

Docket Item #4
BZA #2021-00016
Board of Zoning Appeals
December 13, 2021

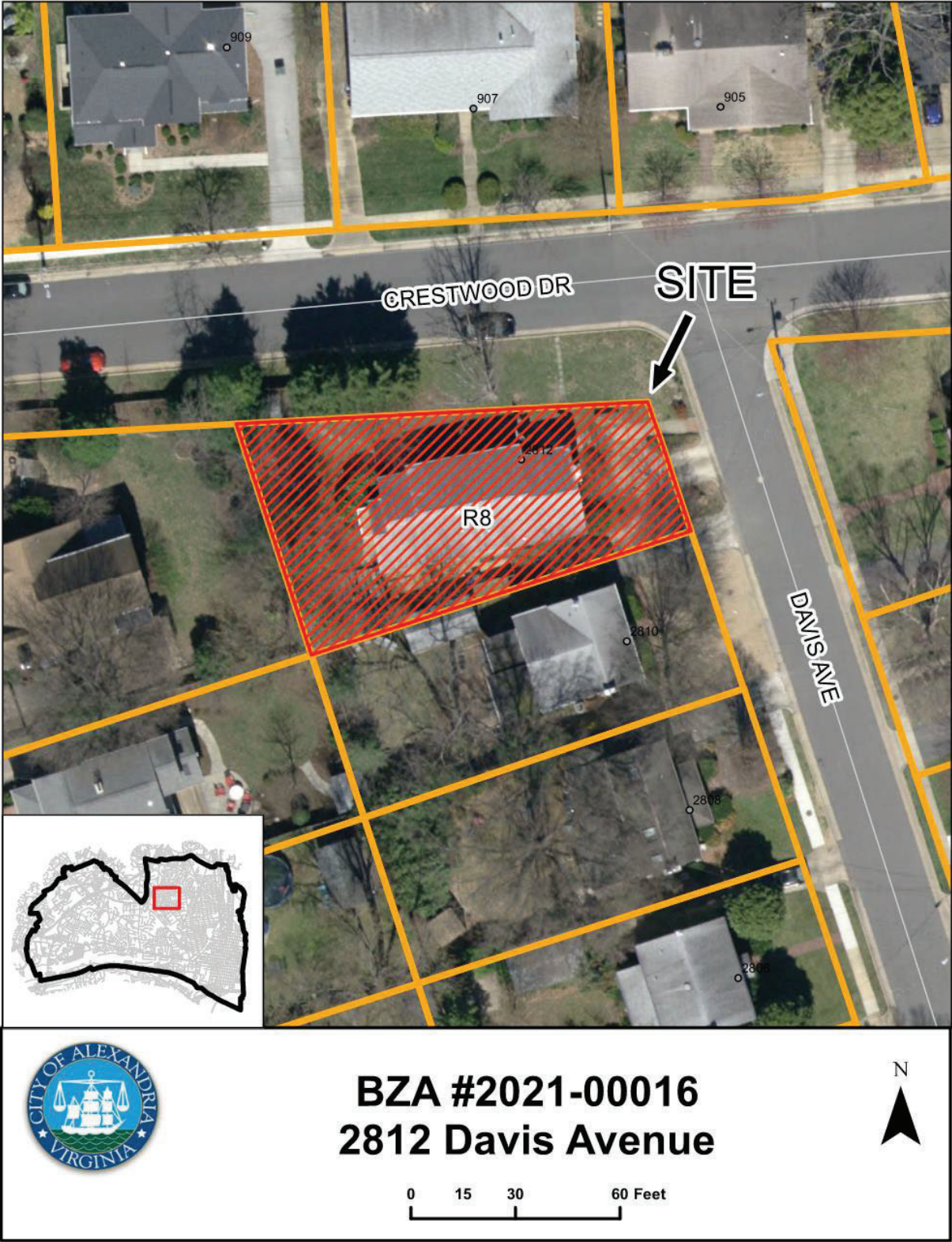
ADDRESS: 2812 DAVIS AVENUE
ZONE: R-8/RESIDENTIAL SINGLE-FAMILY
APPLICANT: AMBER FULLER AND DAVID BLANK

ISSUE: Variance from the required front yard and special exception from the required side yard to construct a second-story addition, enclosed porch and deck.

CODE SECTION	SUBJECT	ZONING REQUIREMENT	APPLICANT PROPOSES	REQUESTED VARIANCE
3-306(A)(1)	Front yard (Crestwood Drive)	24.70 Ft.	15.00 Ft. (second-story addition)	9.70 Ft.
			20.00 Ft. (enclosed porch)	4.70 Ft.
			21.50 Ft. (deck)	3.20 Ft.
3-306(A)(2)	Side yard (south)	13.30 Ft.	9.30 Ft.	4.00 Ft.

Staff **recommends approval** of the request because it meets all required variance and special exception standards.

The applicants must submit certification of building height and floor area ratio from a licensed architect or engineer prior to the final inspection. The variance and special exception approvals must also be recorded with the subject property's deed in the City's Land Records Office prior to release of the building permit.



I. Issue

The applicants, Amber Fuller and David Blank, propose additions to an existing single-family dwelling located at 2812 Davis Avenue. The additions would be located within the required front and side yards and within the existing dwelling's footprint. The applicants request a variance from the front yard and special exception from the south side yard requirements to construct the additions.

II. Background

The subject property is a substandard corner lot of record with 37.59 and 119.03 feet of frontage along Davis Avenue and Crestwood Drive, respectively. It has a lot size of 6,087 square feet. As such, it does not meet the R-8 zone's minimum lot frontage, width or size requirements. Single-family dwellings surround the subject property.



Figure 1 - Subject Property

The subject property contains a single-family dwelling. City Real Estate records indicate the one-story dwelling was constructed in 1955. It provides 29.90 and 13.40-foot front yards along Davis Avenue and Crestwood Drive, respectively. The dwelling provides 22.80 and 7.10-foot west and south side yards, respectively. The existing dwelling contains approximately 1,460 square feet of net floor area. The following table provides a summary of all applicable zoning regulations as they pertain to the subject property:

R-8 Zone	Required/Permitted	Existing	Proposed
Lot Size	9,000 Sq. Ft.	6,087 Sq. Ft.	No change
Lot Width (Davis Ave)	80.00 Ft.	44.90 Ft.	No change
Lot Width (Crestwood Dr)	80.00 Ft.	119.80 Ft.	No change
Lot Frontage (Davis Ave)	40.00 Ft.	37.59 Ft.	No change
Lot Frontage (Crestwood Dr)	40.00 Ft.	119.03 Ft.	No change
Front Yard (Davis Ave)	30.10 Ft. (minimum)	29.90 Ft.	No change
Front Yard (Crestwood Dr)	24.70 Ft. (minimum)*	13.40 Ft.	15.00 Ft. (second-story addition)
			20.00 Ft. (enclosed porch)
			21.50 Ft. (deck)
Side Yard (South)	13.30 Ft. 1:2 height-to-setback ratio	7.10 Ft.	9.30 Ft.
Side Yard (West)	8.00 Ft. 1:2 height-to-setback ratio	22.80 Ft.	No change
Height	30.00 Ft.	15.30 Ft.	26.50 Ft.
Net Floor Area	2,130 Sq. Ft. 0.35 FAR	1,460 Sq. Ft. 0.24 FAR.	2,064 Sq. Ft. 0.34 FAR

**BZA #2000-00009 allowed for an enclosed entry vestibule to provide an 11.00-foot front yard*

III. Description

The applicant proposes to construct a second-story addition above the central portion of the existing dwelling. The addition would replace attic space above the first floor and would measure 26.50 feet in height from average pre-construction grade. The addition would accommodate two bedrooms and bathrooms. It would measure 26.75 by 26.50 feet and would contain 709 square feet. Given the height of the addition, the R-8 zone 1:2 height-to-setback ratio would require a 13.30-foot south side yard. The second-story addition would be located 9.30 feet from the south side lot line but would not extend closer to the south lot line than the dwelling's existing south-facing building wall. This wall is noncomplying and provides a 7.10-foot side yard setback.

The second-story addition would also be located within the required 24.70-foot front yard along Crestwood Drive, 15.00 feet from the front lot line along this street. It would not extend closer to the front lot line than the existing building wall that faces this front lot line. This wall is noncomplying and provides a 13.40-foot front yard.

As part of the applicant's proposal, an existing, partially enclosed porch would be fully enclosed, and a new deck would be constructed. These structures would also be located within the required 24.70-foot front yard along Crestwood Drive. The enclosed porch would be located 20.00 feet from the front lot line. It would not extend closer to the front lot line than the existing porch. This porch is noncomplying and provides a 20.00-foot setback to the front lot line. The deck would provide a 21.50-foot setback to the front lot line.

On April 13, 2000, the BZA granted a variance to convert an existing open front stoop to an enclosed entry vestibule within the required front yard along Crestwood Drive. The approval allowed the dwelling to provide a 11.00-foot front yard along Crestwood Drive.

The proposal would comply with all other applicable zoning regulations.

IV. Noncomplying Structure

The existing lot is substandard, and the existing dwelling is a noncomplying structure with regard to the following:

	<u>Required/Permitted</u>	<u>Provided</u>	<u>Noncompliance</u>
Front Yard (Davis Ave)	30.10 Ft.	29.9 Ft.	0.20 Ft.
Side Yard (South)	8.00 Ft.	7.10 Ft.	0.90 Ft.
Lot Size	9,000 Sq. Ft.	6,087 Sq. Ft.	2,913 Sq. Ft.
Lot Frontage (Davis Ave)	40.00 Ft.	37.59 Ft.	2.41 Ft.
Lot Width (Davis Ave)	80.00 Ft.	44.90 Ft.	35.10 Ft.

V. Master Plan/Zoning

The subject property has been zoned R-8/Residential Single-Family since adoption of the Third Revised Zoning Map in 1951. The North Ridge/Rosemont Small Area Plan identifies the property for residential land use.

VI. Requested Special Exception

3-306(A)(2) Side yards.

Zoning Ordinance section 3-306(A)(2) requires a side yard based on a 1:2 height-to-setback ratio with a minimum of eight feet.

Figure two, below, shows the existing dwelling's established noncomplying plane facing the south side lot line. Any construction within the area shaded in red would require special exception approval from the side yard requirement.

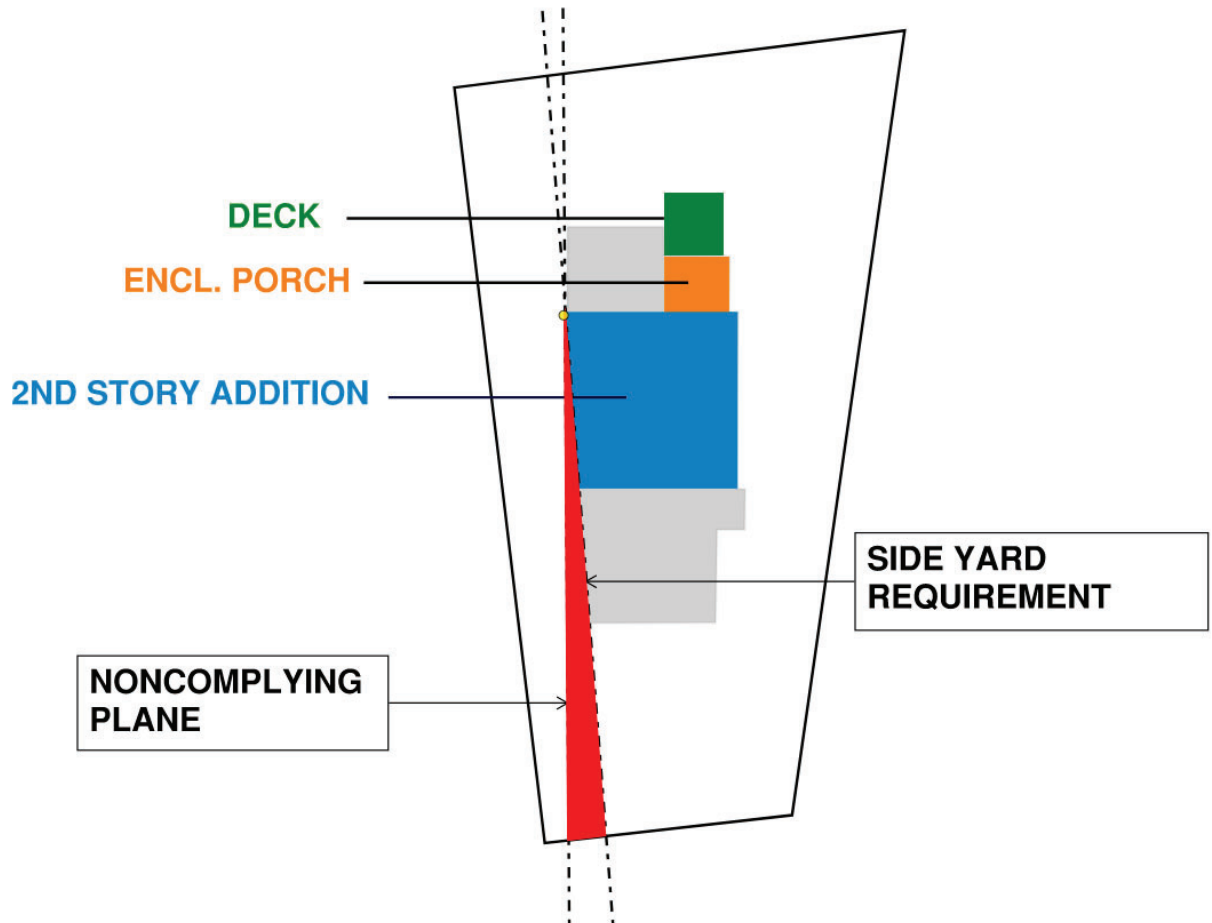


Figure 2 - South Side Yard Special Exception

The proposed addition would increase the height of the existing dwelling from 11.70 to 26.50 feet within the required side yard along the existing noncomplying building wall. The addition would require a 13.30-foot side yard but would only provide a 9.30-foot side yard. As such, the applicants request a special exception of four feet from the R-8 zone's side yard requirement.

VII. Special Exception Standards

Per Zoning Ordinance section 11-1304, the Board of Zoning Appeals "must find that the strict application of the ordinance creates an unreasonable burden on the use and enjoyment of the property which outweighs the material zoning purpose for which the specific provision of the ordinance at issue was designed." Section 11-1304 also states that the Board of Zoning Appeals "shall consider and weigh the following issues, as applicable:"

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

The proposed addition would be located along the dwelling's existing south-facing noncomplying building wall and there would be no increase to the dwelling's footprint. The second-story addition would be located within the center portion of the existing dwelling. Due to the irregular shape of the lot, the south lot line does not run parallel to the existing dwelling. Its closest point, at the southeast corner of the house is 7.10 feet from the south lot line. Its furthest point, at the southwest corner of the house is 12.50 feet from the south lot line. The addition would be located further from the south lot line than the existing dwelling's closest point. The proposal would be in character with its surroundings as the neighboring properties contain a variety of one and two-story dwellings. For these reasons, it would not be detrimental to the public welfare, the neighborhood or 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.

Approval of the special exception would not impact light and air supply to adjacent properties, cause or substantially increase traffic congestion or increase fire risks due to its location along the dwelling's existing south-facing noncomplying building wall. Because the proposed addition would be no closer to the adjacent property at 2810 Davis Avenue than the existing dwelling, it would have no affect on light and air supply.

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

The proposed addition would not alter the essential character of the area or zone as many two-story dwellings exist in the surrounding area and R-8 zone provide similarly sized side yard setbacks, including the immediately adjacent property at 2810 Davis Avenue.

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

The proposal would result in a dwelling that would be similar in size and height to many dwellings within the surrounding neighborhood. Several dwellings within the surrounding neighborhood have additions that are larger or taller than the applicant's proposed addition. The proposal would be compatible with the 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.

A complying addition could only be constructed within the subject property's west side yard. This area encompasses much of the lot's usable open area. An addition in this location would reduce this area further which would not represent reasonable means or location to accommodate the proposal. The proposed addition would represent the only reasonable means and location given the alternative.

VIII. Requested Variance

3-306(A)(1) Front yard.

Zoning Ordinance section 3-306(A)(1) requires a front yard established by the front yards within the contextual block face. For the subject property, a 24.70-foot front yard would be required as measured from the lot line along Crestwood Drive. The applicant's proposed second-story addition and enclosed porch and deck would be located within this required front yard. The applicants request variances from the front yard setback requirements for these structures along Crestwood Drive as follows:

Structure	Front Yard Setback	Requested Variance
Existing dwelling	13.40 Ft. (incl. for reference)	N/A
Second-story addition	15.00 Ft.	9.70 Ft.
Enclosed porch	20.00 Ft.	4.70 Ft.
Deck	21.50 Ft.	3.20 Ft.

Figure three, below, illustrates the request.

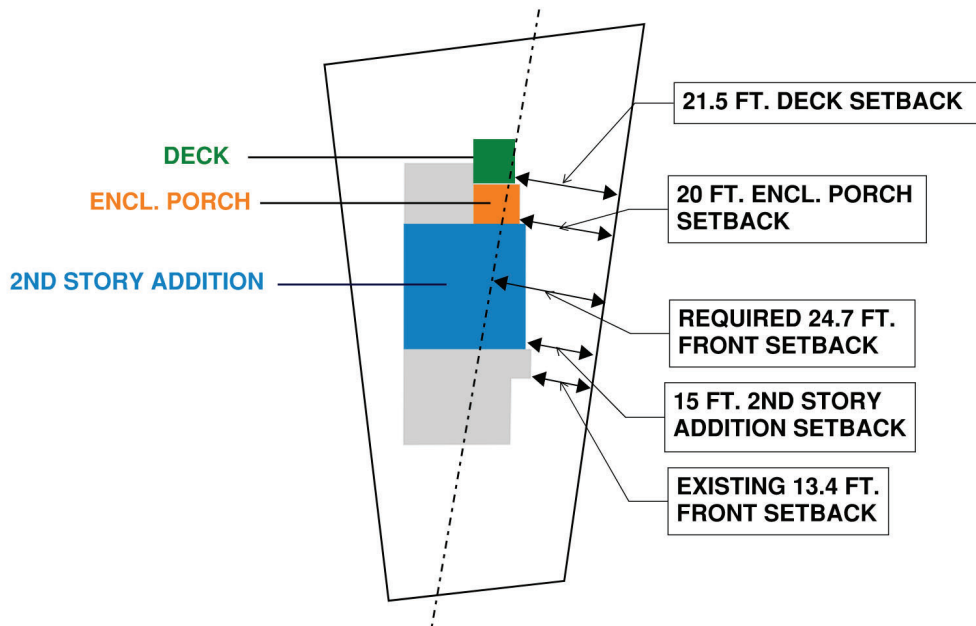


Figure 3 - Variance Requests

11-1107 Conformance and expansion.

Pursuant to Zoning Ordinance section 11-107, the previous variance approval made the existing dwelling complying in terms of the R-8 zone's front yard requirement along Crestwood Drive. Because the applicants have proposed expansion within the required front yard, section 11-107 requires that an additional variance be approved.

IX. Applicant's Justification for Variance

The applicants cite a lack of open space to build an addition, the noncomplying nature of the existing dwelling's walls in terms of required setbacks, the unusual shape of the lot and its substandard size to justify the variance request.

X. 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 applicants' requested deviations from the required setbacks are reasonable because they do not exceed the deviations granted by the previous variance approval. The proposed second-story addition would provide a 15-foot front setback along Crestwood Drive, while the existing front building wall provides a 13.40-foot front setback. The following table shows the existing and proposed deviations between the setback requirements of the existing structure and the proposal:

	Existing deviation	Proposed deviation
Front Yard (Crestwood Dr)	11.30 Ft.	9.70 Ft. (second-story addition)
		4.70 Ft. (enclosed porch)
		3.20 Ft. (deck)

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

Due to the irregular shape and substandard size of the lot and the front yard setback established by the contextual block face, the subject property's buildable area is severely limited. Figure four, below shows the approximate areas where an addition could be constructed without variance approval from the front yard requirement.

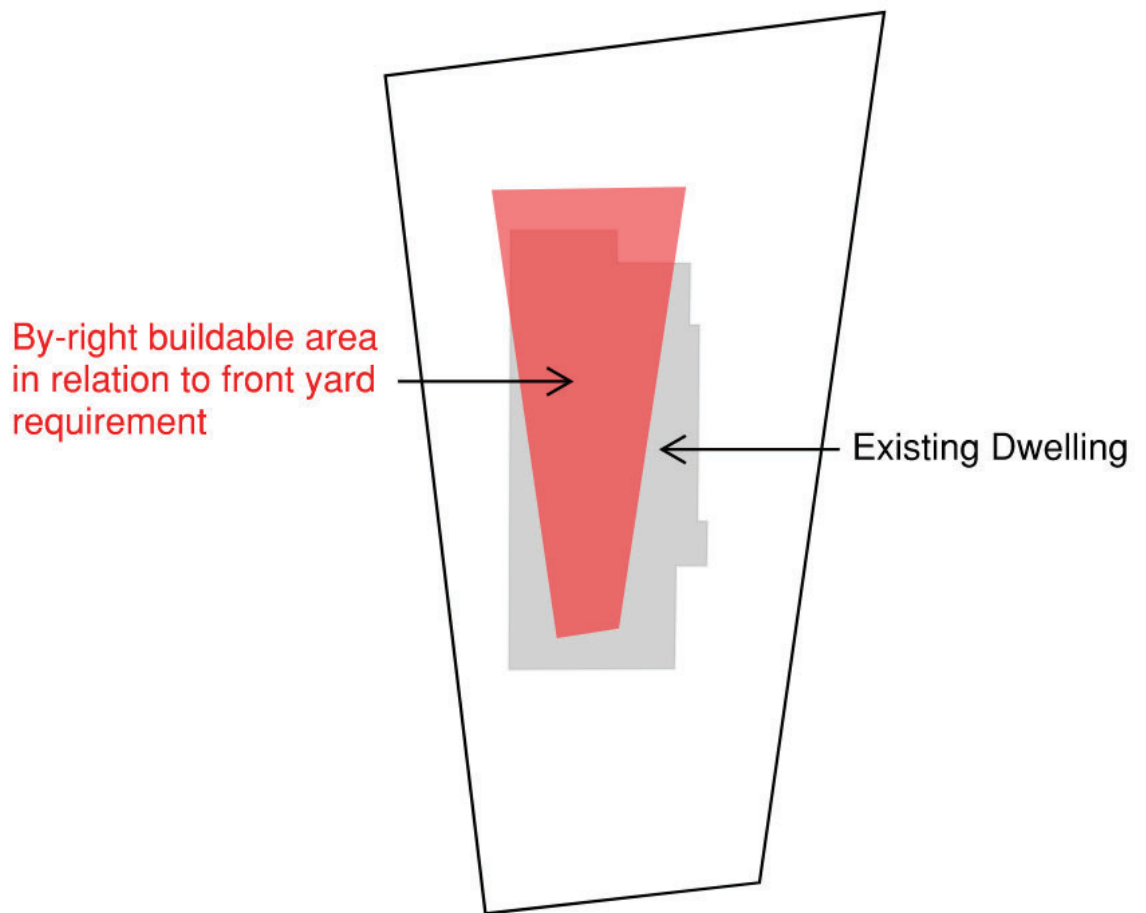


Figure 4 - Buildable Area

Strict application of the front yard requirement would unreasonably limit the size and location of any addition to the existing dwelling.

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

There is one other property located at 2812 Crestwood Drive which would almost certainly need variance approval to complete a project similar to the applicant's proposal. Otherwise, the need for variances is unique to the subject property due to its irregular lot shape and substandard lot size.

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

The purpose of the ordinance's yard requirements is to ensure an adequate supply of light and air to adjacent neighbors. The applicants' proposal does not expand the existing dwelling's footprint. The addition would not be located closer to any lot lines than the existing dwelling. The second-story addition

would not affect properties to the east or west as these yards far exceed the minimum required.

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

The applicants have not requested a change in use.

XI. 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 Zoning Ordinance would unreasonably restrict the buildable area of the subject property. The location of the existing dwelling and the substandard size and irregular shape of the lot create a hardship that has existed since the dwelling was constructed in 1955. Granting the variances would alleviate the hardship caused by these physical conditions.

- 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 applicants acquired the subject property interest in good faith and were unaware at the time of purchase that the Zoning Ordinance would restrict their buildable area. The applicants did not create the lot nor construct the existing dwelling so they did not create the hardship.

- 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 variance would not be of substantial detriment to adjacent and nearby properties. Many of the surrounding dwellings are two-stories in height and provide similarly sized setbacks to those proposed by the applicants.

- 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.

There are very few lots within the City that are configured like the subject property. It would not be reasonably practicable to amend the ordinance to eliminate the need for the applicants' variances.

- 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 variance request would not result in a prohibited use as the applicant proposes to continue the single-family use of the subject property. The subject property would comply with all other zoning requirements besides the setbacks so there would not be a change in its zoning classification.

- 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.

There are no other relief or remedies available to the applicants.

XII. 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

Sam Shelby, Urban Planner, sam.shelby@alexandriava.gov

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

Tony LaColla, AICP, 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 request is approved the following additional comments apply.

Transportation and Environmental Services:

- 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)
- F-2 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)
- 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 No comments.

Recreation (City Arborist):

- C-1 No comments.

Historic Alexandria (Archaeology):

- F-1 There is low potential for significant archaeological resources to be disturbed by this project. No archaeological action is required.

Other requirements brought the applicant's attention if the Board approves the requested variance:

- C-2 The variance and special exception must be recorded with the property's deed in the City's Land Records Office prior to the release of the building permit. (P&Z)



**APPLICATION
BOARD OF ZONING APPEALS**

VARIANCE

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

11-1100

PART A

1. Applicant: ☒ Owner ☐ Contract Purchaser ☐ Agent

Name Amber Fuller and David Blank

Address 2812 DAVIS AVE

ALEXANDRIA, VA 22302

Daytime Phone 205-540-7291

Email Address alynnnfuller@gmail.com

2. Property Location 2812 DAVIS AVE

3. Assessment Map # 023.03 Block 12 Lot 02 Zone 8

4. Legal Property Owner Name Amber Fuller and David Blank

Address 2812 Davis Ave, 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 David Blank	2812 Davis Ave Alexandria VA 22302	100%
² Amber Fuller	2812 Davis Ave Alexandria VA 22302	100%
3.		

2. Property. State the name, address and percent of ownership of any person or entity owning an interest in the property located at 2812 Davis Ave Alexandria VA 22302 (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 David Blank	2812 Davis Ave Alexandria VA 22302	100%
² Amber Fuller	2812 Davis Ave Alexandria VA 22302	100%
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 David Blank	None	None
² Amber Fuller	None	None
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:

We are asking to extend a non-complying wall for a 2nd floor addition. The existing wall is currently, at the closest point for front yard set-back, 13.4'. The closest corner of the 2nd floor addition will have a 15.5' front yard set-back and the farthest corner will have a 19' front yard set back. In addition, the existing screen porch structure is planned to be enclosed and a small deck added off of it. The existing porch currently has front yard set-back of 20'. Last, we request a side yard modification of 2'-9" at the closest point of the 2nd story addition, a side yard modification of 1' at the farthest point of the 2nd floor addition, and a 1.5' side yard modification for the uncovered back porch.

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.

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.

With the two front yards on our corner lot, more than 50% of the existing house sits over the front yard set-back. We are are planning additional space but there is no space left on the site to expand except going up.

The addition planned will sit on the existing house walls but those walls are currently nonconforming.

The corner lot is an unusual size, smaller (6,087 SF) than the standard R-8 lot (8,000 sf) and it is not a standard shape. With one end of the lot only 37.6' wide and the house sitting at an angle on the property, there is no space to expand.

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

Granting the variance for this project would allow the completion of the 2nd floor addition which will bring our house in closer to alignment in size we need for our family and with our surrounding neighbors.

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.

It is unique in that we are a smaller lot with a non-rectangular corner lot (unusual shape) . Other houses, not on a corner, only have to deal with one front yard, this property has to deal with 2 front yard set-backs. Other houses sit within two side yard set-backs. This house is currently non-conforming to different neighboring houses. Also the majority of houses around us are already 2-story houses.

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 homes around us only have to deal with one front yard, not two front yards like we have. The majority of those houses are already 2-story houses.

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

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

Yes, the house and lot size/shape were existing.

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

Yes, when purchased, the plat showed a 15' building set-back line so the property appeared within set-backs. The lot also appeared larger, extending to Crestwood Dr, which we have now figured out is not all our property based on the plat.

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

When we decided to provide a new 2nd story addition, it was determined the front yard set-back line extended down the middle of the house, making it impossible to complete any addition.

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

No, the small lot size, lot shape, and angular house location on the site created the hardship.

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.

No, other houses around us are 2-story houses or larger in size than our home. We are down in size and scale with the houses around us.

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.

Yes, plans have been shown. Any written statements will be submitted.

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

No, the architect asked for preliminary zoning review for placing addition over existing walls. We were directed to apply for the variance.

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.

No, there is no where else on this unusual shaped lot that the additional square feet can be added.

If you look at the set-backs, the majority of the existing house is over the front yard set-back. The only place inside the set-backs is the backyard patio which is not large enough for the 2 bedrooms we are adding. In addition, the house is being renovated to take advantage of the small

backyard patio area so that area needs to remain.

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

We are building over the existing house walls, therefore at one time the house must have met zoning standards.

The addition does not exceed the maximum FAR for this site. We have made the front porch smaller so no structure to extend closer than 10' to the property line. With the added space beyond the property line to Crestwood Drive, the porch will still be about 27' from the street, appearing more like we have a 30' set-back.

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: Amber Fuller Date: 10/27/2021

Signature: _____

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.

*****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 2812 Davis Ave 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.



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 2812 DAVIS AVE Zone R-8

A2. $\frac{6087}{\text{Total Lot Area}} \times \frac{0.35}{\text{Floor Area Ratio Allowed by Zone}} = \frac{2130.45}{\text{Maximum Allowable Floor Area}}$

B. Existing Gross Floor Area

Existing Gross Area*		Allowable Exclusions	
Basement	1153.0	Basement**	1153
First Floor	1372.0	Stairways**	
Second Floor		Mechanical**	16
Third Floor		Porch/Garage**	
Porches/Other	88.0	Attic less than 5'**	
Total Gross*	2613	Total Exclusions	1169.0

B1. Existing Gross Floor Area *
2613 Sq. Ft.

B2. Allowable Floor Exclusions**
1169 Sq. Ft.

B3. Existing Floor Area minus Exclusions
1444.00 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**	100.45
Second Floor	711.55	Mechanical**	9.95
Third Floor		Porch/Garage**	183.00
Porches/Other	204.65	Attic less than 5'**	
Total Gross*	916.20	Total Exclusions	293.40

C1. Proposed Gross Floor Area *
916.20 Sq. Ft.

C2. Allowable Floor Exclusions**
293.40 Sq. Ft.

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

D. Existing + Proposed Floor Area

D1. Total Floor Area (add B3 and C3) $\frac{2066.80}{2130.45}$ Sq. Ft.

D2. Total Floor Area Allowed by Zone (A2) $\frac{2130.45}{2130.45}$ 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: Rebecca LG Bostick, Architect

12

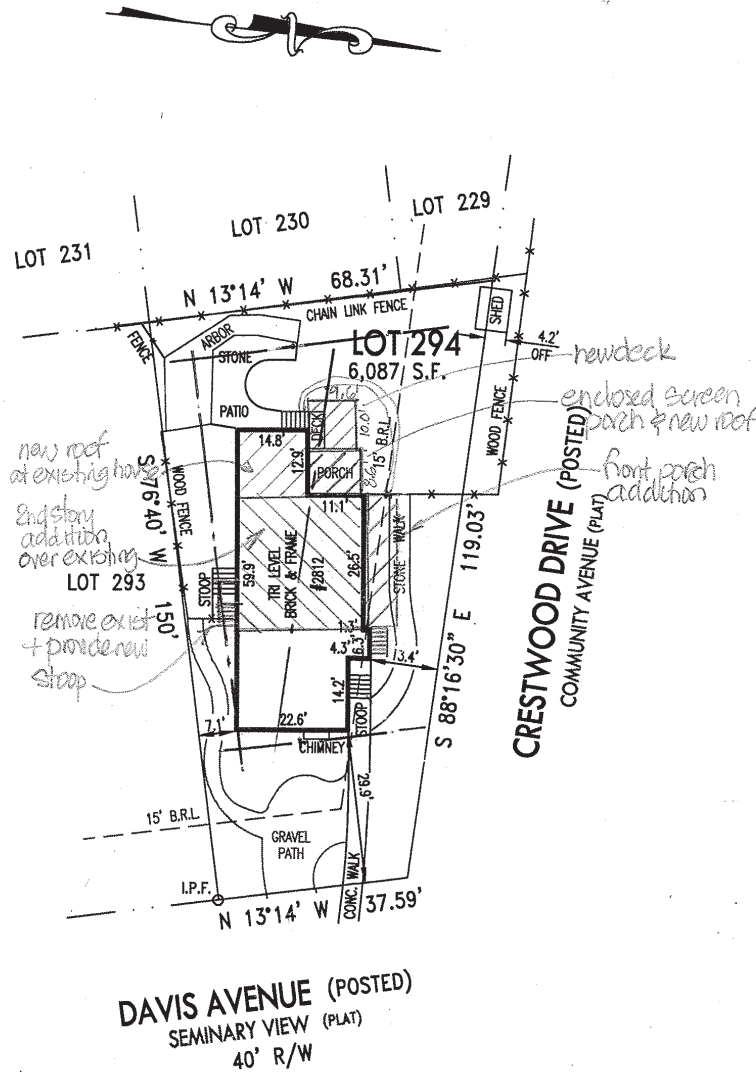
Date: 10/22/21

22



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I hereby certify that the position of all existing improvements have been carefully located by a transit and/or tape or electronic measuring device & unless otherwise shown there are no encroachments. This plat has been provided for a transaction on or about the date of this survey. This certification is limited to the parties of this transaction.

This plat is furnished for informational purposes in the issuance of title insurance and is not to be used for any design or construction or to set property corners. The fence locations shown on this plat are approximate and are not certified as to relation to the property boundaries or ownership. The settlement agent has requested this survey pursuant to the terms of a contract of sale or in conjunction with a re-finance of the subject property at the owner's, prospective purchaser's, and/or lender's direction.

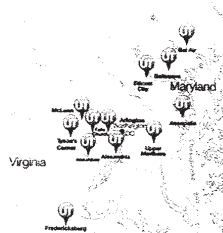
The settlement agent has requested that only that information required for title insurance purposes be shown and does not certify to the accuracy of any of the information shown hereon. No title report has been furnished.

This plat is subject to restrictions and easements of record. Boundary and other site information has been provided by others. o IPF indicates monuments used for location purposes. If no monuments were found the existing improvements were located from the occupation of existing features. Any reproduction of this document that does not bear an original signature is an unauthorized copy and may violate U.S. copyright laws.

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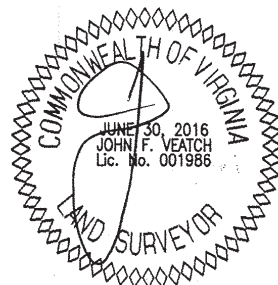


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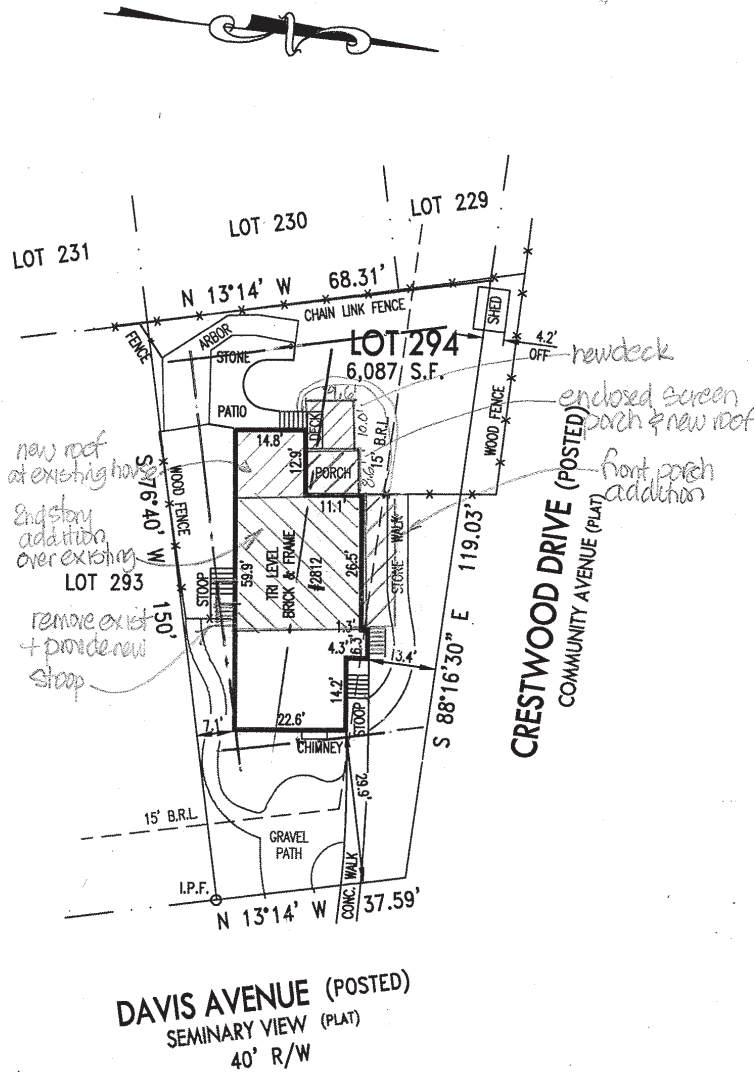
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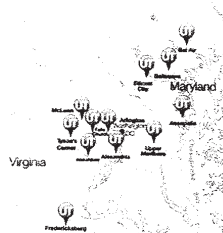
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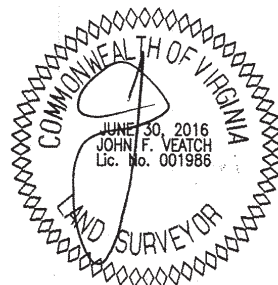
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LOT 231

LOT 230

LOT 229

N 13°14' W 68.31'

LOT 294

6,087 S.F.

LOT 293

remove
5' wide
stoop &
provide new
9.3' wide
stoop &
stairs

15' B.R.L.

I.P.F.

N 13°14' W

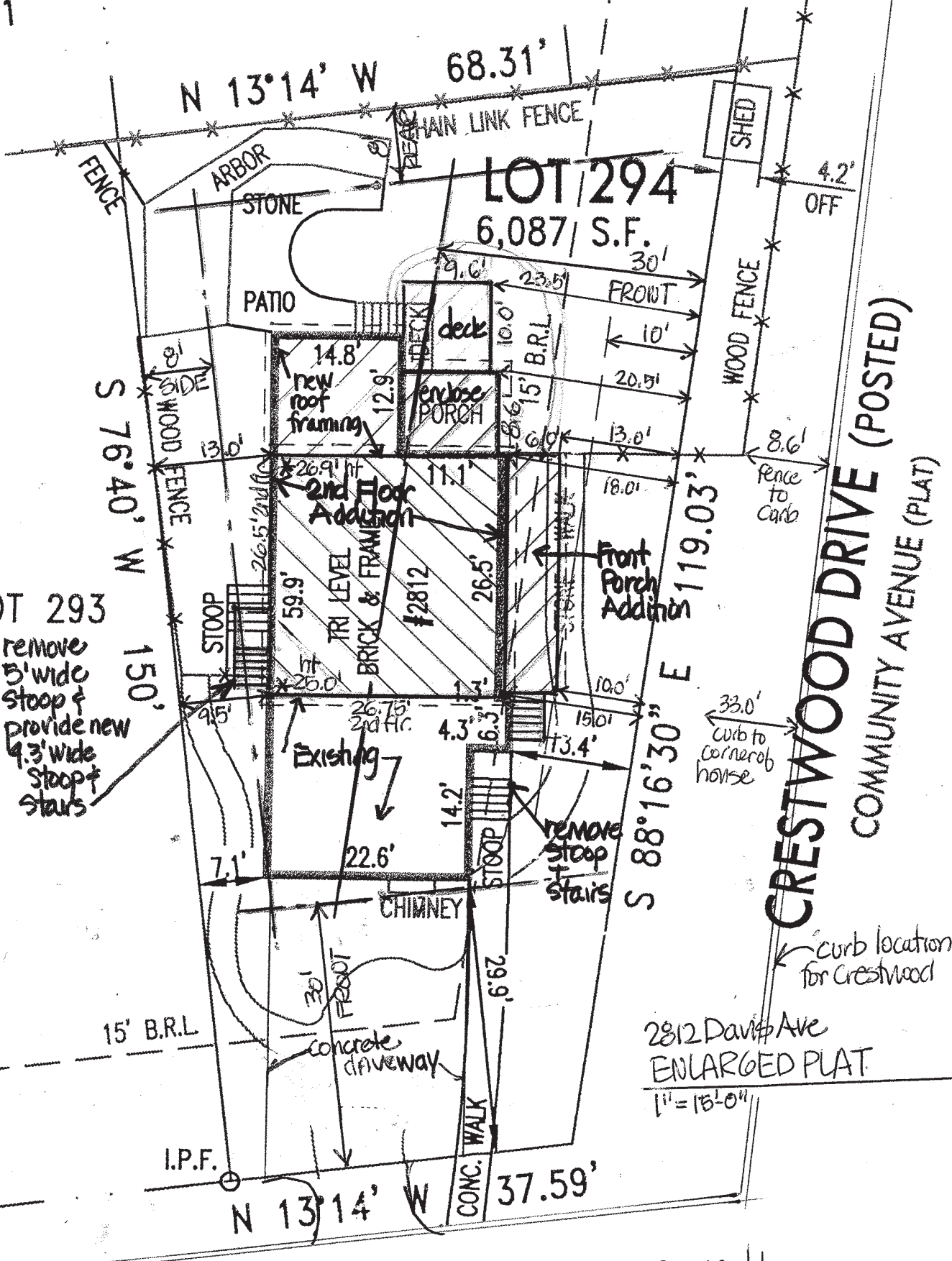
37.59'

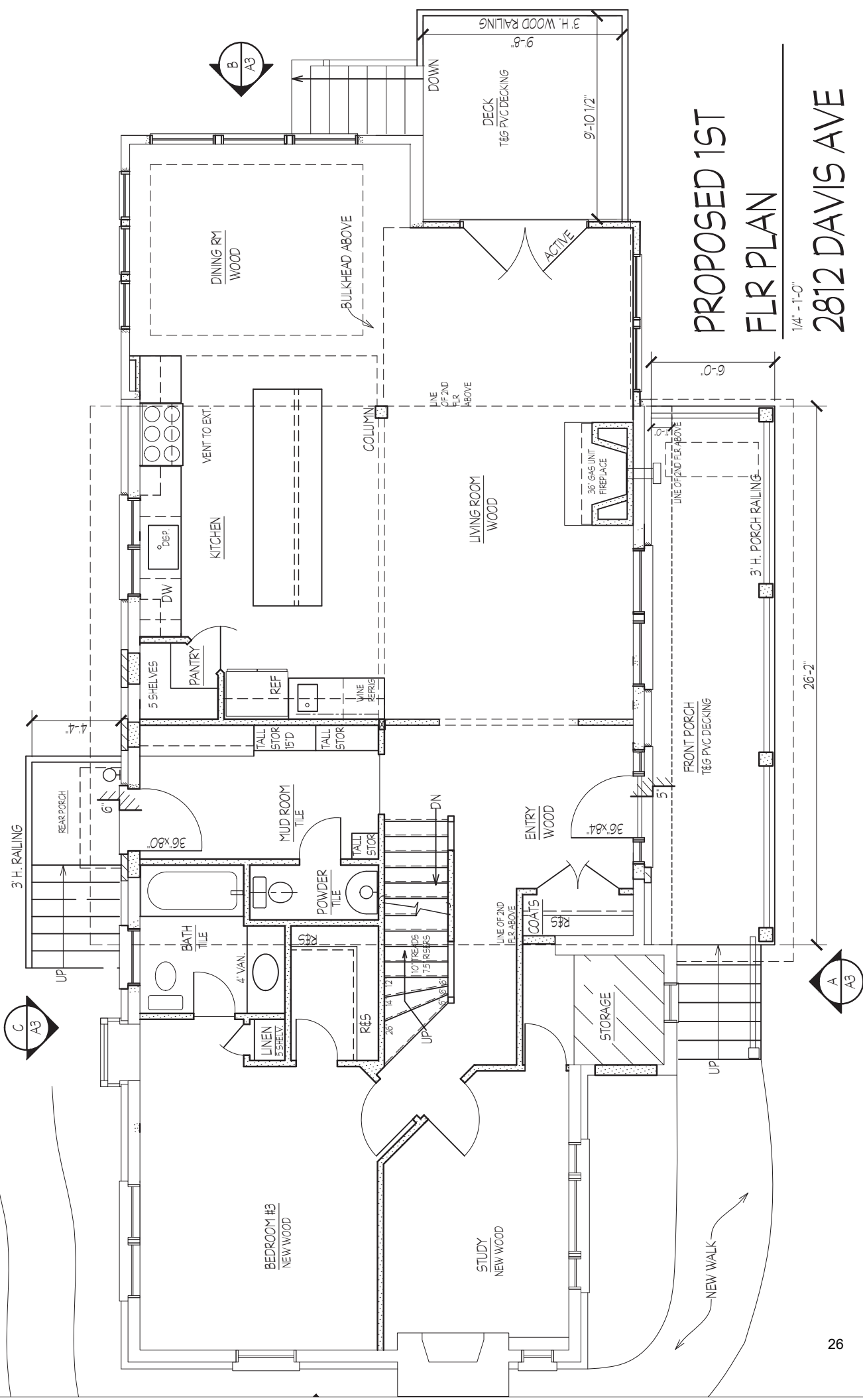
2812 Davis Ave
ENLARGED PLAT

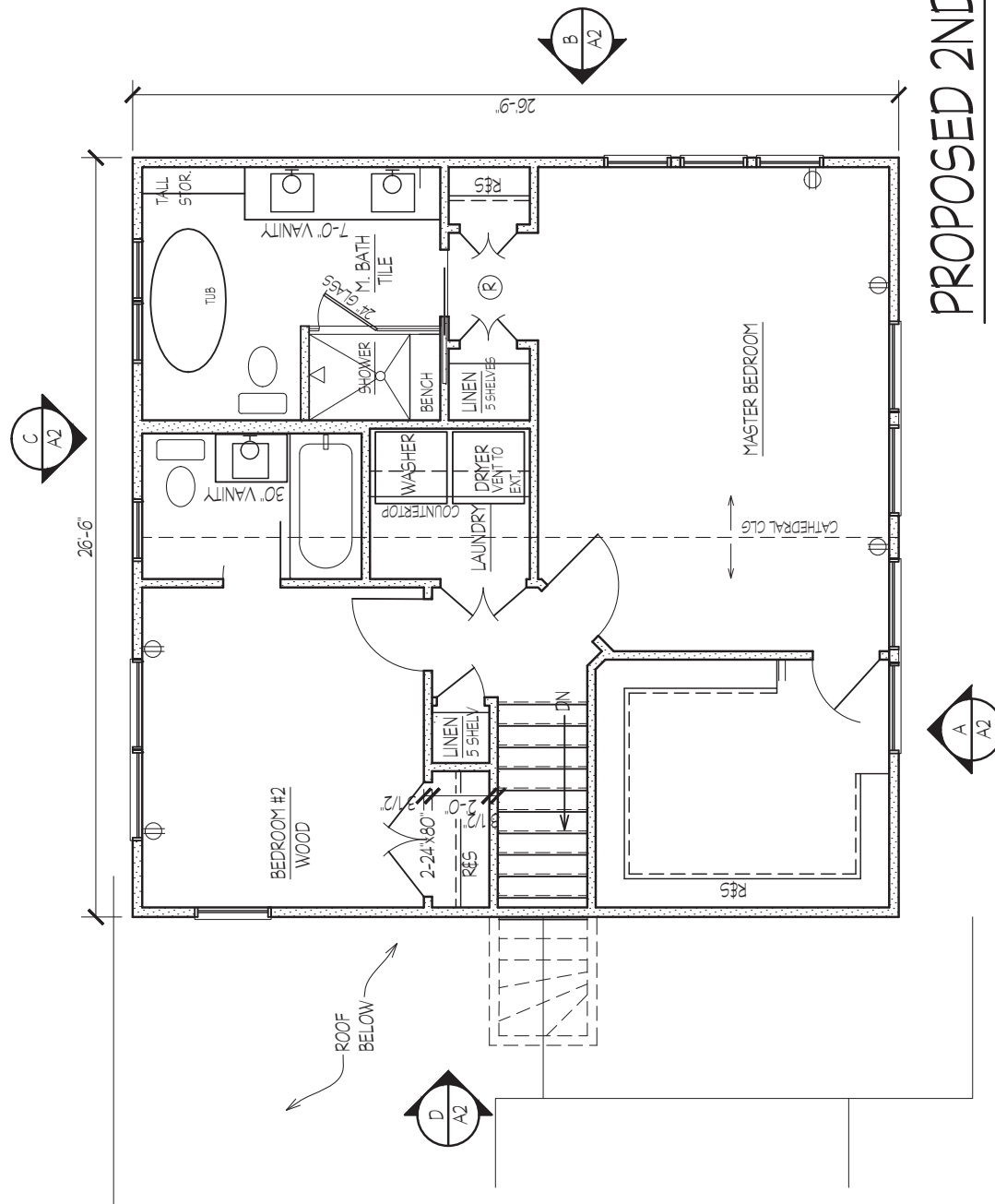
1" = 15'-0"

prepared by
Rebecca L. Boshick, Architects Inc

(POSTED)



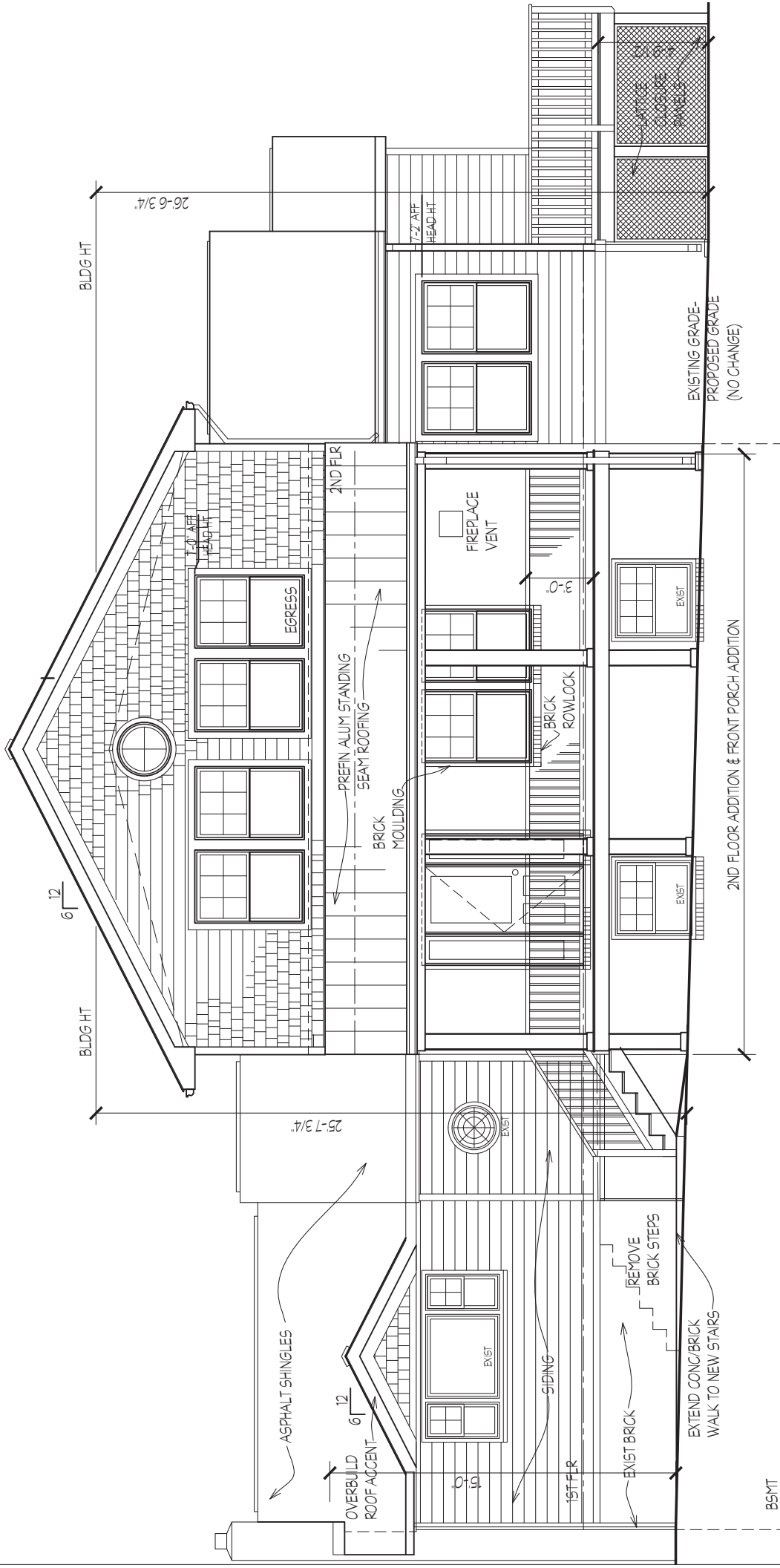




PROPOSED 2ND FLOOR PLAN

1/4" = 1'-0"

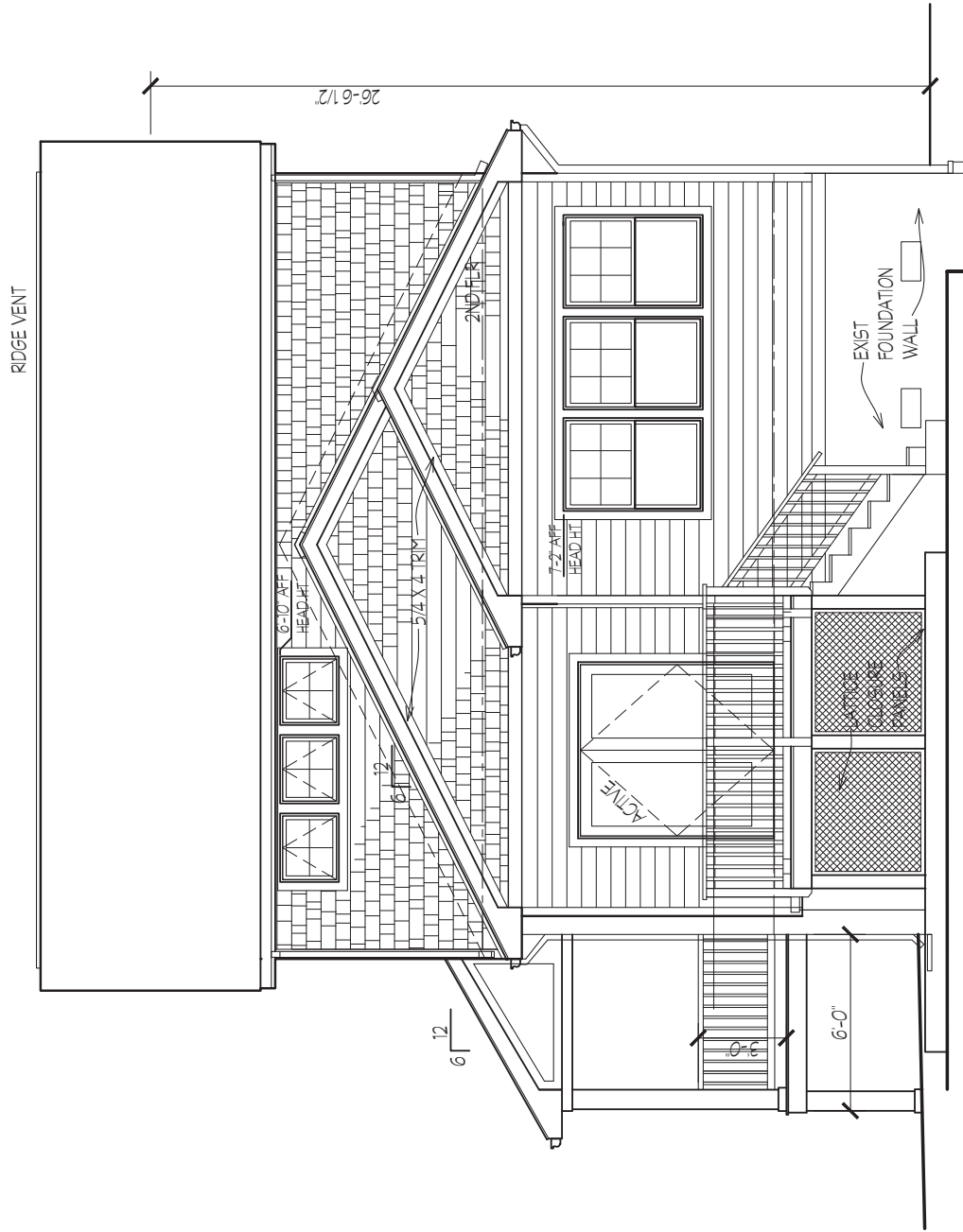
2812 DAVIS AVE



FRONT ELEVATION

A
1/4"=1'-0"
A2

2812 DAVIS AVE

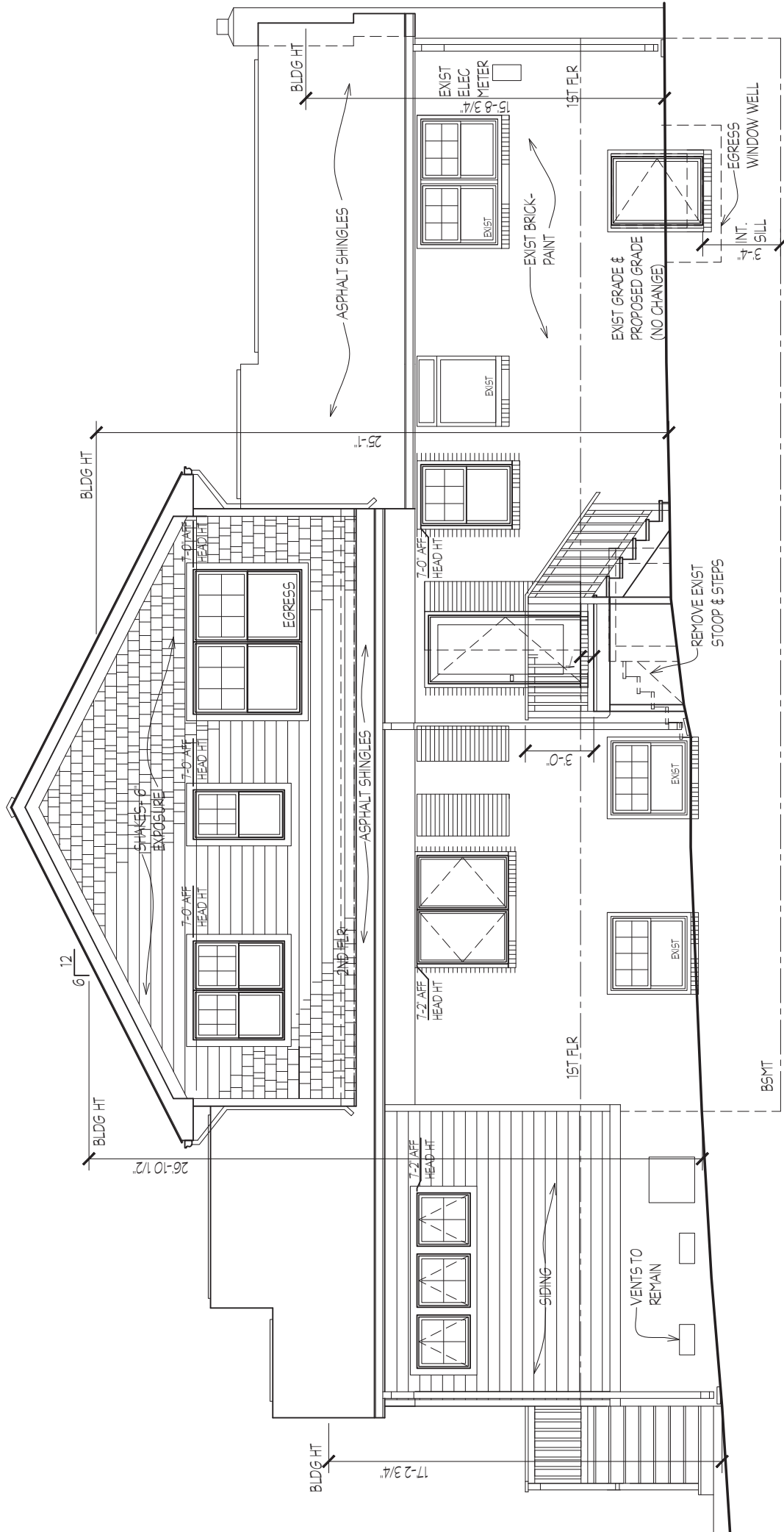


SIDE ELEVATION

B
A2

1/4"=1'-0"

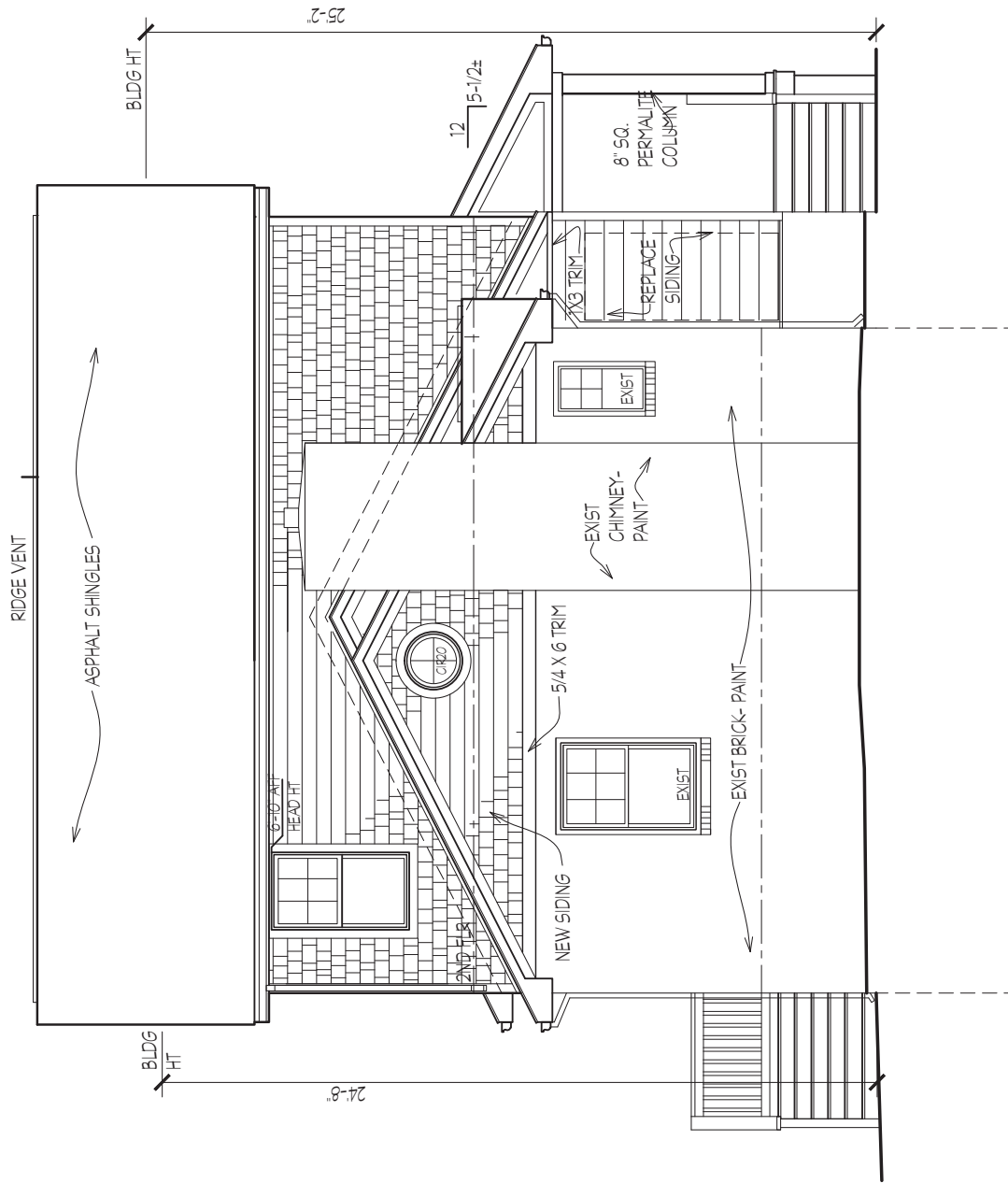
2812 DAVIS AVE



REAR ELEVATION

1/4"=1'-0"

2812 DAVIS AVE



END (DRIVEWAY) ELEVATION

D
A2

1/4"=1'-0"

2812 DAVIS AVE



Front-end/side elevation looking from Davis Ave



Front elevations from corner of Davis & Crestwood



Front-end elevation from Davis Ave



Front elevation from Crestwood Dr.



Front-end/ Front Elevation from Corner



Front/ Rear-end from Crestwood Dr.



Rear yard - from Crestwood Dr.



From the rear- looking thru side yard to Davis Ave



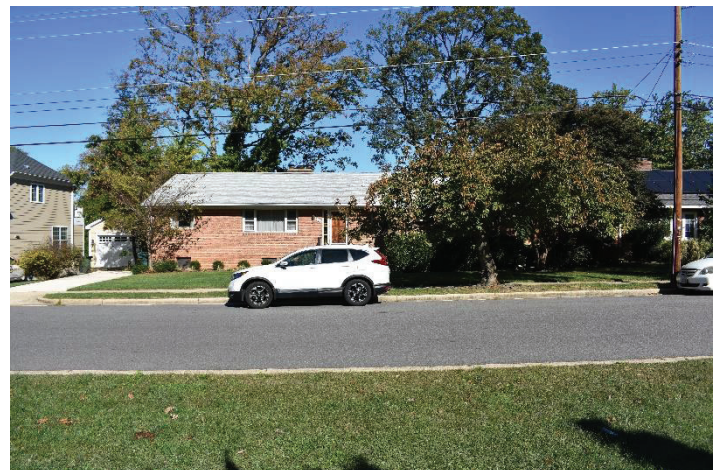
2 houses to the left of 2812 (both 2-story houses)



Looking past #2812 towards houses on Crestwood.



Houses across the street- Crestwood Drive



Straight across the street, Crestwood Drive



Looking up Crestwood from front of the house



Looking directly across Davis Ave.



Looking across the street- Davis Ave (all 2-story houses)






The house beside #2812 and the house behind #2812 are 2-story structures.



With the edge of the fence 4.8" over the property line according to the plat and the curb being 8.6' beyond the fence, the front yard appears to be 30'. From the curb line, the face of the house measures 33.0'.

Google Maps



-  - 1 story house
-  - 2 story house.
-  - split level - 1/2 2-story

In response to whether this hardship is shared by other properties or if other properties will be negatively affected, you can see the majority of houses in this general area are already 2-story homes. Out of 36 surrounding homes, only 5 are 1 story homes, including our home.



Front-end/side elevation looking from Davis Ave



Front elevations from corner of Davis & Crestwood



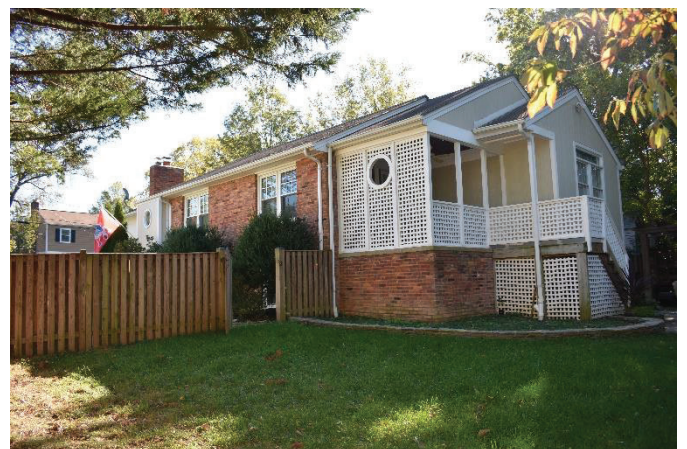
Front-end elevation from Davis Ave



Front elevation from Crestwood Dr.



Front-end/ Front Elevation from Corner



Front/ Rear-end from Crestwood Dr.



Rear yard - from Crestwood Dr.



From the rear- looking thru side yard to Davis Ave



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Straight across the street, Crestwood Drive



Looking up Crestwood from front of the house



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