



DEPARTMENT OF  
**PLANNING AND  
DEVELOPMENT  
REVIEW**

**BOARD OF  
ZONING APPEALS**

May 12, 2023

Andrew and Erin Lyon  
2514 East Franklin Street  
Richmond, VA 23223  
Attn: Erin Lyon

To Whom It May Concern:

**RE: BZA 14-2023**

You are hereby notified that the Board of Zoning Appeals will hold a public hearing on **Wednesday, June 7, 2023 at 1:00 PM** in the 5<sup>th</sup> Floor Conference Room, City Hall, 900 E. Broad Street to consider an application for a building permit to construct an accessory building (8' x 12') for use as a home occupation (office for clinical social worker) at 2514 EAST FRANKLIN STREET (Tax Parcel Number E000-0387/019), located in an R-6 (Single-Family Attached Residential) District. This meeting will be open to in-person participation with a virtual option. The public will have the option to provide their comments by teleconference/videoconference via Microsoft Teams, or in writing via email as indicated below.

Please be advised that the applicant or applicant's representative is required to participate in the subject public hearing either by teleconference/videoconference or in person. For teleconference participation call 804-316-9457 and entering code **656 471 671#**. For video access by computer, smart phone or tablet visit <https://richmondva.legistar.com/Calendar.aspx>. Select the Board of Zoning Appeals drop-down and 2023 drop-down, click meeting details for June 7, 2023 meeting and then click video access. In the event you have difficulty accessing a public hearing you may contact Mr. William Davidson at 804-396-5350 or by email at [Chuck.Davidson@rva.gov](mailto:Chuck.Davidson@rva.gov) for assistance. The Board of Zoning Appeals Rules of Procedure provides that in the case of an application for a variance or a special exception, the applicant, proponents or persons aggrieved under §15.2-2314 of the Code of Virginia, shall be permitted a total of six (6) minutes each to present their case. The Board of Zoning Appeals will withhold questions until the conclusion of the respective presentations. For the purposes of the record it also requested that before addressing the Board you identify yourself and spell your name.

Finally, when you submitted your application to the zoning office you were given an handout entitled, Suggestions for Presenting Your Case to the Board, which indicated that you should discuss your request with your neighbor(s) and neighborhood

BZA 14-2023  
Page 2  
May 12, 2023

association(s) prior to appearing before the Board of Zoning Appeals. Contact information for civic group(s) can be found by navigating to the Civic Group webpage of the City's website at <https://www.rva.gov/planning-development-review/civic-groups>. Once there, you can search for your property using the interactive map. A dialogue box will provide you with the names of all civic groups within which your property may lie. Once you have those group names, simply scroll down the page to the appropriate group(s) to find the contact information for each. The Board understands that given the current situation it is not practical to conduct face-to-face discussions with either your neighbors or neighborhood association(s) but the Board requests that you make a good faith effort to provide them with relevant information regarding your case.

If you have any questions regarding the Board's procedures or any issue involving presentation of your case, please feel free to contact me.

Very truly yours,

A handwritten signature in dark ink, reading "Roy W. Benbow". The signature is fluid and cursive, with the first letters of each word being capitalized and prominent.

Roy W. Benbow, Secretary  
Phone: (804) 240-2124  
E-mail: [Roy.Benbow@rva.gov](mailto:Roy.Benbow@rva.gov)

cc: Zoning Administrator

Notice of this meeting is being sent to the persons whom the Board of Zoning Appeals believes to be property owners in the immediate vicinity of the property concerned in this application. This notice is for their information only, and there is no need for them to appear unless they so desire. The Board will, however, welcome such views as any persons care to express during the hearing on this application.

Babcock D Mark Trs And Pearl Trs  
200 Jennings Dr  
Yorktown, VA 23692

Barriault Anne B And George R  
Henniker  
103 N 25th St  
Richmond, VA 23223

Blakemore Victoria Lee  
9 N 25th St Unit P3  
Richmond, VA 23223

Boatright George F And Jolene  
9 N 25th St Penthouse #ph5  
Richmond, VA 23223

Brothers Ariadne A & G Carter Iv And  
Benjamin B  
2509 E Franklin St  
Richmond, VA 23223

Butterworth Benjamin E And Grossman  
Alexandra V  
2603 E Franklin St  
Richmond, VA 23223

Campbell Thomas  
117 N 25th St  
Richmond, VA 23223

Cary Karen M  
2501 E Franklin St # 7  
Richmond, VA 23223

Cohrs Douglas  
9 North 25th St Unit 9  
Richmond, VA 23223

Cook David Carroll  
2501 E Franklin St #1  
Richmond, VA 23223

Cousins Merrie J  
113 N 25th St  
Richmond, VA 23223

Diamond Maria Perpetua S  
606 Newington Pl Ne  
Leesburg, VA 20176

Dykshorn Cornelia B And Todd D  
125 N 25th St  
Richmond, VA 23223

Elliott Andrew L  
2515 E Grace St  
Richmond, VA 23223

Elliott Kyle  
107 North 25th St  
Richmond, VA 23223

Flippen Sarah W  
9 N 25th St Unit 15  
Richmond, VA 23223

Ford Jennifer R  
115 N 25th St  
Richmond, VA 23223

Frichtel Katie Jo And Farmer Troy  
Norman  
2512 E Franklin St  
Richmond, VA 23223

Gardner Freddie T  
9 N 25th St Unit 19  
Richmond, VA 23223

Gavalya Alan R And Miller Joyce A  
2501 E Franklin St Unit 8  
Richmond, VA 23223

Golding Jessica M  
2510 E Franklin St  
Richmond, VA 23223

Grey Eileen P And Bohm John F  
2511 E Grace St  
Richmond, VA 23223

Gunter Robert H  
9 N 25th St Unit 16  
Richmond, VA 23223

Haddock Graham Philip  
9 N 25th St Unit 13  
Richmond, VA 23223

Hale Ryan H  
2501 E Franklin St Unit P1  
Richmond, VA 23223

Halpin Theresa A  
2501 E Franklin St Unit 3  
Richmond, VA 23223

Hedrick Scott W And Lisa J  
9 N 25th St Unit 17  
Richmond, VA 23223

Johnson Christopher R And Robinson  
Susan H  
2520 East Franklin St  
Richmond, VA 23223

K C Enterprises Of Va Llc  
21119 Baileys Grove Dr  
S Chesterfield, VA 23803

Kadash Clay Stephen  
2501 E Franklin St Unit 5  
Richmond, VA 23223

Keys Andrea R Trustee Jc Keys  
Revocable Trust  
2600 E Franklin St  
Richmond, VA 23223

King Thomas B  
2513 E Grace St  
Richmond, VA 23223

Koehler Nadine J And Robert S  
2505 E Grace St  
Richmond, VA 23223

Kolmer Leslie Jean  
9 N 25th St Unit 11  
Richmond, VA 23223

Kulyk Alexander  
115 N 26th St  
Richmond, VA 23223

Leonard Daniel S And Abigail B  
2519 E Grace St  
Richmond, VA 23223

Liggon House Condominium Unit  
Owners Association  
2603 E Franklin St  
Richmond, VA 23223

Loos Brian And Stacey  
2601 E Grace St  
Richmond, VA 23223

Maruri Jonathan And Loepp Ruth Anne  
2504 E Franklin St  
Richmond, VA 23223

Menefee James E And Wroth Mary E  
2517 E Franklin St  
Richmond, VA 23223

Moffatt Thomas Lee And Sharon Keeley  
2501 E Franklin St Unit 2  
Richmond, VA 23223

Mossem Dietmar & Susan L  
2509 E Grace St  
Richmond, VA 23223

Nandan Naveen And Sharma Juhee  
9 N 25th St Unit 18  
Richmond, VA 23223

Novokhatny Andrew  
9 N 25th St Unit 10  
Richmond, VA 23222

Oleary Christi Sue  
9 N 25th St Apt P4  
Richmond, VA 23225

Page Christopher R And Anna K  
2517 East Grace St  
Richmond, VA 23223

Peters James Patrick Jr And Johnson  
Rebecca A  
2507 E Grace St  
Richmond, VA 23223

Pomfret Pamela Joan Life Estate  
308 N 31st Street  
Richmond, VA 23223

Pope Alvin & Michell A  
109 N 25th St  
Richmond, VA 23223

Reed Square Foundation  
P O Box 8012  
Richmond, VA 23223

Reserve Condominium Unit Owners  
Association  
515 Sparrer Rd  
Seaford, VA 23696

Russell Thomas E Sr & Gertrude R  
2511 1/2 E Grace St  
Richmond, VA 23223

Sanders Thomas H li& Eileen Q  
117 N 26th St  
Richmond, VA 23223

Savage Andrew Francis And Joanne  
Applegate  
2601 E Franklin St  
Richmond, VA 23223

Schneden Blake R And Repole Whitney  
L  
103 North 26th St  
Richmond, VA 23223

Spruill Cornelia B  
125 N 25th St  
Richmond, VA 23223

Squire Sidney C And Patricia C  
2521 E Franklin St  
Richmond, VA 23223

Sullivan Michael  
101 N 25th St  
Richmond, VA 23223

Thomas Rebecca M  
2501 E Franklin St #4  
Richmond, VA 23223

Todd Joshua And Charity  
9 North 25th St Unit 14  
Richmond, VA 23223

Twenty Fifth Street Townhouses  
Association Inc  
Po Box 23117  
Richmond, VA 23117

Uriell Michael J  
4925 Sadler Glen Ct  
Glen Allen, VA 23060

Weedon Robert C  
9 N 25th St Unit P2  
Richmond, VA 23223

Williams Alexander Robbins And  
Williams Michael Edward  
2501 E Franklin St Unit 6  
Richmond, VA 23223

Williams Harrison B  
105 N 26th St  
Richmond, VA 23223

Wilson John Michael And Jacqueline A  
105 N 25th St  
Richmond, VA 23223

Ziegler Amy Jo  
495 Calm Creek Rd  
Manakin Sabot, VA 23103

**Property: 2514 E Franklin St Parcel ID: E0000387019****Parcel**

**Street Address:** 2514 E Franklin St Richmond, VA 23223-  
**Owner:** LYON ANDREW W & ERIN OTOOLE LYON  
**Mailing Address:** 2514 E FRANKLIN ST, RICHMOND, VA 23223  
**Subdivision Name :** NONE  
**Parent Parcel ID:**  
**Assessment Area:** 334 - Tobacco Row/Undertakers Row  
**Property Class:** 120 - R Two Story  
**Zoning District:** R-6 - Residential (Single Family Attached)  
**Exemption Code:** -

**Current Assessment**

**Effective Date:** 01/01/2023  
**Land Value:** \$155,000  
**Improvement Value:** \$350,000  
**Total Value:** \$505,000  
**Area Tax:** \$0  
**Special Assessment District:** None

**Land Description**

**Parcel Square Feet:** 3389.85  
**Acreage:** 0.078  
**Property Description 1:** 0021.87X0155.00 0000.000  
**State Plane Coords( ?):** X= 11796197.500016 Y= 3718241.755984  
**Latitude:** 37.52965819 , **Longitude:** -77.41974671

**Description**

**Land Type:** Residential Lot C  
**Topology:**  
**Front Size:** 21  
**Rear Size:** 155  
**Parcel Square Feet:** 3389.85  
**Acreage:** 0.078  
**Property Description 1:** 0021.87X0155.00 0000.000  
**Subdivision Name :** NONE  
**State Plane Coords( ?):** X= 11796197.500016 Y= 3718241.755984  
**Latitude:** 37.52965819 , **Longitude:** -77.41974671

**Other**

**Street improvement:**  
**Sidewalk:**

**Assessments**

Assessment Year	Land Value	Improvement Value	Total Value	Reason
2023	\$155,000	\$350,000	\$505,000	Reassessment
2022	\$115,000	\$316,000	\$431,000	Reassessment
2021	\$105,000	\$311,000	\$416,000	Reassessment
2020	\$105,000	\$305,000	\$410,000	Reassessment
2019	\$90,000	\$288,000	\$378,000	Reassessment
2018	\$90,000	\$262,000	\$352,000	Reassessment
2017	\$85,000	\$267,000	\$352,000	Reassessment
2016	\$95,000	\$240,000	\$335,000	Reassessment
2015	\$95,000	\$212,000	\$307,000	Reassessment
2014	\$95,000	\$198,000	\$293,000	Reassessment
2013	\$95,000	\$193,000	\$288,000	Reassessment
2012	\$90,000	\$197,000	\$287,000	Reassessment
2011	\$90,000	\$226,000	\$316,000	CarryOver
2010	\$90,000	\$226,000	\$316,000	Reassessment
2009	\$90,000	\$235,000	\$325,000	Reassessment
2008	\$90,000	\$192,200	\$282,200	Reassessment
2007	\$90,000	\$125,300	\$215,300	Reassessment
2006	\$80,100	\$93,600	\$173,700	Reassessment
2005	\$51,000	\$93,600	\$144,600	Reassessment
2004	\$60,000	\$75,000	\$135,000	Reassessment
2003	\$48,700	\$94,400	\$143,100	Reassessment
2002	\$47,700	\$92,500	\$140,200	Reassessment
2001	\$38,760	\$75,240	\$114,000	Reassessment
1998	\$34,000	\$66,000	\$100,000	Not Available

**Transfers**

Transfer Date	Consideration Amount	Grantor Name	Deed Reference	Verified Market Sale Description
06/12/2006	\$0	LYON ANDREW W	ID2006-19652	
02/28/2005	\$210,000	HASKELL RICHARD H B	ID2005-6247	
09/25/2003	\$138,000	SMITH GERALD L & RUSSELYNE B	ID2003-37136	
12/28/1995	\$0	Not Available	09500-24983	
10/02/1978	\$28,500	Not Available	000742-02146	

**Planning**

**Master Plan Future Land Use:** NH-MU  
**Zoning District:** R-6 - Residential (Single Family Attached)  
**Planning District:** East  
**Traffic Zone:** 1083  
**City Neighborhood Code:** CH  
**City Neighborhood Name:** Church Hill  
**Civic Code:** 0200  
**Civic Association Name:** Church Hill Association of RVA  
**Subdivision Name:** NONE  
**City Old and Historic District:** St John's Church  
**National historic District:** St John's Church  
**Neighborhoods in Bloom:**  
**Redevelopment Conservation Area:**

**Economic Development**

**Care Area:** -  
**Enterprise Zone:**

**Environment**

**100 YEAR Flood Plain Flag:** Contact the Water Resources Division at 646-7586.  
**500 YEAR Flood Plain Flag:** N  
**Resource Protection Flag:** Contact the Water Resources Division at 646-7586.  
**Wetland Flag:** N

**Census**

Census Year	Block	Block Group	Tract
2000	2028	0205002	020500
1990	425	0205004	020500

**Schools**

**Elementary School:** Bellevue  
**Middle School:** Martin Luther King Jr  
**High School:** Armstrong

**Public Safety**

**Police Precinct:** 1  
**Police Sector:** 111  
**Fire District:** 1  
**Dispatch Zone:** 124A

**Public Works Schedules**

**Street Sweep:** TBD  
**Leaf Collection:** TBD  
**Refuse Collection:** Thursday  
**Bulk Collection:** TBD

**Government Districts**

**Council District:** 7  
**Voter Precinct:** 707  
**State House District:** 79  
**State Senate District:** 14  
**Congressional District:** 4



**Extension 1 Details**

**Extension Name:** R01 - R#204018-At.2Sty.B.TH  
**Year Built:** 1879  
**Stories:** 2  
**Units:** 0  
**Number Of Rooms:** 7  
**Number Of Bed Rooms:** 2  
**Number Of Full Baths:** 1  
**Number Of Half Baths:** 1  
**Condition:** good for age  
**Foundation Type:** 3/4 Crawl  
**1st Predominant Exterior:** Brick  
**2nd Predominant Exterior:** N/A  
**Roof Style:** Flat or Shed  
**Roof Material:** Membrane  
**Interior Wall:** Brick  
**Floor Finish:** Softwood-standard  
**Heating Type:** Forced hot air  
**Central Air:** Y  
**Basement Garage Car #:** 0  
**Fireplace:** Y  
**Building Description (Out Building and  
Yard Items) :**

**Extension 1 Dimensions**

**Finished Living Area:** 2210 Sqft  
**Attic:** 0 Sqft  
**Finished Attic:** 0 Sqft  
**Basement:** 0 Sqft  
**Finished Basement:** 0 Sqft  
**Attached Garage:** 0 Sqft  
**Detached Garage:** 0 Sqft  
**Attached Carport:** 0 Sqft  
**Enclosed Porch:** 0 Sqft  
**Open Porch:** 103 Sqft  
**Deck:** 0 Sqft

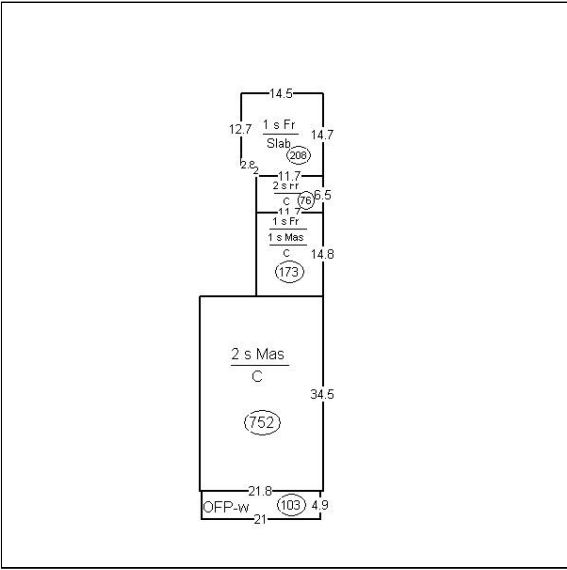
**Property Images**

Name:E0000387019 Desc:R01

[Click here for Larger Image](#)

Sketch Images

Name:E0000387019 Desc:R01



**RICHMOND BOARD OF ZONING APPEALS APPLICATION FORM**



THE RICHMOND ZONING ADMINISTRATION OFFICE  
ROOM 110, CITY HALL, 900 EAST BROAD STREET  
RICHMOND, VIRGINIA 23219  
(804) 646-6340

**TO BE COMPLETED BY THE APPLICANT**

PROPERTY 2514 East Franklin Street PHONE: (Home) (804) 317-2792 (Mobile) \_\_\_\_\_  
OWNER: Lyon Andrew W & Erin O'toole Lyon FAX: (Home) (804) 441-1526  
(Name/Address) 2514 East Franklin Street E-mail Address: erininrichmond@yahoo.com  
Attn: Erin O'toole Lyon  
OWNER'S \_\_\_\_\_ PHONE: (Home) \_\_\_\_\_ (Mobile) \_\_\_\_\_  
REPRESENTATIVE \_\_\_\_\_ FAX: (Home) ( ) \_\_\_\_\_ (Mobile) \_\_\_\_\_  
(Name/Address) \_\_\_\_\_ E-mail Address: \_\_\_\_\_

**TO BE COMPLETED BY THE ZONING ADMINISTRATION OFFICE**

PROPERTY ADDRESS (ES): 2514 East Franklin Street  
TYPE OF APPLICATION: ☐ VARIANCE ☒ SPECIAL EXCEPTION ☐ OTHER \_\_\_\_\_  
ZONING ORDINANCE SECTION NUMBERS(S): 30-300, 30-412.2, 30-694.1(2)  
APPLICATION REQUIRED FOR: A building permit to construct an accessory building (8'x12'; 96 sq. ft.) for use as a home occupation (office for clinical social worker).  
TAX PARCEL NUMBER(S): E000-038/7019 ZONING DISTRICT: R-6 - Residential (Single Family Attached Residential)  
REQUEST DISAPPROVED FOR THE REASON THAT: The proposed Home Occupation is not permitted within the accessory building. Home occupation use of an accessory building shall be permitted only when authorized by exception granted by the Board of Zoning Appeals  
DATE REQUEST DISAPPROVED: 3/22/2023 FEE WAIVER: ☐ YES ☒ NO  
DATE FILED: 3/22/2023 TIME FILED: 2:55pm PREPARED BY: Delva Daley RECEIPT NO. BZAR-128785-2023  
AS CERTIFIED BY: [Signature] (ZONING ADMINSTRATOR)

**I BASE MY APPLICATION ON:**

SECTION 17.20 PARAGRAPH(S) \_\_\_\_\_ OF THE CHARTER OF THE CITY OF RICHMOND  
SECTION 15.2 -2309.2 ☐ OF THE CODE OF VIRGINIA [OR]  
SECTION 1040.3 PARAGRAPH(S) (9) OF THE ZONING ORDINANCE OF THE CITY OF RICHMOND

**TO BE COMPLETED BY APPLICANT**

I have received the handouts, *Suggestions for Presenting Your Case to the Board & Excerpts from the City Charter* ☐

I have been notified that I, or my representative, must be present at the hearing at which my request will be considered.

SIGNATURE OF OWNER OR AUTHORIZED AGENT: [Signature] DATE: 5-1-23

\*\*\* TO BE COMPLETED BY THE SECRETARY TO THE BOARD OF ZONING APPEALS \*\*\*

CASE NUMBER: BZA 14-2023 HEARING DATE: June 7, 2023 AT 1:00 P.M.

BOARD OF ZONING APPEALS CASE BZA 14-2023  
150' Buffer

APPLICANT(S): Andrew and Erin Lyon

PREMISES: 2514 East Franklin Street  
(Tax Parcel Number E000-0387/019)

SUBJECT: A building permit to construct an accessory building (8' x 12') for  
use as a home occupation (office for clinical social worker).

REASON FOR THE REQUEST: Based on Sections 30-300, 30-412.2 & 30-694.1(2)  
of the Zoning Ordinance for the reason that:  
The proposed home occupation is not permitted within the accessory building.







## BOARD OF ZONING APPEALS PRESENTATION SUGGESTIONS

### CITY OF RICHMOND, VIRGINIA

When presenting your request for a variance or exception to the Board of Zoning Appeals, it is important that you consider the points outlined below. The City Charter requires that every decision of the Board must be based upon a finding of fact that the Board must determine from sworn testimony, together with pertinent evidence, presented at its public hearing. It is essential that the Board receive thorough and complete information in order for it to adequately consider your case and make an informed decision.

1. The powers and duties of the Board of Zoning Appeals (BZA) are specified in Section 17.20 of the City Charter and Article X, Division 5, of the Zoning Ordinance. The Zoning Office will assist you in identifying how your case should be filed. If you have questions regarding your case filing, please contact the Zoning Administration Office (804-646-6340) or at [PDRZoningAdministration@Richmondgov.com](mailto:PDRZoningAdministration@Richmondgov.com). Please review the applicable provisions of the City Charter or the Zoning Ordinance thoroughly and address them when presenting your case to the Board to show that the applicable requirements have been satisfied.
2. The Board of Zoning Appeals is a quasi-judicial board whose decisions are controlled by statutory law and also take into consideration applicable case law that has been handed down by the Richmond Circuit Court and the Virginia Supreme Court. The Board suggests that if you have any legal questions regarding statutory or case law as it may apply to your application, that those legal issues should be discussed with an attorney before you make your final decision to submit an application to the Board.
3. The Board considers it essential that you discuss your case with nearby residents (notification letters are sent to all property owners within a 150-foot radius of your property) and any nearby civic association(s). Information regarding your neighborhood association(s) and/or contact person(s) may be obtained [here](#). Once on the page, you can search for your property using the interactive map. A dialogue box will provide you with the names of all civic groups within which your property may lie. Once you have those group names, scroll down the page to the appropriate group(s) to find the contact information for each.

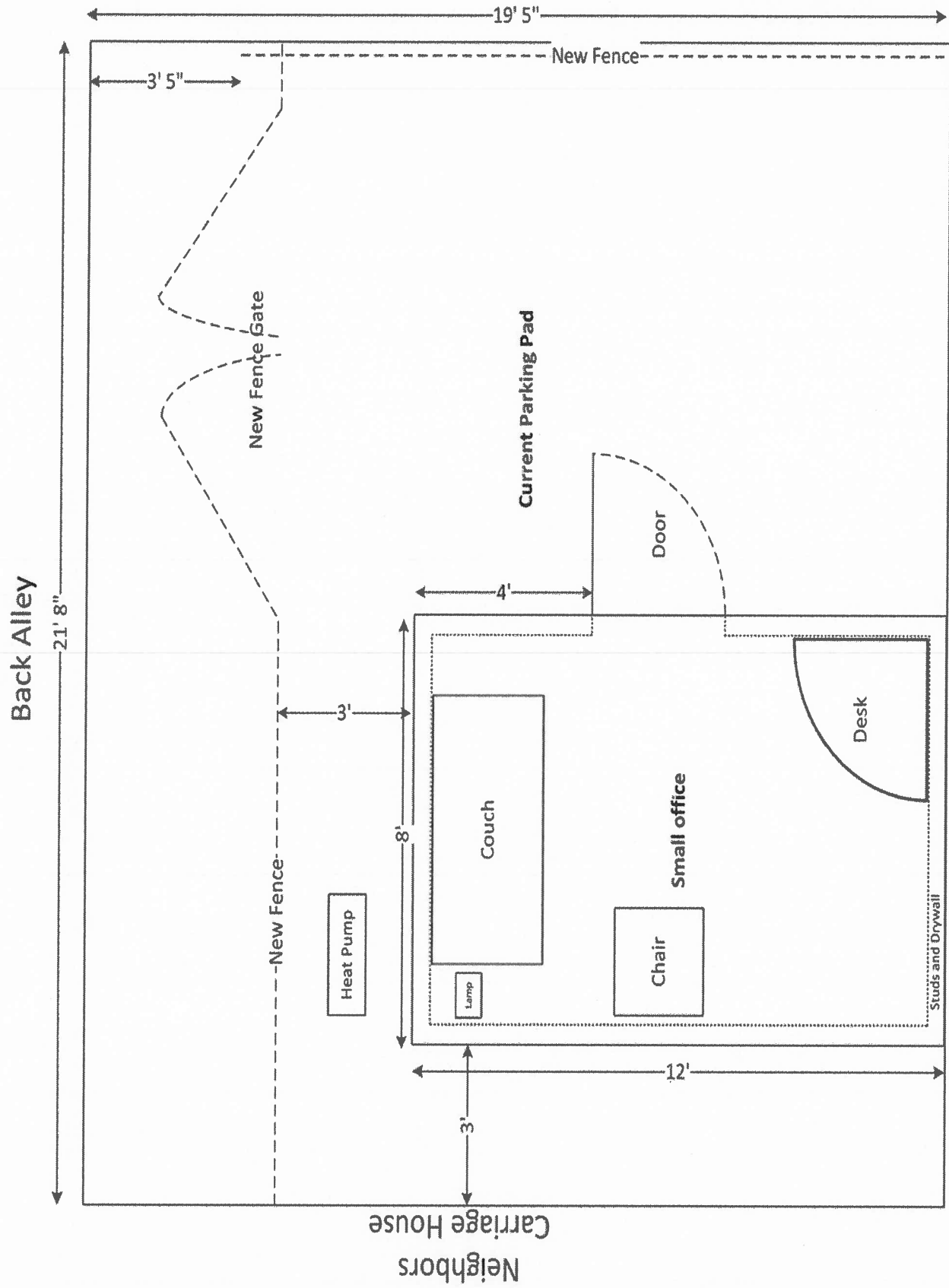
**Be advised that if you fail to discuss your request with your neighbors and neighborhood association(s), you should anticipate that your case will be continued until the Board's next regularly scheduled meeting. It is highly recommended that you contact your neighborhood association as soon as possible to determine their meeting schedule in order to be sure you allow yourself enough time to talk to all concerned parties prior to the hearing before the Board. The Board's Rules of Procedure require payment of a one-hundred fifty dollar (\$150) continuance fee if the applicant must request a continuance for the reason that the applicant failed to discuss their case with their neighbor(s) or neighborhood association(s).**

4. **You are also strongly encouraged to discuss your pending case with the Secretary of the Board, Roy Benbow at (804) 240-2124 well before the hearing.** The BZA Secretary can be helpful by explaining the BZA public hearing requirements and process.
5. Utilizing photographs, plans, maps, diagrams and such other written or graphic evidence as needed to fully explain your request can be a great help to the Board in understanding your request and thereby improve your chances for success. Remember . . . a picture is worth a thousand words.
6. Note that, although the Board is not authorized to grant a waiver from the zoning regulations based on financial circumstances alone, it may be a factor to be taken into consideration along with other facts in a case. If your case involves such a factor, please provide the Board with complete and relevant financial information for its review.
7. The Board's hearings are informal, although all testimony is taken under oath. You are not required to be represented by an attorney in presenting your case. However, if you choose, you may have legal representation and/or may utilize such technical experts or other persons to testify on your behalf as you feel are needed to adequately explain your request to the Board.

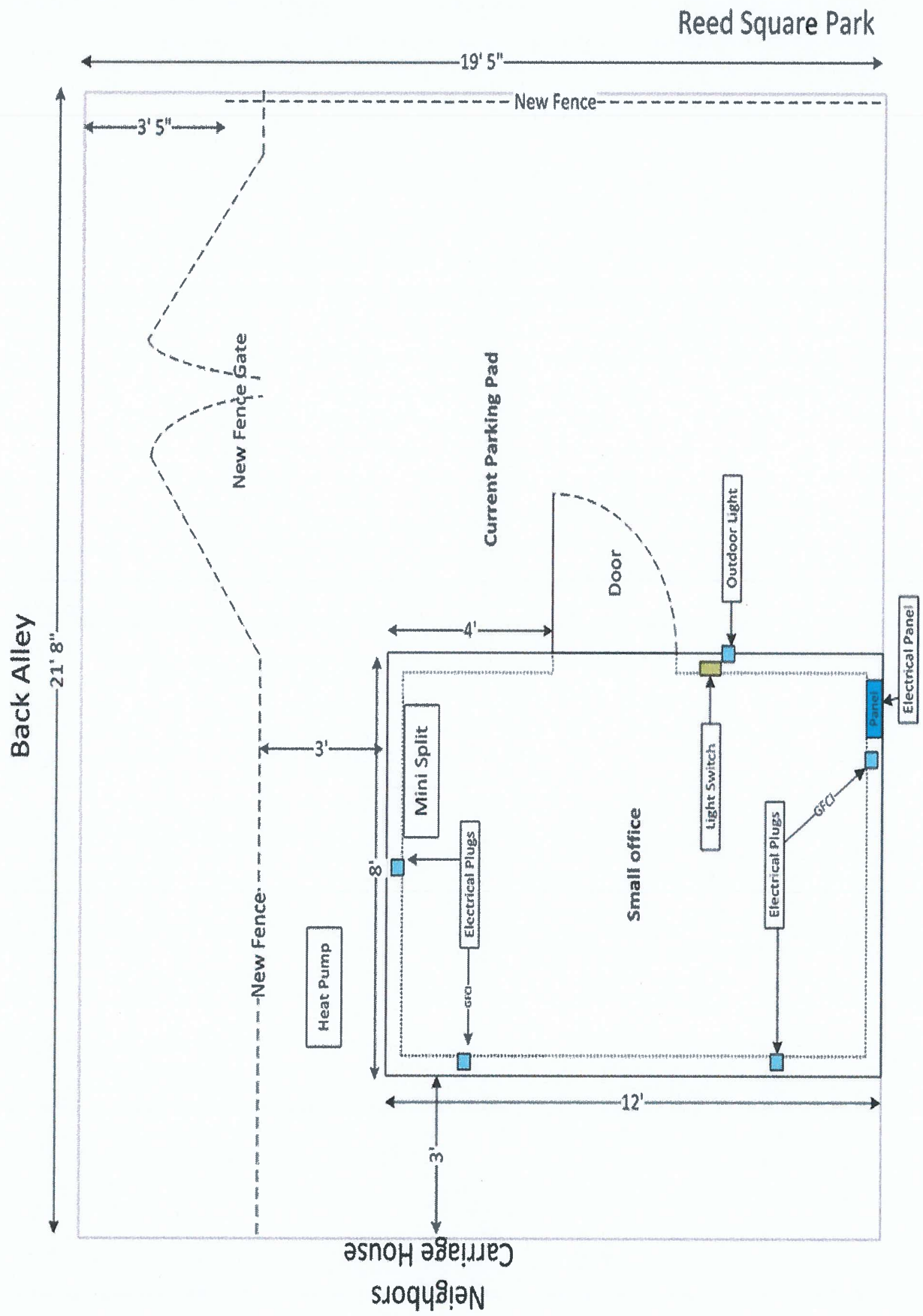
**Acknowledgement of Receipt by Applicant or Authorized Agent:** \_\_\_\_\_



Reed Square Park

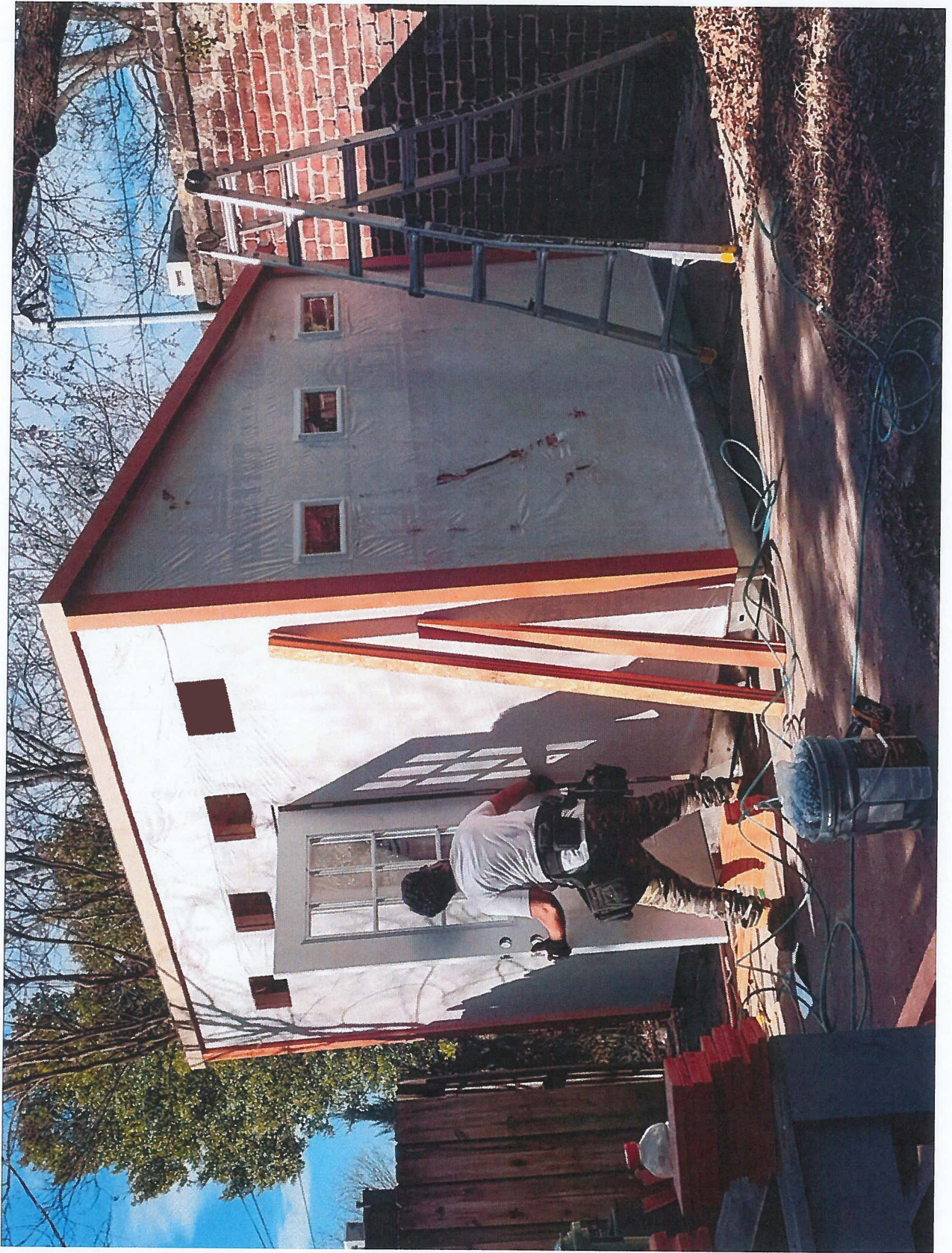






















## City of Richmond Commission of Architectural Review



October 26, 2022

Erin O'Toole  
2514 E Franklin St  
Richmond, VA 23223

RE: 2514 E FRANKLIN ST  
Application No. COA-119142-2022

Dear Applicant:

At the October 25, 2022 meeting of the Commission of Architectural Review, the review of your application for a Certificate of Appropriateness resulted in the following action: **Approved with Conditions**. Specifically, the Commission approved the application for the reasons cited in the staff report provided the following conditions are met: Roof material be metal; siding be horizontal, and the color complies with the historic district guidelines; and the shed be screened.

You, or any aggrieved party, have the right to appeal a decision of the Commission of Architectural Review to City Council as specified in Section 30.930 of the Richmond City Code. A petition stating reasons for the appeal must be filed with the City Clerk within 15 days of this meeting.

If you have any questions, please contact Alex Dandridge, CAR Secretary at (804) 646-6569 or by e-mail at [alex.dandridge@rva.gov](mailto:alex.dandridge@rva.gov).

Sincerely,

Alex Dandridge  
Secretary, Commission of Architectural Review

March 22, 2023

To Whom It May Concern:

I am writing this letter to request an exception to **Sec. 30-694.1(2). Home occupation regulations**. I am applying under Special Exception #9 of the BZA

I am the owner of erin O'Toole-Lyon, LLC (tax ID 47-2056204) which began in 2014 in Chesterfield County to continue to service clients when the group practice I was with closed. By service clients, I refer to providing individual or family mental health counseling to children and adults via tele-health or face-to-face. I have worked within the Churchill community at various organizations for over ten years, so now I have a client base around Richmond.

As to regulation **Sec. 30-694.1(5,7)**, I contend that clinics or medical offices are larger in footprint and have various medical equipment and supplies. I do not prescribe or distribute medication. Additionally, I am a sole practitioner.

My husband and I had begun the CAR process in October of last year for my office. I was working for Challenge Discovery Projects at 2405 Jefferson Avenue where I planned to remain. However, the group practice portion Medical & Counseling Associates merged with a practice Zoe Therapy Services in 2-1-23 that has locations in the west end, Southside, and Midlothian. None of these are easily accessible by public transportation.

I have a medical condition that prevents me from driving, so I determined I would like to use my office for my practice. Additionally, I have clients and would like to that take public transportation to our sessions. It is anticipated that the majority of my clientele will remain virtual, as is currently the case. However, as we found in the pandemic, it may be difficult in some circumstances for adults, or children to have enough privacy in the homes to participate fully in counseling. I want to provide that opportunity for the small number that may want to take advantage. Please help. It's been a tough year with brain surgery to hopefully resolve my epilepsy, so I can drive. However, this is where I want to be.

I am happy to answer any questions that may arise from my response.

Sincerely, erin O'Toole-Lyon, LCSW (small e intentional)



## Daley, Delva - PDR

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**From:** Muyundo, David K. - PDR  
**Sent:** Wednesday, April 12, 2023 9:35 AM  
**To:** Daley, Delva - PDR  
**Cc:** Duckhardt, David F. - PDR  
**Subject:** RE: Permit Exemptions: 2514 E Franklin St

The permit exemption language reads:  
2018 VUSBC

**108.2 Exemptions from application for permit.**

108.3 One-story detached *structures* used as **tool and storage sheds, playhouses or similar uses**, provided the *building area* does not exceed 256 square feet (23.78 m<sup>2</sup>) and the *structures* are not classified as a Group F-1 or H occupancy

Since this is basically going to be used as habitable space (and not shed/playhouse etc..) it requires a Building Permit application and all applicable trade permits.

Sincerely  
David Muyundo

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**From:** Daley, Delva - PDR  
**Sent:** Wednesday, April 12, 2023 9:14 AM  
**To:** Muyundo, David K. - PDR <David.Muyundo@rva.gov>  
**Subject:** 2514 E Franklin St

Good morning Mr. Muyundo!

Happy Wednesday!

Thanks so much once again for reviewing the CZC submission for this address yesterday. I'm in the process of finalizing the list of requirements for the applicant regarding the shed/accessory structure for the referenced property, and wanted to confirm what she will need from the Building Department should the shed be approved via BZA to be used as a home office for her business.

Though the structure is below 256sf and typically exempt from the building code, once the space becomes habitable, however, she will be required to obtain a building permit for the structure, correct? In addition to the building permit, will she also be required to submit any trade permits for the space? If yes, what type(s) of trade permits?

Thank you so much, David!!!

-Delva



**From:** SUSAN ROBINSON <shrmer@aol.com>  
**Sent:** Friday, April 14, 2023 7:37 AM  
**To:** Daley, Delva - PDR  
**Subject:** 2514 East Franklin St

**CAUTION:** This message is from an external sender - Do not open attachments or click links unless you recognize the sender's address and know the content is safe.

To Whom It May Concern:

My husband Chris Johnson and I currently live at 2520 East Franklin St, Richmond Va 23223. It has come our attention that our neighbor Erin O'Tool-Lyon, LCSW is seeking zoning approval in order to utilize an accessory enclosure for the purpose of seeing clients both in-person and virtually.

We would like to offer our support in her endeavor. The East End of Richmond is an underserved community with regard to mental health services, especially for those who have Medicaid and Medicare. Ms. O'Tool-Lyon also provides services for military clients who have few local providers. We are aware of the enclosure's location and are not concerned that her business will impact neighborhood parking or lead to any community disruption, since client sessions will be during off peak hours.

Please let us know if there is any further information we can provide to assist Ms. O'Toole-Lyon in her efforts to provide these very necessary services.

Sincerely,

Susan Howell Robinson, RN, MS  
Christopher R. Johnson, MD

## Daley, Delva - PDR

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**From:** Eileen and Tom Sanders <tnesanders@gmail.com>  
**Sent:** Sunday, May 7, 2023 3:28 PM  
**To:** Daley, Delva - PDR  
**Cc:** erin OToole  
**Subject:** Re: 2514 East Franklin St

**CAUTION:** This message is from an external sender - Do not open attachments or click links unless you recognize the sender's address and know the content is safe.

Dear Ms. Daley,

When I wrote to you on April 15th in support of the zoning change for 2514 East Franklin, I did not realize that this zoning question would be coming up at a Church Hill Association meeting. My opinion has not changed and I think it unlikely that the CHA will object, but if it does, I'll have to defer to the CHA.

Thank you very much,  
Tom Sanders

On Mon, Apr 17, 2023 at 9:47 AM Daley, Delva - PDR <[Delva.Daley@rva.gov](mailto:Delva.Daley@rva.gov)> wrote:

Good morning Mr. and Mrs. Sanders,

Information received. Thanks so much, and enjoy the rest of your day.

Best,

Delva

**From:** Eileen and Tom Sanders [mailto:[tnesanders@gmail.com](mailto:tnesanders@gmail.com)]  
**Sent:** Saturday, April 15, 2023 7:34 PM  
**To:** Daley, Delva - PDR <[Delva.Daley@rva.gov](mailto:Delva.Daley@rva.gov)>  
**Subject:** 2514 East Franklin St

**CAUTION:** This message is from an external sender - Do not open attachments or click links unless you recognize the sender's address and know the content is safe.

Dear Ms. Daley

My wife Eileen and I live at 117 North 26th Street. Our block will most likely be the block Erin O'Toole-Lyon's clients park on when accessing her services. Unlike most blocks in Church Hill our block is not congested. There are only 8 residences that park on the street and four of them face either East Grace or East Franklin.

We that live on 26th Street are on the same side of the street. The other side of the street is open for parking. During business hours there are always several parking places available. We support Erin O'Toole-Lyon, LCSW, utilizing the accessory enclosure to have both in-person and virtual sessions with clients.

We understand that the East End is an underserved community for mental health services, particularly for those individuals on Medicaid, or Medicare. Eris also serves military clients who have few local providers. We are not concerned her business will affect parking as it will be during off-peak hours.

If you have any questions or concerns please feel free to contact me at this email address and I will respond directly.

All the best,

Tom Sanders  
117 North 26th Street

**From:** Troy Farmer <troyfarmer@gmail.com>  
**Sent:** Monday, April 17, 2023 11:43 AM  
**To:** Daley, Delva - PDR  
**Subject:** 2514 E Franklin

**CAUTION:** This message is from an external sender - Do not open attachments or click links unless you recognize the sender's address and know the content is safe.

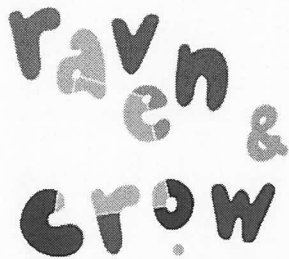
Hi there.

My family and I live at 2512 E Franklin Street in Church Hill and we're nextdoor neighbors of erin O'Toole-Lyon, LCSW, who I believe is in contact with your department regarding holding work sessions with her clients in their newly constructed backyard office at 2514 E Franklin.

For the record, and for whatever it's worth, my family and I have no problems with her holding such sessions back there and, in fact, think it would be a boon to our community. I know that the East End is severely in need of such mental health care services and disproportionately underserved in these same services, especially those who rely solely on Medicaid and/or Medicare. We're not at all concerned that her business would negatively affect us personally or professionally and have no concern about a lack of parking in the alley beyond our homes (we street park, as do most on our block—the alley's not used by many, really, as it's pretty narrow).

If you or anyone in your office has any further concerns or questions for me or my wife, do let me know.

Thank you for your time and have a great rest of your week.



Troy Farmer  
he/him  
Raven & Crow Studio  
@ravenandcrow

@lunchwithravenandcrow

**From:** Katie Frichtel <katiefrichtel@gmail.com>  
**Sent:** Monday, April 17, 2023 12:56 PM  
**To:** Daley, Delva - PDR  
**Subject:** In support of erin O'Toole-Lyon

**CAUTION:** This message is from an external sender - Do not open attachments or click links unless you recognize the sender's address and know the content is safe.

Hello,

I believe my husband already emailed you, but I wanted to send a note as well.

My name is Katie Frichtel and I live at 2512 E. Franklin Street, Richmond, VA 23223, and I am writing a letter in support of my neighbor erin O'Toole-Lyon, LCSW being able to utilize her accessory enclosure to have both in-person and virtual sessions with clients. I believe that her work will be very beneficial to those in the east end, including those who have Medicare or Medicaid as their insurance and military clients who have few local providers. I'm not at all concerned that her business will affect parking or cause community or neighborhood disruption.

I truly believe it's important to support those in our community who need it most, and I'd love for erin's work to do so. If you have any other questions for me, please don't hesitate to reach out.

Take care,  
Katie Frichtel



**City of Richmond, Virginia**  
**Department of Planning and Development Review, Zoning Administration Division**  
**900 East Broad Street • City Hall - Room 110 • Richmond, Virginia 23219**  
• <https://www.rva.gov/planning-development-review/zoning-administration>  
**Office: (804) 646-6340 • Facsimile 804-646-6948**

**HOME OCCUPATION RULES**

**HOME OCCUPATION**

Any occupation, profession, business or enterprise which is incidental and secondary to the principal use of the premises as a dwelling unit.

The following provisions shall apply to home occupations in all districts in which they are permitted by the use of regulations set forth in the Zoning Ordinance.

- (1) *Employment.* Only persons living together as a family on the premises shall be employed on the premises in the conduct of the home occupation.
- (2) *Location.* The home occupation shall be conducted within the dwelling unit or within a completely enclosed accessory building on the same property, provided that the home occupation use of an accessory building shall be permitted only when authorized by exception granted by the board of zoning appeals pursuant to section 30-1040.3 of the Zoning Ordinance. Use on an accessory building for motor vehicle parking or incidental storage of products or materials used in conjunction with a home occupation conducted within the dwelling unit shall not require an exception. There shall be no outside activity or outside storage of products or materials in conjunction with any home occupation.
- (3) *Area.* The home occupation, whether located in the dwelling unit or in an accessory building, shall not occupy an area greater than the equivalent of 25 percent of the enclosed and heated floor area of the dwelling unit or more than 500 square feet, whichever is less. Areas within enclosed buildings and use for parking of vehicles as may be required by section 30-640.2 of the Zoning Ordinance shall not be included in calculation of the area devoted to the home occupation.
- (4) *Appearance.* There shall be no signs, other than specifically permitted by article V of this chapter, and no displays or alterations to the exterior of the building or premises that would distinguish it as being devoted to a non-dwelling use.
- (5) *Intensity/traffic.* Visitation by clients, customers, vendors or other visitors associated with the home occupation, including deliveries, shall not exceed a total of four vehicles per day, nor more than two persons at any one time, and shall occur only between the hours of 8:00 AM and 6:00 PM.
- (6) *Vehicles.* Parking or storage of vehicles shall be subject to the limitations set forth in section 30-640.2 of the Zoning Ordinance, provided that no more than two vehicles used in conjunction with a home occupation shall be parked or stored on the premises either outside or inside a completely covered enclosed building.
- (7) *Prohibited activities.* In conjunction with any home occupation, no product shall be offered for sale directly to customers on the premises, there shall be no housing of persons for compensation, and there shall be no repair of vehicles or internal combustion engines.

**The following uses or activities shall be prohibited as a home occupation: beauty salons, barber shops, manicure or pedicure services, massage therapy, medical or dental offices and clinics, catering businesses, kennels, veterinary clinics and similar uses or activities.**

- (8) *Performance.* There shall be no process or activity conducted or equipment operated that generates any noise, vibration, odor, smoke, fumes, glare or electrical interference discernable to the normal senses beyond the lot lines of the property on which the home occupation is conducted. In the case of a home occupation conducted in a dwelling unit other than a single-family detached dwelling, such impacts shall not be discernable to the normal senses outside of the dwelling unit. The use or storage of both of hazardous materials of such type or in such quantities not normally permitted in a residential structure shall be prohibited.

**NOTE:** No vehicle that exceeds an empty weight of six thousand five hundred (6,500) pounds, semi-trailer or commercial vehicle shall be parked or stored outside of a completely enclosed building. For the purposes of this section, a commercial vehicle is defined as a load or empty motor vehicle that exceeds an empty weight of six thousand five hundred (6,500) pounds, a trailer or semitrailer, designed or regularly used for carrying freight, merchandise, or more than ten (10) passengers, including buses.



City of Richmond, Virginia  
Department of Planning and Development Review, Zoning Administration Division  
900 East Broad Street • City Hall - Room 110 • Richmond, Virginia 23219  
• <https://www.rva.gov/planning-development-review/zoning-administration>  
Office: (804) 646-6340 • Facsimile 804-646-6948

TO BE COMPLETED BY THE APPLICANT  
Applicant must complete ALL items.

HOME/SITE ADDRESS: 2514 EAST FRANKLIN ST APARTMENT NO/SUITE: \_\_\_\_\_  
APPLICANT'S NAME: erin ottole-lyon EMAIL ADDRESS: ennottolelcsn@gmail.com  
BUSINESS NAME (IF APPLICABLE): erin ottole-lyon, LLC  
TRADE NAME (IF APPLICABLE): same  
PROPERTY OWNER: Andrew Lyon & enn ottole-lyon  
PROPERTY OWNER ADDRESS: 2514 EAST FRANKLIN ST

CERTIFICATION  
(MUST CHECK ONE)

- ☒ **Home Occupation (See page 2)**—I acknowledge that I am certifying and affirming that I have rightfully received authorization of the property owner OR agent for property owner to operate my home business. I will comply with the home occupation rules & my signature (below) confirms my knowledge and understanding of the conditions of approval in the Zoning Ordinance. I further certify that I reside on the premises identified and understand the owner and/or agent will obtain a copy of this approval and document.
- ☐ **Ownership Change (Multi Family or Commercial)**—I acknowledge that I am certifying and affirming that I am rightfully the new owner of such building. I acknowledge that I am certifying and affirming that I will comply with ALL rules and my signature (below) confirms my knowledge and understanding of the conditions of approval in the Zoning Ordinance.
- ☐ **Tenant Change**— I acknowledge that I am certifying and affirming that I have rightfully received authorization of the property owner OR agent for property owner to operate the **commercial** business requested at this site location as a new tenant. I acknowledge that I am certifying and affirming that I will comply with ALL rules and my signature (below) confirms my knowledge and understanding of the conditions of approval in the Zoning Ordinance. I further certify and understand the owner and/or agent will obtain a copy of this approval and document.
- ☐ **Wireless Communications (Small Cell)** — I acknowledge that I am certifying and affirming that I have rightfully received authorization of the property owner (s) OR agent for property owner (s) to install a small cell facility on *private property* located inside an enclosure of no more than six cubic feet in volume, or in the case of an antenna that has exposed elements, the antenna and all its exposed elements can fit within an imaginary enclosure of no more than six cubic feet. I acknowledge that I am certifying and affirming that I will comply with the ALL rules and my signature (below) confirms my knowledge and understanding of the conditions of approval in the Zoning Ordinance. I further certify and understand the owner and/or agent will obtain a copy of this approval and document.

Failure to comply with the above rules constitutes a violation of the Zoning Ordinance subject to a revocation of approval and fine; if convicted, of up to one-thousand (\$1,000) dollars and/or up to one (1) year in jail.

[Signature]  
SIGNATURE

2-10-23  
DATE