

***DOCKET ITEM #3***  
***Encroachment #2016-0006***  
***505 S. Lee Street***

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**CONSENT AGENDA ITEM**

If no one asks to speak about this case prior to the hearing, it will be approved without discussion as part of the Consent Agenda.

<b>Application</b>	<b>General Data</b>	
<b>Request:</b> Public hearing and consideration of a request for an encroachment into the public right-of-way.	<b>Planning Commission Hearing:</b>	October 4, 2016
	<b>City Council Hearing:</b>	October 15, 2016
<b>Address:</b> 505 S. Lee Street	<b>Zone:</b>	RM/Townhouse Zone
<b>Applicant:</b> Lisa Collis & Mark Warner	<b>Small Area Plan:</b>	Old Town Small Area Plan

**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](mailto:Sara.BrandtVorel@alexandriava.gov)



**Encroachment #2016-0006**  
**505 South Lee Street**



## I. DISCUSSION

The applicants, Lisa Collis and Mark Warner, request approval of an encroachment into the public right-of-way at 505 South Lee Street to allow for the construction of a replacement stoop consisting of stairs, a landing, and an iron handrail.

### SITE DESCRIPTION

The subject site is the public right-of-way located in front of a residential building in the southwest corner of the intersection of South Lee Street and Wilkes Street. This portion of the public right-of-way is located in front of the applicants' front door, on the sidewalk along the west side of South Lee Street. The existing front stoop at this location has a width of five feet and a depth of 5'1". The landing measures 2'4".



*Figure 1: 505 South Lee Street*

The South Lee Street public right-of-way measures 50 feet wide in front of the subject property. The lot is developed with a three story, wood frame residential dwelling, flanked by a two- and a one-story wing addition. The additions connect to a one story brick garage (Figure 1).

The surrounding area is composed primarily of residential dwellings. Windmill Hill Park is located to the east and Safeway Grocery is located two blocks west of the subject site.

### BACKGROUND

The first record of a residential building located at 505 South Lee Street appears in a tax record from an 1802 listing as a two-story frame house owned by William Hunter. Like several buildings in Old Town, this dwelling was constructed outside of established property lines and encroaches approximately 1'2" into the public right-of-way.

In July 2016, the Board of Architectural Review approved BAR #2016-0193 for a certificate of appropriateness for a new front stoop consisting of sandstone stairs, a landing, and a wrought iron railing. This would replace the existing stoop. Approval of the design was contingent upon the applicant receiving approval for an encroachment into the public right-of-way for the stoop.

City Council has previously approved three encroachments into the public right-of-way along South Lee Street for architectural elements including a gate, a planter box, and another front stoop. Portions of historic buildings in Old Town that were originally constructed into the public right-of-way are considered as pre-existing conditions and have not been subject to encroachment requests.



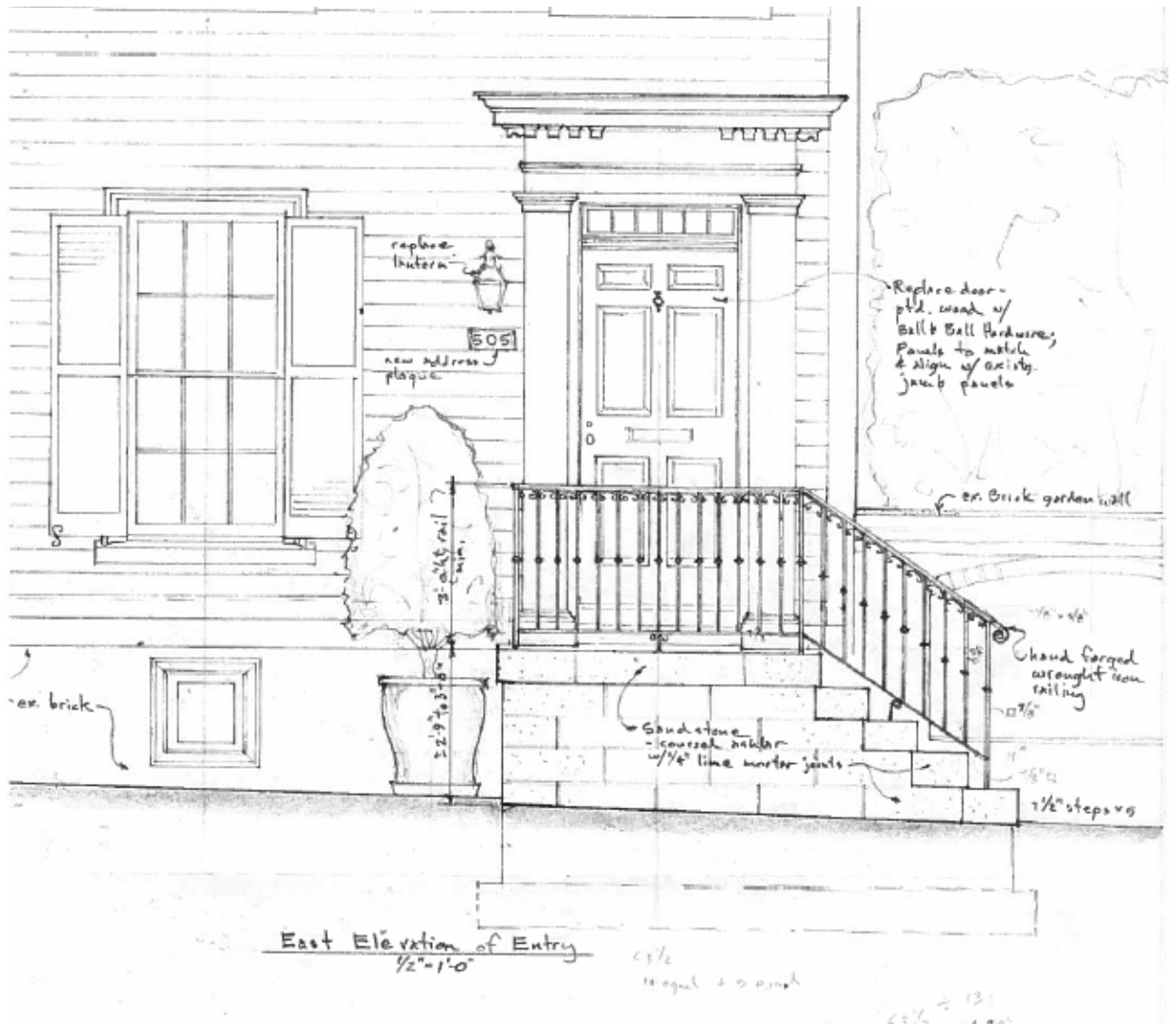
PROPOSAL

The applicant requests an encroachment into the public right-of-way to replace an existing front stoop (Figure 2), with a stoop featuring stairs that are perpendicular to the front building wall (Figure 3). The new stoop would measure 9'8" in width and 4'1" in depth from the front of the residential dwelling and 5'3" in depth from the property line. The landing depth is proposed as 4'1". As encroachments are measured from the property line, the proposed encroachment area would be 9'8" by 5'3" for a total encroachment area of approximately 51 square feet (Figures 4, 5).

Pending encroachment approval, the applicant would install a front stoop consisting of sandstone steps, a landing, and a wrought iron railing consistent with BAR approval (BAR #2016-00193).



*Figure 2: Existing landing, stairs and handrail to 505 S. Lee Street, oriented perpendicular to the dwelling.*



**Figure 3: Proposed sandstone stoop with wrought iron railing in area of encroachment.**

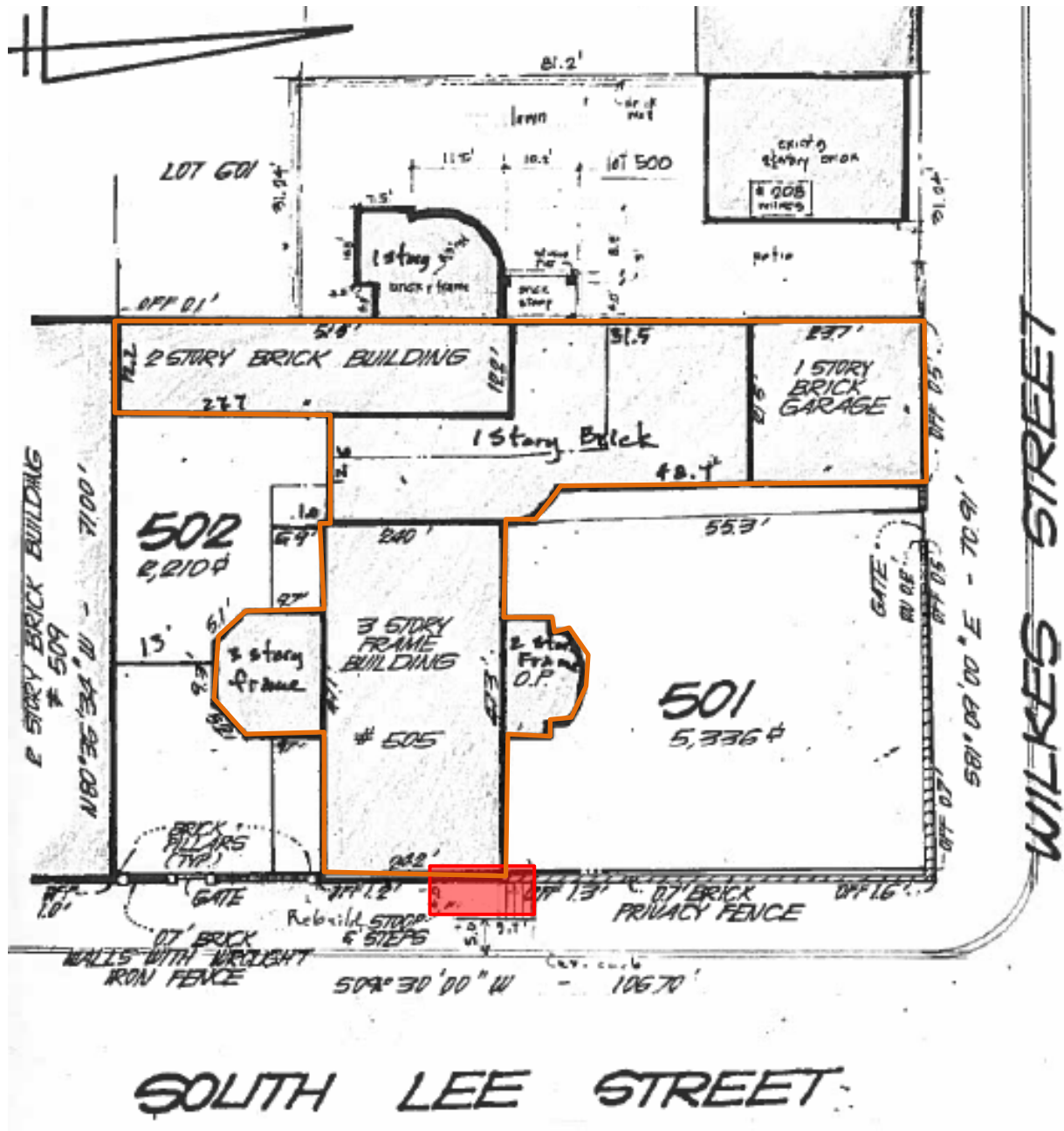


Figure 4: Plat of 505 South Lee Street showing proposed area of encroachment in red and the dwelling outlined in orange.

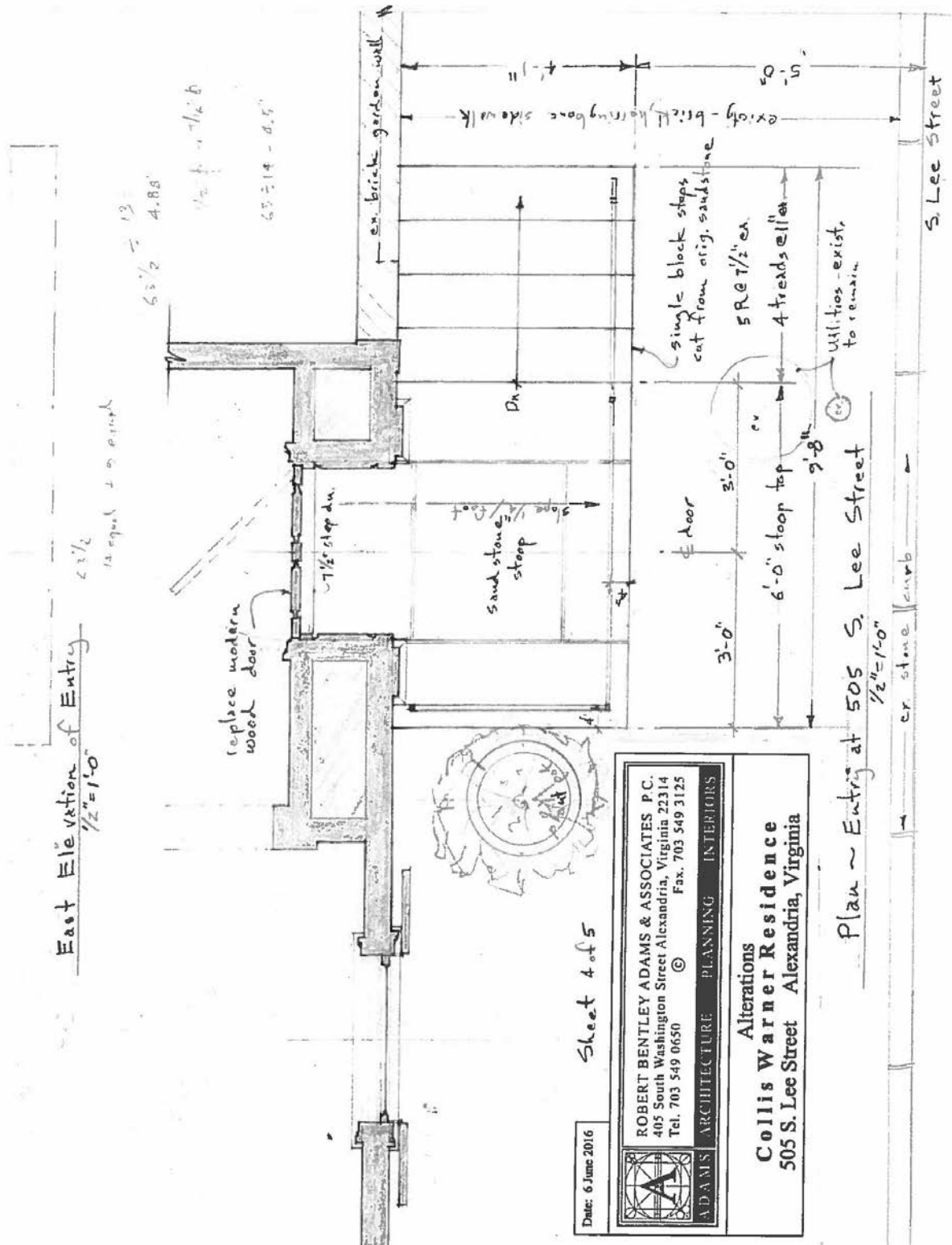


Figure 5: Plans for proposed stoop.

ZONING/MASTER PLAN/CODE COMPLIANCE

The subject site is zoned RM/Townhouse which permits residential uses. The single-family dwelling and the proposed encroachment for residential purposes are consistent with the goals of the Old Town Small Area Plan.

Section 5-2-29(a) of the City's Code requires that steps extending beyond three feet from the property line, at properties fronting public rights-of-way between 50 to 65 feet, must receive City Council approval for an encroachment. Given that the proposed stoop extends an additional 2'3" beyond a three foot by-right encroachment or a total of 5'3" into the public right-of-way, encroachment approval is required.

## **II. STAFF ANALYSIS**

Staff supports the applicant's request for a 51 square foot encroachment into the public right-of-way at 505 South Lee Street. The encroachment area would provide for a necessary building feature – a safe and stable entry into an historic dwelling with an appropriate design. The applicants' proposal to reorient the front stoop configuration benefits pedestrians as it widens sidewalk access from four feet to five feet. The proposed stoop improvements, such as the wider landing, a new handrail, and steps that replace degraded stones steps, enhance the safety for the applicants and their guests. In addition, the proposed the encroachment would provide for a stoop that would be directed away from a City manhole cover currently at the base of the existing steps.

In conjunction with the recommended encroachment approval, staff has included standard conditions such as Condition #1 which requires the applicant to obtain and maintain liability insurance, Condition #2 which holds the City and any utility companies harmless in the event that the encroaching structure is damaged during any utility repairs, and Condition #3 which reserves the City's right to the area of encroachment and requires the applicant to remove any structure in the area of encroachment within 60 days upon notification.

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:

- F-1 I- ROW, Survey and Transportation have no comments. (T & ES)
- F-2 Per page 3-3 of Alexandria's Complete Streets Design Guidelines, the sidewalk adjacent to this property has two zones: a "frontage zone" and a "pedestrian zone". The stairs requested in this application would fall within the frontage zone. The area extending from the terminus of the frontage zone (where the stairs end) to the edge of the curb is the pedestrian zone. This street segment has no "amenity zone". (T & ES)
- F-3 Per page 3-5 of Alexandria's Complete Streets Design Guidelines, Alexandria typically prefers 6' of clear width for a pedestrian zone. This application proposes 5' clear width (edge of stairs to edge of curb). As the additional width is an improvement from the existing clear width (4'), Transportation Planning is in support of this application; however, Transportation Planning would prefer a reduction in the width of the stairs to 3'1" (if Code compliant) to meet the City's desired 6' pedestrian zone standards. (T & ES)
- 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:

- C-1 A Building permit, plan review and inspections are required for this project to add a stoop.

Fire Department:

No comments.

Police Department:

No comments or concerns.

Health Department:

No comments.

Parks and Recreation:

No comments received.

Board of Architectural Review:

F-1 The proposed encroachment will accommodate the reconfiguration of an existing stoop in the public right-of-way at 505 S Lee Street. The property is located within the Old & Historic Alexandria District and is subject to review by the Board of Architectural Review. The redesign of the stoop was approved by the OHAD BAR as a part of BAR2016-0193. The Board supported the reconfiguration of the stoop to the side and appreciated the reuse of the Seneca sandstone.



# APPLICATION

## ENCROACHMENT

ENC# 2016-0005

PROPERTY LOCATION: 505 S. LEE ST.

TAX MAP REFERENCE: 081.01-01-06 ZONE: RM

### APPLICANT

Name: LISA COLLIS & MARK WARNER

Address: 505 S. LEE ST.

### PROPERTY OWNER

Name: LISA COLLIS & MARK WARNER

Address: 505 S. LEE ST

PROPOSED USE: remove existing front entry steps and rebuild new stone stoop, steps, and railing (to current safety standards)

INSURANCE CARRIER (copy attached) Chubb POLICY # 1155831608

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** I/so 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.

Scot McBroom  
Print Name of Applicant or Agent

405 S. WASHINGTON ST.  
Mailing/Street Address

ALEXANDRIA VA 22314  
City and State Zip Code

Scot McBroom  
Signature

703-549-0650 703-549-3125  
Telephone # Fax #

scot@adamsarchitects.com  
Email address

7/21/16  
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 three 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. Robert Bentley Adams & Associates	405 S. WASHINGTON ST.	none
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 three 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. Lisa Collis & Mark Warner	505 S. LEE ST.	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. Robert Bentley Adams & Assoc.	none	<del>City Council &amp; Planning Commission</del>
2. Lisa Collis & Mark Warner	none	<del>City Council &amp; Planning Commission</del>
3.		

N.A.  
N.A.

**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.

7/21/16  
Date

Scot M. Broom  
Printed Name

Scot M. Broom  
Signature



# CERTIFICATE OF LIABILITY INSURANCE

 DATE (MM/DD/YYYY)  
 07/14/2016

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).

<b>PRODUCER</b> NFP Private Client Group VA 1875 Explorer Street Reston, VA 20190 NFP - Meltzer Group	<b>CONTACT NAME:</b> Barbara C. Felt <b>PHONE (A/C No. Ext):</b> 703-437-9800 <b>FAX (A/C No.):</b> 703-437-9820 <b>E-MAIL ADDRESS:</b>  <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="text-align: center;">INSURER(S) AFFORDING COVERAGE</th> <th style="text-align: center;">NAIC #</th> </tr> <tr> <td>INSURER A: Chubb</td> <td>20303</td> </tr> <tr> <td>INSURER B:</td> <td></td> </tr> <tr> <td>INSURER C:</td> <td></td> </tr> <tr> <td>INSURER D:</td> <td></td> </tr> <tr> <td>INSURER E:</td> <td></td> </tr> <tr> <td>INSURER F:</td> <td></td> </tr> </table>	INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A: Chubb	20303	INSURER B:		INSURER C:		INSURER D:		INSURER E:		INSURER F:	
INSURER(S) AFFORDING COVERAGE	NAIC #														
INSURER A: Chubb	20303														
INSURER B:															
INSURER C:															
INSURER D:															
INSURER E:															
INSURER F:															
<b>INSURED</b> Mark R. Warner & Lisa A. Collis 201 North Union St #300 Alexandria, VA 22314															

## COVERAGES

CERTIFICATE NUMBER:

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 SUBR	RSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
	<b>COMMERCIAL GENERAL LIABILITY</b> <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:						EACH OCCURRENCE \$ DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ PRODUCTS - COM/OP AGG \$ \$
	<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	<b>UMBRELLA LIAB</b> <input type="checkbox"/> OCCUR <b>EXCESS LIAB</b> <input type="checkbox"/> CLAIMS-MADE DED    RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A				PER STATUTE    OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
A	Home Owners			1155831608	12/13/2015	12/13/2016	Liability      10,000,000

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

Property Location - 505 S. Lee Street

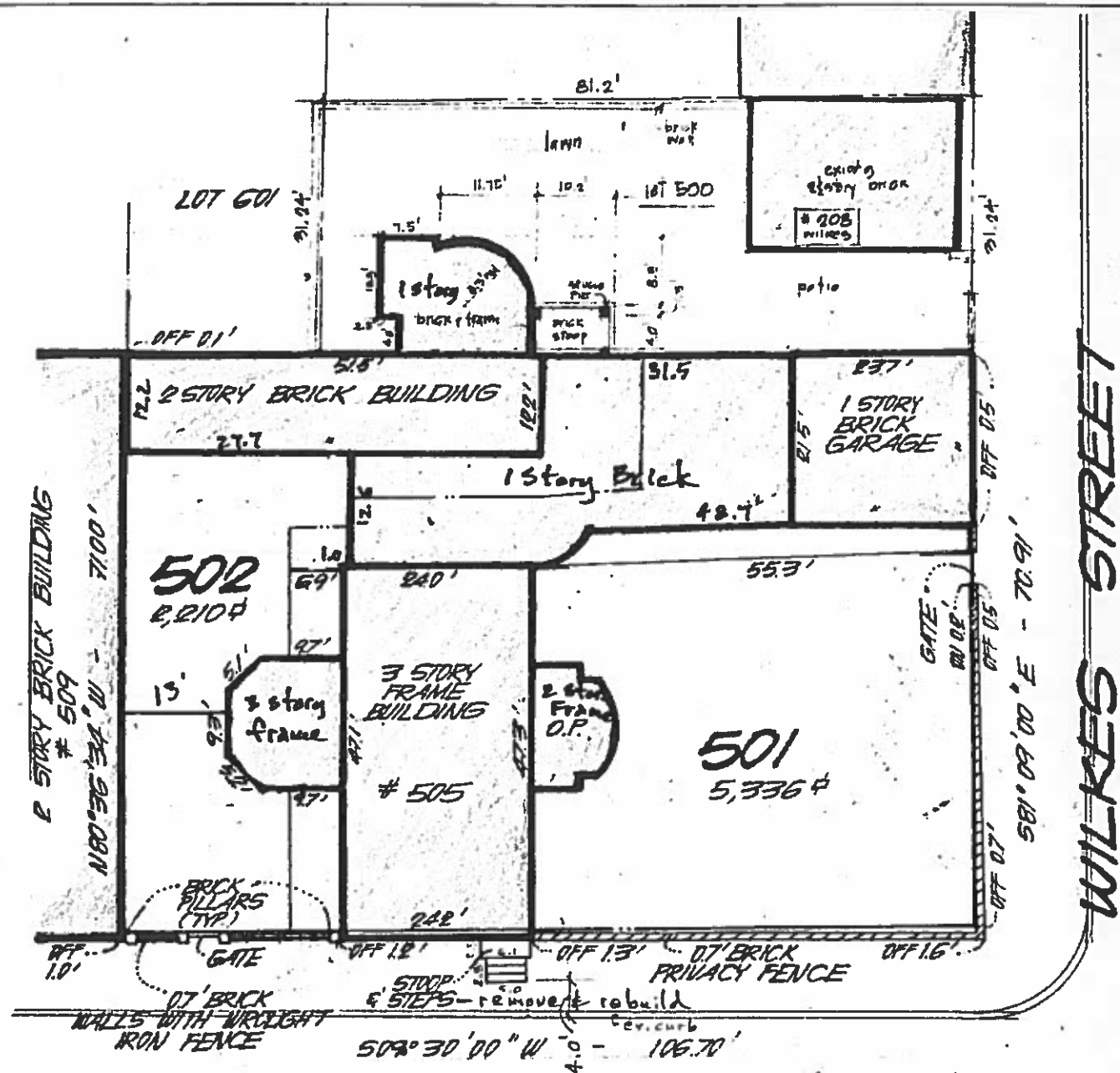
## CERTIFICATE HOLDER

## CANCELLATION

 City of Alexandria  
 301 King Street  
 Alexandria, VA 22314

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  
 NFP Meltzer Group



**SOUTH LEE STREET**

PLAT - Existing  
SHOWING WALL CHECK SURVEY  
LOTS: 501 & 502

SUBDIVISION OF THE LAND OF

**PRENTICE E. EDRINGTON**  
CITY OF ALEXANDRIA, VIRGINIA

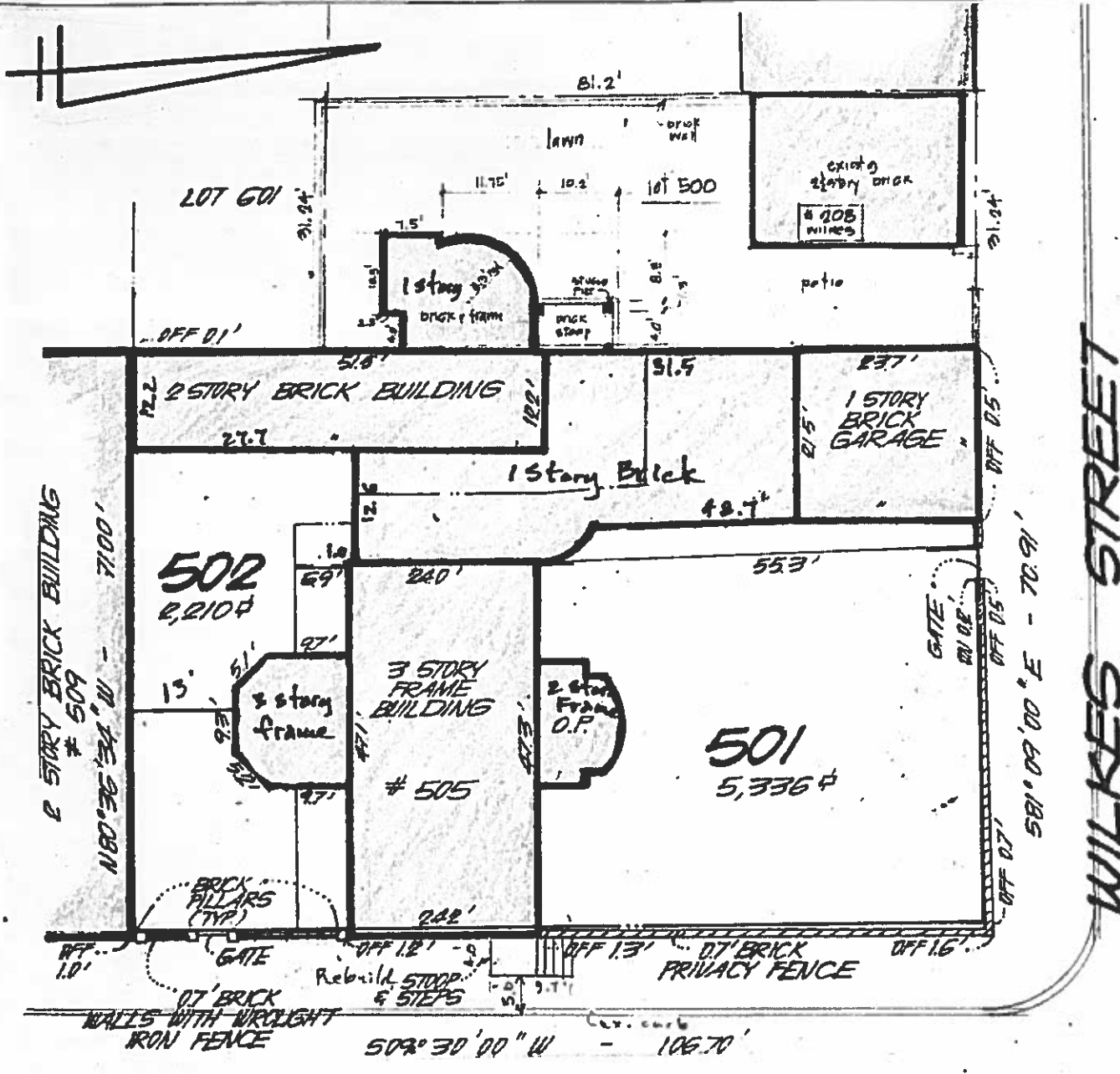
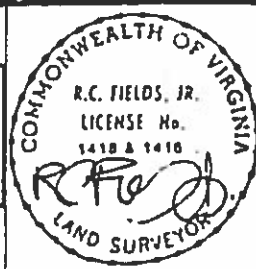
Existing Sloop & Step  
Encroachment:

$6.1' \times 2.3' = 14.03 \text{ sq ft}$   
 $5.0' \times 2.8' = 14.00 \text{ sq ft}$   
**28.03 sq ft**

Clear Walk is 4.0' wide

SCALE: 1" = 20'  
DATE: NOVEMBER 1, 1990  
THIS DWELLING IS LOCATED IN  
HOLD FLOOD ZONE (C)  
PLAT SUBJECT TO  
RESTRICTIONS OF RECORD.  
TITLE REPORT NOT  
FURNISHED.  
I HEREBY CERTIFY THAT THE POSITIONS OF ALL THE EXISTING IMPROVEMENTS  
HAVE BEEN CAREFULLY ESTABLISHED BY A TRANSIT TAPE SURVEY AND UNLESS  
OTHERWISE SHOWN, THERE ARE NO VISIBLE ENCROACHMENTS.

CASE NAME: COLLIS - WARNER  
KEYSER CONSTRUCTION COMPANY  
**R.C. FIELDS, JR. & ASSOCIATES**  
A PROFESSIONAL CORPORATION  
718 JEFFERSON STREET ALEXANDRIA, VIRGINIA 22314  
TEL. (703) 649-6422 FAX (703) 549-6452

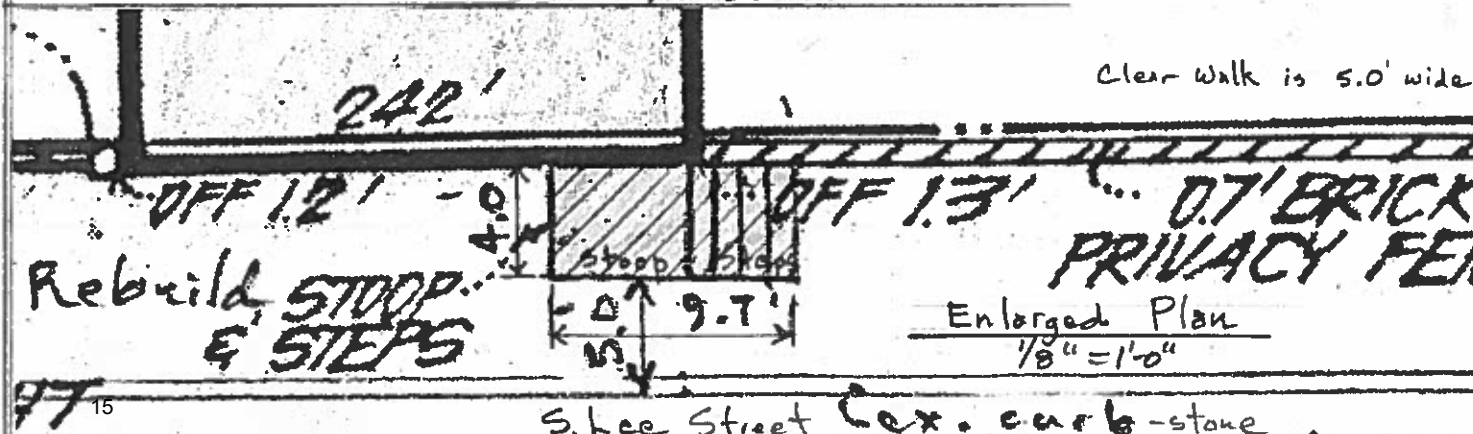


**SOUTH LEE STREET**

Proposed Site Plan  
1" = 20'

Proposal Sloop & Step  
Encroachment:  
 $4.0' \times 9.7' = 38.8 \text{ sq ft}$

Clear Walk is 5.0' wide



Alterations  
**Collis Warner Residence**  
505 S. Lee Street  
Alexandria, Virginia

Date:  
6 June 2016  
BAR Set  
&  
Encroachment  
Application

Sheet:  
1  
of 5

ROBERT BENTLEY ADAMS & ASSOCIATES P.C.  
405 South Washington Street Alexandria, Virginia 22314  
Tel. 703 549 0650 ©  
Fax. 703 549 3125  
ADAMS ARCHITECTURE PLANNING INTERIORS





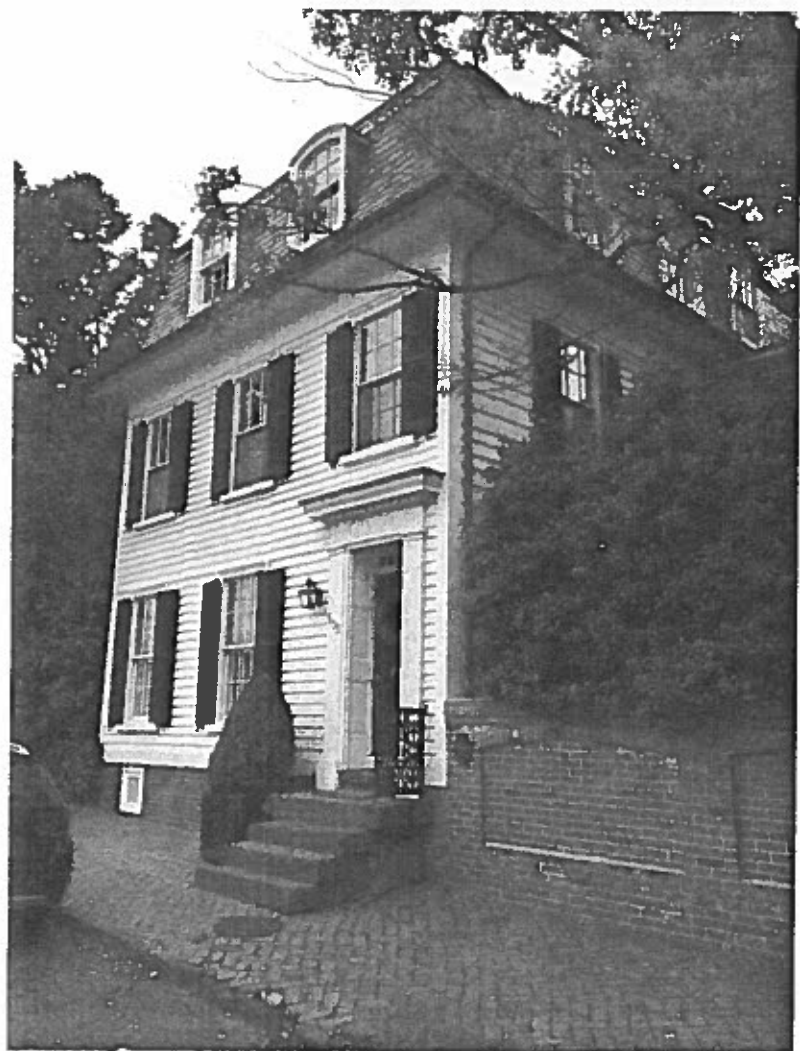
View of front entry looking north



Front entry



View of front entry looking south



505 South Lee Street - East Elevation



Detail of Stair Landing



Detail of Stair Landing



Stair Landing



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405 South Washington Street Alexandria, Virginia 22314  
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ADAMS ARCHITECTURE PLANNING INTERIORS

Alterations  
**Collis Warner Residence**  
505 S. Lee Street  
Alexandria, Virginia

Date:  
6 June 2016

Sheet:

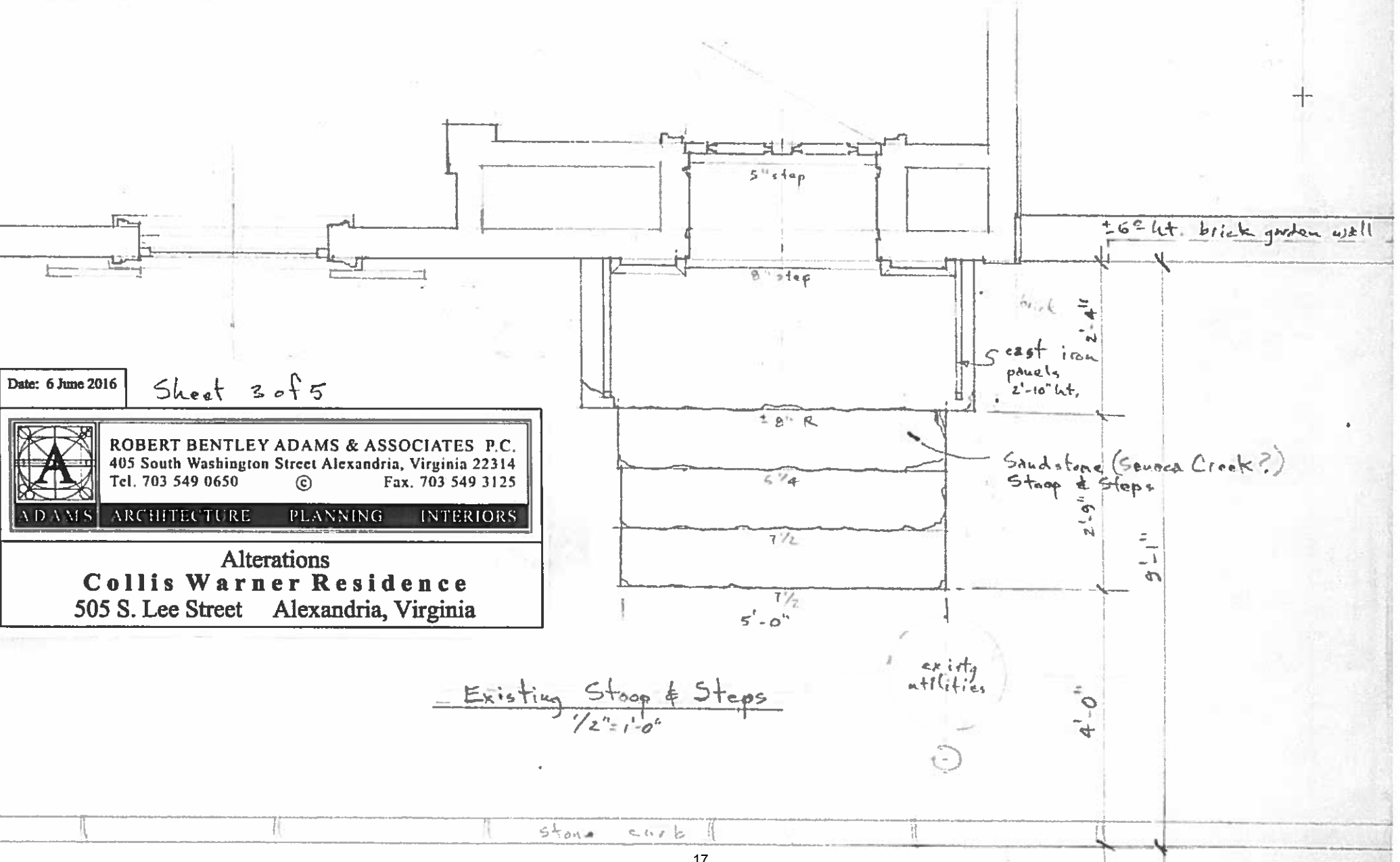
2  
of 5





x 5 2  
2" x 6 2"

Existg East Elev.  
1/2" = 1'-0"



Date: 6 June 2016

Sheet 3 of 5

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405 South Washington Street Alexandria, Virginia 22314  
Tel. 703 549 0650 © Fax. 703 549 3125

ADAMS ARCHITECTURE PLANNING INTERIORS

Alterations  
**Collis Warner Residence**  
505 S. Lee Street Alexandria, Virginia

Existing Stoop & Steps  
1/2" = 1'-0"



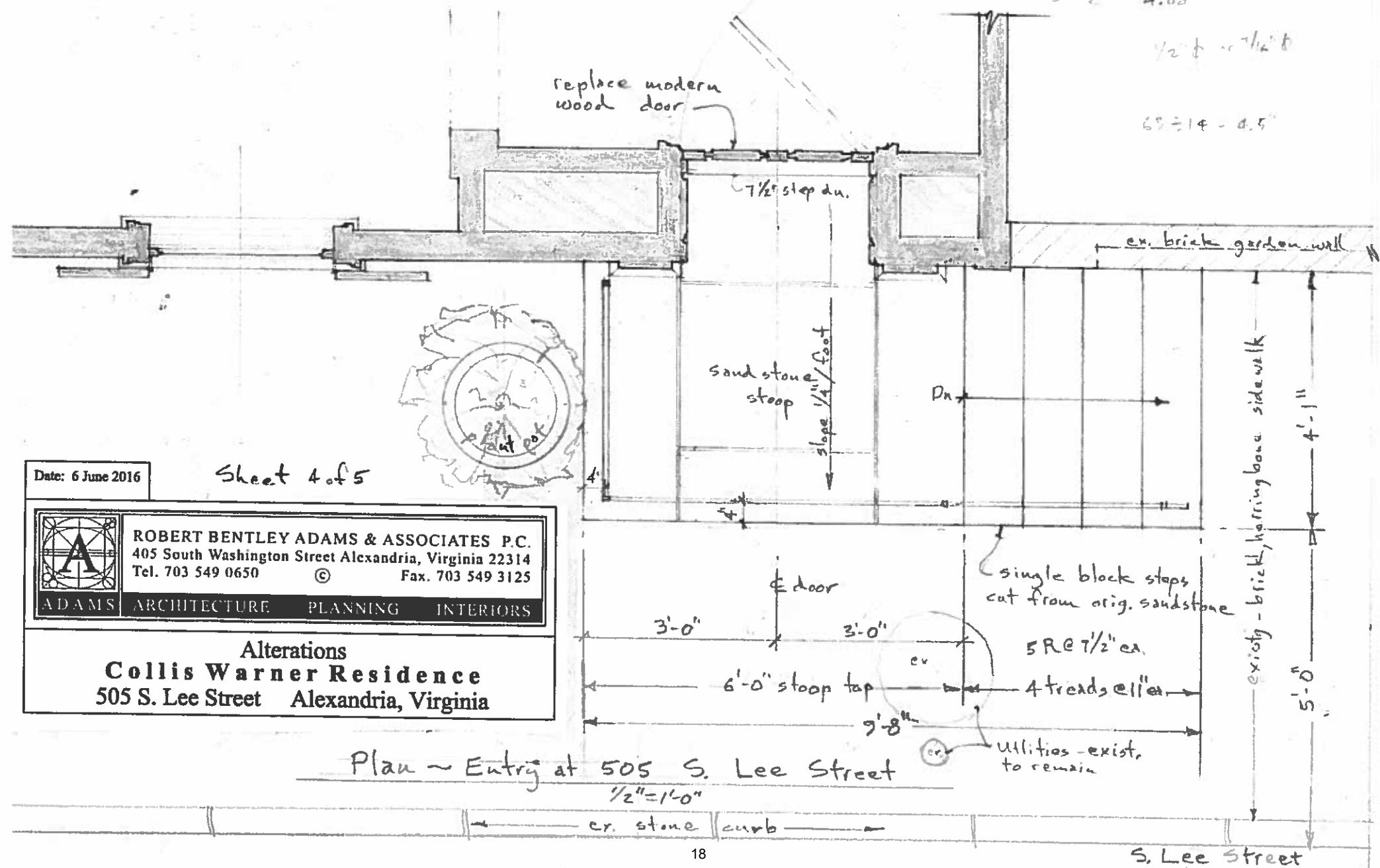
East Elevation of Entry  
1/2" = 1'-0"

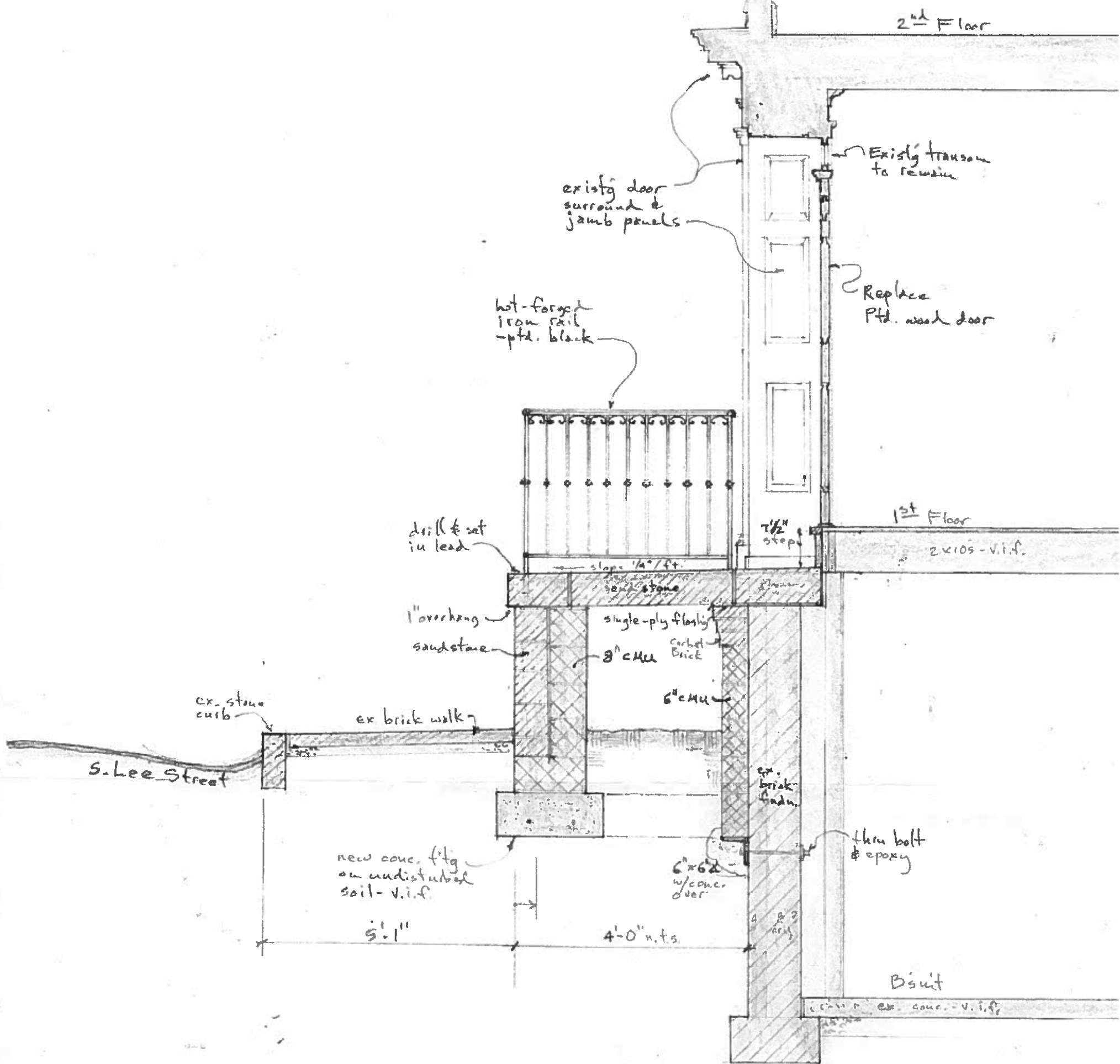
2 3/4  
14 equal + 9 panels

63 1/2 ÷ 13 = 4.88"

1/2" x 1/4" x 1/2"

68 ÷ 14 = 4.85"





Section Thru Stoop  
1/2" = 1'-0"

Date: 6 June 2016

Sheet 5 of 5



ROBERT BENTLEY ADAMS & ASSOCIATES P.C.  
405 South Washington Street Alexandria, Virginia 22314  
Tel. 703 549 0650 © Fax. 703 549 3125

ADAMS ARCHITECTURE PLANNING INTERIORS

Alterations  
**Collis Warner Residence**  
505 S. Lee Street Alexandria, Virginia

Painted iron rail

