

Docket Item #1  
BZA CASE #2007-0042

Board of Zoning Appeals  
February 14, 2008

**ADDRESS:** 512 FONTAINE STREET  
**ZONE:** R-8, RESIDENTIAL  
**APPLICANT:** ERIK & ERIN LUCKAU, OWNERS

**ISSUE:** Special exception to cover and enclose an open deck on the second story of an existing house 6.7 feet from the property line.

CODE SECTION	SUBJECT	CODE REQMT	APPLICANT PROPOSES	REQUESTED EXCEPTION
3-306 (A)(2)	Side Yard (west)	10.25 feet	6.70 feet	3.55 feet

**BOARD OF ZONING APPEALS ACTION OF FEBRUARY 14, 2008:** On a motion to approve by Mr. Lantzy, seconded by Mr. Hubbard, the special exception was approved by a vote of 5 to 0. Mr. Goodale had not yet arrived.

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

Speakers:

Richard Sennett, contractor, 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.

**BZA CASE #2007-0042**

**I. Issue**

The applicants propose to cover and enclose an existing open porch on the west side of the property located at 512 Fontaine Street.

**II. Background**

The subject property is one lot of record with 60.00 feet of frontage facing Fontaine Street and a depth of 126.97 feet. The property contains a total of 7,618 square feet of lot area. Real Estate Assessment records indicate that the house was built in 1940.



**III. Description**

The applicants propose to cover and enclose an existing open deck with the existing side wall of the existing house 6.70 feet from the west side property line. The proposed area measures 10.00 feet by 6.10 feet and totals 61.00 square feet. As shown on the submitted building plans, the new height of the addition from grade to midpoint of gable is 20.50 feet. The new covered and enclosed area will be built in line with the west “noncomplying” building wall that is located 6.70 feet from the property line.



Existing Open Porch



New Enclosed Area with Open Porch

The applicants currently have a building permit (BLD2008-00129) to extend an existing covered front porch. The new front porch does not require BZA approval as it meets the required front yard setback as prescribed in section 3-306(A)(1) of the zoning ordinance.

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-8 and has been so zoned since adoption of the Third Revised Zoning Map in 1951, and is identified in the North Ridge/Rosemont Small Area Plan for residential use.

**V. Requested Special Exception:**  
 3-306 (A)(2) Side Yard (west)  
 The applicants request a special exception 3.55 feet from the required side yard setback.

**VI. Noncomplying structure**  
 The existing building at 512 Fontaine Street is a noncomplying structure with respect to the following:

<u>Yard Provision</u>	<u>Required</u>	<u>Provide</u>	<u>Noncompliance</u>
<b>Lot Area</b>	8,000 sq ft	7,618 sq ft	382.00sq ft
<b>Lot Width</b>	65.00 ft	60.00 ft	5.00 ft
<b>Side Yard (West)</b>	8.00 ft	6.70 ft	1.30 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 house located at 512 Fontaine Street currently has an existing open porch off the rear on the west side of the property. The owners are requesting to cover a portion of that porch to enlarge an existing room. Staff believes that the new area along the existing linear wall of the home which sits 6.70 feet from the west property line will be in character with the current structure. Staff finds that this case meets the requirements for a special exception and has no objections to the new covered and enclosed area.

**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 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.