

Docket Item # 2  
BZA CASE #2007-0037

Board of Zoning Appeals  
December 13, 2007

**ADDRESS:** 3 WEST HOWELL AVENUE  
**ZONE:** R-5, RESIDENTIAL  
**APPLICANT:** MATTHEW AND LORA RIES, OWNERS, BY THOMAS CANNING,  
ARCHITECT

**ISSUE:** Special exception to construct a covered open porch 17.25 feet from the front property line.

---

CODE SECTION	SUBJECT	CODE REQMT	APPLICANT PROPOSES	REQUESTED EXCEPTION
3-406(A)(1)	Front Yard	25.00 ft	17.25 ft	7.75 ft

---

**BOARD OF ZONING APPEALS ACTION OF DECEMBER 13, 2007:** On a motion to approve with staff conditions by Ms. Lewis, seconded by Mr. Hubbard, 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:

Matthew Ries, owner, made the presentation.

The staff **recommends approval** of the requested special exception because the request meets the criteria for a special exception and with the following conditions: (1) that the porch shall remain open, (2) no second-story structure shall be permitted above the front porch and (3) if balusters are installed around the porch deck, they shall be evenly spaced to leave at least 50 percent of the perimeter length of railings open.

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.



**BZA CASE #2007-0037**

(insert sketch here)

**I. Issue**

The applicants propose to construct a covered front porch at 3 West Howell Avenue to within 17.25 feet of the front property line facing West Howell Avenue.

**II. Background**

The subject property is one lot of record with a lot width of 50.00 feet, a depth of 115.00 feet and a lot area totaling 5,750 square feet. A two-story brick detached dwelling with a basement is located 25.30 feet from the front property line, 9.00 feet from the east side property line, 12.80 feet from the west side property line and 48.00 feet from the rear property line. Real estate assessment records indicate the house was built in 1951.

**III. Description**

The applicants propose to construct a one-story covered front porch that measures 25.75 feet across the front building wall by 8.00 feet in depth. The front porch totals 206.00 square feet of new floor area. The proposed porch is approximately 11.25 feet in height from grade to the top of the porch roof. The proposed porch will be placed within 17.25 feet of the front property line facing West Howell Avenue, and located to comply with the required side yard setbacks facing the east and west property lines. The applicants request a special exception to reduce the required front yard from 25.00 feet to 17.25 feet (a reduction of 7.75 feet).

Based on City GIS information the existing prevailing setback of the block face is between 15.00 and 20.00 feet. The proposed setback of 17.25 feet for the subject property will meet the prevailing setback for the block. There are similar style front porches on West Howell Avenue and elsewhere in the neighborhood. The applicants have submitted photographs of built porches consistent with the requirement that the proposed porch is compatible with the existing building architecture, neighboring properties and neighborhood character, and complies with the following requirements:

- (a) No portion of the porch extends beyond the end walls of the front building façade, except where the resulting lot and structure retain a side or front yard that complies with the zone requirements.
- (b) The roof line of the porch shall be in scale with the existing building architecture.
- (c) No second floor balcony, deck or enclosed construction shall be permitted above the front porch.

- (d) A ground level covered front porch shall remain open, and shall at no time be enclosed with building walls, glass or screens; provided that railings, no higher than the minimum height required by the building code, and balusters evenly spaced so as to leave at least 50 percent of the perimeter length of the railings open, shall be permitted.

If the new front porch is approved it will comply with the R-5 zone 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-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.

**V. Requested Special Exception:**  
Section 3-406(A)(1), Front yard:

The R-5 zone requires a front yard setback of 25.00 feet. The proposed covered front porch will be located 17.25 feet from the front property line. The applicants request a reduction of 7.75 feet facing the front property line on West Howell Avenue.

**VI. 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 proposed open covered front porch is in keeping with similar style front porches on West Howell Avenue, and the overall neighborhood. Within the immediate neighborhood there are many similar style porches built (in compliance with the applicable zoning regulations or in the past by variance). No portion of the porch extends beyond the end walls of the front building facade; the roof line of the porch is in scale with the existing building architecture; and, no second floor balcony, deck or enclosed construction above the front porch is proposed.

Staff believes the applicants' proposal clearly meets the zoning ordinance requirement that the proposed porch must be compatible with the existing building architecture, neighboring properties and neighborhood character.

**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 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 Roof drainage systems must be installed so as neither to impact upon, nor cause erosion/damage to adjacent property.
- C-4 A soils report must be submitted with the building permit application.
- C-5 New construction must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-6 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-7 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 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.