

Docket Item #2
BZA CASE #2008-0019

Board of Zoning Appeals
June 12, 2008

ADDRESS: 2024 SCROGGINS ROAD
ZONE: R-8, RESIDENTIAL
APPLICANT: SHAWN MCLEMORE AND STEPHANIE MEYER, OWNERS

ISSUE: Special exception to construct a one-story addition in line with an existing screen porch in the required north side yard setback.

CODE SECTION	SUBJECT	CODE REQMT	APPLICANT PROPOSES	REQUESTED EXCEPTION
3-406(A)(2)	Side Yard (North)	8.00 feet	6.50 feet	1.50 feet

* Based on a building height of 15.50 feet to the eave line of the hip roof.

BOARD OF ZONING APPEALS ACTION OF JUNE 12, 2008: On a motion to approve by Mr. Hubbard, seconded by Ms. Lewis, the special exception was approved by a vote of 6 to 0.

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

Speakers

Shawn McLemore, 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.



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06/12/08



Issue

The applicants propose to construct a third story addition and a one-story addition in line with an existing screen porch located in the required north side yard at 2024 Scroggins Road. The one-story side yard addition will extend one noncomplying wall facing the north side property line. The third story addition complies with the north and south side yard setback requirements.

II. Background

The subject property is one lot of record with 51.47 feet of frontage on Scroggins Road, a depth of 171.52 feet along the south side property line and totals 8,547 square feet. The north side property line angles 85.12 feet towards the rear property line. The subject property is a complying interior lot zoned R-8 residential. A complying lot is 8,000 square feet.

The one and one-half story brick dwelling with a one-story side screen porch and above grade basement is located 25.70 feet from the front property line facing Scroggins Road, 6.50 feet from the north side property and 12.80 feet from the south side property line. An existing concrete driveway is located parallel to the south side property line with access from Scroggins Road. Real estate assessment records indicate the house was built in 1946.

III. Discussion

The proposed one-story addition will be built in line with an existing screen porch facing the north side property line. The new side addition measures 8.50 feet by 19.00 feet by 15.50 feet in height to the eave line of the hip roof facing the north side property line. The proposed one-story addition totals 269 square feet and will accommodate a new dining room/family room. Since the proposed one-story addition is extending one noncomplying wall (in this case the existing dwelling is located in the required north side yard), the project is eligible to apply for a special exception. The addition will continue to be located 6.50 feet from the north side property line.

The third-story addition measures 8.40 feet by 14.90 feet and totals approximately 125 square feet. The addition is approximately 29.00 feet from grade to top of the roof and 8.75 feet in height to the midpoint of the gable roof facing the north side property line. The new addition will accommodate a master bedroom, master bath and closets. No special exception or variance is required for the third floor addition.

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

There have been no special exceptions or variances previously granted for the subject property.

IV. Master Plan/Zoning

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

V. Requested Special Exception

Section 3-406(A)(2), Side Yard

The R-8 zoning regulations state that each use must provide a side yard of a minimum of 8.00 feet or one half the height of the building whichever is greater. The proposed one-story addition will be 15.50 feet in height to the eave line of the hip roof thereby requiring a side yard setback of 8.00 feet from the north side property line. The proposed addition will be located 6.50 feet from the north side property line. The applicants request a special exception of 1.50 feet.

VI. Noncomplying Structure

The existing building at 2024 Scroggins Road is a noncomplying structure with respect to the following:

	Existing	Required	Noncompliance
Side Yard (North)	6.50 ft	8.00 ft	1.50 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 subject lot is a complying lot similar to other single-family interior and corner lots along this stretch of Scroggins Road. The proposed one-story addition is modest in scale fitting in nicely along the north side of the existing house. The applicants have maintained the addition's symmetry and roof style as well as alignment with the existing house to read as one structure. When viewed from the street the addition will not be visible nor overwhelm the neighboring property.

Excess building mass and overbuilding on a property can have detrimental impact on neighboring homes and a neighborhood in general. The applicants have shown their neighbor the plans for the addition. Aerial photographs indicate the neighbors' home on the north is located approximately 15 feet from the subject building. The applicants are modestly enlarging their house by adding approximately 394 square feet. In this case the lot slopes towards the rear and has an irregular configuration. The applicants desire to build in line with an existing screen porch rather than add another story or possibly larger side yard addition facing the neighbor to the north. On balance, the staff believes that the modest amount of building area proposed and the effort to build inline with the existing building walls, rather than add a larger rear addition, combine to support the application.

Staff believes that the applicant's property meets the test for a special exception, because the proximity of the building improvements to the shared south side property line will afford the adjoining property continued light and air. The proposed design when viewed from the street does not unduly exacerbate existing conditions on the lot nor negatively impact the neighborhood character.

Staff **recommends approval** 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 An approved Grading Plan may be required at the time of building permit application. Insufficient information has been provided to make that determination at this time. A Grading 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 storm water 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 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-4 Alterations to the existing structure must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-5 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-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.

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- C-7 Roof drainage systems must be installed so as neither to impact upon, nor cause erosion/damage to adjacent property.
- C-8 New construction must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-9 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 specimen trees will be 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.