

AN ORDINANCE No. 86-289-263

ADOPTED DEC 8 1986

To authorize the use of a portion (the first floor) of an existing office building on premises known as 411 Libbie Avenue on the eastern right of way line of Libbie Avenue north of York Road, for the purpose of a retail shop for the sale of clothing, gifts and personal accessories, upon certain terms and conditions.

Patron - City Manager (By Request)

Approved as to form and legality
by City Attorney

1. THE CITY OF RICHMOND HEREBY ORDAINS:
2. § 1. That a portion (the first floor) of an existing
3. office building on premises known as 411 Libbie Avenue,
4. lying on the eastern right of way line of Libbie Avenue,
5. distant 203.90 feet, more or less, north of the northern
6. right of way line of York Road, is hereby permitted to be
7. used for the purpose of a retail shop for the sale of
8. clothing, gifts and personal accessories, substantially as
9. shown on the plat of survey, entitled: "Plat of Property
10. Situated on the Eastern Line of Libbie Avenue and North of
11. York Road", prepared by Chas. H. Fleet & Assocs., Engineer &
12. Surveyors, dated June 18, 1981, and as shown on the first
13. floor plan of the building situated on said premises,
14. prepared by N. A. Long as of September 12, 1986, copies of
15. said plat of survey and drawing being attached to and made a
16. part of this ordinance.

1. § 2. That the Commissioner of Buildings is hereby
2. authorized to issue to the owner or owners of the real
3. estate, or successor or successors in fee simple title, a
4. permit to adapt the first floor of the building at 411
5. Libbie Avenue and a certificate to occupy the portion of the
6. property for such purpose, substantially in accordance with
7. the above-identified plat of survey and drawing, which are
8. incorporated in and made a part of this ordinance. The
9. special use permit shall be transferable to the successor or
10. successors in title of the owner, whether acquired by
11. operation of law, deed or otherwise, in order to permit the
12. first floor to be used for a retail shop, and shall run with
13. the land subject to the following terms and conditions:

14. (a) That the acceptance of the permit and the
15. exercise of the privileges granted by this ordinance by the
16. owner and successor or successors in title shall constitute
17. a warranty on the part of the owner and successor or
18. successors that title to the land and the building shall be
19. vested in the same person or persons or corporation;

20. (b) That the owner and tenant shall be bound by,
21. observe and shall comply with all other laws, ordinances and
22. rules and regulations adopted pursuant thereto, applicable
23. to the land and building, except as otherwise provided in
24. this ordinance;

1. (c) That fifteen (15) parking spaces shall be pro-
2. vided substantially as shown on the attached plans. The
3. four (4) parking spaces in the northwest corner of the park-
4. ing area shall be designated for compact car use. Parking
5. spaces shall be delineated on the pavement surface. The
6. parking area shall be screened in accordance with Section
7. 32-710.6 of the City of Richmond Zoning Regulations;

8. (d) That the first floor of the building may be
9. devoted to the retail sale of clothing, gifts and other
10. personal accessories;

11. (e) That facilities for the collection of refuse
12. shall be provided in accordance with the requirements of the
13. Department of Public Works, such facilities shall be located
14. or screened as not to be visible from adjacent properties,
15. public streets, and public alleys;

16. (f) That storm or surface water shall not be allowed
17. to accumulate on the land, and adequate facilities for
18. drainage of storm and surface water from the land or
19. building shall be provided by the owner at its cost and
20. expense so as not to adversely affect or damage adjacent
21. properties or public streets and the use thereof;

22. (g) That all other requirements of the RO-1
23. Residential Office District shall be met;

24. (h) That should the owner use or permit the tenant

1. to use the premises for any purpose which is not permitted
2. by this ordinance, or fails, refuses or neglects to comply
3. with the provisions of foregoing paragraphs (a) through (g)
4. and does not terminate such use or comply with such pro-
5. visions within ninety days after written notice so to do has
6. been given to the owner by the Zoning Administrator, the
7. privileges granted by this ordinance shall terminate and the
8. special use permit shall become null and void;

9. (i) That when the privileges granted by this
10. ordinance terminate and the special use permit becomes null
11. and void or when use of the premises is abandoned for a
12. period of twenty-four consecutive months, use of the real
13. estate shall be governed thereafter by the zoning regula-
14. tions prescribed for the district in which the real estate
15. is then situated; and

16. (j) That application for a building permit to
17. adapt the building (if requisite) shall be made within
18. twelve months from the effective date of this ordinance,
19. which building permit shall expire by limitation and become
20. null and void if the adaption of the building is not com-
21. menced within one hundred eighty days from the date of the
22. building permit, or if work upon the building is suspended
23. or abandoned for a period of one hundred eighty days at any
24. time after the work is commenced, as provided in Section

1. 109.1 of the Uniform Statewide Building Code. Should
2. application for the building permit (if required) not be
3. made within twelve months from the effective date of this
4. ordinance or should the building permit expire and become
5. null and void, the privileges granted by this ordinance
6. shall terminate and the special use permit shall become null
7. and void.
8. § 3. This ordinance shall be in force and effect
9. upon adoption.