

Docket Item # 4
BZA CASE #2006-0018

Board of Zoning Appeals
May 11, 2006

ADDRESS: 801 Hilltop Terrace
ZONE: R-5, Residential
APPLICANT: David P. and Leigh W. Dugan

ISSUE: Requesting a special exception to build a two-story addition that connects to an existing detached garage 16.00 feet from the front property line facing Hilltop Terrace.

CODE SECTION	SUBJECT	CODE REQMT	APPLICANT PROPOSES	REQUESTED EXCEPTION
3-406(A)(1)	Front Yard	25.00 feet	16.00 feet	9.00 feet

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 prior to the release of a building permit.

(insert sketch here)

I. Issue

The applicants propose to construct a two-story addition located between the front wall of their existing house and existing detached one-story garage at 801 Hilltop Terrace. The two story addition will extend the noncomplying front building wall of the house although be slightly recessed behind the plane of the main south wall of the existing dwelling to the current location of the existing south wall of the one-story garage. A rear one-story addition attached to the new construction facing the north side property line will be built in compliance with the R-5 zone regulations.

II. Background

The subject property, a corner lot, is one lot of record with 100.00 feet of frontage on Hilltop Terrace, 50.00 feet of frontage facing West View Terrace and totals 5,000 square feet. The subject property is substandard for a corner lot zoned R-5 residential. A complying corner lot is 6,500 square feet.

A one and one-half story brick cape code dwelling with an attached screen porch and detached one-story garage is located 14.90 feet from the south front property line facing Hilltop Terrace, 16.80 feet from the front property line facing West View Terrace and 11.00 feet from the north side property line. An existing detached brick garage is located 14.90 feet from the front property line facing Hilltop Terrace and 19.00feet from the west side property line. Real estate assessment records indicate the house was built in 1925.

III. Discussion

The proposed two story addition will built slightly behind the front south wall of the existing dwelling approximately 16.00 feet facing Hilltop Terrace and 7.00 feet from the north side property line. The proposed addition would create a physical link between the existing dwelling and the existing brick one-car garage.

The two-story addition measures 17.00 feet wide by 27.00 feet deep and totals 982 square feet. The addition is approximately 29.00 feet from grade to top of the roof and 23.00 feet in height to the eave line facing the existing garage and west side property line. The new addition will accommodate a family room on the first floor and two separate bedrooms and closets for the applicants' children on the second floor. The one-story addition at the rear of the new two-story construction facing the north side property line is approximately 12.00 feet from grade to the roof eave and located 7.00 feet from the north side property line in compliance with the R-5 side yard requirements. The rear one-story addition will accommodate a new bath and screen porch directly behind the garage. The garage will continue to be used as storage and parking of a small vehicle. The existing gable style roof on the garage will be removed and replaced with a flat roof that will in turn be used as a roof porch similar to the existing roof porch on the West View Terrace side of the house.

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

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

IV. Master Plan/Zoning

The subject property is zoned R-5, residential, and has been so zoned since adoption of the Third Revised Zoning Map in 1951 and identified in the Taylor Run/Duke Street Small Area Plan for residential land use.

V. Requested Special Exception

Section 3-506(A)(1), Front Yard

The R-5 zoning regulations state that each use must provide a minimum 25.00 foot setback from the front property line. The proposed two-story addition will be slightly recessed with the existing front building wall of the main house and garage wall. The new addition will be located 16.00 feet from the front property line facing Hilltop Terrace. A special exception of 9.00 feet is requested.

VI. Noncomplying structure

The existing building at 801 Hilltop Terrace is a noncomplying structure with respect to the following:

	<u>Existing</u>	<u>Required</u>	<u>Noncompliance</u>
Front Yard (Hilltop)	14.90 feet	25.00 feet	10.10 feet
(West View Terrace)	16.80 feet	25.00 feet	8.20 feet

VII. Special Exceptions Standards

To grant a special exception, the Board of Zoning Appeals must find that the strict application of the zoning ordinance creates an unreasonable burden on the use and enjoyment of the property. Section 11-1304 of the zoning ordinance lists standards that an applicant must address and that the Board believes exists and thus warrants granting a special exception of the zoning regulations.

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. Staff Analysis

The subject lot is a substandard corner lot but similar to other single-family corner lots in the George Washington Park neighborhood. The proposed two-story addition is modest in scale fitting in nicely between the existing house and one-story garage. The addition is only 17.00 wide when viewed from the street. The applicants have maintained the addition's window symmetry and alignment with the existing house to read as one structure. When viewed from the street the house will not appear large or does it overwhelm the block face character. From the street however, the new addition will not radically change the architectural character of the house as compared to the other homes on the block..

Excess building mass and overbuilding on a property can have detrimental impact on neighboring homes and a neighborhood in general. In this case the applicants Staff believes, given the lot characteristics and the applicants' creative desire to build between the main house and garage rather than add another story or possibly larger side yard addition facing the neighbor to the north was a good decision. The property owner to the north will not have the full height of the addition but rather a one-story addition between the north property line and two-story addition. The proposed addition does not appear to negatively impact the neighboring home to the north. The applicants are modestly enlarging their house by adding less than 982 square feet. On balance, the staff feels that the limited amount of building area proposed and the effort to build within the footprint rather than add a larger rear addition combine to support the application.

Staff believes that the applicants' property meets the test for a special exception, because the proximity of the building improvements to the shared north side property line will afford the adjoining property continued light and air. The proposed design when viewed from the street does not unduly exacerbate existing conditions on the lot nor impact the neighborhood architectural character.

Staff **recommends approval** of the request for special exception.

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:

- R-1 The building permit plans shall include information on the location of down spouts and/or sump pump discharge along with connections to a public storm sewer if within 100 feet of the property. If a connection is not available, other approved methods to the satisfaction of the Director of Transportation and Environmental Services may be used (refer to attached June 18, 2004, letter from the Director of Transportation and Environmental Services regarding downspouts, foundation drains and sump pumps). (T&ES)

- C-1 City Code Section 8-1-22 requires that roof, surface and sub-surface drains be connected to the public storm sewer system. Where storm sewer is not available applicant must provide a design to mitigate impact of stormwater drainage onto adjacent properties and to the satisfaction of the Director of Transportation & Environmental Services. (T&ES)

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

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application that fully detail the construction as well as layouts and schematics of the mechanical, electrical, and plumbing systems.

- C-7 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.

Recreation (Arborist):

- F-1 No specimen 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.