



CITY OF RICHMOND

Department of Planning & Development Review *Staff Report*

Ord. No. 2020-141: To authorize the special use of the property known as 1110 North 35th Street for the purpose of two single-family detached dwellings, upon certain terms and conditions.

To: City Planning Commission
From: Land Use Administration
Date: July 6, 2020

PETITIONER

EKS Realty Investments, LLC

LOCATION

1110 North 35th Street.

PURPOSE

To authorize the special use of the property known as 1110 North 35th Street for the purpose of two single-family detached dwellings, upon certain terms and conditions.

SUMMARY & RECOMMENDATION

The subject property is zoned R-5 Single-Family Residential District. The proposal is to subdivide the property in order to allow the construction of a new single-family dwelling. Once subdivided, neither parcel will meet the minimum lot width or area required in the R-5 Single-Family Residential District. Therefore a special use permit is required.

Staff finds the proposal would be consistent with the historic pattern of development in the area and would be compatible infill development that contributes to the revitalization of the area, as recommended by the Master Plan.

Staff further finds that the proposal would not pose an undue burden on the availability of on-street parking in the area due to the off-street parking provided as a part of this application.

Staff finds that with the ordinance conditions the safeguards contained within the City Charter, relative to the granting of Special Use Permits, are met. Specifically, staff finds that the proposed use would not be detrimental to the general welfare of the community involved and would not create congestion in the streets in the area involved.

Therefore, staff recommends approval of this special use permit request.

FINDINGS OF FACT

Site Description

The subject property consists of a 7,500 SF parcel of land and is improved with a single-family dwelling. It is located in the Oakwood Neighborhood within the City's East Planning District, and is located on North 35th Street midblock between Blakey and R Street. The lot is 60 feet wide and 125 feet deep. The existing dwelling is 20.4 feet wide and set 3.7 feet off the east side yard property line. The subdivision will result in the creation of two parcels, each 30 feet wide by 125 feet deep. The lot area of each lot will be 3,750 square feet. An alley provides rear yard access and off-street parking will be provided for both properties.

Proposed Use of Property

The property currently contains a single-family detached dwelling that is under renovation. The proposal will permit the subdivision of the property creating two parcels that will not meet the lot feature requirements for single-family detached dwellings in the R-5 Single-Family Residential District. A second single-family detached structure is proposed for the newly created lot. The proposed dwelling will meet setback requirements.

Master Plan

The City of Richmond's Master Plan designates the subject property for Single-Family (Low Density) uses. Primary use is single-family detached dwellings at densities up to seven units per acre. Includes residential support uses such as schools, places of worship, neighborhood parks and recreation facilities, and limited public and semi-public uses. The density of the parcel if developed as proposed would be a ratio of approximately 12 units per acre.

The Plan also states that "infill development of like density and use is appropriate" The proposed infill of a new single-family detached dwelling, that follows historic architectural typologies of the neighborhood, will help to achieve this goal (p. 166). Specifically for the East Planning District, the Master Plan states that "infill development of like density and use is appropriate" and "the predominant land uses in the District are residential in nature, and these uses should be preserved" (p. 166). The Plan also states "Richmond neighborhoods will be recognized as safe, attractive and desirable places to live, work and raise families, while providing a variety of housing choices and homeownership opportunities." (p. 96).

Zoning and Ordinance Conditions

The subject property is zoned R-5 Single-Family Residential District. Section 30-410.1 – Permitted Principal Uses states that single-family dwellings are permitted uses in the R-5 Single-Family Residential district. Section 30-410.4 – Lot Area and Width states that Single-family dwellings in the R-5 Single-Family Residential District shall be located on lots of not less than 6,000 square feet in area with a width of not less than 50 feet. The

subject property is 7,500 square feet and 60 feet wide. It is improved with a single-family dwelling. Splitting the lot will create two parcels that do not conform. The zoning ordinance requires a minimum of one parking space per dwelling unit and parking is provided in the rear via alley.

Zoning Administration provided the following comments:

The proposal is for a lot split of 1110 N. 35th Street and construct a new single-family detached dwelling on the newly created lot of record. The property is located within the R-5 (Single-Family Residential) zoning district. Lot area and width requirements for the R-5 district are a minimum of 6000 square feet lot area and a minimum of 50' lot width. According to the city's Assessor's records, the above property has a lot area of 7500 square feet, and lot width of 60'. The lot has been deeded as one (1) independent lot of record since at least 1922 and is improved with a single-family detached dwelling. One lot split is entitled, by right, provided that the minimum zoning requirements would be achieved for the resulting lots. (Zoning Issue: With the proposed split, neither lot will meet current zoning requirements with respect to lot area and width.)

Other zoning requirements that would affect the potential development of the site for a single-family detached dwelling are as follows:

- 1. Front yard - 25' set back required, or as determined by existing setbacks of adjacent main buildings.*
- 2. Side yard - 5' side yard setbacks required*
- 3. Rear yard - 5' setback required*
- 4. Lot coverage - 35 percent or less of the area of the lot.*
- 5. Height - maximum height of 35'. Accessory building not to exceed 20' in height.*
- 6. Parking - minimum of one on-site parking space required for each dwelling.*

The special use permit would impose conditions on the property, including:

(a) The Special Use of the Property shall be as two single-family detached dwellings, substantially as shown on the Plans.

(b) The height of the Special Use shall not exceed the height as shown on the Plans.

(c) All building materials and elevations shall be substantially as shown on the Plans. Siding materials shall consist of cementitious siding or similar materials.

(d) All mechanical equipment serving the Property shall be located or screened so as not to be visible from any public right-of-way.

(e) A minimum of one off-street parking space shall be provided for each dwelling at the rear of each dwelling.

(f) Prior to the issuance of any certificate of occupancy for the Special Use, the establishment of two residential lots, substantially as shown on the Plans, shall be accomplished by obtaining approval from the City of the division of the existing lot into two lots and by recording the appropriate plats among the land records of the Clerk of the Circuit Court of the City of Richmond.

Surrounding Area

All properties surrounding the subject property are located within the same R-5 Single-Family Residential zoning district. Within the area of the subject property, those properties with improvements contain a mix of single-family detached and single-family attached structures.

Neighborhood Participation

Staff notified the Church Hill Central Civic Association and adjacent residents and property owners. A letter of no opposition has been received from the Church Hill Central Civic Association.

Staff Contact

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