

Form and Correctness Approved:

Contents Approved:

By [Signature]
Office of the City Attorney

By [Signature]
DEPT.

NORFOLK, VIRGINIA

ORDINANCE No. 43,054

PH-2B

AN ORDINANCE GRANTING A SPECIAL EXCEPTION TO PERMIT THE CONSTRUCTION OF SEVEN OR MORE DWELLING UNITS ON PROPERTY LOCATED AT 3706 AND 3710 COLLEY AVENUE.

- - -

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That a Special Exception is hereby granted authorizing the construction of seven (7) or more dwelling units on property located at 3706 and 3710 Colley Avenue. The property which is the subject of this Special Exception is more fully described as follows:

Property located on the northeast corner of Colley Avenue and 37th Street; property fronts 100 feet, more or less, along the eastern line of Colley Avenue and 142 feet, more or less, along the northern line of 37th Street; premises numbered 3706 and 3710 Colley Avenue.

Section 2:- That the Special Exception granted hereby shall be subject to the following conditions:

- (a) The site shall be developed and landscaped generally in conformity with the attached site plan and landscape plan, attached and marked as "Exhibit A." The site plan and landscape plan may, at the request of the City, be required to be revised during the site plan approval process so as to comply with applicable regulations.
- (b) Each of the façade elevations of the buildings to be renovated on this property will be reviewed and approved by the Norfolk Design Review Committee and City Planning Commission prior to the issuance of any building permits.

- (c) No more than eight (8) dwelling units shall be permitted on the site.

Section 3:- That the City Council hereby determines that the Special Exception granted herein complies with each of the requirements of § 25-7 of the Zoning Ordinance of the City of Norfolk, 1992 (as amended), namely that:

- (a) The proposed use and development will be in harmony with the objectives and policies of the adopted General Plan of Norfolk and with the general and specific purposes for which this ordinance was enacted and for which the regulations of the district in question were established;
- (b) The proposed use and development will not substantially diminish or impair the value of the property within the neighborhood in which it is located;
- (c) The proposed use and development will not have an adverse effect upon the character of the area or the public health, safety and general welfare. Conditions may be applied to the proposed use and development, as specified in § 25-8 below, to mitigate potential adverse impacts;
- (d) The proposed use and development will be constructed, arranged and operated so as not to interfere with the use and development of neighboring property in accordance with the applicable district regulations;
- (e) The proposed use and development will be served adequately by essential public facilities and services such as streets, public utilities, drainage structures, police and fire protection, refuse disposal, parks, libraries, and schools;
- (f) The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through residential streets;

- (g) The proposed use and development will not result in the destruction, loss or damage of natural, scenic or historic features of significant importance;
- (h) The proposed use and development will not cause substantial air, water, soil or noise pollution or other types of pollution which cannot be mitigated;
- (i) The proposed use and development will not cause a negative cumulative effect, when its effect is considered in conjunction with the cumulative effect of various special exception uses of all types on the immediate neighborhood and the effect of the proposed type of special exception use on the city as a whole;
- (j) The proposed use and development complies with all additional standards imposed on it by the particular provisions of the ordinance authorizing such use; and
- (k) No application for a special exception shall be recommended or granted until any and all delinquent real estate taxes owed to the City of Norfolk on the subject property have been paid.

Section 4:- That this ordinance shall be in effect from the date of its adoption.

ATTACHMENT:
Exhibit A (2 pages)

Adopted by Council April 15, 2008
Effective April 15, 2008

TRUE COPY
TESTE:

R. BRECKENRIDGE DAUGHTREY, CITY CLERK

BY: _____
DEPUTY CITY CLERK

BURKHART | THOMAS | REED



ARCHITECTURE &
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3706-3710 COLLEY AVE.,
NORFOLK, VIRGINIA

DATE: 7/30/07

COMM.: 07-069

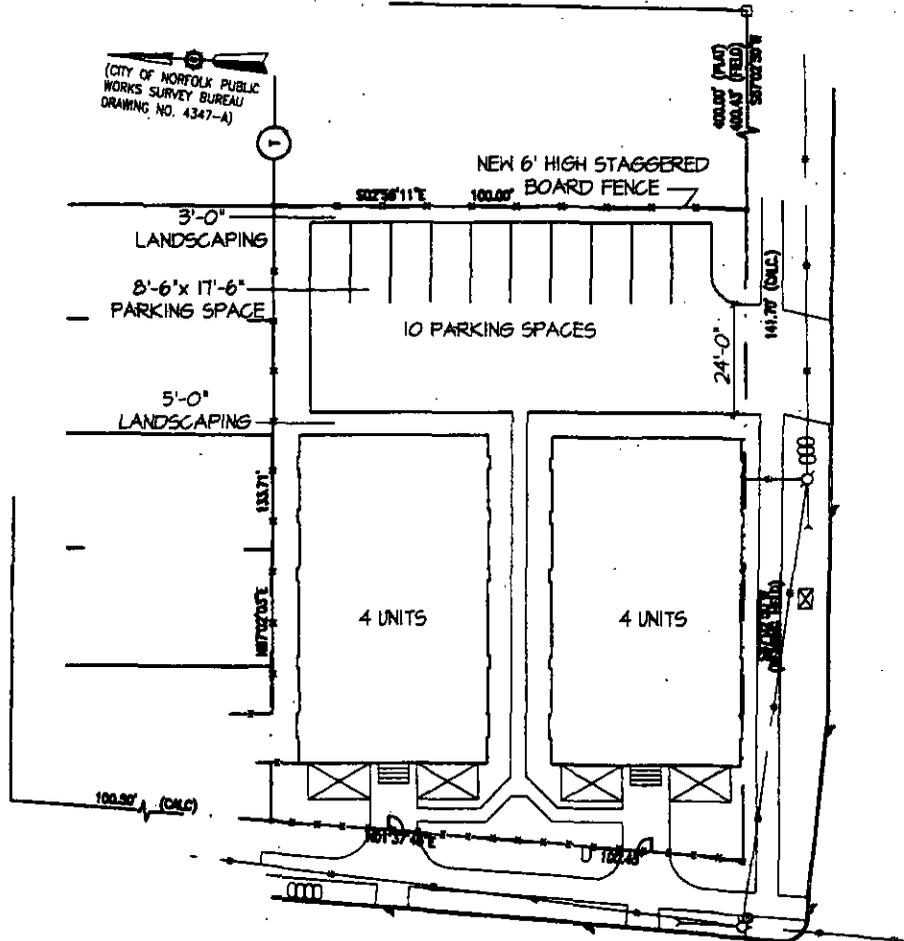
DRAWN BY: LES

CKD. BY: RJT

SCALE: 1/32" = 1'-0"

DWG. NO.

ASP



R-14 ZONING - 33 UNITS PER ACRE
ALLOWABLE UNITS = 10
ACTUAL UNITS = 8
MINIMUM LOT AREA = 10,000 S.F.
ACTUAL LOT AREA = 13,719 S.F.

SITE PLAN

1/32" = 1'-0"

Four Seasons Nursery
Landscape Plan
For
3706 - 3710 Colley Avenue

