

**BOARD OF ZONING APPEALS  
PUBLIC HEARING MINUTES**

The regular meeting of the Board of Zoning Appeals was held on  
Monday, March 14, 2022 at 7:00 p.m.

At 7:00 P.M. in City Council Chambers, City Hall, Alexandria, Virginia

The proceedings of the meeting were recorded; records of each case are on the web at  
[www.alexandriava.gov/dockets](http://www.alexandriava.gov/dockets) and on file in the Department of Planning and Zoning.

If it is determined to not be safe enough to meet in person due to the COVID-19 Pandemic emergency, this Hearing will be held electronically. If held electronically, this Hearing is being held pursuant to Virginia Code Section 2.2-3708.2(A)(3) and the Continuity of Government ordinance adopted by the City Council on June 20, 2020, to undertake essential business and members of the public bodies and staff will be participating from remote locations through a Zoom Webinar. Electronic access will be provided whether the Hearing is in person or electronic.

The Board of Zoning Appeals Hearing can be accessed by the public through the live broadcast on the government Channel 70 and streaming on the City's website. Electronic participation is also available via Zoom by registering to attend the Hearing via the following registration links:

[https://zoom.us/webinar/register/WN\\_TqCTXsIATHejYoGVv\\_Oxfg](https://zoom.us/webinar/register/WN_TqCTXsIATHejYoGVv_Oxfg)

\*\*\* The Webinar will open at 6:30 p.m. to allow individuals to join. The Board of Zoning Appeals Hearing will begin at approximately 7:00 p.m. \*\*\*

Members Present: Mark Yoo, Acting Vice Chair  
Lee Perna, Secretary  
Tim Foley  
Paul Liu (virtual)  
Quynn Nguyen  
Jon Waclawski (virtual)

Absent Members: Erich Chan

Staff Present: Owen Albrecht, Department of Planning & Zoning  
Mary Christesen, Department of Planning & Zoning  
Margaret Cooper, Department of Planning & Zoning  
Alexa Powell, Department of Planning & Zoning  
Sam Shelby, Department of Planning & Zoning  
Nancy Williams, Department of Planning & Zoning

## CALL TO ORDER

1. Mr. Yoo called the March 14, 2022, Board of Zoning Appeals to order at 7:06 p.m.

## OTHER BUSINESS

2. Statement of Recognition for Larry Altenburg

## UNFINISHED BUSINESS AND ITEMS PREVIOUSLY DEFERRED

3. **BZA #2021-00017**  
703 & 707 South View Terrace  
Public Hearing and consideration of a request for a Variance to construct a single-family dwelling outside the required front yard setbacks; zoned: R-8/Single-Family Residential.  
Applicants: John Herrman and Katharine Norton (Deferred from the February 14, 2022 meeting.)

**BOARD OF ZONING APPEALS ACTION, MARCH 14, 2022:** On a motion by Mr. Perna, seconded by Mr. Waclawski, the Board of Zoning Appeals voted to approve the requested variance subject to all applicable codes, ordinances, staff recommendations and conditions. The motion carried on a vote of 5 to 1 with Mr. Foley dissenting.

Mr. Foley asked for staff to clarify the Zoning Ordinance's intent. Staff replied that the intent of the front yard requirement is for properties to provide open front yards consistent with the surrounding block face. Staff pointed out that the subject property is unique in that it has a deep front yard surrounded by properties with comparatively shallow front yards. If other properties within the block face had deeper front yards, the front yard requirement would be applied differently.

Ms. Nguyen asked staff to clarify the existing and proposed configurations of the subject property.

Mr. Foley wondered if the water infiltration concerns could be addressed with modified construction techniques. Mr. Yoo stated that construction techniques can be employed to protect against water infiltration and that a building could be constructed without a basement. Regardless, he stated that footings for any type of foundation should be placed where there isn't high groundwater. Mr. Yoo stated that exposure to groundwater can undermine footings and foundations.

Mr. Perna asked for staff to clarify the front setback requirement. He stated that the proposed front setback would be more compatible than that provided by the existing dwelling. Mr. Perna found that it would not disrupt the established neighborhood character. Considering this, and the groundwater issues, he expressed support for the request.

Reason: The Board agreed with the staff's recommendation.

Dissenting reason: Mr. Foley disagreed with the staff's recommendation. He suggested that

different construction techniques could be employed to prevent groundwater infiltration to the new dwelling.

Speakers:

John Hermann, Katharine Norton and Alex Castro, applicants, presented the case.

Paul Schmidt, 711 South View Terrace, spoke in support of the request, noting that the proposal would be more consistent with the established character of the block.

Susan Miranda, 600 West View Terrace, spoke in support of the request.

**NEW BUSINESS**

**4. BZA #2022-00002**

1309 Oakcrest Drive

Public Hearing and consideration of a request for a Special Exception to construct a second-story addition in the required side yard; zoned: R-8/Single-Family Residential.

Applicant: Karen Conkey, Architect

**BOARD OF ZONING APPEALS ACTION, MARCH 14, 2022:** On a motion by Mr. Foley, seconded by Mr. Perna, the Board of Zoning Appeals voted to approve the requested special exception subject to all applicable codes, ordinances, staff recommendations and conditions. The motion carried on a vote of 6 to 0.

Reason: The Board agreed with staff's recommendation.

Speakers: Karen Conkey presented on behalf of the property owner. Christopher Meyers, property owner, thanked the Board and was available to answer questions.

**5. BZA #2022-00003**

1216 Prince Street

Public Hearing and consideration of a request for Variance from lot area and lot frontage, and required front and side yard setbacks to allow the reversion to a single-family residential use; zoned CL/Commercial Low.

Applicant: Elizabeth A. Vazquez

**BOARD OF ZONING APPEALS ACTION, MARCH 14, 2022:** On a motion by Mr. Foley, seconded by Mr. Perna, the Board of Zoning Appeals voted to approve the requested variances subject to all applicable codes, ordinances, staff recommendations and conditions. The motion carried on a vote of 6 to 0.

Reason:

The Board agreed with staff's recommendation.

Speakers:

Duncan Blair presented on behalf of the property owner. Steve Malone, President Old Town Civic Association, expressed support for granting of variances to allow reversion to its historic residential use. Mark Feldheim, 1215 Prince Street property owner, indicated several

reversions have occurred, including his own home, on this block in his 30 years of living there and supported the applicants request.

## **OTHER BUSINESS**

### **7. Election of Board Officers for Chair, Vice Chair, and Secretary.**

The Board of Zoning Appeals unanimously elected Lee Perna as Chair, Tim Foley as Vice Chair, and Quynn Nguyen as Secretary.

### **8. Minutes**

Consideration of the minutes from the February 14, 2022, Board of Zoning Appeals Hearing.

**BOARD OF ZONING APPEALS ACTION, MARCH 14, 2022:** On a motion by Mr. Perna, seconded by Ms. Nguyen, the Board of Zoning Appeals voted to approve the minutes as submitted. The motion carried on a vote of 6 to 0.

### **9. Adjournment**

The Board of Zoning Appeals meeting was adjourned at 8:14 p.m.