

Docket Item # 7  
BAR CASE # 2013-0048

BAR Meeting  
March 20, 2013

**ISSUE:** Alterations and Waiver of Section 7-202 (Height Requirement)

**APPLICANT:** Elizabeth Troy Walker

**LOCATION:** 405 Wilkes Street

**ZONE:** RB/ Residential Townhouse Zone

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**STAFF RECOMMENDATION:** Staff recommends approval of the Certificate of Appropriateness and the Waiver of Height Requirement with the conditions that:

1. That the design of the lattice is altered to a rectangular pattern.
2. That the fence is painted or stained.

**\*\*EXPIRATION OF APPROVALS NOTE:** In accordance with Sections 10-106(B) and 10-206(B) of the Zoning Ordinance, any official Board of Architectural Review approval will expire 12 months from the date of final approval if the work is not commenced and diligently and substantially pursued by the end of that 12-month period.

**\*\*BUILDING PERMIT NOTE:** Most projects approved by the Board of Architectural Review require the issuance of one or more construction permits by Building and Fire Code Administration (including siding or roofing over 100 square feet, windows and signs). The applicant is responsible for obtaining all necessary construction permits after receiving Board of Architectural Review approval. Contact Code Administration, Room 4200, City Hall, 703-746-4200 for further information.



**CASE BAR2013-0048**



## **I. ISSUE**

The applicant is requesting an after-the-fact approval to install wood lattice (1 1/2" high) on top of a 5'-9 1/2" high wood fence which was replaced in-kind. The fence encloses the rear yard of the property at 405 Wilkes Street. The additional fence height (6'-9" total height) will provide screening between the rear yard of the subject property and the parking lot of the Old Presbyterian Meeting House which abuts the property at the rear.

If the applicant receives an after-the-fact approval from the BAR, the applicant will also be required to obtain a building permit from Code Administration, as the Virginia Construction Code requires a permit for fences exceeding six feet in height.

## **II. HISTORY**

405 Wilkes Street is a two story, two bay wood frame Italianate style house with wood brackets and dentiled cornice constructed between 1885 and 1891 according to the Sanborn Fire Insurance maps. The building has been Colonialized with a broken pedimented doorway and multi-light wood windows.

## **III. ANALYSIS**

Staff has no objection, in concept, to the installation of wood lattice on top of the existing board fence. The lattice will provide additional privacy for the subject property as it abuts an active parking lot. However, the design of the lattice is not consistent with the *Design Guidelines*, which states that "*Wood lattice should have a rectangular pattern rather than a diamond pattern*" and also notes that "*Modern mass-produced wood diagonal lattice is not appropriate in the historic districts.*" Therefore, Staff must recommend that the Board find that the installation of the lattice appropriate in concept, yet the design inconsistent with their policy and approve the application with the condition that the design be altered to a rectangular pattern, as shown in the below example.



**Example of "Rectangular Pattern" Lattice**

However, Board members asked during a recent fence case why there was a restriction in the Design Guidelines on diagonal lattice. Staff responded that, when the Design Guidelines were written in 1993, mass produced diagonal lattice was generally a very flimsy product that was produced in 4' x 8' sheets of 1/8" thick pressure treated wood which often fell apart within six months of installation. Because it was inexpensive, it was also being used to "screen" a wide variety of modern intrusions in the historic district, rooftop HVAC units being a prime example, and was not securely framed to hold the lattice in place. As, there is no historic precedent for lattice being used on roofs in this manner the Board requested authority in the zoning ordinance to waive rooftop mechanical screening altogether because the widely proposed lattice screens were worse than viewing the mechanical unit. A design prejudice,

therefore, developed against using diagonal lattice – the hope being that rectangular lattice would have to be custom built and might, perhaps, be used less and be designed and installed with some thought.

There is nothing, however, inherently inappropriate about diagonal lattice. Lattice was widely used as in the garden during the Victorian, Craftsman and Colonial Revival periods in a multitude of patterns. In hindsight, the Guidelines perhaps should have required ¼” or 3/8” thick wood lattice material (now readily available at home improvement centers) in any pattern that was architecturally appropriate, and set in a well-proportioned framing system.

In the present case, the applicant is asking to install an approximately one foot tall wood lattice panel on top of a solid board fence. This has been a very common fence design for several decades and has been approved in the past by the BARs in hundreds of cases. It is typically used in a side or rear yard to provide a greater degree of privacy and still allow some breeze into the yard on a summer day. Wood privacy fences are an ephemeral feature that seldom last more than a few decades and, particularly in the rear yard in a mid-block location, have little or no effect on the setting or context for a historic home.

In addition, the 1993 Design Guideline requirement to stain or paint all fences stemmed from the popularity of the Seaside development in Florida during the early 1990s, where individually designed white picket fences were required by their design guidelines. These recall late 19<sup>th</sup> and early 20<sup>th</sup> century middle class suburban life and romantic images of Tom Sawyer. In fact, based on photographic research, very few fences in Alexandria were ever painted and certainly none of those in the rear yard. As a practical matter, although painting a fence can substantially lengthen its life, a quick tour of the historic districts will confirm that almost no one complies with this requirement anyway and it is not something staff has the resources to enforce.

Therefore, Staff’s recommendation to replace the diagonal lattice and to paint or stain the fence in this case reflects the direction of the Design Guidelines but Staff believes it is time to revisit those Guidelines based on practicality, past experience, and historic research.

### **Waiver of Height Requirement**

Per Section 7-202 (C) of the Zoning Ordinance, “In the Old and Historic Alexandria and the Parker-Gray Districts, the requirement of sections 7-202(A)(1) and 7-202(B)(3) may be waived or modified by the Board of Architectural Review where the board finds that a proposed fence would be architecturally appropriate and consistent with the character of the district.” In the opinion of Staff, the 6’- 9” high wood fence with the lattice top in this location meets these requirements and Staff recommends approval.

### **STAFF**

Michele Oaks, Historic Preservation Planner, Planning & Zoning  
Al Cox, FAIA, Historic Preservation Manager, Planning & Zoning

#### **IV. CITY DEPARTMENT COMMENTS**

Legend: C – Code Requirement R – Recommendation S – Suggestion F- Finding

##### Code Administration

- F-1 The review by Code Administration is a preliminary review only. Once the applicant has filed for a building permit, code requirements will be based upon the building permit plans. If there are any questions, the applicant may contact Ken Granata, Plans Review Services Division Chief at [ken.granata@alexandriava.gov](mailto:ken.granata@alexandriava.gov) or 703-746-4193. (Code)
- C-1 Application for a permit and any related inspections shall not be required for fences and privacy walls not part of a building, structure or the barrier for a swimming pool, provided such fences and privacy walls do not exceed six feet in height above finished grade. Ornamental post caps shall not be considered to contribute to the height of the fence or privacy wall and shall be permitted to extend above the six feet height measurement. 2009 VCC §108.2

##### Transportation & Environmental Services (T&ES)

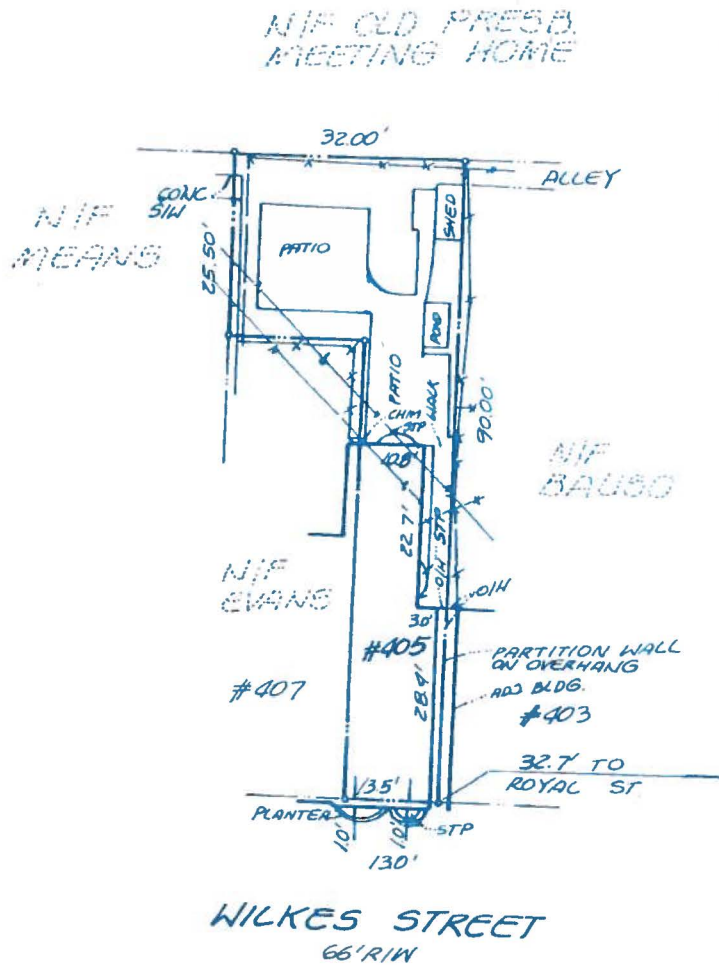
No Comments

#### **V. ATTACHMENTS**

- 1 – Supporting Materials*  
*2 – Application for BAR2013-00048 at 405 Wilkes Street*

NOTES

- 1) BOUNDARY BY OTHERS
- 2) NOT FOR ANY CONSTRUCTION (INCLUDING FENCES)
- 3) LOCATION OF FENCES (IF SHOWN) ARE APPROXIMATE AND DO NOT CERTIFY OWNERSHIP
- 4) THIS PROPERTY IS SHOWN ON ASSESSMENT MAP NO. 074-08-08-26
- 5) THIS PROPERTY IS LOCATED IN F.I.A. ZONE C AS SHOWN ON COMMUNITY PANEL NO. 515519 0005C DATED 10-18-88
- 6) COPYRIGHT 1994 RICE ASSOCIATES, P.C. THIS IS A SERVICE DOCUMENT AND IS VALID FOR SIX MONTHS FROM DATE ISSUED
- 7) REF. I.P.F., P.K.F., I.P.S., I.R.E., W.F. DENOTE PERMANENT MONUMENTATION



NOTE: LOCATION OF IMPROVEMENTS BASED ON CITY OF ALEXANDRIA MONUMENT LINES.

HOUSE SURVEY OF THE  
PROPERTY LOCATED AT  
# 405 WILKES STREET  
CITY OF ALEXANDRIA, VIRGINIA

**HOUSE LOCATION**

No Title Report Furnished

DATE: 9-15-94  
DRAWN BY: LC

SCALE: 1" = 20'  
CHECKED BY: GFLS

**RICE ASSOCIATES, P.C.**

SPRINGFIELD, VIRGINIA  
PHONE 866-7770 FAX 866-3609

*DF T L J.*  
9/16/94

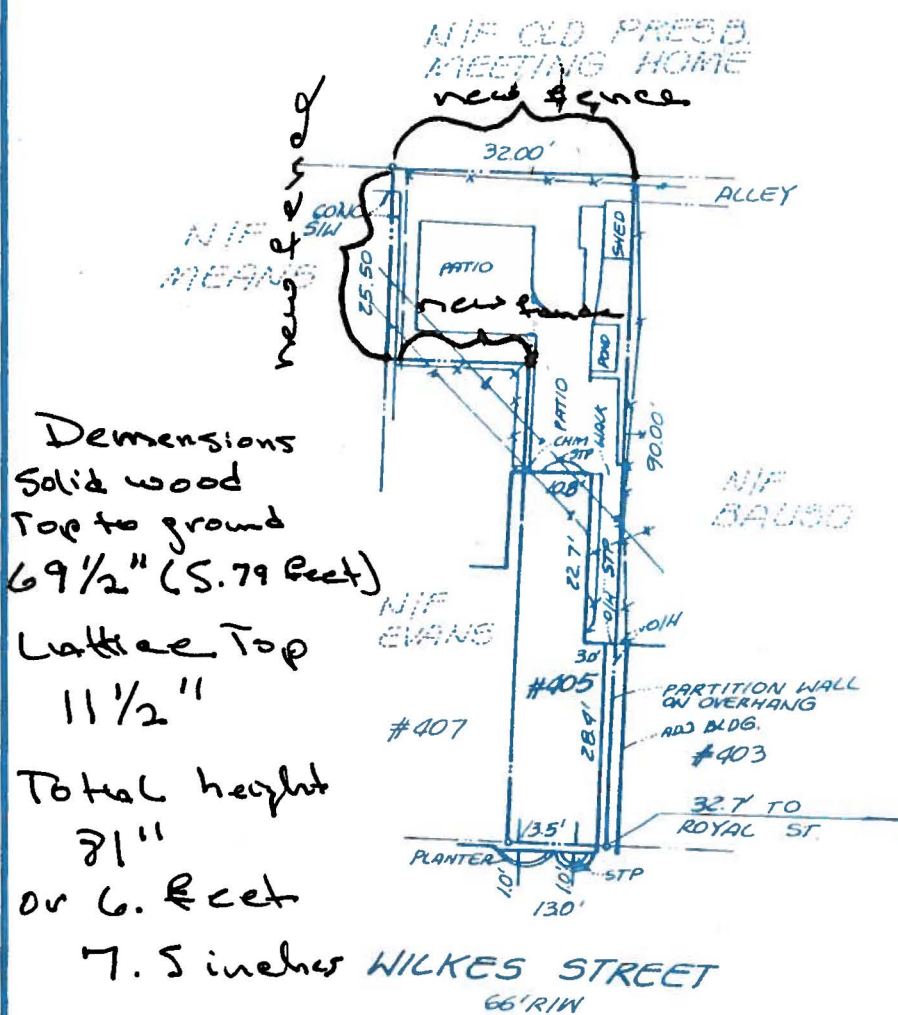
NIBH 074-08-0042  
WALKER LEE

94091625



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- 7) #1, #F, PKF, IPS, IRS, N.F. DENOTE PERMANENT MONUMENTATION



Dimensions  
 Solid wood  
 Top to ground  
 69 1/2" (5.79 Feet)  
 Lattice Top  
 11 1/2"  
 Total height  
 81"  
 or 6. Feet  
 7.5 inches WILKES STREET  
 66' R/W

NOTE: LOCATION OF IMPROVEMENTS  
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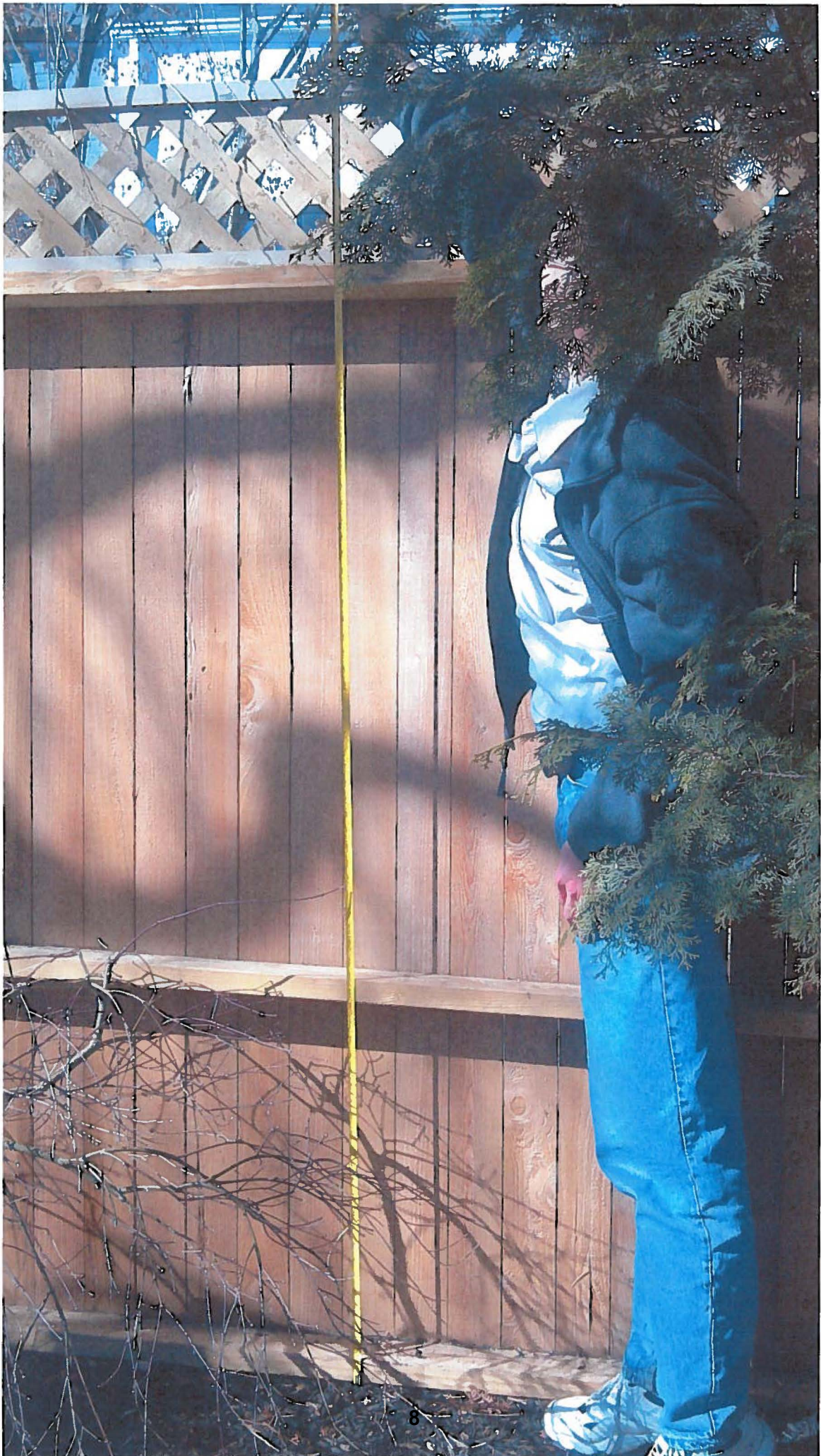
**RICE ASSOCIATES, P.C.**

SPRINGFIELD, VIRGINIA

PHONE 866-7770 FAX 866-3609

DFT  
 9/16/94  
 MBH 94-08-0042  
 WALKER LEE 94091625









NO  
TRESPASSING



NO TRESPASSING





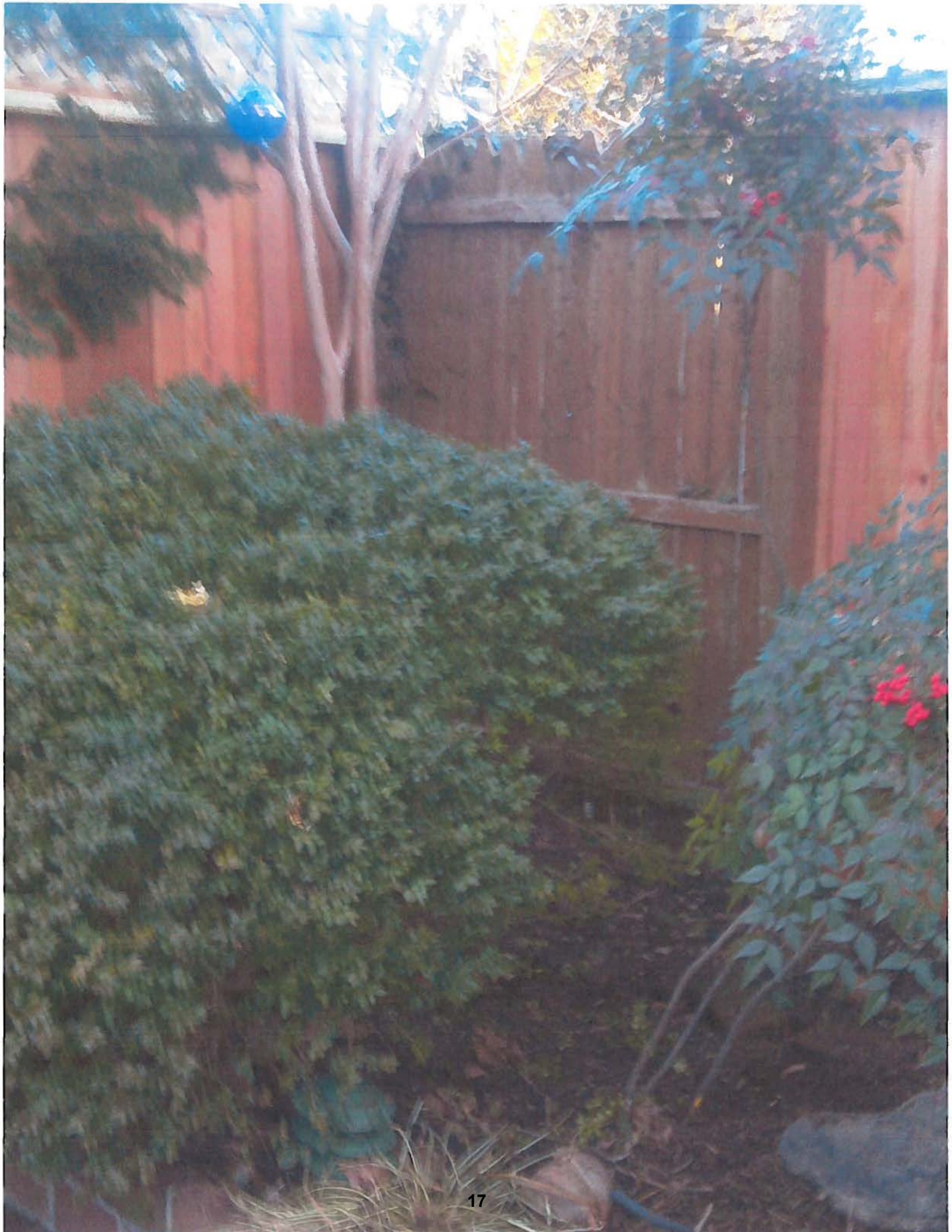








**WARNING**  
DO NOT  
CLIMB  
OR  
CRAWL  
OVER  
THIS  
FENCE  
OR  
GATE  
OR  
YOU  
MAY  
BE  
INJURED  
OR  
KILLED



BAR Case # \_\_\_\_\_

ADDRESS OF PROJECT: 405 Wilkes St, Alexandria VA 22314

TAX MAP AND PARCEL: 074.04 Tax map. ZONING: residential  
Block 08 Rm  
Parcel - Lot 26

APPLICATION FOR: (Please check all that apply)

- CERTIFICATE OF APPROPRIATENESS
- PERMIT TO MOVE, REMOVE, ENCAPSULATE OR DEMOLISH  
(Required if more than 25 square feet of a structure is to be demolished/impacted)
- WAIVER OF VISION CLEARANCE REQUIREMENT and/or YARD REQUIREMENTS IN A VISION CLEARANCE AREA (Section 7-802, Alexandria 1992 Zoning Ordinance)
- WAIVER OF ROOFTOP HVAC SCREENING REQUIREMENT  
(Section 6-403(B)(3), Alexandria 1992 Zoning Ordinance)

Applicant:  Property Owner  Business (Please provide business name & contact person)

Name: Elizabeth Troy Walker  
 Address: 405 Wilkes Street  
 City: Alexandria State: VA Zip: 22314  
 Phone: 703 838-6284 E-mail: Liz @ Liz - Walker . com

Authorized Agent (if applicable):  Attorney  Architect  \_\_\_\_\_

Name: \_\_\_\_\_ Phone: \_\_\_\_\_  
 E-mail: \_\_\_\_\_

Legal Property Owner:

Name: Elizabeth Troy Walker  
 Address: 405 Wilkes St  
 City: Alexandria State: VA Zip: 22314  
 Phone: 703 838 6284 E-mail: Liz @ Liz - Walker . com

- Yes  No Is there an historic preservation easement on this property?
- Yes  No If yes, has the easement holder agreed to the proposed alterations?
- Yes  No Is there a homeowner's association for this property?
- Yes  No If yes, has the homeowner's association approved the proposed alterations?

If you answered yes to any of the above, please attach a copy of the letter approving the project.

**NATURE OF PROPOSED WORK:** *Please check all that apply*

- NEW CONSTRUCTION
- EXTERIOR ALTERATION: *Please check all that apply.*
  - awning
  - doors
  - lighting
  - other \_\_\_\_\_
  - fence, gate or garden wall
  - windows
  - pergola/trellis
  - HVAC equipment
  - siding
  - painting unpainted masonry
  - shutters
  - shed
- ADDITION
- DEMOLITION/ENCAPSULATION
- SIGNAGE

**DESCRIPTION OF PROPOSED WORK:** *Please describe the proposed work in detail (Additional pages may be attached).*

Replace 6 foot fence with a six foot fence and add lattice at top.  
 need waiver of height section 7-202(c)  
 retroactive approval of height waiver.

**SUBMITTAL REQUIREMENTS:**

Items listed below comprise the **minimum supporting materials** for BAR applications. Staff may request additional information during application review. Please refer to the relevant section of the *Design Guidelines* for further information on appropriate treatments.

Applicants must use the checklist below to ensure the application is complete. Include all information and material that are necessary to thoroughly describe the project. Incomplete applications will delay the docketing of the application for review. Pre-application meetings are required for all proposed additions. All applicants are encouraged to meet with staff prior to submission of a completed application.

Electronic copies of submission materials should be submitted whenever possible.

**Demolition/Encapsulation :** *All applicants requesting 25 square feet or more of demolition/encapsulation must complete this section. Check N/A if an item in this section does not apply to your project.*

- Survey plat showing the extent of the proposed demolition/encapsulation.
- Existing elevation drawings clearly showing all elements proposed for demolition/encapsulation.
- Clear and labeled photographs of all elevations of the building if the entire structure is proposed to be demolished.
- Description of the reason for demolition/encapsulation.
- Description of the alternatives to demolition/encapsulation and why such alternatives are not considered feasible.

**Additions & New Construction:** Drawings must be to scale and should not exceed 11" x 17" unless approved by staff. All plans must be folded and collated into 12 complete 8 1/2" x 11" sets. Additional copies may be requested by staff for large-scale development projects or projects fronting Washington Street. Check N/A if an item in this section does not apply to your project.

- N/A Scaled survey plat showing dimensions of lot and location of existing building and other structures on the lot, location of proposed structure or addition, dimensions of existing structure(s), proposed addition or new construction, and all exterior, ground and roof mounted equipment.
- FAR & Open Space calculation form.
- Clear and labeled photographs of the site, surrounding properties and existing structures, if applicable.
- Existing elevations must be scaled and include dimensions.
- Proposed elevations must be scaled and include dimensions. Include the relationship to adjacent structures in plan and elevations.
- Materials and colors to be used must be specified and delineated on the drawings. Actual samples may be provided or required.
- Manufacturer's specifications for materials to include, but not limited to: roofing, siding, windows, doors, lighting, fencing, HVAC equipment and walls.
- For development site plan projects, a model showing mass relationships to adjacent properties and structures.

**Signs & Awnings:** One sign per building under one square foot does not require BAR approval unless illuminated. All other signs including window signs require BAR approval. Check N/A if an item in this section does not apply to your project.

- N/A Linear feet of building: Front: \_\_\_\_\_ Secondary front (if corner lot): \_\_\_\_\_.
- Square feet of existing signs to remain: \_\_\_\_\_.
- Photograph of building showing existing conditions.
- Dimensioned drawings of proposed sign identifying materials, color, lettering style and text.
- Location of sign (show exact location on building including the height above sidewalk).
- Means of attachment (drawing or manufacturer's cut sheet of bracket if applicable).
- Description of lighting (if applicable). Include manufacturer's cut sheet for any new lighting fixtures and information detailing how it will be attached to the building's facade.

**Alterations:** Check N/A if an item in this section does not apply to your project.

- N/A Clear and labeled photographs of the site, especially the area being impacted by the alterations, all sides of the building and any pertinent details.
- Manufacturer's specifications for materials to include, but not limited to: roofing, siding, windows, doors, lighting, fencing, HVAC equipment and walls.
- Drawings accurately representing the changes to the proposed structure, including materials and overall dimensions. Drawings must be to scale.
- An official survey plat showing the proposed locations of HVAC units, fences, and sheds.
- Historic elevations or photographs should accompany any request to return a structure to an earlier appearance.

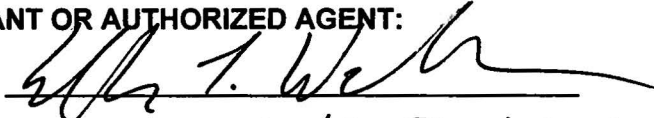
**ALL APPLICATIONS:** *Please read and check that you have read and understand the following items:*

- I have submitted a filing fee with this application. (Checks should be made payable to the City of Alexandria. Please contact staff for assistance in determining the appropriate fee.)
- I understand the notice requirements and will return a copy of the three respective notice forms to BAR staff at least five days prior to the hearing. If I am unsure to whom I should send notice I will contact Planning and Zoning staff for assistance in identifying adjacent parcels.
- I, the applicant, or an authorized representative will be present at the public hearing.
- I understand that any revisions to this initial application submission (including applications deferred for restudy) must be accompanied by the BAR Supplemental form and 12 sets of revised materials.

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The undersigned hereby attests that all of the information herein provided including the site plan, building elevations, prospective drawings of the project, and written descriptive information are true, correct and accurate. The undersigned further understands that, should such information be found incorrect, any action taken by the Board based on such information may be invalidated. The undersigned also hereby grants the City of Alexandria permission to post placard notice as required by Article XI, Division A, Section 11-301(B) of the 1992 Alexandria City Zoning Ordinance, on the property which is the subject of this application. The undersigned also hereby authorizes the City staff and members of the BAR to inspect this site as necessary in the course of research and evaluating the application. The applicant, if other than the property owner, also attests that he/she has obtained permission from the property owner to make this application.

**APPLICANT OR AUTHORIZED AGENT:**

Signature:   
Printed Name: Elizabeth T. Walker  
Date: Feb 19, 2013

**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 ten 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. Elizabeth T. Walker	405 Wilkes St Alexandria, VA	100 %
2.		
3.		

**2. Property.** State the name, address and percent of ownership of any person or entity owning an interest in the property located at 405 Wilkes St (address), unless the entity is a corporation or partnership, in which case identify each owner of more than ten 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.

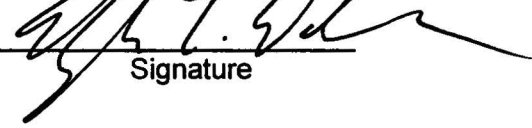
Name	Address	Percent of Ownership
1. Elizabeth T. Walker	405 Wilkes St Alexandria, VA 22314	100 %
2.		
3.		

**3. Business or Financial Relationships.** Each person or entity listed above (1 and 2), with an ownership interest in the applicant or in the subject property is 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.

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. _____	None	_____
2.		
3.		

**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.

Feb 19, 2013      Elizabeth T. Walker        
 Date                      Printed Name                      Signature