



DEPARTMENT OF
**PLANNING AND
DEVELOPMENT
REVIEW**

**BOARD OF
ZONING APPEALS**

February 13, 2024

City of Richmond C/O City Attorney
900 East Broad Street
Richmond, VA 23219

Baker Development Resources
530 East Main Street, Suite 730
Richmond, VA 23219
Attn: Mark Baker

To Whom It May Concern:

RE: BZA 06-2024

You are hereby notified that the Board of Zoning Appeals will hold a public hearing on **Wednesday, March 6, 2024 at 1:00 PM** in the 5th Floor Conference Room, City Hall, 900 E. Broad Street to consider an application for a building permit to construct a new three-story mixed-use building at 1903 & 1905 SEMMES AVENUE (Tax Parcel Numbers S000-0302/008 & 012), located in a B-3 (General Business) District. This meeting will be open to in-person participation with a virtual option. The public will have the option to provide their comments by teleconference/videoconference via Microsoft Teams, or in writing via email as indicated below.

Please be advised that the applicant or applicant's representative is required to participate in the subject public hearing either by teleconference/videoconference or in person. For teleconference participation call 804-316-9457 and entering code **193 548 567#**. For video access by computer, smart phone or tablet visit <https://richmondva.legistar.com/Calendar.aspx>. Select the Board of Zoning Appeals drop-down and 2024 drop-down, click meeting details for March 6, 2024 meeting and then click video access. In the event you have difficulty accessing a public hearing you may contact Mr. William Davidson at 804-396-5350 or by email at Chuck.Davidson@rva.gov for assistance. The Board of Zoning Appeals Rules of Procedure provides that in the case of an application for a variance or a special exception, the applicant, proponents or persons aggrieved under §15.2-2314 of the Code of Virginia, shall be permitted a total of six (6) minutes each to present their case. The Board of Zoning Appeals will withhold questions until the conclusion of the respective presentations. For the purposes of the record it also requested that before addressing the Board you identify yourself and spell your name.

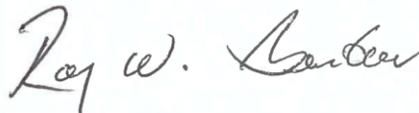
Finally, when you submitted your application to the zoning office you were given an handout entitled, Suggestions for Presenting Your Case to the Board, which indicated that you should discuss your request with your neighbor(s) and neighborhood

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association(s) prior to appearing before the Board of Zoning Appeals. Contact information for civic group(s) can be found by navigating to the Civic Group webpage of the City's website at <https://www.rva.gov/planning-development-review/civic-groups>. Once there, you can search for your property using the interactive map. A dialogue box will provide you with the names of all civic groups within which your property may lie. Once you have those group names, simply scroll down the page to the appropriate group(s) to find the contact information for each. The Board understands that given the current situation it is not practical to conduct face-to-face discussions with either your neighbors or neighborhood association(s) but the Board requests that you make a good faith effort to provide them with relevant information regarding your case.

If you have any questions regarding the Board's procedures or any issue involving presentation of your case, please feel free to contact me.

Very truly yours,

A handwritten signature in cursive script that reads "Roy W. Benbow".

Roy W. Benbow, Secretary
Phone: (804) 240-2124
E-mail: Roy.Benbow@rva.gov

cc: Zoning Administrator

Notice of this meeting is being sent to the persons whom the Board of Zoning Appeals believes to be property owners in the immediate vicinity of the property concerned in this application. This notice is for their information only, and there is no need for them to appear unless they so desire. The Board will, however, welcome such views as any persons care to express during the hearing on this application.

1802 Semmes Llc
5607 Grove Ave
Richmond, VA 23226

Badour Trevor R
512 W 20th St
Richmond, VA 23225

Blue Star Investments Llc
3123 Floyd Ave
Richmond, VA 23221

Bulifant Properties Inc
2001 Semmes Ave
Richmond, VA 23225

Crone John E
5725 Pouncey Tract Rd
Glen Allen, VA 23059

Crone John E And Lancto Colleen Marie
506 W 19th St
Richmond, VA 23225

Crossley Cody
503 W 19th St
Richmond, VA 23225

Darden Virginia
3733 Heverley Drive
Glen Allen, VA 23059

Dyer Earl
509 W 19th St
Richmond, VA 23225

Hendricks Robert L & Barbara A
516 W 20th St
Richmond, VA 23225

Manchester Town Center 2 Llc
5607 Grove Ave
Richmond, VA 23226

Marcello Judy J
512 W 19th St
Richmond, VA 23225

Mccutchan John N Iii
511 W 20th St
Richmond, VA 23225

River Towers Associates
3951-a Stillman Parkway
Glen Allen, VA 23060

Romska Kent E
502 W 19th St
Richmond, VA 23225

Stokes Margaret Austin And Farrell
Andrew Brett
510 W 20th St
Richmond, VA 23225

Weiland Jeremy P & Tasha C Mckelvey
515 W 20th St
Richmond, VA 23225

West19th507 Llc
2956 Hathaway Rd Apt 109
Richmond, VA 23225

Property: 1903 Semmes Ave **Parcel ID:** S0000302008

Parcel

Street Address: 1903 Semmes Ave Richmond, VA 23225-
Owner: CITY OF RICHMOND C/O CITY ATTORNEY
Mailing Address: 900 E BROAD ST, RICHMOND, VA 23219
Subdivision Name : BELLEVUE
Parent Parcel ID:
Assessment Area: 471 - Midlothian
Property Class: 401 - B Commercial Vacant Land
Zoning District: B-3 - Business (General Business)
Exemption Code: 100 - General Government(Inside of Corp. Limits)

Current Assessment

Effective Date: 01/01/2024
Land Value: \$144,000
Improvement Value:
Total Value: \$144,000
Area Tax: \$0
Special Assessment District: None

Land Description

Parcel Square Feet: 12000
Acreage: 0.275
Property Description 1: BELLEVUE L15-18 B2
Property Description 2: 0100.00X0120.00 0000.000
State Plane Coords(?): X= 11786535.000006 Y= 3715592.255723
Latitude: 37.52280001 , **Longitude:** -77.45304093

Description

Land Type: Primary Commercial/Indust Land
Topology:
Front Size: 100
Rear Size: 120
Parcel Square Feet: 12000
Acreage: 0.275
Property Description 1: BELLEVUE L15-18 B2
Property Description 2: 0100.00X0120.00 0000.000
Subdivision Name : BELLEVUE
State Plane Coords(?): X= 11786535.000006 Y= 3715592.255723
Latitude: 37.52280001 , **Longitude:** -77.45304093

Other

Street improvement:
Sidewalk:

Assessments

Assessment Year	Land Value	Improvement Value	Total Value	Reason
2024	\$144,000	\$0	\$144,000	Reassessment
2023	\$132,000	\$0	\$132,000	Reassessment
2022	\$120,000	\$0	\$120,000	Reassessment
2021	\$108,000	\$0	\$108,000	Reassessment
2020	\$108,000	\$0	\$108,000	Reassessment
2019	\$108,000	\$0	\$108,000	Reassessment
2018	\$108,000	\$0	\$108,000	Reassessment
2017	\$108,000	\$0	\$108,000	Reassessment
2016	\$108,000	\$0	\$108,000	Reassessment
2015	\$96,000	\$0	\$96,000	Reassessment
2014	\$96,000	\$0	\$96,000	Reassessment
2013	\$96,000	\$0	\$96,000	Reassessment
2012	\$96,000	\$0	\$96,000	Reassessment
2011	\$96,000	\$0	\$96,000	CarryOver
2010	\$96,000	\$0	\$96,000	Reassessment
2009	\$96,000	\$0	\$96,000	Reassessment
2008	\$96,000	\$0	\$96,000	Reassessment
2007	\$40,500	\$0	\$40,500	Reassessment
2006	\$39,300	\$0	\$39,300	Reassessment
2005	\$37,400	\$0	\$37,400	Reassessment
2004	\$34,000	\$0	\$34,000	Reassessment
2003	\$34,000	\$0	\$34,000	Reassessment
2002	\$31,800	\$0	\$31,800	Reassessment
1998	\$30,000	\$0	\$30,000	Not Available

Transfers

Transfer Date	Consideration Amount	Grantor Name	Deed Reference	Verified Market Sale Description
03/01/2002	\$0	COMMONWEALTH OF VIRGINIA	ID2002-6497	2 - INVALID SALE-Relation Between Buyer/Seller
06/08/1983	\$120,000	Not Available	00594-0423	
05/13/1963	\$44,300	Not Available	000000-00000	

Planning

Master Plan Future Land Use: R
Zoning District: B-3 - Business (General Business)
Planning District: Old South
Traffic Zone: 1152
City Neighborhood Code: WDLH
City Neighborhood Name: Woodland Heights
Civic Code:
Civic Association Name: Springhill Civic Association
Subdivision Name: BELLEVUE
City Old and Historic District:
National historic District:
Neighborhoods in Bloom:
Redevelopment Conservation Area:

Economic Development

Care Area: -
Enterprise Zone:

Environment

100 YEAR Flood Plain Flag: Contact the Water Resources Division at 646-7586.
500 YEAR Flood Plain Flag: N
Resource Protection Flag: Contact the Water Resources Division at 646-7586.
Wetland Flag: N

Census

Census Year	Block	Block Group	Tract
2000	1026	0603001	060300
1990	113	0603001	060300

Schools

Elementary School: Westover Hills
Middle School: River City
High School: Armstrong

Public Safety

Police Precinct: 3
Police Sector: 312
Fire District: 17
Dispatch Zone: 159A

Public Works Schedules

Street Sweep: TBD
Leaf Collection: TBD
Refuse Collection: Tuesday
Bulk Collection: TBD

Government Districts

Council District: 5
Voter Precinct: 508
State House District: 79
State Senate District: 14
Congressional District: 4

Property: 1905 Semmes Ave **Parcel ID:** S0000302012

Parcel

Street Address: 1905 Semmes Ave Richmond, VA 23225-
Owner: CITY OF RICHMOND C/O CITY ATTORNEY
Mailing Address: 900 E BROAD ST, RICHMOND, VA 23219
Subdivision Name : BELLEVUE
Parent Parcel ID:
Assessment Area: 471 - Midlothian
Property Class: 401 - B Commercial Vacant Land
Zoning District: B-3 - Business (General Business)
Exemption Code: 100 - General Government(Inside of Corp. Limits)

Current Assessment

Effective Date: 01/01/2024
Land Value: \$211,000
Improvement Value:
Total Value: \$211,000
Area Tax: \$0
Special Assessment District: None

Land Description

Parcel Square Feet: 18000
Acreage: 0.413
Property Description 1: BELLEVUE L19-24 B2
Property Description 2: 0150.00X0120.00 0000.413 AC
State Plane Coords(?): X= 11786429.500001 Y= 3715527.618668
Latitude: 37.52262572 , **Longitude:** -77.45340716

Description

Land Type: Primary Commercial/Indust Land
Topology:
Front Size: 150
Rear Size: 120
Parcel Square Feet: 18000
Acreage: 0.413
Property Description 1: BELLEVUE L19-24 B2
Property Description 2: 0150.00X0120.00 0000.413 AC
Subdivision Name : BELLEVUE
State Plane Coords(?): X= 11786429.500001 Y= 3715527.618668
Latitude: 37.52262572 , **Longitude:** -77.45340716

Other

Street improvement:
Sidewalk:

Assessments

Assessment Year	Land Value	Improvement Value	Total Value	Reason
2024	\$211,000	\$0	\$211,000	Reassessment
2023	\$194,000	\$0	\$194,000	Reassessment
2022	\$178,000	\$0	\$178,000	Reassessment
2021	\$162,000	\$0	\$162,000	Reassessment
2020	\$162,000	\$0	\$162,000	Reassessment
2019	\$162,000	\$0	\$162,000	Reassessment
2018	\$162,000	\$0	\$162,000	Reassessment
2017	\$162,000	\$0	\$162,000	Reassessment
2016	\$162,000	\$0	\$162,000	Reassessment
2015	\$144,000	\$0	\$144,000	Reassessment
2014	\$144,000	\$0	\$144,000	Reassessment
2013	\$144,000	\$0	\$144,000	Reassessment
2012	\$144,000	\$0	\$144,000	Reassessment
2011	\$144,000	\$0	\$144,000	CarryOver
2010	\$144,000	\$0	\$144,000	Reassessment
2009	\$144,000	\$0	\$144,000	Reassessment
2008	\$144,000	\$0	\$144,000	Reassessment
2007	\$67,500	\$0	\$67,500	Reassessment
2006	\$65,500	\$0	\$65,500	Reassessment
2005	\$62,400	\$0	\$62,400	Reassessment
2004	\$56,700	\$0	\$56,700	Reassessment
2003	\$56,700	\$0	\$56,700	Reassessment
2002	\$53,000	\$0	\$53,000	Reassessment
1998	\$50,000	\$0	\$50,000	Not Available

Transfers

Transfer Date	Consideration Amount	Grantor Name	Deed Reference	Verified Market Sale Description
03/01/2002	\$0	COMMONWEALTH OF VIRGINIA	ID2002-6497	2 - INVALID SALE-Relation Between Buyer/Seller
06/20/1983	\$100,000	Not Available	00594-1134	
12/29/1975	\$71,500	Not Available	000477-00123	

Planning

Master Plan Future Land Use: R
Zoning District: B-3 - Business (General Business)
Planning District: Old South
Traffic Zone: 1152
City Neighborhood Code: WDLH
City Neighborhood Name: Woodland Heights
Civic Code:
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Subdivision Name: BELLEVUE
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Economic Development

Care Area: -
Enterprise Zone:

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500 YEAR Flood Plain Flag: N
Resource Protection Flag: Contact the Water Resources Division at 646-7586.
Wetland Flag: N

Census

Census Year	Block	Block Group	Tract
2000	1026	0603001	060300
1990	113	0603001	060300

Schools

Elementary School: Westover Hills
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Police Precinct: 3
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Refuse Collection: Tuesday
Bulk Collection: TBD

Government Districts

Council District: 5
Voter Precinct: 508
State House District: 79
State Senate District: 14
Congressional District: 4

RICHMOND BOARD OF ZONING APPEALS APPLICATION FORM



**THE RICHMOND ZONING ADMINISTRATION OFFICE
ROOM 110, CITY HALL, 900 EAST BROAD STREET
RICHMOND, VIRGINIA 23219
(804) 646-6340**

TO BE COMPLETED BY THE APPLICANT

PROPERTY OWNER: City of Richmond C/O City Attorney **PHONE: (Home)** () _____ **(Mobile)** () _____
ADDRESS 900 East Broad Street **FAX:** () _____ **(Work)** () _____
Richmond, VA 23219 **E-mail Address:** _____

PROPERTY OWNER'S Baker Development Resources **PHONE: (Home)** () _____ **(Mobile)** (804) 874-6275
REPRESENTATIVE: Mark Baker **FAX:** () _____ **(Work)** () _____
(Name/Address) 530 East Main Street, Suite 730 **E-mail Address:** markbaker@bakerdevelopmentresources.com
Richmond, Virginia 23219

TO BE COMPLETED BY THE ZONING ADMINISTRATION OFFICE

PROPERTY ADDRESS (ES) 1903 & 1905 Semmes Avenue

TYPE OF APPLICATION: **VARIANCE** **SPECIAL EXCEPTION** **OTHER** _____

ZONING ORDINANCE SECTION NUMBERS(S): 30-300, 30-630.1.(a)(1), 30-630.3, & 30-710.5

APPLICATION REQUIRED FOR: A building permit to construct a new three-story mixed-use building.

TAX PARCEL NUMBER(S): S000-0302/008 & /012 **ZONING DISTRICT:** B-3 (General Business District)

REQUEST DISAPPROVED FOR THE REASON THAT: The front yard requirement is not met. A front yard of 15'± is required along the West 20th Street frontage; 8.15± is proposed. Spaces for the parking of vehicles and access aisles thereto shall not be located within that portion of a required front yard on a lot in any other district and situated within 50 feet of a lot in an R or RO district. Access aisles are proposed within the front yard within fifty feet (50') of the lots in the R-district along both West 19th & West 20th Streets.

DATE REQUEST DISAPPROVED: January 8, 2024 **FEE WAIVER:** YES NO:

DATE FILED: January 19, 2024 **TIME FILED:** 1:13 p.m. **PREPARED BY:** Josh Young **RECEIPT NO.** BZAC-142413-2024

AS CERTIFIED BY: [Signature] (ZONING ADMINISTRATOR)

I BASE MY APPLICATION ON:
SECTION 17.20 PARAGRAPH(S) _____ **OF THE CHARTER OF THE CITY OF RICHMOND**
SECTION 15.2-2309.2 **OF THE CODE OF VIRGINIA** [OR]
SECTION 1040.3 PARAGRAPH(S) _____ **OF THE ZONING ORDINANCE OF THE CITY OF RICHMOND**

TO BE COMPLETED BY APPLICANT

I have received the handouts, *Suggestions for Presenting Your Case to the Board & Excerpts from the City Charter*
I have been notified that I, or my representative, must be present at the hearing at which my request will be considered.
SIGNATURE OF OWNER OR AUTHORIZED AGENT: [Signature] **DATE:** 2/8/24

***** TO BE COMPLETED BY THE SECRETARY TO THE BOARD OF ZONING APPEALS *****

CASE NUMBER: BZA 06-2024 **HEARING DATE:** March 6, 2024 **AT** 1:00 **P.M.**

BOARD OF ZONING APPEALS CASE BZA 06-2024
150' Buffer

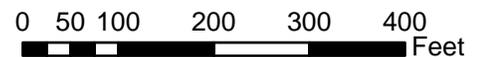
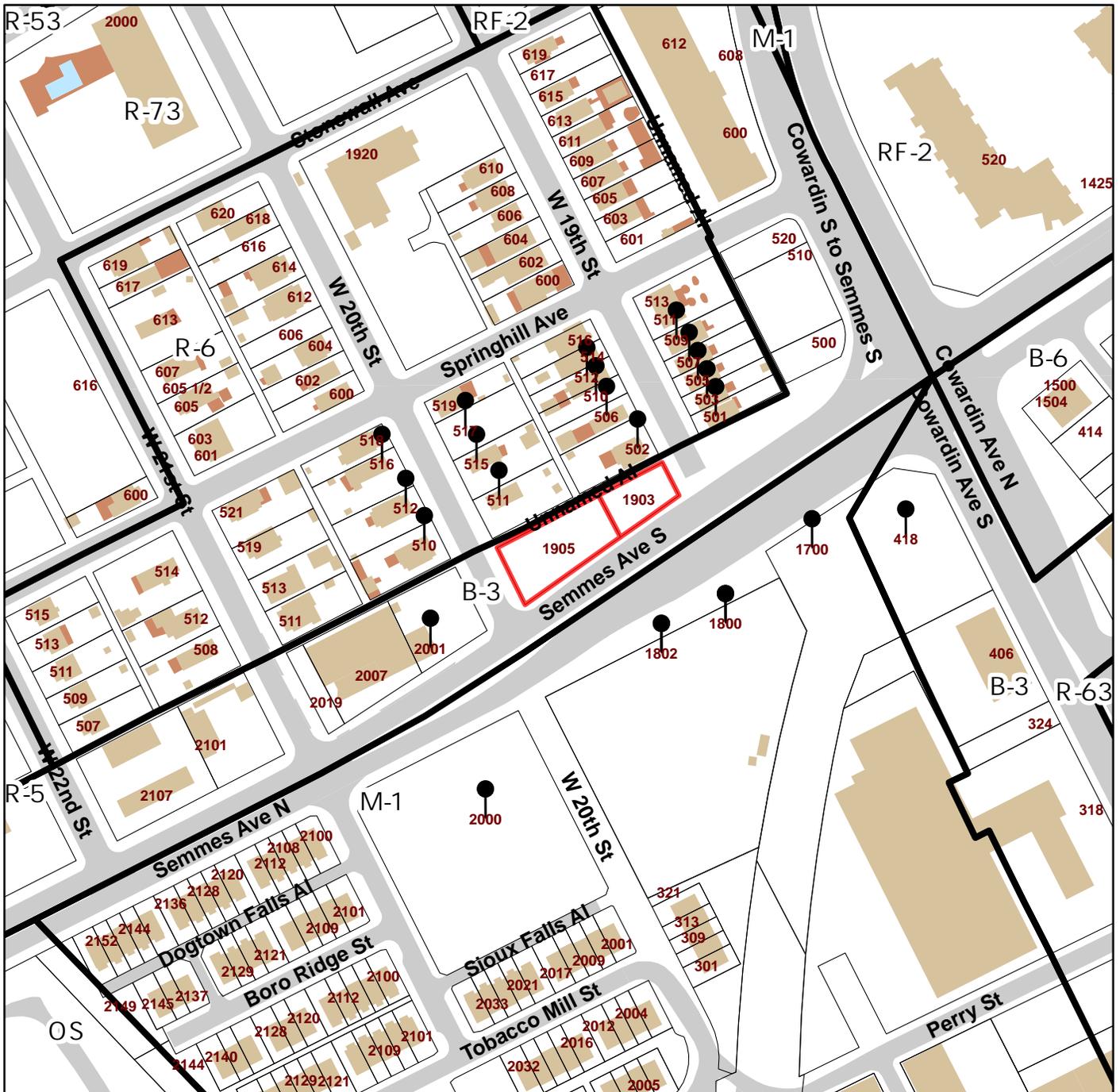
APPLICANT(S): City of Richmond C/O City Attorney

PREMISES: 1903 & 1905 Semmes Avenue
(Tax Parcel Numbers S000-0302/008 & 012)

SUBJECT: A building permit to construct a new three-story mixed-use building.

REASON FOR THE REQUEST: Based on Sections 30-300, 30-630.1.(a)(1), 30-630.3, & 30-710.5
of the Zoning Ordinance for the reason that:

The front yard (setback) and the spaces for the parking of vehicles
and access aisles requirements are not met.





BOARD OF ZONING APPEALS PRESENTATION SUGGESTIONS

CITY OF RICHMOND, VIRGINIA

When presenting your request for a variance or exception to the Board of Zoning Appeals, it is important that you consider the points outlined below. The City Charter requires that every decision of the Board must be based upon a finding of fact that the Board must determine from sworn testimony, together with pertinent evidence, presented at its public hearing. It is essential that the Board receive thorough and complete information in order for it to adequately consider your case and make an informed decision.

1. The powers and duties of the Board of Zoning Appeals (BZA) are specified in Section 17.20 of the City Charter and Article X, Division 5, of the Zoning Ordinance. The Zoning Office will assist you in identifying how your case should be filed. If you have questions regarding your case filing, please contact the Zoning Administration Office (804-646-6340) or at PDRZoningAdministration@Richmondgov.com. Please review the applicable provisions of the City Charter or the Zoning Ordinance thoroughly and address them when presenting your case to the Board to show that the applicable requirements have been satisfied.
2. [The Board of Zoning Appeals is a quasi-judicial board whose decisions are controlled by statutory law and also take into consideration applicable case law that has been handed down by the Richmond Circuit Court and the Virginia Supreme Court. The Board suggests that if you have any legal questions regarding statutory or case law as it may apply to your application, that those legal issues should be discussed with an attorney before you make your final decision to submit an application to the Board.](#)
3. The Board considers it essential that you discuss your case with nearby residents (notification letters are sent to all property owners within a 150-foot radius of your property) and any nearby civic association(s). Information regarding your neighborhood association(s) and/or contact person(s) may be obtained [here](#). Once on the page, you can search for your property using the interactive map. A dialogue box will provide you with the names of all civic groups within which your property may lie. Once you have those group names, scroll down the page to the appropriate group(s) to find the contact information for each.

Be advised that if you fail to discuss your request with your neighbors and neighborhood association(s), you should anticipate that your case will be continued until the Board's next regularly scheduled meeting. It is highly recommended that you contact your neighborhood association as soon as possible to determine their meeting schedule in order to be sure you allow yourself enough time to talk to all concerned parties prior to the hearing before the Board. The Board's Rules of Procedure require payment of a one-hundred fifty dollar (\$150) continuance fee if the applicant must request a continuance for the reason that the applicant failed to discuss their case with their neighbor(s) or neighborhood association(s).

4. **You are also strongly encouraged to discuss your pending case with the Secretary of the Board, Roy Benbow at (804) 240-2124 well before the hearing.** The BZA Secretary can be helpful by explaining the BZA public hearing requirements and process.
5. Utilizing photographs, plans, maps, diagrams and such other written or graphic evidence as needed to fully explain your request can be a great help to the Board in understanding your request and thereby improve your chances for success. Remember . . . a picture is worth a thousand words.
6. Note that, although the Board is not authorized to grant a waiver from the zoning regulations based on financial circumstances alone, it may be a factor to be taken into consideration along with other facts in a case. If your case involves such a factor, please provide the Board with complete and relevant financial information for its review.
7. The Board's hearings are informal, although all testimony is taken under oath. You are not required to be represented by an attorney in presenting your case. However, if you choose, you may have legal representation and/or may utilize such technical experts or other persons to testify on your behalf as you feel are needed to adequately explain your request to the Board.

Acknowledgement of Receipt by Applicant or Authorized Agent: 



January 18th, 2024

Mr. Roy Benbow
Secretary to the Board of Zoning Appeals
Department of Planning and Development Review
900 East Broad Street, Room 508
Richmond, Virginia 23219

RE: BZA Variance Request – 1903 & 1905 Semmes Avenue (S000-0302/008 & S000-0302/012)

Dear Mr. Benbow,

The property owner is requesting a variance for 1903 and 1905 Semmes Avenue (“the Property”) in order to permit the construction of a three-story mixed-use building. The Property is located along the northern line of Semmes Avenue between W 19th and W 20th Streets and includes 0.688 acres of land area. The Property is zoned B-3 General Business District and Commonwealth Catholic Charities is proposing to develop the vacant site with a three-story mixed-use building fronting onto Semmes Avenue. A Plan of Development (POD-140354-2023, “the POD”) has been requested in order to permit the construction of the mixed-use development consisting of a total of 20 dwelling units, targeted to low-income seniors, and a corner commercial use located at the intersection of W 20th Street and Semmes Ave.

The Property consists of two residual parcels which were made irregular in shape and reduced in size and depth by the Commonwealth of Virginia in conjunction with the widening of Semmes Avenue. The City of Richmond purchased the Property in 2002. The Property was marked as surplus and transferred to Maggie Walker Community Land Trust Richmond Land Bank program in 2021, with the mandate that they be used to develop affordable housing. The Land Bank program’s Citizens Advisory Panel selected, from several applications received, an application from Commonwealth Catholic Charities for the proposed development on the basis that it provided the most possible benefit to the community.

As a result of the widening of Semmes Avenue the property retains only 67.63’ of frontage along W 20th Street and 47.97’ of frontage along W 19th Street, which is partially improved. Based on that irregular shape and site conditions, a variance is needed from two provisions of the zoning ordinance: (1) Sec. 30-630.1.a(1) concerning the front yard requirement along the W 20th Street frontage and (2) Sec. 30-710.5 concerning the prohibition of access/drive aisles within required front yards along the W 19th and W 20th Street frontages.

Where the first item is concerned, in order to take advantage of the Property’s irregular shape the proposed mixed-use building has been sited fronting along Semmes Avenue in order to address W 20th Street and Semmes Avenue while also providing for a corner commercial use. In order to do that,

an 8' setback is proposed from the property line along the western corner of the Property at its W 20th Street frontage. This would be acceptable in many cases under B-3 zoning regulations as no front or side yards are generally required. However, in this specific context, Sec. 30-630.1.a(1) of the Zoning Ordinance (Supplemental Regulations) requires "[t]here shall be a front yard along any street frontage adjacent to or across from a side lot line of another lot located in any district in which a front yard is required." As the adjacent parcels to the north at 511 W 20th Street and 502 W 19th Street are located in the R-6 Zoning District, which requires a front yard of not less than 15 feet, this front yard requirement is applicable to the Property along the W 19th and W 20th Street frontages.

The proposed building location addresses sound planning practices, as outlined in the Richmond 300 Plan, where properly addressing corners and the pedestrian realm while activating the street are concerned. The building "holds the corner" at W 20th Street and Semmes Avenue and presents it with an active, neighborhood-serving commercial space. In addition, this location on the Property allows for a more efficient development footprint. A 20' rear yard setback is required along the alley and northern property line, which reduces the buildable depth of the Property further. As the property depth tapers from 67.63' at the corner of W 20th Street to only 47.97' at the corner of W 19th Street, and considering the required rear yard setback, utilizing the southwest corner of the Property allows for the use of the deepest portion of the lot to be maximized. As the site narrows from west to east, so too must the proposed building. Siting it as proposed allows for a reasonable building depth at the buildings eastern, narrow end. As it stands, the usable first floor building depth is limited to only 13' 4" at the eastern end of the building. Moving the building eastward on the site, as the front yard setback requirement in question would require, would reduce that dimension. Therefore, a variance is requested from this requirement in order to permit the construction of the building as proposed.

Where the second item is concerned, the zoning regulations in conjunction with the site context deny any reasonable vehicular access to the site. Sec. 30-438.6 (b) concerning driveways from streets prohibits any driveway from Semmes Avenue (the principal street frontage) as other street frontages (W 19th and W 20th Streets) or alley access is available to serve the lot. The first issue here is that Sec. 30-710.5 further states that "[s]paces for the parking of vehicles and access aisles thereto...shall not be located...within that portion of a required front yard on a lot in any other district situated within 50 feet of a lot in an R or RO district." This technically prevents any access to the property from W 19th or W 20th Street because, as discussed above, each are subject to a front yard requirement. The shallow lot depth along with the requirement that any access is 50' distant from residential properties to the north would either exclude access (W 19th Street) or push access so close to Semmes (W 20th Street) as to be infeasible. With the 50' restriction applied (including the 12.5' wide alley to the north) only 10.47' of frontage is unencumbered along W 19th street, which is insufficient for access regardless of location. It is worth noting that W 19th Street would not be useful for primary access in any case as it is also not improved with a connection to Semmes and can only be accessed through the Spring Hill neighborhood to the north. With the same restriction applied along W 20th Street, 30' of frontage is unencumbered. However, that area is located at the front of the site, abutting Semmes Avenue. This location would result in an unsafe condition and would be inconsistent with DPW access management policies. The other issue is that access is further restricted by site topography. While there is an east-west alley to the north of the Property, it lies at a higher elevation and is separated from the site by a significant retaining wall. This condition prevents the use of the alley for access to the site. Absent permitted access from Semmes Avenue and W 19th Street or feasible access from W 20th Street or the alley, access can only be achieved as proposed. The Property would be accessed by a 12' wide, one-way, east-west drive aisle running the width of the Property from W 20th Street to W 19th Street. The drive aisle would abut the alley, albeit at a lower elevation due to the existing retaining wall. This location would permit safe and reasonable access without further constraining the shallow site as the drive aisle would be located within the required rear yard setback. The drive aisle would serve 13 off-

street parking spaces and would allow for the provision of services such as refuse and recycle pick-up. The strict application of the provision in question would prevent the ability to provide these necessary services on the site.

The evidence shows that this request meets the standards for a variance as defined in §15.2-2201 of the Code of Virginia. The strict application of the ordinance would unreasonably restrict the utilization of the property, the need for a variance would not be shared generally by other properties, and the variance would not be contrary to the purpose of the ordinance. The request meets the evidentiary requirements of §15.2-2201(2.) of the code of Virginia. A variance may be granted if the evidence shows “that the strict application of the terms of the zoning ordinance would unreasonably restrict the utilization of the property or that granting of the variance would alleviate a hardship due to a physical condition relating to the property or improvements thereon at the time of the effective date of the ordinance...” It is the applicant’s position in this case that both of these standards are met.

The strict application of the 15’ front yard setback along the W 20th Street frontage and applicable to Property under Section 30-630.1.a(1) and the requirement that no parking or access aisle be located within the front yard setback under Section 30-710.5 would unreasonably restrict the utilization of the property. These requirements combined with the Property’s irregular shape and topography results in a situation that is not conducive to achieving the reasonable development of the property meeting the general intent of the district. In addition, the granting of the variance would alleviate a hardship due to a physical condition relating to the Property, specifically, the site topography and diminished size resulting from the expansion of the Semmes Avenue right of way.

The overall use of the site and design of the building is as envisioned by the code. The requested variance would merely enable the reasonable use of the site and allow for the inclusion of off-street parking and the provision of other necessary services. The resulting development form would provide the urban streetscape character, enhanced public safety, and active pedestrian environment that is envisioned by the underlying zoning and the Richmond 300 Plan for the benefit of the general public.

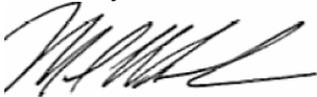
Finally, the request meets the following tests:

- The Property was acquired in good faith and the hardship was not created by the applicant. The hardship was not created by the applicant. Self-inflicted hardship must pertain to a violation of the zoning ordinance by the owner. Spence v. Board of Zoning Appeals for City of Virginia Beach, 255 Va. 116, 496 S.E.2d 61 (1998).
- Granting the variance will not be of substantial detriment to adjacent property and nearby properties in the proximity of that geographical area. The variance would not be of any detriment. While modest relief is requested from the W 20th Street front yard setback, the overall use and siting of the building is in line with the B-3 district yard requirements and the recommendations of the Richmond 300 plan. The variance from the access prohibition on W 20th and W 19th Streets would result in access that is less impactful to adjacent properties to the north than would be the case if the alley could be feasibly utilized.
- The condition or situation of the property concerned is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to the ordinance. The issue is unique and is not generally shared by other properties in the district. The unique topography of the site, which required the existing retaining wall along the alley and the diminished size and irregular shape of the parcel, caused by the expansion of Semmes Avenue, are unique to the Property.

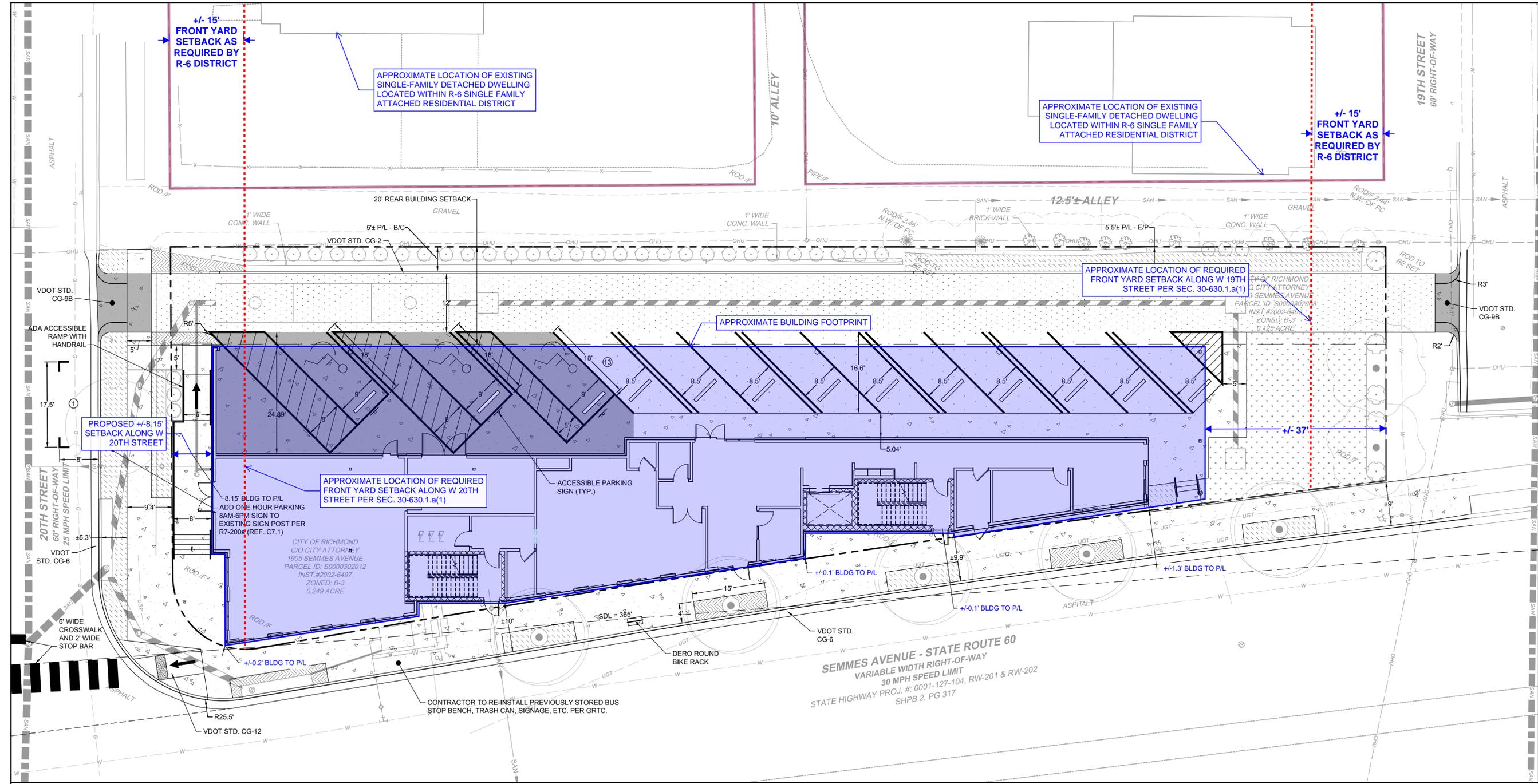
- Granting the variance does not result in a use that is not otherwise permitted on the property or a change in the zoning classification of the property. The proposed mixed-uses are permitted by the B-3 zoning classification.
- The relief or remedy sought by the variance application is not available through a special exception or a zoning modification at the time of the filing of the variance application. There is no special exception, as contemplated by this section, available to address this feature requirement.
- The variance is not contrary to the purpose of the ordinance. The proposal is not contrary to the purpose outlined in Section 30-100 of the zoning ordinance as it relates to: lessening congestion in streets; securing safety from fire, flood, etc.; promoting health, sanitation and general welfare, providing adequate light and air and convenience of access; preventing the overcrowding of land; avoiding undue concentration of population; facilitating the creation of a convenient, attractive and harmonious community; protect against destruction of or encroachment upon historic areas; encouraging economic development activities that provide desirable employment and enlarge the tax base; and expediting the provision of adequate police and fire protection, etc.

Thank you in advance for your assistance. Should you have any questions after reviewing this request, please feel free to contact me at 874-6275.

Sincerely,



Mark R. Baker
Baker Development Resources, LLC



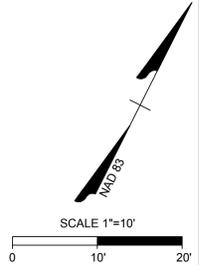
NOTES:

- STREET DIMENSIONS ARE TO THE FACE OF CURB UNLESS OTHERWISE NOTED. SIDEWALK DIMENSIONS ARE TO THE BACK OF CURB UNLESS OTHERWISE NOTED.
- THE CONTRACTOR SHALL CALL VIRGINIA 811 AT 811 OR (800) 552-7001 AT LEAST 48 HOURS PRIOR TO THE START OF ANY EXCAVATION. PRIOR TO CONSTRUCTION, CONTRACTOR SHALL VERIFY LOCATION AND ELEVATIONS OF ALL UNDERGROUND UTILITIES SHOWN ON PLANS IN AREA OF CONSTRUCTION. IF THERE APPEARS TO BE A CONFLICT, AND UPON DISCOVERY OF ANY UTILITY NOT SHOWN ON THE PLAN, IMMEDIATELY NOTIFY THE ENGINEER. CONTRACTOR SHALL PROVIDE OWNER'S AGENT WITH COPY OF CLEARED VIRGINIA 811 TICKET.
- SHORT TERM BICYCLE RACKS SHOULD BE INSTALLED AT LEAST 2' FROM THE FACE OF CURB. BICYCLE RACKS SHOULD BE A MINIMUM OF 3' FROM FIRE HYDRANTS & CROSSWALKS; 4' FROM LOADING ZONES, TRANSIT STOPS, AND BENCHES; AND 3' FROM PARKING METERS, NEWSPAPER RACKS, MAILBOXES, LIGHT POLES, AND OTHER STREET FURNITURE. CONTRACTOR IS TO CONTACT THE CIVIL ENGINEER IF ANY OF THE ABOVE PARAMETERS CHALLENGE THE LOCATION OF THE RACKS SHOWN ON THE PLANS.
- ALL STRIPING REMOVED FROM THE PUBLIC RIGHT-OF-WAY DUE TO MILL & OVERLAY, ASPHALT REPLACEMENT, OR OTHER CONSTRUCTION ACTIVITY, SHOULD BE REPLACED TO MATCH EXISTING STRIPING UNLESS OTHERWISE NOTED ON THE PLANS.

HATCHING KEY:

	6" CONCRETE CURB (REF. DETAIL ON NOTES & DETAILS SHEET)
	CONCRETE SIDEWALK** (REF. DETAIL ON NOTES & DETAILS SHEET)
	HEAVY DUTY CONCRETE** (REF. DETAIL ON NOTES & DETAILS SHEET)
	STANDARD DUTY ASPHALT (REF. DETAIL ON NOTES & DETAILS SHEET)
	LIGHT DUTY ASPHALT (REF. DETAIL ON NOTES & DETAILS SHEET)
	ASPHALT REPLACEMENT PER W-6
	MILL & OVERLAY ASPHALT
	ACCESSIBLE ROUTE

** SECTION FOR THE CG-9B ENTRANCE RAMPS & THE PEDESTRIAN PATH BEHIND THEM SHOULD BE CONSISTENT WITH CG-9B DETAIL SHOWN ON NOTES & DETAILS SHEET.



THIS DRAWING PREPARED AT THE
CORPORATE OFFICE
1001 Builders Parkway, Suite 300 | Richmond, VA 23225
TEL: 804.200.0500 FAX: 804.586.0106 www.timmons.com

REVISION DESCRIPTION	DATE
YOUR VISION ACHIEVED THROUGH OURS.	12/14/2023

DRAWN BY	M. THOMSON
DESIGNED BY	M. THOMSON
CHECKED BY	S. CASTONGUAY
SCALE	1" = 10'

TIMMONS GROUP

1903 SEMMES AVENUE
OLD SOUTH PLANNING DISTRICT - CITY OF RICHMOND - VIRGINIA

LAYOUT PLAN

JOB NO.	60965
SHEET NO.	C2.1

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s:\01\60965-1903_semmes_ave\DWG\Sheet\CD60965-01-C2.1-LAYO.dwg | Plotted on 12/13/2023 7:04 PM | by Sam Castonguay

COMMONWEALTH CATHOLIC CHARITIES

SEMMES AVE - MULTIFAMILY DEVELOPMENT

1903 SEMMES AVE
RICHMOND, VA 23225

VICINITY MAP



CODE DATA SUMMARY

CONSTRUCTION TYPE: 5A
FULLY SPRINKLERED: YES
FIRE ALARM SYSTEM: YES
HEIGHT OF BUILDING: 40'-5" (3 STORIES)
HIGH RISE: NO

POD DRAWING INDEX

SHEET NO	SHEET TITLE	REV NO	REV DATE
T1.0	TITLE SHEET		
A1.1	1ST FLOOR PLAN		
A1.2	2ND & 3RD FLOOR PLANS		
A1.3	ROOF PLAN		
A2.1	EXTERIOR ELEVATIONS		
A3.1	BUILDING SECTIONS AND DIAGRAMS		

OWNER / CLIENT

COMMONWEALTH CATHOLIC CHARITIES
1601 ROLLING HILLS DRIVE
RICHMOND, VA 23229

ARCHITECTURE / INTERIORS

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300 S. ORANGE AVENUE, SUITE 1125 ORLANDO, FL 32801



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PROJECT NUMBER
2.230268.0

**SEMMES AVE -
MULTIFAMILY
DEVELOPMENT**

1903 SEMMES AVE
RICHMOND, VA 23225

ISSUE
**12/15/2023 -
POD SUBMISSION**

CONCEPTUAL VIEWS NOT TO SCALE

TITLE SHEET
T1.0

AREA/UNIT TYPE

- COMMUNITY AMENITY
- RESIDENT AMENITY
- CORRIDOR
- ACCESS
- LEASING OFFICE
- BOH
- UTILITY SPACE
- RETAIL

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NOT FOR CONSTRUCTION

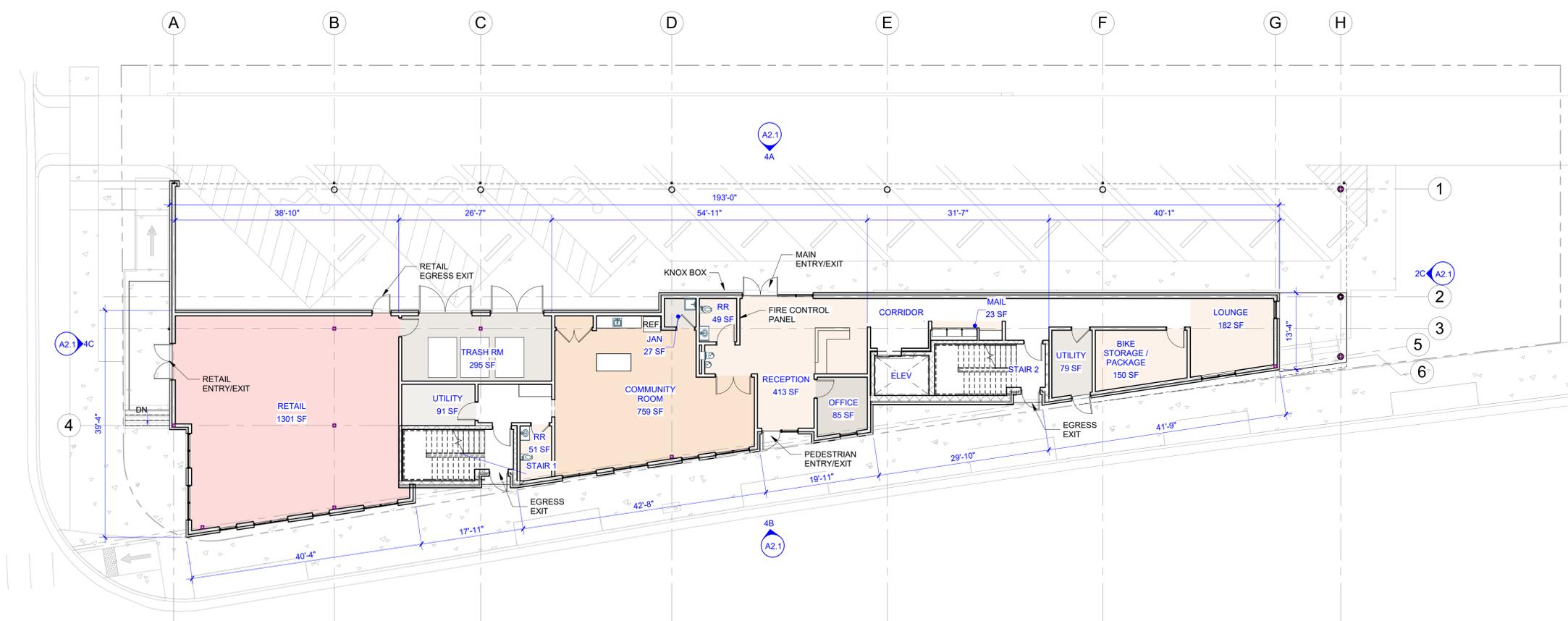
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PROJECT NUMBER
2.230268.0

**SEMME'S AVE -
MULTIFAMILY
DEVELOPMENT**

1903 SEMME'S AVE
RICHMOND, VA 23225

ISSUE
**12/15/2023 -
POD SUBMISSION**



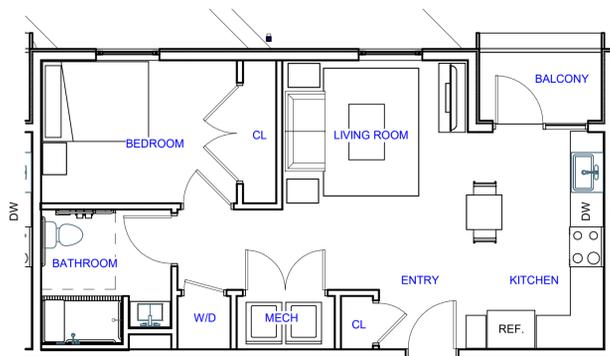
5A 1ST FLOOR PLAN

SCALE: 3/32" = 1'-0"



**1ST FLOOR PLAN
A1.1**

- 1 BEDROOM
- RESIDENT AMENITY
- CORRIDOR
- UNIT - OUTDOOR SPACE
- BOH
- UTILITY SPACE



3D ENLARGED PLAN - TYP 1 BED UNIT

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

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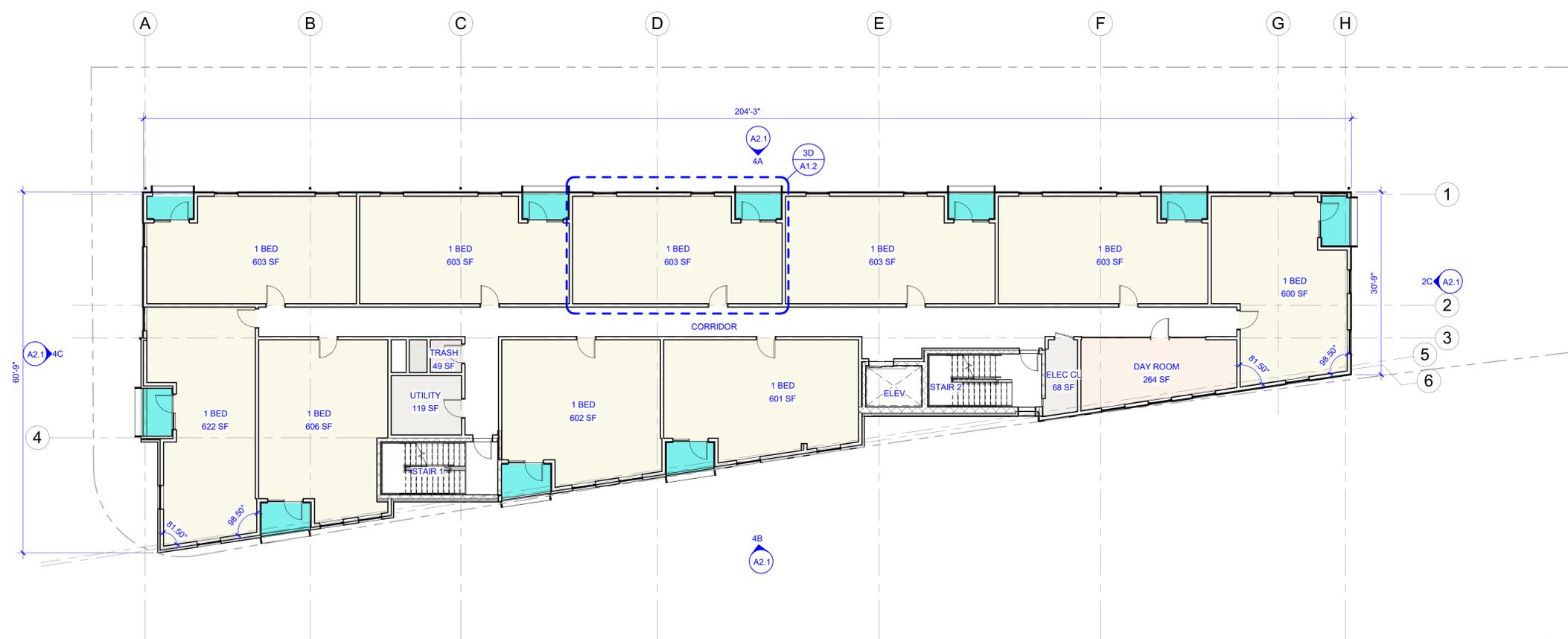
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PROJECT NUMBER
2.230268.0

**SEMME'S AVE -
MULTIFAMILY
DEVELOPMENT**

1903 SEMME'S AVE
RICHMOND, VA 23225

ISSUE
12/15/2023 -
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5A 2ND FLOOR PLAN (3RD FLOOR SIMILAR)

SCALE: 3/32" = 1'-0"



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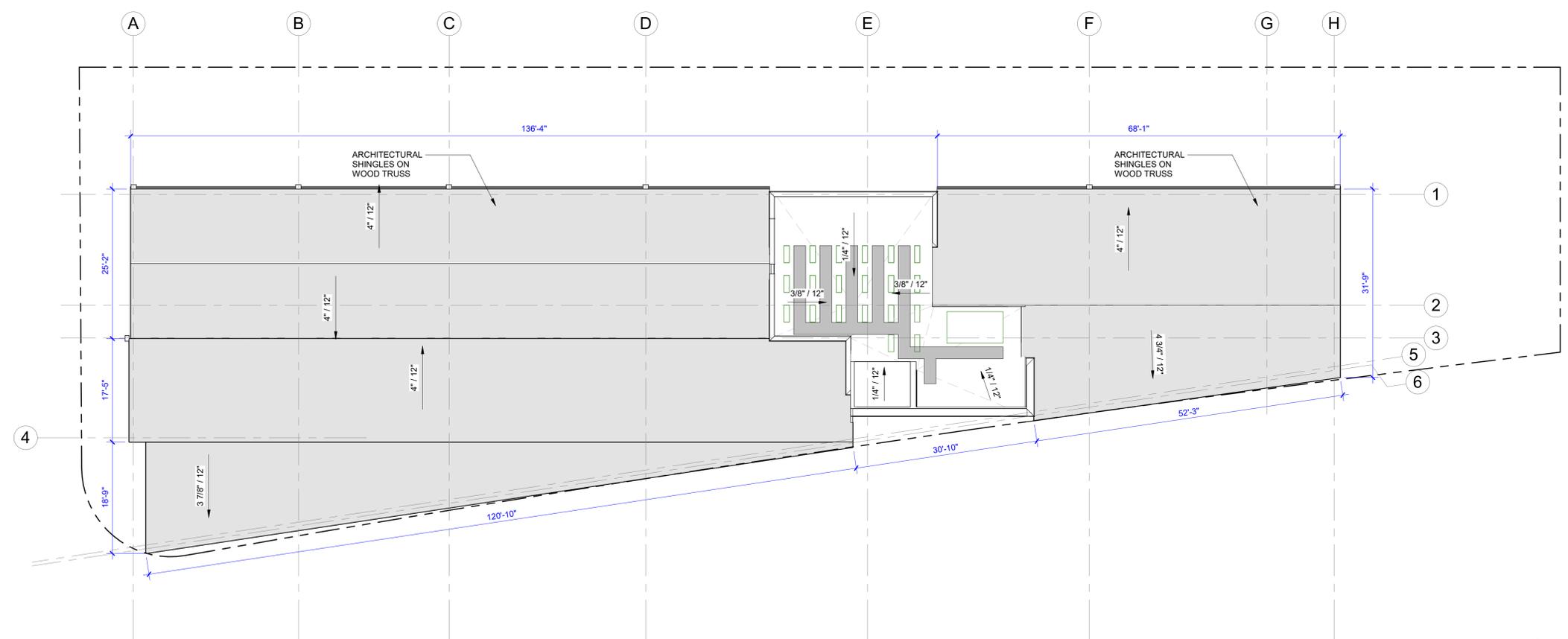
**SEMME'S AVE -
MULTIFAMILY
DEVELOPMENT**

1903 SEMME'S AVE
RICHMOND, VA 23225

ISSUE
12/15/2023 -
POD SUBMISSION



ROOF PLAN
A1.3

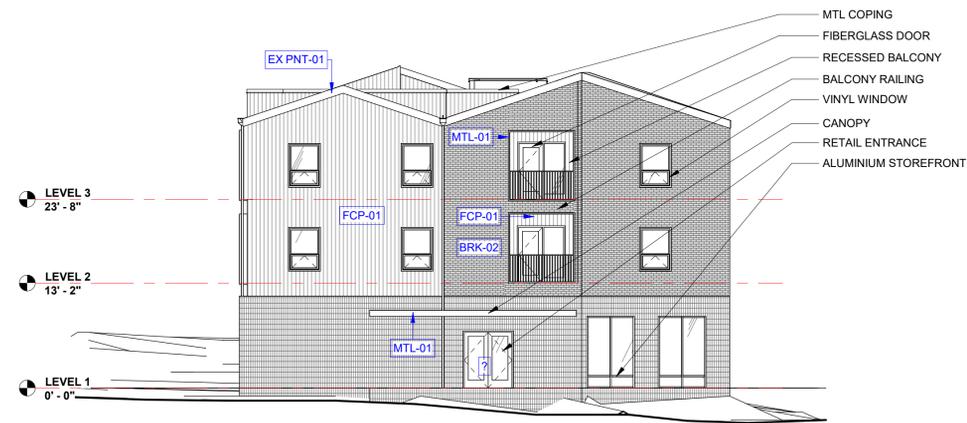


5A ROOF PLAN

SCALE: 3/32" = 1'-0"

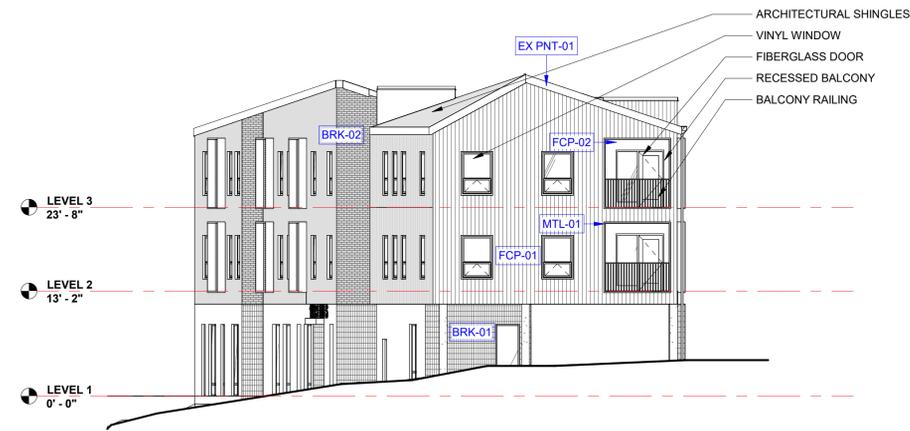
EXTERIOR FINISH LEGEND POD

FINISH NO.	MATERIAL	COLOR
BRK-01	BRICK	SYCAMORE (RED)
BRK-02	BRICK	BLUE BLACK VELOUR (DARK)
CONC-01	CONCRETE	CAST IN PLACE
EX PNT-01	PAINT	DARK GRAY
FCP-01	FIBER CEMENT	WOOD LOOK (LIGHT)
MTL-01	METAL	DARK BRONZE



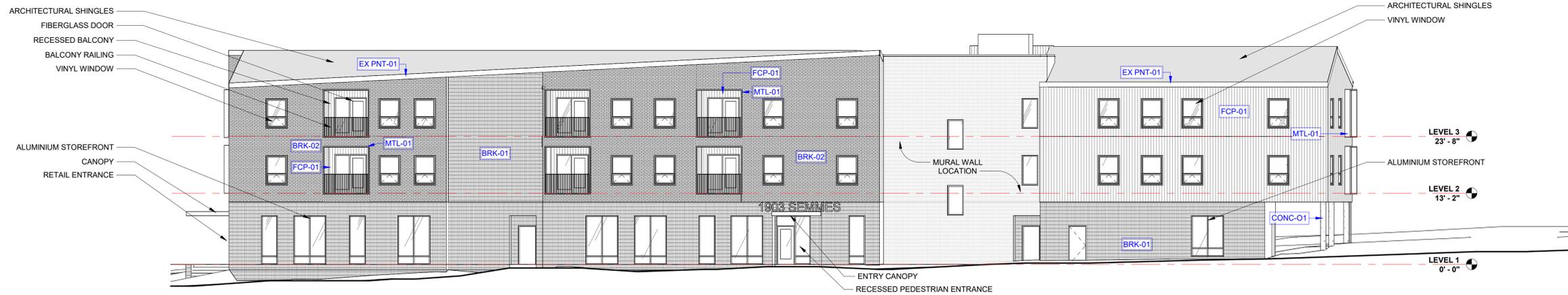
4C ELEVATION - WEST

SCALE: 3/32" = 1'-0"



2C ELEVATION - EAST

SCALE: 3/32" = 1'-0"



4B ELEVATION - SOUTH

SCALE: 3/32" = 1'-0"



4A ELEVATION - NORTH

SCALE: 3/32" = 1'-0"

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PROJECT NUMBER
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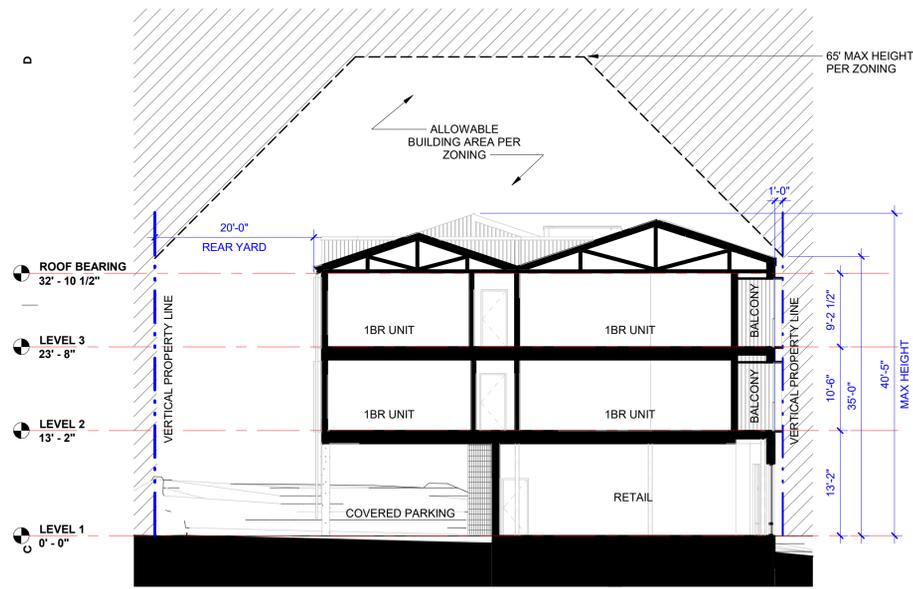
**SEMME'S AVE -
MULTIFAMILY
DEVELOPMENT**

1903 SEMME'S AVE
RICHMOND, VA 23225

ISSUE
**12/15/2023 -
POD SUBMISSION**

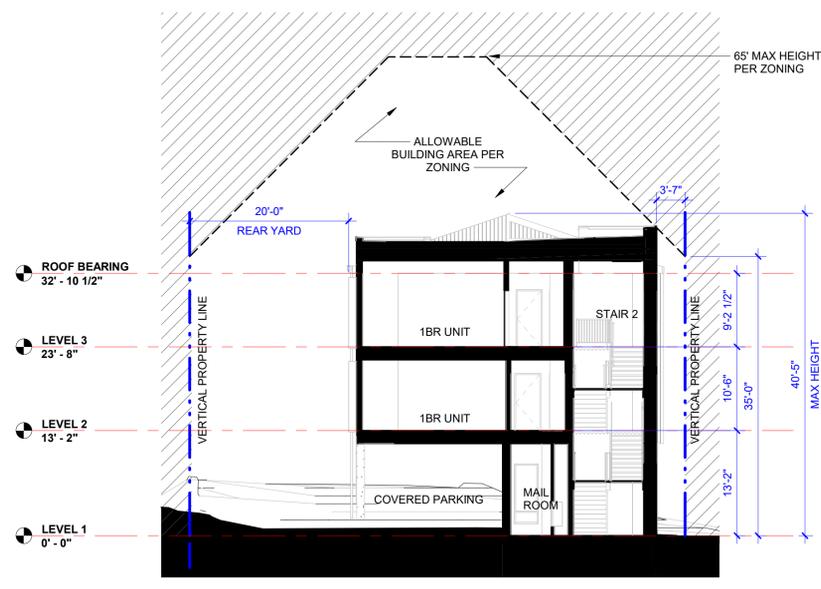
EXTERIOR ELEVATIONS

A2.1



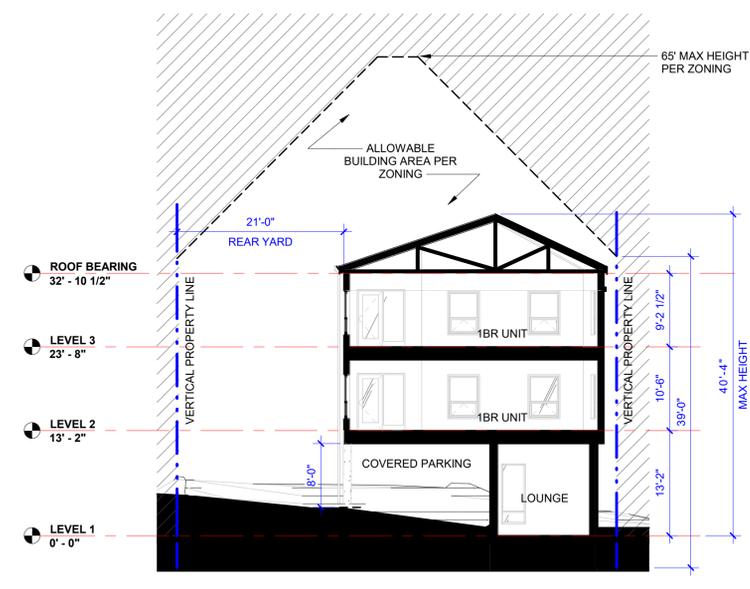
5C BUILDING SECTION - WEST

SCALE: 3/32" = 1'-0" DRAWING REF: A111



3C BUILDING SECTION - CENTER

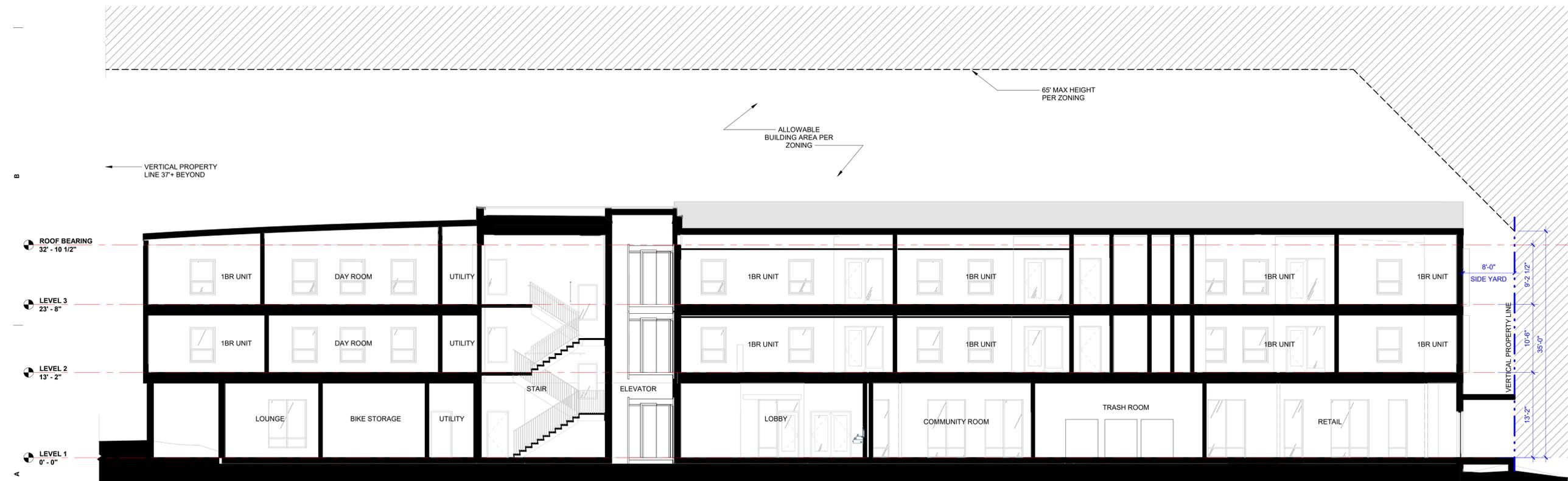
SCALE: 3/32" = 1'-0" DRAWING REF: A111



1C BUILDING SECTION - EAST

SCALE: 3/32" = 1'-0" DRAWING REF: A111

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5A POD BUILDING SECTION - LONGITUDE

SCALE: 1/8" = 1'-0" DRAWING REF: A111

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**SEMME'S AVE -
MULTIFAMILY
DEVELOPMENT**

1903 SEMME'S AVE
RICHMOND, VA 23225

ISSUE
**12/15/2023 -
POD SUBMISSION**

BUILDING SECTIONS AND
DIAGRAMS

A3.1

Mercer, Brian P. - PDR

From: Janice Carter-Lovejoy <jclrichmond@yahoo.com>
Sent: Monday, January 29, 2024 11:47 AM
To: Mercer, Brian P. - PDR
Cc: Robins, Amy E. - City Council Office; Jason Hendricks; Charles Hall
Subject: Comments on 1903-1905 Semmes Ave Variance Request

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Misc.

You don't often get email from jclrichmond@yahoo.com. [Learn why this is important](#)

CAUTION: This message is from an external sender - Do not open attachments or click links unless you recognize the sender's address and know the content is safe.

Hi Mr. Mercer,

I am a civic leader in the Springhill Old and Historic neighborhood. Last week representatives of our neighborhood met with Commonwealth Catholic Charities and others about drafted plans for the future senior apartment building at 1903-1905 Semmes Ave. This vacant city-owned property will soon be transferred to the Maggie Walker Land Trust so that a mixed-use three-story building, including affordable senior apartments, can be developed there. Charles Hall of CCC shared with us the need to get an approved variance as one of the steps for the project to move forward.

"The Variance would allow for a waiver of (a) the front-yard setbacks along W 19th and 20th Street and (b) allow for the construction of a drive aisle and parking on the site which is located within said front-yard setbacks and within 50 feet of residentially zoned parcels. In all other respects, the proposed development will meet the underlying zoning."

As explained by Hall in his 1/18/24 email to our neighborhood (excerpt above) and at the meeting, Springhill supports approval of this variance.

Feel free to contact me if needed.

Janice Carter-Lovejoy
Springhill Neighborhood
JCLRICHMOND@YAHOO.com



Members of the City of Richmond Board of Zoning Appeals,

The Maggie Walker Community Land Trust would like to express its support for Commonwealth Catholic Charities Housing Corporation's request for a variance at 1903 and 1905 Semmes Avenue.

The Commonwealth of Virginia acquired these properties by eminent domain in 1983 for the widening of Semmes Avenue (US-60). After the widening, the parcels were left irregularly shaped. The City of Richmond purchased the properties in 2002. They were marked as surplus and transferred to MWCLT's Richmond Land Bank program in 2021, with the mandate that they be used to develop affordable housing.

Three organizations applied to the Richmond Land Bank to develop the parcels, and the Citizens Advisory Panel recommended Commonwealth Catholic Charities' application on the basis that it provided the most possible benefit to the community. Not only will this project provide twenty low-income seniors with homes, but it will also provide a space for a small business to take root in the community.

CCCHC's proposal aligns with the parcel's current zoning as well as the award-winning Richmond 300 plan's future land use for the parcels. The Maggie Walker CLT believes any potential negative impacts from the project will be vastly outweighed by its benefits to the community. Commonwealth Catholic Charities has the full support of the Citizens Advisory Panel, the Board of Directors, and the staff of the Maggie Walker CLT.

Sincerely,

A handwritten signature in black ink that reads "Erica Sims". The signature is written in a cursive, flowing style.

Erica Sims, CEO