

Vacation #2017-0001
700 South Pitt Street

Application	General Data	
Request: Public hearing and consideration of a request to vacate the public right-of-way for the installation of a fence to enclose an area that would function as a dwelling's front yard.	Planning Commission Hearing:	June 14, 2017
	City Council Hearing:	June 24, 2017
Address: 700 S. Pitt Street	Zone:	RM / Townhouse
Applicant: Thomas Campbell, represented by Frederick Taylor, architect	Small Area Plan:	Old Town

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 Reviewer: Madeleine Sims, madeleine.sims@alexandriava.gov

PLANNING COMMISSION ACTION, JUNE 14, 2017: On a motion by Vice Chairman Macek, seconded by Commissioner Koenig, the Planning Commission voted to recommend approval of Vacation #2017-0001. The motion carried on a vote of 7 to 0.

Reason: The Planning Commission agreed with staff analysis.

Vice Chairman Macek questioned the assessment value of the vacated land. Division Chief of Land Use & Regulatory Services, Alex Dambach, responded that staff will follow up with the Department of Real Estate to confirm the assessment and valuation process.



Vacation #2017-0001 700 South Pitt Street



I. DISCUSSION

The applicant, Thomas Campbell, represented by Frederick Taylor, architect, requests approval of a vacation of the public right-of-way for the installation of a fence to enclose an area that would function as a dwelling's front yard.

SITE DESCRIPTION

The subject area of land is an encroachment on the public right-of-way located at the southeast corner of the intersection of South Pitt and Franklin Streets. The portion of the public right-of-way is located between the applicant's property and the sidewalk. The applicant's property is developed with a two story, brick residential dwelling on a lot with 168 feet of frontage along Pitt Street and 42 feet of frontage along Franklin Street. The surrounding area is comprised primarily of other single-family homes and townhomes. In terms of the closest commercial uses, Saint Mary's school is located two blocks to the south, and Balducci's grocery is two blocks to the west of the subject site.



Figure 1: The Taylor-Fraser House at 700 S. Pitt Street.

BACKGROUND

The historic, two-story Federalist style brick structure known as the Taylor-Fraser House was originally located at 109 South Pitt Street and moved to its present location in 1975. At the time of the structure's relocation, the City had deemed Franklin Street as a primary collector road, requiring a wider right-of-way in anticipation of increased traffic capacity. By September 1979, City Council had adopted a resolution re-categorizing Franklin Street from a primary collector road to a residential collector street, reducing the required right-of-way width of Franklin Street from 80 feet to 66 feet. As a result of the reduced right-of-way requirement, City Council passed a Vacation Policy (Ordinance #2425) enabling individual property owners to request individual vacations along Franklin Street to acquire the previously required right-of-way. Since 1999, City Council has approved six vacations and encroachments into the public right-of-way along Franklin Street.

City Council approved ENC #2016-0002 on April 16, 2016, for this property, but its approval was contingent on the applicant applying from a vacation request within one year.

PROPOSAL

The applicant submitted a vacation request on February 10, 2017. The applicant proposes a vacation of the same area as ENC #2016-0002, running 42 feet along Franklin Street, and extending 17.6 feet alongside South Pitt Street. The total proposed vacation area has approximately 739 square feet. The applicant proposes to construct a fence to enclose what is perceived as the front yard of the dwelling.

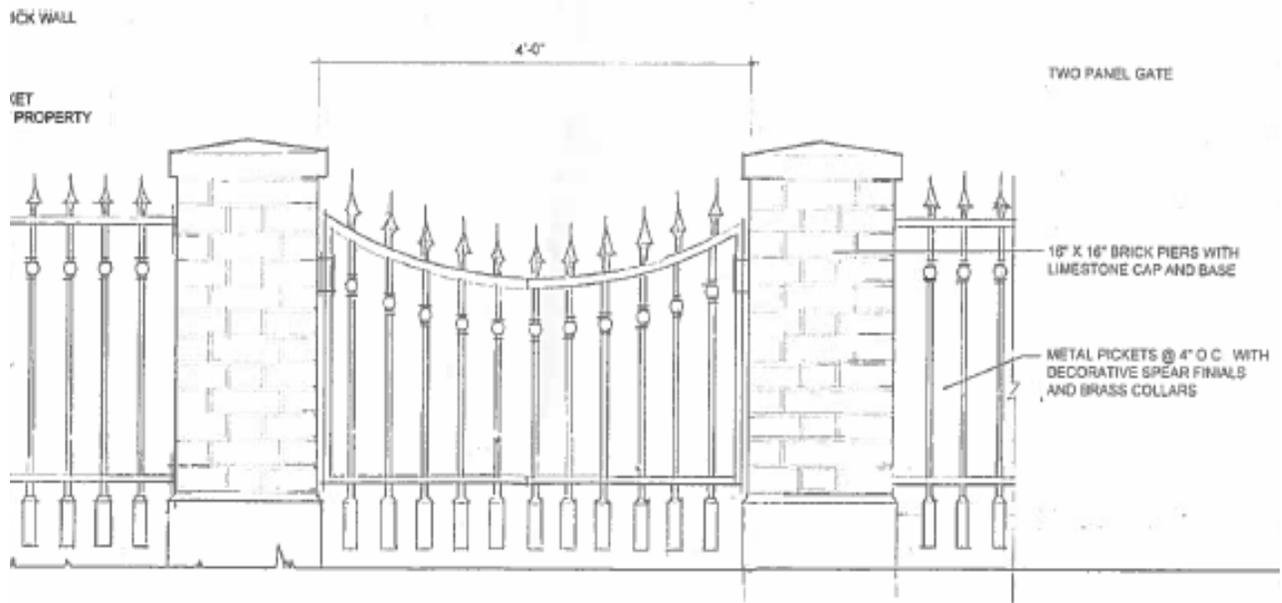
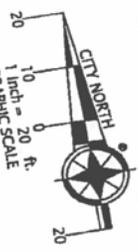
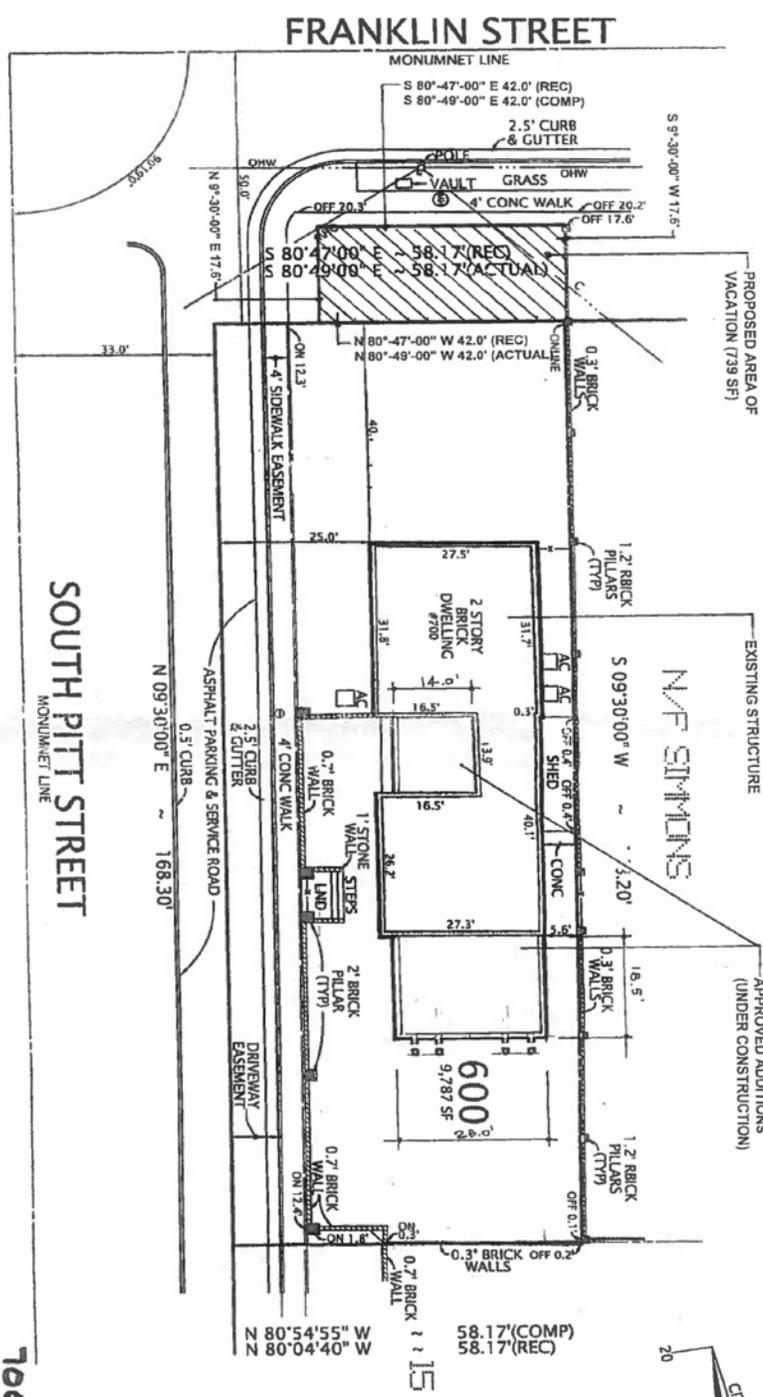


Figure 2: Proposed brick and metal fence for 700 S. Pitt Street.

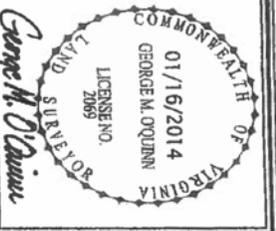
- NOTES: 1. FENCES ARE FRAME.
- 2. UTILITIES ARE UNDERGROUND.



**700 S. PITT
VACATION OF R.O.N.**

I HEREBY CERTIFY THAT THE POSITIONS OF ALL THE DISTINGUISHING IMPROVEMENTS HAVE BEEN CAREFULLY ESTABLISHED BY A CURRENT FIELD SURVEY AND UNLESS SHOWN THERE ARE NO VISIBLE ENCROACHMENTS AS OF THIS DATE

THIS PLAT IS SUBJECT TO RESTRICTIONS OF RECORD. A TITLE REPORT WAS NOT FURNISHED. NO CORNER MARKERS SET.



CASE NAME:
OLSON
CINDY GOLUBIN

DOMINION Inc.
SURVEYORS
8808-H PEAR TREE VILLAGE COURT
ALEXANDRIA, VIRGINIA 22309
703.619.6933
FAX: 703.739.8412

PLAT
SHOWING HOUSE LOCATION ON
LOT 600, BLOCK 1, SECTION ONE
OF A PLAT OF CONSOLIDATION
LOTS 16, 517, 518 & 10' ALLEY
YATES GARDENS
(DEED BOOK 1196 PAGE 381)
CITY OF ALEXANDRIA, VIRGINIA
SCALE: 1" = 20'
JANUARY 16, 2014



Figure 3: Plat of 700 S. Pitt Street showing proposed area of vacation.

In 2004, City Council adopted policy related to the vacations of public rights of way. The policy established that the preservation of open space should be considered in the review of proposals. The valuation process was clarified and established that proceeds from vacations be directed to the City's Open Space Fund, and includes the following criteria:

1. There is no public use of the right-of-way at the time the application is filed.
2. No reasonable use of the right-of-way could exist in the future, either for its original purpose or for some other public purpose. Reasonable uses include, but is not limited to future roads, bike paths/trails, recreational facilities, open space, utilities or other environmental protection.
3. No portion of the public right-of-way shall become landlocked.
4. No abutting property owners shall become landlocked or have access substantially impaired.
5. The vacation shall provide a public benefit.

ZONING/MASTER PLAN DESIGNATION

The subject property is in the RM / Townhouse zone. Section 3-1102 of the Zoning ordinance permits single family dwellings in the RM zone. The lot is designated for residential use in the Old Town Small Area Plan.

VALUE OF VACATED RIGHT-OF-WAY

The Department of Real Estate Assessments has valued the 739 square feet of land in question at \$5,500. Staff has attached the memorandum from Real Estate Assessments (Attachment A) that discusses the process used to determine this valuation. The value of this land is significantly discounted from fair market value because development rights for the area proposed to be vacated would be extinguished pursuant to Condition #5.

II. STAFF ANALYSIS

Staff supports the request for a vacation of the public right of way at 700 South Pitt Street. As City Council recognized in the approval of ENC #2016-0002 the area of vacation reads as part of the applicant's front yard given that the sidewalk abuts the road and proposed vacation area. Further review of the proposal indicated that the application meets all five approval criteria established by City Council for vacation:

1. Existing Public Use

The proposed vacation area is part of a designation approved by City Council in 1979 that allowed residents to request a vacation or encroachment to reclaim land previously designated for a street widening project.

2. Reasonable Future Use

A public use of the right-of-way would not accommodate reasonable recreational use as open space given its small size and location on a corner of an intersection. Pedestrian access is already provided by a sidewalk alongside Franklin Street, where the requested vacation would not affect this access.

3. Landlocked Public Property

Approval of the vacation would not create a situation where public or private property would be landlocked. The requested vacation is on a corner where access to streets, sidewalks, and personal property would not be affected.

4. Landlocked Private Property/Impaired Access

Approval of the vacation would not create a situation where public or private property would be landlocked. The requested vacation is on a corner where access to streets, sidewalks, and personal property would not be affected.

5. Public Benefit

Vacation request approval would require the applicant to submit payment of \$5,500 to the City's Open Space Fund for the purchase of open space more conducive to public active and passive use.

Condition language

Five conditions of approval, standard to vacation requests, have been included in this report. Condition #3 requires the consolidation of the vacated land to Lot 600 and the recordation of the final plat in the Land Records of the City of Alexandria. The fair market value of \$5,500 shall be provided to the City of Alexandria as required in Condition #1 and the property development rights are extinguished in Condition #5.

III. RECOMMENDED CONDITIONS

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

The owner is responsible for ensuring that the following conditions are adhered to at all times. Violation of any of the conditions may result in fines and/or referral by the Director to public hearing by the Planning Commission and City Council.

1. The applicant shall pay the fair market value for the vacated right-of-way, as determined by the Director of Real Estate Assessments. (T&ES) (P&Z)
2. The applicant shall show all public and private easements on the plat of consolidation. (T&ES)
3. The vacated right-of-way shall be consolidated with the adjoining lot. The approved final deed and plat shall be recorded in the Land Records of the City of Alexandria. (T&ES) (P&Z)
4. The applicant shall be responsible for perpetual ownership, development and maintenance of the improvements constructed in the vacated right of way. (T&ES) (P&Z)
5. The property owners shall not use the vacated land area to derive any increased above grade development rights for the vacated area, including increased floor area, subdivision rights or additional dwelling units. (T&ES) (P&Z)

STAFF: Alex Dambach, Division Chief, Land Use Regulatory Services, Department of Planning and Zoning
Madeleine Sims, Urban Planner

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.

IV. CITY DEPARTMENT COMMENTS

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

Transportation & Environmental Services:

- R-1 The applicant shall pay the fair market value for the vacated right-of-way, as determined by the Director of Real Estate Assessments. (T&ES) (P&Z)
- R-2 The applicant shall show all public and private easements on the plat of consolidation. (T&ES)
- R-3 The vacated right-of-way shall be consolidated with the adjoining lot. The approved final deed and plat shall be recorded in the Land Records of the City of Alexandria. (T&ES) (P&Z)
- R-4 The applicant shall be responsible for perpetual ownership, development and maintenance of the improvements constructed in the vacated right of way. (T&ES) (P&Z)
- R-5 The property owners shall not use the vacated land area to derive any increased above grade development rights for the vacated area, including increased floor area, subdivision rights or additional dwelling units. (T&ES) (P&Z)

Code Enforcement:

No comments.

Fire:

No comments or concerns.

Health:

No comments received.

Parks and Recreation:

No comments received.

Police Department:

No comments received.

APPLICATION for VACATION # 2017-0001

[must use black ink or type]

PROPERTY LOCATION: 700 South Pitt Street

TAX MAP REFERENCE: 080.02-08-16 ZONE: RM

APPLICANT'S NAME: Thomas J. Campbell

ADDRESS: 700 S. Pitt Street

PROPERTY OWNER NAME: Thomas J. Campbell
(Owner of abutting area to be vacated)

ADDRESS: 700 South Pitt Street

VACATION DESCRIPTION: A rectangular area of the Franklin Street right of way, 17.6' x 42.0' immediately adjacent to the 700 South Pitt St. parcel. previously approved as an encroachment.

THE UNDERSIGNED hereby applies for a Vacation Ordinance in accordance with the provisions of Chapter 10 of the Code of the State of Virginia, the Alexandria City Charter and City Code, and the Alexandria Zoning Ordinance.

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.

Frederick Taylor NA
Print Name of Applicant or Agent

[Signature]
Signature

1433 Otis St. NE
Mailing/Street Address

(202) 635-8087
Telephone # Fax #

Washington DC 20017
City and State Zip Code

2/10/2017
Date

=====**DO NOT WRITE BELOW THIS LINE - OFFICE USE ONLY**=====

ACTION - PLANNING COMMISSION: _____

ACTION - CITY COUNCIL: _____

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 three 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. Thomas J. Campbell	700 S. Pitt St. Alexandria VA 22314	100%
2. (applicant)		
3.		

2. Property. State the name, address and percent of ownership of any person or entity owning an interest in the property located at _____ (address), unless the entity is a corporation or partnership, in which case identify each owner of more than three 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. Thomas J. Campbell (applicant)	700 S. Pitt St. Alexandria VA 22314	100%
2.		
3.		

3. Business or Financial Relationships. Each person or entity indicated above in sections 1 and 2, with an ownership interest in the applicant or in the subject property are 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. All fields must be filled out completely. Do not leave blank. (If there are no relationships please indicate each person or entity and "None" in the corresponding fields).

For a list of current council, commission and board members, as well as the definition of business and financial relationship, [click here.](#)

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. Thomas J. Campbell	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.

2/10/2017
Date

FREDERICK TAYLOR DIA
Printed Name


Signature



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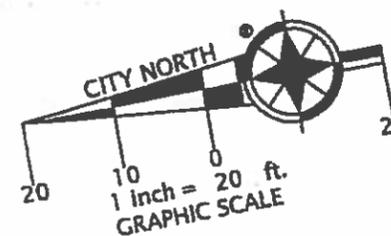
8808-H Pear Tree Village Ct.
Alexandria, VA 22309
703.619.6555 fax: 703.799.6412
www.dominionsurveyors.com

March 28, 2017

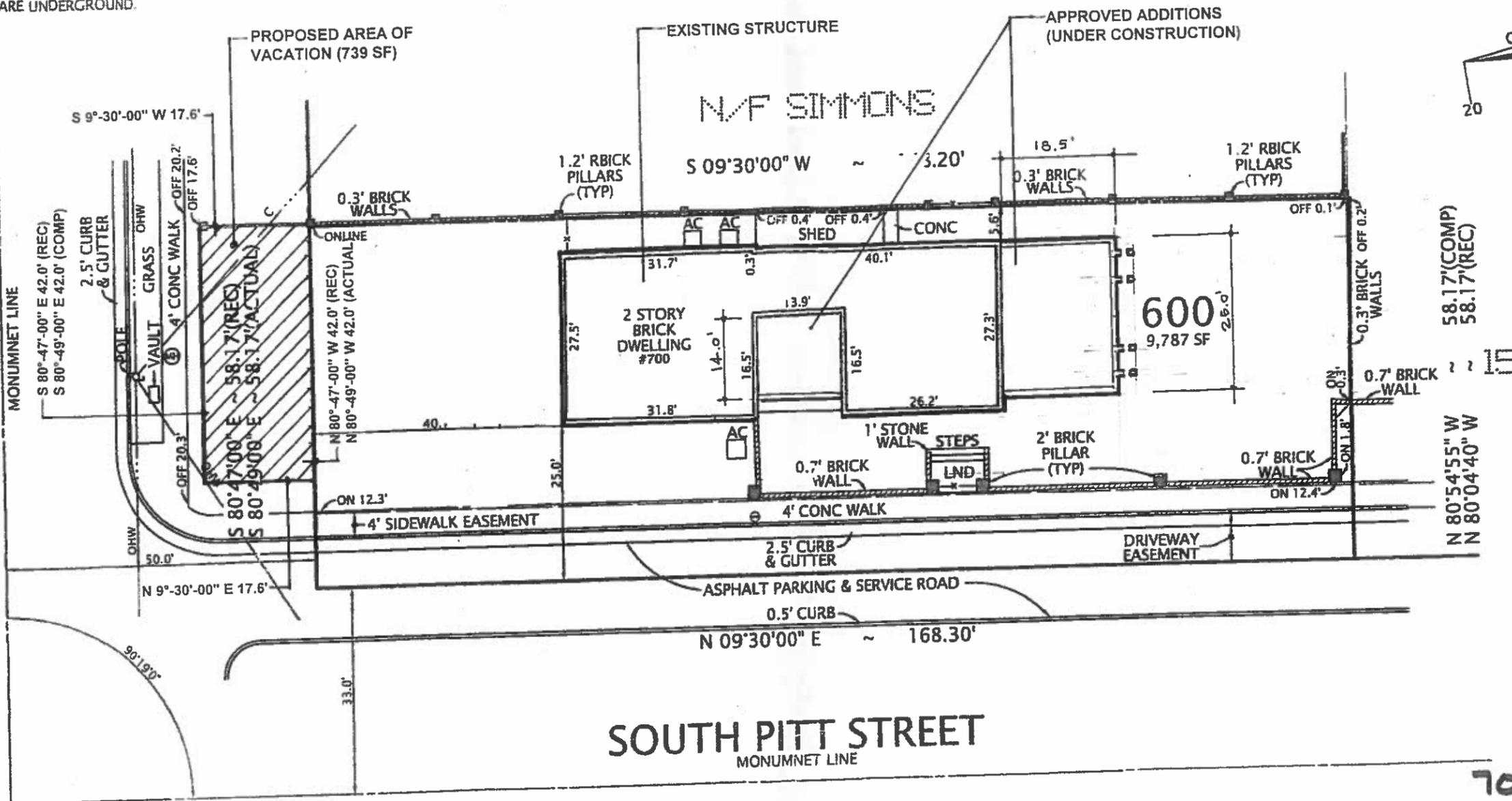
**DESCRIPTION
OF A PORTION OF
FRANKLIN STREET
ADJACENT TO
LOT 600, BLOCK 1, SECTION ONE
YATES GARDENS
(DEED BOOK 1196, PAGE 381)
CITY OF ALEXANDRIA, VIRGINIA**

Beginning at a point on the southerly right-of-way line of Franklin Street, 100 feet wide, a corner common to Lot 600, Block 1, Section One, Yates Gardens, and the property now or formerly in the name of Simmons; thence running with the southerly right-of-way line of Franklin Street, N80°49'00"W 42.00 feet to a point; thence running through Franklin Street, N09°30'00"E 17.60 feet to a point, S80°49'00"E 42.00 feet to a point and S09°30'00"W 17.60 feet to the point of beginning, containing 739 square feet.

NOTES: 1. FENCES ARE FRAME.
2. UTILITIES ARE UNDERGROUND.



FRANKLIN STREET
MONUMENT LINE

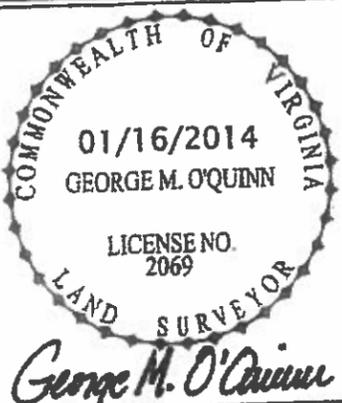


SOUTH PITT STREET
MONUMENT LINE

700 S. PITT
VACATION OF R.O.N.

I HEREBY CERTIFY THAT THE POSITIONS OF ALL THE EXISTING IMPROVEMENTS HAVE BEEN CAREFULLY ESTABLISHED BY A CURRENT FIELD SURVEY AND UNLESS SHOWN THERE ARE NO VISIBLE ENCROACHMENTS AS OF THIS DATE

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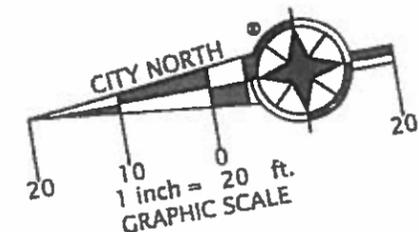
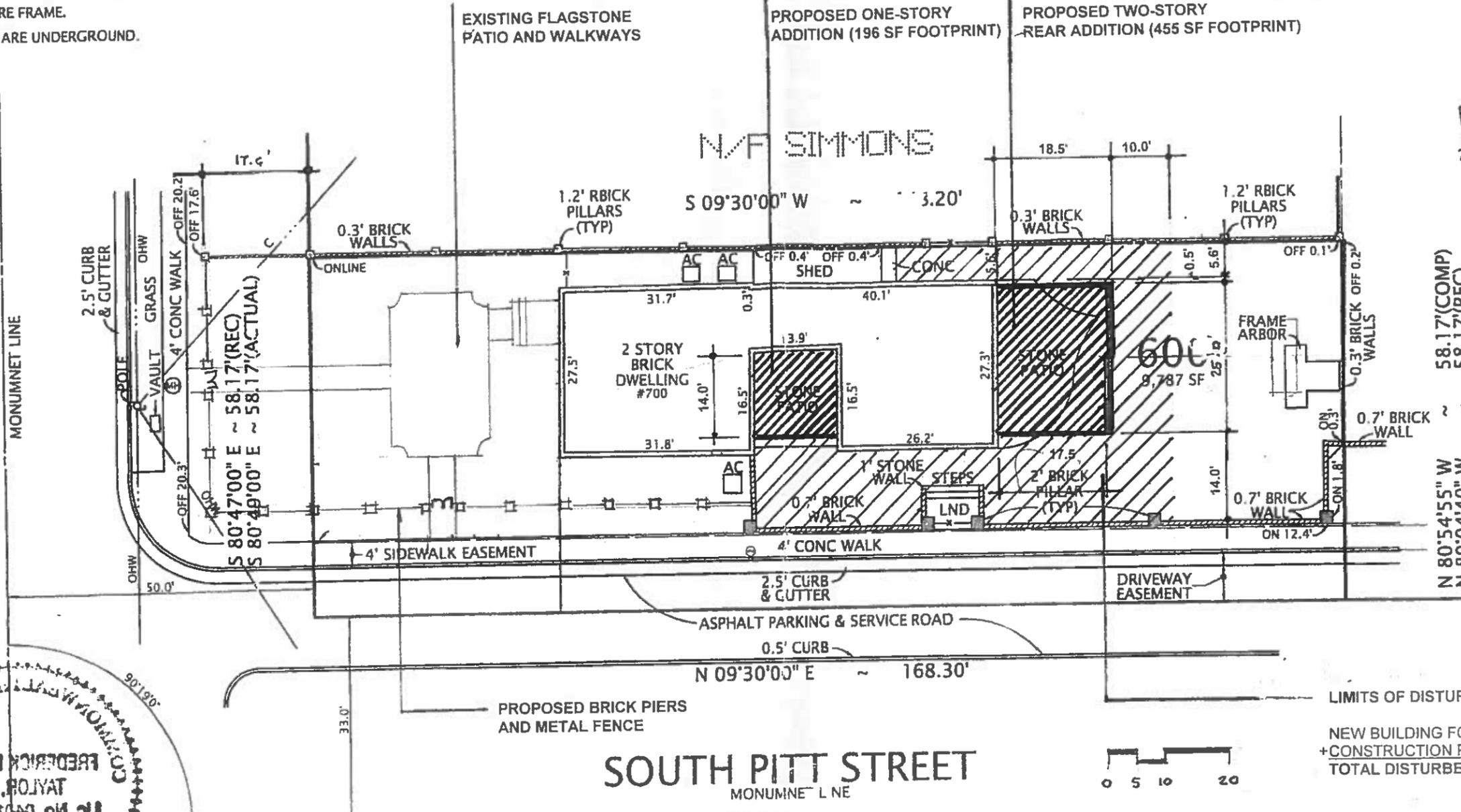
DOMINION Surveyors Inc.
8808-H PEAR TREE VILLAGE COURT
ALEXANDRIA, VIRGINIA 22309
703-619-6555
FAX: 703-799-6412

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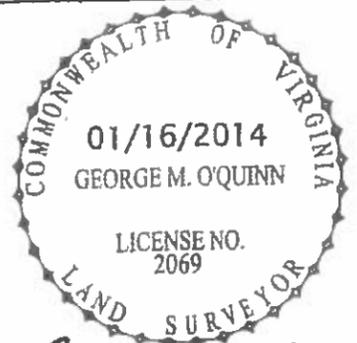


LIMITS OF DISTURBANCE:
NEW BUILDING FOOTPRINT: 651 SF
+ CONSTRUCTION PERIMETER: 1295 SF
TOTAL DISTURBED AREA: 1946 SF



700 S. Pitt
ENCROACHMENT

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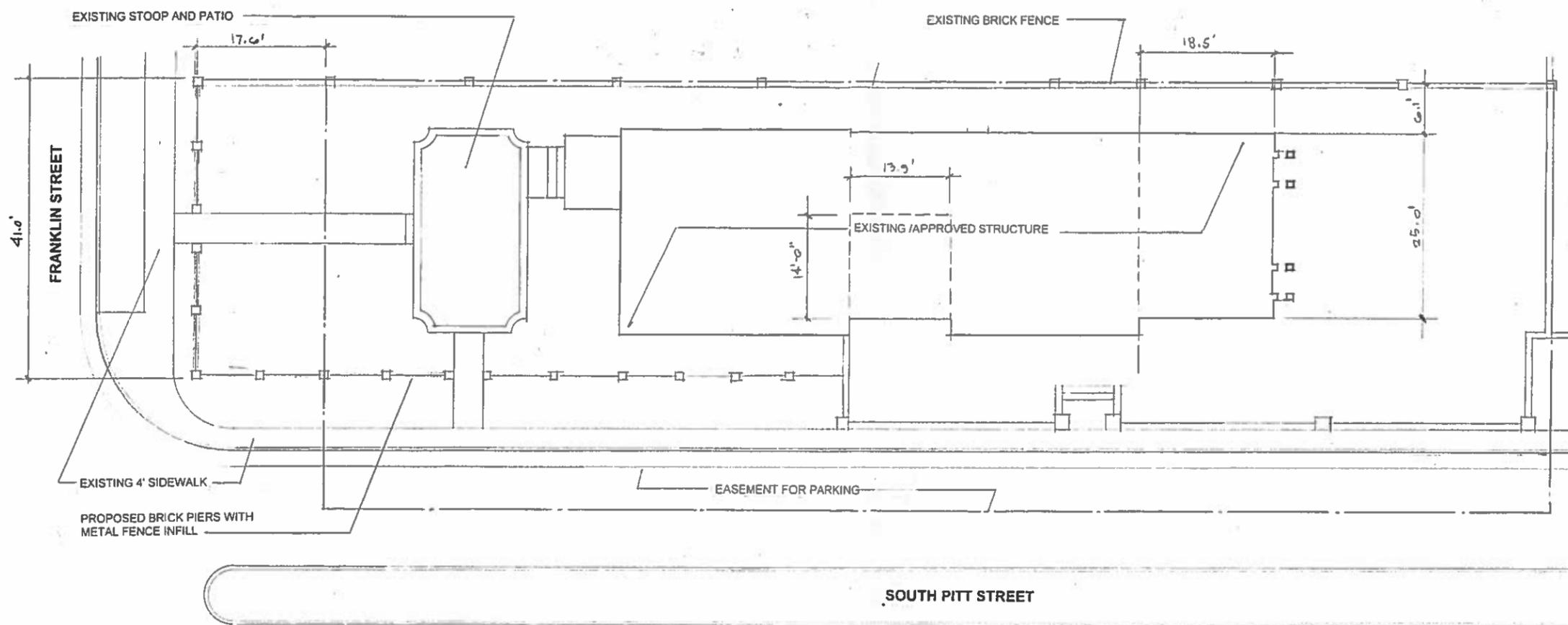
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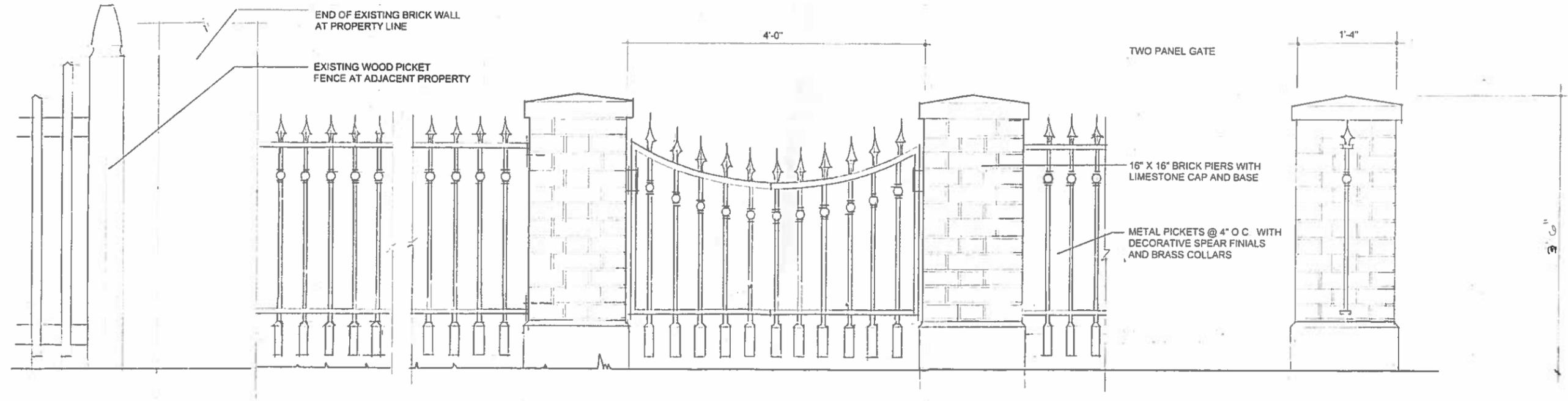
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George M. O'Quinn

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SITE PLAN
 1/8" = 1'-0"

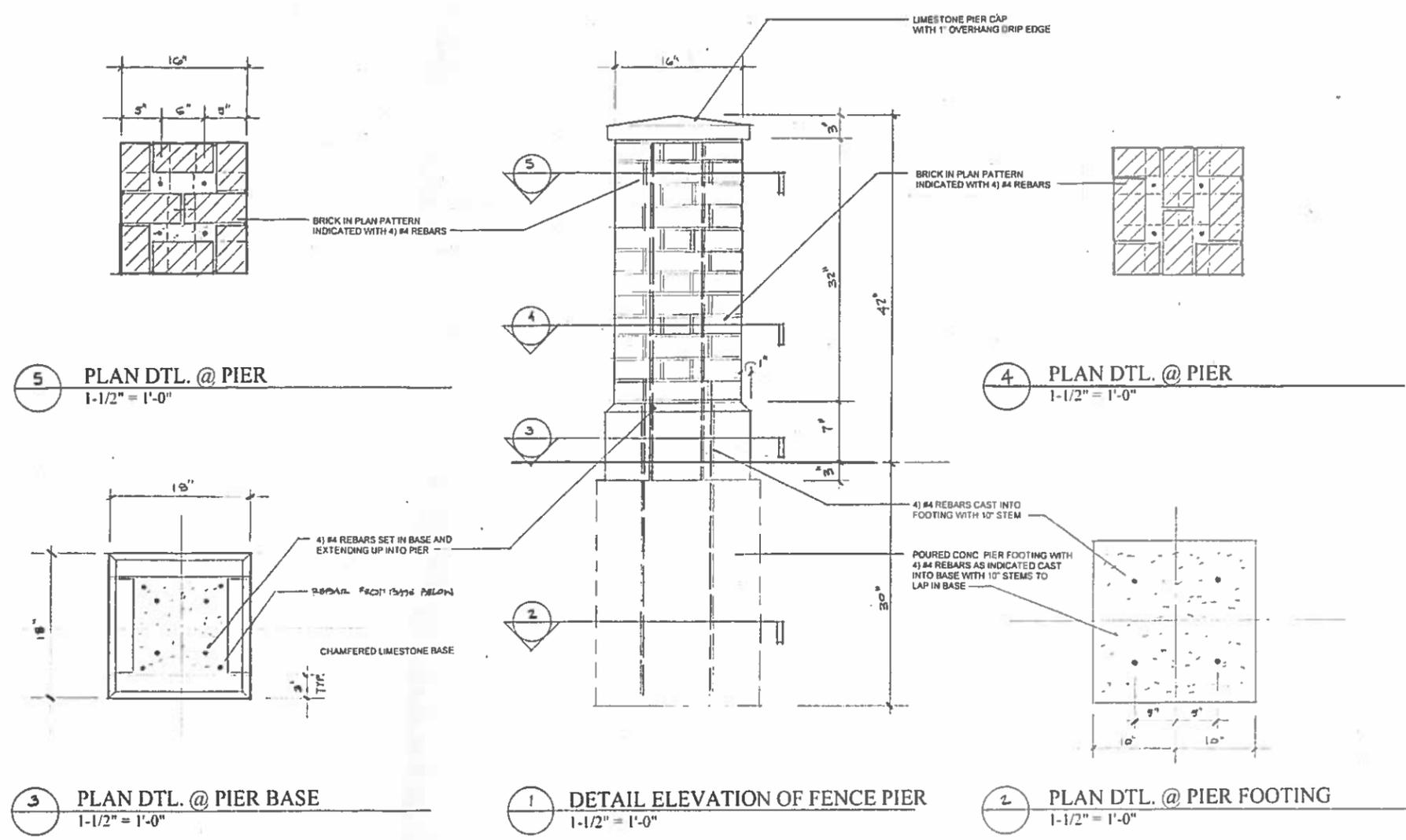


DTL. ELEV. @ ADJACENT FENCE & WALL
 1-1/2" = 1'-0"

BRICK PIER AND METAL GATE & FENCE
 1-1/2" = 1'-0"

SECTION THRU FENCE
 1-1/2" = 1'-0"

CAMPBELL RESIDENCE
 700 SOUTH PITT STREET
 ALEXANDRIA, VIRGINIA 22314



5 PLAN DTL. @ PIER
 1-1/2" = 1'-0"

4 PLAN DTL. @ PIER
 1-1/2" = 1'-0"

3 PLAN DTL. @ PIER BASE
 1-1/2" = 1'-0"

1 DETAIL ELEVATION OF FENCE PIER
 1-1/2" = 1'-0"

2 PLAN DTL. @ PIER FOOTING
 1-1/2" = 1'-0"

FENCE AT ENCROACHMENT
 MISC DETAILS
 1-1/2" = 1'-0"