

INTRODUCED: November 14, 2022

AN ORDINANCE No. 2022-331

To authorize the special use of the property known as 1 Calycanthus Road for the purpose of an accessory building to a single-family detached dwelling, upon certain terms and conditions.

\_\_\_\_\_  
Patron – Mayor Stoney (By Request)

\_\_\_\_\_  
Approved as to form and legality  
by the City Attorney  
\_\_\_\_\_

PUBLIC HEARING: DEC 12 2022 AT 6 P.M.

WHEREAS, the owner of the property known as 1 Calycanthus Road, which is situated in a R-1 Single-Family Residential District, desires to use such property for the purpose of an accessory building to a single-family detached dwelling, which use, among other things, is not currently allowed by section 30-680.1, concerning location within required yards, 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 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

AYES:            9            NOES:            0            ABSTAIN:            \_\_\_\_\_

ADOPTED:    DEC 12 2022    REJECTED:            \_\_\_\_\_    STRICKEN:            \_\_\_\_\_

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 1 Calycanthus Road and identified as Tax Parcel No. W022-0060/001 in the 2022 records of the City Assessor, being more particularly shown on a survey entitled “Improvements on #1 Calycanthus Road, City of Richmond, Virginia,” prepared by Balzer & Associates, and dated June 15, 2002, 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 an accessory building to a single-family detached dwelling, hereinafter referred to as “the Special Use,” substantially as shown on the plans entitled “Valentine Garden House, Richmond, Virginia,” prepared by Carter Skinner Residential Design, dated April 30, 2021, and last revised August 2, 2022, “Valentine Residence, Layout Plan,” prepared by Balzer & Associates, and dated August 3, 2022, and “A Landscape Plan for the: Valentine Residence, Calycanthus Road, Richmond, Virginia,” prepared by Callaway and Associates, dated August 26, 2021, and last revised September 6, 2022, hereinafter referred to, collectively, 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 an accessory building to a single-family detached dwelling, substantially as shown on the Plans.

(b) All building materials, elevations, and site improvements shall be substantially as shown on the Plans.

(c) 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) 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.

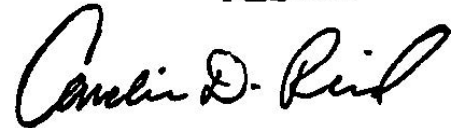
(f) When the privileges granted by this ordinance terminate and the special use permit granted hereby becomes null and void, whether as a result of the Owner relinquishing this special use permit in a writing addressed to the Director of Planning and Development Review or

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 730 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:**

A handwritten signature in black ink, appearing to read "Carolin D. Reil". The signature is fluid and cursive, written over the printed name "Carolin D. Reil".

**City Clerk**



# City of Richmond

900 East Broad Street  
2nd Floor of City Hall  
Richmond, VA 23219  
www.rva.gov

## Item Request File Number: PRE.2022.0417

### O & R Request

**DATE:** October 17, 2022

**EDITION:** 1

**TO:** The Honorable Members of City Council

**THROUGH:** The Honorable Levar M. Stoney, Mayor (Patron: Mayor, by Request)  
(This in no way reflects a recommendation on behalf of the Mayor)

Handwritten signature of Levar M. Stoney in blue ink.

**THROUGH:** J.E. Lincoln Saunders, Chief Administrative Officer

Handwritten signature of J.E. Lincoln Saunders in blue ink.

**THROUGH:** Sharon L. Ebert, Deputy Chief Administrative Officer for Economic Development and Planning

Handwritten signature of Sharon L. Ebert in blue ink.

**FROM:** Kevin J. Vonck, Director, Department of Planning and Development Review

Handwritten signature of Kevin J. Vonck in blue ink.

**RE:** To authorize the special use of the property known as 1 Calycanthus Road for the purpose of an accessory building to a single-family detached dwelling, upon certain terms and conditions.

**ORD. OR RES. No.** \_\_\_\_

**PURPOSE:** To authorize the special use of the property known as 1 Calycanthus Road for the purpose of an accessory building to a single-family detached dwelling, upon certain terms and conditions.

**REASON:** The subject property is located in the R-1 Single-Family Residential District and the accessory building is permitted use in this zoning district only when located in the rear yard. The subject property is a corner lot and has two designated front yards. The accessory building is proposed to be located in one of these front yards. Therefore, a Special Use Permit is requested.

**RECOMMENDATION:** In accordance with the requirements of the City Charter and the Zoning Ordinance, the City Planning Commission will review this request and make a recommendation to City Council.

**BACKGROUND:** The .925 acre subject property is located on the southeast corner of Calycanthus and Coventry Roads in the Windsor Farms neighborhood. The property is improved with a 4,719 square foot single-family dwelling.

The Richmond 300 Master Plan recommends Residential uses for the subject property. These neighborhood consist primarily of single-family houses on large- or medium-sized lots more homogeneous in nature.

**FISCAL IMPACT / COST:** The Department of Planning and Development Review does not anticipate any impact to the City's budget for this or future fiscal years.

**FISCAL IMPLICATIONS:** The Department of Planning and Development Review does not anticipate any impact to the City's budget for this or future fiscal years.

**BUDGET AMENDMENT NECESSARY:** None

**REVENUE TO CITY:** \$300 application fee

**DESIRED EFFECTIVE DATE:** Upon Adoption

**REQUESTED INTRODUCTION DATE:** November 14, 2022

**CITY COUNCIL PUBLIC HEARING DATE:** December 12, 2022

**REQUESTED AGENDA:** Consent

**RECOMMENDED COUNCIL COMMITTEE:** None

**CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES:** City Planning Commission  
December 5, 2022

**AFFECTED AGENCIES:** Office of Chief Administrative Officer  
Law Department (for review of draft ordinance)

**RELATIONSHIP TO EXISTING ORD. OR RES.:** None

**REQUIRED CHANGES TO WORK PROGRAM(S):** None

**ATTACHMENTS:** Draft Ordinance, Application and Narrative, Plans, Property, Map

**STAFF:** David Watson, Senior Planner, Land Use Administration, 804-646-1036





## Application for **SPECIAL USE PERMIT**

Department of Planning and Development Review  
Land Use Administration Division  
900 E. Broad Street, Room 511  
Richmond, Virginia 23219  
(804) 646-6304

<http://www.richmondgov.com/>

Application is hereby submitted for: (check one)

- ☒ **special use permit, new**  
☐ **special use permit, plan amendment**  
☐ **special use permit, text only amendment**

### Project Name/Location

Property Address: 1 Calycanthus Road, Richmond, VA 23221

Date: 08-31-2022

Tax Map #: W0220060001 Fee: \$300.00

Total area of affected site in acres: 0.756 acres

(See **page 6** for fee schedule, please make check payable to the "City of Richmond")

### Zoning

Current Zoning: R-1

Existing Use: Single Family Dwelling

### Proposed Use

(Please include a detailed description of the proposed use in the required applicant's report)

Permit the Garden house within the front yard setback, a driveway on the principle street frontage and driveway width greater than 9'.

Existing Use: Single Family Dwelling

Is this property subject to any previous land use cases?

Yes

No

☐☒

If Yes, please list the Ordinance Number: \_\_\_\_\_

### Applicant/Contact Person: David Lisowski

Company: Balzer and Associates, Inc.

Mailing Address: 15871 City View Drive, Suite 200

City: Midlothian

State: VA

Zip Code: 23113

Telephone: (804) 794-0571

Fax: (804) 794-2635

Email: dilisowski@balzer.cc

### Property Owner: One Calycanthus LLC

If Business Entity, name and title of authorized signer: Ned Valentine

(The person or persons executing or attesting the execution of this Application on behalf of the Company certifies that he or she has or have been duly authorized and empowered to so execute or attest.)

Mailing Address: 1 Calycanthus Road

City: Richmond

State: VA

Zip Code: 23221

Telephone: (804) 648-0072

Fax: ( )

Email: nvalentine@harriswilliams.com

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. **Faxed or photocopied signatures will not be accepted.**

**NOTE:** Please attach the required plans, checklist, and a check for the application fee (see Filing Procedures for special use permits)

## **Applicant's Report**

This is a request for a special use permit on 1 Calycanthus Road to allow the following:

1. Garden House within the 40-foot building setback along Coventry Road
2. A driveway entrance on Calycanthus Road
3. The driveway to be greater than nine (9) feet in width

The Garden House is proposed to be a 10'x10' structure located approximately 10± feet from Coventry Road right of way as shown on the Layout Plan. The Garden House is a principal element of the overall design of the property. The Garden House will be a focal point on axis with large windows on the main house and it will serve as an integral part of the garden design and place for seasonal respite. This property is located at the corner of Calycanthus and Coventry Road and has two front yards. The proposed residence will front Calycanthus. The side of the house faces Coventry Road. There will be a 4' brick wall along the entire property line with Coventry that will screen the bottom half of the structure. There will be extensive landscaping against the wall to provide additional screening of the Garden House from the public. There is nowhere else on site to locate the structure where it would function the same way as a focal point and integral garden element. Plans for the property which include the Garden House have been reviewed and approved by Windsor Farms Association.

The Board of Zoning Appeals has already granted special exceptions for two parcels across the street from the subject property (2 Calycanthus Road and 4 Calycanthus Road) for accessory structures within front yard setbacks. The exception for the Garden House is a similar request as those already granted in the immediate area.

There are many examples in Windsor Farms and nearby Westmoreland Place of driveway entrances that are 16' in width and greater. The driveway along Calycanthus Road is proposed to be a maximum of sixteen (16) feet in width to provide access to the house and car park area in front, which will be screened from public view by a brick wall and evergreen plants. A width of 16' is needed due to limited room for vehicle maneuvering in and out of the car park area. Vehicle access to the property from Calycanthus is essential to the design of the house and property with the house's primary entrance facing Calycanthus Road. Due to the site's topography this entrance will serve as the house's only accessible entrance. The proposed location of the driveway is 200' away from the intersection with Coventry Road, the closest intersection. The driveway will not cause a safety issue with sight lines and vehicle turning movements. The onsite parking accessed via this driveway will reduce on street parking benefitting the immediate neighbors and greater neighborhood. This driveway entrance will be similar to the ones immediately across Calycanthus. The existing driveway to the property on Coventry Road will remain as previously approved. This driveway entrance will be repaired and re-built to a width of 12'. This driveway will provide access to the garage and additional off-street parking.

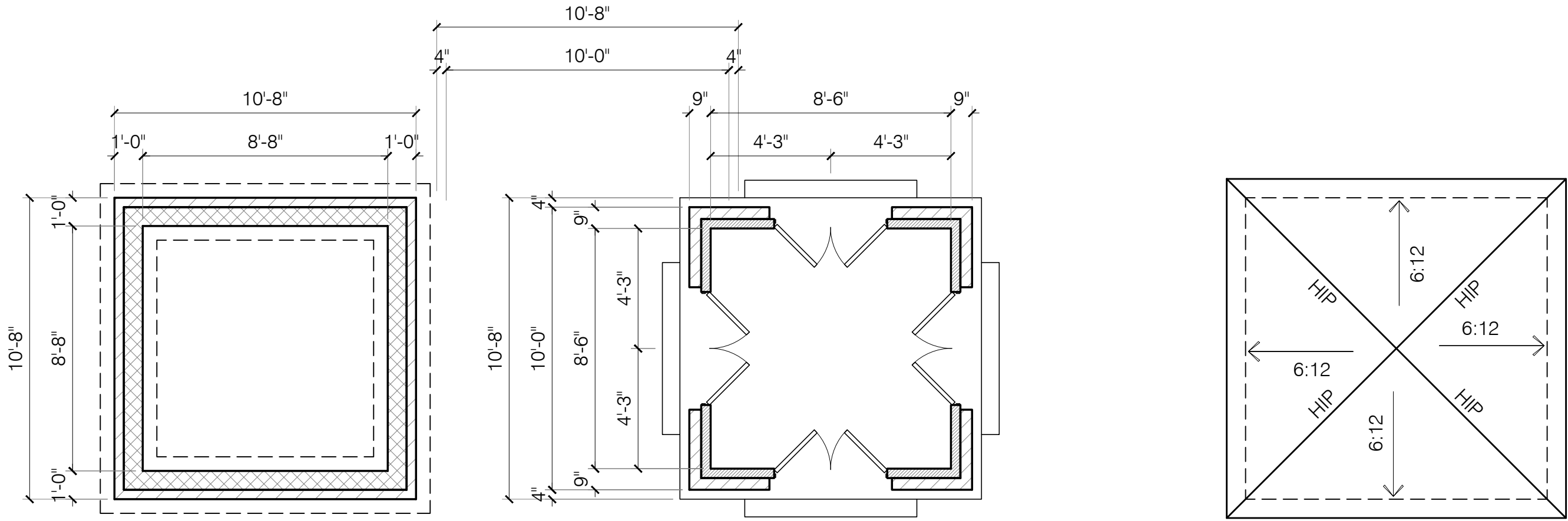
This request will not change the existing nature of this parcel, nor will it negatively impact the neighborhood as similar requests and configurations have been done in the area.

The proposed special use exceptions will not:

- be detrimental to the safety, health, morals and general welfare of the community involved;

September 9, 2022  
1 Calycanthus Road  
SUP Application

- tend to create congestion in streets, roads, alleys and other public ways and places in the area involved;
- create hazards from fire, panic or other dangers;
- tend to cause overcrowding of land and 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; or
- interfere with adequate light and air.



FOUNDATION

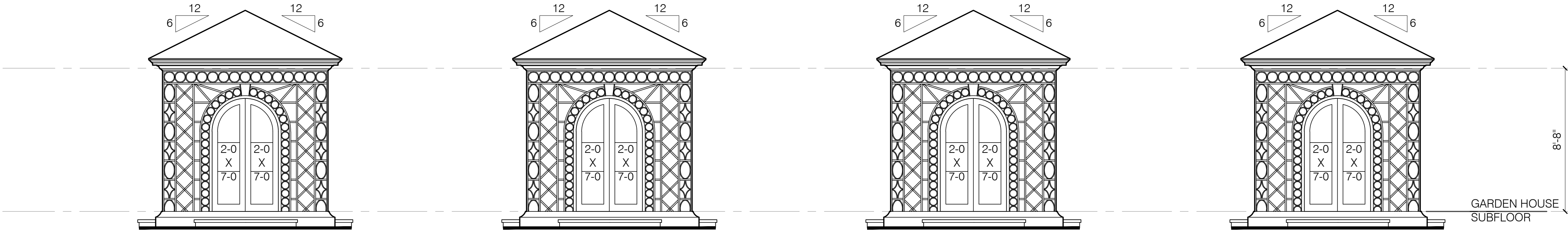
1/4" = 1'-0"

GARDEN HOUSE PLAN

1/4" = 1'-0"

ROOF PLAN

1/4" = 1'-0"



RIGHT SIDE

1/4" = 1'-0"

REAR ELEVATION

1/4" = 1'-0"

LEFT SIDE

1/4" = 1'-0"

FRONT ELEVATION

1/4" = 1'-0"

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Carter Skinner  
Residential Designs

START DATE:	4/30/21
REV:	8/16/21
3/24/22	9/3/21
6/16/22	9/24/21
8/2/22	1/17/22

This plan is the property of Carter Skinner Residential Designs and may not be used or reproduced without their permission. Designer assumes no liability for any home constructed from this plan. Contractor must verify ALL DIMENSIONS prior to proceeding with construction. Caution must be exercised in making any changes in this plan. Only qualified designer, architect, contractor, or structural engineer should attempt modifications, as even minor changes in one area of the house could lead to major problems in another area.

2609 Atlantic Avenue  
Suite 205  
Raleigh, NC 27604  
(919) 821-2900



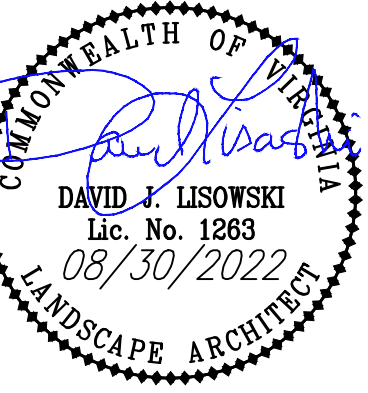
VALENTINE GARDEN HOUSE  
RICHMOND, VIRGINIA

OF



**BALZER & ASSOCIATES**  
PLANNERS / ARCHITECTS  
ENGINEERS / SURVEYORS

Roanoke / Richmond  
New River Valley / Staunton  
Harrisonburg / Lynchburg  
**www.balzer.cc**  
15871 City View Drive  
Suite 200  
Midlothian, VA 23113  
804.794.0571

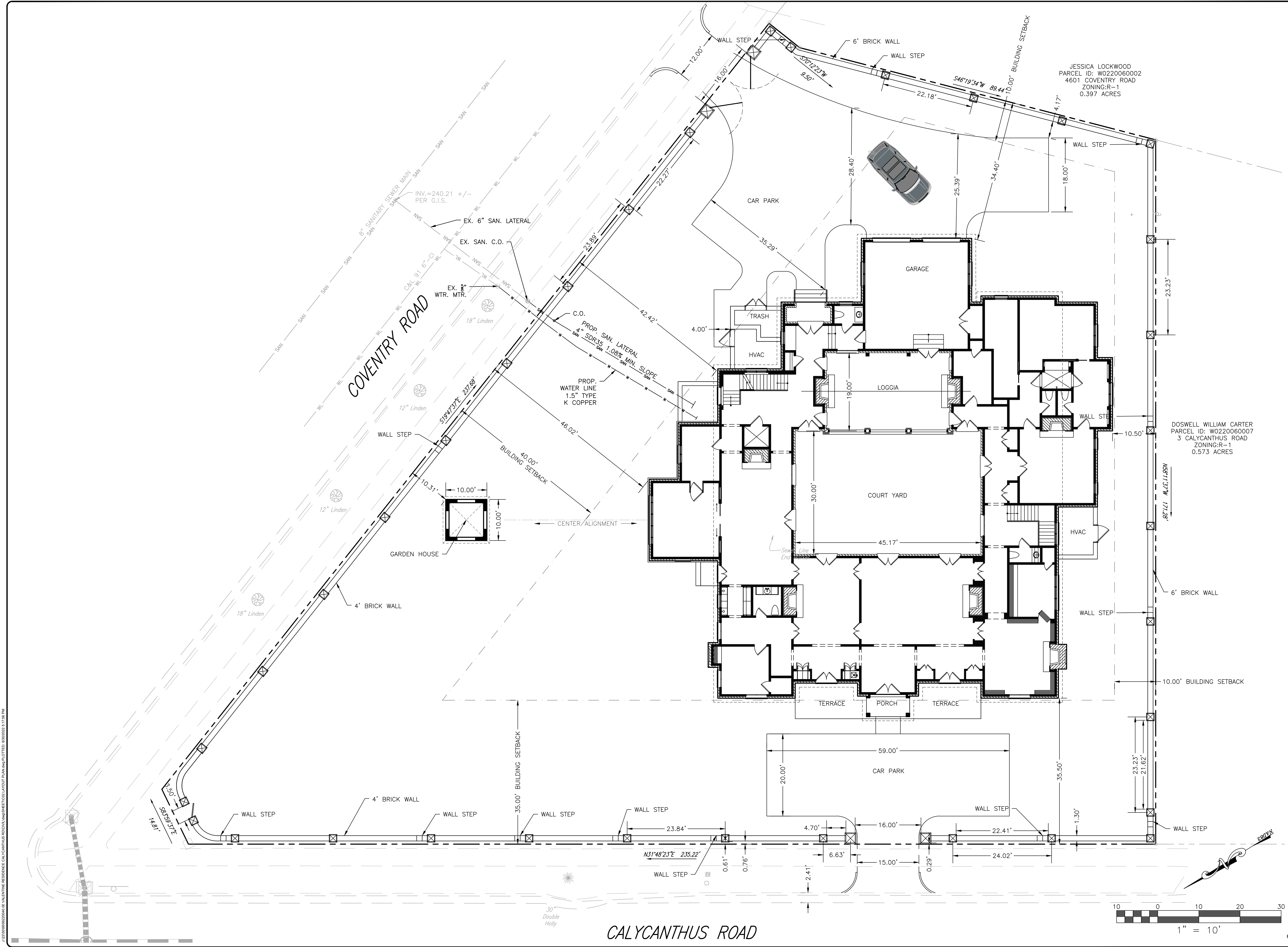


VALENTINE RESIDENCE

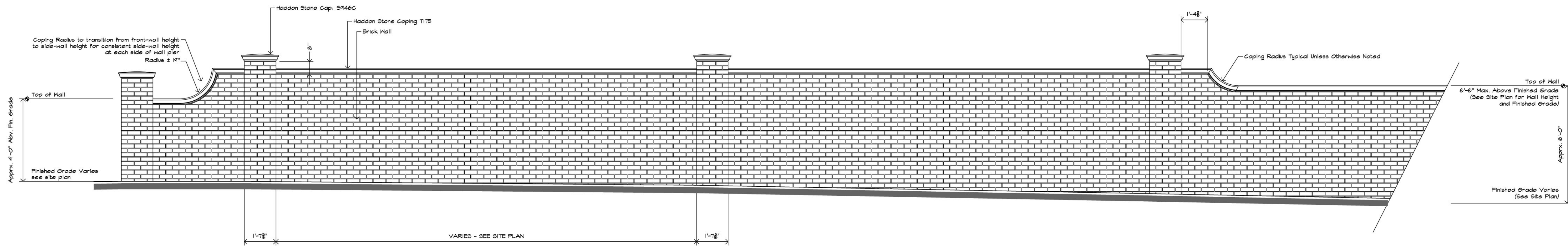
LAYOUT PLAN

DRAWN BY DJL  
DESIGNED BY DJL  
CHECKED BY DJL  
DATE 08/03/2022  
SCALE 1" = 10'  
REVISIONS  
08/12/2022  
08/25/2022  
08/30/2022

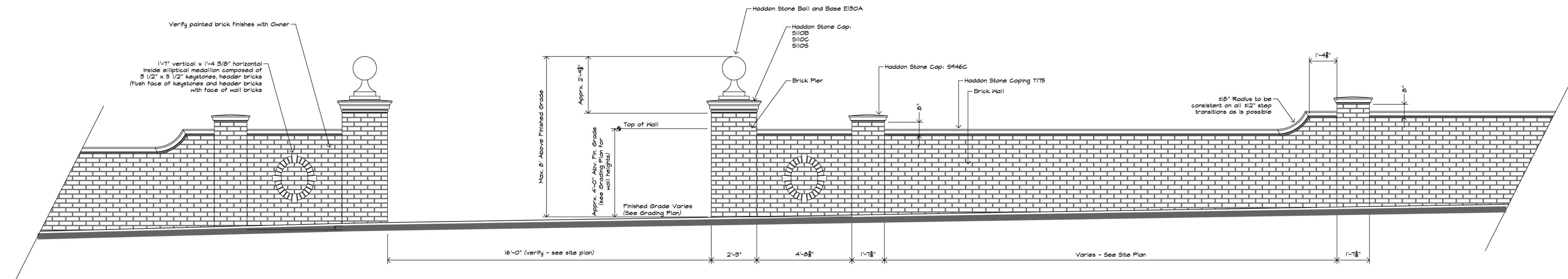
**C02**  
PROJECT NO. 56220040.00



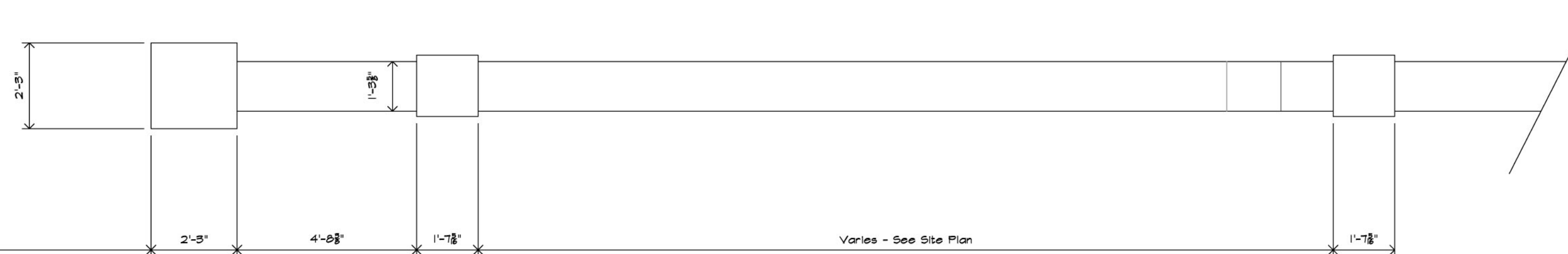
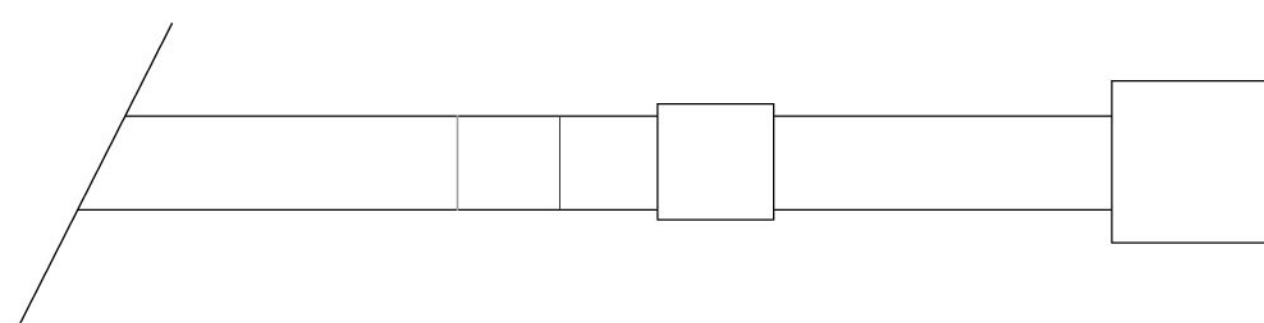
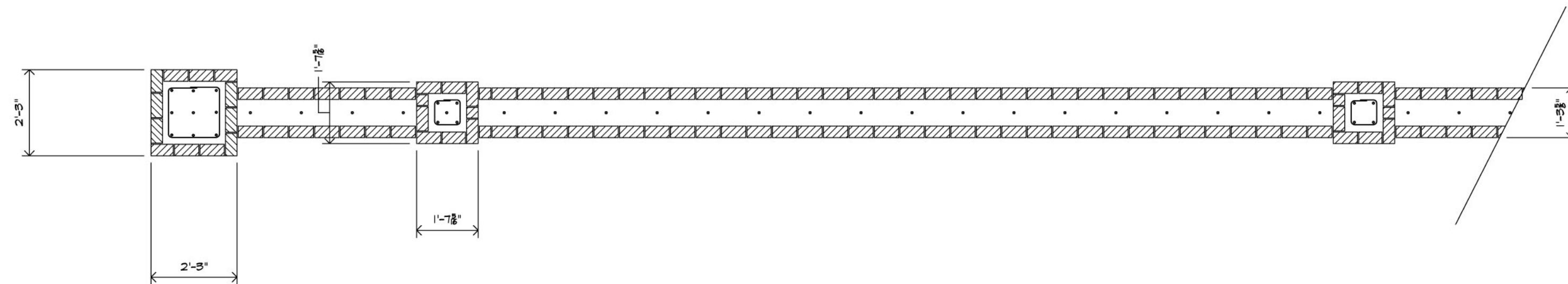
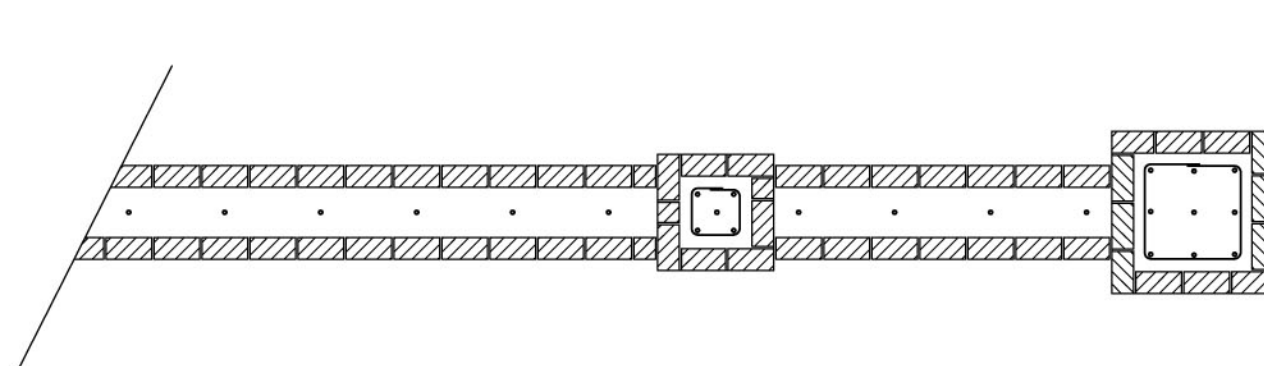




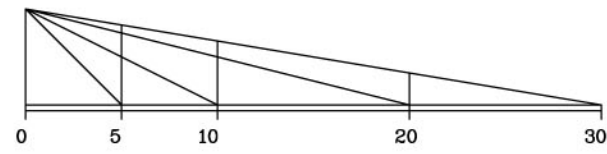
6' Tall Wall Elevation  
including Corner  
4'-6' Step Transition



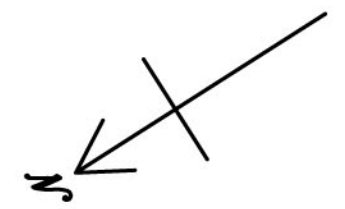
Calacanthus Rd. and Coventry Rd.  
4' Tall Wall Elevation







SCALE: 1" = 10'



Screen Plantings on Coventry frontage to consist of:  
(28) Ilex 'Fine Line' - 8' B&B,  
(4) Magnolia grandiflora 'Alta' - 10'-12' B&B  
and (2) Ilex 'Eagleston' - 10'-12' B&B  
flanking rear driveway entry

Landscaping for interior spaces to be determined

Coventry Road

Sanitary Sewer  
Water

Proposed Garden House

Screen Plantings on Calycanthus frontage to consist of:  
(22) Ilex 'Fine Line' - 8' B&B,  
(4) Magnolia grandiflora 'Alta' - 10'-12' B&B  
and (6) Ilex 'Eagleston' - 10'-12' B&B flanking front driveway entry

Area reserved for Garden Vignette which is to include small deciduous trees

Screen Plantings this side to consist of:  
(15) Ilex 'Fine Line' 8' B&B

Screen Plantings this side to consist of:  
(14) Ilex 'Fine Line' - 8' B&B,  
(1) Magnolia grandiflora 'Alta' - 10'-12' B&B  
and (9) Ilex 'Eagleston' - 10'-12' B&B

Calycanthus Road

CALLAWAY  
& ASSOCIATES

A Landscape Plan for the:  
**Valentine Residence**  
Calycanthus Road  
Richmond, Virginia

CALLAWAY  
& ASSOCIATES

122 E. Fisher Avenue  
Greensboro, NC 27401  
(336)-214-8325 Phone  
(336)-214-4433 Fax

Project  
Valentine

Project Number  
63,241

Date  
9/6/2022

Scale  
1" = 10'

Sheet  
Screen Planting  
Plan

Revision  
9/7/2022

This is to certify that this plat or map was prepared under my direction from an actual field survey without the benefit of a title report. Unless otherwise noted, to the best of my knowledge and belief all visible evidence of improvements, easements and apparent encroachments are shown hereon. Not all easements may be shown.

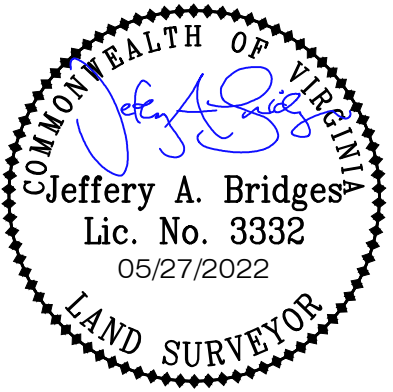
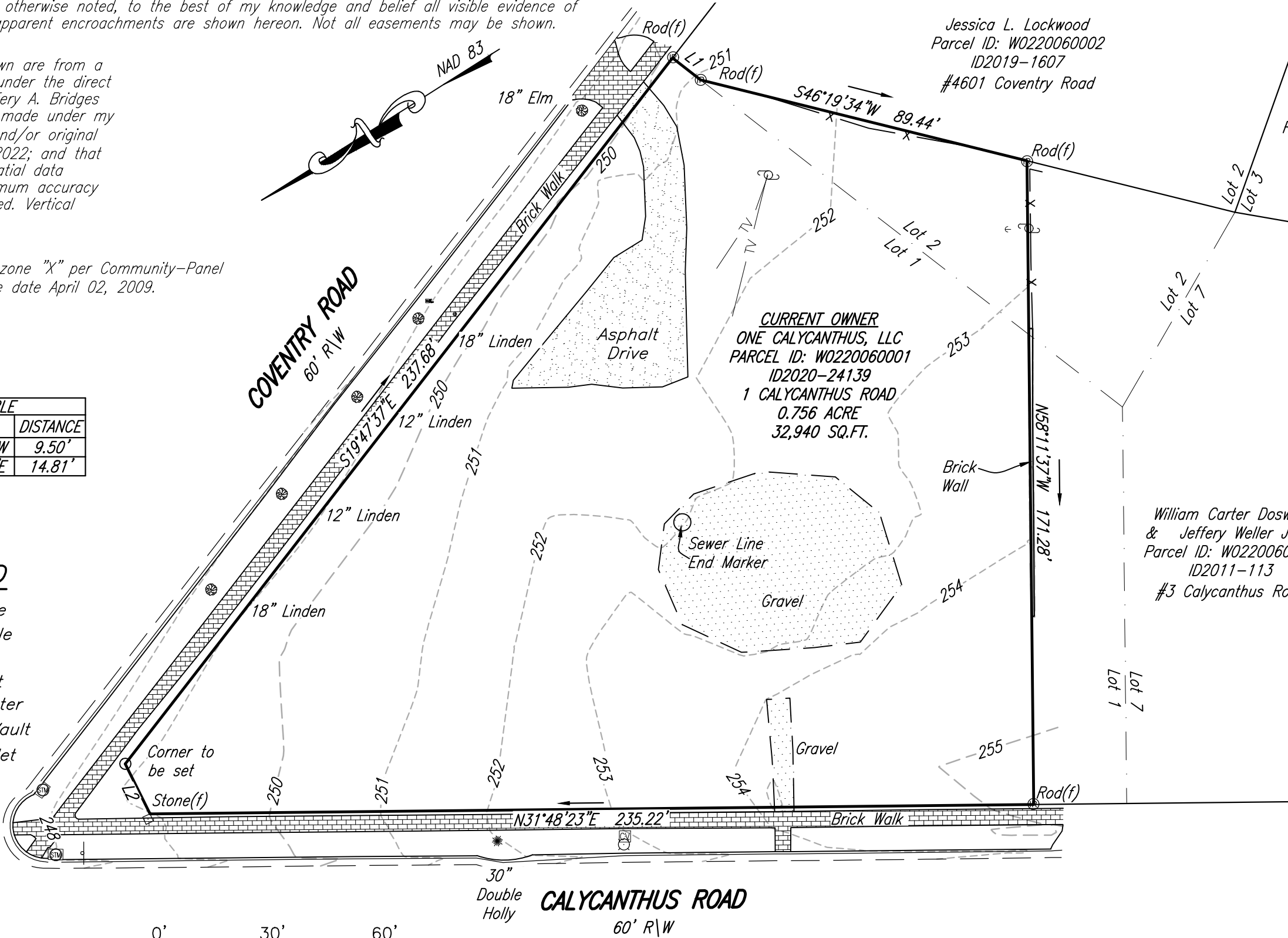
The existing contours lines shown are from a limited field survey completed under the direct and responsible charge of, Jeffery A. Bridges from an actual Ground Survey made under my supervision; that the imagery and/or original data was obtained on 05/27/2022; and that this plat, map or digital geospatial data including metadata meets minimum accuracy standards unless otherwise noted. Vertical Datum is GPS (NAVD88).

This property is in FEMA flood zone "X" per Community-Panel Number 5101290017D, effective date April 02, 2009.

LINE TABLE		
#	BEARING	DISTANCE
L1	S70°12'23"W	9.50'
L2	S83°59'37"E	14.81'

LEGEND

- Light Pole
- ⊕ Utility Pole
- Guy Wire
- ⊗ Clean out
- ⊞ Water Meter
- ⊠ Comm. Vault
- ⊙ Storm Inlet
- Sign



RE: One Calycanthus, LLC  
DATE: 06/15/2022  
SCALE: 1"=30'  
JOB NO.: 56220040.00  
DRAWN BY: DAD  
CHECKED BY: JAB

IMPROVEMENTS ON  
\*1 CALYCANTHUS ROAD  
CITY OF RICHMOND, VIRGINIA

PLANNERS / ARCHITECTS / ENGINEERS / SURVEYORS  
ROANOKE / RICHMOND / NEW RIVER VALLEY / SHENANDOAH VALLEY  
15871 City View Drive, Suite 200 / Midlothian, Virginia 23113 / Phone (804) 794-0571 / www.balzer.cc

\*Being Part of Lot 1 &  
Part of Lot 2, Block 4,  
Windsor Farms

