

Docket Item # 5  
BZA CASE #2013-00012

Board of Zoning Appeals  
June 13, 2013

**ADDRESS:** 714 FONTAINE STREET  
**ZONE:** R-8, RESIDENTIAL  
**APPLICANT:** JASON AND DIANNA BALTIMORE, OWNERS

**ISSUE:** Special exception to construct an open front porch in the required front yard.

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CODE SECTION	SUBJECT	CODE REQMT	APPLICANT PROPOSES	REQUESTED EXCEPTION
7-2503(A)	Front Setback	27.90 feet*	21.00 feet	6.90 feet

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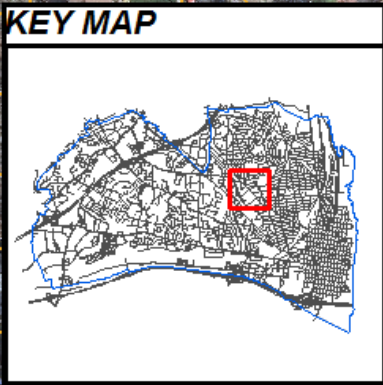
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\*Based on the average prevailing front setback facing Fontaine Street

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**STAFF RECOMMENDATION:** The staff **recommends approval** of the requested special exception because the request meets the criteria for a special exception, with the condition that the porch remain open in the future.

If the Board decides to grant the requested special exception, the development 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 and setbacks. The special exception with the condition that the porch remain open 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.



**BZA #2013-0012**  
**714 Fontaine Street**



**I. ISSUE**

The applicants propose to construct a covered, open front porch facing Fontaine Street. The front porch requires a special exception to allow it within the required front yard setback.



**II. BACKGROUND**

The subject property is one lot of record with 113.00 feet of frontage facing Fontaine Street, a depth of 96.51 feet on the west side of the property, a depth of 99.52 feet on the east side of the property and with 102.00 feet on the north side of the property (rear). The property contains 10,687 square feet of lot area.

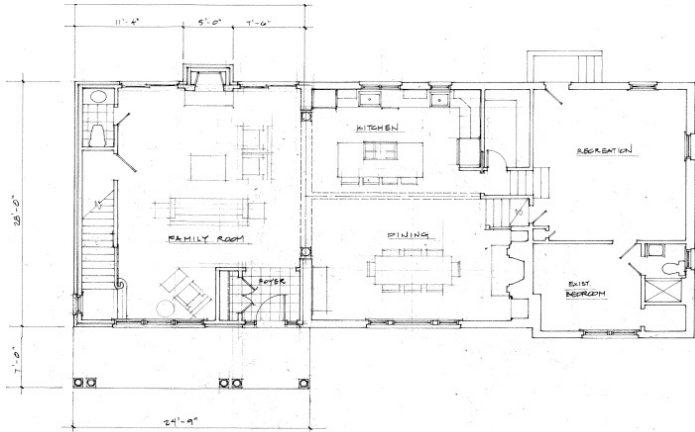
The property is occupied by a single-family dwelling 28.00 feet from Fontaine Street, 11:50 feet from the east side property line, and 30.00 feet from the west side property line. The property is occupied by many mature trees.

**III. DESCRIPTION**

The applicants are proposing to convert an existing garage and porch into a two-story addition. As part of this proposal, the applicants will be extending the existing front area to create an open front porch. The proposed porch will extend 24.75 feet across the front of the main building wall and project 7.00 feet from the building towards Fontaine Street. The new porch will total 173.25 square feet and is considered deductible floor area under the City’s Infill regulations.

At its closet point, the proposed porch will be located 21.00 feet from the front property line facing Fontaine Street. The applicants’ home is located 28.00 feet from the front property line facing Fontaine Street (0.10 feet behind the average prevailing front setback). The applicant requests a special exception of 6.90 feet to construct the front porch forward of the average front setback.

Proposed Floor Plan





Proposed Front Elevations with Porch

Upon completion of the work, the proposed renovations will continue to comply with the floor area requirements. (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-8 and has been so zoned since adoption of the Third Revised Zoning Map in 1951, and is identified in the North Ridge Small Area Plan for residential land use.

**V. REQUESTED SPECIAL EXCEPTION:**

**7-2503(A) Residential Front Setback**

The applicants request a special exception of 6.90 feet to build a new covered, open front porch located forward of the 27.90 feet average front yard setback.

**VI. SPECIAL EXCEPTIONS STANDARDS UNDER SECTION 11-1304:**

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.

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

- c. Whether approval of the special exception will alter the essential character of the area or zone.
- d. Whether the proposal will be compatible with the development in the surrounding neighborhood.
- e. 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.

**VII. STAFF ANALYSIS AND CONCLUSION:**

While there are no other porches on the block face, staff believes that the proposed porch is in proportion and architecturally compatible with the proposed addition and with the existing structure. In Staff's opinion, the proposed covered, open porch complements the view of the home from the street, will enhance the neighbor and not be detrimental to adjacent properties.

Additionally, the porch meets the criteria for eligibility to request a porch special exception. The ground level, single story, covered, open front porch is placed at the main architectural entrance to the dwelling and facing the front yard. At 7.00 feet in depth, the porch is within the maximum 8.00 feet projection limit from the front building wall, and at 21.00 feet from the front property line exceeds the 15.00 feet minimum front yard setback for the porch. The porch does not extend beyond the front building wall into a required side yard setback. The roof line of the porch is in scale with the existing building architecture and the proposed addition. As required, no second floor balcony or deck is proposed, and the porch is open, without enclosure of screens or glass, and must remain open in the future.

Staff believes that the proposed open, covered front porch meets the criteria and standards for a special exception and **recommends approval** of the porch 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:

- R1. Applicant shall be responsible for repairs to the adjacent city right-of-way if damaged during construction activity. (T&ES)
- R2. All improvements to the city right-of-way such as curbing, sidewalk, driveway aprons, etc. must be city standard design. (T&ES)
- R3. 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)
- R4. The building permits must be approved and issued prior to the issuance of any permit for demolition. (T&ES)
- F1. 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 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:

No comments received.

Recreation (Arborist):

F-1 No trees are affected by the proposed Special Exception.

Historic Alexandria (Archaeology):

R-1.\* The applicant/developer shall 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.

R-2.\* The applicant/developer shall not allow any metal detection or artifact collection to be conducted on the property, unless authorized by Alexandria Archaeology.

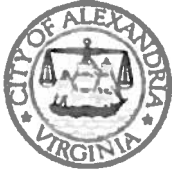
R-3. The statements in archaeology conditions above marked with an asterisk "\*" shall appear in the General Notes of all site plans and on all site plan sheets that involve demolition or ground disturbance (including Basement/Foundation Plans, Demolition, Erosion and Sediment Control, Grading, Landscaping, Utilities, and Sheeting and Shoring) so that on-site contractors are aware of the requirements.

F-1 Historic maps do not indicate that there are any known archaeological resources in the immediate vicinity of the subject property. However, a previous owner had contacted Alexandria Archaeology in 1992 to report that a "shaft"—presumably an old cistern or well shaft—is present on the property and it was "covered with slate." In light of this apparent finding, archaeological resources could be present on the subject property that could provide insight into the past history of Alexandria.

Other Requirements Brought to the Applicant's Attention (Planning and Zoning):

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.

BZA Case # 2013-00017



**APPLICATION  
BOARD OF ZONING APPEALS**

**SPECIAL EXCEPTION FOR PORCHES**

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

1. Applicant:  Owner  Contract Purchaser  Agent

Name KIM A. BEASLEY

Address 11 FORREST ST.

ALEXANDRIA, VA 22305

Daytime Phone 703-965-7390

Email Address rkitectkim@aol.com

2. Property Location 714 FONTAINE ST.

3. Assessment Map # 033 Block .03 Lot 12 Zone 03

4. Legal Property Owner Name JASON & DIANNA BALTIMORE

Address 714 FONTAINE ST.

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.		
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 714 FONTAINE ST. (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. JASON & DIANNA BALTIMORE	714 FONTAINE ST. ALEX., VA	100%
2.		
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 the 12-month period prior to the submission of this application with any member of the Alexandria City Council, Planning Commission, Board of Zoning Appeals or either Boards of Architectural Review. All fields must be filled out completely. Do not leave blank. (If there are no relationships please 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.		
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.

5/1/13  
Date

KIM A. BEASLEY  
Printed Name

  
Signature

5. Describe request briefly :

SEEKING A SPECIAL EXCEPTION TO CONSTRUCT  
A FRONT PORCH (7' x 24.75') AS PART OF A  
RENOVATION AND ADDITION.

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

  
Signature

703-965-7390  
Telephone

5/1/13  
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 (SECTIONS 11-1302(C) and 11-1304)**

**APPLICANT MUST COMPLETE THE FOLLOWING:**  
(Please use additional sheets where necessary.)

- 1. Please provide the following details of the proposed porch:
  - a. Porch projection from front building wall to deck edge 7'-0"
  - b. Length of building wall where porch is to be built \_\_\_\_\_
  - c. Length of porch deck \_\_\_\_\_
  - d. Depth of overhang 8"
  - e. Distance of furthest projecting porch element from the front property line 21'-0"
  - f. Overall height of porch from finished or existing grade 13'-0"
  - g. Height of porch deck from finished or existing grade 8"

2. Explain the conditions of the subject property which prevent locating the proposed porch in compliance with the zoning ordinance.  
THE EXISTING HOUSE IS 27.9 FEET FROM THE FRONT PROPERTY LINE. I  
\_\_\_\_\_  
\_\_\_\_\_

3. Explain if the proposed porch will be detrimental to the adjacent properties or the neighborhood in general.  
THE PROPOSED OPEN FRONT PORCH WILL NOT BE DETRIMENTAL TO ADJACENT PROPERTIES. THE ADJACENT NEIGHBOR, CLOSEST TO THE PROPOSED PORCH, WILL PROVIDE A LETTER OF SUPPORT.  
\_\_\_\_\_

4. Explain how the proposed porch will affect the light and air to any adjacent property.  
THE PROPOSED PORCH WILL BE LOCATED ON THE FRONT, NORTHWEST SIDE OF THE HOUSE. IT WILL CAST NO SHADOW ON ADJACENT PROPERTIES, NOR WILL IT AFFECT AIR MOVEMENT.  
\_\_\_\_\_

5. 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 OWNER WILL BE SHARING THE PLANS WITH ADJACENT PROPERTY OWNERS. LETTERS OF SUPPORT WILL BE FORTHCOMING.  
\_\_\_\_\_  
\_\_\_\_\_



BZA 2013-00012

A



## 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 714 FONTAINE ST. Zone R-8  
 A2. 10,687 x :35 = 3740.45  
Total Ldt Area                      Floor Area Ratio Allowed by Zone                      Maximum Allowable Floor Area

**B. Existing Gross Floor Area**

Existing Gross Area*		Allowable Exclusions	
Basement	300	Basement**	360
First Floor	1155.56	Stairways**	108.8
Second Floor	1121.79	Mechanical**	20.25
Third Floor	145	Porch/Garage**	568 <del>OR BL.</del>
Porches/Other	568	Attic less than 5'***	268.75 <del>OR BL.</del>
<b>Total Gross*</b>	<b>3350.35</b>	<b>Total Exclusions</b>	<b>1325.8</b>

B1. Existing Gross Floor Area \*  
3350.35 Sq. Ft.  
 B2. Allowable Floor Exclusions\*\*  
1325.8 Sq. Ft.  
 B3. Existing Floor Area minus Exclusions  
2024.5 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	682	Stairways**	126.25
Second Floor	725	Mechanical**	65
Third Floor	672	Porch/Garage**	173.25
Porches/Other	173.25	Attic less than 5'***	534.5
<b>Total Gross*</b>	<b>2252.25</b>	<b>Total Exclusions</b>	<b>899</b>

C1. Proposed Gross Floor Area \*  
2252.25 Sq. Ft.  
 C2. Allowable Floor Exclusions\*\*  
899 Sq. Ft.  
 C3. Proposed Floor Area minus Exclusions  
1353.25 Sq. Ft.  
 (subtract C2 from C1)

**D. Existing + Proposed Floor Area**

D1. Total Floor Area (add B3 and C3) 3377.75 Sq. Ft.  
 D2. Total Floor Area Allowed by Zone (A2) 3740.45 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 of a lot, measured from exterior walls.

\*\* Refer to the zoning ordinance (Section 2-145(A)) and consult with zoning staff for information regarding allowable exclusions.

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.

**E. Open Space Calculations Required in RA & RB zones**

Existing Open Space	
Required Open Space	
Proposed Open Space	

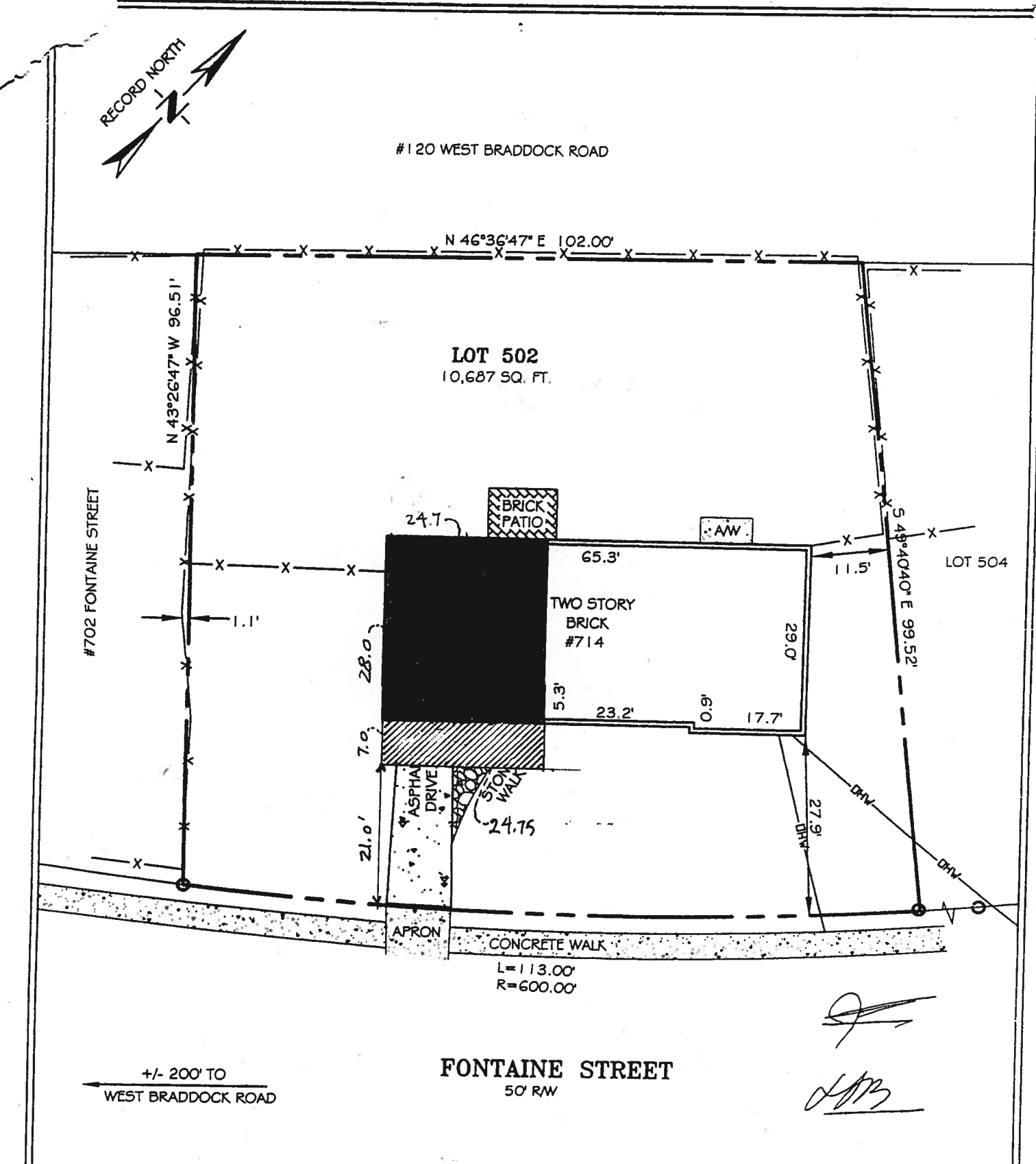
The undersigned hereby certifies and attests that, to the best of his/her knowledge, the above computations are true and correct.

Signature: *J. M. Plunk* Date: 5/1/13



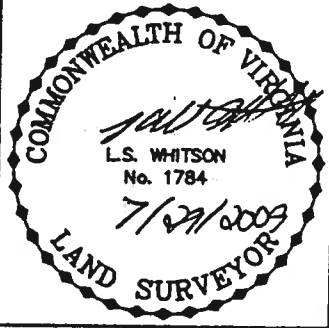






**HOUSE LOCATION SURVEY**

LOT 502 BLOCK 2  
TIMBER BRANCH PARK  
DEED BOOK 346 PAGE 1  
CITY OF ALEXANDRIA, VIRGINIA  
DATE: JULY 29, 2009  
SCALE: 1" = 20'  
DRAFTED BY: SES



**LEGEND**

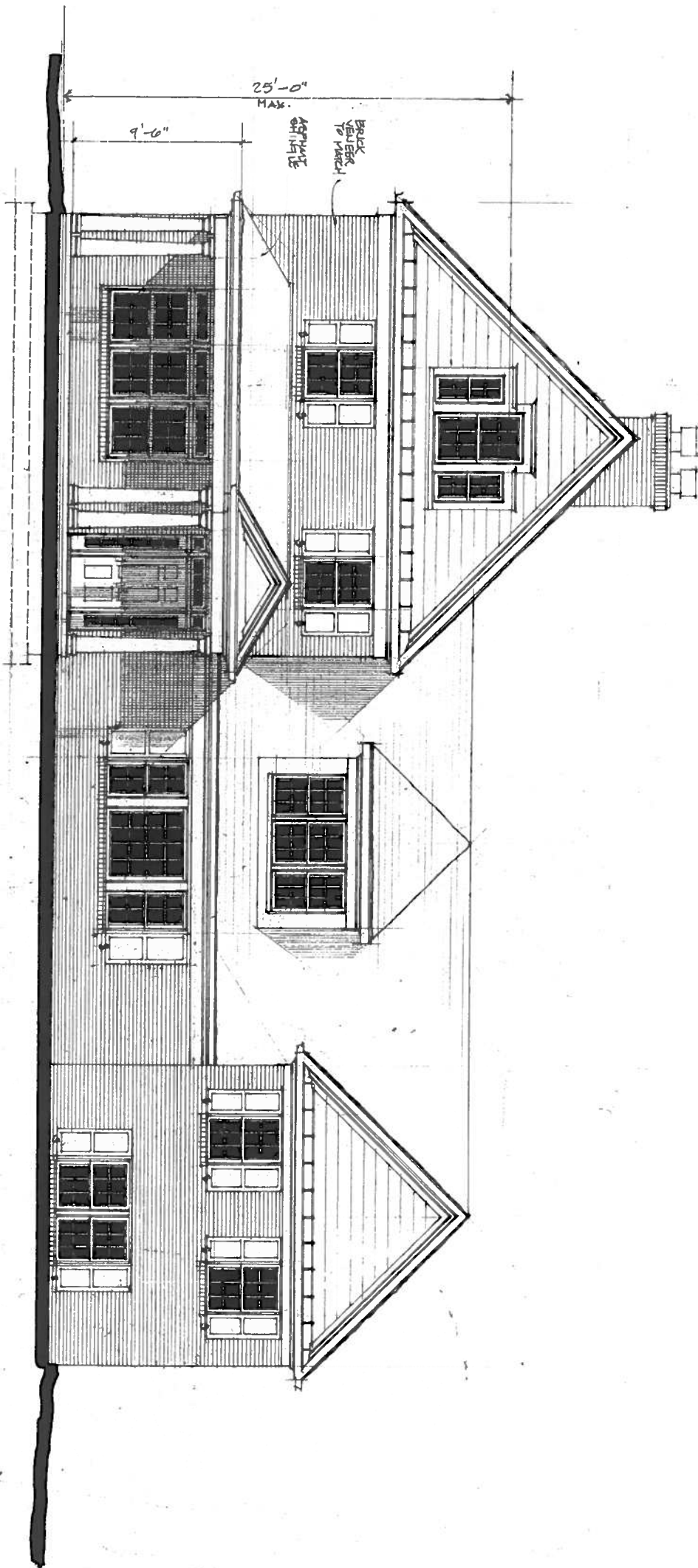
- CW = CONC WALK
- SW = STONE WALK
- WL = WOOD LANDING
- BL = BRICK LANDING
- W/D = WOOD DECK
- C/S = CONC STOOP
- M/S = METAL STOOP
- C/C/S = COVERED CONC STOOP
- C/P = CONC PATIO
- R/E = RECESSED ENTRY
- CHIM = CHIMNEY
- O.H. = OVERHANG
- B/W = BAY WINDOW
- OHW = OVERHEAD WIRE
- AW = AREA WAY
- = MONUMENT FOUND
- x- = FENCE

**NOTES**

1. "NO" PROPERTY CORNER MONUMENTS SET. REFER TO TITLE 54.1-407 OF THE CODE OF VIRGINIA;
2. THIS SURVEY WAS ESTABLISHED BY AN ELECTRONIC TOTAL STATION AND TAPE UNLESS OTHERWISE SHOWN THERE ARE NO ENCROACHMENTS.
3. THIS IS NOT A BOUNDARY SURVEY, PROPERTY CORNER MONUMENTS ARE NOT GUARANTEED. THIS SURVEY HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND DOES NOT PURPORT TO REFLECT ALL EASEMENTS, ENCUMBRANCES, RESTRICTIVE COVENANTS (IF ANY) OR OTHER CIRCUMSTANCES AFFECTING TITLE TO THE SUBJECT PROPERTY AND IS NOT INTENDED TO BE USED AS AN AID FOR THE CONSTRUCTION OF FENCES AND THE DESIGN OR CONSTRUCTION OF ANY OTHER IMPROVEMENTS.

**SAM WHITSON LAND SURVEYING, INC.**  
7061 GATEWAY COURT SUITE 150  
MANASSAS, VIRGINIA 20109  
PHONE: (703)330-9622 FAX: (703)330-9778

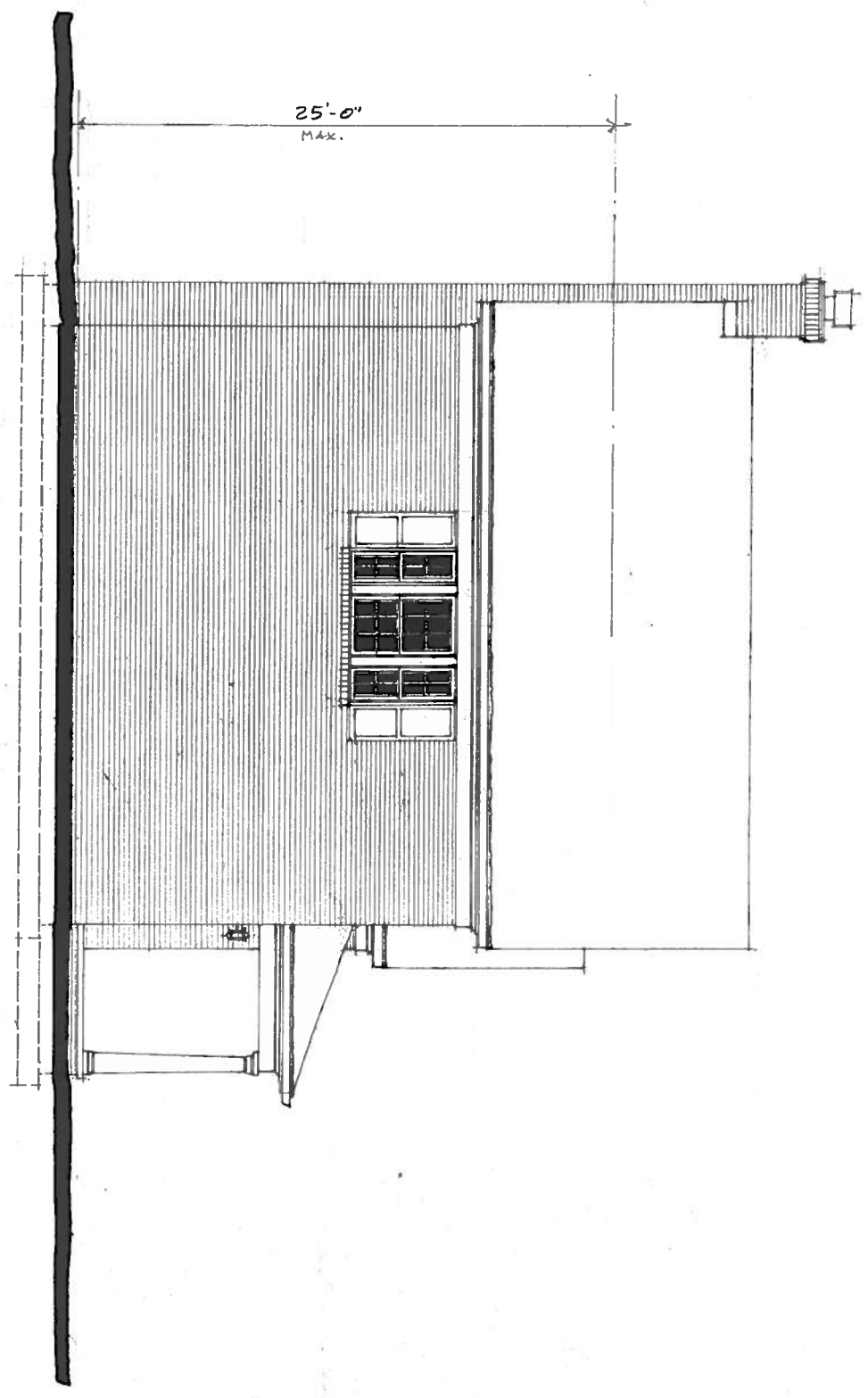
**OWNER: GRANT**  
**BUYER: BALTIMORE**  
W.O. #09-1501 CLIENT #3720

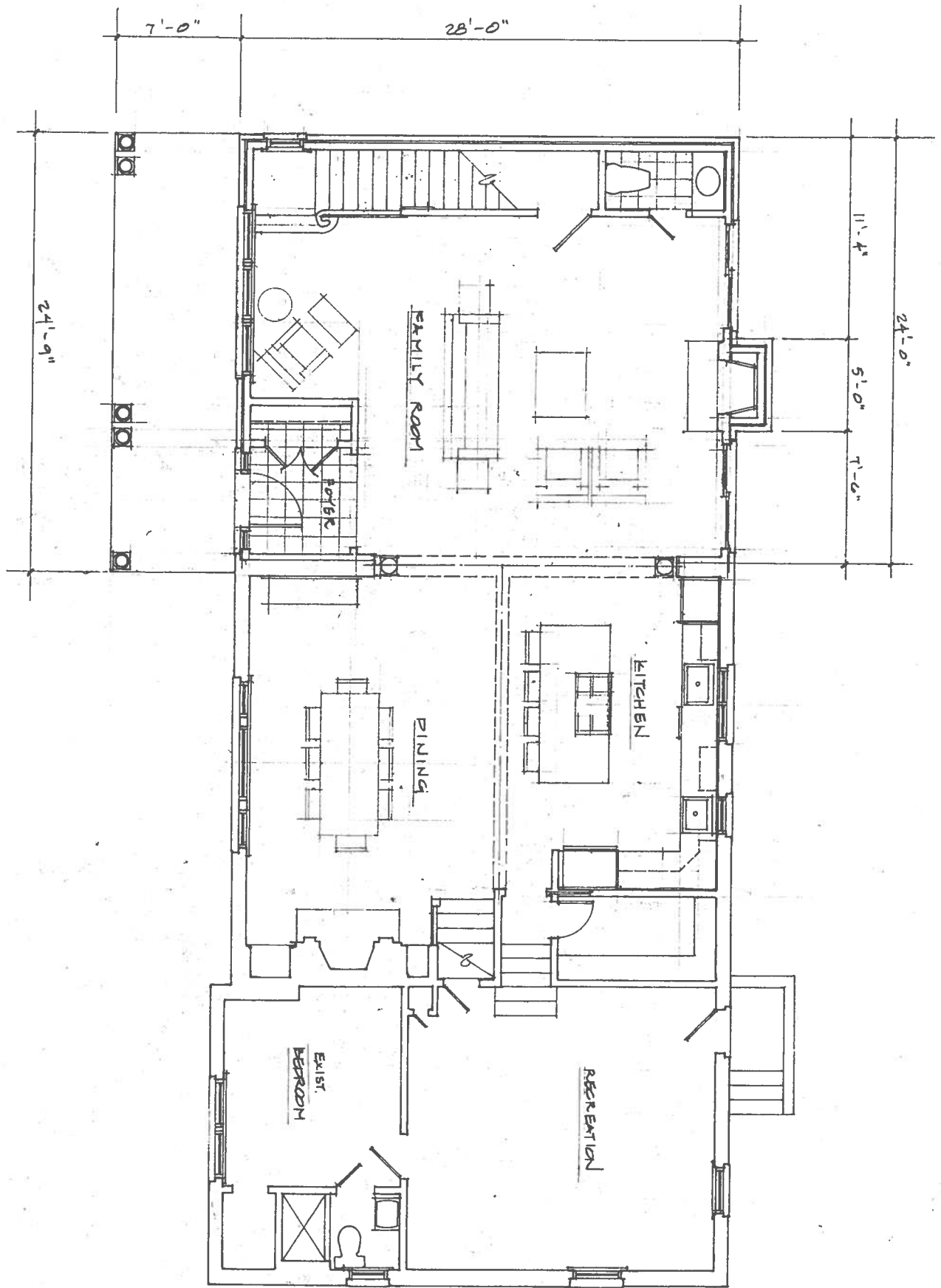


BALTIMORE RESIDENCE  
 1/8" = 1'-0"

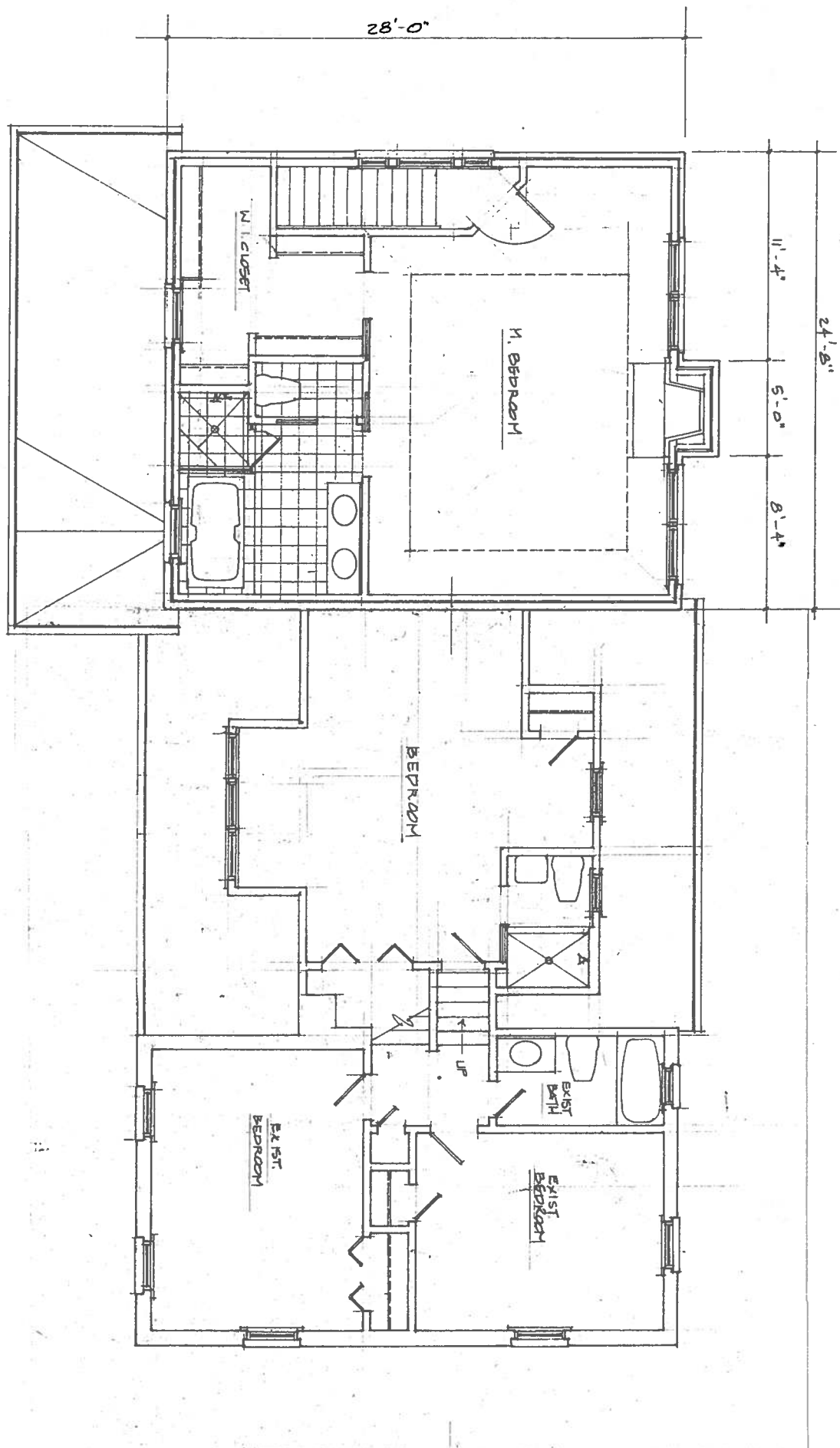
Beasley Architectural Group, LLC  
 Architectural & Consulting  
 11 Forest Glen, Alexandria, Virginia 22305  
 Office: (703) 664-1211 Fax: (703) 664-1212  
 beasley@beasley.com

BALTIMORE RESIDENCE  
1/8" = 1'-0"



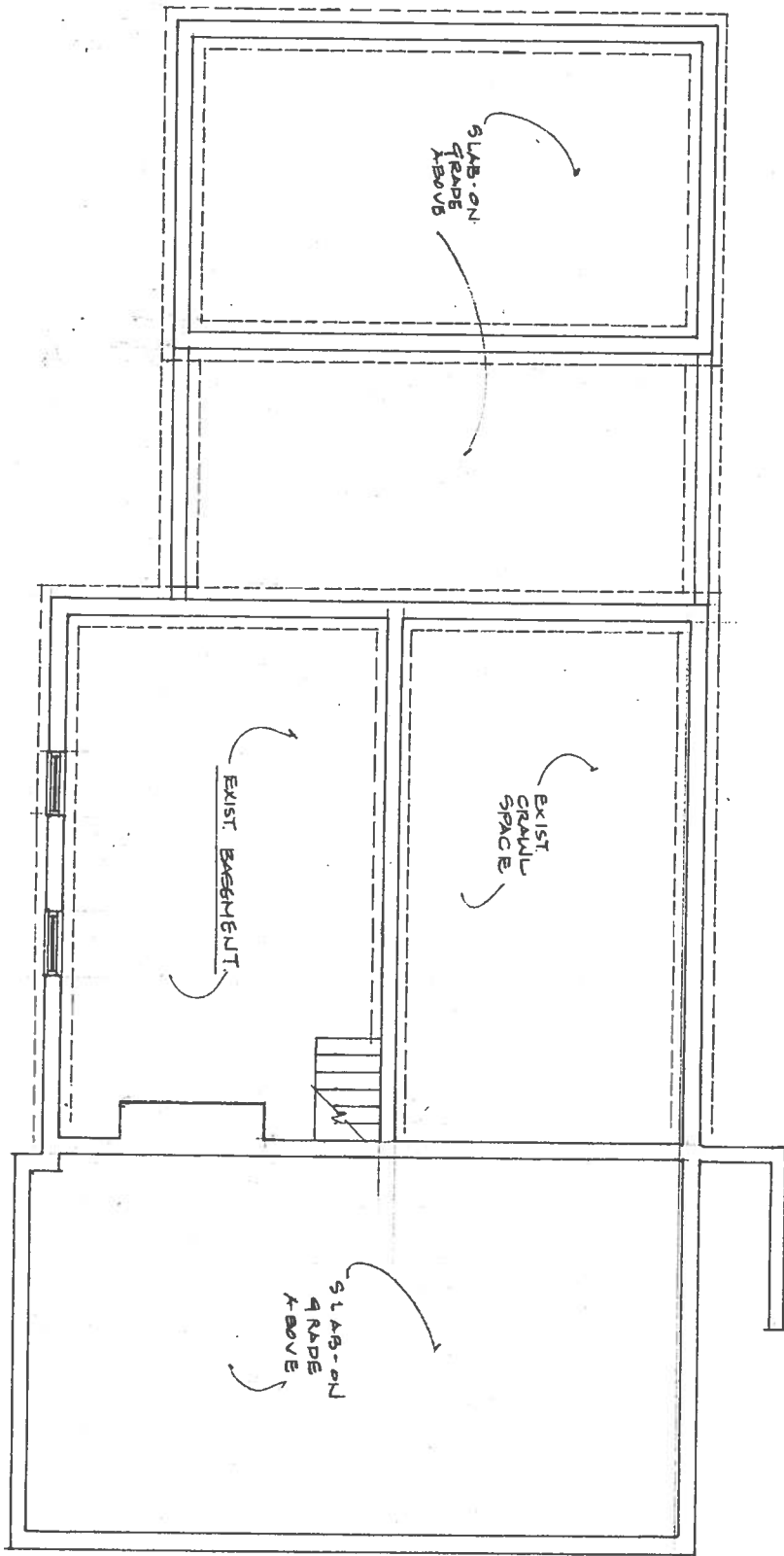


BALTIMORE RESIDENCE  
 FIRST FL. PLAN  
 1/8" = 1'-0"

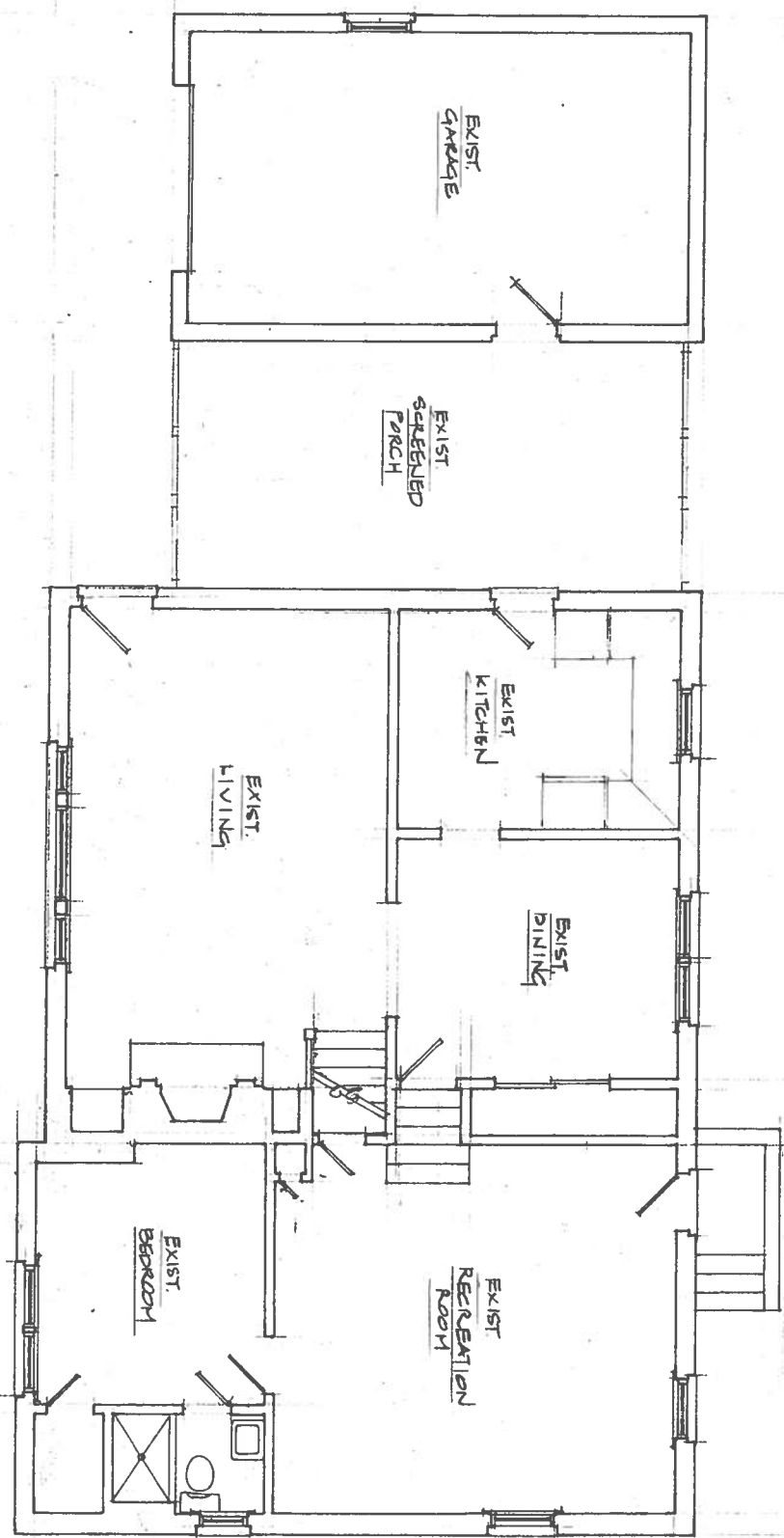


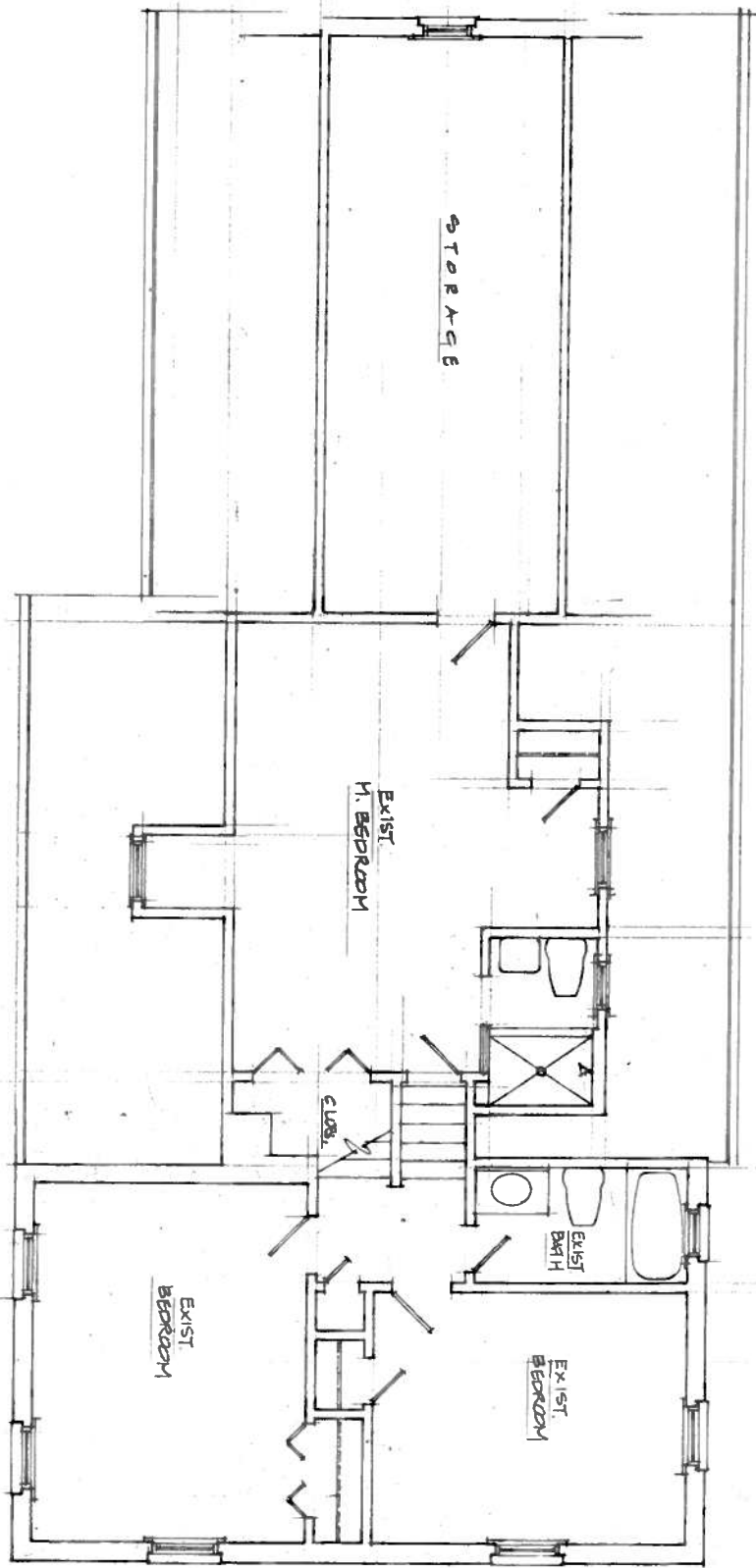
BALTIMORE RESIDENCE  
 SECOND FLOOR PLAN  
 1/8" = 1'-0"

BALTIMORE RESIDENCE  
EXIST. BASEMENT FOUNDATION 1/8"=1'-0"



BALTIMORE RESIDENCE  
EXISTING 1<sup>ST</sup> FL.  
1/8" = 1'-0"





BALTIMORE RESIDENCE  
EXIST 2ND FL.  
1/8" = 1'-0"