

Docket Item #5
BZA CASE #2007-0033

Board of Zoning Appeals
November 8, 2007

ADDRESS: 3002 CAMERON MILLS ROAD
ZONE: R-8, RESIDENTIAL
APPLICANT: JON NORDLING, OWNER

ISSUE: Special exception to construct a two-story addition on the south side property line.

CODE SECTION	SUBJECT	CODE REQMT	APPLICANT PROPOSES	REQUESTED EXCEPTION
3-206(A)(2)	Side Yard (South)	14.00 feet*	5.20 feet	8.80 feet

*based upon a building height of 28 feet

BOARD OF ZONING APPEALS ACTION OF NOVEMBER 8, 2007: On a motion to approve by Mr. Hubbard, seconded by Mr. Zander the special exception was approved by a vote of 6 to 0.

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

Speakers:

Jon Nordling, owner, made the presentation.

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.

I. Issue

The applicant proposes to add a second story addition over an existing one story home and a rear stair tower at 3002 Cameron Mills Road.

II. Background

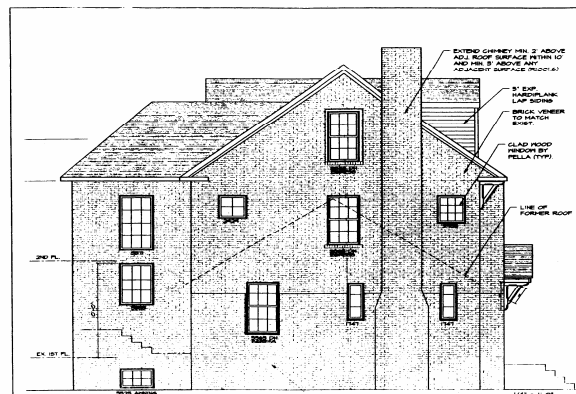
The subject property is one lot of recorded with a width of 54.83 feet facing Cameron Mills Road, a depth of 95.83 feet and a lot area of 6,044 square feet. The one-story family dwelling with basement is located 30.09 feet from the front property line, 7.20 feet from the north side property line, and 5.20 feet from the south property line. Real estate assessment records indicate the house was built in 1955.



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 addition measures 25.30 feet by 36.00 feet, and totals 910.80 square feet; the attic space totals 590 square feet. The new second floor and attic will be built on and in line with the south “noncomplying” building wall that is located 5.20 feet from the south side property line. Based on the submitted drawings the proposed improvements will not create a side yard violation facing the north property line. Because the applicant is altering one noncomplying wall, the project is eligible to apply for a special exception.

The proposal of the rear staircase addition complies with the R-8 zoning and does not require a special exception.



South Side View of Proposed Second Story Addition with Rear Stair Tower

Upon completion of the work, the proposed renovations will continue to comply with the floor area requirements. (Refer to floor area calculations).

There has been no variances or special exceptions previously granted for 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 is identified in the North Ridge Small Area Plan for residential use.

V. Requested Special Exception:
Section 3-206(A)(2) Side Yard:
 The R-8 zone requires a side yard setback of at least 8.00 feet. Based on a building height of 28.00 feet from the midpoint of the gable roof to finish grade, a side yard of 14.00 feet is required. The proposed second floor and attic will be located 5.20 feet from the south side property line. The applicant is requesting a side yard reduction of 8.80 feet.

VI. Noncomplying structure
 The existing building at 3002 Cameron Mills Road a noncomplying structure with respect to the following:

<u>Yard Provision</u>	<u>Required</u>	<u>Provide</u>	<u>Noncompliance</u>
Lot Area	8,000 sq ft	6,044 sq ft	1,956sq ft
Lot Width	65.00 ft	62.00 ft	3.00 ft
Side Yard			
(North)	8.00 ft	7.20 ft	0.80 ft
(South)	8.00 ft	5.20 ft	2.80 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 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.

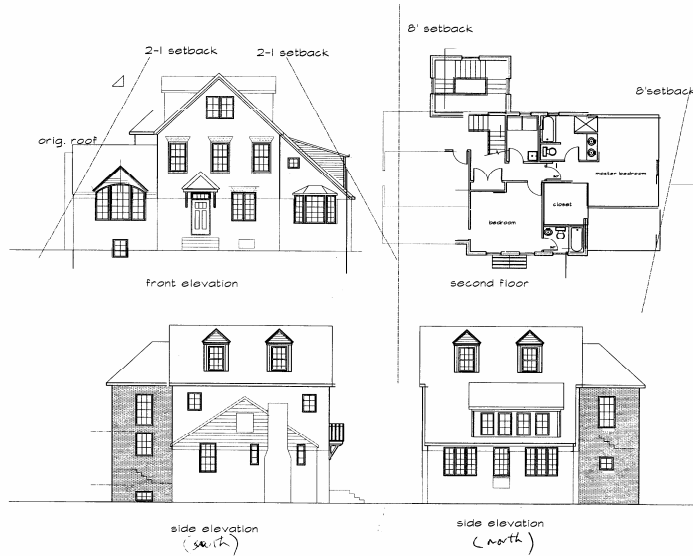
2. Whether approval of the special exception will impair an adequate supply of light and air to the adjacent property, or cause or substantially increase traffic congestion or increase the danger of fire or the spread of fire, or endanger the public safety.
3. Whether approval of the special exception 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 applicant proposed to erect the second story addition over the existing foot-print of the main dwelling unit. There is an existing side addition with a flat roof to the north side of the property. The applicants desire to expand over the existing living space of the main house. The applicant is also proposing to remove approximately 64.00 square feet on the north side addition and will relocate the north side wall to the south to the required 8.00 foot setback. By doing this, the applicant can change the flat roof to a gable roof and still comply with zoning side yard set back for the R-8 zone.

Staff has worked with the applicant to achieve a design that is compatible with the characteristics of the surrounding neighborhood. The proposed second story addition is very similar to other homes in the neighborhood that are two-story detached buildings. Staff also noted there is one home in the immediate vicinity with a second story and attic with a side room located at 2907 Cameron Mills Road.

The proposed second story and attic will impact the supply of light and air to the adjacent properties to the west and south sides of the property. Staff is also aware that the second story will be taller than the homes to the immediate south and west of the property; however, the impact to light and air from the proposed addition will be comparable to the impact posed by an addition that complies with the 8.00 foot setback. The applicant indicates he has shown the proposed plan to the neighbor to the south who has submitted a letter of support for the proposal. In light of the designs that were proposed as by-right addition, staff felt that the current submittal is more in keeping with the housing characteristics in the surrounding community.



By-Right Proposal of Second Story Addition



Special Exception Front Elevation Proposal

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 An approved Plot Plan may be required at the time of building permit application. Insufficient information has been provided to make that determination at this time. A Plot Plan will be required if construction of the proposed addition:
- Results in a new building footprint that exceeds the area of the existing building footprint by 100% or more.
 - Results in less than 50% of the existing first floor exterior walls, in their entirety, remaining. The walls must comprise the footprint of the existing building and shall be measured in linear feet. The remaining walls must remain as exterior walls. The definition of a first floor exterior wall is that it must have its finished floor surface entirely above grade.
 - Results in land disturbance associated with the project of 2,500 square feet or greater in area. The disturbed area will be determined by adding a minimum of 10' to the perimeter of the building (or addition) footprint and calculating the area within the increased perimeter. In addition, a 10 foot wide access path from the edge of the disturbed area to the street or paved driveway must be included in the disturbed area calculation. Provision must be made for stockpile, staging, dumpsters and material storage areas within the limits of disturbance.
 - Changes to existing grade elevation of 1-foot or greater.
 - Changes to existing drainage patterns.
- R-1 The building permit plans shall comply with requirements of City Code Section 8-1-22 regarding the location of downspouts, foundation drains and sump pumps. 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)
- R-3 All improvements to the city right-of-way such as curbing, sidewalk, driveway aprons, etc. must be city standard design. (T&ES)

- R-4 No permanent structure may be constructed over any existing private and/or public utility easements. It is the responsibility of the applicant to identify any and all existing easements on the plan. (T&ES)
- R-5 An erosion and sediment control plan must be approved by T&ES prior to any land disturbing activity greater than 2,500 square feet. (T&ES)
- R-6 Compliance with the provisions of Article XIII of the City's zoning ordinance for stormwater quality control is required for any land disturbing activity greater than 2,500 square feet. (T&ES)

Code Enforcement:

- C-1 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-2 Alterations to the existing structure must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-3 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-4 All exterior walls within 5 feet from an interior property line shall have a fire resistance rating of 1 hour, from both sides, with no openings permitted within the wall. As alternative, a 2 hour fire wall may be provided. (USBC 704.5)
- C-5 Roof drainage systems must be installed so as neither to impact upon, nor cause erosion/damage to adjacent property.
- C-6 A soils report must be submitted with the building permit application.
- C-7 New construction must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-8 Construction permits are required for this project. Plans shall accompany the permit application that fully details the construction as well as layouts and schematics of the mechanical, electrical, and plumbing systems.

- C-9 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-10 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 significant archaeological resources to be disturbed by this project. 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.