

Docket Item #4
BZA #2022-00015
Board of Zoning Appeals
September 12, 2022

ADDRESS: 226 EAST MONROE AVENUE
ZONE: R-2-5/RESIDENTIAL SINGLE AND TWO-FAMILY ZONE
APPLICANT: BRADLEY CARLSON AND CYNTHIA COOK

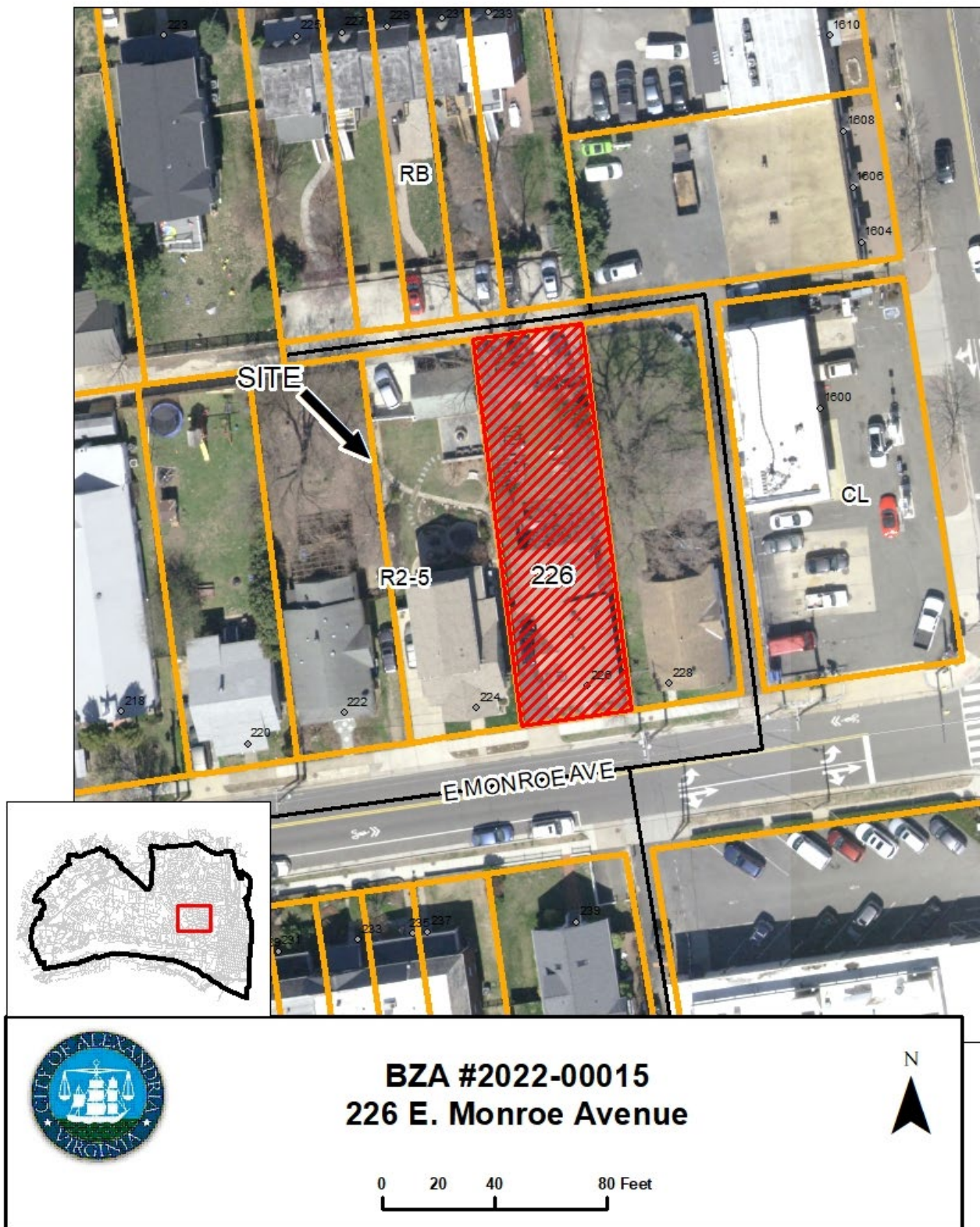
ISSUE: Special exception to construct an addition in the required side yard.

CODE SECTION	SUBJECT	CODE REQUIREMENT	APPLICANT PROPOSES	REQUESTED EXCEPTION
3-506(A)(2)	East Side Yard	7.25 feet*	4.20 feet	3.05 feet

**Based on a building height of 21.75 feet measured from average pre-construction grade to the eave of the roof facing the east side yard.*

Staff **recommends approval** of the request because it meets the standards for a special exception.

If the Board grants the requested special exception, it is subject to compliance with all applicable code requirements, ordinances, and recommended conditions found in the department comments. The applicants must submit a survey plat confirming building footprint, height and setbacks and certification of floor area ratio a licensed surveyor, architect or engineer prior to all final inspections. 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. Issue

The applicants, Bradley Carlson and Cynthia Cook, propose to add a second-story addition to their existing dwelling located at 226 East Monroe Avenue. The applicants request a special exception to construct a portion of the proposed second-story addition in the required east side yard in line with the existing east side wall.

II. Background

The subject property is a substandard lot of record with 40.00 feet of frontage along East Monroe Avenue and a lot size of 5,564 square feet. As such, it complies with the R-2-5 zone's minimum lot frontage and lot size but not lot width requirements. Single-family and townhouse dwellings, a gas station, a restaurant, a church, and retail buildings are within a block of the subject property.



Figure 1 - Subject Property

A single-family dwelling occupies the subject property. City Real Estate records indicate the one-story dwelling was constructed in 1925. It provides an 8.00-foot west side yard, a 4.20-foot east side yard, a 7.80-foot front yard, and a 73.75-foot rear yard. With the proposed addition, the dwelling would contain 2,417.00 square feet of net floor area.

The following table provides a breakdown of all applicable zoning regulations as they pertain to the proposal:

R-2-5 Zone	Required/Permitted	Existing	Proposed
Lot Area	5,000 Sq. Ft.	5,564 Sq. Ft.	No change
Lot Width	50.00 Ft.	40.00 Ft.	No change
Lot Frontage	40.00 Ft.	40.00 Ft.	No change

Front Yard	7.80 Ft. (minimum)*	7.80 Ft.	No change
Side Yard (East)	7.25 Ft. 1:3 height-to-setback ratio	4.20 Ft.	No change
Side Yard (West)	7.00 Ft. 1:3 height-to-setback ratio	8.00 Ft.	No change
Rear Yard	25.7 Ft. 1:1 height-to-setback ratio	73.75 Ft.	No change
Height	30.00 Ft.	15.83 Ft.	25.85 Ft.
Net Floor Area	2,503.80 Sq. Ft. 0.45 FAR	1,367.00 Sq. Ft. 0.25 FAR	2,417.00 Ft. 0.43 FAR

**Based on the front setback of 228 E Monroe which is 7.80 ft from the property line*

III. Description

The applicants propose to construct a second-story addition to the existing dwelling. The second-story addition would allow for the expansion of the dwelling to add more living space, bedrooms, and bathrooms. A small portion of the proposed addition falls within the existing noncomplying plane that is 4.20 feet from the east side property line. At 21.75 feet in height (as measured from average pre-construction grade), a 7.25-foot side yard would be required based on the R-2-5 zone's 1:3 height-to-setback ratio, minimum 7-foot side yard setback. The addition would be an extension of the existing noncomplying wall. As such, the addition would require a special exception of 3.05 feet.

The proposal would comply with all other zoning regulations and there have been no variances or special exceptions previously granted for the subject property.

IV. Noncomplying Structure/Substandard Lot

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

	<u>Required</u>	<u>Provided</u>	<u>Noncompliance</u>
Side Yard (East)	7.00 Ft.	4.20 Ft.	2.80 Ft.
Lot Width	50.00 Ft.	40.00 Ft.	10.00 Ft.

V. Master Plan/Zoning

The subject property has been zoned R-2-5/Residential Single and Two-Family since the adoption of the Third Revised Zoning Map in 1951. The Potomac West Small Area Plan identifies the property for residential land use.

VI. Requested Special Exception

3-506(A)(2) Side yard (East)

Zoning Ordinance section 3-506(A)(2) requires a side yard based on a 1:3 height-to-setback ratio with a minimum depth of 7.00 feet. Figure 2, below, shows the existing dwelling's established noncomplying plane as it relates to the required east side yard. Any construction along one plane within the area shaded in blue would require a special exception from the side yard requirement. The area shaded in red shows the portion of the proposed addition that requires a special exception.



Figure 2 – Special Exception Diagram

Because the proposed second-story addition would expand the existing dwelling an additional 8.30 feet in height within the required side yard along the existing noncomplying building wall, special exception approval is required. Based on the 1:3 setback ratio with a 7.00-foot minimum setback, the proposed height of 21.75 feet would require a setback of 7.25 feet. The applicants request a special exception of 3.05 feet to construct the proposed second-story addition on top of the noncomplying wall that is 4.20 feet from the east side property line.

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.

Many of the properties in this neighborhood, including the adjacent lots to the east and west of the subject property, have noncomplying walls within required side yards. Because of this, and because the portion of the proposal that requires a special exception is a modest part of the proposed addition, staff finds that approval of the request would not be detrimental to the public welfare, 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 cause or substantially increase traffic congestion or increase fire risks due to the proposed second-story addition within the required east side yard. The portion of the second-story addition would have minimal impact on light and air supply to adjacent properties.

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

The proposed second-story addition will not alter the essential character of the area or zone as small side yard setbacks are common within this area. The proposed addition is located on the same footprint as the existing dwelling and does not further project into any yard.

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

The proposed second-story addition is a forward-facing gable which is found throughout this neighborhood. The increased height of the noncomplying wall is compatible with surrounding neighbors. Because of the addition's modest increase in square footage within the required east side yard setback, the proposal would not affect the existing dwelling's compatibility with development in the surrounding neighborhood.

- 5) Whether the proposed development represents the only reasonable means and location on the lot to accommodate the proposed structure given the natural constraints of the lot or the existing development of the lot.

Due to the narrowness of the subject property and location of the existing dwelling, the proposal is the most reasonable design to add a second story. By adding on a second story, the applicant can increase the size of their house without decreasing open space on their property.

VIII. Staff Conclusion

Neighborhood Impact

The increased height of the noncomplying wall within the required east side yard would have minimal impact on the neighborhood. Many properties in this neighborhood are, like the subject property, substandard lots with small side yard setbacks.

Light and Air

Based on the height, size and location of the proposed addition, staff finds that it would have minimal effect on light and air supply to adjacent properties.

Lot Constraints

Due to the subject property's narrowness, it is substandard for the R-2-5 zone. The applicants' proposal would represent the least impactful and most reasonable location for an addition.

As outlined above, staff **recommends approval** of the request subject to compliance with all applicable codes, ordinances and recommended conditions found in the departmental comments of this report.

Staff

Maggie Cooper, Urban Planner, margaret.cooper@alexandriava.gov

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

Tony LaColla, AICP, Land Use 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 special exception and/or variance is/are approved the following additional comments apply.

Transportation and Environmental Services:

CONDITIONS

- 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 basements on the plan. (T&ES)

FINDINGS:

- F-1 The applicant should provide a determination of disturbed area per City Guidelines to T&ES prior to submitting for permits. If the land disturbance meets or exceeds 2500 square feet, a released grading plan will be required prior to submitting for permits. (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)

CODE REQUIREMENTS

- 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:

Building permit is required for addition.

Recreation (City Arborist):

No comments.

Historic Alexandria (Archaeology):

No comments received

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

- C-1 The 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.

BZA Case # _____



**APPLICATION
BOARD OF ZONING APPEALS**

SPECIAL EXCEPTION FOR ADDITIONS

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

Sec 3-406 A(2)-- Our house does not meet side setback requirements (7 ft) on one side and we would like to add a second story to our existing house footprint.

PART A

1. Applicant: ☒ **Owner** ☐ **Contract Purchaser** ☐ **Agent**

Name Bradley Carlson

Address 226 East Monroe Ave

Daytime Phone 571-473-9172

Email Address carlsonbr1975@yahoo.com

2. **Property Location** 226 East Monroe Ave

3. **Assessment Map #** 043.02 **Block** 02 **Lot** 05 **Zone** R 2-5

4. **Legal Property Owner Name** Bradley Carlson and Cynthia Cook

Address 226 East Monroe Ave

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. <u>BRADLEY CARLSON</u>	<u>226 East Monroe Ave</u>	<u>100</u>
2. <u>AND CYNTHIA COOK</u>		
3.		

2. Property. State the name, address and percent of ownership of any person or entity owning an interest in the property located at 226 East Monroe Ave (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
1. <u>BRADLEY CARLSON</u>	<u>226 East Monroe Ave</u>	<u>100</u>
2. <u>AND CYNTHIA COOK</u>		
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 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. **All fields must be filled out completely. Do not leave blank. (If there are no relationships please indicate 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.

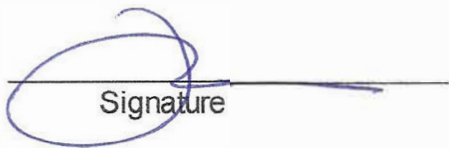
As the applicant or the applicant's authorized agent, I hereby attest to the best of my ability that the information provided above is true and correct.

6/28/2022

Date

BRADLEY CARLSON

Printed Name


Signature

5. Describe request briefly:

We would like to add a second story to our existing house in Del Ray. We do not intend on extending the foundation-- we want to add a second story to the existing house footprint.

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.

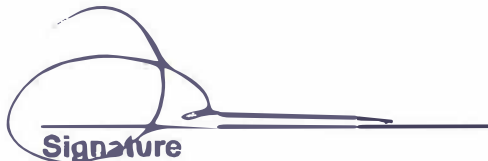
APPLICANT OR AUTHORIZED AGENT:

Bradley Carlson

Print Name

571-473-9172

Telephone



Signature

6/28/2022

Date

Pursuant to Section 13-3-2 of the City Code, the use of a document containing false information may constitute a Class 1 misdemeanor and may result in a punishment of a year in jail or \$2,500 or both. It may also constitute grounds to revoke the permit applied for with such information.

NOTE TO APPLICANT: Only one special exception per dwelling shall be approved under the provisions of Section 11-1302(B)(4).

PART B (SECTION 11-1304)

APPLICANT MUST EXPLAIN THE FOLLOWING:

(Please use additional pages where necessary.)

1. Explain how the special exception for the proposed addition, if granted, meets the applicant's needs.

The Homeowner desires a second-story addition on the existing one story structure that is very similar to the house 2nd next to the house to the east side. Aesthetically, this creates harmonized style of neighborhood with other houses. If the addition were built to the current setback, the addition would make the front of the house unbalanced and odd window placement from the front of the house which is obviously visible from the high traffic street view.

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

I believe that the balanced addition will enhance the appearance of the house and neighborhood.

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

The addition doesn't impact dramatically the light and air to adjacent properties with following reasons. See the reason below:

- The adjacent house has a 2 story wall facing the subject property with spacious setback from the property line.
- The addition is only above the existing house extent only.
- All houses are facing the south with street so the south sun is fully open to those houses.

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

The proposed addition is compatible with other properties in the neighborhood because most of two story houses near would be very similar style and sizes. Single hung vinyl windows with white frame to match other homes in the neighborhood.

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

The proposed addition has been designed to be compatible with the enhance the architectural characters of the neighborhood with 1-story front porch.

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

The addition is intended to be for a bedroom for children and the size is very limited with the width of the house.

7. Has the applicant shown the plans to the most affected property owners? Have any neighbors objected to the proposed special exception, or have any neighbors written letters of support? If so, please attach the letter.

The plans have been shown to the adjacent property owners.



Department of Planning and Zoning

Floor Area Ratio and Open Space Calculations for

Single and Two-Family Residential Outside Historic Districts

A

A. Property Information

A1. 226 East Monroe Avenue, Alexandria, VA
Street Address

R-20
Zone

A2. 5,564.00 x 0.45 = 2,503.80
Total Lot Area Floor Area Ratio Allowed by Zone Maximum Allowable Floor Area

B. Existing Gross Floor Area

Existing Gross Area

Basement 627.00

First Floor 1,247.00

Second Floor

Third Floor

Attic

Porches

Balcony/Deck 137.00

Garage

Other*** 152.00

B1. **Total Gross** 2,163.00

Allowable Exclusions**

Basement** 627.00

Stairways** 75.00

Mechanical**

Attic less than 7'***

Porches**

Balcony/Deck**

Garage**

Other***

Other***

B2. **Total Exclusions** 702.00

B1. 2,163.00 Sq. Ft.
Existing Gross Floor Area*

B2. 702.00 Sq. Ft.
Allowable Floor Exclusions**

B3. 1,461.00 Sq. Ft.
Existing Floor Area Minus Exclusions
(subtract B2 from B1)

Comments for Existing Gross Floor Area

C. Proposed Gross Floor Area

Proposed Gross Area

Basement

First Floor

Second Floor 1,082.00

Third Floor

Attic

Porches

Balcony/Deck 49.00

Garage

Other***

C1. **Total Gross** 1,131.00

Allowable Exclusions**

Basement**

Stairways** 42.00

Mechanical**

Attic less than 7'***

Porches**

Balcony/Deck** 49.00

Garage**

Other***

Other***

C2. **Total Exclusions** 91.00

C1. 1,131.00 Sq. Ft.
Proposed Gross Floor Area*

C2. 91.00 Sq. Ft.
Allowable Floor Exclusions**

C3. 1,040.00 Sq. Ft.
Proposed Floor Area Minus Exclusions
(subtract C2 from C1)

Notes

*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. Sections may also be required for some exclusions.

*** Refer to the Zoning Ordinance (Section 2-145(A)) and consult with Zoning Staff for additional allowable exclusions. Additional exclusions may include space under balconies, retractable awnings, etc.

D. Total Floor Area

D1. 2,501.00 Sq. Ft.
Total Floor Area (add B3 and C3)

D2. 2,503.80 Sq. Ft.
Total Floor Area Allowed by Zone (A2)

E. Open Space (RA & RB Zones)

E1. Existing Open Space Sq. Ft.

E2. Required Open Space Sq. Ft.

E3. Proposed Open Space Sq. Ft.

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

Signature: _____

15

Date: 2022-08-04

226 EAST MONROE AVENUE: RESIDENTIAL ADDITION

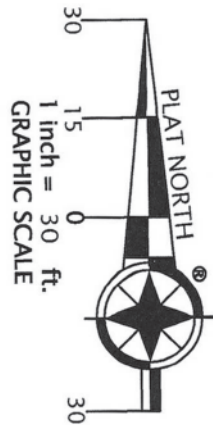
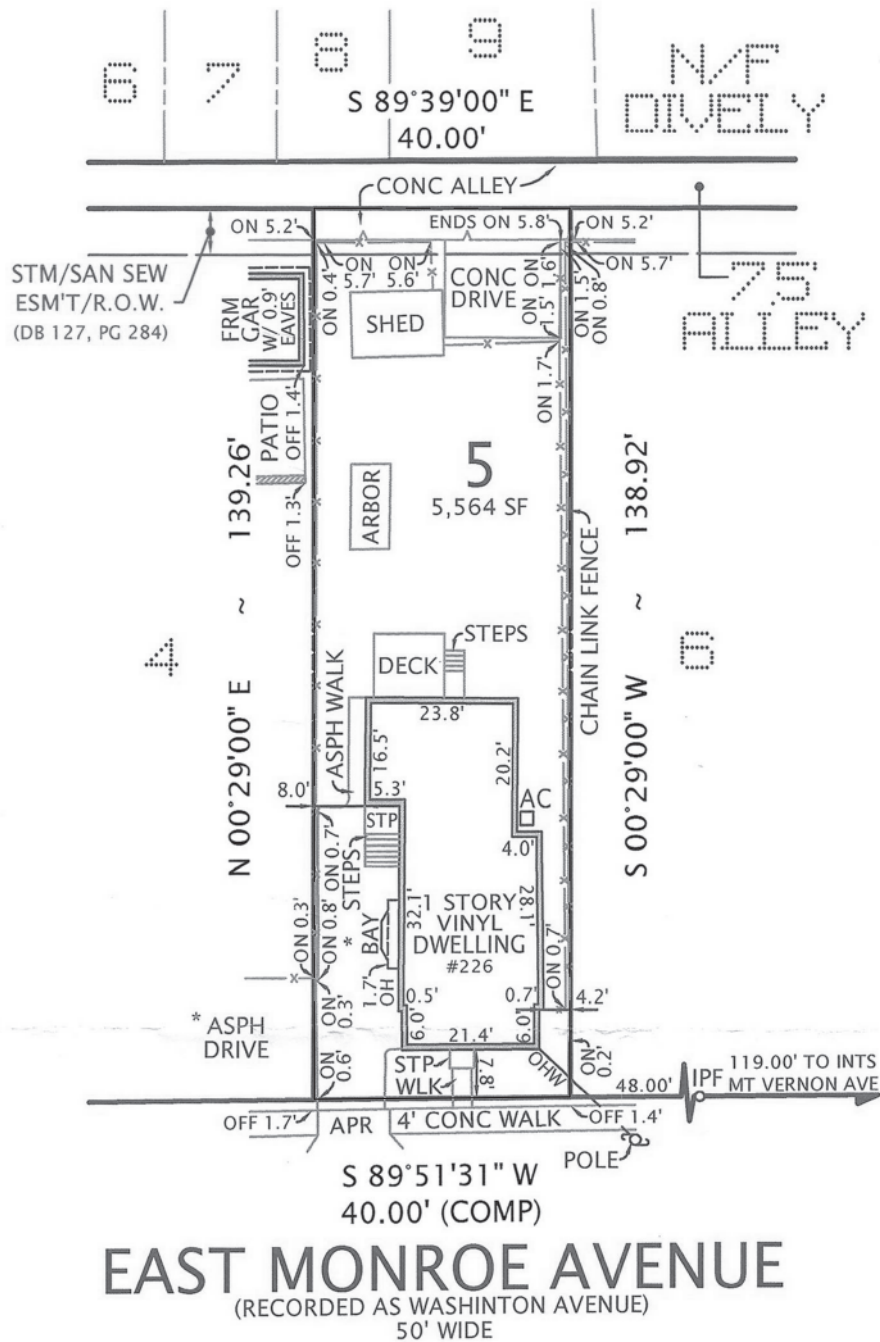
BZA APPLICATION: SPECIAL EXCEPTION FOR ADDITIONS

226 EAST MONROE AVENUE, ALEXANDRIA, VA 22301

August 4, 2022

NOTES: 1. FENCES ARE FRAME UNLESS NOTED.
2. WALLS ARE 1.1' STONE.

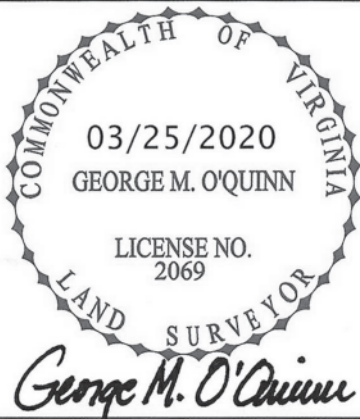
ROBERT N. RUST
SUBDIVISION



PLAT
SHOWING HOUSE LOCATION ON
LOT 5
SUBDIVISION MADE FOR
LEWIS E. WITHERS
(DEED BOOK 218, PAGE 375)
CITY OF ALEXANDRIA, VIRGINIA
SCALE: 1" = 30' MARCH 25, 2020

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.
A TITLE REPORT WAS NOT FURNISHED.
NO CORNER MARKERS SET.



CASE NAME:

CYNTHIA COOK
AND
BRAD CARLSON

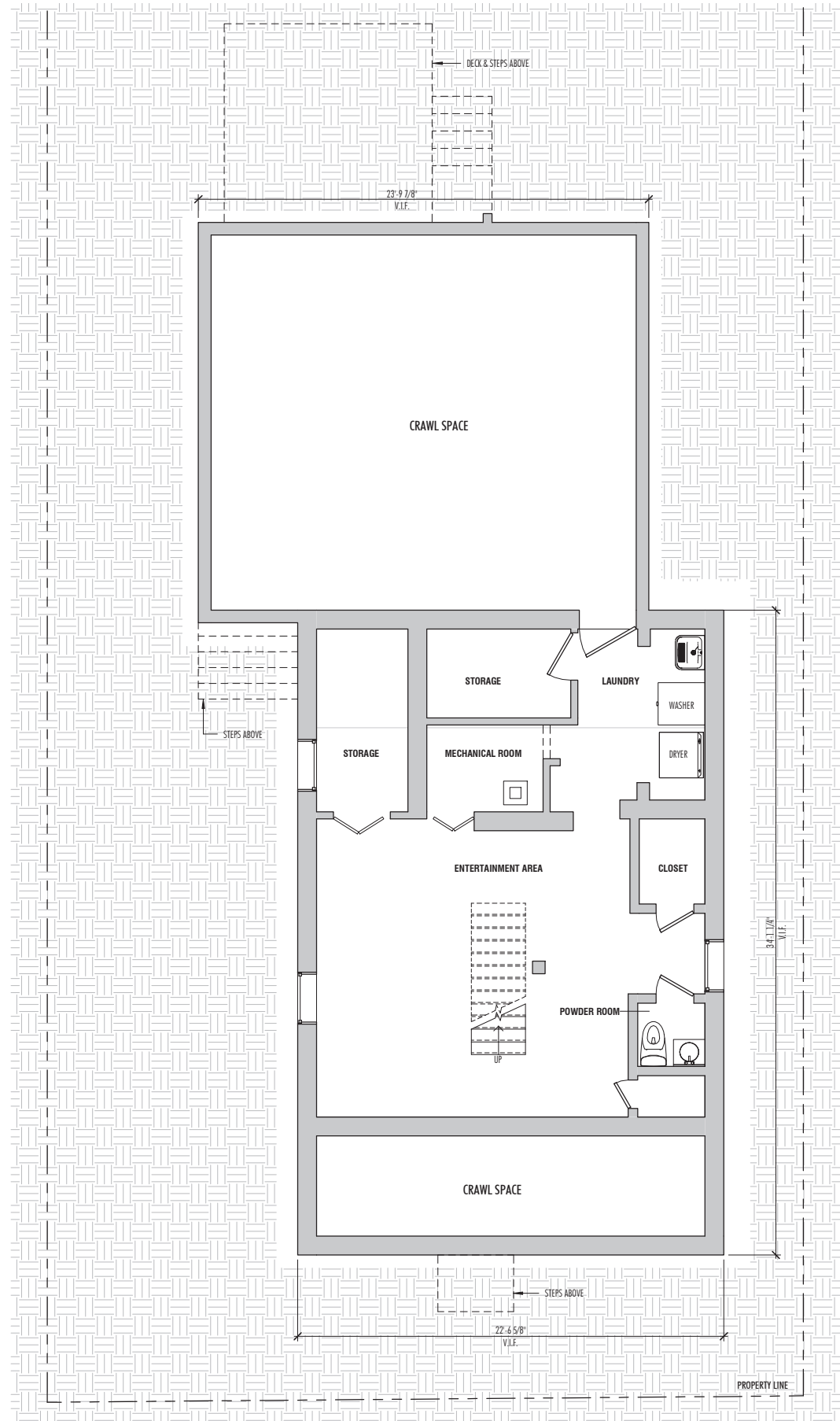
DOMINION Surveyors Inc.®

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

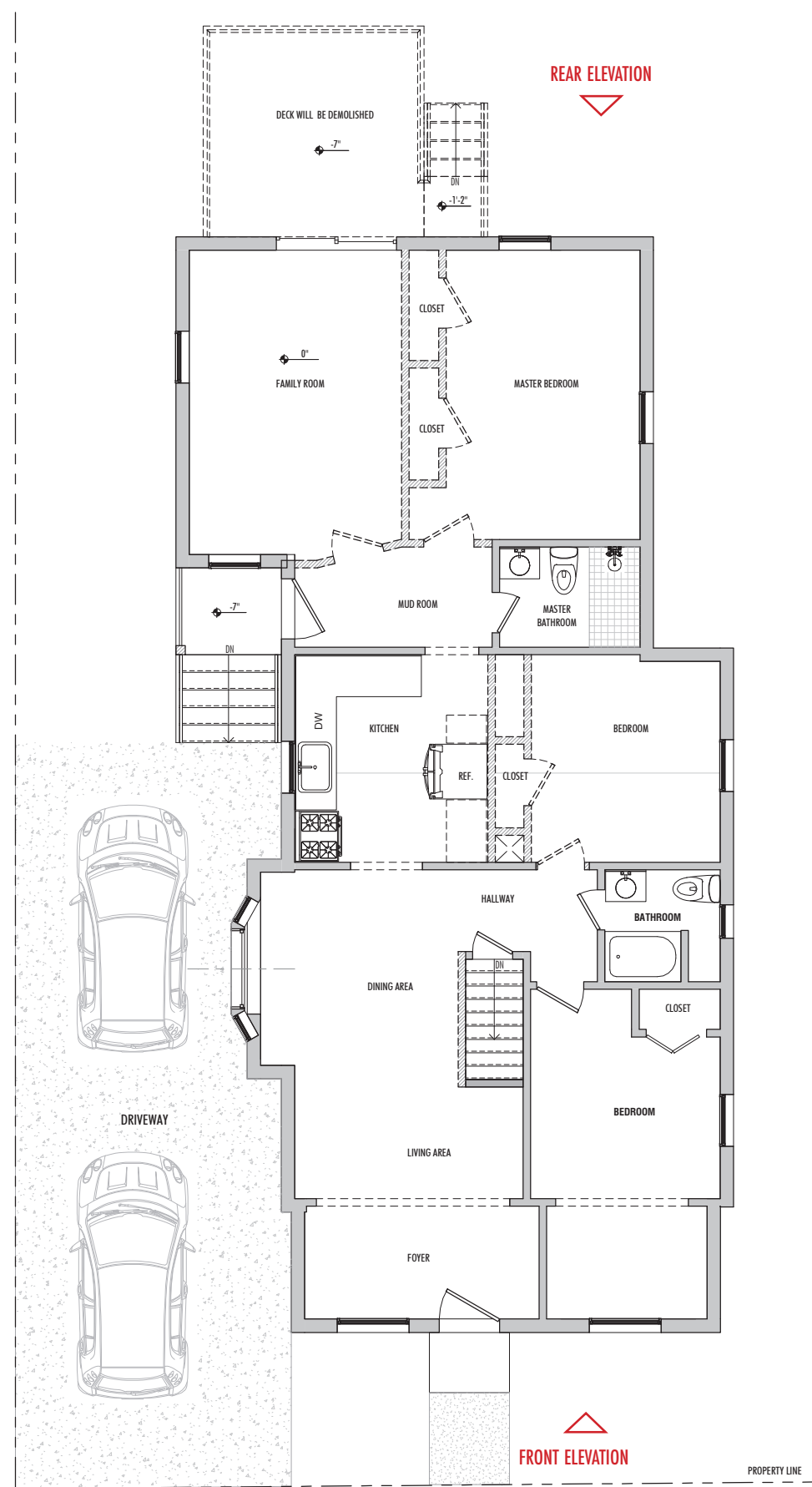
CASE NAME: COOK/CARLSON

#200313009

PROPOSED HOUSE PLAT



EXISTING BASEMENT PLAN



EXISTING FIRST FLOOR PLAN

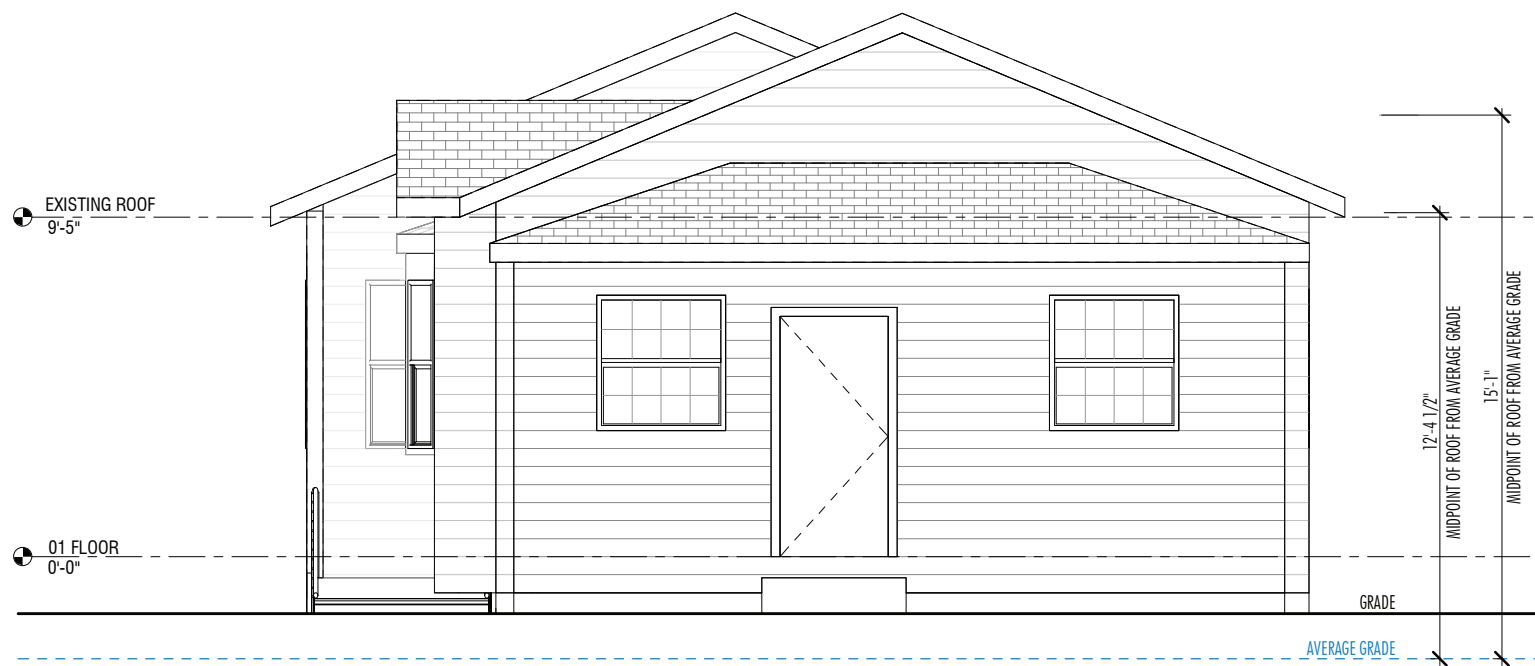
LEGEND:

- EXISTING WALL
- DEMOLISHED WALL
- PROPOSED WALL

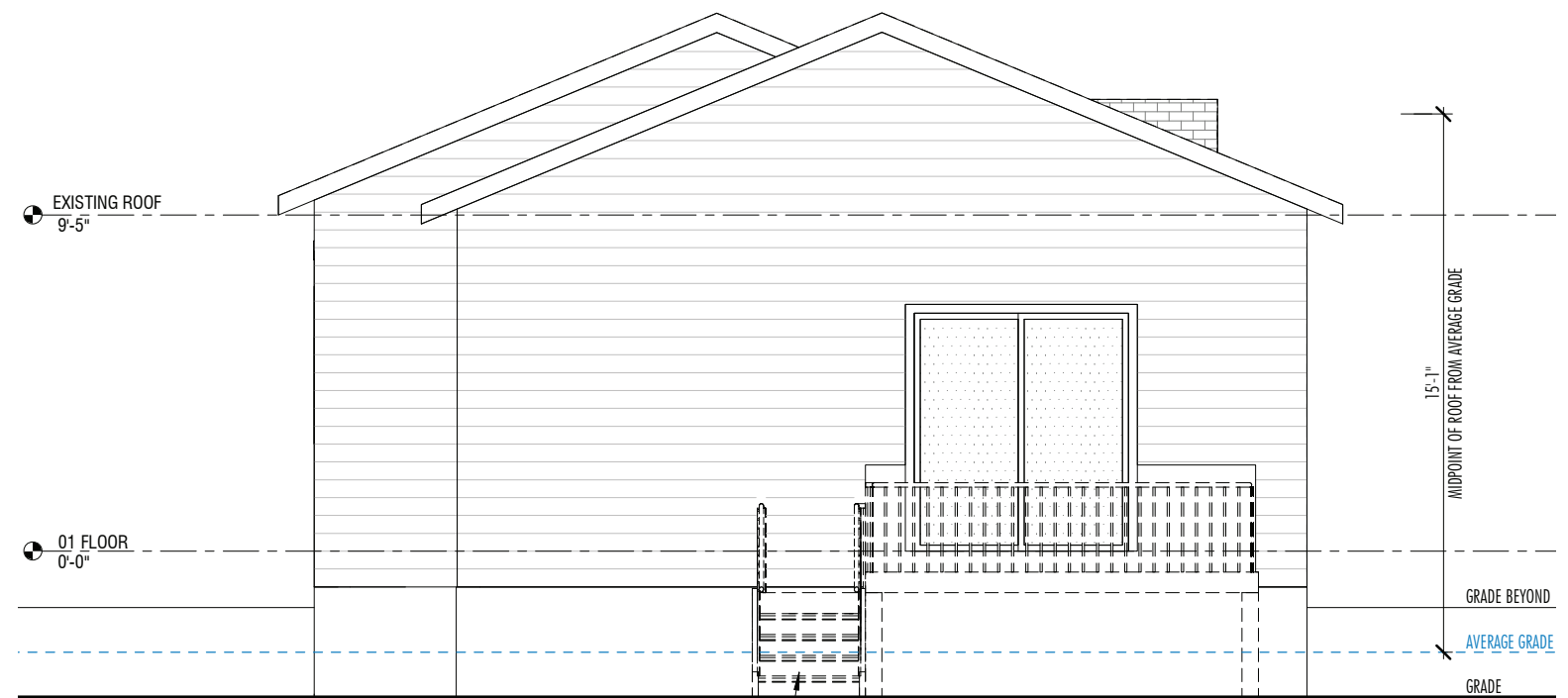
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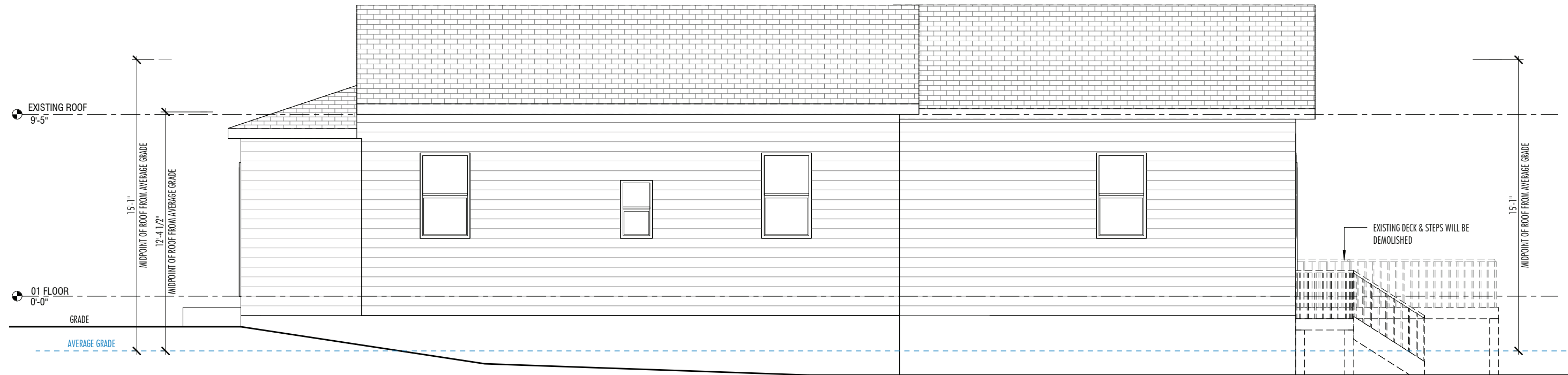


EXISTING FRONT ELEVATION

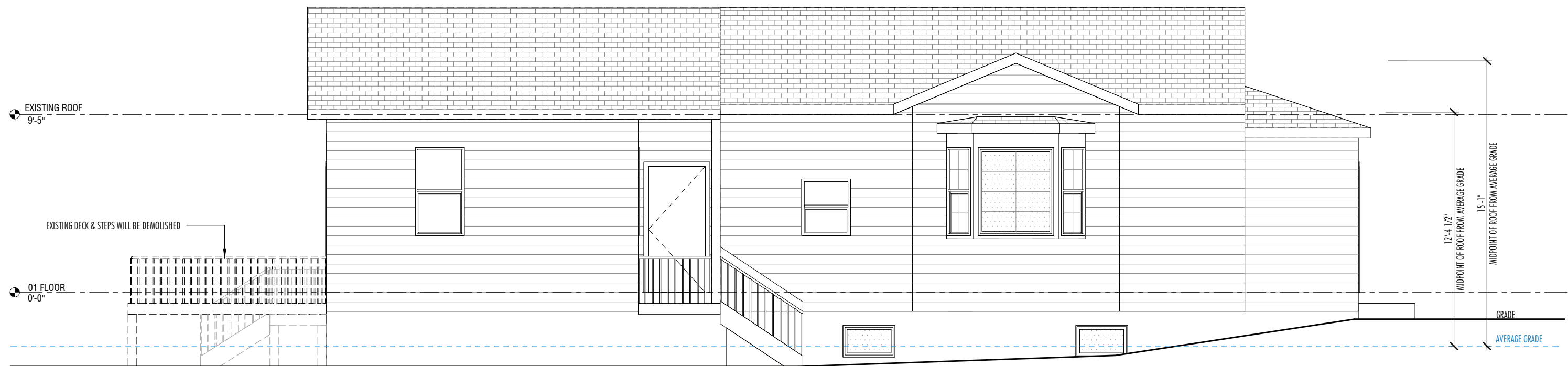


EXISTING REAR ELEVATION

SCALE: 3/16" = 1'-0"

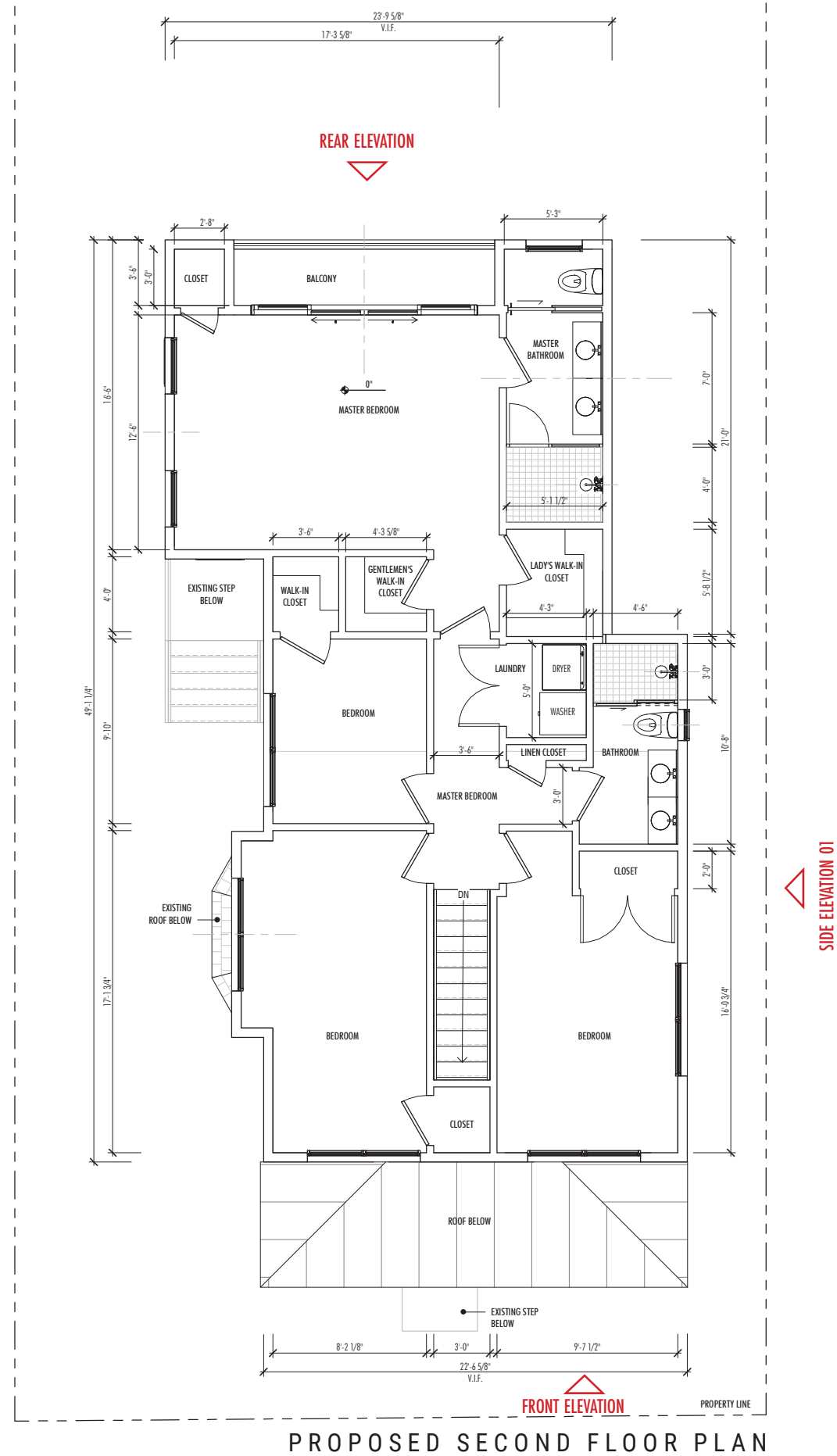
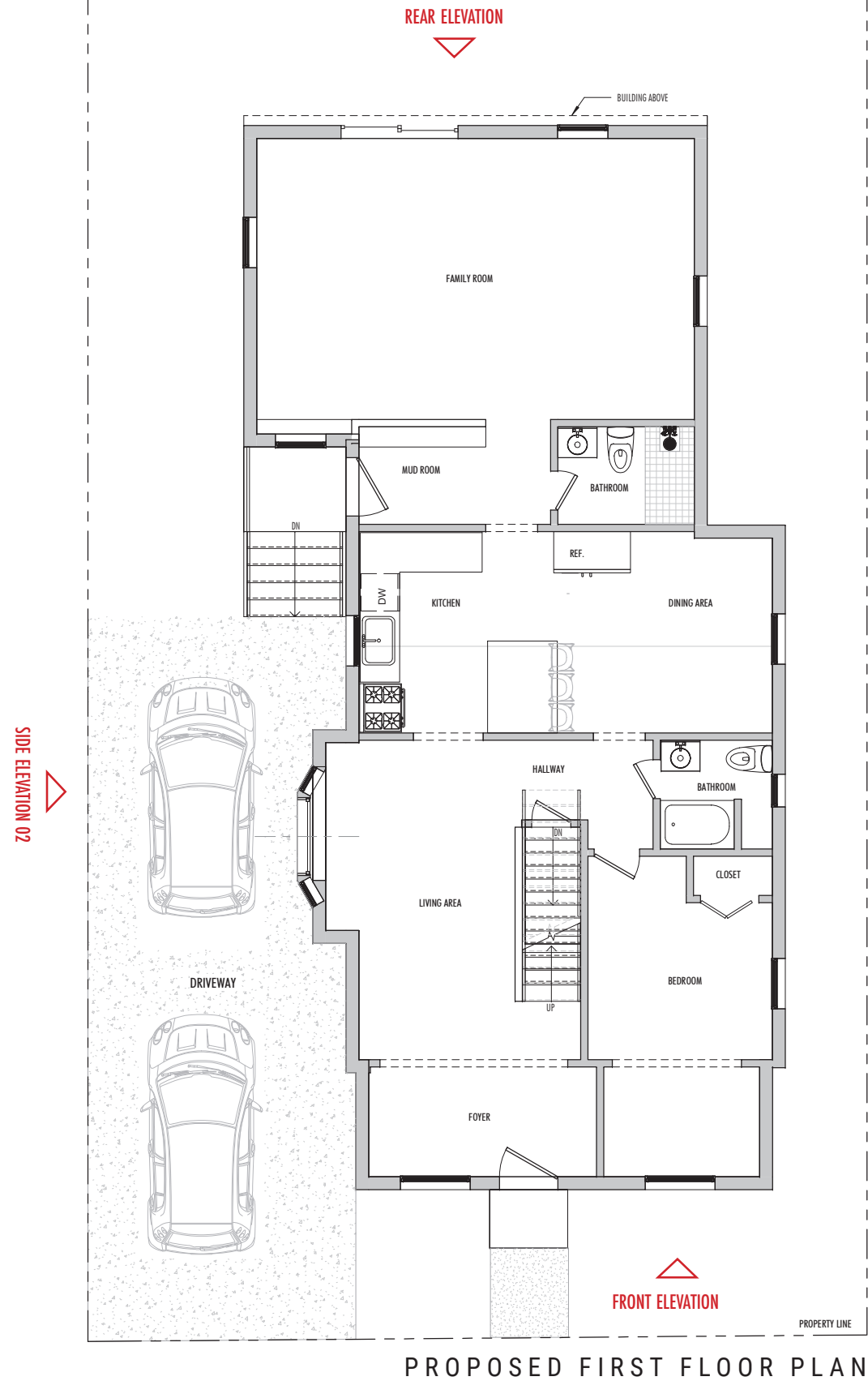


EXISTING SIDE ELEVATION 01



EXISTING SIDE ELEVATION 02

SCALE: 3/16" = 1'-0"



LEGEND:

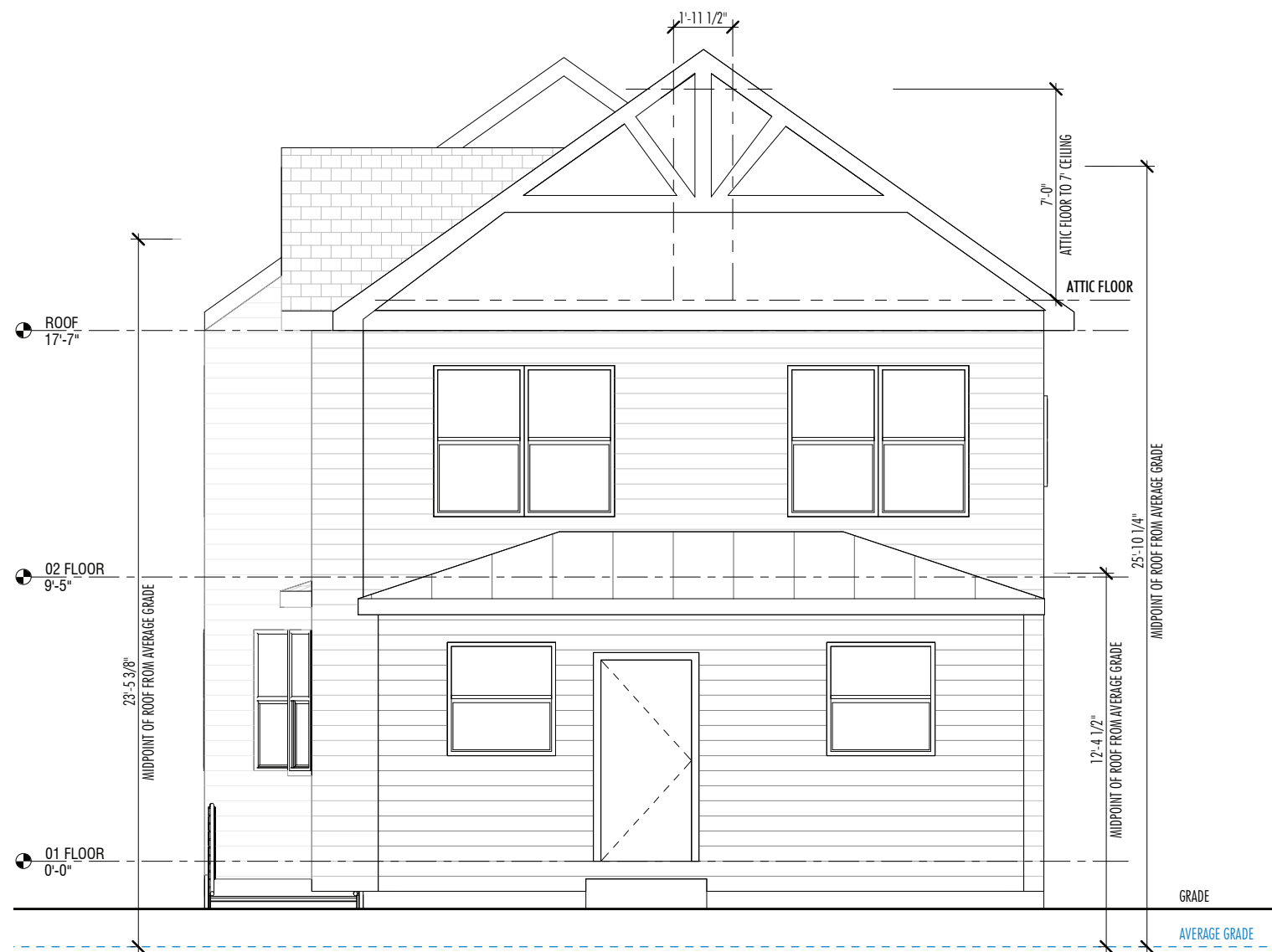
- EXISTING WALL
- DEMOLISHED WALL
- PROPOSED WALL

SCALE: 1/8" = 1'-0"

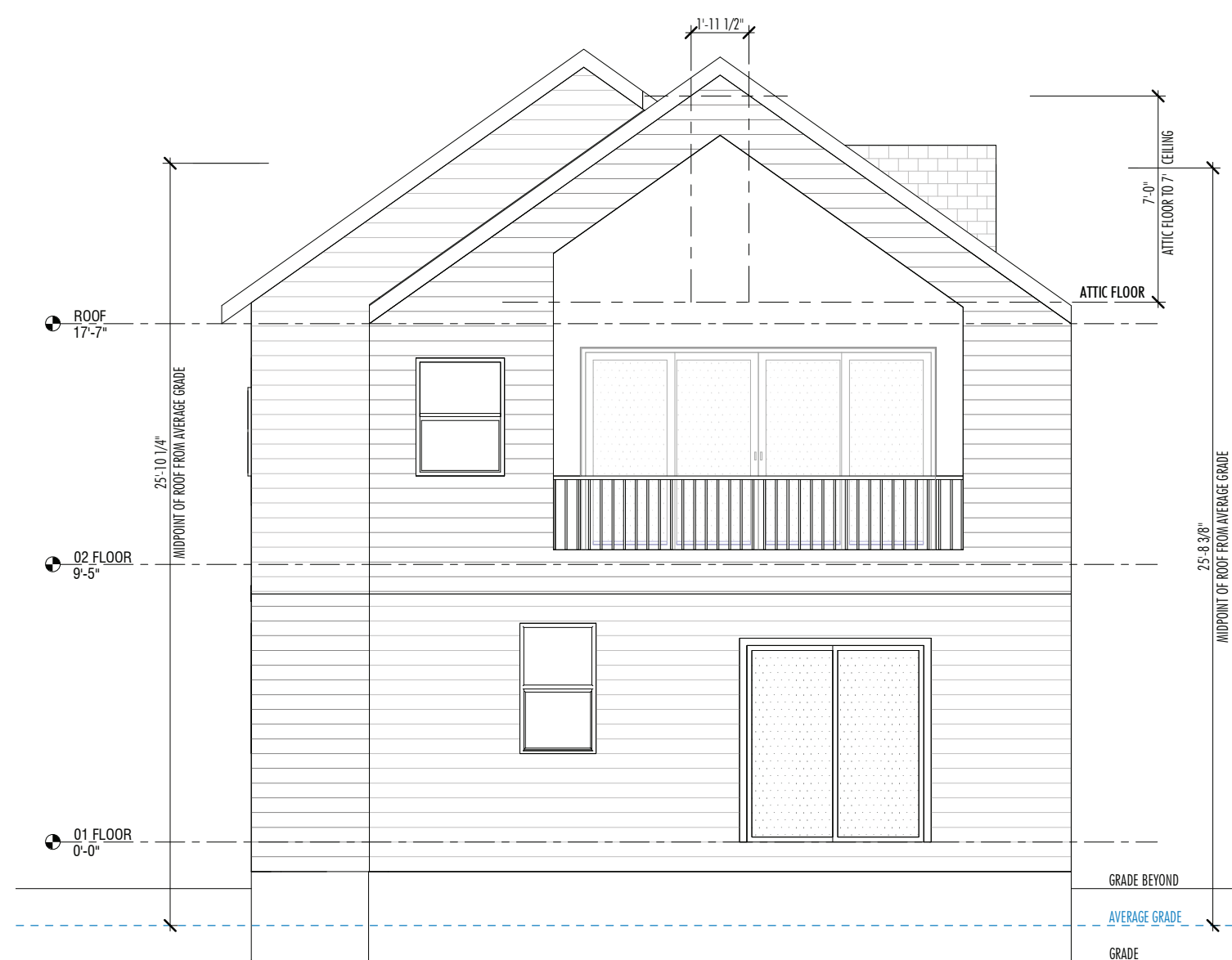
N

226 EAST MONROE AVENUE - BZA APPLICATION: SPECIAL EXCEPTION FOR ADDITIONS

PROPOSED FLOOR PLANS: FIRST & SECOND FLOOR



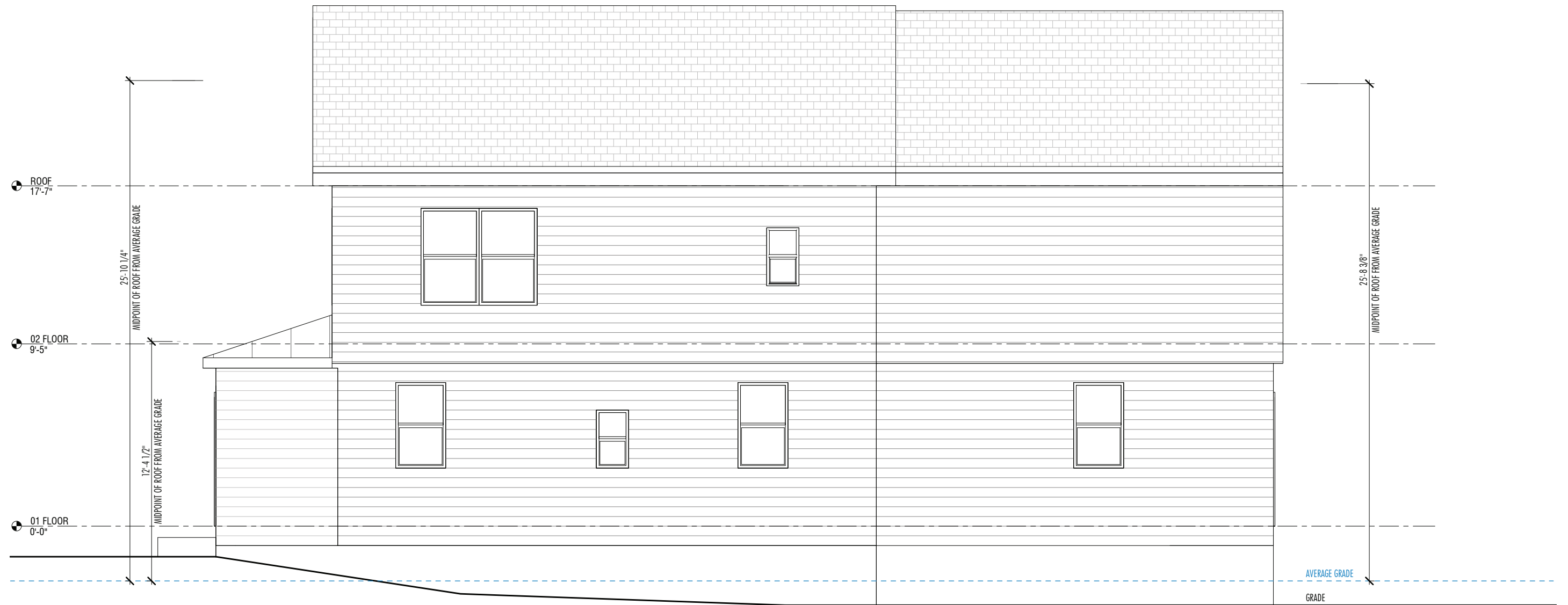
PROPOSED FRONT ELEVATION



PROPOSED REAR ELEVATION

SCALE: 3/16" = 1'-0"





PROPOSED SIDE ELEVATION 01

SCALE: 3/16" = 1'-0"



PROPOSED SIDE ELEVATION 02

SCALE: 3/16" = 1'-0"



PHOTO 1:View from the South (East Monroe Avenue)



PHOTO 2:View from the Southwest Corner



PHOTO 3:View from the West



PHOTO 4:View from the West

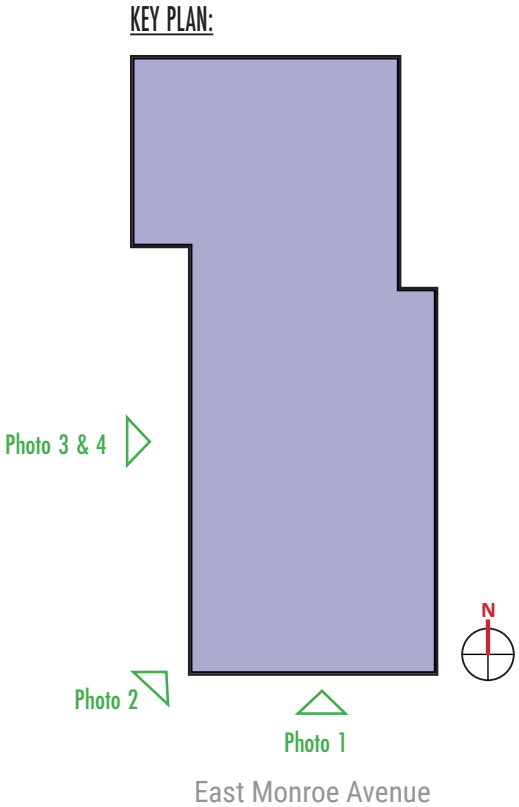




PHOTO 5:View from the North



PHOTO 6:View from the Northeast Corner



PHOTO 7:View from the East



PHOTO 8:View from the Southeast Corner

KEY PLAN:

