

Docket Item #3
BZA CASE # 2005-0003

Board of Zoning Appeals
March 10, 2005

ADDRESS: 802 RAMSEY STREET
ZONE: R-2-5, RESIDENTIAL
APPLICANT: KARL AND MARSHA SMITH, OWNERS

ISSUE: Variance to replace an existing screen porch with a larger sunroom in the required rear yard.

CODE SECTION	SUBJECT	CODE REQMT	APPLICANT PROPOSES	REQUESTED VARIANCE
3-506(A)(3)	Rear Yard	8.33 ft*	7.00 ft	1.33 ft

* Based upon a one to one setback ratio and a building height of 8.33 feet to midpoint of the gable roof which faces the west rear property line

(insert sketch here)

STAFF CONCLUSION:

The staff recommends **approval** of the request because the project meets the criteria for a variance.

If the Board decides to grant a variance, it should contain the conditions under the department comments. The variance must also be recorded with the deed of the property in the City's Land Records Office.

I. Issue

The applicants propose to replace an existing screen porch with a larger one-story sunroom at the rear of the existing house located in the required rear yard for the property at 802 Ramsey Street.

II. Background

The subject property is one lot of record with 50.00 feet of frontage facing 802 Ramsey Street, a depth of 91.93 feet along one side property line and 66.88 feet along the other side property line and totals 3,970 square feet of lot area. The property is substandard for a single-family lot and is a triangular shape along the rear property.

The existing one and one half-story brick single family dwelling is currently a noncomplying structure in that it does not comply with the front yard, south side yard and west rear yard setback requirements in the R-2-5 zone. The building complies with the north side yard setback requirement in the R-2-5 zone. The existing house with a front covered porch and a rear screen porch is built 24.00 feet from the front property line facing Ramsey Street, 8.00 feet from the north side property line and 4.50 feet from the south side property line and 7.00 feet from the west rear property line. The R-2-5 zone requires a front yard setback of 25.00 feet and a minimum side yard setback of 7.00 feet or one-third the building height whichever is greater. Based upon real estate assessment records, the house was constructed in 1935. The applicants purchased the property in 1998.



III. Description

The applicants propose to convert and enlarge an existing rear screen porch to a sunroom. The existing screen porch shed roof will be replaced with a gable roof. The existing screen porch measures 8.00 feet and 20.10 feet and totals 161 square feet and will be replaced with a sunroom addition that measures 12.00 feet by 20.10 feet and totals 241.10 square feet. A comparison of the existing and new structure is as follows:

	<u>Width</u>	<u>Length</u>	<u>Sq Ft</u>	<u>Height</u>
Existing Screen Porch	8.00 ft	20.10 ft	161 sq ft	8.00 ft
Proposed Sunroom	12.00 ft	20.10 ft	241 sq ft	9.16 ft
Change	+4.00 ft	no change	+80 sq ft	+1.16 ft

The sunroom will remain located along 20.00 feet of the rear building wall and will be located 7.00 feet from the west rear property line. Because of the change in roof height facing towards the rear property line a variance is required. The proposed one-story sunroom is 8.33 feet in height to the midpoint of the new gable end roof. The existing building is located 7.00 feet from the rear yard property line. Therefore, the applicants must apply for a rear yard variance of 1.33 feet.

Upon completion of the rear sunroom addition the subject property will continue to comply with the R-2-5 zone floor area requirement. (Refer to floor area calculations.)

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

IV. Master Plan/Zoning

The subject property is zoned R-2-5, residential 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.

V. Requested Variance

Section 3-506(A)(3), Rear Yard:

The R-2-5 zone requires a rear yard setback of 7.00 feet or the building height, whichever is greater. The proposed one-story sunroom is 8.33 feet in height to the mid-point of the new gable end roof. The existing building is 7.00 feet from the rear west property line. The applicants request a variance of 1.33 feet.

VI. Staff analysis under criteria of section 11-1103

To grant a variance, the Board of Zoning Appeals must determine that a unique characteristic exists for the property. Section 11-103 of the zoning ordinance lists standards that an applicant must address and that the Board believes exists and thus warrants varying the zoning regulations.

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- (1) The particular physical surroundings, shape, topographical condition or extraordinary situation or condition of the property that prohibits or unreasonably restricts the use of the property.
- (2) The property's condition is not applicable to other property within the same zoning classification.
- (3) Hardship produced by the zoning ordinance was not created by the property owner.
- (4) The granting of a variance will not be detrimental to the public or other property or the neighborhood in which the subject property is located. Nor will the granting of a variance diminish or impair the value of adjoining properties or the neighborhood.
- (5) The granting of the variance will not impair light and air to the adjacent property.
- (6) The granting of a variance will not alter the character of the area nor be detrimental to the adjacent property.
- (7) Strict application of the zoning ordinance will produce a hardship.
- (8) Such hardship is generally not shared by other properties in the same zone and vicinity.
- (9) No other remedy or relief exists to allow for the proposed improvement.
- (10) The property owner has explored all options to build without the need of a variance.

VII. Applicant's Justification for Hardship

The applicants justification for hardship is the lot is irregular in shape, has difficult topography and is substandard in lot area. In addition, the rear property line placed at an angle to the side property lines makes it difficult to comply with the rear setback requirements.

VIII. Staff Analysis

The lot is a triangular shape along the rear property line does create a difficulty in building onto the rear of the property. Staff notes that the property is substandard as to lot area; the lot is 1,100 square feet smaller than the minimum 5,000 square feet of lot area for a single-family zoned lot. However, difficult topography is not present.

The lot is dissimilar in configuration and character with other lots in size and width along Ramsey Street. The subject property is not similar in lot configuration nor placement of the house on the lot. The property is unique.

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Although the house is located nearly in compliance with the R-2-5 zone requirements it is placed deep in the lot and combined with the rear property line placed at an acute angle to the remaining property lines, limits expansion on the property. The new improvements to the house will not bring the existing house any closer to the rear property line than the existing house is now placed nor adjacent neighbors' properties facing the rear property line, it is only an increase in height and building mass that has changed. The applicants could enclose the existing screen porch without a variance. However, without the slight enlargement on this lot cannot accommodate the proposed improvement without a variance.

The requested variance, if granted, will not impair adjacent properties. The neighbor's home to the rear and west is located approximately 30.00 feet away from the subject property. The neighbor will continue to view a one and one-half story building; the sunroom will be no closer than existing building is now located.

Staff concludes that the characteristics of the lot of being substandard, the home's current placement on the lot and the irregular shape of the lot combine to create a hardship and unreasonable restriction on the property.

Staff therefore recommends **approval** of the variance.

STAFF: Hal Phipps, Division Chief
Peter Leiberg, Zoning Manager

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:

- C-1 Change in point of attachment or removal of existing overhead utility service, will require undergrounding or variance.

Code Enforcement:

- C-1 All exterior walls within 5 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 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.

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- 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.