



## CITY OF RICHMOND

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

**Ord. No. 2018-215:** To authorize the special use of the property known as 4410 Kensington Avenue for the purpose of permitting an accessory dwelling unit within an existing detached garage, upon certain terms and conditions.

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**To:** City Planning Commission  
**From:** Land Use Administration  
**Date:** September 4, 2018

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#### **PETITIONER**

Andy Daniel

#### **LOCATION**

4410 Kensington Avenue

#### **PURPOSE**

To authorize the special use of the property known as 4410 Kensington Avenue for the purpose of permitting an accessory dwelling unit within an existing detached garage, upon certain terms and conditions.

#### **SUMMARY & RECOMMENDATION**

The applicant is proposing to renovate a one story, 480 SF, detached garage to include an accessory dwelling unit for use by family. The property is currently located in the R-5 zoning district and the proposed use is not permitted. A special use permit has therefore been requested by the applicant.

Staff finds that the proposed use on a corner lot would not pose an undue burden on the availability of on-street parking in the area.

Staff finds that residential use of the property is recommended by the Master Plan.

Staff further 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 would not be detrimental to the general welfare of the community involved and would not create congestion in the streets in the area involved.

Therefore, staff recommends approval of the special use permit request.

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#### **FINDINGS OF FACT**

##### **Site Description**

The subject property consists of a 7,425 SF or .17 acre parcel of land improved with a 1,406 SF residential building constructed, per tax assessment records, in 1946 as a Single family dwelling. It is located in the Colonial Place neighborhood of the Far West Planning District.

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

The applicant is proposing to renovate a one story, 480 SF, detached garage to include an accessory dwelling unit for use by family. The density of the parcel if developed would be approximately 12 units per acre. Lot coverage requirements for the R-5 district are currently set at a maximum of 35%. The existing lot coverage of the existing house and detached garage is approximately 23%, within current zoning requirements.

### **Master Plan Recommendations**

The City of Richmond's Master Plan designates a future land use category for the subject property as Single Family Low Density. Primary uses for this category include "...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."

### **Zoning and Ordinance Conditions**

The current zoning designation for this property is R-5 Single-Family Residential District. The special use permit would impose additional conditions on the property, including:

3(a) The Special Use of the Property shall be a dwelling unit located in an existing building accessory to an existing single-family dwelling, substantially as shown on the Plans.

(b) No off-street parking shall be required for the Property.

(c) Outdoor lighting shall be located, directed or shielded so as not to shine directly on adjoining properties or to create a traffic hazard by means of glare or similarity to or confusion with traffic signals, warning lights or lighting on emergency vehicles.

(d) The height of the Special Use shall not exceed one story, substantially as shown on the Plans.

(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) The accessory dwelling unit shall only be occupied by family members of the Owner and shall not be rented out to the general public. For the purposes of this ordinance, "family members" shall be defined as persons related by blood, marriage, legal guardianship or adoption, including foster children.

### **Surrounding Area**

Adjacent properties on the 4400 Block of Kensington Avenue are of similar sized houses, some with rear garages. Single family land use predominates the area, with some institutional land uses present as well. All surrounding properties are within the same R-5 Single family zoning district as the subject property.

**Neighborhood Participation**

Staff has received letters of support for this application.

**Staff Contact:** Jonathan Brown, PDR, Land Use Administration 646-5734