

Docket Item # 2
BZA CASE #2006-0031

Board of Zoning Appeals
July 13, 2006

ADDRESS: 511 QUEEN STREET
ZONE: RM/RESIDENTIAL
APPLICANT: JAMES WOODS AND ROSEMARY FURFARO

ISSUE: Requesting a variance from one required side yard of 5.00 feet in order to construct a two story addition 3.50 feet from the property line.

CODE SECTION	SUBJECT	CODE REQMT	APPLICANT PROPOSES	REQUESTED VARIANCE
3-1106(A)(2)(a)	Side Yard (West)	5.00 feet	3.50 feet	1.50 feet

BOARD OF ZONING APPEALS ACTION OF JULY 13, 2006: On a motion to approve by Mr. Allen, seconded by Mr. Hubbard, the variance was approved by a vote of 6 to 0.

Reason: The Board agreed with its previous ruling, a hardship was demonstrated due to the irregular shape of the lot.

Speakers:

John Savage, architect, made the presentation.

The staff **recommends approval** of the requested variance because the request meets the criteria for a variance. This approval is conditional on the review and approval of the Old and Historic Alexandria Board of Architectural Review.

If the Board decides to grant a variance, it should contain the conditions under the department comments. Variances 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.

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(insert sketch here)

I. Issue

On September 8, 2005, the Board of Zoning Appeals agreed with staff and approved a variance to (1) widen an existing rear one-story addition and build a second floor and (2) build a new two-story addition directly behind and in line with the renovated existing rear addition for the dwelling located at 511 Queen Street. The proposed addition and renovated rear addition are to be located in the required west side yard. _____

Due to personal reasons the applicants will not be able to commence construction within the one-year time limit for a variance. The variance will expire on September 8, 2006. The applicants are resubmitting the exact plans that were filed before the Board of Zoning Appeals in 2005 with the exception of a chimney and two roof ventilation dormers. The building footprint and building mass have not changed and continue to reflect the building elevations and the front and side yard setbacks.

The subject property is located in the Old and Historic Alexandria District and is under the jurisdiction of the Board of Architectural Review (BAR). This application was approved by the Board on January 18, 2006 for a permit to Demolish /Encapsulate and a new addition and alterations. The submitted drawings for the BZA application match the approved drawings for BAR. It is staff's understanding that the application is going back to BZA to seek a re-approval since the original approval of the variance will expire in September 2006 and the work will not have begun at that time.

II. Background

The subject property is located on one lot of record containing 29.01 feet of frontage on Queen Street (the lot narrows from 29.01 feet to 21.00 feet where the existing rear addition is now located), extends 173.09 feet to the rear lot line. The existing two-story frame dwelling is located 13.00 feet from the front property line facing Queen Street, on the west side property line and 3.50 feet from the east side property line. The subject dwelling contains an existing rear addition measuring 12.00 feet wide by 15.00 feet. The addition is located on the west property line and is approximately 3.50 feet from the east side property line. The rear north facade is 94.00 feet from the rear property line. The applicants proposed to widen the existing rear addition by approximately 4.50 feet and build a second story and also construct a new two-story addition in line with the existing rear addition.

The Board unanimously granted the variance because a hardship was demonstrated due to the irregular shape of the lot.

III. Staff Conclusion

Staff has attached the report of the prior variance request (BZA Case#2005-0043). Staff confirms the same analysis and recommends reapproval.

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 City Code Section 8-1-22 requires that roof, surface and sub-surface drains be connected to the public storm sewer system. 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)
- R-2 Applicant shall be responsible for repairs to the adjacent city right-of-way if damaged during construction activity. (T&ES)
- C-1 Any work within the right-of-way requires a separate permit from T&ES. (Sec. 5-3-61)
- C-2 Roof drains and sub-surface drains shall be connected to the city storm sewer system, if available, by continuous underground pipe. (Sec. 8-1-22)
- C-3 Change in point of attachment or removal of existing overhead utility services will require undergrounding or a variance. (Sec. 5-3-3)

Code Enforcement:

- F-1 The proposed plan includes windows located within 5 feet of interior lot lines. Windows and openings shall comply with C-1 below:
- 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 of the wall. As alternative, a 2 hour fire wall may be provided. This condition is also applicable to skylights within setback distance. Openings in exterior walls between 3 and 5 feet shall not exceed 25% of the

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area of the entire wall surface (This shall include bay windows). Openings shall not be permitted in exterior walls within 3 feet of an interior lot line.

- 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 specimen trees are affected by this application.

Historic Alexandria (Archaeology):

- F-1 A 1784 deed reference indicates the possibility that a house may have been present on this lot in the 18th century. The G.M. Hopkins Insurance map shows that a house was definitely present by 1877. Therefore, there is the potential for archaeological resources to be present that could provide insight into residential life in early Alexandria.

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- 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 Contact Alexandria Archaeology (703-838-4399) two weeks prior to any ground disturbing activity (such as coring, grading, filling, vegetation removal, undergrounding utilities, pile driving, landscaping and other excavations as defined in Section 2-151 of The Zoning Ordinance) on this property. City archaeologists will provide on-site inspections to record significant finds.
- R-3 The above statements in R-1 and R-2 must appear in the General Notes of all site plans 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.