

BOARD OF ZONING APPEALS
PUBLIC HEARING MINUTES

The regular meeting of the Board of Zoning Appeals was held on
Monday, September 8, 2025, at 7:00 p.m.
in Council Chambers, City Hall, Alexandria, Virginia

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

Members Present: Paul Liu, Chair
 Raj Patel
 Coleman Burke
 Tim Foley
 Andrew Justus

Members Absent: Dawn Bauman, Vice Chair
 Kimberlee Eveland, Secretary

Staff Present: Mary Christesen, Department of Planning & Zoning
 Bill Cook, Department of Planning and Zoning
 Sean Killion, Department of Planning & Zoning
 Ted Alberon, Department of Planning & Zoning

CALL TO ORDER

1. Chair Liu called the September 8, 2025, Board of Zoning Appeals to order at 7:00 p.m.

ANNOUNCEMENTS

2. The applicant at 9 Potomac Court, BZA2025-00009 requested a deferral prior to the hearing. The Chair reordered the docket to hear this request first.

UNFINISHED BUSINESS AND ITEMS PREVIOUSLY DEFERRED

None.

NEW BUSINESS

3. BZA #2025-00009
9 Potomac Court

Public Hearing and consideration of a request for Variances to construct a deck in the required rear yard and reduce the required open space; zoned: RM/ Residential Townhouse
Applicant: Ronnie Vassalo Jr and Mary Savino, represented by Steve Berry

BOARD OF ZONING APPEALS ACTION, SEPTEMBER 9, 2025: On a motion by Mr. Foley seconded by Mr. Patel, the Board of Zoning Appeals voted to defer the variance as requested by the applicant. The motion was approved on a vote of 5 to 0.

Reason: The applicant requested a deferral to a future date to be determined and the Board supported this request.

Speakers: Steve Berry, agent for the applicant, requested the deferral.

Discussion:
None.

4. BZA #2025-00006
3106 Holly Street

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

BOARD OF ZONING APPEALS ACTION, SEPTEMBER 9, 2025: On a motion by Mr. Foley, seconded by Mr. Justus, the Board of Zoning Appeals voted to approve the special exception as requested with the condition recommended by staff that lots be consolidated prior to submission of a building permit. The motion was approved on a vote of 5 to 0.

Reason: The Board agreed with staff analysis that the request met the criteria for a special exception.

Speakers: Cody Stadler, architect, made the presentation.

Discussion:

Mr. Foley asked about staff's condition of requiring the lots to be consolidated prior to applying for a building permit. Staff stated this was a requirement common in Alexandria for properties that span multiple lots. That in order to comply with the regulations of the zone (beyond the special exception request) they would need both lots. Therefore, staff

stated it allowed the applicant to go in front of the Board of Zoning Appeals as long as was consolidated prior to the building permit.

Mr. Foley added an additional question about whether this was written in the ordinance. Staffed pointed out that this condition was both in the ordinance and a common occurrence in the City of Alexandria for properties that span two or more lots.

Mr. Stadler agreed with staff presentation and that his proposal was consistent with both the adjacent neighbors and other surrounding properties.

Mr. Foley stated that the Board has seen many cases similar to this request and it fell in line with those previous requests due to the location of the existing property within the required side yard and the unique lot design. He added that was also in favor of approving this special exception request.

Mr. Burke agreed with Mr. Foley and stated that since it matched neighboring properties in the area, he saw no reason not to approve this request.

Mr. Patel argued it's a simple request to expand an existing single family home and saw no reason not to approve this request.

Mr. Justus echoed the sentiments of his fellow Board members and added the design seemed pretty straightforward.

5. BZA #2025-00007
109 Ashby Street

Public Hearing and consideration of a request for a Special Exception to convert an existing structure to an Accessory Dwelling Unit (ADU) larger than permitted by Section 7-203 of the Zoning Ordinance; zoned: R-2-5/Residential Applicant: Brennen B. Jaeb

BOARD OF ZONING APPEALS ACTION, SEPTEMBER 9, 2025: On a motion by Mr. Justus, seconded by Mr. Foley the Board of Zoning Appeals voted to approve the special exception as requested. The motion was approved on a vote of 5 to 0.

Reason: The Board agreed with staff analysis that the request met the criteria for a special exception.

Speakers: Brennen Jaeb, the property owner, stated that he had no comments and concurred with Staff's analysis.

Mr. Justus inquired whether there was a cost estimate to establish the ADU if the existing structure were required to be demolished. Mr. Jaeb said that it was not estimated, but due to the design of the existing garage it would probably require a full demolition, rather than a partial demolition to comply with the size limit for an ADU. He also confirmed for the Chair that the garage was existing at the time of purchase.

Discussion:

Mr. Justus inquired whether there was a cost estimate to establish the ADU if the existing structure were required to be demolished. Mr. Jaeb said that it was not estimated, but due to

the design of the existing garage it would probably require a full demolition, rather than a partial demolition to comply with the size limit for an ADU. He also confirmed for the Chair that the garage was existing at the time of purchase.

Mr. Justus asked if staff had seen similar cases where ADU's exceeded the size limit. Staff responded that one other case had come before the BZA, and that a special exception process was created when the ADU regulations were formulated so that conversions of existing structures could request potential relief for setbacks, height, and size. Staff noted that ADU's have more typically been new construction or conversions of complying existing structures.

Responding to the Chair, staff outlined some of the objectives of the ADU policy adopted in 2021, primarily to encourage the supply of housing units at a broader range of affordability.

Staff clarified for Mr. Burke that the floor area maximum for ADU's apply to both new and existing structures, and that the granting of a special exception would facilitate use of the existing structure in this case. A new structure of this size would require a variance, which is a difficult standard to meet, thus the ADU policy allows conversion of existing structures rather than a requirement for demolition to allow the use as an ADU.

Mr. Foley stated his belief that the case met the intent of ADU policy, and stated his recollection of a prior similar case before the BZA. The Chair stated his support for the ADU policy generally, and Mr. Foley added that a larger unit such as the one proposed would be more "livable" and more closely meet the intent of the policy to support housing affordability.

6. BZA #2025-00008

105 East Howell Avenue

Public Hearing and consideration of a request for a Special Exception to construct a rear porch in the required side yard; zoned: R-2-5/Residential Applicant: Rachel DeBaun

BOARD OF ZONING APPEALS ACTION, SEPTEMBER 9, 2025: On a motion by Mr. Foley, with the condition the Department of Transportation and Environmental Services will ensure water runoff is contained on the subject property seconded by Mr. Patel, the Board of Zoning Appeals voted to approve the special exception as requested. The motion was approved on a vote of 5 to 0.

Reason: The Board agreed with staff analysis that the request met the criteria for a special exception.

Speakers: Cole Abler, architect, made the presentation.

Discussion:

Mr. Foley asked how far from the property line the dwelling on adjacent property to the west at 103 East Howell Avenue was located and Mr. Lui asked if that property owner submitted a letter of support. Staff indicated that a dwelling is located on that property a few feet from the property line and that the applicant sent the required legal notice to that property owner but staff did not receive a letter from them.

Mr. Foley questioned the proposal being so close to the property line and wanted the application to have the support of the neighbor. Mr. Liu asked staff to confirm that the neighbor did not submit a letter of support. Staff confirmed and restated that the neighbor was sent the required notice, but chose not to submit comments on the proposal.

Mr. Patel and Mr. Liu asked for clarification about the location and the openness of the proposed structure and the relationship of the depth of the existing pergola and the depth of the proposed porch. The architect, Mr. Abler stated the depth is not changing and that there is a 6.00 foot fence between the properties in this area.

Mr. Foley asked about where the water runoff will be directed. Mr. Abler clarified that the water will be directed onto the property. Staff further clarified that the proposal will be reviewed for stormwater requirements at the time of the building permit

MINUTES

7. Consideration of the Minutes from the July 14, 2025, Board of Zoning Appeals Public Hearing.

BOARD OF ZONING APPEALS ACTION, SEPTEMBER 9, 2025: On a motion by Mr. Burke, seconded by Mr. Justus, the Board of Zoning Appeals voted to approve the minutes. The motion was approved on a vote of 5 to 0.

ADDITIONAL BUSINESS

8. Consideration of the Fiscal Year 2025 Board of Zoning Appeals Annual Report

BOARD OF ZONING APPEALS ACTION, SEPTEMBER 9, 2025: On a motion by Mr. Patel, seconded by Mr. Burke, the Board of Zoning Appeals voted to approve the Annual Report. The motion was approved on a vote of 4 to 0. Mr. Justus abstained.

9. **ADJOURNMENT**

The Board of Zoning Appeals meeting was adjourned at 8:04 p.m.