

DOCKET ITEM #2

Subdivision #2009-0002

720 & 720A South View Terrace

CONSENT AGENDA ITEM

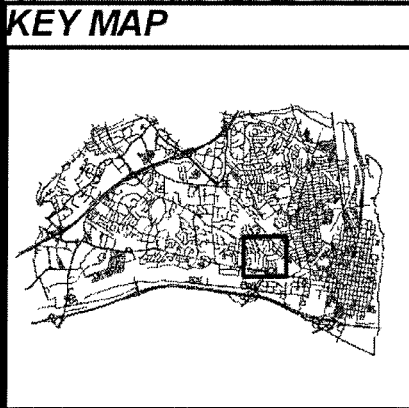
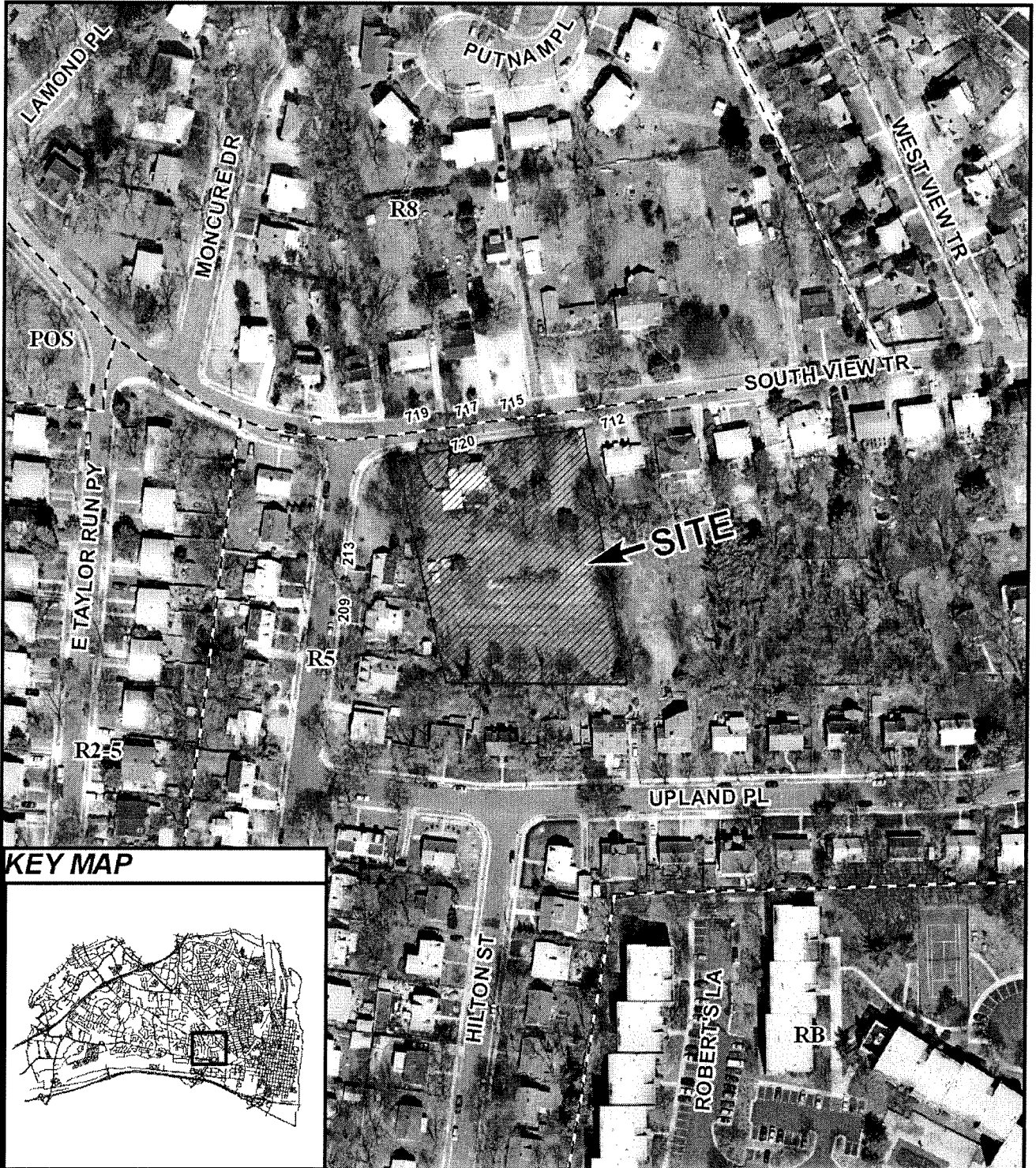
If no one asks to speak about this case prior to the hearing, it will be approved without discussion as part of the Consent Agenda.

Application	General Data	
Request: Consideration of a request to adjust the boundary line between two lots.	Planning Commission Hearing:	October 6, 2009
Address: 720 & 720A South View Terrace	Approved Plat must be recorded by:	April 6, 2011
Applicant: Kevin James and Alvin W. Frinks	Zone:	R-5/Residential
Applicant: Kevin James and Alvin W. Frinks	Small Area Plan:	Taylor Run/Duke Street

Staff Recommendation: APPROVAL subject to compliance with all applicable codes and ordinances and the recommended permit conditions found in Section III of this report.

Staff Reviewers: Gary Wagner Gary.Wagner@alexandriava.gov

PLANNING COMMISSION ACTION, OCTOBER 6, 2009:



SUB #2009-0002

10/06/09



I. DISCUSSION

REQUEST

The applicants, Kevin James and Alvin W. Frinks, request approval of a subdivision of the property at 720 and 720A, South View Terrace.

SITE DESCRIPTION

The property at 720 South View has 154 feet of frontage, approximately 270 feet of depth, and a total lot area of 41,059.6 square feet. The lot is currently developed with a two-story single family home that complies with zoning regulations. The property at 720A South View Terrace has 50 feet of frontage, approximately 270 feet of depth and is unimproved. An existing, unimproved alley abuts both properties to the south. There is a substantial grade difference (approximately 25 feet) between the front of the lots and the rear of the lots. There are several large existing trees on the properties.

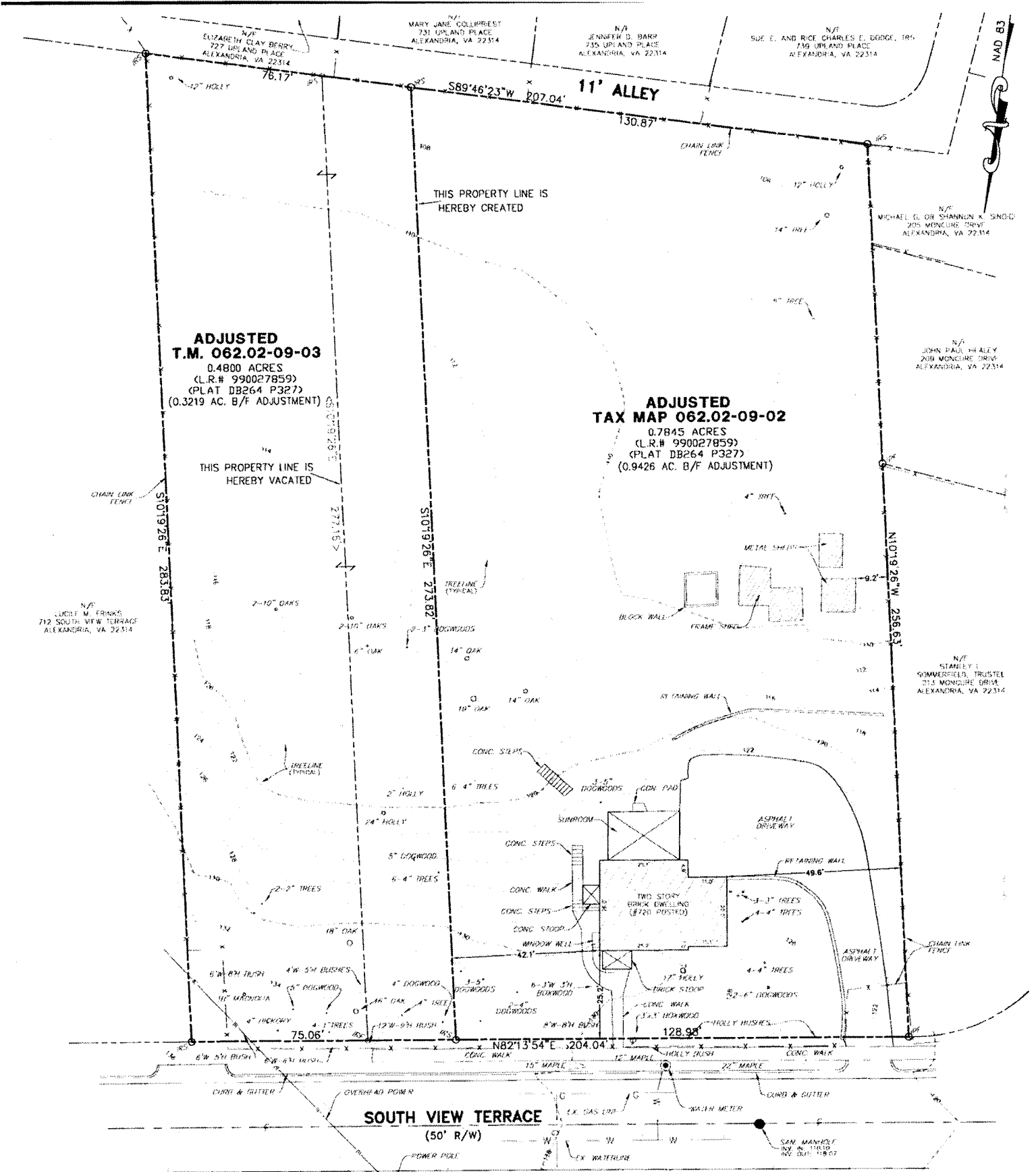
The surrounding area consists predominantly of existing single-family residential development. The lots vary substantially in size and have varying lot widths and depths; from 50-100 feet wide and 80-270 feet deep. The lot at 720 South View Terrace is one of the larger lots in the area at close to one acre in size.

PROPOSAL

The applicant is proposing to move the lot line between the properties 25 feet to the west increasing the width of Lot 720A to 75 feet wide and decreasing Lot 720 to 128.98 feet wide. The adjustment will also increase the size of the Lot 720A from 14,022 square feet to 20,908 square feet and decrease Lot 720 from 41, 059 square feet to 34,172 square feet.

	Required/Allowed	Existing Lot 720	New Lot 720	Existing Lot 720A	New Lot 720A
Lot Size	5,000 SF	41,059.6 SF	34,172 SF	14,022SF	20,908 SF
Rear Yard Setback	7.0' min., 1:1 ratio	197'	197'	N/A	N/A
Side Yard Setback	7.0' min., 1:3 ratio	67.4' & 49.6'	42.1' & 49.6'	N/A	N/A
FAR	0.45	0.037*	0.044*	N/A	N/A
Lot Frontage	40'	154'	128.98'	50'	75.06'
Lot Width	50'	154'	128.98'	50'	75.06'

* Based on 1,520 SF dwelling per Real Estate Assessment.



ZONING/MASTER PLAN DESIGNATION

The property is zoned R-5, residential and is consistent with the Taylor Run/Duke Street Small Area Plan chapter of the Master Plan which has designated the property for residential use.

SUBDIVISION STANDARDS

Section 11-1710(B) of the Zoning Ordinance requires a subdivision to meet the following standard:

No lot shall be resubdivided in such a manner as to detract from the value of adjacent property. Lots covered by a resubdivision shall be of substantially the same character as to suitability for residential use and structures, lot areas, orientation, street frontage, alignment to streets and restrictions as other land within the subdivision, particularly with respect to similarly situated lots within the adjoining portions of the original subdivision. In determining whether a proposed lot is of substantially the same character for purposes of complying with this provision, the Commission shall consider the established neighborhood created by the original subdivision, evidence of which may be shown by (1) subdivision plat documents, including amendments to the subdivision over time, as well as the development that has occurred within the subdivision; and (2) land in the same general location and zone as the original subdivision with the same features so as to be essentially similar to the original subdivision area.

Additional requirements for subdivisions exist in Sections 11-1710(C) through (R) of the Zoning Ordinance.

II. STAFF ANALYSIS

Staff supports this application for subdivision. The subdivision is in conformance with the subdivision standards of Section 11-1710. In particular, the new lots will be subject to the same restrictions as other similar lots on the block and will be of substantially the same character in terms of street frontage, size and alignment to the street.

A significant amount of tree canopy exists on the property. In order to preserve existing trees on the site, staff provided a condition in the recommendation section that requires a comprehensive tree survey, including a conservation and protection program that maintains the quality of the existing canopy prior to the issuance of a building permit.

In addition, any new homes to be constructed on the newly created lots will be subject to the recently approved Infill Regulations of Section 7-2300 and other associated regulations of the zoning ordinance. This will require new homes to meet regulations to ensure compatibility with other existing homes on the block, such as front building setbacks and front door thresholds in line with existing development; building height in line with existing development; standards for porches, porticos and garages; and tree coverage requirements.

STAFF: Gwen Wright, Division Chief, Department of Planning and Zoning;
Gary Wagner, Principal Planner.

III. RECOMMENDED CONDITIONS

Staff recommends **approval** subject to compliance with all applicable codes and ordinances and the following conditions:

1. The final subdivision plat shall comply with the provisions of Section 11-1709 of the City's Zoning Ordinance. (T&ES)
2. A GRADING PLAN is required for Lot 720A showing all improvements and alterations to the site which must be approved by T&ES prior to issuance of a building permit. (T&ES)
3. Applicant shall be responsible for repairs to the adjacent city right-of-way if damaged during construction activity. (T&ES)
4. All improvements to the city right-of-way such as curbing, sidewalk, driveway aprons, etc. must be city standard design. (T&ES)
5. An erosion and sediment control plan must be approved by T&ES prior to any land disturbing activity greater than 2500 square feet. An erosion and sediment control bond shall be posted prior to release of the grading plan. (T&ES)
6. 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)
7. Include approval block on mylar. (T&ES)
8. The applicant shall provide a comprehensive tree survey, including a conservation and protection program that maintains the quality of the existing canopy with the grading plan prior to the issuance of a building permit. The survey shall include evaluation of existing trees: individual trees in relationship to adjacent topography/grade conditions; species documented with common and horticultural names; and size as caliper and height. Information shall be provided with submission of the grading plan for each parcel and developed to the satisfaction of the City Arborist. (RP&CA) (P&Z)

Note: This plat will expire 18 months from the date of approval, or on April 6, 2011, unless recorded sooner.

IV. CITY DEPARTMENT COMMENTS

Legend: C - code requirement R - recommendation S - suggestion F - finding

Transportation & Environmental Services:

- F-1 This property is not in a RPA. OEQ has no objections to this subdivision.
- C-1 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.8-1-22)
- C-2 All secondary utilities serving this site shall be placed underground. (Sec. 5-3-3)
- C-3 Pay sanitary sewer tap fee prior to release of Grading Plan. (Sec. 5-6-25.1)
- C-4 Any work within the right-of-way requires a separate permit from T&ES. (Sec. 5-3-61)
- C-5 For any development or redevelopment as part of a subdivision plan; post-development peak runoff rate from a two-year storm and a ten-year storm, considered individually, must not exceed their respective pre-development rate per the requirements of Article XIII (F) (1) of Alexandria Zoning Ordinance. A single family residence developed as part of a sub division plan is not exempted from the requirements of detention.

However, an exemption from this requirement may be granted by the Director, Transportation and Environmental Services (T&ES) under Article XIII (F) (2) for a development site not exceeding half an acre where all the erosion and sediment controls are otherwise complied with the requirements of City Charter and Code Title 5 Chapter 4: Erosion and Sediment Control and Virginia Regulations §4VAC50-30, Virginia Erosion and Sediment Control Handbook (VESCH).

Code Enforcement: No Comment

Police: No Comment

Archeology:

- F-1 This property is in the vicinity of two Civil War Union forts: Ft. Ellsworth to the south and Ft. Dahlgren to the east and therefore has the potential to yield archaeological resources that could provide insight into military life during the Civil War.
- F-2 Development on either of the two lots may require archaeological preservation actions. The nature of these actions will depend on the degree of previous ground disturbance and the extent of ground disturbance associated with the planned development.

APPLICATION for SUBDIVISION

SUB # 2009-0002

(must use black ink or type)

PROPERTY LOCATION: 720 Southview Terrace

TAX MAP REFERENCE: 012.02-09-02 ZONE: R-5

APPLICANT'S NAME: Kevin James

ADDRESS: 23157 Sparta Road Sparta VA 22552

PROPERTY OWNER NAME: Kevin C James / Alvin W Franks

ADDRESS: 720 Southview Terrace Alexandria VA 22314

*SUBDIVISION DESCRIPTION: Move the property ^{25ft.} line between 720 & 720a S. View Terrace. 720a would become a 75-ft. wide lot.

*THE UNDERSIGNED hereby applies for a Subdivision in accordance with the provisions of Section 11-1700 of the Zoning Ordinance of the City of Alexandria, Virginia.

THE UNDERSIGNED, having obtained permission from the property owner, hereby grants permission to the City of Alexandria to post placard notice on the property for which this application is requested, pursuant to Article XI, Section 11-301 (B) of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

THE UNDERSIGNED also attests that all of the information herein provided and specifically including all surveys, drawings, etc., required of the applicant are true, correct and accurate to the best of their knowledge and belief.

Kevin C. James
Print Name of Applicant or Agent

[Signature]
Signature

23157 SPARTA Rd
Mailing/Street Address

804 633-6725 804 633-6129
Telephone # Fax #

SPARTA VA 22552
City and State Zip Code

9/03/09
Date

DO NOT WRITE BELOW THIS LINE - OFFICE USE ONLY

Application Received: _____ Date & Fee Paid: _____ 5 _____

ACTION - PLANNING COMMISSION: _____

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All applicants must complete this form.

1. The applicant is the (check one):

Owner Contract Purchaser

Lessee

Other: Trustee/owner

* 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.

Alvin W Frinks Trust & Marguerite J Frinks ~~Frink~~ Trust,
KEVIN C. JAMES, trustee of both trusts.
23157 SPARTA Rd
SPARTA, VA 22552

If property owner or applicant is being represented by an authorized agent such as an attorney, realtor, or other person for which there is some form of compensation, does this agent or the business in which the agent is employed have a business license to operate in the City of Alexandria, Virginia?

Yes. Provide proof of current City business license

No. The agent shall obtain a business license prior to filing application, if required by the City Code.

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* 2. Please describe the existing and proposed use of the property(ies). Include a description of any structures, trees and landscaping, or other elements that occupy the property(ies).

720 S. View is a residential lot consisting almost an acre with an existing brick home ~~of about~~ The home is a two story brick home built in the 40's. 720a is a ~~30~~⁵⁰ foot wide lot adjacent to 720. There is no structure on 720a yet. Currently there is more than 60 feet between the existing home and the current property line. Both lots have trees and shrubs. 720 has several small garden sheds.

We are seeking to move the property line 25 feet which would create a 25 foot ~~foot~~ lot ~~for~~ for 720a. 720 would still be a 34000 foot lot with 35 feet between house and the new property line.

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WAIVER OF RIGHT TO AUTOMATIC APPROVAL

SUBMITTED TO
THE DEPARTMENT OF PLANNING AND ZONING
CITY OF ALEXANDRIA, VIRGINIA

SUBDIVISION # 2009-0002

Project Name: FRINKS Property Lot 1

Project Address: 720 South View Terrace Alexandria, VA 22314

*Description of Request: Changing the property line
between 720 and 720a.
720a would become a 75 foot wide lot.

The undersigned hereby waives the right to the 45 day automatic approval provision of Section 11-1708 (B)(2) of the Zoning Ordinance of the City of Alexandria, Virginia, for the application stated above.

#Date: 9/3/09

Applicant

Agent

Signature: [Handwritten Signature]

Printed Name: KEVIN C. JAMES