Docket Item # 5 BZA Case #2017-0019 Board of Zoning Appeals June 8, 2017

ADDRESS: 310 EAST GLEBE ROAD RB/ TOWNHOUSE ZONE

APPLICANT: PATRICK JANSEN

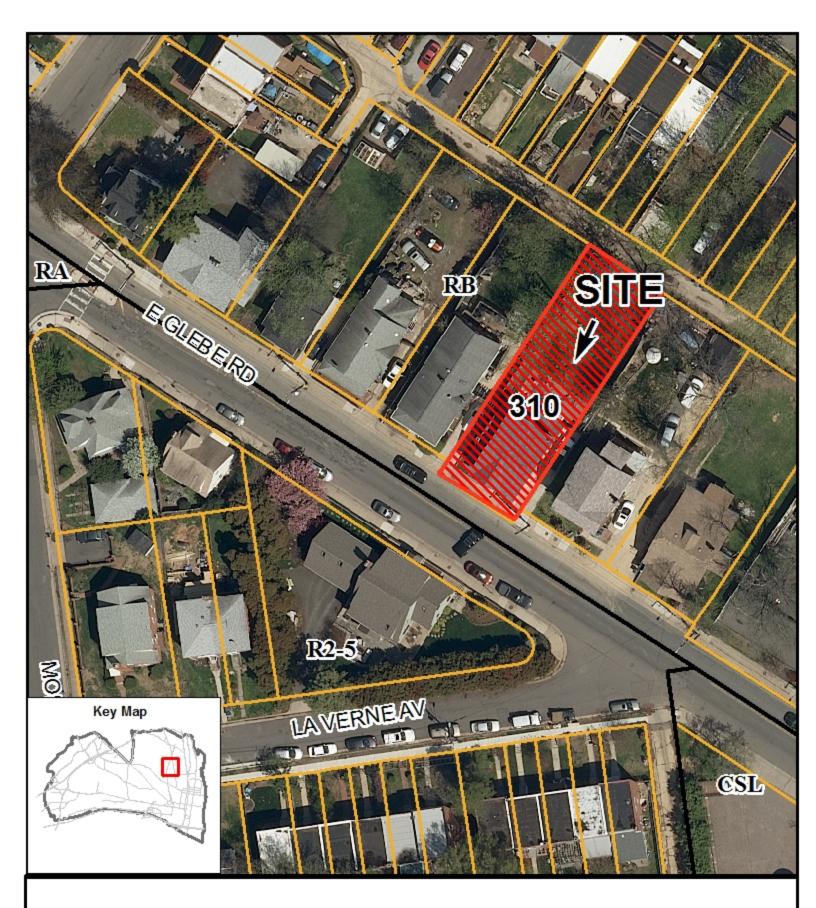
ISSUE: Special exception to construct a one-story open rear porch in the required west

yard side

CODE	SUBJECT	CODE	APPLICANT	REQUESTED
SECTION		REQMT	PROPOSES	EXCEPTION
3-706(A)(2)(a)	Side yard (West)	8.00 Feet	4.50 Feet	3.50 Feet

The staff <u>recommends denial</u> of the requested special exception because the request does not meets the criteria for a special exception.

If the Board decides to grant the requested special exception with the following condition it must comply with the code requirements under the department comments and the applicant must submit a survey plat prepared by a licensed surveyor confirming building footprint and setbacks prior to the release of a Certificate of Occupancy. 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 #2017-0019 310 E. Glebe Road



I. <u>Issue</u>

The applicant is proposing to construct a porch in the required side yard at 310 East Glebe Road. The proposed porch requires a special exception.

II. Background

The subject property, an interior lot, is one lot of record with 45.00 feet of frontage facing East Glebe Street. The east side property line has a linear depth of 143.35 feet; the west side property has a linear depth of 142.80 feet. The width at the font building wall is 45.00 feet and according to Real Estate Assessment, the lot contains 6,438.4 square feet of lot area.

The property is currently developed with a two-story single family home with a one and one-half story detached garage that has a loft. The dwelling is 7.30 feet from the front property line facing East



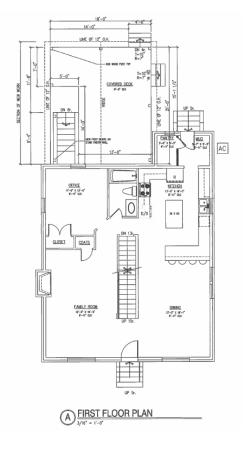
Glebe Road; 2.40 feet from the west side of the property line; and 11.30 feet from the east side property line. The detached garage has 11.80 feet of setback from the rear property line. The detached garage was approved under building permit BLD2016-00006. According to Real Estate Assessment, the dwelling was constructed in 1930.

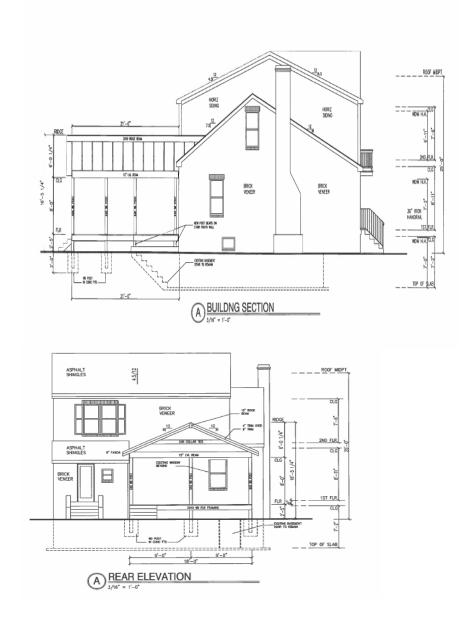
III. Description

RB Zone	Requirement	Existing	Proposed
Lot Area	1,980 Sq. Ft.	6,570 Sq. Ft	6,570 Sq. Ft.
Lot Width	1 50 00 Ht		45.00 Ft.
Lot Frontage	50.00 Ft	45.00 Ft.	45.00 Ft.
Front Yard	Average Prevailing Setback	7.30 Ft.	7.30 Ft.
Side Yard (West)	1:3 minimum 8.00	2.40 Ft.	2.40 Ft.
Side Yard (East)	1:3 minimum 8.00	11.30 Ft	11.30 Ft.
Rear Yard	1:1 minimum 8.00	11.80 Ft.	11.80 Ft.
Open Space	800 Sq. Ft.	3537 Sq. Ft.	2487 Sq. Ft.
Net FAR	Max: Sq. Ft. (.75) 4927.5	Sq. Ft 3097.3	Sq. Ft. 3475.3

The applicant proposes to construct a covered open rear porch in the existing required side yard. The porch would measure 21.00 feet by 18.00 feet for a total of 378 square feet. It would have twelve-inch overhangs, a permitted encroachment under 7-202(A)(3) of the zoning ordinance. The porch would also cover an existing set of exterior stairs that provide access to the basement. The portion of the porch area that is to have decking instead of stairs would be 308 square feet.

The porch would measure 11.50 feet in height from the roof eave to the average finished grade and would be located 4.50 feet from the side property line. Based on a survey plat, there are currently two HVAC units in the required side yard that would need to be relocated.





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

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

IV. Master Plan/Zoning

The subject property is zoned RB and has been so zoned since adoption of the Third Revised Zoning Map in 1951, and is identified in the Potomac West Area Plan.

V. Requested Special Exception

3-706(A)(2)(a) Side yard setback (West)

The applicant requests a special exception of 3.50 feet from the required minimum 8.00 feet side yard setback to construct an open rear porch 4.50 feet from the west side property line. The eaves would project 12 inches or less into the side yard.

VI. Noncomplying Structure/ Substandard Lot

Regulation	<u>Required</u>	Existing	Noncompliance/Substandard
Lot Frontage	50.00 Feet	45.00 Feet	5.00 Feet
Lot Width	50.00 Feet	45.00 Feet	5.00 Feet
Side Yard (west)	8.00 Feet	2.40 Feet	5.60 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 one-story porch would not cause damage or injury to the public welfare nor to the neighborhood or the adjacent property. The existing house sits 2.40 feet from the property line; however, the most affected property (308 E. Glebe Road) sits approximately 16.00 feet way from the subject property.

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 porch would not impair an adequate supply of light and air to the most affected property (308 E. Glebe Road). The porch would be one story in height. The applicant is proposing to locate the porch 4.50 feet from the west side

property line. In addition, the adjacent property sits approximately 16.00 feet from that property line which furthers reduces the impact of the supply of light and air to that lot.

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

The proposed rear porch would not alter the essential character of the area. The street consists of varying style of homes. The north side if the block consists of bungalows as well as two story dwellings; the south side of the block consists of two-story dwellings. The porch would be in the rear, thus, not affecting, visually from the street, the essential character of the block nor the "RB" zoning designation. The property would continue to comply with the open space required in the RB zone.

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

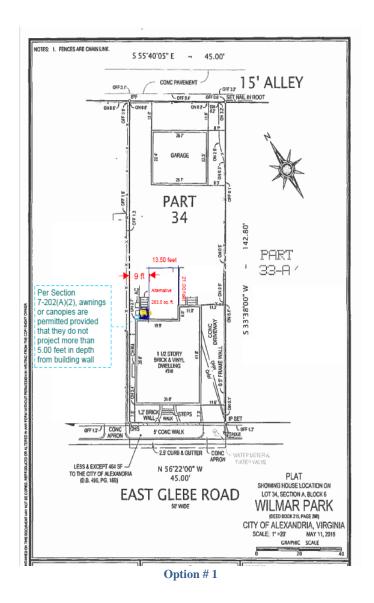
The proposed rear porch would be consistent with other homes on the block where owners have updated their dwelling or have added additions. In 2016, a detached garage was constructed at the rear of the property. The applicants are now requesting to construct an open rear porch in the required west side yard. Most of the homes on this block have at least one yard that does not comply with the side yard setback requirement and some have also sought relief from the Board of Zoning Appeal.

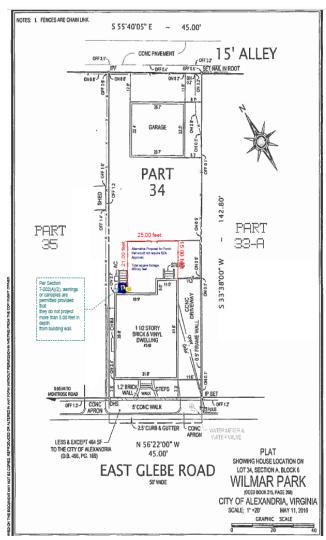
5) Whether the proposed development represents the only reasonable means and location on the lot to accommodate the proposed structure given the natural constraints of the lot or the existing development of the lot.

The placement of the proposed porch does not represent the only reasonable means and location on the lot to accommodate the structure. Staff has discussed plausible alternatives that would meet the requirement of the zone with respect to floor area ratio and setbacks without the need to petition the Board of Zoning Appeals.

The applicant indicated that due to the existing mudroom, that the only reasonable option is to build the porch within the required west side yard. Staff recommended that the applicant could, in fact, use one of two options: (1) use the space that sits between the stairs and the mud room; or (2) the applicant can capture the mudroom

area and encapsulate it within the design of the rear porch. In addition, Section 7-202(A)(2) allows for a covered canopy to cover a portion of the stairs that access the basement level.





VIII. Staff Conclusion

Neighborhood Impact

The proposed rear porch would not alter the essential character of the area. The street consists of varying style of homes. The subject property sits 2.40 feet from the property line; however, the most affected property (308 E. Glebe Road) sits approximately 16.00 feet way from the subject property. The porch would not be visible from East Glebe Road and would not have an impact on the neighborhood at all. The neighbors on either side of the subject property have written letters of support voicing no objections to the proposal.

Light and Air

The proposal is a one-story open rear porch. The applicant proposes to construct the porch 4.50 feet away from the property line. The existing house sits 2.40 feet from the property line. Because the most affected property (308 E. Glebe Road) sits approximately 16.00 feet from their east side yard setback, the porch would not affect the light or air. The property will continue to comply with the open space required in the RB zone. If the Board decides to approve the requested special exception the porch will be required to remain open.

Lot Constraints

The lot is substandard as to the lot width and the placement of the existing house on the lot does place minimal constraints on the lot. Even with those constraints, it does not prohibit locating the porch in compliance with the required setback regulations. This lot is zoned "RB" where the minimum lot size is 1,980 square feet. This lot has more than triple the size in lot are. While this lot is complaint in size, the current house sits 2.40 feet from the west property line where the side yard setback is a minimum of 8.00 feet for single-family homes in the "RB" zone. The lot constraints of this house are shared by the majority of the houses on the block where some have had to seek relief due the constraints.

Staff Conclusion

The <u>staff recommends denial</u> of the rear porch because the applicant can build a compliant porch without petitioning the Board of Zoning Appeals. Should the Board approve the special exception, staff recommends the following conditions:

- 1) The porch must remain open and can never be enclosed.
- 2) The existing HVAC units in the existing side yard must be relocated in compliance with zoning or to remain in the existing location, get a waiver from the neighbor prior to applying for permits for the porch.

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.

<u>Transportation and Environmental Services:</u>

required.

- R-1 The building permit must be approved and issued prior to the issuance of any permit for demolition. (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)
- F-2 If the alley located at the rear of the parcel is to be used at any point of the construction process the following will be required:

 For a Public Alley The applicant shall contact T&ES, Construction Permitting & Inspections at (703) 746-4035 to discuss any permits and accommodation requirements that will be
 - For a Private Alley The applicant must provide proof, in the form of an affidavit at a minimum, from owner of the alley granting permission of use. (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 storm water 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 comment received

Recreation (Arborist):

No comment received

<u>Historic Alexandria (Archaeology):</u>

F-1 While historic maps largely depict the subject lot as vacant in the past until the twentieth century, there is a remote possibility that archaeological evidence of past activity is present on the property. As a measure of caution, we ask that the applicant adhere to the archaeological conditions listed below.

Archaeology Recommendations

- 1. The statements in archaeology conditions below shall appear on the grading plans so that onsite contractors are aware of the requirements:
 - a. The applicant/developer shall call Alexandria Archaeology immediately (703.746.4399) if any buried structural remains (wall foundations, wells, privies, cisterns, etc.) or concentrations of artifacts are discovered during development. Work must cease in the area of the discovery until a City archaeologist comes to the site and records the finds.
 - b. The applicant/developer shall not allow any metal detection to be conducted on the property, unless authorized by Alexandria Archaeology.
 - c. All required archaeological preservation measures shall be completed in compliance with Section 11-411 of the Zoning Ordinance.

Staff

Alex Dambach, Division Chief, <u>alex.dambach@alexandriava.gov</u>
Mary Christesen, Zoning Manager, <u>mary.christesen@alexandriava.gov</u>
Marlo Ford, Urban Planner, <u>marlo.ford@alexandriava.gov</u>

BZA Case #2017 00019



APPLICATIONBOARD OF ZONING APPEALS

SPECIAL EXCEPTION FOR ADDITIONS

	ion of zoning ordinance from which request for special exception is mad 6(A)(2)(a)
<u>PAR</u>	<u>T A</u>
1.	Applicant:
	Name Tobrick Jansen
	Address 310 F 6/6 be RJ
	Daytime Phone <u>571 - 225 - 7947</u>
	Email Address PATPICK @ JANSENPANL BA LOM
2.	Property Location 310 East Glebe Road, Alexandria, VA 22305
3.	Assessment Map # 016.03 Block 10 Lot 31 Zone RB
4.	Legal Property Owner Name Impressive Home Solutions Group LLC
	Address 310 East Glebe Road, Alexandria, VA 22305

BZA Case # 2017 · 00019



APPLICATION BOARD OF ZONING APPEALS

SPECIAL EXCEPTION FOR ADDITIONS

PAF	RT A
1.	Applicant: Owner Contract Purchaser Agent
	Name Locay Faherty
	Address 310 E Colube R L.
	Daytime Phone <u>608 - 217 - 3451</u>
	Email Address
2.	Property Location 310 & Cale Le R2.
3.	Assessment Map # Block Lot Zon
.	Legal Property Owner Name
	Address

OWNERSHIP AND DISCLOSURE STATEMENT

Use additional shoots if necessary

1. Applicant. State the name, address and percent of ownership of any person or entity conting but interest in the applicant, unless the entity is a corporation or partnership, in which case identity 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.

	Percent of Ownership	
310 56/ebe 2d.	50%	
810 5 66th Pd	50%	

Property. State the name, address and percent of ownership of any person or critity owning an interest in the property located at 310 EastGlebeRoad Alexandria VA 22305 (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 equilable interest held at the time of the application in the real property which is the subject of the application.

Name	Address	Percent of Ownership
Patrick Janse	310 5 Glebe Rd	50%
Dange Strong	310 56/66EL	50%
3.		

3. Business or Financial Relationships. Each person or entity indicated above in sections 1 and 2, with an ownership interest in the applicant or in the subject property are require 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 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, click here

Naple of person ordentity	Relationship as defined by Section 11-350 of the Zoning Ordinance	Member of the Approving Body (I.e. City Council, Planning Commission, etc.)
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.

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Application and Materials

310 E. Glebe Road 04/24/2017

REVISED

BZA Case #2010.00019

5.		exception of 4 feet from the required 8 feet has back porch 4 feet from the west side
6.	such as an attorney, realtor of	is being represented by an authorized agent, rother person for which there is a form of the business in which they are employed have he City of Alexandria, Virginia?
	☐ Yes — Provide proof of currer	nt City business license.
	☐ No — Said agent shall be application.	required to obtain a business prior to filing
the site accurat action t grants Section this app	e plan, building elevations, prospective te. The undersigned further understand taken by the Board based on such inform the City of Alexandria permission to po to 11-301(B) of the 1992 Alexandria City 2	that all of the information herein provided including drawings of the projects, etc., are true, correct and its that, should such information be found incorrect, any nation may be invalidated. The undersigned also hereby set placard notice as required by Article XI, Division A, Zoning Ordinance, on the property which is the subject of the property owner, also attests that he/she has obtained application.
APPLIC	CANT OR AUTHORIZED AGENT:	
Print	Name Jansen	Signature
S7/ Telep		4/24/17 Date

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

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

PART B (SECTION 11-1304)

APPLICANT MUST EXPLAIN THE FOLLOWING:

(Please use additional pages where necessary.)

 Explain how the special exception for the proposed addition, if grant meets the applicant's needs. The exception allows applicant to build a porch on the back of the house with a large 	
enough roof to provide coverage from rain and sun. Furthermore, the exception allow	NS
the roof to cover an existing basement stairwell and will reduce a flooding problem for	r
the basement.	
 Explain if the special exception, if granted, will harm adjoining propert or impact the neighborhood in any way. If granted, the special exception will not harm the adjoining properties or impact the 	ies
neighborhood. The proposed porch is similar to other additions already constructed	on
multiple nearby properties.	
	_
3. Explain how the proposed addition will affect the light and air to any adjacent property.	
The proposed porch would not reduce the light or air to any adjacent property. The	
proposed porch is one story in height.	
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4. Explain how the proposed addition is compatible with other properties in the neighborhood and the character of the neighborhood as a whole.
The proposed porch is similar to other additions already constructed on many of the
neighboring properties. Specifically, many of the houses on neighboring properties
already extend to an area similar to where the proposed porch would be located.
5. How is the proposed construction similar to other buildings in th immediate area?
The proposed porch is similar to other additions already constructed on many of the
neighboring properties. Specifically, many of the houses on neighboring properties
already extend to an area similar to where the proposed porch would be located.
6. Explain how this plan represents the only reasonable location on the lot to build the proposed addition. The east side of the back of the house already has a mudroom that extends from the house. The cost of removing the mudroom and rebuilding the roof for a porch on the
back east side of the house would therefore be significant. The front of the house is
set back from the sidewalk by only 7 feet, making a front porch impossible. The only
reasonable place to add a porch is therefore on the back west side of the house.
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. Applicant has shown the plans to the neighbors directly to the west and east that will be most impacted by the exception and has received letters of support from both. Those letters are attached. Applicant has not received any objections to the proposed
exception.

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

A1. Street Address	STO E GLEBE ROAD				Zone R-B	
A2. 6570		х75			= 4927.5	
Total Lot Area		Floor Area Ratio Allowed by Zone		Zone	Maximum Allowable Floor Area	
Existing Gross I	Floor Area				•	
Existing Gros	ss Area *	Allowable E	xclusions		B4 Futation Compa Flora Assault	
Basement	1109.8	Basement**	1109.8	}	B1. Existing Gross Floor Area * 5236.7 Sq. Ft.	
First Floor	1175.8	Stairways**	95		B2. Allowable Floor Exclusions** 2139.4 Sq. Ft,	
Second Floor	1001.1	Mechanical**			B3. Existing Floor Area minus	
Third Floor	934.6	Porch/ Garage**			Exclusions 3097.3 Sq. Ft. (subtract B2 from B1)	
Porches/ Other	1015.35	Attic less than 5'**	934.6		,	
Total Gross *	5236.7	Total Exclusions	2139.4			
Proposed Gross	Floor Area	(does not include e	existina	area)	•	
Proposed Gro		Allowable E]	
Basement		Basement**			C1. Proposed Gross Floor Area *	
First Floor		Stairways**	1		Sq. Ft. C2. Allowable Floor Exclusions**	
Second Floor		Mechanical**	1		Sq. Ft.	
Third Floor		Porch/ Garage**			C3. Proposed Floor Area minus Exclusions 378 Sq. Ft.	
Porches/ Other	378	Attic less than 5'**	1		(subtract C2 from C1)	
Total Gross *	378	Total Exclusions				
Existing + Propo 11. Total Floor Area (a 12. Total Floor Area Al	ndd B3 and C3)	3475.3 Sq. I		family de 5, RB a located	floor area for residential single and two-wellings 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 order roof on a lot</u> , measured from exterior	
Open Space Cale	culations Re	equired in RA & RB 2	zones	and cor regarding if taking plans w	o the zoning ordinance (Section 2-145(A)) nsult with zoning staff for information g allowable exclusions. exclusions other than basements, floor ith excluded areas illustrated must be d for review. Sections may also be	
Required Open Space				required for some exclusions.		
Proposed Open Spac						
undersigned hereb	y certifies and	attests that, to the best	of his/her	knowled	ige, the above computations are true an	
rrect.						

No Skylishts



BZA Case # 2017-00019
Application and Materials
310 E. Glebe Road
04/24/2017



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Um. 6 als 3/2 Flolete Rd. 4/201

Board of Zoning Appeals 301 King Street, Suite 2100 Alexandria, Virginia 22313

To whom it may concern:

I have received a copy of the building plans for the proposed back porch at 310 East Glebe Road, Alexandria, VA, 22305. I have no objections to the granting of a special exception to allow the porch to be built 4 feet from the west property line.

Name:_	LEONCIO	O. OoLBITI	Address	3/2	<i>J</i> =	blese	72 &	
		- D.CA		-	_			

Board of Zoning Appeals 301 King Street, Suite 2100 Alexandria, Virginia 22313

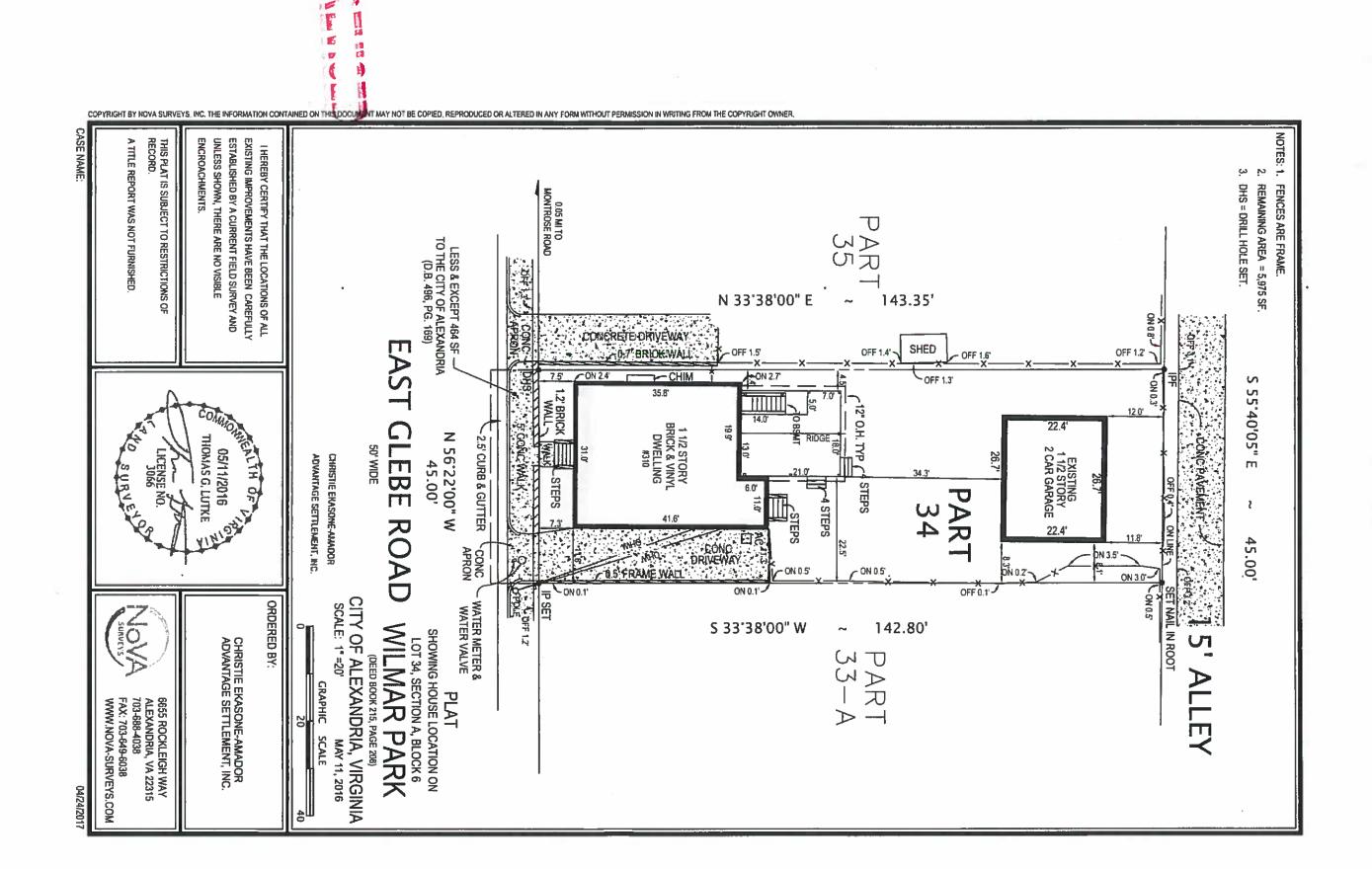
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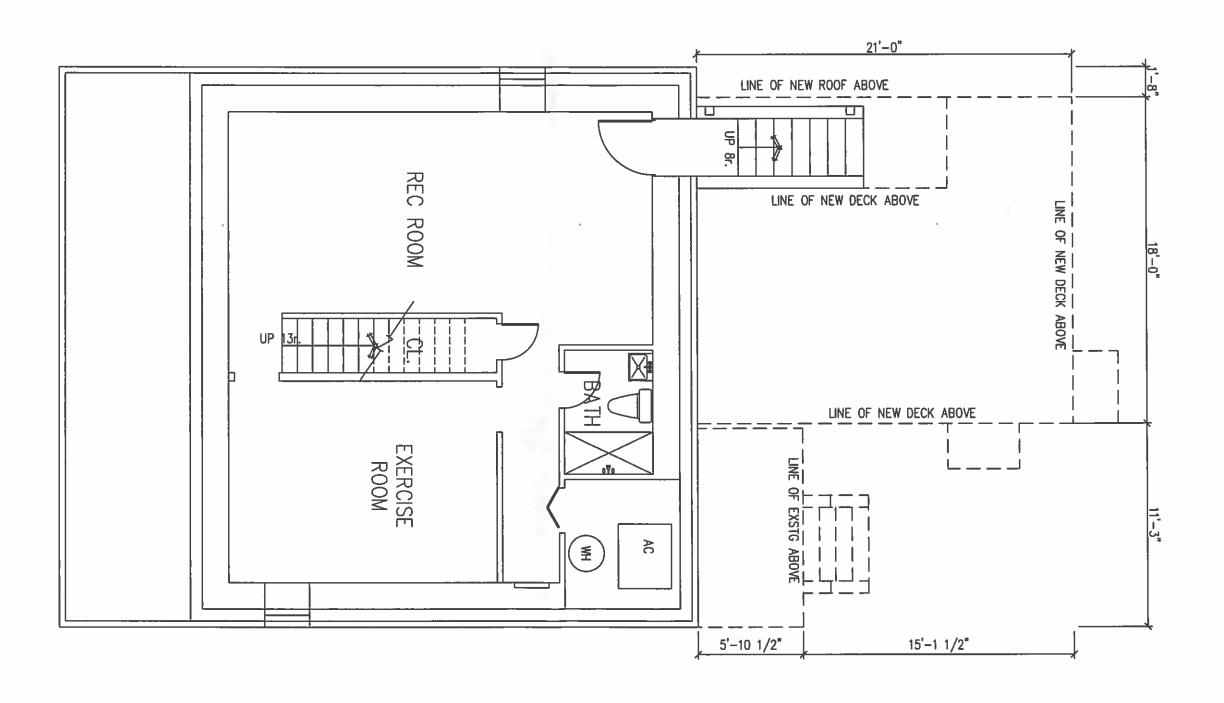
Name: RICHARD BOTTONARI

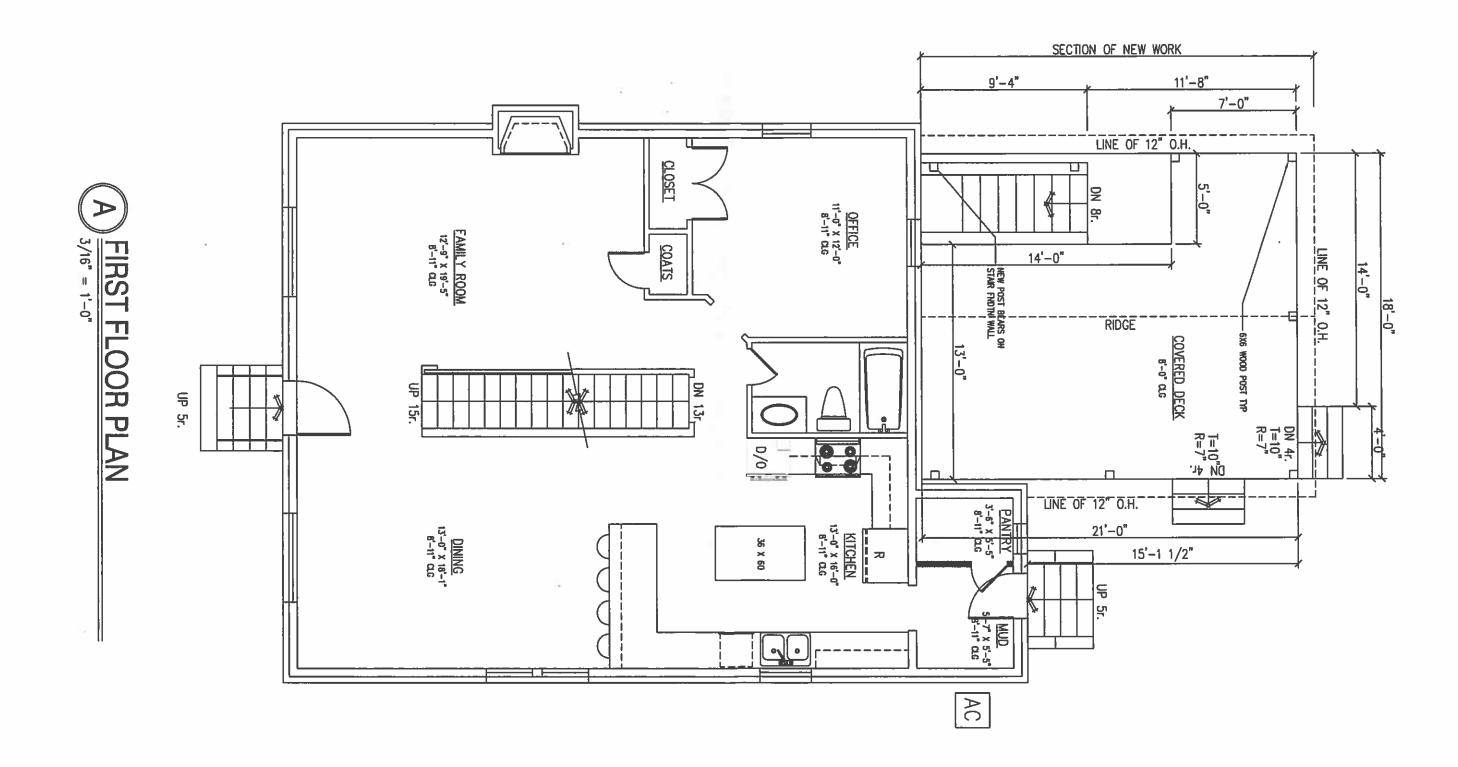
Address: 308 E. GLEBE RO. ALEX

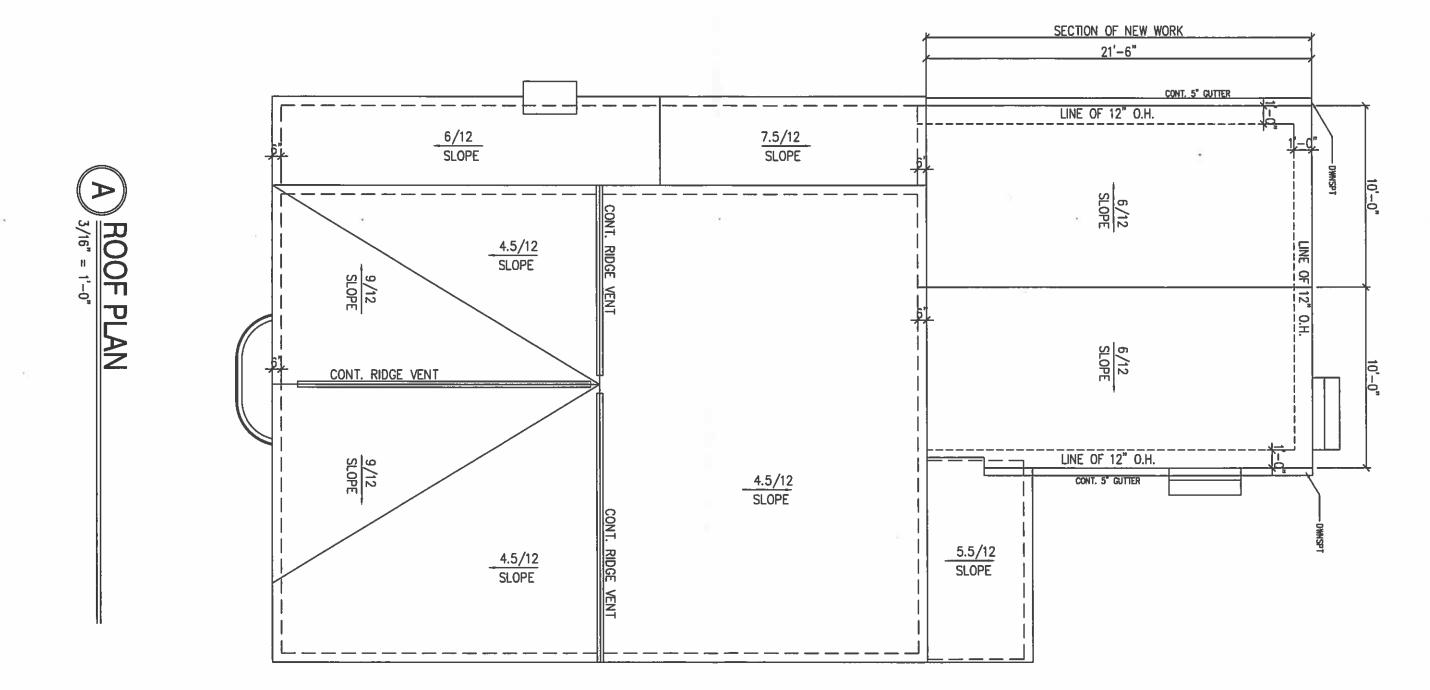
Signature Will Date: 4-17-17

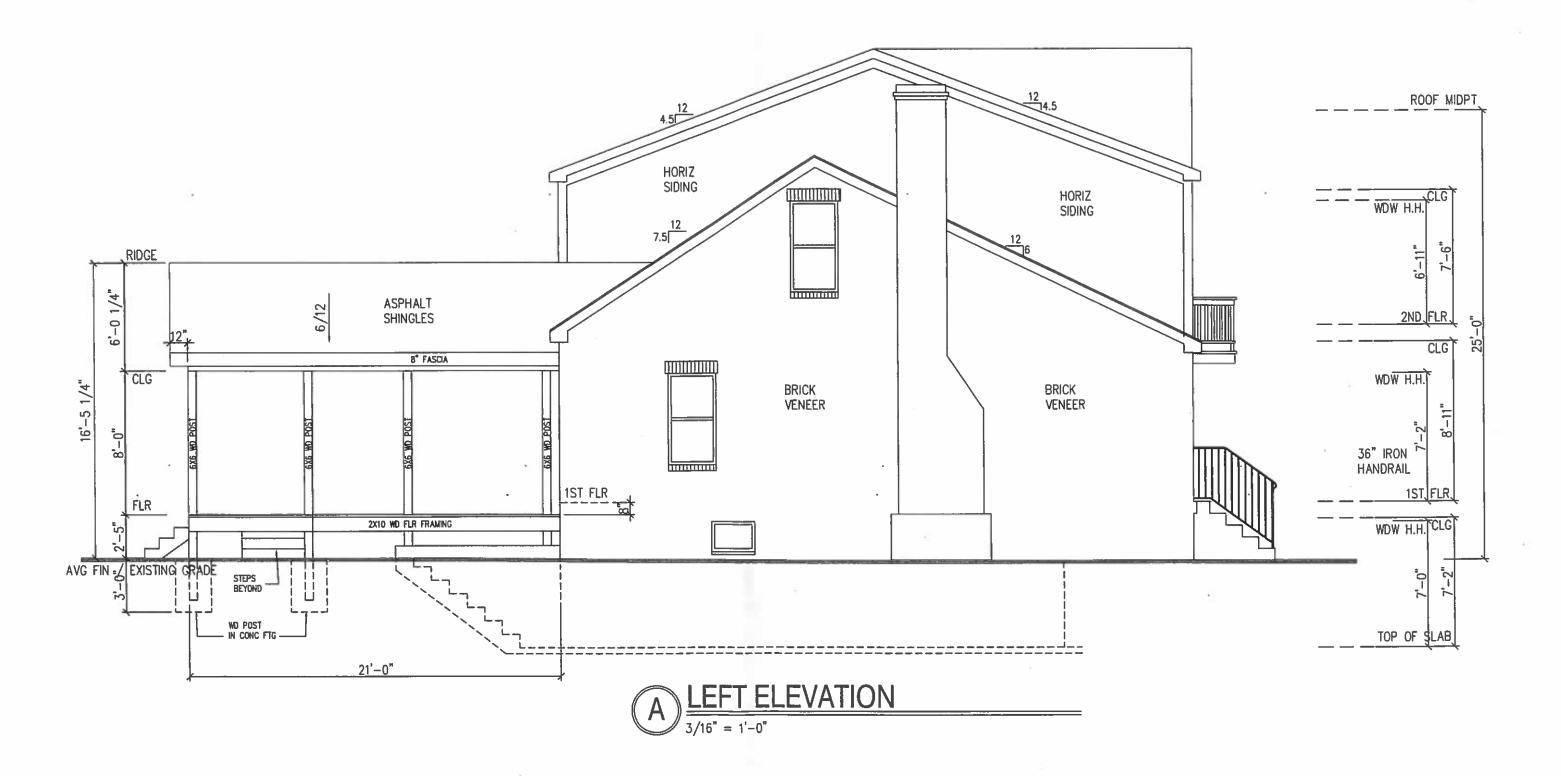


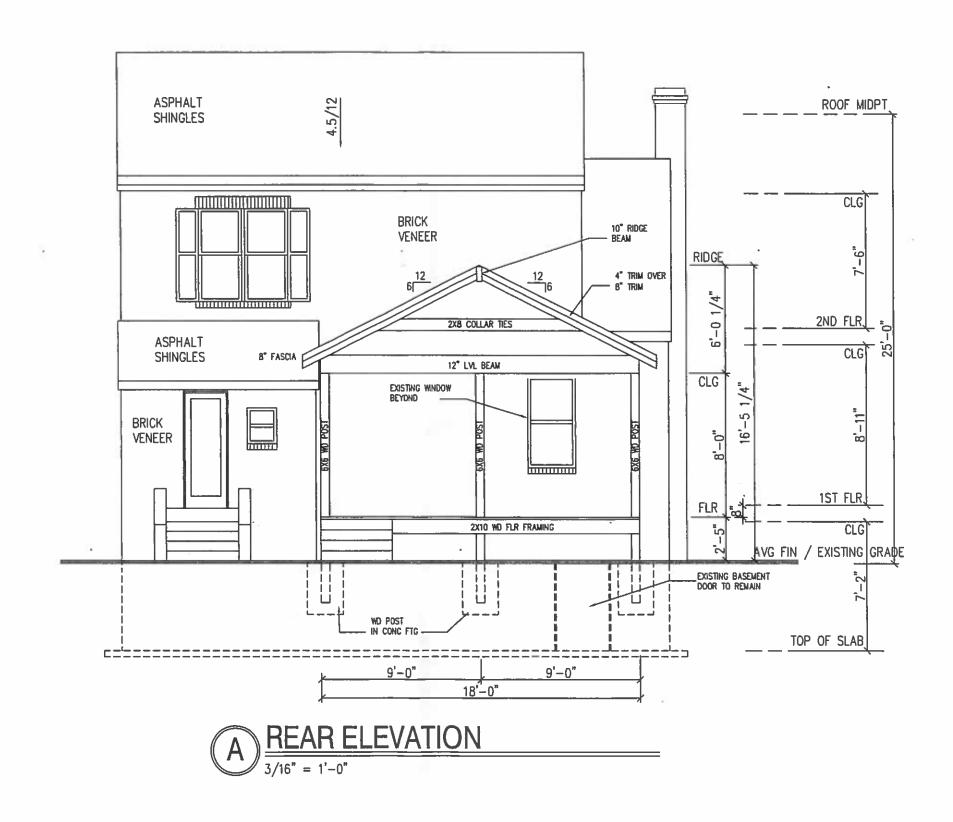


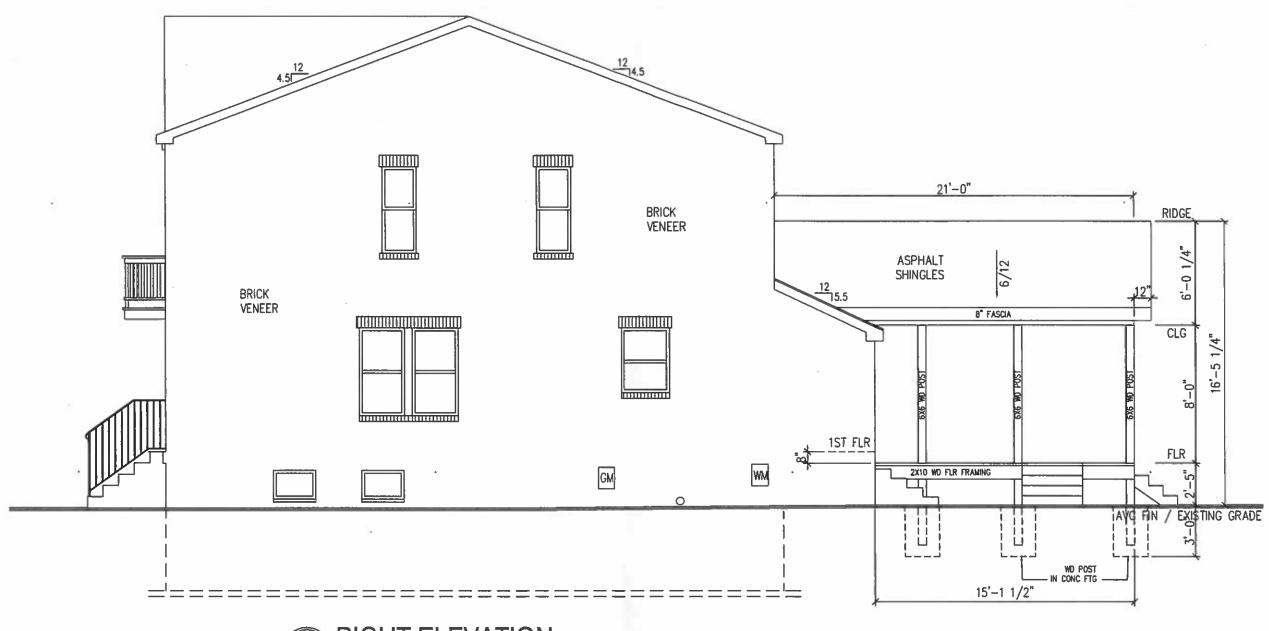












 $A) \frac{\text{RIGHT ELEVATION}}{3/16" = 1'-0"}$

