

Docket Item #1
BZA CASE #2012-0009

Board of Zoning Appeals
June 14, 2012

ADDRESS: 730 TIMBER BRANCH DRIVE
ZONE: R-8, RESIDENTIAL
APPLICANT: BETH WILEY AND SUSAN JASMIN, OWNERS, BY KIM BEASLEY, ARCHITECT

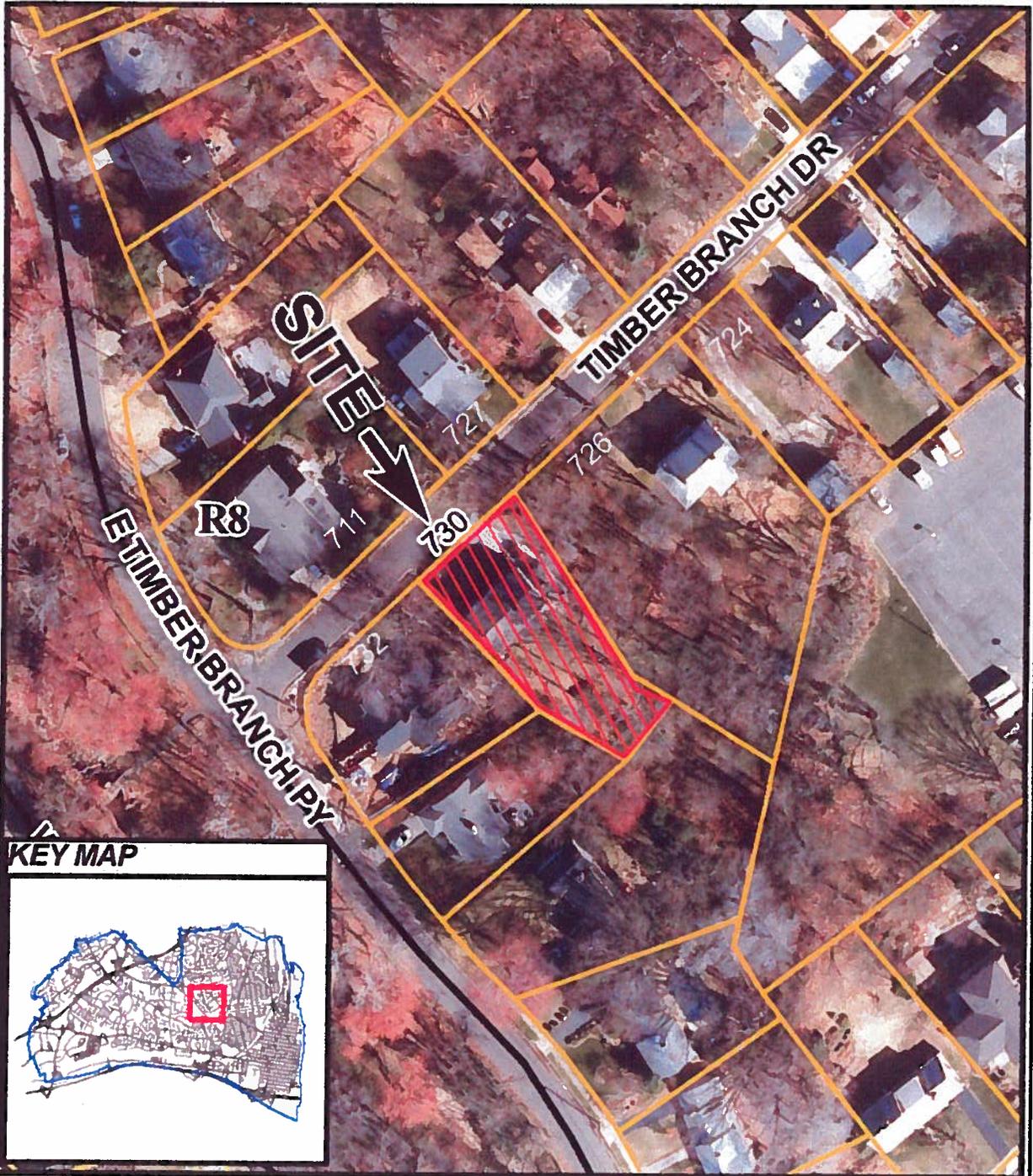
ISSUE: Special exception to construct a covered open front porch to replace an existing front covered entry in the required front yard.

CODE SECTION	SUBJECT	CODE REQMT	APPLICANT PROPOSES	REQUESTED EXCEPTION
7-2503(A)	Front Yard*	26.80 feet	23.70 feet	3.10 feet

* Based on the average prevailing front setback facing Timber Branch Drive

The staff **recommends approval** of the requested special exception because the request meets the criteria for a special exception, with the condition that:

If the Board decides to grant the requested special exception, the structure must comply with the code requirements under the department comments and the applicant must submit the following prior to the release of a Certificate of Occupancy: (1) a survey plat prepared by a licensed surveyor confirming building footprint and setbacks from average preconstruction grade and (2) 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 #2012-0009
730 Timber Branch Drive

06/14/12



I. Issue

The applicants propose to construct an open front porch at 730 Timber Branch Drive in place of an existing smaller front porch. The front porch does not comply with the established front setback and therefore requires a special exception.



II. Background

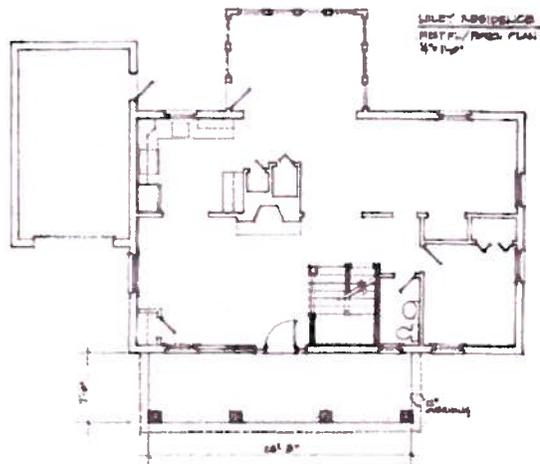
The subject property is one lot of record with 80.00 feet of frontage facing Timber Branch Drive, a depth of 160.39 feet along the north side property line, a depth of 173.72 along the south side property line and a width of 50.63 along the rear property line. The property contains 10,870 square feet of lot area. A two-story single-family dwelling occupies the property and is located 31.70 feet from the front property line facing Timber Branch Drive, 8.00 feet from the east side property line and 9.60 feet from the west side property line. According to real estate assessment records the house was constructed in 1935.

III. Description

The proposed covered open front porch will extend 26.67 feet across the main front building wall and project 7.00 feet from the building at the furthest projecting point with an additional 1.00 foot overhang facing Timber Branch Drive. The new porch totals 186.69 square feet and is an allowable deduction from floor area. The proposed porch will be located 23.70 feet to the front property line facing Timber Branch Drive, 27.00 feet from the east, 20.00 feet from the west side property line and approximately 12.00 feet from the south side property line.



Proposed Porch



First Floor and Porch Layout

The proposed porch replaces an existing porch that is approximately 16 feet wide and 3 feet deep. As part of the renovations, the front door will be relocated to the west and a window installed in place of the existing door. Upon completion of the work, the proposed renovations will continue to comply with the floor area requirements. (Refer to floor area calculations.)

There have been no variances or special exceptions previously granted for the subject property.

IV. Master Plan/Zoning

The subject property is zoned R-8 and has been so zoned since adoption of the Third Revised Zoning Map in 1951, and is identified in the Taylor Run Area Plan for residential land use.

V. Requested Special Exception:

7-2503(A) Residential Front

Setback 3.10 feet to build a new open covered front porch located forward of the required 26.80 feet average front yard setback. The proposed porch with a 1.00 foot overhang will be located 23.70 feet from the front property line facing Timber Branch Drive.

VI. Special Exceptions Standards

To grant a special exception, the Board of Zoning Appeals must find that the strict application of the zoning ordinance creates an unreasonable burden on the use and enjoyment of the property. Section 11-1304 of the zoning ordinance lists standards that an applicant must address and that the Board believes exists and thus warrants granting a special exception of the zoning regulations.

- 1) Whether approval of the special exception will be detrimental to the public welfare, to the neighborhood or to the adjacent properties.
- 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.
- 3) Whether approval of the special exception will alter the essential character of the area or zone.
- 4) Whether the proposal will be compatible with the development in the surrounding neighborhood.
- 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.

VII. Staff Conclusion

As required by the zoning ordinance for front porch special exceptions, staff finds that a covered, open front porch is in keeping with the architecture and character of the existing dwelling and similar porches within the neighborhood. The design and size of the porch is compatible with character of the neighborhood block and complements the home's architecture.

Staff suggests that the homeowners may wish to consider installing railings around the front porch to delineate the area between the front yard and the porch deck. The proposed open porch does not appear to negatively impact the adjacent properties. The project will replace the existing, very shallow front porch with one that is usable that will also enhance the building design.

Staff recommends approval of the proposed front porch special exception.



DEPARTMENTAL COMMENTS

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

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

Transportation and Environmental Services:

- R-1 Applicant shall be responsible for repairs to the adjacent city right-of-way if damaged during construction activity. (T&ES)
- R-2 All improvements to the city right-of-way such as curbing, sidewalk, driveway aprons, etc. must be city standard design. (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)
- R-4 The building permit must be approved and issued prior to the issuance of any permit for demolition. (T&ES)
- F-1 Parcel is tagged as being located within a known Marine Clay Area. (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)

Code Administration:

- F-1 The review by Code Administration is a preliminary review only. Once the applicant has filed for a building permit, code requirements will be based upon the building permit plans. If there are any questions, the applicant may contact Ken Granata, Acting Plan Review Supervisor at ken.granata@alexandriava.gov or 703-746-4193.
- C-1 A building permit and trade is required for this project. Five sets of *construction documents* that fully detail the construction as well as framing schematics shall accompany the permit application(s). If a design professional prepares drawings for the project the plans must bear the seal of the design professional in accordance with the Code of Virginia Section 54.1-410B.
- C-2 New construction must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-3 Any proposed future alterations to the existing structure must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-4 Before a building permit can be issued on any proposed future alterations, a certification is required from the owner or owner's agent that the building has been inspected by a licensed asbestos inspector for the presence of asbestos.
- C-5 A Certificate of Occupancy shall be obtained prior to any occupancy of the building or portion thereof per USBC 116.3 and 113.8.
- C-6 Electrical wiring methods and other electrical requirements must comply with the 2009 Virginia Residential Code.
- C-7 Prior to the issuance of a demolition permit or land disturbance permit, a rodent abatement plan shall be submitted to Code Enforcement that will outline the steps that will be taken to prevent the spread of rodents from the construction site to the surrounding community and sewers.
- C-8 Permission from adjacent property owners is required if access to the adjacent properties is required to complete the proposed construction. Otherwise, a plan shall be submitted to demonstrate the construction techniques utilized to keep construction solely on the referenced property.
- C-9 A wall location plat prepared by a land surveyor is required to be submitted to this office prior to requesting any framing inspection.

Recreation (Arborist):

- F-1 No trees are affected by this application.

Historic Alexandria (Archaeology):

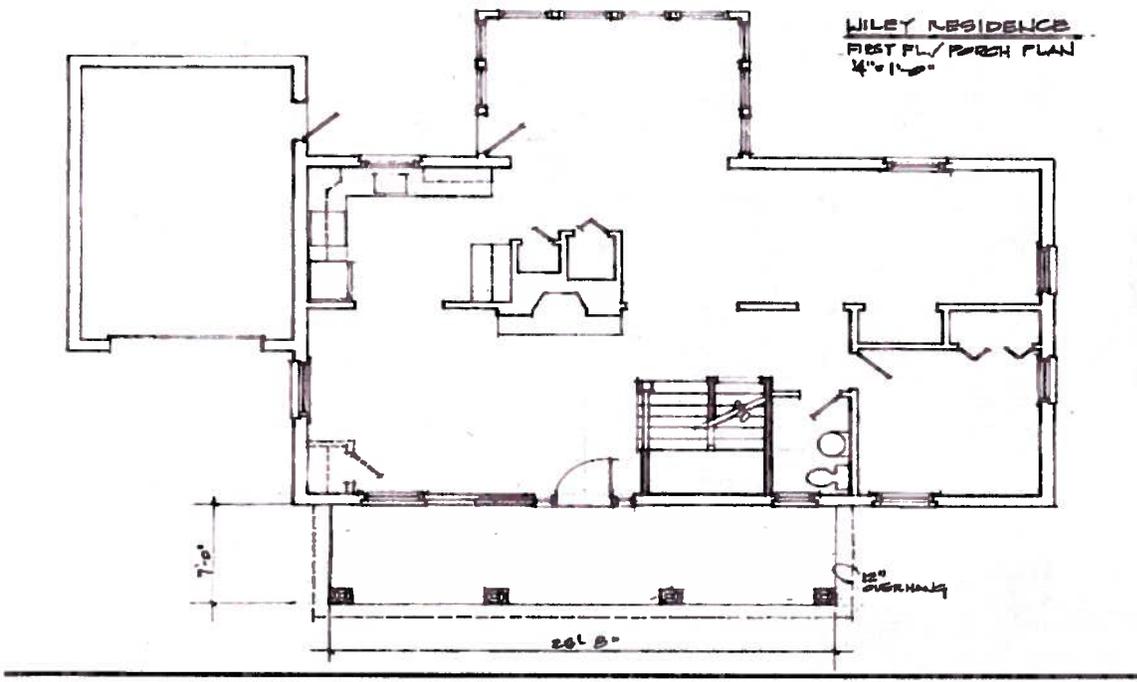
F-1 No action.

Other Requirements Brought to the Applicant's Attention:

C-1 A wall check survey plat shall be submitted to Planning and Zoning when the building footprint is in place, pursuant to Alexandria City Code section 8-1-12.









**APPLICATION
BOARD OF ZONING APPEALS**

SPECIAL EXCEPTION FOR PORCHES

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

1. Applicant: Owner Contract Purchaser Agent

Name KIM A. BEASLEY, ARCHITECT

Address 11 FORREST ST.
ALEXANDRIA, VA

Daytime Phone 703-965-7390

Email Address RKTECTKIM@AOL.COM

2. Property Location 730 TIMBERBRANCH DR.

3. Assessment Map # 04201 Block 03 Lot 19 Zone R-8

4. Legal Property Owner Name BETH WILEY & SUSAN JASMIN

Address 730 TIMBERBRANCH DR.
ALEX. VA 22302



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. SUSAN V. JASMIN	730 TIMBERBRANCH DRIVE, ALEX. VA	50%
2. ELIZABETH F. WILEY	"	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 730 TIMBERBRANCH (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. SUSAN V. JASMIN	730 TIMBERBRANCH DR. ALEX, VA	50%
2. ELIZABETH F. WILEY	"	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.

5/2/12 KIM A. BEASLEY [Signature]
 Date Printed Name Signature

5. Describe request briefly :

DEMOLISH EXIST. FRONT PORCH AND
CONSTR. NEW OPEN FRONT PORCH &
REED FRONT YARD.

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.

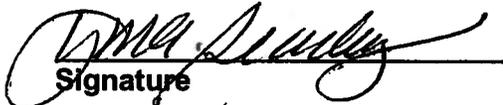
Applicant or Authorized Agent:

KIM A. BEASLEY

Print Name

703-965-7390

Telephone



Signature

5/2/12

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.

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



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

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

1. Please provide the following details of the proposed porch:
 - a. Porch projection from front building wall to deck edge 7'-0"
 - b. Length of building wall where porch is to be built 40.1'
 - c. Length of porch deck 26'-8"
 - d. Depth of overhang 12"
 - e. Distance of furthest projecting porch element from the front property line 23.7'
 - f. Overall height of porch from finished or existing grade 12'-6"
 - g. Height of porch deck from finished or existing grade 8"

2. Explain the conditions of the subject property which prevent locating the proposed porch in compliance with the zoning ordinance.

THE ORIGINAL HOME WAS CONSTRUCTED AT THE BLDG. RESTRICTION LINE AT THE TIME OF CONSTRUCTION. AN EXISTING FRONT PORCH EXTENDS 3.1' TOWARDS THE FRONT PROPERTY LINE. THIS PORCH WILL BE REPLACED WITH A MORE FUNCTIONAL, AESTHETIC PORCH.

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

THE PROPOSED PORCH WILL NOT BE DETRIMENTAL TO ADJACENT PROPERTIES. THE PROPOSED DESIGN IS MUCH MORE COMPATIBLE WITH THE NEIGHBORHOOD.

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

THE PROPOSED PORCH WILL NOT ADVERSELY AFFECT LIGHT AND AIR TO ADJACENT PROPERTIES.

5. Has the applicant shown the plans to the most affected property owners? Have any neighbors objected to the proposed special exception, or have any neighbors written letters of support? If so, please attach the letter.

THE APPLICANT WILL BE SHARING THE PLANS WITH ADJACENT PROPERTY OWNERS AND ANTICIPATES LETTERS OF SUPPORT.

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

THE FRONT PORTICO OF THE ADJACENT
PROPERTY TO THE WEST WAS DESIGNED
BY THE SAME ARCHITECT OF RECORD.
THE COLUMNS, BEAMS, CROWN MOULDING,
AND OVER ALL STYLE IS SIMILAR TO
THE PROPOSED PORCH.



REVISED

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 730 TIMBERBRANCH DRIVE Zone R-8

A2. 10870 x .35 = 3804.5
Total Lot Area Floor Area Ratio Allowed by Zone Maximum Allowable Floor Area

B. Existing Gross Floor Area

Table with 4 columns: Existing Gross Area, Allowable Exclusions, and sub-categories like Basement GARAGE, First Floor, Second Floor, Third Floor FRONT PORCH, Porches/ Other, Total Gross.

B1. Existing Gross Floor Area * 2417.5 Sq. Ft.
B2. Allowable Floor Exclusions** 238.6 Sq. Ft.
B3. Existing Floor Area minus Exclusions 2179 Sq. Ft. (subtract B2 from B1)

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

Table with 4 columns: Proposed Gross Area, Allowable Exclusions, and sub-categories like Basement, First Floor, Second Floor, Third Floor, Porches/ Other, Total Gross.

C1. Proposed Gross Floor Area * 186.69 Sq. Ft.
C2. Allowable Floor Exclusions** 186.69 Sq. Ft.
C3. Proposed Floor Area minus Exclusions 0 Sq. Ft. (subtract C2 from C1)

D. Existing + Proposed Floor Area

D1. Total Floor Area (add B3 and C3) 2179 Sq. Ft.
D2. Total Floor Area Allowed by Zone (A2) 3804.5 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 on 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.

F. Open Space Calculations Required in RA & RB zones

Table with 2 columns: 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: [Handwritten Signature]

Date: 5/18/12



AERIAL VIEW - POTENTIAL AVERAGE SETBACK

26.8' CALCULATED AVERAGE FRONT YARD SETBACK

21.7' BUILDING HEIGHT FOR ZONING PURPOSES