

Docket Item #3
BZA CASE #2008-0007

Board of Zoning Appeals
April 10, 2008

ADDRESS: 310 WOODLAND TERRACE
ZONE: R-8, RESIDENTIAL
APPLICANT: ROBERT AND JOAN GOTWALD, OWNERS, BY PATRICK CAMUS, ARCHITECT

ISSUE: Special exception to construct a second story addition above an existing screened porch and extend existing foundation to construct a covered open porch in the required front yard facing Fontaine Street.

CODE SECTION	SUBJECT	CODE REQMT	APPLICANT PROPOSES	REQUESTED EXCEPTION
3-306(A)(1)	Front Yard (Fontaine Street)	30.00 feet	21.30 feet	8.70 feet
	Front Yard (Fontaine Street)	30.00 feet	29.00 feet	1.00 feet

BOARD OF ZONING APPEALS ACTION OF APRIL 10, 2008: On a motion to approve by Mr. Allen, seconded by Mr. Hubbard, the special exception was approved by a vote of 6 to 0. (Mr. Goodale arrived late and did not vote on this application.)

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

Speakers:

Patrick Camus, architect, 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.

Insert Map Here

I. Issue

The applicants propose to construct 1) a second story addition above an existing screened porch to be enclosed on an existing concrete foundation, 2) a one-story open porch above a new foundation, 3) a one-story addition and 4) a deck at the subject property located at 310 Woodland Terrace.

II. Background

The subject property is one lot of record with three street frontages, 71.00 feet of frontage facing Woodlawn Terrace, 103.23 feet of frontage facing Fontaine Street and 102.30 feet of frontage on Columbia Road. The property contains 10,297 square feet of lot area. The subject lot is complying as to the minimum lot area for an R-8 zoned single-family lot where the minimum lot size is 8,000 square feet.

The lot is developed with a two-story brick and stone dwelling with screened porch and attached garage. The original dwelling is located 51.00 feet from the front property line facing Woodland Terrace, 21.30 feet from the front property line facing Fontaine Street and 5.00 feet from the north side property line. A one-story addition and garage (approved by variance) are located 5.00 feet from the north side property line, 6.20 feet from the front property line facing Columbia Road, and 53.00 feet from the front property line facing Fontaine Street.

On March 8, 1990, the Board of Zoning Appeals approved BZA CASE #5971, a request for a 6.00 feet high fence along the front property line facing Woodland Terrace. (Staff report attached.)

On May 10, 1990, the Board of Zoning Appeals approved BZA Case #6005, a request to construct a one story addition and attached garage 6.00 feet from Columbia Road and 6.00 feet from the east side property line. (Staff report attached.)

On February 14, 1991, the Board of Zoning Appeals approved portions of BZA Case #6105, a request to locate an A/C unit 2.00 feet from the east side property line and a technical correction to the previously approved variance that allows the addition and garage to be located 5.00 feet from the east side property line instead of 6.00 feet. The Board denied part of this variance, a request to construct a covered walk 25.50 feet from the front property line facing Columbia Road. The variance for the covered walk was denied because the applicants failed to demonstrate a hardship. (Staff report attached.)

III. Description

The applicants propose to enclose the existing screened porch and construct a second story above. The existing screened porch measures 10.50 feet by 17.00 feet totaling 178.50 square feet. The second story addition will be constructed above the existing screened porch and will measure 18.00 feet in height from grade to the midpoint of the gable facing

Fontaine Street. The existing screened porch is located 21.30 feet from the front property line facing Fontaine Street. The applicants also propose to extend the screen porch foundation to construct a covered open front porch measuring 6.50 feet by 21.00 feet, totaling 136.50 square feet, 29.00 feet from the front property line facing Fontaine Street and 30.00 feet from the front property line facing Columbia Road. The screened porch, which is to be enclosed, is currently located 21.30 feet from the front property line facing Fontaine Street; because it is currently screened the applicants are permitted under the zoning regulations to enclose the existing screened porch. Once the screened porch is fully enclosed the proposed second story addition will be eligible for a special exception to expand a one-story noncomplying wall in the required front yard facing Fontaine Street.

The applicants are also proposing improvements to the property which comply with the R-8 zone regulations and do not require a variance or special exception. The applicants plan to construct a one story addition, measuring 19.50 feet by 15.00 feet, totaling 292.50 square feet, to be located 36.00 feet from the front property line facing Fontaine Street and 35.00 feet from Columbia Road.

Adjacent to the one-story addition the applicants propose to construct a deck at grade measuring 15.00 feet by 14.00 feet, totaling 210.00 square feet. The proposed deck will be located 21.00 feet from the front property line facing Columbia Road and 41.50 feet from the front property line facing Fontaine Street. Because the deck will not exceed 2.00 feet from grade, it is permitted to be located within the required front yard facing Columbia Road.

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

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 North Ridge Small Area Plan for residential use.

V. Requested Special Exception:

3-306(A)(1) Front Yard (Fontaine Street)

The applicants request a special exception from the required 30.00 foot front yard setback requirement facing Fontaine Street to construct a second story addition above an existing screened porch to be permanently enclosed 21.30 feet from the front property line facing Fontaine Street and a covered open porch on an existing foundation 29.00 feet from the front property line facing Fontaine Street. The applicants request a special exception of 8.70 feet to construct the second story addition and 1.00 foot to construct the covered open porch on an existing foundation.

VI. Noncomplying structure

The existing building at 310 Woodland Terrace is a noncomplying structure with respect to the following:

<u>Yard</u>	<u>Required</u>	<u>Existing</u>	<u>Noncompliance</u>
Front (Fontaine Street)	30.00 feet	21.30 feet	8.70 feet

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 subject property is unique in that it has three required front yards of 30.00 feet each, therefore the buildable area on the lot is greatly reduced. Only the second story addition and the open covered front porch require a special exception. The second story addition does not expand the foot print of the dwelling, therefore mass is not brought any closer the front property line facing Fontaine Street. The exception requested for construction the open front porch on is modest in nature and will extend an existing concrete foundation. The applicants' request is in keeping with the character of the neighborhood and the existing home. It is unlikely that the proposed improvements will negatively impact any adjacent properties. Therefore, staff **recommends approval** of the requested 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 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 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 be taken to prevent the spread of rodents from the construction site to the surrounding community and sewers.
- C-2 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-3 Additions and alterations to the existing structure must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-4 Additions and alterations to the existing structure and/or installation and/or altering of equipment therein requires a building permit. Five sets of plans, bearing the signature and seal of a design professional registered in the Commonwealth of Virginia, must accompany the written application. The plans must include all dimensions, construction alterations details, kitchen equipment, electrical, plumbing, and mechanical layouts and schematics.
- C-5 The new stairs must comply with USBC for riser and tread dimensions.
- C-6 Sheeting and shoring shall not extend beyond the property line; except when the developer has obtained a written release from adjacent property owners which has been recorded in the land records; or through an approved encroachment process.
- 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.

- C-8 Roof drainage systems must be installed so as neither to impact upon, nor cause erosion/damage to adjacent property.
- C-9 A soils report must be submitted with the building permit application.
- 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.