



CITY OF RICHMOND

DEPARTMENT OF
PLANNING AND DEVELOPMENT REVIEW
BOARD OF ZONING APPEALS

June 9, 2021

FOREMMA LLC
6600 Prospect Street
Richmond, VA 23226

Robert J. Laughlin
3201 Floyd Avenue
Richmond, VA 23221

To Whom It May Concern:

RE: **BZA 41-2021**

You are hereby notified that the Board of Zoning Appeals will hold an electronic public hearing on Wednesday, July 7, 2021 due to the disaster represented by the spread of COVID-19 pursuant to and in compliance with Ordinance 2020-232 to consider an application for a building permit to re-establish the nonconforming use rights to a commercial use (office and violin repair shop), convert the building to a dwelling unit, and reconsolidate the lots to their original configuration as a single property at 14 NORTH AUBURN AVENUE & 3201 FLOYD AVENUE (Tax Parcel Numbers W000-1456/012 & 013), located in an R-6 (Single-Family Attached Residential) District.

Please be advised that the applicant or applicant's representative is required to participate in the electronic public hearing by calling 804-316-9457 and entering code 870 566 969# beginning at 1:00 p.m. 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 2021 drop-down, click meeting details for July 7, 2021 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 William.Davidson@richmondgov.com for assistance. In accordance with Ordinance No. 2020-232, please be advised that an inability to access one of the enumerated public hearing through video means shall not be considered a prerequisite for participating in the subject public hearing. It will be necessary for you to stay on the line until such time as your case is called. 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

BZA 41-2021

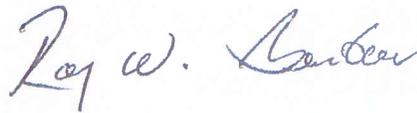
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association(s) prior to appearing before the Board of Zoning Appeals. Contact information for civic group(s) can be found by navigating to the Civic Group webpage of the City's website at <https://www.rva.gov/planning-development-review/civic-groups> . 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,



Roy W. Benbow, Secretary

Phone: (804) 240-2124

Fax: (804) 646-5789

E-mail: Roy.Benbow@richmondgov.com

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.

6 N Auburn LLC And 6 N Auburn Drechsler
LLC
3316 Fontaine Lane
Glen Allen, VA 23060

Abernathy Betty
3209 Floyd Ave
Richmond, VA 23221

Abernathy Betty A
3207 Floyd Ave
Richmond, VA 23221

Arnold Susanne K
3206 Floyd Ave
Richmond, VA 23221

Barrett Richard J & Kathleen G
3154 Floyd Ave
Richmond, VA 23221

Byrd Gretchen C
3210 Floyd Ave
Richmond, VA 23221

Cafarella Floyd LLC
2319 Grove Ave
Richmond, VA 23220

Draper Jennie E
3204 Floyd Avenue
Richmond, VA 23221

Duckworth Paul F Jr And Katherine F
3156 Floyd Ave
Richmond, VA 23221

Edmunds Virginia
3303 Floyd Ave
Richmond, VA 23221

Ellwood Asset LLC
13525 Cotley Ln
Richmond, VA 23233

Flora Brenden And Cayla
3213 Floyd Ave
Richmond, VA 23221

Garrett Bradley D
1 N Auburn Ave
Richmond, VA 23221

Grizzle Stuart B
3202 Floyd Ave
Richmond, VA 23221

Healy Kyle And Akuete Naa Sakle
7 N Auburn Ave
Richmond, VA 23221

Henriques Nicholas A T
3160 Ellwood Ave
Richmond, VA 23221

Huddle David C
3212 Floyd Ave
Richmond, VA 23221

Huff Gary L
5 N Auburn Ave
Richmond, VA 23221

Kelly Karen E & Stephen F
3157 Floyd Ave
Richmond, VA 23221

Kull Jeffrey B
3158 Ellwood Ave
Richmond, VA 23221

Maurer Luiz And Nancy
12 N Auburn Ave
Richmond, VA 23221

Montgomery Monty E Revocable Trust
Trustee
3 N Auburn Ave
Richmond, VA 23221

Mulligan John W
10 N Auburn Ave
Richmond, VA 23221

Nexsen Catherine E
3211 Floyd Ave
Richmond, VA 23221

Powers Patrick & Margaret Anne
3200 Floyd Ave
Richmond, VA 23221

Prince Jacquelynne B
2136 River Sound Dr
Knoxville, TN 37922

Rackley Tyler
1719 Hanover Ave Unit B
Richmond, VA 23220

Welsh Jerry C Jr
3203 Floyd Ave
Richmond, VA 23221

Xyderis Family LLC
1306 Pump Rd
Richmond, VA 23233

Yesbeck Jacob S And Yesbeck Jennifer Lyne
Johnson
3205 Floyd Ave
Richmond, VA 23221

Zoller Matthew E
3150 Floyd Avenue
Richmond, VA 23221

Property: 14 N Auburn Ave **Parcel ID:** W0001456013**Parcel**

Street Address: 14 N Auburn Ave Richmond, VA 23221-
Owner: FOREMMA LLC
Mailing Address: 6600 PROSPECT ST, RICHMOND, VA 23226
Subdivision Name : AUBURN
Parent Parcel ID:
Assessment Area: 450 - Fan/Near West
Property Class: 410 - B General Retail/Service
Zoning District: R-6 - Residential (Single Family Attached)
Exemption Code: -

Current Assessment

Effective Date: 01/01/2021
Land Value: \$72,000
Improvement Value: \$96,000
Total Value: \$168,000
Area Tax: \$0
Special Assessment District: None

Land Description

Parcel Square Feet: 1128
Acreage: 0.026
Property Description 1: 0028.20X0040.00 0000.000
State Plane Coords(?): X= 11778112.054167 Y= 3727485.478133
Latitude: 37.55569463 , **Longitude:** -77.48160520

Description

Land Type: Commercial S3
Topology:
Front Size: 28
Rear Size: 40
Parcel Square Feet: 1128
Acreage: 0.026
Property Description 1: 0028.20X0040.00 0000.000
Subdivision Name : AUBURN
State Plane Coords(?): X= 11778112.054167 Y= 3727485.478133
Latitude: 37.55569463 , **Longitude:** -77.48160520

Other

Street improvement:
Sidewalk:

Assessments

Assessment Year	Land Value	Improvement Value	Total Value	Reason
2021	\$72,000	\$96,000	\$168,000	Reassessment
2020	\$72,000	\$96,000	\$168,000	Reassessment
2019	\$72,000	\$87,000	\$159,000	Reassessment
2018	\$63,000	\$86,000	\$149,000	Reassessment
2017	\$63,000	\$86,000	\$149,000	Reassessment
2016	\$60,000	\$94,000	\$154,000	Reassessment
2015	\$60,000	\$87,000	\$147,000	Reassessment
2014	\$60,000	\$83,000	\$143,000	Reassessment
2013	\$60,000	\$83,000	\$143,000	Reassessment
2012	\$60,000	\$83,000	\$143,000	Reassessment
2011	\$45,000	\$98,000	\$143,000	CarryOver
2010	\$45,000	\$98,000	\$143,000	Reassessment
2009	\$45,000	\$98,000	\$143,000	Reassessment
2008	\$45,000	\$98,000	\$143,000	Reassessment
2007	\$63,000	\$77,000	\$140,000	Reassessment
2006	\$52,500	\$77,000	\$129,500	Reassessment
2005	\$50,000	\$72,000	\$122,000	Reassessment
2004	\$8,100	\$112,200	\$120,300	Reassessment
2003	\$7,000	\$102,000	\$109,000	Reassessment
2002	\$7,000	\$102,000	\$109,000	Reassessment
2001	\$5,000	\$75,000	\$80,000	Reassessment

Transfers

Transfer Date	Consideration Amount	Grantor Name	Deed Reference	Verified Market Sale Description
10/03/2007	\$150,000	SALOMON DALAL M TRUSTEE	ID2007-33354	1 - VALID SALE-Valid, Use in Ratio Analysis
06/21/2004	\$0	SALOMON DALAL M	ID2004-20239	
10/30/2000	\$75,000	RENAISSANCE PROPERTIES L C	ID2000-25583	
07/16/1996	\$0	Not Available	09600-14536	
10/25/1989	\$20,000	Not Available	000217-01316	

Planning

Master Plan Future Land Use: NH-MU
Zoning District: R-6 - Residential (Single Family Attached)
Planning District: Near West
Traffic Zone: 1121
City Neighborhood Code: MUSD
City Neighborhood Name: The Museum District
Civic Code:
Civic Association Name: Fan Area Business Alliance
Subdivision Name: AUBURN
City Old and Historic District:
National historic District: West of Boulevard
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	1013	0408001	040800
1990	109	0408001	040800

Schools

Elementary School: Cary
Middle School: Hill
High School: Jefferson

Public Safety

Police Precinct: 3
Police Sector: 311
Fire District: 18
Dispatch Zone: 050A

Public Works Schedules

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

Government Districts

Council District: 1
Voter Precinct: 114
State House District: 68
State Senate District: 10
Congressional District: 4

Extension 1 Details

Extension Name: C01 - Workshop
Year Built: 1912
Stories: 1
Units: 0
Number Of Rooms: 0
Number Of Bed Rooms: 0
Number Of Full Baths: 0
Number Of Half Baths: 0
Condition: good for age
Foundation Type:
1st Predominant Exterior:
2nd Predominant Exterior: N/A
Roof Style: 1
Roof Material:
Interior Wall:
Floor Finish:
Heating Type: 0 sf
Central Air: N
Basement Garage Car #: 0
Fireplace: N
Building Description (Out Building and Yard Items) :

Extension 1 Dimensions

Finished Living Area: 960 Sqft
Attic: 0 Sqft
Finished Attic: 0 Sqft
Basement: 0 Sqft
Finished Basement: 0 Sqft
Attached Garage: 0 Sqft
Detached Garage: 0 Sqft
Attached Carport: 0 Sqft
Enclosed Porch: 0 Sqft
Open Porch: 0 Sqft
Deck: 0 Sqft

Property Images

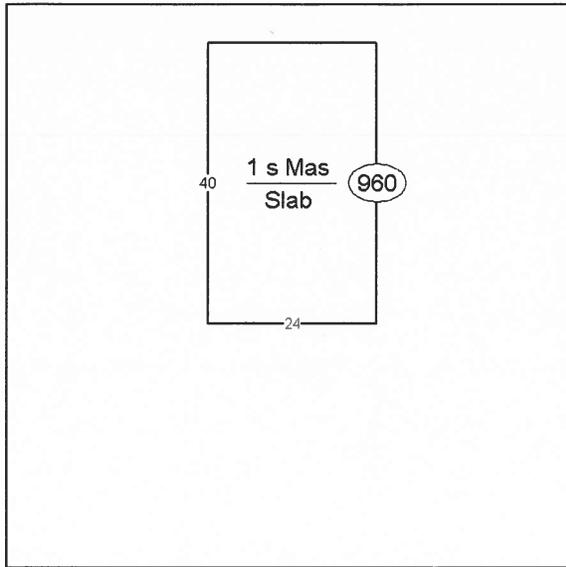
Name:W0001456013 Desc:C01



[Click here for Larger Image](#)

Sketch Images

Name:W0001456013 Desc:C01



Property: 3201 Floyd Ave **Parcel ID:** W0001456012**Parcel**

Street Address: 3201 Floyd Ave Richmond, VA 23221-
Owner: LAUGHLIN ROBERT J AND ANNA E
Mailing Address: 3201 FLOYD AVE, RICHMOND, VA 23221
Subdivision Name : AUBURN
Parent Parcel ID:
Assessment Area: 214 - Museum District 1
Property Class: 120 - R Two Story
Zoning District: R-6 - Residential (Single Family Attached)
Exemption Code: -

Current Assessment

Effective Date: 01/01/2021
Land Value: \$120,000
Improvement Value: \$370,000
Total Value: \$490,000
Area Tax: \$0
Special Assessment District: None

Land Description

Parcel Square Feet: 4272
Acreage: 0.098
Property Description 1: AUBURN L1 PTL2 SEE
Property Description 2: 0040.00X0106.80 0000.000
State Plane Coords(?): X= 11778138.421067 Y= 3727546.6738
Latitude: 37.55592384 , **Longitude:** -77.48151239

Description

Land Type: Residential Lot A
Topology: Level
Front Size: 40
Rear Size: 106
Parcel Square Feet: 4272
Acreage: 0.098
Property Description 1: AUBURN L1 PTL2 SEE
Property Description 2: 0040.00X0106.80 0000.000
Subdivision Name : AUBURN
State Plane Coords(?): X= 11778138.421067 Y= 3727546.6738
Latitude: 37.55592384 , **Longitude:** -77.48151239

Other

Street improvement: Paved
Sidewalk: Yes

Assessments

Assessment Year	Land Value	Improvement Value	Total Value	Reason
2021	\$120,000	\$370,000	\$490,000	Reassessment
2020	\$105,000	\$366,000	\$471,000	Reassessment
2019	\$105,000	\$346,000	\$451,000	Reassessment
2018	\$105,000	\$303,000	\$408,000	Reassessment
2017	\$95,000	\$307,000	\$402,000	Reassessment
2016	\$90,000	\$297,000	\$387,000	Reassessment
2015	\$90,000	\$291,000	\$381,000	Reassessment
2014	\$85,000	\$263,000	\$348,000	Reassessment
2013	\$85,000	\$265,000	\$350,000	Reassessment
2012	\$85,000	\$265,000	\$350,000	Reassessment
2011	\$85,000	\$276,000	\$361,000	CarryOver
2010	\$85,000	\$276,000	\$361,000	Reassessment
2009	\$85,000	\$281,700	\$366,700	Reassessment
2008	\$74,000	\$301,000	\$375,000	Reassessment
2007	\$74,000	\$267,700	\$341,700	Reassessment
2006	\$74,700	\$267,000	\$341,700	Reassessment
2005	\$58,800	\$226,300	\$285,100	Reassessment
2004	\$58,800	\$177,500	\$236,300	Reassessment
2003	\$56,000	\$169,000	\$225,000	Reassessment
2002	\$40,900	\$150,000	\$190,900	Reassessment
2001	\$36,200	\$132,700	\$168,900	Reassessment
1998	\$27,000	\$99,000	\$126,000	Not Available

Transfers

Transfer Date	Consideration Amount	Grantor Name	Deed Reference	Verified Market Sale Description
06/27/2014	\$415,000	LESTER FRANK E & VIRGINIA M	ID2014-10945	1 - VALID SALE-Valid, Use in Ratio Analysis
09/16/1991	\$73,400	Not Available	00279-0862	
05/01/1989	\$62,000	Not Available	000200-01192	

Planning

Master Plan Future Land Use: NH-MU
Zoning District: R-6 - Residential (Single Family Attached)
Planning District: Near West
Traffic Zone: 1121
City Neighborhood Code: MUSD
City Neighborhood Name: The Museum District
Civic Code:
Civic Association Name: Fan Area Business Alliance
Subdivision Name: AUBURN
City Old and Historic District:
National historic District: West of Boulevard
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	1013	0408001	040800
1990	109	0408001	040800

Schools

Elementary School: Cary
Middle School: Hill
High School: Jefferson

Public Safety

Police Precinct: 3
Police Sector: 311
Fire District: 18
Dispatch Zone: 050A

Public Works Schedules

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

Government Districts

Council District: 1
Voter Precinct: 114
State House District: 68
State Senate District: 10
Congressional District: 4

Extension 1 Details

Extension Name: R01 - Residential record #01
Year Built: 1910
Stories: 2
Units: 0
Number Of Rooms: 9
Number Of Bed Rooms: 4
Number Of Full Baths: 2
Number Of Half Baths: 0
Condition: good for age
Foundation Type: Full Crawl
1st Predominant Exterior: Wood siding / Wood shake
2nd Predominant Exterior: N/A
Roof Style: Gable
Roof Material: Metal
Interior Wall: Drywall
Floor Finish: Hardwood-std oak, Ceramic tile
Heating Type: Forced hot air
Central Air: Y
Basement Garage Car #: 0
Fireplace: Y
Building Description (Out Building and Yard Items) : Residential Shed - Small Utility, Residential Shed - Small Utility

Extension 1 Dimensions

Finished Living Area: 2514 Sqft
Attic: 802 Sqft
Finished Attic: 550 Sqft
Basement: 0 Sqft
Finished Basement: 0 Sqft
Attached Garage: 0 Sqft
Detached Garage: 0 Sqft
Attached Carport: 0 Sqft
Enclosed Porch: 0 Sqft
Open Porch: 326 Sqft
Deck: 0 Sqft

Property Images

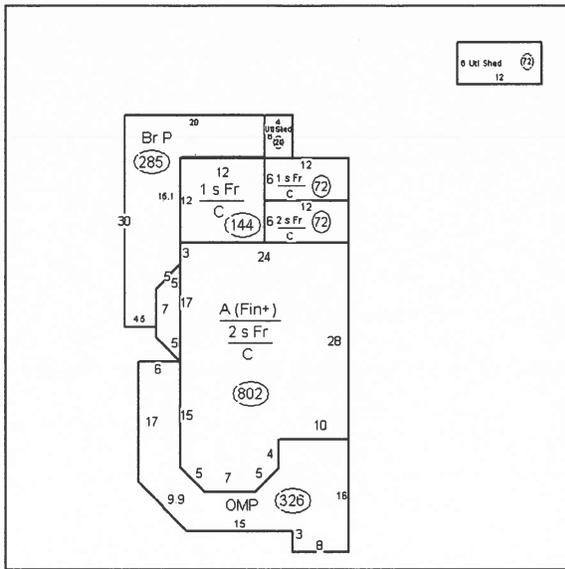
Name:W0001456012 Desc:R01



[Click here for Larger Image](#)

Sketch Images

Name:W0001456012 Desc:R01



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 FOREMMA LLC PHONE: (Home) () (Mobile) (804)363-9334

OWNER: 6600 Prospect Street FAX: (Home) () (Mobile) _____

(Name/Address) Richmond, VA 23226 E-mail Address: _____

OWNER'S Robert J. Laughlin PHONE: (Home) (646) 373-1045 (Mobile) (646)373-1045

REPRESENTATIVE 3201 Floyd Ave FAX: (Home) () (Mobile) _____

(Name/Address) Richmond, VA 23221 E-mail Address jefflaughlin22@gmail.com

TO BE COMPLETED BY THE ZONING ADMINISTRATION OFFICE

PROPERTY ADDRESS (ES): 14 North Auburn Avenue and 3201 Floyd Avenue

TYPE OF APPLICATION: VARIANCE SPECIAL EXCEPTION OTHER _____

ZONING ORDINANCE SECTION NUMBERS(S): 30-300, 30-412.1, 30-412.2(2) and 30-412.2(3)c

APPLICATION REQUIRED FOR: a building permit to re-establish nonconforming use rights (as office use and violin repair shop), change the use of 14 North Avenue to dwelling use and reconsolidate the lots to their original configuration as a single property.

TAX PARCEL NUMBER(S): W000-1456/012 and 013 ZONING DISTRICT: R-6 Single-Family Attached Residential

REQUEST DISAPPROVED FOR THE REASON THAT: The proposed use is not permitted, as the previous nonconforming use rights have expired. Whenever nonconforming uses of a building are discontinued for a period of two years or longer, any subsequent use of the premises shall conform to the regulations applicable in the district in which it is located.

DATE REQUEST DISAPPROVED: _____ FEE WAIVER: YES NO

DATE FILED: 5/13/2021 TIME FILED: 1:30 PREPARED BY: Andrea Cuffee RECEIPT NO. BZAR-091933-2021

AS CERTIFIED BY: [Signature] (ZONING ADMINSTRATOR)

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) (14) 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: 6/2/21

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

CASE NUMBER: BZA 41-2021 HEARING DATE: July 7, 2021 AT 1:00 P.M.

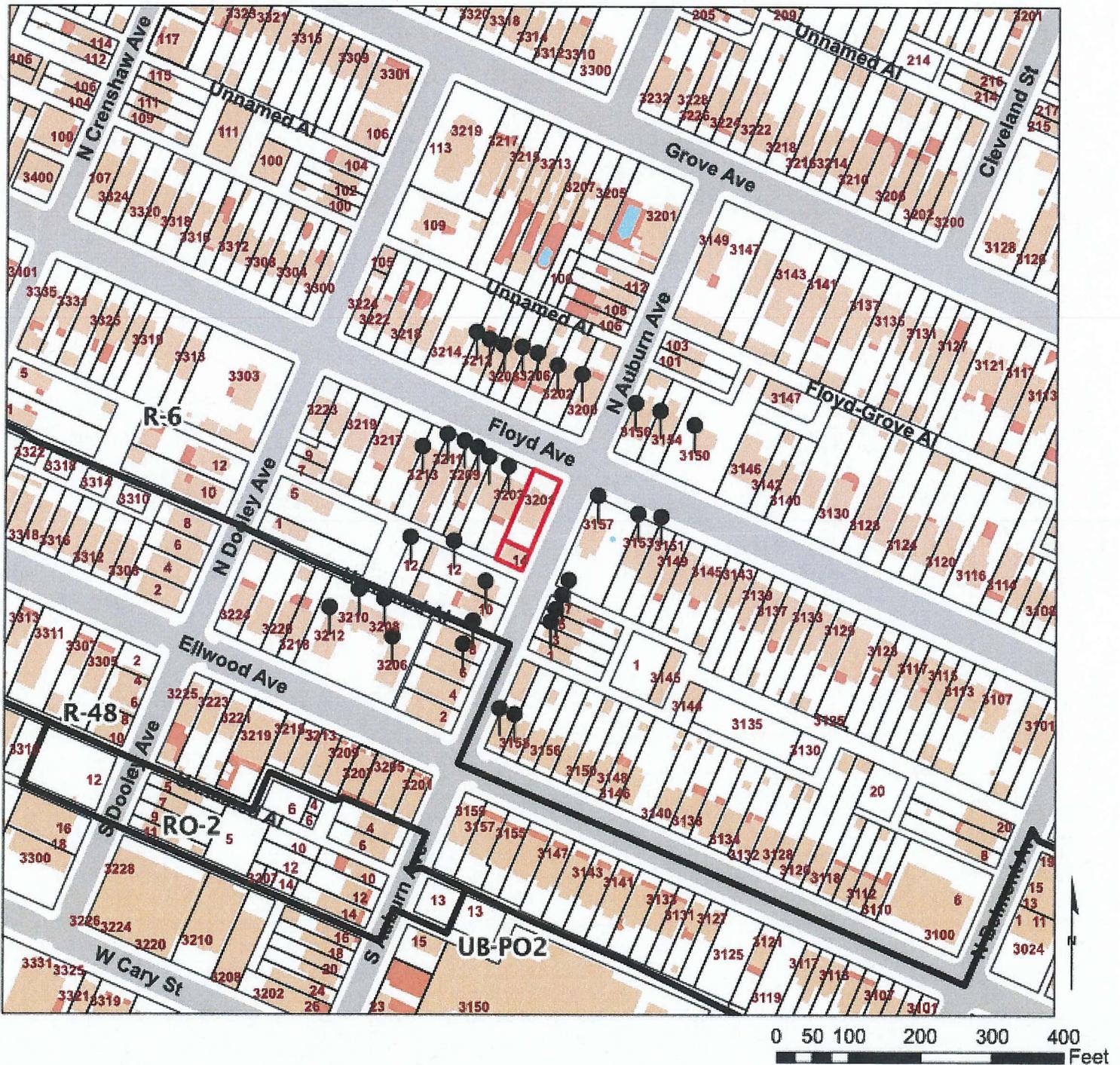
BOARD OF ZONING APPEALS CASE BZA 41-2021
150' Buffer

APPLICANT(S): FOREMMA LLC

PREMISES: 14 North Auburn Avenue & 3201 Floyd Avenue
(Tax Parcel Numbers W000-1456/012 & 013)

SUBJECT: A building permit to re-establish the nonconforming use rights to a commercial use (office and violin repair shop), convert the building to a dwelling unit, and reconsolidate the lots to their original configuration as a single property.

REASON FOR THE REQUEST: Based on Sections 30-300, 30-412.1, 30-412.2(2), 30-412.2(2)c & 30-800.4 of the Zoning Ordinance for the reason that:
The proposed use (office and violin repair shop) is not permitted as the previous nonconforming use rights have expired.





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.

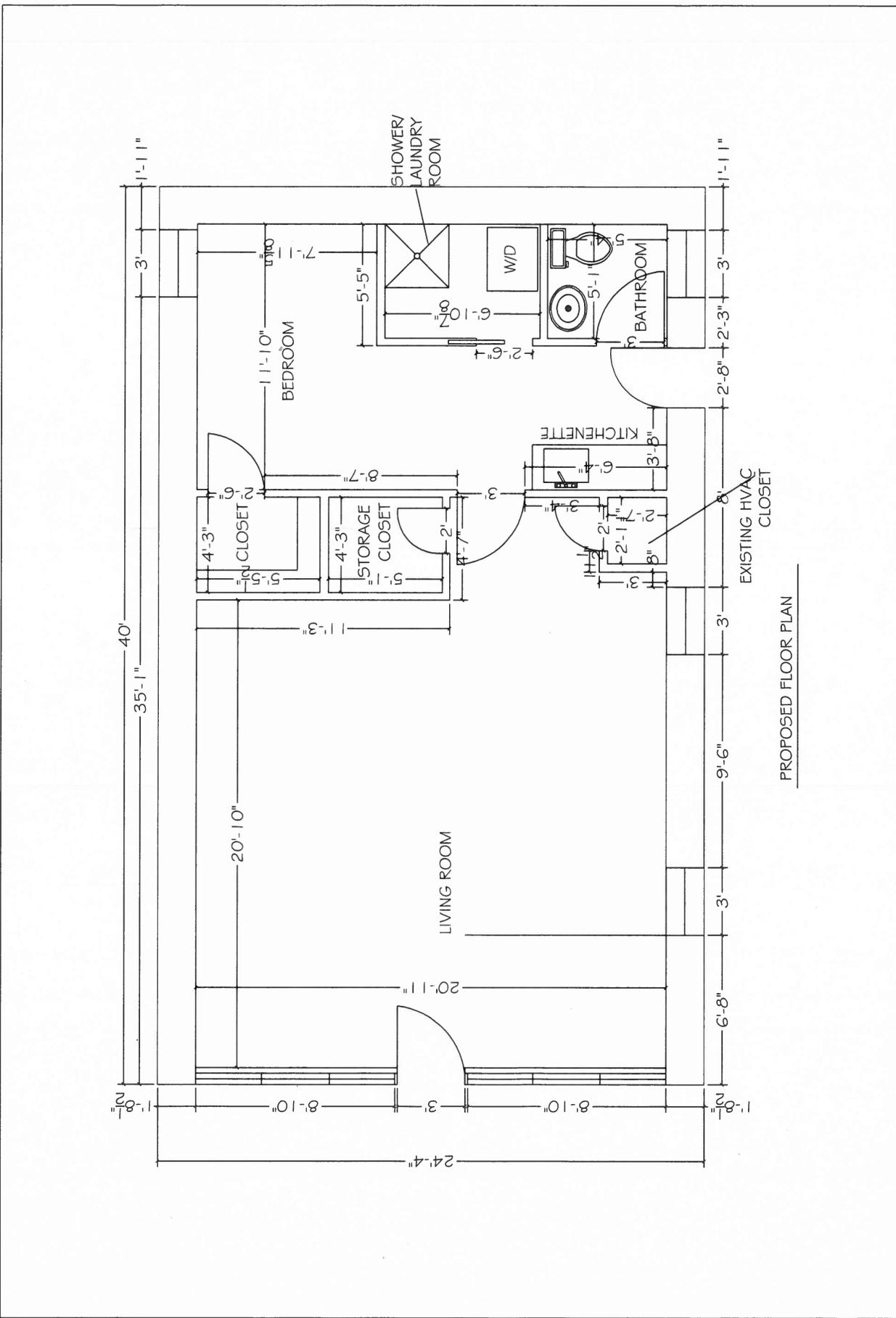
Acknowledgement of Receipt by Applicant or Authorized Agent: _____

Revised: November 10, 2020

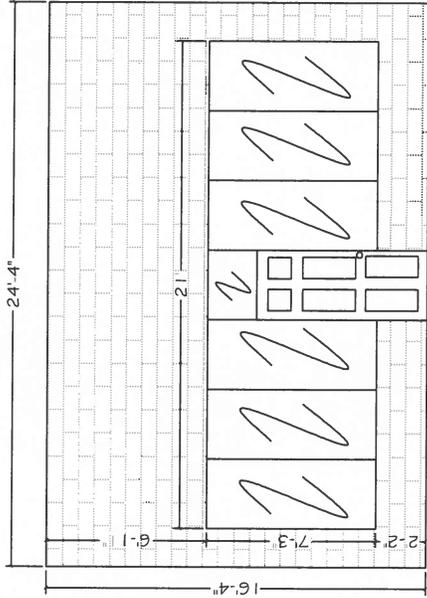
DeFogli and Associates
 10100 Heathrock Court, Richmond, Virginia 23233
 Voice 804.400.5117, Fax 804.270.7305

Project Name: Laughlin Residence
 Project Location: 14 N. Auburn Street
 Richmond, VA
 Drawing Date: May 26, 2021
 Scale: 1/4" = 1'-0"

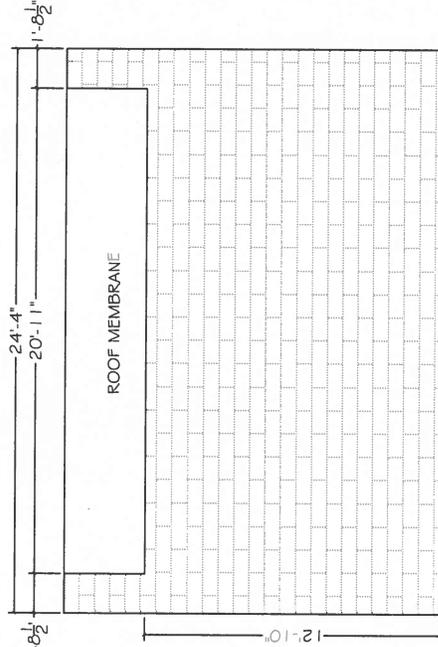
Sheet Number:
A2



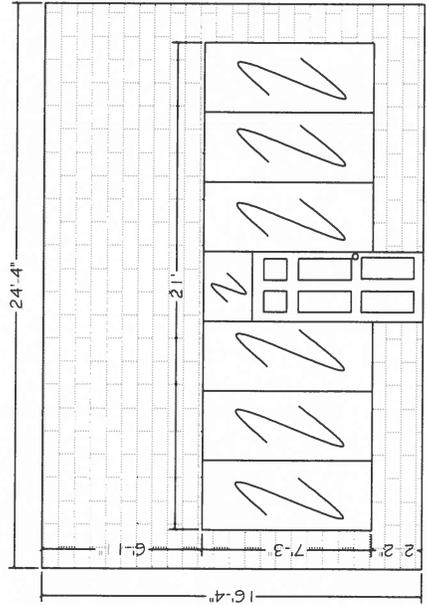
PROPOSED FLOOR PLAN



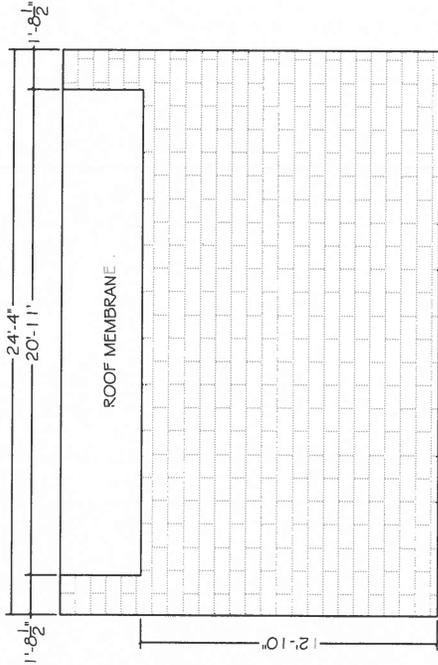
PROPOSED FRONT ELEVATION



PROPOSED REAR ELEVATION



EXISTING FRONT ELEVATION

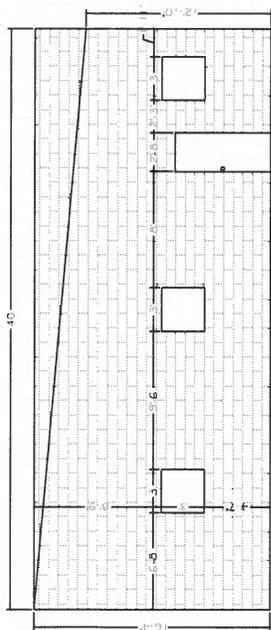
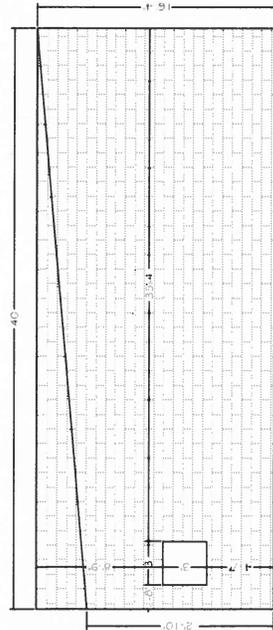
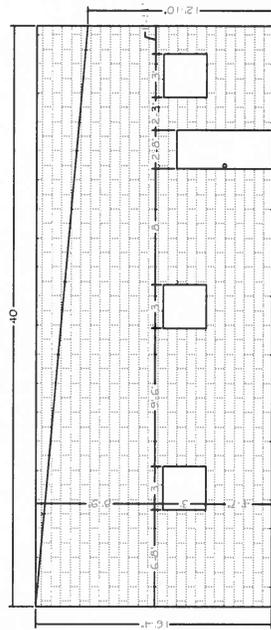
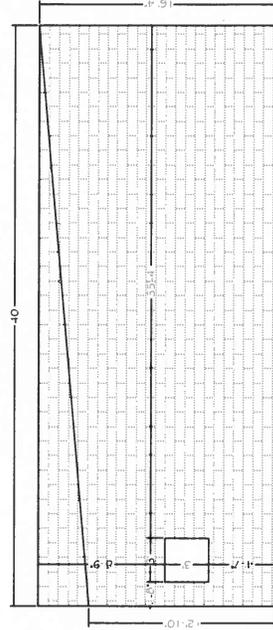


EXISTING REAR ELEVATION

DeFogli and Associates
10100 Heathrock Court, Richmond, Virginia 23233
Voice 804.400.5117, Fax 804.270.7305

Project Name: Laughlin Residence
Project Location: 14 N. Auburn Street
Richmond, VA
Drawing Date: May 26, 2021
Scale: 1/8" = 1'-0"

Sheet
Number: A4





CITY OF RICHMOND

DEPARTMENT OF
PLANNING AND DEVELOPMENT REVIEW
ZONING ADMINISTRATION

June 1, 2021

Robert J. Laughlin
3201 Floyd Avenue
Richmond, Virginia 23221

RE: 14 N. Auburn Avenue
Tax Parcel: W000-1456/013

Dear Mr. Laughlin:

This is an addendum to our previous letter to you dated April 7, 2021

Thank you for your request for a *Zoning Confirmation Letter* regarding the above referenced property. This letter amends the letter dated April 7, 2021. The original letter advised that it would be necessary for you to apply to the Board of Zoning Appeals (BZA) to legitimize the lot split. This information is incorrect, as the lot split was authorized by the previously approved BZA case #70-89.

In response to your letter, be advised of the following history of the subject parcel:

The property is located within an R-6 (Single-Family Attached Residential) zoning district. The building was built in 1912 as an office. Our records indicate that the use of the property is governed, in part, by a Board of Zoning Appeals (BZA) approval (Case #70-89). The BZA adopted a resolution granting a variance from the existing nonconforming use of office to include violin repair as an incidental use to the principal office use. This variance did not affect the nonconforming rights of the general office use.

You have now advised that your intent is to reconnect the two parcels (14 N. Auburn Avenue and 3201 Floyd Avenue), thus returning the property to its original configuration. You are also intending to convert the existing building, which once housed the old office space and violin repair shop, to dwelling use to enable your father in law to live there. The nonconforming commercial use of the building located at 14 N. Auburn Avenue, expired in December, 2020, as the commercial use of that space ended in December 2018. *"Whenever a nonconforming use of a building or structure is discontinued for a period of two years or longer, whether or not equipment or fixtures are removed, any subsequent use of the premises shall conform to the regulations applicable in the district in which it is located."* As the R-6 zoning district does not allow two single-family detached dwellings on one lot, this arrangement cannot be done by right. It may be possible

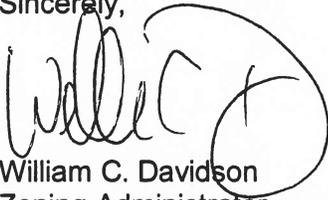
for you to seek a waiver by applying for a Special Use Permit (SUP), which requires City Council approval. Another option may be to re-establish the single lot and go to the BZA and re-establish the nonconforming use, which has expired, and request approval of the conversion of the building to a second detached dwelling unit on the property.

In summary, you may either apply for a SUP to seek a waiver to zoning restrictions preventing the conversion of the existing building, currently located at 14 N. Auburn Avenue to dwelling use, or go before the BZA to re-establish the nonconforming use of that building and request approval to convert it to a dwelling use. You may also request to have the two lots consolidated to return it to its original configuration of five thousand, four hundred square feet (5,400 SF) in lot area and forty feet (40') in width. The width is nonconforming.

You are hereby advised that you have thirty (30) days from this notice in which to appeal this decision to the Board of Zoning Appeals, in accordance with §15.2-2311 of the Code of Virginia and §17.19 of the Richmond City Charter, or this decision shall be final and unappealable. Such appeal must be in writing and must be filed with the Secretary to the Board of Zoning Appeals. Said appeal shall indicate in specific terms the grounds for the appeal and must be accompanied by a filing fee of two hundred fifty dollars (\$250.00).

I hope this information is sufficient. Should you have any additional questions, please contact Andrea Cuffee at andrea.cuffee@richmondgov.com.

Sincerely,

A handwritten signature in black ink, appearing to read 'William C. Davidson', written over a circular stamp or seal.

William C. Davidson
Zoning Administrator

Cc: FOREMMA LLC
6600 Prospect St.
Richmond, VA 23226



CITY OF RICHMOND

DEPARTMENT OF
PLANNING AND DEVELOPMENT REVIEW
ZONING ADMINISTRATION

April 7, 2021

Robert J. Laughlin
3201 Floyd Avenue
Richmond, Virginia 23221

RE: 14 N. Auburn Avenue
Tax Parcel: W000-1456/013

Dear Mr. Laughlin:

Thank you for your request for a *Zoning Confirmation Letter* regarding the above referenced property. In response to your letter, be advised of the following history of the subject parcel:

The property is located within an R-6 (Single-Family Attached Residential) zoning district. The building was built in 1912 as an office. Our records indicate that the use of the property is governed, in part, by a Board of Zoning Appeals (BZA) approval (Case #70-89). The BZA adopted a resolution granting a variance from the existing nonconforming use of office to include violin repair as an incidental use to the principal office use. This variance did not affect the nonconforming rights of the general office use.

Our records indicate that the building located at 14 North Auburn Avenue used to be a part of the parcel of land known as 3201 Floyd Avenue. The dimensions of the lot prior to 1989 was forty feet (40') by one hundred thirty five feet (135'), or 5,400 square feet. The lot at 3201 Floyd Avenue is now forty feet (40') by one hundred six feet (106'), or 4,272 square feet and the lot at 14 North Auburn Avenue is twenty eight feet (28') by forty feet (40'), or 1,128 square feet. The lot width is nonconforming. When this lot split occurred in 1989, approval would have been required by the Board of Zoning Appeals (BZA), as it reduced the area of the lot of a nonconforming use. Both of the resulting lots are illegal, as the Board of Zoning Appeal (BZA) never approved a Special Exception authorizing the aforementioned lot split.

You have now advised that your intent is to reconnect the two parcels (14 N. Auburn Avenue and 3201 Floyd Avenue), thus returning the property to its original configuration. You are also intending to convert the existing building, which once housed the old office space and violin repair shop, to dwelling use to enable your father in law to live there. The nonconforming commercial use of the building located at 14 N. Auburn Avenue, expired in December, 2020, as the commercial use of that space ended in December 2018. *"Whenever a nonconforming use of a building or structure is discontinued for a period of two years or longer, whether or not equipment*

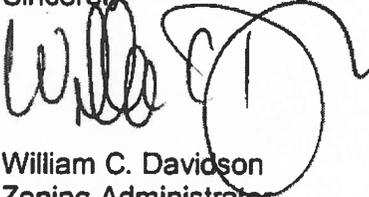
or fixtures are removed, any subsequent use of the premises shall conform to the regulations applicable in the district in which it is located." As the R-6 zoning does not allow two single-family detached dwellings on one lot, this arrangement cannot be done by right. It may be possible for you to seek a waiver by applying for a Special Use Permit (SUP), which requires City Council approval. Another option may be to re-establish the single lot and go to the BZA and re-establish the nonconforming use, which has expired, and request approval of the conversion of the building to a second detached dwelling unit on the property.

In summary, based on the information available to me at this time, it is my determination that returning the aforementioned lots to the original configuration is allowed and required, as the lots remain illegal. You may either apply for a SUP to seek a waiver to zoning restrictions preventing the conversion of the existing building, currently located at 14 N. Auburn Avenue to dwelling use, or going before the BZA to re-establish the expired nonconforming use of that building and request approval to convert it to a dwelling use.

You are hereby advised that you have thirty (30) days from this notice in which to appeal this decision to the Board of Zoning Appeals, in accordance with §15.2-2311 of the Code of Virginia and §17.19 of the Richmond City Charter, or this decision shall be final and unappealable. Such appeal must be in writing and must be filed with the Secretary to the Board of Zoning Appeals. Said appeal shall indicate in specific terms the grounds for the appeal and must be accompanied by a filing fee of two hundred fifty dollars (\$250.00).

I hope this information is sufficient. Should you have any additional questions, please contact Andrea Cuffee at andrea.cuffee@richmondgov.com.

Sincerely

A handwritten signature in black ink, appearing to read 'William C. Davidson', written over a circular stamp or seal.

William C. Davidson
Zoning Administrator

Cc: FOREMMA LLC
6600 Prospect St.
Richmond, VA 23226



CITY OF RICHMOND

DEPARTMENT OF
PLANNING AND DEVELOPMENT REVIEW
ZONING ADMINISTRATION

March 26, 2021

Robert J. Laughlin
3201 Floyd Avenue
Richmond, Virginia 23221

RE: 14 N. Auburn Avenue
Tax Parcel: W000-1456/013

Dear Mr. Laughlin:

Thank you for your request for a *Zoning Confirmation Letter* regarding the above referenced property. In response to your letter, be advised of the following history of the subject parcel:

The property is located within an R-6 (Single-Family Attached Residential) zoning district. The building was built in 1912 as an office. Our records indicate that the use of the property is governed, in part, by a Board of Zoning Appeals (BZA) approval (Case #70-89). The BZA adopted a resolution granting a variance from the existing nonconforming use of office to include violin repair as an incidental use to the principal office use. This variance did not affect the nonconforming rights of the general office use.

Our records indicate that the building located at 14 North Auburn Avenue used to be a part of the parcel of land known as 3201 Floyd Avenue. The dimensions of the lot prior to 1989 was forty feet (40') by one hundred thirty five feet (135'), or 5,400 square feet. The lot at 3201 Floyd Avenue is now forty feet (40') by one hundred six feet (106'), or 4,272 square feet and the lot at 14 North Auburn Avenue is twenty eight feet (28') by forty feet (40'), or 1,128 square feet. The lot width is nonconforming. When this lot split occurred in 1989, approval would have been required by the Board of Zoning Appeals (BZA), as it reduced the area of the lot of a nonconforming use. Both of the resulting lots are illegal, as the Board of Zoning Appeal (BZA) never approved a Special Exception authorizing the aforementioned lot split.

You have now advised that your intent is to reconnect the two parcels (14 N. Auburn Avenue and 3201 Floyd Avenue), thus returning the property to its original configuration. You are also intending to convert the existing building, which once housed the old office space and violin repair shop, to dwelling use to enable your father in law to live there. The nonconforming commercial use of the building located at 14 N. Auburn Avenue, expired in December, 2020, as the commercial use of that space ended in December 2018. *"Whenever a nonconforming use of a building or structure is discontinued for a period of two years or longer, whether or not equipment or fixtures are removed, any subsequent use of the premises shall conform to the regulations applicable in the district in which it is located."* As the R-6 zoning district does not allow two single-family detached dwellings on one lot, this arrangement cannot be done by right. It may be possible

for you to seek a waiver by applying for a Special Use Permit (SUP), which requires City Council approval. Another option may be to re-establish the single lot and go to the BZA and re-establish the nonconforming use, which has expired, and request approval of the conversion of the building to a second detached dwelling unit on the property.

In summary, based on the information available to me at this time, it is my determination that returning the aforementioned lots to the original configuration is allowed and required, as the lots remain illegal. You may either apply for a SUP to seek a waiver to zoning restrictions preventing the conversion of the existing building, currently located at 14 N. Auburn Avenue to dwelling use, or going before the BZA to re-establish the nonconforming use of that building and request approval to convert it to a dwelling use.

You are hereby advised that you have thirty (30) days from this notice in which to appeal this decision to the Board of Zoning Appeals, in accordance with §15.2-2311 of the Code of Virginia and §17.19 of the Richmond City Charter, or this decision shall be final and unappealable. Such appeal must be in writing and must be filed with the Secretary to the Board of Zoning Appeals. Said appeal shall indicate in specific terms the grounds for the appeal and must be accompanied by a filing fee of two hundred fifty dollars (\$250.00).

I hope this information is sufficient. Should you have any additional questions, please contact Andrea Cuffee at andrea.cuffee@richmondgov.com.

Sincerely,



William C. Davidson
Zoning Administrator

Cc: FOREMMA LLC
6600 Prospect St.
Richmond, VA 23226



CITY OF RICHMOND

DEPARTMENT OF
PLANNING AND DEVELOPMENT REVIEW
ZONING ADMINISTRATION

August 10, 2007

E. Duffy Myrtetus, Esq.
P.O. Box 27828
Richmond, Virginia 23261

RE: **14 North Auburn Avenue**
W000-1456/013

Dear Mr. Myrtetus:

This is an addendum to our previous letter to you dated July 27, 2007

Thank you for your recent **Zoning Confirmation** request for the above-referenced property. Please be advised of the following information. This letter amends the letter dated July 27, 2007. The original letter advised that it would be necessary for you to apply to the Board of Zoning Appeals (BZA) to legitimize the lot split. This information is incorrect, as the lot split was authorized by the previously approved BZA case #70-89.

The property is in an R-6 (Single-Family Attached Residential) zoning district. The property was built in 1912 as an office. At the time of construction, the lot also had a single-family dwelling located on it, which was built in 1910. The use of the property is governed in part by a Board of Zoning Appeals (BZA) approval (Case # 70-89). ***The BZA adopted a resolution granting a variance from the existing nonconforming use, lot area and side yard requirement for a single-family dwelling and a musician's office on separate lots as proposed.*** The office use was to include violin repair as an incidental use with one person employed and the hours of operation for violin repair and the giving of any violin lessons shall not extend beyond 7:00 p.m.

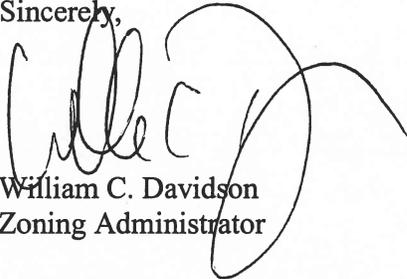
A Certificate of Occupancy (CO) has been issued to several individuals for an office and a violin repair business. According to the records maintained by the Department of Finance, the last business license was issued to John Larrimore in 1986 and expired in 2003. Since 2003, there is no record of a business license having been issued to anyone else at this location. In addition there is no record of a telephone listing for a business at this location since 2003. However, the records maintained by the department of public utilities indicates that some sort of activity was taking place at this location, as both gas and water services have been utilized up until June 1, 2007 for gas and May 1, 2007 for water. Our office must

make a determination as to whether the nonconforming rights have expired. Based on the information available to us, we are unable to make that determination. Please provide our office with a lease for an office tenant or any other evidence that continuous use of the building as an office has occurred since 2003. If there is no evidence that the office use has been continuous since 2003, then the nonconforming rights have expired, as the building has been vacant for four years. If you are desirous of restoring the nonconforming rights, you may seek relief from the Board of Zoning Appeals (BZA). The application fee for this process is \$500.00 and you would need to submit two copies of a survey and floor plans for the building.

You are hereby advised that you have thirty (30) days from this notice in which to appeal this decision to the Board of Zoning Appeals, in accordance with §15.2-2311 of the Code of Virginia and §17.19 of the Richmond City Charter, or this decision shall be final and unappealable. The thirty (30) day period shall begin seven (7) calendar days from the date of this notice. Such appeal must be in writing and must be filed with the Secretary to the Board of Zoning Appeals. Said appeal shall indicate in specific terms the grounds for the appeal and must be accompanied by a filing fee of two hundred fifty dollars (\$250.00).

I hope this information is sufficient, if you should desire additional information please feel free to contact Senior Planner Michelle Peters or me at 646-6340.

Sincerely,

A handwritten signature in black ink, appearing to read 'William C. Davidson', with a large, sweeping flourish extending to the right.

William C. Davidson
Zoning Administrator

cc: Frank and Virginia Lester
P O Box 7196
Richmond, Virginia 23221



CITY OF RICHMOND

**DEPARTMENT OF COMMUNITY DEVELOPMENT
ZONING ADMINISTRATION**

July 27, 2007

E. Duffy Myrtetus, Esq.
P.O. Box 27828
Richmond, Virginia 23261

**RE: 14 North Auburn Avenue
W000-1456/013**

Dear Mr. Myrtetus:

Thank you for your recent *Zoning Confirmation* request for the above-referenced property. Please be advised of the following information.

The property is in an R-6 (Single-Family Attached Residential) zoning district. The property was built in 1912 as an office. At the time of construction, the lot also had a single-family dwelling located on it, which was built in 1910. The use of the property is governed in part by a Board of Zoning Appeals (BZA) approval (Case # 70-89). The BZA adopted a resolution granting a variance from the existing nonconforming use of office to include violin repair as an incidental use to the principal office use. This variance addressed only the incidental use and does not affect the nonconforming rights of the general office use.

Research reveals that the building located at 14 North Auburn Avenue used to be a part of the parcel of land known as 3201 Floyd Avenue. The dimensions of the lot prior to 1989 was 40' x 140'. The lot at 3201 Floyd Avenue is now 40'x106' and the lot at 14 North Auburn Avenue is 28'x 40'. In 1989, when the lot was split it would have required approval by the Board of Zoning Appeals (BZA), as it reduced the area on a lot on which a nonconforming use is located. The existing lots are illegal, as the Board of Zoning Appeal (BZA) has not approved a Special Exception authorizing the lot split.

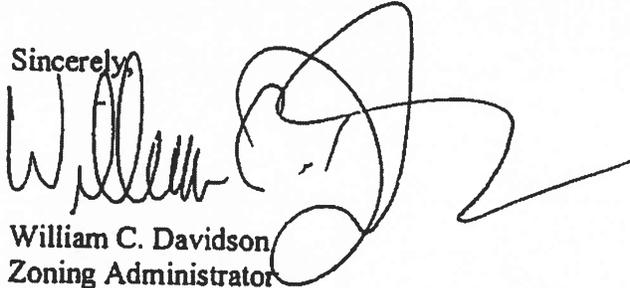
A Certificate of Occupancy (CO) has been issued to several individuals for an office and a violin repair business. According to the records maintained by the Department of Finance, the last business license was issued to John Larrimore in 1986 and expired in 2003. Since 2003, there is no record of a business license having been issued to anyone else at this location. In addition there is no record of a telephone listing for a business at this location since 2003. However, the records maintained by the department of public utilities indicates that some sort of activity was taking place at this location, as both gas and water services have been utilized up until June 1, 2007 for gas and May 1, 2007 for water. Our office must make a determination as to whether the nonconforming rights have expired. Based on the information available to us, we are unable to make that determination. Please provide our office with a lease for an office tenant or any other evidence that continuous use of the building as an office has occurred since 2003. If there is no evidence that the office use has

been continuous since 2003, then the nonconforming rights have expired, as the building has been vacant for four years. If you are desirous of restoring the nonconforming rights, you may seek relief from the Board of Zoning Appeals (BZA). The application fee for this process is \$500.00 and you would need to submit two copies of a survey and floor plans for the building. You may be able to take care of the lot split and the restoration of nonconforming rights at one time.

You are hereby advised that you have thirty (30) days from this notice in which to appeal this decision to the Board of Zoning Appeals, in accordance with §15.2-2311 of the Code of Virginia and §17.19 of the Richmond City Charter, or this decision shall be final and unappealable. The thirty (30) day period shall begin seven (7) calendar days from the date of this notice. Such appeal must be in writing and must be filed with the Secretary to the Board of Zoning Appeals. Said appeal shall indicate in specific terms the grounds for the appeal and must be accompanied by a filing fee of two hundred fifty dollars (\$250.00).

I hope this information is sufficient, if you should desire additional information please feel free to contact Senior Planner Michelle Peters or me at 646-6340.

Sincerely,



William C. Davidson
Zoning Administrator

cc: Frank and Virginia Lester
P O Box 7196
Richmond, Virginia 23221

RESOLUTION: NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ZONING APPEALS that a variance from the side yard requirement be granted to the applicants for a permit to convert the subject building to general office use and to construct a rear porch/deck addition as proposed, on the condition that the addition project into the required side yard no further than the wall of the main building.

ACTION OF BOARD: Granted conditionally
Vote to Grant
Affirmative: Fowlkes, Johns, Rick, Richardson, Trent 5
Negative: None 0
Absent: None 0

CASE NO. 70-89

APPLICANT: Frank E. Lester

PREMISES: 3201 FLOYD AVENUE and 14 NORTH AUBURN AVENUE

SUBJECT: Certificate of Occupancy for a single-family dwelling lot at 3201 Floyd Avenue and a musicians office and violin shop on a lot at 14 North Auburn Avenue.

DISAPPROVED by the Zoning Administrator on September 12, 1989, under Sections 32-300, 32-320, 32-412.5(1)(b) & 32-800 of the zoning ordinance for the reason that: "R-6 Single-Family Residential District. The proposed lot split and change in the nonconforming use of 14 N. Auburn Avenue are not permitted. Reduction in the lot area for the single-family dwelling would not be in conformity with the regulations. Five thousand square feet of lot area are required for the single-family dwelling; 5,400 square feet exist and 4,272 square feet of lot area are proposed. A five (5) foot side yard is required on the north side of 14 N. Auburn; 4.2 feet are proposed. The change in use of 14 N. Auburn from a nonconforming office to a less restricted office and repair facility is not permitted. The proposed repair business is a greater deviation from the R-6 District regulations."

APPLICATION was filed with the Board on August 31, 1989, for a variance from the zoning ordinance based on Section 17.20(b) of the City Charter.

APPEARANCES:

For Applicant: Cheri Hodges

Against Applicant: Karen Kelly

FINDINGS OF FACT: The Board finds from sworn testimony and exhibits offered in this case that 3201 Floyd Avenue is occupied by an existing single-family dwelling and 14 North Auburn Avenue consists of a separate building occupied by a nonconforming contractor's office. The property is considered to be one lot for zoning purposes. The current owner acquired the property believing it consisted of separate lots. It is proposed to split the property into two lots in order that the buildings can be owned separately. The split would facilitate the renovation of both properties. The property originally consisted of two separate lots which were combined by single deed several years ago. The buildings were built in the 1920's, with 14 North Auburn originally designed as a storefront structure.

The contractor's office would be converted to an office for a violin musician who would be the owner of the property. A portion of the building would be used for repair of violins and similar stringed instruments, with one employee. There would be no more than three or four customers on the premises per week, and hours of operation would generally be 9:00 to 5:00, and no later than 7:00 P.M. The owner would also conduct violin lessons on the premises. The proposed use would be less intensive than the existing use of the property, and would involve less traffic and general activity on the site. The proposed lot split would not reduce the lot area effectively available for the dwelling and would not diminish any existing yards. The lot area would be 728 square feet short of the required 5000 square feet, and the resultant lots would be larger than most lots in the area.

The Board is satisfied that the property was acquired in good faith, that an exceptional situation exists whereby strict application of the nonconforming use, lot area, and side yard requirements unreasonably restricts its use, and that the granting of a variance in this case will alleviate a clearly demonstrable hardship and will be in harmony with the intended spirit and purpose of the ordinance and the powers of the Board.

RESOLUTION: NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ZONING APPEALS that a variance from the nonconforming use, lot area, and side yard requirement be granted to Frank E. Lester for certificates of occupancy for a single-family dwelling and a musician's office on separate lots as proposed at the above described premises, on the conditions that the principal use of the property at 14 North Auburn Avenue be for a violin musician's office; that violin repair be incidental to the office use and employ only one person; and that the hours of operation for violin repair and the giving of any violin lessons shall not extend beyond 7:00 P.M.

ACTION OF BOARD:	Granted conditionally	
Vote to Grant		
Affirmative:	Fowlkes, Johns, Rick, Richardson, Trent	5
Negative	None	0
Absent:	None	0