



CITY OF RICHMOND

Department of Planning & Development Review ***Staff Report***

Ord. No. 2020-266: To authorize the special use of the property known as 3419 2nd Avenue for the purpose of two single-family detached dwellings, upon certain terms and conditions.

To: City Planning Commission
From: Land Use Administration
Date: March 1, 2021

PETITIONER

Vladimir Slobodnik

LOCATION

3419 2nd Avenue

PURPOSE

To authorize the special use of the property known as 3419 2nd Avenue for the purpose of two single-family detached dwellings, upon certain terms and conditions.

SUMMARY & RECOMMENDATION

The request is to authorize the construction of two single-family detached dwellings on newly created parcels located in the R-6 Single-Family Attached Residential zoning district. Single-family dwellings are permitted uses in this district. However, the proposed properties do not meet the minimum lot area and width requirements of the R-6 Single-Family Attached Residential zoning district. Therefore a special use permit is required.

Staff finds the proposed single-family dwellings to be appropriate uses of the property. It is generally consistent with the pattern of development in the area as well as the recommendations of 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 is 50 feet in width and contains 7,500 square feet. It is located in the R-6 Single-Family Residential Attached Residential District where single-family detached dwellings are permitted on parcels no less than 50 feet in width and 5,000 square feet in area.

Proposed Use of Property

The proposal will create two lots 25 feet in width and 3,750 square feet in area. The site plans show that the front and rear yard depths of the zoning district are met. An encroachment one foot into the required five foot side yard setback is shown.

Master Plan

The Richmond 300 Master Plan designates the subject property for Residential land use. Intensity: Buildings are generally one to three stories. Lot sizes generally range up to 5,000 to 20,000+ sq. ft. Residential density of 2 to 10 housing units per acre.

Primary Uses: Single-family houses, accessory dwelling units, and open space.

Secondary Uses: Duplexes and small multi-family buildings (typically 3-10 units), institutional, and cultural. Secondary uses may be found along major streets.

The density of the proposed development is approximately 12 units per acre.

Zoning and Ordinance Conditions

A single-family dwelling is permitted in the R-6 Single-Family Attached Residential District provided that it is located on a lot not less than 5,000 square feet and width of 50 feet. It is the applicant's desire to subdivide the 7,500 square foot parcel into two 3,750 square foot parcels and build a single-family detached dwelling on each property. Though the lot area and width are not in conformance, the site plan indicates that the front and rear setbacks for the district are met. However, a one foot encroachment into the side yard setback is requested.

Zoning Administration provided the following comments:

ZONING AND USE: The subject property is zoned R-6 Single-Family Attached Residential district. The property is currently unimproved. The proposal is to split the lot and construct two new two-story, single-family detached dwellings on the newly created lots. The R-6 district requires a lot width of not less than fifty (50) feet and a lot area of

not less than five thousand (5,000) square feet in area. A Special Use Permit is required to be adopted by City Council to authorize the proposed lot split, as the resulting lots do not meet all of the zoning requirements as described here for single-family detached dwellings in the R-6 zoning district.

• **R-6 FEATURE REQUIREMENTS:**

Front yard – not less than fifteen feet (15') or as determined by the existing setbacks of adjacent main buildings within one hundred feet (100'). No zoning issue

Side yards – not less than five feet (5'). Zoning Issue: Internal stairs jut out and encroach one foot (1') into the required five foot (5') side yard setback along the eastern property line.) (Note: The bay window along the western property line, also juts out one foot (1'), however is within the allowed encroachment for such as referenced in Sec. 30-630.9(a))

Rear yard – not less than five feet (5'). No zoning issue.

Lot coverage – not to exceed fifty-five percent (55%) of the area of the lot. No zoning issue

Building height – not to exceed fifty-five feet (35'). No accessory building shall exceed twenty feet (20') in height. No zoning issue

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 shall consist of cementitious siding or similar material and a different siding color shall be used for each dwelling.
- (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) Two off-street parking spaces shall be provided for each dwelling at the rear of the Property.
- (f) Prior to the issuance of any certificate of occupancy for the second single-family detached dwelling, the establishment of two residential lots substantially as shown on the survey entitled "Sketch Showing the Proposed Division of Part of Lot 29, 'Vewter Court,' in the City of Richmond, VA.," prepared by Virginia Surveys, dated June 29, 2020, and

last revised June 30, 2020, a copy of which is attached to and made a part of this ordinance, shall be accomplished by obtaining the necessary approvals from the City and 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-6 Single-Family Attached Residential zoning district. Within the area of the subject property, those properties with improvements contain single-family attached and detached dwellings.

Neighborhood Participation

Staff notified the Highland Park Plaza Civic Association, adjacent residents, and property owners. No notifications of opposition or support have been received.

Staff Contact

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