



CITY OF RICHMOND

Department of Planning & Development Review *Staff Report*

Ord. No. 2019-110 To authorize the special use of the property known as 1206 Jahnke Road for the purpose of a single-family detached dwelling without frontage on an improved public street as required by City Code § 30-610.1, upon certain terms and conditions.

To: City Planning Commission
From: Land Use Administration
Date: May 6, 2019

PETITIONER

Phil Gardner

LOCATION

1206 Jahnke Road

PURPOSE

To authorize the special use of the property known as 1206 Jahnke Road for the purpose of a single-family detached dwelling without frontage on an improved public street as required by City Code § 30-610.1, upon certain terms and conditions.

SUMMARY & RECOMMENDATION

The city's zoning ordinance, section 30-610.1, requires that all buildings shall be located on a lot having frontage on an improved public street or have access thereto by means of a recorded permanent easement. The proposed single-family dwelling will be built on a new lot created by subdivision of the rear portion of the subject parcel. Access to this property will be via public alley. A special use permit is therefore required.

Staff finds that the proposed development would be consistent with the land use recommendations of the Master Plan.

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 is consistent with other uses in the community and would not create congestion in the streets in the area involved.

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

FINDINGS OF FACT

Site Description

The subject property is zoned R-5 Single-Family Residential. The parcel is .411 acres of land measuring 60 feet wide and 298 feet deep and contains a single-family detached dwelling fronting

on Jahnke Road. It is located in the Forest View Neighborhood within the City's Old South Planning District.

Proposed Use of the Property

The proposed development will take place to the rear of the existing dwelling and will consist of a new single-family dwelling fronting a public alley, constructed on a newly subdivided lot.

Master Plan

The City of Richmond's Master Plan designates the subject property for Single-Family (Low Density) uses. Primary uses in this category are "single-family detached dwellings at densities up to seven units per acre. (See page 133, Richmond Master Plan.) The density of the parcel if developed as proposed would be approximately 3 units per acre.

Specifically for the Old South District, the Master Plan states "in most areas, infill development of like density and use is appropriate (p. 271).

Zoning and Ordinance Conditions

The subject property is located in the R-5 Single-Family Residential district. Sec. 30-410.4-5 states that single-family dwellings in this district shall be located on lots of not less than 6,000 square feet with a minimum width of at least 50 feet. The front yard shall be no less than 25 feet in depth; the side yards shall be no less than five feet in depth; and the rear yard shall not be less than 5 feet in depth.

The proposed single-family dwelling will be located on a lot that will be 60 feet wide and 148 feet in depth. The total lot area will be 8,744 square feet. All yard setbacks are met. Thus the proposed parcel and single-family dwelling meets all requirements of the R-5 Single-Family Residential District.

A Special Use Permit is required because the proposed parcel does not have access from a public street. However, the proposed dwelling can be accessed via alleys that extend from Jahnke Road and Dorchester Road. Section 30-610.1 of the zoning ordinance requires that every building erected shall be located on a lot having frontage on an improved public street or access thereto by means of a recorded permanent easement. This easement shall be approved by the Director of Public Works, the Chief of Police and the Chief of Fire and Emergency Services in order to ensure the suitability of the alley for all-weather travel by public and emergency vehicles. The Department of Fire and Emergency Services has inspected the alleys and determined that they suitable to provide emergency access to the subject property.

The special use permit ordinance will impose conditions on the property, including:

- a. The Special Use of the Property shall be as a single-family detached dwelling, substantially as shown on the Plans and on the survey identified in section 1 of the ordinance.
- b. No fewer than one on-site parking space shall be provided for the Special Use.

- c. The height of the Special Use shall not exceed one story in height, substantially as shown on the Plans.
- d. All building materials, elevations, and setbacks pertaining to the Special Use shall be substantially as shown on the Plans and on the survey identified in section 1 of the ordinance.
- e. All mechanical equipment serving the Property shall be located or screened so as not to be visible from any public right-of-way.
- f. Prior to the issuance of any certificate of occupancy for the Special Use, the public alley providing access to the Property as shown on the survey identified in section 1 of the ordinance must be named in accordance with sections 8-7 through 8-10 of the Code of the City of Richmond (2015), as amended.
- g. No permit implementing the Special Use shall be issued until written evidence is provided that the Director of Public Works, the Chief of Police, and the Chief of Fire and Emergency Services have confirmed that the alley access to the Property for all-weather travel by public and emergency vehicles is suitable has been submitted to the Zoning Administrator.
- h. Prior to the issuance of any certificate of occupancy for the Special Use, the establishment of two residential lots, substantially as shown on the Plans and on the survey identified in section 1 of this ordinance, shall be accomplished by obtaining subdivision approvals from the City and by recording the appropriate plats among the land records of the Clerk of the Circuit Court of the City of Richmond.

Surrounding Area

All properties surrounding the subject property are located within the same R-5 Single-Family Residential District. Within the general area of the subject parcel, properties are developed with single-family dwellings with a typical lot size of .2 acres or less.

Neighborhood Participation

One phone call in opposition has been received from a neighboring property owner for this application.

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