Docket Item #4 BZA Case #2016-0016

Board of Zoning Appeals November 10, 2016

ADDRESS:1316 BISHOP LANEZONE:R-20/RESIDENTIAL SINGLE-FAMILYAPPLICANT:JAMES FINN, HARRY BRASWELL INC.

ISSUE: Special exception to install an open front porch in a required front yard.

CODE	SUBJECT	CODE	APPLICANT	REQUESTED
SECTION		REQMT	PROPOSES	EXCEPTION
7-2503(A)	Front Yard	70.45 feet*	45.10 feet	25.35 feet

* Based on the average front setback of the block face in the Bishop Lane cul-de-sac to the intersection with Vicar Lane. Measurement taken from property line to closest covered projection.

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 with the following conditions it must comply with the code requirements under the department comments and the applicant must submit the following prior to the final inspection: a survey plat prepared by a licensed surveyor confirming building footprint, setbacks and building height compliance from average preconstruction grade. 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 #2016-0016 1316 Bishop Lane



I. <u>Issue</u>

The applicant proposes to install an open front porch in the required front yard located at 1316 Bishop Lane.

II. Background

The subject property is one lot of record with 190 feet of frontage facing Bishop Lane, a depth of 261.09 feet along the west side and 230.54 feet along the east side, and a width of 192.54 feet along the rear property line. The property contains 46,703.00 square feet of lot area. The subject property exceeds the lot size minimum, frontage, and lot size requirements for a lot in the R-20 zone.

R-20 Zone	Requirement	Existing	Proposed	
Lot Area	20,000.00 sq. ft.	46,703.00 sq. ft.	46,703.00 sq. ft.	
Lot Width	100.00 ft.	190.00 ft.	190.00 ft.	
Lot Frontage	75.00 ft.	190.00 ft.	190.00 ft.	
Front Yard*	70.45 ft.	51.10 ft.(building wall)	51.10 ft.(building wall)	
	70.45 II.	45.60 ft. (front porch)	45.10 ft. (front porch)	
Side Yard	12.00 ft.	12.60 ft.	12.60 ft.	
	(1:2, 12 ft. min)	12.00 ft.	12.00 II.	
Side Yard	12.00 ft.	68.10 ft.	68.10 ft.	
	(1:2, 12 ft. min)	00.10 It.	00.10 II.	
Rear Yard	12.00 ft.	167.00 ft.	167.00 ft.	
	(1:1, 12 ft. min)	(varies)	(varies)	
Building	25.00 ft.	25.50 ft.**	25.50 ft.**	
Height	<i>23.00</i> II.	23.30 IL.	23.30 IL.	
Net FAR	Max: 11,675.75	4,524.50 sq. ft.	4,524.50 sq. ft.	
	sq. ft. (.25)	+,52+.50 sq. II.	4,524.50 Sq. II.	

Table 1. Zoning Table

*Measurement taken from property line.

**Measured from the actual grade (at the right side) to the mid-point of the gable.

The lot is currently developed with a detached two-story single-family dwelling located 51.10 feet (building wall) from the front property line (or 68.00 feet from the curb face), 12.60 feet from the west side property line, 68.10 feet from the east side property and between 155.00 to 167.00 feet from the north property line. According to real estate records the residence was constructed in 1953.

III. <u>Description</u>

The applicant proposes to remove the existing semi-circular entry porch and install a new rectangular open front porch. The proposed porch would be slightly larger than the original porch and would be located in same approximate location. Per Section 11-1302, the proposed enlargement of the porch and proposed location in the required yard would require a special exception. The proposed porch measures approximately 11.00 feet wide

by 6.00 feet deep with a total of 66.00 square feet. The proposed porch would be located 45.10 feet from the property line (or 62.00 feet from the curb face) and 83.00 feet from the east side property line and 100.00 feet from the west side property line.

Per section 7-2504 of the Zoning Ordinance, the infill regulations allow an open front porch to be deducted from the floor area total. The proposed porch would be located on the front building wall. The porch would measure approximately 13.33 feet in height from the average grade to the highest point of the porch roof facing the front yard property line. The proposed porch requires a special exception to be located in the required front yard.

Upon completion of the work, the proposed project will continue to comply with the net floor area requirements. (Refer to attached FAR calculations.)

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

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

The subject property is currently zoned R-20 and has been so zoned since adoption of the Fifth Revised Zoning Map in 1992. It is identified in the Taylor Run/Duke Street Small Area Plan for a residential use.

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

7-2503(A) Average Front Setback

This section of the zoning ordinance requires a front setback of 70.45 feet based on the average setback of the block face of dwelling units located on Bishop Lane, which is a cul-de-sac where many comparable houses front have curving front lot lines and houses positioned based on the street's circular alignment. The measurements were taken from property line to building front wall. The applicant's request is for a special exception of 25.35 feet to construct the open front porch 45.10 feet from the property line facing Bishop Lane (or 62.00 feet from the curb face). The original porch is located 45.60 feet from the property line facing Bishop Lane (62.50 feet from the curb face).

VI. 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 front porch would not be detrimental to the public welfare. The Infill Task Force Recommendations state that "open front porches can be a neighborhood-friendly design asset that enhances the value of a homeowner's property and the neighborhood as a whole."

The subject property has an existing porch. The original porch is semicircular with three semi-circular steps. The original porch is approximately 11.00 feet wide by 5.50 feet deep and is located 45.60 feet from the property line facing Bishop Lane. The proposed porch would be slightly larger than the original porch and would be located in the same approximate location. Per Section 11-1302, the proposed enlargement of the porch and proposed location in the required yard would require a special exception. The proposed porch would be rectangular and measure approximately 11.00 feet wide by 6.00 feet deep with a total of 66.00 square feet. The proposed porch appears to increase in depth by 0.50 feet and would be located 45.10 feet from the property line facing Bishop Lane. The proposed change is minimal and does not appear to alter the character of the neighborhood.

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 open front porch does not appear to impair supply of light to the adjacent properties. The majority of neighboring properties feature open front porch that varies in size. The subject property more than meets the minimum side yard requirement of 12.00 feet for the R-20 zoning, thus ensuring adequate distance from neighboring dwellings.

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

The subject property has an existing porch. The proposed slightly larger porch does not appear to alter the character of the detached single-family neighborhood. The subject property would continue to be a single-family dwelling with sizeable front, side and rear yards even with the addition of the new front porch.

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

The design of the front porch would be compatible with surrounding detached single-family homes. The porch is proposed as a single-story open front porch that provides cover over the main entry. The proposed porch

would be of similar size to the original porch and would be located in same location.

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 front of the house is the only reasonable location for a front porch and would abut the dwelling's existing front wall, which is positioned closer to the street than the average front setback for its block face. There is no reasonable way to construct a compliant front porch because of the existing location of the dwelling.

VII. <u>Staff Conclusion</u>

Neighborhood Impact

Staff believes that the proposed porch is in proportion and architecturally compatible with the existing structure. The proposed covered porch would complement the view of the home from the street, enhance the neighborhood, and not be detrimental to neighboring properties.

Light and Air

The porch meets the criteria for eligibility to request a porch special exception. The ground level, single-story, covered, open front porch is placed at the main architectural entrance to the dwelling and faces the front yard. At 6.00 feet in depth, the porch is within the allowed projection from the front building wall to be exempt from floor area ratio requirements. The porch does not extend beyond the width of the front building wall into any required side yard setbacks. The roof line of the porch is in scale with the existing architecture and does not exceed the existing home in height. With no second floor above or enclosure with screens or glass, staff does not believe this new porch will adversely affect the light and air of neighboring properties.

Staff Conclusion

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

<u>STAFF:</u> Anh Vu, Urban Planner I,

Mary Christesen, Zoning Manager, Alex Dambach, Division Chief, anh.vu@alexandriava.gov mary.christesen@alexandriava.gov alex.dambach@alexandriava.gov

DEPARTMENTAL COMMENTS

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

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

Transportation and Environmental Services:

- R-1 The building permit must be approved and issued prior to the issuance of any permit for demolition. (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 The proposed porch would be of similar size to the original porch and would be located in same location.

Historic Alexandria (Archaeology):

- R-1 No archaeological action is required.
- F-1 There is low potential for archaeological resources to be present that could provide insight into the history of Alexandria.

Recreation (Arborist):

No comments received.

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 PORCHES

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

7-2503 - Residential front setback and front door threshold in line with existing development

1.	Applicant: 📋 Owner 📋 Contract Purchaser 🖾 Agent				
	_{Name} Harry Braswell Inc. / James Finn				
	Address 312 Calvert Avenue				
	Alexandria VA 22301				
	Daytime Phone 703-836-1776				
	Email Address jimmy@harrybraswell.com				
2.	Property Location 1316 Bishop Lane				
3.	Assessment Map # Block Lot 7 Zone	R-20			
4.	Legal Property Owner Name David and Caroline Denherder				
	Address 1316 Bishop Lane				
	Alexandria VA 22302				

OWNERSHIP AND DISCLOSURE STATEMENT

Use additional sheets if necessary

<u>1. Applicant.</u> State the name, address and percent of ownership of any person or entity owning an interest in the applicant, unless the entity is a corporation or partnership, in which case identify each owner of more than three percent. The term ownership interest shall include any legal or equitable interest held at the time of the application in the real property which is the subject of the application.

Name	Address	Percent of Ownership
AARRY BRASNELL	312 Calvert Ave, Alexandria VA 22301	100
2.		
3.		

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

Name	Address	Percent of Ownership
1. DANIDA (A1204NE DENHERDER.	1316 Bishop Lane, Alexandria VA 22302	100
2.		
3.		

<u>3.</u> 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</u> 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.)
	$\lambda 17 m$	A/1 A
2 N/A	N/A	10/14
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. γ

James Flan 10/20/16 Printed Name Date

NM Signature

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5. Describe request briefly :

We request to build a rectangular open front porch that is 11'x6'. This addition will be replacing a circular porch in

the same location and of similar size.

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 Finn Signatùre 703-965-0068 (cell) Telephone 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 (SECTIONS 11-1302(C) and 11-1304)

APPLICANT MUST COMPLETE THE FOLLOWING:

(Please use additional sheets where necessary.)

- 1. Please provide the following details of the proposed porch:
 - a. Porch projection from front building wall to deck edge 6'
 - b. Length of building wall where porch is to be built 39'-4"
 - c. Length of porch deck 11
 - d. Depth of overhang 6"
 - e. Distance of furthest projecting porch element from the front property line $\frac{51'}{2}$
 - f. Overall height of porch from finished or existing grade 12'-6" to roof
 - g. Height of porch deck from finished or existing grade 2'-6"
- 2. Explain the conditions of the subject property which prevent locating the proposed porch in compliance with the zoning ordinance.

Given the large lots of this neighborhood and the location of the houses further back from the street, we are unable to meet the requirements of the average setback for the street. The proposed porch does not encroach on the front setback for the R-20 Zone (40'), nor will it project further than the porch we wish to replace.

3. Explain if the proposed porch will be detrimental to the adjacent properties or the neighborhood in general.

The proposed porch will not be detrimental to the adjacent properties or neighborhood in general.

4. Explain how the proposed porch will affect the light and air to any adjacent property.

It will not affect the light and air to any adjacent properties

5. Has the applicant shown the plans to the most affected property owners? Have any neighbors objected to the proposed special exception, or have any neighbors written letters of support? If so, please attach the letter.

Yes. No letters have been written at this time.

6. The applicant shall demonstrate by clear and convincing evidence that the proposed porch is compatible with the existing building architecture, neighboring properties and neighborhood character. Provide information such as style and number of similar porches in the immediate neighborhood (provide dimensions and roof height as well as distance from curbline). Photographs should be included as part of the evidence supporting this request.

The proposed addition of a front porch is in keeping with eclectic character of the neighborhood and is
appropriate for the colonial character of the house. It is also in keeping with the scale of the house, the
property and the size /scale of the neighboring houses



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 1316 Bishop Lane

A2. 46,703

Total Lot Area

x 0.25 Floor Area Ratio Allowed by Zone = 11,675.75

Maximum Allowable Floor Area

Zone R-20

B. Existing Gross Floor Area

Existing 0	Gross Area*	Allowable E	Exclusions
Basement	0	Basement**	
First Floor	3,173.8	Stairways**	101.1
Second Floor	2,017.2	Mechanical**	
Third Floor	0	Porch/Garage**	833.9
Porches/Other	268.5	Attic less than 5'**	
Total Gross*	5,459.5	Total Exclusions	935

B1. Existing Gross Floor Area * 5,459.5 Sq. Ft. B2. Allowable Floor Exclusions** 935 Sq. Ft. B3. Existing Floor Area minus Exclusions 4,524.5 Sq. Ft. (subtract B2 from B1)

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

Proposed G	oss Area*	Allowable E	xclusions
Basement		Basement**	
First Floor		Stairways**	
Second Floor		Mechanical**	
Third Floor		Porch/Garage**	12.5
Porches/Other	12.5	Attic less than 5'**	
Total Gross*	12.5	Total Exclusions	12.5

C1. Proposed Gross Floor Area * 12.5 Sq. Ft. C2. Allowable Floor Exclusions** 12.5 Sq. Ft. C3. Proposed Floor Area minus Exclusions 12.5 Sq. Ft. (subtract C2 from C1)

D. Existing + Proposed Floor Area

M

D1. Total Floor Area (add B3 and C3) 4,524.5 Sq. Ft. D2. Total Floor Area Allowed by Zone (A2) 11,675.75 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.

E. Open Space Calculations Required in RA & RB zones

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

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

Signature:

14

10/26/16 Date:



312 Calvert Avenue, Suite 300 Alexandria, Virginia 22301 Phone (703) 836-1776 Fax (703) 836-1226

Front Yard Setback Survey – 1316 Bishop Lane

Address	Distance from street edge to	Estimated distance from
	front wall (measured)	property line to front wall*
1403 Bishop Lane	85'	68'
1319 Bishop Lane		81' **
1313 Bishop Lane	97'	80'
1307 Bishop Lane	79'	62'
1303 Bishop Lane		64.6' **
1300 Bishop Lane	79'	62'
1306 Bishop Lane	107'	90'
1310 Bishop Lane	90'	73'
1316 Bishop Lane	68'	51.1' **
921 Vicar Lane	68'	51'
920 Vicar Lane	65'	48'
1410 Bishop Lane	51'	34'
Average	78.9'	63.725'

*Estimated distances are based on assumed property line location relative to street edge based on known offset for subject property (17')

**These numbers are provided from plats obtained by the City.







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INFORMATION

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PLAT SHOWING HOUSE LOCATION ON











