

INTRODUCED: November 9, 2020

AN ORDINANCE No. 2020-248

To authorize the special use of the property known as 3310 East Broad Street for the purpose of a dwelling unit within an existing accessory building, upon certain terms and conditions.

\_\_\_\_\_  
Patron – Mayor Stoney (By Request)

\_\_\_\_\_  
Approved as to form and legality  
by the City Attorney  
\_\_\_\_\_

PUBLIC HEARING: DEC 14 2020 AT 6 P.M.

WHEREAS, the owner of the property known as 3310 East Broad Street, which is situated in a R-8 Urban Residential District, desires to use such property for the purpose of a dwelling unit within an existing accessory building, which use, among other things, is not currently allowed by section 30-413.13 of the Code of the City of Richmond (2015), as amended; and

WHEREAS, in accordance with section 17.11 of the Charter of the City of Richmond (2020), as amended, it has been made to appear that, if granted subject to the terms and conditions set forth in this ordinance, the special use granted by this ordinance will not be detrimental to the safety, health, morals and general welfare of the community involved, will not tend to create congestion in streets, roads, alleys and other public ways and places in the area involved, will not create hazards from fire, panic or other dangers, will not tend to overcrowding of land and cause

AYES:        9                      NOES:        0                      ABSTAIN: \_\_\_\_\_

ADOPTED:    DEC 14 2020    REJECTED: \_\_\_\_\_    STRICKEN: \_\_\_\_\_

an undue concentration of population, will not adversely affect or interfere with public or private schools, parks, playgrounds, water supplies, sewage disposal, transportation or other public requirements, conveniences and improvements, and will not interfere with adequate light and air; and

WHEREAS, (i) the City Planning Commission has conducted a public hearing to investigate the circumstances and conditions upon which the Council is empowered to authorize such use, (ii) the City Planning Commission has reported to the Council the results of such public hearing and investigation and its recommendations with respect thereto, and (iii) the Council has conducted a public hearing on this ordinance at which the person in interest and all other persons have had an opportunity to be heard;

NOW, THEREFORE,

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. **Finding.** Pursuant to section 30-1050.1 of the Code of the City of Richmond (2015), as amended, the Council hereby finds that the special use set forth in and subject to the terms and conditions of this ordinance will not (i) be detrimental to the safety, health, morals and general welfare of the community involved, (ii) tend to create congestion in streets, roads, alleys and other public ways and places in the area involved, (iii) create hazards from fire, panic or other dangers, (iv) tend to overcrowding of land and cause an undue concentration of population, (v) adversely affect or interfere with public or private schools, parks, playgrounds, water supplies, sewage disposal, transportation or other public requirements, conveniences and improvements, or (vi) interfere with adequate light and air.

§ 2. **Grant of Special Use Permit.**

(a) Subject to the terms and conditions set forth in this ordinance, the property known as 3310 East Broad Street and identified as Tax Parcel No. E000-0885/020 in the 2020 records of the City Assessor, being more particularly shown on a site plan entitled “Chimborazo Carriage House, Existing Site Plan – 1/16” = 1’ – 0”,” prepared by Evan MacKenzie, dated May 29, 2020, and last revised September 9, 2020, a copy of which is attached to and made a part of this ordinance, hereinafter referred to as “the Property,” is hereby permitted to be used for the purpose of a dwelling unit within an existing accessory building, substantially as shown on the plans entitled “3310 E Broad St, Submission for CAR Certificate of Appropriateness,” prepared by Evan MacKenzie, dated May 29, 2020, and last revised September 9, 2020, hereinafter referred to as “the Plans,” copies of which are attached to and made a part of this ordinance.

(b) The adoption of this ordinance shall constitute the issuance of a special use permit for the Property. The special use permit shall inure to the benefit of the owner or owners of the fee simple title to the Property as of the date on which this ordinance is adopted and their successors in fee simple title, all of which are hereinafter referred to as “the Owner.” The conditions contained in this ordinance shall be binding on the Owner.

§ 3. **Special Terms and Conditions.** This special use permit is conditioned on the following special terms and conditions:

(a) The Special Use of the Property shall be as a dwelling unit within an accessory building to a single-family dwelling, 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 unless otherwise required by the Commission of Architectural Review in accordance with applicable laws and regulations.

(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) One off-street parking space shall be required for the Special Use.

§ 4. **Supplemental Terms and Conditions.** This special use permit is conditioned on the following supplemental terms and conditions:

(a) All required final grading and drainage plans, together with all easements made necessary by such plans, must be approved by the Director of Public Utilities prior to the issuance of the building permit.

(b) Storm or surface water shall not be allowed to accumulate on the land. The Owner, at its sole cost and expense, shall provide and maintain at all times adequate facilities for the drainage of storm or surface water from the Property so as not to adversely affect or damage any other property or public streets and the use thereof.

(c) Facilities for the collection of refuse shall be provided in accordance with the requirements of the Director of Public Works. Such facilities shall be located or screened so as not to be visible from adjacent properties and public streets.

(d) Any encroachments existing, proposed on the Plans or contemplated in the future shall require separate authorization and shall be subject to the applicable provisions of the Code of the City of Richmond (2015), as amended, and all future amendments to such laws.

(e) In all other respects, the use of the Property shall be in accordance with the applicable underlying zoning regulations.

§ 5. **General Terms and Conditions.** This special use permit is conditioned on the following general terms and conditions:

(a) No permit implementing this special use permit shall be approved until satisfactory evidence has been presented to the Zoning Administrator that any delinquent real estate taxes applicable to the Property have been paid.

(b) The Owner shall be bound by, shall observe and shall comply with all other laws, ordinances, rules and regulations applicable to the Property, except as otherwise expressly provided in this ordinance.

(c) Words and phrases used in this ordinance shall be interpreted to have the meanings ascribed to them by section 30-1220 of the Code of the City of Richmond (2015), as amended, unless the context clearly indicates that a different meaning is intended.

(d) Notwithstanding any other provision of law, this special use permit is being approved due, in part, to the mitigating effects of each and every condition attached hereto; consequently, if any portion of this ordinance is determined to be invalid for any reason by a final, non-appealable order of any Virginia or federal court of competent jurisdiction, the invalidity shall cause the entire ordinance to be void and of no further effect from the effective date of such order.

(e) The privileges granted by this ordinance may be revoked pursuant to the provisions of sections 30-1050.7 through 30-1050.11 of the Code of the City of Richmond (2015), as amended, and all future amendments to such laws. Failure to comply with the terms and conditions of this ordinance shall constitute a violation of section 30-1080 of the Code of the City of Richmond (2015), as amended, and all future amendments to such law, or any other applicable laws or regulations.

(f) When the privileges granted by this ordinance terminate and the special use permit granted hereby becomes null and void, whether as a result of the Owner relinquishing this special use permit in a writing addressed to the Director of Planning and Development Review or

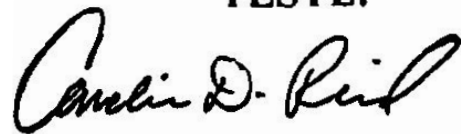
otherwise, use of the Property shall be governed thereafter by the zoning regulations prescribed for the district in which the Property is then situated.

§ 6. **Implementation.** The Commissioner of Buildings is authorized to issue a building permit substantially in accordance with the Plans for the Special Use subject to the terms and conditions set forth in this ordinance. An application for the building permit shall be made within 730 calendar days following the date on which this ordinance becomes effective. If either the application for the building permit is not made with the time period stated in the previous sentence or the building permit terminates under any provision of the Virginia Statewide Building Code, this ordinance and the special use permit granted hereby shall terminate and become null and void.

§ 7. **Effective Date.** This ordinance shall be in force and effect upon adoption.

**A TRUE COPY:**

**TESTE:**

A handwritten signature in black ink, appearing to read "Amelia D. Reil". The signature is fluid and cursive, written over a light gray rectangular background.

**City Clerk**



## City of Richmond

RECEIVED

By CAO Office at 2:01 pm, Oct 12, 2020

800 East Broad Street  
2nd Floor of City Hall  
Richmond VA 23219  
www.richmondgov.com

2020-155

## Item Request

File Number: PRE.2020.356

O & R Request

DATE: October 9, 2020

EDITION: 1

TO: The Honorable Members of City Council

THROUGH: The Honorable Levar M. Stoney, Mayor (Patron Mayor, by Request)  
(This in no way reflects a recommendation on behalf of the Mayor.)THROUGH: Lenora G. Reid, Acting Chief Administrative Officer *lgr*THROUGH: Sharon L. Ebert, Deputy Chief Administrative Officer for Economic Development and Planning *SLE*FROM: Mark A. Olinger, Director, Department of Planning and Development Review *MAO*

RE: To authorize the special use of the property known as 3310 East Broad Street for the purpose of a single-family dwelling with an accessory dwelling unit.

ORD. OR RES. No.

**PURPOSE:** To authorize the special use of the property known as 3310 East Broad Street for the purpose of a single-family dwelling with an accessory dwelling unit.**REASON:** The existing single-family home is a permitted use in the R-8 Urban Residential District. However, accessory dwelling units are only permitted if the structure existed prior to the effective date of the zoning ordinance. The property was rezoned to the R-8 Urban Residential District on June 28, 2010. The proposed conversion of an existing two-story carriage house into an accessory dwelling unit is a new use of the property and therefore a special use permit is required.**RECOMMENDATION:** In accordance with the requirements of the City Charter and the Zoning Ordinance, the City Planning Commission will review this request and make a recommendation to City Council. This item will be scheduled for consideration by the Commission at its December 7, 2020, meeting.**BACKGROUND:** The subject property consists of a 4,800 SF parcel of land and contains a 2,964 SF single-family dwelling that was built in 1908. A two-story carriage house of approximately 700 square feet is located adjacent to the alley in the rear of the property. The property is located in the Chimborazo Neighborhood within the City's East Planning District, midblock between North 33rd Street and Chimborazo Boulevard. The property is also located in the Chimborazo Park City Old & Historic District.

The City of Richmond's Master Plan designates the subject property for Single-Family (Medium Density) uses. Primary uses in this category are "single-family and two-family dwellings, both detached and attached at densities between 8 and 20 units per acre. The density of the proposed development is approximately 18 units per acre.

The adjacent properties surrounding the subject property to the west and east are located within the same R-8 Urban Residential District as the subject property. Properties to the north are located within the R-63 Multi-Family Urban Residential District. Within the area of the subject property, those properties with improvements contain a mixture of single-family detached and single-family attached dwellings. Chimborazo Park and the Chimborazo Medical Museum are located across East Broad Street to the south.

**FISCAL IMPACT / COST:** The Department of Planning and Development Review does not anticipate any impact to the City's budget for this or future fiscal years.

**FISCAL IMPLICATIONS:** Staff time for processing the request; preparation of draft ordinance; and publishing, mailing and posting of public notices.

**BUDGET AMENDMENT NECESSARY:** No.

**REVENUE TO CITY:** \$300 application fee

**DESIRED EFFECTIVE DATE:** Upon adoption

**REQUESTED INTRODUCTION DATE:** November 9, 2020

**CITY COUNCIL PUBLIC HEARING DATE:** December 14, 2020

**REQUESTED AGENDA:** Consent

**RECOMMENDED COUNCIL COMMITTEE:** None

**CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES:** City Planning Commission  
December 7, 2020

**AFFECTED AGENCIES:** Office of Chief Administration Officer  
Law Department (for review of draft ordinance)

**RELATIONSHIP TO EXISTING ORD. OR RES.:** None

**REQUIRED CHANGES TO WORK PROGRAM(S):** None

**ATTACHMENTS:** Draft Ordinance, Application Form, Applicant's Report, Plans, Map

**STAFF:** David Watson, Senior Planner, Land Use Administration, 804-646-1036





## 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.richmondva.gov/>

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 3310 E Broad Street Richmond Virginia 23223 Date May 29, 2020  
Tax Map # Council District 7 Fee \$300  
Total area of affected site in acres 0.11 acres

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

### Zoning

Current Zoning Residential (R 8)

Existing Use Residential Shed

### Proposed Use

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

Single Family detached dwelling  
Existing Use Storage building

Is this property subject to any previous land use cases?

Yes  
☐

No  
☒

If Yes, please list the Ordinance Number \_\_\_\_\_

### Applicant/Contact Person: Lory Markham

Company: Markham Planning  
Mailing Address 2314 West Main Street  
City: Richmond State: VA Zip Code: 23223  
Telephone: ( ) (804) 248-2561 Fax: ( )  
Email: lory@markhamplanning.com

### Property Owner: Catherine Badger Young

If Business Entity, name and title of authorized signor: \_\_\_\_\_

(The person or persons executing or attesting the execution of this Application on behalf of the Company certifies that he or she has not been duly authorized and/or is not authorized to execute or attest.)

Mailing Address 3310 E Broad Street  
City: Richmond State: VA Zip Code: 23223  
Telephone: ( ) (202) 841-8124 Fax: ( )  
Email: catherinbadger@gmail.com

Property Owner Signature: CYB

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 a letter of authorization. **Facsimile or photocopied signatures will not be accepted.**

**NOTE:** Please attach the required plans (if any) and a check of the applicable zoning code (see Planning Procedures for special use permits).

## SPECIAL USE PERMIT - APPLICANT REPORT

The proposed use for this application is to request the carriage house on the property of 3310 E Broad Street be considered for use as a single family detached dwelling applicable for both short term and long term rental usage

In speaking with surrounding neighbors, and the neighborhood civic group, Church Hill Association, all parties have reviewed preliminary plans and are in agreement that the proposed special use zoning will in no way be a health or safety risk for the community. The proposed plan provides for a parking space on the property and will not negatively impact any services or resources which include schools, parks, playgrounds, water supplies, sewage disposal, incineration.

The carriage house renovation will improve alley safety with the inclusion of proper lighting and motion sensor cameras. The zoning request is in line with the nature of zoning in the surrounding block which is a mixture of single family owner occupied, multi family long term rentals, and multi family short term rental units. Included are two letters of support for this proposed project.

Thank you for your consideration

FIELD PART

ARCHITECTURAL STUDIOS

3310 E BROAD ST  
CHIMBORAZO CARRIAGE HOUSE  
SUBMISSION FOR CAR CERTIFICATE OF  
APPROPRIATENESS

PREPARED BY EVAN MACKENZIE, VIRGINIA ARCHITECT LICENSE NO 0401013485  
ON BEHALF OF CATHERINE YOUNG, OWNER  
MAY 29, 2020  
REVISED SEPTEMBER 9, 2020 FOR ADMINISTRATIVE APPROVAL



## SCOPE OF WORK

The carriage house at 3310 E Broad Street is an unconditioned 500 SF two story brick structure currently in use as a residential shed in an R-8 Urban Residential zone. The building appears to have been altered multiple times - replacing the hip roof with a low-slope roof, adding a wood deck on the second story and providing a covered path beneath the deck. The carriage house has electrical service, but no plumbing. The overall building condition is fair.

The proposed scope is to convert the building into an efficiency apartment, including a kitchen, bathroom, laundry room, and two-split heat pump. The stair will be remodeled to provide adequate head clearance, and the exterior walls will be furmed and insulated. Previously blocked in openings for original windows and doors will be reopened and reconstructed to provide new windows and doors. No additional openings are proposed in the original structure. New skylighting is proposed in the low-slope roof above the stairs - this will be hidden from the ground view by a small panel, constructed to control water at the roof. Additional work includes:

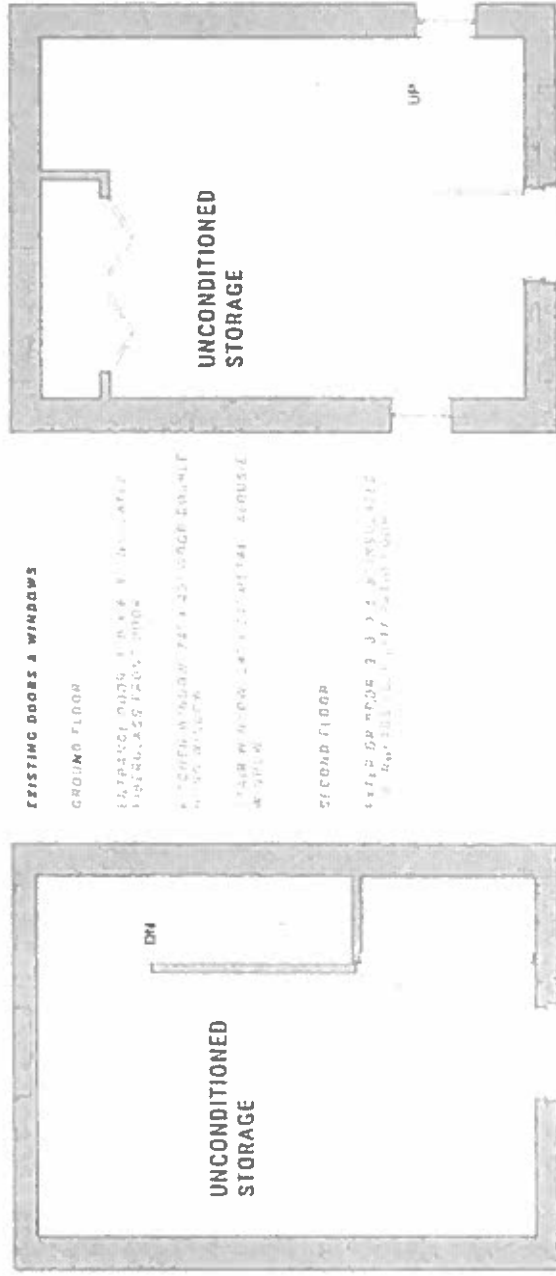
- Original brickwork to be repaired as needed
- Repairs and update to the deck to provide structural integrity as well as privacy
- Updates and repairs to the existing framing
- Addition of a metal half round gutter and downspout to address existing water runoff issues
- Addition of exterior lighting to address a lack of adequate lighting in the alley

This project will also be under review for a Special Use Permit

2000



# CHIMBORAZO CARRIAGE HOUSE EXISTING CONDITION FLOOR PLANS - 1/4" = 1'-0"



GROUND FLOOR



SECOND FLOOR

CHIMBORAZO CARRIAGE HOUSE - EXISTING CONDITION FLOOR PLANS - 1/4" = 1'-0"

FLOOR PLAN

CHIMBORAZO CARRIAGE HOUSE  
EXISTING CONDITIONS PHOTOS

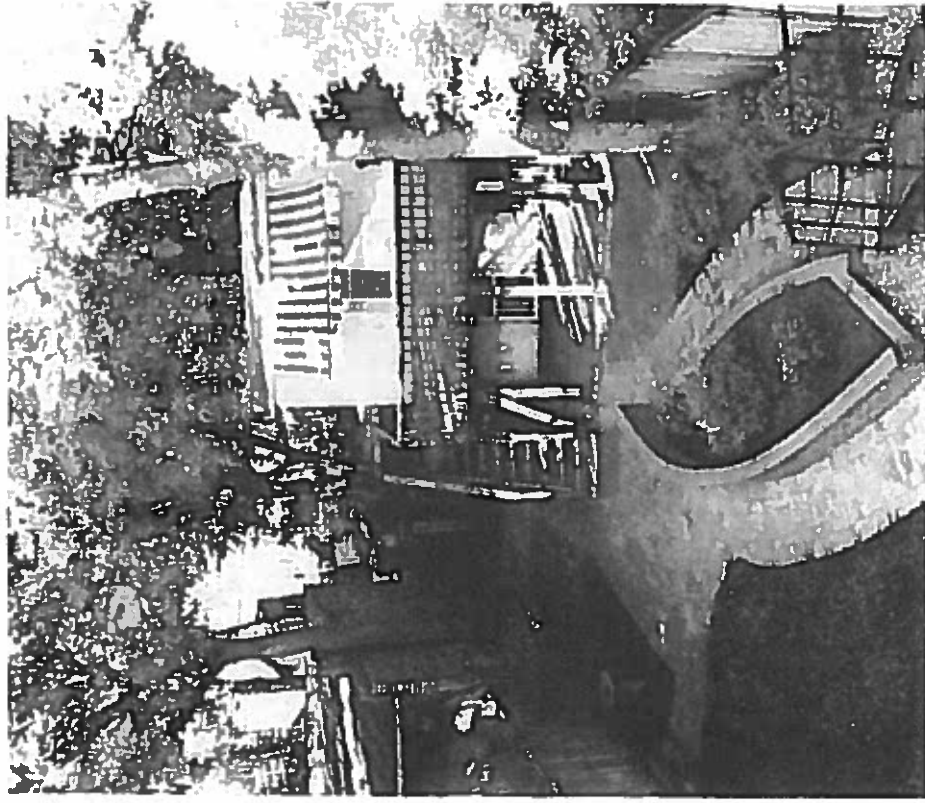


PHOTO 10/10/10

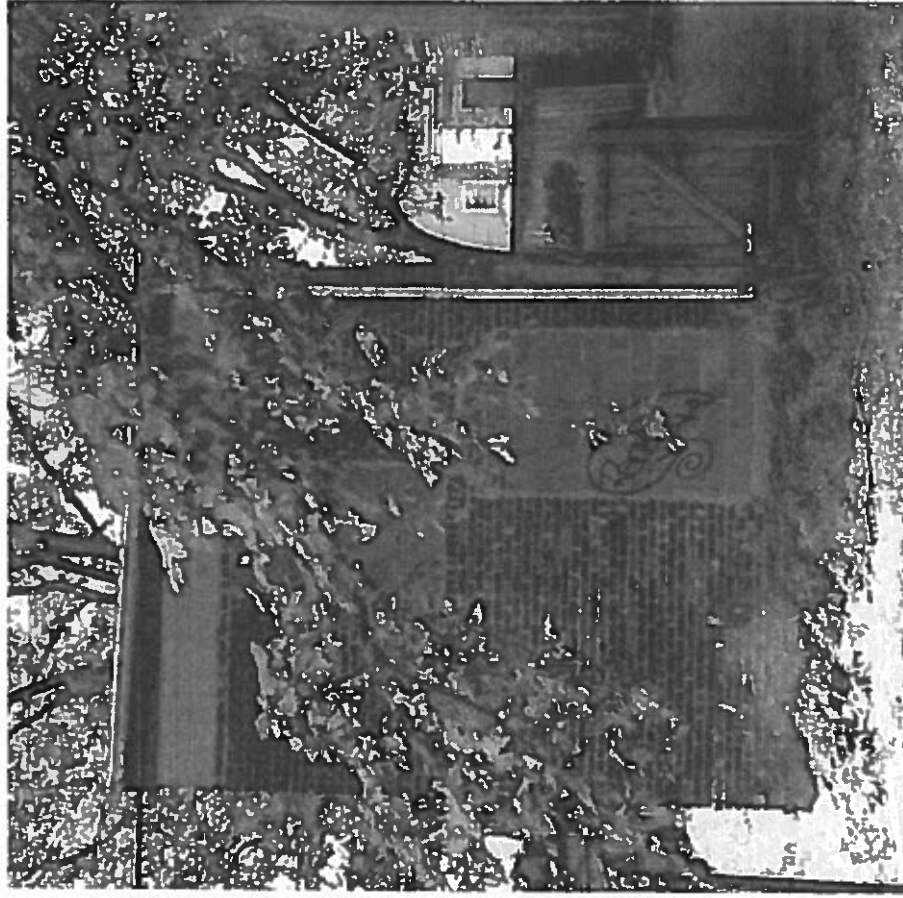


PHOTO 11/10/10

CHIMBORAZO CARRIAGE HOUSE  
ELEVATION PHOTOS



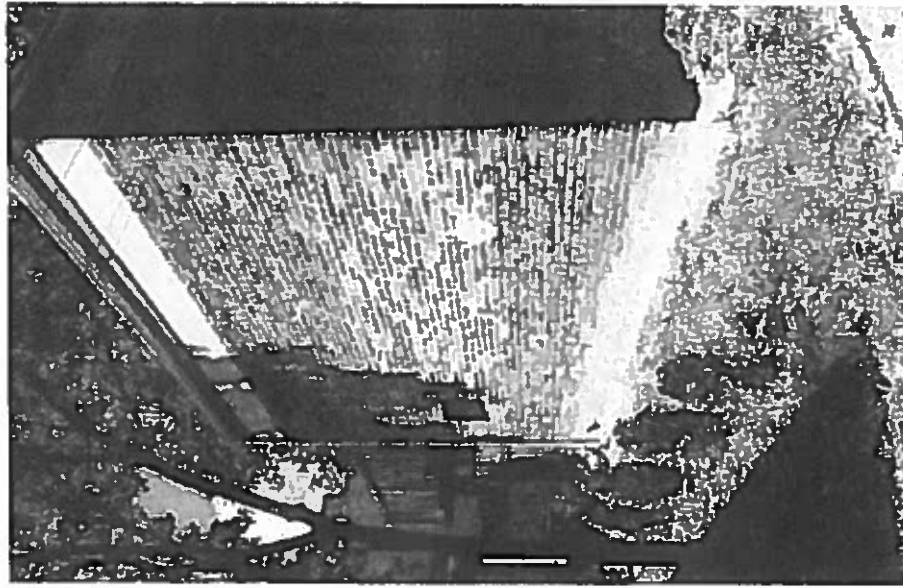
SOUTH ELEVATION



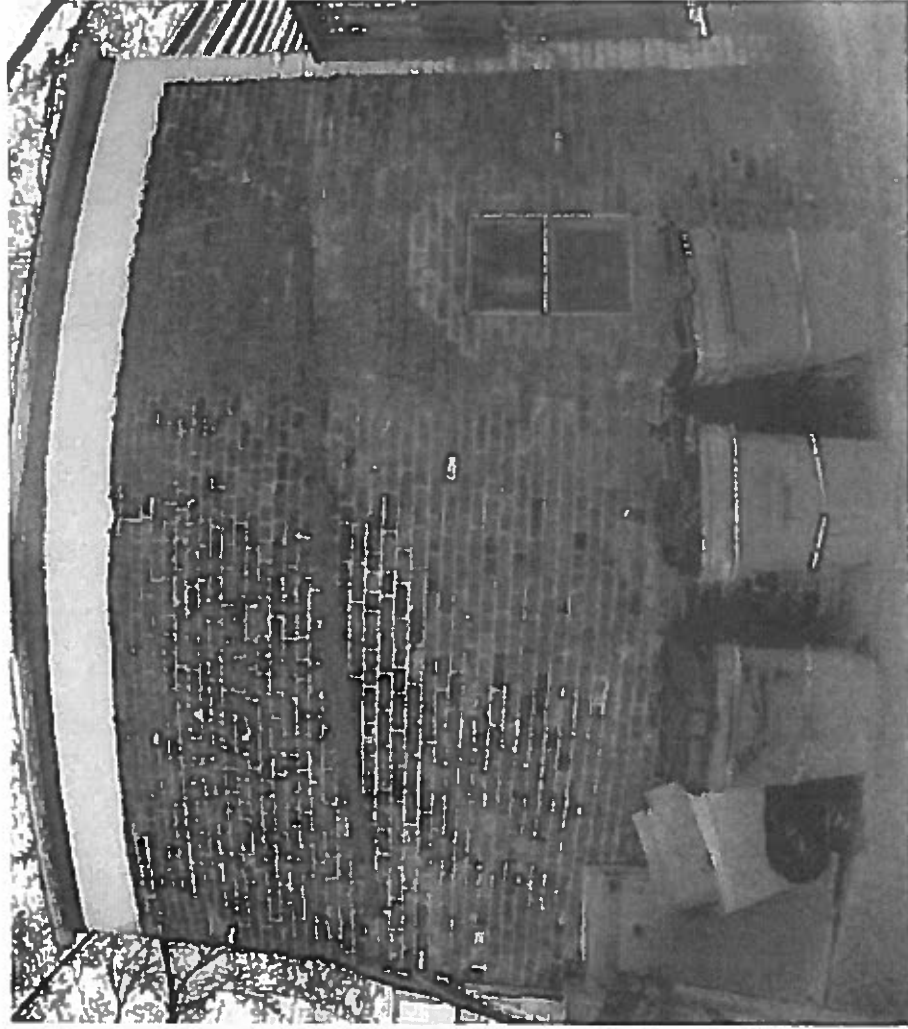
NORTH ELEVATION



CHIMBORAZO CARRIAGE HOUSE  
ELEVATION PHOTOS



FIELD PHOTO

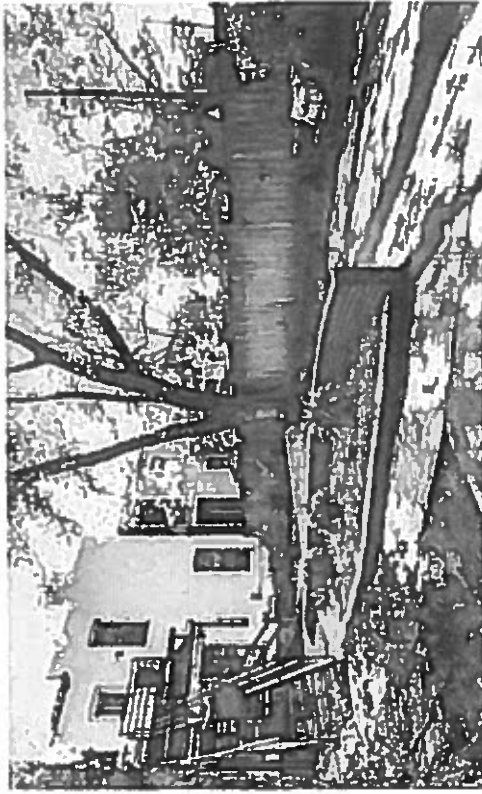


WEST ELEVATION (COMPOSITE)

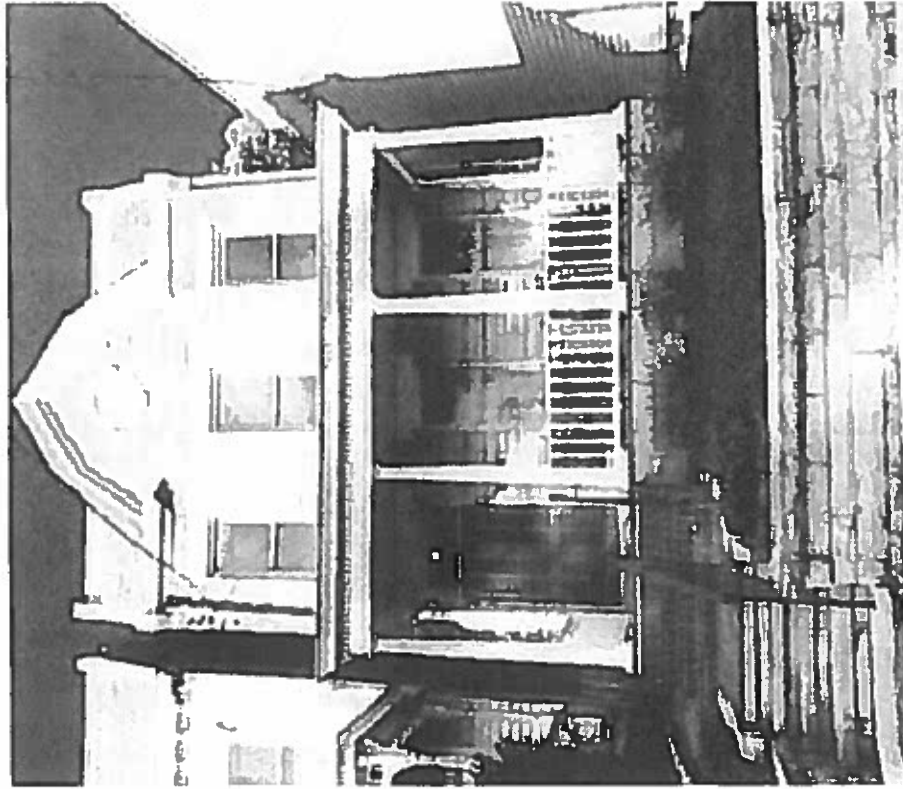
PHOTOGRAPHED BY: [illegible] DATE: [illegible]

# CHIMBORAZO CARRIAGE HOUSE RELEVANT CONTEXT PHOTOS

MAIN HOUSE  
3310 E. 4000th ST



REAR ELEVATIONS

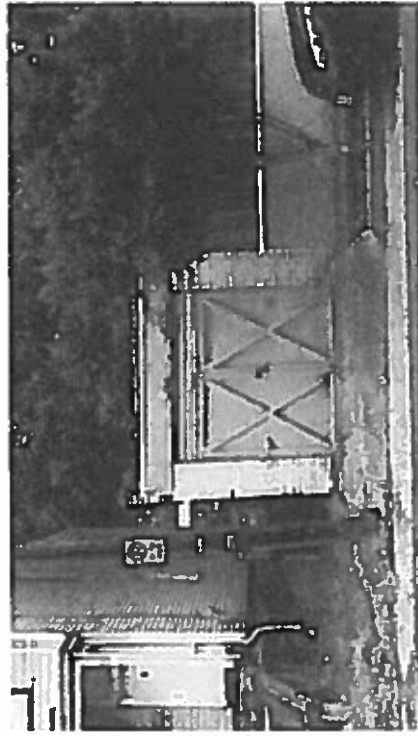
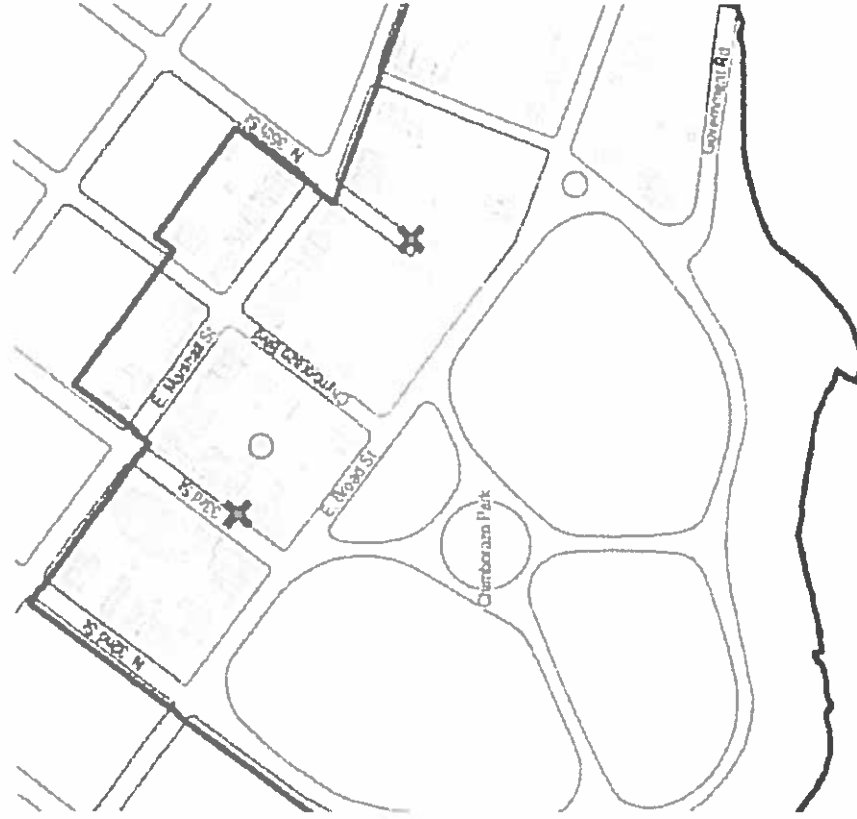


FRONT ELEVATION



# CHIMBORAZO CARRIAGE HOUSE RELEVANT CONTEXT PHOTOS

CARRIAGE HOUSES IN CHIMBORAZO  
OLD & HISTORIC DISTRICT



CARRIAGE HOUSE AT 3300 E BROAD ST



CARRIAGE HOUSES ON THE 3400 BLOCK OF E BROAD ST

# CHIMBORAZO CARRIAGE HOUSE PROPOSED SITE PLAN - 1/16" = 1'-0"



PROPOSED NEW  
42" FENCE WITH  
GATE - STYLE TO  
MATCH EXIST

EXISTING FENCE  
TO BE REPAIRED

PROPOSED NEW METAL HALF  
ROUND GUTTER AND  
DOWNSPOUT

NEW PARAPET @ EDGE  
147 TO CHIMBORAZO BLVD

NEW SKYLIGHTING ABOVE  
STAIRS

NEW HIGH ALBEDO EPDM  
ROOFING ON EXISTING  
STRUCTURE

NEW MINI SPLIT COMPRESSOR  
AND PAD

DASHED LINE INDICATES  
EXTENT OF EXISTING SECOND  
FLOOR DECK

EXISTING PRIVACY FENCE TO BE  
REPAIRED

EXISTING RESIDENCE AT  
3310 E BROAD ST  
PARCEL ID E3000615070

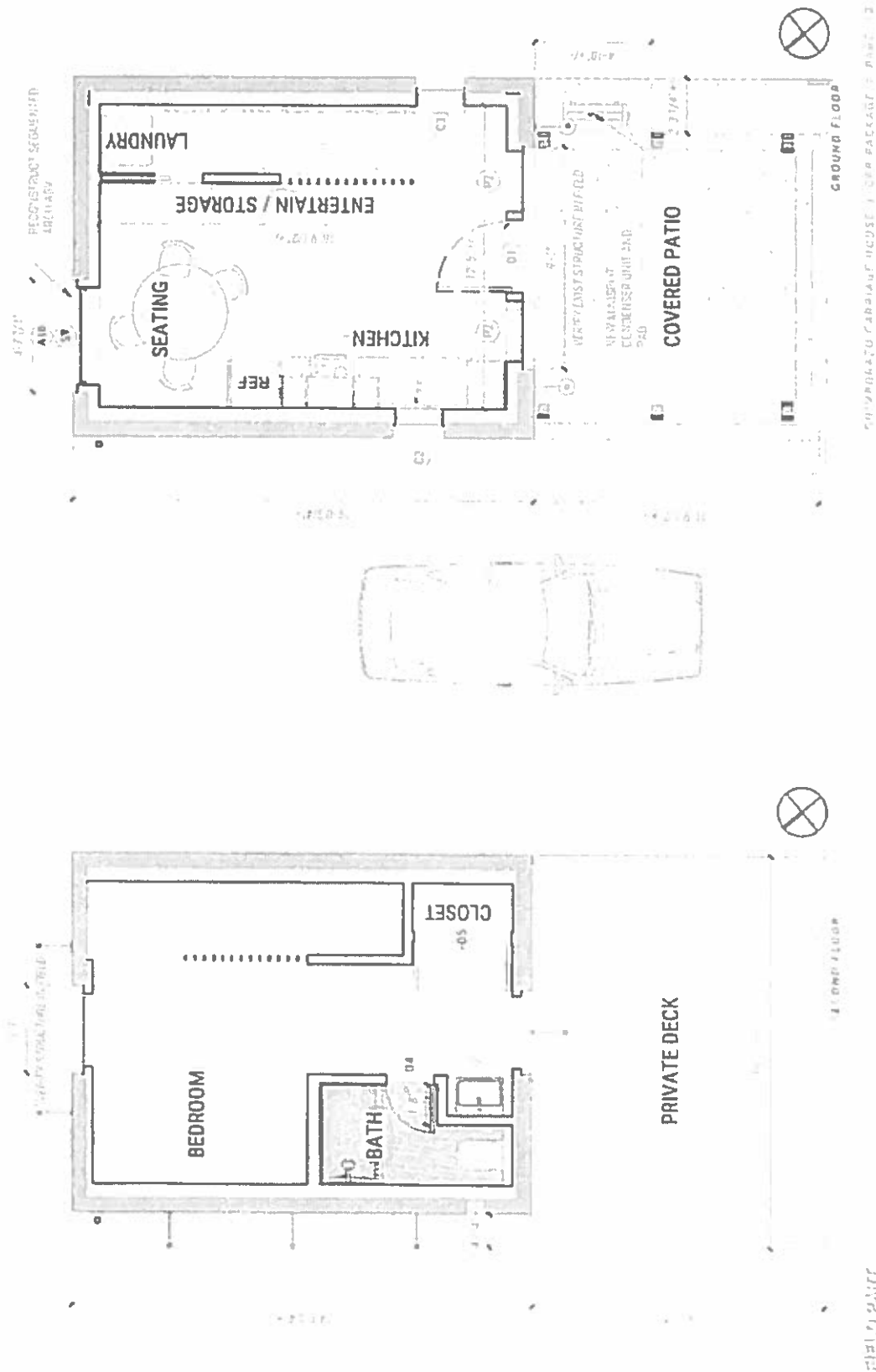


E BROAD STREET

FIELD PHOTO

01 10 2024 NEW & EXISTING RESIDENCE

# CHIMBORAZO CARRIAGE HOUSE - FLOOR PLANS - 1/4" = 1'-0"



CHIMBORAZO CARRIAGE HOUSE  
WINDOW AND DOOR SCHEDULES

[illegible][illegible]





# CHIMBORAZO CARRIAGE HOUSE WEST ELEVATION - 1/4" = 1'-0"

PERF. SIGHTS AS SHOWN

METAL GUTTER AND  
DOWNSPOUT TO MATCH

PARAPET CAP TO MATCH  
SLOTTING

METAL SLOTTING

REPAIR EXISTING MASONRY  
AS NOTED IN ACCORDANCE  
WITH CAR MASONRY  
REPAIR GUIDE FOR MASONRY  
AND THE NATIONAL PARK  
SERVICE PRESERVATION  
SERIES

DECK GUARDRAIL TO BE  
BROUGHT INTO COMPLIANCE

NEW BRACING BRACKETS

NEW WOODWORKING  
OPENING

NEW WOODWORKING  
(SEE DETAIL TO PLAN)

PARAPET  
SW 6297

POURING  
CONCRETE  
SW 7069

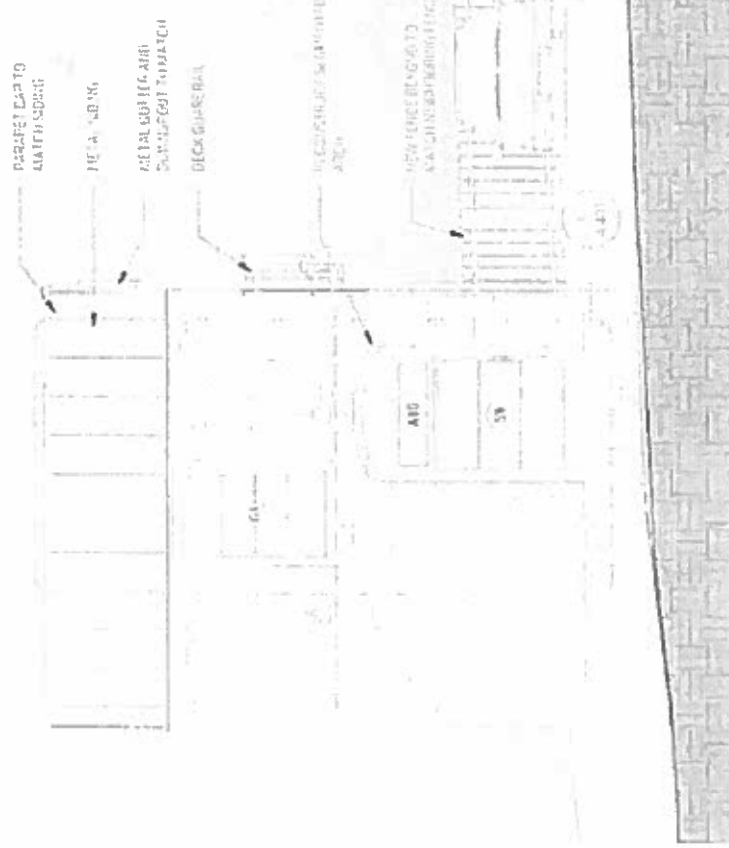
EXISTING  
BRICK

PAINTED  
BRICK  
TO MATCH  
EXIST

PORCH AND  
FENCING  
SW 5054

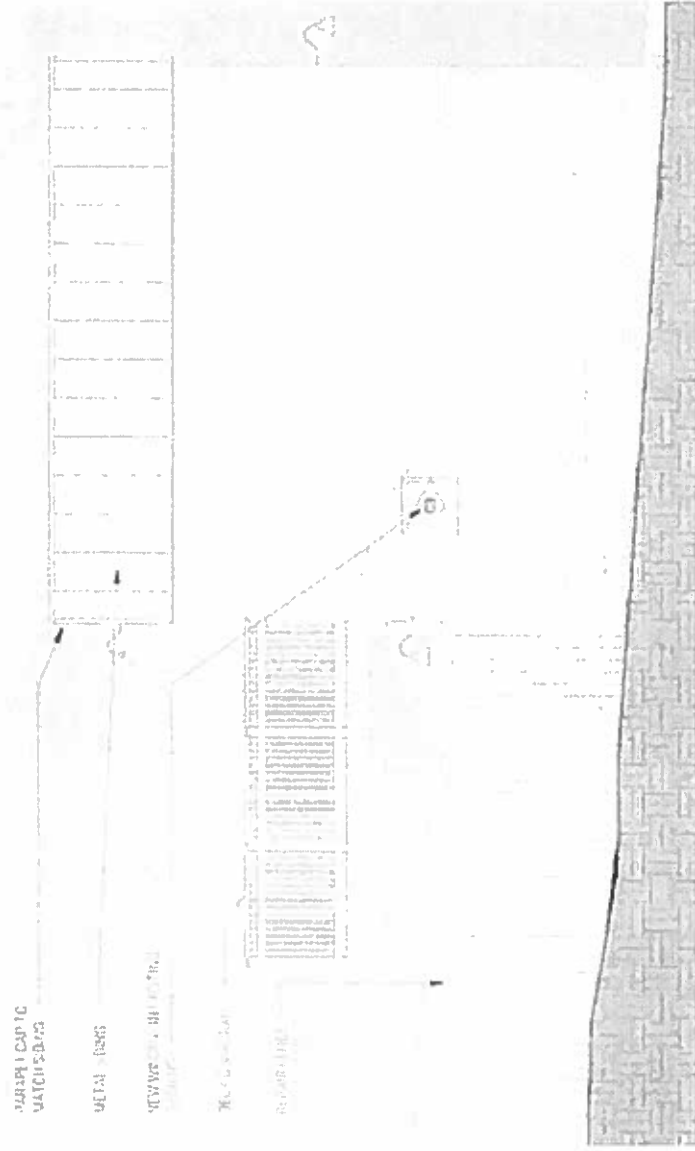
PORCH AND  
FENCING  
DEBR ST 149

# CHIMBORAZO CARRIAGE HOUSE NORTH ELEVATION - 1/4" = 1'-0"



- PARAPET: SW 6207
- POURUS + POROUS: SW 2169
- PAINTED BRICK TO MATCH EXIST: SW 2169
- POURCH AND FENCING: SW 2169
- POURCH AND FENCING: SW 2169

# CHIMBORAZO CARRIAGE HOUSE EAST ELEVATION - 1/4" = 1'-0"



PARAPET  
SW 6202

POUR  
WINDOWS  
SW 7049

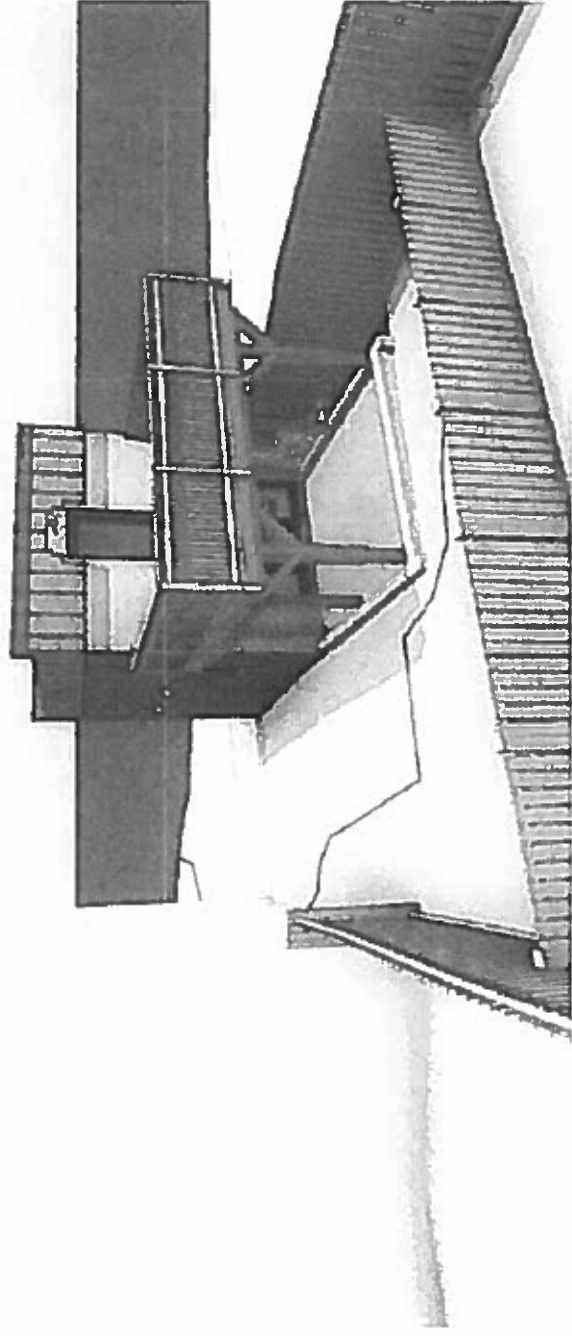
CEILING  
SW 6202

PAINTED  
BRICK  
TO MATCH  
EXIST

PORCH AND  
FENCING  
SW 6202

PORCH AND  
FENCING  
SW 6202

# CHIMBORAZO CARRIAGE HOUSE EXTERIOR PERSPECTIVE - NO SCALE



PARAPET  
SW 6207

DOORS •  
WINDOWS  
SW 7719

EXISTING  
BRICK

PAINTED  
BRICK  
TO MATCH  
EXIST

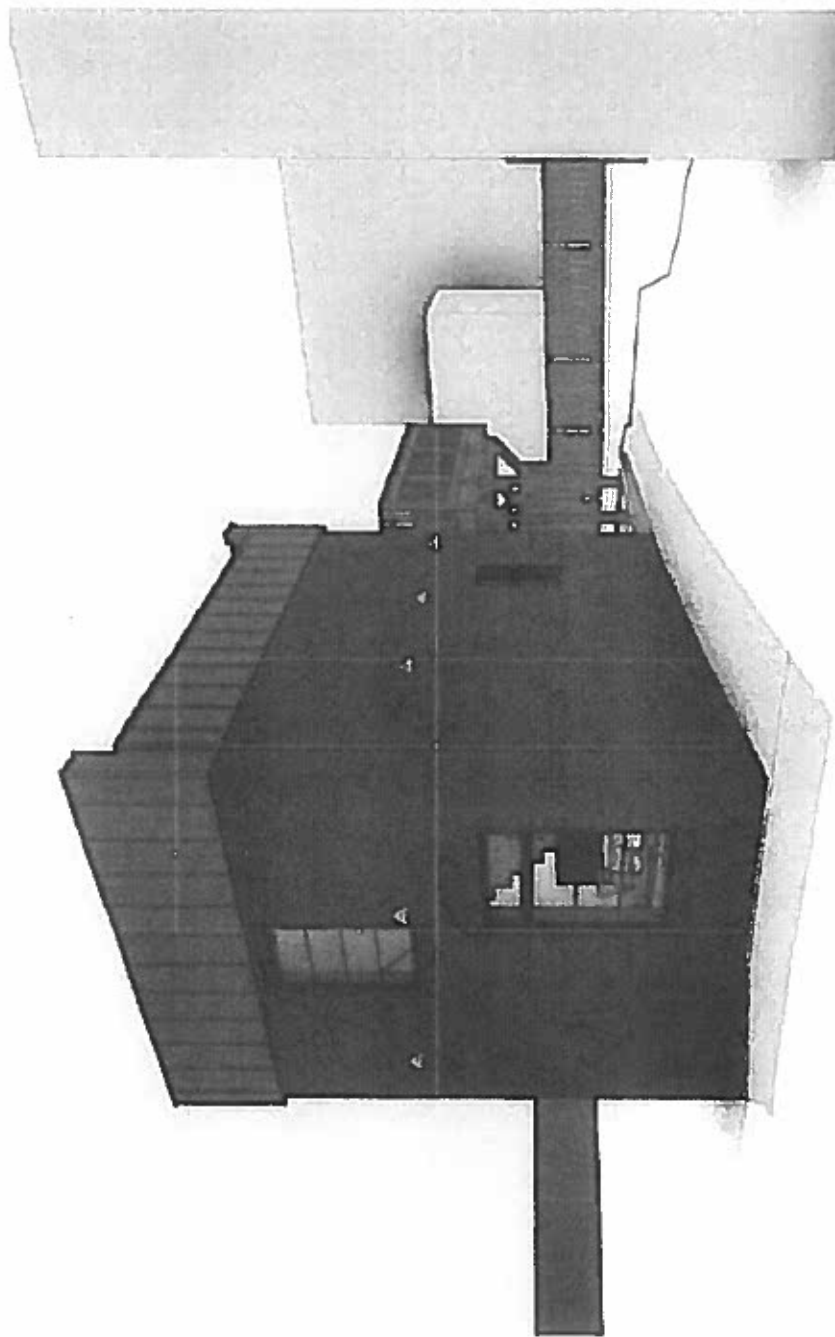
PORCH AND  
FENCING  
SW 0052

PORCH AND  
FENCING AT  
DEMO ST 149

10/10/2011

10/10/2011 10:00 AM

# CHIMBORAZO CARRIAGE HOUSE EXTERIOR PERSPECTIVE - NO SCALE



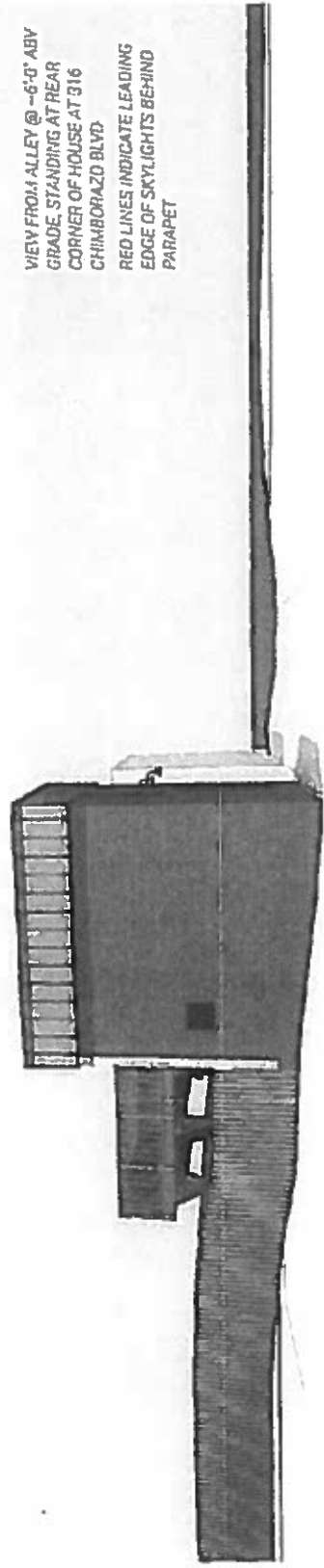
- PARAPET  
SW 6207
- DOORS  
SW 6207
- EXISTING  
BRICK
- PAINTED  
BRICK  
TO MATCH  
EXIST
- PORCH AND  
FENCING  
SW 0954
- PORCH AND  
FENCING ALT  
WEHR ST 125

FIELD NAME

CHIMBORAZO CARRIAGE HOUSE

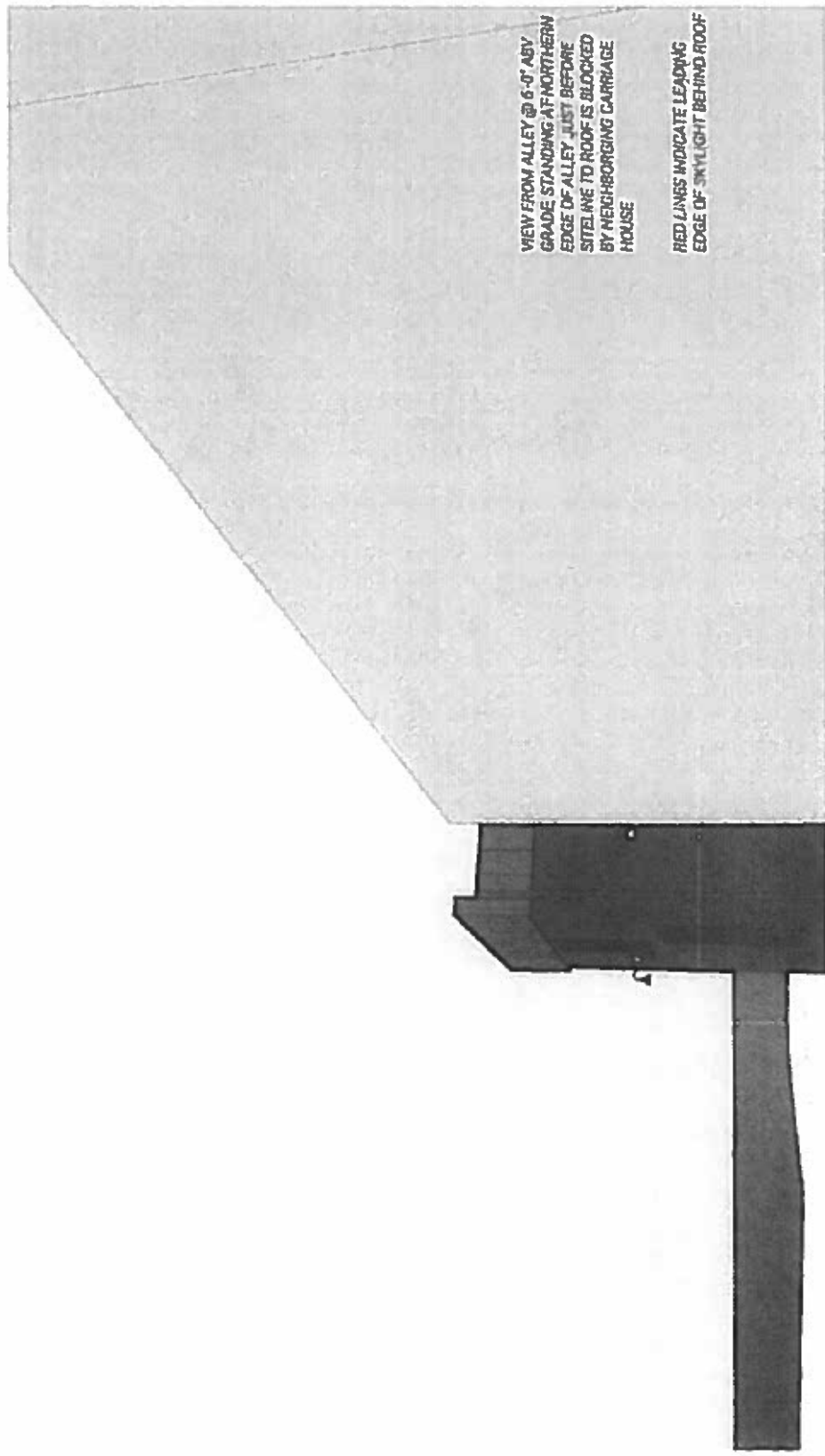
ARCHITECT

CHIMBORAZO CARRIAGE HOUSE  
 EXTERIOR PERSPECTIVE - SKYLIGHTS NOT VISIBLE FROM PUBLIC ALLEY

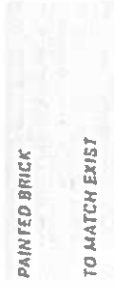
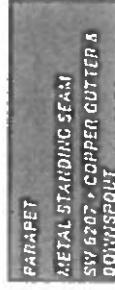
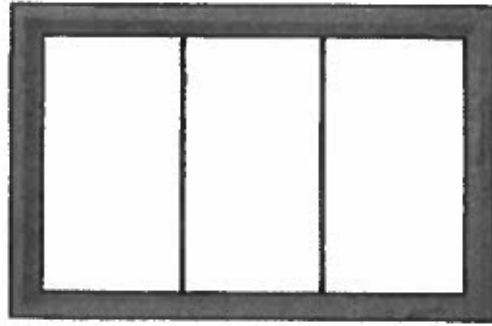


VIEW FROM ALLEY @ -6'-0" ABV  
 GRADE, STANDING AT REAR  
 CORNER OF HOUSE AT 316  
 CHIMBORAZO BLVD.  
 RED LINES INDICATE LEADING  
 EDGE OF SKYLIGHTS BEHIND  
 PARAPET

# CHIMBORAZO CARRIAGE HOUSE EXTERIOR PERSPECTIVE - SKYLIGHTS NOT VISIBLE FROM PUBLIC ALLEY



## OUTLINE SPECIFICATIONS



## EXTERIOR LIGHTING

**WINDOWS & DOORS**

## MATERIAL SELECTIONS



