Docket Item # 2 BZA #2018-0014 Board of Zoning Appeals September 13, 2018

# ADDRESS:28 EAST HOWELL AVENUEZONE:R-2-5/SINGLE AND TWO-FAMILY ZONEAPPLICANT:CURTIS PYKE, OWNER

**ISSUE:** Public hearing and consideration of a request for a special exception to construct a front porch in the required front yard.

CODE	SUBJECT	CODE	APPLICANT	REQUESTED
SECTION		REQMT	PROPOSES	EXCEPTION
7-2503(A)	Front Setback	16.05 feet*	8.75 feet	7.30 feet

\*Based on the average front setback along East Howell Avenue and utilizing the setbacks of 8, 10, 12, 14, 16, 18, 20, 22, 24, and 26 East Howell Avenue and 2001 Commonwealth Avenue.

The staff **recommends approval** of the requested special exception because the request meets the criteria for a special exception, including the following conditions that:

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 the following prior to the framing inspection required as required by the building permit; a survey plat prepared by a licensed surveyor confirming consolidation of the lots, building footprint and setbacks. The special exception and deed consolidation must be recorded with the deed of the property in the City's Land Records Office prior to the release of the building permit.

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#### I. <u>Issue</u>

The applicant proposes to construct an open, covered front porch expansion in the required front yard at 28 East Howell Avenue.

#### II. <u>Background</u>

The subject property is three lots of records that compose one corner property with 75.00 feet of frontage along East Howell Avenue and 115.00 feet of frontage along Clyde Avenue. The property has a lot area of 8,625.00 square feet and is currently developed with a detached single-family dwelling, which was constructed in 1913 and has undergone a number of additions. The residence is located 8.75 feet from the south (primary front) property line and 13.5 feet from the east (secondary front) property line, 46.30 from the north (side) property line, and 8.50 feet from the west (side) property line. The subject property is in compliance with the minimum lot area, width, and frontage, and other bulk requirements for a single-family lot in the R-2-5 Zone, with the exception of the front yard setback along East Howell Avenue. The existing screened in porch is located 8.75 feet from the property line which is forward of the required 16.05 foot setback for the property.

R-2-5 Zone	Requirement	Existing	Proposed
Lot Area	6,500.00 sq. ft.	8,625.00 sq. ft.	8,625.00 sq. ft.
Lot Width (E. Howell Av)	65.00 ft.	75.00 ft.	75.00 ft.
Lot Width (Clyde Av)	65.00 ft.	115.00 ft.	115.00 ft.
Lot Frontage (E. Howell Av)	40.00 ft.	75.00 ft.	75.00 ft.
Lot Frontage (Clyde Av)	40.00 ft.	115.00 ft.	115.00 ft.
Front Yard (primary, south)	16.05ft.*	8.75 ft. (E. Howell Av)	8.75 ft. (E. Howell Av)
Front Yard (secondary, east)	0.00 ft.*	13.50 ft. (Clyde Av)	13.50 ft. (Clyde Av)
Side Yard (north)	7.00 ft. (1:3, 7 ft. min.)	46.30 ft. (main bldg.)	46.30 ft. (main bldg.)
Side Yard (west)	7.00 ft. (1:3, 7 ft. min.)	8.50 ft.	8.50 ft.
Rear Yard (n/a)	8.00 ft. (1:1, 7 ft. min.)	n/a	n/a
<b>Net FAR</b> (0.45)	3,881.25 sq. ft.	2,598.06 sq. ft.	2,598.06 sq. ft.
Vision Clearance	100.00 ft.	64.00 ft.	64.00 ft.

#### Table 1. Zoning Table

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

The property does not comply with the vision clearance area requirements of Zoning Ordinance § 7-801(A), which states that no structure more than three and one-half feet above the curb level is allowed within a 100.00 foot vision clearance triangle. A portion of the main building, the entirety of the existing porch, and a portion of the proposed porch are located within the required 100.00 foot vision clearance triangle, creating an actual vision clearance triangle of approximately 64.00 feet. While the proposed expansion of the front porch is located within the vision clearance area, it does not further reduce the vision clearance.



#### Exhibit 1. Vision Clearance Triangle for 28 East Howell Avenue

#### III. <u>Description</u>

The applicant proposes to construct an open, covered front porch to extend the existing front porch. The front porch extension would add 14.16 feet of length and 112.97 square feet in area to the existing porch so that the combined dimension of the existing and proposed front porch would be 33.00' feet wide by approximately 7.00 to 7.75 feet deep with a total area of approximately 255.07 square feet. The new porch addition would measure approximately 12.00 feet in height from the average grade to the midpoint of the porch roof. As part of the project, the applicant would reconstruct the existing portion of the front porch and relocate the front entrance door so that it will be roughly in the center of the new porch.

The proposed porch extension would be constructed in line with the front wall of the existing front porch and would retain the existing setback of 8.75 feet from the primary front (south) property line. The porch will also include a 1.00 foot roof overhang, as permitted by Zoning Ordinance § 7-202(A)(3).

According to Zoning Ordinance § 2-145(A)(5), up 8.00 feet in depth of a porch located on the first or ground floor porches without second-story enclosed construction above up may be excluded from the net floor area ratio (FAR). Therefore, the entire area of the existing front porch and front porch extension, 255.07 square feet, may be excluded from the total FAR for the property, as the depth is not greater than 8.00 feet. Upon completion of the work, the proposed renovations will continue to comply with the floor area ratio requirements. There have been no variances or special exceptions previously granted for the subject property.



Exhibit 2. Plan View of Proposal



Exhibit 3. Existing Front Elevation (View from East Howell Avenue)

Exhibit 4. Proposed Front Elevation (View from East Howell Avenue)



#### IV. Master Plan/Zoning

The subject property is zoned R-2-5, Single and Two-Family Residential zone, and has been so zoned since the adoption of the Third Revised Zoning Map in 1951. The property is located within the Potomac West Small Area Plan boundaries and is identified for residential land use.

#### V. <u>Requested Special Exceptions</u>

#### 7-2503(A) Average Front Setback

This section of the Zoning Ordinance requires a front setback of 16.05 feet based on the average setback of the block face of residences located on East Howell Avenue and one residence located on Commonwealth Avenue. The applicant's request is for a special exception of 7.30 feet to expand an open front porch located 8.74 feet from the front property line so that the proposed open front porch is in line with the existing porch.

#### VI. <u>Noncomplying Structure</u>

The existing lot contains a noncomplying structure with respect to the following:

	<b><u>Required/Allowed</u></b>	<b>Provided</b>	<b>Noncompliance</b>
Front Yard Setback (primary)	16.05 feet	8.75 feet	7.30 feet
Porch Setback	10.00 feet	8.75 feet	1.25 feet
Vision Clearance	100.00 feet	64.00 feet	36.00 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 that created the current single-family zoning regulations in 2008 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 open front porch does not appear to impair the supply of light to the adjacent property at 26 East Howell Avenue. There is a sizeable distance between the proposed front porch and nearest building wall of the adjacent residence. The porch must remain open.

Additionally, the proposed porch would not further reduce sight lines in the required vision clearance triangle for the property.

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

The proposed open front porch will not alter the essential character of this area of East Howell Avenue. The extension of the existing porch should enhance the architectural characteristic of the subject property and create a façade that is more similar to those homes along East Howell Street that have open front porches along the majority of the front building façade.

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

### A number of homes along East Howell Street feature open front porches of a similar size and style to the porch being proposed on the subject property.

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 west side of the existing front porch is the only reasonable location for an addition to the existing front porch. The addition of the porch on the east side of the existing porch, rather than the west side, would further reduce the vision clearance for traffic turning at the corner of East Howell Avenue and Clyde Avenue.

#### VIII. <u>Staff Conclusion</u>

#### Neighborhood Impact

Staff believes that the proposed porch structure is in proportion and architecturally compatible with the existing structure and compatible with the mass and scale of porches along East Howell Avenue. The proposed open porch would complement the view of the home from the street, enhance the neighborhood, and not be detrimental to neighboring properties.

#### Light and Air

The proposed open porch meets the criteria to request a porch special exception. The ground level, single-story, covered, open front porch is placed at the main architectural entrance to the dwelling and faces a front yard. At 7.75 feet in depth, the porch is within the allowed projection from the front building wall to be exempt from floor area ratio requirements. The porch does not extend beyond the width of the front building wall into any required side yard setbacks and the roof line of the porch is in scale with the existing architecture and does not exceed the existing home in height. With no second floor above or enclosure with screens or glass, staff does not believe this new porch will adversely affect the light and air of neighboring properties.

#### Lot Constraints

Due to the lot being a corner lot with two restrictive front yards, the building area on the lot is reduced. Furthermore, the close proximity of the original footprint of the home to the front property lines along East Howell Avenue and Clyde Avenue makes the requested special exception reasonable.

#### Staff Conclusion

In conclusion, staff believes that the applicant's request is consistent with the standards for special exceptions and recommends approval of the requested special exception.

#### Staff

Anna Franco, Urban Planner, <u>anna.franco@alexandriava.gov</u> Mary Christesen, Zoning Manager, <u>mary.christesen@alexandriava.gov</u> Tony LaColla, LUS Division Chief, <u>tony.lacolla@alexandriava.gov</u>

#### **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, if a separate demolition permit is required. (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)

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<u>Code Administration:</u> No comments received.

Recreation (Arborist): No comments received.

#### Historic Alexandria (Archaeology):

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

Attachment 1: Site Photos Photos taken by Staff on August 8, 2018.



Site Photo 1. 28 East Howell Avenue (Looking West)

Site Photo 2. 28 East Howell Avenue (Looking West)



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Site Photo 3. 28 East Howell Avenue (Looking East)

Site Photo 4. 28 East Howell Avenue (Looking East)



#### Attachment 2: Average Prevailing Setbacks: East Howell Avenue and Commonwealth Avenue

#### Clyde Avenue Blockface

Address	Setback to Closest Projection (feet)
51 E Windsor Avenue	0.00
Average	0.00

#### **East Howell Avenue Blockface**

Address	Setback to Closest Projection (feet)*
26 E Howell Av	23.00*
24 E Howell Av	29.00*
22 E Howell Av	25.50*
20 E Howell Av	25.50*
18 E Howell Av	9.00*
16 E Howell Av	9.00*
14 E Howell Av	10.00*
12 E Howell Av	10.00*
10 E Howell Av	11.00*
8 E Howell Av	11.00*
2001 Commonwealth Av	13.50*
Average	16.05

\*Measurements were completed by the applicant and were taken from the property line to the closest covered projection

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### APPLICATION BOARD OF ZONING APPEALS

### **SPECIAL EXCEPTION FOR PORCHES**

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

Applic	ant:	[] Owner	[] Contract P	urchaser []	Agent
Name					
Addre	ss				
Daytin	ne Pho	one			
Email	Addre	SS			
Prope	rty Lo	cation			
Asses	sment	t Map #	Block	Lot	Zone
Legal	Prope	rty Owner N	ame		

#### OWNERSHIP AND DISCLOSURE STATEMENT

#### Use additional sheets if necessary

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

Name	Address	Percent of Ownership
1.		
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 \_\_\_\_\_\_ (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.		
2.		
3.		

<u>3. Business or Financial Relationships.</u> Each person or entity indicated above in sections 1 and 2, with an ownership interest in the applicant or in the subject property are require to disclose **any** business or financial relationship, as defined by <u>Section 11-350 of the Zoning Ordinance</u>, existing at the time of this application, or within the12-month period prior to the submission of this application with any member of the Alexandria City Council, Planning Commission, Board of Zoning Appeals or either Boards of Architectural Review. All fields must be filled out completely. Do not leave blank. (If there are no relationships please indicated each person or entity and "None" in the corresponding fields).

For a list of current council, commission and board members, as well as the definition of business and financial relationship, 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.		
2.		
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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5. Describe request briefly :

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:

Print Name

Signature

#### Telephone

Date

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

Note to Applicant: Only one special exception per dwelling shall be approved under the provisions of Section 11-1302(B)(4).

#### **PART B** (SECTIONS 11-1302(C) and 11-1304)

APPLICANT MUST COMPLETE THE FOLLOWING: (Please use additional sheets where necessary.)

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

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

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

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.

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





### 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

\_ Zone \_\_\_\_

A2. <u>Total Lot Area</u>

\_ x Floor Area Ratio Allowed by Zone

Maximum Allowable Floor Area

#### **B. Existing Gross Floor Area**

Existing Gross Area*		Allowable Ex	clusions
Basement		Basement**	
First Floor		Stairways**	
Second Floor		Mechanical**	
Third Floor		Porch/Garage**	
Porches/Other		Attic less than 5'**	
Total Gross*		Total Exclusions	

B1. Existing Gross Floor Area \* Sq. Ft. B2. Allowable Floor Exclusions\*\* Sq. Ft. B3. Existing Floor Area minus Exclusions Sq. Ft.

(subtract B2 from B1)

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

Proposed Gross Area*		Allowable Ex	clusions
Basement		Basement**	
First Floor		Stairways**	
Second Floor		Mechanical**	
Third Floor		Porch/Garage**	
Porches/Other		Attic less than 5'**	
Total Gross*		Total Exclusions	

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

#### D. Existing + Proposed Floor Area

D1. Total Floor Area (add B3 and C3) Sq. Ft. D2. Total Floor Area Allowed by Zone (A2) Sq. Ft. \*Gross floor area for residential single and twofamily dwellings in the R-20, R-12, R-8, R-5, R-2-5, RB and RA zones (not including properties located within a Historic District) is the sum of <u>all</u> <u>areas under roof of a lot</u>, measured from exterior walls.

\*\* Refer to the zoning ordinance (Section2-145(A)) and consult with zoning staff for information regarding allowable exclusions.

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

#### E. Open Space Calculations Required in RA & RB zones

Existing Open Space	
Required Open Space	
Proposed Open Space	

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

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## Blockface Survey for 28 East Howell Avenue (see map attached)

House Number	House Set Back	Porch Set Back
28 E. Howell Ave (existing)	15' - 8 " (on Clyde corner)	8'-8"
26 E. Howell Ave	31'-6"	23'
24 E. Howell Ave	29'	Front entry - no porch
22&22A E. Howell Ave	25'-6"	Front stair/stoop - no porch
20&20A E. Howell Ave	25'-6"	Front stair/stoop no porch
18 E. Howell Ave.	17'	ð, ·
16 E. Howell Ave	17'	9'
14 E. Howell Ave	17'-6"	10'
12 E. Howell Ave	17'-6"	10'
10 E. Howell Ave	17'-6"	11'
8 E. Howell Ave	17'-6"	11'
2001 Commonwealth Ave	21'	13' - 6"

20.04







Existing Front View Scale: 3/16=1-0"

Property Line Front of House 13'-6" 8'-9" 10'-0" 33'-0" 14: 18-10"-14'-2" Set Back 9-4" New Porch Area Existing Porch 142.1 Sq. Ft. 7:0" window window wondow 112.97 Sq. Ft 3'-5" Mader Bath Closet 30 Undou window Door Windows window havidryfim Bath Hall Livers Br Interior Bedroom Floor Plan Scale: 3/16"= 1'-0" 26



CITY OF ALEXANDRIA, VIRGINIA SCALE: 1" = 20' OCTOBER 19, 2012











