



CITY OF RICHMOND

DEPARTMENT OF  
PLANNING AND DEVELOPMENT REVIEW  
BOARD OF ZONING APPEALS

## **BOARD OF ZONING APPEALS**

### **MEETING MINUTES**

**WEDNESDAY, FEBRUARY 2, 2022**

On Wednesday, February 2, 2022, the Board of Zoning Appeals held an electronic public hearing at 1:00 p.m due to the disaster represented by the spread of COVID-19 pursuant to the current ongoing declaration of a local emergency confirmed by Res. No. 2020-R025, adopted March 16, 2020 and as permitted by §2.2-3708.2(A)(3) of the Virginia Freedom of Information Act; display notice having been published in the Richmond Legacy Newspaper on January 19 and 26, 2022 and written notice having been sent to interested parties.

Members Present:                   Burt F. Pinnock, Chair  
  Roger H. York, Jr., Vice-Chair  
  Rodney M. Poole  
  Mary J. Hogue  
  Susan Sadid

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

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The Chairman called the meeting to order and read the Board of Zoning Appeals Introductory Statement, which explains the proceedings of the meeting including the fact that the public hearing is being held electronically due to current ongoing declaration of a local emergency confirmed by Res. No. 2020-R025, adopted March 16, 2020 and as permitted by §2.2-3708.2(A)(3) of the Virginia Freedom of Information Act. The applicant and those appearing in support of an application speak first, followed by those appearing in opposition.

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BZA 03-2022

APPLICANT: Motta Home Renovations LLC

PREMISES: 3306 2<sup>nd</sup> AVENUE  
(Tax Parcel Number N000-1071/009)

SUBJECT: A lot split and building permit to construct a new single-family  
(detached) dwelling.

DISAPPROVED by the Zoning Administrator on November 12, 2021, based on Sections 30-300 & 30-412.4(1) of the zoning ordinance for the reason that: In R-6 (Single-Family Attached Residential) District, the lot area and lot width requirements are not met. Lot areas of five thousand square feet (5,000 SF) and lot widths of fifty feet (50') are required. For zoning purposes, one (1) lot having a lot area of 9,800 square feet and a lot width of seventy feet (70') currently exists. A lot area of 4,900 square feet and width of 35.00 feet is proposed for No. 3304. A lot area of 4,900 square feet and width of 35.00 feet is proposed for No. 3306.

APPLICATION was filed with the Board on December 17, 2021, based on Section 1040.3(2) of the City of Richmond Zoning Ordinance.

APPEARANCES:

For Applicant: Thiago Motta

Against Applicant: None

FINDINGS OF FACT: The Board finds from sworn testimony and exhibits offered in this case that the applicant, Thiago Motta, has requested a special exception to construct a new single-family detached dwelling for property located at 3306 2<sup>nd</sup> Avenue. It was noted that the property located in an R-6 Single-Family Attached Residential District. Specifically the lot area and lot width requirements are not met as the R-6 district requires a lot area of 5000 ft.<sup>2</sup> and a lot width of 50 feet. The applicant is proposing lot areas of 4900 ft.<sup>2</sup> and lot widths of 35 feet. Mr. Motta noted that he purchased the lot as part of a City tax sale. The intent is to build a single-family 2000 ft.<sup>2</sup> dwelling. Mr. Motta stated the dwelling will include four bedrooms and three bathrooms. It was noted that the lot formally existed as a legal lot of record but was combined with the adjoining lot due to establishment of various accessory uses. Mr. Motta stated that the plans specify cementitious siding.

Mr. York noted that the proposed lots are dimensionally consistent with other lots in the surrounding vicinity.

The Board is satisfied that the property was acquired in good faith and pursuant to Section 114-1040.3 (2) of the zoning ordinance, the subject lots have previously consisted of legal lots of record that were subsequently combined by deed, and the number of lots to be created do not exceed the number of previously existing lots of record, the new lots comply with Section 114-610.1 of the zoning ordinance and off-street parking requirements will be met, each lot created by the division will comply with the requisite side yard requirements, the division will comply with applicable requirements of the subdivision regulations and that dwellings to be constructed on the lots will be compatible with the dwellings existing or to be constructed in the immediate vicinity of the property.

RESOLUTION: NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ZONING APPEALS that a request for a special exception from the lot area and lot width requirements be granted to Motta Home Renovations LLC for a lot split and building permit to construct a new single-family (detached) dwelling, subject to substantial compliance with the plans submitted to the Board and provision of cementitious siding.

ACTION OF THE BOARD: (4-0-1)

Vote to Grant Conditionally

affirmative: Pinnock, York, Hogue. Sadid

negative: None

abstention: Poole

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Upon motion made by Mr. Poole and seconded by Mr. York, Members voted (4-0) to adopt the Board's January meeting minutes.

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The meeting was adjourned at 1:20 p.m.

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Secretary



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Chairman