

Docket Item #3
BZA CASE #2006-0025

Board of Zoning Appeals
June 8, 2006

ADDRESS: 22 E WALNUT STREET
ZONE: R-2-5, RESIDENTIAL
APPLICANT: DAVID M WILLIAMSON

ISSUE: Request a special exception to construct a rear second-story dormer 5.90 feet from the east side property line.

CODE SECTION	SUBJECT	CODE REQMT	APPLICANT PROPOSES	REQUESTED EXCEPTION
3-506(A)(2)	Side Yard (East)	8.00 ft*	5.90 ft	2.10 ft

* Based on a building height of 24.00 feet to the midpoint of the new gable roof end.

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 applicant proposes to construct a new second story shed dormer on the rear of the house at 22 East Walnut Street.

II. Background

The subject property is one lot of record with 40.00 feet of frontage facing East Walnut Street, a depth of 100.00 feet and a lot area of 4,000 square feet. The property is substandard for an R-2-5 zone interior lot that requires a minimum of 5,000 square feet. The property is occupied by a two-story brick and frame dwelling with a covered open front porch located 12.00 feet from the front property line facing East Walnut Street, 8.20 feet from the west side property

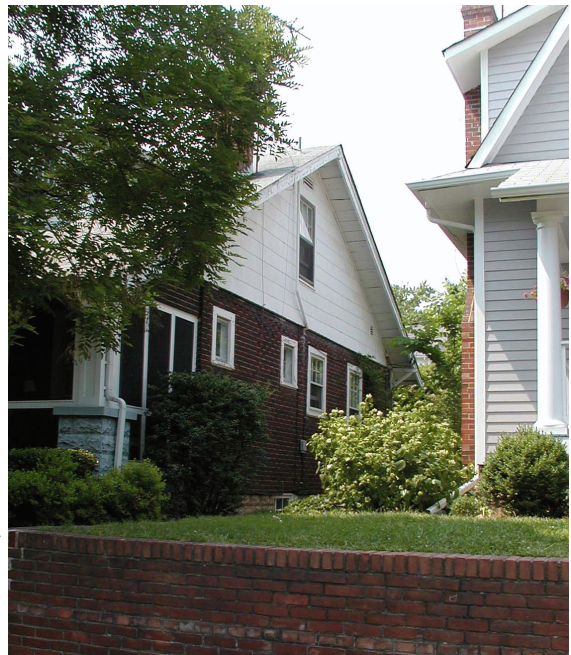


line, 5.90 feet from the east side property line and 49.00 feet from the rear property. A detached stone garage is located at the rear of the property and on the east side property line served by a shared driveway with the abutting neighbor at 20 East Walnut Street. Real estate assessment records indicate the house was built in 1925.

III. Description

The applicant has chosen not to set the proposed rear second floor dormer to comply with the east side yard setback. To carry the structural load of the new shed dormer the applicant is preferring to place the new dormer in line with the existing house footprint for maximum construction support. The applicant states setting the new dormer in from the existing building wall line will require elaborate construction reinforcement that is expensive.

The new rear shed dormer will extend across the rear roof and measures 27.50 feet (including roof overhang) facing the rear yard by 19.00 feet in



depth. The new dormer will align with the east side building wall that is located 5.90 feet from the east side property line. The new dormer will comply facing the west side yard property line. A special exception of 4.10 feet is being requested. The property at 20 East Walnut is currently vacant and the applicant has attempted without success to contact the owner(s) to receive comments on the proposed improvement.

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 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 identified in the Potomac West Small Area Plan for residential land use.

V. Requested Special Exception

Section 3-506(A)(2), SideYard:

The R-2-5 zone requires a minimum side yard setback of 7.00 feet. The proposed rear dormer that aligns with the existing home's east building wall is located 5.90 feet from the east side property line. Based on a building height of 24.00 feet to the midpoint of the new gable end an 8.00 feet side yard is required. A special exception of 2.10 feet is requested.

VI. Staff analysis under criteria of section 11-1302

This case asks the Board of Zoning Appeals to rule on whether a proposed rear second floor dormer located within the required east side yard meets the standards adopted for a special exception for additions.

Special Exception 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.

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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.

VII. Staff Analysis

The proposed rear shed dormer is in keeping with the building's architecture and does not unduly create more building mass facing the adjoining properties. There are many homes along the block with similar rear and front dormers.

The staff recommends **approval** of the 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:

- F-1 No objections to proposed second-story dormer.
- C-1 Roof, surface and sub-surface drains be connected to the public storm sewer system, if available, by continuous underground pipe. Where storm sewer is not available applicant must provide a design to mitigate impact of storm water drainage onto adjacent properties and to the satisfaction of the Director of Transportation & Environmental Services. (Sec.8-1-22)
- C-2 Any work within the right-of-way requires a separate permit from T&ES.
- C-3 Change in point of attachment or removal of existing overhead utility services will require under grounding or a variance. (Sec. 5-3-3)

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 New construction must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-4 Alterations to the existing structure must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-5 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.

Recreation (Arborist):

F-1 No trees are affected by this plan.

Historic Alexandria (Archaeology):

F-1 There is minimal ground disturbance involved in this project. 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.