Docket Item #4 BZA #2022-00020 Board of Zoning Appeals November 14, 2022

## ADDRESS:302 LAMOND PLACEZONE:R-8/RESIDENTIAL SINGLE-FAMILYAPPLICANTS:MARK WOODS CONSTRUCTION SERVICES LLC, AGENT

**ISSUE:** Special exception to construct a garage with the vehicle opening facing the primary front yard along Lamond Place.

CODE	SUBJECT	CODE	APPLICANTS	REQUESTED
SECTION		REQUIREMENT	PROPOSE	EXCEPTION
7-2502(A)(2)(a)	Attached	Facing	Facing	Facing
	Private	Secondary	Primary	Primary
	Garages	Front	Front	Front

Staff <u>recommends approval</u> of the request because it would meet all the special exception standards.

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 special exception shall be recorded in the City's Land Records Office.



#### I. <u>Issue</u>

The applicant proposes to construct an attached private garage facing the primary front yard at 302 Lamond Place.

The proposed orientation of the garage would not comply with Zoning Ordinance section 7-2502(A)(2)(a) related to the criteria for the development of attached private garages on a corner lot since the vehicle opening does not face the secondary front yard along East Taylor Run Parkway.

#### II. <u>Background</u>

The subject property is a corner lot of record with 60.20 feet of frontage along Taylor Run Parkway, 91.02 feet of frontage along Lamond Place, 88.67 feet of depth along the northeast side property line and 115.00 feet of depth along the northwest side property line. According the Real Estate Assessment records the property contains 9,020 square feet of lot area and is developed with a single family dwelling constructed in 1962. The lot meets lot size, lot width, and frontage requirements for a corner lot in the R-8 zone.



Figure 1: Subject Property

The existing dwelling provides 20.30-foot and 30.80-foot front yards along Lamond Place and Taylor Run Parkway, respectively. It provides 10.80-foot and 35.10 foot northwest and northeast side yards, respectively. The single-family dwelling sits at an angle on the property but the main architectural entrance faces Lamond Place. As such, its primary front yard is along Lamond Place and its secondary front yard is along Taylor Run Parkway. There have been no variances or special exceptions previously granted for the subject property.

R-8 Zone	Required	Existing	Proposed*
Lot Area	9,000 sq. ft.	9,020 sq. ft.	9,020 sq. ft.
Lot Frontage	40.00 ft.	60.20 & 91.02 ft.	60.20 & 91.02 ft.
Lot Width	80.00 ft.	90.00	90.00
Front Yard setback	30.00 ft.	31.33 ft.	31.33 ft.

Side Yard (Northwest)	de Yard (Northwest) 9.5 ft.		10.80 ft.
	(1:2, 8 ft. min.)		
Side Yard (Northeast)	8.00 ft.	8.33 ft.	8.33 ft.
	(1:2, 8 ft. min.)		
Height	30 ft.	18.62 ft.	18.62 ft.
	maximum		
Floor Area Ratio (FAR)	3,157 sq. ft.	1,937 sq. ft.	3,153 sq. ft.
	maximum	_	-
	(.35)		

#### III. <u>Description</u>

The applicant proposes to construct an attached garage addition facing Lamond Place. The garage would be located in line with the existing primary front building wall approximately 31.33 feet from the primary front property line 8.33 feet from the northeast side yard and 10.80 feet from the northwest side property line. Figure 2, below, shows the location of the proposed garage identified by the red hashed are outlined in orange. The mass and bulk of the proposed garage will comply with the R-8 zone requirements, however corner lots are required to have vehicle openings face a secondary front yard. Therefore, the applicant must request a special exception to have the vehicle opening facing the primary front yard along Lamond Place.

#### IV. <u>Master Plan/Zoning</u>

The subject property is currently zoned R-8/Residential Single-Family. Prior to 1951 the property was zoned R-20/Single-family. The Taylor Run/Duke Street Small Area Plan identifies the property for residential land use.

#### V. <u>Requested Special Exception</u>

Zoning Ordinance section 7-2502(A)(2)(a) requires attached garages on corner lots to face a secondary front yard. Zoning Ordinance section 11-1302(E) allows attached garages that don't meet the requirements of section 7-2500 are eligible to apply for a special exception on lots, such as this, which are developed with single-family dwellings in the R-8/Singlefamily zone outside of a historic district if following requirements are met.

1) It is located within a block face or contextual block face where at least 50 percent of the developed lots have attached garages with the vehicle opening facing a primary front yard on the same street where the new vehicle opening will face.

The subject property has only one other property located within its contextual block face for Lamond Place, 304 Lamond Place. 304 Lamond Place is developed with a single-family dwelling with a vehicle opening facing their primary front along Lamond Place.

(2) The width of the vehicle opening shall be less than 33 percent of the width of the building facing the front property line.

The proposed garage opening measures 16.00 feet while the frontage of the house is 80.00 feet. The proposed garage opening is 20% of the width of the building facing the front property line.

### (3) The garage is no closer to the front property line than the front building wall facing the primary front yard.

The proposed garage is directly in line with the existing house and therefore is not closer to the front building wall facing the primary front yard.

#### (4) It is in compliance with the required yards established by the zone.

The proposed addition complies with all of the setback requirements of the R-8 zone.

# (5) Nothing in this subsection shall be deemed to authorize the extension or enlargement of a dwelling beyond the height or floor area ratio permitted by the zone in which such dwelling is located, nor to authorize the approval of more than one special exception per lot under the provisions of this subsection.

The subject property has a lot area of 9,020 square feet. The R-8 zone allows a floor area ratio of 0.35, therefore, the maximum floor area for the lot is 3,157 square feet. This proposal will maximize nearly all of the floor area allowed by the zone. The overall height of the proposed dwelling is 18.5 feet which is below the 30-foot maximum for the zone. Based on the information provided the proposal will not increase the dwellings height or floor area beyond what is allowed by the zone.

#### VI. Special Exception Standards

Further, 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 Infill Task Force identified that many modern homes featured prominent front facing garages that detracted from the overall design of the house and dominated the front façade in terms of bulk. In 2008, the City Council adopted Residential Infill Regulations which included a prohibition on attached garages with the vehicle opening facing any front yard to enhance the neighborhood streetscape by requiring garages to face away from front yards. Since 2008, there have been several amendments to the zoning ordinance to allow flexibility for front loaded garages in certain circumstances, particularly on corner lots and in neighborhoods with an existing development pattern of front-loaded garages.

There are no properties directly across the street with primary front yards facing the subject property. In addition, the immediate neighbor to the East has a similar attached garage with vehicle opening facing Lamond. Given the lack of immediate neighbors impacted by the proposed changes this special exception would not be detrimental to the public welfare or the neighborhood character.

2) Whether approval of the special exception will impair an adequate supply of light and air to the adjacent property, or cause or substantially increase traffic congestion or increase the danger of fire or the spread of fire or endanger the public safety.

The proposed garage would comply with the Zoning Ordinance regulations related to height to setback ratios and maintain all required yards. As such, adequate light and air supplies to adjacent properties will be maintained. This proposal will not negatively affect pedestrian or vehicular traffic or impair public safety.

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

The immediate neighbor to the northeast of the subject property has a front facing garage along Lamond Place and several of the houses across the street have secondary front yards, that function more like rear yards The construction of a garage facing Lamond Place would not alter the essential character of the area because there is a mix of development patterns and the garage is designed to not overwhelm the front façade.

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

The proposal would not affect compatibility with the surrounding area as it would meet all other requirements of the R-8 zone. Further, the adjacent property at 304 Lamond Place has an existing forward-facing garage. The proposed garage would be compatible with development within the contextual blockface and the 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.

The dwelling's placement on the subject property and orientation make siting a garage elsewhere on the lot challenging. In particular, the same size garage could not be located along the front facing East Taylor Run Parkway as the house is setback significantly from the front property line and is situated at an angle. If the house were angled slightly more towards East Taylor Run Parkway and the primary architectural entrance faced East Taylor Run, the front yard facing Lamond Place would be considered a secondary front yard and no special exception would be required. However, for the reasons described above the proposal represents the only reasonable means and location to construct an attached garage of this size built behind the front building wall.

#### VII. Staff Conclusion

In conclusion, staff believes that the applicant's request for an attached garage with the vehicle opening facing the primary front yard is consistent with the standards for special exceptions and **recommends approval** of the requested special exception.

#### <u>Staff</u>

Alexa Powell, Urban Planner III, <u>alexa.powell@alexandriava.gov</u> Mary Christesen, Zoning Manager, <u>mary.christesen@alexandriava.gov</u> Tony LaColla, AICP, Land Use Division Chief, <u>anthony.lacolla@alexandriava.gov</u>

#### **DEPARTMENTAL COMMENTS**

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

\* The applicant is advised that if the special exception 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 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)
- 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)

<u>Code Administration:</u> No comments received. Recreation (City Arborist):

C-1 No comments received.

#### Historic Alexandria (Archaeology):

- F-1 The ground disturbance for this project is taking place on a terrace adjacent to a stream. This environment would have been conducive to use and occupation by Native Americans, and there is a possibility that archaeological resources relating to this use could be present.
- C-1 The statements below shall appear in the General Notes of all site plans and on all site plan sheets that involve demolition or ground disturbance (including Basement/Foundation Plans, Demolition, Erosion and Sediment Control, Grading, Landscaping, Utilities, and Sheeting and Shoring) so that on-site contractors are aware of the requirements:
  - 1. The applicant/developer shall call Alexandria Archaeology immediately (703-746-4399) if any American Indian artifacts, such as spear points or arrow points, 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.
  - 2. The applicant/developer shall not allow any metal detection or artifact collection to be conducted on the property, unless authorized by Alexandria Archaeology.

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.

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#### APPLICATION BOARD OF ZONING APPEALS

SPECIAL EXCEPTION FOR ADDITIONS

Section of zoning ordinance from which request for special exception is made: Section 7-2502 (A) (2) (a)

<u>PART</u> 1.	A Applicant: Owner Contract Purchaser
	Name Marks Woods Construction Services, LLC
	Address 205 S Union St. Ste 3
	Alexandria, AVA 22314
	Daytime Phone 703 83 8-97 88
	Email Address hwilliamsdeise@markswoods.com, gmarks@markswoods.com
2.	Property Location 302 Lamond Place, Alexandria, VA
3.	Assessment Map # 062 Block 01 Lot 14 Zone R 8
4.	Legal Property Owner Name Benjamin C. and Cynthia A. Allen
	Address 302 Lamond PI.
	Alexandria, VA

#### OWNERSHIP AND DISCLOSURE STATEMENT

Use additional sheets if necessary

<u>1. Applicant.</u> 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
<sup>1</sup> . Benjamin C. and Cynthia A. Allen	302 Lamond Pl., Alexandria VA, 22314	100%
<sup>2</sup> . Benjamin C. and Cynthia A. Allen		
<sup>3.</sup> Benjamin C. and Cynthia A. Allen		

2. Property. State the name, address and percent of ownership of any person or entity owning an interest in the property located at \_\_\_\_\_\_ (address), unless the entity is a corporation or partnership, in which case identify each owner of more than three percent. The term ownership interest shall include any legal or equitable interest held at the time of the application in the real property which is the subject of the application.

Name	Address	Percent of Ownership
<sup>1.</sup> Benjamin C. and Cynthia A. Aller		
<sup>2,</sup> Benjamin C. and Cynthia A. Allen		
<sup>3.</sup> Benjamin C. and Cynthia A. Allen		

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 <u>Section 11-350 of the Zoning Ordinance</u>, existing at the time of this application, or within the12-month period prior to the submission of this application with any member of the Alexandria City Council, Planning Commission, Board of Zoning Appeals or either Boards of Architectural Review. All fields must be filled out completely. Do not leave blank. (If there are no relationships please indicated each person or entity and "None" in the corresponding fields).

For a list of current council, commission and board members, as well as the definition of business and financial relationship, click here.

Name of person or entity	Relationship as defined by Section 11-350 of the Zoning Ordinance	Member of the Approving Body (i.e. City Council, Planning Commission, etc.)
1. Benjamin C. and Cynthia A. Allen		
2. Benjamin C. and Cynthia A. Allen		
3. Benjamin C. and Cynthia A. Allen		

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.

9/14/2022 Date ted Name

Signature

#### 5. Describe request briefly:

Construct garage with master bedroom above and adjoining mudroom area attached to existing house. Having the front of garage (doors) face Lamond PI.

#### 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:**

703-928-251<sup>2</sup> Telephone

Signature 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.

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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.

Will provide easy access to garage from Lamond PI. The garage will be adjacent to the non bedroom side of the house.

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

The special exception will not harm adjoining properties or impact the neighborhood in any way.

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

None, the addition is set back from the adjoining neighbor more than is required by the ordinance.

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

Proposed addition fits well with the neighborhood character. Overall height of the addition is lower than the existing structure. The aesthetics of the addition is compatible with the architectural style of the of the surrounding area.

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

There are at least two other houses on the street with permanant carport or garage additions that have direct access (garage doors or entry) to Lamond PI.

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

The proposed plan is a reasonable location on the lot due to the relationship of the existing house with Lamond PI. and E. Taylor Run Parkway. House sits at an angle on the lot. The proposed design runs parallel to Lamond PI. and meets the front and side setbacks as per the zoning ordinance. The location of the garage is adjacent to the living spaces, (non bedroom area) 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.

Yes, the applicant has shown the plans to the most affected property owners. No neighbors have objected to the proposed special exception.



#### Department of Planning and Zoning Floor Area Ratio and Open Space Calculations for Single and Two-Family Residential Outside Historic Districts

A

	302 Lamond Place			d Place				R-8		
	Street Address							Zone		
	9,020.00 Total Lot Area			x 0.35 Floor /	0.35     Floor Area Ratio Allowed by Zone		<ul> <li>3,157.00</li> <li>Maximum Allowable Floor Area</li> </ul>			
	Existing Gro		Area	Allow	vable Exclus	sions**				
	Basement	1,044.00			ment**			B1.	2,084.00	Sq. Ft.
	First Floor	1,040.00		Stairv	vays**	129.24	100		Existing Gross Floor Area*	
	Second Floor					17.81		B2.	147.05	Sq. Ft.
	Third Floor				ess than 7'**		199		Allowable Floor Exclusions**	-
							-	B3.	1,936.95	Sq. Ft.
	Attic			Porch					Existing Floor Area Minus Exclu (subtract B2 from B1)	sions
	Porches				ony/Deck**			C		r Aroa
	Balcony/Deck			Gara	ge**			Con	nments for Existing Gross Floo	Area
	Garage			Other	***					
	Other***			Other	r***					
1.	Total Gross	2,084.00		B2. Total	Exclusions	147.05				
	First Floor	793.00		Stain	wavs**	112.70	-8	C1.	1,574.00 Proposed Gross Floor Area*	Sq. Ft
	First Floor	793.00		Stain	ways**	112.70			Proposed Gross Floor Area*	
	Second Floor	793.00 781.00		Mech	nanical**			C1.	Proposed Gross Floor Area*	Sq. Ft
	Second Floor Third Floor			Mech Attic	nanical** less than 7'**				Proposed Gross Floor Area* 358.08 Allowable Floor Exclusions** 1,215.92	Sq. Ft
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	Second Floor Third Floor Attic Porches Balcony/Deck			Mech Attic Porci Balco Gara Othe	hanical** less than 7'** hes** ony/Deck** oge** clg ht at two story space less than	* 147.13		C2.	Proposed Gross Floor Area* 358.08 Allowable Floor Exclusions** 1,215.92 Proposed Floor Area Minus Exc (subtract C2 from C1) Notes	Sq. Ft
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<b>).</b> 1.	Second Floor Third Floor Attic Porches Balcony/Deck Garage Other*** Total Gross Total Floor 3,152.87 Total Floor Are	781.00 1,574.00 <b>Area</b>		Mech Attic Porci Balco Gara Othe Othe C2. Tota	hanical** less than 7'** hes** ony/Deck** oge** clg ht at two story space less than 15'-0" <u>I Exclusions</u>	* 147.13 98.25 358.08 ace (RA & RB	-	C2.	Proposed Gross Floor Area* 358.08 Allowable Floor Exclusions** 1,215.92 Proposed Floor Area Minus Exc (subtract C2 from C1) <b>Notes</b> *Gross floor area for residential two-family dwellings in the R-20, R-5, R-2-5, RB and RA zones (no properties located within a Historic the sum of <u>all areas under roo</u> measured from exterior walls. ** Refer to the Zoning Ordinance ( 2-145(A)) and consult with Zoning	Sq. Ft Sq. Ft Sq. Ft clusions single and R-12, R-8 at including in District) is f of a lot Section g Staff fo colusions.
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SHEET TITL SITE AND DEMOLITION PLANS

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PASTEUR DESIGNS
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EXISTING WALLS









#### FRONT SOUTH ELEVATION 302 LAMOND PLACE



**I**<u>I</u>I<u>I</u>III

E

L A N N T S



SIDE EAST ELEVATION



SIDE WEST ELEVATION













