

Docket Item #4  
BZA CASE #2009-0011

Board of Zoning Appeals  
June 11, 2009

**ADDRESS:** 406 A E. HOWELL AVENUE  
**ZONE:** R-2-5, RESIDENTIAL  
**APPLICANT:** CHRISTIAN JOHANSON AND TAMARA JOVOVIC, OWNERS

**ISSUE:** Special exception to build a one-story rear addition and screened porch 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	8.00 feet	2.00 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. Lantzy, 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:

Christian Johanson and Tamara Jovovic, owners, 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.



**I. Issue**

The applicants propose to construct a rear one-story addition and screened porch at 406 A East Howell Avenue.

**II. Background**

The subject property is one lot of record with 25.00 feet of frontage facing Howell Avenue and a depth of 115.00 feet. The property contains 2,875 square feet of lot area. The subject is complying as to the minimum lot area, width and frontages for a lot occupied by a semi-detached dwelling in the R-2-5 zone.

The lot is currently developed with a two-story brick semi-detached dwelling located 20.02 feet from the front property line facing East Howell Avenue, 8.00 feet from the east side property line, a shared common party wall on the west side property line and 67.50 feet from the rear property line. According to real estate assessment records the house was constructed in 1944.

This two-story, hip-roof semi-detached dwelling is identified as a non-contributing resource within the National Register District of Town of Potomac. According to the National Register nomination, this house was constructed c.1940s. The following are BAR Staff comments regarding the proposed one-story rear addition with attached screened porch:

- One-story additions are commonly found on two-story duplex forms within the Town of Potomac.
- The simple gable form and the utilization of frame construction are appropriate for a secondary massing and are in-keeping with the style and architecture of the dwelling.
- The location of the additions, at the rear of the original massing, retains traditional development patterns of the Town of Potomac and an approx. 45 feet rear yard setback.

In Staff's opinion, the proposed one-story addition at the rear of the property will not adversely impact the dwelling's integrity nor negatively impact the Town of Potomac's National Register significance.

**III. Description**

The applicants propose to construct a one-story rear addition with a small portion on the west side property line and the remainder 3.00 feet from the west side property line, 8.00 feet from the east side property line and 55.00 feet from the rear property line. The addition measures 15.50 feet by 13.50 feet with a 4.00 feet by 3.00 feet bump out adjacent to the existing rear building wall and on the west side property line. The addition totals 229.0 square feet. The addition will measure 12.50 feet in height from grade to the roof eave facing the east side property line and 14.00 feet in height from grade to the midpoint of the gable facing the rear property line. The applicants must request a special

exception of 2.00 feet in order to construct the addition in line with the existing east side wall, 8.00 feet from the east side property line.

The applicants also propose to construct a one-story rear screened porch 3.00 feet from the west side property line, 8.00 feet from the east side property line and 44.00 feet from the rear property line. The screened porch measures 15.42 feet by 8.00 feet, totaling 123.36 square feet. The screened porch will measure 12.00 feet in height from grade to the roof eave facing the east side property line and 13.50 feet in height from grade to the midpoint of the gable roof facing the rear property line. Again, the applicants must request a special exception of 2.00 feet in order to construct the screened porch in line with the existing east side wall and proposed addition, 8.00 feet from the east side property line.

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 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 for residential land use.

**V. Requested Special Exception**

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

The applicants request a special exception of 2.00 feet from the required 10.00 feet to construct a one-story rear addition and one-story rear screened porch in the required east side yard.

**VI. Noncomplying structure**

The existing dwelling at 406 A East Howell 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	8.00 feet	2.00 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 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**

An inspection of the immediate neighborhood revealed that several homes have similar one-story additions and/or screened porches. The applicants are unable to construct the addition and the porch on the west side property line because of the location of the existing basement entrance and must set the addition and porch approximately 3.00 feet from the west side property line. Therefore, the applicants must request a special exception to construct the addition and porch in line with the existing east side building wall, 8.00 feet from the east side property line.

The one-story addition and screened porch are in keeping with the architecture of the existing dwelling and character of the neighborhood. It is unlikely that the proposed construction will negatively impact light or air to the other half of the semi-detached dwelling as a majority of the addition and porch will be set back from the shared west property line. The single family dwelling to the east projects approximately the same distance toward the rear property line and appears to be set at least 8.00 feet, as required from the shared property line.

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 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-5 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-6 Roof drainage systems must be installed so as neither to impact upon, nor cause erosion/damage to adjacent property.
- C-7 A soils report must be submitted with the building permit application.
- C-8 A wall location plat prepared by a land surveyor is required to be submitted to this office prior to requesting any framing inspection.

C-9 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.

Recreation (Arborist):

F-1 No trees are affected by this plan.

Historic Alexandria (Archaeology):

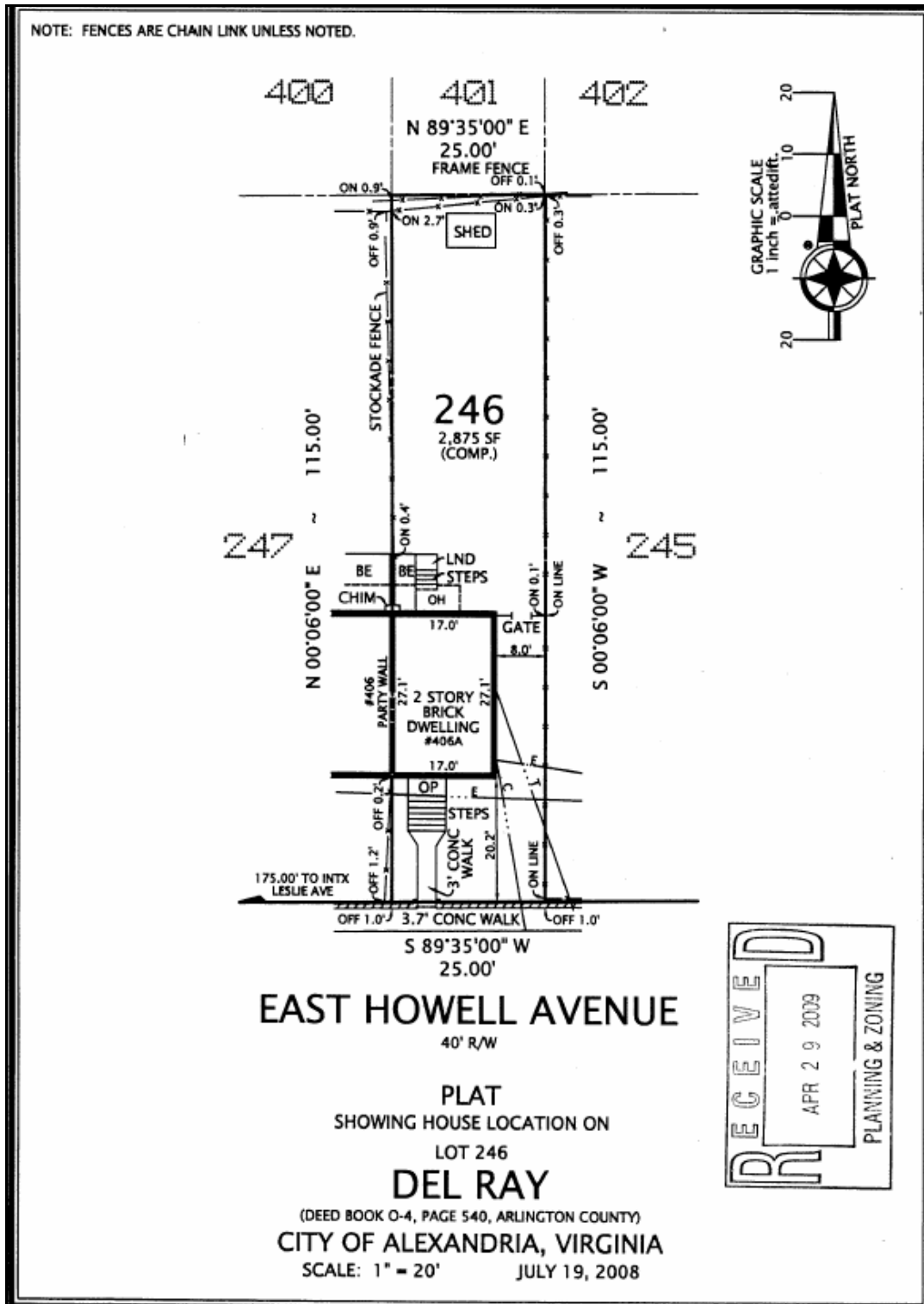
F-1 There is low potential for significant archaeological resources to be disturbed by this project. No archaeological action is required.

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



File Copy



**APPLICATION  
BOARD OF ZONING APPEALS**

**SPECIAL EXCEPTION FOR ADDITIONS**

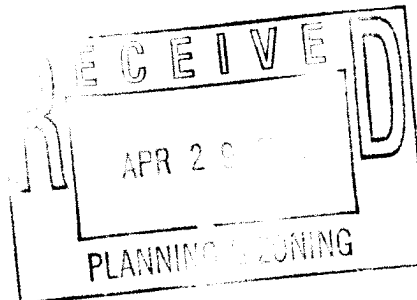
**BZA CASE #** 2009-0011

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

3-506 BULK AND OPEN SPACE REGULATIONS  
\_\_\_\_\_  
\_\_\_\_\_

**PART A**

1. **Applicant:**  **Owner**  **Contract Purchaser**  
 Name CHRISTIAN JOHANSON + TAMARA JOVOVIC  
 Address 406 A EAST HOWELL AVE  
ALEXANDRIA VA 22301 Daytime Phone 571-483-0122
2. **Property Location** 406 A EAST HOWELL AVE.
3. **Assessment Map** \_\_\_\_\_ **Block** \_\_\_\_\_ **Lot** 246 **Zone** R 2-5  
035.03-02-20
4. **Legal Property Owner:**  
 Name CHRISTIAN JOHANSON + TAMARA JOVOVIC  
 Address 406 A EAST HOWELL AVE  
ALEXANDRIA VA 22301



5. Describe request briefly :

We are proposing to build an approximately 220 square foot one story addition with an attached screened in porch. We are requesting a special exception to allow the addition and porch's side yard to equal our house's existing side yard of eight feet. Current zoning requires a minimum ten foot side yard in the R 2-5 zone.

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?

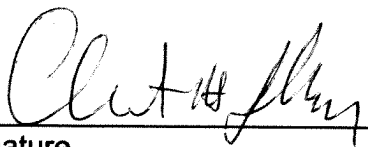
[ ] Yes — Provide proof of current City business license.

[ ] 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:

CHRISTIAN JOHANSON  
print name

  
signature

571-483-0122  
telephone

APRIL 27, 2009  
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:

When our house was built the side yard setback was eight feet. Current zoning requires a ten foot minimum. We would like our additions east wall to continue in the same line as our existing east wall. Our 17 foot wide house has a 3 1/2 foot walkout basement stair on the back, which reduces our potential width for the addition. By allowing us to maintain the existing 8 foot side setback, it will allow us to have a more comfortable width of approx. 13 feet.

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

Explain:

No, it will not. It will simply extend the rear length of our house and maintain the existing side yard of eight feet.

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

No, it will not. It will simply extend the rear length of our house while maintaining the existing eight foot side yard.

Our neighbor on the east side also has a one level addition. The distance between our homes and additions will be the same with our new addition as it was before.

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

Modest one story additions and porches are common throughout Del Ray. In addition, we are replicating some exterior details, such as twin double hung windows, similarly pitched roof, and shingle style and color.

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

Again, one story additions are common in our immediate area. There are two duplexes on our block above with rear additions.

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

Yes. There is no other location on our lot on which we could build an addition.

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:

We have spoken with and showed our plans to our two closest property owners (406 and 408 E. Howell). Both have expressed verbal support for our plans and addition.

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A

## 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 406 A EAST HOWELL AVE Zone R 2-5  
 A2. 2875 x .45 = 1294  
Total Lot Area                      Floor Area Ratio Allowed by Zone                      Maximum Allowable Floor Area

**B. Existing Gross Floor Area**

Existing Gross Area *		Allowable Exclusions	
Basement	461	Basement**	461
First Floor	461	Stairways**	53
Second Floor	461	Mechanical**	
Third Floor ATTIC	461	Porch/ Garage**	
Porches/ Other		Attic less than 5'**	451
<b>Total Gross *</b>	<b>1844</b>	<b>Total Exclusions</b>	<b>965</b>

B1. Existing Gross Floor Area \*  
1844 Sq. Ft.  
 B2. Allowable Floor Exclusions\*\*  
965 Sq. Ft.  
 B3. Existing Floor Area minus Exclusions 879 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	220	Stairways**	
Second Floor		Mechanical**	
Third Floor		Porch/ Garage**	
Porches/ Other	96	Attic less than 5'**	
<b>Total Gross *</b>	<b>316</b>	<b>Total Exclusions</b>	<b>0</b>

C1. Proposed Gross Floor Area \*  
316 Sq. Ft.  
 C2. Allowable Floor Exclusions\*\*  
0 Sq. Ft.  
 C3. Proposed Floor Area minus Exclusions 316 Sq. Ft.  
 (subtract C2 from C1)

**D. Existing + Proposed Floor Area**

D1. Total Floor Area (add B3 and C3) 1195 Sq. Ft.  
 D2. Total Floor Area Allowed by Zone (A2) 1294 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.*

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

Existing Open Space	
Required Open Space	
Proposed Open Space	

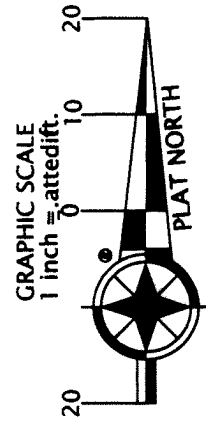
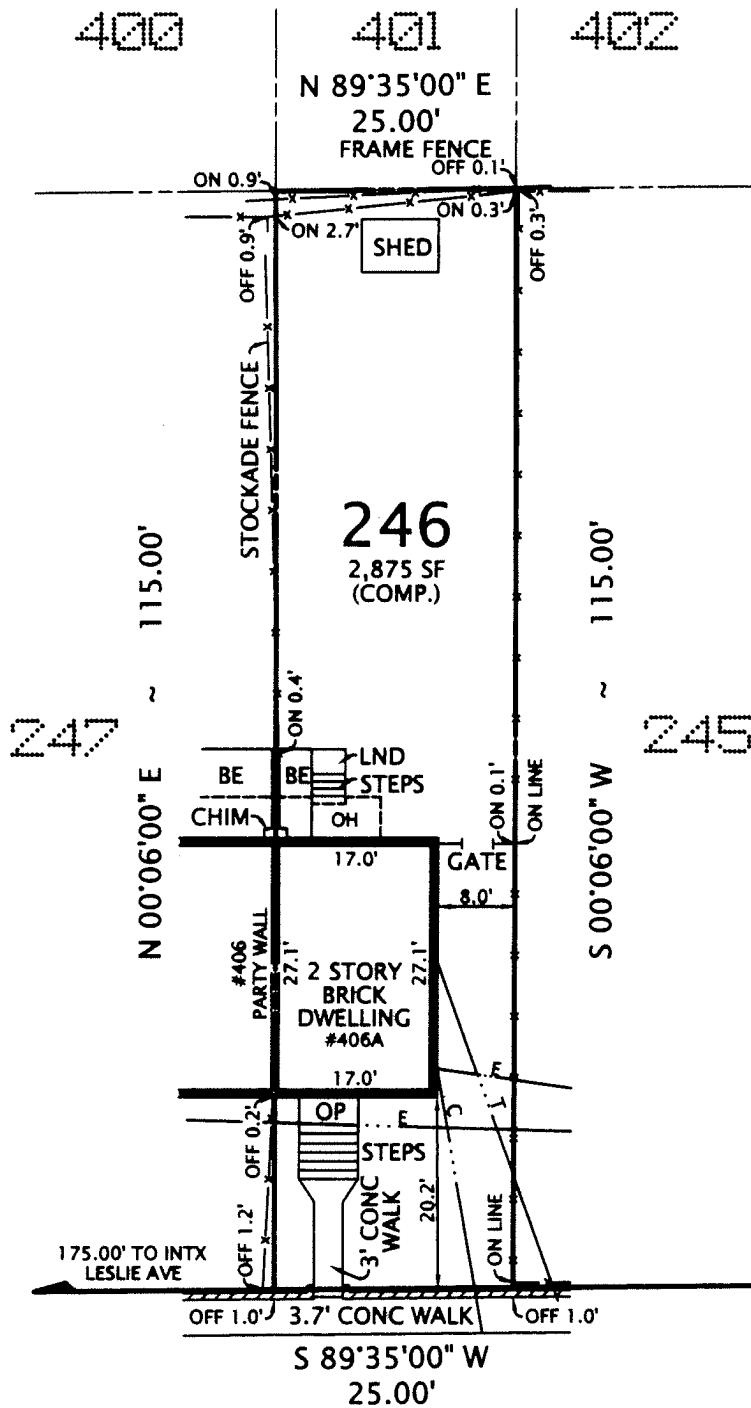
*If taking exclusions other than basements, floor plans with excluded areas illustrated must be submitted for review. Sections may also be required for some exclusions.*

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

Signature:  Date: 4/28/09

BZA 2009-0011  
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NOTE: FENCES ARE CHAIN LINK UNLESS NOTED.



EAST HOWELL AVENUE

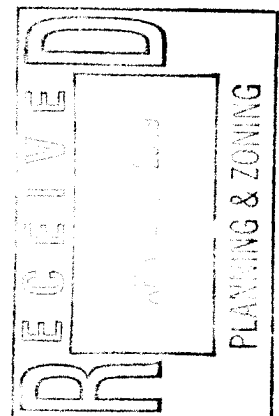
40' R/W

PLAT

SHOWING HOUSE LOCATION ON

LOT 246

DEL RAY



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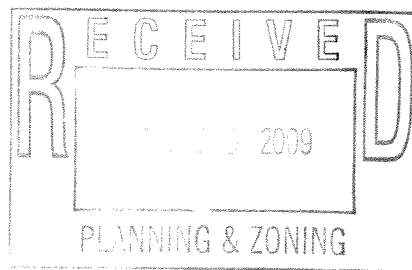




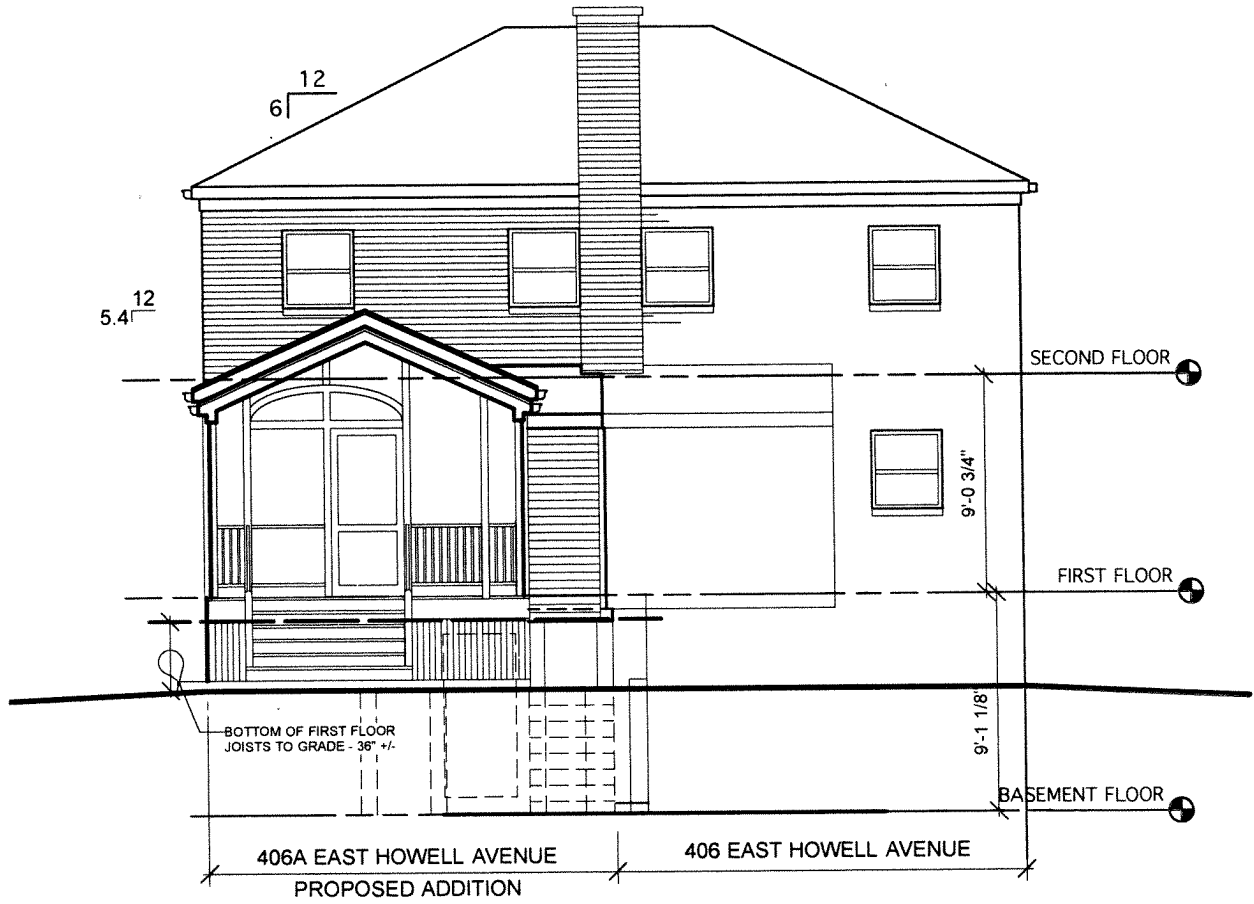


**EAST ELEVATION**

1/8" = 1'-0"

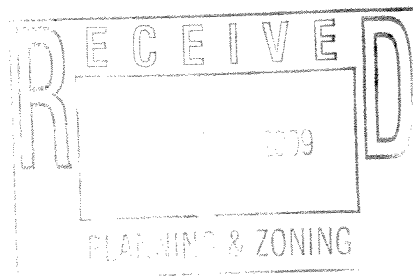


**ADDITION to JOVOVIC / JOHANSON RESIDENCE**  
APRIL 29, 2009



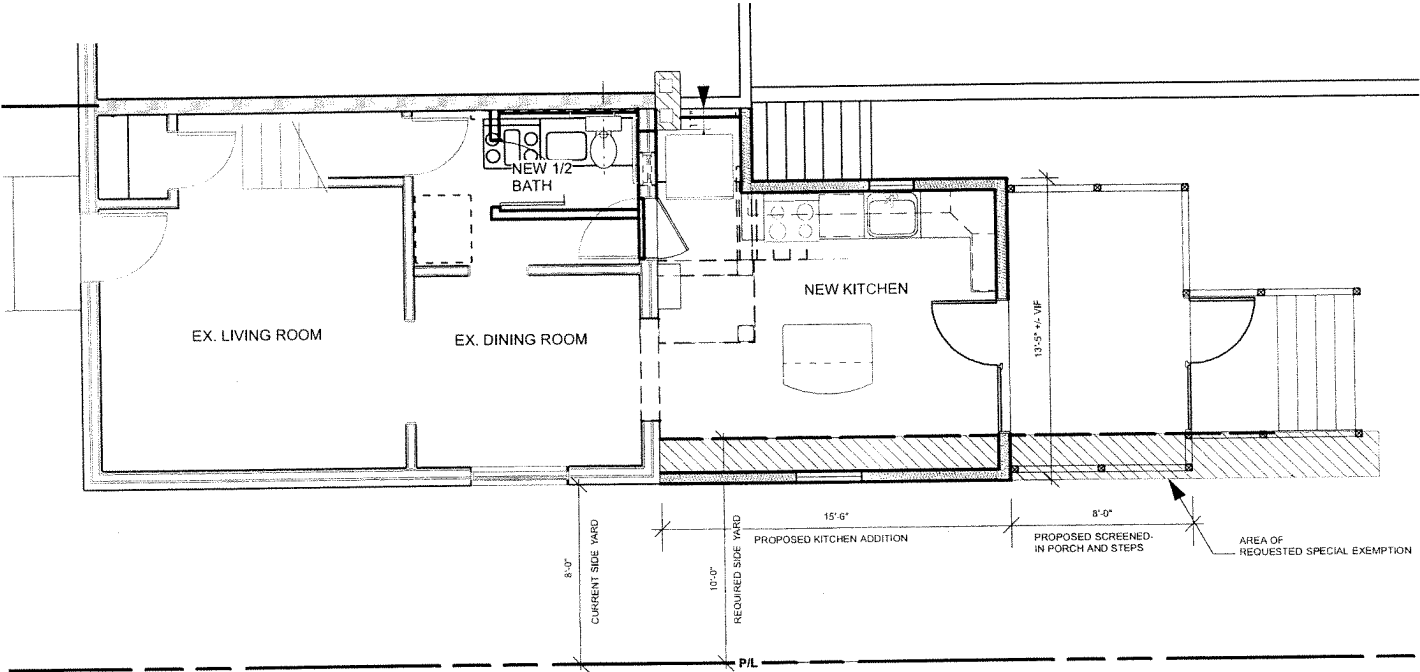
**NORTH ELEVATION**

1/8" = 1'-0"



**ADDITION to JOVOVIC / JOHANSON RESIDENCE**  
APRIL 29, 2009

BZA 2009-0011  
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FLOOR PLAN

1/8" = 1'-0"

ADDITION to JOVOVIC / JOHANSON RESIDENCE  
APRIL 29, 2009