



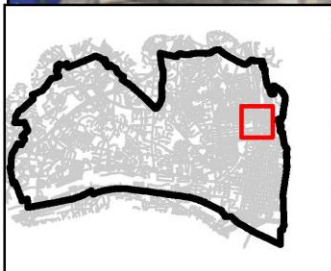
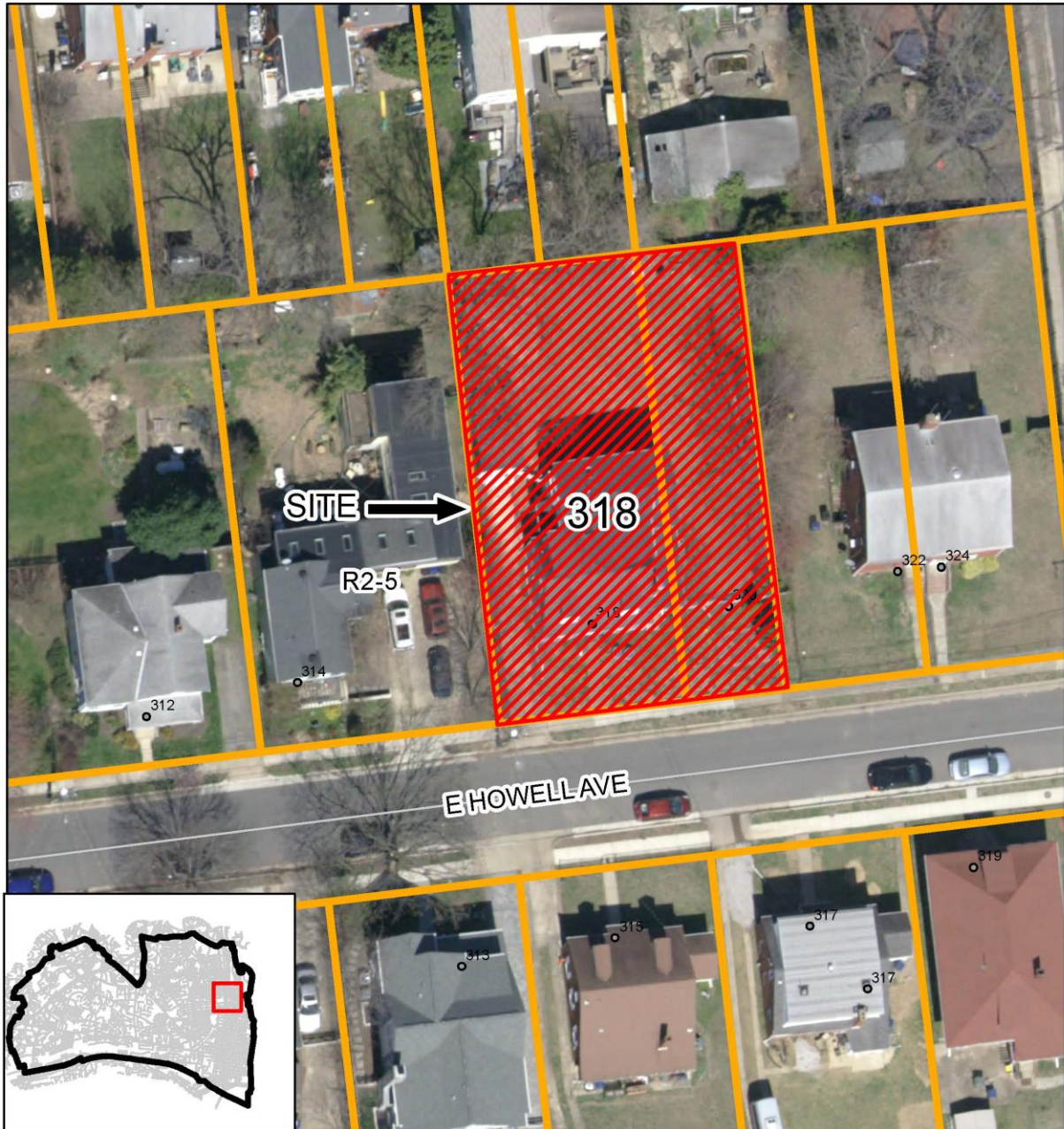
**DOCKET ITEM #2**  
**Subdivision #2024-00015**  
**318 East Howell Avenue**

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<b>Application</b>	<b>General Data</b>	
<b>Request:</b> Public hearing and consideration of a request for a subdivision to re-subdivide three existing lots into two lots.	<b>Planning Commission Hearing:</b>	January 9, 2025
	<b>Approved Plat must be Recorded By:</b>	July 7, 2026
<b>Address:</b> 318 and 320 East Howell Avenue	<b>Zone:</b>	R-2-5 Residential
<b>Applicant:</b> LA Linden, LLC represented by Duncan Blair, attorney	<b>Small Area Plan:</b>	Potomac West

**Staff Recommendation:** APPROVAL subject to compliance with all applicable codes, ordinances, and recommended conditions found in Section IV of this report.

**Staff Reviewer:** Catie McDonald, [catherine.mcdonald@alexandriava.gov](mailto:catherine.mcdonald@alexandriava.gov)  
Sam Shelby, [sam.shelby@alexandriava.gov](mailto:sam.shelby@alexandriava.gov)



**SUB#2024-00015**  
**318 E Howell Avenue**



0 15 30 60 Feet



**I. DISCUSSION**

The applicant, LA Linden, LLC represented by Duncan Blair, attorney, requests approval to re-subdivide three existing lots at 318 and 320 East Howell Avenue into two lots. Staff recommends approval of the subdivision request.

SITE DESCRIPTION

The subject property, featured in Figure 1, below, contains two rectangular lots of record (258 and 259) located at 318 East Howell Avenue and one rectangular lot of record (257) at 320 East Howell Avenue. The site consists of three interior lots that measure 8,625 square feet in total area and 75 feet in total width and frontage. Two-unit and single-unit dwellings surround the subject property. A single-unit dwelling currently occupies the subject property.



*Figure 1 – Subject property (318 E. Howell Ave. outlined in blue, 320 E. Howell Ave. outlined in red)*

SUBDIVISION BACKGROUND

On April 16, 1894, the Charles E. Woods Subdivision of Del Ray, Alexandria County, Virginia was recorded. The lots in the original subdivision ranged from 2,500 to 2,875 square feet of lot area and 25 feet of lot frontage. Existing Lots 257, 258, and 259 (the subject property) were created with the original subdivision. None of these lots have been re-subdivided since their creation in 1894, however, other lots in the original subdivision have been re-subdivided over time.

PROPOSAL

The applicant requests approval to re-subdivide Existing Lots 257, 258, and 259 into two lots. Proposed Lots 502 and 503 would be rectangularly-shaped, interior lots with 37.5 feet of frontage and total lot sizes of 4,312.50 square feet each. The applicant would demolish the existing single-unit dwelling. Existing and proposed lots are shown in Figures 2 and 3, below.

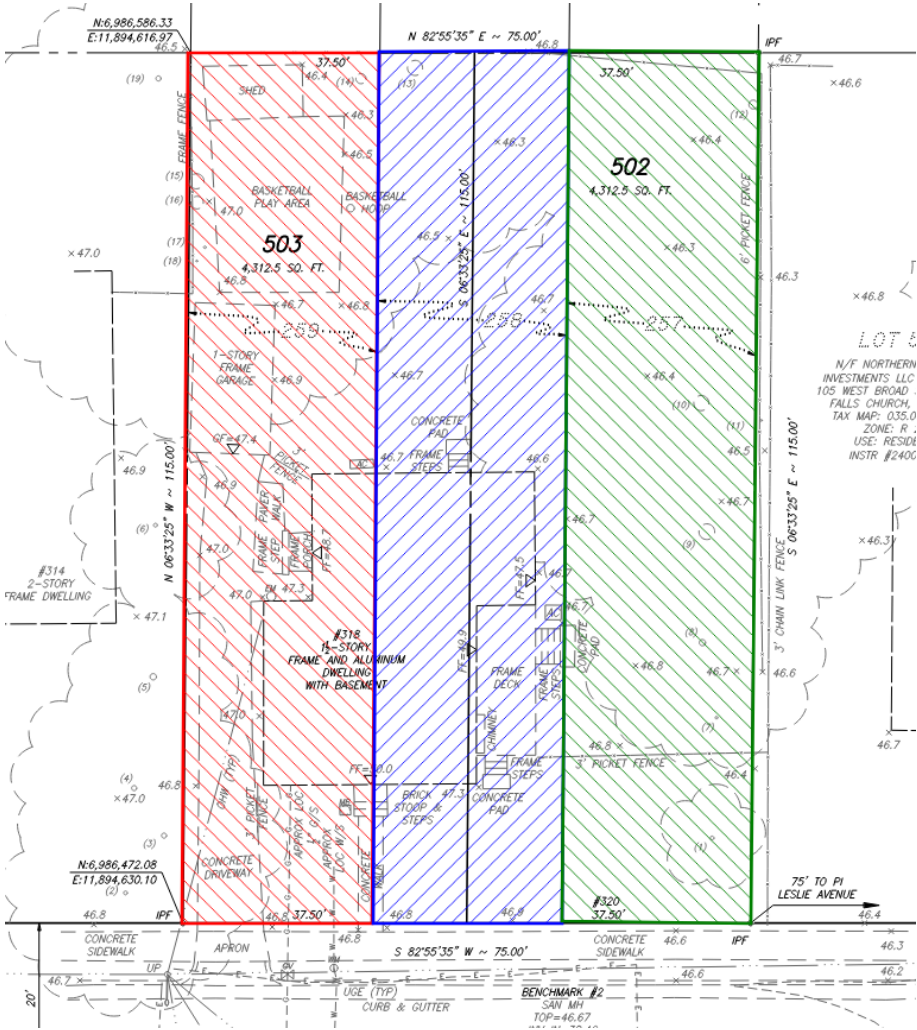


Figure 2 – Existing Lots 257 (green), 258 (blue), and 259 (red)

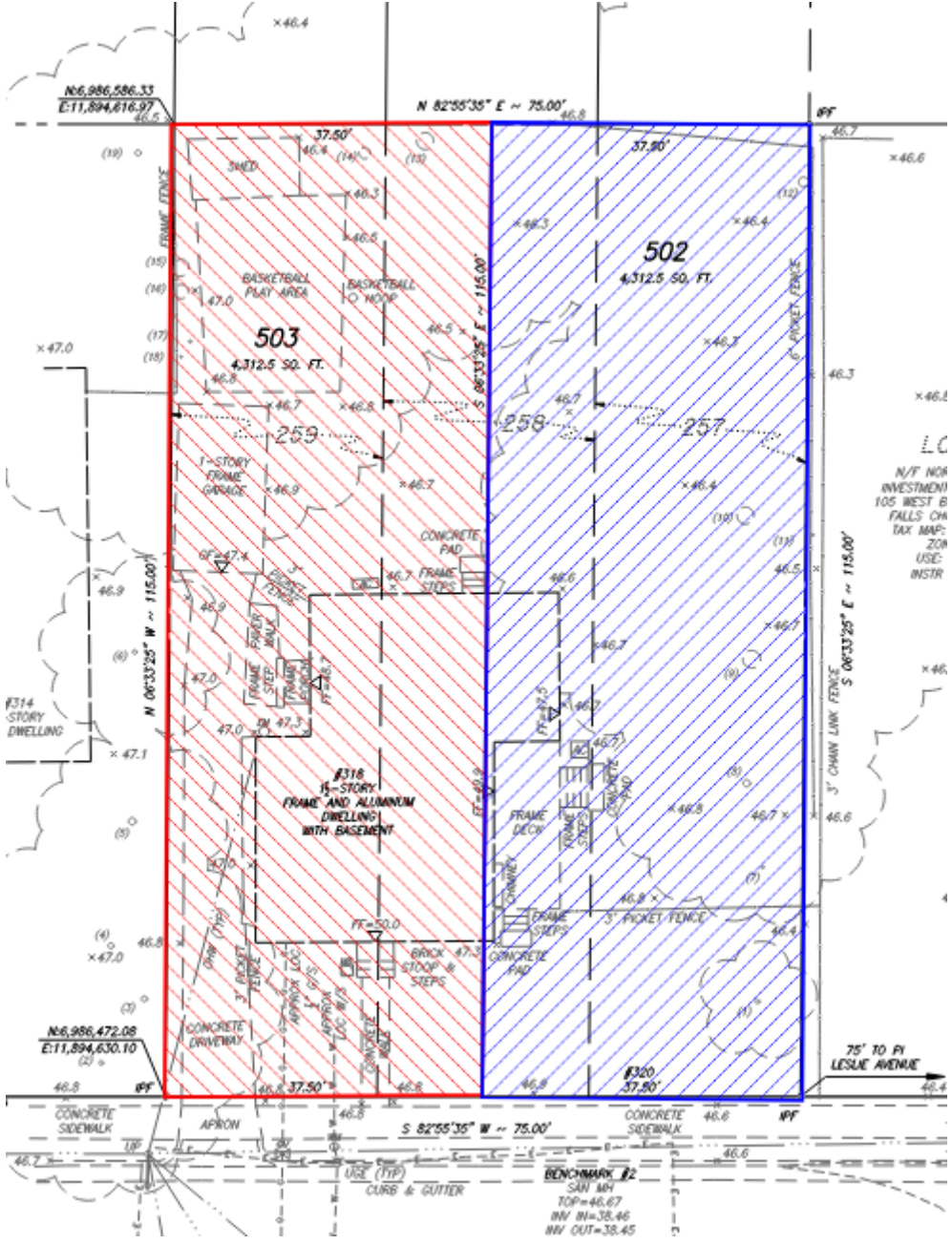


Figure 3 – Proposed Lots (Lot 502 in blue, Lot 503 in red)

**ZONING/ MASTER PLAN DESIGNATION**

The subject property is zoned R-2-5 Residential and both proposed lots would comply with lot requirements for a semi-detached, two-unit dwelling, as shown in Table 1. Any future development would be required to comply with all applicable provisions of the Zoning Ordinance. Note that staff has consolidated the area of the three existing lots into one subject property in the table below for the purpose of floor area and setback calculations.



*Table 1 – R-2-5 Zoning Requirements*

	Required/Permitted	Subject Property	Proposed	
		Existing Lots 257, 258, & 259	Lot 502	Lot 503
Lot Size	2,500 Sq. Ft.	8,625 Sq. Ft.	4,312.5 Sq. Ft.	4,312.5 Sq. Ft.
Width	25 Ft.	75 Ft.	37.5 Ft.	37.5 Ft.
Frontage	25 Ft.	75 Ft.	37.5 Ft.	37.5 Ft.
Front Yard	14.5 – 22.9 Ft.	18.2 Ft.	Future development required to comply with all bulk and open space provisions.	
Side Yard (West)	7 Ft., 1:3 ratio	10.31 Ft.		
Side Yard (East)		28.75 Ft.		
Rear Yard	7 Ft., 1:1 ratio	55.4 Ft.		
Floor Area	0.45	~0.29		

The property is located within the Potomac West Small Area Plan Chapter of the Alexandria Master Plan, which designates the property for low-to-medium-density residential uses consistent with the R-2-5 zoning regulations. The proposed lots would comply with the Potomac West Small Area Plan as they would be suitable for low-to-medium-density residential uses and would comply with all R-2-5 zoning requirements for semi-detached, two-unit dwellings.

## II. STAFF ANALYSIS

Staff recommends approval of the applicant’s subdivision request. The proposal would create lots that comply with R-2-5 zoning requirements for semi-detached, two-unit dwellings and subdivision requirements. The proposed lots would be substantially the same character as the lots in the original subdivision, including similarly situated lots, in terms of lot shape, area, width, and frontage, as required by Section 11-1710(B). Staff analysis follows.

### COMPLIANCE WITH SUBDIVISION REQUIREMENTS GENERALLY

Staff determined that the proposed re-subdivision would meet all subdivision requirements established by [section 11-1710](#). Both lots would be suitable for semi-detached, two-unit residential uses and structures permitted by the R-2-5 zone.

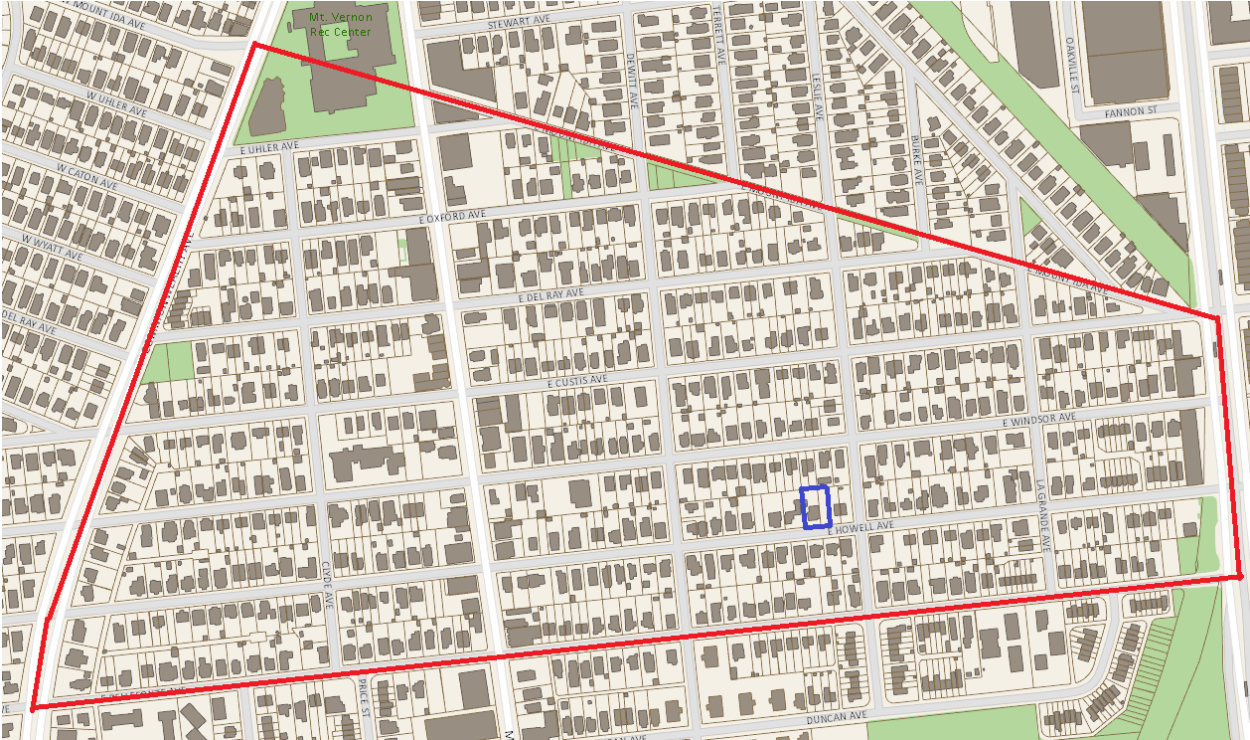
### COMPLIANCE WITH SUBDIVISION CHARACTER REQUIREMENTS

The lot down the street was re-subdivided in 1971, after the original subdivision was recorded. This re-subdivision also re-subdivided three of the original 25-foot-wide lots into two slightly larger lots, and created lots suitable for a semi-detached, two-unit dwelling.

Like the 1971 re-subdivision, the proposed subdivision would also re-subdivide three of the original 25-foot-wide lots into two new lots and would allow for development with a semi-detached, two-family dwelling.

LOT ANALYSIS

Staff’s area of comparison includes all lots in the original subdivision. The area of comparison is shown in Figure 4, below. The original subdivision today consists of commercial properties, as well as residential properties, including single-unit, semi-detached two-unit, and townhouse dwellings.



*Figure 4 – Area of Comparison (subject property in blue)*

Staff considers the following properties outlined in Figure 5, below, as the most similarly situated to the subject property as they are on the 300 block of East Howell Avenue and are interior, developed lots.

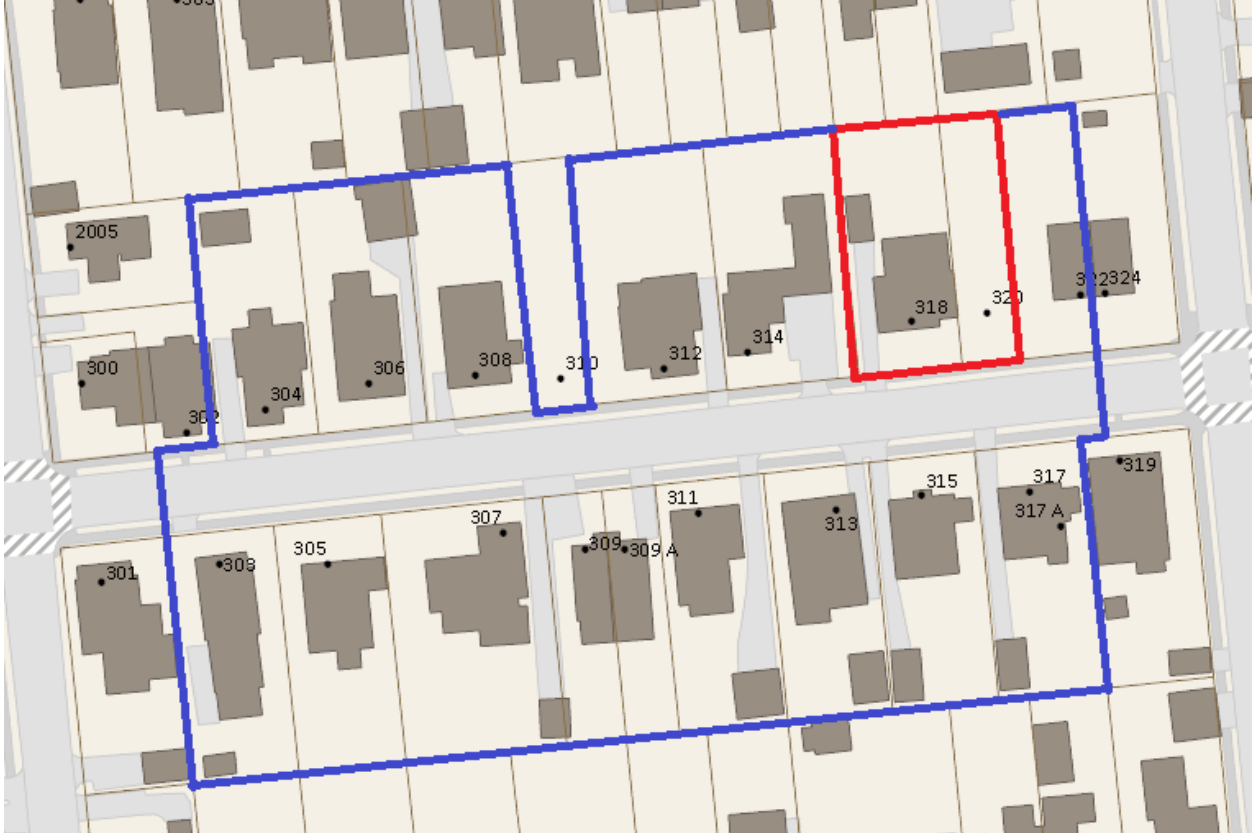


Figure 5 – Similarly Situated Lots in blue, subject property in red

Table 2, below, shows how the proposed lots would compare to these similarly situated lots in terms of width, frontage, and size:

Table 2 – Lot Analysis

Address	Width	Frontage	Area
Proposed Lot 502	37.5 Ft.	37.5 Ft.	4,312.5 Sq. Ft.
Proposed Lot 503	37.5 Ft.	37.5 Ft.	4,312.5 Sq. Ft.
303 E. Howell Ave.	50 Ft.	50 Ft.	5,750 Sq. Ft.
304 E. Howell Ave.	50 Ft.	50 Ft.	5,750 Sq. Ft.
305 E. Howell Ave.	50 Ft.	50 Ft.	5,750 Sq. Ft.
306 E. Howell Ave.	50 Ft.	50 Ft.	5,750 Sq. Ft.
307 E. Howell Ave.	75 Ft.	75 Ft.	8,625 Sq. Ft.
308 E. Howell Ave.	50 Ft.	50 Ft.	5,750 Sq. Ft.
309 E. Howell Ave.	25 Ft.	25 Ft.	2,875 Sq. Ft.
309 A E. Howell Ave.	25 Ft.	25 Ft.	2,875 Sq. Ft.
311 E. Howell Ave.	50 Ft.	50 Ft.	5,750 Sq. Ft.
312 E. Howell Ave.	62.5 Ft.	62.5 Ft.	7,187 Sq. Ft.
313 E. Howell Ave.	50 Ft.	50 Ft.	5,750 Sq. Ft.
314 E. Howell Ave.	62.5 Ft.	62.5 Ft.	7,187 Sq. Ft.



315 E. Howell Ave.	50 Ft.	50 Ft.	5,750 Sq. Ft.
317 E. Howell Ave.	50 Ft.	50 Ft.	5,750 Sq. Ft.
322 E. Howell Ave.	36.7 Ft.	36.7 Ft.	4,220 Sq. Ft.

Because the proposed lots would be similar in width, frontage, and area to similarly situated lots within the original subdivision, staff considers the proposal to be substantially compatible with established neighborhood character as required by section 11-1710(B). The proposed lots would also comply with the R-2-5 zone requirements for semi-detached two-family dwellings. The R-2-5 zone's minimum lot size and width requirements ensure that properties within the zone are suitable for low-to-medium-density residential uses as required by the Potomac West Small Area Plan Chapter of the City's Master Plan.

#### NEIGHBORHOOD OUTREACH AND COMMENTS

Staff notified the Del Ray Citizens Association on December 2, 2024.

Staff, along with the applicant and their attorney, attended the DRCA Land Use Committee/Historic Committee meeting on December 10, 2024. The members and neighbors attending the meeting expressed concerns about the historical nature of the house, as it is listed as a contributing structure in the 1992 National Register of Historic Places, Town of Potomac. Staff informed members and neighbors that the Town of Potomac is not a locally regulated historic district. Staff also explained that the subdivision requirements (section 11-171) do not include historical significance as a consideration in the Planning Commission's review of a subdivision application.

At the meeting, members and neighbors also expressed concerns over stormwater issues, green space, and tree conservation, and parking/curb cuts. Staff explained that any new development proposal is required to apply for a grading plan through the Department of Transportation and Environmental Services, at which point multiple City departments review the plan to ensure compliance with all Zoning Ordinance and City Code requirements. These include stormwater mitigation, tree cover, parking requirements, bulk and setback regulations, and others. The applicant and their attorney informed the committee and attending neighbors that they are available to meet on the site to further discuss any concerns.

### **III. CONCLUSION**

In summary, staff finds that the proposal would comply with all subdivision requirements. Subject to the conditions contained in Section IV of this report, staff recommends approval of the re-subdivision request.

#### IV. RECOMMENDED CONDITIONS

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

1. The final subdivision plat shall comply with the requirements of Section 11-1700 of the Zoning Ordinance. (P&Z)
2. The applicant shall covenant that the existing dwelling shall be demolished prior to: (a) City approval of any building permits to construct any new dwellings or structures on the subject property or (b) sale of the subdivided lots to individual owners. This covenant shall expire when the subdivided lots are consolidated or the existing dwelling is demolished. This covenant shall be included in the recorded deed of subdivision and the final subdivision plat. (P&Z)

STAFF:           Catie McDonald, Urban Planner  
                      Tony LaColla, AICP, Division Chief, Land Use Services  
                      Sam Shelby, Principal Planner

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Staff Note: This plat will expire 18 months from the date of approval unless recorded sooner.

**V. CITY DEPARTMENT COMMENTS**

Legend: C - code requirement R - recommendation S - suggestion F - finding

Transportation & Environmental Services:

R-1 Prior to Final plat submission:

- a. Please include a plat title that includes (at a minimum): proposed lot numbers, proposed subdivision name (being a new and unique name\*), being a subdivision of: existing lot #s, existing Subdivision name, and existing subdivision DB/PG. \*"LA Linden's Addition to Del Ray" is among the options available to applicant, for instance. (Survey)

Recreation, Parks & Cultural Activities:

No comments.

Police Department:

No comments received.

Archaeology:

No comments.

Geographic Information Systems (GIS):

No comments.

Code Administration:

R-1 A building permit is needed to review.





# APPLICATION

## SUBDIVISION OF PROPERTY

TBD	<b>Filing Fee</b>
10/14-10/29/24	<b>Filing Deadline</b>
1/7/25	<b>Planning Commission Hearing</b>

### REQUIREMENTS FOR MAILING NOTICES:

Applicants must send written notice to all abutting property owners. See detailed instructions on "Notice Requirements."

Mail certified or registered notice of hearings between 12/26 and 12/28.

Return notice materials to Department of Planning & Zoning by 12/28/24.

### WAIVER REQUIRED FOR EARLY SUBMISSIONS:

For any subdivision application submitted 45 days or more prior to the hearing date, the applicant must sign a "Waiver of Right to Automatic Approval" or wait to file the application after the 45-day time limit.



**APPLICATION**

**SUBDIVISION OF PROPERTY**

**SUB #** \_\_\_\_\_

318-320 E. Howell Avenue, Alexandria, Virginia

**PROPERTY LOCATION:** \_\_\_\_\_  
**TAX MAP REFERENCE:** ~~35-0111 & 12~~ **ZONE:** R-2-5

**APPLICANT:** LA Linden, LLC, a Virginia limited liability company  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_


**PROPERTY OWNER:** LA Linden, LLC, a Virginia limited liability company  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
22314

**SUBDIVISION DESCRIPTION** ~~Request for approval of a plat of resubdivision to resubdivide the property~~  
into new two R-2-5 complying lots. The proposed lot are substantially of the same character as to  
~~as to suitability for residential use and structures, lot area, orientation, street alignment of other lots~~  
adjacent to the property and in the original subdivision.

- THE UNDERSIGNED**, hereby applies for Subdivision in accordance with the provisions of Section 11-1700 of the Zoning Ordinance of the City of Alexandria, Virginia.
- THE UNDERSIGNED**, having obtained permission from the property owner, hereby grants permission to the City of Alexandria staff and Commission Members to visit, inspect, and photograph the building premises, land etc., connected with the application.
- THE UNDERSIGNED**, having obtained permission from the property owner, hereby grants permission to the City of Alexandria to post placard notice on the property for which this application is requested, pursuant to Article XI, Section 11-301 (B) of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.
- THE UNDERSIGNED**, also attests that all of the information herein provided and specifically including all surveys, drawings, etc., required of the applicant are true, correct and accurate to the best of his/her knowledge and belief.

Duncan W. Blair, Attorney/Agent

Print Name of Applicant or Agent  
\_\_\_\_\_  
Mailing/Street Address  
\_\_\_\_\_  
City and State \_\_\_\_\_ Zip Code \_\_\_\_\_

  
Signature \_\_\_\_\_  
\_\_\_\_\_  
Telephone # \_\_\_\_\_ Fax # NA  
\_\_\_\_\_  
Email address 10/16/24  
\_\_\_\_\_  
Date \_\_\_\_\_

**ALL APPLICANTS MUST COMPLETE THIS FORM.**

**The applicant is: (check one)**

the Owner     Contract Purchaser     Lessee or     Other: \_\_\_\_\_ of  
the subject property.

State the name, address and percent of ownership of any person or entity owning an interest in the applicant, unless the entity is a corporation or partnership in which case identify each owner of more than three percent. LA Linden LLC is a Virginia limited liability company. The only individuals owning

in excess of a 3% interest in LA Linden LLC are Daryl Andrew and John Lockard. The mailing addresses for the members is \_\_\_\_\_,

If property owner or applicant is being represented by an authorized agent, such as an attorney, realtor, or other person for which there is some form of compensation, does this agent or the business in which the agent is employed have a business license to operate in the City of Alexandria, Virginia?

- Yes.** Provide proof of current City business license.  
 **No.** The agent shall obtain a business license prior to filing application, if required by the City Code.



# OWNERSHIP AND DISCLOSURE STATEMENT

Use additional sheets if necessary

**1. Applicant.** State the name, address and percent of ownership of any person or entity owning an interest in the applicant, unless the entity is a corporation or partnership, in which case identify each owner of more than three percent. The term ownership interest shall include any legal or equitable interest held at the time of the application in the real property which is the subject of the application.

Name	Address	Percent of Ownership
1. LA Linden, LLC ("LAL")	[REDACTED]	100%
2. Daryl Andrews	[REDACTED] Alexandria	In excess of 3% in LAL
3. John Lockard	[REDACTED]	In excess of 3% in LAL

**2. Property.** State the name, address and percent of ownership of any person or entity owning an interest in the property located at 318 320 Howell Ave., Alexandria, Virginia (address), unless the entity is a corporation or partnership, in which case identify each owner of more than three percent. The term ownership interest shall include any legal or equitable interest held at the time of the application in the real property which is the subject of the application.

Name	Address	Percent of Ownership
1. LA Linden, LLC ("LAL")		100%
2. Daryl Andrews		In excess of 3% in LAL
3. John Lockard		In excess of 3% in LAL

**3. Business or Financial Relationships.** Each person or entity indicated above in sections 1 and 2, with an ownership interest in the applicant or in the subject property are required to disclose any business or financial relationship, as defined by Section 11-350 of the Zoning Ordinance, existing at the time of this application, or within the 12-month period prior to the submission of this application with any member of the Alexandria City Council, Planning Commission, Board of Zoning Appeals or either Boards of Architectural Review. **All fields must be filled out completely. Do not leave blank. (If there are no relationships please indicated each person or entity and "None" in the corresponding fields).**

For a list of current council, commission and board members, as well as the definition of business and financial relationship, [click here](#).

Name of person or entity	Relationship as defined by Section 11-350 of the Zoning Ordinance	Member of the Approving Body (i.e. City Council, Planning Commission, etc.)
1. LA Linden, LLC ("LAL")	NONE	
2. Daryl Andrews	NONE	
3. John Lockard	NONE	

**NOTE: Business or financial relationships of the type described in Sec. 11-350 that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings.**

As the applicant or the applicant's authorized agent, I hereby attest to the best of my ability that the information provided above is true and correct.

10/16/24  
 \_\_\_\_\_  
 Date Printed Name

Duncan W. Blair, Attorney/Agent

\_\_\_\_\_  
 Signature

**WAIVER OF RIGHT TO AUTOMATIC APPROVAL**

**SUBMITTED TO  
THE DEPARTMENT OF PLANNING & ZONING  
CITY OF ALEXANDRIA, VIRGINIA**

318-320 E. Howell Avenue, Alexandria, Virginia

**PROJECT NAME:** \_\_\_\_\_

318-320 E. Howell Avenue, Alexandria, Virginia

**PROJECT ADDRESS:** \_\_\_\_\_

**DESCRIPTION OF REQUEST:** Approval of a plat of resubdivision of the property.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**THE UNDERSIGNED**, hereby waives the right to the 45 day automatic approval provision of Section 11-1708 (B)(2) of the Zoning Ordinance of the City of Alexandria, Virginia, for the application stated above. This waiver is limited to the number of days between the filing deadline of October 29, 2024 and the hearing day of January 7, 2025 in excess of 45 days.

Date: 10/16/24

Applicant

Agent



Signature: \_\_\_\_\_

Duncan W. Blair, Attorney/Agent

Printed Name: \_\_\_\_\_

# MATERIALS CHECKLIST

## SUBDIVISION OF PROPERTY APPLICATION

The following materials are required for a **preliminary subdivision submission**.

- COMPLETED SUBDIVISION APPLICATION FORM**
- FILING FEE** of \$2,000 plus \$500.00/lot for each lot including outlots if total lots <10; or \$3,000 plus \$500.00/lot for each lot including outlots if 10 or more total lots.
- WAIVER OF RIGHT TO AUTOMATIC APPROVAL FORM**
- PRELIMINARY PLAT TO SCALE**

### **Format:**

- PDF of the plat
- Scale no less than 100' to 1"

### **Required contents:**

- Subdivision name
- Name, address of owner of record and the applicant
- Name, address, certificate number and seal of the surveyor or engineer
- Gross area in acres and total number of buildings, lots or sites involved
- Date, scale and north point with reference to source of meridian
- Zoning of the property
- A form or space, not less than two and one-quarter by three and one-half inches, on which approval by the commission may be shown
- Lot lines with the dimensions of the length and width of the lots
- In the case of resubdivisions, all lot lines or lot numbers that are proposed to go out of existence by reason of the resubdivision shall be shown by dotted lines and numbers
- Location of the property immediately adjoining the proposed subdivision and the names and addresses of all its owners
- Location and width of all proposed streets, alleys and public areas and their dimensions  
Points of connection with the city sewer system
- Location of all easements, reservations, and highway setbacks, as established by section 7-1006 of the zoning ordinance
- The width and name of adjacent existing streets, alleys, easements and public utilities, including without limitation, liens for water, gas, electric, telephone, storm and sanitary sewer, and railroads shown graphically
- Limits of floodplains and resource protection areas
- Location of any grave or object or structure marking a place of burial



## **SUBDIVISION APPLICATION MATERIALS CHECKLIST (cont'd)**

- In the following cases the preliminary plat shall be superimposed on a topographic map, at a scale of not greater than 100 feet to the inch, showing contours at intervals not greater than two feet or greater intervals when permitted by the director, and correlated to the U.S. Coast and Geodetic Survey datum, for the purpose of showing the character and drainage of the land:
  - a. Whenever any land within the parcel subdivided is to be dedicated to public use; or
  - b. For all subdivisions containing lots or parcels of less than one-half acre.
- Proposed street grade data and the method of storm water disposal
- General location, dimension, size, height, and species of major trees and shrubs
- Existing buildings with dimensions from the buildings to the nearest lot lines. When known, areas that can reasonably be expected to or which do contain soils or materials contaminated with, but not limited to heavy metals, petroleum products, PCB's, pesticides, flyash, or other toxic or hazardous materials
- When known, underground storage tanks
- When known, areas located within 1,000 feet of a former sanitary landfill, dump, or disposal area
- When known, areas with the potential of generating combustible gases

### **FINAL PLAT (Mylar)**

#### **Required contents:**

- All of the information required of a preliminary plat under Section 11-1706(D), except for items 16-24
- The location of all metals monuments of not less than one inch in diameter and 24 inches in length shown this: O, and located in the ground at each intersection of streets and alleys with plat boundary lines, and at all points on a street, alley and boundary lines where there is a corner, change in direction, or curvature
- A surveyor's or engineer's seal and certificate of survey in the following form, which may be modified to accommodate title information (see Section 11-1709 B(3) for language)
- A curve table containing the following for all curvilinear boundaries and street centerlines; delta, radius, arc, tangent, chord and chord bearing. All distances shall be shown to the nearest one-hundredth of a foot; angles or bearings to the nearest ten seconds.

**See Section 11-1700 of the Alexandria Zoning Ordinance for additional information**



**From:** [Catherine M McDonald](#)  
**To:** [Lanning J Blaser](#)  
**Subject:** FW: [EXTERNAL]Proposal at 318-320 E. Howell Avenue  
**Date:** Tuesday, December 17, 2024 12:21:15 PM

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Hi Lanning,

Could you add this neighbor letter to the January docket?

Thanks,  
Catie

Catherine McDonald  
Urban Planner II  
City of Alexandria  
Department of Planning and Zoning  
(703) 746-4666  
[alexandriava.gov](http://alexandriava.gov)

---

**From:** PCZoning <[PCZoning@alexandriava.gov](mailto:PCZoning@alexandriava.gov)>  
**Sent:** Tuesday, December 17, 2024 11:06 AM  
**To:** Catherine M McDonald <[catherine.mcdonald@alexandriava.gov](mailto:catherine.mcdonald@alexandriava.gov)>; Sam Shelby <[sam.shelby@alexandriava.gov](mailto:sam.shelby@alexandriava.gov)>  
**Subject:** FW: [EXTERNAL]Proposal at 318-320 E. Howell Avenue

Good Morning:

Please see below.

Thanks.

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**From:** Ryan Chirnomas <[ryanchirnomas@mac.com](mailto:ryanchirnomas@mac.com)>  
**Sent:** Tuesday, December 17, 2024 10:19 AM  
**To:** PCZoning <[PCZoning@alexandriava.gov](mailto:PCZoning@alexandriava.gov)>  
**Cc:** [monicagb15@hotmail.com](mailto:monicagb15@hotmail.com); [lalett@aol.com](mailto:lalett@aol.com)  
**Subject:** [EXTERNAL]Proposal at 318-320 E. Howell Avenue

You don't often get email from [ryanchirnomas@mac.com](mailto:ryanchirnomas@mac.com). [Learn why this is important](#)

I am writing with regard to the proposed combination of the 3 lots at 318-320 E. Howell,



splitting into two and then building a house on each. As an initial point, please forgive my writing after the meeting on December 10 of the DRCA Land Use Committee. I was not notified of this meeting until after it had occurred.

I am the owner and resident of a nearby property, at 400 E. Howell Avenue. Although I lament the potential demolition of what appears to be a perfectly usable and attractive house, and the corresponding decrease in greenery, I understand the economic motivations of the developer proposing the change. I am generally in support of the proposal, with a caveat. In particular, my concern relates to potential parking issues that may come from the slightly increased density, and the potential for use of one or more the proposed houses as a short term rental.

For context, I wish to discuss 322-324 E. Howell Avenue, which is a duplex on the lot adjacent to 318-320 E. Howell and immediately across Leslie Avenue from my house. Within the past year, a developer purchased 324 E. Howell, renovated it, and started using it as a short term rental. During its use as a short term rental, I am finding that the guest often bring as many as 3 or 4 cars, typically when the guests appear to be traveling from different locations for some kind of event (wedding etc). Earlier this year, the same developer started building an ADU on 324 E. Howell, which is currently under construction. I will note that the permit was granted even though the ADU request did not comply with 7-203(B)(6), since the main building is not used as anyone's primary residence, and certainly not the owner's (a developer LLC).

However, since I notified the city of this too late, the permit could not be revoked. It appears that the ADU will likely also be used as a short term rental. Additionally, the same developer purchased 322 E. Howell, and is in the process of renovation. It also appears likely that the developer will also use this property as a short term rental.

Each of 322-324 E. Howell is a 3 bedroom. According to the short term rental rules as I understand it, it is permitted to have 2 guests per bedroom and 2 additional people. As for ADUs, as I understand it, there may be 3 people and it may only be used as a short term rental for 120 days of the year. Thus, within this one within the ~5200 sq foot combined footprint of 322-324 E. Howell, there can legally be up to 19 people at any given time. Based on my observations of the behavior of the guests, this will likely bring up to 9 cars at any given time.

Returning to 318-320 E. Howell Avenue, the developer seeking the change is a different developer than 322-324 E. Howell. I have no knowledge of the developer's intent, and whether they plan to build short term rentals. However, if there is a row of 4 short term rental buildings, this will further stress the neighborhood's already somewhat restrictive parking. If the developer of 318-320 E. Howell pursues a similar plan as 322-324 E. Howell, the result could be up to about 35 people (depending on the size of the new properties) and up to 17 cars on the space designed for two single family homes (or 4 duplexes, or a combination). I wish to

avoid this problem.

Therefore, I would suggest that the Zoning Commission approve the proposal with two caveats:

1. That the developer agree to sell the two planned houses on the open market after completion, rather than retain them for use as short term rental properties.
2. Regardless of number 1 above, that the developer agree to provide at least one off-street parking spot for each property.

Thank you for your time and for taking my concerns into consideration. If you have any questions or comments, please do not hesitate to reach out to me.

Very truly yours,

Ryan Chirnomas  
400 E. Howell Avenue  
[ryanchirnomas@mac.com](mailto:ryanchirnomas@mac.com)  
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