

Docket Item # 13
BAR CASE # 2013-00295

BAR Meeting
April 2, 2014

ISSUE: Accessory Structure and After-the-fact Approval of Alterations
APPLICANT: Christopher Jones by Warren Almquist, AIA Architect
LOCATION: 735 Bernard Street
ZONE: RB/Residential

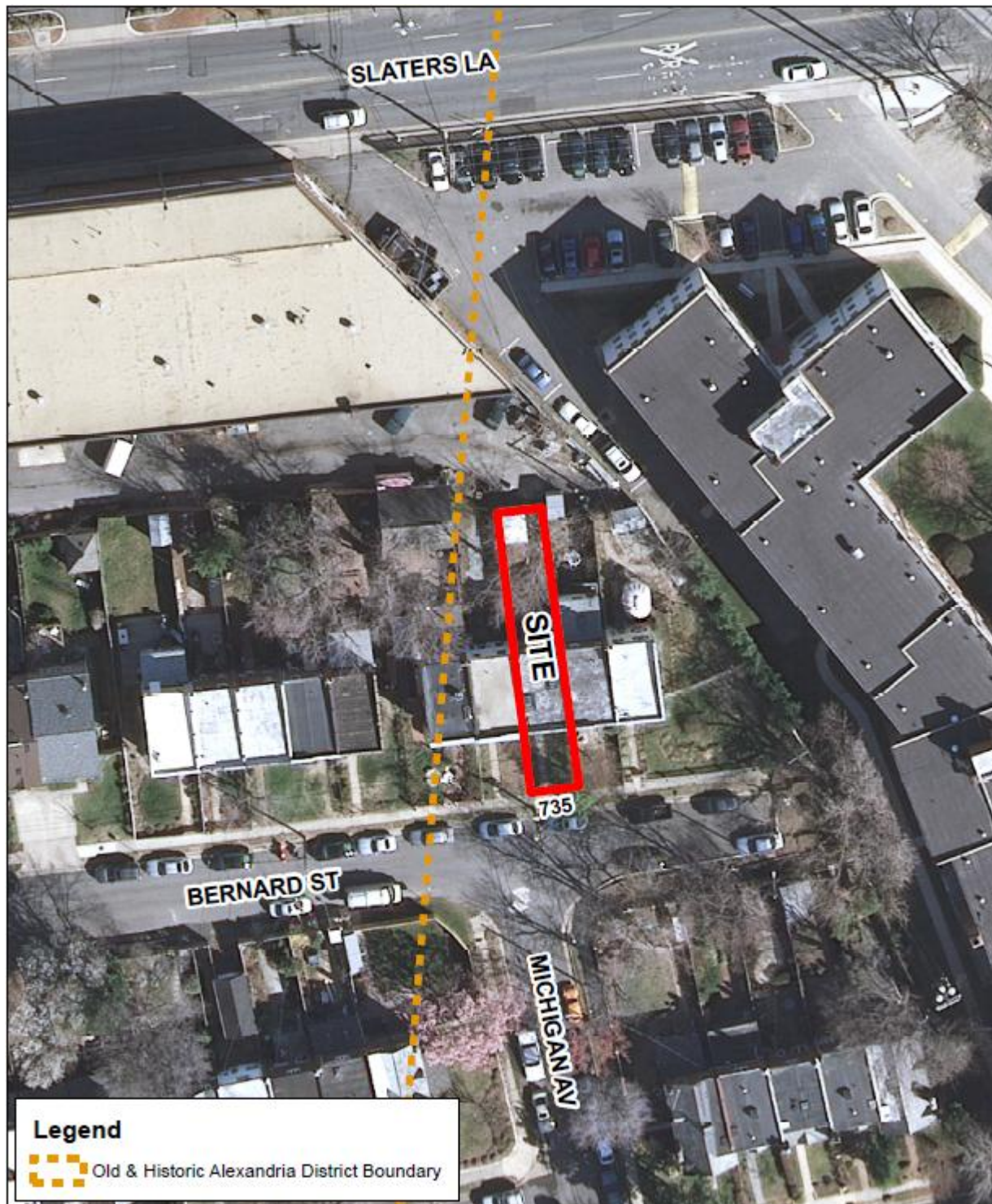
STAFF RECOMMENDATION: Staff recommends the following:

1. Removal of the existing shed and fence currently located in the public right-of-way;
2. Approval of the proposed garage with the condition that the faux windows with shutters are removed, and provided that the following conditions are met prior to the release of the building permit:
 - a. That the shutters on the front façade have been removed; and,
 - b. The vinyl windows facing Bernard Street have been replaced with appropriate casement-style windows.

*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 issuance 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 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, 703-838-4360 for further information.

** APPEAL OF DECISION: In accordance with the Zoning Ordinance, if the Board of Architectural Review denies or approves an application in whole or in part, the applicant or opponent may appeal the Board's decision to City Council on or before 14 days after the decision of the Board.



I. ISSUE

The applicant requests approval of a Certificate of Appropriateness for a new accessory structure at 735 Bernard Street. Outstanding BAR conditions (BAR Case #2004-0241) related to the subject property are also being brought forward as part of the present garage case.

Accessory structure

The proposed two-story garage will measure 16 feet by 20 feet and will be constructed with the gable end facing the alley. The garage will have a multi-panel aluminum garage door and wood, or wood composite, four panel door on the alley elevation. The alley and both side elevations will have faux windows with closed wood shutters on the second floor. The first floor will have 8 inch beaded fiber cement siding, while the upper level will have 4 inch fiber cement siding. The roof will be clad with slate-colored asphalt shingles. The rear elevation facing the house will have a single door and two, two-over-two windows.

After-the-fact approval of alterations

In the spring of 2004, BAR Staff observed a number of cosmetic alterations to the five townhouses in the 700 block of Bernard Street. The after-the-fact alterations at 735 Bernard Street, as well as the adjacent properties at 731 and 739 Bernard, went to the Board on November 17, 2004 (BAR Case #2004-0241). The Board combined discussion of the cases because there was a single applicant, and took the following action (outstanding conditions are bolded):

1. **The shutters are to be removed.**
2. The unpainted masonry at 735 Bernard Street should remain unpainted.
3. **The front windows to be replaced with aluminum clad wood casement windows in a configuration closely matching the original steel casement windows.**
4. **The front doors at 735 and 739 should be replaced with appropriate wood doors.**
5. **A simple wood fence is to be installed at 735 Bernard Street, to be approved by Staff.**
6. The Board recommends approval of an encroachment ordinance for the installed fences at 731 and 739 Bernard Street.

The applicant, who purchased the property in 2009, was unaware of the outstanding BAR conditions until the BAR application for the garage was submitted. As part of the request for a Certificate of Appropriateness for the garage, Staff is also bringing the outstanding 2004 BAR conditions forward.

II. HISTORY

735 Bernard Street is a two-story, brick-faced townhouse constructed circa **1948** as part of a row of flat front brick rowhouses that sit at the north end of Michigan Avenue and form a terminus of the community known as Fagelsons's Addition. The row was designed in a modified residential Moderne style that places emphasis on horizontal lines, flat planes, and modest ornamentation.

As noted above, the Board reviewed after-the-fact alterations in 2004 (BAR Case #2004-0241). In May 2013, the Board approved alterations to an existing two-story garage two doors down from the subject property at 739 Bernard Street (BAR Case #2013-0098). The Board also recently approved a waiver of fence height for the property at 731 Bernard Street (BAR Case #2013-0293).

III. ANALYSIS

Prior to the BAR hearing, on March 13, 2014, the applicant obtained approval of an open space variance to construct the garage from the Board of Zoning Appeals (BZA#2014-0005).

This modest red brick rowhouse and its immediate neighbors in the 700 block of Bernard Street are in the historic district because they lie within 500 feet of the Mount Vernon Memorial Highway, commonly called the G.W. Parkway, and not because of their individual cultural or architectural significance. Their setting and scale help to define the boundaries of the district and insure compatibility with the neighbors nearby that are in the district. The front facades of these townhouses are not visible from the Parkway, although some of the rear elevations and accessory structures are minimally visible from Slaters Lane.

The proposed garage will be constructed on the rear property line, which necessitates the removal of an existing 6 foot wood fence and a small utility shed, both of which are located partially in the public right-of-way and were not approved by the BAR. Staff supports the removal of these features, which is consistent with the following recommendation contained in the *Design Guidelines*: “Structures which are non-historic and not compatible with the historic and architectural character of the historic districts do not require a separate application for a Permit to Demolish.” As these structures were illegally installed in the right-of-way at some time in the past, their removal does not require a Permit to Demolish from the BAR.

Staff has no objection to the proposed garage accessory structure, although the faux windows with shutters appear awkward and out of scale. Staff recommends that all of these false elements be deleted and that the siding simply be extended. The garage will be minimally visible from a break between buildings along Slater’s Lane. Given that this is new construction on a townhouse lot dating from the mid-19th century, Staff supports the use of modern materials.

As noted above, when the property was purchased the current owner was unaware of the outstanding 2004 BAR conditions. For unknown reasons, compliance with the conditions was not pursued after the Board’s action, likely because until recently the division did not have the resources for enforcement. However, because staff is now aware of the outstanding conditions they must be brought forward with the garage application. Of the four conditions affecting this property (in bold above), Staff recommends that the Board reverse their previous finding for two for the conditions (the door and fence). First, staff feels that the applicant should be able to retain the existing front door because it is located behind an existing storm door, is set well back from the sidewalk behind a fence and is minimally visible (Staff was, in fact, unable to determine the material of the present door from the right-of-way). Doors are a frequently replaced building feature that is often done with little expense or effort. The Minor Architectural Elements Policy allows for high-quality synthetic materials for doors in buildings constructed after 1965. Second,

although the Board previously recommended a simple wood fence, Staff does not object to the design of the existing simple metal picket fence.



Figure 1: Front facade of 735 Bernard Street.



Figure 2: Front fence at 735 Bernard Street.

However, there are two conditions – shutters and windows – that staff believes the Board should make conditions of approval for the garage.

Shutters

With regard to shutters, the *Design Guidelines* state: “Window and door shutters are an important visual detail of the overall composition of a building and serve both function and decorative purposes.” The *Guidelines* also recommend that shutters be appropriate to the period of the structure, operable and appropriately sized. The shutters at 735 Bernard Street, which are not an original feature, do not meet any of these recommendations and should be removed. Removal of these shutters is easily performed with no cost to the owner.

Windows

The Board’s Window Policy states: “Vinyl or vinyl clad windows, and windows with removable muntins (“grilles”) or muntins sandwiched between-the-glass, are not considered appropriate or compatible by the Boards...” The existing insert, double-hung vinyl windows do not meet the Board’s policy. While Staff is sympathetic to the cost the applicant will incur to replace the inappropriate windows without approval installed by a previous owner who did not correct the violation when brought to their attention, the Board’s recently amended Window Policy reaffirmed that vinyl windows are inappropriate and staff has no choice but to recommend that the existing windows be replaced with appropriate casement style windows, in either wood, aluminum clad or fiberglass materials.

Although it is not applicable in the Old & Historic Alexandria District, the recent process and procedural changes in the Parker-Gray District can inform the Board’s decision. As the Board will remember, the Parker-Gray BAR established period of significance and prioritized street-facing elevations over non-street-facing elevations. For buildings constructed after 1931 (“Later” buildings), which were generally constructed using mass produced materials with few character defining features, the Parker-Gray Board found them to be background buildings that need only be compatible with, and not distract from, nearby Early (pre-1932) buildings, and allowed for a much greater palette of modern materials and a more limited review. If the subject property had been located in Parker-Gray, it would be considered a “Later” buildings, and because it is located at least 15 feet from the front property line (735 Bernard Street is located 25’ from the front property line), the applicant would be permitted to install windows of any material, any operation, or any configuration, provided they don’t have tinted or reflective glass.

STAFF

Stephanie Sample, Urban Planner, Historic Preservation Section, Planning & Zoning
Al Cox, FAIA, Manager, Historic Preservation Section, Planning & Zoning

IV. CITY DEPARTMENT COMMENTS

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

Code Administration

No comments received.

Transportation & Environmental Services

FINDINGS

- F1. Plan shows removal of existing fence and shed encroachment in the alley. Proposed garage shown fully within property.

RECOMMENDATIONS

- R1. Applicant shall be responsible for repairs to the adjacent city right-of-way if damaged during construction activity. (T&ES)
- R2. All improvements to the city right-of-way such as curbing, sidewalk, driveway aprons, etc. must be city standard design. (T&ES)
- R3. No permanent structure may be constructed over any existing private and/or public utility easements. It is the responsibility of the applicant to identify any and all existing easements on the plan. (T&ES)
- R4. The building permit must be approved and issued prior to the issuance of any permit for demolition. (T&ES)

CITY CODE REQUIREMENTS

- C-1 Roof, surface and sub-surface drains shall be connect to the public storm sewer system, if available, by continuous underground pipe. Where a storm sewer is not available, the applicant must provide a design to mitigate impact of stormwater drainage onto adjacent properties and to the satisfaction of the Director of Transportation & Environmental Services. (5-6-224) (T&ES)
- C-2 The applicant shall comply with the City of Alexandria's Noise Control Code, Title 11, Chapter 5, which sets the maximum permissible noise level as measured at the property line. (T&ES)
- C-3 All secondary utilities serving this site shall be placed underground. (Sec. 5-3-3) (T&ES)
- C-4 The applicant shall comply with the City of Alexandria's Solid Waste Control, Title 5, Chapter 1, which sets forth the requirements for the recycling of materials (Sec. 5-1-99). (T&ES)
- C-5 Any work within or performed from the right-of-way requires a separate permit from T&ES. (Sec. 5-2) (T&ES)

Archaeology

Archaeology Findings

- F-1 The Alexandria Canal once was located 100 ft. to the east from the subject property. Moreover, a late nineteenth-century house belonging to W.H. Dempsey was located some

175 ft. to the northeast from the subject property on the opposite side of the canal.

Archaeology Recommendations

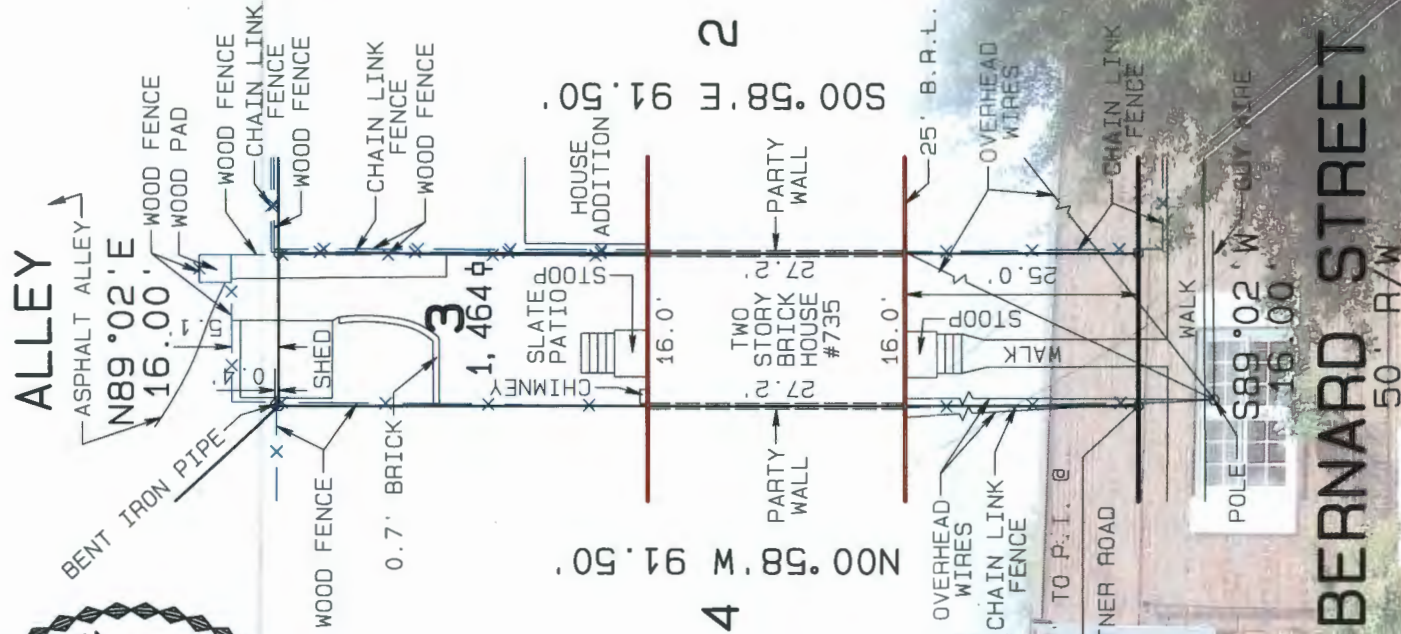
There is a low potential for significant archaeological resources to be disturbed by this project.
No archaeological action is required.

V. ATTACHMENTS

1 – Supporting Materials

2 – Application BAR2013-00295 735 Bernard Street

COPYRIGHT SCARTZ SURVEYS - THIS IS A SERVICE DOCUMENT AND IS VALID FOR SIX MONTHS FROM DATE ISSUED.
THIS SURVEY WAS PERFORMED ACCORDING TO THE STANDARDS SET FORTH IN VIRGINIA CODE SECTION 54.1-407.



PHYSICAL IMPROVEMENTS SURVEY

GORHAM TRACT

CITY OF ALEXANDRIA, VIRGINIA

SCALE: 1"=20' DATE: AUGUST 7, 2009

CASE NAME: ALVAREZ
TO JONES (OTA0907091)

NO TITLE REPORT FURNISHED.
PLAT SUBJECT TO RESTRICTIONS & EASEMENTS OF RECORD OR OTHERWISE.
FENCE LOCATIONS, IF SHOWN, ARE APPROXIMATE ONLY
AND DO NOT CERTIFY AS TO OWNERSHIP.

MBH

Settlement Group, L.C.

SCARTZ SURVEYS

LARRY N. SCARTZ LOCAL (703) 494-4181
CERTIFIED LAND SURVEYOR FAX (703) 494-3330
WOODBIDGE, VIRGINIA LARRY.SCARTZ@SCARTZ.COM



TAX MAP# 044.02-02-10

JOB# 20091425

MN

DATE:
08.12.13

735 Bernard Street
Alexandria, VA 22314

REVISIONS:

WARREN L. ALMQUIST, AIA Architect
201 East Monroe Avenue Alexandria, VA 22301
ARCHITECTURE PLANNING INTERIOR DESIGN
703-836-3275

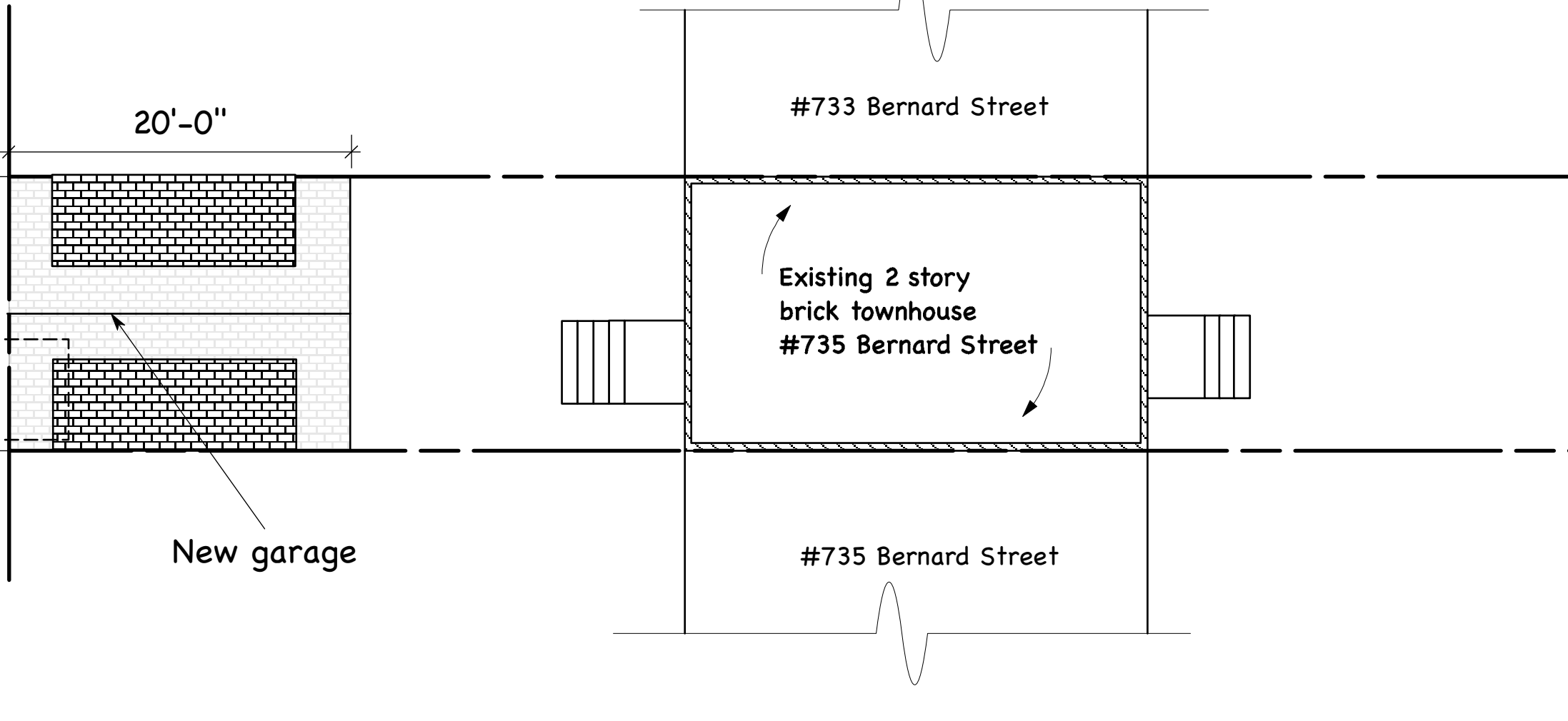
City of Alexandria
Board of Architectural Review-
Old and Historic District Panel
Request for
Certificate of Appropriateness

S1

Public Alley

16'-0"

Remove shed & fence



1
SD

Site Development Plan

Scale: 1/8" = 1'-0"

BERNARD STREET

50' R/W

SD

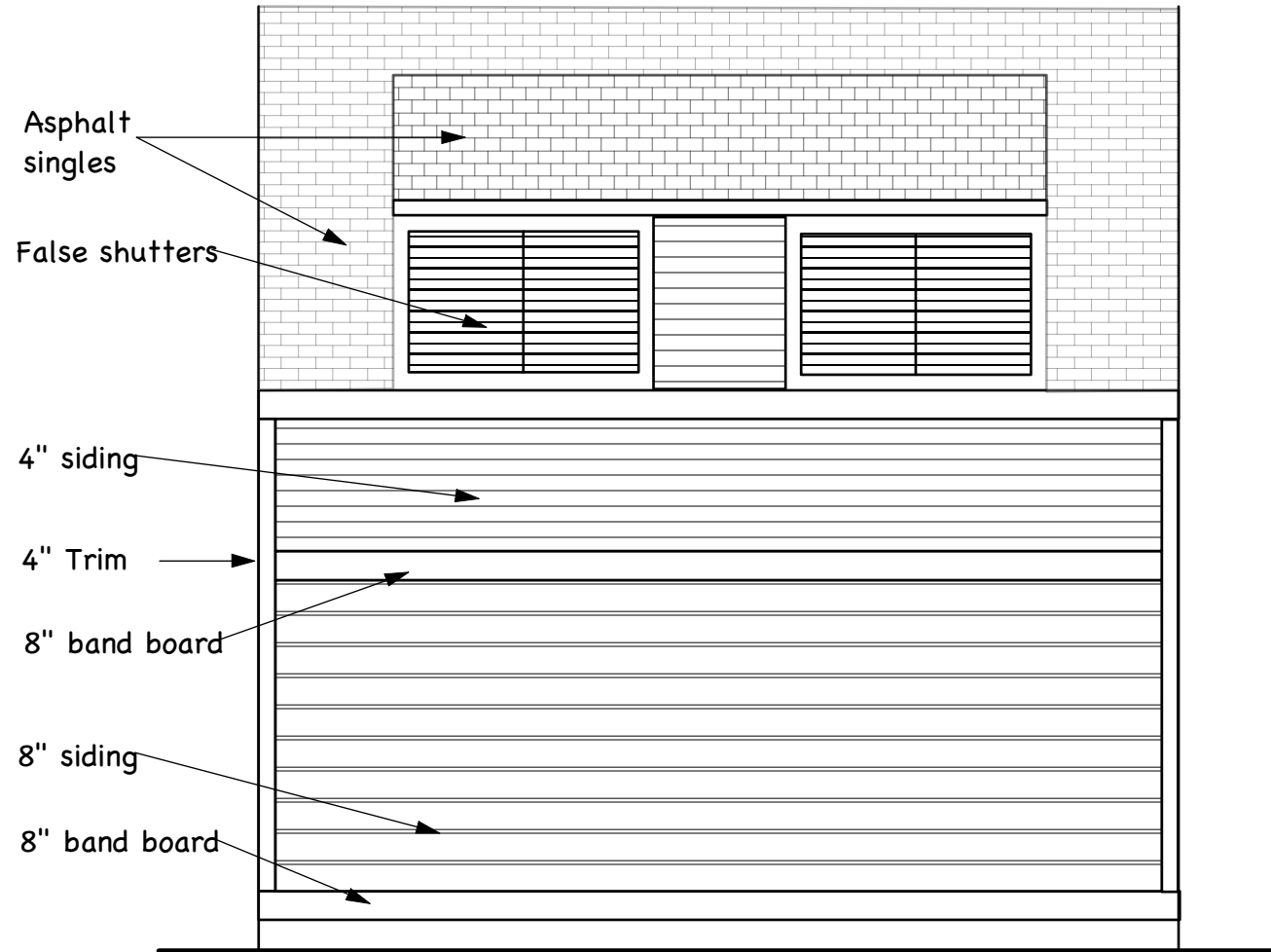
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08.12.13

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Alexandria, VA 22314

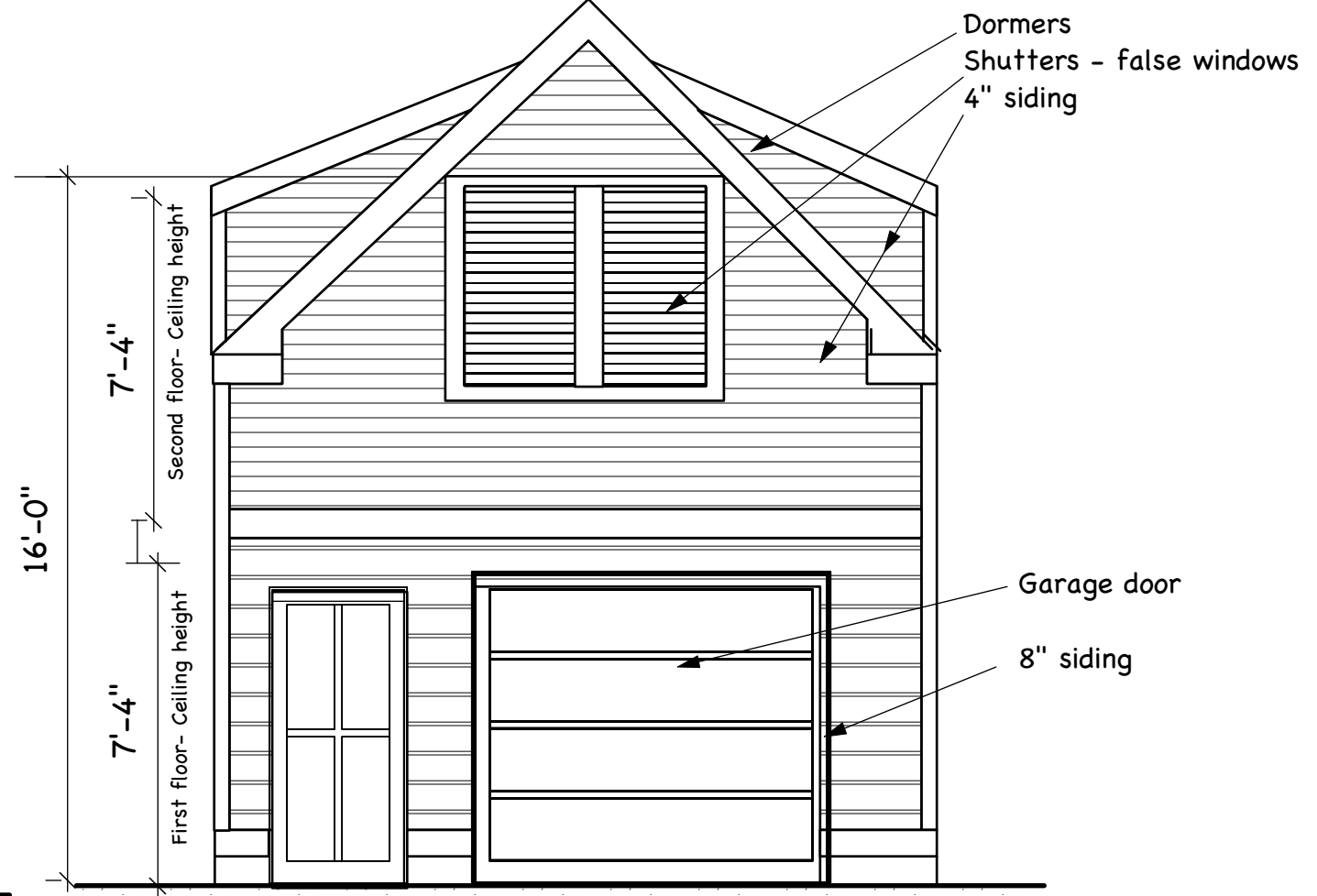
REVISIONS:

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703-836-3275

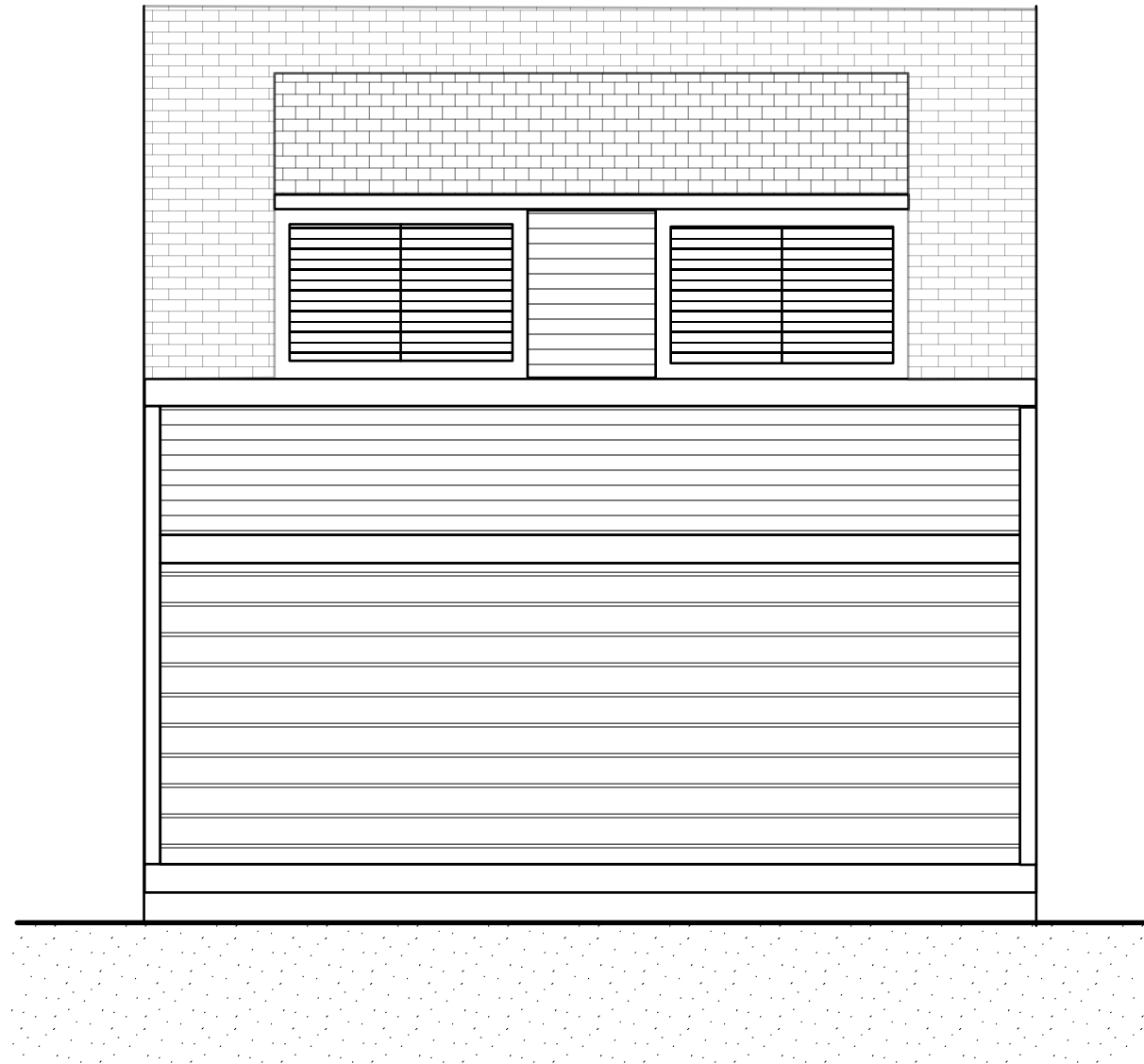
City of Alexandria
Board of Architectural Review-
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1 East Elevation
A1 Scale: 1/4" = 1'-0"



2 North Elevation (alley)
A1 Scale: 1/4" = 1'-0"



1 West Elevation
A2 Scale: 1/4" = 1'-0"



2 South Elevation (backyard)
A2 Scale: 1/4" = 1'-0"

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ADDRESS OF PROJECT: 735 Bernard StreetTAX MAP AND PARCEL: 044.02-02-10ZONING: RB**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: Warren L. Almquist, AIA ArchitectAddress: 201 E. Monroe Ave.City: Alexandria State: VA Zip: 22301Phone: (703) 836-3275 E-mail: warrenarch@aol.com**Authorized Agent** *(if applicable):* ☐ Attorney ☒ Architect ☐ _____Name: _____ Phone: (703) 836-3275

E-mail: _____

Legal Property Owner:Name: Christopher L. JonesAddress: 735 Bernard StreetCity: Alexandria State: VA Zip: 22314

Phone: _____ E-mail: _____

- | | | |
|------------------------------|--|--|
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | Is there an historic preservation easement on this property? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | If yes, has the easement holder agreed to the proposed alterations? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | Is there a homeowner's association for this property? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> 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.

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

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

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

A new garage at the rear of the property

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.*

- N/A
- ☐ ☒ 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.

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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.

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: Warten L. Almquist

Date: 08/12/2013

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. CHRISTOPHER L. JONES	735 BERNARD ST.	100%
2.	ALEXANDRIA VA	
3.	22314	

2. Property. State the name, address and percent of ownership of any person or entity owning an interest in the property located at 735 BERNARD 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. CHRISTOPHER L. JONES	735 BERNARD ST	100%
2.	ALEXANDRIA VA	
3.	22314	

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 indicate 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. NONE		
2. NONE		
3. 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.

8/29/2013
Date

WARREN L. ALVQUIST, AIA
Printed Name


Signature