

# City of Alexandria, Virginia

## MEMORANDUM

**DATE:** SEPTEMBER 17, 2025

**TO:** GLORIA SITTON, CITY CLERK  
OFFICE OF THE CITY CLERK AND CLERK OF COUNCIL

**THRU:** PAUL STODDARD, ACTING DIRECTOR  
DEPARTMENT OF PLANNING & ZONING

**FROM:** PAUL LIU, CHAIR  
BOARD OF ZONING APPEALS

**SUBJECT:** FISCAL YEAR 2025 ANNUAL REPORT OF THE  
BOARD OF ZONING APPEALS (BZA)

---

### I. BACKGROUND

I am pleased to present this Annual Report for the Board of Zoning Appeals (BZA) for Fiscal Year 2025, as required by City Code section 2-4-7(i)(1). An attendance form is also attached.

The BZA is appointed by City Council and performs duties as specified under Title 15 of the Virginia Code and Chapter 9 of the City Charter and Article 11 of the City's Zoning Ordinance. The BZA is charged with hearing and deciding Variances, Special Exceptions, and Appeals of Determinations by the Director of the Department of Planning & Zoning.

### II. SUMMARY OF BOARD ACTIVITIES FOR FISCAL YEAR 2024 (JULY 1, 2024 – JUNE 30, 2025)

| <b>FISCAL YEAR</b>      | <b>2025</b> | <b>2024</b> | <b>2023</b> |
|-------------------------|-------------|-------------|-------------|
| Variance Cases          | 2           | 1           | 3           |
| Special Exception Cases | 6           | 1           | 9           |
| Appeal Cases            | 0           | 0           | 1           |
| <b>Total Case</b>       | <b>8</b>    | <b>2</b>    | <b>13</b>   |

### III. FISCAL YEAR 2025 CASE STUDIES

#### 322 South Fairfax Street, BZA#2022-00006

On September 12, 2022, the Board of Zoning Appeals approved a variance request at 322 South Lee Street to access parking from the street rather than an alley or interior court. The decision of the BZA was appealed to the Circuit Court.

On May 2, 2023, the Circuit Court overturned the BZA's variance approval because the BZA lacked the authority to grant a variance from section 8-200(C)(6)(A) and further concluded that even if this section was subject to a variance, the standards for a variance were not met.

On September 3, 2024, the Virginia Court of Appeals agreed with the Circuit Court that a variance is not available as a relief mechanism for the parking access regulation.

On April 15, 2025, the Supreme Court of Virginia refused the petition for appeal. The Court of Appeals opinion will stand as law unless the ordinance regulating parking in the Old and Historic parking access from other than an alley or interior court in the Old and Historic Alexandria District (OHAD).

Staff is exploring options to amend the zoning ordinance to create a relief mechanism from the prohibition of accessing parking from the street rather than an alley or interior court in the OHAD as required by section 8-200(C)(6)(A) and will notify the BZA once that is in place.

#### Fences on Corner Lots

In 2024, staff received several complaints about fences on corner lots that did not meet the requirements of the zoning ordinance. While some property owners chose to correct the fences or the complaints turned out to be unfounded, two property owners applied and were heard by the BZA for special exceptions for fences on corner lots.

#### 1700 Dewitt Avenue, BZA#2024-00005

The property owner constructed a 6.00 foot privacy fence on the secondary front property line facing East Mason Avenue. The immediate neighbor is characterized by open front yards with most fences not exceeding 4.00 feet in height and the close proximity of the fence to the sidewalk created a street wall, which can decrease the sense of community and openness in a neighborhood. Additionally, this property owner has a reasonably large yard that can be enclosed with a 6.00 foot privacy fence without the need for a special exception to create a reasonable fenced area. The BZA did not find that the application met all the criteria for a special exception and denied the request.

#### 3350 Commonwealth Avenue, BZA#2024-00006

The property owner constructed a 7.00 foot privacy fence in the secondary front yard and a 4.00 foot less than 50% open fence in the required front yards and partially in the public right of way. The subject property was developed in the 1980's as part of a townhouse development. A majority of the rear yard is occupied by utility, emergency vehicle, and private access easements to for the row of five townhouses, limiting the area on the

subject property that can be enclosed with a privacy fence. Additionally, the commercial property immediately across the street has an 8.00 fence to screen trash and mechanical equipment. The taller fence on the subject property provides screening from the lights of the commercial property. For all the reasons above the BZA found that the application for the 7.00 foot portion of the fence enclosing a small portion of the yard met the special exception standards and provided a reasonable fenced area on the lot. The Board conditioned the approval that the portion of the fence in the right of way be removed and the less than 50% open portion of the 4.00 foot fence be brought into compliance.

#### **IV. FISCAL YEAR 2024 MEMBERSHIP, PUBLIC HEARINGS FORMAT AND ATTENDANCE**

Membership: The membership changed throughout the year due to term expirations and member resignations. Coleman Burke was appointed to the board on January 1, 2025. Ryan Belmore resigned from his seat on the Board on March 31, 2025. Andrew Justus was appointed to the Board on June 1, 2025. Tim Foley, Dawn Bauman, Paul Liu, Kimberlee Eveland, and Raj Patel continued to serve on the Board. The Officers changed several months late due to the lack of meetings and the Chair's preference to only hold meetings when cases need to be heard. Elections were held at the April 7, 2025, meeting, where the BZA unanimously elected Paul Liu as Chair, Dawn Bauman as Vice Chair, and Kimberlee Eveland as Secretary.

Number and Format of Public Hearings:

The BZA met in five (5) of the twelve (12) months during Fiscal Year 2025, extending from July 1, 2024, through June 30, 2025. August is the normal month in which the BZA is recessed; therefore, no Public Hearing was held. The other six (6) months in which a Public Hearing was not held was due to a lack of cases submitted.

Attendance: See Attachment 1 on page 3 for the Attendance Report and Chair signature.

## ATTACHMENT 1

### CITY OF ALEXANDRIA BOARDS AND COMMISSIONS MEETING ATTENDANCE REPORT JULY 1, 2024, THROUGH JUNE 30, 2025

COMMISSION: Board of Zoning Appeals (BZA)

CHAIRPERSON: Paul Liu, Chair

| Board Member<br>(With listed Officers as<br>of 4.7.2025) | Jul<br>8 | Aug      | Sep<br>9 | Oct<br>7 | Nov<br>18 | Dec<br>9 | Jan<br>13 | Feb<br>10 | Mar<br>10 | Apr<br>7 | May<br>12 | Jun<br>9 |
|----------------------------------------------------------|----------|----------|----------|----------|-----------|----------|-----------|-----------|-----------|----------|-----------|----------|
| Paul Liu, Chair                                          | X        | Recessed | X        | X        | X         | Canceled | Canceled  | Canceled  | Canceled  | X        | Canceled  | Canceled |
| Dawn Bauman, Vice Chair                                  | V        |          | X        | X        | X         |          |           |           |           | X        |           |          |
| Kimberlee Eveland, Secretary                             | X        |          | X        | X        | X         |          |           |           |           | X        |           |          |
| Tim Foley                                                | X        |          | X        | E        | X         |          |           |           |           | X        |           |          |
| Raj Patel                                                | X        |          | X        | X        | X         |          |           |           |           | E        |           |          |
| Coleman Burke                                            | N/A      |          | N/A      | N/A      | N/A       |          |           |           |           | X        |           |          |
| Ryan Belmore                                             | X        |          | X        | X        | X         |          |           |           |           | N/A      |           |          |
| Andrew William Justus                                    | N/A      |          | N/A      | N/A      | N/A       |          |           |           |           | N/A      |           |          |

INDICATE: **X** – PRESENT; **E** – EXCUSED ABSENCE; **U** – UNEXCUSED ABSENCE; **N/A** – Not Yet Appointed or Former Member; **V** – Attended virtually with permission from Chair as outlined in the Electronic Participation Policy.

**Notes:**

1. The BZA was in recess during August 2025.
2. Six (6) Public Hearings were canceled due to a lack of cases submitted.
3. City Council appointed Coleman Burke (December 10, 2024) to the BZA for a four-year term.
4. Mr. Belmore resigned from the BZA on March 31, 2025.
5. Elections occurred at the April 7, 2025, Public Hearing - Mr. Liu was elected Chair; Ms. Bauman was elected Vice Chair, and Ms. Eveland was elected Secretary.
6. City Council appointed Andrew Justus (May 13, 2025) to the BZA for a four-year term.

LIST OF THOSE WHO ATTENDED VIRTUALLY TO 25% OF MEETINGS: **0**

LIST OF THOSE WHO DID NOT ATTEND 75% OF MEETINGS: **0**

---

Paul Liu, Chair