

INTRODUCED: March 11, 2024

AN ORDINANCE No. 2024-090

To authorize the special use of the property known as 2430 Rucker Lane for the purpose of up to two single-family detached dwellings, upon certain terms and conditions.

\_\_\_\_\_  
Patron – Mayor Stoney (By Request)

\_\_\_\_\_  
Approved as to form and legality  
by the City Attorney  
\_\_\_\_\_

PUBLIC HEARING: APR 8 2024 AT 6 P.M.

WHEREAS, the owner of the property known as 2430 Rucker Lane, which is situated in a R-4 Single-Family Residential District, desires to use such property for the purpose of up to two single-family detached dwellings, which use, among other things, is not currently allowed by section 30-408.4, concerning lot area and 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 congestion in streets, roads, alleys and other public ways and places in the area involved, will not

AYES: 8 NOES: 0 ABSTAIN: \_\_\_\_\_

ADOPTED: APRIL 8 2024 REJECTED: \_\_\_\_\_ STRICKEN: \_\_\_\_\_

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 2430 Rucker Lane and identified as Tax Parcel No. C009-0472/064 in the 2024 records of the City Assessor, being more particularly shown on a survey entitled “Plat Showing Improvements on Lots 1, 2, & 3, Block ‘E,’ ‘Vaughn Heights’ in the City of Richmond [sic], Virginia.,” prepared by Harvey L. Parks, Inc., and dated October 22, 2021, 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 two single-family detached dwellings, hereinafter referred to as “the Special Use,” substantially as shown on the plans entitled “Proposed Single Family Dwelling for Marlesha Coston, M.P. Coston Properties, LLC,” prepared by Designs by Carlisle, dated July 5, 2023, and last revised October 31, 2023, “Proposed Duplex Unit for Marlesha Coston, M. P. Coston Properties, LLC,” prepared by Designs by Carlisle, dated July 5, 2023, and last revised October 31, 2023, and “Plat Showing Lot #3, Block ‘E,’ ‘Vaughan Heights,” prepared by Designs by Carlisle, dated July 1, 2023, and last revised October 31, 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 two single-family detached dwellings, substantially as shown on the Plans.

(b) No fewer than two off-street parking spaces shall be required for the Special Use, substantially as shown on the Plans.

(c) The height of the Special Use shall not exceed one story, substantially as shown on the Plans.

(d) All building materials, elevations and site improvements shall be substantially as shown on the Plans.

(e) All mechanical equipment serving the Property shall be located or screened so as not to be visible from any public right-of-way.

(f) Prior to the issuance of a 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.

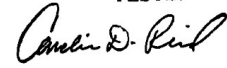
§ 6. **Implementation.** The Commissioner of Buildings is authorized to issue a building permit substantially in accordance with the Plans for the Special Use subject to the terms and conditions set forth in this ordinance. An application for the building permit shall be made within 730 calendar days 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:

\_\_\_\_\_  
Assistant City Attorney

A TRUE COPY:  
TESTE:



City Clerk



# City of Richmond

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

## Master

**File Number: Admin-2024-0040**

**File ID:** Admin-2024-0040      **Type:** Request for Ordinance or Resolution      **Status:** Regular Agenda

**Version:** 1      **Reference:**      **In Control:** City Clerk Waiting Room

**Department:**      **Cost:**      **File Created:** 01/16/2024

**Subject:**      **Final Action:**

**Title:**

**Internal Notes:**

**Code Sections:**

**Agenda Date:** 03/11/2024

**Indexes:**

**Agenda Number:**

**Patron(s):**

**Enactment Date:**

**Attachments:** Admin-2024-0040 - 2430 Rucker Lane - Application Documents, Admin-2024-0040 - 2430 Rucker Lane Ordinance AATF

**Enactment Number:**

**Contact:**

**Introduction Date:**

**Drafter:** Shaianna.Trump@rva.gov

**Effective Date:**

**Related Files:**

### Approval History

Version	Seq #	Action Date	Approver	Action	Due Date
1	1	2/13/2024	Matthew Ebinger	Approve	2/15/2024
1	2	2/13/2024	Kris Daniel-Thiem - FYI	Notified - FYI	
1	3	2/15/2024	Kevin Vonck	Approve	2/20/2024
1	4	2/15/2024	Alecia Blackwell - FYI	Notified - FYI	
1	5	2/15/2024	Sharon Ebert - FYI	Notified - FYI	
1	6	2/15/2024	Caitlin Sedano - FYI	Notified - FYI	
1	7	2/22/2024	Jeff Gray	Approve	2/19/2024
1	8	2/22/2024	Lincoln Saunders	Approve	2/26/2024
1	9	2/28/2024	Mayor Stoney	Approve	2/26/2024

### History of Legislative File



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<b>Ver- sion:</b>	<b>Acting Body:</b>	<b>Date:</b>	<b>Action:</b>	<b>Sent To:</b>	<b>Due Date:</b>	<b>Return Date:</b>	<b>Result:</b>
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**Text of Legislative File Admin-2024-0040**

**City of Richmond**  
Intracity Correspondence

**O&R Transmittal**

**DATE:** February 13, 2024

**TO:** The Honorable Members of City Council

**THROUGH:** The Honorable Levar M. Stoney, Mayor (by request)  
(This is no way reflects a recommendation on behalf of the Mayor)

**THROUGH:** J.E. Lincoln Saunders, Chief Administrative Officer

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

**RE:** To authorize the special use of the property known as 2430 Rucker Lane for the purpose of up to two single-family detached dwellings, upon certain terms and conditions.

**ORD. OR RES. No.**

**PURPOSE:** The applicant is requesting a Special Use Permit to authorize the construction of two single-family detached dwellings. Requirements regarding lot area and lot width cannot be met. A Special Use Permit is therefore required.

**BACKGROUND:** The property is located in the Hickory Hill neighborhood on the corner of Rucker Lane and Norborne Road between Oberlin Road and Wendell Lane. The property is currently a 9,292 square foot (0.213 acre) parcel of land. The City’s Richmond 300 Master Plan designates the future land use for the subject property as Residential, which is defined as, “Neighborhood consisting primarily of single-family houses on large- or medium-sized lots more homogeneous in nature.” (Richmond 300, p. 54).

Intensity: Buildings are generally one to three stories. Lot sizes generally range up to 5,000 to 20,000+

sq. ft. Residential density of 2 to 10 housing units per acre.

Primary Uses: Single-family houses, accessory dwelling units, and open space.

Secondary Uses: Duplexes and small multi-family buildings (typically 3-10 units), institutional, and cultural. Secondary uses may be found along major streets.

The current zoning for the property is R-4 - Residential (Single Family). Adjacent properties are within the same R-4 District. The area is generally residential properties.

**COMMUNITY ENGAGEMENT:** Area residents and property owners will be notified prior to the scheduled public hearings, per city and state code.

**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:** March 11, 2024

**CITY COUNCIL PUBLIC HEARING DATE:** April 8, 2024

**REQUESTED AGENDA:** Consent

**RECOMMENDED COUNCIL COMMITTEE:** Planning Commission, April 2, 2024

**AFFECTED AGENCIES:** Office of Chief Administrative Officer

Law Department (for review of draft ordinance)

**RELATIONSHIP TO EXISTING ORD. OR RES.:** None

**ATTACHMENTS:** Draft Ordinance, Application Form, Applicant's Report, Plans, Survey, Map

**STAFF:** Shaianna Trump, Planner Associate, Land Use Administration (Room 511) 646-7319

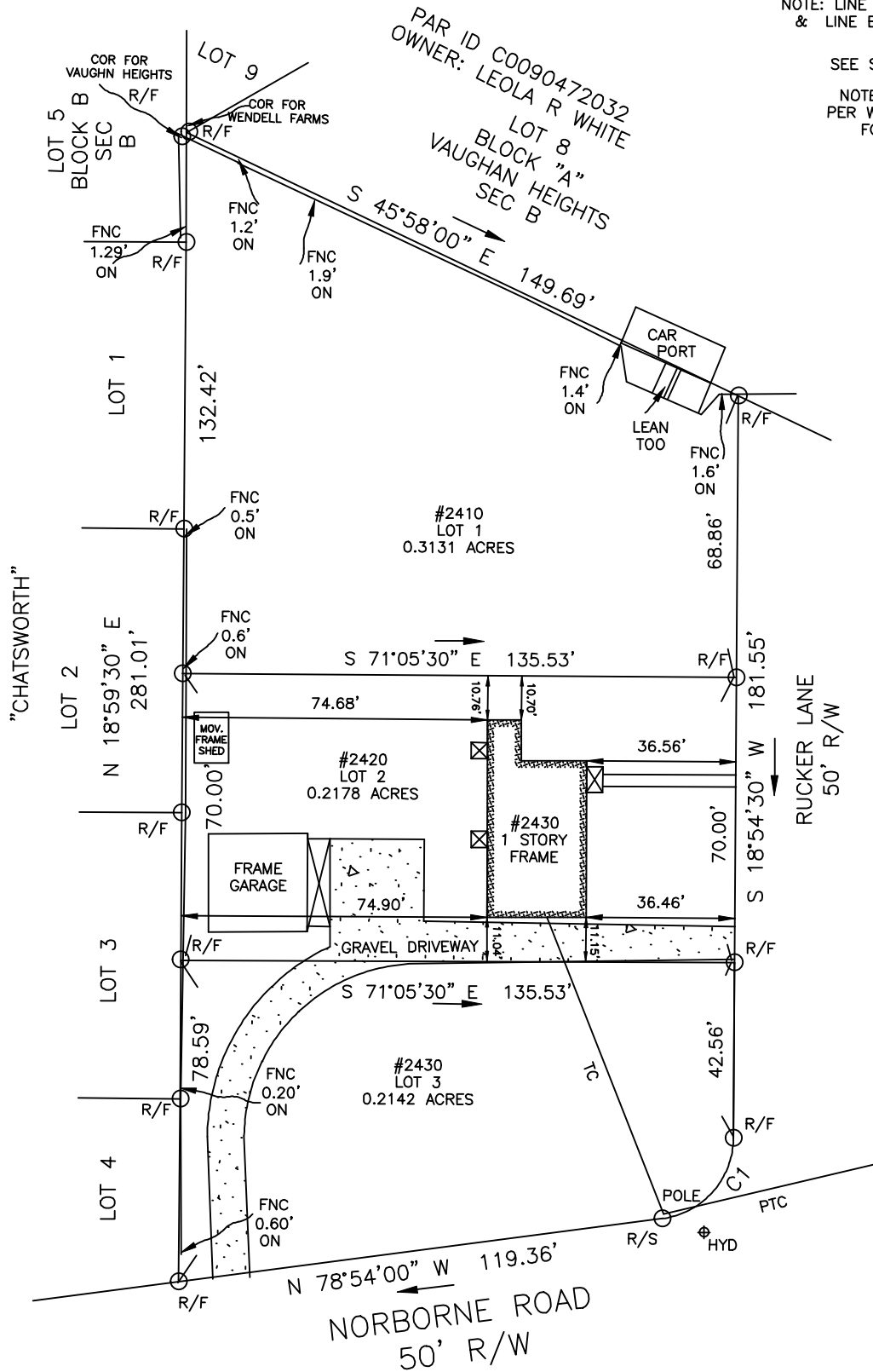
THIS IS TO CERTIFY THAT ON 10-13-2021, I MADE AN ACCURATE FIELD SURVEY OF THE PREMISES SHOWN HEREON AND THAT THERE ARE NO EASEMENTS OR ENCROACHMENTS VISIBLE ON THE GROUND OTHER THAN THOSE SHOWN HEREON.

THIS PROPERTY IS IN H.U.D. DEFINED FLOOD HAZARD AREA. ZONE: X, AS SHOWN ON FIRM COMMUNITY PANEL #5101290076D, DATED 04/02/2009.

OWNER: LEOLA R. WHITE  
 LOT 1 PAR ID: C0090472060  
 LOT 2 PAR ID: C0090472062  
 LOT 3 PAR ID: C0090472064



NOTE: LINE BY WENDELL FARMS & LINE BY VAUGHN HEIGHTS OVERLAP  
 SEE SHEET 2 OF 2  
 NOTE: USING LINE PER WENDELL FARMS FOR SURVEY



CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	20.00'	28.69'	26.29'	S 60°00'15" W	82°11'30"

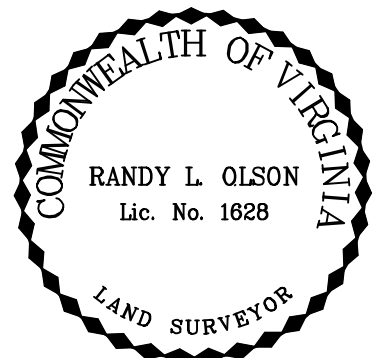
SHEET 1 OF 2

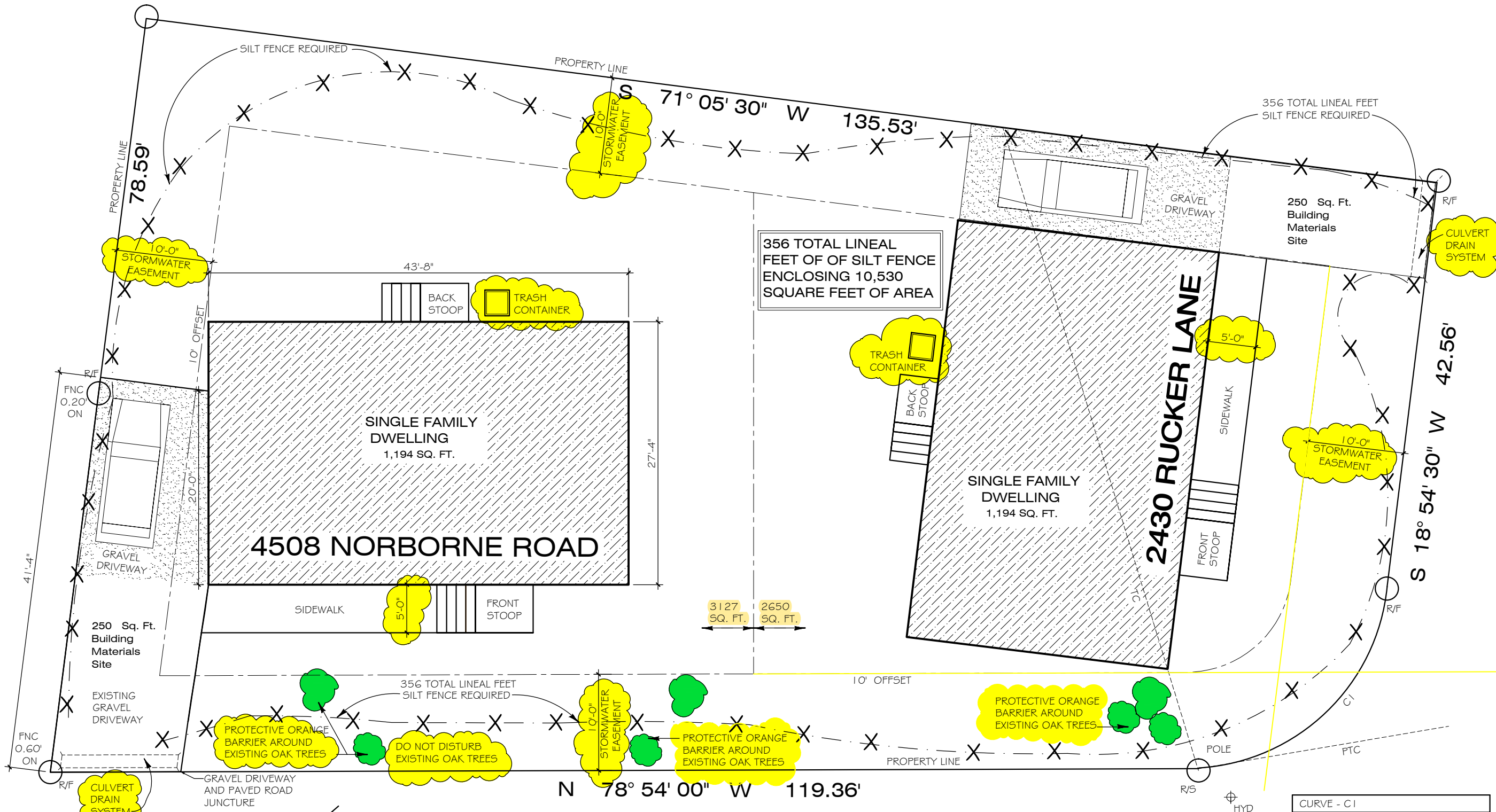
THIS SURVEY IS SUBJECT TO ANY EASEMENTS OF RECORD AND OTHER PERTINENT FACTS WHICH A TITLE SEARCH MIGHT DISCLOSE.

**HARVEY L. PARKS, INC.**  
 4508 W. HUNDRED ROAD  
 CHESTER, VA.  
 PHONE: 804-748-8641  
 EMAIL: SURVEYS@HARVEYL.PARKS.COM

DATE: OCTOBER 22, 2021 SCALE: 1"=40'  
 DRAWN BY: H.T.J.  
 CHECKED BY: R.L.O.  
 F.BK.: 641, PG. 06 64106.dwg

PLAT SHOWING IMPROVEMENTS ON  
 LOTS 1, 2, & 3, BLOCK "E"  
 "VAUGHN HEIGHTS"  
 IN THE CITY OF  
 RICHMOND, VIRGINIA





356 TOTAL LINEAL FEET OF SILT FENCE ENCLOSING 10,530 SQUARE FEET OF AREA

# 4508 Norborne Road SITE PLAN

SCALE: 3/32" = 1'-0"

## PLAT SHOWING LOT #3, BLOCK "E" "VAUGHAN HEIGHTS"

SURVEY DATA BY:  
RANDY L. OLSON, Lic. No. 1628  
LAND SURVEYORS

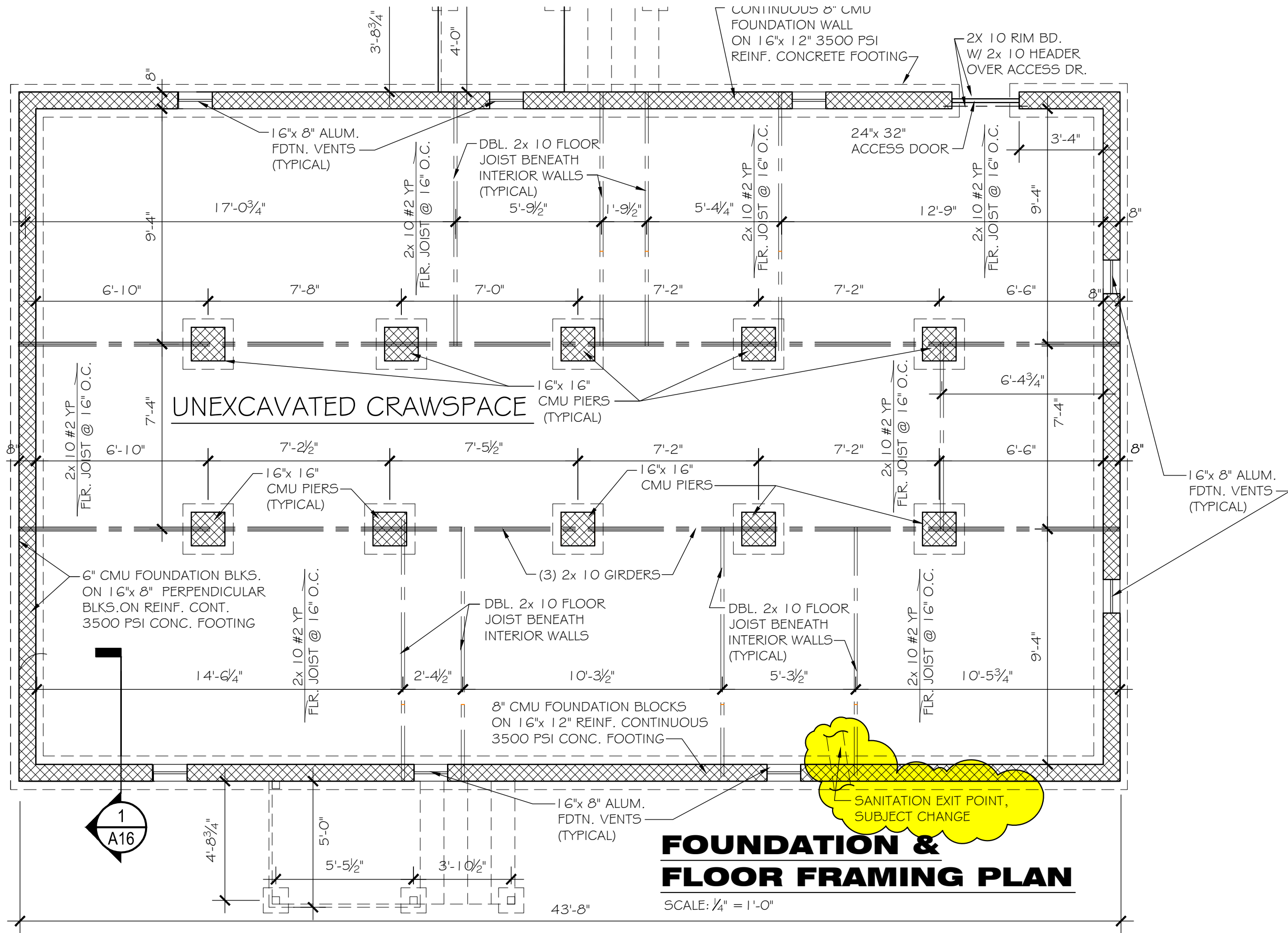
CURVE - C1
RADIUS - 20.00'
ARC LENGTH - 28.69
CHORD LENGTH - 26.29
CHORD BEARING - S 60° 00' 15" W
DELTA ANGLE - 82° 11' 30"

Proposed Single Family Dwelling  
for  
**Marlesha Coston**  
**M.P. Coston Properties, LLC**  
4508 Norborne Road & 2430 Rucker Lane, Richmond, Virginia 23234

Designs by **CARLISLE**  
Specializing in Custom Residential Designs Since 1975  
12005 Taplow Road  
Midlothian, VA 223112  
Cell (540) 537-1027

DRN. BY: TCR	DATE: 07-01-23
CHKD. BY: TCR	DATE: 07-01-23
SITE PLAN - 4508 NORBORNE RD.	
REVISED:	07-19-23
REVISED:	08-22-23
REVISED:	08-30-23
REVISED:	09-05-23
REVISED:	10-25-23
COMMENT LETTER #1	REVISION
	10-31-23

**S.1**



Proposed Duplex Unit

for  
**Marlesha Coston**

**M.P. Coston Properties, LLC**

2430 Rucker Lane, Richmond, Virginia 23234

Designs by **CARLISLE**

Specializing in Custom Residential Designs Since 1975

Middleham, VA 23112

12005 Taplow Road  
Cell (540)537-1027

DRN. BY: TCR	DATE: 07-05-23
CHKD. BY: TCR	DATE: 07-05-23
FOUNDATION PLAN	
REVISED:	08-22-23
REVISED:	10-25-23
COMMENT #1	
REVISION:	10-31-23

**A.3**

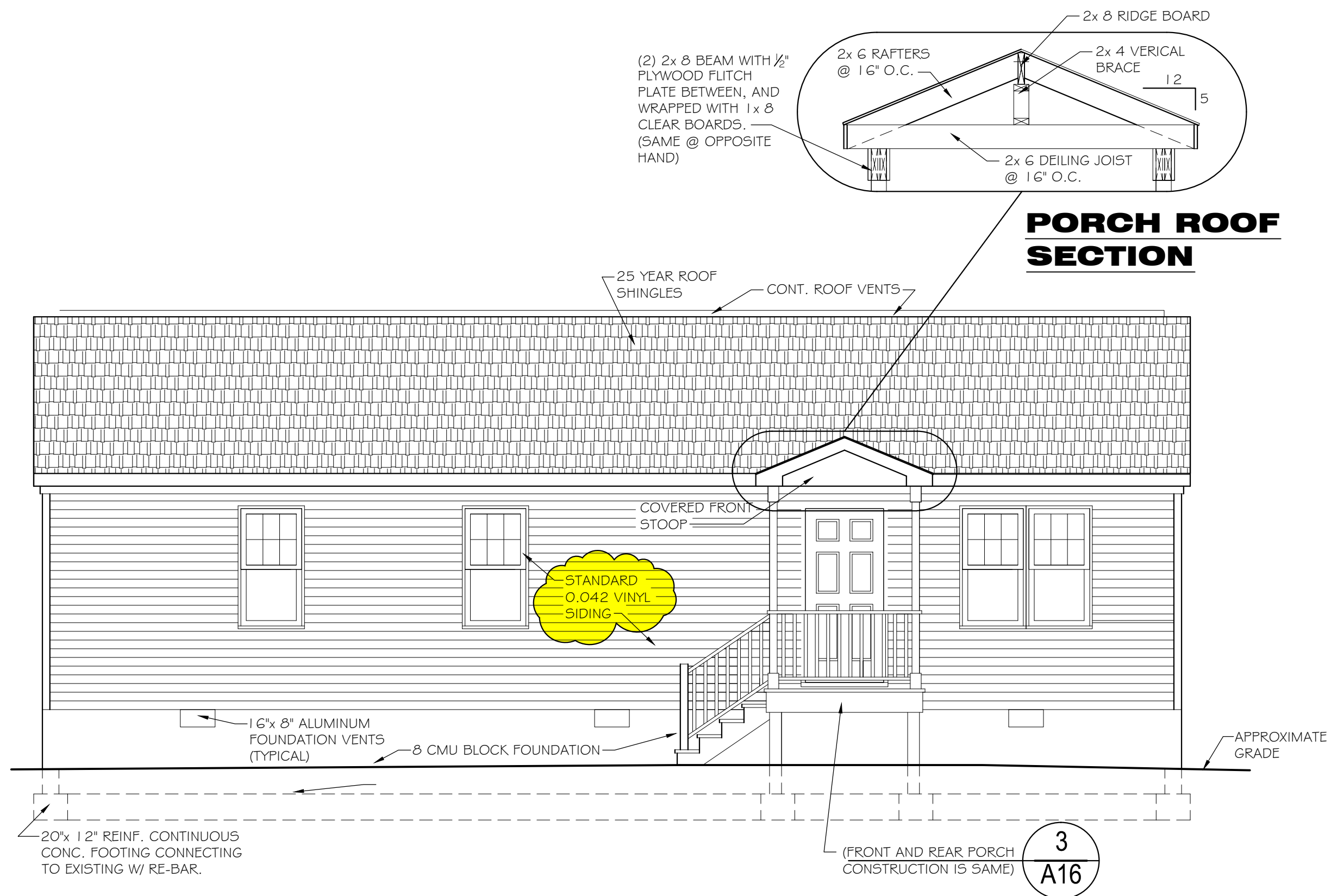


Proposed Single Family Dwelling  
for  
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Midlothian, VA 22312

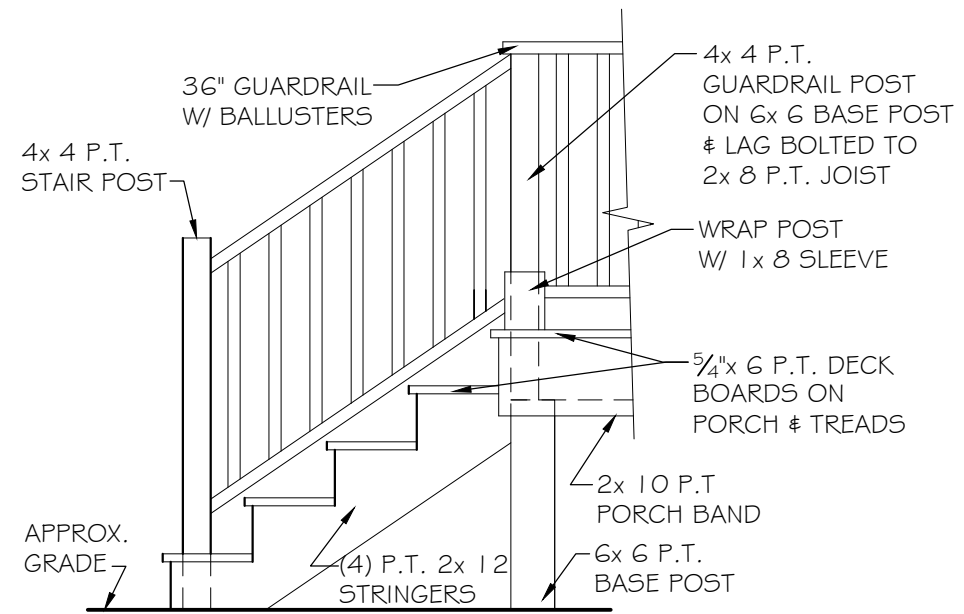
DRN. BY: TCR	DATE: 07-05-23
CHKD. BY: TCR	DATE: 07-05-23
MAIN FLOOR PLAN UNIT #1	
REVISED:	08-30-23
REVISED:	10-25-23
COMMENT #1	
REVISIONS	10-31-23

**A·8**



**FRONT ELEVATION - SAME @ OPPOSITE HAND**

SCALE: 1/4" = 1'-0"



SEE STAIR FRAMING PLAN ON DETAIL 3 SHT. A12

APPROX. GRADE

(4) P.T. 2x 12 STRINGERS

2x 10 P.T. PORCH BAND

6x 6 P.T. BASE POST

4x 4 P.T. GUARDRAIL POST ON 6x 6 BASE POST & LAG BOLTED TO 2x 8 P.T. JOIST

WRAP POST W/ 1x 8 SLEEVE

5/4\"/>

**PORCH SECTION**

SCALE: 1/2" = 1'-0"

3  
A16

CEILING PLATELINE

8'-1"

VENTED VINYL SOFFIT

(FRONT AND REAR PORCH CONSTRUCTION IS SAME)

SUB-FLOOR ELEV.

1x 4 FRIEZE BOARD.  
1x 6 RAKE BOARD.  
CONT. ROOF VENT

5  
12

STANDARD 0.042 VINYL SIDING

25 YEAR ROOF SHINGLES

COVERED FRONT STOOP

(FRONT AND REAR PORCH CONSTRUCTION IS SAME)

APPROXIMATE GRADE

8 CMU BLOCK FOUNDATION

16"x 8" ALUMINUM FOUNDATION VENTS (TYPICAL)

**LEFT END ELEVATION**

SCALE: 1/4" = 1'-0"

20"x 12" REINF. CONTINUOUS CONC. FOOTING CONNECTING TO EXISTING W/ RE-BAR.

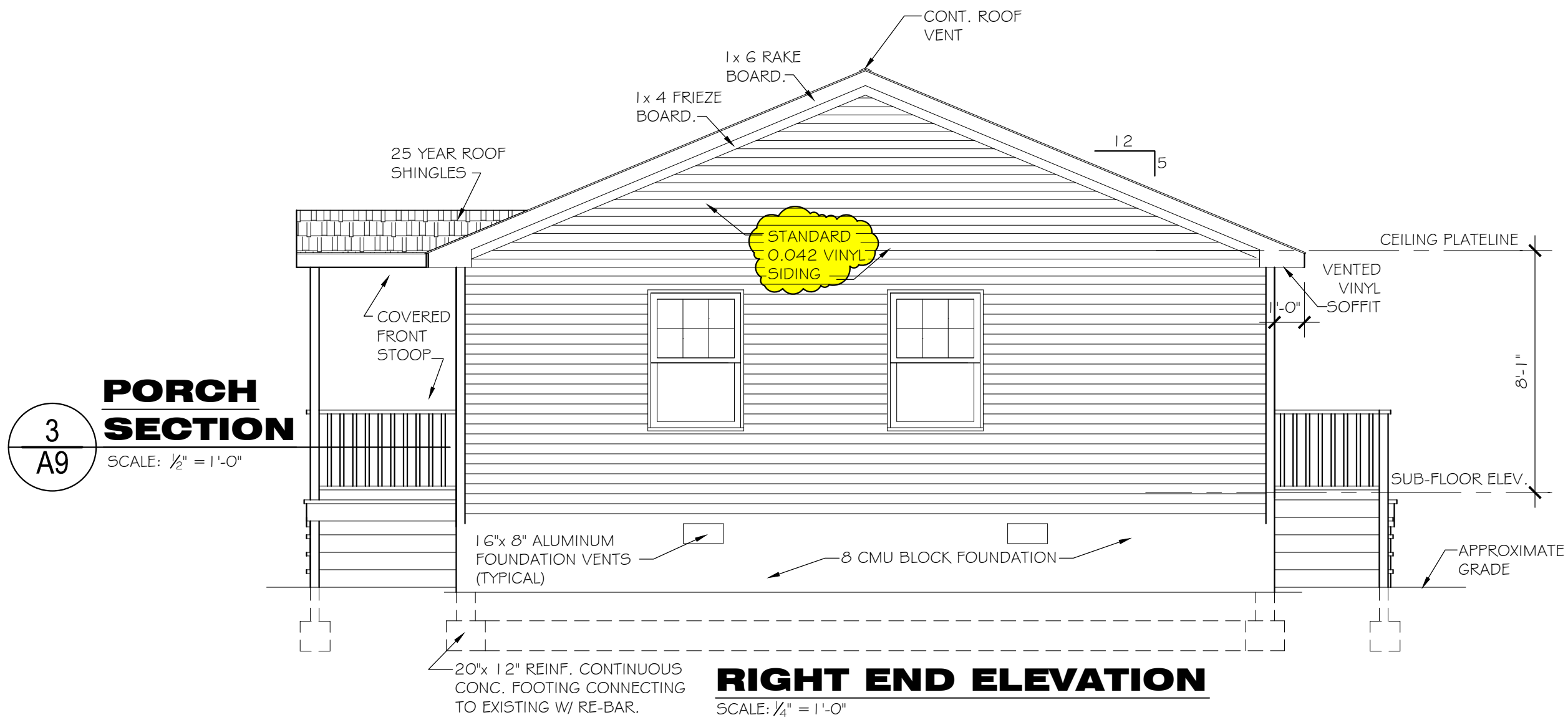
Proposed Single Family Dwelling  
for  
**Marlesha Coston**  
**M.P. Coston Properties, LLC**  
4508 Norborne, Richmond, Virginia 23234

Designs by CARLISLE  
Specializing in Custom Residential Designs Since 1976  
12005 Taplow Road  
Cell (540) 537-1027  
Midlothian, VA 22312

DRN. BY: TCR	DATE: 07-05-23
CHKD. BY: TCR	DATE: 07-05-23
LEFT END ELEVATION	
REVISED:	08-22-23
REVISED:	08-30-23
REVISED:	10-25-23
COMMENT #1 REVISIONS	10-31-23

**A.9**



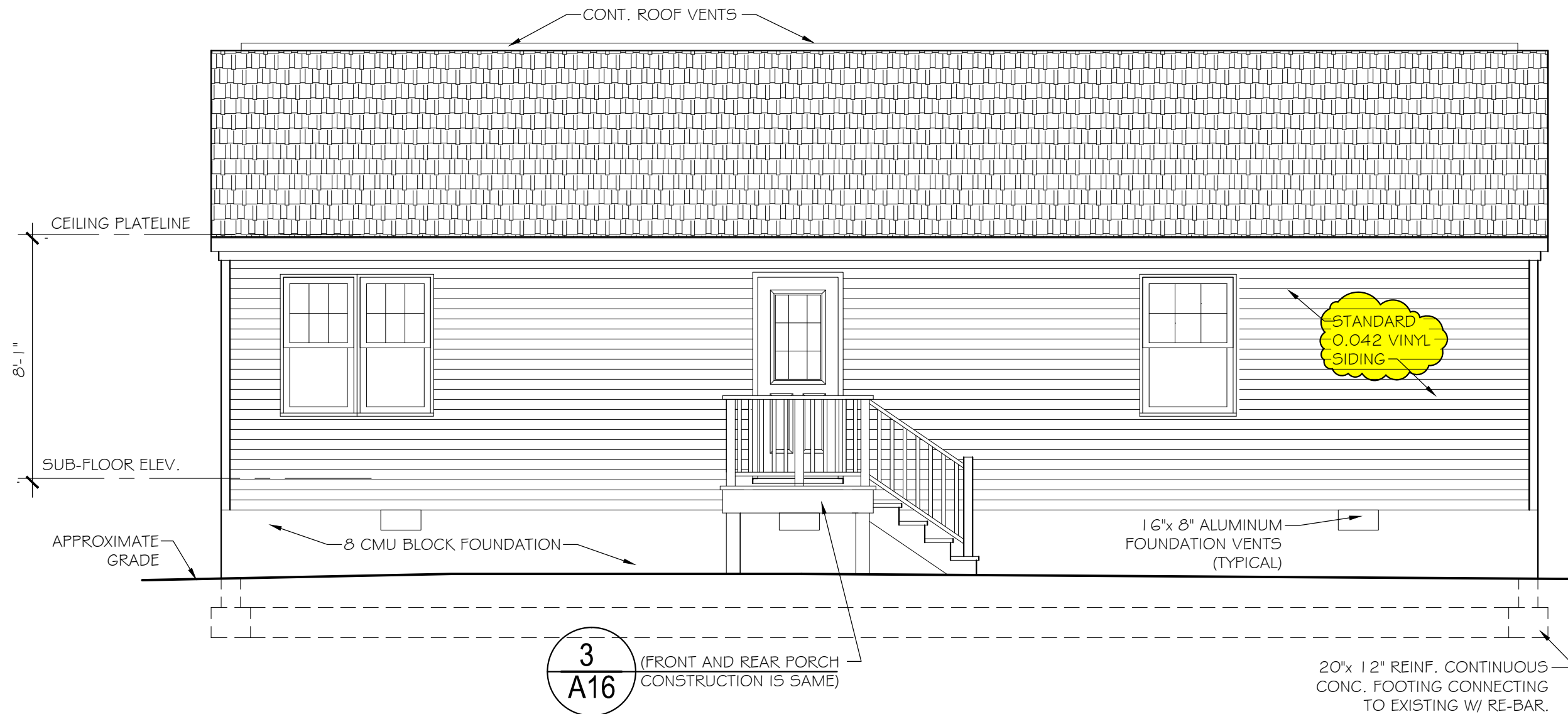


Proposed Single Family Dwelling  
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**Designs by CARLISLE**  
Specializing in Custom Residential Designs Since 1976  
Midlothian, VA 23112  
12005 Taplow Road  
Cell (540) 537-1027

DRN. BY: TCR	DATE: 07-05-23
CHKD. BY: TCR	DATE: 07-05-23
MAIN FLOOR PLAN UNIT #2	
REVISED:	08-22-23
REVISED:	10-25-23
COMMENT #1	
REVISIONS	10-31-23

**A·10**



**3**  
**A16** (FRONT AND REAR PORCH  
CONSTRUCTION IS SAME)

## REAR ELEVATION UNIT

SCALE: 1/4" = 1'-0"

20"x 12" REINF. CONTINUOUS  
CONC. FOOTING CONNECTING  
TO EXISTING W/ RE-BAR.

Proposed Single Family Dwelling  
for  
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**M.P. Coston Properties, LLC**  
4508 Norborne Road, Richmond, Virginia 23234

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DRN. BY: TCR	DATE: 07-05-23
CHKD. BY: TCR	DATE: 07-05-23
MAIN FLOOR PLAN UNIT #2	
REVISED:	08-22-23
REVISED:	10-25-23
COMMENT #1	
REVISIONS	10-31-23

**A·11**