

ISSUE: Certificate of Appropriateness for alterations

APPLICANT: David Osterndorf and Jennie Korth

LOCATION: Old and Historic Alexandria District
405 South Fairfax Street

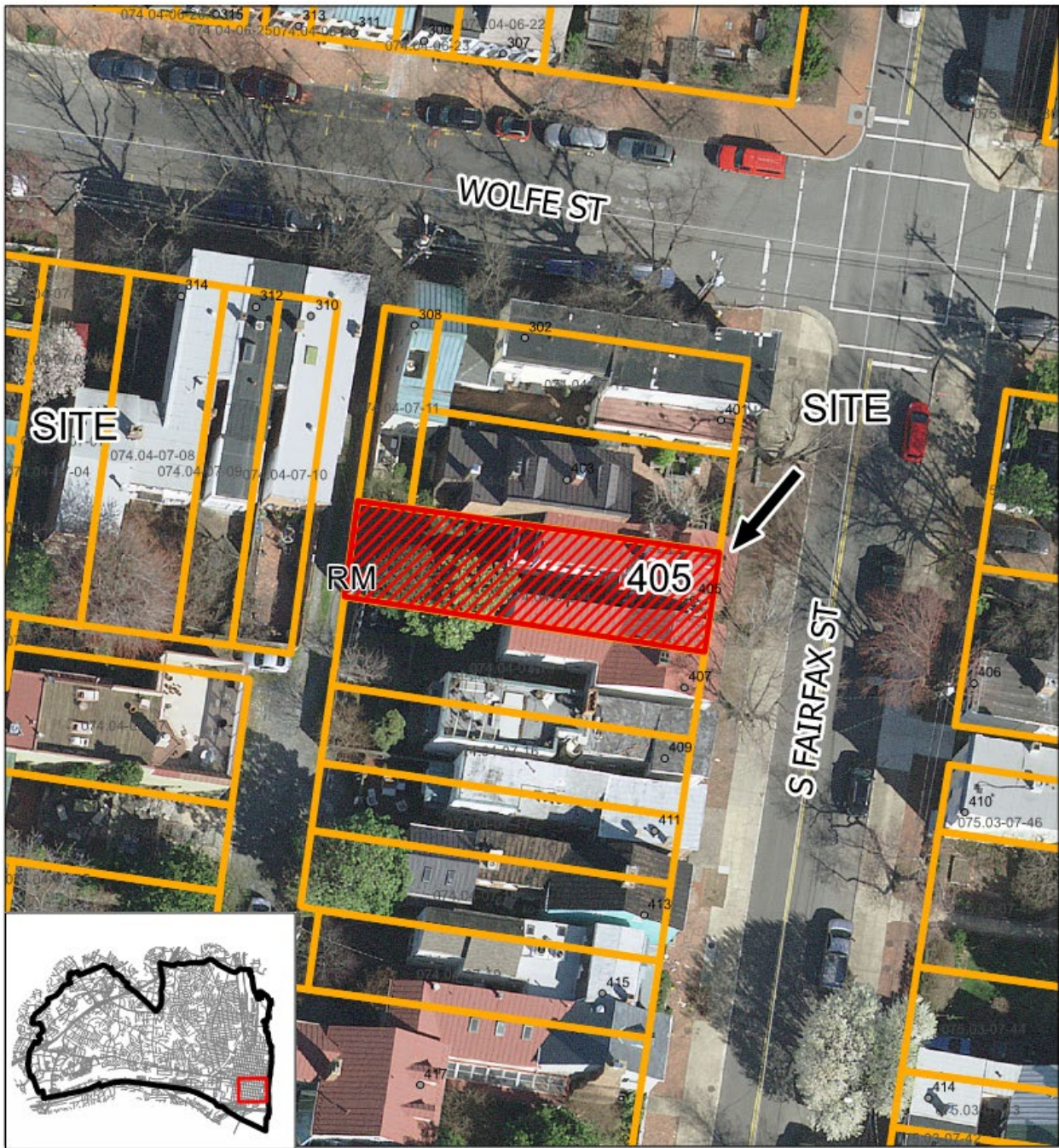
ZONE: RM/Residential Townhouse Zone

STAFF RECOMMENDATION

Staff recommends approval of the Certificate of Appropriateness for after-the-fact alterations as submitted.

GENERAL NOTES TO THE APPLICANT

1. **ISSUANCE OF CERTIFICATES OF APPROPRIATENESS AND PERMITS TO DEMOLISH:** Applicants must obtain a 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@alexandriava.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 Department of 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, 703-746-4200 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.
6. **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 Virginia Department of Historic Resources (VDHR) prior to initiating any work to determine whether the proposed project may qualify for such credits.



BAR #2020-00414
405 South Fairfax Street



I. APPLICANT'S PROPOSAL

The applicant is requesting after-the-fact approval of a Certificate of Appropriateness for a larger pergola than the Board previously approved on March 20, 2019 (BAR Case #2019-00042 & 00043) as part of a project to make alterations to the historic building and construct an addition at 405 S. Fairfax Street. The pergola width is the same as approved – the area between the rear of the historic house and the start of the addition - but instead of projecting roughly four feet from the face of the building it will now project further to the west approximately nine feet (Figure 1 & 2). The applicant intends to paint the pergola white.

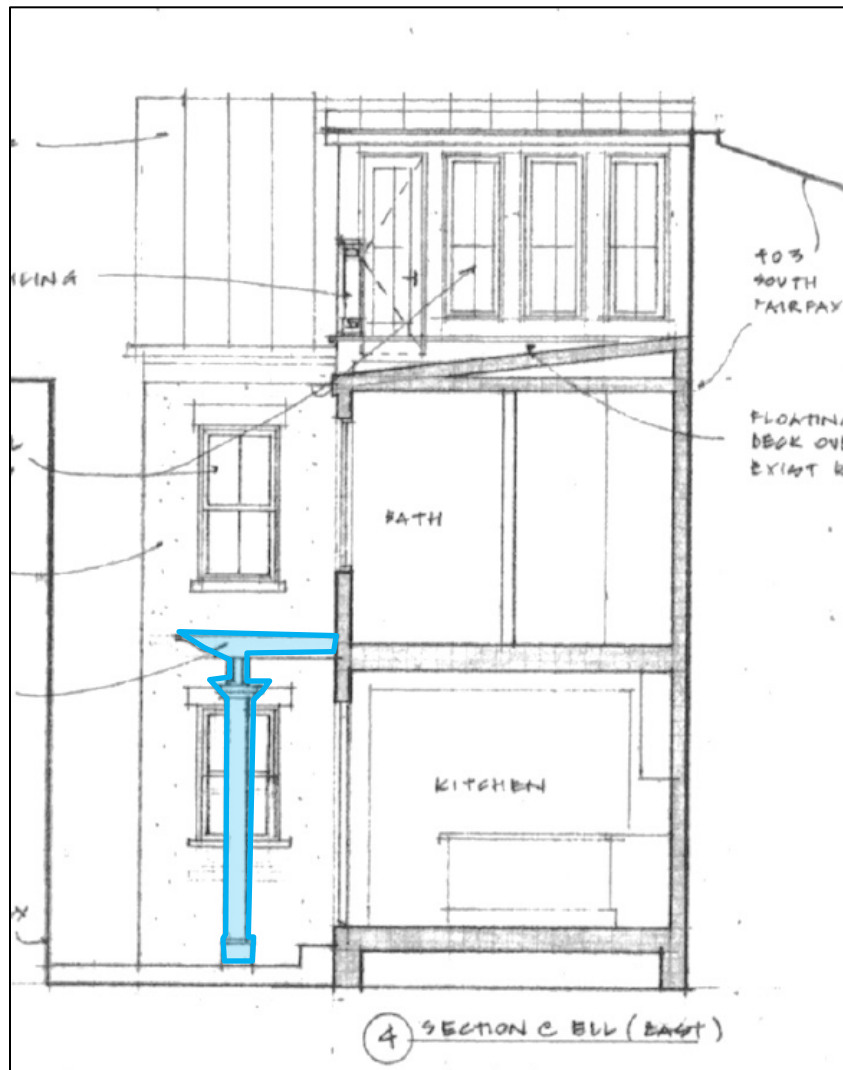


Figure 1: Previously approved pergola (3/20/2019).

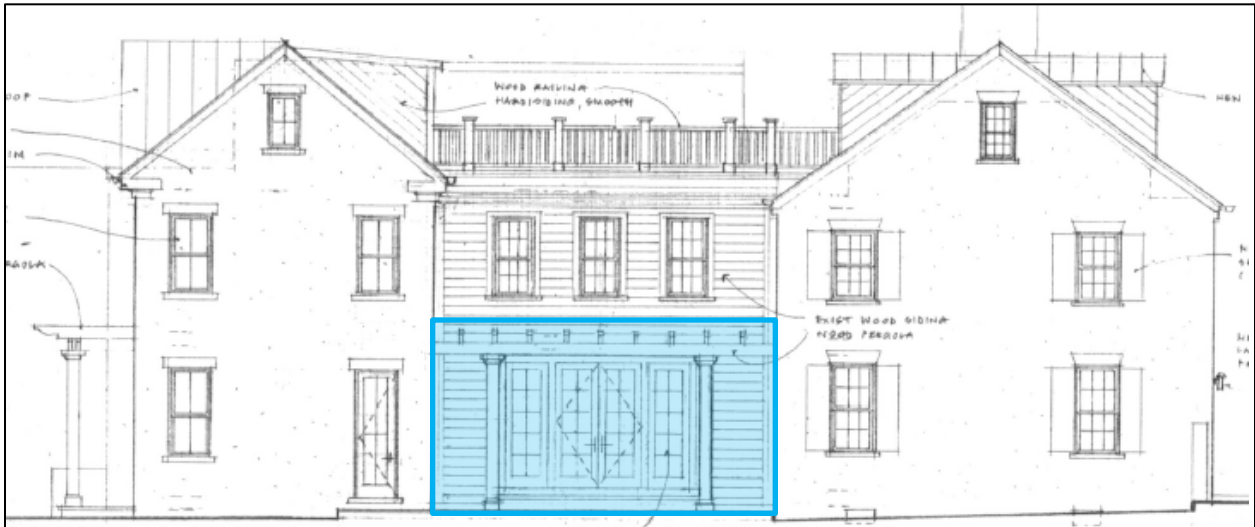


Figure 2: Approved south elevation (3/19/2019).

Site context

The alley to the west, behind the subject property, is private. The pergola will be visible over the side yard gate along S. Fairfax Street.

II. HISTORY

According to Ethelyn Cox in her book *Historic Alexandria, Virginia Street by Street*, James Lyle constructed the house sometime between **1813 and 1831**, when the house was sold. The two-bay, two-and-a-half story Federal style house consists of a masonry main block and a two-story frame ell and a two-story rear addition.

The subject property was surveyed by the Historic American Building Survey (HABS) in the late 1950s and bears a plaque acknowledging the recording of the building. The house also contains a Historic Alexandria Foundation plaque.

Previous BAR Approvals

The Board approved a Permit to Demolish (partial) and a Certificate of Appropriateness for alterations and an addition on March 20, 2019 (BAR Case #2019-00042 & 00043).

III. ANALYSIS

The *Design Guidelines* do not contain a separate chapter on garden or decorative features such as arbors, pergolas or trellises so staff routinely references the chapter on Accessory Structures and outbuildings, which recommends that free-standing accessory structures, including their materials and exterior finishes, "...should complement, not compete with, the architecture of the main building." In the chapter addressing Fences, Garden Walls and Gates, the *Guidelines* recommend that all wood material be either painted or stained, which the applicant intends to do.

Staff was made aware of the larger-than-approved pergola as a result of a complaint. Although staff finds the proposed pergola to be very simple in design and complementary to the historic house, the pergola requires Board approval. The addition of pergolas in the historic district has become more common in recent years as property owners seek to create attractive outdoor space. The pergola is immediately adjacent to the north wall of the house at 407 S. Fairfax Street; however, there are no windows on this elevation of the neighbor's house (Figure 3). When the solid wood gate is open, as the photo included with the application shows, the pergola will be more visible.



Figure 3: Photo of constructed pergola.

Staff recommends approval of the application as submitted.

STAFF

Stephanie Sample, Urban Planner, Planning & Zoning

Tony LaColla, AICP, Land Use Services Division Chief, Planning & Zoning

IV. CITY DEPARTMENT COMMENTS

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

Zoning

F-1 The pergola posts are five feet from the south property line and therefore outside of the required side yard. The eaves from the pergola are within the required yard setback, but, per 7-202-(A)-(3), eaves are allowed to project into the required yard.

F-2 The structure along the south property line is three feet over the property line.

C-1 The pergola complies with zoning.

Code Administration

C-1 A building permit and plan review are required prior to the start of construction.

Transportation and Environmental Services

CONDITIONS

R-1 The building permit must be approved and issued prior to the issuance of any permit for demolition, if a separate demolition permit is required. (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)

FINDINGS:

F-1 Previously reviewed under BAR2019-00042; BAR2019-00043. (T&ES)

F-2 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-3 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 Permitting & 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)

CODE REQUIREMENTS

- 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 Roof, surface and sub-surface drains be connected to the public storm sewer system, if available, by continuous underground pipe. Where storm sewer is not available 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. (Sec.5-6-224) (T&ES)
- C-4 All secondary utilities serving this site shall be placed underground. (Sec. 5-3-3) (T&ES)
- C-5 Any work within the right-of-way requires a separate permit from T&ES. (Sec. 5-2) (T&ES)
- C-6 All improvements to the city right-of-way such as curbing, sidewalk, driveway aprons, etc. must be city standard design. (Sec. 5-2-1) (T&ES)

V. ATTACHMENTS

- 1 – Application for BAR 2020-00414: 405 South Fairfax Street*
- 2 – Supplemental Materials*

ADDRESS OF PROJECT: 405 SOUTH FAIRFAXDISTRICT: ☒ Old & Historic Alexandria ☐ Parker – Gray ☐ 100 Year Old BuildingTAX MAP AND PARCEL: 7404-07-14 ZONING: _____

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: JENNIE KORTH / DAVE OSTENDORFAddress: 405 SOUTH FAIRFAX STCity: ALEXANDRIA State: VA Zip: 22314Phone: 999 929 8907 E-mail: jkorth@po.hxbados.comAuthorized Agent (if applicable): ☐ Attorney ☐ Architect ☐ _____Name: PATRICK CAMUSPhone: 703 626 1984E-mail: studiocamuse.com@net.net

Legal Property Owner:

Name: SAME

Address: _____

City: _____ State: _____ Zip: _____

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

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

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

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

REQUEST APPROVAL FOR A PERGOLA IN THE
SIDE YARD, LARGER THAN PREVIOUSLY
APPROVED

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.

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.

Additions & New Construction: *Drawings must be to scale and should not exceed 11" x 17" unless approved by staff. 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.

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 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: PATRICK CAMUSDate: 17 AUG 2020

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. JENNIE KORTH DAVE OSTENDORF	409 S FAIRFAX	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 409 S FAIRFAX (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. JENNIE KORTH DAVE OSTENDORF	409 S FAIRFAX	100%
2.		
3.		

3. Business or Financial Relationships. 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 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.

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. JENNIE KORTH DAVE OSTENDORF	NONE	N/A
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.

17 Aug 20

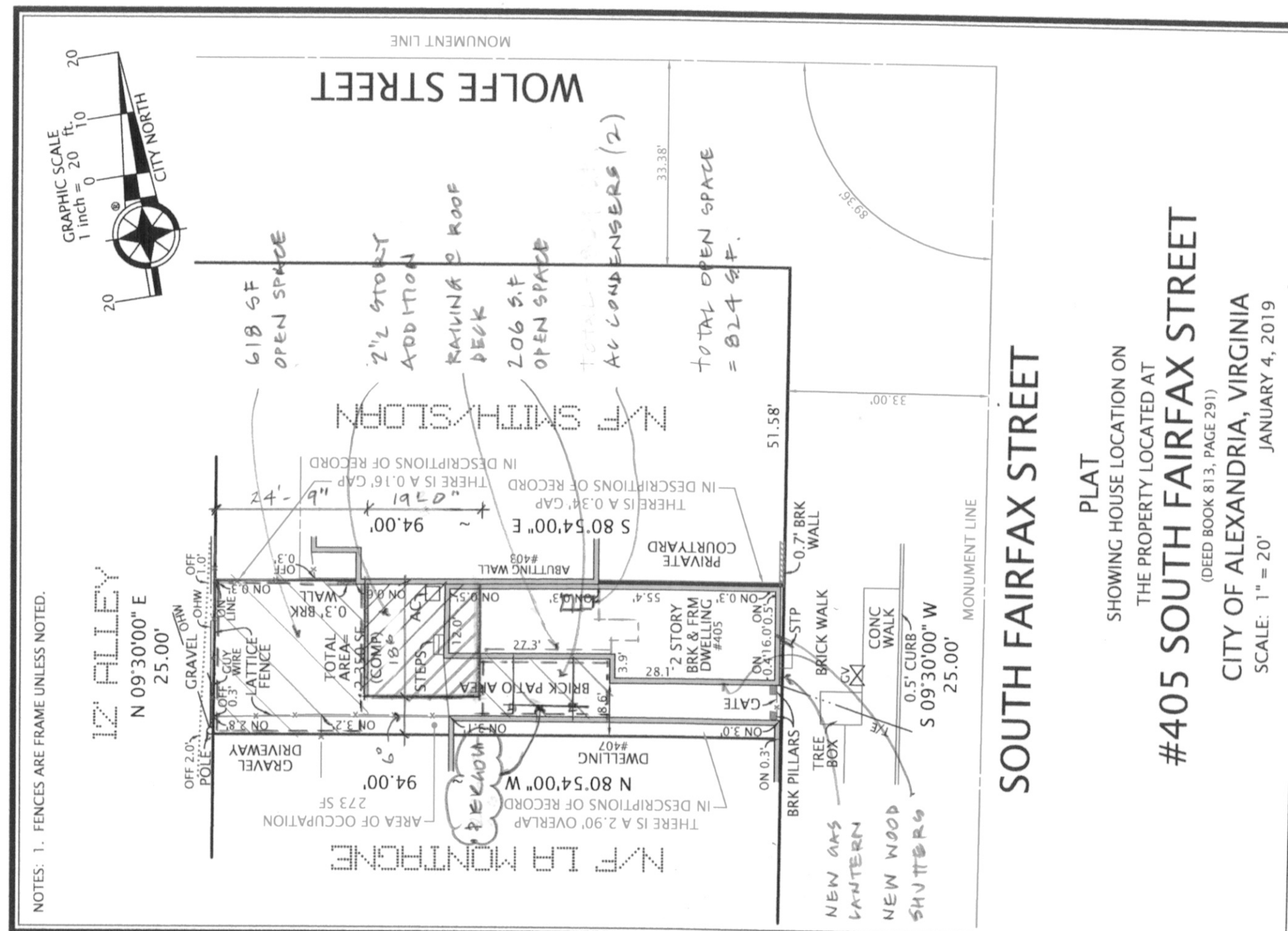
Date

PATRICK CAMUS

Printed Name

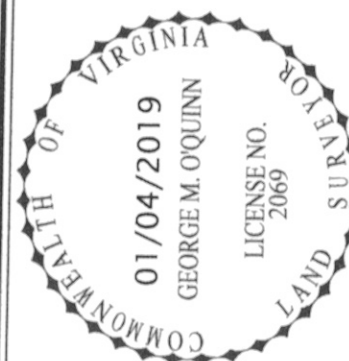


Signature



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.



Ordered by:

Champion Title

21631 Ridgetop Circle, Suite 250
Sterling, Virginia 20166
Ph: (703) 444-4100

DOMINION Surveyors Inc.®

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

CASE NAME: HYNAN ~ KORTH/OSTERNDORF

#181228003

