



# 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: Kapella-Darty Residence Date: 07/06/2016

Property Address: 2400 E Franklin, Richmond 23223 Tax Map #: E000-0340/121

Fee: \_\_\_\_\_ Total area of affected site in acres: 0.4  
(See page 3 for fee schedule, please make check payable to the "City of Richmond")

### Zoning

Current Zoning: M-1

Existing Use: Vacant

Is this property subject to any previous land use cases?

- Yes
- No  If Yes,  please list the Ordinance Number:

2007-115-85

### Proposed Use

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

R-6 Residential  
Single Family Home

98-246-275 + 97-287-289

Applicant/Contact Person: David Kapella

Company: NA- Future Resident

Mailing Address: 3826 Casey Leigh Lane

City: Raleigh State: NC Zip Code: 27612

Telephone: (919) 656-1373 Fax: ( )

Email: dwkapella@gmail.com

Property Owner: David Kapella

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: 3826 Casey Leigh Lane

City: Raleigh State: NC Zip Code: 27612

Telephone: (919) 656-1373 Fax: ( )

Email: dwkapella@gmail.com

Property Owner Signature: David W. Kapella

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)

To: The Honorable Council of the City of Richmond, Virginia

C/o: Department of Planning and Development Review  
Land Use Administration Division, Room 511  
City Hall, 900 East Broad Street  
Richmond, VA 23219  
(804) 646-6304

**Special Use Permit Amendment Application  
For  
David Kapella  
Applicant's Report**

**Property:**

2400 East Franklin Street, Richmond Virginia  
Tax Parcel Number: E000-0340/121

**Owner:**

David William Kapella  
3826 Casey Leigh Lane  
Raleigh, NC 27612  
(919) 656-1373

**Contact:**

David Kapella  
3826 Casey Leigh Lane  
Raleigh, NC 27672  
(919) 656-1373

**Property Description:**

The subject property is located on the north side of Franklin Street between North 24th Street and North 25th Street in the Old and Historic Saint John's District. The site currently consists of a vacant lot of approximately 0.4 acres.

**Background:**

Originally, applicant's lot was part of the adjacent lot, in total consisting of approximately 42,400 square feet, with a warehouse located on the site. The first Special Use Permit (SUP), Ordinance No. 97-287-289, adopted on October 13, 1997, authorized converting and expanding the warehouse on the lot to allow for 43 dwelling units and 43 parking spaces. The first amended SUP, Ordinance No. 98-246-275, adopted on September 14, 1998, reduced the number of dwelling units and parking spaces to 16, without requiring expansion of the building. The second amended SUP, Ordinance No. 2007-115-85, separated the original lot into two

lots, with parcel one containing the building and parcel two, applicant's lot, consisting of a vacant lot. Also under that SUP, the 16 apartment units in the building on parcel one were converted to condominiums. After that SUP amendment, parcel one was given a Tax Parcel Number of E000-0340/031, and parcel two, applicant's lot, retained the original Tax Parcel Number of E000-0340/121. That SUP amendment, however, in Section 3(m) provided that any further development of the property, without specifying parcel one or parcel two, would require amendment of the SUP.

**Purpose of Request:**

Since the property has been separated into two separate parcels, parcel two has been sold to applicant David Kapella. Applicant seeks to have parcel two rezoned from M-1 Light Industrial to R-6 Single-Family Residential, and construct a single-family dwelling on parcel two. As the current SUP does not allow development of the property without amendment, however, amendment is necessary to secure rezoning in order to construct the planned single-family dwelling. The intent of that section in the 2007 SUP amendment was not meant to restrict development or rezoning of the applicant's lot. Pursuant to that intent, applicant requests that SUP, Ordinance No. 2007-115-85, be amended to remove any reference to parcel two, Tax Parcel Number: E000-0340/121, addressed at 2400 East Franklin Street.

**Summary:**

The SUP Amendment request is to allow development of parcel two, split from parcel one in the prior SUP amendment. This amendment will remove the restriction on development for parcel two, Tax Parcel Number E000-0340/121, and accomplish the legal separation of the two already distinct parcels. This change would not result in any physical changes or additional development on parcel one. All other provisions of the SUP would remain in effect.