



CITY OF RICHMOND

DEPARTMENT OF
PLANNING AND DEVELOPMENT REVIEW
BOARD OF ZONING APPEALS

December 6, 2019

2305 North Avenue Land Trust
P.O. Box 7808
Henrico, Virginia 23231
Attn: Jammie William

To Whom It May Concern:

RE: **BZA 05-2020**

You are hereby notified that the Board of Zoning Appeals will hold a public hearing on Thursday, January 2, 2020 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 re-establish the nonconforming use rights to a four (4) dwelling unit building at 2305 NORTH AVENUE (Tax Parcel Number N000-0540/007), located in an B-2 (Community Business 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


BZA 05-2020
Page 2
December 6, 2019

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.

2305 North Ave Land Trust Guardian
Venture Llc Trs
Po Box 7808
Henrico VA 23231

Apostolic Church Of Christ
2404 North Ave
Richmond VA 23222

Beltrane Christine M And Espinoza Eric
P
2308 Barton Ave
Richmond VA 23222

Braxton George And Mathis Alfonso Jr
2800 Semmes Ave
Richmond VA 23225

Cao Flats LLC
4944 Millridge Pkwy #1643
Midlothian VA 23113

Chin Up Llc Trustee
Po Box 8955
Richmond VA 23225

Craighead Ramona J
2711 Northumberland Avenue
Richmond VA 23220

Espinosa Development Llc C/o Ferris &
Ferris Law Firm
12170 Abington Hall Place #207
Reston VA 20190

Gervay Angie And Caleb
2306 Barton Ave
Richmond VA 23222

Hammounda Ventures Inc
2301 North Ave
Richmond VA 23222

Jones Sandra M
3432 Northview Pl
Richmond VA 23225

Kemp Bernice
2403 North Ave
Richmond VA 23222

Noe Philip
2401 North Ave
Richmond VA 23222

Stearman Scott E And Dunson Alyssa E
2304 Barton Ave
Richmond VA 23222

Taylor Sandra A & Anderson Carolyn L
& Steven C
4228 Knob Rd
Richmond VA 23235

Vaughan Dorothy P And Rozier Walter
Jr
705 Rothesay Rd
Richmond VA 23221

Zach Four LLC
Po Box 26664
Richmond VA 23261

Property: 2305 North Ave **Parcel ID:** N0000540007**Parcel**

Street Address: 2305 North Ave Richmond, VA 23222-
Owner: 2305 NORTH AVE LAND TRUST GUARDIAN VENTURE LLC TRS
Mailing Address: PO BOX 7808, HENRICO, VA 23231
Subdivision Name : BARTON HEIGHTS
Parent Parcel ID:
Assessment Area: 316 - Battery Court
Property Class: 180 - R Four Family Blt-As
Zoning District: B-2 - Business (Community Business)
Exemption Code: -

Current Assessment

Effective Date: 01/01/2019
Land Value: \$45,000
Improvement Value: \$185,000
Total Value: \$230,000
Area Tax: \$0
Special Assessment District: None

Land Description

Parcel Square Feet: 8854
Acreage: 0.203
Property Description 1: 0069.42X0145.00 IRG0000.203 AC
State Plane Coords(?): X= 11792214.7470 Y= 3730602.4549
Latitude: 37.56383985 , **Longitude:** -77.43300425

Description

Land Type: Residential Lot A
Topology: Level
Front Size: 69
Rear Size: 145
Parcel Square Feet: 8854
Acreage: 0.203
Property Description 1: 0069.42X0145.00 IRG0000.203 AC
Subdivision Name : BARTON HEIGHTS
State Plane Coords(?): X= 11792214.7470 Y= 3730602.4549
Latitude: 37.56383985 , **Longitude:** -77.43300425

Other

Street improvement: Paved
Sidewalk: Yes

Assessments

Assessment Year	Land Value	Improvement Value	Total Value	Reason
2020	\$50,000	\$181,000	\$231,000	Reassessment
2019	\$45,000	\$185,000	\$230,000	Reassessment
2018	\$100,000	\$128,000	\$228,000	Reassessment
2017	\$90,000	\$137,000	\$227,000	Reassessment
2016	\$73,000	\$143,000	\$216,000	Reassessment
2015	\$73,000	\$139,000	\$212,000	Reassessment
2014	\$73,000	\$139,000	\$212,000	Reassessment
2013	\$73,000	\$139,000	\$212,000	Reassessment
2012	\$73,000	\$139,000	\$212,000	Reassessment
2011	\$73,000	\$164,000	\$237,000	CarryOver
2010	\$73,000	\$164,000	\$237,000	Reassessment
2009	\$73,000	\$168,000	\$241,000	Reassessment
2008	\$73,000	\$168,000	\$241,000	Reassessment
2007	\$66,400	\$168,000	\$234,400	Reassessment
2006	\$66,400	\$164,700	\$231,100	Reassessment
2005	\$50,300	\$164,700	\$215,000	Reassessment
2004	\$42,600	\$159,400	\$202,000	Omitted
2003	\$41,000	\$42,300	\$83,300	Reassessment
2002	\$39,000	\$40,300	\$79,300	Reassessment
2001	\$36,800	\$38,000	\$74,800	Reassessment
2000	\$32,000	\$38,000	\$70,000	Reassessment
1998	\$32,000	\$38,000	\$70,000	Not Available

Transfers

Transfer Date	Consideration Amount	Grantor Name	Deed Reference	Verified Market Sale Description
12/20/2018	\$130,800	NEW URBAN LIFE LLC	ID2018-25813	1 - VALID SALE-Sale Includes Multiple Parcels
12/20/2018	\$85,000	JOHNSON WILLIAM R	ID2018-25812	1 - VALID SALE-Sale Includes Multiple Parcels
06/30/2006	\$235,000	DABS PROPERTIES LLC	ID2006-22273	2 - INVALID SALE-DO NOT USE
10/24/2005	\$199,767	GREGORY PAMELA M	ID2005-37026	
04/21/2004	\$225,000	JORDAN ENTERPRISES LLC	ID2004-12579	

Planning

Master Plan Future Land Use: SF-MD
Zoning District: B-2 - Business (Community Business)
Planning District: North
Traffic Zone: 1023
City Neighborhood Code: NBHG
City Neighborhood Name: Northern Barton Heights
Civic Code:
Civic Association Name: North Barton Heights Association
Subdivision Name: BARTON HEIGHTS
City Old and Historic District:
National historic District: Town of Barton Heights
Neighborhoods in Bloom: Southern Barton Heights
Redevelopment Conservation Area:

Economic Development

Care Area: - North Avenue
Enterprise Zone: III

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	3017	0110003	011000
1990	310	0110003	011000

Schools

Elementary School: Overby Sheppard
Middle School: Henderson
High School: Marshall

Public Safety

Police Precinct: 4
Police Sector: 411
Fire District: 14
Dispatch Zone: 089A

Public Works Schedules

Street Sweep: TBD
Leaf Collection: TBD
Refuse Collection: Wednesday
Bulk Collection: TBD

Government Districts

Council District: 6
Voter Precinct: 603
State House District: 71
State Senate District: 9
Congressional District: 4

Extension 1 Details

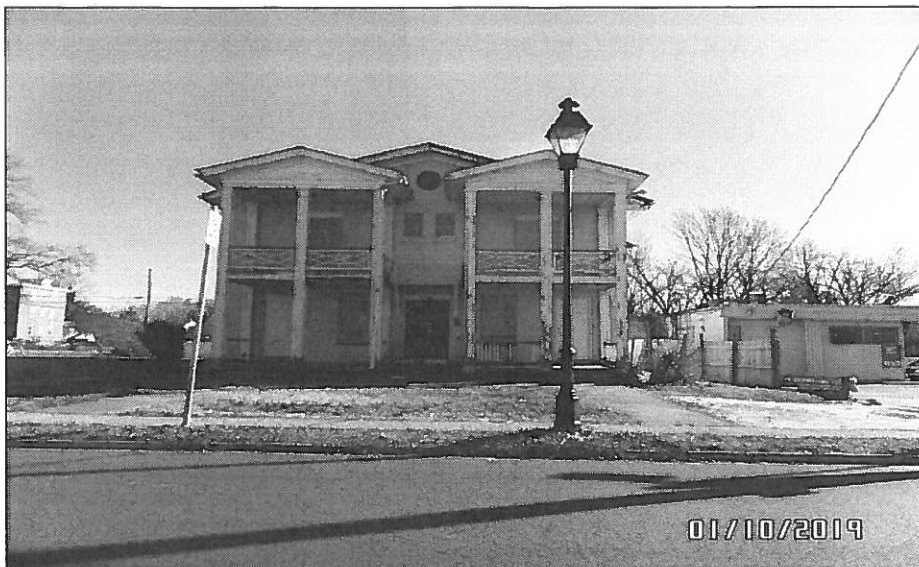
Extension Name: R01 - Residential record #01
Year Built: 1915
Stories: 2
Units: 0
Number Of Rooms: 20
Number Of Bed Rooms: 12
Number Of Full Baths: 4
Number Of Half Baths: 0
Condition: poor for age
Foundation Type: 1/2 Bsmt, 1/2 Crawl
1st Predominant Exterior: Brick
2nd Predominant Exterior: N/A
Roof Style: Gable
Roof Material: Asphalt shingles
Interior Wall: Plaster
Floor Finish: Softwood-standard
Heating Type: Hot water or steam
Central Air: N
Basement Garage Car #: 0
Fireplace: N
Building Description (Out Building and Yard Items) :

Extension 1 Dimensions

Finished Living Area: 4782 Sqft
Attic: 0 Sqft
Finished Attic: 0 Sqft
Basement: 1196 Sqft
Finished Basement: 0 Sqft
Attached Garage: 0 Sqft
Detached Garage: 0 Sqft
Attached Carport: 0 Sqft
Enclosed Porch: 0 Sqft
Open Porch: 624 Sqft
Deck: 0 Sqft

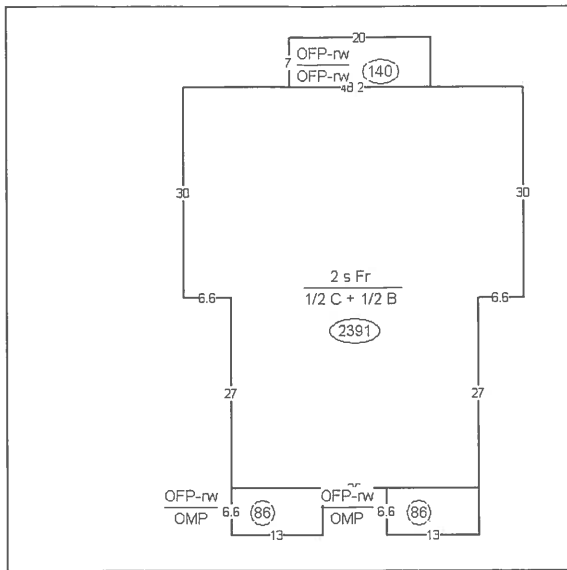
Property Images

Name:N0000540007 Desc:R01

[Click here for Larger Image](#)

Sketch Images

Name:N0000540007 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

OWNER: 2305 North Avenue Land TrustPHONE: (Home) () (Mobile) (804) 869-5775ADDRESS: P.O. Box 7808

FAX: () (Work) ()

Henrico, Virginia 23231E-mail Address: lcw.excels@gmail.comAttn: Jammie William

PROPERTY OWNER'S

REPRESENTATIVE: _____

PHONE: (Home) () (Mobile) ()

(Name/Address) _____

FAX: () (Work) ()

E-mail Address: _____

TO BE COMPLETED BY THE ZONING ADMINISTRATION OFFICE

PROPERTY ADDRESS (ES) 2305 North AvenueTYPE OF APPLICATION: ☐ VARIANCE ☒ SPECIAL EXCEPTION ☐ OTHER _____ZONING ORDINANCE SECTION NUMBERS(S): 30-300, 30-436.1 & 30-800.4APPLICATION REQUIRED FOR: A building permit to re-establish the nonconforming use rights to a four (4) dwelling unit building.TAX PARCEL NUMBER(S): N000-0540/007 ZONING DISTRICT: B-2 (Community Business)

REQUEST DISAPPROVED FOR THE REASON THAT: The proposed use is not permitted as the previous nonconforming use rights have expired. The property's current B-2 zoning district permits dwelling units when contained within the same building as other permitted principal uses, provided that such dwelling units shall be located above the ground floor of the building or to the rear of other permitted principal uses so as not to interrupt commercial frontage in the district, and provided further that the total floor area devoted to dwelling use shall not exceed three (3) times the area of that portion of the ground floor of the building devoted to other permitted principal uses. The entire building will be devoted to the multi-family use. Whenever a nonconforming use of a building is discontinued for a period of two (2) years or longer, any subsequent use of the premises must conform to the regulations applicable in the district in which it is located.

DATE REQUEST DISAPPROVED: November 15, 2019FEE WAIVER: YES ☐ NO: ☒DATE FILED: November 15, 2019 TIME FILED: 3:58 p.m. REPAIRED BY: Janell Baker RECEIPT NO. BZA-64395-2019AS CERTIFIED BY: WCA (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) 14 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: 12/2/19

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

CASE NUMBER: BZA 05-2020 HEARING DATE: January 2, 2020 AT 1:00 P.M.

BOARD OF ZONING APPEALS CASE BZA 05-2020

150' Buffer

APPLICANT(S): 2305 North Avenue Land Trust

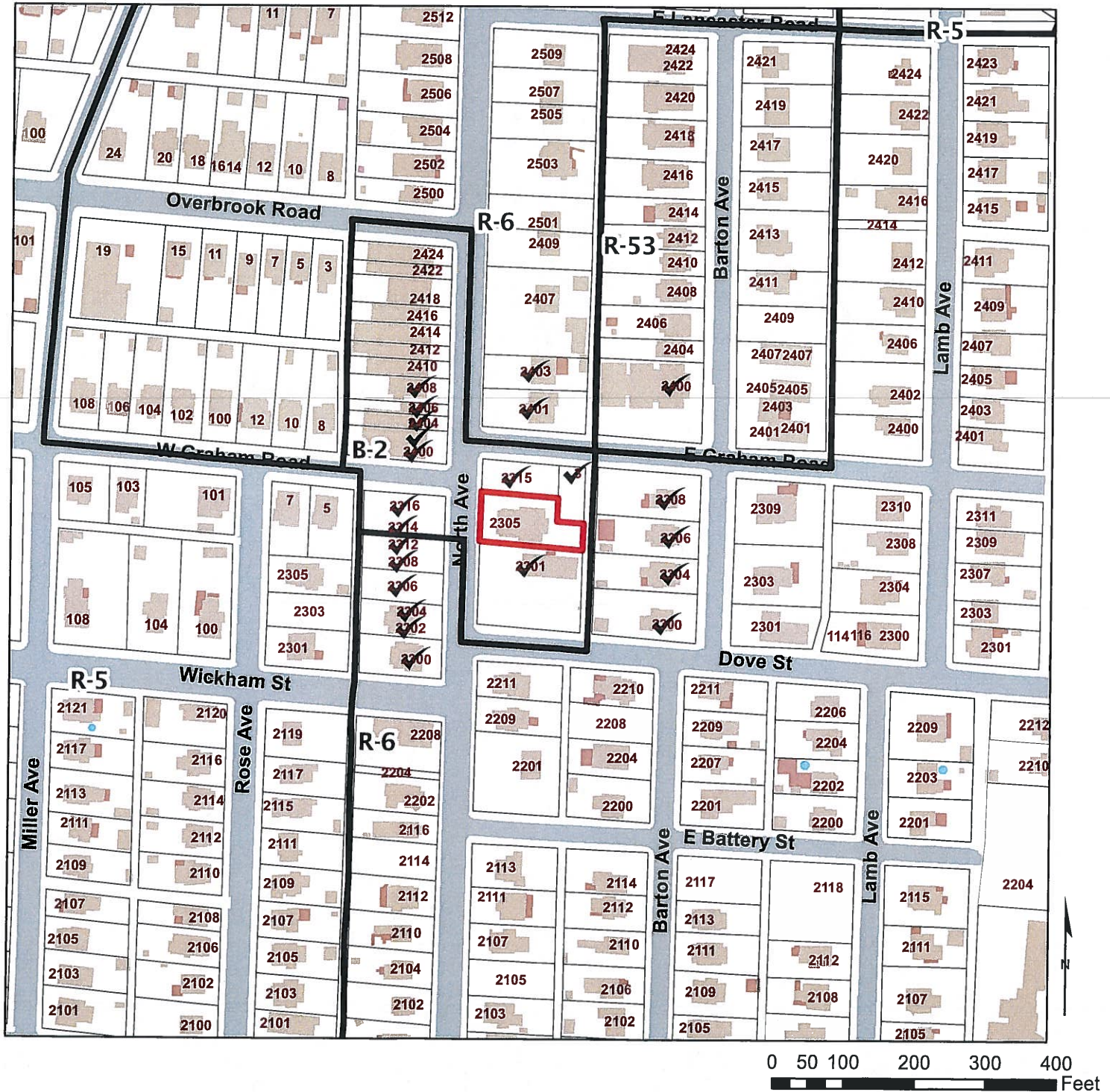
PREMISES: 2305 North Avenue

(Tax Parcel Number N000-0540/007)

SUBJECT: A building permit to re-establish the nonconforming use rights to a four (4) dwelling unit building.

REASON FOR THE REQUEST: Based on Sections 30-300, 30-436.1 & 30-800.4 of the Zoning Ordinance for the reason that:

The proposed use is not permitted as the previous nonconforming use rights have expired.





BOARD OF ZONING APPEALS PRESENTATION SUGGESTIONS

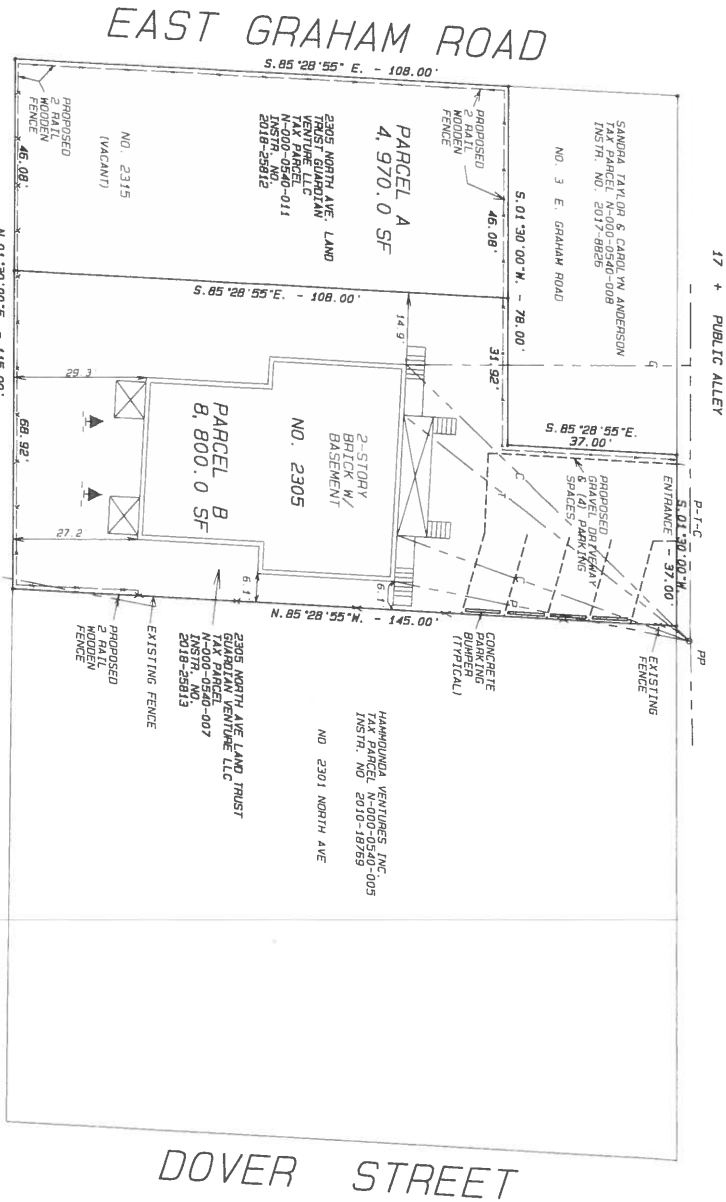
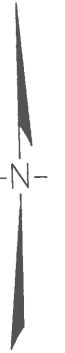
CITY OF RICHMOND, VIRGINIA

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/civicasociationgroupinformation.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.

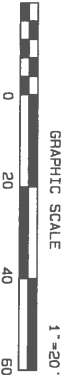
Acknowledgement of Receipt by Applicant or Authorized Agent: Jammie C. Williams

(Revised: 4/28/16)



LEGEND

- PP = POWER POLE
- P = OVERHEAD POWER
- T = OVERHEAD TELEVISION
- C = OVERHEAD CABLEVISION
- ▲ = PROPOSED LANDSCAPING



PLANNED PLANS TO BE FILED
WITH THE BOARD OF ZONING ADJUDICATORS

11-15-19

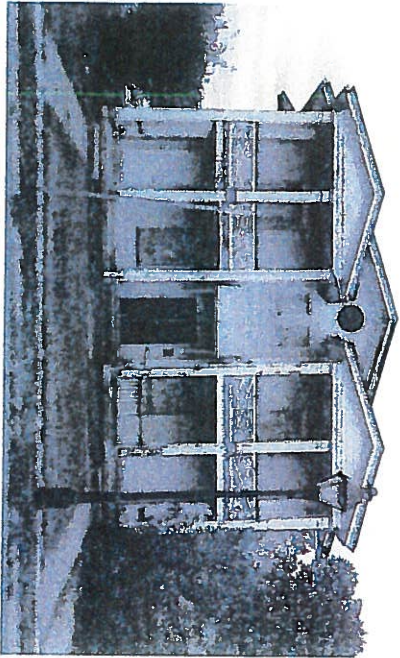
NOTES

1. BOUNDARY INFORMATION AND EXISTING IMPROVEMENTS SHOWN BASED ON PLAT OF SURVEY BY PUTTS, MINIER AND ASSOCIATES, PC, DATED JUNE 15, 2006 AND NOT THE RESULTS OF A CURRENT FIELD SURVEY.

COMPILED MAP

PLAT OF PROPERTY SITUATED
ON THE SOUTHEAST CORNER
OF NORTH AVENUE AND
EAST GRAHAM ROAD
CITY OF RICHMOND, VIRGINIA
NOV. 12, 2019 SCALE: 1"=20'

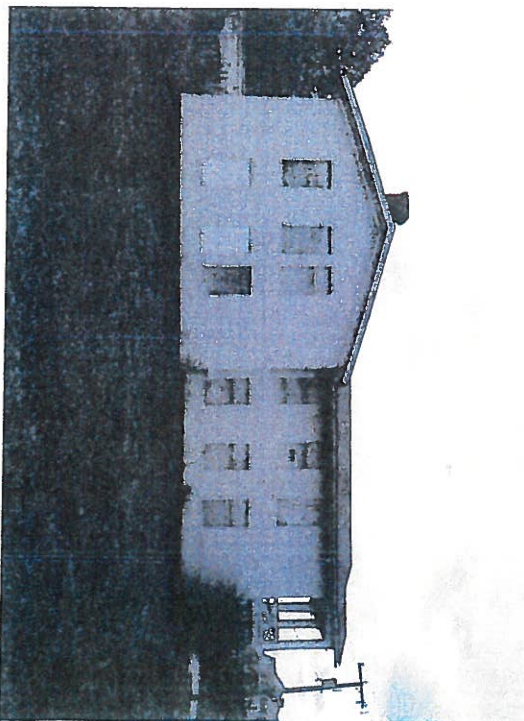
STEVEN B. KENT & ASSOCIATES, PC
LAND SURVEYORS
1521 BROOK ROAD
RICHMOND, VIRGINIA 23220
OFF. 804.643.6113
email: stevenkent85@verizon.net



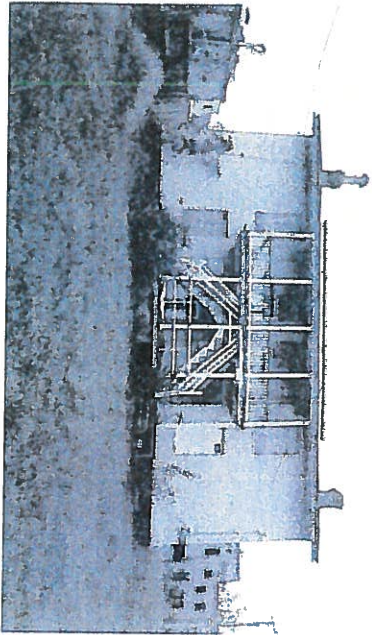
FRONT ELEVATION

THIS PLAN IS DRAWN TO MEET
VEBC 2015

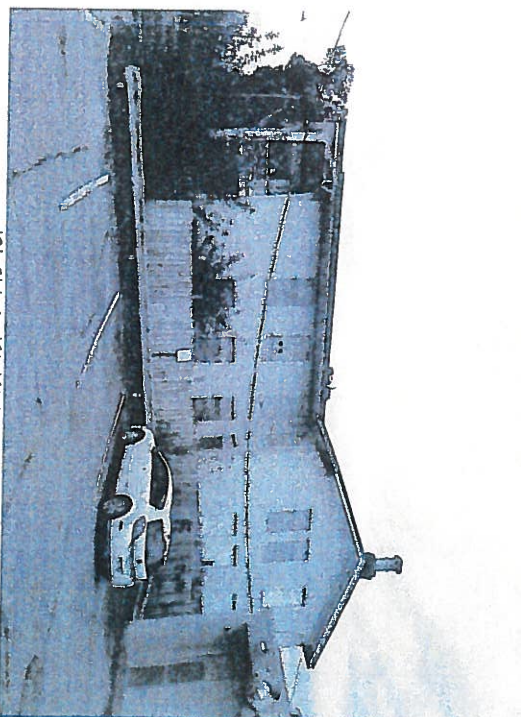
- NOTES:
1. NO STRUCTURE CHANGES
 2. (2) 5/8" FIREBLOCK ON ALL COMMON WALLS
& CEILING OF FIRST FLOOR
 3. ADD NEW HALF BATH AND LAUNDRY AS SHOWN
 4. ALL PORCHES REPLACE ROTTED LUMBER w/ LIKE KIND



LEFT ELEVATION



REAR ELEVATION



RIGHT ELEVATION

2305 NORTH AVE

THIS PLAN WAS DESIGNED FOR

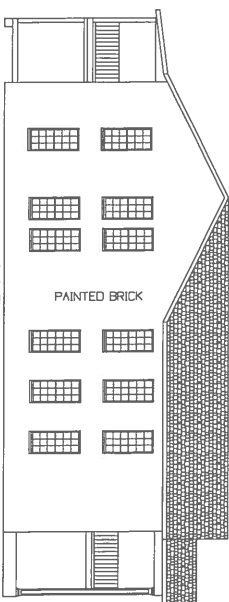
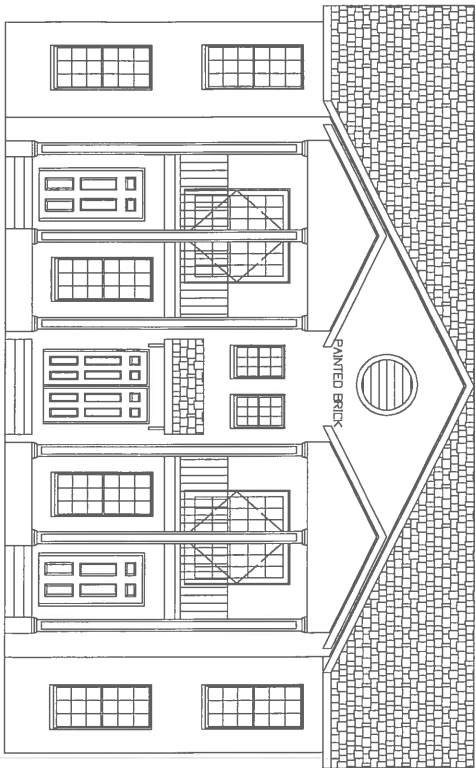
Rejected Plans to **NetCaddrafting**
with the Board of Zoning Appeals

THIS PLAN DESIGNED BY

804-640-0719
www.netcaddrafting.com

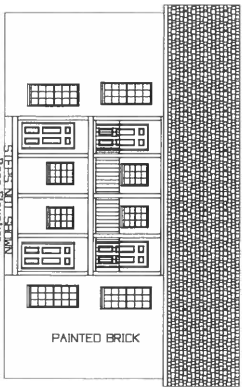
APARTMENTS	DATE OF PLANS
ELEVATIONS	11/14/19
PLANS DRAWN BY	BRAD PRICE
	1

11-15-19

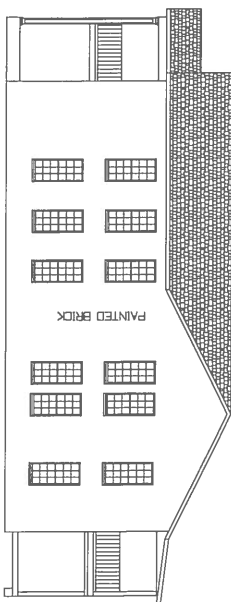


Front Elevation
Scale 1/4"=1'

Left Elevation
Scale 1/8"=1'



Right Elevation
Scale 1/8"=1'



REAR ELEVATION
Scale 1/8"=1'

THIS PLAN WAS DESIGNED FOR

2305 NORTH AVE

THIS PLAN DESIGNED BY

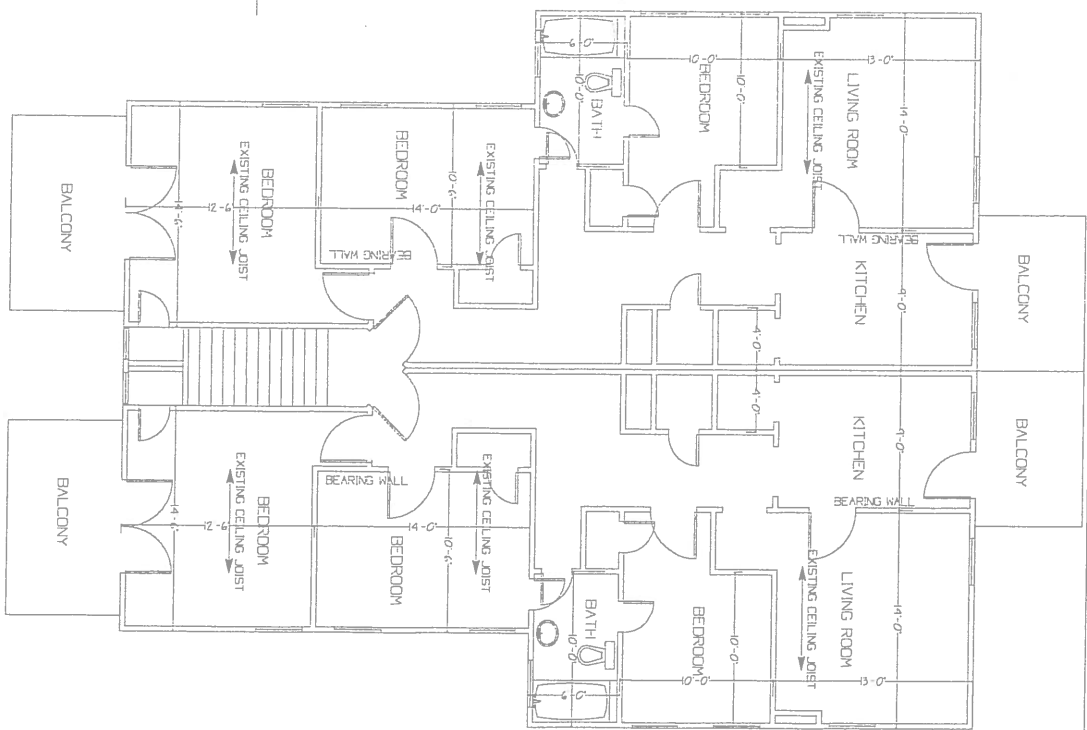
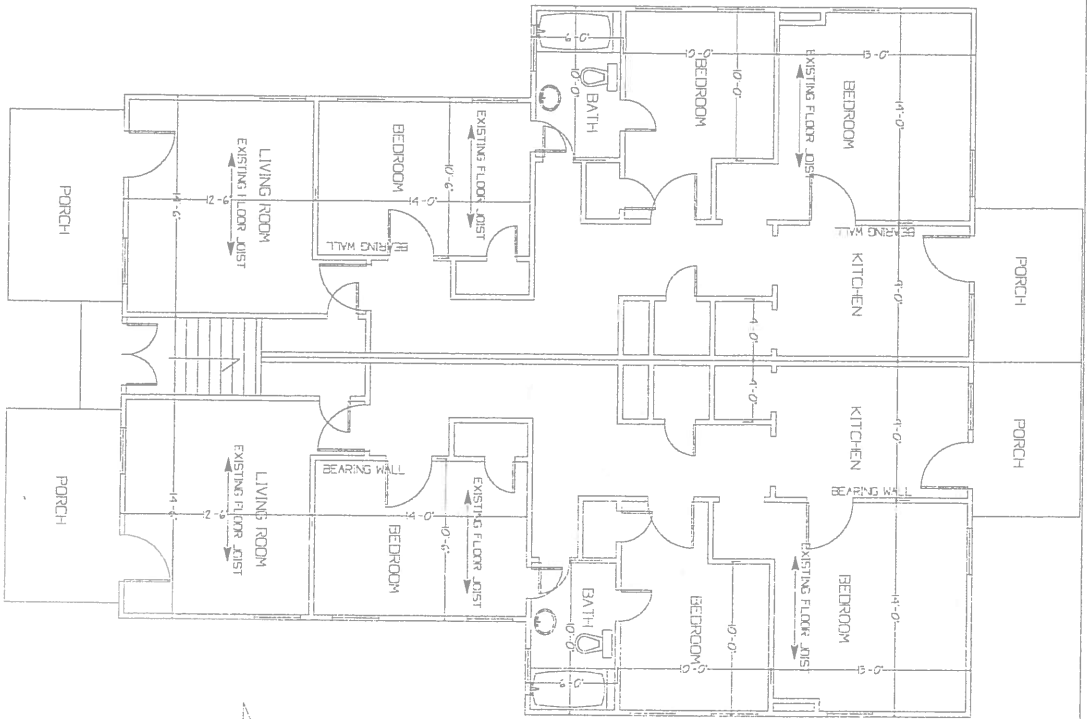
NetCaddDrafting

804-640-0791
www.netcaddrafting.com

APARTMENTS
ELEVATIONS

DATE OF PLANS
12/4/19
PLANS DRAWN BY
BRAD PRICE

1



NORTH

2305 NORTH AVE
RICHMOND VA
FIRST FLOOR / EXISTING
SCALE 1/4"=1'

2305 NORTH AVE
RICHMOND VA
SECOND FLOOR / EXISTING
SCALE 1/4"=1'

2305 NORTH AVE

Proposed Plans to be
with the Board of Zoning Appeals
NetCaddrafting

804-440-0791
www.netcaddrafting.com

APARTMENTS
EXISTING PLANS
DATE OF PLANS
11/14/19
PLANS DRAWN BY
BRAD PRICE

1

11-15-19



November 5, 2019

Anthony Hilton, President

Southern Barton Heights Civic Association

2101 Miller Ave

Richmond, VA 23222

Dear Board of Zoning Appeals:

I write this letter to express the Southern Barton Heights Civic Association's unequivocal support for the 2305 North Ave Land Trust's request for the reinstatement of the grandfathered non-conforming use and renovation of the 4 family apartment building at 2305 North Ave. We see no detrimental effects of the reinstatement and renovation of this building. This building has been a vacant eyesore for several years. The occupancy of this building will beautify the neighborhood and discourage crime. We desire to see the neighborhood free of blight and loitering at vacant buildings. The renovation and subsequent occupancy by residents will help the community thrive and grow.

This project deserves your full support. We look forward to its successful completion.

If you have any questions, please contact me at (804) 306-5749

Sincerely,

A handwritten signature in black ink, appearing to read "Anthony Hilton", written in a cursive style.

Anthony Hilton

Southern Barton Heights Civic Association

2101 Miller Ave

Richmond, VA 23222

2305 North Ave Land Trust

11/12/2019

C/O Guardian Venture LLC

PO Box 7808

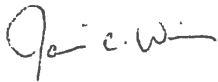
Henrico, VA 23231

RE: 2305 North Ave

Dear Board Members:

The 2305 North Ave Land Trust and Guardian Venture LLC are local real estate development entity/company. Our mission is to responsibly Invest, Build, Develop and Redevelop real estate in the Richmond Metro area. We are committed to strengthening and revitalizing the communities in which we have the opportunity to own property. We are seeking reinstatement of the grandfathered nonconforming use that expired when the building went vacant and fell into disrepair several years ago. We are excited by the possibility to see this building occupied by families, and no longer contributing loitering and blight. For the convenience of those families who will be living there, we would like repurpose existing closet and pantry space in each unit into a half bath and laundry room respectively. We also plan to add the following improvements: a 2-rail wooden fence around 2305 and the adjacent 2315 North Ave lot which we also own, a gravel parking lot in the rear with 4 parking spaces, a mulch bed with flowers in front of the two lower units. We appreciate your cooperation and grace in this matter.

Kindest Regards,



2305 North Ave Land Trust

C/O Guardian Venture LLC

Vote to Grant

affirmative: Poole, Cox, Williams, Siff, Parks

negative: none

CASE NO. 28-03

APPLICANT: Jordan Enterprises LLC

PREMISES: 2305 NORTH AVENUE
(Tax Parcel Number N000-0540/007)SUBJECT: A building permit for repairs to a multi-family dwelling with four
(4) dwelling units

DISAPPROVED by the Zoning Administrator on January 29, 2003, based on Sections 32-300, 32-436.1 and 32-800.4 of the zoning ordinance for the reason that: In a B-2 Community Business District, the proposed use is not permitted as the previous nonconforming use rights have expired.

APPLICATION was filed with the Board on February 5, 2003, based on Section 32-1040.3(6) of the City Code.

APPEARANCES:

For Applicant: none

Against Applicant: none

FINDINGS OF FACT: The Board finds in this case that the applicant or applicant's representative was not present at the hearing to offer testimony in support of Case No. 28-03.

The Board finds that due to the failure of the applicant or applicant's representative to attend the public hearing that no finding could be made in support of the fact that the property had been purchased in good faith or that the building could not reasonably be devoted to a conforming use.

RESOLUTION: NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ZONING APPEALS that a request for a special exception from the proposed use requirements be denied to Jordan Enterprises LLC for a building permit for

repairs to a multi-family dwelling with four (4) dwelling units as proposed at the subject premises.

ACTION OF THE BOARD: Denied (5-0)

Vote to Deny

affirmative: Poole, Cox, Williams, Siff, Parks

negative: none

Upon motion made by Mr. Poole and seconded by Mr. Siff, the Board members voted (5-0) to continue to its meeting of Wednesday, April 2, 2003 consideration of the following case. As part of the motion, the Board also voted to waive the application fee. (The application was subsequently withdrawn on March 10, 2003.)

CASE NO. 29-03

APPLICANTS: Douglas B. Foulis and Jane C. Ferrara

PREMISES: 1902 HANOVER AVENUE
(Tax Parcel Number W000-0859/020)

SUBJECT: A building permit for a two-story addition

DISAPPROVED by the Zoning Administrator on January 29, 2003, based on Sections 32-300, 32-412.5(2)(b) and 32-810.1 of the zoning ordinance for the reason that: In an R-6 Single-Family Attached Residential District, the side yard and nonconforming feature requirements are not met.

APPLICATION was filed with the Board on January 31, 2003, based on Section 17.20(b) of the City Charter.

CASE NO. 30-03

APPLICANTS: Ruth H. and Edward T. White

PREMISES: 1107 WEST AVENUE
(Tax Parcel Number W000-0530/021)

SUBJECT: A building permit to construct a two-story addition to a single-family attached dwelling

for a variance from the Zoning Ordinance to permit the above, based on Section 17.20(b) of the City Charter.

APPEARANCES: For applicant: Mrs. Addie V. Cousins, Mrs. Lois Cochran
Against applicant: None

FINDINGS: The Board finds from sworn testimony in this case that the building was used as a two-family dwelling at the time the applicant bought it and she was not told that the certificate of occupancy granted by the Board of Zoning Appeals to the former owner was not transferable. There are 6 two-family houses on the same side of the street. There are 3 rooms and bath on the first floor and 4 rooms and bath on second floor.

RESOLUTION: WHEREAS, most of the homes are used for two-families and that due to the exceptional situation the requirements of the Zoning Ordinance unreasonably restrict the property;

NOW, THEREFORE, BE IT RESOLVED, that the Board hereby grants the permit.

ACTION OF BOARD:	Granted	
Vote to grant		
Affirmative -	Cudlipp, Hankins, Heindl, King, Macfarlane	5
Negative -	None	0

0

CASE NO. 45- 0

APPLICANT: William L. Anderson

PREMISES: 2305 North Avenue

SUBJECT: Permit to move four-family dwelling from 2303 North Avenue to 2305 North Avenue

DISAPPROVED: by the Commissioner of Buildings, May 13, 1960 under Art. II, Sect. 3, Par. 1 and Art. VIII, Sect. 4, Par. 4 of the Zoning Ordinance for the reason that "The lot area requirement for a 4-family dwelling in a "G" Local Business District, 12,000 sq. ft. is not met; approximately 7,649 sq. ft. are provided.

APPEAL: was filed May 13, 1960 with the Board of Zoning Appeals for a variance from the Zoning Ordinance to permit the above, based on Section 17.20(b) of the City Charter.

GA895

APPEARANCES: For applicant: Louis Stevenson, William L. Anderson,
Fred Layman, Jr.
Against applicant: None

FINDINGS: The Board finds from sworn testimony in this case that the City Service Oil Company has acquired this lot and the lot on the corner (2301 and 2303 North Avenue.)

The applicant who owns the vacant lot 2305 North Avenue would like to move the building to this lot which is the same size lot as that upon which the house is presently located, thereby permitting the continued use of the apartments which are needed in this neighborhood.

RESOLUTION: WHEREAS, the Board is satisfied that granting this permit will alleviate a hardship without detrimentally affecting the neighborhood;

NOW, THEREFORE, BE IT RESOLVED, that the Board hereby grants the permit.

ACTION OF BOARD: Granted

Vote to grant		
Affirmative -	Cudlipp, Hankins, Heindl, King, Macfarlane	5
Negative -	None	0

0

CASE NO. 46-60

APPLICANT: Foster Window & Jalousie Company

PREMISES: 1222 Stanhope Avenue

SUBJECT: Permit to enclose side porch with aluminum glass jalousies.

DISAPPROVED: by the Commissioner of Buildings, May 13, 19 0 under Art. II, Sect. 3, Par. 1 and Art. IV, Sect. 4, Par. 2(a) of the Zoning Ordinance for the reason that "Side yard requirements of "C" Single-Family Dwelling District is not met. (Side yard of 4' on one side instead of 5' required for 48-foot lot.)

APPEAL: was filed May 16, 19 0 with the Board of Zoning Appeals for a variance from the Zoning Ordinance to permit the above, based on Section 17.20(b) of the City Charter.

APPEARANCES: For applicant: M. L. Foster
Against applicant: None

FINDINGS: The Board finds from sworn testimony in this case that improvements will not encroach on the side yard. The porch is now screened.

(DO NOT FILL IN THIS PORTION)

CERTIFICATE OF OCCUPANCY

NORTH AVE

Street 2305

Number William L. Anderson

Owner Lessee/Occupant

Approved on April 17, 1978

under provisions of Building Code Ordinance adopted February 7, 1975, and Zoning Ordinance adopted June 1, 1976.

LEO J. CANTOR

Commissioner of Buildings

(Signed) Ch. M. Lee

Conforming () Nonconforming ()

Copies to (Checked by Off. Supervisor)

City Planning

License

Mr. Emison, Utilities

Electrical Inspection

Fire Prevention

Police

Traffic Engineering

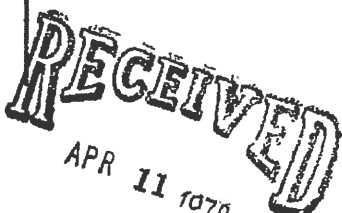
Health Department

Plumbing Inspection

Food Division

Environmental Health

Other



B. Z. A. Case No.
Council Sp. Use Ord.

APPLICATION FOR CERTIFICATE OF OCCUPANCY

Date Submitted 4-10-78

Please fill in completely in ink or type.

CITY OF RICHMOND, VIRGINIA
DEPARTMENT OF PUBLIC SAFETY
BUREAU OF BUILDING INSPECTION
ROOM 124, 501 NORTH NINTH STREET
RICHMOND, VIRGINIA 23219

(1) Name William L. Anderson (Owner or Lessee/Occupant)

(2) Location 2305 North Ave. (3) Floor or Floors to be Used 2

(4) Dwelling Data: Lot Size No. of Families 4

(5) If Business Usage, No. of Employees NA

(6) Maximum Occupancy 12

(7) Proposed or/Present Use Multi-Family Res. - 4 family

(8) Previous or/Last Use Multi-Family Res.

(9) Facility Is: Existing (X); To Be Constructed (); To Be Altered ()

(10) Signature of Owner (or duly authorized agent) (This applies to owner or agent of building, not owner of business)

Applicant's Telephone Number 674-8451

(11) Name and Address of Person to Receive Certificate WILLIAM AND EUNSTON 619 E. Main St.

Street and Number Zone B-2 City Bureau of Building Inspection State Zip Code

Conforming () Nonconforming () Exception ()

Approved 4-17-78 Disapproved (Date and Initials)

Inspection of Premises made on By: (Inspector)

Comments:

TO BE FILLED IN BY INSPECTOR
Note: No alterations or signs painted/erected are authorized by this Certificate; it does not take the place of any license or permit required by law. ANY CHANGE IN USE OR OCCUPANCY SHALL REQUIRE A NEW CERTIFICATE. VIOLATION OF THE PROVISIONS OF THIS CERTIFICATE SHALL RESULT IN REVOCATION