

INTRODUCED: February 24, 2025

AN ORDINANCE No. 2025-034

To authorize the special use of the property known as 1007 North 33rd Street for the purpose of up to one single-family detached dwelling and one two-family detached dwelling, upon certain terms and conditions.

Patron – Mayor Avula (By Request)

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: MAR 24 2025 AT 6 P.M.

WHEREAS, the owner of the property known as 1007 North 33rd Street, which is situated in a R-6 Single-Family Attached Residential District, desires to use such property for the purpose of up to one single-family detached dwelling and one two-family detached dwelling, which use, among other things, is not currently allowed by section 30-412.4, concerning lot area and width, density, and unit width, 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

AYES: 9 NOES: 0 ABSTAIN: _____

ADOPTED: MAR 24 2025 REJECTED: _____ STRICKEN: _____

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 (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 1007 North 33rd Street and identified as Tax Parcel No. E000-0878/021 in the 2025 records of the City Assessor, being more particularly shown on a survey entitled “Survey and Map and Proposed Division of #1007 N. 33rd Street, in the City of Richmond, Virginia,” prepared by Frederick A. Gibson & Associates, P.C., dated June 26, 2023, and last revised December 21, 2023, 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 up to one single-family detached dwelling and one two-family detached dwelling, hereinafter referred to as “the Special Use,” substantially as shown on the plans entitled “Survey and Map and Proposed Division of #1007 N. 33rd Street, in the City of Richmond, Virginia,” prepared by Frederick A. Gibson & Associates, P.C., dated June 26, 2023, and last revised December 21, 2023, and “1007 North 33rd Street, Richmond, Virginia,” prepared by Aaron Ogburn, and dated August 28, 2023, 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 up to one single-family detached dwelling and one two-family detached dwelling, substantially as shown on the Plans.

(b) All mechanical equipment serving the Property shall be located or screened so as

not to be visible from any public right-of-way.

(c) Prior to the issuance of any building permit for the Special Use, the establishment of up to two residential lots, substantially as shown on the Plans, shall be accomplished by obtaining the necessary approvals from the City and recording the appropriate plats and deeds among the land records of the Clerk of the Circuit Court of the City of Richmond.

§ 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.

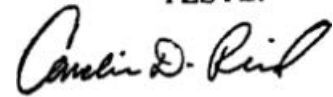
§ 6. **Implementation.** The Commissioner of Buildings is authorized to issue a building permit substantially in accordance with the Plans for the Special Use subject to the terms and conditions set forth in this ordinance. An application for the building permit shall be made within 1,096 calendar days 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.

APPROVED AS TO FORM:

CITY ATTORNEY'S OFFICE

**A TRUE COPY:
TESTE:**

A handwritten signature in black ink, appearing to read "Camille D. Reed".

City Clerk



City of Richmond

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

Master

File Number: Admin-2024-1379

File ID: Admin-2024-1379 Type: Request for Ordinance or Resolution Status: Regular Agenda

Version: 2 Reference: In Control: City Attorney
Department: File Created: 11/04/2024
Subject: Final Action:

Title:

Internal Notes:

Patron(s):

Agenda Date: 02/24/2025

Attachments: Admin-2024-1379_Supporting Documents,
Admin-2024-1379 - AATF

Enactment Date:

Contact:

Enactment Number:

Drafter: David.Watson@rva.gov

Introduction Date:

Effective Date:

Related Files:

Approval History

Version	Seq #	Action Date	Approver	Action	Due Date
2	1	1/27/2025	Matthew Ebinger	Approve	1/29/2025
2	3	1/27/2025	Kevin Vonck	Approve	2/3/2025
2	5	1/28/2025	Sharon Ebert	Approve	1/29/2025
2	7	2/5/2025	Jeff Gray	Approve	1/30/2025
2	8	2/6/2025	Sabrina Joy-Hogg	Approve	2/7/2025
2	9	2/10/2025	Mayor Avula	Approve	2/10/2025

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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Text of Legislative File Admin-2024-1379

DATE: January 27, 2025

TO: The Honorable Members of City Council

THROUGH: The Honorable Dr. Danny Avula, Mayor (by request)
(This in no way reflects a recommendation on behalf of the Mayor)

THROUGH: Sabrina Joy-Hogg, Interim Chief Administrative Officer

THROUGH: Sharon L. Ebert, DCAO for Planning & Economic Development

FROM: Kevin J. Vonck, Director of Planning & Development Review

RE: To authorize the special use of the property known as 1007 North 33rd Street for the purpose of up to one single-family detached dwelling and one two-family detached dwelling, upon certain terms and conditions.

ORD. OR RES. No.

PURPOSE: The special use of the property known as 1007 North 33rd Street will authorize the subdivision of the property followed by the construction of a two-family detached dwelling on the newly created parcel. The proposed two-family detached dwelling is a permitted use in the R-6 Single-Family Attached Residential District where the property is located. However, not all lot feature requirements can be met. Therefore, a special use permit is requested.

BACKGROUND: The property is located on the eastern side of North 33rd Street near the corner with Q Street and is situated in the R-6 Single-Family Attached Residential Zoning District. The 101-foot wide, 13,130 square foot parcel contains a single-family dwelling and has alley access along the southern and eastern property lines.

The City's Richmond 300 Master Plan designates the property for Neighborhood Mixed-Uses where the proposed two-family detached structure is a primary use.

COMMUNITY ENGAGEMENT: The property is located within the Church Hill Central Civic

Association area which has been notified of this proposal. Notices shall be mailed to surrounding property owners and a sign shall be placed on the properties.

STRATEGIC INITIATIVES AND OTHER GOVERNMENTAL: Richmond 300 Master Plan

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

DESIRED EFFECTIVE DATE: Upon adoption

REQUESTED INTRODUCTION DATE: February 24, 2025

CITY COUNCIL PUBLIC HEARING DATE: March 24, 2025

REQUESTED AGENDA: Consent

RECOMMENDED COUNCIL COMMITTEE: Planning Commission March 18, 2025

AFFECTED AGENCIES: Law Department (for review of draft ordinance)

RELATIONSHIP TO EXISTING ORD. OR RES.: None

ATTACHMENTS: Supporting documents

STAFF: David Watson, Planner, Land Use Administration (Room 511) 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: 1007 N 33rd Street Date: _____
Parcel I.D. #: E0000878021 Fee: \$300
Total area of affected site in acres: 0.301

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

Zoning

Current Zoning: R-6

Richmond 300 Land Use Designation: Neighborhood Mixed-Use

Proposed Use

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

Lot division and construction of one two-family detached dwelling

Existing Use: One single-family detached dwelling

Is this property subject to any previous land use cases?

Yes

No



If Yes, please list the Ordinance Number: _____

Applicant/Contact Person: Will Gillette / Mark Baker

Company: Baker Development Resources

Mailing Address: 530 East Main Street, Suite 730

City: Richmond State: VA Zip Code: 23219

Telephone: (864) 3779140 Fax: ()

Email: will@bakerdevelopmentresources.com

Property Owner: Christopher B Lewis

If Business Entity, name and title of authorized signer: _____

(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: 1007 N 33RD ST

City: RICHMOND State: VA Zip Code: 23223

Telephone: () Fax: ()

Email: _____

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

July 11th, 2023

*Special Use Permit Request
1007 N 33rd Street, Richmond, Virginia
Map Reference Number: E000-0878/021*

Submitted to:

City of Richmond

Department of Planning and Development Review
Land Use Administration
900 East Broad Street, Suite 511
Richmond, Virginia 23219

Submitted by:

Baker Development Resources

530 East Main Street, Suite 730
Richmond, Virginia 23219

Introduction

The property owner is requesting a special use permit (the “SUP”) for 1007 N 33rd Street (the “Property”). The SUP would authorize the division of the Property and the construction of a new two-family detached dwelling on the vacant southern portion of the parcel. While the two-family use is permitted by the underlying R-6 Single-Family Attached Residential District, some of the underlying feature requirements are not met, and therefore a SUP is required.

Existing Conditions

SITE DESCRIPTION AND EXISTING LAND USE

The Property is located on the eastern line of N 33rd Street between P and Q Streets and is currently occupied with a single-family dwelling on the northern portion of the parcel. The Property is referenced by the City Assessor as tax parcel E000-0878/021 and is large for the area at roughly 101 feet wide and containing approximately 13,130 square feet of lot area. Access is provided by alleys located on the southern and eastern property lines.



The properties in the vicinity include a wide variety of housing types including single-family attached and detached dwellings, two-family dwellings, and commercial uses. Dwellings in the area consist of a mix of new construction and historic dwellings generally ranging from one to two

stories and constructed of a range of materials. The properties to the north were recently constructed with two two-family attached dwellings approved by special use permit.

EXISTING ZONING

The Property and those to the north, south, and west are zoned R-6 Single-Family Attached Residential. Properties to the east, which front onto Oakwood Avenue, are zoned B-1 Neighborhood Business.

TRANSPORTATION

The Property is located .2 miles from GRTC bus stops which serve the high-frequency 4A and 4B bus lines along with 12 bus line providing access throughout the City and connections to the GRTC bus system.

MASTER PLAN DESIGNATION

The proposed development is consistent with the Richmond 300 Master Plan (“the Master Plan”), which recommends “Neighborhood Mixed-Use” for the Property. This use is described as “Existing or new highly-walkable urban neighborhoods that are predominantly residential with a small, but critical, percentage of parcels providing retail, office, personal service, and institutional uses.” The Master Plan also recommends a development style that “feature a variety of building types that are close to one another and create a unified street wall. The building size, density, and zoning districts for these areas vary depending on historical densities and neighborhood characteristics.”

In addition to the Property-specific guidance offered by the Vision and Core Concepts chapter, there are a number of other goals elsewhere within the Master Plan that support this request, including:

- Page 109 (Equitable Transportation Chapter), Objective 6.1 to “Increase the number of residents and jobs at Nodes and along enhanced transit corridors in a land development pattern that prioritizes multi-modal transportation options.”
 - b. Develop housing at all income levels in and near Nodes and along major corridors (see strategies Goal 14).
- Page 136 (Diverse Economy Chapter), Objective 11.1 to “Increase the areas of appropriately zoned land near various transportation modes and housing to retain, create, and attract employers.”
 - d. Encourage the development of a variety of quality housing types to house employees across the economic spectrum (see Goal 14).
- Page 152 (Inclusive Housing Chapter) (see map on p. 153), Objective 14.5 to “Encourage more housing types throughout the city and greater density along enhanced transit corridors and at Nodes (shown in Figure 38 [p.153]) by amending the Zoning Ordinance. “

- Page 159 (Thriving Environment Chapter) Objective 15.1 to “Reduce air pollution related to transportation.”
 - a. Increase the number of Richmonders living in a development pattern that encourages density and reduces dependency on single-occupancy vehicles (see Goal 1, Goal 8, Goal 14).
- Page 86 (High-Quality Places Chapter), Objective 1.4, to “maintain and improve primarily residential areas by increasing their linkages to...corridors...and maintaining high-quality design standards”
- Page 100 (High Quality Places Chapter), Objective 4.1, to “create and preserve high-quality, distinctive, and well-designed neighborhoods and nodes throughout the City,” as the request introduces thoughtfully designed new construction in a manner not otherwise assured by-right.

Proposal

PROJECT SUMMARY

The proposed development includes the division of the parcel and the construction of a two-family detached dwelling on the vacant southern portion of the lot.

PURPOSE OF REQUEST

The SUP would permit the construction of a new, two-family detached dwelling fronting onto N 33rd Street. The new parcel would be 30.45 feet in width and 130 feet deep containing roughly 3,958 square feet of lot area. As a result, the R-6 District lot area and width requirements would not be met for the new dwelling. All other aspects of the underlying zoning requirements will be met.

PROJECT DETAILS

The proposed two-family dwelling at 1007 N 33 Street would be 20 feet in width, 64 feet in depth, and two stories in height. The dwelling has been configured as flats and has been designed to appear as a single-family dwelling from the street. Each unit would include approximately 1,280 square feet of finished floor area and would contain two bedrooms and two bathrooms. The proposed floor plans are modern and efficient, and designed to meet the needs of the market with an open living area and kitchen and large closets for each bedroom. Each unit would have a full width porch at the rear of the dwelling which, along with a full-width front porch, would provide outdoor living area for the future occupants.

Findings of Fact

The following are factors indicted in Section 17.11 of the Charter and Section 114-1050.1 of the Zoning Ordinance relative to the approval of special use permits by City Council. The proposed special use permit will not:

- ***Be detrimental to the safety, health, morals and general welfare of the community involved.***

The proposed special use permit will not impact the safety, health, morals and general welfare of the nearby neighborhoods.

- ***Tend to create congestion in streets, roads, alleys and other public ways and places in the area involved.***

The proposed special use permit will not result in significant traffic impacts to nearby residential neighborhoods. The proposed residential use would be limited in size, type and scale to avoid any traffic or parking concerns.

- ***Create hazards from fire, panic or other dangers.***

The property will be developed in a manner consistent with the requirements of the building code and in accordance with the requirements of Fire and Emergency Services. The City's codes applicable to this development are designed to eliminate such hazards.

- ***Tend to overcrowding of land and cause an undue concentration of population.***

The proposed special use permit will not tend to over crowd the land or create 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.***

The proposed special use permit would not adversely affect the above referenced City services. To the contrary, the proposal would provide positive fiscal (tax) benefits that would enhance the City's ability to provide these services to the proposed development.

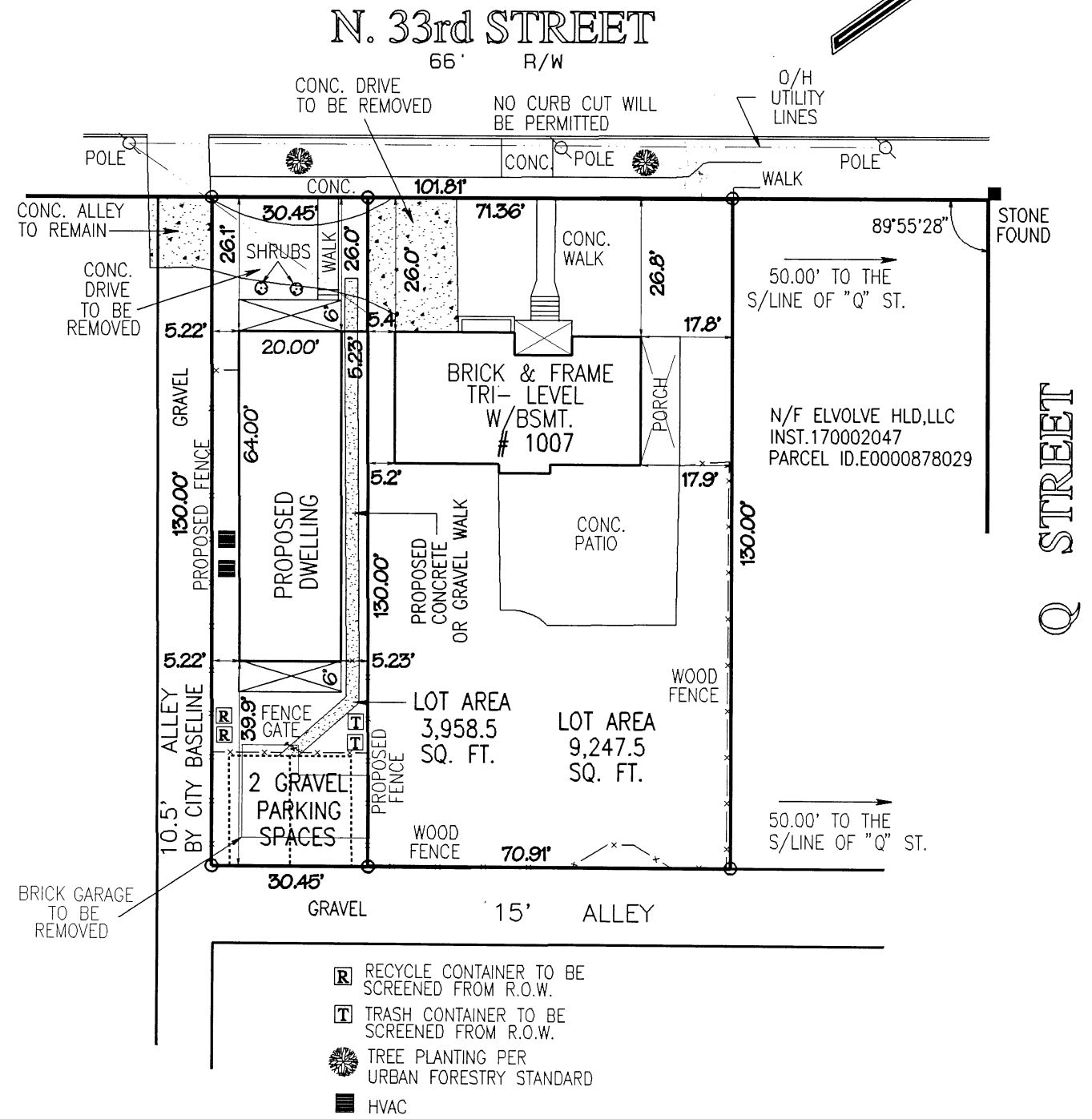
- ***Interfere with adequate light and air.***

The light and air available to the subject and adjacent properties will not be affected.

Summary

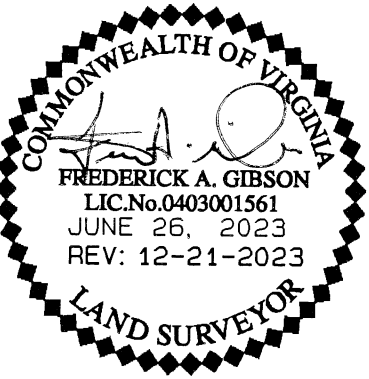
In summary we are enthusiastically seeking approval for the construction of a new, two-family detached dwelling on the Property. The SUP represents an ideal, small-scale urban infill development for this location. In exchange for the SUP, the quality assurances conditioned therein would guarantee the construction of a quality dwelling consistent with Master Plan guidance. This would contribute to the overall vibrancy of the block through the provision of an appropriate urban form and use that is consistent with the development pattern and surrounding neighborhood.

FREDERICK A. GIBSON & ASSOCIATES, P.C. ASSUMES NO LIABILITY REGARDING SUB-SURFACE FEATURES SUCH AS TOXIC WASTE, GARBAGE OR WASTE DISPOSAL AREAS, LANDFILLS, UNDERGROUND STORAGE TANKS,CEMETERIES OR BURIAL SITES, SHRINK/SWELL SOILS, UNDERGROUND WATERWAYS OR UTILITIES. CURRENT OWNER(S): LEWIS CHRISTOPHER BISHOP INST.180004943 PARCEL ID E0000878021
NOTE: IMPROVEMENTS ON THIS SITE SUCH AS FENCES OR OTHERS MAY NOT BE PLACED ANY CLOSER TO THE PROPERTY LINE THAN AS SHOWN ON THIS PLAT AS IT WILL IMPEDE THE ABILITY OF VEHICLES TO NAVIGATE THE ALLEY.



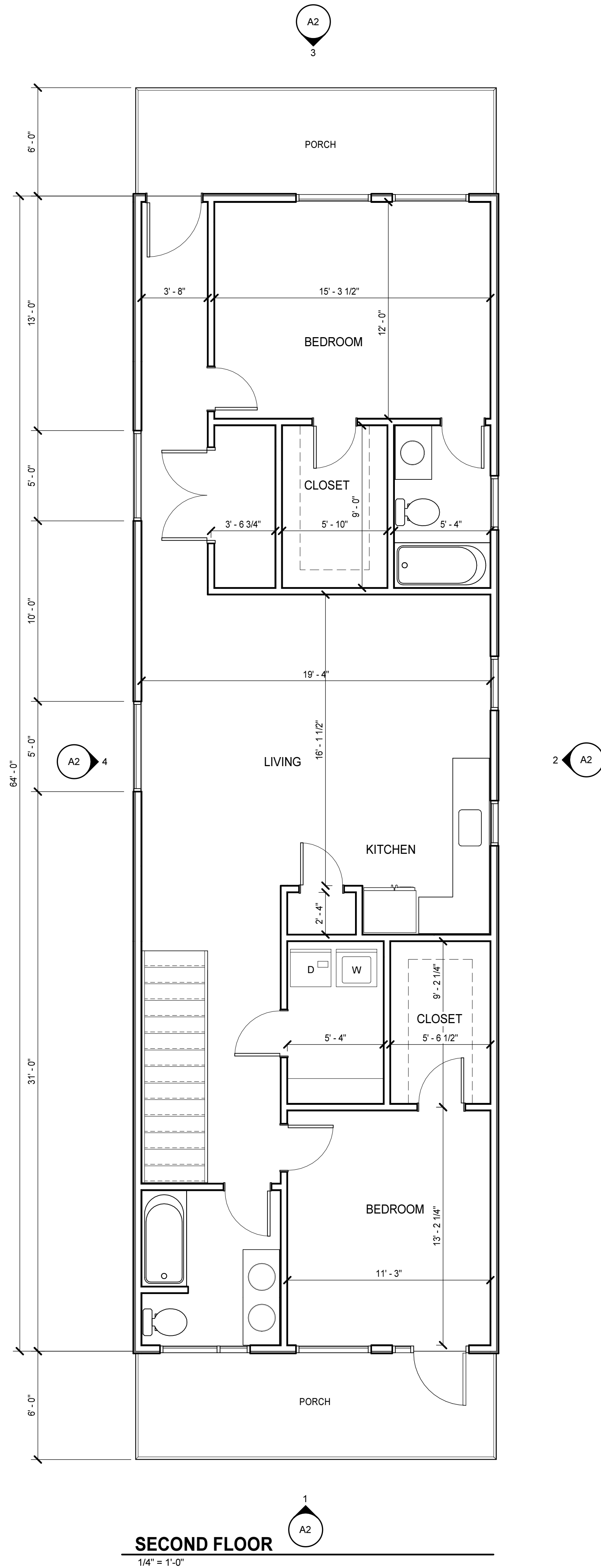
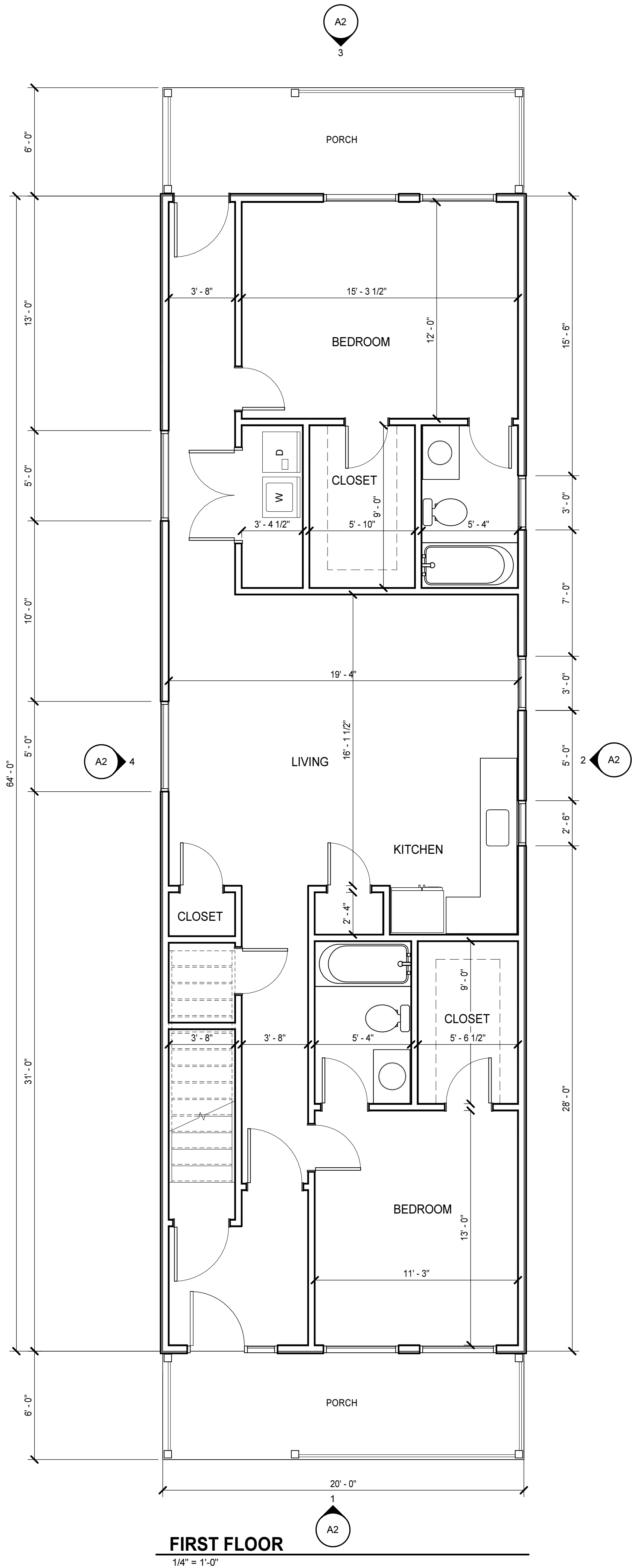
(PHYSICAL SURVEY)
**SURVEY AND MAP AND PROPOSED DIVISION OF # 1007 N. 33rd STREET,
IN THE CITY OF RICHMOND, VIRGINIA**
SCALE: 1" = 30'

THIS IS TO CERTIFY THAT ON JUNE 26, 2023, I MADE A FIELD SURVEY OF THE PREMISES SHOWN HEREON; THAT THERE ARE NO VISIBLE ENCROACHMENTS BY IMPROVEMENTS EITHER FROM ADJOINING PREMISES OR FROM SUBJECT PREMISES UPON ADJOINING PREMISES, OTHER THAN AS SHOWN HEREON. THIS PLAT IS BEING FURNISHED WITHOUT BENEFIT OF A TITLE REPORT. PREMISES SHOWN HEREON IS SUBJECT TO EASEMENTS OF RECORD OR OTHERWISE. TO THE BEST OF MY KNOWLEDGE AND BELIEF,THIS PLAT COMPLIES WITH THE MINIMUM PROCEDURES AND STANDARDS ESTABLISHED BY THE VIRGINIA STATE BOARD OF ARCHITECTS, PROFESSIONAL ENGINEERS, LAND SURVEYORS, AND CERTIFIED LANDSCAPE ARCHITECTS.



**FREDERICK A. GIBSON
& ASSOCIATES, P.C.**
LAND SURVEYORS
2361 JUDES FERRY ROAD
POWHATAN, VIRGINIA 23139
PHONE 804 378-4485

LEGEND	
○	= IRON ROD FOUND
●	= IRON ROD SET
UNLESS OTHERWISE NOTED	
PROJECT # 2306-17 M	

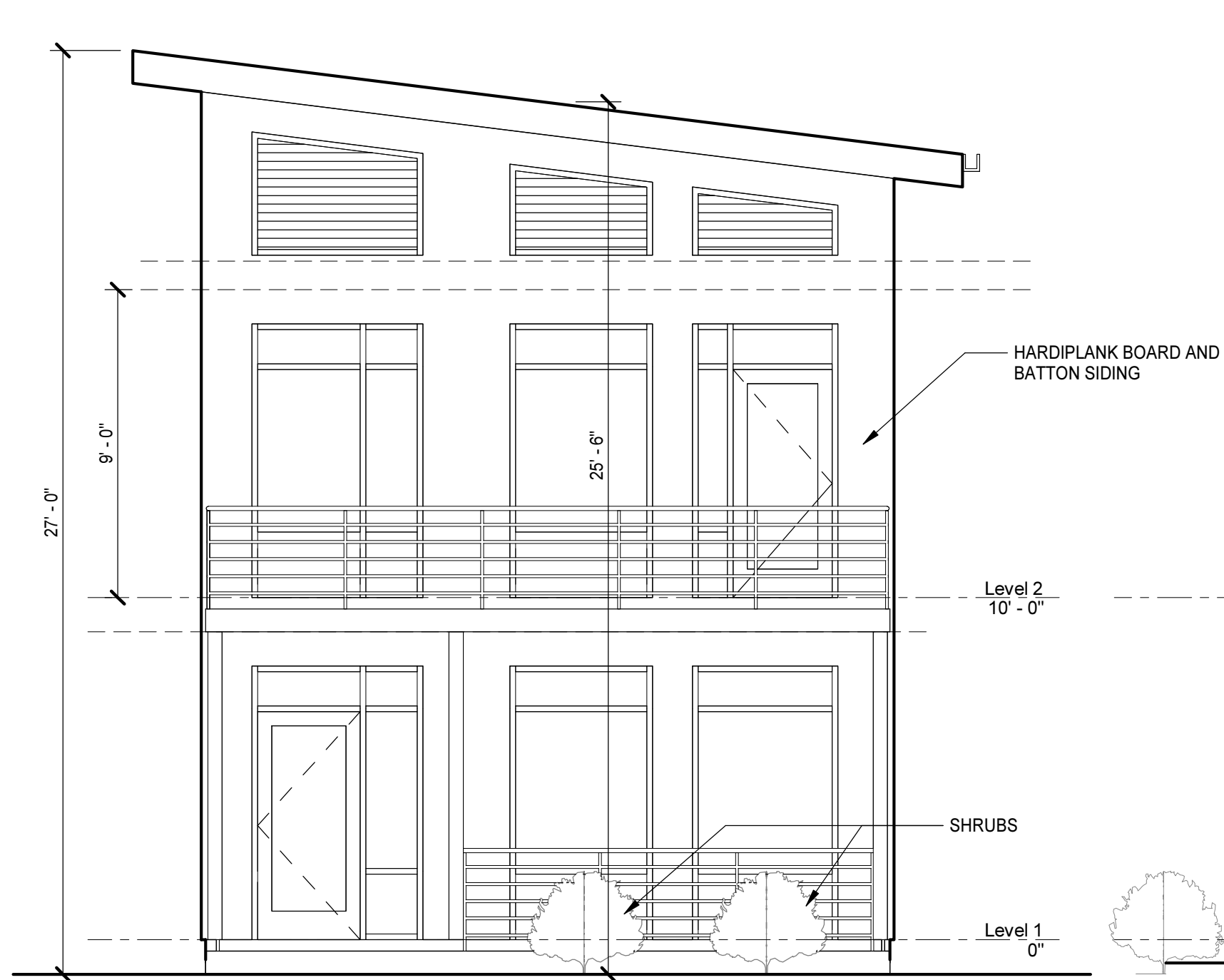


Designer
AARON OGBURN

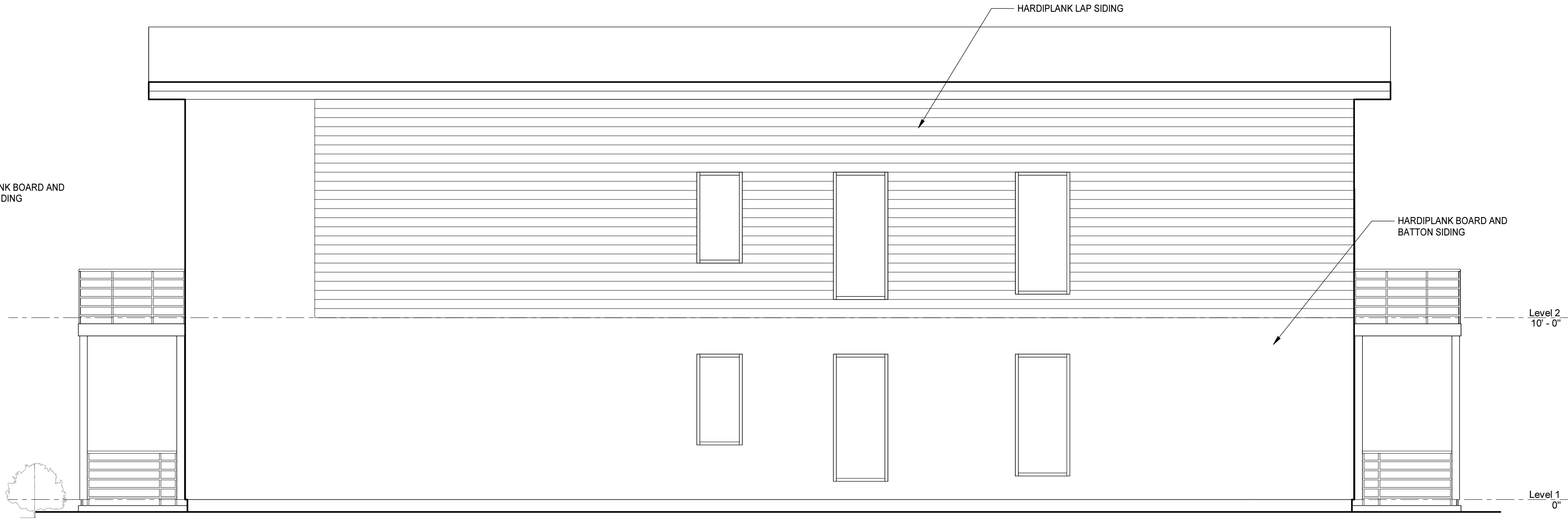
1007 NORTH 33rd STREET
RICHMOND, VIRGINIA

DATE:
8-28-2023

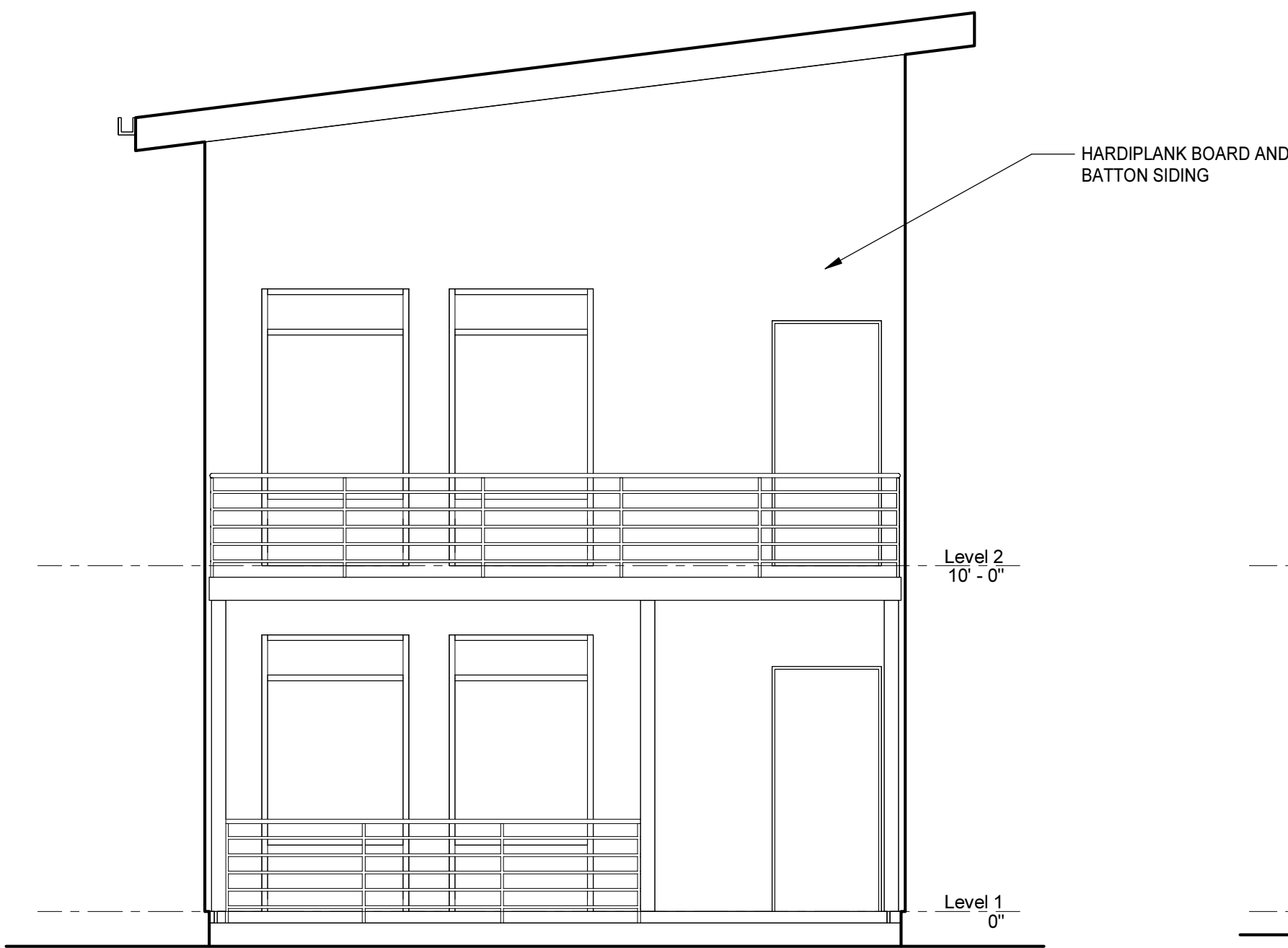
FLOOR PLANS



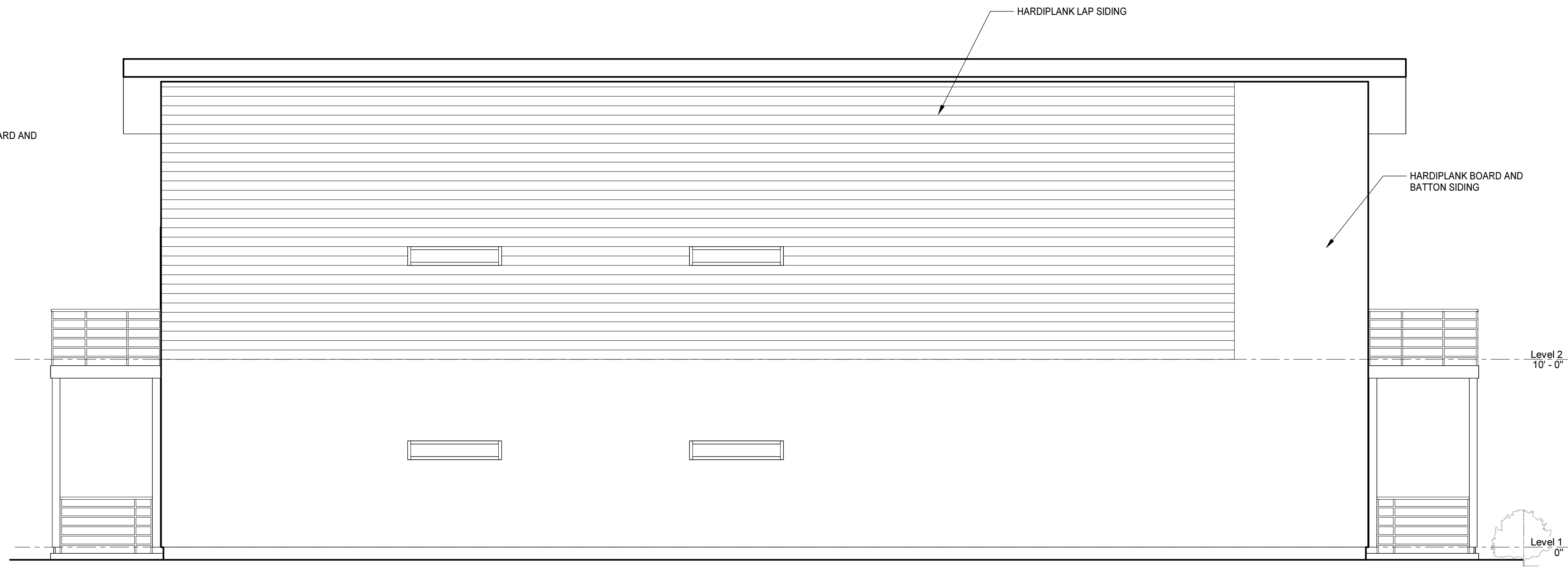
1 FRONT ELEVATION
A1 | A2 1/4" = 1'-0"



2 RIGHT ELEVATION
A1 | A2 1/4" = 1'-0"



3 REAR ELEVATION
A1 | A2 1/4" = 1'-0"



4 LEFT ELEVATION
A1 | A2 1/4" = 1'-0"

Designer
AARON OGBURN

1007 NORTH 33rd STREET
RICHMOND, VIRGINIA

DATE:
8-28-2023

ELEVATIONS

A2



**City of Richmond
Department of Planning
& Development Review**

Special Use Permit

LOCATION: 1007 N 33rd Street

APPLICANT: Baker Development Resources

COUNCIL DISTRICT: 7

PROPOSAL: To authorize the special use of the properties known as 1007 N 33rd Street for the purpose of a two single-family detached dwelling, upon certain terms and conditions.

*For questions, please contact David Watson
at 804-646-1036 or David.Watson@rva.gov*

