

**BOARD OF ZONING APPEALS**  
**PUBLIC HEARING MINUTES**

The regular meeting of the Board of Zoning Appeals was held on  
Monday, May 11, 2026, at 7:00 p.m.  
at 4850 Mark Center Drive, Room 1305, Alexandria, Virginia

The proceedings of the meeting were recorded; records of each case are on the web at [www.alexandriava.gov/dockets](http://www.alexandriava.gov/dockets) and on file in the Department of Planning and Zoning.

Members Present: Paul Liu, Chair  
Dawn Bauman, Vice Chair  
Kimberlee Eveland, Secretary  
Coleman Burke  
Tim Foley (remote)  
Andrew Justus  
Raj Patel (remote)

Members Absent: None

Staff Present: Christina Brown, City Attorney's Office  
Mary Christesen, Department of Planning & Zoning  
Luke Cowan, Department of Planning & Zoning  
Marlo Ford, Department of Planning and Zoning  
Sean Killion, Department of Planning and Zoning

## CALL TO ORDER

1. Mr. Liu called the May 11, 2026, Board of Zoning Appeals to order at 7:00 p.m.

## OTHER BUSINESS

2. Legal Training for Board of Zoning Appeals Members conducted by Christina Brown.

## UNFINISHED BUSINESS AND ITEMS PREVIOUSLY DEFERRED

3. BZA2026-00002  
1030 Cross Drive  
Public Hearing and consideration of a request for a Variance and an after-the-fact accessory structure in the required secondary front yard; zoned: R-8/Residential.  
Applicant: Jonathan and Tracy Mapley-Brittle

**BOARD OF ZONING APPEALS ACTION, MAY 11, 2026:** On a motion to deny by Mr. Foley, seconded by Mr. Burke, the Board of Zoning Appeals voted to deny the variance. The motion was approved by a vote of 5 to 2, and the variance was denied.

### Reason to Deny:

The Board agreed with the staff analysis that the request did not meet the standards for a variance as outlined in the staff report.

### Dissenting Reason:

The structure doesn't cause detriment to the neighborhood and is supported by neighbors. Topographical issues in the southeast corner of the lot prevent the structure from being located there and eliminate privacy between the applicant and the adjacent property owner.

### Speakers:

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

### Discussion

Ms. Eveland inquired if the structure had changed since the previous hearing.

Ms. Bauman asked about the memo that was included along with the staff report and whether it would be presented. Staff responded that the information from the memo was included in the presentation but would not be presented separately.

Ms. Bauman asked if the memo included the building permit requirements that were required in 2018 when the applicant constructed the gazebo. Staff stated this wasn't included as it falls under the purview of the Department of Code Administration.

Mr. Patel asked about the height of the structure and whether it required a building permit when it was built. Staff followed up, stating that the Department of Code Administration had provided comments that a building permit is required for the structure.

Staff explained that while pergolas meeting specific criteria, less than 10 feet in height and at least 80% open, are allowed within all required yards currently, this was not permitted when the structure was constructed in 2018. The rules have become more permissive, but

this structure, as proposed, is still not a permitted structure allowed in the required secondary front yard.

Mr. Justus asked the applicant and staff if the neighboring lots were substandard. Staff explained that the neighboring corner lots are both substandard in lot size, as are many other nearby interior lots, but without surveys, we cannot determine compliance with the required lot width dimensions.

Mr. Liu asked the applicant if the structure was constructed in 2018. The applicant stated he purchased the kit for the structure and constructed it in 2018. Mr. Liu followed up by asking the applicant when the property was purchased by the applicant. The applicant stated the property was purchased in 2017.

Mr. Burke asked the applicant if the patio was the constructed was when the house was purchased. The applicant stated it was there when the property was purchased. Mr. Burke followed up by asking if there were any previous structures where the current structure is located. The applicant stated there had been several temporary tent structures in approximately the same location.

Mr. Liu asked for clarification about the mature apple tree that caused the structure to be placed in its current location. The applicant showed in the photos of the stump of the previous tree that has since been removed.

Mr. Liu stated that he wasn't at the previous hearing. He asked the applicant if there was a stormwater issue with the structure being in the public right of way. The applicant stated that the sidewalk is two feet from where the structure projects, so the sidewalk would not be impacted.

Mr. Foley stated he was opposed to granting a variance to allow structures such as this within required front yards that would alter the character of the neighborhood. He agreed with staff's recommendation and the language of the zoning ordinance to limit accessory structures within required front yards.

Ms. Bauman asked staff if the substandard lot size was taken into consideration when analyzing the request. Staff stated that while it was taken into consideration, there are alternatives that will allow the applicant other covered outdoor areas on the lot and explained that the approval of this structure would alter the required minimum front yard for properties within this contextual blockface. Staff further explained that the substandard nature of this corner lot is not unique to the neighborhood or the City in general.

Mr. Patel asked staff why this lot is considered a corner lot with two front yards. Staff explained that the zoning ordinance defines a corner lot as any lot fronting on two or more streets, and the secondary front yard is defined as the other front yard on a corner lot. This corner lot has two front yards and two side yards. Corner lots do not have a required rear yard, which is more restrictive than a side yard.

Mr. Patel asked if staff had received letters of support from the adjacent property owners. Staff stated we did receive letters of support.

Mr. Burke asked staff for clarification on the 80% open rule on pergolas. Staff stated that the roof and all sides would need to be at least 80% open to allow light and air to pass through.

Ms. Bauman asked staff if this proposal would qualify for a special exception. Staff explained it does not meet the requirements to be reviewed as a special exception. Ms. Bauman added that she wasn't in favor of the anonymous complaint being the reason this structure needed to come forward to the Board, especially since there seems to be neighborhood support. However, she believed they needed to maintain the integrity of the framework of the zoning ordinance, and that request did not meet the standards to support the variance.

Ms. Eveland thanked the applicant for applying, but stated that she couldn't see how the request met the standards to approve the variance and agreed with Ms. Bauman that the anonymous complaint system is disturbing.

Mr. Patel stated he would be in favor of supporting the variance request due to the strong neighbor support and did not believe it would change the overall nature of the neighborhood.

Mr. Foley asked Mr. Patel to go through the six criteria and explain how he could come to a reason to say this variance request meets the criteria.

Mr. Patel stated the owner faces hardship in the fact that he has a corner lot and difficult topography. He also included that the issue isn't shared by other properties and that the topography is unique to this lot. He added that there is no detriment to the neighborhood as they have all submitted letters of support. He lastly stated that his interpretation of the light and air section differentiates this structure from conditioned space because it remains open to air and light greater than conditioned enclosed living space.

Mr. Foley then asked staff if Mr. Patel answered all the criteria for a variance. Staff stated they stand behind their recommendation that the request does not meet the standards required to support the variance. Mr. Foley further asked the staff if Mr. Patel presented a complete evaluation of the standards. Staff stated Mr. Patel gave his opinion about how the application met the standards, but staff disagreed with his interpretation.

Mr. Foley asked staff if this would be brought to an appeal and if all the criteria would be addressed for the opposing viewpoint. In staff's opinion, the standards were not addressed correctly and are not met.

Mr. Liu asked Mr. Patel to explain the topographical concerns of the property that required the structure to be placed in its current location. Mr. Patel brought up the slope of the yard and the privacy with the neighboring property.

Mr. Liu brought up the alternatives staff brought up in terms of a porch or pergola and asked Mr. Patel how these alternatives address the hardship of the topographical concerns.

Mr. Patel asked staff for clarification on where the structure could be relocated in order to comply. Staff stated that a pergola in compliance with the permitted obstruction section could be located in the current location as long as an administrative encroachment was

approved. Staff also included that they could push the structure behind the secondary front building wall, which would be in compliance with the secondary front setback. Lastly, staff stated an open porch could be located in both the primary and secondary front yards, projecting up to 10 feet from the building walls.

Mr. Liu brought up the utilization of the space south of the main dwelling. Staff stated that the topography drops behind the house, but the location would comply with the zoning requirements. However, the applicant has indicated that there is standing water in this location.

The applicant further clarified that the area immediately to the south of the dwelling, before the topography drops down, is roughly the size of the structure, but constructing the structure in that location would impact privacy with the adjacent neighbor.

Ms. Bauman asked staff for information regarding the Board's ability to determine if they could look at hardship for cost or financial hardship. Staff stated it is not a hardship the Board should be considering. The Board should only consider the definition of a variance and the standards in section 11-1103 of the zoning ordinance, and considerations such as cost or financial hardship are inappropriate.

Mr. Patel asked staff to ask staff to go through numbers five and six of the criteria for staff to explain why it is recommending denial. Staff stated that there are alternatives that are allowed by the ordinance and that there are other means to gain relief beyond a variance.

Mr. Liu asked the applicant what uses derive from the gazebo that you cannot gain from a porch or a pergola. The applicant said the porch wasn't an option back in 2018 and a pergola would only be decorative and not supply his family with protection from the elements or provide shade.

The applicant asked the Board and staff if a special exception could be granted to allow a pergola with less than 80% openness. Staff stated that the request would also be a variance as the list of special exceptions doesn't include pergolas. The applicant followed up on whether a pergola less than 80% open would be allowed within the required yard. Staff stated it would no longer be considered a pergola and wouldn't be permitted within the required front yard.

Mr. Burke stated the Board must interpret the zoning ordinance of today. He finished stating that he personally would love to vote yes, but the ordinance and the standards for a variance restrict him from supporting this variance.

Mr. Liu agreed with Mr. Burke and stated the applicant made a very compelling case, but the Board has to apply the standards when granting variances.

## **NEW BUSINESS**

### **4. BZA2026-00005**

2411 Ridge Road Drive

Public Hearing and consideration of a request for a Special Exception to construct an addition in the required side yard; zoned: R-8/Residential.

Applicant: Ian Everett

**BOARD OF ZONING APPEALS ACTION, MAY 11, 2026:** On a motion to approve by Mr. Burke, seconded by Ms. Bauman, the Board of Zoning Appeals voted to approve the special exception as requested. The motion was approved by a vote of 7 to 0.

Reason:

The Board agreed with the staff analysis that the request met the standards for a special exception.

Speakers:

Dimeatrius Edwards, the property owner and Steven Tentor, General Manager, Cook Brothers Construction made the presentation.

Discussion:

Mr. Liu inquired about the size of the addition. Staff discussed the nature of the relief based on a side yard and not necessarily the length of the addition. Staff further highlighted that the reason the proposal is before the Board as a special exception is that the existing house does not comply with the minimum side yard requirement based on the height of the existing dwelling; thus, making it an existing noncomplying wall.

Mr. Foley indicated that the proposal is similar to many other additions that have sought relief through the special exception process and should be approved.

Mr. Liu inquired about the email conversation between staff and the neighbor. Staff indicated that the neighbor concerns that while they were aware of a proposal for an addition, they were not aware of the scope of work until the staff report. Staff went on to discuss that the zoning regulations were explained to the neighbor and that the proposal is similar to an addition that was approved by the Board of Zoning Appeals on the opposite end of the block.

Ms. Bauman indicated that the applicant's proposal shows that the applicant took time to understand the zoning requirements and maintain the character of the neighborhood.

Mr. Justus indicated that the application was straightforward and thanked staff for explaining how height is measured for different rooflines, and was generally in favor of approval.

## **MINUTES**

5. Consideration of the Minutes from April 13, 2026, Board of Zoning Appeals Public Hearing.

**BOARD OF ZONING APPEALS ACTION, MAY 11 2026:** On a motion by Mr. Patel, seconded by Ms. Bauman, the Board of Zoning Appeals voted to approve the minutes as submitted. The motion was approved by a vote of 7 to 0.

## **OTHER BUSINESS**

None.

## **ADJOURNMENT**

6. The Board of Zoning Appeals meeting was adjourned at 8:53 p.m.