

INTRODUCED: May 23, 2022

AN ORDINANCE No. 2022-164

To authorize the special use of the property known as 1504 Park Avenue for the purpose of a single-family attached dwelling, upon certain terms and conditions.

Patron – Mayor Stoney (By Request)

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: JUN 27 2022 AT 6 P.M.

WHEREAS, the owner of the property known as 1504 Park Avenue, which is situated in a R-6 Single-Family Attached Residential District, desires to use such property for the purpose of a single-family attached dwelling, which use, among other things, is not currently allowed by section 30-412.6, 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 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

AYES: 8 NOES: 0 ABSTAIN: _____

ADOPTED: JUN 27 2022 REJECTED: _____ STRICKEN: _____

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 1504 Park Avenue and identified as Tax Parcel No. W000-0612/019 in the 2022 records of the City Assessor, being more particularly shown on a survey entitled “Plat Showing Improvements on #1504 Park Avenue in the City of Richmond, Virginia,” prepared by Harvey L. Parks, Inc., and dated August 25, 2021, a copy of which is attached to and made a part of this ordinance, hereinafter referred to as “the Property,” is hereby permitted to be used for the purpose of a single-family attached dwelling, hereinafter referred to as “the Special Use,” substantially as shown on the plans entitled “Trostli Renovation & Addition, 1504 Park Ave, Richmond, Virginia,” prepared by Eddie Davenport Construction, and dated November 26, 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 a single-family attached dwelling, substantially as shown on the Plans.

(b) Outdoor lighting shall be located, directed or shielded so as not to shine directly on adjoining properties or to create a traffic hazard by means of glare or similarity to or confusion with traffic signals, warning lights or lighting on emergency vehicles.

(c) Elevations, building materials, and site improvements 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.

§ 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.

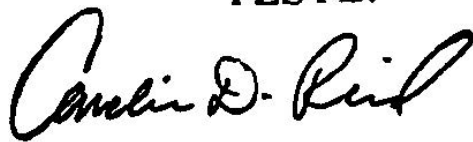
(f) When the privileges granted by this ordinance terminate and the special use permit granted hereby becomes null and void, whether as a result of the Owner relinquishing this special use permit in a writing addressed to the Director of Planning and Development Review or

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:**

A handwritten signature in black ink, appearing to read "Carolin D. Rind". The signature is fluid and cursive, written over the printed name "Carolin D. Rind".

City Clerk



City of Richmond

Item Request File Number: PRE.2022.0099

RECEIVED
By City Attorney's Office at 8:25 am, May 03, 2022

RECEIVED
By CAO Office at 12:52 pm, Apr 19, 2022

2022-091

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

O & R Request

DATE: April 11, 2022

EDITION: 1

TO: The Honorable Members of City Council

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

THROUGH: J.E. Lincoln Saunders, 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 1504 Park Avenue for the purpose of a single-family attached dwelling, upon certain terms and conditions.

ORD. OR RES. No. ____

PURPOSE: To authorize the special use of the property known as 1504 Park Avenue for the purpose of a single-family attached dwelling, upon certain terms and conditions.

REASON: The applicant is requesting a Special Use Permit which would allow for an expansion of a sunroom on an existing single-family attached dwelling. The proposed expansion exceeds the maximum lot coverage requirements of Section 30-412.6 of the City's Zoning Ordinance. A Special Use Permit is therefore required.

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 6, 2022, meeting.

BACKGROUND: The property is located in the Fan neighborhood on 1504 Park Avenue in the City's Fan Neighborhood. The property is currently a 1,481 sq. ft. (.03 acre) parcel of land and is improved with a 1,718 sq. ft. single-family attached dwelling constructed, per tax assessment records, in 1910. The City's Richmond 300 Master Plan designates a future land use for the subject property as Neighborhood Mixed Use. This designation is defined as "Existing or new highly-walkable urban neighborhoods that are predominantly residential with a small, but critical, percentage of parcels providing retail, office, personal service, and institutional uses."

Intensity: Building heights are generally two to four stories. Buildings taller than four stories may be found along major streets. Parcels are generally between 1,500 and 5,000 sq. ft.

Primary Uses: Single-family houses, accessory dwelling units, duplexes, small multi-family buildings (typically 3-10 units), and open space.

Secondary Uses: Large multi-family buildings (10+units), retail/office/personal service, institutional, cultural, and government. (p. 56)

The current zoning for this property is R-6 Single-family attached residential. Adjacent properties are generally the same R-6 Zone. The surrounding land uses include primarily residential with some commercial and institutional uses 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 9, 2022

CITY COUNCIL PUBLIC HEARING DATE: June 13, 2022

REQUESTED AGENDA: Consent

RECOMMENDED COUNCIL COMMITTEE: None

CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES: City Planning Commission
June 6, 2022

AFFECTED AGENCIES: Office of Chief Administrative 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: 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: 1504 Park Ave Richmond VA 23220 Date: 12/2/21

Tax Map #: W0000612019 Fee: \$200

Total area of affected site in acres: .0014 acres (62 sq. ft.)

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

Zoning

Current Zoning: R-6

Existing Use: Residential

Proposed Use

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

convert deck to sunroom

Existing Use: deck

Is this property subject to any previous land use cases?

Yes

☐

No

☒

If Yes, please list the Ordinance Number: _____

Applicant/Contact Person: Robert Trostli

Company: _____

Mailing Address: 1504 Park Ave

City: Richmond

State: VA

Zip Code: 23220

Telephone: (804) 254-1070

Fax: ()

Email: rtrostli@gmail.com

Property Owner: Robert + Donna Marie Trostli

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: 1504 Park Ave

City: Richmond

State: VA

Zip Code: 23220

Telephone: (804) 254-1070

Fax: ()

Email: rtrostli@gmail.com

Property Owner Signature: Robert Trostli Donna Marie Trostli

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)

Robert Trostli
1504 Park Ave.
Richmond, VA 23220

Department of Planning and Development
Land Use Administration
900 E. Broad Street
Richmond, VA 23219

Applicant Report for Special Use Permit Amendment

Dear Members of the Department of Planning and Development,

We are requesting permission to convert an existing deck into a sunroom, which will serve as an addition to our kitchen and dining room.

In order to maintain continuity with the neighboring building (1506 Park), we have designed the exterior walls of the sunroom to match the walls of 1506 in terms of style, finish, and coloring. This should give the joint interior courtyard of both buildings sense of unity.

The sunroom is appropriate to the site insofar as it does not change the footprint of the existing deck. Because the design simply extends the existing building, there should be minimal visual or spatial impact on the courtyard or the neighboring properties

This sunroom will not

1. be detrimental to the safety, health, morals and general welfare of the community involved *because there is no change in use;*
2. create congestion in streets, roads, alleys and other public ways and places in the area involved because there is no change in the footprint of the existing deck and access;
3. create hazards from fire, panic or other dangers *because it will be contiguous with the existing dwelling;*
4. tend to cause overcrowding of land and an undue concentration of population *because it will not change the number of inhabitants in the existing dwelling*
5. adversely affect or interfere with public or private schools, parks, playgrounds, water supplies, sewage disposal, transportation or other public requirements, conveniences and improvements *because it does not change the land use.* Water run-off from the roof will be accommodated by appropriate drainage
6. interfere with adequate light and air *because it does not block light or air from the adjacent properties (1502 & 1506 Park Ave.)*

We believe that the addition of the sunroom will increase the property value of our property and therefore of the neighboring properties as well.

Our neighbors support this project. Here are the emails that they sent to Katherine Jordon, our City Councilwoman:

Email from Bill Jacobs, who resides in 1502 Park Ave.

On Wed, Jul 7, 2021 at 7:19 PM Bill and Cheryl Jacobs <bill.cher.jacobs@mindspring.com> wrote:
Ms Jordan,
My wife Cheryl, and I are very supportive of the Trostli's request to install a sunroom.
We live at 1502 and Roberto and Donna Marie live at 1504 so we are the neighbors most directly "affected" by this construction request. They have been wonderful neighbors for many years and we desire them to remain in their house for many years to follow. This addition would greatly enhance the livability of their home and does not negatively affect our property at all.
Thank you for your attention to this letter, and for your good work on the council in our behalf.
Bill Jacobs

Email from Elizabeth Breen who resides at 1506 Park Ave.

Breen, Elizabeth <ebreen@hunton.com>
Tue, Jul 6, 1:02 PM

My husband and I are supportive of Roberto and Donna Marie Trostli's proposed sun room project to be built where their back deck is currently located. I have copied in Sven Philipsen per Katherine's request. Please let me know if you have any questions or need any additional information from us.


Best,
Liz

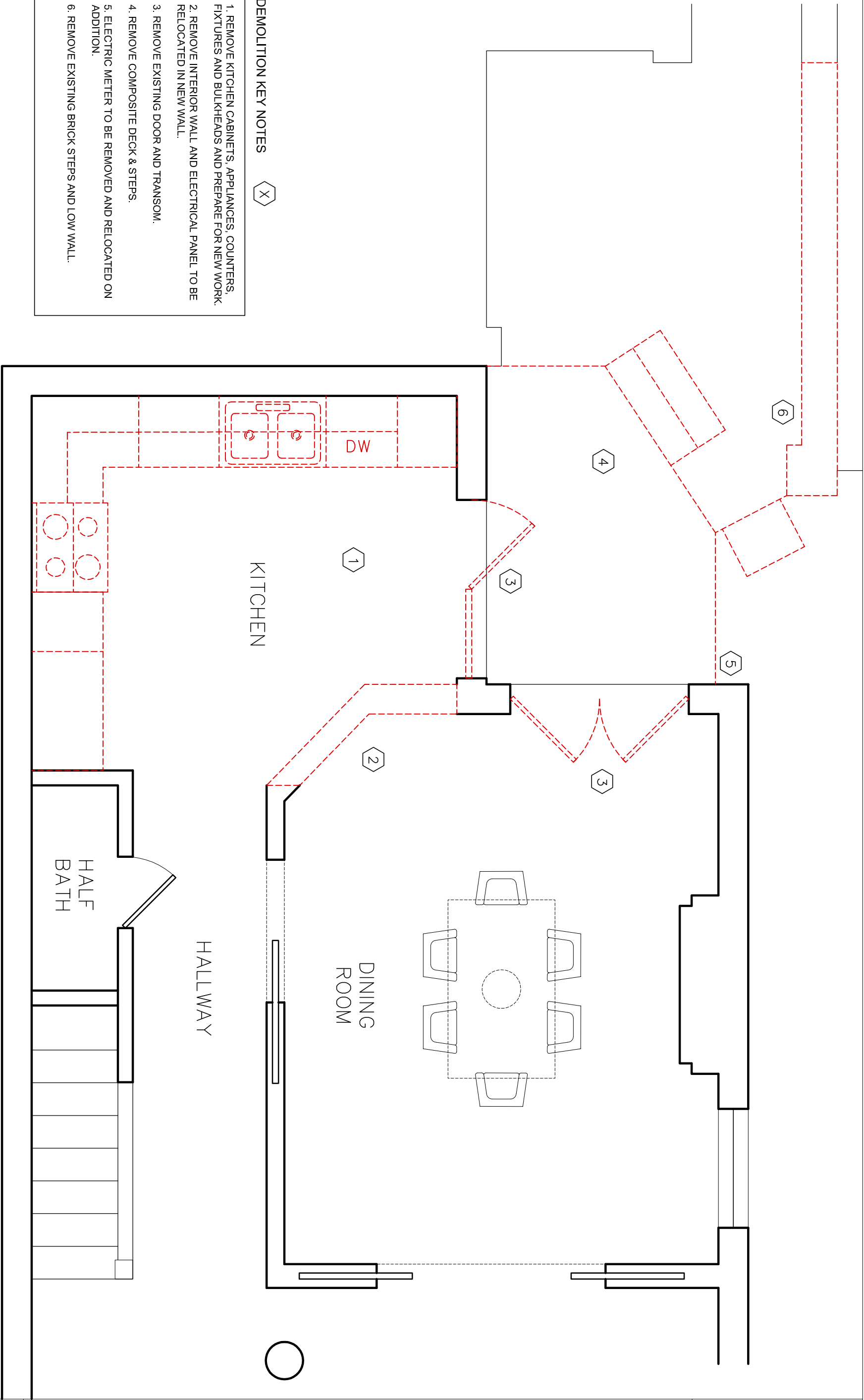
Please let us know if you need any additional information.

Thank you for your consideration!

Robert Trostli
1504 Park Ave.
Richmond VA 23220
434-603-7602

Donna Marie Trostli
1504 Park Ave.
Richmond VA 23220
804-254-1070

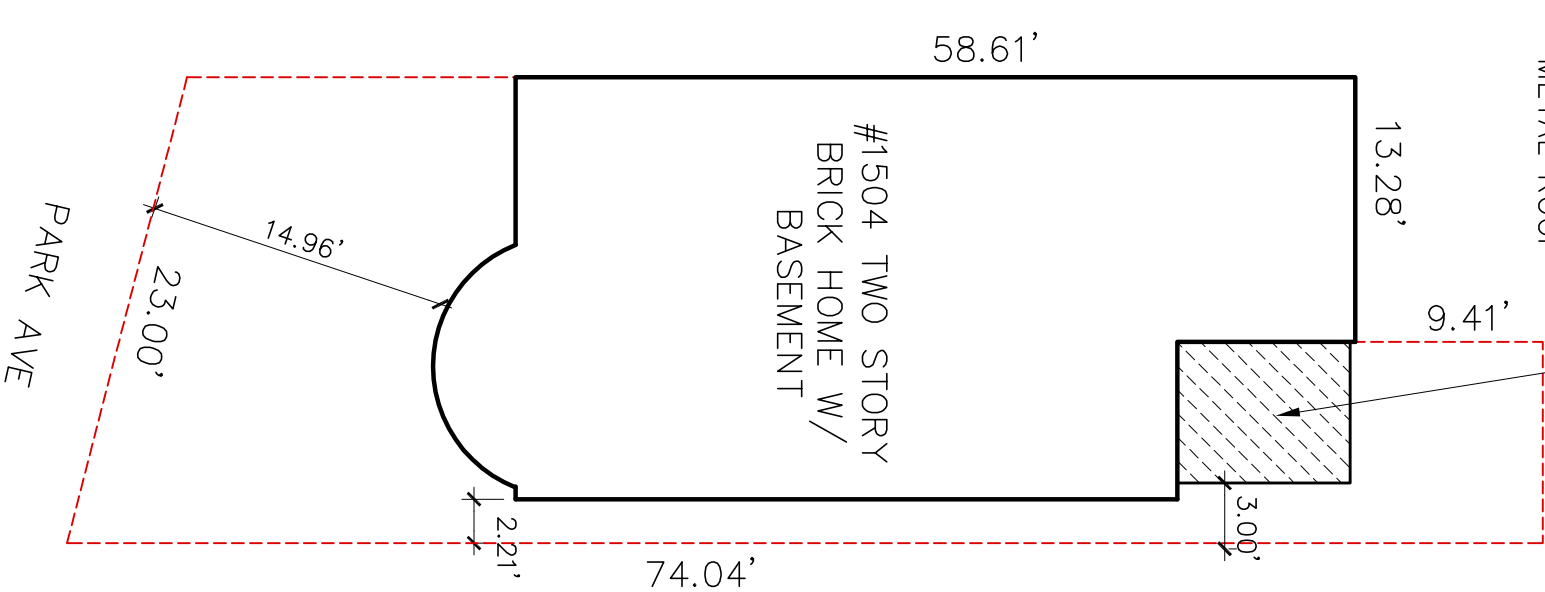
- DEMOLITION KEY NOTES
-  1. REMOVE KITCHEN CABINETS, APPLIANCES, COUNTERS, FIXTURES AND BULKHEADS AND PREPARE FOR NEW WORK.
2. REMOVE INTERIOR WALL AND ELECTRICAL PANEL TO BE RELOCATED IN NEW WALL.
3. REMOVE EXISTING DOOR AND TRANSOM.
4. REMOVE COMPOSITE DECK & STEPS.
5. ELECTRIC METER TO BE REMOVED AND RELOCATED ON ADDITION.
6. REMOVE EXISTING BRICK STEPS AND LOW WALL.



D1 DEMOLITION PLAN

SCALE: 3/8" = 1' - 0"

62 SF ADDITION,
WOOD FRAME W/
CRAWL SPACE AND
METAL ROOF



CODE DATA
(VIRGINIA UNIFORM STATEWIDE BUILDING CODE)

THE EXISTING HOUSE IS A SINGLE-FAMILY DETACHED DWELLING. THE CONSTRUCTION IS BRICK WITH BRICK AND BLOCK FOUNDATION. THE EXISTING ROOF IS SLATE.

**SEE STRUCTURAL DRAWINGS FOR
FURTHER INFORMATION**

ZONED R-6: LOT COVERAGE RESTRICTION = 55% WITH REAR SETBACK REQUIREMENT OF 5'-0" AND SIDE YARD SET BACK OF 3'-0". PROPERTY PART OF EXISTING SPECIAL USE PERMIT, 62SF ADDITION, COMPLIANT WITH SIDE YARD SETBACK, REQUESTING AMENDMENT OF SPECIAL USE PERMIT. A COMBINATION OF BOTH LOTS IS COMPLIANT WITH LOT COVERAGE REQUIREMENT.



Eddie DAVENPORT
Construction

cell: 804-400-5580
eddie@eddiedavenportconstruction.com

PLAN AMENDMENT REQUEST:
SPECIAL USE PERMIT

TROSTLI RENOVATION & ADDITION
1504 Park Ave
Richmond, Virginia

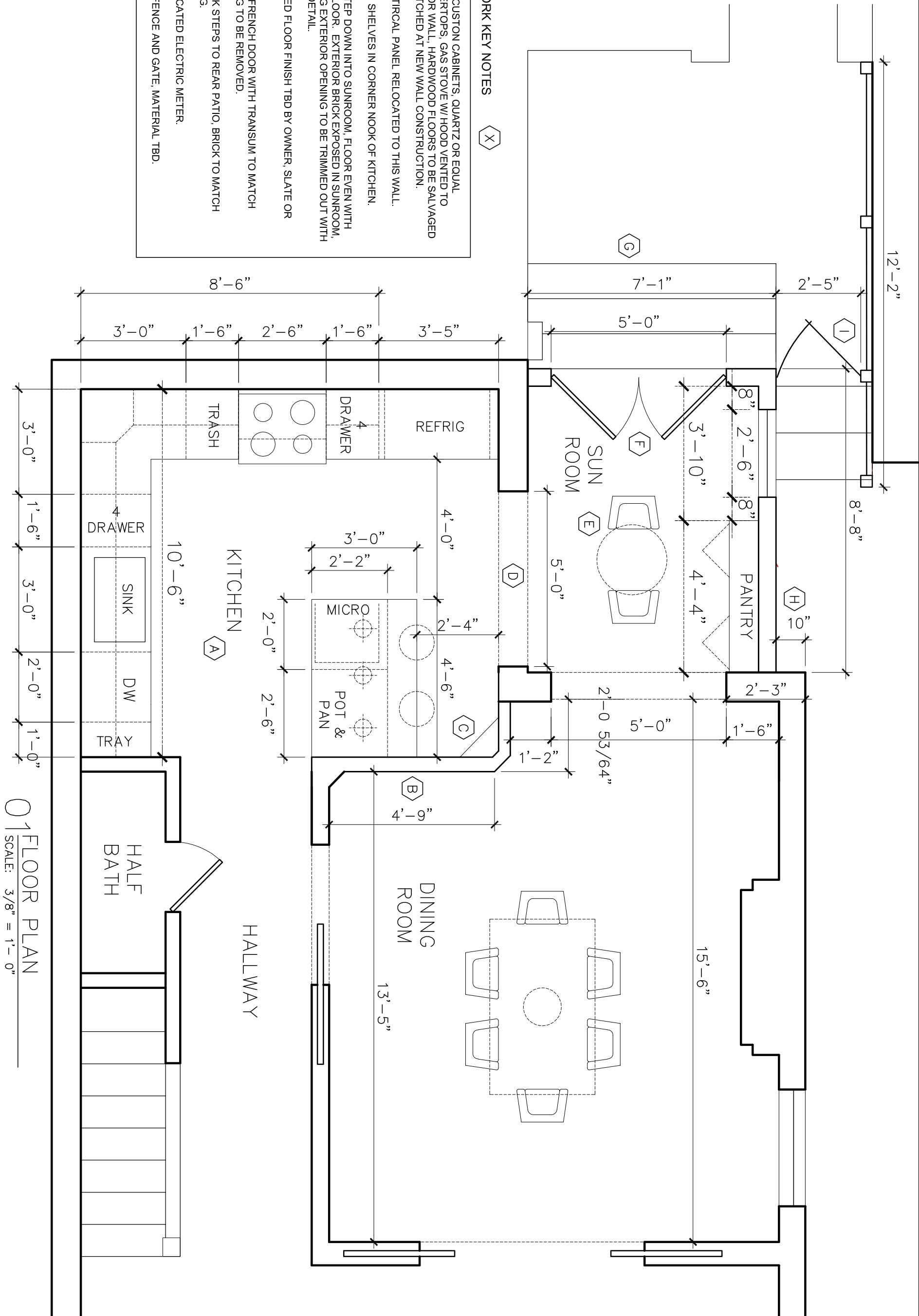
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November 26, 2021

01 SITE PLAN
SCALE: N.T.S.



- NEW WORK KEY NOTES**
- A. NEW CUSTON CABINETS, QUARTZ OR EQUAL COUNTERTOPS, GAS STOVE W/ HOOD VENTED TO EXTERIOR WALL, HARDWOOD FLOORS TO BE SALVAGED AND PATCHED AT NEW WALL CONSTRUCTION.
 - B. ELECTRICAL PANEL RELOCATED TO THIS WALL.
 - C. OPEN SHELVES IN CORNER NOOK OF KITCHEN.
 - D. NO STEP DOWN INTO SUNROOM, FLOOR EVEN WITH FIRST FLOOR. EXTERIOR BRICK EXPOSED IN SUNROOM, EXISTING EXTERIOR OPENING TO BE TRIMMED OUT WITH PANEL DETAIL.
 - E. HEATED FLOOR FINISH TBD BY OWNER, SLATE OR TILE.
 - F. NEW FRENCH DOOR WITH TRANSUM TO MATCH EXISTING TO BE REMOVED.
 - G. BRICK STEPS TO REAR PATIO, BRICK TO MATCH EXISTING.
 - H. RELOCATED ELECTRIC METER.
 - I. NEW FENCE AND GATE, MATERIAL TBD.



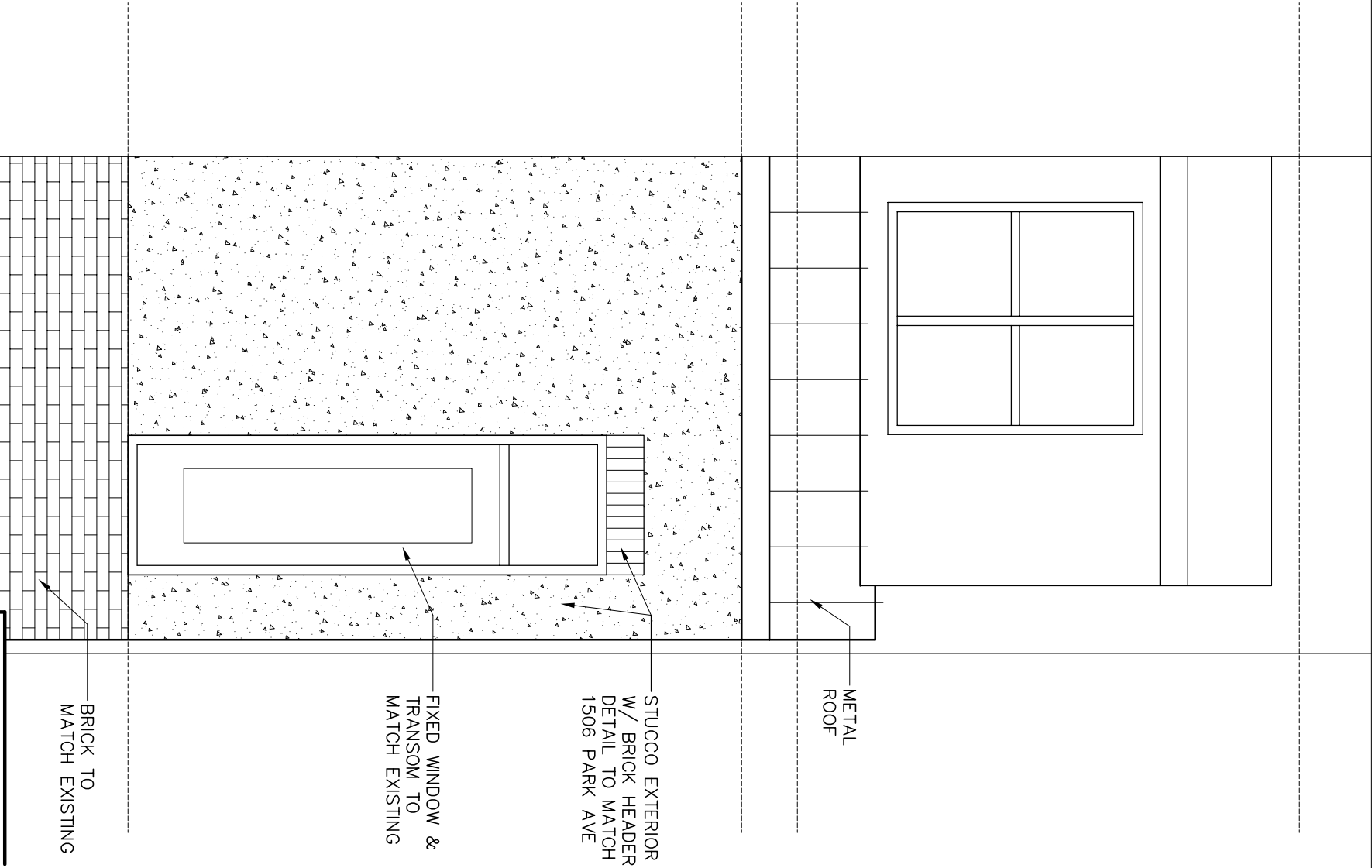
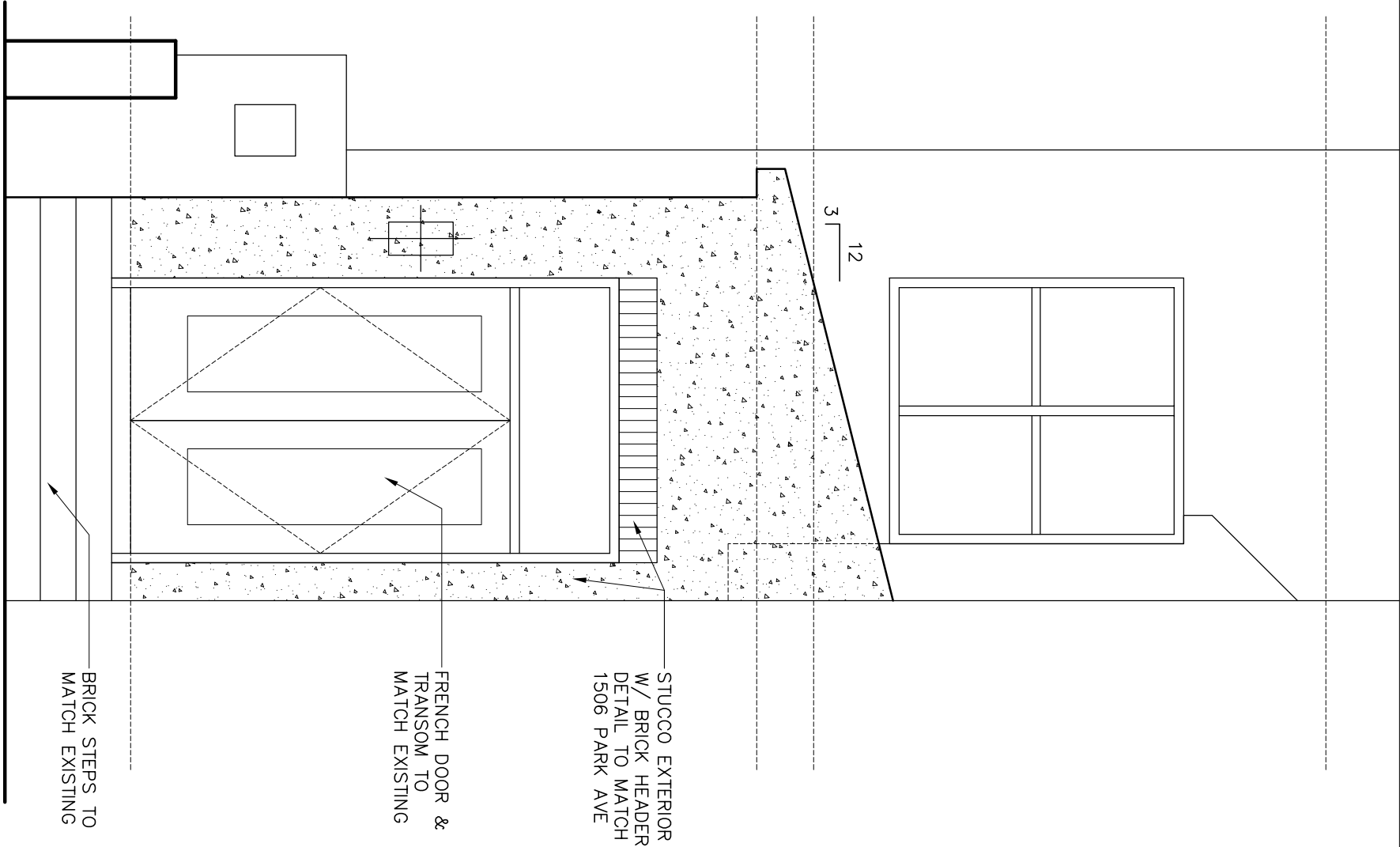
01 FLOOR PLAN
SCALE: 3/8" = 1'-0"

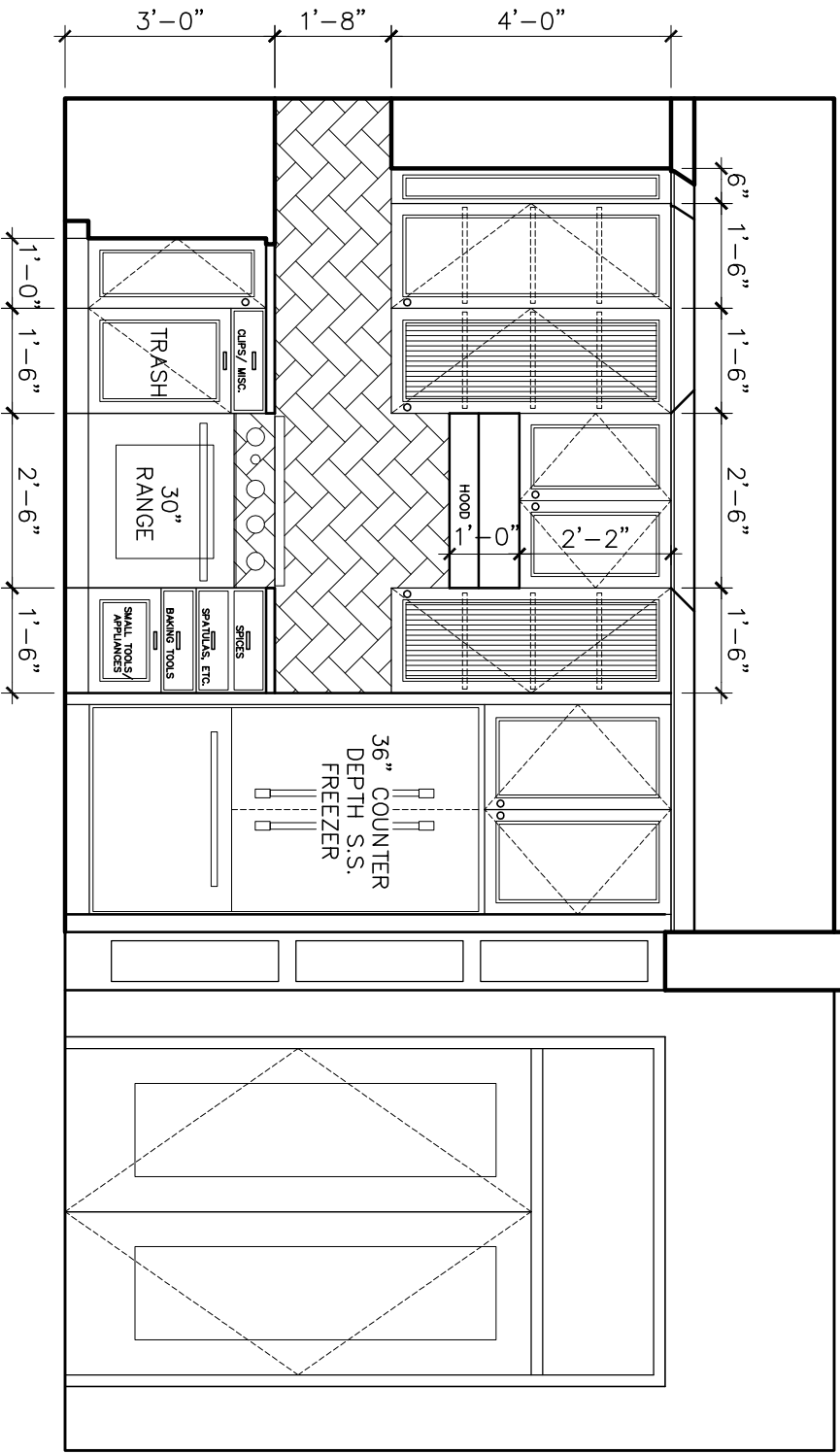
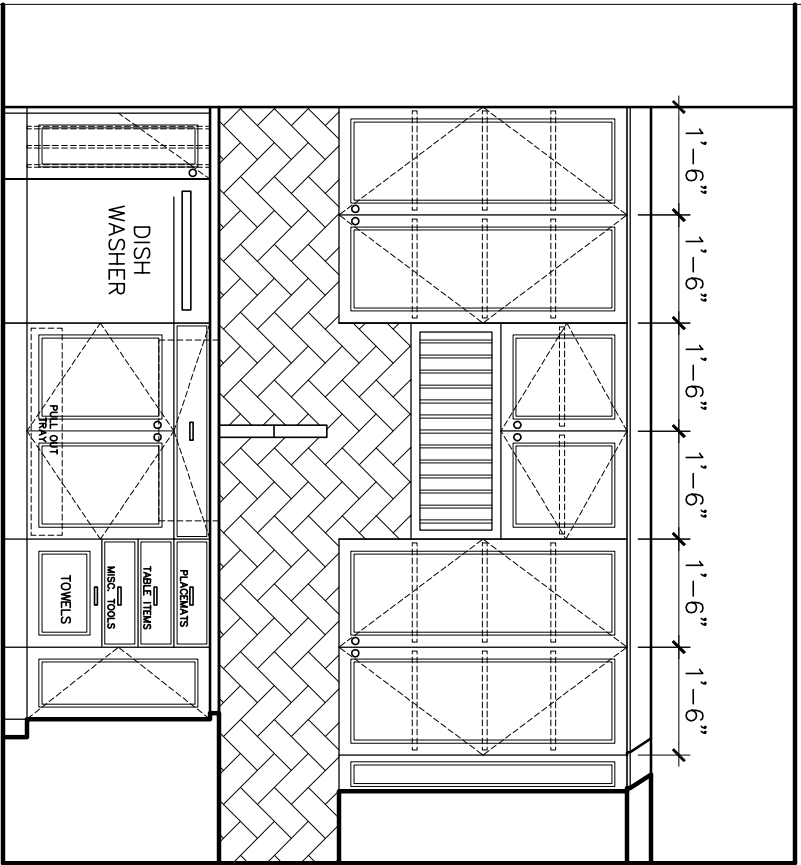
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TROSTLI RENOVATION & ADDITION
1504 Park Ave
Richmond, Virginia

PLAN AMENDMENT REQUEST:
SPECIAL USE PERMIT

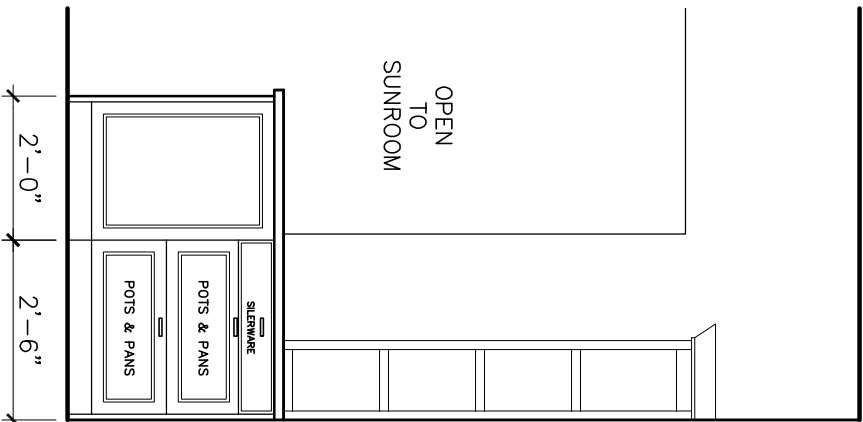
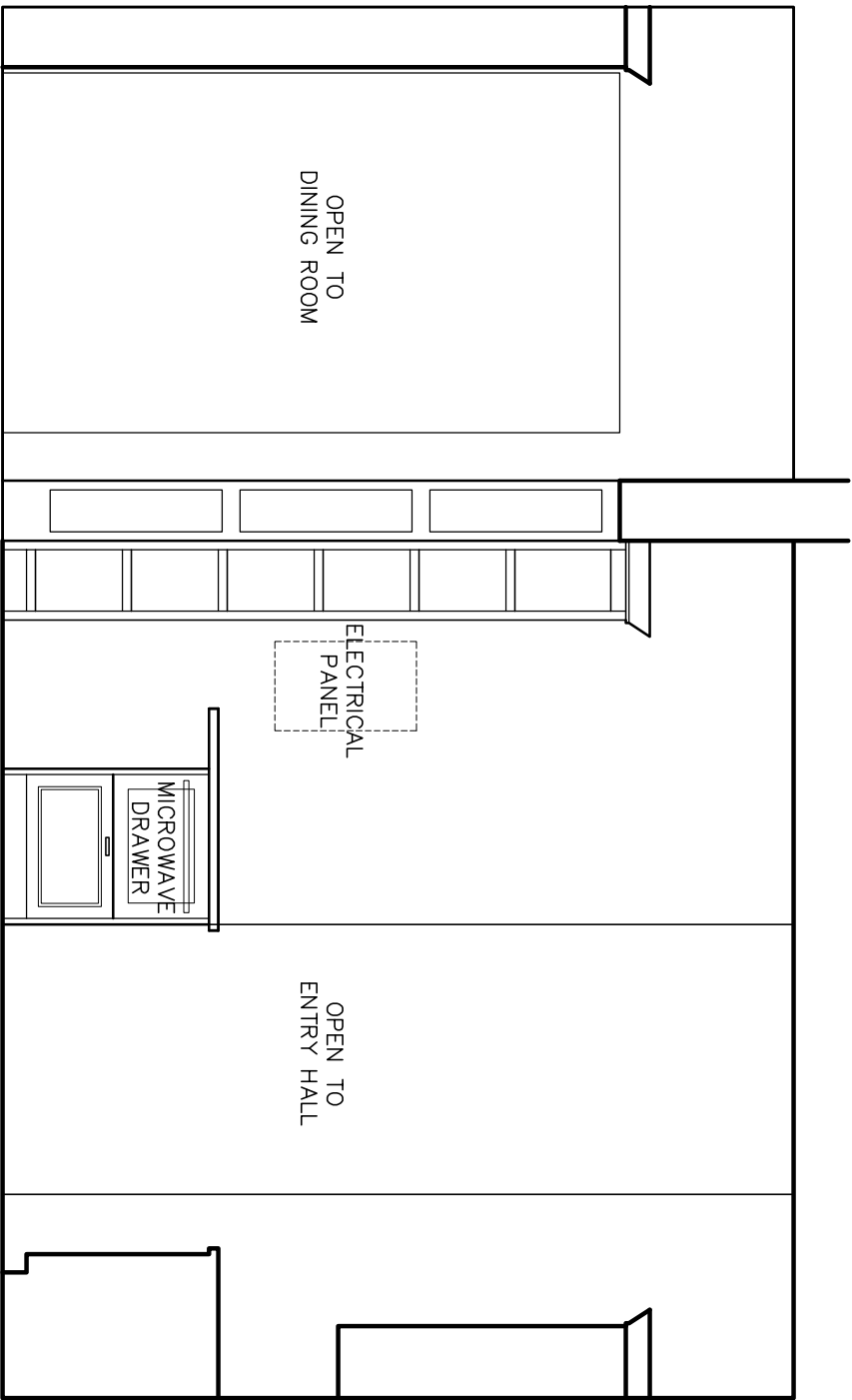
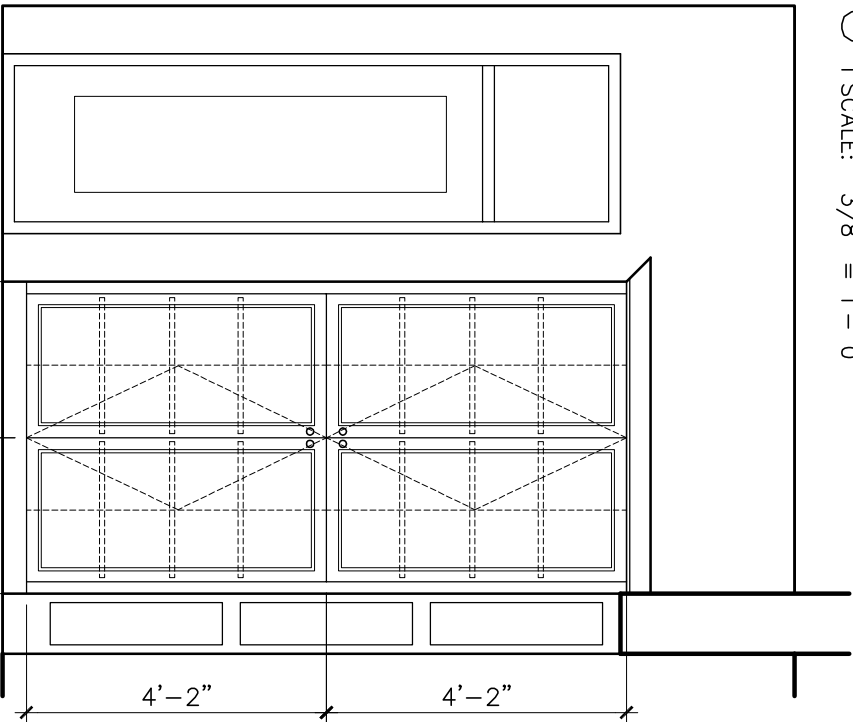
Eddie DAVENPORT Construction
cell: 804-400-5580
eddie@eddieavenportconstruction.com





01 KITCHEN ELEVATIONS

SCALE: 3/8" = 1'-0"

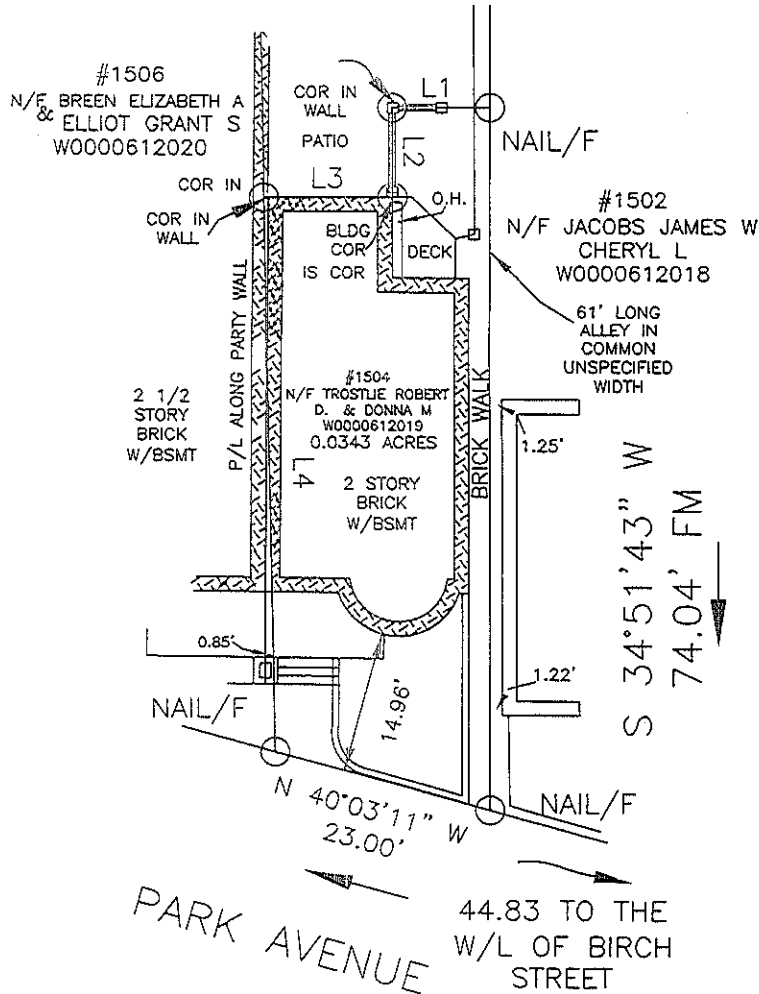
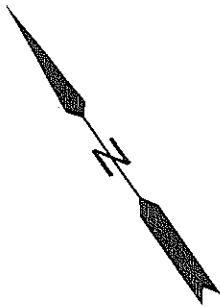


02 KITCHEN ELEVATIONS

SCALE: 3/8" = 1'-0"

THIS IS TO CERTIFY THAT ON 8-20-2021,
I MADE AN ACCURATE FIELD SURVEY OF THE PREMISES
SHOWN HEREON AND THAT THERE ARE NO EASEMENTS
OR ENCROACHMENTS VISIBLE ON THE GROUND OTHER
THAN THOSE SHOWN HEREON.

THIS PROPERTY IS IN H.U.D. DEFINED FLOOD
HAZARD AREA. ZONE: X, AS SHOWN ON FIRM
COMMUNITY PANEL #5101290037D, DATED 04/02/2009.



LINE	BEARING	DISTANCE
L1	N 55°12'18" W	10.10'
L2	S 34°30'31" W	9.41'
L3	N 55°18'28" W	13.28'
L4	S 33°46'42" W	58.61'

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

HARVEY L. PARKS, INC.
4506 W. HUNDRED ROAD
CHESTER, VA.
PHONE: 804-748-8641
EMAIL: SURVEYS@HARVEYLPARKS.COM

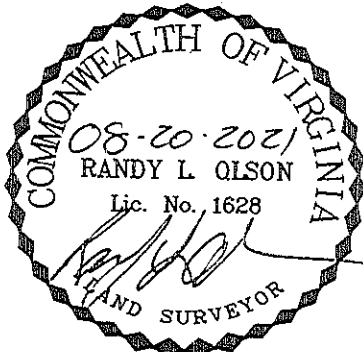
DATE: AUGUST 25 2021 SCALE: 1"=20'

DRAWN BY: H.T.J.

CHECKED BY: R.L.O.

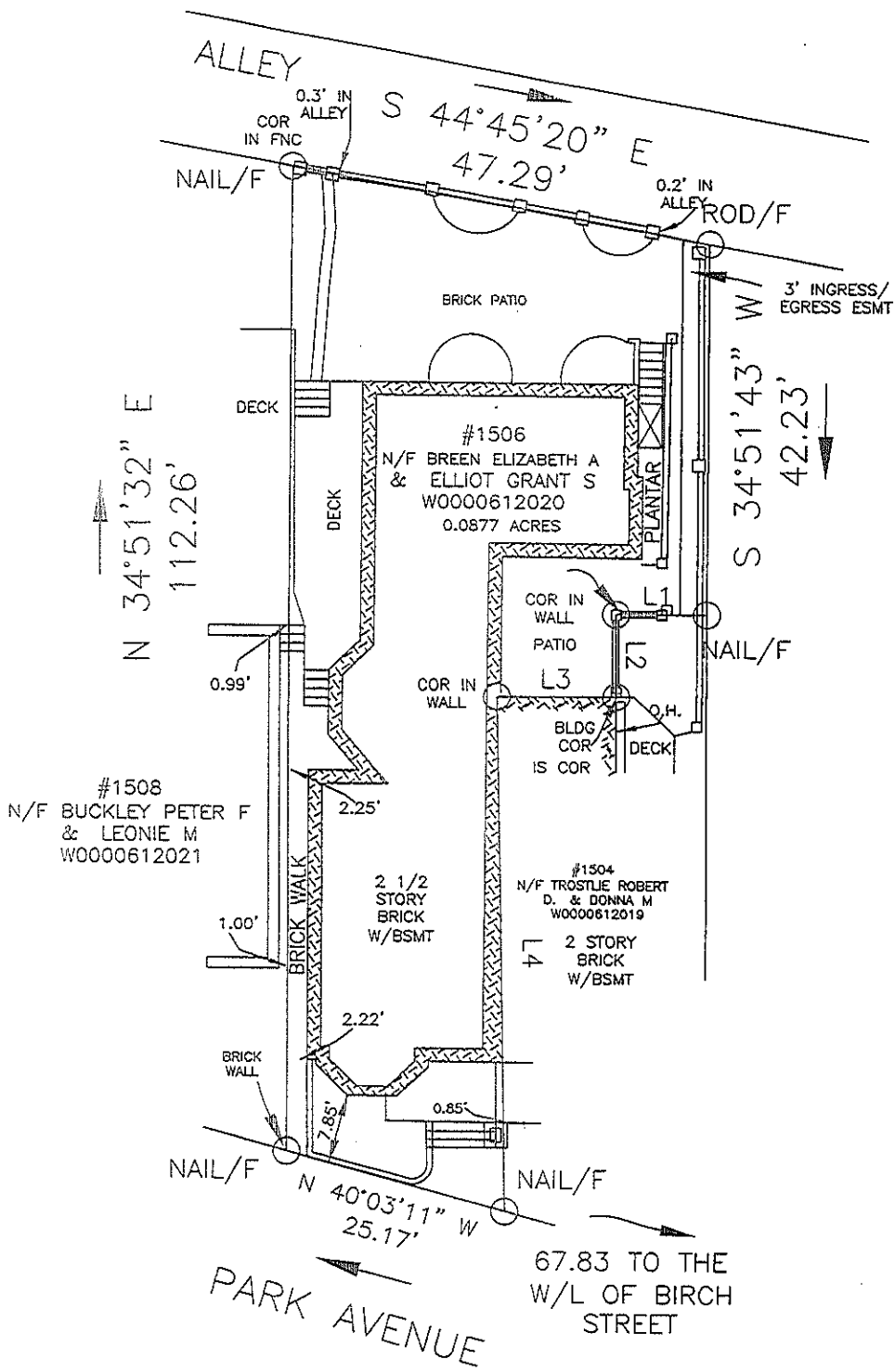
F.B.K.: 639, PG. 54 63954.dwg

PLAT SHOWING IMPROVEMENTS ON
#1504 PARK AVENUE
IN THE CITY OF
RICHMOND, VIRGINIA



THIS IS TO CERTIFY THAT ON 8-20-2021,
I MADE AN ACCURATE FIELD SURVEY OF THE PREMISES
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OF RECORD AND OTHER PERTINENT FACTS
WHICH A TITLE SEARCH MIGHT DISCLOSE.

HARVEY L. PARKS, INC.

4508 W. HUNDRED ROAD
CHESTER, VA.

PHONE: 804-748-8641

EMAIL: SURVEYS@HARVEYLPARKS.COM

DATE: AUGUST 25 2021

SCALE: 1"=20'

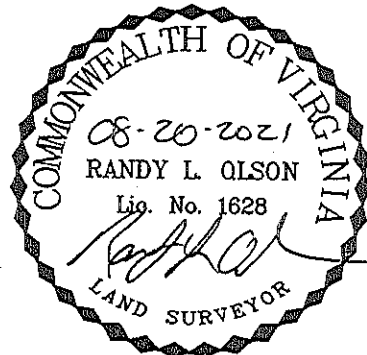
DRAWN BY: H.T.J.

CHECKED BY: R.L.O.

F.B.K.: 639, PG. 54

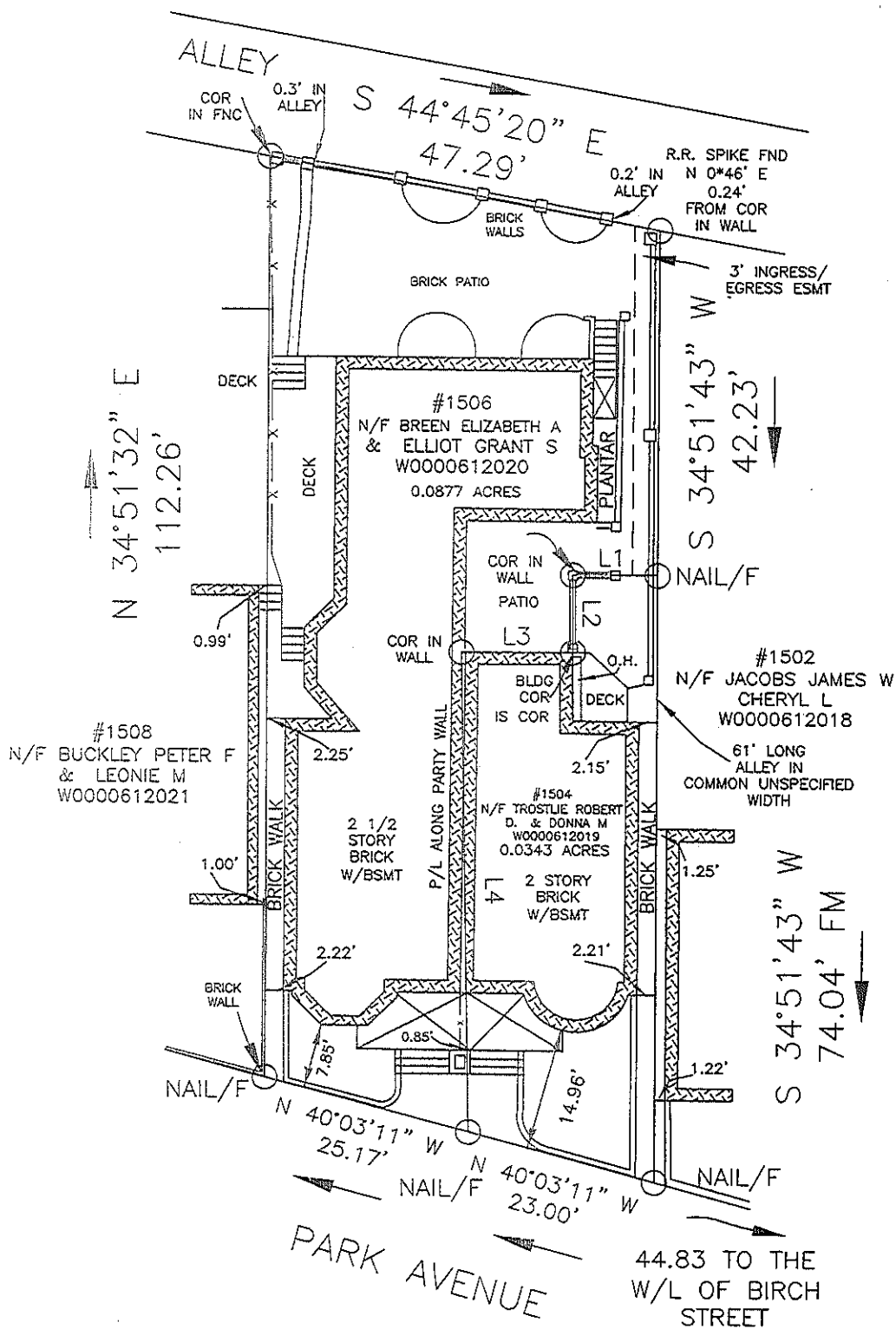
63954.dwg

PLAT SHOWING IMPROVEMENTS ON
#1506 PARK AVENUE
IN THE CITY OF
RICHMOND, VIRGINIA



THIS IS TO CERTIFY THAT ON 8-20-2021,
I MADE AN ACCURATE FIELD SURVEY OF THE PREMISES
SHOWN HEREON AND THAT THERE ARE NO EASEMENTS
OR ENCROACHMENTS VISIBLE ON THE GROUND OTHER
THAN THOSE SHOWN HEREON.

THIS PROPERTY IS IN H.U.D. DEFINED FLOOD
HAZARD AREA. ZONE: X, AS SHOWN ON FIRM
COMMUNITY PANEL #5101290037D, DATED 04/02/2009.



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

DATE: AUGUST 25 2021 SCALE: 1"=20'

DRAWN BY: H.T.J.

CHECKED BY: R.L.O.

F.B.K.: 639, PG. 54

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PLAT SHOWING IMPROVEMENTS ON
#1506 & #1504 PARK AVENUE
IN THE CITY OF
RICHMOND, VIRGINIA

