

***Special Use Permit #2023-00057  
103 East Del Ray Avenue  
Redevelopment of a Substandard Lot***

Application	General Data	
<b>Request:</b> Public Hearing and consideration of a request for a Special Use Permit to construct a new single-family dwelling on a developed substandard lot with yard modifications and a parking reduction; zoned: R-2-5/Single and two-family.	<b>Planning Commission Hearing:</b>	October 3, 2023
	<b>City Council Hearing:</b>	October 14, 2023
<b>Address:</b> 103 E Del Ray Avenue	<b>Zone:</b>	R-2-5/Single and two-family
<b>Applicant:</b> Deyi Awadallah	<b>Small Area Plan:</b>	Potomac West Small Area Plan

**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:** Alexa Powell, [alexa.powell@alexandriava.gov](mailto:alexa.powell@alexandriava.gov)  
 Sam Shelby, [sam.shelby@alexandriava.gov](mailto:sam.shelby@alexandriava.gov)

**PLANNING COMMISSION ACTION, OCTOBER 3, 2023:** On a motion by Vice Chair McMahon, seconded by Commissioner Lyle, the Planning Commission voted to recommend approval of Special Use Permit #2023-00057 for side yard modifications and a two-space parking reduction. The motion carried on a vote of 6-1, with Commissioner Brown opposing.

**Reason:** The Planning Commission generally agreed with staff’s analysis. Commissioner Brown did not support the applicant’s request for a full parking reduction.

**Discussion:**

Commissioner Brown inquired about the staff analysis regarding the neighborhood compatibility of the parking reduction given that other properties in this block have parking spaces in front rather than behind the house. Staff responded that while some properties on this block provide parking in front they are typically situated to the side of and not directly in front of the dwelling. Commissioner Brown indicated while he was supportive of the project, including the side yard modifications, he was not supportive of a two-space parking reduction and felt that with minor modifications to the design the applicant could accommodate one off-street parking space. Staff noted that given the required front setback in order to provide one standard off-street parking space, which measures 18.5ft in depth, the applicant would need to remove the porch which

would alter the overall design. Commissioner Brown stated he saw no evidence that more than a few feet of the porch would be lost to reconfiguring the lot to accommodate one parking space.

Vice Chair McMahon, asked staff about the proximity of this proposal to the neighboring property and whether typologically this was consistent with others on this block. Further, she asked whether, from a construction standpoint, if there were any differences between developing this as a single-family dwelling in close proximity to the neighbor versus a semi-detached unit. Staff responded that six properties on this block are developed with a semi-detached dwelling and at least six single-family dwellings that don't meet the side yard setbacks required by this zone, so the proposal is in character with others in the neighborhood. Staff also indicated that the applicant would be subject to all building code requirements in terms of providing for fire safety with fire walls.

Chair Macek asked whether the development of the subject property would impede development of the adjacent lot. Staff responded that the adjacent property would have been required to have the same fire rating on their wall because of how close it is to the lot line. Staff also indicated they would not have to change their design and would not be inhibited by development of the subject property.

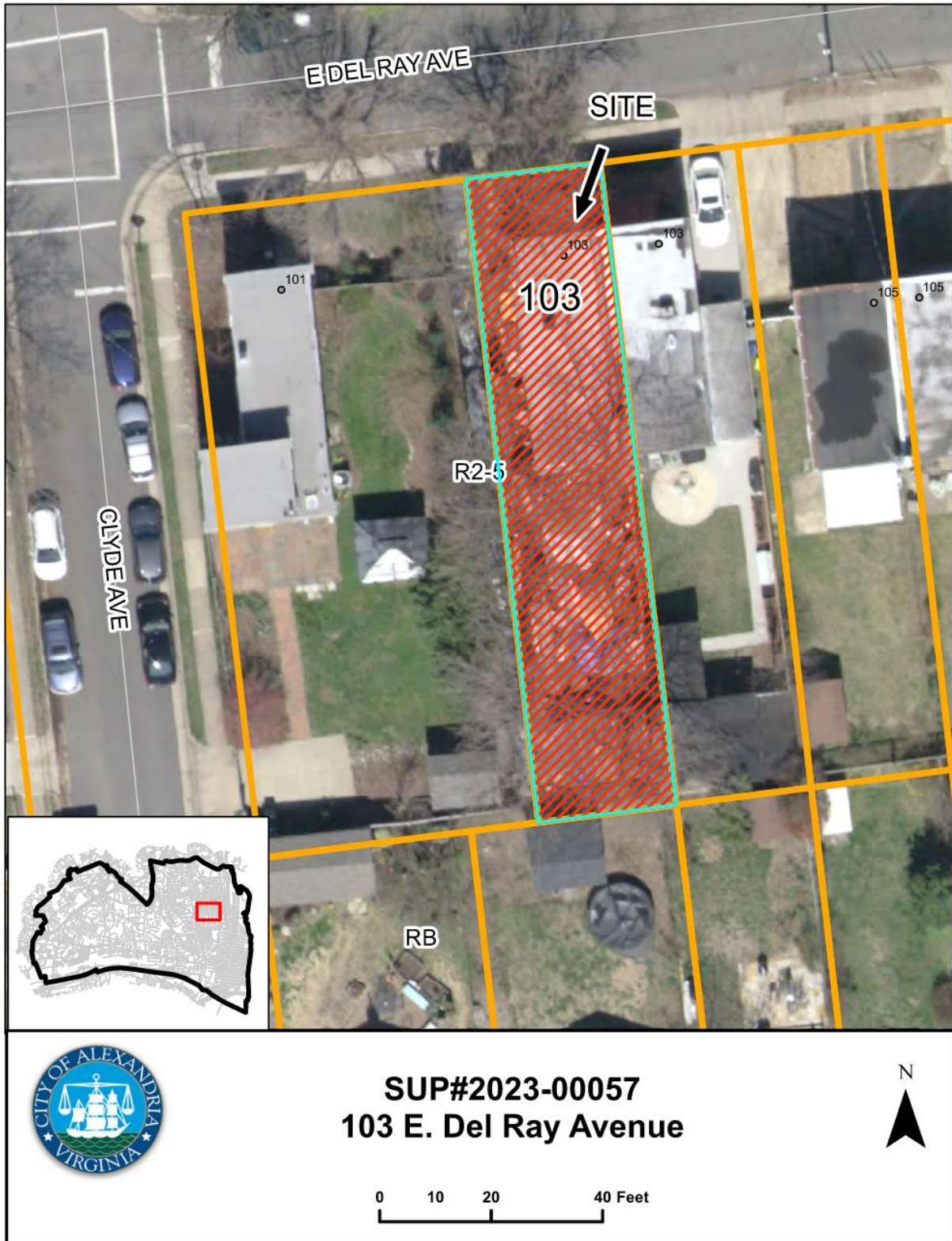
Chair Macek also asked whether the current request or previous SUP approvals for the adjacent property would preclude construction of a semi-detached two-family dwelling. Staff indicated they would likely need a subdivision to relocate the property line along the party wall so each dwelling was on their own lot. While staff had not done the analysis there was uncertainty about whether that proposal would meet the subdivision requirements. In addition, the applicants could consolidate the lots and build a duplex. Finally, Chair Macek inquired whether they could do this as a Development Site Plan. However, it would not be eligible for site plan approval as those may only be triggered by the creation of at least three dwelling units.

Chair Macek supported the staff recommendation without the addition of the parking. Vice Chair McMahon concurred with Chair Macek and said if the applicant can find the space for parking that would be fine but didn't want to make it a condition of approval.

#### Speakers

David Metzner, 103 A E Del Ray Avenue, spoke in opposition to the request citing a letter of intent with the previous property owner to purchase the subject property so they could redevelop both lots jointly as one complying lot. This agreement was not honored and instead the lot was sold to a developer. The neighbor also raised concerns about the setbacks given the proximity to the property line and potential for another fire. It was also mentioned that there was opposition from the neighbors for this project and even a letter submitted to this effect from one of them. On these grounds the speaker asked for the Commission to deny the application.

Deyi Awadallah, applicant, in response to Commissioner Brown's suggestion the speaker was open to reducing the porch and moving the house back another foot. In other words reduce the depth of the porch to four feet.



## I. DISCUSSION

### REQUEST

The applicant, Deyi Awadallah, requests Special Use Permit (SUP) approval, with side yard modifications, to redevelop a substandard lot with a single-family dwelling. The applicant also requests SUP approval for a two-space parking reduction.

### SITE DESCRIPTION

The subject property is one lot of record with 25 feet of frontage on East Del Ray Avenue, 115 feet of depth and a total lot area of 2,875 square feet. The property is surrounded by single and two-family residential uses.

### BACKGROUND

The site was previously developed with a two-story semi-detached dwelling with off-street parking for one car.

In November of 2021 the original dwelling on the subject property was destroyed by a fire. The former dwelling, shown on the left in Figure 1, has since been demolished subsequent to a determination that the dwelling was a total loss. On September 17, 2022 the neighboring property, 103A E Del Ray Avenue, was approved for a Special Use Permit to redevelop their lot as a single-family dwelling on the substandard lot rather than replacing the previous semi-detached structure. As there is no longer a party wall along the shared property line, the applicant proposes a similar single-family dwelling.



*Figure 1 – Previous dwelling*

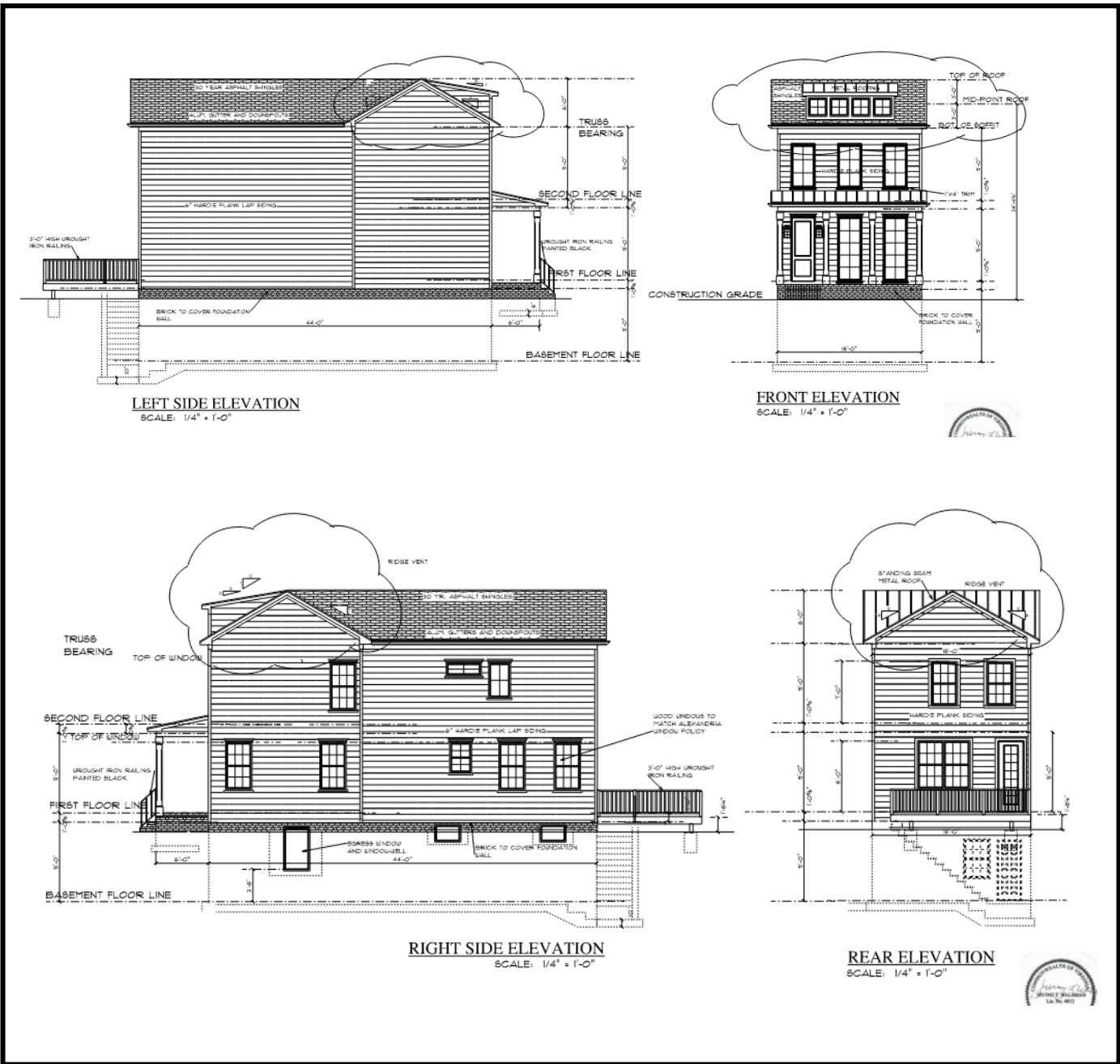
### PROPOSAL

The applicant proposes to construct a new two-story single-family dwelling with lot modifications. Given the lot area, width and frontage limitations, the applicant cannot accommodate the placement of the required two spaces for parking and requests a parking reduction. The proposed dwelling would have 1,352 square feet of net floor area and would measure 26.0 feet in height from average preconstruction grade to the midpoint of the dwelling's front dormer.

The applicant's proposed design would exhibit a style that incorporates eclectic design elements found on the street. The design includes Colonial Revival features and Craftsman details illustrated by a lower pitched, side-gabled roof; and a full-length front porch. Figure two, below, shows the proposed elevations.

*Figure 2 - Proposed Elevations*





ZONING

The subject property is located in the R-2-5 zone, which requires a minimum lot size of 5,000 square feet, a minimum lot width of 50 feet, and a minimum lot frontage of 40 feet for a single-family dwelling. The lot is deficient in terms of lot size. At 2,875 square feet, the property is 2,125 square feet shy of meeting the minimum lot size requirement. At 25 feet wide, with 25 feet of frontage, the property falls 25 feet short of meeting the minimum lot width requirement and 15 feet less than the minimum lot frontage requirement. The lot is therefore considered substandard and is subject to section 12-900 of the Zoning Ordinance.

Section 12-901(C) requires SUP approval for redevelopment of a substandard lot. In reviewing the SUP request, City Council must find “that the proposed development will be compatible with the existing neighborhood character in terms of bulk, height, and design.”

The proposed dwelling would exceed the allowable Floor Area Ratio (FAR) for the zone. However, because the existing dwelling was legally noncomplying in terms of FAR, section 12-102(B) applies and states “...if a noncomplying structure is destroyed, demolished or otherwise removed, it may be reconstructed provided that there is no increase in the floor area ratio, density, height or degree of noncompliance which existed prior to such destruction.” In other words, the applicant is permitted to replace the existing dwelling with one of the same size. The proposal would comply with all other zoning regulations except for side yards. The applicant has requested modifications to these requirements. The following table further illustrates the applicable zoning regulations associated with this proposal. The yard requirements that the applicant has requested modifications from are shaded in blue.

*Table 1 – Zoning Table*

	<b>Requirement</b>		<b>Proposal</b>
Lot Size	5,000 SF Min		<b>2,875 SF</b>
Lot Width	50' Min		<b>25'</b>
Lot Frontage	40' Min		<b>25'</b>
Front Yard	Established setback range	14.0'-21.0'	21'
Side Yard (East)	1:3 with 7' min (Height: 26.0')	8.66'	<b>3.06'</b> <b>(5.6' Modification requested)</b>
Side Yard (West)	1:3 with 7' min (Height: 26.0')	8.66'	<b>3.91'</b> <b>(4.75' Modification requested)</b>
Rear Yard	1:1 with 7' min	23.0'	50.0'
Building Height	30' max.		26.0'
Threshold Height	2.5' OR Threshold Height in CBF	2.5'	2.32'
FAR	0.47 (1,360 SF)		1,352 SF

### PARKING

Pursuant to Section 8-200(A)(1) of the zoning ordinance, a minimum of two off-street parking spaces are required for single family detached dwellings. The applicant is seeking a two-space parking reduction.

### MASTER PLAN DESIGNATION

The proposed use is consistent with the Potomac West Small Area Plan chapter of the Master Plan which designates the property for residential use.

## **II. STAFF ANALYSIS**

Staff supports the applicant's proposal to construct a new dwelling on this substandard lot with lot modifications and a two-space parking reduction. The special use permit approval that is required here is one limited to the protection of neighborhoods from infill projects that are so large or out of character that they overwhelm a residential area. Section 12-901(C) requires a review for compatibility with the existing neighborhood character in terms of *bulk, height and design*.

The lot in this case is substandard in lot size, width, and frontage for a single-family dwelling. Staff notes, however, that if developed with a semi-detached dwelling, the property would still be substandard by 12.5 feet in lot width and frontage but would meet the lot area requirements. The previous owner of the subject property was unable to coordinate redevelopment of both lots with a two-family, semi-detached dwelling last year and therefore the neighboring property, 103A E Del Ray Avenue, moved forward with a single-family dwelling. Since there is no longer a party wall to construct a semi-detached structure on this lot the current property owner is seeking similar relief from the zoning ordinance in terms of the side-yard setback and parking modifications as granted previously for the neighboring property.

Staff is supportive of the project in the proposed single-family configuration so they can reconstruct a home on this lot. This proposal balances the applicants' understandable desire to recover from a devastating fire while also carefully considering compatibility with the character of the block. As a result, staff believes that the design of the proposed dwelling is both compatible with the neighborhood in height and bulk and appropriately mirrors the style of several homes found in this area. The staff analysis follows:

### Height

While the proposed height of 26 feet exceeds the average height of the block, it is shorter than the tallest house on the street by three feet as shown below in Table 2 – Dwelling heights. Further, the average dwelling height within the contextual block face (101 E Del Ray, 102 E Del Ray, and 103A E Del Ray Avenue) is 26.1 feet. These dwellings establish the most relevant context for how the proposed dwelling's height would be perceived. The height of the dwellings within the contextual block face measure between 21 feet to 29 feet. At 26 feet, the proposed dwelling would also be four feet below the maximum height permitted by the R-2-5 zone of 30 feet. This house



fits in with its immediate neighbors and balances out the relatively tall house on the corner as shown in Figure 3.

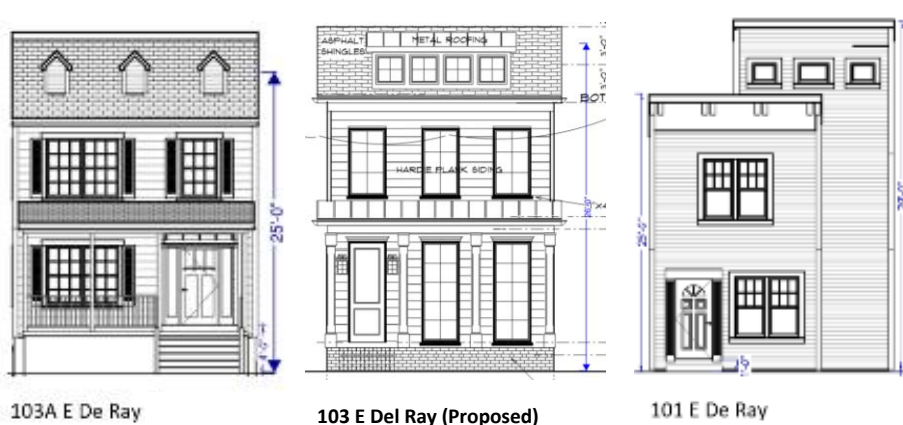
The Zoning Ordinance requires the dwelling’s height to be measured to the midpoint of the front dormer because its width is greater than 30 percent of the roof’s width. The dormer’s midpoint is 1.5 feet higher than the height of the dwelling’s side and rear facing gables. Despite adding technical height to the dwelling, the shed dormer provides architectural interest and is consistent with other dormers found in the neighborhood.

**Table 2 – Dwelling Heights**

<b>Block Average</b>	<b>23.36’</b>
*101 E Del Ray Ave	29.00’
*102 E Del Ray Ave	24.37’
*103A E Del Ray Ave	25.00’
104 E Del Ray Ave	14.95’
105 A E Del Ray Ave	22.00’
105 B E Del Ray Ave	22.00’
107A E Del Ray Ave	22.00’
107 E Del Ray Ave	22.00’
109 E Del Ray Ave	24.69’
111 E Del Ray Ave	25.02’
113 E Del Ray Ave	24.24’
<b>Proposed Dwelling</b>	<b>26.00’</b>

\*Dwellings within the contextual block face

**Figure 3 – Block Face Heights Comparison**  
 (Neighboring properties on the same side of the street)



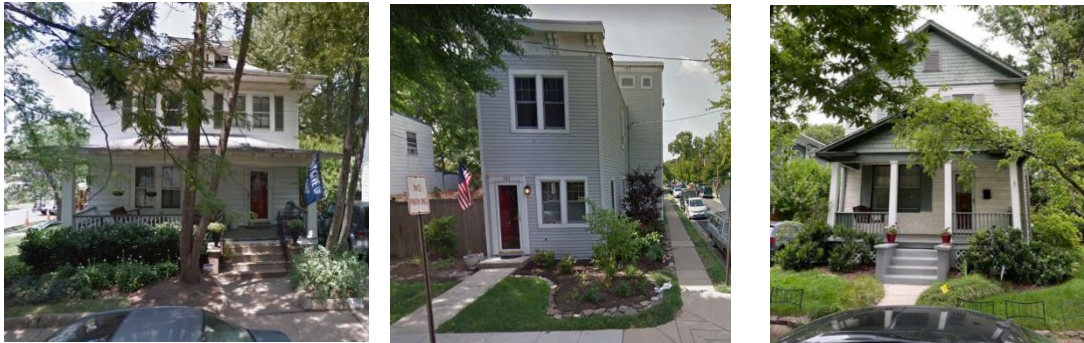
Finally, the applicant proposes a 21.0-foot front yard (not including the front porch), which will set the height back from the street. Considering all these factors, staff finds the proposed height to be compatible with other homes on the block in terms of height.

### Bulk

The proposed dwelling is similar in size and bulk with others on the block, including its neighbors at 100, 101, 102, and 103A E Del Ray Avenue. Figures 4 shows some of these comparable dwellings along the same side of E Del Ray Avenue.

The prominent front porch breaks up the massing and minimizes the perception of bulk. In addition, the removal of the parking pad at the front will increase open space and also reduce the perception of bulk. The applicant is compatible with neighborhood character in terms of bulk.

***Figure 4 – Neighboring Properties***



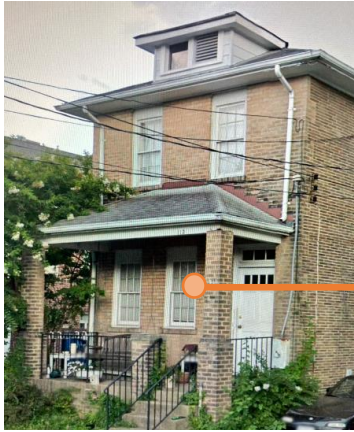
### Design

Beyond the subject property and in the immediate area, the 100 block of East Del Ray Avenue demonstrates a mix of architectural styles from the mid-20<sup>th</sup> to 21<sup>st</sup> century with no unifying features that stand out as defining characteristics of the neighborhood.

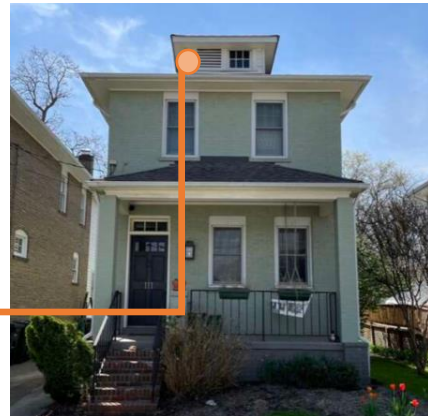
Staff found the proposed design to be compatible with established neighborhood which contains a wide range of architectural styles. The applicant has taken their design cues from several houses found along the block and incorporated many of these features into the final design shown in figure 6, below.

The proposal includes a full-length front porch. The front porch reinforces the connection between the dwelling and the street, mirroring the design of many other dwellings along the block which also include front porches.

*Figure 6 – Shared Characteristics*



Full length front porch.  
(113 E Del Ray Avenue)



Rooftop dormer.  
(111 E Del Ray Avenue)



Two-story dwelling.  
(105 A&B E Del Ray Avenue)

Modifications

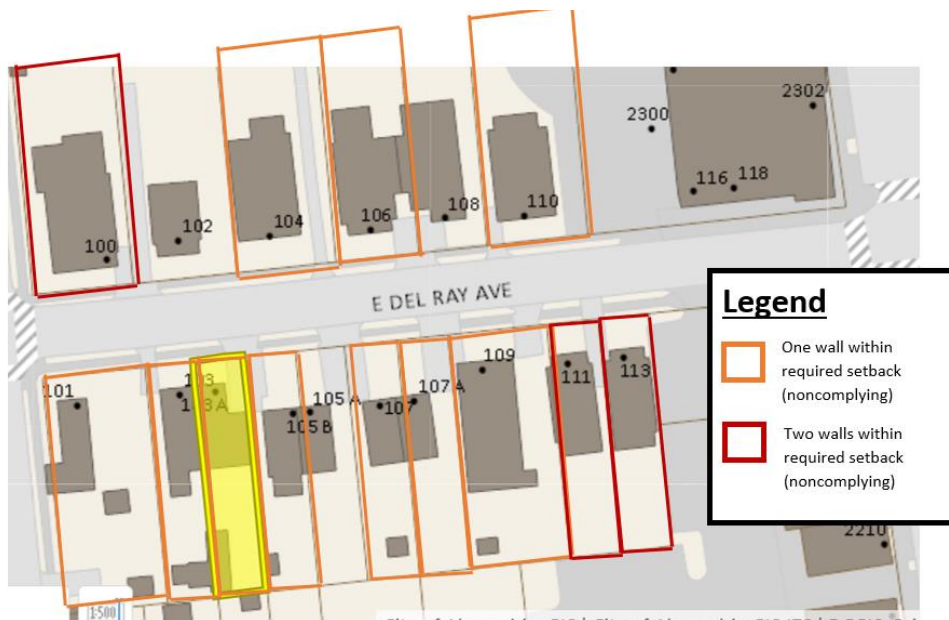
Staff also supports the request for a modification to the east and west side yard to allow a second story on this narrow substandard lot. Taking into consideration the neighboring property was granted similar side yard modifications to construct the neighboring dwelling, staff believes the

modification on both sides of the dwelling is reasonable and does not negatively impact the perception of bulk. Pursuant to Zoning Ordinance section 11-416, these modifications are necessary or desirable for good site development, that the site design would make up for potential impacts and that they will not be detrimental to neighboring property. Staff found that these modifications would meet these standards. Further analysis follows:

The two-story portion of the proposed dwelling's east and west elevations would provide side yards of three and 3.9 feet, respectively, which does not meet the minimum standard of seven feet or a 1:3 height to setback ratio for a single-family dwelling in the zone. The subject property's narrowness presents a challenge to reasonable site design. If the applicant provided a complying east and west side yard, the proposed dwelling could only measure 7.6 feet in width. While it is possible to increase the size of the side yards, doing so would require an increase to the dwelling's depth thereby reducing the size of its rear yard. An open and relatively sizable backyard is a common feature of most lots in this neighborhood and is a compatible feature of the proposal.

It is also worth noting that a majority of the dwellings along East Del Ray Avenue provide at least one noncomplying side yard because of the narrowness of their lots (see Figure 7 – Properties with at least one non-complying side yard setback). Only three out of 16 houses on this block comply with both side yard setbacks required in this zone.

**Figure 7 – Properties with non-complying side yard setbacks on the block**



**Parking Reduction**

The applicant is also seeking a two-space parking reduction. The lot previously accommodated only one parking space. With the change from a semi-detached to a single-family configuration, the house was centered on the lot, sacrificing the space available for off-street parking that

previously existed. There is insufficient space in the front or side of the house to provide parking spaces. Further, the property does not have alley access nor is there space for parking in the rear. It is infeasible for the applicant to provide off-street parking on the subject property.

The subject property is about a block from Mount Vernon and Commonwealth Avenues which both provide access to several bus routes. The property is also within a half-mile of the bus rapid transit line along Richmond Highway. Last, the neighborhood is walkable, with many errands manageable without a car. As such, staff is supportive of this parking reduction.

Based on analysis of height, bulk, design, and the requested modifications, staff believes the request would be compatible with the surrounding neighborhood and would not be detrimental to neighborhood character. Staff recommends approval of the request.

### III. RECOMMENDED CONDITIONS

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

1. The design of the dwelling shall be substantially consistent with the final application submitted on September 18, 2023. (P&Z)
2. The applicant shall provide a minimum of 25 percent canopy coverage pursuant to the City's 2019 Landscape Guidelines. (P&Z)
3. The applicant shall be responsible for repairs to the adjacent City right-of-way if damaged during construction activity. (T&ES)
4. 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)

#### STAFF:

Tony LaColla, AICP, LUS Division Chief  
Sam Shelby, Principal Planner  
Alexa Powell, Urban Planner

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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 18 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:

- F-1 Revise the address and lot number on the title of the Special Permit Platt. The correct address is 103 East Del Ray Avenue, and correct the lot number is 804. (T&ES DROW)
- F-2 Correct the spelling of the street name on the Special Permit Plat. (T&ES DROW)
- C-1 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). In order to comply with this code requirement, the applicant shall provide a completed Recycling Implementation Plan (RIP) Form within 60 days of SUP approval. Contact the City's Recycling Program Coordinator at (703) 746-4410, or via e-mail at [commercialrecycling@alexandriava.gov](mailto:commercialrecycling@alexandriava.gov), for information about completing this form. (T&ES DROW)
- C-2 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 DROW)
- C-3 Section 5-1-42- Collection by Private collectors. (c) Time of collection. Solid waste shall be collected from the premises not serviced by the city at least once each week. No collections may be made between the hours of 11:00 p.m. and 7:00 a.m. (6:00 a.m. from May 1, through September 30) if the collection area is less than 500 feet from a residential area. (T&ES DROW)
- R-1 The 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 Applicant shall be responsible for the closure of the curb cut on their portion of property and all associated costs. (T&ES)

##### Transportation Planning:

No comments.

##### OEQ:

No comments.

##### Fire:

No comments or concerns.



From: Pete Paccione <petepaccione@gmail.com>

Sent: Thursday September 28, 2023 2:12

To: PlanComm@alexandriava.gov

Subject: [EXTERNAL]Objection to Special Use Permit #2023-00057 for Construction at 103 East Del Ray Avenue

Dear Members of the Planning Commission,

I am writing to express my serious concerns and to urge the denial of the Special Use Permit #2023-00057, concerning the proposed construction of a new single-family dwelling at 103 East Del Ray Avenue. I am a resident of the neighboring property and the potential negative impacts on my neighborhood, especially on the residence of Melanie and David, are quite concerning.

The proposed construction site has a history that necessitates a thorough review before proceeding with any new development. The duplex previously standing on this plot suffered a devastating fire incident due to the hoarding issue from the former owner, Donna. This unfortunate event not only resulted in the loss of property but posed a significant risk to the lives of nearby residents including Melanie and David, who were occupants of the adjoining duplex.

After the incident, there was a verbal agreement between Donna and Melanie & David regarding the sale of the lot, with the intention to consolidate it with their existing lot to build a single dwelling. This plan was in line with ensuring a safe and spacious residential setup which would minimize any fire hazards and ensure the safety and structural integrity of the existing homes.

The current proposal by developer Deyi Awada to build a new single-family dwelling on this developed substandard lot could potentially repeat history by posing risks that were witnessed in the past. The proximity of the new construction to Melanie and David's residence raises crucial questions regarding the safety and structural integrity of their home. The lack of adequate setback space may result in construction activities that could damage their existing structure and create potential fire hazards due to the close proximity of buildings.

Furthermore, the requested yard modifications and parking reduction as mentioned in the docket, appear to be an attempt to maximize the use of this substandard lot at the expense of safety, comfort, and the overall aesthetic of our community. This kind of development, aimed solely at profit maximization, overlooks the core values of safety, integrity, and the communal harmony that our neighborhood stands for.

I implore the Planning Commission to consider the historical context and the potential risks involved in approving the Special Use Permit #2023-00057. Upholding the denial of this permit will not only safeguard the structural integrity and safety of Melanie and David's residence but will also uphold the broader community's values and the quality of life that we all cherish.

Thank you for your consideration and I look forward to your positive response in denying this permit to ensure the safety and harmony of our community.

Sincerely,

Peter Paccione, Sarah Davis

105 E Del Ray Ave

301-748-6790

# City of Alexandria, Virginia

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## MEMORANDUM

DATE: OCTOBER 3, 2023

TO: CHAIR NATHAN MACEK  
AND MEMBERS OF THE PLANNING COMMISSION

FROM: KARL W. MORITZ, DIRECTOR  
DEPARTMENT OF PLANNING & ZONING

SUBJECT: DOCKET ITEM #3 – SUP #2023-00057 –  
103 E DEL RAY AVENUE, SUBSTANDARD LOT

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This memorandum provides a complete list of department comments received related to the substandard lot SUP case for 103 E Del Ray Avenue.

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