

EXHIBIT NO. 1

27  
6-21-05

Docket Item #  
BAR CASE #2005-0097

City Council  
June 21, 2005

**ISSUE:** Appeal of a decision of the Board of Architectural Review, Old and Historic Alexandria District approving a Certificate of Appropriateness for a new wood window

**APPLICANT & APPELLANT:** James D. Slear

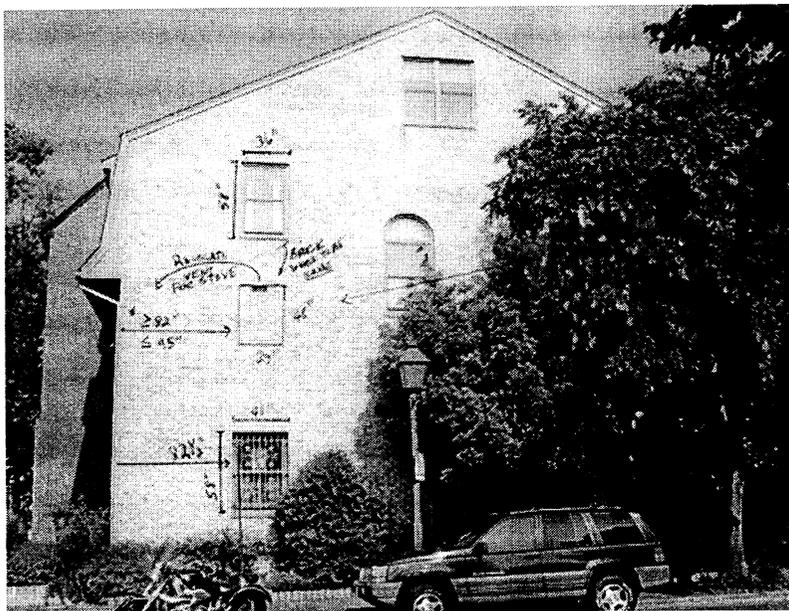
**LOCATION:** 101 Queen Street

**ZONE:** RM/Residential

---

## I. EXECUTIVE SUMMARY

- The applicant at 101 Queen Street requested approval of a new vinyl window on the east side of the 1971 townhouse facing Founders Park.
- The Old and Historic Alexandria District Board of Architectural Review heard the application for the Certificate of Appropriateness on May 18, 2005. The Board had no objection to a new window but determined that it should be a new wood window rather than a vinyl window as requested by the applicant.
- The applicant appealed the B.A.R.'s approval of a wood window.
- The B.A.R.'s *Design Guidelines* state that vinyl windows are a "strongly discouraged" window type.
- The residence already has both wood and aluminum clad windows. Introducing a third type of window is inappropriate in the historic district.
- **Recommendation:** Consistent with the B.A.R. decision, approve a new window with the condition that it be wood with six-over-six simulated divided lights.



Location of new window at 101 Queen Street

## **II. ANALYSIS**

The B.A.R. and Staff have no objection to the installation of a new window opening on the east elevation of this building. The existing facade has a variety of window sizes in an asymmetrical pattern. The Board has also previously approved new window openings and enlargement of existing openings for neighboring properties within the development.

As proposed, the window does not comply with the *Design Guidelines*. Vinyl clad windows are listed as a discouraged type of window (Windows - Page 2) and should not be used in this highly visible location. The existing windows on this elevation are a mixture of wood and aluminum clad. A vinyl clad window would introduce a third type of window. The applicant intends to replace the remaining wood windows with clad windows at a later date. The existing aluminum clad windows were not approved by the Board. The B.A.R. and Staff believe that the new window should be wood to match the original wood windows.

The B.A.R. and Staff have no objection to the use of a simulated divided light window for the second story of this late 20<sup>th</sup> century building. The B.A.R. agreed with the Staff recommendation that the simulated divided lights include permanently affixed interior and exterior muntins as well as an interior spacer bar to match the profile of the existing windows.

## **III. ARCHITECTURAL STANDARDS**

The Zoning Ordinance provides standards that are to be used to determine if approval of a Certificate of Appropriateness is warranted. In this appeal, the most important standard concerns architectural detail. Section 10-105(A)(2)(b) of the Zoning Ordinance sets forth that standard. It provides that 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:

- (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;

## **IV. APPELLANT'S POSITION**

The applicant preferred vinyl windows and would eventually like to change out all the windows on the house to vinyl.

## **V. RECOMMENDATION**

Staff recommends that Council support the decision of the Board of Architectural Review approving a new window with the condition that it be wood with six-over-six simulated divided lights.

Attachments:

Attachment 1: B.A.R. Staff Report, May 18, 2005

STAFF: Eileen Fogarty, Director, Department of Planning and Zoning; Hal Phipps, Division Chief, Zoning and Land Use Services; Peter H. Smith, Principal Staff, Boards of Architectural Review.

ATTACHMENT 1

Docket Item #16  
BAR CASE #2005-0097

BAR Meeting  
May 18, 2005

**ISSUE:** New window opening  
**APPLICANT:** James Slear  
**LOCATION:** 101 Queen Street  
**ZONE:** RM/Residential

---

**BOARD ACTION, MAY 18, 2005:** On a motion by Mr. Wheeler, seconded by Mr. Keleher the Board approved the Staff recommendation which was: approval of the application with the condition that the window be wood simulated divided light. The vote on the motion was 5-0.

**REASON:** The Board agreed with the Staff analysis.

**SPEAKER:** James Slear, homeowner, spoke in support

**STAFF RECOMMENDATION:**

Staff recommends approval of the application with the condition that the window be wood simulated divided light.

**I. ISSUE:**

The applicant is requesting approval of a Certificate of Appropriateness for a new kitchen window on the second story of the east elevation of 101 Queen Street. The casement window will be approximately 29" wide and 48" high with six lights. The proposed Andersen 400 series window is a vinyl clad wood window. The applicant is proposing permanently affixed interior and exterior muntins to match the profile of the existing windows.

The proposed window will be visible from North Union Street and Founders Park.

**II. HISTORY:**

The building at 101 Queen Street is a one of a group of three-story brick townhouses bounded by North Union, North Lee, Queen and Princess Streets. The attached rowhouses were built in the 1971 in a variety of simple Colonial Revival styles (Building Permit #8841, 7/21/71). This area was not included in the Old and Historic Alexandria District until June of 1984.

There is no record of any prior BAR approvals for this property. As mentioned by the applicant, the Board approved similar casement windows on the second story of 100 Princess Street in 1992 in addition to enlarging a number of other windows (Bar Case #92-171, 9/2/92). In 1984, the Board approved a Palladian window in the gable end of 100 Quay Street (BAR Case #84-218)

**III. ANALYSIS:**

The alterations comply with zoning ordinance requirements.

Staff has no objections to the installation of a new window opening on the east elevation of this building. The existing facade has a variety of window sizes in an asymmetrical pattern. The Board has also previously approved new window openings and enlargement of existing openings for neighboring properties within the development.

As proposed, the window does not comply with the *Design Guidelines*. Vinyl clad windows are listed as a discouraged type of window (Windows - Page 2). Staff does not support the use of a vinyl clad window in this highly visible location. Staff notes that the existing windows on this elevation are a mixture of wood and aluminum clad. A vinyl clad window would introduce a third type of window. The applicant intends to replace the remaining wood windows with clad windows at a later date. The existing aluminum clad windows were not approved by the Board. Staff believes that the new window should be wood to match the original wood windows.

Staff has no objection to the use of a simulated divided light window for the second story of this late 20<sup>th</sup> century building. Staff recommends that the simulated divided lights include

permanently affixed interior and exterior muntins as well as an interior spacer bar to match the profile of the existing windows.

**IV. STAFF RECOMMENDATION:**

Staff recommends approval of the application with the condition that the window be wood simulated divided light.

CITY DEPARTMENT COMMENTS

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

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 Construction permits are required for this project. Plans shall accompany the permit application that fully detail the construction as well as layouts and schematics of the mechanical, electrical, and plumbing systems.

Historic Alexandria:

No comment



RECORD OF APPEAL

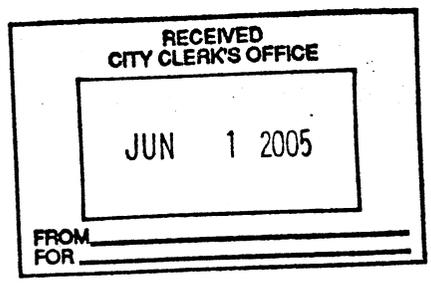
FROM A DECISION OF THE BOARD OF ARCHITECTURAL REVIEW

Date Appeal Filed With City Clerk: \_\_\_\_\_

B.A.R. Case # 2005-97

Address of Project: 101 Queen

Appellant is: (Check One)



B.A.R. Applicant

Other Party. State Relationship \_\_\_\_\_

Address of Appellant: 101 Queen St  
Alexandria VA 22314

Telephone Number: 703 927-9993

State Basis of Appeal: Appeal of decision of BAR to  
disapprove use of Anderson window as new  
window to be installed in kitchen. BAR  
concluded perma shield exterior coating would introduce

a new window type, but the home already has two types of  
windows. Moreover, the window is constructed of wood, but only has a  
permanent coating. The home is not old or historic and the  
Attach additional sheets, if necessary. protected window is an improvement  
that I, as a proponent, should be permitted  
to make.

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.

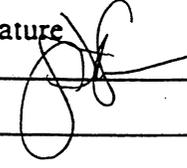
All appeals must be filed with the City Clerk on or before 14 days after the decision of the B.A.R.

All appeals require a \$150.00 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 the provisions of Sections 10-107, 10-207 or 10-309 of the Zoning Ordinance.

\_\_\_\_\_  
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 # 2005-97 regarding the property at 101 Queen Street (street address).

	Name	Signature	Owner of Real Property At:
1.	JAMES D. (JIM) SLEAR		101 Queen St
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
12.			
13.			
14.			
15.			
16.			
17.			
18.			
19.			
20.			
21.			
22.			
23.			
24.			
25.			