

Docket Item #9
BZA CASE #2003-00062

Board of Zoning Appeals
December 11, 2003

ADDRESS: 2500 DEWITT AVENUE
ZONE: R-2-5, RESIDENTIAL
APPLICANT: ANTHONY AND ELIZABETH HAMED, OWNERS

ISSUE: Variance to construct a screened porch in the required front yard facing Mount Ida Avenue.

CODE SECTION	SUBJECT	CODE REQMT	APPLICANT PROPOSES	REQUESTED VARIANCE
3-506(A)(1)	Front Yard (Mt. Ida Ave)	25.00 ft	15.00 ft	10.00 ft

(insert sketch here)

STAFF CONCLUSION:

This property does not meet the criteria for a variance.

DISCUSSION:

1. The applicants propose to (1) build a covered screen porch located within the required front yard facing East Mount Ida Avenue and (2) a covered open porch at the rear of the house at 2500 Dewitt Avenue.
2. The subject property, a corner lot, is one lot of record with 94.09 feet of frontage facing Dewitt Avenue and 128.95 feet of frontage facing East Mount Ida Avenue. The property contains a total of 9,422 square feet.
3. The property is developed with a single-family dwelling located 19.80 feet from Dewitt Avenue, 15.00 feet from East Mount Ida Avenue, 15.00 feet from the south side property line and 25.00 feet from the east side property line. A detached garage is located within one foot of the east side property line and 1.00 feet of the south side property line. Real estate assessment records indicate the house was built in 1930.
4. Section 12-102(A) of the zoning ordinance states that no noncomplying structure may be physically enlarged or expanded unless such enlargement or expansion complies with the regulations for the zone in which it is located.
5. The applicants wish to construct a one-story screen porch along a porch of the main residence facing East Mount Ida Avenue. The new screened porch will wrap around the south side wall of the house and connect to a new covered open porch to be constructed along the entire rear building wall and a portion of the south building wall. The existing house does not comply with R-2-5 zone regulations as to the required front setback from East Mount Ida Avenue, and the proposed new screen porch also will not meet R-2-5 zone regulations. The existing house is currently located approximately 15.00 feet from the front property line facing East Mount Ida Avenue, and the applicants are seeking a variance from the front setback requirement facing East Mount Ida Avenue.
6. The proposed covered open porch located along the east (rear) building wall and along a portion of the south building wall will be constructed in compliance with the R-2-5 front and side yard setbacks. No variance is required for the new covered open porch.
7. The proposed screened porch measures 21.00 feet facing East Mount Ida Avenue, 7.00 feet in width by 12.00 feet in length parallel to the existing building's east wall. The proposed porch is approximately 15.00 feet in height from grade to the ridge line of the porch roof.

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The screened porch totals approximately 187 square feet of new floor area. The proposed screened porch will be located 15.00 feet from the front property line facing East Mount Ida Avenue. The applicants request a variance of 10.00 feet facing East Mount Ida Avenue.

8. The applicants indicate the proposed porch construction will enhance the character of the house and maintain the architectural integrity of the neighborhood. As indicated on the submitted plat, the new screened porch will not project beyond the established building restriction line for the property. The applicants state the immediate neighbors support the proposed project.
9. The subject property is located in the Town of Potomac Historic District. Board of Architectural Review staff state that the one-and-one-half story, frame and brick veneer, Dutch Colonial Revival house at 2500 DeWitt Avenue is distinguished by its gambrel roof with and broad front porch. It is considered to be a contributing resource in the National Register-listed Town of Potomac Historic District. The low form of the Dutch Colonial cottage is similar to the Bungalow style houses which were particularly popular in the Abingdon section of the district (Randolph, Stewart, Terrett, Burke, the 2400-2600 blocks of Leslie and the 2500-2600 blocks of DeWitt) in the 1920's, but represents a new style. According to survey information, the house was built circa 1930.
10. Based on the drawings provided, Staff is concerned that the proposed first and second story additions and wrap-around rear porch are not particularly sympathetic to the massing and architectural style of the historic building.
11. There have been no prior variances granted for the subject property.
12. Since 1993, there have been no similar variance requests in the immediate area heard by the Board of Zoning Appeals.
13. Master Plan/Zoning: The subject property is zoned R-2-5 and has been so zoned since adoption of the Third Revised Zoning Map in 1951, and is identified in the Potomac West Small Area Plan for residential land use.

REQUESTED VARIANCES:

Section 3-506(A)(1), Front Yard (Mt Ida):

The R-2-5 zone requires a front yard setback ratio of 25.00 feet. The proposed one-story screen porch is to be located 15.00 feet from the front property line facing East Mount Ida Avenue. The applicants are requesting a variance of 10.00 feet for the new structure.

NONCOMPLYING STRUCTURE:

The existing house at 2500 Dewitt Avenue is a noncomplying structure with respect to the following:

	<u>Required</u>	<u>Provided</u>	<u>Noncompliance</u>
Front Property Line			
(East Mt. Ida Ave)	25.00 ft	15.00 ft	10.00 ft
(Dewitt Avenue)	25.00 ft	19.80 ft	5.20 ft

STAFF ANALYSIS UNDER CRITERIA OF SECTION 11-1103:

1. Does strict application of the zoning ordinance result in undue hardship to the property owner amounting to a confiscation of the property, or prevent reasonable use of the property?

The property is irregular in shape; however, the lot does not have topographic constraints. In fact, this corner property is typical for platted corner lots along either Dewitt Avenue or East Mount Ida Avenue. The property is not substandard in lot area and has greater lot area and lot frontage than prescribed by the R-2-5 zone for a corner lot.. The zoning ordinance does not impose an undue hardship on the applicants for improvements to the lot. In fact, the applicants could build a porch in compliance with R-2-5 zone regulations; it would, however, have to be at the rear of the house. Th existing house is currently built into the required front yard facing East Mount Ida Avenue. Strict application of the zoning ordinance does not prevent reasonable use of the property.

2. Is the hardship identified above unique to the subject property, or is it shared by other properties in the neighborhood or the same zone?

Other corner lot properties share the same physical conditions as the subject property in that the existing buildings project into required front yard. Compared to other lots along East Mount Ida Avenue and Dewitt Avenue, the property is larger than its counterparts and the minimum R-2-5 zoned corner lot which affords it more opportunities to make improvements.

3. Was the hardship caused by the applicant and, if so, how was it created? Or did the condition exist when the property was purchased and, if so, did the applicant acquire the property without knowing of the hardship; how was the hardship first created?
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There is no hardship in this case. The applicants were aware of the close proximity of the house to East Mount Ida Avenue.

4. Will the variance, if granted, be harmful in any way to any adjacent property or harm the value of adjacent and nearby properties? Will it change the character of the neighborhood?
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The proposed improvement will some new mass facing East Mount Avenue. However, the new porch will not harm the value of adjacent and nearby properties.

5. Have alternate plans been considered so that a variance would not be needed?
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None that would meet the applicants' needs.

6. Is any other official remedy available to relieve the hardship?
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No other remedy except a variance.

STAFF: Barbara Ross, Deputy Director, and Peter Leiberg, Principal Planner, Department of Planning and Zoning

DEPARTMENTAL COMMENTS

Transportation and Environmental Services:

- F-1 T&ES has no objections or recommendations to the applicant's request.

Code Enforcement:

- C-1 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 taken to prevent the spread of rodents from the construction site to the surrounding community and sewers.
- C-2 Roof drainage systems must be installed so as neither to impact upon, nor cause erosion/damage to adjacent property.
- C-3 A soils report must be submitted with the building permit application.
- C-4 New construction must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-5 Alterations to the existing structure must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-6 Construction permits are required for this project. Plans shall accompany the permit application that fully detail the construction as well as layouts and schematics of the mechanical, electrical, and plumbing systems.

Recreation (Arborist):

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

Historic Alexandria (Archaeology):

- F-1 The Alexandria Gentlemen's Driving Club (St. Asaph Race Track) was incorporated in 1888 and allowed for legal betting. The race track was situated in the vicinity of this property. The lot therefore has potential to yield archaeological resources which could provide insight into this late 19th-century activity on the outskirts of town.

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- R-1 Call Alexandria Archaeology immediately (703-838-4399) if any buried structural remains (evidence of paths or roadways, 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.
- R-2 The above statements must appear in the General Notes of the site plan so that on-site contractors are aware of the requirement.

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.