

BOARD OF ZONING APPEALS PUBLIC HEARING MINUTES

The regular meeting of the Board of Zoning Appeals was held on
Monday, December 14, 2020 at 7:00 p.m.

Due to the COVID-19 Pandemic emergency, the December 14, 2020 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: URL Link:

https://zoom.us/webinar/register/WN_H_F8wOfYRSKsbxFc4Nv2RQ

The proceedings of the meeting were recorded; records of each case are on the web at 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
Daniel Poretz
Jon Waclawski

Absent Members: Quynn Nguyen, Excused

Staff Present: Mary Christesen, Department of Planning & Zoning
Tony LaColla, Department of Planning & Zoning
Kaliah Lewis, Department of Planning & Zoning
Alexa Powell, Department of Planning & Zoning
Sam Shelby, Department of Planning & Zoning

CALL TO ORDER

1. Mr. Altenburg called the December 14, 2020 Board of Zoning Appeals to order at 7:00 p.m.

NEW BUSINESS

2. BZA #2020-00020

419 East Del Ray Avenue

Public Hearing and consideration of a request for a Special Exception to construct a two-story addition in the required side yard setback; zoned: R-2-5/Single and Two Family.

Applicant: Brian Hallahan & Jamie Melissa Nolan, represented by Greg Marks

BOARD OF ZONING APPEALS ACTION, DECEMBER 14, 2020: On a motion by Mr. Yoo, seconded by Mr. Perna, the Board of Zoning Appeals approved the special exception subject to all applicable codes, ordinances and staff recommendations. The motion carried on a vote of 6 to 0.

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

Speakers:

Greg Marks, representative for the applicant, made the presentation.

Mr. Yoo identified an error on the drawing that shows the downspout encroaching onto the neighboring property that will need to be corrected prior to submitted for permits. Mr. Perna and Yoo commented that the application was modest and in keeping with the standards of the special exception criteria.

3. BZA #2020-00022

325 North Henry Street

Public Hearing and consideration of a request for a Variance from the required lot area, frontage, front yard setback and side yard setback and open space to revert from a commercial use to a single-family residential dwelling; zoned: CL/Commercial Low.

Applicant: Noel Sweeny

BOARD OF ZONING APPEALS ACTION, DECEMBER 14, 2020: On a motion by Mr. Perna, seconded by Mr. Yoo, the Board of Zoning Appeals approved the variances subject to all applicable codes, ordinances, staff recommendations and conditions. The motion carried on a vote of 6 to 0.

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

Speakers:

Noel Sweeny, property owner, made the presentation.

4. BZA #2020-00023

113 South Saint Asaph Street

Public Hearing and consideration of a request for variances from the required side and rear yards, lot size and frontage and maximum dwelling units per acre to convert an existing commercial building to a multi-family dwelling; zoned: CD/Commercial Downtown. Applicant: Zachary Burson Cotter

BOARD OF ZONING APPEALS ACTION, DECEMBER 14, 2020: On a motion by Mr. Yoo, seconded by Mr. Poretz, the Board of Zoning Appeals moved to defer BZA Case #2020-00023. The motion carried on a vote of 6 to 0 with Ms. Nguyen excused.

Reason: The Board found that complete, interior floorplans for the subject property would be necessary to evaluate whether the request met the variance standards.

Speakers:

Zachary Cotter, applicant, presented the case.

Mr. Perna asked for staff to explain how the Zoning Ordinance defines a first floor in the KR zone. He observed that the first floor of the building on the subject property is not ADA accessible. Staff replied that the KR zone defines first floor as within four feet above the sidewalk. If the property were zoned KR, staff explained that the basement level of the subject building would be required to be occupied by commercial uses to qualify for relief from the residential lot, bulk and open space requirements under the accessory apartment provisions.

Mr. Yoo asked for staff to clarify the CD zone density requirements. Staff replied that the CD zone has a two-part density requirement based on lot size: 1,245 square feet of lot area per dwelling unit and a maximum of 35 dwelling units per acre. Staff explained that the by-right density for a multifamily dwelling on the subject property would allow for two dwelling units.

Mr. Waclawski asked for staff to clarify how many units were proposed by the applicant. Staff replied that the building contains two existing dwelling units and that the applicant proposes to reconfigure the interior space to create two additional dwelling units.

Chairman Altenburg stated the floorplans included with the docket did not show the complete, proposed floorplans. He felt that it was inappropriate to consider the case without these materials and suggested that the case be deferred.

OTHER BUSINESS

None

MINUTES

5. Consideration of the minutes from the November 9, 2020 Board of Zoning Appeals Hearing.

BOARD OF ZONING APPEALS ACTION, DECEMBER 14, 2020: 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 6 to 0.

ADJOURNMENT

6. The Board of Zoning Appeals hearing was adjourned at 7:50 p.m.