

BOARD OF ZONING APPEALS
PUBLIC HEARING MINUTES

The regular meeting of the Board of Zoning Appeals was held on
Monday, December 11, 2023, 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: Tim Foley, Chair
 Kimberlee Eveland
 Paul Liu (participating remotely)
 Raj Patel
 Jon Waclawski

Members Absent: Dawn Bauman, Vice Chair

Staff Present: Sam Shelby, Department of Planning & Zoning
 Alexa Powell, Department of Planning and Zoning
 Molly Lambert, Department of Planning & Zoning
 Antoine Pierce, Department of Planning & Zoning

1. CALL TO ORDER

Mr. Foley called the December 11, 2023, Board of Zoning Appeals to order at 7:01 p.m.

ANNOUNCEMENTS

2. The Board will hold a Work Session after the Public Hearing for technical training.

UNFINISHED BUSINESS AND ITEMS PREVIOUSLY DEFERRED

3. BZA #2023-00005

1020 Duke Street

Consideration of the Findings of Fact and Conclusions of Law for the May 8, 2023 BZA decision regarding the Appeal of a zoning violation for failure to obtain a Certificate of Appropriateness for a 100 year old building; zoned: CD/Commercial Downtown.

Appellant: Marc Greenberg

BOARD OF ZONING APPEALS ACTION, DECEMBER 11, 2023: By unanimous consent, the Board of Zoning Appeals approved the Findings of Fact and Conclusions of Law, as submitted.

NEW BUSINESS

4. BZA #2023-00014

1402 Mount Vernon Avenue

Public Hearing and consideration of a request for Variances to construct an addition in the required side and rear yards; zoned: RB/Residential Townhouse.

Applicant: Brant Thomas Snyder & Samantha Jane Provost

BOARD OF ZONING APPEALS ACTION, DECEMBER 11, 2023: On a motion by Mr. Patel, seconded by Mrs. Eveland, the Board of Zoning Appeals voted to approve the requested variances subject to all applicable codes, ordinances, staff recommendations and conditions. The motion carried on a vote of 5 to 0.

Reason: The Board agreed with the staff analysis that the request met the criteria for a variance from the side and rear setbacks.

Speakers: Brant Thomas Snyder, applicant, presented his case and answered questions.

Discussion: Mr. Foley asked the applicant what steps he was taking to ensure the new structure was on the subject property as opposed to crossing the property line as was previously the case given that the variance would allow the addition to be built to the property lines with no setbacks. The applicant indicated a property line survey was done by a licensed surveyor and is trimming the eaves of the structure back to ensure no encroachment out of an abundance of caution despite the presence of an easement along the side property line. Mr. Foley asked staff whether trimming the eaves was a requirement.

Staff indicated this is something that’s checked at the building permit stage as ordinarily

property owners are not permitted to cross a property line. Ultimately if the variance is granted the building code would govern rather than the zoning ordinance. The Board concurred with Staff's findings in favor of granting the requested variances.

5. Consideration of the Minutes from the June 12, 2023, Board of Zoning Appeals Public Hearing.

BOARD OF ZONING APPEALS ACTION, DECEMBER 11, 2023: By unanimous consent, the Board of Zoning Appeals approved the minutes, as submitted.

ADDITIONAL BUSINESS

6. The Board elections will take place at the first Public Hearing in 2024

ADJOURNMENT

7. The Board of Zoning Appeals meeting was adjourned at 7:26 p.m.