

Kimberlee Eveland
212 S Alfred St
Alexandria, VA 22314
240-419-9177

April 30, 2024

Board of Architectural Review
City of Alexandria
301 King St., Room 2400
Alexandria, VA 22314

RE: Case # B BAR#2024-00140 OHAD. 217 S Columbus St

Dear Board Members:

I am writing to request you not approve the application B BAR#2024-00140 OHAD as submitted and require the owner of 217 S. Columbus (the applicant) to modify the plans so that the existing west-facing brick wall is not opened into the common court.

The current owner purchased the property in 2012 and did not engage in earnest upkeep/renovation until a few years ago. Only within the past 12 – 14 months has the owner appeared to occupy the residence with any regularity and since then has been persistent in attempting to disallow neighboring property owners to park on common land behind the wall in the space directly behind the proposed new west-facing opening.

Granting approval of the currently proposed plans would restrict the rights and use of all adjoining block property owners by altering the wall which lies beyond the applicant's property line.

More importantly, allowing the plans to proceed as proposed would enable the applicant to claim permanent and exclusive easement of common land that has been enjoyed by all common property owners for decades.

I respectfully ask you to decline approval of the plans as approved for its long ranging and negative implications for property owners and residents who for years have harmoniously and respectfully enjoyed together the benefits of the alley, the court and common area.

Respectfully,
Kimberlee Eveland

Kimberlee Eveland
212 S Alfred St
Alexandria, VA 22314
240-419-9177

May 1, 2024

Board of Architectural Review
City of Alexandria
301 King St., Room 2400
Alexandria, VA 22314

RE: Case # B BAR#2024-00140 OHAD. 217 S Columbus St

Dear Board Members:

I am providing an addendum to my letter of April 30, 2024 pertaining to this case and adding the following information further supporting my request to deny Case # B BAR#2024-00140 OHAD. 217 S Columbus St and require modification of the plans so that the existing west-facing brick wall is not opened into the common court.

Upon further research I find within my Deed (copy attached) there is “right of way over the alley as well as appurtenances thereto belonging”. Allowing the plans for partial demolition/encapsulation to proceed as proposed will infringe upon my specific deeded right and the general practice of property owners abutting the alley to enjoy the ability to park perpendicular to the existing solid brick wall.

With this finding, I again respectfully request the Board of Architectural Review consider these facts as they pertain to Case # B BAR#2024-00140 OHAD and recognize it is not solely a matter of appropriateness of design, but also a situation with implications pertaining to deeded property rights and zoning.

Respectfully,
Kimberlee Eveland

Cc: Planning & Zoning

140004077

212 8. April

000061

Consideration: [REDACTED]
Assessed value: [REDACTED]

Tax Map# 11444500

Grantee Address:
212 South Alfred Street
Alexandria, VA 22314

File #NL-14-4413-FS

Prepared by and Return to:
Erika S. Tucker, Esq. VSB# 39070
Tucker and Rauner, P.C.
6861 Elm Street
Suite 100A
McLean, VA 22101

Title insurer: First American Title Insurance Company

DEED

THIS DEED is made this 4th day of April, 2014 by and between Rahmi Hakan OZSANCAK and Anna Osinski OZSANCAK, husband and wife, Grantors, and Kimberlee A. EVELAND and Andrew A. LEWIS, wife and husband, Grantee.

WITNESSETH:

That for and in consideration of the sum of TEN DOLLARS (\$10.00), cash in hand paid, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Grantors do hereby grant, bargain, sell and convey in fee simple and with General Warranty and English Covenants of Title unto the Grantee as tenants by the entirety with common law right of survivorship the following described property, situate, lying and being in the City of Alexandria, Virginia, to wit:

BEGINNING on the East side of Alfred Street 15 feet 9 inches, more or less, North of the South line of the half square of ground conveyed by William T. Alexander to Samuel Davis, which South line of said half square is supposed to be at the central point between Prince and Duke Streets, the beginning point in this Deed as above set forth, being North 15 feet 9 inches, more or less from said central point between Prince and Duke Streets, which by recent survey is determined to be 196.01 feet North of Duke Street, and being in the center of the partition wall between premises 212 and 214 South Alfred Street in said City; and running northwardly with Alfred Street 15 feet 9 inches, more or less; which by recent survey is found to be 15.79 feet, thence eastwardly parallel to Prince Street 100 feet to a court or alley; thence southwardly with said court parallel to Alfred Street 15 feet 9 inches, more or less, which by recent survey is found to be 15.79 feet; thence westwardly with a straight line; a part of the way through the center of said partition wall, 100 feet to a point of beginning; with right of way over the said alley and all other rights and appurtenances thereto belonging.

AND BEING the same property acquired by Rahmi Hakan OZSANCAK and Anna Osinski OZSANCAK by Deed dated August 15, 2012, and recorded September 10, 2012, as Instrument No. 120019683, among the land records of the City of Alexandria, Virginia.

This conveyance is made subject to the covenants, easements, conditions, restrictions, and rights of way of record contained in the deeds forming the chain of title to said property.

RETURN TO:
METRO MONARCH TITLE, LLC
6861 ELM STREET
SUITE 100
MCLEAN, VA 22101

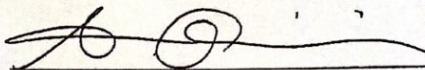
HSS FILE

000062

WITNESS the following signatures and seals:



Rahmi Hakan OZSANCAK

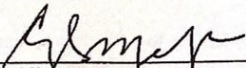


Anna Osinski OZSANCAK

STATE OF VIRGINIA,
COUNTY OF FAIRFAX, to wit:

I, the undersigned, a Notary Public for the State and County aforesaid,
do hereby certify that Rahmi Hakan OZSANCAK and Anna Osinski
OZSANCAK, whose names are signed to the foregoing Deed dated April 04,
2014, have acknowledged the same before me in my State and County
aforesaid.

Given under my hand and seal this April 04, 2014.

 (SEAL)

Notary Public

My Commission Expires: April 30, 2015

File #ML-14-4413-FS



INSTRUMENT #140004077
RECORDED IN THE CLERK'S OFFICE OF
ALEXANDRIA ON
APRIL 7, 2014 AT 01:07PM
\$1,290.00 GRANTOR TAX WAS PAID AS
REQUIRED BY SEC 58.1-802 OF THE VA. CODE
STATE: \$645.00 LOCAL: \$645.00

EDWARD SEMONIAN, CLERK
RECORDED BY: JAH

Vincent A. Lacovara III
807 Duke Street
Alexandria, VA 22314

May 1, 2024

Board of Architectural Review
City of Alexandria
301 King St., Room 2400
Alexandria, VA 22314

Re: BAR#2024-00140 OHAD (Request for partial demolition/encapsulation at
217 S Columbus Street)

Dear Members of the Board,

I request that you deny BAR#2024-00140 as presented and require the owner of 217 S. Columbus (the applicant) to modify the plans so that the existing west-facing brick wall is *not* opened into the common court. The plans currently indicate the opening will be 44 SF. Allowing the modification will permanently restrict the rights and use of all adjoining block property owners by altering the wall beyond the applicant's property line. If allowed, the applicant will claim permanent and exclusive easement of common land that has been enjoyed by all common property owners for decades.

Of note to this request:

- 1) The City of Alexandria has long considered the alleys and courts to be privately owned and "that all properties adjoining the alley and courts may have rights to the use of the Alleys and Courts in common with others." (See letter from City of Alexandria to 809 Duke Street, dated June 11, 1998.)
- 2) The brick wall the applicant is proposing to demolish and open *is beyond the applicant's property line*. Per the applicant's own proposal, the brick wall extends beyond the property line on two sides – both into the Court and into Hummer Alley. As a resident of Duke Street with a driveway that backs to Hummer Alley, the existing *wall that extends beyond the property line* already impedes access to my driveway. As evidence of the encroachment, note that a public streetlight *is on the inside of the applicant's wall facing Hummer Alley*, demonstrating further that the applicant's wall extends beyond her property line.
- 3) The applicant already enjoys significant exclusive use of common land beyond their property line, as they have an unfinished garage, preventing other residents from parking in front of the garage on what is otherwise common property. This provides the applicant with a de facto second parking space that is located on community property.
- 4) 217 S. Columbus already has entryways on three sides of the property (S. Columbus Street, Hummer Alley gate, and garage entry in the Court). An additional entryway is not necessary.

I respectfully request that the BAR reject this request and maintain a consistent policy on protecting the rights and use of all block property owners.

Thank you,
Vincent A. Lacovara III

May 1, 2024

Board of Architectural Review

City of Alexandria

301 King St., Room 2400

Alexandria, VA 22314

RE: Case # B BAR#2024-00140 OHAD. 217 S Columbus St

Dear Board Members:

While we applaud Ms. Van Way's desire to address the condition of the grossly neglected one-story masonry garage at the rear of her property at 217 S Columbus St., we do not support the modification of the existing west-facing brick wall in a way which would allow Ms. Van Way to claim permanent and exclusive easement of common land which has been enjoyed by all common property.

We recommend the approval of a plan to improve the existing one-story masonry structure which does not enable Ms. Van Way to claim additional common land.

Best,

John Reilly & Tamyl Dunwoody

224 S Alfred St

Alexandria, VA 22314

(201) 376-6420