (detached) dwelling, subject to substantial compliance with the plans submitted to the Board and provision of cementitious siding.

ACTION OF THE BOARD: (5-0)

Vote to Grant Conditionally affirmative: Poole, Hogue, Robertson, Kelley, Menges  
negative: None

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BZA 20-2025

APPLICANT: George and Erin Henry

PREMISES: 4301 AUGUSTA AVENUE  
(Tax Parcel Number W000-1958/006)

SUBJECT: A building permit to construct a new fence and wall accessory to an existing single-family (detached) dwelling.

DISAPPROVED by the Zoning Administrator on April 9, 2025, based on Sections 30-300, 30-410.5(1), 30-630.1(a)(1) & 30-630.9(b) of the zoning ordinance for the reason that: In an R-5 (Single-Family Residential) District, the maximum permitted fence and wall height located in a required front yard is exceeded. Fences and walls within the required front yard shall not exceed four feet (4') in height. A fence and a wall having heights of six feet (6') are proposed.

APPLICATION was filed with the Board on April 13, 2025, based on Section 30-1040.3(8) of the City of Richmond Zoning Ordinance.

APPEARANCES:

For Applicant: George Henry

Against Applicant: None

FINDINGS OF FACT: The Board finds from sworn testimony and exhibits offered in this case that the applicants, George and Erin Henry, have requested a special exception to construct a new fence and wall accessory to an existing single-family detached dwelling for property located at 4301 Augusta Avenue. Mr. George Henry testified that the requested exception would permit the construction of a 6-foot fence and wall. Mr. Henry noted that they had constructed a pool in their side yard as their home has no backyard. The proposed wall/fence will extend into the front yard which requires the exception. Mr. Henry noted that the request is consistent with the special exception criteria. The proposed location of the pool being adjacent to a street and alley subjects it to significant noise pollution which the proposed fence/wall will ameliorate. Further, the proposed fence/wall will provide enhanced security by deterring unauthorized access and ensuring the safety of the residents. Mr. Henry noted that a 4-foot fence/wall would not provide any deterrent whatsoever. In addition, the 6-foot height is essential to ensure a reasonable level of privacy for the inhabitants of the property, shielding them from public view and maintaining their domestic tranquility. Mr. Henry noted that the proposed design is intended to be architecturally harmonious with the existing dwelling and that the proposed fence/wall will not impair light or air to neighboring properties. Mr. Henry explained the surrounding residents had been contacted regarding the proposed request and no opposition was noted.

The Board is satisfied that the property was acquired in good faith and pursuant to Section 30-1040.3 (8) of the zoning ordinance, the applicant has shown that the property on which the fence or wall is to be constructed is devoted to a conforming dwelling use, that the proposed height of the fence or wall is reasonably necessary to provide security for the property and/or to provide a buffer from noise and activity on the adjacent street, that the design and construction materials of the fence or wall will be compatible with the main

building and other structures located on the lot and with the general character of development in the immediate surrounding area and that the fence or wall will not unreasonably impair light and air to adjacent property, and will not impair necessary visibility for operators of motor vehicles at any intersection of the adjacent street with an alley, driveway or other street.

RESOLUTION: NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ZONING APPEALS that a request for a special exception from the maximum permitted fence and wall height requirements be granted to George and Erin Henry for a building permit to construct a new fence and wall accessory to an existing single-family (detached) dwelling, subject to substantial compliance with the plans submitted to the Board.

ACTION OF THE BOARD: (5-0)

Vote to Grant Conditionally affirmative: Poole, Hogue, Robertson, Kelley, Menges  
negative: None

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BZA 21-2025

APPLICANT: Patrick Bozeman

PREMISES: 2810 EAST BROAD STREET  
(Tax Parcel Number E000-0530/023)

SUBJECT: A building permit to construct a rear addition on an existing single-family (attached) dwelling.

DISAPPROVED by the Zoning Administrator on April 18, 2025, based on Sections 30-300, 30-412.5(2)b & 30-412.6 of the zoning ordinance for the reason that: In an R-6 (Single-Family Attached Residential) District, the side yard (setback) and lot coverage requirements are not met. A side yard of 3' is required along the eastern property; 4" is proposed. Maximum lot coverage shall not exceed fifty-five percent (55%) of the area of the lot. A lot coverage of 547 square feet (54.29%) currently exists for the main building and a lot coverage of 618 square feet (61.35%) is proposed.

APPLICATION was filed with the Board on April 18, 2025, based on Section 30-1040.3(1) of the City of Richmond Zoning Ordinance.

## APPEARANCES:

For Applicant: Lory Markham

Against Applicant: None

**FINDINGS OF FACT:** The Board finds from sworn testimony and exhibits offered in this case that the applicant, Patrick Bozeman, is requesting a special exception to construct an addition onto the rear of an existing single-family attached dwelling for property located at 2010 E. Broad Street. Ms. Lory Markham, representing the applicant, testified that the subject property contains 1167 ft.<sup>2</sup> of lot area and the zoning is R-6. The owner is proposing to construct a small 1695 ft.<sup>2</sup> addition on the second floor. The first level under the addition would contain an open-air covered deck and the third level of the addition would be an uncovered deck. Ms. Markham stated that the property is 15.5 feet wide, and the house is currently attached to the dwelling on the east and abutting the dwelling on the west. The proposed addition would be 4 inches from the eastern property line and would not meet the required side yard. Ms. Markham noted that the intent of the special exception recognizes many existing lots in the city are characterized by conditions, such small size that current yard and/or lot coverage requirements severely inhibit their development. Ms. Markham indicated that the intended purpose of the use of the dwelling is consistent with the use regulations applicable in the district and that the existing/proposed use is permitted in the R-6 district. Further, the departure from the applicable yard and lot coverage requirements is the minimum necessary. Finally, the proposed addition will be in keeping with the development pattern of the neighborhood as approved by the Commission of Architectural Review in June 2022.

The Board is satisfied that the property was acquired in good faith and pursuant to Section 30-1040.3(1) of the City Code, the intended purpose and use of the proposed addition is consistent with the zoning district regulations; departure from the yard requirements is the minimum necessary to accommodate the intended purpose of the addition; the addition or similar construction serving the same purpose cannot reasonably be located elsewhere on the lot in compliance with the zoning ordinance; and the addition will be in keeping with the architectural character of the dwelling and development within the neighborhood.

**RESOLUTION:** NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ZONING APPEALS that a request for a special exception from the side yard (setback) and lot coverage requirements be granted to Patrick Bozeman for a building permit to construct a rear addition on an existing single-family (attached) dwelling, subject to substantial compliance with the plans submitted to the Board and provision of cementitious siding.

ACTION OF THE BOARD: (5-0)

Vote to Grant Conditionally

affirmative: Poole, Hogue, Robertson, Kelley, Menges

negative: None

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BZA 22-2025

APPLICANT: Watchtower Homes and Construction LLC

PREMISES: 5404 CAMPBELL AVENUE  
(Tax Parcel Number E010-0138/022)

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

DISAPPROVED by the Zoning Administrator on April 25, 2025, based on Sections 30-300 & 30-410.4 of the zoning ordinance for the reason that: In an R-5 (Single-Family Residential) District, the lot area and lot width requirements are not met. Lot areas of six thousand square feet (6,000 SF) and lot widths of fifty feet (50') are required. A lot area of 5,075 square feet and lot width of 35 feet are proposed.

APPLICATION was filed with the Board on April 25, 2025, based on Section 30-1040.3(2) of the City of Richmond Zoning Ordinance.

APPEARANCES:

For Applicant: Alessandro Ragazzi

Against Applicant: None

FINDINGS OF FACT: The Board finds from sworn testimony and exhibits offered in this case that the applicant is requesting a special exception to construct a single-family detached dwelling for property located at 5404 Campbell Avenue. Mr. Alessandro Ragazzi, representing the applicant, testified that 5404 Campbell Avenue is currently an existing lot located on the eastern block face of Campbell Avenue between Ashley Street and Vinton Street. Mr. Ragazzi stated that the request is consistent with the special exception intent of creating infill housing that is compatible with the neighborhood. The applicant is proposing to construct a two-story frame dwelling of approximately 1815 ft.<sup>2</sup> of floor air with three

bedrooms and 2 ½ baths. The proposed dwelling has been designed to be compatible with existing homes in the area and meets the needs of today’s homebuyer with an open first floor kitchen and dining area, a primary bedroom suite with a walk-in closet and en suite bathroom on the first floor. The exterior of the dwelling is consistent with other dwellings in the area and will have a full width front porch, a two-story dwelling with a gable roof and will utilize quality building materials including cementitious siding. The street frontage and side yard requirements are met and the no subdivision is required. Mr. Ragazzi stated that the lot is consistent with the predominant lot area and lot widths in the vicinity and the new dwelling will be compatible with dwellings in the vicinity having a range of building materials and architectural styles. Mr. Ragazzi concluded by stating that letters were sent to all property owners within a 150-foot radius on April 21 and that the Greater Fulton Neighborhood Civic Association was contacted and no opposition had been received regarding this request.

The Board is satisfied that the property was acquired in good faith and pursuant to Section 30-1040.3 (2) of the zoning ordinance, the subject lots have previously consisted of legal lots of record that were subsequently combined by deed or other means, and the number of lots to be created do not exceed the number of previously existing lots of record, the new lots comply with Section 30-610.1 of the zoning ordinance and off-street parking requirements will be met, each lot created by the division will comply with the requisite side yard requirements, the division will comply with applicable requirements of the subdivision regulations, the areas and widths of the lots created by the division are consistent with the predominant lot areas and lot widths in the immediate vicinity of the property and that dwellings to be constructed on the lots will be compatible with the dwellings existing or to be constructed in the immediate vicinity of the property.

**RESOLUTION: NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ZONING APPEALS** that a request for a special exception from the lot area and lot width requirements be granted to Watchtower Homes and Construction LLC for a lot split and building permit to construct a new single-family (detached) dwelling, subject to substantial compliance with the plans submitted to the Board and provision of cementitious siding.

**ACTION OF THE BOARD:** (5-0)

Vote to Grant Conditionally

affirmative: Poole, Hogue, Robertson, Kelley, Menges

negative: None

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Upon motion made by Mr. Robertson and seconded by Ms. Hogue, Members voted (3-0) to adopt the Board's May meeting minutes.

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The meeting was adjourned at 1:45 p.m.  
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Secretary

  
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Chairman