

Docket Item #2  
BZA CASE #2012-0013

Board of Zoning Appeals  
September 13, 2012

**ADDRESS:** 1334 BAYLISS DRIVE  
**ZONE:** R-8, RESIDENTIAL  
**APPLICANT:** LEE DOTSON, OWNER

**ISSUE:** Special exception to raise the roof and enclose an existing covered open porch with a foundation in the required north side yard.

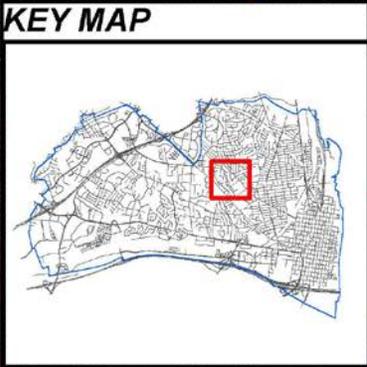
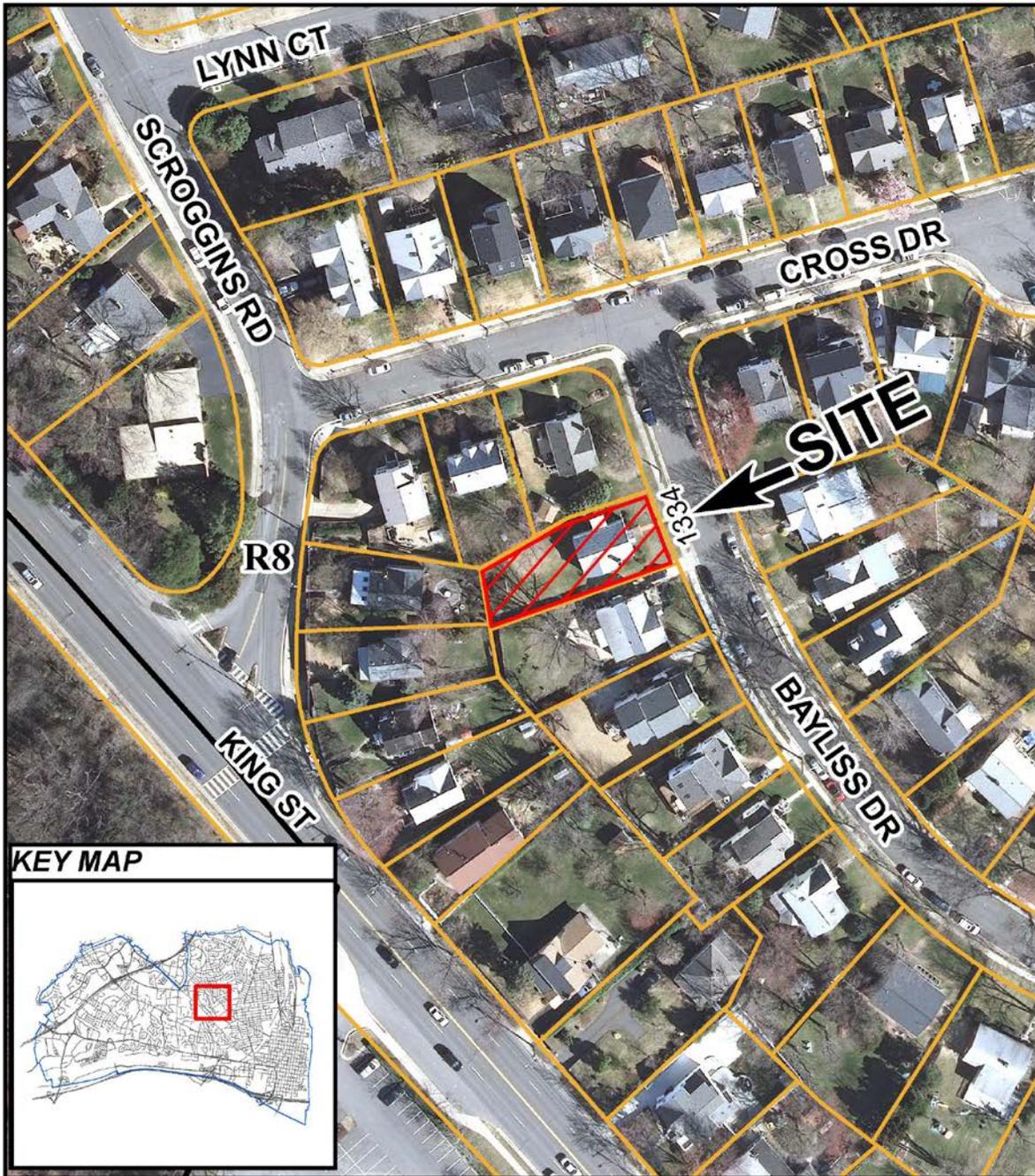
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CODE SECTION	SUBJECT	CODE REQMT	APPLICANT PROPOSES	REQUESTED EXCEPTION
3-306(A)(2)	Side Yard (North)	8.00 ft	4.00 ft	4.00 ft

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The staff **recommends approval** of the requested special exception because the request meets the criteria for a special exception.

If the Board decides to grant the requested special exception, it must comply with the code requirements under the department comments. 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 #2012-0013**  
**1334 Bayliss Drive**

**9/13/12**



**I. Issue**

The applicants propose to enclose an existing open covered porch with foundation in the north side yard at 1334 Bayliss Drive. The existing open side porch sits within the required north side yard setback and requires a special exception to raise the roof and enclose the existing floor space.

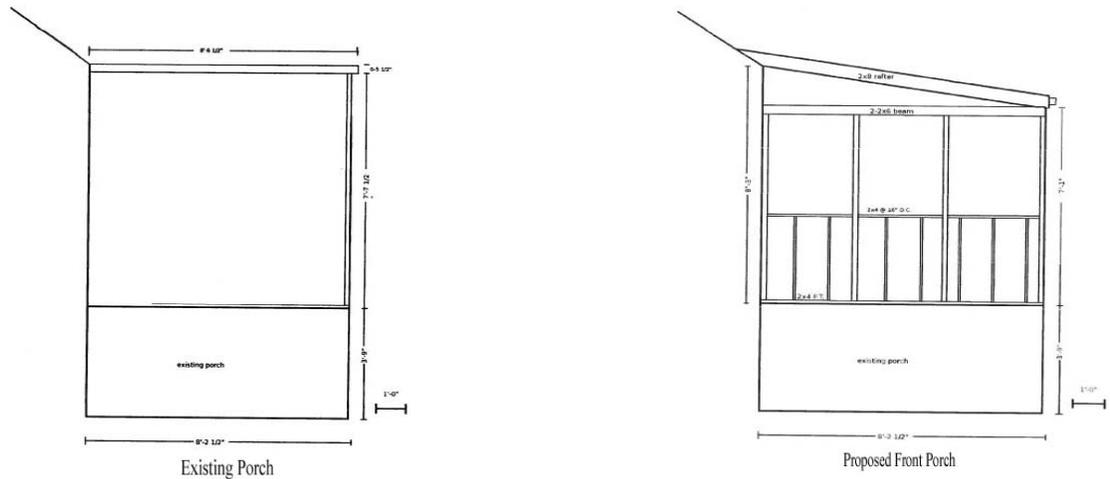


**II. Background**

The subject property is one lot of record with 50.00 feet of frontage facing Bayliss Drive, a depth of 126.35 feet along the south side property line, a depth of 120.53 along the north side property line and a width of 38.61 along the rear property line. The property contains 5,743 square feet of lot area. A one and a half story single family dwelling occupies the property and is located 25.20 feet from the front property line facing Bayliss Drive, 12.00 feet from the south side property line and 4.00 feet from the north side property line. According to real estate assessment records the house was constructed in 1947.

**III. Description**

The applicants propose to enclose the open covered porch and enclose it to create a side porch. The existing structure measures 8.20 feet in width and 9.75 in length and totals 79.95 square feet. The existing flat roof will be replaced with a modest hip roof. The existing height of the porch is approximately 11.38 feet to grade. With the new roof, the porch will be slightly taller, approximately 12.00 feet to the highest point of the roof. The current plan is not to expand the existing footprint of the porch.



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 North Ridge/Rosemont Area Plan for residential land use.

**V. Requested Special Exception:**

3-306(A)(2) Side Yard

The subject property requires a side yard setback of 8.00 feet to enclose an existing porch. The existing open porch is now located 4.00 feet from the north side property line. The applicants request a side yard setback reduction of 4.00 feet.

**VI. Noncomplying Structure/ Substandard Lot**

The existing building at 1334 Bayliss Drive is a noncomplying structure with respect to the following:

<u>Regulation</u>	<u>Required</u>	<u>Existing</u>	<u>Noncompliance/Substandard</u>
Lot Area	8,000 sq. ft.	5,743 sq. ft.	2,257 sq. ft.
Lot Width	65.00 ft.	50.00 ft.	15.00 ft.
Side Yard (North)	8.00 ft.	4.00 ft.	4.00 ft.

**VII. 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.

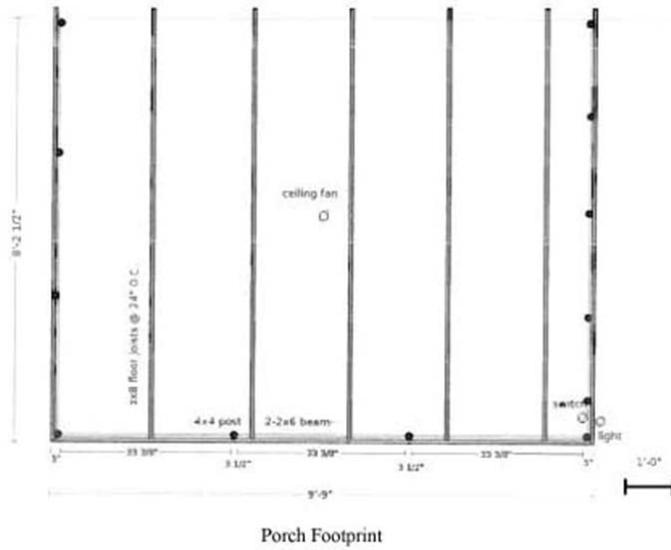
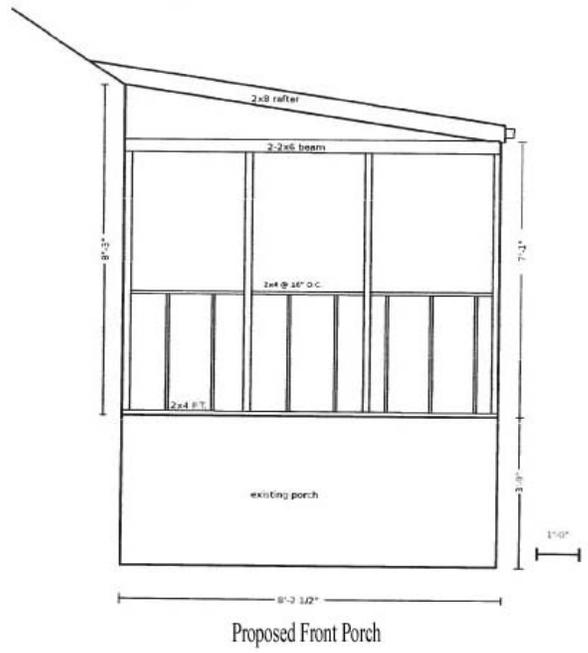
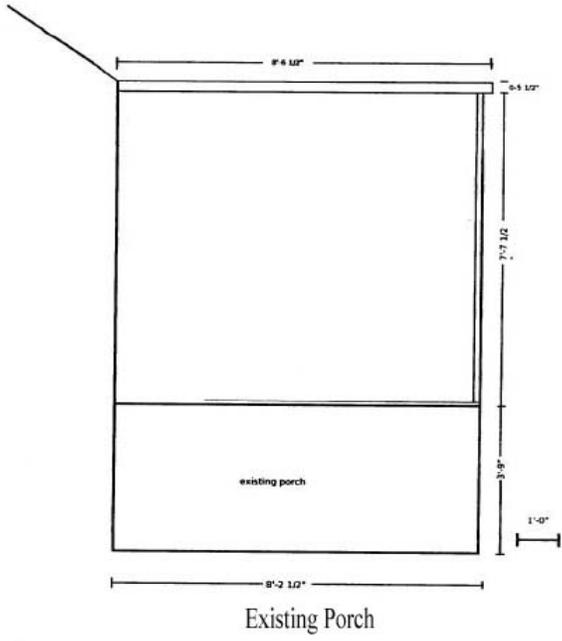
**VIII. Staff Analysis and Conclusion**

The applicant's proposal to enclose an existing side porch is reasonable. The renovations will likely produce minimal impact to the abutting property and no more impact than the existing porch now does. A modest increase in roof height is proposed that should have little or no loss of light and air on the adjacent property. Because the existing porch already reduces the required side yard to 4.00 feet and the footprint of the space will not be expanded, staff believes the renovations are in keeping with the intent of the special exception standards and similarly situated side yard additions in the neighborhood. The proposed renovations represent the only reasonable means to accommodate the proposed structure given the location of the existing porch within the side yard setback on the lot.

Staff recommends **approval** of the special exception for the proposed porch renovation.

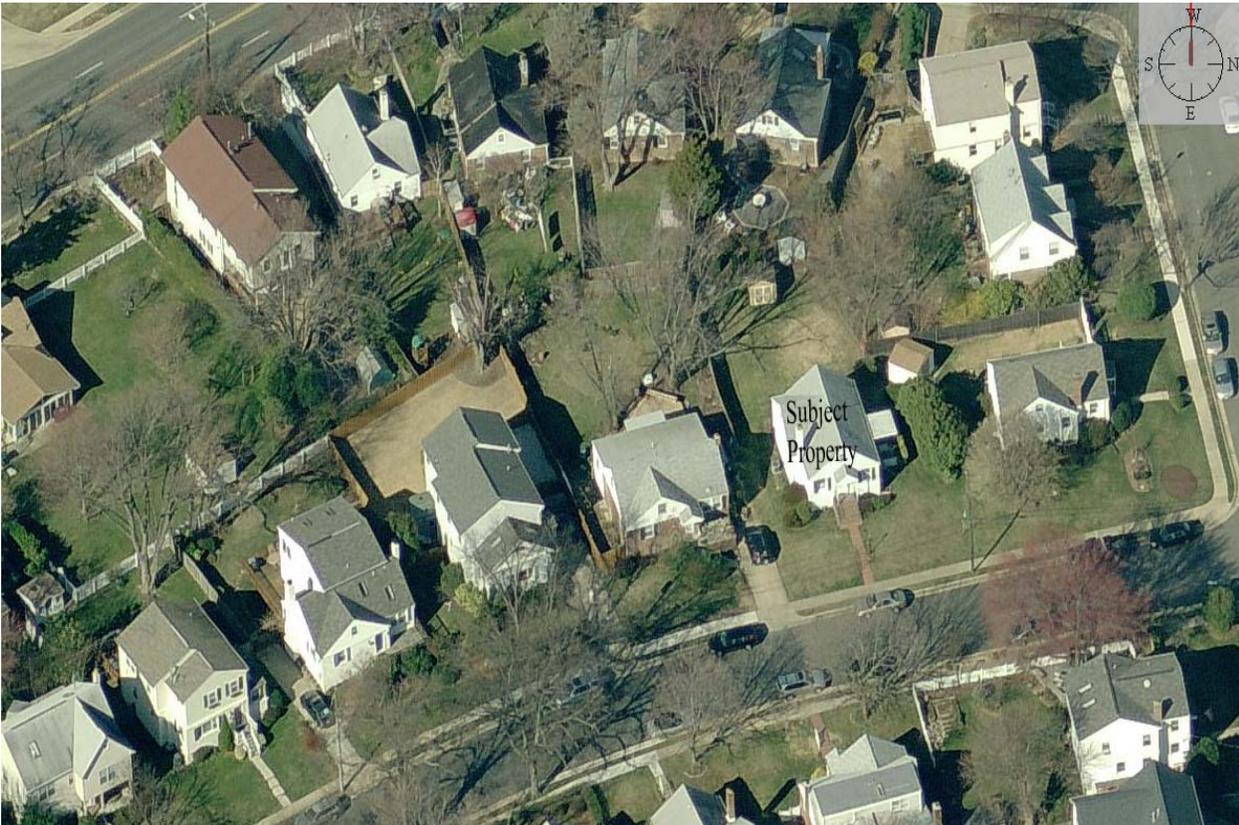


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**DEPARTMENTAL COMMENTS**

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 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)
- 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, Plan Review Services Division Chief, at ken.granata@alexandriava.gov or 703.746.4193.
- C-1 A building and trade permits are 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 Virginia licensed design professional prepares drawings, the plans shall bear the signature and seal of the Virginia licensed design professional in accordance with the Code of Virginia Section 54.1-410B.
- C-2 Wall bracing system to adequately transfer lateral loads (wind governing) to the foundation is required for building permit. Provide one of the three following methods: 1) a prescriptive wall bracing method; 2) a proprietary performance system tested and approved by a nationally recognized testing agency; or 3) a signed and sealed lateral resistance system designed by a licensed design professional (Structural Engineer) in the Commonwealth of Virginia (provide original document)
- C-3 A one-hour fire-resistance-rated exterior wall assembly (exposure from both sides) for all exterior walls within 5ft from the property-line is required for building permit. Provide one of the following: 1) a performance system tested approved by a nationally recognized testing agency, i.e. UL assembly or ICC Evaluation Report; or 2) provide an assembly description based on the Virginia Construction Code "Prescriptive Fire Resistance".

Recreation (Arborist):

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

Historic Alexandria (Archaeology):

- R-1 The statements in archaeology conditions below 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 on-site contractors are aware of the requirements:
- a. 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.
  - b. The applicant/developer shall not allow any metal detection to be conducted on the property, unless authorized by Alexandria Archaeology.

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- C-1 All required archaeological preservation measures shall be completed in compliance with Section 11-411 of the Zoning Ordinance.
  
- F-1 The subject property is located in close proximity to a Civil War camp occupied by the 37<sup>th</sup> New York. While it is unlikely that the proposed project will cause any ground disturbance whatsoever, we want to make sure the property owner and contractor are aware that the subject property has modest archaeological potential.

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.

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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:  
REQUESTING TO ENCLOSE AN EXISTING PORCH  
THAT IS WITHIN THE SETBACK.

**PART A**

1. Applicant:  Owner  Contract Purchaser  Agent  
 Name LEE R. DOTSON  
 Address 1334 BAYLISS DR.  
ALEXANDRIA, VA 22302  
 Daytime Phone 202 834 2356  
 Email Address DOTSON LR @ YAHOO.COM
2. Property Location 1334 BAYLISS DR. ALEXANDRIA, VA  
22302
3. Assessment Map # 04210 Block 01 Lot 10 Zone R-8
4. Legal Property Owner Name LEE R OR KATHLEEN P. DOTSON  
 Address 1334 BAYLISS DR.  
ALEXANDRIA, VA 22302

RECEIVED  
AUG - 1 2012  
PLANNING DEPARTMENT

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### 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.	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 1334 BAYLISS DR. (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.	LEE R. DOTSON	1334 BAYLISS DR.	50%
2.	KATHLEEN P. DOTSON	1334 BAYLISS DR.	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.	NONE		
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.

08/11/12  
Date

LEE R. DOTSON  
Printed Name

  
Signature

5. Describe request briefly:

WE WOULD LIKE TO ENCLOSE AN EXISTING COVERED PORCH THAT IS ALREADY WITHIN THE SETBACK.

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? N/A

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:**

LEE R. DOTSON  
Print Name

[Signature]  
Signature

202 834 2356  
Telephone

07/30/12  
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 (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 EXCEPTION WILL ALLOW FOR USE OF THE EXISTING SPACE MORE THROUGHOUT THE YEAR. WILL ALSO ALLOW FOR REPLACEMENT OF EXISTING PORCH ROOF, WHICH IS IN NEED OF REPAIR.

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

THE EXCEPTION WILL NOT HARM ADJOINING PROPERTIES OR NEGATIVELY IMPACT THE NEIGHBORHOOD.

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

DUE TO THE PORCH'S CURRENT LOCATION ON THE PROPERTY & EXISTING FOLIAGE, LIGHT &/OR AIR FLOW WILL NOT BE IMPACTED.

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

THE NEIGHBORHOOD & ADJOINING STREETS  
CONTAIN SEVERAL STRUCTURES SIMILAR  
TO THE SUBJECT PROPERTY. ONE STREET AWAY,  
HAS SEVERAL STRUCTURES WITH ENCLOSED  
PORCHES, SIMILAR TO THAT WHICH IS BEING  
REQUESTED.

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

AS NOTED, SEVERAL STRUCTURES ON SCROGGINS  
RD., WHICH IS NEAR THE SUBJECT PROPERTY,  
HAVE ENCLOSED PORCHES EITHER SIMILAR TO  
OR A SLIGHT VARIATION OF THAT WHICH  
IS BEING REQUESTED.

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

WE ARE NOT ADDING TO THE EXISTING  
"UNDER ROOF" SQUARE FOOTAGE OF THE  
SUBJECT PROPERTY.

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.

I HAVE DISCUSSED THE REQUESTED EXCEPTION  
WITH NEIGHBORS. NO ONE VOICED ANY  
OBJECTION.

**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 1334 Congress Drive Zone R-8  
 A2. 5743 x .35 = 2010.05  
 Total Lot Area Floor Area Ratio Allowed by Zone Maximum Allowable Floor Area

**B. Existing Gross Floor Area**

Existing Gross Area *		Allowable Exclusions	
Basement	835.29	Basement**	835.29
First Floor	835.29	Stairways**	42
Second Floor	417.65	Porch/ Garage**	2875
Porches/ Other	79.95	Attic less than 5**	
<b>Total Gross *</b>	<b>2196.88</b>	<b>Total Exclusions</b>	<b>906.04</b>

B1. Existing Gross Floor Area \*  
2196.88 Sq. Ft.  
 B2. Allowable Floor Exclusions\*\*  
906.04 Sq. Ft.  
 B3. Existing Floor Area minus  
 Exclusions 1290.84 Sq. Ft.  
 (subtract B2 from B1)

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

Proposed Gross Area*		Allowable Exclusions	
Basement		Basement**	
First Floor		Stairways**	
Second Floor		Mechanical**	
Third Floor		Porch/ Garage**	
Porches/ Other		Attic less than 5**	
<b>Total Gross *</b>	<b>0</b>	<b>Total Exclusions</b>	<b>0</b>

C1. Proposed Gross Floor Area \*  
0 Sq. Ft.  
 C2. Allowable Floor Exclusions\*\*  
0 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) 1290.84 Sq. Ft.  
 D2. Total Floor Area Allowed by Zone (A2) 2010.05 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**

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.

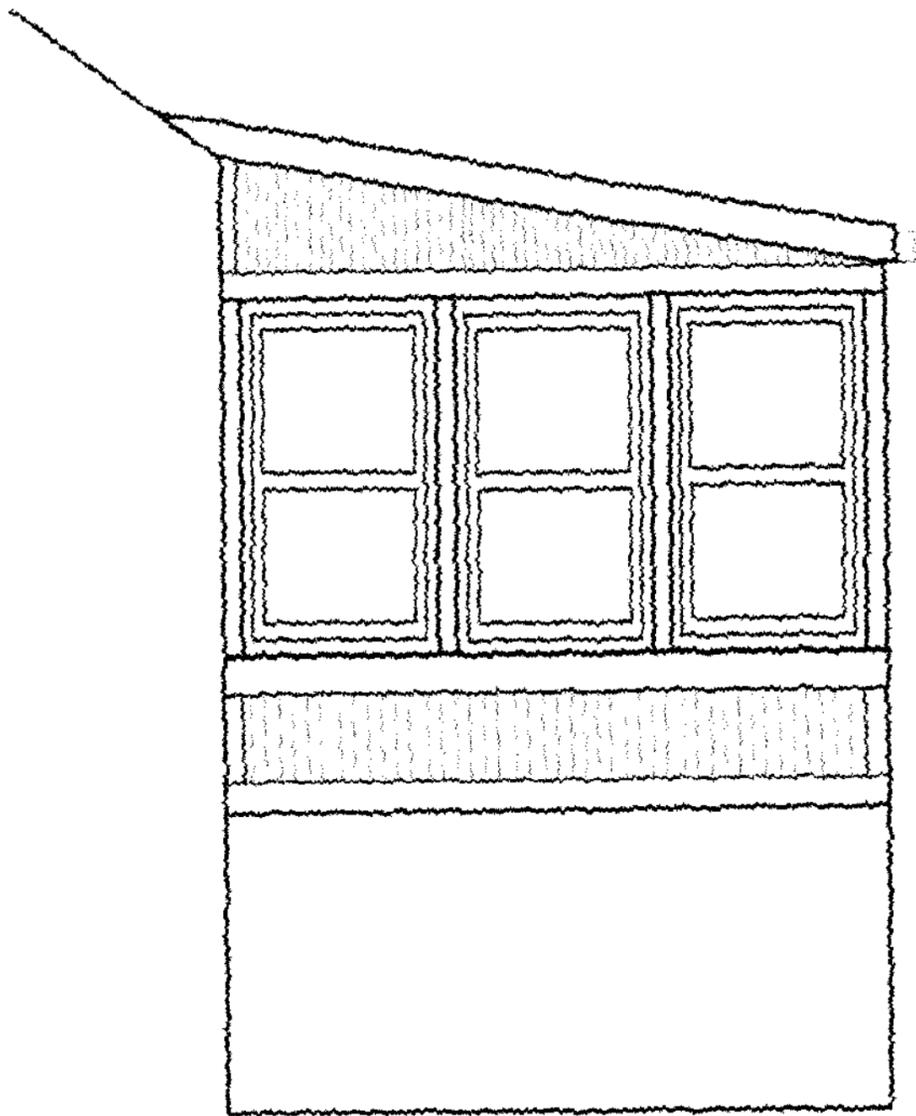
Signature: \_\_\_\_\_

Date: \_\_\_\_\_

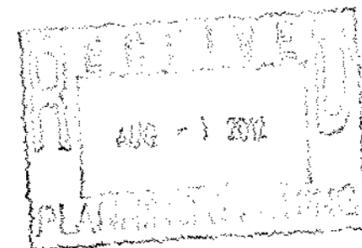
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Front View

BZA 2012-0013  
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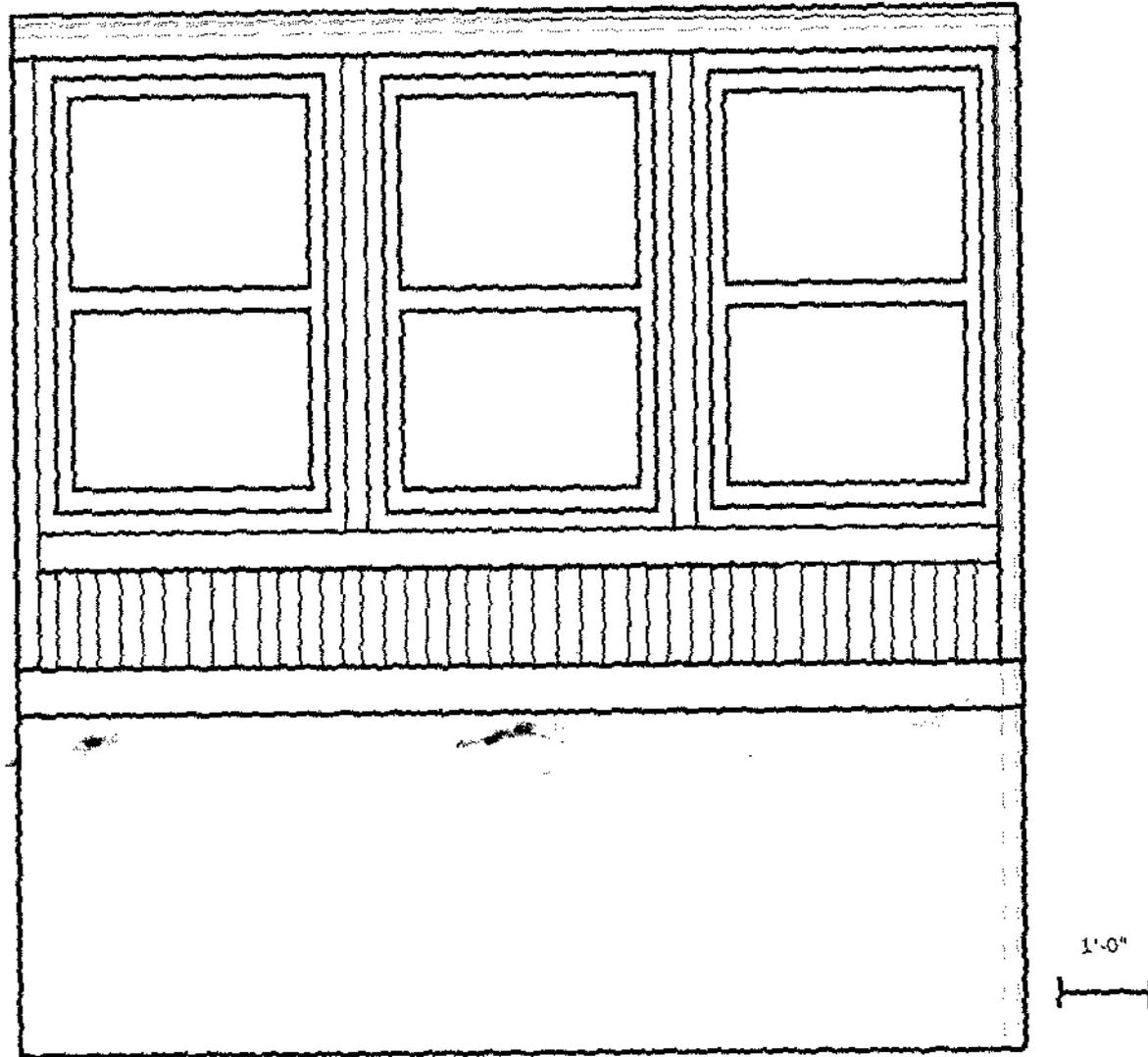


1'-0"

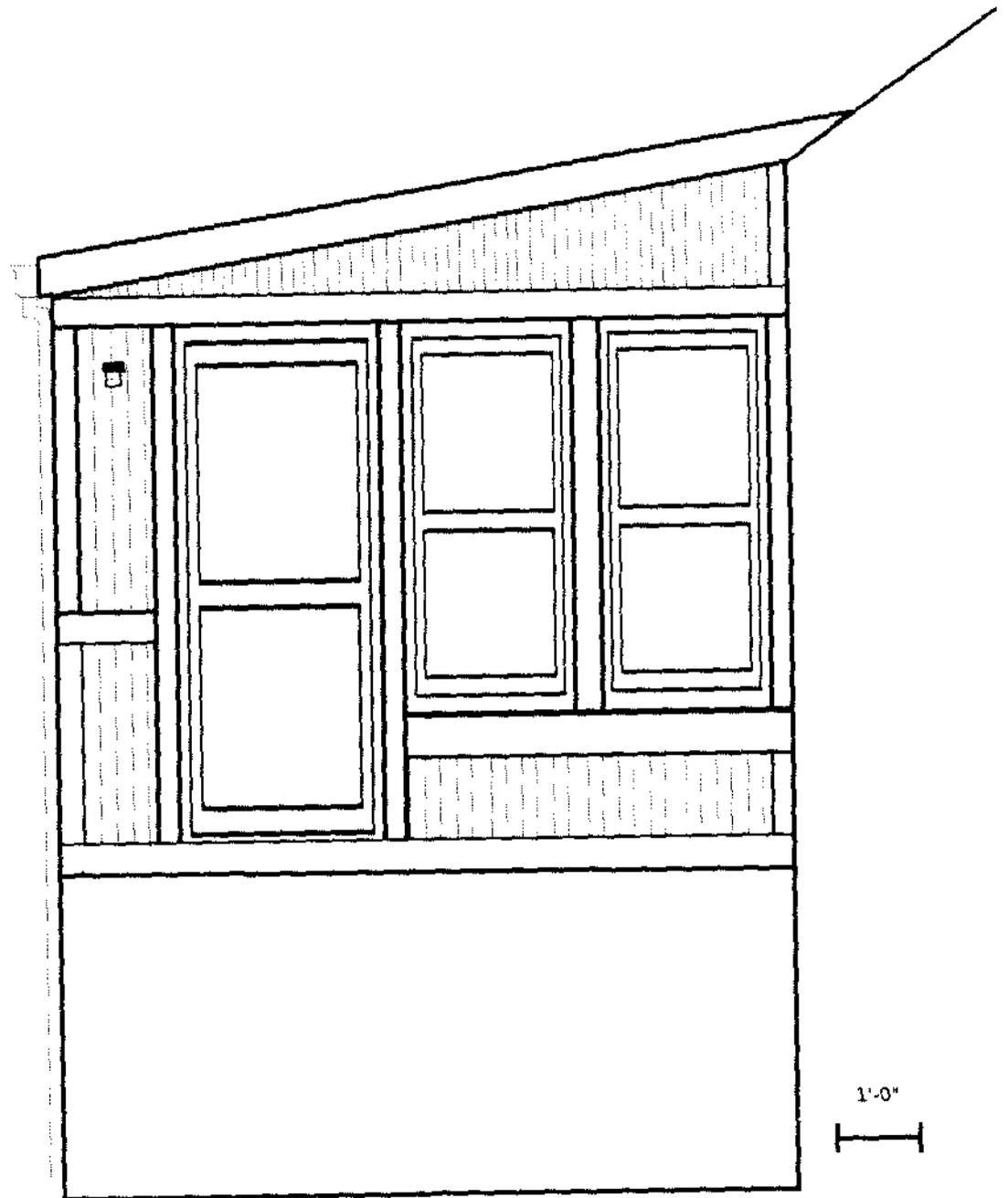


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Side View



Rear View



1'-0"  
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material list and notes:

**Anderson 3000 Series White aluminum self storing storm door or comparable**

**pvc exterior trim**

**Plytanium® plywood exterior siding or comparable**

**Therma Tru white vinyl double hung windows or comparable**

**Certainteed 3 tab shingles to match existing**

**Ceiling will be open framing**