

INTRODUCED: May 11, 2020

AN ORDINANCE No. 2020-118

To amend Ord. No. 91-220-208, adopted Jul. 8, 1991, which authorized use of the properties known as 1704 and 1706 Floyd Avenue, containing 4847.82 square feet located on the north side of Floyd Avenue between Vine Street and Allen Avenue, being more completely described as follows: beginning at a point being 43.00 feet west of the west line of Vine Street, thence fronting 37.58 feet in a westerly direction along the north line of Floyd Avenue and extending back 129.00 feet between parallel lines, parallel to the west line of Vine Street, to the south line of a 10.75 foot wide east-west public alley, to be split into two separate lots, for the purpose of a two-family dwelling on each property, to authorize a third dwelling unit at 1706 Floyd Avenue, together with accessory parking, upon certain terms and conditions.

Patron – Mayor Stoney (By Request)

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: JUN 8 2020 AT 6 P.M.

I. That Ordinance No. 91-220-208, adopted July 8, 1991, be and is hereby amended and reordained as follows:

§ 1. That the [~~real estate, property~~] properties known as 1704 and 1706 Floyd Avenue, containing 4847.82 square feet, located on the north side of Floyd Avenue between Vine Street and Allen Avenue, being more completely described as follows: beginning at a point on the north line of Floyd Avenue, thence fronting 37.58 feet in a westerly direction along the north line of

AYES: 8 NOES: 0 ABSTAIN: _____

ADOPTED: JUN 8 2020 REJECTED: _____ STRICKEN: _____

Floyd Avenue and extending back 129.00 feet between parallel lines, parallel to the west line of Vine Street, to the south line of a 10.75 foot wide east-west public alley, ~~[is]~~ are hereby permitted to be used ~~[each]~~ as a two family dwelling at 1704 Floyd Avenue and a multifamily dwelling, containing no more than three units, at 1706 Floyd Avenue,~~[on a separate lot,]~~ together with accessory parking.

§ 2. That the ~~[Commissioner of Buildings]~~ Zoning Administrator is hereby authorized to issue to the owner or owners of the ~~[real estate]~~ properties, or successor in fee simple title, a ~~[special use permit]~~ certificate of zoning compliance for ~~[splitting the property into two separate lots for the purpose of a two family dwelling on each lot]~~ a multifamily dwelling containing no more than three units at 1706 Floyd Avenue, substantially in accordance with surveys entitled “Improvements on 1704 Floyd Avenue” and “Improvements on 1706 Floyd Avenue”, prepared by Balzer and Associates, Planners, Architects, Engineers, Surveyors, dated November 8, 1989, copies of which surveys are attached to ~~[the draft of this ordinance]~~ Ordinance No. 91-220-208, adopted July 8, 1991, and the survey entitled “Improvements on 1704 & 1706 Floyd Avenue, City of Richmond, Virginia,” prepared by Balzer and Associates, Inc., dated September 1, 1989, and last revised October 31, 1989, and on the plans entitled “1706 Floyd Avenue, Dimension Annotations, Basement Unit 3,” prepared by W. Kent Ruffin, and dated August 26, 2019, copies of which ~~[surveys]~~ survey and plans are attached to ~~[the draft of]~~ this amendatory ordinance and made a part hereof. The ~~[permits]~~ special use permit shall be transferrable to the successor in title of the owner, whether acquired by operation of law, deed or otherwise, and shall run with the land, subject to the following terms and conditions:

(a) The owner shall be bound by, observe and shall comply with all laws, ordinances and rules and regulations adopted pursuant thereto, applicable to the land and buildings, except as otherwise provided in this ordinance;

(b) That the lots shall be used as a two-family dwelling [~~on each lot~~] at 1704 Floyd Avenue and a multifamily dwelling, containing no more than three units, at 1706 Floyd Avenue, together with accessory parking;

(c) That four parking spaces shall be provided at the rear of the properties; (two at the rear of 1704; two at the rear of 1706);

(d) That facilities for the collection of refuse shall be provided in accordance with the requirements of the Director of Public Works;

(e) The final grading and drainage plans, if required, shall be approved by the Director of [~~Community Development~~] Public Utilities prior to the issuance of building permits;

(f) That storm and surface water shall not be allowed to accumulate on the land and adequate facilities for the drainage of storm or surface water from the land or buildings shall be provided by the owner at its cost and expense so as not to adversely affect or damage adjacent properties or public streets and the use thereof.

(g) That in all other respects, the two properties shall be subject to applicable zoning regulations.

(h) That should the owner use the premises for any purpose which is not permitted by this ordinance, or fails, refuses or neglects to comply with the provisions or foregoing paragraphs (a) through (g) and does not terminate such use or comply with such provisions within ninety days after written notice so to do has been given to the owner by the Zoning Administrator, the

privileges granted by this ordinance shall terminate and the special use permit shall become null and void;

(i) That when the privileges granted by this ordinance terminate and the special use permit becomes null and void or when use of the premises is abandoned for a period of twenty-four consecutive months, use of the real estate shall be governed thereafter by the zoning regulations prescribed for the district in which the real estate is then situated.

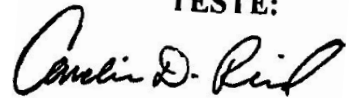
(j) The dwelling unit located in the basement level of 1706 Floyd Avenue shall not be used as a short term rental unit.

§ 3. This ordinance shall be in force and effect upon adoption.

II. This amendatory ordinance shall be in force and effect upon adoption.

A TRUE COPY:

TESTE:



City Clerk

City of Richmond

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

Item Request


File Number: PRE.2019.465

O & R Request

DATE: April 14, 2020

EDITION: 1

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)  5/7/2020

THROUGH: Lenora G. Reid, Acting Chief Administrative Officer  4/20/2020

THROUGH: Sharon L. Ebert, Deputy Chief Administrative Officer for Economic
Development and Planning 

FROM: Mark A. Olinger, Director, Department of Planning and Development Review 

RE: To amend and reordain Ord. No. 91-220-208, adopted July 8, 1991, which authorized use of property known as 1704 and 1706 Floyd Avenue for the purpose of a two-family dwelling on each property, to authorize a third dwelling unit at 1706 Floyd Avenue, together with accessory parking, upon certain terms and conditions.

ORD. OR RES. No. ____

PURPOSE: To amend and reordain Ord. No. 91-220-208, adopted July 8, 1991, which authorized use of property known as 1704 and 1706 Floyd Avenue for the purpose of a two-family dwelling on each property, to authorize a third dwelling unit at 1706 Floyd Avenue, together with accessory parking, upon certain terms and conditions.

REASON: The applicant is requesting an amendment to a Special Use Permit which would authorize the renovation of a basement of a two-family dwelling into a third dwelling unit.

RECOMMENDATION: In accordance with the requirements of the City Charter and the Zoning Ordinance, the City Planning Commission will review this request and make a recommendation to City Council. This item will be scheduled for consideration by the Commission at its June 1, 2020, meeting.

BACKGROUND: The subject property consists of a .056 acre (2,423 SF) parcel of land improved with a two-family dwelling constructed, per tax assessment records, in 1915. The property is located in the Fan neighborhood of the Near West planning district, on Floyd Avenue between North Vine Street and North Allen Avenue.

The City of Richmond's Master Plan designates a future land use category for the subject property as Single Family Residential at Medium densities. Primary uses for this category are single-family and two-family dwellings, both detached and attached, at densities of 8 to 20 units per acre. Includes residential support uses such as schools, places of worship, neighborhood parks and recreation facilities, and limited public and semi-public uses. The density of the proposed use of 1706 Floyd Avenue would be approximately 54 units per acre.

The current zoning for this property is R-6, Single Family Attached Residential. The property is subject to a special use permit (Ord. No. 91-220-208) which authorized a lot split from 1704 Floyd Avenue for the purpose of a two-family dwelling on each separate parcel.

All surrounding properties are located within the same R-6 Residential District as the subject property. A mix of single, two-, and multi-family residential, mixed-use, institutional, commercial, and open space land uses are present in the vicinity.

FISCAL IMPACT / COST: The Department of Planning and Development Review does not anticipate any impact to the City's budget for this or future fiscal years.

FISCAL IMPLICATIONS: Staff time for processing the request; preparation of draft ordinance; and publishing, mailing and posting of public notices.

BUDGET AMENDMENT NECESSARY: No

REVENUE TO CITY: \$300 application fee

DESIRED EFFECTIVE DATE: Upon adoption

REQUESTED INTRODUCTION DATE: May 11, 2020

CITY COUNCIL PUBLIC HEARING DATE: June 8, 2020

REQUESTED AGENDA: Consent

RECOMMENDED COUNCIL COMMITTEE: None

CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES: City Planning Commission
June 1, 2020

AFFECTED AGENCIES: Office of Chief Administrative Officer
Law Department (for review of draft ordinance)

RELATIONSHIP TO EXISTING ORD. OR RES.: Amendment of Ord. No. 91-220-208

REQUIRED CHANGES TO WORK PROGRAM(S): None

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

STAFF: Jonathan Brown, Senior Planner
Land Use Administration (Room 511) 646-5734



Application for **SPECIAL USE PERMIT**

Department of Planning and Development Review
Land Use Administration Division
900 E. Broad Street, Room 511
Richmond, Virginia 23219
(804) 646-6304
<http://www.richmondgov.com/>

Application is hereby submitted for: (check one)

- special use permit, new
- special use permit, plan amendment
- special use permit, text only amendment

Project Name/Location

Property Address: 1706 Floyd Avenue. Date: _____

Tax Map #: W0000730021 Fee: \$1,200

Total area of affected site in acres: 0.056

(See **page 6** for fee schedule, please make check payable to the "City of Richmond")

Zoning

Current Zoning: R-6

Existing Use: Duplex

Proposed Use

(Please include a detailed description of the proposed use in the required applicant's report)

3 Unit Building

Existing Use: Duplex

Is this property subject to any previous land use cases?

Yes No If Yes, please list the Ordinance Number: Ord. #: 91-220-208

Applicant/Contact Person: W. Kent Ruffin

Company: Townhouse Management Ltd, LLC

Mailing Address: 1706 Floyd Avenue, Suite C, BMST

City: Richmond State: VA Zip Code: 23220

Telephone: (804) 649-7400 Fax: ()

Email: kent@soulofvirginia.com

Property Owner: Townhouse Management Ltd, LLC

If Business Entity, name and title of authorized signer: W.Kent Ruffin, owner, Same as applicant

(The person or persons executing or attesting the execution of this Application on behalf of the Company certifies that he or she has or have been duly authorized and empowered to so execute or attest)

Mailing Address: Same as applicant Duplex

City: _____ State: _____ Zip Code: _____

Telephone: () Fax: ()

Email: _____

Property Owner 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. **Faxed or photocopied signatures will not be accepted.**

NOTE: Please attach the required plans, checklist, and a check for the application fee (see Filing Procedures for special use permits)

APPLICANT'S REPORT

May 24, 2019

*Special Use Permit, Plan Amendment Request
1706 Floyd Avenue, Richmond, Virginia
Map Reference Number: W0000730021*

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: Townhouse Management Ltd., LLC
1706 Floyd Avenue, BSMT
Richmond, Virginia 23220
804 649-7400

Introduction

Townhouse Management Ltd., LLC request a special use permit for 1706 Floyd Avenue. The proposed renovation project is to convert the existing duplex into a 3 unit building for longterm rental [to exclude short term bed & breakfast rental, ie - Air B&B use, unless permitted by an amended City of Richmond, building/zoning code].

Property Site Description

The real estate property know as 1706 Floyd Avenue, is an existing duplex structure, containing 2423.91 square feet, acreage 0.056, located on the north side of Floyd Avenue between Vine Street and Allen Avenue, being more completely described as follows: beginning at a point on the north line of Floyd Avenue, said point being 61.79 feet west of the west line of vine street, thence fronting 18.79 feet in westerly direction along the north line of Floyd Avenue and extending back 129.00 feet between parallel lines, parallel to the west line of Vine Street, to the south line of a 10.75 foot wide east-west public alley

Purpose of Request

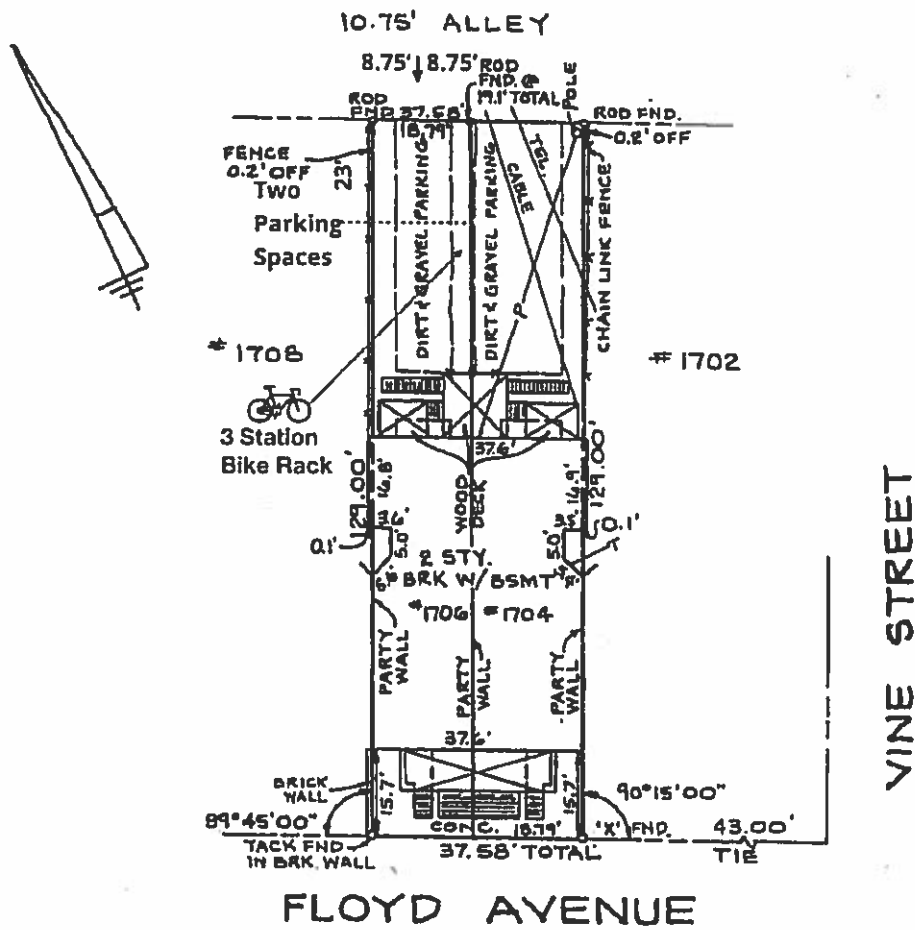
The property has a previous existing SUP [Ord. #: 91-220-208] for duplex dwelling unit on the lot. The owner now proposes to renovate the existing duplex into a 3 unit building. The current R-6 zoning does permit the proposed use of the Property.

In exchange for the SUP, Plan Amendment authorization, the intent is to renovate the existing duplex into a 3 unit building on the lot. Proposed change of use will comply with all applicable provisions of the Building Code.

Summary

The project would be consistent with the existing neighborhood character and the urban scale, density and pedestrian orientation that is found in the Fan District, R-6 designation. This SUP, Plan Amendment would allow for the renovation to the property that is compatible with other surrounding Property.

This is to certify that I made an accurate field survey of the premises shown hereon; that all improvements and easements known or visible are shown hereon; that there are no encroachments by improvements either from adjoining premises or from subject premises upon adjoining premises other than shown hereon. This property is not within a HUD defined flood hazard area.



SEE D.B. 715 PG. 409

IMPROVEMENTS ON
1704 & 1706 FLOYD AVENUE
 CITY OF RICHMOND, VIRGINIA

Revised 10-31-89

Date: 9-1-89

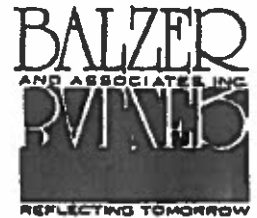
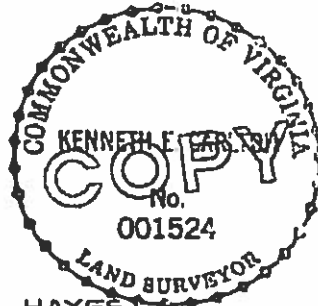
Scale: 1" = 30'

Job No.: 28920229

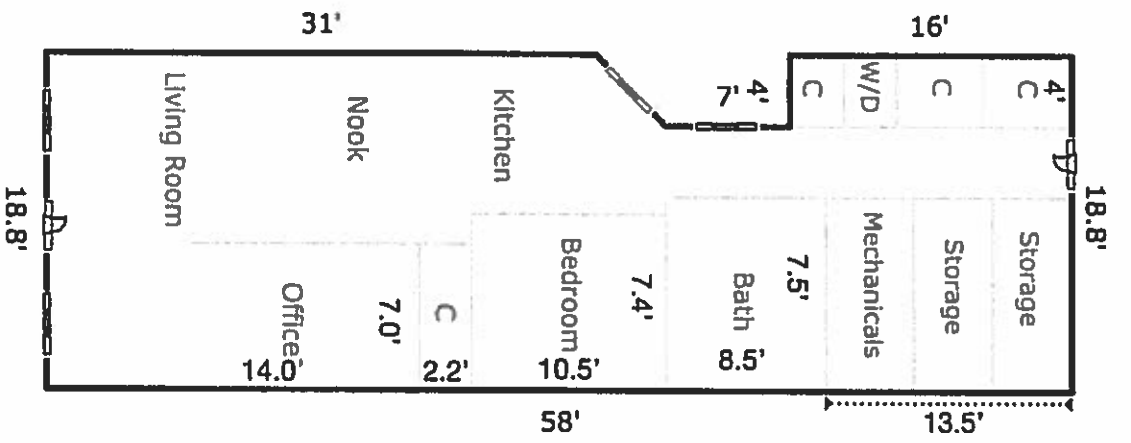
PURCHASER: JEFFREY ALLEN & TERRIE B. HAYES

• PLANNERS • ARCHITECTS • ENGINEERS • SURVEYORS •

501 Branchway Road • Suite 100 • Richmond, Virginia 23238 • 794-0571 • Fax 794-2635



1706 Floyd Avenue
Parking Dimension Update



1706 Floyd Avenue
Dimension Annotations

BASEMENT
Unit 3

Drawn by W. Kent Ruffin 8/26/2019