

Docket Item #1  
BZA CASE #2009-0007

Board of Zoning Appeals  
June 11, 2009

**ADDRESS:** 425 LA VERNE AVENUE  
**ZONE:** R-2-5, RESIDENTIAL  
**APPLICANT:** KARRIE BRANCH, OWNER

**ISSUE:** Special exception to construct a one-story rear addition in the required east side yard.

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CODE SECTION	SUBJECT	CODE REQMT	APPLICANT PROPOSES	REQUESTED EXCEPTION
3-506(A)(2)	Side Yard(East)	10.00 feet	7.90 feet	2.10 feet

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**BOARD OF ZONING APPEALS ACTION OF JUNE 11, 2009:** On a motion to approve by Mr. Allen, seconded by Mr. Hubbard, the special exception was approved by a vote of 5 to 0.

Reason to approve: The Board agreed with the staff recommendation and the application met the criteria for a special exception as outlined in the staff report.

Speakers:

Karrie Branch, owner, made the presentation.

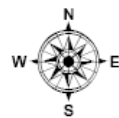
The staff **recommends approval** of the requested special exception because the request meets the criteria for a special exception.

If the Board decides to grant the requested special exception it must comply with the code requirements under the department comments and the applicant must submit the following prior to the release of a Certificate of Occupancy: (1) a survey plat prepared by a licensed surveyor confirming building footprint, setbacks, and building height compliance from average preconstruction grade and (2) certification of floor area from a licensed architect or engineer. The special exception must also be recorded with the deed of the property in the City's Land Records Office prior to the release of the building permit.



**BZA CASE #2009-0007**

**6/11/2009**



**I. Issue**

The applicant is proposing to construct a one-story rear addition in line with the existing house at 425 La Verne Avenue.

**II. Background**

The subject property is one lot of record with 25.23 feet of frontage facing La Verne Avenue and a depth of 104.00 feet. The property abuts public alleys on the east side and in the rear and contains 2,500 square feet of lot area. The property is developed with an end unit townhouse, which is a legal noncomplying use in the R-2-5 zone. The R-2-5 zone does not have zoning regulations pertaining to townhouses, therefore staff determined the most applicable zoning regulations to apply are for semi-detached dwellings.

The existing townhouse dwelling is located 28.00 feet from the front property line, 7.90 feet from the east side property line, shares a common party wall on the west side property line and 48.50 feet from the rear property line. According to real estate records the townhouse was constructed in 1940.

**III. Description**

The applicant proposes to construct a one-story rear addition in line with the side walls of the existing dwelling, on the west side property line, 7.90 feet from the east side property line and 36.50 feet from the rear property line. The proposed addition measures 13.00 feet by 15.90 feet, totaling 206.70 square feet. The addition will measure 12.50 feet in height when measured to the midpoint of the gable roof facing the east side yard.

The R-2-5 zone does not have specific setback requirements pertaining to townhouses, as they are not permitted uses in the zone. Staff determined that 10.00 feet, the required side yard setback for a semi-detached dwelling in the R-2-5 zone, was the most appropriate to apply to an end unit townhouse. Therefore the applicants must request a special exception of 2.10 feet to construct the one-story rear addition in the required east side yard.

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-2-5 and has been so zoned since adoption of the Third Revised Zoning Map in 1951, and is identified in the Potomac West Small Area Plan.

**V. Requested Special Exception:**

3-506(A)(2) Side Yard (East)

The applicants request a special exception of 2.10 feet from the required 10.00 feet based on the determination that the required side yard setback for a semi-detached dwelling in the R-2-5 zone was the most appropriate to apply to an end unit townhouse in the R-2-5 zone.

**VI. Noncomplying structure**

The existing dwelling at 425 La Verne Avenue is a noncomplying structure with respect to the following:

<u>Regulation</u>	<u>Required</u>	<u>Existing</u>	<u>Noncompliance</u>
Side Yard (East)	10.00 feet*	7.90 feet	2.10 feet

\* The required side yard setback for a semi-detached dwelling in the R-2-5 zone was the most appropriate to apply to an end unit townhouse.

**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 exist 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 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 one-story rear addition is in keeping with the architecture of the existing dwelling and character of the neighborhood. The applicant is removing an existing rear screened porch and replacing it with a slightly larger one-story addition. There are several similar modest one-story rear additions to the townhouses in the 400 block of La Verne Avenue. The proposed one-story addition is not significantly larger than the existing screened porch and is unlikely that it will negatively impact light and air to the adjacent property which has a similar rear addition.

Staff **recommends approval** of the 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:

- 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)
- 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. In summary, City Code Section 8-1-22(d) requires that a grading plan be submitted to and approved by T&ES prior to the issuance of building permits for improvements involving:
  - the construction of a new home;
  - construction of an addition to an existing home where either
    - the addition exceeds the area of the existing building footprint by 100% or more;
    - or, the construction of the addition results in less than 50% of the existing first floor exterior walls, in their entirety, remaining;
  - changes to existing grade elevation of 1-foot or greater;

- changes to existing drainage patterns;
- land disturbance of 2,500 square feet or greater.

Questions regarding the processing of grading plans should be directed to the T&ES Site Plan Coordinator at (703) 838-4318. Memorandum to Industry No. 02-08 was issued on April 28, 2008 and can be viewed online via the following link.

**<http://alexandriava.gov/uploadedFiles/tes/info/gradingPlanRequirements.pdf>**

Code Administration:

- C-1 Additions and Alterations to the existing structure must comply with the 2006 edition of the Uniform Statewide Building Code (USBC).
- 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 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-4 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-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 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):

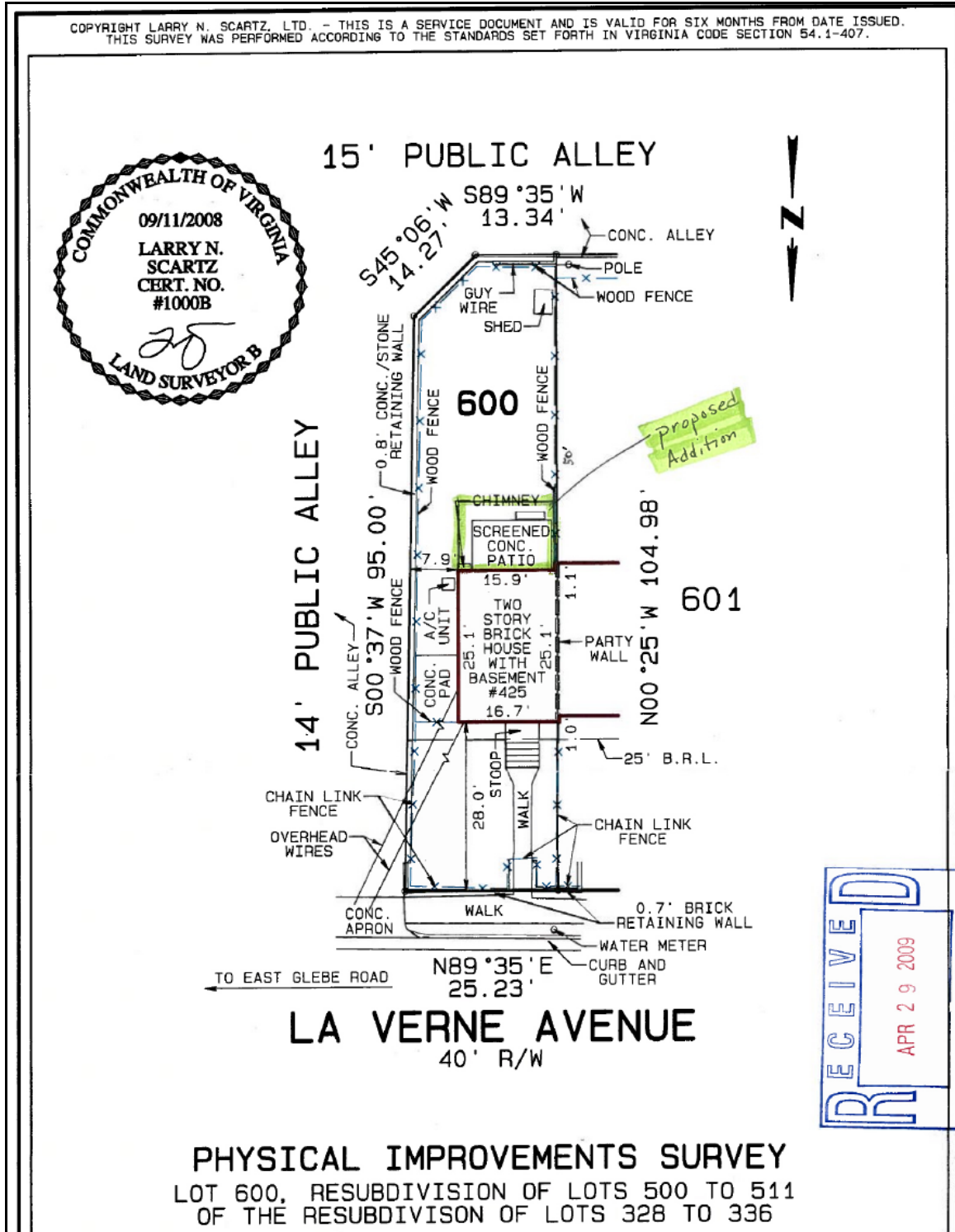
- F-1 There is low potential for significant archaeological resources to be disturbed by this project. No archaeological action is required.

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.



IX. Images





**APPLICATION  
BOARD OF ZONING APPEALS**

**SPECIAL EXCEPTION FOR ADDITIONS**

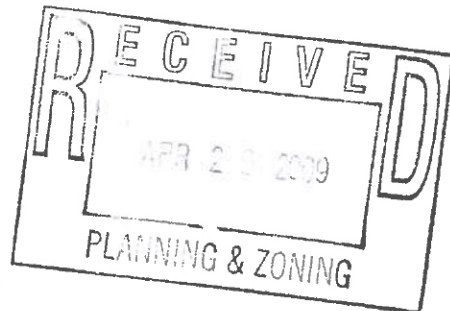
**BZA CASE #** 2009-0007

Section of zoning ordinance from which request for special exception is made:

Article III , Division A , Section 3-500  
\_\_\_\_\_  
\_\_\_\_\_

**PART A**

1. **Applicant:**  Owner  Contract Purchaser  
 Name Karrie Branch  
 Address 425 Laverne Avenue  
Alexandria , Va 22305 Daytime Phone 703-946-0531
  
2. **Property Location** \_\_\_\_\_
  
3. **Assessment Map** 025.01 Block 01 Lot 23 Zone R-2-5
  
4. **Legal Property Owner:**  
 Name Karrie Branch  
 Address 425 Laverne Avenue  
Alexandria , Va 22305



5. Describe request briefly :

The subject property was built in 1940 and is an 850 sq-ft townhouse on a 2,500 sq-ft lot. This property is currently zoned as R-2-5, single and two-family dwellings. I am requesting exception to the minimum side yard setback requirement of 10 ft for an addition on the back of the home, in-line with the current structure.

6. If property owner or applicant is being represented by an authorized agent, such as an attorney, realtor or other person for which there is a form of compensation, does this agent or the business in which they are employed have a business license to operate in the City of Alexandria, Virginia?

- [ ] Yes — Provide proof of current City business license.
[ ] No — Said agent shall be required to obtain a business prior to filing application.

THE UNDERSIGNED HEREBY ATTESTS that all of the information herein provided including the site plan, building elevations, prospective drawings of the projects, etc., are true, correct and accurate. The undersigned further understands that, should such information be found incorrect, any action taken by the Board based on such information may be invalidated. The undersigned also hereby grants the City of Alexandria permission to post placard notice as required by Article XI, Division A, Section 11-301(B) of the 1992 Alexandria City Zoning Ordinance, on the property which is the subject of this application. The applicant, if other than the property owner, also attests that he/she has obtained permission from the property owner to make this application.

APPLICANT OR AUTHORIZED AGENT:

Karrie Branch
print name
703-946-0531
telephone

Karrie Branch
signature
4/25/09
date

Pursuant to Section 13-3-2 of the City Code, the use of a document containing false information may constitute a Class 1 misdemeanor and may result in a punishment of a year in jail or \$2,500 or both. It may also constitute grounds to revoke the permit applied for with such information.

NOTE TO APPLICANT: Only one special exception per dwelling shall be approved under the provisions of Section 11-1302(B)(4).

**PART B (SECTION 11-1304)**

**APPLICANT MUST EXPLAIN THE FOLLOWING:**

(please use additional paper where necessary)

- 1. How will the special exception for the proposed addition, if granted, address the applicant's needs? Explain:

The proposed addition will provide additional space in the home to expand the current kitchen. The existing kitchen is in a 9x7 space with three door accesses, allowing only 1 ft of counter space. The proposed addition will be built in-line with the current structure to maintain usable space.

- 2. Will the special exception, if granted, harm adjoining properties or impact the neighborhood in any way? Explain:

The subject property is an end unit town house with one adjoining property. The special exception relates to the side of the home with no adjoining properties. The proposed addition will not harm adjoining properties and will have a positive impact on the neighborhood through improved appearance and increased property value.

- 3. Will the proposed addition reduce or block light and air to adjacent property? Explain:

The proposed addition will not reduce or block light and air to the adjacent property. The proposed structure will be built in-line with the current structure. The proposed height and roofline will be similar to a structure on the adjacent property. The special exception relates to the side of the property with no adjoining properties.

4. How is the proposed construction compatible with other properties in the neighborhood and the character of the neighborhood as a whole? Explain:

Additions on the back of town houses are very common in the immediate and surrounding areas. The proposed construction is compatible in architecture, structure and character with other properties in the neighborhood as well as the neighborhood as a whole. Specific examples are provided in attached pictures from the Del Ray neighborhood + Lynnhaven neighborhood. The subject property is a town house zoned as R-2.5, which drives the special exception requirement for the side yard set back.

5. How is the proposed construction similar to other buildings in the immediate area?

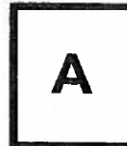
As shown in the attached pictures, additions to the back of town houses are very common in the immediate and surrounding areas. The proposed addition is similar in size and scope to many existing town house additions in the immediate area.

6. Does this plan represent the only reasonable location on the lot to build the proposed addition? Explain:

Yes, the back of the house is the only reasonable location to build the proposed addition. The existing structure is located on a substandard lot for R-2.5 zoning. The proposed addition will be built in-line with the existing structure.

7. Has the applicant shown the proposed plans to the adjacent most affected property owners? Has any neighbor objected to the proposed special exception, or has any neighbor written a letter in support of the proposed special exception? If so, please attach the letter. Explain:

Construction drawings for the proposed addition have not been shown to the adjacent property owners, however I plan to do so in the near future. The proposed plans have been discussed with adjacent property owners and they have all been supportive of the proposed plans. The special exception relates to the side of the property with no adjacent properties.



## DEPARTMENT OF PLANNING AND ZONING FLOOR AREA RATIO AND OPEN SPACE CALCULATIONS FOR SINGLE AND TWO-FAMILY RESIDENTIAL OUTSIDE HISTORIC DISTRICTS

**A. Property Information**

A1. Street Address 425 Laverne Ave Alexandria, Va 22305 Zone \_\_\_\_\_  
 A2. 2500 sq-ft x .45 = 1125 sq-ft  
Total Lot Area Floor Area Ratio Allowed by Zone Maximum Allowable Floor Area

**B. Existing Gross Floor Area**

Existing Gross Area *		Allowable Exclusions	
Basement	425	Basement**	425
First Floor	425	Stairways**	NA
Second Floor	425	Mechanical**	NA
Third Floor	NA	Porch/ Garage**	NA
Porches/ Other	NA	Attic less than 5'***	NA
<b>Total Gross *</b>	<b>1275</b>	<b>Total Exclusions</b>	<b>425</b>

B1. Existing Gross Floor Area \*  
1275 Sq. Ft.  
 B2. Allowable Floor Exclusions\*\*  
425 Sq. Ft.  
 B3. Existing Floor Area minus Exclusions 850 Sq. Ft.  
 (subtract B2 from B1)

**C. Proposed Gross Floor Area (does not include existing area)**

Proposed Gross Area*		Allowable Exclusions	
Basement	NA	Basement**	NA
First Floor	224	Stairways**	NA
Second Floor	NA	Mechanical**	NA
Third Floor	NA	Porch/ Garage**	NA
Porches/ Other	NA	Attic less than 5'***	NA
<b>Total Gross *</b>	<b>224</b>	<b>Total Exclusions</b>	<b>0</b>

C1. Proposed Gross Floor Area \*  
224 Sq. Ft.  
 C2. Allowable Floor Exclusions\*\*  
0 Sq. Ft.  
 C3. Proposed Floor Area minus Exclusions 224 Sq. Ft.  
 (subtract C2 from C1)

**D. Existing + Proposed Floor Area**

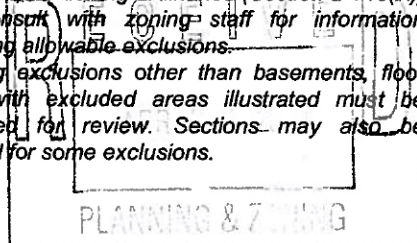
D1. Total Floor Area (add B3 and C3) 1074 Sq. Ft.  
 D2. Total Floor Area Allowed by Zone (A2) 1125 Sq. Ft.

\*Gross floor area for residential single and two-family dwellings in the R-20, R-12, R-8, R-5, R-2-5, RB and RA zones (not including properties located within a Historic District) is the sum of all areas under roof on a lot, measured from exterior walls.

\*\*Refer to the zoning ordinance (Section 2-145(A)) and consult with zoning staff for information regarding allowable exclusions. If taking exclusions other than basements, floor plans with excluded areas illustrated must be submitted for review. Sections may also be required for some exclusions.

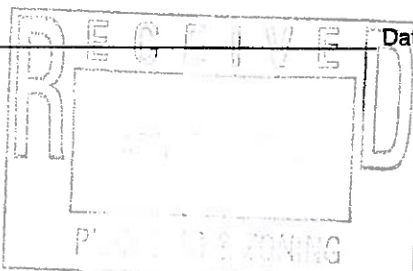
**F. Open Space Calculations Required in RA & RB zones**

Existing Open Space	NA
Required Open Space	NA
Proposed Open Space	NA



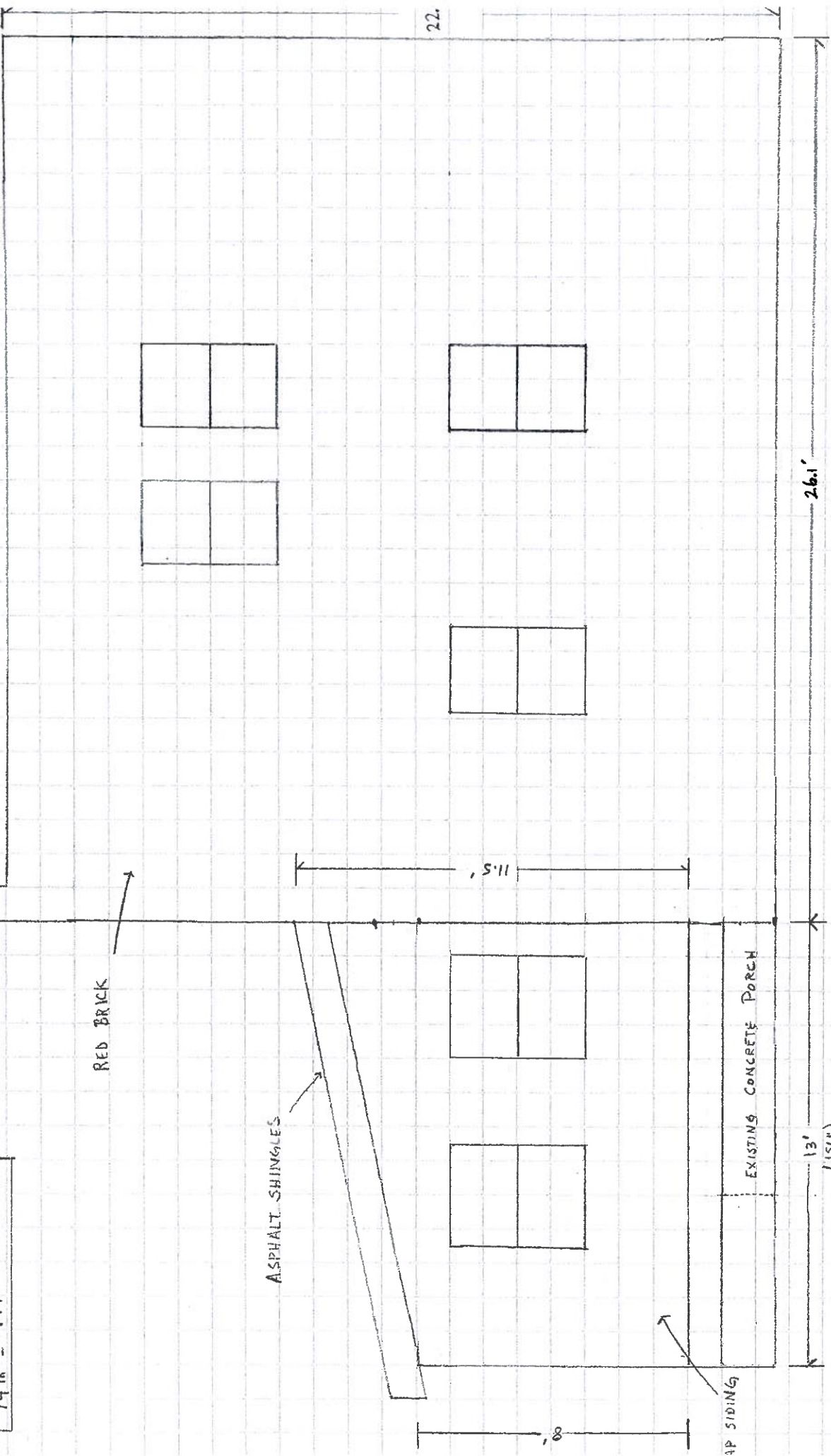
The undersigned hereby certifies and attests that, to the best of his/her knowledge, the above computations are true and correct.

Signature: Kerrie Brant Date: 4/25/09



BZA 2009-0007 File Copy

425 LAVERNE AVF  
SIDE ELEVATION DRAWING  
1/4" = 1ft



**RECEIVED**

APR 29 2009

PLANNING & ZONING

425 LAVERNE AVE

SIDE ELEVATION DRAWING 2

1/2 in = 1 ft

ASPHALT SHINGLES

2 x 12

2 x 12  
SUB FRA

METAL HURRICANE TIE

DOUBLE PLATE

BIRDS MOUTH CUT

2 x 4

VAPOR BARRIER

1/2" (119b)

1/2" LAP SIDING  
(CEDAR OR  
WOOD GRAIN  
HARDY BOARD)

3/4" T&G PLY

2 x 4 PLATE

2 x 8

2 x 8 BAND

METAL BRACE

2 x 6

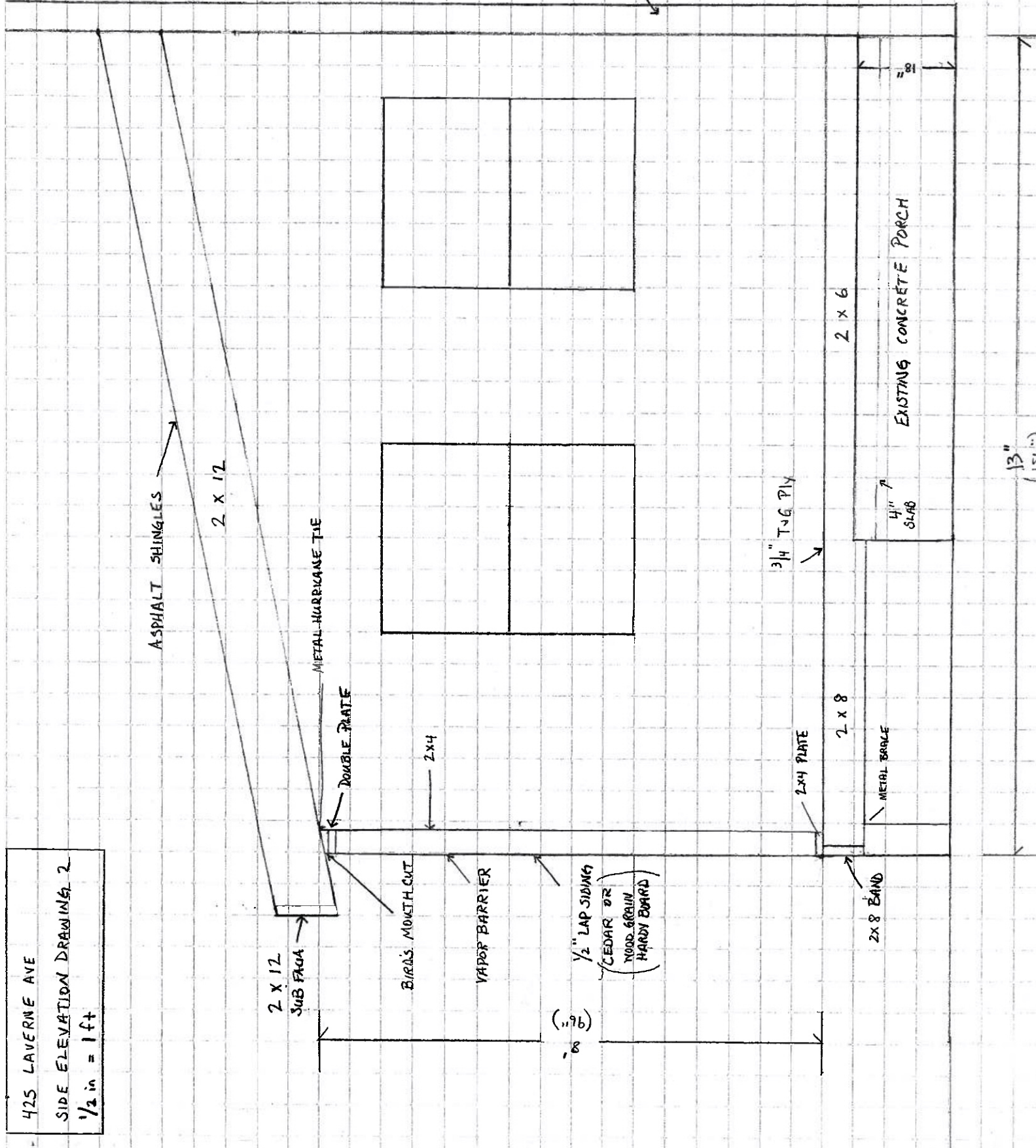
METAL BRACE

EXISTING CONCRETE PORCH

4" SLAB

11 1/2' (138")  
EXISTING BRICK WALL

13" (151")

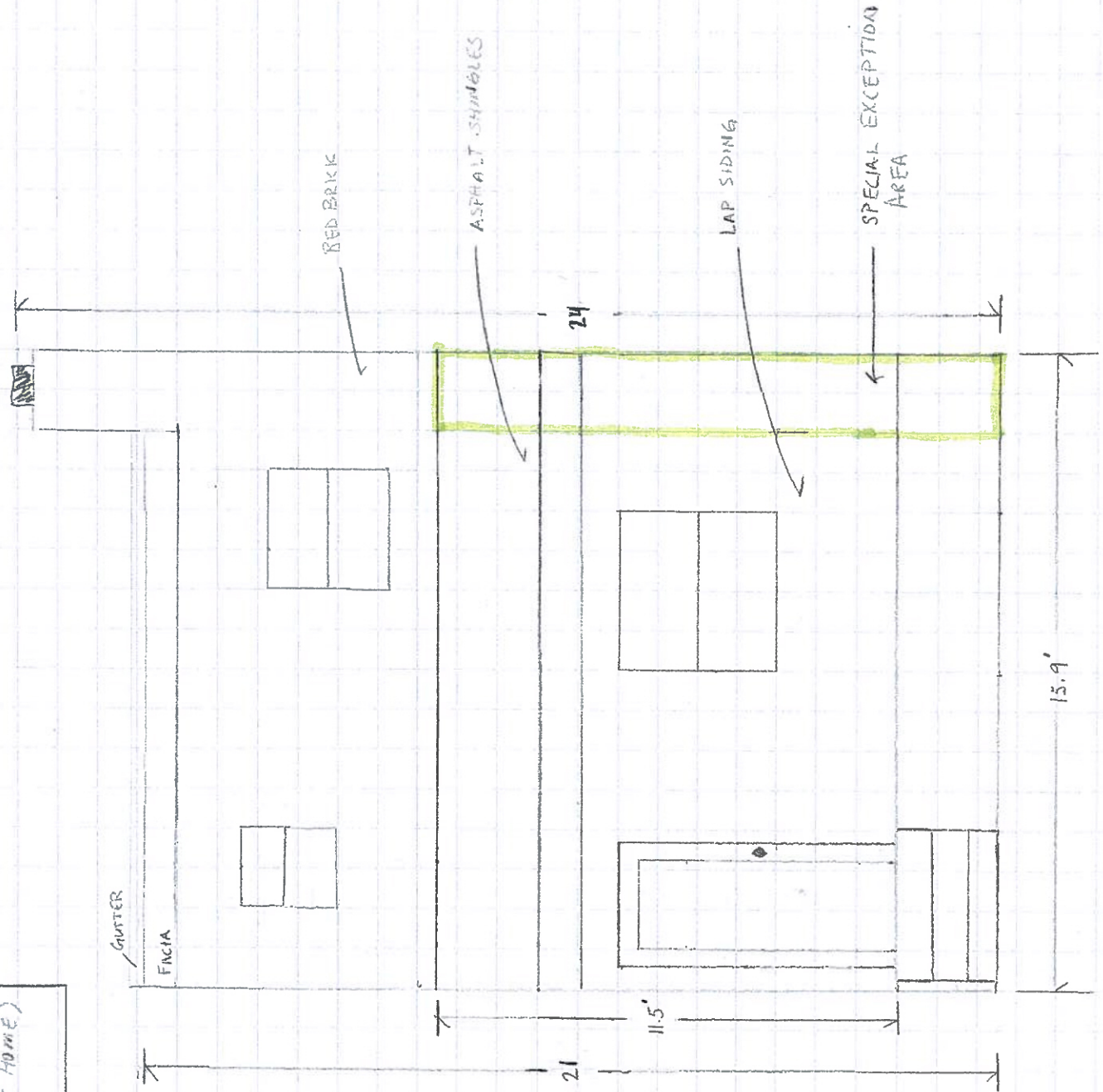




425 LAVERNE AVE

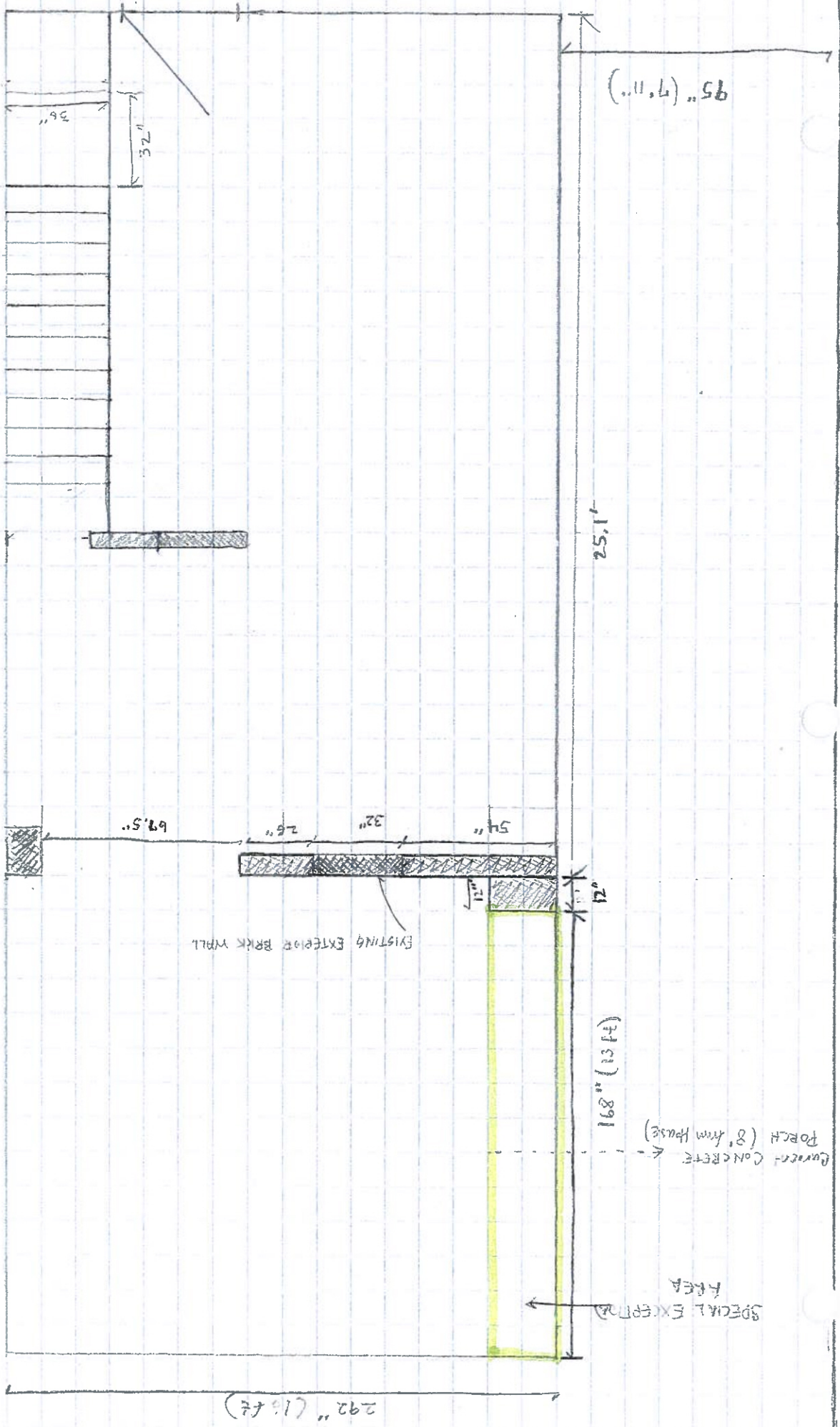
FRONT VIEW DIAGRAM (BACK OF HOME)

1/4 in = 1 ft



425 LAVERNE AVE  
 FLOOR PLAN  
 1/4" = 1ft

1 Square: 1/4" = 1ft



95" (7.9')

25.1'

97.5"

EXISTING EXTERIOR BRICK WALL

168" (14')

CONCRETE PORCH (8' Arm House)

SPECIAL EXTERIOR AREA

292" (16')

12"

54"

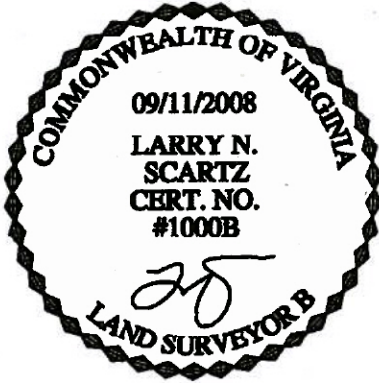
32"

26"

32"

36"

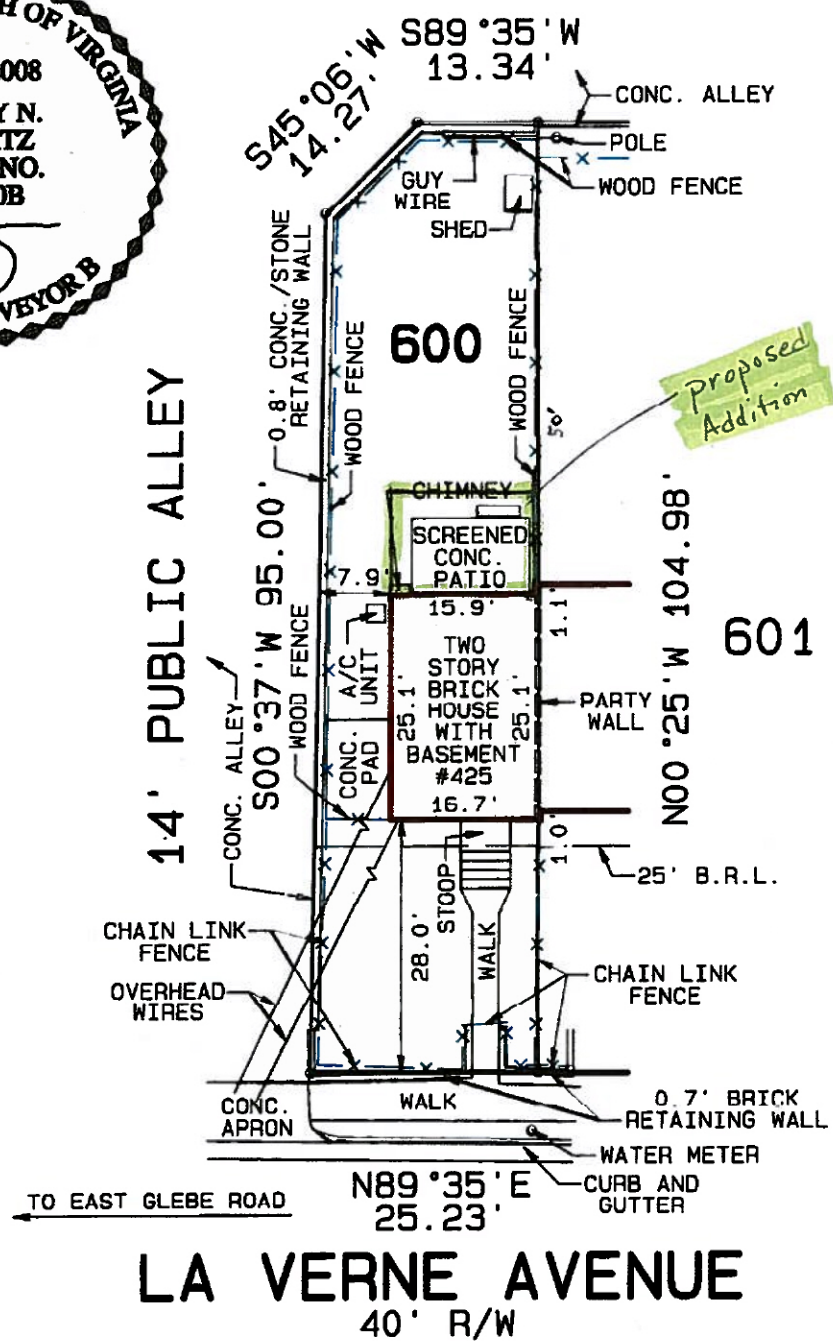
COPYRIGHT LARRY N. SCARTZ, LTD. - THIS IS A SERVICE DOCUMENT AND IS VALID FOR SIX MONTHS FROM DATE ISSUED.  
THIS SURVEY WAS PERFORMED ACCORDING TO THE STANDARDS SET FORTH IN VIRGINIA CODE SECTION 54.1-407.



15' PUBLIC ALLEY



14' PUBLIC ALLEY



LA VERNE AVENUE  
40' R/W

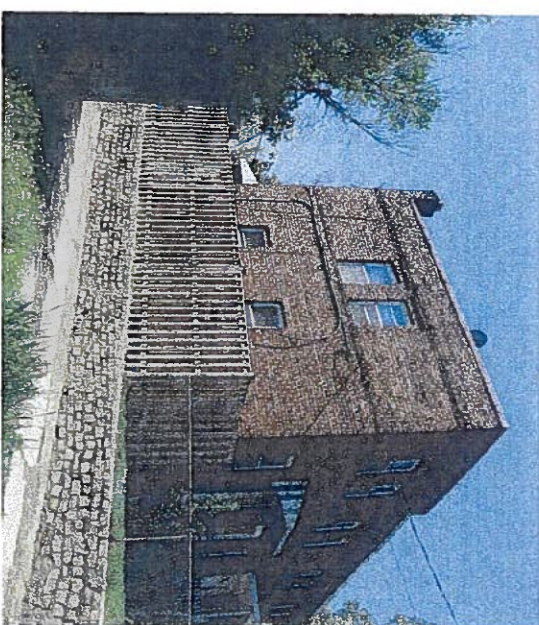


PHYSICAL IMPROVEMENTS SURVEY  
LOT 600, RESUBDIVISION OF LOTS 500 TO 511  
OF THE RESUBDIVISION OF LOTS 328 TO 336

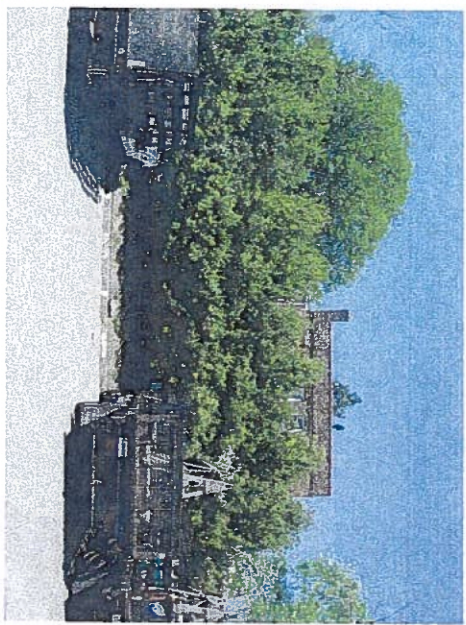
# 425 Laverne Avenue Alexandria, VA 22305



1. Front View, with alley on left side where special exception applies.



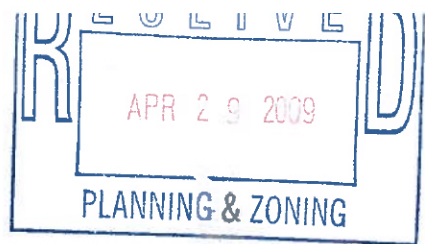
2. Side view from alley on left side where special exception applies.



3. Side view from closest adjacent property on left side where special exception applies.



4 Back view, from alley with existing screened in porch.



**425 Laverne Avenue**

**Alexandria, VA 22305**



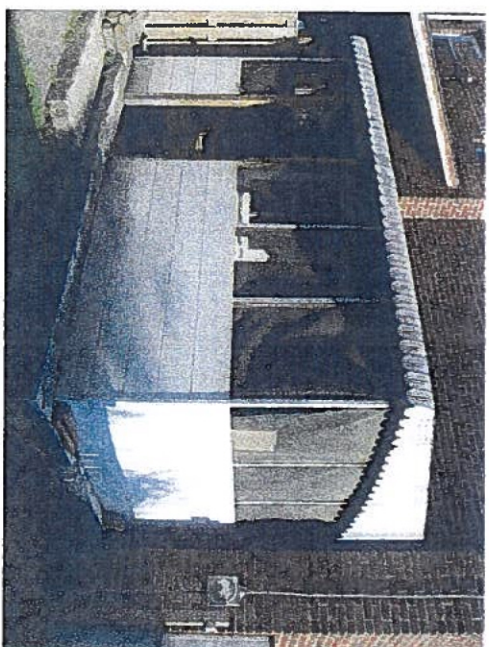
**Back view, with existing screened in porch and roof line of addition on closest adjacent property.**



**Back view, existing screened in porch**

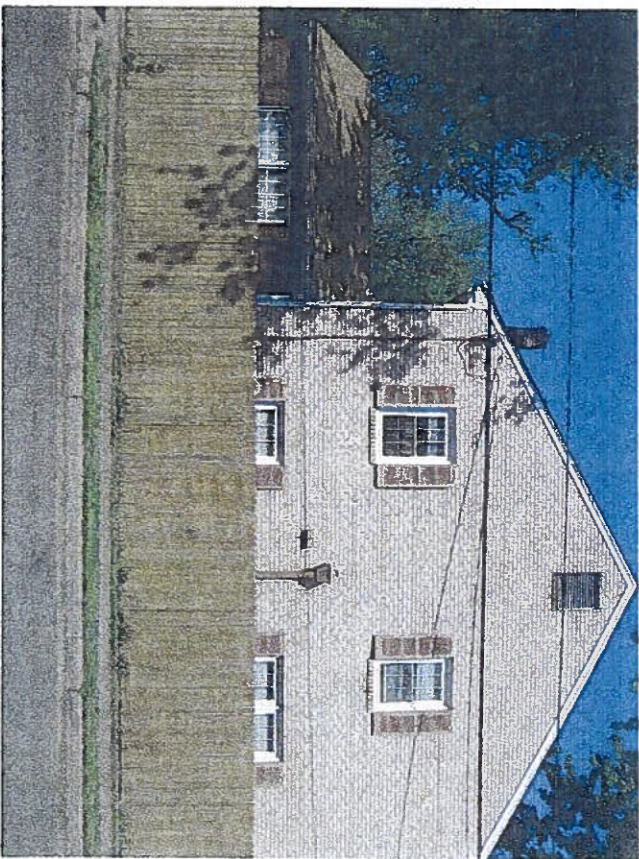
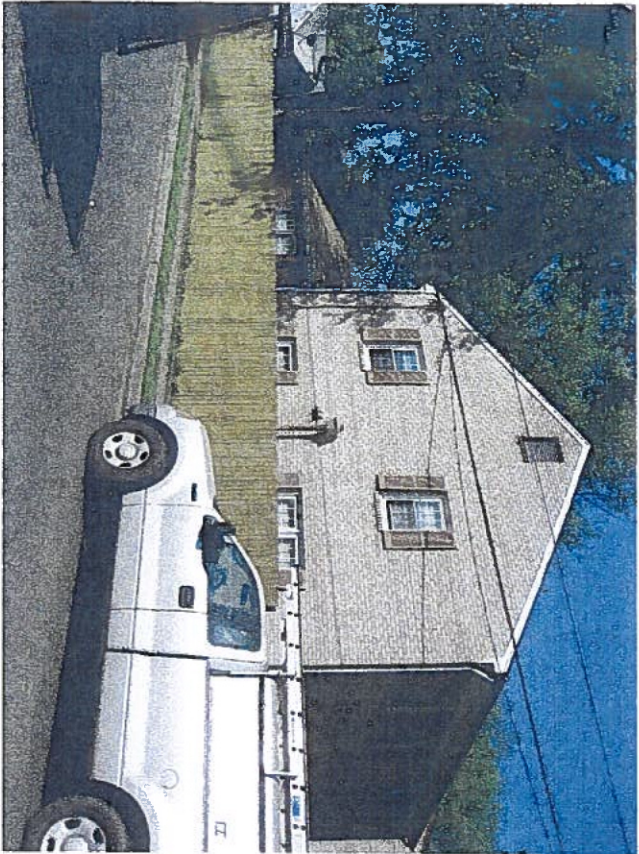


**Back view, with existing screened in porch and side yard that special exception applies to.**



**Back view, existing screened in porch.**

# Similar Addition on Duplex on Laverne Ave



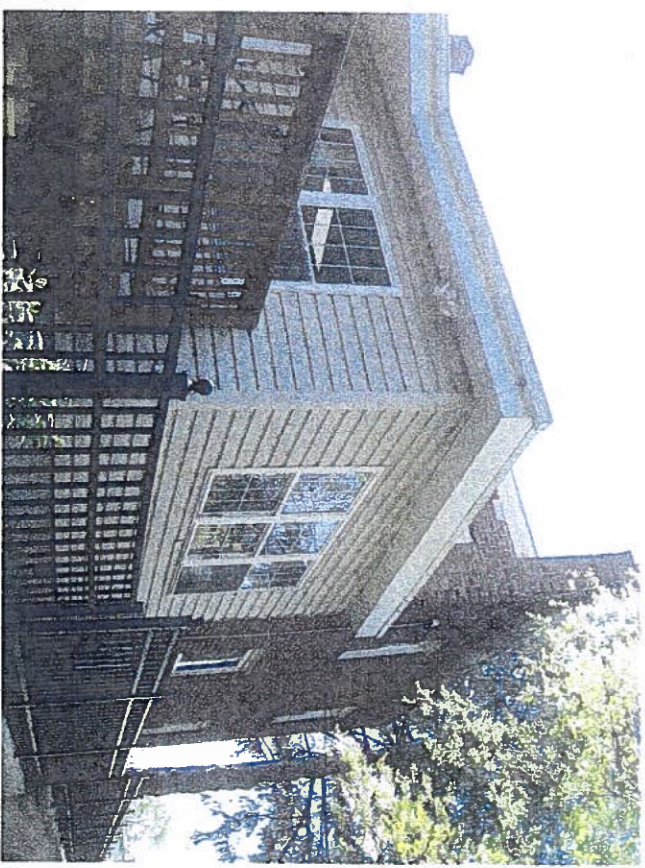
# Similar Addition on Town House on Duncan Ave (Del Ray)



Front view of similar row house on Duncan Ave



Back view of similar row house and addition on Duncan Ave



Side/Back view of similar row house and addition on Duncan Ave (proposed addition will not extend beyond line of existing structure)

**Back Views of several similar additions on similar  
Town Houses located on Nelson Ave in Del Ray**





**Back/Side Views of Similar Addition on  
Similar Town House on Clifford Avenue**

