

Docket Item #3
BZA CASE #2006-0035

Board of Zoning Appeals
July 13, 2006

ADDRESS: 628 S. ST. ASAPH
ZONE: RM, RESIDENTIAL
APPLICANT: KIM GAVIN

ISSUE: Reapproval of a variance to construct a two-story rear addition to be constructed on the south side property line.

CODE SECTION	SUBJECT	CODE REQMT	APPLICANT PROPOSES	REQUESTED VARIANCE
3-1106(A)(2)(a)	Side Yard (South)	5.00 feet	0.00 feet	5.00 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, the application meets the criteria for a variance.

Speakers:

Kim Gavin, owner, made the presentation.

Staff **recommends reapproval** 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.

(insert sketch here)

I. Issue

On May 12, 2005, the Board of Zoning Appeals agreed with staff and approved a variance to build a new two-story addition directly behind and in line with the existing dwelling at 628 South St. Asaph Street. The proposed addition will be built in the required south side yard. The new addition will align with the existing party wall located along the north side yard property line.

Due to delay in obtaining a contractor and architectural services the applicant was unable to commence construction within the one-year time limit for a variance. The variance expired May 12, 2006. The applicant is resubmitting the exact plans that were filed before the Board of Zoning Appeals in 2005. The building footprint and building mass have not changed and continue to reflect the building elevations and side yard setbacks.

II. Background

The subject property is located on one lot of record containing 11.70 feet of frontage on South Saint Asaph Street. The lot extends 73.42 feet from South Saint Asaph Street to the rear lot line. The existing two story frame dwelling is attached by a party wall to the adjacent dwelling to the north at 626 South Saint Asaph Street. The subject dwelling is located on the south side property line and is abutting a second story overhang on the adjacent dwelling at 630 South Saint Asaph Street. The subject dwelling contains an existing rear addition measuring 7.80 feet wide by 9.10 feet long. The addition is located on the north property line and is approximately 4.50 feet from the south property line. The rear east facade is 40.00 feet from the rear property line. This addition would be removed and replaced with a larger addition extending the entire width of the lot.

The Board unanimously granted the variance based on the staff recommendation that the property met the criteria for a variance.

III. Staff Conclusion

Staff has attached the report of the prior variance request (BZA Case#2005-0012). Staff confirms the same analysis and recommends reapproval.

STAFF: Hal Phipps, Division Chief, Planning and Zoning
Peter Leiberger, 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:

See BZA2005-00112

Code Enforcement:

See BZA2005-00112

Recreation (Arborist):

See BZA2005-00112

Historic Alexandria (Archaeology):

See BZA2005-00112

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.