Docket Item #4 BZA #2025-00008 Board of Zoning Appeals September 8, 2025

ADDRESS: 105 EAST HOWELL AVENUE **ZONE:** R-2-5, RESIDENTIAL ZONE

APPLICANT: BARBARA HOWELL, REPRESNTED BY RACHEL DEBAUN,

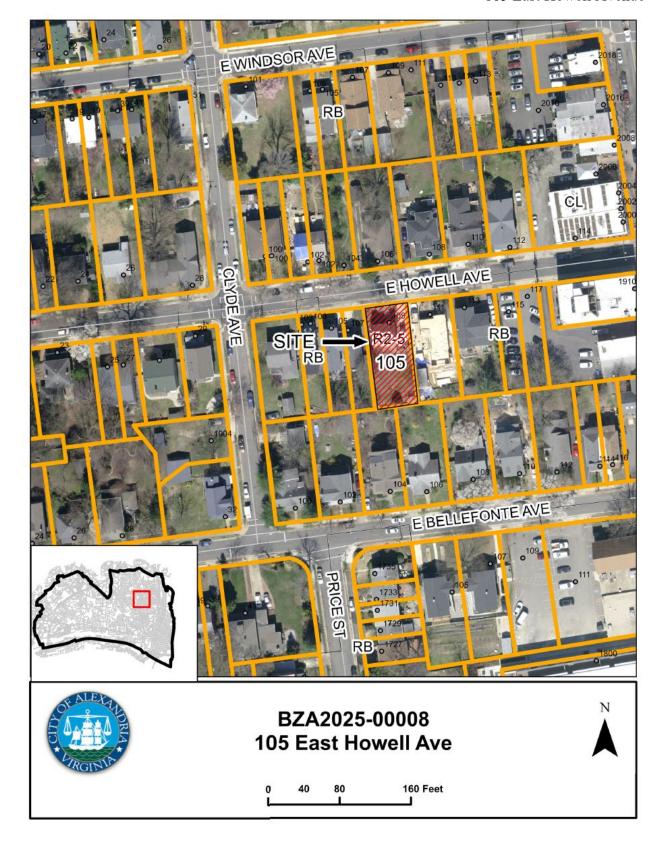
ARCHITECT

ISSUE: Special exception to construct a rear porch in the required side yard.

CODE SECTION	SUBJECT	CODE REQMT	APPLICANT PROPOSES	REQUESTED EXCEPTION	=
3-506(A)(2)	Side Yard (west)	7.00 feet	0.03 feet	6.97 feet	-

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 a survey plat prepared by a licensed surveyor confirming building footprint, setbacks prior to the release of a Certificate of Occupancy. 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. <u>Issue</u>

The applicant requests a special exception to construct an open rear porch in the required side yard at 105 East Howell Avenue.

II. Background

The subject property is one lot of record with 25.00 feet of frontage facing East Howell Avenue, a depth of 115.00 feet along the side property lines and 25.00 feet across the rear property line. The property contains 2,875 square feet of lot area and complies with the lot width, frontage and area for a two-unit semi-detached dwelling in the R-2-5 zone.



Figure 1: Subject Property

The property is developed with one-half of a two-story semi-detached dwelling located 14.80 feet from the front property line, on the east side property line, 0.03 feet from the west side property line and 50.50 feet from the rear property line. According to real estate assessments, the dwelling was constructed in 1900.

The following table provides zoning analysis of the subject property:

Zone	Required/Permitted	Existing	Proposed
Lot Area	2,500 sq. ft.	2,875 sq.ft.	2,875 sq. ft.
Lot Frontage	25.00 ft.	25.00 ft.	25.00 ft.
Lot Width	25.00 ft.	25.00 ft.	25.00 ft.
Front Yard	14.50 ft.*	14.80 ft.	14.80 ft.
Side Yard (east-party	0.00 ft.	0.00 ft.	6.33 ft. (rear porch)
wall)			
Side Yard (west)	7.00 ft.	0.03 ft.	0.03 ft.
Rear Yard	9.50 ft. (porch	50.50 ft.	42.50 ft.
	setback) **		
Floor Area Ratio (FAR)	1,293.75 sq. ft (.45)	1,824.87 sq ft. (.63)	1,824.87 sq ft. (.63)

^{*} Based on the established contextual blockface.

^{**} Based on the height proposed rear porch, measuring 9.50 feet from average pre-construction grade to the eave of the porch facing the rear yard.

^{***} The existing FAR on the lot is noncomplying FAR, no net FAR increase proposed.

III. Description

The applicant proposes to construct an open rear porch measuring 8.00 feet in depth by 18.25 feet, for a total of 146 square feet. The porch will be located 6.33 feet from the east side property line, 42.50 feet from the rear property line and 0.03 feet from the west side property line in line with the existing noncomplying west side wall of the dwelling and requires a special exception.

The applicant also proposes to enclose an existing 59.40 square feet open area located under the second-story western rear corner of the dwelling 6.33 feet from the east side property line and 50.50 feet from the rear property line. The addition will comply with the R-2-5 zone requirements.



Figure 2: Proposed Rear Elevation

The existing floor area on the lot is noncomplying. The new construction does not increase the noncompliance of the floor area on the lot. (Refer to floor area calculations.)

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

IV. Master Plan/Zoning

The subject property is zoned R-2-5 and has been so zoned since adoption of the Fifth Revised Zoning Map in 1963 and is identified in the Potomac West Small Area Plan for residential use. Prior to 1963, the property was zoned RB.

V. Requested Special Exception:

3-506(A)(2) Side Yard (west)

The applicant proposes to construct a onestory open rear porch 0.03 feet from the west side property line. A special exception of 6.97 feet is requested from the required 7.00 foot side yard setback.

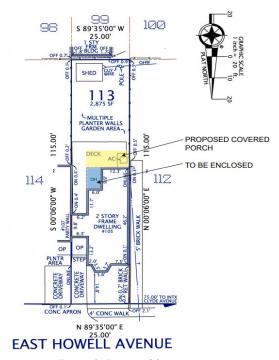


Figure 3: Proposed Survey

VI. Noncomplying Structure

The existing lot at 105 East Howell Avenue is a complying R-2-5 zoned lot developed with a noncomplying structure with respect to the following:

Regulation Side Yard (west)	Required/Permitted 7.00 ft.	Existing 0.03 ft.	Noncompliance 6.97 ft.
Floor Area Ratio (FAR)	1,293.75 sq. ft. (.45)	1,824.87 sq. ft. (.63)	531.12 sq ft (.18)

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 proposed open rear porch will be located in line with the existing west side building wall and will replace a pergola structure of approximately the same size and height along the west side property line. Because the proposed porch is at the rear of the property replacing a similar structure it is unlikely to create a detriment to the public welfare, the neighborhood or 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.

The one-story open porch replaces a pergola structure in approximately the same location. Due to the modest size and openness of the porch, it will not negatively impact light and air to any property. The open porch at the rear of the dwelling does not affect traffic, public safety or increase the danger or spread of fire.

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

The proposed rear porch replaces an existing pergola in a similar location in line with the existing two-story noncomplying west side building wall and will not alter the character of the area or zone.

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

Many of the homes in the surrounding neighborhood area developed with rear additions and porches. The proposed rear porch is compatible with the development in the area.

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.

While the proposed rear porch could be shifted to abut the shared east side property line which has no required setback due to the existence of a small party wall, that location would not align the porch with the rear building wall of the dwelling and is not reasonable given the location of the majority of the existing dwelling being shifted towards the west side property line.

VIII. Staff Conclusion

In conclusion, staff <u>recommends approval</u> of the requested special exception because it meets all the standards for a special exception as outlined above.

Staff

Mary Christesen, Principal Planner, <u>mary.christesen@alexandriava.gov</u> Tony LaColla, AICP, Division Chief, tony.lacolla@alexandriava.gov

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.

<u>Transportation and Environmental Services (Transportation Planning):</u>
No comments.

Development Right of Way (Planning and Zoning):

- 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 After review of the information provided, an approved grading plan is not required at this time. Please note that if any changes are made to the plan it is suggested that T&ES be included in the review. (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):

- F-1 According to historic maps and aerial photographs, the dwelling on this property was built in the early 20th century. The property has the potential to contain significant archaeological information pertaining to the early development of Del Ray.
- R-1 Call Alexandria Archaeology immediately 703-746-4399 if you discover any buried structural remains (wall foundations, wells, privies, cisterns, etc.) or concentrations of artifacts during development. Cease work in the discovery area until a City archaeologist inspects the site and records the finds. Include the preceding text 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, or allow independent parties to collect or excavate artifacts, unless authorized by Alexandria Archaeology. Failing to comply shall result in project delays. Include the preceding text on all Final Site Plan sheets involving any ground disturbing activities. (Archaeology) *
- C-1 All required archaeological preservation measures shall be completed in compliance with Section 11-411 of the Zoning Ordinance.

BZA	Case #		



APPLICATIONBOARD OF ZONING APPEALS

SPECIAL EXCEPTION FOR ADDITIONS

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

<u>PAR I</u>	<u>A</u>					
1.	Applicant:	Owner	Contract Pur	rchaser	Agent	
	Name					
	Address					
				•		
	Daytime Phor	ne				
	Email Addres	ss				
2.	Property Loca	ation				
3.	Assessment	Мар #	Block	Lot	Zone	
4.	Legal Propert	ty Owner Na	me			
	Address					

BZA Case #	BZA2025-00008
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5. Describe request briefly:

APPLICANT OR AUTHORIZED AGENT:

We are requesting a special exception for the relief of R 2-5 side-setback requirements for a 7'-0" wide portion of a proposed rear covered porch, allowing the porch roof to align with the right-edge of the 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.

Dechal De Deven	Paril De
Rachel DeBaun	week of the
Print Name	Signature
	7/25/25
Telephone	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.

BZA Case #

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.

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

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

BZA Case #	

4.	Explain how t	he proposed	addition	is compatible	with	other	properties	in
the ne	eighborhood ar	nd the charact	er of the	neighborhood	as a	whole.		

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

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

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.

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. Rachel DeBaun	/ IV I/A	100%
2.		
3.		

2. Property. State the name, address and percent of ownership of any person or entity owning an interest in the property located at _______ (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
Barbara Chase		1000/0
2 Andrew Mickley		100010
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 require 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 the12-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 indicated 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. 1/2	nla	nla
2.		
3.		

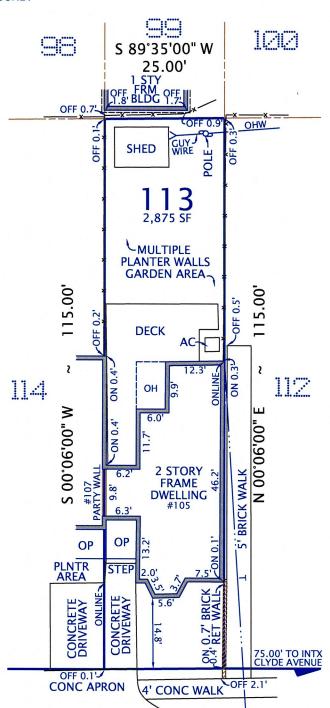
NOTE: Business or financial relationships of the type described in Sec. 11-350 that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings.

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.

ted Name

Kachel 6

2. ELECTRIC IS UNDERGROUND.



N 89°35'00" E
25.00'
EAST HOWELL AVENUE

PLAT
SHOWING HOUSE LOCATION ON
LOT 113

DEL RAY

(ARLINGTON COUNTY DEED BOOK O-4, PAGE 402 & 440)

CITY OF ALEXANDRIA, VIRGINIA

SCALE: 1" = 20' SEPTEMBER 30, 2014

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.

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

A TITLE REPORT WAS NOT FURNISHED.

NO CORNER MARKERS SET.



ORDERED BY:

KERSHNER ~ MICKLEY/CHASE

HOMETOWN TITLE & ESCROW, LLC

₩ DOMINION

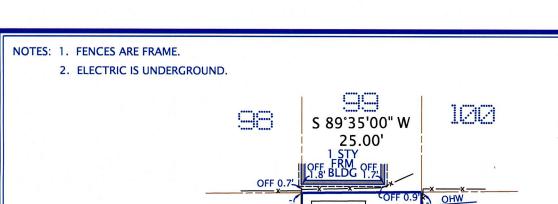
Surveyors

8808-H PEAR TREE VILLAGE COURT ALEXANDRIA, VIRGINIA 22309 703-619-6555 FAX: 703-799-6412

CASE NAME: MICKLEY/CHASE

CASE NO: 14A-1496

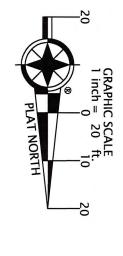
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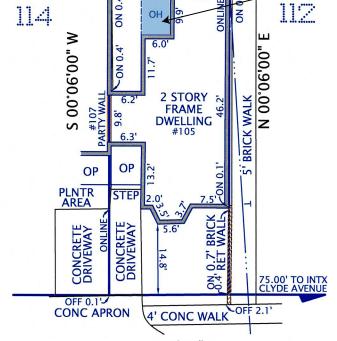
MULTIPLE
PLANTER WALLS
GARDEN AREA

DECK



PROPOSED COVERED PORCH

TO BE ENCLOSED



N 89°35'00" E

EAST HOWELL AVENUE

PLAT
SHOWING HOUSE LOCATION ON
LOT 113

DEL RAY

(ARLINGTON COUNTY DEED BOOK 0-4, PAGE 402 & 440)

CITY OF ALEXANDRIA, VIRGINIA

SCALE: 1" = 20' SEPTEMBER 30, 2014

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A TITLE REPORT WAS NOT FURNISHED.

NO CORNER MARKERS SET.



ORDERED BY:

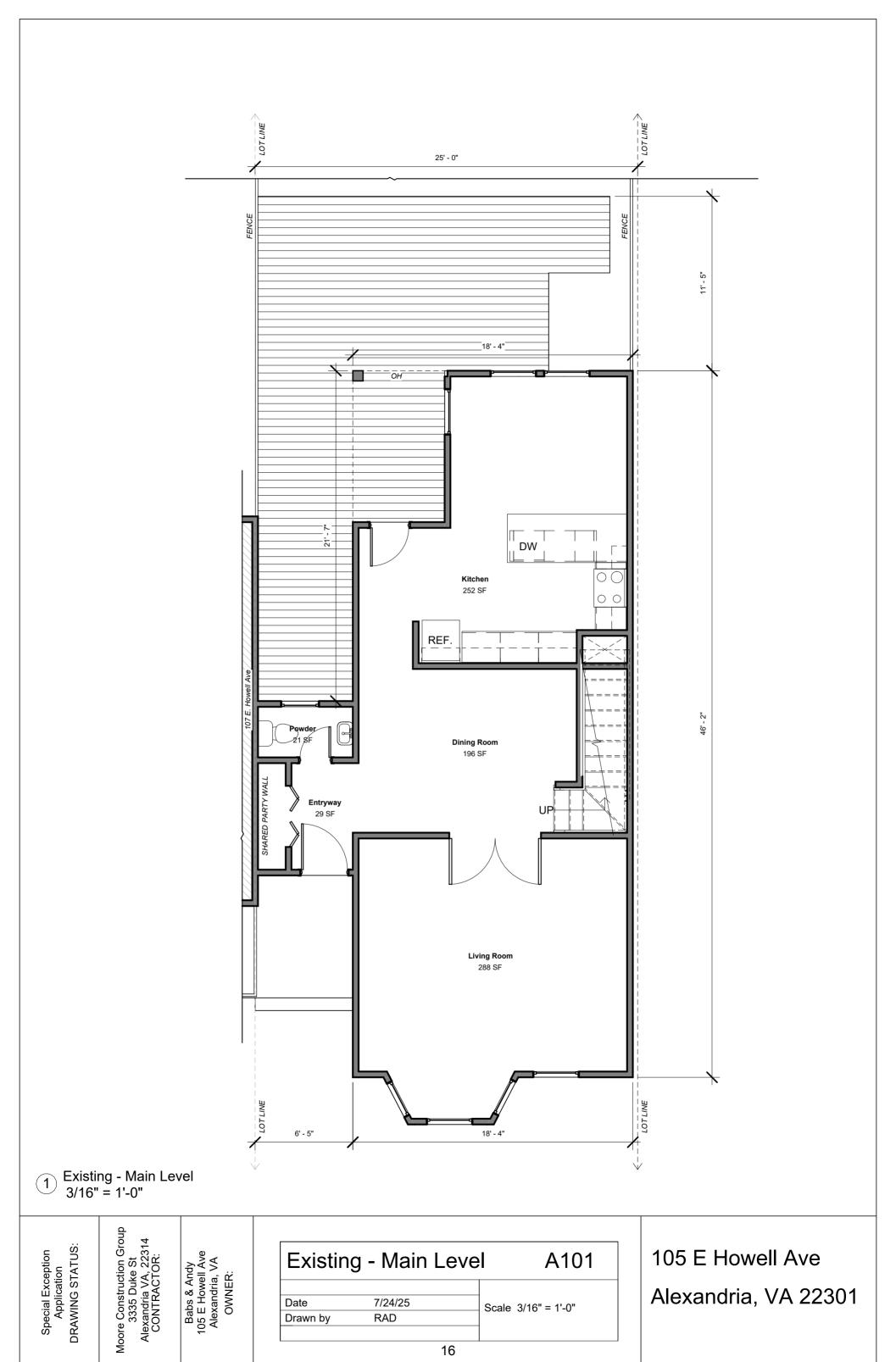
KERSHNER ~ MICKLEY/CHASE

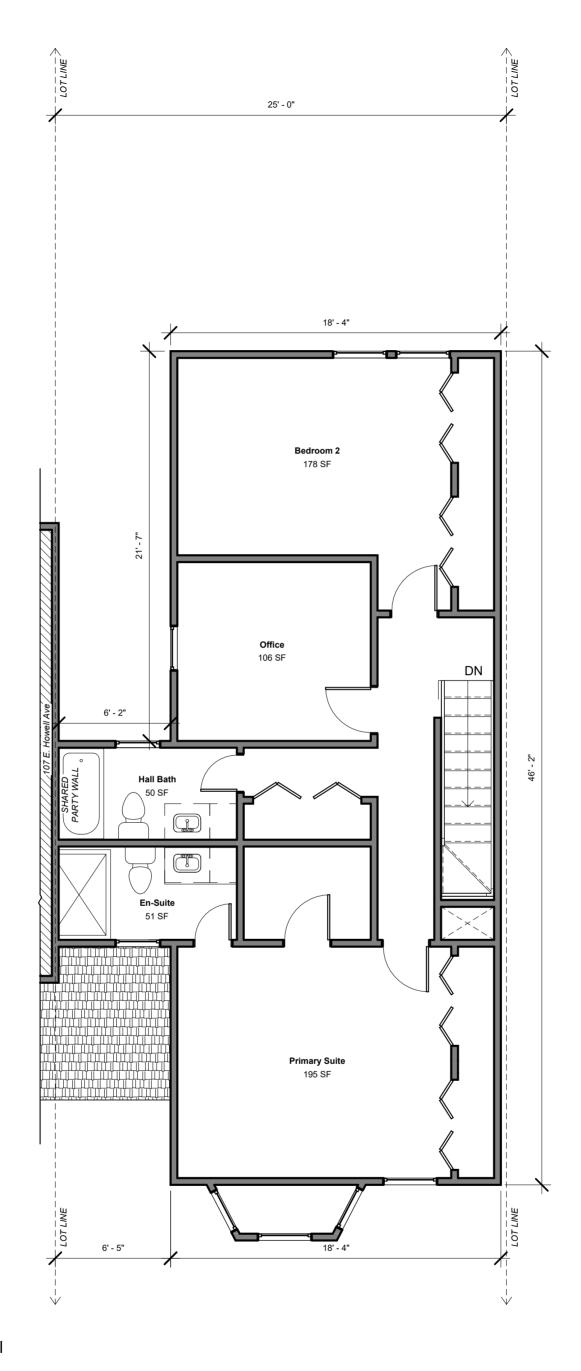
HOMETOWN TITLE & ESCROW, LLC



Surveyors

8808-H PEAR TREE VILLAGE COURT ALEXANDRIA, VIRGINIA 22309 703-619-6555 FAX: 703-799-6412





Existing - Upper Level 3/16" = 1'-0"

Special Exception
Application
DRAWING STATUS:
Moore Construction Group
3335 Duke St
Alexandria VA, 22314
CONTRACTOR:

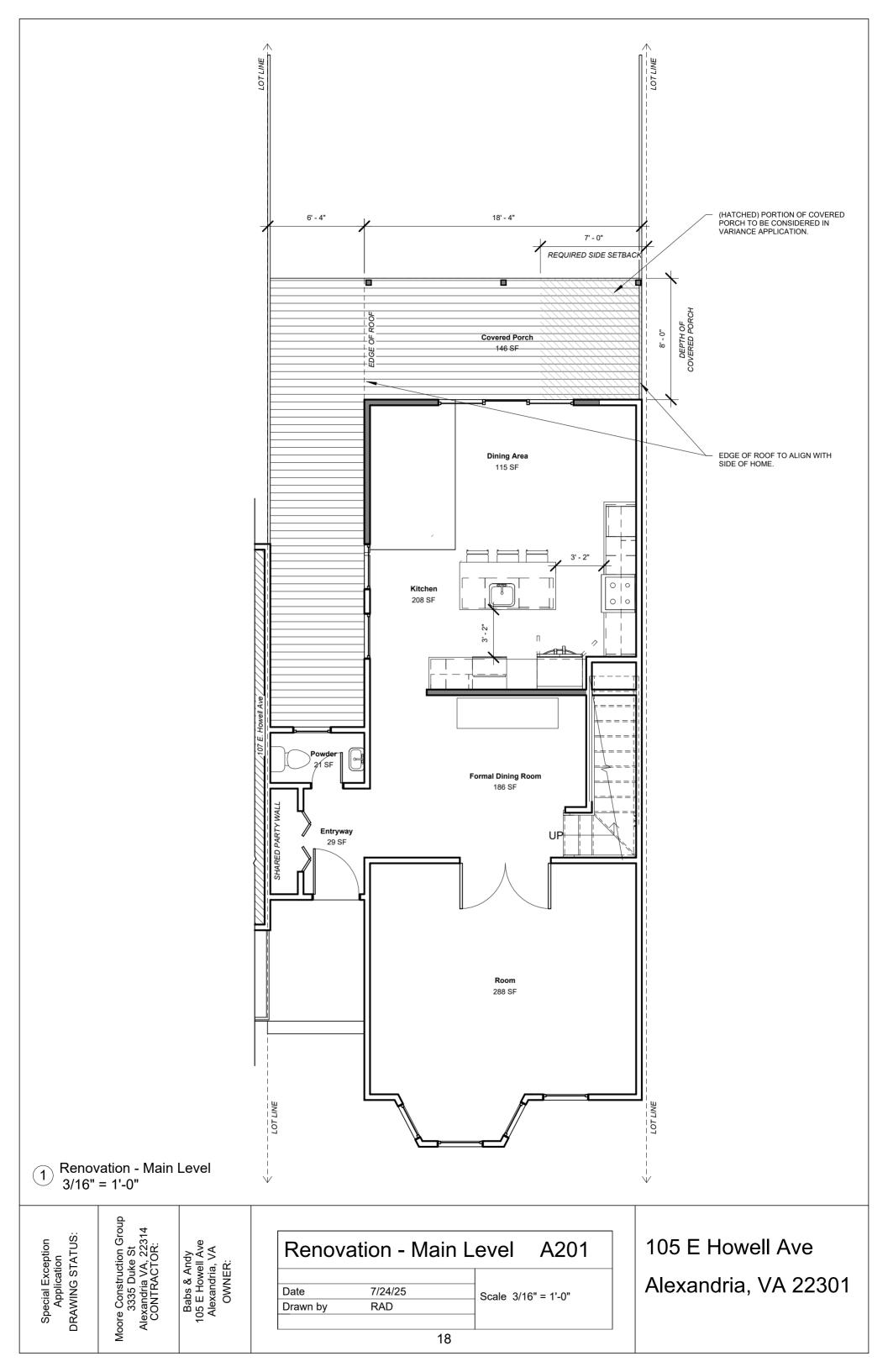
Babs & Andy 105 E Howell Ave Alexandria, VA OWNER:
 Existing - Upper Level
 A102

 Date
 7/24/25

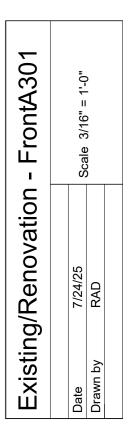
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 RAD

Scale 3/16" = 1'-0"

105 E Howell Ave Alexandria, VA 22301



105 E Howell Ave Alexandria, VA 22301



OWNER:

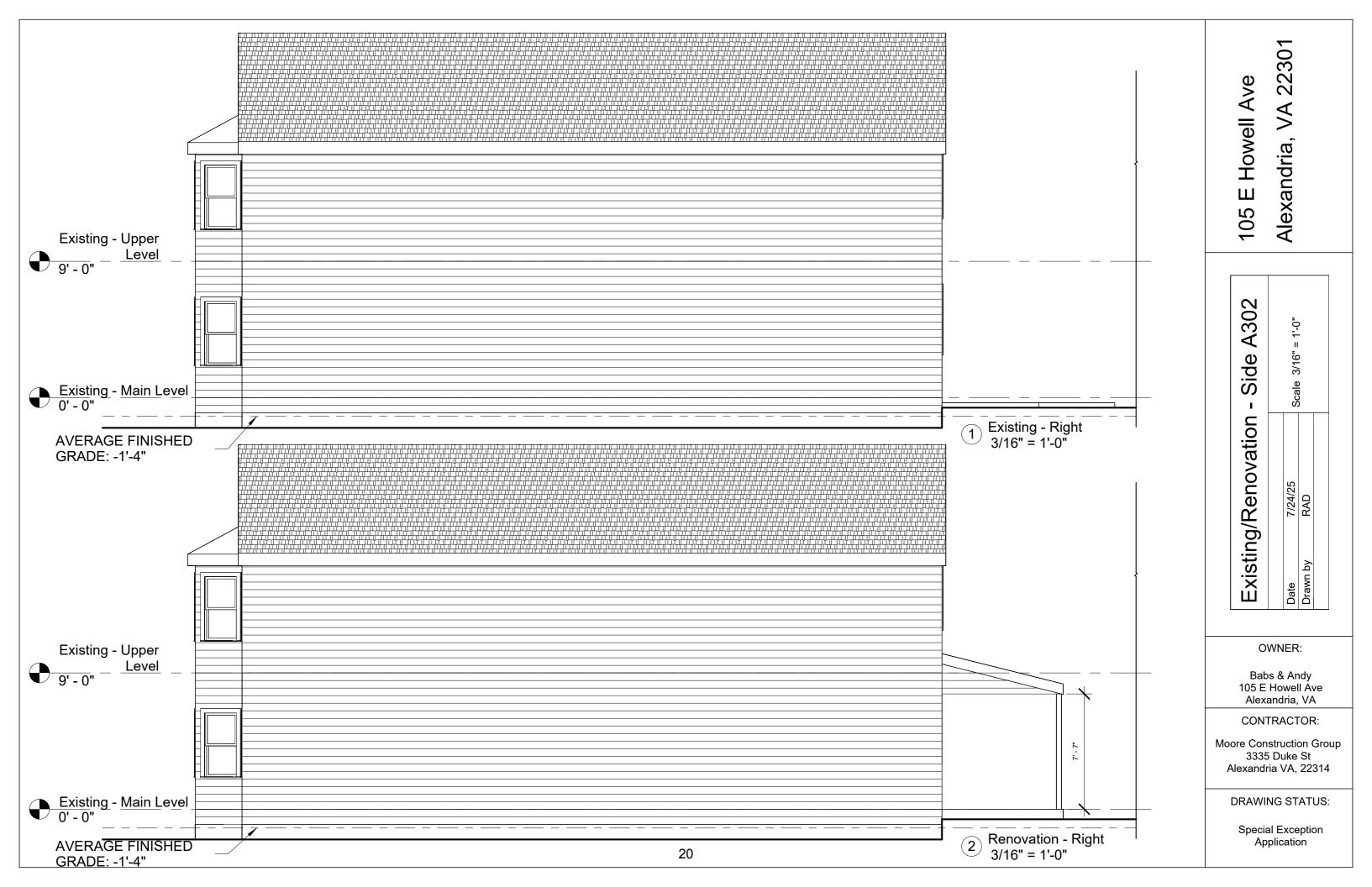
Babs & Andy 105 E Howell Ave Alexandria, VA

CONTRACTOR:

Moore Construction Group 3335 Duke St Alexandria VA, 22314

DRAWING STATUS:

Special Exception Application



105 E Howell Ave Alexandria, VA 22301

Existing/Renovation - Rear A303

Date 7/24/25 Scale 3/16" = 1'-0"

Drawn by Author

OWNER:

Babs & Andy 105 E Howell Ave Alexandria, VA

CONTRACTOR:

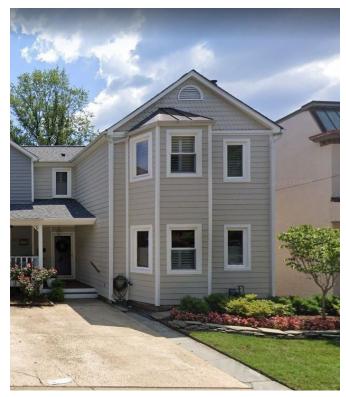
Moore Construction Group 3335 Duke St Alexandria VA, 22314

DRAWING STATUS:

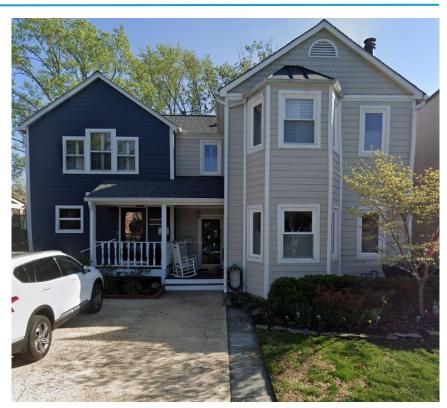
Special Exception
Application



105 E Howell – Front



(A) Property from sidewalk. (via listing photos)



(B) View showing property and connected neighboring property. (via Street View)



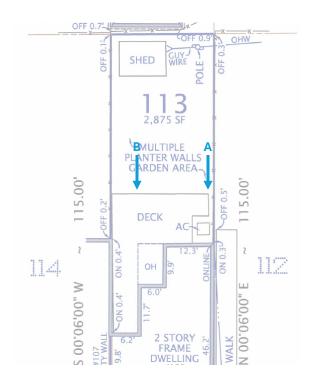
105 E Howell – Rear Yard



(A) Right-side lot line from rear.



(B) Home from rear.



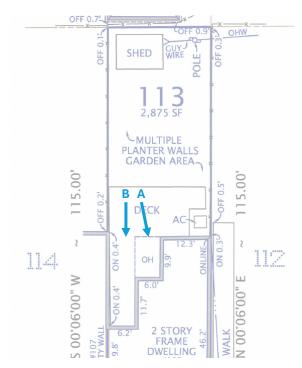
105 E Howell – Rear Deck



(A) Overhang area, from deck.



(B) Deck between properties.



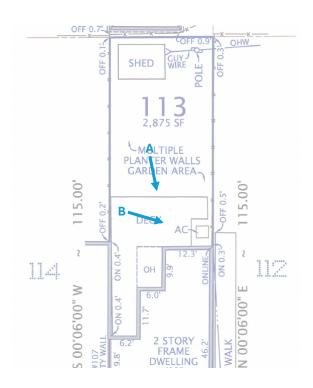
105 E Howell – Rear Deck



(A) Main deck area from rear yard.



(B) Main deck area.



2/5/25, 4:15 PM Print BPOL License

Print Date: 2/5/2025

Fairfax County Dept. Tax Administration, 12000 Government Center Pkwy Suite 223 Fairfax, VA 22035

MOORE CONSTRUCTION GR,LLC 00913 DUKE ST **ALEXANDRIA VA 22314**

2025 BUSINESS LICENSE INFORMATION

ACCOUNT #: 000110269 **CLASSIFICATION: CONTRACTOR & CONTRACTING** ORDINANCE CODE: 47224-01 LOCATION: THROUGHOUT COUNTY THROUGH OUT COUNTY NAICS: 238110 LICENSE NUMBER: 2512900

Business licensing is a form of local taxation of gross receipts generated from business activity in Fairfax County.

Business licenses must be renewed annually by March 1st. For any questions concerning this license, please call 703-222-8234 between the hours of 8:00 a.m. and 4:30 p.m. Monday - Friday (Hearing impaired persons may call TTY: 711), or send us e-mail through our website, www.fairfaxcounty.gov/taxes (https://www.fairfaxcounty.gov/taxes)

Detach Along this perforation

FAIRFAX COUNTY BUSINESS PROFESSIONAL & OCCUPATIONAL LICENSE

12000 Government Center Parkway Fairfax, VA 22035, Phone: 703-222-8234

BUSINESS LOCATION:

THROUGHOUT COUNTY **THROUGH OUT COUNTY 00000**

BUSINESS OWNER:

MOORE CONSTRUCTION GR,LLC

TRADE NAME:

MOORE CONSTRUCTION GR,LLC

BUSINESS MAILING ADDRESS:

00913 DUKE ST

ALEXANDRIA VA 22314



LICENSE NUMBER:

2512900

LICENSE TAX PERIOD:

January 01,2025 TO December 31,2025 THIS LICENSE IS VALID THRU MARCH, 01 2026

CLASSIFICATION:

CONTRACTOR & CONTRACTING

Young Tarry, Director

Personal Property & Business License Division

Department of Tax Administration

Jay Doshi, Director

Department of Tax Administration

The issuance of this license does not relieve the business owner of the responsibility of complying with all County and other legal requirements.