

Docket Item #4
BZA CASE #2017-0029
Board of Zoning Appeals
September 14, 2017

ADDRESS: 926 N. LINDSAY PLACE
ZONE: R-12/RESIDENTIAL
APPLICANT: DAVID & AMY HAWKINS

ISSUE: Public hearing and consideration of a request for a variance to construct a two-car garage with the vehicle opening facing the front yard.

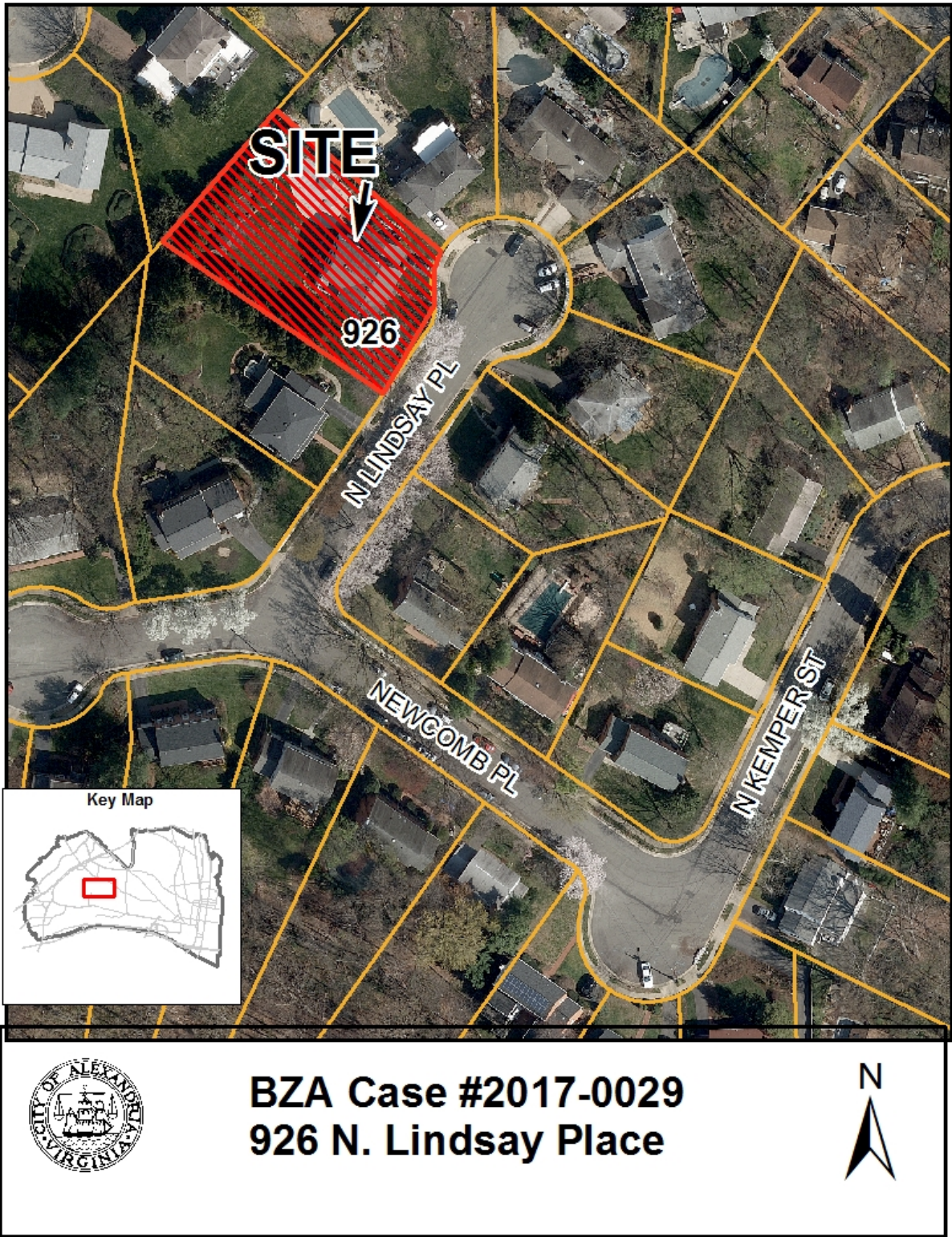
CODE SECTION	SUBJECT	CODE REQMT	APPLICANT PROPOSES	REQUESTED VARIANCE
7-2506(A)(1)	Garage Access	Vehicle opening facing the side yard	Vehicle opening facing the front yard	Vehicle opening facing the front yard

Staff **recommends denial** of the requested variance because the strict application of the terms of the ordinance do not unreasonably restrict the utilization of the property.

If the Board decides to grant the requested variance the project 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 Certificate of Occupancy. The variance 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.

If the Board decides the grant the variance, staff suggests the following condition:

1. The existing curb cut shall be removed and the existing garage shall be converted to living area with the garage doors removed and a residential façade added as part of this project.



I. Issue

The applicants propose to construct a new attached two car garage with the vehicle opening facing the front yard at 926 North Lindsay Place.

II. Background

The subject property is one lot of record with 113.48 feet of frontage facing North Lindsay Place, 151.48 feet of depth along the west side property line, 188.44 feet of depth along the east side property line, and 123.30 feet of width along the rear property line. The lot has a total area of 20,025 square feet. The subject property is compliant as to the minimum lot area, width and frontage for a single family lot in the R-12 zone.

The property is developed with a two-story single-family dwelling with an attached front loading single car garage. The dwelling and attached garage are located 26.4 feet from the front property line, 42.0 feet from the west side property line, 12.10 feet from the east side property line, and 86.50 feet from the rear property line. According to Real Estate Assessment records the house was constructed in 1964.

Table 1. Zoning Table

R-12 Zone	Requirement	Existing	Proposed
Lot Area	12,000 sq. ft.	20,025 sq. ft.	20,025 sq. ft.
Lot Width	80.00 ft.	110.00 ft.	110.00 ft.
Lot Frontage	60.00 ft.	113.48 ft.	113.48 ft.
Front Yard	Average Prevailing Setback of the Block	26.40 ft.	26.40 ft.
Side Yard (west)	1:2 ratio, minimum 10 ft.	42.0 ft.	17.0 ft.
Side Yard (east)	1:2 ratio, minimum 10 ft.	12.1 ft.	12.1 ft.
Building Height	25 ft. or 20% greater than block average.	20.50 ft. (Dwelling)	20.50 ft. (Dwelling)
Net FAR	Max 6,007.50 sq. ft. (.30)	3,909.39 sq. ft.	4,734.39 sq. ft.

III. Description

The applicants propose to construct a new attached two-car garage with the vehicle opening facing the front yard that would be located 17.0 feet from the west side property line, 90.0 feet from the rear property line and 47.00 feet from the front property line. The garage would measure 25.00 feet in width by 33.00 feet in depth for a total of 825 square feet. The proposed height of the garage is 13.75 feet measured from the average finished grade to the midpoint of the gable roof. The garage would be recessed approximately 10 feet from the main front building wall. The applicants are proposing to renovate the existing one car front loading garage and convert it into living area for the dwelling. The

existing curb cut for this existing garage would be removed, and a new curb cut and driveway would be constructed in front of the new garage.

There have not been any variances or special exceptions previously granted for the subject property.

IV. Master Plan/Zoning

The subject property is located within the R-12 zone, and has been since the adoption of the 5th Revised Zoning Map in 1963. This site is identified for residential land use in the Seminary Hill/Strawberry Hill small area plan.

V. Requested Variance

Section 7-2506(A)(1) Access to Attached Garages

The applicants request a variance from the requirement that vehicle access to an attached garage opens facing a side yard on a lot with a width of 65.00 feet or more. The applicants are requesting to have the vehicle opening face the front yard.

VI. Applicant's Justification for the Variance

The applicants state the zoning ordinance places an unreasonable restriction for the subject property by imposing a side loading garage. The applicants state they believe the unique conditions of the lot justifies a legal hardship as follows:

- (1) The applicant's home was constructed in 1964, prior to the adoption of the infill regulations of 2007.
- (2) The applicant states that there is insufficient space to construct a reasonably sized garage and driveway pad with an appropriate turning radius for vehicles to enter a side loading garage.
- (3) A variance would provide relief from the construction of a long driveway and impervious turning area on the west side of the property that will require the removal of an existing landscaped buffer between the subject property and the adjacent property located at 918 North Lindsay Place.
- (4) A front loading garage is consistent with the character of the neighborhood.
- (5) A side loading garage would require a retaining wall that is approximately 35 feet in length along the west property line and 20 feet across the north (rear) property line, with a height between 4.5 to 5 feet to support the fill needed to raise the level of the ground for the driveway entrance pad. The affect would be aesthetically unpleasing.
- (6) Creating a detached garage with front loading access is not viable as it would likely require the uprooting and killing of several Cryptomeria trees which provide a scenic buffer.

VII. Analysis of the Variance Standards

For the Board of Zoning Appeals to grant a variance the following must be met (1) the definition of a variance, set out in Code of Virginia § 15.2-2201 and (2) the criteria for a variance, set out in Code of Virginia § 15.2-2309(2). The applicant seeking the variance must prove by a preponderance of the evidence that his or her application meets these requirements.

The language below contains staff's interpretation of the Code of Virginia requirements, the pertinent provisions of Sections 15.2-2201 and 15.2-2309(2) are set out in Attachment 1.

A. Analysis of the Definition of a Variance (Code of Virginia § 15.2-2201)

The applicant must establish that the variance he or she is seeking:

1. Is a reasonable deviation from those provisions regulating the shape, size, or area of a lot or parcel of land or the size, height, area, bulk, or location of a building or structure?

The Zoning Ordinance requires that vehicle access to an attached garage be from the side yard for lots with a width of 65 feet or more. Due to the fact that this lot is 110 feet wide, the request for vehicle access from the front yard is not a reasonable deviation from the Zoning Ordinance. In fact, the subject property meets all the minimum lot requirements of the R-12 zone, providing opportunity to create new structures within the constraints of the Zoning Ordinance. The existing dwelling has a large 42 foot west side yard that could accommodate a garage with the vehicle opening and vehicle maneuvering area facing the side yard, or the lot could accommodate a detached rear garage.

2. The strict application of the zoning ordinance would unreasonably restrict the utilization of the property.

The zoning ordinance does not unreasonably restrict the use of the property. There are many alternatives for the construction of a garage that would be in compliance with the Zoning Ordinance.

The first option is for the applicant to construct an attached garage that has side loading access. The applicant could construct a garage of the same square footage and decrease the width while increasing the depth to be farther away from their side yard property line.

A second option is to construct a detached garage. A detached garage is allowed to be constructed with front loading access. It might need less area dedicated to the construction of a driveway, potentially preserving a greater portion the front yard.

Further, detached garages frequently are eligible to be excluded from the net FAR calculation.

As a third option, the applicants could keep the existing noncomplying front loading garage and construct an addition on the west side of the dwelling. The applicants have the lot size (20,025 sq. ft.) to explore design solutions which are in compliance with the zoning ordinance. For example, due to the lot size of 20,025 square feet, the applicants could add 1,273.11 square feet of additional floor area in addition to the proposed increase of 825 square feet. Thus, the applicants have the lot size to explore alternative design options which are able to comply with the zoning ordinance.

3. The need for a variance is not shared generally by other properties.

The need for a variance would be shared generally by other properties if they were to construct a new garage. The requirement to access an attached garage from a side yard for lots which are 65 feet or more in width is applicable to all of the lots located at North Lindsay Place. Therefore, every lot on North Lindsay Place would need a variance to construct a new attached front loading garage. The existing garages with the vehicle access facing the front yard on this block were all constructed prior to the Zoning Ordinance amendment requiring side yard access for vehicles. Any lot wider than 65 feet wide could accommodate a side loading garage. While the other dwellings on this side of Lindsay Place have existing front loading garages, adequate space is generally available to build side loading garages in this neighborhood whenever reconstruction or new construction occurs in this neighborhood.

4. The variance is not contrary to the purpose of the ordinance.

A variance would be contrary to the purpose of the ordinance. In 2008, the City Council adopted Residential Infill regulations including section 7-2506(A)(1), which prohibits new attached garages with vehicle access facing the front yard when there is ample width (65 feet or more) to access the garage from the side yard. At 110 feet in width, a garage with side yard access is required under the Zoning Ordinance. The public policy goal is to avoid having garage doors as a major feature on dwelling facades.

5. The variance does not include a change in use, which change shall be accomplished by a rezoning.

The variance request does not include a change in use.

A. Analysis of the Criteria for a Variance (Code of Virginia § 15.2-2309)

1. The evidence must show that either the strict application of the terms of the ordinance would unreasonably restrict the utilization of the property or granting of the variance would

alleviate a hardship due to the physical condition relating to the property improvements thereon at the time of the effective date of the ordinance.

The strict application of the ordinance would not unreasonably restrict the utilization of the property. Per section 7-2506(A)(1), lots which are 65 feet or more must use side loaded access if an attached garage is constructed. This is a large lot (20,025 square feet) with more than enough lot width (110.00 feet) to construct a driveway with the turning radius necessary to turn into an attached garage with side or rear loading access or with enough area to construct a detached garage at the rear of the lot.

2. The property interest for which the variance is being requested was acquired in good faith and any hardship was not created by the applicant for the variance.

This proposal would create a self-imposed hardship. The applicants currently have a legal noncomplying attached garage with the vehicle opening facing the street. The applicants' propose to renovate the existing garage converting it into living area and to replace the garage by constructing a new, substantially larger attached garage with the vehicle opening facing the street. The applicants could maintain the existing noncomplying garage or construct a new garage that would not require a variance.

3. The granting of the variance will not be of substantial detriment to adjacent property and nearby properties in the proximity of that geographical area.

The proposed garage would not reduce the light and air to the adjacent neighbor along the west property line, at 918 North Lindsay Place.

4. The condition or situation of the property concerned is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation that could be adopted as an amendment to the zoning ordinance.

The condition and situation at this lot is not unique to the subject lot, every residential lot in Alexandria that is more than 65 feet wide would need to construct new garages with side loading access. Since the intent of the amendment to the Zoning Ordinance in 2008 was to require side yard access to garages for lots with larger widths in order to avoid garage doors being a major façade feature on dwellings, staff would not support a change to the Zoning Ordinance to eliminate this requirement. In 2008, the City Council adopted the Residential Infill Regulations, which are a solution to citizen concerns about the future of design in Alexandria and specific architectural features fit into the context of existing and citizens believe are aesthetically displeasing by creating design guidelines. As a form of relief and to encourage detached rear garages, changes in the Zoning Ordinance included allowing the floor area of detached garages (which must be built behind the front building wall, making the less notable from the street) to be excluded from floor area.

5. The granting of the variance does not result in a use that is not otherwise permitted on such property or a change in the zoning classification of the property.

The variance request does not include a change in use. The property would continue to be used a single-family residential dwelling unit.

6. The relief or remedy sought by the variance application is not available through a special exception process or the process for modification of a zoning ordinance at the time of the filing of the variance application.

No other remedy is available except a variance.

VIII. Staff Conclusion

Staff **recommends denial** of the requested variance because the property does not meet the criteria for a variance as outlined above.

Staff

Mark Hamala, Senior Planning Technician, mark.hamala@alexandriava.gov

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 may be required. Provide calculation of disturbed area per Memo to Industry 02-08 to T&ES for review prior to submitting building permits. If a grading plan is required, it must be released prior to submitting building permits. (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)
- 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)

- C-7 Any redevelopment shall comply with Section 5-6-224 (d) of the City Code regarding grading plan requirements. (T&ES)
- C-8 Any future development/redevelopment on the lots shall provide adequate storm water outfall per the requirements of Articles XI and XIII of Alexandria Zoning Ordinance. (T&ES)
- C-9 The development and redevelopment of the lots shall not adversely impact the storm water drainage or create a nuisance on the public and private properties. (Sec. 5-6-224) (T&ES)
- C-10 Any future development/redevelopment on the shall comply with the requirements of City of Alexandria Zoning Ordinance Article XIII Environmental Management Ordinance and the relevant laws of the Commonwealth of Virginia and the City of Alexandria, as applicable, for storm water management regarding water quality improvement and quantity control at the time of submission of the first final plan. (T&ES)
- C-11 Per Zoning Ordinance Section 7-2506, the driveway surface shall be of a permeable material. (T&ES)

Code Enforcement:

- C-1 A building permit, plan review and inspections are required to build garage addition.

Recreation (Arborist):

- F-1 No comment.

Historic Alexandria (Archaeology):

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

Other Requirements brought to the Applicant's Attention:

- C-1 A wall check survey plat shall be submitted to Planning and Zoning when the building footprint is in place, pursuant to Alexandria City Code section 8-1-12.
- F-1 There is low potential for this project to disturb significant archaeological resources. No archaeological action is required.

Other Requirements Brought to the Applicant's Attention:

- C-1 A wall check survey plat shall be submitted to Planning and Zoning when the building footprint is in place, pursuant to Alexandria City Code section 8-1-12.



**APPLICATION
BOARD OF ZONING APPEALS**

VARIANCE

Section of zoning ordinance from which request for variance is made:

Section 7-2506 (A) (1)

PART A

1. Applicant: ☒ Owner ☐ Contract Purchaser ☐ Agent

Name David Hawkins

Address 926 N. Lindsay Place

Alexandria, VA 22304

Daytime Phone 703-403-5799 Mobile

Email Address dhawkins@mcenearney.com

2. Property Location 926 N. Lindsay Place

3. Assessment Map # 039.02 Block 03 Lot 16 Zone R-12

4. Legal Property Owner Name David & Amy Hawkins

Address 926 N. Lindsay Place

Alexandria, VA 22304

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. David Hawkins	926 N. Lindsay Place	100%
2. Amy Hawkins	926 N. Lindsay Place	100%
3.		

2. Property. State the name, address and percent of ownership of any person or entity owning an interest in the property located at 926 N. Lindsay Place (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. David Hawkins	926 N. Lindsay Place	100%
2. Amy Hawkins	926 N. Lindsay Place	100%
3.		

3. Business or Financial Relationships. Each person or entity listed above (1 and 2), with an ownership interest in the applicant or in the subject property is 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 (OHAD and Parker-Gray). All fields must be filled out completely. Do not leave blank. (If there are no relationships please indicate each person or entity below and "NONE" in the corresponding fields.)

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. David Hawkins	None	None
2. Amy Hawkins	None	None
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.

5. Describe request briefly:

Request variance from the strict application of the Infill Zone regulations to permitting the construction of a new front loading two car garage addition to our home in order to have a functional garage that is adjacent to the living area of the home.

(See attached on following page.)

- 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.

PART B

APPLICANT MUST EXPLAIN THE FOLLOWING:

(Please attach additional pages where necessary.)

1. Please answer A or B:

A. Explain how enforcement of the zoning ordinance would prevent reasonable use of the property.

Our home was constructed prior to the adoption of the Infill Regulations in 2007. As such there is insufficient land area on the southern side of our property to build a reasonably sized garage consistent with our neighborhood.

The distance between the house and the side property line is not adequate to construct a side loading garage with driveway pad at the entrance of sufficient size to accommodate the turning radius required for vehicles to access the garage. Therefore the strict enforcement of the ordinance would prevent the applicant from building a reasonably functional garage. (Engineer's assessment is provided.)

B. Explain how the variance, if granted, would alleviate a hardship, as defined above.

The granting of the variance would allow the construction of a front loading garage consistent with the character of the neighborhood and alleviate the unreasonable burden of creating a long driveway and impervious turning area on the south side of the property eliminating the existing landscaped buffer between our home and the neighbors' home. The strict enforcement of the Infill Regulations does not advance a public benefit in this instance, but does have a detrimental impact on our property and our neighbors.

We are requesting a variance from the strict application of the Infill Zone regulations to permit the construction of a new front loaded two car garage addition to our home in order to have a functional garage that is adjacent to the living area of home. The existing undersized and unusable front loaded garage on the north end of our home will be converted into storage space and the garage door will be replaced with window consistent with the architecture of the house and the curb cut and driveway serving it will be abandoned and removed.

The granting of the variance to permit a front loaded garage will, in this instance prevent an unreasonable restriction on the use and enjoyment of our property and alleviate a hardship due to the physical condition of the property and the improvements on our property at the adoption of the Infill Zone regulations in 2005. The existing home is constructed on the lot such that the southern side yard does not have sufficient land area to accommodate required turning movements into a side loaded garage. Additionally, a side loaded garage would eliminate the landscape buffer between our home and the house to the south and replace it with a four to five foot retaining wall and impervious surface to the detriment of our neighbors' property.

The granting of the variance permitting a front loaded garage would not be a substantial detriment to or change the character of the surrounding neighborhood as all the existing homes have front loaded garages or carports.

2. Is this unreasonable restriction or hardship unique to the property?

A. Explain if the restriction or hardship is shared by other properties in the neighborhood.

The unreasonable restriction on our property that would result from the strict application of the Infill Regulations is not of a general or recurring nature as other homes in the area have existing front loading garages.
(Photos are provided.)

B. Does this situation or condition of the property (on which this application is based) generally apply to other properties in the same zone?

No. The improvements constructed on our property existing at the time of the adoption of the Infill Regulations were constructed such that a reasonable and usable two car garage addition cannot be constructed as side loading, and without the removal of the landscape buffer on the south side of our home, and without the construction of a retaining wall and impervious driveway and turning area detrimental to our home and our neighbors.

3. Was the unreasonable restriction or hardship caused by the applicant?

A. Did the condition exist when the property was purchased?

Yes. The home was constructed prior to the ordinance at which time a front loading garage was permitted but which now conflicts with the 2007 ordinance.

B. Did the applicant purchase the property without knowing of this restriction or hardship?

The improvements on our property were located as they exist today. The zoning regulations prior to 2007 would have permitted a front loading garage. It was always our intent to one day build a two car attached garage in this location.

C. How and when did the condition, which created the unreasonable restriction or hardship, first occur?

The siting of the home on the lot failed to provide adequate area to accommodate the construction of a functional side loading garage, which if attempted would require the elimination of the landscaped buffer and negative impacts on the adjacent neighbor.

- D. Did the applicant create the unreasonable restriction or hardship and, if so, how was it created?**

No.

- 4. Will the variance, if granted, be harmful to others?**

- A. Explain if the proposed variance will be detrimental to the adjacent properties or the neighborhood in general.**

The granting of the variance will not be a detriment to any of the adjacent and nearby properties, and the proposed front loaded garage is consistent with the character of the neighborhood.

- B. Has the applicant shown the proposed plans to the most affected property owners? Have these property owners written statements of support or opposition of the proposed variance? If so, please attach the statements or submit at the time of the hearing.**

Yes. Every homeowner on the street has signed a letter of support for the requested variance.

The neighbor most affected (on the south side) has provided a letter of support for the variance, and also indicating his strong opposition to a side loading garage due to the detrimental impact on his property and property value. Copies of both letters are attached.

- 5. Is there any other administrative or procedural remedy to relieve the hardship or unreasonable restriction?**

No.

PART C

- 1. Have alternative plans or solutions been considered so that a variance would not be needed? Please explain each alternative and why it is unsatisfactory.**

Yes. All options have been evaluated and both a side loading garage and a detached rear yard garage cause a substantial detriment to the use and enjoyment of our home and that of our neighbors. There is no corresponding public benefit to the strict application of the ordinance in this instance. Specifically,

1. A side loading garage is impractical because there is not sufficient space between the house and the property line to build a two car garage with an entrance pad large enough to meet the turning radius requirements of the vehicles (see attached exhibits). Additionally, even if there was sufficient space (which there is not) a side loading garage would need a retaining wall of approximately 35 feet along the south property line and 20 feet across the rear, with a maximum height of between 4.5 and 5 feet, to support the fill needed to raise the level of the ground for the driveway entrance pad. This would result in significantly more driveway and hardscape as well as the negative visual effect of the retaining wall. The next door neighbor feels stringly that ba side entry garage would negatively impact his property and property value.

2. Our plan for our home is to configure it for one level living as we retire and age in place. An important aspect of that plan is access to a secure and weather protected garage on the maion living level. Only an attached garage can provide that security. Also, building a detached garage in the rear would require a drive disturbing the roots of and likely killing several large cryptomeria trees that are part of a valuable scenic buffer. For these reasons a detached garage would be unsatisfactory.

2. Please provide any other information you believe demonstrates that the requested variance meets the required standards.

The proposed front loading garage will be set back 8 feet from the front corner of the house to reduce the visual presence of the garage. It will not detract from the featured front entrance, which I believe was one purpose of the ordinance. The proposed plan allows for substantial plantings on the side of the garage to creat an attractive setting. This would not be possible with a side loading garage.

The proposed front loading garage is consistent with the character of the neighborhood as evidenced by streetscape exhibits and by the letters of support for the granting of the variance by all neighbors.

As there is no other practical option for a garage failure to grant this variance will prevent us from having a garage that meets our needs in retirement. Under the circumstances it would be unreasonably burdensome to strickly enforce the ordinance and deny the requested variance.

To: Alexandria Board of Zoning Appeals

Re: Application for Variance by David and Amy Hawkins

Property Location: 926 Lindsay Place, Alexandria, VA 22304

We, the undersigned residents of Lindsay Place request that the Hawkins' application for a variance allowing the construction of a front loading garage be granted.

We further confirm that we fully support the addition of a front loading attached two car garage as proposed by the Hawkins on the south end of their house.

We further confirm that we prefer a front loading garage to a side loading garage because a front loading garage is in keeping with the design of other garages in the neighborhood and would be visually much preferable to one that is side loading .

Signature(s) of property owner(s)	Date	Address
<u>[Signature]</u> <u>Sarah O. Hays</u>	<u>5/14/17</u>	918 Lindsay Place
<u>[Signature]</u> <u>Sharon W. Baker</u>	<u>14 May 2017</u>	934 Lindsay Place
<u>[Signature]</u> <u>Nancy L. Hewitt</u>	<u>5/14/17</u>	937 Lindsay Place
<u>[Signature]</u> <u>[Signature]</u>	<u>5/14/17</u>	929 Lindsay Place
<u>[Signature]</u>	<u>5/15/2017</u>	940 Lindsay Place
<u>[Signature]</u>	<u>5/14/17</u>	921 Lindsay Place

I attest that the above list includes all residents of Lindsay Place.

[Signature] 5/15/17

May 13, 2017

Alexandria City Government
Planning and Zoning Office
City Hall
Alexandria, Va 22314

To whom it may concern:

The purpose of this letter is to formally request that you approve a request for variance application submitted by David and Amy Hawkins. The Hawkins home is located at 926 Lindsay Place. Our home is next door at 918 Lindsay Place on the same side as the Hawkins garage is to be located.

We have reviewed the Hawkins' plans for a two car garage attached to the side of their house with garage doors facing the street. We happily support their plan. However, we feel that requiring side entry to the garage will be unsightly and will potentially create a significant nuisance to us. A side loading garage will require a large paved area for cars to turn into the garage that will have to be built right up to our property line. It will require greater disruption of the landscape including the construction of a retaining wall at our property line to support the change in grade that will have to occur for the driveway turn-around pad. It will impact the natural slope of the land between our properties and the flow of rain water. All of these will cause a diminution in the value of our property.

There is nothing positive to be gained from a side entry garage. None of the concerns mentioned above will come into play if the variance is granted so that the garage doors can face the street. Ours is a neighborhood of garages that face the street. The Hawkins' plan is in keeping with the other homes in the neighborhood.

We strongly request that you respect our wishes and those of our neighborhood and grant the requested variance.



Ron and Sally George
918 Lindsay Place
Alexandria, VA 22304

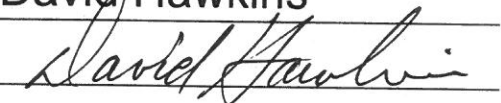
THE UNDERSIGNED HEREBY ATTESTS that all of the information herein provided including the site plan, building elevations, prospective drawings of the projects, etc., are true, correct and accurate. The undersigned further understands that, should such information be found incorrect, any action taken by 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:

☐ I, as the applicant or authorized agent, note that there is a fee associated with the submittal of this application. Planning & Zoning Department staff will be in contact with the applicant regarding payment methods. Please recognize that applications will not be processed until all fees are paid.

☐ **Yes** ☐ **No** I affirm that I, the applicant or authorized agent, am responsible for the processing of this application and agree to adhere to all the requirements and information herein.

Printed Name: David Hawkins Date: 7/10/2017

Signature: 

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.

*****ATTENTION APPLICANTS*****

At the time of application for a Special Use Permit, Rezoning, Vacation, Encroachment, Variance, Special Exception or Subdivision, you must provide a draft of the description of your request you intend to use in the property owner's notice. You must be thorough in your description. Staff will review the draft wording to confirm its completeness.

The example illustrates a detailed description:

"Variance to construct a two-story addition in the required side yards on _____ Street."

If you fail to submit draft language at the time of the application filing deadline, the application will be determined to be incomplete and may be deferred by staff.



A

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 926 N. Lindsay Place Zone R-12
A2. 20,025 x .3 = 6,007.50
Total Lot Area Floor Area Ratio Allowed by Zone Maximum Allowable Floor Area

B. Existing Gross Floor Area

Existing Gross Area*		Allowable Exclusions	
Basement	1,155.20	Basement**	1,155.20
First Floor	1,640.67	Stairways**	
Second Floor	1,544.82	Mechanical**	
Third Floor	1,889.22	Porch/Garage**	
Porches/Other	609.90	Attic less than 5'**	1,775.22
Total Gross*	6,839.81	Total Exclusions	2,930.42

B1. Existing Gross Floor Area *
6,839.81 Sq. Ft.
B2. Allowable Floor Exclusions**
2,930.42 Sq. Ft.
B3. Existing Floor Area minus Exclusions
3,909.39 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	825.00	Stairways**	
Second Floor		Mechanical**	
Third Floor		Porch/Garage**	
Porches/Other	825.00	Attic less than 5'**	825.00
Total Gross*	1,650	Total Exclusions	825.00

C1. Proposed Gross Floor Area *
1,650.00 Sq. Ft.
C2. Allowable Floor Exclusions**
825.00 Sq. Ft.
C3. Proposed Floor Area minus Exclusions
825.00 Sq. Ft.
(subtract C2 from C1)

D. Existing + Proposed Floor Area

D1. Total Floor Area (add B3 and C3) 4,734.39 Sq. Ft.
D2. Total Floor Area Allowed by Zone (A2) 6,007.50 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: David Hawlin 12 Date: 7/26/17

Existing Gross Floor Area Calculations: See Exhibit "A"

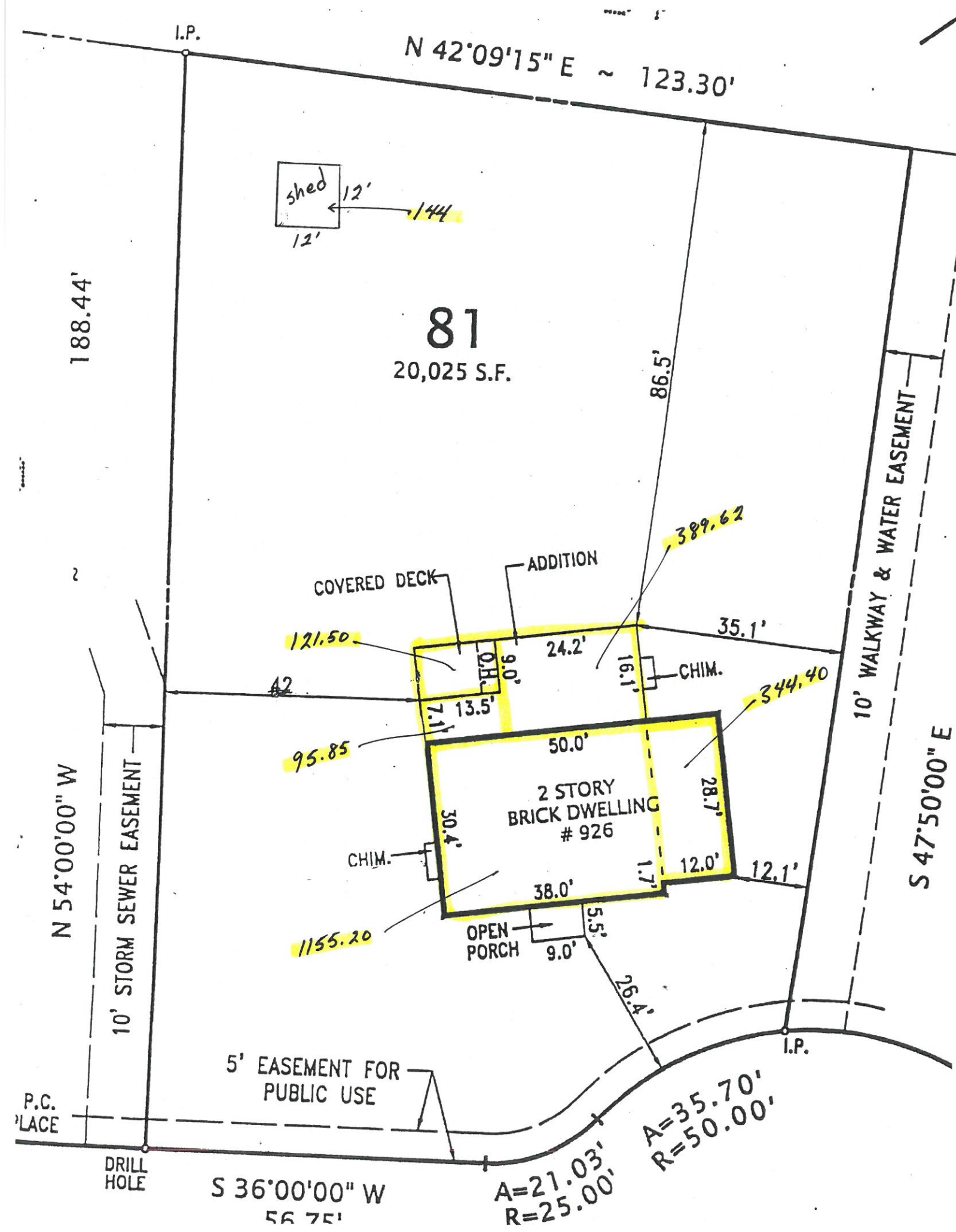
Basement	1,155.20
First Floor (1,155.20 + 389.62 + 95.85 + 121.50)	1,640.67
Second Floor (1,155.20 + 389.62)	1,544.82
Third - Attic (1,155.20 + 389.62 + 344.40)	1,889.22
Garage, Porch, and Shed (344.40 + 121.50 + 144)	609.90

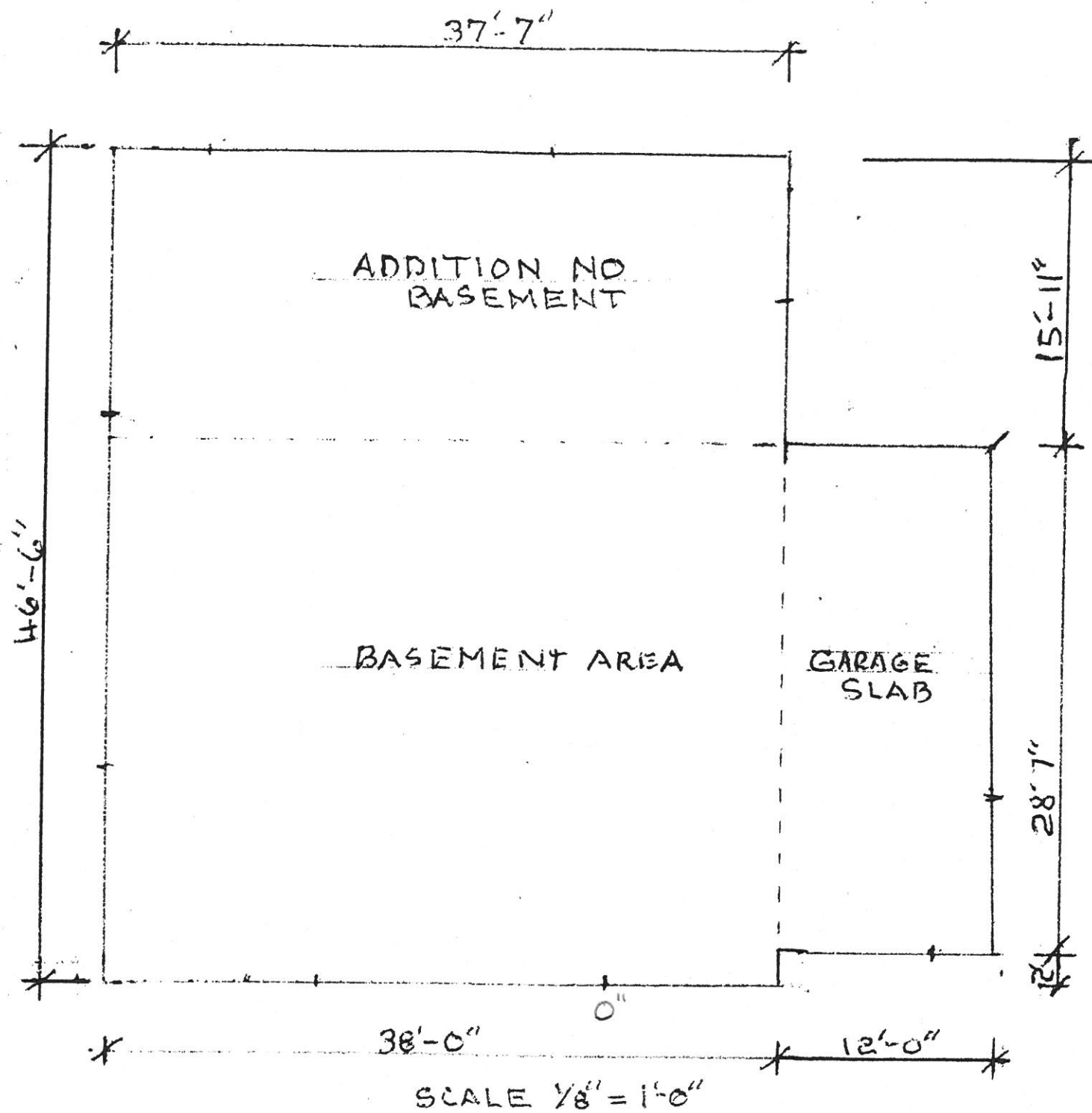
Existing Attic Calculations:

Main house attic	1,155.20 sq. ft.
Addition attic	389.62
Garage attic	<u>344.40</u>
Total (all attic sq. ft.)	1,889.22 sq. ft.

Existing Attic Exclusion Allowed: See Exhibit "B"

Main house attic	1,155.20
Less area over 5' (38' x 3' = 114)	<u>114.00</u>
Area excluded	1,041.20
Addition attic (excluded)	389.62
Garage attic (excluded)	<u>344.40</u>
Total attic exclusion (less than 5' in height)	1,775.22 sq. ft.





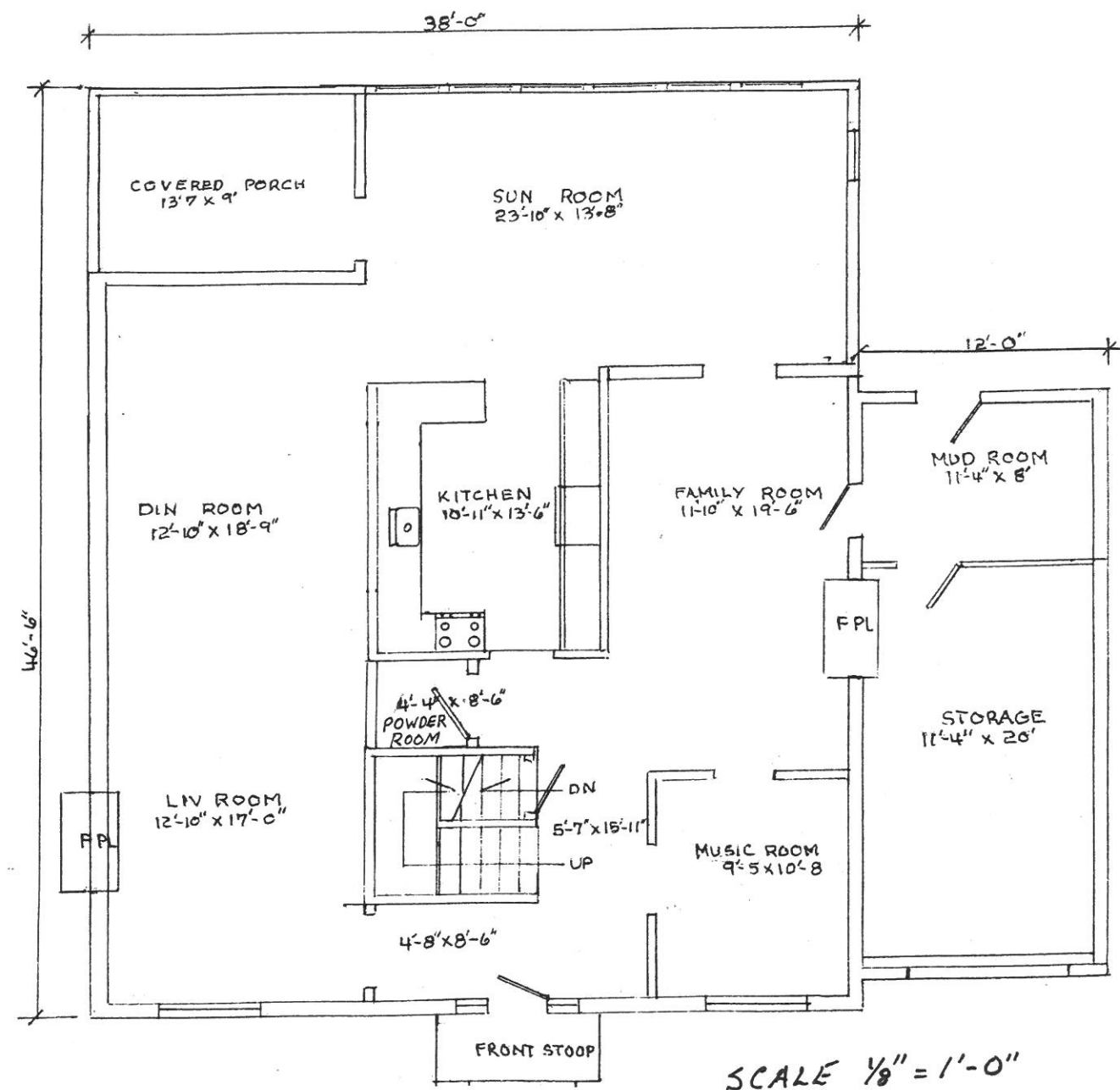
Measurements show the difference in
Grade, below basement ceiling height

Residence
Dave Hawkins
926 Lindsey Pl
Alexandria Va. 22304

Designer
RCI Corp/Dick Christ AEG
2608 Boswell Ave
Alexandria Va. 22306

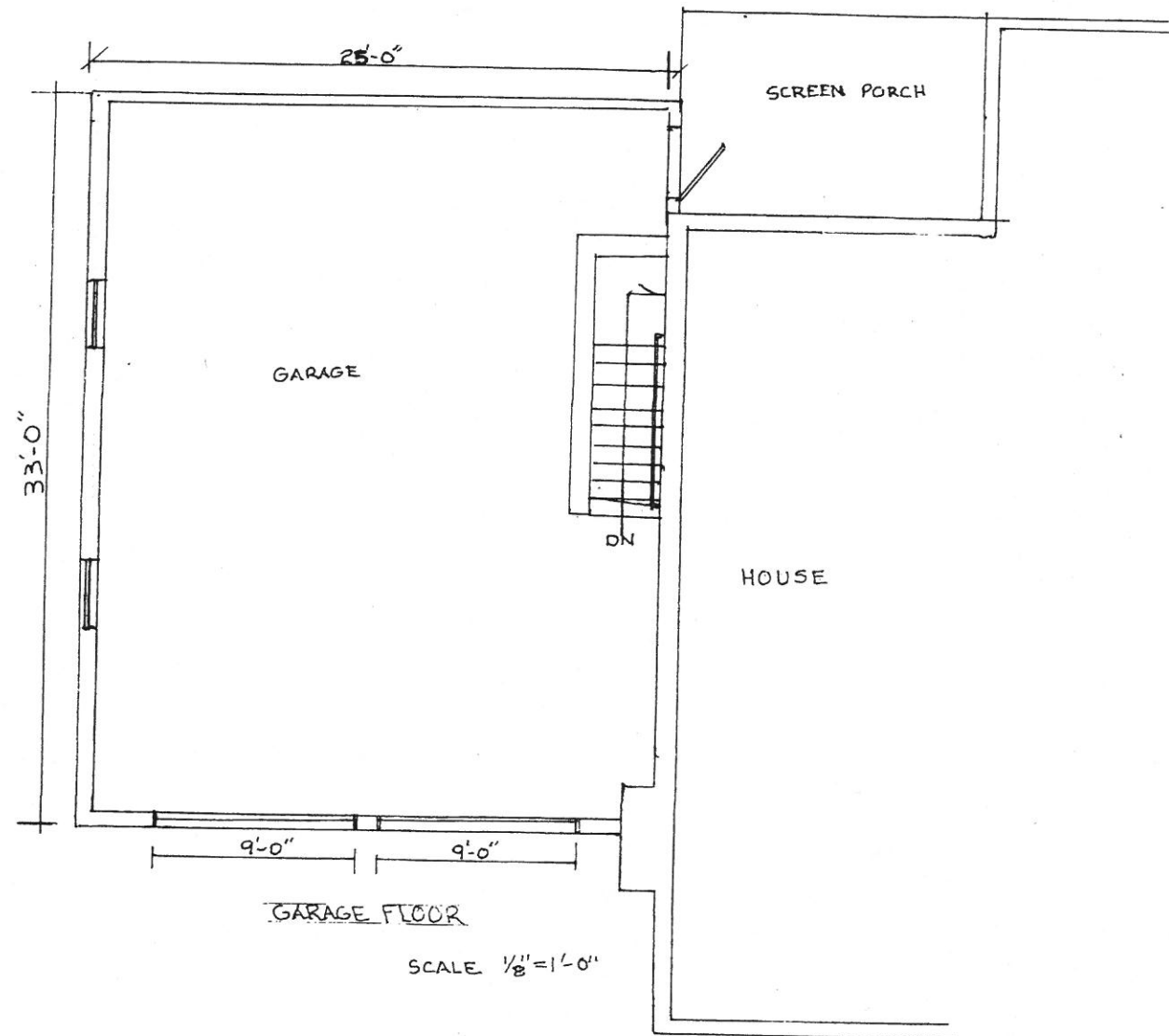
Residence
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Alexandria Va. 22304

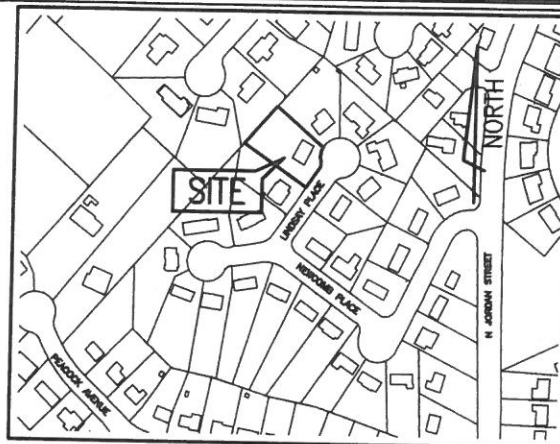
Designer
RCI Corp/Dick Christ AEG
2608 Boswell Ave
Alexandria Va. 22306



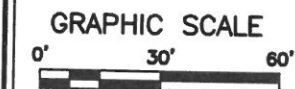
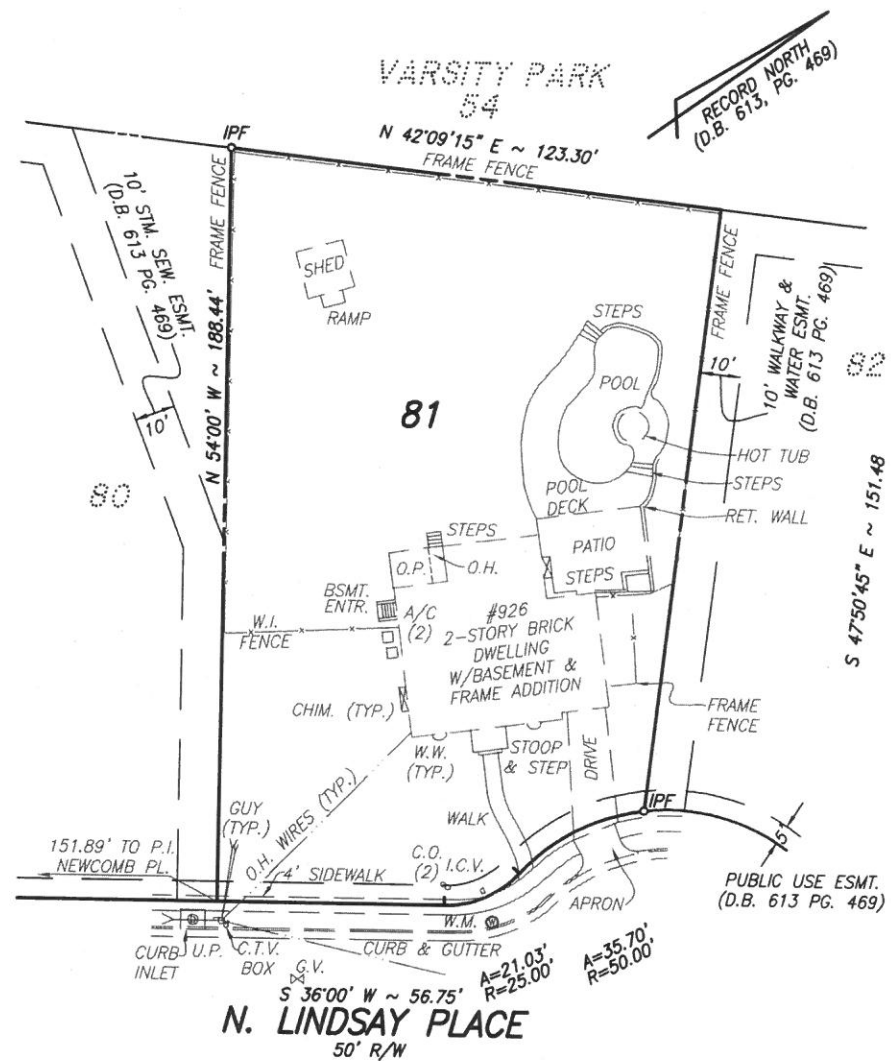
Residence
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Alexandria Va. 22306





VICINITY MAP
SCALE 1" = 300'



RC FIELDS
& ASSOCIATES, INC.
ENGINEERING • LAND SURVEYING • PLANNING
730 S. Washington Street
Alexandria, Virginia 22314
www.rcfields.com
(703) 549-6422

EXISTING CONDITIONS PLAT
LOT 81, SECTION 8
BELLE WOOD
(#926 NORTH LINDSAY PLACE)
CITY OF ALEXANDRIA, VIRGINIA

DESIGN: NRR
DRAWN: NRR
SCALE: 1"=30'
DATE: JULY 2017
FILE: 17-120
SHEET 1 OF 2

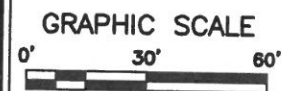
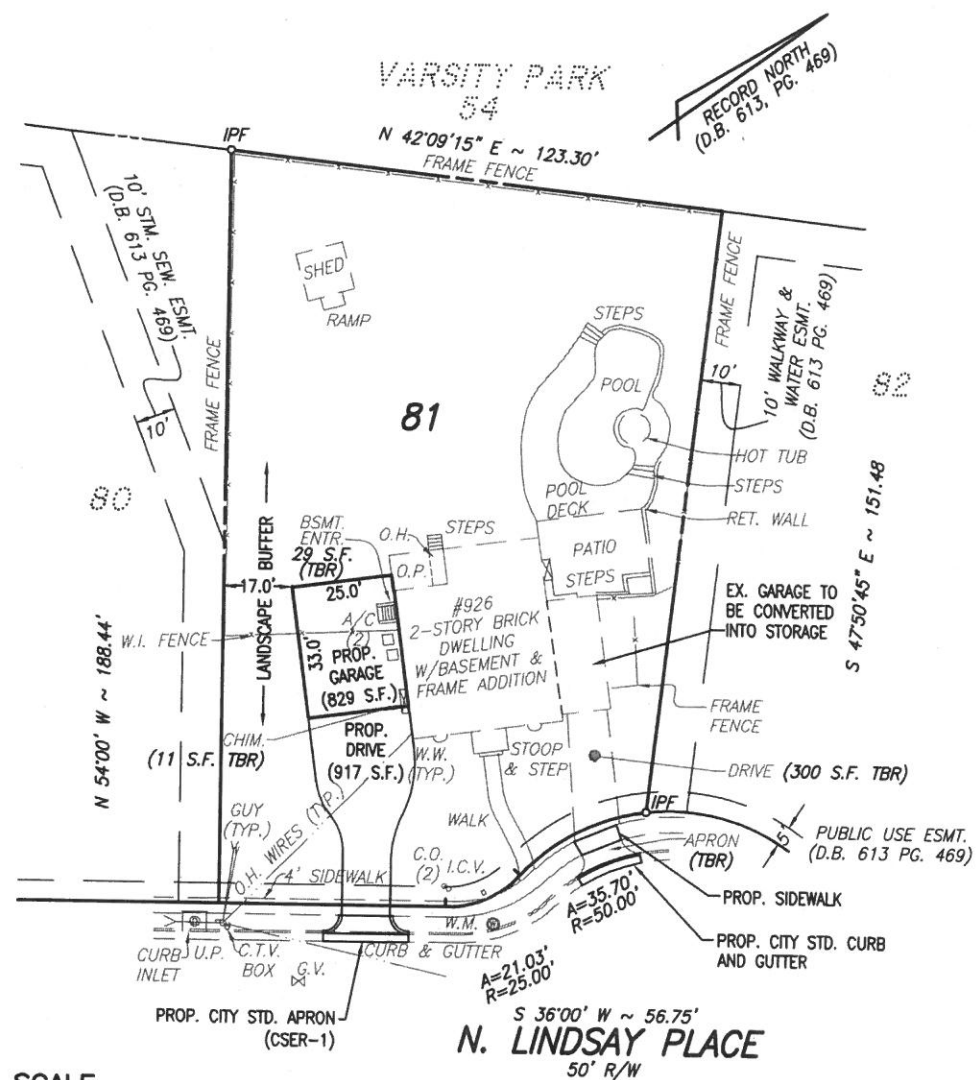


GENERAL NOTES:

TAX MAP: #039.02-03-016

1. ZONE: R-12
2. OWNER: DAVID W. HAWKINS OR AMY W. HAWKINS
926 NORTH LINDSAY PLACE
ALEXANDRIA, VA 22304
3. TOTAL SITE AREA = 20,025 S.F. OR 0.4597 AC.

EXISTING IMPERVIOUS AREA = 4,737 S.F. OR 0.1087 AC.
EXISTING IMPERVIOUS AREA (TBR) = 334 S.F. OR 0.0077 AC.
PROPOSED IMPERVIOUS AREA = 1,746 S.F. OR 0.0401 AC.
TOTAL IMPERVIOUS AREA = 6,149 S.F. OR 0.1411 AC.
4. TOPOGRAPHIC SURVEY WAS RUN BY THIS FIRM, RC FIELDS & ASSOCIATES.
VERTICAL DATUM USED = NAVD '88 PER FIELD GPS DATA REFERENCED TO THE
RTK NETWORK OF CARON EAST, INC.
5. A TITLE REPORT WAS NOT FURNISHED, THEREFORE ALL EASEMENTS MAY NOT BE
SHOWN.
6. PLAT SUBJECT TO RESTRICTION OF RECORD.



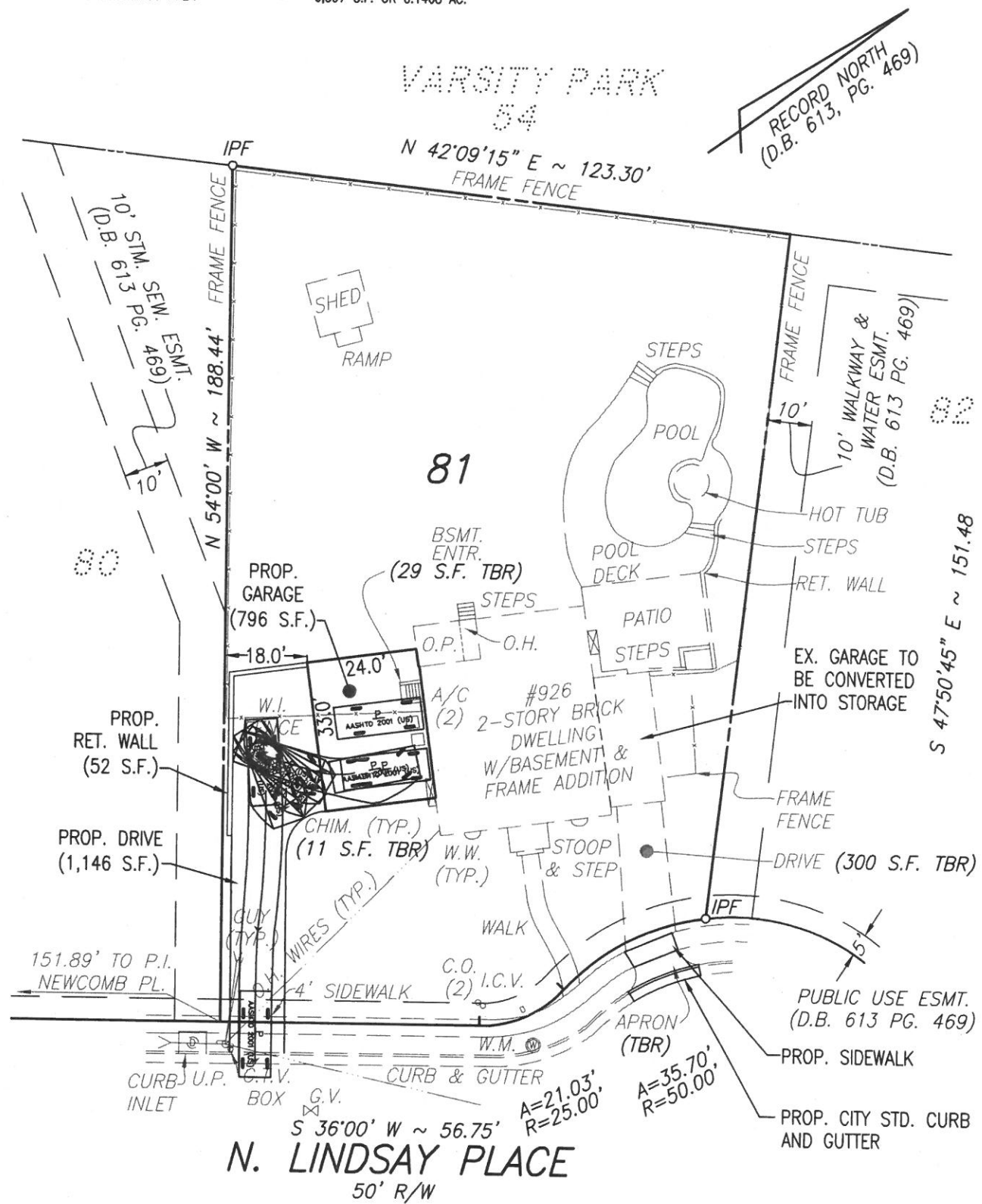
RC FIELDS & ASSOCIATES, INC.
ENGINEERING • LAND SURVEYING • PLANNING
730 S. Washington Street
Alexandria, Virginia 22314
www.rcassoc.com
(703) 549-6422

VARIANCE PLAT
LOT 81, SECTION 8
BELLE WOOD
(#926 NORTH LINDSAY PLACE)
CITY OF ALEXANDRIA, VIRGINIA

DESIGN: NRR
DRAWN: NRR
SCALE: 1"=30'
DATE: JULY 2017
FILE: **17-120**
SHEET **2 OF 2**

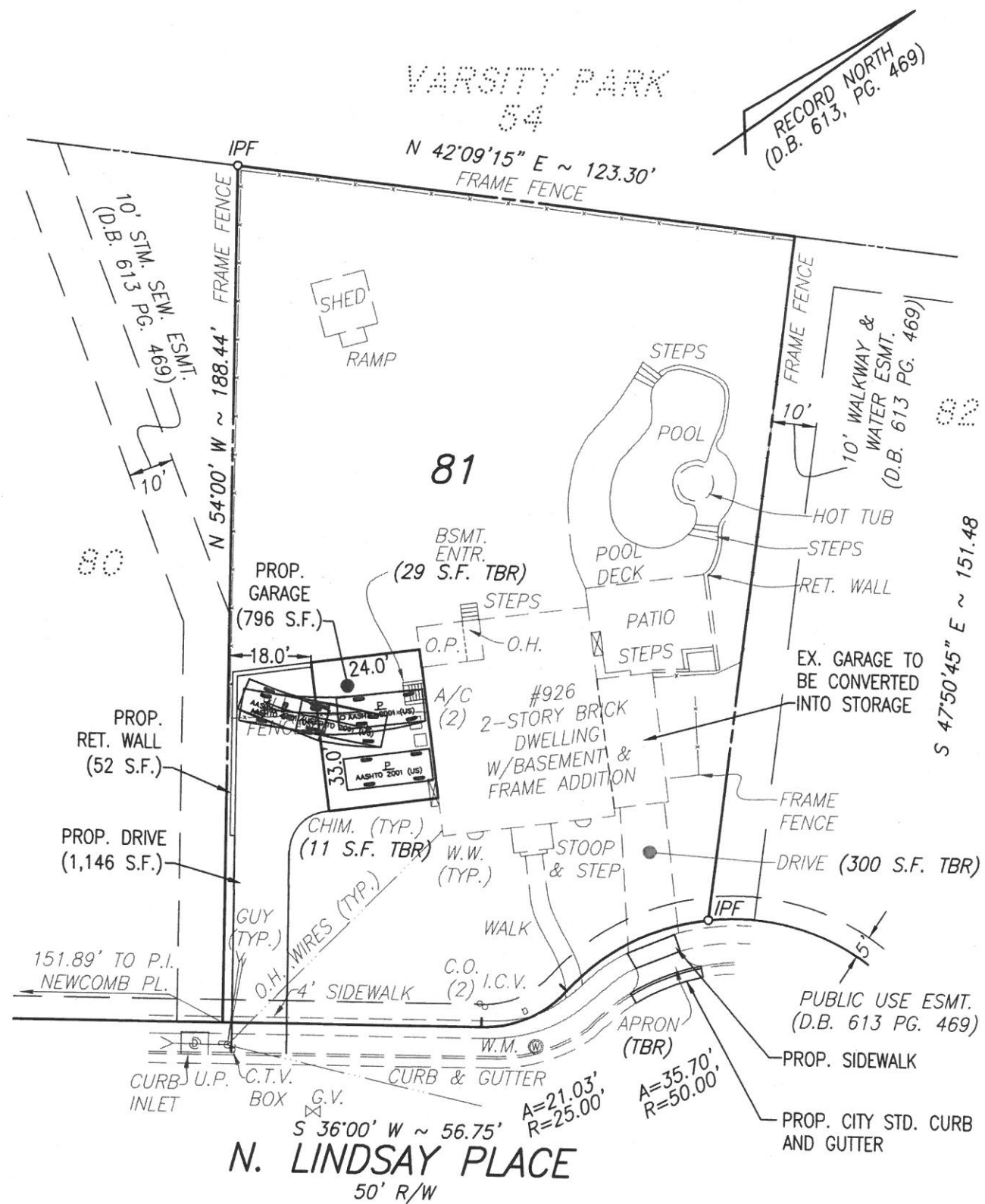
TOTAL SITE AREA = 20,025 S.F. OR 0.4597 AC.

EXISTING IMPERVIOUS AREA = 4,737 S.F. OR 0.1087 AC.
 EXISTING IMPERVIOUS AREA (TBR) = 334 S.F. OR 0.0077 AC.
 PROPOSED IMPERVIOUS AREA = 1,994 S.F. OR 0.0458 AC.
 TOTAL IMPERVIOUS AREA = 6,397 S.F. OR 0.1468 AC.

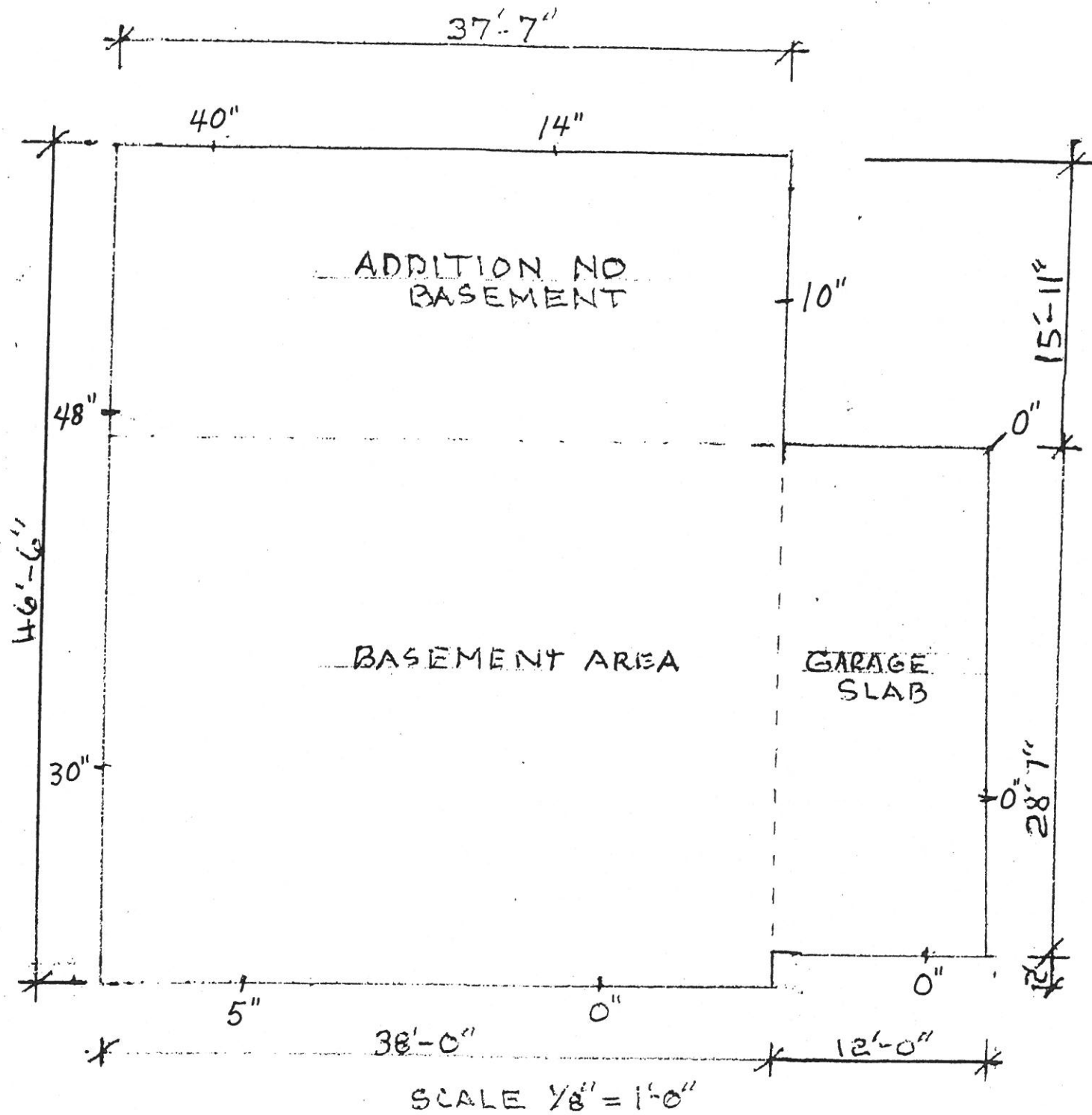


TOTAL SITE AREA = 20,025 S.F. OR 0.4597 AC.

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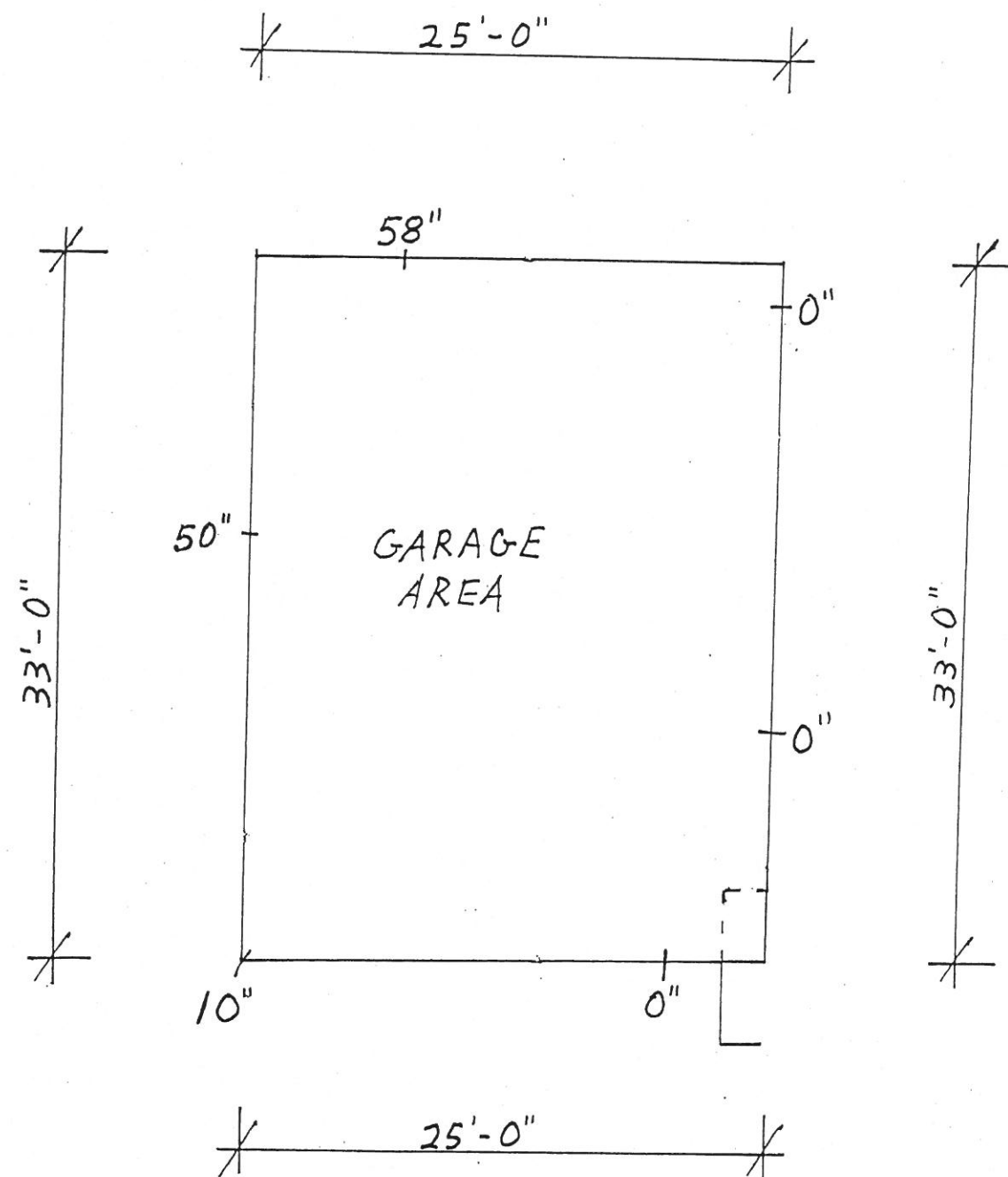
Average Grade Existing House
(14.7")



Residence
 Dave Hawkins
 926 Lindsey Pl
 Alexandria Va. 22304

Designer
 RCI Corp/Dick Christ AEG
 2608 Boswell Ave
 Alexandria Va. 22306

**Average Finished Grade Of Proposed Garage
(19.67")**



Residence
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Alexandria Va. 22304

Designer
RCI Corp/Dick Christ AEG
2608 Boswell Ave
Alexandria Va. 22306

0

0

0

0

5

30

48

40

14

10

147 / 10 = **14.7"**

Average grade calculation for existing house.

0

0

0

10

50

58

118 / 6 = **19.67"**

Average "finished" grade calculation for proposed garage.

Subject Property - 926 Lindsay Place



Location of Proposed Garage



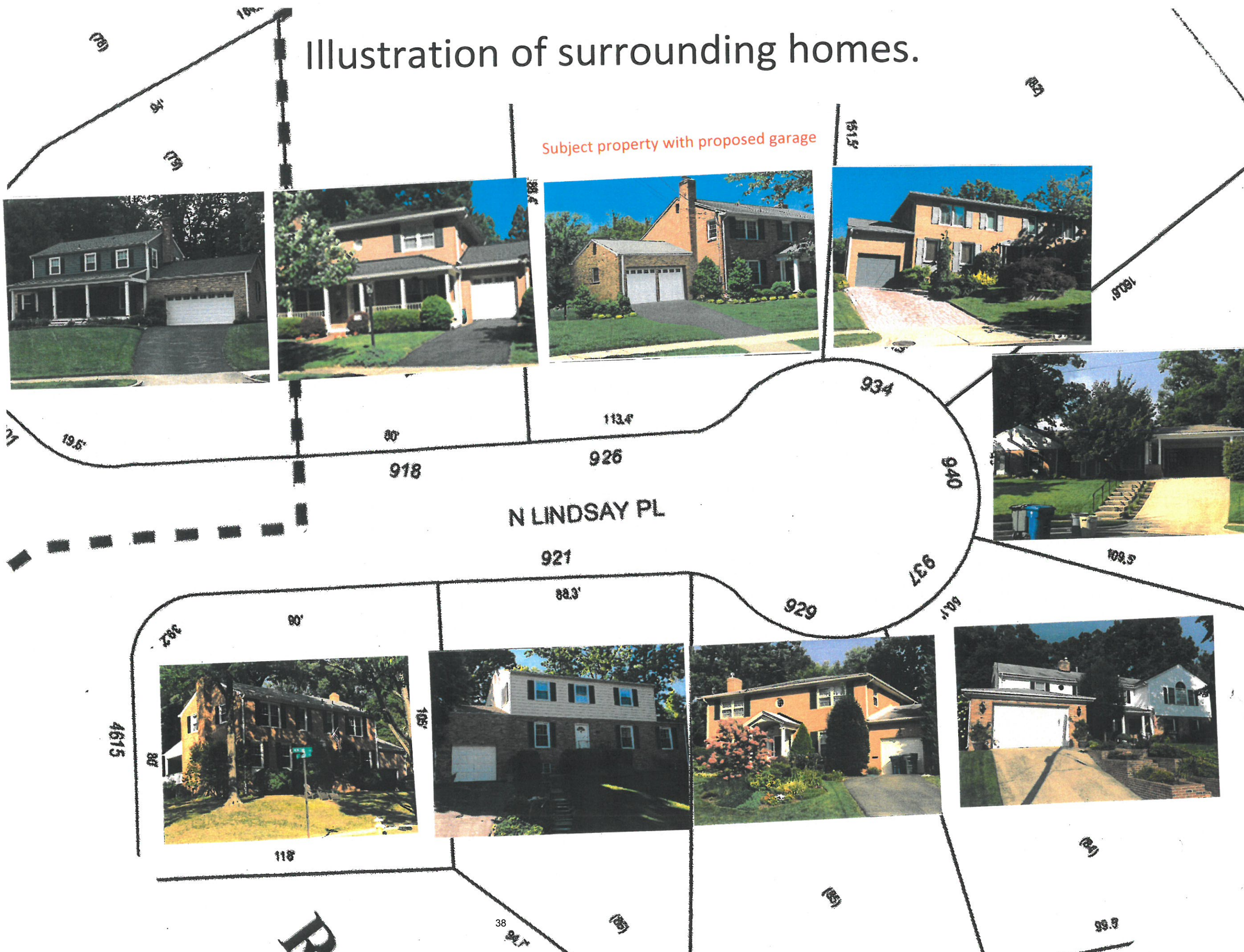
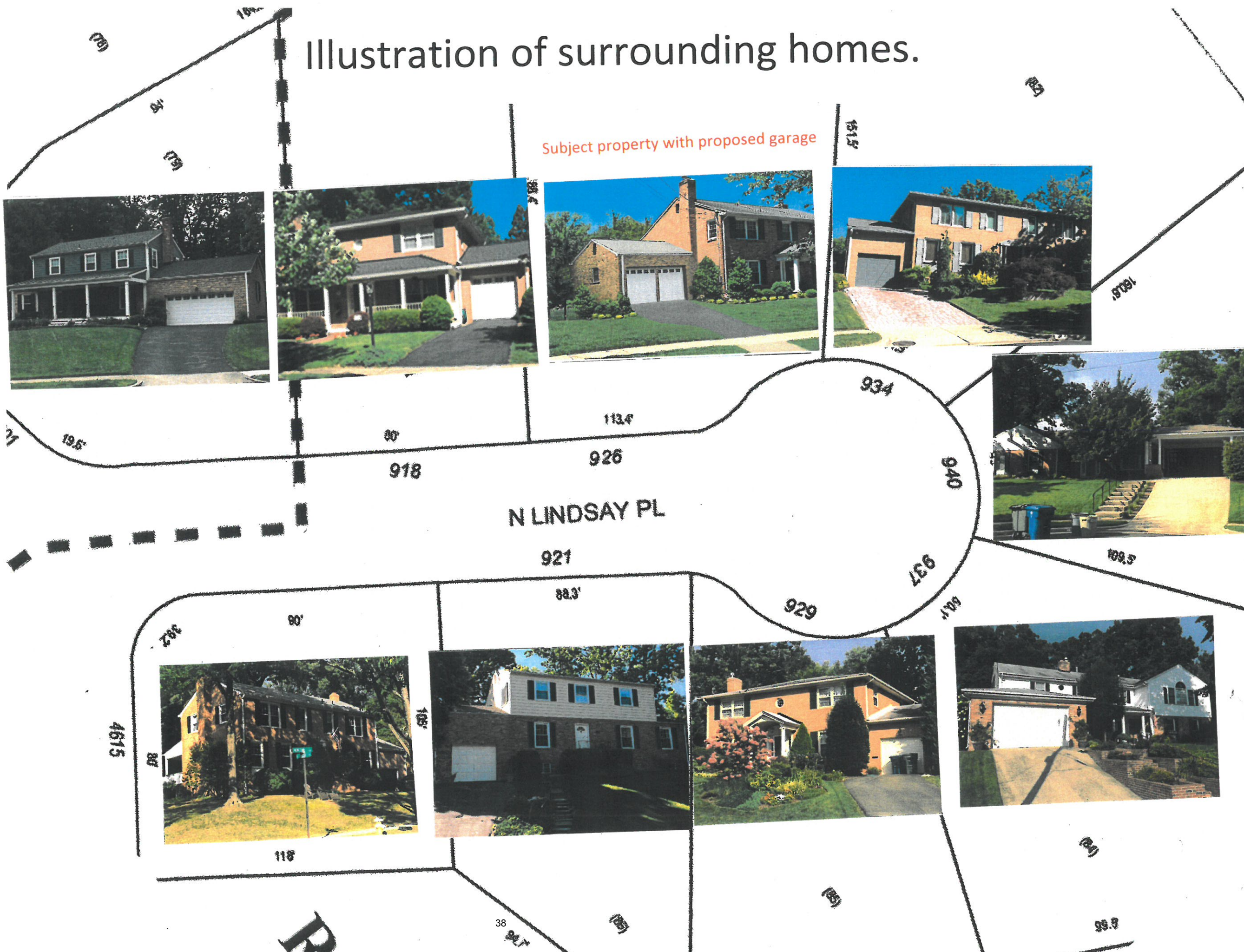
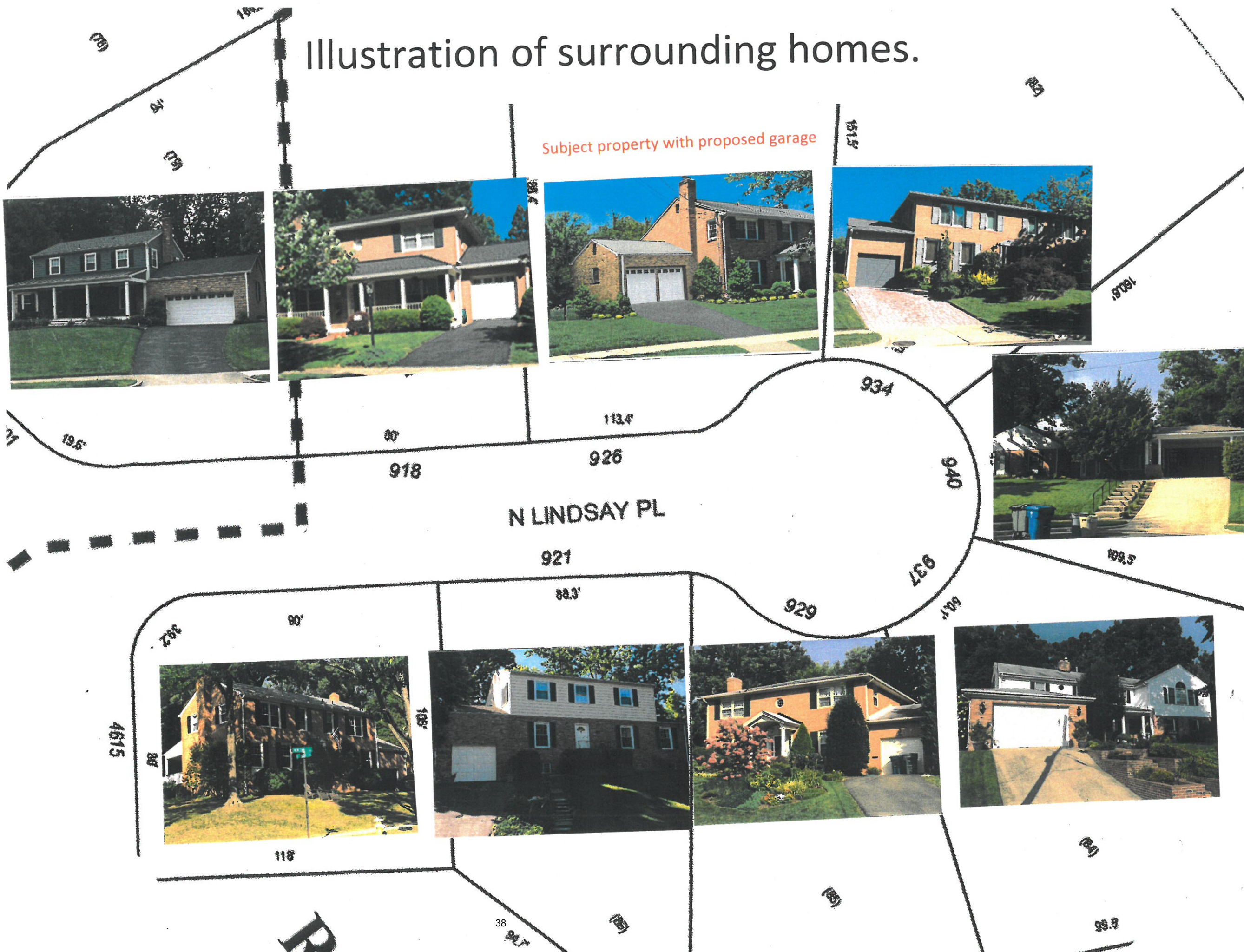
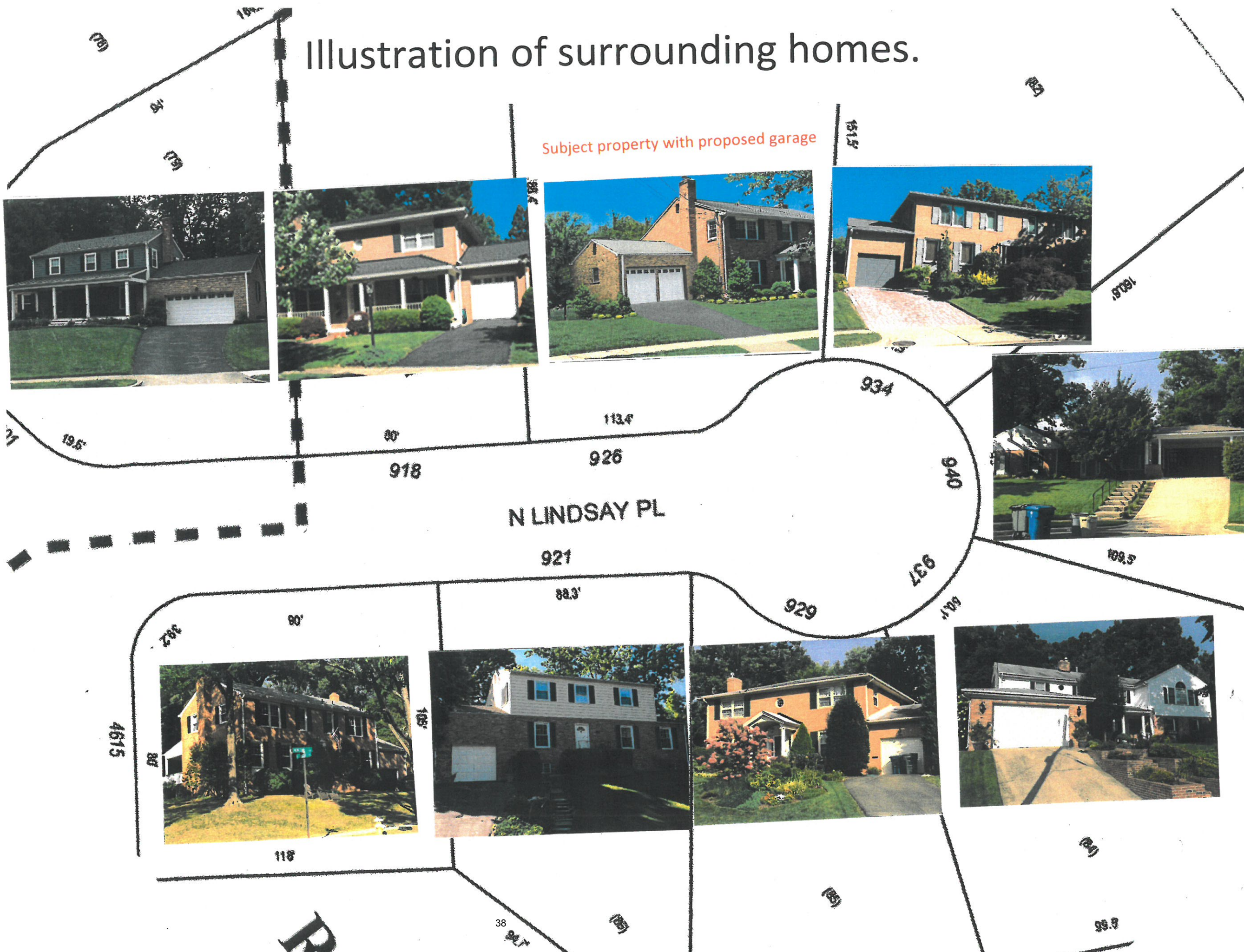
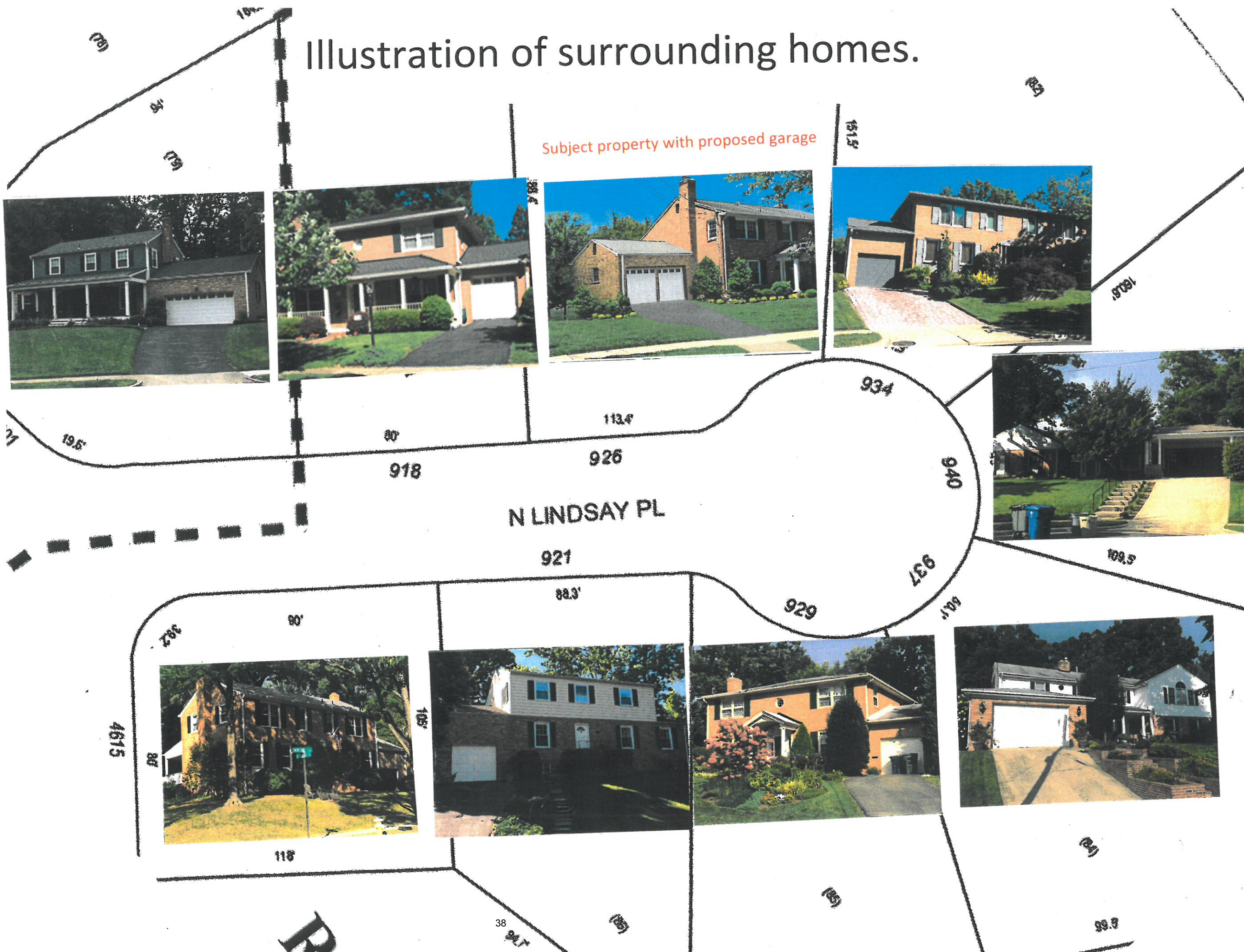
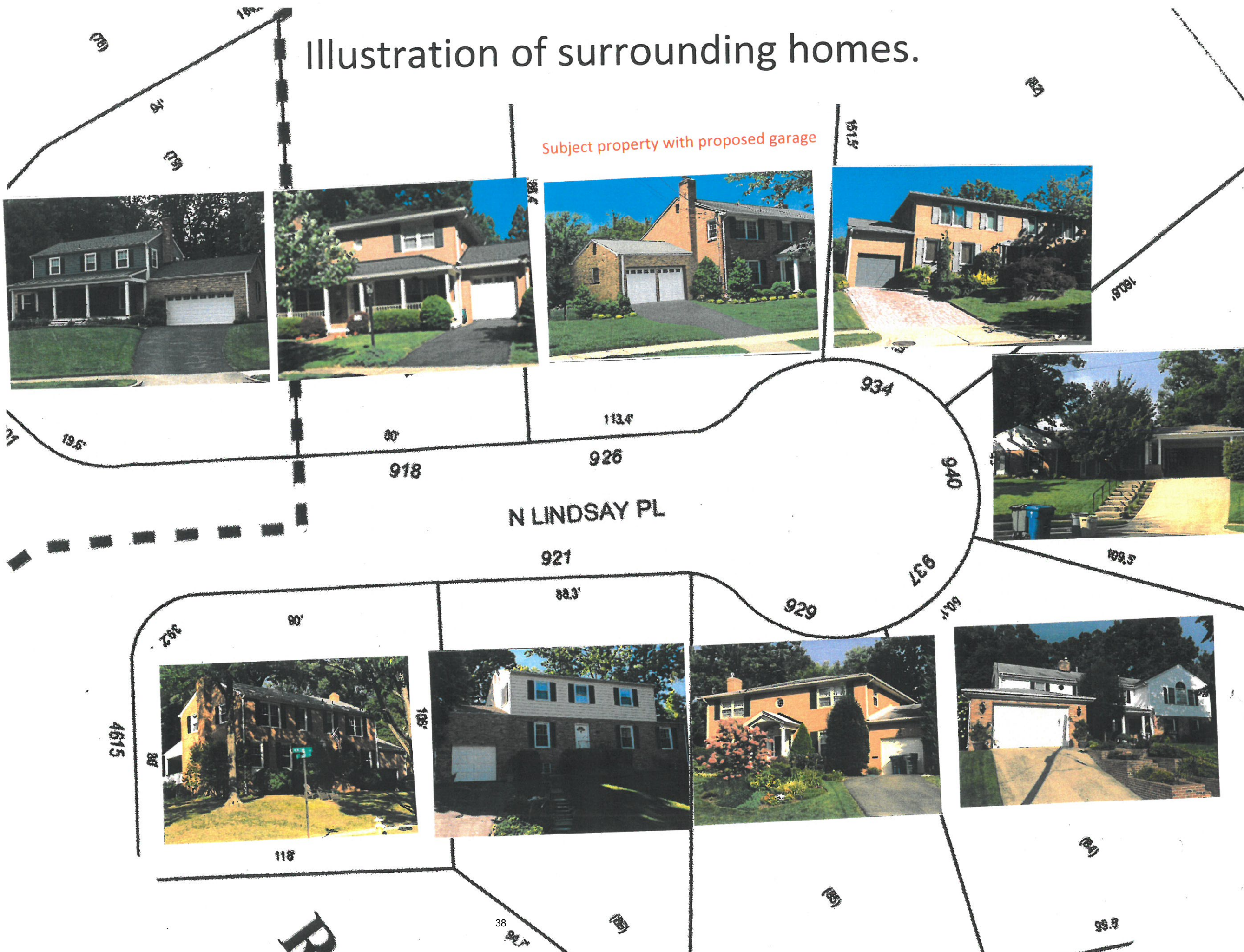
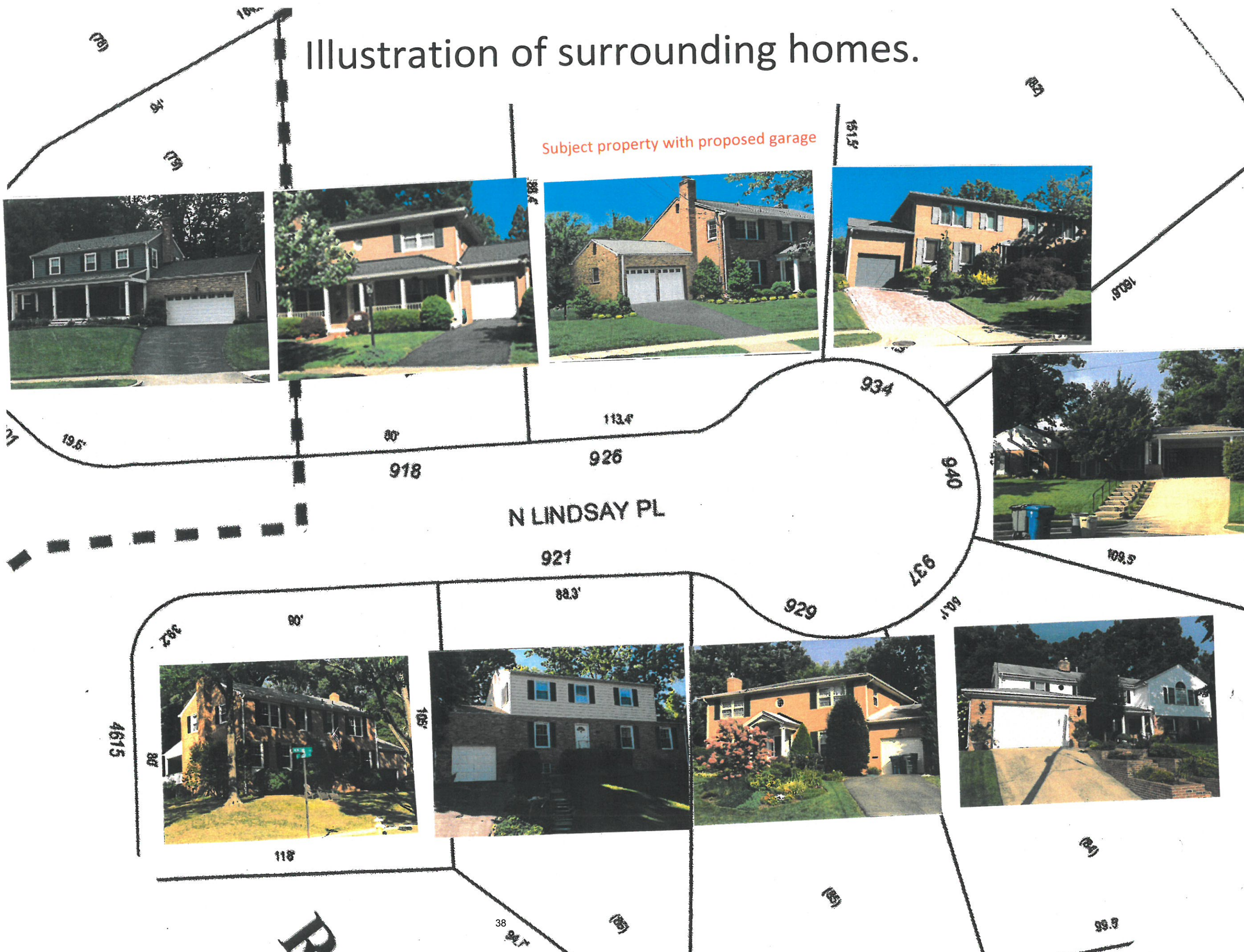
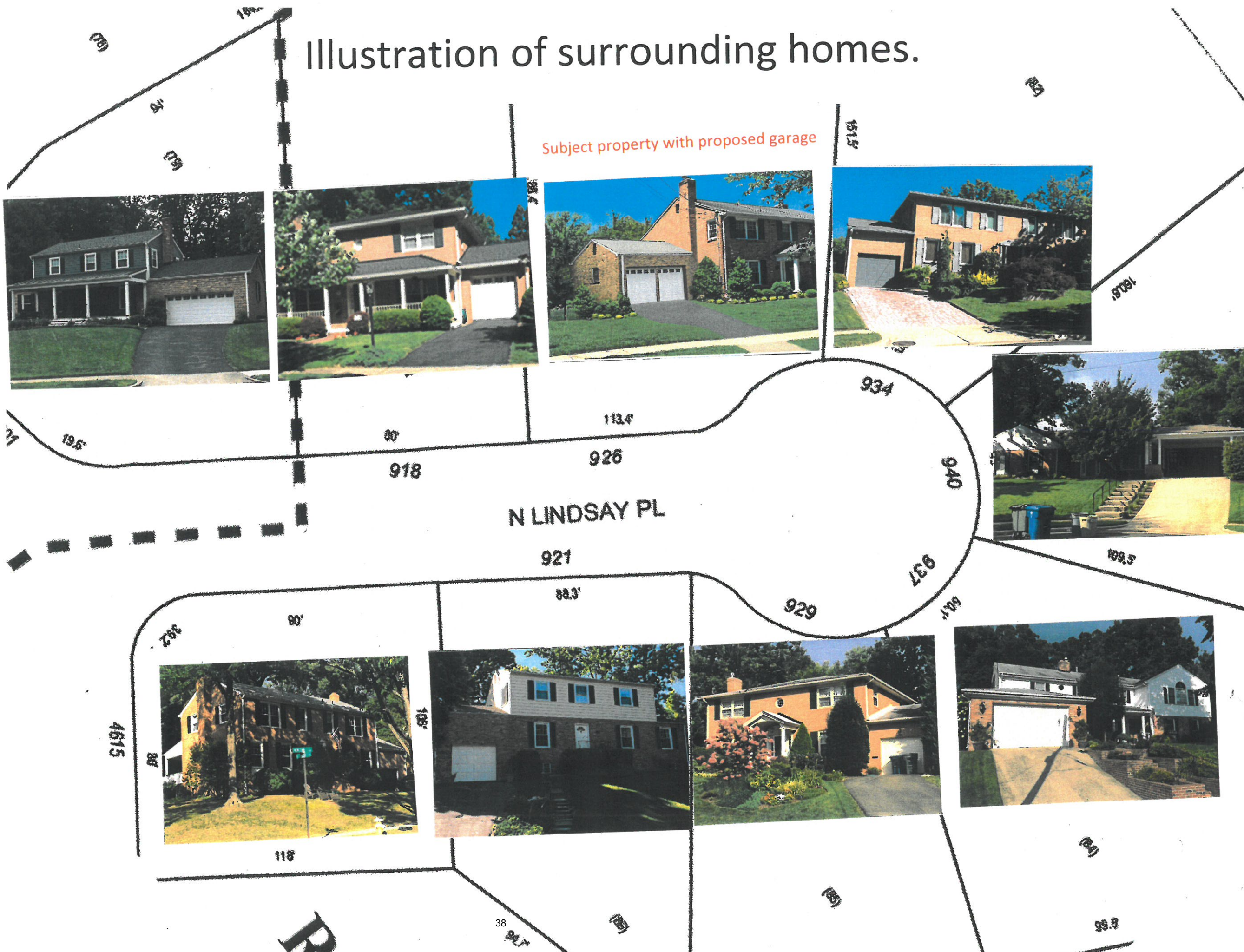
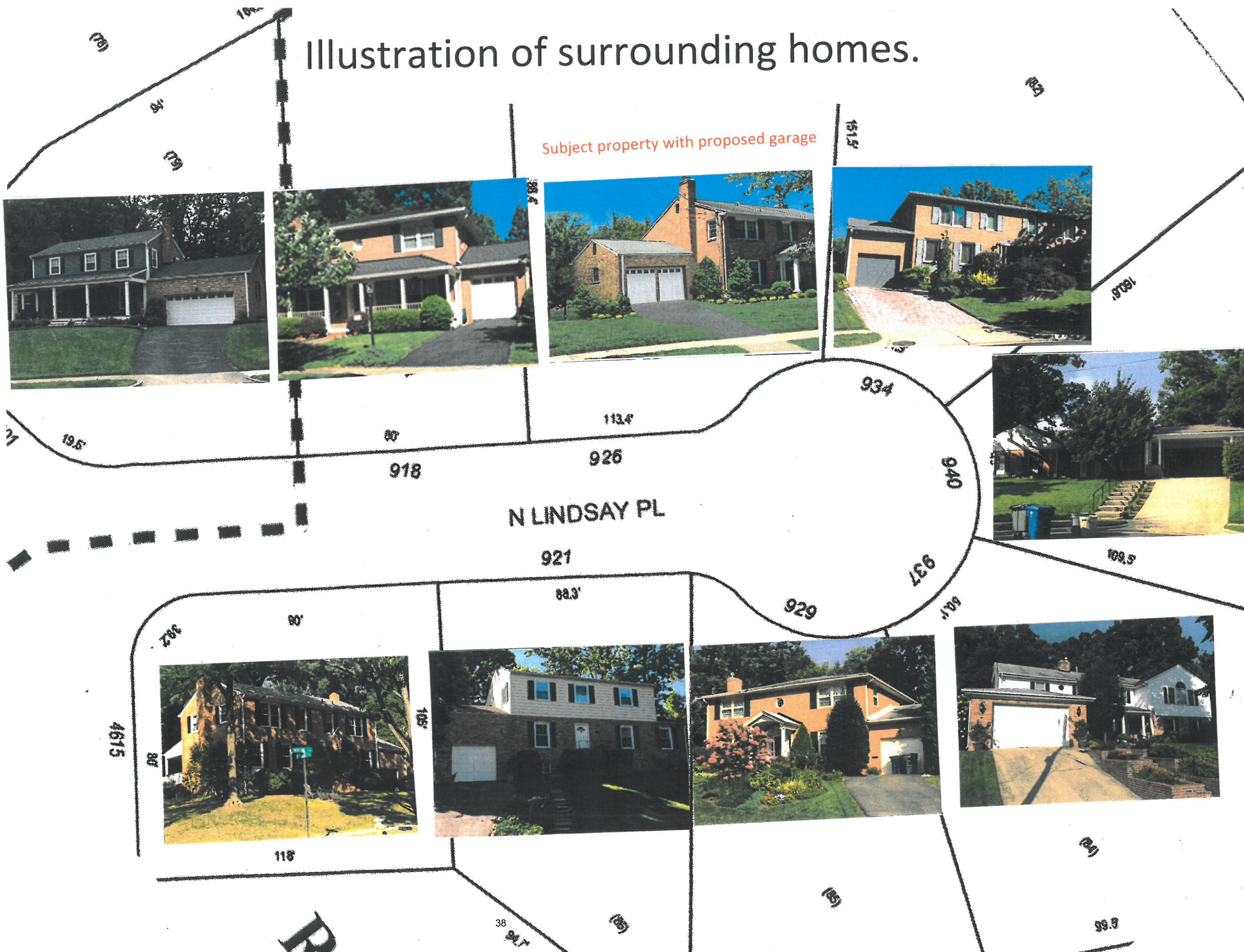
Subject property "Before" and "After" proposed garage.



Neighbors with front loading two car garages.





[illegible][illegible][illegible]



Existing
Front Elevation
 Scale 1/4" = 1'-0"

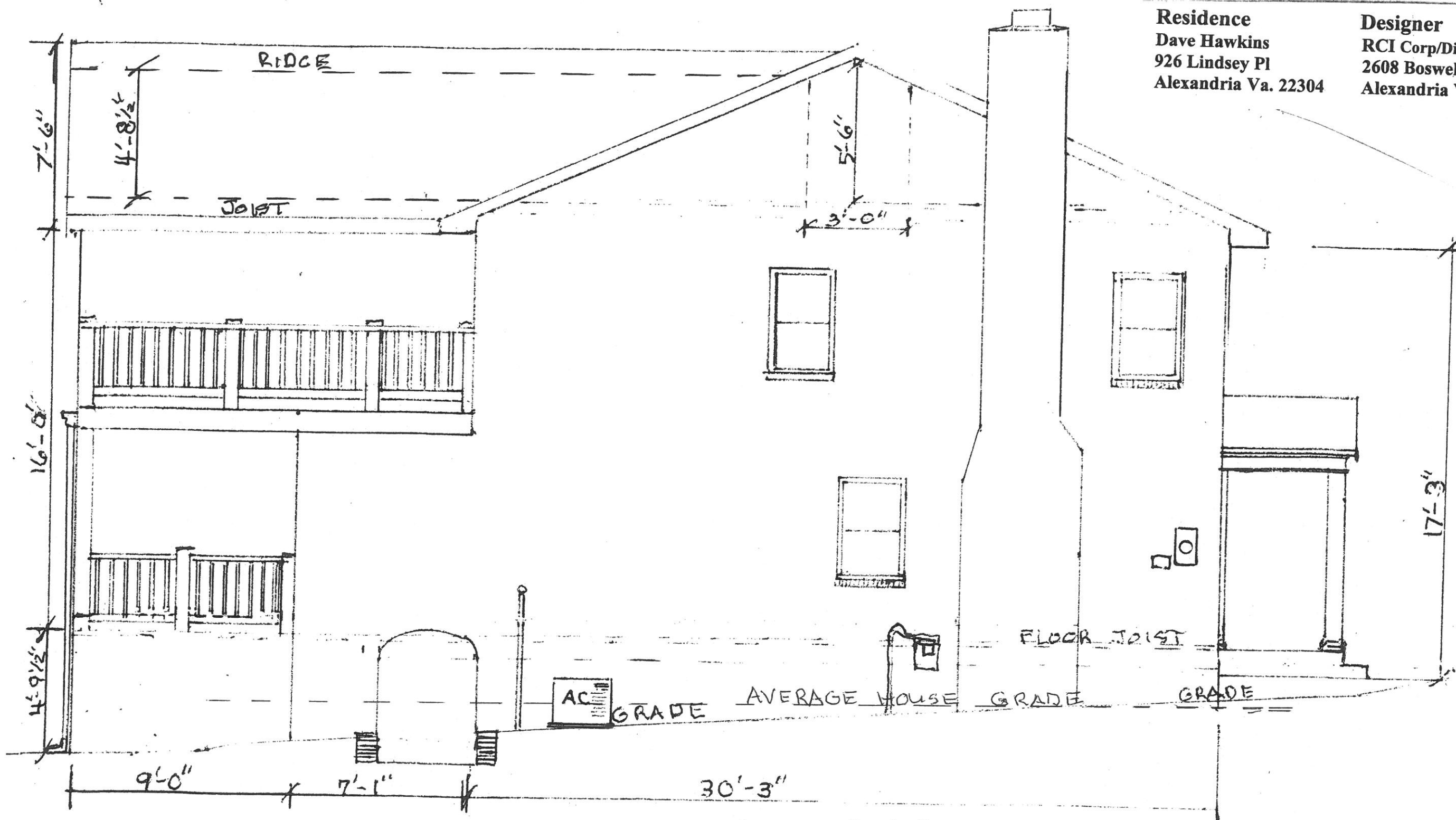
Residence
 Dave Hawkins
 926 Lindsey Pl
 Alexandria Va. 22304

Designer
 RCI Corp/Dick Christ AEG
 2608 Boswell Ave
 Alexandria Va. 22306

Not
Scale

Residence
Dave Hawkins
926 Lindsey Pl
Alexandria Va. 22304

Designer
RCI Corp/Dick Christ AEG
2608 Boswell Ave
Alexandria Va. 22306



SCALE 1/4" = 1'-0"

Existing
Left Side Elevation View
Scale 1/4" = 1'-0"

Designer
RCI Corp/Dick Christ AEG
2608 Boswell Ave
Alexandria Va. 22306



Designer RCI Corp, Builder

Address 2608 Boswell Ave

Alexandria, Va 22306

Job Location

Owner Mr. & Mrs. Dave Hawkins

926 Lindsay Pl

Alexandria Va. 22304

