

INTRODUCED: September 26, 2016

AN ORDINANCE No. 2016-262

To authorize the special use of the property known as 203 Rear North Davis for the purpose of permitting garages; offices, including business, professional and administrative offices; studios of writers, designers and artists; and uses accessory to an off-site home occupation within an existing structure, upon certain terms and conditions.

Patron – Mayor Jones (By Request)

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: NOV 14 2016 AT 6 P.M.

WHEREAS, the owner of the property known as 203 Rear North Davis Avenue, which is situated in a R-6 Single-Family Attached Residential District, desires to use such property as garages; offices, including business, professional and administrative offices; studios of writers, designers and artists; and uses accessory to an off-site home occupation, all within an existing structure, which uses, among other things, are not currently allowed by sections 30-412.1 and 30-412.2 of the Code of the City of Richmond (2015), as amended; and

WHEREAS, in accordance with section 17.11 of the Charter of the City of Richmond (2010), as amended, it has been made to appear that, if granted subject to the terms and conditions

AYES: 9 NOES: 0 ABSTAIN: _____

ADOPTED: NOV 14 2016 REJECTED: _____ STRICKEN: _____

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 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 (2015), 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 203 Rear North Davis Avenue and identified as Tax Parcel No. W000-1082/035 in the 2016 records of the City Assessor, being more particularly shown on a survey entitled “Survey of Lot and Improvements Thereon Located at # 203 Rear N. Davis Avenue, Richmond, Virginia,” prepared by A.G. Harocopos & Associates, P.C., and dated December 22, 2015, 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 garages; offices, including business, professional and administrative offices; studios of writers, designers and artists; and uses accessory to an off-site home occupation, all within an existing structure, hereinafter referred to as “the Special Use,” substantially as shown on the plans entitled “Schraa Garage, Fan District, Richmond, January 04,” prepared by DesJardins Custom Design Build, dated March 10, 2004, and last revised April 2, 2004, 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 use of the first floor of the building located on the Property shall be garages serving permitted uses located within the block bounded by Grove Avenue, North Davis Avenue, Hanover Avenue, and North Stafford Avenue; within the block bounded by Grove Avenue, North Robinson Street, Hanover Avenue, and North Davis Avenue; or within the block bound by Grove Avenue, North Stafford Avenue, Hanover Avenue, and Strawberry Street. No more than two garage bays may be used for furniture storage, repair, and sales, provided such use is accessory to a permitted home occupation at the property known as 2415 Hanover Avenue and identified as Tax Parcel No. W000-1082/008 in the 2016 records of the City Assessor. Use of the first floor shall be substantially as shown on the Plans.

(b) The use of the second floor of the Property shall be a total of no more than two offices, including business, professional and administrative offices, or studios of writers, designers and artists. The following uses shall not be permitted on the second floor: medical and dental offices and clinics, art galleries, personal service businesses that provide services directly to persons or services for personal items, including barber shops, beauty salons, health spas, fitness centers, dance studios, photography studios, travel agencies, shoe repair shops, tailor and garment alteration and repair shops, clothing rental stores, watch and jewelry repair shops, music studios and similar establishments, or pet shops, veterinary clinics and animal hospitals, including boarding kennels. No products shall be offered for sale directly to customers. Use of the second floor shall be substantially as shown on the Plans.

(c) There shall be no process or activity conducted or equipment operated on the Property that generates any noise, vibration, odor, smoke, fumes, glare, or electrical interference discernable to the normal senses beyond the lot lines of the Property. The use or storage, either or both, of hazardous materials of such type or in such quantities not normally customary for the uses

permitted on the Property shall be prohibited. There shall be no housing of persons for compensation on the Property, and there shall be no commercial repair of vehicles or internal combustion engines on the Property.

(d) No parking shall be required for the non-garage use of the Property.

(e) No more than two employees in each office or studio on the second floor shall be permitted. The number of employees pertaining to the non-garage use of the first floor shall be subject to the regulations governing a home occupation at the property known as 2415 Hanover Avenue and identified as Tax Parcel No. W000-1082/008 in the 2016 records of the City Assessor.

(f) Visitation by clients, customers, vendors, or other visitors associated with the non-garage use of the Property, including deliveries, shall not exceed a total of four vehicle visits per day or more than two persons at any one time and shall occur only between the hours of 8:00 a.m. and 6:00 p.m. All operations of the non-garage use of the Property shall cease by 9:00 p.m. daily.

(g) No more than three identification signs shall be permitted on the Property. No sign shall exceed one square foot in area, be illuminated, or be located on the eastern or southern sides of the structure. Up to three of the signs may be located on the doors on the western side of the structure but shall not be located on the western side wall of the structure or garage doors. One of the signs may be located on the northern wall of the structure.

(h) All building materials shall be substantially as shown on the Plans.

(i) 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.

(j) 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 (2015), 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 (2015), 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 (2015), 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 (2015), 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 or when the Special Use of the Property as authorized by this ordinance is abandoned for a period of 730 consecutive calendar days, 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 certificate of occupancy for the Special Use subject to the terms and conditions set forth in this ordinance. An application for the certificate of occupancy shall be made within 730 calendar days following the date on which this ordinance becomes effective. If the application for the certificate of occupancy is not made with the time period stated in the previous sentence, 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.



City of Richmond

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

Item Request

File Number: PRE. 2016-235

4-5630

O & R REQUEST

AUG 31 2016

O & R Request

Chief Administration Office
City of Richmond

DATE: August 26, 2016

EDITION: 1

RECEIVED

TO: The Honorable Members of City Council

SEP 06 2016

THROUGH: Dwight C. Jones, Mayor (by request) *DJ*
(This in no way reflects a recommendation on behalf of the Mayor)

OFFICE OF CITY ATTORNEY

THROUGH: Selena Cuffee Glenn, Chief Administrative Officer *SCG*

THROUGH: Peter L. Downey, Jr., Deputy Chief Administrative Officer for Economic Development and Planning *PLD*

FROM: Mark A. Olinger, Director, Dept. of Planning and Development Review *MAO*

RE: To authorize the special use of the property known as 203 Rear North Davis Avenue for the purpose of permitting: garages, offices, including business, professional and administrative offices, and studios of writers, designers and artists, and uses accessory to an off-site home occupation, within an existing structure, upon certain terms and conditions.

ORD. OR RES. No. ____

PURPOSE: To authorize the special use of the property known as 203 Rear North Davis Avenue for the purpose of permitting: garages, offices, including business, professional and administrative offices, and studios of writers, designers and artists, and uses accessory to an off-site home occupation, within an existing structure, upon certain terms and conditions.

REASON: The proposed uses are not authorized by the R-6 Single-Family Attached Residential zoning designation of the subject property. A special use permit is therefore required.

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. This item will be scheduled for consideration by the Commission at its October 17, 2016, meeting. A letter outlining the Commission's recommendation will be forwarded to City Council following that meeting.

BACKGROUND: The subject property consists of a 3,223 SF (0.074 acre) parcel of land improved with a freestanding garage with second-floor office/studio space that was constructed, per tax assessment records, in 2006. The subject property is located in The Fan neighborhood of the Near West planning district. The property is accessed via City alleys and is located at the center of the block bound by Grove Avenue, North Davis Avenue, Hanover Avenue, and North Stafford Avenue.

The City of Richmond's Master Plan recommends Single-family (Medium Density) land uses for the property. The Master Plan defines the primary uses for this category as single-family and two-family detached and attached dwellings at densities of 8 to 20 units per acre, and includes residential support uses such as schools, places of worship, and neighborhood parks, among others (p. 133).

A guiding land use principle for the New West planning district is that "infill development of like density, scale and use is appropriate" (p. 230). The Fan specifically "is identified on the Land Use Plan map as appropriate for the continuation of a wide range of urban residential uses (with varying housing styles and residential densities) and commercial uses to serve the area" (p. 233).

The subject property and all adjacent properties are located within the same R-6 Single-Family Attached Residential District that encompasses much of the area.

A mix of single-, two- and multi-family residential land uses predominate the area of the subject property, with commercial, mixed-use, and office uses being present throughout as well.

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

FISCAL IMPLICATIONS: Staff time for processing the request; preparation of draft ordinance; and publishing, mailing and posting of public notices.

BUDGET AMENDMENT NECESSARY: No.

REVENUE TO CITY: \$1,800.00

DESIRED EFFECTIVE DATE: Upon Adoption.

REQUESTED INTRODUCTION DATE: September 26, 2016

CITY COUNCIL PUBLIC HEARING DATE: November 14, 2016

REQUESTED AGENDA: Regular

RECOMMENDED COUNCIL COMMITTEE: None

CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES: City Planning Commission, October 17, 2016.

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

City Assessor (for preparation of mailing labels for public notice)

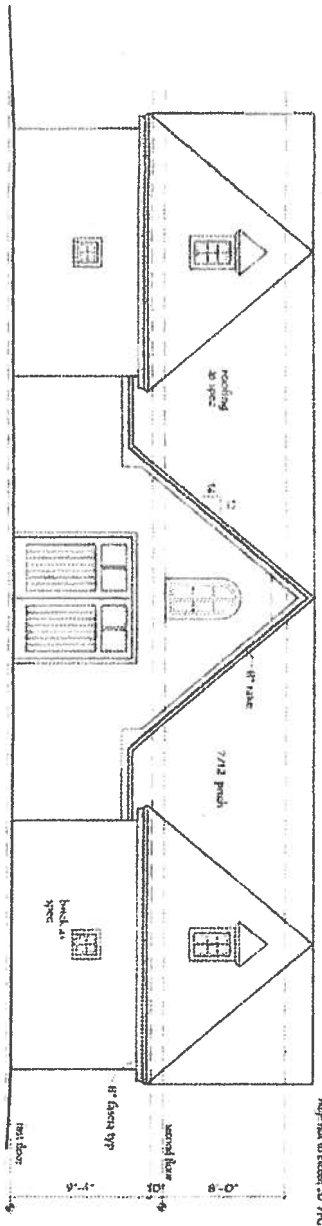
RELATIONSHIP TO EXISTING ORD. OR RES.: None.

REQUIRED CHANGES TO WORK PROGRAM(S): None.

ATTACHMENTS: Draft Ordinance, Application Form & Applicant's Report, Plans, Survey, Map

STAFF: Matthew J. Ebinger, AICP, Senior Planner
Land Use Administration (Room 511)
804-646-6308

PDR O&R No. 16-24



FRONT ELEVATION
1/4" = 1'-0"

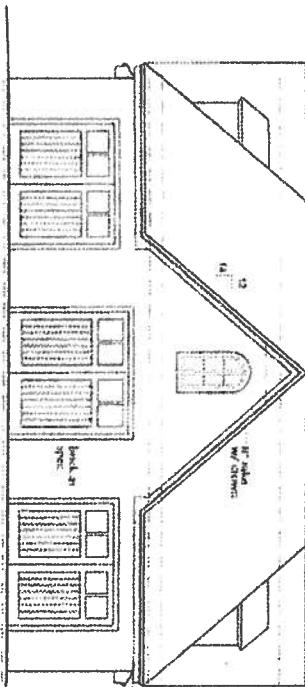
Rev C:

Schraa Garage
Fan District
Richmond
January 04

date: April 7, 04
last revised: -
revision: A:
R. Mar 10, 03
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DES JARDINS
CUSTOM DESIGN BUILD





right side to road, 20110

RIGHT ELEVATION
1/4"=1'-0"

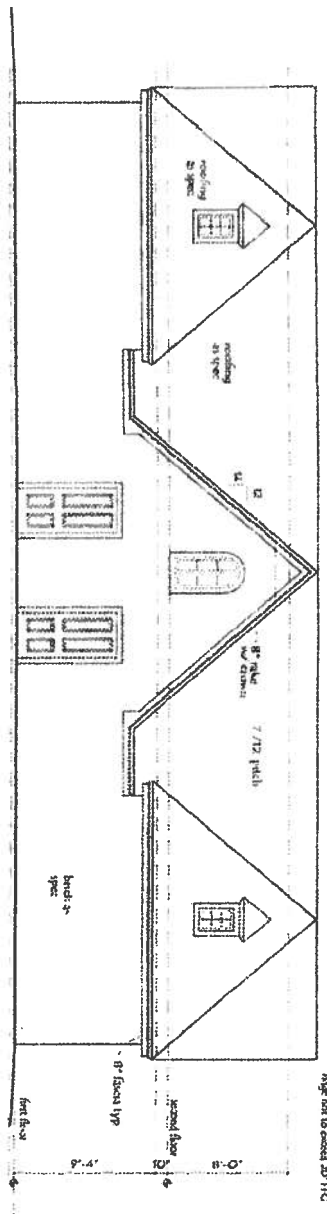
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of 11

**Schraa Garage
Fan District
Richmond
January 04**

date: April 2, 04
last revised:
revisions: A:
R. 3/22/04-04
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DES JARDINS
CUSTOM DESIGN BUILD



REAR ELEVATION
1/4" = 1'-0"

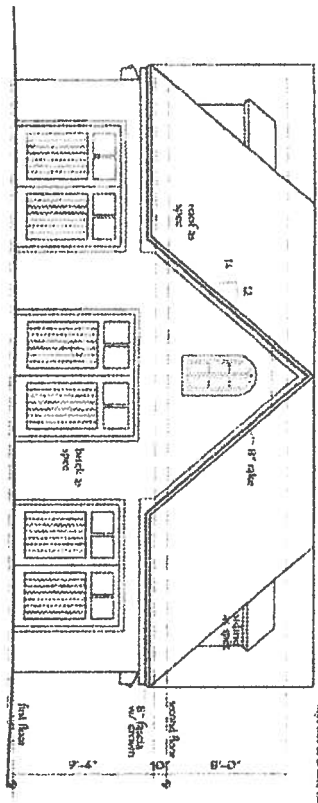
Rev C:



Schraa Garage
Fan District
Richmond
January 04

date: April 2, 04
last revised:
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LEFT ELEVATION
1/4"=1'-0"

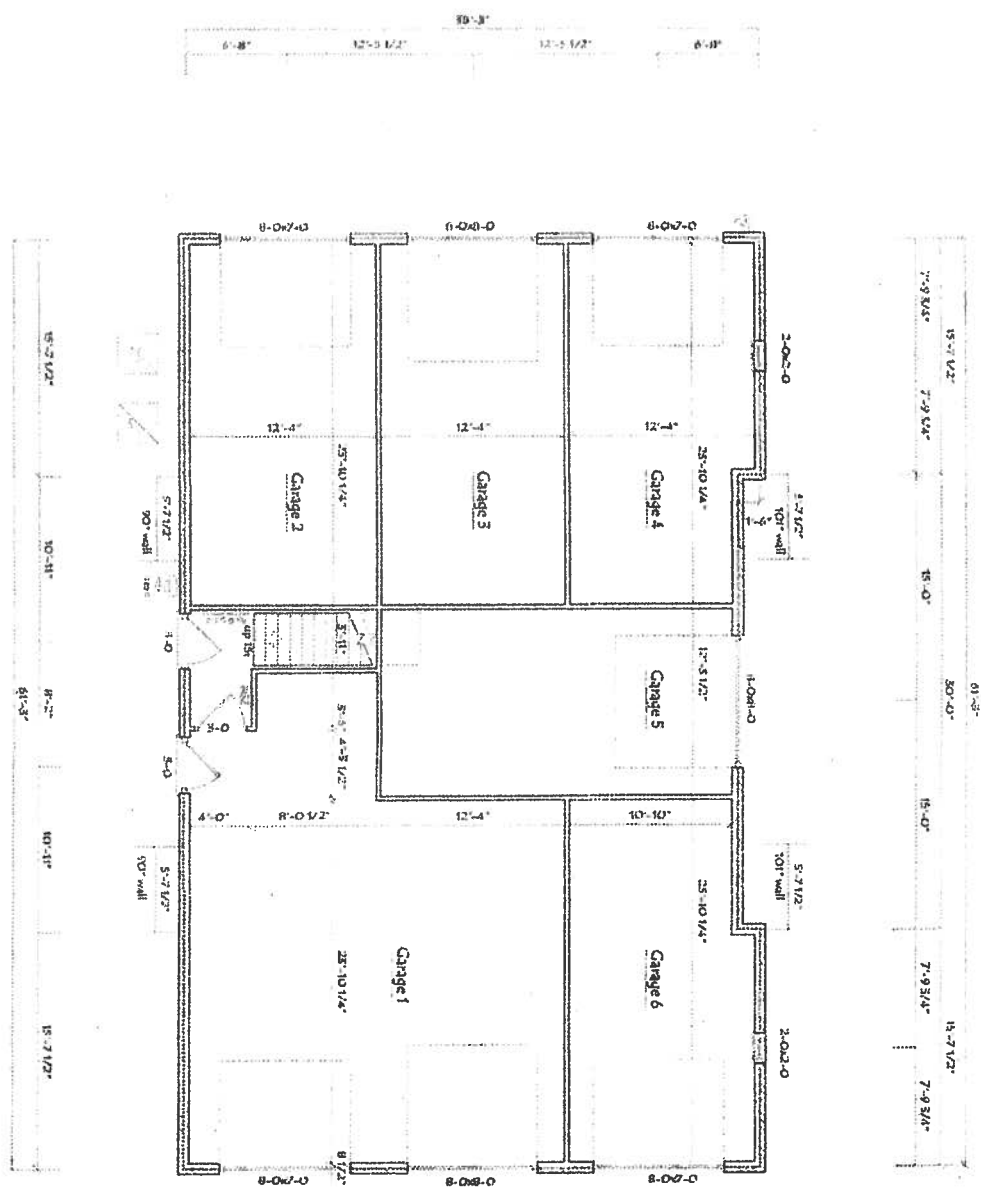
Rev C:



**Schraa Garage
Fan District
Richmond
January 04**

date: April 2, 04
last revised:
revisions: A:
By: Mar 10, 05
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AREA

Garage	Area
Garage 1	28'-10 1/4"
Garage 2	25'-10 1/4"
Garage 3	25'-10 1/4"
Garage 4	25'-10 1/4"
Garage 5	12'-5 1/2"
Garage 6	25'-10 1/4"

FIRST FLOOR
1/4"=1'-0"

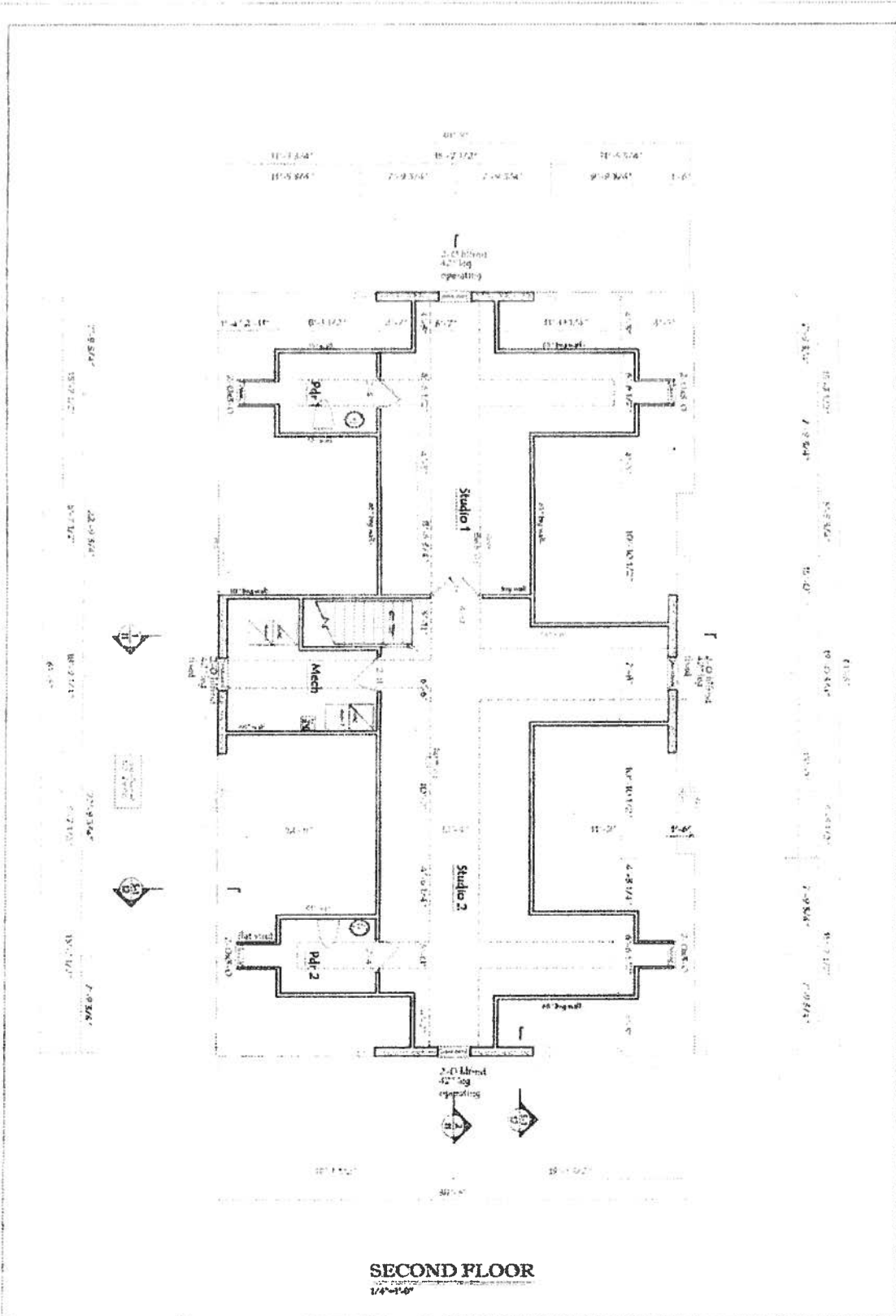
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Schraa Garage
Fan District
Richmond
January 04

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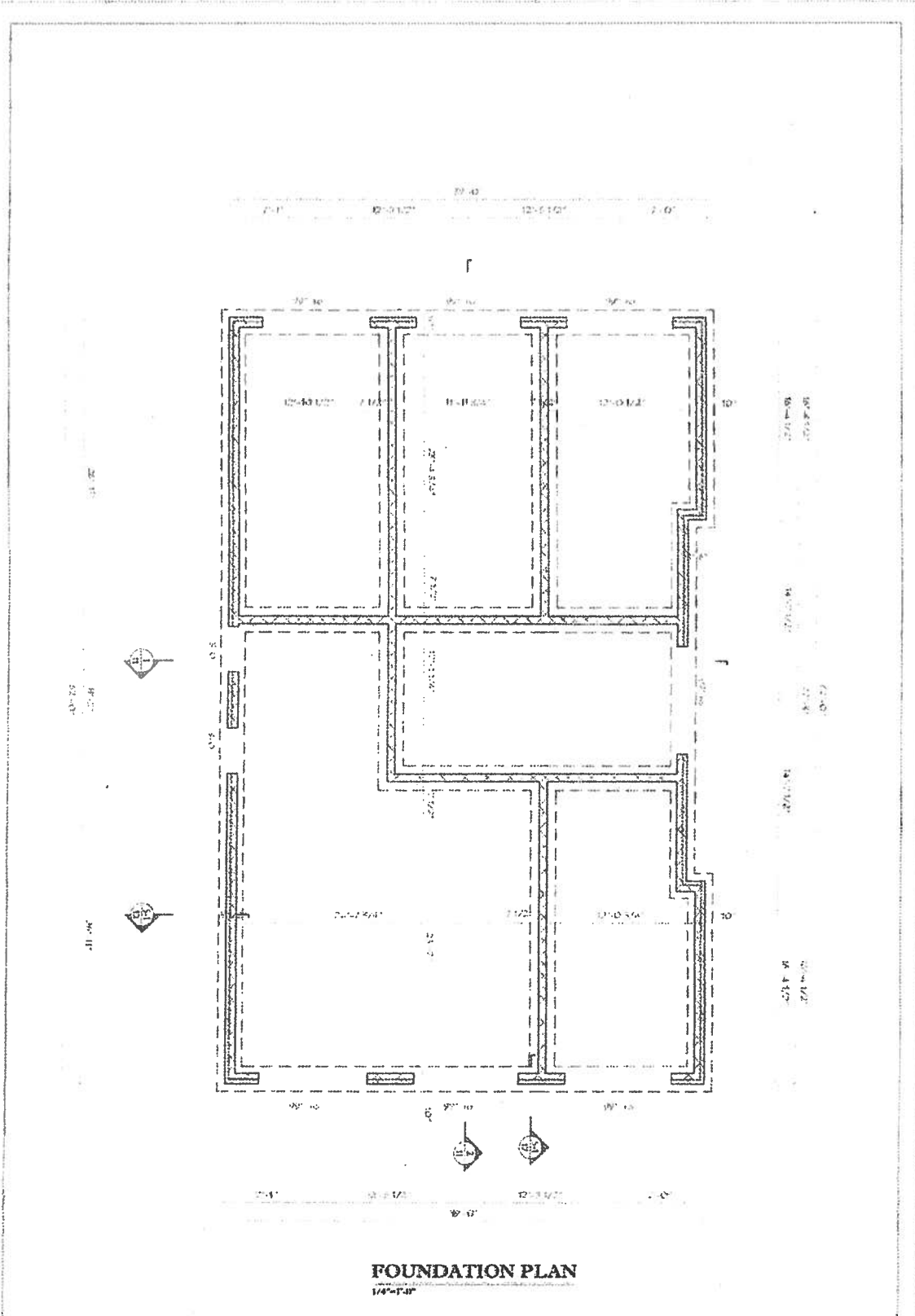
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Fan District
Richmond
January 04

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FOUNDATION PLAN
1/4"=1'-0"

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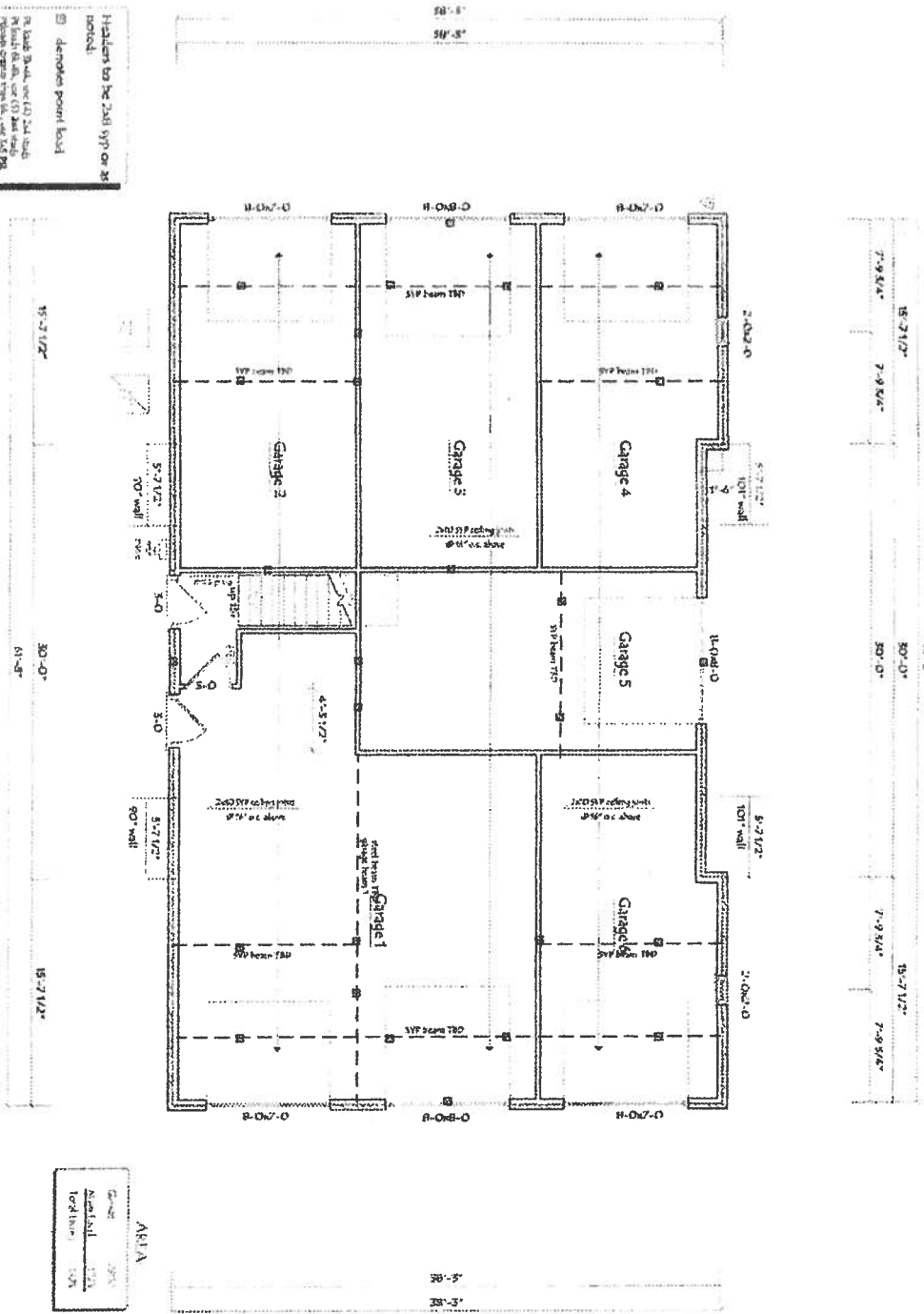


Schraa Garage
Fan District
Richmond
January 04

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Hangers to be 2x8 spp or 3x8
 per inch:
 □ denotes point load
 1. 2x8 spp or 3x8 spp
 2. 2x8 spp or 3x8 spp
 3. 2x8 spp or 3x8 spp
 4. 2x8 spp or 3x8 spp



Garage STRUCTURE
1/4" = 1'-0"

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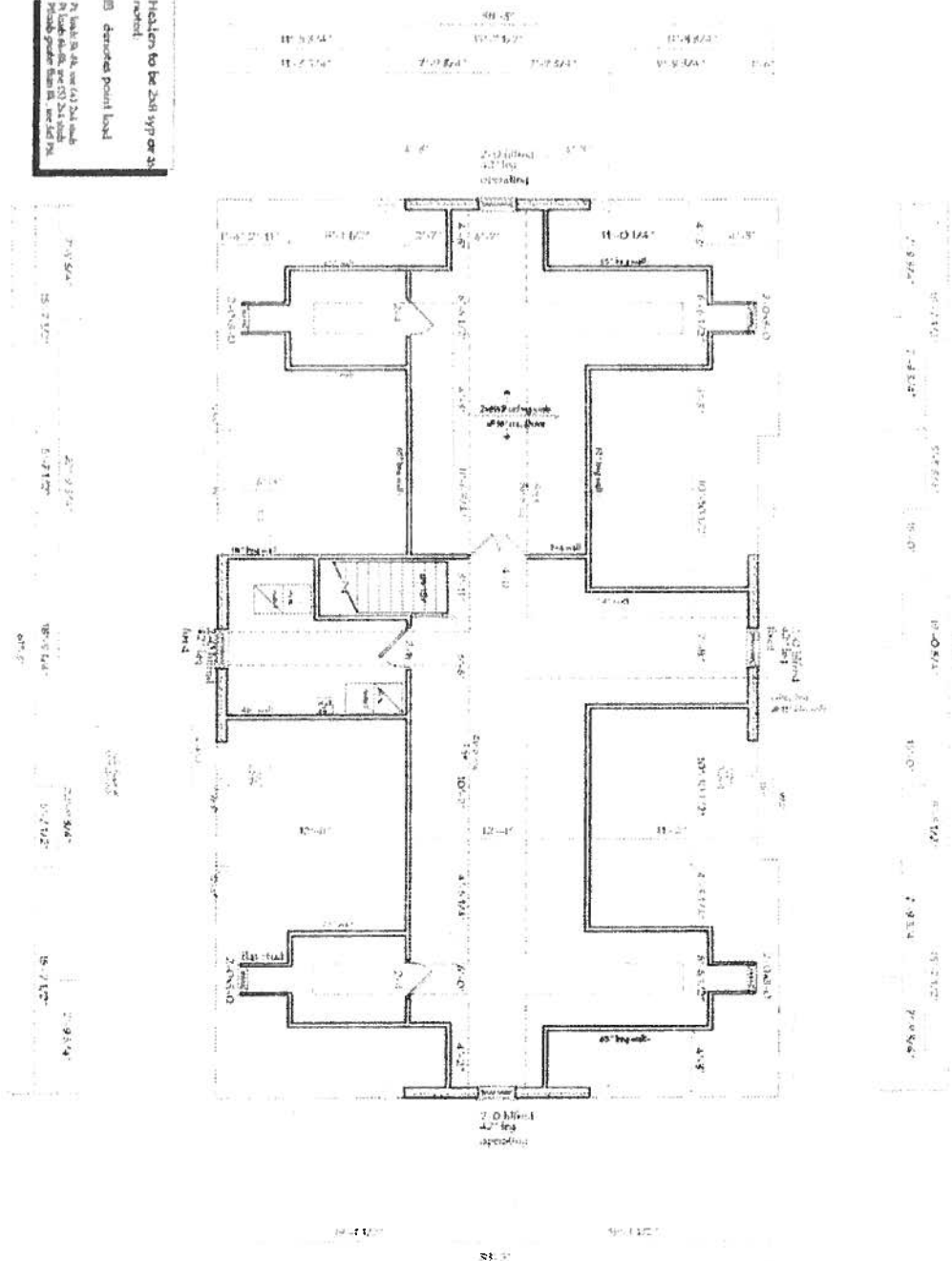
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 Fan District
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Date: April 2, 04
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DES JARDINS
 CUSTOM DESIGN BUILD



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Second floor Structure
 1/4"=1'-0"

Rev C:



Schraa Garage
Fan District
Richmond
January 04

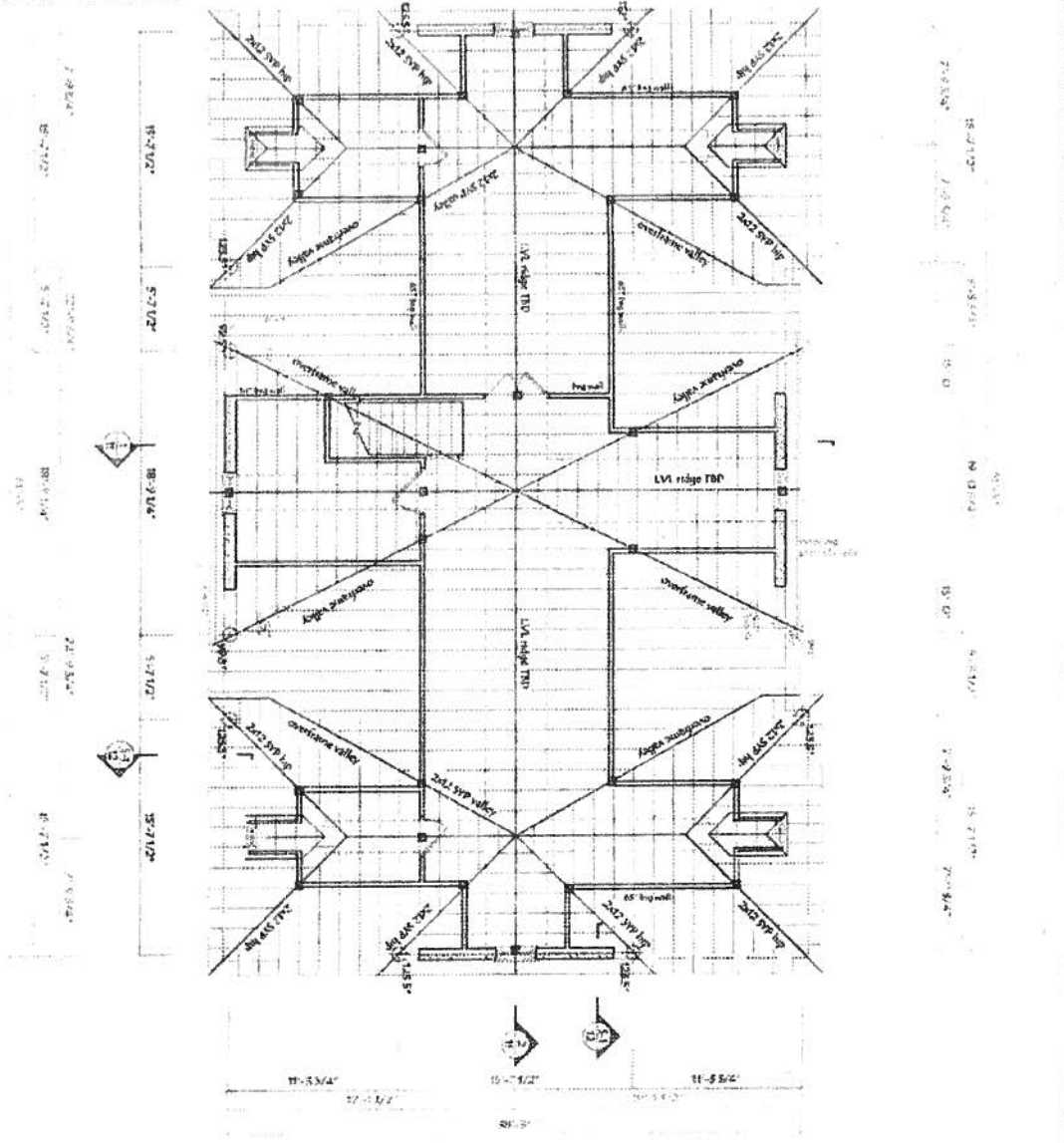
date: April 2, 01
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 revisions: A
 B: Mar 10, 04
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Note

- 1. Verify ceiling to be 14'-1 1/2" maximum
- 2. Verify ceiling to be 14'-1 1/2" maximum
- 3. Verify ceiling to be 14'-1 1/2" maximum
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- 9. Verify ceiling to be 14'-1 1/2" maximum
- 10. Verify ceiling to be 14'-1 1/2" maximum

11'-2 1/4"	11'-2 1/4"	11'-2 1/4"	11'-2 1/4"
11'-2 1/4"	11'-2 1/4"	11'-2 1/4"	11'-2 1/4"



ROOF STRUCTURE
1/4" = 1'-0"

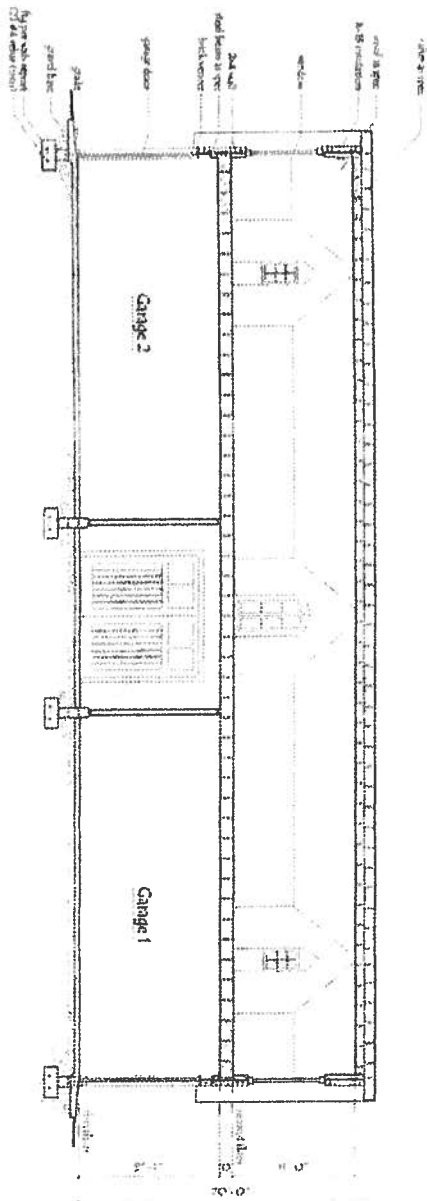
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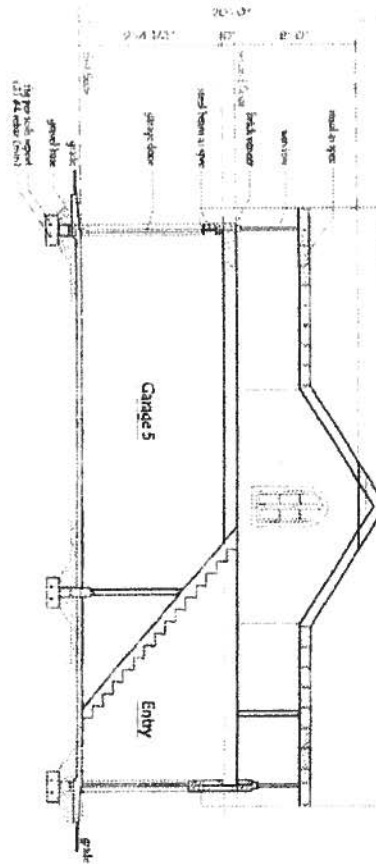
Schraa Garage
Fan District
Richmond
January 04

date: April 2, 01
last revised:
revisions: A:
R: Mar 10, 04
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GARAGE SECTION
1/4" = 1'-0"



STAIR SECTION
1/4" = 1'-0"

Rev C:

Schraa Garage
Fan District
Richmond
January 04

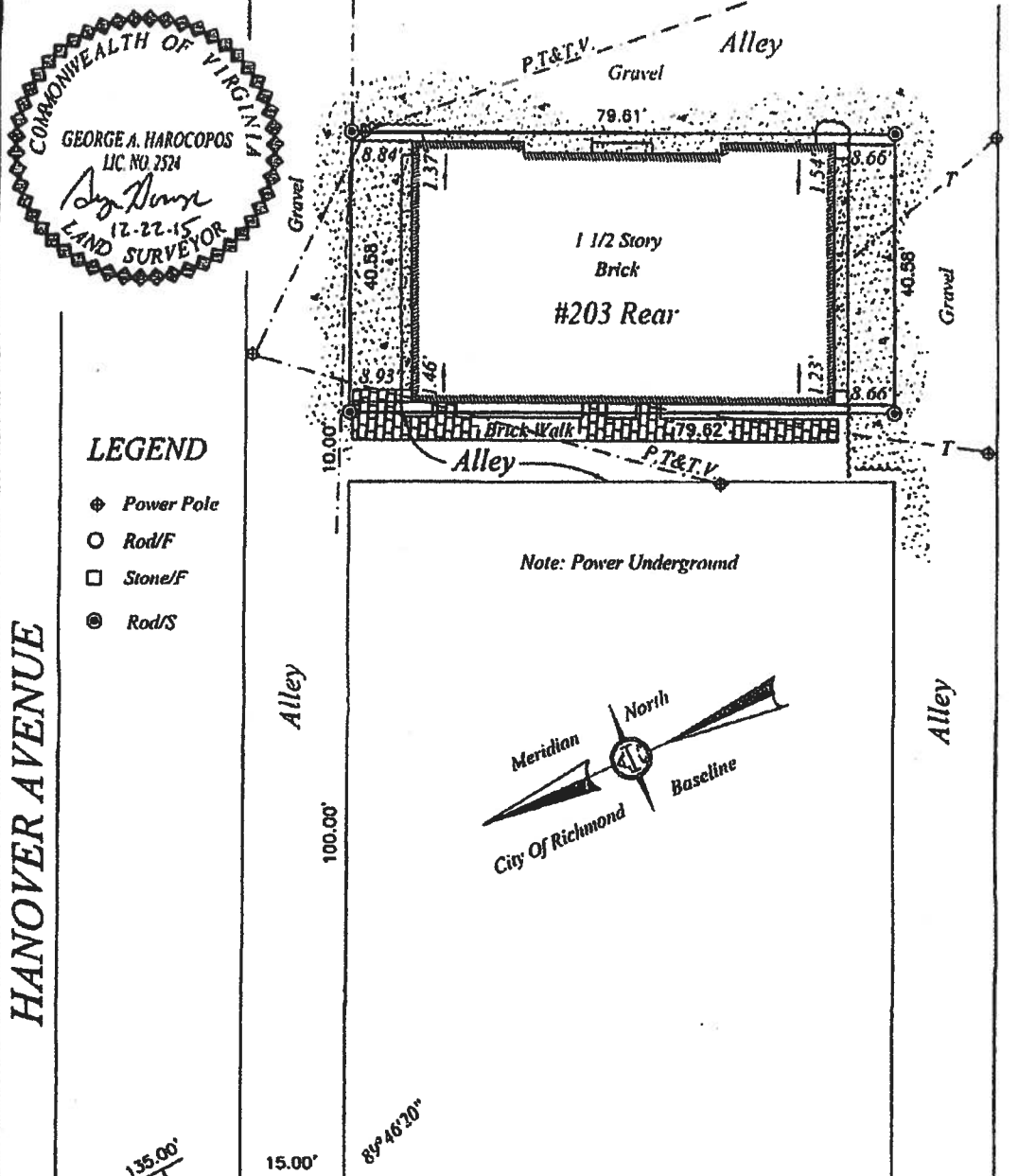
date: April 2, 04
 last revised:
 revisions: A
 R: Mar 10, 04
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DES JARDINS
CUSTOM DESIGN BUILD

This is to certify that on 12/22/15
 I made an accurate field survey of the known premises shown hereon; that all improvements known or visible are shown hereon; that there are no encroachments by improvements either from adjoining premises, or from subject premises upon adjoining premises, other than shown hereon.

NOTE: THIS LOT APPEARS TO BE IN FEMA FLOOD ZONE X AS SHOWN ON HUD COMMUNITY PANEL NUMBERS 5101290036D

NOTE: This survey has been prepared without the benefit of a title report and does not therefore necessarily indicate all encumbrances on the property.



LEGEND

- ◆ Power Pole
- Rod/F
- Stone/F
- Rod/S

HANOVER AVENUE

N. DAVIS AVENUE

SURVEY OF
 LOT AND IMPROVEMENTS THEREON LOCATED AT
 # 203 REAR N. DAVIS AVENUE

RICHMOND, VIRGINIA

JN 45089

A. G. HAROCOPOS & ASSOCIATES, P.C.

CERTIFIED LAND SURVEYOR AND CONSULTANT

4920 E. MILLRIDGE PKWY. SUITE 200 MIDLOTHIAN VA. 23112

Office 804 744 2630 FAX 804 744 2632

E-MAIL AGHAROCOPOS@VERIZON.NET

Scale 1"=20' Date 12/22/15 Drawn by GAH

NOTE: PLAT PREPARED FOR THE EXCLUSIVE USE OF THE CONVEYANCE TO
 Robin Frayser

9838



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/>

RECEIVED
FEB 29 2016
LAND USE ADMINISTRATION

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

Project Name: RLGL, LLC Date: Feb 15, 2016

Property Address: 203 N. Davis (Rear) Tax Map #: W001082035

Fee: \$1800 Total area of affected site in acres: 0.0740
(See page 3 for fee schedule, please make check payable to the "City of Richmond")

Zoning

Current Zoning: R-6

Proposed Use

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

Existing Use: garage/small office

Is this property subject to any previous land use cases? garage/home business/small office

Yes No
 If Yes, please list the Ordinance Number:

Applicant/Contact Person: LISA GIRARDI

Company: RLGL, LLC

Mailing Address: 2415 Hanover Ave

City: Richmond State: VA Zip Code: 23220

Telephone: (804) 334-4921 Fax: ()

Email: LISAGB@JUNO.COM

Property Owner: RLGL, LLC

If Business Entity, name and title of authorized signee: Robin Frauser, member

(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: 2415 Hanover Ave

City: Richmond State: VA Zip Code: 23220

Telephone: (804) 334-4921 Fax: ()

Email: LISAGB@JUNO.COM

Property Owner Signature: [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

APPLICATION FOR SPECIAL USE PERMIT FOR 203 N. Davis (Rear)

SUBMITTED BY: RLGL, LLC

Dated: February 26, 2016

I. Overview and Request

In July, 2014, the applicant purchased 203 N. Davis (Rear), an attractive mid-block two story, six (6) bay brick garage with second story small studio lofts. The principals of the applicant reside at 2415 Hanover Avenue, a single family residence across the northernmost alley of the block and across from the subject property.

From the time that the subject property was built in 2006, it has been used as garage and storage space in the first floor bays, and the upstairs studio spaces have been used for small offices for architects, internet businesses and artists.

The applicant operates a home based business from the 2415 Hanover property, and uses some of the garage structure for the storage of furniture items and incidental activities accessory to that use.

The purpose of this application is to legitimize the use of the subject property and (1) to permit the accessory use of the subject property for a 2415 Hanover Avenue home based business, (2) to permit the use of the subject property for small business uses (with appropriate restrictions) consistent with its past use, and (3) to expand the radius in which the garages may be rented to third parties by one block in each direction.

The applicant requests that no off-street parking be required of the business or accessory uses.

II. Zoning and Surrounding Area

The subject property is zoned R-6. To the east of the subject property is the Stafford Court Condominiums. To the west of the subject property is 201-205 N. Davis Street, which is zoned R-6 with a retail clothing shop use. The balance of the surrounding parcels is single family, all zoned R-6. The area is located in the Fan District.

III. Proffered Conditions regarding Business Use

As stated above, this Special Use will permit the continuation of prior uses of the subject property. The studio areas above the garages were constructed and permitted with separate entrances and plumbing and include two half baths.

The applicant intends that the use of the upstairs studio area be limited to small business use.

With respect such small business use, the Applicant offers the following conditions:

A. Permitted uses of the subject property shall include general offices, professional offices including without limitation those of architects and engineers, internet-based businesses, artist studios, graphic designers, and similar uses and activities, and accessory uses to such permitted uses.

B. No business may have more than 2 employees.

C. No business shall be open past 9:00 p.m. each day.

D. Visitation by clients, customers, vendors or other visitors associated with the business, including pickups and/or deliveries, shall not exceed a total of four (4) vehicles per day, nor more than two persons at any one time, and shall occur only between the hours of 8:00 a.m. and 6:00 p.m.

E. No off-street parking shall be required.

F. No product shall be offered for sale directly to customers on the premises, there shall be no housing of persons for compensation, and there shall be no repair of vehicles or internal combustion engines. The following uses or activities shall be prohibited: beauty salons, barber shops, manicure or pedicure services, massage therapy, medical or dental offices and clinics, catering businesses, kennels, veterinary clinics and similar uses or activities.

G. There shall be no process or activity conducted or equipment operated that generates any noise, vibration, odor, smoke, glare or electrical interference discernable to normal senses outside the office area. No hazardous materials shall be used or stored in such office except for ordinary and customary materials typical of offices and used in the ordinary course.

H. Up to three unilluminated (3) signs not exceeding 3 square feet and attached to the subject property identifying the small business uses shall be permitted.

IV. Neighborhood/Community Support

The applicant has had discussions with several property owners surrounding the subject property and discussed the need for the Special Use Permit applied for herein, and no objection has been received. The applicant has met with the Fan District Association Zoning Committee preliminarily, and received no objection. The applicant will meet with the Fan District Association Board and will update this report along with other materials indicating local support.

V. The Plans

Floor plans of the subject property are attached.

VI. Impacts of Use Permit

Impact on Residential Community

If the applicant's request for a special use permit is granted, there will be no impact on local residences inasmuch as the special use permit will continue the historical use of the property.

It is expected that there will be minimal noise impact considering the very limited business use. The proffered conditions as to office use will ensure a quiet, low intensity use, with little practical difference between it and a home based occupation in the structure.

Impact on Parking

The subject property taken as a whole, including its garage use, reduces parking impact in the area. The accessory use for the 2415 Hanover Avenue home occupation will have no parking impact. The proffered conditions for business use will ensure against adverse impact on parking, and there is ample on street parking for the daytime hours of operation.

Non-Impacts

This special use permit, if granted, will not adversely impact:

- Traffic conditions;
- Congestion in streets, roads, alley and other public ways and places in the area;
- create hazards from fire, panic or other dangers;

- cause overcrowding of land nor 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; nor
- interfere with adequate light and air.

V. Conclusion

Based on the foregoing, the applicant respectfully requests its special use application be approved.

Respectfully submitted,

RLGL, LLC

By Robert Frayer
Title: Member