

Docket Item #1
BZA CASE #2007-0009

Board of Zoning Appeals
June 14, 2007

ADDRESS: 30 EAST BRADDOCK ROAD
ZONE: R-2-5, RESIDENTIAL
APPLICANT: DEREK BLACK, BY RANDY MANNING, ARCHITECT

ISSUE: Special exception to construct a second-story and attic above the footprint of the existing dwelling and build a rear three-story addition in the required west side yard setback.

CODE SECTION	SUBJECT	CODE REQMT	APPLICANT PROPOSES	REQUESTED EXCEPTION
3-506(A)(2)	Side Yard (East)	8.83 ft*	6.90 ft	1.93 ft

* Based upon a building height of 26.50 feet to the midpoint of the gable roof.

BOARD OF ZONING APPEALS ACTION OF JUNE 14, 2007: On a motion to defer by Mr. Curry, seconded by Mr. Goodale, the special exception was deferred by a vote of 4 to 0. Mr. Hubbard abstained.

Reason: To allow the applicant time to explore design alternatives and to be heard by a full Board.

Speakers:

Derek Black, owner, made the presentation.

Kathleen Chandler, neighbor at 100B East Braddock Road, spoke in support.

The staff **recommends denial** of the requested special exception because the request does not meet 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.

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(insert sketch here)

I. Issue

The applicant proposes to (1) build a second-story and attic above the foot print of the existing one-story single-family dwelling and (2) build a rear three-story addition at 30 East Braddock Road.

II. Background

The subject property is three lots of record with 50.00 feet of frontage facing East Braddock Road, a depth of 91.23 feet on the west and 106.76 feet on the east and contains a total of 4,850 square feet of lot area. The subject lot is substandard as to the minimum lot area for an R-2-5 single family lot where the minimum lot area is 5,000 square feet.

The lot is developed with a one-story brick and frame single-family dwelling located 25.10 feet from the front property line facing East Braddock Road, 6.90 feet from the east side property line, 5.50 feet from the west side property line and 39.00 feet from the rear property line. As indicated on the submitted plat the existing house is built in compliance with the required front yard and rear yard. According to real estate assessment records the house was constructed in 1935.

III. Description

The renovations to the existing single-family dwelling consist of a second story and an attic above the footprint of the existing dwelling. The proposed second-story and rear addition measures 31.00 feet by 29.12 feet and totals 905 square feet; the attic space totals 415 square feet; and, a front covered stoop totals 83 square feet. The new second floor, rear addition and attic will be built on and in line with the east “noncomplying” building wall that is located 6.90 feet from the east side property line. Based on the submitted drawings the proposed improvements will not create a side yard violation facing the west property line. Because the applicant is altering one noncomplying wall the project is eligible to apply for a special exception.

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 or special exceptions previously granted for the subject property.

IV. Master Plan/Zoning: The subject property is zoned R-2-5 and has been so zoned since adoption of the Third Revised Zoning Map in 1951, and is identified in Potomac West Small Area Plan for residential use.

V. Requested Special Exception:

Section 3-506(A)(2): Side Yard

The R-2-5 zone requires a side yard setback of 7.00 feet or one-third the building height whichever is greater. The proposed second floor, attic and rear two-story addition will be

located 6.90 feet from the east side property line. Based on a building height of 26.50 feet to the mid point of the new gable roof a side yard setback of 8.83 feet is required. The applicant requests a reduction of 1.93 feet facing the east side property line.

VI. Noncomplying structure

The existing building at 30 East Braddock Road is noncompliant with respect to the following:

	<u>Required</u>	<u>Existing</u>	<u>Noncompliance</u>
Lot Area	5,000 sq ft	4,850 sq ft	150 sq ft
Side			
(West)	7.00 ft	5.50 ft	1.50 ft
(East)	7.00 ft	6.90 ft	0.10 ft

VII. Special Exceptions 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 the Board must affirm in order to grant 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 applicant proposes to nearly double the size of his modest one-story house to a three story house (with attic) on a substandard lot. Although the adjoining properties are semi-detached dwellings, modest single-family dwellings are the predominantly housing type along the this stretch of East Braddock Road. The proposed plan is to increase not only the depth of the noncomplying east building wall, but increase the height of the wall facing the most effected property on the east side. There are only 12.00 separating the two dwellings. The applicant is required to complying with 8.83 feet based on the increase in building height.

Staff believes the proposed second-story and attic will impact the supply of light and air to the adjacent property and essentially alter the character of the existing housing style. The proposal as submitted is not compatible with the surrounding development or neighborhood where the predominant housing style is one to one and one-half story residential homes. The proposed project will nearly use up the entire floor area allowed on a substandard lot. Staff recommends the applicant consider scaling back the project and reducing the proposed roof line to be more compatible with nearby properties.

For the above reasons, staff **recommends denial** 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:

F-1 No comments.

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.
- 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.

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.