Docket Item #4 BZA #2021-00007 Board of Zoning Appeals June 14, 2021

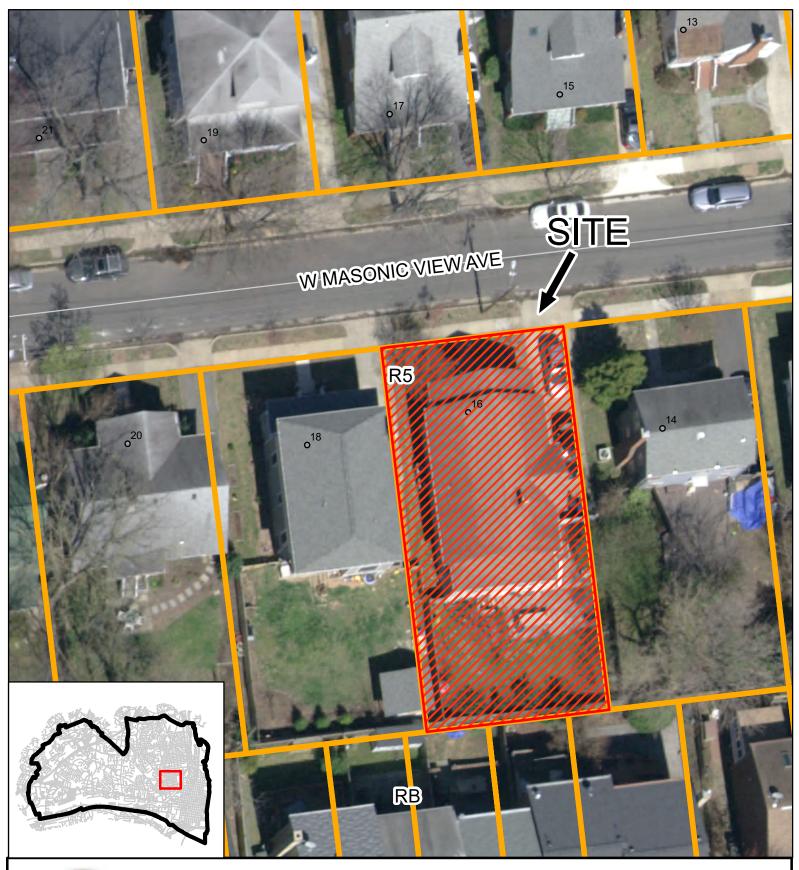
ADDRESS:16 WEST MASONIC VIEW AVENUEZONE:R-5/RESIDENTIAL SINGLE FAMILYAPPLICANT:DAVID AND HOLLY CROTEAUISSUE:Special Exception to construct a second story addition in the required side
yard.

CODE	SUBJECT	CODE	APPLICANT	REQUESTED
SECTION		REQUIREMENT	PROPOSES	EXCEPTION
3-406(A)(2)	Side Yard	7.45 feet*	4.90 feet	2.55 feet

* Based on a building height of 22.35 feet measured from average existing grade to the eave of the roof facing the west side yard.

Staff **<u>recommends approval</u>** of the requested special exception because it meets the criteria for a special exception.

If the Board decides to grant the requested special exception it is subject to compliance with all applicable code requirements, ordinances, and recommended conditions found in the department comments. The applicant must submit certification of floor area from a licensed architect or engineer. The special exception must also be recorded with the deed of the property in the City's Land Records Office prior to the release of the building permit.





BZA #2021-00007 16 West Masonic View Avenue

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I. <u>Issue</u>

The applicants request a special exception to construct second-story addition over the existing first floor footprint in the required west side yard at 16 West Masonic View Avenue. Increasing the height of the existing non-complying wall in the required west side yard requires special exception approval.

II. <u>Background</u>

The subject property is an interior lot of record with 47.52 feet of frontage on West Masonic View Avenue and 4,752 square feet of lot area. The lot is substandard for the R-5 zone as to lot size and substandard to lot width. The lot meets frontage requirements of the R-5 zone.

The lot contains a one-and-a-half-story dwelling with an open front porch. Real Estate Assessment Records indicate that the dwelling was constructed in 1925.

The dwelling is located 21.80 feet from the front property line facing West Masonic View Avenue, 15.40 feet from the east side property line, 4.90 feet from the west side property line, and 31.90 feet from the rear property line. The open front porch is 14.90 feet from the front property line. The current height of the existing dwelling is 22.4 feet to the midpoint of the highest gable from average pre-construction grade.

R-5 Zone	Required	Existing	Proposed
Lot Area	5,000 sq. ft.	4,752 sq. ft.	4,752 sq. ft.
Lot Frontage	40 ft.	47.52 ft.	47.52 ft.
Lot Width	50 ft.	47.52 ft.	47.52 ft.
Front Yard setback	15 ft.	21.8 ft.	21.8 ft.
Side Yard (West)	7.45 ft. (1:3, 7 ft. min.)	4.90 ft.	4.90 ft.
Side Yard (East)	8.90 ft. (1:3, 7 ft. min.)	15.40 ft.	15.40 ft.
Rear Yard	14.35 ft. (1:1, 7 ft. min.)	31.90 ft.	31.90 ft.
Height	30 ft.	18.17 ft.	26.17 ft.
Floor Area Ratio (FAR)	2,138.40 sq. ft.	1,221 sq. ft.	2,138 sq. ft.

III. <u>Description</u>

The applicants propose to construct a second-story addition with a gable roof above the first-floor footprint. No change in grade is proposed. The first floor's west-facing building wall is located 4.90 feet from the west property line, 2.10 feet less than the required seven-foot minimum side yard for the R-5 zone. As such, the plane established by the west-facing building wall is noncomplying. This noncomplying wall currently measures 18.17 feet in height measured to the roof eave from pre-construction grade facing the west side property line.

The proposed second-story addition would accommodate two bedrooms, a bathroom, and office. The height of the proposed second story addition measures 22.35 feet to roof eave facing the west side yard from average pre-construction grade and requires a setback of 7.45 feet based on a setback ratio of 1:3. The applicant requests a special exception of 2.55 feet to construct the addition in line with the existing west side wall 4.90 feet from the property line

The proposal would comply with all other zoning regulations and there have been no variances or special exceptions previously granted for the subject property.

IV. Noncomplying Structure/Substandard Lot

The subject property is a substandard lot which contains a noncomplying structure with respect to the following:

-	Required	Provided	<u>Noncompliance</u>
Side Yard (West)	7.45 Ft. *	4.90 Ft.	2.55 Ft.
Lot Area	5,000 Sq. Ft.	4,752 Sq. Ft.	238 Sq. Ft.
Lot Width	50 Ft.	47.52 Ft.	2.48 Ft.

* Based on building height of 22.35 feet measured from average existing grade to the roof eave facing the north side yard.

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

The subject property is currently zoned R-5, Single-Family and has been so zoned since adoption of the Third Revised Zoning Map in 1951. The Potomac West Small Area Plan identifies the property for residential use.

VI. <u>Requested Special Exception:</u>

3-306(A)(2) Side Yard (West)

The applicants request a special exception of 2.55 feet from the required 7.45 foot side yard based on a building height of 22.35 feet measured from average existing grade to the roof eave facing the west side yard to construct an addition 4.90 feet from the north side property line.

VII. Noncomplying Structure/Substandard Lot

The subject property is a substandard lot which contains a noncomplying structure with respect to the following:

	<u>Required</u>	Provided	<u>Noncompliance</u>
Side Yard (West)	7.00 feet *	4.90 feet	2.10 feet
Lot Area	5,000 sq. ft.	4,752 sq. ft.	238 sq. ft.

Lot Width 50 ft. 47.52 ft. 2.48 ft.

* The minimum side setback requirement is used based on building height of 18.17 feet measured from average existing grade to the roof eave facing the west side yard.

VIII. Special Exception 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 addition would be located above the existing dwelling; no new footprint is proposed. While the proposed design increases the bulk along this side of the property it is in keeping with other two-story homes in the area. Both properties on either side of the subject property are developed with two-story dwellings. The addition would not be detrimental to the neighborhood or any adjacent properties.

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 second-story addition would replace an existing single-story, and the new gable roof would continue to face the front of the house. The adjacent houses are also two-story dwellings. The modest increase in height would not likely impair the supply of light and air to any adjacent property. There would be no expected impacts to traffic or public safety.

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

The both dwellings adjacent to the side yards of the subject property are two stories, along with many other two-story dwellings in the neighborhood. The proposed design would alter the massing and character of the existing dwelling; however, the proposed design would be very similar in design and bulk to other two-story dwellings in the area and zone. The addition would not alter the essential character of the surrounding area.

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

The proposed construction would maintain consistency in terms of lot configuration and the scale of dwelling with many surrounding properties. The proposal would also maintain front yard, rear yard, and side yard (east) setbacks.

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 lot's substandard size and width would only permit the placement of a small addition in the rear by right. However, this would increase the dwelling's footprint and reduce the size of the open rear yard. Decreasing the size of the rear yard would also be out of character with adjacent properties which have similarly situated houses. The west side of the dwelling contains the driveway and parking for the dwelling. The proposed development would be in-line with the existing house. As such, it represents the most reasonable location for the second-story addition given the placement of the house on the lot and the existing nonconforming wall.

IX. Staff Conclusion

Neighborhood Impact

The proposed project mass and scale are compatible with the character of properties in the neighborhood. The architecture of the neighborhood is varied and contains both a mix of one and two-story dwellings. The proposed second-story addition would be not be a detriment to neighboring properties.

Light and Air

The new second-story addition will have negligible impact on light and air as it will be constructed in line with the footprint of the existing dwelling. The immediately adjacent neighboring properties are also two-story dwellings. The proposed addition will meet the all other yard requirements limiting the impact upon the adjacent neighbors.

Lot Constraints

The substandard lot size and width reduce the building area in the side yards. The existing dwelling does not conform to the minimum side yard setback, limiting the ability to construct a second story in keeping with the architectural design of other two-story dwellings in the neighborhood.

Staff Conclusion

In conclusion, staff believes that the applicant's request for a second story addition in the required front yard is consistent with the standards for special exceptions and **recommends approval** of the requested special exception.

BZA #2021-00007 16 West Masonic View Avenue

<u>Staff</u>

Rachel Drescher, Urban Planner, <u>rachel.drescher@alexandriava.gov</u> Mary Christesen, Zoning Manager, <u>mary.christesen@alexnadriava.gov</u> Tony LaColla, Division Chief, Land Use Services, <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 special exception and/or variance is/are 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)
- F-2 If the alley located at the rear of the parcel is to be used at any point of the construction process the following will be required:
 <u>For a Public Alley -</u> The applicant shall contact T&ES, Construction Permitting & Inspections at (703) 746-4035 to discuss any permits and accommodation requirements that will be required.
 <u>For a Private Alley</u> The applicant must provide proof, in the form of an affidavit at a minimum, from owner of the alley granting permission of use. (T&ES)
- C-1 The applicant shall comply with the City of Alexandria's Solid Waste Control, Title 5, Chapter 1, which sets forth the requirements for the recycling of materials (Sec. 5-1-99). (T&ES)
- C-2 The applicant shall comply with the City of Alexandria's Noise Control Code, Title 11, Chapter 5, which sets the maximum permissible noise level as measured at the property line. (T&ES)
- C-3 Roof, surface and sub-surface drains be connected to the public storm sewer system, if available, by continuous underground pipe. Where storm sewer is not available applicant must provide a design to mitigate impact of stormwater drainage onto adjacent properties and to the satisfaction of the Director of Transportation &

Environmental Services. (Sec.5-6-224) (T&ES)

- C-4 All secondary utilities serving this site shall be placed underground. (Sec. 5-3-3) (T&ES)
- C-5 Any work within the right-of-way requires a separate permit from T&ES. (Sec. 5-2) (T&ES)
- C-6 All improvements to the city right-of-way such as curbing, sidewalk, driveway aprons, etc. must be city standard design. (Sec. 5-2-1) (T&ES)

Code Administration:

R-1 A building permit and plan review are required prior to the start of construction.

Recreation (City Arborist):

No comments received.

Historic Alexandria (Archaeology):

F-1 No archaeological oversight will be necessary for this undertaking.

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APPLICATION BOARD OF ZONING APPEALS

SPECIAL EXCEPTION FOR ADDITIONS

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

Sec. 3-400 R-5 Single Family Zoning - 3-406 Bulk and open space regulations. (A)

Yard Requirements.(2) Side Yards. Each residential use shall provide 2 side yards each based on a setback ratio of 1:3 and a minimum size of 7 feet.

PART A

1.	Applicant: [x] Owner [] Contract Purchaser [] Agent			
	Name David and Holly Croteau			
	Address16 West Masonic View Avenue			
	Alexandria, Virginia 22301			
	Daytime Phone			
	Email Address dave.croteau1@gmail.com			
2.	Property Location16 West Masonic View Avenue, Alexandria, VA			
3.	Assessment Map # 053 Block 1 Lot 10 Zone R-5			
4.	Legal Property Owner Name David Croteau and Holly Croteau			
	Address 16 West Masonic View Avenue			
	Alexandria, Virginia 22301			

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 ten 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.} NONE		
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>16 West Masonic View Avenue</u>, Alexandria, VA (address), unless the entity is a corporation or partnership, in which case identify each owner of more than ten percent. The term ownership interest shall include any legal or equitable interest held at the time of the application in the real property which is the subject of the application.

Name	Address	Percent of Ownership
1. David Croteau	16 W Masonic View Ave. Alexandria, VA 22301	50%
^{2.} Holly Croteau	16 W Masonic View Ave. Alexandria, VA 22301	50%
3.		

<u>3. Business or Financial Relationships.</u> 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 Alexandria City Council, Planning Commission, Board of Zoning Appeals or either Boards of Architectural Review.

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.

April 25, 2021	David Croteau	LE
Date	Printed Name	Signature

5. Describe request briefly:

We wish to be granted a special exception to one side yard setback on our R-5 Zoned property so that we can construct a 2nd story addition to our home. The existing south wall encroaches into that setback and we wish to build straight up from this wall.

- 6. If property owner or applicant is being represented by an authorized agent, such as an attorney, realtor or other person for which there is a form of compensation, does this agent or the business in which they are employed have a business license to operate in the City of Alexandria, Virginia?
 - [] Yes Provide proof of current City business license.
 - [] No Said agent shall be required to obtain a business prior to filing application.

THE UNDERSIGNED HEREBY ATTESTS that all of the information herein provided including the site plan, building elevations, prospective drawings of the projects, etc., are true, correct and accurate. The undersigned further understands that, should such information be found incorrect, any action taken by the Board based on such information may be invalidated. The undersigned also hereby grants the City of Alexandria permission to post placard notice as required by Article XI, Division A, Section 11-301(B) of the 1992 Alexandria City Zoning Ordinance, on the property which is the subject of this application. The applicant, if other than the property owner, also attests that he/she has obtained permission from the property owner to make this application.

APPLICANT OR AUTHORIZED AGENT:

David Croteau

Print Name

603-97	78-2359
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Telephone

Signature	1_1E

April 25, 2021

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.

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NOTE TO APPLICANT: Only one special exception per dwelling shall be approved under the provisions of Section 11-1302(B)(4).

PART B (SECTION 11-1304)

APPLICANT MUST EXPLAIN THE FOLLOWING:

(Please use additional pages where necessary.)

1. Explain how the special exception for the proposed addition, if granted, meets the applicant's needs.

The owners are a growing family. They currently use the basement, with very limited headroom and low ceiling for some of their living space. A 2nd story addition would allow them to have more normal living living spaces. It would also allow them to develop the necessary work from home spaces to separate their work from their family life.

2. Explain if the special exception, if granted, will harm adjoining properties or impact the neighborhood in any way.

Both adjacent homes already have full 2nd story additions. Several other homes in the neighborhood also have 2nd story additions. The addition allowed by granting this special exception would bring this

home in line with it's adjacent neighbors' homes and have minimal negative impacts on all of its neighbors.

3. Explain how the proposed addition will affect the light and air to any adjacent property.

The existing home, and proposed 2nd story addition is close to the south property line (thus one need of the special exception). Light and air would be minimally affected for both adjacent neighbors to the to the north and south, and not at all for other neighbors

BZA Case # _

4. Explain how the proposed addition is compatible with other properties in the neighborhood and the character of the neighborhood as a whole.

As explained in #2, both adjacent properties already have full 2nd story additions. This addition will make this home more visually compatible with both. Several other homes in the neighborhood also have 2nd story additions. The character of the neighborhood is now a mixture of original 1 story homes and renovated homes with 2nd story additions.

5. How is the proposed construction similar to other buildings in the immediate area?

The proposed 2nd story addition is keeping with the cottage-style construction that is typical in this neighborhood. As stated in previous answers, this home will now be more like the neighbors who have

added to their homes.

6. Explain how this plan represents the only reasonable location on the lot to build the proposed addition.

The lot is undersized for the zoning - 4752 sq ft., as opposed to the minimum for R-5 of 5000 sq. ft. The existing home is pushed to the south side of the lot, allowing for driveway parking for the home. This is necessary, as the street is narrow enough that parking is only allowed on one side. There is not enough

street parking available for all the homes on this street. There is only 7' of buildable space at the rear of the home - not nearly enough for the necessary addition for this family.

7. 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.

Public notice will include neighbors as required. Neighbor notice will be accompanied by architectural drawings showing the proposed addition.



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

Α

А.	Property Info	rmation		
	16 West Masonic		R-5	
	Street Address		Zone	
A2.	4,752.00 Total Lot Area		X0.45= 2,138.40Floor Area Ratio Allowed by ZoneMaximum Allowable Floor Area	
			······	
В.	Existing Gross		Allowable Exclusions**	
	Basement	1,225.00	Basement** 1,225.00 B1. 2,638.00 Sq. Ft.	
	First Floor	1,255.00	Stairways** 34.00 Existing Gross Floor Area*	
	Second Floor		Mechanical** B2. 1,417.00 Sq. Ft.	
	Third Floor		Attic less than 7'** Attic less than 7'** Attic less than 7'**	
	Attic		Porches** 158.00 B3. [1,221.00] Sq. Ft. Existing Floor Area Minus Exclusions	
	Porches	158.00	Balcony/Deck** (subtract B2 from B1)	
	Balcony/Deck		Garage** Comments for Existing Gross Floor Area	
	Garage		Other***	
	Other***		Other***	
B1.	Total Gross	2,638.00	B2. Total Exclusions 1,417.00	
C.	Proposed Gross	oss Floor Area <u>s Area</u>	Allowable Exclusions**	
	Basement		Basement** C1. 1,920.00 Sq. Ft.	
	First Floor		Stairways** 43.00 Proposed Gross Floor Area*	
	Second Floor	960.00	Mechanical** C2. 1,003.00 Sq. Ft.	
	Third Floor		Attic less than 7'** 960.00 Allowable Floor Exclusions**	
	Attic	960.00	Porches** C3. Proposed Floor Area Minus Exclusions	
	Porches		Balcony/Deck** (subtract C2 from C1)	
	Balcony/Deck		Garage**	
	Garage		Other***	
	Other***		Other*** Notes *Gross floor area for residential single and	
C1.	Total Gross	1,920.00	C2. <u>Total Exclusions</u> 1,003.00 (and two-family dwellings in the R-20, R-12, R-8, R-5, R-2-5, RB and RA zones (not including	
			properties located within a Historic District) is the sum of all areas under roof of a lot.	
D.	Total Floor A	rea	E. Open Space (RA & RB Zones)	
D1.	2,138.00	Sq. Ft.	E1. 3,496.00 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 Open Space information regarding allowable exclusions. Sections may also be required for some	
D2.		Sq. Ft.	E2. 2,908.00 Sq. Ft. exclusions.	
	Total Floor Area A by Zone (A2)	Allowed	Required Open Space *** Refer to the Zoning Ordinance (Section 2-145(A)) and consult with Zoning Staff for	
			E3. 3,496.00 Sq. Ft. additional allowable exclusions. Additional exclusions may include space under	
			Proposed Open Space balconies, retractable awnings, etc.	

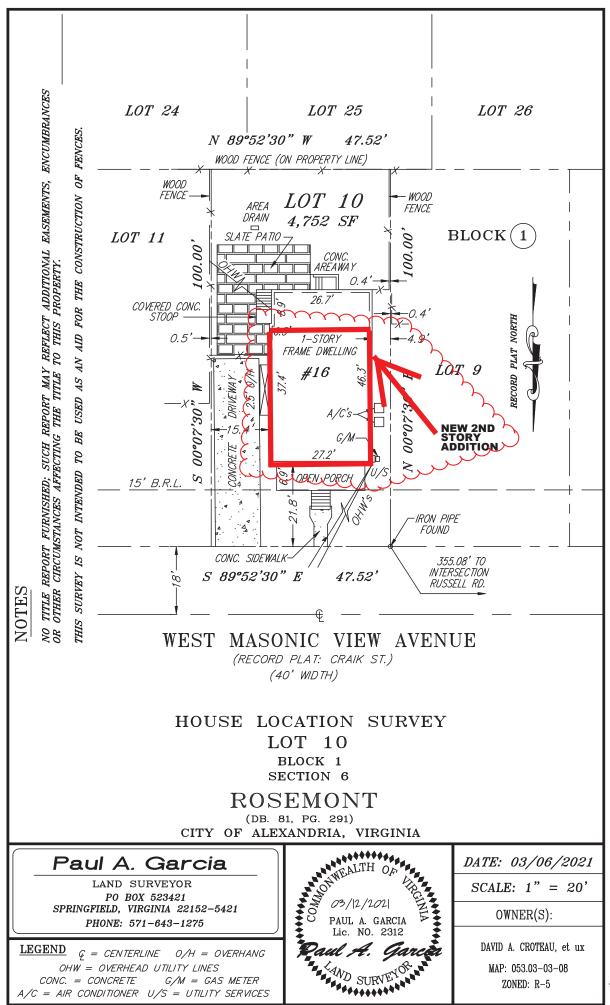
The undersigned hereby certifies and attests that, to the best of his/her knowledge, the above computations are true and correct.

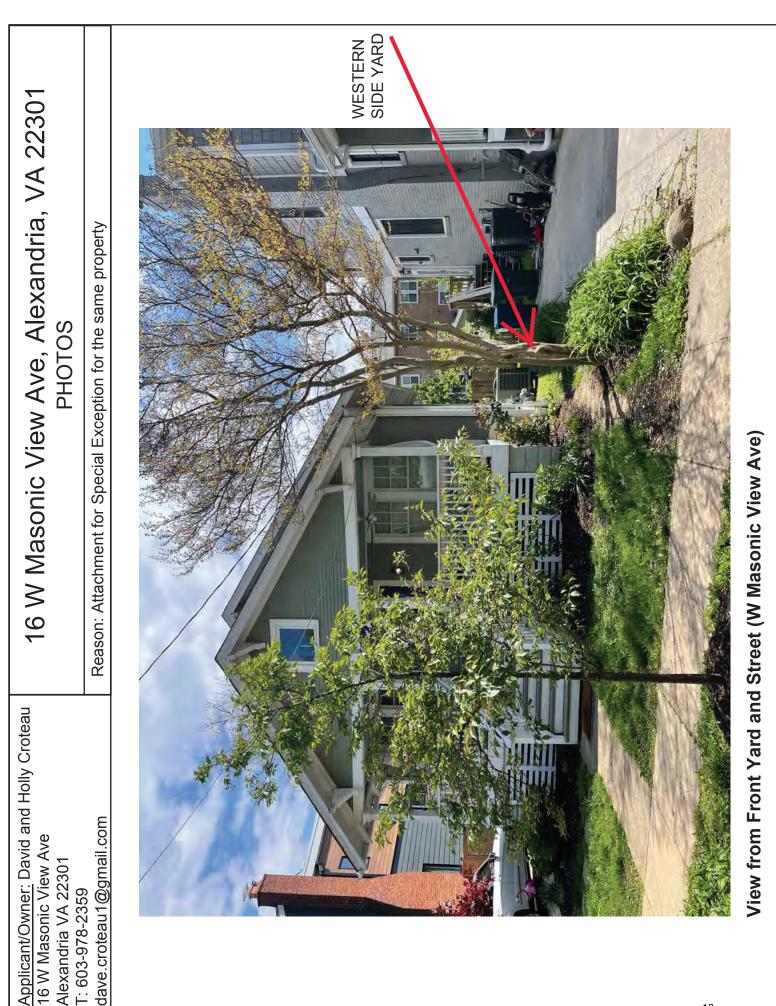
4/26/2021 Date:

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ADJOINING AND ABUTTING PROPERTIES TO 16 W MASONIC VIEW AVE, ALEXANDRIA, VA 22301









16 W Masonic View Ave, Alexandria, VA 22301 PHOTOS	Reason: Attachment for Special Exception for the same property	<image/>	View from Front Yard and Street (W Masonic View Ave)
Applicant/Owner: David and Holly Croteau 16 W Masonic View Ave Alexandria VA 22301	I : 003-978-2359 dave.croteau1@gmail.com	<image/> <page-footer></page-footer>	View from Front Yard and

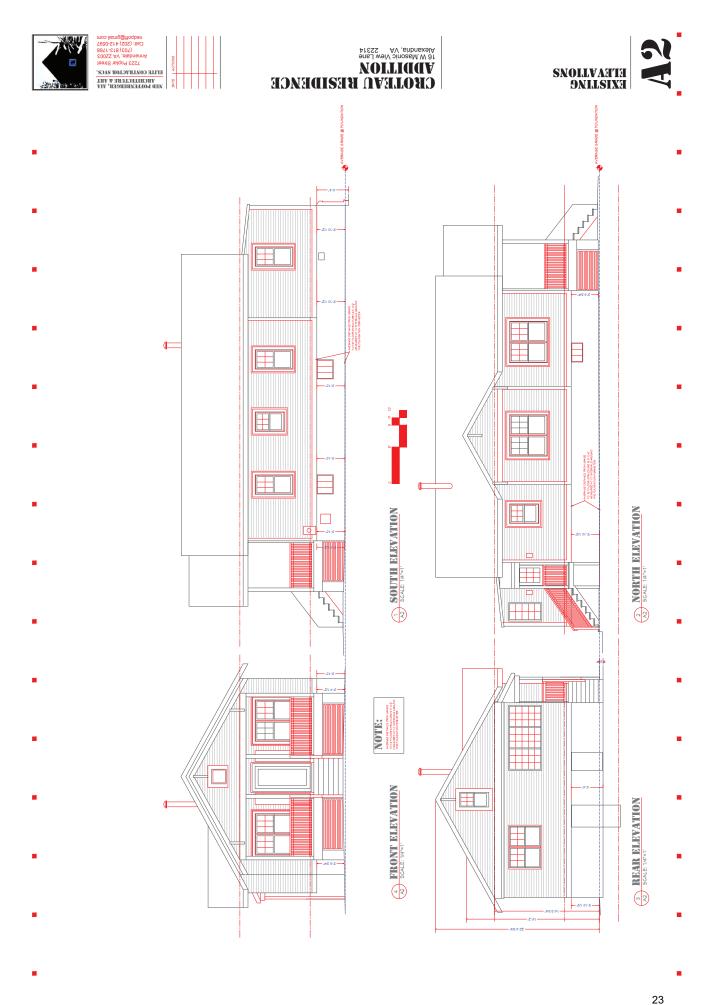










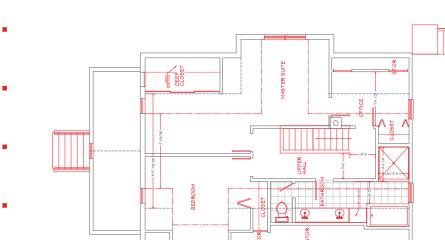


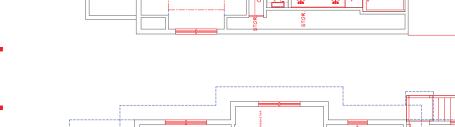


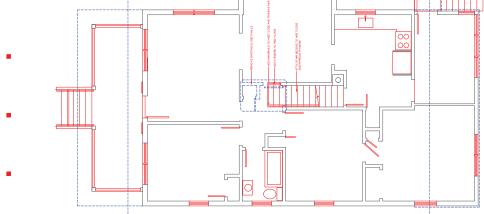
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CROTEAU RESIDENCE ADDITION 16 W.Macone View Lane Aberandia, Va. 22314



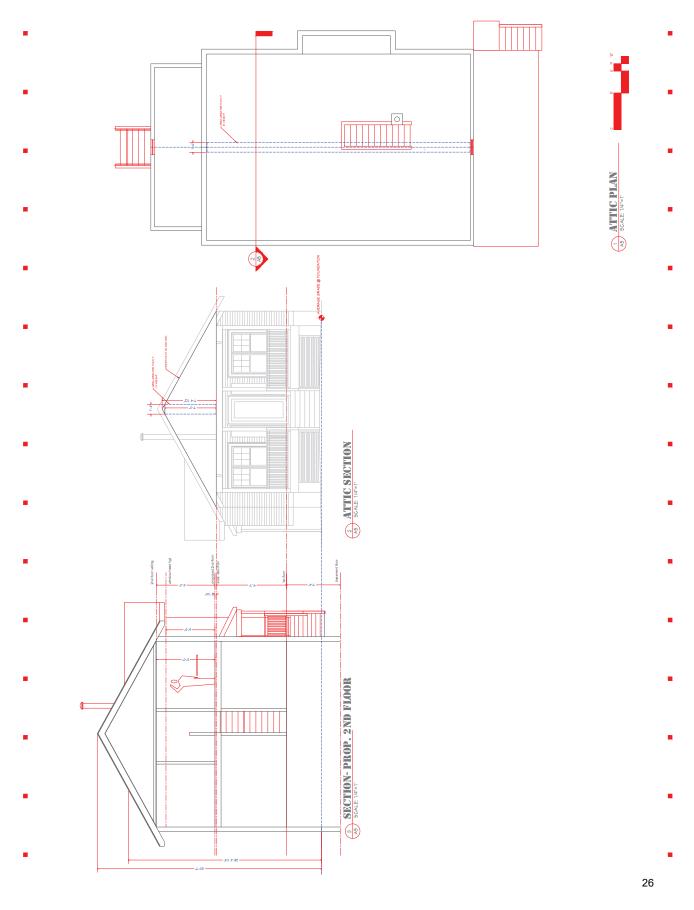


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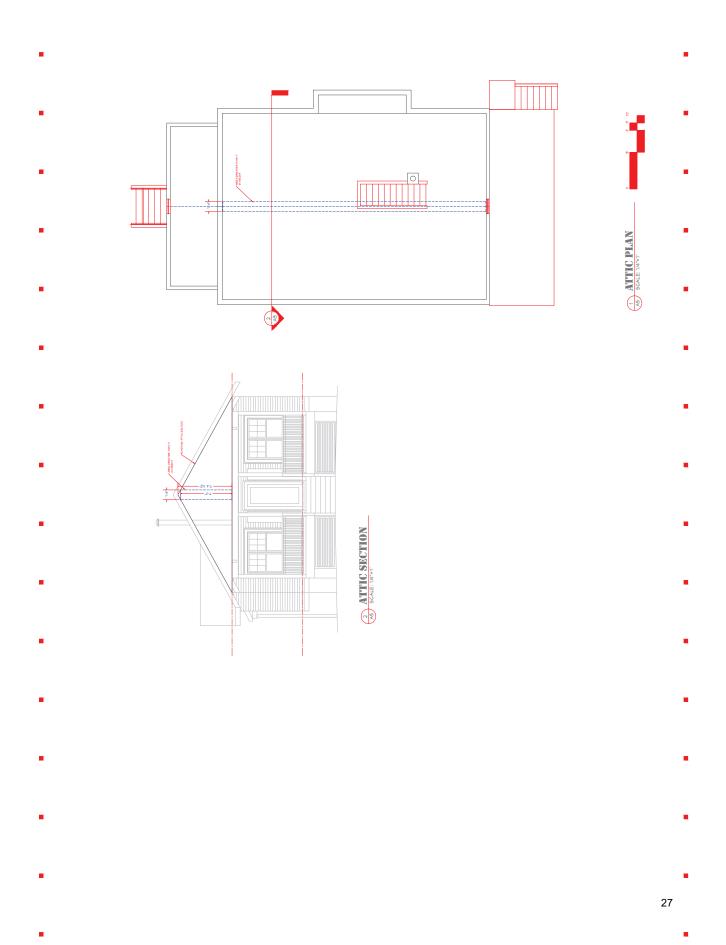






CROTEAU RESIDENCE ADDITION 16W.Maconic View Lane Alexandria, VA 22314









VF

Jared and Erin Krieger 14 W Masonic View Ave Alexandria, VA 22301

May 21, 2021

RE: Letter of Support for Special Exception made by neighbor David and Holly Croteau for their home at 16 W Masonic View Ave.

To the City of Alexandria Board of Zoning Appeals,

The intention of this letter is to demonstrate our unconditional support for David and Holly's Special Exception request for their side yard setback.

Through many conversations with them and an official notice we recently received via mail we have learned of their plans to build a second story addition to their home. We have also learned that a necessary side yard Special Exception request was required to move forward with their project on the side facing 18 W Masonic View Ave. With our growing family we completely recognize the importance and necessity of space and do not see how this would have any negative impact on their home or any of the adjacent homes.

Additions like this are commonplace in our neighborhood and we strongly encourage the Board of Zoning Appeal members to approve their Special Request application. Please feel free to reach out of any additional information is needed.

Sincerely,

Jared and Erin Krieger

Steven Bond 18 W Masonic View Ave Alexandria, VA 22301

RE: Letter of Support for David Croteau's Special Exception request for his home at 16 W Masonic View Ave.

Dear Representative of the Alexandria Board of Zoning Appeals,

My adjacent neighbor David Croteau (16 W Masonic View Ave), mentioned to me in a brief conversation that he has intentions of building a second story addition to allow his family more living space. He also mentioned his intent on submitting for a Special Exception with the City due to the close proximity our side-yards are to each other. The intent of this letter is to show our unconditional support for his Special Exception request and the addition that he intends to build. With that, we request you carefully consider and approve his exception request. If you have any questions or would like any additional information regarding my support, please reach out to me at (703) 727-5779.

Sincerely,

B- 1