Docket Item # 9 & 10 BAR CASE # 2015-00109 & 2015-00110

BAR Meeting September 16, 2015

ISSUE:	Permit to Demolish and Certificate of Appropriateness
APPLICANT:	Patricia & Ricky Fisher by Dominion Design Associates, LLC
LOCATION:	311 South Saint Asaph Street
ZONE:	RM/Residential

STAFF RECOMMENDATION

Staff recommends approval, with the following conditions:

- 1. The proposed fence must be fully located on the applicant's property;
- 2. Construct the fence of either wood or a solid, through-the-core, paintable and millable composite, and;
- 3. Include the following archaeology recommendations on all construction documents that involve demolition or ground disturbance (including Basement/Foundation Plans, Demolition, Erosion and Sediment Control, Grading, Landscaping, Utilities, and Sheeting and Shoring) so that on-site contractors are aware of the requirement:
 - R-1. Call Alexandria Archaeology immediately (703-838-4399) if any buried structural remains (wall foundations, wells, privies, cisterns, etc.) or concentrations of artifacts are discovered during development. Work must cease in the area of the discovery until a City archaeologist comes to the site and records the finds.
 - R-2. Metal detection or artifact collection may not be conducted on the property, unless authorized by Alexandria Archaeology.
 - R-3. It is illegal to disturb human remains without proper authorization. If graves are discovered on this property and need to be removed, the applicant is responsible for obtaining the necessary permits, including the Virginia Department of Historic Resources burial removal permit.

GENERAL NOTES TO THE APPLICANT

- 1. ISSUANCE OF CERTIFICATES OF APPROPRIATENESS AND PERMITS TO DEMOLISH: Applicants must obtain a stamped copy of the Certificate of Appropriateness or Permit to Demolish PRIOR to applying for a building permit. Contact BAR Staff, Room 2100, City Hall, 703-746-3833, or preservation@alexandriav.gov for further information.
- 2. 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.
- 3. COMPLIANCE WITH BAR POLICIES: All materials must comply with the BAR's adopted policies unless otherwise specifically approved.
- 4. BUILDING PERMITS: Most projects approved by the Board of Architectural Review require the issuance of one or more construction permits by Building and Fire Code Administration (<u>including signs</u>). 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.
- 5. 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.
- HISTORIC PROPERTY TAX CREDITS: Applicants performing extensive, certified rehabilitations of historic properties may separately be eligible for state and/or federal tax credits. Consult with the <u>Virginia</u> <u>Department of Historic Resources (VDHR)</u> prior to initiating any work to determine whether the proposed project may qualify for such credits.

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BAR2015-00109 & BAR2015-00110

Note:

Staff coupled the reports for BAR #2015-00109 (Permit to Demolish) and BAR #2015-00110 (Certificate of Appropriateness) for clarity and brevity. This item requires a roll call vote.

I. <u>ISSUE</u>

The applicant requests approval of a Permit to Demolish a portion of a non-historic masonry wall located in the northwest corner of the property/private alley and to build a new six foot tall automatic/electric PVC fence and gate in order to provide better access to the rear yard. In particular, the owners are concerned with access to the swimming pool located in the rear yard, due to safety concerns. The proposed fence and gate will be visible from Wolfe Street, looking north, through the private alley that abuts the existing wall. The proposed fence may also be minimally visible from S. Saint Asaph Street, should the current vegetation be removed or die at some point in the future. Staff has reviewed this case with the City Attorney's office and notes that any disputes over the use of the private alley abutting the existing masonry wall are civil disputes and not within the purview of the Board of Architectural Review.

This case was originally docketed for the May 6, 2015 hearing; however the applicant requested a deferral prior to the hearing. It was deferred from the subsequent July 15th hearing due to improper noticing.

II. <u>HISTORY</u>

The subject building was likely constructed **between 1863 and 1877**, as it does not appear on the *Magnus' Birds Eye View of Alexandria, VA*, but the footprint is present on the *1877 Hopkins Atlas*. While the *Birds Eye View* is an artist's interpretation, staff has found it accurately depicts many of the notable buildings in the city at that time. The architectural style of the house (Second Empire) is consistent with this date range.

The brick wall for which the applicant requests permission to demolish was likely constructed in **1976** at which time a building permit was issued for "a brick wall to screen the swimming pool". The swimming pool was constructed in 1975.

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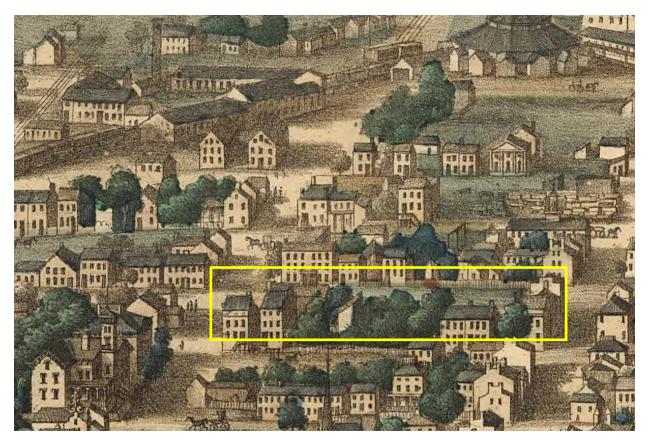


Figure 1: Charles H. Magnus' 1863 Birds Eye View of Alexandria, with the 300 block of S. Saint Asaph Street highlighted in yellow. The flounder shown in the middle of the block is extant at 317 S Saint Asaph Street and the lot where 311 S Saint Asaph Street stands today was covered in trees at the time of this lithograph.

III. ANALYSIS

Permit to Demolish/Capsulate

In considering a Permit to Demolish, the Board must consider the following criteria set forth in the Zoning Ordinance, §10-105(B):

- (1) Is the building or structure of such architectural or historical interest that its moving, removing, capsulating or razing would be to the detriment of the public interest?
- (2) Is the building or structure of such interest that it could be made into a historic house?
- (3) Is the building or structure of such old and unusual or uncommon design, texture and material that it could not be reproduced or be reproduced only with great difficulty?
- (4) Would retention of the building or structure help preserve the memorial character of the George Washington Memorial Parkway?
- (5) Would retention of the building or structure help preserve and protect an historic place or area of historic interest in the city?

(6) Would retention of the building or structure promote the general welfare by maintaining and increasing real estate values, generating business, creating new positions, attracting tourists, students, writers, historians, artists and artisans, attracting new residents, encouraging study and interest in American history, stimulating interest and study in architecture and design, educating citizens in American culture and heritage, and making the city a more attractive and desirable place in which to live?

In the opinion of staff, none of the criteria for demolition and capsulation are met and the Permit to Demolish/Capsulate should be granted. The wall proposed for demolition contains no historic fabric and is located on a secondary elevation, so its removal will not visually compromise the integrity of the building.

Certificate of Appropriateness

The *Design Guidelines for Fences, Walls & Gates* state that the material, design, and scale should be appropriate to the period and character of the associated structure. Staff finds the proposed design of six foot vertical boards and picket detail stylistically appropriate and consistent with the guidelines and the visual character of the neighborhood. Regarding material, wood, metal, and brick would be appropriate for the age of this property, however the applicant proposes vinyl vertical boards, a material strongly discouraged in the *Design Guidelines*, due to its shiny visual appearance and inability to hold paint, making it incompatible with the historic character of the district. Staff notes that the Board has approved high quality, paintable, millable, and solid-through-the-core composite fences at other locations - typically on later buildings or in the rear yards where visibility is limited. Due to the fact that this fence will be located a significant distance from a public right-of-way and therefore its material not easily discernable to the average eye, staff supports either wood or a high quality and solid-through-the-core, paintable and millable <u>composite</u>, but not hollow vinyl. Therefore, staff recommends approval with the above stated conditions.

STAFF

Mary Catherine Collins, Historic Preservation Planner, Planning & Zoning Al Cox, FAIA, Historic Preservation Manager, Planning & Zoning

IV. <u>CITY DEPARTMENT COMMENTS</u>

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

Archaeology

- F-1 An early Quaker Meeting House is thought to have stood on this property in the eighteenth and early to mid-nineteenth century. Moreover, the back of the lot to the west probably served as a small cemetery at that time. In the 1980s the tombstone of Elizabeth Brownly (d. 1773) was found on the property during a construction project. The property therefore has the potential to yield archaeological resources which could provide insight into the history of eighteenth- and nineteenth-century Alexandria.
- *R-1 The applicant/developer shall call Alexandria Archaeology immediately (703-838-4399) if any buried structural remains (wall foundations, wells, privies, cisterns, etc.) or concentrations of artifacts are discovered during development. Work must cease in the area of the discovery until a City archaeologist comes to the site and records the finds.
- *R-2 The applicant/developer shall not allow any metal detection or artifact collection to be conducted on the property, unless authorized by Alexandria Archaeology.
- *R-3 It is illegal to disturb human remains without proper authorization. If graves are discovered on this property and need to be removed, the applicant is responsible for obtaining the necessary permits, including the Virginia Department of Historic Resources burial removal permit.
- R-4 The statements in archaeology conditions above marked with an asterisk "*" shall appear in the General Notes of all site plans and on all site plan sheets that involve demolition or ground disturbance (including Basement/Foundation Plans, Demolition, Erosion and Sediment Control, Grading, Landscaping, Utilities, and Sheeting and Shoring) so that onsite contractors are aware of the requirements.

Zoning Comments

- C-1 Proposed fence and gates will comply with zoning if the waiver of height is granted by the BAR.
- F-1 The proposed fence must be located completely on the subject property or the applicant must obtain approval from the other property owners prior to obtaining a building permit.

Code Administration

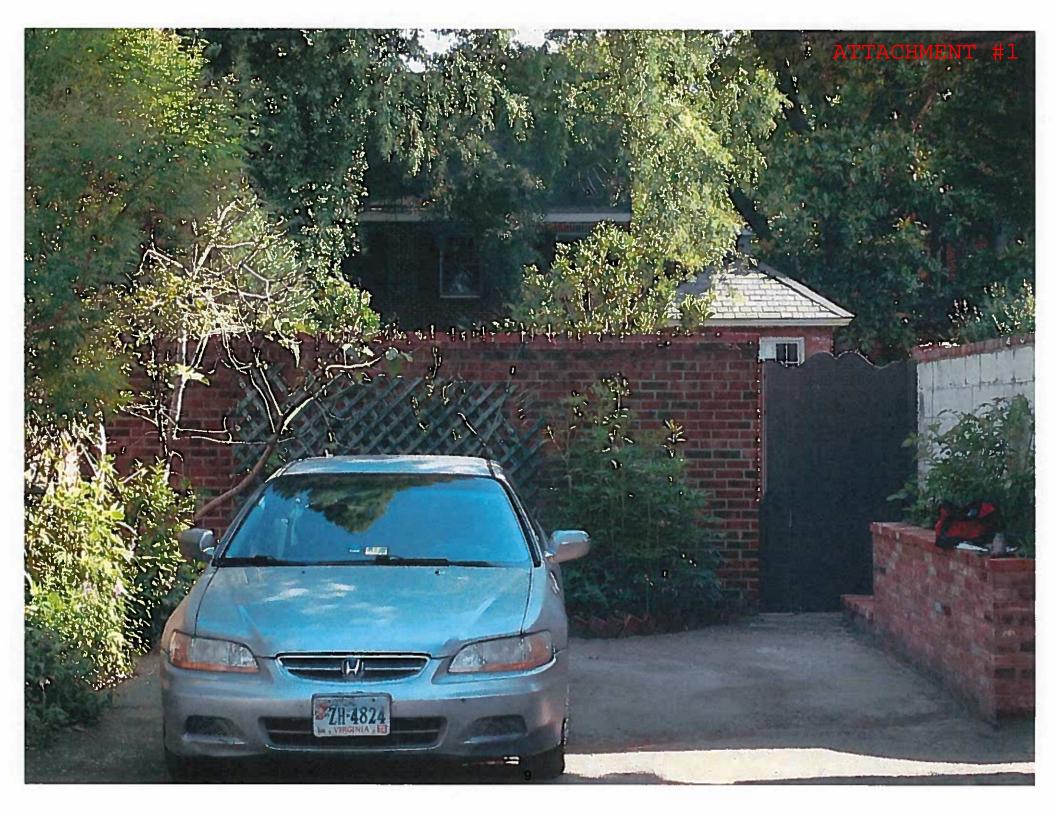
No comments provided

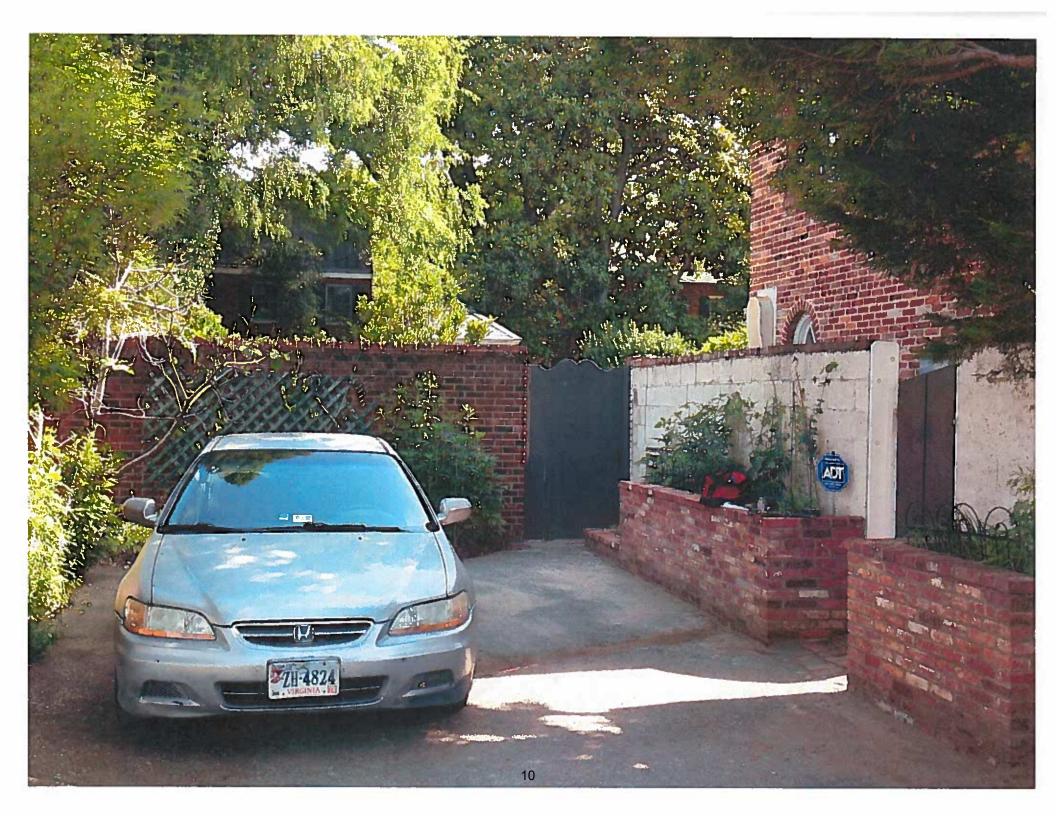
Transportation and Environmental Services

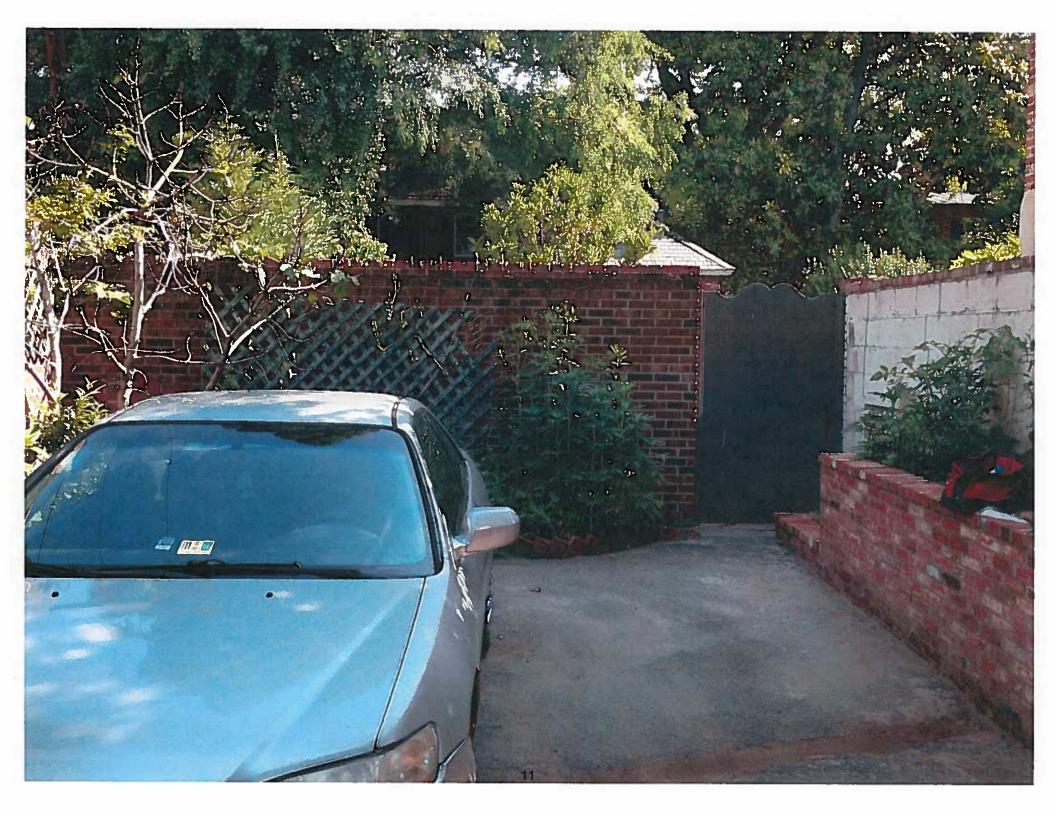
- C-1 The applicant shall comply with the City of Alexandria's Solid Waste Control, Title 5, Chapter 1, which sets forth the requirements for the recycling of materials (Sec. 5-1-99). (T&ES)
- C-2 The applicant shall comply with the City of Alexandria's Noise Control Code, Title 11, Chapter 5, which 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 Any work within the right-of-way requires a separate permit from T&ES. (Sec. 5-2) (T&ES)
- R-1 The building permit must be approved and issued prior to the issuance of any permit for demolition. (T&ES)
- R-2 Applicant shall be responsible for repairs to the adjacent city right-of-way if damaged during construction activity. (T&ES)
- R-3 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)
- F-1 After review of the information provided, an approved grading plan is not required at this time. Please note that if any changes are made to the plan it is suggested that T&ES be included in the review. (T&ES)
- F-2 If the alley located at the rear of the parcel is to be used at any point of the construction process the following will be required:
 For a Public Alley The applicant shall contact T&ES, Construction Management & Inspections at (703) 746-4035 to discuss any permits and accommodation requirements that will be required.
 For a Private Alley The applicant must provide proof, in the form of an affidavit at a minimum, from owner of the alley granting permission of use. (T&ES)

V. ATTACHMENTS

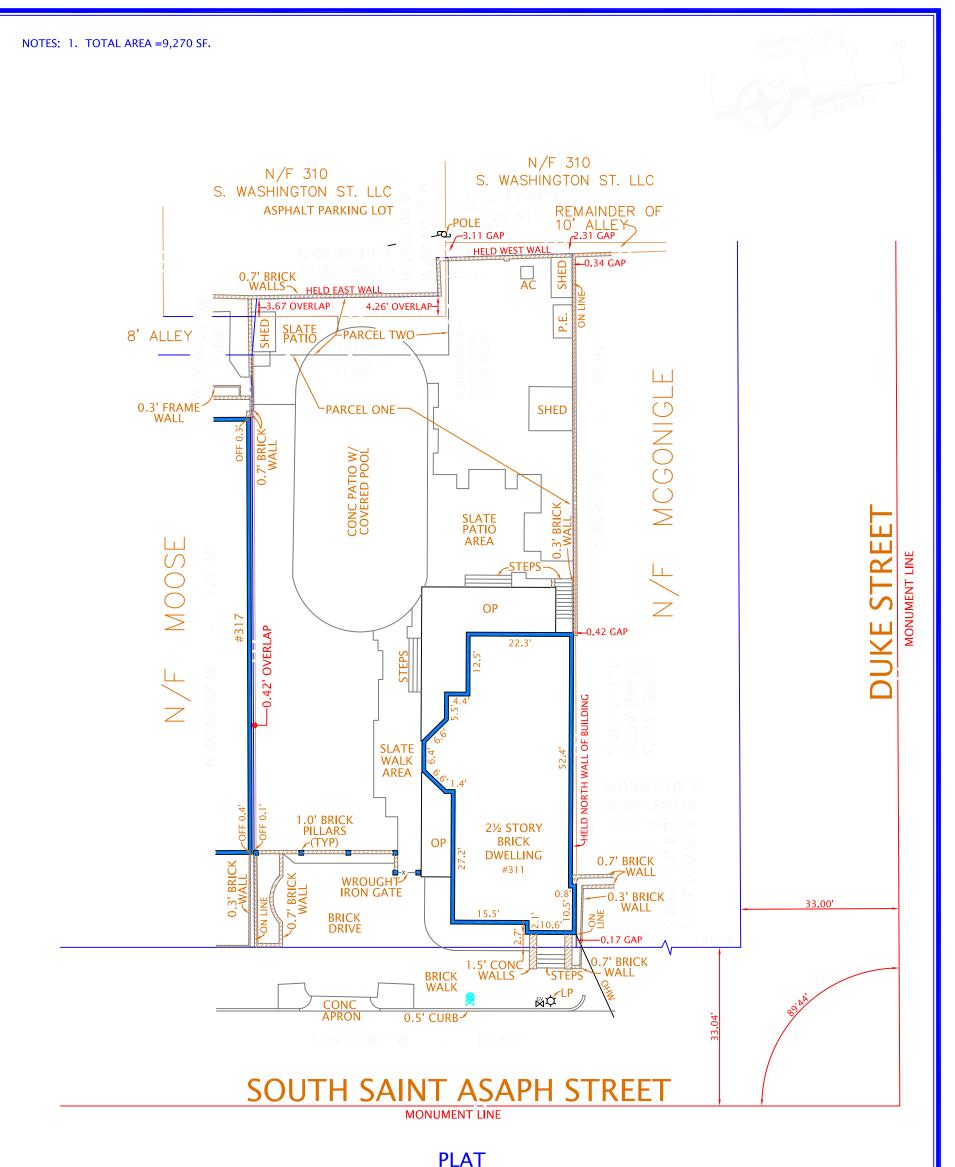
- 1 Supplemental Materials
- 2 Application for BAR2015-00109 & 2015-00110 : 311 S Saint Asaph Street







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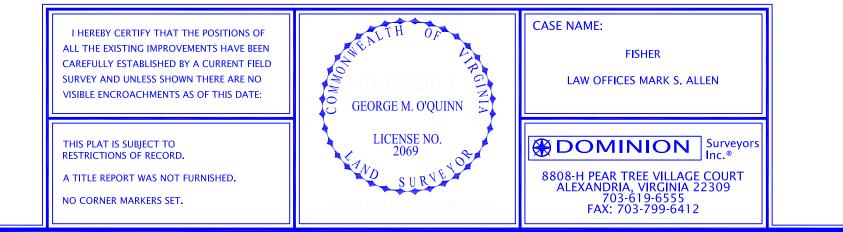
SHOWING HOUSE LOCATION ON

#311 SOUTH SAINT ASAPH STREET

(INSTRUMENT #110004961)

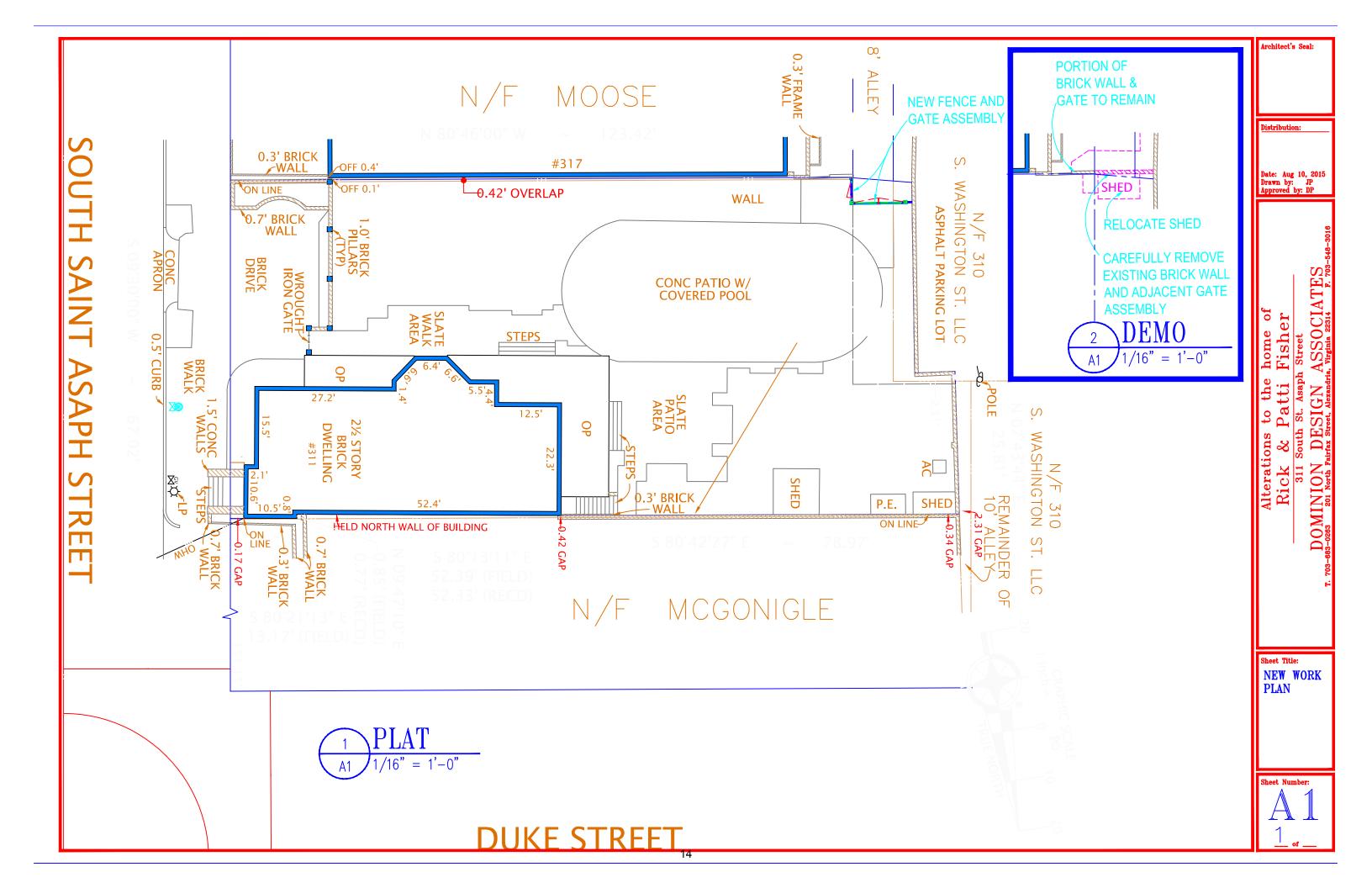
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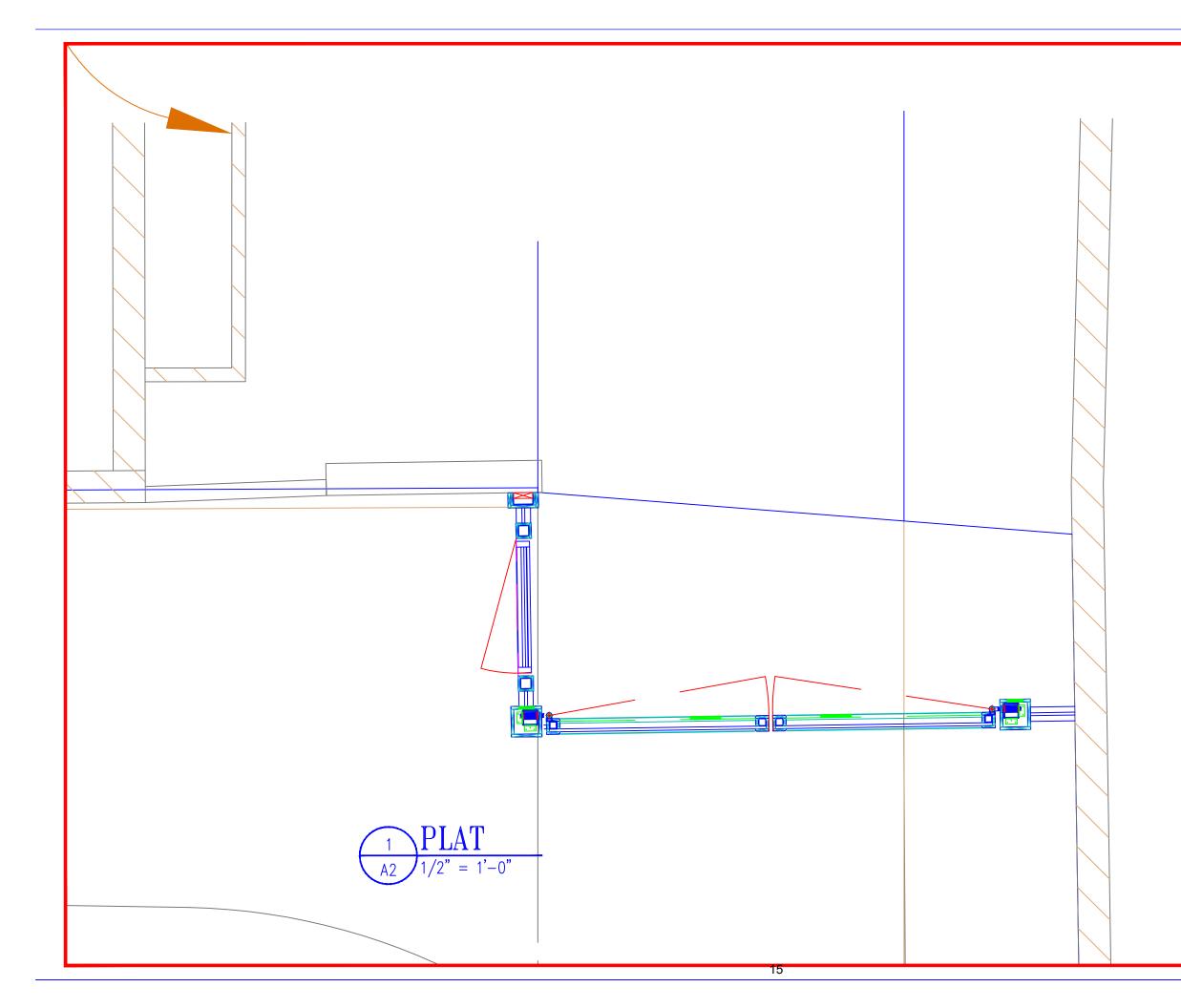
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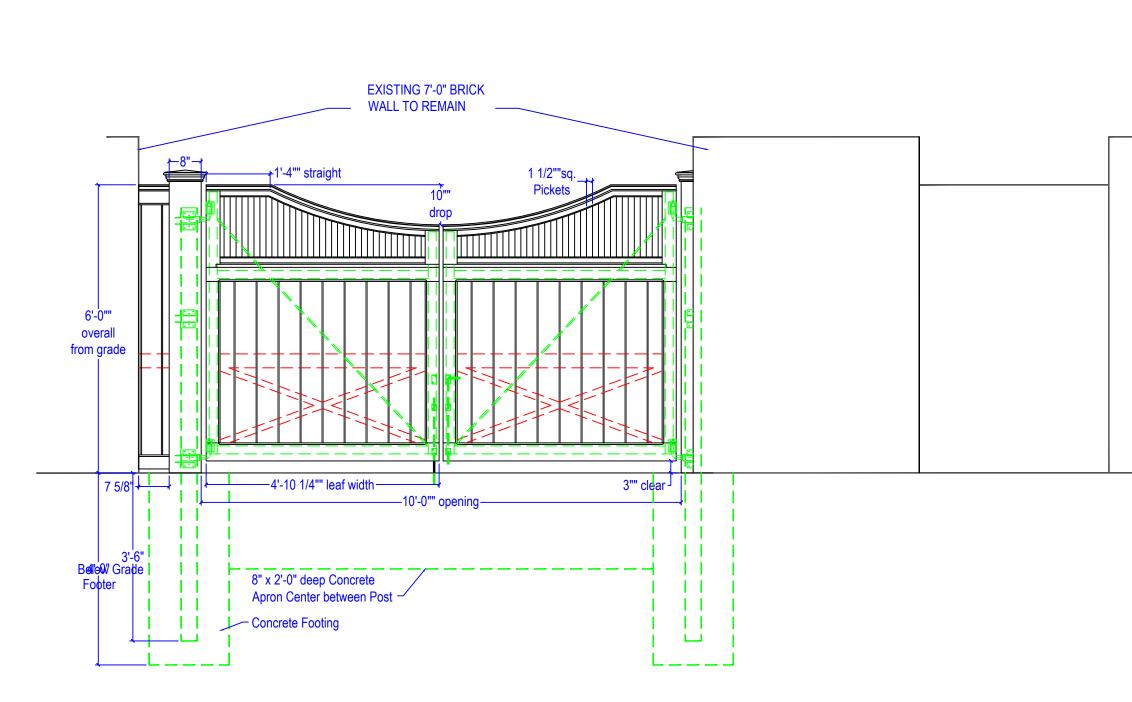
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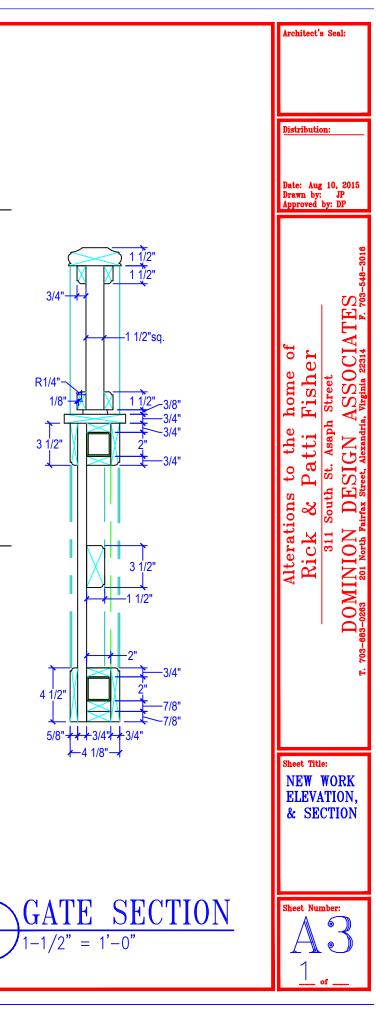












ATTACHMENT #2
BAR Case #2015-00109 00110
ADDRESS OF PROJECT: 3/1/313 South Saint Asaph Street
TAX MAP AND PARCEL: 074.04-03-06 ZONING: RM
APPLICATION FOR: (Please check all that apply)
SERTIFICATE OF APPROPRIATENESS
PERMIT TO MOVE, REMOVE, ENCAPSULATE OR DEMOLISH (Required if more than 25 square feet 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: Dennis Powell / Daminim Design Associates LLC
Address: 201 W. Fairfax St., Swite 11
City: Alexandrica State: VA Zip: ZZ314
Phone: 103-929-2138 E-mail: dennis @ dominion designassociates am
Authorized Agent (if applicable):
Name: Phone:
E-mail:
Legal Property Owner:
Name: Patricia and Ricky Fisher
Name: <u>Patricia and Ricky Fisher</u> Address: <u>311 South Saint Hsaph Street</u>
City: Alexandria State: VA Zip: 22314
Phone: 783-217-1589 E-mail: 1 fisher @ wm cast. net
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?

-6

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

BAR Case # 2015-00109

NATURE OF PROPOSED WORK: Please check all that apply

awning doors lighting other ADDITION	TERATION; Please check all the force, gate or garden windows pergola/trellis		☐ shutters ☐ shed asonry
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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.

BAR Case # 2015-00109/00110

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 3 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.
	\Box	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).
\Box		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.

	DI/A	
占		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.
-7		Drawings accurately representing the changes to the proposed structure, including materials and
	_	overall dimensions. Drawings must be to scale.
J		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.

BAR Case # 80500/09

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.)

Tunderstand 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.

- T, 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 3 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 O ORIZED AGENT: Signature Printed Nam

1.14

OWNERSHIP AND DISCLOSURE STATEMENT Use additional sheets if necessary

<u>1. Applicant.</u> 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. Marm Powell	201 N. Fairfax St.	50 %.		
2 Denis Powell	201 N. Farfar St	50%		
3.	1000			

2. Property. State the name, address and percent of ownership of any person or entity owning an interest in the property located at <u>3// S. St Asepth st</u> (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	
atricia . Ricky Fisher	311 S. St. Asarch St	1007	
2. /			
3.			

<u>3. Business or Financial Relationships.</u> 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 the12-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 per	rson 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. Maura	Powell	wom	
2. Demi	Powel	more	
3. Ricky :	Patricia Fi	ku mon	

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.

Signatur