

Docket Item #2
BZA CASE #2011-0001

Board of Zoning Appeals
February 10, 2011

ADDRESS: 2305 A BURKE AVENUE
ZONE: R-2-5, RESIDENTIAL
APPLICANT: ELIZABETH HILL AND MARK TURNER, OWNERS, BY CRYSTAL CONSTRUCTION SERVICES, CONTRACTOR

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

CODE SECTION	SUBJECT	CODE REQMT	APPLICANT PROPOSES	REQUESTED EXCEPTION
3-506(A)(2)	Side Yard (North)	10.00 feet	8.60 feet	1.40 feet

BOARD OF ZONING APPEALS ACTION OF FEBRUARY 10, 2011: On a motion to approve by Ms. Lewis, seconded by Mr. Keegan, the special exception was approved by a vote of 6 to 0.

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

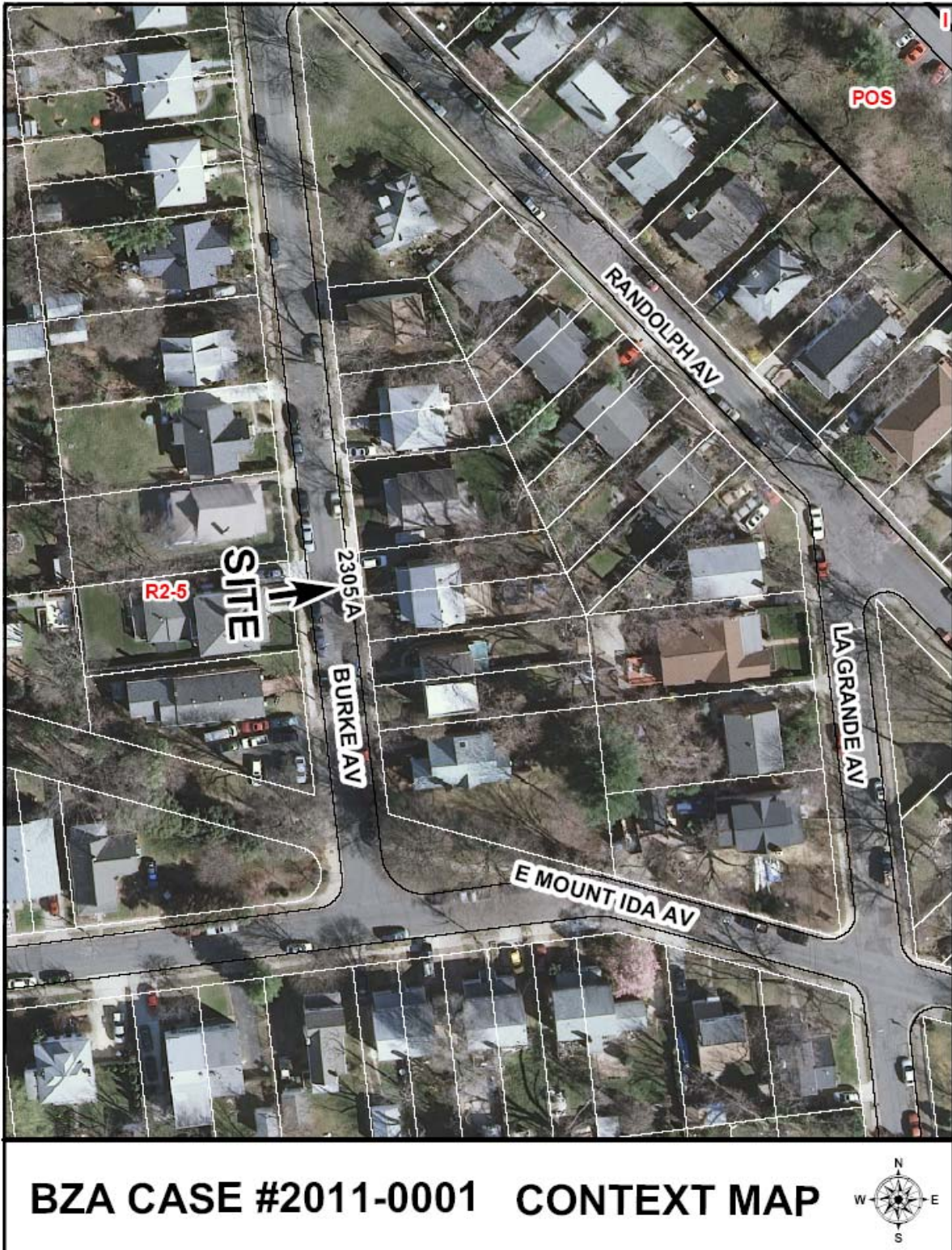
Speakers:

Nathan Hamman, contractor and David Issac, designer, made the presentation.

Amy Strauss, owner at 2305 Burke Avenue, spoke in support.

The staff **recommends approval** of the requested special exception because the request meets the criteria for a special exception, including the following condition that

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.



I. Issue

The applicants request a special exception to build a two-story addition at the rear of a semi-detached dwelling located at 2305-A Burke Avenue.



II. Background

The subject property is one lot of record with 25.00 feet of frontage on Burke Avenue, a depth of 106.56 feet along the north property line, 115.01 feet along the south property line and 26.39 feet on the east rear property line. The property totals 2,850 square feet and is a deep lot as compared to its neighbors to the north.

A two-story semi-detached dwelling with a basement and covered front open front porch is located 18.00 feet from the front property line facing Burke Avenue and 8.60 feet from the north side property line. According to real estate assessment records, the house was constructed in 1940 and sits within the Town of Potomac.

III. Description

The semi-detached, two-story, side-gable townhouse with front porch is identified as a non-contributing resource within the Town of Potomac National Register Historic District.

The applicants are proposing to construct a two-story rear addition in line with the existing dwelling 8.60 feet from the north side property line. The proposed addition measures 16.00 feet by 14.00 feet and totals 224 square feet. The addition measures 19.33 feet from the roof eave to grade. The proposed addition will not be higher than the existing structure. The applicants must request a special exception of 1.40 feet because a semi-detached home requires a side yard of a minimum of 10.00 feet. The current dwelling is non-complying on the north side yard property line because it is 8.60 feet from the north side property line.

The location of the proposed addition is to the rear of the existing townhouse and will not overwhelm the existing townhouse with respect to height, scale or massing. Townhouses such as this one often had small rear additions, typically in the form of an enclosed porch.

The proposed materials—HardiePlank siding and asphalt shingles—are considered historically appropriate for new construction for a building from this period.

The applicant should consider simplifying the proposed roof form of the addition to be more compatible with typical rear additions and to allow the side gable form on the existing townhouse to remain clearly articulated. The applicant should consider a flat roof or simpler shed form that joins the existing roof at a lower point.

The proposed addition will not adversely impact any of the surrounding contributing resources in the Town of Potomac National Register Historic District nor compromise the integrity of the district as a whole.

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

There have been no variances or special exceptions previously granted for the subject property.

IV. Master Plan/Zoning

The subject property is zoned 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 Area Plan.

V. Requested Special Exception:

3-506(A)(2) Side Yard (North):

The applicants request a special exception of 1.40 feet based on an existing building located 8.60 feet instead of the required 10.00 feet side yard for a semi-detached dwelling.

VI. Noncomplying Structure

<u>Requirement</u>	<u>Required</u>	<u>Existing</u>	<u>Noncompliance</u>
Lot Width	37.50 feet	25.00 feet	12.50 feet
Side Yard (north)	10.00 feet	8.60 feet	1.40 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 applicants could build the rear addition by-right by pulling the addition by 1.40 feet facing the north property line. Regardless of whether the addition is built in compliance with the R-2-5 zone setback requirements for the north side, the adjacent neighbor to the south that shares a common party wall with the applicants' building will view a two-story addition on the south property line where no setback is required.

The design of the two-story addition is compatible in scale with the existing dwelling and is proposed to be constructed in frame with lap siding which will appropriately differentiate the addition from the original structure. The single family dwelling to the north of the subject property sits 13.00 feet from the common north side property line and it appears that the adjacent property and light and air will be minimally affected by the 1.40 feet special exception. Staff finds that the special exception to allow the north wall of the addition to align with the existing structure is reasonable.

Staff **recommends approval** of the special exception.

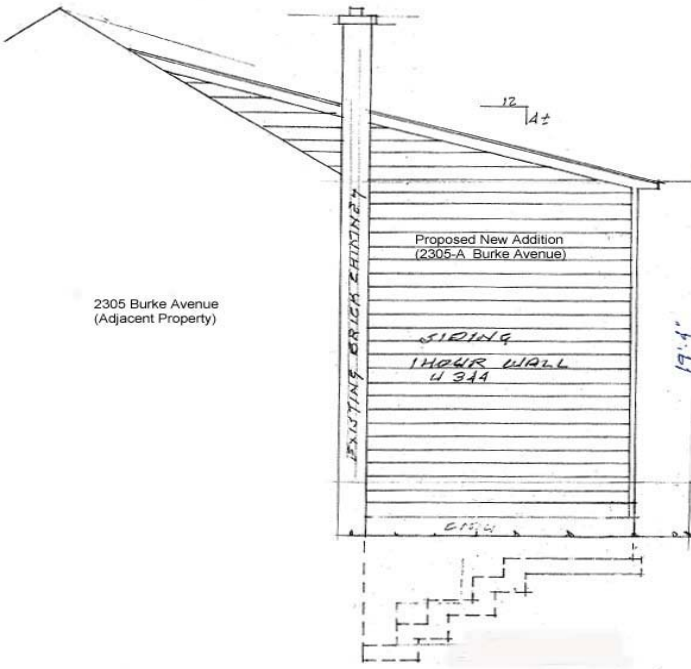


Figure 1
View of proposed addition from adjacent property to the south.

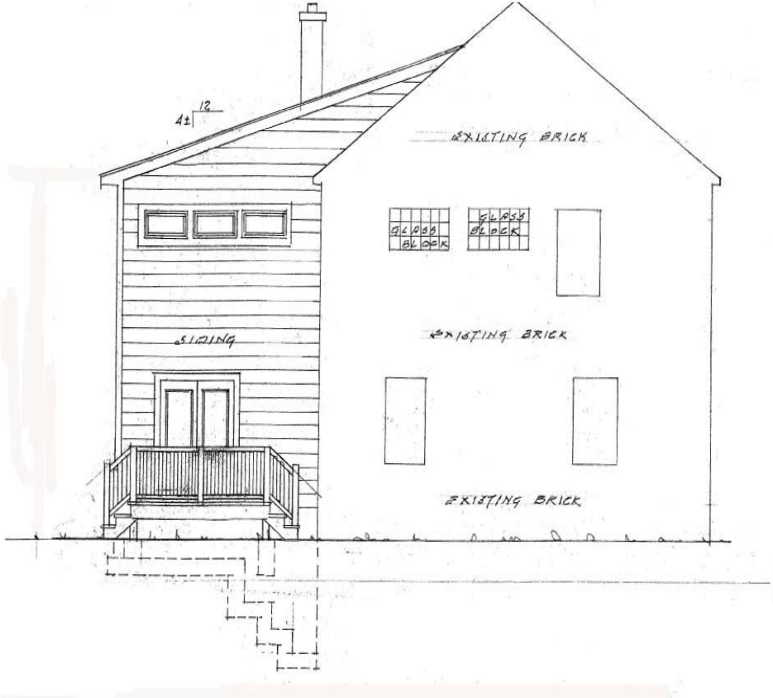
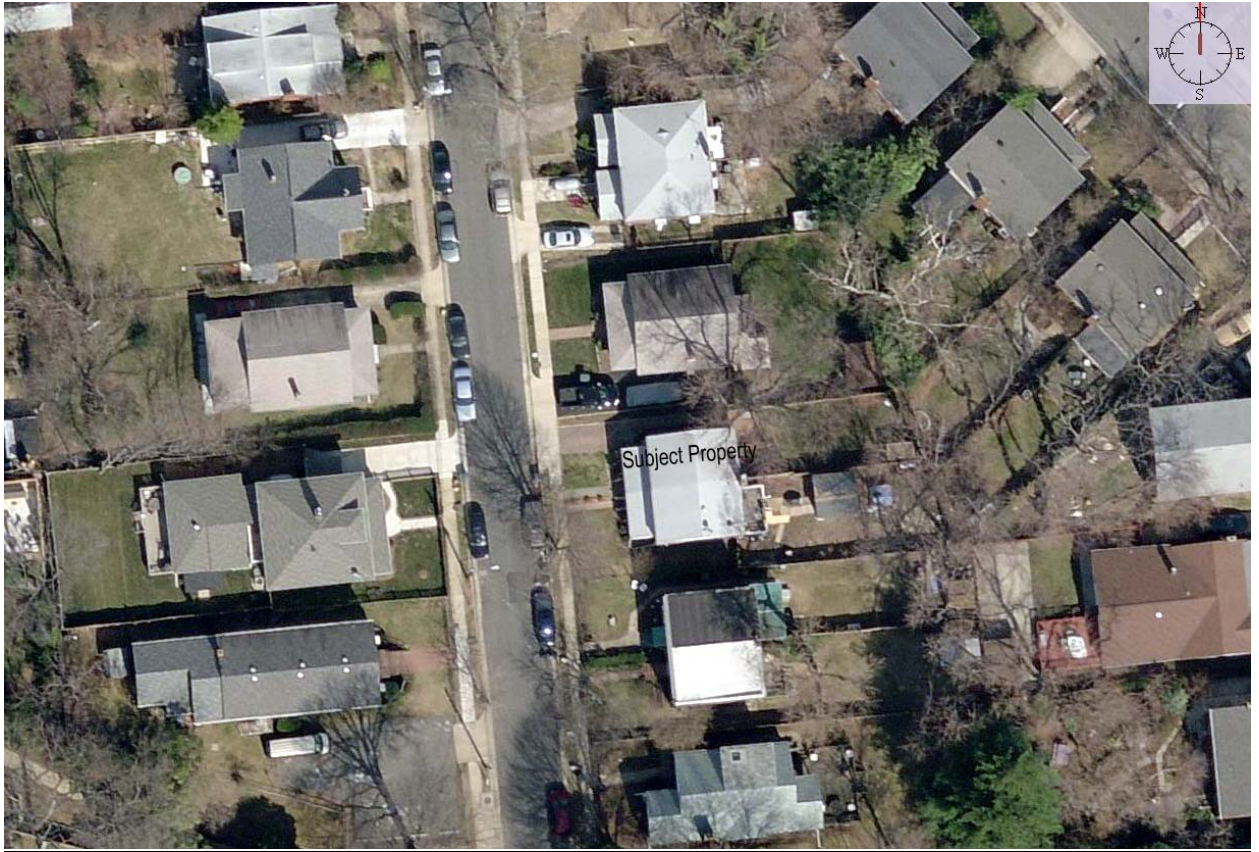


Figure 2
View of proposed addition from north property line.

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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 5-6-224 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)
- R-7 The building permit must be approved and issued prior to the issuance of any permit for demolition. (T&ES)
- R-8 Construction of a new driveway entrance, or widening of an existing driveway entrance, requires separate application to; and approval from, the Department of Transportation and Environmental Services. (T&ES)
- F-1 After review of the information provided, an approved grading plan is not required at this time. Please note that if any changes are made to the plan it is suggested that T&ES be included in the review

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- C-1 The applicant shall comply with the City of Alexandria's Solid Waste Control, Title 5, Chapter 1, which sets forth the requirements for the recycling of materials (Sec. 5-1-99). (T&ES)
- C-2 The applicant shall comply with the City of Alexandria's Noise Control Code, Title 11, Chapter 5, which sets the maximum permissible noise level as measured at the property line. (T&ES)
- C-3 Roof, surface and sub-surface drains be connected to the public storm sewer system, if available, by continuous underground pipe. Where storm sewer is not available applicant must provide a design to mitigate impact of stormwater drainage onto adjacent properties and to the satisfaction of the Director of Transportation & Environmental Services. (Sec.5-6-224) (T&ES)
- C-4 All secondary utilities serving this site shall be placed underground. (Sec. 5-3-3) (T&ES)
- C-5 Pay sanitary sewer tap fee prior to release of Grading Plan. (Sec. 5-6-25) (T&ES)
- C-6 Any work within the right-of-way requires a separate permit from T&ES. (Sec. 5-2) (T&ES)

Code Administration:

- F-1 The following comments are for preliminary review only. Once the applicant has filed for a building permit, code requirements will be based upon the building permit plans. If there are any questions, the applicant may contact Thomas Sciulli, Plan Review Supervisor at 703-746-4901 or thomas.sciulli@alexandriava.gov.
- C-1 Additions and alterations to the existing structure and/or installation and/or altering of equipment therein requires a building permit (USBC 108.1). Five sets of plans, bearing the signature and seal of a design professional registered in the Commonwealth of Virginia, must accompany the written application (USBC 109.1).
- C-2 A soils report must be submitted with the building permit application.
- C-3 A Certificate of occupancy shall be obtained prior to any occupancy of the building or portion thereof, in accordance with USBC 116.1.
- C-4 New construction must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-5 All exterior walls within 5 feet from an interior property line shall have a fire resistance rating of 1 hour, from both sides, with no openings permitted within the wall. As alternative, a 2 hour fire wall may be provided. (USBC 704.5)

- C-6 Prior to the issuance of a building permit, demolition permit, or land disturbance permit, a rodent abatement plan shall be submitted to Code Administration 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 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-8 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 specimen trees are affected by this plan.
- F-2 The large silver maple on the adjacent lot, 2307 Burke Street, may be affected by the construction.

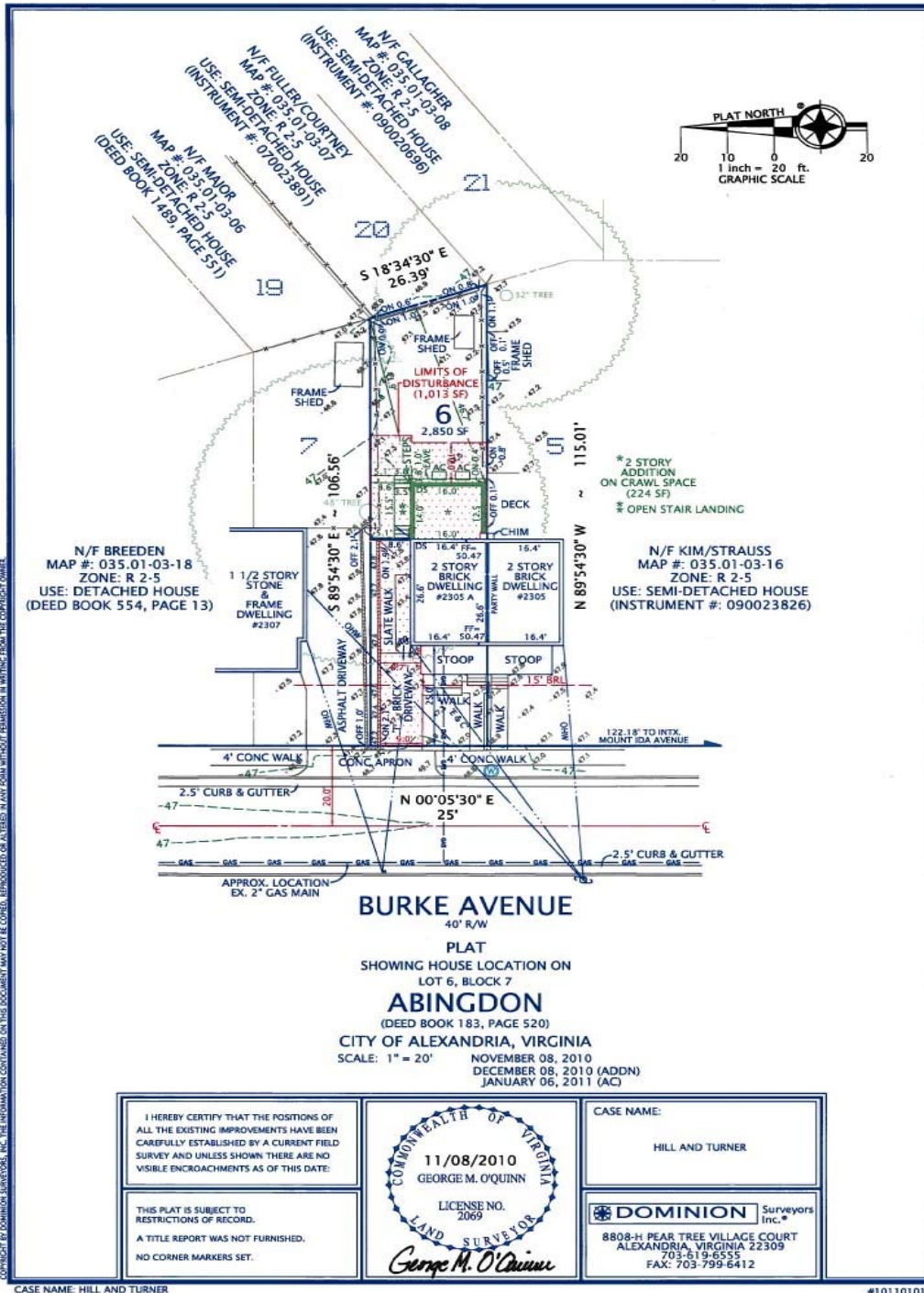
Historic Alexandria (Archaeology):

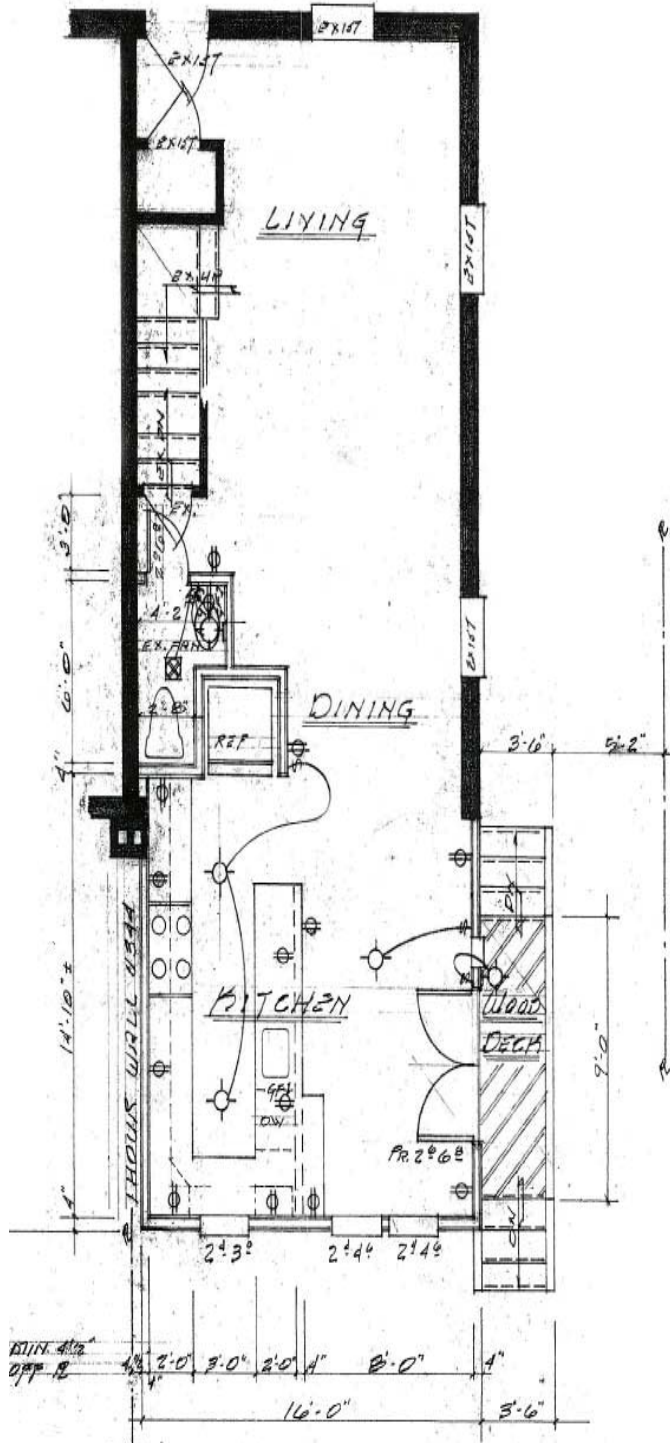
- F-1 There is low potential for significant archaeological resources to be disturbed by this project. No archaeological action is required.

Other Requirements Brought to the Applicant's Attention:

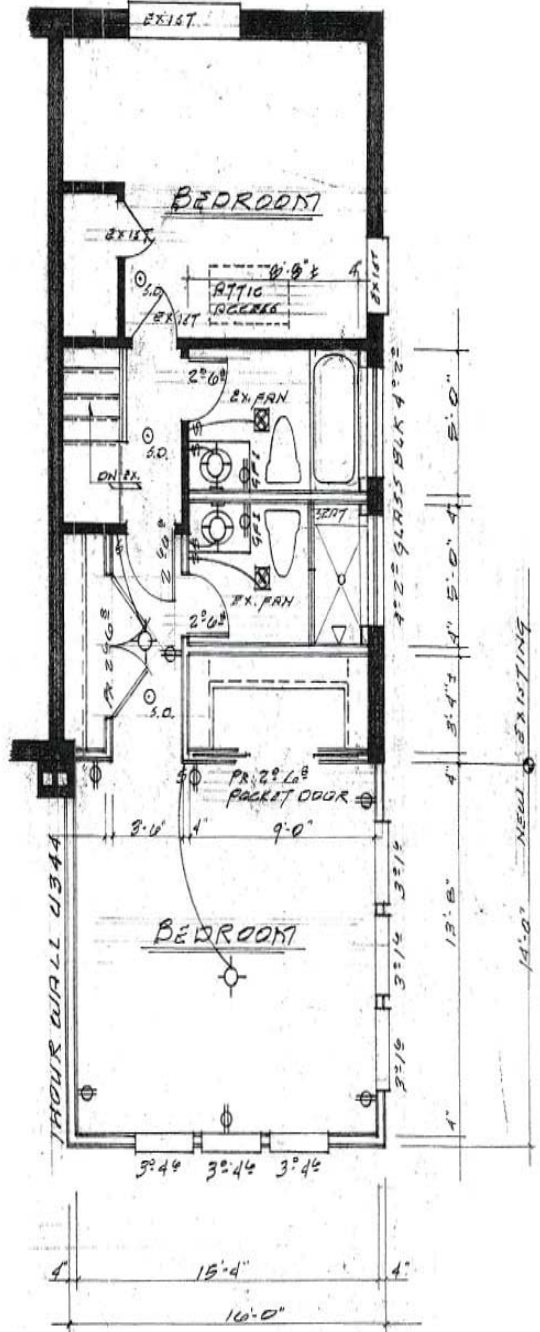
- C-1 A wall check survey plat shall be submitted to Planning and Zoning when the building footprint is in place, pursuant to Alexandria City Code section 8-1-12.

Images

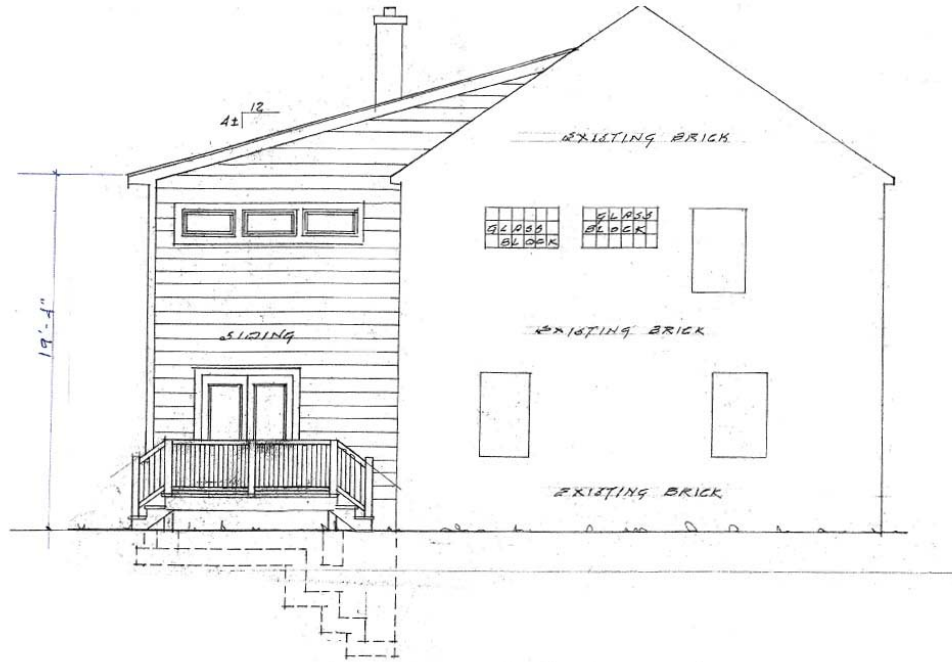




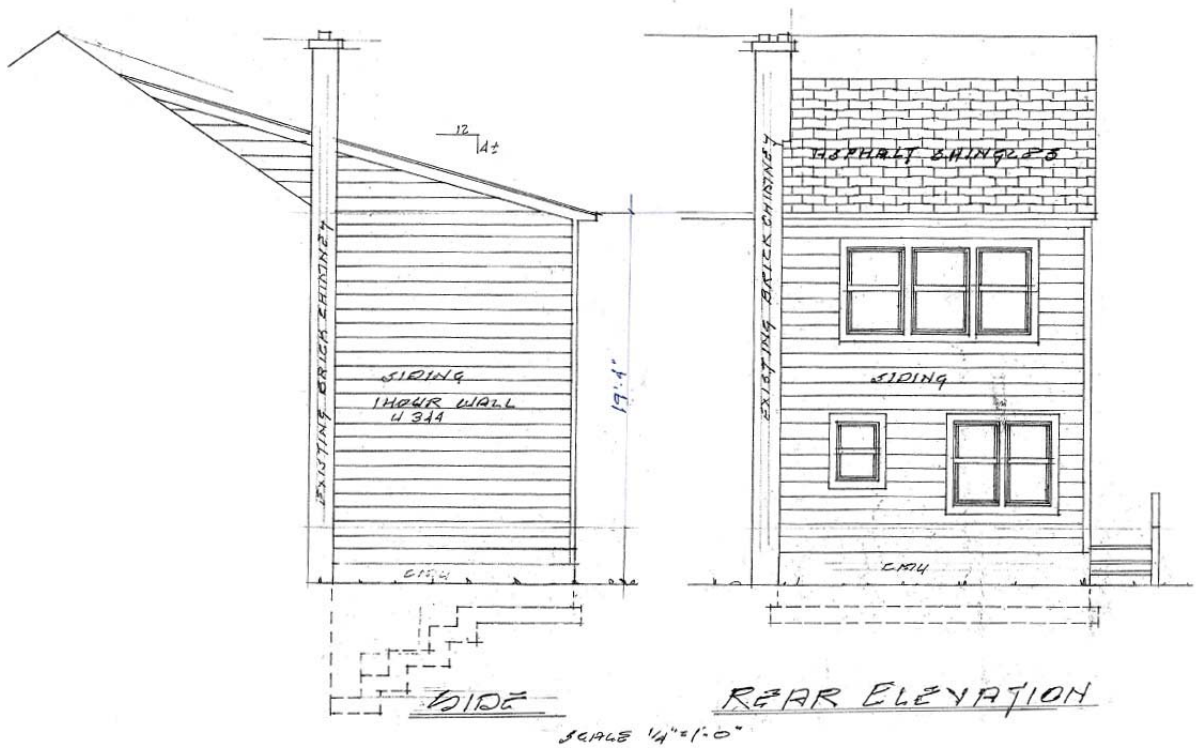
FIRST FLOOR PLAN
SCALE 1/4" = 1'-0"



SECOND FLOOR PLAN
SCALE 1/4" = 1'-0"



SIDE ELEVATIONS SCALE 1/4"=1'-0"







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**APPLICATION
BOARD OF ZONING APPEALS**

SPECIAL EXCEPTION FOR ADDITIONS

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

3-506 Bulk and open space Regulations
(A) (2) side yards
Each two family semi detached dwelling shall provide 2 side yards
each based on a setback ratio of 1:3 and a minimum of Ten feet.

PART A

- 1. Applicant: Owner Contract Purchaser Agent
 Name Crystal Construction Services by Nathan Hamman
 Address 820 S. 18th St
Arlington VA 22202
 Daytime Phone 202 577-5065
 Email Address Nathan@CCSDMV.com
- 2. Property Location 2305 A BURKE AVE.
- 3. Assessment Map #035.01-03-17 Block 7 Lot 6 Zone R2-5
- 4. Legal Property Owner Name Elizabeth W. Hill + Mark A Turner
 Address 2305 A Burke Ave
Alexandria VA 22301

JAN 13 2011

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.		
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 2305A Burke Ave. (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 Elizabeth W. Hill	2305A Burke Ave.	50%
² Mark A. Turner	2305A Burke Ave.	50%
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 the 12-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 NONE		
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.

1-11-11
Date

Elizabeth W. Hill
Printed Name
Mark A. Turner

Elizabeth W. Hill
Signature
Elizabeth W. Hill

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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 pages where necessary.)

- 1. Explain how the special exception for the proposed addition, if granted, meets the applicant's needs.

The addition as proposed is 16'-0" wide from outside to outside. It is the minimum needed to allow for adequate useable space to utilize the existing floor plan. The proposed addition follows the same line as the existing structure. The proposed floor plan adds a 1st floor powder room, updated kitchen, and a small area for dining. The interior measurement is 15'-3". The proposed 2nd floor adds a master bedroom suite.

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

The special exception, if granted, will not harm the adjoining properties OR negatively impact the neighborhood in any way. We are requesting approval to extend the existing wall on the same line. The design is in keeping with the architectural harmony of the house and neighborhood.

- 3. Explain how the proposed addition will affect the light and air to any adjacent property.

The north facing wall is in line with the existing house and is over 20' from the house at 2307 Burke Ave. The new roof height does not exceed the existing ridge height. There is adequate open space between the two houses.

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4. Explain how the proposed addition is compatible with other properties in the neighborhood and the character of the neighborhood as a whole.

The proposed addition is a traditional design in a traditional neighborhood. There are several projects of similar scope of design within a few blocks. This projects adds to character of the neighborhood. It adds to the value of the property and raises value of homes in the neighborhood.

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

The proposed design of the addition is consistent in appearance with other additions in the neighborhood. It consists of footings with poured foundation walls and a crawl space. The exterior is hardiplank 5" lap siding w/ trim and soffits and fascia. There is to be gutters and downspouts and 30 year asphalt shingles to match the existing. Windows and doors per approved drawings.

6. Explain how this plan represents the only reasonable location on the lot to build the proposed addition.

The proposed addition is an extention along the same line as the existy foundation and wall. It is the only location the house can be enlarged to create a more functional living space. The proposed addition adds just enough room to utilize the space within the floor area ratio.

7. Has the applicant shown the plans to the most affected property owners? Have any neighbors objected to the proposed special exception, or have any neighbors written letters of support? If so, please attach the letter.

The affected property owners have seen the proposed addition and all approve.

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A



**DEPARTMENT OF PLANNING AND ZONING
FLOOR AREA RATIO AND OPEN SPACE CALCULATIONS FOR
SINGLE AND TWO-FAMILY RESIDENTIAL OUTSIDE HISTORIC DISTRICTS**

A. Property Information

A1. Street Address 2305 A BURKE AVE Zone R-25
 A2. 2850 [#] 45 _{Total Lot Area} x _{Floor Area Ratio Allowed by Zone} = 1283 _{Maximum Allowable Floor Area}

B. Existing Gross Floor Area

Existing Gross Area*		Allowable Exclusions	
Basement	416	Basement**	416
First Floor	416	Stairways**	60
Second Floor	416	Mechanical**	0
Third Floor	0	Porch/Garage**	98
Porches/Other	98	Attic less than 5**	0
Total Gross*	1,346	Total Exclusions	574

B1. Existing Gross Floor Area *
1,346 Sq. Ft.
 B2. Allowable Floor Exclusions**
574 Sq. Ft.
 B3. Existing Floor Area minus Exclusions
772 Sq. Ft.
 (subtract B2 from B1)

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

Proposed Gross Area*		Allowable Exclusions	
Basement	0	Basement**	0
First Floor	224	Stairways**	0
Second Floor	224	Mechanical**	0
Third Floor	0	Porch/Garage**	0
Porches/Other	0	Attic less than 5**	0
Total Gross*	448	Total Exclusions	0

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

D. Existing + Proposed Floor Area

D1. Total Floor Area (add B3 and C3) 1,220 Sq. Ft.
 D2. Total Floor Area Allowed by Zone (A2) 1,283 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 of 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.

E. Open Space Calculations Required in RA & RB zones

Existing Open Space	
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: *Math Hammer* Date: 1/10/2011
 11/10/2011

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January 19, 2011

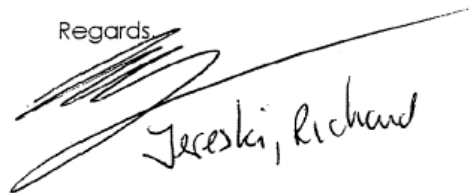
Dear Sir/Madam:

I understand that Mark Turner and Lizzie Hill are renovating and constructing an addition to their home at 2305 A Burke Avenue in Alexandria. Their home is directly across the street from mine.

I have seen the architectural plans and discussed the project with them and their contractor. I am confident that this will be a striking addition to our neighborhood and trust that the board will approve their permit. The design is in-keeping with the area and will boost Burke Avenue property values as well.

If you have questions I can be reached at 202-253-6398 (cell) or 703-836-3332 (home).

Regards,

A handwritten signature in black ink, appearing to read "Jecski, Richard". The signature is written in a cursive style with a long, sweeping underline that extends to the right.

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January 19, 2011

Dear Sir/Madam:

I understand that Mark Turner and Lizzie Hill are renovating and constructing an addition to their home at 2305 A Burke Avenue in Alexandria. Their home is right door to mine.

I have seen the architectural plans and discussed the project with them. I am confident that this is a beautiful addition to our neighborhood and hope that the board will approve their permit. The design will fit well with the neighborhood and enhance nearby home values as well.

If you have questions I can be reached at 703-836-8707

Sincerely,

Mabel Breeden

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January 21, 2011

Dear Sir/Madam:

We understand that Mark Turner and Lizzie Hill are constructing a 2-story addition to their duplex at 2305 A Burke Avenue in Alexandria. As we are adjacent to their property, we share a common property line and wall.

We have seen the architectural plans and have discussed their upcoming project with them and their contractor. They have been very transparent with the project schedule, and have been providing periodic updates on the progress to-date. It has come to our attention that a zoning variance is required for completion of the permitting process. This has been explained to us to our satisfaction.

If you should have any questions, we can be reached at the following number: 630-363-0122.

Sincerely,



Amy Strauss



Justin Kim