

Docket Item #1
BZA CASE #2012-0022

Board of Zoning Appeals
February 14, 2013

ADDRESS: 2433 RIDGE ROAD DRIVE
ZONE: R8, RESIDENTIAL
APPLICANT: CAMERON ARGETSINGER & ELIZABETH CHERRY BY KIM A. BEASLEY, ARCHITECT.

ISSUE: A request for a special exception to construct a second-story addition in the required side yard setback.

CODE SECTION	SUBJECT	CODE REQMT	APPLICANT PROPOSES	REQUESTED EXCEPTION
3-306(A)(2)	Side Yard (North)	9.25 ft*	7.33 ft	1.92 ft

*Based on a building height of 18.50 feet measured from average grade to the roof eave facing the north side property line.

BOARD OF ZONING APPEALS ACTION OF JANUARY 10, 2013: On a motion by Mr. Goodale, seconded by Mr. Zander, the special exception was unanimously deferred to the February 14th BZA hearing.

Reason: To permit the applicants to meet with the neighbors to discuss their plans.

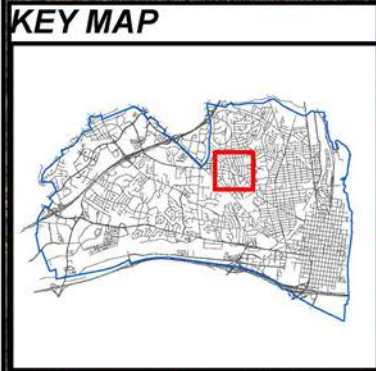
Speakers;

Kim Beasley, architect, made the presentation.

Janet Lovich, adjacent neighbor, spoke in opposition.

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 with the following condition it must comply with the code requirements under the department comments and 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.



	<p>BZA #2012-0022 2433 Ridge Road Drive</p>	<p>02/14/13</p>	
---	--	-----------------	---

I. Issue

The applicants propose to construct a second-story addition in the required north side yard at 2433 Ridge Road Drive.

II. Background

The subject property is one lot of record with 50.00 feet of frontage facing Ridge Road Drive and 139.47 feet of depth. The property contains 6,949 square feet of lot area and is substandard for single family dwelling lot in the R-8 zone, where the minimum lot area is 8,000 square feet and minimum lot width is 65.00 feet. The property complies with the required 40.00 foot minimum lot frontage for an R-8 zoned single family lot.

The property is currently developed with a one and one-half-story single family dwelling with an open front stoop and front loaded garage located 25.70 feet from the front property line, 7.40 feet from the north side property line and 7.50 feet from the south side property line. According to real estate assessments the dwelling was constructed in 1940.

III. Description

The applicants propose to raise a portion of the existing house facing Ridge Road Drive and the north side yard with a second story addition in line with the exiting north side wall and 7.40 feet from the north side property line. The second floor facing Ridge Road Drive will continue to be located 25.70 feet from the front property line. A new front covered porch will replace the existing front stoop and align with the front building wall and will be slightly recessed to comply with the 8.00 feet setback facing the south side property line.

The addition will measure 18.50 feet measured to the roof eave facing the north side property line from average finished grade and 25.50 feet to the roof peak. The second floor addition totals approximately 200.50 square feet of floor area and 140.00 square feet of new attic space. Upon completion of the work, the proposed renovations will continue to comply with the floor area requirements.

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

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 in the Potomac West Small Area Plan for residential use.

V. Requested Special Exception:

3-306(A)(2) Side Yard (North)

The applicants request a special exception of 1.90 feet from the required 9.25 feet based on a building height of 18.50 feet measured from average finished grade to the roof eave

facing the north side property line to construct a second-story addition 7.33 feet from the north side property line.

VI. Existing Noncomplying Structure/ Substandard Lot

The existing building at 2433 Ridge Road Drive is a noncomplying structure with respect to the following:

<u>Regulation</u>	<u>Required</u>	<u>Existing</u>	<u>Noncompliance</u>
Side Yard (North)	8.00 ft	7.33 ft	0.67 ft
Lot Area	8,000 sq ft	6,949 sq ft	1,051 sq ft
Lot Width	65.00 ft	50.00 ft	15.00 ft

VII. Special Exceptions Standards

To grant a special exception, the Board of Zoning Appeals must find that the strict application of the zoning ordinance creates an unreasonable burden on the use and enjoyment of the property. Section 11-1304 of the zoning ordinance lists standards that an applicant must address and that the Board believes exists and thus warrants granting a special exception of the zoning regulations.

- 1) Whether approval of the special exception will be detrimental to the public welfare, to the neighborhood or to the 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.
- 3) Whether approval of the special exception will alter the essential character of the area or zone.
- 4) Whether the proposal will be compatible with the development in the surrounding neighborhood.
- 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.

VIII. Staff Conclusion

Neighborhood Impact

An inspection of the surrounding neighborhood revealed that many homes have been expanded to include second stories. The proposed addition is in keeping with the character of the neighborhood and complements the existing dwelling.

The adjacent property to the north and south are occupied by a two story dwellings with similar dormer configurations and roof lines. The design and size of the addition is compatible with character of the block. The project will not use the full building envelope allowed nor result in the existing house being enlarged closer to the street.

Light and Air

The overall height of the two-story addition will be no taller than the existing dwelling and will continue to be located in line with the existing north side building wall. The height of the addition decreases towards the rear of the property and is only one-story at the very rear. The sloping roof will allow adequate light and air to reach the side yards of the subject property and the adjacent property to the north.

Lot Constraints

The subject property is substandard as to the required lot area and width for an R-8 zoned property. The existing dwelling is almost centered on the property and the existing house footprint projects less than six inches into the required side yards. The substandard nature of the lot and the location of the existing dwelling on the lot limit the development opportunities on the lot. The applicants have chosen to only expand on the north side of the house located in the required north side yard.

Staff Conclusion

As outlined above, the staff believes the application meets the criteria for a special exception and **recommends approval** of the request.

DEPARTMENTAL COMMENTS

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

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

Transportation and Environmental Services:

- R-1 Applicant shall be responsible for repairs to the adjacent city right-of-way if damaged during construction activity. (T&ES)
- R-2 All improvements to the city right-of-way such as curbing, sidewalk, driveway aprons, etc. must be city standard design. (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)
- R-4 The building permit must be approved and issued prior to the issuance of any permit for demolition. (T&ES)
- F-1 An approved grading plan may be required at the time of building permit application per City Code Section 5-6-224 (d). Insufficient information has been provided to make that determination at this time. Questions regarding the processing of grading plans should be directed to the T&ES Site Plan Coordinator at (703) 746-4064. Memorandum to Industry No. 02-08 was issued on April 28, 2008 and can be viewed online via the following link. <http://alexandriava.gov/uploadedFiles/tes/info/gradingPlanRequirements.pdf>
- 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 Compliance with the provisions of Article XIII of the City's zoning ordinance for stormwater quality control is required for any land disturbing activity greater than 2,500 square feet. (T&ES)
- C-3 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-4 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-5 All secondary utilities serving this site shall be placed underground. (Sec. 5-3-3) (T&ES)
- C-6 Any work within the right-of-way requires a separate permit from T&ES. (Sec. 5-2) (T&ES)

Code Administration:

- F-1 The review by Code Administration is a preliminary review only. Once the applicant has filed for a building permit, code requirements will be based upon the building permit plans. If there are any questions, the applicant may contact Ken Granata, Plan Review Services Division Chief, at ken.granata@alexandriava.gov or 703.746.4193.
- C-1 A building and trade permits are required for this project. Five sets of *construction documents* that fully detail the construction as well as framing schematics shall accompany the permit application(s). If a Virginia licensed design professional prepares drawings, the plans shall bear the signature and seal of the Virginia licensed design professional in accordance with the Code of Virginia Section 54.1-410B.
- C-2 Wall bracing system to adequately transfer lateral loads (wind governing) to the foundation is required for building permit. Provide one of the three following methods: 1) a prescriptive wall bracing method; 2) a proprietary performance system tested and approved by a nationally recognized testing agency; or 3) a signed and sealed lateral resistance system designed by a licensed design professional (Structural Engineer) in the Commonwealth of Virginia (provide original document)
- C-3 A one-hour fire-resistance-rated exterior wall assembly (exposure from both sides) for all exterior walls within 5ft from the property-line is required for building permit. Provide one of the following: 1) a performance system tested approved by a nationally recognized testing agency, i.e. UL assembly or ICC Evaluation Report; or 2) provide an assembly description based on the Virginia Construction Code "Prescriptive Fire Resistance".

Recreation (Arborist):

- F-1 No trees are affected by this plan.

Historic Alexandria (Archaeology):

- R-1 The statements in archaeology conditions below shall appear in the General Notes of all site plans and on all site plan sheets that involve demolition or ground disturbance (including Basement/Foundation Plans, Demolition, Erosion and Sediment Control, Grading, Landscaping, Utilities, and Sheeting and Shoring) so that on-site contractors are aware of the requirements:
 - a. The applicant/developer shall call Alexandria Archaeology immediately (703-746-4399) if any buried structural remains (wall foundations, wells, privies,

BZA CASE #2012-0022

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.

- b. The applicant/developer shall not allow any metal detection to be conducted on the property, unless authorized by Alexandria Archaeology.

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

F-1 Although historic background research does not indicate that the property has a high potential for containing significant archaeological resources, a 1927 aerial map depicts a possible structure on the adjacent property, and therefore there is a possibility that archaeological resources are present on the subject property.

Other Requirements Brought to the Applicant's Attention:

C-1 A wall check survey plat shall be submitted to Planning and Zoning when the building footprint is in place, pursuant to Alexandria City Code section 8-1-12.



**APPLICATION
BOARD OF ZONING APPEALS**

SPECIAL EXCEPTION FOR ADDITIONS

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

3-306.(A)(2) SIDE SETBACK

PART A

1. Applicant: Owner Contract Purchaser Agent

Name KIM A. BEASLEY

Address 11 FORREST ST.

ALEXANDRIA, VA 22305

Daytime Phone 703-965-7390

Email Address rkteckim@aol.com

2. Property Location 2433 RIDGE ROAD DRIVE

3. Assessment Map # 033.1 Block 02 Lot 29 Zone R-8

4. Legal Property Owner Name CAMERON R. ARGETSINGER
ELIZABETH CHERRY

Address 2433 RIDGE RD. DRIVE
ALEXANDRIA, VA 22302

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 ten 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.	CAMERON ARGETSINGER	2433 RIDGE RD. DR. ALEXANDRIA, VA	50%
2.	ELIZABETH CHERRY	2433 RIDGE RD. DR. ALEXANDRIA, VA	50%
3.	KIM A. BEASLEY	11 FORREST ST. ALEXANDRIA, VA	0%

2. Property. State the name, address and percent of ownership of any person or entity owning an interest in the property located at 2433 RIDGE RD. DRIVE (address), unless the entity is a corporation or partnership, in which case identify each owner of more than ten 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.	CAMERON ARGETSINGER	2433 RIDGE RD. DR. ALEXANDRIA, VA	50%
2.	ELIZABETH CHERRY	2433 RIDGE RD. DR. ALEXANDRIA, VA	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.

	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.	N/A		
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.

12/17/12
Date

KIM A. BEASLEY
Printed Name


Signature

5. Describe request briefly:

FOR REQUEST APPROVAL TO CONSTRUCT 2ND STORY
ADDITION TO MATCH EXIST. SETBACK.

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:

KIM A. BEASLEY
Print Name

703-965-7390
Telephone


Signature

12/17/12
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 SPECIAL EXCEPTION, IF GRANTED, WILL
ENABLE THE FAMILY TO HAVE AN ADDITIONAL
BEDROOM ON THE 2ND FLOOR LEVEL.

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

GRANTING THE SPECIAL EXCEPTION WILL NOT HARM
ADJACENT PROPERTIES, NOR WILL IT IMPACT THE
NEIGHBORHOOD IN ANY ADVERSE WAY.

3. Explain how the proposed addition will affect the light and air to any adjacent property.

THE PROPOSED ADDITION WILL BE NO TALLER
THAN THE EXISTING STRUCTURE AND IT WILL
NOT ADVERSELY AFFECT LIGHT AND AIR TO
ADJACENT PROPERTIES.

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

THE STYLE AND HEIGHT ARE CONSISTENT WITH ADJACENT NEIGHBORING PROPERTIES.

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

THE PROPOSED CONSTRUCTION IS SIMILAR IN STYLE AND MATERIALS TO ADJACENT HOMES.

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

THE PLAN PROPOSES TO BUILD UPON THE EXISTING FOOTPRINT, AND RETAINS MORE OPEN SPACE.

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.

THE APPLICANTS HAVE NOT YET SHOWN THE PLANS TO THE IMMEDIATE ADJACENT PROPERTY OWNERS, BUT THEY INTEND TO DO SO THIS WEEK.



**DEPARTMENT OF PLANNING AND ZONING
FLOOR AREA RATIO AND OPEN SPACE CALCULATIONS FOR
SINGLE AND TWO-FAMILY RESIDENTIAL OUTSIDE HISTORIC DISTRICTS**

A. Property Information

A1. Street Address 2433 RIDGE ROAD DRIVE Zone R-8
 A2. 6949 x .35 = 2432
 Total Lot Area Floor Area Ratio Allowed by Zone Maximum Allowable Floor Area

B. Existing Gross Floor Area

Existing Gross Area *		Allowable Exclusions	
Basement	1022.5	Basement**	1022.5
First Floor	1022.5	Stairways**	63.0
Second Floor	639.0	Mechanical**	54.25
Third Floor / ATTIC	515	Porch/ Garage**	—
Porches/ Other SHED	258	Attic less than 5'***	445
Total Gross *	3457	Total Exclusions	1584.75

B1. Existing Gross Floor Area *
3457 Sq. Ft.
 B2. Allowable Floor Exclusions**
1584.75 Sq. Ft.
 B3. Existing Floor Area minus Exclusions 1873.75 Sq. Ft.
 (subtract B2 from B1)

C. Proposed Gross Floor Area (does not include existing area)

Proposed Gross Area*		Allowable Exclusions	
Basement	—	Basement**	
First Floor	—	Stairways**	
Second Floor	200.5	Mechanical**	5
Third Floor / ATTIC	139.5	Porch/ Garage**	160
Porches/ Other	160	Attic less than 5'***	139.5
Total Gross *	500	Total Exclusions	304.5

C1. Proposed Gross Floor Area *
500 Sq. Ft.
 C2. Allowable Floor Exclusions**
304.5 Sq. Ft.
 C3. Proposed Floor Area minus Exclusions 195.5 Sq. Ft.
 (subtract C2 from C1)

D. Existing + Proposed Floor Area

D1. Total Floor Area (add B3 and C3) 2069.25 Sq. Ft.
 D2. Total Floor Area Allowed by Zone (A2) 2432 Sq. Ft.

*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 on 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.

If taking exclusions other than basements, floor plans with excluded areas illustrated must be submitted for review. Sections may also be required for some exclusions.

F. Open Space Calculations Required in RA & RB zones

Existing Open Space	
Required Open Space	
Proposed Open Space	

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

Signature: [Signature] Date: 12/17/12



City of Alexandria Business License

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

License Number: 109388-2012

Account Number: 109388

Tax Period: 2012

Business Name: Beasley Architectural Group, LLC

Trade Name: BEASLEY ARCHITECTURAL GROUP, LLC

Business Location: 11 FORREST ST
Alexandria, VA 22305

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

Beasley Architectural Group, LLC
11 FORREST ST
Alexandria, VA 22305

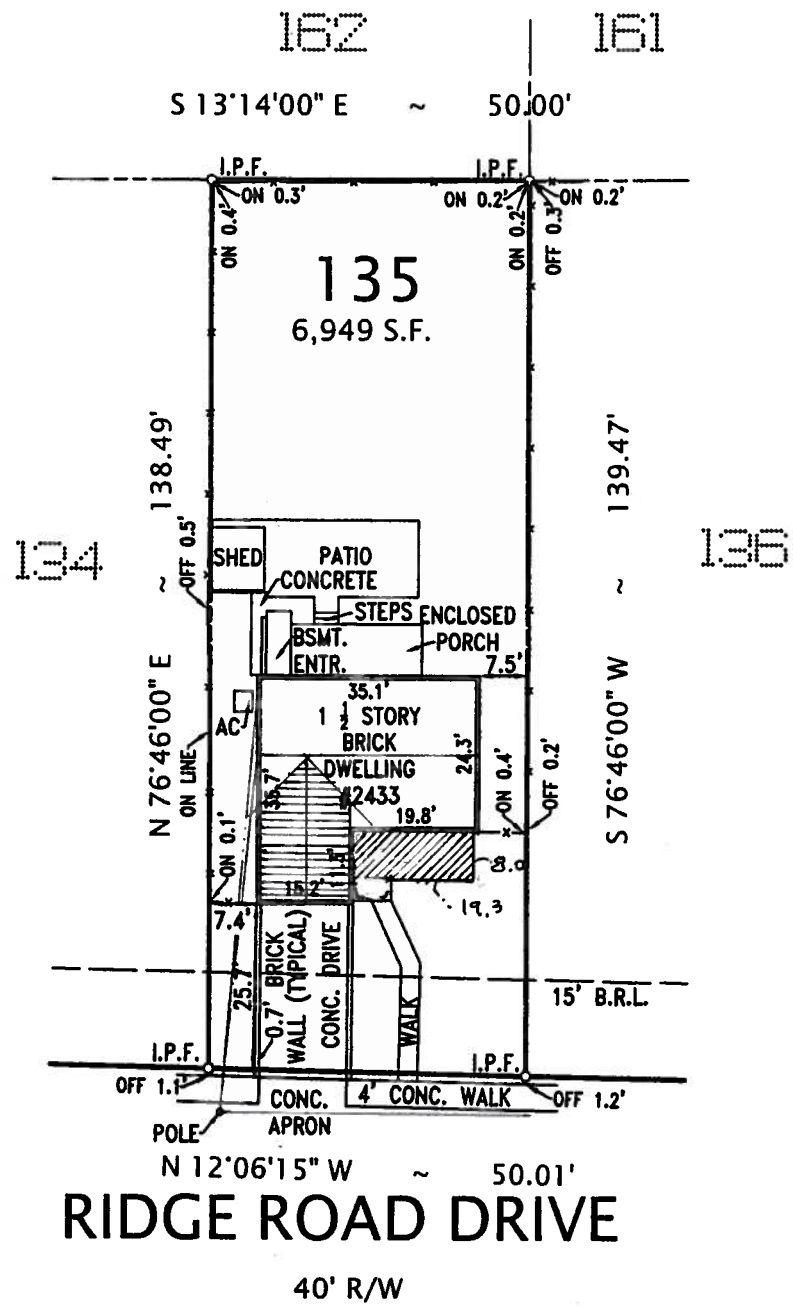
License Classification(s): Professional Occupations/Businesses
9-071-004
Architect





COPYRIGHT BY ALEXANDRIA SURVEYS INTERNATIONAL, LLC THE INFORMATION CONTAINED ON THIS DOCUMENT MAY NOT BE COPIED, REPRODUCED OR ALTERED IN ANY FORM WITHOUT PERMISSION IN WRITING FROM THE COPYRIGHT OWNER.

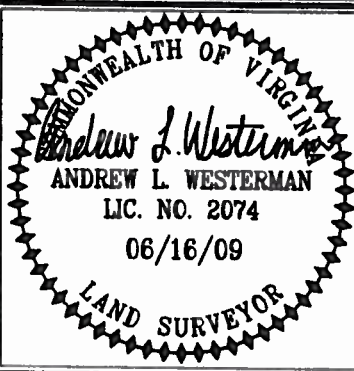
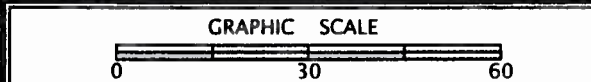
NOTES: 1. UTILITIES ARE UNDERGROUND.
2. FENCES ARE CHAIN LINK.



PLAT
SHOWING HOUSE LOCATION ON
LOT 135 SECTION TWO
BRADDOCK HEIGHTS
CITY OF ALEXANDRIA, VIRGINIA
SCALE: 1" = 30' JUNE 15, 2009



CASE NAME:
THE MACAULAY TRUST ~ ARGETSINGER/CHERRY



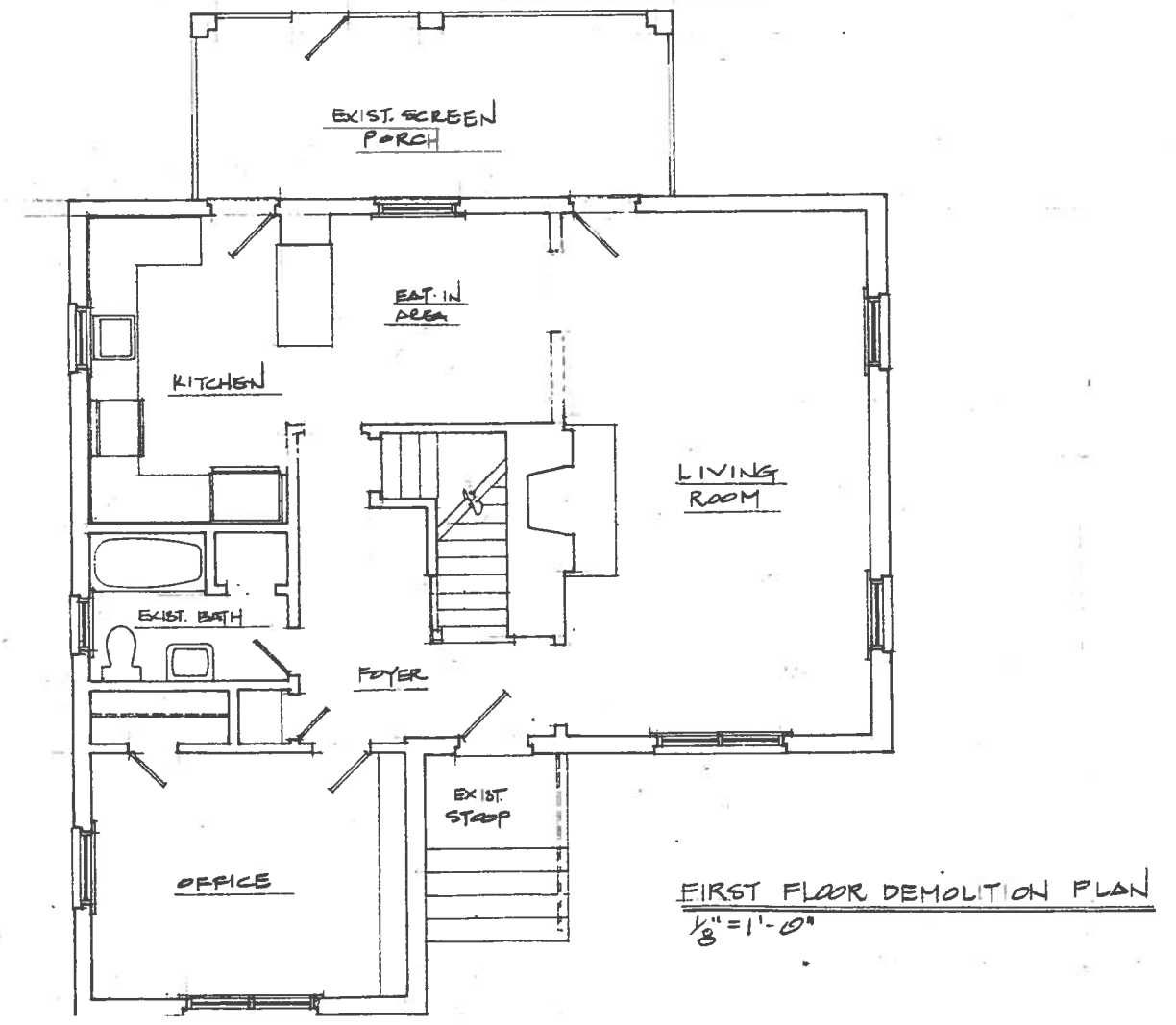
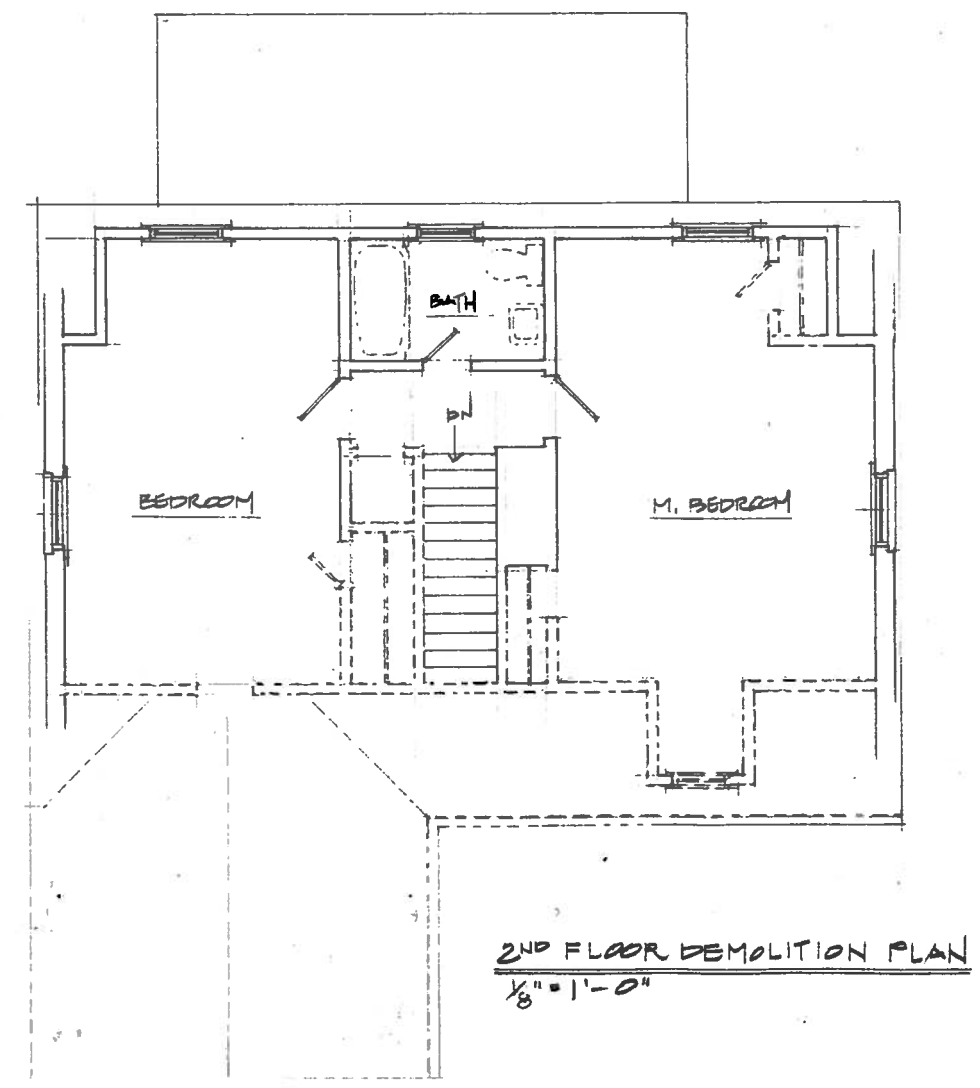
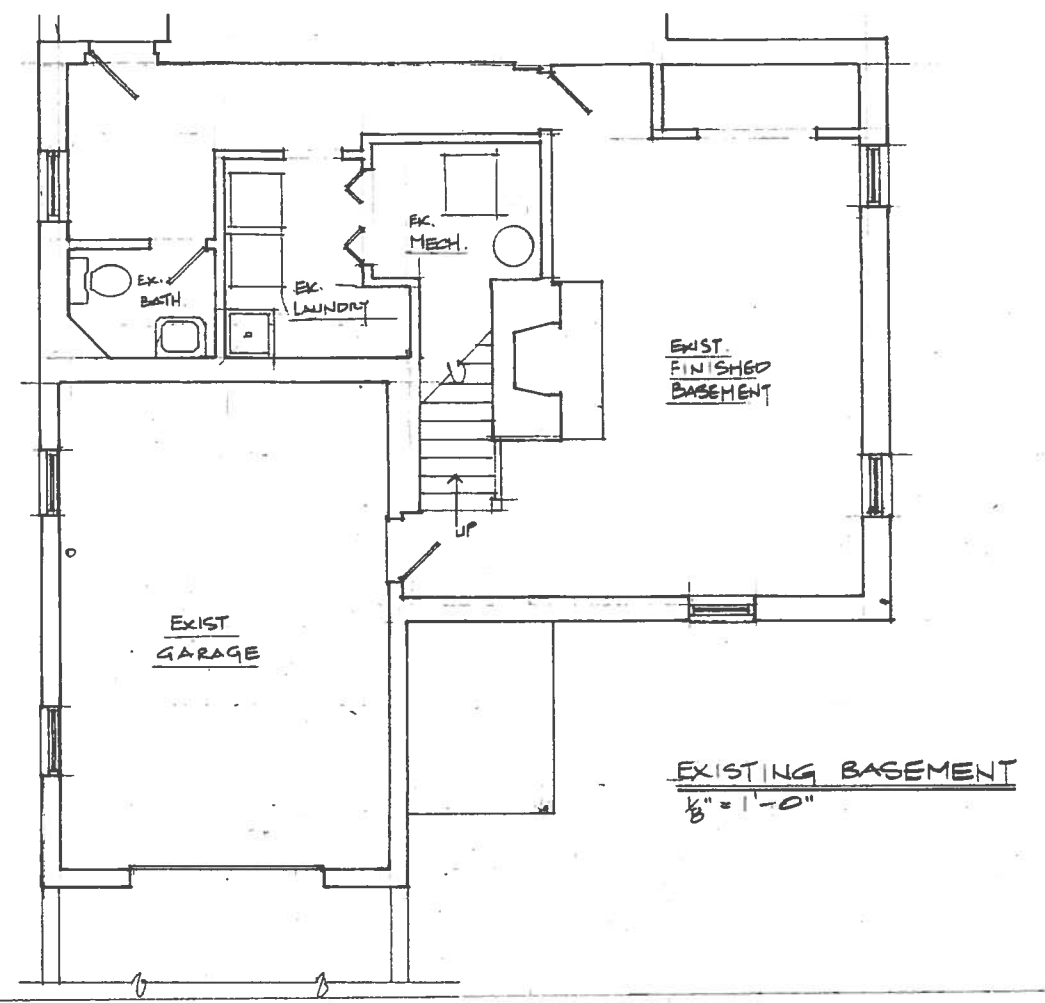
BY PROVISIONS OF THE VIRGINIA CODE: NO CORNER MARKERS SET, BOUNDARY SURVEY NOT PERFORMED.
PLAT SUBJECT TO RESTRICTIONS OF RECORD, TITLE REPORT NOT FURNISHED.

I HEREBY CERTIFY THAT THE POSITIONS OF ALL THE EXISTING IMPROVEMENTS HAVE BEEN CAREFULLY ESTABLISHED BY A CURRENT FIELD SURVEY, AND UNLESS OTHERWISE SHOWN, THERE ARE NO VISIBLE ENCROACHMENTS.

REQUESTED BY:
LAW OFFICE OF EARL E. SHAFFER

ALEXANDRIA SURVEYS
INTERNATIONAL, LLC
6210 NORTH KINGS HIGHWAY ALEXANDRIA, VIRGINIA 22303
TEL. NO. 703-660-6615 FAX NO. 703-768-7764

BZA 2012-0022



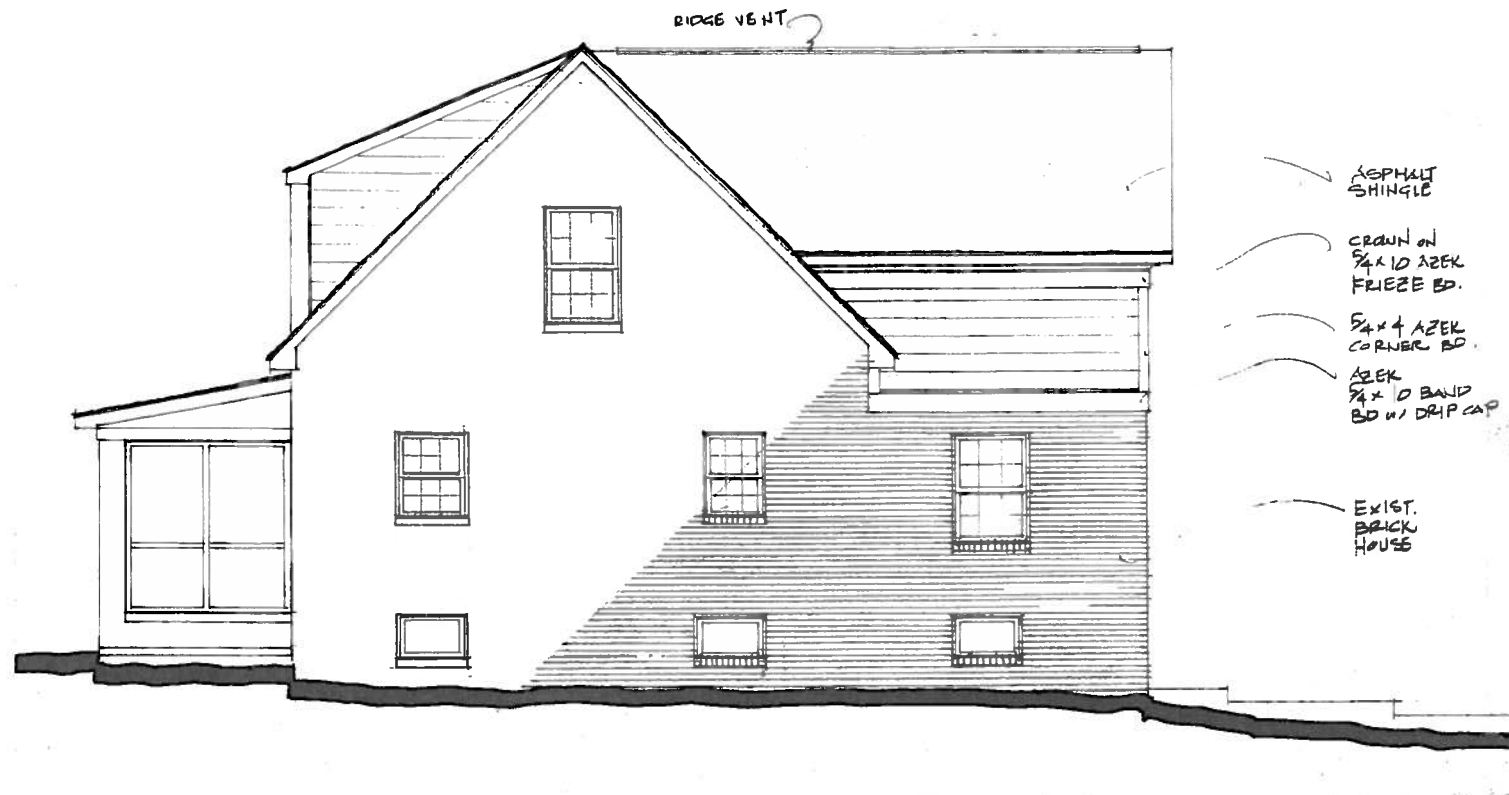
Beasley Architectural Group, LLC
Architecture & Consulting
11 Forrest Street, Alexandria Virginia 22305
Office (703) 684-8225 FAX (703) 684-8229
rlbeck@icloud.com

REVISIONS

EXISTING FRONT ELEVATION
DEMOLITION PLANS

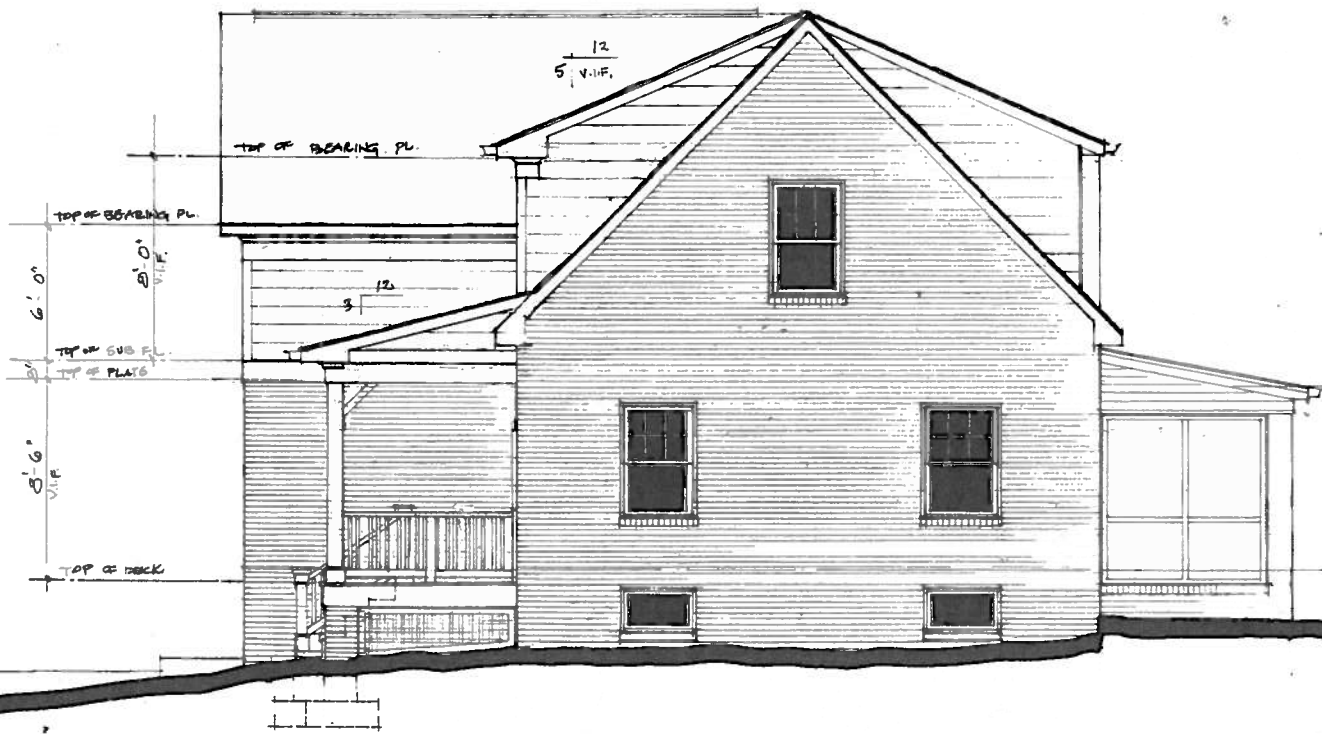
Argetsinger-Cherry Residence
Addition & Alterations
2433 Ridge Road Drive
Alexandria, VA 22302

BZA 2012-0022



- ASPHALT SHINGLE
- CROWN ON 2x10 AZEK FRIEZE BD.
- 2x4 AZEK CORNER BD.
- AZEK 2x10 BAND BD w/ DRIP CAP
- EXIST. BRICK HOUSE

NORTH ELEVATION
4" = 1'-0"



SOUTH ELEVATION



WEST ELEVATION

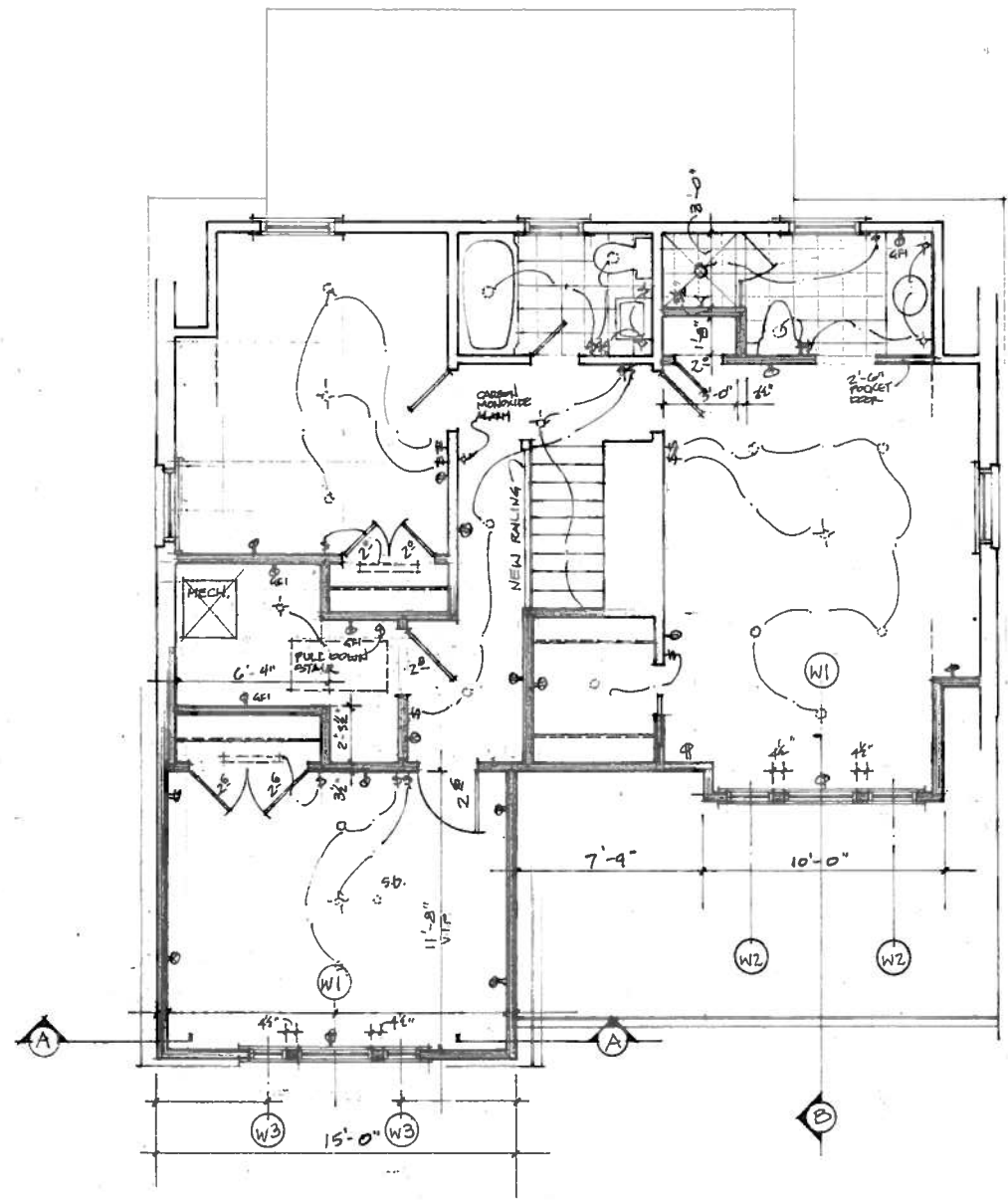
Beasley Architectural Group, LLC
 Architecture & Consulting
 11 Forrest Street, Alexandria Virginia 22305
 Office (703) 684-8225 FAX (703) 684-8279
 rtlee@imgaol.com

REVISIONS	

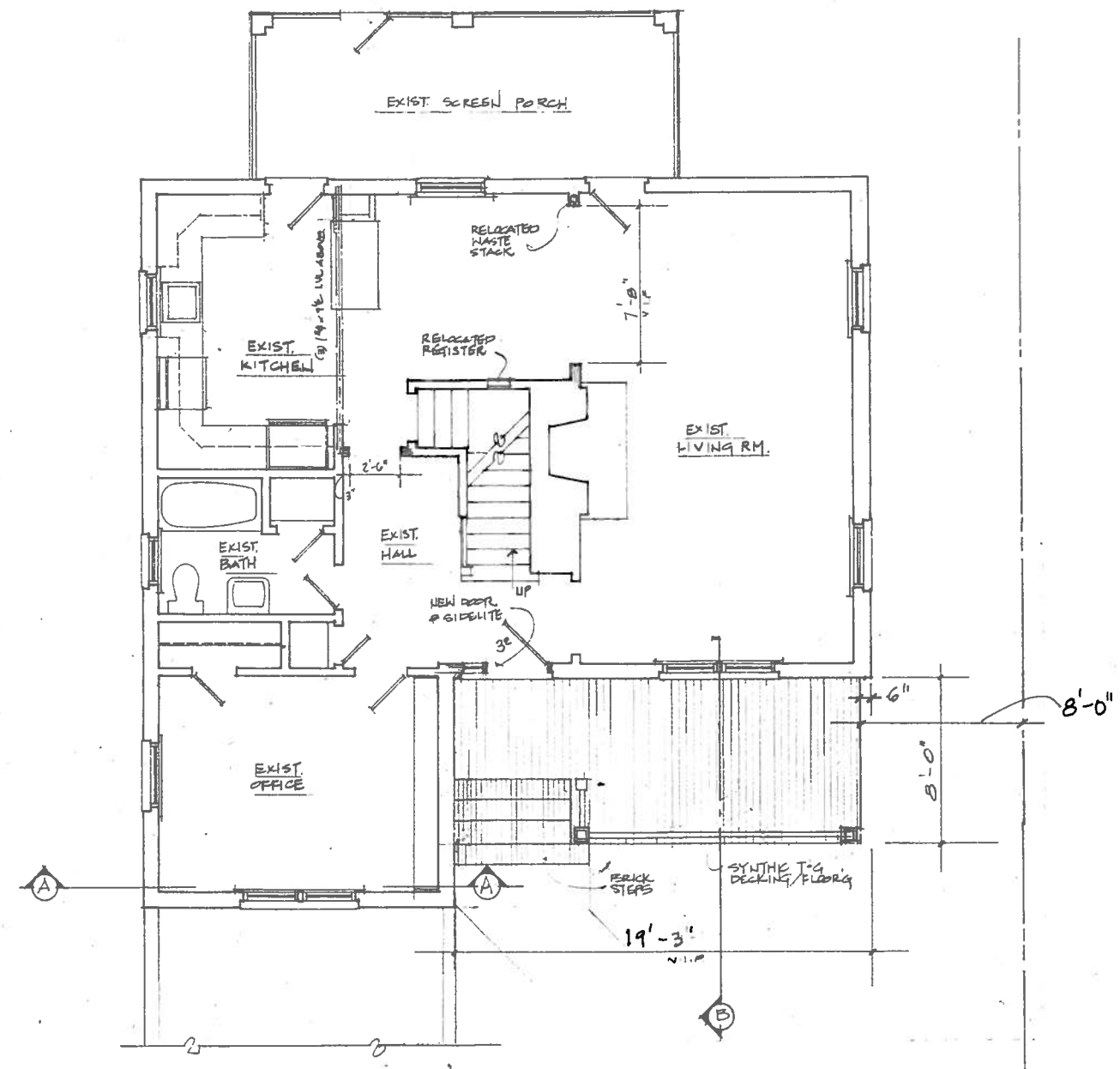
ELEVATIONS

Argetsinger-Cherry Residence
 Addition & Alterations
 2433 Ridge Road Drive
 Alexandria, VA 22302

BZA2012-0022



SECOND FLOOR PLAN



FIRST FLOOR PLAN

REVISIONS

NO.	DESCRIPTION

FIRST FLOOR PLAN
SECOND FLOOR PLAN

Argetsinger-Cherry Residence
Addition & Alterations
 2433 Ridge Road Drive
 Alexandria, VA 22302

Beasley Architectural Group, LLC
 Architecture & Consulting
 11 Forrest Street, Alexandria Virginia 22305
 Office (703) 684-8225 FAX (703) 684-8229
 rkleeckim@aol.com

submitted by the
applicant @ the
hearing
1-10-13
henry

Opposition Testimony From Adjacent Neighbor

To:
City of Alexandria
Board of Zoning Appeals
301 King Street, Room 2300
Alexandria, Va. 22314

From:
Janet Lovich
2435 Ridge Road Drive
Alexandria, VA. 22302
(703) 836-7941

Re: BZA Case #2012-0022 (Hearing date 1-10-2013)
Special exception to construct a second story addition in the required side yard setback
at 2433 Ridge Road Drive Alexandria, VA. 22302

My name is Janet Lovich. I live at 2435 Ridge Road Drive. I am the adjacent neighbor whose property is directly impacted if a Special Building Code Exception for the Argetsinger/Cherry house addition is granted.

Contrary to the architect's handwritten notes on the application, my notice came to me via a certified letter. (See # 7 Ownership & Disclosure Statement.)

I am in opposition for the following reasons:

1. Real Property Devaluation: It is my conviction, and that of my daughter, an active, licensed, real estate salesperson, that the building exception will negatively impact the ability to market and sell my home at the highest market value (See Exhibit A). It would change the inside and outside of my home as discussed below. Granting exceptions to building codes also sets a precedence for others to follow thus changing the neighborhood appearance, one owner at a time. Contrary to the architects handwritten notes: (See # 2 & 3 Ownership Disclosure Statement.)
 - a. The INSIDE of my home would change as aligning the addition on the existing north wall, with a slope, would block air and the already limited sunlight in my bedroom windows, creating an inadequate supply of both. (See Exhibits B, C, D, and E). The structure would darken and deprive warmth to 3 of ONLY 6 total rooms in my small home. Perspective buyers, when home shopping prefer a flood of natural light vs. dark rooms when given a choice.
 - b. The OUTSIDE of my home would change. A deviation from code to physically enlarge an already noncomplying lot and structure would overwhelm my modest, small home. The close proximity between the two home's exterior walls is now a very narrow approximate 13-15 feet. A larger addition would create a visual appearance of an even narrower width with a Condominium look and feel. Living here for 48 years, I will offer you a neighborhood expert opinion. The addition will, in fact, alter the character of a longstanding landscape of tastefully remodeled, historic, and quaint homes. Perspective buyers prefer homes with privacy, set apart, and homes that are not seemingly on top or close to one another.
2. My legal right to "USE and ENJOY" my home would be burdensome and diminished with the reduction of air quality and light. In addition to the above, gardening in my golden years is a hobby that I love. My flower garden on the southern exposure side of my house would suffer from a reduction of sunlight by the tallness and width of the new structure. Attractive landscaping is important to buyers as they are attracted to a home's curb appeal.

In speaking to other concerned homeowners in my neighborhood we agree other renovation options are available SEE. 1-10-2013 Docket item # 2 UNDER LOT CONSTRAINTS. "The applicants have chosen to only expand on the north side of the house located in the required north side yard. " IE: There are other choices.

I purchased my home in 1965. It is the only house that I have ever owned. I love my sunlight and its warmth, my beautiful flower garden, my neighborhood, and I love my neighbors, and I love my equity of 48 years. I do not want diminished sunlight, air, and lack of enjoyment, and lower property value because of neighboring improvements.

I am asking the Special Exception to building code will be denied. Thank you.

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

THE STYLE AND HEIGHT ARE CONSISTENT WITH ADJACENT NEIGHBORING PROPERTIES.

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

THE PROPOSED CONSTRUCTION IS SIMILAR IN STYLE AND MATERIALS TO ADJACENT HOMES.

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

THE PLAN PROPOSES TO BUILD UPON THE EXISTING FOOTPRINT, AND RETAINS MORE OPEN SPACE.

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.

THE APPLICANTS HAVE NOT YET SHOWN THE PLANS TO THE IMMEDIATE ADJACENT PROPERTY OWNERS, BUT THEY INTEND TO DO SO THIS WEEK.

Exhibit A

1-8-2013

To Whom It May Concern,

I am an active licensed Real Estate Salesperson. I am a member of the Honolulu Board of Realtors and National Association of Realtors. I work for Help U Sell Honolulu Properties.

The right to own and enjoy property is embedded in the American legal system. The Bill of Rights aligns the right to real property on an equal level with the right to life and liberty.

I have looked at the Architect's blueprint house plans of the proposed addition with my licensed building contractor husband, Joseph Pandolfe, of Joe Builder Inc. It is both our professional opinions that granting an exception to building codes in this instance would depreciate the marketability and property value of my mother, Janet Lovich's, home based on her testimony.



Cynthia Pandolfe, Realtor, Help U Sell Honolulu Properties



Joseph Pandolfe, President Joe Builder Inc.



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 SPECIAL EXCEPTION, IF GRANTED, WILL
ENABLE THE FAMILY TO HAVE AN ADDITIONAL
BEDROOM ON THE 2ND FLOOR LEVEL.

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

GRANTING THE SPECIAL EXCEPTION WILL NOT HARM
ADJACENT PROPERTIES, NOR WILL IT IMPACT THE
NEIGHBORHOOD IN ANY ADVERSE WAY.

3. Explain how the proposed addition will affect the light and air to any adjacent property.

THE PROPOSED ADDITION WILL BE NO TALLER
THAN THE EXISTING STRUCTURE AND IT WILL
NOT ADVERSELY AFFECT LIGHT AND AIR TO
ADJACENT PROPERTIES.

EXHIBIT B



CURRENT VIEW OF NATURAL LIGHT IN 2ND BEDROOM

IF GRANTED, THE ADDITION WOULD BLOCK MY NATURAL SUNLIGHT AND AIRFLOW COMING IN THIS SMALL UPSTAIRS BEDROOM WINDOW

THE ADDITION WOULD CHANGE THE VIEW OF TREETOPS AND ROOFTOPS, AND REPLACE THEM WITH A 2ND STORY BUILDING STRUCTURE.

EXHIBIT C



CURRENT VIEW OF LIMITED SUNLIGHT IN DINING ROOM ON 1ST FLOOR

NEW ADDITION WOULD BE BUILT ON 2ND LEVEL TO THE RIGHT AND LEFT OF THE PICTURE AND DIMINISH SUNLIGHT IN THE DINING ROOM

EXHIBIT D



THE NEW ADDITION WOULD BE PLACED IMMEDIATELY OUT THESE WINDOWS IN THIS 2ND STORY BEDROOM AND BLOCK THE SUNLIGHT, AIRFLOW AND VIEWS

EXHIBIT E



THE WINTER VIEW OF MY GARDEN -- BOTTOM LEFT -- MY GARDEN RUNS FROM FRONT OF HOUSE TO BACKYARD . THE ADDITION WOULD DIMINISH SUNLIGHT IN THE GARDEN AREA

VERY LIMITED DISTANCE BETWEEN HOMES

ADDITION WOULD BLOCK WINDOWS AND AIR FLOW

VIII. Staff Conclusion

Neighborhood Impact

An inspection of the surrounding neighborhood revealed that many homes have been expanded to include second stories. The proposed addition is in keeping with the character of the neighborhood and complements the existing dwelling.

The adjacent property to the north and south are occupied by a two story dwellings with similar dormer configurations and roof lines. The design and size of the addition is compatible with character of the block. The project will not use the full building envelope allowed nor result in the existing house being enlarged closer to the street.

Light and Air

The overall height of the two-story addition will be no taller than the existing dwelling and will continue to be located in line with the existing north side building wall. The height of the addition decreases towards the rear of the property and is only one-story at the very rear. The sloping roof will allow adequate light and air to reach the side yards of the subject property and the adjacent property to the north.

Lot Constraints

The subject property is substandard as to the required lot area and width for an R-8 zoned property. The existing dwelling is almost centered on the property and the existing house footprint projects less than six inches into the required side yards. The substandard nature of the lot and the location of the existing dwelling on the lot limit the development opportunities on the lot. The applicants have chosen to only expand on the north side of the house located in the required north side yard.

Staff Conclusion

As outlined above, the staff believes the application meets the criteria for a special exception and **recommends approval** of the request.