

ISSUE: Permit to Demolish/Capsulate (partial)

APPLICANT: Linda and Griffin Leshner

LOCATION: Old and Historic Alexandria District
211 Duke Street

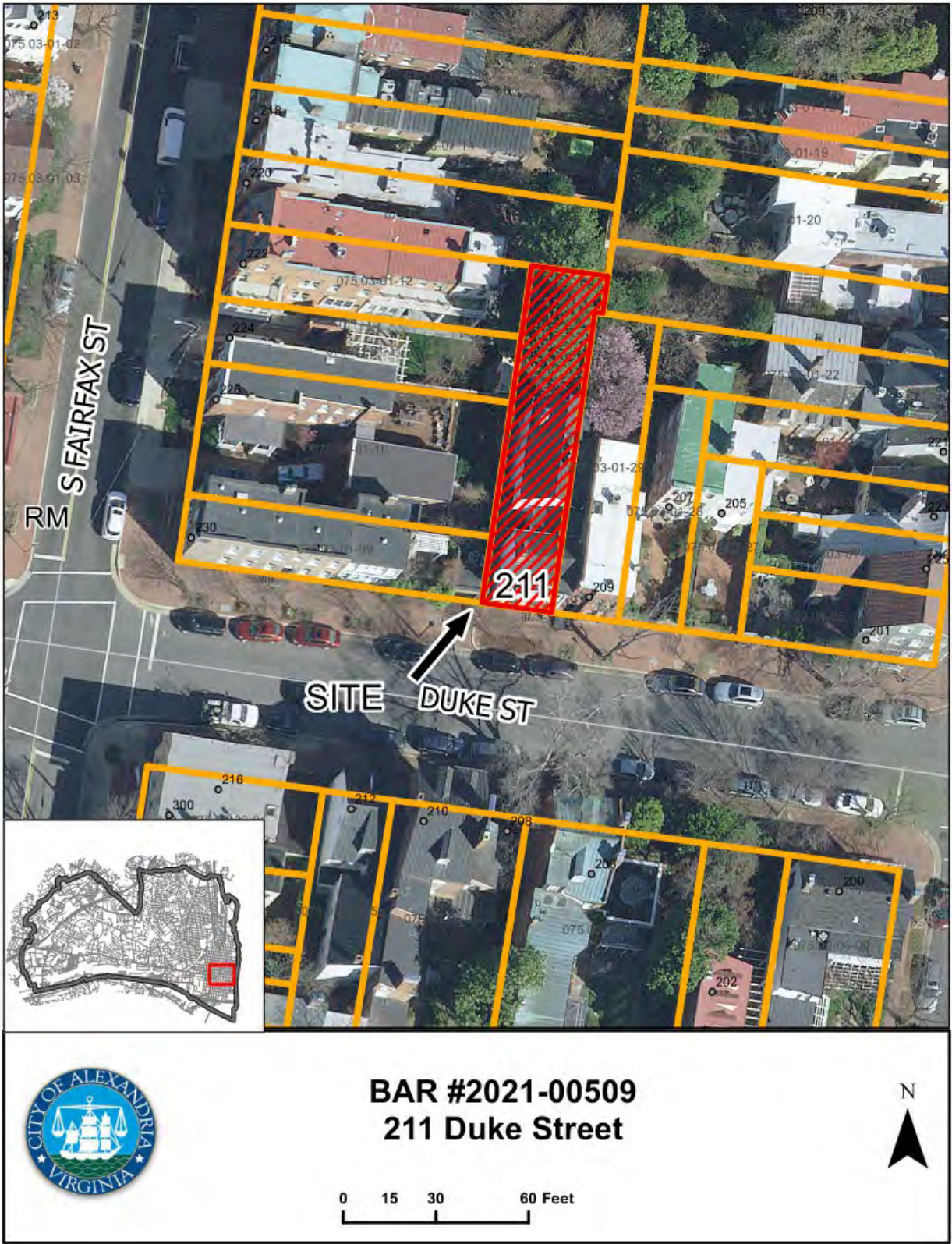
ZONE: RM/Residential Townhouse Zone

STAFF RECOMMENDATION

Staff recommends approval of the Permit to Demolish/Capsulate (partial), as submitted.

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 (including signs). 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 Virginia Department of Historic Resources (VDHR) prior to initiating any work to determine whether the proposed project may qualify for such credits.



I. APPLICANT'S PROPOSAL

The applicant is proposing to enclose an area of approximately 142 square feet below the second story bedroom of the rear addition. The proposal will capsculate two walls measuring 12'-6" and 11'-3" respectively, the area is not visible from any public way (Figure 1 and 2), therefore the design of the new addition is not under the BAR purview.



Figure 1- visibility from Duke Street



Figure 2 - closeup view thru gate

Site context

The subject property sits on the middle of the 200 block of Duke Street on the north side.

II. HISTORY

According to Ethelyn Cox in her book *Historic Alexandria Virginia Street by Street*, *In May 1790 David Henley, merchant, formerly of Alexandria, then living in New York City, bought the quarter block on which this house stands. The deed conveying the lot of 211 to Sathaliel Allen in April 1803 provided that it includes "the whole of the dwelling house which stands upon the premises."*

The two-story, three bay, frame Colonial Revival house has been added onto multiple times in 1953, 1973, and 1994.

Previous BAR Approvals

BAR2016-00213, administrative approval for roof replacement

III. ANALYSIS

Permit to Demolish/Capsulate

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 and capsulation are met and the Permit to Demolish/Capsulate should be granted. The amount of wall to be capsulated is small and will not affect the historic building. In addition, the Board routinely approves small alterations to historic properties as homeowners seek to create additional modern living spaces. Staff, therefore, recommends approval of the Permit to Demolish/Capsulate as submitted.

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 property has no side yard setback requirements per 3-1109(C)(3), as it is a lot of record and is less than 25.00 feet wide.
- F-2 The area being enclosed is an open space on the first floor that is covered by an enclosed space on the second floor. Per 2-145(B), the first-floor space already counts towards FAR and therefore the project is not increasing the floor area.
- F-3 The proposed enclosure/addition 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)
- 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 All secondary utilities serving this site shall be placed underground. (Sec. 5-3-3) (T&ES)
- C-5 Any work within the right-of-way requires a separate permit from T&ES. (Sec. 5-2) (T&ES)
- C-6 All 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)

Alexandria Archaeology

No comments received.

V. ATTACHMENTS

1 – Application Materials

2 – Supplemental Materials

ADDRESS OF PROJECT: 211 Duke Street Alexandria, VA 22314

DISTRICT: ☒ Old & Historic Alexandria ☐ Parker – Gray ☐ 100 Year Old Building

TAX MAP AND PARCEL: 075.03-01-30 ZONING: RM

APPLICATION FOR: *(Please check all that apply)*

☐ CERTIFICATE OF APPROPRIATENESS

☒ PERMIT TO MOVE, REMOVE, ENCAPSULATE OR DEMOLISH
(Required if more than 25 square feet of a structure is to be demolished/impacted)

☐ WAIVER OF VISION CLEARANCE REQUIREMENT and/or YARD REQUIREMENTS IN A VISION
CLEARANCE AREA (Section 7-802, Alexandria 1992 Zoning Ordinance)

☐ WAIVER OF ROOFTOP HVAC SCREENING REQUIREMENT
(Section 6-403(B)(3), Alexandria 1992 Zoning Ordinance)

Applicant: ☐ Property Owner ☒ Business *(Please provide business name & contact person)*

Name: Landis Construction | Henry Brigham

Address: 7059 Blair Road NW Suite 300

City: Washington State: DC Zip: 20012

Phone: 2027175394 E-mail: henry@landisconstruction.com

Authorized Agent *(if applicable)*: ☐ Attorney ☐ Architect ☐ _____

Name: _____ Phone: _____

E-mail: _____

Legal Property Owner:

Name: Linda and Griffin Leshner

Address: 211 Duke Street

City: Alexandria State: VA Zip: 22314

Phone: 202-341-1252 E-mail: linda.lesher@gmail.com

- ☐ Yes ☒ No Is there an historic preservation easement on this property?
☐ Yes ☐ No If yes, has the easement holder agreed to the proposed alterations?
☐ Yes ☒ No Is there a homeowner's association for this property?
☐ Yes ☐ No If yes, has the homeowner's association approved the proposed alterations?

If you answered yes to any of the above, please attach a copy of the letter approving the project.

NATURE OF PROPOSED WORK: *Please check all that apply*

- ☐ NEW CONSTRUCTION
☐ EXTERIOR ALTERATION: *Please check all that apply.*
 ☐ awning ☐ fence, gate or garden wall ☐ HVAC equipment ☐ shutters
 ☐ doors ☐ windows ☐ siding ☐ shed
 ☐ lighting ☐ pergola/trellis ☐ painting unpainted masonry
 ☐ other _____
☐ ADDITION
☒ DEMOLITION/ENCAPSULATION
☐ SIGNAGE

DESCRIPTION OF PROPOSED WORK: *Please describe the proposed work in detail (Additional pages may be attached).*

We are proposing to enclose a covered side exit turning a roughly 8'x8' footprint into interior space. We are also proposing some interior cosmetic changes to the existing bathrooms.

SUBMITTAL REQUIREMENTS:

Items listed below comprise the **minimum supporting materials** for BAR applications. Staff may request additional information during application review. Please refer to the relevant section of the *Design Guidelines* for further information on appropriate treatments.

Applicants must use the checklist below to ensure the application is complete. Include all information and material that are necessary to thoroughly describe the project. Incomplete applications will delay the docketing of the application for review. Pre-application meetings are required for all proposed additions. All applicants are encouraged to meet with staff prior to submission of a completed application.

Demolition/Encapsulation : *All applicants requesting 25 square feet or more of demolition/encapsulation must complete this section. Check N/A if an item in this section does not apply to your project.*

- N/A
- ☐ ☒ Survey plat showing the extent of the proposed demolition/encapsulation.
☒ ☐ Existing elevation drawings clearly showing all elements proposed for demolition/encapsulation.
☒ ☐ Clear and labeled photographs of all elevations of the building if the entire structure is proposed to be demolished.
☒ ☐ Description of the reason for demolition/encapsulation.
☐ ☒ Description of the alternatives to demolition/encapsulation and why such alternatives are not considered feasible.

Additions & New Construction: *Drawings must be to scale and should not exceed 11" x 17" unless approved by staff. Check N/A if an item in this section does not apply to your project.*

- ☐ ^{N/A} ☐ 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.
- ☐ ☐ FAR & Open Space calculation form.
- ☐ ☐ Clear and labeled photographs of the site, surrounding properties and existing structures, if applicable.
- ☐ ☐ Existing elevations must be scaled and include dimensions.
- ☐ ☐ Proposed elevations must be scaled and include dimensions. Include the relationship to adjacent structures in plan and elevations.
- ☐ ☐ Materials and colors to be used must be specified and delineated on the drawings. Actual samples may be provided or required.
- ☐ ☐ Manufacturer's specifications for materials to include, but not limited to: roofing, siding, windows, doors, lighting, fencing, HVAC equipment and walls.
- ☐ ☐ For development site plan projects, a model showing mass relationships to adjacent properties and structures.

Signs & Awnings: *One sign per building under one square foot does not require BAR approval unless illuminated. All other signs including window signs require BAR approval. Check N/A if an item in this section does not apply to your project.*

- ☐ ^{N/A} ☐ Linear feet of building: Front: _____ Secondary front (if corner lot): _____.
- ☐ ☐ Square feet of existing signs to remain: _____.
- ☐ ☐ Photograph of building showing existing conditions.
- ☐ ☐ Dimensioned drawings of proposed sign identifying materials, color, lettering style and text.
- ☐ ☐ Location of sign (show exact location on building including the height above sidewalk).
- ☐ ☐ 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 fixtures and information detailing how it will be attached to the building's facade.

Alterations: *Check N/A if an item in this section does not apply to your project.*

- ☐ ^{N/A} ☐ Clear and labeled photographs of the site, especially the area being impacted by the alterations, all sides of the building and any pertinent details.
- ☐ ☐ Manufacturer's specifications for materials to include, but not limited to: roofing, siding, windows, doors, lighting, fencing, HVAC equipment and walls.
- ☐ ☐ Drawings accurately representing the changes to the proposed structure, including materials and overall dimensions. Drawings must be to scale.
- ☐ ☐ An official survey plat showing the proposed locations of HVAC units, fences, and sheds.
- ☐ ☐ Historic elevations or photographs should accompany any request to return a structure to an earlier appearance.

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.

- ☐ 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 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: Henry Brigham

Printed Name: Henry Brigham

Date: 09/21/2021

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. Linda Lesher | 211 Duke Street | 50 |
| 2. Griffin Lesher | 211 Duke Street | 50 |
| 3. | | |

2. Property. State the name, address and percent of ownership of any person or entity owning an interest in the property located at _____ (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. Linda Lesher | 211 Duke Street | 50 |
| 2. Griffin Lesher | 211 Duke Street | 50 |
| 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. | | |
| 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.

As the applicant or the applicant's authorized agent, I hereby attest to the best of my ability that the information provided above is true and correct.

9/21/2021

Date

Henry Brigham

Printed Name

Henry Brigham

Signature



Department of Planning and Zoning

Floor Area Ratio and Open Space Calculations

as of 12/20/18

B

A. Property Information

A1. 211 Duke Street RM
Street Address Zone

A2. 2,524.00 x 1.50 = 3,786.00
Total Lot Area Floor Area Ratio Allowed by Zone Maximum Allowable Floor Area

B. Existing Gross Floor Area

| Existing Gross Area | | Allowable Exclusions** | | |
|------------------------|-----------------|-----------------------------|-------------|---|
| Basement | 372.00 | Basement** | | B1. 2,682.25 Sq. Ft. Existing Gross Floor Area* |
| First Floor | 1,122.25 | Stairways** | | B2. 0.00 Sq. Ft. Allowable Floor Exclusions** |
| Second Floor | 1,188.00 | Mechanical** | | B3. 2,682.25 Sq. Ft. Existing Floor Area Minus Exclusions (subtract B2 from B1) |
| Third Floor | 0.00 | Attic less than 7'*** | | |
| Attic | 0.00 | Porches** | | |
| Porches | 0.00 | Balcony/Deck** | | |
| Balcony/Deck | 0.00 | Lavatory*** | | |
| Lavatory*** | 0.00 | Other** | | |
| Other** | 0.00 | Other** | | |
| B1. Total Gross | 2,682.25 | B2. Total Exclusions | 0.00 | |

Comments for Existing Gross Floor Area

FAR includes exterior wall thickness.

C. Proposed Gross Floor Area

| Proposed Gross Area | | Allowable Exclusions** | | |
|------------------------|--------------|-----------------------------|-------------|--|
| Basement | 0.00 | Basement** | | C1. 66.00 Sq. Ft. Proposed Gross Floor Area* |
| First Floor | 66.00 | Stairways** | | C2. 0.00 Sq. Ft. Allowable Floor Exclusions** |
| Second Floor | 0.00 | Mechanical** | | C3. 66.00 Sq. Ft. Proposed Floor Area Minus Exclusions (subtract C2 from C1) |
| Third Floor | 0.00 | Attic less than 7'*** | | |
| Attic | 0.00 | Porches** | | |
| Porches | 0.00 | Balcony/Deck** | | |
| Balcony/Deck | 0.00 | Lavatory*** | | |
| Lavatory*** | 0.00 | Other** | | |
| Other | 0.00 | Other** | | |
| C1. Total Gross | 66.00 | C2. Total Exclusions | 0.00 | |

D. Total Floor Area

D1. 2,748.25 Sq. Ft.
Total Floor Area (add B3 and C3)

D2. 3,786.00 Sq. Ft.
Total Floor Area Allowed by Zone (A2)

E. Open Space

E1. 1,294.00 Sq. Ft.
Existing Open Space

E2. 884.00 Sq. Ft.
Required Open Space

E3. 1,294.00 Sq. Ft.
Proposed Open Space

Notes

*Gross floor area is the sum of all areas under roof of a lot, measured from the face of exterior walls, including basements, garages, sheds, gazebos, guest buildings and other accessory buildings.

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

***Lavatories may be excluded up to a maximum of 50 square feet, per lavatory. The maximum total of excludable area for lavatories shall be no greater than 10% of gross floor area.

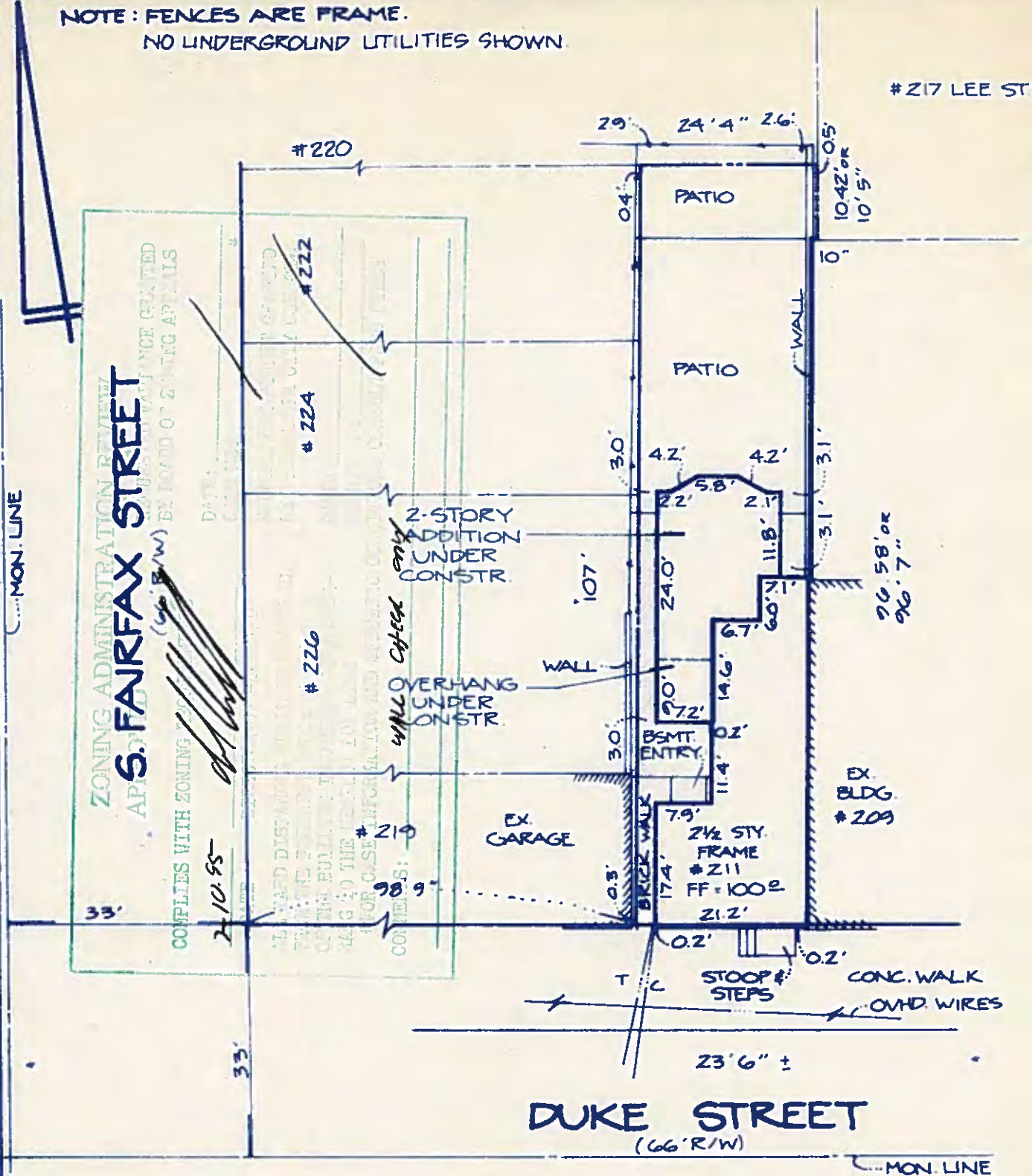
The undersigned hereby certifies and attests that, to the best of his/her knowledge, the above computations are true and correct.

Signature: **Henry Brigham**
Digitally signed by Henry Brigham
DN: C=US, E=henry@landisconstruction.com, O=Landis
Architects/Builders, CN=Henry Brigham
Date: 2021.09.21 10:23:07-04'00'

Date: **09/21/2021**

NOTE: FENCES ARE FRAME.

NO UNDERGROUND UTILITIES SHOWN.



BLD 94-6926

PLAT
SHOWING PHYSICAL IMPROVEMENT SURVEY *
ON THE PROPERTY LOCATED AT
211 DUKE STREET
CITY OF ALEXANDRIA, VIRGINIA
(DEED BOOK 763 PAGE 113)

* WALL CHECK

SCALE: 1" = 20'

DATE: JANUARY 20, 1994

THIS DWELLING IS NOT LOCATED
IN A F.E.M.A. SPECIAL FLOOD
HAZARD AREA.

PLAT SUBJECT TO
RESTRICTIONS OF RECORD.
TITLE REPORT NOT
FURNISHED.

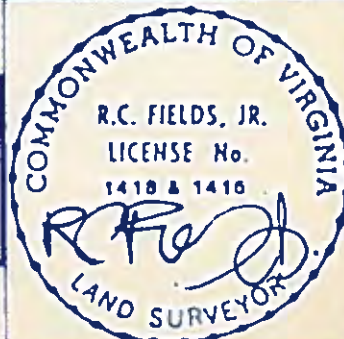
CASE NAME: MANSFIELD/SMITH

PARRAN CONTRLCTION

RCF **FIELDS, JR. & ASSOCIATES**
A PROFESSIONAL CORPORATION

LAND SURVEYING SITE PLANNING SUBDIVISION DESIGN

718 JEFFERSON STREET ALEXANDRIA, VIRGINIA 22314
TEL. (703) 549-6422 FAX (703) 549-6452



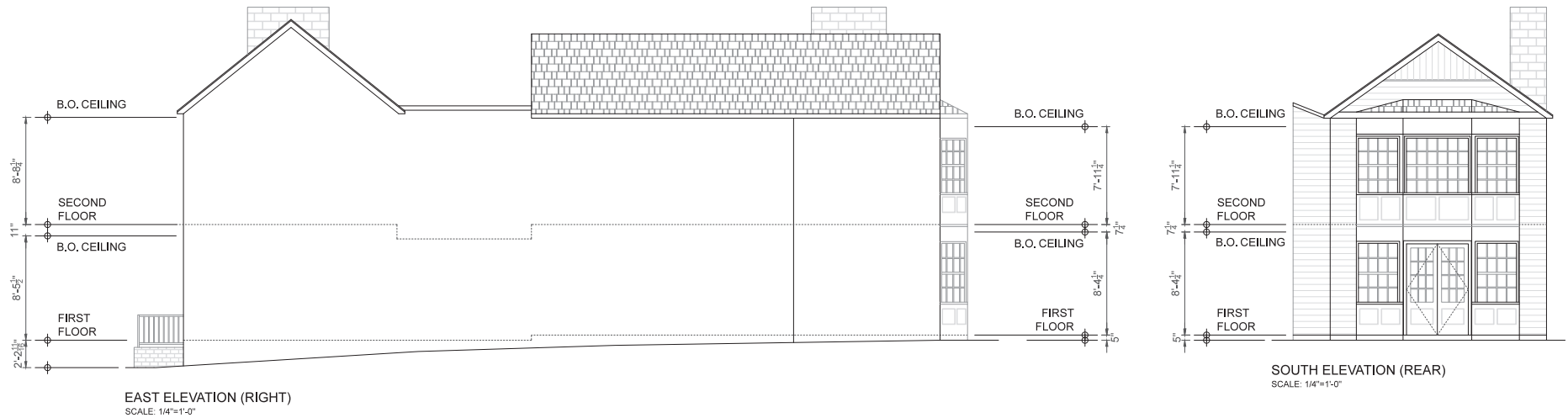
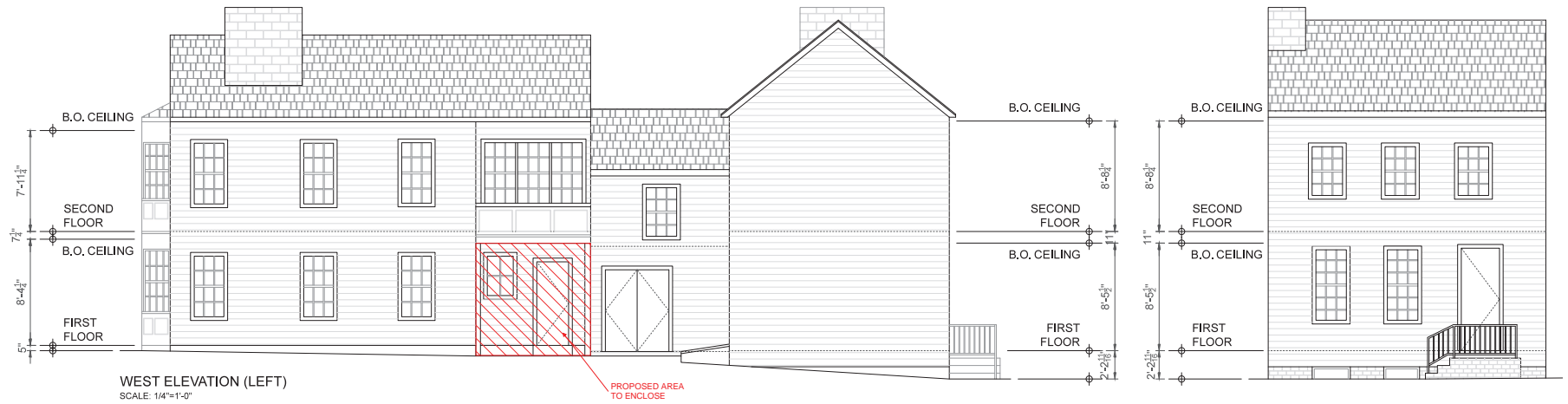
I HEREBY CERTIFY THAT THE POSITIONS OF ALL THE EXISTING IMPROVEMENTS
HAVE BEEN CAREFULLY ESTABLISHED BY A TRANSIT TAPE SURVEY AND UNLESS
OTHERWISE SHOWN, THERE ARE NO VISIBLE ENCROACHMENTS.

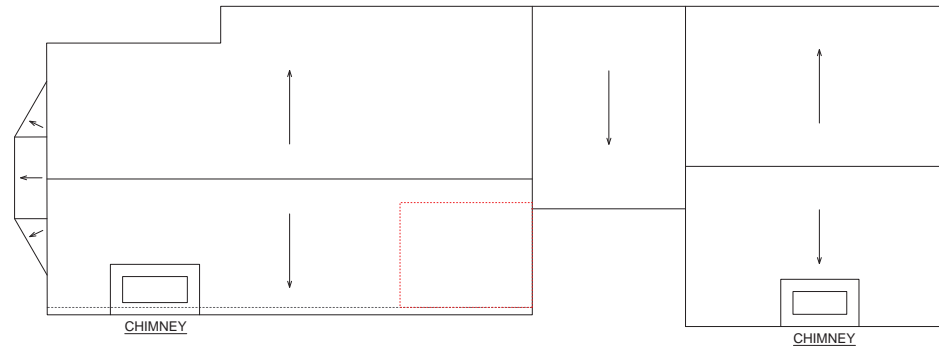












ROOF PLAN
SCALE: 1/4" = 1'-0"





211 DUKE STREET
ALEXANDRIA, VA 22314

DATE: 7/02/2021