

Docket Item #3
BZA CASE #2005-0020

Board of Zoning Appeals
May 12, 2005

ADDRESS: 7 SOUTH INGRAM STREET
ZONE: R-2-5, RESIDENTIAL
APPLICANT: CORA WILSON, OWNER

ISSUE: Special exception to construct a two story addition in the required side yard.

CODE SECTION	SUBJECT	CODE REQMT	APPLICANT PROPOSES	REQUESTED EXCEPTION
3-506(A)(2)	Side Yard	10.00 feet	8.25 feet	1.75 feet

(insert sketch here)

STAFF CONCLUSION:

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 a special exception, it should contain the conditions under the department comments. Special Exceptions must also be recorded with the deed of the property in the City’s Land Records Office.

I. Issue

The applicant proposes to construct an addition in the required west side yard of the property located at 7 South Ingram Street.

II. Background

The existing parcel is one lot of record with 26.01 feet of frontage on South Ingram Street. The parcel extends approximately 129.99 feet from South Ingram Street to the rear of the lot. The existing structure is a semi-detached dwelling which is adjoined by a party wall to the adjacent property at 5 South Ingram Street. The subject dwelling is a two-story masonry semi-detached dwelling located 26.70 feet from the front property line, 7.80 feet from the west side property line, and 75.00 feet from the north rear property line.



7 South Ingram Street

III. Description

The applicant proposes to construct a two-story addition and covered porch at the rear of the existing dwelling. The addition would measure approximately 19.00 feet from grade to the eave and 22.25 feet from grade to the rear-facing gable roof peak. The addition would measure 16.00 feet wide 21.33 feet long and would be located 8.25 feet from the west side property line.

The proposed covered porch would be constructed on the rear facade of the proposed addition. The proposed porch would be located outside of the required 10.00 foot minimum

side yard and would not require a variance. It would be located approximately 10.10 feet from the west side property line. The porch would measure 13.50 feet from grade to the roof peak and 13.00 feet wide by 12.00 feet long. An ADA ramp will be installed on the rear of the porch which would extend 2.00 feet beyond the width of the porch to the proposed setback of the two story addition. An existing rear patio would be removed to accommodate the proposed two-story addition and one-story open porch.

Upon completion of the work, the proposed renovations will continue to comply with the floor area requirements. (Refer to floor area calculations.)

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 Seminary Hill Small Area Plan for residential land use.

V. Requested Special Exception:
R-2-5 zone regulations state that each semi-detached dwelling must provide a minimum side yard of 10.00 feet. The proposed addition would be located 8.25 feet from the west side property line. Therefore, the applicant requests a special exception of 1.75 feet.

VI. Noncomplying structure
The dwelling at 7 South Ingram Street is non-complying with respect to the following:

<u>Yard</u>	<u>Required</u>	<u>Existing</u>	<u>Noncompliance</u>
Side (West)	10.00 feet	7.80 feet	2.20 feet

VII. Staff analysis under criteria of section 11-1302
This case asks the Board of Zoning Appeals to rule on whether a rear addition located within the required west side yard meets the standards adopted for a special exception for additions.

Special Exception Standards

The rules for additions built on noncomplying structures reflect Council's decision that property owners should be able to seek relief for modest improvements to their existing homes when the proposal involves the expansion of only one noncomplying wall projecting into a required yard. In such cases, an applicant no longer needs to file a variance and argue a legal hardship.

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 the 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. Neighborhood Impact

The proposed improvements will have minimal impact on the neighborhood. The proposed addition will not exceed the height of the existing dwelling and would not be easily perceived from the public right-of-way except at an oblique viewpoint. The side facade of the addition would be located behind the existing facade wall and would not encroach further into the required setback than the existing non-complying west dwelling facade.

IX. Light and Air

The proposed improvements will have some impact on the adjacent property's enjoyment of light and air. However, it is unlikely that the proposed addition will alter the character of the adjacent dwelling. The addition is located a significant distance from other neighboring properties and should not compromise light and air currently enjoyed by other properties.

X. Location of Improvements

The location of the proposed improvements will create the least impact to the neighborhood as it will not create additional mass on the block face nor be easily seen from South Ingram Street. The addition will not be located within close proximity of any other structure than the adjoining dwelling at 5 South Ingram. This location is the only location where the footprint of the existing dwelling could be reasonably expanded.

XI. Staff Conclusion

Staff concludes that the addition will not have an adverse impact on the block face. The improvements will not alter the character of the neighborhood and will have minimal impact on the adjacent property but should not affect the character of the dwelling. Staff finds that the proposed improvements meet the criteria for special exception.

Staff recommends approval of the special exception.

STAFF: Hal Phipps, Chief, Planning & Zoning
Rasheda DuPree, Urban Planner, Planning & Zoning

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:

F-1 No comments.

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.
- 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 will be 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.