



Encroachment #2016-0002
700 S. Pitt Street

Application	General Data	
Request: Public hearing and consideration of a request for an encroachment into the public right-of-way.	Planning Commission Hearing:	April 5, 2016
	City Council Hearing:	April 16, 2016
Address: 700 S. Pitt Street	Zone:	RM/Townhouse Zone
Applicant: Thomas Campbell	Small Area Plan:	Old Town

Staff Recommendation: APPROVAL subject to compliance with all applicable codes and ordinances and the recommended permit conditions found in Section III of this report.

Staff Reviewers: Sara Brandt-Vorel, Sara.BrandtVorel@alexandriava.gov

PLANNING COMMISSION ACTION, APRIL 5, 2016: On a motion by Vice Chairman Macek, seconded by Commissioner Lyle, the Planning Commission voted to recommend approval of Encroachment #2016-0002, subject to compliance with all applicable codes, ordinances and staff recommendations. The motion carried on a vote of 6 to 1, with Commissioner Brown dissenting.

Reason: The Planning Commission generally agreed with staff analysis and supported the applicant's request. Commissioner Brown inquired whether the applicant would make payments to the City for this encroachment. Staff informed him that payments are required for commercial encroachments but not residential. Commissioner Brown also asked if a vacation would have been possible. Staff responded that vacations can expand open space on a lot or impact F.A.R. calculations in some cases, but encroachments are more commonly used for fences if no other use is sought. Director Karl Moritz added that staff will further examine policies and the zoning ordinance relating to encroachments and vacations.

Speakers: There were no speakers.



Encroachment #2016-0002
700 South Pitt Street



I. DISCUSSION

The applicant, Thomas Campbell, requests approval of an encroachment in the public right-of-way along Franklin Street to allow the construction of a brick and metal fence to enclose an area effectively now used as a front yard.

SITE DESCRIPTION

The subject property is public right-of-way located in the front of a residential lot at the southeast corner of the intersection of South Pitt and Franklin Streets. This portion of the public right-of-way is located between the applicant's property and the sidewalks along Franklin and South Pitt Streets. The applicant's property is developed with a two-story, brick residential dwelling that is undergoing a renovation with an addition that was approved by the Board of Architectural Review (BAR)(Figure 1). The surrounding area is comprised primarily of other single-family homes and townhomes. Saint Mary's school is two blocks south of the site, and Balducci's grocery is located two blocks west of the subject site.



Figure 1: The Taylor-Fraser House at 700 S. Pitt Street.

BACKGROUND

The historic, two-story Federalist style brick structure known as the Taylor-Fraser House, was originally located at 109 South Pitt Street and moved to its present location in 1975. At the time of the structure's relocation, the City had deemed Franklin Street as a primary collector road, requiring a wider right-of-way in anticipation of increased traffic capacity. By September 1979, City Council had adopted a resolution re-categorizing Franklin Street from a residential collector street to a primary collector road, reducing the required right-of-way width of Franklin Street from 80 feet to 66 feet. As a result of the reduced right-of-way requirement, City Council passed a Vacation Policy (Ordinance #2425) enabling individual property owners to request individual vacations along Franklin Street to acquire the previously required right-of-way. Since 1999, City Council has approved five vacations and encroachments into the public right-of-way along Franklin Street. The single-family dwelling is underground a renovation with a two-story rear addition. The project was approved on October 7, 2015 (BAR #2015-0289 & BAR #2015-0290).

PROPOSAL

The applicant requests an encroachment into the public right-of-way to install a fence. The fence would enclose the corner of the property at the intersection of South Pitt and Franklin Streets and would be in line with existing fences along Franklin Street. The proposed area of encroachment is rectangular in shape measuring 42 feet in length along Franklin Street and 17.6 feet in depth along South Pitt Street (Figures 2 and 3). The total area of the proposed encroachment measures approximately 739 square feet. Pending encroachment approval, the applicant indicates a fence with brick columns and metal pickets of approximately 3'6" in height would be installed along the Franklin Street frontage as well as along the property's South Pitt Street frontage (Figure 4). The applicant is in contact with the Board of Architectural Review to seek approval for the proposed fence design if the encroachment is approved.



Figure 2: Proximate area of encroachment along Franklin and South Pitt Streets.

Figure 3: Plat of 700 South Pitt Street showing proposed area of encroachment.

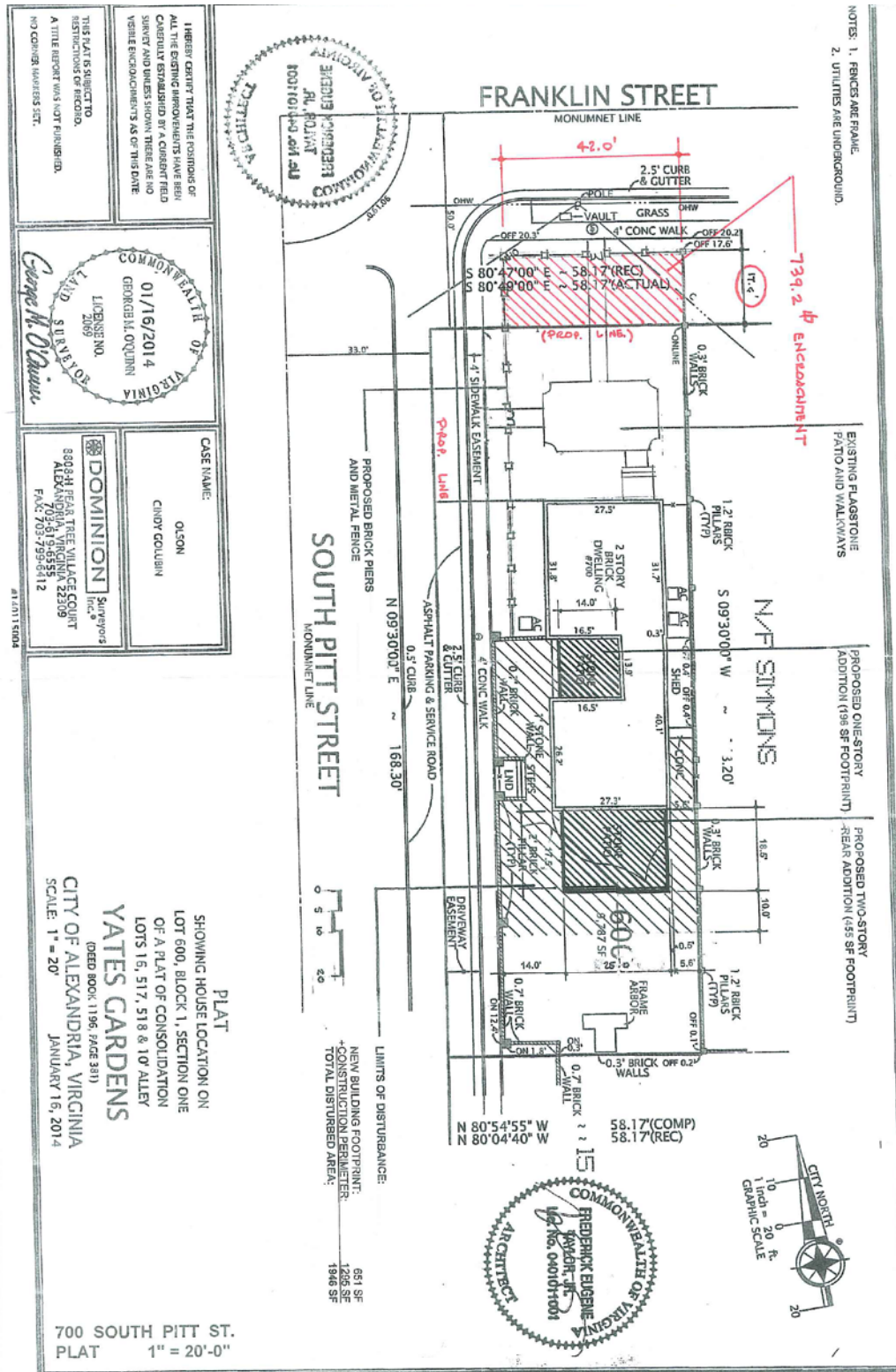
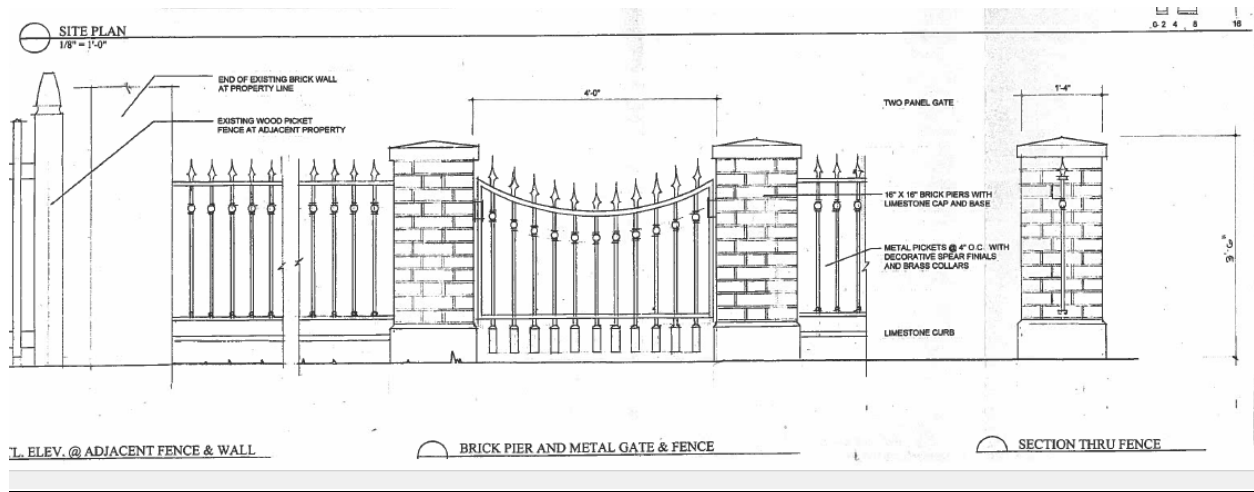


Figure 4: Proposed brick and metal fence for 700 S. Pitt Street.



ZONING/MASTER PLAN

The subject property is located in the RM/Townhouse zone which permits residential uses. The single-family use at the site and the encroachment request are consistent with the goals of the Old Town Small Area Plan chapter of the Master Plan.

II. STAFF ANALYSIS

Staff supports the applicant's request for an encroachment into the public right-of-way. The proposed area of encroachment reads as a component of the applicant's existing property and would enable the applicant to construct a fence that would suitably frame the structure and define the corner. The proposed fence is in line with other fences along Franklin Street and would create a continuous fence line along the street. Although City Council has approved several vacations in this area of Franklin Street, the applicant's interest in constructing a fence on the site is appropriately achieved through an encroachment. Generally, vacations restrict new development or improvements upon vacated land and are not typically used for fence installations or other small improvements to the land. There are no vacations of Franklin Street along this block.

The applicant's proposed encroachment would not interfere with the public use of the sidewalk, existing utilities, traffic, or other public uses along Franklin Street and South Pitt Streets as the proposed encroachment would be used as the front yard of the abutting property and would be separate from the existing public sidewalk. Staff has included standard conditions requiring liability insurance (Condition #1) and holding the City and utility companies harmless in the event that the encroaching structures are damaged while any utility repairs occur (Condition #2). The City also reserves the right to the area of encroachment and has included language requiring the applicant to remove any structure in the area of encroachment within 60 days upon notification (Condition #3).

Staff believes that encroachment request is reasonable and recommends approval subject to the conditions contained in Section III of this report.

III. STAFF RECOMMENDATION

Staff recommends **approval** subject to compliance with all applicable codes and ordinances and the following conditions:

1. The applicant (and his/her successors, if any) must obtain and maintain a policy of general liability insurance in the amount of \$1,000,000, which will indemnify the applicant (and his /her successors, if any) and the City of Alexandria, as an additional named insured, against all claims, demands, suits, etc., and all costs related thereto, including attorney fees, relating to any bodily injury or property damage which may occur as a result of the granting of this encroachment. (T&ES)
2. Neither the City nor any Private utility company will be held responsible for damage to the private improvements in the public right-of-way during repair, maintenance or replacement of any utilities that may be located within the area of the proposed encroachment. (T&ES)
3. In the event the City shall, in the future, have need for the area of the proposed encroachment, the applicant shall remove any structure that encroached into the public right-of-way, within 60 days, upon notification by the City. (T&ES)

STAFF: Alex Dambach, Division Chief, Land Use Regulatory Services,
Department of Planning and Zoning;
Sara Brandt-Vorel, Urban Planner, Planning and Zoning.

CITY DEPARTMENT COMMENTS

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

Transportation & Environmental Services:

- R-1 The applicant (and his successors, if any) must obtain and maintain a policy of general liability insurance in the amount of \$1,000,000, which will indemnify the applicant (and his /her successors, if any) and the City of Alexandria, as an additional named insured, against all claims, demands, suits, etc., and all costs related thereto, including attorney fees, relating to any bodily injury or property damage which may occur as a result of the granting of this encroachment. (T&ES)
- R-2 Neither the City nor any Private utility company will be held responsible for damage to the private improvements in the public right-of-way during repair, maintenance or replacement of any utilities that may be located within the area of the proposed encroachment. (T&ES)
- R-3 In the event the City shall, in the future, have need for the area of the proposed encroachment, the applicant shall remove any structure that encroached into the public right-of-way, within 60 days, upon notification by the City. (T&ES)

Code Enforcement:

- F-1 No comments received.

Fire Department:

- F-1 No comments received.

Police Department:

- F-1 No comments received.

Health Department:

- F-1 No comments received.

Parks and Recreation:

- F-1 No comments received.

**APPLICATION****ENCROACHMENT**ENC# 2016-0002PROPERTY LOCATION: 700 South Pitt St.TAX MAP REFERENCE: 080-02-08 ZONE: RM**APPLICANT**Name: Thomas CampbellAddress: 700 South Pitt St., Alexandria VA 22314**PROPERTY OWNER**Name: Thomas CampbellAddress: 700 South Pitt St., Alexandria VA 22314PROPOSED USE: ENCROACHMENT FOR FENCE (FACE OF FENCE TO
ALIGN WITH EXIST. FENCE ON ADJACENT PROPERTY AT
FRANKLIN ST.)INSURANCE CARRIER (copy attached) WINDIS UNION INS. CO. POLICY # 542-00-02-30 H

A certificate of general liability insurance in the amount of \$1,000,000 which will indemnify the owner and names the city as an additional insured must be attached to this application.

☒ **THE UNDERSIGNED** hereby applies for an Encroachment Ordinance in accordance with the provisions of Section 8-1-16 and Sections 3-2-82 and 85 of the Code of the City of Alexandria, Virginia.☒ **THE UNDERSIGNED** hereby applies for an Administrative Use Permit in accordance with the provisions of Article VI, Section 6-600 of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.☒ **THE UNDERSIGNED**, having obtained permission from the property owner, hereby grants permission to the City of Alexandria to post placard notice on the property for which this application is requested, pursuant to Article XI, Section 11-301 (B) of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.☒ **THE UNDERSIGNED** also attests that all of the information herein provided and specifically including all surveys, drawings, etc., required of the applicant are true, correct and accurate to the best of their knowledge and belief.FREDERICK TAYLOR, AIA

Print Name of Applicant or Agent

1433 OTIS ST NE

Mailing/Street Address

Washington DC 20017

City and State

Zip Code

[Signature]
Signature202 277-8087

Telephone #

Fax #

fetaylor@iaa.ca.com

Email address

1/11/2016
Date

Application Received: _____

Date and Fee Paid: \$ _____

ACTION - PLANNING COMMISSION: _____ ACTION - CITY COUNCIL: _____

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. Tom Campbell (applicant)	700 S. Pitt St. Alexandria VA 22314	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 _____ (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. Tom Campbell (applicant)	700 S. Pitt St. Alexandria VA 22314	100%
2.		
3.		

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. Thomas Campbell	← 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.

1/11/2016
Date

FREDERICK TAYLOR
Printed Name


Signature



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
1/12/2016

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Assurance Agency, Ltd 1750 E Golf Road Suite 1100 Schaumburg IL 60173	CONTACT NAME: Julie Sartori PHONE (A/C, No, Ext.): (847) 463-7254 FAX (A/C, No): (847) 440-9133 E-MAIL ADDRESS: jsartori@assuranceagency.com
INSURED 700 S Pitt LLC 700 S Pitt St Alexandria VA 22314	INSURER(S) AFFORDING COVERAGE INSURER A: ACE Private Risk Services INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:

COVERAGES

CERTIFICATE NUMBER: 2138101759

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY <input type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR <input checked="" type="checkbox"/> Gen Liability GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC			542000230	1/21/2015	1/21/2016	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ PRODUCTS - COM/OP AGG \$ \$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	UMBRELLA LIAB EXCESS LIAB DED RETENTION \$ OCCUR CLAIMS-MADE						EACH OCCURRENCE \$ AGGREGATE \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A				WC STATU-TORY LIMITS OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

700 S Pitt St, Alexandria VA 22314

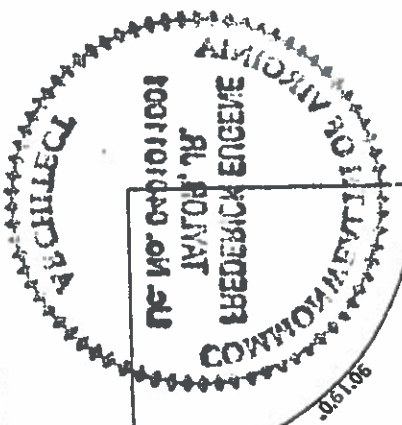
It is agreed that the Certificate Holder is listed as Additional Insured, when required by written contract, with respect to General Liability coverage for the above location.

CERTIFICATE HOLDER**CANCELLATION**

City of Alexandria ---	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE <i>Daniel A. K...</i>
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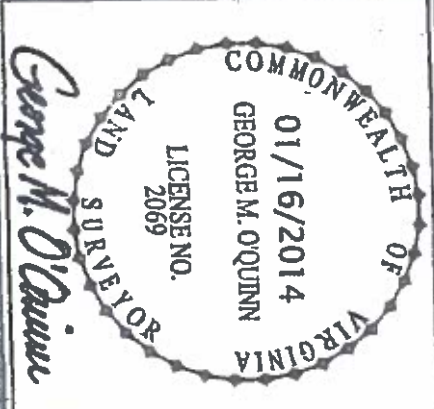
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NOTES: 1. FENCES ARE FRAME.
2. UTILITIES ARE UNDERGROUND.



I HEREBY CERTIFY THAT THE POSITIONS OF ALL THE EXISTING IMPROVEMENTS HAVE BEEN CAREFULLY ESTABLISHED BY A CURRENT FIELD SURVEY AND UNLESS SHOWN THERE ARE NO VISIBLE ENCROACHMENTS AS OF THIS DATE:

THIS PLAT IS SUBJECT TO RESTRICTIONS OF RECORD. A TITLE REPORT WAS NOT FURNISHED. NO CORNER MARKERS SET.



CASE NAME:
OLSON
CINDY COLUMBIN

DOMINION Surveyors Inc.
8808-H PEAR TREE VILLAGE COURT
ALEXANDRIA, VIRGINIA 22309
703-619-6555
FAX: 703-799-6412

4140115004

FRANKLIN STREET

MONUMENT LINE

SOUTH PITT STREET

MONUMENT LINE

PROPOSED BRICK PIERS AND METAL FENCE

N 09°30'00" E ~ 168.30'

ASPHALT PARKING & SERVICE ROAD

0.5' CURB

2.5' CURB & CUTTER

4' CONC WALK

4' SIDEWALK EASEMENT

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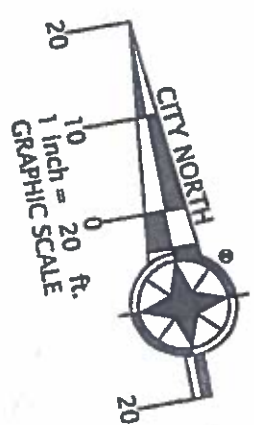
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PROPOSED LNB



LIMITS OF DISTURBANCE:
NEW BUILDING FOOTPRINT: 661 SF
+ CONSTRUCTION PERIMETER: 1295 SF
TOTAL DISTURBED AREA: 1946 SF



EXISTING FLAGSTONE PATIO AND WALKWAYS

PROPOSED ONE-STORY ADDITION (196 SF FOOTPRINT)

PROPOSED TWO-STORY REAR ADDITION (455 SF FOOTPRINT)

N/F SIMMONS

1.2' BRICK PILLARS (TYP)

S 09°30'00" W ~ 3.20'

0.3' BRICK WALLS

1.2' BRICK PILLARS (TYP)

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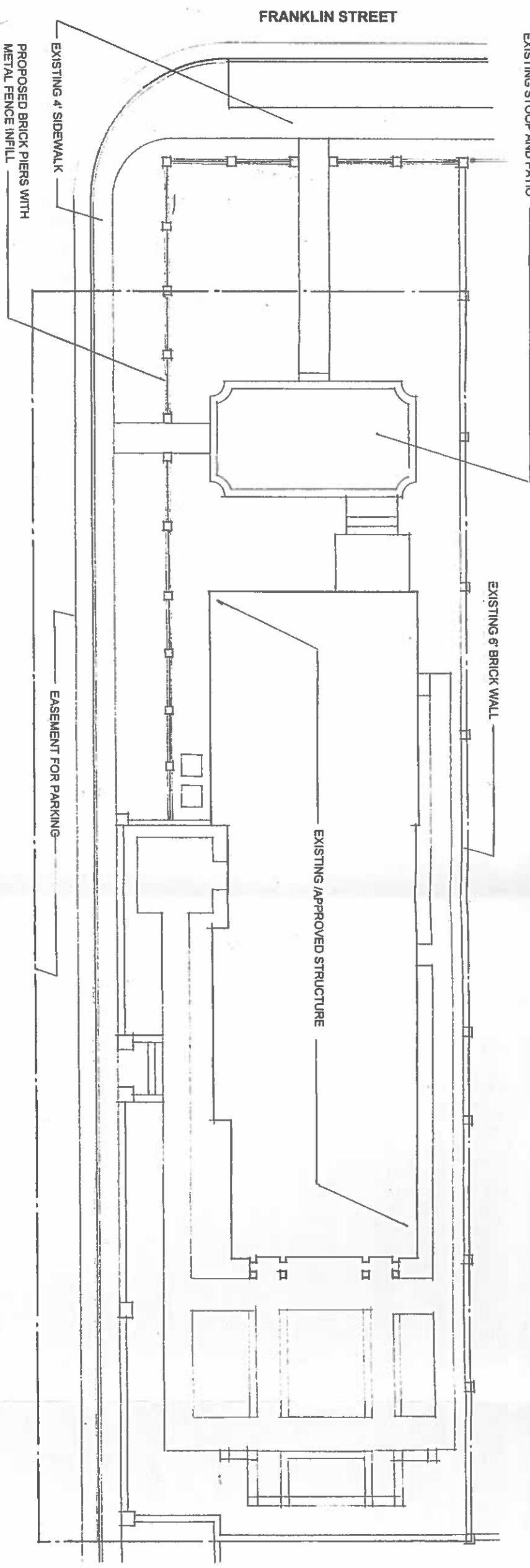
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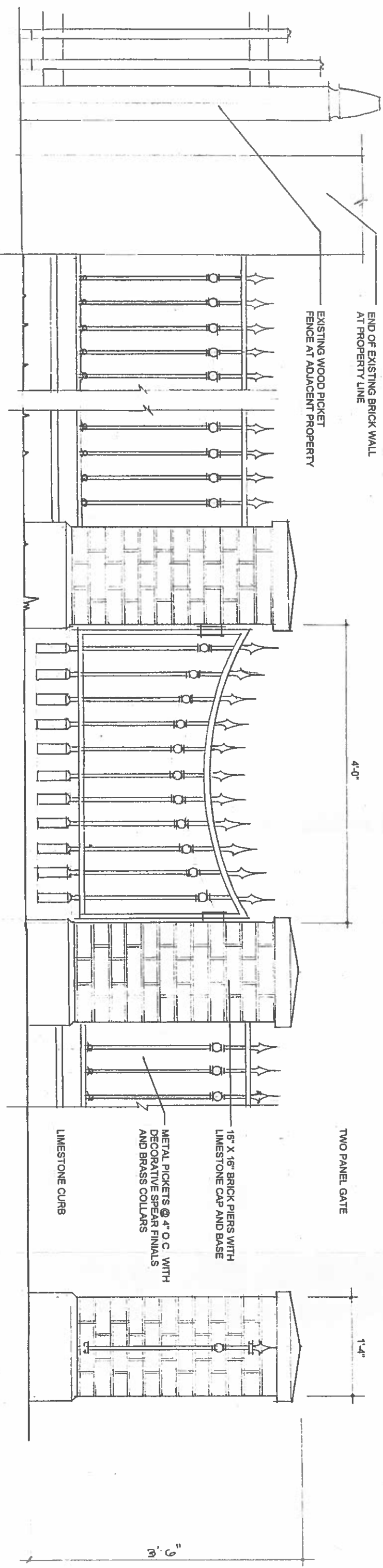
0.7' BRICK WALL

700 SOUTH PITT ST. PLAT 1" = 20'-0"

EXISTING SIDEWALK AND PAVILION



SITE PLAN
1/8" = 1'-0"



DTL. ELEV. @ ADJACENT FENCE & WALL

BRICK PIER AND METAL GATE & FENCE

SECTION THRU FENCE

SITE PLAN AND PROPOSED FENCE DETAILS
SCALE AS NOTED

CAMPBELL RESIDENCE
14
700 SOUTH PITT STREET
ALEXANDRIA, VIRGINIA 22314

THORSEN CONSTRUCTION
5700 GENERAL WASHINGTON DR.
ALEXANDRIA, VA 22312
(703) 501-1506
www.thorsenconstruction.us

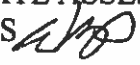
FREDERICK TAYLOR, AIA
1433 OTIS STREET NE
WASHINGTON DC, 20017
(202) 635-8087
www.chevyCHASEarchitect.com

City of Alexandria, Virginia

MEMORANDUM

DATE: MARCH 10, 2016

TO: KARL MORITZ, DIRECTOR
DEPARTMENT OF PLANNING AND ZONING

FROM: WILLIAM BRYAN PAGE, SRA, REAL ESTATE ASSESSOR
OFFICE OF REAL ESTATE ASSESSMENTS 

SUBJECT: RIGHT-OF-WAY AND FENCING ENCROACHMENT, 700 SOUTH PITT STREET, ALEXANDRIA, VIRGINIA

PROJECT: ENCROACHMENT #2016-0002

Per your request, we have reviewed the proposed encroachment encumbering an uninstalled section of public right-of-way titled to the City of Alexandria located along a 42.0-foot section of the southerly side of Franklin Street and a 17.6-foot section on the easterly side of South Pitt Street. The purpose is to construct brick pier with metal picket fence, by extending it from its current terminus on South Pitt Street to the northwest corner of proposed encroachment, thence extending in an easterly direction to match the existing fence line associated with neighboring property at 404 Franklin Street. The enclosed area encumbers 739 square feet and will be the sole and exclusive use of 700 South Pitt Street subject to any easements of record. The proposed use would not negatively impact pedestrian access.

The property, including all associated landscaping (including the designated encroachment area), has been under an extensive renovation program for an extended period, and it is perhaps one the City's signature properties'. The property is currently titled to DC Capital Partners LLC., who purchased it out of the Estate of Janice Clay Olson on February 26, 2014, for a recorded consideration of \$3,007,043.

The dwelling is a 2½-story detached all masonry colonial originally constructed approximately 1900. It has an estimated above grade finished floor area of 3,367 square feet and is in excellent condition. The titled lot contains 9,787 square feet making it one of the largest single-family lots in Old Town. Including the proposed encroachment, the effective usable lot size is 10,526 square feet. It is the understanding the Office and Real Estate Assessments (OREA) that the proposed encroachment does entitle the property owner to increase the overall floor area ratio (FAR) which is currently 0.3440 (3,367 Sq.Ft. ÷ 9,787 Sq.Ft.). The property is zoned RM, Townhouse Zone. The existing use is permitted by-right.

Because this is not a vacation on the part of the City, the value of the encroachment can be estimated as excess based on a land rent technique whereby the value of the subject's, adjacent and nearby land parcels (\$/SF) of similar size and zoning is multiplied by a reasonable rate of return to obtain an annual rent attributable to the proposed encroachment. Based on an estimated excess land value of \$25 per square-foot, and a 7.5 percent annual rate of return, a yearly rent in the amount of \$1,400 (rounded) is indicated (739 square feet x \$25/Sq.Ft. x .075).

Fourteen Hundred Dollars

This analysis does not constitute a fully documented real property appraisal report and should not be purported as such. The analysis is based on 2016 assessed land values of similarly zoned parcels in the immediate area of the subject property, and complies with City policies and guidelines.

Attachments

Site Plat (January 16, 2014)

cc: Ann Horowitz, Urban Planner II