

Docket Item #2  
BZA #2021-00002  
Board of Zoning Appeals  
April 12, 2021

**ADDRESS:** 1117 QUEEN STREET  
**ZONE:** CL/ COMMERCIAL LOW  
**APPLICANT:** MATT GRAY, 1117 QUEEN STREET, LLC

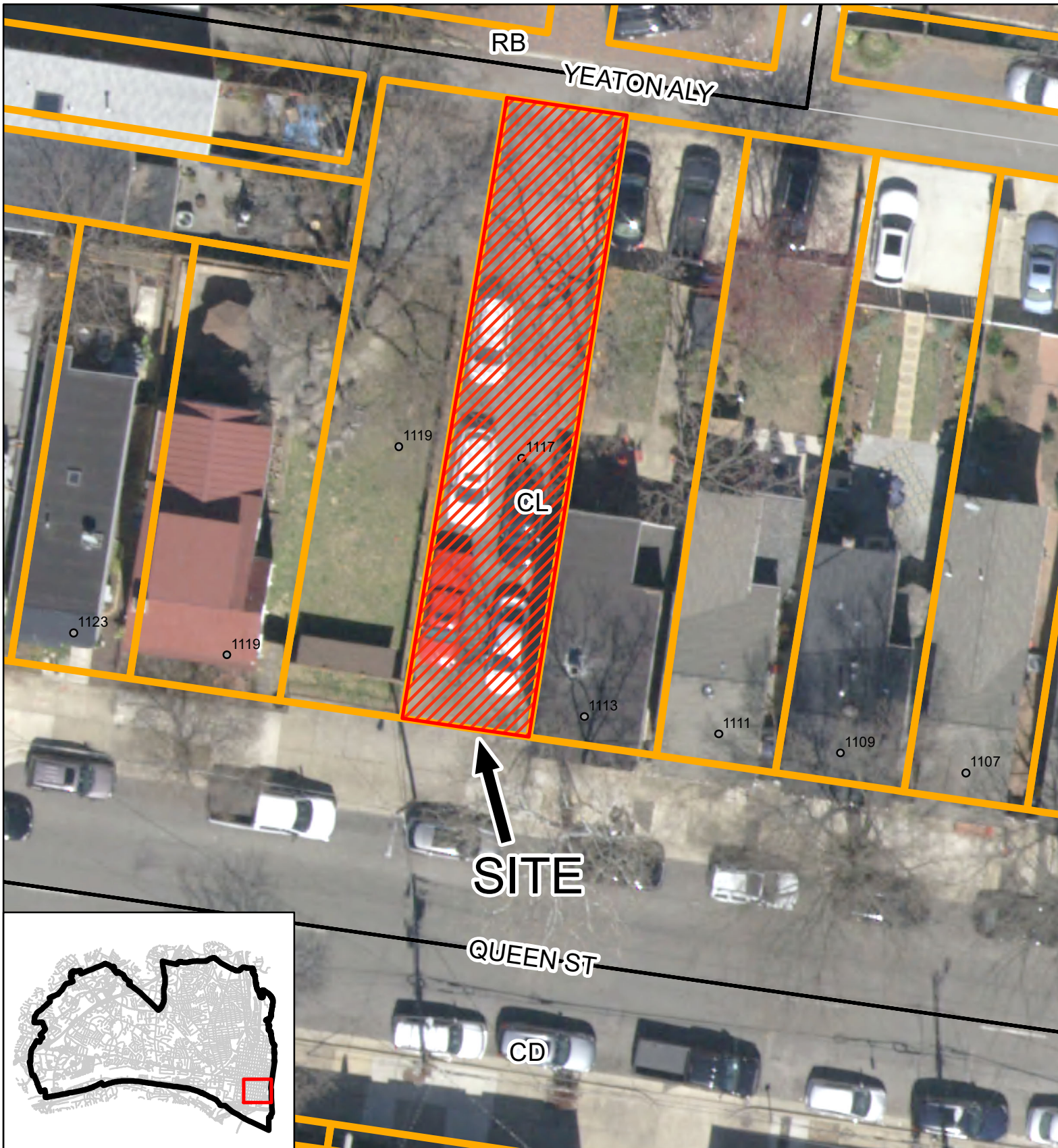
**ISSUE:** A request for variances from lot size, lot frontage, front setback and side yard setbacks, to construct a single-family dwelling.

CODE SECTION	SUBJECT	CODE REQUIREMENT	APPLICANT PROPOSES	REQUESTED VARIANCE
4-105(B)(1)	Lot Size	5,000 sq. ft.	2,000 sq. ft.	3,000 sq. ft.
4-105(B))2)	Frontage	50.00 feet	20.00 feet	30.00 feet
4-106(A)(2)(a)	Front Yard	20.00 feet	7.00 feet	13.00 feet
4-106(A)(2)(a)	Side Yards	11.3 feet*	1.50 feet	9.80 feet

*\* Based on a height of 34 feet as measured from the average existing grade to the midpoint of the ridge and eave of the highest roof form facing the east and west side yards.*

Staff **recommends approval** of the requests because they meet the criteria for a variance.

If the Board grants the requested variances, it is subject to compliance with all applicable code requirements, ordinances, and recommended conditions found in the department comments. The applicant must submit a survey plat prepared by a licensed surveyor confirming building footprint, height and setbacks prior to all final inspections. The variance must be recorded with the property's deed in the City's Land Records Office prior to the release of the building permit.



# BZA #2021-00002 1117 Queen Street



**I. Issue**

The applicant proposes to construct a new residential single-family dwelling on a vacant lot of record. Any development on the lot will require variances from the required lot size, lot frontage, and east and west side yard setbacks for residential uses in the CL zone.

**II. Background**

The subject property is one lot of record with 20.00 feet of lot frontage and width and 100.00 feet of lot depth. The property contains 2,000 square feet of lot area and is currently vacant.

The property was developed with a residence prior to the City's first zoning ordinance. A building was on this property in 1877, although the exact construction date is unknown. The lot is shown on the 1885 Sanborn map as developed with a semi-detached building located at the front property line that was used as a residence and an outbuilding along the rear property line. The property owner applied to the Board of Architectural Review for demolition of the building in 1985. The subject property is located in the Parker-Gray Historic District and is regulated by the Board of Architectural Review.

**III. Description**

The applicant proposes to construct a new dwelling on a lot that does not meet the minimum requirements for a single-family residential lot in the CL zone. The lot is 30.00 feet narrower than the required frontage of 50.00 feet and is deficient in lot area by 3,000 square feet. The minimum 8-foot side yard setbacks would result in a four-foot wide home and the minimum front setback of 20.00 feet would result in a setback that is inconsistent with all residential dwellings on this block. Because of this, any development on the lot will require variances. The proposal closely replicates the original historic dwelling that was on this property and the request is not increasing the noncompliance above what was previously on the property.

**Table 1. Zoning Table**

<b>CL Zone</b>	<b>Required/Permitted</b>	<b>Proposed</b>
<b>Lot Area</b>	5,000 sq. ft.	2,000 sq. ft.
<b>Lot Frontage</b>	50.00 ft.	20.00 ft.
<b>Front Yard</b>	20.00 ft.	7.00 ft.
<b>Side Yard (east)</b>	11.33 ft.* (1:3, minimum 8 feet)	1.5 ft.
<b>Side Yard (west)</b>	11.33 ft.* (1:3, minimum 8 feet)	1.5 ft.
<b>Rear Yard</b>	1:1, minimum 8.00 feet	57.40 ft.
<b>Open Space</b>	800 sq. ft. (40%)	941sq. ft. (47%)**
<b>Floor Area Ratio</b>	Maximum 1,500 sq. ft. (.75)	1,325 sq. ft. (.66)
<b>Height</b>	35.00 ft.	34 ft.
<b>Parking</b>	2 spaces	2 spaces

*\* Based on a height of 34 feet as measured from the average existing grade to the midpoint of the ridge and eave of the highest roof form facing the east and west side yards.*

*\*\* 781 square feet of open space is ground-level and 160 square feet of open space is located on the third-floor terrace.*

**IV. Master Plan/Zoning**

In 1951, the property was zoned C3, Commercial and on June 24, 1992, the property was rezoned to CL, Commercial Low. The subject property is located in the Braddock Road Metro Station Small Area Plan. The northwest portion of this block of Queen Street is designated for existing lower density residential, the northeast and southeast portions of this block of Queen are designated for low density commercial and the southwest portion of this block of Queen Street is designated for central business district.

**V. Requested Variance:**

Lot Size 4-105(B)(1)

Zoning Ordinance section 4-105(B)(1) requires a minimum lot area of 5,000 square feet for single-family dwelling units in the CL zone. The existing lot area is 2,000 square feet. The applicant requests a variance of 3,000 square feet from the required minimum 5,000 square foot lot area.

Lot Frontage 4-105(B)(2)

Zoning Ordinance section 4-105(B)(2) requires a minimum lot frontage of 50.00 feet for single-family dwelling units in the CL zone. The existing lot frontage is 20.00 feet. The applicant requests a variance of 30.00 feet from the required minimum 50.00 feet.

Front Yard 4-106(A)(2)(a)

Zoning Ordinance section 4-106(A)(2)(a) requires a front yard setback of 20.00 feet for residential uses in the CL zone. Historic Preservation staff recommended a smaller front setback as a 20.00-foot front yard setback would be between 12.00 and 20.00-plus feet farther from the sidewalk than the other buildings along this block. Based on this recommendation and to allow space for front stairs that do not encroach too far into the public right-of-way, the applicant is proposing to locate the building 7 feet from the front property line. The applicant requests a variance of 13.00 feet from the required 20.00-foot front yard setback.

Side Yard 4-106(A)(2)(a)

Zoning Ordinance section 4-106(A)(2)(a) requires a side yard setback based on a 1:3 setback ratio with a minimum of 8 feet. Based on a building height of 34.00 feet (measured from the average finished grade to the midpoint of the highest roof facing the side yard), the building would be required to meet two minimum side yard setbacks of 11.33 feet for a single-family residential use in the CL zone. The applicant requests a variance of 9.80 feet from the required 11.33-foot side-yard setbacks.



**VI. Applicants Justification for Variance**

The applicant justifies the variances because the requests allow for the construction of a new residential single-family dwelling. The property is a lot of record that has existed since at least 1877 and without variances for the lot area, lot frontage and side yard setbacks, the lot is unbuildable. Based on the minimum required side yard setbacks of 8.00 feet, a building could only be 4.00 feet wide and still meet the required side yard setbacks. The front setback of 20.00 feet is not reflective of the neighborhood character and the applicant is requesting the 13-foot variance based on the recommendation from Historic Preservation Staff.

**VII. Analysis of the Variance Definition**

Per Zoning Ordinance section 11-1103, the Board of Zoning Appeals shall not grant a variance unless it finds that the request meets the definition of a variance per Zoning Ordinance section 2-201.1 as follows:

- a. The requests are a reasonable deviation from those provisions regulating the shape, size, or area of a lot or parcel of land or the size, height, area, bulk, or location of a building or structure.

**The request is a reasonable deviation from the provisions of the CL zone of the Zoning Ordinance. The minimum lot area and lot width, front setback and side yard setback requirements do not reflect the existing historic development character of this neighborhood, nor do they reflect the building that was historically on this property for more than a century. The minimum lot area and lot width, and side yard setbacks result in this lot being unbuildable without variances. No residential lots on this block meet the minimum lot area, with five of the lots containing 2,000 square feet and three lots containing less than 1,900 square feet of lot area. No residential lots on this block meet the minimum lot frontage, with the widest residential lot roughly 25 feet in width. The front setback request respects the existing development character, as 1119 Queen Street to the west is setback 8.00 feet and 1113, 1111, 1109, 1105, 1101 Queen Street all slightly encroach into the public right-of-way. The side yard setback request both allows the property to be developed and reflects the existing side yard setbacks for all other single-family dwellings on this block.**

- b. The strict application of the zoning ordinance would unreasonably restrict the utilization of the property.

**Strict application of the CL zone's lot size and frontage requirements would unreasonably restrict the subject property by prohibiting residential uses entirely, which is a permitted use in the CL zone and is the historical use of the property.**

- c. The need for variances is not shared generally by other properties.

**The need for variances from lot size, lot frontage, and front setback are rare, as there are few vacant lots in the CL zone. The need for a variance for side yard setbacks is somewhat common for residences in the CL zone, as the side yard setbacks do not reflect the existing historic development pattern found throughout the CL zone and therefore anyone wishing to construct additions to dwellings that do not currently meet the 1:3 minimum side yard setbacks would have to request a variance. The need for a variance for a side yard setback to construct a new dwelling on a vacant lot could be shared by other residential properties in the CL zone.**

- d. The variances are not contrary to the purpose of the ordinance.

**The variances are not contrary to the purpose of the ordinance as they allow a previously developed property to be redeveloped in a way that is consistent with all residential properties on this block, as well as consistent with the general historic development patterns of the neighborhood. The variances are also not contrary to the ordinance as the property cannot be developed with a residential use, which is the original use of the property, without the variances.**

- e. The variances do not include a change in use, which change shall be accomplished by a rezoning.

**The variances do not include a change in use. This lot was improved with one-half of a semi-detached dwelling sometime before 1877 and the property has been vacant since that dwelling was demolished in 1985.**

#### **VIII. Analysis of Variance Standards**

Per Zoning Ordinance section 11-1103, the Board of Zoning Appeals shall not grant a variance unless it finds that the request meets the variance standards as follows:

1. The strict application of the terms of the ordinance would unreasonably restrict the utilization of the property or that the granting of the variance would alleviate a hardship due to a physical condition relating to the property or improvements thereon at the time of the effective date of the ordinance.

**Strict application of the Zoning Ordinance would unreasonably restrict the utilization of the property as a residential dwelling, which is a permitted use in the CL zone. When the lot was created and the previous residential dwelling was constructed prior to 1877, there was no zoning ordinance in Alexandria. This means there were no bulk and area requirements for lot size, setbacks, and open space for residential dwelling units. If the original building was still in existence, it would be eligible to continue to be used as a residence or, if it had converted to a commercial use, it would be eligible for a residential reversion without variances. Since the original building was demolished in 1985, the demolition**

occurred before the 1992 ordinance restricted what the property owner could rebuild on the lot. The CL zone now requires area and bulk minimums that do not reflect the existing development character of this block. The strict application of the ordinance for the lot width, lot area and side yard setbacks would unreasonably restrict the utilization of the property. The required front yard setback would unreasonably restrict the utilization of the property, as it would result in a location that is inconsistent with the neighborhood character and the location of the original dwelling.

2. The property interest for which the variance is being requested was acquired in good faith and any hardship was not created by the applicant for the variance.

The lot first appeared on the Sanborn maps in 1885. The previous building, like all other residences on this block, would have been noncomplying with modern front and side yard setbacks. The current property owners acquired the lot in good faith and did not create any hardship resulting in the need of the variances. The applicant has a study area contingency for the property and will not purchase the lot from the current owners if the variances are not granted as the property will be unbuildable.

3. The granting of the variance will not be of substantial detriment to adjacent property and nearby properties in the proximity of that geographical area.

Granting of the variances would not be detrimental to adjacent properties. The variances would allow the lot to be developed in a way that is consistent with the historic development pattern of this block, as none of the eight residential lots on this block meet the CL requirements for lot frontage, lot area, front setback or side yard setbacks. The proposed building's 605 square-foot footprint is smaller than all but one of the residential footprints on this block. The proposed building's height of 34 feet is taller than the other the residential buildings on this block, however, the front roof line includes a dormer that breaks up the massing and the portion of the sloped roof that faces the street is 30.58 feet. The rear portion of the third floor is an open deck, which also decreases the massing on the third floor.

4. The condition or situation of the property concerned is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to the ordinance.

The need for variances from lot size, lot frontage, side setbacks and front setback to construct a new residence is rare, as there are few historically residential lots of record that are currently vacant in the CL zone.

5. The granting of the variance does not result in a use that is not otherwise permitted on such property or a change in the zoning classification of the property.

**The request for variances would not result in a use that is not permitted, as single-family residential is an allowed use in the CL zone.**

6. The relief or remedy sought by the variance application is not available through a special exception process that is authorized in the ordinance or the process for modification of a zoning ordinance at the time of the filing of the variance application.

**Relief from lot size, lot frontage, front yard setback and side yard setbacks all require variances and there is no other process that would allow the proposed construction.**

**IX. Staff Conclusion**

As outlined above, staff **recommends approval** of the requested variances as they meet all of the standards and criteria as outlined within the Zoning Ordinance. If the Board decides to approve the requested variances, the approval would be subject to compliance with all applicable code requirements, ordinances and recommended conditions found in the departmental comments of this report.

Staff

Maggie Cooper, Urban Planner, [maggie.cooper@alexandriava.gov](mailto:maggie.cooper@alexandriava.gov)

Mary Christesen, Zoning Manager, [mary.christesen@alexandriava.gov](mailto:mary.christesen@alexandriava.gov)

Tony LaColla, Land Use Division Chief, [anthony.lacolla@alexandriava.gov](mailto:anthony.lacolla@alexandriava.gov)



### DEPARTMENTAL COMMENTS

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

- \* The applicant is advised that if the special exception and/or variance is/are approved the following additional comments apply.

#### Transportation and Environmental Services:

#### CONDITIONS

- R1. 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)
- R2. Applicant shall be responsible for repairs to the adjacent city right-of-way if damaged during construction activity. (T&ES)
- R3. 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:

- F1. 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)
- F2. 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-4All secondary utilities serving this site shall be placed underground. (Sec. 5-3-3) (T&ES)

C-5Any work within the right-of-way requires a separate permit from T&ES. (Sec. 5-2) (T&ES)

C-6All 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)

Code Administration:

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

Recreation (City Arborist):

No comments received

Historic Alexandria (Archaeology):

**FINDINGS**

1. Historic maps indicate that a dwelling stood at 1117 Queen St. by the mid-nineteenth century. By the 1960s the building was no longer standing and the lot has remained vacant since. The property may contain significant archaeological evidence about the growth and development of Alexandria in the second half of the nineteenth century.

**RECOMMENDATIONS**

1. \*The applicant/developer shall call Alexandria Archaeology immediately (703-746-4399) 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.
2. \*The applicant/developer shall not allow any metal detection to be conducted on the property, unless authorized by Alexandria Archaeology.
3. 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 Sheet piling and Shoring) so that on-site contractors are aware of the requirements.

Historic Preservation (P&Z):

Design of new building must be approved by the Board of Architectural Review



# APPLICATION BOARD OF ZONING APPEALS

## VARIANCE

### Section of zoning ordinance from which request for variance is made:

- 4-105-(B)(1) Lot size
- 4-105-(B)(2) Frontage
- 4-106-(A)(2)(a) Yards (Front yards & side yards)

### PART A

1. Applicant: ☐ Owner ☒ Contract Purchaser ☐ Agent

Name 1117 Queen Street, LLC (Not yet created with SCC)

Address 225 North West Street, Alexandria, VA 22314

Daytime Phone 571-405-7671

Email Address mgray@msg.properties

2. Property Location 1117 Queen Street, Alexandria, VA 22314

3. Assessment Map # 064.03 Block 04 Lot 07 Zone CL

4. Legal Property Owner Name Kathy Bunn & Robert Bunn

Address 3615 Old Forest Road, Lynchburg, VA 24501



## 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.	Matt Gray	15 N. West St, Alex, VA 223	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 1117 Queen Street (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.	Robert & Kathy Bunn	OREST ROAD LYNCHBUR	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 ([OHAD](#) and [Parker-Gray](#)). **All fields must be filled out completely. Do not leave blank. (If there are no relationships please indicate each person or entity below and "NONE" in the corresponding fields.)**

	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 & Kathy Bunn	None	None
2.	Matt Gray	None	None
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.

**5. Describe request briefly:**

Variances in sections below and described in great detail later in application.

4-105-(B)(1) Lot size

4-105-(B)(2) Frontage

4-106-(A)(2)(a) Yards (Front yards & side yards)

**6. If property owner or applicant is being represented by an authorized agent,**

such as an attorney, realtor or other person for which there is a form of compensation, does this agent or the business in which they are employed have a business license to operate in the City of Alexandria, Virginia?

☒ Yes — Provide proof of current City business license. Land, Carroll & Blair PC

☐ No — Said agent shall be required to obtain a business prior to filing application.

**THE UNDERSIGNED HEREBY ATTESTS** that all of the information herein provided including the site plan, building elevations, prospective drawings of the projects, etc., 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 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:**

☒ I, as the applicant or authorized agent, note that there is a fee associated with the submittal of this application. Planning & Zoning Department staff will be in contact with the applicant regarding payment methods. Please recognize that applications will not be processed until all fees are paid.

☒ Yes ☐ No I affirm that I, the applicant or authorized agent, am responsible for the processing of this application and agree to adhere to all the requirements and information herein.

Printed Name: Matt Gray

Date: 1/21/2021

Signature: 

Pursuant to Section 13-3-2 of the City Code, the use of a document containing false information may constitute a Class 1 misdemeanor and may result in a punishment of a year in jail or \$2,500 or both. It may also constitute grounds to revoke the permit applied for with such information.

## **PART B**

### **APPLICANT MUST EXPLAIN THE FOLLOWING:**

(Please **attach** additional pages where necessary.)

**1. Please answer A or B:**

**A. Explain how enforcement of the zoning ordinance would prevent reasonable use of the property.**

Please see attached explanation.

**B. Explain how the variance, if granted, would alleviate a hardship, as defined above.**

Please see attached explanation.

**2. Is this unreasonable restriction or hardship unique to the property? Yes**

**A. Explain if the restriction or hardship is shared by other properties in the neighborhood.**

No, it is a unique hardship to this specific lot. The lot was platted over 100 years ago before the zoning ordinance was implemented. In 1986, the dwelling was demolished from a previous owner. The zoning ordinance then had specific requirements but since the lot was platted before the ordinance was created, it was not possible to comply with certain requirements without variances.

**B. Does this situation or condition of the property (on which this application is based) generally apply to other properties in the same zone?**

No, it is a unique hardship to this specific lot. Other lots are developed and thus don't need to comply with the current zoning ordinance because they are "grandfathered in". In 1986, the dwelling was demolished from a previous owner. The zoning ordinance then had specific requirements but since the lot was platted before the ordinance was created, it was not possible to comply with certain requirements without variances.

**3. Was the unreasonable restriction or hardship caused by the applicant?** No

**A. Did the condition exist when the property was purchased?**

Yes, it did exist but the property is not purchased. The applicant has a study period contingency and if the variances are not granted the property will not be purchased as it ' s unbuildable and thus will remain vacant land.

**B. Did the applicant purchase the property without knowing of this restriction or hardship?**

No, the property has not been purchased and the applicant is aware of the hardship thus requesting the variance so the applicant can purchase.

**C. How and when did the condition, which created the unreasonable restriction or hardship, first occur?**

The single family dwelling is seen in a July of 1891 Sanborn map. The property was then demolished in 1986. In 1992, the property was rezoned to CL. Upon the rezoning of the property, the hardship occurred as it was platted over 100 years before, the zoning ordinance did not exist at the time of platting and thus could not conform to requirements that didn ' t exist.

**D. Did the applicant create the unreasonable restriction or hardship and, if so, how was it created?**

No

**4. Will the variance, if granted, be harmful to others?** No

**A. Explain if the proposed variance will be detrimental to the adjacent properties or the neighborhood in general.**

No, it will not be harmful to adjacent properties. In fact, it will be helpful for adjacent properties because it will eliminate an over grown vacant lot with a newly rebuilt single family dwelling. Additionally, it will increase the value of the lot which will help with adjacent property owners valuations as well.



**B. Has the applicant shown the proposed plans to the most affected property owners? Have these property owners written statements of support or opposition of the proposed variance? If so, please attach the statements or submit at the time of the hearing.**

No, the applicant is waiting on BAR for preliminary feedback. Once the plan is administratively approved by BAR staff, the applicant is going to proactively reach out to all adjacent neighbors.

The applicant will request written statements from neighbors but statements are not guaranteed as the applicant has not discussed this with them yet.

**5. Is there any other administrative or procedural remedy to relieve the hardship or unreasonable restriction?**

No, staff has instructed the applicant this is the only means to rebuild the single family dwelling.

**PART C**

**1. Have alternative plans or solutions been considered so that a variance would not be needed? Please explain each alternative and why it is unsatisfactory.**

Lot size, frontage and side yard setbacks are not possible by any means given the original platted size did not conform to the zoning ordinance that was created after it was platted.

Front yards are possible and have been explored. Abiding by this requirement would make this single family dwelling significantly different than these urban adjacent lots.

BAR staff has requested, “ We highly recommend looking at the streetscape of the block for design inspiration ” . BAR staff has also requested, “ While BAR does not recommend slavishly copying what is there/historic, they do want new construction to blend into the community. It must fit in while at the same time not trying to fool the casual observer that it is an original building. ”

Yes, other plans have been explored but BAR wants the new dwelling to “ blend in ” with existing lots. In order to accomplish this we would need a front yard variance.

2. **Please provide any other information you believe demonstrates that the requested variance meets the required standards.**

Please see attached aerial photos of neighboring lots & street scape.

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**\*\*\*ATTENTION APPLICANTS\*\*\***

**At the time of application for a Special Use Permit, Rezoning, Vacation, Encroachment, Variance, Special Exception or Subdivision, you must provide a draft of the description of your request you intend to use in the property owner's notice. You must be thorough in your description. Staff will review the draft wording to confirm its completeness.**

**The example illustrates a detailed description:**

"Variance to construct a two-story addition in the required side yards on \_\_\_\_\_ Street."

**If you fail to submit draft language at the time of the application filing deadline, the application will be determined to be incomplete and may be deferred by staff.**



# Department of Planning and Zoning

## Floor Area Ratio and Open Space Calculations for

### Single and Two-Family Residential Outside Historic Districts

A

#### A. Property Information

A1. 1117 Queen Street, Alexandria, VA 22314

Street Address

CL

Zone

A2. 2000

Total Lot Area

x .75

Floor Area Ratio Allowed by Zone

= 1,500

Maximum Allowable Floor Area

#### B. Existing Gross Floor Area

##### Existing Gross Area

Basement 0  
First Floor 0  
Second Floor 0  
Third Floor 0  
Attic 0  
Porches 0  
Balcony/Deck 0  
Garage 0  
Other\*\*\* 0

##### Allowable Exclusions\*\*

Basement\*\* 0  
Stairways\*\* 0  
Mechanical\*\* 0  
Attic less than 7'\*\*\* 0  
Porches\*\* 0  
Balcony/Deck\*\* 0  
Garage\*\* 0  
Other\*\*\* 0  
Other\*\*\* 0

B1. 00 Sq. Ft.  
Existing Gross Floor Area\*

B2. 00 Sq. Ft.  
Allowable Floor Exclusions\*\*

B3. 00 Sq. Ft.  
Existing Floor Area Minus Exclusions  
(subtract B2 from B1)

##### Comments for Existing Gross Floor Area

Vacant land.

B1. **Total Gross**

0

B2. **Total Exclusions**

0

#### C. Proposed Gross Floor Area

##### Proposed Gross Area

Basement 0  
First Floor 605  
Second Floor 605  
Third Floor 390  
Attic 0  
Porches 0  
Balcony/Deck 0  
Garage 0  
Other\*\*\* 0

##### Allowable Exclusions\*\*

Basement\*\* 0  
Stairways\*\* 90  
Mechanical\*\* 0  
Attic less than 7'\*\*\* 0  
Porches\*\* 0  
Balcony/Deck\*\* 0  
Garage\*\* 0  
Other\*\*\* 160  
Other\*\*\* 0

C1. 1600 Sq. Ft.  
Proposed Gross Floor Area\*

C2. 250 Sq. Ft.  
Allowable Floor Exclusions\*\*

C3. 1350 Sq. Ft.  
Proposed Floor Area Minus Exclusions  
(subtract C2 from C1)

C1. **Total Gross**

1600

C2. **Total Exclusions**

250

#### D. Total Floor Area

D1. 1350 Sq. Ft.  
Total Floor Area (add B3 and C3)

D2. 1500 Sq. Ft.  
Total Floor Area Allowed  
by Zone (A2)

#### E. Open Space (RA & RB Zones)

E1. 2000 Sq. Ft.  
Existing Open Space

E2. 800 Sq. Ft.  
Required Open Space

E3. 1395 Sq. Ft.  
Proposed Open Space

#### Notes

\*Gross floor area for residential single and two-family dwellings in the R-20, R-12, R-8, R-5, R-2-5, RB and RA zones (not including properties located within a Historic District) is the sum of all areas under roof of a lot, measured from exterior walls.

\*\* Refer to the Zoning Ordinance (Section 2-145(A)) and consult with Zoning Staff for information regarding allowable exclusions. Sections may also be required for some exclusions.

\*\*\* Refer to the Zoning Ordinance (Section 2-145(A)) and consult with Zoning Staff for additional allowable exclusions. Additional exclusions may include space under balconies, retractable awnings, etc.

The undersigned hereby certifies and attests that, to the best of his/her knowledge, the above computations are true and correct.

Signature:

*Notary*

Date:

1/21/2021

19

## Part B

### 1A.

1. LOT SIZE: This lot platted was at 2,000 SF over 100 years ago. The CL zoning allows single family dwellings but requires 5,000 SF which is not possible given this provision of the zoning ordinance was created after it was platted. We are requesting this variance because then the lot would be deemed unbuildable.
2. FRONTAGE: This lot was platted with roughly 20' of frontage. The CL zoning requires single family dwellings to have a minimum of 50 feet of frontage which is not possible given it was platted before the zoning ordinance had this requirement. We would request the frontage be equivalent to the platted size as requiring the 50' frontage would deem this lot unbuildable.
3. YARDS:
  - a. FRONT YARDS: CL zoning requires a minimum front yard of 20'. Although having a 20' front yard is required and possible, it would not fit in with the neighboring lots. We would request the front yard matches the front line of the parcels to the west which is set back roughly 7'. It's not possible to match the parcels to the east because their front steps are currently over the property lines and infringe on the sidewalks. See survey for details.
  - b. SIDE SETBACK: CL requires a 1:3 setback ratio and a minimum of eight feet for side yards. The lot is roughly 20' wide. If two side yards of 8' are required, then the house would be 4' wide. When you take out walls, drywall, insulation and trim, the interior of the house would be 3' wide which is unlivable. We are requesting the side setbacks be 1' 6" on the left and right side of the house. This will match the neighbors properties which do vary but they are roughly 3 feet apart or 1' 6" for each neighbor. See survey for details.

### 1B.

If the variances were granted, the lot could be rebuilt by the owner and thus enjoy the use of their property. If the variances are not granted for Lot Size, Frontage and Side Yard Setbacks, then the rebuilding of the demolished single-family dwelling is not possible as the lot was platted before the zoning restrictions were adopted.

The Front Yard is achievable but the applicant, BAR staff and zoning staff all agree that it should look uniform with neighboring lots. The neighboring lots and this lot should be harmonious with one another and allowing this lot to mirror other lots is to everyone's advantage.



Dear Neighbor,

My name is Matt Gray and I have a contract to purchase a property located at 1117 Queen Street, Alexandria, VA 22314. You are receiving this notice to make you aware that we are requesting zoning variances in order to build a new single-family dwelling on the lot. We are asking for (4) variances that you should be aware of.

**Lot Size:** The zoning ordinance requires that any single-family dwelling has a minimum lot size of 5,000 SF. This lot was platted over 100 years ago at 2,000 SF and can not comply with this requirement.

**Frontage:** The zoning ordinance requires that any single-family dwelling has a minimum frontage of 50'. Our lot was platted over 100 years ago at roughly 20' so we are unable to achieve this 50' wide requirement.

**Front Yards:** The zoning ordinance requires that any single-family dwelling shall provide a 20' front yard. Although this is possible, it does not match our adjacent neighbors. Thus, we are asking to match our neighbors at 0' frontage (essentially at the sidewalk face) so that our house blends in with adjacent neighbors.

**Side Yards:** The zoning ordinance requires a minimum of 8' side yards. Since the whole yard is roughly 20' wide, you would then take out 16'. Our house would then be less than 4' wide which makes it inhabitable. We are requesting that we have a 4' side yard on one side and 0' side yard on the other.

There was a house here before it was demolished. Since it was demolished, it is not possible for us to have a home here if the above variances were not granted and thus this hardship makes the lot unbuildable. We would greatly appreciate any support you could give us so we can rebuild our home here. Thank you for your consideration.

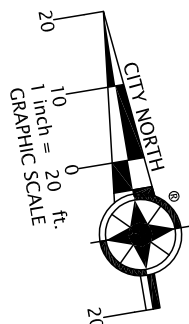
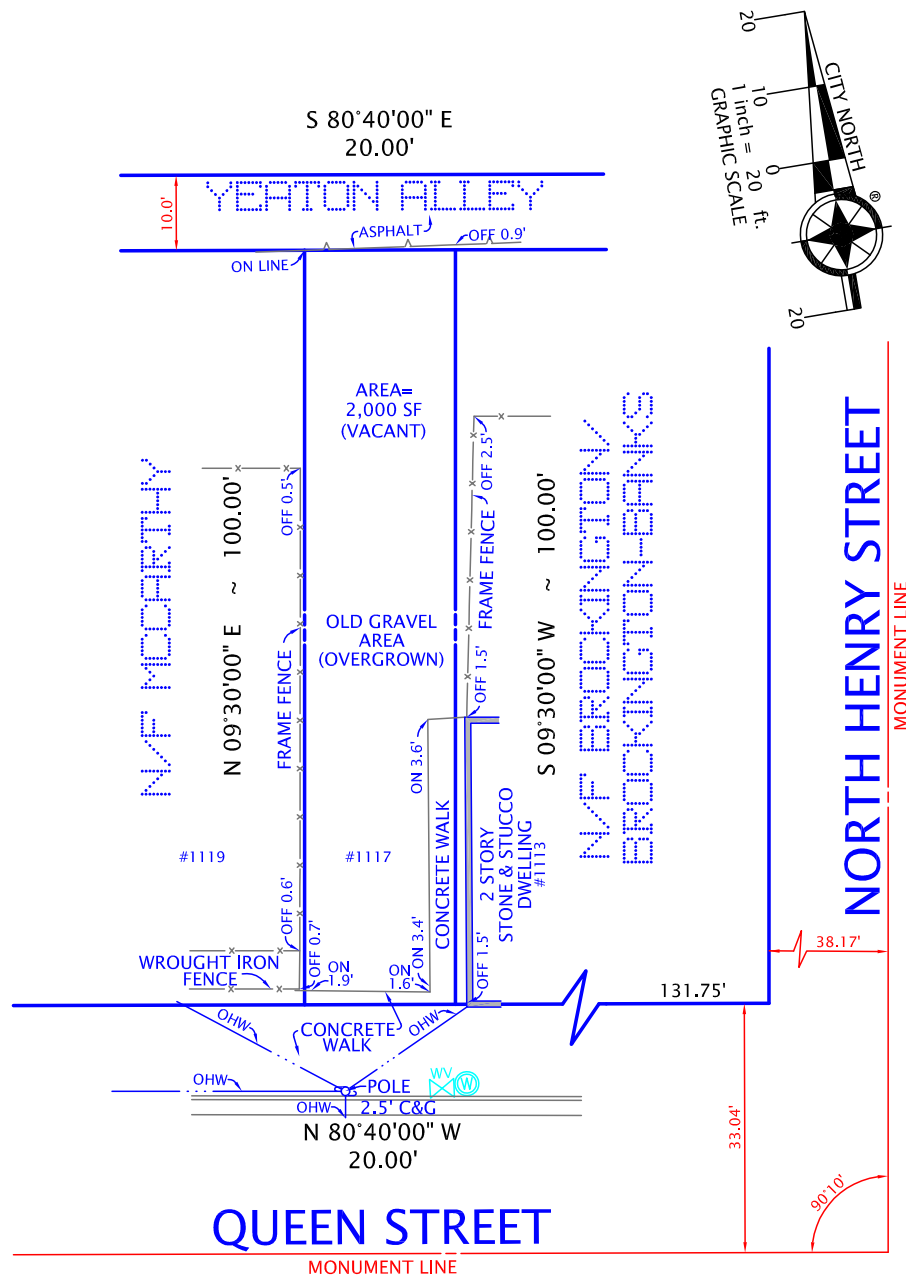
With regards,

Matt Gray

571-405-7671

[mgray@msg.properties](mailto:mgray@msg.properties)

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PLAT  
SHOWING HOUSE LOCATION ON  
THE PROPERTY LOCATED AT  
**#1117 QUEEN STREET**  
(INSTRUMENT NO. 070013083)  
CITY OF ALEXANDRIA, VIRGINIA  
SCALE: 1" = 20' JANUARY 19, 2021

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.



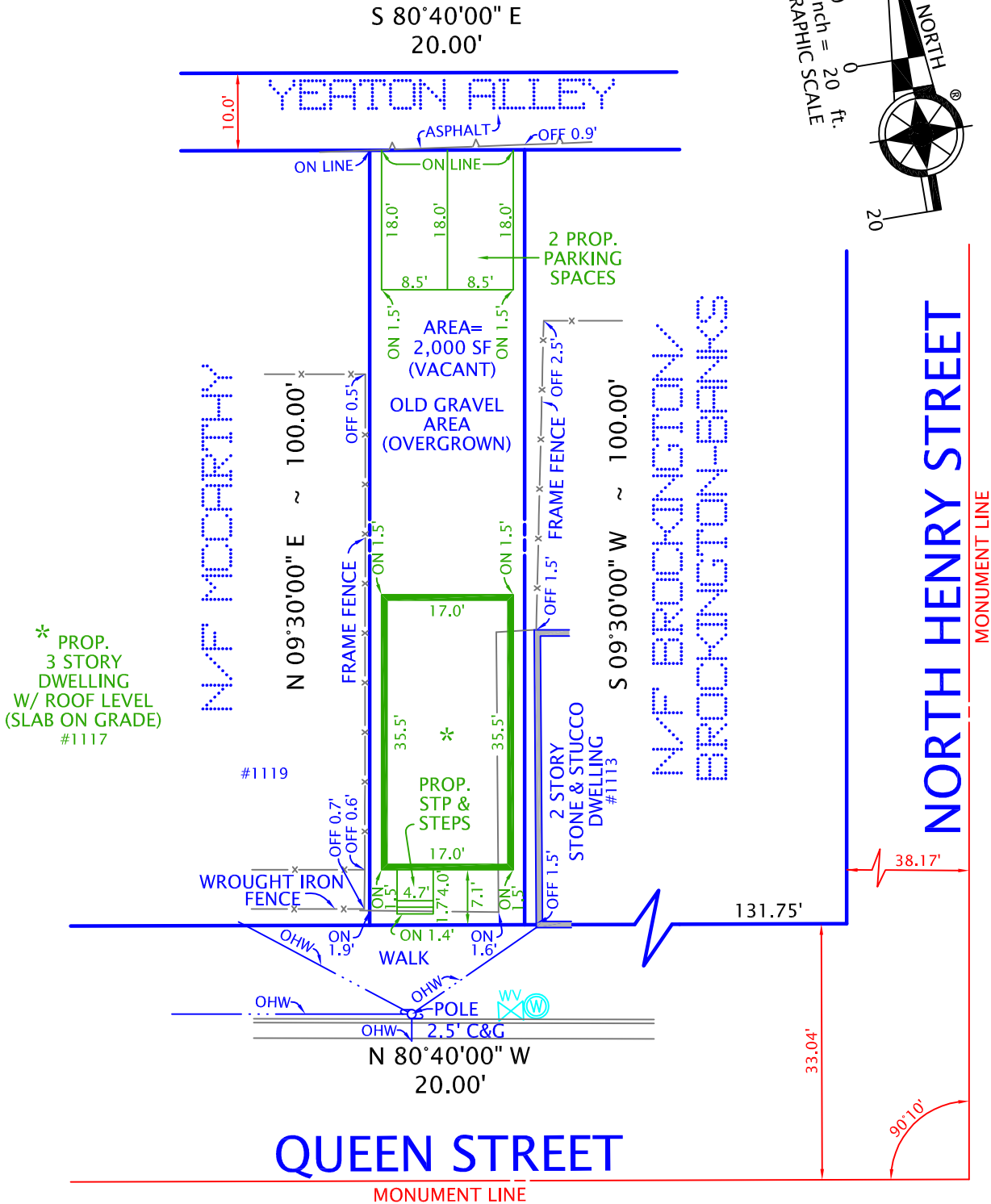
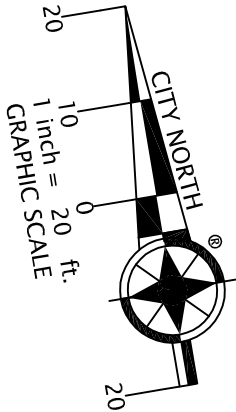
CASE NAME:

BUNN  
MATT GRAY

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



NOTES: 1. THIS IS A CONCEPTUAL SKETCH AND DOES NOT SHOW PRELIMINARY ENGINEERING.



PLAT  
SHOWING HOUSE LOCATION ON  
THE PROPERTY LOCATED AT  
**#1117 QUEEN STREET**

(INSTRUMENT NO. 070013083)

CITY OF ALEXANDRIA, VIRGINIA

SCALE: 1" = 20'

JANUARY 19, 2021

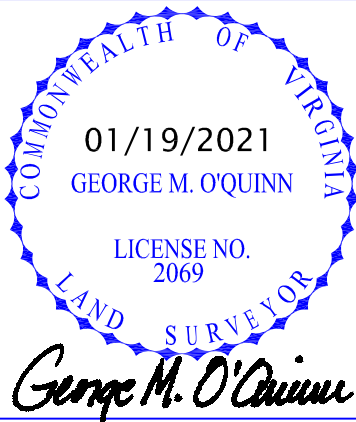
FEBRUARY 01, 2021 (PROP. DWELLING)

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:

BUNN  
MATT GRAY

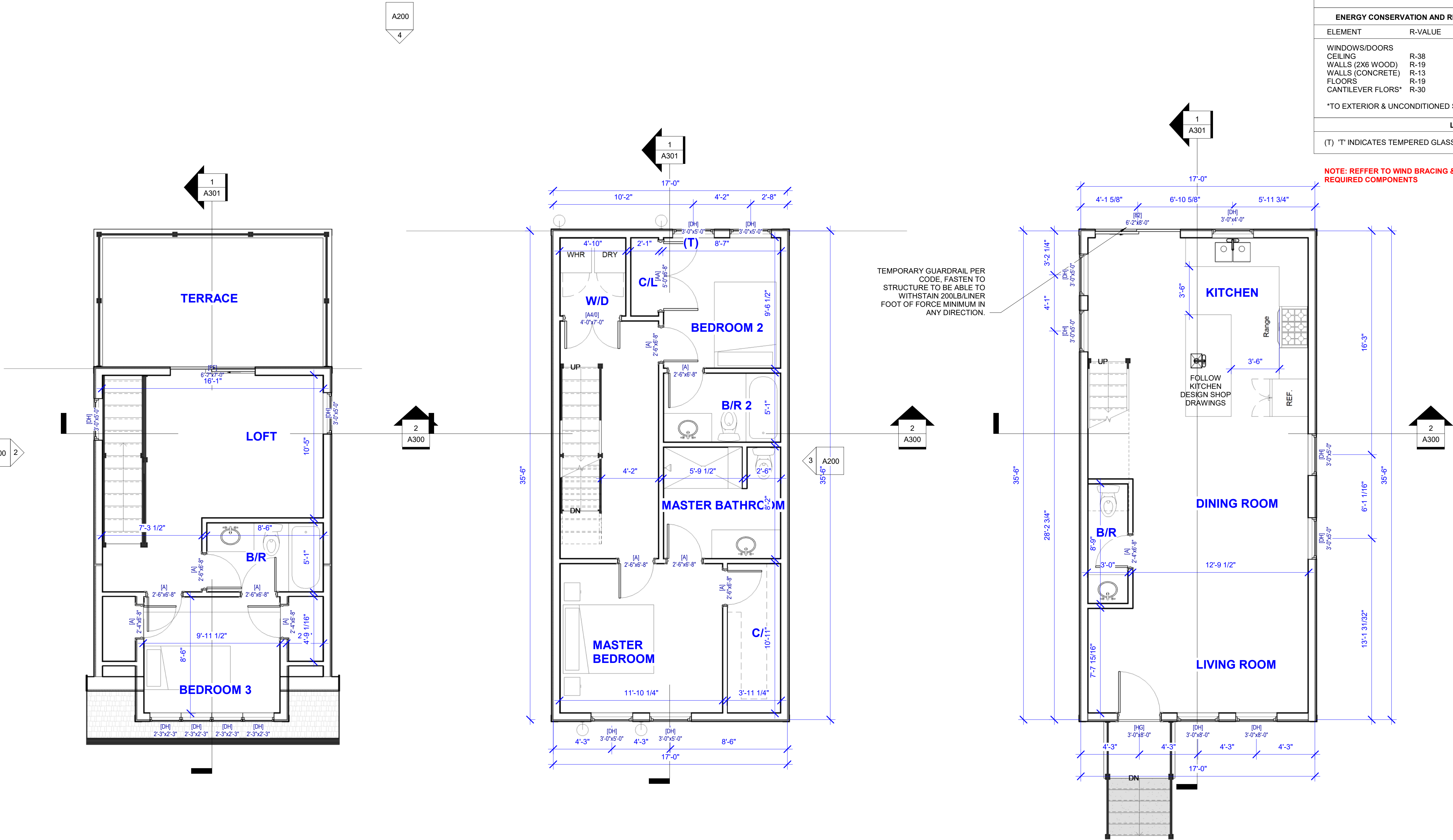


**DOMINION**

Surveyors  
Inc.®

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





GENERAL NOTES			
A. ALL EXTERIOR FRAMED WALLS TO BE 2X6 STUDS @ 16" O.C. U.N.O.			
B. ALL BEARING INTERIOR WALLS 2 X 6 @ 16" O.C. UNO			
C. ALL INTERIOR FRAMED WALLS TO BE 2X4 STUDS @ 16" O.C. U.N.O.			
D. ALL BEARING WALLS TO BE 16" O.C AND DBL TOP PLATES U.N.O.			
E. ALL INTERIOR FRAMED WALLS W/ CASE OR POCKET DOORS TO BE 2X6 STUDS U.N.O.			
F. ALL FOUNDATION WALLS TO SIZED PER STRUCTURAL PLANS.			
G. ALL LUMBER EXPOSED TO THE ELEMENTS TO BE PRESSURE TREATED.			
H. ALL DIMENSIONS ARE TO ROUGH STUDS U.N.O.			
I. NOTIFY ARCHITECT OF ANY DISCREPANCIES WITH PLANS & SITE CONDITIONS PRIOR TO PROCEEDING WITH ANY WORK.			
J. ALL EXTERIOR DOOR AND WINDOW ARE SHOWN ARE GENERIC AND MUST BE COORDINATED BY THE GENERAL CONTRACTOR AND MANUFACTURE SPECIFICATIONS.			
K. ALL 2X FRAME WALLS ADJACENT TO CONC. WALLS TO HAVE PT. SILLS PLATES AND ARE TO BE SET 1/2" OFF OF CONC WALL.			
L. ALL RAILING TO BE INSTALLED PER IRC SECTION R311.5.6			
M. EXTERIOR HOSE BIBS (HB) ARE TO BE FROST PROOF			
N. U.N.O. HEAD HEIGHT FOR ALL EXTERIOR WINDOWS 8'0" @ 1ST FLOOR & 2ND FLOOR AND 6'8" IN BASEMENT			
O. FOR ROUGH OPENINGS REFER TO DOOR WINDOW MANUFACTURER SPECS			
P. ALL 1ST FLOOR INTERIOR DOORS 8' TALL. BASEMENT AND 2ND FLOOR ARE 6'8" TALL.			
Q. UNO, FOLLOW MANUFACTURER'S GUIDELINES FOR TEMPERED GLASS IN WINDOWS			
R. ALL FINISHED AREAS OF BASEMENT TO RECEIVE R-15 BATT INSULATION IN EXTERIOR WALLS			
S. UNFINISHED AREAS TO RECEIVE FOIL FACED R-15 BATTS			
T. WATER PROOF WALLS MIN 6" ABOVE GRADE UNO, PARGE WALLS MIN 12" BELOW GRADE, TYP			
GARAGE NOTES			
A. (1) LAYER OF 5/8" RATED GWB ALL WALLS AND STRUCTURAL ELEMENTS & (1) LAYER OF 5/8" RATED GWB @ CEILING.			
B. PROVIDE RATED WALLS AND CEILINGS TO ADJACENT LIVING SPACES			
ENERGY CONSERVATION AND REQUIRED INSULATION VALUES PER IRC			
ELEMENT	R-VALUE	U-VALUE	SHGC
WINDOWS/DOORS		0.30	0.35
CEILING	R-38		
WALLS (2X6 WOOD)	R-19		
WALLS (CONCRETE)	R-13		
FLOORS	R-19		
CANTILEVER FLORS*	R-30		
*TO EXTERIOR & UNCONDITIONED SPACE, SPRAY FOAM CLOSED CELL FOAM			
LEGEND			
(T) 'T' INDICATES TEMPERED GLASS IN DOOR OR WINDOW.			

NOTE: REFFER TO WIND BRACING & DETAILS FOR WIND BRACING AND REQUIRED COMPONENTS

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10486 COLONEL COURT  
MANASSAS VA 20110  
(703)420-8141  
www.S2RArchitects.com  
JD@S2RArchitects.com

NEW SINGLE  
FAMILY HOME

1117 QUEEN STREET  
ALEXANDRIA VA

REVISION

DATE

00/00/0000

SHEET TITLE

FIRST SECOND  
AND THIRD FLOOR  
PLAN

SHEET #

A101

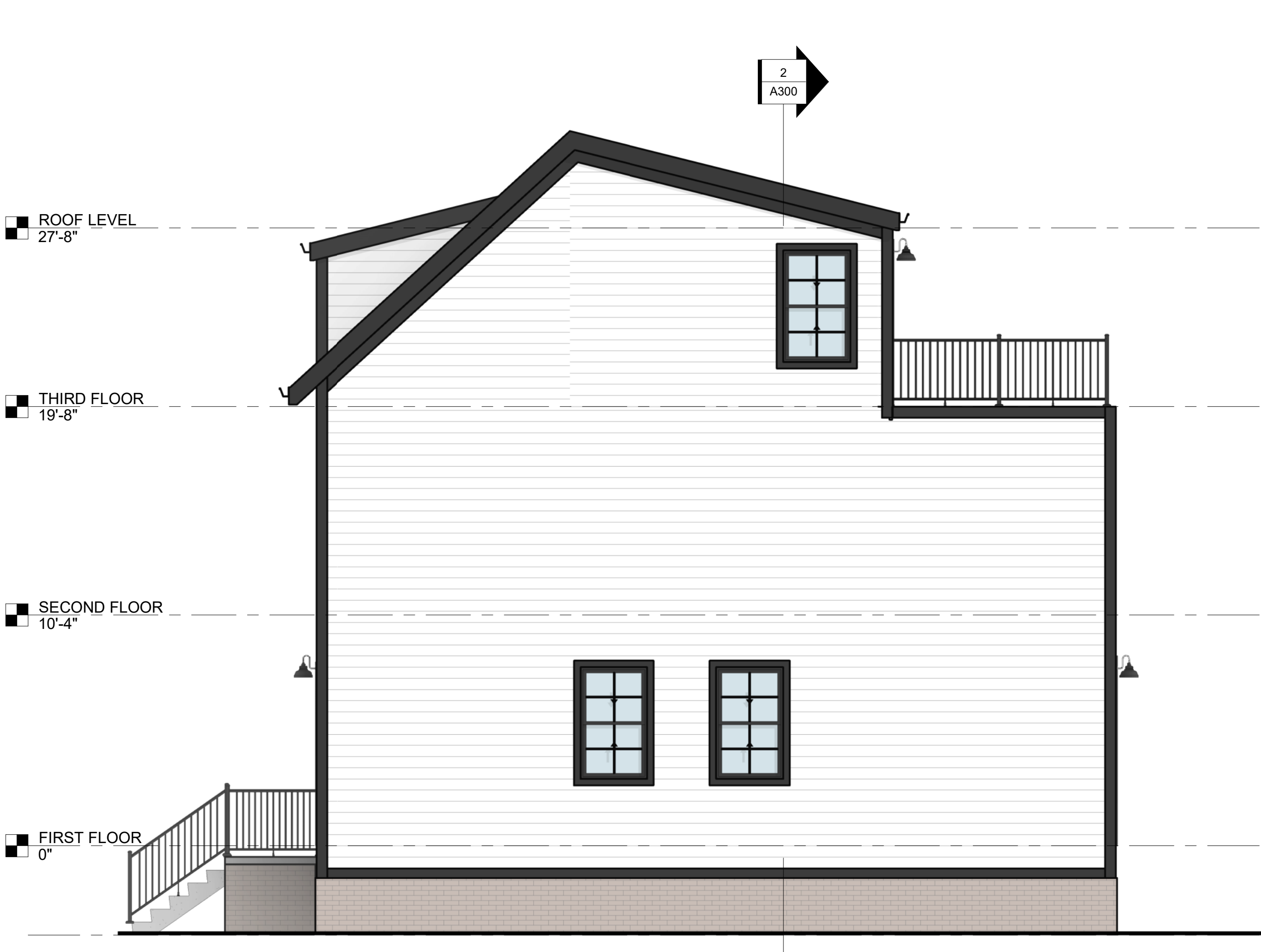
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PROJECT #

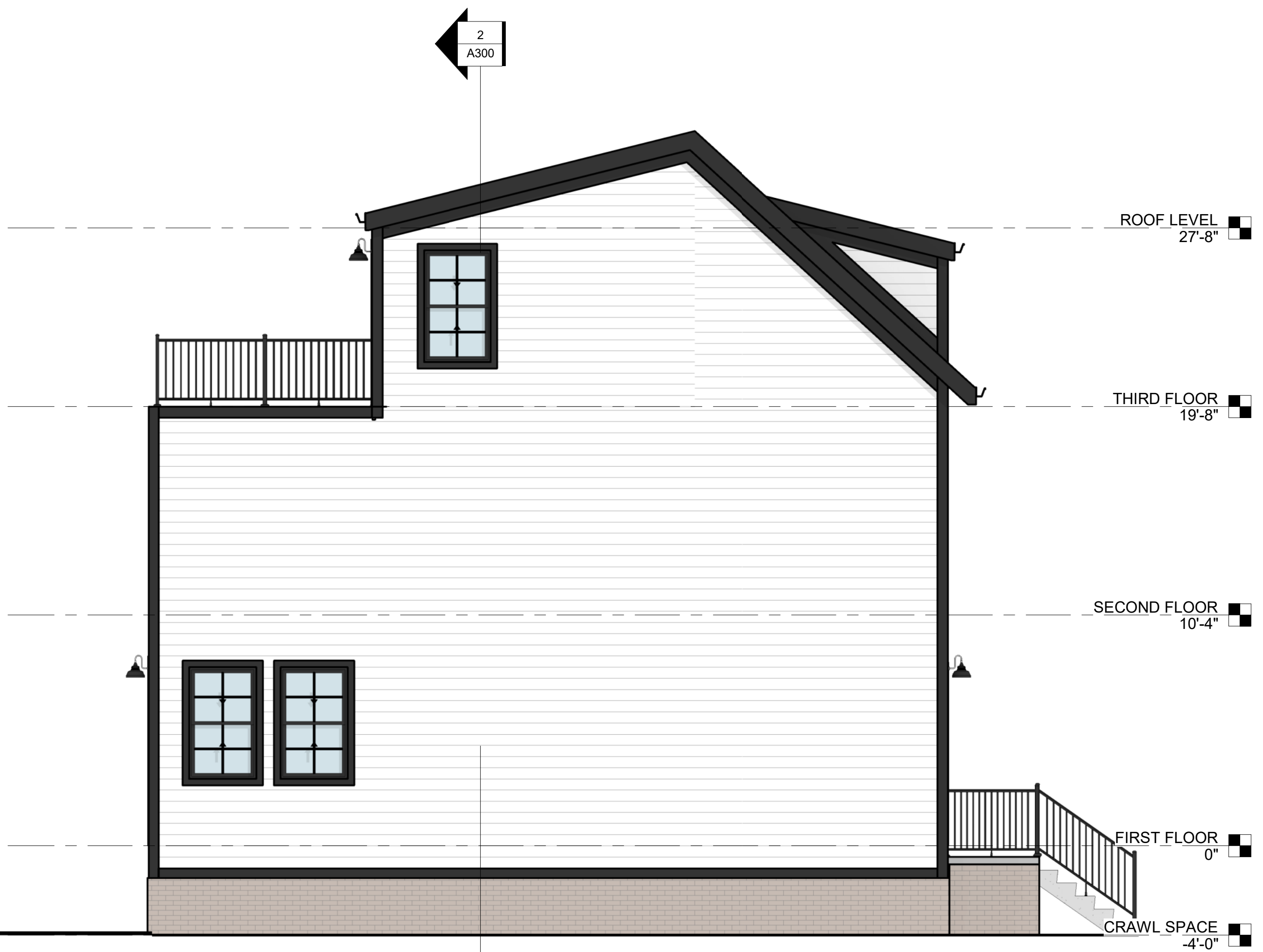
J21007

PER THE UNITED STATES COPYRIGHT LAW COMPENDIUM OF U.S. COPYRIGHT OFFICE PRACTICES SECTION 903.2: ARCHITECTURAL WORKS 17 U.S.C. § 101 & SECTION 923. THE DESIGN, DRAWING COMPOSITION, ARRANGEMENT OF SPACES, ELEMENTS, THE LAYOUT AND DETAILS OF THIS PROJECT AS CREATED BY S2R ARCHITECTS IS INTELLECTUAL PROPERTY OF THE CREATOR; NOTHING IS BE COPIED, REPRODUCED, TRANSMITTED OR RECREATED BY ANY MEANS WITHOUT WRITTEN APPROVAL FROM S2R ARCHITECTS. FAILURE TO COMPLY WILL RESULT IN LEGAL ACTION AND PROSECUTION.

25



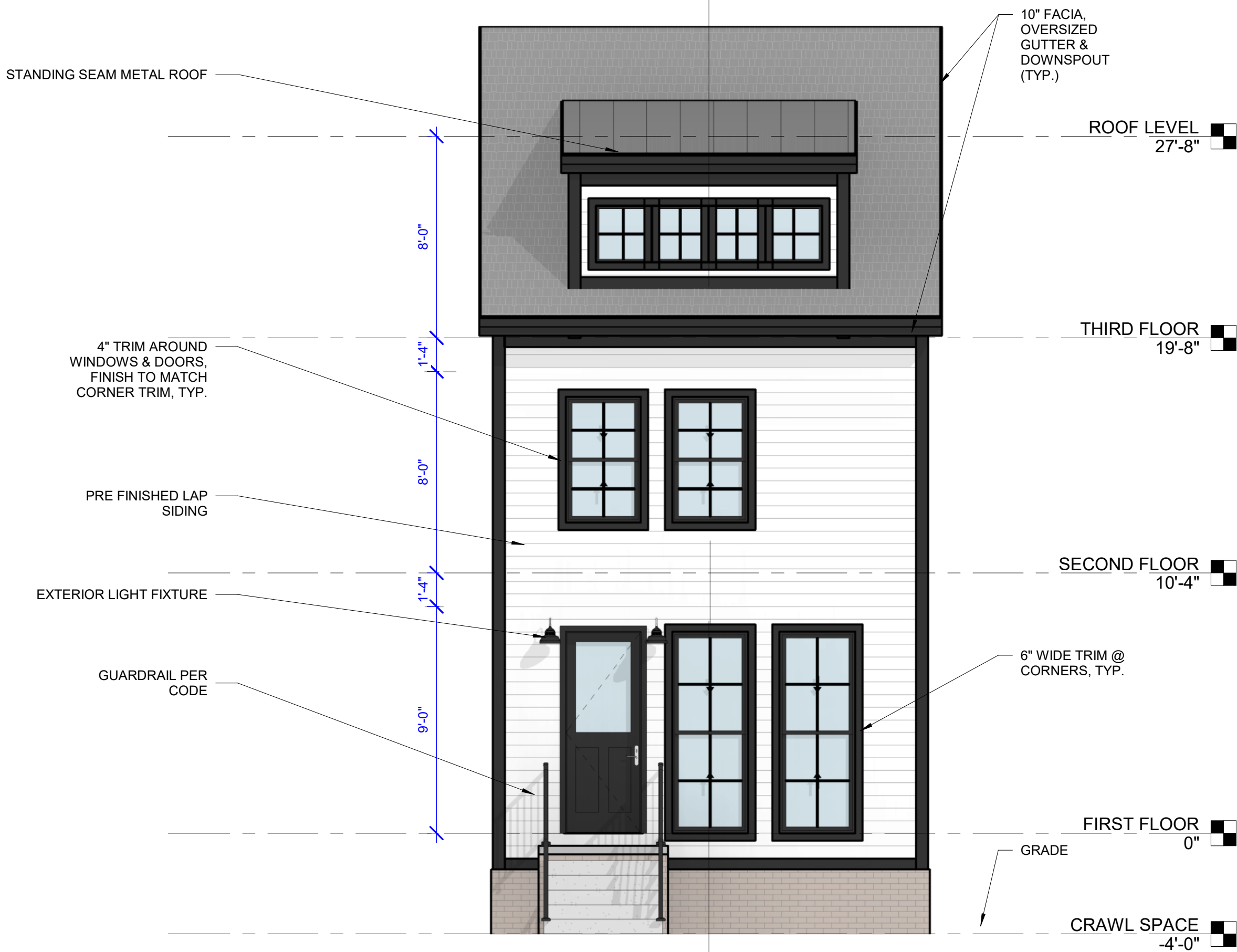
3 RIGHT - ELEVATION  
A200 1/4" = 1'-0"



2 LEFT - ELEVATION  
A200 1/4" = 1'-0"

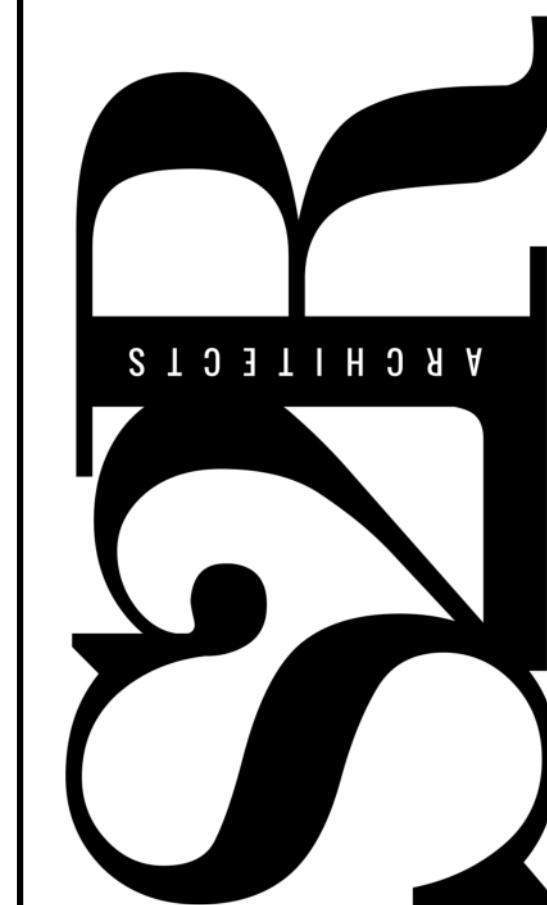


4 REAR - ELEVATION  
A200 1/4" = 1'-0"



1 FRONT - ELEVATION  
A200 1/4" = 1'-0"

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NEW SINGLE  
FAMILY HOME  
1117 QUEEN STREET  
ALEXANDRIA VA

J21007

PROJECT #

SCALE

ISSUE DATE

SHEET TITLE

SHEET #

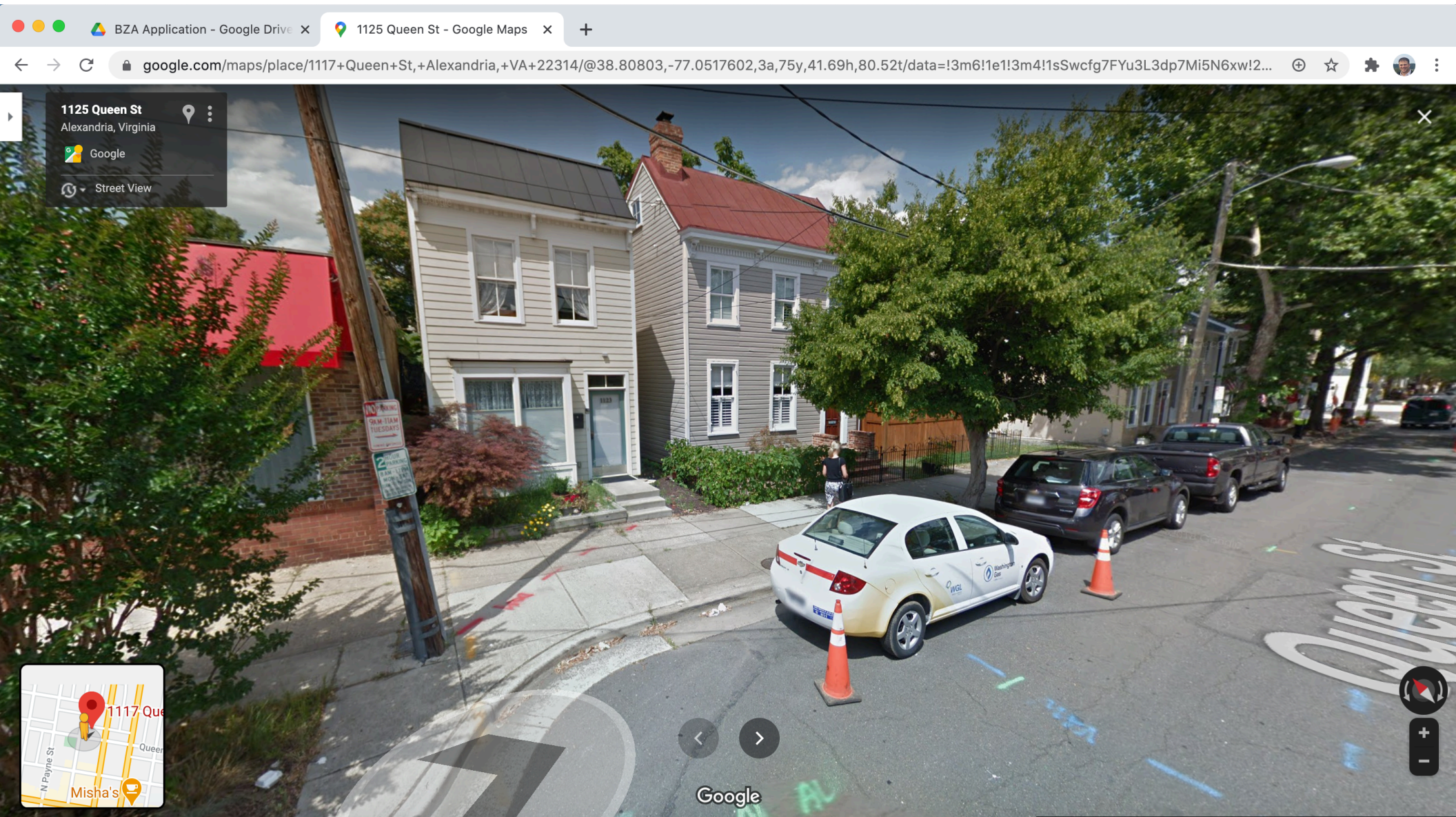
REVISION DATE

00/00/0000

FRONT REAR  
RIGHT & LEFT  
ELEVATIONS

A200

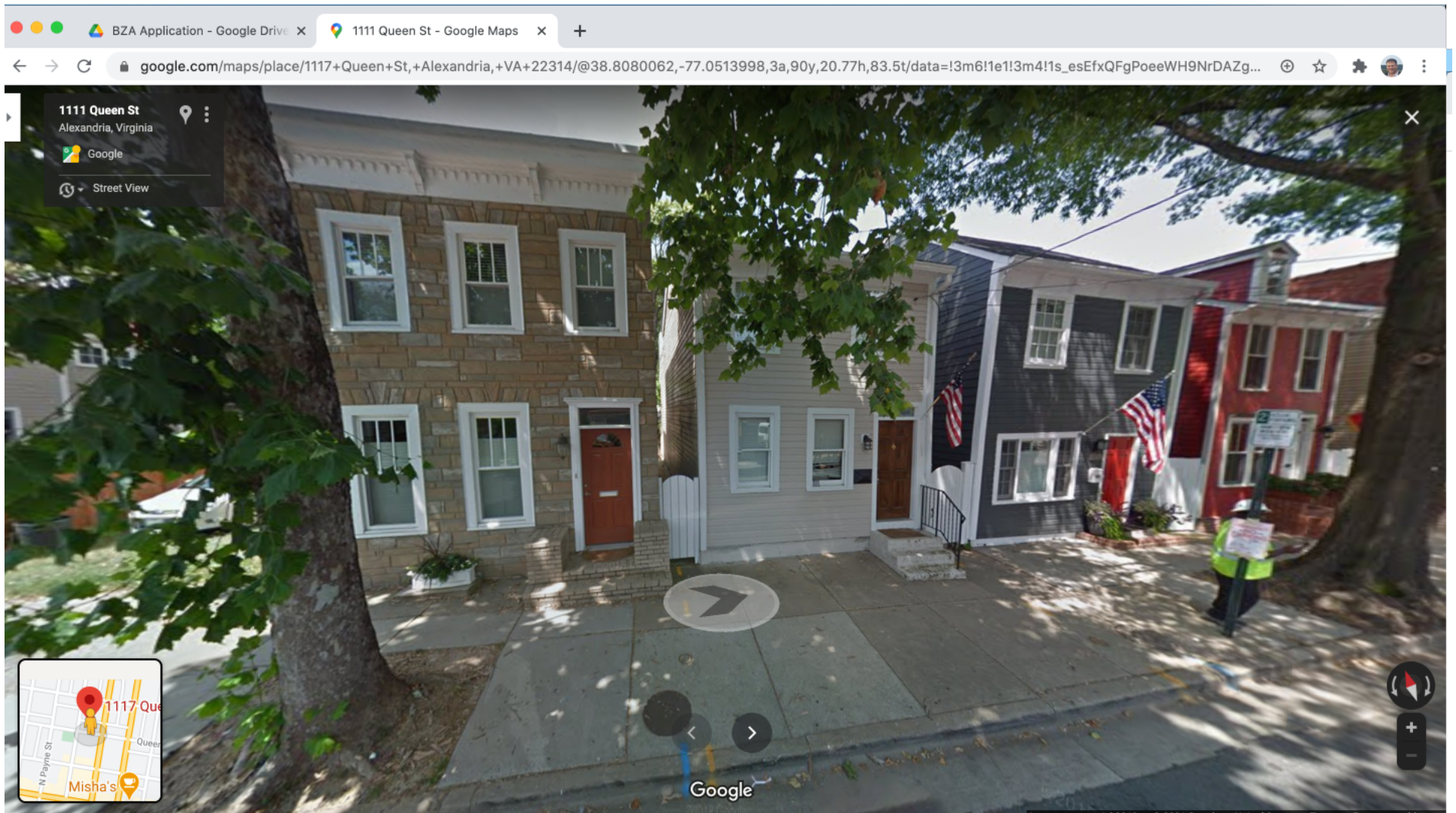




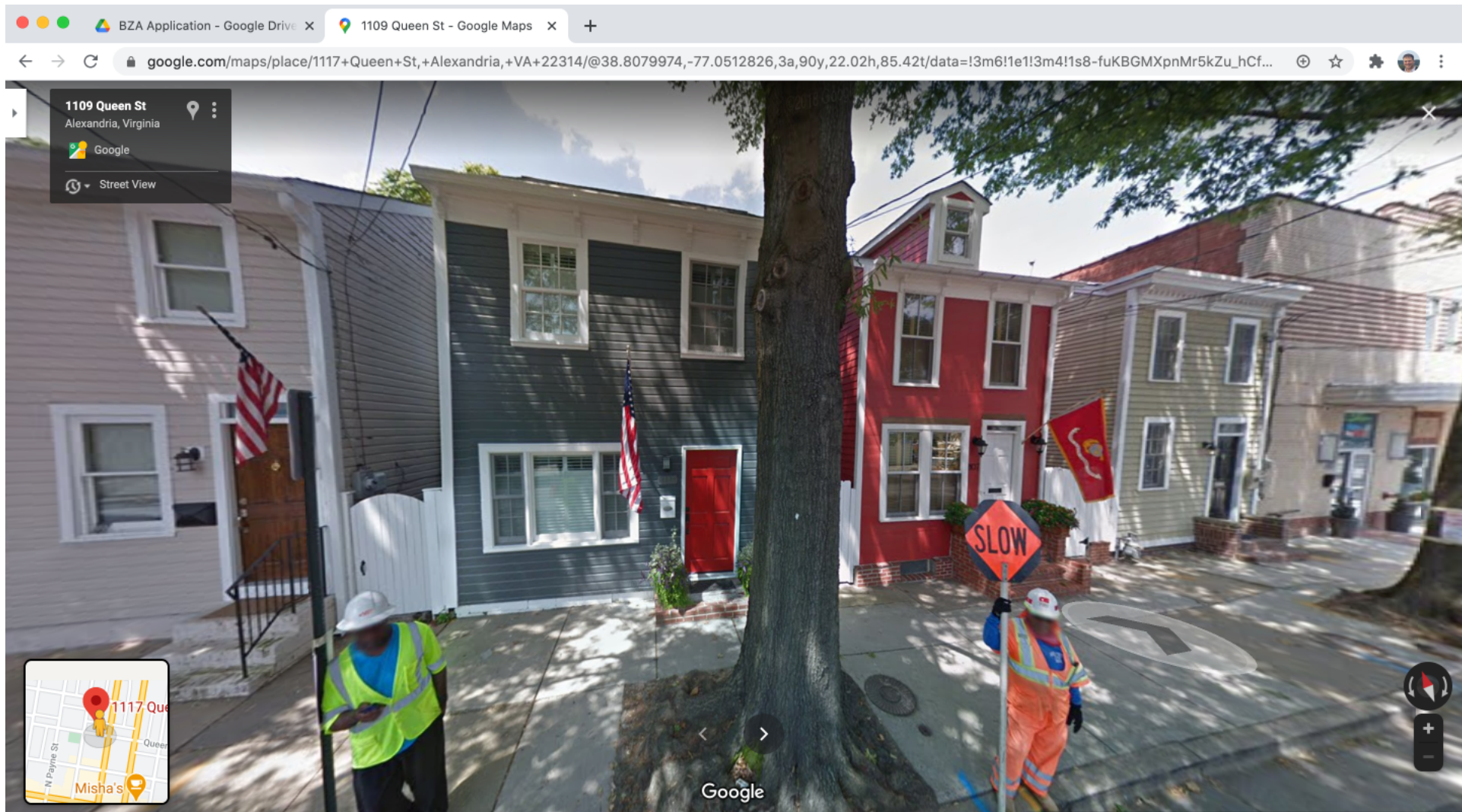
















## Kaliah L Lewis

---

**From:** Jaki McCarthy <jaki.don@gmail.com>  
**Sent:** Friday, March 12, 2021 1:08 PM  
**To:** Kaliah L Lewis  
**Cc:** mgray@msg.properties  
**Subject:** [EXTERNAL]BZA Docket item 2021-00002, 1117 Queen Street

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

To the members of the Alexandria BZA,

We are submitting this letter in reference to BZA case # 2021-00002 a request for variances for development of 1117 Queen Street. We are the owners of both 1119 (lot) and 1119 ½ (house) Queen street. We are currently using this lot as a side yard for 1119 ½ but would like to build on this in the future. We do not oppose the request for variances or the building of a residential dwelling on 1117 Queen Street. However, the request is not unique to 1117 as stated in the variance request as the same issues relate to our adjacent lot at 1119. Our lot at 1119 is identical in size and shape to 1117. We would ask the BZA to consider granting these same variances to us for any potential future development of our lot adjacent. We also request that any variances granted for 1117 Queen Street do not negatively impact our future ability to build on 1119.

Regarding the proposed plan for the house to be built on 1117, the concerns we have are for the west side of the proposal adjacent to us. In order to allow future development of our lot, we would request a setback greater than zero from the property line for both lots (a minimum of 1 ½ ' each). Proposed windows on this side of the 1117 property may also conflict with fire code regulations and will be rendered unusable if we were to build on 1119 with the same variance.

Thank you for your consideration.

Donald and Jaki McCarthy

703-503-5899

[Jaki.don@gmail.com](mailto:jaki.don@gmail.com)

---

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DO NOT CLICK any links or download attachments unless the contents are from a trusted source.**

## Kaliah L Lewis

---

**From:** Matt Gray <mgray@msg.properties>  
**Sent:** Friday, March 12, 2021 3:13 PM  
**To:** Kaliah L Lewis  
**Subject:** FW: BZA Docket item 2021-00002, 1117 Queen Street

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Kaliah,

See below. I didn't put you on the email so you aren't bombarded with emails. My wife and I will work with Jaki and Donald to work out an amicable resolution. I just wanted to let you know that I did respond to them.

Have a nice weekend.

Matt Gray  
Mobile: 571-405-7671  
[www.msg.properties](http://www.msg.properties)

---

**From:** Matt Gray <mgray@msg.properties>  
**Date:** Friday, March 12, 2021 at 3:11 PM  
**To:** Jaki McCarthy <jaki.don@gmail.com>  
**Cc:** Erica Gray <efelker928@gmail.com>  
**Subject:** Re: BZA Docket item 2021-00002, 1117 Queen Street

Hi Jaki & Donald,

Good afternoon and thank you for reaching out. I wanted to reach out and let you know that my wife (Rikki) and I have every intension to work with our, hopefully future, neighbors. We are currently living down the street in Old Town and would really enjoy living on Queen Street. I wanted to address some of your concerns.

- 1) We are requesting 1.5' on each side of the house which is typical on this block. You made a valid point and as I builder I understand your concerns. In the future, it would be ideal if they can approve your lot as well for 1.5' side yard offset which will give the buildings 3' so siding can be installed & maintained.
- 2) I'm not sure I follow you on the windows. Anything that we will be proposing from an architectural standpoint will have to be code compliant. I think it's best if we discuss this further so we can make sure it works for you as well as us before I finalize the design. I can send you the preliminary drawings if that helps you.

I would appreciate if we can discuss above a little further on a Zoom call or I can come meet in person with the typical covid protocols so everyone feels safe. Please let me know if either of these work for you.

Lastly, please know that when you are ready to develop your property we will support you anyway we can at BAR and Zoning hearings. If you need me to provide written justification, in person/virtual meetings with staff or my contacts in the industry, I'm certainly happy to help.

Both Rikki and I look forward to hearing from you.

Regards,



Matt Gray  
Mobile: 571-405-7671  
[www.msg.properties](http://www.msg.properties)

---

**From:** Jaki McCarthy <jaki.don@gmail.com>  
**Date:** Friday, March 12, 2021 at 1:08 PM  
**To:** <kaliah.lewis@alexandriava.gov>  
**Cc:** <mgray@msg.properties>  
**Subject:** BZA Docket item 2021-00002, 1117 Queen Street

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Thank you for your consideration.

Donald and Jaki McCarthy

703-503-5899

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