



CITY OF RICHMOND

Department of Planning & Development Review *Staff Report*

Ord. No. 2023-283: To authorize the special use of the property known as 615 Maple Avenue for the purpose of an accessory building to a single-family detached dwelling, upon certain terms and conditions.

To: City Planning Commission
From: Land Use Administration
Date: October 16, 2023

PETITIONER

Kristina Bushey, represented by Baker Development Services

LOCATION

615 Maple Avenue

PURPOSE

To authorize the special use of the property known as 615 Maple Avenue for the purpose of an accessory building to a single-family detached dwelling, upon certain terms and conditions.

SUMMARY & RECOMMENDATION

The subject property is located in the R-4 Single Residential zoning district and single-family dwellings with accessory structures are permitted uses in this district. However, accessory structures are required to meet certain setbacks from the property lines. As built, the structure encroaches 1.9 feet into the required six foot rear yard setback. A special use permit is requested to authorize a 1.9 foot encroachment into the required six-foot rear yard setback.

Staff finds that the development of the property is generally consistent with the recommendations of the Richmond 300 master plan, which designates the property for Residential land use. Within this designation, a garage that is accessory to a single-family detached dwelling is an appropriate use. While the Master Plan does state within the description for Residential land use that "Many homes have driveways and/or garages, which are located off an alley behind the home if an alley is present" (p. 54), it does not provide specific recommendations regarding setbacks for those garages.

Staff finds that the accessory garage will be required to be updated with a fire-rated rear wall in order to comply with all building code requirements. Additionally, there are no windows or doors facing the rear property line, and there are two runs of fencing between the accessory garage and the abutting rear property. Therefore, removal of the accessory garage from the property, or relocating the accessory garage an additional 22 inches away from the rear property line is not justified.

Staff finds that, with the ordinance conditions, the safeguards contained within the City Charter relative to the granting of Special Use Permits are met. Specifically, staff finds that the use would not create hazards from fire, panic or other dangers in the area involved.

Therefore, staff recommends approval of the Special Use Permit request.

FINDINGS OF FACT

Site Description

The .149 acre subject property is located on the eastern side of Maple Avenue, near the intersection with Christopher Lane in the R-4 Single-Family Residential District. There is no alley access to the rear of the property.

Requested Use of the Property

The property has been improved with a single-family detached dwelling and an accessory garage building. While both of these structures are permitted uses, the accessory garage building was constructed so that it now encroaches 1.9 feet into the rear yard setback. The requested special use permit would authorize this encroachment.

Master Plan

The City's Richmond 300 Master Plan designates the property for Residential Uses for the property which consists primarily of single-family houses on large or medium sized lots.

Development Style: Houses on medium-sized and large-sized lots in a largely auto-dependent environment. Homes are setback from the street. Future developments continue and/or introduce a gridded street pattern to increase connectivity. Future single-family housing, accessory dwelling units, duplexes, and small multi-family residential buildings are built to a scale and design that is consistent with existing buildings

Mobility: Bicycle and pedestrian access are prioritized and accommodated. Low residential density means that it is not possible to provide frequent transit within these areas; however, frequent transit may be found at the edges of these areas within more intense future land use designations. Many homes have driveways and/or garages, which are located off an alley behind the home if an alley is present.

Intensity: Buildings are generally one to three stories. Lot sizes generally range up to 5,000 to 20,000+ sq. ft. Residential density of 2 to 10 housing units per acre.

Primary Uses: Single-family houses, accessory dwelling units, and open space.

Secondary: Duplexes and small multi-family buildings (typically 3-10 units), institutional, and cultural. Secondary uses may be found along major streets.

Zoning Administration Review and Ordinance Conditions

The following comments were received from the Zoning Administration Department:

The property is located within an R-4 Single-Family Residential District. A garage accessory to a single-family dwelling is a permitted use. The required side and rear yards in the R-4 district are not less than six feet (6').

The accessory garage was approved on October 26, 2022 (BLDR-119736-2022) with a side and rear yard of 6.1'. The survey submitted by the applicant shows the garage was moved back 2', creating a rear yard of 4.1'; the rear yard requirement is not met.

A lot coverage of thirty percent (30%) of the lot area is permitted. A lot coverage of ~29% exists on the lot; this requirement is met.

Accessory structures shall be no taller than twenty feet (20') tall. The plans indicate a height of ~18.7 feet; this requirement is met.

If adopted, the special use permit ordinance would impose conditions on the property, including:

- The Special Use of the Property shall be as an accessory building to a single-family detached dwelling, substantially as shown on the Plans.
- All mechanical equipment serving the Property shall be located or screened so as not to be visible from any public right-of-way.

Surrounding Area

Properties in the area predominately developed with single-family detached homes.

Neighborhood Participation

Staff notified area the Westhampton Citizens Association, the Westview Civic Association, nearby residents, and property owners. Staff has received opposition from nearby neighbors. Their comments are provided in the application attachments.

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