

Docket Item # 2
BZA CASE #2009-0013

Board of Zoning Appeals
July 9, 2009

ADDRESS: 401 E. RAYMOND AVENUE
ZONE: R-2-5, RESIDENTIAL
APPLICANT: ALABAMA LLC, OWNER, BY STEPHEN KULINSKI, ARCHITECT

ISSUE: Special exception to construct a two-story rear addition in the required west side yard.

CODE SECTION	SUBJECT	CODE REQMT	APPLICANT PROPOSES	REQUESTED EXCEPTION
3-506(A) (2)	Side Yard (West)	7.00 ft	2.40 ft	4.60 ft

*Based on a building height of 20.00 feet to the roof eave facing the west side yard.

BOARD OF ZONING APPEALS ACTION OF JULY 9, 2009: On a motion to approve by Mr. Allen, seconded by Mr. Zander, the special exception was approved by a vote of 5 to 0.

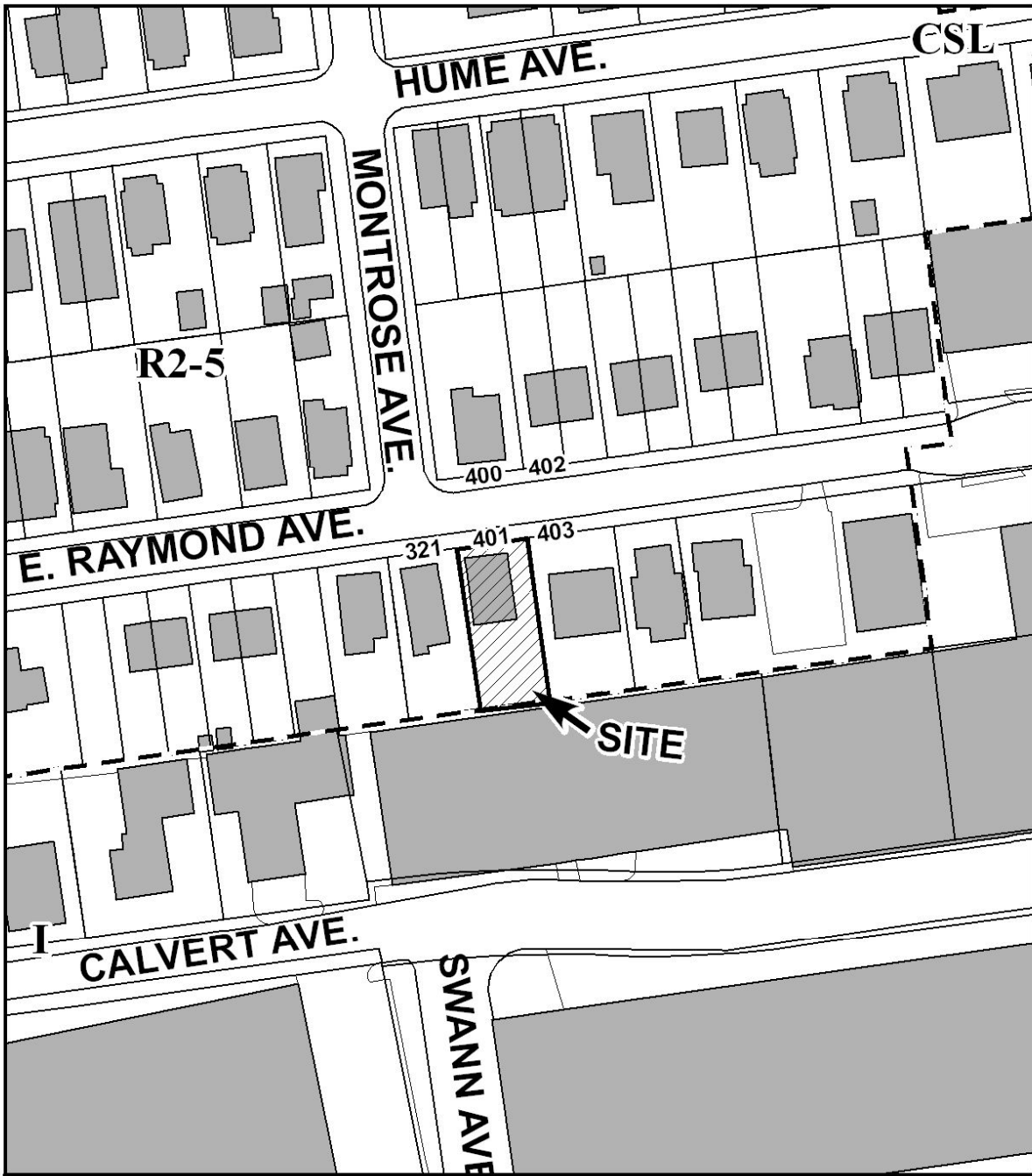
Reason to approve: The application met the criteria for a special exception as outlined in the staff report.

Speakers:

Stephen Kulinski, 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 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 #2009-0013

07/09/09



I. Issue

The applicant proposes to construct a two-story rear addition at 401 East Raymond Avenue.

II. Background

The subject property consists of two lots with a combined frontage of 41.00 feet facing East Raymond Avenue, a depth of 100.00 feet along the east and west side property lines and contains 4,100 square feet of lot area. The subject property is substandard with regards to the 5,000 square foot minimum lot area required for an R-2-5 zoned property.



The lot is currently developed with a two-story single family dwelling with a covered open front porch is located 9.00 feet from the front property line facing East Raymond Avenue, 2.40 feet from the west side property line, 16.90 feet from the east side property line and 54.60 feet from the rear property line. The house is a Folk Victorian within the boundaries of the Town of Potomac national Register Historic District and is listed as a contributing resource to the district.

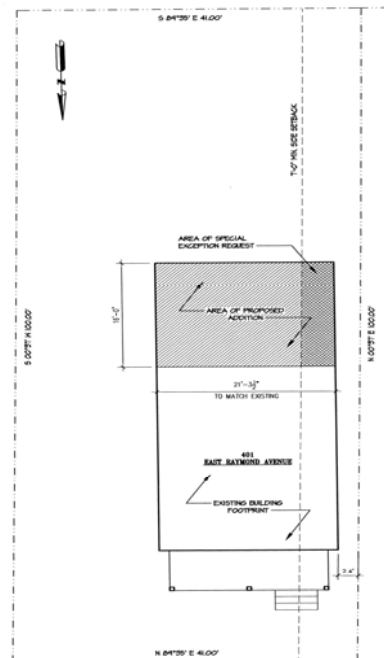
According to real estate assessment records, the existing house was constructed in 1920.

III. Description

The applicant proposes to construct a two-story rear addition that measures 16.00 feet by 21.40 totaling 342.40 square feet. The proposed addition measures 24.00 feet in height from grade to the midpoint of the rear gabled roof facing the rear property line and 20.00 feet to the roof eave facing the west side yard property line. The addition will be located 2.40 feet from the west side property line, 16.90 feet from the east side property line and 38.60 feet from the rear property line. Because the applicant is proposing to extend only one noncomplying wall (the west wall), the proposed addition is eligible for a special exception.



2 POPOSED WEST ELEVATION
A2 SCALE: 1/8" = 1'-0"



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

There have been 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 for residential low land use.

V. Requested Special Exception:

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

The applicant requests a special exception of 4.60 feet from the required west side setback of 7.00 feet (based on a building height 20.00 feet to the roof eave of the proposed two-story addition facing the west side of the property line).

VI. Noncomplying Structure and Substandard Lot

The existing building and lot at 401 East Raymond Avenue is noncomplying structure and substandard lot with respect to the following:

<u>Lot Requirement</u>	<u>Required</u>	<u>Existing</u>	<u>Noncompliance</u>
Lot Size	5,000 sq. ft.	4,000 sq. ft.	1,000 sq. ft
Lot Width	50.00 feet	41.00 feet	9.00 feet
Side Yard (West)	7.00 feet	2.40 feet	4.60 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

The applicant's proposal is for an exception to construct a two-story rear addition 2.4 feet from the west side property line. The rear addition retains a two-story form, mimicking the existing form of the historic house. The drawings show slight differentiation between the addition and the original house, with a trim board separating the addition from the original. This treatment is recommended to allow the addition to be perceived as a later evolution to the historic house. While the materials are not called out on the drawings, the exterior building material appears to be a wood or similar siding, complimenting the original siding.

The subject lot is similar in lot size and width to the adjacent single family house. An inspection of the immediate neighborhood has revealed several homes with rear additions in line with the original building walls. Many of the homes appear to be built closer to the side property lines than the zoning rules currently permit.

Staff believes that the design of the proposed addition will be modest and compliment the architect and character of the neighborhood.

The applicant indicates that they have spoken with the most affected neighbors, the property owners to the west. Staff has not received objections from either neighbor to the proposed plans.

Staff believes that the applicants' property meets the standards for a special exception.

Staff therefore, **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 All exterior walls within 5 feet from an interior property line shall have a fire resistance rating of 1 hour, from both sides of the wall. As alternative, a 2 hour fire wall may be provided. This condition is also applicable to skylights within setback distance. Openings in exterior walls between 3 and 5 feet shall not exceed 25% of the area of the entire wall surface (This shall include bay windows). Openings shall not be permitted in exterior walls within 3 feet of an interior lot line.
- C-2 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-3 Roof drainage systems must be installed so as neither to impact upon, nor cause erosion/damage to adjacent property.
- C-4 A soils report must be submitted with the building permit application.
- C-5 Additions and Alterations to the existing structure must comply with the 2006 edition of the Uniform Statewide Building Code (USBC).
- C-6 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-7 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.

BZA CASE #2009-0013

- C-8 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-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 trees are affected by this plan.

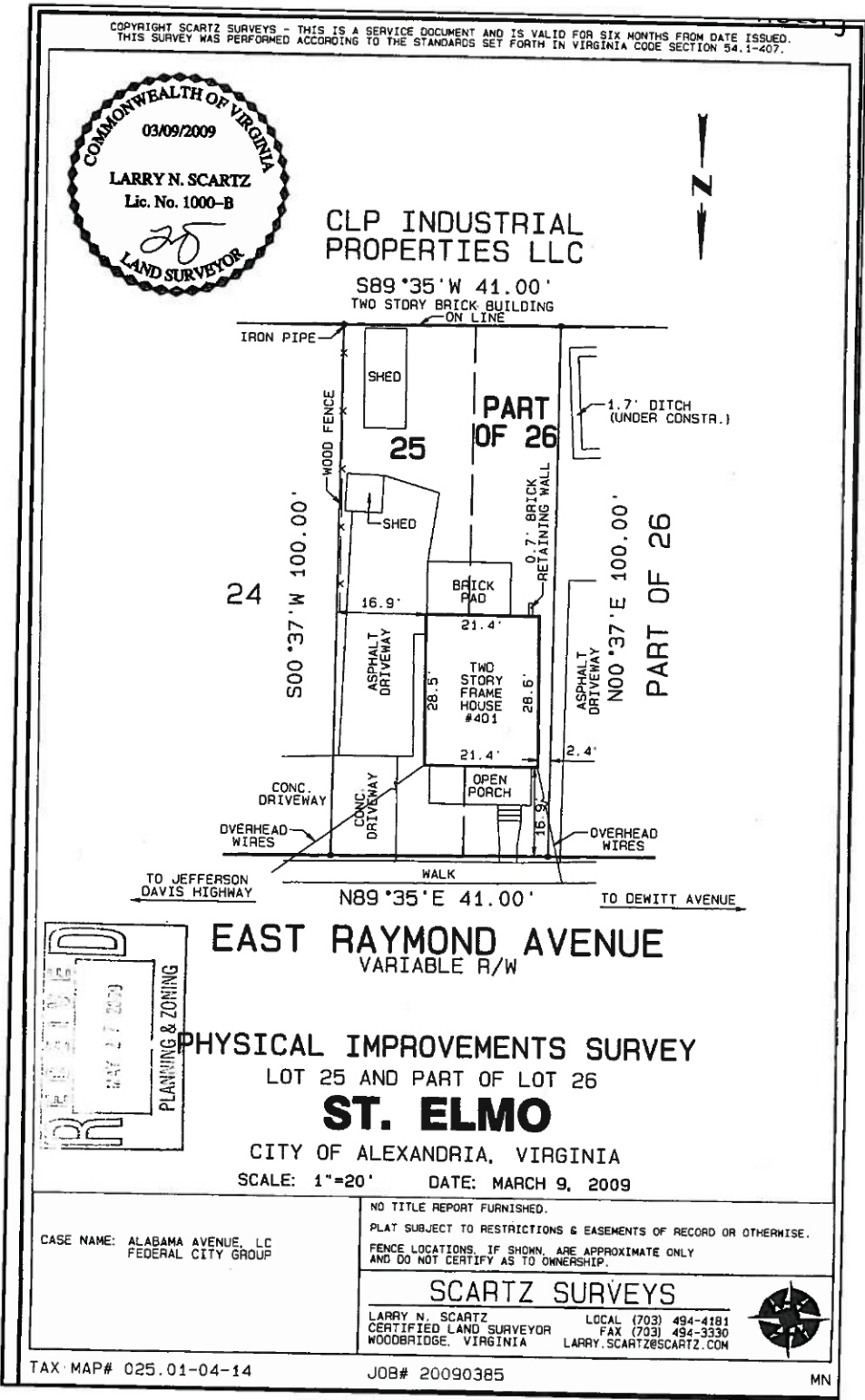
Historic Alexandria (Archaeology):

- 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

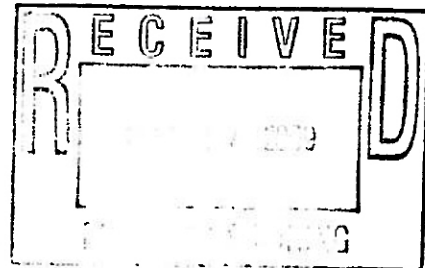
BZA CASE # 2009-0013

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

3-500 (A) (2) SIDEYARDS. EACH SINGLE FAMILY SHALL PROVIDE 2 SIDE YARDS, EACH BASED ON A SETBACK RATIO 1:3 AND A MINIMUM SIZE OF 7 FEET

PART A

1. **Applicant:** Owner Contract Purchaser
 Name STEPHEN KUINSKI
 Address 104 N. WEST STREET
 Daytime Phone 703 836 7243
2. **Property Location** 401 E. RAYMOND AVE.
3. **Assessment Map** 025.01 Block 01 Lot 04 Zone 14
4. **Legal Property Owner:**
 Name ALABAMA LLC
 Address 7015 SOUTHTOWN ROAD
ALEXANDRIA, VA 22308



5. Describe request briefly :

SPECIAL EXCEPTION TO BUILD A 2 STORY
REAR ADDITION 2.4 FEET FROM THE WEST
PROPERTY LINE

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?

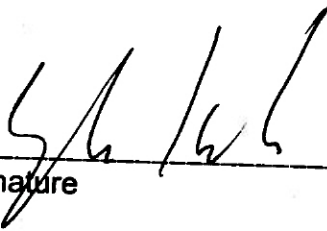
Yes — Provide proof of current City business license.

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:

STEPHEN KULINSKI AIA
print name


signature

703-836-7243
telephone

5-27-09
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:

IT WILL ALLOW THE HOUSE TO BE BROUGHT UP TO LIVABLE STANDARDS COMENSURATE WITH THE SURROUNDING PROPERTIES IN THE NEIGHBORHOOD.

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

Explain:

IT WILL NOT HARM ADJOINING PROPERTIES. IT WILL HAVE A POSITIVE IMPACT ON HOUSING VALUES IN THE NEIGHBORHOOD.

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

THE ADDITION WILL EXTEND TO THE SOUTH APPROXIMATELY THE SAME DISTANCE AS THE NEIGHBORING STRUCTURES. THE SPACE BETWEEN THE ADDITION AND THE STRUCTURE (321 E RAYMOND) TO THE WEST IS 10.3 FEET. THIS DISTANCE IS MORE THAN THE REQUIRED COMBINED SIDE YARDS. THIS ALLOWS FOR MORE THAN EXPECTED LIGHT & AIR TO THE NEIGHBORING PROPERTY.

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

SEVERAL SIMILAR HOUSE TYPES EXIST ON THIS BLOCK (314, 323, 405 & 407) THIS ADDITION WILL BE CONSISTENT WITH PRIOR ADDITIONS TO THESE SIMILAR HOUSE TYPES. THIS PROPERTY SITS IN A ROW OF 4 HOUSES THAT HAVE SIMILAR FORM & SEPARATION DISTANCES BETWEEN THEM REGARDLESS OF THEIR LOCATIONS RELATIVE TO PROPERTY LINES.

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

THE TWO HOUSES TO THE WEST HAD IDENTICAL FLOOR PLANS PRIOR TO THE ADDITIONS ADDED OVER THE YEARS. THIS ADDITION WILL MATCH THEIR SIMILAR FORMS & MATERIALS.

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

YES, THE LOCATION AFFORDS THE ABILITY TO MAINTAIN A DRIVEWAY ALONG THE WEST SIDE, CONSISTENT WITH THE NEIGHBORING HOUSES. ROOM ARRANGEMENTS WORK EFFICIENTLY WITH THE DIRECT EXTENSION OF THE BUILDING FORM. THE ARCHITECTURE WILL CONFORM WITH THE NEIGHBORING STRUCTURES.

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:

NOT YET, BUT WILL DO SO PRIOR TO THE HEARING!



**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 401 E. RAYMOND AVE Zone R 2-5
 A2. 4,100 x .45 = 1845
Total Lot Area Floor Area Ratio Allowed by Zone Maximum Allowable Floor Area

B. Existing Gross Floor Area

Existing Gross Area *		Allowable Exclusions	
Basement	163	Basement**	163
First Floor	610.97	Stairways**	121
Second Floor	610.97	Mechanical**	76
Third Floor	140	Porch/ Garage**	116/152
Porches/ Other	116/152	Attic less than 5**	
Total Gross *	1792.94	Total Exclusions	628

B1. Existing Gross Floor Area *
1792.94 Sq. Ft.
 B2. Allowable Floor Exclusions**
628 Sq. Ft.
 B3. Existing Floor Area minus
 Exclusions 1164.94 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	340	Stairways**	
Second Floor	340	Mechanical**	
Third Floor		Porch/ Garage**	
Porches/ Other		Attic less than 5**	
Total Gross *	680	Total Exclusions	

C1. Proposed Gross Floor Area *
680 Sq. Ft.
 C2. Allowable Floor Exclusions**
 — Sq. Ft.
 C3. Proposed Floor Area minus
 Exclusions 680 Sq. Ft.
 (subtract C2 from C1)

D. Existing + Proposed Floor Area

D1. Total Floor Area (add B3 and C3) 1844.94 Sq. Ft.
 D2. Total Floor Area Allowed by Zone (A2) 1845 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	<u>N/A</u>
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.

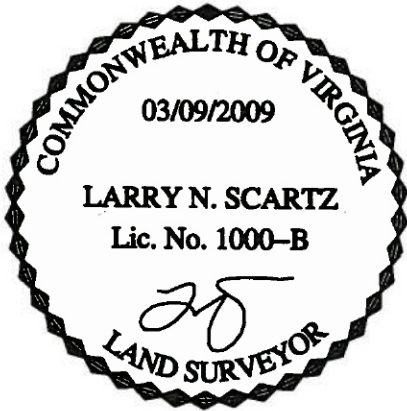
Signature: [Signature] Date: 7.1.09

Updated July 10, 2008

REVISED

BZA 2009-0013

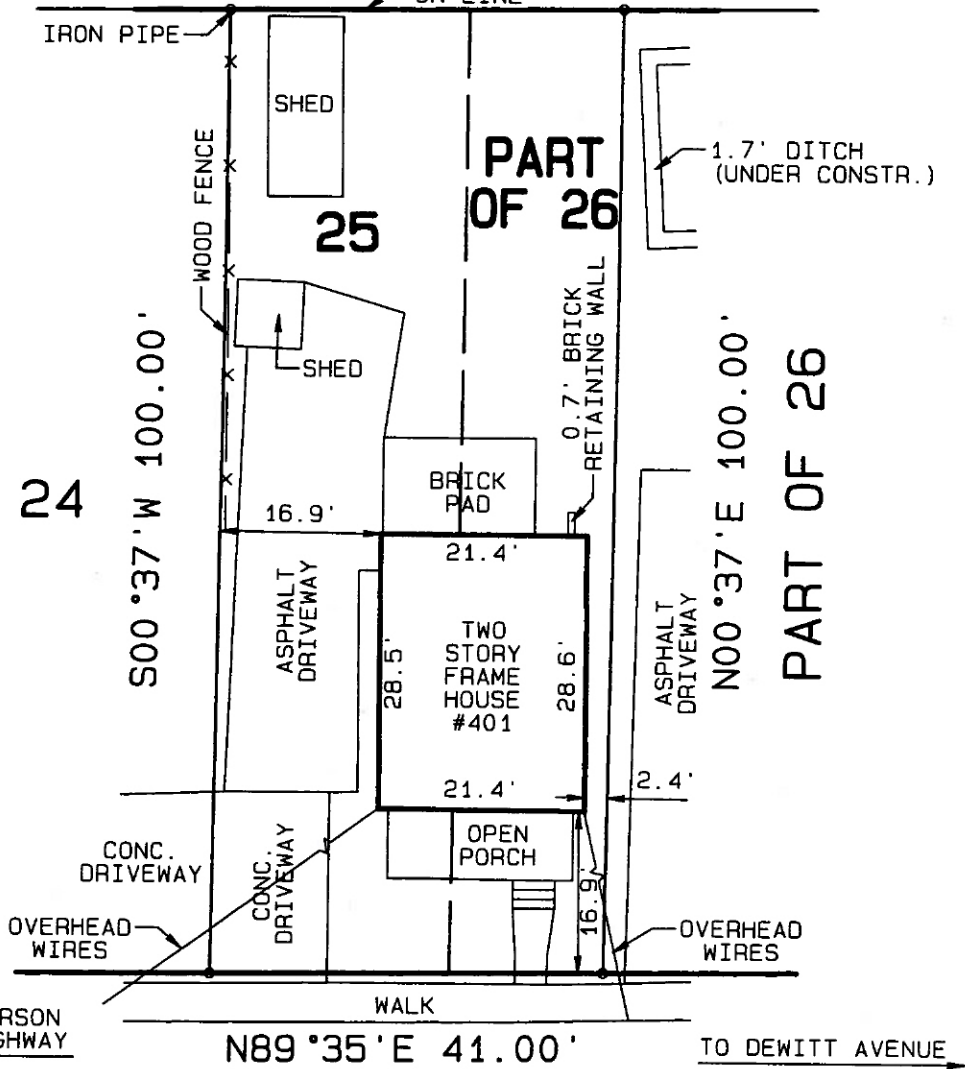
COPYRIGHT SCARTZ SURVEYS - THIS IS A SERVICE DOCUMENT AND IS VALID FOR SIX MONTHS FROM DATE ISSUED.
THIS SURVEY WAS PERFORMED ACCORDING TO THE STANDARDS SET FORTH IN VIRGINIA CODE SECTION 54.1-407.



CLP INDUSTRIAL PROPERTIES LLC



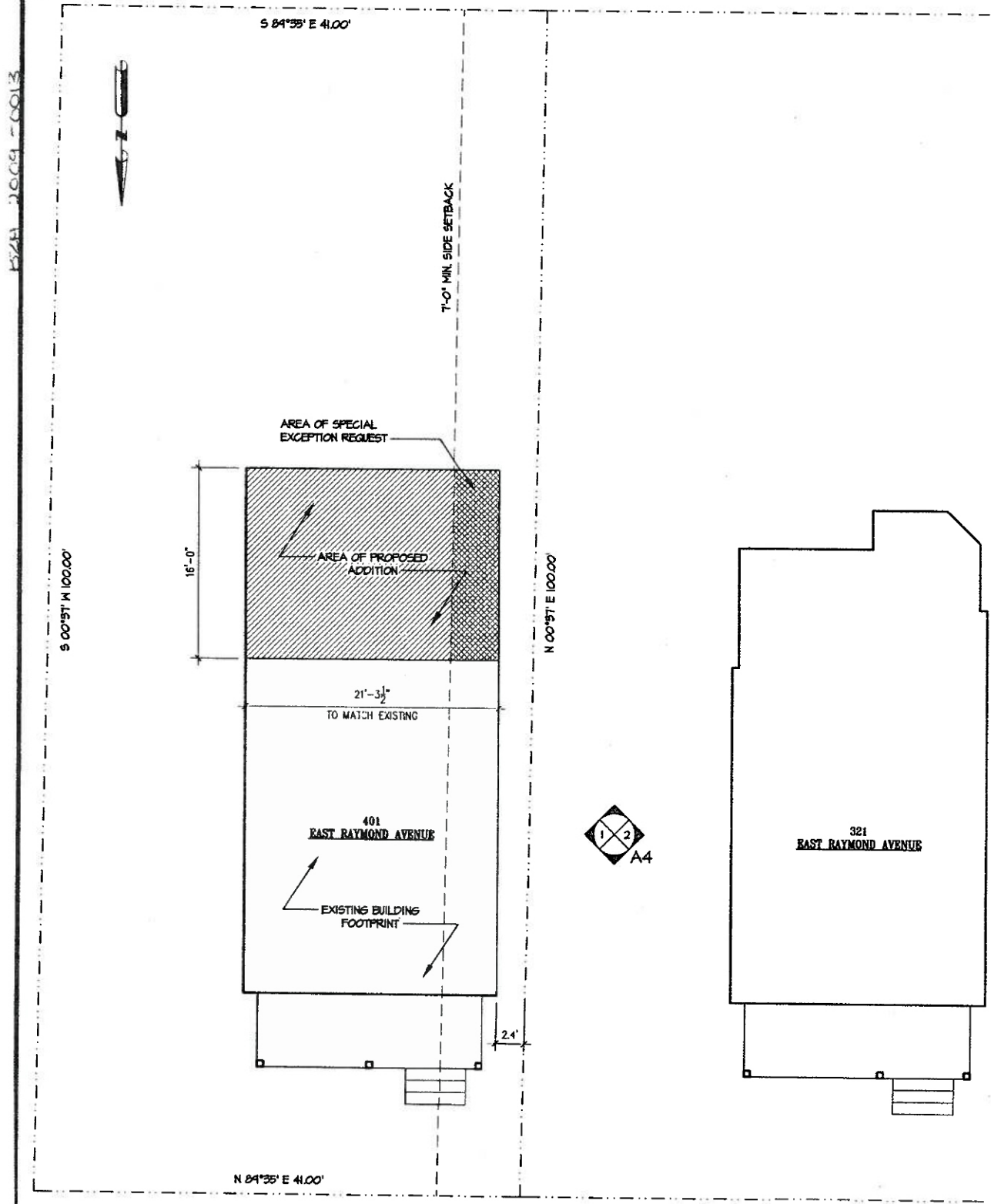
S89°35'W 41.00'
TWO STORY BRICK BUILDING
ON LINE



EAST RAYMOND AVENUE

VARIABLE R/W

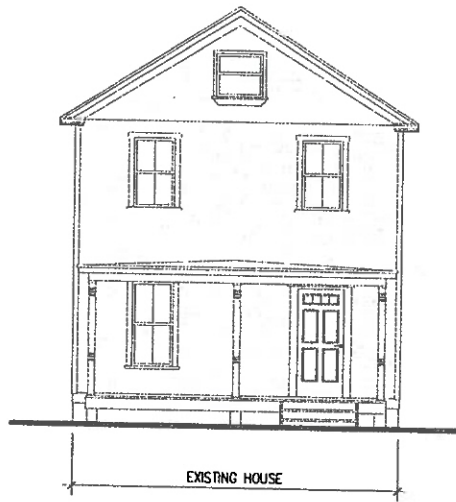
PHYSICAL IMPROVEMENTS SURVEY



1 PROPOSED SITE PLAN
A1 SCALE: 1/8" = 1'-0"



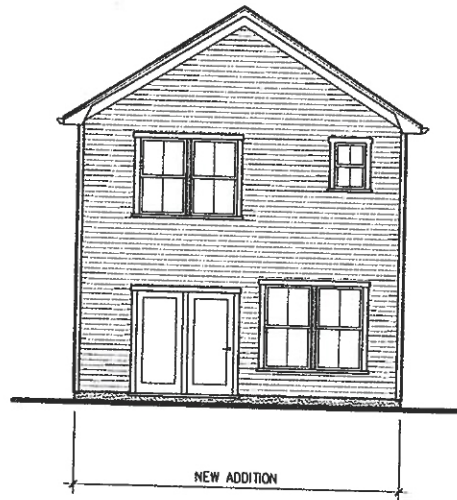
JLB ARCHITECTS	401 EAST RAYMOND ADDITION <small>401 EAST RAYMOND ALEXANDRIA, VA 22302</small>	<small>SHEET NUMBER</small> A1
	<small>104 N. WEST ST. • ALEXANDRIA VA 222314 703.836.7243 • FAX 703.836.7247 INFO@JLBARCHITECTS.COM • WWW.JLBARCHITECTS.COM</small>	



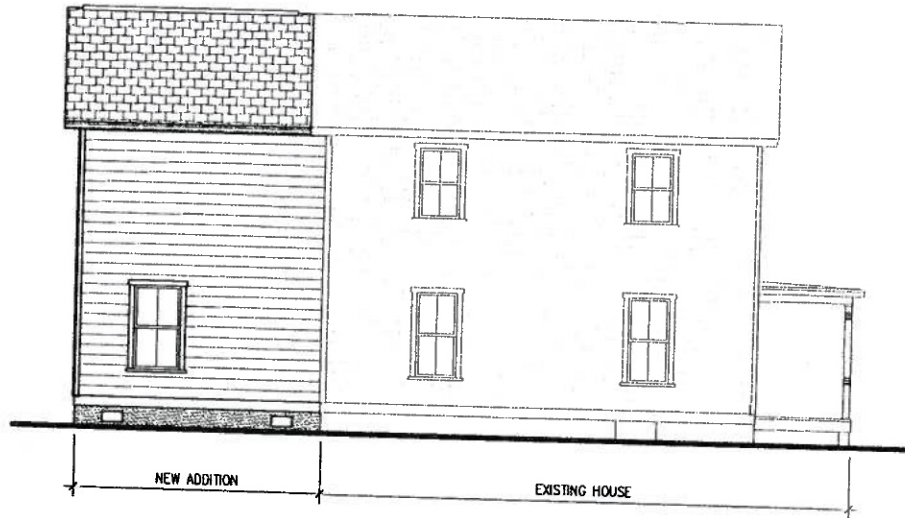
1 POPOSED NORTH ELEVATION
A2 SCALE: 1/8" = 1'-0"



2 POPOSED WEST ELEVATION
A2 SCALE: 1/8" = 1'-0"



1 POPOSED SOUTH ELEVATION
A3 SCALE: 1/8" = 1'-0"



2 POPOSED EAST ELEVATION
A3 SCALE: 1/8" = 1'-0"

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ARCHITECTS

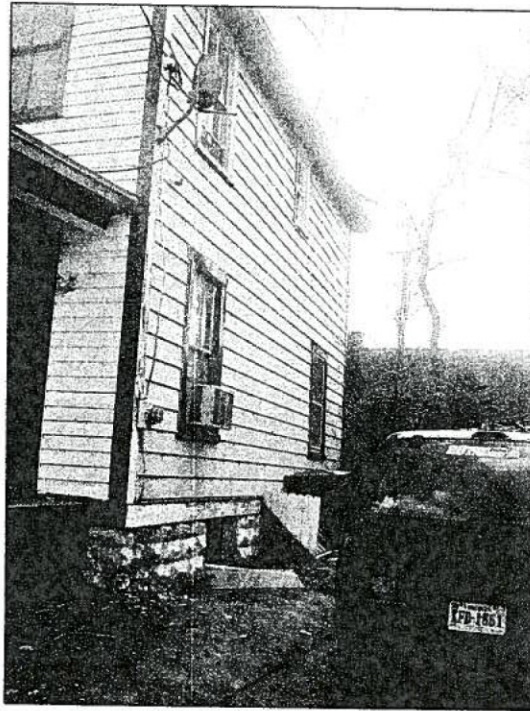
401 EAST RAYMOND ADDITION

401 EAST RAYMOND ALEXANDRIA, VA 22302

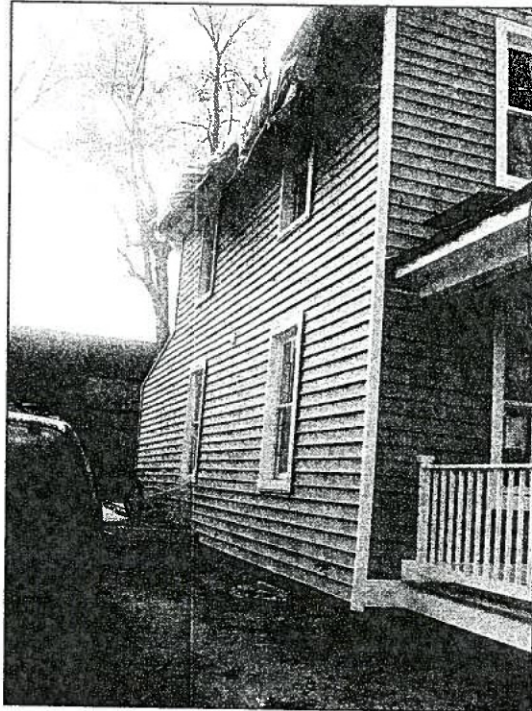
104 N. WEST ST. • ALEXANDRIA VA 222314
703.836.7243 • FAX 703.836.7247
INFO@JLBARCHITECTS.COM • WWW.JLBARCHITECTS.COM

SHEET NUMBER

A3



1 401 EAST RAYMOND (WEST ELEVATION)
A4 SCALE: N.T.S.



2 321 EAST RAYMOND (EAST ELEVATION)
A4 SCALE: N.T.S.

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401 EAST RAYMOND ADDITION

401 EAST RAYMOND ALEXANDRIA, VA 22302

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SHEET NUMBER

A4