

Docket Item #3
BZA CASE #2007-0002

Board of Zoning Appeals
April 12, 2007

ADDRESS: 2417 TAYLOR AVENUE
ZONE: R-8, RESIDENTIAL
APPLICANT: GEOFFREY AND LAUREN CHESTER, OWNERS

ISSUE: Variance to construct a screened porch in the required vision clearance area.

CODE SECTION	SUBJECT	CODE REQMT	APPLICANT PROPOSES	REQUESTED VARIANCE
7-801(A)	Vision Clearance	100.00 ft	90.00 ft	10.00 ft

BOARD OF ZONING APPEALS ACTIONS OF APRIL 12, 2007: On a motion to approve with the condition that the porch not be enclosed by Mr. Lantzy, seconded by Mr. Hubbard, the variance with condition was approved by a vote of 6 to 0.

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

Speakers:

Geoffery Chester, owner, made the presentation.

Staff **recommends approval** of the request because the applicants have 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

The applicants propose to build a front screen porch in line with the front entrance of the house at 2417 Taylor Avenue.

A small portion of the proposed front screen porch will be located in the vision clearance triangle where Taylor Avenue and Tyler Place intersect. The screen porch will align with the existing house facing Taylor Avenue in compliance with the prevailing front setback of homes along this section of Taylor Avenue and Tyler Place.

II. Background

The subject property, a corner parcel, is one lot of record with 70.13 feet of frontage on Taylor Avenue, 75.00 feet of frontage facing Tyler Place and a lot area of 6,600 square feet. The subject property is substandard in lot area and lot width. The R-8 zone requires a minimum of 9,000 square feet of lot area for a corner lot. In addition, a corner lot must be at least 80.00 feet in lot width (The subject lot is approximately 10.00 feet and 5.00 feet shorter in lot width).

An existing one one-half-story single family dwelling with a detached brick garage is located 25.00 feet from the front property line facing Taylor Avenue, 25.60 feet from the front property line facing Tyler Place, 7.30 feet from south side property line, and 21.00 feet from line east side property line. A surface driveway parallels the east side property line and provides access to a detached garage located 0.50 feet from the east side property and south side property line. Real estate assessment records indicate the house was built in 1952.

III. Description

The applicants wish to build a screen porch in line with the existing house facing Taylor Avenue and facing Tyler Place. The proposed screen porch measures 14.30 feet by 11.30 feet by 13.10 feet in height to the top of the roof ridge. The new porch will total 164 square feet. Approximately 45 square feet (10.00 feet by 9.00 feet) of the new porch is located within the vision clearance setback area at the intersection of Taylor Avenue and Tyler Place. The proposed screened porch will result in the vision clearance area reduced from 100.00 feet to 90.00 feet (refer to attached plat).

The Department of Transportation and Environmental Services does not object to a reduction in the vision clearance area.

There have been no prior variance requests before the Board of Zoning Appeals on the subject property.

IV. Master Plan/Zoning

The subject property is zoned R-8 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 Variance:

Section 7-801(A), Vision Clearance:

The applicants request a variance from the required minimum 100.00 foot vision clearance requirement. The proposed screen porch will reduce the vision clearance area from 100.00 feet to 90.00 feet. The applicant requests a variance of 10.00 feet from this requirement.

VI. Staff analysis under criteria of section 11-1103

To grant a variance, the Board of Zoning Appeals must determine that a unique characteristic exists for the property. Section 11-1103 of the zoning ordinance lists standards that an applicant must address and that the Board believes exists and thus warrants varying the zoning regulations.

- (1) The particular physical surroundings, shape, topographical condition or extraordinary situation or condition of the property that prohibits or unreasonably restricts the use of the property.
- (2) The property's condition is not applicable to other property within the same zoning classification.
- (3) Hardship produced by the zoning ordinance was not created by the property owner.
- (4) The granting of a variance will not be detrimental to the public or other property or the neighborhood in which the subject property is located. Nor will the granting of a variance diminish or impair the value of adjoining properties or the neighborhood.
- (5) The granting of the variance will not impair light and air to the adjacent property.
- (6) The granting of a variance will not alter the character of the area nor be detrimental to the adjacent property.
- (7) Strict application of the zoning ordinance will produce a hardship.
- (8) Such hardship is generally not shared by other properties in the same zone and vicinity.

- (9) No other remedy or relief exists to allow for the proposed improvement.
- (10) The property owner has explored all options to build without the need of a variance.

VII. Applicant's Justification for Hardship

The applicants state although there is no specific legal hardship for the property, the zoning ordinance places an unreasonable restriction as to applying the vision clearance requirement. Although the proposed screen porch will extend slightly into the vision clearance area, the porch will not impede vehicular line of sight when approaching the Taylor Avenue and Tyler Place intersection. In fact, the applicants state there will continue to be over 25 feet of clearance on both sides of the house to the front property lines adjacent to both streets.

V. Staff Analysis

A reduction in the vision clearance area will not be detrimental to the public or other property or the neighborhood in which the subject property is located. Nor will the granting of a smaller vision clearance area diminish or impair the value of adjoining properties or the neighborhood. The Department of Transportation and Environmental Services does not object to the reduction in vision clearance. No improvement can be built on the property without first obtaining relief from the vision clearance requirement.

Staff recommends approval of the requested variance.

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 comments.

Code Enforcement:

C-1 Alterations to the existing structure must comply with the current edition of the Uniform Statewide Building Code (USBC).

C-2 Additions and alterations to the existing structure and/or installation and/or altering of equipment therein requires a building permit (USBC 108.1). Five sets of plans, bearing the signature and seal of a design professional registered in the Commonwealth of Virginia, must accompany the written application (USBC 109.1).

C-3 A Construction permit will be required for the proposed project.

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

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.