

Docket Item # 3
BZA Case #2017-0027
Board of Zoning Appeals
September 14, 2017

ADDRESS: 198 UHLER TERRACE
ZONE: R-8, SINGLE FAMILY RESIDENTIAL
APPLICANT: CATHERINE AND DAVID BOHN

ISSUE: Special exception to construct an open front porch in the required front yard.

CODE SECTION	SUBJECT	CODE REQMT	APPLICANT PROPOSES	REQUESTED EXCEPTION
7-2503(A)	Front Setback	26.10 feet*	20.20 feet	5.90 feet

*Based on the average front setback along south side of Uhler Terrace between Russell Road and the dead end of Uhler Terrace.

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 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- 0027
198 Uhler Terrace



I. Issue

The applicants propose to construct an open front porch in the required front yard at 198 Uhler Terrace.

II. Background

The subject property is one lot of record with 40.00 feet of frontage facing Uhler Terrace, a depth of 100.00 feet along the side property lines and 40.00 of width across the rear property line. The property contains 4,000 square feet of lot area. The subject property is substandard with regard to the required lot area and width for lots in the R-8 zone. The lot complies with lot frontage requirement.

The lot is currently developed with a detached single-family dwelling located 28.20 feet from the front property line, 7.90 feet from the east side property, 8.10 feet from the west side property line and approximately 47.80 feet from the rear property line. The dwelling is noncomplying as to the required east side yard setback. According to real estate records the dwelling was constructed in 1958.

Table 1. Zoning Table

R-8 Zone	Requirement	Existing	Proposed
Lot Area	8,000 sq. ft.	4,000 sq. ft.	4,000 sq. ft.
Lot Width	65.00 ft.	40.00 ft.	40.00 ft.
Lot Frontage	40.00 ft.	40.00 ft.	40.00 ft.
Front Yard*	26.10 ft.	28.20 ft.(building wall)	28.20 ft.(building wall) 20.20 ft. (front porch)
Side Yard (east)	8.00 ft. (1:2, 8 ft. min.)	7.90 ft.(main building)	7.90 ft.(main building) 8.90 ft. (front porch)
Side Yard (west)	8.00 ft. (1:2, 8 ft. min.)	8.10 ft.(main building)	8.10 ft.(main building) 9.10 ft. (front porch)
Rear Yard	8.00 ft. (1:1, 8 ft. min.)	47.80 ft.	47.80 ft.
Building Height	25.00 ft.	22.00 ft.	22.00 ft.
Net FAR (0.35)	1,400 sq. ft.	1,235 sq. ft.	1,235 sq. ft.

* Based on the average front setback of the determined block face. Measurement taken from property line to closest covered projection.

III. Description

The applicants propose to construct an open front porch located 20.20 feet from the front property line facing Uhler Terrace, 8.90 feet from the east side property line, and 9.10 feet from the west side property line. The porch would measure 8.00 feet by 22.33 feet totaling 178.64 square feet. The porch will have eaves no greater than 1.00 foot which are permitted to be located in a required yard. Based on the established front setback of 26.10

feet along the south side of Uhler Terrace between Russell Road and the dead end of Uhler Terrace, the applicants request a special exception of 5.90 feet.

Upon completion of the work, the proposed addition 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 R-8 and has been so zoned since adoption of the Third Revised Zoning Map in 1951. The property is identified for residential use in the Potomac West Area Plan.

V. Requested Special Exception

7-2503(A) Average Front Setback

A front setback of 26.10 feet is required based on the average setback of the block face of dwelling units located on the south side of Uhler Terrace between Russell Road and the dead end of Uhler Terrace. The applicants request a special exception of 5.90 feet to construct the construct an open front porch 20.20 feet from the front property line.

VI. Noncomplying Structure/ Substandard Lot

The exiting lot is substandard and the dwelling it noncomplying with respect the following:

<u>Regulation</u>	<u>Required</u>	<u>Existing</u>	<u>Noncompliance</u>
Lot Area	8,000 Sq. Ft.	4,000 Sq. Ft.	4,000 Sq. Ft.
Lot Width	65.00 Feet	40.00 Feet	25.00 Feet
Side Yard (east)	8.00 Feet	7.90 Feet	0.10 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 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.”

- 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 front porch will remain open and is unlikely to reduce light or air to any other property.

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

The proposed porch would not alter the essential character of the area or the zone. Many houses in the area have front porches. The proposed front porch is in keeping with the character of the surrounding area.

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

The proposed front porch is compatible with the development in the surrounding neighborhood. Several homes along Uhler Terrace have open front porches or covered front entries. The proposed porch design is in keeping with the character of the existing dwelling and the surrounding 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 front of the house is the only reasonable location for a front porch. There is no way to construct a compliant front porch because of the existing location of the dwelling.

VIII. Staff Conclusion

Neighborhood Impact

Staff believes that the proposed front porch would not negatively impact on the neighborhood. The neighborhood has numerous styles of homes, some have porches, some have porticos, but there are others that have no front covering at all. The proposed open porch would not be detrimental to neighboring properties.

Light and Air

The size and the design of the proposed porch are modest and complement the existing dwelling. The porch will remain open and is unlikely to negatively impact the light or air to any other property.

Staff Conclusion

As outlined above, the staff believes the request for an open front porch in the required front yard meets the criteria for a special exception and **recommends approval.**

Staff

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

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 building permit, plan review and inspections are required to construct a front porch.

Recreation (Arborist):

F-1 No trees area affected by this plan.

Historic Alexandria (Archaeology):

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

C-1 All required archaeological preservation measures shall be completed in compliance with Section 11-411 of the Zoning Ordinance.

F-1 The lot appears on the 1921 Sanborn map, and may have a structure along the southern edge of the property line. The house currently on this lot was built sometime in the 1920s/1930s. It does not appear on the 1927 or 1937 aerial maps and the 1949 map is unclear.

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.



**APPLICATION
BOARD OF ZONING APPEALS**

SPECIAL EXCEPTION FOR PORCHES

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

7-2503 & 11-1300

1. Applicant: ☒ Owner ☐ Contract Purchaser ☐ Agent

Name Catherine and David Bohn

Address 198 Uhler Terrace

Alexandria, VA 22301

Daytime Phone 703.919.8321

Email Address cathpotts@yahoo.com

2. Property Location 198 Uhler Terrace

3. Assessment Map # 024.03 Block 0312 Lot 1209 Zone 09 R-8

4. Legal Property Owner Name Catherine R and David J Bohn

Address 198 Uhler Terrace

Alexandria, VA 22301

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198 Uhler Street
07/31/2017**

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 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. Catherine David Behn	198 Uhler Terrace	100%
2.		
3.		

2. Property. State the name, address and percent of ownership of any person or entity owning an interest in the property located at 198 Uhler Terrace (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. Catherine David Behn	198 Uhler Terrace	100%
2.		
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 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](#).

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. Catherine David Behn	none	N/A
2. Catherine + David Behn	none	N/A
3. Catherine + David Behn	none	NA

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.

7/21/2017
Date

David and Catherine Behn
Printed Name

LS Catherine Behn
Signature

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198 Uhler Street
10/7/31/2017

5. Describe request briefly :

Construct a covered open front porch. The porch will extend 24' across the front building wall and will project 8' and total 192 square feet. The proposed porch will be located 19.39 feet at the closest point to the front property line facing Uhler Terrace.

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:

David and Catherine Bohn

Print Name

7039198321

Telephone

Catherine Bohn

Signature

7/21/2017

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 8.0'
 - b. Length of building wall where porch is to be built 24.0'
 - c. Length of porch deck 22' 4"
 - d. Depth of overhang 11.5"
 - e. Distance of furthest projecting porch element from the front property line 19.39'
 - f. Overall height of porch from finished or existing grade 12' 10"
 - g. Height of porch deck from finished or existing grade 18"

2. Explain the conditions of the subject property which prevent locating the proposed porch in compliance with the zoning ordinance.
Front building wall of structure is currently 28.2' from front property line on Uhler Terrace. The established front yard setback for this property is 27.59'.

3. Explain if the proposed porch will be detrimental to the adjacent properties or the neighborhood in general.
Front porch will not be detrimental to the adjacent properties as evidenced by the addition of a similar porch on a similar property on same block in 2009. The subject property is one of several residences of common design and setback along the same block. These residences are all modest in size such that front porches enhance the living space of each and add to the sense of community within the immediate neighborhood.

4. Explain how the proposed porch will affect the light and air to any adjacent property.
The proposed porch will have minor to no affect to light and air flow to either adjacent property as it will be close to grade, just over 12 feet in height and be open on all three sides.

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.

We have not shown the plans and do not have letters of support.

- 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 curblines). Photographs should be included as part of the evidence supporting this request.**

As stated, the subject property is one of six homes in a row on the block with near identical architecture. The first of these homes from the west (206 Uhler Terrace) was granted the same front porch special exception in 2009 and subsequently added a well designed porch that enhances that property without being intrusive of the front yard open area. The proposed porch is similarly designed and can be expected to have a similar positive affect on the subject property and fit well into the front yard space and streetscape. Additionally, the hip roof design of the proposed porch will provide architectural differentiation from the porch at 206 and other residences on the block, while the porch itself will help to offset any cookie-cutter effect that could be perceived along the block. Other properties along Uhler Terrace have both full porches and porticoes at similar setbacks that do not adversely affect sight lines or encroach on the open feel of the front yards along the street.

Please see attached plans, renderings, and photos, of proposed porch and other Uhler Terrace properties.

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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 198 Uhler Terrace

Zone R-8

A2. $\frac{4000 \text{ sf}}{\text{Total Lot Area}} \times \frac{.35}{\text{Floor Area Ratio Allowed by Zone}} = \frac{1400 \text{ sf}}{\text{Maximum Allowable Floor Area}}$

B. Existing Gross Floor Area

Existing Gross Area*		Allowable Exclusions	
Basement	576	Basement**	576
First Floor	576	Stairways**	45
Second Floor	576	Mechanical**	
Third Floor	576	Porch/Garage**	
Porches/Other	0	Attic less than 5'***	448
Total Gross*	2304	Total Exclusions	1069

B1. Existing Gross Floor Area *
2304 Sq. Ft.

B2. Allowable Floor Exclusions**
1069 Sq. Ft.

B3. Existing Floor Area minus Exclusions
1235 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		Stairways**	
Second Floor		Mechanical**	
Third Floor		Porch/Garage**	192
Porches/Other	192	Attic less than 5'***	
Total Gross*	192	Total Exclusions	192

C1. Proposed Gross Floor Area *
192 Sq. Ft.

C2. Allowable Floor Exclusions**
192 Sq. Ft.

C3. Proposed Floor Area minus Exclusions
0 Sq. Ft.
(subtract C2 from C1)

D. Existing + Proposed Floor Area

D1. Total Floor Area (add B3 and C3) $\frac{1235}{1400}$ Sq. Ft.

D2. Total Floor Area Allowed by Zone (A2) $\frac{1400}{1400}$ Sq. Ft.

*Gross floor area for residential single and two-family 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 (Section 2-145(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

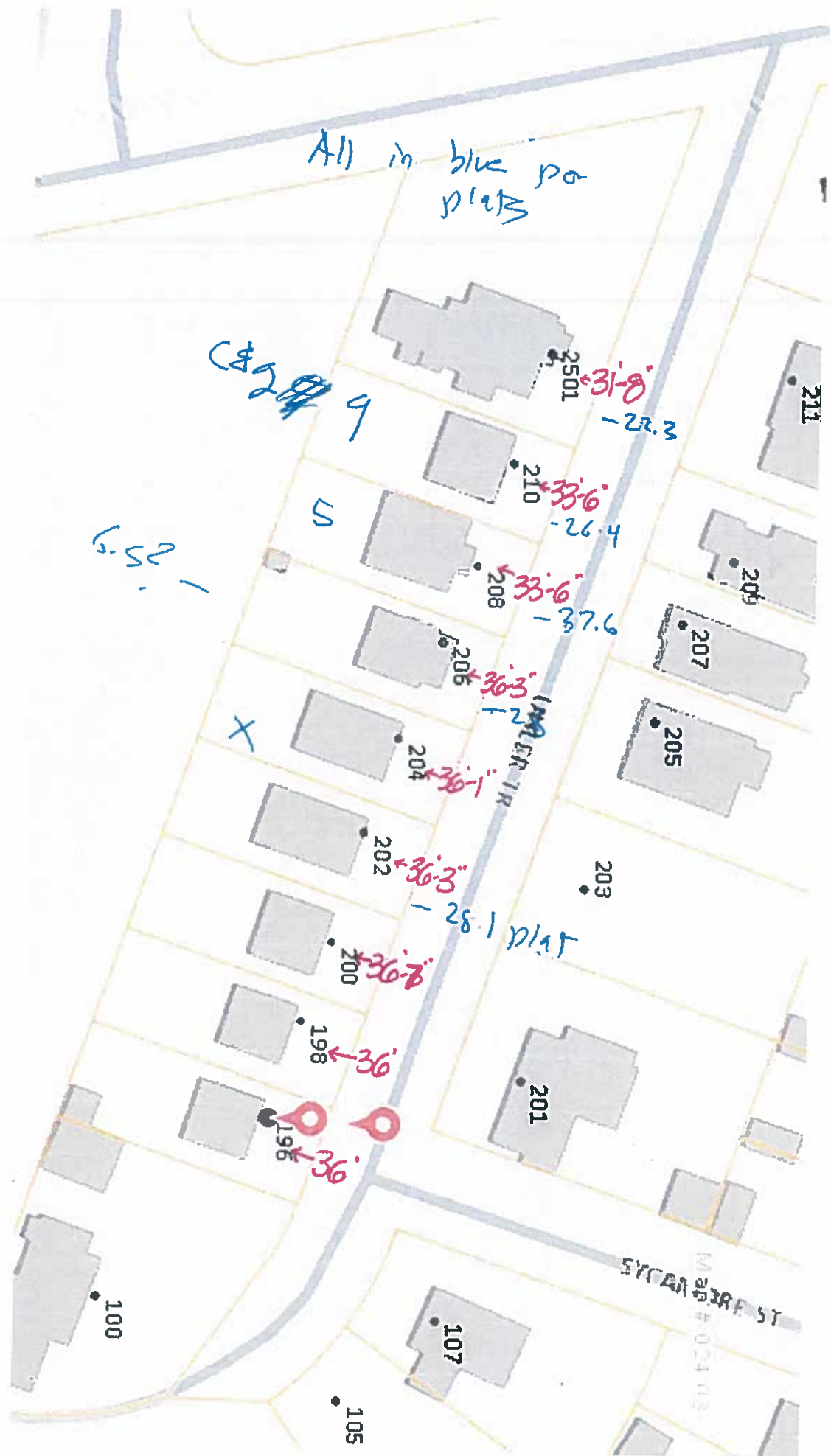
Existing Open Space	
Required Open Space	
Proposed Open Space	

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

Signature: C. M. R.

[Signature]

Date: 7/21/2017



L102/13/L0
 Application and Materials
 1700-1107 #ase 779

Uhler Terrace	Setback to Property Line
196	28.1
198	Subject property
200	28.1
202	28.1
204	28
206	20.8
208	33
210	20.4
2510*	22.3
Average	26.1

*Russell Road



198 UHLER TERRACE - EXISTING



DESIGN RENDERINGS

BZA Case # 2017-0027
Application and Materials
198 Uhler Street
07/31/2017



198 UHLER TERRACE
PROPOSED FRONT PORCH ADDITION

DRAWINGS PROVIDED BY:
Capitol Hill Construction
1783 Forest Dr. #315
 Annapolis, MD 21401
 202-543-5300

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PROJECT DESCRIPTION:
Bohn Front Porch
198 Uhler Terrace
Alexandria, VA 22301

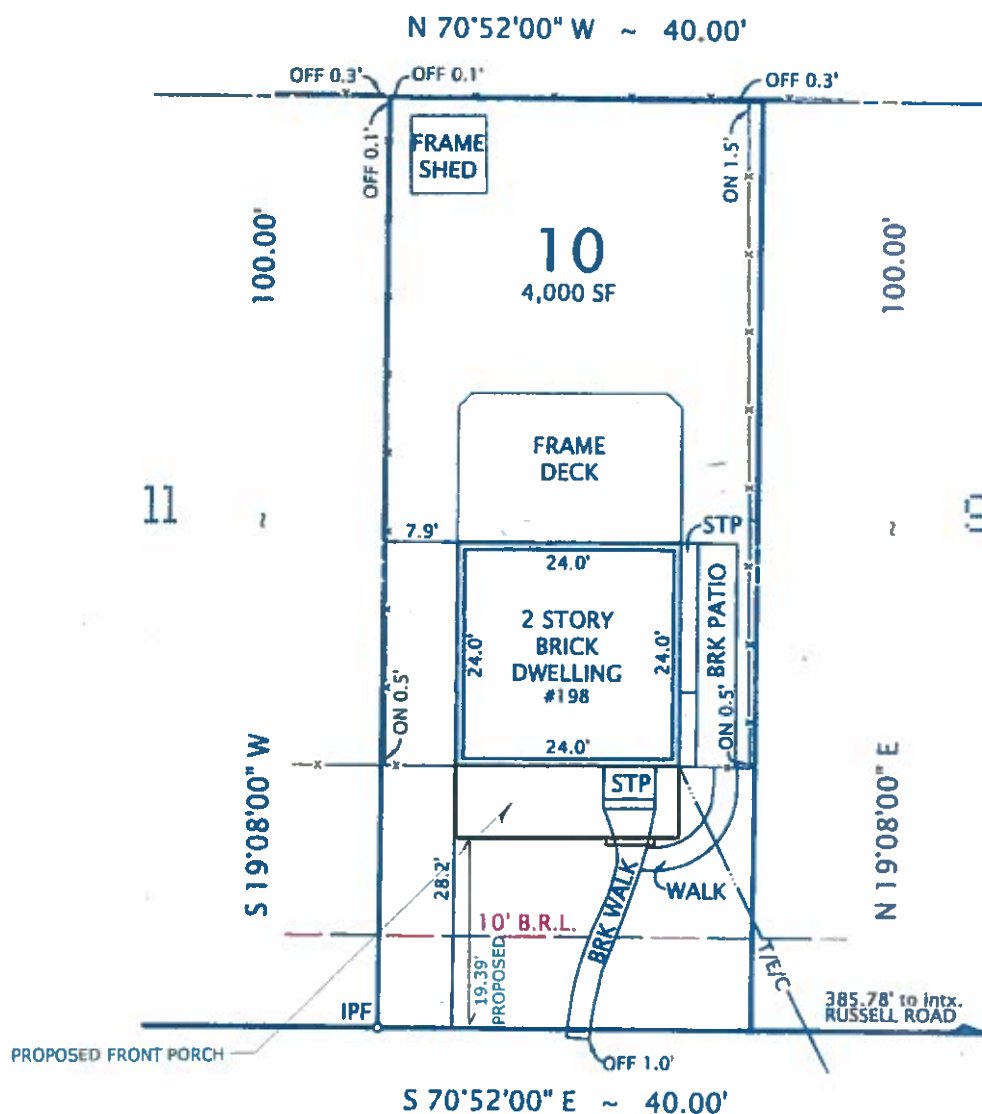
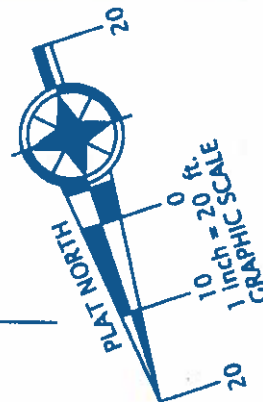
SHEET TITLE:
PROPOSED DESIGN

NO.	DESCRIPTION	BY	DATE

<small>SCALE:</small>	<small>DATE:</small>
N.T.S.	7/18/2017

A-1

NOTES: 1. FENCE ARE FRAME.

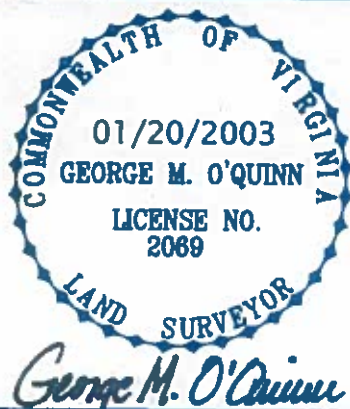


UHLER TERRACE

PLAT
SHOWING HOUSE LOCATION ON
LOT 10, BLOCK 14
MOUNT IDA
(DEED BOOK 125, PAGE 178)
CITY OF ALEXANDRIA, VIRGINIA
SCALE: 1" = 20' JANUARY 20, 2003

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.



CASE NAME:

HENNING ~ BOHN/POTTS
MONUMENT TITLE COMPANY, INC.

DOMINION SURVEYORS, INC

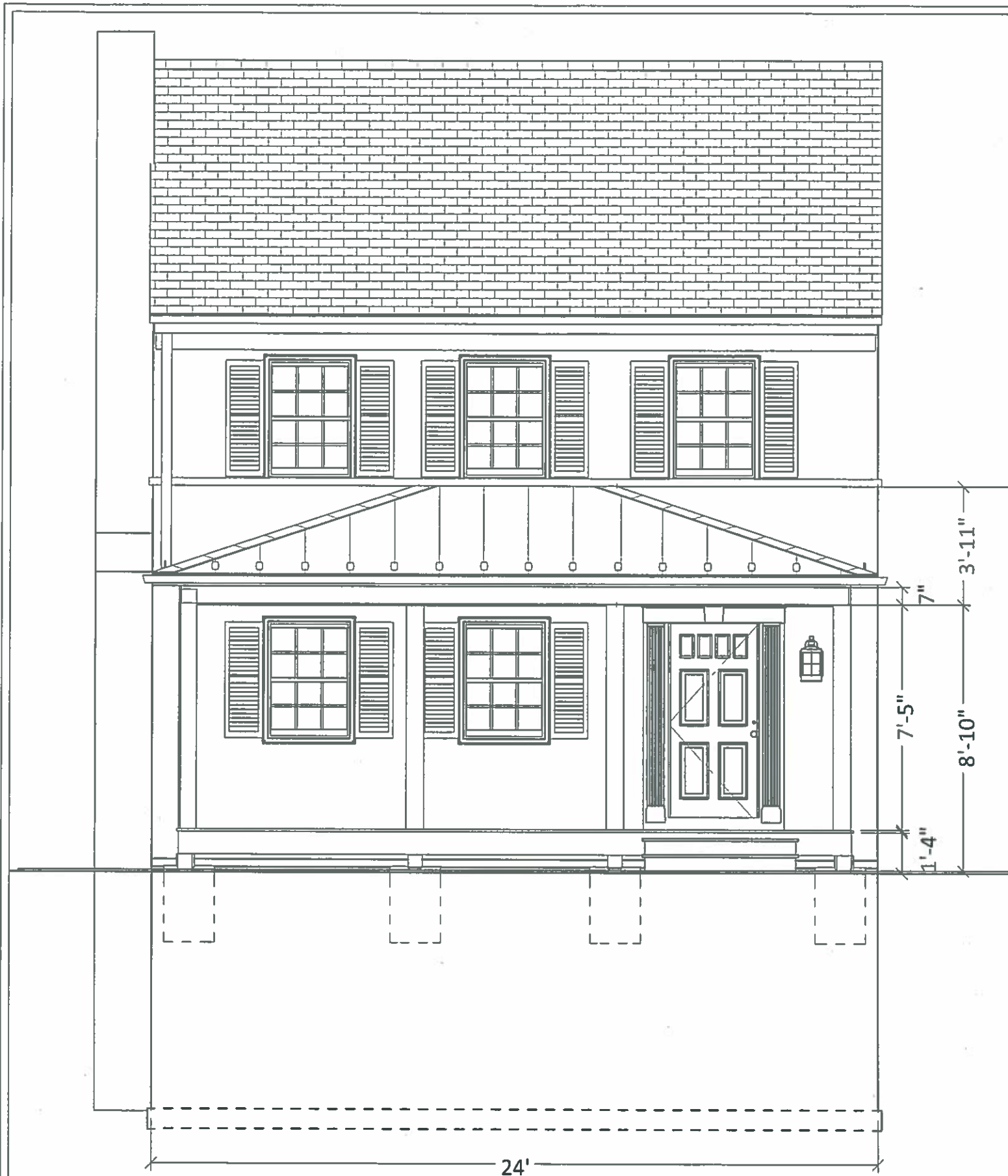
8808-H PEAR TREE VILLAGE COURT
ALEXANDRIA, VIRGINIA 22309
703-619-6555
FAX 703-799-6412

CASE NAME: BOHN/POTTS

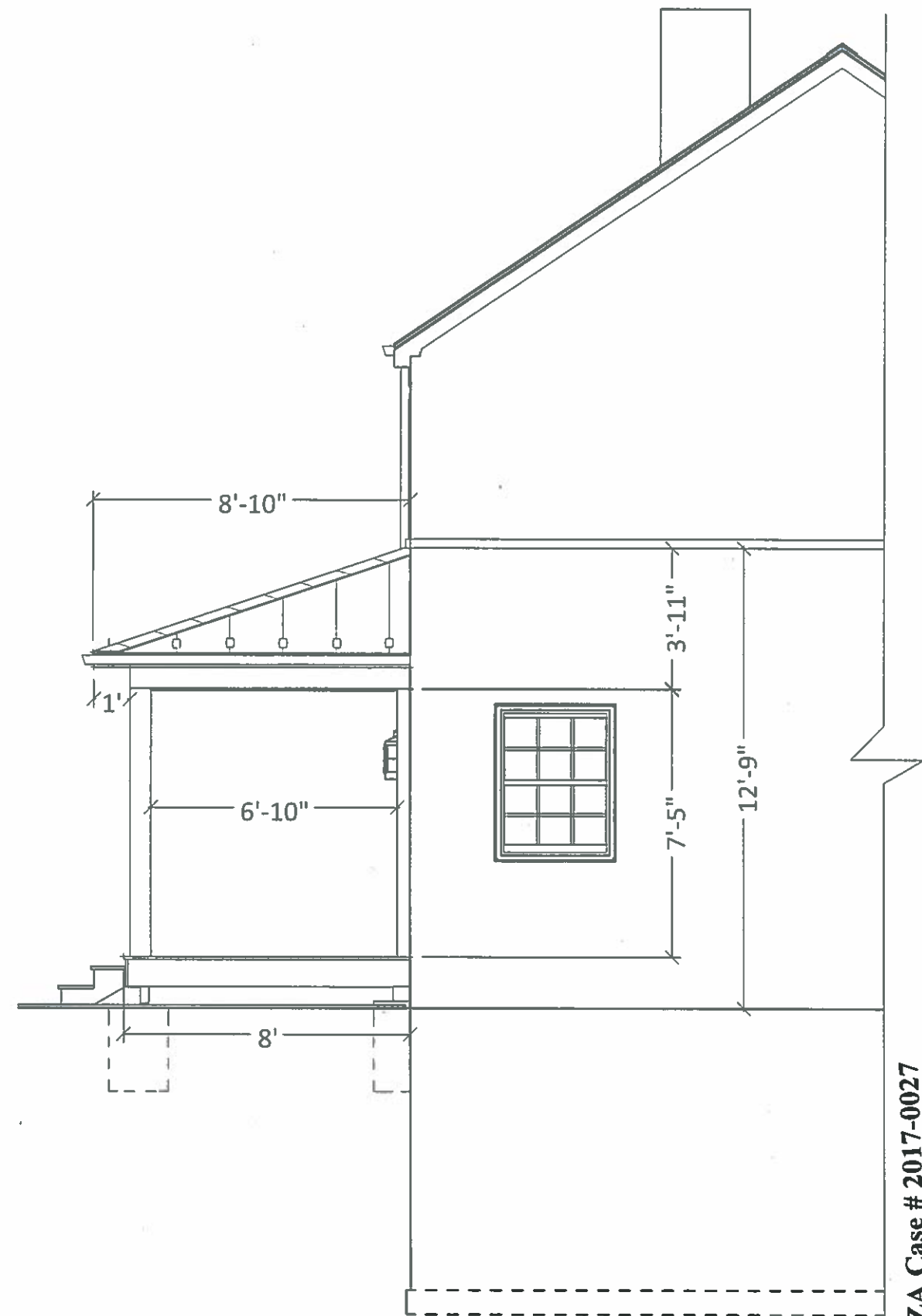
CASE NO: 03-159M

#30114005

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07/31/2017



PROPOSED FRONT ELEVATION



PROPOSED RIGHT ELEVATION

BZA Case # 2017-0027
Application and Materials
198 Uhler Street
07/31/2017

DRAWINGS PROVIDED BY:
Capitol Hill Construction
1783 Forest Dr. #315
Annapolis, MD 21401
202-543-5300

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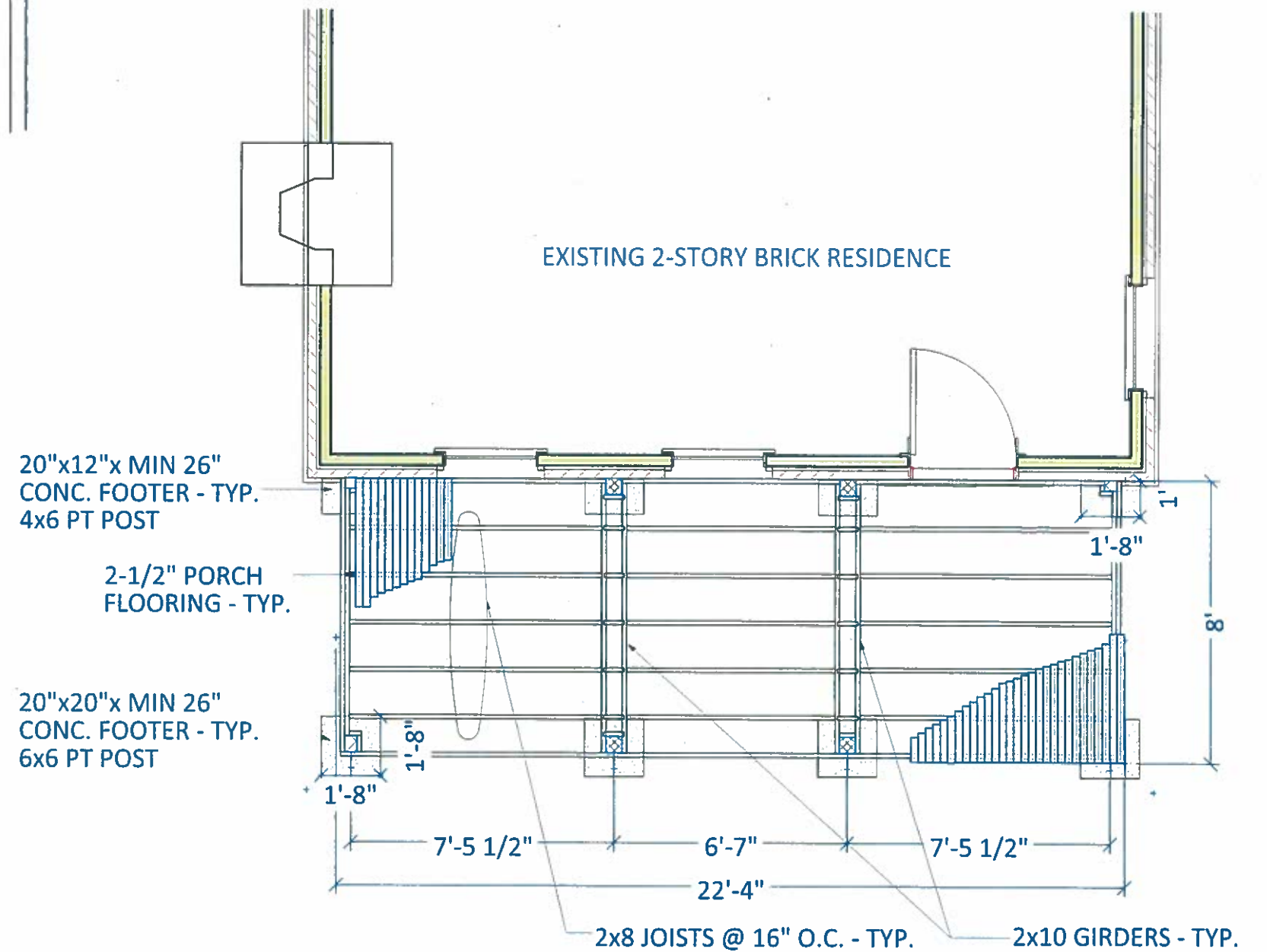
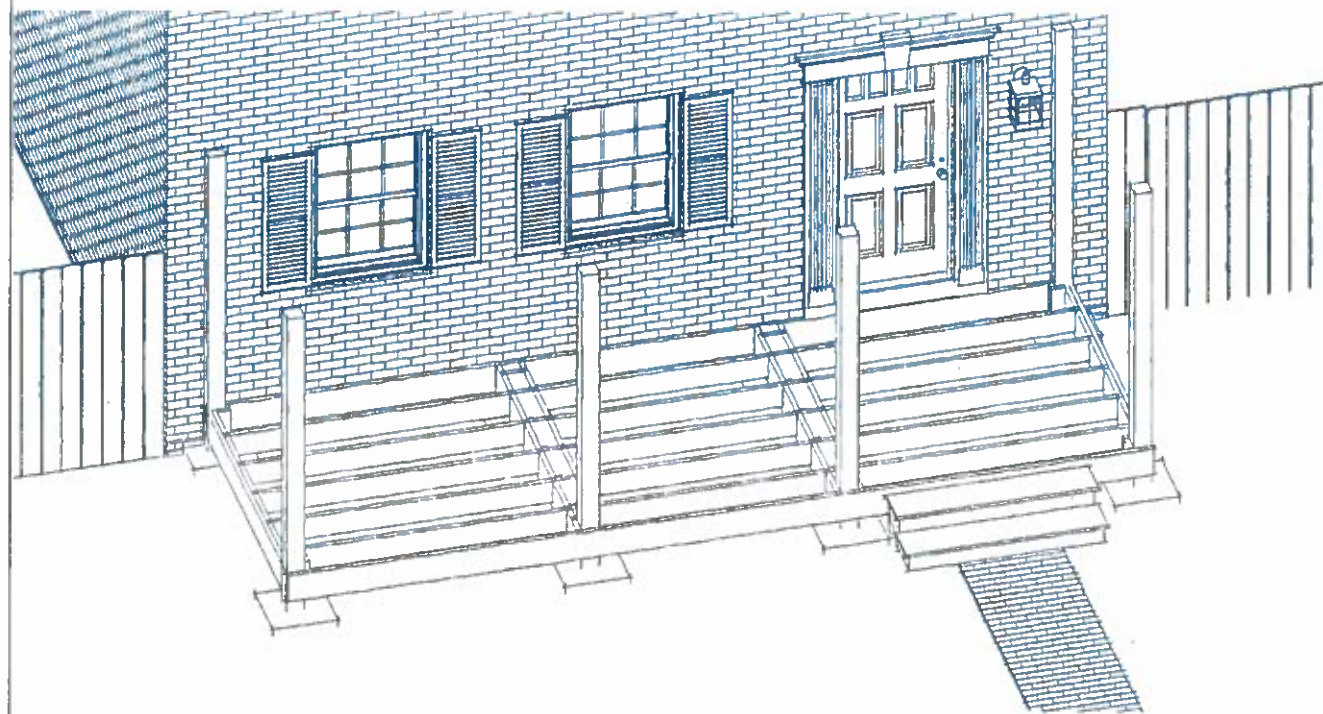
PROJECT DESCRIPTION:
Bohn Front Porch
198 Uhler Terrace
Alexandria, VA 22301

SHEET TITLE:
ELEVATIONS

NO.	DESCRIPTION	BY	DATE

SCALE:	DATE:
1/4" = 1'	7/18/2017

A-3



PORCH DECK FRAMING PLAN

BZA Case # 2017-0027
Application and Materials
198 Uhler Street
07/31/2017

DRAWINGS PROVIDED BY:
Capitol Hill Construction
1783 Forest Dr., #315
Annapolis, MD 21401
202-543-5300

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PROJECT DESCRIPTION:
Bohn Front Porch
198 Uhler Terrace
Alexandria, VA 22301

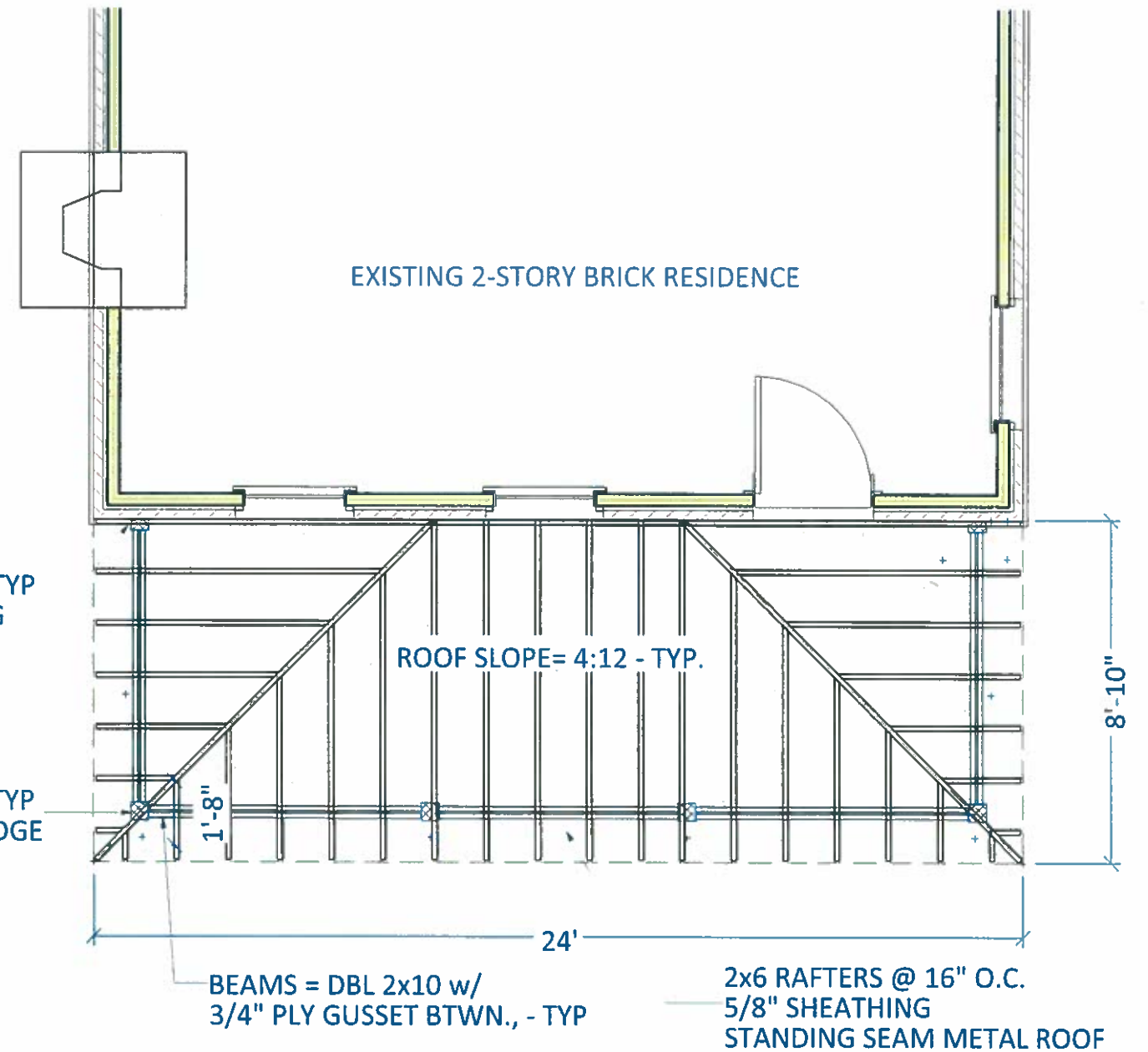
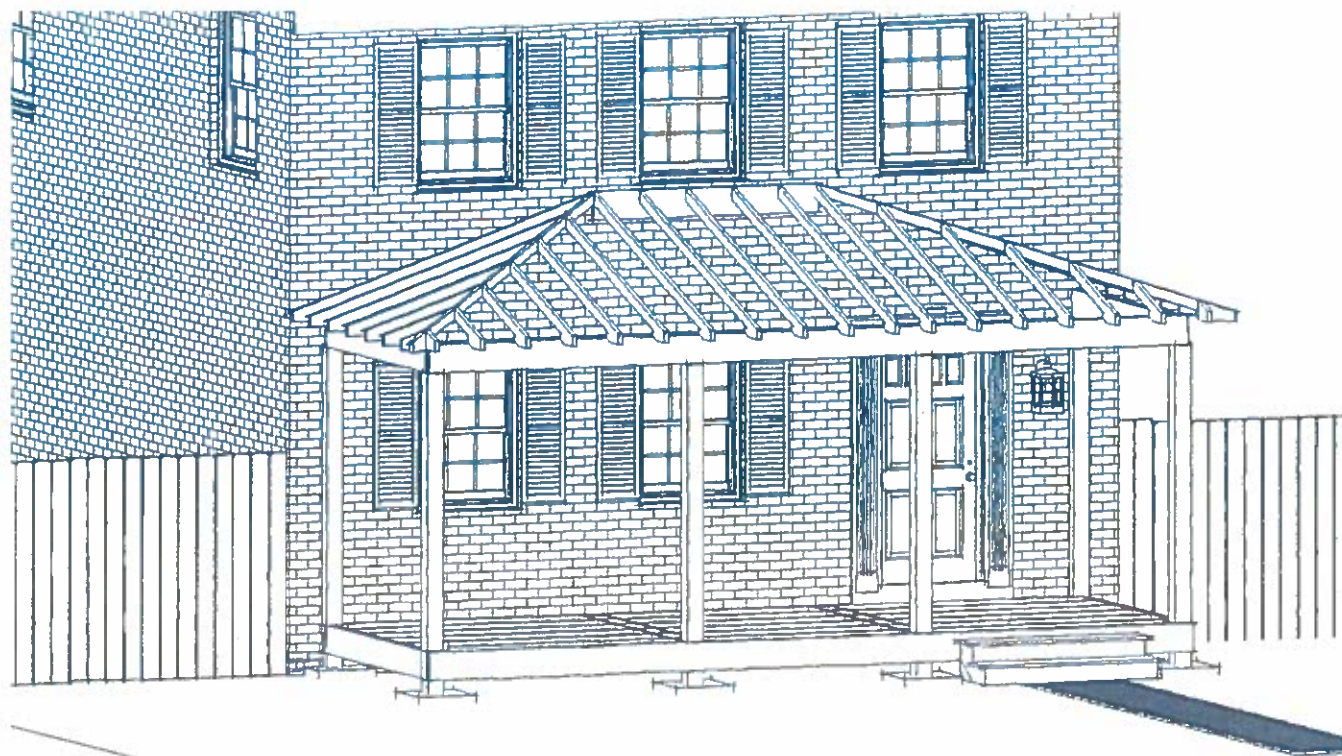
SHEET TITLE:
DECK FRAMING PLAN

NO.	DESCRIPTION	BY	DATE

SCALE:
1/4" = 1'

DATE:
7/18/2017

A-4



ROOF FRAMING PLAN

BZA Case # 2017-0027
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198 Uhler Street
07/31/2017

DRAWINGS PROVIDED BY:
Capitol Hill Construction
1783 Forest Dr. #315
Annapolis, MD 21401
202-543-5300

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PROJECT DESCRIPTION:
Bohn Front Porch
198 Uhler Terrace
Alexandria, VA 22301

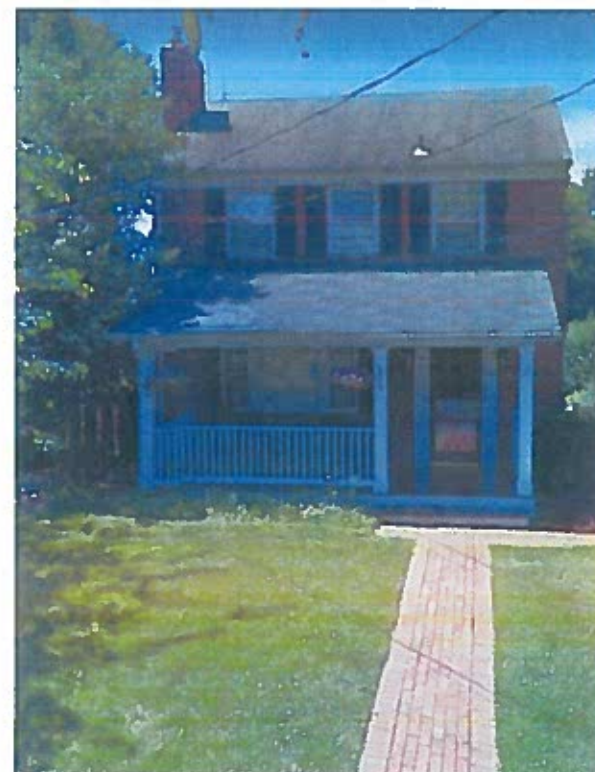
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ROOF FRAMING PLAN

NO.	DESCRIPTION	BY	DATE

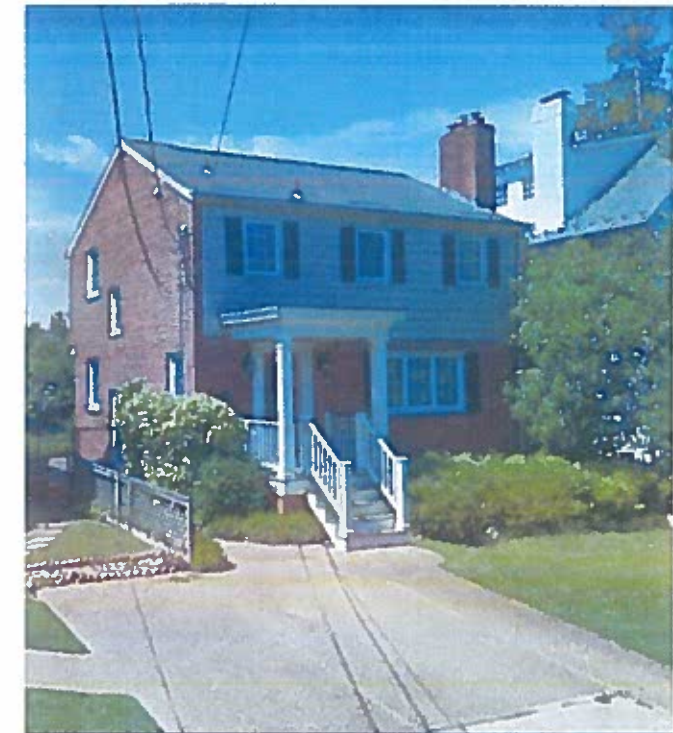
SCALE:
1/4" = 1'

DATE:
7/18/2017

A-5



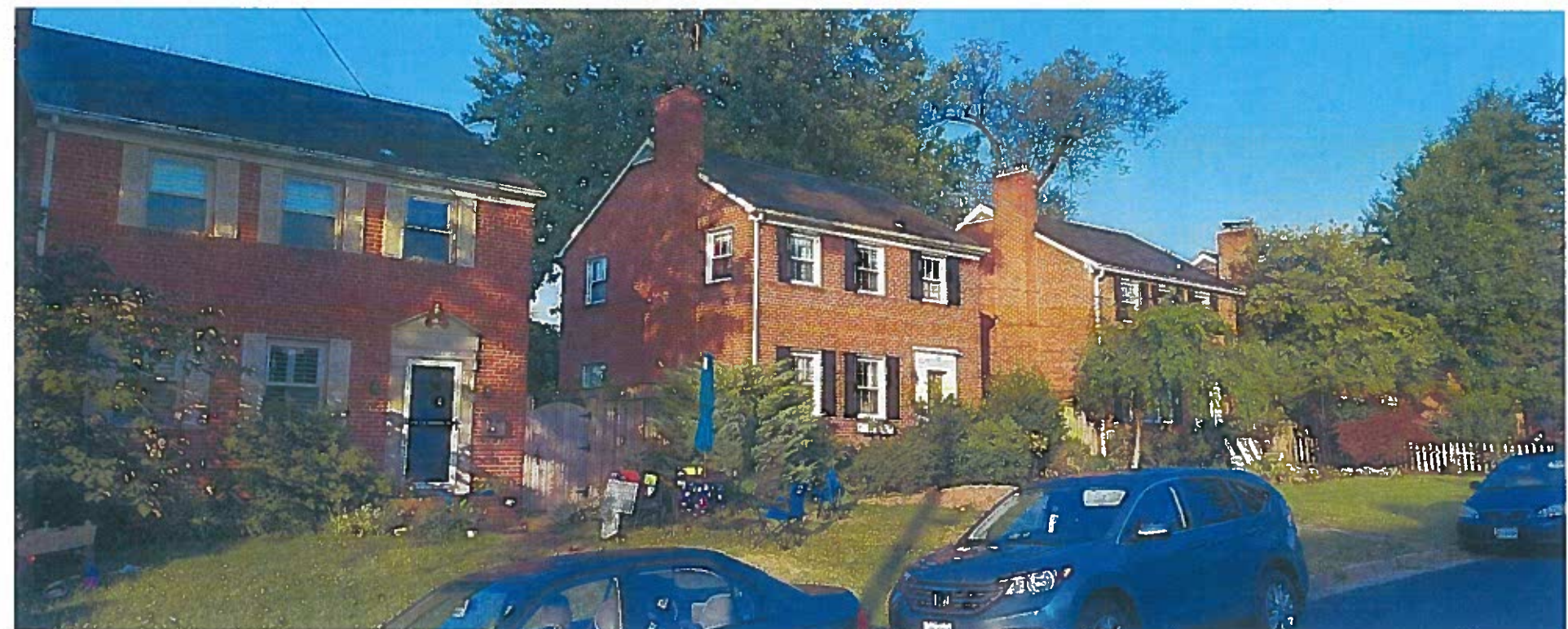
206 Uhler Terrace Before & After Porch Addition



210 Uhler Terrace



209 Uhler Terrace



196, 198 & 200 Uhler Terrace

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07/31/2017

DRAWINGS PROVIDED BY:
Capitol Hill Construction
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PROJECT DESCRIPTION:
Bohn Front Porch
198 Uhler Terrace
Alexandria, VA 22301

SHEET TITLE:
COMPERABLE
PROPERTIES

NO.	DESCRIPTION	BY	DATE

SCALE:

DATE:
7/18/2017

A-6