

June 11, 2021

Kevin Vonck, PhD, Acting Planning Director
Department of Planning & Development Review 900 East Broad Street, Suite 511
Richmond, VA 23219

Re: 302 Clovelly Road Special Use Permit

Dear Mr. Vonck,

Please accept this letter as the Applicant's Report with the Special Use Permit (SUP) application for the property located at 302 Clovelly Road. Based on recent discussions with Planning Staff, the attached application requests City Council approval for an SUP to allow a detached structure at the rear of the single family dwelling at the foregoing address to be deemed a Lodging Unit under Article XII, Section 52, Code of Ordinances.

Summary of Request and Unique Circumstances

The request is intended to accommodate an additional bedroom and bath for the main dwelling on the property. The additional bedroom and bath, together with a small sitting area, would be separate from the main dwelling on the property in an accessory building.

While termed a "lodging unit" under the City's Zoning Ordinance, the intent of this request is to allow a previously authorized accessory building ("Accessory Building") to serve as an additional guest bedroom, bath and sitting area for the owner of the main dwelling. Separate independent cooking facilities are not proposed.

The Accessory Building was originally designed as a separate building (from the main dwelling on the property) due to unique circumstances as described below dictating that it be separated by approximately six (6) feet from the rear of the main dwelling. This small separation was necessary to facilitate maintenance access to a number of existing mechanical systems serving the main dwelling and preserving existing exterior pedestrian garden access and maintenance service access at the rear of the main dwelling. See Attachment A hereto.

The unique circumstances are listed as follows:

- The challenging topography at the rear of the main dwelling limits how an accessory building could be constructed on the hillside below the main dwelling;
- The close proximity of the accessory building ensures a tight relationship between the use of the main dwelling and any guest bedroom usage of the lodging unit;
- The narrow separation of the Accessory Building from the main dwelling is needed for service access to two sets of exterior and interior heating/AC units serving the main dwelling, a gas hot water heater for the main dwelling, and a pool heater, pump, filter and other equipment used to take care of the pool behind the main dwelling. All of the

- foregoing equipment is located in utility space in the main dwelling and is only accessible via a six (6) foot wide walkway adjacent to the rear wall of the main dwelling; and
- The location of the Accessory Building adjacent to the main dwelling preserves a large forested buffer area and also a grassy hillside area planted out with new maple trees and crepe myrtle extending down to the bottom of a ravine where there are natural springs and runoff into a stream from all the neighboring properties.

Challenging Topography Limits: Because of the challenging topography that begins at the back of the main dwelling, the Accessory Building proposed as a lodging unit is located almost adjacent, approximately six (6) feet) to the rear of the existing main dwelling.

This was done to preserve an existing walkway on the ground level (as shown on Attachment A hereto) which has long served as an exterior pedestrian way from the pool area behind the main dwelling to the gardens on the north side of the property. It also is used by service personnel coming from the parking and garage areas to bring tools and equipment to service mechanicals in the utility space located at the rear of the main dwelling.

Continued use of this walkway is necessary because of the steep hillside just below this end of the main dwelling. The challenging topography rapidly falls away 10-12 feet which means relocating the existing walkway would have been a challenge to replace with a safe functional passageway serving the safety and practical needs of guests as well as maintenance personnel. The resulting design of the Accessory Building reflects this reality.

No Adverse Physical Impact on Neighbors: It should also be noted that an accessory building containing a non-dwelling use is permitted to be lawfully constructed and occupied in this location. In this case, there would be no physical difference to adjoining neighbors between a lawful accessory building and the proposed lodging unit, thus the “form” and location is not the critical issue here, but rather, simply whether the lodging use of the accessory building is appropriate. Because the topography has forced such a close proximity of the accessory building to the main dwelling, a tight relationship is ensured between the use of the main dwelling and any guest bedroom usage of the lodging unit.

The location of the requested lodging unit would be to the rear of the garage and utility room of the main dwelling, thus would not be visible from Clovelly Road. The proposed location of the proposed lodging unit would be well within normal side setbacks. Most importantly, given the siting of the requested lodging unit, almost immediately adjacent to the main dwelling, the rear yard would remain in excess of sixty eight (68) feet of woods and grassy hillside to the closest point on the rear property line, and the extreme topography in the rear yard preserves the entire distance to the rear property boundary, as is, which is effectively a largely forested buffer area.

Confirmation of Discussions with Area Association, Property Owners, Residents and Council Representative

Listed below are names and properties of all Owners/Residents of properties located within 150 feet of 302 Clovelly Road. Also attached are copies of letters supporting approval by the City Council of my SUP application from Property Owners and Residents within 150 feet of 302 Clovelly Road. See Attachment A hereto. Also included in Attachment C is a message from Windsor Farms Association representative confirming that review of interior uses such as residential uses as proposed in our SUP application is outside the scope of authority of the Windsor Farms Architectural Review Committee.

PIN	OwnerName	MailAddress	MailCity	MailState	MailZip
W0220348002	Vaiks noras John Iii And Heidi Sigmon	4103 Sulgrave Rd	Richmond	VA	23221
W0220348001	Israel Seth M And Morgan Catherine C	4105 Sulgrave Road	Richmond	VA	23221
W0220348003	4101 Sulgrave Road Llc	4101 Sulgrave Rd	Richmond	VA	23221
W0220348026	Roper Phillip R Iii And Cathy	303 Stockton Ln	Richmond	VA	23221
W0220348024	Brooke Robert L And Lynn B	304 Stockton Ln	Richmond	VA	23221
W0220348006	Lynde James L Jr & Anne E	306 Clovelly Rd	Richmond	VA	23221
W0220350033	Spencer Mary Y	305 Clovelly Rd	Richmond	VA	23221
W0220348004	Wheeler George Y Iii And Leisinger Lucrezia R Trustees	302 Clovelly Rd	Richmond	VA	23221
W0220350034	Little Lloyd T & Tracy G	10487 Lakeridge Pkwy Ste 100	Ashland	VA	23005
W0220350001	Addison James Harold Iii And Dabney Elizabeth Kennon	3911 Sulgrave Rd	Richmond	VA	23221
W0220348005	White Andrew S And Julia M	304 Clovelly Rd	Richmond	VA	23221

Existing Conditions

The subject property fronts on Clovelly Road in the Windsor Farms neighborhood, a residential neighborhood. The property is improved with one single-family house. City of Richmond Building Permit (R) (BLDR-071778-2020) for the property was granted on April 16, 2021 covering construction of a one-story detached office with a vaulted sitting room and powder room.

Design of Proposed Lodging Unit

Our proposed Lodging Unit space would consist of three rooms, a bedroom, a bathroom and a sitting room. The sole physical change would be to add a shower adjacent to the toilet and sink facilities in the previously approved powder room area. See attached floor plan in Attachment C. In compliance with the definition of Lodging Units in Article XII, Section 52, Code of Ordinances, we are not proposing to add cooking facilities. In addition we will comply with all Short Term Rental restrictions applicable to Lodging Units under Article XII, Section 52, Code of Ordinances.

Current Zoning

The property is currently zoned R-1 - Residential (Single Family), which allows for a single family detached dwelling on the 0.717 acre site.

City's Master Plan for Future Land Use

The City's existing Master Plan recommends single-family low-density development for the property. The primary use for this designation is single-family detached dwellings at densities up to seven units per acre.

The Richmond 300 Plan is drafted to recommend residential uses for this property and the surrounding neighborhood. The Master Plan encourages this exact type of infill development. The proposed homes are fully consistent with the Master Plan recommendation for the use of the property and are in keeping with the existing development pattern of the neighborhood.

City Charter Conditions

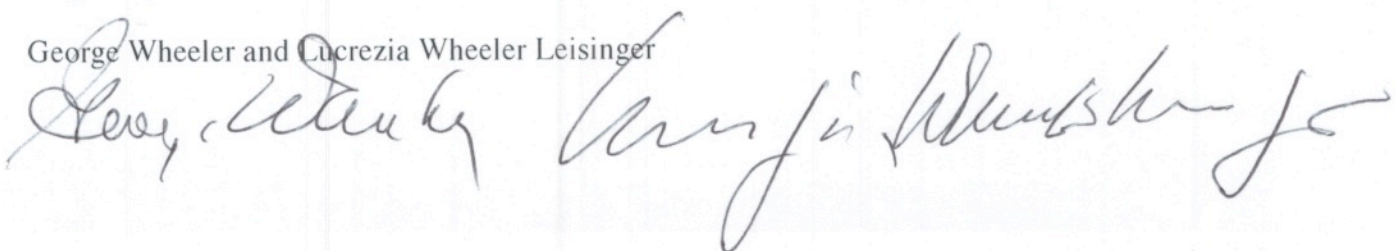
We trust that you will agree with us that this proposed Special Use Permits meets the City Charter criteria for the granting of SUPs as the project will not

- (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 be 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.

Thank you for your consideration of this Special Use Permit. Please feel free to contact me at gwheeler071941@gmail.com or (202) 256-7162 if you have any questions or require additional materials to process the application.

Very Truly Yours,

George Wheeler and Lucrezia Wheeler Leisinger

The block contains two handwritten signatures in dark ink. The first signature, on the left, is 'George Wheeler' and the second, on the right, is 'Lucrezia Wheeler Leisinger'. Both signatures are written in a cursive, flowing style.

cc: Matthew Ebinger, Secretary to the City Planning Commission, The Honorable Andreas D. Addison, 1st District Council Representative, Richard L. Saunders - PDR

Attachment A - Supporting Letters of Owners/Residents

Attachment B - Message from Windsor Farms Architectural Review Committee regarding limited scope of authority

Attachment C - Proposed Floor Plan (also showing existing pathway behind main dwelling)

Attachment D - Survey Plat/Site Plan (copied from City of Richmond Building Permit (R) (BLDR-071778-2020) for the property granted on April 16, 2021)

Attachment E - Elevation Plans (copied from City of Richmond Building Permit (R) (BLDR-071778-2020) for the property granted on April 16, 2021)