Docket Item #3 BZA Case #2015-0002

Board of Zoning Appeals April 9, 2015

ADDRESS:18 WEST DEL RAY AVENUEZONE:R2-5/RESIDENTIAL SINGLE-FAMILYAPPLICANT:BEVERLY THOMAS LLC BY MICHAEL SCHWARTZ, ARCHITECT

ISSUE: Special exception to construct a second story addition over the existing footprint with a noncomplying north side yard.

EEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEE	SUBJECT	CODE REQMT	APPLICANT PROPOSES	REQUESTED EXCEPTION	
3-506(A)(2)	Side Yard (North)	7.33 feet*	5.20 feet	2.13 feet**	

**Proposed roof eave facing the west property line will project and additional 1.42 feet consistent with the existing roof overhang.

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) 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.



I. <u>Issue</u>

The applicants are proposing to construct a second story addition at 18 West Howell Avenue. The proposed addition would be constructed in line with the existing walls of the one-story dwelling, within the required west side yard.

II. Background

The subject property, an interior lot, is one lot of record with 50.00 feet of; a frontage facing West Del Ray Avenue; a depth of 102.62 feet along the east side property line and 99.77 feet along the west side property line. The property contains 5,057 square feet of lot area in the R-2-5 zone.



The property is currently developed with a one and one-half frame bungalow with a front porch located 12.00 feet from the front property line facing West Del Ray Avenue, 5.20 feet from the west side property line and 15.00 feet from the south side property line. The dwelling was constructed in 1920 and is outside the Town of Potomac Historic District.

R-2-5 Zone	Requirement	Existing	Proposed
Lot Area	5,000 Sq. Ft.	5,057 Sq. Ft.	5,057 Sq. Ft.
Lot Width (W. Del Ray)	50 Ft.	50.00 Ft.	50.00 Ft.
Lot Frontage (W. Del Ray)	40 Ft.	50.00 Ft.	50.00 Ft.
Front Yard (E. Howell Ave) Average Prevailing		12.00 Ft. (front porch) 19.80 Ft. (building wall)	12.00 Ft.(front porch) 19.80 Ft. (building wall)
Side Yard (West)	7.33 Ft. (1:3 with 7' min)	5.20 Northwest	5.20 Northwest
Side Yard (East)			15.00 Southeast
Building Height	Max: 25.00 Ft.	16.50 Ft.	25.00 Ft.
Net FAR	Max: 2,275.65 Sq. Ft. (.45)	1,426.14 Sq. Ft.	2,251.06 Sq. Ft.

III. <u>Description</u>

The applicants propose to construct a second story addition on the footprint of the existing dwelling (see figures 1 and 2). The proposed addition would be located 16.30 feet from the front property line facing West Del Ray Avenue, 5.20 feet from the west

BZA Case #2015-0002 18 West Del Ray Avenue

side property line and 15.00 feet from the east side property line. The height of the addition would measure 25.00 feet to the midpoint of the gabled roof from grade. The proposed addition is to accommodate three bedrooms, two bathrooms, closets and a laundry room on the second floor. A special exception is required to construct the addition in the required west side yard, 5.20 feet from the side property line.





(West Elevation)



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

The subject property is zoned R-2-5 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. <u>Requested Special Exception:</u>

3-506(A)(2) Side Yards (West)

The applicants request a special exception of 2.13 feet from the required minimum 7.33 feet side yard to construct a second story addition 5.20 feet from the west side property line. The proposed eaves would project an additional 1.42 feet into the required side yard.

VI. Noncomplying Structure/ Substandard Lot

The existing building at 18 W. Del Ray Avenue is a noncomplying structure with respect to the following:

Side Yard (West)7.00 feet5.20 feet2.20 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 addition would be completely located within the footprint of the existing dwelling and would not be detrimental to the public welfare. The project would not be a detriment to the neighborhood as it is creating a similar scale of house of its neighbors. The side yard encroachment would have minimal impact of the adjacent property to the west as there would be adequate clearance for sunlight to reach that lot.

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 second story addition would continue to be located in line with the existing building footprint. The light and air to the property to the west would not be negatively impacted and the design would preserve open space on the lot. 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.

Several second story additions have been constructed in the surrounding area. The second story addition would change the massing and the character of the existing bungalow by modifying or eliminating majority of character defining features. While the character of the subject property would be significantly altered, the proposed construction is not unlike many other second story additions in the area.

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 lot's configuration and existing reduced side yard limits the locations on the property where an addition could be constructed in compliance with the zoning requirements. Adding to the rear of the house could be considered an option but, the lot has an average depth of 101.19 feet. The dwelling currently already has a rear extension to the back of the house, a large accessory shed as well as an existing pond that places additional constraints making an addition at the rear while retaining desirable open space an undesirable option.



VIII. Staff Conclusion

Neighborhood Impact

An inspection of the surrounding neighborhood revealed that many homes have been expanded to include second stories. This second story addition is compatible with the mass and height of other homes in the neighborhood.

Light and Air

The property to the west is occupied by a two-story dwelling. The proposed second story addition would continue to be located in line with the existing west side building wall. Rather than construct a rear addition that would significantly reduce open space on the lot and could impact the light and air to the rear yard of the adjacent property to the west, the applicants propose to construct a second story. It is the desire of the applicant to preserve the existing open space on the lot. It is unlikely that light or air to any other property would be negatively impacted by this project.

Lot Constraints

The subject property is a compliant lot of record. The existing dwelling does not comply with the required west side yard setback. The location of the house is such that there is an

existing driveway on the east side of the property. It would not, therefore, be feasible to construct a side yard addition on the east side yard.

Alternatives

Staff has evaluated alternatives that would comply with zoning. These alternatives would greatly reduce open space on the lot

An addition expanding out from the rear of the house towards the south rear property line was considered. This option significantly reduces the desirable open space on the lot and would likely reduce light and air to the adjacent property to the east. The subject building would also become a very long structure viewed for the neighbors and not in character with existing homes.

Staff Conclusion

The lot configuration and the placement of the existing dwelling on the lot restrict development options on the lot. The proposed second story addition would be compatible with the massing in the neighborhood, would preserve the light and air to the adjacent property and maintain the existing open space on the subject property. Staff believes the application meets the criteria for a special exception and <u>recommends</u> <u>approval</u> of the request.

STAFF:

Marlo Ford, Urban Planner, Department of Planning and Alex Dambach, Division Chief, Land Use Services, Department of Planning & Zoning

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 Applicant shall be responsible for repairs to the adjacent city right-of-way if damaged during construction activity. (T&ES)
- R-2 No permanent structure may be constructed over any existing private and/or public utility easements. It is the responsibility of the applicant to identify any and all existing easements on the plan. (T&ES)
- F-1 After review of the information provided, an approved grading plan is not required at this time. Please note that if any changes are made to the plan it is suggested that T&ES be included in the review. (T&ES)
- 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 (Arborist):

F-1 No trees are affected by this application.

Historic Alexandria (Archaeology):

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

Other Requirements Brought 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.

BZA Case # 2015-0000



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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: 3-506 - Bulk and open space regulations.

(B) Side yards. setback ratio 1:3 and min 7ft

PART A

1.	Applicant: 📋 Owner 📋 Contract Purchaser 🖸 Agent
	Name Michael Schwartz AIA for Beverly Thomas LLC
	Address Beverly Thomas LLC
	105 East Uhler Avenue, Alexandria VA 22301
	Daytime Phone BT 703-915-1896 - MS 703-507-7615
	Email Address Michael_Schwartz05@comcast.net
2.	Property Location 18 West Delray Alexandria VA 22301
3.	Assessment Map # 034.01 Block 08 Lot 05 Zone R-2-5
4.	Legal Property Owner Name Andrew Willis or Kerry Varano, Cook
	Address 18 West Delray Avenue
	Alexandria VA 22301



-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 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 N/A		
2.		
3.		

Name	Address	Percent of Ownership	
1.			
² Andrew Willis Cook	18 W Delray Ave	50	
³ Kerry Varano Cook	Alexandria VA 22301	50	

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, <u>click here.</u>

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.)
NONE		
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.

03/05/2015	Michael F Schwartz		-Anota	
Date	Printed Name		Signature	

5. Describe request briefly:

Owner is seeking to add bedroom and washroom space to an existing second floor to meet the growing family need. To achieve this in a reasonable manner the existing roof must be raised. Raising the roof and associated wall planes in the current locations achieves the baseline program. Existing west wall does not meet code. Owner seeks an exception to construct an addition equal to those enjoyed by neighbor properties.

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?

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:

Michael F Schwartz

Print Name

703-507-7615

Telephone

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Signature	V	

02/23/2015 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.

Yes — Provide proof of current City business license.

BZA Case # 2015-00002

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.

Owner is seeking to add bedroom and washroom space to an existing second floor to meet the

growing family need. To achieve this in a reasonable manner the existing roof must be raised.

Raising the roof and associated wall planes in the current locations achieves the baseline program.

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

Proposed special exception will not harm or impact adjoining properties. It will add value and maintain important pervious land area for local drainage.

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

A massing and solar study has been performed and proposed will have minimal effect on light and air to adjacent properties.

BZA Case # <u>8015-07/702</u>

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

Study of precedents resulted in the stepping roof forms used to minimize the massing of the addition. Interweaving of the existing siding with new shingle siding, at dormer elevations, further contributes to the scaling effect. The front porch has been retained preserving the presentation to the street.

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

Architectural scale, proportion, materials and details are inspired by neighbor properties.

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

Second floor sleeping quarters are enjoyed by most all homes on this street. Bedrooms located on elevated levels are known to be more private and secure. Upgrade of the existing second floor to an equal level of enjoyment, as the neighbors, is the owners stated goal. By right expansion of the first level does not meet the goal. By right expansion of a second level fails to meet program requirements and results in an undesirable building geometry at significant increase in cost. The only reasonable approach is to use existing wall/foundation locatic

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.

Owner has been in communication with neighboring property owners regarding the proposed

addition. To date none has voiced concern. Current plan package will be circulated for review and comment.



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 18 West Deiray Avenue Alexandria VA 22301

Zone R-2-5

RFVISFI

A2. 5057.00 sf	x <u>0.45</u>	= 2275.65 sf
Total Lot Area	Floor Area Ratio Allowed by Zone	Maximum Allowable Floor Area

B. Existing Gross Floor Area

Existing Gross Area*		Aliowable Exclusions	
Basement	974.12	Basement**	974.12
First Floor	1053.94	Stalrways**	42.00
Second Floor	487.06	Mechanical**	-
SHED	187.00	Porch/Garage**	-
Porches/Other	227.20	12 STOFY TOBE	487.06
Total Gross*	2929.32	Total Exclusions	1503.18

B1. Existing Gross Floor Area * 2929.32 Sq. Ft. B2. Allowable Floor Exclusions** 1503.18 Sq. Ft. B3. Existing Floor Area minus Exclusions 1426.14 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	- 0	Stairways**	26.00
Second Floor	850.92	Mechanical**	-
	835.00	Porch/Garage**	-
Porches/Other	-	Attic less than 5***	835.00
Total Gross*	1685.92	Total Exclusions	861.00

C1. Proposed Gross Floor Area * 1685.92 Sq. Ft. C2. Allowable Floor Exclusions** 861.00 Sq. Ft. C3. Proposed Floor Area minus Exclusions 824.92 Sq. Ft. (subtract C2 from C1)

D. Existing + Proposed Floor Area

D1. Total Floor Area (add B3 and C3) 2251.06 Sq. Ft. D2. Total Floor Area Allowed by Zone (A2) 2275.65

E. Open Space Calculations Required in RA & RB zones

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Sq. Ft.

*Gross floor area for residential single and twofamily 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 (Section2-145(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.

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

Signature:

Existing Open Space

Required Open Space

Proposed Open Space

Date: 03/05/2015



- D0 Level 0 Existing Demo
- D1 Level 1 Existing Demo
- D3 Level 2 Existing Demo
- EE1 Existing Elev North/South EE2 Existing Elev South/West
- PE1 Proposed Elev North/South
- PE2 Proposed Elev South/West

Prepared by Michael Schwartz AIA for Beverly Thomas LLC

105 East Uhler Ave Alexandria Va 22301 BT 703.915.9816 MS 703.507.7615

Blaylock Design & Build, LLC 18 West Delray Renovations

17

Views Existing

Project number	2015-01	
Date	02/23/2015	00
Drawn by	MS	
Checked by	BB	Scale





105 East Uhler Ave Alexandria Va 22301 BT 703.915.9816 MS 703.507.7615

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18 West Delray Renovations

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Project number	2015-01	
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11 11 10 10 10 10 10 10 10 10	TO STORE AT CONC WALK 5 70'52'00'E'' - 50.00'
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Site Solar Existing - 3/20 12pm	Site Solar Proposed - 3/20 12pm

NOTES 1. TENCES ARE FRAME UNLESS NOTED. 2. TOTAL AREA - \$,057 \$F (COMPUTED)

NOTES 1. FENCES ARE FRAME UNLESS NOTED. 2. TOTAL AREA ~ 5,057 SF (COMPUTED) 3. WALLS ARE 0,7 BRUCK UNLESS NOTED.

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Michael Schwartz AlA	Blaylock Design & Build, LLC	Existing Elev North/East		
for Beverly Thomas LLC		Project number	2015-01	
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Alexandria Va 22301 BT 703.915.9816	Renovations	Drawn by	MS	
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Prepared by Michael Schwartz AIA for Beverly Thomas LLC

105 East Uhler Ave Alexandria Va 22301 BT 703.915.9816 MS 703.507.7615

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Blaylock Design & Build, LLC 18 West Delray Renovations

Existing Elev South/WestProject number2015-01Date02/23/2015Drawn byMS

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18 West Delray Renovations

100 East Custis Ave Alexandria Va 703 507 7615

Project number 2015-01 Date 02/23/2015 PE1 Drawn by MS

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100 East Custis Ave Alexandria Va 703 507 7615

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Renovations

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