Docket Item # 3 BZA #2018-0015 Board of Zoning Appeals September 13, 2018

ADDRESS:801 SOUTH ROYAL STREETZONE:RM, RESIDENTIAL TOWNHOUSE ZONEAPPLICANT:MICHAEL AND ALEXIS DOXEY, OWNERS, REPRESENTED BY
REBECCA BOSTICK, ARCHITECT

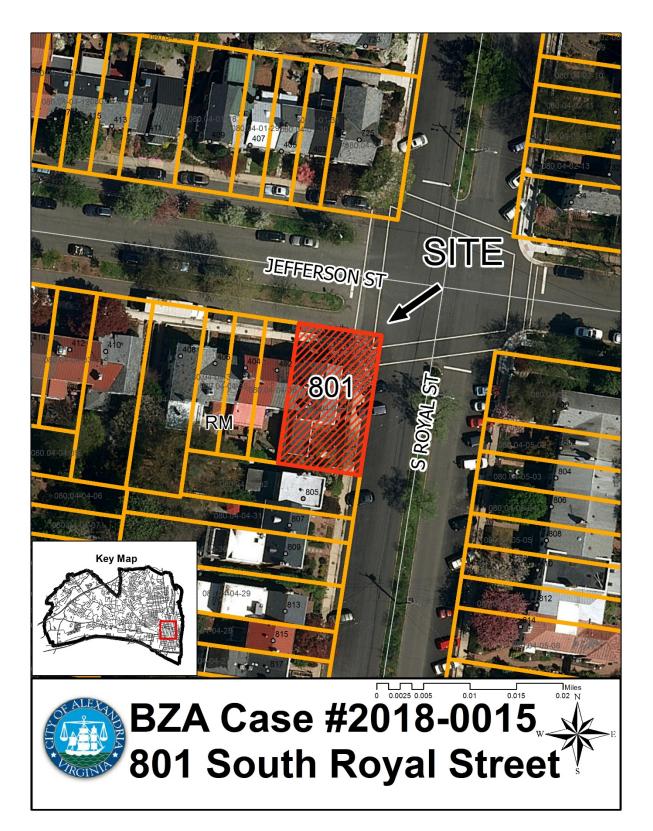
ISSUE: Variance to expand an existing one-story addition and to construct a second story addition in the required rear yard.

CODE	SUBJECT	CODE	APPLICANT	REQUESTED
SECTION		REQMT	PROPOSES	EXCEPTION
3-1106(A)(4)	Rear Yard (south)	16.00 feet	5.00 feet	11.00 feet

The staff **recommends approval** of the request because it meets the criteria for a variance.

If the Board decides to grant the requested variance 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 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.

BZA #2018-0015 801 South Royal Street



I. <u>Issue</u>

The applicants request a variance to expand the existing first floor and construct a secondstory addition at 801 S Royal Street in the required rear yard.

II. <u>Background</u>

The subject property is one lot of record with 45.50 feet of frontage facing Jefferson Street and 80.00 feet of frontage on South Royal Street. The property has a lot depth of 45.50 feet along the north side property line and a depth of 80.00 feet along the east side property line. The property contains 3,622 square feet of lot area and is a complying lot in the RM zone. Real Estate Assessment Records indicate that the dwelling was constructed in 1941 as part of Yates Gardens. The subject property is located within the Old and Historic Alexandria District and is regulated by the Board of Architectural Review.

The subject property, a corner property, is one lot of record and is currently developed with a two-story townhouse located 25.00 feet from the primary front yard facing South Royal Street, 25.00 feet from the secondary front property line facing Jefferson Street, 3.90 feet from the south property line and on the shared west side property line.

On June 14, 1974, the Board of Zoning Appeals approved variance to construct a one-story addition in the required side and rear yards. At the time, the zoning ordinance regulations considered the west property line to be the rear yard and the south property line to be the side yard. Currently, corner lots in the RM zone have two front yards and the remaining yard on an exterior townhouse lot must comply with the rear yard setback requirements. There is no setback required from the interior shared property line for a townhouse.

The table below summarizes all applicable zoning requirements:

RM Zone	Requirement	Existing	Proposed
Lot Area	1,452 sq. ft.	3,622 sq. ft.	3,622 sq. ft.
Lot Width (S Royal St.)	25.00 ft.	45.50 ft	45.50 ft.
Lot Width (Jefferson St.)	25.00 ft.	80.00 ft	80.00 ft.
Lot Frontage (S Royal St.)	25.00 ft.	45.50 ft.	45.50 ft.
Lot Frontage (Jefferson St.)	25.00 ft.	80.00 ft.	80.00 ft.
Front Yard Setback (S Royal)	27.10 ft.	25.00 ft.	27.10 ft.
Front Yard Setback (Jefferson)	26.25	25.00 ft	25.00 ft.
Side Yard (west side)	0.00 ft.	0.00 ft.	0.00 ft.
Rear Yard (south side)	16.00 ft.	3.900 ft.	3.90 ft.
Building Height	35.00 ft.	25.50 ft.	25.50 ft.
Net FAR	Max: 5,433.00 sq. ft.	1,299 sq. ft.	1,696 sq. ft.
	(1.5)		
Open Space	1,267 sq. ft. (.35)	1,556 sq. ft.	1,422 sq. ft.

Table 1. Zoning Table- Single Family

III. <u>Description</u>

The applicants are proposing to expand the existing first floor addition towards South Royal Street by adding an additional 6.00 feet by 17.90 feet addition and adding second floor addition. The addition will be set in slightly from the existing south wall, located 5.00 feet from the south rear property line. The second story addition will measure 17.90 feet by 16.30 feet and 24.75 feet in height measured from grade to the midpoint of the roof gable facing the south property line. The existing south wall of the one-story addition is located in the required rear yard, 3.90 feet from the south side property line, because it was approved by variance, it is a complying wall and the proposed expansion does not meet the eligibility criteria for a special exception. The applicants request a variance to expand the first floor and construct a second-story addition 5.00 foot from the south rear property line.

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

The subject property is zoned RM and has been so zoned since adoption of the Third Revised Zoning Map in 1951 and is identified in the Old Town Small Area Plan for residential land use.

V. <u>Requested Variance</u>

3-1106(A)(4) Corner Lot (Rear Yard (South))

The applicants request a variance of 11.00 feet from the required 16.00 foot rear yard setback to expand the existing first floor and construct a second-story addition 5.00 feet from the south property line.

VI. Applicants Justification for Variance

The applicants state that this area of the lot is the only place they can construct an addition on the lot.

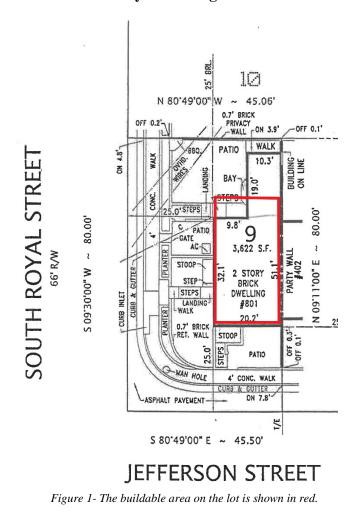
VII. Analysis of Variance Definition

Per zoning ordinance section 11-1103, the Board of Zoning Appeals shall not grant a variance unless it finds that the request meets the definition of a variance per zoning ordinance section 2-201.1 as follows:

a. The request 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 subject property is a large corner lot in the RM zone which contains 3,622 square feet of lot area. The lot is currently developed with a townhouse dwelling with a net floor area of 1,365.95 square feet, well below the 5,433 square feet of floor area permitted on this lot. The buildable area on the lot is reduced because end unit townhouses on corner lots must provide two front yard setbacks and a rear yard setback. In addition to the setback requirements, approximately 12.00

feet of the property facing Jefferson Street and 9.00 feet facing South Royal Street are used for public sidewalks and street parking, which further reduce the buildable area on the lot. The variance request is a reasonable deviation from the required rear yard setback to allow the expansion of the first floor and construct a second floor in the only remaining buildable area on the lot.



b. Strict application of the zoning ordinance would unreasonably restrict the utilization of the property.

The strict application of the ordinance limits the applicant's ability to construct a reasonably sized addition on the lot. If the addition is constructed the property will continue to be developed far under the maximum allowed floor area for this lot. Two story additions of similar size and larger are found on lots of this size throughout the historic district. The area to the south to the existing building, where the addition is proposed, represents the only location on the lot that is historically appropriate to construct an addition. c. The need for a variance is not shared generally by other properties.

While the requirement to provide a 16.00 foot rear yard setback applies to all exterior corner lot townhouses and interior townhouses throughout the RM zone, this lot is unique in that approximately 1,370 square feet of the lot is used for public sidewalks and public street parking. Further, because this public area is part of the total lot area, the applicants must provide a total of 1,267.70 square feet open space (35%) on the lot which is also unique. The area used as on street parking, a total of 701.46 square feet cannot be counted towards the required open space. Even though the applicants propose to provide slightly more than the required open space, constructing above the existing addition in the required rear yard allows them to continue to comply with the required open space.

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

The RM zone is the only zone that requires exterior townhouse corner lots to treat the remaining yard as a rear yard instead of a side yard. While the intent of this provision may have been to create a consistent development pattern with open yards at the "rear" of properties along a block, an inspection of this block and several surrounding blocks reveals that many corner lot townhomes, including the subject property, are already built into the required rear yards. The requested variance is not contrary to the intent of the ordinance because, there is a pattern of rear additions on this block approximately in line with the proposed addition.

Further, the requested variance is not contrary to the ordinance because there is a pattern in the immediate area of end unit townhouse lot corner lots developed into the required rear yards. The end unit townhouse lot on the west end of this block and the two end unit townhouse lots across Jefferson Street on the same block, which are also a part of the Yates Garden Development from the 1940's are built within the required rear yard setbacks.



Figure 2- Similarly configured end unit corner lots shown in yellow and proposed 5.00 foot rear yard setback shown in red.

e. 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. The property will continue to be used as residential townhouse dwelling.

VIII. Analysis of Variance Standards

Per zoning ordinance section 11-1103, the Board of Zoning Appeals shall not grant a variance unless it finds that the request meets the variance standards as follows:

a. The strict application of the terms of the ordinance would unreasonably restrict the utilization of the property or that the granting of the variance would alleviate a hardship due to a physical condition relating to the property or improvements thereon at the time of the effective date of the ordinance.

Large portions of the both front yards are occupied by public sidewalks and street parking; thus, reducing the developable area on the lot significantly, while adding to the total lot area This results in a high open space requirement and a reduced buildable area and creates a hardship on the lot. The physical condition

of having 1,370 (38%) of the lot utilized for a public use creates a hardship and allowing a variance from the rear yard setback would alleviate this hardship.

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

The applicants acquired the property in good faith and were unaware of the requirement to provide a 16.00 rear yard setback because the existing addition ins construction 3.90 feet from the rear property line.

c. 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 property has an existing 10.30 foot by 19.00 foot one-story addition, 3.90 feet from the south property line, constructed in 1974 with the approval of a variance. There are several properties in the area that have constructed one and two-story additions. The first-floor expansion and the second story addition 5.00 feet from the south property line will not be of substantial detriment to adjacent properties because several properties in this block have constructed rear additions approximately in line with the proposed addition, so the addition is consistent with the character of the block.

d. 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 to be adopted as an amendment to the ordinance.

This lot is unique in that approximately 38% of the lot is developed with public sidewalks and street parking. This is a large lot that is not able construct a modest addition due to the combination of front and rear setbacks, while continuing to comply with open space requirements. Most lots do not include areas used publicly in their lot areas.

e. 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 will not change the use or zoning of the residential property.

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

Relief from the requirement to provide a 16.00-foot rear yard setback can only be achieved by requesting a variance from the Board of Zoning appeals.

IX. <u>Staff Conclusion</u>

In conclusion, staff believes that the applicants' request meets the criteria for a variance as outlined above and **recommends approval** of the request.

Staff:

Maggie Cooper, Urban Planner, <u>margaret.cooper@alexandriava.gov</u> Mary Christesen, Zoning Manager, <u>mary.christesen@alexandriava.gov</u> Tony LaColla, Division Chief, Land Use Services, <u>tony.lacolla@alexandriava.gov</u>

BZA #2018-0015 801 South Royal Street

DEPARTMENTAL COMMENTS

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

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

Transportation and Environmental Services:

- R-1 The building permit must be approved and issued prior to the issuance of any permit for demolition, 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 The applicant should provide a determination of disturbed area per City Guidelines to T&ES prior to submitting for permits. If the land disturbance meets or exceeds 2500 square feet, a released grading plan will be required prior to submitting for 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 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)Board of Architectural Review:

- F-1 The subject property is located in the locally regulated Old and Historic Alexandria District (OHAD). The proposed project will require approval of a Permit to Demolish/Capsulate and a Certificate of Appropriateness from the OHAD Board of Architectural Review (BAR). The applicant has filed an application to the OHAD BAR, tentatively to be heard on September 19, 2018. All design comments will be reserved for the BAR review.
- F-2 Staff does not object to the proposed variance to expand the existing first floor and construct a second-story addition. The proposed addition will be visible from the public right-of-way and differentiates from the original portion of the house. The scale and mass are typical of additions within the district.

Recreation (Arborist): No comments provided.

Historic Alexandria (Archaeology):

- F-1 Based on historic maps that date back to the Civil War era, it would appear the subject property (and the entire block) remained largely vacant until the mid-twentieth century. However, unrecorded habitation or activity could have occurred on the lot. Given the close proximity of Battery Rodgers two blocks to the east, the possibility exists that Civil War soldiers temporarily encamped on the vacant block during the war. Therefore, archaeological resources related to the nineteenth century or later may be present on the property.
- R-1 The applicant/developer shall call Alexandria Archaeology immediately (703-746-4399) if any buried structural remains (wall foundations, wells, privies, cisterns, etc.) or concentrations of artifacts are discovered during development. Work must cease in the area of the discovery until a City archaeologist comes to the site and records the finds.
- R-2 The applicant/developer shall not allow any metal detection or artifact collection to be conducted on the property, unless authorized by Alexandria Archaeology.
- R-3 The statements in archaeology conditions above marked with an asterisk "*" shall appear in the General Notes of all site plans and on all site plan sheets that involve demolition or ground disturbance (including Basement/Foundation Plans, Demolition, Erosion and Sediment Control, Grading, Landscaping, Utilities, and Sheeting and Shoring) so that onsite contractors are aware of the requirements.

Code Administration:

C-1 A building permit, plan review and inspections are required for this application.

Public Hearing Before Planning Committe			lt, Camril			Board of Jonis	g Appeals
Application Filed 5/16/224		vertical in Be				Property Gustr	a Notified
Proposed use of Property Cowstr. Y.	ath a storage	*			· · · · · · · · · · · · · · · · · · ·		
Applicant: Mr. + Mer. Howard A.	Blancheri		ME MIL # MIS	wm. L.	Genung		
Lasessment Hop 145	Parcel Mlock	4		Lat	9	Zost	R-m
Location gol. S. Royal St.							
Action of Board of Zoning Appeals:	Granted	Greated Sab	eet to Could	tions	Granted in Part	t Dealed	Withdrawn
Recommendation of Planning Commission:	Granved	Granted Suit	eet to could	time	Greated in Par	e Denied	Withdramp
Action of City Council:	Granted	Grouted Sub	ect to Couli	tiens	Granted in Part	t Denied	Beferred
						Other	
					D	Subdivision	
					, D	Encroschment	
					R	Board Of Zonia	s Appeals
					ם	Special Use Pe	fuit
			2		Appl	lostica No.	27
property owners			5			10	+24

(m map)

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City of Alexandria Virginia



This is to advise that on ______ June 13, 1974 the Alexandria Board of Zoning Appeals _____ Granted ______ Application No. ______.

Reason: Modest request, reasonable in degree.

Section 42-77 of the Alexandria City Code states that "any decision of the Board of Zoning Appeals shall be null and void and of no effect if the applicant to such board or his successor has not commenced construction or operations allowable by virtue of such decision within one year from the date of the decision."

Sincerely,

Charles B. Moore, Jr. Chief of Current Planning

CBM:cjh

"Home Town of George Washington and Robert E. Lee"

	1424
	<u>APPLICATION</u> NO.
	TO THE BOARD OF ZONING APPEALS, CITY OF ALEXANDRIA, VIRGINIA Under Sections 9, 17, 9.18 & 9.19 of the Alexandria City Charter and Sections 92-74 & 92-75 of the Alexandria City Code
	APPLICATION FOR: (A) VARIANCE OR EXCEPTION [x] Date Submitted & Filing From provisions of Chapter 42. Pee Paid <u>S/14/24</u>
	City Code 1963 as smended (B) APPEAL FROM DECISION Date (s) of Director of Planning - adminis- tration & enforcement of provisions
	of the City Code 1963 as amended Application must be completed no later than <u>17 days</u> prior to the date on which the case is to be heard. Please type or print clearly; write "none" where applicable below. (Application Requirements - BZA Minutes 3/10/64)
	LOCATION OF PROPERTY 301 S. Royal St. Yates Gardens 22314
	ASSESSMENT MAP 145 Street & Number (s) Subdivision Zone R-M Lot (s) \underline{X} [C R-M]
	PROPERTY OWNER OF RECORD Hr. & Hrs. Wm. L. Genung 801 S. Royal St. (To Hay 29th) Ki 9-1461
	AppLICANT Mr. & Mrs. Howard A, Blancheri 616 S. Royal St., 548-3160
	AGENT FOR APPLICANT None Address Telephone
	CONTRACT FURCHASER Mr. & Mrs. Howard A. Blancheri 616 S.Royal St. 548-3160
	Name Address Telephone Telephone
	 (A) VARIANCE from or EXCEPTION to City Code pro- visions is requested in order to permitan 18 inch variation to South property line in order to add Section & Provision of City Code from which variance or exception is requested from the west property line.
	The unusual conditions which justify the request are: The size and shape of this lot and the existing plumbing only dermit a ½ bath in one location as applied for: further, an addition of this size will be compatible with adjacent properties.
	(if additional space is needed, please use back of form to complete (A) or (B)
	(B) The DECISION of the Director of - Office Use - Planning is appealed in order to Section & provision of the City Code in guestion
	The decision from which the appeal is taken.
	THE UNDERSIGNED HEREBY ATTEST(S) that all of the information herein provided and specifically including the surveys, drawings etc. required t be furnished by applicant are true, correct and accurate to the best of his (their) knowledge and belief. The undersigned further understand(s) 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 ORDINANCE 1637 ON THE PROPERTY WHICH IS THE SUBJECT OF THIS BOARD OF ZONING APPEALS APPLICATION #
	AGENT/ATTORNEY representing applicant
3	Case Advertised <u>6/5/)y</u> Notices Mailed to Property Owners 6/3/74 Number of Notices Mailed <u>33</u>
	(A) Variance Granted Denied (3) Appeal from Decision of Exception Granted Denied Director of Planning Other Granted Denied Upheld Reversed
	Conditions of (%) cr (B)
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Continued -(A) VARIANCE or EXCEPTION, or (B) DECISION, Director of Planning, etc.

- FOR OFFICE USE -

ATTACHMENTS

Advertisement of case as docketed. Corrections or amendment noted if made.

Wording of notice mailed to affected property owners, applicant and others.

Board decision: Action taken. Wording of BZA Minutes as approved. Reasons. Wording of BZA Minutes as approved.

BOARD OF ZONI	NG APPEALS CA	SE #1424		
APPLICANT ;	Mr. & Mrs.	Howard A, Blancheri		
LOCATION:	801 S. Roy	al St.		
PRESENT ZONIN	<u>G:</u> R-M	١		
DATE OF MEETI	NG: June 13,	1974		
APPLICATION S	UBMETTED	PROPERTY OWNERS NOTIFIED	ADVERTISED	PROPERTY POSTED
5-16-74		6-5-74	6-5-74	6-3-74
Code Section	Subject	Code Requirement	Applicant Proposes	Requested Appeal
42-15(d) (2)	Sideyard Setbacks	5 ft,	3,5 ft.	1.5 ft,
42-15(d) (3)	Rearyard Setbacks	16 ft.	0 £t.	16 ft.

APPLICANT'S PROPOSAL AND RLASON FOR REQUEST: The applicant requests "an eighteen inch variation to the south property line in order to add one-half bath and storage. Also a sixteen fost variation is requested from the west property line." The reason for the request is, "The size and shape of this lot and the existing plumbing only permit a half bath in one location as applied for; further, an addition of this size will be compatible with adjacent properties."

STAFF REPORT

- The property in question is zoned R-M, Residential and contains a twostory single family residence. The Real Estate Assessor's records show that this house was built in 1941, before the adoption of the Zoning Code. The porch on the south side of the house was enclosed in 1961.
- (2) Adjacent properties are zoned R-M, Residential and contain row houses.
- (3) The R-M zone requires that lots greater than thirty-five (35) feet in width provide two sideyards of five (5) feet. The applicant is proposing to provide a 3.5 foot sideyard.
- (4) Rearyards in the R-M zone are the same as the R-C zone: one (1) foot back from the property line for each two (2) feet the structure goes up, with a minimum of sixteen (16) feet required. The applicant proposes to put the 4 ft. x 10 ft. one-story addition on the rear property line, and therefore requests a sixteen (16) foot variance.
- (5) The applicant proposes to remove the existing | wick steps to put in the proposed addition.

June 4, 1974 DA'TE :

Mr. Charles B. Moore, Jr., Chief, Zoning & Subdivision TO: Administration

Dayton L. Cook, Director of Fublic Works FROM:

SUBJECT: BZA Cases 1417 through 1419, and 1422 through 1432

In reference to your memorandum of June 3, 1974, the following comments are submitted on the above BZA cases:

- #1417 (1) Development plan meeting requirements of Site Plan ordinance to be submitted and approved.
 - (2) Developer to be responsible for all public improvements including improvements to existing alley.
 - (3) Recommend required parking spaces be provided. There is insufficient on-street parking now.
- #1418 No comments.
- #1419 Recommend approval in view of dual use of property.
- #1422 (1) Developer must comply with Flood Plain ordinance.

(2) Site Plan to be approved.

(3) Dual use should allow a reduction in required parking.

- #1423 No comments.
- #1424 No comments.
 - #1425 No comments.
 - #1426 Recommend approval since reason for having set-back is no longer valid.
 - #1427 No comments.
 - #1428 No comments.
 - #1429 Recommend required parking spaces be provided.
 - #1430 No comments.
 - #1431 Site Plan to be approved. The building to be removed without charge if the City ever acquires the land in the set-back area.
 - #1432 No comments.

Dayton L. Cook, P.E.

ULC/RJD/fw Attachments: Plats

June	7,	1974
	June	June 7,

TO: Mr. Charles B. Moore, Jr. Chief Zoning and Subdivision Administration

FROM: Paul F. Fox, Engineer P.J. J. of Building and Mechanical Inspections

- SUBJECT: BZA CASES: 1417, 1418, 1419, 1422, 1424, 1425 1426, 1428, 1429, 1430, 1431, 1432. THERE IS NO BUILDING CODE INVOLVEMENT IN THE SUBJECT CASES.
- Case # 1423 ANSIX NAVEX XIVEX (2) XHOURX FIRE RARBOX AMALES NO BUILDING CODE INVOLVEMENT.
- Case # 1427 MUST BE TWO (2) HOUR FIRE RATED CONSTRUCTION.

DATE: JUNE 7, 1974

TO: CHARLES B. MOORE, JR. CHIEF OF CURRENT PLANNING

FROM: CHARLES E. KENYON, ACTING DIRECTOR DEPARTMENT OF TRAFFIC

SUBJECT: BZA CASES

Case #1417 - Samuel Ellsworth

Same staff comments apply as previously submitted.

Case #1418 - City of Alexandria, Virginia

Same staff comments apply as previously submitted.

Case # 1419 - Catherine C. Winkler

Same staff comments apply as previously submitted.

Case #1022 - Rothehild Limited Fartnership

Same staff comments apply as prejously submitted.

Case #1423 - James E. and Jean D. Short

This variance does not effect the public right-of-way or the safety of pedestrians or motor vehicles. No comment.

Case #1424 - Mr. & Mrs. Howard A. Blancheri

This variance does not effect the public right-of-way or the safety of pedestrians or motor vahicles. No comment.

Case #1425 - Carlyle C. and Jane Lee Ring

This variance does not effect the puble right-of-way or the safety of pedestrians or motor vehicles. No comment.

TO: MR. CHARLES D. MOORE, JR., CHIEF, ZONING & SUBDIVISION ADMINISTRATION

DATE: 5 JUNE 1974

FROM: WW. H. EVERARD, FIRE PROTECTION ENGINEER, FIRE DEPARTMENT

SUBJECT: 3ZA CASES #1417, #1418, #1419, # 1422, #1423, #1424, #1425, #1426, #1427, #1428, #1429, #1430, #1431, AND #1432.

We have reviewed the above referenced cases and have the following comments:

Case #1417 - Our previous comment is still applicable.

"The Firs Department does not object to the basic content of these requested variances except for items (B) and (C),

(B) This constitutes more than a fifty percent reduction in parking in an area that is already a problem for resident al parking and we believe that such a large reduction may enduction improper parking both in the parking area and on the adjacent streets.

(C) We believe that a reduction in aisle width will substantially interfer with the use of this aisle as an emergency vehicle access. We intend to have this driveway aisle dedicated as an emergency vehicle easement when an appropriate site plan or development plan is submitted."

NOTE: The applicant has indicated some willingness to work with our department to resolve our emergency problems through the use other fire protection features. However, no firm commitment has been made to that effect as yet and the basic objections remain current until such time as written agreement is made for such designs. See memorandum dated 7 May 1974.

- Case #1418 Preceding comments are applicable. See case #1408, report dated 2 April 1974 and 6 March 1974.
- Case #1419 Preceding comments are applicable. The position of the Fire Department at this time is expressed in our memorandum of 7 May 1974. However, by way of explanation and clarification we request that the summary of aur position include the original comments from our report of 2 May 1974.
- Case #1422 Preceding comments are applicable. We request that this comment be included in its entirety to avoid confusion and possible misunderstanding by the Board.

Case #1423 - (Gur records indicate this is a duplication of numbering.)

The requested variance for 2707 Gentral Avenue does not affect the operation of the Firs Separtment.

Case #1424 - The requested variance does not appear to remarkably affect the fire protection for this and adjacent property if the fire registive requirements of the Virginia Uniform Statewide Suilding Code are complied with.

1974 ADMINISTRATIVE ANDRI

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BZA Casus #1425 to #1432

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5 June 1974 Page 2

- Case #1425 The proposed addition and requested variance do not appear to remarkably affect the fire protection of this or the adjacent property and the Fire Department has no objections to the request.
- Gase #1126 The requested setback variance does not affect the operations of the Fire Department nor does it alter the emergency access concerns in Case #1122.
- Case #1427 This requested variance calls for a proposed addition that will increase the potential fire exposure to the applicant property and to the adjacent property and diligent compliance with the letter and intent of the Virginia Hniform Statewide Building Code is important to achieve necessary five protection. The careful consideration of wall openings and roof type wild be necessary to achieve proper fire protection. We strongly sugg gest that the applicant discuss final plans with this Department prior to actual construction.
- Case #1426 It appears that this variance is to allow the construction of a complete replacement structure at 51h South Pitt Street. It is not possible to completely evaluate the potential fire exposure situation without architectural drawings; however, compliance with the Virginia Uniform Statewide Building Gode and maintenance of existing separations by adjacent property owners should allow the necessary minimum fire protection.
- Case #1429 The requested variance to allow an addition to this structure cannot be fully evaluated without architectural information. It appears that the proposed addition will not substantially affect the fire protection of this and adjacent properties if it complies with the provisions and intent of the Virginia Uniform Statewide Building Code. We strongly urge that the applicant discuss final plans with this Department prior to actual construction.
- Case #1130 The requested variance does not appear to remarkably affect the properties concerned or the dijacent properties. Compliance with the letter and intent of the Virginia Uniform Statewide Building Code is important in maintaining suitable fire protection and we strongly suggest that the applicant discuss final building plans with this Department prior to actual construction.
- Case #1031 The requested setback variance does not affect the fire protection for this property. However, the applicant should be advised that the storage and use of flammable liquids requires appropriate permits from the Fire Prevention Bureau and the potential selfservice capability indicated by note 3 on the plan is severely regulated and should be discussed in detail with the Fire Department.

Case #1132 - This requested variance does not affect the operations of the Fire Department.

Fire Department.

City of Alexandria, Virginia

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June 4, 1974





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Dear Property Owner:

You are hereby notified that on Thursday, June 13, J974, at 4:00 P.M. in the City Council Chambers, City Hall, Alexandrir, Virginia the Alexandria Board of Zoning Appeals will consider the following request for appeal from the City Zoning Code.

Case #1424 - <u>Mr. & Mrs. Howard A. Blancheri, Contract Purchasers</u>, request appell under Section 42-75 of the 1963 edition of the City Code in order to construct a four (4) feet by ter (10) feet addition 3.5 feet from the south property line and on the west property line.¹ Premises located at 801 S. Royal Street and zoned R-M, Residential.

As a citizen and party in interest, you are invited to attend the Board of Zoning Appeals meeting and express your views concerning the above request.

If you have any questions concerning the request please call the Department of Planning and Community Development, 320 King Street, 750-5291.

Sincerely,

Charles B. Maray, Myh. S

Charles B. Moore, Jr., Chief Zoning & Subdivision Administration

CBM:1s

APPLICANT PLEASE NOTE:

Your attendance at the Board of Zoning Appeals is required.

"Home Town of George Washington and Robert E., &e"

Mr. & Mrs. Howard Blancheri 616 Royal St. (South) (contract purchasers) Mr. & Mrs. Wm. Genung 801 S. Royal (pres. owner) Yates Gardens Civic Assoc. Mrs. H. S. Park 916 Sr. Asaph (S) Lawrence B. McEwen 805 S. Royal Vocille M. Pratt 807 S. Royal Delbert or Eliz, Boutwell, Jr. 809 S. Royal Elliott Vandevanter 105 W. Market Lesesburg, Va. 22075 (813 S. Royal) Donald B. Kraft 815 S. Royal Evelyn F. Anderson 817 S. Royal Wm. C. or Lavinia McGehee 819 S. Roval Norman or Carol Reed 821 S. Royal John or Christine Thompson 823 S. Royal Mildred or Katherine Potter (Brown) 827 S. Royal Joseph or Ieva Cucinelli 402 Jefferson St. John L. Reenstjerna, etux. 404 Jefferson St. Everette & Alice Myers 4515 Rising Lane Bowle, Md. (406 Jefferson) Lewie & Mary Gilpin 408 Jefferson MaxField or Betty D. Kent 401 Jefferson

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Ruth V. Ponton 403 Jefferson John R. L ndsay 734 S. Royal Frances M. Bird 732 S. Royal Donald M. or Betty Mair 800 S. Royal Edmund C. & Helen Jann 802 S. Royal Levry D. or Marcia Sharp 804 S. Royal Evelyn B. Webb Mary C. Lawson 805 S. Royal Eugene or Barbara Geiger 808 S. Royal Corinne D. Tabler 810 S. Roval Ruth A. Erickson 812 S, Royal Robert & Lilibeth Magis 814 S. Royal Kenneth or Suzanne Harris 818 S, Royal Edward D. & Jean Tatum 815 S. Fairfax St. (820 S. Royal) Hazel E. R. Widner 2701 Valley Dr. 22302 (822 S. Royal) John or Kathryn McGrath 824 S. Royal

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APPLICATION BOARD OF ZONING APPEALS

Section of zoning ordinance from which request for variance is made: Section 3 - 1106 (A(3)(a))

PART A

1.	Applicant: Owner Contract Purchaser Agent
	Name Michael & Alexis Doxey
	Address Bol S. Royal Street, Alexandria, VA 22314
	Daytime Phone (703)861 - 6257
	Email Address mldoxey@gmail.com ; tharch@mindspring.com
2.	Property Location 801 S. Royal Street
3.	Assessment Map # <u>060.04</u> Block <u>04</u> Lot <u>37</u> Zone <u>RM</u>
4.	Legal Property Owner Name Michael S Alexis Doxey
	Address Bol S. Royal Street, Alexandria, VA 22314

alexis. doxey@ gmail.com

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	Name Address		Percent of Ownership		
Michael & Arexis Doxey	BOI S. Royal St. flexan	nia, VA 22314	100%.		
3.					

<u>2. Property.</u> State the name, address and percent of ownership of any person or entity owning an interest in the property located at _________________________________(address), unless the

entity is a corporation or partnership, in which case identify each owner of more than three percent. The term ownership interest shall include any legal or equitable interest held at the time of the application in the real property which is the subject of the application.

Name	Address	Percent of Ownership	
2. Michael & Hexis Doxey	Boi S. Royal St. Alexandra	A 22314	100%.
3.			

<u>3.</u> 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 the12-month period prior to the submission of this application with any member of the <u>Alexandria City Council</u>, <u>Planning Commission</u>, <u>Board of Zoning Appeals</u> or either Boards of Architectural Review (<u>OHAD</u> and <u>Parker-Gray</u>). 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. Michael Doxay	none	BZA
2. Alexis Doxay	none	BZA

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:

plane. In	ere is ar	existing	o expand rear wind	a. We-1	propose	a 2-sto
addition	over and	encaps	ulating -	this e	xisting	artition
			9			

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.



- res 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.

amily needs 3 bedrooms. This house has 2 bedrooms. his addition adds a bedroom and expands -20 st loor to be rst sized for a famil CODY

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

existing addition is not suitable as A useable dred appears to not properly allow -10 ett ta icient heating and existing upstairs addition the addit oroperly fullis upda loo useab mili Jue Corper 01 the S 2002 additions can in which made.

- 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 addition is unique to this property, a corner lot. Besides 2 front yard set backs, only our house has a rear yard as well, instead of a side yard like most corner lots. This eliminates all possible space to expand the home.

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

The addition is unique to this property. In RM 2 front yards Zone only a corper lot requires and a rear yard, instead of 2 front yards and side yard.

- 3. Was the unreasonable restriction or hardship caused by the applicant?
 - A. Did the condition exist when the property was purchased?

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

amily has grown since purchase of property. The

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

learned of the rear yard set backs when Ne starting this project. With the existing additions location, this was a surprise.

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

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.

No it will not be harmful. The addition is being built over an existing I stary addition. The and stary is in Keeping with the current house in terms of scale, materials and look. There is no impact to the neighborhood. This addition will actually make the house more aestically in line with all of our surrounding neighbors.

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.

Owner has spoken to adjacent neighbors. We just anived back in the country last week and will continue to talk with and get support from Our neighbors.

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

PART C

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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.

eils on a corner lot, there is no other place o entarge the home.

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

We are a military family who loves the neighborhood.
In fact this is the and in the heighborhood.
In fact this is the second home we have owned
The feres dardens. We Ducchased their la
TOPES THAT IT Would be aug forevise I
Since then and failed and
since then our family has grown such that we
DEED UNE additional bedravan
-our now tamily of 5 the article
thrived at Lyles Crouch and are looking forward
to applie the couch and are looking forward
TO LOTHIDILING TO DO SO 10 The Consider March
ISPECT what the BAK does he
Dreserve the intendition it and
preserve the integrity of the community and
TOPE TON WIT APPONE DUC CEQUEST SA
continue to live in and raise our family in
the neighborhood we love.
Judet we love.

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:

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I, as the applicant or authorized agent, note that there is a fee associated with the submittal of this П 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: -lexis Doxey Date: 02 Aug 2018 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.

Variance to construct a second floor addition in the required rear yard on Bol S. Royal Street, encapsulating the existing rear addition.



Department of Planning and Zoning Floor Area Ratio and Open Space Calculations

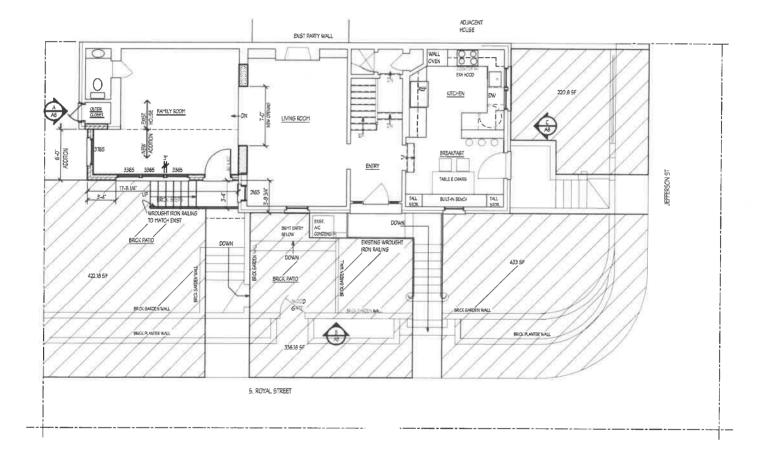
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	Street Address	Poyal Stre	et	B-20 PM Zone
2.	3622 Total Lot Area	.00 SF	x 1.50 Floor Area Ratio Allowed by Zone	= - 5.00 5,433,00 Maximum Allowable Floor Area
		ss Floor Area		
	Existing Gross		Allowable Exclusions**	
	Basement	648.0	Basement** 648	B1. 0.09 2788 Sq. 1
	First Floor	844.0	Stainways** 12.6.05	
	Second Floor	648.0	Mechanical**	B2: 0.00 (422.05 Allowable Floor Exclusions**
	Third Floor		Attic less than 7'** 648	
	Attic	648.0	Porches**	B3. 0.00 1365.96 Sq. 1 Existing Floor Area Minus Exclusions
	Porches	0.0.0	Balcony/Deck**	(subtract B2 from B1)
	Balcony/Deck		Lavatory***	Comments for Existing Gross Floor Area
	Lavatory***		Other**	
	Other**		Other*	
	Total Gross	0002780 0	B2. Total Exclusions 0.00 422.0	* -
	Basement	land con	Basement**	C1. 0.00 712 42 Sq. F
	First Floor	107.40	Basement** Stainways**	Proposed Gross Floor Area*
		107.40 302.51		C2 0.00 302.51 Sa F
	First Floor	and the second	Stairways**	C2, 0.00 302.51 Allowable Floor Exclusions**
	First Floor Second Floor	and the second	Stairways** Mechanical**	C2: 0.00 302.51 Allowable Floor Exclusions** 0.00 409.91 Sq. F Proposed Floor Area Minus Exclusions
	First Floor Second Floor Third Floor	302.51	Stainways** Mechanical** Attic less than 7*** 302.51	C2. 0.00 302.51 Allowable Floor Exclusions**
	First Floor Second Floor Third Floor Attic	302.51	Stairways** Mechanical** Attic less than 7*** 302.51 Porches**	C2: 0.00 302.51 Allowable Floor Exclusions** 0.00 409.91 Sq. F Proposed Floor Area Minus Exclusions
	First Floor Second Floor Third Floor Attic Porches	302.51	Stainways** Mechanical** Attic less than 7'** 302.51 Porches** Balcony/Deck**	C2: 0.00 302.51 Allowable Floor Exclusions** 0.00 409.91 Sq. F Proposed Floor Area Minus Exclusions
	First Floor Second Floor Third Floor Attic Porches Balcony/Deck	302.51	Stairways** Mechanical** Attic less than 7*** 302.51 Porches** Balcony/Deck** Lavatory***	C2. 0.00 302.51 Allowable Floor Exclusions** C3. 0.00 409.91 Proposed Floor Area Minus Exclusions (subtract C2 from C1)
	First Floor Second Floor Third Floor Attic Porches Balcony/Deck Lavatory***	302.51	Stairways** Mechanical** Attic less than 7*** 302.51 Porches** Balcony/Deck** Lavalory*** Other**	C2. 0.00 302.51 Sq. F Allowable Floor Exclusions** C3. 0.00 409.91 Sq. F Proposed Floor Area Minus Exclusions (subtract C2 from C1) Notes *Gross floor area is the sum of <u>all area</u> <u>under roof of a lot</u> , measured from the fac of exterior walls, including basements
	First Floor Second Floor Third Floor Attic Porches Balcony/Deck Lavatory*** Other	302.51 302.51	Stainways** Mechanical** Attic less than 7*** 302.51 Porches** Balcony/Deck** Lavatory*** Other** Other**	C2. 0.00 302.51 Sq. F Allowable Floor Exclusions** C3. 0.00 409.91 Sq. F Proposed Floor Area Minus Exclusions (subtract C2 from C1) Notes *Gross floor area is the sum of <u>all area</u> <u>under roof of a lot</u> , measured from the fac of exterior walls, including basements garages, sheds, gezebos, guest building and other accessory buildings.
	First Floor Second Floor Third Floor Attic Porches Balcony/Deck Lavatory*** Other Total Gross Total Floor A A000 1775 Total Floor Area	302.51 302.51 0.49712.42 rea .86 Sq. Ft. 'add B3 and C3)	Stainways** Mechanical** Attic less than 7*** 302.51 Porches** Balcony/Deck** Lavalory*** Other** C2. Total Exclusions 0.00 E. Open Space (RA & RB Zone E1. 529.16 Existing Open Space	C2. 0.00 302.51 Sq. F Allowable Floor Exclusions** 0.00 409.91 Sq. F Proposed Floor Area Minus Exclusions (subtract C2 from C1) Notes *Gross floor area is the sum of <u>all area</u> <u>under rod of a tot</u> , measured from the fac of exterior walls, including basements garages, sheds, gazebos, guest building and other eccessory buildings. * Refer to the Zoning Ordinance (Section 2-145(B)) and consult with Zoning Staff to information regarding allowable exclusions. Sections may also be required for some
	First Floor Second Floor Third Floor Attic Porches Balcony/Deck Lavatory*** Other Total Gross Total Floor A	302.51 302.51 302.51 rea 86 Sq. Ft. <i>radd B3 and C3)</i> 0 Sq. Ft.	Stainways** Mechanical** Attic less than 7*** 302.51 Porches** Balcony/Deck** Lavalory*** Other** C2. Total Exclusions 0.00 E. Open Space (RA & RB Zone E1. 529.16 Existing Open Space	C2. 0.00 302.51 Sq. F Allowable Floor Exclusions** C3. 0.00 409.91 Sq. F Proposed Floor Area Minus Exclusions (subtract C2 from C1) Notes *Gross floor area is the sum of <u>all area</u> <u>under roof of a lot</u> , measured from the fac of exterior walls, including basements garages, sheds, gazebos, guest building and other accessory buildings. (a, Ft. ** Refer to the Zoning Ordinance (Section 2.145(B)) and consult with Zoning Staff to information regarding allowable exclusions.

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

Signature:

Date: _____ pace

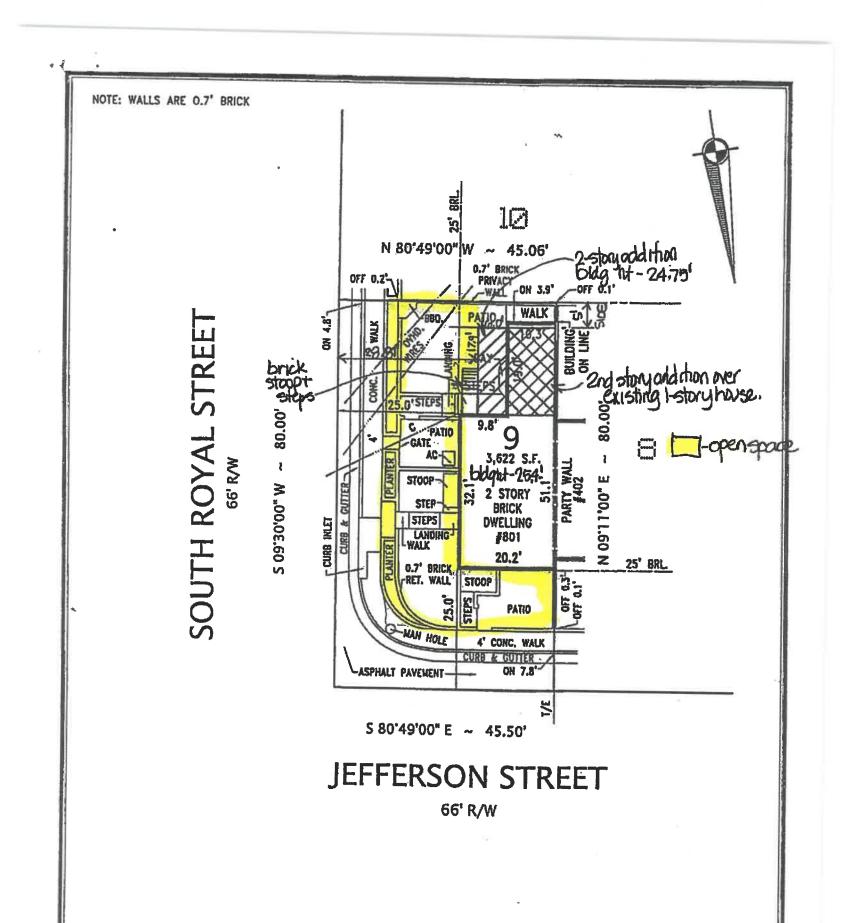


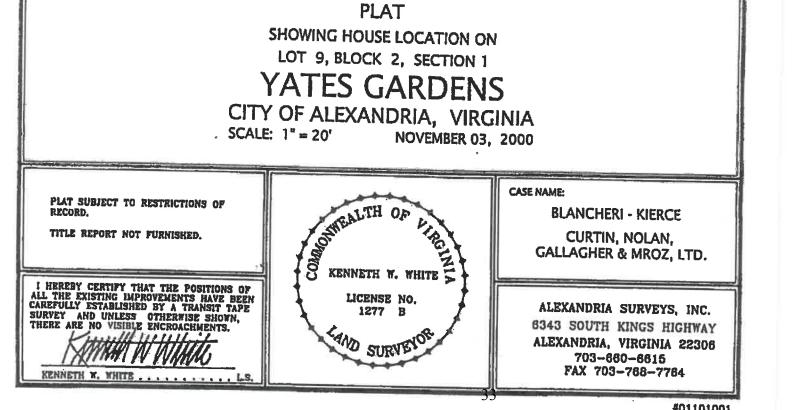
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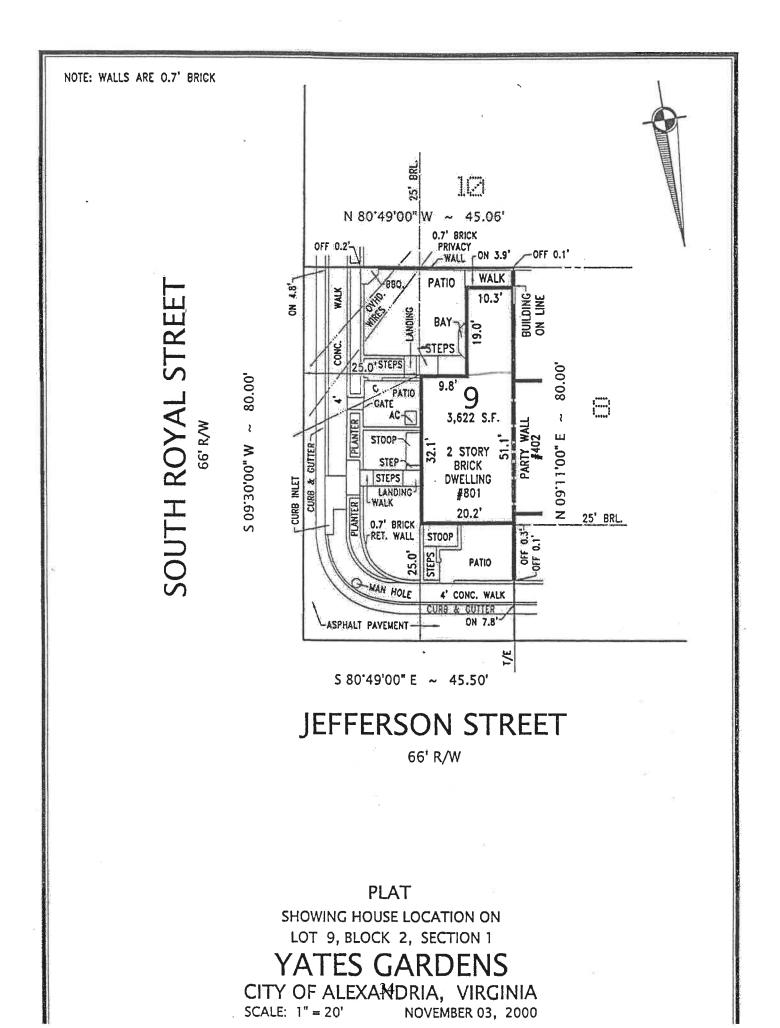
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801 S Royal - Southeast View



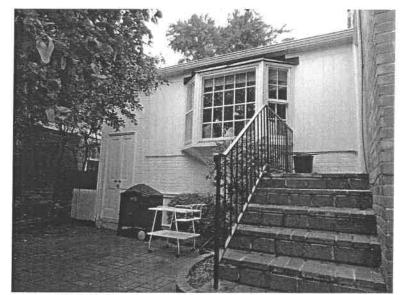
801 S Royal - Front Elevation (East)



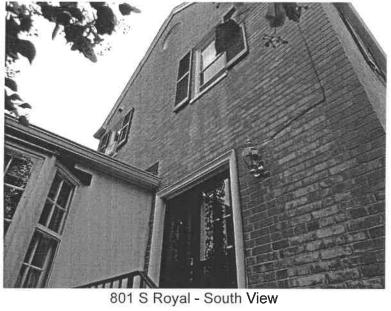
Corner of South Royal / Jefferson Streets - Northeast View

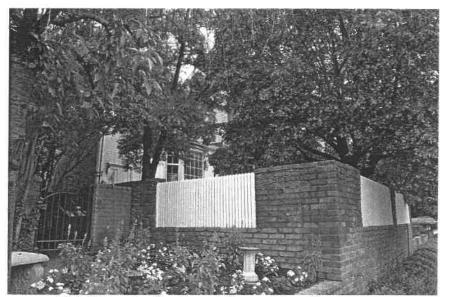
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801 S Royal - East View of Existing Addition



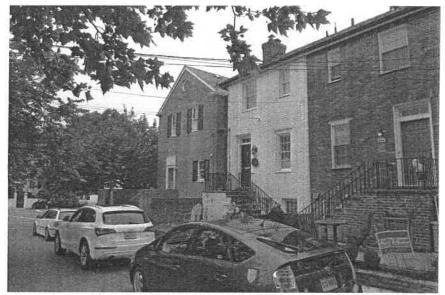


801 S Royal - Southeast Corner View From Street



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Front Elevation- Jefferson Street - North View



Front- Jefferson Street - Northwest View

