



***Special Use Permit #2015-0001***  
***5447 Fillmore Avenue***

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<b>Application</b>	<b>General Data</b>	
Public hearing and consideration of a request to construct a new single-family dwelling on a vacant, substandard lot with modifications.	<b>Planning Commission Hearing:</b>	March 3, 2015
	<b>City Council Hearing:</b>	March 14, 2015
<b>Address:</b> 5447 Fillmore Avenue	<b>Zone:</b>	R-20/Residential Single-Family
<b>Applicant:</b> Eric Teran	<b>Small Area Plan:</b>	Alexandria West

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

**Staff Reviewers:** Taryn Toyama, [taryn.toyama@alexandriava.gov](mailto:taryn.toyama@alexandriava.gov)

**PLANNING COMMISSION ACTION, MARCH 3, 2015:** On a motion by Commissioner Koenig, seconded by Commissioner Macek, the Planning Commission voted to recommend approval of the request subject to all applicable codes, ordinances, and staff recommendations; including an amendment to Condition #2. The motion carried on a vote of 6 to 0 with Commissioner Lyle absent.

Reason: The Planning Commission agreed with staff analysis and the suggested edits in the corresponding staff memo to amend portions of the staff report and Condition #2 to correct the calculation error made for the front yard setback survey along North Rosser Street.

Speakers:

Eric Teran, applicant, spoke in support of the proposal. Mr. Teran also provided the Planning Commission with new diagrams at the meeting depicting additional information on the proposed home.

Joseph Labow, realtor for the property owner, also spoke in support of the proposal.



KEY MAP



**SUP #2015-0001**  
**5447 Fillmore Avenue**





## **I. DISCUSSION**

The applicant, Eric Teran, is the contract purchaser for the property in question and requests Special Use Permit (SUP) approval to construct a new single-family dwelling on a vacant substandard lot, with modifications at 5447 Fillmore Avenue.

### **SITE DESCRIPTION**

The subject property is one vacant lot of record with 124.5 feet of lot frontage along North Rosser Street; 62.5 feet of lot frontage along Fillmore Avenue; 75 feet of depth along the north side property line; 137 feet of depth along the west side property line and total of 10,141 square feet of lot area. The subject property is surrounded by other single-family dwellings.



### **PROPOSAL**

The applicant requests SUP approval to construct a new two-story single-family dwelling on this vacant substandard lot. The proposed dwelling would measure 25 feet in overall height as measured to the average pre-construction grade with a proposed net floor area of 2,532 square feet. The applicant is also the architect for the project and plans to live in the home with his family if the SUP is approved.

The proposed home's contemporary look is designed to use significantly less energy than a typical compact mid-Atlantic regional home. The applicant is attempting to design a home using the Passive House principles developed by the Passive House Institute, US (PHIUS) and other sustainable design programs, such as LEED for Homes, Earth Craft and the Living Building Challenge. If approved for the SUP, the applicant will apply for Passive House certification from PHIUS. If he is successful in achieving this certification, the new home would be the first certified Passive House in the City of Alexandria. Currently, there are only 120 residential projects certified nationwide, and only one other home in Northern Virginia (Falls Church) has achieved this certification.

### **PARKING**

Pursuant to section 8-200(A)(1) of the Zoning Ordinance, a minimum of two standard size parking spaces are required for single-family detached dwellings. The applicant meets this requirement by providing two standard size parking spaces in the proposed detached garage.

## MASTER PLAN DESIGNATION

The proposed single-family residential use is consistent with the Alexandria West Small Area Plan which designated this property for low density residential development.

## ZONING

This is an application for construction of a dwelling on a vacant substandard lot, which qualifies for development and automatically triggers the requirement for SUP approval. Construction, on the other hand, of a dwelling on a previously developed substandard lot would only require SUP approval if the proposed dwelling would be larger, by more than 10 percent, or taller than the existing dwelling.

### ***R-20 Lot Requirements***

The subject property is located in the R-20/Single-Family Residential zone. This corner lot maintains two front yards – one facing Fillmore Avenue and one facing North Rosser Street - and requires a minimum lot size of 20,000 square feet, a lot frontage of 75 feet, and a lot width (at the front building wall) of 120 feet. The lot is substandard as to its lot area, lot frontage (facing Fillmore Avenue) and lot width at the building line (facing Fillmore Avenue).

**Table 1: Minimum R-20 Lot Requirements**

<b>Requirement</b>	<b>R-20 minimum</b>	<b>Subject Property</b>	<b>Meet Minimum?</b>
<b>Lot size</b>	<b>20,000 square feet</b>	<b>10,414 square feet</b>	<b>No</b>
<b>Lot frontage (Fillmore Ave)</b>	<b>75 feet</b>	<b>62.5 feet</b>	<b>No</b>
Lot frontage (N. Rosser St)	75 feet	124.5 feet	Yes
<b>Lot width at building line (Fillmore Ave)</b>	<b>120 feet</b>	<b>75 feet</b>	<b>No</b>
Lot width at building line (N. Rosser St)	120 feet	137 feet	Yes

Because this lot cannot meet all the minimum requirements of the R-20 zone, it is deemed substandard. However, the Zoning Ordinance does provide relief, should the lot meet the criteria detailed in section 12-401 of the Zoning Ordinance.

### ***Vacant Substandard Lot Development Eligibility Test***

Section 12-401 of the Zoning Ordinance regulates the development of vacant substandard lots. This section requires that the vacant substandard lot is a lot of record on December 28, 1951. The Zoning Ordinance states that:

*Any lot in the R-20, R-12, R-8, R-5, R-2-5 or RA residence zones, which lot was of record on December 28, 1951, and continuously thereafter, but which lot has less area or less*



*width at the front lot line or front building line than the minimum required for use in the zone where it is situated (referred to hereafter in this section as a substandard lot), may be developed only with a single-family dwelling and its accessory buildings, subject to the following provisions:*

- (A) No person has at any time from and after May 14, 1974, contemporaneously held any present or future freehold estate, except as trustee only, or an equitable interest of like quantum, in the substandard lot and in any contiguous land; and*
- (B) A special use permit is granted under the provisions of section 11-500; and*
- (C) City council, upon consideration of the special use permit, finds that the proposed development will not unreasonably impair an adequate supply of light and air to adjacent property, will not diminish or impair the established property values in the surrounding areas, and will be compatible with the existing neighborhood character.*

Based on the deed documents provided by the current owner, the subject property became a lot of record on May 17, 1946 in Fairfax County, before the City of Alexandria acquired the land (see Attachment 1). The Zoning Ordinance provides relief for the property owner because she did not knowingly create a substandard lot. Instead, the City of Alexandria annexed the land and subsequently placed the R-20 zoning over the existing subject property after 1952. Our records show that the lot was purchased by the owner, Graciela Mendizabal, on August 31, 1972 and that Ms. Mendizabal does not own any contiguous lots.

### ***Zoning Analysis***

Although the vacant lot is half the size of a typical R-20 lot, the proposed dwelling meets the R-20 requirements and adheres to the single-family infill regulations, with respect to setbacks, FAR, vision clearance, building height and threshold height, with the exception of the front yard setback along North Rosser Street. The applicant is requesting a front yard setback modification of 7.9 feet to allow for a portion of the front building wall (2.4 feet) and front porch (5.5 feet) in the required front yard setback based on the prevailing blockface survey. Although the applicant is requesting the front yard modification for the setback to be reduced to 47.1 feet along North Rosser Street, the entire home is setback further than the original front yard setback requirement of the R-20 zone, which had only required 40 feet before the adoption of the single-family infill regulations, and more importantly, the setback reduction is modest at the main building wall and is necessitated by the lot's substandard width.

Additional zoning elements of the proposal are listed in Table 2 below.

**Table 2. R-20 Zoning Table**

	<b>Required</b>		<b>Proposed</b>
Front Yard (N. Rosser)	54.4 ft*		<b>47.1 ft</b>
Front Yard (Fillmore)	48.6 ft*		52.3 ft
Side Yard (north)	1:2 with 12 ft min	12 ft	37.1 ft
Side Yard (west)	1:2 with 12 ft min	12 ft	12.1 ft
Building Height	Maximum 25 ft		25 ft
Threshold Height	4 ft**		3.4 ft
FAR	Max: 0.25 or 2,535 sq. ft		0.249 or 2,532 sq. ft
Parking	2 standard spaces		2 standard spaces
Parking/Driving in Required Yard	Max: 50 percent		Less than 50 percent

\* Determined by front yard setback blockface survey.

\*\* Determined by threshold blockface survey.

Section 12-401(C) requires that the construction project, if approved, will not unreasonably impair an adequate supply of light and air, will not diminish or impair the established property values in the surrounding areas, and will be compatible with the existing neighborhood character.

## **II. STAFF ANALYSIS**

Staff supports the applicant's proposal to develop this vacant substandard lot with a new single-family dwelling with the modification to the front yard along North Rosser Street. This property has been a lot of record since on December 28, 1951. The property owner did not knowingly create a substandard lot. Instead, the City of Alexandria annexed the land from Fairfax County and placed the R-20 zoning over the existing subject property after 1952. The applicant has demonstrated that the proposed home will not unreasonably impair an adequate supply of light and air, will not diminish or impair the established property values in the surrounding areas, and will be compatible with the existing neighborhood character as required by section 12-401(C) of the Zoning Ordinance. Additionally, the applicant has worked with staff to revise his plans to address architecture as well as zoning requirements. The final proposal, discussed here, addresses staff's concerns.

### ***Light and Air Adequacy***

As previously analyzed in the Zoning section of this report, the proposed design of the new home will more than meet the side yard setbacks established by the R-20 zone maintaining adequate light and air to the adjacent parcels. The single-family infill regulations also ensure that the home will not be more than 25 feet tall, a standard created by the infill regulations as being an acceptable maximum height for a two-story dwelling in a changing neighborhood landscape.

The applicant has also determined the prevailing front yard setback for both Fillmore Avenue and North Rosser Street. Since the subject lot is a corner lot, it has even more restrictions than a normal interior vacant substandard lot, which only has one front yard to consider. The two prevailing front yard setbacks are 54.4 feet on North Rosser Street and 48.6 feet on Fillmore Avenue. The corner lot has a 100 foot vision clearance requirement at the corner of the lot that must remain unobstructed. The applicant complies with the front yard setback along Fillmore Avenue, as well as maintaining an unobstructed vision clearance, further maintaining minimal impact on light and air for adjacent parcels. The applicant requests a minor modification to the prevailing front yard setback along North Rosser Street to allow a small portion of the building wall and a front porch to be in the required front yard setback. Staff does not have any objections to this modification, since the majority of the building mass would sit behind the prevailing front yard setback line along North Rosser Street, and the lot's width makes compliance nearly impossible. The proposed house is only one room wide even with the requested modification.

The proposed Passive House design relies heavily on the natural light and air to create energy efficient heating and cooling during the winter and summer months, respectively. The applicant consciously designed the home to take full advantage of light and air, therefore creating minimal impact on neighboring homes.

### ***Property Values***

The City's Real Estate Department assessed the subject lot as a vacant substandard lot. It was not until September 2014 that the current owners produced evidence that the lot was a lot of record on December 28, 1951, allowing the vacant lot to be developed with an approved SUP. With the development on the new home on this vacant lot, the assessed value for the property will increase, creating real estate tax revenue as well as an increase in assessed value of the neighborhood.

### ***Neighborhood Compatibility***

The overall height, threshold height, architectural character and placement of the house on the lot are appropriate in this neighborhood. The new home is consistent in scale with existing homes in the neighborhood including immediately adjacent homes, while adhering to the single-family infill regulations applied by the R-20 zone.

The Dowden Terrace neighborhood has a variety of house styles and sizes. There is not a strong or singular design character in this neighborhood. Additionally, the bulk and placement of the homes along both Fillmore Avenue and North Rosser Street are also varied due to changes in zone and standard lot sizes.

Many of the lots along Fillmore Avenue to the east and west of the subject property are considered developed substandard lots in the R-20 zone. These lots were created prior to the City of Alexandria's annexation of the land in 1952, creating an undue restriction to the building bulk and placement since many of the lots are far smaller than the standard 20,000 square foot minimum. Conversely, the homes along North Rosser Street have a very different character. To the north of the subject property are standard R-20 lots, whereas the lots to the south change to



the R-12 zone, yielding larger houses due to a higher FAR allowance. Despite the varied lot sizes and changing zones, the applicant is proposing a new home that will fall in-line with many of the homes along both Fillmore Avenue and North Rosser Street by complying with the single-family infill regulations for height and bulk.

**Figure 1. Proposed Home and Existing Lot**

*\*Proposed view from Fillmore Avenue and North Rosser Street intersection.*



The bulk and massing of the proposed home is compatible with the homes along North Rosser Street, where the front door would be located. The proposed home would offer 2,532 net square feet of floor area, which is slightly less than the total 2,535 square feet allowed floor area for the site. The height for the proposed home meets the single-family infill requirement by proposing a building height of 25 feet above average pre-construction finished grade. The height and gable roof design are appropriate for a two-story dwelling in the neighborhood, as adjacent homes on Fillmore Avenue and North Rosser Street maintain similar two-story gable designs (see Figure 2). The applicant is also proposing a front door threshold height of 3.1 feet along North Rosser Street, which is 1.1 feet lower than the average threshold height along the blockface. While the resulting dwelling is taller than the adjacent home on Fillmore Avenue, staff concluded that the new home is still compatible with the overall neighborhood, where a number of homes are two-stories. Therefore, the new home would be compatible with the current neighborhood character in terms of bulk and height.

**Figure 2: Neighborhood Context**



### ***Design of Proposed House***

There is not a strong or singular neighborhood character that defines the surrounding neighborhood. A number of the homes in the neighborhood have redeveloped over the past 15 years. Some homes were built before the single-family infill regulations were adopted; yielding bulky homes with varied design elements, such as multiple gables and high-pitched ridgelines (see Figure 3). Homes redeveloped after the single-family infill design guidelines are much more appropriate in bulk, siting and height, as seen in Figure 4; however the architectural styles are still varied, creating a neighborhood lacking a strong defining character.



**Figure 3: Neighborhood Homes Redeveloped Pre-Infill Regulations**



*2710 N. Rosser St*



*2716 N. Rosser St*

**Figure 4: Neighborhood Homes Redeveloped Post-Infill Regulations**



*2910 N. Rosser St*



*2702 N. Rosser St*

With the impact of building a new home on a lot that has been vacant for nearly 70 years, the applicant, who is also the architect for the project, designed a home to create as little impact, both environmentally and visually, on the neighborhood as possible. The home is designed to be as energy efficient as possible by using the sunlight to naturally illuminate and warm the interior space thereby minimizing the need for fuels. Attachment 4 details the applicant's plans to utilize natural light, as well as his plans to install solar panels on the roof. Additionally, the exterior finishes of the home mimic existing materials of the adjacent homes such as siding and brick. The construction materials for the home are proposed to be sourced regionally and may include use of recycled materials, such as wood floors. The applicant also plans to maintain as many existing trees as possible on the site, while also utilizing native plants to conserve water usage. Inside the home, the applicant plans to install Energy Star rated appliances and low-flow water fixtures to further reduce the environmental impact of a new home.

The greatest restriction on the applicant's design was the siting of the home, which was determined by the front yard setback surveys for both Fillmore Avenue and North Rosser Street. The applicant worked with staff to determine the building envelope for the new home, and then proceeded to design a home that "placed a majority of the windows facing south and the fewest



facing west to help heat the home in the winter and provide natural light throughout the day,” as explained on page 4 of Attachment 4, while still adhering to the setbacks set by the single-family infill regulations and the R-20 zone. Staff finds that the overall home design is highly compatible with the neighborhood. Staff added recommended conditions to ensure that construction would follow appropriate regulations and practices.

With these conditions, staff recommends APPROVAL of the SUP for the proposed new house.

### III. RECOMMENDED CONDITIONS

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

1. The design and placement of the dwelling shall be substantially consistent with illustrations dated February 9, 2015 to the satisfaction of the Director of Planning & Zoning. (P&Z)
2. **CONDITION AMENDED BY PLANNING COMMISSION:** A modification shall be granted to allow the front yard setback of ~~46.5~~ **47.1** feet facing North Rosser Street, where ~~53.8~~ **54.4** feet is required from the curb face. (~~P&Z~~) (**PC**)
3. As part of the grading plan, trees must be planted or existing trees preserved to provide a minimum of 25 percent canopy cover over the site. (P&Z)
4. Building, trade permits and inspections are required to construct single-family home on substandard lot. (Code)
5. Applicant shall be responsible for repairs to the adjacent city right-of-way if damaged during construction activity. (T&ES)
6. No permanent structure may be constructed over any existing private and/or public utility easements. It is the responsibility of the applicant to identify any and all existing easements on the plan. (T&ES)
7. New curb cut must be approved by T&ES prior to release of the grading plan. (T&ES)
8. The existing sidewalk along North Rosser Street shall be extended along the frontage of the site. The sidewalk shall be shown on the grading plan. (T&ES)
9. A GRADING PLAN showing all improvements and alterations to the site shall be required prior to any land disturbing activities and must be approved prior to issuance of a building permit. (Sec.5-6-224) (T&ES)
10. An erosion and sediment control plan must be approved by T&ES prior to any land disturbing activity greater than 2500 square feet. An erosion and sediment control bond shall be posted prior to release of the grading plan. (Sec.5-4-1.1) (T&ES)

11. The applicant shall comply with the provisions of the City's Environmental Management Ordinance (Article XIII of the City's Zoning Ordinance) current at the time of grading plan submittal. (T&ES)
12. 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)
13. Roof, surface and sub-surface drains shall be connected to the public storm sewer system, if available, by continuous underground pipe. Where storm sewer is not available applicant must provide a design to mitigate impact of stormwater drainage onto adjacent properties and to the satisfaction of the Director of Transportation & Environmental Services. (Sec.5-6-224)
14. All secondary utilities serving this site shall be placed underground. (Sec. 5-3-3) (T&ES)
15. Pay sanitary sewer connection fee prior to release of Grading Plan. (Sec. 5-6-25) (T&ES)
16. Any work within the right-of-way requires a separate permit from T&ES. (Sec. 5-361) (T&ES)
17. 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)

STAFF: Taryn Toyama, Urban Planner;  
Alex Dambach, Division Chief;  
Peter Leiberg, Zoning Manager.

**ATTACHMENTS:**

Attachment 1: Deed Research  
Attachment 2: Plat Maps & Survey Data  
Attachment 3: Proposed Floor Plans and Elevations  
Attachment 4: Proposed Renderings and Design Diagrams  
Attachment 5: SUP Application

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Staff Note: In accordance with section 11-506(c) of the zoning ordinance, construction or operation shall be commenced and diligently and substantially pursued within 36 months of the date of granting of a special use permit by City Council or the special use permit shall become void.

#### IV. CITY DEPARTMENT COMMENTS

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

##### Transportation & Environmental Services:

- R-1 Applicant shall be responsible for repairs to the adjacent city right-of-way if damaged during construction activity. (T&ES)
- R-2 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)
- R-3 New curb cut must be approved by T&ES prior to release of the grading plan. (T&ES)
- R-4 The existing sidewalk along North Rosser Street shall be extended along the frontage of the site. The sidewalk shall be shown on the grading plan. (T&ES)
- C-1 A GRADING PLAN showing all improvements and alterations to the site shall be required prior to any land disturbing activities and must be approved prior to issuance of a building permit. (5-6-224) (T&ES)
- C-2 An erosion and sediment control plan must be approved by T&ES prior to any land disturbing activity greater than 2500 square feet. An erosion and sediment control bond shall be posted prior to release of the grading plan. (Sec.5-4-1.1) (T&ES)
- C-3 The applicant shall comply with the provisions of the City's Environmental Management Ordinance (Article XIII of the City's Zoning Ordinance) current at the time of grading plan submittal. (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 Roof, surface and sub-surface drains shall be connected to the public storm sewer system, if available, by continuous underground pipe. Where storm sewer is not available applicant must provide a design to mitigate impact of stormwater drainage onto adjacent properties and to the satisfaction of the Director of Transportation & Environmental Services. (Sec.5-6-224)
- C-6 All secondary utilities serving this site shall be placed underground. (Sec. 5-3-3) (T&ES)
- C-7 Pay sanitary sewer connection fee prior to release of Grading Plan. (Sec. 5-6-25) (T&ES)
- C-8 Any work within the right-of-way requires a separate permit from T&ES. (Sec. 5-361) (T&ES)



- C-9 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)

Code Enforcement:

- F-1 The following comments are for SUP. Once the applicant has filed for a building permit and additional information has been provided, code requirements will be based upon that information and the building permit plans. If there are any questions, the applicant may contact Charles Cooper, Plan Review Division at Charles.cooper@alexandriava.gov or 703-746-4197.
- C-1 Building, trade permits and inspections are required to construct single-family home on substandard lot.

Fire Department:

- F-1 No comments or concerns.

Health:

- F-1 No comments received.

Parks and Recreation:

- F-1 No comments received.

Police Department:

- F-1 No comments received.

497 514

dated May 25, 1946, and acknowledged the same.

Given under my hand this 25th day of May, 1946.

*James L. Chestnut*  
Notary Public as aforesaid.

In the Clerk's Office of the Circuit Court of Fairfax County,  
Virginia, JUL 13 1946 at P.M.

This Instrument was received and, with the certificate annexed, admitted to record

Teste:

*Thomas H. Chapman, J.* Clerk

5-17-46

DOWDEN  
TO

C. E. MUTERSPAUGH  
AND  
INEZ S. MUTERSPAUGH

August 10, 1946-Mailed to:  
Mr. Cecil E. Muterspaugh  
Route 16-Box 514  
Alexandria, Va.

THIS DEED made and entered into this 17th day of May, 1946, by and between WALTER D. DOWDEN and LUCY M. DOWDEN, his wife, parties of the first part; and CECIL E. MUTERSPAUGH and INEZ S. MUTERSPAUGH, his wife, parties of the second part.

WITNESSETH: That the parties of the first part, for and in consideration of the sum of Ten Dollars, the receipt of which is hereby acknowledged, do grant, bargain, sell and convey, with general warranty of title, unto the parties of the second part, as joint tenants as hereinafter set forth, with all rights, ways, easements and improvements thereunto belonging, that certain lot or parcel of land in Falls Church Magisterial District, Fairfax County, Virginia, bounded and described according to a recent survey of O. A. Paternoster, C. E., as follows:

"THE POINT OF BEGINNING:- is an iron pipe marking the northwesterly boundary line of Seminary Drive 30 feet wide; said point of beginning being N. 40° 45' E. a distance of 347.85 feet from the northeasterly boundary line of Davis Avenue 30 feet wide; said boundary line being N. 31° 28' W. a distance of 18.01 feet from the center of said Seminary Drive marking the southwesterly corner of the entire tract; thence with the said point of beginning departing said boundary line of said Drive and running through the tract of Walter D. Dowden N. 29° 16' W. a distance of 155.00 feet to an iron pipe; thence turning and running N. 60° 45' E. a distance of 75.00 feet to an iron pipe marking the southwesterly boundary line of a right of way easement 50 feet wide; thence turning and running along the said boundary line of said easement S. 29° 16' E. a distance of 155.00 feet to an iron pipe marking the intersection with said Seminary Drive; thence turning and running along the said northwesterly boundary line of said Drive S. 60° 45' W. a distance of 75.00 feet to the point of beginning, all bearings being from the true meridian and the parcel of land forming a rectangle having an area of 11,625 square feet or 0.26687 of an acre."

(FAIRFAX  
DEED)

11625 sq. ft.

A plat of said land is attached hereto and made a part hereof.

The said land is a part of that certain parcel of land containing 34.24 acres, which was conveyed to the said Walter D. Douden by Thomas Terrett and wife, by deed dated the 24th day of December, 1920, and recorded in Liber 8, No. 8, page 570 of the land records of said County.

Reference is made to said deed for a more particular description of the said land hereby conveyed.

The said lot is conveyed subject to the following reservations and restrictions which shall be deemed covenants running with the land:

- (1) That no dwelling or residence costing less than \$5,000.00 to construct, shall be erected on said lot.
- (2) That neither the said lot, nor any interest therein, shall be sold, leased, conveyed, or devised to, or occupied by any person not of the Caucasian Race.
- (3) That no outside toilet shall be used or constructed on said lot.

To have and to hold the said land unto the parties of the second part, as joint tenants with the right of survivorship retained, it being expressly understood and agreed that the part of the one first dying shall pass and belong to the survivor in fee simple.

The parties of the first part covenant that they have the right to convey the said land; that they have done no act to encumber the same; that the parties of the second part shall have quiet and peaceable possession thereof, free from defect or encumbrance; and that they will execute such other and further assurances thereof as may be requisite.

WITNESS the following signatures and seals:



Walter D. Douden (SEAL)

Lucy M. Douden (SEAL)



State of Virginia,  
County of Fairfax, to-wit:

I, J. B. Dowden, a Notary Public in and  
for the County of Fairfax, Virginia, whose commission as such will  
expire on the 25 day of Nov., 1948, do hereby  
certify that this day personally appeared before me in my County  
and State aforesaid, WALTER D. DOWDEN and LUCY M. DOWDEN, his wife,  
whose names are signed to the foregoing and hereto annexed deed,  
bearing date of the 17th day of May, 1946, and acknowledged the  
same before me.

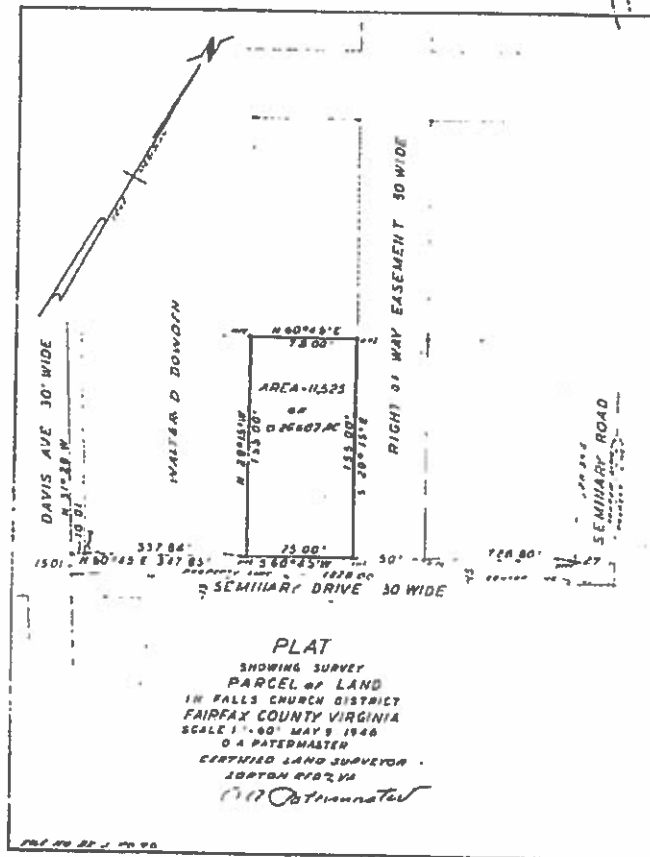
GIVEN under my hand this 16 day of May, 1946.

J. B. Dowden  
Notary Public as aforesaid.

In the Clerk's Office of the Circuit Court of Fairfax County,  
Virginia, JUL 13 1946 at 9:46 A.M.  
with plat attached  
This Instrument was received and, with the certificate an-  
nexed, admitted to record

Teste:

Thomas S. Chapman, Jr. Clerk



Photographed at 100%

1038 836

8408

THIS DEED HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE EXAMINATION.

THIS DEED, made this 27th day of October, 1961, by and between REYNALDO MENDIZABAL and GRACIELA MENDIZABAL, his wife, parties of the first part; and THE CITY OF ALEXANDRIA, a Municipal Corporation of Virginia, party of the second part;

WITNESSETH, that for and in consideration of the sum of Ten Dollars (\$10.00) cash in hand paid, and other good and valuable considerations; the receipt of which is hereby acknowledged, said parties of the first part do hereby grant, bargain, sell and convey, with GENERAL WARRANTY OF TITLE, unto the said party of the second part, all of that certain parcel of land situate in the City of Alexandria, Virginia, more particularly described as follows:

Beginning at the intersection of the north side of Fillmore Avenue and the west side of Rosser Street, the southeast corner of the land of Reynolds Mendizabal and Graciella Mendizabal, Deed Book 745, page 621, thence with the side of Fillmore Avenue, S60°45' W 75.00 feet; thence N 29°15' W, 18.00 feet; thence departing from the side of Fillmore Avenue and running through the land of Mendizabal, N 60°45' E, 50.00 feet; thence 39.27 feet along the arc of a curve to the left having a radius of 23.00 feet and a chord bearing of N 15°45' E for 33.36 feet to the east side of Rosser Street; thence with the side of Rosser Street S 29°15' E, 47.00 feet to the point of beginning and containing 1484 square feet.

AND BEING PART of the same property conveyed to the parties of the first part by Deed recorded in Deed Book 745 at page 621 among the land records of said City.

This conveyance is made subject, however, to restrictions and conditions contained in the deeds forming the chain of title to this property.

The said parties of the first part covenant that they have the right to convey the said land to the said party of the second part; that they have done no act to encumber the same;

HOWARD, STEVEN  
CASE, RICHARD  
HOWARD, P. C.  
100 NORTH 1ST STREET  
ALEXANDRIA, VIRGINIA  
22304

(City  
of  
Alex)

that the said party of the second part shall have quiet possession of said land, free from all encumbrances, and that they, the said party of the first part, will execute such further assurances of title to the said land as may be requisite.

WITNESS the following signatures and seals:

Reynaldo Mendizabal (SEAL)  
REYNALDO MENDIZABAL

Graciela Mendizabal (SEAL)  
GRACIELA MENDIZABAL

STATE OF VIRGINIA  
RT 1226E  
CITY OF ALEXANDRIA, to-wit:

I, Lloyd A. Poplin, a Notary Public, in and for the State and City aforesaid, whose commission expires on the 16th day of JANUARY, 1984, do hereby certify that REYNALDO MENDIZABAL and GRACIELA MENDIZABAL, whose names are signed to the foregoing Deed, bearing date on the 27th day of October, 1981, have acknowledged the same before me in the State and City aforesaid.

GIVEN under my hand this 27th day of OCTOBER, 1981.

Lloyd A. Poplin  
NOTARY PUBLIC

11/1/81  
LLOYD A. POPLIN



HOWARD STEVENS  
CASE, RHODES &  
HOWARD, P.C.  
120 NORTH FIFTH STREET  
ALEXANDRIA, VA 22304

CURVE DATA	NO.	RADIUS	DELT.	TANGENT	ARC	CHORD	CHORD BEARING
	1	1399	70° 50' 00"	23.66'	27.77'	33.96'	

1038 8:38

PA4266  
1000-01-EG

ALICE STEWART

2431 WILSON AVENUE

PARCEL  
70.03-01-27

REYNALDO MENDIZAL  
AND  
GRACIELA MENDIZAL  
(Dora Elena Ramirez)  
20, 749, 24 621  
3493 Francisco Avenue

\* 3493 FRODOEN & SONS

POSSIBLE STREET

FILLMORE AVENUE

**APPROVED**

DIRECTOR, TRANSPORTATION & ENVIRONMENTAL SERVICES, DATE 9-17-82

DIRECTOR, PLANNING & COMMUNITY DEVELOPMENT.

DATE  
11/78

11/78



SHOWING THE LAND REQUIRED FOR STREET WIDENING PURPOSES BY THE  
CITY OF ALEXANDRIA, VIRGINIA FROM

REYNALDO MENIZABAL and GRACIELA MENDIZABAL  
CITY OF ALEXANDRIA, VIRGINIA FROM  
1978 SCALE: 1" = 25'

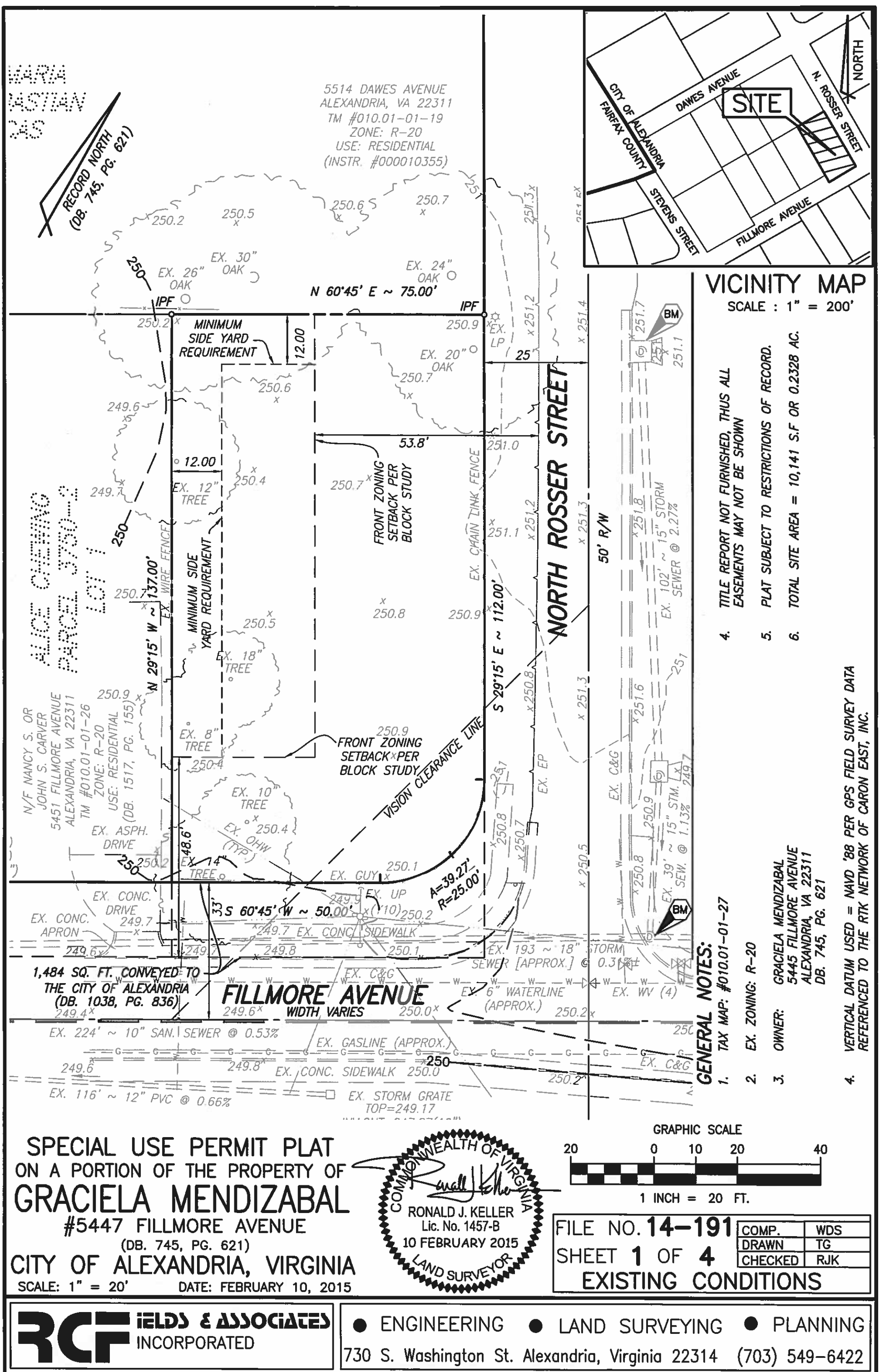
DATE: MARCH 1, 1978 SCALE: 1" = 25' DRAWN: DMA RECORDED IN D.B.        PAGE       

DEPARTMENT OF TRANSPORTATION & ENVIRONMENTAL SERVICES  
ALEXANDRIA, VIRGINIA

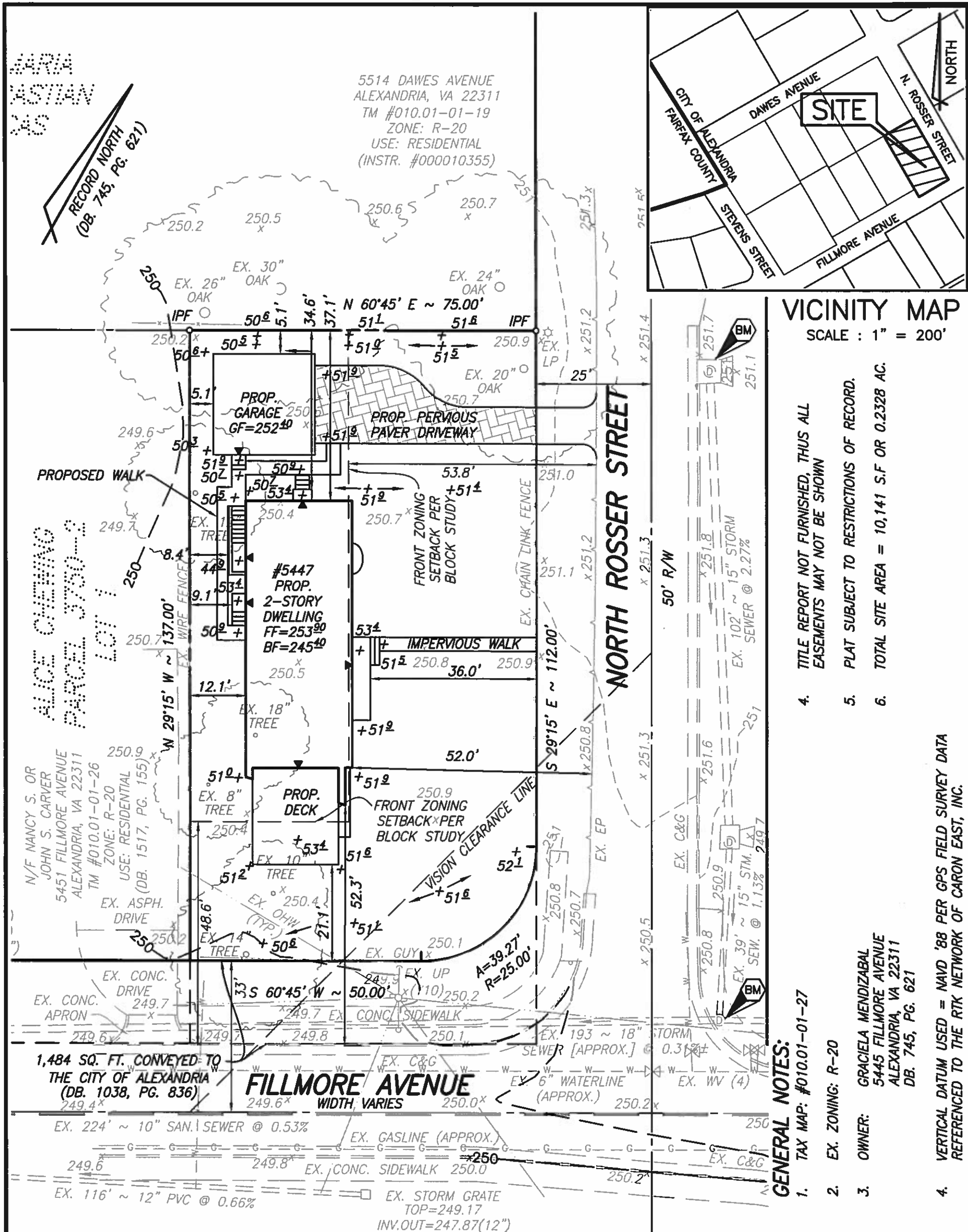
Page 77-476

ROW, 1772

Small Plat 78-000







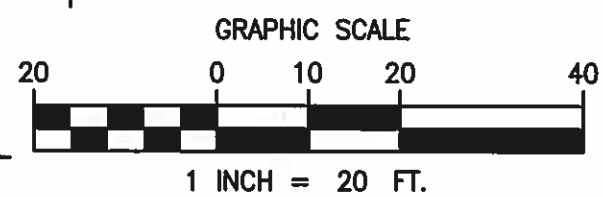
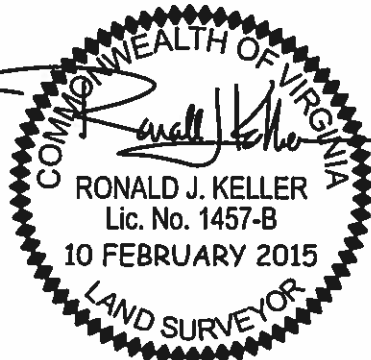
**VICINITY MAP**  
SCALE : 1" = 200'

4. TITLE REPORT NOT FURNISHED, THUS ALL EASEMENTS MAY NOT BE SHOWN
5. PLAT SUBJECT TO RESTRICTIONS OF RECORD.
6. TOTAL SITE AREA = 10,141 S.F OR 0.2328 AC.

**GENERAL NOTES:**

1. TAX MAP: #010.01-01-27
2. EX. ZONING: R-20
3. OWNER: GRACIELA MENDIZABAL  
5445 FILLMORE AVENUE  
ALEXANDRIA, VA 22311  
DB. 745, PG. 621
4. VERTICAL DATUM USED = NAVD '88 PER GPS FIELD SURVEY DATA REFERENCED TO THE RTK NETWORK OF CARON EAST, INC.

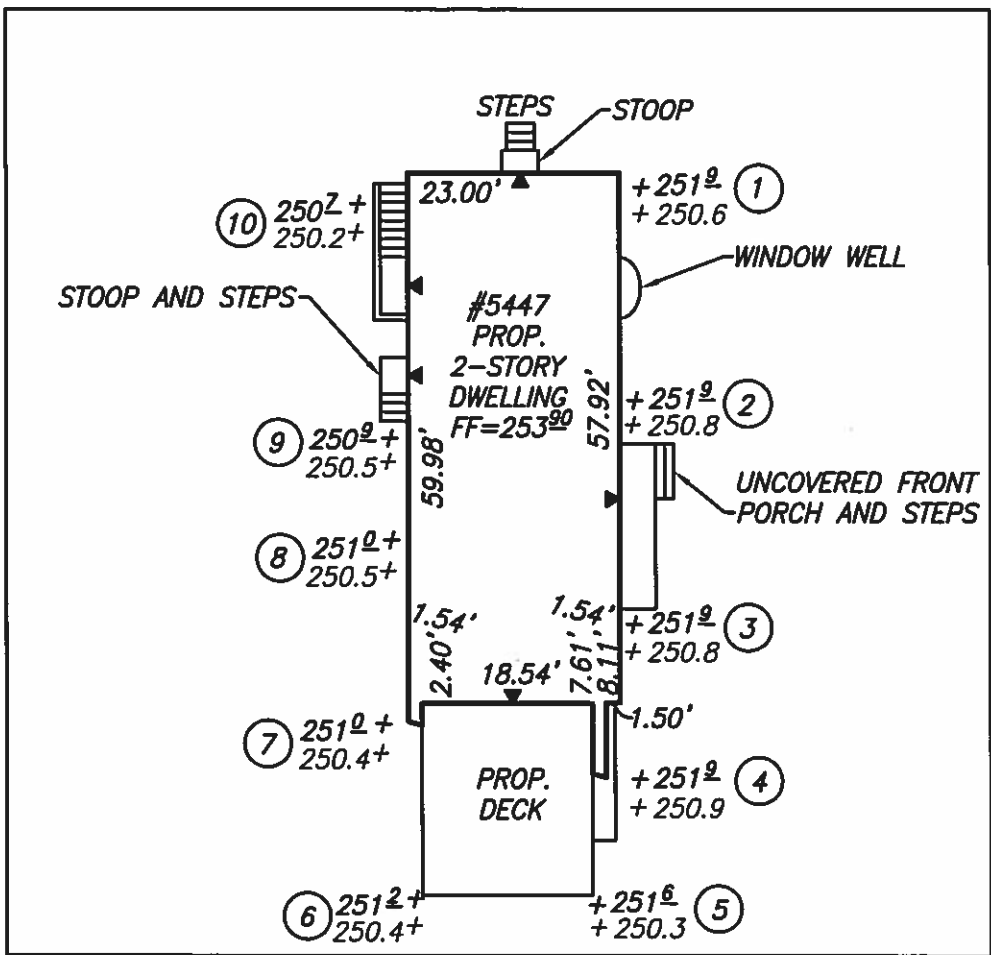
**SPECIAL USE PERMIT PLAT**  
ON A PORTION OF THE PROPERTY OF  
**GRACIELA MENDIZABAL**  
#5447 FILLMORE AVENUE  
(DB. 745, PG. 621)  
**CITY OF ALEXANDRIA, VIRGINIA**  
SCALE: 1" = 20'      DATE: FEBRUARY 10, 2015



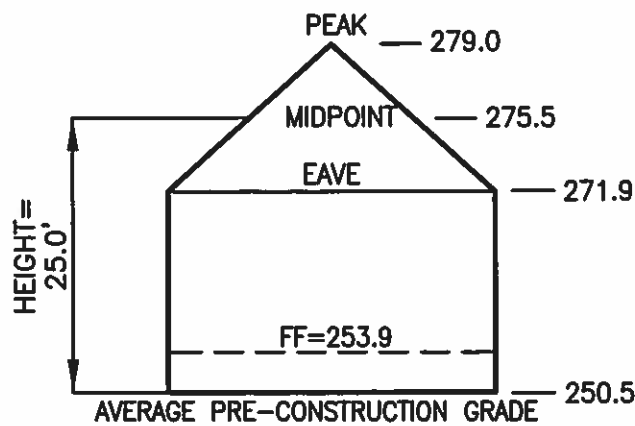
FILE NO. <b>14-191</b>	
SHEET <b>2</b> OF <b>4</b>	
<b>PROPOSED CONDITIONS</b>	
COMP.	WDS
DRAWN	TG
CHECKED	RJK

**IELDS & ASSOCIATES**  
INCORPORATED

● ENGINEERING    ● LAND SURVEYING    ● PLANNING  
730 S. Washington St. Alexandria, Virginia 22314    (703) 549-6422

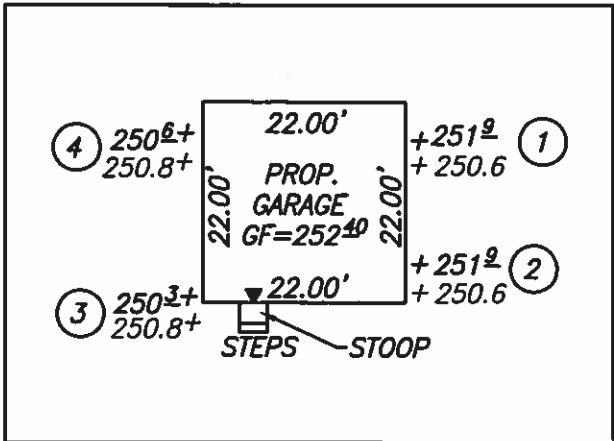


DWELLING DETAIL  
SCALE: 1" = 20'

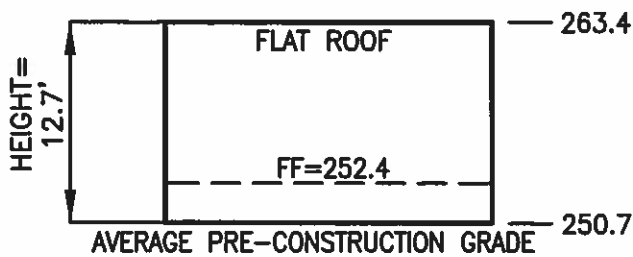


SPOTS	PRE- ELEVATION	POST- ELEVATION
1	250.6	251.9
2	250.8	251.9
3	250.8	251.9
4	250.9	251.9
5	250.3	251.6
6	250.4	251.2
7	250.4	251.0
8	250.5	251.0
9	250.5	250.9
10	250.2	250.7
SUM:	2505.4	2514.0
AVERAGE:	250.5	251.4

DWELLING HEIGHT CALCULATION				
AVERAGE PRE-CONST. GRADE	ROOF EAVE ELEVATIONS	PEAK ROOF (HIGHEST RIDGE) ELEVATION	ROOF MIDPOINT (ROOF HEIGHT) ELEVATION	PROPOSED DWELLING HEIGHT
250.5	271.9	279.0	275.5	25.0



GARAGE DETAIL  
SCALE: 1" = 20'



SPOTS	PRE- ELEVATION	POST- ELEVATION
1	250.6	251.9
2	250.6	251.9
3	250.8	250.3
4	250.8	250.6
SUM:	1002.8	1004.7
AVERAGE:	250.7	251.2

GARAGE HEIGHT CALCULATION				
AVERAGE EXISTING GRADE	ROOF EAVE ELEVATIONS	PEAK ROOF (HIGHEST RIDGE) ELEVATION	ROOF MIDPOINT (ROOF HEIGHT) ELEVATION	PROPOSED DWELLING HEIGHT
250.7	263.4	263.4	263.4	12.7

SPECIAL USE PERMIT PLAT  
ON A PORTION OF THE PROPERTY OF  
**GRACIELA MENDIZABAL**

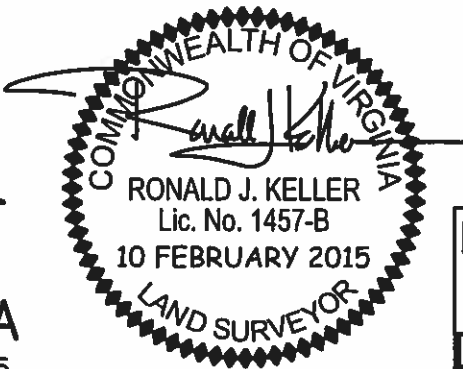
#5447 FILLMORE AVENUE

(DB. 745, PG. 621)

CITY OF ALEXANDRIA, VIRGINIA

SCALE: 1" = 20'

DATE: FEBRUARY 10, 2015



FILE NO. 14-191

SHEET 3 OF 4

DETAILS AND HEIGHT CALCS

COMP.	WDS
DRAWN	TG
CHECKED	RJK

**RCF** **IELDS & ASSOCIATES**  
INCORPORATED

● ENGINEERING ● LAND SURVEYING ● PLANNING

730 S. Washington St. Alexandria, Virginia 22314 (703) 549-6422

Front Setback Data									
FILLMORE AVENUE				NORTH ROSSER STREET			* DENOTES DAWES AVENUE ADDRESS		
Setback From				Setback From			** DENOTES STEVENS STREET ADDRESS		
Address # Face of Curb				Address # Face of Curb			*** DENOTES FILLMORE AVENUE ADDRESS		
5445	43.5			2910	54.0				
5451	40.7			5511	* 51.0				
5453	58.2			5514	* 64.0				
5465	45.1			2720	49.3				
5460	58.5			2617	** 50.1				
5444	47.3			5445	*** 53.1				
5432	47.0	AVERAGE =	48.6	5468	* 55.0	AVERAGE =	53.8		
Lot width									
FILLMORE AVENUE				NORTH ROSSER STREET					
Width at				Width at					
Address # Front Setback				Address # Front Setback					
5445	76.8			2910	93.8				
5451	69.3			5511	* 110.0				
5453	69.3			5514	* 155.0				
5465	69.3			2720	164.0				
5460	117.5			2617	** 153.5				
5444	50.0			5445	*** 155.0				
5432	88.0			5468	* 155.0				
		AVERAGE =	77.2			AVERAGE =	140.9		
Threshold Height Data									
A	B	C	D	E	F	G	H	I	
		1st Floor	Bottom	Top	(C-B)	(D-B)	(E-B)	(G+H)/2	
FILLMORE AVENUE		Threshold	of Roof	of Roof	Distance	Distance	Distance		
Address #	Ground	Elevation	Elevation	Elevation	Ground to	Ground to	Ground to	Building	
	Elevation				1st Floor	Bottom of Roof	Top of Roof	Height	
5445	0.0	4.7	N/A	N/A	4.7	N/A	N/A	N/A	
5451	0.0	3.3	N/A	N/A	3.3	N/A	N/A	N/A	
5453	0.0	2.3	N/A	N/A	2.3	N/A	N/A	N/A	
5465	0.0	2.8	N/A	N/A	2.8	N/A	N/A	N/A	
5460	0.0	3.3	N/A	N/A	3.3	N/A	N/A	N/A	
5444	0.0	1.6	N/A	N/A	1.6	N/A	N/A	N/A	
5432	0.0	4.0	N/A	N/A	4.0	N/A	N/A	N/A	
AVERAGE	0.0	3.1	N/A	N/A	3.1	N/A	N/A	N/A	
				x1.2=	3.7	USE 25' MAX.			
NORTH ROSSER STREET		1st Floor	Bottom	Top	Distance	Distance	Distance		
Address #	Ground	Threshold	of Roof	of Roof	Ground to	Ground to	Ground to	Building	
	Elevation	Elevation	Elevation	Elevation	1st Floor	Bottom of Roof	Top of Roof	Height	
2910	0.0	1.6	N/A	N/A	1.6	N/A	N/A	N/A	
5511	* 0.0	1.2	N/A	N/A	1.2	N/A	N/A	N/A	
5514	* 0.0	3.6	N/A	N/A	3.6	N/A	N/A	N/A	
2720	0.0	4.6	N/A	N/A	4.6	N/A	N/A	N/A	
2617	** 0.0	4.0	N/A	N/A	4.0	N/A	N/A	N/A	
5445	*** 0.0	4.7	N/A	N/A	4.7	N/A	N/A	N/A	
5468	* 0.0	3.6	N/A	N/A	3.6	N/A	N/A	N/A	
AVERAGE	0.0	3.3	N/A	N/A	3.3	N/A	N/A	N/A	
				x1.2=	4.0	USE 25' MAX.			

**ZONING CRITERIA STUDY (FILLMORE AVENUE & NORTH ROSSER STREET):**

BASED ON A FIELD STUDY OF THE EXISTING DWELLINGS ALONG FILLMORE AVENUE AND NORTH ROSSER STREET THE FOLLOWING DWELLING CRITERIA WAS DETERMINED:

AVERAGE BLOCK THRESHOLD HEIGHT (FILLMORE AVENUE): 3.1'  
AVERAGE FRONT SETBACK FROM FACE OF CURB (FILLMORE AVENUE): 48.6'

AVERAGE BLOCK THRESHOLD HEIGHT (NORTH ROSSER STREET): 3.3'  
AVERAGE FRONT SETBACK FROM FACE OF CURB (NORTH ROSSER STREET): 53.8'

DWELLING HEIGHT ALLOWED: 25.0' (PER INFILL LOT REGULATIONS)  
DWELLING HEIGHT PROPOSED: 25.0'  
(FROM AVERAGE EXISTING GRADE OF SUBJECT PARCEL)

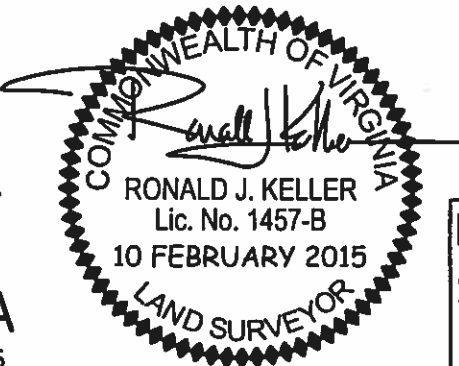
THRESHOLD HEIGHT ALLOWED: 3.3 X 1.20 = 4.0'  
THRESHOLD HEIGHT PROPOSED: 3.1'  
(FROM AVERAGE EXISTING GRADE AT FRONT OF BUILDING: 250.8)

SPECIAL USE PERMIT PLAT  
ON A PORTION OF THE PROPERTY OF  
**GRACIELA MENDIZABAL**

#5447 FILLMORE AVENUE  
(DB. 745, PG. 621)

CITY OF ALEXANDRIA, VIRGINIA

SCALE: 1" = 20'      DATE: FEBRUARY 10, 2015



FILE NO. 14-191

SHEET 4 OF 4

ZONING CRITERIA

COMP.	WDS
DRAWN	TG
CHECKED	RJK

**RCF** **IELDS & ASSOCIATES**  
INCORPORATED

● ENGINEERING ● LAND SURVEYING ● PLANNING  
730 S. Washington St. Alexandria, Virginia 22314 (703) 549-6422

TERAN - GROSS RESIDENCE

5447 FILLMORE AVE, ALEXANDRIA, VA 22311

EUSTILUS  
ARCHITECTURE  
4800 W. BRADDOCK #100  
ALEXANDRIA, VA 22304  
(703) 599-0820  
E: EUSTILUS@HOTMAIL.COM

PROJECT: 1.14 BR  
SUBJECT: SUP SUBMITTAL  
DATE: 02/09/2015

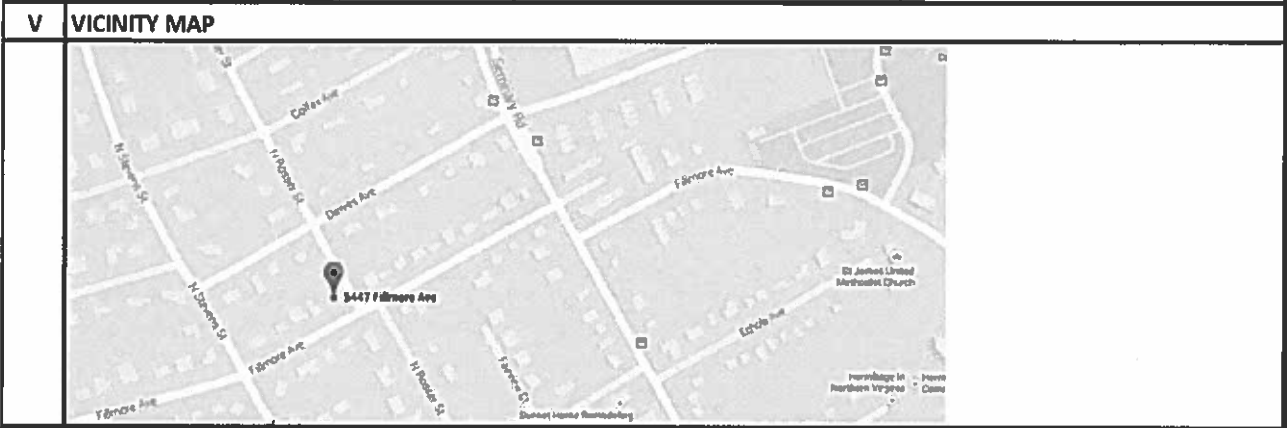


TERAN-GROSS RESIDENCE  
5447 FILLMORE AVE., ALEXANDRIA, VA 22311  
COVER SHEET

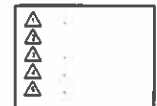
SHEET	TITLE	REV	1	ALL WORK SHALL BE IN ACCORDANCE WITH THE CODES OF THE GOVERNING AUTHORITY AND SPECIAL REQUIREMENTS OF THE BUILDING PERMIT.
A0.01	PROJECT SUMMARY, ZONING ZNALYSIS & SITE PLAN			
A1.00	SITE PLAN		2	VERIFY ALL LOCATIONS OF EXISTING UTILITIES PRIOR TO COMMENCEMENT OF ANY WORK AND VERIFY LOCATION WITH ARCHITECT.
A1.01	FIRST AND SECOND FLOOR PLANS			
A1.02	ROOF & BASEMENT PLAN			
A2.01	ELEVATIONS		2.1	CONTACT MISS UTILITY OF VIRGINIA AT 811 PRIOR TO ANY EXCAVATION.
A2.02	ELEVATIONS			
A2.03	ELEVATIONS - DETACHED GARAGE		2.2	DETERMINE LOCATION OF WATER METER, ELECTRIC AND GAS METER IN ACCORDANCE WITH SERVING UTILITY AND VERIFY LOCATION WITH ARCHITECT.
A3.01	SECTIONS			
C.1	EXISTING CONDITIONS		3	CONTRACTOR TO VERIFY ALL CONDITION AND DIMENSIONS IN THE FIELD. REPORT ANY DISCREPANCIES TO THE DESIGNER PRIOR TO STARTING THE WORK AND CONTRACTOR SHALL MAKE AND ADD ALL CORRECTIONS NECESSARY DUE TO NEGLIGENT FIELD VERIFICATION AT HIS SOLE EXPENSE.
C.2	PROPOSED CONDITIONS			
C.3	DETAILS & HEIGHT CALCS			
C.4	ZONING CRITERIA			
			3.1	CONTRACTOR TO VERIFY SIZE OF ALL FRAMED OPENINGS UPON COMPLETION OF FRAMING AND PRIOR TO ORDERING.
			3.2	THE CONTRACTOR SHALL AT ALL TIMES KEEP THE PREMISE CLEAR OF THE ACCUMULATION OF WASTE MATERIALS OR RUBBISH CAUSED BY HIS EMPLOYEES OR WORK AND AT THE COMPLETION OF THE WORK, SHALL REMOVE ALL RUBBISH, DEBRIS AND LEAVE THE WORK, "BROOM CLEAN."
			3.3	PATCH AND REPAIR ALL SURFACES DISRUPTED OR DAMAGED DURING CONSTRUCTION TO EXACTLY MATCH EXISTING ADJACENT SURFACES.
			4	ANY OMISSIONS AND CONFLICTS BETWEEN THE VARIOUS ELEMENTS OF THE WORKING DRAWINGS AND/OR SPECIFICATIONS SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT BEFORE PROCEEDING WITH ANY OF THE WORK SO INVOLVED. ALL WORK IS TO BE CO-ORDINATED SO THAT THE CO-OPERATION BETWEEN ALL TRADES, WHERE REQUIRED, IS ACCOMPLISHED.
			5	EUSTILUS ARCHITECTURE EXPRESSLY RESERVES ITS COMMON LAW COPYRIGHT AND OTHER PROPERTY RIGHTS IN THE ATTACHED DRAWINGS LISTED. THESE DRAWINGS ARE NOT TO BE REPRODUCED, CHANGED OR COPIED IN ANY FORM OR MANNER WHATSOEVER NOR ARE THEY TO BE ASSIGNED TO ANY THIRD PARTY WITHOUT FIRST OBTAINING THE EXPRESSED WRITTEN PERMISSION OF EUSTILUS ARCHITECTURE.
SHEET INDEX		04		
AFF ABOVE FINISH FLOOR BR BRICK BW BOTTOM OF WALL CBB CEMENT BACKER BOARD CFB CEMENT FIBER BOARD (E) EXISTING EP EDGE OF PAVEMENT FF FINISH FLOOR FG FINISH GRADE FS FINISH SURFACE GB GREEN BOARD GL GLASS GYP GYPSUM BOARD GPX GYPSUM BOARD 1-HR HC HOLLOW CORE P PAINT PRE PRE-FINISHED RW RETAINING WALL S STAIN SC SOLID CORE ST STONE T TILE TC TOP OF CHIMNEY TF TOP OF FENCE TR TOP OF ROOF TW TOP OF WALL WD WOOD WM WATER METER WV WATER VALVE				
DETAIL NUMBER DIRECTION INDICATOR INTERIOR ELEVATION ROOM ROOM NAME & NUMBER FINISH SYMBOL KEYNOTE WINDOW SYMBOL DOOR SYMBOL SPOT ELEVATION				

ABBREVIATIONS & SYMBOLS	03	GENERAL NOTES	02	PROJECT SUMMARY	01
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I PROPERTY INFORMATION				
	2	LEGAL DESCRIPTION	PARCEL #010.01-01	
	3	PROJECT DESCRIPTION	NEW SINGLE FAMILY RESIDNCE	
II CODE ANALYSIS				
	1	BUILDING CODES	VRC 2009	
	2	TYPE OF CONSTRUCTION	Type V-N	
	3	TYPE OF OCCUPANCY	R-3	
III ZONING				
	1	DISTRICT	Zone R20	
	2	LOT SIZE	10,141 SF	
			<u>PERMITTED/REQUIRED</u>	<u>PROPOSED</u>
	3	LOT WIDTH	120'-0"	112'-0" ALONG ROSSER ST.
	4	LOT FRONTAGE	75'-0"	75'-0" ALONG FILLMORE AVE.
	5	MAXIMUM HEIGHT	25'-0" @ MIDPOINT OF ROOF	24'-0"
	6	FRONT YARD SETBACK	SURVEY REQUIRED, SEE C.4	48'-6" FILLMORE & 52'-0" ROSSER
		SIDE YARD SETBACKS	1:2, MIN. SIZE 12'-0" MIN.	12'-0"
		REAR YARD SETBACKS	1:1, MIN SIZE OF 12'-0"	NA
	7	FAR	0.25	0.24
		FIRST FLOOR		1,301 SF
		SECOND FLOOR		1,110 SF
		TOTAL		2,411 SF
	8	BASEMENT		1,074 SF
	9	DETACHED GARAGE		484 SF
	IV EARTHWORK			
	1	EXPORTING	TBD	
	2	IMPORTING	TBD	

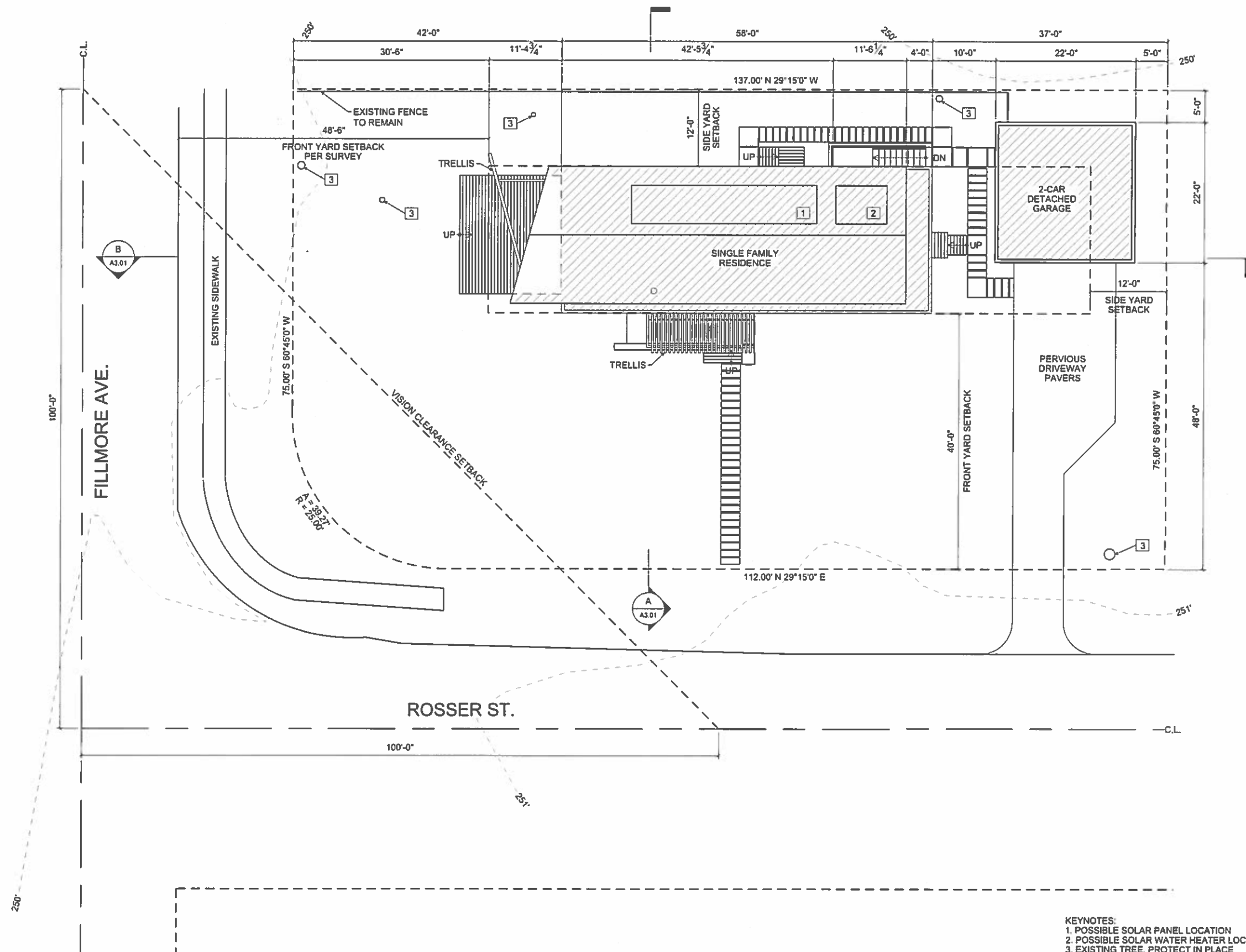


A0.01



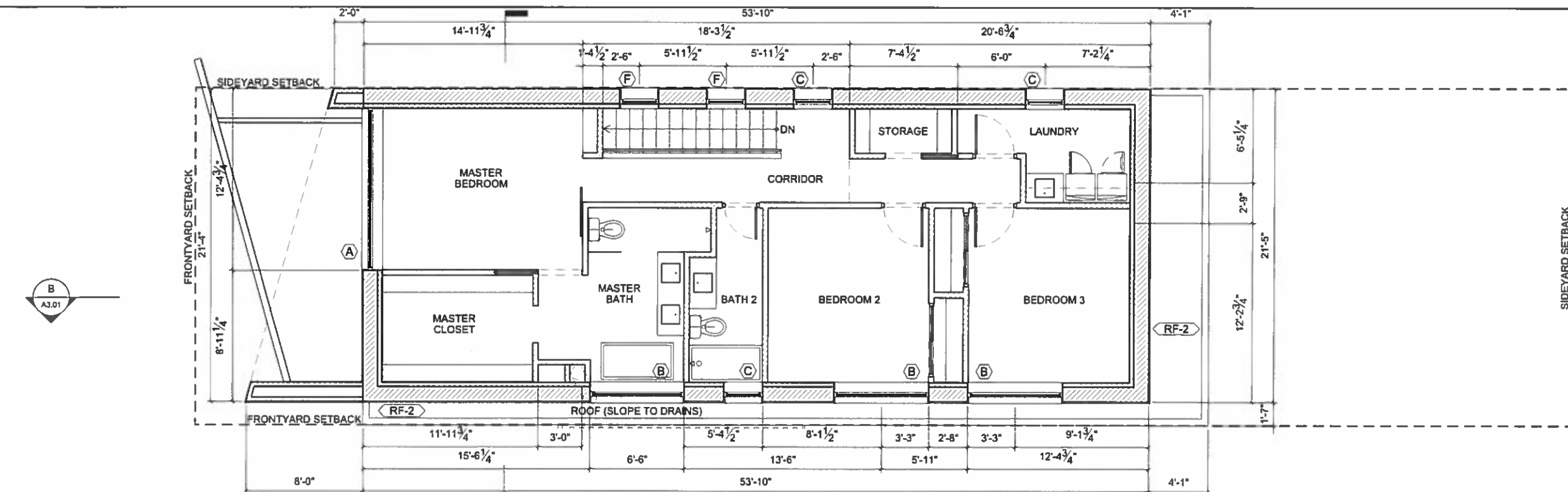
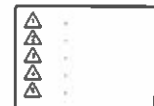
TERAN-GROSS RESIDENCE  
5447 FILLMORE AVE., ALEXANDRIA, VA 22311  
SITE PLAN

A1.00

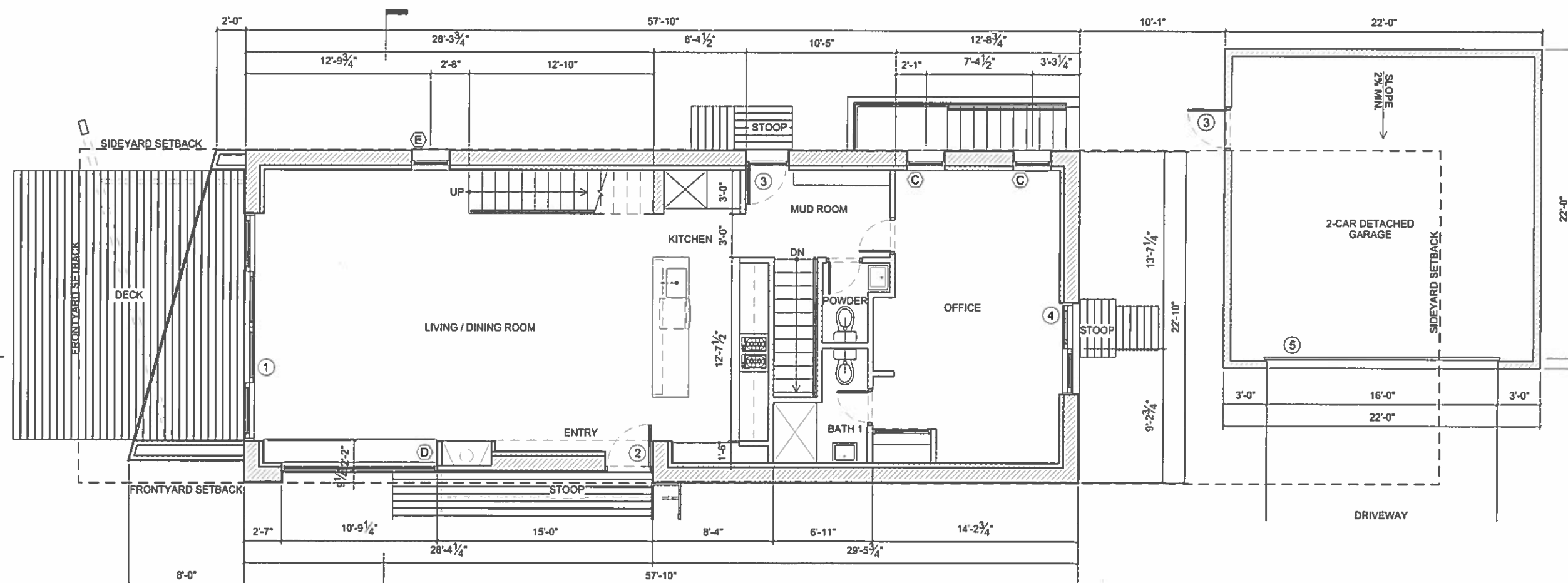


KEYNOTES:  
1. POSSIBLE SOLAR PANEL LOCATION  
2. POSSIBLE SOLAR WATER HEATER LOCATION  
3. EXISTING TREE, PROTECT IN PLACE

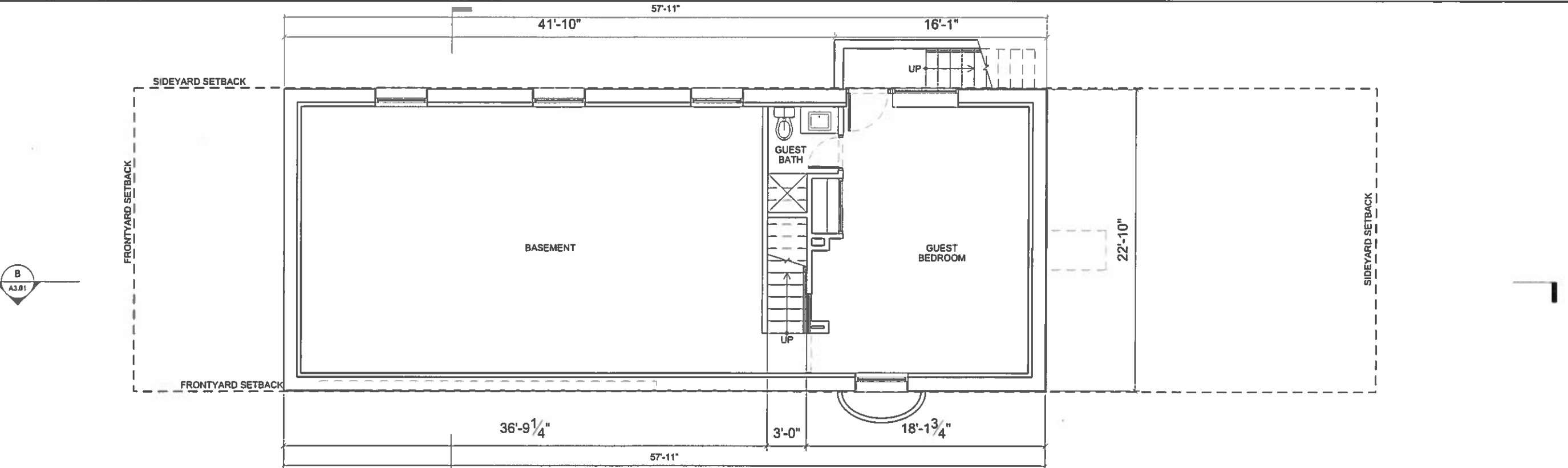
SITE PLAN  
SCALE: 1/16" = 1' - 0"



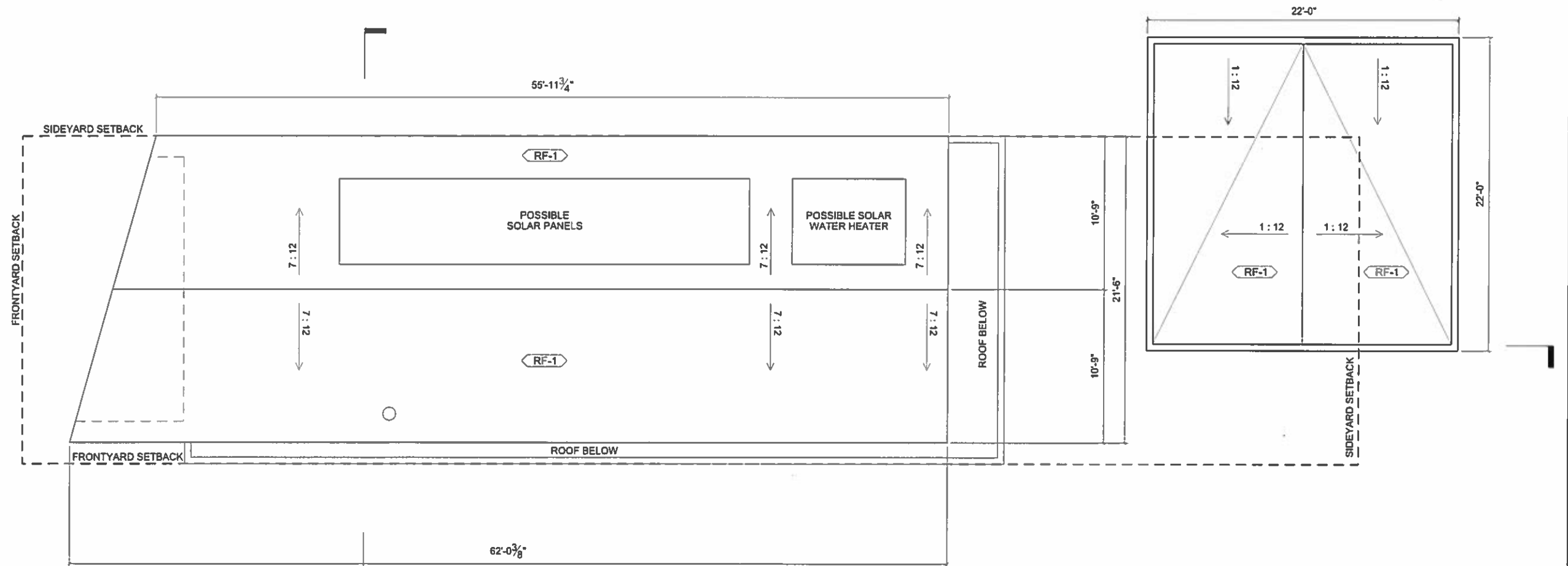
FLOOR PLAN - SECOND FLOOR  
SCALE: 1/8" = 1' - 0"



FLOOR PLAN - FIRST FLOOR  
SCALE: 1/8" = 1' - 0"

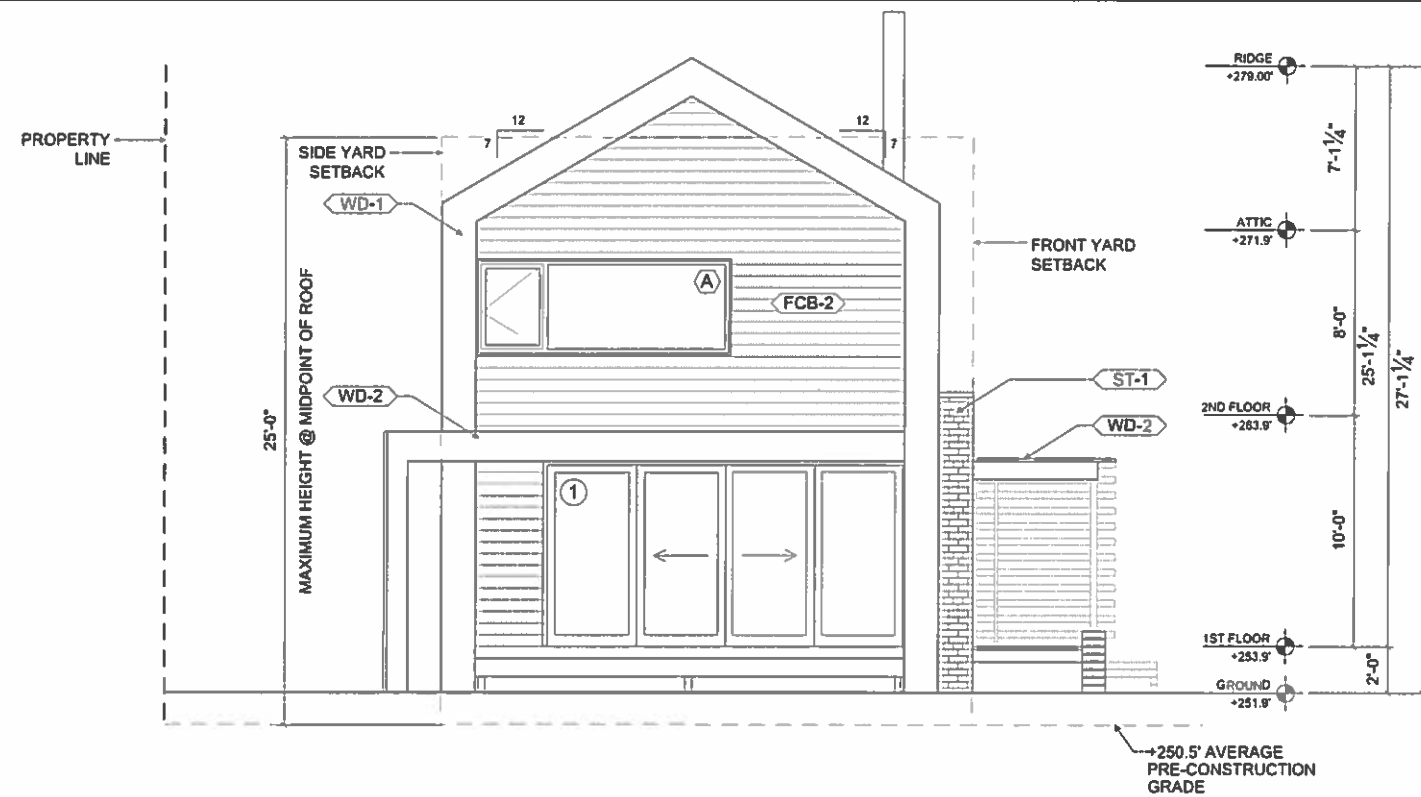


**BASEMENT PLAN**  
SCALE: 1/8" = 1' - 0"

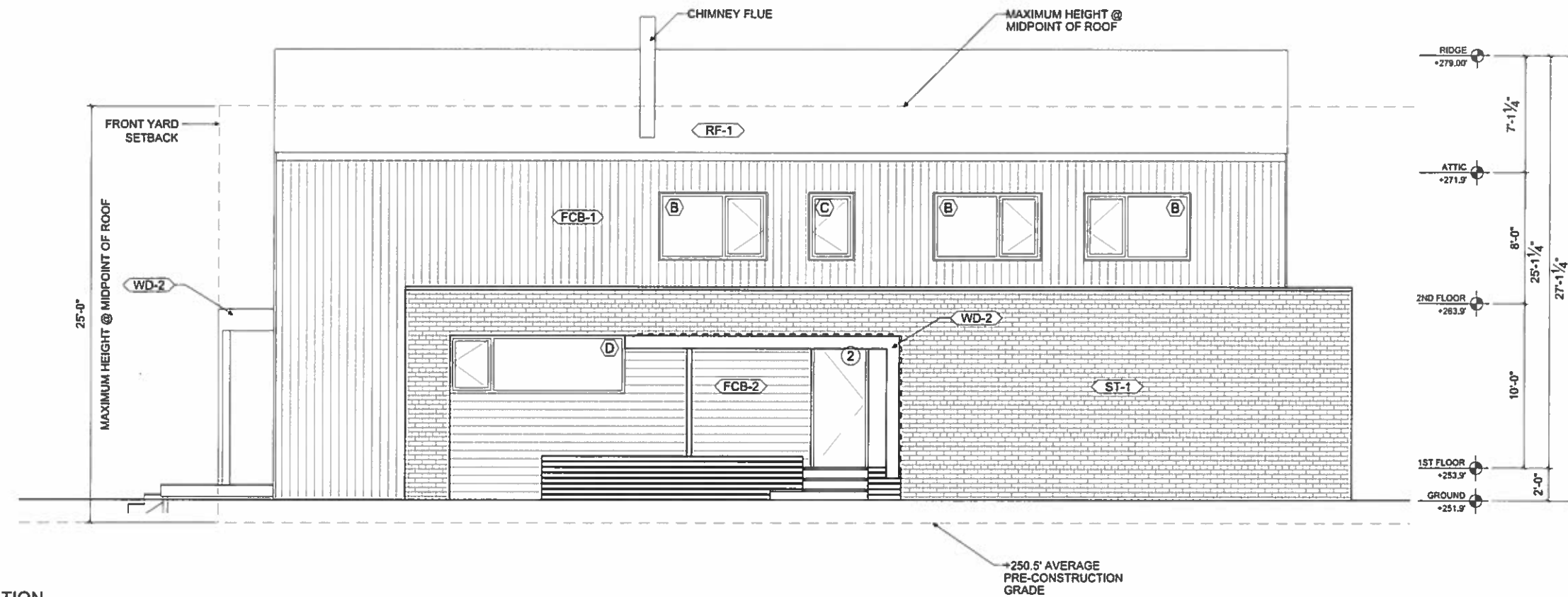


**ROOF PLAN**  
SCALE: 1/8" = 1' - 0"





**SOUTH ELEVATION**  
SCALE: 1/8" = 1' - 0"



**EAST ELEVATION**  
SCALE: 1/8" = 1' - 0"

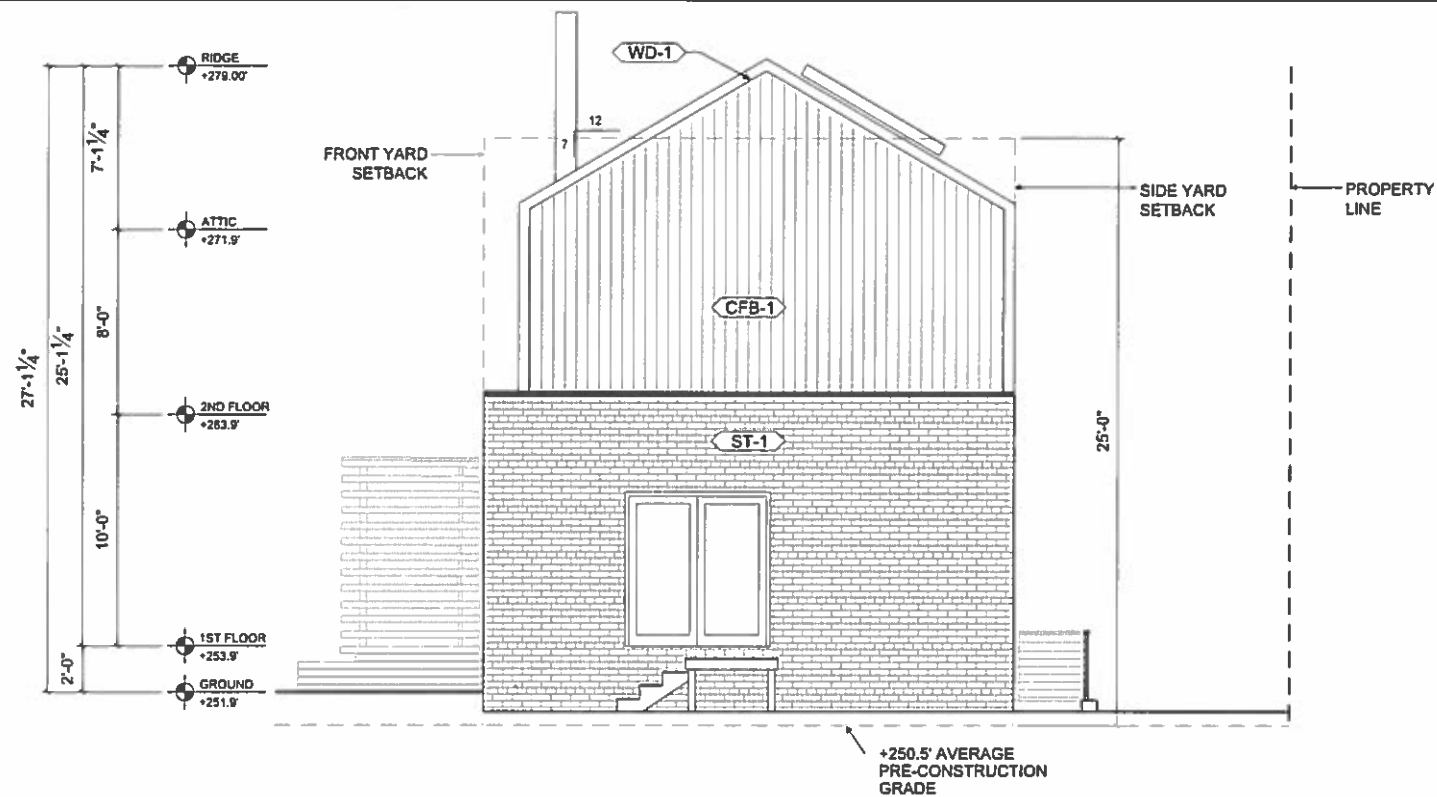
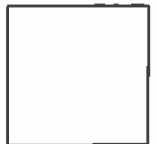
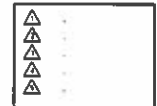
**EUSTILUS  
ARCHITECTURE**  
1000 W. BRADDOCK #11  
ALEXANDRIA, VA 22311  
(7) 302 890 9029  
E: EUSTILUS@HOTMAIL.COM

PROJECT: 1.18.08  
SHEET: 04P SUBMITTAL  
DATE: 02/09/2012

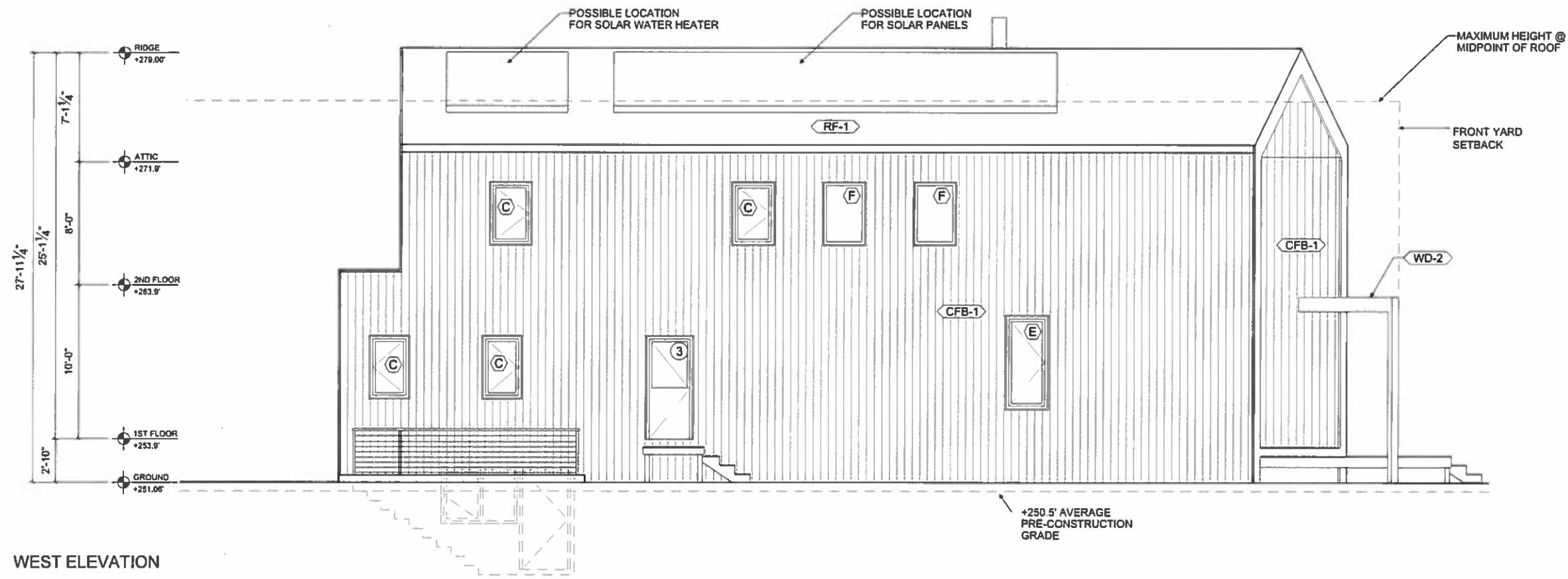


**TERAN-GROSS RESIDENCE**  
5447 FILLMORE AVE., ALEXANDRIA, VA 22311  
**ELEVATIONS**

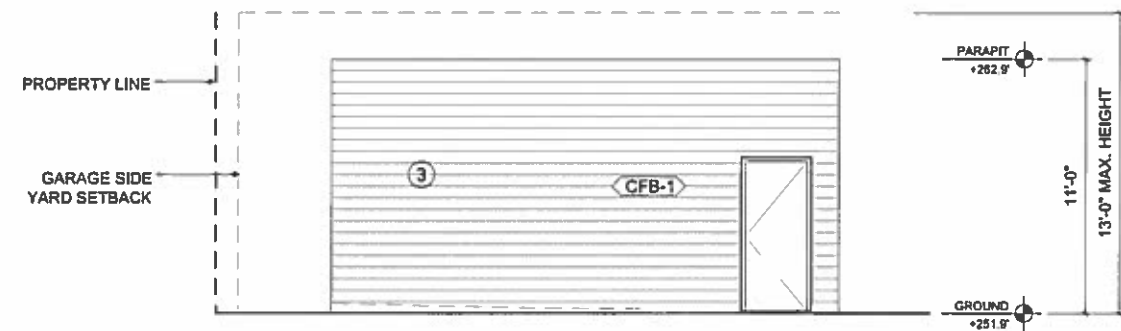
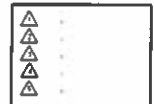
**A2.01**



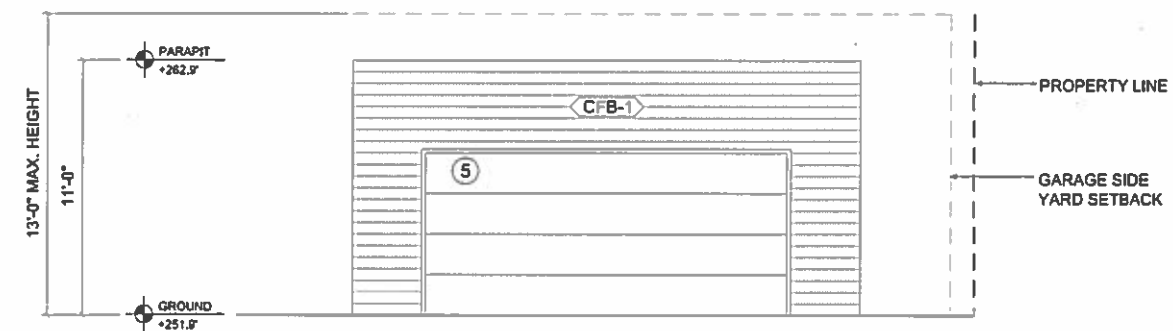
NORTH ELEVATION  
SCALE: 1/8" = 1' - 0"



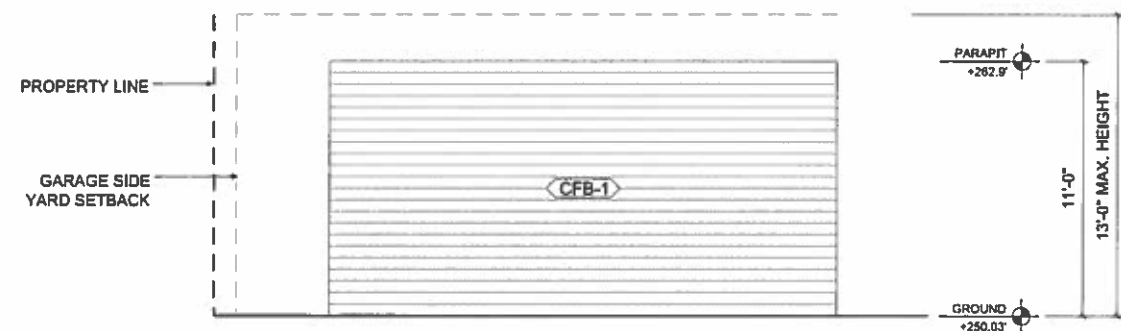
WEST ELEVATION  
SCALE: 1/8" = 1' - 0"



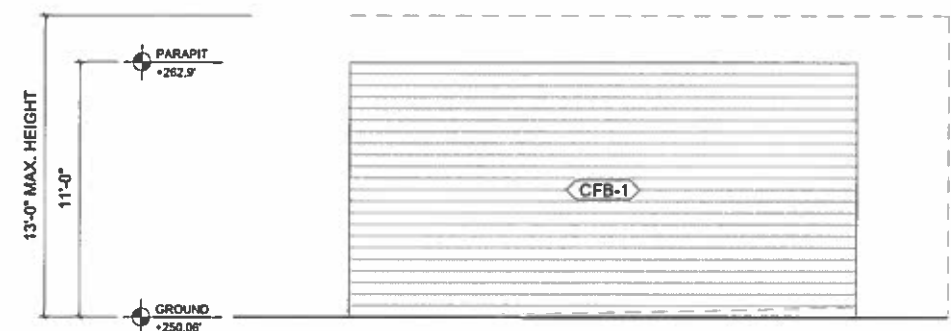
**SOUTH ELEVATION**  
SCALE: 1/8" = 1' - 0"



**EAST ELEVATION**  
SCALE: 1/8" = 1' - 0"

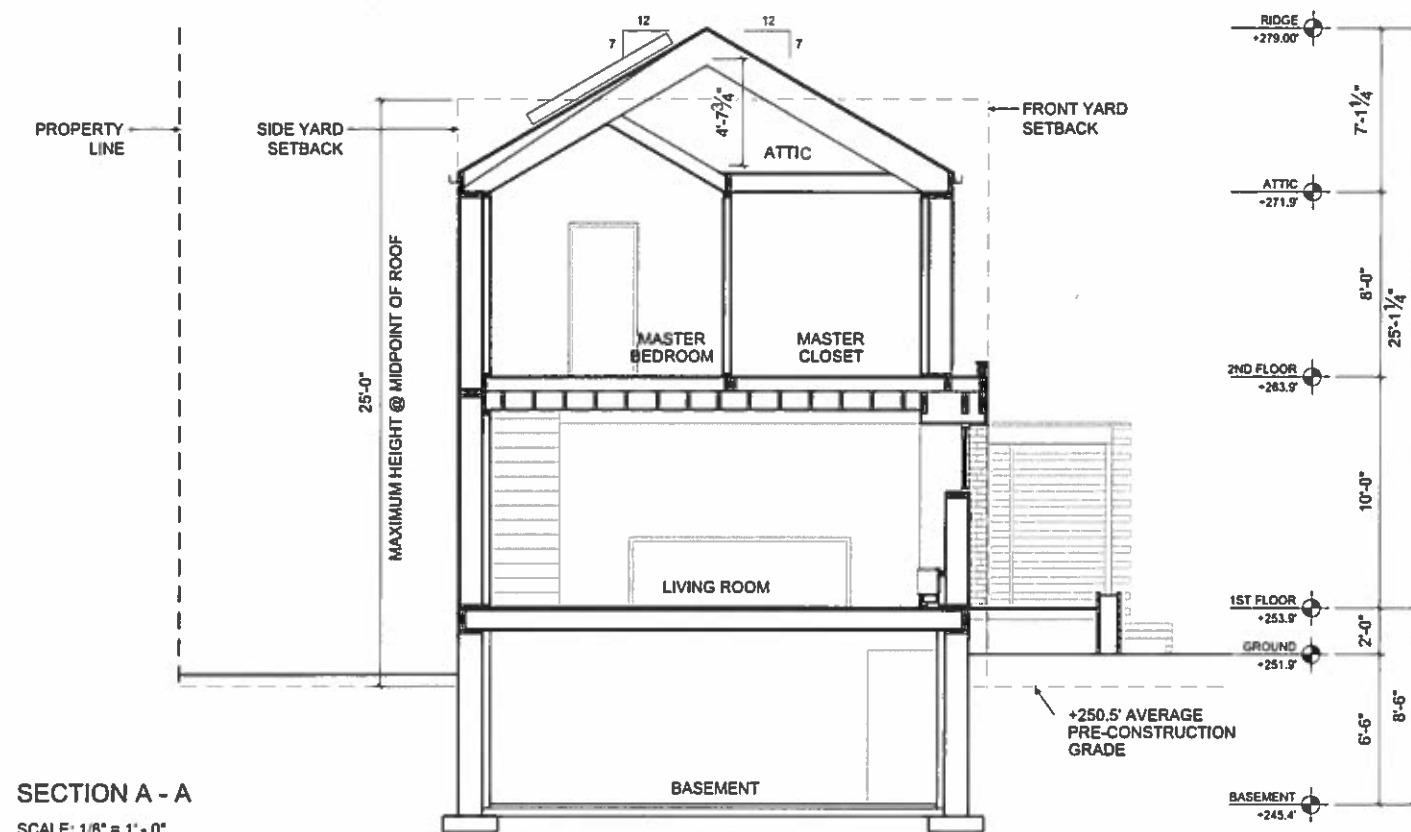
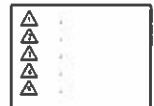


**WEST ELEVATION**  
SCALE: 1/8" = 1' - 0"

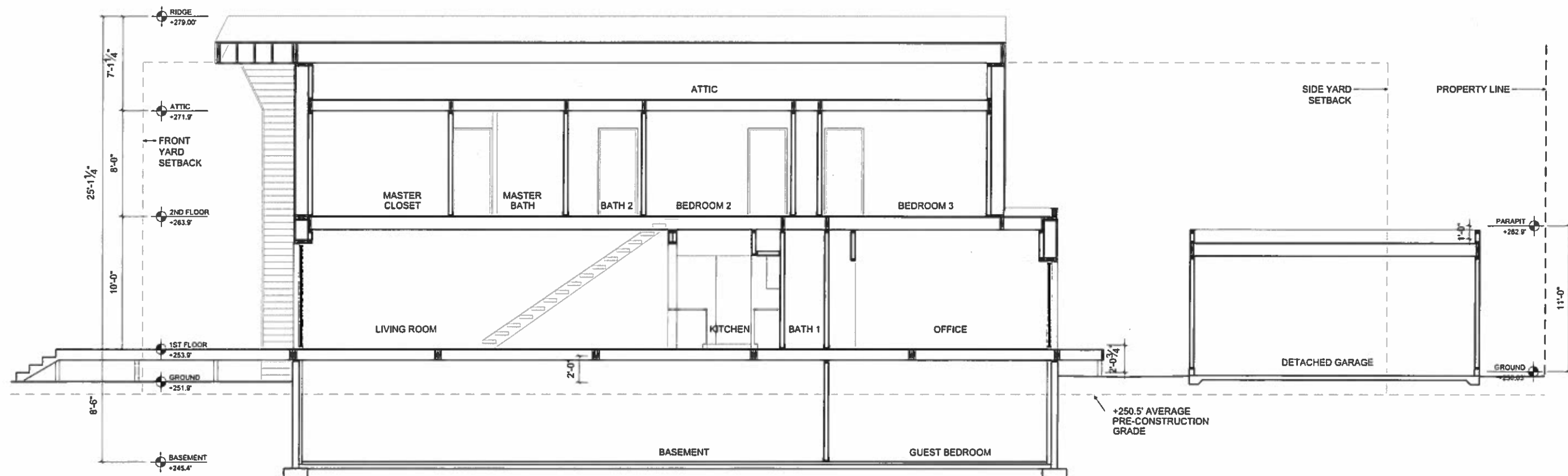


**NORTH ELEVATION**  
SCALE: 1/8" = 1' - 0"

TERAN-GROSS RESIDENCE  
5447 FILLMORE AVE., ALEXANDRIA, VA 22311  
ELEVATIONS - DETACHED GARAGE



SECTION A - A  
SCALE: 1/8" = 1' - 0"



SECTION B - B  
SCALE: 1/8" = 1' - 0"

ATTACHMENT #4

**TERAN-GROSS RESIDENCE**  
5447 FILLMORE AVE, ALEXANDRIA, VA 22311

RENDERINGS  
DESIGN DESCRIPTION  
DIAGRAMS

**EUSTILUS architecture**

4809 W. BRADDOCK RD, #10  
ALEXANDRIA, VA 22311

202.569.9620  
EFTERAN@HOTMAIL.COM





TERAN-GROSS RESIDENCE  
5447 FILLMORE AVE., ALEXANDRIA, VA 22311

RENDERING @ CORNER OF FILLMORE AVE. AND ROSSERT ST.

EUSTILUS ARCHITECTURE  
202.569.9620 EFTERAN@HOTMAIL.COM





TERAN-GROSS RESIDENCE  
 5447 FILLMORE AVE., ALEXANDRIA, VA 22311

RENDERING @ ROSSER ST.  
 EUSTILUS ARCHITECTURE  
 202.569.9620 EFTERAN@HOTMAIL.COM





TERAN-GROSS RESIDENCE  
5447 FILLMORE AVE., ALEXANDRIA, VA 22311

RENDERING @ FILLMORE AVE.  
EUSTILUS ARCHITECTURE  
202.569.9620 EFTERAN@HOTMAIL.COM



## Design Features

A sustainable building is one that uses significantly less energy, provides better indoor living conditions and takes into consideration the environment. There are many types of organization that are all complimentary to one another such as Passive House, LEED for Homes, Earth Craft and the Living Building Challenge. For example a Passive House will use 90% less energy while LEED takes into consideration materials and site location.

Regardless of the organization simple design solutions must be practiced. Such as the proper orientation of a building, insulation, air-tightness, window locations and many other factors that do not raise the cost of construction. Orientating a building to have the majority of the windows facing South and the fewest facing West is a solution that will heat the home in the winter and provide an abundance of natural light throughout the day.

In the mid-Atlantic region compact homes are more efficient in cooling and heating. Additionally, there are winter and summer conditions that have to be accounted for as well improving the living conditions and environment.

### Winter:

- The sun is at a low angle and has to enter the home to provide warmth.
- Materials absorb the heat in the morning and release that heat in the evening.
- The rooms are placed according to when they are occupied. For example, the bedrooms face east to receive morning sunlight so that the space heats up.

### Summer:

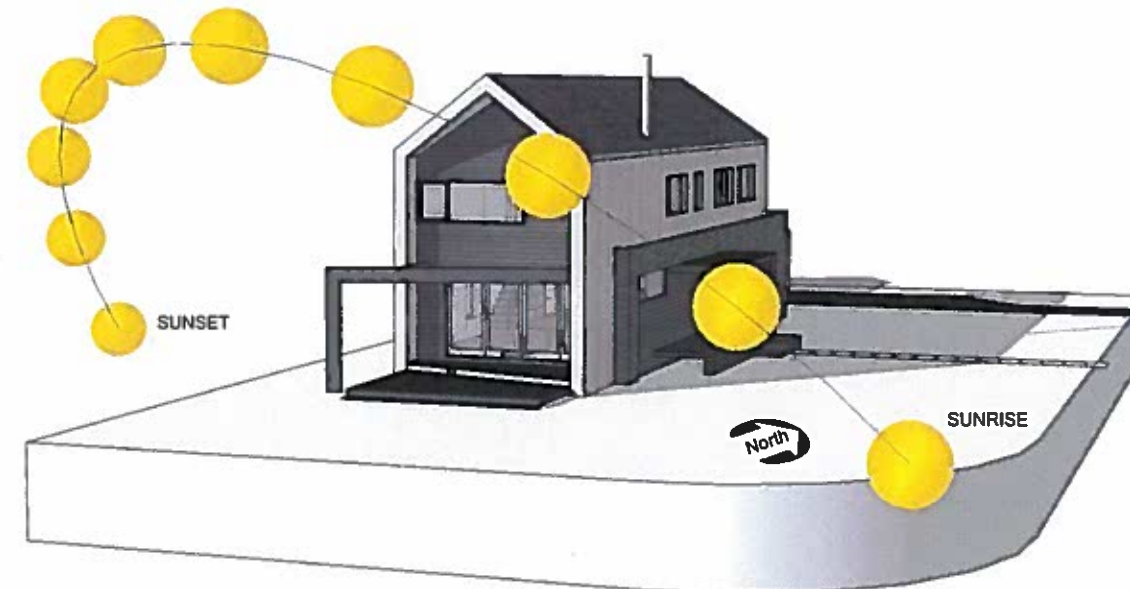
- The sun is at a high angle and should not enter directly into the home.
- Operable windows should be placed to allow a cross ventilation as the hot air rises and exists the home.
- Deciduous trees are planted on the south side of the home to provide shade in the summer. Additionally, this allows for sunlight to enter the home during the winter months when the tree is bare.

### Living Conditions:

- Materials with low to no VOC (volatile organic compound).
- Separate the garage from the home so that car fumes do not enter the living areas.
- Better indoor air quality (super insulated homes with less need for an HVAC achieve higher air quality).
- Daylight throughout the day provides a more comforting environment and saves on electricity.

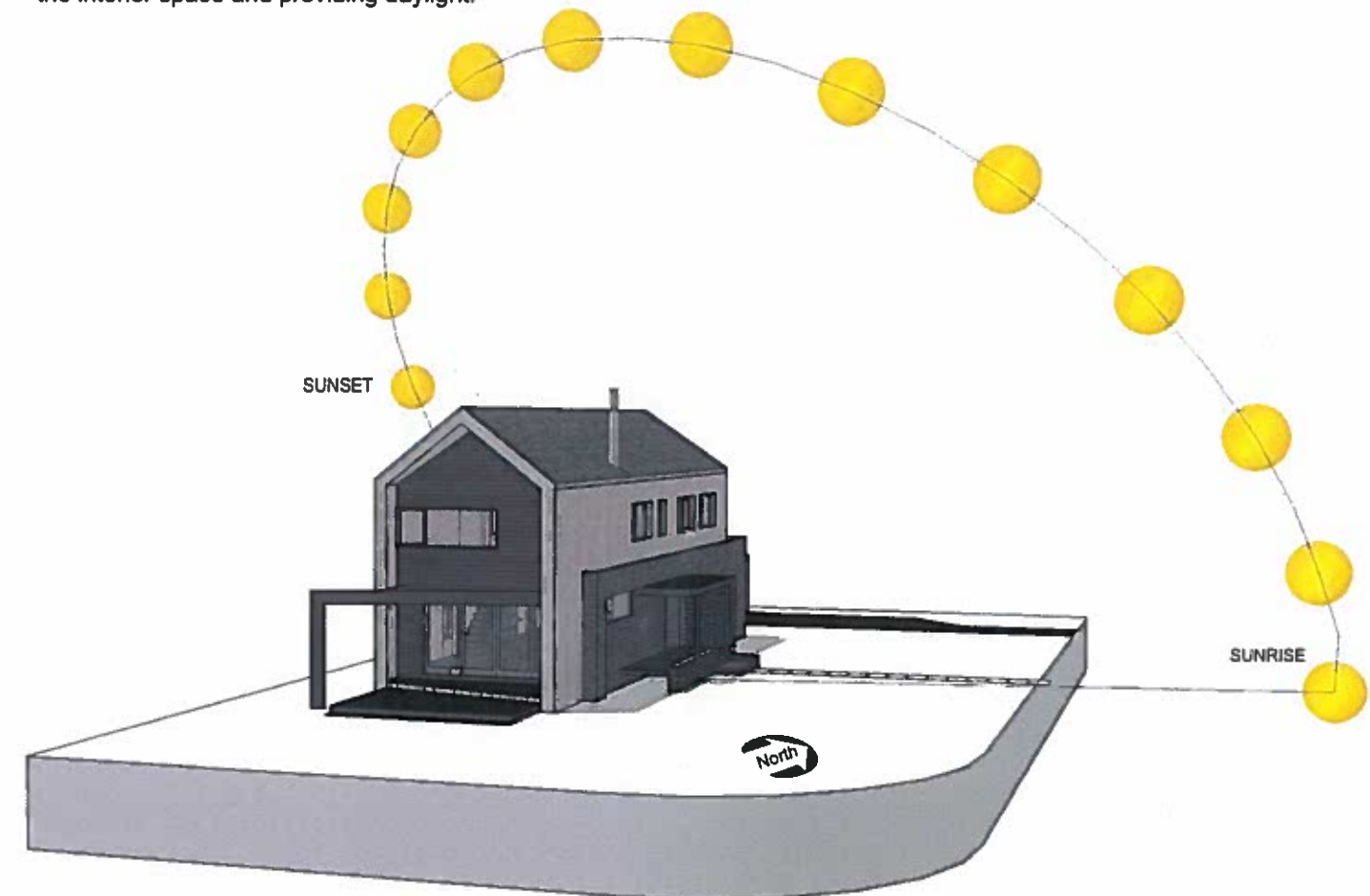
### Environment:

- Modular homes reduce construction waste and debris found at a typical construction site.
- Materials are regional and may be recycled such as wood floors.
- Plant only native species to conserve water.
- Use Energy Star appliances and low flow fixtures.
- Less use of water and utilities allow for smaller heating and cooling equipment



Sun shown at winter solstice at 1:00 pm.

- The sun is at a low angle
- The South facade has plenty of sun warming up the interior space and providing daylight.



Sun shown at summer solstice at 1:00 pm.

- The sun is at a high angle
- The South and East facade are in the shade and the interior spaces will not be heated.

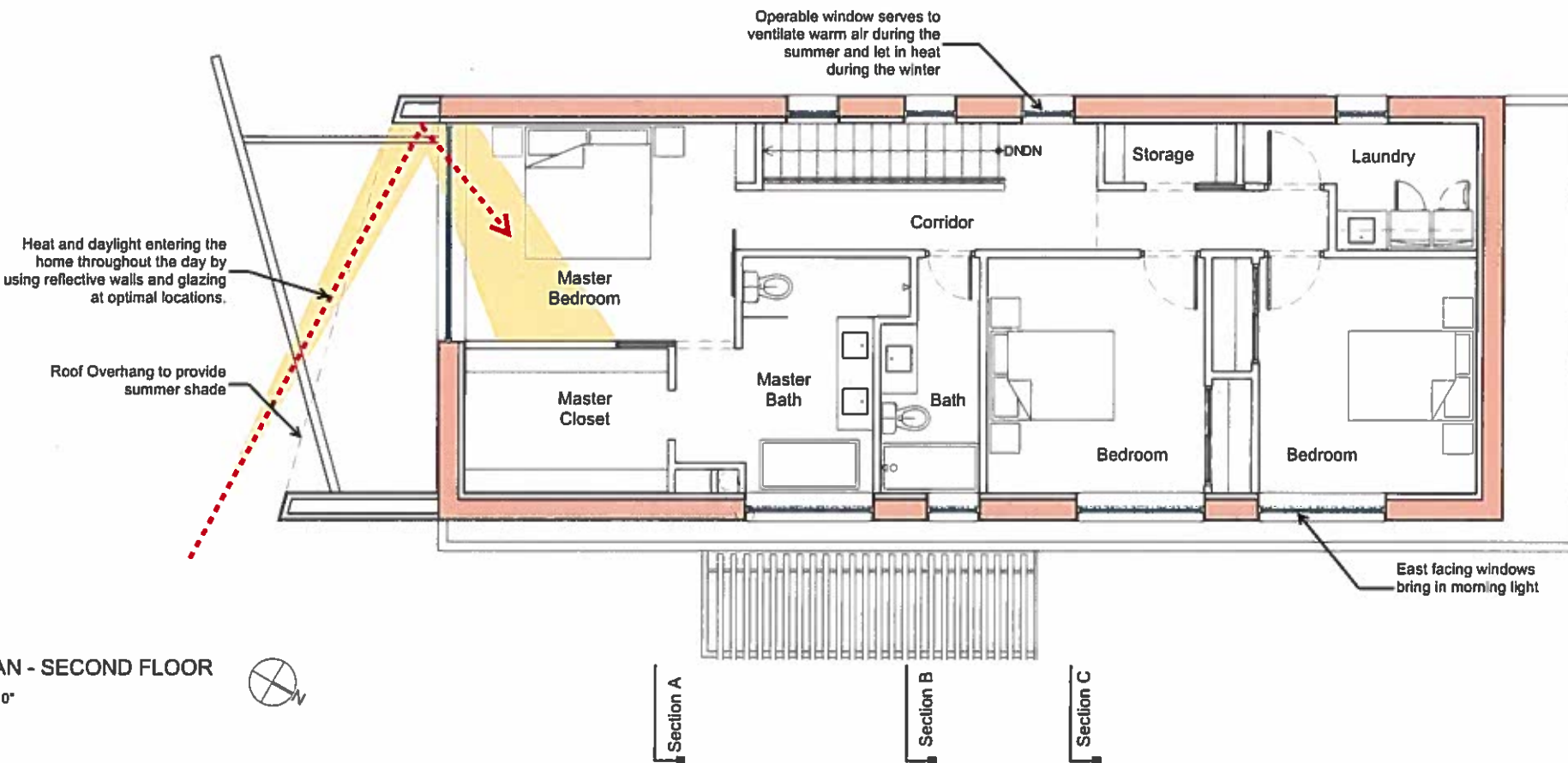
## TERAN-GROSS RESIDENCE

5447 FILLMORE AVE., ALEXANDRIA, VA 22311

## DESIGN DESCRIPTION

EUSTILUS ARCHITECTURE  
202.569.9620 EFTERAN@HOTMAIL.COM

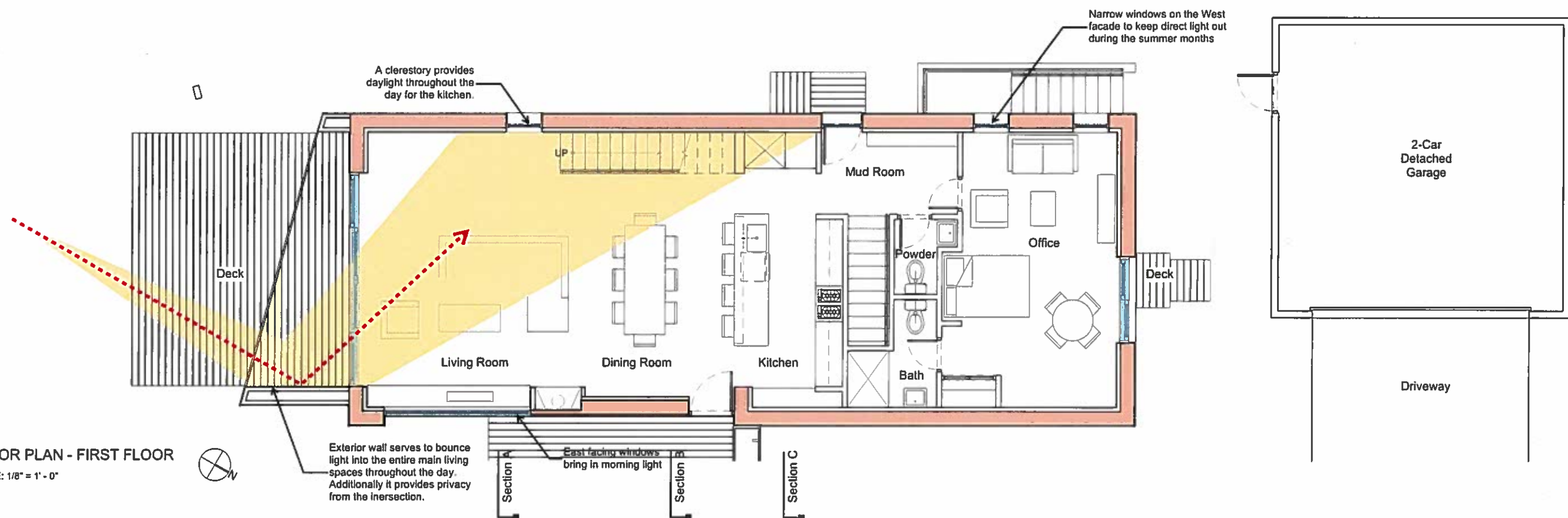
FLOOR PLAN - SECOND FLOOR  
SCALE: 1/8" = 1' - 0"



Legend:

- Super Insulation via continuous thermal envelope
- Winter sun angle, allow direct sunlight to enter home to provide heating
- Summer sun angle, avoid direct sunlight into the home
- Triple glazed operable windows with high insulated frames.

FLOOR PLAN - FIRST FLOOR  
SCALE: 1/8" = 1' - 0"



TERAN-GROSS RESIDENCE  
5447 FILLMORE AVE., ALEXANDRIA, VA 22311

SUSTAINABLE DESIGN FEATURE - PLANS

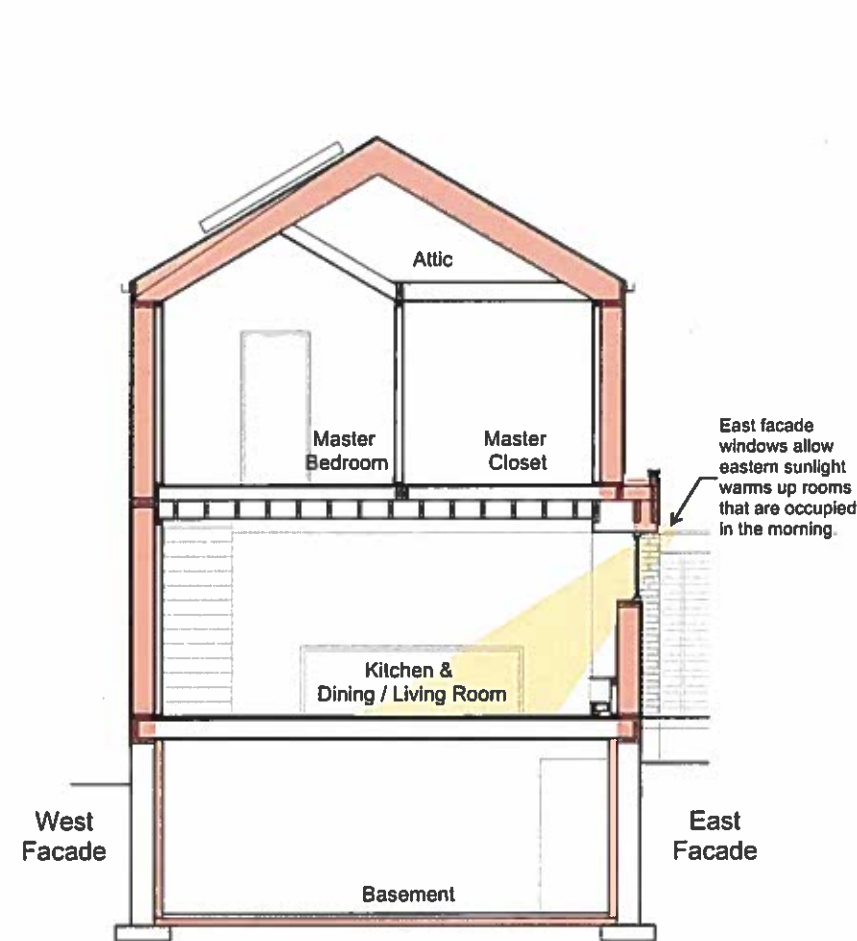
EUSTILUS ARCHITECTURE  
202.569.9620 EFTERAN@HOTMAIL.COM

5

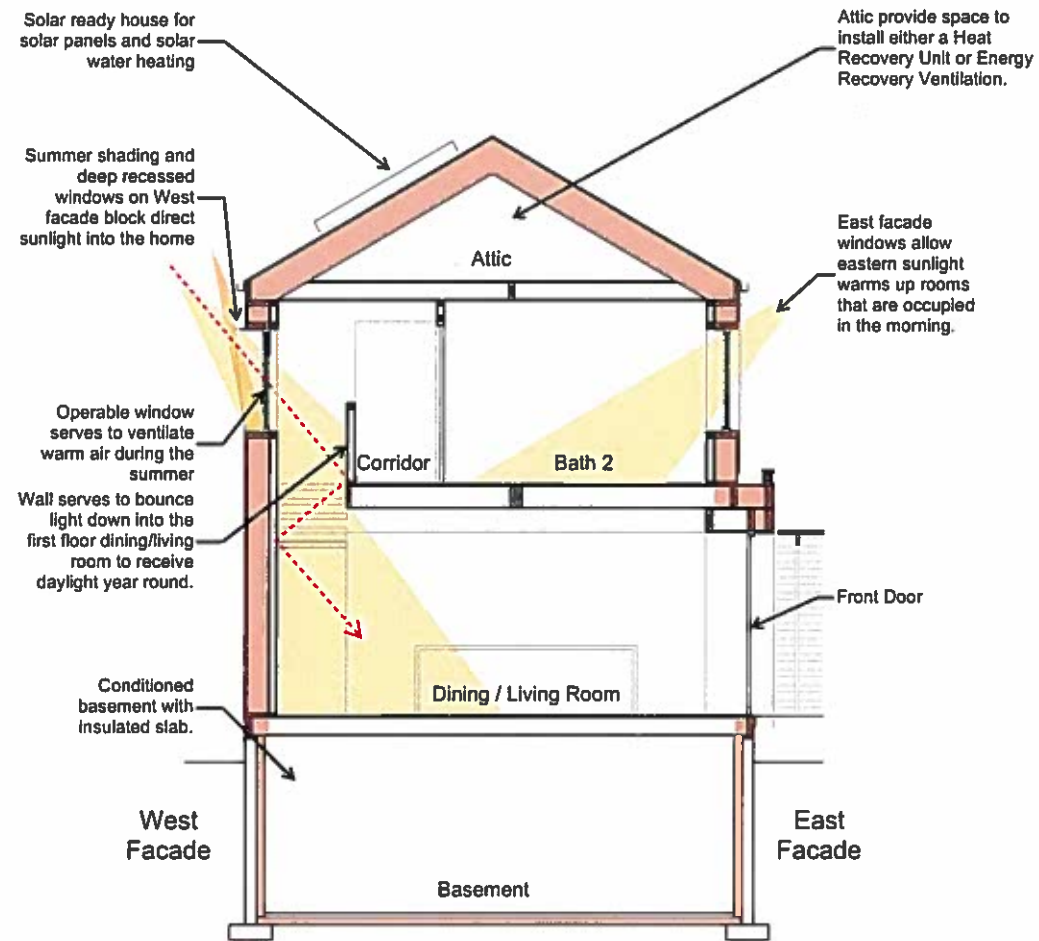


Legend:

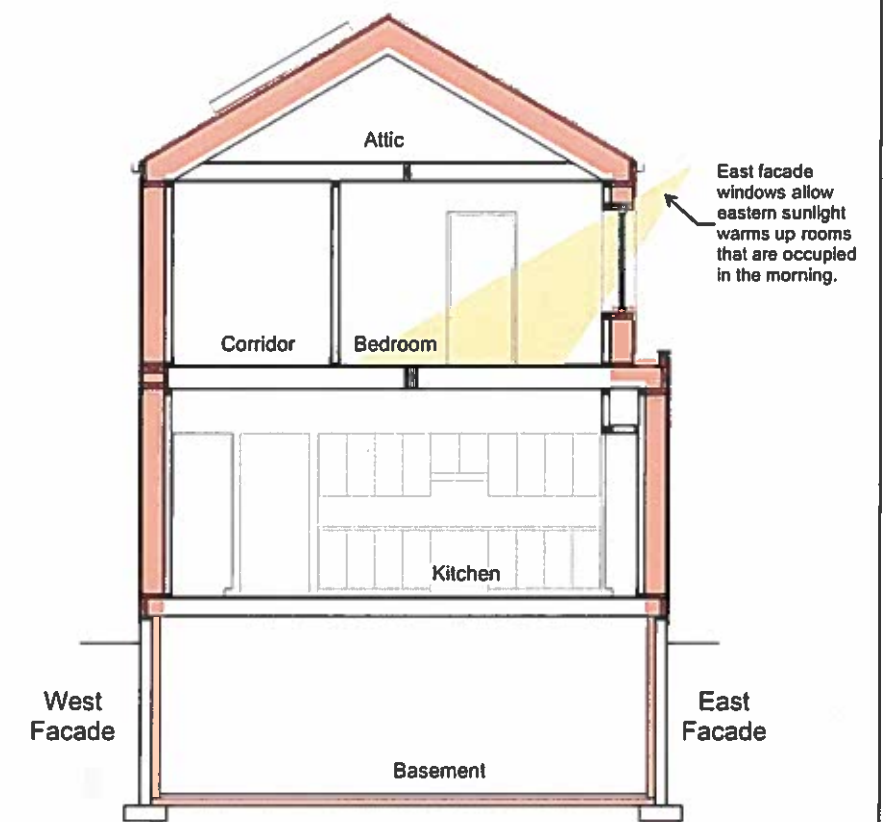
- Super Insulation via continuous thermal envelope
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- Triple glazed operable windows with high insulated frames.



SECTION A - A  
SCALE: 1/8" = 1' - 0"



SECTION B - B  
SCALE: 1/8" = 1' - 0"



SECTION C - C  
SCALE: 1/8" = 1' - 0"

**APPLICATION****SPECIAL USE PERMIT****SPECIAL USE PERMIT #** 2015-0001**PROPERTY LOCATION:** 5447 FILLMORE AVE**TAX MAP REFERENCE:** #010.01-01 **ZONE:** R-20**APPLICANT:****Name:** ERIC TERAN**Address:** 544 4809 W BRADDOCK RD, #10, ALEXANDRIA, VA 22311**PROPOSED USE:** SINGLE FAMILY RESIDENCE W/ DETACHED GARAGE

☒ **THE UNDERSIGNED**, hereby applies for a Special Use Permit in accordance with the provisions of Article XI, Section 4-11-500 of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

☒ **THE UNDERSIGNED**, having obtained permission from the property owner, hereby grants permission to the City of Alexandria staff and Commission Members to visit, inspect, and photograph the building premises, land etc., connected with the application.

☒ **THE UNDERSIGNED**, having obtained permission from the property owner, hereby grants permission to the City of Alexandria to post placard notice on the property for which this application is requested, pursuant to Article IV, Section 4-1404(D)(7) of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

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

ERIC TERAN  
Print Name of Applicant or Agent

EFT 12/16/14  
Signature Date

4809 W BRADDOCK RD, #10  
Mailing/Street Address

202-569-7620  
Telephone # Fax #

ALEXANDRIA, VA 22311  
City and State Zip Code

ETERAN@HOTMAIL.COM  
Email address

**ACTION-PLANNING COMMISSION:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

**ACTION-CITY COUNCIL:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

SUP # 2015-0001

**PROPERTY OWNER'S AUTHORIZATION**

As the property owner of 5447 FILLMORE AVE. ALEXANDRIA, VA 22311, I hereby  
(Property Address)

grant the applicant authorization to apply for the SPECIAL USE PERMIT use as  
(use)

described in this application.

DAISY A. ISHIZUKA, POWER OF ATTORNEY, FOR

Name GRACIELA MENDIZABAL

Phone 703-901-9401

Please Print

Address: 9929 MILES STONE CT  
VIENNA, VA

Email: DISHIZUKA@COX.NET

Signature: Graciela Mendizabal by

Date: 12/17/2014

Daisy A. Ishizuka, her attorney in fact

1. Floor Plan and Plot Plan. As a part of this application, the applicant is required to submit a floor plan and plot or site plan with the parking layout of the proposed use. The SUP application checklist lists the requirements of the floor and site plans. The Planning Director may waive requirements for plan submission upon receipt of a written request which adequately justifies a waiver.

☒ Required floor plan and plot/site plan attached.

☐ Requesting a waiver. See attached written request.

2. The applicant is the (check one):

☐ Owner

☒ Contract Purchaser

☐ Lessee or

☐ Other: \_\_\_\_\_ of the subject property.

State the name, address and percent of ownership of any person or entity owning an interest in the applicant or owner, unless the entity is a corporation or partnership, in which case identify each owner of more than ten percent.

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## 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. <u>ERIC TERAN</u>	<u>4809 W. BRADDOCK RD #10, ALEXANDRIA, VA 22311</u>	
2.		
3.		

**2. Property.** State the name, address and percent of ownership of any person or entity owning an interest in the property located at 5447 Fillmore Ave (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. <u>Daisy A. Ishizuka, Power of Attorney for Graciela Mendizabal</u>	<u>9929 Miles Stone CT. Vienna, VA</u>	<u>100%</u>
2.		
3.		

**3. Business or Financial Relationships.** Each person or entity indicated above in sections 1 and 2, with an ownership interest in the applicant or in the subject property are required to disclose any business or financial relationship, as defined by Section 11-350 of the Zoning Ordinance, existing at the time of this application, or within the 12-month period prior to the submission of this application with any member of the Alexandria City Council, Planning Commission, Board of Zoning Appeals or either Boards of Architectural Review. All fields must be filled out completely. Do not leave blank. (If there are no relationships please indicate each person or entity and "None" in the corresponding fields).

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

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

12/16/14  
Date

ERIC TERAN  
Printed Name

EFT  
Signature

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

☐ **Yes.** Provide proof of current City business license

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

### NARRATIVE DESCRIPTION

**3.** The applicant shall describe below the nature of the request **in detail** so that the Planning Commission and City Council can understand the nature of the operation and the use. The description should fully discuss the nature of the activity. (Attach additional sheets if necessary.)

NEW SINGLE FAMILY RESIDENCE WITH A DETACHED GARAGE

ON A VACANT LOT. THE NEW HOME WILL SEEK A

PASSIVE HOUSE CERTIFICATION

**USE CHARACTERISTICS**

4. The proposed special use permit request is for (check one):

- ☒ a new use requiring a special use permit,  
☐ an expansion or change to an existing use without a special use permit,  
☐ an expansion or change to an existing use with a special use permit,  
☐ other. Please describe: \_\_\_\_\_

5. Please describe the capacity of the proposed use:

- A. How many patrons, clients, pupils and other such users do you expect?  
Specify time period (i.e., day, hour, or shift).

N/A

- B. How many employees, staff and other personnel do you expect?  
Specify time period (i.e., day, hour, or shift).

N/A

6. Please describe the proposed hours and days of operation of the proposed use:

Day:

N/A

Hours:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

7. Please describe any potential noise emanating from the proposed use.

- A. Describe the noise levels anticipated from all mechanical equipment and patrons.

N/A

- B. How will the noise be controlled?

N/A



8. Describe any potential odors emanating from the proposed use and plans to control them:

N/A

9. Please provide information regarding trash and litter generated by the use.

- A. What type of trash and garbage will be generated by the use? (i.e. office paper, food wrappers)

TYPICAL FOR 2,000 SF HOME

- B. How much trash and garbage will be generated by the use? (i.e. # of bags or pounds per day or per week)

TYPICAL FOR 2,000 SF HOME

- C. How often will trash be collected?

TYPICAL FOR NEIGHBORHOOD

- D. How will you prevent littering on the property, streets and nearby properties?

N/A

10. Will any hazardous materials, as defined by the state or federal government, be handled, stored, or generated on the property?

[ ] Yes.

~~[X]~~ No.

If yes, provide the name, monthly quantity, and specific disposal method below:

11. Will any organic compounds, for example paint, ink, lacquer thinner, or cleaning or degreasing solvent, be handled, stored, or generated on the property?

[ ] Yes.

☒ No.

If yes, provide the name, monthly quantity, and specific disposal method below:

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12. What methods are proposed to ensure the safety of nearby residents, employees and patrons?

N/A

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## ALCOHOL SALES

13.

- A. Will the proposed use include the sale of beer, wine, or mixed drinks?

[ ] Yes

☒ No

If yes, describe existing (if applicable) and proposed alcohol sales below, including if the ABC license will include on-premises and/or off-premises sales.

N/A

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**PARKING AND ACCESS REQUIREMENTS**

14. A. How many parking spaces of each type are provided for the proposed use:

2 Standard spaces  
 \_\_\_\_\_ Compact spaces  
 \_\_\_\_\_ Handicapped accessible spaces.  
 \_\_\_\_\_ Other.

Planning and Zoning Staff Only

Required number of spaces for use per Zoning Ordinance Section 8-200A \_\_\_\_\_

Does the application meet the requirement?

☐ Yes ☐ No

- B. Where is required parking located? (check one)

☒ On-site

☐ off-site

If the required parking will be located off-site, where will it be located?

N/A

**PLEASE NOTE:** Pursuant to Section 8-200 (C) of the Zoning Ordinance, commercial and industrial uses may provide off-site parking within 500 feet of the proposed use, provided that the off-site parking is located on land zoned for commercial or industrial uses. All other uses must provide parking on-site, except that off-street parking may be provided within 300 feet of the use with a special use permit.

- C. If a reduction in the required parking is requested, pursuant to Section 8-100 (A) (4) or (5) of the Zoning Ordinance, complete the PARKING REDUCTION SUPPLEMENTAL APPLICATION.

☐ Parking reduction requested; see attached supplemental form

15. Please provide information regarding loading and unloading facilities for the use:

- A. How many loading spaces are available for the use? N/A

Planning and Zoning Staff Only

Required number of loading spaces for use per Zoning Ordinance Section 8-200 \_\_\_\_\_

Does the application meet the requirement?

☐ Yes ☐ No

- B. Where are off-street loading facilities located? N/A
- C. During what hours of the day do you expect loading/unloading operations to occur? N/A
- D. How frequently are loading/unloading operations expected to occur, per day or per week, as appropriate? N/A

16. Is street access to the subject property adequate or are any street improvements, such as a new turning lane, necessary to minimize impacts on traffic flow?

POSSIBLY BUILD CURB & GUTTER PER TE'S REQUIREMENTS

## SITE CHARACTERISTICS

17. Will the proposed uses be located in an existing building? ☐ Yes ☒ No

Do you propose to construct an addition to the building? ☐ Yes ☒ No

How large will the addition be? 2,532 square feet.

18. What will the total area occupied by the proposed use be?

0 sq. ft. (existing) + 2,532 sq. ft. (addition if any) = 2,532 sq. ft. (total)

19. The proposed use is located in: (check one)

☐ a stand alone building

☐ a house located in a residential zone

☐ a warehouse

☐ a shopping center. Please provide name of the center: \_\_\_\_\_

☐ an office building. Please provide name of the building: \_\_\_\_\_

☒ other. Please describe: VACANT LOT

End of Application

# City of Alexandria, Virginia

## MEMORANDUM

DATE: MARCH 2, 2015

TO: CHAIRMAN AND MEMBERS OF THE PLANNING COMMISSION

FROM: KARL MORITZ, DIRECTOR, PLANNING AND ZONING

SUBJECT: SUP#2015-0001: CORRECTION OF THE NORTH ROSSER STREET FRONT YARD SETBACK; 5447 FILLMORE AVENUE

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Staff requests two revisions to the staff report.

- 1) After producing the Staff Report, staff discovered that the property at 2617 North Stevens Street should not have been included in the equation for the calculation of the average front yard setback for the site's North Rosser Street side because it does not meet the criteria for Section 7-2503(A), since this property is not on the same blockface as the subject property. It had been inadvertently included in the average calculation sheet provided by the applicant's surveyor, which is included as Attachment #2, page 25 of the staff report. Without including that property, the average front yard setback should actually be 54.4 feet from the curb line instead of 53.8 feet as referenced in the report. All references to the original front yard setback in the staff report should be amended to say 54.4 feet instead of 53.8 feet, and the corresponding requested modification should be amended from 7.30 feet to 7.90 feet.

Staff continues to recommend approval of SUP#2015-0001 subject to the SUP conditions including the following amendment to condition 2:

2. **CONDITION AMENDED BY PLANNING COMMISSION:** A modification shall be granted to allow the front yard setback of ~~46.5~~ 47.1 feet facing North Rosser Street, where ~~53.8~~ 54.4 feet is required from the curb face. (~~P&Z~~)(PC)
- 2) A member of the Planning Commission has requested removal of the following clause from the second-to-last sentence on page 8 of the staff report in order to clarify that this clause is not an explanation of why the proposed house is compatible with the neighborhood. Staff agrees with this suggestion.

“While the resulting dwelling is taller than the adjacent home on Fillmore Avenue, staff concluded that the new home is still compatible with the overall neighborhood, where a number of homes are two-stories, ~~and the new home is smaller than what would have been previously allowed prior to the single-family infill regulations.~~”

# SUP#2015-0001

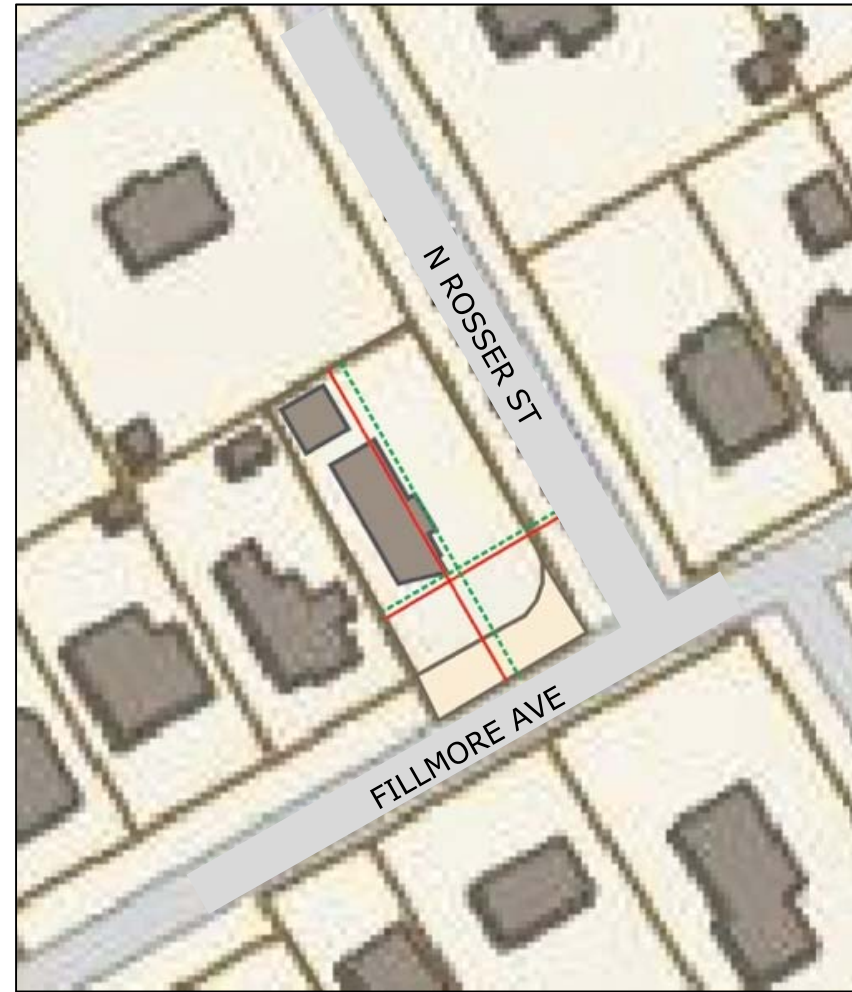
## 5447 Fillmore Avenue

### Front Yard Setback Diagram

- Modification request of 7.90 feet into the front yard setback along North Rosser Street.
- 5.50 feet for front porch.
- 2.40 feet for front building wall.

Required front yard setback ————

Proposed front yard setback - - - - -



SUP#2015-0001  
5447 Fillmore Avenue

## Proposed Building Footprint Diagram



Land conveyed to the  
City for right of way.



March 2, 2015

Planning Commission  
City of Alexandria  
City Hall  
Alexandria, Virginia

RE: Docket Item 7, Special Use Permit #2015-0001

Members of the Planning Commission:

Our home at 5465 Fillmore Avenue is three lots away from the parcel for which this SUP is requested. We have reviewed the docket material, and have met with the applicant at the site, who answered our questions to our satisfaction.

Overall, we have no objection to this site being developed, especially for an owner-occupant designer who will construct a passive home. The key to the need for the SUP is the size of the lot (approximately 10,000 SF) in an R-20 zone. Our home is on a slightly smaller lot, in the same R-20 zone, and yet it fits in well with the neighborhood, as the majority of lots in the immediate area of this applicant's parcel are grandfathered in despite their being roughly half the zone's requirement.

We do have some concerns, which we believe can be addressed by the applicant with your approval. The specific issues are:

- The applicant, desiring approval, has met the side yard set-back of 12 feet, next to the home of our neighbors, the Carvers, at 5451 Fillmore Avenue. The applicant's lot is a corner lot, so he has two side yard setbacks to deal with. The 12 foot value is not uncommon in our neighborhood, and while close, it is not too bad for most of us because it is the end or side of our house that is as close as 24 feet from the end/side of the one next door. In this case, though, the Carvers will have a solid wall house that is two-stories high. In the sense of the zoning code, it likely doesn't block air or light, but it is far too impactful of views, creating a closed-in feeling for the Carvers in a neighborhood that is otherwise very open and natural. It is far too urban a situation, but this issue can be fixed. **We urge the Commission to work with the applicant to shift the house closer to N. Rosser Street.** The house, as proposed, would have a very large/deep "front yard" on N. Rosser, while having little "side" yard against the Carvers. The house at 5445 Fillmore, across Rosser from the applicant's parcel, is well set back, and the street is wide enough, so that they should not



feel hemmed in the way the Carvers will if the 12-foot setback is maintained. The applicant has stated to us that he is willing to shift his house closer to Rosser and away from the Carver's home, **so we urge you to agree that this makes sense for all, and give approval on that condition.** We suggest at least a ten shift, which would bring the side lot to ~ 22 feet, and the front lot (on Rosser) to ~ 36 feet. But the details are something that future good neighbors, the applicant and the Carvers, can set by mutual agreement, with your blessing.

- The height of the proposed home relates to the previous issue, and is not a specific concern on its own. The staff report concludes as follows: "While the resulting dwelling is taller than the adjacent home on Fillmore Avenue, staff concluded that the new home is still compatible with the overall neighborhood, where a number of homes are two stories ..." We disagree. Of the 27 homes along the first two blocks of Fillmore south of Seminary Road (the neighborhood that was annexed as developed into the City in 1952), only 7 of the houses are two stories. Most are 1.5 stories (Cape Cod design); the balance are single story (ranch or raised ranch). So this house will be taller, which is not an objection independently, but rather only due to its proximity to the Carver home at 5477. **The height of the back wall of this house that will face the Carver property all the more justifies the desirability of shifting the house closer to N. Rosser and away from the Carver home.**

There is no apparent harm done to anyone if the placement on the lot is closer to N. Rosser Street. The benefits of the shift will accrue:

- to the applicant, who gains a useful rear lot that his family can enjoy
- to the Carvers, who will not be so closed in
- to the neighborhood in terms of a more aesthetic arrangement of homes which are interesting by the varied age and architecture
- to the City in terms of an unproductive lot being turned into a creative, tax-revenue generating example of passive design
- to us all, as we add a new neighbor who provides a continuation of the sense of community in this block through the infusion of a young family and a willingness to consult and cooperate with his future neighbors.

Thank you for your consideration.

Owen and Lela Curtis  
5465 Fillmore Avenue, Alexandria, VA 22311

---

**From:** Christine Coker <christine.buke@gmail.com>  
**Sent:** Monday, March 02, 2015 11:34 AM  
**To:** PlanComm  
**Cc:** nancarver@comcast.net; 'Beth'  
**Subject:** Filmore & Rosser Street lot - building variance request

I am opposed to the request for variance submitted for the house/building plan on the empty lot at Filmore and Rosser Street.

The lot line limits for building structure should not be modified to squeeze this house plan onto what is already a small lot. The neighbors on both sides will have structure incringing on their site line, and the close proximity of buildings is not attractive.

I do not like seeing the commission allowing a variance that does not benefit the neighbors and neighborhood, and only benefits the buyer/builder on this lot.

This variance would only open the door for more requests to squeeze too-big houses onto too-small lots.... This neighborhood, especially to the west of the property, has a spacious comfortable feel, and allowing this builder to squeeze a house on this lot would ruin that.

*Christine Coker*

3156 N. Rosser Street Alexandria, VA 22311  
(h) 703-820-2956 (w) 703-931-3290 x 107

[christine.buke@gmail.com](mailto:christine.buke@gmail.com)

---

**From:** Louise Van Diepen <louisevandiepen@gmail.com>  
**Sent:** Monday, March 02, 2015 4:55 PM  
**To:** PlanComm  
**Cc:** nancarver@comcast.net  
**Subject:** Filmore & Rosser Street lot - building variance request

The purpose of this email is to communicate my strong objection to the request for variance submitted for the planned house on the empty lot at Filmore and Rosser Street. I am a Dowden Terrace homeowner.

While the lot may be large enough for the house as designed, the lot development significantly changes the character of the neighborhood and diminishes value. Approval of the variance is likely to be used a precedent and lead to further subdivision of lots in the proximate areas. The Board's reference to the variation in housing styles in the immediate area does not take into account the overall character of Dowden Terrace properties and homes. Dowden Terrace is desirable to the extent that it can maintain its character of large lots with single family dwellings. That character provides this neighborhood with its greatest value for homeowners. If the variance is approved, it will detract from the character (and value) of the neighborhood.

The proposal must first be evaluated on the fundamental impact of the zoning variance on the neighborhood--not the technical aspects of the proposed home. The property should be maintained as an empty lot or, alternatively (and if viable), adjoined to adjacent properties through acquisition by the owners of those properties.

Louise Van Diepen  
3148 N. Rosser St.  
Alexandria, VA 22311.

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**From:** nick kuhn <nkuhn98@yahoo.com>  
**Sent:** Monday, March 02, 2015 9:37 PM  
**To:** PlanComm  
**Subject:** 3/3/15 Planning Commission Meeting

Reference: 5447 Fillmore Ave, Alexandria Va 22311

Dear Commission Members,

I understand you will be reviewing the application to allow for the construction of a new home to be built at the above address on a substandard lot. In reviewing the material on file for this application I have several concerns. Please investigate these issues more thoroughly before approving this project.

1) The design is for a very large house and garage to occupy the majority of the subject lot's western property boundary with the existing home at 5451 Fillmore Ave. One of the requirements, per the city code, to allow for approval to build on a substandard lot is that the proposed building, *"will not unreasonably impair an adequate supply of light and air to adjacent property"*. There does not seem to be any information provided showing how the placement and size of the new construction will impact the existing adjacent property. Is there adequate "light and air to the adjacent property"? Will that property now be literally in a shadow as a result of the size and proximity of the proposed new construction?

2) The intersection of Fillmore Ave and North Rosser street is not an "aligned" intersection. A visit to the site will confirm this. Rosser St to the south of Fillmore Ave does not align with Rosser St to the north of Fillmore Ave. Visibility at this intersection is poor, compounded by the fact that drivers often don't stop for the stop signs. I am very concerned about the safety and additional risk for bicyclists, pedestrians and motorists should a reduction in the required setback on Rosser street be approved for this site at Fillmore Ave & North Rosser St.. I ask that you **not** reduce the required, by code, setback for construction on the North Rosser Street side of the property. The proposed house size is just too big for this site.

Thank you for your consideration.

Nick Kuhn

**Nancy Carver**

5451 Fillmore Avenue  
Alexandria, VA 22311  
703.824.1742 H/703.881.1060 C  
nancarver@comcast.net

March 1, 2015

City of Alexandria  
Planning Commission  
301 King St., Room 2400  
Alexandria, VA 22314

**RE: DOCKET ITEM #7 Special Use Permit #2015-0001 5447 Fillmore Avenue**

To The Commission:

I am the property owner of 5451 Fillmore Avenue and I am writing to oppose the proposed exception to the R20 zoning of the lot directly next to my property. My husband and I purchased our house in 1994 and at the time were concerned with the empty lot next door. We were told that it was and still is not a buildable lot as it as the City zoning established R20 zoning and this lot is barely half that size (10,141 square feet). My husband has checked with the zoning office over the past several months since the heirs have put the lot on the market and was told, although not officially, that the chances of an exception being made were slim as the lot is so much smaller than the required 20,000 square feet.

Since moving into the Dowden Terrace section of Alexandria my husband and I have had two children, both have gone through the ACPS school system starting with John Adams our neighborhood school, Hammond, Minnie Howard and TC Williams. Our son graduated from TC in 2013 and our daughter is currently a junior there. We have been active in the community through various youth sports where our children played and my husband coached, we have been active with the PTAs and schools, the Dowden Terrace pool, Girl Scouts, and served on juries as requested. When making additions to our house we have followed the rules, zoning, and code set in place by Alexandria, never asking for an exception.

I do not want a house built on this lot and ask that you consider the wishes of current City residents and uphold the City zoning code. As far as I can tell the heirs have no ties to the neighborhood or Alexandria and it seems unfair for anyone to request this much of an exception from the current and long-time residents and City taxpayers. While I understand this is a simply business deal for them and the realtor, please consider negative implications for the families who live here and will continue to live in the City of Alexandria. This is my property and

neighborhood and I do not want to wake up to the back of a house outside my dining room window blocking the sunlight and my view. This lot is unbuildable and the City needs to enforce its own regulations and not allow for an exception.

It seems the sole argument for building on the substantially substandard lot is that the other properties in the neighborhood are on smaller lots. Our house was built around 1949 and at some point the City saw fit to institute 20,000 square feet as the zoning law. I am sure the City had good reason to make the cut off 20,000 square feet and consider is a slippery slope when beginning to make exceptions especially when it adversely affects current long-time residents. If the lot were closer to 20,000 square feet an exception might be warranted but a difference of 9,859 is too much of an exception.

I respectfully ask that the City honor its zoning code, stand by current City residents and deny the exception.

Sincerely,

*Nancy Carver*

Nancy Carver



**From:** [nancarver@comcast.net](mailto:nancarver@comcast.net) <[nancarver@comcast.net](mailto:nancarver@comcast.net)>

**Sent:** Tuesday, March 3, 2015 9:30 PM

**To:** City Council; City Council Aides; Jackie Henderson; Call Click Connect; Gloria Sitton

**Subject:** Call.Click.Connect. #67039: Mayor, Vice Mayor, City Council : DOCKET ITEM #7 Special Use Permit #20

Dear **Call.Click.Connect.** User

A request was just created using **Call.Click.Connect.** The request ID is 67039.

**Request Details:**

- Name: Nancy Carver
- Approximate Address: No Address Specified
- Phone Number: 7038241742
- Email: [nancarver@comcast.net](mailto:nancarver@comcast.net)
- Service Type: Mayor, Vice Mayor, City Council
- Request Description: : DOCKET ITEM #7 Special Use Permit #2015-0001 5447 Fillmore Avenue

Please overturn the decision of the Planning Office to approve an exception to the zoning law in the West End. I am very disappointed the Commission did not take the feedback of the neighbors into account and granted the request to build a house on a lot well below the R20 (lot is only 10,141 square feet) zoning. Seems that once again the West End residents are disregarded. Why have codes and zoning rules only to have an exception made? Can this please be reviewed/overturned? The only neighbor who stood up for this is the Realtor who stands to gain the commission. When we purchased our home we were told the lot was substandard and unbuildable. Now after living here for 21 years that somehow changes? Why? I do not understand how this can be allowed to happen. It seems like a waste of time and energy to show up as the decision was already made to grant the exception and the residents are powerless to oppose.

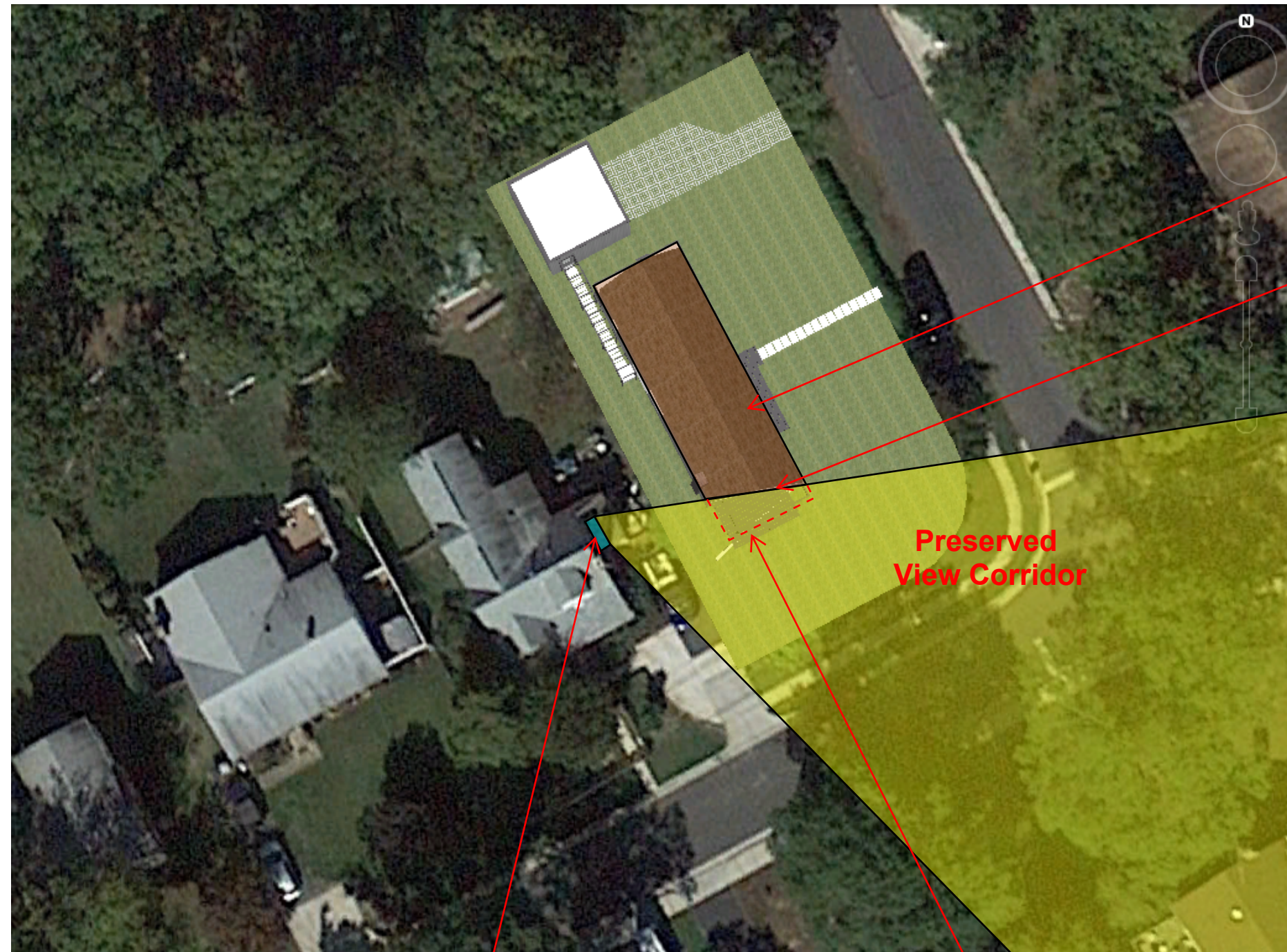
Thank you.

- Attachment: [Planning Commission.docx](#)
- Expected Response Date: Tuesday, March 10

Please take the necessary actions in responding, handling and/or updating this request at [the Call.Click.Connect. staff interface.](#)

If you need assistance with handling this request, please contact [CallClickConnect@alexandriava.gov](mailto:CallClickConnect@alexandriava.gov) or call 703.746.HELP.

This is an automated email notification of a **Call.Click.Connect.** request. Please do not reply to this email.



Location of proposed home

The home's facade cuts at an angle to allow for southern lite into the home and to help preserve views for adjacent property.

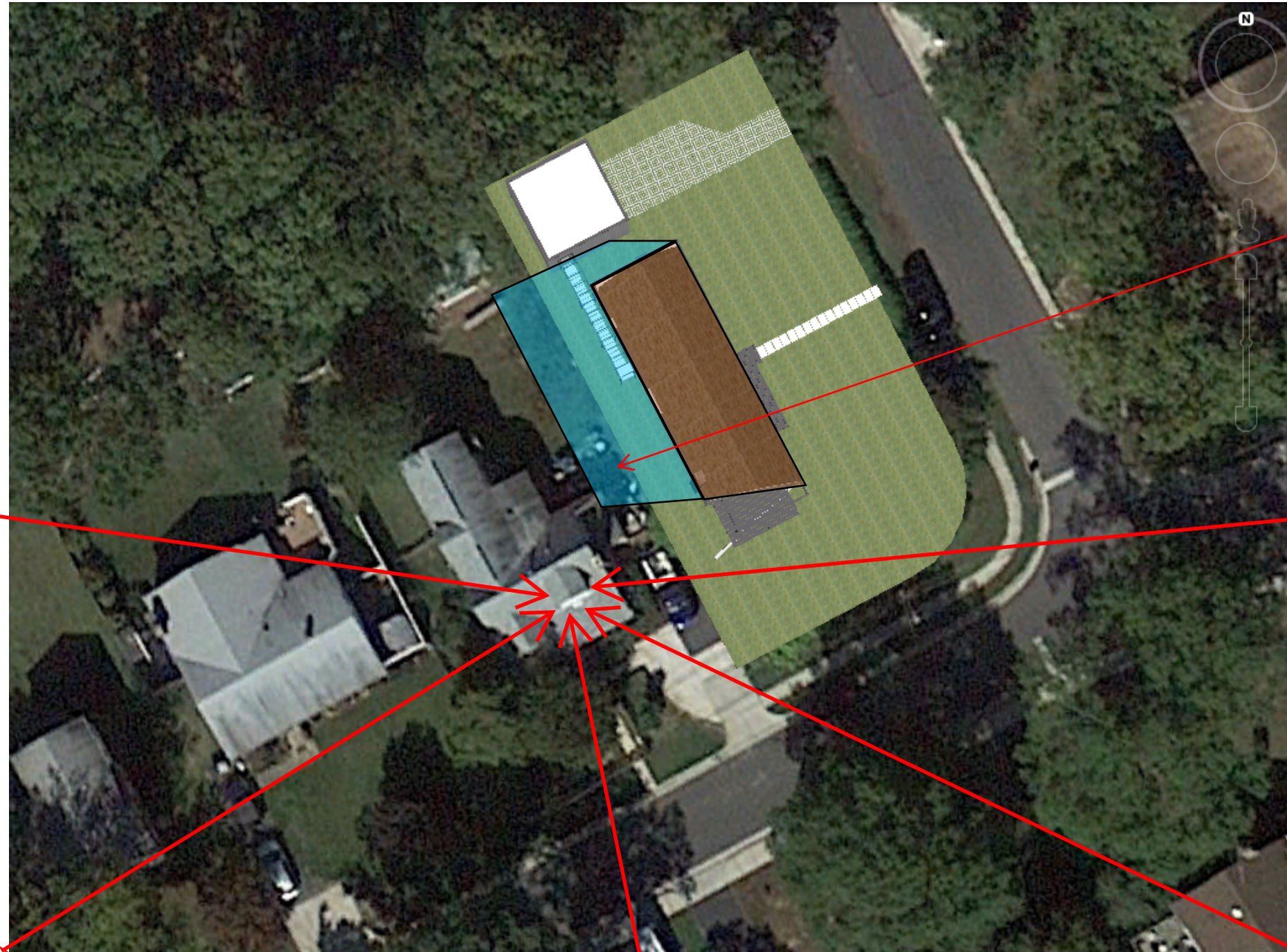
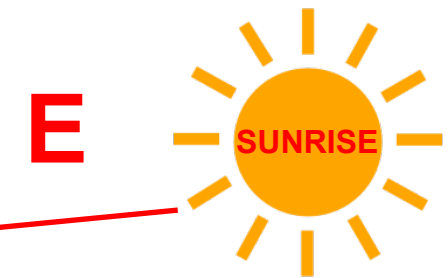
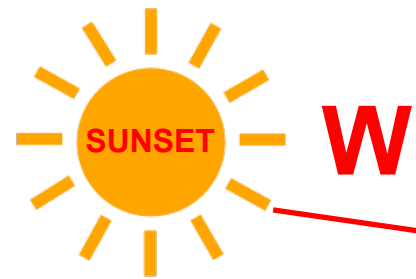
**Preserved View Corridor**

Location of window

Front Yard Setback determined by the average setback along Fillmore Ave. The home is pushed further back to preserve views and morning light for the adjacent property.



N



Possible location of shadows  
early in the morning at sunrise



By 2:00 pm the adjacent home  
would be casting shadows  
onto the proposed home.

By 9:00 am there would  
be no more shadows  
cast on adjacent home