

(5 1/2 x 13")

SITE LOCATION:

301 LAVERNE AV.

95-0129

Plan
EW

construct midrise on subdivided lot

REMARKS:

[Empty lines for remarks]

- Special Use Permit
- Board of Zoning Appeals
- Micro...
- Vocation
- Special Use
- Site Plan
- B.A.R.
- [unclear]

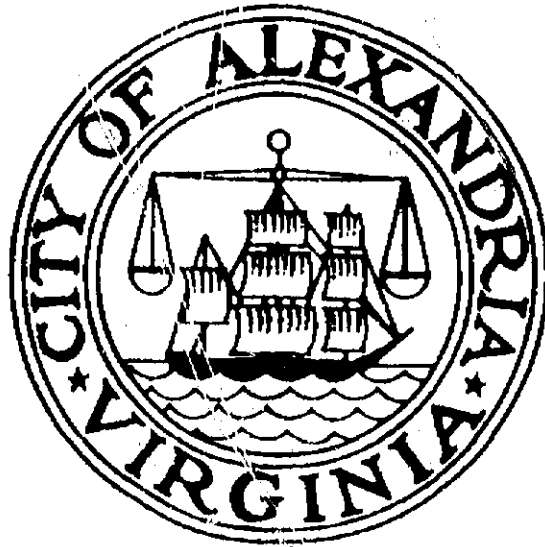
Action of City Council:	Granted	Granted Subject to Conditions	Granted in Part	Denied	Deferred
Recommendation of Planning Commission:	Granted	Granted Subject to Conditions	Granted in Part	Denied	Withdrawn
Action of Board of Zoning Appeals:	Granted	Granted Subject to Conditions	Granted in Part	Denied	Withdrawn
Action of Board of Architectural Review:	Granted	Granted Subject to Conditions	Granted in Part	Denied	Withdrawn

Applicant: Map # 24.02 Zone

Public Hearing:

Committee Planning Commission	Oct. 5 '95	City Council	B.Z.A.	B.A.R.
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NOV. 9 '95



CERTIFICATE OF AUTHENTICITY

This certifies that the microfilm images appearing on this record are accurate reproductions of the records of the City of Alexandria, Virginia, Department of Planning and Community Development, and were microphotographed in accordance with established government and industry standards, ensuring that all documents, notes, and attachments have been included herein.

3-30-98

Date of Microfilming

Diana Hill

Camera Operator

Canon 800

Camera Number

Catherine Stewart

Supervisor



*Special
Use
Permit*

95-0129



SPECIAL USE PERMIT CERTIFICATE

Article XI, Division A, Section 11-510 of the 1992 Zoning Ordinance of the City of Alexandria, Virginia requires that you display this special use permit in a conspicuous and publicly accessible place. A copy of the list of conditions associated with the special use permit shall be kept on the premises and made available for examination by the public upon request.

Special Use Permit No. 95-0129 Approved by City Council on 11/18/95

Permission is hereby granted to Philip P. Herrick, Jr.

to use the premises located at 301 LaVerne Avenue

for the following purpose (SEE ATTACHED)

It is the responsibility of the special use permit holder to adhere to the conditions approved by City Council. The Department of Planning and Community Development will periodically inspect the property to identify compliance with the approved conditions. If any condition is in violation, the permit holder will be cited and issued a ticket. The first violation carries a monetary fine. Continued violations will cause staff to docket the special use permit for review by City Council for possible revocation.

1-4-96
Date

Sheldon Lynn
Sheldon Lynn, Director
Planning and Community Development

APPLICATION: SPECIAL USE PERMIT

SUP # 95-0129

PROPERTY LOCATION: 301 Lavenne Ave
 TAX MAP REFERENCE: 24.02-04-09 ZONE: R-2.5
 APPLICANT'S NAME: Philip F. Henck Jr.
 ADDRESS: P.O. Box 442, McLean, VA 22101
 PROPERTY OWNER NAME: Philip F. Henck Jr.
 ADDRESS: P.O. Box 442, McLean, VA 22101
 USE REQUESTED: Single Family House on Sub Standard Lot

THE UNDERSIGNED hereby applies for a Special Use Permit in accordance with the provisions of Article XI, Section 11-500 of the 1992 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(8) of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

THE UNDERSIGNED hereby attests that all of the information herein provided and specifically including all surveys, drawings, etc., required to be furnished by the applicant are true, correct and accurate to the best of their knowledge and belief. The applicant is hereby notified that any written materials, drawings or illustrations submitted in support of this application and any specific oral representations made to the Planning Commission or City Council in the course of public hearings on this application will be binding on the applicant unless these materials or representations are clearly stated to be non-binding or illustrative of general plans and intentions, subject to substantial revision, pursuant to Article XI, Section 11-207(A)(10), of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

Philip F. Henck Jr. Philip F. Henck Jr.
 Print Name of Applicant or Agent Signature
P.O. Box 442 703-790-9009
 Mailing Address Telephone Number
McLean, VA 22101 8-22-95
 Mailing Address date

DO NOT WRITE BELOW THIS LINE - OFFICE USE ONLY

Application Filing: 8-22-95 \$ \$100.- 8-22-95
 date received fee paid date paid

Legal Advertisement: _____ Property Placard: _____

ACTION - PLANNING COMMISSION: 11-9-95 Recommend Denial 5-2

11/18/95 PH--Reversed the Planning Commission recommendation and approved the SUP for the construction of a single-family dwelling on this substandard lot, subject to compliance with all applicable codes, ordinances and staff recommendations.

Docket Item #26
SPECIAL USE PERMIT #95-0129

Planning Commission Meeting
November 9, 1995

ISSUE: Consideration of a request for a special use permit to construct a single family dwelling on a substandard lot, for a modification to the front yard setback requirement and for a reduction in the off-street parking requirements.

APPLICANT: Philip F. Herrick, Jr.

LOCATION: 301 LaVerne Avenue

ZONE: R-2-5/Residential

CITY COUNCIL ACTION, NOVEMBER 18, 1995: Reversed the Planning Commission recommendation and approved the special use permit request for the construction of a single family dwelling on this substandard lot, subject to compliance with all applicable codes, ordinances and staff recommendations.

PLANNING COMMISSION ACTION, NOVEMBER 9, 1995: On a motion by Mr. Wagner, seconded by Mr. Komoroske, the Planning Commission voted to recommend denial of the request. The motion carried on a vote of 5 to 2, with Mr. Hurd and Ms. Fossum voting against.

Reason: A majority of the Planning Commission disagreed with the staff analysis because they were concerned that the proposed development would not be in character with the surrounding neighborhood.

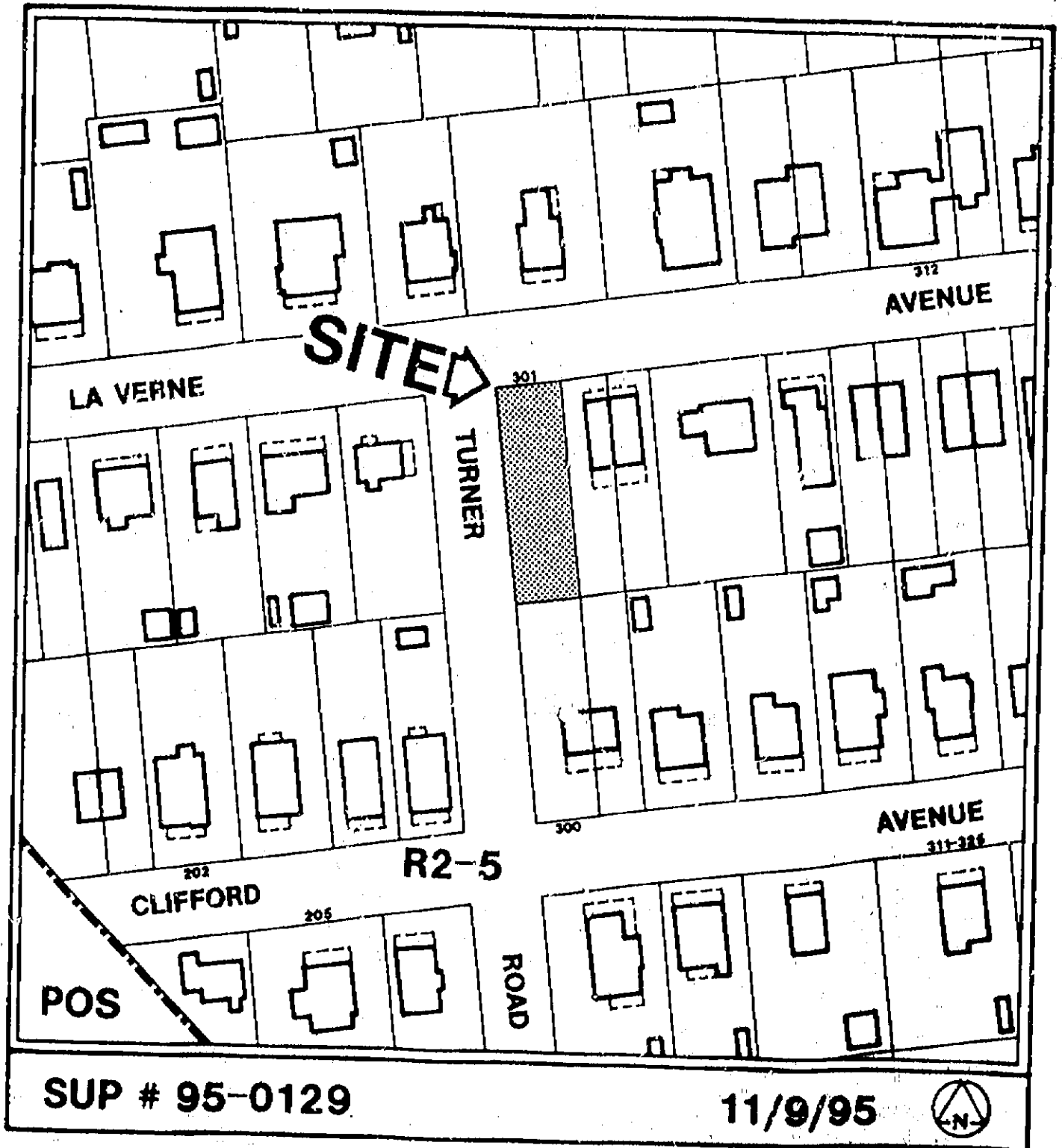
Speakers:

Mr. Philip Herrick the applicant, was present.

PLANNING COMMISSION ACTION, OCTOBER 5, 1995: The Planning Commission deferred the request.

Reason: The applicant was not present.

The subject property and surrounding land uses are shown on the sketch below



SUP # 95-0129

11/9/95



(Not to Scale)

STAFF RECOMMENDATION:

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

1. The applicant shall provide a minimum of one parking space on the lot. (P&Z)
2. A plot plan showing all improvements/alterations to the site must be approved by the Department of Transportation and Environmental Services before a building permit can be issued. (T&ES)
3. The applicant shall install curb, gutter and sidewalk on the east side of the 3000 block of Turner Road. These improvements should extend from LaVerne Avenue to the rear property line of the site in question. (T&ES)
4. The applicant shall install the driveway so that pedestrian access across it complies with ADA guidelines. Access ramps shall be installed so that the sidewalks provide a smooth transition across the driveway. (T&ES)
5. No driveway aprons may be constructed within 30 feet of a street corner. (T&ES)
6. No curb-cuts along LaVerne Avenue shall be allowed. The required parking space shall be accessed from Turner Road, but shall not occupy more than 50% of the required yard. (P&Z)
7. The applicant shall consult the Crime Prevention Unit of Alexandria Police regarding locking hardware for home. (Police)
8. Fenestration shall be provided on the facade facing Turner Road to the satisfaction of the Director of Planning and Zoning. (P&Z)

Staff Note: In accordance with section 11-506(c) of the zoning ordinance, construction or operation shall be commenced and diligently and substantially pursued within 18 months of the date of granting of a special use permit by City Council or the special use permit shall become void.

DISCUSSION:

1. The applicant, Philip F. Herrick, Jr., is requesting approval of a special use permit to construct a two-story single family detached building on the property at 301 LaVerne Avenue.
2. The subject property is an undeveloped corner lot of record with 35 feet of frontage on LaVerne Avenue, 120 feet of frontage along Turner Road, and an area of 4,200 square feet. The property is part of the "St. Elmo" subdivision, and was created in 1894.
3. The applicant is the owner of the subject property and the house next door at 303 LaVerne Avenue and now seeks the right to build a new single family home on the subject property.
4. The subject lot was created prior to the enactment of zoning regulations in the City. Because it is smaller than the lot requirements of the R-2-5 zone, it is a substandard lot. The following is a comparison of the requirements of the R-2-5 zone and the lot's dimensions:

	R-2-5 Lot Requirements (Corner Lot)	Existing Lot Dimensions
Lot area:	6,500 sq. ft.	4,200 sq. ft.
Frontage width:	65 feet	35 feet
Width at building Line:	65 feet	35 feet

5. Pursuant to section 12-402 (A) (1) of the zoning ordinance, a substandard lot may be developed with a single family detached dwelling if (a) it contains at least the lot area, and has at least the width at both the front lot line and building line, as at least 50% of the developed lots on the block face where the lot is located; and (b) a special use permit is approved.
6. The subject lot meets the threshold requirements of section 12-402(A) (1). The block face contains a total of 43 lots, 40 of which are developed. The subject lot contains at least the lot area and lot width of approximately 60% of the lots in the block face. It is the same size or smaller than 25 out of the 40 lots. It may therefore seek a special use permit for development.
7. Under section 12-402 (C), City Council may approve a special use permit for a single family dwelling on a substandard lot if the lot meets the above threshold and if Council finds that the proposed development:

- (a) will not unreasonably impact an adequate supply of light and air to adjacent property,
- (b) will not diminish or impair established property values in the surrounding neighborhood, and
- (c) will be compatible with the surrounding neighborhood.

8. The surrounding neighborhood is comprised of single family detached and semi-detached houses, generally one and one-half to two stories in height. The neighborhood consists primarily of wood frame dwellings, although some are constructed of brick or stone. The attached elevation submitted by the applicant illustrates the type of building to be constructed at 301 LaVerne Avenue. The mass and height of the proposed home will be compatible with the homes along LaVerne Avenue; however, the elevations submitted by the applicant indicate that the side facade facing Turner Road will be windowless. Generally, the other homes in the area have facades with windows facing the street.
9. The current request is to build a two-story single family dwelling on the subject property. The following is a comparison of the bulk and open space requirements of the R-2-5 zone and the applicant's proposal:

	R-2-5 Zone Requirements (Corner Lot)	Proposed
Front Yard	25 ft	20 ft (LaVerne Ave side) 8 ft (Turner Rd side)
Side Yards	Minimum 7 ft 1:3 ratio of building height	7 ft 21 ft building height
Rear Yard	N/A	N/A
FAR	Maximum of 40%	Approximately 26%

10. Pursuant to section 12-404, City Council may modify the yard requirements of the zone to allow the proposed house to be built, provided that the modifications are not detrimental to health, safety, or welfare. The applicant is seeking the following modifications to the yard requirements:
- a) For the frontage along LaVerne Ave, the applicant requests a modification of the front yard requirement,

allowing 20 feet instead of 25 feet. The reduced setback is consistent with the surrounding homes. The setback line on the street is not consistent and varies between 10 and 30 feet.

- b) Along Turner Road, the applicant requests permission to modify the front yard requirement from 25 feet to eight feet because the corner lot is simply too small to meet the zone requirement of 25 feet. The applicant has located the house as close to its neighbor at 303 LaVerne Avenue as the zone requirements allow, thus leaving as large a yard along Turner Road as possible.
11. Section 8-200(A)(1) of the zoning ordinance requires that a single family home provide two parking spaces; however, the applicant is seeking a parking reduction pursuant to section 8-100(A)(4) which would allow him to provide only one off-street parking space on-site.
 12. The submitted plan proposes to locate the parking place at the southern end of the lot, with access from a curb-cut off LaVerne Avenue. The Department of Transportation and Environmental Services objects to this location because of its proximity to the intersection of LaVerne Avenue and Turner Road.
 13. Most of the houses on the street do not have garages. Residents park on concrete pads in front of or beside their house; a few of the homes have detached garages. LaVerne Avenue has numerous curb-cuts, which limits the availability of on-street parking.
 14. Zoning: The subject property is zoned R-2-5/Residential.
 15. Master Plan: The proposed single family home is consistent with the Potomac West Small Area Plan chapter of the Master Plan which designates the property residential.

STAFF ANALYSIS:

The proposed lot meets the threshold criteria of the substandard lot provisions and may be considered for the development of a single family dwelling. City Council, therefore, needs to determine whether the proposed house will unreasonably impair light and air, will diminish property values in the area or is incompatible with the existing neighborhood character. The structures on this block are of varying sizes and styles such that there is no consistent neighborhood pattern. While the proposed

house is generally compatible with the surrounding neighborhood, the windowless facade along Turner Road is not compatible with other residential development in the area. The applicant appears to be basing its design on one segment of a group of townhouses with no windows on its end unit. Staff believes this design is appropriate only when next to another group of townhouses separated by the required eight foot space. Staff, therefore, recommends a condition requiring that some fenestration be provided on the western facade.

Staff has no objection to the requested parking reduction. Staff visited LaVerne Avenue on several occasions, including weekend evenings and found parking to be available on the street. However, staff has recommended a condition requiring that the parking space be relocated from the front of the house to the rear. By relocating the parking space, the curb-cut can be moved a safe distance from the intersection of Turner Road and LaVerne Avenue and will avoid taking up 40 percent of the lot frontage.

Staff believes that this request is reasonable and in keeping with the character of other lots in the immediate area. Staff, therefore, recommends approval of the special use permit.

STAFF: Sheldon Lynn, Director, Department of Planning and Zoning; Elizabeth Wilcox, Urban Planner.

CITY DEPARTMENT COMMENTS

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

Transportation & Environmental Services:

- C-1 Utilities serving this site shall be placed underground (Section 5-5-3).
- C-2 Pay sewer tap fee (Section 5-6-25).
- C-3 Post bond to insure the installation of the required public improvements (Section 8-1-17).
- C-4 City Ordinance #3176 requires the approval of the adjacent property owners for installation of a new driveway apron.
- C-5 Any work in the right-of-way requires a separate permit from Transportation and Environmental Services, Room 4130 (Section 5-3-61).
- C-6 Roof drains and sub-surface drains shall be connected to the city storm sewer system, if available (8-1-22).
- C-7 A design for the control of erosion and sedimentation must be approved by the Director of Transportation and Environmental Services, installed and maintained during construction activity (Section 5-4-1).
- R-1 A PLOT PLAN showing all improvements/alterations to the site must be approved by the Department of Transportation and Environmental Services before a building permit can be issued.
- R-2 That the applicant install curb, gutter and sidewalk on the east side of the 3000 block of Turner Road. These improvements should extend from LaVerne Avenue to the rear property line of the site in question.
- R-3 That the applicant be required to install any driveways onto the property so that pedestrian access across these driveways comply with ADA guidelines. Access ramps should be installed so that the sidewalks provide a smooth transition across any driveways.

R-4 Transportation and Environmental Services policy is not to allow driveway aprons within 30 feet of a street corner. Redesign to locate driveway to the east side of the site or on Turner Road, at least 30 feet from corner.

Code Enforcement:

- C-1 New construction must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-2 The applicant must obtain a Certificate of Use and Occupancy prior to occupancy (use) of the structure (USBC 115.1).

Health Department:

- F-1 No comments.

Police Department:

- R-1 Consult Crime Prevention Unit of Alexandria Police regarding locking hardware for home.

Historic Alexandria (Archaeology):

- F-1 This project has low potential for disturbing significant archaeological resources. No additional archaeological action required.

Parks & Recreation (Arborist/Landscape):

- F-1 No comments.