

BOARD OF ZONING APPEALS

CONFERENCE ROOM - DEPARTMENT OF PUBLIC WORKS BLDG.

Call Meeting August 28, 1944 - 4:30 P. M.

PRESENT: F. E. Brown, Vice Chairman presiding.
Members - A. K. Muhleman, A. W. Maynard & W. F. Woodson, Secretary.

The following cases were heard:

APPEAL: 37-44

APPLICANT: Mrs. E. L. Awalt

SUBJECT: Application for permission to erect an ice cream factory and sales room in an "H" Commercial District.

PREMISES: 1903 Semmes Avenue.

APPEARANCES:

For applicant - H. C. Messerschmidt, Architect, Mr. & Mrs. Awalt, J. Vernon Rice and Miss Victor.

Against applicant - Letters from Safeway Stores and North State Improvement Co., Lessees & owners respectively of the adjoining property.

For City - Mr. C. Stuart Duggins.

ACTION OF BOARD: Permission granted.

Vote to grant-

Affirmative - Brown, Muhleman, Maynard & Woodson 4

Negative - 0

Absent - Hastings 1

RESOLUTION:

Whereas, Mrs. E. L. Awalt filed an application with the Commissioner of Buildings under date of August 16, 1944, for permission to erect an ice cream factory and sales room in an "H" Commercial District, and

Whereas, the decision of the Commissioner of Buildings under date of August 16, 1944, disapproved the request under Article IX, Section 2 for the reason that "An ice cream manufacturing plant is not permitted in the "H" Commercial District," and

Whereas, a public hearing was held at a meeting of the Board of Zoning Appeals on August 28th, 1944, after notice in the News-Leader and written notices sent to the adjoining property owners, and

Whereas, the property consists of a plot of ground fronting 150 feet on Semmes Avenue and 120 feet on 20th Street, on which it is proposed to erect a one and one-half story brick building 40' X 100'.

Whereas, power for the operation of the plant will be furnished by an electric motor not in excess of five (5) horse power, a boiler of not over three (3) Hp. will furnish heat and sterilization of equipment and the boiler will burn oil.

Therefore, be it resolved that the Board does hereby make a variation from the Zoning Ordinance and grants the request.

APPEAL: 34-44

APPLICANT: C. S. Kouri

SUBJECT: Application for permission to erect a one story cinder block addition 16' X 29' to the present nonconforming building.

PREMISES: 1016 North 29th Street;

PUBLIC HEARING - August 15, 1944 (see page 154 of Minute Book)

ACTION OF BOARD: Request granted.

Vote to grant -

Affirmative - Brown, Muhleman & Maynard	3
Negative - Woodson	1
Absent - Hastings	1

RESOLUTION:

Whereas, C. S. Kouri filed an application with the Commissioner of Buildings under date of August 4th, 1944 for permission to erect a one story cinder block addition 16' X 29' to the present nonconforming frame store building, in an "E" Multiple-Family District, and

Whereas, the decision of the Commissioner of Buildings rendered August 5th, 1944, disapproved the request under Article XIII, Section 5 for the reason that "No existing building or premises devoted to a use not permitted in the district in which such building or premises is located shall be enlarged, extended, reconstructed or structurally altered, unless such use is changed to a use permitted in the district in which such building or premises is located."

Whereas, a public hearing was held at a call meeting of the Board of Zoning Appeals on August 15th, 1944, after notice by publication in the Times-Dispatch and written notice to the adjoining property owners, and

Whereas, the property consists of a plot of ground 32.5 feet by 100 feet on which there now exists three (3) stores, and

Whereas, there was no opposition to granting the request.

Therefore, be it resolved that the Board does hereby make a variation from the Zoning Ordinance and grants the request.

A motion to adjourn was made and adopted, the Board then adjourned.

J. E. Brown
VICE CHAIRMAN

W. Woodson
SECRETARY

VIRGINIA:

IN THE HUSTINGS COURT OF THE CITY OF RICHMOND.
September 20, 1944.

A. O. Budina and Louis W. Ballou, who have been appointed by this Court as members of the Board of Zoning Appeals for the City of Richmond to fill the unexpired terms of E. M. Hastings and F. E. Brown, respectively, this day qualified as such members of the Board of Zoning Appeals for the City of Richmond by taking and subscribing the oath required by law.

A copy teste:

Raschman
Deputy Clerk