

Docket Item #3
BZA CASE #2006-0050

Board of Zoning Appeals
December 14, 2006

ADDRESS: 200 SUMMERS DRIVE
ZONE: R-5, RESIDENTIAL
APPLICANT: LAWRENCE AND REBECCA LAROCHE, OWNERS

ISSUE: Special exception to construct a second story, a front covered porch and a one story addition in the required east side yard.

CODE SECTION	SUBJECT	CODE REQMT	APPLICANT PROPOSES	REQUESTED EXCEPTION
3-406(A)(2) (East)	Side Yard (Second-Story)	7.50 feet*	2.30 feet	5.20 feet
	Side Yard (Rear Addition)	7.00 feet**	2.40 feet	4.60 feet
	Side Yard (Porch)	7.00 feet***	2.30 feet	4.70 feet

* Based on a building height of 22.50 feet to the mid point of the gable roof facing the east side property line.

** Based on a building height of 13.00 feet to the eave line of the hip roof facing the east side property line.

*** Based on a building height of 13.00 feet to the mid point of the gable roof facing the east side property line.

BOARD OF ZONING APPEALS ACTIONS OF DECEMBER 14, 2006: On a motion to approve Mr. Lantzy, seconded by Mr. Curry, the special exception was approved by a vote of 7 to 0.

Reason: The application met the criteria for a special exception as outlined in the staff report.

Speakers:

Larry and Rebecca Laroche, owners, made the presentation.

Barbara Haley, neighbor at 206 Summers Drive, spoke in support.

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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 improve their house at 200 Summers Drive by (1) constructing a second story addition above the footprint of the existing one-story house, (2) build a new rear one-story addition and (3) build a covered open front porch in line with the prevailing front setback facing Summers Drive. Because the existing east building wall currently projects into the required side yard, the applicants must obtain a special exception to build in line with the home's east building wall facing the east side property line. The new front porch complies with the prevailing front setback facing Summers Drive. However, because the porch foundation is built into the required east side yard a special exception must be approved.

II. Background

The subject property, one lot of record, has 50.00 feet of frontage facing Summers Drive, a depth of 100.00 feet and totals 5,000 square feet. The subject lot is not substandard for an R-5 zone interior lot where the minimum lot size is 5,000 square feet.

The existing one and one-half story stucco/frame dwelling is located 22.00 feet from the front property line facing Summers Drive, 2.30 feet from the east side property line, 11.66 feet from the west side property line and approximately 37.00 feet from rear property line. An existing driveway parallels the house along the west side property line. Real estate assessment records indicate the house was constructed in 1927.

As indicated on the submitted plat, the existing house is built within the required east side yard. The existing house complies with the required front yard, west side yard and rear yard setback.

III. Description

The applicants propose to construct a second story above the footprint of the existing house, build a new front covered porch and build a one-story rear addition. The applicants are enlarging their house now at 1,195 net square feet to 2,197 net square feet (adding 1,002 square feet). The zoning allows the applicant to build 2,250 net square feet. The new second story will align with the existing building walls. The new second-story measures approximately 36.00 feet by 39.00 feet. The new two-story house will be a gable end style roof and will measure 22.50 feet from grade to the mid point of the gable roof facing the east side property line and 31.00 feet in height to the top of the roof facing the east side property line. The proposed second floor will accommodate a master bedroom, sitting area, bathroom and closets. The new second floor will be located 2.30 feet from the east side property line and 11.66 feet from the west side property line. The proposed one-story covered open porch measures 8.00 feet by 14.50 feet and is located 2.30 feet from the east side property line and 22.00 feet from the front property line facing Summers Drive. The porch foundation aligns with the existing home's east building wall. Last, a one-story rear addition measuring 9.00 feet by 13.00 feet and is located 2.40 feet from the east side property line.

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The new one-story rear addition with a hip roof will measure 13.00 feet from grade to the roof eave line facing the east side property line. The proposed rear addition will accommodate a mudroom.

Because the applicants are altering one noncomplying wall located within the required east side yard the project is eligible for a special exception.

There have been no prior variances or special exceptions applied for or approved 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 Potomac West Small Area Plan for residential land use.

V. Requested Special Exception:

Section 3-406(A)(2) Side Yard (South)

The applicants request a special exception from the required minimum 7.00 foot side yard requirement. The proposed second-story, front porch and rear addition project into the required east side yard. The existing building foot print is located approximately 2.30 feet from the east side property line. The applicants request a special exception of 5.20 feet, 4.60 feet and 4.70 feet respectively.

VI. Noncomplying Structure

The existing building at 200 Summers Drive is a noncomplying structure with respect to the following:

<u>Yard</u>	<u>Required</u>	<u>Existing</u>	<u>Noncompliance</u>
Side (East)	7.00 feet	2.30 feet	4.70 feet

VII. 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.
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 Conclusion

The subject lot is similar to other single-family lots along Summers Drive. An inspection of the immediate neighborhood revealed homes are characterized as one and two-story homes located within 25.00 feet from the front property line facing Summers Drive. Construction of the new second floor will have an impact on the immediate neighbor at 106 Summers Drive and the second floor addition, porch and rear addition could reduce light and air enjoyed by the neighboring property. However, in this case, based on Sanborn maps the neighbor's house at 106 Summers Drive a two-story dwelling is approximately 10.00 feet from the applicants' building. The R-5 zone requires a minimum of 7.00 feet to a common side property line. The location of the neighbor's house to the applicants' building affords a reasonable distance to reduce the impact of the proposed second floor on their light and air. In fact the neighbors at 106 Summers Drive support the applicants' request. Staff believes, given the lot characteristics and building location between the two neighboring homes, the proposed improvements will not appear to negatively impact the neighboring home. From the street however, the new second floor will change the architectural character of the house as compared to the other homes on the block. However, since the existing house is located 22.00 feet from the front property line, the new height of the building is minimized. The proposed building height is consistent with the neighborhood.

Staff believes that the applicants' property meets the test for a special exception, because the new construction will be consistent with other two-story dwellings on the block. The proposed design, when viewed from the street, does not unduly exacerbate existing conditions on the lot nor impact the neighborhood's architectural character.

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

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 Memorandum to Industry dated June 18, 2004. Memorandum is available online at the City web site under Transportation\Engineering and Design\Memos to Industry.]. (T&ES)
- R-2 Applicant shall be responsible for repairs to the adjacent city right-of-way if damaged during construction activity. (T&ES)
- F-1 If the construction of the building addition results in total land disturbing activities in excess of 2500 square feet, the applicant shall provide a PLOT PLAN showing all improvements and alterations to the site which must be approved by T&ES prior to issuance of any building permits. (T&ES)
- F-2 If the construction of the building additions results in total land disturbing activities in excess of 2500 square feet, the applicant is required to comply with the provisions of Article XIII of the City's zoning ordinance for stormwater quality control. (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:

- 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 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 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.
- C-6 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-7 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 trees are 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.