

Docket Item #2
BZA Case #2016-0007

Board of Zoning Appeals
May 12, 2016

ADDRESS: 308 COMMERCE STREET
ZONE: CD, COMMERCIAL DOWNTOWN
APPLICANT: WINDMILL HILL, LLC

ISSUE: Special exception to construct a two-story addition in the required west side yard.

CODE SECTION	SUBJECT	CODE REQMT	APPLICANT PROPOSES	REQUESTED EXCEPTION
4-506(A)(2)(b)(1)	Side Yard	5.00 ft	0.00 ft	5.00 ft

The staff **recommends approval** of the request with the condition that the applicant continues to work with historic preservation staff on the design of the addition.

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 Case #2016-0007
308 Commerce Street



I. Issue

The applicant proposes to demolish a one-story rear addition and replace it with a larger two-story addition in the required west side yard at 308 Commerce Street.

II. Background

The subject property is one lot of record with 23.31 feet of frontage facing Commerce Street, 85.34 feet of depth along the east side property line, 84.07 feet of depth along the west side property line, and two rear lot lines positioned at irregular angles with lengths of 11.57 feet and 20.50. The property contains 2,093 square feet of lot area and is complying as to the required lot area for a lot developed with a single-family dwelling in the CD zone. The lot has 23.31 feet of lot width and frontage and is considered substandard because the minimum lot width and frontage required for a single family lot in the CD zone is 25.00 feet.



Figure 1

The subject property is located within the locally regulated Old & Historic Alexandria District (OHAD). Any demolition/capsulation, addition or alterations to the subject property requires a Permit to Demolish/Capsulate or Certificate of Appropriateness from the OHAD Board of Architectural Review.

The subject building is a late 19th century frame structure constructed in the Italianate style with a rear ell, which retains its original Victorian period architecture, full width one-story front porch, and German profile wood siding under the existing aluminum siding.

CD Zone	Requirement	Existing	Proposed
Lot Area	1,452 sq ft	2,093 sq ft	2,093 sq ft
Lot Width	25.00 ft	23.31 ft	23.31 ft
Lot Frontage	25.00 ft	23.31 ft	23.31 ft
Front Yard	Front lot line	Front lot line	Front lot line
Side Yard (West)	5.00 ft	0.00 ft	0.00 ft
Side Yard (East)	5.00 ft	10.70 ft	5.00 ft
Rear Yard	1:2 ratio/ 16.00 ft minimum	27.50 ft	16.00 ft
Building Height	35.00 ft maximum	21.00 ft	24.50 ft

Open Space	35% minimum 732.55 sq ft	65.68% 1,332.77 sq ft	44.61% 933.96 sq ft
Net FAR	1.5 % Maximum (3,139.50 sq ft)	55.89% (1,169.92 sq ft)	59.17% (1,857.74 sq ft)

III. Description

The applicant's proposal is to demolish two detached sheds and the 20th-century cinder block one-story rear addition. The applicants plan to construct a two-story rear addition 5.00 feet from the east side property line, 16.00 feet from the rear property line and abuts the west side property line, in line with the existing west side building wall. The proposed addition would measure 21.00 feet by 18.31 feet with a height of 24.50 feet to the highest portion of the roof. The addition would accommodate a family room on the first floor and a bedroom, bathroom and closets on the second floor.

On June 7, 2005, the Planning Commission approved SUB2005-00004, a subdivision to adjust the property line between two lots at 211 South West Street and 308 Commerce Street. (SUB2005-0004 attached.) The approved subdivision does not impact the requested special exception.

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

IV. Master Plan/Zoning

The subject property is zoned CD and has been so zoned since adoption of the Third Revised Zoning Map in 1951 and is identified in the King Street Metro/ Eisenhower Avenue Small Area Plan for office or residential use.

V. Requested Special Exception

4-506(A)(2)(b)(1) Side Yard (west)

The applicants request a special exception of 5.00 feet from the required 5.00 foot west side yard to construct a two story addition abutting the west side property line in line with the existing west building wall.

VI. Noncomplying Structure/Lot

The existing property at 308 Commerce is a noncomplying structure and lot with respect to the following:

<u>Regulation</u>	<u>Required</u>	<u>Existing</u>	<u>Noncompliance</u>
Side Yard (west)	5.00 ft	0.00 ft	5.00 ft
Lot Frontage	25.00 ft	23.31 ft	1.69 ft
Lot Width	25.00 ft	23.31 ft	1.69 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.

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

The applicant is proposing to remove two detached sheds and replace a non-historic cinderblock addition with a modest two-story rear addition. The rear of the lot is the most appropriate place for an addition to respect the existing historic building. Figures 2 and 3 below show the existing rear addition.



Figure 2



Figure 3

- 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 subject property is surrounded by several three-story buildings. It would be unlikely that the proposed rear two-story rear addition would reduce light or air to any adjacent property or impact traffic in any way. The proposed addition would align with the taller and larger wall of the adjacent property, so it would not adversely affect light or air to adjoining properties. The addition would be required to comply with all building Code requirements to ensure safety.

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

The proposed two-story addition would be located in the rear of this property and would be compatible with the character of the neighborhood and zone. If the special exception is granted, the Board of Architectural Review must approve the final design of the additions.

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

Several properties in the surrounding area have constructed rear additions. The overall size and height of the addition area modest.

- 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 narrowness of the lot, the placement of the existing historic dwelling on the lot, the configuration of the rear lot line and the requirement to provide setbacks of 5.00 feet on each side of the dwelling would result in a small, unusually narrow addition that would not be functional for the applicant.

VIII. Staff Analysis and Conclusion

Neighborhood Impact

The proposed addition would be located to the rear of the dwelling and would read as a background element and should not overwhelm the historic building. Staff believes that granting a special exception for this two-story rear addition would not adversely affect the character of the neighborhood or the existing historic building. If the special exception is granted, the proposed addition must be reviewed and approved by the Old and Historic Alexandria Board of Architectural Review.

Light and Air

The removal of the two detached sheds would unclutter the rear yard and create a more concentrated area of open and useable space. The subject property is surrounded by several taller buildings. It is unlikely that the proposed two story rear addition would reduce light or air to any other property.

Lot Constraints

The lot is more narrow than is required by the zone, and the existing building is located on the west side property line. The existing historic wall along the shared west side property line are abutting the adjacent building and are not constructed as a party wall. Therefore a setback of 5.00 feet is required from both the east and west side property lines. The narrowness of the lot and the requirement to provide two 5.00 foot side yard setbacks would result in a less functional addition that would be only 13.31 feet wide.

The addition cannot extend any further towards the rear property line without requesting relief from the required 16.00 foot rear yard setback.

Alternatives

The applicants have worked with the historic preservation staff to determine the most appropriate location for an addition to this property. An addition to the rear and in alignment with existing west side wall is the most appropriate place for an addition to respect the existing historic building.

Staff Conclusion

Staff concludes that for the reasons above, the proposed two-story rear addition does meet the criteria for a special exception and **recommends approval** of the request with the condition that the applicant continue to work with historic preservation staff on the design of the proposed addition.

Staff: Mary Christesen, Acting Zoning Manager
Alex Dambach, Land Use Services Division Chief

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 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)

Code Administration:

- C-1 A demolition Permit, plan review and inspections are required prior to removing existing structures.

- C-2 A Building permit , plan review and inspections are required to construct new addition
- C-3 There are no openings allowed three feet from the property line. New Addition proposed location appears to be directly next to the property line.

Recreation (Arborist):

No comments received.

Historic Alexandria (Archaeology):

- F-1 The dwelling standing on the lot may date to the early nineteenth century. The property therefore has the potential to yield archaeological resources which could provide insight into life in Alexandria during the nineteenth century.
- R-1 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.
- R-2 The applicant/developer shall not allow any metal detection or artifact collection to be conducted on the property, unless authorized by Alexandria Archaeology.
- R-3 The statements in archaeology conditions above marked with an asterisk “*” 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.

Historic Preservation

- F-1 The subject property is located within the locally regulated Old & Historic Alexandria District (OHAD). Any demolition/capsulation, addition or alterations to the subject property requires a Permit to Demolish/Capsulate or Certificate of Appropriateness from the OHAD Board of Architectural Review.
- C-1 The applicant’s proposal is a special exception to demolish a 20th-century cinder block one-story rear addition and to construct a larger, two-story rear addition.
- C-2 The subject building is a late 19th century frame structure constructed in the Italianate style with a rear ell, which retains its original Victorian period, full width one-story front porch and German profile wood siding under the existing aluminum siding.
- C-3 Staff supports restoration of main block and rear ell and retainment of the original historic fabric on the exterior. The proposed new, rear addition must read as a background element and should not overwhelm the historic building. The height of the addition and

the roof form should be subservient to the historic dwelling. Staff believes that granting a special exception for a two-story rear addition will not adversely affect the ell however there may need to be some design modification to ensure compatibility. The rear of the lot is the most appropriate place for an addition to respect the existing historic blocks.



APPLICATION BOARD OF ZONING APPEALS

SPECIAL EXCEPTION FOR ADDITIONS

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

PART A

1. Applicant: ☐ Owner ☒ Contract Purchaser ☐ Agent

Name Windmill Hill, LLC

Address 210 N. LEE STREET SUITE 206
ALEXANDRIA VA 22314

Daytime Phone 703-989-7399

Email Address mike@wmhhomes.com

2. Property Location 308 Commerce Street

3. Assessment Map # 074 Block 01 Lot 12 Zone 25

4. Legal Property Owner Name 308 Commerce Street Partnership

Address Attn: Jen Parker 6320 Auguste DR Unit 801
Springfield VA 22150

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. MIKE DAMERON	120 RANDOLPH AVENUE	50%
2. Leigh Dameron	Alexandria VA 22301	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 308 Commerce Street (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. 308 Commerce St. Partnership	6320 Augusta Dr. unit 801	100%
2.	Springfield VA 22150	
3.		

3. Business or Financial Relationships. Each person or entity indicated above in sections 1 and 2, with an ownership interest in the applicant or in the subject property are required to disclose any business or financial relationship, as defined by [Section 11-350 of the Zoning Ordinance](#), existing at the time of this application, or within the 12-month period prior to the submission of this application with any member of the Alexandria City Council, Planning Commission, Board of Zoning Appeals or either Boards of Architectural Review. All fields must be filled out completely. Do not leave blank. (If there are no relationships please indicate each person or entity and "None" in the corresponding fields).

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

Name of person or entity	Relationship as defined by Section 11-350 of the Zoning Ordinance	Member of the Approving Body (i.e. City Council, Planning Commission, etc.)
1. Windmill Hill LLC	NONE	N/A
2. MIKE DAMERON	NONE	N/A
3. Leigh Dameron	NONE	N/A

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.

03/25/2016
Date

JAMES M DAMERON
Printed Name


Signature

5. Describe request briefly:

11' x 9' rear addition will be demolished. A new two story addition will be built along the abutting wall to the rear yard set back of 16' from rear property line. 5' offset will be maintained along the NE property line. A "Special exception for additions" will be requested.

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.

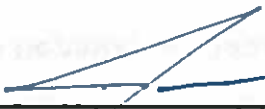
APPLICANT OR AUTHORIZED AGENT:

JAMES M DANERON

Print Name

703-989-9391

Telephone



Signature

03/25/2016

Date

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

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

PART B (SECTION 11-1304)

APPLICANT MUST EXPLAIN THE FOLLOWING:

(Please use additional pages where necessary.)

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

With the front two sections of the house being considered historic by the BAR staff on a site visit. The existing structure does not fit the applicants needs as it cant be added onto or modified. Therefore the rear addition will provide the ability to have a modern kitchen, family room, as well as master bedroom. Without the special exception for the proposed addition only a strange and out of place center addition 13' wide can be constructed

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

No impact or harm will be incurred by any neighbors or adjoining properties. All construction debris and materials will be contained on site during construction. All downspouts will be hard piped to storm sewer at front of property

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

The proposed addition will have a finish height of less than 19'. Most of the surrounding properties have 3rd stories so our proposed addition would be below the neighbors

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

In an effort to preserve the front two historic sections we have worked with BAZ staff on a footprint that would be compatible to those previously approved in the historic district with similar lot dimensions and existing structure

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

BAZ STAFF provided us an example of another project that they thought was similar in scale and appropriate for our proposed addition. Project address was 522 GIBBON STREET.

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

To respect the CD zoning of 5' offset on both side yards we would be left with a center addition that would not be architecturally appropriate for the two front historic structures. A center addition would also not allow for any feasible floor plan design.

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.

Verbal discussions have occurred with both neighbors on either side of the property about our intended changes and added footprint but no plans were available at time of BZA submission



DEPARTMENT OF PLANNING AND ZONING FLOOR AREA RATIO AND OPEN SPACE CALCULATIONS

A. Property Information

A1. Street Address 308 Commerce Areet Zone C1
 A2. 2093 x 1.5 = 3,139.50
 Total Lot Area Floor Area Ratio Allowed by Zone Maximum Allowable Floor Area

B. Existing Gross Floor Area

Existing Gross Area*		Allowable Exclusions	
Basement	0	Basement**	0
First Floor	607.51	Stairways**	25
Second Floor	499.91	Mechanical**	5
Third Floor	0	Other**	
Porches/ Other	63	Total Exclusions	30
Total Gross *	1,169.92		

B1. Existing Gross Floor Area *
1,169.92 Sq. Ft.
 B2. Allowable Floor Exclusions**
30 Sq. Ft.
 B3. Existing Floor Area minus Exclusions
1,139.92 Sq. Ft.
 (subtract B2 from B1)

C. Proposed Gross Floor Area (does not include existing area)

Proposed Gross Area*		Allowable Exclusions	
Basement	0	Basement**	0
First Floor	301	Stairways**	5
Second Floor	411.92	Mechanical**	
Third Floor		Other**	
Porches/ Other	10	Total Exclusions	5
Total Gross *	722.92		

C1. Proposed Gross Floor Area *
722.92 Sq. Ft.
 C2. Allowable Floor Exclusions**
5 Sq. Ft.
 C3. Proposed Floor Area minus
 Exclusions 717.92 Sq. Ft.
 (subtract C2 from C1)

D. Existing + Proposed Floor Area

D1. Total Floor Area (add B3 and C3) 1,857.84 Sq. Ft.
 D2. Total Floor Area Allowed by Zone (A2) 3,139.50 Sq. Ft.

*Gross floor area is the sum of all gross horizontal areas under roof, measured from the face of exterior walls, including basements, garages, sheds, gazebos, guest buildings and other accessory buildings.

** Refer to the zoning ordinance (Section 2-145(B)) and consult with zoning staff for information regarding allowable exclusions.

If taking exclusions other than basements, floor plans with excluded areas must be submitted for review. Sections may also be required for some exclusions.

F. Open Space Calculations

Existing Open Space	<u>1,332.74</u>
Required Open Space	<u>732.55</u>
Proposed Open Space	<u>933.96</u>

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

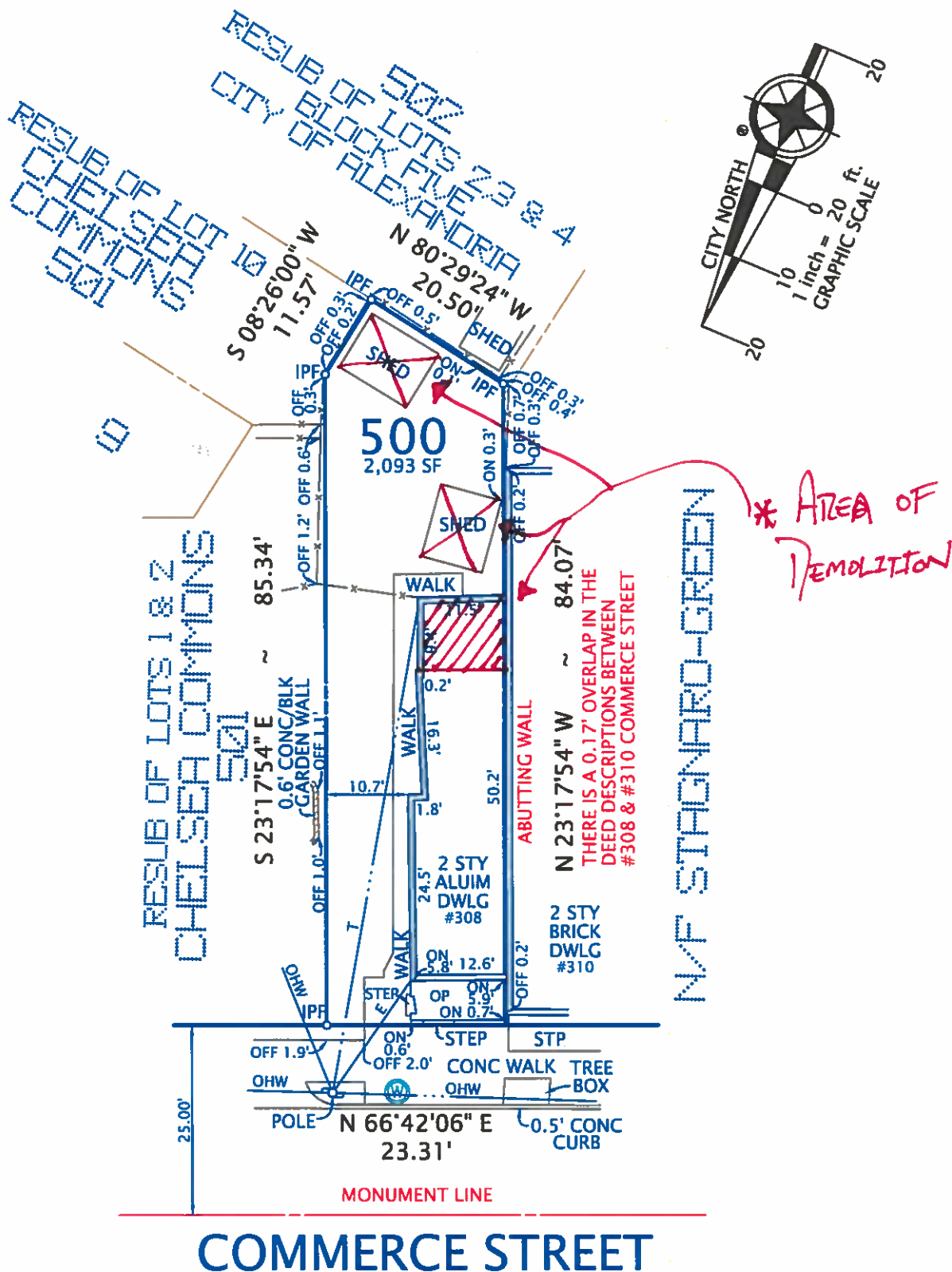
Signature: _____ Date: 04/07/2016

Updated July 10, 2008

Existing house location survey and demolition plan

NOTES: 1. FENCES ARE FRAME.

BZA2016-0007

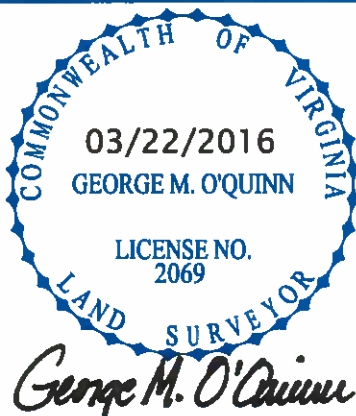


I HEREBY CERTIFY THAT THE POSITIONS OF ALL THE EXISTING IMPROVEMENTS HAVE BEEN CAREFULLY ESTABLISHED BY A CURRENT FIELD SURVEY AND UNLESS SHOWN THERE ARE NO VISIBLE ENCROACHMENTS AS OF THIS DATE:

THIS PLAT IS SUBJECT TO RESTRICTIONS OF RECORD.

A TITLE REPORT WAS NOT FURNISHED.

NO CORNER MARKERS SET.



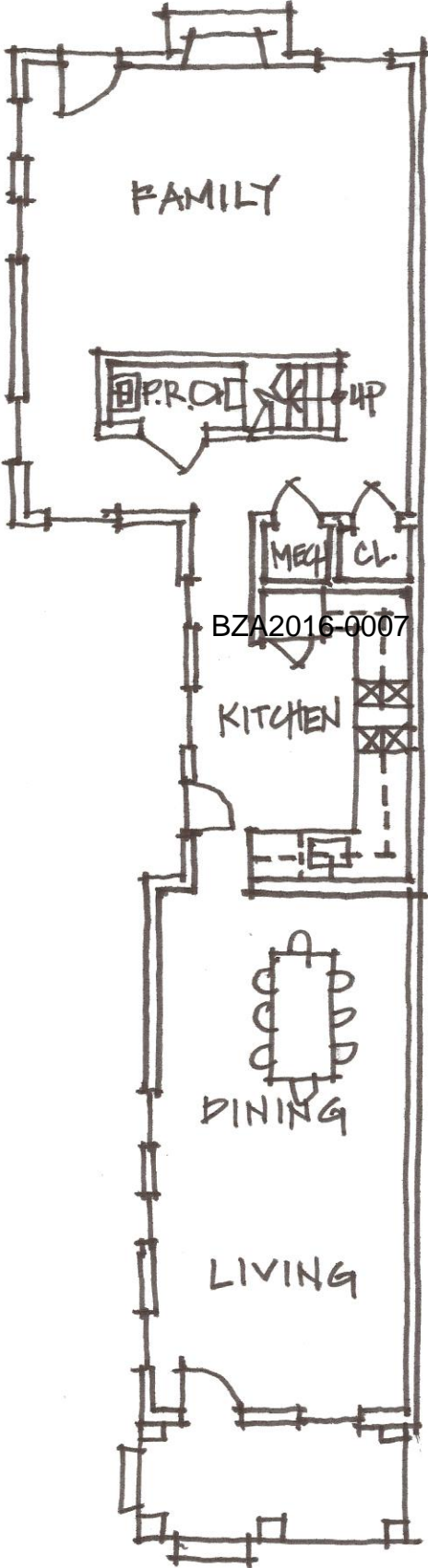
ORDERED BY:

WINDMILL HILL DESIGN BUILD

DOMINION Surveyors Inc.®

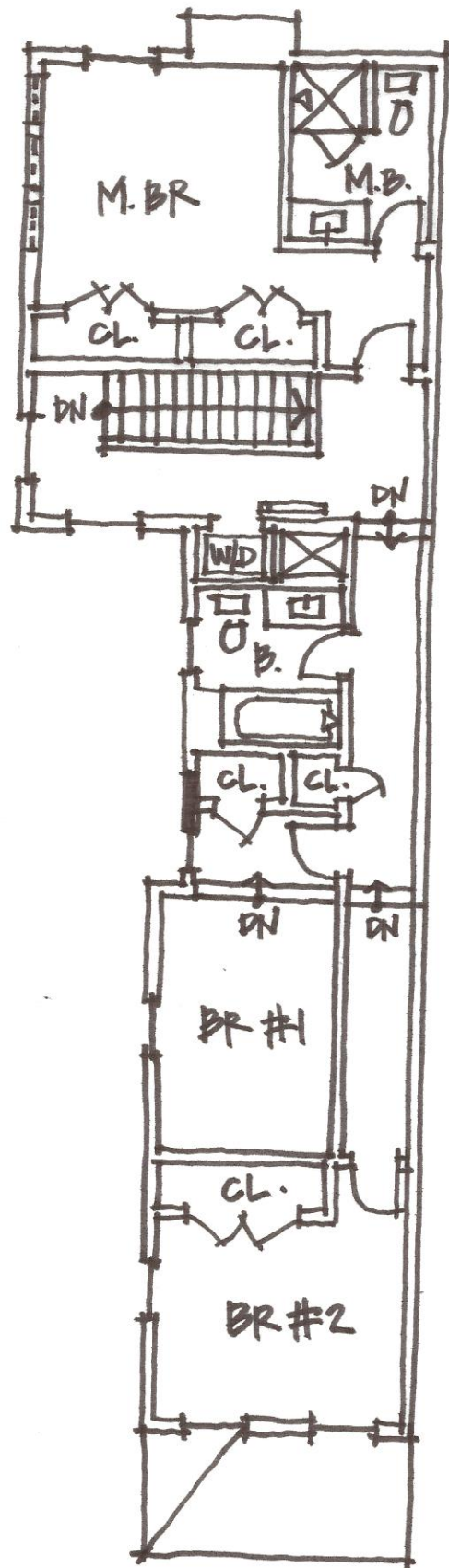
8808-H PEAR TREE VILLAGE COURT
ALEXANDRIA, VIRGINIA 22309
703-619-6555
FAX: 703-799-6412

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BZA2016-0007

1st FLOOR 1/8"=1'-0"
308 COMMERCE ST. 04.05.16



2ND FLOOR 1/8"=1'-0"
 308 COMMERCE ST. 04.05.16

BZA2016-0007



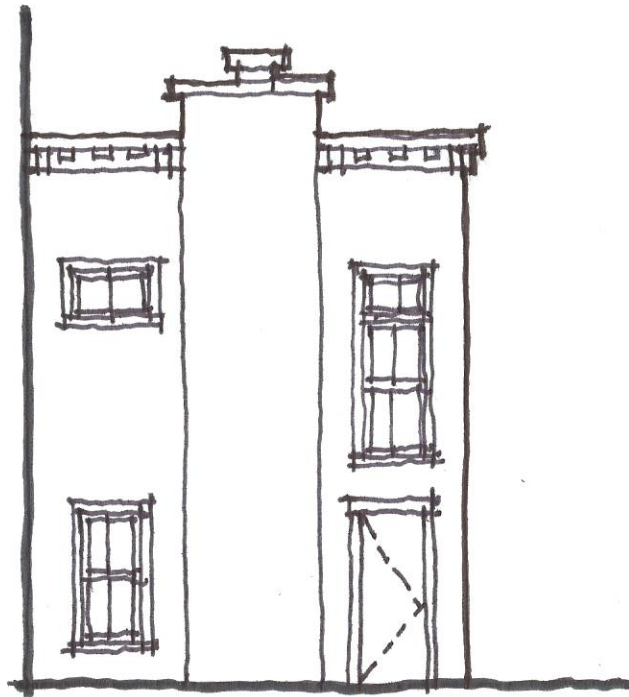
FRONT ELEVATION
308 COMMERCE ST.

$\frac{1}{8}'' = 1'-0''$
04.05.16



SIDE ELEVATION
308 COMMERCE ST.

$\frac{1}{8"} = 1'-0"$
04.05.16



REAR ELEVATION
308 COMMERCE ST.

$\frac{1}{8}'' = 1'-0''$
04.05.16

March 28, 2016

Board of Zoning Appeals
Alexandria, VA 22314

RE: Request for Board of Zoning Appeals, 308 Commerce Street

To Whom It May Concern,

Mr. and Mrs. Dameron of Windmill Hill, LLC would like to formally request a hearing with the Board of Zoning Appeals to review to obtain approval for special exception for addition to their property at 308 Commerce Street, Alexandria, Virginia.

As we understand it from on-site discussion with BAR Staff Al Cox and Catherine Miliaras, 308 Commerce Street was built in the late 1700's or early 1800's and with a small addition added in the 1960s. We will maintain the original 1700/1800 structures but are requesting to demolish the 1960s addition. Our requested addition will encompass the area of the removed 1950 addition plus an additional 12' towards the rear of the property for a new footprint of 18.31' wide by roughly 22' deep (shown on Survey Plat of Demolition Application). The new addition will maintain current CD Zoning mandated 5' offset from property line along the NE property line. The Special Exception for Additions is requested along the "abutting wall" with 310 Commerce Street.

Inclusive in this document are all of the requirements for the Board of Zoning Appeals "Special Exception for Additions"

- Description of reason requested Special Exception for Additions.
- Description of alternatives and why they are not feasible
- Scaled survey plat showing dimensions of lot and location of existing building and other structures of the lot.
- Scaled survey plot showing location of proposed addition and all exterior ground and roof mounted equipment
- Photographs of all elevations.

Furthermore, this package includes a CD containing an electronic copy of this file.

Thank you for your consideration.

Sincerely,
Michael & Leigh Dameron

Mike Dameron cell: 703-989-7399 mike@wmhhomes.com
Leigh Dameron cell: 571-345-5558 leigh@wmhhomes.com

SPECIAL EXCEPTION FOR ADDITION REQUEST

Description of Proposed Work – Demolition & Addition

As we understand it, the rear addition was built in the 1950s and is not part of the original, historic structure. To the best of our knowledge, material to be removed will be:

- 8 inch concrete masonry block
- Deteriorated rubber roof
- 1 door
-

Windmill Hill, LLC would like to request a SPECIAL EXCEPTION FOR ADDITION to add a rear 2 story addition 22' deep off the rear historical structure and 18.31' off the "abutting wall" with 310 Commerce Street. The new addition would maintain the required 16' rear property line offset as well as the 5' side yard offset with 306 Commerce Street per CD Zoning Code. The requested special exception would apply to rebuild to the abutting wall in its current location (1960's structure) as well as an additional 12' addition along the abutting wall – the new addition would not cover up any existing windows or doors along the abutting wall with 310 Commerce Street.

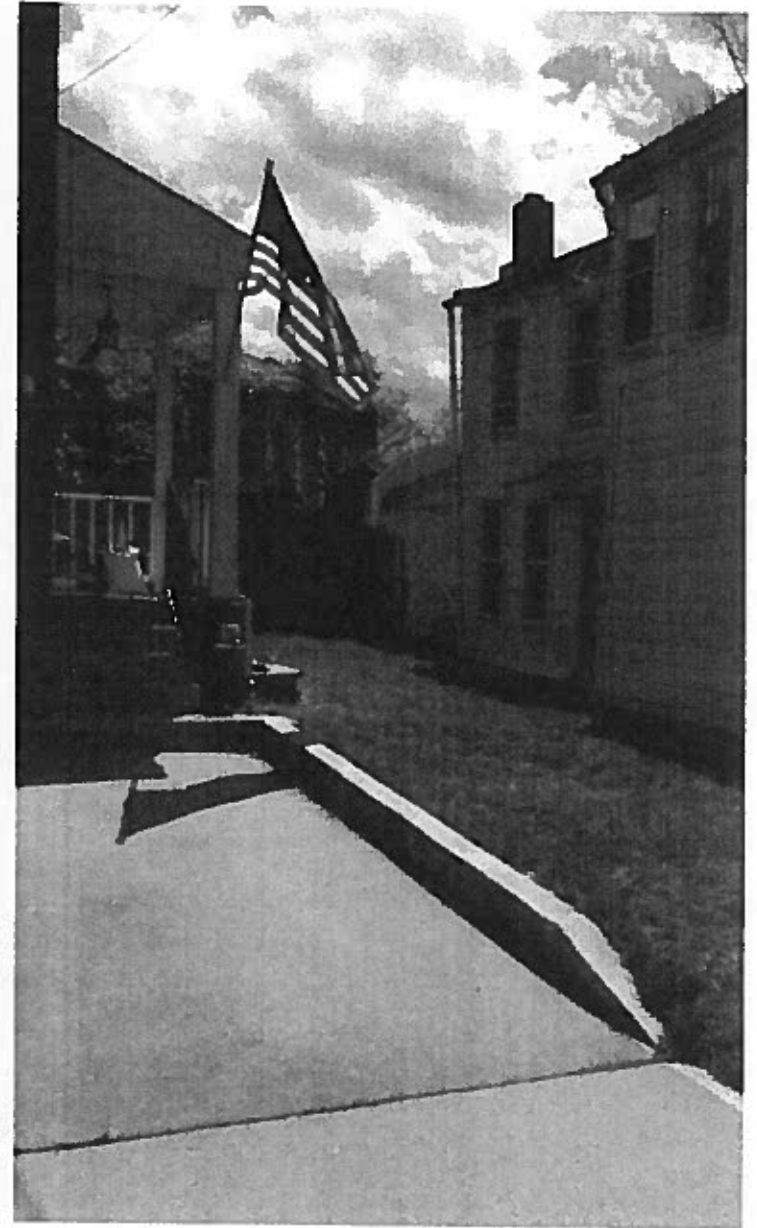
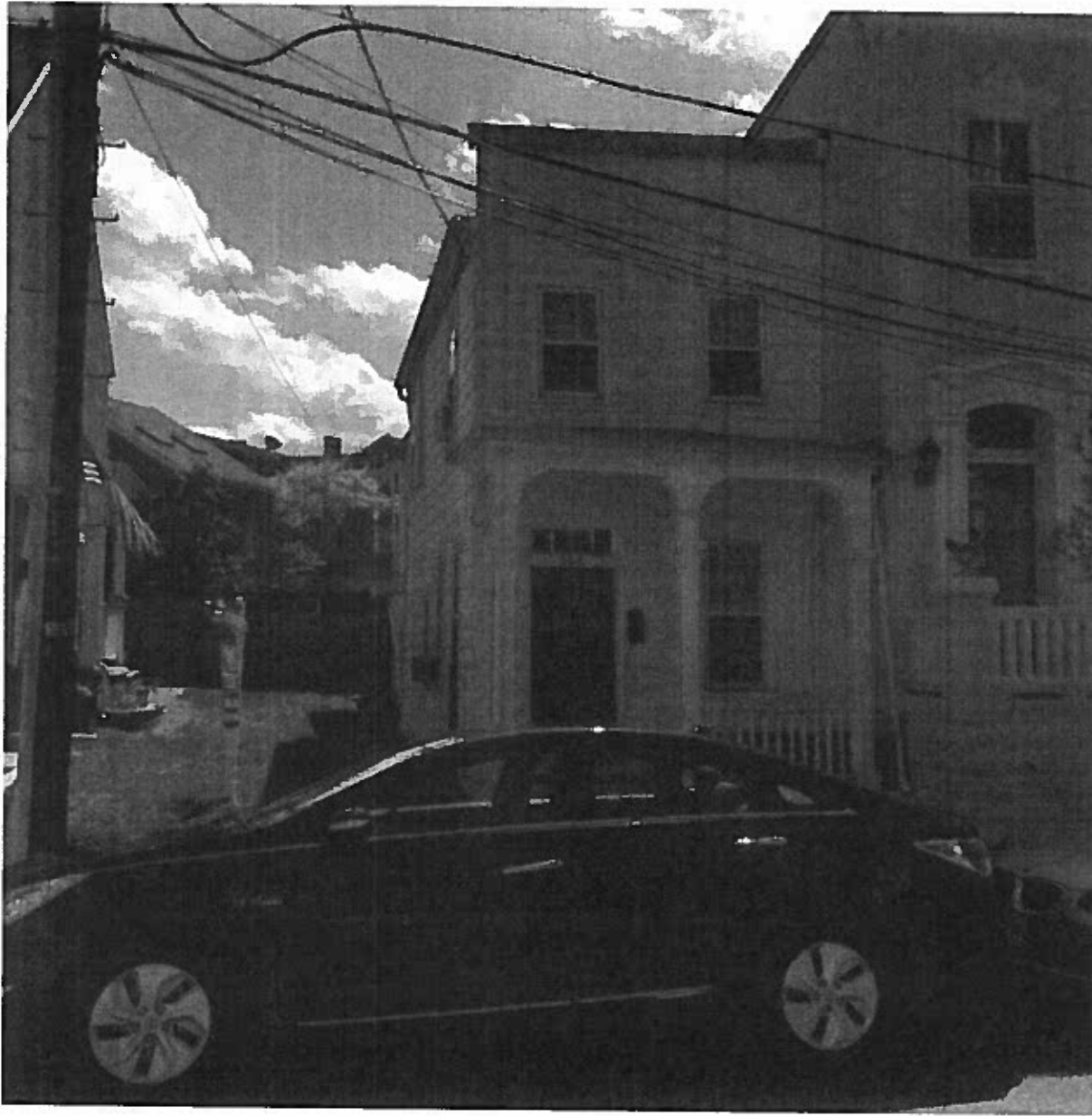
Description of the Alternatives to the Demolition/Encapsulation

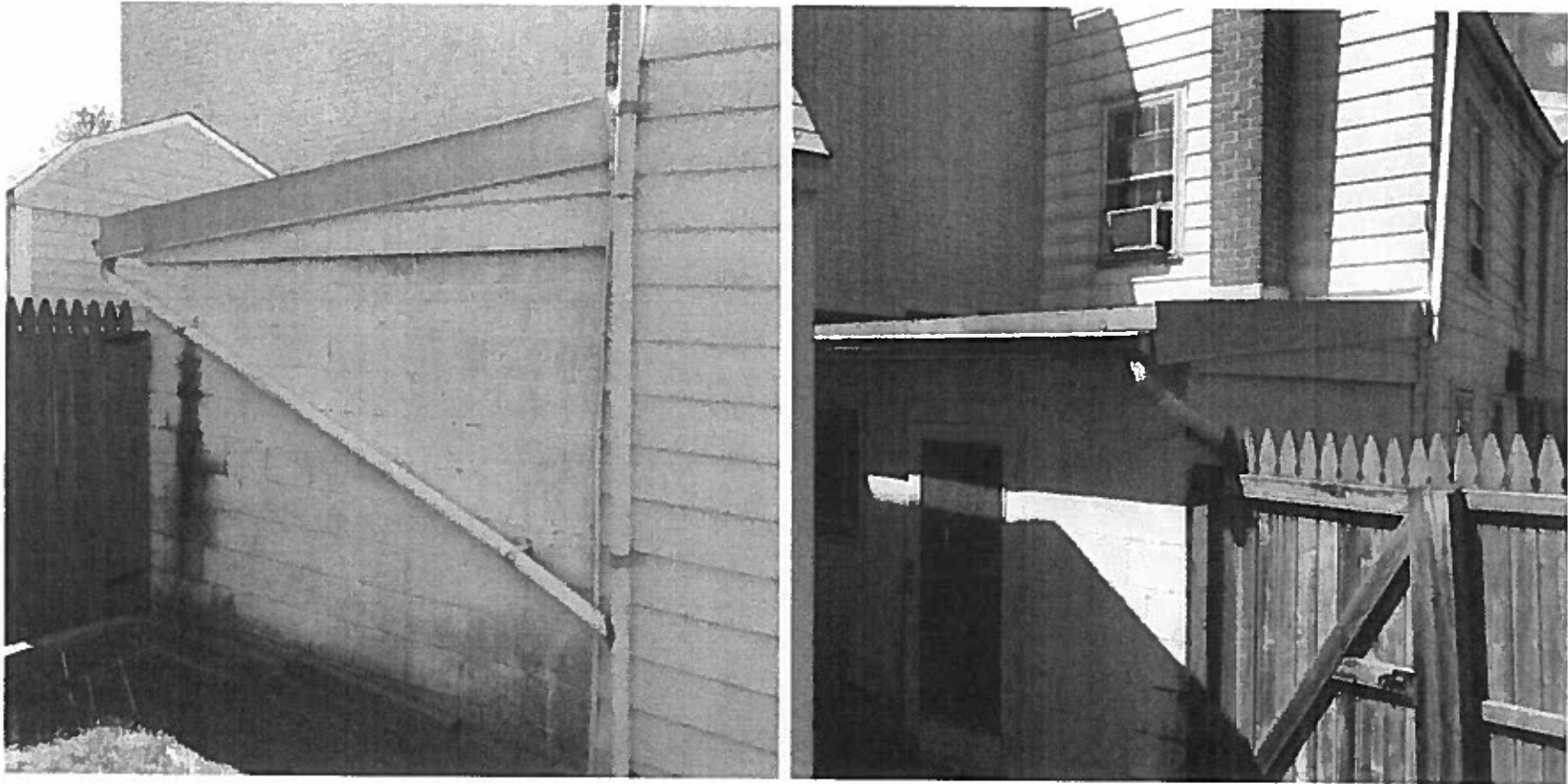
The only perceived alternative to demolition is to use existing shed structure (rear elevation) internally within the proposed addition.

Why these Alternatives are Not Considered Feasible

This is not considered feasible because the existing structure does not have fully functioning plumbing, electrical systems or HVAC, Kitchen & working bathroom.

Furthermore, there is not available information regarding the structural integrity of the footings, slab, and foundation walls. The structural integrity of these items must be verified in order for us to create the addition.







Location of 308 Commerce Street Alexandria, VA 22314

Docket Item #19
SUBDIVISION #2005-0004

Planning Commission Meeting
June 7, 2005

This subdivision would have been automatically approved if not acted on by April 11, 2005, except that the applicant has waived the right to automatic approval.

ISSUE: Consideration of a request for subdivision.

APPLICANT: Mary Jane Gardner

LOCATION: 211 S. West Street and 308 Commerce Street

ZONE: RM/Residential and CD/Commercial Downtown

PLANNING COMMISSION ACTION, JUNE 7, 2005: By unanimous consent, the Planning Commission approved of the request, subject to compliance with all applicable codes, ordinances and staff recommendations.

Reason: The Planning Commission agreed with the staff analysis.

STAFF RECOMMENDATION: Staff recommends **approval** subject to compliance with all applicable codes and ordinances and the recommended conditions found in Section III of this report.

SITE GRAPHIC
AVAILABLE IN THE PLANNING AND ZONING OFFICE



I. DISCUSSION:

REQUEST

The applicant, Mary Jane Gardner, requests approval for a subdivision to adjust the property line between two lots at 211 South West Street and 308 Commerce Street.

SITE DESCRIPTION

There are two properties that are the subject of the requested subdivision. The first lot at 308 Commerce Street, has a frontage of 16 feet on Commerce, a lot depth of 79 feet, and a total lot area of 2,135 feet. The second lot at 211 South West Street has a lot frontage of 22 feet, a lot depth of 75 feet, and a total lot area of 1,745 square feet. The properties are generally perpendicular to each other, and share rear property lines. Both lots are occupied by residential townhouse dwellings.

The surrounding area is occupied by residential townhome dwellings.



PROJECT DESCRIPTION

The applicant proposes to adjust the property line between two properties. The property at 308 Commerce has a small shed located at the back of the property, limiting access to a triangular area of 42 square feet behind it facing the rear of the property at 211 South West Street. According to the applicant, the owners at 308 Commerce are unable to utilize the land because of the placement of the shed. The proposed subdivision would adjust the property line so that this triangular piece would become part of the property at 211 South West Street.

The applicant proposes to cultivate the area with a small flower garden and flowering tree. No other changes are proposed.



COMPLIANCE WITH RM/CD ZONE REGULATIONS

The property at 308 Commerce Street is located in the CD/Commercial downtown zone, and the property at 211 South West Street is located in the RM/Residential multi-family zone. Both

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properties will comply with the zoning regulations in their respective zones if the subdivision is approved. The RM and CD standards and the corresponding information for the subject properties are as follows:

RM STANDARDS (Applies to 211 South West Street)			
Standard	RM Requirement	211 S West Existing	211 S West Proposed
Lot Area	1,452 s.f.	1,745 s.f.	1,787 s.f.
Lot Width - Townhouse	18'	22.33'	22.33'
Front Yard	0	20.9'	20.9'
Side Yard	5'	6'	6'
Rear Yard	16'	15.2'	21.3'
Open Space	35% (625 s.f.)	688 s.f.	730 s.f.
FAR	1.50	.85	.85

CD STANDARDS (Applies to 308 Commerce Street)			
Standard	RM Requirement	211 S West Existing	211 S West Proposed
Lot Area	1,452 s.f.	2,135 s.f.	2,093 s.f.
Lot Width - Townhouse	18'	23.31'	23.31'
Front Yard	0	5.9'	5.9'
Side Yard	5'	10.8'	10.8'
Rear Yard	16'	27.7'	27.7'
Open Space	40% (837 s.f.)	1,361 s.f.	1,319 s.f.
FAR	1.50	.52	.52

Section 11-1710(B) of the zoning ordinance requires a subdivision to meet the following standard:

No lot shall be resubdivided in such a manner as to detract from the value of the adjacent property. Lots covered by a resubdivision shall be of substantially the same character as to suitability for residential use, areas, street frontage, alignment to streets and restrictions as other land within the subdivision, particularly with respect to similarly situated lots within the adjoining portions of the original subdivision.

MASTER PLAN

The properties are located in the King Street Metro/Eisenhower Avenue Small Area Plan chapter of the Master Plan.

II. STAFF ANALYSIS:

Staff does not object to the subdivision of the properties at 308 Commerce Street and 211 South West Street. It is a small area of only 42 square feet and does not create a significant change in the shape or character of the lots.

Staff recommends approval subject to the following condition.

III. STAFF RECOMMENDATION:

Staff recommends **approval** subject to compliance with all applicable codes and ordinances and the following conditions:

1. Final subdivision plat shall comply with the provisions of Section 11-1709 of the City's Zoning Ordinance. (T&ES) (P&Z)

STAFF: Eileen Fogarty, Director, Department of Planning and Zoning;
Richard Josephson, Deputy Director;
Valerie Peterson, Urban Planner.

Staff Note: This plat will expire 18 months from the date of approval, or on December 7, 2006, unless recorded sooner.

IV. CITY DEPARTMENT COMMENTS

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

Transportation & Environmental Services:

- F-1 T&ES has no objections to the proposed subdivision.
- R-1 Final subdivision plat shall comply with the provisions of Section 11-1709 of the City's Zoning Ordinance.

Code Enforcement:

- F-1 The proposed change in the property line will affect the shed at the rear of 308 Commerce Street. The rear shed will be located within 5 feet of an interior lot line and will be required to meet C-1 below.
- C-1 All exterior walls within 5 feet from an interior property line shall have a fire resistance rating of 1 hour, from both sides, with no openings permitted within the wall. As alternative, a 2 hour fire wall may be provided. This condition is also applicable to skylights within setback distance.

Police Department:

- F-1 The Police Department has no objections to the re-subdivision of the land for the purpose of squaring off applicant's back property and then using it as a small flower garden.

Historic Alexandria Commission (Archaeology):

BZA #2016-0007

For reference

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F-1 No comments.

**REPORT ATTACHMENTS AVAILABLE
IN THE PLANNING AND ZONING OFFICE**