Docket Item #3 BZA CASE #2014-0026

Board of Zoning Appeals February 12, 2015

**ADDRESS:** 7 WEST MAPLE STREET

**ZONE:** R-5/RESIDENTIAL SINGLE-FAMILY

**APPLICANT:** PLUVIA ZUNIGA AND JULIEN REYNAUD

BY STEPHANIE DIMOND, ARCHITECT

**ISSUE:** Special exception to construct a second story addition in the required east

side yard.

CODE SECTION	SUBJECT	CODE REQMT	APPLICANT PROPOSES	REQUESTED EXCEPTION
3-406(A)(2)	Side Yard (east) (second story)	7.92 feet*	3.90 feet	4.02feet***
3-406(A)(2)	Side Yard (east) (rear dormer)	8.25 feet**	7.06 feet	1.19 feet***

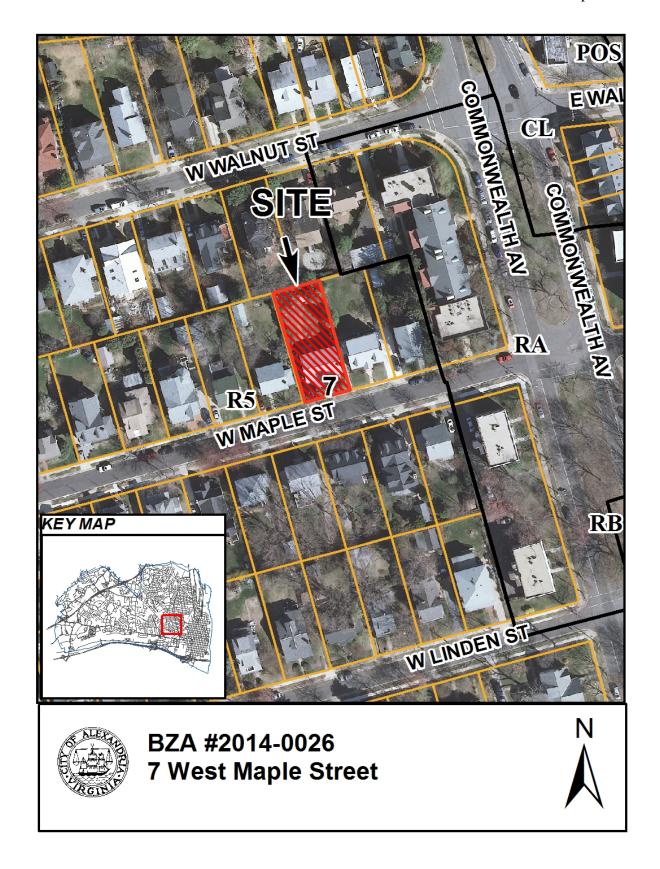
<sup>\*</sup>Based on a building height of 23.75 feet measured from grade to midpoint of the second story gable roof.

The staff <u>recommends approval</u> 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) certification of 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.

<sup>\*\*</sup> Based on a building height of 24.75 feet measured from grade to midpoint of the rear dormer.

<sup>\*\*\*</sup> Proposed roof eave facing the west side property line would project an additional 18 inches, consistent with the existing roof overhang.



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

The applicants are proposing to second construct a story addition with dormers at 7 West Maple Street Avenue. The proposed addition would be constructed in line with the existing front and side walls of the one-story dwelling, encroaching into the required east side yard.



#### II. Background

The subject property is one lot of record with 50.00 feet of frontage facing West Maple Street and a depth of 120.00 feet along the east and west side property lines. The property contains 6,000 square feet of lot area and complies with the lot area, width and frontage requirements for a single family dwelling lot in the R-5 zone.

R-5 Zone	Requirement	Existing	Proposed
Lot Area	5,000 sq. ft.	6,000 sq. ft.	6,000 sq. ft.
Lot Width	50 ft.	50 ft.	50ft.
Lot Frontage	40 ft.	50 ft.	50 ft.
Front Yard	15.61 ft.	19.70 ft.(building wall) 11.50 ft. (front porch)	19.70 ft.(building wall) 11.50 ft. (front porch)
Side Yard (East)	7.92 ft. (1:3 with 7 ft min)	3.90 ft.	3.90 ft.
Side Yard (West)	7.92 ft. (1:3 with 7ft min)	9.40 ft.	9.40 ft.
Rear Yard	7 ft. (1:1with7ft min)	74.00 ft.	66.00 ft.
<b>Building Height</b>	Max: 25.00 ft.	16.04 ft.	24.88 ft.
Net FAR	Max:2,700 sq. ft. (.45)	932.15 sq. ft.	1991.49 sq. ft.

The property is currently developed with a one-story, wood frame, side gable, Craftsman-style Bungalow dwelling located 11.50 feet from the front property line facing West Maple Street, 9.40 feet from the west side property line, 3.90 feet from the east side property line and 74.00 feet from the rear property line. The dwelling was constructed in 1920 and identified as a contributing structure to the Rosemont National Register Historic District.

#### III. Description

The applicants propose to construct a second story addition over the existing first floor that would be cantilevered off of the rear building wall. (See figure 1). The proposed addition would be located 19.70 feet from the front property line facing West Maple Avenue, 9.40 feet from the west side property line, 3.90 feet from the east side property

line and 66.00 feet from the rear property line. The addition would measure 23.75 feet high from average grade to the midpoint of the gabled roof facing the side yards. Based on a setback ratio of 1:3, the addition would require a side yard setback of 7.92 feet. A special exception is required to construct the second story addition in the required east side yard 3.90 feet from the property line.



Figure 1

The applicants also propose front and rear shed dormers. The front dormer would be located in line with the existing front building wall, 19.70 feet from the front property line, 8.40 feet from the east side property line and 13.90 feet from the west side property line. The front dormer would measure 24.88 feet high from average grade to the midpoint of the shed roof. Based on a setback ratio of 1:3, the front dormer would require side yard setbacks of 8.29 feet. The proposed front dormer complies with setback requirements.

The rear dormer proposed by the applicants would be cantilevered out from the rear building wall toward the rear property line. The rear dormer would be located 66.00 feet from the rear property line, 7.06 feet from the east side property line and 12.56 feet from the west side property line. The rear dormer would measure 24.75 feet high from average grade to the midpoint of the shed roof. Based on a setback ratio of 1:3, the rear dormer would require side yard setbacks of 8.25 feet. A special exception is required to construct the rear dormer in the required east side yard 7.06 feet from the property line.

The second story addition with dormers would accommodate bedrooms, bathrooms, and closets. Upon completion of the work, the proposed renovations would 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-5 and has been so zoned since adoption of the Third Revised Zoning Map in 1951. The site is identified for residential land use in the Potomac West Small Area Plan.

### V. Requested Special Exception:

# 3-406(A)(2) Side Yard (east)(second story addition)

The applicants request a special exception of 4.02 feet from the required 7.92 feet (based on a height of 23.75 feet measured to the midpoint point of the gable) to construct a second story addition 3.90 feet from the east side property line. The proposed eaves would project an additional 18 inches into the required side yard, consistent with the existing eave projection.

#### 3-406(A)(2) Side Yard (east) (rear dormer)

The applicants request a special exception of 1.19 feet from the required 8.25 feet (based on a height of 24.75 feet measured the midpoint of the shed dormer) to construct a rear dormer addition 3.90 feet from the east side property line.

#### VI. Noncomplying Structure

The existing building at 7 West Maple Street is a noncomplying structure with respect to the following:

Regulation Property 1985	<u>Required</u>	<u>Existing</u>	<u>Noncompliance</u>
Side Yard (east)	7.00 feet	3.90 feet	3.10 feet
Front Yard (porch)	15.61 feet	11.50 feet	4.11 feet

#### 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.

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

The proposed second story addition and dormers would not be detrimental to the public welfare. However, the neighbors and adjacent properties would be impacted by the loss of a contributing structure in the Rosemont National Register District.

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.

As proposed, the second story addition and dormers would preserve the light and air to the rear yards of the adjacent properties. The applicants wish to preserve the open space on the lot and maintain the openness in the rear yards on West Maple Street. There would be no impacts to traffic or public safety.

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

The rest of this block on West Maple is developed with one and one-half, two, and two and one-half story dwellings. The applicants believe the proposed construction of a second story addition would create a more homogenous look on the block. While the second story addition would be consistent with the development pattern in the neighborhood, it would modify the historic character and massing of the contributing bungalow. While the character of the subject property would be significantly altered, the proposed construction would not be unlike many other second story additions in the area and would be harmonious with the surrounding buildings. The architectural detailing including the shed dormer, the variation in the siding's reveal, and the use of stickwork in the gables is generally in keeping with the Bungalow style.

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

The proposed construction would be consistent with other second story additions in 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.

The applicants did explore the option of constructing a rear addition without the need of a special exception or variance, but found that the proposed second story addition better met their needs to have the bedrooms located on the second floor, preserve valuable open space in the rear yard and reduce construction cost, time and potential impact to neighbors.

#### VIII. Staff Analysis and Conclusion

#### Neighborhood Impact

An inspection of the surrounding neighborhood revealed that many homes are two stories. The second story addition and dormers would be compatible with the mass and height of other homes in the neighborhood. However, as proposed the addition would change the character of the historic bungalow to the point where the building's status as a contributing structure in the Rosemont National Register Historic District would likely be eliminated. Incremental losses of contributing structures over the years could lead to the removal of the district from the State and National Registers.

#### Light and Air

The adjacent properties to the east and west all have open rear yards, similar to the subject property. By proposing to construct a second story above the existing dwelling, it is unlikely that light or air to adjacent rear yards would be negatively impacted. The applicants wish to preserve the development pattern of open rear yards.

#### Lot Constraints

While the lot meets the R-5 zone requirements for lot area, width and frontage, the placement of the existing dwelling on the lot restricts the applicant's ability to build in line with the existing east building wall without the need for approval by the Board. If the dwelling was more centrally located on the lot, it is likely no variance or special exception would be required.

#### Alternatives

While there are alternatives that would better preserve the historic integrity of the dwelling, such as a rear addition, they do not meet the needs of clients and could greatly reduce open space on the lot and the potentially negatively impact light and air to adjacent properties.

#### **Staff Conclusion**

While staff is concerned about the loss of a contributing structure in the Rosemont National Register Historic District, the proposed second story addition would be consistent with the development pattern in the neighborhood, would preserve the light and air to the adjacent property, and would maintain the existing open space on the subject property. 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:

- R-1 The building permit must be approved and issued prior to the issuance of any permit for demolition. (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 Previously reviewed under BAR2012-00001 (TES)
- F-2 After review of the information provided, an approved grading plan is not required at this time. Please note that if any changes are made to the plan it is suggested that T&ES be included in the review. (T&ES)
- C-1 The applicant shall comply with the City of Alexandria's Solid Waste Control, Title 5, Chapter 1, which sets forth the requirements for the recycling of materials (Sec. 5-1-99). (T&ES)
- C-2 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)

#### Code Administration:

No comments received.

#### Recreation (Arborist):

No comments received.

#### Historic Alexandria (Archaeology):

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

#### Historic Preservation

The existing one story, wood frame, side gable, Craftsman Bungalow style dwelling at 7 West Maple Street is a contributing structure to the Rosemont National Register Historic District. The five-bay dwelling currently has a two-bay front gable entrance porch with battered half columns. Upon evaluation of the proposal, preservation staff believes that the proposed demolition of the existing roof structure and the increase in the building height would compromise the historic integrity of the historic resource and ultimately it's contributing status in the National Register historic district.

However, staff finds the design's architectural detailing including the shed dormer, the variation in the siding's reveal, and the use of stickwork in the gables is generally in keeping with the Bungalow style.

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# APPLICATION BOARD OF ZONING APPEALS

# SPECIAL EXCEPTION FOR ADDITIONS

Section of zoning ordinance from which request fo special exception is made: Sec. 3-406 (A) (2) - minimum side yard of seven feet (:3 ratio) on each side. Only the west side now complies (East side is 3.9' from property line, needing a special exception of 3.1 feet from required side yard.) **PART A** Owner Contract Purchaser Agent 1. Applicant: Name Pluvia Zuniga and Julien Reynaud Address 7 West Maple Street Alexandria, VA 22301 Daytime Phone 703-836-8437 Email Address dimondadams@comcast.net Property Location Lot 4 Blk 18 Sec 3 Rosemo it 2. Assessment Map # 053 Block 03 L at 10 Zone 16 3. Legal Property Owner Name Lara Pluvia & Ju en Pierre Reynaud 4. Address 7 West Maple Street Alexandria, VA 22301

# OWNERSHIP AND DISCLOSUR 3 STATEMENT Use additional sheets if neces sary

interest in the applicant, unless	he entity is a corporation or par The term ownership interest shall	p of any person or entity owning ar tnership, in which case identify each include any tegal or equitable interes bject of the application.
Name	Address	Percent of Ownership
1. Pluvia Zuniga/Julien Reynaud		
<sup>2</sup> . Płuvia Zuniga/Julien Reynaud		
3. Pluvia Zuniga/Julien Reynaud		
2. Property. State the name, add interest in the property located at unless the entity is a corporation o percent. The term ownership intere application in the real property which	7 West Maplet Sreet, Al :x r partnership, in which case ide tit ist shall include any legal or eq its ch is the subject of the application.	andria, VA 22301 (address), y each owner of more than ten able interest held at the time of the
Name	Address	Percent of Ownership
1. Physia Zuniga/Julien Reynaud		100%
<sup>2</sup> Pluvia Zuniga/Julien Reynaud		
3. Pluvia Zuniga/Julien Reynaud		
an ownership interest in the applicationship, as defined by application, or within the 12-month the Alexandria City Council, Planni Architectural Review. All fields murelationships please indicated e	ant or in the subject property an in y Section 11-350 of the Zoning of period prior to the submission control ing Commission, Board of Zoning sust be filled out completely. If you	dinance, existing at the time of this his application with any member of Appeals or either Boards of hot leave blank. (If there are no
For a list of current council, com-		
and financial relationship, click he	ere.	well as the definition of business
and financial relationship, click he Name of person or entity		
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and financial relationship, click h	Relationship as defined t / Section 11-350 of the Zoni ig Ordinance	well as the definition of business  Member of the Approving Body (i.e. City Council,
and financial relationship, click he Name of person or entity  1. Pluvia Zuniga/Jullen Reynaud 2. Pluvia Zuniga/Jullen Reynaud 3. Pluvia Zuniga/Jullen Reynaud	Relationship as defined t / Section 11-350 of the Zoni ig Ordinance	Member of the Approving Body (i.e. City Council, Planning Commission, etc.)
1. Pluvia Zuniga/Julien Reynaud 2. Pluvia Zuniga/Julien Reynaud 3. Pluvia Zuniga/Julien Reynaud NOTE: Business or financial relation this application and before each put	Relationship as defined t / Section 11-350 of the Zoni ig Ordinance  Discharge described in the second control of the type described in the second control of the second control	Member of the Approving Body (i.e. City Council, Planning Commission, etc.)  11-350 that arise after the filing of r to the public hearings.
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5.	Describe request briefly:		
	Applicant is requesting approva		
	and a rear deck aligning with the		
	house has one non-complying e		which is 3.9 feet from the east
	property line with a required set	back of 7'0.	***************************************
6.	such as an attorney, realtor	or other perso or the business	sented by an authorized agent for which there is a form on which they are employed have indria, Virginia?
	Yes — Provide proof of curre	ent City busines	; license.
	No — Said agent shall be application.	e required to	btain a business prior to filing
the si accura action grants Section this ap	te plan, building elevations, prospectivate. The undersigned further understantaken by the Board based on such information the City of Alexandria permission to permission to permission. The applicant, if other than assion from the property owner to make the	re drawings of the ds that, should sometion may be invocat placard notice. Zoning Ordinance the property owne	projects, etc., are true, correct and ch information be found incorrect, any alidated. The undersigned also hereby as required by Article XI, Division A on the property which is the subject of
APPL	ICANT OR AUTHORIZED AGENT:		
Step	hanie Dimond		-KIL
Print	Name	Signature	·
703-	336-8437	11.24.14	
Telep	phone	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 pay 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 d refling 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 meets the applicant's needs.	proposed addition, if granted
We	would be able to place the second story directly or	top of the first.
2.	Explain if the special exception, if granted, or impact the neighborhood in any way.	will harm adjoining properties
No.	it will not impact it negatively in any way. It will ma	:e subject property more similar
	e neighbor's than it currently is.	
_		
3.	Explain how the proposed addition will affec adjacent property.	the light and air to any
Beca	ause the existing house is already almost as tall a:	the house to the East, the
seco	ond story won't affect the light and air. On the Wes	side, there will be no impact
wha	tsoever.	

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4.	Explain how the proposed addition is compathe neighborhood and the character of the ne	
The	majority of the houses on this block are two story.	
	naking this one a two story, it will closer resemble	
5.	How is the proposed construction similarmediate area?	
Ther	e are many framed and wood sided houses in the	neighborhood, so we will match
thos	e in construction.	
6.	Explain how this plan represents the only rebuild the proposed addition.	
	considered adding on to first floor only but this use	
	e and would be out of character for the neighborh	
	etting the second story the needed 3.1 feet but the	
	ward. After looking at all options, placing a second	
logic	al, cost-effective and neighborhood-friendly option	
7.	Has the applicant shown the plans to the me Have any neighbors objected to the proposition and neighbors written letters of support? If s	ed special exception, or have
The	next door neighbor has no objection.	



# DEPARTMENT OF PLANNING AND ZONING FLOOR AREA RATIO AND OPEN SPACE CALCULATIONS FOR SINGLE AND TWO-FAMILY RESIDENTIAL OUTSIDE HISTORIC DISTRICTS

. Property Inform A1. Street Address _	7 h	). MAPLE	<u> </u>	
A2. (0000) Total Lot Area	·	× 45 Floor Area Ratio All		= 2700 s.f.
Total Lot Area		Floor Area Ratio All	lowed by Zone	Maximum Allowable Floor Area
Existing Gross F	loor Area	8.5		_ ~
Existing Gros	s Area *	Allowable Ex	clusions	
Basement	972.55	Basement**	972.55	B1. Existing Gross Floor Area *  3100 Sq. Ft.
First Floor	1789.95	Stainweys**	57.75	B2. Allowable Floor Exclusions**  2/67.85 Sq. Ft.
Sepand Floor (	972.55	Mechanical**		83. Existing Floor Area minus
Third Floor		Porch/ Garage**	165	Exclusions <u>932./S</u> Sq. Ft (subtract 82 from B1)
Porches/ Other	165	Attic less than 5***	972.55	] `
Total Gross *	3100	Total Exclusions	2147.85	3
030			wiedlam empl	
Proposed Gross Proposed Gro		oes not include e		7
	22 VIGS	Basement**	Lusions .	C1 Proposed Gross Floor Area *
Basement	75 6 7			C1. Proposed Gross Floor Area * 2081.49 Sq. Ft. C2. Allowable Floor Exclusions** 1030.3 Sq. Ft.
First Floor overhoun	72.27	Stairways**	57.75	
Second Floor	104482	Mechanical**		C3. Proposed Floor Area minus
Third Floor	972.55	Porch/ Garage**		Exclusions <u>05934</u> Sq. Ft. (subtract C2 from C1)
Porches/ Other		Attic less than 5	972.55	
Total Gross *	2039.64	Total Exclusions	1030.3	į.
Existing + Propo of: Total Floor Area (a of: Total Floor Area Al SHED	dd B3 and C3)	1 <u>991.49</u> sq. F 2) <u>2700</u> sq. F	family of the fa	floor area for residential single and two- tweflings in the R-20, R-12, R-8, R-5, R-2- and RA zones (not including properties within a Historic District) is the sum of <u>all</u> ander roof on a lot, measured from exterior
SHEW	V	uired in RA & RB z	and co regerdi cones if takin	to the zoning ordinance (Section 2-145(A)) onsult with zoning staff for information ing allowable exclusions.  If exclusions other than basements, floor with excluded areas illustrated must be
	culations Requ			led for review. Sections may also be
Existing Open Space		/	submitt	led for review. Sections may also be d for some exclusions.
Open Space Call Existing Open Space Required Open Space Proposed Open Space	N	4	submitt	

Reynaud Residence 7 West Maple Street

Special Exception Request, BZA Hearing: February 12, 2015 Hearing

The applicant is requesting relief from the side yard setback on the East side of the property to align a new second story wall with the existing first and partial second story walls. This would allow for the construction of a new second story over the existing first floor that would accommodate 3 bedrooms and 2 baths. The existing house has two first floor bedrooms and a single bath.

During the design process, it became apparent that building over the first floor is the preferred design option as opposed to building a rear addition for several reasons. Building over the first floor is both logical and far more cost effective for the owners. A second story would create a more homogenous look on this block, as number 7 is the only house on both sides of the street that consists of only one story. It is also the only house where the main bedrooms are on the first floor. Most important, this house is one of four contiguous properties having no rear addition. This fact allows for a large expanse of open yards that are shared by all of these houses. The fifth house to the West of this group has only a very small rear addition, so the sensation of open space is really for five properties: 3, 5, 7, 9, and 11 West Maple Street. Since number 7 is in the middle of this group, placing an addition at the rear of the existing structure would bifurcate the open space that is currently shared by all of the properties, significantly reducing what has become a favorite view and useful yard space for the owners of number 7. As most properties on both sides of this particular block have low chain link fences along their property lines, the sense of open space is particularly of note on this block and the open space is both real and visual for all of the owners, as well as for the abutting properties along West Walnut Street, which backs up to those on Maple. This neighborhood is a family area and children typically play in the rear yards. This is also true for the applicants.

Having spoken to the most affected neighbors, not only would retaining the open space be preferred by them, but by building on top of the existing structure, the extent of construction would also be reduced, as there would be no foundation work. This would eliminate the most disruptive and messiest aspect of construction: the digging and moving of dirt. This would result in shortening the time necessary to complete the project and as a result, it would shorten the time that neighbors would be subjected to the general associated noise and inconvenience of construction.

For these reasons, the applicant is requesting the Special Exception to create a second story space and believes that this is by far the most reasonable location for an addition allowing a family to remain in their home.

