

INTRODUCED: June 2, 2025

AN ORDINANCE No. 2025-132

To authorize the special use of the property known as 5201 Sylvan Court for the purpose of a single-family detached dwelling, upon certain terms and conditions.

Patron – Mayor Avula (By Request)

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: JUN 23 2025 AT 6 P.M.

WHEREAS, the owner of the property known as 5201 Sylvan Court, which is situated in a R-4 Single-Family Residential District, desires to use such property for the purpose of a single-family detached dwelling, which use, among other things, is not currently allowed by sections 30-408.4, concerning lot area and width, 30-408.8, concerning driveways from streets, and 30-610.1, concerning public street frontage and access easements, of the Code of the City of Richmond (2020), as amended; and

WHEREAS, in accordance with section 17.11 of the Charter of the City of Richmond (2020), as amended, it has been made to appear that, if granted subject to the terms and conditions set forth in this ordinance, the special use granted by this ordinance will not be detrimental to the

AYES: 8 NOES: 0 ABSTAIN: _____

ADOPTED: JUN 23 2025 REJECTED: _____ STRICKEN: _____

safety, health, morals and general welfare of the community involved, will not tend to create congestion in streets, roads, alleys and other public ways and places in the area involved, will not create hazards from fire, panic or other dangers, will not tend to overcrowding of land and cause an undue concentration of population, will not adversely affect or interfere with public or private schools, parks, playgrounds, water supplies, sewage disposal, transportation or other public requirements, conveniences and improvements, and will not interfere with adequate light and air; and

WHEREAS, (i) the City Planning Commission has conducted a public hearing to investigate the circumstances and conditions upon which the Council is empowered to authorize such use, (ii) the City Planning Commission has reported to the Council the results of such public hearing and investigation and its recommendations with respect thereto, and (iii) the Council has conducted a public hearing on this ordinance at which the person in interest and all other persons have had an opportunity to be heard;

NOW, THEREFORE,

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. **Finding.** Pursuant to section 30-1050.1 of the Code of the City of Richmond (2020), as amended, the Council hereby finds that the special use set forth in and subject to the terms and conditions of this ordinance will not (i) be detrimental to the safety, health, morals and general welfare of the community involved, (ii) tend to create congestion in streets, roads, alleys and other public ways and places in the area involved, (iii) create hazards from fire, panic or other dangers, (iv) tend to overcrowding of land and cause an undue concentration of population, (v) adversely affect or interfere with public or private schools, parks, playgrounds, water supplies,

sewage disposal, transportation or other public requirements, conveniences and improvements, or (vi) interfere with adequate light and air.

§ 2. Grant of Special Use Permit.

(a) Subject to the terms and conditions set forth in this ordinance, the property known as 5201 Sylvan Court and identified as Tax Parcel No. S006-0213/019 in the 2025 records of the City Assessor, being more particularly shown on a survey entitled “Map Showing the Improvements on a Portion of Lot 19, Block ‘G’, Section ‘E’, ‘Westover Hills’ in the City of Richmond, VA.,” prepared by Virginia Surveys, and dated June 24, 2024, a copy of which is attached to and made a part of this ordinance, hereinafter referred to as “the Property,” is hereby permitted to be used for the purpose of a single-family detached dwelling, hereinafter referred to as “the Special Use,” substantially as shown on the plans entitled “5201 Sylvan CT.,” prepared by River Mill Development, and dated August 20, 2024, hereinafter referred to as “the Plans,” copies of which are attached to and made a part of this ordinance.

(b) The adoption of this ordinance shall constitute the issuance of a special use permit for the Property. The special use permit shall inure to the benefit of the owner or owners of the fee simple title to the Property as of the date on which this ordinance is adopted and their successors in fee simple title, all of which are hereinafter referred to as “the Owner.” The conditions contained in this ordinance shall be binding on the Owner.

§ 3. Special Terms and Conditions. This special use permit is conditioned on the following special terms and conditions:

(a) The Special Use of the Property shall be as a single-family detached dwelling, substantially as shown on the Plans.

(b) All mechanical equipment serving the Property shall be located or screened so as

not to be visible from any public right-of-way.

§ 4. **Supplemental Terms and Conditions.** This special use permit is conditioned on the following supplemental terms and conditions:

(a) All required final grading and drainage plans, together with all easements made necessary by such plans, must be approved by the Director of Public Utilities prior to the issuance of the building permit.

(b) Storm or surface water shall not be allowed to accumulate on the land. The Owner, at its sole cost and expense, shall provide and maintain at all times adequate facilities for the drainage of storm or surface water from the Property so as not to adversely affect or damage any other property or public streets and the use thereof.

(c) Facilities for the collection of refuse shall be provided in accordance with the requirements of the Director of Public Works. Such facilities shall be located or screened so as not to be visible from adjacent properties and public streets.

(d) Any encroachments existing, proposed on the Plans or contemplated in the future shall require separate authorization and shall be subject to the applicable provisions of the Code of the City of Richmond (2020), as amended, and all future amendments to such laws.

(e) The Owner shall make improvements within the right-of-way, including a new curb cut and approach to the Property, substantially as shown on the Plans, which improvements may be completed in one or more phases as approved by the Director of Public Works. All improvements and work within the public right-of-way shall be (i) completed in accordance with the requirements of the Director of Public Works, (ii) considered completed only upon written confirmation by the Director of Public Works or the designee thereof that such improvements and work are in accordance with such requirements, and (iii) transferred to the City, following the

written confirmation by the Director of Public Works or the designee thereof, pursuant to a transfer of interest document approved as to form by the City Attorney and accepted by the Chief Administrative Officer or the designee thereof on behalf of the City. The Chief Administrative Officer or the designee thereof, for and on behalf of the City, is hereby authorized to accept, in the manner for which this subsection provides, all improvements and work required by and meeting the requirements of this subsection. The final certificate of occupancy shall not be issued for the Property until all requirements of this subsection are fully satisfied.

(f) In all other respects, the use of the Property shall be in accordance with the applicable underlying zoning regulations.

§ 5. **General Terms and Conditions.** This special use permit is conditioned on the following general terms and conditions:

(a) No permit implementing this special use permit shall be approved until satisfactory evidence has been presented to the Zoning Administrator that any delinquent real estate taxes applicable to the Property have been paid.

(b) The Owner shall be bound by, shall observe and shall comply with all other laws, ordinances, rules and regulations applicable to the Property, except as otherwise expressly provided in this ordinance.

(c) Words and phrases used in this ordinance shall be interpreted to have the meanings ascribed to them by section 30-1220 of the Code of the City of Richmond (2020), as amended, unless the context clearly indicates that a different meaning is intended.

(d) Notwithstanding any other provision of law, this special use permit is being approved due, in part, to the mitigating effects of each and every condition attached hereto; consequently, if any portion of this ordinance is determined to be invalid for any reason by a final,

non-appealable order of any Virginia or federal court of competent jurisdiction, the invalidity shall cause the entire ordinance to be void and of no further effect from the effective date of such order.

(e) The privileges granted by this ordinance may be revoked pursuant to the provisions of sections 30-1050.7 through 30-1050.11 of the Code of the City of Richmond (2020), as amended, and all future amendments to such laws. Failure to comply with the terms and conditions of this ordinance shall constitute a violation of section 30-1080 of the Code of the City of Richmond (2020), as amended, and all future amendments to such law, or any other applicable laws or regulations.

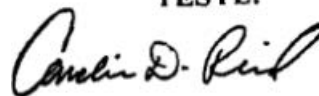
(f) When the privileges granted by this ordinance terminate and the special use permit granted hereby becomes null and void, whether as a result of the Owner relinquishing this special use permit in a writing addressed to the Director of Planning and Development Review or otherwise, use of the Property shall be governed thereafter by the zoning regulations prescribed for the district in which the Property is then situated.

§ 6. **Implementation.** The Commissioner of Buildings is authorized to issue a building permit substantially in accordance with the Plans for the Special Use subject to the terms and conditions set forth in this ordinance. An application for the building permit shall be made within 1,096 calendar days following the date on which this ordinance becomes effective. If either the application for the building permit is not made within the time period stated in the previous sentence or the building permit terminates under any provision of the Virginia Statewide Building Code, this ordinance and the special use permit granted hereby shall terminate and become null and void.

§ 7. **Effective Date.** This ordinance shall be in force and effect upon adoption.

A TRUE COPY:

TESTE:



City Clerk



City of Richmond

Intracity Correspondence

O&R Transmittal

DATE: April 23, 2025

TO: The Honorable Members of City Council

THROUGH: The Honorable Levar M. Stoney, Mayor (by request)

(This in no way reflects a recommendation on behalf of the Mayor)

THROUGH: Sharon L. Ebert, DCAO for Planning & Economic Development

FROM: Kevin J. Vonck, Director of Planning & Development Review

RE: To authorize the special use of the property known as 5201 Sylvan Court for the purpose of a single-family detached dwelling, upon certain terms and conditions.

ORD. OR RES. No. _____

PURPOSE: The authorization of the special use of the property known as 5201 Sylvan Court will authorize single-family dwelling on a parcel that does not have the required improved public street frontage. In addition, certain lot feature requirements of the R-4 Single-Family Residential district cannot be met. Therefore, a special use permit is requested.

BACKGROUND: The vacant property is located on the southeast end of the unimproved Sylvan Court right-of-way. Improvements to the right-of-way that meet City of Richmond Department of Public Works standards shall be required as part of this special use request. The lot is 50 feet wide and contains 5,729 square feet of area which is less than the 60-foot minimum lot width and 7,500 square foot lot area requirement of the zoning district.

The City's Richmond 300 Master Plan designates the property for Residential uses where the proposed single-family detached structure is a primary use.

COMMUNITY ENGAGEMENT: The property is located within the Westover Hills Neigh-

borhood Association area which has been notified of this proposal. Notices shall be mailed to surrounding property owners and a sign shall be placed on the properties.

STRATEGIC INITIATIVES AND OTHER GOVERNMENTAL: Richmond 300 Master Plan

FISCAL IMPACT: \$400 application fee

DESIRED EFFECTIVE DATE: Upon adoption

REQUESTED INTRODUCTION DATE: May 27, 2025

CITY COUNCIL PUBLIC HEARING DATE: June 23, 2025

REQUESTED AGENDA: Consent

RECOMMENDED COUNCIL COMMITTEE: Planning Commission, June 17, 2025

AFFECTED AGENCIES: Office of Chief Administrative Officer

Law Department (for review of draft ordinance)

RELATIONSHIP TO EXISTING ORD. OR RES.: None

ATTACHMENTS: Supporting documents

STAFF: David Watson, Planner, Land Use Administration (Room 511) 646-1036



CITY OF RICHMOND, VA
Department of Planning and Development Review
Land Use Administration Division
900 East Broad Street, City Hall - Room 511, Richmond, Virginia 23219

AUTHORIZATION FROM PROPERTY OWNER

TO BE COMPLETED BY THE APPLICANT

Applicant must complete ALL items

HOME/SITE ADDRESS: _____ APARTMENT NO/SUITE _____

APPLICANT'S NAME: _____ EMAIL ADDRESS: _____

BUSINESS NAME (IF APPLICABLE): _____

SUBJECT PROPERTY OR PROPERTIES: _____

APPLICATION REQUESTED

- ☐ Plan of Development (New or Amendment)
- ☐ Wireless Plan of Development (New or Amendment)
- ☐ Special Use Permit (New or Amendment)
- ☐ Rezoning or Conditional Rezoning
- ☐ Certificate of Appropriateness (Conceptual, Administrative Approval, Final)
- ☐ Community Unit Plan (Final, Preliminary, and/or Amendment)
- ☐ Subdivision (Preliminary or Final Plat Correction or Extension)

TO BE COMPLETED BY THE AUTHORIZED OWNER

Owner must complete ALL items

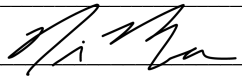
Signing this affidavit acknowledges that you, as the owner or lessee of the property, authorize the above applicant to submit the above selected application/s on your behalf.

PROPERTY OWNER: _____

PROPERTY OWNER ADDRESS: _____

PROPERTY OWNER EMAIL ADDRESS: _____

PROPERTY OWNER PHONE NUMBER: _____

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.

APPLICANT'S REPORT

September 25, 2024

*Special Use Permit Request
5201 Sylvan Court, Richmond, Virginia
Map Reference Number: S006-0213/019*

Submitted to:

City of Richmond

Department of Planning and Development Review
Land Use Administration
900 East Broad Street, Suite 511
Richmond, Virginia 23219

Submitted by:

Baker Development Resources

Mark Baker
530 East Main Street, Suite 730
Richmond, Virginia 23219

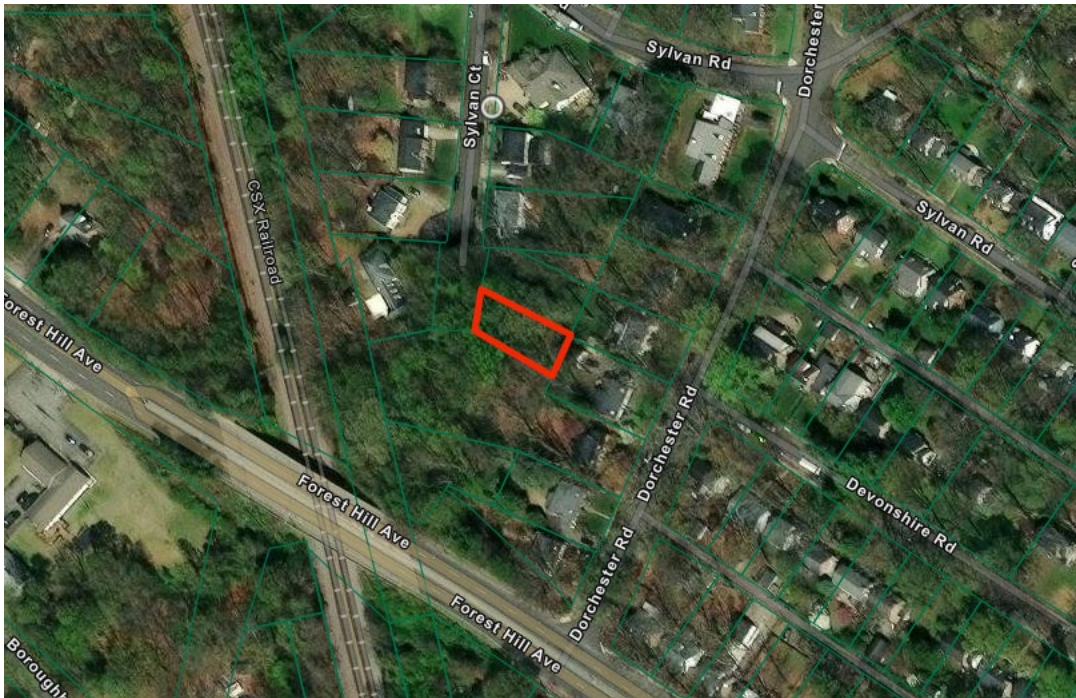
Introduction

The property owner is requesting a special use permit (the "SUP") for 5201 Sylvan Court (the "Property"). The SUP would authorize the construction of one (1) single-family detached dwelling on the currently vacant Property. While the single-family detached use is permitted by the underlying R-4 Single-Family Residential zoning district, the property is not on an improved public street and cannot meet some of the R-4 feature requirements. Therefore, a SUP is required.

Existing Conditions

SITE DESCRIPTION AND EXISTING LAND USE

The subject property is located on the east side of the southern terminus of Sylvan Court. The Property is referenced by the City Assessor as tax parcel S006-0213/019 and is currently vacant. The Property is approximately 50 feet in width by 116 feet in depth, containing approximately 5,729 square feet of lot area.



The properties in the immediate vicinity are primarily developed with single-family detached dwellings.

EXISTING ZONING

The Property and those in the immediate vicinity are zoned R-4 Single-Family Residential. To the West, across the train tracks, properties are zoned R-3 Single-Family Residential

and to the East, across Dorchester Road, properties are zoned R-5 Single-Family Residential.

MASTER PLAN DESIGNATION

The request is consistent with the Richmond 300 Master Plan (the “Master Plan”), which suggests “Residential” for the Property. The Master Plan suggests this future land use designation allow for a variety of housing types that are consistent with the scale, density, and design of what exists in the vicinity. Single-family dwellings are the contemplated primary use in the Residential future land use designation (p. 54).

In addition to the Property-specific guidance offered by the Vision and Core Concepts chapter, there are a number of other goals elsewhere within the Master Plan that support this request:

- Page 136 (Diverse Economy Chapter), Objective 11.1 to “Increase the areas of appropriately zoned land near various transportation modes and housing to retain, create, and attract employers.”
 - d. Encourage the development of a variety of quality housing types to house employees across the economic spectrum (see Goal 14).
- Page 150 (Inclusive Housing Chapter), Objective 14.1 to “Increase city-wide awareness of the importance of integrating housing at all income levels into every residential neighborhood so every household has housing choice throughout the city.”
- Page 86 (High-Quality Places Chapter), Objective 1.4, to “maintain and improve primarily residential areas by increasing their linkages to...corridors...and maintaining high-quality design standards”
- Page 100 (High Quality Places Chapter), Objective 4.1, to “create and preserve high-quality, distinctive, and well-designed neighborhoods and nodes throughout the City,” as the request introduces thoughtfully designed new construction in a manner not otherwise assured by-right.

Proposal

PROJECT SUMMARY

The proposed development contemplates the construction of one single-family detached dwelling on the currently vacant lot.

PURPOSE OF REQUEST

The Property consists of a single lot of record which is approximately 50 feet wide and contains roughly 5,729 square feet of lot area. The owner is proposing to construct one new single-family detached dwelling on the currently undeveloped parcel. While the new home

would be consistent with the Master Plan guidance, the property does not front on an improved public street and the lot width and area requirements for the underlying R-4 zoning cannot be met. Therefore, a special use permit is required to permit the proposed development.

In exchange for the SUP, the intent of this request is to ensure the development of a high-quality infill dwelling. The overall project will remain respectful to the historic development pattern in the vicinity thereby remaining consistent with the predominant character of the area. Also, the quality assurances conditioned through the SUP will guarantee a higher quality development and better neighborhood compatibility than might otherwise be guaranteed with a by right development in the future.

PROJECT DETAILS

When complete, the new single family detached dwelling would be two stories in height and roughly 2,484 square feet of finished floor area. The first floor would contain an open kitchen and living area along with a primary bedroom including an en-suite bathroom and walk-in closet. The second floor would contain three bedrooms and two full baths with open area to the first floor. The exterior would be clad in quality building materials including stone and cementitious lap siding in order to ensure durability. A covered front porch would provide usable outdoor living space for the owner. The proposed dwelling's massing and architectural style is designed to be compatible with nearby dwellings and is consistent with the historical homes found in the neighborhood.

Findings of Fact

The following are factors indicated in Section 17.11 of the Charter and Section 114-1050.1 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 special use permit for high-quality infill construction will not impact the safety, health, morals and general welfare of the nearby neighborhoods.

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

The proposed special use permit will not result in significant traffic impacts to nearby residential neighborhoods. The negligible traffic generation will create no 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 special use permit will not tend to over crowd the land or create an undue concentration of population.

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

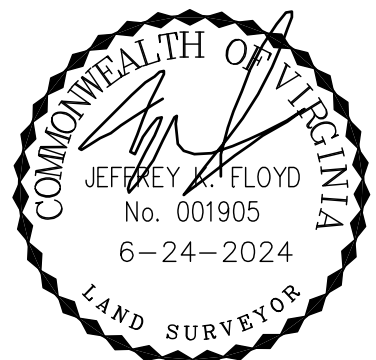
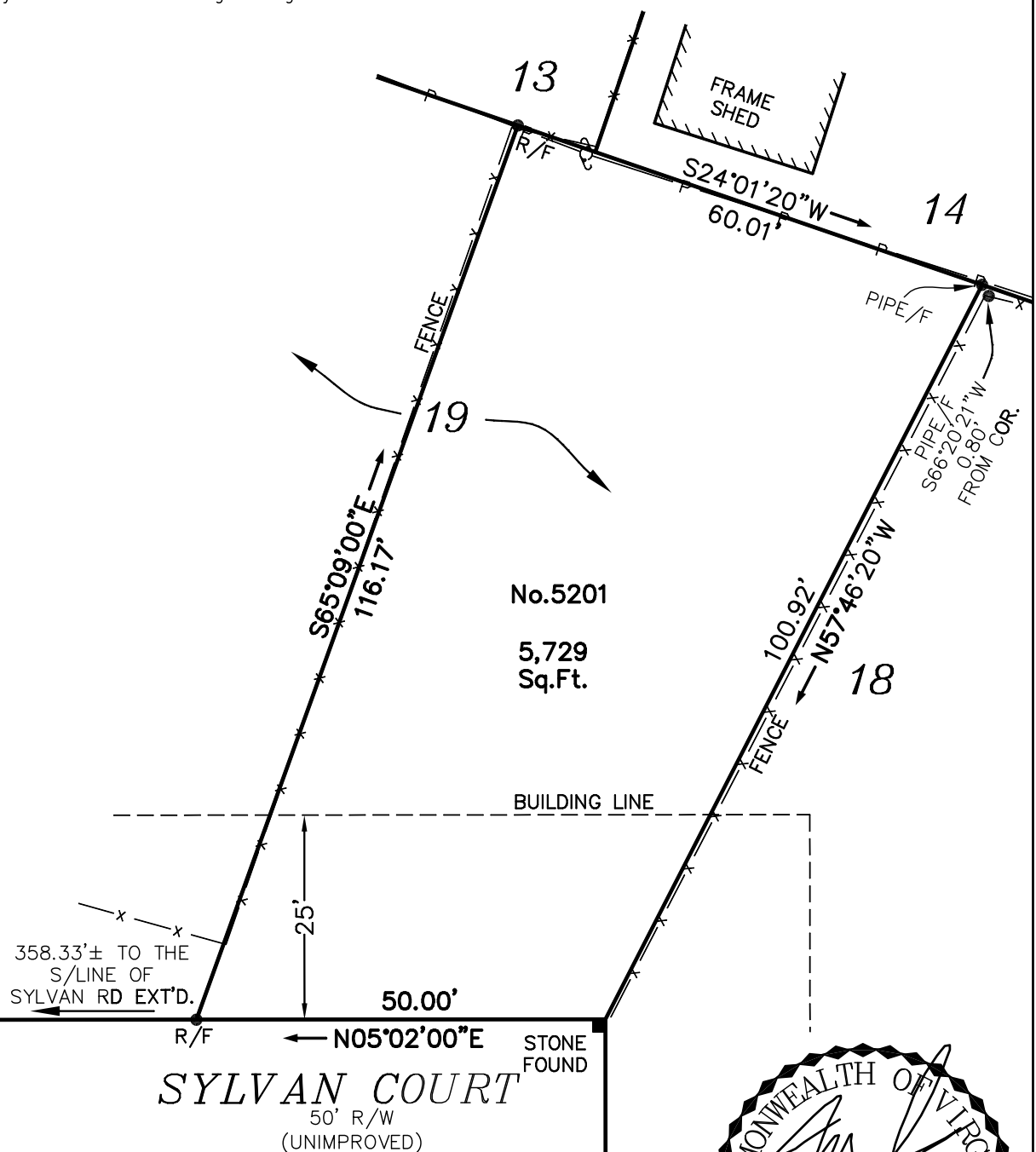

The special use permit would not adversely affect the above referenced City services. To the contrary, the proposal would provide positive fiscal (tax) benefits that would enhance the City's ability to provide these services to the proposed development.

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

The light and air available to the subject and adjacent properties will not be affected. The proposed buildings are of compatible massing and spacing to the existing in the vicinity.

Summary

In summary we are enthusiastically seeking approval for the construction of the proposed single-family detached dwelling. The building has been thoughtfully designed to provide an appropriate, high-quality, home ownership opportunity in the neighborhood. The request offers compatibility with the City's Master Plan in terms of use and would upgrade the Property while remaining respectful to the historic development pattern in the vicinity thereby remaining consistent with the predominant character of the area. Finally, the quality assurances conditioned through the SUP would guarantee a higher quality development than might otherwise be developed by right.



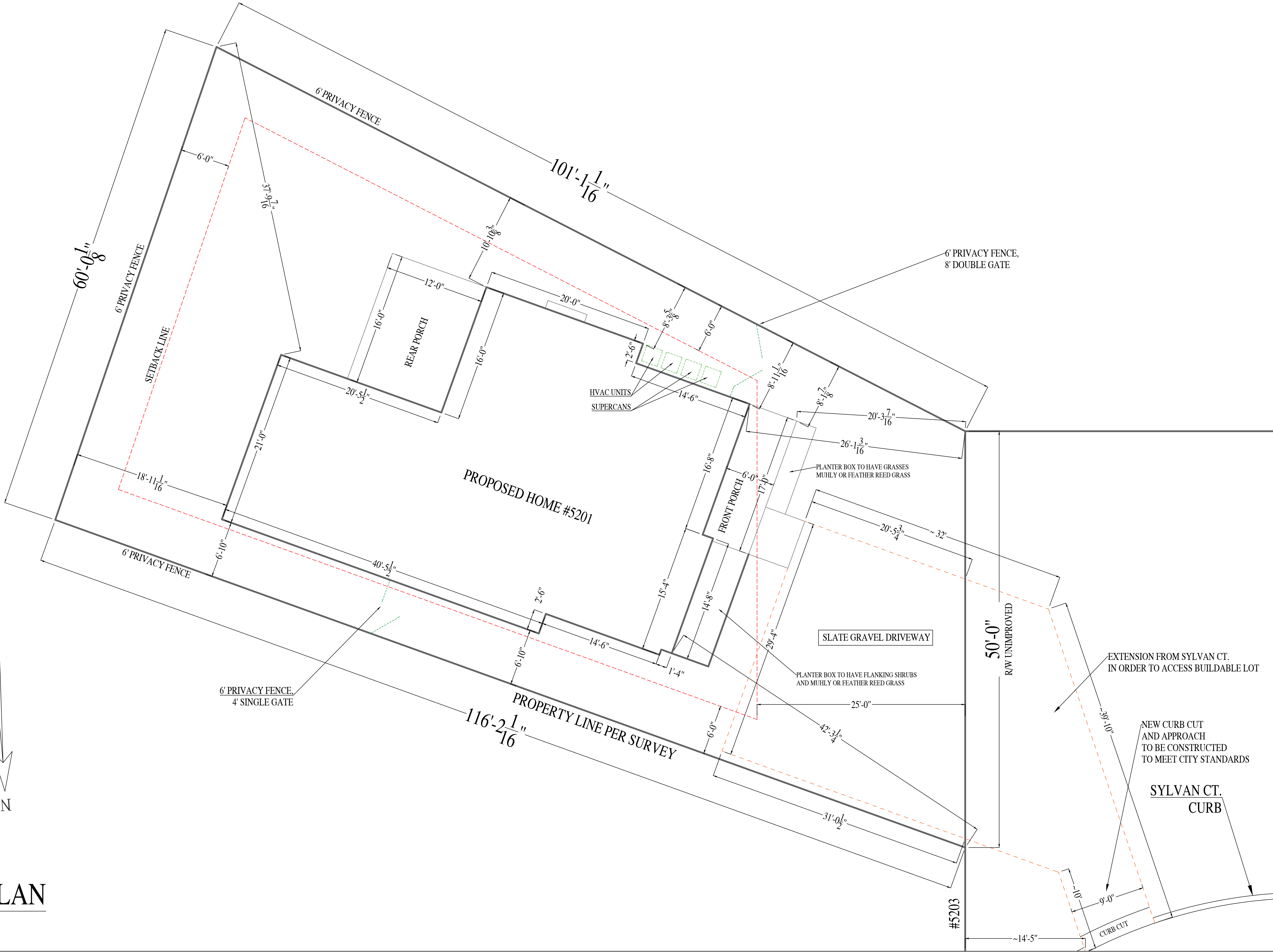
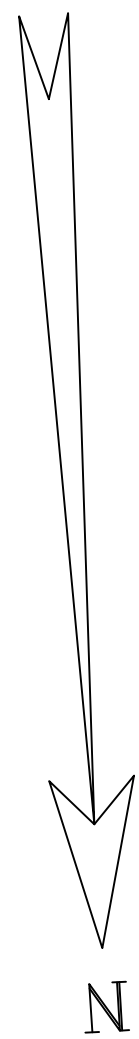
MAP SHOWING THE IMPROVEMENTS
ON A PORTION OF LOT 19, BLOCK "G",
SECTION "E",
"WESTOVER HILLS"
IN THE CITY OF RICHMOND, VA.

All rights reserved.

VIRGINIA CERTIFICATE NO. 001905

JOB NO. 240516289

SITE PLAN



5201 SYLVAN CT.

RIVER MILL DEVELOPMENT
RIVERMILLDEVELOPMENT@GMAIL.COM
PHONE: (434) 774-4535

REVISION NOTES

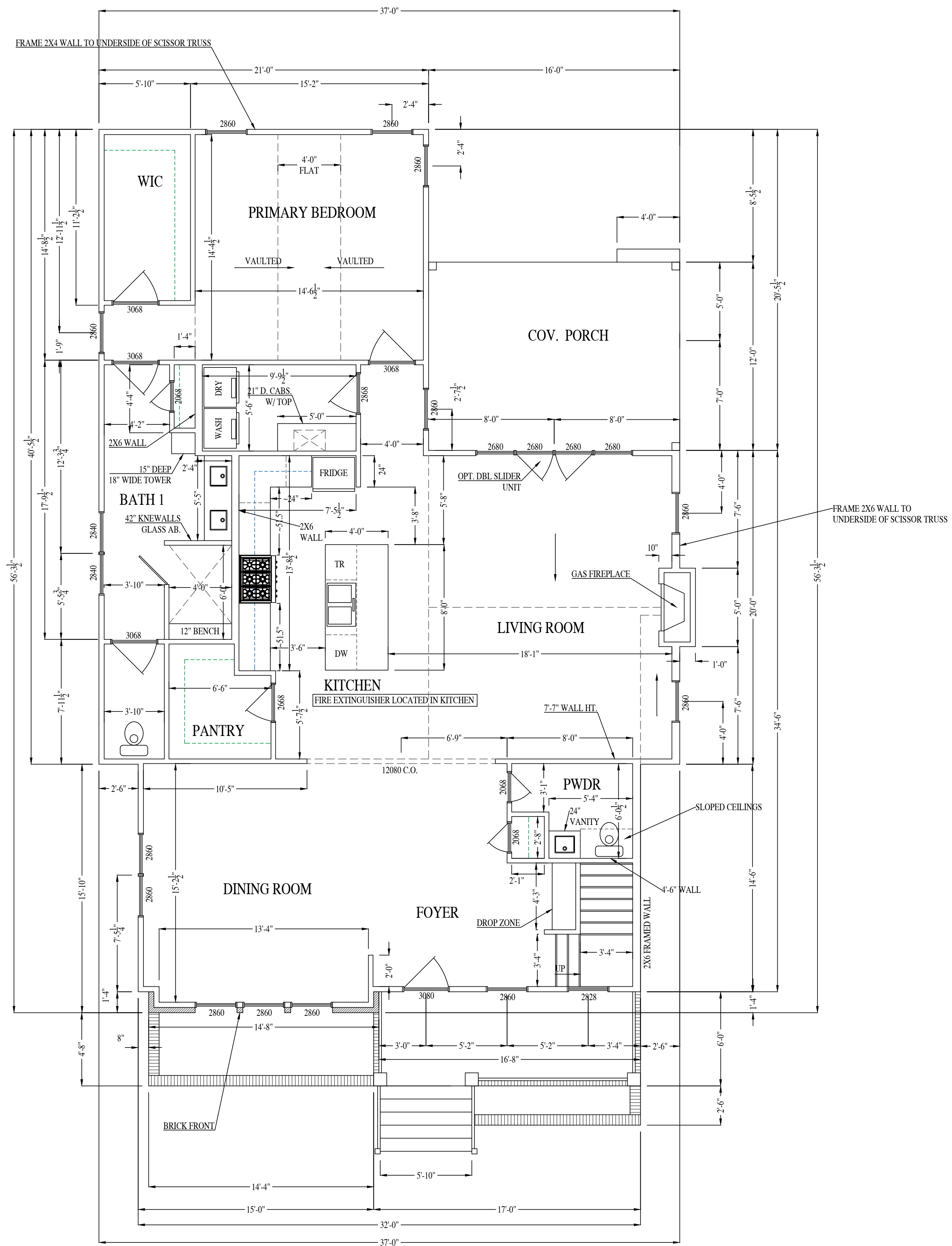
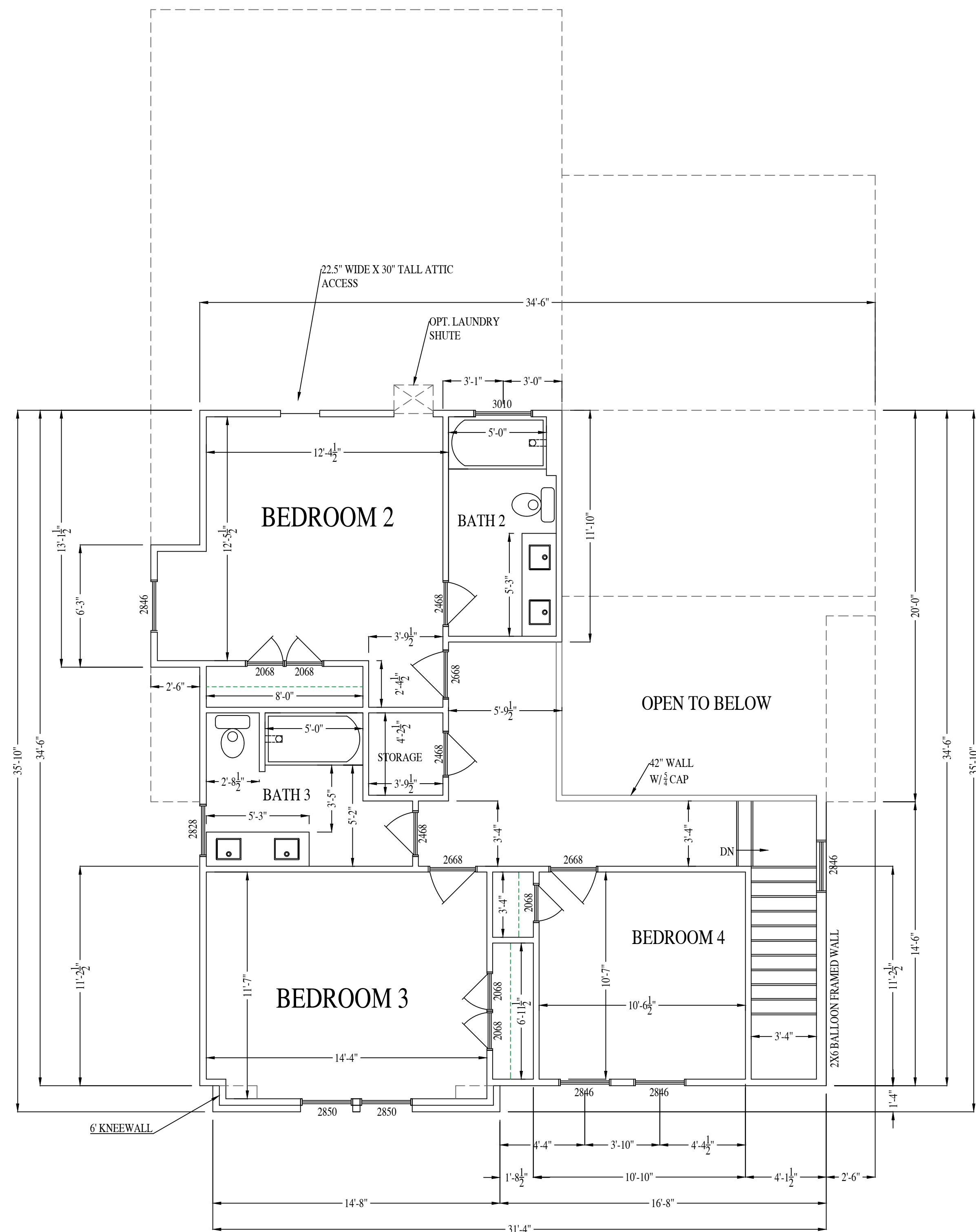
DATE	START

SCALE:
3/16" = 1'-0"

DATE:
8-20-2024

SHEET:
A1.0





5201 SYLVAN CT.

RIVER MILL DEVELOPMENT

PHONE: (434) 774-4535
RIVERMILLDEVELOPMENT@GMAIL.COM

PHONE: (434) 774-4535

REVISION NOTES

[illegible]

SCALE:

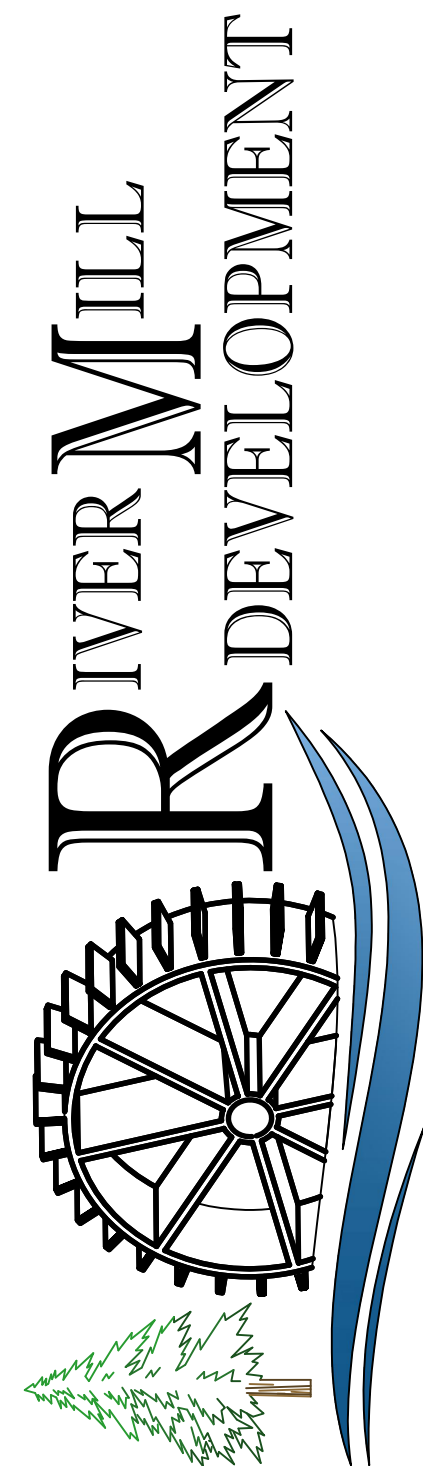
$$1/4'' = 1'-0''$$

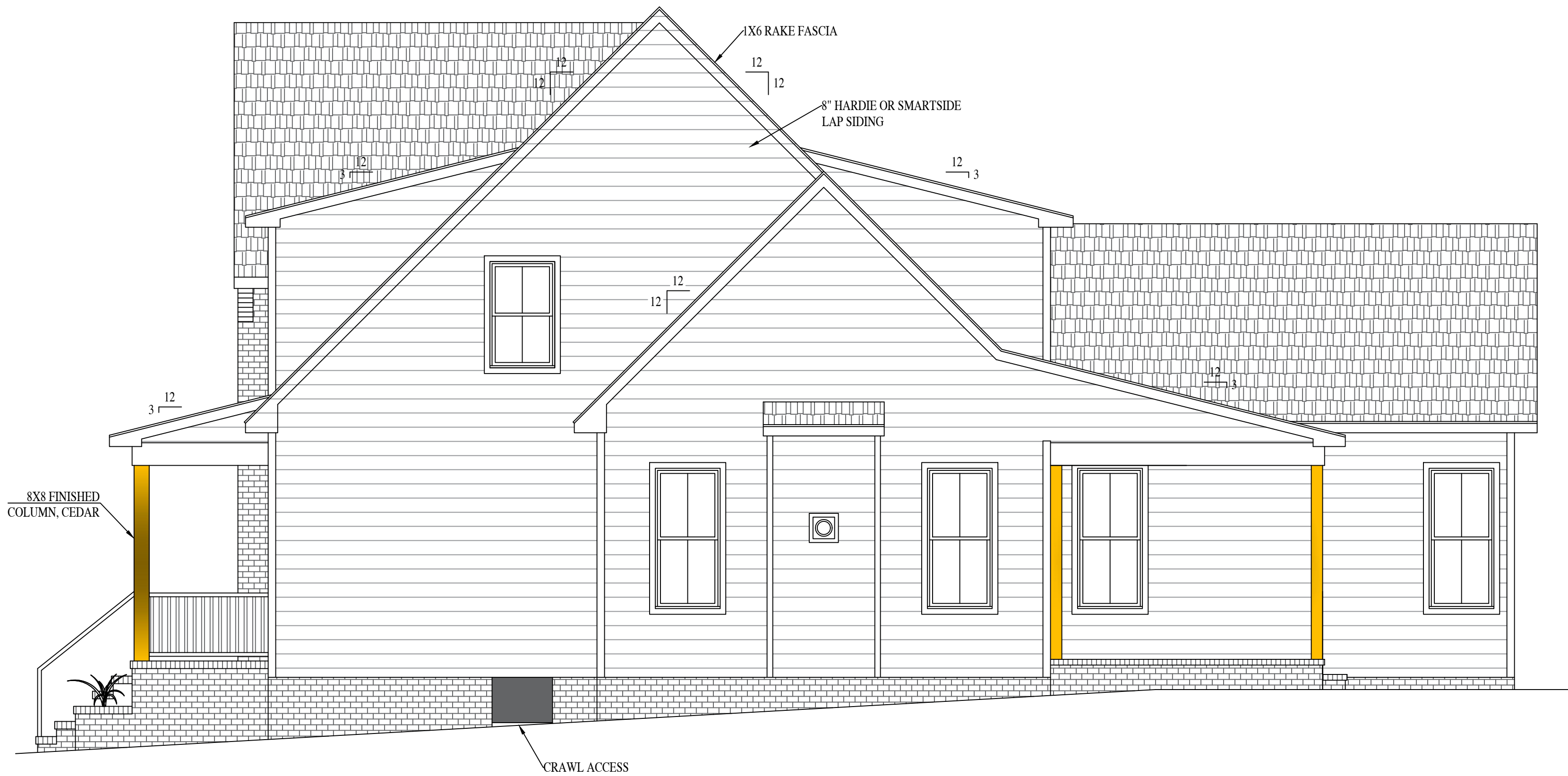
DATE:

8-20-2024

SHEET:

A1.1

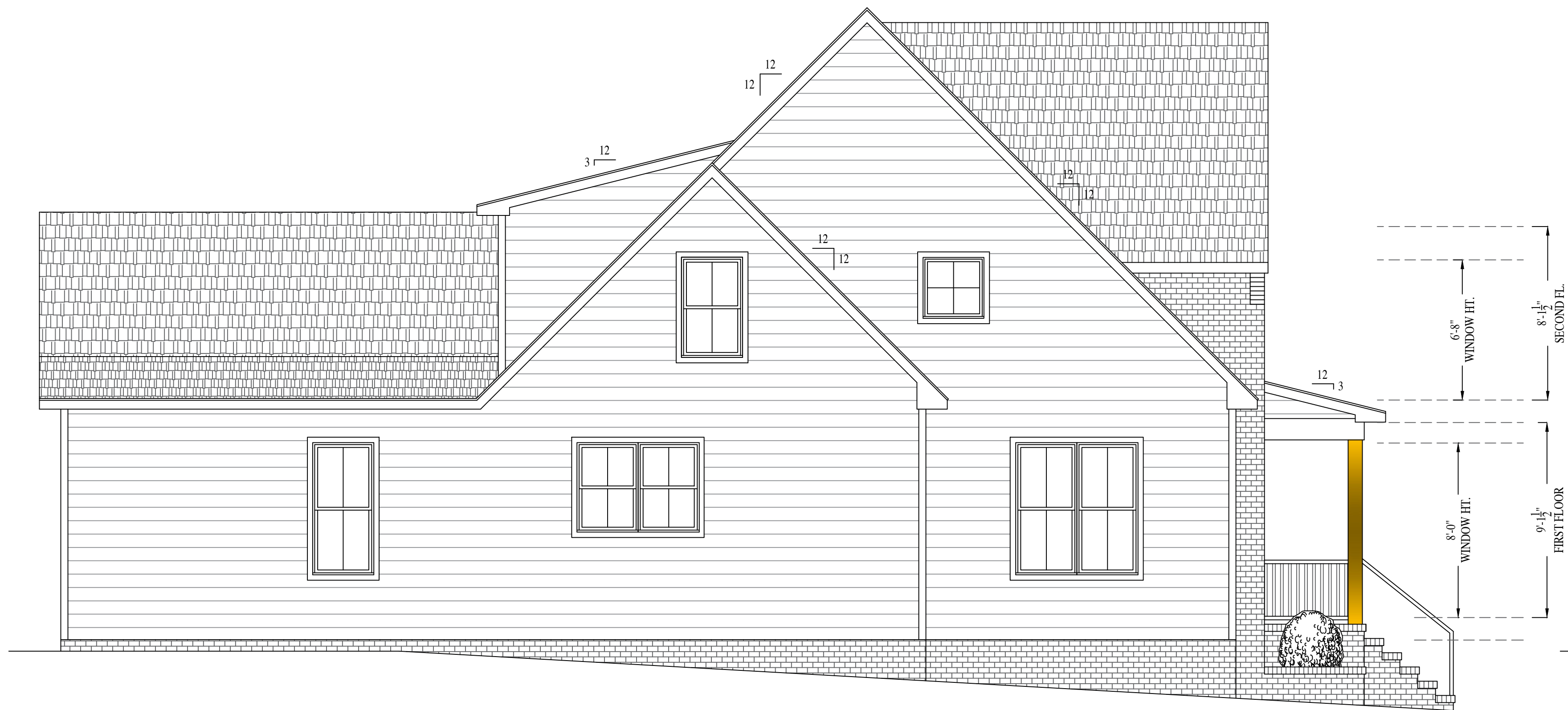




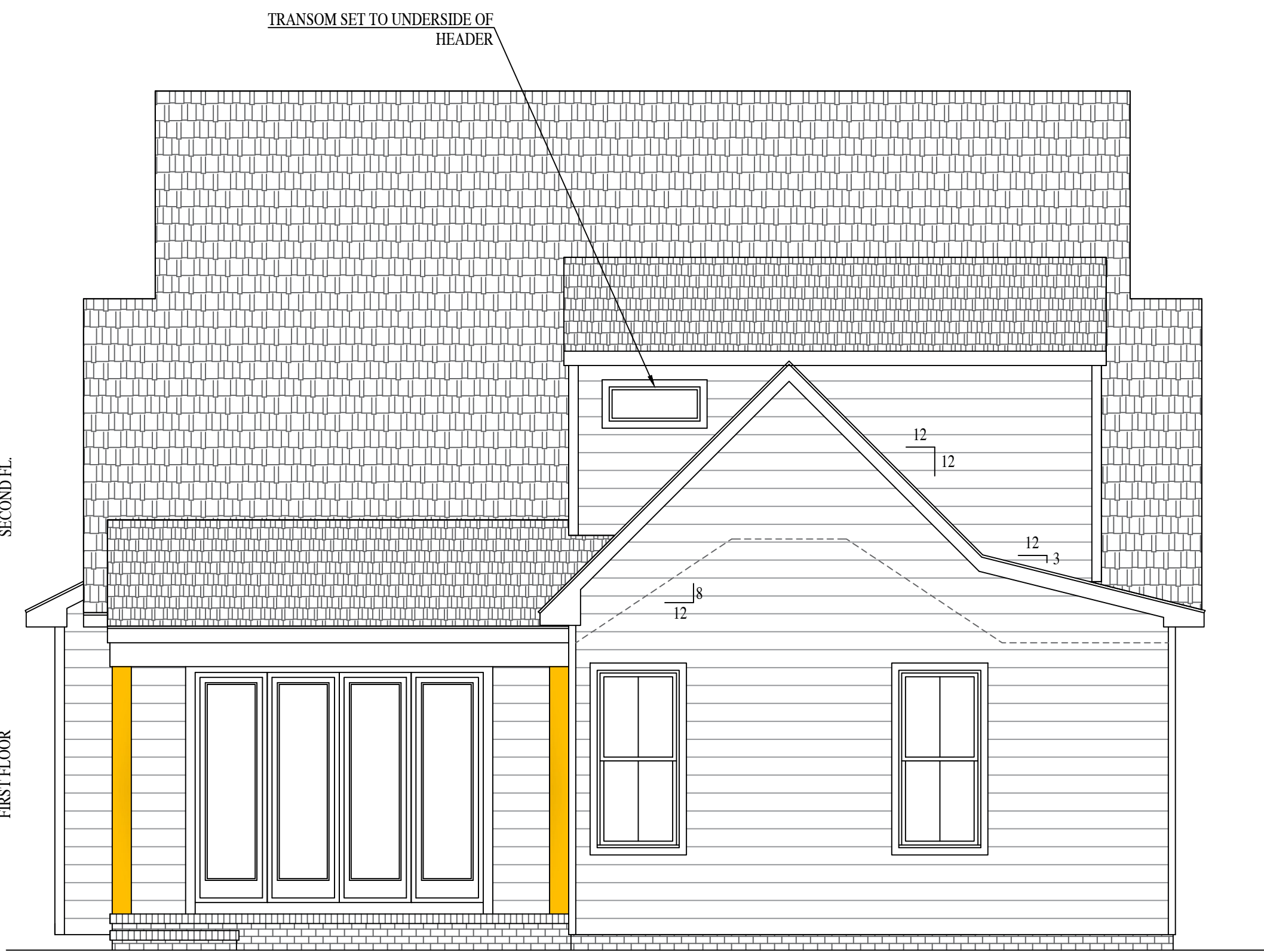
RIGHT ELEVATION



FRONT ELEVATION



LEFT ELEVATION



REAR ELEVATION

5201 SYLVAN CT.

RIVER MILL DEVELOPMENT
RIVERMILLDEVELOPMENT@GMAIL.COM
PHONE: (434) 774-4535

REVISION NOTES

DATE	START

SCALE:
1/4" = 1'-0"

DATE:
8-20-2024

SHEET:
A2.1





3D RENDERING

5201 SYLVAN CT.

RIVER MILL DEVELOPMENT
RIVERMILLDEVELOPMENT@GMAIL.COM
PHONE: (434) 774-4535

REVISION NOTES

DATE	START

SCALE:
1/4" = 1'-0"

DATE:
8-20-2024

SHEET:
A2.2





**City of Richmond
Department of Planning
& Development Review**

Special Use Permit

LOCATION: 5201 Sylvan Court

APPLICANT: Baker Development

COUNCIL DISTRICT: 4

PROPOSAL: To authorize the special use of the property known as 5201 Sylvan Court for the purpose of single-family detached dwelling, upon certain terms and conditions.

*For questions, please contact David Watson
at 804-646-1036 or David.Watson@RVA.gov*

