

**ADDRESS:** 1030 CROSS DRIVE  
**ZONE:** R-8/RESIDENTIAL  
**APPLICANT:** JONATHAN & TRACY MAPLEY BRITTLE, OWNERS  
**ISSUE:** Variance to allow an accessory structure within a required secondary front yard to remain as constructed.

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CODE SECTION	SUBJECT	CODE REQUIREMENT	APPLICANT PROPOSES	REQUESTED RELIEF
3-306(A)(1)	Front Yard	25.20 ft*	0.00 ft	25.20 ft

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\*Distance is based on the range established by the front yards within the contextual blockface.

Staff **recommends denial** of the requested variance because the request does not meet all the standards for a variance.

If the Board decides to grant the requested variance, the applicant must obtain approval of an administrative encroachment for the accessory structure's overhang because it is located in the public right of way along Bayliss Drive. Additionally, the project is subject to compliance with all applicable code requirements, ordinances, and recommended conditions found in the department's comments. The variance must be recorded with the property's deed in the City's Land Records Office prior to the release of the building permit.

**BOARD OF ZONING APPEALS ACTION, APRIL 13, 2026:** On a motion by Mr. Patel, seconded by Ms. Bauman, the Board of Zoning Appeals voted to defer the variance for the request to be heard by a full Board. The motion to defer was approved by a vote of 6 to 0.

**Reason:**

The Board agreed to defer the variance to allow the case to be heard by a full Board.

**Speakers:**

Jonathan Mapley-Brittle, property owner, made the presentation.

**Discussion:**

Mr. Patel asked staff to show the photo of the accessory structure and asked if the structure is forward of the front door.

Staff responded that it's located in the secondary front and is off of the side door. Staff also added that it's behind the primary front building wall so the only relief would be from secondary front yard setback.

Mr. Patel asked if the adjacent properties on Bayliss Drive are primary fronts or secondary fronts.

Staff responded that the adjacent properties were primary fronts.

Ms. Eveland asked the applicant when the structure was constructed

The applicant responded that the structure was built in December 2018 over the existing deck.

Ms. Bauman asked staff if the gazebo required a permit in 2018.

Staff responded that Code Administration determines whether a building permit is required. Code Administration's comments in the staff report reflect this would require a building permit. Staff also included that since 2018, the Zoning Ordinance has changed to be more permissive of some accessory structures in required yards, including pergolas with an 80 percent open, but this current structure is not a permitted obstruction per the Zoning Ordinance.

Mr. Foley asked staff about the impact to the contextual blockface if the accessory structure located within the required yard were to be approved.

Staff responded by stating the reduction of the front yard by granting the variance would reduce the minimum primary or secondary front yard setback for all properties within the contextual blockface of the applicant to 0.00 feet. This would allow them to build onto their primary structure, build and accessory structures or construct a new dwelling right up to the property line.

Mr. Justus followed up by asking if the secondary front yard setback would set a precedent for the adjacent primary fronts.

Staff confirmed that the adjacent properties in the contextual blockface would have a minimum of 0.00 feet for a required primary front yard if the variance is approved.

The applicant stated the neighbors have maxed out their FAR and this wouldn't be an impact of the contextual blockface.

Mr. Patel asked if this type of reduction of a setback has happened before or would this be theoretical.

Staff could not recall a similar variance request to reduce the required front yard to 0.00 feet, but we have seen requests to reduce the front yard setback.

Mr. Patel followed up asking staff if they had provided the applicant with alternatives that could be built within the secondary front.

Staff stated that we do allow pergolas in the required yard, but it would have to meet the conditions in the Zoning Ordinance which include opening the roof to being 80 percent open. The applicant would still have to get the encroachment, but it would be permitted by right.

Ms. Bauman asked staff if we received letters in support from the adjacent neighbor and others from others in the contextual blockface of the subject property.

Mr. Patel asked if we had information on the complaint.

Staff brought up that Alex 311 complaints are submitted anonymously and once a complaint is submitted we do an inspection to determine compliance with the Zoning Ordinance.

Mr. Foley stated he wanted to get to a yes on the criteria for the variance, but the Board would need to go through the criteria to find out if it meets each of the criteria.

Ms. Eveland asked the applicant if they considered working with staff to have a structure that would be allowed within the required setback.

The applicant said they believe pergolas are useless structures and wouldn't meet the requirements they would need of the space.

Mr. Foley asked staff if they could attach the structure to the house and allow it within the required yard.

Staff stated they could have a front porch, but they couldn't attach this structure to make it a front porch as it wouldn't meet the front porch requirements that allow you to have one in a required yard. A 10.00-foot deep porch can be located in a required front yard as long as it does not reduce the front yard to less than 10.00 feet.

Mr. Patel asked staff to bring up the criteria for the variance and asked for staff's explanation of numbers three and four on the list.

Staff explained that the hardship they were requesting relief from which was created by the applicant's construction of the accessory structure within the required setback and further explained that the structure is detrimental to the neighborhood because it will change the required front setback for properties within the contextual blockface and locating this type of accessory structure in a required front yard is out of character for the area.

Mr. Patel asked how staff would take that into consideration with the inclusion of letters of support from the neighbors.

Staff responded by including that letters of support are great, but staff's recommendation is based on an analysis of the standards for a variance. Staff also stated neighbors change over time and that neighborhood support cannot be the only reason to approve a variance.

Ms. Eveland asked staff if there is a statute of limitation on the structure since it's been there since 2018.

Staff responded that the Department is compliant driven with only two inspectors for the city. Therefore, when a complaint comes in staff must follow up on it no matter how long the structure has been there.

Mr. Patel asked about who makes the decision to appeal a BZA decision.

Staff responded that the Director of Planning and Zoning and the City Attorney's Office discuss any appeal, but also any aggrieved person may appeal a decision of the BZA.

Mr. Foley indicated that he wants to say yes but that an attached porch would have been the right move since it would have complied with Zoning and given them the same benefit the current accessory structure provides.

Mr. Foley reminded the Board of a previous case requesting an after-the-fact accessory structure where the variance was denied.

Ms. Bauman asked staff how large the structure was.

Staff responded that the overall size of the accessory structure is 256 square feet.

Ms. Bauman followed up asking staff if the structure had electrical to which staff said there was.

Mr. Justus agreed with Mr. Foley on the idea of personal feeling he wanted to get to a yes but felt he couldn't reach it based on the criteria. He added that it was a well built structure and that alternatives the applicant could take would still have their drawbacks and effect on the immediate neighbors.

Mr. Burke stated the case that Mr. Foley mentioned is important as it has shown why there haven't been a lot of variance requests for similar structures. By approving this variance, it would set a precedent for future development and the cases they see going forward.

Mr. Patel stated he would support the request and applauded the applicant for doing his research on whether a building permit was required. He added the Board could make determinations on each case going forward if more variances of this nature come forward.

Ms. Bauman agreed with Mr. Patel's desire to get to a yes. However, she added that Code Administration has said that a building permit would be required. She also included she had a hard time determining that the request met all the standards for a variance.

Mr. Foley stated that he was on the fence and leaning towards a no. He included that Mr. Patel could convince him to a yes.

Mr. Patel presented to the other members of the board his stance the structure has been there for nearly ten years without a major impact to the neighbors and that he failed to see why this would be an issue.

Ms. Eveland appreciated the thought process of Mr. Patel but didn't feel she could refute staff's breakdown of the criteria. She added that she was sorry the applicant had to make this request because it had received an anonymous complaint from 311 and it had already been there for nearly a decade.

Mr. Justus asked staff if in 2018 a building permit would have been required.

Staff responded that Code Administration determines when a building permit is required. However, regardless of the need for a building permit the structure is still required to meet the requirements of the Zoning Ordinance. Staff added that a gazebo is permitted on a property as an accessory structure, but it's not listed on the list of permitted obstructions that are allowed in a required yard.

Mr. Burke asked staff if the roofline was connected to the house, would it change how the structure is viewed.

Staff stated it would change to a porch but would far exceed what is allowed as permitted obstruction for a porch.

Staff explained to the Board and the applicant that if the request does not receive four affirmative votes the request will be denied and would not be able to come back to the Board for a year. Also, the Board could offer a deferral to the applicant to explore other options.

Mr. Foley asked the applicant if they had a reason to defer.

The applicant asked if a deferral could be granted to see if a building permit would be required.

Mr. Foley stated he was not in favor of granting a deferral for that reason.

Mr. Patel if the applicant would want to defer to have the full board present to hear their case.

The applicant agreed that they would want to defer to be heard by the full board.

Staff made a comment that they can never guarantee a full board present and if they would like to docket this for the next hearing in May.

Mr. Foley argued that they have done in the past for previous cases and that one case went on for over a year before it was heard by a full board.

**I. Issue**

The applicants request a variance to allow an accessory structure to remain in the required secondary front yard.

**II. Background**

The subject property is a corner lot comprised of one lot of record with 38.79 feet of frontage on Cross Drive and 77.33 feet of frontage on Bayliss Drive. 53.94 feet of depth along the south side property line and 100.30 feet of depth along the east side property line. The property contains 6,182 square feet of lot area and is substandard as to the minimum lot size, width, and frontage requirements of the R-8 zone.

The property is developed with a two-story, single-unit dwelling. According to Real Estate Assessment Records, the dwelling was constructed in 1947. The existing dwelling is located 25.10 feet from Cross Drive, 26.00 feet from Bayliss Drive, 9.90 feet from the east side property line, and 41.00 feet from the south side yard.



Figure 1: Subject Property Primary Front

R-8 Zone	Required/Permitted	Existing Dwelling	Accessory Structure*
Lot Area	9,000 sq. ft.	6,182 sq. ft.	6,182 sq. ft.
Lot Frontage	40.00 ft.	38.79 ft.	38.79 ft.
Lot Width	80.00 ft.	62.31 ft.	62.31 ft.
Front Yard (Cross Drive)	25.20 ft. – 25.70 ft.**	25.10 ft.	37.48 ft.
Front Yard (Bayliss Drive)	25.20 ft. – 25.60 ft.**	26.00 ft.	0.00 ft.
Side Yard (East)	1:2, 8.0 ft. min.	9.90 ft.	46.29 ft.
Side Yard (South)	1:2, 8.0 ft. min.	41.00 ft.	53.19 ft.
Height	30.00 ft.	25.00 ft.	9.00 ft.***
Floor Area Ratio (FAR)	2800.00 sq. ft. (.35)	1,621.00 sq. ft. (.26)	1,877.00 sq. ft. (.30)

\*Based on the constructed accessory structure

\*\* Based on the contextual blockface

\*\*\* Measured from grade to the midpoint of the gable roof.

**III. Description**

The applicants propose to maintain a 256 square foot accessory structure in the required secondary front yard. The accessory structure is on the secondary front property line facing Bayliss Drive (with an overhang projecting 0.6' into the public right of way), 53.19 feet from the south side property line, and 37.48 feet from the front property line facing Cross Drive. The accessory structure measures 9.00 feet in height from the average preconstruction grade to the midpoint of the gable roof. Based on the range of front yards within the contextual blockface along Bayliss Avenue, the minimum secondary front yard requirement is 25.20 feet. The applicants are requesting a variance of 25.20 feet to allow the structure to remain on the secondary front property line. The overhang of the projects 0.6 feet into the public right of way. The Board does not have purview over structures in the right of way, but if the Board approves the structure on the property line, the applicant must obtain an administrative encroachment pursuant to City Code section 5-2-29(b)(2)c.1.



Figure 2: Photo of fence and accessory structure from Bayliss Drive.

**IV. Master Plan/Zoning**

The subject property is currently zoned R-8 and has been so zoned since the adoption of the Third Revised Zoning Map in 1951 and is identified for residential use in the North Ridge/Rosemont Small Area Plan.

**V. Requested Variances:**

Secondary Front Yard Section 3-306(A)(1)

The R-8 zone requires the front yard setback to be within the range established by the front yards in the contextual blockface. The range established along Bayliss Drive is between 25.20 feet and 25.70 feet. The accessory structure is located on the secondary front property line. This requires a variance of 25.20 feet.

**VI. Applicants Justification for Variance**

The applicant's justification for the variance is that the Zoning Ordinance requirements limit the

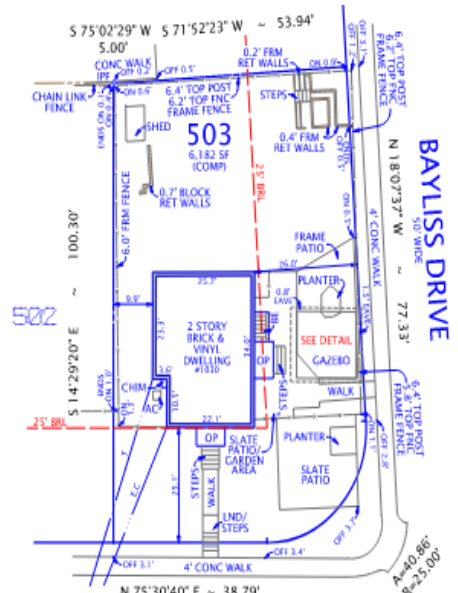


Figure 3: Subject Property Survey

location for an accessory structure and that this precise location was the most suitable due to the existing deck below it.

**VII. Analysis of Variance Definition**

Per Zoning Ordinance Section 11-1103, the Board of Zoning Appeals shall not grant a variance unless it finds that the request meets the definition of a variance per Zoning Ordinance Section 2-201.1 as follows:

- a. The request is a reasonable deviation from those provisions regulating the shape, size, or area of a lot or parcel of land or the size, height, area, bulk, or location of a building or structure.

**The request for a variance from the accessory structure setback requirements is not a reasonable deviation. It would allow an accessory structure on the property that is located on the front property line. The lot has space behind the secondary front building wall to place a detached accessory structure that would comply with the size, height, area, and bulk regulations of the R-8 zone.**

- b. Strict application of the zoning ordinance would unreasonable restrict the utilization of the property.

**Strict application of the zoning ordinance would not restrict the use of the property. The applicants could construct this structure elsewhere on this property in compliance or the applicants could construct a pergola of the same dimensions with an 80% open roof in this location. The applicants could also construct an open front porch up to 10.00 feet in depth at least 10.00 feet from the front property line.**

- c. The need for a variance is not shared generally by other properties.

**All corner lots in the City have two required front yards with limited permitted obstructions allowed. This accessory structure is not a permitted obstruction in the required yard. Similar relief would be required on almost all corner lots, unless the minimum setback within the contextual blockface was 0 feet. Thus, the need for a variance to construct an accessory structure on a front property line is shared by most if not all corner lots in the City.**

- d. The variance is not contrary to the purpose of the ordinance.

**The purpose of the limitations on placement on a lot of accessory structures is to maintain open front yards. As such, required front yards are determined by the range established by the front yard setbacks within the contextual blockface, thus resulting in front yards that are consistent with nearby properties. The ordinance allows certain limited accessory structures to be located in required secondary front yards. A covered accessory structure of this size and height are not permitted in any required yard.**

**Given the foregoing, the requested variance to maintain the accessory structure within the required secondary front yard is contrary to the Zoning Ordinance.**

- e. The variance does not include a change in use, which change shall be accomplished by a rezoning.

**The requested variance does not change the use as the property will continue to be used residentially.**

### **VIII. Analysis of Variance Standards**

A variance allows a property owner to do what is otherwise not allowed under the ordinance. Per Zoning Ordinance Section 11-1005(B) the BZA hears and decides applications for variances and any application must meet the standards under Zoning Ordinance Section 11-1103. The decisions of the BZA must be in conformance with the Zoning Ordinance; otherwise, they will be overturned by the courts. Thus, only the standards under Section 11-1100 can be considered in making a variance decision. The criteria do not include considerations like the cost or financial hardship and are therefore inappropriate. Per Zoning Ordinance section 11-1103, the Board of Zoning Appeals shall not grant a variance unless it finds that the request meets the variance standards as follows:

- a. The strict application of the terms of the ordinance would unreasonably restrict the utilization of the property or that the granting of the variance would alleviate a hardship due to a physical condition relating to the property or improvements thereon at the time of the effective date of the ordinance, or alleviate a hardship by granting a reasonable modification to a property or improvements thereon requested by, or on behalf of, a person with a disability.

**The strict application of the Zoning Ordinance would not unreasonably restrict the utilization the property as a single-unit residence. The covered outdoor area is not necessary in order to utilize the property as a single-unit residential dwelling. Further, the lot contains space behind the secondary front building wall to place a detached accessory structure or a front porch forward of the secondary front building wall in compliance with the Zoning Ordinance. While the property does have some significant changes in topography towards the southeast corner, there is a relatively large flat area immediately to the south of the dwelling before the lot drops off that could accommodate an accessory structure.**

- b. The property for which the variance is being requested was acquired in good faith and a hardship was not created by the applicant for the variance.

**The property was likely acquired in good faith. However, the hardship was created by the applicant, as they built the noncomplying accessory structure and are now seeking a variance for it.**

- c. The granting of a variance will not be of substantial detriment to adjacent property and

nearby properties in the proximity of that geographical area.

**The allowance of an accessory structure of this size and nature within the secondary front yard could be detrimental to the adjacent properties. Most corner lots throughout the City are characterized by open front yards, only allowing for minimal obstructions that do not reduce light or air. Required front yards are determined by the range established by the front yard setbacks within the contextual blockface, thus resulting in front yards that are consistent with nearby properties. To allow this accessory building to remain in the front yard reducing the front yard setback completely would change the character of the area. Further, the solid roof located so close to the property line reduces light and air to the public right of way and sidewalk.**

**If this structure were approved it would reduce minimum front setback for all abutting properties within the contextual blockface facing Bayliss Drive, potentially resulting in additions, new dwellings or other accessory buildings being constructed at or near the front property line.**

- d. The condition or situation of the property concerned is not so general or reoccurring a nature to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to the ordinance.

**The secondary front yard setback applies to all primary and accessory structures on a lot. However, the Zoning Ordinance already provides relief for specific limited accessory structures to be located within the secondary front yard through the permitted obstructions section. Structures such as open front porches can be located within the required secondary front yards with a 10.00 foot minimum setback maintained to provide outdoor covered spaces while still maintaining the open nature of a front yard. The existing structure does not qualify as a permitted obstruction in the required secondary front yard, however if the applicant modified the roof to be at least 80% open, it would qualify as a pergola which is a permitted obstruction in all required yards.**

- e. The granting of the variance does not result in a use that is not otherwise permitted on such property or a change in the zoning classification of the property.

**The variance request would not change the use of the property as it will continue to be used residentially.**

- f. The relief or remedy sought by the variance application is not available through a special exception process that is authorized in the ordinance or the process for modification of a zoning ordinance at the time of filing of the variance application.

**The relief being requested in this case can only be granted through a variance.**

**IX. Staff Conclusion**

Staff **recommends denial** of the requested variance to maintain an accessory structure within the secondary front yard as the request does not meet all the standards for a variance.

Staff

Sean Killion, Urban Planner, Land Use + Preservation Division

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Tony LaColla, AICP, Division Chief, Land Use + Preservation Division

[tony.lacolla@alexandriava.gov](mailto:tony.lacolla@alexandriava.gov)

## DEPARTMENTAL COMMENTS

### Transportation and Environmental Services (Transportation Planning):

No comments.

### Development Right of Way (Planning and Zoning):

- R-1 The building permit must be approved and issued prior to the issuance of any permit for demolition, if a separate demolition permit is required. (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 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)
- F-1 The applicant should provide a determination of disturbed area per City Guidelines to T&ES prior to submitting for permits. If the land disturbance meets or exceeds 2500 square feet, a released grading plan will be required prior to submitting for permits. (T&ES)
- 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 Any work within the right-of-way requires a separate permit from T&ES. (Sec. 5-2) (T&ES)
- C-4 All improvements to the city right-of-way such as curbing, sidewalk, driveway aprons, etc. must be city standard design. (Sec. 5-2-1) (T&ES)
- C-5 The owner shall obtain and maintain an encroachment permit and policy of general liability insurance in compliance with the permit requirements in Sec. 5-2-29(a)(3). See <https://www.alexandriava.gov/permits/right-of-way-administrative-encroachment-permit> for details. (T&ES)

### Code Administration:

- C-1 A building permit is required for the gazebo (porch) in accordance with VRC Section R108.2. Per Virginia Residential Code (VRC) Section R108, one-story detached accessory structures used as tool and storage sheds, playhouses, or similar uses are exempt from building permit requirements, provided the building area does not exceed 256 square feet (23.78 m<sup>2</sup>) and the structures are not classified as Group F-1 or H occupancies. The subject

porch or gazebo does not qualify for this exemption, as it is not a tool/storage shed or similar exempt structure.

- C-2 Permanently installed receptacles rated for wet locations, complying with VRC Sections E3909.1 and E3902.3, are required to serve the three TV sets and related accessories. An electrical permit is required. Outdoor receptacles shall be GFCI protected.

Recreation (City Arborist):

No comments.

Stormwater:

No comments.

Historic Alexandria (Archaeology):

No comments.



**APPLICATION  
BOARD OF ZONING APPEALS**

**VARIANCE**

Section of zoning ordinance from which request for variance is made:  
7-202 permitted obstructions in certain required yards

**PART A**

1. Applicant:  Owner  Contract Purchaser  Agent

Name Jonathan Mapley-Brittle

Address 1030 Cross Dr

Alexandria VA

Daytime Phone [REDACTED]

Email Address [REDACTED]

2. Property Location 1030 Cross Dr

3. Assessment Map # 228 Block 401 Lot 503 Zone     

4. Legal Property Owner Name Jonathan Mapley-Brittle

Address 1030 Cross Dr

Alexandria VA 22302

# 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. Jon and Tracy Mapley-Brittle	1030 Cross Drive	100
2. Jon and Tracy Mapley-Brittle		
3. Jon and Tracy Mapley-Brittle		

**2. Property.** State the name, address and percent of ownership of any person or entity owning an interest in the property located at 1030 Cross Drive (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. Jon and Tracy Mapley-Brittle	1030 Cross Drive	100
2. Jon and Tracy Mapley-Brittle		
3. Jon and Tracy Mapley-Brittle		

**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 require 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 indicated 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. Jon and Tracy Mapley-Brittle	None	None
2. Jon and Tracy Mapley-Brittle		
3. Jon and Tracy Mapley-Brittle		

**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.

**5. Describe request briefly:**

Request to keep gazebo constructed in 2018 in required secondary front yard

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

- Yes — Provide proof of current City business license.
- No — Said agent shall be required to obtain a business prior to filing application.

**THE UNDERSIGNED HEREBY ATTESTS** that all of the information herein provided including the site plan, building elevations, prospective drawings of the projects, etc., 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 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:**

- I, as the applicant or authorized agent, note that there is a fee associated with the submittal of this application. Planning & Zoning Department staff will be in contact with the applicant regarding payment methods. Please recognize that applications will not be processed until all fees are paid.
- Yes  No I affirm that I, the applicant or authorized agent, am responsible for the processing of this application and agree to adhere to all the requirements and information herein.

Printed Name: Jonathan Mapley-Brittle

Date: 02/21/2026

Signature:

Pursuant to Section 13-3-2 of the City Code, the use of a document containing false information may constitute a Class 1 misdemeanor and may result in a punishment of a year in jail or \$2,500 or both. It may also constitute grounds to revoke the permit applied for with such information.

## **PART B**

### **APPLICANT MUST EXPLAIN THE FOLLOWING:**

(Please **attach** additional pages where necessary.)

**1. Please answer A or B:**

**A. Explain how enforcement of the zoning ordinance would prevent reasonable use of the property.**

The Gazebo was built on the existing deck from the purchase of the house and replaced a temporary "tent" that kept sustaining damage from weather. There is no other place on our lot to have covered space without encroaching on neighbors privacy and removing existing green space. We like being outside and hosting neighbors under the covered space of the gazebo to enjoy the outdoors during inclement weather or on hot, sunny days. Our property is the one space in the world that is our sanctuary; it provides peace from the stress experienced ☒

**B. Explain how the variance, if granted, would alleviate a hardship, as defined above.**

My wife and I have collectively served our country for over four decades in the Department of Defense and the Department of State. We understood that one's property is their sanctuary. Given our line of work, particularly under the current political environment, to include our neighbors who also enjoy the space with us, this gazebo provides us with reprieve from the daily stresses experienced by most in this area. Mental health experts regularly decry the importance of eating healthy, exercising, having friendships, and simply being outdoors. This gazebo facilitates a routine for our entire family that provides reasonable accommodation every day for the latter. We feel fortunate to have it.

**2. Is this unreasonable restriction or hardship unique to the property?**

**A. Explain if the restriction or hardship is shared by other properties in the neighborhood.**

Yes, it is unique to a corner lots. Our lot in specific has existing decking, terrain and trees that prohibit other locations on the lot from being used without encroaching on neighbors privacy or removing additional green space. The Gazebo was built on an existing deck from prior to 2014 and building the gazebo in any other location would mean removing grass and green space or be in such a way that use would be overlooking neighbors windows or backyard removing their privacy.

**B. Does this situation or condition of the property (on which this application is based) generally apply to other properties in the same zone?**

No this is unique to corner lots with terrain similar to ours.

3. Was the unreasonable restriction or hardship caused by the applicant?

A. Did the condition exist when the property was purchased?

Yes

B. Did the applicant purchase the property without knowing of this restriction or hardship?

Yes, I had no idea of a secondary front yard as a concept or regulation that would prohibit an authorized accessory structure from being constructed on an existing deck. I observed many accessory structures on corner lots throughout Alexandria.

C. How and when did the condition, which created the unreasonable restriction or hardship, first occur?

There was an anonymous complaint about my gazebo not being to code/ permitted. There is no permit required nor code for a gazebo as confirmed by code enforcement rejecting the complaint.

D. Did the applicant create the unreasonable restriction or hardship and, if so, how was it created?

No

4. Will the variance, if granted, be harmful to others?

A. Explain if the proposed variance will be detrimental to the adjacent properties or the neighborhood in general.

All neighbours have signed letters of support to maintain the gazebo and fence.

- B. Has the applicant shown the proposed plans to the most affected property owners? Have these property owners written statements of support or opposition of the proposed variance? If so, please attach the statements or submit at the time of the hearing.**

Gazebo has been in place for seven years with no complaints until recent string of anonymous harassment complaints to zoning. To include a complaint about seasonal colored LED lights on halloween when most houses on the street display colored LED lights.

- 5. Is there any other administrative or procedural remedy to relieve the hardship or unreasonable restriction?**

No

### **PART C**

- 1. Have alternative plans or solutions been considered so that a variance would not be needed? Please explain each alternative and why it is unsatisfactory.**

Building the gazebo or similar structure in any other location would mean removing grass and green space or be in such a way that use would be overlooking neighbors windows or backyard removing their privacy. Gazebo in place is supported by neighbors to retain it.

**2. Please provide any other information you believe demonstrates that the requested variance meets the required standards.**

There are many auxiliary structures on corner lots throughout the city so the secondary required yard regulation is either frequently given variances or only selectively enforced.

When constructed from a kit I searched the city and VA building code for gazebo and it was only mentioned once as a permitted auxiliary structure with no restrictions on design, height, or size as required for enclosed sheds and garages and no building permit was needed.

---

**\*\*\*ATTENTION APPLICANTS\*\*\***

**At the time of application for a Special Use Permit, Rezoning, Vacation, Encroachment, Variance, Special Exception or Subdivision, you must provide a draft of the description of your request you intend to use in the property owner's notice. You must be thorough in your description. Staff will review the draft wording to confirm its completeness.**

**The example illustrates a detailed description:**

"Variance to construct a two-story addition in the required side yards on \_\_\_\_\_ Street."

**If you fail to submit draft language at the time of the application filing deadline, the application will be determined to be incomplete and may be deferred by staff.**



# Department of Planning and Zoning

## Floor Area Ratio and Open Space Calculations

B

### A. Property Information

A1.  Street Address      R-20  Zone

A2.  Total Lot Area      x  Floor Area Ratio Allowed by Zone      =  Maximum Allowable Floor Area

### B. Existing Gross Floor Area

<u>Existing Gross Area</u>		<u>Allowable Exclusions**</u>		
Basement	<input type="text" value="836.00"/>	Basement**	<input type="text" value="836.00"/>	B1. <input type="text" value="2,574.00"/> Sq. Ft.
First Floor	<input type="text" value="836.00"/>	Stairways**	<input type="text" value="51.00"/>	Existing Gross Floor Area*
Second Floor	<input type="text" value="836.00"/>	Mechanical**	<input type="text"/>	B2. <input type="text" value="953.00"/> Sq. Ft.
Third Floor	<input type="text" value="0.00"/>	Attic less than 7'***	<input type="text"/>	Allowable Floor Exclusions**
Attic	<input type="text"/>	Porches**	<input type="text" value="66.00"/>	B3. <input type="text" value="1,621.00"/> Sq. Ft.
Porches	<input type="text" value="66.00"/>	Balcony/Deck**	<input type="text"/>	Existing Floor Area Minus Exclusions (subtract B2 from B1)
Balcony/Deck	<input type="text"/>	Lavatory***	<input type="text"/>	
Lavatory***	<input type="text"/>	Other**	<input type="text"/>	
Other**	<input type="text"/>	Other**	<input type="text"/>	
<b>B1. Total Gross</b>	<input type="text" value="2,574.00"/>	<b>B2. Total Exclusions</b>	<input type="text" value="953.00"/>	

**Comments for Existing Gross Floor Area**

### C. Proposed Gross Floor Area

<u>Proposed Gross Area</u>		<u>Allowable Exclusions**</u>		
Basement	<input type="text"/>	Basement**	<input type="text"/>	C1. <input type="text" value="256.00"/> Sq. Ft.
First Floor	<input type="text"/>	Stairways**	<input type="text"/>	Proposed Gross Floor Area*
Second Floor	<input type="text"/>	Mechanical**	<input type="text"/>	C2. <input type="text" value="0.00"/> Sq. Ft.
Third Floor	<input type="text"/>	Attic less than 7'***	<input type="text"/>	Allowable Floor Exclusions**
Attic	<input type="text"/>	Porches**	<input type="text"/>	C3. <input type="text" value="256.00"/> Sq. Ft.
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Balcony/Deck	<input type="text"/>	Lavatory***	<input type="text"/>	
Lavatory***	<input type="text"/>	Other**	<input type="text"/>	
Other	<input type="text" value="256.00"/>	Other**	<input type="text"/>	
<b>C1. Total Gross</b>	<input type="text" value="256.00"/>	<b>C2. Total Exclusions</b>	<input type="text" value="0.00"/>	

#### Notes

\*Gross floor area is the sum of all areas under roof of a lot, measured from the face of exterior walls, including basements, garages, sheds, gazebos, guest buildings and other accessory buildings.

\*\* Refer to the Zoning Ordinance (Section 2-145(B)) and consult with Zoning Staff for information regarding allowable exclusions. Sections may also be required for some exclusions.

\*\*\*Lavatories may be excluded up to a maximum of 50 square feet, per lavatory. The maximum total of excludable area for lavatories shall be no greater than 10% of gross floor area.

### D. Total Floor Area

D1.  Sq. Ft.  
Total Floor Area (add B3 and C3)

D2.  Sq. Ft.  
Total Floor Area Allowed by Zone (A2)

### E. Open Space (RA & RB Zones)

E1.  Sq. Ft.  
Existing Open Space

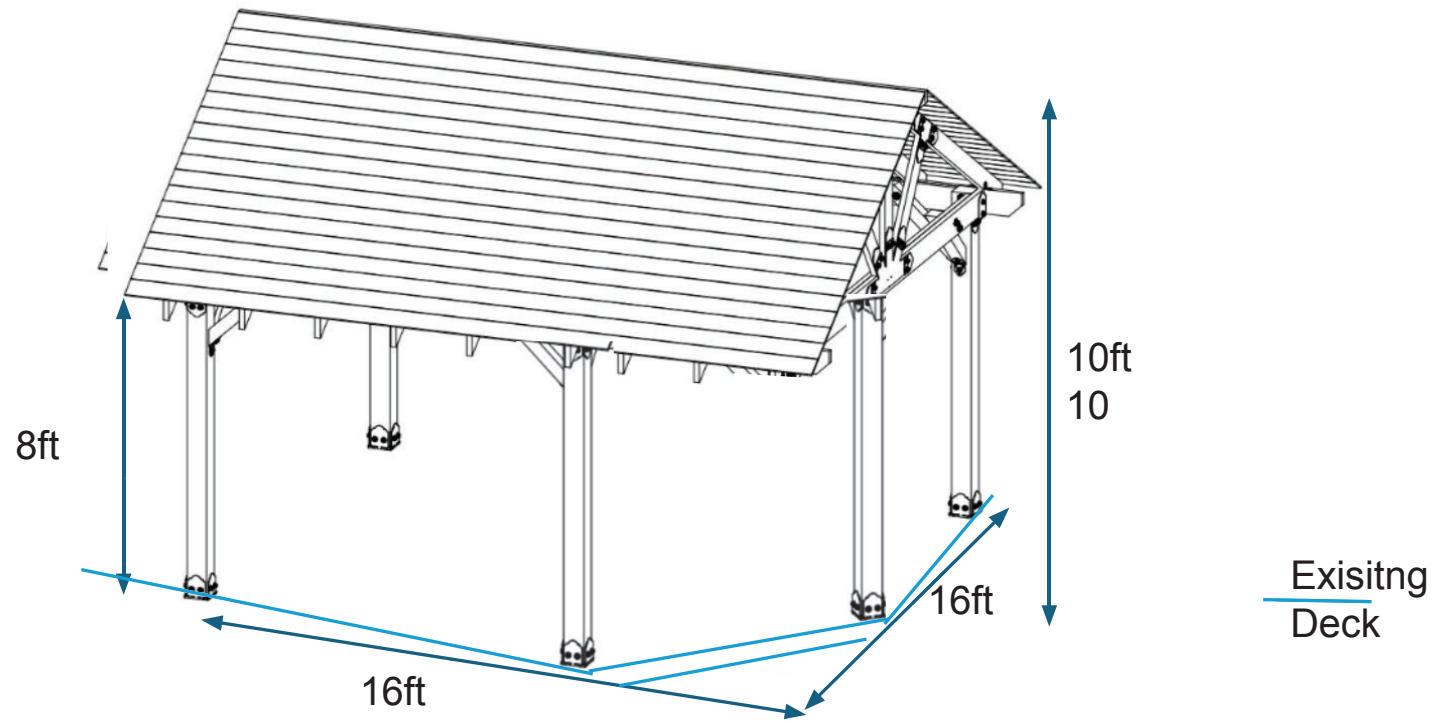
E2.  Sq. Ft.  
Required Open Space

E3.  Sq. Ft.  
Proposed Open Space

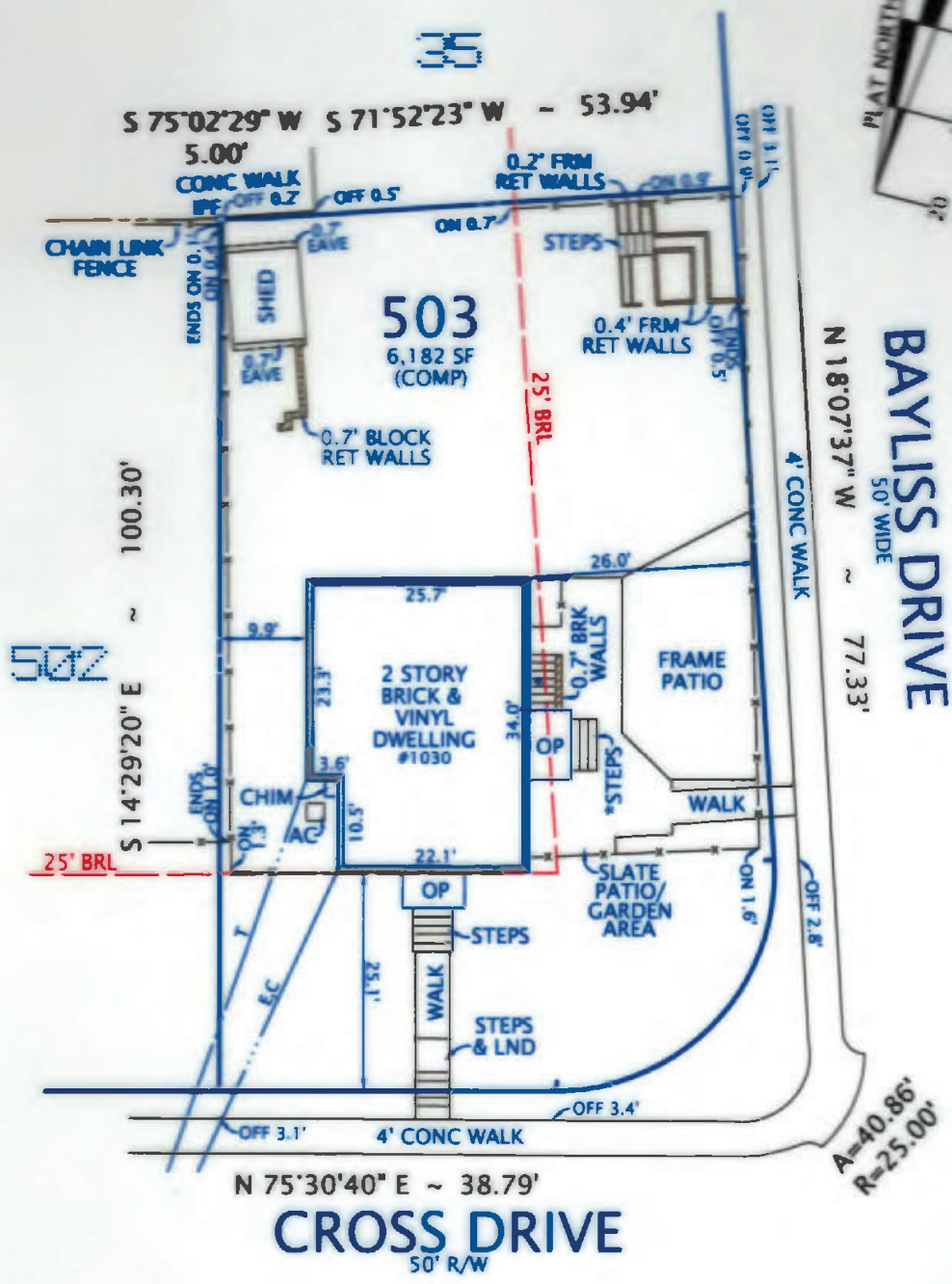
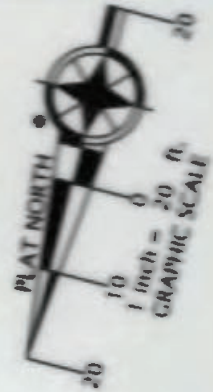
The undersigned hereby certifies and attests that, to the best of his/her knowledge, the above computations are true and correct.

Signature: Jonathan Mapley-Brittle Digitally signed by Jonathan Mapley-Brittle  
Date: 2026.02.21 09:32:15 -05'00'

Date: 02/21/2026



- NOTES: 1. FENCES ARE PICKET UNLESS NOTED.  
 2. RETAINING WALLS ARE 0.2' FRAME UNLESS NOTED.



**PLAT**  
 SHOWING HOUSE LOCATION ON  
 LOT 503  
 OF A RESUBDIVISION OF LOTS  
 500, 501, 15 AND 16  
**OVERLOOK TERRACE**  
 (DEED BOOK 228, PAGE 401)  
**CITY OF ALEXANDRIA, VIRGINIA**  
 SCALE: 1" = 20'      JULY 7, 2017

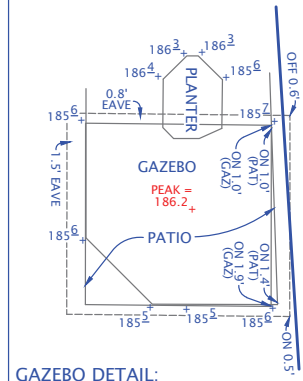
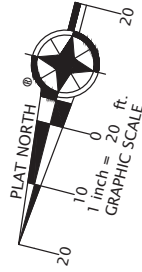
THIS INFORMATION CONTAINED ON THIS DOCUMENT MAY NOT BE COPIED, REPRODUCED OR ALTERED IN ANY FORM WITHOUT PERMISSION IN WRITING FROM THE COPYRIGHT OWNER.

THESEY CERTIFY THAT THE POSITIONS OF ALL THE EXISTING IMPROVEMENTS HAVE BEEN CAREFULLY EXAMINED BY A CURRENT FIELD

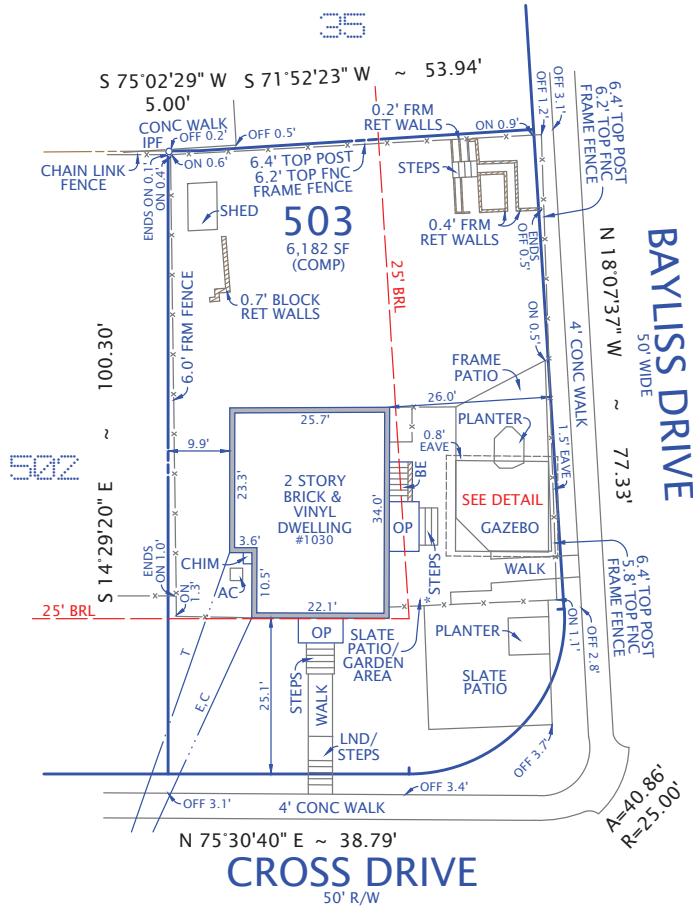


Ordered by: \_\_\_\_\_

NOTES: 1. FENCES ARE FRAME.



GAZEBO DETAIL:  
SCALE 1:10



PLAT  
SHOWING HOUSE LOCATION ON  
LOT 503  
OF A RESUBDIVISION PLAT OF  
LOTS 500, 501, 15 AND 16  
**OVERLOOK TERRACE SUBDIVISION**

(DEED BOOK 228, PAGE 401)  
CITY OF ALEXANDRIA, VIRGINIA  
SCALE: 1" = 20'    OCTOBER 30, 2025

COPYRIGHT BY DOMINION SURVEYORS, INC. THE INFORMATION CONTAINED ON THIS DOCUMENT MAY NOT BE COPIED, REPRODUCED OR ALTERED IN ANY FORM WITHOUT PERMISSION IN WRITING FROM THE COPYRIGHT OWNER.

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:

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

GEORGE M. O'QUINN  
 10/30/2025  
 LICENSE NO. 2069  
 DOMINION SURVEYORS®

ORDERED BY:  
TRACY AND JONATHAN  
MAPLEY-BRITTLE

8808-H PEAR TREE VILLAGE COURT  
 ALEXANDRIA, VIRGINIA 22309  
 703-619-6555  
 www.dominionsurveyors.com

**2-120 - Basement.**

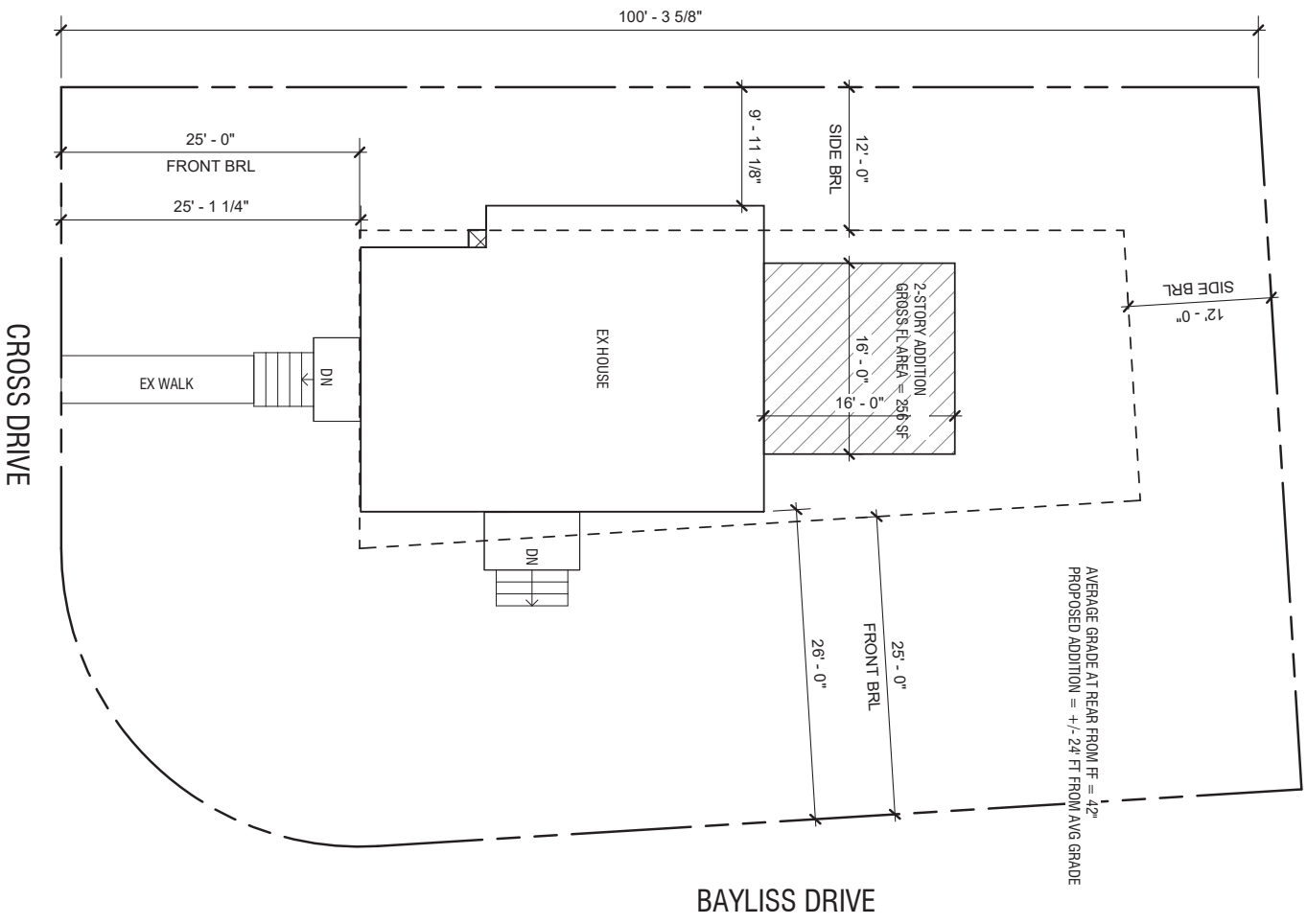
A story partly or wholly underground. For the purpose of floor area measurement, a basement shall be counted as floor area where the average finished grade is four feet or more below the bottom of first floor construction.

**2-205 - Yard, front.**

For a corner lot, the two yards lying between the main building and the intersecting streets shall both be deemed to be front yards and any additional yards shall be deemed to be side yards.

**3-306 - Bulk and open space regulations.**

- A. Yard requirements.
  - a. Front yard. For each residential use, the required front yard shall be between the range established by the front yards within the contextual block face, if the minimum front yard, including the front yard of the property in question, within this range exceeds 30 feet, a residential use shall provide a front yard of at least 30 feet.
  - b. Side yards. Each residential use shall provide two side yards, each based on a setback ratio of 1:2 and a minimum size of eight feet. Each other use shall provide two side yards, each based on a setback ratio of 1:1 and a minimum size of 25 feet.
  - c. Rear yard. Each residential use shall provide a rear yard based on a setback ratio of 1:1 and a minimum size of eight feet. Each other use shall provide a rear yard based on a setback ratio of 1:1 and a minimum size of 25 feet.
- A. FAR. The maximum permitted floor area ratio is 0.35.
- B. Height. The maximum permitted height of a structure is 30 feet except for a church or school use in which case the maximum permitted height is 40 feet.
- C. Threshold height. The maximum permitted threshold height for a residential use is two and one-half feet, the highest threshold height within the contextual block face or the minimum necessary to comply with the floodplain requirements of section 6-306(B), whichever is greatest.



**2-120 - Basement.**

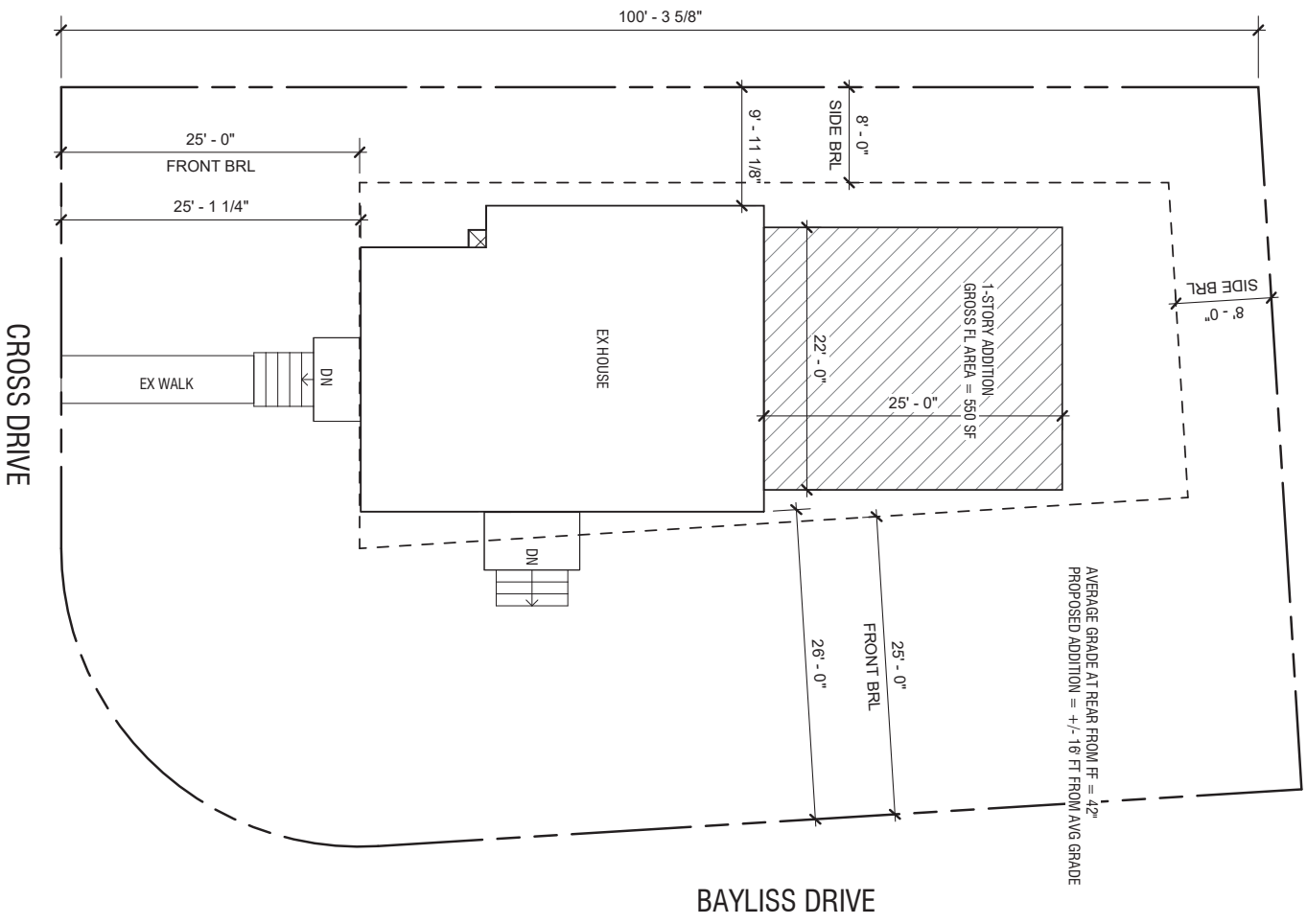
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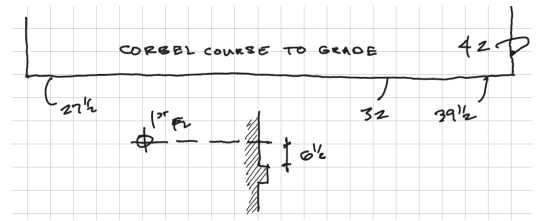
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SECOND FLOOR  
8' - 9 1/4"

FIRST FLOOR  
0' - 0"

BASEMENT  
-7' - 8 3/4"

AVERAGE GRADE

6715 Whittier Avenue  
McLean VA. 22101



Office: 703.506.0845  
Fax: 703.506.0619

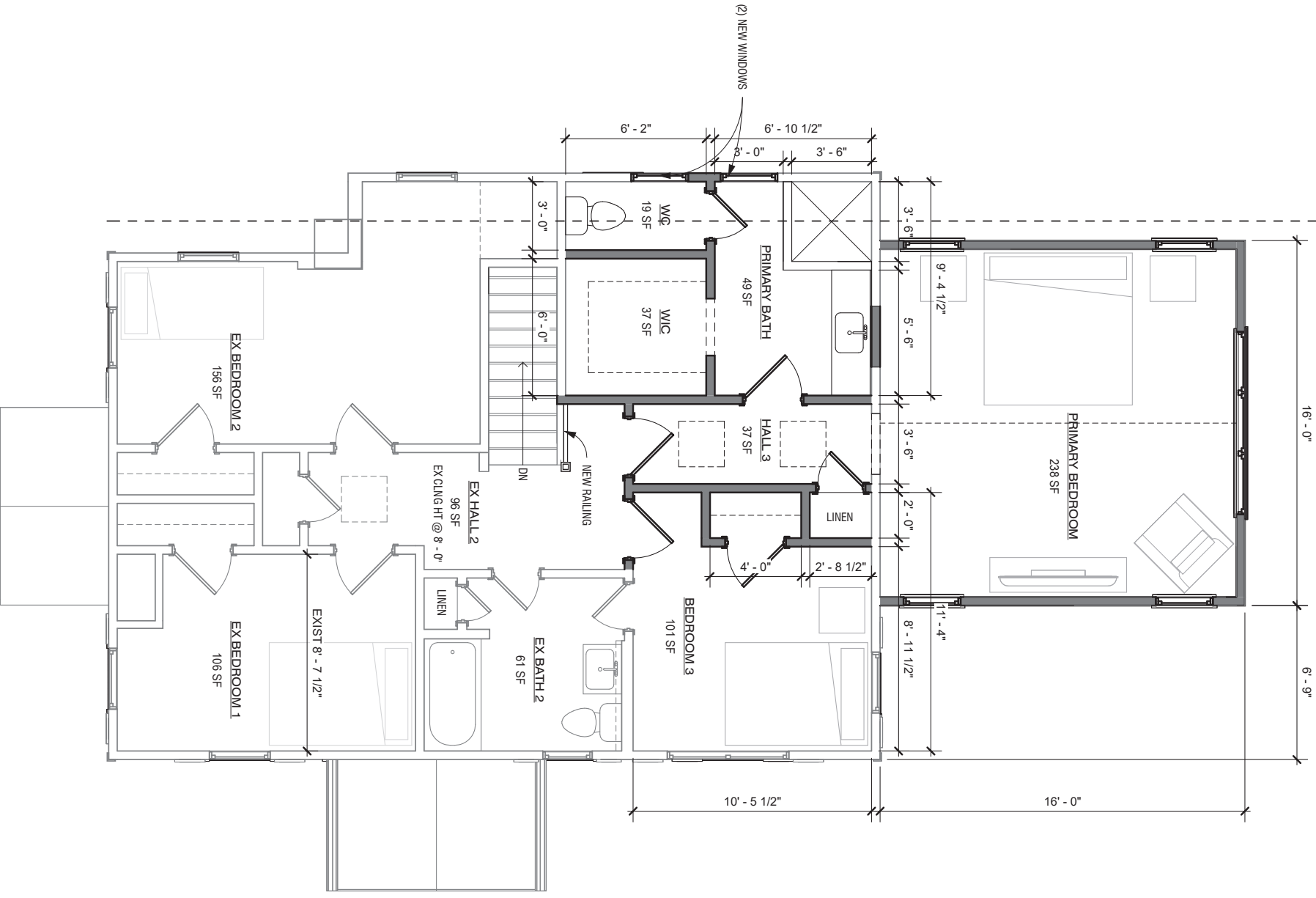
# MAPLEY BRITTLE

1030 Cross Dr  
Alexandria, VA 22302

## Rear Elevation

1/4" = 1'-0"

6/4/2024

















THIS IS  
ST. CATHARINE  
ANFIELD

Publin'  
AND  
Publin'

LAGER  
EST. 1988

WHEN YOU WALK  
THROUGH THE  
FRONT DOOR  
WITH A WALK ON  
IN YOUR HOPE

All properties shown are corner lots with 6 ft fences in required secondary from yards that are within approximately 1000ft of my property and preexist our fence replacement.



Scroggins and Lynn



Scroggins and Cross

Scroggins and Stonnel 1





Scroggins and Stonnell 2



Scroggins and Roosevelt

Name: Brian Moritz  
Address: 1035 Cross Dr.

September 6, 2025

Board of Zoning Appeals  
City of Alexandria  
301 King Street  
Alexandria, VA 22314

**Re: Support for Special Exception Request at 1030 Cross Drive (Gazebo and Fence in Secondary Yard)**

Dear Members of the Board of Zoning Appeals,

I am writing as a nearby neighbor of **1030 Cross Drive** to express my strong support for the special exception request submitted by the property owner for the existing gazebo and fence in the required secondary yard.

In my view, strict application of the zoning ordinance in this case creates an unreasonable burden on the owner's reasonable use and enjoyment of their property. I respectfully submit the following observations with regard to the Board's criteria:

**1. Public Welfare and Neighborhood Character**

The gazebo and fence are not detrimental to public welfare, neighborhood character, or the architecture of existing buildings. On the contrary, the improvements have enhanced the property's aesthetics and contribute positively to the character of our neighborhood. The gazebo has been the location for many neighborhood social events and the fence enables neighborhood children to play safely and privately in an enclosed space.

**2. Light, Air, Traffic, and Safety**

Approval of this exception does not impair light or air to adjacent properties, nor does it cause traffic congestion, increase the danger of fire, or endanger public safety. The gazebo is appropriate and suitable in scale and the fence is designed in keeping with neighborhood standards.

**3. Essential Character of the Area**

The fence does not alter the essential character of the area. Our neighborhood already includes similar fences and outdoor structures, and this request is consistent with the existing pattern of residential use and improvements.

**4. Compatibility with Surrounding Properties**

The gazebo and fence are compatible with neighboring properties in size, style, and use. The structures provide privacy and enjoyment to the owners without imposing any negative effect on adjoining lots.

**5. Reasonable Use of Lot**

Given the natural configuration of the lot and the layout of the existing house and yard, the secondary yard provides the only reasonable location for the gazebo on an existing ground level deck that precedes this owner. Strict adherence to the ordinance would unnecessarily restrict the owners from a practical and common residential improvement.

**6. Fence Exception Considerations**

The lot's layout and dimensions make the secondary yard the most appropriate and functional space for a fence. This fence replaced a pre-existing fence that was in disrepair due to age. Approval will provide a reasonable enclosed area for the owners without creating any harm to neighboring properties or the broader neighborhood. Additionally, this improvement provides more peace in the neighborhood; the owners have one dog who previously barked at any passersby when the owners' fence was shorter and not fully enclosed.

For these reasons, I respectfully urge the Board to grant the requested special exception. The gazebo and fence at 1030 Cross Drive will enhance the property and maintain the integrity and harmony of our neighborhood.

Sincerely,



Printed name: Brian Martin  
Address: 1030 Cross Dr.

Name: *Tiffany Prest*  
Address: *1334 Bay View Dr.*  
*Alexandria, VA*

September 6, 2025

Board of Zoning Appeals  
City of Alexandria  
301 King Street  
Alexandria, VA 22314

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The fence does not alter the essential character of the area. Our neighborhood already includes similar fences and outdoor structures, and this request is consistent with the existing pattern of residential use and improvements.

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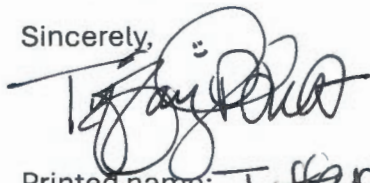
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Sincerely,



Printed name: T. Harry Prest

Address: 1334 Bay View Dr.  
Alexandria, VA

Name: **William Bove**  
Address: **1109 Cross Dr.**  
**ALEXANDRIA, VA 22302**

September 6, 2025

Board of Zoning Appeals  
City of Alexandria  
301 King Street  
Alexandria, VA 22314

**Re: Support for Special Exception Request at 1030 Cross Drive (Gazebo and Fence in Secondary Yard)**

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Sincerely,

Printed name: *William Bane*  
Address: *1109 Cross Drive*  
*Alexandria, VA 22302*

Name: Tom Kuntz  
Address: 1026 Cross Dr.

September 6, 2025

Board of Zoning Appeals  
City of Alexandria  
301 King Street  
Alexandria, VA 22314

**Re: Support for Special Exception Request at 1030 Cross Drive (Gazebo and Fence in Secondary Yard)**

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The fence does not alter the essential character of the area. Our neighborhood already includes similar fences and outdoor structures, and this request is consistent with the existing pattern of residential use and improvements.

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For these reasons, I respectfully urge the Board to grant the requested special exception. The gazebo and fence at 1030 Cross Drive will enhance the property and maintain the integrity and harmony of our neighborhood.

Sincerely,



Printed name: *Thomas Kuntz*  
Address:

Name:  
Address:

September 6, 2025

Board of Zoning Appeals  
City of Alexandria  
301 King Street  
Alexandria, VA 22314

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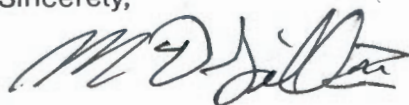
Given the natural configuration of the lot and the layout of the existing house and yard, the secondary yard provides the only reasonable location for the gazebo on an existing ground level deck that precedes this owner. Strict adherence to the ordinance would unnecessarily restrict the owners from a practical and common residential improvement.

**6. Fence Exception Considerations**

The lot's layout and dimensions make the secondary yard the most appropriate and functional space for a fence. This fence replaced a pre-existing fence that was in disrepair due to age. Approval will provide a reasonable enclosed area for the owners without creating any harm to neighboring properties or the broader neighborhood. Additionally, this improvement provides more peace in the neighborhood; the owners have one dog who previously barked at any passersby when the owners' fence was shorter and not fully enclosed.

For these reasons, I respectfully urge the Board to grant the requested special exception. The gazebo and fence at 1030 Cross Drive will enhance the property and maintain the integrity and harmony of our neighborhood.

Sincerely,



Printed name: Michael D. Gil III

Address: 1030 Cross Dr, Alexandria VA 22302  
(Direct line of sight across street)

Name: Richard L. Strickles Jr.  
Address: 1027 Cross Dr.  
Alex Va 22302

September 6, 2025

Board of Zoning Appeals  
City of Alexandria  
301 King Street  
Alexandria, VA 22314

**Re: Support for Special Exception Request at 1030 Cross Drive (Gazebo and Fence in Secondary Yard)**

Dear Members of the Board of Zoning Appeals,

I am writing as a nearby neighbor of **1030 Cross Drive** to express my strong support for the special exception request submitted by the property owner for the existing gazebo and fence in the required secondary yard.

In my view, strict application of the zoning ordinance in this case creates an unreasonable burden on the owner's reasonable use and enjoyment of their property. I respectfully submit the following observations with regard to the Board's criteria:

**1. Public Welfare and Neighborhood Character**

The gazebo and fence are not detrimental to public welfare, neighborhood character, or the architecture of existing buildings. On the contrary, the improvements have enhanced the property's aesthetics and contribute positively to the character of our neighborhood. The gazebo has been the location for many neighborhood social events and the fence enables neighborhood children to play safely and privately in an enclosed space.

**2. Light, Air, Traffic, and Safety**

Approval of this exception does not impair light or air to adjacent properties, nor does it cause traffic congestion, increase the danger of fire, or endanger public safety. The gazebo is appropriate and suitable in scale and the fence is designed in keeping with neighborhood standards.

**3. Essential Character of the Area**

The fence does not alter the essential character of the area. Our neighborhood already includes similar fences and outdoor structures, and this request is consistent with the existing pattern of residential use and improvements.

**4. Compatibility with Surrounding Properties**

The gazebo and fence are compatible with neighboring properties in size, style, and use. The structures provide privacy and enjoyment to the owners without imposing any negative effect on adjoining lots.

**5. Reasonable Use of Lot**

Given the natural configuration of the lot and the layout of the existing house and yard, the secondary yard provides the only reasonable location for the gazebo on an existing ground level deck that precedes this owner. Strict adherence to the ordinance would unnecessarily restrict the owners from a practical and common residential improvement.

**6. Fence Exception Considerations**

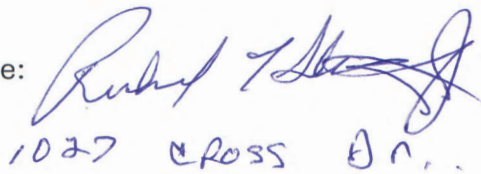
The lot's layout and dimensions make the secondary yard the most appropriate and functional space for a fence. This fence replaced a pre-existing fence that was in disrepair due to age. Approval will provide a reasonable enclosed area for the owners without creating any harm to neighboring properties or the broader neighborhood. Additionally, this improvement provides more peace in the neighborhood; the owners have one dog who previously barked at any passersby when the owners' fence was shorter and not fully enclosed.

For these reasons, I respectfully urge the Board to grant the requested special exception. The gazebo and fence at 1030 Cross Drive will enhance the property and maintain the integrity and harmony of our neighborhood.

Sincerely,

Printed name:

Address:



*Ruby T. [Signature]*  
1027 CROSS DR.

Name:  
Address:

Reggie Kirby  
1180 Cross Rd,  
Alex., VA 22302

September 6, 2025

Board of Zoning Appeals  
City of Alexandria  
301 King Street  
Alexandria, VA 22314

**Re: Support for Special Exception Request at 1030 Cross Drive (Gazebo and Fence in Secondary Yard)**

Dear Members of the Board of Zoning Appeals,

I am writing as a nearby neighbor of **1030 Cross Drive** to express my strong support for the special exception request submitted by the property owner for the existing gazebo and fence in the required secondary yard.

In my view, strict application of the zoning ordinance in this case creates an unreasonable burden on the owner's reasonable use and enjoyment of their property. I respectfully submit the following observations with regard to the Board's criteria:

**1. Public Welfare and Neighborhood Character**

The gazebo and fence are not detrimental to public welfare, neighborhood character, or the architecture of existing buildings. On the contrary, the improvements have enhanced the property's aesthetics and contribute positively to the character of our neighborhood. The gazebo has been the location for many neighborhood social events and the fence enables neighborhood children to play safely and privately in an enclosed space.

**2. Light, Air, Traffic, and Safety**

Approval of this exception does not impair light or air to adjacent properties, nor does it cause traffic congestion, increase the danger of fire, or endanger public safety. The gazebo is appropriate and suitable in scale and the fence is designed in keeping with neighborhood standards.

**3. Essential Character of the Area**

The fence does not alter the essential character of the area. Our neighborhood already includes similar fences and outdoor structures, and this request is consistent with the existing pattern of residential use and improvements.

**4. Compatibility with Surrounding Properties**

The gazebo and fence are compatible with neighboring properties in size, style, and use. The structures provide privacy and enjoyment to the owners without imposing any negative effect on adjoining lots.

**5. Reasonable Use of Lot**

Given the natural configuration of the lot and the layout of the existing house and yard, the secondary yard provides the only reasonable location for the gazebo on an existing ground level deck that precedes this owner. Strict adherence to the ordinance would unnecessarily restrict the owners from a practical and common residential improvement.

**6. Fence Exception Considerations**

The lot's layout and dimensions make the secondary yard the most appropriate and functional space for a fence. This fence replaced a pre-existing fence that was in disrepair due to age. Approval will provide a reasonable enclosed area for the owners without creating any harm to neighboring properties or the broader neighborhood. Additionally, this improvement provides more peace in the neighborhood; the owners have one dog who previously barked at any passersby when the owners' fence was shorter and not fully enclosed.

For these reasons, I respectfully urge the Board to grant the requested special exception. The gazebo and fence at 1030 Cross Drive will enhance the property and maintain the integrity and harmony of our neighborhood.

Sincerely,

Printed name:  
Address:

Peggy Kinby  
1100 Cross Dr.  
Alb., VA 22302

Name: **HUGH and JEN HARPER**  
Address: **1329 Bayliss Dr.**  
**Alexandria, VA 22302**

September 6, 2025

Board of Zoning Appeals  
City of Alexandria  
301 King Street  
Alexandria, VA 22314

**Re: Support for Special Exception Request at 1030 Cross Drive (Gazebo and Fence in Secondary Yard)**

Dear Members of the Board of Zoning Appeals,

I am writing as a nearby neighbor of **1030 Cross Drive** to express my strong support for the special exception request submitted by the property owner for the existing gazebo and fence in the required secondary yard.

In my view, strict application of the zoning ordinance in this case creates an unreasonable burden on the owner's reasonable use and enjoyment of their property. I respectfully submit the following observations with regard to the Board's criteria:

**1. Public Welfare and Neighborhood Character**

The gazebo and fence are not detrimental to public welfare, neighborhood character, or the architecture of existing buildings. On the contrary, the improvements have enhanced the property's aesthetics and contribute positively to the character of our neighborhood. The gazebo has been the location for many neighborhood social events and the fence enables neighborhood children to play safely and privately in an enclosed space.

**2. Light, Air, Traffic, and Safety**

Approval of this exception does not impair light or air to adjacent properties, nor does it cause traffic congestion, increase the danger of fire, or endanger public safety. The gazebo is appropriate and suitable in scale and the fence is designed in keeping with neighborhood standards.

**3. Essential Character of the Area**

The fence does not alter the essential character of the area. Our neighborhood already includes similar fences and outdoor structures, and this request is consistent with the existing pattern of residential use and improvements.

**4. Compatibility with Surrounding Properties**

The gazebo and fence are compatible with neighboring properties in size, style, and use. The structures provide privacy and enjoyment to the owners without imposing any negative effect on adjoining lots.

**5. Reasonable Use of Lot**

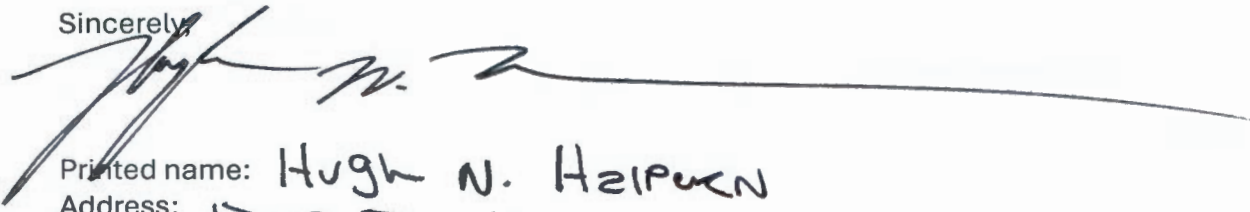
Given the natural configuration of the lot and the layout of the existing house and yard, the secondary yard provides the only reasonable location for the gazebo on an existing ground level deck that precedes this owner. Strict adherence to the ordinance would unnecessarily restrict the owners from a practical and common residential improvement.

**6. Fence Exception Considerations**

The lot's layout and dimensions make the secondary yard the most appropriate and functional space for a fence. This fence replaced a pre-existing fence that was in disrepair due to age. Approval will provide a reasonable enclosed area for the owners without creating any harm to neighboring properties or the broader neighborhood. Additionally, this improvement provides more peace in the neighborhood; the owners have one dog who previously barked at any passersby when the owners' fence was shorter and not fully enclosed.

For these reasons, I respectfully urge the Board to grant the requested special exception. The gazebo and fence at 1030 Cross Drive will enhance the property and maintain the integrity and harmony of our neighborhood.

Sincerely,



Printed name: Hugh N. Halpukn

Address: 1329 Bayliss DR.  
Alex Zndriz, V2 22302

Sam E Schwartz  
1326 Bayliss Drive  
Alexandria, VA 22302  
703-585-9045  
[samschwartz@duck.com](mailto:samschwartz@duck.com)

April 9, 2026

Board of Zoning Appeals  
City of Alexandria  
301 King Street  
Alexandria, VA 22314

Re: Support for Special Exception Request at 1030 Cross Drive (Gazebo and Fence in Secondary Yard)

Dear Members of the Board of Zoning Appeals,

I am writing as a neighbor of 1030 Cross Drive to express my strong support for the special exception request submitted by the property owner for their gazebo and fence (“improvements”) in the required secondary yard. Specifically, I am diagonally plus one house across the street from the subject yard. I see the fence and gazebo from my front and side windows.

In my view, strict application of the zoning ordinance in this case creates an unreasonable burden on the owner’s reasonable use and enjoyment of their property. I respectfully submit the following observations:

#### Public Welfare and Neighborhood Character

The improvements are not detrimental to public welfare, neighborhood character, or the architecture of existing buildings. On the contrary, the improvements enhance the property’s aesthetics and contribute positively to the character of our neighborhood.

#### Light, Air, Traffic, and Safety

The improvements do not impair light or air to adjacent properties, nor does it cause traffic congestion, increase the danger of fire, or endanger public safety. The gazebo is modest in scale and the fence is attractive and designed in keeping with neighborhood standards.

#### Essential Character of the Area

The improvements do not alter the essential character of the area. Our neighborhood already includes similar structures, and the improvements are consistent with the existing pattern of residential use and improvements.

### Compatibility with Surrounding Properties

The improvements are compatible with neighboring properties in size, style, and use. The structures will provide privacy and enjoyment to the owners without imposing any negative effect on adjoining lots.

### Reasonable Use of Lot

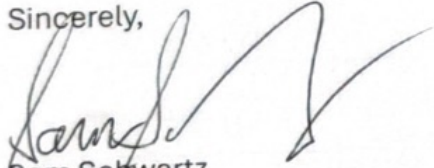
Given the natural configuration of the lot and the layout of the existing house and yard, the secondary yard provides the only reasonable location for the proposed gazebo. Strict adherence to the ordinance would unnecessarily restrict the owners from a practical and common residential improvement.

### Fence Exception Considerations

The lot's layout and dimensions make the secondary yard the most appropriate and functional space for a fence. Likewise, the fence height is reasonable for the space and layout of the property. Approval will provide a reasonable enclosed area without creating any harm to neighboring properties or the broader neighborhood.

For these reasons, I respectfully urge the Board to grant the requested special exception. The gazebo and fence at 1030 Cross Drive will enhance the property and maintain the integrity and harmony of our neighborhood.

Sincerely,



Sam Schwartz  
1326 Bayliss Drive  
Alexandria, VA 22302