

City of Alexandria, Virginia

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MEMORANDUM

DATE: JANUARY 28, 2002
TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL
FROM: PHILIP SUNDERLAND, CITY MANAGER *PS*
SUBJECT: 2001 ANNUAL REPORT OF THE BOARD OF ZONING APPEALS

ISSUE: Acceptance of the Annual Report of the Board of Zoning Appeals, January 1, 2001, to December 31, 2001.

RECOMMENDATION: That City Council receive the report and thank the Board of Zoning Appeals for their efforts on behalf of the City.

DISCUSSION: The Board of Zoning Appeals Report was submitted by Warren Almquist, Chairman. Statistical highlights of the report are as follows:

- During 2001 the Board decided 108 variances and two special exceptions for fences; 98.1% of the cases were approved and 1.9% were denied.
- The Board approved:
 - 89 yard variances
 - 5 open space variances
 - 3 variances to pave more than 50% of required yard
 - 2 variances to provide shorter back-up aisle than allowed
 - 2 variances to build on lots with less lot frontage than required
 - 2 variances for signs
 - 1 variance for a high fence in a primary front yard
 - 1 vision clearance variance
 - 1 amendment to an existing variance condition

FISCAL IMPACT: None.

STAFF: Peter Lieberg, Department of Planning and Zoning
Emily Swenson, Department of Planning and Zoning

ATTACHMENTS: Attachment 1: 2001 Annual Report of the Board of Zoning Appeals
Attachment 2: List of Board of Zoning Appeals members

City of Alexandria, Virginia

MEMORANDUM

DATE: JANUARY 10, 2002

TO: THE HONORABLE MAYOR AND MEMBERS OF COUNCIL

FROM: WARREN ALMQUIST, CHAIRMAN, BOARD OF ZONING APPEALS 

SUBJECT: BOARD OF ZONING APPEALS 2001 ANNUAL REPORT

The Board of Zoning Appeals convened monthly for 11 public hearings during 2001; there was no meeting in August.

A total of 96 cases were docketed in 2001. The number of cases docketed in 2001 increased 22% from the number of cases docketed in 2000. (As a matter of interest, 25 cases were deferred to address issues with neighbors or for redesign.)

A total of 115 variance requests (some cases contained multiple variances) and two special exceptions for corner lot fences were filed; seven variances were withdrawn by applicants prior to a Board decision. A total of 108 variances and two special exceptions were decided by the Board last year. Of the variances heard by the Board 98.1% (106) were approved and 1.9% (two) were denied. Staff recommended denial of 98% of the variances requested because no hardship was demonstrated by the applicants.

Types of variances decided by the Board and actions taken are listed as follows:

Front, side and rear yard variances were approved to construct new single family and semi-detached dwellings; build new or modify existing front porches/porticos; construct new side and rear porches and decks; install bay windows; build storage sheds and a pool house; and construct garages, some with living space or storage space above. A total of 89 yard variances were approved, and two yard variances were denied (to build a single family house).

Five open space variances were approved to construct additions, garages, and install required parking spaces.

Three variances to pave more than 50% of a required yard for a driveway or parking pad were approved, and two variances to provide a shorter back-up aisle than required were approved.

Two variances were approved to allow two new semi-detached dwelling units to be built with less lot frontage than required on North Henry Street.

A variance to allow a lighted wall sign at 909 North Washington Street was approved with conditions as to maintenance and times of illumination, and a variance to allow a freestanding identification sign larger than allowed for the library at 4701 Seminary Road was approved.

One variance to install a 6.00 feet high fence in a primary front yard was approved; a variance to build a covered front porch and one-story addition within the vision clearance area was approved; and a request to amend a previously approved parking variance, that was granted only to the previous owner, was approved.

During 2001 four appeals from Department of Planning and Zoning administrative decisions were submitted as follows:

1. A neighbor appealed an administrative decision by Board of Architectural Review staff allowing a wood shingle roof at 110 Waterford Place to be replaced with a black asphalt shingle roof. After discussions with staff, the appeal was withdrawn by the applicant.
2. Emmanuel Episcopal Church appealed an administrative decision that the church preschool may not be located in a single family house at 418 West Braddock Road. The Board denied the appeal and affirmed the director's decision.
3. Cameron Associates, LLC, appealed a decision regarding the computation of the Housing Trust Fund contribution for the Cameron Station development at 5010 Duke Street. This appeal was deferred in June, 2001, by the applicant. Discussions are continuing between the applicant and the City to resolve issues.
4. BG, L.L.C., contract purchaser of the property at 100 King Street, appealed an administrative decision that a proposal to locate a Five Guys restaurant at 100 King Street is not consistent with grandfathered restaurant rights at that site. This case was deferred by the Board without a hearing. Staff has withdrawn the case.

No Board of Zoning Appeals decision was appealed to Circuit Court during 2001.

The Board worked with staff to amend the zoning ordinance to create a special exception process for additions built within any one noncomplying plane of an existing residential dwelling. A special exception is defined as a minor adjustment to zoning requirements where, owing to a special condition of the property, the exception is necessary, desirable and would not adversely affect adjacent property owners. City Council enacted ordinance #4226 on November 17, 2001.

During 2001 Warren Almquist served as Chairman of the Board of Zoning Appeals, Mary Lyman served as Vice Chairman, and Stephen Koenig served as Secretary. George Ellmore, elected Vice Chairman in January, resigned from the Board in February. Linda Kung, Michael Curry and Mark Allen continued to serve as Board members, and Frank Putzu was appointed to the Board in February.

BOARD OF ZONING APPEALS

<u>MEMBER</u>	<u>PHONE</u>	<u>OCCUPATION</u>	<u>ORIGINAL APPOINTMENT</u>	<u>CURRENT APPOINTMENT</u>	<u>OATH</u>	<u>EXPIRATION OF CURRENT APPOINTMENT</u>
MARK ALLEN 207 JEFFERSON STREET ALEXANDRIA, VA 22314 CITIZEN	Res: 703-549-6959 Bus: 703-836-8787 Fax: 703-836-7459 E-Mail: landlaw301@aol.com	REAL ESTATE ATTORNEY	03/23/1999	04/25/2000	05/11/2000	04/25/2004
WARREN ALMQUIST 201 EAST MONROE AVENUE ALEXANDRIA, VA 22301 CITIZEN <u>Chair</u>	Res: 703-684-3657 Bus: 703-836-3275 Fax: E-Mail:	ARCHITECT	02/09/1993	02/28/2001	06/11/2001	02/28/2005
HAROLD CURRY 1418 JULIANA PLACE ALEXANDRIA, VA 22304 CITIZEN	Res: 703-836-3232 Bus: 202-775-6579 Fax: 202-862-8622 E-Mail: curry-eiffert@erols.com	COMPLIANCE COORDINATOR NATIONAL GEOGRAPHIC	01/27/1998	01/26/1999	02/09/1999	10/26/2003
STEPHEN KOENIG 231 EAST SPRING STREET ALEXANDRIA, VA 22301 CITIZEN	Res: 703-548-9231 Bus: 703-519-9592 Fax: 703-519-9604 E-Mail: nkswkoenig@erol.com	PARTNER, THE AVENUE GROUP ARCHITECTS	11/26/1996	01/26/1999	02/04/1999	01/26/2003
LINDA KUNG 323 SOUTH COLUMBUS STREET ALEXANDRIA, VA 22314 CITIZEN	Res: 703-683-6378 Bus: 703-508-3871 Fax: - E-Mail: lmkung@starpower.net	REAL ESTATE AGENT	02/11/1997	02/28/2001	03/08/2001	02/28/2005

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BOARD OF ZONING APPEALS

<u>MEMBER</u>	<u>PHONE</u>	<u>OCCUPATION</u>	<u>ORIGINAL APPOINTMENT</u>	<u>CURRENT APPOINTMENT</u>	<u>OATH</u>	<u>EXPIRATION OF CURRENT APPOINTMENT</u>
MARY LYMAN 1617 MT. EAGLE PLACE ALEXANDRIA, VA 22302 CITIZEN	Res: 703-845-1510 Bus: 202-371-9770 Fax: 202-371-6601 E-Mail: mslyman@aerols.com	TAX COUNSEL AND PROJECT MANAGER CHAMBERS ASSOCIATES	01/24/1995	01/26/1999	02/10/1999	10/26/2003
FRANK PUTZU 1423 JULIANA PLACE ALEXANDRIA, VA 22304 CITIZEN	Res: 703-823-8324 Bus: 703-602-1248 Fax: 703-602-0255 E-Mail: sputzu@aol.com	ATTORNEY	02/28/2001	02/28/2001	03/07/2001	04/25/2004*