

Docket Item #11
BZA CASE #2005-0062

Board of Zoning Appeals
November 10, 2005

ADDRESS: 219-A NORTH WEST STREET
ZONE: RB, RESIDENTIAL
APPLICANT: SARAH ALLEN, OWNER

ISSUE: Variance to reduce the required open space from 800 square feet to 362 square feet and pave the required front yard to accommodate required off-street parking for a new single-family dwelling on an outlot approved by special use permit.

CODE SECTION	SUBJECT	CODE REQMT	APPLICANT PROPOSES	REQUESTED VARIANCE
3-706(B)	Open Space	800 sq ft	362 sq ft	438 sq ft

Staff **recommends approval** of the request because the applicant has demonstrated a hardship.

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 prior to the release of the building permit.

BOARD OF ZONING APPEALS ACTION OF NOVEMBER 10, 2005: On a motion to approve by Mr. Allen, seconded by Mr. Koenig the variance was approved by a vote of 6 to 0. Mr. Lantzy abstained.

Reason: The applicant demonstrated a hardship due to the size of the lot.

Speakers:

Sarah Allen, owner, made the presentation.

BZA 2005-00062

I. Issue

The applicant proposes to construct a new carriage house on an outlot approved by special use permit with less open space than required and to pave the entire front yard of the new house facing a public alley to accommodate a parking space at 219-A West Street.

II. Background

The subject property, an outlot, facing a public alley along its east property line has 18.50 feet of frontage facing a public alley, a depth of 50.00 feet and a lot area totaling 930 square feet. The subject lot is substandard for an RB, residential zoned lot. The minimum lot size for a single-family dwelling is 1,980 square feet.

On September 20, 2005, the City Council granted Special Use Permit #2004-00105 to the applicant to construct a detached single-family dwelling with a reduction in off-street parking from two standard parking spaces to one smaller parallel parking space.



View of lot from alley



View of lot from North West Street

III. Description

As indicated on the submitted plat, the proposed two-story carriage house is located 8.00 feet from east property line facing a public alley, on the north and south property lines and 20.00 feet from the west property line. A parallel parking pad measuring 8.00 feet by 18.50 feet is located between the new building and the public alley. An open lawn on the west side of the building measures 20.00 feet by 18.50 feet and totals 362 square feet of required open space. The building height is approximately 16.00 feet from grade to the eave line facing the public alley and 20.00 feet from the ground to the eave line of the roof.

As shown on the submitted floor plans, the proposed carriage house will accommodate in the basement a den, utilities and bathroom; on the first floor kitchen, bathroom and great room with a fire place; and on the second floor a bedroom, closets and bathroom.

The subject property is located in the Parker-Gray Historic District and is under the jurisdiction of the Board of Architectural Review (BAR). The proposed new construction will require a Certificate of Appropriateness by the BAR. Staff is concerned about the design of the proposed new construction, with the use of false shutters on the side elevations, and the use of a fixed door, which mimics a carriage house door, on one of the primary facades. Since this is a new construction project, the use of false shutters and other elements is inappropriate. While compatible architectural design that mimics existing historic style is encouraged, staff believes that the use of false elements should be deleted from the design.

Upon completion of the proposed carriage house, the property will comply with the allowable floor area, side and rear yard setbacks. (Refer to attached floor area computation sheet).

IV. Master Plan/Zoning

The subject property is zoned RB, residential and has been so zoned since adoption of the Third Revised Zoning Map in 1951 and identified in the Rosemont Small Area Plan for residential land use.

V. 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.

- (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.

VI. Applicant's Justification for Hardship

The applicant indicates that the subject property is a grandfathered lot and extremely substandard in lot area and the zoning regulations place a disproportionate open space requirement on substandard size lot. Lastly, the applicant states in order to address the requirement of one off-street parking space, it cannot be met without paving all of the yard facing a public alley. The applicant has obtained City Council approval to build on a substandard outlot and provide a smaller parking space in the location shown on the plat. Enforcement of the zoning ordinance will in the opinion of the owner prevent reasonable use of the property.

IX. Staff Analysis

Staff finds that the strict application of the zoning ordinance does result in a legal hardship for the applicant. A substandard lot totaling 930 square feet cannot reasonable meet the open space requirement of 800 square feet and allow for the construction of the carriage house. In order to access required parking the applicant must pave the yard facing the alley to comply with the approved special use permit.

Based upon the above findings, staff **recommends approval** of the variance.

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

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:

F-1 No comments.

Code Enforcement:

F-1 No comments.

Recreation (Arborist):

F-1 No trees are affected by this plan.

Historic Alexandria (Archaeology):

F-1 The G.M. Hopkins Insurance Atlas indicates that a house was present on this lot in 1877. The property therefore has the potential to yield archaeological resources that could provide insight into domestic activities in 19th-century Alexandria.

R-1 Call Alexandria Archaeology immediately (703-838-4399) 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.

R-2 The above statement 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.

