



CITY OF RICHMOND

DEPARTMENT OF
PLANNING AND DEVELOPMENT REVIEW
BOARD OF ZONING APPEALS

November 8, 2021

3609 & 3611 Brook Road LLC
117 Countryside Lane
Henrico, VA 23229

Baker Development Resources
530 East Main Street, Suite 730
Richmond, Virginia 23219
Attn: Mark Baker

To Whom It May Concern:

RE: **BZA 60-2021**

You are hereby notified that the Board of Zoning Appeals will hold an electronic public hearing on Wednesday, December 1, 2021 due to the disaster represented by the spread of COVID-19 pursuant to and in compliance with Ordinance 2021-181 to consider an application for a lot split and building permit to construct a new single-family (detached) dwelling at 3611 BROOK ROAD (Tax Parcel Number N000-1748/015), located in an R-1 (Single-Family Residential) District.

Please be advised that the applicant or applicant's representative is required to participate in the electronic public hearing by calling 804-316-9457 and entering code 696 787 303# beginning at 1:00 p.m. For video access by computer, smart phone or tablet visit <https://richmondva.legistar.com/Calendar.aspx>. Select the Board of Zoning Appeals drop-down and 2021 drop-down, click meeting details for December 1, 2021 meeting and then click video access. In the event you have difficulty accessing a public hearing you may contact Mr. William Davidson at 804-396-5350 or by email at William.Davidson@richmondgov.com for assistance. In accordance with Ordinance No. 2021-181, please be advised that an inability to access one of the enumerated public hearing through video means shall not be considered a prerequisite for participating in the subject public hearing. It will be necessary for you to stay on the line until such time as your case is called. The Board of Zoning Appeals Rules of Procedure provides that in the case of an application for a variance or a special exception, the applicant, proponents or persons aggrieved under §15.2-2314 of the Code of Virginia, shall be permitted a total of six (6) minutes each to present their case. The Board of Zoning Appeals will withhold questions until the conclusion of the respective presentations. For the purposes of the record it also requested that before addressing the Board you identify yourself and spell your name.

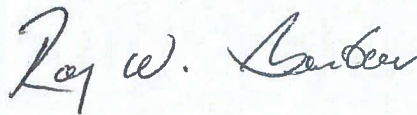
Finally, when you submitted your application to the zoning office you were given an handout entitled, Suggestions for Presenting Your Case to the Board, which indicated that you should discuss your request with your neighbor(s) and neighborhood

BZA 60-2021
Page 2
November 8, 2021

association(s) prior to appearing before the Board of Zoning Appeals. Contact information for civic group(s) can be found by navigating to the Civic Group webpage of the City's website at <https://www.rva.gov/planning-development-review/civic-groups>. Once there, you can search for your property using the interactive map. A dialogue box will provide you with the names of all civic groups within which your property may lie. Once you have those group names, simply scroll down the page to the appropriate group(s) to find the contact information for each. The Board understands that given the current situation it is not practical to conduct face-to-face discussions with either your neighbors or neighborhood association(s) but the Board requests that you make a good faith effort to provide them with relevant information regarding your case.

If you have any questions regarding the Board's procedures or any issue involving presentation of your case, please feel free to contact me.

Very truly yours,

A handwritten signature in dark ink, reading "Roy W. Benbow". The signature is fluid and cursive, with the first name "Roy" being the most prominent.

Roy W. Benbow, Secretary
Phone: (804) 240-2124
Fax: (804) 646-5789
E-mail: Roy.Benbow@richmondgov.com

cc: Zoning Administrator

Notice of this meeting is being sent to the persons whom the Board of Zoning Appeals believes to be property owners in the immediate vicinity of the property concerned in this application. This notice is for their information only, and there is no need for them to appear unless they so desire. The Board will, however, welcome such views as any persons care to express during the hearing on this application.

Atkins Jerry W
3614 Seminary Ave
Richmond, VA 23227

Beard Robert G And Susan S
3610 Seminary Ave
Richmond, VA 23227

Dixon Tennessee R
3613 Brook Rd
Richmond, VA 23227

Eternity Church Trs
1900 Chamberlayne Ave
Richmond, VA 23222

Greene Brian And Ruth Nathanson
3612 Seminary Ave
Richmond, VA 23227

Lloyd Jeffrey K & Sterling K
3608 Seminary Ave
Richmond, VA 23227

Muluneh Daniel And Gereme Nebiat
3607 Brook Rd
Richmond, VA 23227

Vicenti Norine I
3615 Brook Rd
Richmond, VA 23227

Property: 3611 Brook Road Parcel ID: N0001748015**Parcel**

Street Address: 3611 Brook Road Richmond, VA 23227-
Owner: 3609 & 3611 BROOK ROAD LLC
Mailing Address: 117 COUNTRYSIDE LANE, HENRICO, VA 23229
Subdivision Name : GINTER PARK
Parent Parcel ID:
Assessment Area: 208 - Ginter Park
Property Class: 101 - R Single Family Vacant (R1-R7)
Zoning District: R-1 - Residential (Single Family)
Exemption Code: -

Current Assessment

Effective Date: 01/01/2021
Land Value: \$96,000
Improvement Value:
Total Value: \$96,000
Area Tax: \$0
Special Assessment District: None

Land Description

Parcel Square Feet: 18121
Acreage: 0.416
Property Description 1: 0075.00X0241.66 0000.416 AC
State Plane Coords(?): X= 11787077.000005 Y= 3737587.051312
Latitude: 37.58314563 , **Longitude:** -77.45049417

Description

Land Type: Residential Lot A
Topology: Level
Front Size: 75
Rear Size: 242
Parcel Square Feet: 18121
Acreage: 0.416
Property Description 1: 0075.00X0241.66 0000.416 AC
Subdivision Name : GINTER PARK
State Plane Coords(?): X= 11787077.000005 Y= 3737587.051312
Latitude: 37.58314563 , **Longitude:** -77.45049417

Other

Street improvement: Paved
Sidewalk: Yes

Assessments

Assessment Year	Land Value	Improvement Value	Total Value	Reason
2022	\$100,000	\$0	\$100,000	Reassessment
2021	\$96,000	\$0	\$96,000	Reassessment
2020	\$85,000	\$0	\$85,000	Reassessment
2019	\$85,000	\$0	\$85,000	Reassessment
2018	\$85,000	\$0	\$85,000	Reassessment
2017	\$85,000	\$0	\$85,000	Reassessment
2016	\$72,000	\$0	\$72,000	Reassessment
2015	\$72,000	\$0	\$72,000	Reassessment
2014	\$72,000	\$0	\$72,000	Reassessment
2013	\$70,000	\$0	\$70,000	Reassessment
2012	\$70,000	\$0	\$70,000	Reassessment
2011	\$70,000	\$0	\$70,000	CarryOver
2010	\$70,000	\$0	\$70,000	Reassessment
2009	\$69,500	\$0	\$69,500	Reassessment
2008	\$69,500	\$0	\$69,500	Reassessment
2007	\$66,000	\$0	\$66,000	Reassessment
2006	\$53,800	\$0	\$53,800	Reassessment
2005	\$47,600	\$0	\$47,600	Reassessment
2004	\$42,900	\$0	\$42,900	Reassessment
2003	\$42,900	\$0	\$42,900	Not Available
2002	\$38,300	\$0	\$38,300	Not Available
2001	\$33,300	\$0	\$33,300	Reassessment
2000	\$25,000	\$0	\$25,000	Reassessment
1998	\$25,000	\$0	\$25,000	Not Available

Transfers

Transfer Date	Consideration Amount	Grantor Name	Deed Reference	Verified Market Sale Description
12/21/2020	\$770,000	PAHLE NANCY J	ID2020-30804	1 - VALID SALE-Sale Includes Multiple Parcels
01/28/2004	\$482,000	MORTON KIM L & ANTOINETTE D	ID2004-2764	
05/31/1988	\$185,000	Not Available	00166-2193	
12/20/1979	\$0	Not Available	000762-00137	
08/02/1977	\$0	Not Available	000724-01796	

Planning

Master Plan Future Land Use: R
Zoning District: R-1 - Residential (Single Family)
Planning District: North
Traffic Zone: 1007
City Neighborhood Code: GNP
City Neighborhood Name: Ginter Park
Civic Code:
Civic Association Name: Ginter Park Residents Association
Subdivision Name: GINTER PARK
City Old and Historic District:
National historic District: Ginter Park
Neighborhoods in Bloom:
Redevelopment Conservation Area:

Economic Development

Care Area: -
Enterprise Zone:

Environment

100 YEAR Flood Plain Flag: Contact the Water Resources Division at 646-7586.
500 YEAR Flood Plain Flag: N
Resource Protection Flag: Contact the Water Resources Division at 646-7586.
Wetland Flag: N

Census

Census Year	Block	Block Group	Tract
2000	2004	0104002	010400
1990	201	0104002	010400

Schools

Elementary School: Linwood Holton
Middle School: Henderson
High School: Marshall

Public Safety

Police Precinct: 4
Police Sector: 412
Fire District: 16
Dispatch Zone: 081C

Public Works Schedules

Street Sweep: TBD
Leaf Collection: TBD
Refuse Collection: Monday
Bulk Collection: TBD

Government Districts

Council District: 3
Voter Precinct: 307
State House District: 71
State Senate District: 9
Congressional District: 4

Property Images

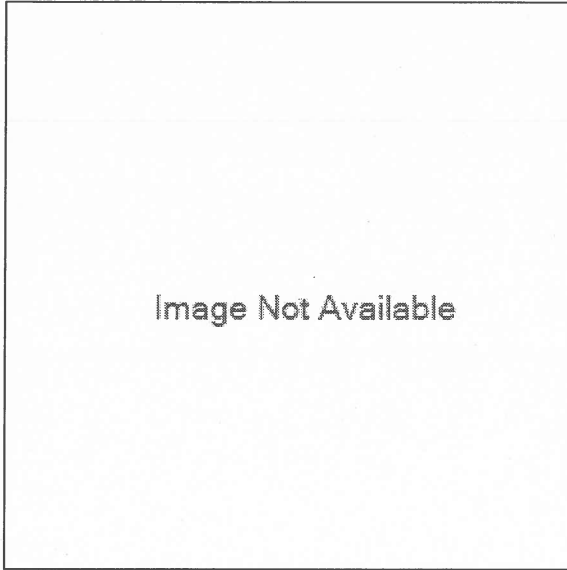
Name:N0001748015 Desc:



[Click here for Larger Image](#)

Sketch Images

Name: Desc:



BZA 60-2021

RICHMOND BOARD OF ZONING APPEALS APPLICATION FORM



THE RICHMOND ZONING ADMINISTRATION OFFICE
ROOM 110, CITY HALL, 900 EAST BROAD STREET
RICHMOND, VIRGINIA 23219
(804) 646-6340

TO BE COMPLETED BY THE APPLICANT

PROPERTY OWNER: 3609 & 3611 Brook Road LLC **PHONE: (Home)** (804) 539-7247 **(Mobile)** ()

ADDRESS 117 Countryside Lane **FAX: ()** **(Work)** ()

Henrico, VA 23229 **E-mail Address:** tedhiansing@gmail.com

PROPERTY OWNER'S

REPRESENTATIVE: Baker Development Resources **PHONE: (Home)** () **(Mobile)** (804) 874-6275

(Name/Address) 530 East Main Street, Suite 730 **FAX: ()** **(Work)** ()

Richmond, VA 23219 **E-mail Address:** markbaker@bakerdevelopmentresources.com

Attn: Mark Baker

TO BE COMPLETED BY THE ZONING ADMINISTRATION OFFICE

PROPERTY ADDRESS (ES) 3611 Brook Road

TYPE OF APPLICATION: ☐ VARIANCE ☒ SPECIAL EXCEPTION ☐ OTHER

ZONING ORDINANCE SECTION NUMBERS(S): 30-300 & 30-402.4

APPLICATION REQUIRED FOR: A lot split and building permit to construct a new single-family detached dwelling.

TAX PARCEL NUMBER(S): N000-1748/015 **ZONING DISTRICT:** R-1 (Single-Family Residential)

REQUEST DISAPPROVED FOR THE REASON THAT: The lot area and lot width requirements are not met. Lot areas of twenty thousand square feet (20,000 SF) and lot widths of one hundred feet (100') are required. For zoning purposes, one (1) lot having a lot area of 42,078.96 square feet and a lot width of one hundred seventy-four and sixty-seven hundredths feet (174.67') currently exists. A lot area of 23,958.00 square feet and width of 99.67 feet is proposed for No. 3609. A lot area of 18,120.96 square feet and width of 75.00 feet is proposed for No. 3611.

DATE REQUEST DISAPPROVED: October 15, 2021 **FEE WAIVER: YES** ☐ **NO:** ☒

DATE FILED: October 15, 2021 **TIME FILED:** 8:30 a.m. **PREPARED BY:** Josh Young **RECEIPT NO.** BZAR-100826-2021

AS CERTIFIED BY: William C. J. **(ZONING ADMINISTRATOR)**

I BASE MY APPLICATION ON:

SECTION 17.20 PARAGRAPH(S) **OF THE CHARTER OF THE CITY OF RICHMOND**

SECTION 15.2 -2309.2 ☒ **OF THE CODE OF VIRGINIA** **[OR]**

SECTION 1040.3 PARAGRAPH(S) 2 **OF THE ZONING ORDINANCE OF THE CITY OF RICHMOND**

TO BE COMPLETED BY APPLICANT

I have received the handouts, Suggestions for Presenting Your Case to the Board & Excerpts from the City Charter ☒

I have been notified that I, or my representative, must be present at the hearing at which my request will be considered.

SIGNATURE OF OWNER OR AUTHORIZED AGENT: Wm W Gillette **DATE:** 10/28/2021

*** TO BE COMPLETED BY THE SECRETARY TO THE BOARD OF ZONING APPEALS ***

CASE NUMBER: BZA 60-2021 **HEARING DATE:** December 1, 2021 **AT** 1:00 **P.M.**

BOARD OF ZONING APPEALS CASE BZA 60-2021
150' Buffer

APPLICANT(S): 3609 & 3611 Brook Road LLC

PREMISES: 3611 Brook Road
(Tax Parcel Number N000-1748/015)

SUBJECT: A lot split and building permit to construct a new single-family (detached) dwelling.

REASON FOR THE REQUEST: Based on Sections 30-300 & 30-402.4
of the Zoning Ordinance for the reason that:
The lot area and lot width requirements are not met.





BOARD OF ZONING APPEALS PRESENTATION SUGGESTIONS

CITY OF RICHMOND, VIRGINIA

When presenting your request for a variance or exception to the Board of Zoning Appeals, it is important that you consider the points outlined below. The City Charter requires that every decision of the Board must be based upon a finding of fact that the Board must determine from sworn testimony, together with pertinent evidence, presented at its public hearing. It is essential that the Board receive thorough and complete information in order for it to adequately consider your case and make an informed decision.

1. The powers and duties of the Board of Zoning Appeals are specified in Section 17.20 of the City Charter and Article X, Division 5, of the Zoning Ordinance. The Zoning Office will assist you in identifying how your case should be filed. If you have questions regarding your case filing, please contact the Zoning Administration Office (646-6340/6701). Please review the applicable provisions of the City Charter or the Zoning Ordinance thoroughly and address them when presenting your case to the Board to show that the applicable requirements have been satisfied.
2. The Board of Zoning Appeals is a quasi-judicial board whose decisions are controlled by statutory law and also take into consideration applicable case law that has been handed down by the Richmond Circuit Court and the Virginia Supreme Court. The Board suggests that if you have any legal questions regarding statutory or case law as it may apply to your application, that those legal issues should be discussed with an attorney before you make your final decision to submit an application to the Board.
3. The Board considers it absolutely essential that you discuss your case with your neighbors (notification letters are sent to property owners within a 150-foot radius of your property) as well as your neighborhood association(s). Information regarding your neighborhood association(s) and/or contact person(s) may be obtained from the City's website at <http://www.richmond.gov.com/PlanningAndDevelopmentReview/civicasociationgroupinformation.aspx>. Once on the page, you can search for your property using the interactive map. A dialogue box will provide you with the names of all civic groups within which your property may lie. Once you have those group names, scroll down the page to the appropriate group(s) to find the contact information for each.
4. **Please be advised that if you fail to discuss your request with your neighbors and neighborhood association(s), you should anticipate that your case will be continued until the Board's next regularly scheduled meeting.** It is highly recommended that you contact your neighborhood association as soon as possible to determine their meeting schedule in order to be sure you allow yourself enough time to talk to all concerned parties prior to the hearing before the Board. **The Board's Rules of Procedure require payment of a \$150.00 continuance fee if the applicant must request a continuance for the reason that the applicant failed to discuss their case with their neighbor(s) or neighborhood association(s).**
4. You are also strongly encouraged to discuss your pending case with the Secretary of the Board, Roy Benbow (804-240-2124) well before the hearing. The Secretary can be helpful by explaining the BZA public hearing process.
5. Utilizing photographs, plans, maps, diagrams and such other written or graphic evidence as needed to fully explain your request can be a great help to the Board in understanding your request and thereby improve your chances for success. Remember a picture is worth a thousand words.
6. Note that, although the Board is not authorized to grant a waiver from the zoning regulations based on financial circumstances alone, it may be a factor to be taken into consideration along with other facts in a case. If your case involves such a factor, please provide the Board with complete and relevant financial information for its review.
7. The Board's hearings are informal, although all testimony is taken under oath. You are not required to be represented by an attorney in presenting your case. However, if you choose, you may have legal representation and/or may utilize such technical experts or other persons to testify on your behalf as you feel are needed to adequately explain your request to the Board.

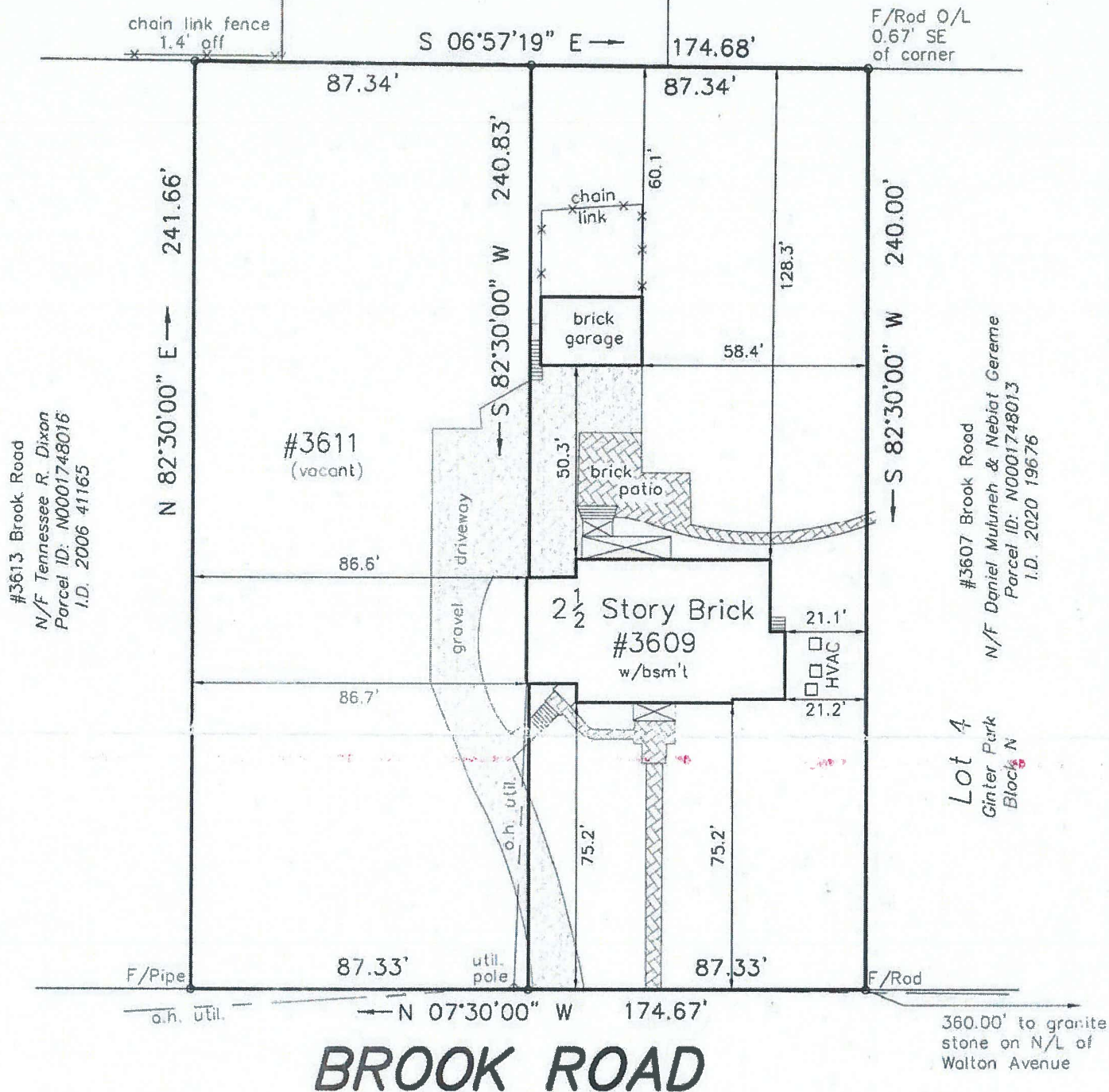
Acknowledgement of Receipt by Applicant or Authorized Agent: _____

(Revised: 4/28/16)

Lot 10

Lot 11

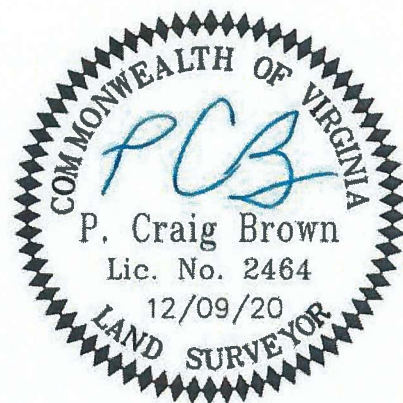
Lot 12



Survey and Plat of

The Properties Known as
#3611 & #3609 Brook Road
in the City of Richmond, VA

This is to certify that on 12/09/20 I made an accurate field survey of the premises shown hereon that all improvements and easements known or visible are shown hereon, that there are no encroachments by improvements either from adjoining premises or from subject premises upon adjoining premises other than shown hereon. THIS PLAT WAS MADE WITHOUT THE BENEFIT OF A TITLE



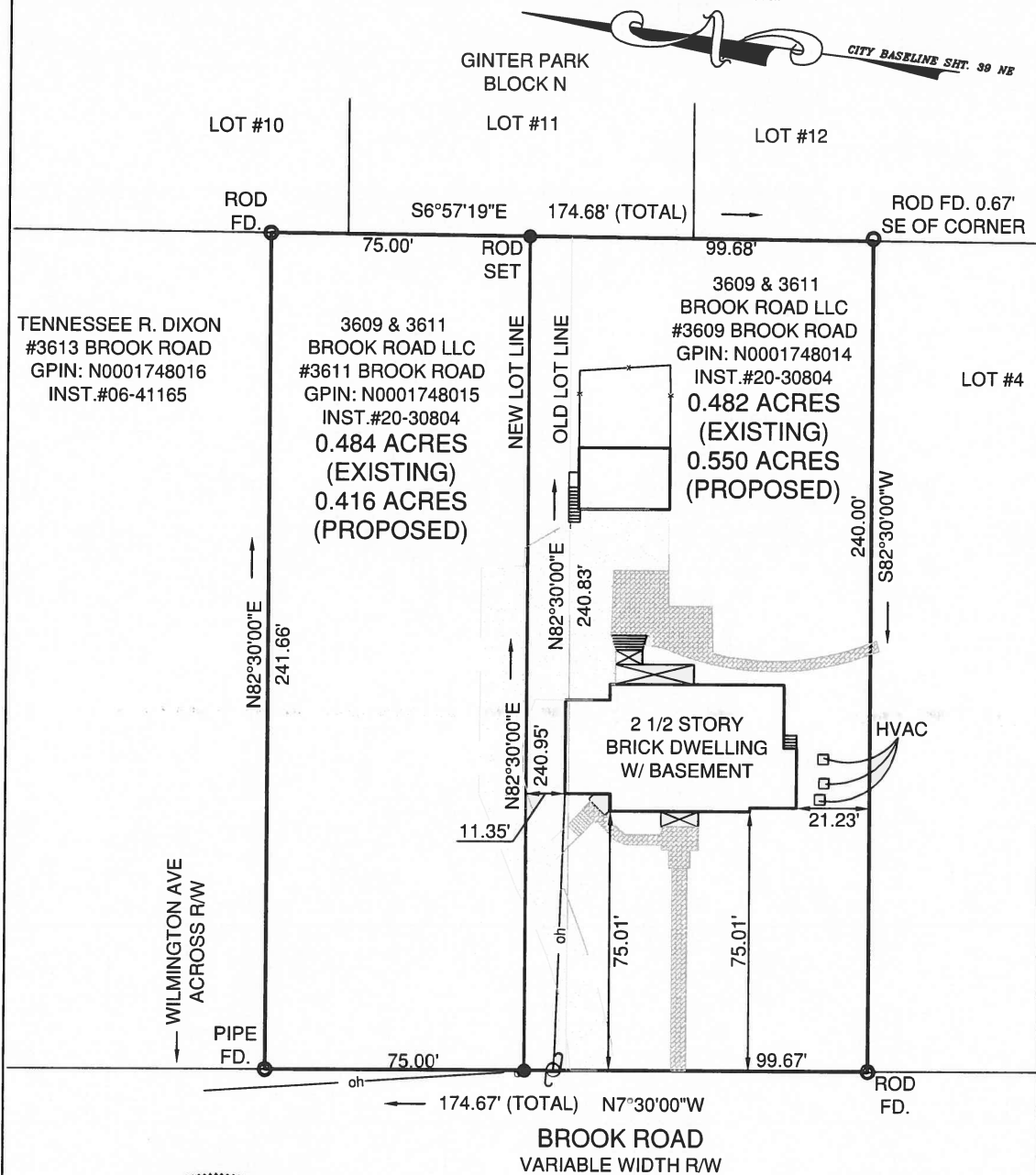
DAVISON LAND SURVEYING

THIS PROPERTY IS LOCATED IN ZONE X AS SHOWN ON THE FLOOD INSURANCE RATE MAP (FIRM), COMMUNITY PANEL #5101290029D, EFFECTIVE DATE APRIL 2, 2009.

THIS SURVEY IS SUBJECT TO ANY EASEMENT OF RECORD OR OTHER PERTINENT FACTS THAT A CURRENT TITLE REPORT MIGHT IDENTIFY. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT.

THIS SURVEY WAS MADE FOR THE PURPOSE OF IDENTIFYING LEGAL BOUNDARIES AND DOES NOT PURPORT TO IDENTIFY ENVIRONMENTAL FEATURES THAT AN ENVIRONMENTAL ASSESSMENT MIGHT IDENTIFY.

REFERENCE PLAT: SURVEY AND PLAT OF THE PROPERTIES KNOWN AS #3611 & #3609 BROOK ROAD IN THE CITY OF RICHMOND, VA DATED DECEMBER 9, 2020 BY DAVISON LAND SURVEYING AND MAPPING.



CHARLES C. TOWNES, II
Lic. No. 2803
5/24/2021
LAND SURVEYOR

GRAPHIC SCALE



1 inch = 40 feet

PLAT SHOWING
PARCEL LINE MODIFICATION OF
3609 & 3611 BROOK ROAD
FOR
TOWER 3, LLC

CITY OF RICHMOND, VIRGINIA

DATE: MAY 24, 2021

SCALE: 1"=40'



townes

consulting engineers, planners, and land surveyors

DRAWN BY: T.S.G.

CHECKED BY:

2463 boulevard
colonial heights, va 23834
telephone: 804.520.9015
facsimile: 804.520.9016
email: cctownes@townespc.com

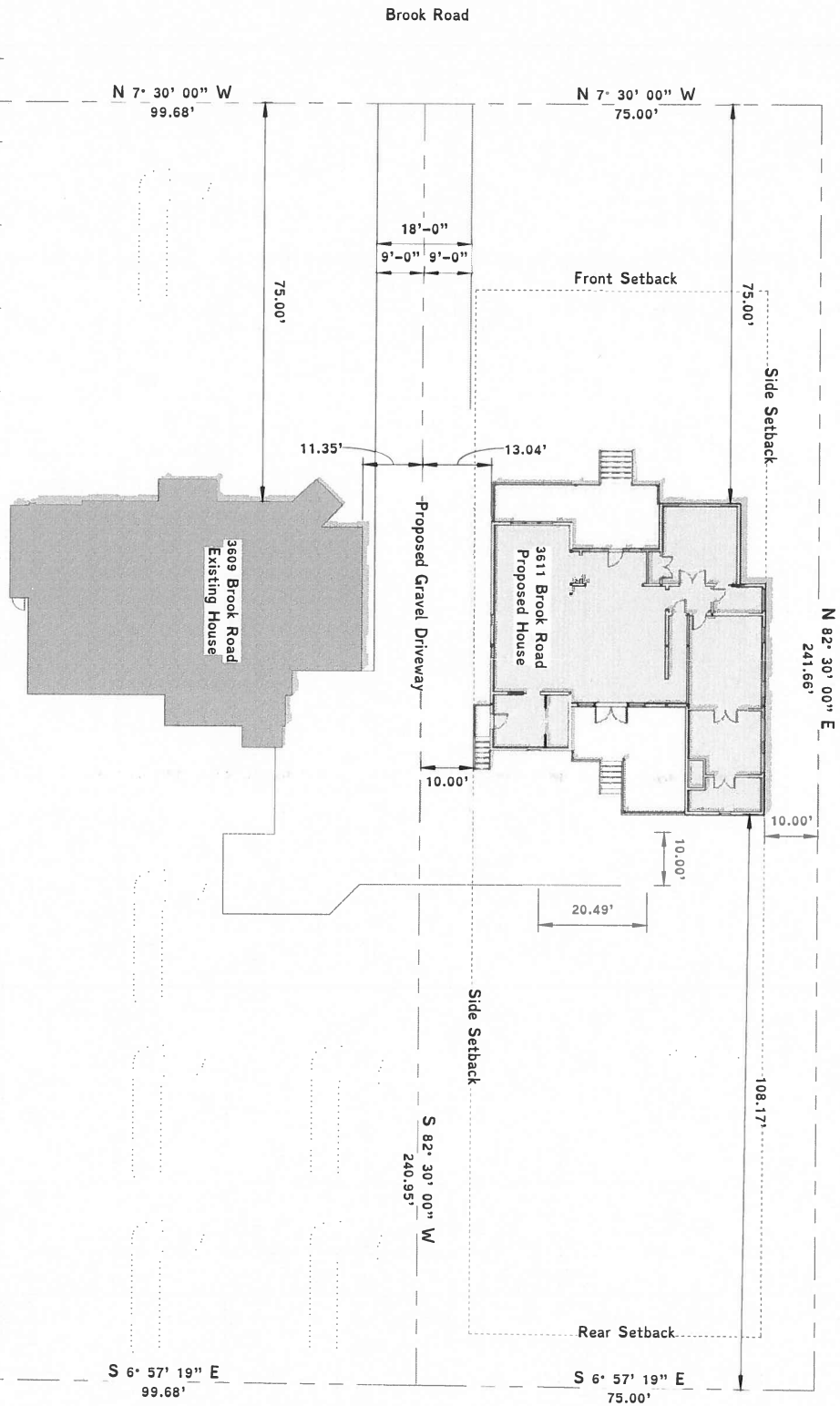
ATTN: JAMES FIFIELD

Rev.	Date	Description
1	10/11/21	Sliding called out, driveway width adjusted, and side porch moved within setbacks

Site Plan

3/64" = 1'-0"

S 82° 30' 00" W
240.00'



Obsidian, Inc.
417 North 22nd Street
Richmond, VA 23223
804.647.1589
obsidianrva@gmail.com

Site Plan
3611 Brook Road - Structural Plans
Tower 3, LLC
September 17, 2021

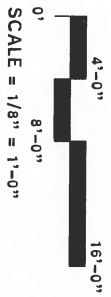
BZA 1



Rev.	Date	Description
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1
1/8" = 1'-0"

1st Floor - Proposed

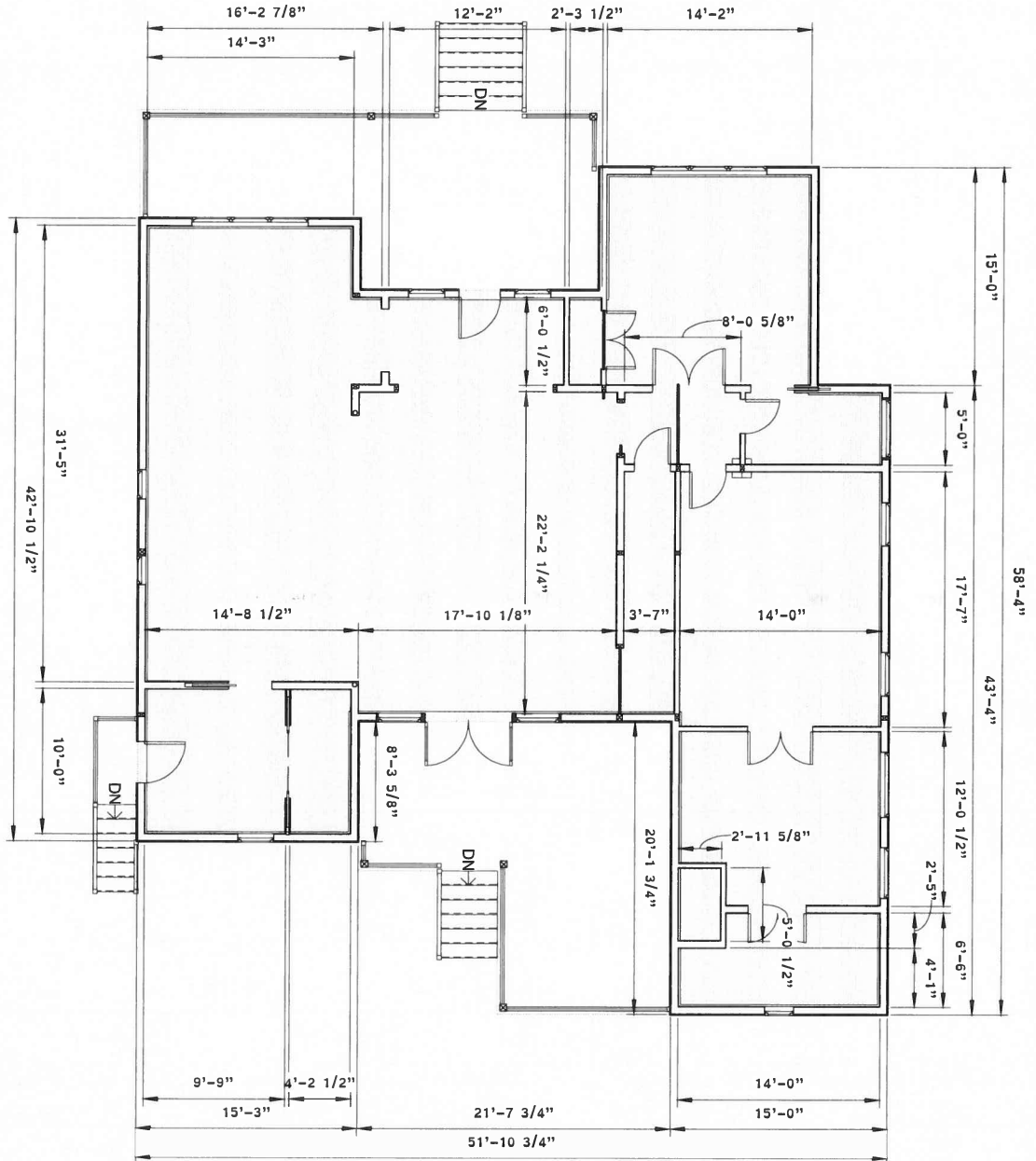


Obsidian, Inc.
417 North 22nd Street
Richmond, VA 23223
804.647.1589
obsidianrva@gmail.com

First Floor Plans
3611 Brook Road - Structural Plans
Tower 3, LLC

September 17, 2021

BZA 2



Rev.	Date	Description
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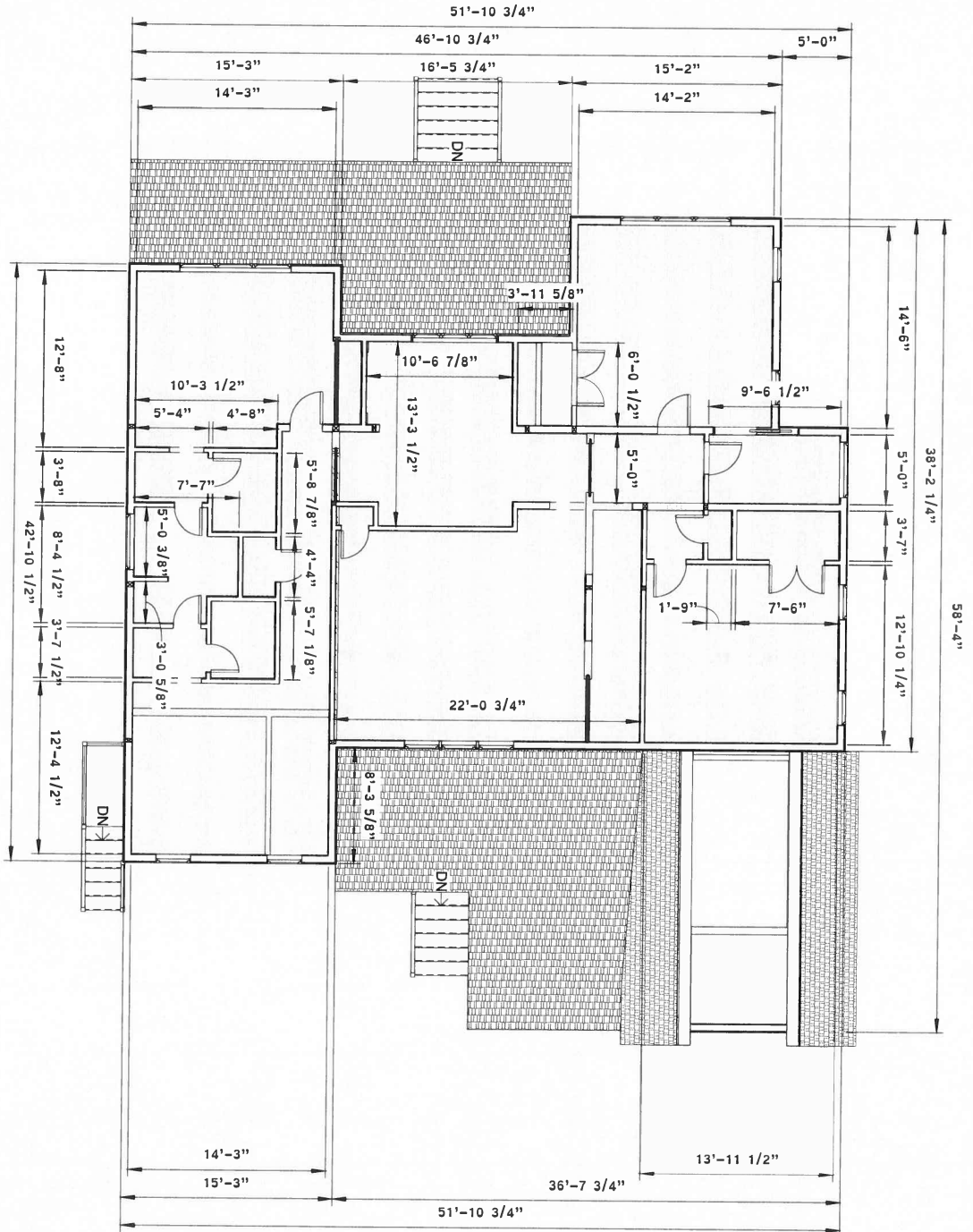
Obsidian, Inc.
417 North 22nd Street
Richmond, VA 23223
804.647.1569
obsidianva@gmail.com

Second Floor Plan
3611 Brook Road - Structural Plans
Tower 3, LLC
September 17, 2021

BZA 3



1 2nd Floor - Proposed
1/8" = 1'-0"



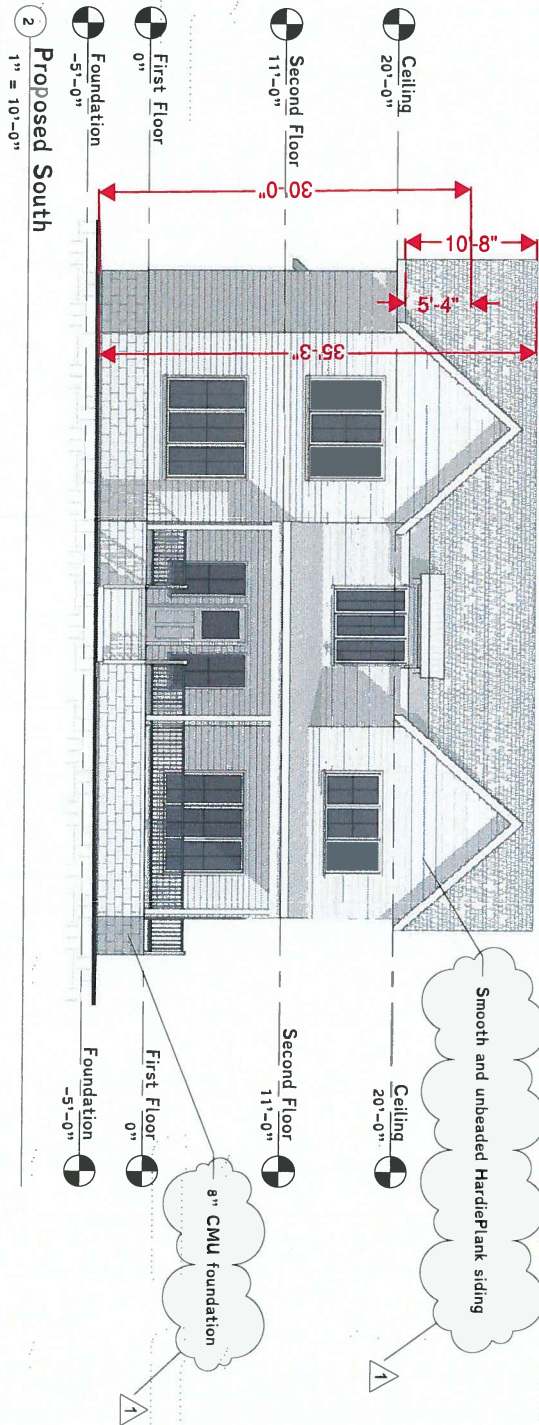
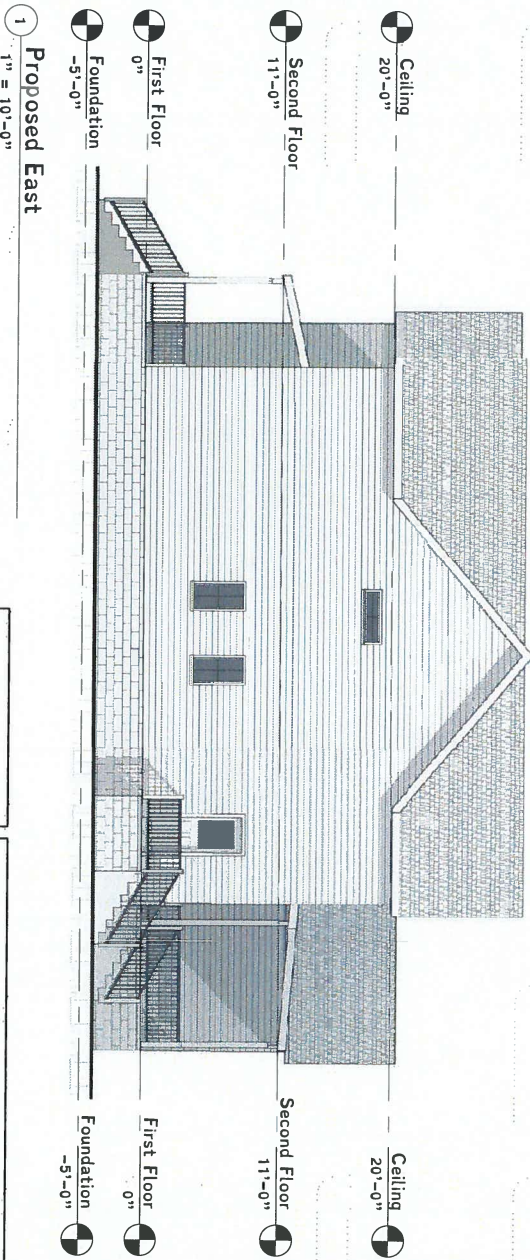
Rev	Date	Description
1	10/11/21	Siding called out, driveway width adjusted, and side porch moved within setbacks



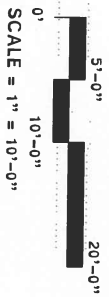
Obsidian, Inc.
417 North 22nd Street
Richmond, VA 23223
804.647.1589
obsidianva@gmail.com

Elevations
3611 Brook Road - Structural Plans
Tower 3, LLC
September 17, 2021

BZA 4



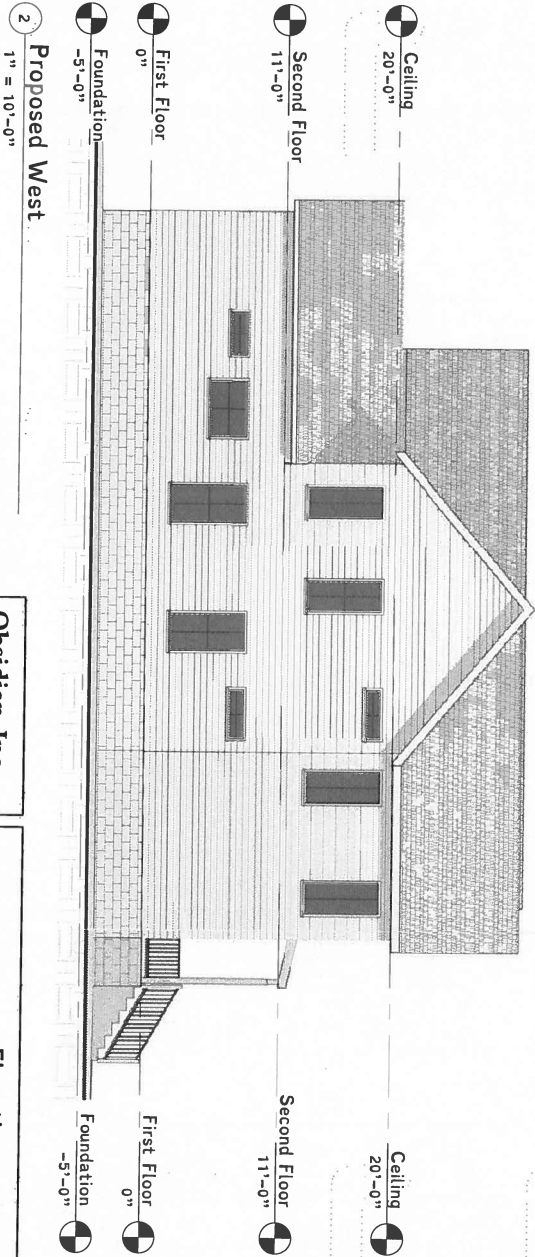
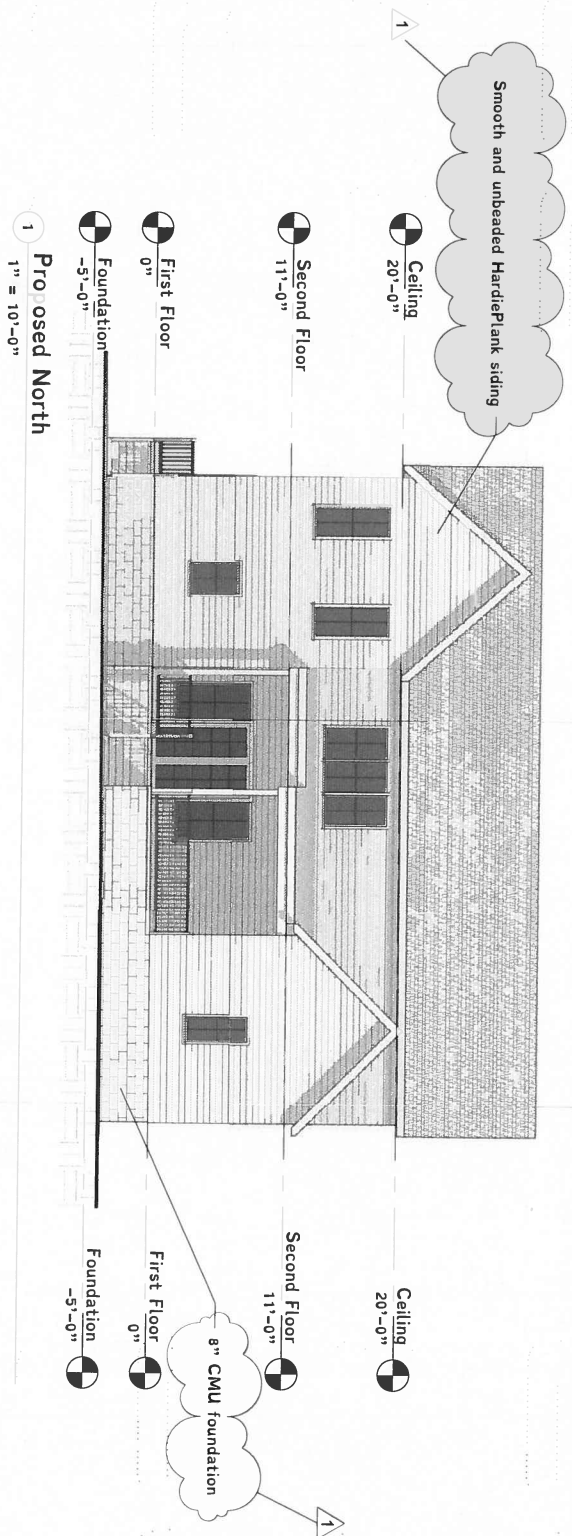
Rev.	Date	Description
1	10/11/21	Siding called out, driveway width adjusted, and side porch moved within setbacks



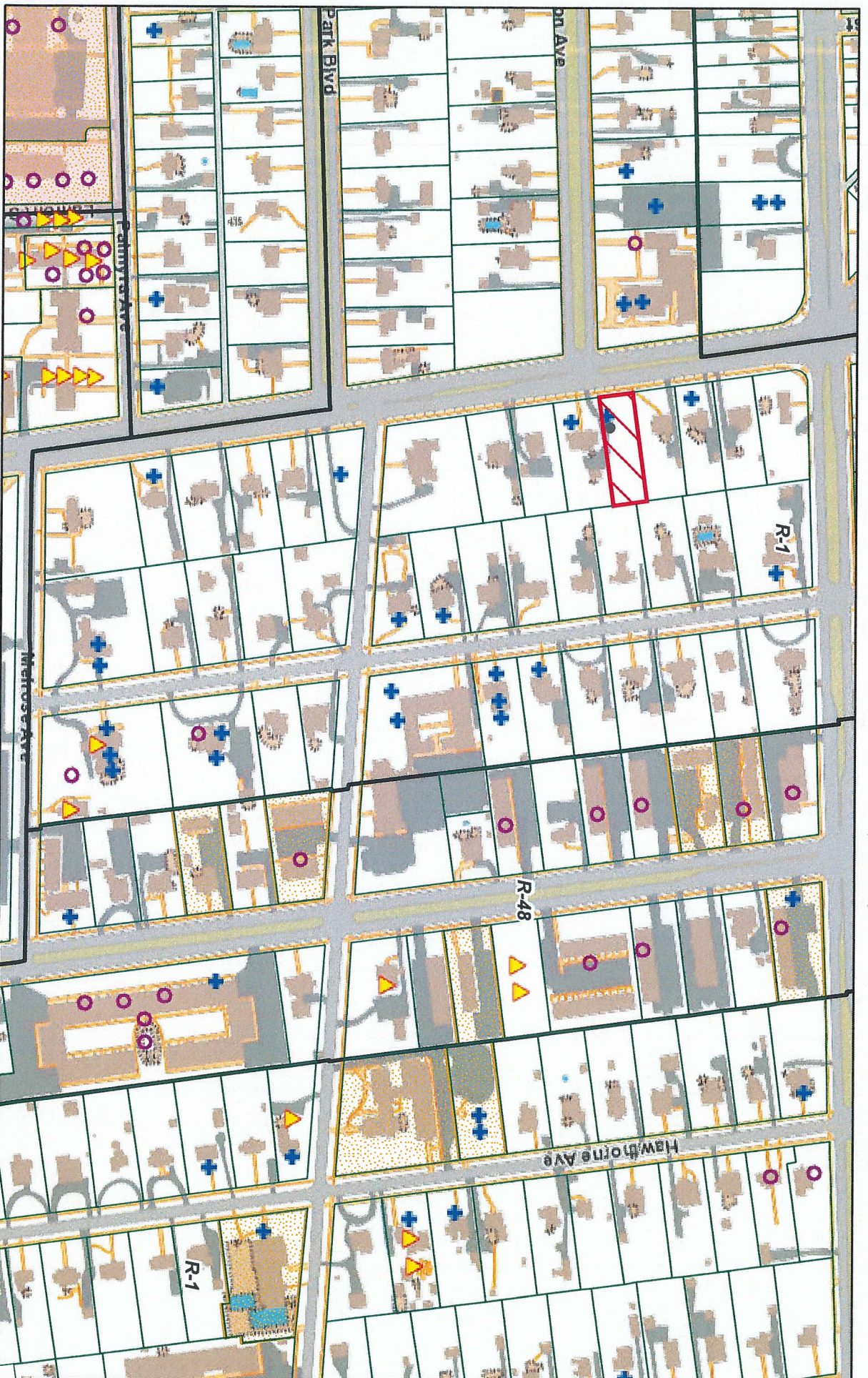
Obsidian, Inc.
417 North 22nd Street
Richmond, VA 23223
804.647.1569
obsidianva@gmail.com

Elevations
3611 Brook Road - Structural Plans
Tower 3, LLC
September 17, 2021

BZA 5



City of Richmond Zoning Map

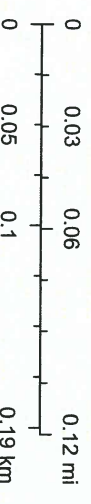


10/20/2021, 11:17:19 AM

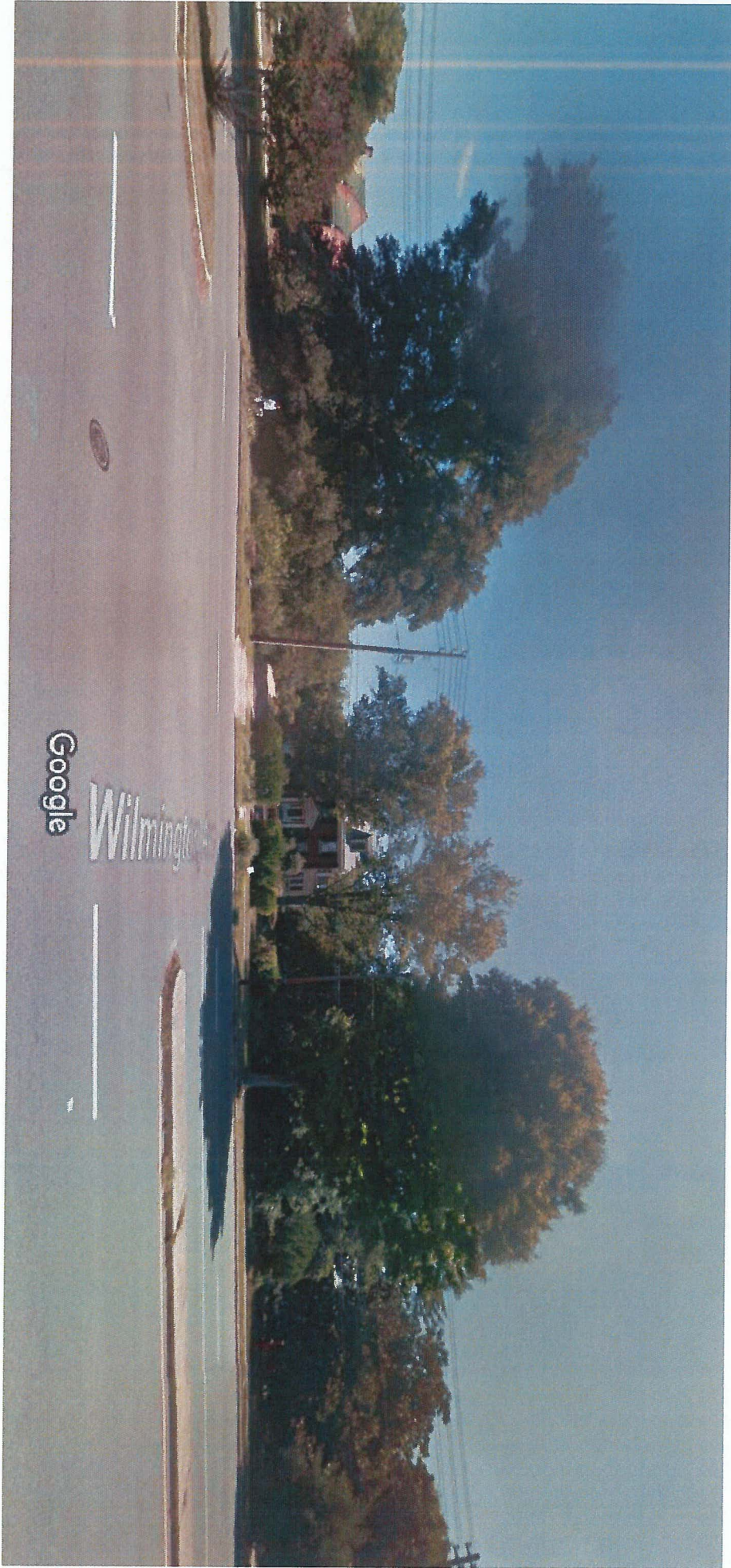
- Parcels
- Board of Zoning Appeals
- Special Use Permits
- Zoning Confirmation Letters
- Plan of Development
- Community Unit Plan

DIT

1:4,514



Google Maps 1201 Wilmington Ave



Richmond, Virginia

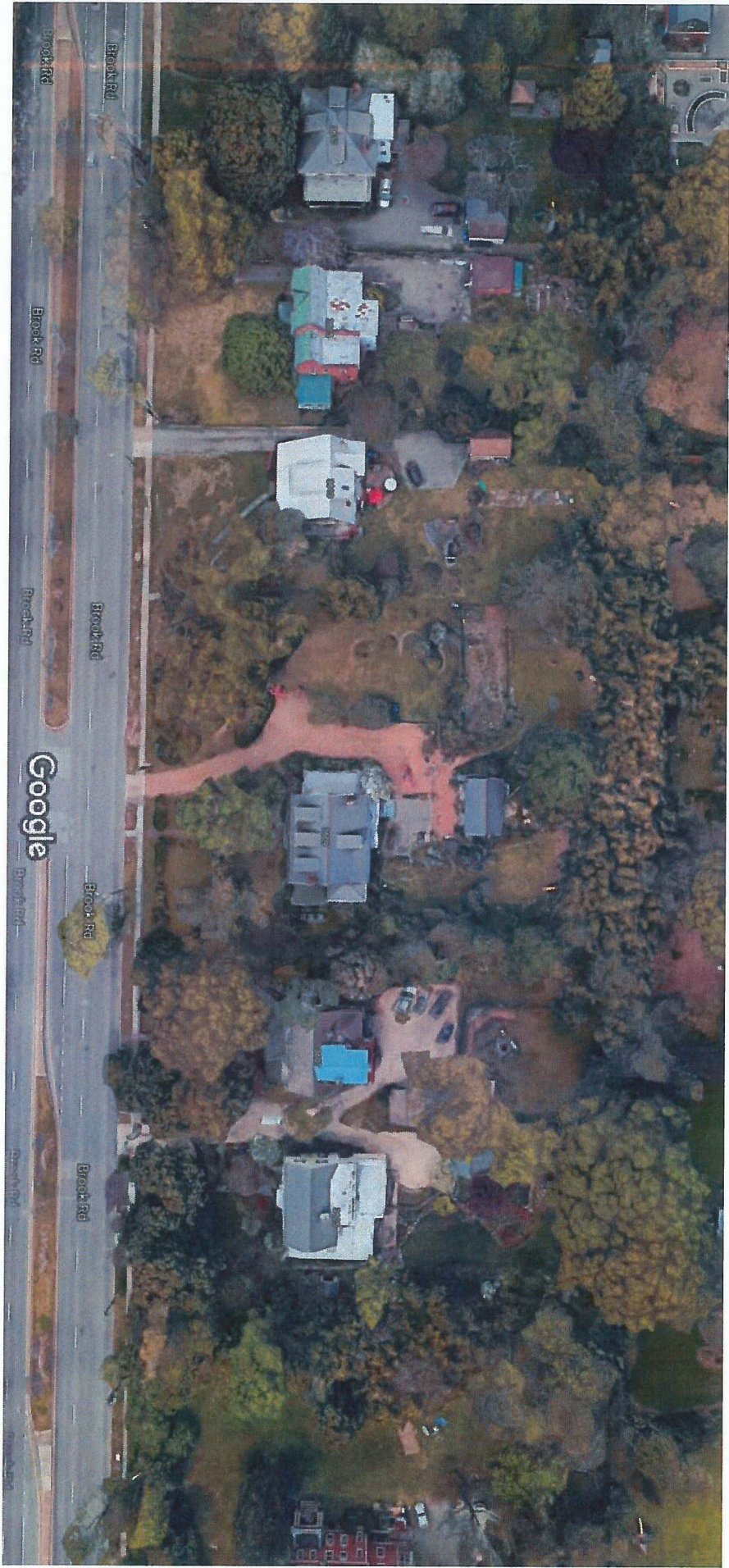
Google

Street View - Aug 2014

Image capture: Aug 2014 © 2021 Google



Google Maps 3611 Brook Rd



Imagery ©2021 Google, Imagery ©2021 Commonwealth of Virginia, Map data ©2021 20 ft