



BOARD OF ZONING APPEALS

MEETING MINUTES

WEDNESDAY, AUGUST 6, 2025

On Wednesday, August 6, 2025, the Board of Zoning Appeals held a public hearing in the Fifth Floor Conference Room, 900 East Broad Street, at 1:00 p.m.; display notice having been published in the Richmond Legacy Newspaper on July 23 and 30, 2025 and written notice having been sent to interested parties.

Members Present: Rodney M. Poole, Chair
 Mary J. Hogue
 Bryce L. Robertson
 Susan Sadid
 Edward H. Winks, Jr.

Staff Present: Roy W. Benbow, Secretary
 William C. Davidson, Zoning Administrator
 Brian P. Mercer, Planner
 Neil R. Gibson, Senior Assistant City Attorney

The Chairman called the meeting to order and read the Board of Zoning Appeals Introductory Statement, which explains the proceedings of the meeting. The applicant and those appearing in support of an application speak first, followed by those appearing in opposition.

BZA 18-2025 (CONTINUED FROM JULY 2, 2025 MEETING)

APPLICANT: Mark and Shaleetta Drawbaugh

PREMISES: 1308 OAKWOOD AVENUE
 (Tax Parcel Number E000-1104/032)

SUBJECT: Building permits to construct a one-story rear addition and two-story detached garage accessory to an existing single-family (detached) dwelling.

DISAPPROVED by the Zoning Administrator on April 8, 2025, based on Sections 30-300, 30-410.5(2), 30-410.6 & 30-620.1(c) of the zoning ordinance for the reason that: In an R-5 (Single-Family Residential) District, the side yard (setback) and lot coverage requirements are not met. A side yard of three feet (3') is required; 0.25 feet ± is proposed along the western property line for the proposed detached garage. Maximum lot coverage shall not exceed thirty-five percent (35%) of the area of the lot. A lot coverage of 1,402.63 square feet (35%) is permitted. A lot coverage of 1,198.27 square feet (30%) currently exists for the main building and 1,158 square feet (29%) will exist after the removal of the rear panty (40.26 SF). A lot coverage of 1,457 (36%) is proposed for the one-story rear addition and 2,033 square feet (51%) is proposed with the two-story detached garage.

APPLICATION was filed with the Board on March 23, 2025, based on Section 30-1040.3(1) of the City of Richmond Zoning Ordinance.

APPEARANCES:

For Applicant: Mark Drawbaugh

No Position: Brenda Meredith

Against Applicant: None

FINDINGS OF FACT: The Board finds from sworn testimony and exhibits offered in this case the applicant, Mark Drawbaugh, has requested a special exception to construct a one-story addition and to construct a two-story detached garage for property located at 1308 Oakwood Avenue. Mr. Drawbaugh testified that the goal of the project was to construct a 320 ft.² addition and two-story garage. Mr. Drawbaugh explained that additional square footage was needed to accommodate aging parents. Further, the garage will provide for off-street parking storage and security. Mr. Drawbaugh noted that they have had difficulty with their automobiles being broken into and found it necessary to move them off the street. On one occasion tools were actually stolen from one of Mr. Drawbaugh's vehicles. Mr. Drawbaugh explained that the zoning of these properties R-5 Single-Family Residential. Mr. Drawbaugh further explained that the R-5 zoning regulations require a lot width of 50 feet and a minimum lot area of 5000 ft.². None of the lots in the immediate vicinity comply with the underlying zoning which necessitates the current request for a special exception. Mr. Drawbaugh stated that the proposed improvements will be consistent with the architectural style of the dwelling and other dwellings in the neighborhood. Further,

surrounding neighbors had been contacted four of which indicated in writing their supported for the requested special exception and two of them had provided verbal approval. Mr. Drawbaugh noted that the adjacent property owner Ms. Brenda Meredith has concerns about the proposed project. Mr. Drawbaugh indicated that they had lived in their current dwelling for seven years and during the entire time the next-door property had been vacant with no utilities and only the stud walls remained. Mr. Drawbaugh requested that the Board approve the requested special exception in order to allow him to make the needed improvements and continue residency in the city.

Ms. Brenda Meredith testified that she was not actually in opposition to the proposed special exception but was writing as an heir to the property at 1310 Oakwood Avenue which is located adjacent to Mr. Drawbaugh's property. Ms. Meredith stated that she was representing the shared interests of our family in preserving the value, livability and character of the property and the surrounding neighborhood. Ms. Meredith noted that initially she had concerns about the property boundaries which have since been clarified as a result of the survey she had conducted. Ms. Meredith noted that a rear addition of approximately 1457 ft.² will include an additional bedroom and bathroom. Further, a two-story detached garage of 576 ft.² is proposed to be constructed at the rear of the lot and a total proposed lot coverage of approximately 2033 ft.² or 51% of the lot exceeding the allowable 35% is proposed. This represents a 60% increase over the allowable lot coverage. Ms. Meredith noted that the family had lived at 1310 Oakwood Avenue for generations. Photographs from earlier decades show the backyard as a vibrant place for community gatherings, framed by 4-foot-tall fences. In addition, the former garage height was one story allowing for ample light, sky views and natural ventilation. Ms. Meredith expressed concern regarding a 22-foot-tall two-story garage located within 3.2 feet of the property line which would affect the sense of openness. Ms. Meredith stated that the height and massing of the garage will transform the scale and feel of our backyard in a confining way. Ms. Meredith questioned whether the request was truly the minimum necessary, whether the proposal is consistent with the development pattern and architectural character of the neighborhood and whether the impact on similarly sized adjacent lots is reasonable, justified and proportionally fair. Ms. Meredith closed by questioning the long-term precedent setting nature of this type of approval and stated that if approved she would hope that if any future request is made regarding her property that the Board would consider the precedent-setting nature of the applicant's approval.

The Chairperson, Mr. Poole, responded by stating that each request considered by the Board is case specific and precedents from one case to another case cannot be drawn.

The Board is satisfied that the property was acquired in good faith and pursuant to Section 30-1040.3(1) of the City Code, the intended purpose and use of the proposed addition and accessory use is consistent with the zoning district regulations; departure from the yard requirements is the minimum necessary to accommodate the intended purpose of the addition and accessory use; the addition and accessory use or similar construction serving the same purpose cannot reasonably be located elsewhere on the lot in compliance with the zoning ordinance; and the addition and accessory use will be in keeping with the architectural character of the dwelling and development within the neighborhood.

RESOLUTION: NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ZONING APPEALS that a request for a special exception from the side yard (setback) and lot coverage requirements be granted to Mark and Shaleetta Drawbaugh for building permits to construct a one-story rear addition and two-story detached garage accessory to an existing single-family (detached) dwelling, subject to substantial compliance with the plans submitted to the Board and provision of cementitious siding.

ACTION OF THE BOARD: (5-0)

Vote to Grant Conditionally affirmative: Poole, Hogue, Robertson, Sadid, Winks
negative: None

BZA 29-2025

APPLICANT: Watchtower Homes and Construction LLC

PREMISES: 3007 LETCHER AVENUE
(Tax Parcel Number N000-0984/007)

SUBJECT: Lot splits and building permits to construct three new single-family (detached) dwellings.

DISAPPROVED by the Zoning Administrator on May 16, 2025, based on Sections 30-300, 30-410.4 & 30-410.6 of the zoning ordinance for the reason that: In an R-5 (Single-Family Residential) District, the lot area, lot width, and lot coverage requirements are not met. Lot areas of six thousand square feet (6,000 SF) and lot widths of fifty feet (50') are required. For zoning purposes, one lot having a lot area of 8,155.8 square feet and a lot width of sixty feet (60') currently exists. Lots areas of 2,038± square feet and lot widths of thirty feet (30') are proposed.

Maximum lot coverage shall not exceed thirty-five percent (35%) of the area of the lot. A lot coverage of 9.37% exists; 37.49% is proposed for the existing dwelling (No. 3007).

APPLICATION was filed with the Board on May 16, 2025, based on Section 30-1040.3(2) of the City of Richmond Zoning Ordinance.

APPEARANCES:

For Applicant: Will Gillette

Against Applicant: None

FINDINGS OF FACT: The Board finds from sworn testimony and exhibits offered in this that the applicant, Watchtower Homes and Construction LLC, have requested a special exception to construct three new single-family detached dwellings for property located at 3007 Letcher Avenue. Mr. Will Gillette, representing the applicant, testified that the request is being made under special exception #2 to permit the division of an existing parcel. The original configuration consisted of four parcels with two parcels fronting Letcher Avenue and two parcels fronting Veranda Avenue which were combined from a zoning perspective. The requested special exception would permit the division of the parcel into the original four subdivision lots with the existing home being retained on one of the lots and a total of three new single-family dwellings being constructed on the remaining lots. Mr. Gillette noted that the request is consistent with the special exception intent of creating infill housing that is compatible with the surrounding neighborhood. The proposed parcels measure approximately 30 feet in width and 68 feet in depth and contain approximately 2038 ft.² of lot area. Mr. Gillette noted that the subject lots are reflective of the historic subdivision lot sizes in the neighborhood. The proposed dwellings will be of a traditional two-story design compatible with the existing homes in the area and including a gable roof, full width front porch and cementitious siding. The dwellings will include three bedrooms two and half baths and meet the needs of today's homebuyers. The lots were originally legal lots of record including street frontage and all side yard requirements will be met. Mr. Gillette concluded by stating they had reached out to the Highland Park Quality of Life Association regarding the requested special exception but had not received a response. In addition, letters were sent to all property owners within a 150-foot radius and the adjacent property owner had responded indicating they had no issues with the request.

The Board is satisfied that the property was acquired in good faith and pursuant to Section 30-1040.3 (2) of the zoning ordinance, the subject lots have previously consisted of legal lots of record that were subsequently combined by deed or other means, and the number of lots to be created do not exceed the number of

previously existing lots of record, the new lots comply with Section 30-610.1 of the zoning ordinance and off-street parking requirements will be met, each lot created by the division will comply with the requisite side yard requirements, the division will comply with applicable requirements of the subdivision regulations, the areas and widths of the lots created by the division are consistent with the predominant lot areas and lot widths in the immediate vicinity of the property and that dwellings to be constructed on the lots will be compatible with the dwellings existing or to be constructed in the immediate vicinity of the property.

RESOLUTION: NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ZONING APPEALS that a request for a special exception from the lot area, lot width, and lot coverage requirements be granted to Watchtower Homes and Construction LLC for lot splits and building permits to construct three new single-family (detached) dwellings, subject to substantial compliance with the plans submitted to the Board and provision of cementitious siding.

ACTION OF THE BOARD: (5-0)

Vote to Grant Conditionally

affirmative: Poole, Hogue, Robertson, Sadid, Winks

negative: None

BZA 30-2025

APPLICANT: Black & Tan House LLC

PREMISES: 4602 PATTERSON AVENUE
(Tax Parcel Number W019-0202/017)

SUBJECT: A building permit to construct a single-story rear addition and to construct a detached accessory structure to an existing single-family (detached) dwelling.

DISAPPROVED by the Zoning Administrator on June 13, 2025, based on Sections 30-300, 30-410.5(2) & 30-410.6 of the zoning ordinance for the reason that: In an R-5 (Single-Family Residential) District, the side yard (setback) and lot coverage requirements are not met. A side yard of five feet (5') is required for the proposed addition along the western property line; 4.8'± is proposed. Maximum lot coverage shall not exceed thirty-five percent (35%) of the area of the lot. A lot coverage of twenty percent (20%) exists; 38.6% is proposed.

APPLICATION was filed with the Board on June 13, 2025, based on Section 30-1040.3(1) of the City of Richmond Zoning Ordinance.

APPEARANCES:

For Applicant: Elizabeth Audet

Against Applicant: None

FINDINGS OF FACT: The Board finds from sworn testimony and exhibits offered in this case that the applicant, Black and Tan House LLC, has requested a special exception to construct a single-story rear addition and to construct a detached accessory structure to an existing single-family detached dwelling for property located at 4602 Patterson Avenue. The side yard setback and lot coverage requirements are not met. A side yard of 5 feet is required and 4.8 feet is proposed along the western property line for the proposed addition. A maximum lot coverage of 35% is permitted and a lot coverage of 38.6% is proposed. Ms. Elizabeth Audet, representing the applicant, testified that the proposed additions are permitted by the ordinance use regulations. Departure from the side yard and lot coverage requirements is the minimum necessary to accommodate the proposed additions and represent only minor deviations from the regulations. Further, the proposed additions cannot reasonably be located elsewhere on the lot in compliance with the zoning ordinance. The proposed addition and accessory structure will be in keeping with the architectural character of the dwelling and the development pattern of the neighborhood. Mr. Audet stated that the proposed improvements are necessary to modernize and improve the functionality and livability of the dwelling. Consistent with the intent statement the proposed improvements will promote overall neighborhood improvement. Ms. Audet stated that neighbors had been notified and there was no opposition to the proposed special exception request.

The Board is satisfied that the property was acquired in good faith and pursuant to Section 30-1040.3(1) of the City Code, the intended purpose and use of the proposed addition and accessory use is consistent with the zoning district regulations; departure from the yard requirements is the minimum necessary to accommodate the intended purpose of the addition and accessory use; the addition and accessory use or similar construction serving the same purpose cannot reasonably be located elsewhere on the lot in compliance with the zoning ordinance; and the addition and accessory use will be in keeping with the architectural character of the dwelling and development within the neighborhood.

RESOLUTION: NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ZONING APPEALS that a request for a special exception from the side yard (setback) and lot coverage requirements be granted to Black & Tan House LLC

for a building permit to construct a single-story rear addition and to construct a detached accessory structure to an existing single-family (detached) dwelling, subject to substantial compliance with the plans submitted to the Board and provision of cementitious siding.

ACTION OF THE BOARD: (5-0)

Vote to Grant Conditionally

affirmative: Poole, Hogue, Robertson, Sadid, Winks

negative: None

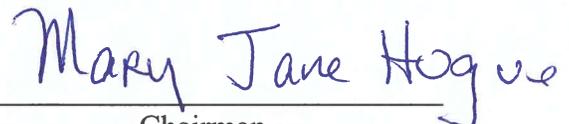
Upon motion made by Ms. Hogue and seconded by Ms. Sadid, Members voted (4-0) to adopt the Board's July meeting minutes.

Upon motion made by Mr. Winks and seconded by Ms. Sadid, Members voted unanimously (5-0) to appoint Ms. Mary Jane Hogue as the Vice Chair to the Richmond Board of Zoning Appeals

The meeting was adjourned at 1:45 p.m.



Secretary



Chairman