

## **BOARD OF ZONING APPEALS PUBLIC HEARING MINUTES**

The regular meeting of the Board of Zoning Appeals was held on  
Thursday, January 12, 2017  
At 7:30 P.M. in City Council Chambers, City Hall, Alexandria, Virginia.

The proceedings of the meeting were tape recorded; records of each case are on file in the  
Department of Planning and Zoning.

Members Present: Laurence Altenburg, Chair  
Agnes Artemel  
Jonathan Buono  
Sean Kumar  
Lee Perna  
Timothy Ramsey  
Mark Yoo

Members Absent: None

Staff Present: Mary Christesen, Planning & Zoning  
Chrishaun Smith, Planning & Zoning

## 1. CALL TO ORDER & ROLL CALL

The Board of Zoning Appeals (Board) hearing was called to order at 7:30 P.M. All members were present.

## UNFINISHED BUSINESS AND ITEMS PREVIOUSLY DEFERRED

2. BZA Case #2016-0013  
409 East Monroe Avenue

Public hearing and consideration of a request for a special exception to construct a second story addition in the required side yard. If the request is granted, the Board of Zoning Appeals will be granting a special exception from section 12-102(A) of the zoning ordinance - relating to the physical enlargement of a non-complying structure; zoned RB/Townhouse. Applicant: Mandi Pratt-Chapman, by Marta Layseca, architect

### Speakers:

Mandi Chapman, applicant and property owner at 408 East Monroe Avenue, represented the application and answered questions from the Board.

Mr. Altenburg closed the public hearing.

### Discussion:

Mr. Perna commented that while the property has sufficient area to build forward in lieu of up along the property line, any construction in the front yard would impact sightlines of the the adjacent apartment building. Mr. Perna commented that it would be preferable for the applicant build up from the existing property line.

Mr. Buono asked for clarity regarding the shed in the front yard. Mrs. Christensen clarified that the applicant will be required to remove the shed. The Board and staff further discussed the requirements for sheds in the front yard.

Mr. Buono introduced a motion, seconded by Mr. Yoo, to approve the special exception with a condition that the existing non-complying accessory structure in the front yard be removed.

Mr. Perna, Mr. Yoo and Mr. Kumar stated that they did not support the motion because the existing non-complying shed and the request for the special exception are two separate issues and, therefore, it would not be appropriate to impose a condition related to the shed. The motion failed by a vote of 2 to 5, with Mr. Altenburg, Mr. Perna, Mr. Kumar, Mr. Ramsey, and Ms. Artemel opposing the motion.

**BOARD OF ZONING APPEALS ACTION:** On a motion by Mr. Buono, seconded by Mr. Yoo, the Board voted to approve the special exception. The motion carried on a vote of 7 to 0.

Reason: The application met the criteria for a special exception as outlined in the staff report.

## **NEW BUSINESS**

3. BZA Case #2016-0017  
1109 Queen Street  
Public hearing and consideration of a request for a variance to construct a two-story rear addition in the required side yards; zoned CL/Commercial Low. Applicant: Amir Radfar, Elitee Enterprises, Inc

**BOARD OF ZONING APPEALS ACTION:** Without objection the BZA Case #2016-0017 was deferred. The applicant requested a deferral of this application prior to the public hearing.

4. BZA Case #2016-0018  
1208 Prince Street  
Public hearing and consideration of a request for a special exception for a two-story addition in the required side yard. If the request is granted, the Board of Zoning Appeals will be granting a special exception from section 12-102(A) of the zoning ordinance - relating to the physical enlargement of a non-complying structure; zoned CL/Commercial Low. Applicant: Corey Donovan & Jennifer Mullett, represented by Michael Detomo, architect

Speakers:

Michael Detomo, 333 N. Fairfax Street, architect with Cole and Denny Architects, represented the application and answered questions from the Board.

Mary Peterson, 1206 Prince Street, expressed concerns about the additions and the effect that they would have on her home and privacy in her rear yard.

Mr. Altenburg closed the public hearing.

Discussion:

The Board discussed concerns regarding the height of the third floor addition and its architectural design, and the addition's impact on light and air access for the property at 1206 Prince Street.

**BOARD OF ZONING APPEALS ACTION:** On a motion by Mr. Kumar, seconded by Mr. Ramsey, the Board voted to defer the special exception. The motion carried on a vote of 7 to 0.

Reason: The Board deferred the request to provide the applicant the ability to make revisions to the design of the proposed additions and modify their request.

5. BZA Case #2016-0019  
9 Cockrell Avenue

Public hearing and consideration of a request for a variance to construct a new single-family dwelling within a required front yard. Zoned R-8/Residential Single-family. Applicant: Cockrell Properties, LLC

Speakers:

Rabee Aboulmouna, 2890 Emma Lee Street, Suite 200, Falls Church, VA, engineer for the applicant, represented the application and answered questions from the Board.

John Thompson, 1604 Mason Hill Drive, property owner, discussed the background of their case and provided additional information on the reason for his request for a variance for the property.

Mr. Altenburg closed the public hearing.

Discussion:

Mr. Buono questioned the height of the proposed detached garage, as presented in the staff report. Staff indicated that they would verify the garage height and that it will be reviewed as part of the applicant's building permit submission. Mrs. Christesen and Mr. Perna confirmed that the garage is not subject to the variance application for the front yard setback for the dwelling unit.

**BOARD OF ZONING APPEALS ACTION:** On a motion by Mr. Yoo, seconded by Mr. Kumar, the Board voted to approve the variance as submitted. The motion carried on a vote of 7 to 0.

Reason: The applicant demonstrated an unreasonable restriction on the property due to the depth of the lot and the application of the front setback required by the infill regulations, as outlined in the staff report.

## OTHER BUSINESS

Definition and Interpretation of Party Walls - Staff provided Board members with an email from the City Attorney's office that provided guidance to staff about how what a party wall is for the purpose of determining whether a property is a semi-detached two-family dwelling unit, as defined by the Zoning Ordinance. Board members engaged in discussion with staff members to gain additional clarification on staff and the city attorney's office interpretation of a party wall.

Board Elections - Board elections for chair will be held at the February public hearing.

## MINUTES

6. Consideration of the minutes from November 10, 2016 Board of Zoning Appeals hearing

Discussion: Staff and the Board discussed the format for the minutes.

**BOARD OF ZONING APPEALS ACTION:** The Board of Zoning Appeals voted to approve the minutes from the November 10, 2016 hearing as submitted. The motion carried on a vote of 7-0.

## ADJOURNMENT

The Board of Zoning Appeals hearing was adjourned at 9:15pm