

City of Alexandria, Virginia

MEMORANDUM

DATE: May 4, 2026

TO: CHAIR LIU AND MEMBERS OF THE BOARD OF ZONING APPEALS

FROM: PAUL STODDARD, DIRECTOR
DEPARTMENT OF PLANNING & ZONING

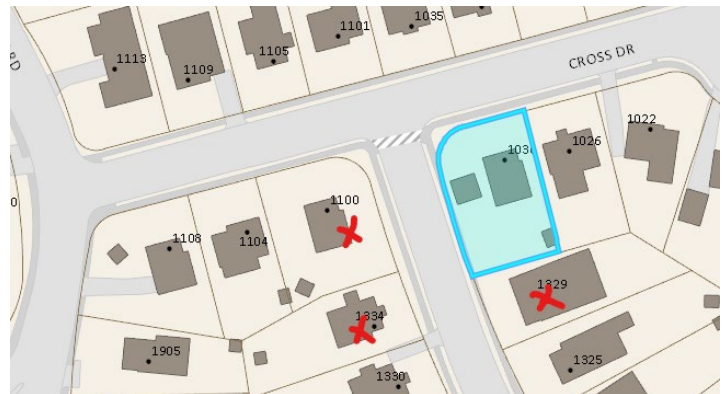
SUBJECT: DOCKET ITEM #3 – BZA #2026-00002 – 1030 CROSS DRIVE

This memorandum is to address questions about contextual blockface, alternative structures and building permits that were raised at the April 13, 2026 Board of Zoning Appeal meeting.

Staff continues to recommend denial of the requested variance because it does not meet all of the standards for a variance as explained in the staff report. Only the standards under Section 11-1100 can be considered in making a variance decision. The criteria do not include considerations like the cost or financial hardship and are therefore inappropriate. 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 that are outlined in the staff report.

Changes to Contextual Blockface

If the variance is granted, the setback of the accessory structure (0.00 feet) can be used when calculating the range established by the front yards within the contextual block face for the abutting properties that share a common street frontage with the subject property. Potentially resulting in 0.00 foot front yard setbacks expanding within the neighborhood over time. The properties that would immediately result in a required 0.00 foot front yard setback facing Bayliss Drive would be 1100 Cross Drive, 1334 and 1329 Bayliss Drive. While those properties may not have current plans to expand or reconstruct, they could potentially add on or reconstruct a new dwelling with no setback from the front property line along Bayliss Drive.



Alternatives for Covered Outdoor Area

Both the Board and the applicant expressed the importance of being able to provide covered outdoor space. There are several complying options to provide covered or partially covered outdoor areas on the property:

- 1) Modify the roof of the existing structure to be at least 80% open. This alternative would comply with the limitations for a pergola that is a permitted obstruction in all required yards per section 7-202(A)(5).
- 2) Relocate the existing structure to the south side of the dwelling and place it in the flat area of the lot before it slopes down to the low part of the lot where a trampoline is located.
- 3) Construct a porch off the primary and/or secondary front building walls of up to 10.00 feet in depth, maintaining the required 10.00 foot setback from front property lines for porches.

Building Permit

Staff has confirmed with the Department of Code Administration that both a Building Permit and an Electrical Permit are required for the structure and would have been required in 2018. Comments received from Code Administration:

- A building permit is required for the gazebo (porch) in accordance with VRC Section R108.2. Per Virginia Residential Code (VRC) Section R108, one-story detached accessory structures used as tool and storage sheds, playhouses, or similar uses are exempt from building permit requirements, provided the building area does not exceed 256 square feet (23.78 m²) and the structures are not classified as Group F-1 or H occupancies. The subject porch or gazebo does not qualify for this exemption, as it is not a tool/storage shed or similar exempt structure.
- Based on the photos submitted with the application, permanently installed receptacles rated for wet locations are required to comply with VRC Sections E3909.1 and E3902.3 to serve the three TV sets and related accessories. An electrical permit is required. Outdoor receptacles shall be GFCI protected.

While staff wanted to get clarification about the need for permits for both the Board and the applicant, zoning requirements must be met regardless of the need for permits from the Department of Code Administration. Many structures that do not require a building permit must still comply with the zoning ordinance. Planning and Zoning Staff work closely with Code Administration staff to make sure that we refer customers between the Departments to make sure all the requirements are met.