

INTRODUCED: January 12, 2026

AN ORDINANCE No. 2026-022

To authorize the special use of the property known as 2835 Burfoot Street for the purpose of up to three single-family detached dwellings, excepting such property from the terms and conditions of Ord. No. 2023-262, adopted Oct. 10, 2023, upon certain terms and conditions. (5th District)

Patron – Mayor Avula (By Request)

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: FEB 9 2026 AT 6 P.M.

WHEREAS, the owner of the property known as 2835 Burfoot Street, which is situated in a R-5 Single-Family Residential District, desires to use such property for the purpose of up to three single-family detached dwellings, excepting such property from the terms and conditions of Ordinance No. 2023-262, adopted October 10, 2023, which use, among other things, is not currently allowed by sections 30-410.4, concerning lot area and width, 30-410.5, concerning yards, and 30-410.6, concerning lot coverage, 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

AYES: _____ NOES: _____ ABSTAIN: _____

ADOPTED: _____ REJECTED: _____ STRICKEN: _____

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 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) Notwithstanding Ordinance No. 2023-262, adopted October 10, 2023, to the contrary, and subject to the terms and conditions set forth in this ordinance, the property known as 2835 Burfoot Street and identified as Tax Parcel No. S000-1123/036 in the 2026 records of the City Assessor, being more particularly shown on a survey entitled “Sketch Showing a Proposed Division & Improvements on No. 2835 Burfoot Street, in the City of Richmond, VA.,” prepared by Virginia Surveys, dated May 16, 2025, and last revised August 26, 2025, 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 three single-family detached dwellings, excepting such property from the terms and conditions of Ordinance No. 2023-262, adopted October 10, 2023, hereinafter referred to as “the Special Use,” substantially as shown on the plans entitled “Sketch Showing a Proposed Division & Improvements on No. 2835 Burfoot Street, in the City of Richmond, VA.,” prepared by Virginia Surveys, dated May 16, 2025, and last revised August 26, 2025, “2831 Burfoot St.,” prepared by River Mill Development, and dated February 8, 2025, and “2833 Burfoot St.,” prepared by River Mill Development, and dated February 8, 2025, 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) Notwithstanding Ordinance No. 2023-262, adopted October 10, 2023, to the contrary, the Special Use of the Property shall be as up to three single-family detached dwellings, excepting such property from the terms and conditions of Ordinance No. 2023-262, adopted October 10, 2023, substantially as shown on the Plans

(b) No off-street parking shall be required for the Special Use.

(c) The height of the Special Use shall not exceed two stories, 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 three 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) The Owner shall make improvements within the right-of-way, including the installation of new sidewalk and two street trees along Burfoot Street, substantially as shown on the Plans, which improvements may be completed in one or more phases as approved by the Director of Public Works. All improvements and work within the public right-of-way shall be (i) completed in accordance with the requirements of the Director of Public Works, (ii) considered completed only upon written confirmation by the Director of Public Works or the designee thereof that such improvements and work are in accordance with such requirements, and (iii) transferred to the City following the written confirmation by the Director of Public Works or the designee thereof, pursuant to a transfer of interest document approved as to form by the City Attorney and accepted by the Chief Administrative Officer or the designee thereof on behalf of the City.

The Chief Administrative Officer or the designee thereof, for and on behalf of the City, is hereby authorized to accept, in the manner for which this subsection provides, all improvements and work required by and meeting the requirements of this subsection. The final certificate of occupancy shall not be issued for the Property until all requirements of this subsection are fully satisfied.

(f) In all other respects, the use of the Property shall be in accordance with the applicable underlying zoning regulations.

§ 5. General Terms and Conditions. This special use permit is conditioned on the following general terms and conditions:

(a) No permit implementing this special use permit shall be approved until satisfactory evidence has been presented to the Zoning Administrator that any delinquent real estate taxes applicable to the Property have been paid.

(b) The Owner shall be bound by, shall observe and shall comply with all other laws, ordinances, rules and regulations applicable to the Property, except as otherwise expressly provided in this ordinance.

(c) Words and phrases used in this ordinance shall be interpreted to have the meanings ascribed to them by section 30-1220 of the Code of the City of Richmond (2020), as amended, unless the context clearly indicates that a different meaning is intended.

(d) Notwithstanding any other provision of law, this special use permit is being approved due, in part, to the mitigating effects of each and every condition attached hereto; consequently, if any portion of this ordinance is determined to be invalid for any reason by a final, non-appealable order of any Virginia or federal court of competent jurisdiction, the invalidity shall cause the entire ordinance to be void and of no further effect from the effective date of such order.

(e) The privileges granted by this ordinance may be revoked pursuant to the provisions of sections 30-1050.7 through 30-1050.11 of the Code of the City of Richmond (2020), as amended, and all future amendments to such laws. Failure to comply with the terms and conditions of this ordinance shall constitute a violation of section 30-1080 of the Code of the City of Richmond (2020), as amended, and all future amendments to such law, or any other applicable laws or regulations.

(f) When the privileges granted by this ordinance terminate and the special use permit granted hereby becomes null and void, whether as a result of the Owner relinquishing this special use permit in a writing addressed to the Director of Planning and Development Review or otherwise, use of the Property shall be governed thereafter by the zoning regulations prescribed for the district in which the Property is then situated.

§ 6. Implementation. The Commissioner of Buildings is authorized to issue a building permit substantially in accordance with the Plans for the Special Use subject to the terms and conditions set forth in this ordinance. An application for the building permit shall be made within 1,096 calendar days following the date on which this ordinance becomes effective. If either the application for the building permit is not made within the time period stated in the previous sentence or the building permit terminates under any provision of the Virginia Statewide Building Code, this ordinance and the special use permit granted hereby shall terminate and become null and void.

§ 7. Effective Date. This ordinance shall be in force and effect upon adoption.

City of Richmond

Intracity Correspondence

O&R Transmittal

DATE: November 24, 2025

TO: The Honorable Members of City Council

THROUGH: The Honorable Dr. Danny Avula, Mayor (by request)

(This in no way reflects a recommendation on behalf of the Mayor)

THROUGH: Odie Donald II, Chief Administrative Officer

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

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

RE: To authorize the special use of the property known as 2835 Burfoot Street for the purpose of up to three 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 new single-family detached dwellings. The existing dwelling is to remain. Lot feature requirements regarding lot area, lot width, yards, and lot coverage cannot be met. A Special Permit is therefore necessary to proceed with this request.

BACKGROUND: The property is located in the Swansboro Neighborhood between East 29th Street and East 28th Street. The property is a 3,451 square foot (0.079 acre) parcel of land improved with a single-family detached dwelling. The City's Richmond 300 Master Plan designates a future land use for the subject property as Residential, which is defined as a neighborhood consisting primarily of single-family houses on large- or medium-sized lots more homogeneous in nature.

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 and proposed zoning for the property is R-5 Single-Family Residential. The proposed density is three units upon 0.079 acres or 38 units per acre.

COMMUNITY ENGAGEMENT: The Swansboro Neighborhood Association was notified of the application; additional community notification will take place after introduction.

STRATEGIC INITIATIVES AND OTHER GOVERNMENTAL: Richmond 300 Master Plan

FISCAL IMPACT: \$200 application fee.

DESIRED EFFECTIVE DATE: Upon adoption

REQUESTED INTRODUCTION DATE: January 12, 2026

CITY COUNCIL PUBLIC HEARING DATE: February 9, 2026

REQUESTED AGENDA: Consent

RECOMMENDED COUNCIL COMMITTEE: Planning Commission February 3, 2026

AFFECTED AGENCIES: Office of Chief Administrative Officer

Law Department (for review of draft ordinance)

RELATIONSHIP TO EXISTING ORD. OR RES.: Ord. 2022-262

ATTACHMENTS: Draft Ordinance, Authorization from Property Owner, Applicant's Report, Plans, Survey

STAFF:

Alyson Oliver, Program and Operations Supervisor, Land Use Administration (Room 511) 646-3709

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



CITY OF RICHMOND, VA
Department of Planning and Development Review
Land Use Administration Division
900 East Broad Street, City Hall - Room 511, Richmond, Virginia 23219

AUTHORIZATION FROM PROPERTY OWNER

TO BE COMPLETED BY THE APPLICANT
Applicant must complete ALL items

HOME/SITE ADDRESS: 530 E Main Street APARTMENT NO/SUITE Suite 600
APPLICANT'S NAME: Will Gillette/Alessandro Ragazzi EMAIL ADDRESS: [REDACTED]
BUSINESS NAME (IF APPLICABLE): Baker Development Resources
SUBJECT PROPERTY OR PROPERTIES: 2835 Burfoot Street

APPLICATION REQUESTED

- Plan of Development (New or Amendment)
- Wireless Plan of Development (New or Amendment)
- Special Use Permit (New or Amendment)
- Rezoning or Conditional Rezoning
- Certificate of Appropriateness (Conceptual, Administrative Approval, Final)
- Community Unit Plan (Final, Preliminary, and/or Amendment)
- Subdivision (Preliminary or Final Plat Correction or Extension)

TO BE COMPLETED BY THE AUTHORIZED OWNER
Owner must complete ALL items

Signing this affidavit acknowledges that you, as the owner or lessee of the property, authorize the above applicant to submit the above selected application/s on your behalf.

PROPERTY OWNER: Marilyn Tepal silva
PROPERTY OWNER ADDRESS: 2835 BURFOOT ST, RICHMOND, VA 23230
PROPERTY OWNER EMAIL ADDRESS: [REDACTED]
PROPERTY OWNER PHONE NUMBER: 804- 439- 5045
Property Owner Signature: [Signature]

The names, addresses, telephone numbers and signatures of all owners of the property are required. Please attach additional sheets as needed. If a legal representative signs for a property owner, please attach an executed power of attorney.

APPLICANT'S REPORT

May 20, 2025

*Special Use Permit Amendment Request
2835 Burfoot Street, Richmond, Virginia
Map Reference Number: S000-1123/003*

Submitted to:

City of Richmond

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

Submitted by:

Baker Development Resources

530 East Main Street, Suite 600
Richmond, Virginia 23219

Introduction

The property owner is requesting a special use permit amendment (the “SUPA”) for the property known as 2835 Burfoot Street (the “Property”). The Property’s current configuration was originally authorized by Ordinance No. 2023-262, which was adopted by the City Council on October 10, 2023 (the “Ordinance”). The SUPA would authorize the construction of two new single-family detached dwellings on the unimproved eastern portion of the Property. All other aspects of the previously approved Ordinance would be retained.

Existing Conditions

SITE DESCRIPTION AND EXISTING LAND USE

The Property is located on Burfoot Street at the northeastern corner of its intersection with E 29th Street. The Property is referenced by the City Assessor as tax parcels S000-1123/003 and is currently improved with a single-family detached dwelling constructed circa 1947. The Property is 116’ wide along Burfoot Street, 68.74’ wide along E 29th Street, and contains approximately 7,972 square feet of lot area. Access is provided at the rear of the Property by means of a north-south alley off Burfoot Street.



The properties in the immediate vicinity are developed with a wide range of uses and building forms. While single-family attached and detached dwellings are the most common uses found in the area; two-family, multi-family, and commercial uses are also found in the vicinity. While many of the properties in the area have been developed, there are also still several small, vacant lots in the vicinity.

EXISTING ZONING

The Property is zoned R-5 Single-Family Residential, which generally permits the proposed single-family detached dwelling use. Parcels in the area differ in size and frontage with a large number of parcels in the vicinity unable to conform to the underlying R-5 feature requirements. The surrounding properties are also zoned R-5. To the west, along Midlothian Turnpike can be found a B-1 Business district and to the east can be found a R-53 zoning district. To the east, along Hull Street can be found B-3 Business district. Further east beyond that there is also some M-1 zoning.

MASTER PLAN DESIGNATION

The Richmond 300 Master Plan (the “Master Plan”) suggests “Residential” use for the Property. The Master Plan suggests this future land use designation allow for a variety of housing types that are consistent with the scale, density, and design of what exists in the vicinity. This designation also encourages developments that reinforce a gridded street pattern to increase connectivity. Single-family dwellings are the contemplated primary use in the Residential future land use designation (p. 54).

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

- Page 109 (Equitable Transportation Chapter), Objective 6.1 to “Increase the number of residents and jobs at Nodes and along enhanced transit corridors in a land development pattern that prioritizes multi-modal transportation options.”
 - b. Develop housing at all income levels in and near Nodes and along major corridors (see strategies Goal 14).
- Page 136 (Diverse Economy Chapter), Objective 11.1 to “Increase the areas of appropriately zoned land near various transportation modes and housing to retain, create, and attract employers.”
 - d. Encourage the development of a variety of quality housing types to house employees across the economic spectrum (see Goal 14).
- Page 150 (Inclusive Housing Chapter), Objective 14.1 to “Increase city-wide awareness of the importance of integrating housing at all income levels into every residential neighborhood so every household has housing choice throughout the city.”
- Page 152 (Inclusive Housing Chapter) (see map on p. 153), Objective 14.5 to “Encourage more housing types throughout the city and greater density along enhanced transit corridors and at Nodes (shown in Figure 38 [p.153]) by amending the Zoning Ordinance.”
- Page 159 (Thriving Environment Chapter) Objective 15.1 to “Reduce air pollution related to transportation.”
 - a. Increase the number of Richmonders living in a development pattern that encourages density and reduces dependency on single-occupancy vehicles (see Goal 1, Goal 8, Goal 14).

- Page 86 (High-Quality Places Chapter), Objective 1.4, to “maintain and improve primarily residential areas by increasing their linkages to...corridors...and maintaining high-quality design standards.”

Proposal

PROJECT SUMMARY

The applicant is proposing to divide the Property into three lots while retaining the existing dwelling and constructing two new single-family detached dwellings to front onto Burfoot Street.

PURPOSE OF REQUEST

The Property is 116' wide along Burfoot Street, 68.74' wide along E 29th Street, and contains approximately 7,972 square feet of lot area. The owner is proposing to divide the Property into three lots and construct two new single-family detached dwellings to front onto Burfoot Street, consistent with the existing dwelling across the alley. The existing dwelling, located on the westernmost portion of the Property, would be retained on a lot approximately 3,779 square feet in lot area. The two new detached single-family dwellings would each be located on new eastern parcels which would be roughly 30 and 31 feet in width containing approximately 2,100 square feet of lot area. While the proposed single-family detached dwellings are designed to be consistent with the character of the neighborhood, the SUPA is required to update the plans associated with the Ordinance. Importantly, all other aspects of the previously approved Ordinance would be retained.

PROJECT DETAILS

When complete, the proposed homes would be one-and-a half stories, “Bungalow style,” and contain approximately 1,453 square feet of finished floor area. The homes would include three bedrooms and two-and-one-half bathrooms. The floor plans are modern and desirable and include an open kitchen and dining area as well as a primary bedroom with en-suite bathroom on the first floor. The first floor bedroom would also provide future occupants with the opportunity to age in place. The exterior has been designed to reflect the character of the neighborhood with quality materials such as cementitious siding and a full width covered front porch to address the street. Importantly, care was taken in the design and siting of the home to ensure compatibility with other homes in the neighborhood and that all other zoning standards would be met.

In exchange for the SUPA, the intent of this request is to ensure the development of high-quality infill dwellings. The overall project will be appropriately dense and efficient as contemplated by the Richmond 300 Master Plan. It will also be consistent with the uses permitted by-right by the underlying zoning. At the same time, it will remain respectful to the historic development pattern in the vicinity thereby remaining consistent with the predominant character of the area. Finally, the quality assurances conditioned through the SUPA would guarantee a high-quality development and ensure an appropriately scaled use that is compatible with and complementary to the surrounding residential neighborhood.

Findings of Fact

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

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

The proposed special use permit for high-quality infill construction will not impact the safety, health, morals and general welfare of the nearby neighborhoods.

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

The proposed special use permit will not result in significant traffic impacts to nearby residential neighborhoods. The negligible traffic generation on the existing street will create no congestion on streets, roads, alleys or any other public right of way.

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

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

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

The proposed special use permit will not tend to over crowd the land or create an undue concentration of population.

- ***Adversely affect or interfere with public or private schools, parks, playgrounds, water supplies, sewage disposal, transportation or other public requirements, conveniences and improvements.***

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

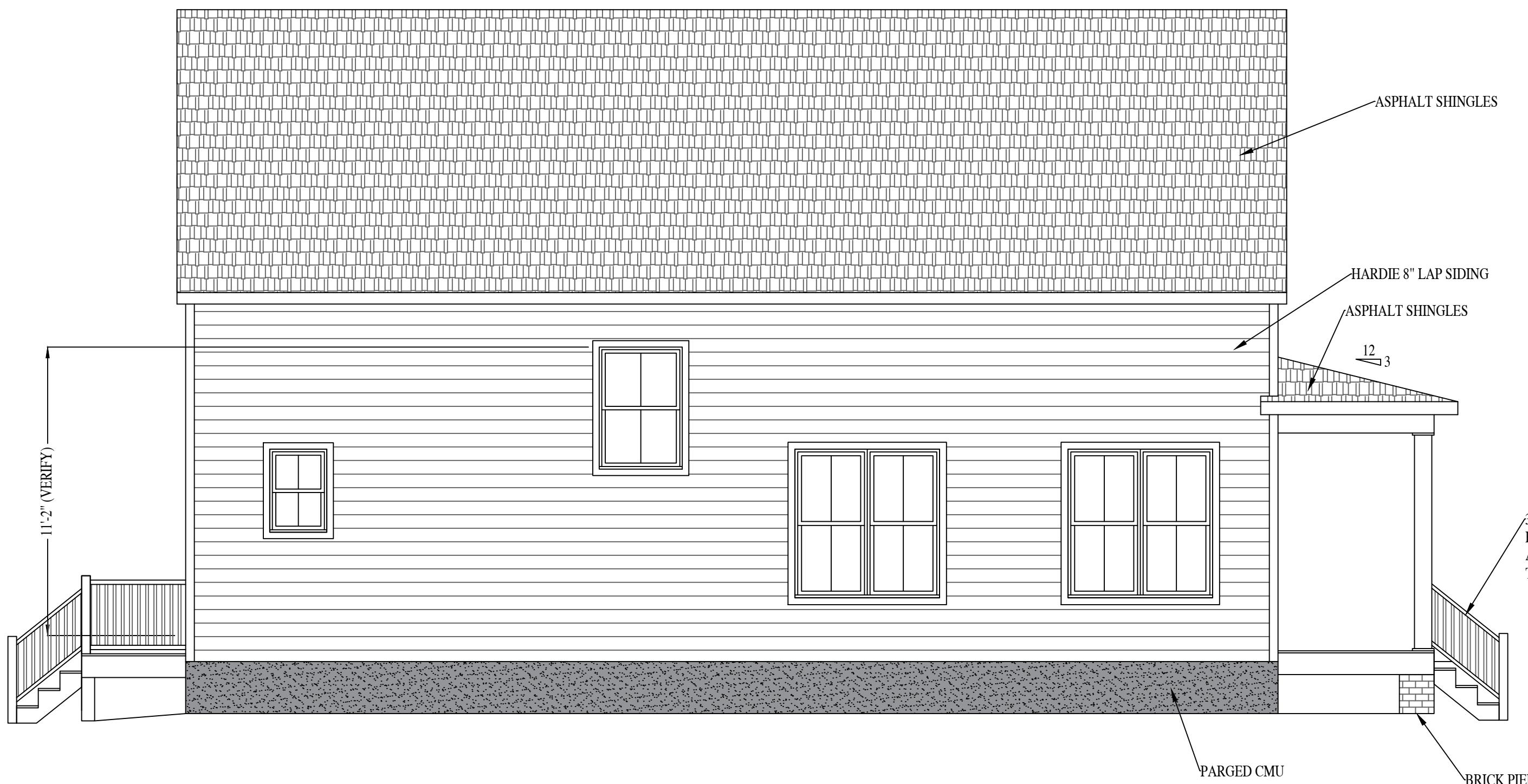
- ***Interfere with adequate light and air.***

The light and air available to the subject and adjacent properties will not be affected. The proposed buildings are of compatible massing and spacing to the existing in the vicinity. As a result, this request will not interfere with the provision of adequate light and air to the adjacent buildings.

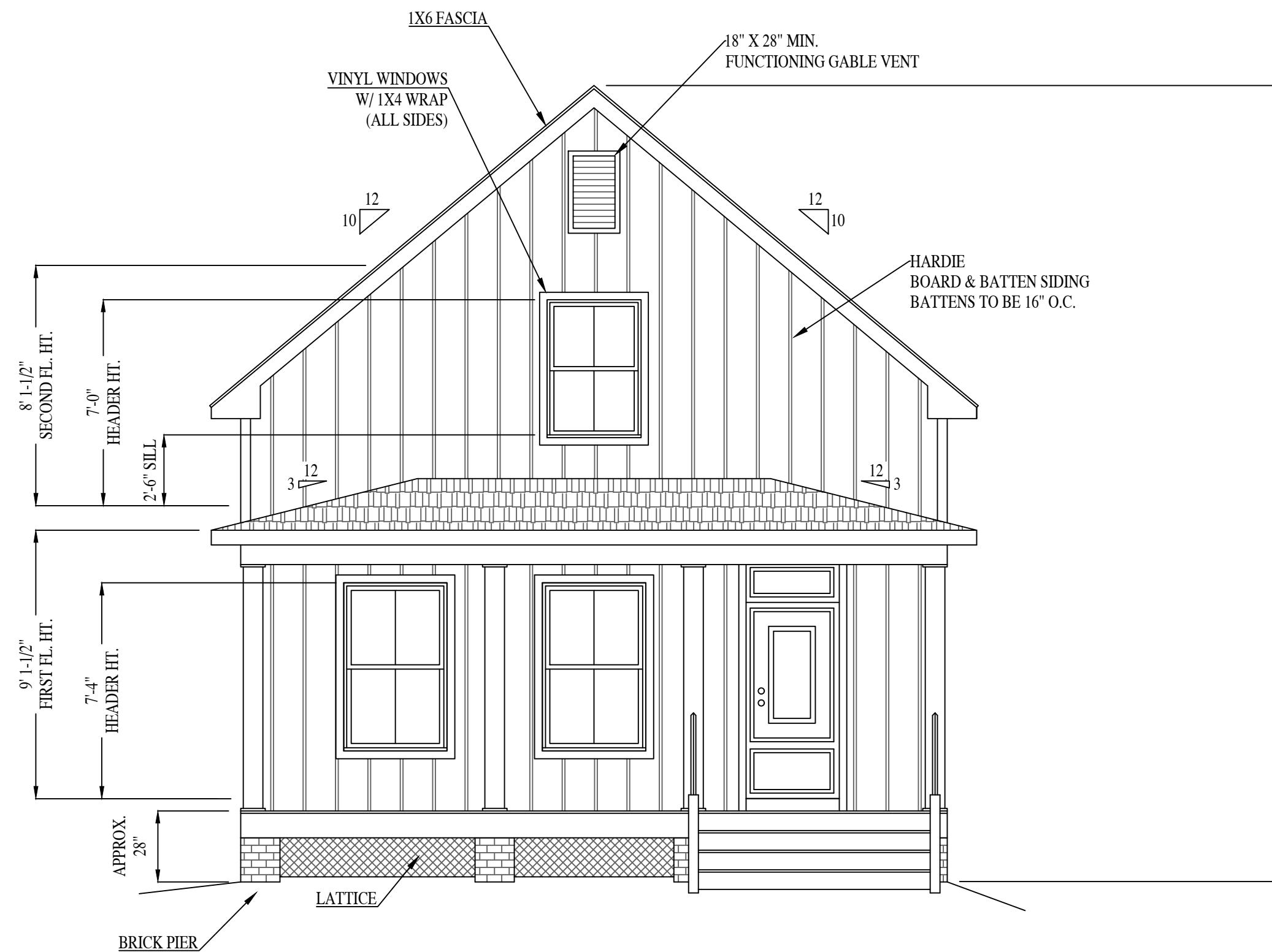
Summary

In summary we are enthusiastically seeking approval for the construction of the proposed single-family detached dwellings. The buildings have been thoughtfully designed in order to provide appropriate, high-quality, infill residential development. The request offers compatibility with the City's Master Plan in terms of use. The request would upgrade the Property while maintaining a desirable variation in housing style and density in the vicinity.

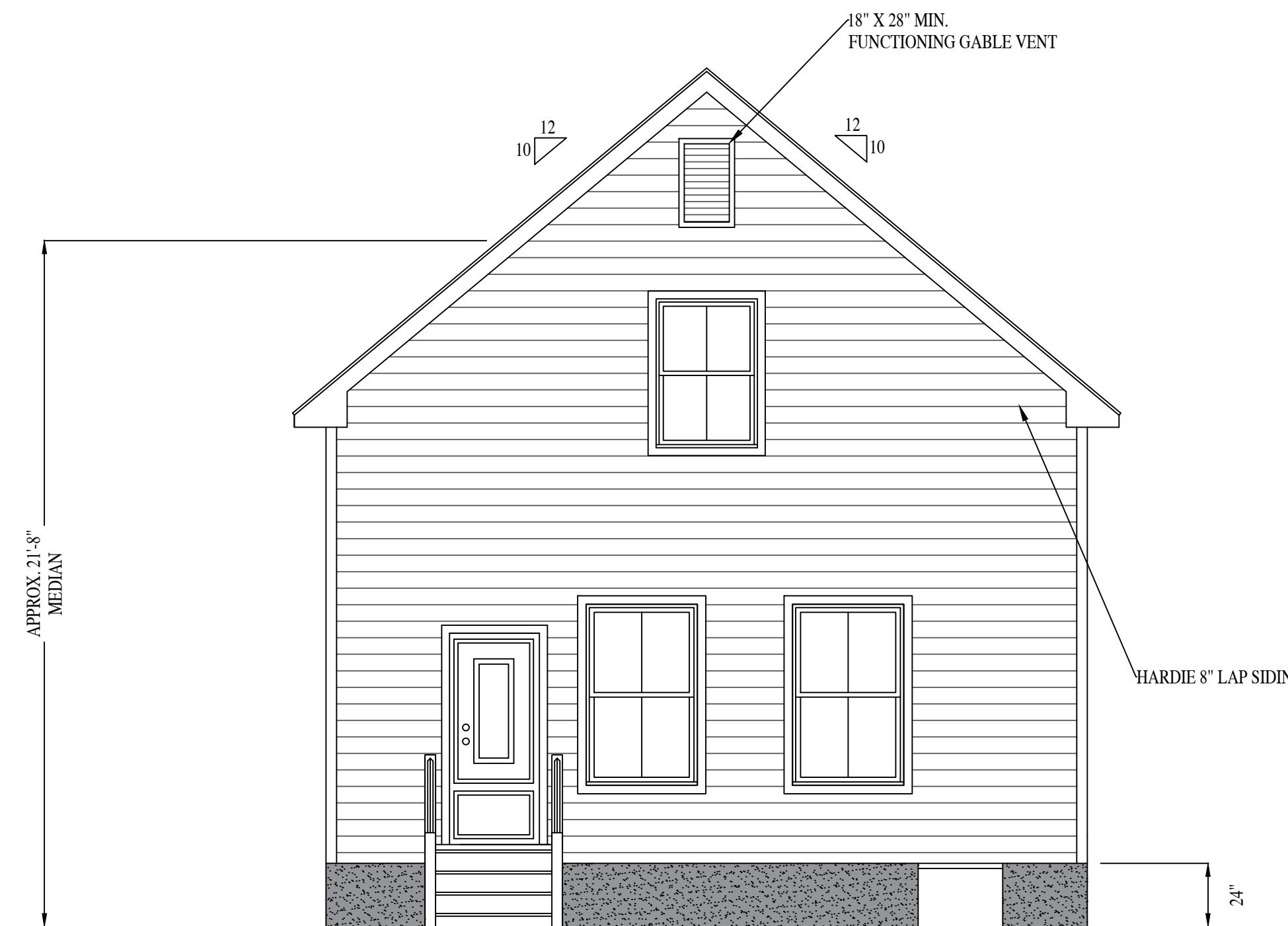
The proposed development would respectfully help restore an appropriate urban fabric in a block face and would help encourage a pedestrian-friendly traditional streetscape and contribute to the vibrancy of the block through the addition of street life in the form of street-oriented full width front porches. The traditional building forms would provide the much-desired traditional neighborhood design which is appropriate to this area of the City. Finally, the quality assurances conditioned through the SUP would guarantee a higher quality development than might otherwise be developed by right.



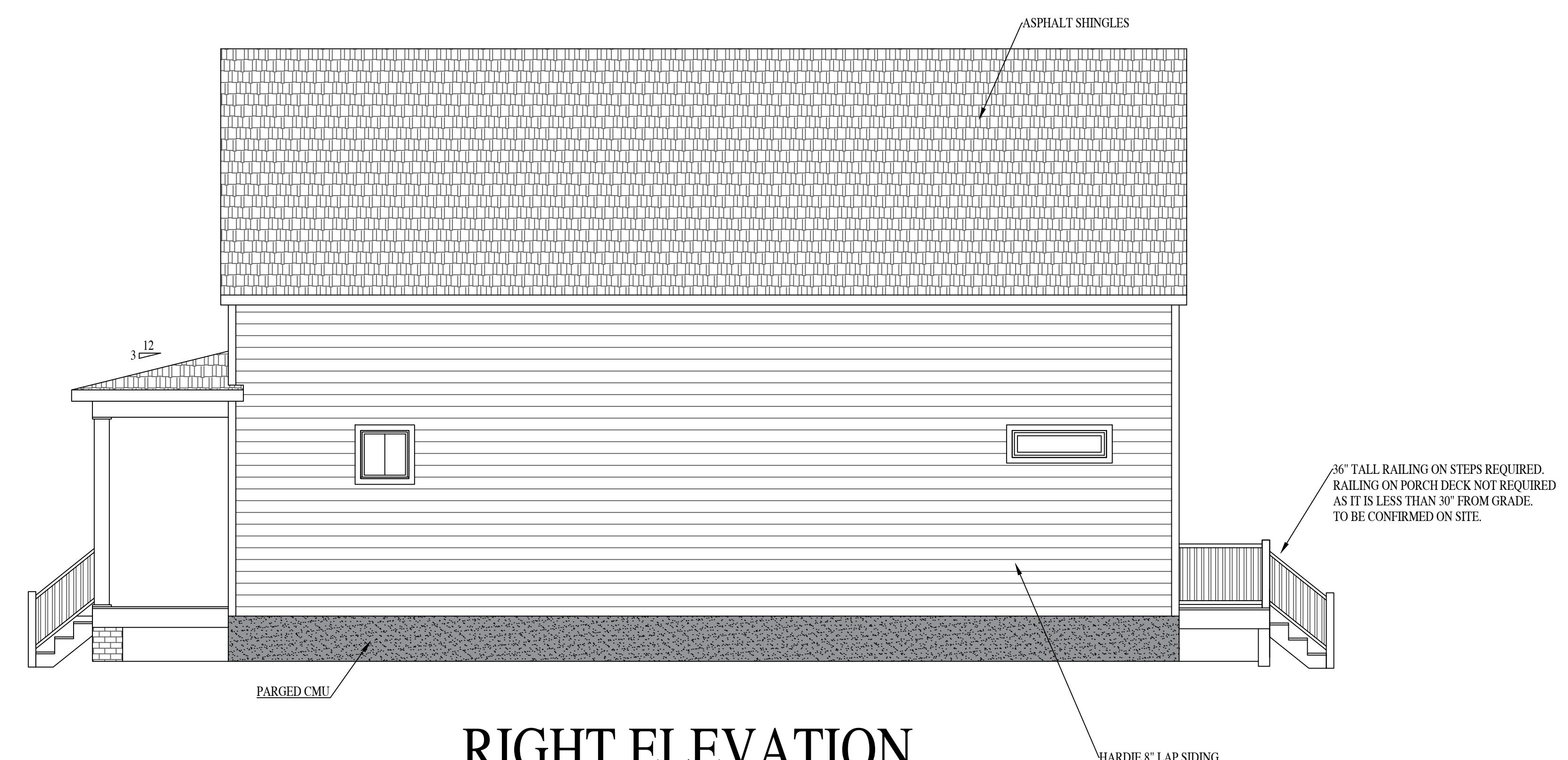
LEFT ELEVATION



FRONT ELEVATION



REAR ELEVATION



RIGHT ELEVATION

2831 BURFOOT ST.

RIVER MILL DEVELOPMENT

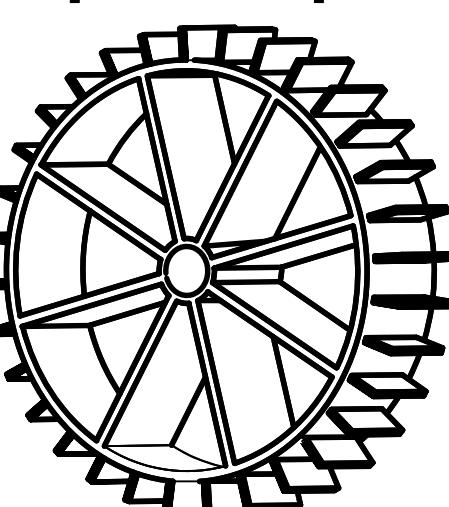
INTRODUCTION

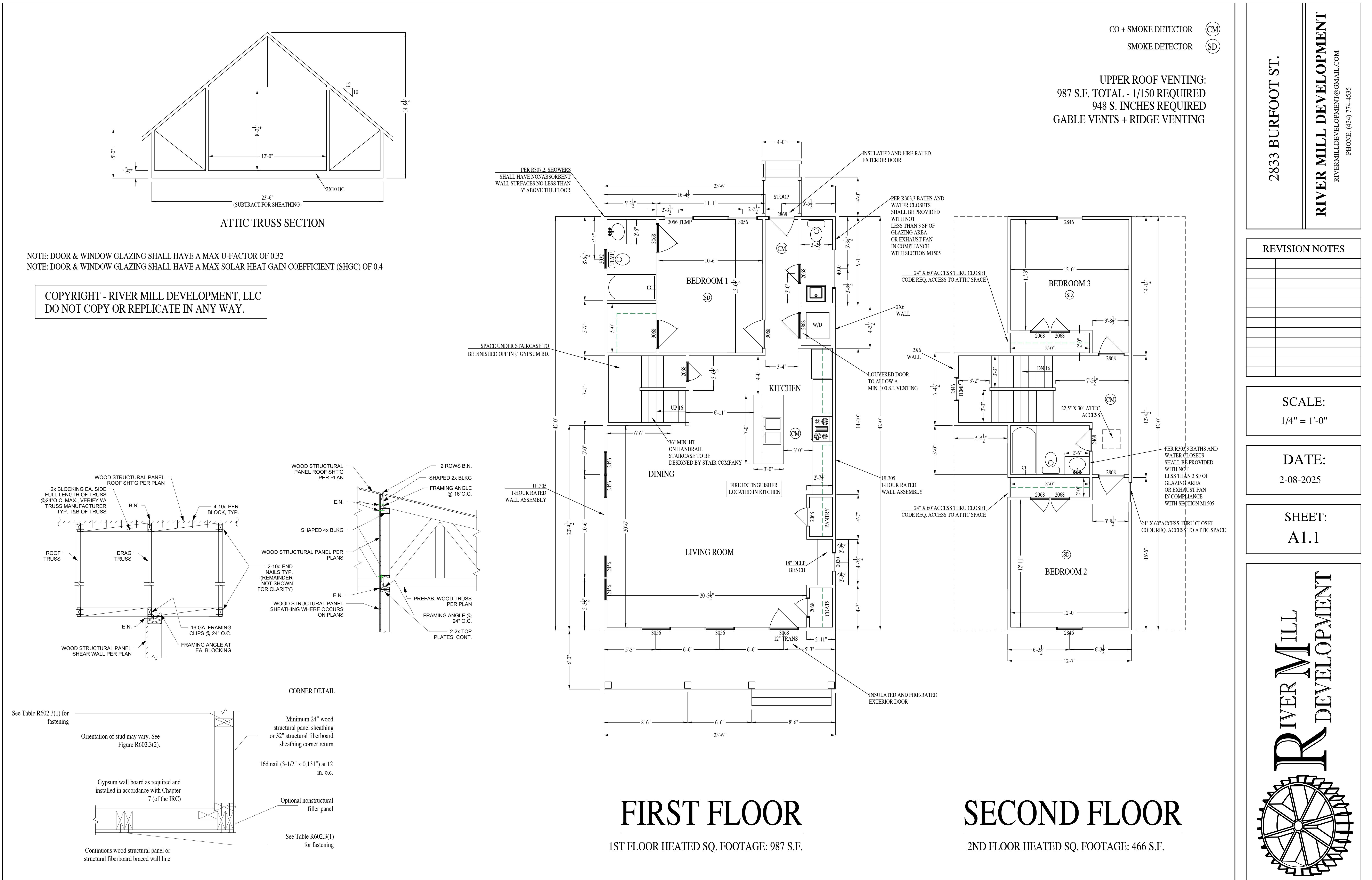
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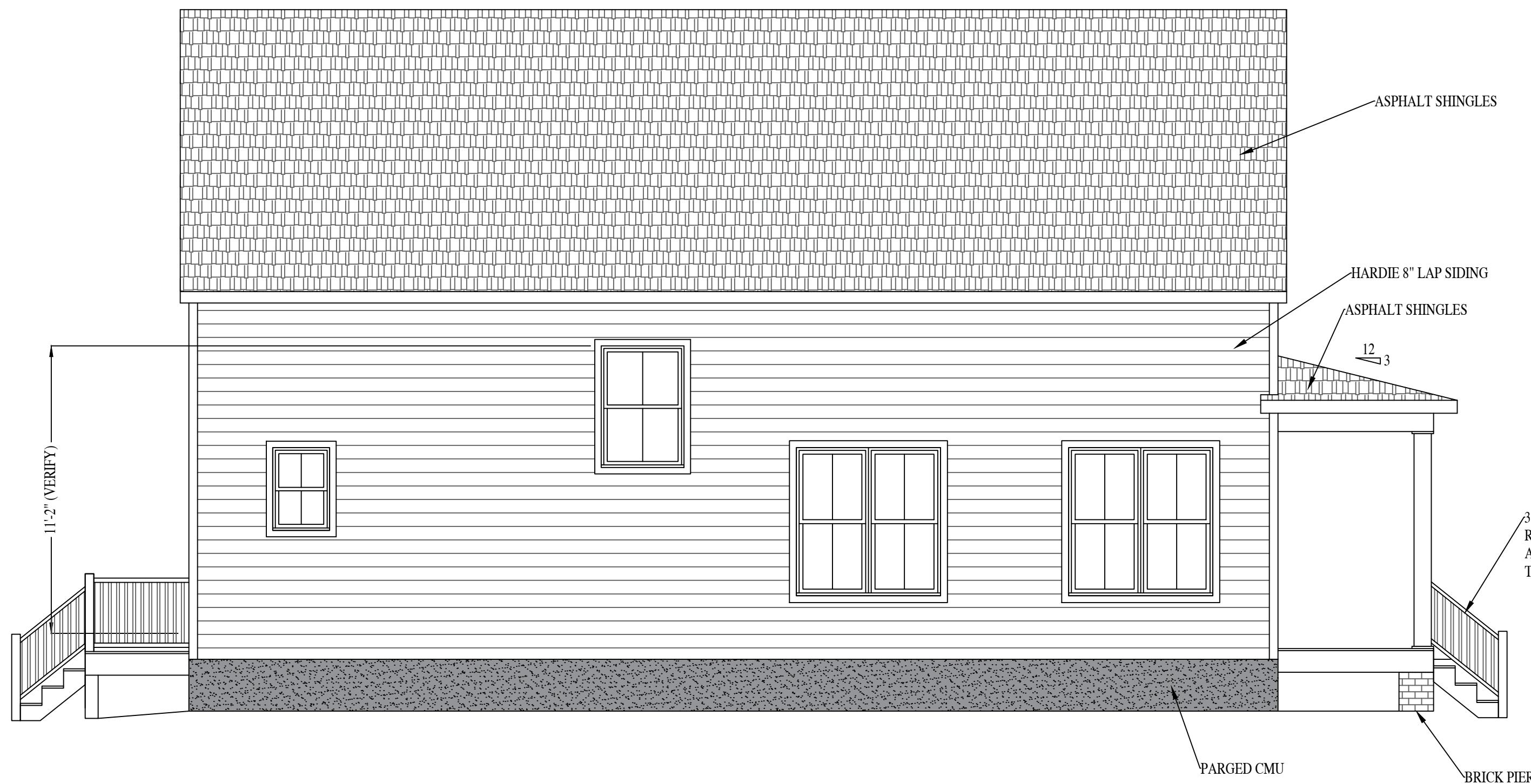
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2-08-2025

SHEET: A2.1

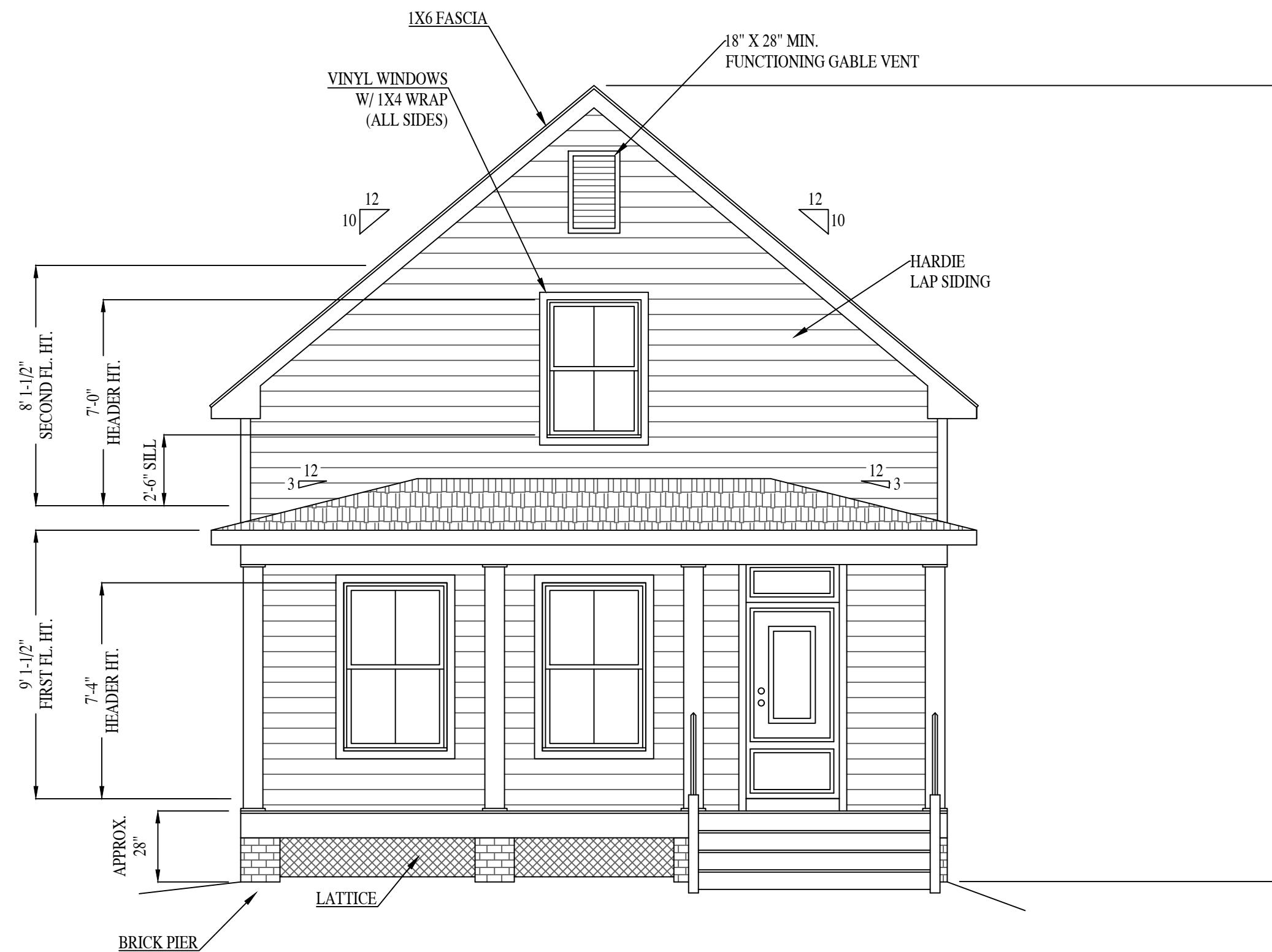
RIVER WILL DEVELOPMENT



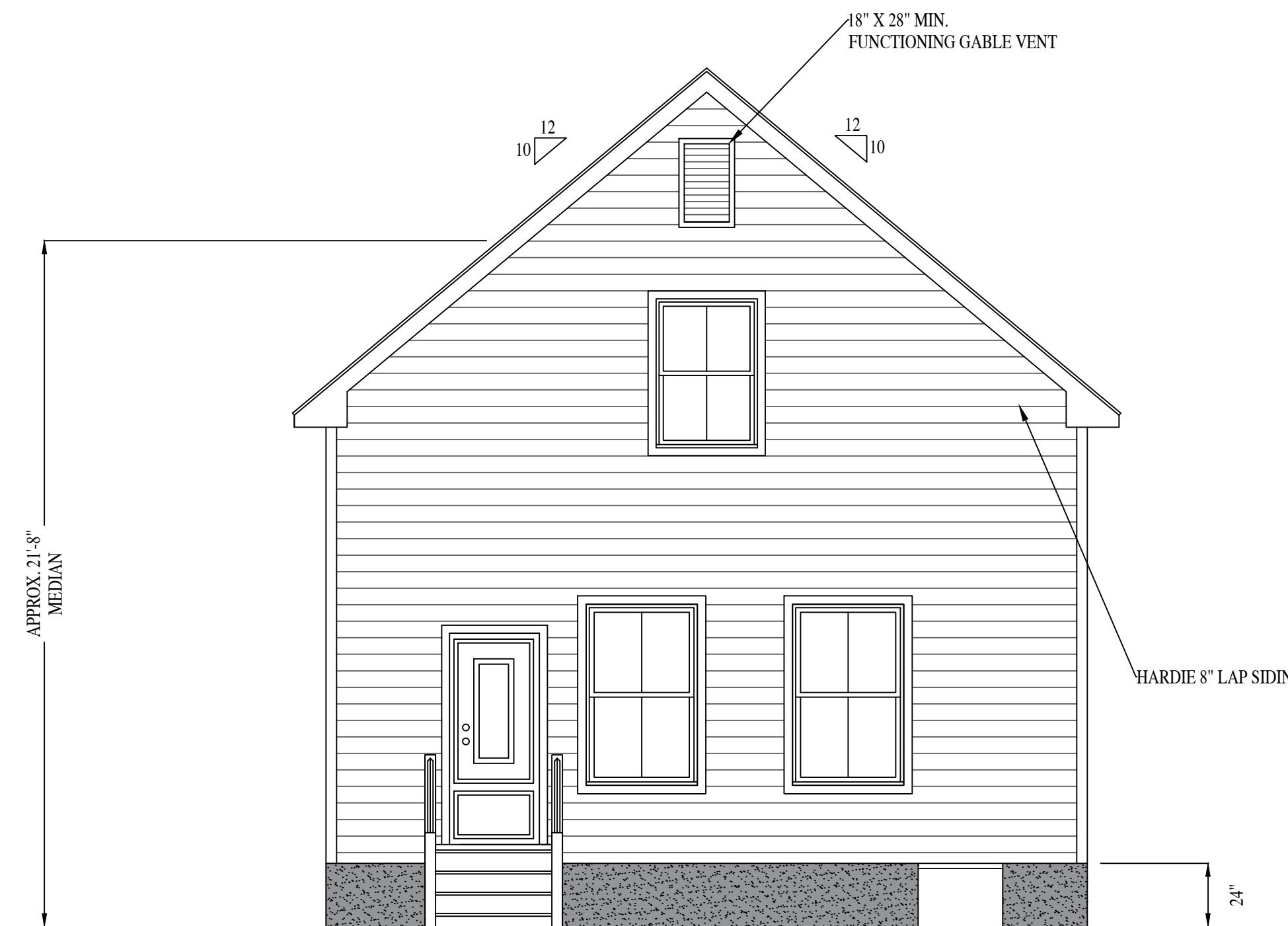




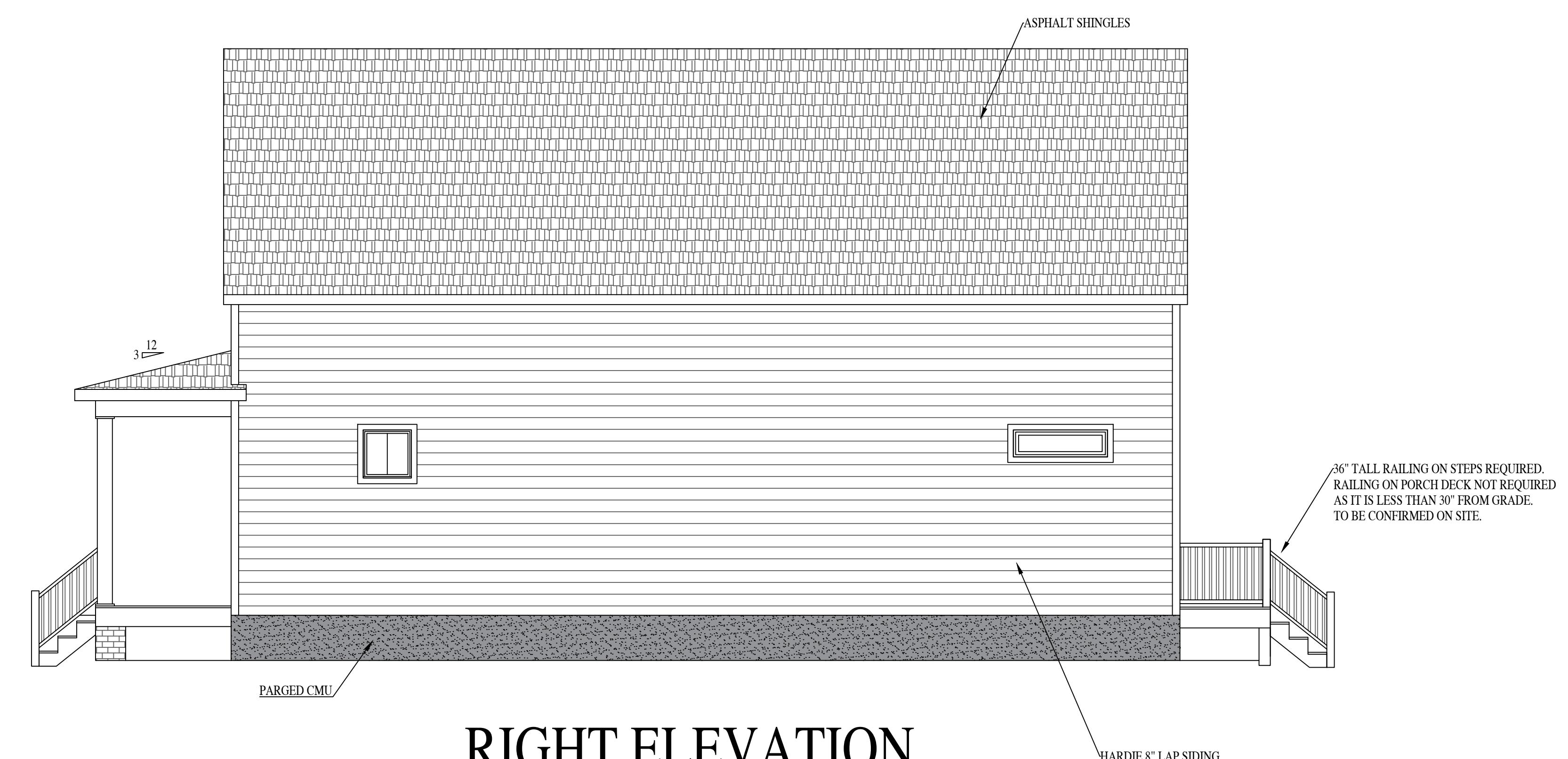
LEFT ELEVATION



FRONT ELEVATION



REAR ELEVATION



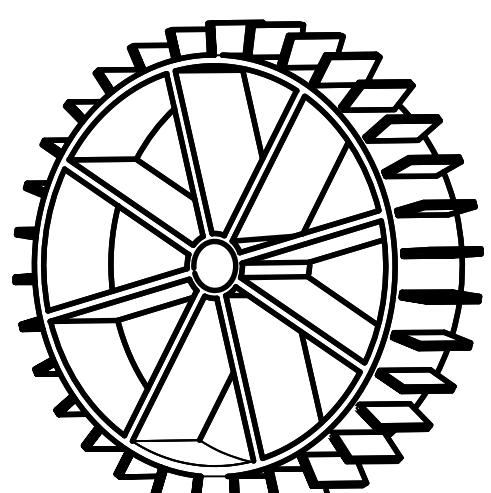
RIGHT ELEVATION

SCALE:

DATE:
2-08-2025

SHEET: A2.1

RIVER MILL DEVELOPMENT



RIVER MILL DEVELOPMENT
2833 BURFOOT ST.

2833 BURFOOT ST.
ER MILL DEVELOPMENT