

APPLICATION BOARD OF ZONING APPEALS

# **Section of zoning ordinance from which request for variance is made:** 4-105-(B)(1) Lot size

4-105-(B)(2) Frontage

4-106-(A)(2)(a) Yards (Front yards & side yards)

#### PART A

1.	Applicant: Owner 🖌 Contract Purchaser Agent								
	Name 1117 Queen Street, LLC (Not yet created with SCC)								
	Address 225 North West Street, Alexandria, VA 22314								
	Daytime Phone								
	Email Address								
2.	Property Location								
3.	Assessment Map # Block Lot Zone								
4.	Legal Property Owner Name Kathy Bunn & Robert Bunn								
	Address 3615 Old Forest Road, Lynchburg, VA 24501								

#### 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.	Matt Gray	5 N. West St, Alex, VA 223	100%		
2.					
3.					

2. Property. State the name, address and percent of ownership of any person or entity owning an interest in the property located at <u>1117 Queen Street</u> (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.	Robert & Kathy Bunn	OREST ROAD LYNCHBUR	100%		
2.					
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 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</u> <u>Zoning Appeals</u> or either Boards of Architectural Review (OHAD 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.)		
<sup>1.</sup> R	obert & Kathy Bunn	None	None		
2. N	latt Gray	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:**

Variances in sections below and described in great detail later in application.

#### 4-105-(B)(1) Lot size

4-105-(B)(2) Frontage

4-106-(A)(2)(a) Yards (Front yards & side yards)

#### 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. Land, Carroll & Blair PC

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:**

- 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: Matt Gray

Date: 1/21/2021

Signature: Notropert

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.

#### 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.

Please see attached explanation.

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

Please see attached explanation.

- 2. Is this unreasonable restriction or hardship unique to the property? Yes
  - A. Explain if the restriction or hardship is shared by other properties in the neighborhood.

No, it is a unique hardship to this specific lot. The lot was platted over 100 years ago before the zoning ordinance was implemented. In 1986, the dwelling was demolished from a previous owner. The zoning ordinance then had specific requirements but since the lot was platted before the ordinance was created, it was not possible to comply with certain requirements without variances.

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, it is a unique hardship to this specific lot. Other lots are developed and thus don ' t need to comply with the current zoning ordinance because they are " grandfathered in ". In 1986, the dwelling was demolished from a previous owner. The zoning ordinance then had specific requirements but since the lot was platted before the ordinance was created, it was not possible to comply with certain requirements without variances.

#### 3. Was the unreasonable restriction or hardship caused by the applicant? No

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

Yes, it did exist but the property is not purchased. The applicant has a study period contingency and if the variances are not granted the property will not be purchased as it 's unbuildable and thus will remain vacant land.

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

No, the property has not been purchased and the applicant is aware of the hardship thus requesting the variance so the applicant can purchase.

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

The single family dwelling is seen in a July of 1891 Sanborn map. The property was then demolished in 1986. In 1992, the property was rezoned to CL. Upon the rezoning of the property, the hardship occurred as it was platted over 100 years before, the zoning ordinance did not exist at the time of platting and thus could not conform to requirements that didn ' t exist.

# 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? No

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

No, it will not be harmful to adjacent properties. In fact, it will be helpful for adjacent properties because it will eliminate an over grown vacant lot with a newly rebuilt single family dwelling. Additionally, it will increase the value of the lot which will help with adjacent property owners valuations as well.

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.

No, the applicant is waiting on BAR for preliminary feedback. Once the plan is administratively approved by BAR staff, the applicant is going to proactively reach out to all adjacent neighbors.

The applicant will request written statements from neighbors but statements are not guaranteed as the applicant has not discussed this with them yet.

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

No, staff has instructed the applicant this is the only means to rebuild the single family dwelling.

#### 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.

Lot size, frontage and side yard setbacks are not possible by any means given the original platted size did not conform to the zoning ordinance that was created after it was platted.

Front yards are possible and have been explored. Abiding by this requirement would make this single family dwelling significantly different than these urban adjacent lots.

BAR staff has requested, "We highly recommend looking at the streetscape of the block for design inspiration". BAR staff has also requested, "While BAR does not recommend slavishly copying what is there/historic, they do want new construction to blend into the community. It must fit in while at the same time not trying to fool the casual observer that it is an original building."

Yes, other plans have been explored but BAR wants the new dwelling to "blend in" with existing lots. In order to accomplish this we would need a front yard variance.

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

Please see attached aerial photos of neighboring lots & street scape.

#### \*\*\*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.



### Department of Planning and Zoning Floor Area Ratio and Open Space Calculations for **Single and Two-Family Residential Outside Historic Districts**

Α

	A. Property Information								
A1.	1117 Queen Street, Alexandria, VA 22314 Street Address						CL Zon	e 🔽	
Δ2	2000		x	.75		= 1			
,	Total Lot Area		~	Floor Area Ratio A	Allowed by Zone			imum Allowable Floor Area	
B	Existing Gros	ss Eloor Aroa							
Б.	Existing Gross			Allowable Exclu	usions**				
	Basement	0		Basement**	0		B1.	00 Sq. Ft.	
	First Floor	0		Stairways**	0			Existing Gross Floor Area*	
	Second Floor	0		Mechanical**	0		B2.	00 Sq. Ft.	
	Third Floor	0		Attic less than 7'*	*0			Allowable Floor Exclusions**	
	Attic	0		Porches**	0		B3.	00 Sq. Ft. Existing Floor Area Minus Exclusions	
	Porches	0		Balcony/Deck**	0			(subtract B2 from B1)	
	Balcony/Deck	0		Garage**	0		Cor	mments for Existing Gross Floor Area	
	Garage	0		Other***	0				
	Other***	0		Other***	0	١	Vac	ant land.	
B1.	Total Gross	0	B2	Total Exclusions	0				
	<u></u>					)			
C.		oss Floor Area							
	Proposed Gros			Allowable Exclu				(1000	
	Basement	0		Basement**	0		C1.	1600 Sq. Ft. Proposed Gross Floor Area*	
	First Floor	605		Stairways**	90			250	
	Second Floor	605		Mechanical**	0		C2.	Allowable Floor Exclusions**	
	Third Floor	390		Attic less than 7'*	*0		C3.	1350	
	Attic	0		Porches**	0		00.	Proposed Floor Area Minus Exclusions	
	Porches	0		Balcony/Deck**	0			(subtract C2 from C1)	
	Balcony/Deck	0		Garage**	0				
	Garage	0		Other***	160			N - 4	
	Other***	0		Other***	0			Notes *Gross floor area for residential single and	
C1.	Total Gross	1600	C2	. <u>Total Exclusions</u>	250	]		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,	
D.	Total Floor A	rea		E. Open Spa	ace (RA & RB Zones	s)		measured from exterior walls.	
D1.	1350 Tatal Flags Asso	Sq. Ft.		E1. 2000	Sq.	. Ft.		** Refer to the Zoning Ordinance (Section 2-145(A)) and consult with Zoning Staff for	
	Total Floor Area	(add B3 and C3)		Existing Op	en Space		information regarding allowable exclusions. Sections may also be required for some		
D2.		Sq. Ft.		<b>E2</b> . 800		. Ft.		exclusions.	
	Total Floor Area Allowed by Zone ( <i>A2</i> )			Required Op	ben Space			*** Refer to the Zoning Ordinance (Section 2-145(A)) and consult with Zoning Staff for	
				<b>E3.</b> 1395 Sq. Ft				additional allowable exclusions. Additional exclusions may include space under	

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

Proposed Open Space

1/21/2021 Date:

balconies, retractable awnings, etc.



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

А.	Property Info	ormation						
A1.	1117 Queen Street, Alexandria, VA 22314						CL	<b>•</b>
	Street Address						Zon	
A2.	2000 Total Lot Area		<b>x</b> ·	75 Floor Area Ratio A	lowed by Zone		1,500	) ximum Allowable Floor Area
	Total Lot Area			FIODI Alea Ralio A	alowed by Zone		IVIAX	and Allowable Floor Alea
В.	Existing Gros			Allowable Exclu	usions**			
	Basement	0		Basement**	0		B1.	00 Sq. Ft.
	First Floor	0		Stairways**	0			Existing Gross Floor Area*
	Second Floor	0		Mechanical**	0		B2.	00 Sq. Ft.
	Third Floor	0		Attic less than 7'*	*0			Allowable Floor Exclusions**
	Attic	0		Porches**	0		B3.	
	Porches	0		Balcony/Deck**	0			Existing Floor Area Minus Exclusions (subtract B2 from B1)
		0			0		Cor	nments for Existing Gross Floor Area
	Balcony/Deck			Lavatory***	0			
	Lavatory***	0		Other**	-		Voo	ant land.
	Other**	0		Other**	0		vaca	
B1.	Total Gross	0	B2.	Total Exclusions	0			
C. Proposed Gross Floor Area <u>Proposed Gross Area</u> <u>Allowable Exclusions</u> **								
	Basement	0		Basement**	0		C1.	1600 Sq. Ft.
	First Floor	605		Stairways**	90			Proposed Gross Floor Area*
	Second Floor	605		Mechanical**	0		C2.	250 Sq. Ft.
	Third Floor	390		Attic less than 7'*	* 0			1350
	Attic	0		Porches**	0		C3.	Proposed Floor Area Minus Exclusions
	Darahaa	0		Dalaanu/Daalu**	0			(subtract C2 from C1)

#### Notes

Sq. Ft.

Sq. Ft.

Sq. Ft.

\*Gross floor area is the sum of all areas under roof of a lot, measured from the face of exterior walls, including basements, garages, sheds, gazebos, guest buildings and other accessory buildings.

Β

\*\* Refer to the Zoning Ordinance (Section 2-145(B)) and consult with Zoning Staff for information regarding allowable exclusions. Sections may also be required for some exclusions.

\*\*\*Lavatories may be excluded up to a maximum of 50 square feet, per lavatory. The maximum total of excludable area for lavatories shall be no greater than 10% of gross floor area.

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

Balcony/Deck\*\*

C2. Total Exclusions 250

Lavatory\*\*\*

Other\*\*

Other\*\*

E1, 2000

**E2.** 800

E3. 1395

0 0

160

0

E. Open Space (RA & RB Zones)

**Existing Open Space** 

**Required Open Space** 

Proposed Open Space

Signature:

Porches

Balcony/Deck

**D. Total Floor Area** 

by Zone (A2)

Lavatory\*\*\*

Other

C1. Total Gross

**D1.** 1350

**D2.** 1500

0

0

0

0

Total Floor Area (add B3 and C3)

**Total Floor Area Allowed** 

1600

Sq. Ft.

Sq. Ft.

Date:

1/21/2021

1A.

1. LOT SIZE: This lot platted was at 2,000 SF over 100 years ago. The CL zoning allows single family dwellings but requires 5,000 SF which is not possible given this provision of the zoning ordinance was created after it was platted. We are requesting this variance because then the lot would be deemed unbuildable.

2. FRONTAGE: This lot was platted with roughly 20' of frontage. The CL zoning requires single family dwellings to have a minimum of 50 feet of frontage which is not possible given it was platted before the zoning ordinance had this requirement. We would request the frontage be equivalent to the platted size as requiring the 50' frontage would deem this lot unbuildable.

3. YARDS:

a. FRONT YARDS: CL zoning requires a minimum front yard of 20'. Although having a 20' front yard is required and possible, it would not fit in with the neighboring lots. We would request the front yard matches the front line of the parcels to the west which is set back roughly 7'. It's not possible to match the parcels to the east because their front steps are currently over the property lines and infringe on the sidewalks. See survey for details.
b. SIDE SETBACK: CL requires a 1:3 setback ratio and a minimum of eight feet for side yards. The lot is roughly 20' wide. If two side yards of 8' are required, then the house would be 4' wide. When you take out walls, drywall, insulation and trim, the interior of the house would be 3' wide which is unlivable. We are requesting the side setbacks be 1' 6" on the left and right side of the house. This will match the neighbors properties which do vary but they are roughly 3 feet apart or 1' 6" for each neighbor. See survey for details.

1B.

If the variances were granted, the lot could be rebuilt by the owner and thus enjoy the use of their property. If the variances are not granted for Lot Size, Frontage and Side Yard Setbacks, then the rebuilding of the demolished single-family dwelling is not possible as the lot was platted before the zoning restrictions were adopted.

The Front Yard is achievable but the applicant, BAR staff and zoning staff all agree that it should look uniform with neighboring lots. The neighboring lots and this lot should be harmonious with one another and allowing this lot to mirror other lots is to everyone's advantage. Dear Neighbor,

My name is Matt Gray and I have a contract to purchase a property located at 1117 Queen Street, Alexandria, VA 22314. You are receiving this notice to make you aware that we are requesting zoning variances in order to build a new single-family dwelling on the lot. We are asking for (4) variances that you should be aware of.

**Lot Size**: The zoning ordinance requires that any single-family dwelling has a minimum lot size of 5,000 SF. This lot was platted over 100 years ago at 2,000 SF and can not comply with this requirement.

**Frontage**: The zoning ordinance requires that any single-family dwelling has a minimum frontage of 50'. Our lot was platted over 100 years ago at roughly 20' so we are unable to achieve this 50' wide requirement.

**Front Yards**: The zoning ordinance requires that any single-family dwelling shall provide a 20' front yard. Although this is possible, it does not match our adjacent neighbors. Thus, we are asking to match our neighbors at 0' frontage (essentially at the sidewalk face) so that our house blends in with adjacent neighbors.

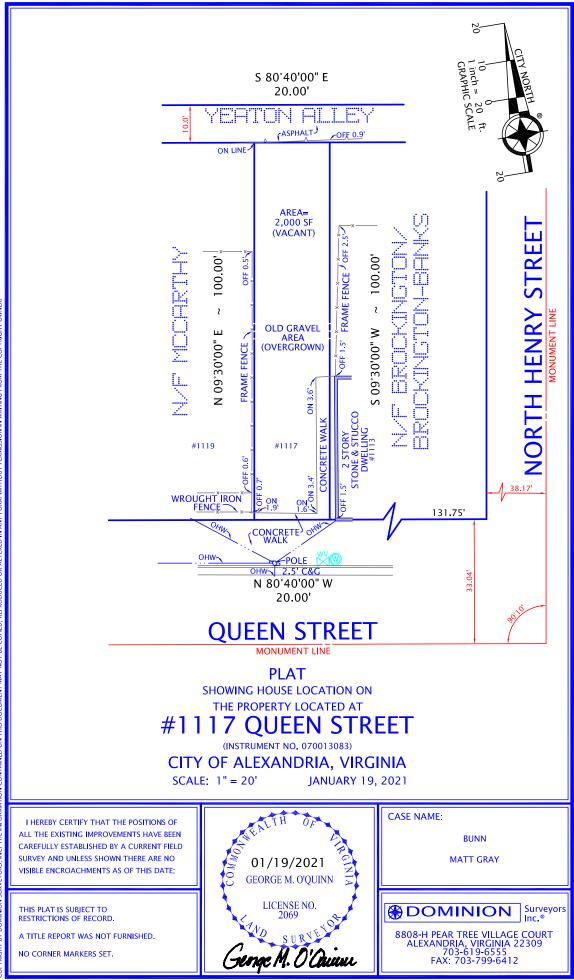
<u>Side Yards</u>: The zoning ordinance requires a minimum of 8' side yards. Since the whole yard is roughly 20' wide, you would then take out 16'. Our house would then be less than 4' wide which makes it inhabitable. We are requesting that we have a 4' side yard on one side and 0' side yard on the other.

There was a house here before it was demolished. Since it was demolished, it is not possible for us to have a home here if the above variances were not granted and thus this hardship makes the lot unbuildable. We would greatly appreciate any support you could give us so we can rebuild our home here. Thank you for your consideration.

With regards,

Matt Gray

571-405-7671 mgray@msg.properties



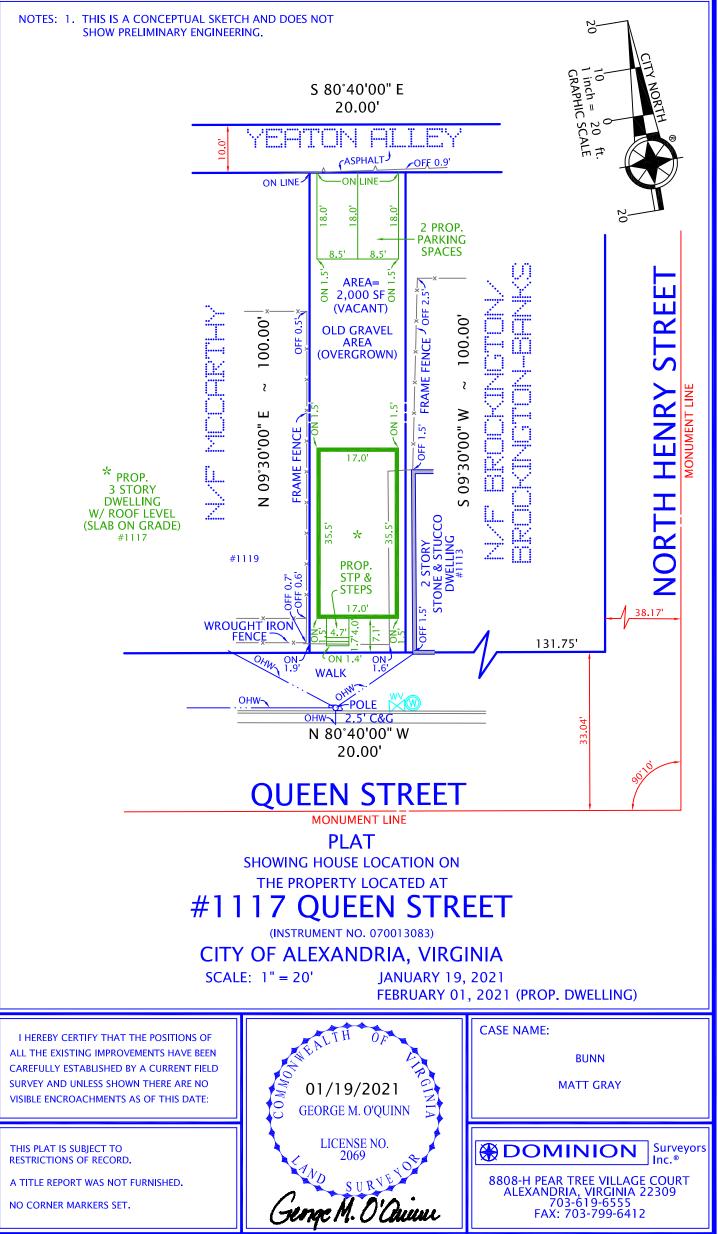
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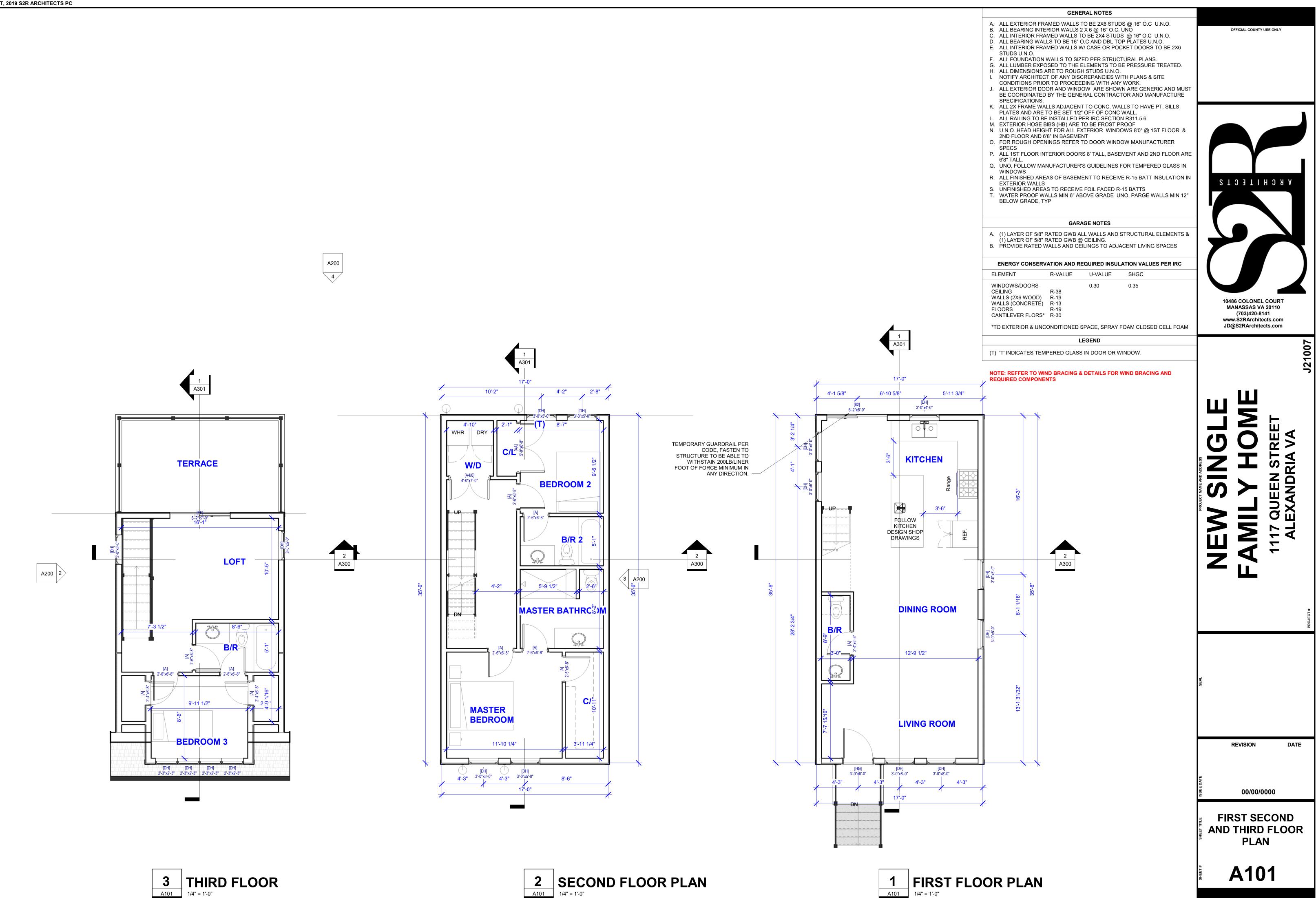
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