

Docket Item #2
BZA CASE #2010-0002

Board of Zoning Appeals
March 11, 2010

ADDRESS: 1510 ORCHARD STREET
ZONE: R-8, RESIDENTIAL
APPLICANT: WILLIAM AND SUSANNE CARNELL, CONTRACT PURCHASERS

ISSUE: Special exception to construct a 2 1/2 story rear addition in the required south side yard.

CODE SECTION	SUBJECT	CODE REQMT	APPLICANT PROPOSES	REQUESTED EXCEPTION
3-306(A)(2)	Side Yard	14.25 feet*	5.70 feet	8.55 feet

*Based on a building height of 28.50 feet measured to the eave of the dormers facing south side yard.

BOARD OF ZONING APPEALS ACTION OF MARCH 11, 2010: On a motion to defer by Mr. Allen, seconded by Mr. Goodale, the special exception was deferred by a vote of 4 to 2. Mr. Curry and Ms. Lewis dissented.

Reason: To allow the applicants and the neighbors time to discuss design alternatives.

Speakers:

Stephanie Diamond, architect and Susan and Bill Carnell, owners, made the presentation.

John Quinn, neighbor at 305 West Braddock Road, spoke in opposition.

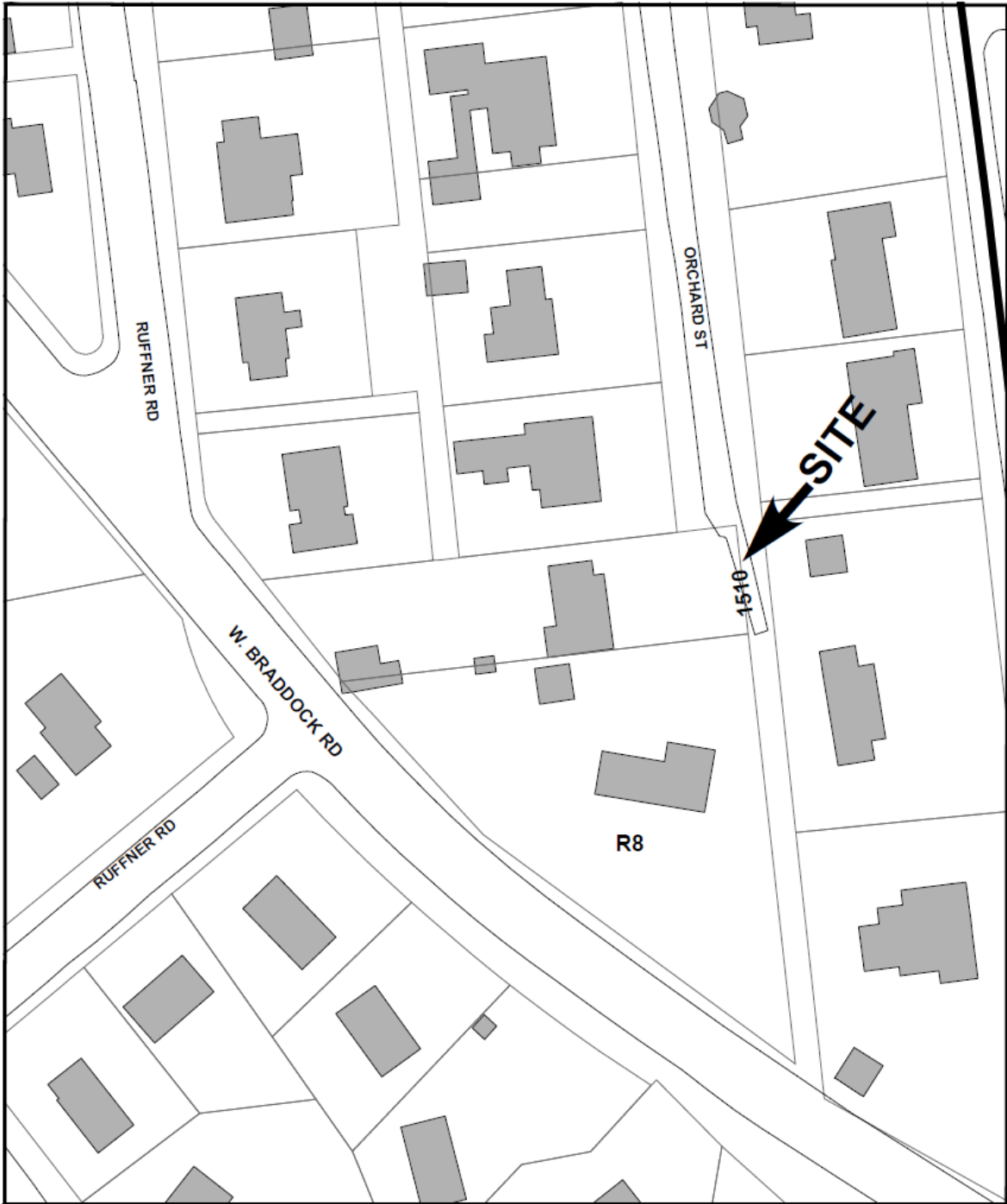
\Ginger Quinn, neighbor at 305 West Braddock Road, spoke in opposition.

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

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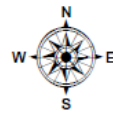
If the Board decides to grant the requested special exception with the following condition it must comply with the code requirements under the department comments and the applicant must submit the following prior to the release of a Certificate of Occupancy: (1) a survey plat prepared by a licensed surveyor 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.

An approved grading plan may be required at the time of building permit application. If this application is approved the applicant must contact the Department of Transportation and Environmental Services prior to filing for a building permit. (Refer to Department comments at the end of this report for more detailed information.)



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3/11/2010



I. Issue

The applicants propose to construct a two and one half story rear addition, a one story rear addition and a covered rear porch at 1510 Orchard Street. Only the two and one half story addition requires a special exception.

II. Background

The subject property, a through lot, is one lot of record with 65.00 feet of frontage facing Orchard Street, 77.94 feet of frontage facing West Braddock Road and depths of 254.00 feet along the south side property line and 297.00 feet along the north side property line. The property contains 17,081 square feet of lot area. The subject property is complying as to the minimum lot area, width and frontages for a lot in the R-8 zone.

The lot is currently developed with a two-story single family dwelling located 85.50 feet from the front property line facing Orchard Street, 127.00 feet from the front property line facing West Braddock Road, 5.70 feet from the south side property line and 8.90 feet from the north side property line. According to real estate assessment records, the house was constructed in 1920.

III. Description

The applicants propose the following improvements to the existing house:

- 1) Construct a two and one half story rear addition 5.70 feet from the south side property line, 31.00 feet from the north side property line and 101.00 feet from the front property line facing West Braddock Road. The proposed two and one half story addition measures 28.00 feet by 31.00 feet, totaling 868 square feet per floor. The addition will measure 28.50 feet in height to the eave of the shed roof dormers facing the south side yard, thus requiring a setback of 14.25 feet. The building height of the addition is 26.00 feet measured to the midpoint of the roof of the addition. The building height of the existing house is 28.25 feet measured to the midpoint of the roof. The roof ridge of the proposed addition does not exceed the roof ridge of the existing dwelling and will comply with the residential infill regulations. The applicants must request a special exception of 8.55 feet to construct the addition in the required south side yard and in line with the existing house.
- 2) Construct a one story rear addition 16.00 feet from the north side property line, and 149.00 feet from the front property line facing West Braddock Road. The addition will measure 12.00 feet in height to the eave facing the north side yard and does not require a special exception.
- 3) Construct a one story rear open porch 26.00 feet from the north side property line, 19.00 feet from the south side property line and 103.50 feet from the front property line facing West Braddock Road. The porch will measure 12.00 feet in height to the

roof eave, totals 235 square feet and does not require a special exception. New open basement stairs adjoining the porch will also comply with the south side yard setback.

Upon completion of the work, the proposed renovations will continue to comply with the floor area requirements. (Refer to separate 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 identified in the North Ridge/ Rosemont Small Area Plan for residential land use.

V. Requested Special Exception:

3-306(A)(2) Side Yard (South)

The applicants request a special exception of 8.55 feet from the required 14.25 feet based on a building height of 28.50 feet measured to the eave of the roof of the proposed two and one half story addition facing the south side property line.

VI. Noncomplying Structure

The existing building at 1510 Orchard Street is a noncomplying structure with respect to the following:

<u>Regulation</u>	<u>Required</u>	<u>Existing</u>	<u>Noncompliance</u>
Side (South)	14.13 feet*	5.70 feet	8.43 feet

*Based on a building height of 28.26 feet measured the midpoint of the gable roof.

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 subject property is unique in that it is a through lot, with frontage on both Orchard Street and West Braddock Road. The yard facing West Braddock Road, where the addition is proposed clearly serves as a rear yard to the property. The addition will be partially screened from West Braddock Road by existing detached garages and mature trees on the subject property and the adjacent property to the south. The house located on the adjacent property is not located near the property line and it is unlikely that the proposed addition will reduce light or air to that property.

The proposed addition is in keeping with character of the existing house and the surrounding neighborhood. Many nearby houses have been expanded by constructing a rear addition.

The application states that the applicants have spoken with the most affected neighbors, and report no objections to the proposed plans.

Staff believes that the applicants' property meets the standards for a special exception and therefore **recommends approval** of the request.

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.
- 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.

C-10 A new certificate of occupancy is required.

Recreation (Arborist):

F-1 No trees are affected as a result of this variance.

Historic Alexandria (Archaeology):

F-1 The house on this lot is listed in the City's One Hundred Year-Old Building Survey. To ensure that information about the past is not lost as a result of construction on the property, the following conditions are recommended when development occurs:

*R-1 The applicant/developer shall call Alexandria Archaeology immediately (703-838-4399) if any buried structural remains (wall foundations, wells, privies, cisterns, etc.) or concentrations of artifacts are discovered during development. Work must cease in the area of the discovery until a City archaeologist comes to the site and records the finds.

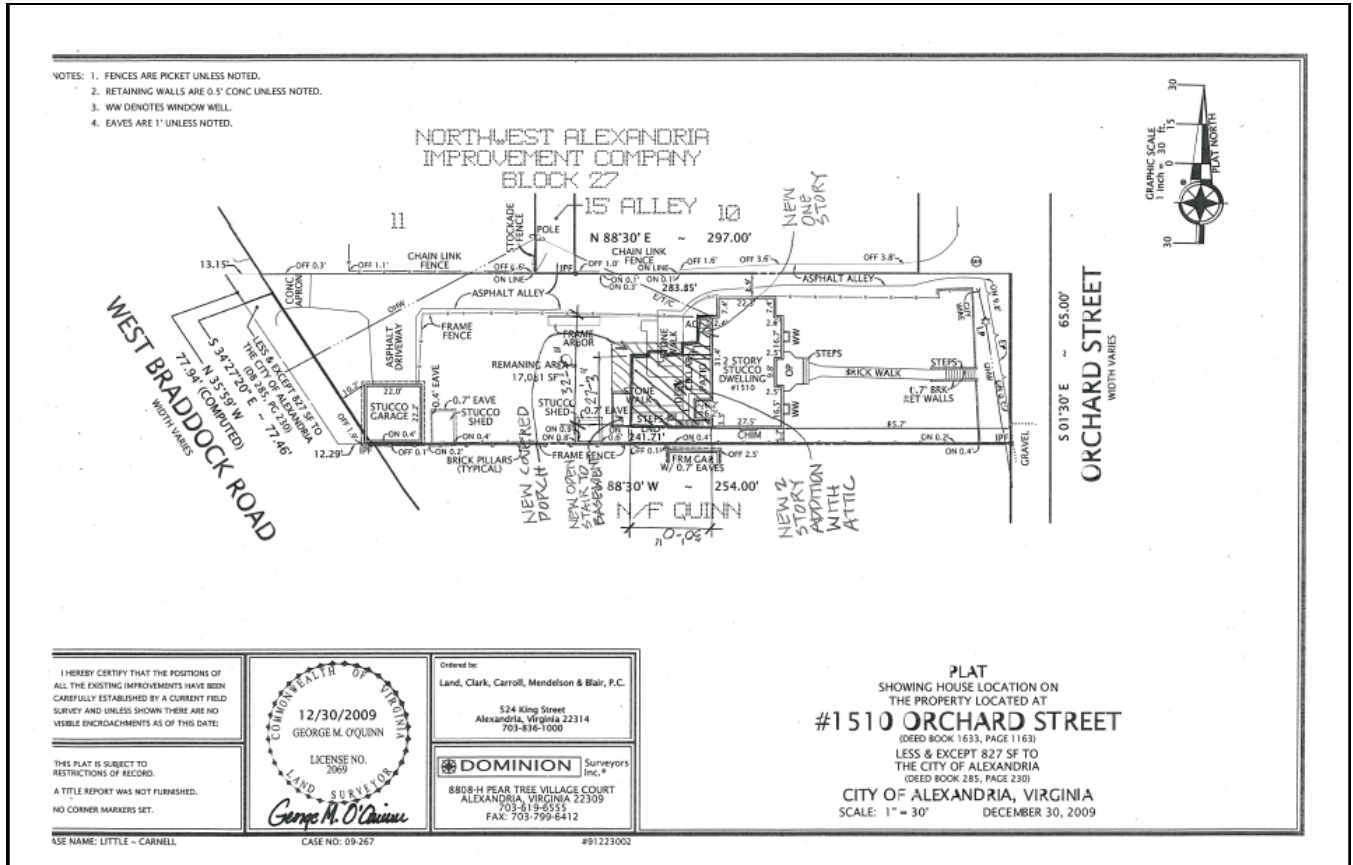
*R-2 The applicant/developer shall not allow any metal detection or artifact collection to be conducted on the property, unless authorized by Alexandria Archaeology.

R-3 The statements in archaeology conditions above marked with an asterisk "*" shall appear in the General Notes of all site plans and on all site plan sheets that involve demolition or ground disturbance (including Basement/Foundation Plans, Demolition, Erosion and Sediment Control, Grading, Landscaping, Utilities, and Sheeting and Shoring) so that on-site contractors are aware of the requirements.

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





View 1
Side of House, North



View 3
View of House front and Property, East



View 2
View of Home Rear, West



View 4
Side of House, South
*Area of special exception

File copy



APPLICATION
BOARD OF ZONING APPEALS
SPECIAL EXCEPTION FOR ADDITIONS

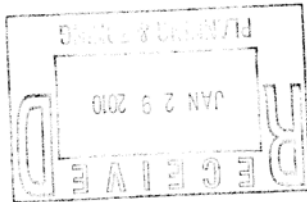
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Section of zoning ordinance from which request for special exception is made:

3-306 (A) (2) Side Yard: Side yard requirement is 1:2 with a minimum of 8 feet.
The proposed addition is 5.7 feet from the South property line, and the proposed height is 24 feet to the eave line.

PART A

- 1. **Applicant:** Owner **Contract Purchaser**
 Name William and Susanne H. Cornell
 Address 715 Hawkins Way
Alex. Va 22314 Daytime Phone 703-684-1800
- 2. **Property Location** 1510 Orchard St.
- 3. **Assessment Map** 042.04 Block 04 Lot 35 Zone R-8
- 4. **Legal Property Owner:**
 Name Carmen Jeanette or Gerard P. Little
 Address 1510 Orchard St.
Alex. Va 22301



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5. Describe request briefly :

Applicant is requesting a Special Exception in order to construct a rear addition, continuing the existing South wall to a point 30 feet beyond the end of the existing non-complying South wall. The new addition is to align in height with the existing eaves and the existing ridge line on the main block of the 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?

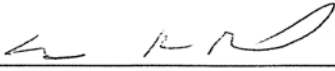
[X] Yes — Provide proof of current City business license.

[] 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:

STEPHANIE DIMONA
print name


signature

703 836 8437
telephone

1.28.10
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).

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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 existing house was built in the 1920's, and while beautiful, it doesn't meet the needs of a modern family. The purchasers of the house would like to have a kitchen, family room and mudroom on the first floor and a master bedroom and second bath on the second floor. (Currently, there is only one bathroom on the second floor.)

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

Explain:

No. The adjoining property owner to the South, who is the only affected neighbor, has a garage on their side of the property line. The neighbor's garage is only 2.5 feet from the property line, and will block much of the view of the new addition.

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

No. The affected neighbor's house is to the South and East of the subject property's house. Therefore, no light or air will be blocked for the neighbor's house, and the neighbor's garage already is at the property line, blocking some light and air from both properties. The neighbor's house is at least 30 feet from the subject property's South line.

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

The existing house was built at the same time as many of the earliest homes in the neighborhood. The addition is compatible to the existing house and in the same style.

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

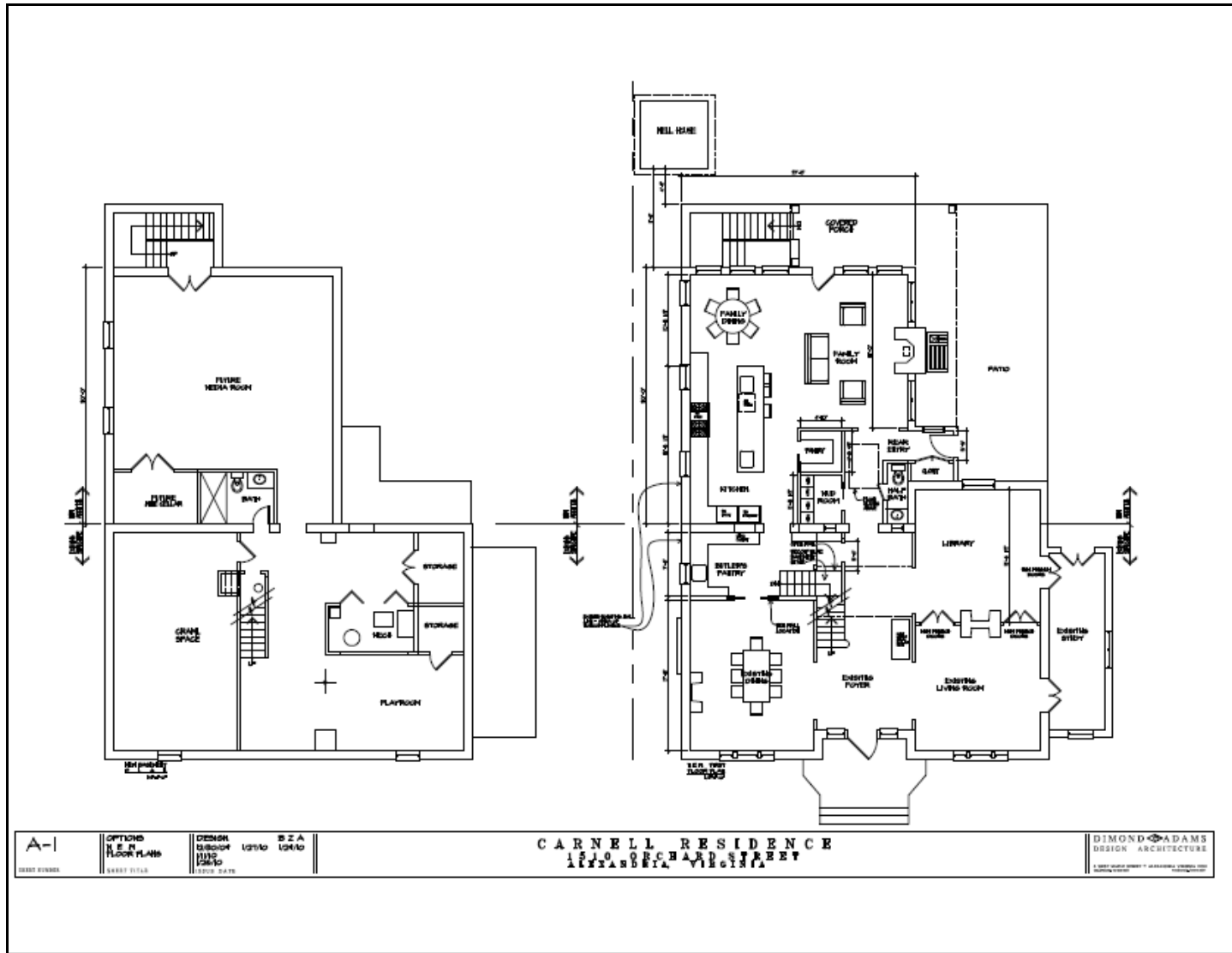
The proposed construction is in a style and scale to the other houses in the neighborhood including window style, window shutters, stucco exterior, and rear porch. Most of the houses in this neighborhood are two and a half stories as is the subject property and the proposed addition.

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

Yes. This addition is the only reasonable location because the driveway is on the North and West side of the house and any addition on that side would have to encroach on the driveway. In addition the kitchen should logically be on the same side of the house as the dining room (South side.)

- 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:

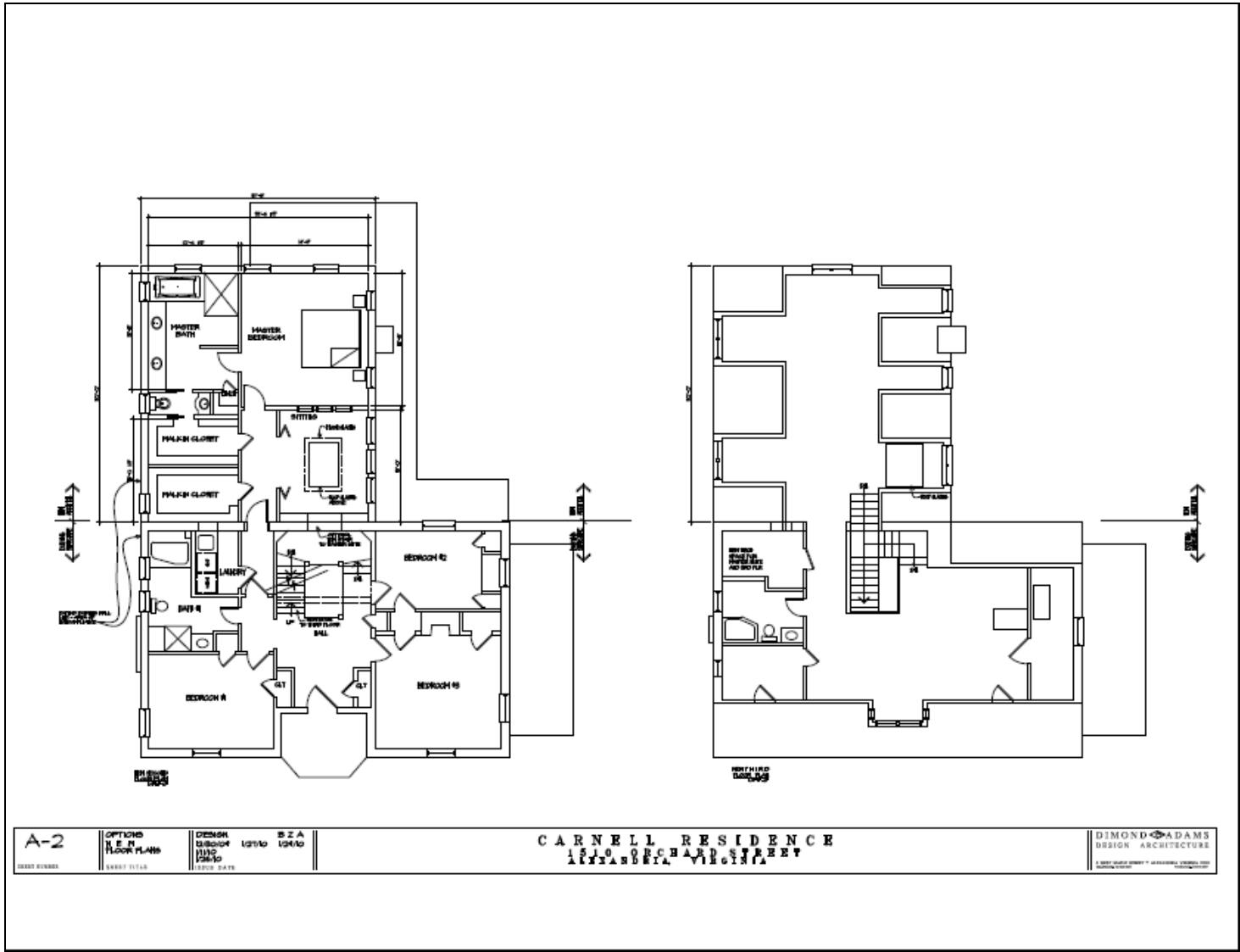
Yes. The applicant has shown the plans to the most affected neighbor/property owners. They do not object. At this point no neighbor has objected to the proposed Special Exception. We will provide letters of support as we receive them. There are none at this time, but we anticipate receiving some.

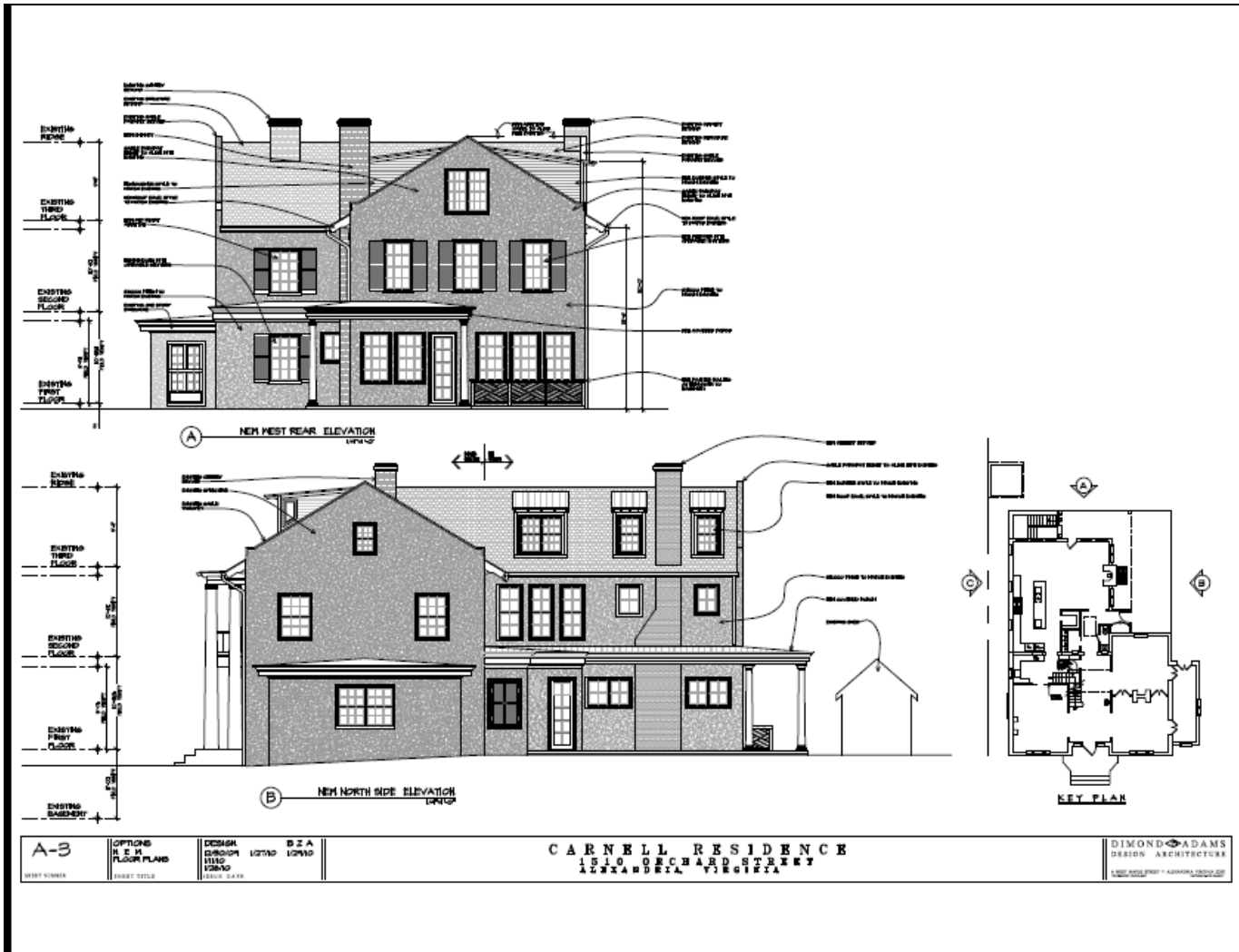


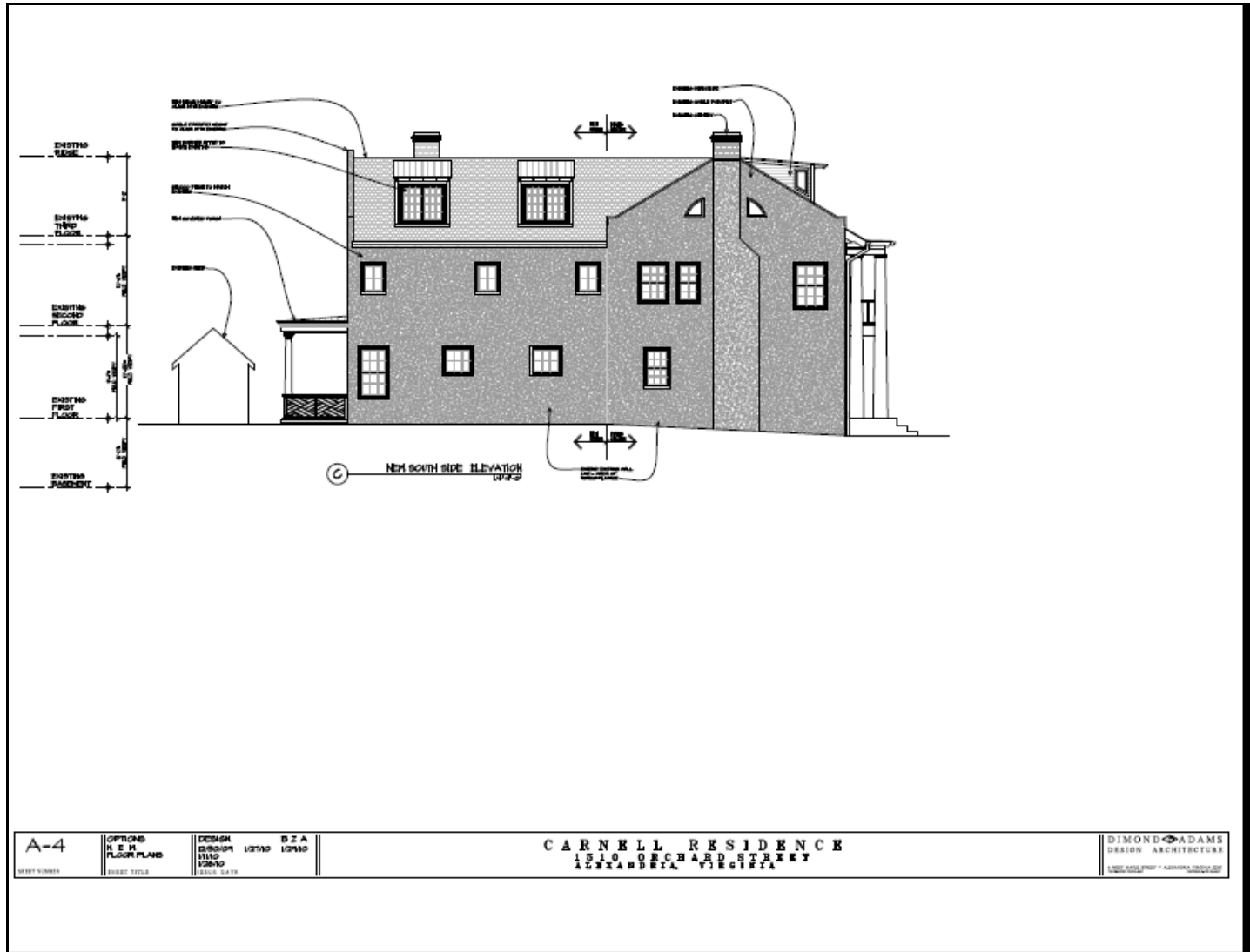
A-1	OPTIONAL	DESIGN	BY	DATE
	FLOOR PLANS	BY	DATE	

CARNELL RESIDENCE
 1510 ORCHARD STREET
 ALEXANDRIA, VIRGINIA

DIMOND ADAMS
 DESIGN ARCHITECTURE







A-4	OPTIONAL NEW SOUTH SIDE ELEVATION	DESIGN REVISION 1/11/10 1/11/10	BZA 12700 12710	CARNELL RESIDENCE 1510 DECHARD STREET ALEXANDRIA, VIRGINIA	DIMOND ADAMS DESIGN ARCHITECTURE 1500 KENNESAW STREET, SUITE 100 ALEXANDRIA, VA 22304
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