EXHIBIT NO. 1

16&17
9-25-01

21&22
9-11-01

Docket Item #
BAR CASE #2001-0120 & 2001-0121

City Council
September 11, 2001

ISSUE: Appeal of a decision of the Board of Architectural Review, Old and Historic Alexandria District, denying a dormer and associated demolition

APPLICANT AND APPELLANT: Arnold Fink and Barbara Palmer

LOCATION: 105 Quay Street

ZONE: RM/Residential

Board of Architectural Action and Appeal:
At the public hearing of July 18, 2001, the Old and Historic Alexandria District Board of Architectural Review considered BAR Case #'s 2001-0120 & 2001-0121, for the re-approval of dormers to the front of the rowhouse, rooftop deck and balustrade and associated demolition.

Last year, an identical application for a original Certificate of Appropriateness for the dormers was denied by the Board on April 5, 2000, but was approved by City Council on appeal on June 7, 2000 (BAR Case #2000-0049). However, because no construction activity had taken place more than 12 months after the approval of the Certificate of Appropriateness the validity of the Certificate lapsed and re-approval is required for construction of the dormers.

The Board action on July 18, 2001 was to:
1) approve the roof deck and balustrade
2) deny the dormer; and,
3) deny the Permit to Demolish those portions of the building that allow for construction of the dormer.

The Board denied the application for the front dormer and the associated demolition by a vote of 3-2 largely because there were no other dormers on the fronts of the townhouses in this particular block of Quay Street. The Board majority felt that the dormers on other blocks had not generally been successful, and when constructed, were not compatible with the historic district. The majority thus was unwilling to extend the dormer precedent to this block. The two members who voted against the motion supported the dormer because such a dormer was a typical pattern found within this development, albeit on other blocks.

Building Description
The dwelling at 105 Quay Street is one of the rowhouses in a development project of 86 three-story brick rowhouses bounded by North Union, North Lee, Queen and Oronoco Streets which was approved by City Council in 1968 (Special Use Permit #1084) and constructed in 1971. The attached rowhouses have a variety of simple Colonial Revival styles.

B.A.R. Staff Position Before the Board:
Because the townhouse is not historic and the design proposed is compatible with the late-20th century Colonial Revival style of the existing building, B.A.R. Staff had no objection to the construction of the dormer. Staff recommended approval of the application as submitted for three reasons because the proposed dormer is designed to blend with the Colonial Revival style of the existing townhouse and will employ traditional materials. In addition, because the Board had approved dormers on the front of other townhouses in this development project on several occasions during the past several years.

City Council Action Alternatives:
Council may uphold or overturn the decision of the B.A.R., using the criteria in §10-105(A)(2) Zoning Ordinance (Attachment 3). If Council votes to approve the dormer it must also approve the

permit to demolish portions of the building to allow construction of the dormer. City Council may also remand the project to the Board with instructions to consider alternatives.

Attachments:
Attachment 1: Minutes of BAR Meeting, 7/18/01
Attachment 2: B.A.R. Staff Reports, 7/18/01
Attachment 3 Sec. 10-105(A)(2): Criteria to be considered for a Certificate of Appropriateness
Attachment 4: Photographs of 105 Quay Street
Attachment 5: Drawings of dormers proposed for 105 Quay Street

STAFF: Eileen Fogarty, Director, Department of Planning and Zoning; Peter H. Smith, Principal Staff, Boards of Architectural Review.

REPORT ATTACHMENTS

ATTACHMENT 1

MINUTES OF B.A.R. PUBLIC HEARING, JULY 18, 2001

CASE BAR2001-120
Request for re-approval of a permit to demolish portions of a dwelling at **105 Quay Street**, zoned RM Residential.
APPLICANT: Arnold Fink and Barbara Palmer
BOARD ACTION: **Denied by roll call vote, 3-2.**

MOTION: To deny the dormers and to approve the other parts of the application.

MAKER: Mr. Wheeler
SECOND: Ms. Neihardt

SPEAKERS: Alexia Levite, project architect
Jon Wilbor, representing the Old Town Civic Association

NOTES: Vice-Chairman Fitzgerald asked that the docket item be combined with docket item #25 for discussion. The Chairman thanked Ms. Levite for providing alternative elevation studies of the dormers. He noted that Council had approved the dormers last year, but the application was back before the Board because the 12 month validity of the Certificate of Appropriateness had expired.

Mr. Wilbor said that each block has its own character and that Quay Street was a pristine block without any dormers. He said that the Board had denied this application previously. He said OTCA had made the point before Council on the appeal last year that dormers had been tried on some of the townhouses in this development and that dormers do not work on these townhouses. He said that everyone who lives in the historic district is held hostage to quality control through the Board of Architectural Review. He also said that the blocks in this development contain their own characteristics and Quay Street has not been flawed by any obvious alterations to the rooflines and that OTCA recommends that the block be maintained because it is the last block that is intact. He said that the business of the Board is architecture not politics and that the decision by City Council on appeal had been based on politics. He said that the dormers did not work last year and they are not going to work this year. He said that the applicant could put a dormer on the rear where it is not visible from the street. Finally, he said OTCA asks the Board to stand its ground and maintain quality control in the historic district and deny this application for dormers facing on Quay Street.

Ms. Levite said that the statement that the 100 block of Quay Street had no dormers was inaccurate and that there were shed dormers at 114 Quay Street and she also cited other dormers that had been constructed throughout this development. She said that dormers were in keeping with the architectural character of the development and were consistent with the development and that asymmetrical dormers are a feature of Colonial Revival townhouses and the proposal is consistent

with the style.

Ms. Neihardt said that this was a difficult issue. She cited the dormer at 125 Queen Street which the Board had approved and which was too large. She said that she had not changed her position from last year and believed that the dormer was not appropriate and that she would not support the dormers in this application.

Mr. Wheeler said he agreed with Ms. Neihardt and that he was opposed to the dormer which he said was overscaled and massively out of scale with the house and dominates the upper 30% of the Mansard roof of the house. He then made a motion to deny the application.

Ms. Neihardt seconded the motion.

Ms. Levite asked if the rest of the project could be approved with the exception of the dormers.

Mr. Wheeler said that that was acceptable.

Vice-Chairman Fitzgerald called the question on the amended motion which passed 3-2 (Vice-Chairman Fitzgerald and Ms. Quill were opposed).

25. **CASE BAR2001-121**
Request for re-approval of alterations at **105 Quay Street**, zoned RM Residential.
APPLICANT: Arnold Fink and Barbara Palmer
BOARD ACTION: **Approved portions, denied portions, 3-2.**

ATTACHMENT 2

B.A.R. STAFF REPORT, JULY 18, 2001

Docket Item #24
BAR CASE #2001-0120

BAR Meeting
July 18, 2001

ISSUE: Re-approval of demolition of portions of dwelling

APPLICANT: Arnold G. Fink & Barbara E. Palmer

LOCATION: 105 Quay Street

ZONE: RM Residential

STAFF RECOMMENDATION:
Staff recommends approval of the application as submitted.

NOTES:
This docket item requires a roll call vote.

CHRONOLOGY:
June 20, 2001: Deferred for restudy.

DISCUSSION:

Applicant's Description of the Undertaking:
"Extension of previous Certificate of Appropriateness, approval given on 6/7/00 to remove portions of existing roof as needed for new dormers and skylights."

The demolition and capsulation portion of the application have not changed and Staff here repeats the Staff report from June 20, 2001.

Issue:
The applicant is requesting re-approval of a Permit to Demolish approximately 416 square feet of the existing structure in order to construct a new roof deck, a new stair to access the roof, and a 19-foot-wide front dormer. The existing 216 square foot wooden roof deck will be demolished, along with a 63-square-foot portion of the flat roof to make way for the new roof deck and a stair accessing it. The front dormer construction will require the removal of approximately 125 square feet of the front sloping roof, while another 12 square feet of the rear roof slope will be removed in order to install a 1' by 11'9" skylight.

History and Analysis:
The dwelling at 119 Quay Street is a one of a group of 86 three-story brick townhouses bounded by North Union, North Lee, Queen and Oronoco Streets which was approved by City Council in 1968 (Special Use Permit #1084) and constructed in 1971. The attached rowhouses are a variety of simple Colonial Revival styles. This area was not included in the Old and Historic Alexandria District between the late 1960s and June of 1984. Therefore, a number of alterations were made to individual townhouses during this period without B.A.R. review. Many of these changes would not be considered architecturally appropriate today - particularly some window and skylight additions and one large rooftop addition.

The original Permit to Demolish was denied by the Board on April 5, 2000, but was approved by City Council on appeal on June 7, 2000 (BAR Case #2000-49).

The Board approved the existing rooftop deck at 105 Quay Street in 1993 (BAR Case #93-76, 5/19/93).

In considering a Permit to Demolish, the Board must consider the following criteria set forth in

the Zoning Ordinance, Sec. 10-105(B):

(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?
(2) Is the building or structure of such interest that it could be made into a historic house?
(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?
(4) Would retention of the building or structure help preserve the memorial character of the George Washington Memorial Parkway?
(5) Would retention of the building or structure help preserve and protect an historic place or area of historic interest in the city?
(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?

In Staff's opinion, none of the above criteria apply, and therefore the Permit to Demolish should be granted.

The Staff recommendation has not changed since last year.

CITY DEPARTMENT COMMENTS

Legend: C - code requirement R - recommendation S - suggestion F - finding

Office of Historic Alexandria:
No comment.

Docket Item #25
BAR CASE #2001-0121

BAR Meeting
July 18, 2001

ISSUE: Re-approval of additions, roof deck and dormer

APPLICANT: Arnold G. Fink & Barbara E. Palmer

LOCATION: 105 Quay Street

ZONE: RM/Residential

STAFF RECOMMENDATION:
Staff recommends approval of the preferred alternative as submitted.

NOTES:
Docket item #24 must be approved prior to considering this item.

CHRONOLOGY:
June 20, 2001: Deferred for restudy.

DISCUSSION:

Applicant's Description of the Undertaking:
"Extension of previous Certificate of Appropriateness; approval given 6/7/00, to add dormers to front roof of townhouse, add skylight to rear roof; balustrade at roof and replace existing deck, in addition to skylights at main roof."

Update:
At the last public hearing, the Board asked the applicant to examine alternative dormer elevations. The applicant has provided elevation drawings of two alternative dormer configurations.

The applicant is requesting re-approval of a Certificate of Appropriateness for the construction of a new rooftop deck with a stair enclosure (penthouse) and trellises; the construction of a shed dormer across the front roof slope; and the installation of a skylight on the rear roof slope.

The application has not changed since last year. However, the rooftop penthouse has been eliminated.

Rooftop Deck
The proposed roof deck and stair enclosure will occupy an 21' by 18.5' area on the flat portion of the existing roof. The deck will be set back from the front roof slope approximately 4.5 feet, the same distance that the present roof deck sets back. The deck will be of wood construction and will be surrounded by a 3' 9" high balustrade with 9"-square support posts, a molded top rail, and wood balusters.

Dormer
Preferred Alternative
This is the alternative that was approved by City Council on appeal.

This alternatives proposes an 18-foot-wide, 7' deep, and 6.5' tall shed dormer across the existing front roof slope. The front roof slope is approximately 21.5' in width. The new dormer will extend across approximately 80 percent of this width.

As proposed, the dormer contains three 3' by 5.5' double-hung wood windows with a 6-over-6 light configuration. The windows are placed so that they align with the window bays on the second and third stories of the house. In addition, the two western dormer windows are grouped and separated from the eastern window by a small setback in the face of the dormer. The windows are adorned by 1-foot wide molded wood trim and capped by a wood cornice.

The face of the dormer will be clad with slate shingles to match the existing slate roof, while the dormer's roof slope will either be slate shingles or metal roofing.

Alternative 1
In this alternative, three individual dormers, approximately 9' in height are proposed. These dormers have pediments and pilasters and also have double-hung wood windows with a 6-over-6 light configuration. The materials of the dormers are the same under each alternative.

Alternative 2
In this alternative, a shed dormer is also proposed with a set of four ganged six-over-six wood windows separated by pilaster. The dormer is surmounted by a large pediment with an oriole window.

Skylight
A single 1' by 11' 9" skylight is proposed for installation near the top edge of the existing rear roof slope. The skylight will be divided into three lights and will be flat in profile.

Paint Colors
The applicant has provided Staff with alternate paint color selections for the wood trim, balustrade, dormer, trellises and penthouse. The color range includes several buff and taupe tones and two deep greens. Color samples will be made available for the Board's review at the hearing.

History and Analysis:
The dwelling at 119 Quay Street is a one of a group of 86 three-story brick townhouses bounded by North Union, North Lee, Queen and Oronoco Streets which was approved by City Council in 1968 (Special Use Permit #1084) and constructed in 1971. The attached rowhouses are a variety of simple Colonial Revival styles. This area was not included in the Old and Historic Alexandria District between the late 1960s and June of 1984. Therefore, a number of alterations were made to individual townhouses during this period without B.A.R. review. Many of these changes would not be considered architecturally appropriate today - particularly some window and skylight additions and one large rooftop addition.

The original Certificate of Appropriateness was denied by the Board on April 5, 2000, but was approved by City Council on appeal on June 7, 2000 (BAR Case #2000-49).

Although most of the roofs of the townhouse complex appear to be gable designs from the street,

they are actually flat for a large portion of the central area. Many homeowners have adapted the large attic areas below for living space and desire to use the flat roof areas for observation of the Potomac River.

During the past several years the Board has reviewed a number of substantial alterations and additions to the properties within this development, including a rooftop deck at 111 Queen Street (4/5/95, BAR Case #95-0033), a front dormer at 125 Queen Street (7/21/99, BAR Case #99-0115), and most recently, a rooftop deck and rear addition at 115 Queen Street (3/1/2000, BAR Case #2000-0008). The Board approved the existing rooftop deck at 105 Quay Street in 1993 (BAR Case #93-76, 5/19/93).

These townhouses are *not* historic buildings, but *are* compatible with the overall character of the historic district. The approved additions, alterations and roof decks have generally had limited visibility from the public right-of-way, and have overall maintained the level of detail and materials appropriate to these buildings.

In the present case, the rooftop deck will be only partially visible from Quay Street, as they are set back significantly from the front edge of the proposed dormer. In any of the alternatives, the proposed dormers are designed to blend with the Colonial Revival style of the existing townhouse and will employ traditional materials.

Re-approval of BAR Case #2000-0049 and 2000-0050 complies with Zoning Ordinance requirements.

In the opinion of Staff, the preferred alternative presents the smallest dormer of any of the proposals. In addition, this alternative has been approved by City Council and Staff recommends approval.

The Code Enforcement officer has determined that the modifications proposed for the attic story will cause the structure to be considered a 4-story building. As such it will require the installation of a fire sprinkler system throughout the structure.

Because the townhouse is not historic and the design is compatible with the late-20th century Colonial Revival style of the existing building, Staff has no objection to the construction of the new roof deck or dormer. Staff recommends that the application be approved as submitted.

The Staff recommendation has not changed since last year.

CITY DEPARTMENT COMMENTS

Legend: C - code requirement R - recommendation S - suggestion F - finding

From BAR Case #2000-0050, 4/5/00

Code Enforcement:

C-1 New construction must comply with the current edition of the Uniform Statewide Building Code (USBC).

C-2 Alterations to the existing structure must comply with the current edition of the Uniform Statewide Building Code (USBC).

C-3 Alterations and additions to the existing structure and/or installation and/or altering of equipment therein requires a building permit. Four sets of plans must accompany the written application. The plans must include dimensions, construction alteration and addition details, kitchen equipment, electrical, plumbing, and mechanical layouts and schematics.

C-4 Roof drainage systems must be installed so as neither to impact upon, nor cause erosion/damage to adjacent property.

C-5 All exterior walls within 3 feet from an interior property line shall have a fire resistance rating of 1 hour, from both sides, with no openings permitted within the wall. As alternative, a 2 hour fire wall may be provided.

C-6 Permission from adjacent property owners is required if access to adjacent properties is required to complete the proposed construction. Otherwise, a plan shall be submitted to demonstrate the construction techniques utilized to keep construction solely on the referenced property.

C-7 The modifications to the attic will cause this to be considered a 4 story building. As such it exceeds the allowable number of stories under the Virginia Uniform Statewide Building Code. Installation of a fire sprinkler system throughout this structure will resolve this issue.

Office of Historic Alexandria:

No comment.

10-105 **Matters to be considered in approving certificates and permits.**

(A) **Certificate of appropriateness**

(2) **Standards.** Subject to the provisions of section 10-105(A)(1) above, the Old and Historic Alexandria district board of architectural review or the city council on appeal shall consider the following features and factors in passing upon the appropriateness of the proposed construction, reconstruction, alteration or restoration of buildings or structures:

(a) Overall architectural design, form, style and structure including, but not limited to, the height, mass and scale of buildings and structures;

(b) Architectural details including, but not limited to, original materials and methods of construction, the pattern, design and style of fenestration, ornamentation, lighting, signage and like decorative or functional fixtures of buildings or structures; the degree to which the distinguishing original qualities or character of a building, structure or site (including historic materials) are retained;

(c) Design and arrangement of buildings and structures on the site; and the impact upon the historic setting, streetscape or environs;

(d) Texture, material and color, and the extent to which any new architectural features are historically appropriate to the existing structure and adjacent existing structures;

(e) The relation of the features in sections 10-105(A)(2)(a) through (d) to similar features of the preexisting building or structure, if any, and to buildings and structures in the immediate surroundings;

(f) The extent to which the building or structure would be harmonious with or incongruous to the old and historic aspect of the George Washington Memorial Parkway;

(g) The extent to which the building or structure will preserve or protect historic places and areas of historic interest in the city;

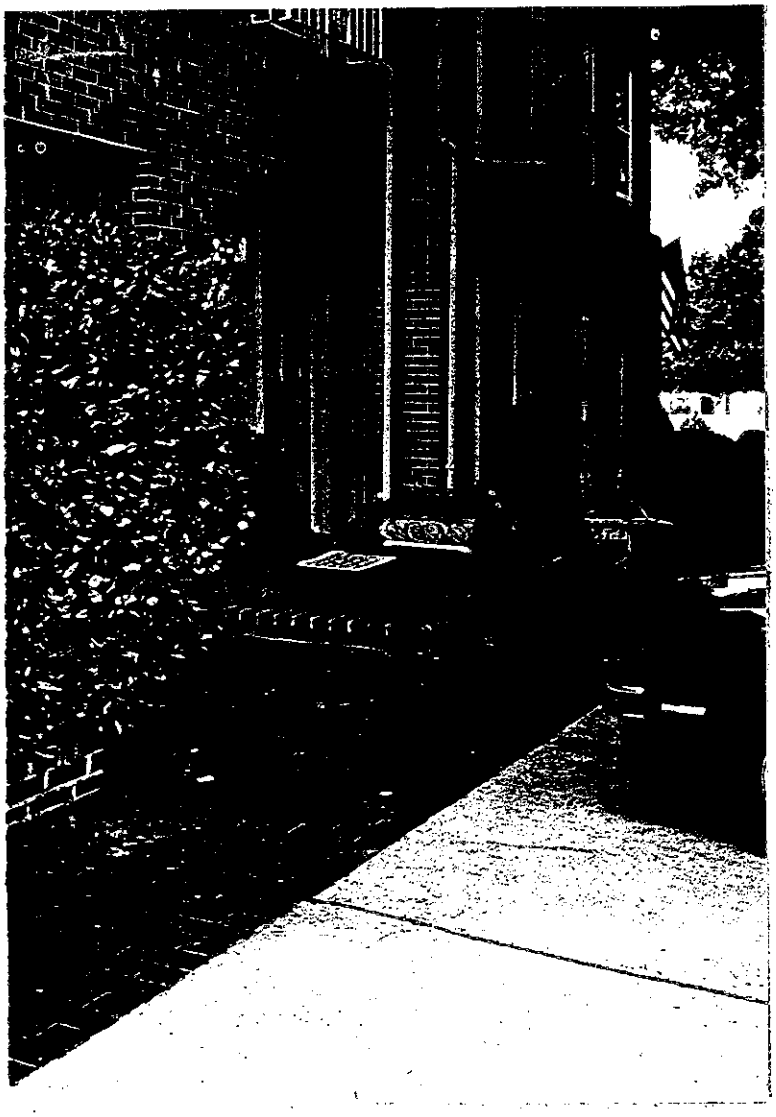
(h) The extent to which the building or structure will preserve the memorial character of the George Washington Memorial Parkway;

(i) The extent to which the building or structure will promote the general

welfare of the city and all citizens by the preservation and protection of historic interest in the city and the memorial character of the George Washington Memorial Parkway; and

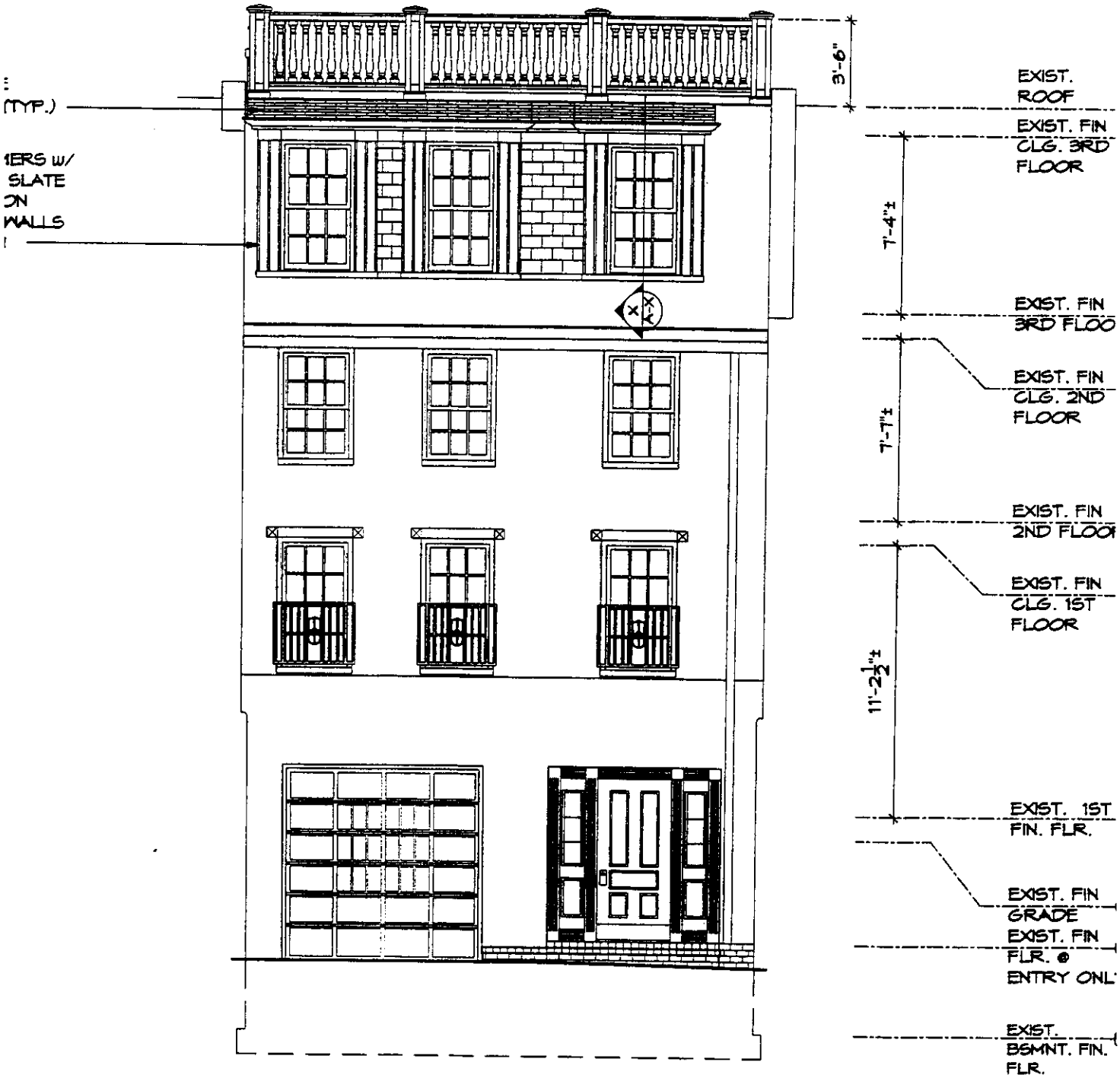
(j) The extent to which such preservation and protection will promote the general welfare by maintaining and increasing real estate values, generating business, creating new positions, attracting tourists, students, writers, historians, artists and artisans, attracting new residents, encouraging study 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.

ATTACHMENT 7



FINK RESIDENCE - 105 QUAY STREET - Existing Building Front From Quay St.

ATTACHMENT 5



1 SOUTH ELEVATION
1/4" = 1'-0"

16&17
9-25-01

~~21 & 22~~
~~9-11-01~~

Sent to CC, CM, CA, Michele, Eileen, P. Smith
TO BE HEARD ON
9/11/01 RM

EXHIBIT NO. 2

RECORD OF APPEAL
FROM A DECISION OF THE BOARD OF ARCHITECTURAL REVIEW

Date Appeal Filed With City Clerk: 7/31/01

B.A.R. Case # 2001-120; 2001-121

Address of Project: 105 QUAY STREET, ALEXANDRIA VA 22314

RECEIVED
JUL 31 2001
CITY CLERK'S OFFICE
ALEXANDRIA, VIRGINIA

Appellant is: (Check One)

☒ B.A.R. Applicant

☐ Other Party. State Relationship _____

Address of Appellant: 105 QUAY STREET
ALEXANDRIA VA 22314

Telephone Number: (703) 548-6655

State Basis of Appeal: One year ago, City Council unanimously approved our petition to override BAR and to approve our request to build front dormers. We now request Council to reaffirm that decision, overruling the 7/18/01 BAR denial and to grant us an extension. This request has full approval and support of the BAR staff and is fully consistent with prior BAR decisions permitting dormers on Brandt townhouses in the subdivision

Attach additional sheets, if necessary.

A Board of Architectural Review decision may be appealed to City Council either by the B.A.R. applicant or by 25 or more owners of real estate within the effected district who oppose the decision of the Board of Architectural Review. Sample petition on rear.

All appeals must be filed with the City Clerk on or before 14 days after the decision of the B.A.R.

All appeals require a $50 filing fee.

If an appeal is filed, the decision of the Board of Architectural Review is stayed pending the City Council decision on the matter. The decision of City Council is final subject to provisions of Sections 10-107, 10-207 or 10-309 of the Zoning Ordinance.

RECEIVED
CITY CLERK'S OFFICE
JUL 31 2001
ALEXANDRIA, VIRGINIA

FROM Arnold Fink
FOR BAR Case Nos 2001-120 and 2001-121

Arnold D. Fink
Signature of the Appellant

We, the undersigned owners of real estate within the Old and Historic Alexandria District/ Parker- Gray District [strike out as appropriate] appeal the decision of the Board of Architectural Review to the Alexandria City Council in B.A.R. Case #_____ regarding the property at _____ (street address).

	Name	Signature	Owner of Real Property At:
1.			
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Action Docket

City of Alexandria

Board of Architectural Review
Old & Historic Alexandria District

Regular Public Hearing

Wednesday- July 18, 2001
7:30 PM Council Chambers, City Hall
301 King Street, Alexandria, Virginia 22314

The Board of Architectural Review docket
is subject to change up to the time of the meeting.
Planning and Zoning staff
can provide information on changes.

Staff reports on each item are available
in the Department of Planning and Zoning.

The Board of Architectural Review reserves the right to
vary the order of the meeting, if so announced.

Department of Planning and Zoning
301 King Street, City Hall, Room 2100
Alexandria, Virginia 22314
phone: (703) 838-4666

* * * * *

1. Consideration of the Minutes of the public hearings of June 6, 2001 and June 20, 2001.
BOARD ACTION: **Minutes of June 6, 2001, approved as submitted, 5-0.**
Minutes of June 20, 2001, approved as submitted, 5-0.

2. Consideration of a Consent Calendar of items to be approved without discussion. A list of these items will be read at the beginning of the meeting.

DISCUSSION ITEMS

17. **CASE BAR2001-183**
Request for approval of a vehicular gate and alterations at **422 Queen Street** zoned RM Residential.
APPLICANT: Jean Podgorsky
BOARD ACTION: **Approved portions, deferred portion for restudy, 5-0.**

19. **CASE BAR2001-185**
Request for approval of a fence at **411 Franklin Street** zoned RM Residential.
APPLICANT: Melissa Mueller
BOARD ACTION: **Approved as amened, 5-0.**

20. **CASE BAR2001-022**
Request for approval of a permit to demolish portions of a dwelling at **522 Queen Street**, zoned RM Residential.
APPLICANT: Philip VanderMyde
BOARD ACTION: **Approved by roll call vote, 5-0.**

21. **CASE BAR2001-023**
Request for approval of an addition at **522 Queen Street**, zoned RM Residential.
APPLICANT: Philip VanderMyde
BOARD ACTION: **Approved as amened, 5-0.**

22. **CASE BAR2001-051**
Request for approval of skylights at **921 King Street**, zoned CD Commercial.
APPLICANT: Robert Moran
BOARD ACTION: **Approved as submitted, 3-2.**

23. **CASE BAR2001-105**
Request for reapproval of a new office building at **1229 King Street**, zoned CD Commercial.
APPLICANT: 1225-1227-1229 King Street Associates
BOARD ACTION: **Approved as submitted, 5-0.**

24. **CASE BAR2001-120**
Request for re-approval of a permit to demolish portions of a dwelling at **105 Quay Street**, zoned RM Residential.
APPLICANT: Arnold Fink and Barbara Palmer
BOARD ACTION: **Denied by roll call vote, 3-2.**

25. **CASE BAR2001-121**

Request for re-approval of alterations at **105 Quay Street**, zoned RM Residential.
APPLICANT: Arnold Fink and Barbara Palmer
BOARD ACTION: **Approved portions, denied portions, 3-2**

26. **CASE BAR2001-127**
Request for approval of a permit to demolish portions of a dwelling at **612 South Pitt Street**, zoned RM Residential.
APPLICANT: Stephanie Dimond
BOARD ACTION: **Approved by roll call vote, 4-1.**

27. **CASE BAR2001-128**
Request for approval of an addition at **612 South Pitt Street**, zoned RM Residential.
APPLICANT: Stephanie Dimond
BOARD ACTION: **Approved as amended, 4-1.**

28. **CASE BAR2001-136**
Request for approval of a permit to demolish portions of a dwelling at **517 Prince Street**, zoned RM Residential.
APPLICANT: Joe Reeder
BOARD ACTION: **Approved portions, deferred portions for restudy by roll call vote, 5-0.**

29. **CASE BAR2001-137**
Request for approval of alterations and an addition at **517 Prince Street**, zoned RM Residential.
APPLICANT: Joe Reeder
BOARD ACTION: **Approved portions as amended, deferred portions for restudy, 50.**

30. **CASE BAR2001-149**
Request for re-approval of a permit to demolish portions of a dwelling at **107 Prince Street**, zoned RM Residential.
APPLICANT: James Lettenberger & Sean Smith
BOARD ACTION: **Approved by roll call vote, 5-0.**

31. **CASE BAR2001-149**
Request for re-approval of an addition at **107 Prince Street**, zoned RM Residential.
APPLICANT: James Lettenberger & Sean Smith
BOARD ACTION: **Approved as amended, 5-0.**

32. **CASE BAR2001-153**
Request for approval of replacement siding at **631 South Saint Asaph Street**, zoned RM Residential.
APPLICANT: Kerm Henriksen
BOARD ACTION: **Approved as submitted, 3-2.**

EXHIBIT NO. 3

16 & 17
9-25-01

21 & 22
9-11-01

The Old Town Civic Association

POST OFFICE BOX 21333
ALEXANDRIA, VIRGINIA 22320-2333

September 7, 2001

Mayor Kerry J. Donley
City of Alexandria
Room 2300
301 King Street
Alexandria, VA 22314

Re: Legislative Session (9/11/200) Docket Items 21 & 22
BAR Appeal of Arnold Fink and Barbara Palmer
105 Quay Street

Dear Mayor Donley:

Inasmuch as I may not return from a business trip in time to attend the Public Hearing on this issue, I wanted to take this opportunity to communicate the Old Town Civic Association's consideration of this matter.

As reflected in the Staff Report, this matter comes before you as an appeal of the July 18, 2001 decision of the Old and Historic Alexandria District Board of Architectural Review (BAR) denying the request for "re-approval" of the construction and demolition associated with the proposed dormer. You will recall that this identical matter was before you on a prior appeal. On June 7, 2000 Council overturned the April 5, 2000 BAR denial of the dormer construction. Inasmuch as more than 12 months had elapsed without any construction activity, the Certificate of Appropriateness had expired thereby requiring the applicant to re-apply.

Following a public hearing on July 18, 2001 the BAR denied the application again. There was no substantive change in the proposed dormer construction and our association appeared to speak in opposition to the proposal. Similar to the opinion of at least one board member, OTCA could not support the original application inasmuch as nothing had changed in the interim to require a different conclusion. Although this is not an instance in which the preservation of a historical structure is at issue, it is clearly within the purview of the BAR to preserve the architectural character of this residential block. Large dormers are problematic in that they detract from the consistency of the development's design and they are, therefore, inappropriate for this site.

Our position on this matter is not one of opposition to the applicants, but in support of the BAR. The BAR applied the appropriate design guidelines and fairly considered all of the objective and subjective factors upon which they based their decision. We, therefore, respectfully request that you deny the appeal and uphold the action of the BAR on this issue.

Sincerely,

Mark S. Feldheim
President

cc: Arnold Fink & Barbara Palmer

Vice Mayor William C. Cleveland
Councilwoman Joyce Woodson
Councilwoman Del Pepper
Councilman William D. Euille
Councilman David G. Speck
Councilwoman Claire Eberwein

Peter Smith
OAHD BAR