

Docket Item # 3  
BZA CASE # 2003-0069

Board of Zoning Appeals  
March 11, 2004

**ADDRESS:** 9 EAST WALNUT STREET  
**ZONE:** R-2-5, RESIDENTIAL  
**APPLICANT:** TERENCE J. HILL, OWNER

**ISSUE:** Reapproval of a variance to construct a detached garage in the required rear yard and to extend an existing paved driveway in the required side yard to the rear of the lot.

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CODE SECTION	SUBJECT	CODE REQMT	APPLICANT PROPOSES	REQUESTED VARIANCE
3-506(A)(2)	Rear Yard	8.50 ft*	4.00 ft	4.50 ft
7-1005	Parking in Required East Side Yard	50 %	100%	50%

\* Based upon a building height of 8.50 feet to the eave line of the garage roof.

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This case was deferred by the applicant prior to the February 12, 2004 hearing.

(insert sketch here)

**STAFF CONCLUSION:**

This property does not meet the criteria for a variance.

**DISCUSSION:**

1. On June 14, 2001, the Board of Zoning Appeals reapproved a rear yard variance to allow the applicant to build a detached garage and pave more than 50 percent of the required east side yard for an extended driveway for the property at 9 East Walnut Street.
2. In reapproving the variance the Board believed the applicant demonstrated a hardship that locating the garage in another part of the rear yard was impractical and the garage would not have a significant negative impact on the neighborhood.
3. The applicant indicates a combination of financial constraints and construction advancements combined to delay construction of the new garage within the one-year time limit for the variance. The variance expired on June 14, 2002.
4. The applicant is submitting the exact same plans as he did in 2001. There is no change to the footprint of the proposed garage or extended driveway that would affect the requested variances.

**STAFF ANALYSIS UNDER CRITERIA OF SECTION 11-1103:**

Staff has attached the report on the prior variance request (BZA Case#2001-0024) and adopts its analysis and recommendations.

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

**DEPARTMENTAL COMMENTS**

Transportation and Environmental Services:

- F-1 No objections or recommendations.

Code Enforcement:

- F-1 The proposed underground connecting tunnel shall comply with all applicable provisions of the USBC including 3104 and shall meet all required egress, fire, mechanical, structural and lighting requirements for tunneled wallways.
- C-1 All exterior walls within 3 feet from an interior property line shall have a fire resistance rating of 1 hour, from both sides, with no openings permitted within the wall. As alternative, a 2 hour fire wall may be provided. This condition is also applicable to porches with roofs and skylights within setback distance.
- C-2 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-3 Roof drainage systems must be installed so as neither to impact upon, nor cause erosion/damage to adjacent property.
- C-4 A soils report must be submitted with the building permit application.
- C-5 New construction must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-6 Alterations to the existing structure must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-7 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.
- 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 plan.

Historic Alexandria (Archaeology):

- F-1 There is low potential for this project to disturb significant archaeological resources. No archaeological action is required.

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.