

BOARD OF ZONING APPEALS

PUBLIC HEARING MINUTES

The regular meeting of the Board of Zoning Appeals was held on
Monday, May 10, 2021 at 7:00 p.m.

Due to the COVID-19 Pandemic emergency, the May 10, 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:

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
Tim Foley
Quynn Nguyen
Jon Wacławski

Absent Members: None

Staff Present: Mary Christesen, Department of Planning & Zoning
Margaret Cooper, Department of Planning & Zoning
Kaliah Lewis, Department of Planning & Zoning

CALL TO ORDER

1. Mr. Altenburg called the May 10, 2021 Board of Zoning Appeals to order at 7:00 p.m.

NEW BUSINESS

2. Resolution Finding Need to Conduct the Board of Zoning Appeals Electronically.
No action was taken the Board on this item because the emergency notice had already been read.
3. BZA #2021-00005
314 Commerce Street
Public Hearing and consideration of a Special Exception to construct a roof deck and pergola in the required rear yard; zoned: CD/Commercial Downtown. Applicant: Rachel DeBaun, Moore Construction Group

BOARD OF ZONING APPEALS ACTION, MAY 10, 2021: 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, staff recommendations and conditions. The motion carried on a vote of 5 to 1. Ms. Nguyen dissented, and Mr. Foley abstained from voting.

Reason to Approve: The board found the proposal met all the standards for a special exception in line with the staff recommendation.

Reason to Deny: Ms. Nguyen did not state a reason for her dissent.

Reason to Abstain: Mr. Foley lives at and owns the adjoining property to the east of the subject property.

Mr. Altenburg asked staff if there were other pergolas on roofs in this area as he was not familiar with any. Ms. Christesen said rooftop pergolas are fairly common in the historic district but seldom come before the BZA as they typically comply with the zoning ordinance.

Ms. Nguyen asked Mr. Foley to clarify if he could see the pergola and deck from his yard and if he had seen a different design for the pergola and deck. Mr. Foley said it would be visible from his house. He also said he had not seen different designs but had requested that the applicant make the deck less noticeable from the east property line. His understanding was that these design changes would be presented when the applicant goes before the Board of Architectural Review.

Mr. Yoo said he found the request to be relatively modest versus the originally requested variance. Given the support of the adjacent neighbors on both sides, he said he was in support of the request.

Speakers:

Rachel DeBaun, representative for the applicant, spoke on the details of the proposal.

Ayana Stukes-Close, resident at 316 Commerce Street, spoke in support of the Special Exception.

Mr. Foley, resident at 310 Commerce Street, spoke in support of the Special Exception.

OTHER BUSINESS

None.

MINUTES

3. Consideration of the minutes from the April 12, 2021 Board of Zoning Appeals Hearing.

BOARD OF ZONING APPEALS ACTION, MAY 10, 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 7:28 p.m.