

Docket Item #4
BZA Case #2022-00022
Board of Zoning Appeals
December 12, 2022

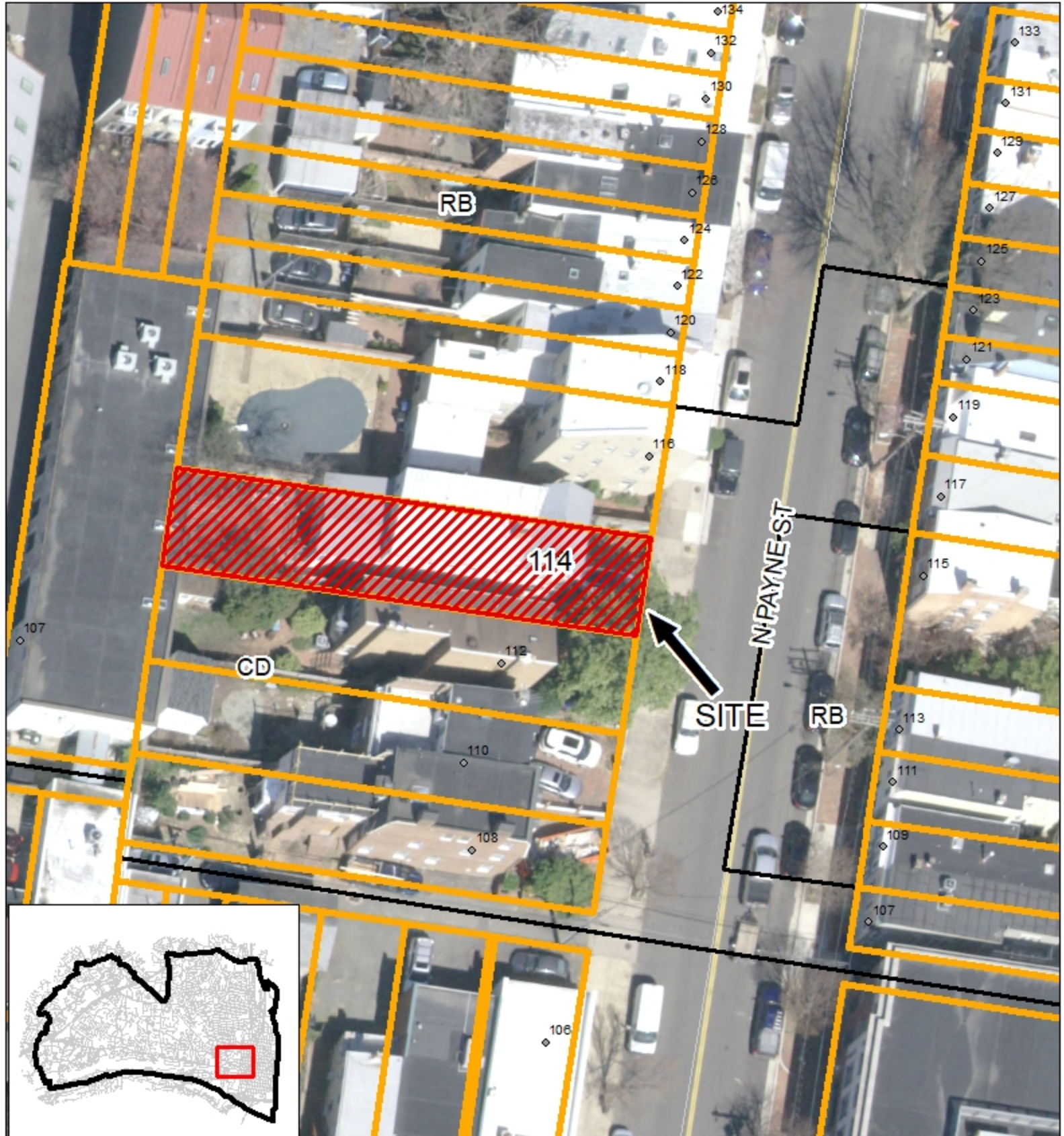
ADDRESS: 114 NORTH PAYNE STREET
ZONE: CD/COMMERCIAL DOWNTOWN
APPLICANT: LARRY AND SUE BARKELL WITH REPRESENTATIVE JOHN SAVAGE

ISSUE: A request for variances to construct a second story addition in the required side yards.

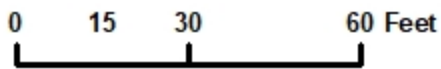
| CODE SECTION | SUBJECT | CODE REQUIREMENT | APPLICANT PROPOSES | REQUESTED VARIANCE |
|-------------------|-----------------|------------------|--------------------|--------------------|
| 4-506(A)(2)(b)(1) | North Side Yard | 5.00 feet | 0.30 foot | 4.70 feet |
| | South Side Yard | 5.00 feet | 4.90 feet | 0.10 feet |

Staff **recommends approval** of the request because it meets the variance definition and standards.

If the Board grants the requested variance, the applicant must comply with all requirements of this subject to compliance with all applicable code requirements, ordinances and recommended conditions found in the departmental comments of this report. The variance must be recorded in the City’s Land Records Office prior to the release of the building permit.



BZA#2022-00022
114 N Payne Street



I. Issue

The applicant proposes to construct a 325.22 square foot second-story addition directly above an existing one-story addition to the rear of a single-family dwelling in the CD zone, which requires variances from both side yard setbacks.

II. Background

The subject property is one lot of record with 25.42 feet of lot frontage and width and 123.42 feet of lot depth. The property contains 3,137 square feet of lot area and is developed with a two-story single-family dwelling. The existing building does not comply with the CD zone side setback regulations for residential uses.

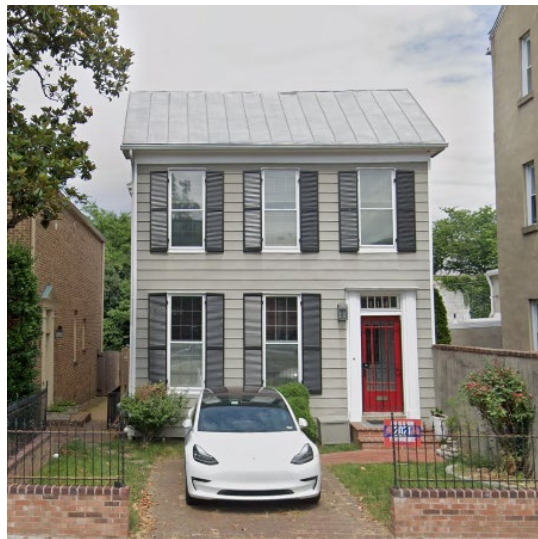


Figure 1: Subject Property

The property was developed as a residence prior to the City’s first zoning ordinance. The dwelling was constructed in 1875 and has been used as a residence since this date. The subject property is located in the Old and Historic Alexandria District and is regulated by the Board of Architectural Review.

The dwelling is located 22.60 feet from the front property line, on the north side property line, 4.90 feet from the south side property line and 36.00 feet from the rear property line. On November 10, 2005, the Board of Zoning Appeals granted a special exception (BZA#2005-00051) to construct the existing one-story rear addition in the required north side yard. At that time the previous survey showed the existing dwelling and one-story addition were located in compliance, 5.00 feet from the south side property line. This most recent survey indicates that the existing house and addition in 2005 are 4.90 feet from the south side property line. This 0.10-foot difference is within the construction margin of error permitted by Zoning Ordinance section 11-105.

III. Description

The applicant proposes to construct a second story above the existing one-story addition to the rear of the original dwelling. The addition is proposed to be 325.22 square feet, measuring 20.20 feet by 16.10 feet and will measure 23.42 feet in height measured from average finished grade to the midpoint of the roof. The addition will be located in the required north and south side yards. The addition would be in compliance with FAR, height, open space, and rear setback requirements. Residential uses that are detached single family dwellings in the CD zone require two 5.00-foot side yards. The proposed addition would be constructed in line with the existing walls of the one-story addition and would be located 0.30 feet from the north side property line and 4.90 feet from the south side yard, requiring variances of 4.70 feet and 0.10 feet, respectively, from both side yard requirements.

Table 1. Zoning Table

| CD Zone | Required/Permitted | Existing | Proposed Addition |
|---------------------------|--|--------------------------|----------------------------|
| Lot Area | 1,452 Sq. Ft. | 3,137 Sq. Ft. | 3,137 Sq. Ft. |
| Lot Width/Frontage | 25 Ft. | 25.42 Ft. | 25.42 Ft. |
| Front Yard | Average of existing buildings on block | 22.60 Ft. | 22.60 Ft. |
| Side Yard (north) | 5.00 Ft. | 0 Ft. | 0.30 Ft. |
| Side Yard (south) | 5.00 Ft. | 4.90 Ft. | 0.10 Ft. |
| Rear Yard | 16 Ft. | 36.00 Ft. | 29.00 Ft. |
| Height | 35.00 Ft. | 23.5 Ft. | 23.42 Ft. |
| Open Space | 1097.95 Sq. Ft. (35%) | 1117.51 Sq. Ft. (36%) | 1101.92 Sq. Ft. (35%) |
| Floor Area Ratio | Maximum 4,705.50 Sq. Ft. (1.50) | 2,396.81. Ft. (0.76) | 2,722.03 Sq. Ft. (0.87) |

IV. Noncomplying Structure

The existing dwelling is a noncomplying structure with regard to the following:

| | <u>Required/Permitted</u> | <u>Provided</u> | <u>Noncompliance</u> |
|-------------------|----------------------------------|------------------------|-----------------------------|
| Side Yard (North) | 5.00 Ft. | 0.00 Ft. | 5.00 Ft. |
| Side Yard (South) | 5.00 Ft. | 4.90 Ft. | 0.10 Ft. |

V. **Master Plan/Zoning**

On June 24, 1992, the property was zoned to CD, Commercial Downtown. The property is located in the Old Town Small Area Plan, which identifies the property for residential land use.

VI. **Requested Variance:**

Side Yard 4-506(A)(2)(b)(1)

Zoning ordinance section 4-506(A)(2)(b)(1) requires side yard setbacks to be a minimum of 5.00 feet for a single family detached dwelling in the CD zone. The applicant requests variances of 4.70 and 0.10 feet from the north and south side yard setbacks, respectively, to allow for 0.30- and 4.90-foot side yard setbacks.

VII. **Applicants Justification for Variance**

The applicant justifies the variance because the existing conditions of the structure and property make the rear second story addition to be the most logical place for an addition. Constructing a second story addition in line with the existing first floor walls would maximize the existing structural components. The property is not utilizing all of their FAR, which would allow for a sizeable addition. The second story addition would be in character with the other two-story dwellings in the neighborhood and has limited visibility from the street.

VIII. **Analysis of Variance Definition**

Per zoning ordinance section 11-1103, the Board of Zoning Appeals shall not grant a variance unless it finds that the request meets the definition of a variance per zoning ordinance section 2-201.1 as follows:

- a. The request is a reasonable deviation from those provisions regulating the shape, size, or area of a lot or parcel of land or the size, height, area, bulk, or location of a building or structure.

The request is a reasonable deviation from the provisions of the CD zone of the Zoning Ordinance because of the existing conditions of the location of the building. The existing structure does not meet the current minimum side yard setback requirements, which prevents a second story addition in line with the existing dwelling. The lot and residential use have existed since before 1891, and the modest addition will comply with floor area and open space requirements for the CD zone.

- b. Strict application of the zoning ordinance would unreasonably restrict the utilization of the property.

Strict application of the CD zone's side yard setback requirements would unreasonably restrict the subject property by creating limited buildable area that is not in character with the historic neighborhood. The property has a significant amount of floor area that can still be constructed, which would allow for a sizeable

addition. The open space requirement would not allow for an addition to the rear of the property, so the only place to add floor area is to construct another story. The applicant is taking into consideration the historical nature of the surrounding dwellings and proposing to construct on the existing one-story portion of the dwelling, which would be in character with the other two-story dwellings on this block and is the most reasonable location for an addition the property.

- c. The need for a variance is not shared generally by other properties.

While the 5.00-foot side yard setbacks do apply to other detached single-family dwellings in the CD zone, most lots as narrow as this lot are developed with attached, semi-detached dwellings or townhouse dwellings, which have at least one zero side setback. The side yard setbacks for detached single-family residences in CD zone do not reflect the existing historic development pattern found throughout the CD zone.

- d. The variance is not contrary to the purpose of the ordinance.

The requested variances are not contrary to the purpose of the ordinance as they allow an existing residential use to construct a modest addition in compliance with floor area and open space requirements that is consistent with the historic development patterns of the neighborhood.

- e. The variance does not include a change in use, which change shall be accomplished by a rezoning.

The variances do not change the use. The property would continue to be used as a residence.

IX. Analysis of Variance Standards

Per zoning ordinance section 11-1103, the Board of Zoning Appeals shall not grant a variance unless it finds that the request meets the variance standards as follows:

- a. 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.

Strict application of the CD zone's side yard setback requirements would unreasonably restrict the subject property by creating limited buildable area that is not in character with the historic neighborhood. The property has a significant amount of floor area that can still be constructed, which would allow for a sizeable addition, however the open space requirement would not allow for an addition to the rear of the property. The only reasonable place to add floor

area is to construct another story, which is unreasonably restricted by the side yard setback requirement.

- b. The property interest for which the variance is being requested was acquired in good faith and any hardship was not created by the applicants for the variance.

The dwelling first appears on the Sanborn maps in 1891 and is noncomplying with current side yard setbacks for a detached single-family dwelling in the CD zone. The current property owners acquired the lot in good faith and did not create any hardship resulting in the need for variances.

- c. The granting of the variance will not be of substantial detriment to adjacent property and nearby properties in the proximity of that geographical area.

Granting the variances would not be detrimental to the adjacent properties. The variances would allow a modest second-story addition that meets all other zoning requirements and would be consistent with the historic development pattern of this block.

- d. 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.

While the 5.00-foot side yards setbacks of the CD zone apply to all detached dwellings in the CD zone, many lots with detached dwellings are larger in width to accommodate this side yard setback. The narrowness of this lot and required setbacks result in a lot with limited buildable area. Many other lots of a similar size and width are developed with attached, semi-detached or townhouse dwellings, which have at least one zero side yard setback.

- e. 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.

The request for variances would not result in a use that is not permitted, as single-family residential is a permitted use in the CD zone.

- f. The relief or remedy sought by the variance application is not available through a special exception process that is authorized in the ordinance or the process for modification of a zoning ordinance at the time of the filing of the variance application.

Relief from side yard setbacks requires a variance and there is no other process that would allow the proposed construction.

X. Staff Conclusion

As outlined above, staff **recommends approval** of the requested variances as they meet all the standards and criteria as outlined within the Zoning Ordinance. If the Board decides to approve the requested variances, the approval would be subject to compliance with all applicable code requirements, ordinances and recommended conditions found in the departmental comments of this report.

Staff

Rachel Drescher, Urban Planner, rachel.drescher@alexandriava.gov

Mary Christesen, Zoning Manager, mary.christesen@alexandriava.gov

Tony LaColla, AICP, Land Use Services Division Chief, anthony.lacolla@alexandriava.gov

DEPARTMENTAL COMMENTS

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

* The applicant is advised that if the variances are approved the following additional comments apply.

Transportation and Environmental Services:

RECOMMENDATIONS:

- 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)

FINDINGS:

- 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, a released grading plan will be required prior to submitting for permits. (T&ES)
- F-2 A curb cut approval is required for the changes proposed to the curb cut. (T&ES)
- F-3 If the alley located at the rear of the parcel is to be used at any point of the construction process the following will be required:
For a Public Alley - The applicant shall contact T&ES, Construction Permitting & Inspections at (703) 746-4035 to discuss any permits and accommodation requirements that will be required.
For a Private Alley - The applicant must provide proof, in the form of an affidavit at a minimum, from owner of the alley granting permission of use. (T&ES)

CODE REQUIREMENTS

- 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 Building permit is required to review.

Recreation (City Arborist):

No comments

Historic Alexandria (Archaeology):

Archaeology Findings

- F-1 The G.M. Hopkins Insurance map shows that a house was present on this property by 1877, and definitely by 1891. Therefore, there is the potential for archaeological resources to be present that could provide insight into residential life in post-Civil War Alexandria.

Archaeology Conditions

- R-1 Call Alexandria Archaeology immediately (703-746-4399) if any buried structural remains (wall foundations, wells, privies, cisterns, etc.) or concentrations of artifacts are discovered during development. Work must cease in the area of the discovery until a City archaeologist comes to the site and records the finds. The language noted above shall be included on all final site plan sheets involving any ground disturbing activities. (Archaeology)
- R-2 The applicant shall not allow any metal detection and/or artifact collection to be conducted on the property, unless authorized by Alexandria Archaeology. Failure to comply shall result in project delays. The language noted above shall be included on all final site plan sheets involving any ground disturbing activities. (Archaeology)

Code

- C-1 All required archaeological preservation measures shall be completed in compliance with Section 11-411 of the Zoning Ordinance.

Historic Preservation (P&Z):

- F-1 The subject property is a designated 100 year old building and as such the proposed work will require approval of a Permit to Demolish/Capsulate and a Certificate of Appropriateness from the Alexandria Board of Architectural Review (BAR).
- F-2 114 North Payne Street was originally built in 1875 by John House as fulfillment of a condition of the purchase of the property. When this house was built it was an example of a Gothic Cottage, of which there are few in the City of Alexandria. Significant changes have been made to the structure including the modification of the roof form and the elimination of all original trim. The current building is more emblematic of the Federal Style than the original Gothic style.
- F-3 The proposed rear addition does not impact the older front section of the structure and will be minimally visible from the public right of way. The BAR often approves additions to later portions of existing buildings at the rear of the lot. Per the included drawings and the provided project description, the applicant is proposing modifications to the façade that are “appropriate to the period of original construction”. Prior to submitting the project for a Certificate of Appropriateness, the applicant should meet with Historic Preservation Staff to review these alterations.



**APPLICATION
BOARD OF ZONING APPEALS**

VARIANCE

Section of zoning ordinance from which request for variance is made:

Section 4-506 Bulk regulations, (A), (2), (b) - Side yards. "Each single and two-family dwelling shall provide two side yards of a minimum size of five feet".

PART A

1. Applicant: Owner Contract Purchaser Agent

Name John Savage

Address 218 N. Lee Street Suite 204-A

Alexandria, Virginia 22314-2665

Daytime Phone (703) 462-3994

Email Address savage.arch2@netzero.net

2. Property Location 114 North Payne Street

3. Assessment Map # 064.03 Block 10 Lot 33 Zone CD

4. Legal Property Owner Name Larry and Sue Barkell

Address 8171 Brookville Road

Plymouth, Michigan 48170

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. Larry Barkell | 8171 Brookville Rd, Plymouth, Michigan 48170 | 50 |
| 2. Sue Barkell | 8171 Brookville Rd, Plymouth, Michigan 48170 | 50 |
| 3. | | |

2. Property. State the name, address and percent of ownership of any person or entity owning an interest in the property located at 114 North Payne Street (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. Larry Barkell | 8171 Brookville Rd, Plymouth, Michigan 48170 | 50 |
| 2. Sue Barkell | 8171 Brookville Rd, Plymouth, Michigan 48170 | 50 |
| 3. | | |

3. Business or Financial Relationships. Each person or entity listed above (1 and 2), with an ownership interest in the applicant or in the subject property is 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 ([OHAD](#) and [Parker-Gray](#)). **All fields must be filled out completely. Do not leave blank. (If there are no relationships please indicate each person or entity below and "NONE" in the corresponding fields.)**

| 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. Larry Barkell | None | Not applicable |
| 2. Sue Barkell | None | Not applicable |
| 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.

5. Describe request briefly:

Request of a 4.7' variance from the required 5' Side yard setback from the north property line and request of a .1' variance from the required 5' Side yard setback from the south property line.

6. If 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:

- I, as the applicant or authorized agent, note that there is a fee associated with the submittal of this application. Planning & Zoning Department staff will be in contact with the applicant regarding payment methods. Please recognize that applications will not be processed until all fees are paid.
- Yes No I affirm that I, the applicant or authorized agent, am responsible for the processing of this application and agree to adhere to all the requirements and information herein.

Printed Name: John B. Savage

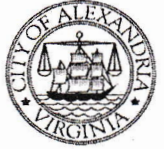
Date: October 20, 2022

Signature: *John B. Savage*

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.

City of Alexandria Business License

Revenue Administration Division, City of Alexandria, 301 King Street, Room 1700, Alexandria, VA 22314



License Number: 109446-2022
Account Number: 109446
Tax Period: 2022
Business Name: John B. Savage & Associates, Architects, P.C.
Trade Name: JOHN B SAVAGE & ASSOCS ARCHITECTS
Business Location: 218 N LEE ST UNIT:204-A
Alexandria, VA 22314
License Classification(s): Professional Occupations/Businesses
9-071-004
Architect

This license has been issued by the Revenue Administration Division of the City of Alexandria and is granted to:

John B. Savage & Associates, Architects, P.C.
218 N LEE ST UNIT:204-A
Alexandria, VA 22314

PART B

APPLICANT MUST EXPLAIN THE FOLLOWING:

(Please attach additional pages where necessary.)

1. Please answer A or B:

A. Explain how enforcement of the zoning ordinance would prevent reasonable use of the property.

Logical expansion of this property involves construction of a second-floor addition over an existing first-floor rear structure. This can be done without any loss of open space and will utilize the existing structural foundations with this proposed construction. The proposed addition has marginal visibility from North Payne Street and does not have a negative impact on adjoining properties.

Enforcement of the zoning ordinance would prevent this reasonable expansion on this property.

B. Explain how the variance, if granted, would alleviate a hardship, as defined above.

2. Is this unreasonable restriction or hardship unique to the property?

A. Explain if the restriction or hardship is shared by other properties in the neighborhood.

Yes, this is an unreasonable restriction unique to the property.

The restriction is not shared by other properties in the neighborhood. Most properties in the neighborhood are townhouses and not detached single family properties. Almost all of these townhouse properties have little or no Side yard setbacks. Only one property, 112 North Payne Street, is a single-family detached property and this property does not have two 5' side yard setbacks.

B. Does this situation or condition of the property (on which this application is based) generally apply to other properties in the same zone?

No. Most other residential properties are townhouses which have little or no Side yard setbacks. The only other detached single-family residence on this block, 112 North Payne Street, has two Side yard setbacks, neither of which is 5' or greater.

3. Was the unreasonable restriction or hardship caused by the applicant?

A. Did the condition exist when the property was purchased?

Yes, the condition existed when the property was purchased.

B. Did the applicant purchase the property without knowing of this restriction or hardship?

The owner purchased the property without knowing of this restriction or hardship.

C. How and when did the condition, which created the unreasonable restriction or hardship, first occur?

The original portion of the structure was constructed on the north property line prior to 1891. That created the hardship along the north property line. There was no 5' side yard setback at that time. The property was subdivided in the 1970's. The side yard setback of 5' on the south property line was a part of this subdivision. A survey of the existing property on July 11, 2022 shows the existing south wall of 114 North Payne Street being 4.9' from the south property line.

D. Did the applicant create the unreasonable restriction or hardship and, if so, how was it created?

No, the applicant did not create the unreasonable hardship. It was created with the subdivision of the property in the 1970's., and with a one story rear addition that was constructed in the first decade of this century.

4. Will the variance, if granted, be harmful to others?

A. Explain if the proposed variance will be detrimental to the adjacent properties or the neighborhood in general.

The proposed variance will not be detrimental to the adjacent properties or the neighborhood in general. This is a neighborhood predominated by two-story residences with basements. The owner wishes the residence to remain a two-story structure with a partial basement and with the reasonable addition proposed.

B. Has the applicant shown the proposed plans to the most affected property owners? Have these property owners written statements of support or opposition of the proposed variance? If so, please attach the statements or submit at the time of the hearing.

The applicant has shown the proposed plans to the most affected property owners. The owners of 112 North Payne Street have reviewed the proposed plans and do not have any comments about the proposed addition. The owner of 116 North Payne Street has reviewed the proposed plans and feels that this is a logical addition. Neither of these adjacent property owners has provided written statements of support or opposition to the proposed variance.

5. Is there any other administrative or procedural remedy to relieve the hardship or unreasonable restriction?

No, there is no other administrative or procedural remedy to relieve the hardship or unreasonable restriction.

PART C

1. Have alternative plans or solutions been considered so that a variance would not be needed? Please explain each alternative and why it is unsatisfactory.

Yes, an alternative plan has been considered so that a variance would not be needed. A third floor addition could be constructed 5' off the north property line and .1' off of the existing south wall, achieving a 5' setback off of the north property line and a 5' setback off of the south property line. This third floor addition could be constructed for the entire third floor. A three-story structure is not compatible at this location and contrasts with the existing two-story structures that predominates this neighborhood.

The architect of 112 North Payne Street went to great lengths to design a new house that is compatible with the existing structure at 114 North Payne Street. The gutter board of 112 North Payne Street matches the existing gutter board of 114 North Payne Street. This created a compatible new dwelling adjacent the building at 114 North Payne Street that was constructed prior to 1891.

2. Please provide any other information you believe demonstrates that the requested variance meets the required standards.

This property is located in the City of Alexandria Old and Historic District. The project will have to be reviewed by the City of Alexandria Board of Architectural Review. This project, a second-story addition over an existing one-story structure, is an addition that the applicant believes is capable of being approved by the Alexandria Board of Architectural Review.

By contrast, a third-floor addition that meets all zoning requirements is not an architecturally compatible solution, and has only a minor chance of being approved by the Alexandria Board of Architectural Review.

A two-story solution such as is illustrated on the drawings is a logical solution for expansion of this structure on this site, and is compatible with other neighboring structures. The proposed addition has marginal visibility from the public right-of-way.

Draft description of the request intended to be used in the property owner's notice:

"Variance to construct a second floor rear addition over an existing single-story section of the existing residence in the required Side yards on 114 North Payne Street".

*****ATTENTION APPLICANTS*****

At the time of application for a Special Use Permit, Rezoning, Vacation, Encroachment, Variance, Special Exception or Subdivision, you must provide a draft of the description of your request you intend to use in the property owner's notice. You must be thorough in your description. Staff will review the draft wording to confirm its completeness.

The example illustrates a detailed description:

"Variance to construct a two-story addition in the required side yards on _____ Street."

If you fail to submit draft language at the time of the application filing deadline, the application will be determined to be incomplete and may be deferred by staff.

PROJECT DESCRIPTION AND SUMMARY

114 North Payne Street was originally constructed prior to 1891 as a two-story frame structure with partial basement. This is a neighborhood predominated by two-story residential structures, many of which have basements. In the first decade of this century a one-story rear addition was constructed along with a new basement addition within that new footprint. A partial basement alteration within the original building footprint was also constructed adjacent this new addition.

This project proposes the following:

- A.) Removal of existing rear one-story roof and construction of a second-floor addition over the existing first floor. The size of the second-floor addition will be the same as that of the existing first floor.
- B.) Construction of a second-floor rear deck 11'-2" wide by 7'-0" deep.
- C.) Removal of existing aluminum siding on front elevation and replacement with fiber-cement siding with an appropriate exposure. Installation of appropriate window and cornice detailing appropriate to the period of original construction. Construction of a roof front entrance feature compatible with the original construction and offering weather protection.
- D.) Removal of the existing brick knee wall with metal fencing along the front property line. Removal of metal fencing at property line separating 114 and 112 North Payne Street. The brick knee wall will be retained and the metal fencing will be replaced with wood fencing.
- E.) Removal of existing curb separating 114 and 112 North Payne Street. Replacement with new curb and gutter and sidewalk in the public right-of-way.

This application is a request for a variance to the requirements of the zoning ordinance where, owing to special conditions of the property, the variance is necessary and desirable and would not adversely affect adjacent property owners.

The structure at 114 North Payne Street is a free-standing single-family residence in the CD Zone. A summary of zoning requirements is as follows:

- 1.) Zone: CD
- 2.) Required lot frontage: 25.0 feet
Existing lot frontage: 25.42 feet
- 3.) Total Lot Area: 3,137 sq. ft. Minimum lot area for a single-family residence in the CD Zone is 1,452 sq. ft. Maximum Allowable Floor Area permitted: 4,705.50 sq. ft. Allowable Floor Area provided: 2,833.23 sq. ft.
- 4.) Open Space required: 1,097.95
Open Space provided: 1,101.92
- 5.) Maximum building height for a single-family residence in the CD zone: 35.0 feet
Building height: Height to mid-point of existing front gable roof: 23.5'

5.) Yard requirements:

a.) Front yard requirement: Average distance from front property line for properties on this side of the block. There are fourteen properties on this side of the street in the 100 block of North Payne Street. Ten of those properties are on the front property line.

Front yard provided at 114 North Payne Street is 20.85 feet from front property line to proposed roof at front entrance. The front yard setbacks of 108, 110, and 112 vary from 25.5' to 28.5'. The front yard setback of 114 North Payne Street exceeds the average distance from front property line for the fourteen residential properties on this side of the block.

b.) Rear yard requirement: 1:2 ratio with a minimum of 16 feet

Rear yard setback: 36.0 Feet. Height to mid-point of proposed roof of second floor rear addition: 23.42'.

c.) Side yard requirement: 5.0'.

Side yard provided at north property line of second-story rear addition: .3'.

Side yard provided at south property line of second-story rear addition: 4.9'.

A summary of the proposed Zoning Variances required to construct Additions is as follows:

- 1.) A Zoning Variance of 4.7' for construction of a second-floor rear addition at the north property line.
- 2.) A Zoning Variance of .1' for construction of a second-floor rear addition at the south property line.

CONCLUSIONS

The Zoning Variances listed are minor adjustments to the requirements of the zoning ordinance owing to the existing conditions of this property. The Zoning Variances are desirable and would not adversely affect as adjacent property owners. Along the north property line it is logical to have north wall of the second- floor addition match the north wall of existing first floor, maximizing the existing structural components. The second=floor north wall will be without windows, providing necessary fire protection and privacy for 116 North Payne Street. It is logical for the second-floor south wall to match that of the first-floor south wall and the south wall of the existing structure. It should be noted that this proposal, with the proposed additions, has an F.A.R. of only 60% of what is permitted on this site. This site would allow for a sizeable third floor addition which would be out of character for this block. The historic structure located at 116 is a three-story structure that was originally constructed in 1814. The proposed second- floor rear addition has limited visibility from the street. This neighborhood predominately consists of two-story residential structures. The second-floor addition is not out of character with other residential structures in the neighborhood. There are some minor modifications to the front façade. These are aesthetic and minor structural issues that are architecturally compatible with the original construction in the late nineteenth century. The proposed second story rear addition is the only reasonable means and location for an addition to the existing structure.



Department of Planning and Zoning Floor Area Ratio and Open Space Calculations

B

A. Property Information

A1. 114 North Payne Street CD
 Street Address Zone

A2. 3,137.00 x 1.50 = 4,705.50
 Total Lot Area Floor Area Ratio Allowed by Zone Maximum Allowable Floor Area

B. Existing Gross Floor Area

| Existing Gross Area | | Allowable Exclusions** | |
|---------------------|----------|------------------------|--------|
| Basement | 775.97 | Basement** | 775.97 |
| First Floor | 1,360.38 | Stairways** | 62.73 |
| Second Floor | 1,048.19 | Mechanical** | 0.00 |
| Third Floor | 0.00 | Attic less than 7*** | 288.40 |
| Attic | 288.40 | Porches** | 0.00 |
| Porches | 18.17 | Balcony/Deck** | 0.00 |
| Balcony/Deck | 32.80 | Lavatory*** | 0.00 |
| Lavatory*** | | Other** | 0.00 |
| Other** | | Other** | 0.00 |

B1. Sq. Ft.
Existing Gross Floor Area*

B2. Sq. Ft.
Allowable Floor Exclusions**

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

Comments for Existing Gross Floor Area

B1. **Total Gross** B2. **Total Exclusions**

C. Proposed Gross Floor Area

| Proposed Gross Area | | Allowable Exclusions** | |
|---------------------|--------|------------------------|------|
| Basement | 0.00 | Basement** | 0.00 |
| First Floor | 0.00 | Stairways** | 0.00 |
| Second Floor | 325.22 | Mechanical** | 0.00 |
| Third Floor | 0.00 | Attic less than 7*** | 0.00 |
| Attic | 0.00 | Porches** | 0.00 |
| Porches | 32.80 | Balcony/Deck** | 0.00 |
| Balcony/Deck | 78.40 | Lavatory*** | 0.00 |
| Lavatory*** | 0.00 | Other** | 0.00 |
| Other | | Other** | 0.00 |

C1. Sq. Ft.
Proposed Gross Floor Area*

C2. Sq. Ft.
Allowable Floor Exclusions**

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

C1. **Total Gross** C2. **Total Exclusions**

D. Total Floor Area

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

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

E. Open Space

E1. Sq. Ft.
Existing Open Space

E2. Sq. Ft.
Required Open Space

E3. Sq. Ft.
Proposed Open Space

Notes

*Gross floor area is the sum of all areas under roof of a lot, measured from the face of exterior walls, including basements, garages, sheds, gazebos, guest buildings and other accessory buildings.

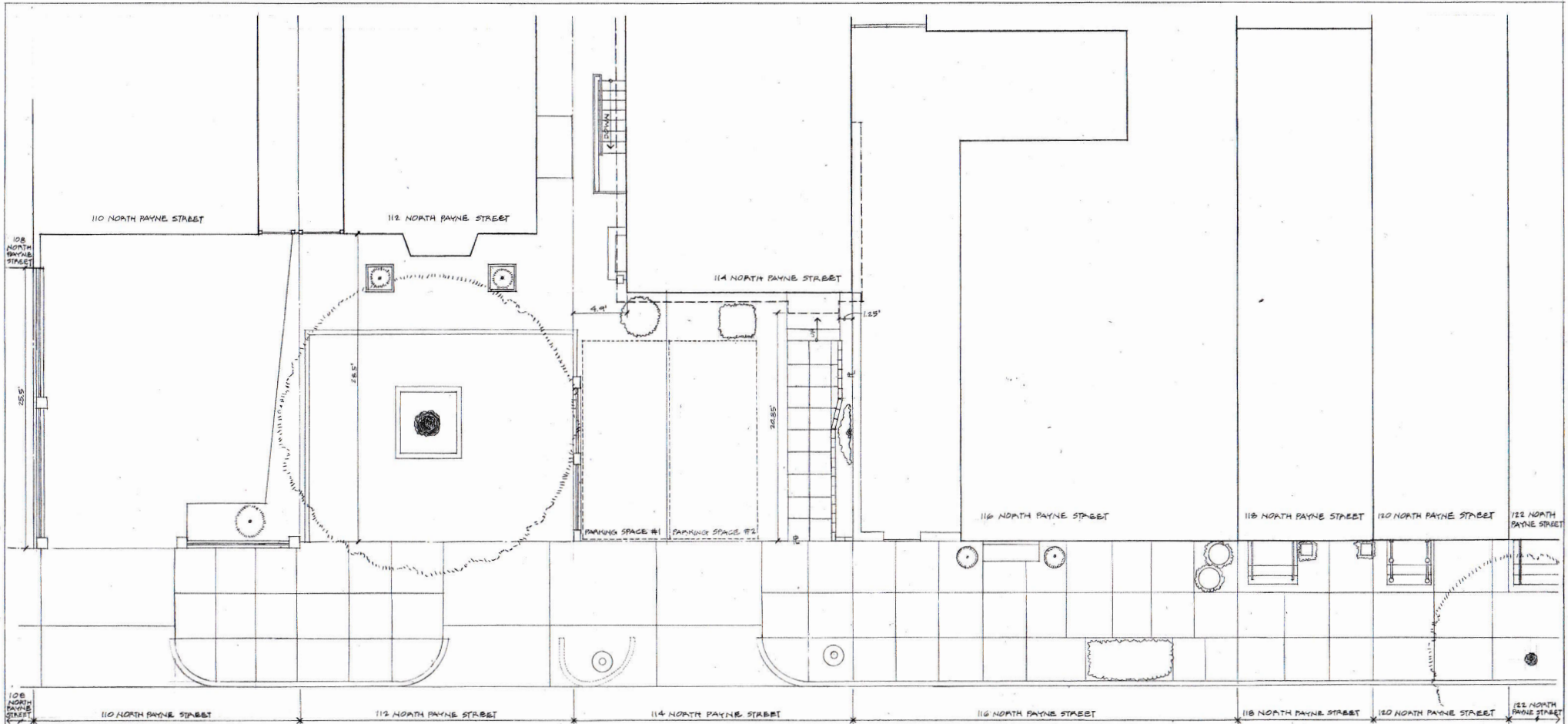
** Refer to the Zoning Ordinance (Section 2-145(B)) and consult with Zoning Staff for information regarding allowable exclusions. Sections may also be required for some exclusions.

***Lavatories may be excluded up to a maximum of 50 square feet, per lavatory. The maximum total of excludable area for lavatories shall be no greater than 10% of gross floor area.

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

Signature: John B. Swaga

Date: OCTOBER 20, 2022



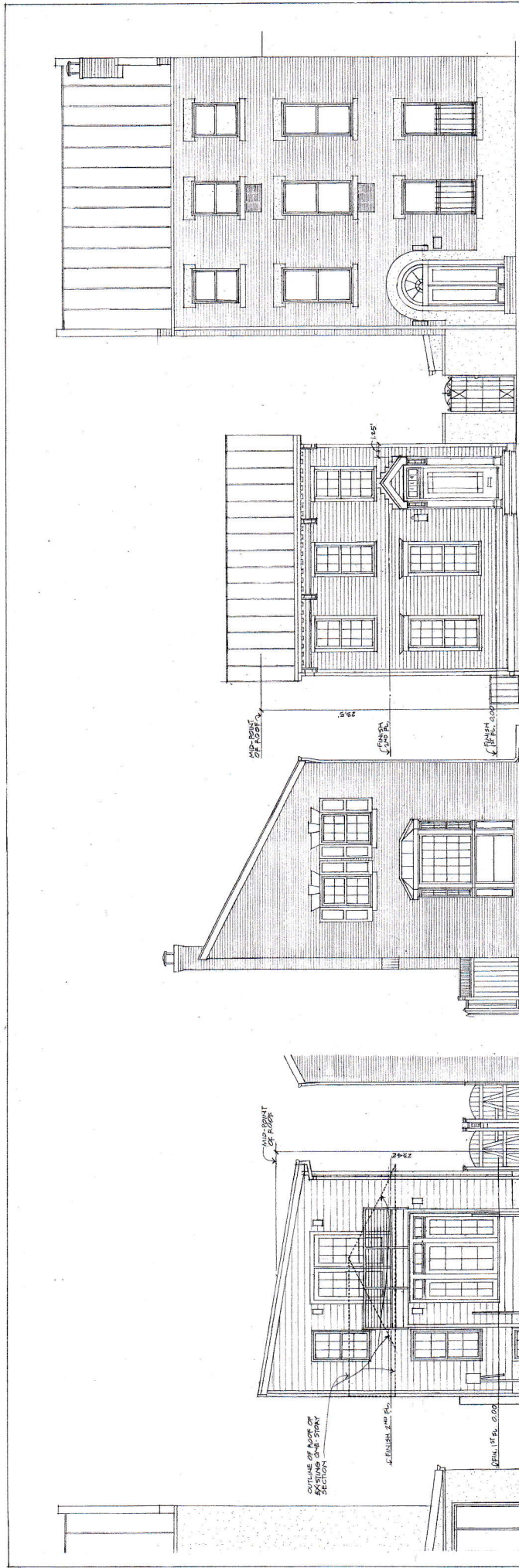
Savage & Associates, P.C.
 218 North Lee Street Suite 204-A
 Alexandria, Virginia 22314
 TEL: (703) 683-6410 MOBILE: (703) 462-3994
 E-MAIL: SAVAGE_ARCH2@NETTEND.NET

SUBMITTALS:
 10/18/12: BOARD OF ZONING APPEALS SUBMISSION
 10/19/12: BOARD OF ZONING APPEALS RESUBMISSION

PLAN AT STREET LEVEL

PROPOSED ADDITION & ALTERATIONS TO
 114 NORTH PAYNE STREET
 ALEXANDRIA, VIRGINIA 22314

DRAWING
 A-1
 DWG. 1 OF 4
 DATE:
 10/10/12

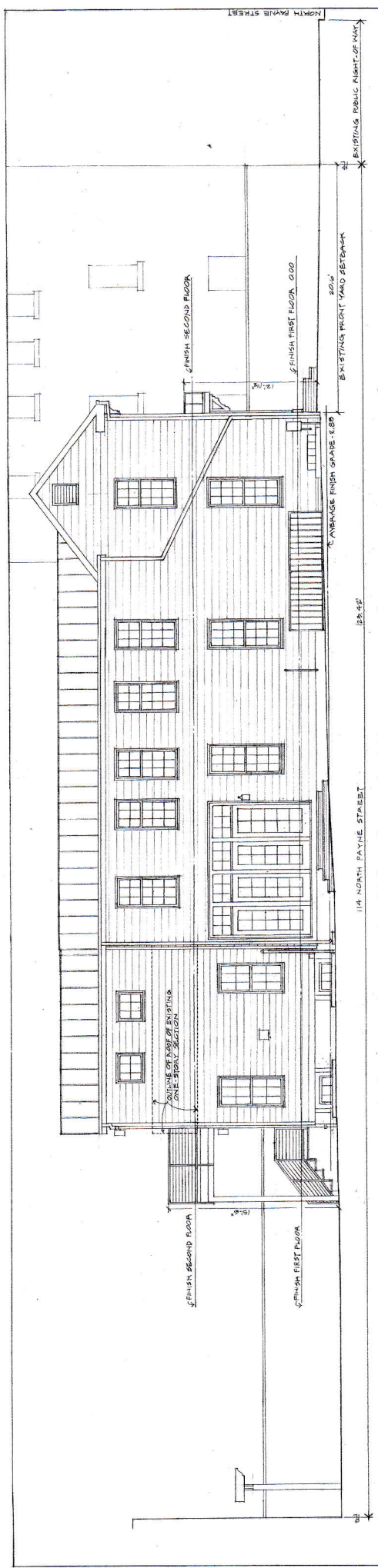


| | | | |
|---|---|---|---|
| <p>118 NORTH PAYNE STREET</p> <p>114 NORTH PAYNE STREET</p> <p>112 NORTH PAYNE STREET</p> <p>114 NORTH PAYNE STREET</p> <p>114 NORTH PAYNE STREET</p> <p>114 NORTH PAYNE STREET</p> | <p>118 NORTH PAYNE STREET</p> <p>114 NORTH PAYNE STREET</p> <p>112 NORTH PAYNE STREET</p> <p>114 NORTH PAYNE STREET</p> <p>114 NORTH PAYNE STREET</p> <p>114 NORTH PAYNE STREET</p> | <p>118 NORTH PAYNE STREET</p> <p>114 NORTH PAYNE STREET</p> <p>112 NORTH PAYNE STREET</p> <p>114 NORTH PAYNE STREET</p> <p>114 NORTH PAYNE STREET</p> <p>114 NORTH PAYNE STREET</p> | <p>118 NORTH PAYNE STREET</p> <p>114 NORTH PAYNE STREET</p> <p>112 NORTH PAYNE STREET</p> <p>114 NORTH PAYNE STREET</p> <p>114 NORTH PAYNE STREET</p> <p>114 NORTH PAYNE STREET</p> |
| <p>EAST ELEVATION (NORTH PAYNE STREET ELEVATION)</p> <p>1/4" = 1'-0"</p> | | | |
| <p>WEST ELEVATION (NORTH PAYNE STREET ELEVATION)</p> <p>1/4" = 1'-0"</p> | | | |
| <p>REAR ELEVATION (NORTH PAYNE STREET ELEVATION)</p> <p>1/4" = 1'-0"</p> | | | |
| <p>WEST ELEVATION (NORTH PAYNE STREET ELEVATION)</p> <p>1/4" = 1'-0"</p> | | | |
| <p>EAST ELEVATION (NORTH PAYNE STREET ELEVATION)</p> <p>1/4" = 1'-0"</p> | | | |
| <p>118 NORTH PAYNE STREET</p> <p>114 NORTH PAYNE STREET</p> <p>112 NORTH PAYNE STREET</p> <p>114 NORTH PAYNE STREET</p> <p>114 NORTH PAYNE STREET</p> <p>114 NORTH PAYNE STREET</p> | | | |

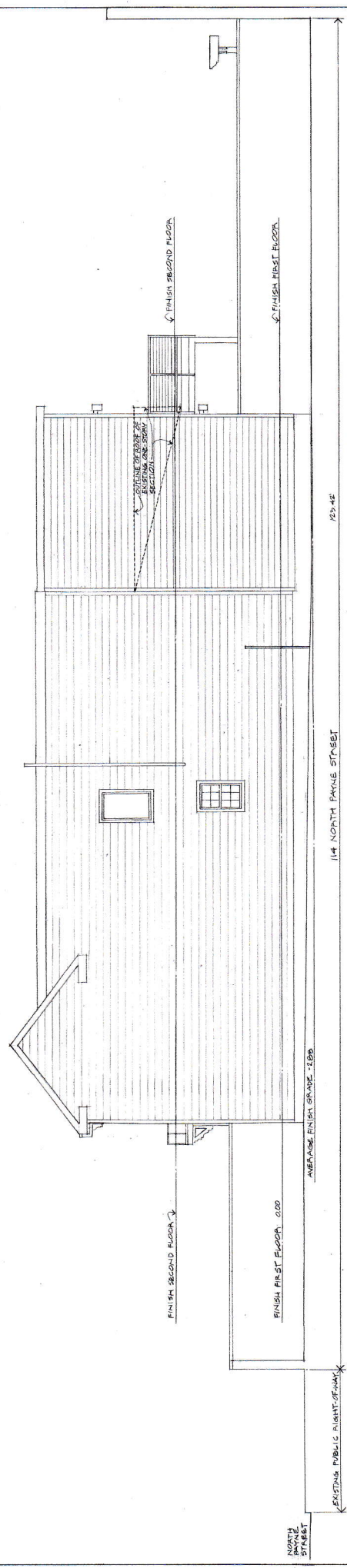
| | | | |
|---|---|--|---|
| <p>DRAWING A-3 DATE: 10/20/12</p> | <p>PROPOSED ADDITION & ALTERATIONS TO 114 NORTH PAYNE STREET ALEXANDRIA, VIRGINIA 22314</p> | <p>WEST ELEVATION EAST ELEVATION</p> | <p>118 NORTH PAYNE STREET</p> <p>114 NORTH PAYNE STREET</p> <p>112 NORTH PAYNE STREET</p> <p>114 NORTH PAYNE STREET</p> <p>114 NORTH PAYNE STREET</p> <p>114 NORTH PAYNE STREET</p> |
|---|---|--|---|

SAVAGE & ASSOCIATES, P.C.
218 NORTH LEE STREET SUITE 204-A
ALEXANDRIA, VIRGINIA 22314
TEL: (703) 689-6410 MOBILE: (503) 689-4410
EMAIL: SAVAGE_ARCH@NETFROG.NET

SUBMITTALS:
10/15/12: BOARD OF ZONING APPEALS SUBMISSION
10/16/12: BOARD OF ZONING APPEALS RESUBMISSION



SOUTH ELEVATION (LEFT SIDE ELEVATION)
1/4" = 1'-0"



NORTH ELEVATION (RIGHT SIDE ELEVATION)
1/4" = 1'-0"

| | | | |
|--|---|--|--|
| <p>DRAWING A-4 SHEET 4 OF 4 DATE 10/30/12</p> | <p>PROPOSED ADDITION & ALTERATIONS TO 114 NORTH PAYNE STREET ALEXANDRIA, VIRGINIA 22314</p> | <p>SUBMITTALS: TO THE BOARD OF ZONING APPEALS SUBMISSION TO THE BOARD OF ZONING APPEALS RESUBMISSION</p> | <p>SOUTH ELEVATION NORTH ELEVATION</p> |
| <p>Savage & Associates, P.C. 218 North Lee Street Suite 204-A Alexandria, Virginia 22314 TEL: (703) 483-6410 MOBILE: (703) 462-3194 E-MAIL: SAVAGE_ARCH@NETSCO.NET</p> | | | |

