



# 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

Project Name: 5314 1/2 Stokes Lane Date: March 17, 2022

Property Address: 5314 1/2 Stokes Lane Tax Map #: W0200064051

Fee: \$300.00 Total area of affected site in acres: 0.071 Acres  
(See page 3 for fee schedule, please make check payable to the "City of Richmond")

## Zoning

Current Zoning: R-5

Existing Use: Vacant Lot

Is this property subject to any previous land use cases? Construct a Single-Family Dwelling

**Yes No**  
☐ If Yes, ☒ please list the Ordinance Number:  
\_\_\_\_\_

## Proposed Use

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

**Applicant/Contact Person:** Will Gillette / Mark Baker

Company: Baker Development Resources, LLC

Mailing Address: 530 E Main Street, Suite 730

City: Richmond State: VA Zip Code: 23219

Telephone: ( 804 ) 874-6275 Fax: ( )

Email: markbaker@bakerdevelopmentresources.com

**Property Owner:** Dominion Area Development Group, LLC

If Business Entity, name and title of authorized signee: Bryan Traylor, managing member

(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: 615 Albemarle Street,

City: Richmond State: VA Zip Code: 23220

Telephone: ( 804 ) 399-7495 Fax: ( )

Email: bryantraylor@gmail.com

**Property Owner Signature:** BRYAN C. TRAYLOR

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

*March 23, 2022*

*Special Use Permit Request  
5314 ½ Stokes Lane, Richmond, Virginia  
Map Reference Numbers: W020-0064/051*

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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:

Mark Baker

Baker Development Resources

530 East Main Street, Suite 730

Richmond, VA 23219

## Introduction

The applicant is requesting a special use permit (the “SUP”) for the property known as 5314 ½ Stokes Lane (the “Property”). The SUP would authorize the construction of one (1) new single-family detached dwelling. While the single-family detached use is permitted by the underlying R-5 Single Family Residential zoning district, some of the applicable feature requirements cannot be met, and therefore, the SUP is required.

## Existing Conditions

### SITE DESCRIPTION AND EXISTING LAND USE

The Property is located on the north side of Stokes Lane between Glenburnie Road and Dunbar Street. It is referenced by the City Assessor with the tax parcel number of W020-0064/051. The Property is a relatively flat vacant lot whose rear property lines abut the Richmond/Henrico city line. 5314 ½ Stokes Lane is 30.0 feet wide by 102.55 feet in depth and contains approximately 3,076 square feet of lot area (0.071 acres). The surrounding properties consist of generally small lots, ranging in size, which are developed with single-family dwellings.



A majority of properties in the area are developed with single-family detached dwellings. To the south lies a commercial corridor along Patterson Avenue. To the rear of the subject property are properties located outside of the City of Richmond in Henrico County.

## **EXISTING ZONING**

The Property and all properties in the immediate vicinity are zoned R-5 Single Family Residential, which permits the proposed single-family detached dwellings. Many properties in the vicinity do not conform to the R-5 feature requirements for lot area or lot width. Adjacent land to the north, within Henrico County, is also zoned for single-family residential use.

## **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 and Inclusive Housing chapters, there are number of supporting objectives, such as:

- 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.
- Increase the number of Richmonders living in a development pattern that encourages density and reduces dependency on single-occupancy vehicles. (Thriving Environment).

# **Proposal**

## **PURPOSE OF REQUEST**

The Property and 5312 Stokes Lane were created by a Subdivision, which was approved by the Planning Commission on August 21, 1951 and subsequently platted. However, the

properties were not created as buildable lots. Rather, they were intended to be part of two conveyances in order to affect a land swap. The original subdivider (L.C. Jones), owned land on both sides of a lot owned by Willie O. and Gracie L. Hopkins. Hopkins was to deed an area of land to L.C. Jones in order to allow for lots 8 through 12 to be created/configured to the west of the Hopkins property. In turn, L.C. Jones was to deed an area of land abutting the Hopkins to the east, which was not needed for the creation/configuration of lots 1 through 6.

Looking at the subdivision, there is a notation at the top of Lots 7 and 8 stating that the eastern 20.03 feet (19.56 feet by more recent survey in 1987 and 2014) of Lot 8 was to be conveyed from Hopkins to Jones and that the eastern 25.53 feet of Lot 7 was to be conveyed from Jones to Hopkins. The problem is that those two conveyances never happened. But the numbering of the lots and, more importantly, the subdivision approval was obviously based on those conveyances happening so that Hopkins' new reconfigured lot per the subdivision would be known as Lot 7 and Jones would have retained all of Lot 8. Since those conveyances did not occur Hopkins owned and continued owning the western 55.44 feet of what was now identified as Lot 7 together with the eastern 20.03 (19.56 by current survey) feet of what is now identified as Lot 8. And, Jones owned and continued owning the remaining parcels – the eastern part of Lot 7 (5312 Stokes Lane) and the western part of Lot 8 (5314 ½ Stokes Lane).

This situation is highly unorthodox. It's likely that policies in place today would not allow for such an approval. Typically, this lot line adjustment or parcel swap would need to be completed prior to application for subdivision. It is unclear why the swap was permitted to be contemplated as a part of the subdivision – in other words, why this level of uncertainty was introduced into the process. In addition to a lack of follow through on the part of the subdivider and adjacent lot owner, the problem was compounded by the fact that the permits were issued and the subdivision lots developed, but for these two residual parcels, without any recognition of the issue throughout the years.

The end result is that, because the conveyance never happened, the properties both became orphan parcels which did not meet the zoning requirements as buildable lots. Lot area and lot width feature requirements are not met. A lot width of 50 feet and lot area of 5,000 square feet are required. 5312 Stokes Lane has a lot width of 26.53 feet and a lot area of 2,651 square feet, while 5314 ½ Stokes Lane has a lot width of 30.0 feet and a lot area of 3,076 square feet of lot area. Therefore, an SUP is required in order to permit the development.

The property owner purchased the properties without any knowledge of this issue. The reason for the purchase was in order to develop them with two dwellings as is currently proposed. The issue concerning the properties was not realized by the owner until after the purchase when an attempt was made to request building permits. Since that realization, the owner has communicated with the adjacent property owners, none of which have any interest in purchasing the parcels and incorporating them into their respective lots. As a result, the lots remain unbuildable absent any special approval.

Interestingly, while not technically buildable lots from a zoning perspective, the assessor's office also seems to have incorrectly assessed them as buildable. The properties are currently assessed and taxed as buildable lots. In fact, the land is actually taxed at a higher rate than that of contiguous parcels that are already developed with dwellings. 5310, 5314 and 5316 Stokes are taxed at a rate ranging from \$6.02 to \$9.43 a square foot while 5312 and 5314 1/2 Stokes Lane are taxed at rates of \$14.71 and \$12.68 per square foot.

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 DETAILS/DESIGN**

When complete, the proposed dwelling at 5314 ½ Stokes Avenue would be one story and contain three bedrooms and two-and-one-half bathrooms in 1,124 square feet of finished floor area. The dwelling would be of a traditional design that is consistent with the architectural character found within the neighborhood. The proposed floor plan is modern and efficient, and designed to meet the needs of the market. The new dwelling includes a master bedroom with en-suite bathroom and walk-in closet. 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 30-1050.1 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 off-street parking space for the dwellings will create no congestion on streets, roads, alleys or any other public right of way.

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

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

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

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

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

The 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 buildings are of compatible massing and spacing to the existing in the vicinity and normal side yard setbacks would be met. As a result, this request will not interfere with the provision of adequate light and air to the adjacent buildings.

## Summary

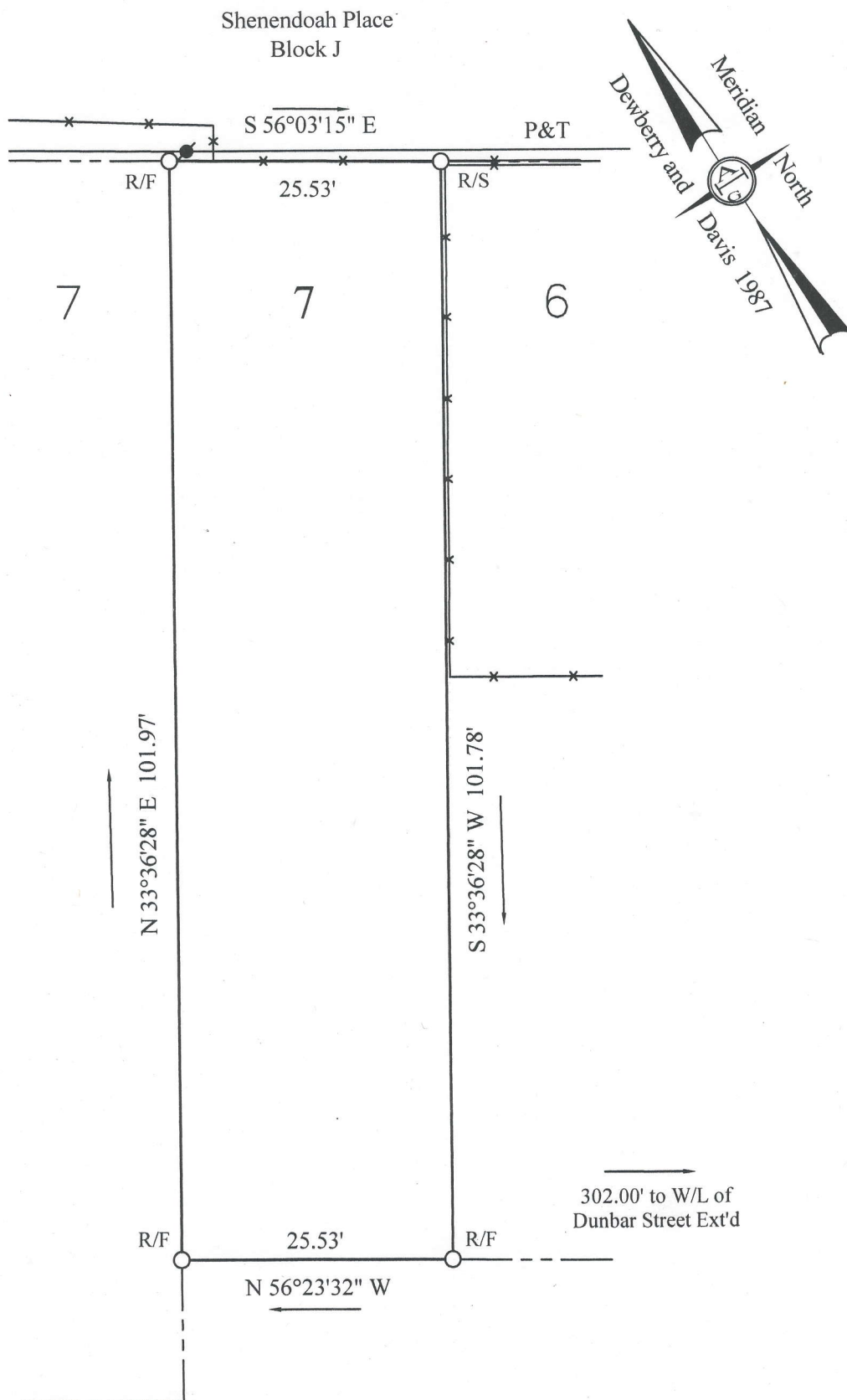
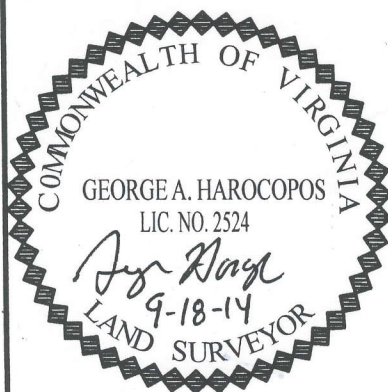
In summary we are enthusiastically seeking approval for the construction of one high-quality, single-family detached dwelling on the Property. This proposal represents an ideal infill development for this location and the creation of additional housing stock within the City. In exchange for the approval, the quality assurances conditioned through the SUP would guarantee the construction of a higher quality dwelling. This would contribute to the overall vibrancy of the neighborhood and would be consistent with the historic development pattern of surrounding neighborhood and the goals set forth in the Richmond 300 Master Plan.



This is to certify that on 9/18/14  
I made an accurate field survey of the known premises shown hereon; that all improvements 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.

NOTE: THIS LOT APPEARS  
TO BE IN FEMA FLOOD ZONE  
X AS SHOWN ON HUD  
COMMUNITY PANEL NUMBERS  
510129 0009D

NOTE:  
This survey has been prepared without  
the benefit of a title report and does  
not therefore necessarily indicate all  
encumbrances on the property.



5312 STOKES LANE

SURVEY OF  
A PORTION OF LOT 7  
WESTWOOD  
CITY OF RICHMOND, VIRGINIA

JN 44159

A. G. HAROCOPOS & ASSOCIATES, P.C.

CERTIFIED LAND SURVEYOR AND CONSULTANT

4920 E. MILLRIDGE PKWY. SUITE 200 MIDLOTHIAN VA. 23112

Office 804 744 2630 FAX 804 744 2632

E-MAIL AGHAROCOPOS@VERIZON.NET

Scale 1"=15' Date 9/22/14 Drawn by RFL

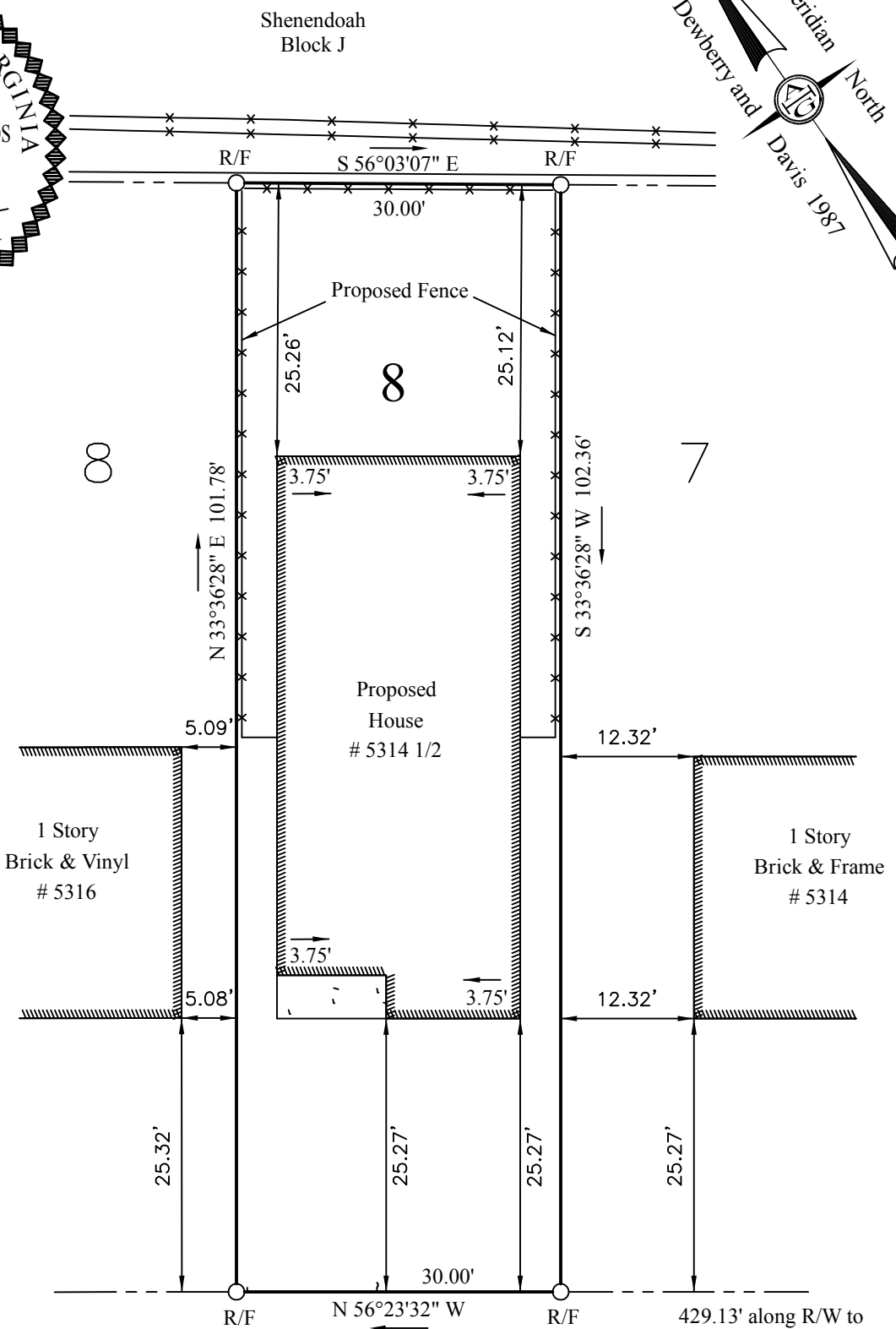
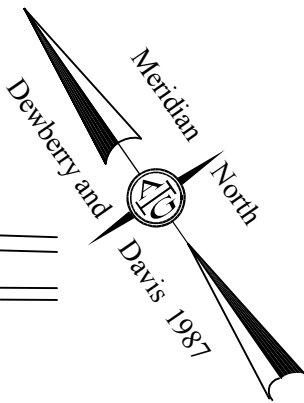
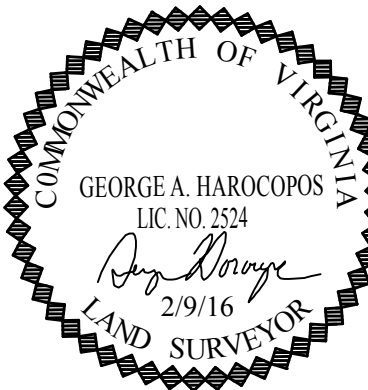
NOTE: PLAT PREPARED FOR THE EXCLUSIVE  
USE OF: BRYAN TRAYLOR



This is to certify that on 9/18/14 Rev. 2/9/16  
I made an accurate field survey of the known premises  
shown hereon; that all improvements 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.

NOTE: THIS LOT APPEARS  
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X AS SHOWN ON HUD  
COMMUNITY PANEL NUMBERS  
510129 0009D

NOTE:  
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not therefore necessarily indicate all  
encumbrances on the property.



# STOKES LANE

SURVEY OF  
A PORTION OF LOT 8  
**WESTWOOD**  
CITY OF RICHMOND, VIRGINIA

JN 44160

A. G. HAROCOPOS & ASSOCIATES, P.C.

CERTIFIED LAND SURVEYOR AND CONSULTANT

4920 E.MILLRIDGE PKWY. SUITE 200 MIDLOTHIAN VA. 23112

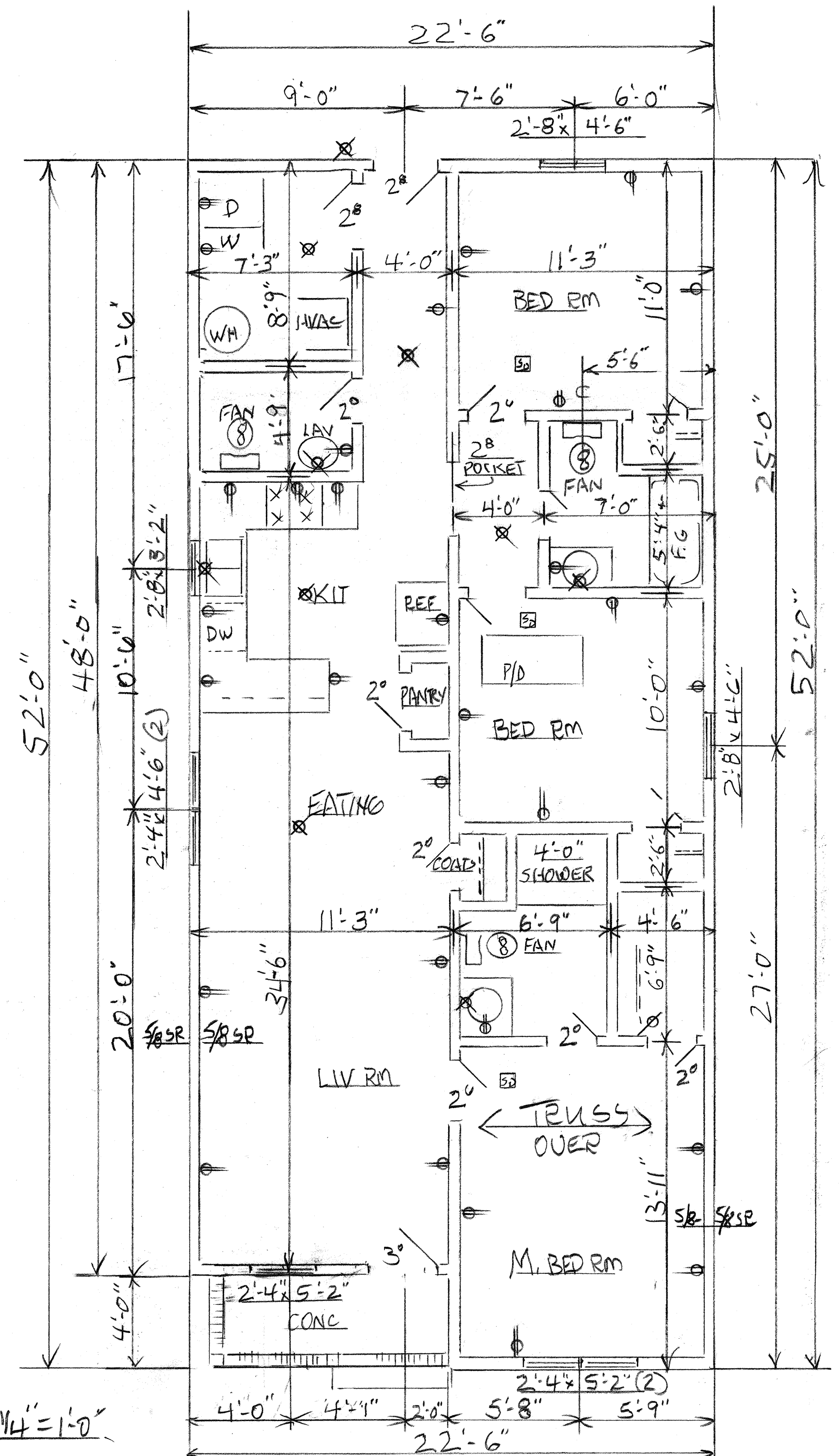
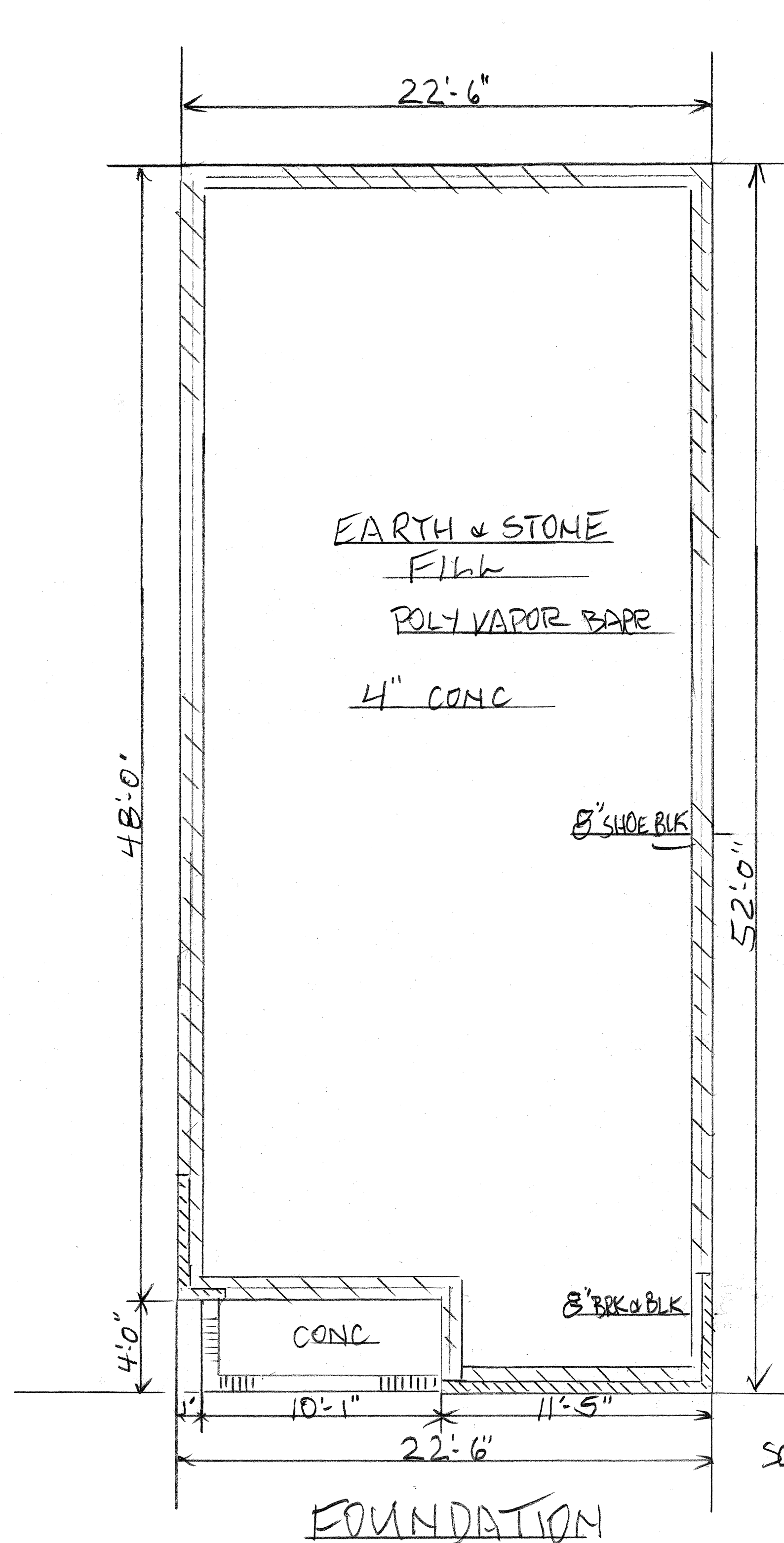
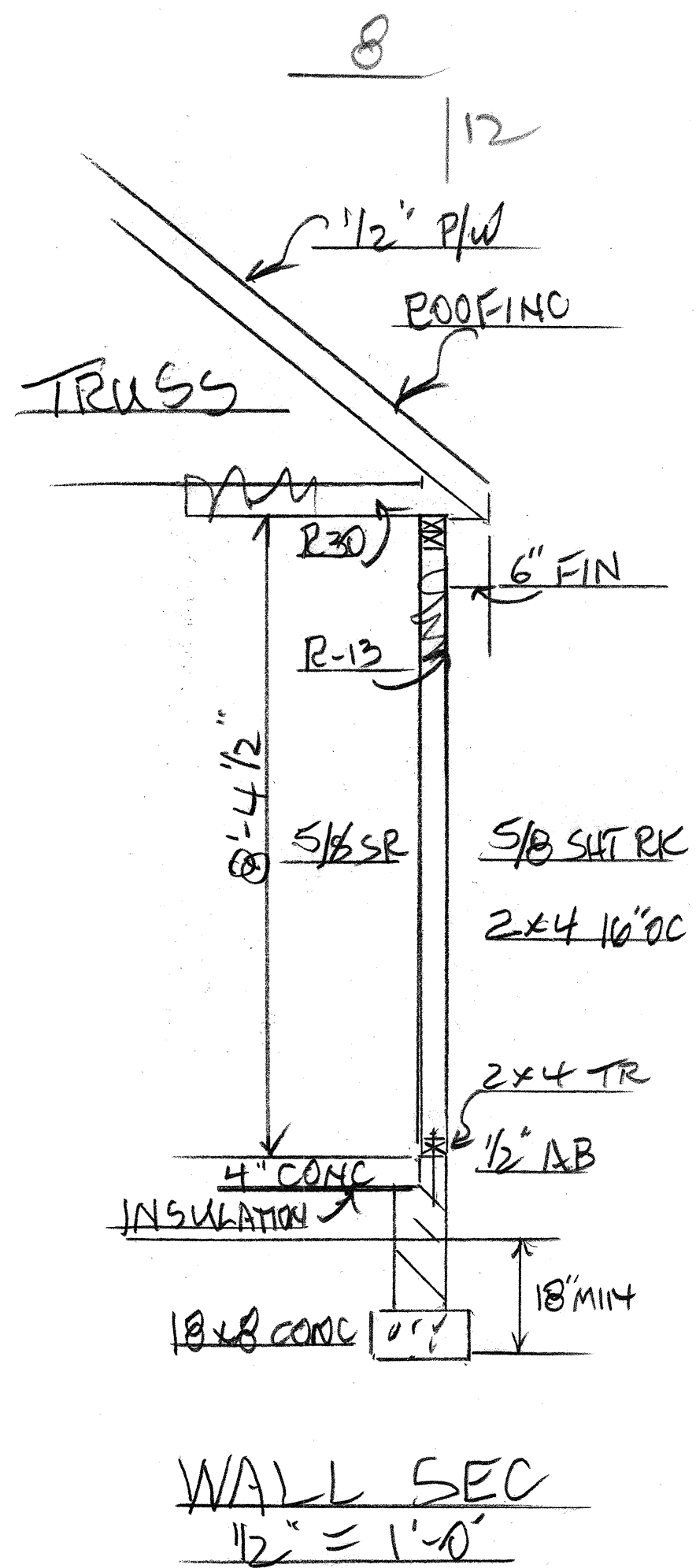
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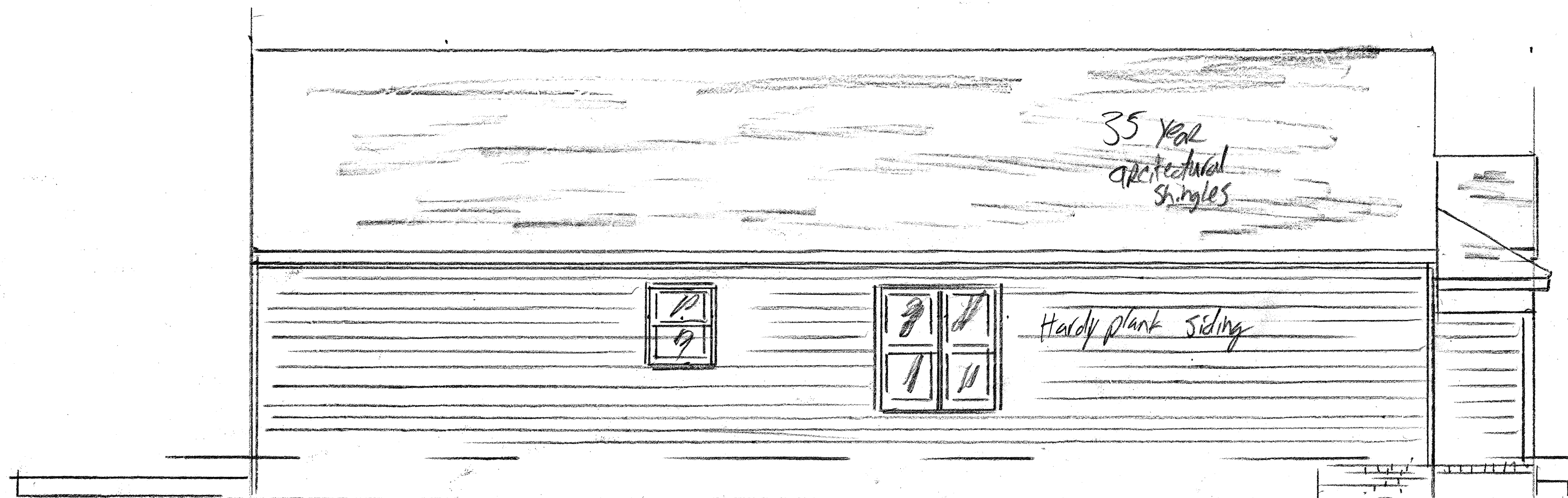
Scale 1"=15' Date 9/22/14 Drawn by RFL

Revised 2/9/16

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USE OF: BRYAN TRAYLOR



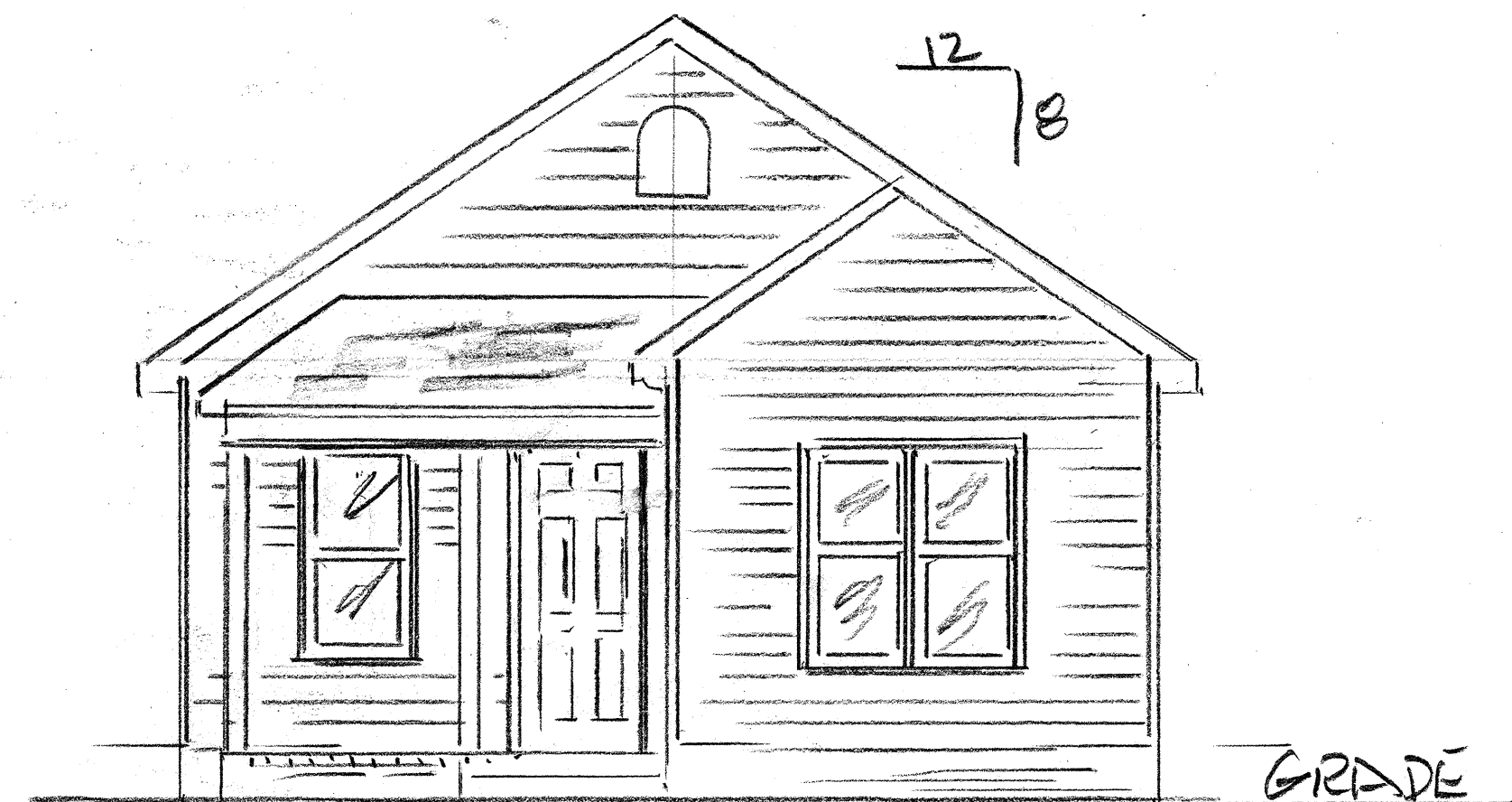
1124 SQ FT FLOOR PLAN  
5314 1/2 Stokes Lane  
OCT 2014



LEFT SIDE ELE



REAR ELE



FRONT ELE