

Docket Item #3
BZA CASE #2009-0021

Board of Zoning Appeals
September 10, 2009

ADDRESS: 206 UHLER TERRACE
ZONE: R-8, RESIDENTIAL
APPLICANT: THOMAS LAWRENCE, OWNER, BY CONSTRUCTIVE, INC.,
CONTRACTOR

ISSUE: Special exception to construct a covered open porch in the required front yard facing Uhler Terrace.

CODE SECTION	SUBJECT	CODE REQMT	APPLICANT PROPOSES	REQUESTED EXCEPTION
7-1002	Front Yard	29.38 feet	20.80 feet	8.58 feet

*Based on the average front yard setback along 200 block of Uhler Terrace.

BOARD OF ZONING APPEALS ACTION OF SEPTEMBER 10, 2009: On a motion to approve by Mr. Lantzy, seconded by Ms. Lewis, the special exception was approved by a vote of 5 to 0.

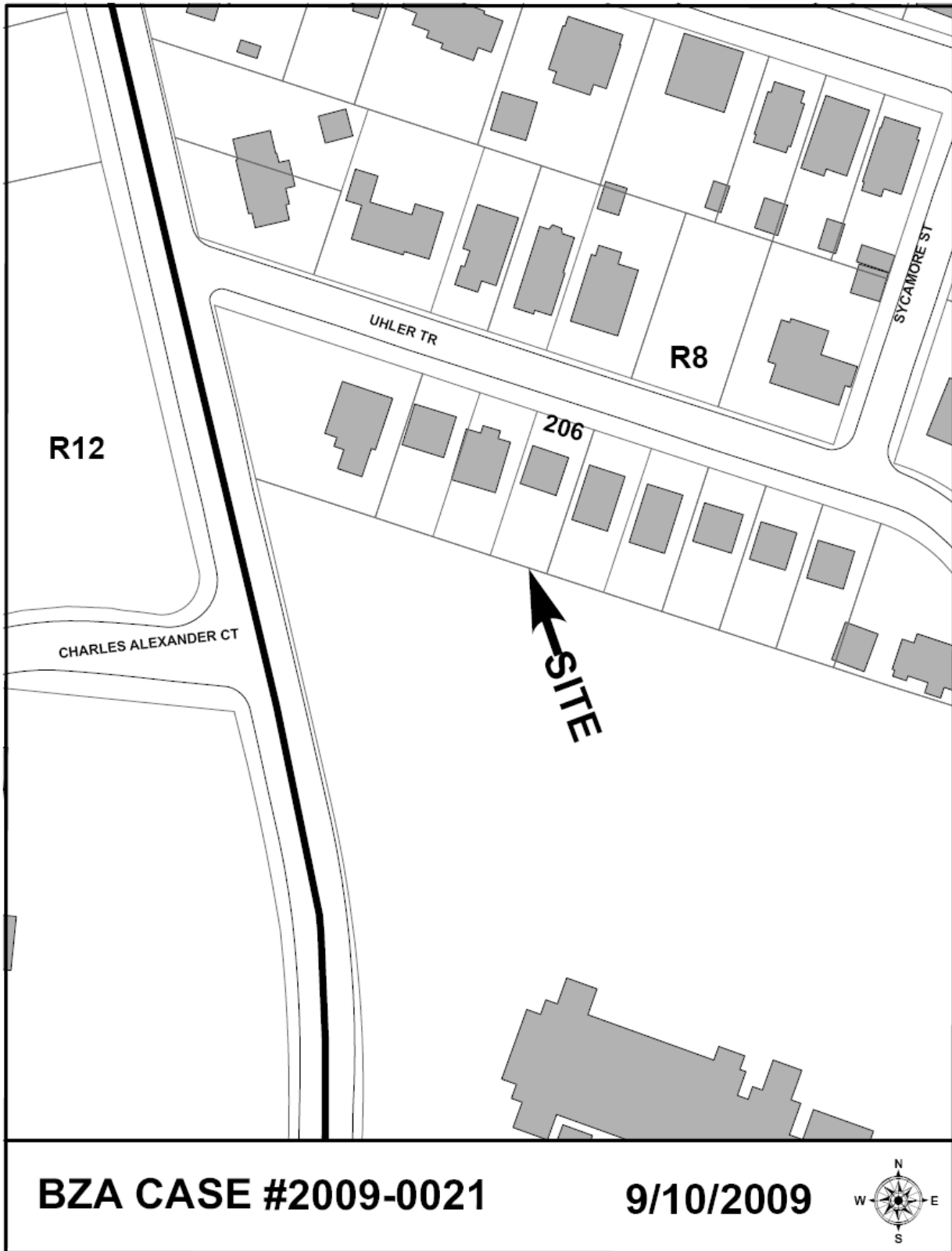
Reason: The application met the criteria for a special exception as outlined in the staff report.

Speakers:

Thomas Lawrence, 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.



I. Issue

The applicant proposes to construct an open covered front porch at 206 Uhler Terrace.

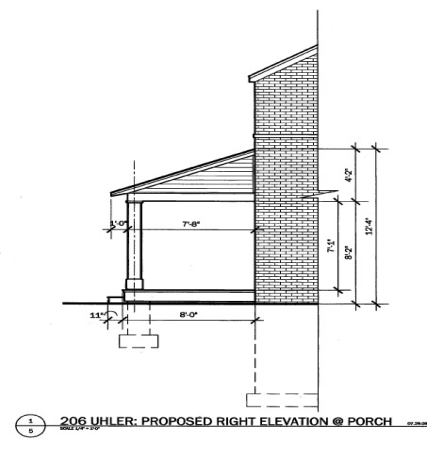
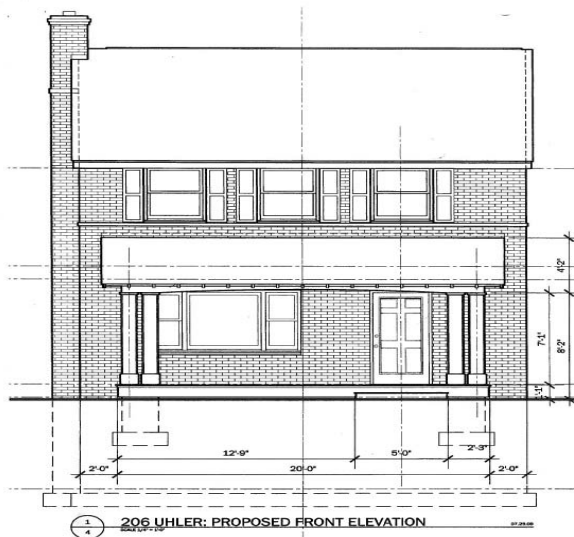


II. Background

The subject property is one lot of record with 40.00 feet frontage facing Uhler Terrace, a depth of 100.00 feet along the east and west side property lines, and total of 40.00 feet along the rear property line. The property contains 4,000 square feet of lot area. According to Real Estate Assessment records, the house was constructed in 1958.

III. Description

The applicant is proposing to construct a covered open front porch. The front porch will extend 20.00 feet across the front building wall and will project 8.00 feet and totals 160 square feet. The proposed porch will be located 20.80 feet at the closest point to the front property line facing Uhler Terrace. The applicant must request a special exception of 8.58 feet to construct the front porch forward of the average front setback of the block (based on the average front yard setback along Uhler Terrace).



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 currently zoned R-8 since adoption of the Third Revised Zoning Map in 1951, and is identified in the Potomac West Small Area Plan.

V. Requested Special Exception:

7-1002 Residential Front Setback:

The proposed front covered porch will be located 20.80 feet from the front property line facing Uhler Terrace. The required front yard is based on the average front yard of homes along Uhler Terrace. The required front yard is 29.38 feet. The applicants request a special exception of 8.58 feet

VI. Noncomplying structure

<u>Requirement</u>	<u>Required</u>	<u>Existing</u>	<u>Noncompliance</u>
Lot Size	8,000 sq. ft.	4,000 sq. ft.	4,000 sq. ft.
Lot Width	65.00 ft.	40.00 ft.	25.00 ft.
Front Yard	29.38 ft	30.80 ft	1.42 ft
Side Yard (east)	8.00 ft	7.00 ft	1.00 ft.

VII. Special Exceptions Standards

To grant a special exception, the Board of Zoning Appeals must find that the strict application of the zoning ordinance creates an unreasonable burden on the use and enjoyment of the property. Section 11-1304 of the zoning ordinance lists standards that an applicant must address and 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 covered open front porch is in keeping with the architecture and character of the existing dwelling. While there are no other similar porches, only porticos in the immediate neighborhood, the modest design and size of the porch are compatible with the housing character of the neighborhood. It is unlikely that the proposed open porch will negatively impact adjoining properties.

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 New construction must comply with the 2006 edition of the Uniform Statewide Building Code (USBC).
- C-2 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-3 Roof drainage systems must be installed so as neither to impact upon, nor cause erosion/damage to adjacent property.
- C-4 New construction must comply with the 2006 edition of the Uniform Statewide Building Code (USBC).
- C-5 A wall location plat prepared by a land surveyor is required to be submitted to this office prior to requesting any framing inspection.
- C-6 Prior to the issuance of a demolition permit or land disturbance permit, a rodent abatement plan shall be submitted to Code Enforcement that will outline the steps that will be taken to prevent the spread of rodents from the construction site to the surrounding community and sewers.
- C-7 Porches > 30" above finished grade porches must have guardrails on open sides. Guardrails and intermediate rails must comply with USBC 1012.1.
- C-8 Stairs must comply with USBC. Stairways of 3 or more risers require handrails.
- C-9 The new handrails must comply with USBC for a minimum/maximum height of 30 to 34 inches. The ends must extend 12" beyond the top and bottom risers. The handgrip position must not be more than 2-1/4" in cross-sectional dimension, or the shape must

provide an equivalent gripping surface. The handgrip portion must have a smooth surface with no sharp corners. The space between the wall and handrail must not be less than 1-1/2".

Recreation (Arborist):

F-1 No trees are affected by this plan.

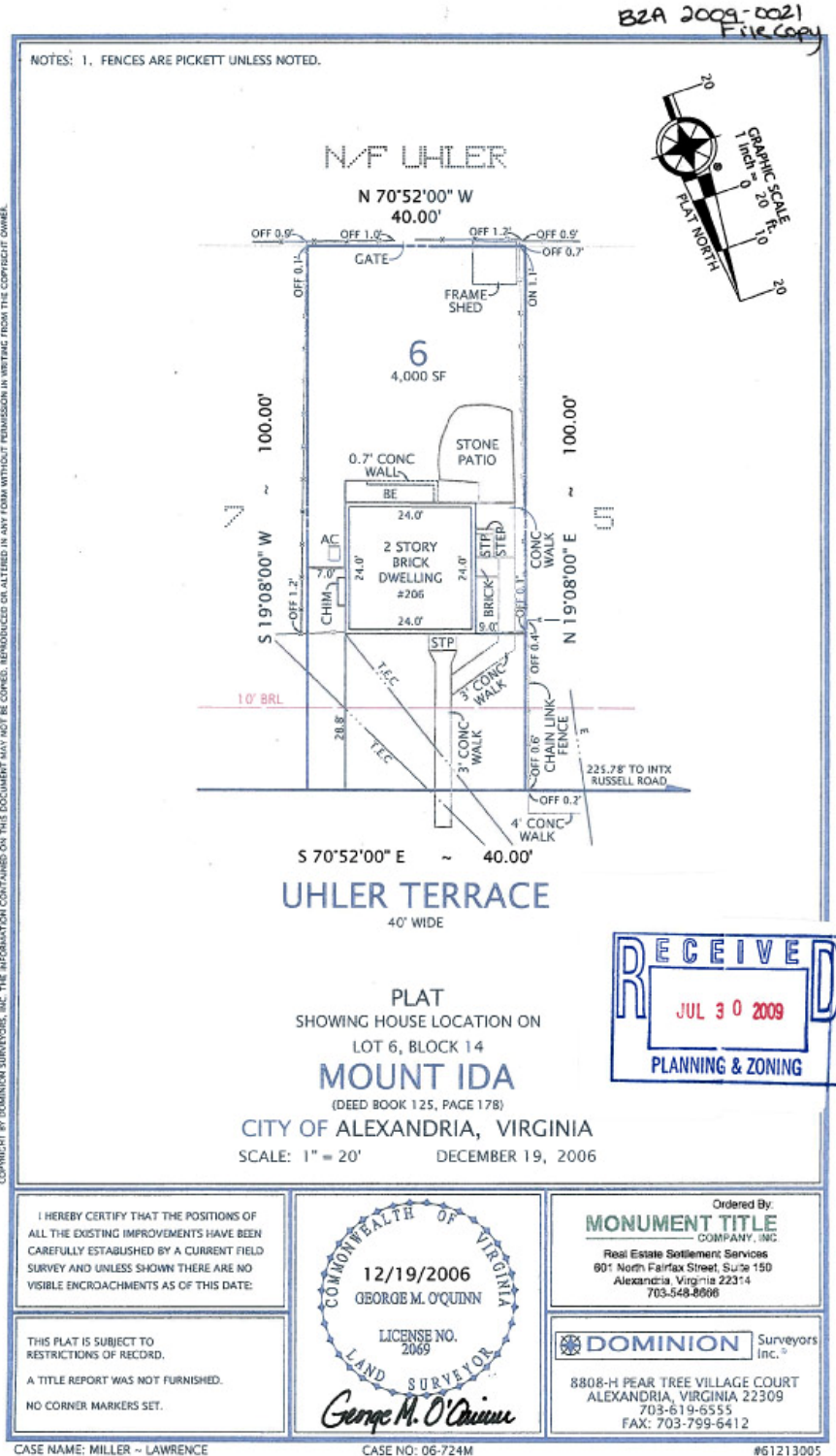
Historic Alexandria (Archaeology):

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





205 UHLER TERRACE



206 UHLER TERRACE



209 UHLER TERRACE



210 UHLER TERRACE