



SUP-055243-2019

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

Property Address: 806 W Clay St Date: 5/15/2019
 Tax Map #: N-000-0352/013 Fee: \$300.00
 Total area of affected site in acres: 0.038

(See **page 6** for fee schedule, please make check payable to the "City of Richmond")

Zoning

Current Zoning: R-7 (Single & 2 Family Urban)

Existing Use: Single-family detached (abutting 804 and 808 W Clay)

Proposed Use

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

Addition to single-family detached
 Existing Use: Single-family detached

Is this property subject to any previous land use cases?

Yes No If Yes, please list the Ordinance Number: N/A

Applicant/Contact Person: Mark Baker

Company: Baker Development Resources
 Mailing Address: 11 S 12th Street, Suite 500
 City: Richmond State: VA Zip Code: 23219
 Telephone: (804) 874-6275 Fax: ()
 Email: markbaker@bakerdevelopmentresources.com

Property Owner: Andre Wilson

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: P.O. Box 986
 City: Chesterfield State: VA Zip Code: 23832
 Telephone: (804) 399-3461 Fax: ()
 Email: awilson@aol.com

Property Owner Signature: 

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)



May 29, 2019

Mr. Matthew Ebinger
City of Richmond, Department of Planning and Development Review
Land Use Administration Division, Room 511
City Hall, 900 E Broad Street
Richmond, Virginia 23219

Re: Special Use Permit: 806 W Clay Street

Dear Matthew,

I am representing the property owner in an application for a special use permit (SUP) for the property known as 806 W Clay Street, identified as Tax Parcels N000-0352/013 (“the Property”). The Property is located on the north side of W Clay Street between Goshen Street and Gilmer Street. The Property consists of one lot that is 16.5 feet in width and 100 feet in depth. The lot contains 1,650 of lot area. The Property is occupied by a single-family dwelling that was constructed in 1900 according to the City Assessor.

The Property is zoned R-7 Residential (Single & 2 Family Urban), which permits single-family and two-family dwellings. The SUP is required in order to permit the reconstruction and expansion of a rear addition to the existing single-family detached dwelling on the Property. A side yard setback of not less than three feet (3’) is required for a single-family detached dwelling in the R-7 district. The dwelling on the Property abuts the dwellings at 804 and 808 W Clay. As abutting structures their walls are subject to the required 3’ side yard setback. However, based on the age of the dwellings they are nonconforming (grandfathered). Accordingly, a previous two-story rear addition on the dwelling had been nonconforming with regard to this requirement. However, that addition was removed as discussed in further detail below. A special use permit is now required in order to replace and expand the addition as proposed.

In 2018, a contractor working with the owner discovered structural damage while pursuing floor repairs. The original scope of work did not require a permit. However, as work progressed the scope of work expanded to include the substantial demolition of and replacement of damaged joists and studs – significant termite and water damage was discovered when floors and walls were opened up for repair. With the partial demolition of the addition the scope was expanded further to include an expansion of the addition area to include an expansion of the footprint by 75 square feet (150 square feet of floor area on two floors). The demolition/replacement and expansion of the addition area is in line with the existing side wall configuration. However, no plans were filed, or permits issued, for the work. The owner indicates that the contractor failed to advise him of the need to stop at the point where a permit would have been needed. The City issued a stop work order for replacing walls and floor joists with no approved plans or permits in 2018. Since that time, work has been suspended and the addition is incomplete. Because portions of the existing addition were removed and due to the expansion, the right to the nonconforming setback has now been lost. As such the partially complete

rehabilitation/expansion of the addition does not meet the setback requirement and is therefore out of compliance.

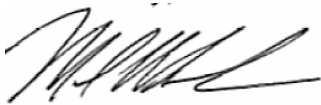
The SUP would legitimize the partially constructed addition. The addition is consistent with the historic development pattern in the area. The dwelling is modest in size, including 1,162 square feet of floor area prior to the demolition. The proposed addition would include an additional 150 square feet of floor area on two floors. It would improve livability by permitting a larger, more modern kitchen layout on the first floor and a larger second bedroom on the second floor. When complete, the dwelling would contain approximately 1,312 square feet of floor area.

The proposal is consistent with the Master Plan Land Use Plan recommendation and the rehabilitation of the dwelling would be consistent with multiple objectives of the Master Plan related to housing and neighborhoods.

This proposal addresses the various factors 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. In summary, the applicant is seeking approval for a modest rear addition in order to allow for the needed repair of and improvement of the existing dwelling on the Property.

Thank you for your time and consideration of this request. Please let me know if you have any questions.

Sincerely,



Mark R. Baker
Baker Development Resources, LLC

cc: the Honorable Kimberly Gray, 2nd District Councilmember