

BZA Case # 2012-0017



**APPLICATION
BOARD OF ZONING APPEALS**

VARIANCE

Section of zoning ordinance from which request for variance is made:
3-406 Bulk & open space regulations (A) Yard requirements
(2) Side yards. Each residential use shall provide two side
yards each based on a setback ratio of 1:3 and a minimum
size of seven feet.

PART A

1. Applicant: Owner Contract Purchaser Agent

Name Frank Chu (Heffner Architects)

Address 604 Montgomery St

Alexandria, VA

Daytime Phone 703-549-7766 ext 132

Email Address fchu@heffnerarch.com

2. Property Location 14 Rosecrest Ave

3. Assessment Map # 034.01 Block 2 Lot 3&part Zone R-5
-09-07 of 4

4. Legal Property Owner Name Dan & Jill Rogers

Address 14 Rosecrest Ave, Alexandria, VA



OWNERSHIP AND DISCLOSURE STATEMENT

Use additional sheets if necessary

1. Applicant. State the name, address and percent of ownership of any person or entity owning an interest in the applicant, unless the entity is a corporation or partnership, in which case identify each owner of more than 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. DAN ROGERS	14 ROSECREST AVE ALEXANDRIA, VA	50%
2. JILL ROGERS	14 ROSECREST AVE ALEXANDRIA, VA	50%
3.		

2. Property. State the name, address and percent of ownership of any person or entity owning an interest in the property located at 14 Rosecrest Ave (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. Dan Rogers	14 Rosecrest Ave Alexandria, VA	50%
2. Jill Rogers	14 Rosecrest Ave Alexandria, VA	50%
3.		

3. Business or Financial Relationships. Each person or entity listed above (1 and 2), with an ownership interest in the applicant or in the subject property is required to disclose any business or financial relationship, as defined by Section 11-350 of the Zoning Ordinance, existing at the time of this application, or within the 12-month period prior to the submission of this application with any member of the Alexandria City Council, Planning Commission, Board of Zoning Appeals or either Boards of Architectural Review.

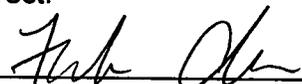
Name of person or entity	Relationship as defined by Section 11-350 of the Zoning Ordinance	Member of the Approving Body (i.e. City Council, Planning Commission, etc.)
1. N/A		
2.		
3.		

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.

3/26/12
Date

Frank Chu (Heffner Architects)
Printed Name


Signature

5. Describe request briefly:

The applicant proposes to demolish an existing single car garage in disrepair and rebuild a larger single car garage with storage above.

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:

Frank Chu
(Heffner Architects)

Print Name

703-549-7766 ext 132

Telephone



Signature

3/26/12

Date

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

PART B (SECTION 11-1102)

NOTE: The Board of Zoning Appeals may grant a variance only if the applicant can clearly demonstrate a hardship. A demonstrated hardship refers to the shape and topographical conditions, or to some other unique characteristic of the property; for example, if a rear yard has sharp drop-off or hilly terrain where an addition could otherwise be located legally, or if the property has three front yards.

A demonstrated hardship is NOT, for example, having a large family in a two-bedroom house, or that you need a first-floor bedroom and bath. (These are good personal reasons for a variance, but do not constitute a hardship having to do with specific conditions of the land.)

APPLICANT MUST EXPLAIN THE FOLLOWING:

(Please print clearly and use additional pages where necessary.)

1. **Does strict application of the zoning ordinance to the subject property result in a hardship to the owner? (Answer A or B).**

A. Explain how enforcement of the zoning ordinance will amount to a clearly demonstrable hardship.

The irregular shape and it's definition as a through lot precludes the ability to construct a detached garage per allowances in the City of Alexandria's infill regulations. The proposed garage would be constructed at the same side yard setback as the existing garage and would be well within the 25 ft front yard setback from Custis Ave.

B. Explain how enforcement of the zoning ordinance will prevent reasonable use of the property.

Section 3-406 states that the side yard setback ratio is 1:3 with a minimum of seven feet. Conforming to these regulations would place the garage in considerable encroachment into the backyard, thus impeding the use of the backyard. The proposed garage is to be built at the same sideyard distance as the existing garage to be removed.

2. **Is this hardship unique to the property?**

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

The property located at 29 Rosecrest shares a similar hardship. It is also a through lot with a detached structure that encroaches into the side yard setback requirements

B. Explain how this situation or condition of the property (on which this application is based) applies generally to other properties in the same zone.

3. Was the hardship caused by the applicant?

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

Yes

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

Yes

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

The hardship is inherent to the nature of the lot and the subsequent zoning restrictions.

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

No

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

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

There is no known detriment to the adjacent properties. There are several properties on both Rosecrest and Custis Avenues that are not through lots and have rear detached garages that are very close to the side yard property lines

B. Explain how the proposed variance will affect the value of the adjacent and nearby properties.

The proposed variance will not adversely affect the value of the adjacent and nearby properties. It will most likely enhance property values. The proposed garage is to use similar materials and detailing to the existing house.

C. Has the applicant shown the proposed plans to the most affected property owners? Has that neighbor objected to the proposed variance, or has the neighbor written a letter of support of the proposed variance? If so, please attach the letter or submit at the time of the hearing.

The home owners have shared the design drawings and discussed the proposed project with all surrounding neighbors

D. Explain how the proposed variance will change the character of the neighborhood.

The rear of this through lot is completely visible from Custis Ave. The existing garage has fallen into a state of disrepair and the proposed garage will provide a much more attractive elevation due to architectural detailing to match the existing house.



**DEPARTMENT OF PLANNING AND ZONING
FLOOR AREA RATIO AND OPEN SPACE CALCULATIONS FOR
SINGLE AND TWO-FAMILY RESIDENTIAL OUTSIDE HISTORIC DISTRICTS**

A. Property Information

A1. Street Address 14 Rosecrest Ave Zone R-5
 A2. 7632 sq ft x .45 = 3434.4 sq ft
Total Lot Area Floor Area Ratio Allowed by Zone Maximum Allowable Floor Area

B. Existing Gross Floor Area

Existing Gross Area*		Allowable Exclusions	
Basement	1107	Basement**	1107
First Floor	1529	Stairways**	93
Second Floor	1260	Mechanical**	15
Third Floor	n/a	Porch/Garage**	529.4
Porches/Other	529.4	Attic less than 5***	n/a
Total Gross*	4425.4	Total Exclusions	1744.4

B1. Existing Gross Floor Area *
4425.4 Sq. Ft.
 B2. Allowable Floor Exclusions**
1744.4 Sq. Ft.
 B3. Existing Floor Area minus Exclusions
2681 Sq. Ft.
 (subtract B2 from B1)

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

Proposed Gross Area*		Allowable Exclusions	
Basement	n/a	Basement**	n/a
First Floor	336	Stairways**	n/a
Second Floor	n/a	Mechanical**	n/a
Third Floor	n/a	Porch/Garage**	n/a
Porches/Other	144	Attic less than 5***	144
Total Gross*	480	Total Exclusions	144

C1. Proposed Gross Floor Area *
480 Sq. Ft.
 C2. Allowable Floor Exclusions**
144 Sq. Ft.
 C3. Proposed Floor Area minus Exclusions
336 Sq. Ft.
 (subtract C2 from C1)

D. Existing + Proposed Floor Area

D1. Total Floor Area (add B3 and C3) 3017 Sq. Ft.
 D2. Total Floor Area Allowed by Zone (A2) 3434.4 Sq. Ft.

*Gross floor area for residential single and two-family dwellings in the R-20, R-12, R-8, R-5, R-2-5, RB and RA zones (not including properties located within a Historic District) is the sum of all areas under roof of a lot, measured from exterior walls.

** Refer to the zoning ordinance (Section 2-145(A)) and consult with zoning staff for information regarding allowable exclusions.

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

E. Open Space Calculations Required in RA & RB zones

Existing Open Space	
Required Open Space	
Proposed Open Space	

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

Signature: Frank Chell - HEFFLER ARCHITECTS Date: 03.27.12
 (FRANK CHILL)

Roger's Residence
14 Rosecrest Avenue



View from Custis Avenue (1)

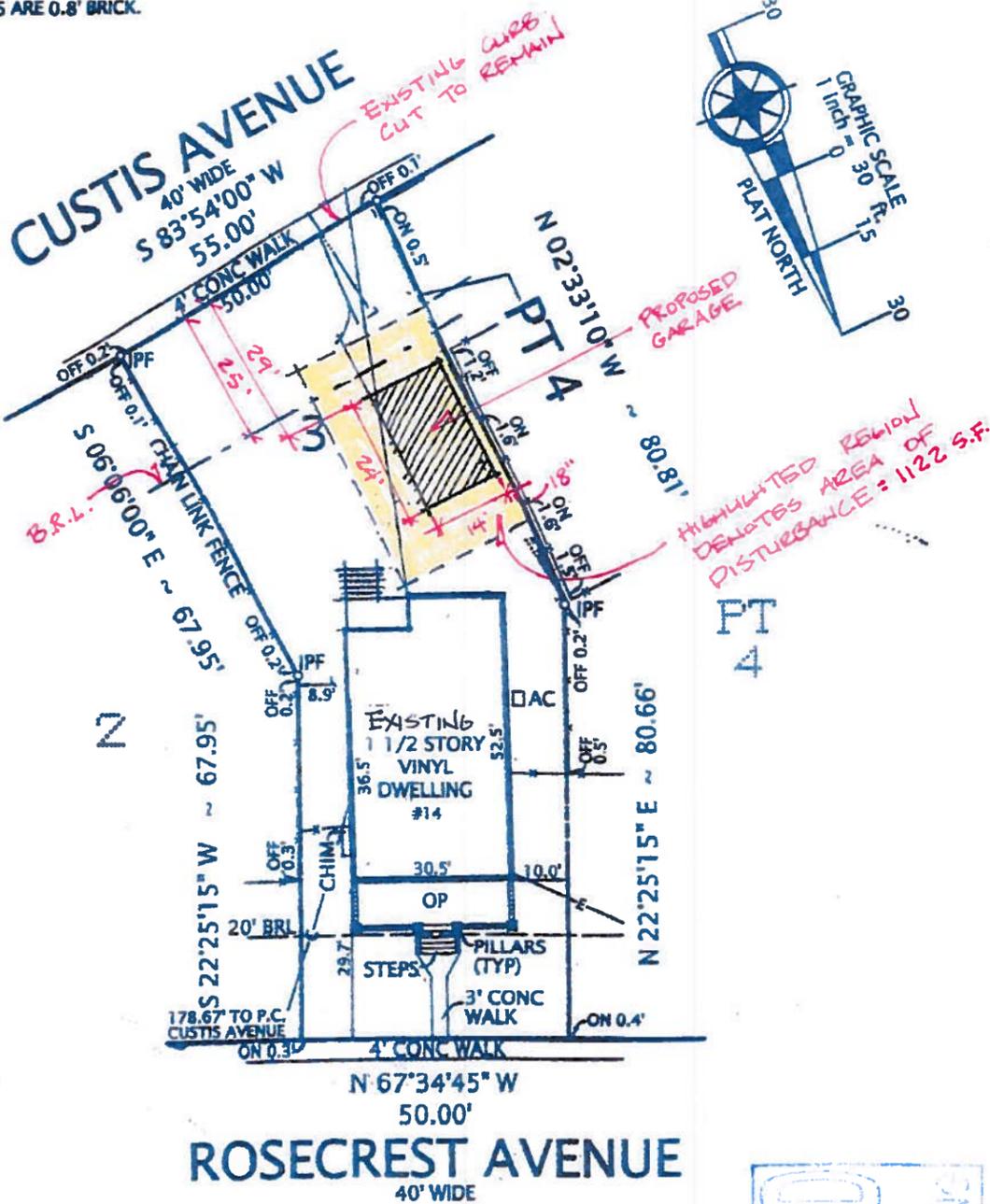


View from Custis Avenue (2)



3/27/12

- NOTES: 1. FENCES ARE FRAME UNLESS OTHERWISE NOTED.
2. TOTAL AREA = 7,632 SF.
3. WALLS ARE 0.8' BRICK.



HIGHLIGHTED REGION DENOTES AREA OF DISTURBANCE = 1122 S.F.

PROPOSED GARAGE

ROSECREST AVENUE
40' WIDE

PLAT
SHOWING HOUSE LOCATION ON
LOT 3 & PART OF LOT 4, BLOCK 2, SECTION 1
ROSE CREST
(DEED BOOK 186, PAGE 22)
CITY OF ALEXANDRIA, VIRGINIA
SCALE: 1" = 30' APRIL 1, 2005



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<p>I HEREBY CERTIFY THAT THE POSITIONS OF ALL THE EXISTING IMPROVEMENTS HAVE BEEN CAREFULLY ESTABLISHED BY A CURRENT FIELD SURVEY AND UNLESS SHOWN THERE ARE NO VISIBLE ENCROACHMENTS AS OF THIS DATE:</p>		<p>CASE NAME: BARZILAI - ROGERS LAND, CLARK, CARROLL, MENDELSON & BLAIR, P.C.</p>
<p>THIS PLAT IS SUBJECT TO RESTRICTIONS OF RECORD. A TITLE REPORT WAS NOT FURNISHED. NO CORNER MARKERS SET.</p>		<p>DOMINION SURVEYORS, INC.® 8808-H PEAR TREE VILLAGE COURT ALEXANDRIA, VIRGINIA 22309 703-619-6555 FAX: 703-799-6412</p>

CASE NAME: ROGERS

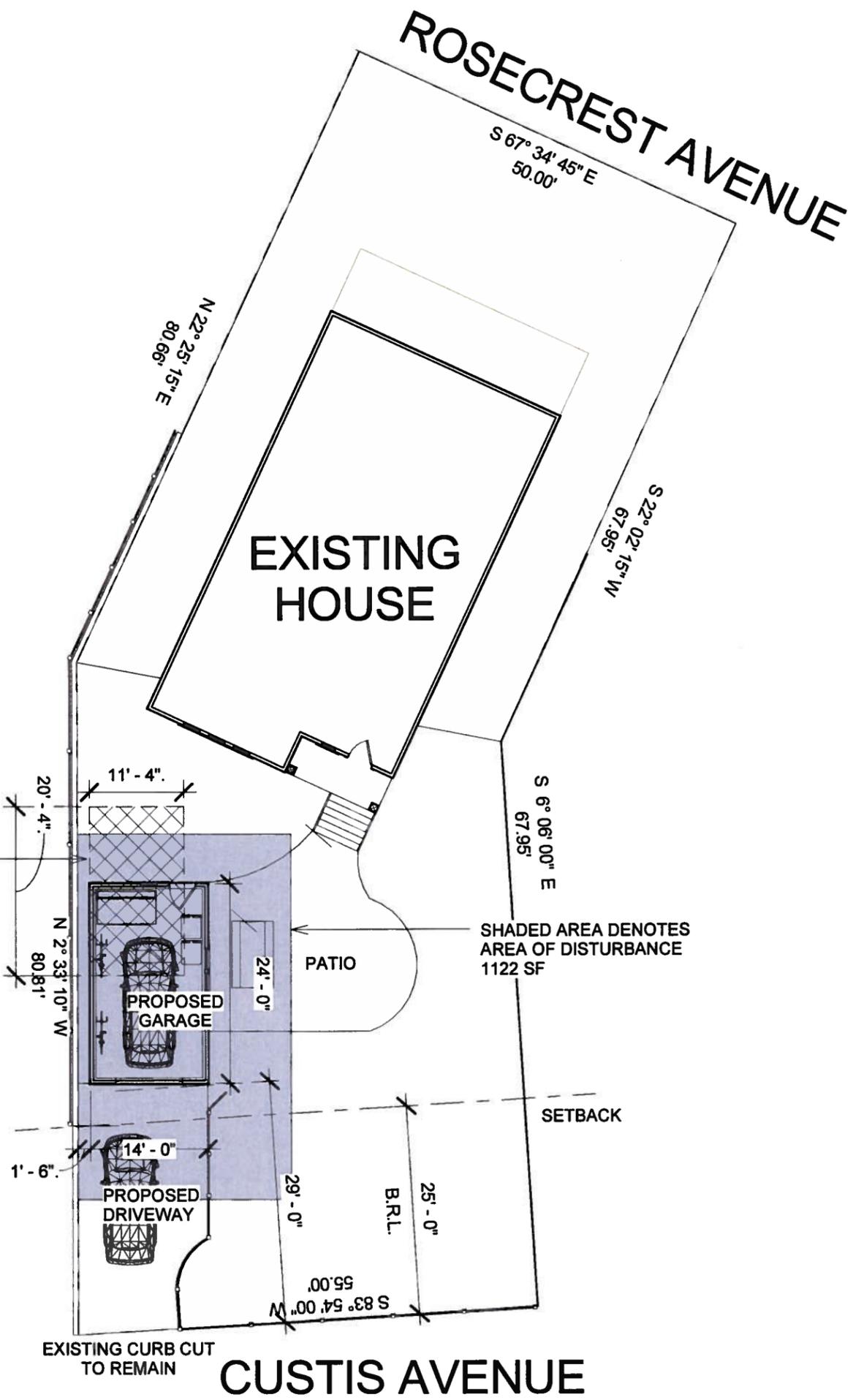
CASE NO: 05-086

#50325007

1 ARCHITECTURAL SITE PLAN.
1/16" = 1'-0"

CROSS-HATCHED AREA DENOTES
EXISTING GARAGE TO BE
REMOVED

SHADED AREA DENOTES
AREA OF DISTURBANCE
1122 SF



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ROGERS RESIDENCE

14 Rosecrest Avenue
Alexandria, VA 22301



ARCHITECTURAL
SITE PLAN
03/22/12

V-1

