

## Lia Niebauer

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**From:** Al Cox  
**Sent:** Monday, January 6, 2020 6:59 PM  
**To:** Lia Niebauer  
**Cc:** Susan H. Hellman  
**Subject:** Fwd: [EXTERNAL]BAR application for 203 S. Fairfax Street

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**From:** Stephanie Dimond <Sdimond@dimondadams.com>  
**Date:** January 6, 2020 at 6:08:51 PM EST  
**To:** Al Cox <Al.Cox@alexandriava.gov>  
**Cc:** Lynn Penati <lynnpenati@gmail.com>, F Penati <fpenati@gmail.com>  
**Subject:** [EXTERNAL]BAR application for 203 S. Fairfax Street

Thank you for your time today to discuss the issues of concern for my clients next door to 203 S. Fairfax St. Per our conversation, I wanted to reiterate our concerns about the proposed addition at the rear of the property.

While we realize that the following isn't under the purview of the Board, we wish to make sure that the applicants are aware of and take measures to protect the materials and use of the shared alley between the two properties of 203 and 205 S. Fairfax Street, as well as to address an issue of proximity to the side yards of the properties.

In 2019, with the approval of the neighbor at 203 (at the time), my clients, Lynn and Francesco Penati of 205 S. Fairfax Street, installed new brick pavers along the length of the shared easement walkway to create a smooth surface allowing bikes and trash cans to be rolled through the space. They wish to make sure that whatever damage the construction at 203 might cause to this new paving, the alley will be fully repaired so that it is left in its current condition.

In addition, the gas meter and associated piping for 205 project into the easement area. We want to make sure that these aren't damaged and that they are protected from the adjacent construction.

While the use of the alley is shared, neither party may obstruct or prevent the use of the alley by the other, per the easement agreement. Therefore, while the workers will have use of the alley to traverse back and forth, they will need to make sure that the alley is left open for the Penatis to bring trash cans, bikes and otherwise enjoy the use of the alley. I expect this should be an easy thing to guarantee, so long as it's brought up before construction.

Lastly, the footprint of the existing basement access under the roof which also covers the outside patio at 203, is within 3'-0" of the property line between the two houses. While my clients don't object to the addition at the adjacent property per se, they wish to make sure that all building codes will be

followed. Since it would appear that the new intensified use of the addition will be closer than the building code allows for windows and doors (openings) within walls, we want to make sure that all building code requirements will be met. The Penatis have ordered a new survey which should show the exact location of their fence to the property line and should indicate the distance to the neighbor's house line.

We look forward to the meeting on Wednesday evening, and we will see you then.

Thank you for your help with this matter.

Stephanie Dimond

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