**ISSUE:** Permit to Demolish/Capsulate (partial) and Certificate of Appropriateness

for alterations

**APPLICANT:** Madeleine R. and Henry Bryant Mitchell

**LOCATION:** Old and Historic Alexandria District

324 Commerce Street

**ZONE:** RM/Residential Townhouse Zone

#### STAFF RECOMMENDATION

Staff recommends approval of the Permit to Demolish (partial), Certificate of Appropriateness for alterations with the following conditions:

1. The applicant submits updated window specifications with the building permit to confirm that the proposed windows meet the *Alexandria New and Replacement Window Performance Specifications in the Historic District*.

2. The fiber cement siding is to be painted with a smooth finish.

#### GENERAL NOTES TO THE APPLICANT

- 1. 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.
- 2. COMPLIANCE WITH BAR POLICIES: All materials must comply with the BAR's adopted policies unless otherwise specifically approved.
- 3. 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 (<u>including signs</u>). 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.
- 4. 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.
- 5. EXPIRATION OF APPROVALS NOTE: In accordance with Sections 10-106(B), 10-206(B) and 10-307 of the Zoning Ordinance, any 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 <u>Virginia Department of Historic Resources (VDHR)</u> prior to initiating any work to determine whether the proposed project may qualify for such credits.



Note: Staff coupled the applications for a Permit to Demolish (BAR #2021-00419) and Certificate of Appropriateness (BAR #2021-00418) for clarity and brevity. The Permit to Demolish requires a roll call vote.

# I. <u>APPLICANT'S PROPOSAL</u>

The applicant requests a Permit to Demolish (partial) and Certificate of Appropriateness to demolish a portion of the existing roof and construct a new roof dormer on the south/rear elevation at 324 Commerce Street.

# Permit to Demolish/Capsulate

The project calls for the demolition of approximately 74.5 SF of the rear/south facing portion of the existing sloped roof to accommodate a dormer which will be visible from a public way (Figure 1).



Figure 1- view from Duke Street

#### Certificate of Appropriateness

The applicant is proposing to construct a dormer on the south half of the existing roof. The dormer will have an asphalt shingle roof to match the existing roofing material. The walls of the dormer will be clad with 6" exposure fiber cement siding. The gable dormer will have two double-hung multipaned windows.

#### Site context

The subject townhouse sits in the middle of the 300 block of Commerce Street on the south side. Even though there is no public alley running adjacent to the property, there is a parking lot behind it which makes the rear of the townhouses visible from Duke Street as shown in the Figure 1 above.

# II. <u>HISTORY</u>

The two-story, two bay vernacular dwelling with Colonial Revival features was built in **1978** according to the Real Estate Assessment webpage. The subject property is the middle unit of a row of five townhouses. The buildings are set back approximately 30 feet from the street.

Previous BAR Approvals
Staff did not find any prior BAR approvals for the property.

# III. ANALYSIS

In considering a Permit to Demolish/Capsulate, the Board must consider the following criteria set forth in the Zoning Ordinance, §10-105(B), which relate only to the subject property and not to neighboring properties. The Board has purview of the proposed demolition/capsulation regardless of visibility.

Standard	Description of Standard	Standard Met?
(1)	Is the building or structure of such architectural or historical interest that its moving, removing, capsulating or razing would be to the detriment of the public interest?	No
(2)	Is the building or structure of such interest that it could be made into a historic shrine?	No
(3)	Is the building or structure of such old and unusual or uncommon design, texture and material that it could not be reproduced or be reproduced only with great difficulty?	No
(4)	Would retention of the building or structure help preserve the memorial character of the George Washington Memorial Parkway?	N/A
(5)	Would retention of the building or structure help preserve and protect an historic place or area of historic interest in the city?	No
(6)	Would retention of the building or structure promote the general welfare by maintaining and increasing real estate values, generating business, creating new positions, attracting tourists, students, writers, historians, artists and artisans, attracting new residents, encouraging study and interest in American history, stimulating interest and study in architecture and design, educating citizens in American culture and heritage, and making the city a more attractive and desirable place in which to live?	No

In the opinion of staff, none of the criteria for demolition of a portion of the building's roof are met and the Permit to Demolish/Capsulate should be granted. The portion of the roof to be demolished is at the rear/south elevation, in addition this building was constructed in 1978 and the area proposed to be demolished is not historic or particularly unique in nature.

#### Certificate of Appropriateness

The Design Guidelines state that "Dormers provide light and ventilation to the top floor of a building and can increase the usable floor area. At the same time, dormers are particularly visible elements of a roof and can have adverse impacts on a building if not properly designed and sited. As a general rule, dormers should not be too large for the structure." Furthermore, "The style of the dormer should be appropriate to the architectural style of the existing structure."

Staff has no objection to the proposed gabled dormer as it complements the building's Colonial Revival features. Furthermore, each townhouse in the row has a gabled dormer on their north/front elevation, including the subject property (Figure 2).



Figure 2 - Row of townhouses front/north elevation

The proposed dormer will have two multipaned double-hung wood-clad windows. Even though the proposed windows' design and operational system are compatible with the existing front/north elevation dormer window, the BAR requires that new and replacement windows comply with the *Alexandria New and Replacement Window Performance Specifications in the Historic Districts*, therefore staff recommends that a complete window specification be submitted with the building permit application.

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The overall features such as shingle roof to match the existing and fiber cement siding with a 6" exposure on the dormer walls, are compatible with the building's age and style. However, the Guidelines require that fiber cement siding have a smooth finish.

When the Old and Historic Alexandria District was established in 1946, 32 years before this townhouse was constructed, it was not created to freeze Old Town Alexandria at a specific point in time, the way Colonial Williamsburg is often described, but to prevent the demolition of identified historic resources and ensure that infill was compatible with nearby buildings of historic merit. The BAR's standards and criteria in the zoning ordinance (Section 10-105), as well as the BAR's adopted policies and *Design Guidelines*, recognize that the historic fabric of Old Town may be modified, altered, and expanded to accommodate contemporary needs and to allow the historic buildings to continue to be used and cherished. The BAR's charge in the zoning ordinance is first to identify and "protect historic and cultural resources" and second, to ensure that additions, alterations, and new construction are compatible with nearby buildings of historic merit.

The proposed dormer will be visible from the street but will not affect the composition of the overall street block face. Given the age of the existing structure and its visibility, the proposed work will not represent a precedent for the construction of dormers on historic properties within the historic district. With the conditions noted above, staff recommends approval of the proposed project.

#### **STAFF**

Marina Novaes, Historic Preservation 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 proposed dormer 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**

- 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)

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- F-1 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-2 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)
- 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 Any work within the right-of-way requires a separate permit from T&ES. (Sec. 5-2) (T&ES)

#### Alexandria Archaeology

F-1 Archaeological oversight will not be necessary for this undertaking.

# V. <u>ATTACHMENTS</u>

- 1 Application Materials
- 2 Supplemental Materials

	BAR Case #
ADDRESS OF PROJECT: 324 Comerce Stre	eet, Alexandria, Virginia 22314
TAX MAP AND PARCEL: 073.02-07-13	ZONING: RM
APPLICATION FOR: (Please check all that apply)	
CERTIFICATE OF APPROPRIATENESS	
PERMIT TO MOVE, REMOVE, ENCAPSULATE (Required if more than 25 square feet of a structure is to be	
☐ WAIVER OF VISION CLEARANCE REQUIREM CLEARANCE AREA (Section 7-802, Alexandria 1992)	IENT and/or YARD REQUIREMENTS IN A VISION 2 Zoning Ordinance)
WAIVER OF ROOFTOP HVAC SCREENING R (Section 6-403(B)(3), Alexandria 1992 Zoning Ordinance)	EQUIREMENT
Applicant: X Property Owner  Business	Please provide business name & contact person)
Name: Madeleine R. & Henry Bryant Mito	hell
Address: 324 Commerce Street	
City: Alexandria State: VA	Zip: 22314
Phone: _703-836-8437	limondadams@comcast.net
Authorized Agent (if applicable): Attorney	🛚 Architect
Name: Stephanie R. Dimond, Dimond Adams Desig	Phone: 703-836-8437
E-mail: dimondadams@comcast.net	
Legal Property Owner:	
Name: Madeleine & Henry Bryant Mitchell	
Address: 324 Commerce Street	
	Zip: 22314
	mondadams@comcast.net
Yes No is there an historic preservation ease Yes No if yes, has the easement holder agric Yes No is there a homeowner's association Yes No if yes, has the homeowner's association	eed to the proposed alterations?
If you answered yes to any of the above, please atta	ach a copy of the letter approving the project.

	BAR Case #
NATURE OF PROPOSED WORK: Please check all that apply	
NEW CONSTRUCTION  EXTERIOR ALTERATION: Please check all that apply.  awning fence, gate or garden wall HV.  doors windows sidi  lighting dormer pergola/trellis pair  ADDITION  DEMOLITION/ENCAPSULATION  SIGNAGE	
DESCRIPTION OF PROPOSED WORK: Please describe to be attached).	
Applicant is requesting permission for a dormer to b the third floor.	e put on the rear of the house at
SUBMITTAL REQUIREMENTS:  Items listed below comprise the minimum supporting materi request additional information during application review. Pleas	
Design Guidelines for further information on appropriate treatm.  Applicants must use the checklist below to ensure the applicat material that are necessary to thoroughly describe the project. docketing of the application for review. Pre-application meetin All applicants are encouraged to meet with staff prior to submit	tion is complete. Include all information and Incomplete applications will delay the ags are required for all proposed additions.
Electronic copies of submission materials should be submitted	I whenever possible.
Demolition/Encapsulation: All applicants requesting 25 sque must complete this section. Check N/A if an item in this section does	
Survey plat showing the extent of the proposed demole	nts proposed for demolition/encapsulation. building if the entire structure is proposed

<sup>\*</sup> Note: There are no alternatives to demolition/encapsulation

BAR Case	#	

Additions & New Construction: Drawings must be to scale and should not exceed 11" x 17" unless approved by staff. All plans must be folded and collated into 12 complete 8 1/2" x 11" sets. Additional copies may be requested by staff for large-scale development projects or projects fronting Washington Street. Check N/A if an item in this section does not apply to your project.

	N/A	
	X	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.
П	TX	FAR & Open Space calculation form.
H	X	Clear and labeled photographs of the site, surrounding properties and existing structures, if
	CT	applicable.
П	X	Existing elevations must be scaled and include dimensions.
Ħ		Proposed elevations must be scaled and include dimensions. Include the relationship to
		adjacent structures in plan and elevations.
	X	Materials and colors to be used must be specified and delineated on the drawings. Actual
		samples may be provided or required.
П	X	Manufacturer's specifications for materials to include, but not limited to: roofing, siding, windows,
		doors, lighting, fencing, HVAC equipment and walls.
	X	For development site plan projects, a model showing mass relationships to adjacent properties
		and structures.
illur	ninat	& Awnings: One sign per building under one square foot does not require BAR approval unless ed. All other signs including window signs require BAR approval. Check N/A if an Item in this section does y to your project.
_	NJA	
Ц		Linear feet of building: Front: Secondary front (if corner lot):
Н		Square feet of existing signs to remain:
H	8	Photograph of building showing existing conditions.
Н	K	Dimensioned drawings of proposed sign identifying materials, color, lettering style and text.
님		Location of sign (show exact location on building including the height above sidewalk).
H		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
П	D	
		fixtures and information detailing how it will be attached to the building's facade.
A 14		Name + Object 4004 if any items in this another door and apply to your project
AIT	erai	tions: Check N/A if an item in this section does not apply to your project.
	N/A	
X		Clear and labeled photographs of the site, especially the area being impacted by the alterations,
		all sides of the building and any pertinent details.
	X	Manufacturer's specifications for materials to include, but not limited to: roofing, siding, windows,
		doors, lighting, fencing, HVAC equipment and walls.
X		Drawings accurately representing the changes to the proposed structure, including materials and
		overall dimensions. Drawings must be to scale.
X		An official survey plat showing the proposed locations of HVAC units, fences, and sheds.
	X	Historic elevations or photographs should accompany any request to return a structure to an
		earlier appearance

BAR	Case	#	1

#### 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.
- [X] 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 12 sets of 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: Stephanie R. Dimond

Date: 7.19.21

# 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 ten 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
Madeleine R. Mitchell	324 Commerce Street Alexandria, VA 22314	
Henry Bryant     Mitchell	324 Commerce Street Alexandria, VA 22314	
3. N/A		

2. Property. State the name, address and percent of ownership of any person or entity owning an interest in the property located at 324 Commerce Street (address), unless the entity is a corporation or partnership, in which case identify each owner of more than ten 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
Madeleine R. Mitchell	324 Commerce Street Alexandria, VA 22314	100%
2. Henry Bryant Mitchell	324 Commerce Street Alexandria, VA 22314	100%
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.	N/A		
2.	N/A		
3.	N/A		

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 hereb	by attest to the best of my ability that
the information provided above is true and correct.	

7.19.21 Stephanie R. Dimond Signature

Printed Name Signature



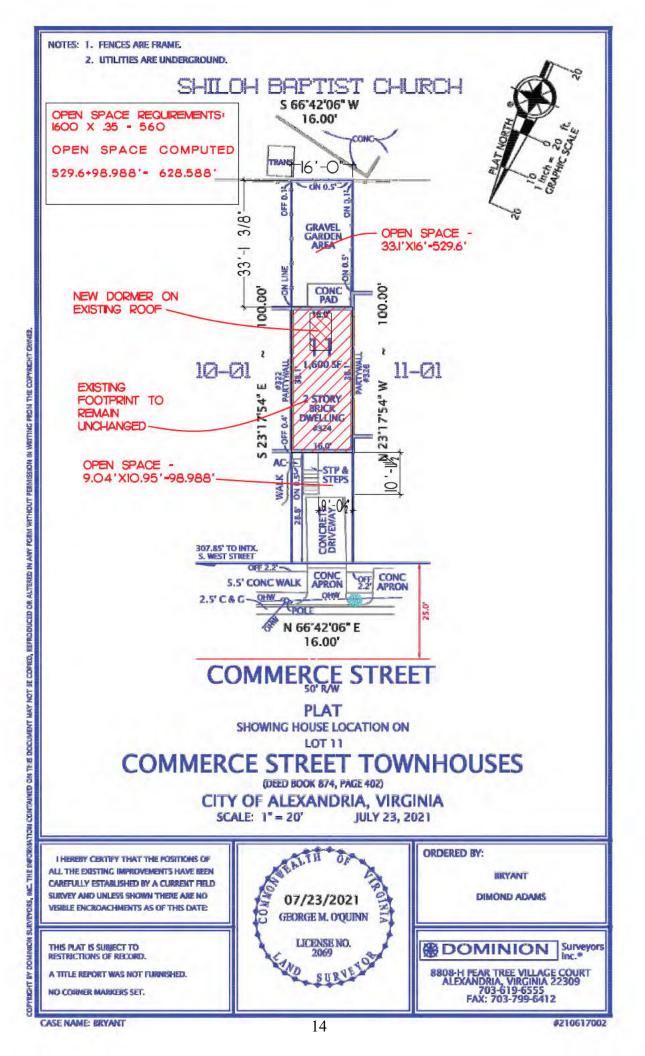
# Department of Planning and Zoning Floor Area Ratio and Open Space Calculations as of 12/20/18



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	Second Floor	609.00			Mechanical**	29.67		B2.	Allowable Floor Exclusions**	Sq. Ft
	Third Floor				Attic less than 7'*	* 246.19		В3.	1,291.29	Sq. Ft
	Attic	489.60			Porches**			ь.	Existing Floor Area Minus Excl	
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	Lavatory***				Other**chimney	3.00				
	Other**				Other**					
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<b>D</b> .	Second Floor Third Floor Attic Porches Balcony/Deck Lavatory*** Other Total Gross  Total Floor 1,340.29 Total Floor Area 2,400.00	49.00  Area  a (add B3 an	nd C3)	] C2.	Mechanical** Attic less than 7'** Porches** Balcony/Deck** Lavatory*** Other** Total Exclusions  E. Open Spa E1. 628.59 Existing Ope	0.00 ace en Space			Allowable Floor Exclusions**  49.00  Proposed Floor Area Minus Ex (subtract C2 from C1)  Notes  *Gross floor area is the sum of under roof of a lot, measured froof exterior walls, including be garages, sheds, gazebos, guest and other accessory buildings.  ** Refer to the Zoning Ordinance (2-145(B)) and consult with Zonin information regarding allowable ex Sections may also be required exclusions.	Sq. Ficlusions  f all areas m the face pasements t buildings (Section g Staff for colusions for some up to a er lavatory le area for

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

B-2-2021



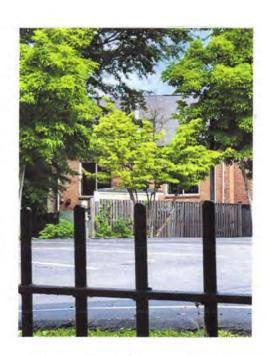
# Mitchell 324 Commerce Street Alexandria, VA 22314 BAR Hearing – September 1, 2021



Front Elevation



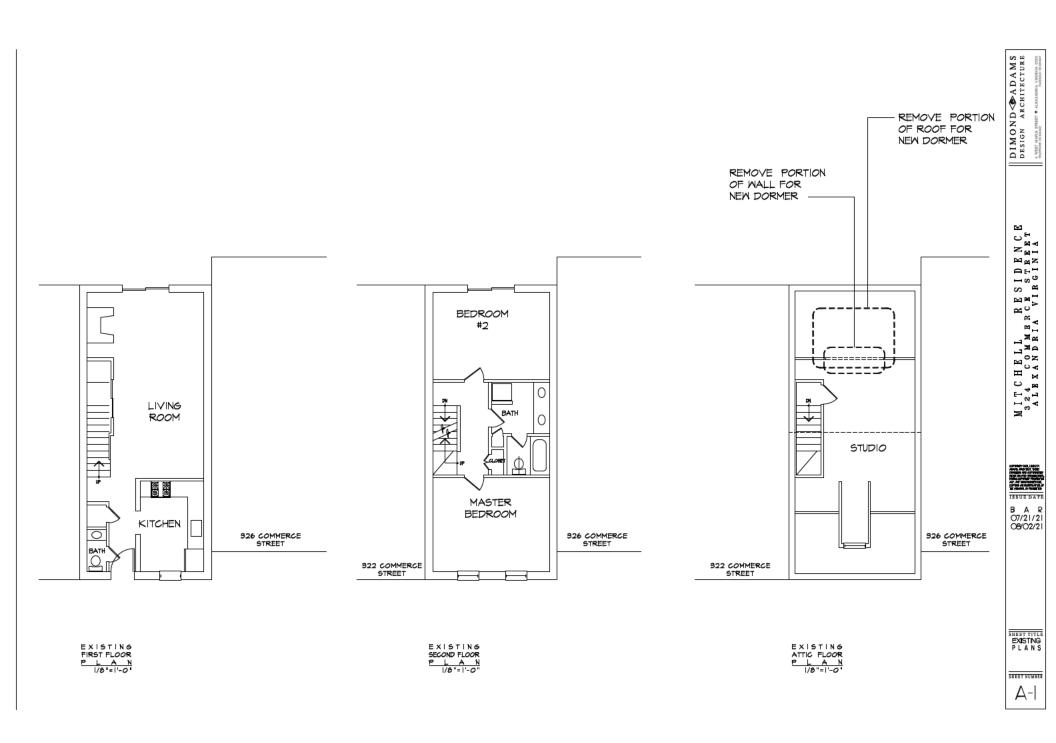
Rear Elevation

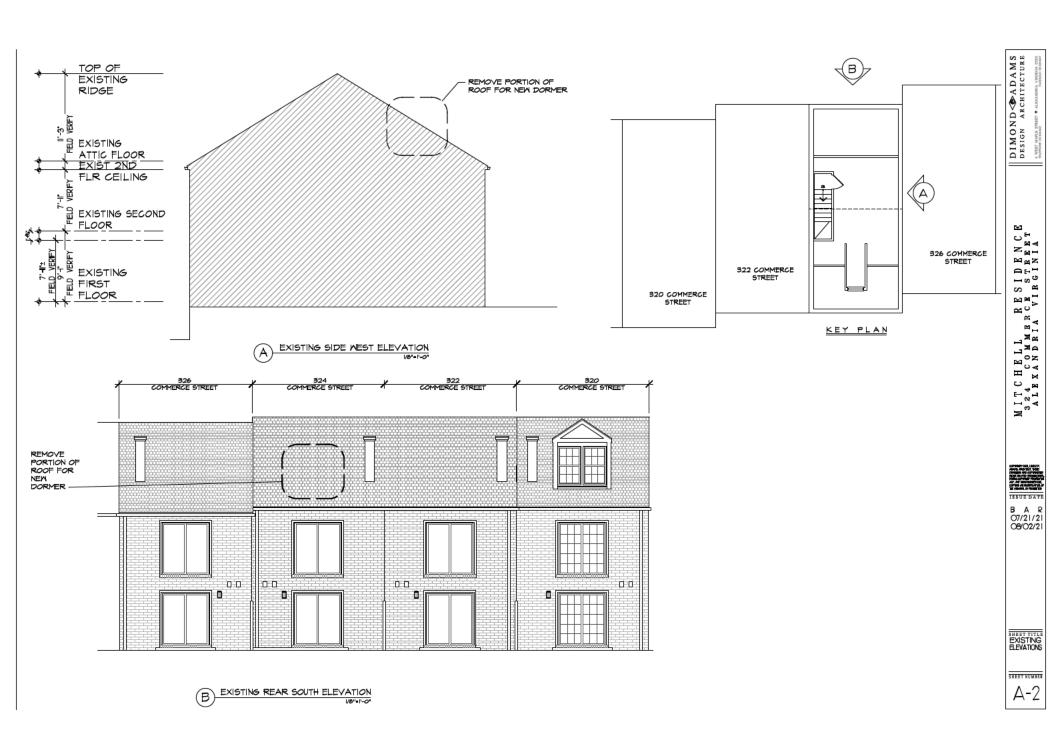


Rear elevation as viewed from public right of way

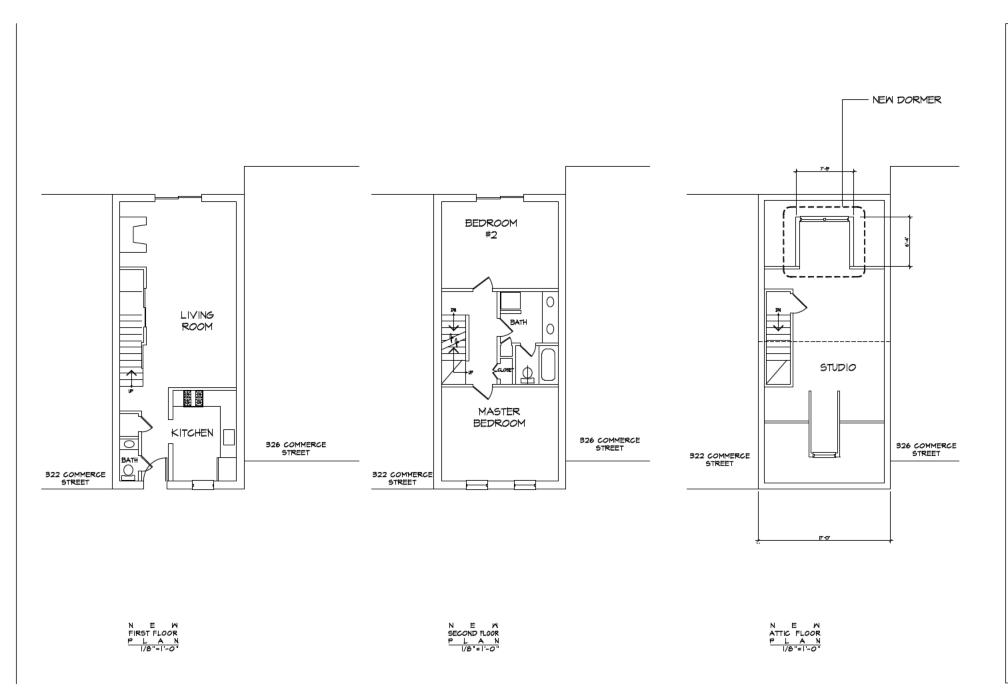


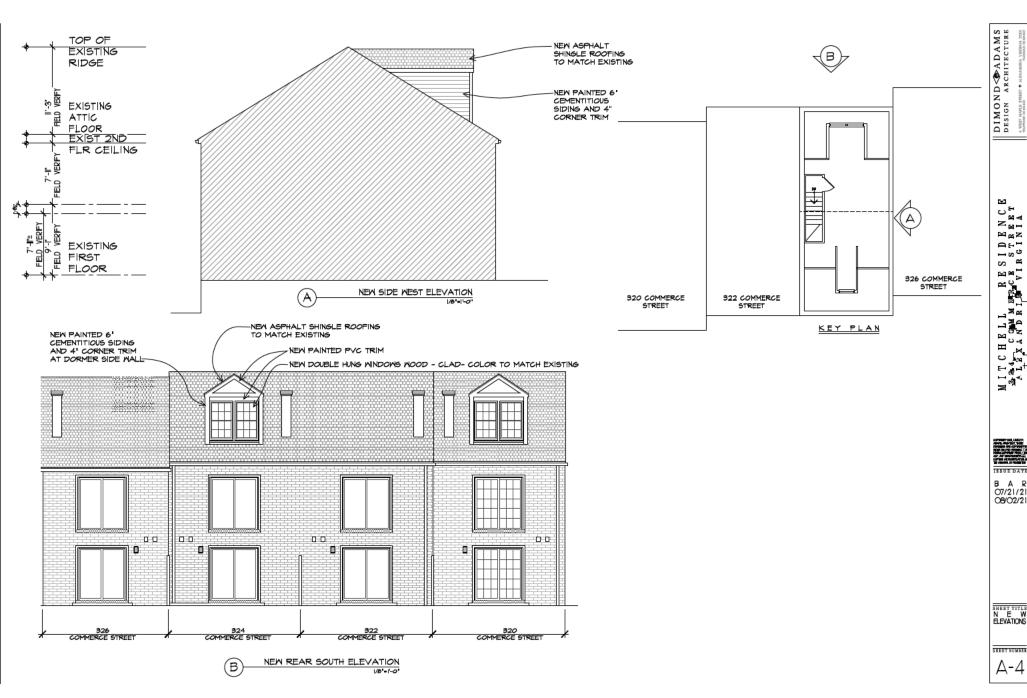
House with similar dormer in same row of townhouses as subject property





SHEET NUMBER





From: Tim Foley
To: Lia Niebauer
Subject: [EXTERNAL]

**Date:** Thursday, August 12, 2021 5:54:04 PM

#### Ms. Niebauer,

Regaurding Bar#2021-00418, I'm writing to support my neighbor's proposed dormer addition. I routinely walk through the alley behind 234 commerce st and it is nice to see further and thoughtful investment like this addition.

Thank you, Tim Foley

310 commerce st Alexandria va

# Sent from Yahoo Mail on Android

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