

Docket Item # 3  
BAR CASE # 2013-00098

BAR Meeting  
May 1, 2013

**ISSUE:** Alterations  
**APPLICANT:** John Stanley by Warren Almquist, AIA Architect  
**LOCATION:** 739 Bernard Street  
**ZONE:** RB/Residential

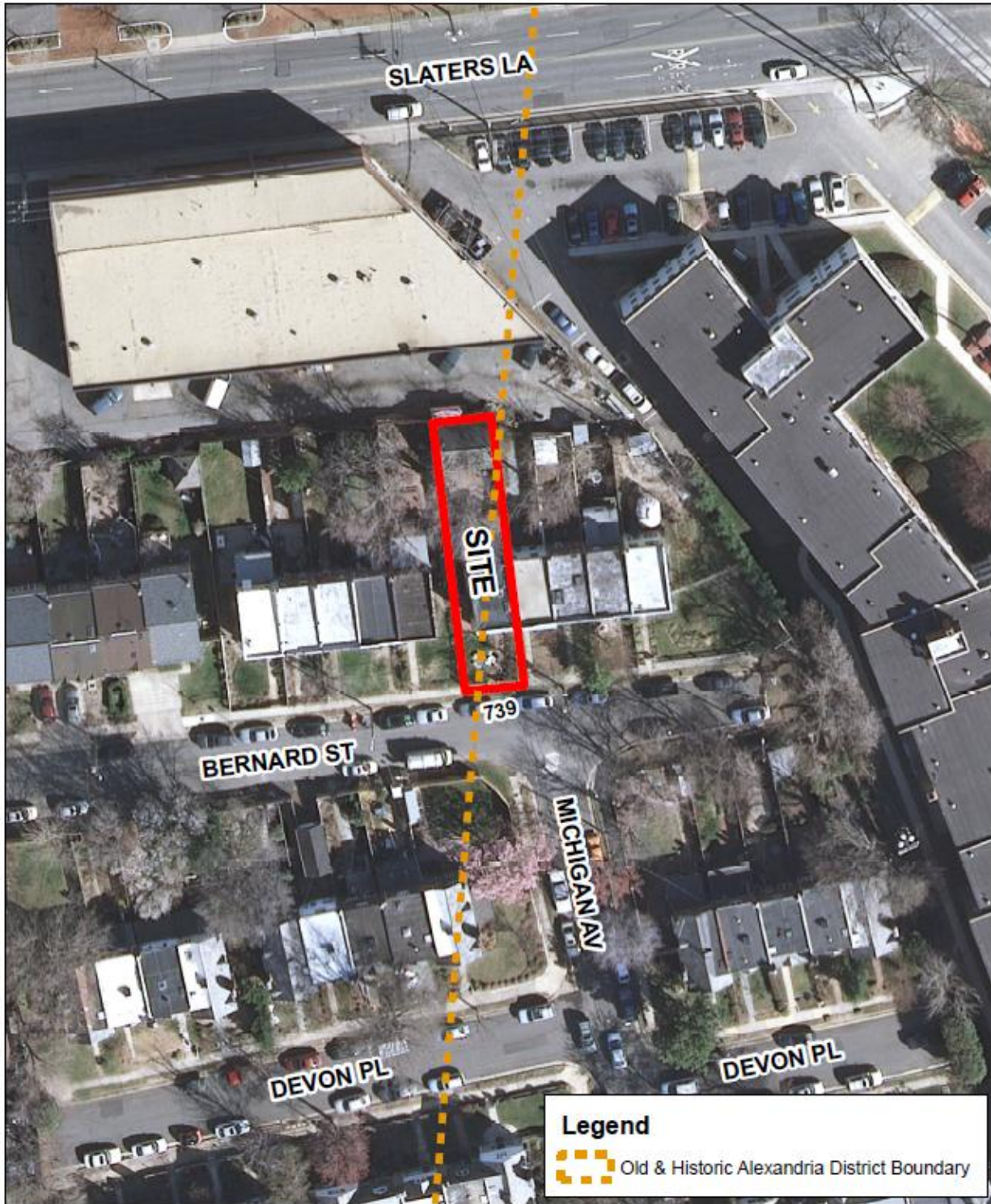
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**STAFF RECOMMENDATION**

Staff recommends approval of the application with the condition that the applicant record a deed restriction on the property, as described below, prior to the issuance of the building permit.

\*EXPIRATION OF APPROVALS NOTE: In accordance with Sections 10-106(B) and 10-206(B) of the Zoning Ordinance, any official Board of Architectural Review approval will expire 12 months from the date of issuance if the work is not commenced and diligently and substantially pursued by the end of that 12-month period.

\*\*BUILDING PERMIT NOTE: Most projects approved by the Board of Architectural Review require the issuance of one or more construction permits by Building and Fire Code Administration (including signs). The applicant is responsible for obtaining all necessary construction permits after receiving Board of Architectural Review approval. Contact Code Administration, Room 4200, City Hall, 703-838-4360 for further information.



BAR2013-00098



## **I. ISSUE**

The applicant requests approval of a Certificate of Appropriateness for alterations to the rear accessory structure at 739 Bernard Street, including:

- Removal of the small storage shed on the north elevation of the accessory building.
- Removal the gable end window on the west elevation.
- Cladding the structure with smooth HardiePlank siding.

## **II. HISTORY**

739 Bernard Street is a two story, brick faced, end unit rowhouse constructed circa **1948** (Permit #4461, 12/27/1948). This house is part of a row of flat front brick rowhouses that sit at the north end of Michigan Avenue and form a terminus of the community known as Fagelsons's Addition.

The previous property owner was before the Board on a number of occasions in the 1990s and the early 2000s, primarily for after-the-fact approvals. On May 6, 1992, the Board approved a two car garage at the rear of the property (BAR Case #1992-00029). On January 5, 2000, the Board approved an after-the-fact addition at the rear of the house (BAR Case #1999-0229), and again in 2004, the Board approved after-the-fact alterations (BAR Case #2004-0169).

In 2012, Code Administration received a complaint that the garage accessory structure was being used as a separate dwelling unit in the RB zone. After working with Code Administration, the current owner filed for an after-the-fact building permit to convert the garage into an apartment. Planning Staff rejected the permit application and has worked with the applicant's architect to bring the building into zoning and BAR compliance (the structure was not constructed according to the BAR approved plans) and to comply with the building code.

## **III. ANALYSIS**

In order to comply with zoning requirements, the applicant must record a zoning restriction form linked with the property deed that limits the use of the guest house for family and relatives only. The property cannot be rented out to unrelated persons. Prior to the sale of the property the existing kitchenette, cabinets, etc., must also be removed. The zoning restriction form is not transferable. The applicant has agreed to record a deed restriction on the property.

Staff has no objections to the alterations proposed by the applicant. The dwelling was constructed prior to the zoning ordinance requirement for parking in this location. The property is located on the western edge of the Old and Historic Alexandria District whose boundary in this portion of the district was established to be 500' either side of the George Washington Memorial Parkway. Visibility of the subject property is limited to a small area on Slater's Lane.

The building was not constructed according to the BAR approved plans and exterior alterations were made by the previous owner to convert this garage to an apartment. However, the use of the structure is not before the BAR. The alterations now proposed to the building will improve its appearance and the use of synthetic material (Hardie plank siding) is appropriate in this case given the age of the structure. The existing rear shed and HVAC condenser will be removed from the public alley and an existing window in a fire rated wall must be removed. The south

elevation of the accessory structure faces the rear yard and very minimally visible from Bernard Street.

With the zoning condition described approve, Staff recommends approval of the application as submitted.

**STAFF**

Stephanie Sample, Urban Planner, Historic Preservation Section, Planning & Zoning  
Al Cox, FAIA, Manager, Historic Preservation Section, Planning & Zoning

**IV. CITY DEPARTMENT COMMENTS**

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

**Code Administration**

F-1 The review by Code Administration is a 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 Ken Granata, Plan Review Services Division Chief at ken.granata@alexandriava.gov or 703-746-4193.

C-1 Building and trades permits where required must be obtained prior to applicable work commencement. Five sets of construction documents that fully detail the construction as well as layout and schematics of any alterations made to mechanical, electrical, and plumbing systems must be submitted to the Code office for review. If a design professional prepares drawings for the project the plans must bear the seal of the design professional in accordance with the Code of Virginia Section 54.1-410B.

C-2 Any proposed alterations to the existing structure must comply with the current edition of the Virginia Uniform Statewide Building Code (VUSBC).

**Transportation & Environmental Services**

**FINDINGS**

F1. The alley shall remain clear at all times unless permitted for use. (T&ES)

**RECOMMENDATIONS**

R1. Applicant shall be responsible for repairs to the adjacent city right-of-way if damaged during construction activity. (T&ES)

R2. All improvements to the city right-of-way such as curbing, sidewalk, driveway aprons, etc. must be city standard design. (T&ES)

R3. 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)

**CITY CODE REQUIREMENTS**

C-1 Roof, surface and sub-surface drains shall be connect to the public storm sewer system, if available, by continuous underground pipe. Where a storm sewer is not available, the 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. (5-6-224) (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 All secondary utilities serving this site shall be placed underground. (Sec. 5-3-3) (T&ES)

C-4 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-5 Any work within or performed from the right-of-way requires a separate permit from T&ES. (Sec. 5-2) (T&ES)

**V. ATTACHMENTS**

*1 – Supporting Materials*

*2 – Application BAR2013-00098 739 Bernard Street*



City of Alexandria  
 Board of Architectural Review - Old & Historic District Panel  
 request for  
 Certificate of Appropriateness:  
**739 Bernard Street**  
**Alexandria, Virginia 22314**

BAR Case #

List Of Drawings:

- TS - Title Sheet
- PH - Photographs
- SP - Plat Plan
- A1 - Elevations
- A2 - Elevations

City of Alexandria  
 Board of Architectural Review  
 Old & Historic District Panel  
 request for  
 Certificate of Appropriateness:

WARREN L. ALMOQUIST, AIA, Architect  
 201 East Monroe Avenue, Alexandria, VA 22301  
 ARCHITECTURE PLANNING INTERIOR DESIGN  
 703-836-3275

REVISIONS:

Alterations to:  
**739 Bernard Street**  
 Alexandria, Virginia 22314

**TS**

DATE:  
**03.19.13**



West Elevation



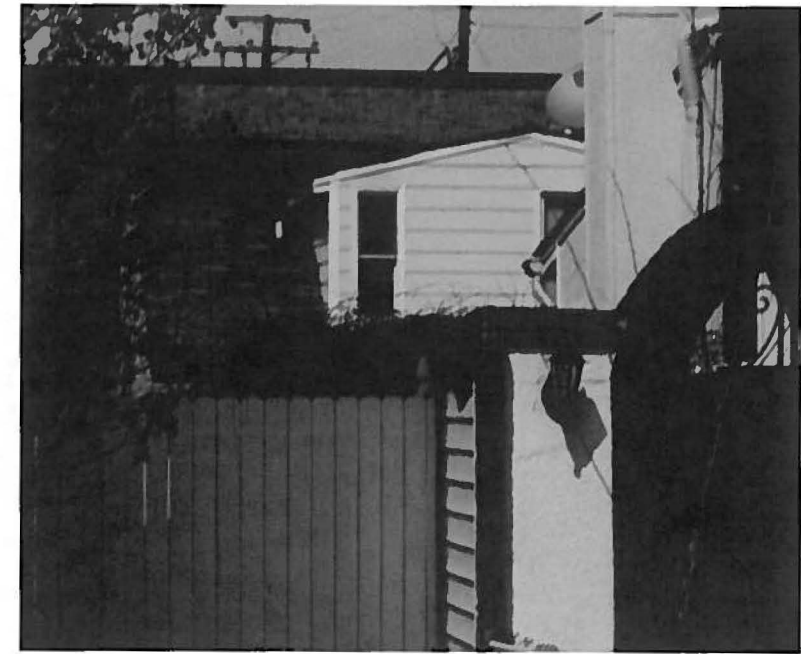
Southwest view



East Elevation



Interior courtyard



View from Bernard Street

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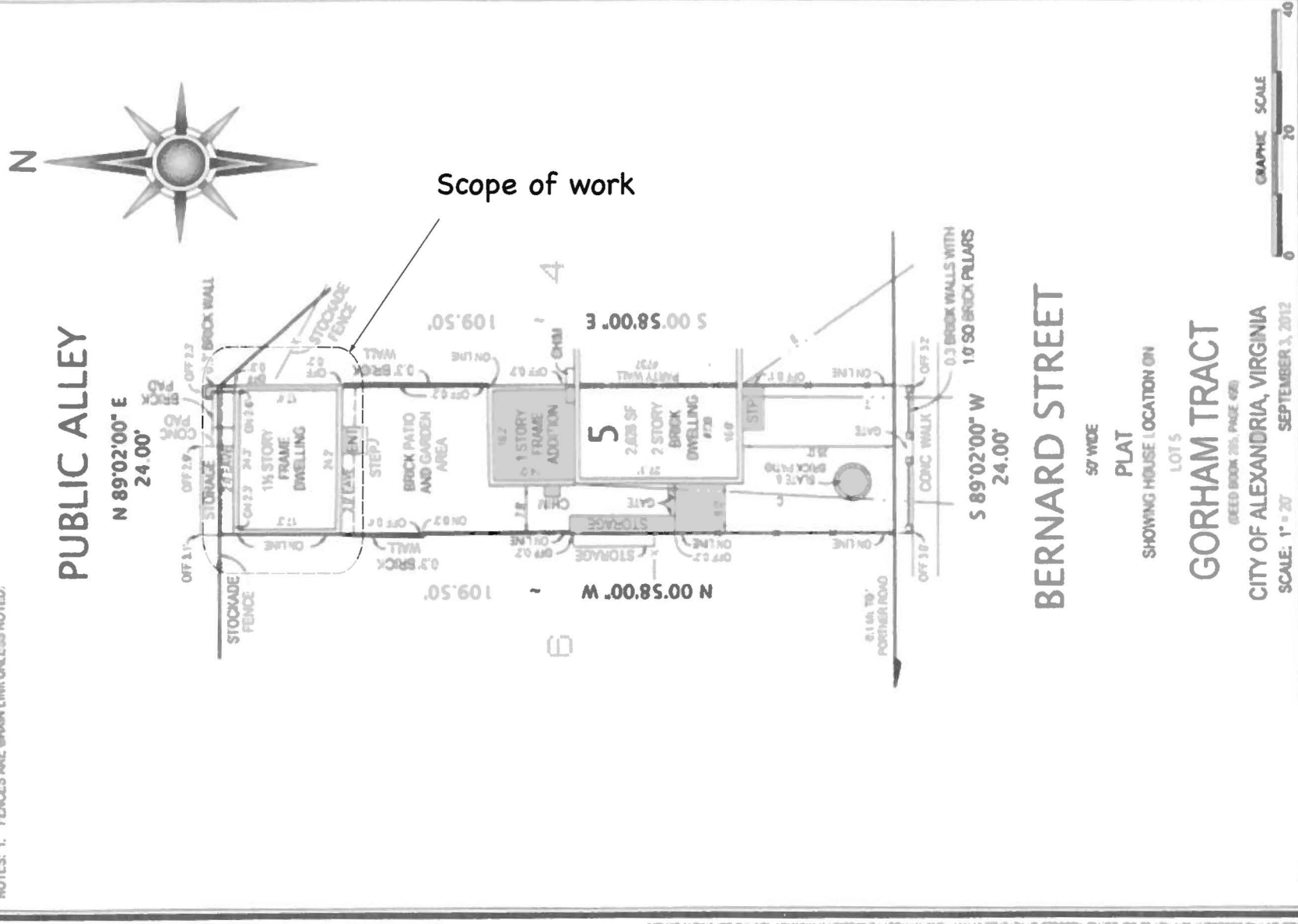
REVISIONS:

Alterations to:  
**739 Bernard Street**  
Alexandria, Virginia 22314

**PH**

DATE:  
**03.19.13**

NOTES: 1. FENCES ARE SHOWN UNLESS NOTED.



GRAPHIC SCALE 0 20 40

ORDERED BY:  
JOHN STANLEY



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

THIS PLAT IS SUBJECT TO RESTRICTIONS OF RECORD  
A TITLE REPORT WAS NOT FURNISHED  
CORNER MARKERS WERE NOT SET.

COPYRIGHT BY NOVA SURVEYS, INC. THE INFORMATION CONTAINED ON THIS DRAWING MAY NOT BE COPIED, REPRODUCED OR ALTERED IN ANY MANNER WITHOUT PERMISSION IN WRITING FROM THE COPYRIGHT OWNER. CASE NAME: STANLEY

DATE:  
03.19.13

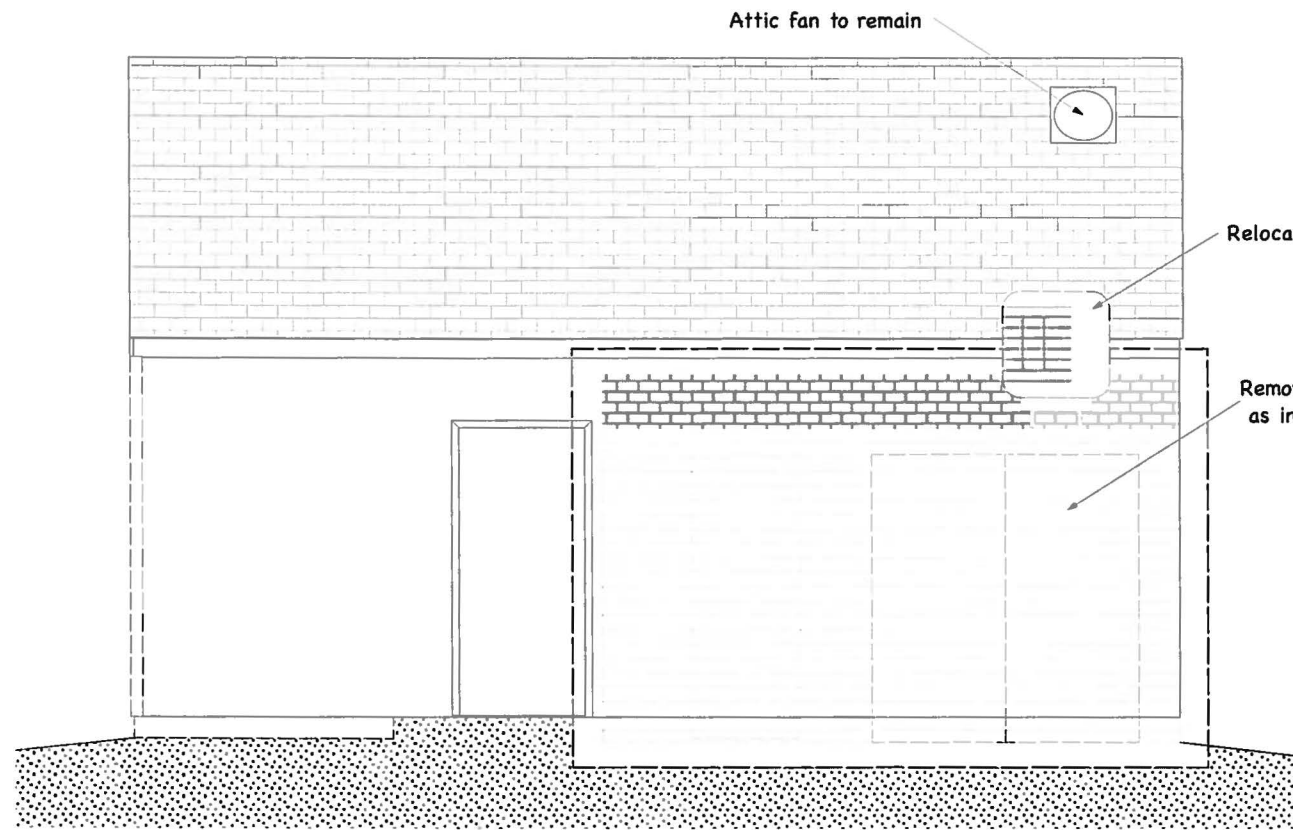
Alterations to:  
**739 Bernard Street**  
Alexandria, Virginia 22314

REVISIONS:

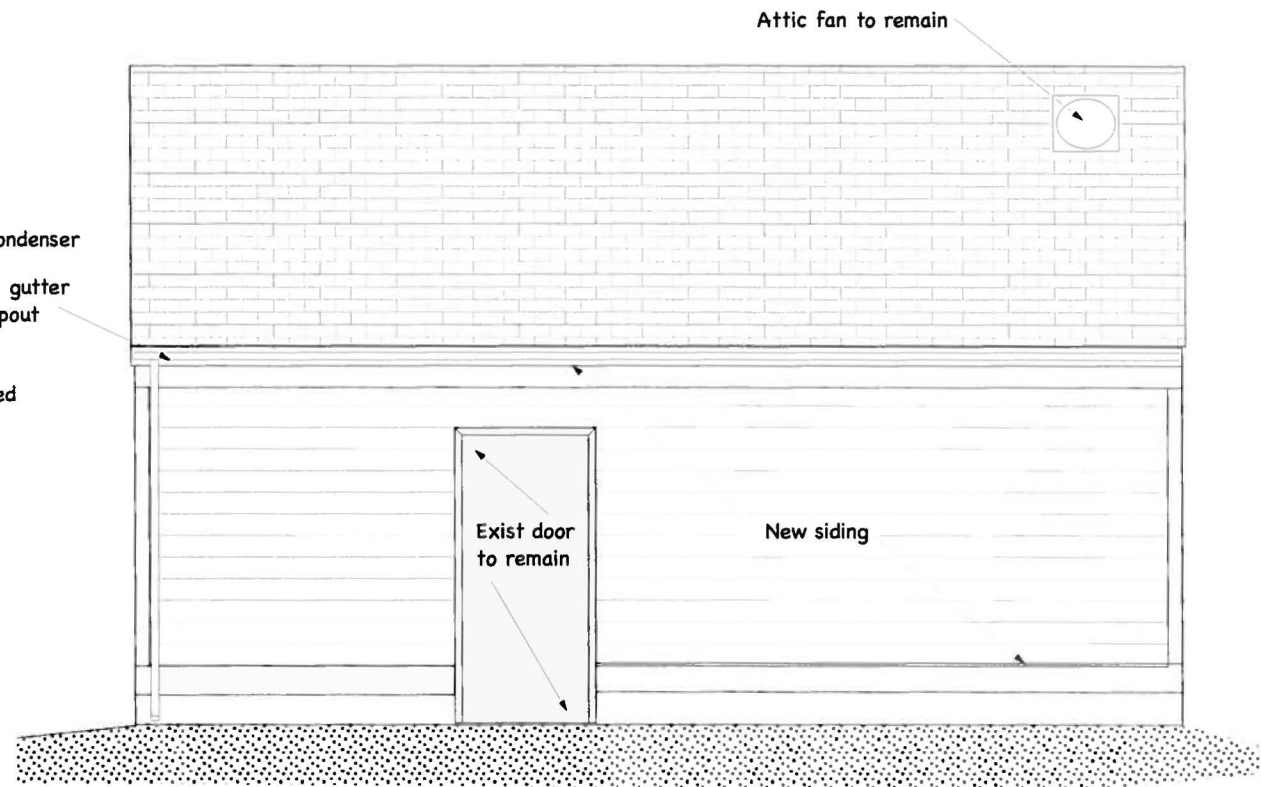
WARREN L. ALMQUIST, AIA Architect  
201 East Monroe Avenue Alexandria, VA 22301  
ARCHITECTURE PLANNING INTERIOR DESIGN  
703-836-3275

City of Alexandria  
Board of Architectural Review  
Old & Historic District Panel  
request for  
Certificate of Appropriateness:

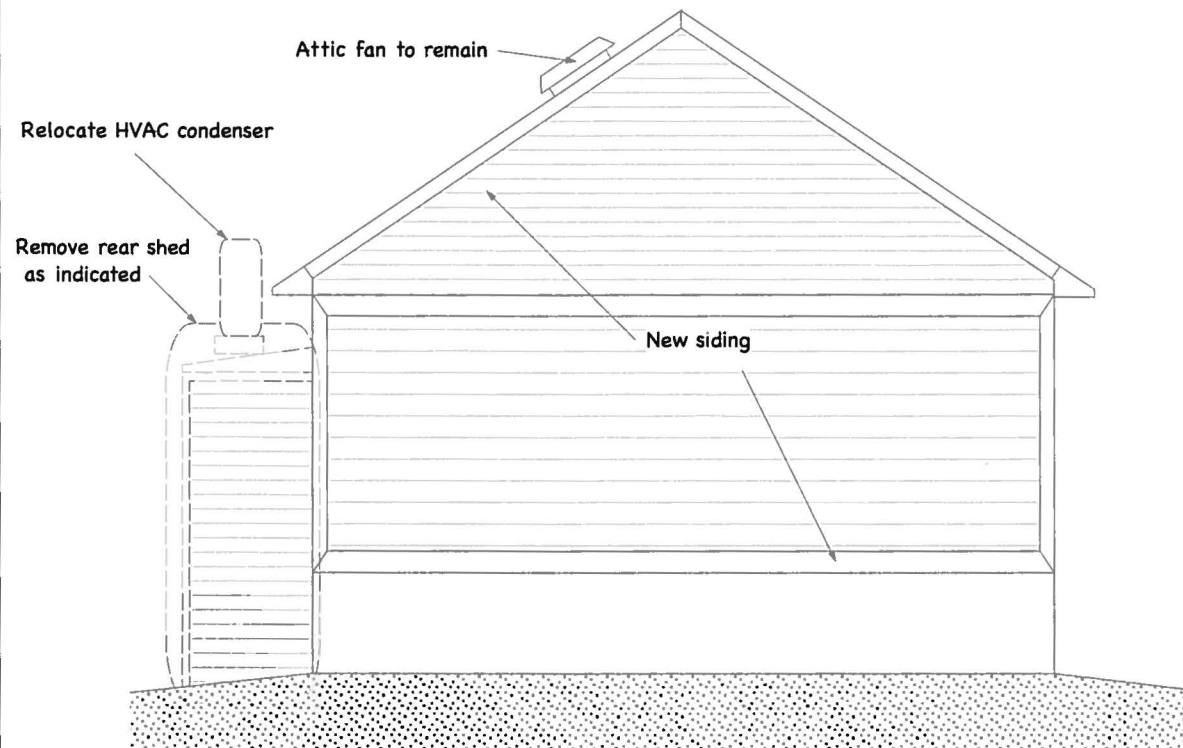
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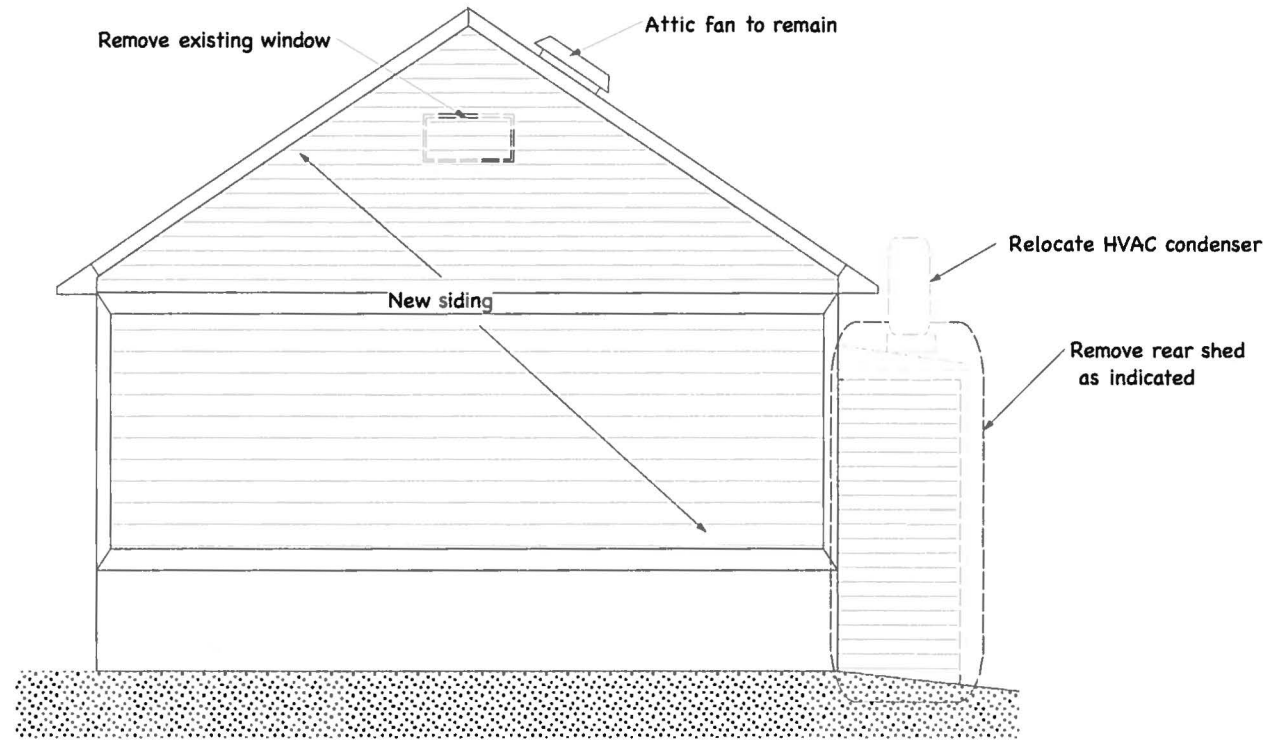
**1 North Elevation Demolition**  
A1 Scale: 1/2" = 1'-0"



**2 North Elevation - new construction**  
A1 Scale: 1/2" = 1'-0"



**3 East Elevation**  
A1 Scale: 1/2" = 1'-0"



**4 West Elevation**  
A1 Scale: 1/2" = 1'-0"

City of Alexandria  
Board of Architectural Review  
Old & Historic District Panel  
request for  
Certificate of Appropriateness:

WARREN L. ALMQUIST, AIA Architect  
201 East Monroe Avenue Alexandria, VA 22301  
ARCHITECTURE PLANNING INTERIOR DESIGN  
703-836-3275

REVISIONS:

Alterations to:  
**739 Bernard Street**  
Alexandria, Virginia 22314

**A1**

DATE:  
03.19.13



- Existing ridge vent to remain
- 4"trim
- Existing windows to remain
- 4" lap synthetic siding
- Existing roof shingles to remain
- Aluminum gutter & downspout

**1** South Elevation  
**A2** Scale: 1/2" = 1'-0"

City of Alexandria  
 Board of Architectural Review  
 Old & Historic District Panel  
 request for  
 Certificate of Appropriateness:

WARREN L. ALMQUIST, AIA Architect  
 201 East Monroe Avenue Alexandria, VA 22301  
 ARCHITECTURE PLANNING INTERIOR DESIGN  
 703-836-3275

REVISIONS:

Alterations to:  
**739 Bernard Street**  
 Alexandria, Virginia 22314

**A2**

DATE:  
**03.19.13**

April 2, 2013

**MEMO**

TO:

City of Alexandria - Board of Architectural Review

Ms. Stephanie Sample

Mr. Joshua Brooking

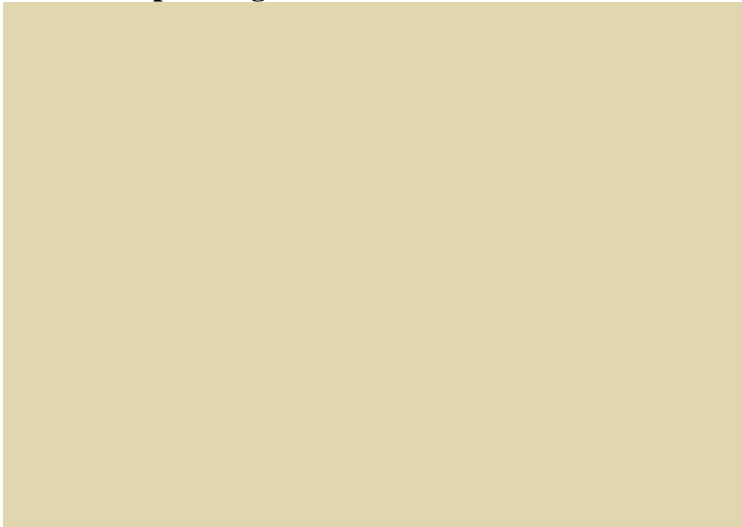
FROM:

Warren L. Almquist, AIA

Re: 739 Bernard Street

Further to your request for additional information on the siding we have selected the Hardieplank Smooth Lap Siding on the above referenced project. The color is Navajo Beige. The trim color is white.

**Smooth Lap Siding C+**



BAR Case # \_\_\_\_\_

ADDRESS OF PROJECT: 739 Bernard Street

TAX MAP AND PARCEL: 044.02-02-12 ZONING: RB

APPLICATION FOR: *(Please check all that apply)*

- CERTIFICATE OF APPROPRIATENESS
- PERMIT TO MOVE, REMOVE, ENCAPSULATE OR DEMOLISH  
*(Required if more than 25 square feet of a structure is to be demolished/impacted)*
- WAIVER OF VISION CLEARANCE REQUIREMENT and/or YARD REQUIREMENTS IN A VISION CLEARANCE AREA *(Section 7-802, Alexandria 1992 Zoning Ordinance)*
- WAIVER OF ROOFTOP HVAC SCREENING REQUIREMENT  
*(Section 6-403(B)(3), Alexandria 1992 Zoning Ordinance)*

Applicant:  Property Owner     Business *(Please provide business name & contact person)*

Name: John Stanley

Address: 11038 Saffold Way

City: Reston                      State: VA    Zip: 20190

Phone: (703) 836-3275                      E-mail : \_\_\_\_\_

Authorized Agent *(if applicable)*:     Attorney     Architect     \_\_\_\_\_

Name: Warren L. Almquist, AIA Architect                      Phone: (703) 836-3275

E-mail: warrenarch@aol.com

Legal Property Owner:

Name: (Same as Applicant)

Address: \_\_\_\_\_

City: \_\_\_\_\_                      State: \_\_\_\_\_    Zip: \_\_\_\_\_

Phone: \_\_\_\_\_                      E-mail: \_\_\_\_\_

- Yes     No    Is there an historic preservation easement on this property?
- Yes     No    If yes, has the easement holder agreed to the proposed alterations?
- Yes     No    Is there a homeowner's association for this property?
- Yes     No    If yes, has the homeowner's association approved the proposed alterations?

If you answered yes to any of the above, please attach a copy of the letter approving the project.

**NATURE OF PROPOSED WORK:** *Please check all that apply*

- NEW CONSTRUCTION
- EXTERIOR ALTERATION: *Please check all that apply.*
  - awning                       fence, gate or garden wall     HVAC equipment                       shutters
  - doors                               windows                               siding                                       shed
  - lighting                               pergola/trellis                       painting unpainted masonry
  - other \_\_\_\_\_
- ADDITION
- DEMOLITION/ENCAPSULATION
- SIGNAGE

**DESCRIPTION OF PROPOSED WORK:** *Please describe the proposed work in detail (Additional pages may be attached).*

~~Requesting approval for alterations to work completed without BAR approval. Request approval for new exterior siding.~~

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**SUBMITTAL REQUIREMENTS:**

Items listed below comprise the **minimum supporting materials** for BAR applications. Staff may request additional information during application review. Please refer to the relevant section of the *Design Guidelines* for further information on appropriate treatments.

Applicants must use the checklist below to ensure the application is complete. Include all information and material that are necessary to thoroughly describe the project. Incomplete applications will delay the docketing of the application for review. Pre-application meetings are required for all proposed additions. All applicants are encouraged to meet with staff prior to submission of a completed application.

Electronic copies of submission materials should be submitted whenever possible.

**Demolition/Encapsulation :** *All applicants requesting 25 square feet or more of demolition/encapsulation must complete this section. Check N/A if an item in this section does not apply to your project.*

- N/A Survey plat showing the extent of the proposed demolition/encapsulation.
- Existing elevation drawings clearly showing all elements proposed for demolition/encapsulation.
- Clear and labeled photographs of all elevations of the building if the entire structure is proposed to be demolished.
- Description of the reason for demolition/encapsulation.
- Description of the alternatives to demolition/encapsulation and why such alternatives are not considered feasible.

**Additions & New Construction:** *Drawings must be to scale and should not exceed 11" x 17" unless approved by staff. All plans must be folded and collated into 12 complete 8 1/2" x 11" sets. Additional copies may be requested by staff for large-scale development projects or projects fronting Washington Street. Check N/A if an item in this section does not apply to your project.*

- <sup>N/A</sup> Scaled survey plat showing dimensions of lot and location of existing building and other structures on the lot, location of proposed structure or addition, dimensions of existing structure(s), proposed addition or new construction, and all exterior, ground and roof mounted equipment.
- FAR & Open Space calculation form.
- Clear and labeled photographs of the site, surrounding properties and existing structures, if applicable.
- Existing elevations must be scaled and include dimensions.
- Proposed elevations must be scaled and include dimensions. Include the relationship to adjacent structures in plan and elevations.
- Materials and colors to be used must be specified and delineated on the drawings. Actual samples may be provided or required.
- Manufacturer's specifications for materials to include, but not limited to: roofing, siding, windows, doors, lighting, fencing, HVAC equipment and walls.
- For development site plan projects, a model showing mass relationships to adjacent properties and structures.

**Signs & Awnings:** *One sign per building under one square foot does not require BAR approval unless illuminated. All other signs including window signs require BAR approval. Check N/A if an item in this section does not apply to your project.*

- <sup>N/A</sup> Linear feet of building: Front: \_\_\_\_\_ Secondary front (if corner lot): \_\_\_\_\_.
- Square feet of existing signs to remain: \_\_\_\_\_.
- Photograph of building showing existing conditions.
- Dimensioned drawings of proposed sign identifying materials, color, lettering style and text.
- Location of sign (show exact location on building including the height above sidewalk).
- Means of attachment (drawing or manufacturer's cut sheet of bracket if applicable).
- Description of lighting (if applicable). Include manufacturer's cut sheet for any new lighting fixtures and information detailing how it will be attached to the building's facade.

**Alterations:** *Check N/A if an item in this section does not apply to your project.*

- <sup>N/A</sup> Clear and labeled photographs of the site, especially the area being impacted by the alterations, all sides of the building and any pertinent details.
- Manufacturer's specifications for materials to include, but not limited to: roofing, siding, windows, doors, lighting, fencing, HVAC equipment and walls.
- Drawings accurately representing the changes to the proposed structure, including materials and overall dimensions. Drawings must be to scale.
- An official survey plat showing the proposed locations of HVAC units, fences, and sheds.
- Historic elevations or photographs should accompany any request to return a structure to an earlier appearance.

**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. John Stanley	11038 Saffold Way	100%
2.	Reston, VA 20190	
3.		

**2. Property.** State the name, address and percent of ownership of any person or entity owning an interest in the property located at 739 Bernard Street (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. John Stanley	11038 Saffold Way	100%
2.	Reston, VA 20190	
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.

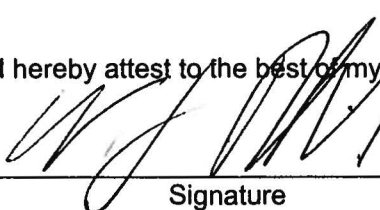
Name of person or entity	Relationship as defined by Section 11-350 of the Zoning Ordinance	Member of the Approving Body (i.e. City Council, Planning Commission, etc.)
1.		
2.		
3.		

**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.

4/2/13  
Date

Warren L. Almquist  
Printed Name

  
Signature

TO WHOM IT MAY CONCERN:

I, John Stanley, and Sousan Frankeberger, co-purchasers of 739 Bernard Street, Alexandria, have worked most of our lives in the D.C. metropolitan area and are nearing retirement. We decided we would like to retire in Alexandria, due to its proximity to downtown D.C. while retaining an urbane, community-oriented home environment.

I dream of finally finding the time to pull my old catamaran out of the garage and donate it to the Sailing Club of Washington – just up George Washington Parkway from 739 Bernard - where we can use it occasionally.

The cost of entry into Alexandria real estate is tight for us as we need at least a three bedroom place. Sousan's mother will live with us and my two sons will visit when home from college. We were overjoyed when Sousan discovered 739 Bernard Street on the multiple listing service as it has a mother-in-law unit that will provide Sousan's mom her own domain. The property was, and still is\*, listed as follows:

Motivated Seller = Incredible opportunity--remodeled row house with GUEST HOUSE! Main house has 2bed, 1.5BA, open ML w/new kitchn w/granite & breakfast bar, arched openings to FamRm additn w/vaulted ceil & FP. Guest house has 2bed/2BA + LivRm w/kitchnette. Fabulous private European-style brick courtyrd with built-in BBQ & grape-vine covered pergola. Great loc - 2 lights to DC! or walk to the Metro

Upon visiting the home, Sousan, and I, fell in love with its Mediterranean feel – the stucco, brick, and wrought iron. This is where we would like to retire. We contacted the selling agent, hired a professional home inspector, an appraiser, title surveyor, and obtained a lender. At no point did anyone inform us of any permitting problems with the property and we bid our life savings and won the home.

As both Sousan and I work too far away to commute, we needed to rent the home for this few years until we retire. One evening in 2009, our tenant called with an issue that ultimately brought to our, and the City's, attention that the cottage had not been permitted. Since then, we have been working with City authorities and, upon their recommendation, hired Warren Almquist as architect, to help us obtain necessary permits and resolve this issue so that we can enjoy the retirement home we have worked for.

Respectfully,

John R. G. Stanley

\*[http://www.zillow.com/homes/739-Bernard-Street,-Alexandria,-VA-\\_rb/#/homedetails/739-Bernard-St-Alexandria-VA-22314/12024287\\_zpid/](http://www.zillow.com/homes/739-Bernard-Street,-Alexandria,-VA-_rb/#/homedetails/739-Bernard-St-Alexandria-VA-22314/12024287_zpid/)

**ALL APPLICATIONS:** Please read and check that you have read and understand the following items:

- I have submitted a filing fee with this application. (Checks should be made payable to the City of Alexandria. Please contact staff for assistance in determining the appropriate fee.)
- I understand the notice requirements and will return a copy of the three respective notice forms to BAR staff at least five days prior to the hearing. If I am unsure to whom I should send notice I will contact Planning and Zoning staff for assistance in identifying adjacent parcels.
- I, the applicant, or an authorized representative will be present at the public hearing.
- I understand that any revisions to this initial application submission (including applications deferred for restudy) must be accompanied by the BAR Supplemental form and 12 sets of revised materials.

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The undersigned hereby attests that all of the information herein provided including the site plan, building elevations, prospective drawings of the project, and written descriptive information 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 undersigned also hereby authorizes the City staff and members of the BAR to inspect this site as necessary in the course of research and evaluating the 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**

Signature: 

Printed Name: Warren L. Almquist, AIA

Date: 4/2/13