



BOARD OF ZONING APPEALS

MEETING MINUTES

WEDNESDAY, OCTOBER 1, 2025

On Wednesday, October 1, 2025, the Board of Zoning Appeals held a public hearing in the 2nd Floor Council Chamber, 900 East Broad Street, at 1:00 p.m.; display notice having been published in the Richmond Legacy Newspaper on September 17 and 24, 2025 and written notice having been sent to interested parties.

Members Present: Rodney M. Poole, Chair
 Mary J. Hogue
 Susan Sadid
 Edward H. Winks, Jr.
 Charles L. Menges

Staff Present: Roy W. Benbow, Secretary
 William C. Davidson, Zoning Administrator
 Brian P. Mercer, Planner
 Neil R. Gibson, Senior Assistant City Attorney

The Chair 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.

BZA 34-2025

APPLICANT: David and Kristin Bush

PREMISES: 5900 YORK ROAD
 (Tax Parcel Number W021-0308/014)

SUBJECT: A building permit to construct a one-story addition to an existing single-family (detached) dwelling.

DISAPPROVED by the Zoning Administrator on August 18, 2025, based on Sections 30-300, 30-404.5(1) & 30-630.2(b)(2) of the zoning ordinance for the reason that: In an R-2 (Single-Family Residential) District, front yard (setback) requirement is not met. As per the "1 in 4 Rule", a yard varying in depth from 45.01 feet $\pm$ to 39.12 feet $\pm$ is required for the proposed addition along the Maple Avenue frontage; 34.43 feet $\pm$ is proposed.

APPLICATION was filed with the Board on August 7, 2025, based on Section 30-1040.3(1) of the City of Richmond Zoning Ordinance.

APPEARANCES:

For Applicant: Kristin Bush

Against Applicant: None

FINDINGS OF FACT: The Board finds from sworn testimony and exhibits offered in this case that the applicants, David and Kristin Bush, have requested a special exception to construct a one-story addition to a single-family attached dwelling for property located at 5900 York Rd. Ms. Kristin Bush testified that they would like to construct a one-story addition to their property. Ms. Bush stated that the addition would allow them to modernize their home, allowing them to continue to remain in the city. Ms. Bush explained that they originally purchased their home in 1996. Ms. Bush indicated that the addition is the minimum necessary and cannot reasonably be located elsewhere on the lot in compliance with the zoning ordinance. Further, the addition would be in keeping with the architectural character of the dwelling and development within the neighborhood. Ms. Bush concluded by stating that letters were sent to all property owners with a 150-foot radius and no opposition was noted. Additionally, the Westview Civic Association was contacted but it was determined they are not active. The Westhampton Civic Association was also contacted but they only respond to commercial cases. Finally, the property owner who was most directly affected by the 1:4 rule has no objection to the requested special exception.

The Board is satisfied that the property was acquired in good faith and pursuant to Section 30-1040.3(1) of the City Code, the intended purpose and use of the proposed addition is consistent with the zoning district regulations; departure from the yard requirements is the minimum necessary to accommodate the intended purpose of the addition; the addition or similar construction serving the same purpose cannot reasonably be located elsewhere on the lot in compliance

with the zoning ordinance; and the addition will be in keeping with the architectural character of dwelling and development within the neighborhood.

RESOLUTION: NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ZONING APPEALS that a request for a special exception from the front yard (setback) requirement be granted to David and Kristin Bush for a building permit to construct a one-story addition to an existing single-family (detached) dwelling, subject to substantial compliance with the plans submitted to the Board.

ACTION OF THE BOARD: (5-0)

Vote to Grant Conditionally

affirmative: Poole, Hogue, Sadid, Winks, Menges

negative: None

BZA 35-2025

APPLICANT: K C Enterprises of VA LLC

PREMISES: 1911 MAPLEWOOD AVENUE
(Tax Parcel Number W000-0843/006)

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

DISAPPROVED by the Zoning Administrator on August 7, 2025, based on Sections 30-300 & 30-410.4 of the zoning ordinance for the reason that: In an R-5 (Single-Family Residential) District, the lot area and lot width requirements are not met. A lot area of 6,000 square feet and a lot width of 50 feet are required. A lot area of 4,680 square feet and a lot width of 40 feet are proposed.

APPLICATION was filed with the Board on August 7, 2025, based on Section 30-1040.3(2) of the City of Richmond Zoning Ordinance.

APPEARANCES:

For Applicant: Alessandro Ragazzi

Against Applicant: None

FINDINGS OF FACT: The Board finds from sworn testimony and exhibits offered in this case the applicant, KC Enterprises VA LLC, have requested a special exception to construct a new single-family detached dwelling for property located at 1911 Maywood Ave. Mr. Alesandro Ragazzi, representing the applicant, testified that the request is for Special Exception #2 to authorize the construction of one new single-family detached dwelling. Mr. Ragazzi noted that 1911 Maplewood Ave. is currently an existing lot located on the southern block face of Maplewood Avenue between S. Meadow St. and S. Granby St. The lot was combined, from a zoning perspective, with 1909 Maplewood Ave. due to physical improvements on the lot while under shared ownership. Historically the parcel has been described as a legal lot of record since at least 1941. The request is consistent with the special exception intent of creating infill housing that is compatible with the neighborhood. The applicant is proposing to construct a 1 ½ story frame dwelling on the existing 40 foot wide lot. The dwelling will contain approximate 1500 ft.² of floor area and include three bedrooms and 2 ½ baths. The dwelling has been designed to be compatible with existing homes in the area and to meet the needs of today's homebuyers with an open first floor kitchen and dining area and a primary bedroom suite with a walk-in closet which provide an opportunity for the occupants to age in place. The exterior reflects the existing dwellings in the area with front porches, a 1.5 story height and cementitious siding. Mr. Ragazzi noted that the lot was a legal lot of record which had been combined. The street frontage requirements are met as are the side yard requirements. Further, the lot is consistent with the predominant lot width of lots in the vicinity. Likewise, the new dwelling will be compatible with dwellings in the vicinity. Mr. Ragazzi stated letters were sent to all property owners within 150-foot radius and that they had reached out to the Randolph Neighborhood Association and were aware of no opposition to the requested special exception.

The Board is satisfied that the property was acquired in good faith and pursuant to Section 30-1040.3 (2) of the zoning ordinance, the subject lots have previously consisted of legal lots of record that were subsequently combined by deed or other means, and the number of lots to be created do not exceed the number of previously existing lots of record, the new lots comply with Section 30-610.1 of the zoning ordinance and off-street parking requirements will be met, each lot created by the division will comply with the requisite side yard requirements, the division will comply with applicable requirements of the subdivision regulations, the areas and widths of the lots created by the division are consistent with the predominant lot areas and lot widths in the immediate vicinity of the property and that dwellings to be constructed on the lots will be compatible with the dwellings existing or to be constructed in the immediate vicinity of the property.

RESOLUTION: NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ZONING APPEALS that a request for a special exception from the lot area and lot width requirements be granted to K C Enterprises of VA LLC for a lot split

and building permit to construct a new single-family (detached) dwelling, subject to substantial compliance with the plans submitted to the Board and provision of cementitious siding.

ACTION OF THE BOARD: (5-0)

Vote to Grant Conditionally
affirmative: Poole, Hogue, Sadid, Winks, Menges

negative: None

BZA 36-2025

APPLICANT: Eastern Edge Development LLC

PREMISES: 2508 Q STREET
(Tax Parcel Number E000-0519/018)

SUBJECT: Building permits to construct two new single-family (attached) dwellings.

DISAPPROVED by the Zoning Administrator on August 14, 2025, based on Sections 30-300 & 30-433.2(8) of the zoning ordinance for the reason that: In a UB (Urban Business) District, the proposed use is not permitted as the commercial frontage requirement is not met. Dwelling units contained within the same building as other permitted principal uses are permitted, provided that such dwelling units shall be located above the ground floor of the building or to the rear of other permitted principal uses so as not to interrupt commercial frontage in the district. No commercial use is proposed along the ground floor as the entire buildings will be devoted to residential uses.

APPLICATION was filed with the Board on August 14, 2025, based on Section 30-1040.3(5) of the City of Richmond Zoning Ordinance.

APPEARANCES:

For Applicant: Will Gillette

Against Applicant: None

FINDINGS OF FACT: The Board finds from sworn testimony and exhibits offered in this case that the applicant, Eastern Edge Development LLC, has requested a

special exception to construct two single-family attached dwellings for property located at 1508 Q St. Mr. Will Gillette, representing the applicant, testified that his client is requesting relief under Special Exception #5. Mr. Gillette explained the lot is an existing, legal, buildable lot of record encompassing both 2508 & 2510 Q Street. The property is zoned UB Urban Business District and is 45 feet in width and 120 feet in depth containing 5178 ft.² of lot area. A waiver is being requested regarding the first-floor commercial requirement that stipulates 1000 ft.² or one third of the ground floor must be commercial usage in the UB district. Mr. Gillette noted that the proposed homes would be consistent with other homes in the area which are typically two stories in height. The proposed dwellings would contain three bedrooms, 2 ½ bathrooms and encompass approximately 1600 ft.² of living area. The dwellings would be clad with cementitious siding and each would include two parking spaces accessible from the alley. Mr. Gillette noted that the request is consistent with Special Exception #5 where the established/proposed character of development suggests that uninterrupted commercial frontage is not the most desirable form of development and additional dwellings would be beneficial in terms of the economic viability of the area. Mr. Gillette indicated that due to the existing or projected land uses, there is no purpose to be served by providing for uninterrupted commercial frontage on the property, and further that the ground floor commercial space on the property is not economically viable. Mr. Gillette explained that the existing commercial uses to the west have been underutilized for an extended period of time and the residential dwellings to the east prevent any uninterrupted commercial frontage along the northern blockface. Further, the first police precinct occupies the southern blockface which is inconsistent with an active commercial frontage. Mr. Gillette noted that with the exception of the subject property the block is built out. The Richmond 300 Plan future land-use suggested single-family dwellings are contemplated for the area. Also, consistent with Special Exception #5 the proposed exception will increase residential occupancy in the area thereby facilitating a mixed-use character of the district in which the property is located. The proposed exception would increase residential occupancy thereby supporting existing commercial uses in the vicinity as well as the mixed-use character of the area. Finally, in terms of the special exception tests alterations to the building will not be architecturally incompatible with the dominant character of the building façades on the block. The proposed buildings are consistent with existing buildings in the block having generally two stories of height and utilizing lap siding. Further, the proposed design is consistent with other infill development on the street. Finally, it should be noted that the proposed residential use is significantly less intense and more compatible with the existing uses in the block. Mr. Gillette noted they had presented to the Church Hill Central Civic Association, and they were supportive of the project. Further letters were sent to all property owners within a 150-foot radius and no opposition was noted.

The Board is satisfied that the property was acquired in good faith and pursuant to Section 30-1040.3 (5) of the zoning ordinance that the applicant has demonstrated that there is no purpose in providing for uninterrupted commercial frontage and that ground floor commercial space is either physically impractical or economically unfeasible, additionally increasing the dwelling unit floor area will increase residential occupancy thereby facilitating a mixed use character of the neighborhood and finally that any proposed alterations to the building will not be architecturally incompatible with the dominant character of building façades on the block.

RESOLUTION: NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ZONING APPEALS that a request for a special exception from the commercial frontage requirement be granted to Eastern Edge Development LLC for building permits to construct two new single-family (attached) dwellings, subject to substantial compliance with the plans submitted to the Board and provision of cementitious siding.

ACTION OF THE BOARD: (5-0)

Vote to Grant Conditionally
affirmative:

Poole, Hogue, Sadid, Winks, Menges

negative:

None

BZA 37-2025

APPLICANT: Economic Development Authority of the City of Richmond, VA

PREMISES: 2907 NORTH ARTHUR ASHE BOULEVARD
(Tax Parcel Number N000-1510/012)

SUBJECT: A building permit to construct a new solar array.

DISAPPROVED by the Zoning Administrator on July 8, 2025, based on Sections 30-300 & 30-457.2 of the zoning ordinance for the reason that: In a TOD-1 (Transit-Oriented Nodal) District, electricity generation is not a permitted principal use in the zoning district.

APPLICATION was filed with the Board on August 14, 2025, based on Section 17.20(d)(1) of the Charter of the City of Richmond.

APPEARANCES:

For Applicant: Brian Jackson
 Austin Jones

Against Applicant: None

FINDINGS OF FACT: The Board finds from sworn testimony and exhibits offered in this case, Economic Development Authority of the City of Richmond VA, has requested a special exception to construct a new solar array at 2907 N. Arthur Ashe Blvd. Mr. Brian Jackson, representing Dominion Energy Virginia, testified that the applicant is requesting a waiver in accordance with §17.20 (d) (1) of the City Zoning Ordinance which allows the BZA to grant waivers from the use of land by public service corporation for public utility purposes to permit exceptions to the district regulations and restrictions, provided such exception shall by their design, construction and operation adequately safeguard the health, safety and welfare of the occupants of the adjoining and surrounding property, shall not unreasonably impair an adequate supply of light and air to adjacent property, shall not increase congestion in streets and shall not increase public danger from fire or otherwise unreasonably affect public safety and shall not diminish or impair the established property values in the surrounding areas. The Board under subsection (1) has the authority to permit the use of land or direction or use of a building or structure by a public service corporation for public utility purposes exclusively which the Board finds to be reasonably necessary for the public convenience and welfare. The Economic Development Authority (EDA) is the owner of the property. The Solar project will consist of the installation of solar panels onto the Stadium structure and canopies in the parking areas as shown on the site plans and renderings included with the application. Over the next 15 years, the applicant plans to add about 16,000 MW's of solar generating capacity. Mr. Jackson noted that the properties located within areas located within the Greater Scots Edition Association. The Applicant discussed the Solar Project with the associations President and invited the Association to a community meeting and project open house on September 23, 2025. Mr. Jackson concluded by stating that in light of the Applicant status as a Virginia public service corporation, the Solar projects approval by the UDC and Planning Commission, and the BZA's authority under §17.20 the Applicant respectfully requests an exception to the applicable zoning for the Property, to allow the installation and use of the property for the Solar Project.

The Board finds that that the Applicant's request is consistent with §17.20 (d) (1) the City Charter and that the requested special exception will adequately safeguard the health safety and welfare of the occupants of the adjoining and surrounding property, will not unreasonably impair an adequate supply of light and air to adjacent property, will not increase congestion in the streets and will not increase public danger from fire or otherwise unreasonably affect public

safety and will not diminish or impair the established property values in the surrounding areas.

The Board further finds that the proposed use Solar array panels for the Virginia Electric and Power company, a Virginia public service corporation, doing business as Dominion Energy Virginia are reasonably necessary for the public convenience and welfare.

RESOLUTION: NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ZONING APPEALS that a request for a special exception from the permitted principal use requirement be granted to Economic Development Authority of the City of Richmond, VA for a building permit to construct a new solar array, subject to substantial compliance with the plans submitted to the Board.

ACTION OF THE BOARD: (5-0)

Vote to Grant Conditionally

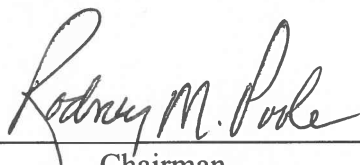
affirmative: Poole, Hogue, Sadid, Winks, Menges

negative: None

Upon motion made by Ms. Hogue and seconded by Mr. Winks, Members voted (3-0) to adopt the Board's September meeting minutes.

The meeting was adjourned at 1:40 p.m.


Secretary


Chairman