



## CITY OF RICHMOND

### Department of Planning & Development Review *Staff Report*

**Ord. No. 2019-200:** To authorize the special use of the property known as 1117 North 31st Street for the purpose of the expansion of an existing single-family attached dwelling, upon certain terms and conditions.

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**To:** City Planning Commission  
**From:** Land Use Administration  
**Date:** September 3, 2019

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#### **PETITIONER**

Kimberly McMinn Espinosa

#### **LOCATION**

1117 North 31st Street

#### **PURPOSE**

To authorize the special use of the property known as 1117 North 31st Street for the purpose of the expansion of an existing single-family attached dwelling, upon certain terms and conditions.

#### **SUMMARY & RECOMMENDATION**

The proposed special use permit would authorize the rehabilitation and expansion of the existing structure currently underway, including an addition to the rear and a third-story addition, for continued use as a single-family attached dwelling unit. The expansion includes an encroachment into the required three foot side yard setback of the underlying zoning.

Staff finds the special use permit request is consistent with the land use recommendation of the Master Plan.

Staff finds the special use would not pose an undue burden on the availability of on-street parking in the area.

Staff finds that with the ordinance conditions, the safeguards contained within the City Charter, relative to the granting of Special Use Permits, are met. Specifically, staff finds that the proposed use would not be detrimental to the general welfare of the community involved and would not create congestion in the streets in the area involved.

Therefore, staff recommends approval of the Special Use Permit request.

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## **FINDINGS OF FACT**

### **Site Description**

The subject property consists of a 2,376 SF (.055 acre) parcel of land containing a single-family attached dwelling. It is located in the Church Hill North Neighborhood within the City's East Planning District on N. 31<sup>st</sup> Street, between Q and R Streets. This property is being rehabilitated in tandem with the attached property located at 1119 N. 31<sup>st</sup> Street and a Special Use request has also been made for that property (Ord. No. 2019-201).

### **Proposed Use of the Property**

The dwelling will continue to be a single-family attached dwelling.

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### **Master Plan**

The City of Richmond's Master Plan designates the subject property for Single-Family (Medium Density) uses. Primary uses in this category are "single-family detached dwellings at densities between 8 and 20 units per acre." The density of the property would remain unchanged at 18 units per acre.

### **Zoning and Ordinance Conditions**

The subject property is located in the R-6 Single-Family Attached Residential district. Sec. 30-412.5(2)b states side yards shall not be less than three feet in width. On December 17, 2018 an administrative variance was granted by the Zoning Administrator under authority of the Board of Zoning Appeals to allow a reduction of the side yard setback. However, this variance was later deemed void due to work being performed on site without the benefit of a building permit. A special use permit is required because the Code of Virginia does not permit the BZA to provide relief once a violation has been cited.

The special use permit ordinance will impose conditions on the property, including:

- a. The Special Use of the Property shall be as a single-family attached dwelling with an addition that encroaches into the side yard, 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. The height of the Special Use shall not exceed the height shown on the Plans.
- d. All building materials and elevations shall be substantially as shown on the Plans.
- e. One on-site parking space shall be provided for the Special Use.

**Surrounding Area**

All properties surrounding the subject property are located within the same R-6 Single-Family Attached Residential zoning district. A mix of single-family detached residential, single-family attached residential, and vacant land uses predominate the vicinity of the subject property.

**Neighborhood Participation**

The Church Hill Central Civic Association and adjacent property owners were notified of this proposal. Staff has not received notices of support or opposition.

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