

INTRODUCED: November 8, 2021

AN ORDINANCE No. 2021-323

To authorize the special use of the property known as 506 Cheatwood Avenue for the purpose of two single-family detached dwellings, upon certain terms and conditions.

\_\_\_\_\_  
Patrons – Mayor Stoney (By Request),  
Ms. Trammell and Mr. Jones

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

PUBLIC HEARING: DEC 13 2021 AT 6 P.M.

WHEREAS, the owner of the property known as 506 Cheatwood Avenue, which is situated in a R-5 Single-Family Residential District, desires to use such property for the purpose of two single-family detached dwellings, which use, among other things, is not currently allowed by sections 30-410.4, concerning lot area and width, and 30-410.5, concerning yards, 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

AYES:            9            NOES:            0            ABSTAIN: \_\_\_\_\_

ADOPTED:    DEC 13 2021    REJECTED: \_\_\_\_\_    STRICKEN: \_\_\_\_\_

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) Subject to the terms and conditions set forth in this ordinance, the property known as 506 Cheatwood Avenue and identified as Tax Parcel No. N018-0455/019 in the 2021 records of the City Assessor, being more particularly shown on a survey entitled “Map Showing the Improvements on a Portion of Lots 26, 27, and 28, Block 19, ‘Washington Park,’ in the City of Richmond, VA.,” prepared by Virginia Surveys, dated July 31, 2020, and last revised December 16, 2020, 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 two single-family detached dwellings, hereinafter referred to as “the Special Use,” substantially as shown on the plans entitled “B.Z.A. for New 2-Story, Single-Family Detached House in Richmond’s Washington Park Neighborhood, 506 Cheatwood Ave. House, 506 Cheatwood Avenue, Richmond, Virginia 23220,” prepared by Chris Wolf Architecture, PLLC, and dated March 22, 2021, hereinafter referred to 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 two single-family detached dwellings, substantially as shown on the Plans.

(b) No less than one off-street parking space per dwelling unit shall be provided for the Special Use. Each such parking space shall be accessible from the rear alley.

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

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

(e) Prior to the issuance of a certificate of occupancy for the second single-family detached dwelling, the division of 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.

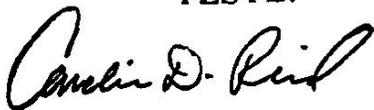
(f) When the privileges granted by this ordinance terminate and the special use permit granted hereby becomes null and void, whether as a result of the Owner relinquishing this special use permit in a writing addressed to the Director of Planning and Development Review or otherwise, use of the Property 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.

**A TRUE COPY:**

**TESTE:**



**City Clerk**



# City of Richmond

## Item Request File Number: PRE.2021.864

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

RECEIVED  
By City Attorney's Office at 3:47 pm, Nov 04, 2021

RECEIVED  
By CAO Office at 12:55 pm, Oct 11, 2021

2021-460

### O & R Request

**DATE:** October 11, 2021

**EDITION:** 1

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

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

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

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

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

**RE:** To authorize the special use of the property known as 506 Cheatwood Avenue for the purpose of two single-family detached dwellings, upon certain terms and conditions.

**ORD. OR RES. No.** \_\_\_\_

**PURPOSE:** To authorize the special use of the property known as 506 Cheatwood Avenue for the purpose of two single-family detached dwellings, upon certain terms and conditions.

**REASON:** The subject property is located in the R-5 Single-Family Residential zoning district and contains a single-family dwelling. The proposal calls for the subdivision of the property in order to construct an additional single-family dwelling on a new lot. The parent tract and the new lot will not conform to the lot feature requirements of the zoning district where they are located. The existing Therefore a special use permit is requested.

**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 December, 6 2021 meeting.

**BACKGROUND:** The subject property is located mid-block between Moss Side Avenue and the road terminus. The property is 75 feet wide and 115 feet deep, for a total area of 8,625 square feet.

The proposed subdivision will reduce the parent tract known as 506 Cheatwood Avenue to a width of 40 feet five inches and will contain 4,655 square feet of lot area. The new parcel will be 34 feet seven inches wide and will contain 3,973 square feet of lot area. As proposed, neither the existing dwelling nor the proposed new construction will meet their respective side yard setback from the new property line separating the parcels.

The Richmond 300 Master Plan recommends Residential uses for the Property. Single-family dwellings are noted as primary uses The Richmond 300 Master Plan recommends Residential uses for the Property. Single-family dwellings are noted as primary uses.

All properties surrounding the subject property are located within the same R-5 Single-Family Residential Zoning District. Within the area of the subject property, properties are improved with single-family dwellings.

**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:** November 8, 2021

**CITY COUNCIL PUBLIC HEARING DATE:** December 13, 2021

**REQUESTED AGENDA:** Consent

**RECOMMENDED COUNCIL COMMITTEE:** None

**CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES:** City Planning Commission  
December 6, 2021

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

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

**REQUIRED CHANGES TO WORK PROGRAM(S):** None

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

**STAFF:** David Watson, Senior Planner, Land Use Administration, 804-646-1036

# APPLICANT'S REPORT

*May 18, 2021*

*Special Use Permit Request  
506 Cheatwood Avenue, Richmond, Virginia  
Map Reference Number: N018-0455/019*

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**  
1519 Summit Ave., Suite 102  
Richmond, Virginia 23230



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: 506 Cheatwood Ave Date: 5/4/2021

Tax Map #: N0180455019 Fee: 300

Total area of affected site in acres: 0.198

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

**Zoning**

Current Zoning: R-5

Existing Use: One single-family detached dwelling

**Proposed Use**

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

One additional single family detached dwelling

Existing Use: One single-family detached dwelling

Is this property subject to any previous land use cases?

Yes

No

If Yes, please list the Ordinance Number: \_\_\_\_\_

**Applicant/Contact Person:** Mark Baker / Charlie Wilson

Company: Baker Development Resources

Mailing Address: 1519 Summit Avenue, Suite 102

City: Richmond State: VA Zip Code: 23230

Telephone: (804) 822-5428 Fax: ( )

Email: markbaker@bakerdevelopmentresources.com, charlie@bakerdevelopmentresources.com

**Property Owner:** Jordan Clark

If Business Entity, name and title of authorized signee: \_\_\_\_\_

(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: 506 Cheatwood Avenue

City: Richmond State: VA Zip Code: 23222

Telephone: ( ) Fax: ( )

Email: jdclark762@gmail.com

**Property Owner Signature:** 



5/17/2021 7:13:50 PM EDT

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)



## Review & Approval process for **SPECIAL USE PERMIT**

In instances where it has been determined that underlying zoning regulations cannot be met, a special use permit may be granted by City Council to provide relief from zoning regulations.

Special use permit applications are reviewed for compliance with the City's Master Plan to ensure the proposal is compatible with the surrounding area and that it is an appropriate use for the site. Specifically, applications are reviewed to ensure that the City Charter conditions for granting special use permits have been met. The City Charter requires that prior to City Council approval; it must be shown that the proposed special use will **not**:

1. be detrimental to the safety, health, morals and general welfare of the community involved;
2. create congestion in streets, roads, alleys and other public ways and places in the area involved;
3. create hazards from fire, panic or other dangers;
4. tend to cause overcrowding of land and an undue concentration of population;
5. adversely affect or interfere with public or private schools, parks, playgrounds, water supplies, sewage disposal, transportation or other public requirements, conveniences and improvements; or
6. interfere with adequate light and air.

Applicants **are encouraged** to schedule a pre-application conference with the Division of Land Use Administration staff to review related Master Plan, land use and other issues that may be involved prior to making application. Please call (804) 646-6304 to schedule an appointment with the staff. Staff will review submitted applications to ensure all required materials and information are provided. If the application is not acceptable, the required information must be provided prior to formal staff review.

Applicants should also discuss the proposed special use permit with area civic associations, property owners, residents, and the area Council Representative prior to submitting an application. Letters from the associations and property owners stating their position in regards to the request should be submitted with the application.

The Division of Land Use Administration circulates the special use permit application materials to appropriate City agencies as determined necessary. City agencies reviewing the proposal may include: Public Works, Building Permits & Inspections, Public Utilities, Water Resources, Zoning Administration, and Fire and Emergency Services. The Division of Land Use Administration will coordinate responses by City agencies. Written comments will be provided generally within 30 days of the application submittal date.

After review by these agencies and by the Division of Land Use Administration, the staff will confer with the applicant regarding suggested conditions to be included in the ordinance and any suggested changes to the plans. If the property is located in a City Old and Historic District and the request involves exterior alterations, additions or new construction, the plans should also be reviewed by the Commission of Architectural Review prior to an ordinance being introduced in City Council. Once the plans are in final form, an ordinance is drafted and the plans are attached to and are made a part of the ordinance. The staff will forward a copy of the ordinance to the applicant for review and approval.

The ordinance is then reviewed by the City Attorney's office and the City Administration. Once their review is complete, the ordinance is introduced to City Council and a public hearing is scheduled, usually thirty days after introduction. During this thirty-day period, public notice of the hearing is posted on the site and in a daily newspaper. Notices are also mailed to the owners of all properties within 150 feet of the subject property. One week prior to the City Council public hearing, the Planning Commission, after receiving a report from the Department of Planning and Development Review, considers the proposed special use permit and forwards a recommendation to City Council. The Planning Commission welcomes information submitted prior to the meeting and may ask questions of proponents and opponents during the course of its deliberation on the ordinance. Six affirmative votes of City Council are required to adopt a special use ordinance. Please note that there is a fee of \$250 for each continuance caused by the applicant.

If the special use ordinance is adopted by City Council, the applicant has a specified time period in which to apply for a building permit to implement the special use permit. Building permit plans must be substantially in accordance with the adopted special use permit plans, otherwise a building permit will not be issued. In general, the approval process for special use permits takes between 120 to 180 days. However, depending on the complexity of the proposed special use permit, more or less time may be required. The City Planning Commission considers approval of special use permits at its regular meetings on the first and third Monday of each month. **Incomplete submissions or major modifications to the plan during the review process may cause delays in the schedule.**



## Filing Procedures for SPECIAL USE PERMIT

### FILING

Special use permit applications are filed with the:

Department of Planning and Development Review  
Land Use Administration Division, Room 511  
City Hall, 900 East Broad Street, Richmond, Virginia 23219  
Telephone (804) 646-6304

### APPLICATION REQUIREMENTS

The application for a special use permit must include the following, each part of which is explained below. ***Application must be submitted in an electronic format (PDF).***

1. **Application form, including a completed checklist;**
  2. **Application fee;**
  3. **Applicant's report;**
  4. **Electronic PDF plans; and**
  5. **Survey plat.**
1. **Application Form:** All the owners of the property must sign the application form. If a legal representative signs for a property owner, a copy of an executed power of attorney is required.
  2. **Application Fee:** The appropriate fee must accompany the application. Checks should be made payable to the "City of Richmond". The fees are determined from the attached fee schedule.
  3. **Applicant's Report: *A written report must be submitted describing the proposed use.*** For non-residential development, the description should include the anticipated number of employees, hours of operation, and an estimate of the amount of vehicular traffic that will be generated by the use. The report should point out the specific features of the special use that will ensure that it will be compatible with the surrounding area, and that it is an appropriate use for the site. In addition, the City Charter specifies certain conditions that must be met before City Council can approve a special use permit. It must be shown that the proposed special use will ***not***:
    - a. be detrimental to the safety, health, morals and general welfare of the community involved;
    - b. tend to create congestion in streets, roads, alleys and other public ways and places in the area involved;
    - c. create hazards from fire, panic or other dangers;
    - d. tend to cause overcrowding of land and an undue concentration of population;
    - e. adversely affect or interfere with public or private schools, parks, playgrounds, water supplies, sewage disposal, transportation or other public requirements, conveniences and improvements; or
    - f. interfere with adequate light and air.

The report must indicate the reasons why the applicant feels these conditions will be met (e.g., features of the plan, characteristics of the proposed use or surrounding area). ***Please note*** that the ***above materials will be forwarded to the City Planning Commission and City Council along with the special use permit ordinance.***



## Filing Procedures for **SPECIAL USE PERMIT**

### **FILING**

4. **Plans:** Plans are required to provide sufficient detail to permit the staff to make a determination of the compatibility of the proposed project with surrounding development. Plans must be properly scaled and include a scale bar. Depending on the request, plans may include the following:

- a. Site Plan
- b. Elevation Plans
- c. Floor Plans
- d. Landscape Plans
- e. Signage Plan & Details
- f. Lighting Plan & Details

In some cases not all plans would be relevant to the request and may not be required. If there is a question about the level of detail required, please contact Land Use Administration Staff. Electronic Plans (PDF) are required with the initial application and any subsequent resubmissions. Electronic plans may be submitted on a disk or via email at: [DCDLanduseadmin@richmondgov.com](mailto:DCDLanduseadmin@richmondgov.com).

5. **Survey Plat:** A PDF of a survey plat showing the property and including metes and bounds is required. The plat should show existing physical features of the property, including:
  - a. North arrow, scale, property address, the distance to nearest public street, preparer of plat, date, revision dates, area of site;
  - b. Existing structures, buildings, paved areas, fences, streets, alleys, easements, and limits of the 100 year flood plain, Chesapeake Bay Preservation Area limits, wetlands, and streams.



(As of 9\_7\_2018) **(FEE SCHEDULE)**  
 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/>

**COMMUNITY UNIT PLAN**

Preliminary	\$3,000 + \$100/acre <sup>1</sup>
Extension of Preliminary Approval	\$1,500
Final	\$1,500 + \$100/acre <sup>1</sup>
Amendment	\$1,500 + \$100/acre <sup>1</sup>

**CONDITIONAL USE PERMIT**

Initial	\$1,500 + \$100/acre <sup>2</sup>
Amendment	\$1,000 + \$100/acre <sup>2</sup>

**PLAN OF DEVELOPMENT**

Floor area & Land disturbed $\leq 5,000$ square feet	\$500 + \$100/acre <sup>2</sup>
Floor area & Land disturbed $\geq 5,001$ & $\leq 50,000$ square feet	\$1,000 + \$100/acre <sup>2</sup>
Floor area & Land disturbed $\geq 50,001$ square feet	\$1,500 + \$100/acre <sup>2</sup>

**REZONING/CONDITIONAL REZONING**

Each continuance caused by the applicant	\$1,500 + \$100/acre <sup>2</sup>
	\$250

**SPECIAL USE PERMIT**

<i>Use</i>	<i>Initial</i>	<i>Amendment</i>
Day Nursery	\$300	\$200
Single- or two-family detached or attached dwelling	\$300	\$200
Outdoor dining	\$300	\$200
Mobile food business	\$300	\$200
Sign	\$300	\$200
Multi-family dwelling (3 to ten units)	\$1,800	\$1,200
Commercial or industrial equal to or less than 5,000 sq ft	\$1,800	\$1,200
Multi-family dwelling (more than 10 units)	\$2,400	\$1,800
Commercial or industrial more than 5,000 sq ft	\$2,400	\$1,800
Each continuance caused by the applicant	\$250	

**SUBDIVISION**

Preliminary Plat	\$500 + \$15/lot
Extension of Preliminary Plat Approval	\$150
Final Plat	\$500 + \$15/lot
Subdivision Confirmation Letter	\$100
Continuance*	\$50
Plat of Correction	\$100

**A full refund of the application fee is permitted if the application is withdrawn prior to the second submittal of plans. Once a second submittal of plans is made, fees are not refundable.**

<sup>1</sup>For Community Unit Plans (CUP), the first 10 acres are included in the base price.

<sup>2</sup>For Conditional Use Permits, Plans of Development, and Rezoning, the first acre is included in the base price.

For all applications with an additional price per acre, fractions of an acre are rounded up to the nearest whole number. Do not prorate the fee per fraction of acre.

- Example: A Conditional Use Permit (CUP) for a 0.76 acre property would owe \$1,500 (base fee only). A CUP for a 2.3 acre property would owe \$1,700 (\$1,500 base fee + 2\*\$100 (for the 1.3 acres over the first acre))

\* No charge for the 1st continuance requested by the applicant or for any continuance requested by the Planning Commission. The second or subsequent continuance request by the applicant costs \$50.

Fees went into effect upon adoption of Ordinance No. 2018-209 by City Council on September 10, 2018.

## Introduction

The property owner is requesting a special use permit ("the SUP") for 506 Cheatwood Avenue ("the Property"). The SUP would authorize a lot split and the construction of one, single-family detached dwelling on the undeveloped eastern portion of the Property. As proposed, some of the features do not conform to the underlying zoning feature requirements applicable to the Property.

## Existing Conditions

### SITE DESCRIPTION AND EXISTING LAND USE

The Property is located on the north side of Cheatwood Avenue between Moss Side Avenue and Forest Lawn Cemetery. The Property is referenced by the City Assessor as tax parcel N018-0455/019. The Property is 75 feet wide by 115 feet in depth and contains approximately 8,625 square feet of lot area. The lot is improved by a two-story dwelling that was constructed circa 1925. The existing building generally occupies the western half of the Property while the eastern portion of the lot is unimproved. Access is provided by an east-west alley at the rear of the Property.



The properties in the vicinity primarily developed with single-family dwellings. The subject block includes single-family dwellings and the Mary M. Scott School elementary school. To the east of the Property lies a single-family dwelling and the Forest Lawn Cemetery, which lies outside the boundaries of the City of Richmond in Henrico County. Single-family dwellings in the vicinity

have been developed on lots ranging from 25 to 100 feet in width. Recent new single-family development within one block includes new dwellings on lots of comparable or smaller width and area to the proposed.

## **EXISTING ZONING**

The Property is zoned R-5 Single-Family Residential, which permits the proposed single-family detached dwelling use. The surrounding properties to the north, south, east, and west are also zoned R-5. The R-5 district requires a lot area of not less than 6,000 square feet and width of not less than 50 feet for single-family dwellings. The historic lot pattern in the area is based on the original Washington Park Subdivision, which included 25' wide lots. Many properties in the area consist of one or a combination of these original subdivision lots and, as a result, many are nonconforming with regard to some combination of lot area, lot width and yard requirements. Where vacant, many of these existing substandard existing lots in the vicinity can be developed by-right based on their history. This is evidenced by recent single-family construction on substandard sized lots as well as zoning confirmation letters on file with the Zoning Administration. Splitting the lot as proposed would be consistent with this development pattern. However, as the proposed development does not meet R-5 lot area and lot width requirements, a special use permit is required.

## **MASTER PLAN DESIGNATION**

The Richmond 300 Master Plan (the "Master Plan") suggests "Residential" 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 that developments 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. In the High-Quality Places chapter, there are number of supporting objectives, such as (generally):

- Ensure that building materials are durable, sustainable, and create a lasting addition to the built environment, and provide maximum adaptability for environmental change, change of use, and efficiency.
- Allow and encourage a variety of architectural styles.
- Implement urban design and architecture strategies that maintain and enhance the unique character of Richmond's residential districts.

# **Proposal**

## **PURPOSE OF REQUEST**

The request would permit the division of the Property in order to permit the construction of one single-family detached dwelling on the unimproved eastern half of the Property. The Property consists of three parcels from the original Washington Park Subdivision making it quite large for

the vicinity. The western portion of the lot is developed with a two-story dwelling. The applicant would like to construct a single-family detached dwelling on the unimproved eastern side of the Property. The R-5 district does permit single-family dwellings; however, the required lot width and lot area for the existing and proposed dwellings cannot be met, therefore, a SUP is required in order to permit the proposed development.

In exchange for the SUP, the intent of this request is to ensure a high-quality, market rate home ownership opportunity that is consistent with the goals of the Master Plan while remaining compatible with the overall historic fabric of the neighborhood.

## **PROJECT SUMMARY**

The proposed lot split would result in two lots, one occupied by the existing single-family dwelling and the other for the construction of a new single-family dwelling. The existing dwelling would be located on a lot that is 40'5" in width and which contains 4,655 square feet of lot area. The new dwelling would be located on a lot that is 34' 7" in width and which contains 3,973 square feet of lot area.

When complete, the proposed new dwelling would be two stories in height, contain approximately 1,584 square feet of finished floor area, and would include three bedrooms and two-and-one-half bathrooms. The dwelling would include an open kitchen and living area with modern and desirable features including a master bedroom complete with en suite master bath and walk-in closet. The exterior is designed to reflect the character of the neighborhood and includes architectural details existing in the vicinity including a mansard style roof and full-width front porch. The dwelling would be clad in high quality materials including cementitious siding. Off-street parking would be provided for both the existing and proposed dwelling at the rear of the Property, which would be accessed from the alley. Care was taken in the design and siting of the dwelling to ensure compatibility with other homes in the neighborhood and that all other zoning standards would be met.

## **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 SUP 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 SUP will not result in significant traffic impacts to nearby residential neighborhoods. The negligible traffic generation and the provision of off street parking spaces will prevent 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 SUP will not tend to over crowd the land or create an undue concentration of population. The proposed development is consistent with the historic lot pattern and existing densities in the vicinity.

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

The proposed SUP would not adversely affect the above referenced City services.

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

The light and air available to the subject and adjacent properties will not be affected. The proposed building is 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

The applicant is enthusiastically seeking approval for the construction of a high quality, single-family dwelling on the Property. This proposal represents an ideal, small-scale urban infill development for this location. In exchange for the approval, the quality assurances conditioned through the SUP would guarantee the construction of a higher quality dwelling than might otherwise be developed. This would contribute to the overall vibrancy of the neighborhood through the provision of an appropriate urban form and use that is consistent with the historic development pattern of surrounding neighborhood and the goals set forth in the Richmond 300 Master Plan.



**PROJECT CONTACTS:**  
 OWNER:  
 JORDAN CLARK  
 JDCLARK762@GMAIL.COM  
 804-350-8622  
 ARCHITECT:  
 CHRIS WOLF  
 CHRIS WOLF ARCHITECTURE, PLLC  
 804-514-7644

B.Z.A. FOR NEW 2-STORY, SINGLE-FAMILY DETACHED HOUSE  
 IN RICHMOND'S WASHINGTON PARK NEIGHBORHOOD

# 506 CHEATWOOD AVE. HOUSE

506 CHEATWOOD AVENUE  
 RICHMOND, VIRGINIA 23220

S.U.P. FOR NEW 2-STORY, SINGLE-FAMILY DETACHED HOUSE  
 IN RICHMOND'S WASHINGTON PARK NEIGHBORHOOD  
**506 CHEATWOOD AVE. HOUSE**  
 506 CHEATWOOD AVENUE  
 RICHMOND, VIRGINIA 23220

DRAWING INDEX	
DRAWINGS	
NO.	SHEET TITLE
CS	COVER SHEET
CI.1	ARCHITECTURAL SITE PLAN
AI.1	FIRST & SECOND FLOOR PLANS
A2.1	FRONT EXTERIOR ELEVATION & EXTERIOR FINISH SCHEDULE
A2.2	REAR & SIDE EXTERIOR ELEVATIONS



SET/REVISION:  
 B. Z. A. NEIGHBOR RESPONSE  
 DATE/MARK:  
 03.22.2021  
 COVER SHEET  
**CS**

ZONING INFORMATION (PROPOSED):

LOT ZONED R-5

SETBACKS/YARDS:

FRONT YARD:  
LEFT SIDE YARD:  
RIGHT SIDE YARD:  
REAR YARD:  
HEIGHT:

EXISTING  
24'±  
11'-10"±  
4'-2"  
66'±  
2 STORIES

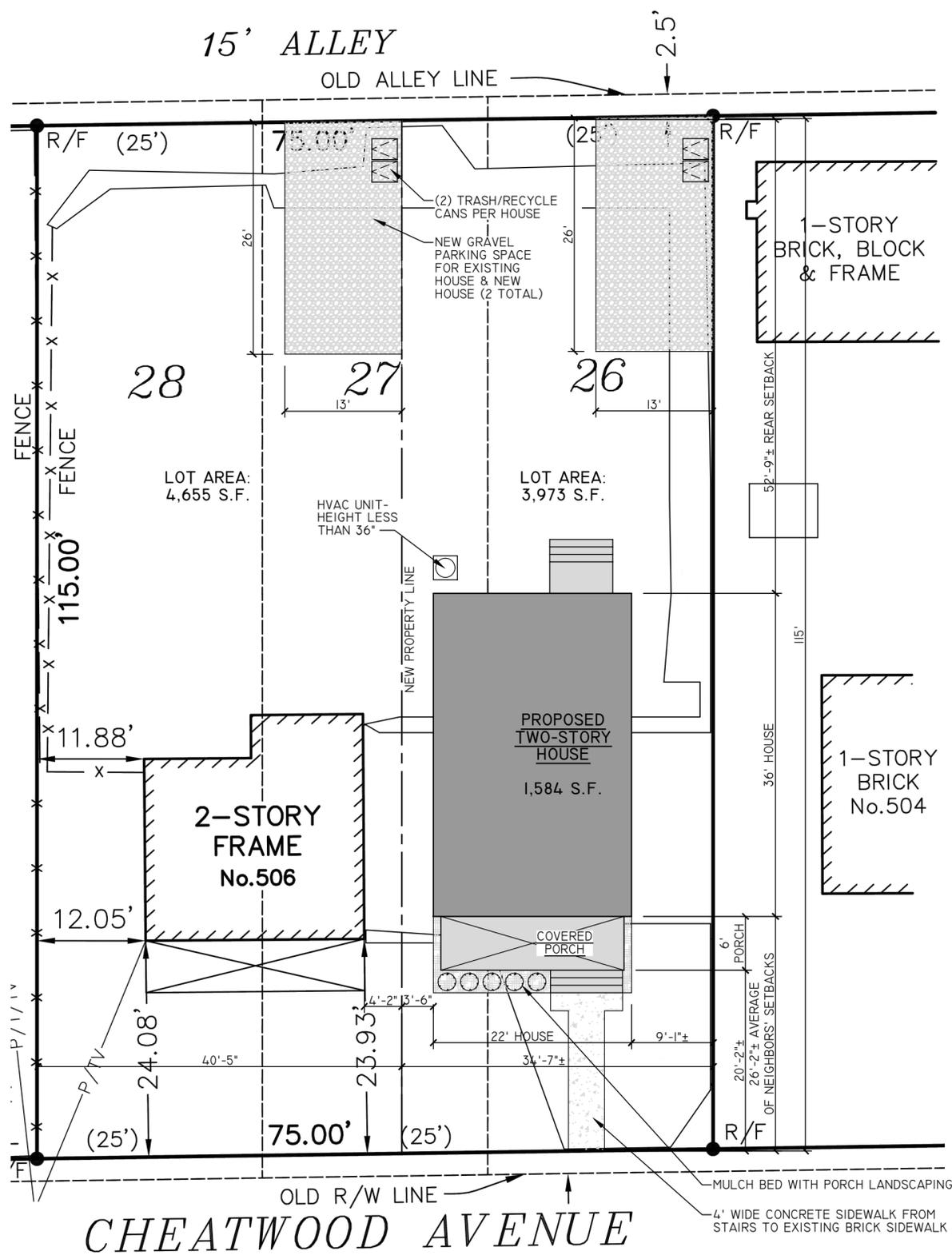
NEW  
26'-2"  
3'-6"  
9'-1"±  
52'-9"±  
2 STORIES (28-29'±)

LOT SIZE & COVERAGE:

LOT WIDTH:  
LOT AREA:  
LOT COVERAGE (HOUSE + GARAGE/SHED):  
COVERAGE PERCENTAGE:

EXISTING  
40'-5"  
4,655 S.F.  
551 S.F.  
12%

NEW  
34'-7"  
3,973 S.F.  
792 S.F.  
20%



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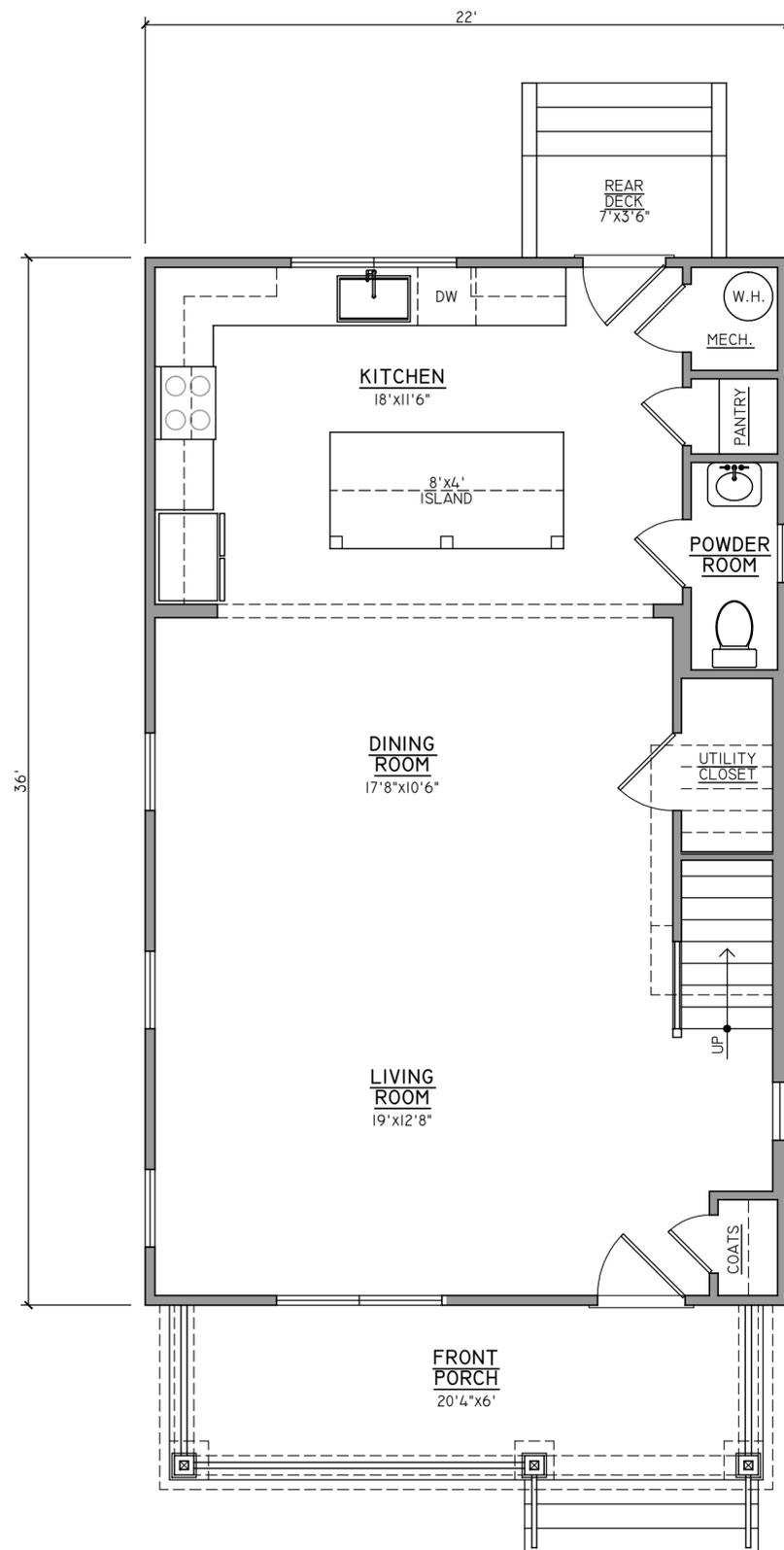


SET/REVISION:  
B. Z. A. NEIGHBOR RESPONSE

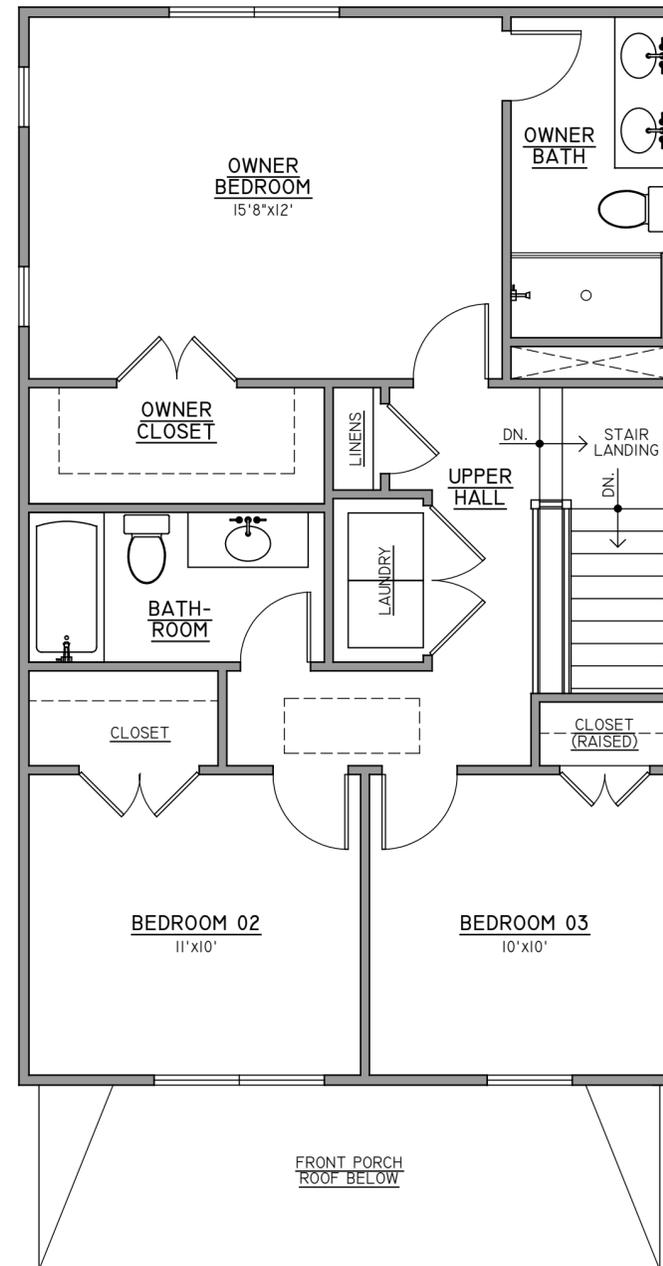
DATE/MARK:  
03.22.2021

ARCHITECTURAL  
SITE PLAN

# CI.I



01 | FIRST FLOOR PLAN  
1/4" = 1'



02 | SECOND FLOOR PLAN  
1/4" = 1'

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 RICHMOND, VIRGINIA 23220

NOT FOR CONSTRUCTION

SET/REVISION:  
 B. Z. A. NEIGHBOR RESPONSE

DATE/MARK:  
 03.22.2021

FIRST & SECOND FLOOR PLANS

**AI.I**

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 JDCLARK762@GMAIL.COM  
 804-350-8622

ARCHITECT:  
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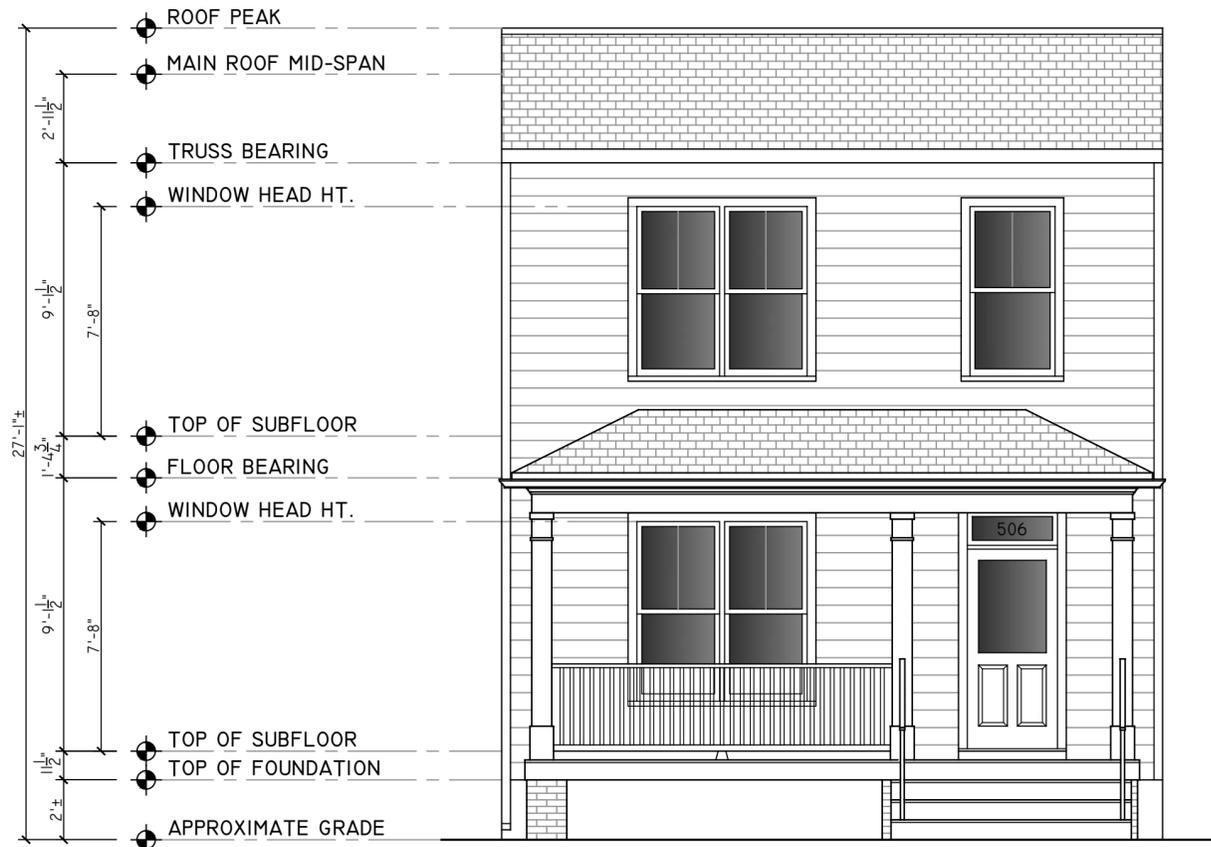


SET/REVISION:  
 B. Z. A. NEIGHBOR RESPONSE

DATE/MARK:  
 03.22.2021

FRONT ELEVATION

**A2.1**



01 | FRONT ELEVATION  
 1/4" = 1'

**EXTERIOR FINISH SCHEDULE**

NO.	COMPONENT/MATERIAL	COLOR/FINISH	REMARKS
01	BRICK PIERS	RICHMOND RED	
02	PARGED FOUNDATION	THRU-COLOR TAN/GRAY	
03	FIBER-CEMENT LAP SIDING (HARDIE OR EQUAL)	COLOR TBD	
04	FIBER-CEMENT BOARD & BATTEN GABLES	COLOR TBD	
05	COMPOSITE TRIM- SEE WALL SECTION	PAINTED WHITE	
06	FIBER-CEMENT SOFFIT	FACTORY WHITE	
07	VINYL BEADBOARD PORCH CEILING	NON-VENTED, FACTORY WHITE	
08	ENTRY DOOR	PAINTED, COLOR DBD	
09	5/4x4 COMPOSITE DOOR/WINDOW TRIM	PAINTED WHITE	
10	VINYL WINDOWS - SEE FLOOR PLANS FOR SIZES	PREFINISHED WHITE	
11	8" SQUARE DECORATIVE PORCH COLUMN	PAINTED WHITE	
12	COMPOSITE STAIRS/TRIM WITH P.T. WOOD DECKING	PAINTED WHITE FRAME	
13	STEEL FRONT PORCH RAILING/ HANDRAIL	FACTORY WHITE	
14	TREATED WOOD REAR DECK/STAIRS/RAILING	NATURAL TREATED WOOD	
15	ALUMINUM GUTTER & DOWNSPOUTS	PREFINISHED WHITE	
16	ASPHALT SHINGLE MANSARD & PORCH ROOFS	TBD	
17	MAIN ROOFING - TPO	FACTORY WHITE	

- EXTERIOR FINISH NOTES:  
 1. EXTERIOR ELEVATION NOTES ARE TYPICAL ACROSS ALL EXTERIOR ELEVATIONS U.N.O.  
 2. GRADES SHOWN APPROXIMATE, V.I.F.  
 3. SEE ADDITIONAL SPECIFICATIONS BY DEVELOPER  
 4. G.C. VERIFY ALL MATERIAL & COLOR SELECTIONS WITH DEVELOPER PRIOR TO CONSTRUCTION



03 | LEFT SIDE ELEVATION  
3/16" = 1'



01 | REAR ELEVATION  
3/16" = 1'



02 | RIGHT SIDE ELEVATION  
3/16" = 1'

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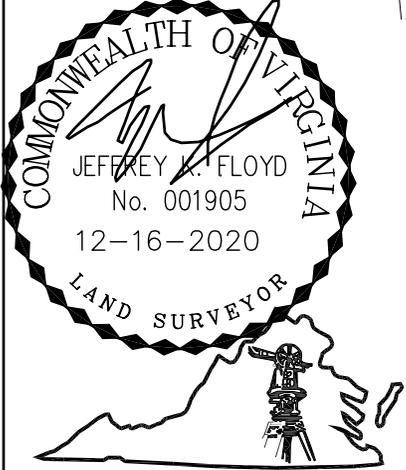
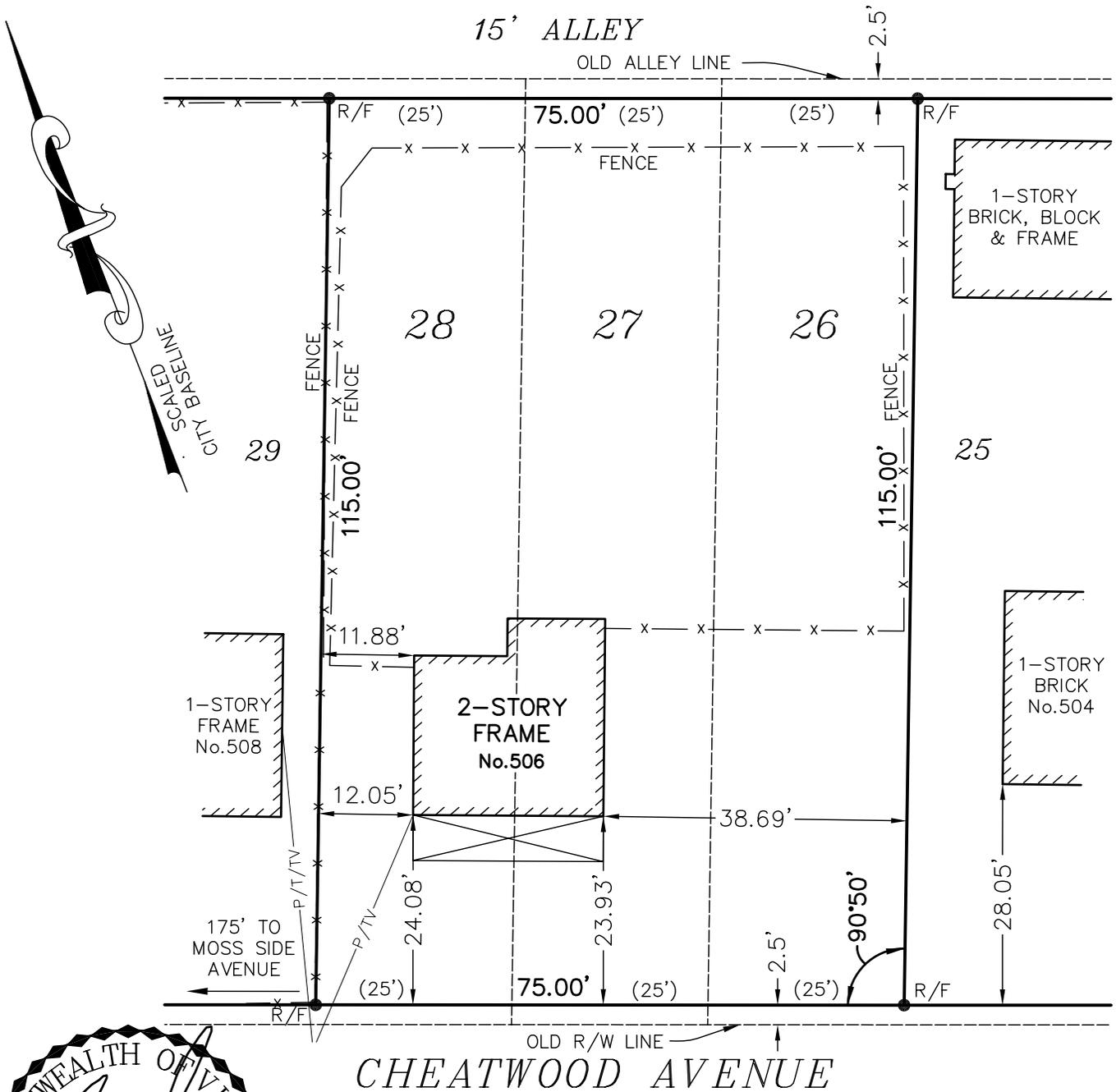
DATE/MARK:  
03.22.2021

REAR & LEFT SIDE  
EXTERIOR ELEVATIONS

A2.2

This is to certify to the PURCHASER/OWNER shown hereon, and his TITLE INSURER and Lender, that on 7-31-2020 I made an Accurate survey of the premises shown hereon and that there are no easements or encroachments visible on the ground other than those shown hereon. This survey has been made without the benefit of a title search and is subject to any uses recorded and unrecorded and other pertinent facts in which a title search may disclose. Copies of this plat without the certifying surveyor's seal with an original signature are INVALID.

This property IS NOT within a FEMA Floodway Hazard as shown on Comm. Panel # 5101290029D Zone: "X" DATED: 4-02-2009



MAP SHOWING THE IMPROVEMENTS  
ON A PORTION OF  
LOTS 26, 27 AND 28, BLOCK 19,  
"WASHINGTON PARK"  
IN THE CITY OF RICHMOND, VA.

Virginia Surveys

P.O. BOX 118  
CHESTERFIELD, VA 23832  
(804) 748-9481  
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REVISED: 12-16-2020  
DATE: 7-31-2020

CERTIFIED BY JEFFREY K. FLOYD  
VIRGINIA CERTIFICATE NO. 001905

SCALE: 1"=20'  
JOB NO. 200613426

