Docket Item #3
BZA CASE #2010-0002

Board of Zoning Appeals
April 8, 2010

City of Alexandria, Virginia
MEMORANDUM

DATE: APRIL 1, 2010

TO: BOARD OF ZONING APPEALS

FROM: STEPHEN MILONE, DIVISION CHIEF, PLANING AND ZONING

SUBJECT: 1510 ORCHARD STREET, BZA CASE #2010-00002

BZA Case #2010-00002 was heard before the BZA on March 11, 2010, when the BZA deferred the request to enable the applicants and the most affected neighbors at 305 West Braddock Road to discuss possible design alternatives for the proposed rear addition. However, several days after the March hearing, information was brought to the City's attention that an adjacent property owner who was required to receive legal notice of the March hearing had inadvertently not been mailed a notice. Therefore, this case must be reheard as a new case before the BZA because proper legal notice had not been sent.

The only change in design from the drawings submitted at the March 11, 2010 hearing is the inclusion of shutters to soften the appearance of the addition to the neighbors to the south.

Staff finds that the proposed addition meets the standards for a special exception and that many nearby houses have been expanded by constructing rear additions. However, staff believes the impact of the proposed addition on the neighbors to the south would be reduced if the proposed addition were to be stepped back from the existing south side property line by approximately 2 feet. The change in the building wall plane by incorporating this setback would aid in differentiating the new addition from the main structure and would help to break up the building mass facing the south side property line.

Docket Item #3
BZA CASE #2010-0002

Board of Zoning Appeals
April 8, 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 APRIL 8, 2010: On a motion to defer by Mr. Goodale, seconded by Mr. Allen, the special exception was deferred for one month.

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

Speakers:

William and Susanne Carnell, owners, made the presentation.

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

Sam Alberts, neighbor at 1512 Stonewall Road, spoke in opposition.

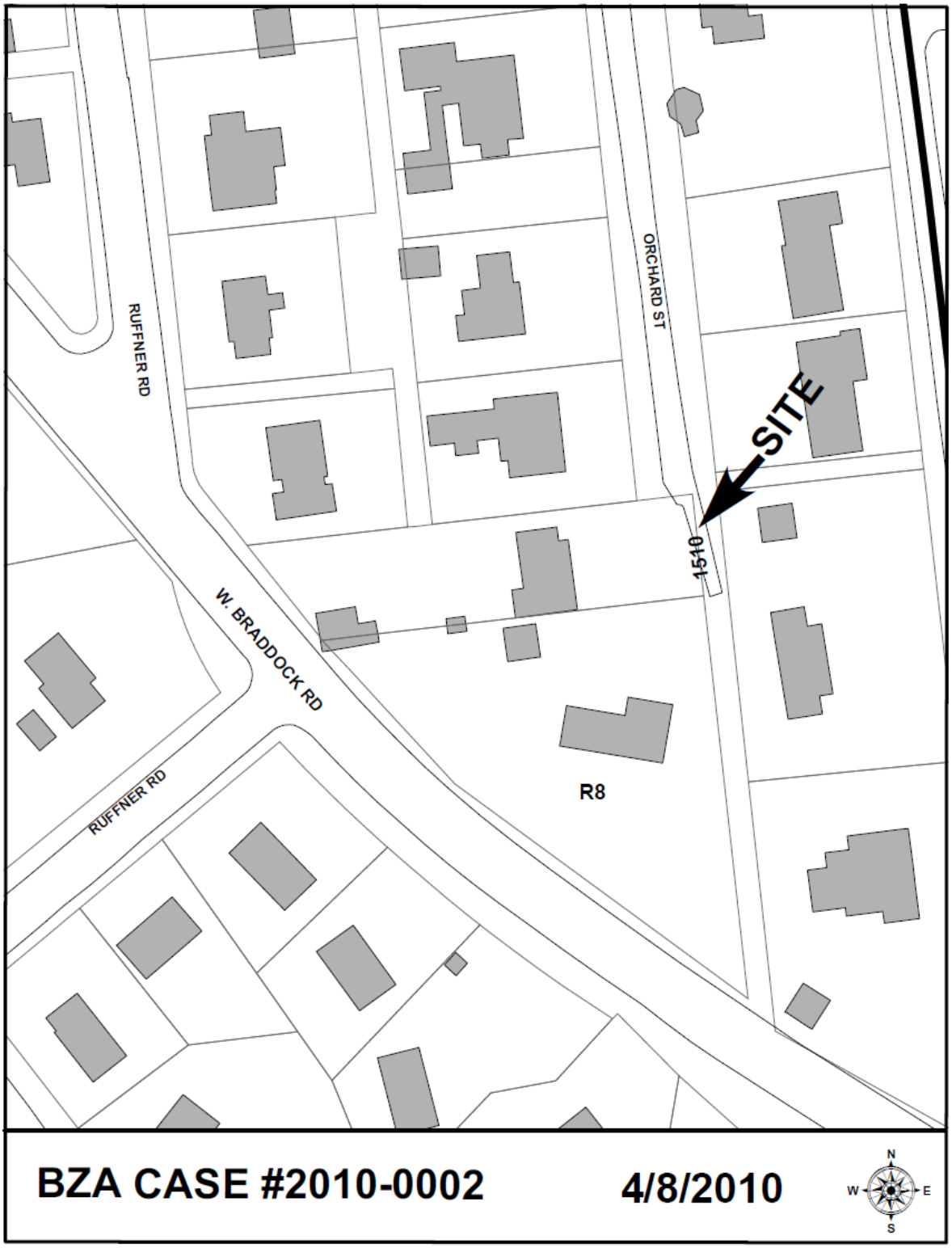
The staff **recommends approval** of the requested special exception because it meets the criteria for a special exception.

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.)

BZA CASE #2010-0002



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.)

The applicants have spoken and or met with many of their neighbors to discuss their plans for an addition and to solicit support. The most affected neighbors at 305 West Braddock Road object to the proposed addition based on the mass and height of the addition placed too close to their north side property line.

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:

Regulation	Required	Existing	Noncompliance
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.

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.

VII. 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 to the south is not located near the property line and it is unlikely that the the proposed addition will reduce light or air to that property.

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

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 special exception 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 that 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.

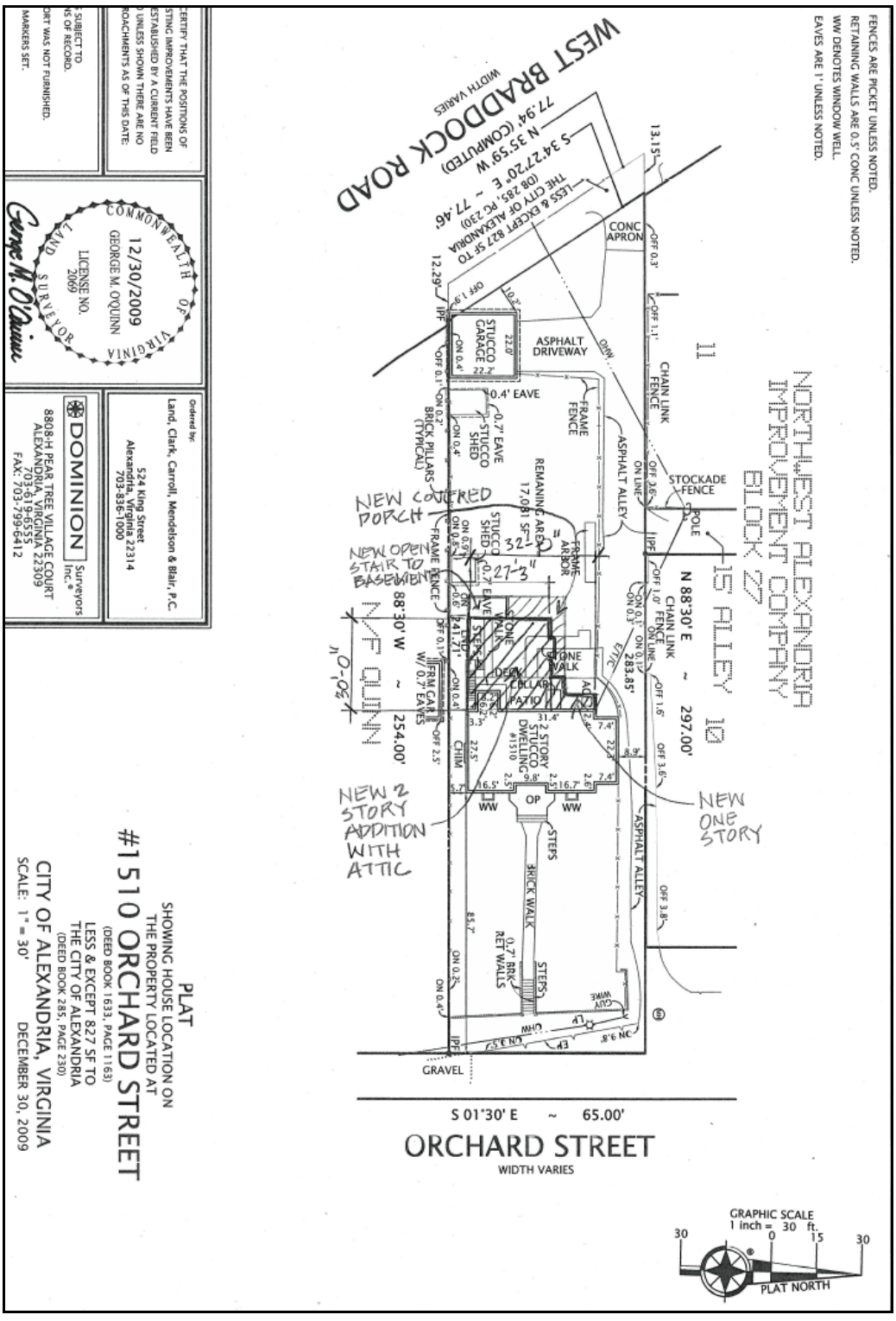
*R-2 The applicant/developer shall not allow any metal detection or artifact collection to be conducted on the property, unless authorized by Alexandria Archaeology.

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.

VIII. Images


FENCES ARE PICKET UNLESS NOTED.
RETAINING WALLS ARE 0.5' CONC UNLESS NOTED.
WW DENOTES WINDOW WELL.
EAVES ARE 1' UNLESS NOTED.
NORTHWEST ALEXANDRIA
IMPROVEMENT COMPANY
BLOCK 27
11
15 ALLEY 10
WEST BRADDOCK ROAD
WIDTH VARIES
N 88°30' E ~ 297.00'
S 01°30' E ~ 65.00'
ORCHARD STREET
WIDTH VARIES
N/F QUINN
W/ 0.7' EAVES
#1510
2.5 STORY STUCCO DWELLING
STUCCO GARAGE
STUCCO SHED
ASPHALT DRIVEWAY
ASPHALT ALLEY
CONC APRON
CHAIN LINK FENCE
FRAME FENCE
STOCKADE FENCE
BRICK PILLARS (TYPICAL)
REMAINING AREA 17,081 SF±
DECK
CELLAR PATIO
STONE WALK
FRAME ARBOR
BRICK WALK
STEPS
0.7' RET WALLS
GRAVEL
NEW COVERED PORCH
NEW OPEN STAIR TO BASEMENT
NEW 2 STORY ADDITION WITH ATTIC
NEW ONE STORY
GRAPHIC SCALE
1 inch = 30 ft.
30 0 15 30
PLAT NORTH
PLAT
SHOWING HOUSE LOCATION ON
THE PROPERTY LOCATED AT
#1510 ORCHARD STREET
(DEED BOOK 1633, PAGE 1163)
LESS & EXCEPT 827 SF TO
THE CITY OF ALEXANDRIA
(DEED BOOK 285, PAGE 230)
CITY OF ALEXANDRIA, VIRGINIA
SCALE: 1" = 30'
DECEMBER 30, 2009
I CERTIFY THAT THE POSITIONS OF
EXISTING IMPROVEMENTS HAVE BEEN
ESTABLISHED BY A CURRENT FIELD
SURVEY UNLESS SHOWN THERE ARE NO
ENCROACHMENTS AS OF THIS DATE:
SUBJECT TO
RECORD.
REPORT WAS NOT FURNISHED.
MARKERS SET.
COMMONWEALTH OF VIRGINIA
LAND SURVEYOR
GEORGE M. O'QUINN
LICENSE NO. 2069
12/30/2009
George M. O'Quinn
Ordered by:
Land, Clark, Carroll, Mendelson & Blair, P.C.
524 King Street
Alexandria, Virginia 22314
703-836-1000
DOMINION Surveyors Inc.
8808-H PEAR TREE VILLAGE COURT
ALEXANDRIA, VIRGINIA 22309
703-619-6555
FAX: 703-799-6412

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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

BZA CASE # 2010-0002

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** [X] **Contract Purchaser**
   Name William and Susanne H. Carnell
   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

RECEIVED
JAN 29 2010
PLANNING & ZONING

BZA CASE # 2010-0002

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 DIMON — 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 inthe 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.

BZA2010-0002

REVISED 2/25/10

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 1510 Orchard St. Zone R-8

A2. 17081 (Total Lot Area) x .35 (Floor Area Ratio Allowed by Zone) = 5978.35 (Maximum Allowable Floor Area)

B. Existing Gross Floor Area

Existing Gross Area *		Allowable Exclusions	
Basement	1189	Basement**	1189
First Floor	1372	Stairways**	411.875
Second Floor	1134	Mechanical**	106
Third Floor	822	Porch/ Garage**	160
Porches/ Other	809	Attic less than 5'** Area Denied	252
Total Gross *	4212	**Total Exclusions**	2,018.875

B1. Existing Gross Floor Area * 4212 Sq. Ft.
B2. Allowable Floor Exclusions** 2018.875 Sq. Ft.
B3. Existing Floor Area minus Exclusions 2193.125 Sq. Ft.
(subtract B2 from B1)

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

Proposed Gross Area*		Allowable Exclusions	
Basement	932	Basement**	932
First Floor	972	Stairways**	20
Second Floor	819	Mechanical**	35
Third Floor	523	Porch/ Garage**	
Porches/ Other	235	Attic less than 5'**	
Total Gross *	3441	Total Exclusions	987

C1. Proposed Gross Floor Area * 3441 Sq. Ft.
C2. Allowable Floor Exclusions** 987 Sq. Ft.
C3. Proposed Floor Area minus Exclusions 2454 Sq. Ft.
(subtract C2 from C1)

D. Existing + Proposed Floor Area

D1. Total Floor Area (add B3 and C3) 4647 Sq. Ft.
D2. Total Floor Area Allowed by Zone (A2) 5978.35 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	N/A
Required Open Space	N/A
Proposed Open Space	N/A

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

Signature: [signature] Date: 2.22.10

Updated July 10, 2008

OWNERSHIP AND DISCLOSURE STATEMENT
Use additional sheets if necessary

1. Applicant. State the name, address and percent of ownership of any person or entity owning an interest in the applicant, unless the entity is a corporation or partnership, in which case identify each owner of more than ten percent. The term ownership interest shall include any legal or equitable interest held at the time of the application in the real property which is the subject of the application.

Name	Address	Percent of Ownership
1. N/A		
2.		
3.		

2. Property. State the name, address and percent of ownership of any person or entity owning an interest in the property located at 1510 Orchard St. (address), unless the entity is a corporation or partnership, in which case identify each owner of more than ten percent. The term ownership interest shall include any legal or equitable interest held at the time of the application in the real property which is the subject of the application.

Name	Address	Percent of Ownership
1. William S. & Sesanne H. Carnell	715 Hawkins Way Alexandria	100%
2.		
3.		

3. Business or Financial Relationships. Each person or entity listed above (1 and 2), with an ownership interest in the applicant or in the subject property is required to disclose **any** business or financial relationship, as defined by Section 11-350 of the Zoning Ordinance, existing at the time of this application, or within the12-month period prior to the submission of this application with any member of the Alexandria City Council, Planning Commission, Board of Zoning Appeals or either Boards of Architectural Review.

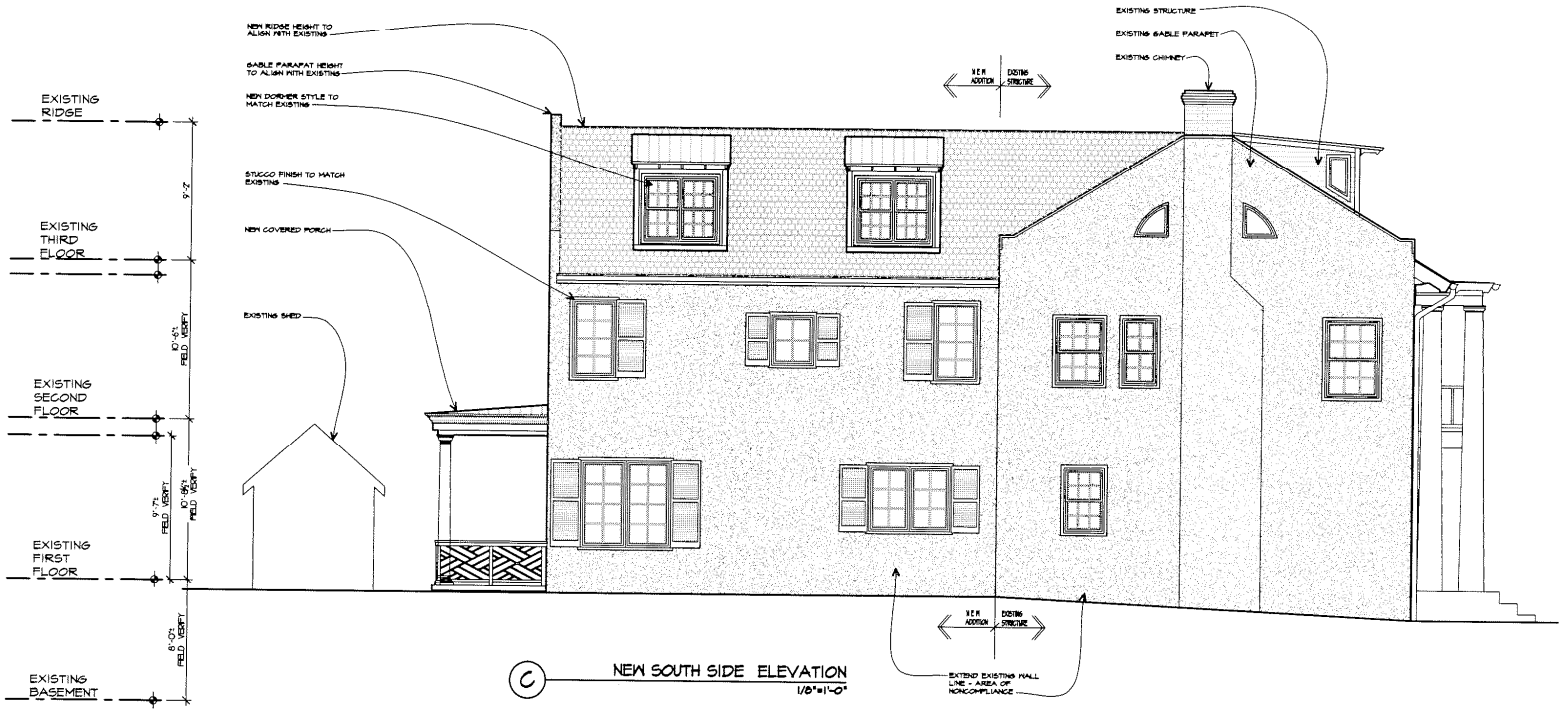
Name of person or entity	Relationship as defined by Section 11-350 of the Zoning Ordinance	Member of the Approving Body (i.e. City Council, Planning Commission, etc.)
1. N/A		
2.		
3.		

NOTE: Business or financial relationships of the type described in Sec. 11-350 that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings.

As the applicant or the applicant's authorized agent, I hereby attest to the best of my ability that the information provided above is true and correct.

2/1/10 — Date
William S. Carnell — Printed Name
[signature] — Signature

REVISED

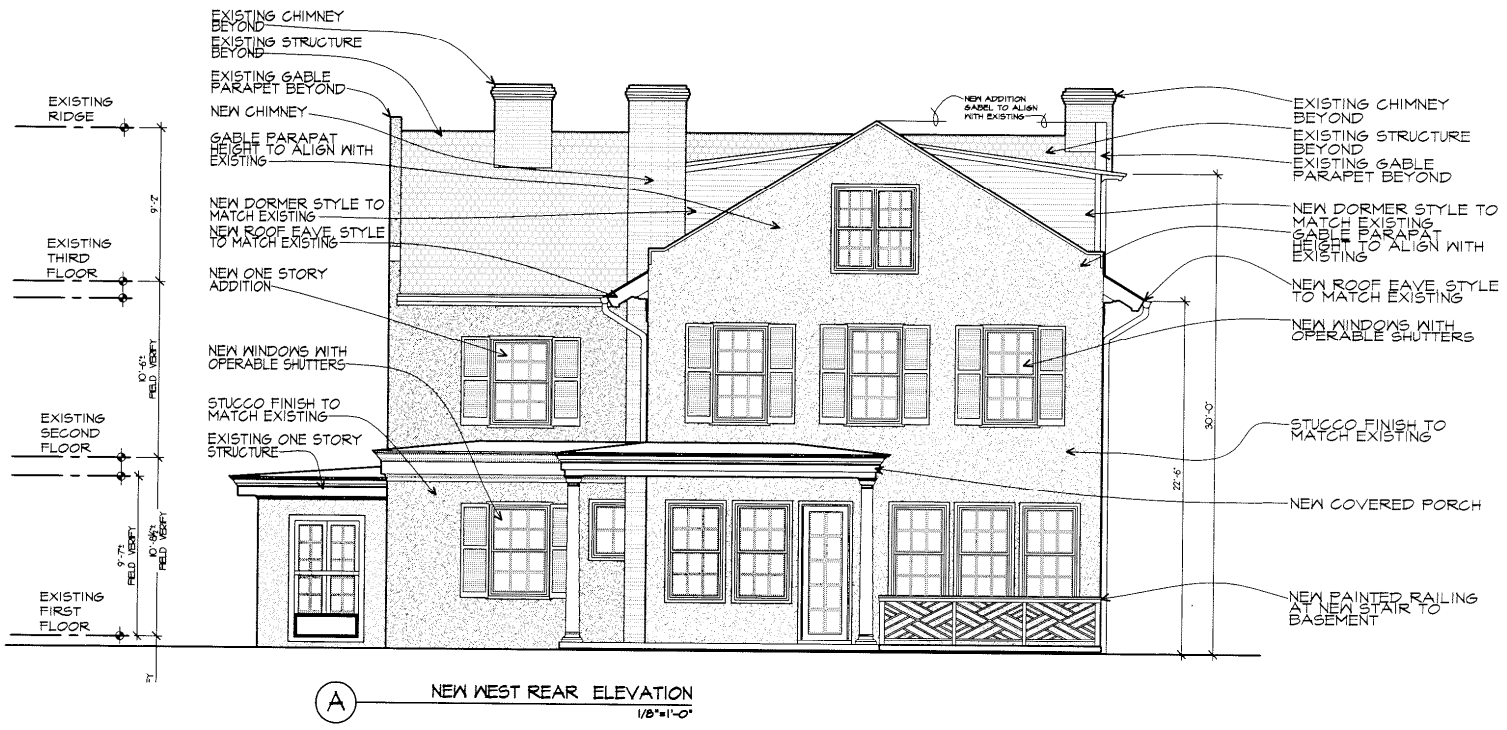


C NEW SOUTH SIDE ELEVATION

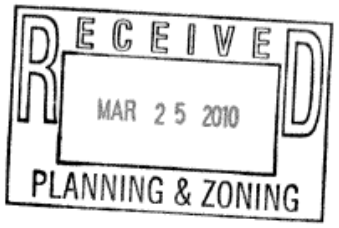
1/8"=1'-0"

BZA CASE #2010-0002

REVISED



DIMOND ○ ADAMS
DESIGN ● ARCHITECTURE



Letter of Official Notice

DATE: March 25, 2010

TO: City of Alexandria
Department of Planning and Zoning
Attn: BZA

FROM: Stephanie Dimond
Dimond Adams Design and Architecture

RE: 1510 Orchard Street

This letter is to send official notice that Dimond Adams Design Architecture intends to amend our original application put forward on January 28, 2010 for the Carnell residence at 1510 Orchard Street. At the time of the original application submission, we notified the city that the most affected neighbor did not object to our application for a special exception, but in the intervening time since the original application, the immediate neighbors toward the South end of the 1510 Orchard Street property have altered their position and are now opposed to said special exception. This letter is to inform the board and staff in the Planning and Zoning Department, including the BZA, in an official way that these neighbors now object to the special exception.

Should you have any questions or concerns regarding this matter, please contact us by phone at (703) 836-8437 or email at dimondadams@comcast.net.

Cordially,

Stephanie R. Dimond
Dimond Adams Design Architecture

6 West Maple Street **Alexandria, VA 22301** **phone/fax 703-836-8437**

Docket Item #3 - BZA 4/8/10 Meeting
jopyle
to:
Julie.Fuerth
04/08/2010 08:20 AM
Show Details

We are opposed to the granting of a special exception to construct a 2 1/2 story rear addition 5.70 feet from the property line at 1510 Orchard Street (BZA Case #2010-0002).

Granting this special exception would be detrimental to the open character of this neighborhood and to the "Eco-City" character we are striving to achieve here in Alexandria.

We would appreciate you sharing our opposition with members of the BZA.

Thank you,

Harlen and Joanne Pyle
1611 Ruffner Road

TOTAL P.001

Fax 703/838-6393 04/08/10

ATTN: Board of Zoning Appeals

& Mary Christensen

Re: BZA 2010-0002

Based on my understanding of this request it is out of keeping with the character of the neighborhood & would be detrimental to adjacent & other neighbors.

It is already out of current code - to allow that to be the base for further Code variance seems like a subversion of the system intended to protect the integrity of our neighborhoods.

Thank you for your consideration,

Rebecca Burns

1803 Orchard Street

Alexandria, VA 22302

APR-08-2010 14:04 MACLEOD TITLE & ESCROW 703 519 7287 P.001/001

BZA 2010-0009
File Copy

Chairman and members of the Board of Zoning Appeals
City of Alexandria, Virginia

Regarding the request for a Special Exception by Mr. and Mrs. Carnell for 1510 Orchard Street:

We are the next door neighbors to the south of 1510 Orchard Street. We have met with the Carnells, their architect and the city staff.

We would like to correct the impression in the initial application that we favored the addition. We recognized that the owners would add onto the house and did not react until we had an opportunity to study the plans. The plans were emailed to us on February 17th. We tried to find a way to accept the plans and came to the conclusion that the addition, given its size and height, was too close to the property line. Therefore, we opposed their application, and notified all parties concerned before the March meeting of the BZA.

In the application there is a reference to our garage screening the view of the addition. There are no trees in the backyard of 1510 Orchard to screen the addition as stated by the Carnell's architect at the March meeting. The garage is one level, while the addition has three levels. We will see the addition from eighteen windows in our house. The closeness of our garage to the property line is not significant because the Orchard Street garage and well house sit on our property line.

The 30 foot addition added to the 25 feet of the house will create a 55 foot wall, 22 feet high with an additional 10 feet for the roof. This will take the place of a 40 foot tree and will create an imposing structure along our property line. Certainly there are other alternatives.

We have reviewed the criteria for a Special Exception. We looked at the additions in the neighborhood, photos of which are attached. All of these appear to have the required setbacks along the side yards. Our neighborhood is one of the unique places in the City because of the non-intrusive character of the properties. We have concluded that the alternative of building the addition with the appropriate setback was not considered. In our discussions we only dealt with the façade of the addition. In our meetings with the City Staff, the Carnells, and the architect, we have suggested that an additional setback would help to offset the proposed proximity of the addition.

We request the Board of Zoning Appeals deny the Special Exception for 1510 Orchard Street. This is based on the conclusion that the addition is too close to our property and it should conform to the criteria of the Zoning Code of the City of Alexandria.

Thank you for your consideration.

Ginger and John Quinn

Ginger and John Quinn
305 West Braddock Road
April 7, 2010.

RECEIVED
APR - 8 2010
PLANNING & ZONING

1510 ORCHARD STREET

Side & Rear View
Of House next to Fence
(Property Line)

1510 ORCHARD STREET

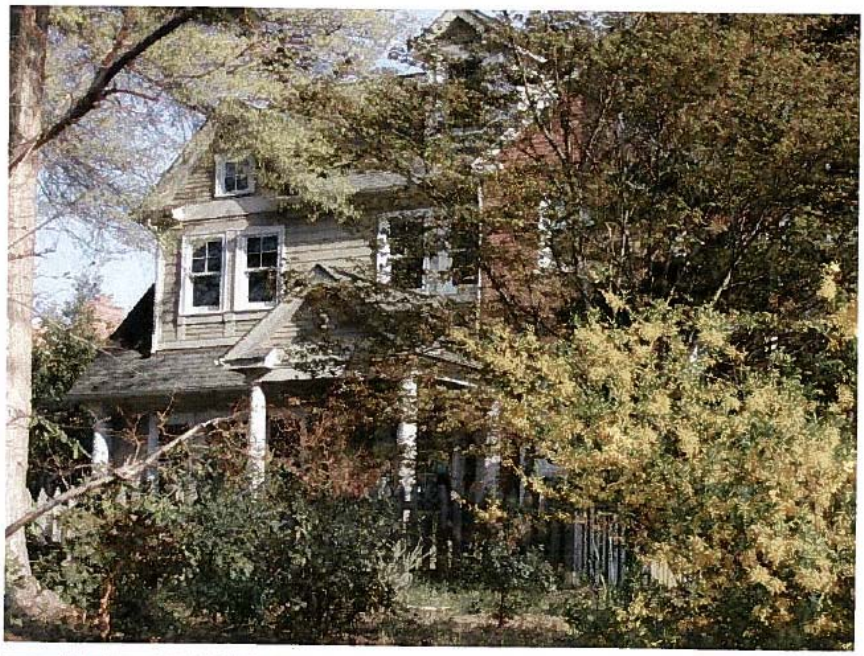
Form Yard to the South

Rear View
&
Yard

ORCHARD STREET
NEIGHBORHOOD ADDITIONS

BZA CASE #2010-0002

ORCHARD STREET
NEIGHBORHOOD ADDITIONS



BZA CASE #2010-0002

LLOYDS LANE
NEIGHBORHOOD ADDITIONS

BZA CASE #2010-0002

RUFFNER ROAD
NEIGHBORHOOD ADDITIONS

April 7, 2010

From: Oscar and Toby Fitzgerald
206 W. Monroe Ave.

To: BZA

Subject: BZA Case # 2010-0002 (Docket Item # 3 for 4/8 Meeting)

Toby and I live one block away from the applicant in the Braddock Heights neighborhood. We strongly oppose granting the requested set back variance.

Criteria # l Is it a burden to the adjacent property? Contrary to the staff report the Quinn's are opposed to the variance and feel that having this 28-foot plus structure loaming over their house would indeed be a burden.

Criteria #2 Is it detrimental to the neighborhood? The Braddock Heights neighborhood is composed of a number of large houses on large lots. There are smaller houses scattered through but the defining character of the neighborhood is open and park park-like. A number of years ago a neighbor just two doors down from this applicant wanted to subdivide his lot and build another house not much larger than the proposed addition. He had every right to do that but the BZA thankfully ruled that such a subdivision would indeed be detrimental to the neighborhood and denied the application much to the relief of virtually all the neighbors. This is not quite so egregious but it fills in a large chunk of open space and adds a huge addition to the back of an already big house.

Criteria #3 Is it a fire hazard? One of the prime reasons for setbacks is to reduce the damage that a fire might do. Even though the Quinn's house is set back from the property line a tall house even a few feet nearer than the allowed set back increases fire danger to this historic Civil War era wooden structure.

Criteria #4 Will it alter the character of the neighborhood? It most definitely will, by filling in even a small amount of extra open space which is the defining characteristic of the neighborhood. The staff report states that many houses in the area have rear additions. This statement is not backed up with an actual count. At the very least this item should be deferred to tabulate exactly how many rear additions there are in the area, how big they are relative to the proposed addition and whether any of them needed variances. I do not believe that any of the adjacent houses have rear additions.

Criteria #5 Is this variance the only reasonable solution? As the staff report states the house sits on a large lot and surely the applicant's very capable and talented architect can come up with a viable solution to expand the house without the need for a variance.

Regretfully, we cannot attend the hearing because of long standing travel plans. At the very least please defer this item so that more of the neighbors can study the issue and appear at the hearing to voice their views. A short delay is not too much to ask when considering a project that will have such a substantial impact on the neighborhood.

Fwd: Docket Item #3 - BZA 4/8/10 Meeting

From: **jopyle@aol.com**
Sent: Thu 4/08/10 8:21 AM
To: gingerquinn@msn.com

Hi Ginger,
Thank you for alerting us.
Fingers crossed.
Joanne

-----Original Message-----
From: jopyle@aol.com
To: Julie.Fuerth@alexandriava.gov
Sent: Thu, Apr 8, 2010 8:19 am
Subject: Docket Item #3 - BZA 4/8/10 Meeting

We are opposed to the granting of a special exception to construct a 2 1/2 story rear addition 5.70 feet from the property line at 1510 Orchard Street (BZA Case #2010-0002).

Granting this special exception would be detrimental to the open character of this neighborhood and to the "Eco-City" character we are striving to achieve here in Alexandria.

We would appreciate you sharing our opposition with members of the BZA.

Thank you,

Harlen and Joanne Pyle
1611 Ruffner Road

Re: Location Change for 4/8/10 BZA Hearing

From: **Tom & Judy Short** (twshort@comcast.net)
Sent: Wed 4/07/10 8:16 AM
To: Ginger Quinn (gingerquinn@msn.com)

Ginger and John,

Judy and I are in Wisconsin now where Judy is helping settle the estate of her mother who passed away on March 12. Judy flew up on March 6 to celebrate her mother's 85th birthday and while there her mother entered the hospital with pain that was diagnosed as cancer. Judy is fortunate in that her five brothers and one sister and their families all live in the same town, New London, as their mother. I flew up for the funeral and came back then drove here to bring back a few mementos in my car.

Regarding the BZA hearing, we support your position. A 5.70 foot setback does not seem sufficient when the code specifies at least 14.25 feet. I know that we all want to be supportive of our new neighbors but the character of the neighborhood is important as that is one of the things that makes our neighborhood a desirable place to live.

Tom Short

----- Original Message -----
From: Ginger Quinn
To: twshort@comcast.net ; bwbatten@aol.com ; elizcsmith@aol.com ; julie.lineberry@gte.net ; sharpmarilyn@msn.com ; stapletonbill@yahoo.com ; vincentsg@mac.com ; annepaine@comcast.net ; karakwalsh@comcast.net ; rgates5@hotmail.com ; rachelaclu@aol.com ; rebaglynn@aol.com ; jmconnally@verizon.net ; oscarfitzgerald@aol.com ; wvbrierre@aol.com ; jopyle@aol.com
Sent: Tuesday, April 06, 2010 3:40 PM
Subject: FW: Location Change for 4/8/10 BZA Hearing

To all,

Please note change for Thursday's meeting...Room 2000 at City Hall. Again, if you have any questions or comments, please email/call us. Thanks Ginger and John Quinn

Home 703-549-2857
Ginger's cell 703-731-4139
John's Cell 703-868-2857 or office...703-537-3317

To: gingerquinn@msn.com
CC: Mary.Christesen@alexandriava.gov
Subject: Location Change for 4/8/10 BZA Hearing
From: Julie.Fuerth@alexandriava.gov
Date: Tue, 6 Apr 2010 14:13:13 -0400

LOCATION CHANGE

Please be advised that the location of the Board of Zoning Appeals meeting scheduled for Thursday, April 8, 2010 has been changed from Council Chambers to **Room 2000** at 7:30pm. Thank you.

Re: Docket for 4/8/10 BZA

From: **wvbrierre** (wvbrierre@aol.com)
Sent: Wed 4/07/10 10:45 AM
To: gingerquinn@msn.com
Cc: SalGal21@aol.com

Ginger - We support you in opposing the exception to the required setback. Please forward this to the powers that be. Thanks.

Bill & Sally Brierre

William V. Brierre, Jr.
BRIERRE - A Government Relations Company
cell no. (202) 368-9343
home: (703) 836-0067

-----Original Message-----
From: Ginger Quinn <gingerquinn@msn.com>
To: bthom@juno.com; bwbatten@aol.com; elizcsmith@aol.com; twshort@comcast.net; julie.lineberry@gte.net; sharpmarilyn@msn.com; stapletonbill@yahoo.com; vincentsg@mac.com; fwest@thewashingtongroup.com; annepaine@comcast.net; dral950@comcast.net; tbrightgill@wileyrein.com; rgates5@hotmail.com; rebaglynn@aol.com; wvbrierre@aol.com; jopyle@aol.com
Cc: johnquinn56@msn.com
Sent: Mon, Apr 5, 2010 4:08 pm
Subject: FW: Docket for 4/8/10 BZA

BZA CASE #2010-0002

Docket Item #3 - BZA 4/8/10 Meeting (1510 Orchard Street)
Thomas Ballantine
to:
Julie.Fuerth, Peter.Leiberg, William Carnell
04/08/2010 02:24 PM
Show Details

Dear Ms. Fuerth and Mr. Leigberg,

I am a resident of the Braddock Heights neighborhood and have learned that there is some controversy concerning the Carnell family's proposal to add on to their home and would like to weigh in. Bill and Susan's proposal is in keeping with the feel of our community and should be approved.

I understand that the Board will be considering a special exception for the proposed addition to the property tonight. In my view, what they propose should be uncontroversial (indeed, I understand that the staff's initial recommendation was to simply approve the exception) and write in favor of it.

First, it is important to note that the height and square footage of the planned addition could (and likely would) be built by right without the exception. The only difference would be it would make less sense in the space and be less attractive. Thus, this appears to be the precise case where a special exception is appropriate: the continuation of an existing wall to avoid pointless jigsaw construction.

Second, encouraging growing families like the Carnells to stay in Alexandria by permitting a minor exception is one of the ways Alexandria can be an eco-friendly city. Rather than push growing families out into the suburbs, with the attendant sprawl and pollution from long commutes, the city's regulations should accommodate moderate additions like the one proposed.

Third, the proposal maintains the open character of the area by concentrating building where it already exists. Notably, the nearest adjacent building is a windowless garage just on the other side of the property line. By placing the addition where they propose, the Carnells have retained the open character of the perimeter of both properties.

For these reasons, I hope the Board will approve the proposed exception. Please pass this message on to the Board members.

Yours sincerely,

Thomas T. Ballantine
206 W. Alexandria Avenue