



CITY OF RICHMOND

DEPARTMENT OF  
PLANNING AND DEVELOPMENT REVIEW  
BOARD OF ZONING APPEALS

September 6, 2019

Kyle Johnston  
P.O. Box 4917  
Richmond, VA 23220

Mark Baker  
Baker Development Resources  
1519 Summit Avenue, Suite 102  
Richmond, Virginia 23220

To Whom It May Concern:

RE: **BZA 43-2019**

You are hereby notified that the Board of Zoning Appeals will hold a public hearing on Wednesday, October 2, 2019 at 1:00 p.m. in the 5th floor conference room, City Hall, 900 East Broad Street, to consider an application for a building permit to construct a new single-family detached dwelling at 205 BEAUMONT AVENUE (Tax Parcel Number W000-1449/022), located in an R-5 (Single-Family Residential District).

Please be advised that the applicant or the applicant's representative must be present at the hearing. 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.

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

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 <http://www.richmondgov.com/PlanningAndDevelopmentReview/civicasassociationgroupinformation.aspx> . 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.

Please 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. Please note that the Board's Rules of Procedure require payment of a \$150.00 continuance fee if the applicant must request a continuance for the reason that the applicant failed to discuss their case with their neighbors and neighborhood association(s). Please contact your neighborhood association to determine their meeting schedule. Be sure you allow yourself enough time to talk to all concerned parties prior to the hearing before the Board. For your convenience a list of the property owner(s) which have been identified based on the City Assessor's records as being located within a 150' radius of subject property is being provided to you (see attachment).

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,



Roy W. Benbow, Secretary  
Phone: (804) 240-2124  
Fax: (804) 646-5789  
E-mail: Roy.Benbow@richmondgov.com

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.

Barrow Sarah C  
3216 Grayland Ave  
Richmond VA 23221

Breckenkamp Robert R li  
17361 Dunns Chapel Rd  
Montpelier VA 23192

Brown Brian  
3304 Grayland Ave  
Richmond VA 23221

Cassidy John J & Georgia A  
7929 Bressingham Drive  
Fairfax Station VA 22039

Chapman Alyssa Ann  
3215 Parkwood Ave  
Richmond VA 23221

Chow Calvin C  
3208 Grayland Ave  
Richmond VA 23221

Clarke David A  
3218 Grayland Ave  
Richmond VA 23221

Hale C Scot  
3306 Grayland Ave  
Richmond VA 23221

Hjorth Heather B  
1514 Victor St  
Richmond VA 23222

Johnson Nichole L  
3307 Parkwood Ave  
Richmond VA 23221

Korzeniewski Joseph  
3212 Grayland Avenue  
Richmond VA 23221

Lissenden Thomas L & Martha Jo  
3101 Grayland Ave  
Richmond VA 23221

Moran Kyle P  
3219 Parkwood Ave  
Richmond VA 23221

Pflaeging Melissa  
3300 Grayland Avenue  
Richmond VA 23221

Redford Marti Jo  
3101 Grayland Ave  
Richmond VA 23221

Reisinger William T  
3302 Grayland Ave  
Richmond VA 23221

Richmond Wholesale Deals Llc  
3420 Pump Rd Box 307  
Henrico VA 23233

Robinson Street Properties Llc  
Po Box 14612  
Richmond VA 23221

Schulhoff Gerald & Evelyne  
8903 Alendale Road  
Henrico VA 23229

Scurlock Mary A  
3210 Grayland Ave  
Richmond VA 23221

Stinson William L Jr And Jillian M  
1815 W 45th St  
Richmond VA 23225

Tuck Emily Kaitlyn  
3217 Parkwood Ave  
Richmond VA 23221

Tuckwiller Emily G  
3309 Parkwood Ave  
Richmond VA 23221

**Property:** 205 Beaumont Ave **Parcel ID:** W0001449022**Parcel**

**Street Address:** 205 Beaumont Ave Richmond, VA 23221-  
**Owner:** JOHNSTON KYLE H  
**Mailing Address:** PO BOX 4917, RICHMOND, VA 23220  
**Subdivision Name :** PARK PLACE  
**Parent Parcel ID:**  
**Assessment Area:** 226 - S of Crytwn/N of RMA  
**Property Class:** 101 - R Single Family Vacant (R1-R7)  
**Zoning District:** R-5 - Residential (Single Family)  
**Exemption Code:** -

**Current Assessment**

**Effective Date:** 01/01/2019  
**Land Value:** \$5,000  
**Improvement Value:**  
**Total Value:** \$5,000  
**Area Tax:** \$0  
**Special Assessment District:** None

**Land Description**

**Parcel Square Feet:** 887  
**Acreage:** 0.02  
**Property Description 1:** 0020.69X0053.08 IRG0000.000 PAR B  
**State Plane Coords( ?):** X= 11777541.499998 Y= 3726401.229942  
**Latitude:** 37.55275320 , **Longitude:** -77.48364647

**Description**

**Land Type:** Residential Lot A  
**Topology:** Level  
**Front Size:** 20  
**Rear Size:** 53  
**Parcel Square Feet:** 887  
**Acreage:** 0.02  
**Property Description 1:** 0020.69X0053.08 IRG0000.000 PAR B  
**Subdivision Name :** PARK PLACE  
**State Plane Coords( ?):** X= 11777541.499998 Y= 3726401.229942  
**Latitude:** 37.55275320 , **Longitude:** -77.48364647

**Other**

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

**Assessments**

Assessment Year	Land Value	Improvement Value	Total Value	Reason
2020	\$6,000	\$0	\$6,000	Reassessment
2019	\$5,000	\$0	\$5,000	Reassessment
2018	\$5,000	\$0	\$5,000	Reassessment
2017	\$1,000	\$0	\$1,000	Reassessment
2016	\$1,000	\$0	\$1,000	Reassessment
2015	\$1,000	\$0	\$1,000	Reassessment
2014	\$1,000	\$0	\$1,000	Reassessment
2013	\$1,000	\$0	\$1,000	Reassessment
2012	\$4,000	\$0	\$4,000	Reassessment
2011	\$4,000	\$0	\$4,000	CarryOver
2010	\$4,000	\$0	\$4,000	Reassessment
2009	\$4,000	\$0	\$4,000	BOR
2008	\$2,200	\$0	\$2,200	Reassessment
2007	\$2,200	\$0	\$2,200	Reassessment
2006	\$1,700	\$0	\$1,700	Reassessment
2005	\$1,000	\$0	\$1,000	Reassessment
2004	\$900	\$0	\$900	Reassessment
2003	\$900	\$0	\$900	Reassessment
2002	\$800	\$0	\$800	Reassessment
2001	\$700	\$0	\$700	Reassessment
2000	\$500	\$0	\$500	Reassessment
1998	\$500	\$0	\$500	Not Available

**Transfers**

Transfer Date	Consideration Amount	Grantor Name	Deed Reference	Verified Market Sale Description
01/22/2018	\$30,000	DAVIES THOMAS AND LINDY	ID2018-1275	1 - VALID SALE-Special Financing/Terms, etc.
05/18/2017	\$22,500	HAYASHI TERU	ID2017-10053	1 - VALID SALE-DO NOT USE
05/19/2008	\$22,500	MADDIX J MICHAEL	ID2008-13586	
05/08/2007	\$165,000	CARLSON KRISTIN	ID2007-15685	2 - INVALID SALE-Sale Includes Multiple Parcels
01/21/2005	\$154,000	ROBINSON E C, HUSBAND M Y, PAGE D C,	ID2005-2187	
06/26/2002	\$0	CURRY LEE E SR	ID2002-30332	

**Planning**

**Master Plan Future Land Use:** SF-LD  
**Zoning District:** R-5 - Residential (Single Family)  
**Planning District:** Near West  
**Traffic Zone:** 1121  
**City Neighborhood Code:** CARY  
**City Neighborhood Name:** Carytown  
**Civic Code:**  
**Civic Association Name:** Carytown South Neighborhood Association  
**Subdivision Name:** PARK PLACE  
**City Old and Historic District:**  
**National historic District:**  
**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	1027	0408001	040800
1990	128	0408001	040800

**Schools**

**Elementary School:** Cary  
**Middle School:** Hill  
**High School:** Jefferson

**Public Safety**

**Police Precinct:** 3  
**Police Sector:** 311  
**Fire District:** 18  
**Dispatch Zone:** 050A

**Public Works Schedules**

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

**Government Districts**

**Council District:** 5  
**Voter Precinct:** 501  
**State House District:** 69  
**State Senate District:** 9  
**Congressional District:** 4

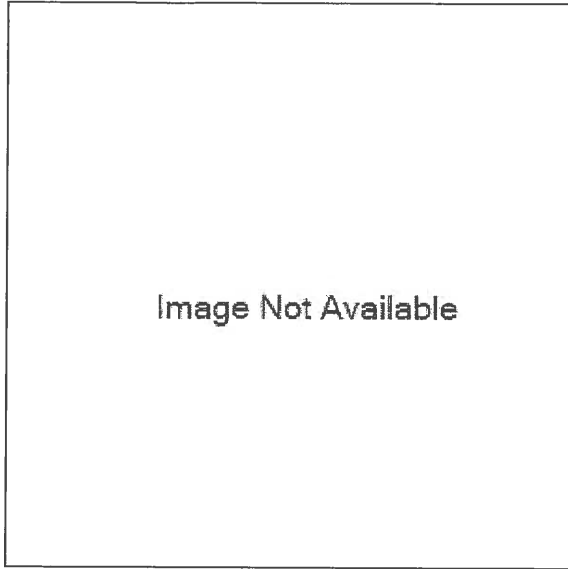
**Property Images**

Name:W0001449022 Desc:

[Click here for Larger Image](#)

**Sketch Images**

Name: Desc:





# 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

OWNER: Kyle Johnston

PHONE: (Home) ( ) (Mobile) (270) 779-8468

ADDRESS P.O. Box 4917

FAX: ( ) (Work) ( )

Richmond, VA 23220

E-mail Address: kylejohnston@gmail.com

### PROPERTY OWNER'S

REPRESENTATIVE: Mark Baker

PHONE: (Home) ( ) (Mobile) (804) 874-6275

(Name/Address) Baker Development Resources

FAX: ( ) (Work) ( )

1519 Summit Avenue, Suite 102

E-mail Address: markbaker@bakerdevelopmentresources.com

Richmond, Virginia 23220

## TO BE COMPLETED BY THE ZONING ADMINISTRATION OFFICE

PROPERTY ADDRESS (ES) 205 Beaumont Avenue

TYPE OF APPLICATION: ☐ VARIANCE ☒ SPECIAL EXCEPTION ☐ OTHER \_\_\_\_\_

ZONING ORDINANCE SECTION NUMBERS(S): 30-300, 30-410.5(1), 30-410.5(2), 30-410.6 & 30-710.1(a)(1)

APPLICATION REQUIRED FOR: A building permit to construct a new single-family detached dwelling.

TAX PARCEL NUMBER(S): W000-1449/022 ZONING DISTRICT: R-5 (Single-Family Residential)

REQUEST DISAPPROVED FOR THE REASON THAT: The front yard, side yards (setbacks), lot coverage and the parking requirements are not met. A front yard of 3.05' is required; 2.99'± is proposed. A side yard of three (3') feet is required; 1.19' is proposed along the northern property line and 0.5' is proposed along the southern property line. A maximum lot coverage of 35% of the area of the lot is permitted; 72.3% is proposed. One (1) parking space is required; none is proposed.

DATE REQUEST DISAPPROVED: August 14, 2019

FEE WAIVER: YES ☐ NO: ☒

DATE FILED: August 14, 2019 TIME FILED: 3:00 p.m. PREPARED BY: Josh Young RECEIPT NO. BZAR-059182-2019

AS CERTIFIED BY: William C. [Signature] (ZONING ADMINISTRATOR)

### 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) 1 & 11 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: 8/29/19

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

CASE NUMBER: BZA 43-2019 HEARING DATE: October 2, 2019 AT 1:00 P.M.



BOARD OF ZONING APPEALS CASE BZA 43-2019  
150' Buffer

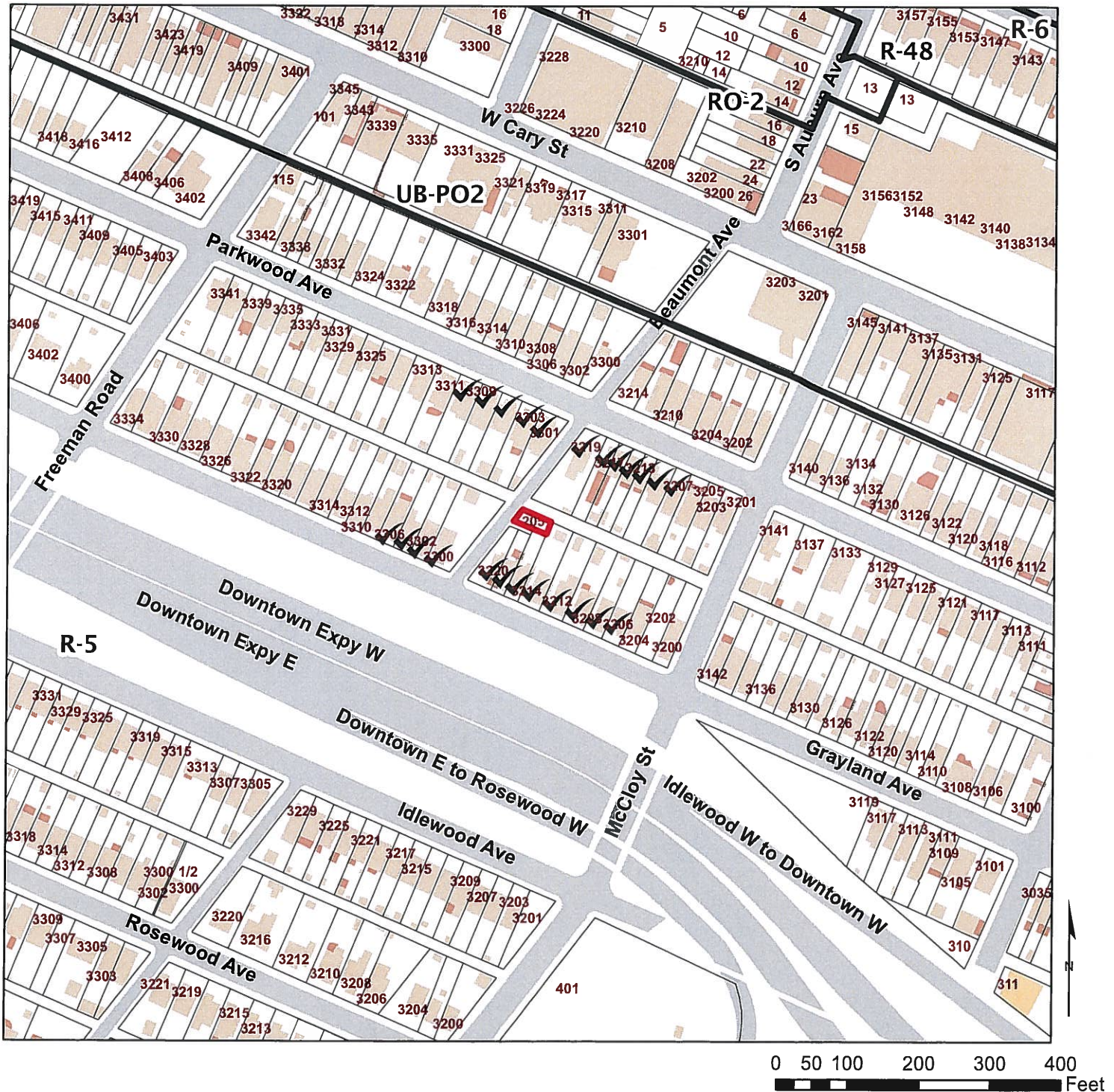
APPLICANT(S): Kyle Johnston

PREMISES: 205 Beaumont Avenue

(Tax Parcel Number W000-1449/022)

SUBJECT: A building permit to construct a new single-family detached dwelling.

REASON FOR THE REQUEST: Based on Sections 30-300, 30-410.5(1), 30-410.5(2),  
30-410.6 & 30-710.1(a)(1) of the Zoning Ordinance for the reason that:  
The front yard, side yards (setbacks), lot coverage and the  
parking requirements are not met.







# 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.

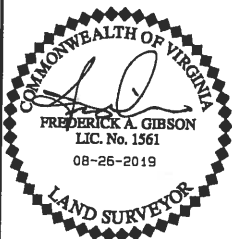
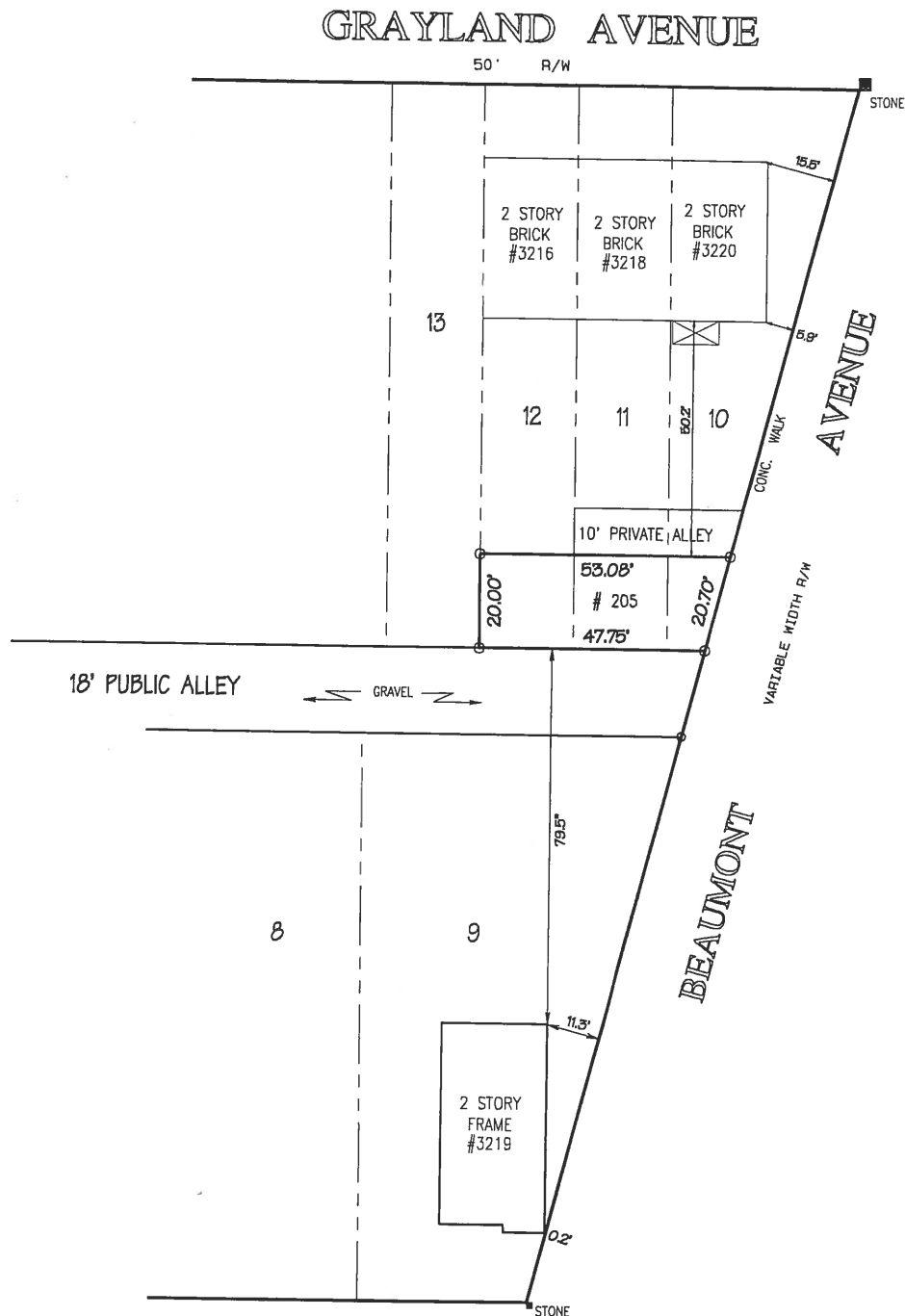
1. The powers and duties of the Board of Zoning Appeals are specified in Section 17.20 of the City Charter and Article X, Division 5, of the Zoning Ordinance. The Zoning Office will assist you in identifying how your case should be filed. If you have questions regarding your case filing, please contact the Zoning Administration Office (646-6340/6701). 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 absolutely essential that you discuss your case with your neighbors (notification letters are sent to property owners within a 150-foot radius of your property) as well as your neighborhood association(s). Information regarding your neighborhood association(s) and/or contact person(s) may be obtained from the City's website at <http://www.richmondgov.com/PlanningAndDevelopmentReview/civicasassociationgroupinformation.aspx>. 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.
4. **Please 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 \$150.00 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 (804-240-2124) well before the hearing.** The Secretary can be helpful by explaining the BZA public hearing 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:

(Revised: 4/28/16)

FREDERICK A. GIBSON & ASSOCIATES, P.C. ASSUMES NO LIABILITY REGARDING SUB-SURFACE FEATURES SUCH AS TOXIC WASTE, GARBAGE OR WASTE DISPOSAL AREAS, LANDFILLS, UNDERGROUND STORAGE TANKS, CEMETERIES OR BURIAL SITES, SHRINK/SWELL SOILS, UNDERGROUND WATERWAYS OR UTILITIES. CURRENT OWNER(S): N/F KYLE H. JOHNSTON ID. #2018-1275 PARCEL ID. W000-1449-022 THIS PLAT IS COMPILED FROM PREVIOUS SURVEYS, CITY BASELINE 16SW AND RECORD SUBDIVISION PLAT CURRENT ZONING R-5

PLAT B.K.C.B.  
Pg. 87 H.C.C.



PARKWOOD AVENUE

50' R/W

FREDERICK A. GIBSON  
& ASSOCIATES, P.C.  
LAND SURVEYORS

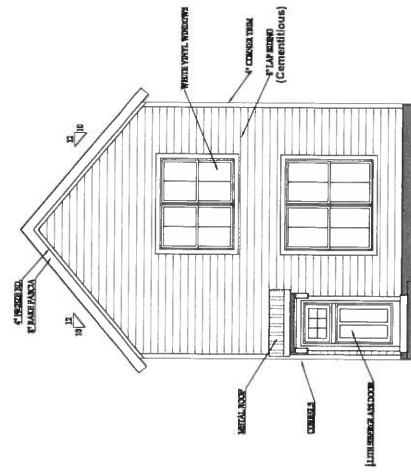
PLAT SHOWING # 205 BEAUMONT AVENUE  
BEING A PORTION OF LOTS 10, 11 & 12,  
BLOCK 4, "PARK PLACE ANNEX",  
AND ADJACENT DWELLINGS  
IN THE CITY OF RICHMOND, VIRGINIA

SCALE: 1" = 25'

11521-G MIDLOTHIAN TURNPIKE NORTH CHESTERFIELD, VIRGINIA 23225 PHONE 804 378-4485

FILE # 9504-14 B\L







CITY OF RICHMOND

DEPARTMENT OF COMMUNITY DEVELOPMENT

BUREAU OF PERMITS & INSPECTIONS

November 12, 2007

Michael Maddix  
2701 Park Avenue  
Richmond, Virginia 23220

**Re: 205 South Auburn Avenue (Tax Map: W000-1449/022)**

BEAUMONT

Dear Mr. Maddix:

Thank you for your request for a *Zoning Confirmation Letter* regarding the above referenced property. In response to your letter, please be advised of the following:

The property is located within a R-5 (Single-Family Residential) zoning district, which requires a minimum lot area of not less than six thousand square feet (6,000 SF) and a minimum lot width of not less than fifty feet (50') for single-family detached dwellings. According to City Assessor's records and deeds, the subject property has an irregular shape with a lot width of 20.6 feet and lot depths varying in length from 53.0 feet to 47.7 feet, which results in an approximate lot area of 1,060 square feet. The subject lot is deeded as an independent lot of record and has been since, at least, 1925. Deeds indicate that this property had conveyed together with the adjacent property at 3216 Grayland Avenue since, 1968, but were deeded as separate lots (Parcel's A and B). The minimum lot area and lot width requirements are deemed to be nonconforming (grandfathered).

As shown on a January 12, 2005, Survey Plat, by Balzer and Associates, Inc., accessory buildings (sheds) exist on the property and were apparently constructed by the property owners at 3218 and 3220 Grayland Avenue, at what they considered the rear of each of their properties. City zoning regulations in affect since 1927 have not allowed for the erection of an accessory building unless there was a main building located on the lot. A lot is defined as "a single lot of record or a combination of contiguous lots of record". However, since the accessory buildings were constructed on the lot illegally and not by the property owner, the accessory buildings did not result in the combination of the lot with the lot at 3216 Grayland Avenue.

In summary, based on the information available to me at this time, it is my determination that the lot is buildable from the zoning perspective. Other zoning requirements that may affect the potential development of the site are as follows:

1. Front yard – not less than twenty-five feet (25') or as determined by the existing setbacks of adjacent dwellings within one hundred feet (100').
2. Side yards – not less than three feet (3') [Sec. 114-620.1(c)].

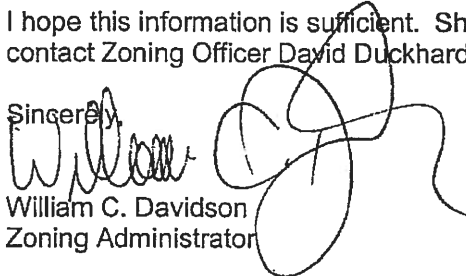
Michael Maddix  
Re: 205 South Auburn Avenue  
November 12, 2007  
Page 2

3. Rear yard – not less than five feet (5').
4. Lot coverage – not to exceed thirty-five percent (35%) of the area of the lot.
5. Building height – not to exceed thirty-five feet (35'). No accessory building shall exceed twenty feet (20') in height.
6. Parking – minimum of one (1) on-site parking space.

**You are hereby advised that you have thirty (30) days from this notice in which to appeal this decision to the Board of Zoning Appeals, in accordance with §15.2-2311 of the Code of Virginia and §17.19 of the Richmond City Charter, or this decision shall be final and unappealable. Such appeal must be in writing and must be filed with the Secretary to the Board of Zoning Appeals. Said appeal shall indicate in specific terms the grounds for the appeal and must be accompanied by a filing fee of two hundred fifty dollars (\$250.00).**

I hope this information is sufficient. Should you have any additional questions, please contact Zoning Officer David Duckhardt at 646-6917.

Sincerely,

  
William C. Davidson  
Zoning Administrator