

Docket Item #2
BZA #2025-00002
Board of Zoning Appeals
April 7, 2025

ADDRESS: 2807 OLD DOMINION BOULEVARD
ZONE: R-8/RESIDENTIAL
APPLICANT: JANE O'CONNELL SEWARD, PROPERTY OWNER

ISSUE: Request for a Special Exception to construct a second story and rear addition in the required northwest side yard

CODE SECTION	SUBJECT	CODE REQMT	APPLICANT PROPOSES	REQUESTED EXCEPTION
Section 306(A)(2)	Side yard (northwest)	13.37 feet*	7.30 feet	6.07 feet

**Based on the proposed addition's height of 26.74 feet measured from average preconstruction grade to the midpoint of the gable end of the roof facing the northwest side yard.*

The staff **recommends approval** of the requested special exception because the request meets the criteria for a special exception.

If the Board decides to grant the requested special exception it is subject to compliance with all applicable code requirements, ordinances, and recommended conditions found in the department comments. The applicant must submit the following prior to the release of a Certificate of Occupancy: (1) a survey plat prepared by a licensed surveyor confirming building footprint, setbacks, and building height compliance from average preconstruction grade and (2) certification of floor area from a licensed architect or engineer. The special exception must also be recorded with the deed of the property in the City's Land Records Office prior to the release of the building permit.

I. Issue

The applicant requests a special exception to construct a rear and second story addition in line with the existing noncomplying northwest side building wall.

II. Background

The subject property is a lot of record with 62.33 feet of lot width and frontage. According to Real Estate records, the property contains 7,707 square feet of lot area. The subject property is substandard with respect to lot frontage and lot area in the R-8 zone. The property is surrounded by single unit dwellings and Monticello Park to the rear of the lot.

The property is developed with a single unit dwelling. The dwelling is located 31.10 feet from the front property line, 7.30 feet from the northwest side property line, 16.9 feet from the southeast side property line, and over 50 feet from the rear property line. The minimum side setback requirement for the existing dwelling is 8.00 feet from both side property lines. The existing dwelling sits 7.30 feet from the northwest property line. The dwelling is noncomplying as to the northwest side yard setback.

The property sits in a resource protection area (RPA) where new development is restricted, and only limited additions are permitted.



Figure 1: Map showing limits of RPA

The following table provides zoning analysis of the subject property:

Zone	Required/Permitted	Existing	Proposed
Lot Area	8,000 sq. ft.	7,707 sq. ft.	7,707 sq. ft.
Lot Frontage	65.00 ft.	62.66 ft.	62.66 ft.
Front Yard setback	30.60 ft.*	31.10 ft.	31.10 ft.
Side Yard (southeast)	1:2, 13.37 ft.**	16.90 ft.	16.90 ft.
Side Yard (northwest)	1:2, 13.37 ft.**	7.30 ft.	7.30 ft.
Rear Yard	1:1, 23.08 ft.***	66.00 ft.	64.00 ft.
Floor Area Ratio (FAR)	2,697.45 sq. ft.	2,458 sq. ft.	1,864 sq. ft.**

*Based on the range established by the contextual blockface.

**Based on the proposed addition's height of 26.74 feet measured from average preconstruction grade to the midpoint of the gable end of the roof facing the side yard.

***Based on the proposed addition's height of 23.08 feet measured from average preconstruction grade to the top of the eave facing the rear yard.

III. Description

The applicant proposes to construct a second story and small rear bump out addition within the required northwest side yard.

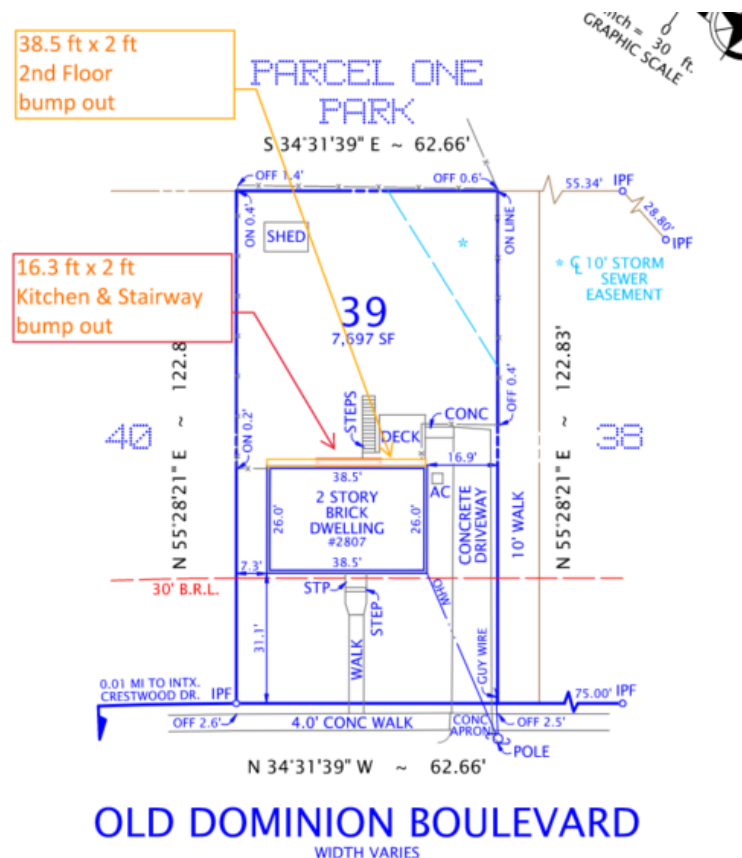


Figure 2: Site plan of proposed addition

The footprint of the rear bump out on the first floor would measure 2.00 feet by 16.30 feet for a total of 77 square feet. The total footprint of the second story addition would measure 28.00 feet by 38.50 feet for a total of 1,078 square feet. The proposed addition would measure 26.74 feet in height from average existing grade to the mid-point of the proposed gable roof. The addition will be located 7.30 feet from the northwest side property line in line with the existing noncomplying plane of the house, requiring a special exception of 6.07 feet from the required 13.37-foot side yard setback.

The addition would be in compliance with maximum floor area ratio requirements, height requirements, and all other yard requirements,

There have been no variances or special exceptions previously granted for the subject property.

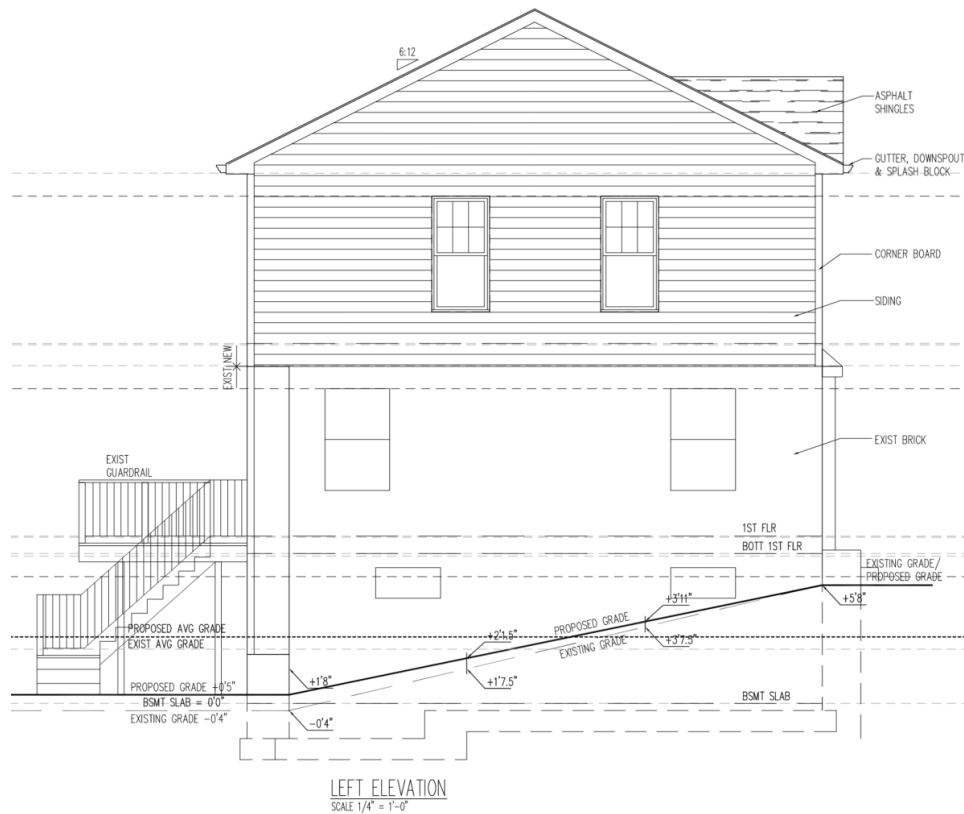


Figure 3: Left elevation of proposed addition



Figure 4: Rear elevation of proposed addition

IV. Master Plan/Zoning

The subject property is zoned R-8 and has been so zoned since adoption of the Third Revised Zoning Map in 1951 and is identified as residential in the North Ridge/Rosemont Area Plan.

V. Requested Special Exception:

Side Yard 3-306(A)(2)

Zoning ordinance section 3-306(A)(2) requires side yard setbacks at a ratio of 1:2 with a minimum of 8.00 feet for a single unit detached dwellings in the R-8 zone. Based on the proposed addition's height of 26.74 feet measured from average preconstruction grade to the midpoint of the gable end of the roof facing the northwest side yard and requires a setback of 13.37 feet from the northwest side property line. The applicant requests a special exception of 6.07 feet to allow the addition to be constructed 7.30 feet from the northwest side property line.

VI. Substandard Lot/Noncomplying Structure

The existing lot at 2807 Old Dominion Boulevard is a substandard lot developed with a noncomplying structure with respect to the following:

	<u>Required</u>	<u>Existing</u>	<u>Noncompliance</u>
Lot Size	8,000 sq. ft.	7,707 sq. ft.	293 sq. ft.
Lot Width	65.00 ft.	62.33 ft.	2.67 ft.
Side Yard	8.00 ft.	7.30 ft.	0.70 ft.

VII. Special Exceptions Standards

A special exception is an approval that is based on the consistency of the proposal with the Zoning Ordinance but can only be approved by the City once certain criteria are met. Per Zoning Ordinance Section 11-1005(C) the BZA hears and decides applications for special exceptions and any application must meet the standards under Zoning Ordinance Section 11-1304. The criteria do not include considerations like the cost or financial hardship and are therefore inappropriate. The decisions of the BZA must be in conformance with the Zoning Ordinance; otherwise they will be overturned by the courts. Thus, only the standards under Section 11-1300 can be considered in making a special exception decision. The Board of Zoning Appeals shall not grant a special exception unless it finds that the request meets all the special exception standards as follows:

- 1) Whether approval of the special exception will be detrimental to the public welfare, to the neighborhood or to the adjacent properties.

The applicant proposes to construct the additions along the existing noncomplying side building wall. The additions would be no closer to the side property line than the existing dwelling and would comply with all other zoning requirements. Many properties in this neighborhood are substandard to lot width and lot area and have noncomplying walls within required side yard, including the adjacent property to the northwest. Approval of the request would not be detrimental to public welfare to the neighborhood or adjacent properties.

- 2) Whether approval of the special exception will impair an adequate supply of light and air to the adjacent property, or cause or substantially increase traffic congestion or increase the danger of fire or the spread of fire, or endanger the public safety.

A second story addition is unlikely to impair adequate supply of light and air to the adjacent property. Additionally, the side of the house with the noncomplying wall is slightly lower in elevation than the property adjacent to this side. The proposed addition would not increase traffic congestion, danger or the spread of fire, or endanger public safety.

- 3) Whether approval of the special exception will alter the essential character of the area or zone.

The proposed additions will not alter the character of the area or zone as many properties within this area are substandard to lot area and have noncomplying walls within required side yards. The proposal would continue to comply with floor area ratio and all other yard requirements.

- 4) Whether the proposal will be compatible with the development in the surrounding neighborhood.

Several properties in the neighborhood have second story additions, including the property across the street at 2804 Old Dominion Boulevard. The proposed addition would be compatible with the development in the surrounding neighborhood in terms of lot development patterns and scale of dwellings.

- 5) Whether the proposed development represents the only reasonable means and location on the lot to accommodate the proposed structure given the natural constraints of the lot or the existing development of the lot.

The location of the property within the RPA limits the ability to construct large additions to the rear of the property. The applicant's request to construct a second story and small rear addition reduces the impact to the RPA and is the only reasonable means to accommodate the proposed addition.

VIII. Staff Conclusion

In conclusion, staff **recommends approval** of the requested special exception because it meets all the standards for a special exception as outline above.

DEPARTMENTAL COMMENTS

Legend: C - code requirement R - recommendation S - suggestion F - finding

* The applicant is advised that if the special exception is approved the following additional comments apply.

Transportation and Environmental Services:

- R-1 The building permit must be approved and issued prior to the issuance of any permit for demolition, if a separate demolition permit is required. (T&ES)
- R-2 Applicant shall be responsible for repairs to the adjacent city right-of-way if damaged during construction activity. (T&ES)
- R-3 No permanent structure may be constructed over any existing private and/or public utility easements. It is the responsibility of the applicant to identify any and all existing easements on the plan. (T&ES)
- F-1 The applicant should provide a determination of disturbed area per City Guidelines to T&ES prior to submitting for permits. If the land disturbance meets or exceeds 2500 square feet, and/or changes the existing drainage pattern, a released grading plan will be required prior to submitting for permits. (T&ES)
- C-1 The applicant shall comply with the City of Alexandria's Solid Waste Control, Title 5, Chapter 1, which sets forth the requirements for the recycling of materials (Sec. 5-1-99). (T&ES)
- C-2 The applicant shall comply with the City of Alexandria's Noise Control Code, Title 11, Chapter 5, which sets the maximum permissible noise level as measured at the property line. (T&ES)
- C-3 Roof, surface and sub-surface drains be connected to the public storm sewer system, if available, by continuous underground pipe. Where storm sewer is not available applicant must provide a design to mitigate impact of stormwater drainage onto adjacent properties and to the satisfaction of the Director of Transportation & Environmental Services. (Sec.5-6-224) (T&ES)
- C-4 All secondary utilities serving this site shall be placed underground. (Sec. 5-3-3) (T&ES)
- C-5 Any work within the right-of-way requires a separate permit from T&ES. (Sec. 5-2) (T&ES)
- C-6 All improvements to the city right-of-way such as curbing, sidewalk, driveway aprons, etc. must be city standard design. (Sec. 5-2-1) (T&ES)

Code Administration:

C-1 A building permit is required.

Recreation (Arborist):

No comments.

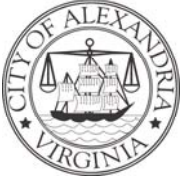
Historic Alexandria (Archaeology):

No comments.

Other Requirements Brought to the Applicant's Attention:

C-1 A minor water quality impact assessment must be filled out completely and accurately and submitted prior to BLDG permit approval. Please contact Gavin Pellitteri at gavin.pellitteri@alexandriava.gov to receive the WQIA form to be submitted.

BZA Case # _____



**APPLICATION
BOARD OF ZONING APPEALS**

SPECIAL EXCEPTION FOR ADDITIONS

Section of zoning ordinance from which request for special exception is made:

PART A

1. Applicant: ^X Owner Contract Purchaser Agent

Name _____

Address _____

Daytime Phone _____

Email Address _____

2. Property Location _____

3. Assessment Map # _____ Block _____ Lot _____ Zone _____

4. Legal Property Owner Name _____

Address _____

5. Describe request briefly:

Request for relief of encroachment on northwest side of house. The existing house is essentially a one and a half story structure with a finished attic. We wish to expand the second floor into a full two story home.

6. If the property owner or applicant is being represented by an authorized agent, such as an attorney, realtor or other person for which there is a form of compensation, does this agent or the business in which they are employed have a business license to operate in the City of Alexandria, Virginia?

- ☐ Yes — Provide proof of current City business license.
- ☐ No — Said agent shall be required to obtain a business prior to filing application.

THE UNDERSIGNED HEREBY ATTESTS that all of the information herein provided including the site plan, building elevations, prospective drawings of the projects, etc., are true, correct and accurate. The undersigned further understands that, should such information be found incorrect, any action taken by the Board based on such information may be invalidated. The undersigned also hereby grants the City of Alexandria permission to post placard notice as required by Article XI, Division A, Section 11-301(B) of the 1992 Alexandria City Zoning Ordinance, on the property which is the subject of this application. The applicant, if other than the property owner, also attests that he/she has obtained permission from the property owner to make this application.

APPLICANT OR AUTHORIZED AGENT:

Jane O'Connell

Print Name

[REDACTED]

Telephone

Jane O'Connell

Signature

Feb 20 - 2025

Date

Pursuant to Section 13-3-2 of the City Code, the use of a document containing false information may constitute a Class 1 misdemeanor and may result in a punishment of a year in jail or \$2,500 or both. It may also constitute grounds to revoke the permit applied for with such information.

NOTE TO APPLICANT: Only one special exception per dwelling shall be approved under the provisions of Section 11-1302(B)(4).

PART B (SECTION 11-1304)

APPLICANT MUST EXPLAIN THE FOLLOWING:

(Please use additional pages where necessary.)

- 1. Explain how the special exception for the proposed addition, if granted, meets the applicant's needs.**

The alignment of a full second floor will create a more cohesive 2nd floor addition, will present an architecturally pleasing facade and accommodate the needs of our growing family.

- 2. Explain if the special exception, if granted, will harm adjoining properties or impact the neighborhood in any way.**

If granted, the new full second floor modification will not be harmful to the adjacent neighbors and the new addition will be consistent with other properties in the neighborhood.

- 3. Explain how the proposed addition will affect the light and air to any**

If granted, the modest increase in height of the new full second floor addition will not affect natural light to the adjacent neighbors. The neighbor at 2811 sits higher than our property as the street inclines in that direction.

4. Explain how the proposed addition is compatible with other properties in the neighborhood and the character of the neighborhood as a whole.

The special exception will not alter the character of the area or the zone. This area is developed primarily with single-family dwellings of varying heights. The proposal is a modest increase and below the maximum height allowed in the zone. The addition retains the scale and architectural detail of the surrounding community.

5. How is the proposed construction similar to other buildings in the immediate area?

It is a modest second story bump up addition that is in keeping with other houses in the neighborhood.

6. Explain how this plan represents the only reasonable location on the lot to

The alignment of the second floor with the existing northwest first floor will provide needed space on the expanded second floor addition and represents the most reasonable way to gain it for the home.

7. Has the applicant shown the plans to the most affected property owners? Have any neighbors objected to the proposed special exception, or have any neighbors written letters of support? If so, please attach the letter.

Yes

OWNERSHIP AND DISCLOSURE STATEMENT

Use additional sheets if necessary

1. Applicant. State the name, address and percent of ownership of any person or entity owning an interest in the applicant, unless the entity is a corporation or partnership, in which case identify each owner of more than three percent. The term ownership interest shall include any legal or equitable interest held at the time of the application in the real property which is the subject of the application.

	Name	Address	Percent of Ownership
1.	Jane O'Connell TR	[REDACTED]	100
2.	William Seward TR	[REDACTED]	100
3.			

2. Property. State the name, address and percent of ownership of any person or entity owning an interest in the property located at 2807 Old Dominion Blvd, Alexandria (address), unless the entity is a corporation or partnership, in which case identify each owner of more than three percent. The term ownership interest shall include any legal or equitable interest held at the time of the application in the real property which is the subject of the application.

	Name	Address	Percent of Ownership
1.	Jane O'Connell TR	[REDACTED]	100
2.	William Seward TR	[REDACTED]	100
3.			

3. Business or Financial Relationships. Each person or entity indicated above in sections 1 and 2, with an ownership interest in the applicant or in the subject property are required to disclose any business or financial relationship, as defined by Section 11-350 of the Zoning Ordinance, existing at the time of this application, or within the 12-month period prior to the submission of this application with any member of the Alexandria City Council, Planning Commission, Board of Zoning Appeals or either Boards of Architectural Review. **All fields must be filled out completely. Do not leave blank. (If there are no relationships please indicate each person or entity and "None" in the corresponding fields).**

For a list of current council, commission and board members, as well as the definition of business and financial relationship, [click here](#)

	Name of person or entity	Relationship as defined by Section 11-350 of the Zoning Ordinance	Member of the Approving Body (i.e. City Council, Planning Commission, etc.)
1.			
2.			
3.			

NOTE: Business or financial relationships of the type described in Sec. 11-350 that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings.

As the applicant or the applicant's authorized agent, I hereby attest to the best of my ability that the information provided above is true and correct.

2/20/2025 Jane O'Connell
Date Printed Name

Jane O'Connell
Signature



Department of Planning and Zoning

Floor Area Ratio and Open Space Calculations for

Single and Two-Family Residential Outside Historic Districts

A

A. Property Information

A1. 2807 Old Dominion Blvd
Street Address

R-8
Zone

A2. 7,707.00
Total Lot Area

x 0.35
Floor Area Ratio Allowed by Zone

= 2,697.45
Maximum Allowable Floor Area

B. Existing Gross Floor Area

Existing Gross Area

Basement 959.00
First Floor 959.00
Second Floor 677.00
Third Floor
Attic
Porches
Balcony/Deck 170.00
Garage
Other*** 73.50

Allowable Exclusions**

Basement**
Stairways** 137.00
Mechanical** 0.00
Attic less than 7***
Porches**
Balcony/Deck** 170.00
Garage**
Other*** 73.50
Other***

B1. **Total Gross** 2,838.50

B2. **Total Exclusions** 380.50

B1. 2,838.50 Sq. Ft.
Existing Gross Floor Area*

B2. 380.50 Sq. Ft.
Allowable Floor Exclusions**

B3. 2,458.00 Sq. Ft.
Existing Floor Area Minus Exclusions
(subtract B2 from B1)

Comments for Existing Gross Floor Area

Existing grade is such that the "basement" is considered a story above grade. We propose to add to the existing grade to make the first floor less than 4 feet above the average grade.

C. Proposed Gross Floor Area

Proposed Gross Area

Basement 14.00
First Floor 32.00
Second Floor 357.00
Third Floor
Attic
Porches
Balcony/Deck 170.00
Garage
Other***

Allowable Exclusions**

Basement** 973.00
Stairways** 24.00
Mechanical**
Attic less than 7***
Porches**
Balcony/Deck** 170.00
Garage**
Other***
Other***

C1. **Total Gross** 573.00

C2. **Total Exclusions** 1,167.00

C1. 573.00 Sq. Ft.
Proposed Gross Floor Area*

C2. 1,167.00 Sq. Ft.
Allowable Floor Exclusions**

C3. -594.00 Sq. Ft.
Proposed Floor Area Minus Exclusions
(subtract C2 from C1)

Notes

*Gross floor area for residential single and two-family dwellings in the R-20, R-12, R-8, R-5, R-2-5, RB and RA zones (not including properties located within a Historic District) is the sum of all areas under roof of a lot measured from exterior walls.

** Refer to the Zoning Ordinance (Section 2-145(A)) and consult with Zoning Staff for information regarding allowable exclusions. Sections may also be required for some exclusions.

*** Refer to the Zoning Ordinance (Section 2-145(A)) and consult with Zoning Staff for additional allowable exclusions. Additional exclusions may include space under balconies, retractable awnings, etc.

D. Total Floor Area

D1. 1,864.00 Sq. Ft.
Total Floor Area (add B3 and C3)

D2. 2,697.45 Sq. Ft.
Total Floor Area Allowed by Zone (A2)

E. Open Space (RA & RB Zones)

E1. Existing Open Space Sq. Ft.

E2. Required Open Space Sq. Ft.

E3. Proposed Open Space Sq. Ft.

The undersigned hereby certifies and attests that, to the best of his/her knowledge, the above computations are true and correct.

Signature:

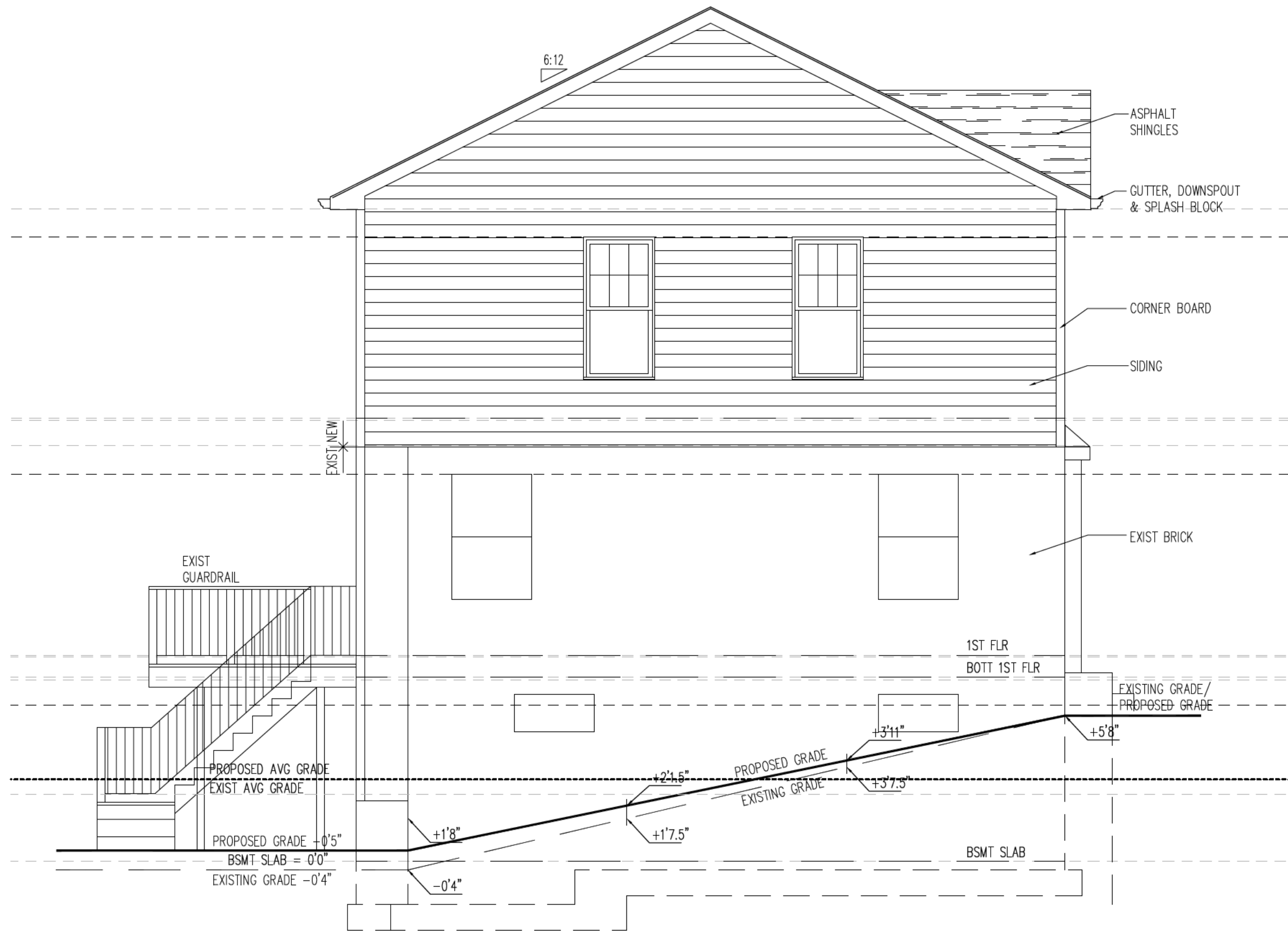
[Signature]

Kenneth Reed architect

15

Date:

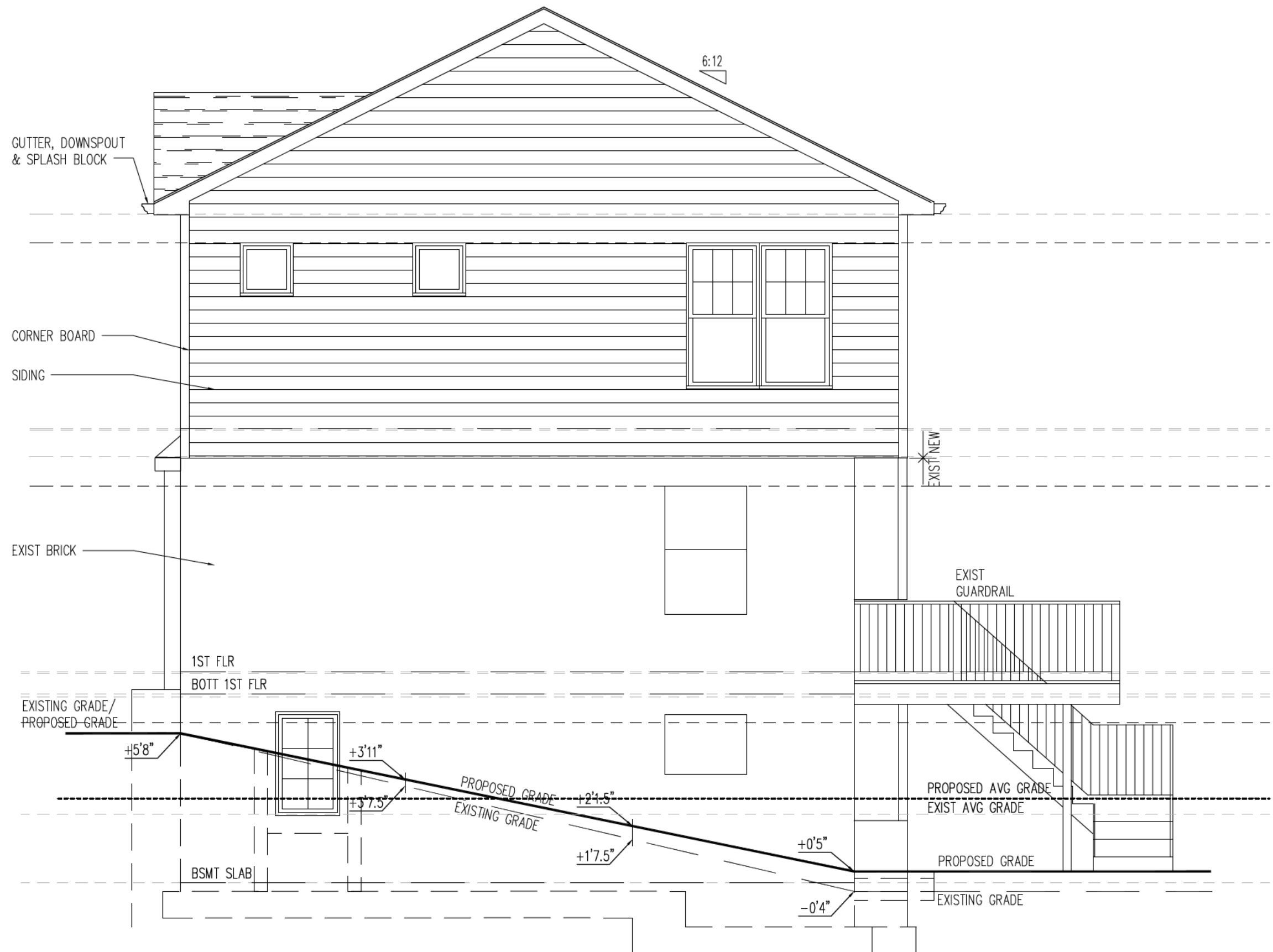
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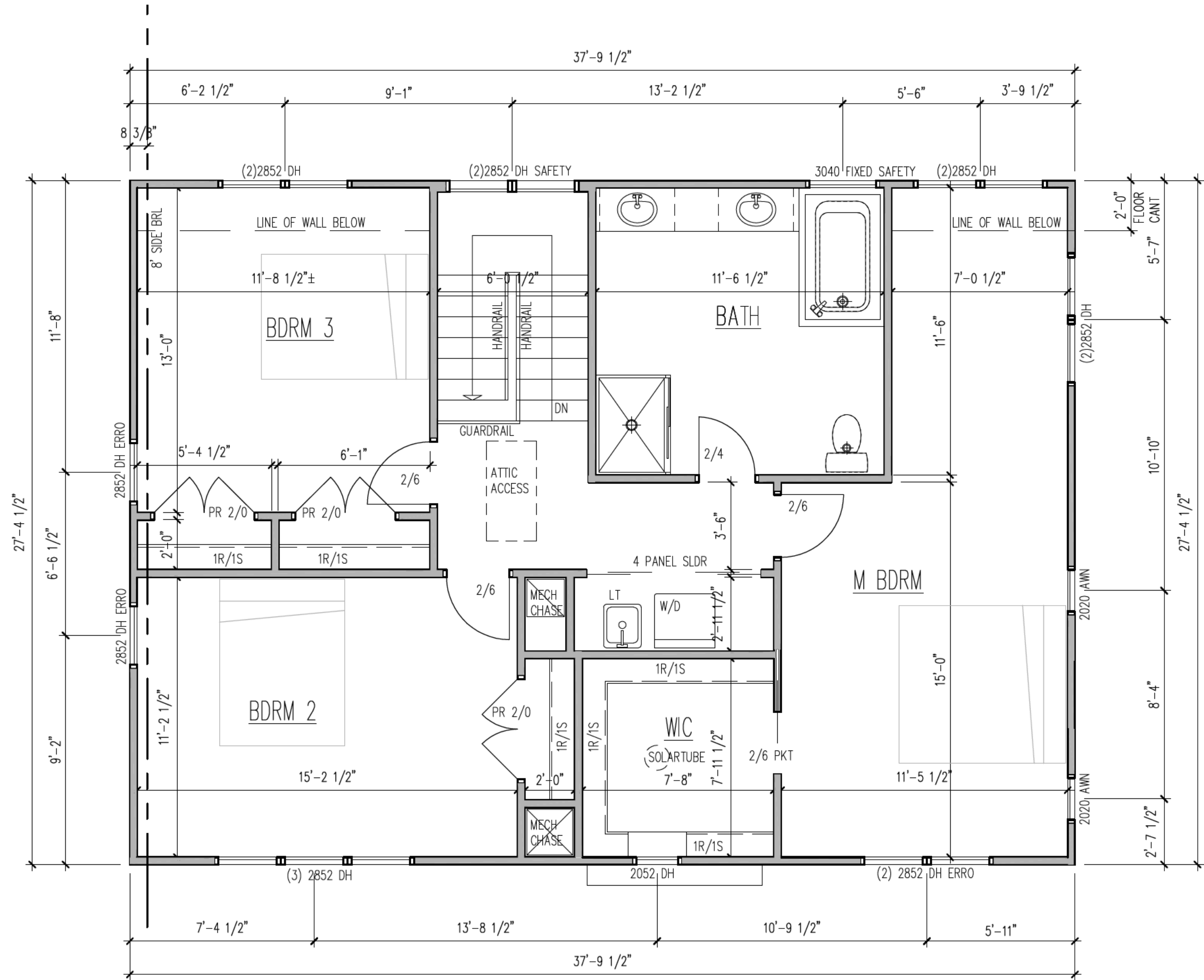
LEFT ELEVATION
SCALE 1/4" = 1'-0"



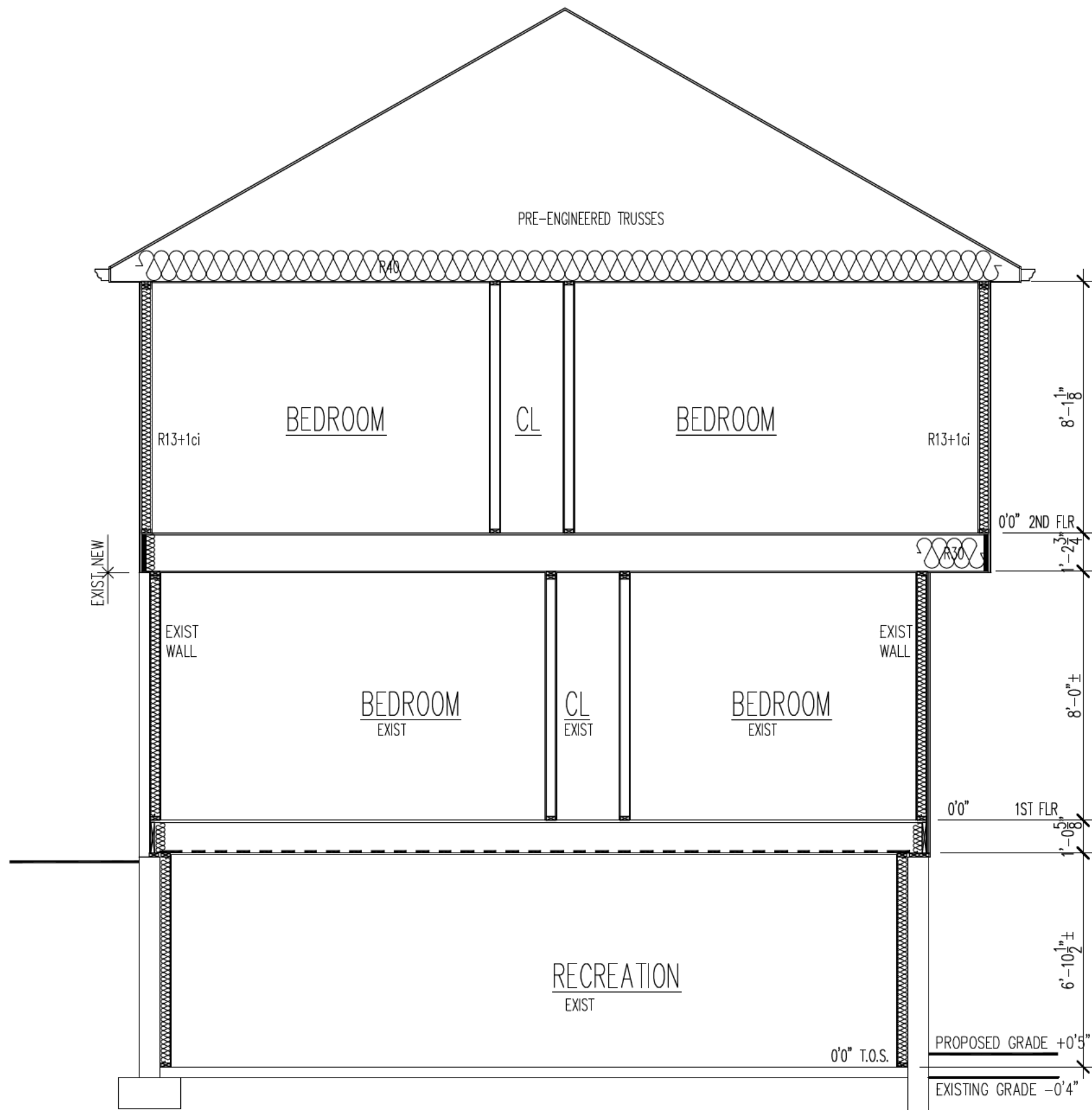
FRONT ELEVATION
SCALE 1/4" = 1'-0"



RIGHT ELEVATION
SCALE 1/4" = 1'-0"



SECOND FLOOR
SCALE 1/4" = 1'-0"



BUILDING SECTION
SCALE 1/4" = 1'-0"

Existing Aveage grade calculation
Basement elevation = 0'0"
First floor bottom elevation = 7'0"

	Ft	In	
Front	5	8	5.67
	5	8	5.67
	5	8	5.67
	5	8	5.67
	5	8	5.67
right	3	7.5	3.63
	1	7.5	1.63
rear	0	-6	-0.50
	0	-6	-0.50
	0	-6	-0.50
	0	-6	-0.50
	0	-6	-0.50
left	1	7.5	1.63
	3	7.5	3.63

Avg grade above basement 0'0" 2.60 feet

Distance below 1st floor bottom 4.40 feet

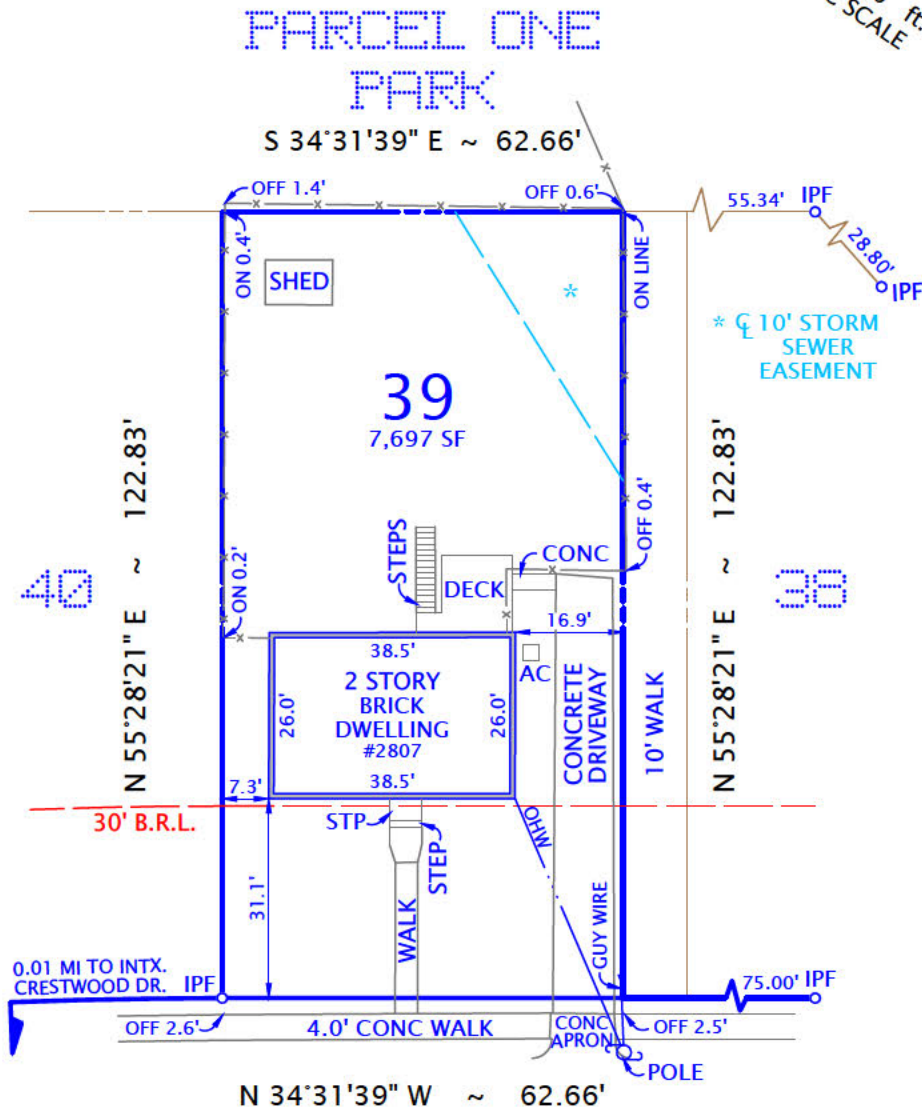
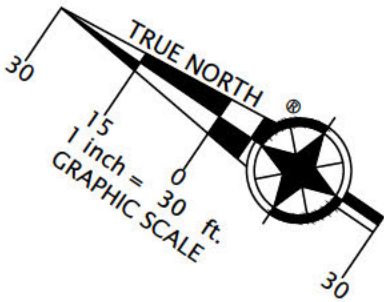
Proposed Aveage grade calculation
Basement elevation = 0'0"
First floor bottom elevation = 7'0"

	Ft	In	
Front	5	8	5.67
	5	8	5.67
	5	8	5.67
	5	8	5.67
	5	8	5.67
right	3	11	3.92
	2	1.5	2.13
rear	0	5	0.42
	0	5	0.42
	0	5	0.42
	0	5	0.42
	0	5	0.42
left	2	1.5	2.13
	3	11	3.92

Avg grade above basement 0'0" 3.04 feet

Distance below 1st floor bottom 3.96 feet

NOTES: 1. FENCES ARE CHAIN LINK.



OLD DOMINION BOULEVARD
WIDTH VARIES

PLAT
SHOWING HOUSE LOCATION ON
LOT 39, BLOCK 7, SECTION 8
MONTICELLO PARK
(DEED BOOK 319, PAGE 544)
CITY OF ALEXANDRIA, VIRGINIA
SCALE: 1" = 30' APRIL 30, 2024

I HEREBY CERTIFY THAT THE POSITIONS OF ALL THE EXISTING IMPROVEMENTS HAVE BEEN CAREFULLY ESTABLISHED BY A CURRENT FIELD SURVEY AND UNLESS SHOWN THERE ARE NO VISIBLE ENCROACHMENTS AS OF THIS DATE:

THIS PLAT IS SUBJECT TO RESTRICTIONS OF RECORD.

A TITLE REPORT WAS NOT FURNISHED.



ORDERED BY:

JANE SEWARD

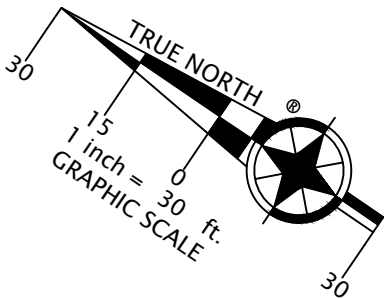


DOMINION

Surveyors
Inc.®

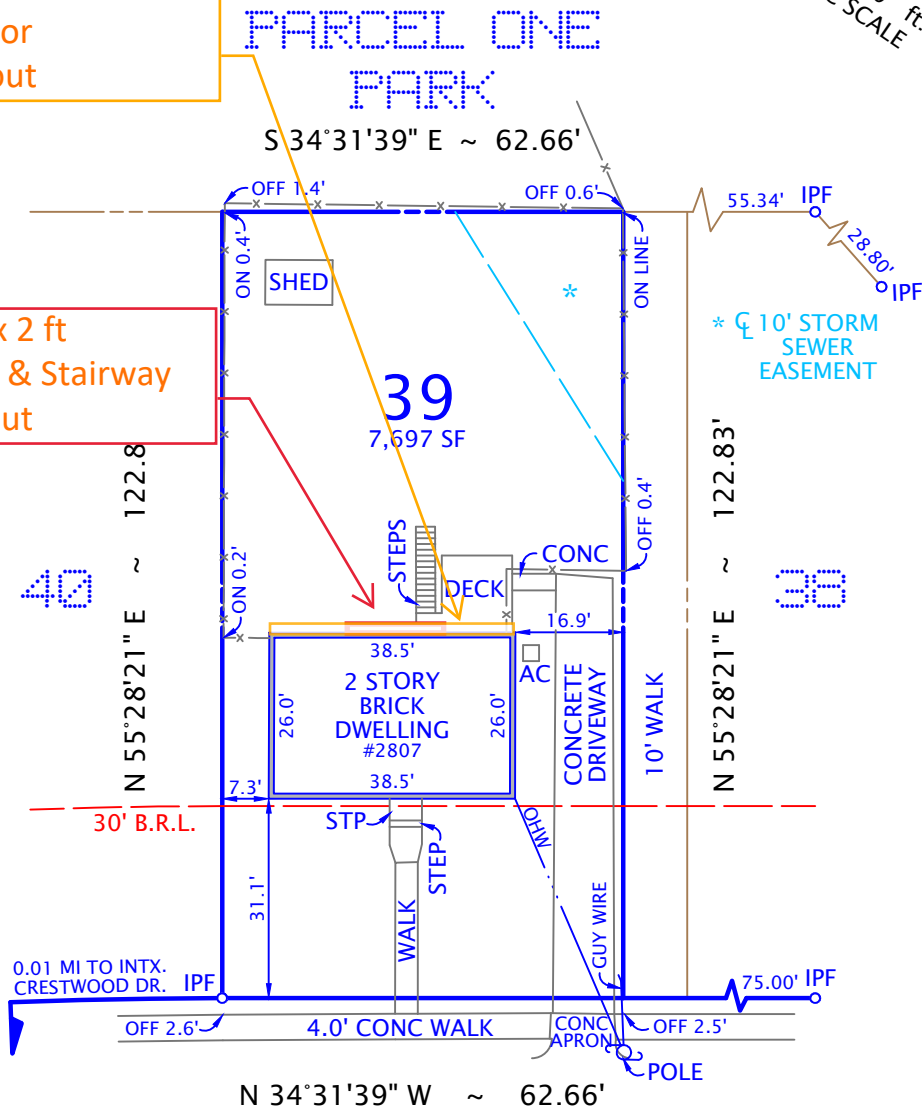
8808-H PEAR TREE VILLAGE COURT
ALEXANDRIA, VIRGINIA 22309
703-619-6555
www.dominionsurveyors.com

NOTES: 1. FENCES ARE CHAIN LINK.



38.5 ft x 2 ft
2nd Floor
bump out

16.3 ft x 2 ft
Kitchen & Stairway
bump out



OLD DOMINION BOULEVARD
WIDTH VARIES

PLAT
SHOWING HOUSE LOCATION ON
LOT 39, BLOCK 7, SECTION 8
MONTICELLO PARK
(DEED BOOK 319, PAGE 544)
CITY OF ALEXANDRIA, VIRGINIA
SCALE: 1" = 30' APRIL 30, 2024

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ORDERED BY:

JANE SEWARD



DOMINION

Surveyors
Inc.®

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