

Docket Item #3  
BZA CASE #2009-0010

Board of Zoning Appeals  
June 11, 2009

**ADDRESS:** 500 IVY CIRCLE  
**ZONE:** R-8, RESIDENTIAL  
**APPLICANT:** TIMOTHY AND CONSTANCE ROBERTS, OWNERS

**ISSUE:** Special exception to build a covered open porch in the required front yard facing Ivy Circle.

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CODE SECTION	SUBJECT	CODE REQMT	APPLICANT PROPOSES	REQUESTED EXCEPTION
7-1002	Front Yard	32.59 feet*	24.00 feet	6.00 feet

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\*Based on the average front yard setback along Ivy Circle.

**BOARD OF ZONING APPEALS ACTION OF JUNE 11, 2009:** On a motion to approve by Mr. Goodale, seconded by Mr. Hubbard, the special exception was approved by a vote of 6 to 0.

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

Speakers:

Timothy Roberts, owner, made the presentation

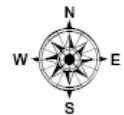
The staff **recommends approval** of the requested special exception because the request meets the criteria for a special exception.

If the Board decides to grant the requested special exception or variance 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 #2009-0010**

**6/11/2009**



**I. Issue**

The applicant proposes to construct an open front porch, a rear addition and rear porch at the property located at 500 Ivy Circle. Only the front porch requires a special exception.

**II. Background**

The subject property is one lot of record with 52.36 feet of frontage facing Ivy Circle, 100.67 feet of depth along the north side property line, 109.54 feet of depth along the south side property line and a total of 155.62 feet along the angled rear property line. The property contains 11,696 square feet of lot area. According to real estate assessment records the house was constructed in 1949.

**III. Description**

The applicants are proposing to construct a one-story open front porch. The front porch will extend 42.10 feet across the entire main building wall and will project a depth of 6.00 feet with a 1.00 foot overhang (permitted to project into the required yard). The front porch will total 192.60 square feet. The proposed porch will be located 24.00 feet at the closest point to the front property line, 22.50 feet from the south side property line and 15.00 feet from the north side property line. Therefore, the applicants must request a special exception of 6.00 feet to construct the front porch forward of the average front setback of the block (based on the average front yard setback of 32.59 feet along Ivy Circle).

The applicants have obtained a building permit to construct a rear addition and deck. The addition and deck comply with the applicable R-8 zoning requirements.

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 Taylor Run Small Area Plan for residential use.

**V. Requested Special Exception:**

7-1002 Residential Front Setback

The applicants request a special exception of 6.00 feet from the required 32.59 feet (based on the average front yard setback along Ivy Circle) to construct a one-story open front porch in the required front yard facing Ivy Circle.

**VI. Noncomplying structure**

The existing dwelling at 500 Ivy Circle is a noncomplying structure with respect to the following:

<u>Regulation</u>	<u>Required</u>	<u>Existing</u>	<u>Noncompliance</u>
Front Yard	32.59 feet*	30.00 feet	2.59 feet

\*Based on the average front yard setback along Ivy Circle.

**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 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 one-story open front porch is in keeping with the architecture and character of the existing dwelling. While there are no other similar porches in the immediate neighborhood, the modest design and size of the porch are compatible with character of the neighborhood. It is unlikely that the proposed open porch will negatively impact any adjacent property.

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:

- 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.

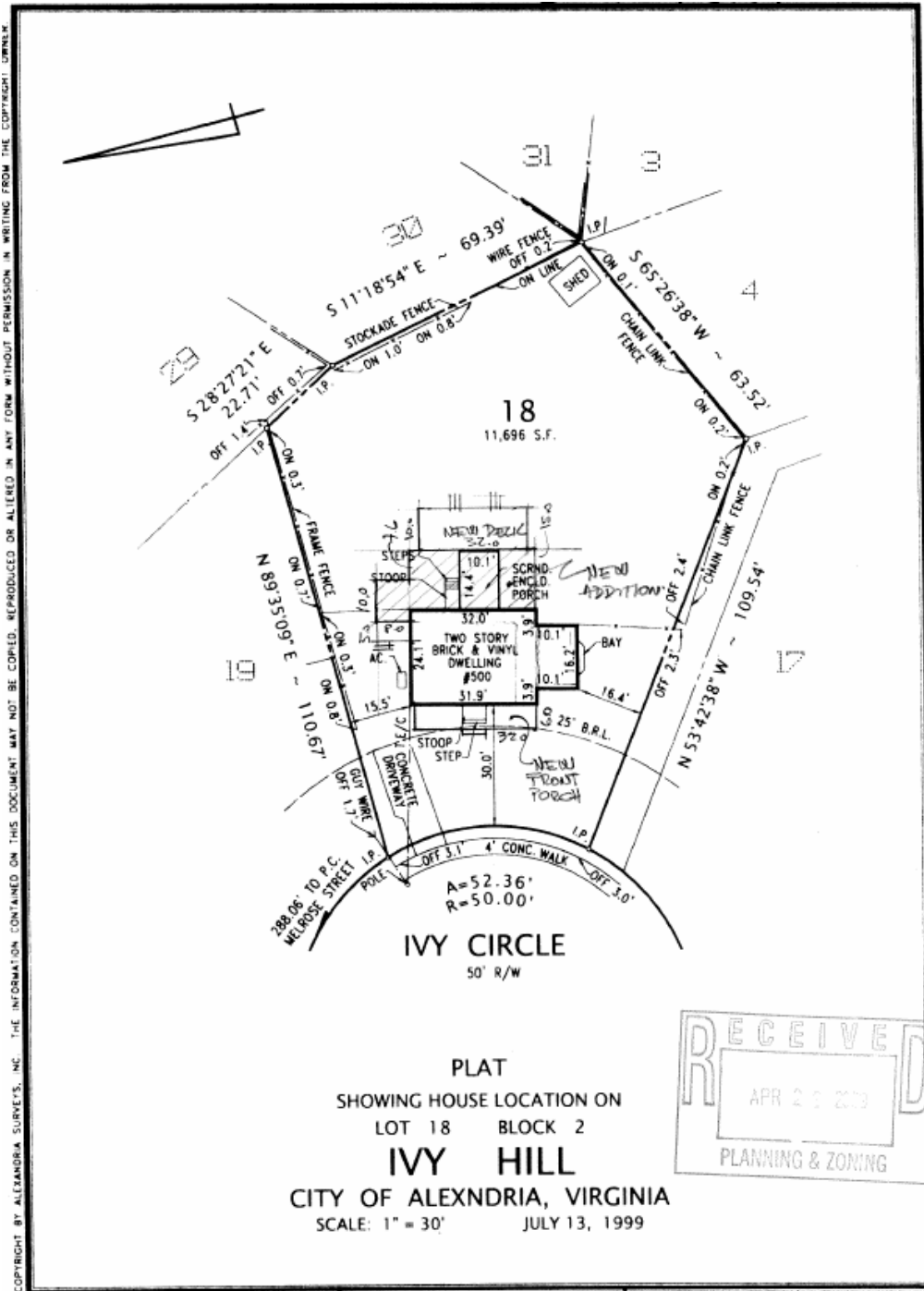
Historic Alexandria (Archaeology):

- 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



BZA Case # 2009-0010



**APPLICATION  
BOARD OF ZONING APPEALS**

**SPECIAL EXCEPTION FOR PORCHES**

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

7-1002(A)  
\_\_\_\_\_  
\_\_\_\_\_

1. Applicant:  Owner  Contract Purchaser  Agent  
Name Timothy + Constance Roberts  
Address 500 Ivy Circle

Daytime Phone 703 548-4489

Email Address SAXOROB@YAHOO.COM

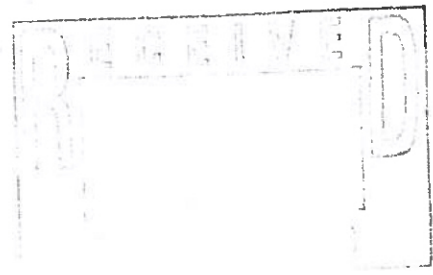
2. Property Location 500 Ivy Circle

3. Assessment Map # 52.02 Block 05 Lot 26

Zone R-8

4. Legal Property Owner Name SAME AS ABOVE

Address \_\_\_\_\_



5. Describe request briefly :

REQUEST PERMISSION TO CONSTRUCT  
A 06' x 32" FRONT PORCH ON FRONT OF  
HOUSE. MATERIALS TO BE PRESSURE  
TREATED. ROOF + TRIM MATERIAL TO  
MATCH EXISTING HOUSE.

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:

Constance Roberts

Print Name

703-548-4489

Telephone

Constance Roberts

Signature

4-29-09

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** (SECTIONS 11-1302(C) and 11-1304)

**APPLICANT MUST COMPLETE THE FOLLOWING:**

(Please use additional sheets where necessary.)

1. Please provide the following details of the proposed porch:
  - a. Porch projection from front building wall to deck edge 6'
  - b. Length of building wall where porch is to be built 32'
  - c. Length of porch deck 31' 9 1/4"
  - d. Depth of overhang 1'
  - e. Distance of furthest projecting porch element from the front property line 23'
  - f. Overall height of porch from finished or existing grade 10' 10" at the top / 9' 3 1/2" ceiling
  - g. Height of porch deck from finished or existing grade 16"
  
2. Explain the conditions of the subject property which prevent locating the proposed porch in compliance with the zoning ordinance.

HOUSE CURRENTLY SITS AT FRONT  
SET BACK SO THERE CAN BE NO  
PORCH WITHOUT CITY'S SPECIAL EXCEPTION.
  
3. Explain if the proposed porch will be detrimental to the adjacent properties or the neighborhood in general.

NO! NOT AT ALL.
  
4. Explain how the proposed porch will affect the light and air to any adjacent property.

NO! NOT AT ALL.
  
5. Has the applicant shown the plans to the most affected property owners? Have any neighbors objected to the proposed special exception, or have any neighbors written letters of support? If so, please attach the letter.

YES - ALL NEIGHBORS HAVE BEEN MET WITH.  
NO ONE HAS OBJECTED  
SUPPORT LETTERS ARE ATTACHED

- 6. The applicant shall demonstrate by clear and convincing evidence that the proposed porch is compatible with the existing building architecture, neighboring properties and neighborhood character. Provide information such as style and number of similar porches in the immediate neighborhood (provide dimensions and roof height as well as distance from curblineline). Photographs should be included as part of the evidence supporting this request.

WE INCLUDE PHOTOS OF NEARBY PORCHES, HOWEVER, NONE ARE IN OUR BLOCK PHASE.

ALSO ATTACHED IS A GOOGLE MAP LOCATING THE PORCHES.





## DEPARTMENT OF PLANNING AND ZONING FLOOR AREA RATIO AND OPEN SPACE CALCULATIONS

### A. Property Information

A1. Street Address 500 114 Circle - Alexandria VA Zone RE  
 A2. 11696 x 0.35 = 4093.6  
Total Lot Area                      Floor Area Ratio Allowed by Zone                      Maximum Allowable Floor Area

### B. Existing Gross Floor Area

Existing Gross Area*		Allowable Exclusions	
Basement	768	Basement**	768
First Floor	928	Stairways**	42
Second Floor	928	Mechanical**	-
Third Floor	-	Other**	-
Porches/ Other	-	Total Exclusions	810
<b>Total Gross *</b>	<b>2624</b>		

B1. Existing Gross Floor Area \*  
2624 Sq. Ft.  
 B2. Allowable Floor Exclusions\*\*  
810 Sq. Ft.  
 B3. Existing Floor Area minus Exclusions  
1814 Sq. Ft.  
 (subtract B2 from B1)

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

Proposed Gross Area*		Allowable Exclusions	
Basement		Basement**	
First Floor	560	Stairways**	
Second Floor		Mechanical**	
Third Floor		Other**	
Porches/ Other	230	Total Exclusions	
<b>Total Gross *</b>	<b>790</b>		

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

### D. Existing + Proposed Floor Area

D1. Total Floor Area (add B3 and C3) 2604 Sq. Ft.  
 D2. Total Floor Area Allowed by Zone (A2) 4093.6 Sq. Ft.

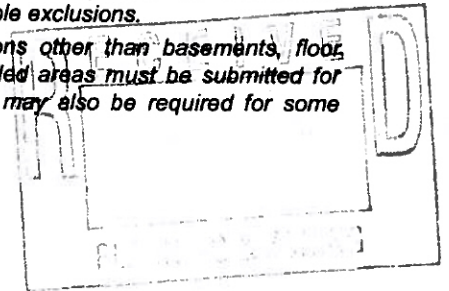
\*Gross floor area is the sum of all gross horizontal areas under roof, measured from the face of exterior walls, including basements, garages, sheds, gazebos, guest buildings and other accessory buildings.

\*\* Refer to the zoning ordinance (Section 2-145(B)) and consult with zoning staff for information regarding allowable exclusions.

If taking exclusions other than basements, floor plans with excluded areas must be submitted for review. Sections may also be required for some exclusions.

### F. Open Space Calculations

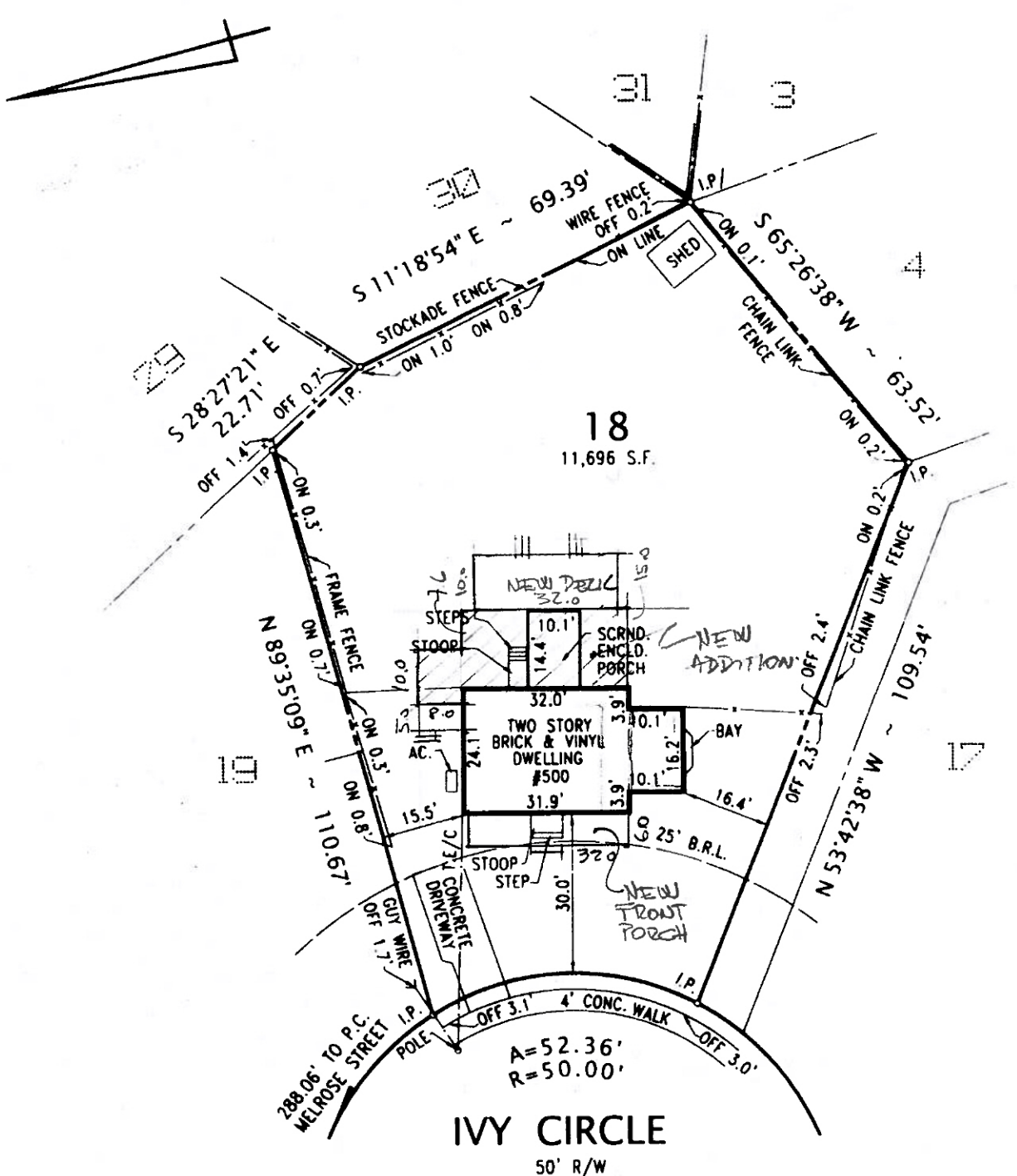
Existing Open Space	
Required Open Space	
Proposed Open Space	



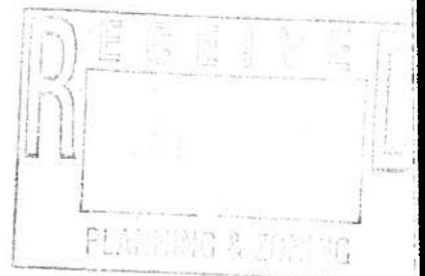
The undersigned hereby certifies and attests that, to the best of his/her knowledge, the above computations are true and correct.

Signature: [Signature] Date: 04-29-09

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PLAT  
 SHOWING HOUSE LOCATION ON  
 LOT 18 BLOCK 2  
**IVY HILL**  
 CITY OF ALEXNDRIA, VIRGINIA  
 SCALE: 1" = 30' JULY 13, 1999





ROBERT'S RESIDENCE  
 50 N WY CIRCLE  
 ALEXANDRIA, VA 22304

Prepared By:  
 Athena Remodelers, Inc.  
 11011 Lee Highway  
 Alexandria, VA 22304

Contractor:  
 Athena Remodelers, Inc.  
 11011 Lee Highway  
 Alexandria, VA 22304

DATE: 05/11/2011

PROJECT: ROBERT'S RESIDENCE

SCALE: 3/16" = 1'-0"

DATE: 05/11/2011

PROJECT: ROBERT'S RESIDENCE

SCALE: 3/16" = 1'-0"

DATE: 05/11/2011

PROJECT: ROBERT'S RESIDENCE

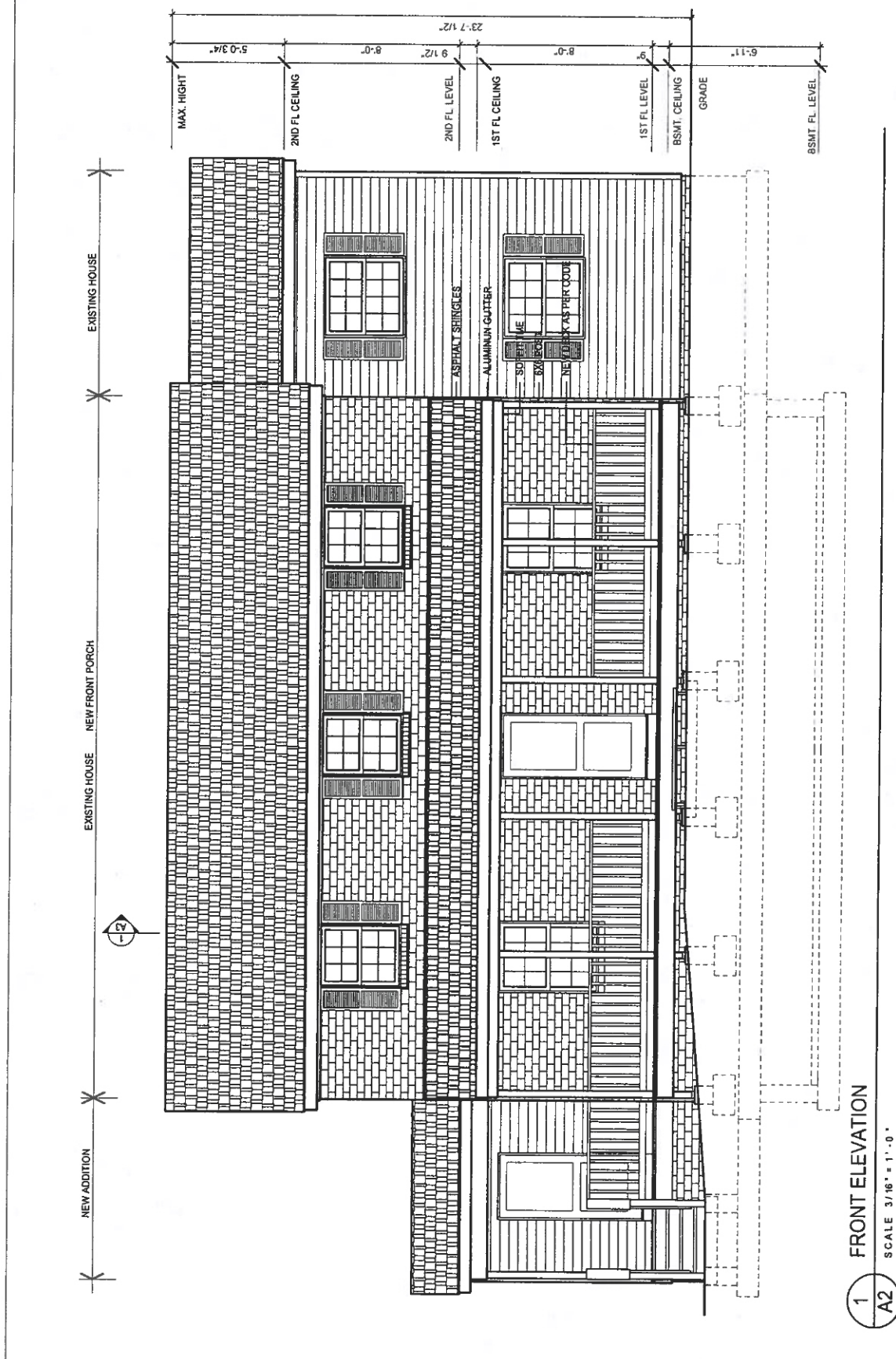
SCALE: 3/16" = 1'-0"

DATE: 05/11/2011

PROJECT: ROBERT'S RESIDENCE

SCALE: 3/16" = 1'-0"

DATE: 05/11/2011



A2

1 FRONT ELEVATION  
 A2 SCALE 3/16" = 1'-0"

ROBERT'S RESIDENCE  
500 IVY CIRCLE  
ALEXANDRIA, VA - 22302

Design By:  
Karyn Page  
Athena Remodelers, Inc.  
1781 Dunbar Shopping Plaza  
Dunbar, VA, 22028

Contractor:  
Athena Remodelers, Inc.  
1781 Dunbar Shopping Plaza  
Dunbar, VA, 22028

MVA

DATE: \_\_\_\_\_  
REVISION: \_\_\_\_\_

DRAWING TITLE:  
LEFT ELEVATION  
SECTION

GRAPHIC SCALE

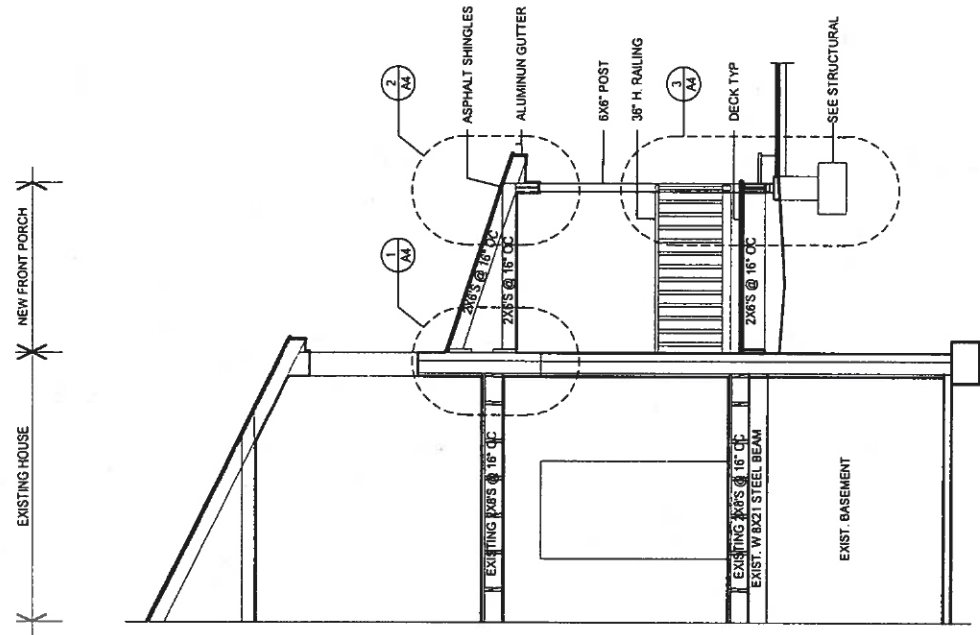
DRAWN BY: \_\_\_\_\_  
CHECKED BY: \_\_\_\_\_

PROJECT NO: \_\_\_\_\_  
DATE: \_\_\_\_\_  
JOB NO: \_\_\_\_\_

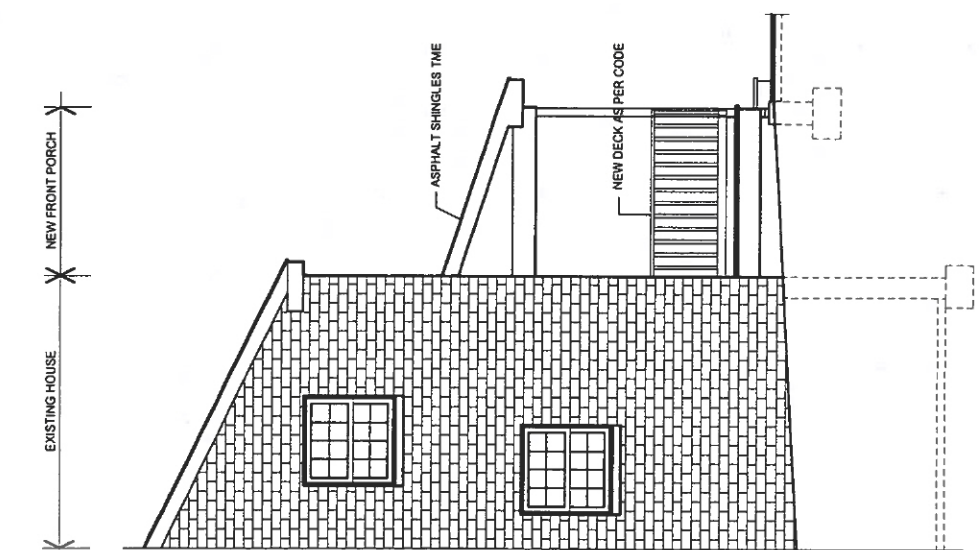
This drawing is the property of Athena Remodelers, Inc. and is to be used only for the project and location specified. It is not to be reproduced or used for any other project without the written consent of Athena Remodelers, Inc.

DATE: \_\_\_\_\_  
JOB NO: \_\_\_\_\_

A3



2 SECTION  
A3 SCALE 3/16" = 1'-0"



1 LEFT ELEVATION  
A3 SCALE 3/16" = 1'-0"



ROBERT'S RESIDENCE  
500 IVY CIRCLE  
ALEXANDRIA, VA - 22302

Drawn By  
Kara Pao  
Althra Remodelers, Inc.  
17811 Boulevard Shopping Plaza  
Baltimore, VA - 22017

Contractor  
Althra Remodelers, Inc.  
17811 Boulevard Shopping Plaza  
Baltimore, VA - 22017

DATE

PROJECT

DETAILS

SCALE

DATE

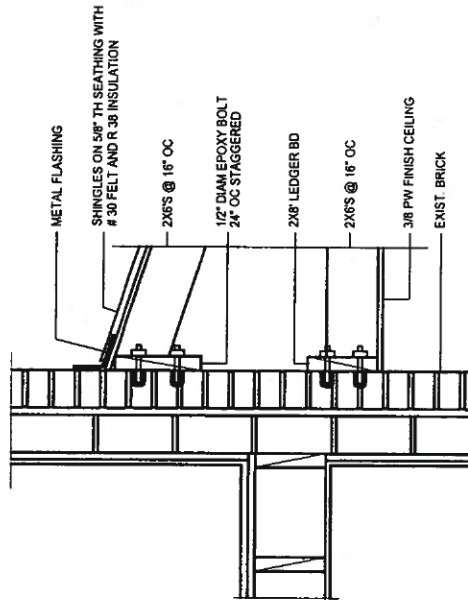
SCALE

PROJECT

SCALE

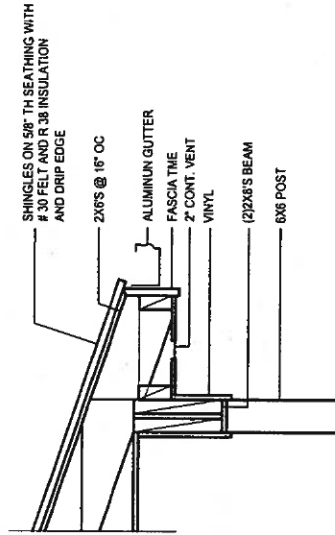
A4

EXIST HOUSE - NEW FRONT PORCH



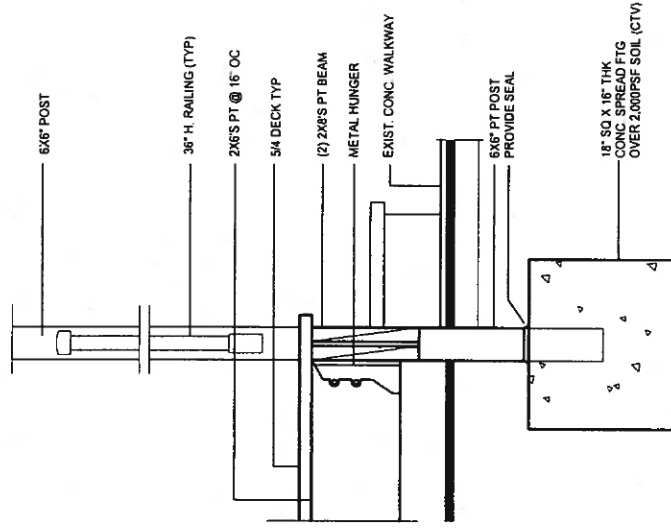
1  
A4

SCALE 3/4" = 1'-0"



2  
A4

SCALE 3/4" = 1'-0"



3  
A4

SCALE 3/4" = 1'-0"

BZA 2009-0010  
File copy



Front Elevation  
01/08/2006

RECEIVED  
APR 29 2009  
PLANNING & ZONING



BZA 2009-0610



2905 King Street







2900 King Street





**506 Ivy Circle**





406 Janney's Lane





717 Putnam