

Docket Item #2
BZA CASE #2014-00006

Board of Zoning Appeals
April 10, 2014

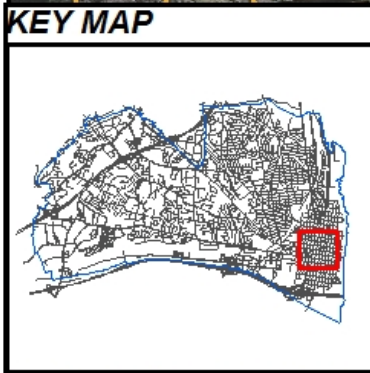
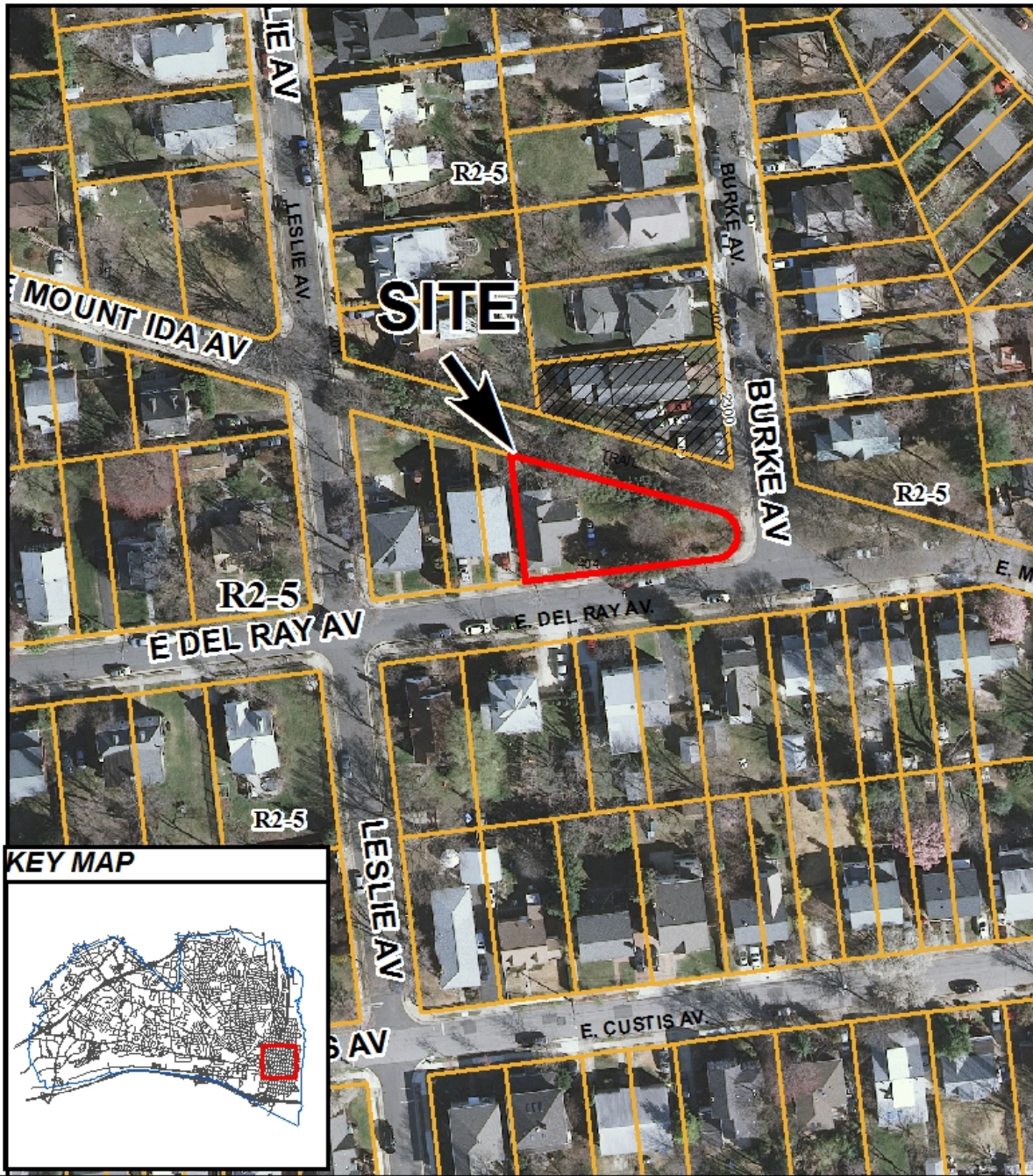
ADDRESS: 404 E DEL RAY AVE
ZONE: R2-5, RESIDENTIAL
APPLICANT: THOMAS AND AMY TRAIL, OWNERS

ISSUE: Special exception for a one-story addition in the required west side yard

CODE SECTION	SUBJECT	CODE REQMT	APPLICANT PROPOSES	REQUESTED EXCEPTION
3-306(A)(2)	Side Yard (West)	7.00 ft	2.30 ft	4.70 ft

The staff **recommends approval** of the requested special exception because the request meets the criteria for a special exception.

If the Board decides to grant the requested special exception it must comply with the code requirements under the department comments and the applicant must submit the following prior to the release of a Certificate of Occupancy: (1) a survey plat prepared by a licensed surveyor confirming building footprint, setbacks, and building height compliance from average preconstruction grade and (2) certification of floor area from a licensed architect or engineer. 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.



BZA #2014-00006
404 E Del Ray Ave



I. Issue

The applicants propose to construct a one-story rear addition in the required west side yard at 404 East Del Ray Avenue.

II. Background

The subject property, a corner lot, consists of three lots of record with 134.67 feet of frontage facing East Del Ray Avenue, 10.80 feet of frontage facing Burke Avenue and 146.00 feet facing East Mt. Ida Greenway. The property contains 7,650 square feet of lot area and is a complying for single family dwelling lot in the R-2-5 zone, where the minimum lot area is 6,000 square feet for a corner lot.

The property is currently developed with a one-story single family dwelling with an open front porch located 7.80 feet from the front property line facing East Del Ray Avenue, 2.00 feet from the west side property line, 118.20 feet from the east property line facing Burke Avenue and approximately 17.50 feet from the north side property line facing the Greenway. According to real estate assessments the dwelling was constructed in 1940. As depicted on the survey plat and photos, the existing house is deemed a noncomplying structure because it is located within 2.00 feet of the west side property line compared to the minimum 7.00 feet required by the zoning regulations.

III. Description

The applicants propose two small one-story additions to their home.

- (1) Construct a one-story addition to accommodate a new master bedroom that follows the west noncomplying building wall. The proposed addition measures 10.50 feet by 16.00 feet across the rear building wall totaling 168 square feet. The modest rear addition will be set back 2.30 feet from the west lot line with a 0.3 foot recess from the existing dwelling's west wall. The proposed addition is 12.90 feet height to the roof eave and 15.90 feet to the top of the new roof. The eaves on the proposed addition will project approximately 12 inches from the building walls, consistent with the eaves of the existing dwelling, and allowed by the zoning ordinance. The proposed eaves will project no closer to the west side property line than the existing roof eaves. The applicants request relief through the special exception to construct the addition within 2.30 feet of the west side property line.
- (2) Construct a second one-story addition located behind the home's existing kitchen. The addition measures 16.10 feet by 4.20 feet and totals 67 square feet. The addition will accommodate a future bath or sitting room with access from the new master bedroom. The addition is approximately 16.90 feet to the top of the new roof. The addition does not require BZA approval and permitted under the zoning regulations.

Upon completion of the work, the proposed renovations will continue to comply with the floor area requirements.

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

IV. Master Plan/Zoning

The subject property is zoned R-2-5 and has been so zoned since adoption of the Third Revised Zoning Map in 1951, and is identified in the Potomac West Small Area Plan for residential use.

V. Requested Special Exception:

3-306(A)(2) Side Yard (West)

The applicants request a special exception from the required 7.00 feet to construct one-story addition 2.30 feet from the west side property line. The applicants request a special exception of 4.70 feet.

VI. Existing Noncomplying Structure/ Substandard Lot

The existing building at 404 East Del Ray Avenue is a noncomplying structure with respect to the following:

<u>Regulation</u>	<u>Required</u>	<u>Existing</u>	<u>Noncompliance</u>
Side Yard (West)	7.00 ft	2.00 ft	5.00 ft

VII. Special Exceptions Standards

To grant a special exception, the Board of Zoning Appeals must find that the strict application of the zoning ordinance creates an unreasonable burden on the use and enjoyment of the property. Section 11-1304 of the zoning ordinance lists standards that an applicant must address and that the Board believes exists and thus warrants granting a special exception of the zoning regulations.

- a. Whether approval of the special exception will be detrimental to the public welfare, to the neighborhood or to the adjacent properties.
- b. Whether approval of the special exception will impair an adequate supply of light and air to the adjacent property, or cause or substantially increase traffic congestion or increase the danger of fire or the spread of fire, or endanger the public safety.
- c. Whether approval of the special exception will alter the essential character of the area or zone.

- d. Whether the proposal will be compatible with the development in the surrounding neighborhood.
- e. Whether the proposed development represents the only reasonable means and location on the lot to accommodate the proposed structure given the natural constraints of the lot or the existing development of the lot.

VIII. Staff Analysis and Conclusion

Neighborhood Impact

An inspection of the surrounding neighborhood revealed that many homes have been expanded to include second stories. The proposed addition is in keeping with the character of the neighborhood and complements the existing dwelling.

The adjacent property to the west is occupied by a two story dwelling which has been expanded by receiving several variance approvals by the Board. The adjacent lot to the east is vacant and is owned by the applicants. The design and size of the addition is compatible with character of the block.

Light and Air

The overall height of the two-story addition will be no taller than the existing dwelling and will continue to be located in line with the existing west side building wall. The height of the addition decreases towards the rear of the property and is only one-story at the very rear. The sloping roof will allow adequate light and air to reach the rear yards of the subject property and the adjacent property to the west.

Lot Constraints

The subject property is substandard as to the required lot area and width for an R-8 zoned property. The existing dwelling is not centered on the property. The substandard nature of the lot and the location of the existing dwelling on the lot limit the development opportunities on the lot. The applicants have chosen not to build on their vacant lot to the east.

Staff Conclusion

As outlined above, the staff believes the application meets the criteria for a special exception and **recommends approval** of the request.

DEPARTMENTAL COMMENTS

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

* The applicant is advised that if the variance is approved the following additional comments apply.

Transportation and Environmental Services:

- 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.
- 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).
- 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.
- 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 storm water drainage onto adjacent properties and to the satisfaction of the Director of Transportation & Environmental Services. (Sec.5-6-224)
- C-4 All secondary utilities serving this site shall be placed underground. (Sec. 5-3-3)
- C-5 Any work within the right-of-way requires a separate permit from T&ES. (Sec. 5-2)
- 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)
- R-1 The building permit must be approved and issued prior to the issuance of any permit for demolition.
- R-2 Applicant shall be responsible for repairs to the adjacent city right-of-way if damaged during construction activity.
- 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.

Code Administration:

- F-1 The following comments are for BZA review. Once the applicant has filed for a building permit and additional information has been provided, code requirements will be based upon that information and the building permit plans. If there are any questions, the applicant may contact Ken Granata, Plan Review Division Chief at ken.granata@alexandriava.gov or 703-746-4193.
- C-1 Building and trade permits are required. Six sets of construction documents sealed by a Registered Design Professional that fully detail the construction as well as layout and schematics of the mechanical, electrical, and plumbing systems shall accompany the permit application(s). The building official shall be notified in writing by the owner if the registered design professional in the responsible charge is changed or is unable to continue to perform the duties.
- C-2 Openings in exterior wall are not allowed where the wall is less than 3 feet from property line.

Recreation (Arborist):

No comments received.

Historic Alexandria (Archaeology):

- F-1 This property is located in close proximity to the late nineteenth-century J.M. Hill house, as well as the Alexandria Gentlemen's Driving Club, otherwise known as the St. Asaph Race Track that was in operation in the later nineteenth century. Although the zoning of the proposed project will have no effect on archaeological resources, if the proposed room expansion is approved, the construction of it could impact significant archaeological resources that pertain to the late nineteenth century in Del Ray.
- R-1 The statements in archaeology conditions 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 Sheet piling and Shoring) so that on-site contractors are aware of the requirements:
- a. The applicant/developer shall call Alexandria Archaeology immediately (703.746.4399) if any buried structural remains (wall foundations, wells, privies, cisterns, etc.) or concentrations of artifacts are discovered during development. Work must cease in the area of the discovery until a City archaeologist comes to the site and records the finds.

- b. The applicant/developer shall not allow any metal detection to be conducted on the property, unless authorized by Alexandria Archaeology.

Other Requirements Brought to the Applicant's Attention:

- C-1 A wall check survey plat shall be submitted to Planning and Zoning when the building footprint is in place, pursuant to Alexandria City Code section 8-1-12.

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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:

3-5069(A)(2): Each single-family or duplex dwelling shall provide two side yards, each based on a setback ratio of 1:3 and a minimum size of seven feet. Property has 2 feet from the North property side yard.

PART A

1. Applicant: ☒ Owner ☐ Contract Purchaser ☐ Agent

Name Thomas E Trail and Amy C Trail

Address 404 E Del Ray Ave

Alexandria, VA 22301

Daytime Phone 703-836-1035

Email Address trail@toast.net

2. Property Location 404 E Del Ray Ave, Alexandria

3. Assessment Map # 035.01 Block 02 Lot 08 Zone R2-5

4. Legal Property Owner Name Thomas E Trail and Amy C Trail

Address 404 E Del Ray Ave

Alexandria, VA 22301

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. Thomas E Trail	404 E Del Ray Ave	50%
2. Amy C. Trail	404 E. Del Ray Ave	50%
3.		

2. Property. State the name, address and percent of ownership of any person or entity owning an interest in the property located at 404 E. Del Ray Ave (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. Thomas E Trail	404 E Del Ray Ave	50%
2. Amy C. Trail	404 E. Del Ray Ave	50%
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 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. Thomas E Trail	None	None
2. Amy C. Trail	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.

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.

2/24/14

Date

Thomas E. Trail

Printed Name



Signature

2/24/14

Amy C Trail



BZA Case # 2014-0006**5. Describe request briefly:**

Expand room on north side of house into a master bedroom. Proposed expansion is 2.3 feet from the west property line.

6. If property owner or applicant is being represented by an authorized agent, such as an attorney, realtor or other person for which there is a form of compensation, does this agent or the business in which they are employed have a business license to operate in the City of Alexandria, Virginia?

☐ Yes — Provide proof of current City business license.

☐ No — Said agent shall be required to obtain a business prior to filing application.

THE UNDERSIGNED HEREBY ATTESTS that all of the information herein provided including the site plan, building elevations, prospective drawings of the projects, etc., are true, correct and accurate. The undersigned further understands that, should such information be found incorrect, any action taken by the Board based on such information may be invalidated. The undersigned also hereby grants the City of Alexandria permission to post placard notice as required by Article XI, Division A, Section 11-301(B) of the 1992 Alexandria City Zoning Ordinance, on the property which is the subject of this application. The applicant, if other than the property owner, also attests that he/she has obtained permission from the property owner to make this application.

APPLICANT OR AUTHORIZED AGENT:

Thomas E. Trail
Print Name Amy C Trail
703-836-1035
Telephone

Thomas E. Trail
Signature Amy C Trail
2/24/14
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.**

The two bedrooms in the existing house are small for a master bedroom. The room on the north side of the house lacks a closet and is narrow. The proposed addition will expand the north side room into a master bedroom.

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

Adjoining properties will not be harmed. The proposed addition was designed to have minimal impact on the adjoining properties. The extension of the north side of the existing structure will add 2.5 feet to the west side of the existing structure that is close to the adjoining property. The property to the north is a city park, and the proposed addition is designed to maintain the same distance from the property line as the existing back porch. The proposed addition will not be visible from the south side of the property facing E Del Ray Ave.

- 3. Explain how the proposed addition will affect the light and air to any adjacent property.**

There will be a 2.5 foot addition of the structure facing the adjoining property to the west, which is a two-story home. The roof line of the proposed addition will be a similar height to the existing room on the north side of the house. Thus the additional affect of the addition on the light and air of the property to the north will be minimal.

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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.

The design of the proposed addition is in keeping with the characteristics of the existing house and surrounding neighborhood. The neighborhood is composed of mixed housing types including older bungalows, colonials, cape cods, and duplexes. The subject property after the proposed addition could be considered an expanded bungalow, and several of the properties in the neighborhood are expanded older homes.

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

The immediate area is composed of mixed-style single family homes and duplexes. The properties to the west are a two-story brick colonial duplex and a two story farmhouse. To the south is a one story brick bungalow, a four-square, a two story colonial duplex, a newer two story colonial, and a two story brick colonial duplex. To the east is a brick cape cod, and to the north is a city park with an adjoining brick church. The proposed addition will be in keeping with the bungalow style of the existing home.

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

The proposed addition expands an existing room on the north side of the home. The only other location to build a master bedroom is the east side of the existing home, which has a large yard. However, the east side of the home is comprised of a living room, recent kitchen and sitting room addition with a porch. Adding a master bedroom on this side would require a major reconfiguration of the existing floor plan at much greater expense.

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 neighbors to the west are the most affected by the proposed expansion. We have discussed the addition with them and given them a copy of the plans. They did not express any objections.



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 404 E Del Ray Ave Zone R2.5
 A2. 7,650 x 0.45 = 3442.5
 Total Lot Area Floor Area Ratio Allowed by Zone Maximum Allowable Floor Area

B. Existing Gross Floor Area

Existing Gross Area *		Allowable Exclusions	
Basement	652	Basement**	
First Floor	1025	Stairways**	31
Second Floor	—	Mechanical**	
Third Floor	—	Porch/ Garage**	
Porches/ Other	293	Attic less than 5'**	
Total Gross *	1970	Total Exclusions	31

B1. Existing Gross Floor Area *
1970 Sq. Ft.

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

B3. Existing Floor Area minus
 Exclusions 1939 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	165	Stairways**	
Second Floor		Mechanical**	
Third Floor		Porch/ Garage**	
Porches/ Other		Attic less than 5'**	
Total Gross *	165	Total Exclusions	

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

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

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

D. Existing + Proposed Floor Area

D1. Total Floor Area (add B3 and C3) 2104 Sq. Ft.
 D2. Total Floor Area Allowed by Zone (A2) 3442 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 on 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.

F. Open Space Calculations Required in RA & RB zones

Existing Open Space	
Required Open Space	N/A
Proposed Open Space	

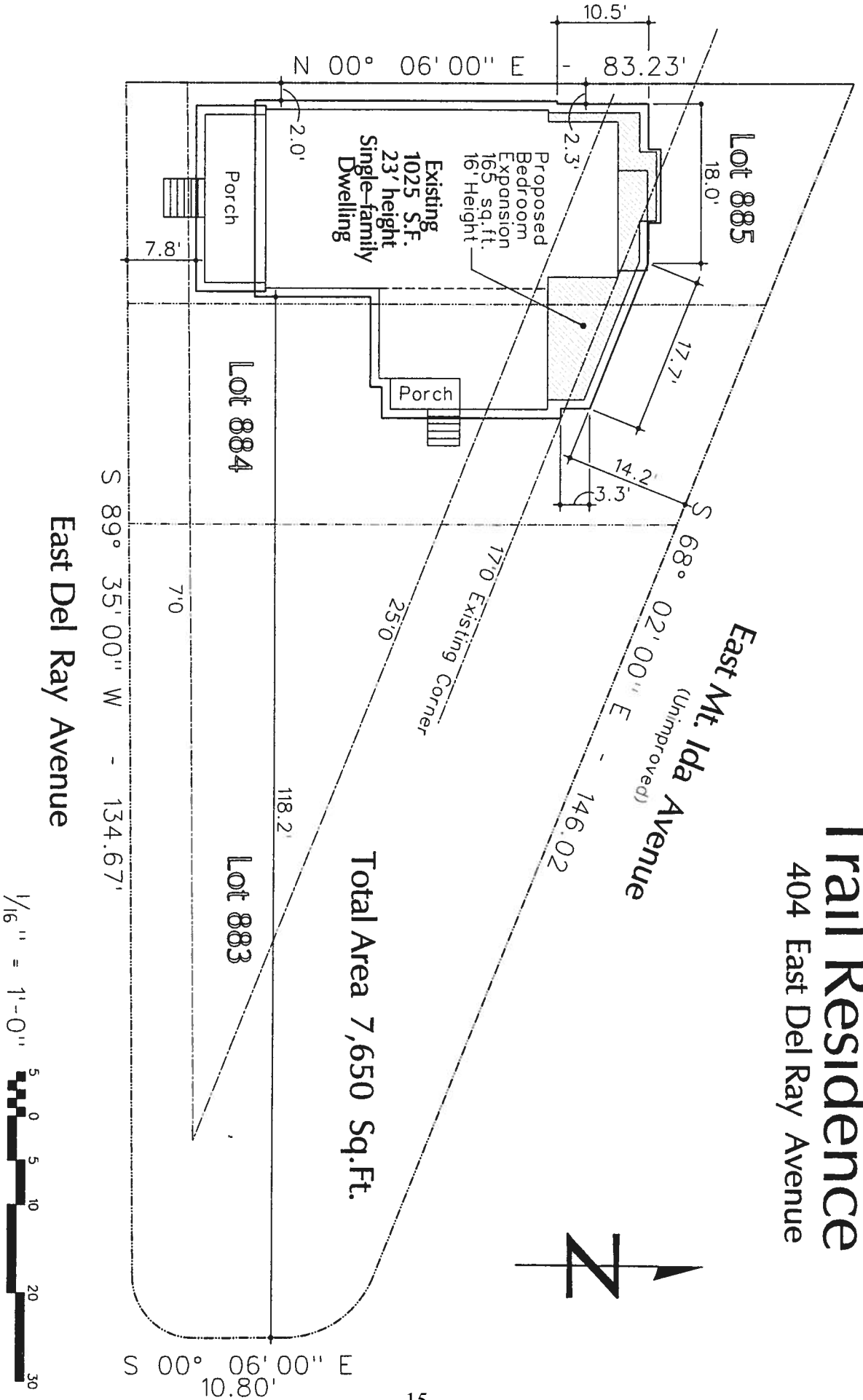
The undersigned hereby certifies and attests that, to the best of his/her knowledge, the above computations are true and correct.

Signature: _____

Date: 2/24/14

Trail Residence

404 East Del Ray Avenue

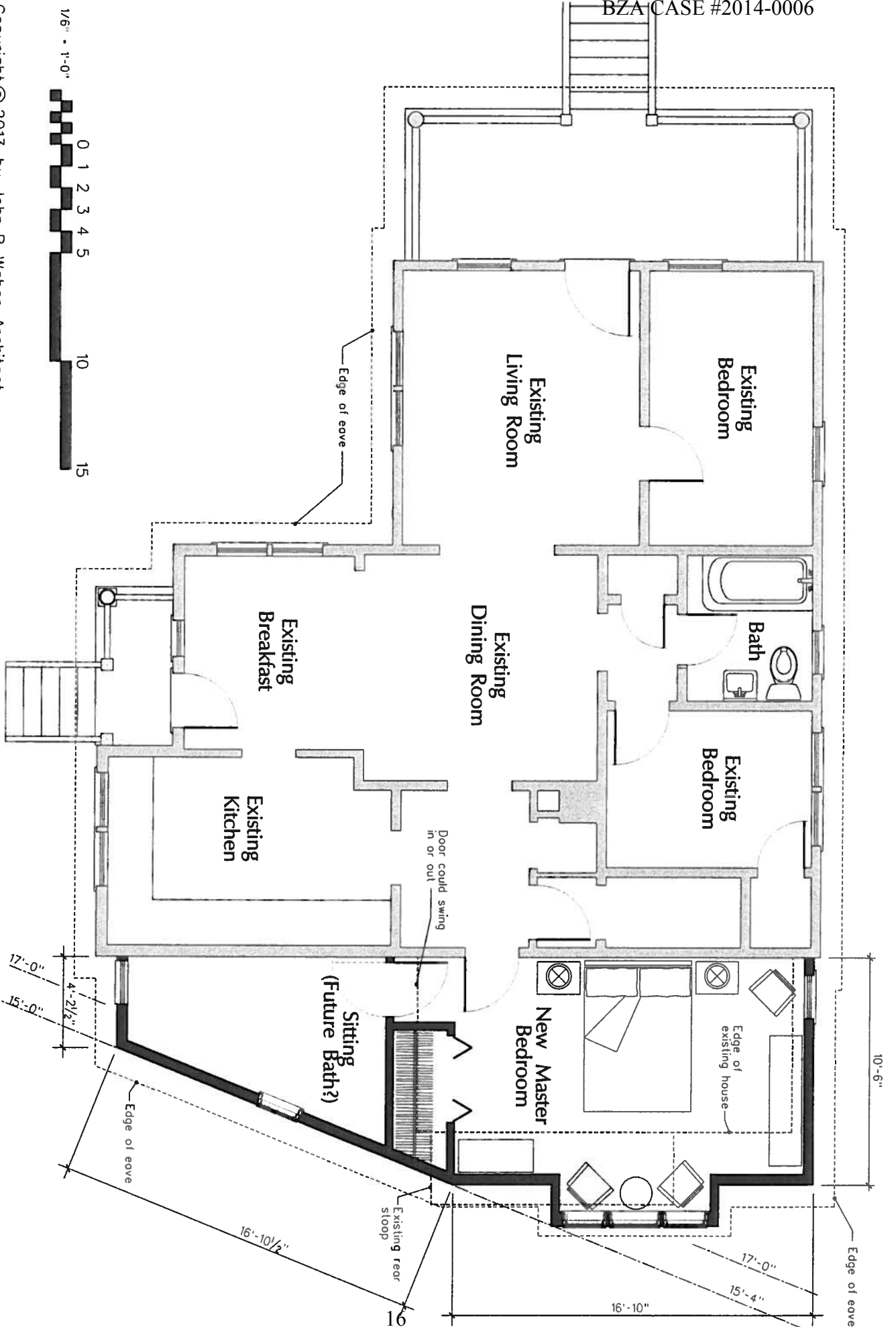


Trail Residence

Plat – Variance Request

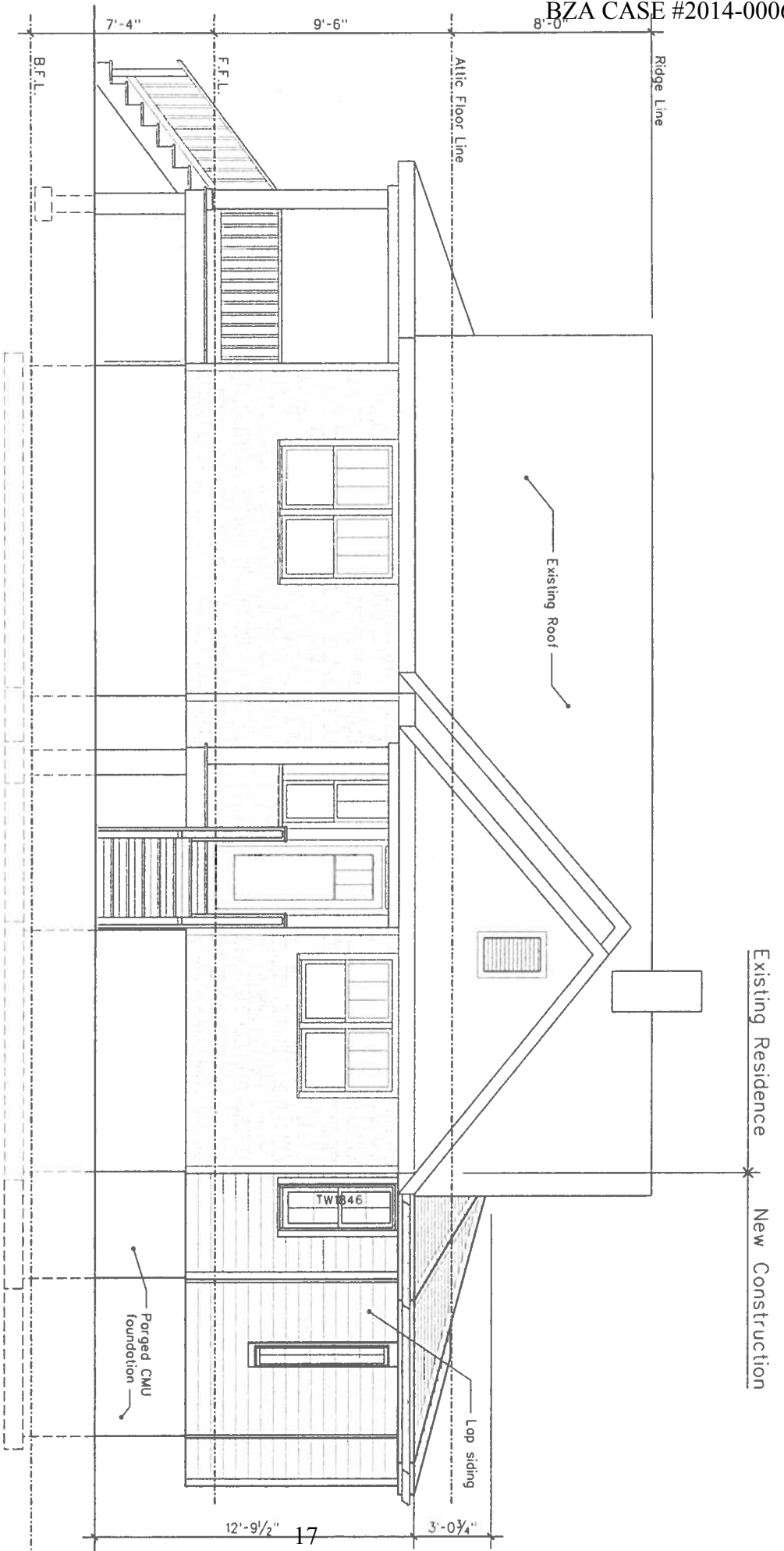
JRW
John R. Weber, Architect
3001 North Florida Street
Orlando, FL 32807
Telephone: 703-341-1432

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Trail Residence

First Floor – Variance Req.



Note: Crawl space beneath new addition.

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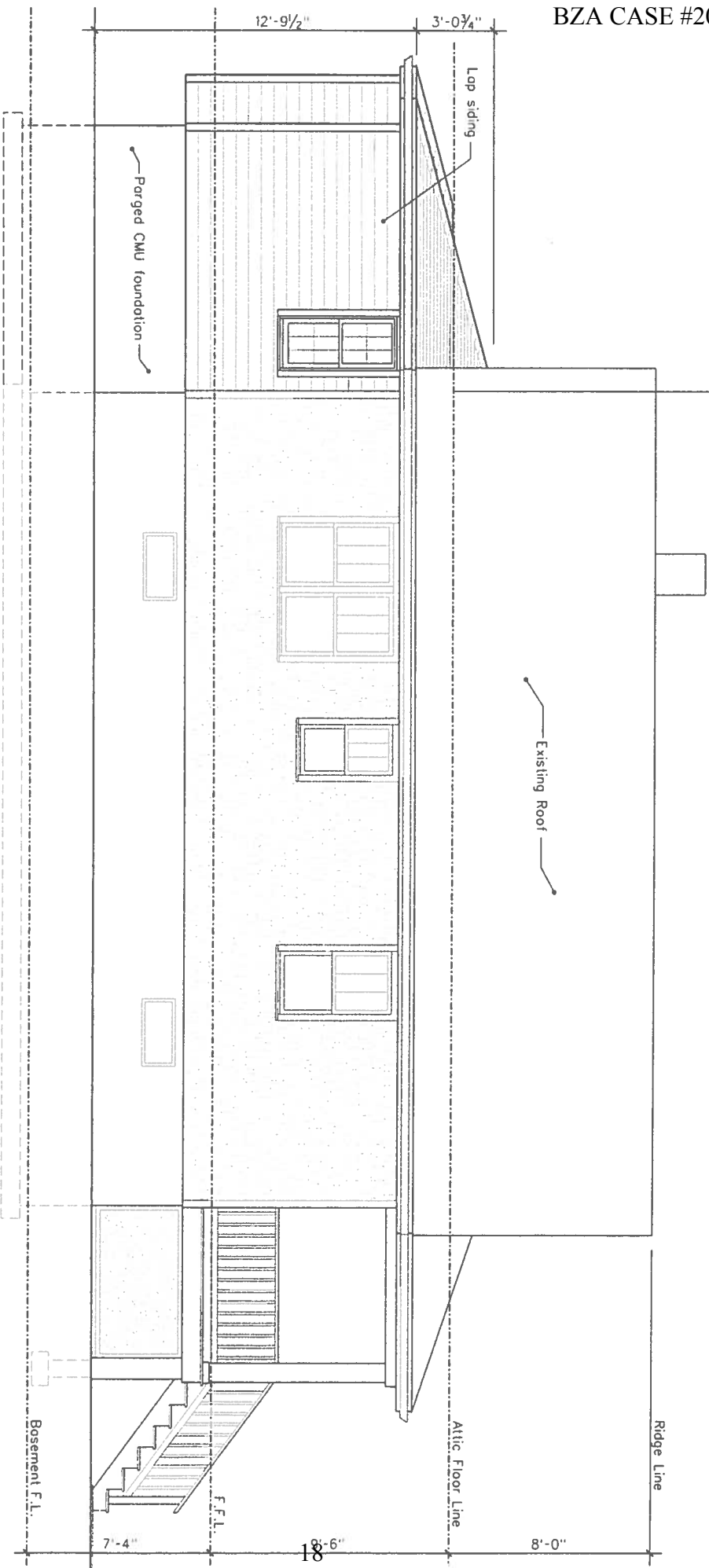
Trail Residence

Right Elevation (East)

JRW

John R. Weber, Architect
3001 North Lincoln Road, Suite 22207
Coral Gables, FL 33134
Telephone: 783-241-1432

New Construction * Existing Residence



Note: Crawl space beneath new addition.

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Trail Residence

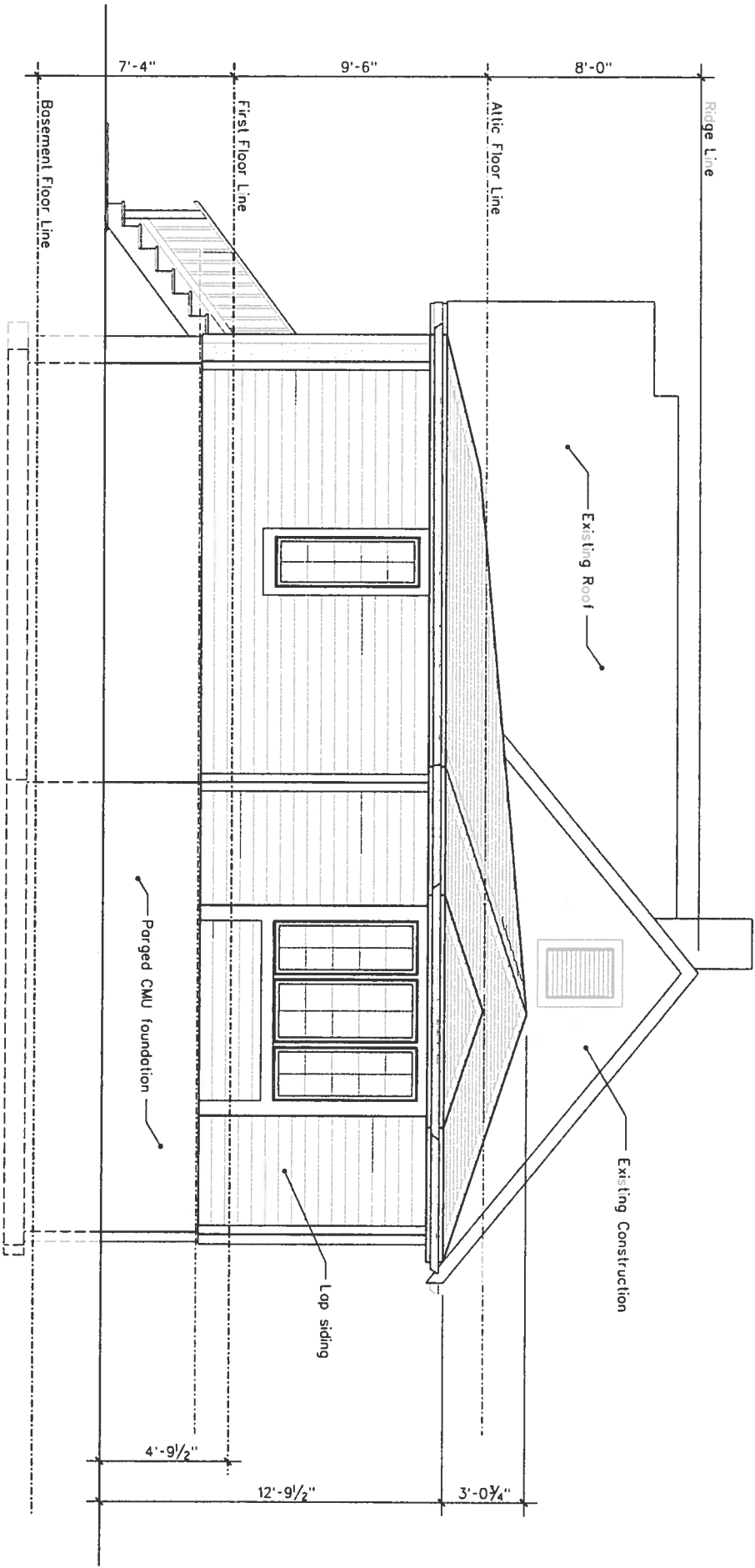
Left Elevation (West)



John R. Weber, Architect
3001 North Florida Street
Orlando, Virginia 22207
Telephone 703-241-4432

Note: Crawl space beneath new addition.

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Trail Residence

Rear Elevation (North)

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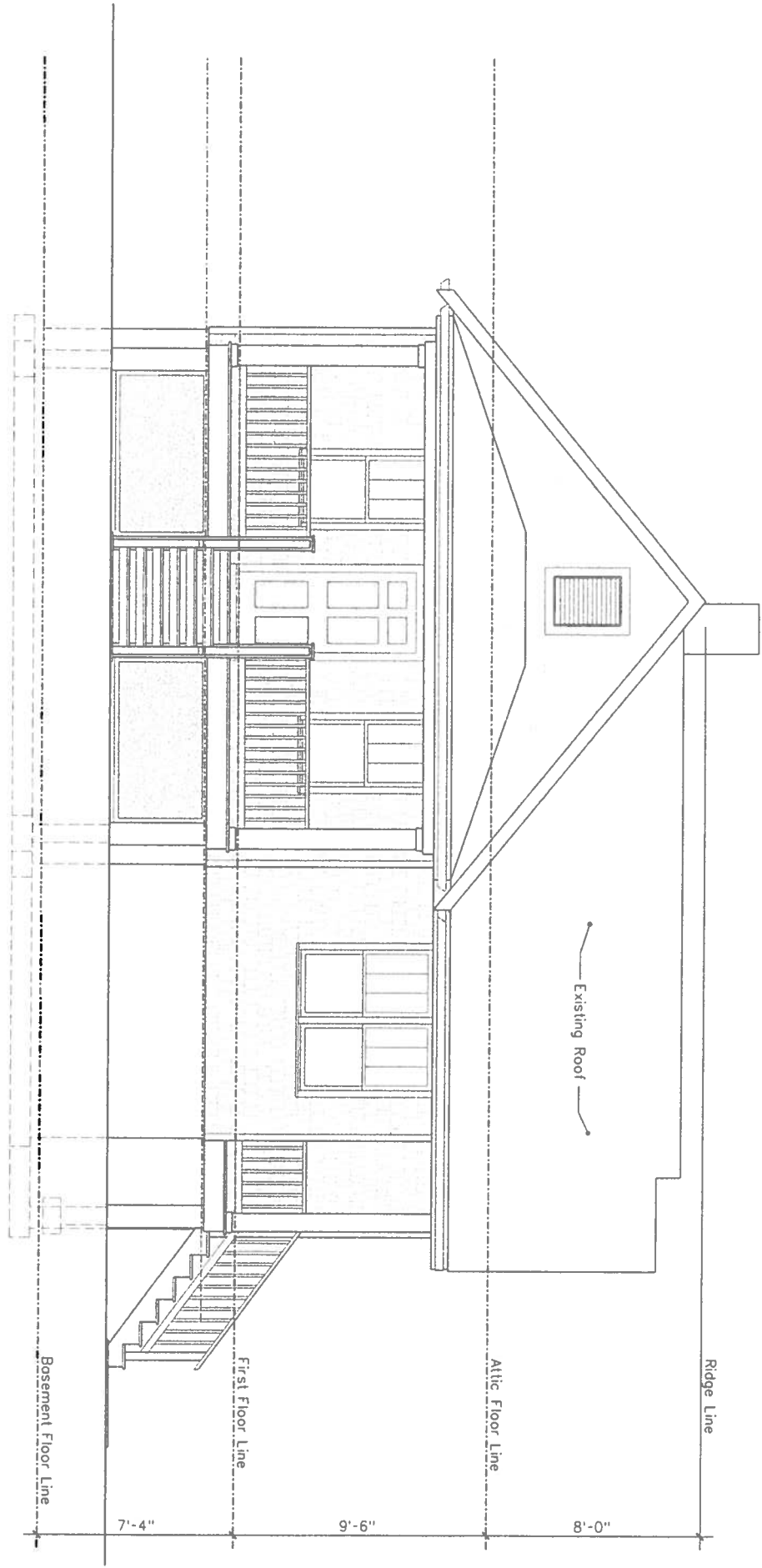
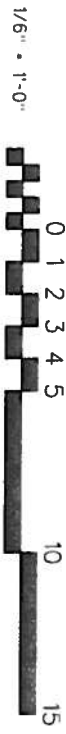
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Trail Residence

Front Elevation (South)



John R. Weber, Architect
3001 South Florida Avenue
Orlando, FL 32807
Telephone 703-241-1432



404 E Del Ray Ave
Back (north)



East (side)



Front (south)

