

Docket Item #6
BAR CASE # 2017-00289

BAR Meeting
September 6, 2017

ISSUE: Request for a waiver of maximum fence height requirement

APPLICANT: Robert Agnor & Kathy Agnor

LOCATION: 205 North Columbus Street

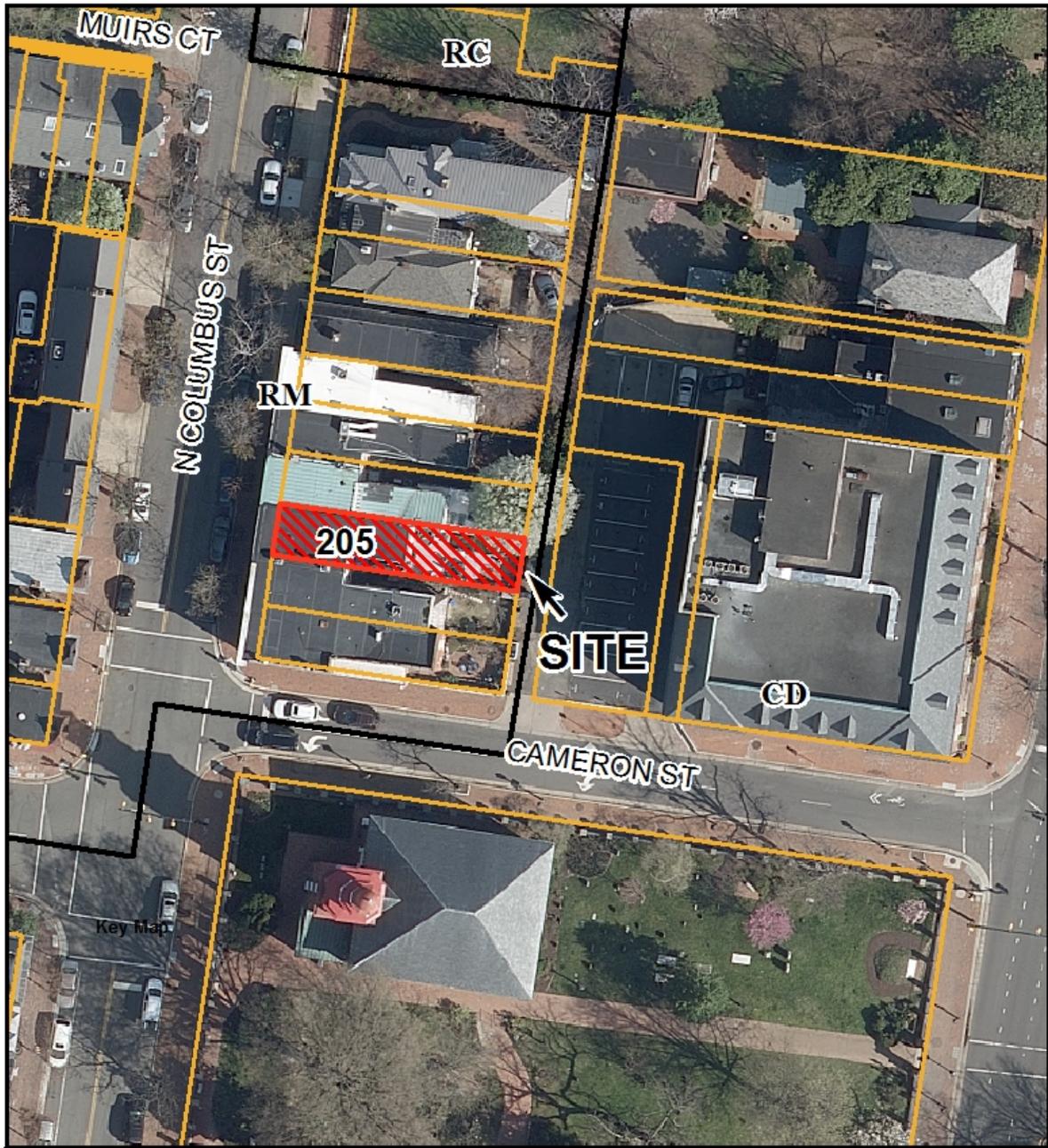
ZONE: RM/ Residential

STAFF RECOMMENDATION

Staff recommends approval of the application as submitted.

GENERAL NOTES TO THE APPLICANT

1. **ISSUANCE OF CERTIFICATES OF APPROPRIATENESS AND PERMITS TO DEMOLISH:** Applicants must obtain a stamped copy of the Certificate of Appropriateness or Permit to Demolish PRIOR to applying for a building permit. Contact BAR Staff, Room 2100, City Hall, 703-746-3833, or preservation@alexandriava.gov for further information.
2. **APPEAL OF DECISION:** In accordance with the Zoning Ordinance, if the Board of Architectural Review denies or approves an application in whole or in part, the applicant or opponent may appeal the Board's decision to City Council on or before 14 days after the decision of the Board.
3. **COMPLIANCE WITH BAR POLICIES:** All materials must comply with the BAR's adopted policies unless otherwise specifically approved.
4. **BUILDING PERMITS:** Most projects approved by the Board of Architectural Review require the issuance of one or more construction permits by Building and Fire Code Administration (including signs). The applicant is responsible for obtaining all necessary construction permits after receiving Board of Architectural Review approval. Contact Code Administration, Room 4200, City Hall, 703-746-4200 for further information.
5. **EXPIRATION OF APPROVALS NOTE:** In accordance with Sections 10-106(B) and 10-206(B) of the Zoning Ordinance, any official Board of Architectural Review approval will expire 12 months from the date of issuance if the work is not commenced and diligently and substantially pursued by the end of that 12-month period.
6. **HISTORIC PROPERTY TAX CREDITS:** Applicants performing extensive, certified rehabilitations of historic properties may separately be eligible for state and/or federal tax credits. Consult with the Virginia Department of Historic Resources (VDHR) prior to initiating any work to determine whether the proposed project may qualify for such credits.



BAR #2017-00289
205 North Columbus Street



I. ISSUE

The applicant is requesting approval for a Waiver of Fence Height for the construction of a four-foot solid PVC lattice fence on top of the existing masonry garden wall.

II. HISTORY

The two-story Italianate brick townhouse at 205 North Columbus Street was constructed by **1885**, according to Sanborn Fire Insurance Maps. The townhouse was constructed as one in a row of six, all of which are extant and retain a high level of historic integrity.

III. ANALYSIS

The proposed fence height extension will be erected in an interior side yard, as defined by section 2-207 of the zoning ordinance. If approved, the total fence height will be 9' and exceeding the zoning ordinance maximum fence height by three feet. Fences in required rear and side yards may be open or closed, but cannot exceed 6' in height anywhere in Alexandria, as stated in section 7-202(B)(3) of the zoning ordinance. However, section 7-202(C) gives the BAR the authority to waive this requirement "...where the board finds that a proposed fence would be architecturally appropriate and consistent with the character of the district."

This after-the-fact request to waive the fence height requirement is in response to a neighbor's complaint regarding the height of the fence when it was being installed. Upon being notified by City staff, the property owner immediately took down the lattice portion of the fence and filed an application for BAR approval. Though the fence exceeds the maximum permitted side yard fence height, the fence does not extend east past the neighboring townhouse at 203 North Columbus Street and is only minimally visible over the private alley and parking lot behind 200 N Washington Street. As context, staff notes that a number of fences in the immediate area also exceed 6' in height.



Figure 1: View of fence (prior to uninstalling) from Cameron Street through the private parking lot.

While the BAR's Minor Architectural Elements policy discourages hollow vinyl for fences, the proposed material appears to be solid cellular, paintable PVC, which is permitted by the BAR's policy for architectural trim where the "trim is consistently exposed to moisture." The lattice design is reminiscent of the lattice on the historic porch at the rear of the adjacent townhouse at 203 N. Columbus Street. Therefore, staff recommends approval of the waiver of fence height, as submitted.

STAFF

Amirah Lane, Historic Preservation Planner, Planning & Zoning
Al Cox, FAIA, Historic Preservation Manager, Planning & Zoning

IV. CITY DEPARTMENT COMMENTS

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

Zoning

- F-1 Proposed scope of work is for an after-the-fact of a side yard fence installation. The finished fence installation exceeds 6 feet in height and installed without a Certificate of Appropriateness. P&Z issued a violation notice on June 5, 2017. On June 20, 2017 P&Z re-inspected and the fence was removed.
- F-2 There have been no variances or special exceptions previously granted for the subject property.
- C-1 Proposed fence height exceeds 6 feet (section 7-202(B)(3)) and would require the Board of Architectural Review to consider and grant a waiver (section 7-202(C)).

Code Administration

No comments received.

Transportation and Environmental Services

- R1. 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)
- F1. After review of the information provided, an approved grading plan is not required at this time. Please note that if any changes are made to the plan it is suggested that T&ES be included in the review. (T&ES)

- C1. 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)
- C2. 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)
- C3. Any work within the right-of-way requires a separate permit from T&ES. (Sec. 5-2) (T&ES)

Alexandria Archaeology

No comments received.

V. ATTACHMENTS

- 1 – Application for BAR 2017-0289: 205 N Columbus Street*
- 2 – Supplemental Materials*

BAR Case # _____

ADDRESS OF PROJECT: 205 North Columbus Street

TAX MAP AND PARCEL: 064.04-07-22 ZONING: U202

RM-RESIDENTIAL

APPLICATION FOR: (Please check all that apply)

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

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

Name: Robert J. and Kathy Y. Agnor

Address: 205 North Columbus Street

City: Alexandria State: VA Zip: 22314

Phone: 703 739-6788 E-mail: Robert.J.Agnor@Verizon.COM

Authorized Agent (if applicable): Attorney Architect _____

Name: _____ Phone: _____

E-mail: _____

Legal Property Owner:

Name: Robert J. and Kathy Y. Agnor

Address: 205 North Columbus Street

City: Alexandria State: VA Zip: 22314

Phone: 703 739 6788 E-mail: Robert.J.Agnor@Verizon.COM

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

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

NATURE OF PROPOSED WORK: Please check all that apply

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

Addition of Lattice ON TOP EXISTING BLOCK WALL

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

We request permission to install lattice on top of an existing 5 foot high concrete block wall. The lattice is 4 feet in height. The attached pages show the full detail.

SUBMITTAL REQUIREMENTS:

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

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

Electronic copies of submission materials should be submitted whenever possible.

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

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

Additions & New Construction: Drawings must be to scale and should not exceed 11" x 17" unless approved by staff. All plans must be folded and collated into 3 complete 8 1/2" x 11" sets. Additional copies may be requested by staff for large-scale development projects or projects fronting Washington Street. Check N/A if an item in this section does not apply to your project.

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

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

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

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

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

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

- I have submitted a filing fee with this application. (Checks should be made payable to the City of Alexandria. Please contact staff for assistance in determining the appropriate fee.)
- I understand the notice requirements and will return a copy of the three respective notice forms to BAR staff at least five days prior to the hearing. If I am unsure to whom I should send notice I will contact Planning and Zoning staff for assistance in identifying adjacent parcels.
- I, the applicant, or an authorized representative will be present at the public hearing.
- I understand that any revisions to this initial application submission (including applications deferred for restudy) must be accompanied by the BAR Supplemental form and 3 sets of revised materials.

The undersigned hereby attests that all of the information herein provided including the site plan, building elevations, prospective drawings of the project, and written descriptive information are true, correct and accurate. The undersigned further understands that, should such information be found incorrect, any action taken by the Board based on such information may be invalidated. The undersigned also hereby grants the City of Alexandria permission to post placard notice as required by Article XI, Division A, Section 11-301(B) of the 1992 Alexandria City Zoning Ordinance, on the property which is the subject of this application. The undersigned also hereby authorizes the City staff and members of the BAR to inspect this site as necessary in the course of research and evaluating the application. The applicant, if other than the property owner, also attests that he/she has obtained permission from the property owner to make this application.

APPLICANT OR AUTHORIZED AGENT:

Signature: Robert J. Agnor

Printed Name: ROBERT J. AGNOR

Date: AUGUST 1, 2017

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. NONE		
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 205 N. COLUMBUS (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. ROBERT AGNOR	205 N. COLUMBUS	100%
2. KATHY Y. AGNOR	205 N. COLUMBUS STREET	100%
3. —	—	—

3. Business or Financial Relationships. Each person or entity listed above (1 and 2), with an ownership interest in the applicant or in the subject property is required to disclose any business or financial relationship, as defined by Section 11-350 of the Zoning Ordinance, existing at the time of this application, or within the 12-month period prior to the submission of this application with any member of the Alexandria City Council, Planning Commission, Board of Zoning Appeals or either Boards of Architectural Review.

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

NOTE: Business or financial relationships of the type described in Sec. 11-350 that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings.

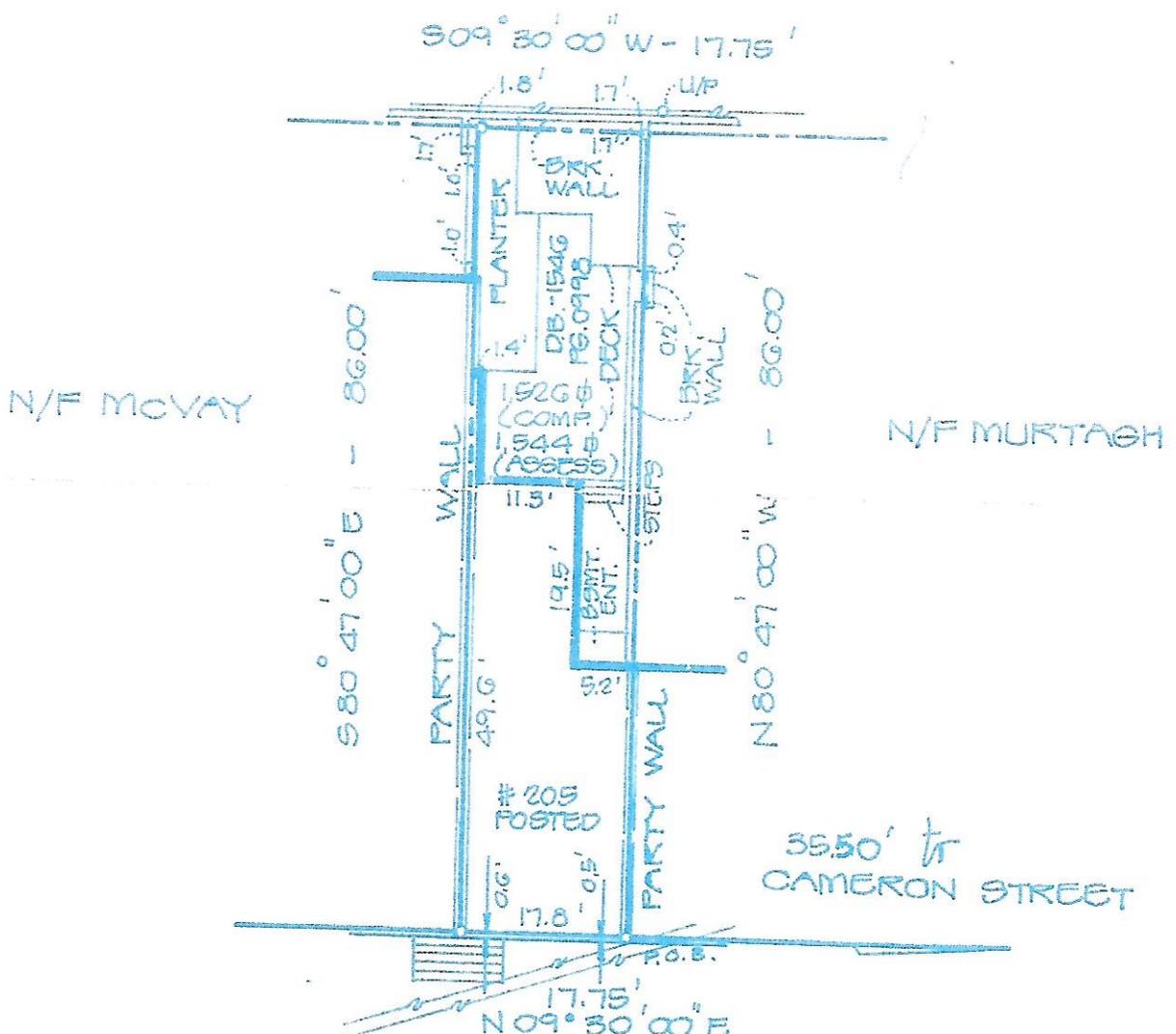
As the applicant or the applicant's authorized agent, I hereby attest to the best of my ability that the information provided above is true and correct.

AUGUST 1, 2017 ROBERT J. AGNOR 
 Date Printed Name Signature

N/F OTHERS
 ANY CONSTRUCTION, INCLUDING FENCES,
 N/F FENCES (IF SHOWN), ARE APPROXIMATE AND DO NOT CERTIFY OWNERSHIP
 PERTH IS SHOWN ON ASSESSMENT MAP NO. 064.04-07-22
 PERTH IS LOCATED IN F.H.M. ZONE X AS SHOWN ON COMMUNITY
 515519 0005D DATED 5-19-91.
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 THE FROM DATE ISSUED
 N/F, P, AS, N/F DENOTE PERMANENT MONUMENTATION



ALLEY



N. COLUMBUS STREET

VARIABLE WIDTH

LOCATION OF IMPROVEMENTS
 SHOWN ON PHYSICAL EVIDENCE

PROPERTY LOCATED AT
205 N. COLUMBUS STREET
 CITY OF ALEXANDRIA, VIRGINIA

August 1, 2017

From: Robert J. Agnor and Kathy Agnor, 205 North Columbus Street, Alexandria, Virginia 22314

To: Board of Architectural Review

Subject: Additional material for consideration of BAR request for Certificate of Appropriateness.

Background: We installed lattice on top of a concrete block wall to provide for privacy between my neighbor to the South (203 North Columbus) and my residence. We were unaware of the requirement for BAR approval, and complied with the City staff's order to dismantle the lattice.

This application is to request approval of the BAR for us to return the lattice atop the block wall.

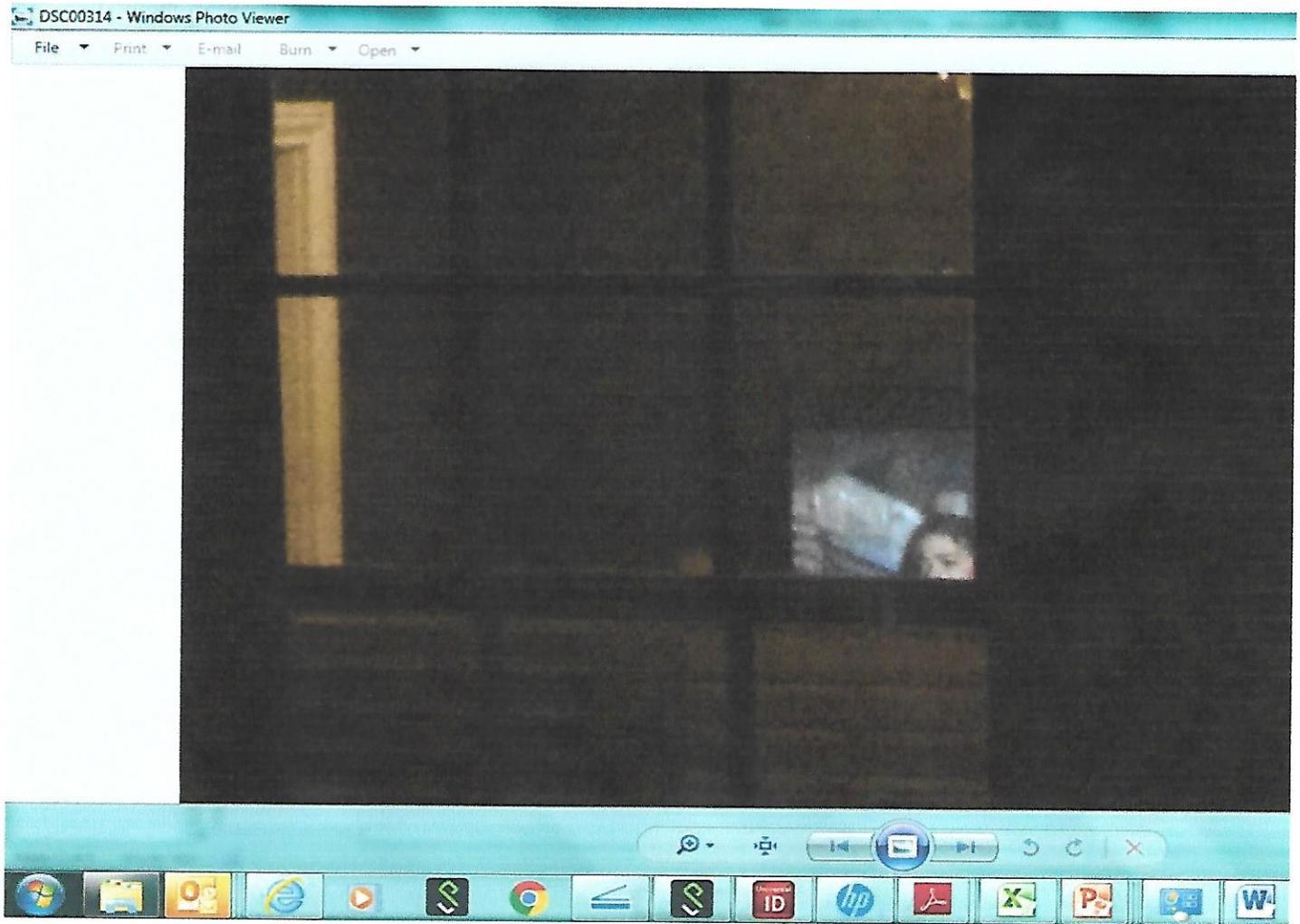
Situation: On a daily basis we and our neighbors face each other through windows just feet apart, with a lack of privacy further exacerbated by a recent addition at 203 North Columbus Street. There is a need for privacy. These windows face each other in an alley between the houses.

You can see in the following photos the total absence of any decent measure of privacy:



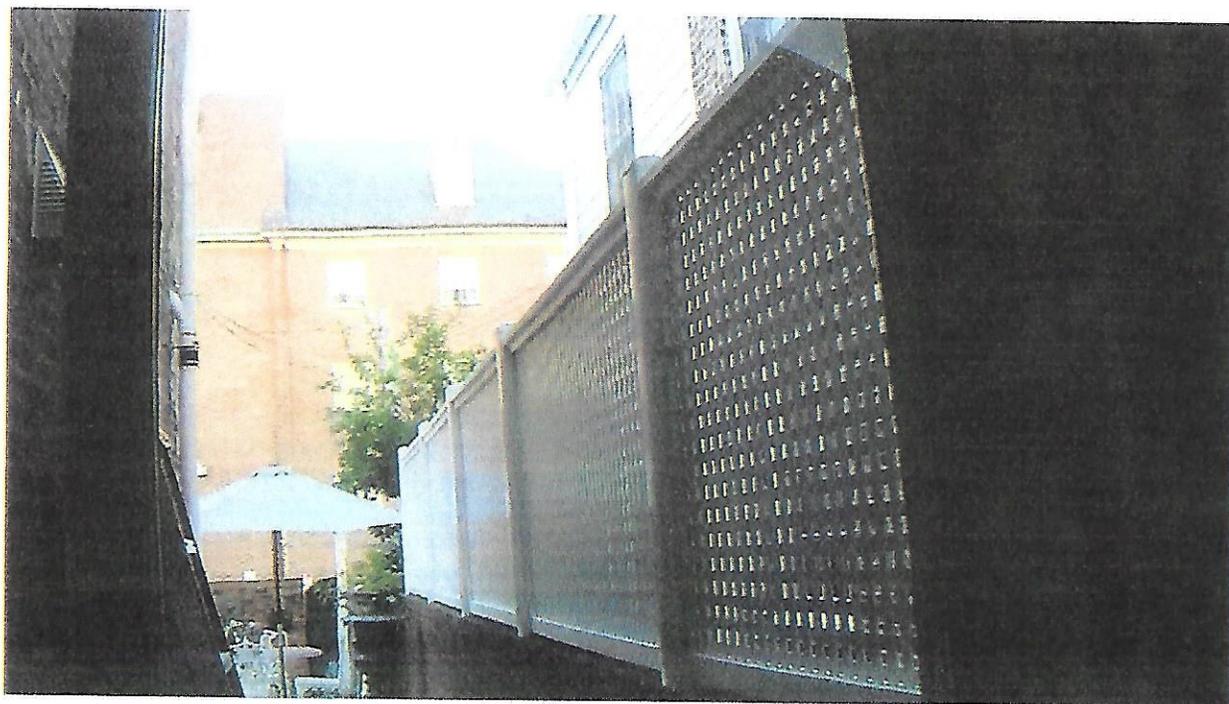
The above show the kitchens of 203 and 205 North Columbus Street facing each other. The blow picture is the family room projection of a large screen television upon my back door and porch. The lattice,

The below picture is the family room projection of a large screen television upon my back door and porch. The lattice, when it was up, did provide some relief from that.



There is an existing concrete block wall on my property that stands 5 feet above the alley floor. Because the rooms that face each other sit on top of substantial crawl space, the concrete block wall does not even rise to the bottom of the windows. We wanted lattice to provide some privacy

What was installed- Very High Quality Lattice





The lattice did not extend past the neighbor's recent addition. We purposely constructed it to not be visible to the public. It sits entirely in the alley between the two houses.



The lattice was not visible to the Public. The lattice faces a private parking lot of 201 North Washington Street. It has a low profile. This is the view of the lattice from the Parking lot. It has a 3 inch profile that

is virtually invisible. The end of the lattice is the white post to the left of the bird house.



The lattice was consistent with the neighbor's porch lattice. We wanted it to blend in with that theme.





In June, City staff advised I would be fined if I didn't comply with ordinances. We complied and below is the current state of the lattice. We request your permission to reinstall the lattice.





Start Shopping

DuraShell® 3D Vinyl Lattice

- Colors
- Sheets
- Applications
- Accessories
- Test Results
- Comparison Chart
- 3 Part Master Specs
- 3" Diagonal
- 2 3/4" Diagonal
- 1 7/8" Diagonal
- 2" Square
- 1" Square
- 1" Diagonal

Decorative 3D Lattice

- Colors
- Sheets
- Applications
- Accessories
- Test Results
- Comparison Chart
- 1 7/8" Diagonal
- 2" Square
- 3" Diagonal

Lifetime Warranty

Permalatt > Products > Vinyl Lattice > DuraShell® > 1" Square > 4' x 6'

1" Square DuraShell® Lattice - 4' x 6'

Choose another sheet size:
Choose another sheet size... ▾



DuraShell® is our strongest and most durable vinyl lattice. DuraShell® Vinyl Lattice is fade resistant in both the color and white lattice, and is resistant to insects, mold and mildew. With a 3-D and solid core construction, this lattice product will last much longer than plastic lattice and will not splinter when cut like hollow PVC can, therefore giving you the promise of long lasting beauty! Our 1" square lattice is available in a 4' x 6' sheet and comes in your choice of four stylish colors: Snow White, Sandtone, Laguna Dune, and Khaki.