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Statement to the Old and Historic District Board of Architectural Review by  
Dr. Danny Smith, Co-Chair, Historic Alexandria Resources Commission  
420 South Lee Street, BAR CASE # 2016-00160

February 24, 2018

Madam Mayor and Members of the Council,

My name is Danny Smith and I am Co-Chair of the City Council's Historic Alexandria Resources Commission. As you know Commission is charged with providing advice to the city on preservation of Alexandria's architectural and cultural history.

At our Commission meeting on January 16, 2018, the Commission discussed this application and voted unanimously to support Council affirmation of the decision of the BAR on this case. In 2012 the applicant received BAR permission to alter a structurally unstable masonry portion of the fence in question with the condition that the existing iron portion of the fence would be reinstalled. The iron portion of the fence has not been reinstalled.

The applicant's proposal to recreate the original fence in a configuration allowing a nine to ten foot wide pedestrian gate is not consistent with typical pedestrian gates in the area and is entirely out of scale with the purported use.

As a long-time resident of the same block of South Lee Street, I have for years awaited completion of the activities originally proposed by the applicant. The incomplete alterations exacerbated by the applicant's auto being sometimes parked in the front yard are unsightly at best.

The Historic Alexandria Resources Commission urges you to affirm today the unanimous decision of the Old and Historic Alexandria District Board of Architectural Review for approval of a new wicket and spear metal fence with a single gate aligned with the front door and a double gate measuring no more than 6 feet in width at the southern portion of the lot.

Thank you.

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**Appeal of December 20, 2017 BAR Decision regarding the Double Gates at 420 South Lee Street, Alexandria, Virginia**

Amanda and Thomas Byrne, the owners of the property located at 420 S. Lee Street, Alexandria, Virginia (hereinafter "Property"), hereby appeal that portion of the December 20, 2017 BAR decision unreasonably restricting the width of the double gates opening on the front of our Property to two 36" gates at the south end, not to exceed a total width of 6 feet. On appeal, we hereby request that the BAR decision be reversed, and that we be permitted to build double gates with **each gate being 48"**, since this is the historically accurate width and there is no reasonable basis for denying our request. It should be noted that the staff report is misleading in repeatedly stating that we had requested 10' gates (the number comes from an erroneous fabricator's sketch). Further, staff supported our request for double 4.5 foot gates in its recommendation for the July 6, 2016 meeting, **and then reversed its position for the same request** in its recommendation for the December 20, 2017 meeting. **At the December 20 BAR hearing, our attorney made it clear that based on new evidence, we were amending our request to include a pedestrian gate** (approx. 36" opening) at the north end of the front property line, and **two 48" gates at the south end in front of the curb cut.**

The BAR approved a hoop and spear fence system on our Property as follows:

- i) a single pedestrian gate (36" opening) at the north end (left side when facing the property from S. Lee) of the front property line, and
- ii) two 36" gates at the south end (double gate no greater than 6 feet total),
- iii) hoop and spear fence with spindles 4" apart (center to center).

We are appealing section ii above, that is, the BAR decision that the width of the double gate opening be no greater than 6 feet total – and that each of the double gates be no greater than 36" – at the south end of our Property.

We submit that the double gates were historically each approximately 48", creating an opening between posts of a little over 8 feet. The evidence establishing that there were two 48" gates (rather than two 36" gates) at the south end of the fence along the front property line, is as follows:

- Photo 1: Circa 1930/1940 photograph shows that the opening in the fence created by the gates was large enough for a car to pass through and thus the gates were not pedestrian gates. A compact car parking space is typically 8 feet wide.
- Photos 2-3: A close-up of the historic photo of the left gate (Photo 2) shows that it had **11** spindles thus creating 12 gaps. The gaps between the spindles in the fence were 4" (Photo 2).

The gaps between spindles in the pedestrian gate (historic Photo 3) (7 spindles, creating 8 gaps) were about 4". If the gaps in the double gates were each 4", each gate was  $4 \times 12 = 48$ ."

- Photo 4: The historic curb cut on S. Lee St. directly in front of the proposed double gates is 8 feet 1" wide (Photo 4).
- Photos 4-5: Photo 4 shows mock posts at slightly over 6 feet apart (for two 36" gates) with the left post being positioned on the historic curb cut as in historic photo 2, and Photo 5 shows slightly over 8 feet apart (for two 48" foot gates). Clearly, the double 36" gates are incongruous with the historic 8 foot curb cut.
- Photos 6-8: The house at 224 S. Lee (two blocks away) has two 4 and 1/2 foot gates **in front of the historic curb cut** (Photo 6). *See also* 412 N Fairfax (Photo 7), and 711 Prince St. (Photo 8) showing double gates in front of historic curb cuts where each gate is 4-5 feet wide.
- There are no double gates in front of a curb cut in Old Town where each gate is less than 48".

In contrast to evidence above for 48" gates, there is **no factual basis** for a double gate at the Property where each gate is 36". Not unexpectedly, there are no double gates in front of a curb cut in Old Town where each gate is 36". Further, there is no factual basis for staff's comment that the double gate existed for a few decades of the middle of the 20th century- having been added well after the fence was installed - this is mere speculation. Lastly, all of the photos of gates provided by staff in support of 36" gates are of pedestrian gates (not in front of curb cuts) and thus are not relevant to the size of the double gates at the Property.

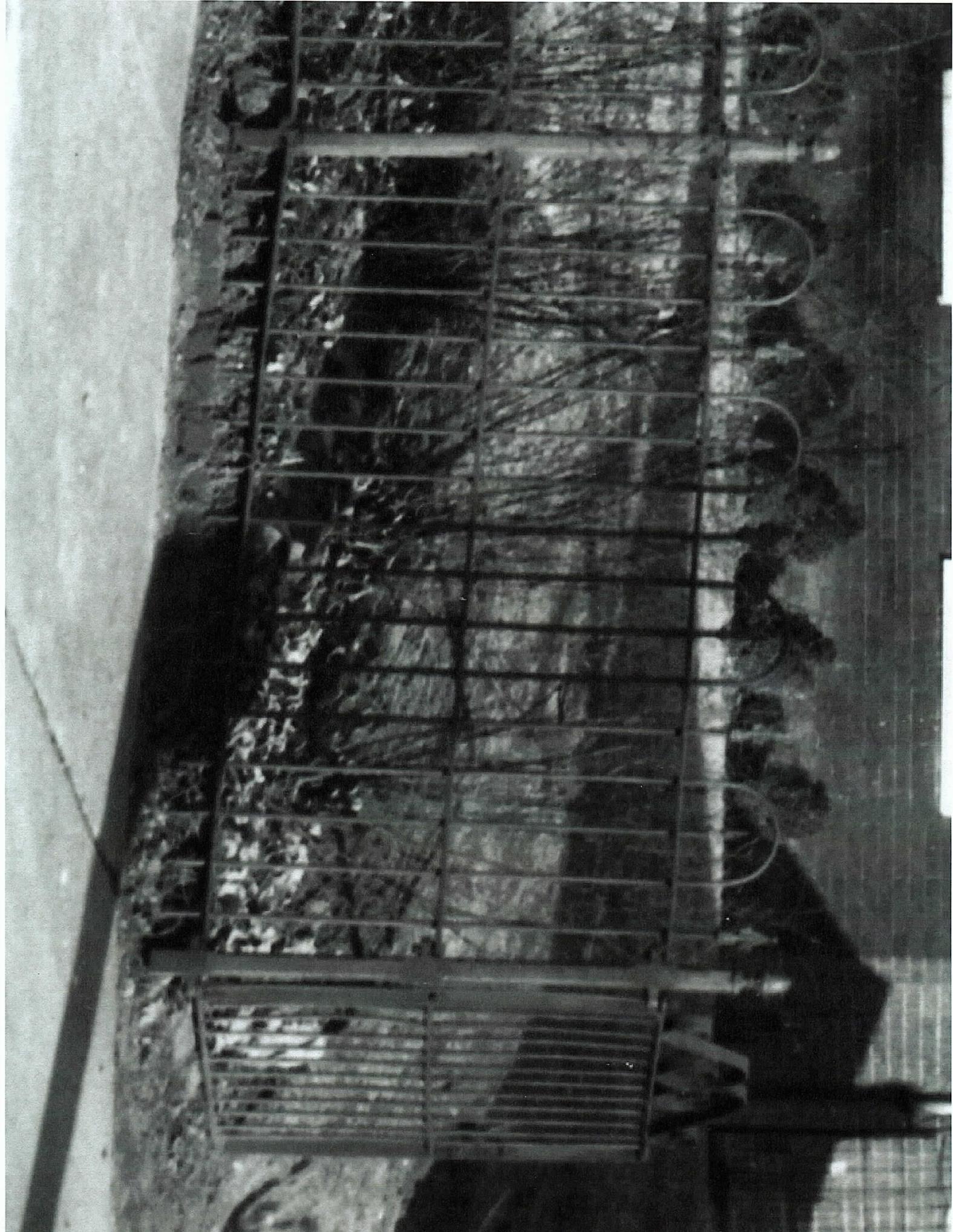
In light of the foregoing, we hereby request that the BAR decision be reversed, and that we be permitted to build historically accurate (based on facts) double gates with each gate being 48".

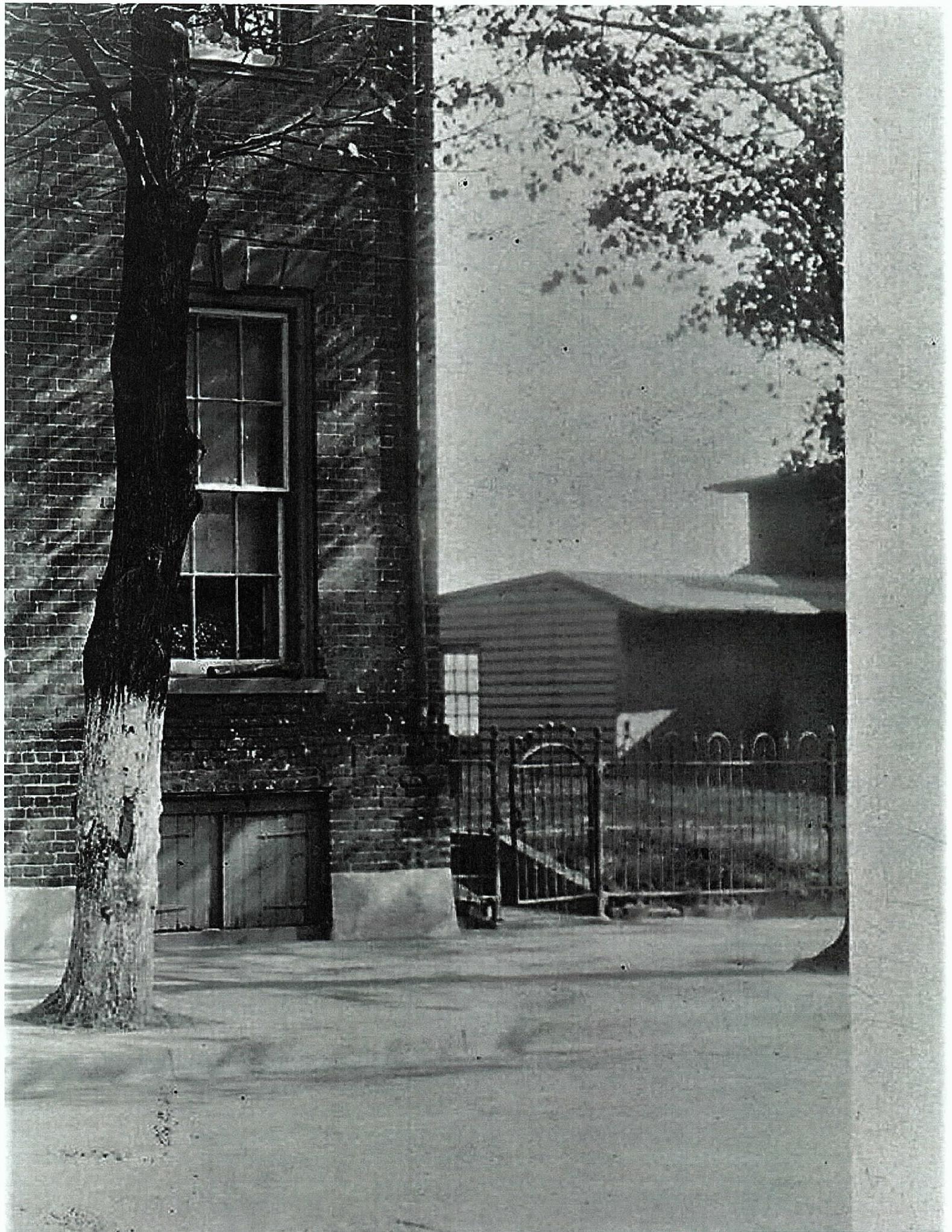
Respectfully submitted,

Amanda V. Byrne

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