

## **BOARD OF ZONING APPEALS**

### **PUBLIC HEARING MINUTES**

The regular meeting of the Board of Zoning Appeals was held on  
Monday, April 12, 2021 at 7:00 p.m.

Due to the COVID-19 Pandemic emergency, the April 12, 2021 meeting of the Board of Zoning Appeals is being held electronically pursuant to Virginia Code Section 2.2-3708.2(A)(3), the Continuity of Government ordinance adopted by the City Council on June 20, 2020 or Section 4-0.01(g) in HB29 and HB30, enacted by the 2020 Virginia General Assembly (Virginia Acts of Assembly Ch. 1283 and 1289), to undertake essential business. All of the members of the Board and staff are participating from remote locations through Zoom Webinar. This meeting is being held electronically, unless a determination is made that it is safe enough to be held in person in the City Council Chamber at 301 King Street, Alexandria, VA. Electronic access will be provided in either event. The meeting can be accessed by the public through the live broadcast on the government channel 70, streaming on the City's website, and can be accessed via Zoom by the following link: [https://zoom.us/webinar/register/WN\\_LshOXa9cTmya-hETtXdCTQ](https://zoom.us/webinar/register/WN_LshOXa9cTmya-hETtXdCTQ)

The proceedings of the meeting were recorded; records of each case are on the web at [www.alexandriava.gov/dockets](http://www.alexandriava.gov/dockets) and on file in the Department of Planning & Zoning.

Members Present: Laurence Altenburg, Chair  
Mark Yoo, Vice Chair  
Lee Perna, Secretary  
Erich Chan  
Tim Foley  
Quynn Nguyen  
Jon Waclawski

Absent Members: None

Staff Present: Margaret Cooper, Department of Planning & Zoning  
Tony LaColla, Department of Planning & Zoning  
Kaliah Lewis, Department of Planning & Zoning

## CALL TO ORDER

1. Mr. Altenburg called the April 12, 2021 Board of Zoning Appeals to order at 7:00 p.m.

## NEW BUSINESS

2. BZA #2021-00002 1117 Queen Street Public Hearing and consideration of a request for Variances from lot size, lot frontage, front yard setback requirement and side yard setback requirements to construct a single-family residential dwelling unit; zoned: CL/Commercial Low. Applicant: 1117 Queen Street, LLC

**BOARD OF ZONING APPEALS ACTION, APRIL 12, 2021:** Mr. Waclawski made a motion to approve the variances, seconded by Mr. Foley. Mr. Perna made a motion to amend the motion to approve to include the condition that the new building at 1117 Queen Street must be located a minimum of 3.00 feet from the existing building located at 1113 Queen Street. Ms. Nguyen seconded the amended motion. On the amended motion, the Board of Zoning Appeals voted to approve the variances subject to all applicable codes, ordinances, staff recommendations and conditions. The motion to approve the variances with the condition that the new building at 1117 Queen Street must be located a minimum of 3.00 feet from the existing building located at 1113 Queen Street carried on a vote of 6 to 1. Mr. Altenburg dissented.

### Reason to Approve:

The Board approved the variances for reasons outlined in the staff report.

### Dissenting Reason:

Mr. Altenburg did not give a reason for his dissent.

Mr. Perna expressed concern with the east side yard setback, as the GIS website showed the building at 1113 Queen Street on the property line and not set back 3.00 feet, as shown on the plat. His concerns with the setback were due to fire code requirements for windows near the property line and the ability for the neighbors at 1113 Queen Street to access their downspouts and electric meter.

Mr. Foley also expressed concern with the side yard windows because of the fire code but said 3.00 feet is acceptable between properties. He said the location of the rear parking spots will not be detrimental to the access of the alley. Mr. Foley asked staff if there was an assumption that owners of the vacant lot at 1119 ½ Queen Street would locate a future building 1.5 feet from the property line. Ms. Cooper said the owners at 1119 ½ Queen submitted a letter stating they may apply in the future for a similar variance to allow for a 1.5-foot side yard setback, which would replicate the existing 3.00 feet that is found between the buildings on this block.

Mr. Yoo said the proposed building would not block any access to the electric meter at 1113 Queen Street, as it was near the front of the building and the proposed building would be set back 7.1 feet from the front property line, thus leaving the electric meter fully exposed. He also said Virginia building codes prohibit any openings within 3 feet of a property line.

Mr. Waclawski found the variance requests to be reasonable, as the lot would be unbuildable without them. He also said that fire code issues are outside the purview of the Board of Zoning Appeals and that he had full confidence that additional review processes in place would successfully accomplish the goals of fire code.

Ms. Cooper addressed concerns about damage to neighboring properties by explaining the approval process for grading plans and building permits.

Speakers:

Duncan Blair, representing the applicant, spoke about the proposal and answered questions from the Board.

Monique Banks, neighbor at 1113 Queen Street, said she is concerned about possible damage to neighboring properties and the space between the proposed building and her home.

Kendra Martello, property owner at 315 Fayette Street, expressed concern about accessing her parking off Yeaton Alley if the project is approved.

Diana and Dean Hakala, neighbor on North Fayette Street, submitted a statement through the chat feature expressing concern about being able to access their parking off of Yeaton Alley if vehicles on the subject property are parked too close to the alley.

Frieda Brockington, neighbor at 1113 Queen Street, expressed concern about possible damage to her property.

**OTHER BUSINESS**

None.

**MINUTES**

3. Consideration of the minutes from the March 8, 2021 Board of Zoning Appeals Hearing.

**BOARD OF ZONING APPEALS ACTION, APRIL 12, 2021:** On a motion by Mr. Perna, seconded by Mr. Yoo, the Board of Zoning Appeals approved the minutes as submitted. The motion carried on a vote of 7 to 0.

**ADJOURNMENT**

4. The Board of Zoning Appeals hearing was adjourned at 7:45 p.m.