



CITY OF RICHMOND

DEPARTMENT OF
PLANNING AND DEVELOPMENT REVIEW
BOARD OF ZONING APPEALS

BOARD OF ZONING APPEALS

MEETING MINUTES

WEDNESDAY, DECEMBER 2, 2020

On Wednesday, December 2, 2020, the Board of Zoning Appeals held an electronic public hearing at 1:00 p.m. due to the disaster represented by the spread of COVID-19 pursuant to and in compliance with Ordinance 2020-183; display notice having been published in the Richmond Legacy Newspaper on November 25, 2020 and written notice having been sent to interested parties.

Members Present:

- Burt F. Pinnock, Chair
- Roger H. York, Jr., Vice-Chair
- Rodney M. Poole
- Mary J. Hogue
- Kenneth R. Samuels, Sr.

Staff Present:

- Roy W. Benbow, Secretary
- William C. Davidson, Zoning Administrator
- Brian P. Mercer, Planner II
- Neil R. Gibson, Assistant City Attorney

The Chairman called the meeting to order and read the Board of Zoning Appeals Introductory Statement, which explains the proceedings of the meeting including the fact that the public hearing is being held electronically due to the state of emergency that exists as a result of the spread of Covid-19 pursuant to and in compliance with Ordinance 2020-183. The applicant and those appearing in support of an application speak first, followed by those appearing in opposition.

BZA 43-2020

APPLICANT: Norman Burnes

PREMISES: 3212 PARKWOOD AVENUE
(Tax Parcel Number W000-1451/014)

SUBJECT: A building permit to construct an addition on to a single-family detached dwelling.

DISAPPROVED by the Zoning Administrator on October 1, 2020, based on Sections 30-300 & 30-410.6 of the zoning ordinance for the reason that: In an R-5 (Single-Family Residential) District, the lot coverage requirement is not met. A maximum lot coverage of thirty-five (35) percent is permitted; 34.6%± exists; 37.7%± is proposed.

APPLICATION was filed with the Board on October 15, 2020, based on Section 1040.3(1) of the City of Richmond Zoning Ordinance.

APPEARANCES:

For Applicant: Norman Burnes
Laura Pitcher

Against Applicant: None

FINDINGS OF FACT: The Board finds from sworn testimony and exhibits offered in this case that the applicant, Norman Burnes, has requested a special exception to construct an addition onto a single-family detached dwelling for property located at 3212 Parkwood Avenue. Mr. Norman Burnes testified that he has occupied his dwelling for 25 years and that it is a two-story, three-bedroom/2 bath house. Mr. Burns noted that there is a 6' x 12' mud room at the rear of the house that is too small to be utilized as a living space. Mr. Burns noted that in order to meet modern dwelling needs that there is a need for additional square footage in the home. Mr. Burns explained that above the mud room is a deck that is accessed from the second story of the dwelling. Mr. Burns indicated that the proposal is to remove the deck in its entirety as well as the back wall of the mudroom and extend the existing mudroom approximately 6 feet further into the rear yard. Mr. Burns noted that the R-5 zoning limits lot coverage to 35% and that the proposed addition will increase the lot coverage to 37.7%. Mr. Burns indicated that there was no opposition from the surrounding neighbors and that the requisite special exception criteria had been met.

In response to a question from Mr. Poole, Mr. Burns stated that the neighborhood association generally meets only once a year but due to the Covid virus they had not met this year. Mr. Burns indicated that there will be a gable roof over the addition with windows on the back with the sliding glass door.

The Board is satisfied that the property was acquired in good faith and pursuant to Section 114-1040.3(1) of the City Code, the intended purpose and use of the proposed addition is consistent with the zoning district regulations; departure from the yard requirements is the minimum necessary to accommodate the intended purpose of the addition; the addition or similar construction serving the same purpose cannot reasonably be located elsewhere on the lot in compliance with the zoning ordinance; and the addition will be in keeping with the architectural character of the dwelling and development within the neighborhood.

RESOLUTION: NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ZONING APPEALS that a request for a special exception from the lot coverage requirement be granted to Norman Burnes for a building permit to construct an addition on to a single-family detached dwelling, subject to substantial compliance with the plans submitted to the Board.

ACTION OF THE BOARD: (5-0)

Vote to Grant Conditionally
affirmative: Pinnock, York, Poole, Hogue, Samuels
negative: None

BZA 44-2020 (WITHDRAWN)

APPLICANT: Sanford Bond

PREMISES: 1518 WEST AVENUE
(Tax Parcel Number W000-0613/024)

SUBJECT: A building permit to construct a detached garage accessory to a single-family attached dwelling.

DISAPPROVED by the Zoning Administrator on September 3, 2020, based on Sections 30-300, 30-412.6 & 30-710.3:1(a) of the zoning ordinance for the reason that: In an R-6 (Single-Family Attached Residential) District, the lot coverage and off-street parking requirements are not met. A maximum lot coverage of fifty-five (55) percent is permitted; 51.7%± exists; 67.1%± is proposed. One (1) parking

space is required; two (2) parking spaces, which do not meet parking space dimension requirements (drive aisle width), are proposed.

APPLICATION was filed with the Board on October 16, 2020, based on Section 1040.3(1 & 11) of the City of Richmond Zoning Ordinance.

BZA 45-2020

APPLICANT: HH Grubb, LLC/ Heather Grubb

PREMISES: 1505 OAKWOOD AVENUE
(Tax Parcel Number E000-1406/002)

SUBJECT: A building permit to construct a new single-family detached dwelling.

DISAPPROVED by the Zoning Administrator on October 21, 2020, based on Sections 30-300, 30-410.4 & 30-410.6 of the zoning ordinance for the reason that: In an R-5 (Single-Family Residential) District, the lot area, lot width and the lot coverage requirements are not met. Lot areas of six thousand square feet (6,000 SF) and lot widths of fifty feet (50') are required. For zoning purposes, one (1) lot having a lot area of 7,453.8 square feet and a lot width of sixty feet (60') currently exists; lot areas of 4,559.44 square feet (#1505) and 2,894.39 square feet (#1503) and lot widths of 36.7 feet (#1505) and 23.3 feet (#1503) are proposed. A maximum lot coverage of thirty-five percent (35%) is permitted; 281.0 square feet (10%) exists/ 1,233.0 square feet (43%) is proposed (#1503).

APPLICATION was filed with the Board on October 16, 2020, based on Section 1040.3(1 & 2) of the City of Richmond Zoning Ordinance.

APPEARANCES:

For Applicant: Mark Baker

Against Applicant: None

FINDINGS OF FACT: The Board finds from sworn testimony and exhibits offered in this case that the applicants, HH Grubb, LLC/ Heather Grubb, have requested a special exception to construct a new single-family detached dwelling for property located at 1505 Oakwood Avenue. Mr. Mark Baker, representing the applicant, testified that the special exception is being requested to create a buildable lot. Mr. Baker indicated that the goal is to permit construction of single-family detached

dwelling which is consistent with the special exception intent of creating infill housing which is compatible with the neighborhood. Mr. Baker stated that this is a high-quality product of approximately 2270 ft.² consisting of three bedrooms and 2 ½ baths. Mr. Baker noted there is a master bedroom and master bath with a walk-in closet. Mr. Baker indicated that the exterior is of compatible neighborhood design with a full width porch and cementitious siding. Mr. Baker noted the property is located on the south side of Oakwood Avenue, is 60 feet in width and approximately 124 feet in depth. The property contains 7454 ft.² of lot area and is located in an R-5 single-family zoning district. Mr. Baker explained that the lot split will result in two lots, one of which will be 36.7 feet in width containing 4559 ft.² and a second lot of 23.3 feet in width containing 2894 ft.². Mr. Baker noted that the property had previously consisted of two legal lots of record which were combined by deed. Mr. Baker stated that the off-street parking requirement would be met with 1505 Oakwood Avenue providing a surface off-street parking space and 1503 Oakwood Avenue utilizing a masonry garage. Mr. Baker stated in accordance with the special exception criteria the lots would have side yards of not less than 10% of the lot width. Mr. Baker noted that the lots are consistent with the predominant lot areas and lot widths in the vicinity and that the new dwelling will be compatible with dwellings in the vicinity. Mr. Baker concluded by stating that the property is located in the Church Hill Central Civic Association which is not conducting regular meetings and stated that letters have been sent out to all property owners within a 150 foot radius and no notification of opposition has received.

The Board is satisfied that the property was acquired in good faith and pursuant to Section 114-1040.3 (2) of the zoning ordinance, the subject lots have previously consisted of legal lots of record that were subsequently combined by deed, and the number of lots to be created do not exceed the number of previously existing lots of record, the new lots comply with Section 114-610.1 of the zoning ordinance and off-street parking requirements will be met, each lot created by the division will comply with the requisite side yard requirements, the division will comply with applicable requirements of the subdivision regulations and that dwellings to be constructed on the lots will be compatible with the dwellings existing or to be constructed in the immediate vicinity of the property.

RESOLUTION: NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ZONING APPEALS that a request for a special exception from the lot area, lot width and the lot coverage requirements be granted to HH Grubb, LLC/ Heather Grubb for a building permit to construct a new single-family detached dwelling, subject to substantial compliance with the plans submitted to the Board and provision of cementitious siding.

ACTION OF THE BOARD: (5-0)

Vote to Grant Conditionally

affirmative:

Pinnock, York, Poole, Hogue, Samuels

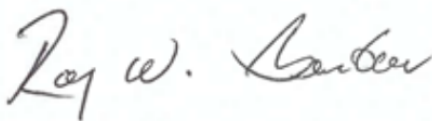
negative:

None

Mr. Poole inquired about an email he received from Mr. Nichols of the Clerk's Office. Mr. Benbow stated that he would email Mr. Gibson to determine if the Board is subject to the ordinance cited in the subject email requiring submittal of certain information related to the Boards operation.

Upon motion made by Mr. Poole and seconded by Ms. Hogue, Members voted (5-0) to adopt the Board's November meeting minutes.

The meeting was adjourned at 1:30 p.m.



Secretary

Chairman