



CITY OF RICHMOND

DEPARTMENT OF
PLANNING AND DEVELOPMENT REVIEW
BOARD OF ZONING APPEALS

June 12, 2020

Myrtle H Brown
2908 Noble Avenue
Richmond, VA 23222

Baker Development Resources
1519 Summit Avenue, Suite 102
Richmond, VA 23230
Attn: Mark Baker

To Whom It May Concern:

RE: BZA 20-2020 (CONTINUED FROM JUNE 3, 2020 MEETING)

You are hereby notified that the Board of Zoning Appeals will hold an electronic public hearing on Wednesday, July 1, 2020 due to the disaster represented by the spread of COVID-19 pursuant to and in compliance with Ordinance 2020-093 to consider an application for a building permit to split an existing lot improved with a single-family detached dwelling and to construct a new single-family detached dwelling on the proposed vacant lot at 10 W 30th STREET (Tax Parcel Number S000-1347/017), located in an R-5 (Single-Family Residential District).

Please be advised that the applicant or applicant's representative is required to participate in the electronic public hearing by calling 804-316-9457 and entering code 116 481 169# beginning at 1:00 p.m. For video access by computer, smart phone or tablet visit <https://richmondva.legistar.com/Calendar.aspx>. Select the Board of Zoning Appeals drop-down and 2020 drop-down, click meeting details for June 3, 2020 meeting and then click video access. In the event you have difficulty accessing a public hearing you may contact Mr. William Davidson at 804-396-5350 or by email at William.Davidson@richmondgov.com for assistance. In accordance with Ordinance No. 2020-093, please be advised that an inability to access one of the enumerated public hearing through video means shall not be considered a prerequisite for participating in the subject public hearing. It will be necessary for you to stay on the line until such time as your case is called. 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. For the purposes of the record it also requested that before addressing the Board you identify yourself and spell your name.

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

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Page 2
June 12, 2020

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. The Board understands that given the current situation it is not practical to conduct face-to-face discussions with either your neighbors or neighborhood association(s) but the Board requests that you make a good faith effort to provide them with relevant information regarding your case.

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,

A handwritten signature in dark ink, appearing to read "Roy W. Benbow". The signature is fluid and cursive, with the first name "Roy" being the most prominent.

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.

39 Forever LLC
2111 W Main St
Richmond VA 23220

A Solodar Properties LLC
6804 Patterson Ave Ste C
Richmond VA 23226

Allen Lil Keisha
11 W Broad Rock Rd
Richmond VA 23225

Boone Douglas L
2725 Kentwood Forest Ct
Chester VA 23831

Canup Mary Elise Bernadette
13 W 30th St
Richmond VA 23225

Cava Capital LLC
5310 Markel Rd #104
Richmond VA 23230

Cherry Hill Properties LLC
Po Box 4579
Richmond VA 23220

Flippen Dorthy & G Brooks And J Giles & P
E&cm Sr & E Goode
1641 Talley Ave
Petersburg VA 23803

Garrett George A
178-02 130th Rd
Springfield Gardens NY 11434

Greene John W Jr & William E & Wesley
Dabney G
19 W 30th St
Richmond VA 23225

Howlett Robert W And Charlotte H
Crawford
1624 Littleton Blvd
Richmond VA 23228

Irvin Shirley
5 W Broad Rock Rd
Richmond VA 23225

Kassam Investment Group LLC
7055 Ashleigh Manor Ct
Alexandria VA 22315

Khattak Patricia & Janice E Webb
930 Kingsport Ln
Richmond VA 23225

Kiatsuranon Somporn
10 W 29 St
Richmond VA 23225

Legouffe Jean G J
1887 W Broad St Rd
Maidens VA 23102

Moss John A
20 W 30th St
Richmond VA 23224

Porter Ellen M
13 W Broad Rock Rd
Richmond VA 23225

Quintero Clementina Cruz And Orellana
Juan Carlos Avila
3007 Midlothian Tpke
Richmond VA 23224

Reid Wanda Y
11 W 30th St
Richmond VA 23225

Sns Properties LLC
8143 Brown Rd
Richmond VA 23235

Taft Shevelle And Stacey
3906 Oakleaf Rd
Richmond VA 23235

Yarde Wingrove G
3013 Midlothian Tpke
Richmond VA 23224

Property: 10 W 30th St Parcel ID: S0001347017**Parcel**

Street Address: 10 W 30th St Richmond, VA 23225-
Alternate Street Addresses: 12 W 30th St
Owner: BROWN MYRTLE H
Mailing Address: 2908 NOBLE AVE, RICHMOND, VA 23222
Subdivision Name : HOCKADAYS PLAN
Parent Parcel ID:
Assessment Area: 182 - Franklin School North
Property Class: 120 - R Two Story
Zoning District: R-5 - Residential (Single Family)
Exemption Code: -

Current Assessment

Effective Date: 01/01/2020
Land Value: \$25,000
Improvement Value: \$153,000
Total Value: \$178,000
Area Tax: \$0
Special Assessment District: None

Land Description

Parcel Square Feet: 6900
Acreage: 0.158
Property Description 1: HOCKADAYS L39-40
Property Description 2: 0060.00X0115.00 0000.000
State Plane Coords(?): X= 11783675.499991 Y= 3711939.060081
Latitude: 37.51281295 , **Longitude:** -77.46289772

Description

Land Type: Residential Lot A
Topology: Level
Front Size: 60
Rear Size: 115
Parcel Square Feet: 6900
Acreage: 0.158
Property Description 1: HOCKADAYS L39-40
Property Description 2: 0060.00X0115.00 0000.000
Subdivision Name : HOCKADAYS PLAN
State Plane Coords(?): X= 11783675.499991 Y= 3711939.060081
Latitude: 37.51281295 , **Longitude:** -77.46289772

Other

Street improvement: Paved
Sidewalk: Yes

Assessments

Assessment Year	Land Value	Improvement Value	Total Value	Reason
2020	\$25,000	\$153,000	\$178,000	Reassessment
2019	\$25,000	\$144,000	\$169,000	Reassessment
2018	\$25,000	\$128,000	\$153,000	Reassessment
2017	\$25,000	\$130,000	\$155,000	Reassessment
2016	\$25,000	\$122,000	\$147,000	Reassessment
2015	\$25,000	\$112,000	\$137,000	Reassessment
2014	\$26,000	\$114,000	\$140,000	Reassessment
2013	\$26,000	\$114,000	\$140,000	Reassessment
2012	\$26,000	\$120,000	\$146,000	Reassessment
2011	\$26,000	\$135,000	\$161,000	CarryOver
2010	\$26,000	\$135,000	\$161,000	Reassessment
2009	\$26,000	\$135,000	\$161,000	Reassessment
2008	\$26,000	\$135,000	\$161,000	Reassessment
2007	\$20,000	\$36,100	\$56,100	Reassessment
2006	\$21,900	\$16,000	\$37,900	Reassessment
2005	\$20,900	\$14,800	\$35,700	Reassessment
2004	\$6,400	\$14,200	\$20,600	Reassessment
2003	\$6,000	\$13,300	\$19,300	Reassessment
2002	\$5,900	\$13,000	\$18,900	Reassessment
2001	\$5,630	\$12,500	\$18,130	Reassessment
2000	\$4,500	\$10,000	\$14,500	Correction
1998	\$4,500	\$24,000	\$28,500	Not Available

Transfers

Transfer Date	Consideration Amount	Grantor Name	Deed Reference	Verified Market Sale Description
04/12/2007	\$0	BROWN MILTON K JR	ID2007-12454	2 - INVALID SALE-Relation Between Buyer/Seller
07/14/2006	\$59,000	MACTYLER DEVELOPMENT LLC	ID2006-23817	
01/24/2006	\$22,000	SMITH KATE	ID2006-2446	
05/24/1967	\$6,400	Not Available	00000-0000	

Planning

Master Plan Future Land Use: SF-LD
Zoning District: R-5 - Residential (Single Family)
Planning District: Old South
Traffic Zone: 1170
City Neighborhood Code: SWNO
City Neighborhood Name: Swansboro
Civic Code:
Civic Association Name: Swansboro Neighborhood Association
Subdivision Name: HOCKADAYS PLAN
City Old and Historic District:
National historic District:
Neighborhoods in Bloom: Swansboro
Redevelopment Conservation Area: Swansboro

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	6001	0604006	060400
1990	602	0604006	060400

Schools

Elementary School: Swansboro
Middle School: Thompson
High School: Wythe

Public Safety

Police Precinct: 2
Police Sector: 211
Fire District: 17
Dispatch Zone: 163A

Public Works Schedules

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

Government Districts

Council District: 5
Voter Precinct: 510
State House District: 69
State Senate District: 16
Congressional District: 4

Extension 1 Details

Extension Name: R01 - Residential record #01
Year Built: 1920
Stories: 2
Units: 0
Number Of Rooms: 6
Number Of Bed Rooms: 3
Number Of Full Baths: 2
Number Of Half Baths: 0

Condition: normal for

age

Foundation Type: Full Crawl
1st Predominant Exterior: Alum/Vinyl
2nd Predominant Exterior: N/A
Roof Style: Flat or Shed
Roof Material: Metal
Interior Wall: Drywall
Floor Finish: Hardwood-std oak
Heating Type: Hot water or steam
Central Air: Y
Basement Garage Car #: 0
Fireplace: N
**Building Description (Out Building and
Yard Items) :**

Extension 1 Dimensions

Finished Living Area: 1806 Sqft
Attic: 0 Sqft
Finished Attic: 0 Sqft
Basement: 0 Sqft
Finished Basement: 0 Sqft
Attached Garage: 0 Sqft
Detached Garage: 0 Sqft
Attached Carport: 0 Sqft
Enclosed Porch: 0 Sqft
Open Porch: 127 Sqft
Deck: 0 Sqft

Property Images

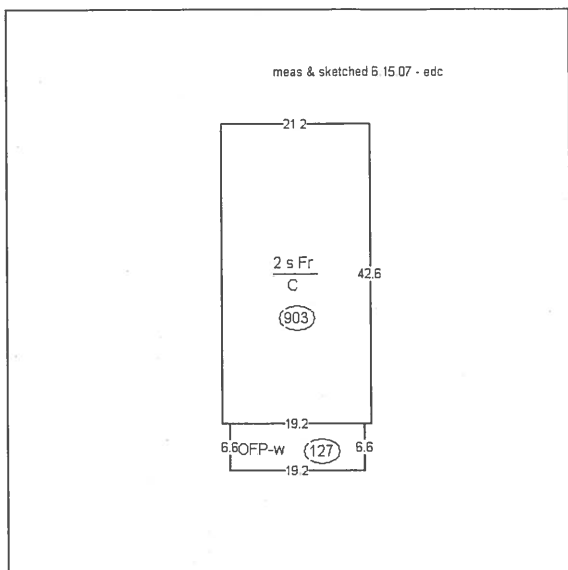
Name:S0001347017 Desc:R01



[Click here for Larger Image](#)

Sketch Images

Name:S0001347017 Desc:R01



B2A 20-2020

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: Myrtle H Brown PHONE: (Home) () (Mobile) (804) 873-6963
ADDRESS: 2908 Noble Avenue FAX: () (Work) ()
Richmond, Virginia 23222 E-mail Address: danielhicks@grandheritagehomes.com

PROPERTY OWNER'S

REPRESENTATIVE: Baker Development Resources PHONE: (Home) () (Mobile) (804) 874-6275
(Name/Address) 1519 Summit Avenue, Suite 102 FAX: () (Work) (804) 822-5428
Richmond, VA 23230 E-mail Address: markbaker@bakerdevelopmentresources.com
Attn: Mark Baker

TO BE COMPLETED BY THE ZONING ADMINISTRATION OFFICE

PROPERTY ADDRESS (ES) 10 W 30th Street
TYPE OF APPLICATION: ☐ VARIANCE ☒ SPECIAL EXCEPTION ☐ OTHER _____
ZONING ORDINANCE SECTION NUMBERS(S): 30-300 & 30-410.4
APPLICATION REQUIRED FOR: A building permit to split an existing lot improved with a single-family detached dwelling and to construct a new single-family detached dwelling on the proposed vacant lot.
TAX PARCEL NUMBER(S): S000-1347/017 ZONING DISTRICT: R-5 (Single-Family Residential)
REQUEST DISAPPROVED FOR THE REASON THAT: The lot area and lot width requirements are not met. A lot area of six thousand square feet (6,000 SF) and a lot width of fifty feet (50') are required. One lot having a lot area of 6,900 square feet and a lot width of 60' currently exists. Lot areas of 3,450 square feet and lot widths of thirty feet (30') are proposed.
DATE REQUEST DISAPPROVED: March 12, 2020 FEE WAIVER: YES ☐ NO: ☒
DATE FILED: March 12, 2020 TIME FILED: 1:58 p.m. PREPARED BY: Brian Mercer RECEIPT NO. BZAR-070871-2020
AS CERTIFIED BY: [Signature] (ZONING ADMINSTRATOR)

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) (2) 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: 5/1/2020

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

CASE NUMBER: B2A 20-2020 HEARING DATE: July 1, 2020 AT 1:00 P.M.



BOARD OF ZONING APPEALS PRESENTATION SUGGESTIONS

CITY OF RICHMOND, VIRGINIA

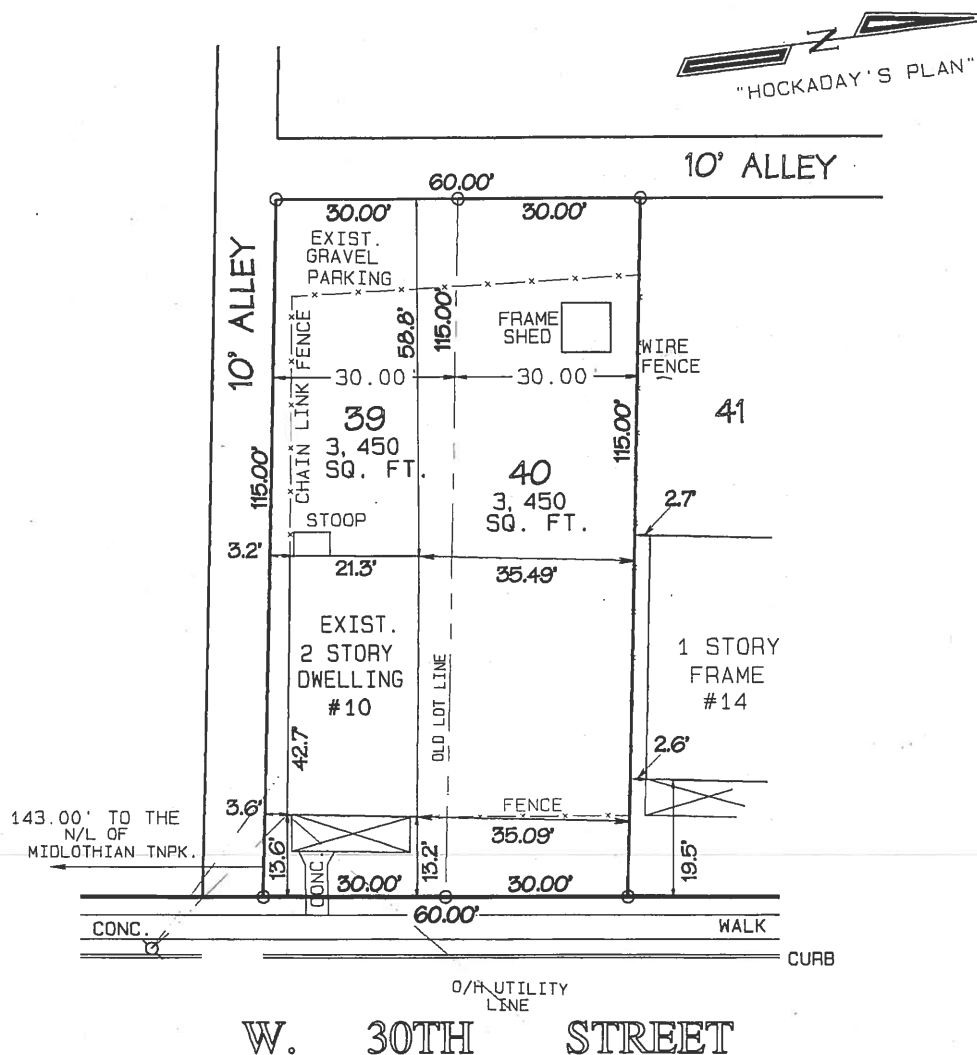
When presenting your request for a variance or exception to the Board of Zoning Appeals, it is important that you consider the points outlined below. The City Charter requires that every decision of the Board must be based upon a finding of fact that the Board must determine from sworn testimony, together 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)

NOTES: THIS PROPERTY DOES NOT APPEAR TO BE LOCATED IN A F.E.M.A. FLOOD HAZARD AREA. NO WARRANTY IS HEREBY GIVEN OR IMPLIED AS TO THE EXISTENCE OR NON-EXISTENCE OF WETLANDS, RESOURCE PROTECTION AREAS, RESOURCE MANAGEMENT AREAS, TOXIC WASTE, GARBAGE OR WASTE DISPOSAL AREAS, LANDFILLS, UNDERGROUND STORAGE TANKS, CEMETERIES OR BURIAL SITES, SHRINK/SWELL SOILS, OR UNDERGROUND UTILITIES.
CURRENT OWNER(S): MYRTLE H. BROWN INST. # 07-12454 PARCEL ID S0001347017



W. 30TH STREET

(PHYSICAL SURVEY)

PLAT SHOWING IMPROVEMENTS ON No. 10
W. 30TH STREET, AND BEING ALL OF LOTS 39 & 40,
"HOCKADAY'S PLAN", IN THE CITY OF RICHMOND, VIRGINIA.

THIS IS TO CERTIFY THAT ON FEBRUARY 12, 2020, I MADE A FIELD SURVEY OF THE PREMISES SHOWN HEREON; THAT THERE ARE NO VISIBLE ENCROACHMENTS BY IMPROVEMENTS EITHER FROM ADJOINING PREMISES OR FROM SUBJECT PREMISES UPON ADJOINING PREMISES, OTHER THAN AS SHOWN HEREON. THIS PLAT IS BEING FURNISHED WITHOUT BENEFIT OF A TITLE REPORT. PREMISES SHOWN HEREON IS SUBJECT TO EASEMENTS OF RECORD OR OTHERWISE. TO THE BEST OF MY KNOWLEDGE AND BELIEF THIS PLAT COMPLIES WITH THE MINIMUM PROCEDURES AND STANDARDS ESTABLISHED BY THE VIRGINIA STATE BOARD OF ARCHITECTS, PROFESSIONAL ENGINEERS, LAND SURVEYORS, AND CERTIFIED LANDSCAPE ARCHITECTS.



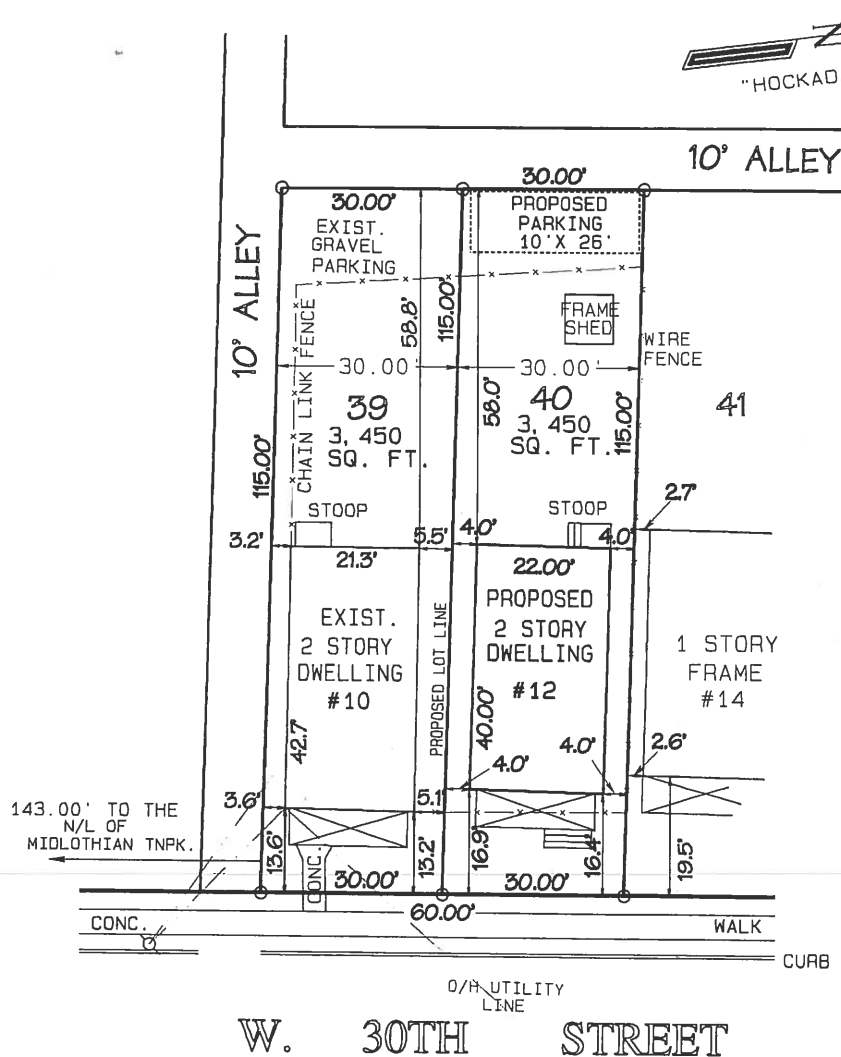
**FREDERICK A. GIBSON
& ASSOCIATES, P.C.**

PROFESSIONAL LAND SURVEYORS

11521-G MIDLOTHIAN TURNPIKE
N. CHESTERFIELD, VA. 23235 PHONE 804 378-4485

SCALE: 1" = 25'
J.N. 0301-225

NOTES: THIS PROPERTY DOES NOT APPEAR TO BE LOCATED IN A F.E.M.A. FLOOD HAZARD AREA. NO WARRANTY IS HEREBY GIVEN OR IMPLIED AS TO THE EXISTENCE OR NON-EXISTENCE OF WETLANDS, RESOURCE PROTECTION AREAS, RESOURCE MANAGEMENT AREAS, TOXIC WASTE, GARBAGE OR WASTE DISPOSAL AREAS, LANDFILLS, UNDERGROUND STORAGE TANKS, CEMETERIES OR BURIAL SITES, SHRINK/SWELL SOILS, OR UNDERGROUND UTILITIES.
CURRENT OWNER(S): MYRTLE H. BROWN INST. # 07-12454 PARCEL ID S0001347017



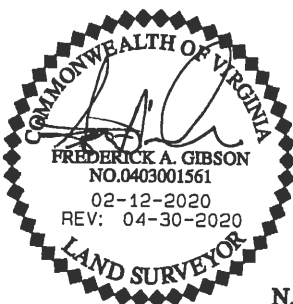
W. 30TH STREET

(PHYSICAL SURVEY)

PLAT SHOWING IMPROVEMENTS AND PROPOSED DIVISION OF No. 10
W. 30TH STREET, AND BEING ALL OF LOTS 39 & 40,
"HOCKADAY'S PLAN", IN THE CITY OF RICHMOND, VIRGINIA.

REV: 03-09-2020
REVISED PROPOSED
DWELLING LOCATION

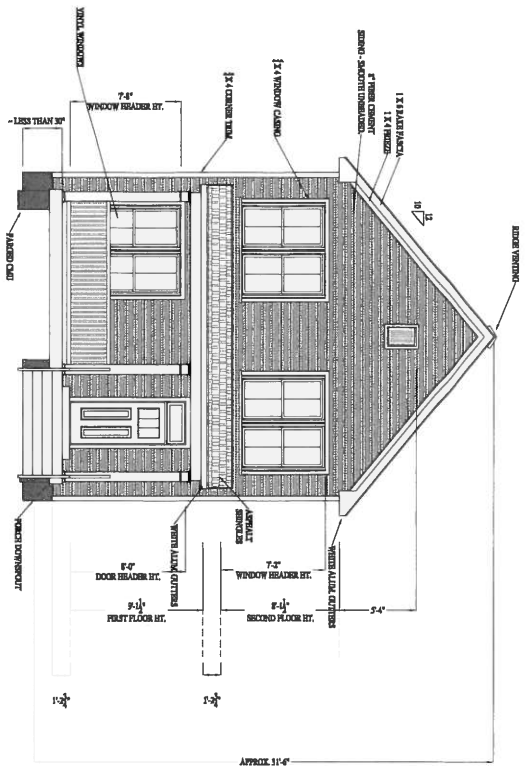
THIS IS TO CERTIFY THAT ON FEBRUARY 12, 2020, I MADE A FIELD SURVEY OF THE PREMISES SHOWN HEREON; THAT THERE ARE NO VISIBLE ENCROACHMENTS BY IMPROVEMENTS EITHER FROM ADJOINING PREMISES OR FROM SUBJECT PREMISES UPON ADJOINING PREMISES, OTHER THAN AS SHOWN HEREON. THIS PLAT IS BEING FURNISHED WITHOUT BENEFIT OF A TITLE REPORT. PREMISES SHOWN HEREON IS SUBJECT TO EASEMENTS OF RECORD OR OTHERWISE. TO THE BEST OF MY KNOWLEDGE AND BELIEF, THIS PLAT COMPLIES WITH THE MINIMUM PROCEDURES AND STANDARDS ESTABLISHED BY THE VIRGINIA STATE BOARD OF ARCHITECTS, PROFESSIONAL ENGINEERS, LAND SURVEYORS, AND CERTIFIED LANDSCAPE ARCHITECTS.



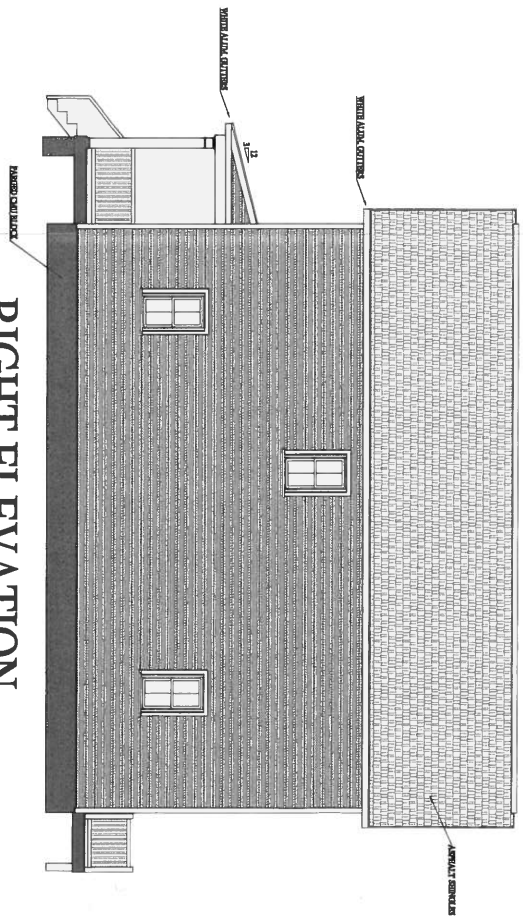
**FREDERICK A. GIBSON
& ASSOCIATES, P.C.**
PROFESSIONAL LAND SURVEYORS

11521-G MIDLOTHIAN TURNPIKE
N. CHESTERFIELD, VA. 23235 PHONE 804 378-4485

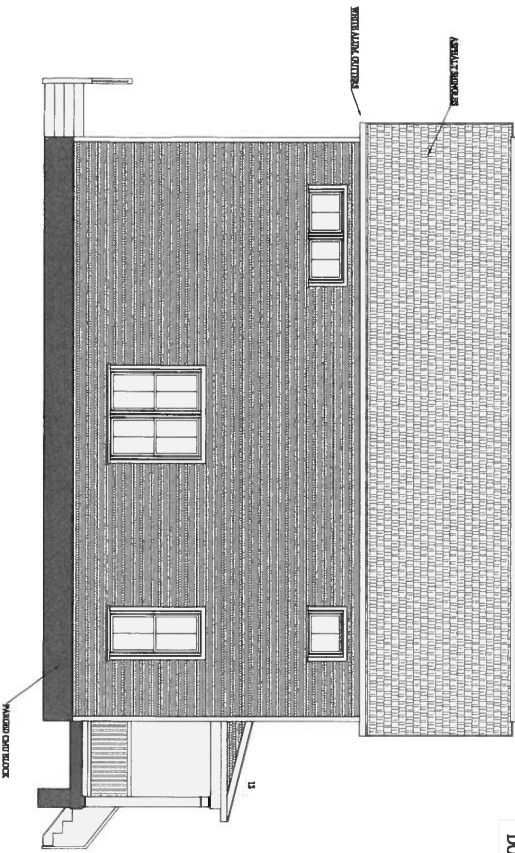
SCALE: 1" = 25'
J.N. 0301-225



FRONT ELEVATION



RIGHT ELEVATION



LEFT ELEVATION



REAR ELEVATION

COPYRIGHT - RIVER MILL DEVELOPMENT, LLC
DO NOT COPY OR REPLICATE IN ANY WAY.



SHEET:
A2.1

DATE:
2-21-2020

SCALE:
1/4" = 1'-0"

REVISION NOTES	
201,000	PRINT

12 W 30TH ST.

RIVER MILL DEVELOPMENT
RIVERMILLDEVELOPMENT@GMAIL.COM



CITY OF RICHMOND

DEPARTMENT OF COMMUNITY DEVELOPMENT
ZONING ADMINISTRATION

March 19, 2007

Milton K. Brown, Jr.
2908 Noble Avenue
Mechanicsville, Virginia 23222

Re: 10 West 30th Street (Tax Map: S000-1347/017)

Dear Mr. Brown:

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

The property is located within an R-5 (Single-Family Residential) zoning district, which requires a minimum lot area of six thousand square feet (6,000 SF) and a minimum lot width of not less than fifty feet (50') for single-family dwellings. According to City Assessor's records, the subject property has a lot width of sixty feet (60') and a lot depth of one hundred fifteen feet (115'), which results in a lot area of 6,900 square feet. According to deeds, the subject lot has been conveyed as "All of that certain lot or parcel of land with improvements thereon and known as No. 10 West 30th Street (formerly 30 1/2 Street), lying and being in the City of Richmond, Virginia, designated as Lot Nos. 39 and 40 on the Plan of Hockaday's, ...fronting on the western line of West 30th Street 60 feet; thence from said front extending back westwardly between parallel lines 115 feet to an alley...". The lot is divided as one (1) independent lot of record and has been since, at least 1955.

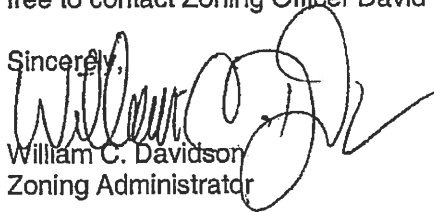
In summary, based on the information available to me at this time, it is my determination that one (1) lot exists from the zoning perspective. Splitting the existing lot and creating an additional lot would also not be permitted because the minimum lot area and lot width requirements cannot be met for each proposed lot. Should you wish to pursue a division of this lot, you may request a Special Use Permit (SUP) from City Council. For information concerning the SUP process, please contact the Land Use Administration Office, 804-646-6304.

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).

Mr. Milton K. Brown, Jr.
Re: 10 West 30th Street
March 19, 2007
Page 2

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

Sincerely,


William C. Davidson
Zoning Administrator

APPLICANT: Willie M. Andrews

PREMISES: 1604 NORTH 23RD STREET
(Tax Parcel Number E000-0859/009)

SUBJECT: A building permit to divide a single lot into three (3) lots and construct two (2) single-family detached dwellings on two (2) of the proposed lots

DISAPPROVED by the Zoning Administrator on March 20, 2006, based on Sections 114-300, 114-410.4 and 114-410.5(2) of the zoning ordinance for the reason that: In an R-5 Single-Family Residential District, the proposed lot subdivision is not permitted as the lot area, lot width and side yard setback requirements are not met. Lot areas of six thousand square feet (6,000 sf) and lot widths of fifty feet (50') are required; lot areas of 2,805 square feet (#1602½), 3,593 square feet (#1604) and 3,075 square feet (1604½) and lot widths of 22.50 feet (#1602½), 28.71 feet (#1604) and 24.79 feet (#1604½) are proposed. Side yards of not less than five feet (5') are required; side yards of three feet (3') (1602½ and 1604) and 3.0 feet (along the southern property line of 1604½ and 4.5 feet (along the northern property line of 1604½) are proposed.

APPLICATION was filed with the Board on March 6, 2006 based on Section 17.20 (b) of the City Charter.

CASE NO. 36-06

APPLICANT: Mac Tyler Development, LLC

PREMISES: 10 WEST 30TH STREET
(Tax Parcel Number S000-1347/017)

SUBJECT: A building permit to construct a single-family detached dwelling on the proposed lot

DISAPPROVED by the Zoning Administrator on April 4, 2006, based on Sections 114-300, 114-410.4 and 114-410.6 of the zoning ordinance for the reason that: In an R-5 Single-Family Residential District, the lot width, area and coverage requirements are not met. A lot area of 6,000 square feet is required; 3,450 square feet is proposed. The maximum allowable lot coverage is thirty-five percent (35%); forty-two percent (42%) is proposed.

APPLICATION was filed with the Board on April 4, 2006 based on Section 17.20 (b) of the City Charter.

APPEARANCES:

For Applicant: Clark Glave

Against Applicant: none

FINDINGS OF FACT: The Board finds from sworn testimony and exhibits offered in this case that the applicant, Mac Tyler Development, LLC, has requested a variance to construct a single-family detached dwelling on the proposed lot at 10 West 30th Street. Mr. Clark Glave, representing the applicant, testified that he purchased 10 and 12 West 30th Street at a trustee sale. Mr. Glave explained that his company specialized in workforce housing in the price range of \$140,000 to \$150,000. Mr. Glave explained that prior to the 1960s, 10 and 12 West 30th Street existed as separate lots. Mr. Glave noted that most of the lots in the neighborhood were 30 feet in width. Mr. Glave indicated that the trustee had not divulged that a demolition permit had been issued for the house at 10 West 30th Street. Mr. Glave explained that rather than demolish the house, his company had undertaken structural renovations and planned to sell the dwelling to another developer. Mr. Glave advised the Board that 10 West 30th Street was the worst house on the block and that their strategic plan was to renovate the most blighted of properties in order that once renovated, these properties could serve as a catalyst for future renovations. Mr. Glave felt as if renovation of the existing house and construction of a new house would create a lot of excitement in the neighborhood. Mr. Glave indicated that a number of homes had been torn down in the Swansboro area and that construction of a new home at 12 West 30th Street would help to restore the streetscape. Mr. Glave noted that the proposed single-story construction was consistent with other homes in the block.

In response to a question from the Chairperson, Ms. Williams, Mr. Glave indicated that he had numerous conversations with Mr. Howlett and Mr. Hatcher, President and Secretary respectively of the Swansboro Preservation League and had been trying since February to be placed on the League's agenda. Mr. Glave further indicated that he had been removed from the agenda on two previous occasions and had been advised that there were no further meetings until September. Mr. Glave testified that he had left phone messages for several League Board Members regarding the pending meeting and judging from the fact that no one was in attendance, it was Mr. Glave's opinion that there were no objections.

In response to a question from Mr. Poole, Mr. Glave indicated that at the time of purchase of the property he was aware that the property was a single lot.

In response to a question from Ms. Moses-Ciula, Mr. Glave testified that the trustee was a company by the name of Specialized Housing, which had indicated that there were no zoning problems. Mr. Glave stated that he learned of the property's availability approximately four hours before the sale. Mr. Glave further stated that there was no opportunity to seek a lot split before the purchase.

In response to a question from the Chairperson, Ms. Williams, Mr. Glave stated that a house had never been constructed on 12 West 30th Street.

In response to a question from Mr. Winks, Mr. Glave indicated that should the Board disapprove his application, he would not be able to sell 10 and 12 West 30th Street as separate lots.

The Chairperson, Ms. Williams, expressed concern over the fact that the applicant was an experienced contractor and that this case could be more aptly dealt with by the City Council.

The Board finds that the applicant failed to show an extraordinary or exceptional situation whereby strict application of the lot width, lot area and lot coverage requirements unreasonably restricts its use or that there is a clearly demonstrable hardship bordering on confiscation of the property. The Board is satisfied that reasonable use can be made of the property under applicable zoning regulations. The granting of a variance in this case would constitute a special privilege or convenience to the owner and would not be in harmony with the intended spirit and purpose of the ordinance and the powers of the Board.

RESOLUTION: NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ZONING APPEALS that a request for a variance from the lot width, area and coverage requirements be denied to Mac Tyler Development, LLC for a building permit to construct a single-family detached dwelling on the proposed lot.

ACTION OF THE BOARD: Denied (5-0)

Vote to Deny

affirmative: Poole, Moses-Ciula, Williams, Winks, Brown

negative: none

Upon motion made by Mr. Poole and seconded by Ms. Moses-Ciula, Board Members voted (5-0) to continue to its meeting of Wednesday, July 5, 2006, consideration of the