



CITY OF RICHMOND

DEPARTMENT OF PLANNING AND  
DEVELOPMENT REVIEW  
BOARD OF ZONING APPEALS

## BOARD OF ZONING APPEALS

### MEETING MINUTES

WEDNESDAY, DECEMBER 2, 2015

On Wednesday, December 2, 2015, the Board of Zoning Appeals held a public hearing in the Fifth Floor Conference Room, 900 East Broad Street, at 1:00 p.m.; display notice having been published in the Richmond Voice Newspaper on November 18 and 25, 2015 and written notice having been sent to interested parties.

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

Staff Present:               Roy W. Benbow, Secretary  
                                  William Davidson, Zoning Administrator

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The Chairman called the meeting to order and read the Board of Zoning Appeals Introductory Statement, which explains the proceedings of the meeting. The applicant and those appearing in support of an application speak first, followed by those appearing in opposition.

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#### CASE NO. 41-15 (WITHDRAWN)

APPLICANT:               Harold Vega

PREMISES:                1838 WEST GRACE STREET  
                                  (Tax Parcel Number W000-0821/047)

SUBJECT:                 A building permit to convert to a two-family dwelling.

DISAPPROVED by the Zoning Administrator on August 20, 2015, based on Sections 114-300 & 114-416.4(a) of the zoning ordinance for the reason that: In an R-48 (Multi-

Family Residential District), the lot area and lot width are not met. A lot area of 4,400 square feet and a lot width of forty-two feet (42') are required; 3,920 square feet of lot area and twenty-eight feet (28') of width is provided.

APPLICATION was filed with the Board on August 17, 2015, based on Section 1040.3(14) of the City Code.

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CASE NO. 42-15

APPLICANT: Michael & Bevin Kehoe

PREMISES: 4 CALYCANTHUS ROAD  
(Tax Parcel Number W022-0059/003)

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

DISAPPROVED by the Zoning Administrator on October 19, 2015, based on Sections 114-300, 114-402.5(1) & 114-630.1(c) of the zoning ordinance for the reason that: In an R-1 (Single-Family Residential District), the front yard (setback) requirement is not met. A front yard of thirty-five feet (35') is required; ten feet (10') ± is proposed along the Lock Lane frontage.

APPLICATION was filed with the Board on October 16, 2015, based on Section 15.2 – 2309.2 of the Code of Virginia.

APPEARANCES:

For Applicant: John Gray

Against Applicant: none

FINDINGS OF FACT: The Board finds from sworn testimony and exhibits offered in this case that the applicants, Michael and Bevin Kehoe, have requested a variance to construct a detached garage accessory to a single-family dwelling. Mr. John Gray, representing the applicants, testified that the property in question is a through lot with frontage on both Calycanthus Road and Lock Lane. Mr. Gray indicated that the garage measures approximately 26' x 26'. Mr. Gray noted that both streets have a required front yard of 35 feet. Mr. Gray further noted that all of the adjacent dwellings are oriented to Calycanthus Road. Mr. Gray indicated

that the proposal is to construct the garage within 10 feet of the property line adjacent to Lock Lane which is more than sufficient to provide necessary vehicle backup. Mr. Gray noted that there are other accessory structures located adjacent to Lock Lane. Mr. Gray stated that the proposed architectural detail for the garage will be consistent with the existing house and surrounding neighborhood. Mr. Gray indicated that the garage will be brick veneer with a slate roof and a wood garage door. Mr. Gray concluded by stating that the neighborhood is supportive of the requested variance.

The Board finds that evidence shows that the strict application of the terms of the ordinance would unreasonably restrict the utilization of the property or that the granting of the variance would alleviate a hardship due to a physical condition relating to the property or improvements thereon at the time of the effective date of the ordinance, and (i) the property interest for which the variance is being requested was acquired in good faith and any hardship was not created by the applicant for the variance; (ii) the granting of the variance will not be of substantial detriment to adjacent property and nearby properties in the proximity of that geographical area; (iii) the condition or situation of the property concerned is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to the ordinance; (iv) the granting of the variance does not result in a use that is not otherwise permitted on such property or a change in the zoning classification of the property; and (v) the relief or remedy sought by the variance application is not available through a special exception process that is authorized in the ordinance pursuant to subdivision 6 of § 15.2-2309 or the process for modification of a zoning ordinance pursuant to subdivision A4 of § 15.2-2286 at the time of the filing of the variance application.

**RESOLUTION: NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ZONING APPEALS** that a request for a variance from the front yard (setback) requirement be granted to Michael & Bevin Kehoe for a building permit to construct a detached garage accessory to a single-family dwelling.

**ACTION OF THE BOARD:** (5-0)

Vote to Grant

affirmative: Poole, Hogue, Pinnock, York, Samuels

negative: none

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Upon motion made by Mr. York and seconded by Ms. Hogue, Members voted (5-0) to adopt the Board's November 4, 2015 meeting minutes.

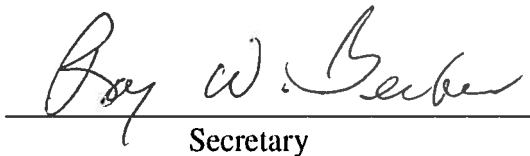
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The meeting was adjourned at 1:45 p.m.

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Chairman



Secretary