

*City of Alexandria, Virginia*19
11-13-04

MEMORANDUM

DATE: NOVEMBER 8, 2004

TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

THROUGH: PHILIP SUNDERLAND, CITY MANAGER 

FROM: EILEEN FOGARTY, DIRECTOR, PLANNING AND ZONING 

SUBJECT: SUP#2003-0115, SUBSTANDARD LOT DEVELOPMENT
301 LAVERNE AVENUE

This case was deferred from the Council docket in September and is returning now with revised design plans but without the benefit of Planning Commission review. Staff continues to recommend denial of the proposed development on this small substandard lot in Del Ray or, alternatively, that Council refer the matter back for a Planning Commission recommendation.

History of the Case

The applicant is a recent purchaser/developer of 301 Laverne Avenue, a substandard lot that has been the subject of several unsuccessful development attempts in the past. Staff has worked with the applicant for almost a year, and through several design iterations, all with the goal of finding a way to build a single family house on the lot. The applicant finalized plans last spring for a May Planning Commission hearing; he then deferred the case and revised the plans again over the summer. On September 9, 2004, the Planning Commission agreed with the staff recommendation and recommended denial of the SUP for the development of a single family house. Attached is the May/September staff report, which outlines the history of development attempts at this site, the rules for substandard lot development, and staff's detailed analysis of the lot itself and the applicant's plans. Also attached are the applicant's most recent, revised plans.

Revised Development Plans

After the Planning Commission decision, the applicant revised its plans, attempting to address concerns raised by staff and the Planning Commission. The revised plans address some but not all of the staff, Commission and community concerns. The community was not supportive of the application due to the small size of the lot for any detached dwelling, the design of the house, the loss of trees, the extensive driveway pavement, and the overall overbuilding in this dense neighborhood.

The revised plans have improved the design of the house. The front porch design, the fenestration, and the roof lines are all improved to be more compatible with the Del Ray neighborhood. The applicant has also attempted to make the house smaller. The length has been reduced from over 61 feet (in May) to 49 feet 6 inches (in September) to 47 feet 4 inches (current plans). The width of the house remains at 19 feet, which creates a setback along Turner Road of only 9 feet. The floor area ratio has decreased over time, with the original proposal at .45, and the current proposal at .33. Regarding parking, the applicant proposes two standard spaces on a permeable surface, where the original proposal proposed only one space. The applicant still proposes to remove a number of trees, but now argues that they are unhealthy or will not survive any construction.

However improved the design of the house is, it remains problematic on this severely undersized lot, with the result that the proposed building will overwhelm the small structures in the adjacent neighborhood. The lot in this case is only 4,200 square feet and, significantly it is a corner lot. A specific goal of the zoning for this area is to require larger corner lots if they are to be developed with a single family house. In this case, the lot size represents only 65% of the 6,500 square feet the zoning ordinance requires for corner lots. Staff performed an extensive analysis in its first staff report (attached) showing that within the larger neighborhood area that is relevant to this proposal, there are few if any other detached homes built on a corner lot as small as the subject property. The small lot size of the proposal is compounded by its minimal setback from Turner Road, the removal of trees and the large parking area in the rear. Staff therefore continues to find that the development will have a serious, negative impact on the neighborhood.

The applicant has argued that there are other similarly small, developed corner lots and he has likened the proposal to a successful substandard lot application at 2001 LaGrande Avenue, which was approved last May. However, the applicant's comparisons are not, in staff's or the community's view, valid. First, the small lots cited are very distant from the subject property and many are not corner lots. While there are many small lots in this City, it is only in the area surrounding the subject property and in the generally eastern Del Ray area that staff considered relevant. Second, the recently approved substandard lot development on LaGrande Avenue is quite different; the lot in that case is 5,750 square feet, much larger than this one and more suitable for detached residential construction. This case is more similar to the unsuccessful substandard lot case at 406 East Bellefonte, where Council found that the lot was simply too small to support an additional detached structure.

The applicant has also argued that the denial of the right to build a house on the property constitutes a taking of the property. On the contrary, as confirmed by the City Attorney, the applicant lacks the reasonable investment backed expectations that the law requires as a condition precedent to finding that a government regulatory act creates a taking of property. The property has been assessed at a low value for many years because it has been considered

nondevelopable. Prior substandard lot applications have been denied. The applicant is a recent purchaser of the property who bought it knowing that the City considered it not buildable. The subject property was in common ownership for many years with the adjacent semi-detached dwelling at 303 Laverne Avenue. The owner thus derived value from the lot during that time. The properties were purchased by separate owners in June 2004, when the applicant purchased 301 Laverne for speculative development.

Finally, staff acknowledges the possibility that, given the very small lot size in this case, it may be that no single family house development will prove appropriate. The substandard lot process is designed specifically to make case by case decisions, and to make just such determinations in the right case. The applicant here has threatened to enlarge the adjacent house if he is not successful with this application. Staff has not reviewed plans for either an attached house or an addition to the adjacent home, but considers both potential development alternatives.

Community Concerns

For almost a year, the applicant has submitted numerous plans trying to fit a single family house on the property, revealing the difficulty in the development of this lot. Throughout this process, a number of neighbors have commented on the various versions of the plans. Most recently, staff held a community meeting on November 2, 2004, to review the recently submitted new plans. A few neighbors think the redesign makes the project acceptable, finding the new designs to be an improvement. However, many neighbors are still unsupportive. Concerns expressed by the neighbors include:

- The lot is extremely small, and its development would add undo congestion and density to an already established neighborhood.
- The two parking spaces on the property, while complying with the zoning required two spaces, is a two-lane drive that takes away street parking. Tandem parking would be preferable, but the lot is too narrow to accommodate this arrangement.
- Approving this application may set a precedent for other speculators in the neighborhood looking to develop very small unsuitable properties.
- The intersection is already congested with parked vehicles and vehicles frequently making turnarounds, and the addition of a house would reduce visibility at the intersection.
- Many of those that oppose the proposal discussed their preference for maintaining the lot as a side yard for 303 Laverne, or having it considered as a city pocket park.

In addition, some have challenged the process by which the case in its current posture is before the City Council for decision instead of having to return to the Planning Commission for its recommendation (see attached letter from neighbor Ed McDermott). By bringing the revised plans forward without a recommendation from the Planning Commission, neighbors feared that this gives the impression that the plans have satisfied Planning Commission concerns, when some neighbors found that they have not.

Staff Recommendation

The design of the proposed house has improved over the past year. However, even with the improved design, there continues to be strong opposition in the neighborhood, and no consensus supporting new development. The lot is extremely small, smaller than other substandard lots, and smaller than all but two other corner properties in the area. Its small size creates significant challenges in developing the property in a way that benefits the neighborhood. For these reasons, staff finds that the proposed house, and likely any house, is not appropriate for the subject corner property.

Therefore, staff maintains its recommendation of denial. If Council disagrees, staff recommends that the revised plans be remanded back to Planning Commission for its approval.

- Attachments: 1) Staff report, SUP #2003-0115
2) Letter from Ed McDermott

Docket Item #11
SPECIAL USE PERMIT #2003-0115

Planning Commission Meeting
September 9, 2004

ISSUE: Consideration of a request for a special use permit to construct a single family on a substandard lot and a parking reduction.

APPLICANT: Brett D. Rice

LOCATION: 301 Laverne Avenue

ZONE: R-2-5/Single and two-family zone

CITY COUNCIL ACTION, OCTOBER 16, 2004: This item was deferred because of incorrect notice.

CITY COUNCIL ACTION, SEPTEMBER 21, 2004: This item was deferred at the request of the applicant.

PLANNING COMMISSION ACTION, SEPTEMBER 9, 2004: On a motion by Mr. Komoroske, seconded by Ms. Fossum, the Planning Commission voted to recommend denial of the request, subject to compliance with all applicable codes, ordinances and staff recommendation. The motion carried on a vote of 7 to 0.

Reason: The Planning Commission agreed with the staff analysis that the proposed house is not in character with the neighborhood. The Commission found that the proposed house is too large for the property and would create too much density for the neighborhood, that a smaller house had been proposed and denied by the Commission two times before, and that there are only two other corner properties in the area that are developed with single family homes on lots of the same size or smaller.

Speakers:

Duncan Blair, the applicant's attorney, spoke in support of the application stating that many of the developed lots in the neighborhood are similar in size to the subject lot. Mr. Blair submitted three letters of support from residents at 303, 315A, and 324 LaVerne Avenue.

Stuart White, the applicant's architect, spoke in support of the application.

Sarah Pearson, area resident, opposed the application stating that the subject lot has long been the side yard of the adjacent semi-detached dwelling.

Allen Flanigan, area resident, opposed the application stating that the design and size of the house was not compatible with the area.

PLANNING COMMISSION ACTION, JUNE 1, 2004: By unanimous consent, the Planning Commission deferred the request.

Reason: The applicant requested the deferral.

PLANNING COMMISSION ACTION, MAY 4, 2004: By unanimous consent, the Planning Commission deferred the request.

Reason: The applicant requested the deferral.

STAFF RECOMMENDATION: Staff recommends **denial** of this application. If this application is approved by City Council, staff recommends the approval be subject to compliance with all applicable codes and ordinances and the recommended permit conditions found in Section III of this report.

City of Alexandria, Virginia

MEMORANDUM

DATE: AUGUST 27, 2004
TO: CHAIRMAN AND MEMBERS OF THE PLANNING COMMISSION
FROM: EILEEN FOGARTY, DIRECTOR, PLANNING AND ZONING 
SUBJECT: SUP#2003-0115, SUBSTANDARD LOT DEVELOPMENT
301 LAVERNE AVENUE

This is the third time that SUP#2003-0115 is before the Planning Commission. On May 4 and June 1, 2004, the Planning Commission approved the applicant's request to defer the SUP. Attached is the staff report prepared for the May and June hearings, which includes staff's rationale for its recommendation of denial. Also attached are revised plans submitted to staff since the last hearing. The revised plans fail to address staff's concerns discussed in the report, and staff maintains its recommendation for denial. Staff's primary concern with the development continues to be its lack of compatibility with the existing neighborhood character, especially in terms of design and lot size.

Design

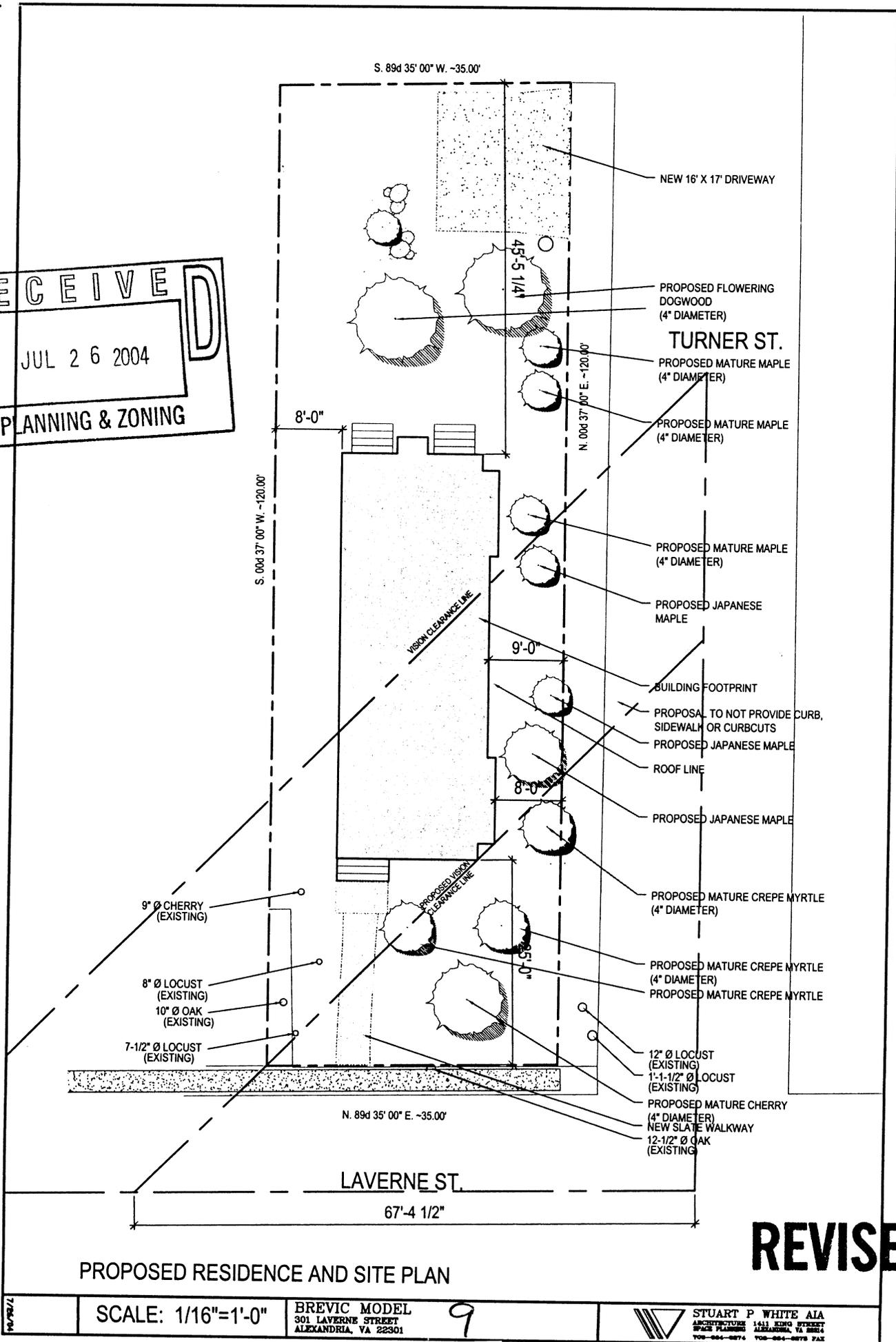
The applicant's revised plan attempts to respond to some of staff's design concerns. The applicant reduced the length of the house by seven feet in response to staff's concern about the length of the house relative to the small lot. However, it is still too long for the property, and the revisions also widened the house by three feet, which staff does not support because of the narrowness of the lot. Furthermore, the change to the footprint includes a reduction in size and prominence of the front porch, a critical element of a Del Ray house. Regarding the driveway, the applicant proposes two standard parking spaces to address staff's concern regarding a parking reduction. However, the wider driveway takes away usable open space in the rear yard, will result in the removal of significant trees in the rear yard, and would have to be longer than what is depicted on the plan in order to meet the minimum parking space size and prevent overhang into the right-of-way. It is unclear whether the applicant explored other drive options to save the trees. An unfortunate result of the changes to the plans are the elevations. The Turner Road facade, while proposing smaller cantilevered windows, is overly complex for a Del Ray house. In addition, the windows along this facade, and others, lack order in their arrangement.

Lot Size

The subject lot measures 4,200 square feet. Although there are a number of lots in the area that are this small, most of those are occupied by semi-detached or townhouse style structures. The problem here is exacerbated because the subject lot is on a corner, which under the zoning ordinance, should be at least 6,500 square feet in size for a single family home. Staff conducted an analysis of the corner properties in the area to find if there was an established pattern of single family homes developed on corner lots of this size or smaller, and found only two properties that met this criteria (see map of properties in attached staff report). That analysis remains true and the applicant's new plans cannot address the problem.

Therefore, staff maintains its recommendation of denial of the application.

- Attachments: 1) Revised plans
2) Staff report



REVISED

PROPOSED RESIDENCE AND SITE PLAN

SCALE: 1/16"=1'-0"

BREVIC MODEL
301 LAVERNE STREET
ALEXANDRIA, VA 22301

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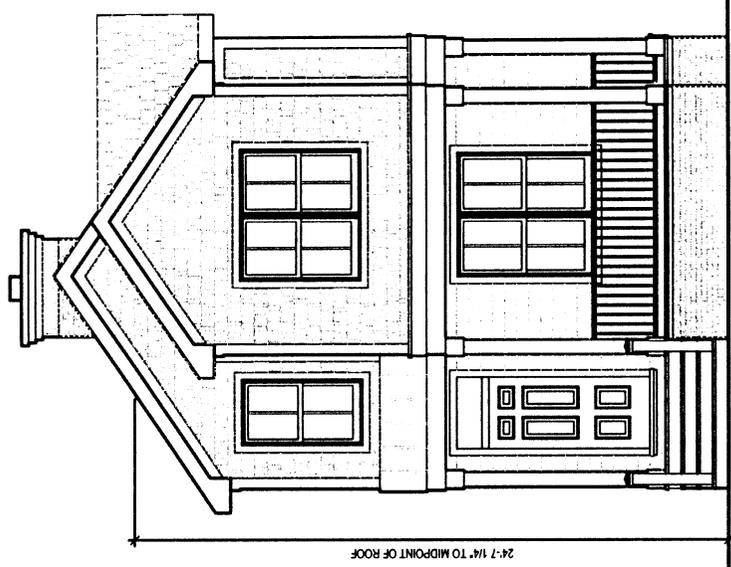


STUART P. WHITE AIA
ARCHITECTURE 1411 KING STREET
SPACE PLANNING ALEXANDRIA, VA 22304
703-684-8874 703-684-8875 FAX



REVISED

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JUL 26 2004
PLANNING & ZONING

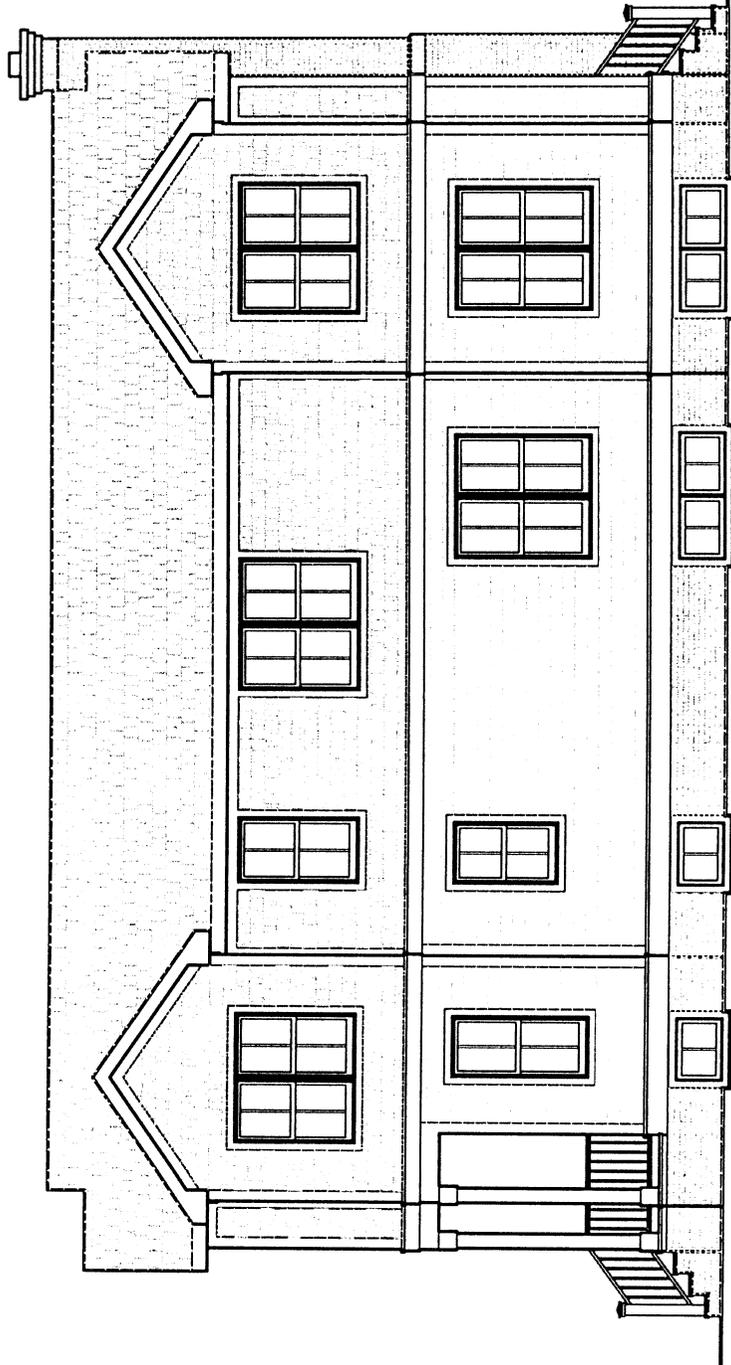


FRONT ELEVATION
SCALE: 1/8"=1'-0"

PLANNING & ZONING

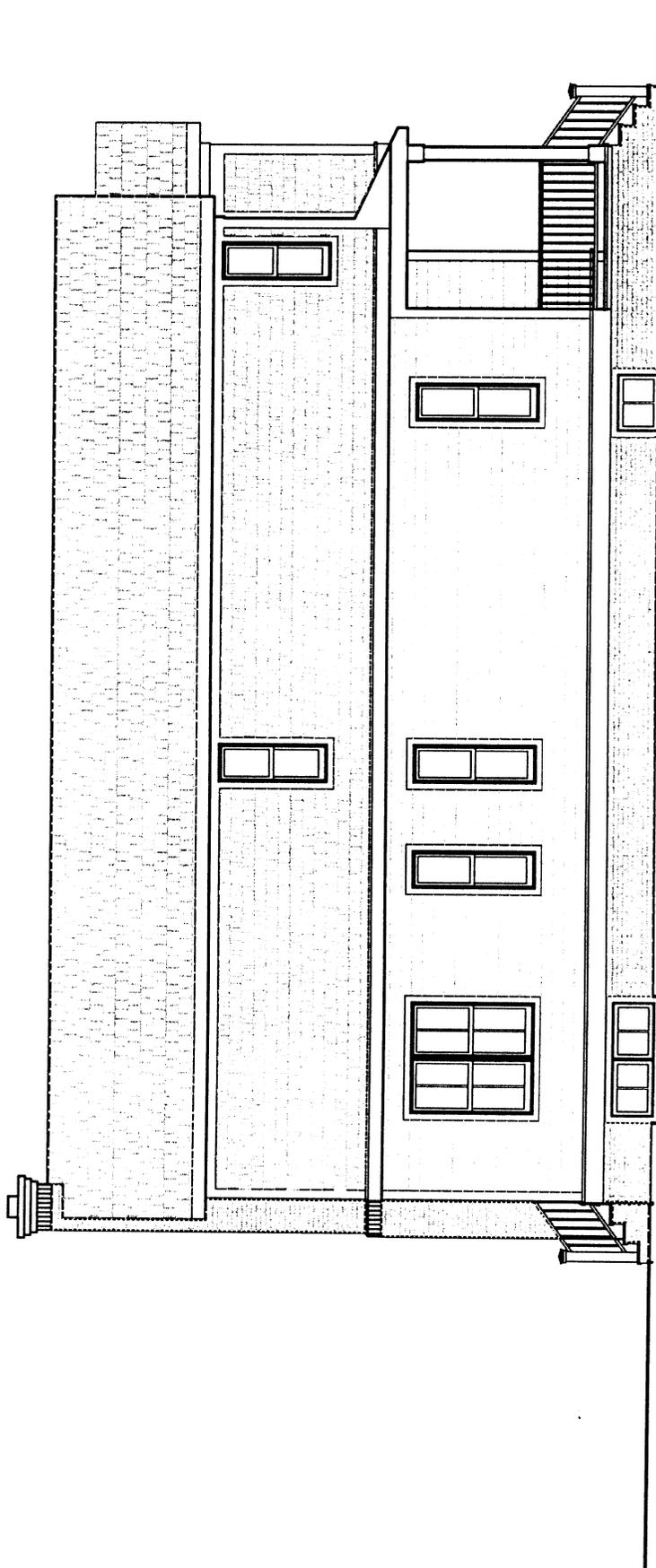
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STREET ELEVATION
SCALE: 1/8"=1'-0"



REVISED

REVISED



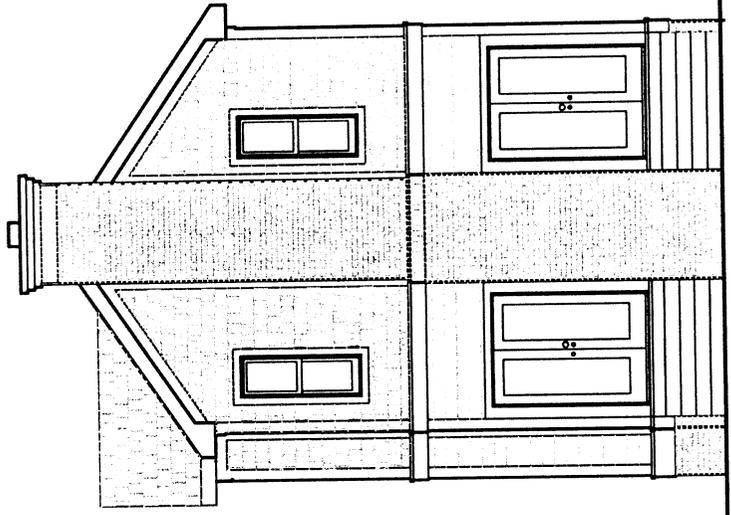
SIDE ELEVATION
SCALE: 1/8"=1'-0"

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JUL 26 2004

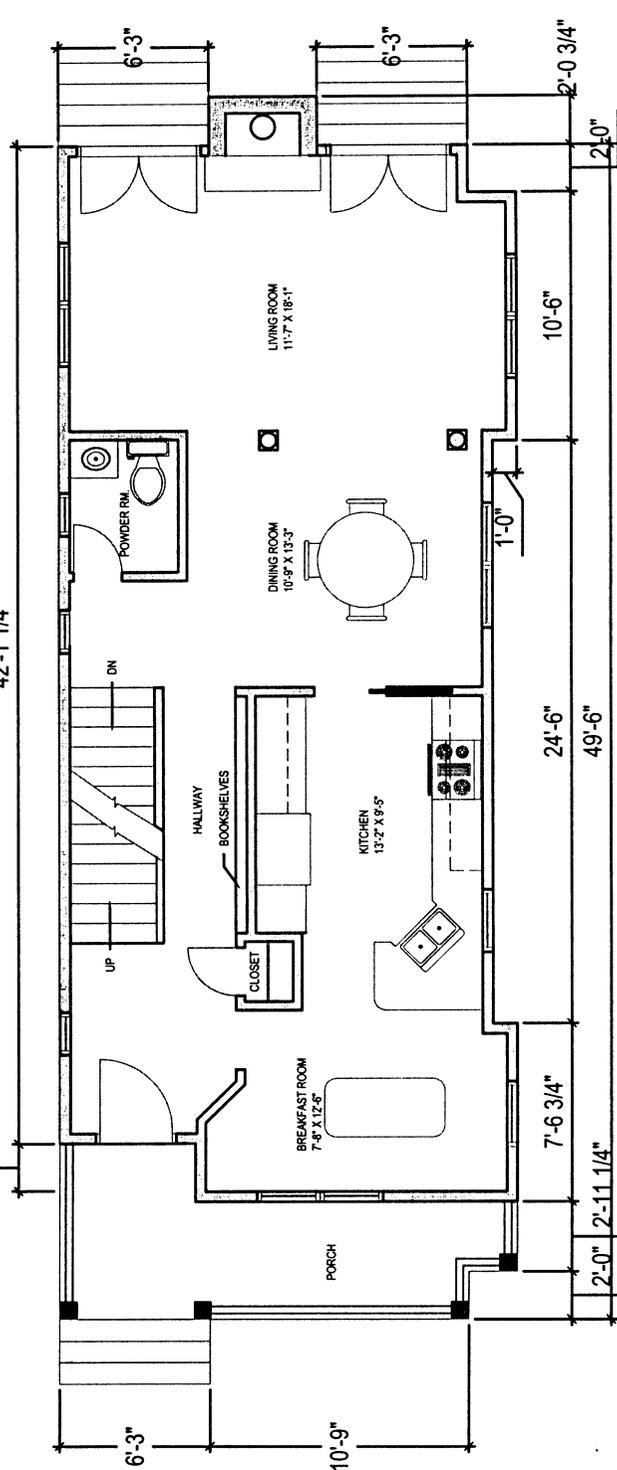
PLANNING & ZONING

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BACK ELEVATION
SCALE: 1/8"=1'-0"

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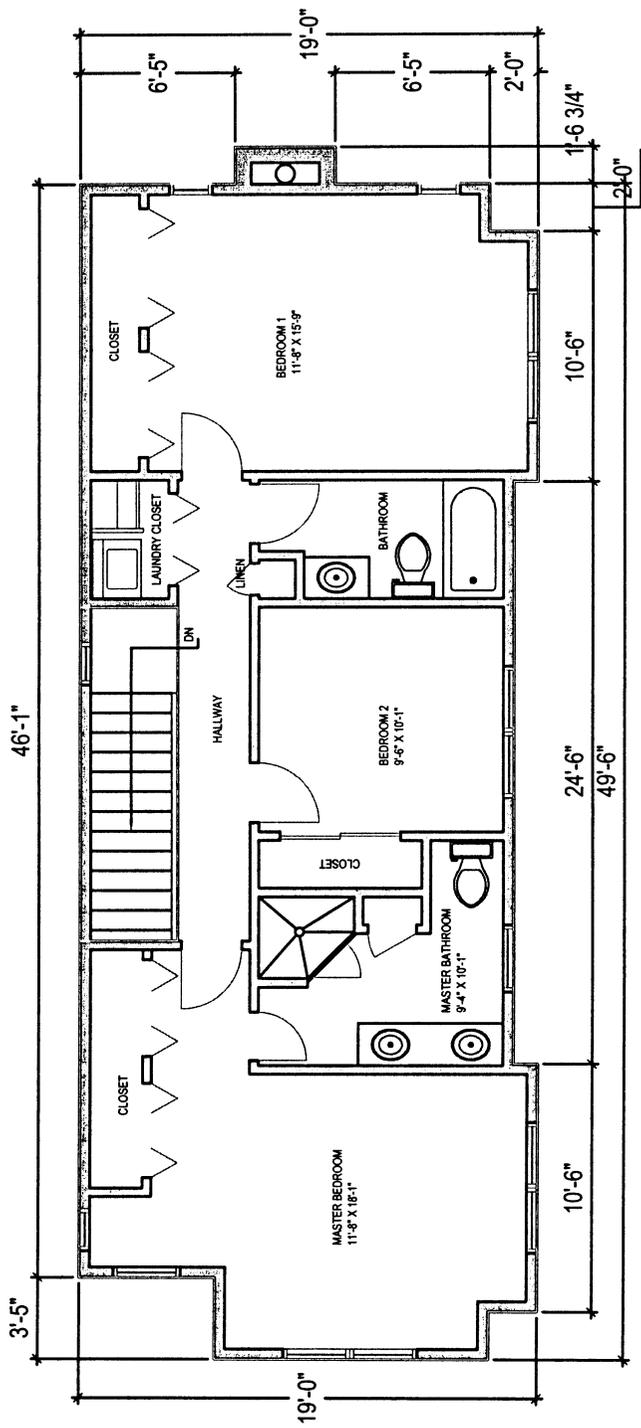


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 PLANNING & ZONING

FIRST FLOOR

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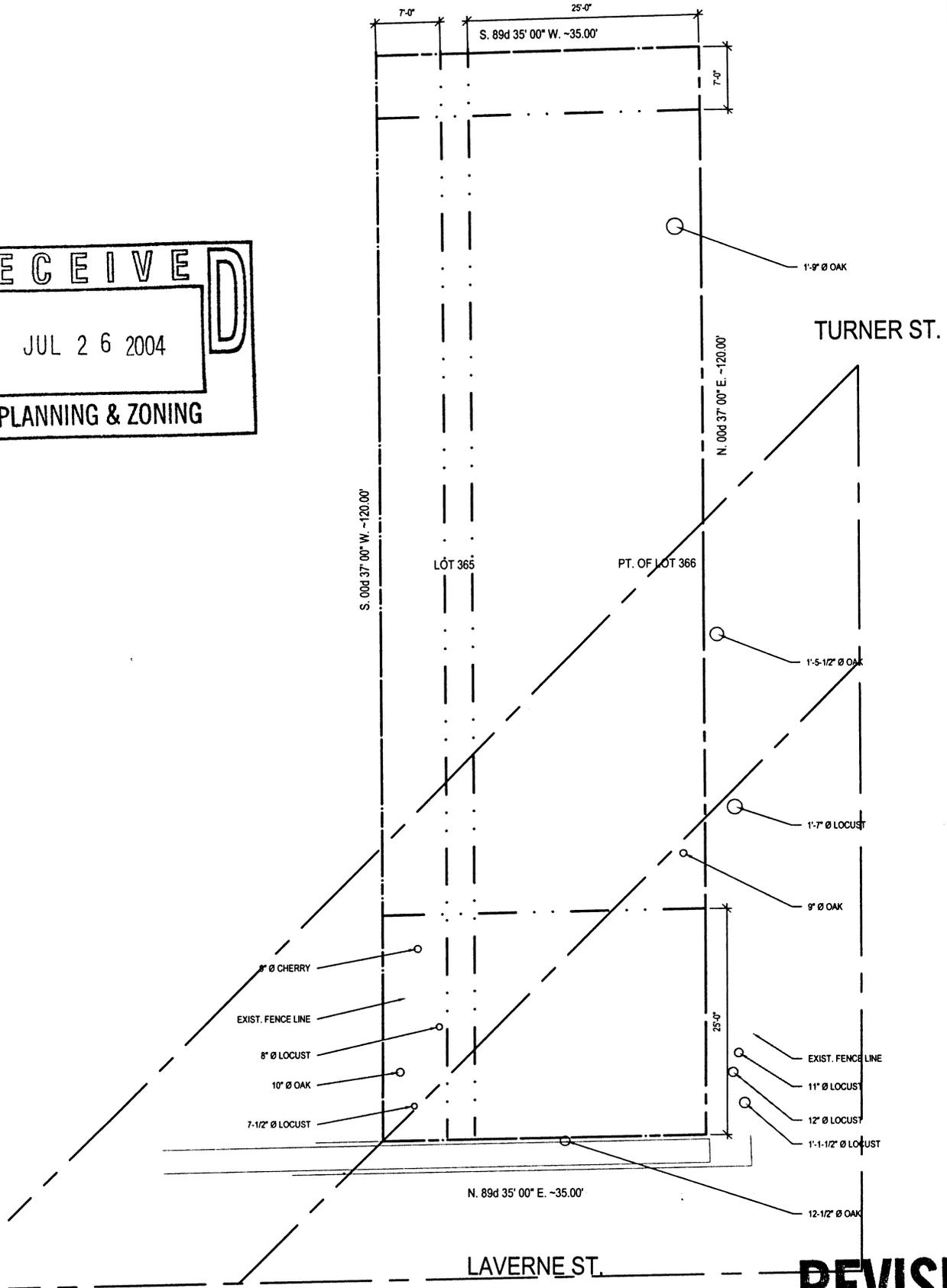


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 PLANNING & ZONING

SECOND FLOOR

REVISED

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 JUL 26 2004
 PLANNING & ZONING



EXISTING SITE PLAN

REVISED

7/26/04

SCALE: 1/16"=1'-0"

BREVIC MODEL
 301 LAVERNE STREET
 ALEXANDRIA, VA 22301



STUART P. WHITE AIA
 ARCHITECT 1421 BENT STREET
 703-525-2070 703-525-2070 FAX



**ALEXANDRIA DEPARTMENT OF PLANNING AND ZONING
FLOOR AREA AND OPEN SPACE COMPUTATIONS**

REVISED

- A. 1. Street Address 301 Laverne Ave
 2. Zone R-2-5 Total Lot 4200 SF
- B. 1. Floor Area Ratio (F.A.R.) allowed by the Zone 1890 SF
 2. 4200 x .45 = 189 SF
 Lot Area F.A.R. Maximum Allowable Net Floor Area

EXISTING GROSS AREA		DEDUCTIONS	
Basement		Basement	
First Floor		Stairways	
Second Floor	<u>N/A</u>	Mechanical / Elevator	
Third Floor		Other	<u>N/A</u>
Porches / Other			
Total Gross		Total Deductions	

1. Existing Gross Floor Area* _____ Square Feet
 2. Allowable Deductions** _____ Square Feet
 3. Existing Net Floor Area _____ Square Feet (subtract C-2 from C-1)

NEW GROSS AREA		DEDUCTIONS	
Basement	<u>N/A</u>	Basement	<u>N/A</u>
First Floor	<u>804</u>	Stairways	<u>98</u>
Second Floor	<u>895</u>	Mechanical / Elevator	<u>20</u>
Third Floor		Other	
Porches / Other	<u>104</u>		
Total Gross	<u>1803</u>	Total Deductions	<u>118</u>

1. New Gross Floor Area 1685 1803 Square Feet
 2. Allowable Deductions 118 Square Feet
 3. New Net Floor Area 1685 Square Feet (subtract D-2 from D-1)

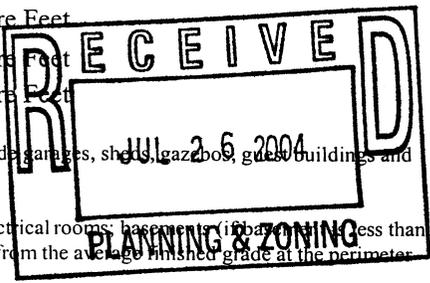
EXISTING + NEW AREA

- E. 1. Total Net Floor Area Proposed 1685 Square Feet (add C-3 and D-3)
 2. Total Net Floor Area Allowed 1890 Square Feet (from B-2)

- F. 1. Existing Open Space _____ Square Feet
 2. Required Open Space _____ Square Feet
 3. Proposed Open Space _____ Square Feet

* Gross floor area is measured from the face of the exterior walls and includes basements, outside garages, sheds, gazebos, guest buildings and other accessory buildings.

** Allowable deductions from gross floor area: Stairways, elevators, mechanical and electrical rooms; basements (if basements are less than four feet out of the ground as measured from the average finished grade at the perimeter of the bottom of the first floor).



NOTE: Open space calculations are required for all residential zones (except in the R-20, R-12, R-8, R-5, R-2-5 and RT zones), including all commercial, office and mixed use zones where residential uses are proposed. Refer to specific provisions in the zoning ordinance.

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

Signature: [Signature] Date: 25 JUL 04

City of Alexandria, Virginia

MEMORANDUM

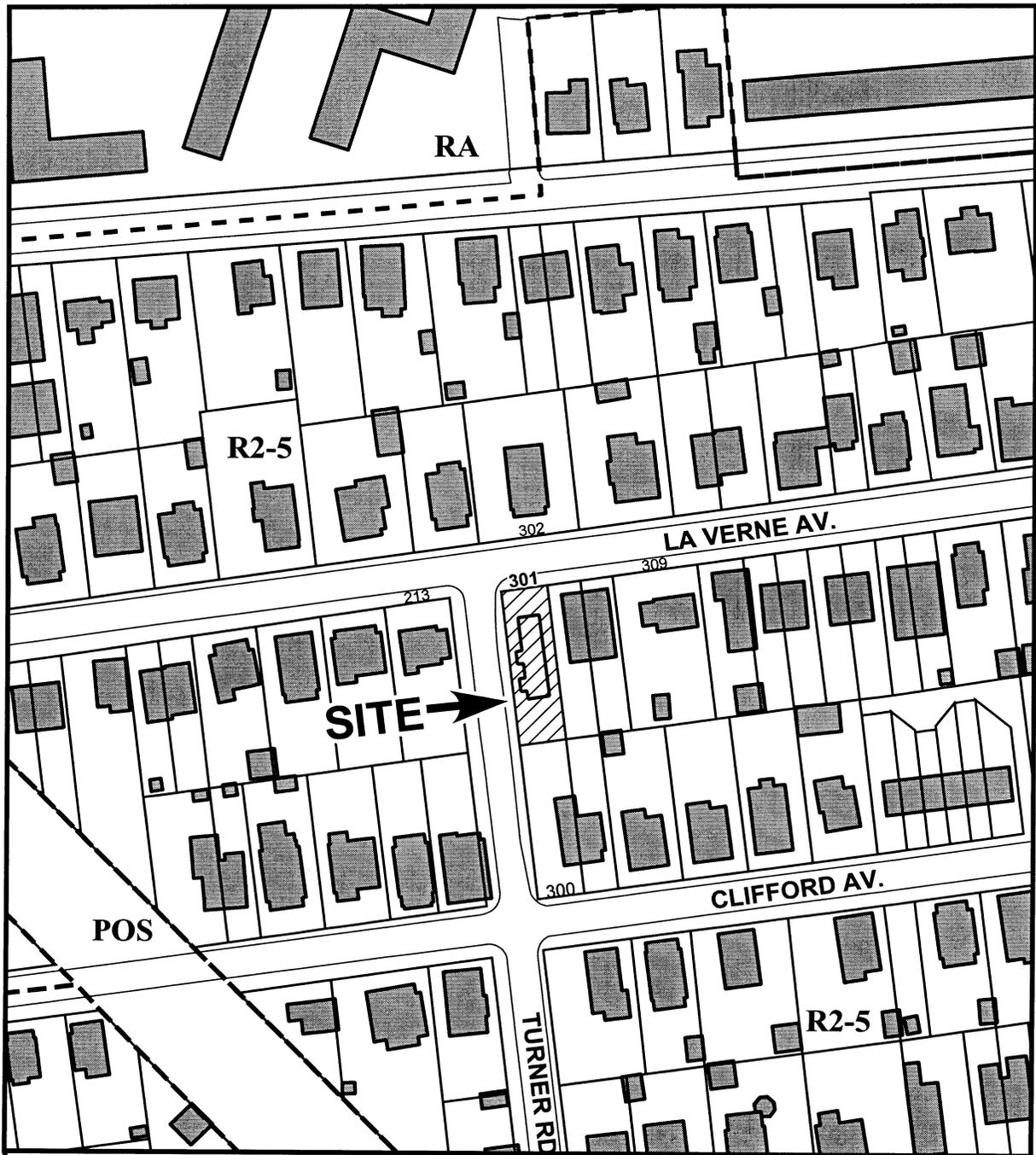
DATE: AUGUST 30, 2004

TO: CHAIRMAN AND MEMBERS OF THE PLANNING COMMISSION

FROM: EILEEN FOGARTY, DIRECTOR, PLANNING AND ZONING

SUBJECT: SUP#2003-0115, SUBSTANDARD LOT DEVELOPMENT
301 LAVERNE AVENUE

In paragraph two under the design section of the previous memo, a miscalculation led us to give the Commission a wrong number for the difference in the length of the house. The reduction in length is 12 feet, not seven. While a significant reduction in length, staff finds that it does not change our analysis.



SUP #2003-0115

09/09/04



19.

I. DISCUSSION

REQUEST

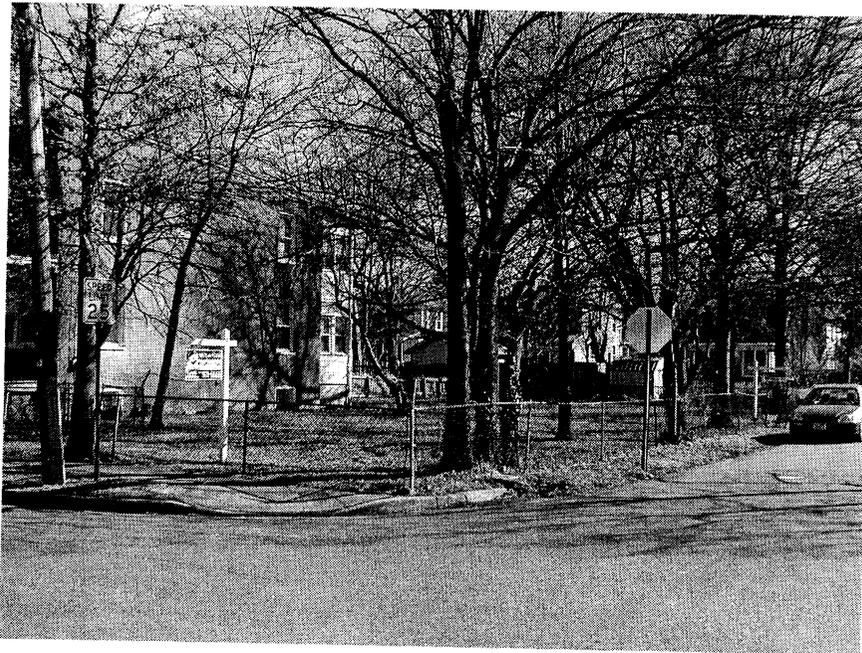
The applicants, Brett D. Rice, requests special use permit approval to develop a single family home on a substandard lot at 301 Laverne Avenue.

SITE DESCRIPTION

The subject property is one lot with 35 feet of frontage on Laverne Avenue, 120 feet of depth and a total lot area of 4,200 square feet. The site is currently vacant, with a number of trees especially along the border of the property. The surrounding area is developed with single family homes, townhouses and semi-detached dwellings. Immediately adjacent to the lot is a semi-detached dwelling. The subject lot is owned by the owner of the adjacent property at 303 Laverne Avenue.

PROJECT DESCRIPTION

The applicant, the contract purchaser of the property, proposes to develop a single family house on what is now a vacant corner lot.



301 LaVerne (Subject Property)

SUBSTANDARD LOT REGULATIONS

The subject lot was created prior to the enactment of zoning regulations for the R-2-5 zone in the City and is smaller than the lot requirements of the R-2-5 zone. The R-2-5 regulations and the existing lot dimensions are as follows:

	<u>R-2-5 Requirements</u>	<u>Existing lot Dimensions</u>
Lot area	6,500 sq ft	4,200 sq ft
Lot width	65 ft	35 ft (120 ft Turner front)

Pursuant to Section 12-402(A)(1) and (B) of the Zoning Ordinance, a substandard lot may be developed with a single family detached dwelling if it contains at least the lot area, and has at least the width at both the front lot line and building line, as at least 50% of the developed lots on the block face where the lot is located, and a special use permit is approved.

Staff has performed the necessary analysis and calculations under the above standard and determined that the subject lot meets the threshold allowing it to proceed to request a special use permit. The block face contains a total of 43 lots, 42 of which are developed. The subject lot contains at least the lot area and lot width of approximately 55% of the lots in the block face. It is the same size or larger than 23 out of the 42 lots. It may therefore seek a special use permit for development (see attached analysis).

Under Section 12-402 (C) of the Zoning Ordinance, City Council may approve a special use permit for a single family dwelling on a substandard lot if the lot meets the above threshold and if Council finds that the proposed development:

- (1) Will not unreasonably impair an adequate supply of light and air to the adjacent property,
- (2) Will not diminish or impair established property values in the surrounding areas, and
- (3) Will be compatible with the existing neighborhood character.

BULK AND OPEN SPACE REGULATIONS

The applicant proposes to develop the property with a single family house. The proposed house complies with the R-2-5 bulk and open space regulations in the following way:

Front Yard Setback:	25 ft	20ft (LaVerne Ave) 7ft 11.9in (Turner Rd)
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Side Yard Setback:	1:3 (7.99 ft)	8 ft 37 ft 10.375in (Rear)
FAR:	.45	.447
Height:	35 ft	23 ft 11.5in
Vision Clearance:	100 ft	63 ft 3.8in
Paving in Yard	50%max	62 % in side (rear) yard

MODIFICATIONS

The zoning ordinance recognizes that building a house on a lot that is not as large as the zone anticipates may require modifications of the standard zoning rules. Under section 12-404, Council may, in approving a special use permit to allow development of a substandard lot, modify minimum yard, coverage, or other minimum requirements of the zoning ordinance. In this case, the applicant requests a modification of the both required **front yards**, the **vision clearance** requirements, and the rule that prohibits **parking on more than 50%** of the required side (rear) yard.

In support of the requested modifications, the applicant surveyed the setbacks of 35 existing corner houses within two to three blocks of the subject property and found that most have front setbacks that are less than the required 25 feet. Staff has not verified each measurement, but agrees that the front setbacks in the area are generally less than what zoning requires.

PARKING

According to Section 8-200 (A)(1) of the Zoning Ordinance, a single family residential dwelling requires two parking spaces. In this case, the applicant is proposing one surface parking space accessed from Turner Street and requests a parking reduction of one space. There is no curb, gutter, or sidewalk on the Turner Street side of the property. The applicant is not proposing to install them because the remainder of that side of the block on Turner does not have curb, gutter, or sidewalk and because staff objects to curbing and sidewalk along Turner because it would require the removal of mature trees.

SUP HISTORY

On November 18, 1995, City Council approved Special Use Permit #95-0129 allowing the construction of a single family dwelling on the same substandard lot with a modification to the front yard setback requirement and a reduction in the off-street parking requirement. Section 11-506(c) of the zoning ordinance requires that construction be commenced and substantially pursued within 18 months or the special use permit becomes void. On May 15, 1997, prior to the expiration of 18 months, the applicant requested an SUP to extend the time of the original approval. On September 13, 1997, City Council denied Special Use Permit #97-0080 for the extension of the SUP. The

Planning Commission recommended denial in both the original and the extension cases finding that the proposal was not in character with the neighborhood. At the Council hearing, Council members discussed the fact that the applicant had failed to pursue the project, and that neighbors objected to the development.

MASTER PLAN

The proposed use is consistent with the Potomac West Small Area Plan chapter of the Master Plan which designates the property for residential use.

HISTORIC DISTRICT

The property is located in the Town of Potomac historic district.

II. STAFF ANALYSIS

Staff does not support the proposed single family house located at 301 Laverne Avenue. Staff finds the proposal to be objectionable because it is not compatible with the character of the neighborhood, because of the proposed significant loss of trees on the property, and because of the additional parking impacts.

The substandard lot regulations are one of the tools the city has by which to judge infill development in established neighborhoods. They incorporate two important policy elements. First, there is a complex test of basic neighborhood compatibility by which the lot size and width are compared to existing lots in the immediate neighborhood. In order to move forward in the process, the substandard lot must be similar in size to those around it. Second, such lots are then subjected to a highly discretionary process under which they are judged by staff, the planning commission and city council, against the primary standard of compatibility with the neighborhood character. In that process, the impacts of the proposal on its neighbors from a design, open space, parking perspective are all relevant. Modifications to otherwise applicable zoning regulations are allowed in order to make the proposed house similar to and in character with the established homes around it.

There are two cases before the Commission and Council for decision this month and, under the substandard lot regulations, staff is recommending against this one and in favor of the other. Its decisions are different because of the different lots involved, the different parking impacts, the different effect on mature trees and locations, size and design of the two proposals.

In the case of the proposal at the corner of Laverne and Turner in Del Ray, staff finds that the lot is so small that it is difficult to imagine a single family house of compatible character on this corner lot. The lot is and has historically been owned by its neighbor to the east, and is clearly a left over space from the original development of the block. Trying to squeeze a new house in at this location now is very difficult, and staff does not find the applicant's effort to be sufficiently sensitive to support approval.

COMPATIBILITY WITH NEIGHBORHOOD CHARACTER

The existing character of the neighborhood includes a mix of single family, semi-detached, and townhouse developments of simple designs, developed in a grid street pattern. Single family homes are generally on lots of at least 5,000 square feet or more, while townhouses and semi-detached dwellings are on smaller lots of less than 5,000 square feet, often half that size. Dwellings are typically situated close to the street. Some properties have off-street parking accessed by a private driveway, and some have only on street parking. Staff's evaluation of whether the proposal is compatible with the existing neighborhood character included the following issues:

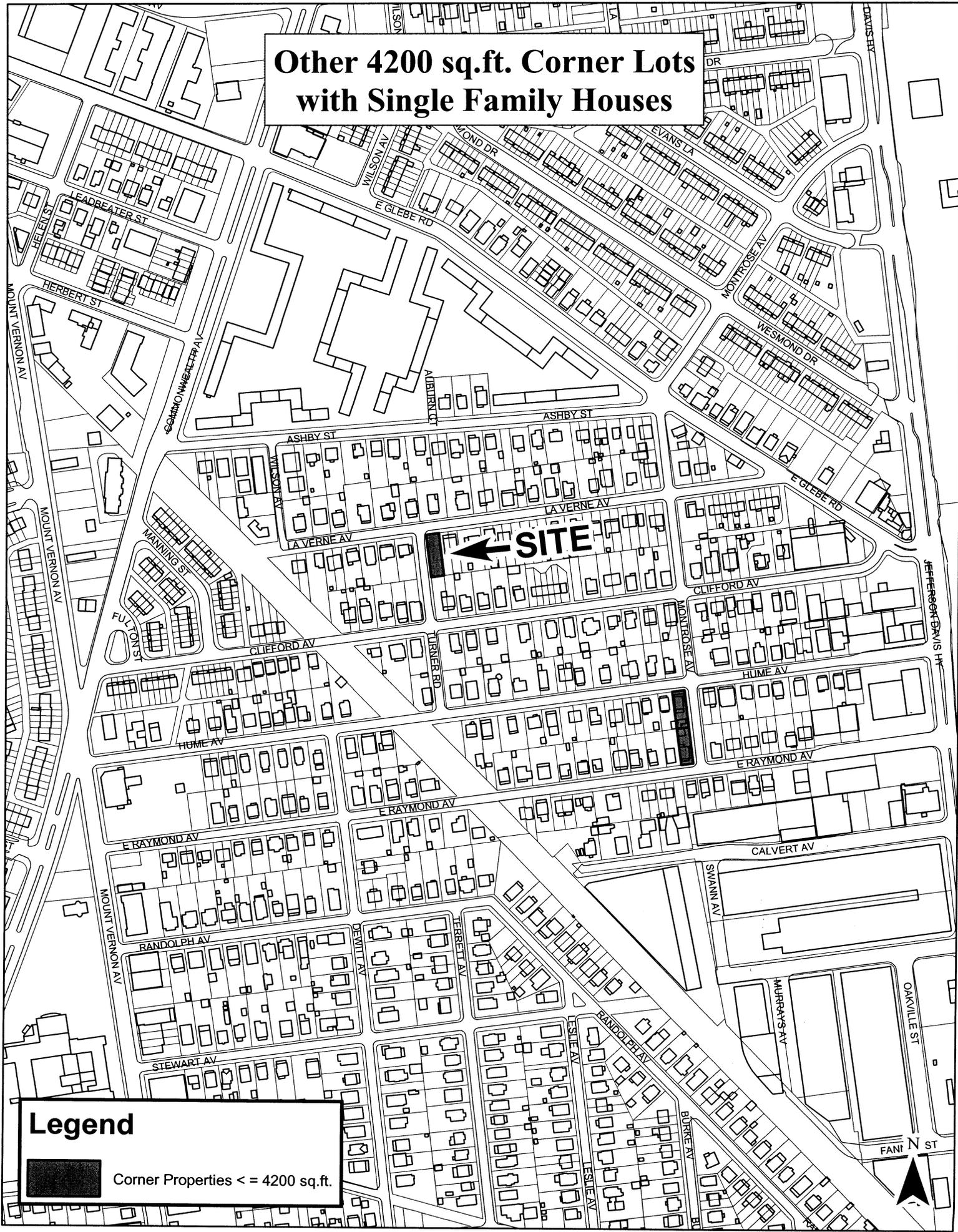
Lot Size:

The subject lot measures 4,200 square feet. Although there are a number of lots in the area that are this small, most of those are occupied by semi-detached or townhouse style structures which under current zoning require a minimum of 4,000 square feet. The small size of the lot makes it awkward for a single family home, and the problem is exacerbated because the property is a corner lot which, under the zoning ordinance, should be at least 6,500 square feet in size for a single family home.

Lot Size Relative to Other Corner Properties:

Staff conducted an analysis of the corner properties in the area of the subject property to find if there was an established pattern of single family homes developed on corner properties of this size in the neighborhood. Most of the lots in this part of the original St. Elmo subdivision were 25 feet wide and 2500 square feet in size. Many of the single family homes in the area have been developed on two combined lots. As shown on the map below, staff found that of all of the corner properties in this area, only two were developed with single family houses on properties of 4,200 square feet or less. The proposed single family house on a substandard corner lot of 4,200 square feet is clearly not consistent with the existing corner development pattern in the neighborhood.

Other 4200 sq.ft. Corner Lots with Single Family Houses



Legend



Corner Properties \leq 4200 sq.ft.



Modifications:

The zoning ordinance recognizes that building a house on a lot that is not as large as the zone may require modifications of the standard zoning rules. Staff can support modifications when they help create development in a way that is more consistent with its immediate surroundings and with the established pattern in the neighborhood than strict compliance with the zoning ordinance would allow. Staff found the substandard lot case being heard at 2001 LaGrande Avenue (SUP#2004-0020) to be an example of the point. In the subject case, however, although some of the modifications are supportable in the abstract, others show how difficult it is to build the applicant's proposed house on this very small lot.

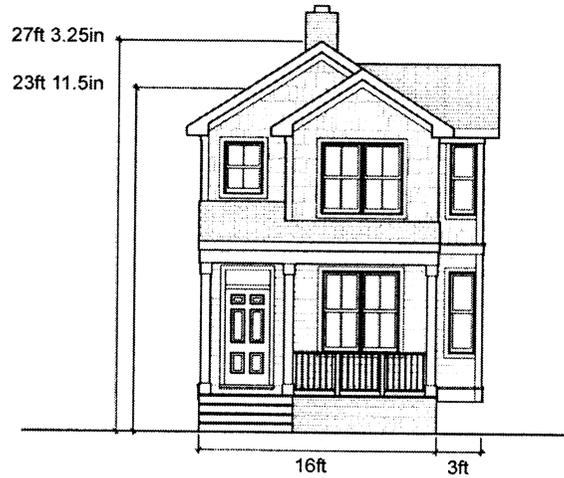
The applicant in this case surveyed the front setbacks of a number of corner properties in the vicinity of the subject property and found that the majority have setbacks less than what the zoning currently requires. The area was built, in the main, prior to the adoption of the current zoning requirements, so the applicant's findings are not surprising. In addition, the surveyed properties are larger than the subject parcel, and in some cases are developed with semi-detached dwellings, discounting their relevance to the requested modifications for the subject property. However, staff agrees that as to the front setback requirement on Laverne, the proposed modification is desirable so as not to have a new house out of character with the others nearby. On the Turner Street frontage however, the small setback (11 feet to the building wall and only eight feet to the large bay windows) is problematic, as it allows a large and long structure (60' long) very close to the street, and completely out of character with the setback of the house behind it.

Staff does not object to a vision clearance modification, in that the streets affected are neighborhood, residential streets, with relatively slow traffic, and because there is a stop sign at Turner Road.

Finally, staff cannot support the rear yard paving modification because the size and location of the house leaves a small side (rear) yard, the parking provided there is not even sufficient to meet zoning requirements and the paving and curbcut require removal of trees.

Size and Height of proposed building:

The subject development maximizes the required .45 floor area ratio and proposes a FAR of .447. It is two and a half to three stories tall and 60 ft long. Given that the subject development is already out of character with the existing pattern of development in the area in that the lot is undersized, a supportable house at this location would have to be significantly smaller than the one proposed.



LaVerne Avenue Facade



Turner Road Facade

Design:

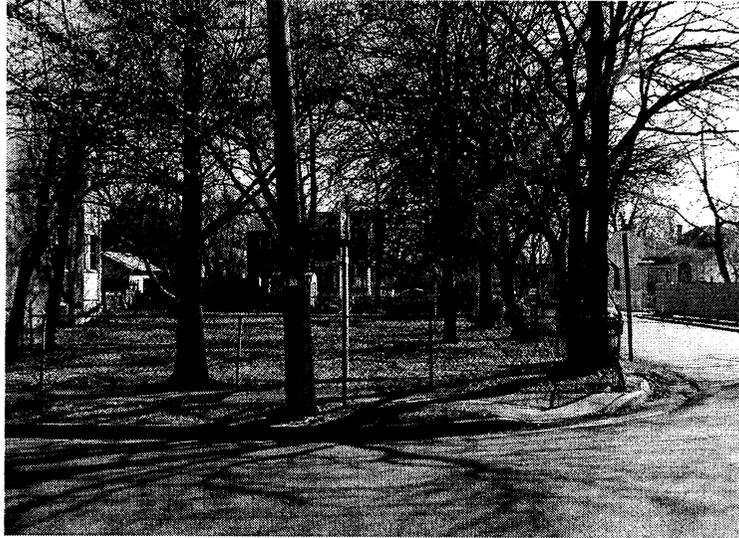
The Town of Potomac historic district has a large concentration of residential architecture from the 1890s through 1941. The 200 and 300 blocks of LaVerne Avenue have a number of structures on the Town of Potomac Historic District Inventory of contributing buildings. The style of these structures are predominantly Four Squares, but also includes Bungalows, Folk Victorians, and

simplified New-Colonials. Although the style of the proposed house is not a common type in the area, it resembles a Folk Victorian, and although not exact, is an attempt to evoke the historic context of the area. The front porch on the proposed house is a common element in the district, although the slight overhang of the second floor is not typically seen on the historic homes. The length of the proposed house, particularly compared to the smaller lot size, is not demonstrated in the historic homes in the neighborhood. Although houses technically can develop to a .45 floor area ratio, the historic homes were originally developed at much less, and allowable additions are generally made to look subordinate to the original structure. In this case, the applicant maximized the floor area ratio in the original structure, making the main structure less compatible with the historic context.

The applicant's design has significantly improved over several iterations in response to staff's numerous concerns with the application. The initial design was boxy and windowless on the street side showing little consideration for the corner location. Windows on the other facades of the house were awkwardly placed in a disorganized way. Additionally, the proposal removed most of the trees that line the property. The final design being proposed here is more attractive, with windows on the street side, arranged in an organized manner. However, the house is awkwardly long and narrow, extending well beyond the rear wall of the adjacent semi-detached dwelling. The 60 foot long front wall along Turner is oppressively close to the street and lacking in detail in the design. The cantilevered windows on Turner Road are oversized and emphasize the excessive length. The narrowness of the house may be partly responsive to staff's concern about the mature trees, but since the trees cannot be saved regardless, the house design would have to be significantly different to better fit the lot.

TREES

The subject property includes 14 mature trees, with most of them located along the Turner Road side. Staff discussed with the applicant the importance of preserving these trees as part of any development. The trees are an important element of the property, and saving them would make a development at the property more favorable. The applicant narrowed the house to 16 feet in an attempt to save the trees. However, the City Arborist concluded, and the applicant's arborist agreed, that it would be difficult to save the trees with any development on the property. Specifically, the proposed development requires removal of six of the mature trees, including a 21inch oak, a 17.5inch oak, and a 19inch locust. A 21 inch oak, a nine-inch oak, and a 12inch maple would be removed to install a driveway. The applicant does propose to install 10 new trees to mitigate the loss of the mature trees. The applicant indicates the new trees will be "mature", but does not indicate a caliper size. In any event, staff finds that the removal of the mature trees on this small site is a significant loss to the community, even with new replacement plantings, and should not be supported when accommodating the development of a substandard lot that is not in character with the neighborhood.



PARKING:

The applicant proposes to install one surface parking space at the rear of the house, despite the fact that two are required. A parking reduction of only one space may be reasonable in some cases, particularly since it reduces the amount of paving on the property. However, in this case there are so many concessions that the applicant is requesting in the overall proposal that the potential for added impacts to street parking seems almost an unreasonable request. In addition, the applicant made no effort to reconfigure the driveway to save the two large oak trees and one maple tree that are proposed to be removed because of the proposed driveway.

RECOMMENDATION:

Staff recommends denial of this application, finding that the development of the proposed single family house on this corner lot of only 4,200 square feet is not in character with the neighborhood. The development causes a number of mature trees to be lost, and creates an added parking impact on the neighborhood. In the event that the application is approved, staff has included a number of conditions intended to soften the significant impacts of the proposed development.

III. RECOMMENDED CONDITIONS

Staff recommends **denial** of this application. If this application is approved by City Council, staff recommends the approval be subject to compliance with all applicable codes and ordinances and the following conditions:

1. The applicant shall provide a minimum of one parking space on the lot. (P&Z)
2. The applicant shall install at least 10 new trees on the property of at least a 4" caliper, the majority of which shall be placed along the street frontages. (P&Z)
3. The driveway and walk surfaces shall have minimal paving and be constructed of mostly permeable elements. (P&Z)
4. Modifications for the front yards, vision clearance and side yard parking requirements are granted. (P&Z)
5. In order that the existing trees may be preserved, the applicant shall not install sidewalk on the Turner Road frontage. (P&Z)
6. The applicant is to contact the Crime Prevention Unit of the Alexandria Police Department at 703-838-4520 regarding security hardware for the new home. This is to be completed prior to the commencement of construction. (Police)
7. A PLOT PLAN showing all improvements and alterations to the site, and adjacent right of way shall be approved by T&ES prior to issuance of a building permit. (T&ES)
8. City records indicate that the existing fence along Turner Road is encroaching upon the city right of way. Fence shall be removed/relocated. (T&ES)
9. City Code Section 8-1-22 requires that roof, surface and sub-surface drains be connected to the public storm sewer system. 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. (T&ES)

10. Applicant shall be responsible for repairs to the adjacent City right-of-way if damaged during construction activity. (T&ES)
11. On site parking shall be designed to prevent vehicles from overhanging city right-of-way. Provide minimum length of 18 feet for parking pad. **(Revised 8/4/04)** (T&ES)

STAFF: Eileen Fogarty, Director, Department of Planning and Zoning;
Barbara Ross, Deputy Director;
Valerie Peterson, Urban Planner.

IV. CITY DEPARTMENT COMMENTS

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

Transportation & Environmental Services:

- F-1 Although the proposed structure will intrude into the 100 foot vision clearance as set forth in Section 7-801, T&ES does not object to the proposed placement of the house. There is low volume of traffic on this neighborhood street. However, T&ES insists that other site improvements, i.e. fencing and landscaping meet the requirements of this section.
- R-1 A PLOT PLAN showing all improvements and alterations to the site, and adjacent right of way shall be approved by T&ES prior to issuance of a building permit.
- R-2 City records indicate that the existing fence along Turner Road is encroaching upon the City right-of-way. Fence shall be removed/relocated.
- R-3 On site parking shall be designed to prevent vehicles from overhanging city right-of-way. Provide minium length of 18 feet for parking pad. **(Revised 8/4/04)**

Staff did not recommend the following because, if the application is approved, installing sidewalk, curb, and gutter will make the ability to save the trees more difficult.

- R-4 Section 8-1-17 of the City Code requires that curb, gutter and sidewalk be installed at the property owner's expense whenever construction or alteration of a building site will increase the fair market value of the property by more than 50 percent. Provide a design for the missing curb/gutter and sidewalk to be installed as part of this project.
- R-5 City Code Section 8-1-22 requires that roof, surface and sub-surface drains be connected to the public storm sewer system. 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.
- R-6 Applicant shall be responsible for repairs to the adjacent city right-of-way if damaged during construction activity.
- C-1 All utilities serving this site shall be placed underground. (Sec. 5-3-3)

- C-2 Pay sanitary sewer tap fee prior to issuance of a building permit.(Ord. #4287)
- C-3 Any work within the right-of-way requires a separate permit from T&ES.(Sec. 5-3-61)
- C-4 Per City Ordinance No. 3176, requests for new driveway aprons, unless approved at public hearing as part of a related item, must be accompanied by an adjacent **Property Owners Acknowledgment** form.
- C-5 For any project having a disturbed area greater than 2,500 square feet, the applicant must comply with the Article XIII of the City's zoning ordinance, which includes requirements for stormwater pollutant load reductions, treatment of the water quality volume default, and stormwater quantity management.
- C-6 For any project having a disturbed area greater than 2,500 square feet, the applicant must comply with the City of Alexandria, Erosion and Sediment Control Code, Section 5, Chapter 4. This includes naming a Responsible Land Disturber on the Erosion and Sediment Control sheets prior to engaging in land disturbing activities in accordance with Virginia Erosion and Sediment Control Law.

Code Enforcement:

- C-1 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. This condition is also applicable to porches with roofs and skylights within setback distance.
- C-2 Prior to the issuance of a demolition permit or land disturbance permit, a rodent abatement plan shall be submitted to Code Enforcement that will outline the steps that will taken to prevent the spread of rodents from the construction site to the surrounding community and sewers.
- C-3 Roof drainage systems must be installed so as neither to impact upon, nor cause erosion/damage to adjacent property.
- C-4 A soils report must be submitted with the building permit application.
- C-5 New construction must comply with the current edition of the Uniform Statewide Building Code (USBC).

- C-6 Alterations to the existing structure must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-7 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.
- C-8 Permission from adjacent property owners is required if access to the 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-9 A wall location plat prepared by a land surveyor is required to be submitted to this office prior to requesting any framing inspection.

Police Department:

- R-1 The applicant is to contact the Crime Prevention Unit of the Alexandria Police Department at 703-838-4520 regarding security hardware for the new home. This is to be completed prior to the commencement of construction.

301 LaVerne, Substandard Lot Calculations

PROPERTY	LOT AREA	LOT WIDTH	LOT WIDTH @ FRONT BLD LINE	SUBJECT LOT HAS AT LEAST LOT SIZE, WIDTH, AND WIDTH AT FRONT BUILDING LINE?
<i>R-2-5 ZONING REQUIREMENTS</i>	6,500	65	65	-
<i>SUBJECT (301 LAVERNE)</i>	4,200	35	35	-
303 LAVERNE	3000	25	25	Y
305 LAVERNE	3000	25	25	Y
309 LAVERNE	7800	65	65	N
311 LAVERNE	4200	35	35	Y
313 LAVERNE	3000	25	25	Y
313A LAVERNE	3000	25	25	Y
315 LAVERNE	3000	25	25	Y
315A LAVERNE	3000	25	25	Y
317 LAVERNE	3000	25	25	Y
317A LAVERNE	3000	25	25	Y
319 LAVERNE	6000	50	50	N
321 LAVERNE	6000	50	50	N
323 LAVERNE	3000	25	25	Y
323A LAVERNE	3000	25	25	Y
325 LAVERNE	3000	25	25	Y
325A LAVERNE	3000	25	25	Y
327 LAVERNE	3000	25	25	Y
329 LAVERNE	3000	25	25	Y
331 LAVERNE	3000	25	25	Y
333 LAVERNE	3000	25	25	Y
335 LAVERNE	3000	25	25	Y
332 LAVERNE	2750	25	25	Y
330 LAVERNE	2750	25	25	Y
326 LAVERNE	2750			NOT A DEVELOPED LOT
326A LAVERNE	5500	60	50	N
324A LAVERNE	2750	25	25	Y
324 LAVERNE	2750	25	25	Y
322 LAVERNE	5500	70	70	N
320 LAVERNE	5500	50	50	N

301 LaVerne, Substandard Lot Calculations

318 LAVERNE	5500	50	50	N
316 LAVERNE	5500	50	50	N
200 LAVERNE	8250	75	75	N
202 LAVERNE	5500	50	50	N
204 LAVERNE	5500	50	50	N
206 LAVERNE	9750	75	75	N
208 LAVERNE	8250	75	75	N
210 LAVERNE	5500	50	50	N
302 LAVERNE	8525	77.5	77.5	N
306 LAVERNE	7975	72.5	72.5	N
308 LAVERNE	4125	37.5	37.5	N
310 LAVERNE	4125	37.5	37.5	N
312 LAVERNE	5500	50	50	N
314 LAVERNE	2750	25	25	Y

Section 12-402 (A) (1)

The substandard lot contains at least the lot area, and has at least the lot width at both the front lot line and front building line as exhibited by more than 50 percent of the developed lots on the [block face] in which the substandard lot is located.

23 YES

19 NO

55%

APPLICATION for SPECIAL USE PERMIT # 2003-0115

[must use black ink or type]

PROPERTY LOCATION: 301 Laverne Ave. Alexandria VA 22305-2721

TAX MAP REFERENCE: 024.02 04 09 ZONE: R-2-5

APPLICANT Name: Brett D. Rice

Address: 6084 A Franconia Rd Alexandria VA 22310

PROPERTY OWNER Name: James^S Jeanette Auryear

Address: PO Box 4278 Alexandria VA 22303

PROPOSED USE: Single Family House on sub-standard lot

THE UNDERSIGNED hereby applies for a Special Use Permit in accordance with the provisions of Article XI, Section 11-500 of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

THE UNDERSIGNED, having obtained permission from the property owner, hereby grants permission to the City of Alexandria to post placard notice on the property for which this application is requested, pursuant to Article XI, Section 11-301(B) of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

THE UNDERSIGNED hereby attests that all of the information herein provided and specifically including all surveys, drawings, etc., required to be furnished by the applicant are true, correct and accurate to the best of their knowledge and belief. The applicant is hereby notified that any written materials, drawings or illustrations submitted in support of this application and any specific oral representations made to the Planning Commission or City Council in the course of public hearings on this application will be binding on the applicant unless those materials or representations are clearly stated to be non-binding or illustrative of general plans and intentions, subject to substantial revision, pursuant to Article XI, Section 11-207(A)(10), of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

Brett D. Rice
Print Name of Applicant or Agent

Re/Max Allegiance
6084 A Franconia Rd.
Mailing/Street Address

Alexandria VA 22310
City and State Zip Code

Brett D. Rice
Signature

703-929-3040 703-971-8566
Telephone # Fax #

24 NOV 03
Date

=====**DO NOT WRITE BELOW THIS LINE - OFFICE USE ONLY**=====

Application Received: _____ Date & Fee Paid: _____ \$

ACTION - PLANNING COMMISSION: 9/9/04 RECOMMEND DENIAL 7-0

ACTION - CITY COUNCIL: 9/21/04 Item was deferred

PARKING REDUCTION SUPPLEMENTAL APPLICATION

Supplemental information to be completed by applicants requesting special use permit approval of a reduction in the required parking pursuant to section 8-100(A)(4) or (5).

1. Describe the requested parking reduction. (e.g. number of spaces, stacked parking, size, off-site location)

1 CAR PAVED ON SITE PARKING

2. Provide a statement of justification for the proposed parking reduction.

LOT IS BEST SUITED FOR 1 SPACE AT REAR OF PROPERTY AS THREE OF FOUR ADJOINING / FACING AT A CATCORNER HOMES HAVE.

3. Why is it not feasible to provide the required parking? to ACHIEVE BEST

USE OF LOT / HOUSE APPEARANCE. MODIFY FRONT YARD SETBACK THE REQUIRED SPACE SHALL BE ACCESSED FROM TURNER RD BUT SHALL NOT OCCUPY MORE THAN 50% OF REQUIRED REAR YARD?

4. Will the proposed reduction reduce the number of available parking spaces below the number of existing parking spaces? Yes. No.

5. If the requested reduction is for more than five parking spaces, the applicant must submit a Parking Management Plan which identifies the location and number of parking spaces both on-site and off-site, the availability of on-street parking, any proposed methods of mitigating negative affects of the parking reduction.

6. The applicant must also demonstrate that the reduction in parking will not have a negative impact on the surrounding neighborhood. WILL BE COME LIKE

HOME AT REAR AND CATCORNER OF PROPERTY
~~Being~~ Being on a corner lot there is plenty ~~of~~ ~~extra~~ ~~parking~~ of extra parking on street - which will not have a negative impact on the neighborhood.

All applicants must complete this form. Supplemental forms are required for child care facilities, restaurants, automobile oriented uses and freestanding signs requiring special use permit approval.

1. The applicant is (check one) the Owner Contract Purchaser
 Lessee or Other: _____ of the subject property.

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.

N/A

If property owner or applicant is being represented by an authorized agent such as an attorney, realtor, or other person for which there is some form of compensation, does this agent or the business in which the agent is employed have a business license to operate in the City of Alexandria, Virginia? N/A

- Yes. Provide proof of current City business license
- No. The agent shall obtain a business license prior to filing application, if required by the City Code.
2. Submit a floor plan and a plot plan with parking layout of the proposed use. One copy of the plan is required for plans that are 8½" x 14" or smaller. Twenty-four copies are required for larger plans or if the plans cannot be easily reproduced. The planning director may waive requirements for plan submission upon receipt of a written request which adequately justifies a waiver. This requirement does not apply if a Site Plan Package is required.

SEE
ATTACHMENT #1

NARRATIVE DESCRIPTION

3. The applicant shall describe below the nature of the request in detail so that the Planning Commission and City Council can understand the nature of the operation and the use, including such items as the nature of the activity, the number and type of patrons, the number of employees, the hours, how parking is to be provided for employees and patrons, and whether the use will generate any noise. (Attach additional sheets if necessary)

THE APPLICATION IS FOR A SPECIAL USE PERMIT TO CONSTRUCT
A NEW SINGLE FAMILY HOME, CONFORMING IN STYLE AND ARCHITECTURE
ON A SUB STANDARD LOT (4200 SQ. FT) THAT IS DEEMED AND TAXED
BY THE CITY OF ALEXANDRIA AS A "BUILDABLE LOT". A PREVIOUS
APPLICATION (BY A FORMER OWNER) WAS APPROVED, HOWEVER, THE PREVIOUS
OWNER (APPLICANT) ALLOWED THE PERMIT TO EXPIRE. WHILE I FEEL
THE PREVIOUS APPLICANT HAD INTERESTING IDEAS REGARDING,
THE CONSTRUCTION OF THE HOME, I BELIEVE THAT HE FAILED
TO ADDRESS THE NEED FOR A HOME THAT IS NOT ONLY
PLEASING TO LOOK AT WITH "CURB APPEAL" BUT ALSO
CONFORMS WITH THE LOOK AND FEEL OF THE "OLD WORLD"
CHARM + CHARACTER OF THE SURROUNDING DELIZIA COMMUNITY
(SEE ATTACHED)

PROJECT DESCRIPTION:

THE PROPOSED 2 STORY DESIGN DRAWS UPON
TRADITIONAL BUNGALOW/FARM HOUSE DESIGN.
TO BE CONSTRUCTED OF NATURAL MATERIALS
WOOD FRAME W/ NOOD SHAKE AND HARDI PLANK SIDING.
LARGE WINDOW DETAIL ON FRONT + SIDES.
WITH AN INVITING TONGUE + GROOVE MAHAGONY
FRONT PORCH.

THANK YOU AGAIN FOR YOUR CONSIDERATION.

SINCERELY

Brett D. Rice

BRETT D. RICE

USE CHARACTERISTICS

4. The proposed special use permit request is for: (check one)

- a new use requiring a special use permit,
- a development special use permit,
- an expansion or change to an existing use without a special use permit,
- expansion or change to an existing use with a special use permit,

other. Please describe: New Single Family Residence

5. Please describe the capacity of the proposed use:

A. How many patrons, clients, pupils and other such users do you expect? Specify time period (i.e., day, hour, or shift).

N/A

B. How many employees, staff and other personnel do you expect? Specify time period (i.e., day, hour, or shift).

N/A

6. Please describe the proposed hours and days of operation of the proposed use:

Day:

N/A

Hours:

7. Please describe any potential noise emanating from the proposed use:

A. Describe the noise levels anticipated from all mechanical equipment and patrons.

N/A

B. How will the noise from patrons be controlled?

N/A

8. Describe any potential odors emanating from the proposed use and plans to control them:

N/A

9. Please provide information regarding trash and litter generated by the use:

A. What type of trash and garbage will be generated by the use?

Residential only

B. How much trash and garbage will be generated by the use?

Residential only

C. How often will trash be collected?

weekly by city

D. How will you prevent littering on the property, streets and nearby properties?

N/A

10. Will any hazardous materials, as defined by the state or federal government, be handled, stored, or generated on the property?

Yes. No.

If yes, provide the name, monthly quantity, and specific disposal method below:

11. Will any organic compounds, for example paint, ink, lacquer thinner, or cleaning or degreasing solvent, be handled, stored, or generated on the property?

Yes. No.

If yes, provide the name, monthly quantity, and specific disposal method below:

12. What methods are proposed to ensure the safety of residents, employees and patrons?

N/A

ALCOHOL SALES

13. Will the proposed use include the sale of beer, wine, or mixed drinks?

Yes. No.

If yes, describe alcohol sales below, including if the ABC license will include on-premises and/or off-premises sales. Existing uses must describe their existing alcohol sales and/or service and identify any proposed changes in that aspect of the operation.

PARKING AND ACCESS REQUIREMENTS

14. Please provide information regarding the availability of off-street parking:

A. How many parking spaces are required for the proposed use pursuant to section 8-200 (A) of the zoning ordinance?

2

B. How many parking spaces of each type are provided for the proposed use:

1 Standard spaces

_____ Compact spaces

_____ Handicapped accessible spaces.

_____ Other.

C. Where is required parking located? on-site off-site (check one)

If the required parking will be located off-site, where will it be located:

N/A

Pursuant to section 8-200 (C) of the zoning ordinance, commercial and industrial uses may provide off-site parking within 500 feet of the proposed use, provided that the off-site parking is located on land zoned for commercial or industrial uses. All other uses must provide parking on-site, except that off-street parking may be provided within 300 feet of the use with a special use permit.

D. If a reduction in the required parking is requested, pursuant to section 8-100 (A) (4) or (5) of the zoning ordinance, complete the PARKING REDUCTION SUPPLEMENTAL APPLICATION.

15. Please provide information regarding loading and unloading facilities for the use:

A. How many loading spaces are required for the use, per section 8-200 (B) of the zoning ordinance? N/A

B. How many loading spaces are available for the use? N/A

C. Where are off-street loading facilities located? N/A

D. During what hours of the day do you expect loading/unloading operations to occur?

N/A

E. How frequently are loading/unloading operations expected to occur, per day or per week, as appropriate?

N/A

16. Is street access to the subject property adequate or are any street improvements, such as a new turning lane, necessary to minimize impacts on traffic flow?

~~N/A~~ Adequate now

SITE CHARACTERISTICS

17. Will the proposed uses be located in an existing building? Yes No

Do you propose to construct an addition to the building? Yes No

How large will the addition be? N/A square feet.

18. What will the total area occupied by the proposed use be?

0 sq. ft. (existing) + 1498 sq. ft. (addition if any) = 1498 sq. ft. (total)

19. The proposed use is located in: (check one)

a stand alone building a house located in a residential zone a warehouse

a shopping center. Please provide name of the center: _____

an office building. Please provide name of the building: _____

other, please describe: _____



ALEXANDRIA DEPARTMENT OF PLANNING AND ZONING

FLOOR AREA AND OPEN SPACE COMPUTATIONS

- A. 1. Street Address 301 Laverne Ave.
 2. Zoning R-2-5 Total Lot 4200 SF
- B. 1. Floor Area Ratio (F.A.R.) allowed by the Zone 1890 SF
 2. 4200 Lot Area x .45 F.A.R. = 1890 NFA Maximum Allowable Net Floor Area

EXISTING GROSS AREA		DEDUCTIONS	
Basement	N/A	Basement	N/A
First Floor	N/A	Stairways	N/A
Second Floor	N/A	Mechanical / Elevator	N/A
Third Floor	N/A	<7'6" headroom	N/A
Porches / Other	N/A	Other	N/A
Total Gross	N/A	Total Deductions	N/A

1. Existing Gross Floor Area* N/A Square Feet
 2. Allowable Deductions** N/A Square Feet
 3. Existing Net Floor Area N/A Square Feet (subtract C-2 from C-1)

D.

NEW GROSS AREA		DEDUCTIONS	
Basement	895	Basement	836
First Floor	971	Stairways	195 (65 x 3)
Second Floor	955	Mechanical / Elevator	N/A (Basement)
Third Floor	N/A	Other	N/A
Porches / Other	97		
Total Gross	2918	Total Deductions	1031

1. New Gross Floor Area 2918 Square Feet
 2. Allowable Deductions 1037 Square Feet
 3. New Net Floor Area 1881 Square Feet (subtract D-2 from D-1)

EXISTING + NEW AREA

- E. 1. Total Net Floor Area N/A Square Feet (add C-3 and D-3)
 2. Total Net Floor Area Allowed N/A Square Feet (from B-2)
- F. 1. Existing Open Space N/A Square Feet
 2. Required Open Space N/A Square Feet
 3. Proposed Open Space N/A Square Feet

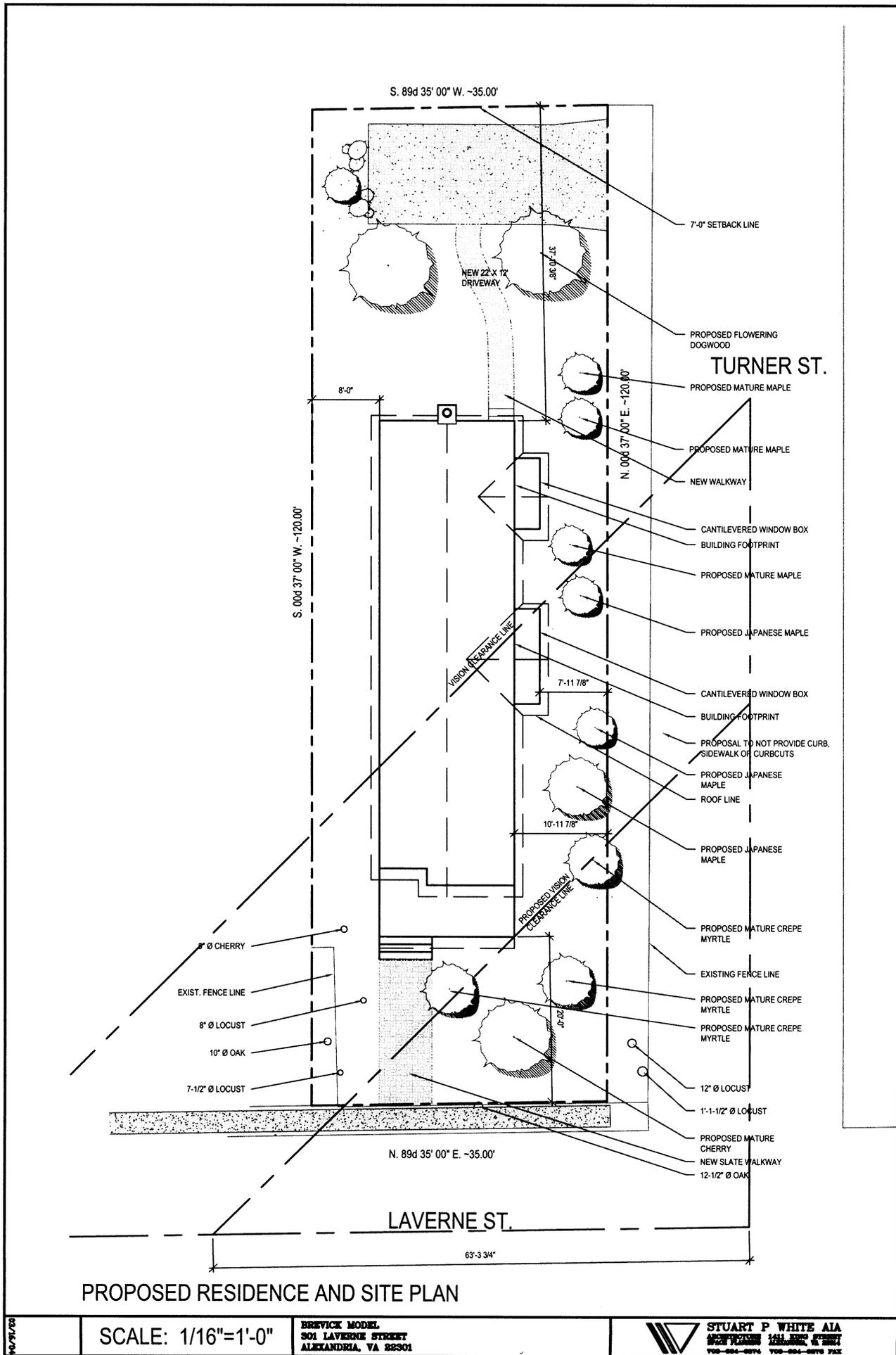
* Gross floor area is measured from the face of the exterior walls and includes basements, outside garages, sheds, gazebos, guest buildings and other accessory buildings.

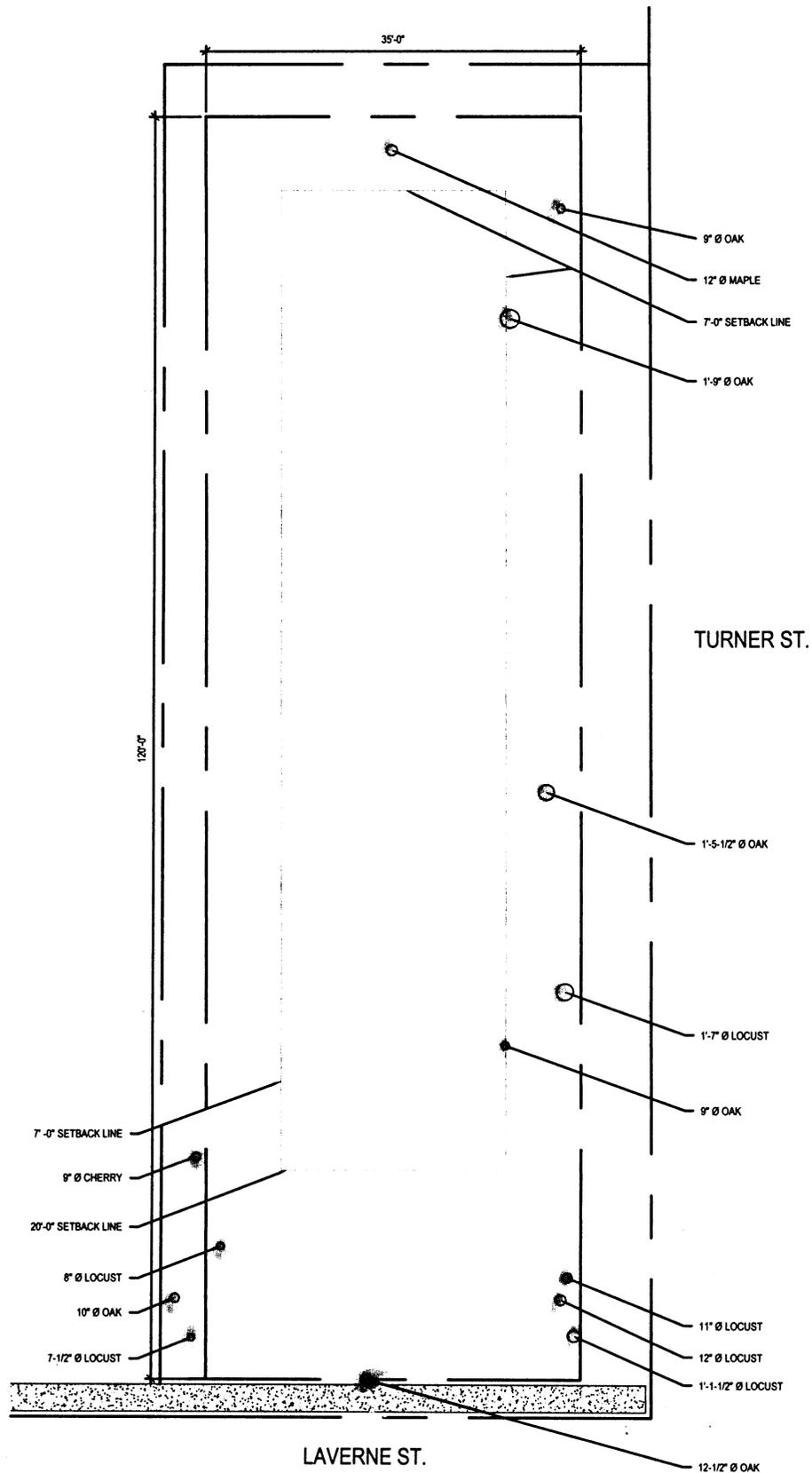
** Allowable deductions from gross floor area: Stairways, elevators, mechanical and electrical rooms; basements (if basement is less than four feet out of the ground as measured from the average finished grade at the perimeter of the bottom of the first floor).

NOTE: Open space calculations are required for all residential zones (except in the R-20, R-12, R-8, R-5, R-2-5 and RT zones), including all commercial, office and mixed use zones where residential uses are proposed. Refer to specific provisions in the zoning ordinance.

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

Signature: _____ 460





EXISTING SITE PLAN

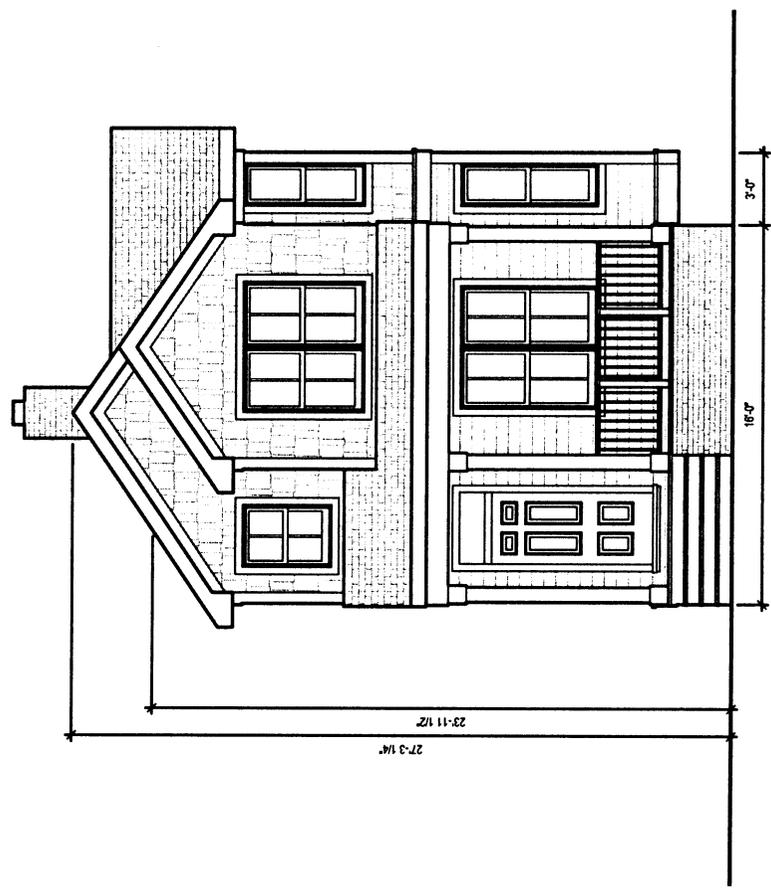
SCALE: 1/16"=1'-0"

BERVICK MODEL
301 LAVERNE STREET
ALEXANDRIA, VA 22301

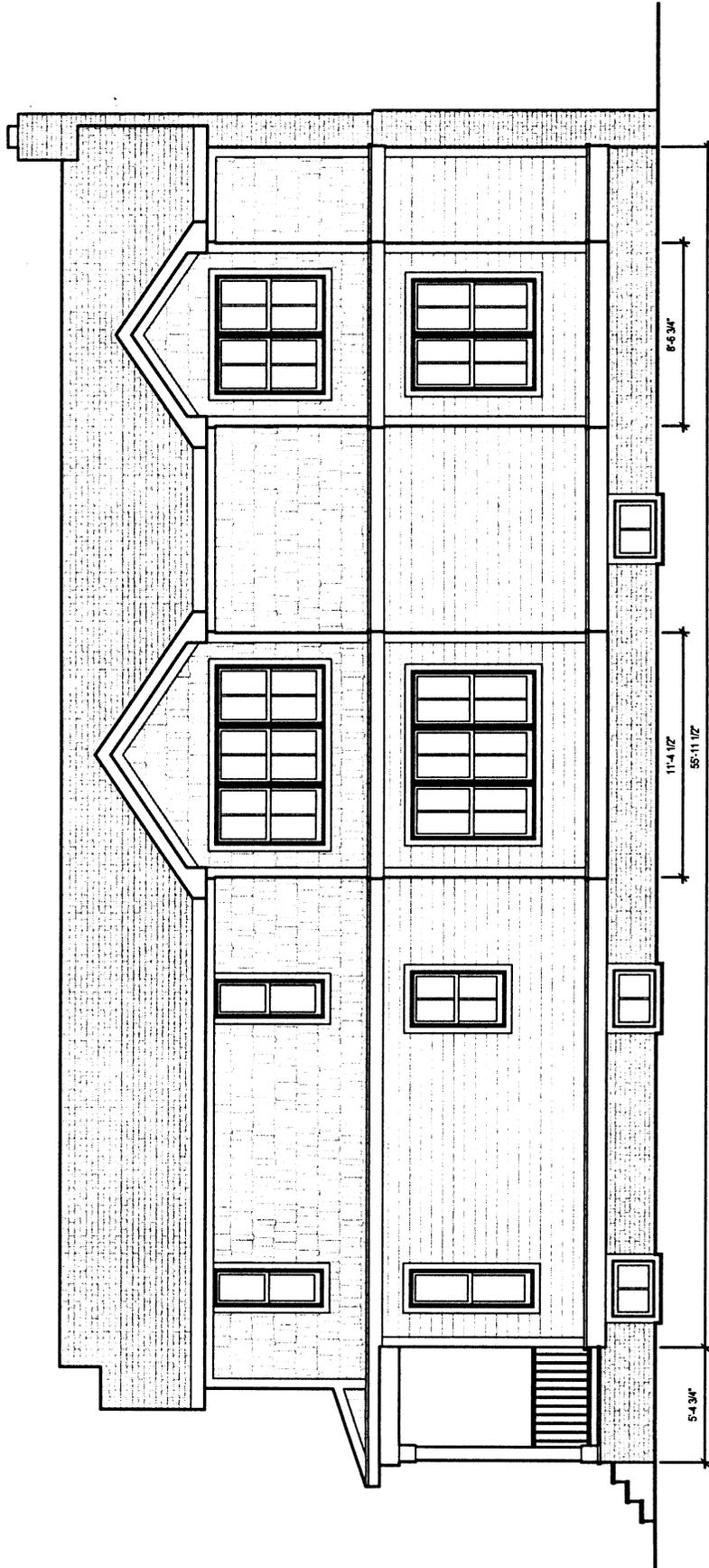


STUART P. WHITE AIA
ARCHITECTURE LANDSCAPE & DESIGN
703-524-0270 703-524-0270 FAX

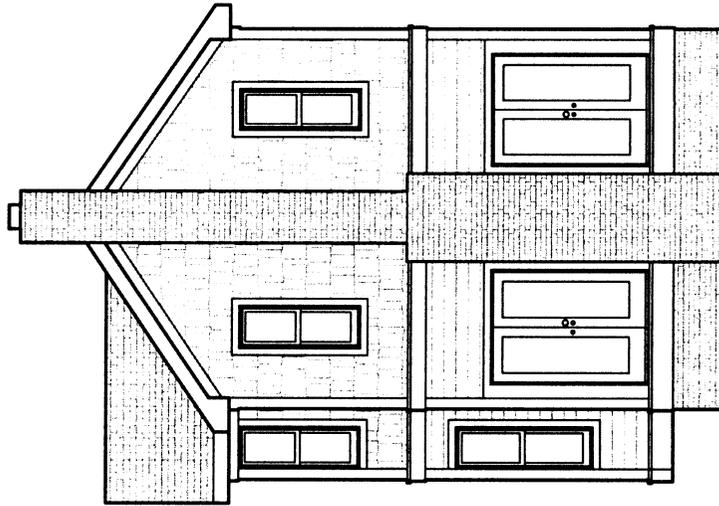
48



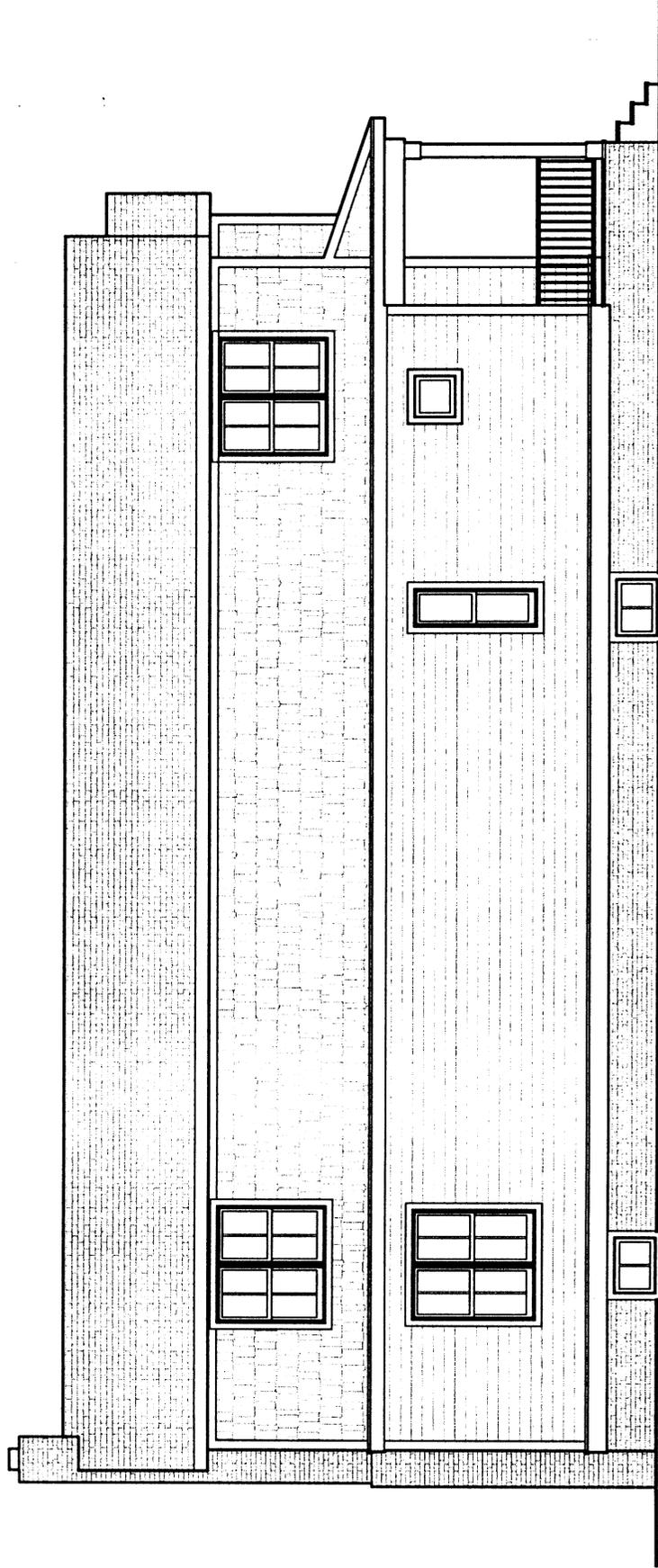
FRONT ELEVATION
SCALE: 1/8"=1'-0"



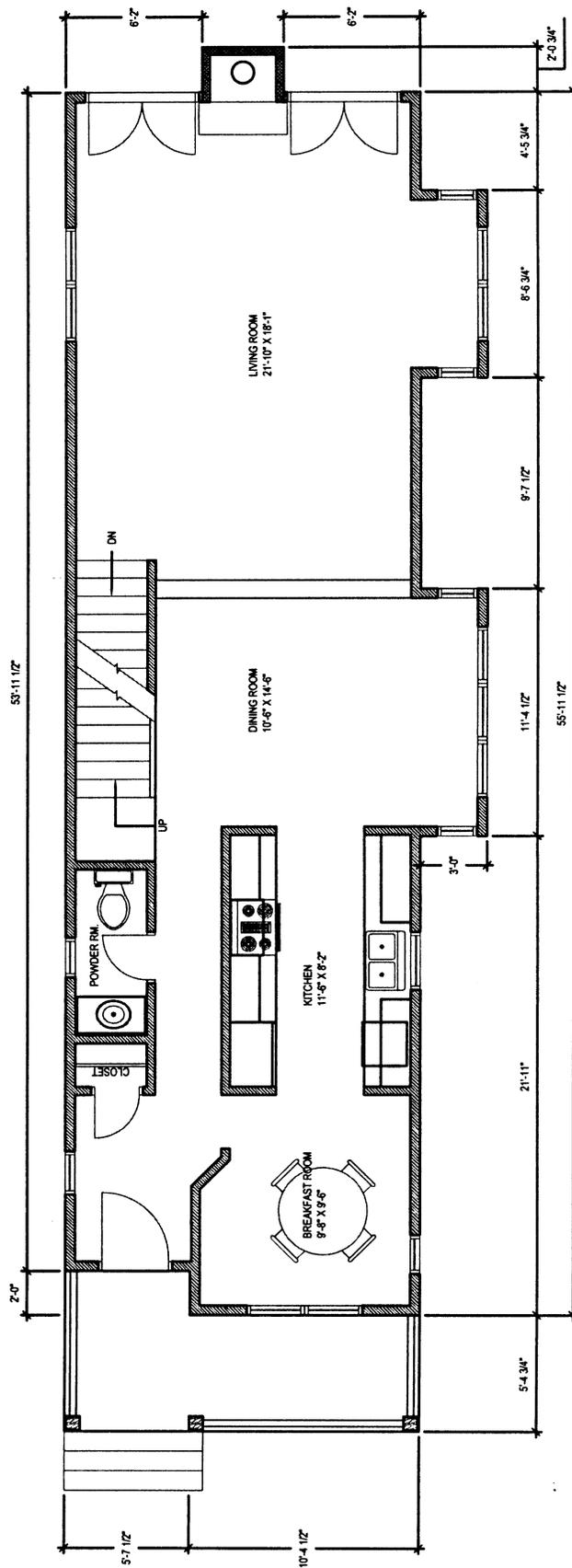
STREET ELEVATION
SCALE: 1/8"=1'-0"



BACK ELEVATION
SCALE: 1/8"=1'-0"



SIDE ELEVATION
SCALE: 1/8"=1'-0"



FIRST FLOOR

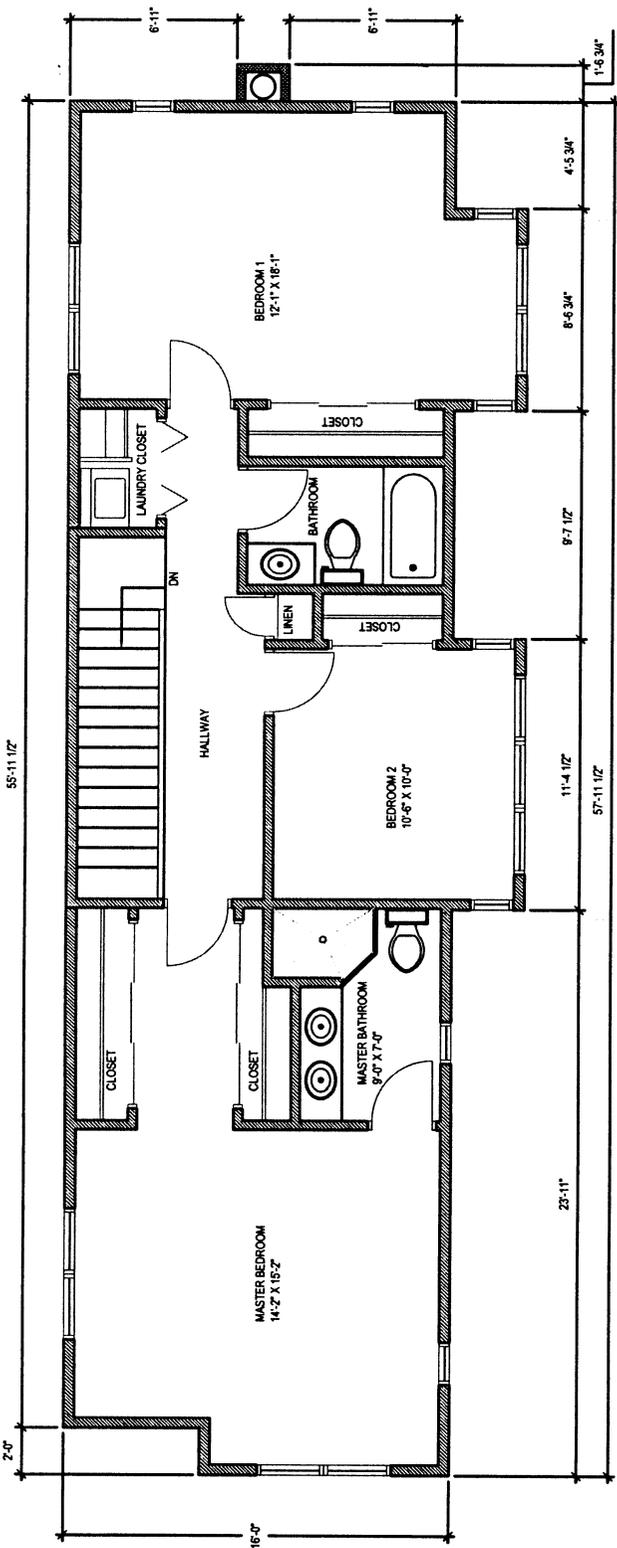
A-21

SCALE: 1/8"=1'-0"

BREVICK MODEL
301 LAVERGNE STREET
ALEXANDRIA, VA 22301



STUART P. WHITE AIA
1424 WEST STREET
ALEXANDRIA, VA 22301
703-684-6874 703-684-6876 FAX



SECOND FLOOR

A-22

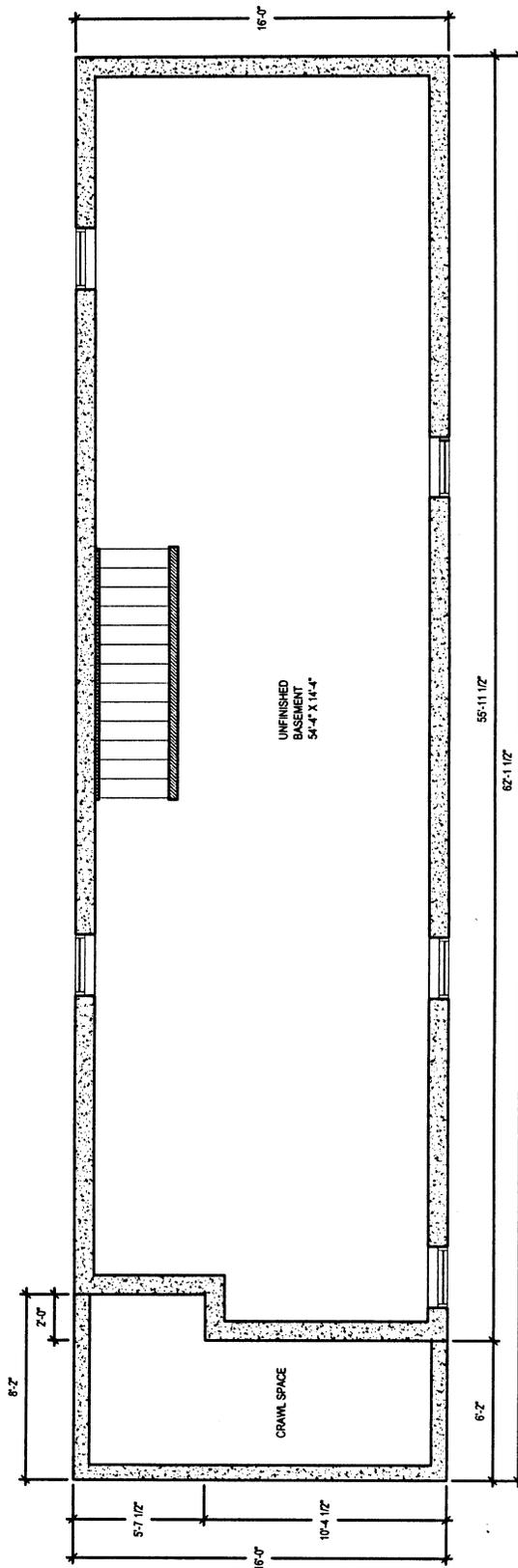
SCALE: 1/8"=1'-0"

REXVICK MODEL
301 LAVERNE STREET
ALEXANDRIA, VA 22301

54



STUART P. WHITE AIA
ARCHITECTURE, INTERIOR DESIGN, & MORE
703-684-6270 703-684-6270 FAX



BASEMENT

A-20

SCALE: 1/8"=1'-0"

BREVICK MODEL
301 LAVERGNE STREET
ALEXANDRIA, VA 22301



STUART P. WHITE AIA
MEMBER AMERICAN INSTITUTE OF ARCHITECTS
703-684-2074 703-684-2075 FAX

Corner lot study

After reviewing the surrounding properties located within a four-block radius of 301 Laverine Avenue, we have discovered that only 3 houses out of a possible 35 corner meet the 20-foot side yard and 20 foot front yard setbacks required by the City of Alexandria. The percentage of houses that meet this requirement is only 8.5% within the surrounding blocks. Over 18 out of the 35 possible corner lots have a 10-foot or less front or side yard. We are requesting a variance to allow an 11.75 foot side yard and in the surrounding blocks there are 22 corner houses with 12 feet or less for a side yard or front yard. Further more there are several properties that are either on the property line or within 3 feet of the property line leaving virtually no side yard at all. Over 90% of the houses sitting on corner lots in the neighborhood are under the City of Alexandria's set back requirements. There is only one house on Turner RD or Laverine Avenue that meet the new requirements.

Our proposes house plan will meet the 20 foot front yard setback and furthermore leave a 2.5 to 1 height-side yard ratio. Virtually no house within a four block radius meets the current setback requirements, therefore building a home at 301 Laverine Avenue, as we have proposed, is consistent with past practices followed in the construction of the homes in this neighborhood. We would appreciate these facts to be considered as we are only asking to construct the way 91.5% of the other houses were constructed in relation to the setback requirements.



Legend

Street Line
 City Boundary
 Zoning Line
 Proposed Lot

Parcel No. 037
 Address 1214
 Parcel Area 1.14
 Lot Area 1.14
 Legal Lot No. 1

Parcel No. 7
 Address 037
 Parcel Area 1.14
 Lot Area 1.14
 Legal Lot No. 1

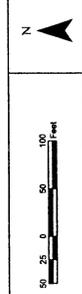
Parcel No. 15.03
 Address 15.04
 Parcel Area 18.03
 Lot Area 18.03

Parcel No. 24.01
 Address 24.02
 Parcel Area 25.01
 Lot Area 25.01

Parcel No. 24.03
 Address 24.04
 Parcel Area 25.03
 Lot Area 25.03

SHEET NUMBER
24.02
07-20-2003

ALEXANDRIA, VIRGINIA
ASSESSMENT MAP



15.03	15.04	18.03
24.01	24.02	25.01
24.03	24.04	25.03

Parcel No. 7
Address 037
Parcel Area 1.14
Lot Area 1.14
Legal Lot No. 1

57

Intersection of Laverine Avenue and Turner Road

212 Laverine 12ft front yard and 14ft side yard
301 Laverine Proposed house

Intersection of Clifford Avenue and Turner Road

206 Clifford 3ft side yard and 6ft front yard
300 Clifford 18ft side yard
207 Clifford 10ft front yard and 16ft side yard
301 Clifford 10ft front yard

Intersection of Laverine Avenue and Montrose

332 Laverine 9.5ft side yard
400 Laverine 16ft side yard
335 Laverine 7ft side yard

Intersection of Clifford Avenue and Montrose

328 Clifford 6ft side yard
400 Clifford 16ft side yard
329 Clifford 0ft side yard and 0ft front yard (house is on
property lines)
401 Clifford 15ft side yard

Intersection of Hume and Turner

208 Hume 2ft side yard and 6ft front yard
207 Hume 14ft front yard and 16ft side yard
310 Hume 12 ft front yard and 16ft side yard

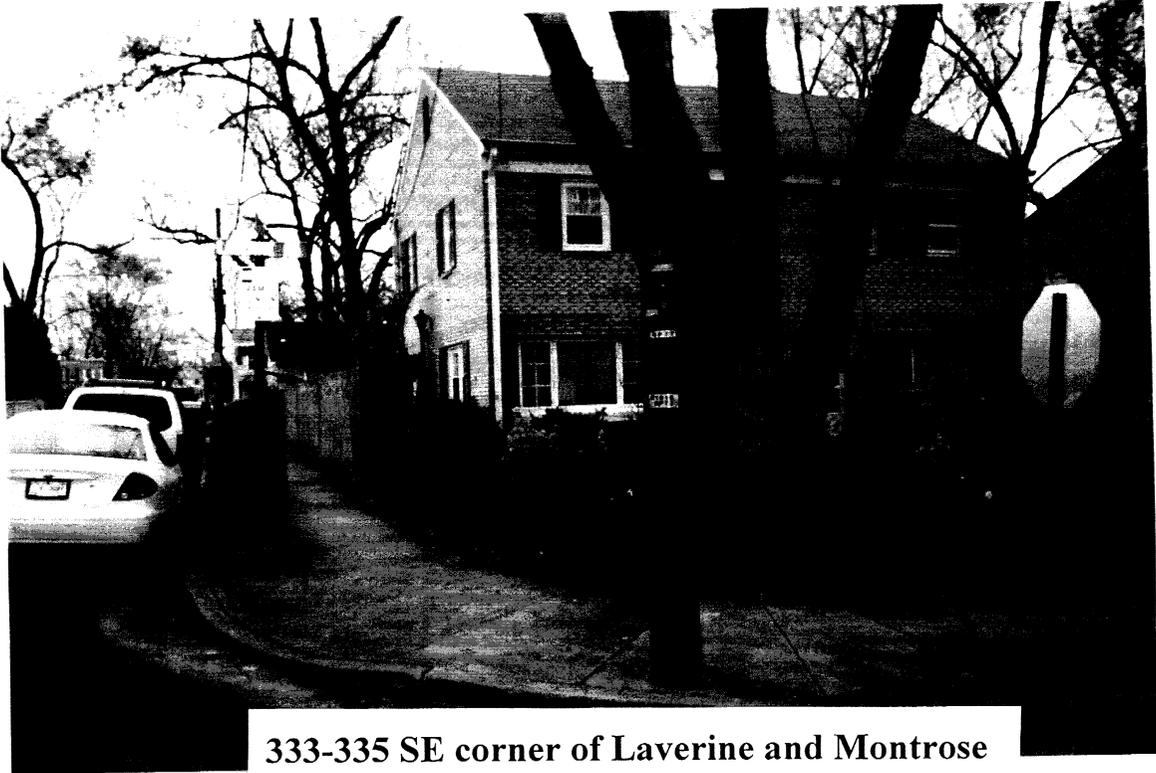
Intersection of Hume and Montrose

328 Hume 12ft front yard
327 Hume 8ft side yard and 10ft front yard
401 Hume 8ft side yard and 10ft front yard

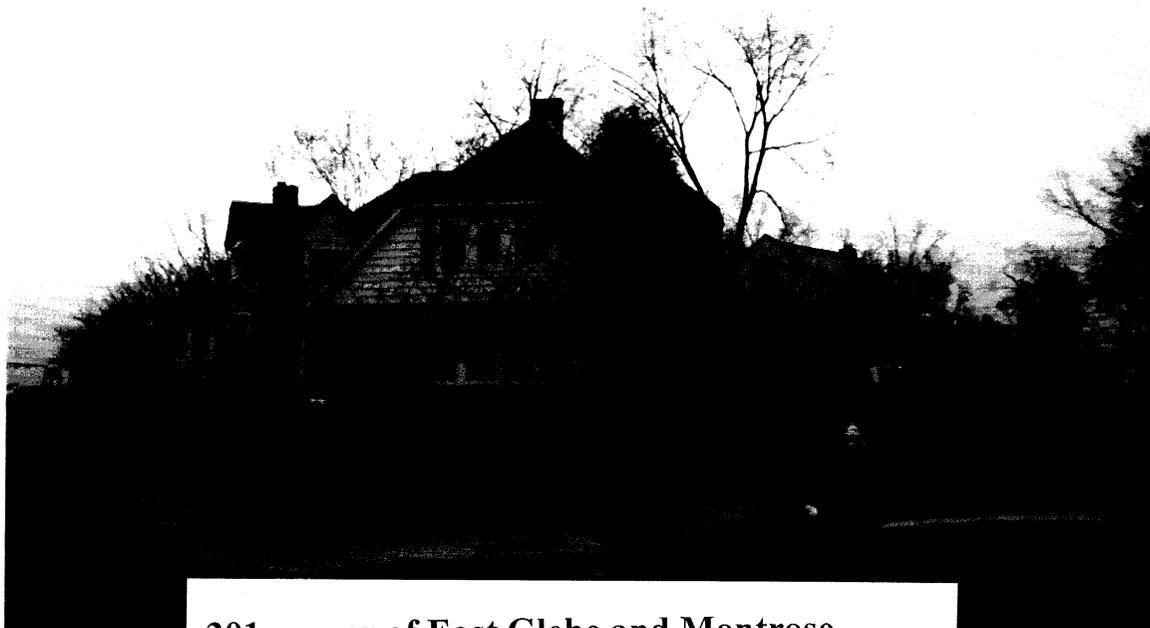
Intersection of Ashby street and Montrose

335 Ashby 10ft side yard
301 Montrose 8.5ft on both corners

]

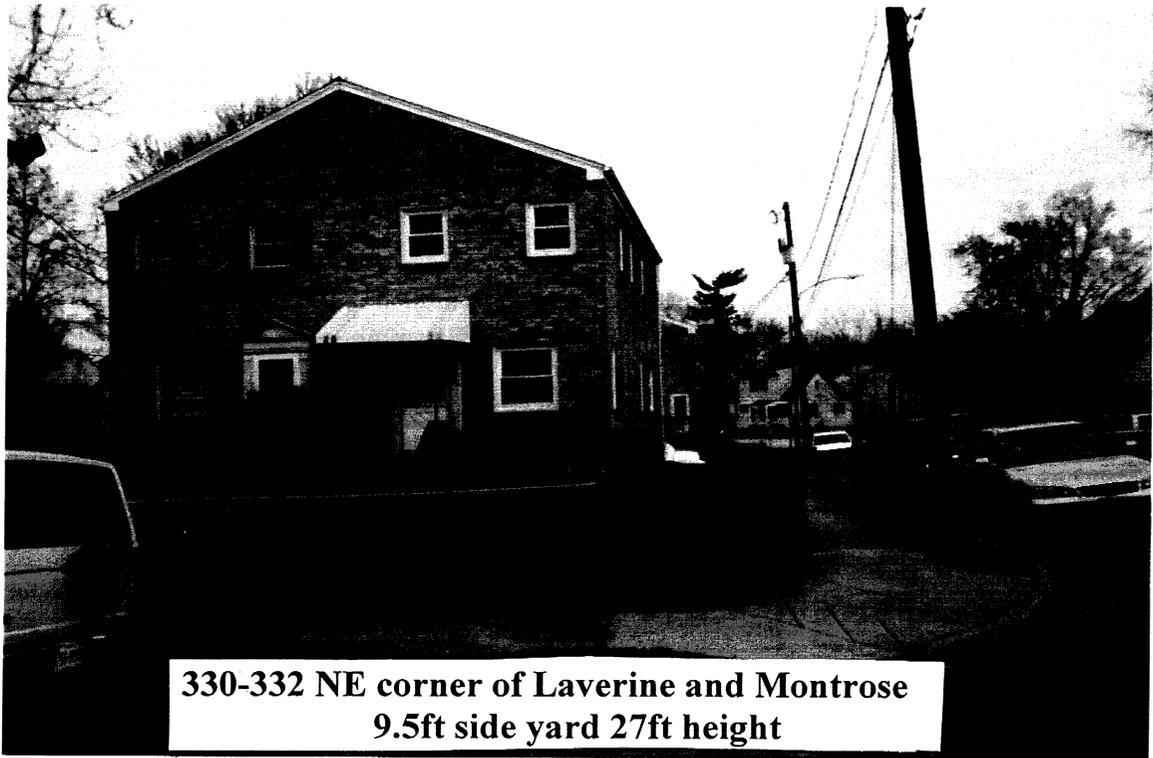


**333-335 SE corner of Laverine and Montrose
7ft side yard 27ft height**

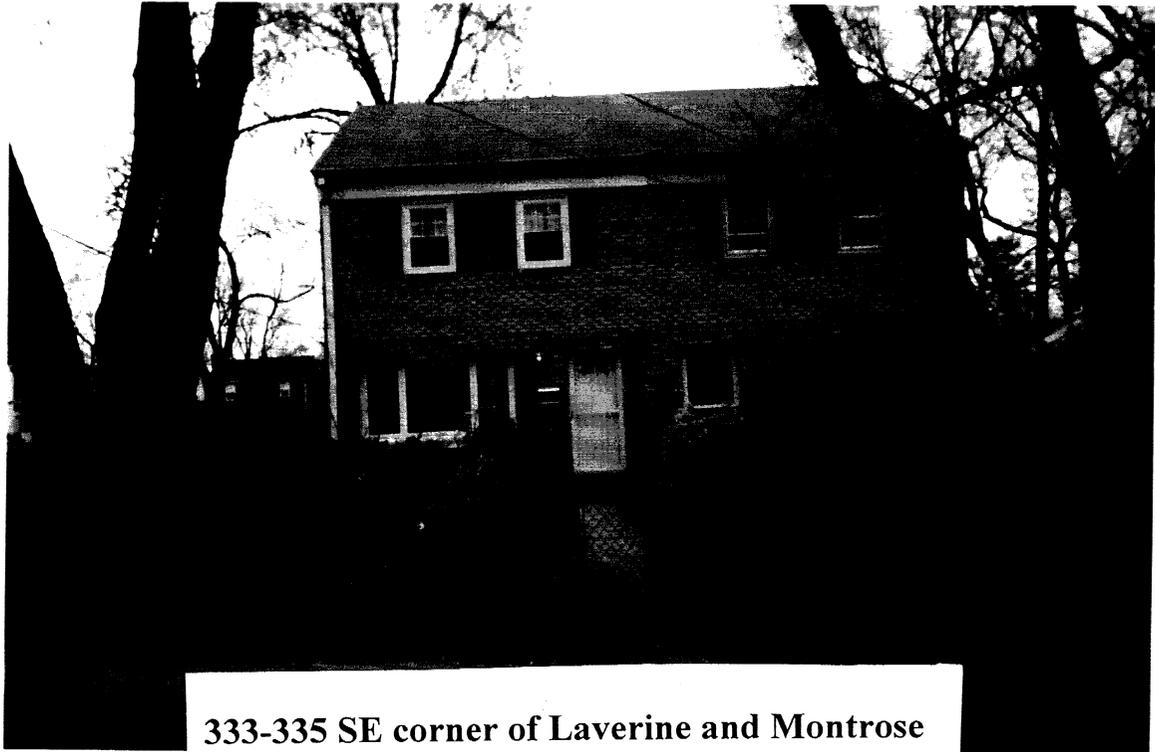


**301 corner of East Glebe and Montrose
8.5ft left side yard/8.5ft right side yard**

59

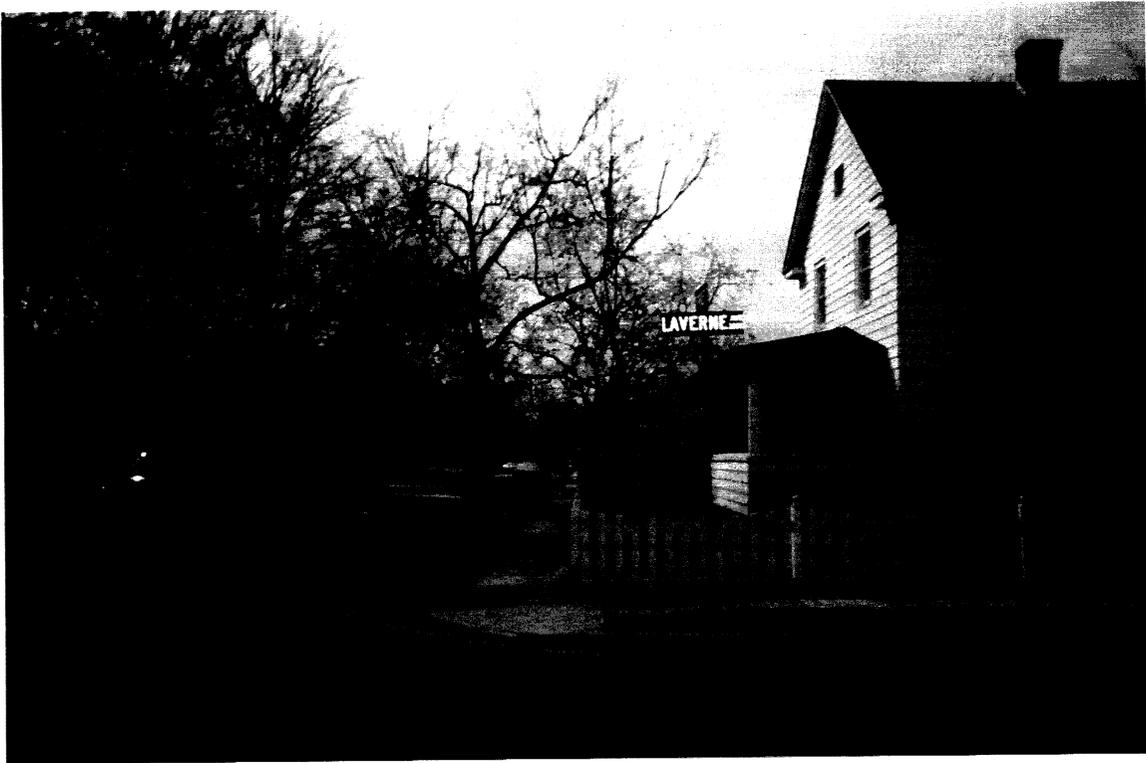


**330-332 NE corner of Laverine and Montrose
9.5ft side yard 27ft height**



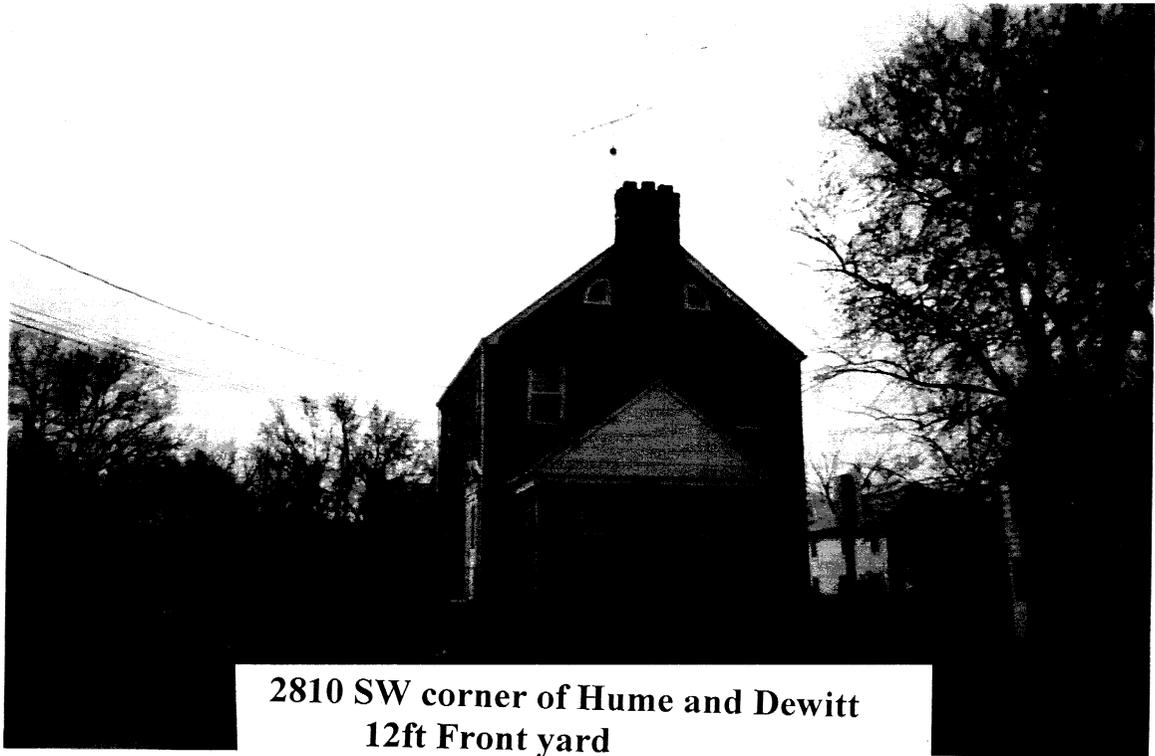
**333-335 SE corner of Laverine and Montrose
7ft side yard 27ft height**

60



**335 SW corner of Ashby and Montrose
10ft side yard 27ft height**

61



**2810 SW corner of Hume and Dewitt
12ft Front yard**



**201 SE corner of Ashby and Wilson
12ft side yard 26ft height**

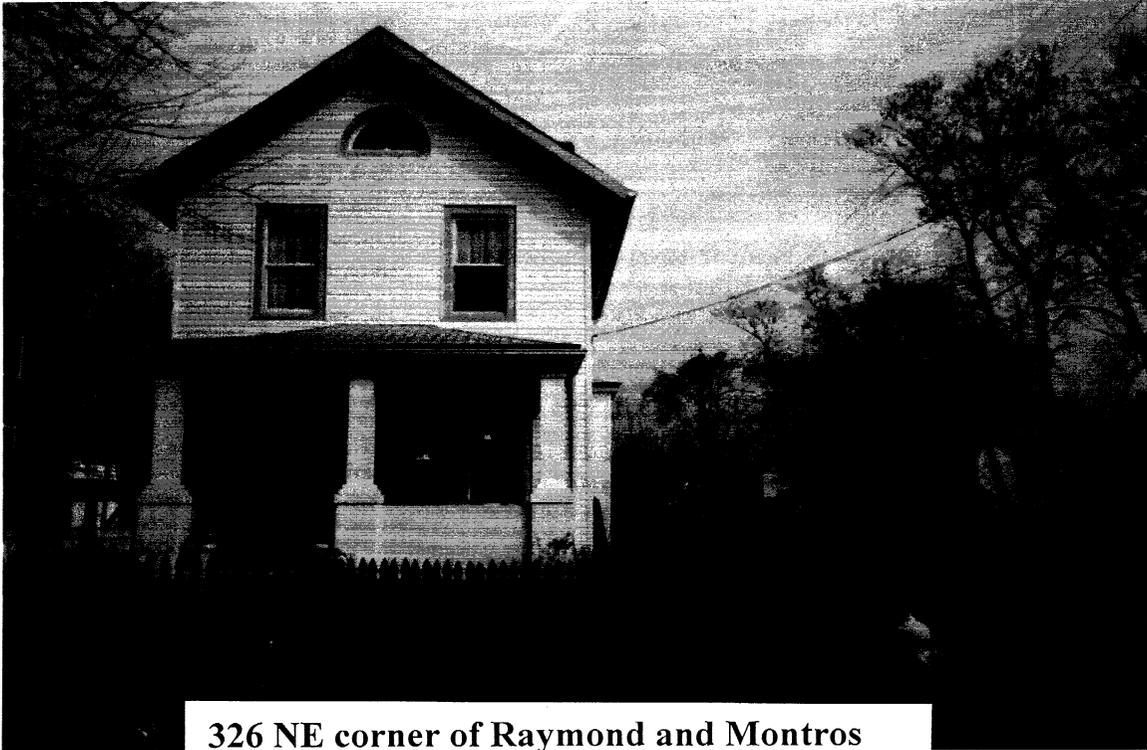
162



**124 NW corner of E Raymond and Dewitt
17ft side yard**



**300 SE corner of Hume and Dewitt
13ft left side yard/13ft right side yard** 63

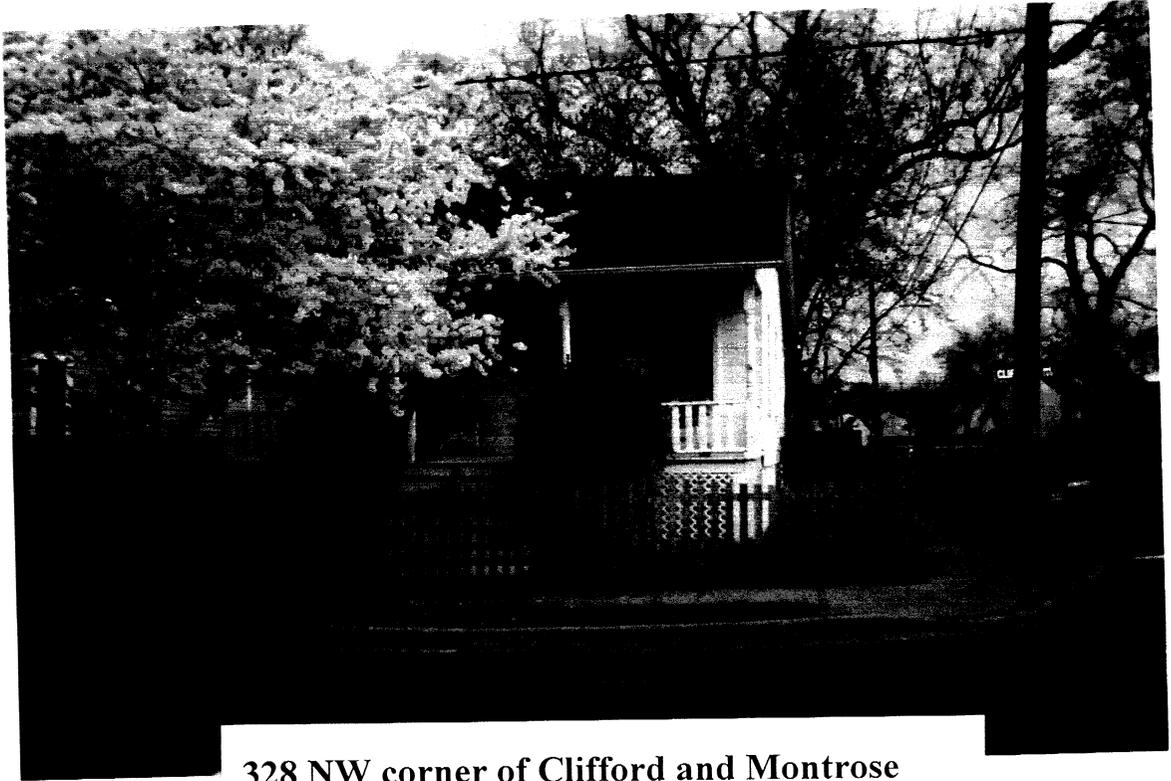


**326 NE corner of Raymond and Montros
12ft side yard 29ft height**

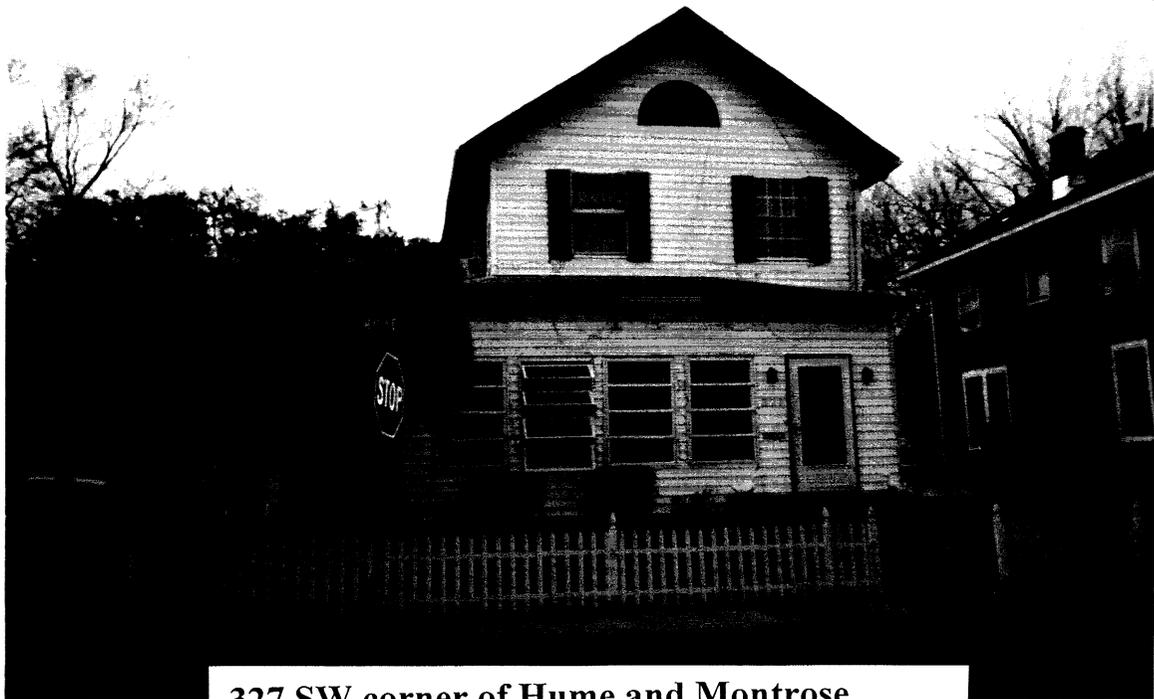


**121 SW corner of E Raymond and Dewitt
15ft side yard**

64

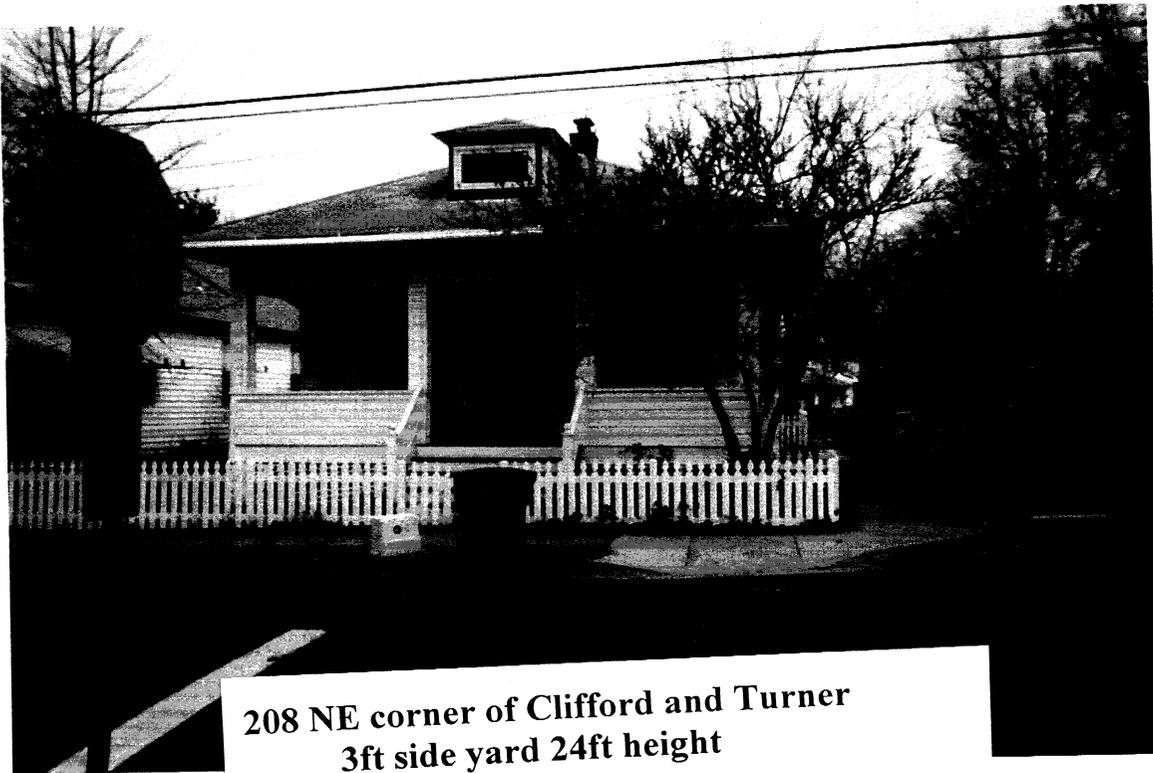


**328 NW corner of Clifford and Montrose
6ft side yard 23ft height**

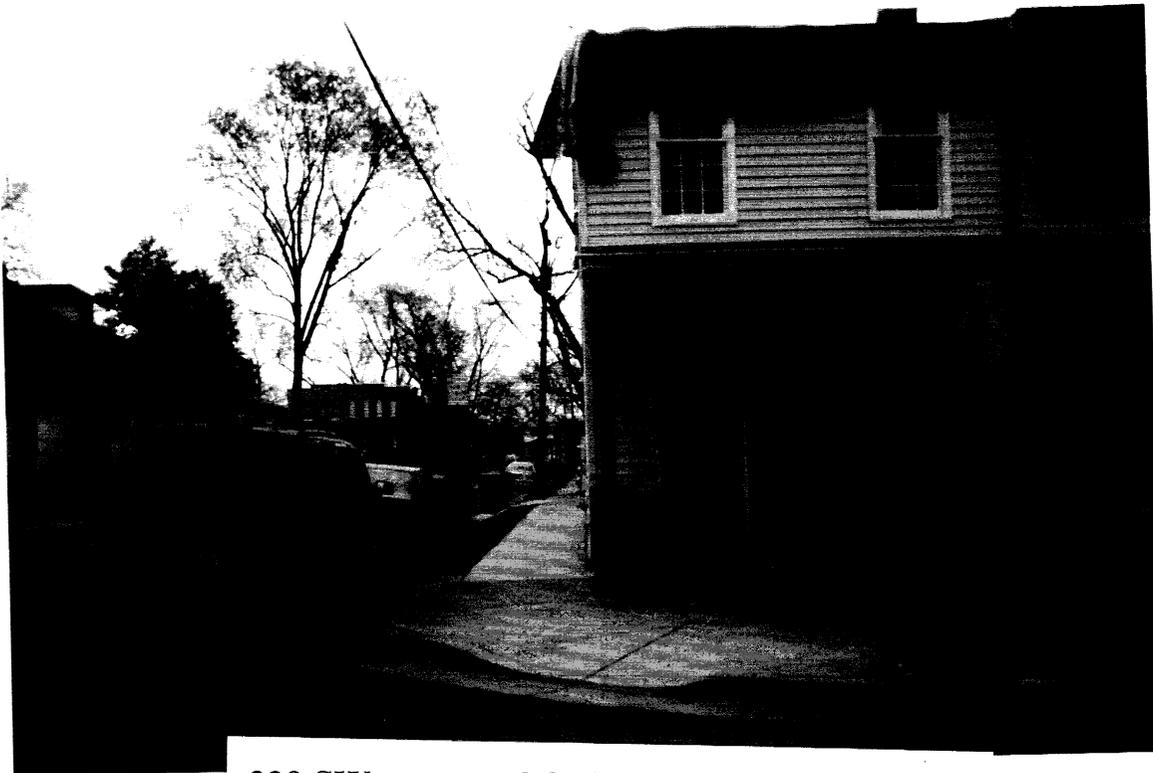


**327 SW corner of Hume and Montrose
8ft side yard 29ft height**

65



**208 NE corner of Clifford and Turner
3ft side yard 24ft height**



**329 SW corner of Clifford and Montrose
House sits on property line**

466



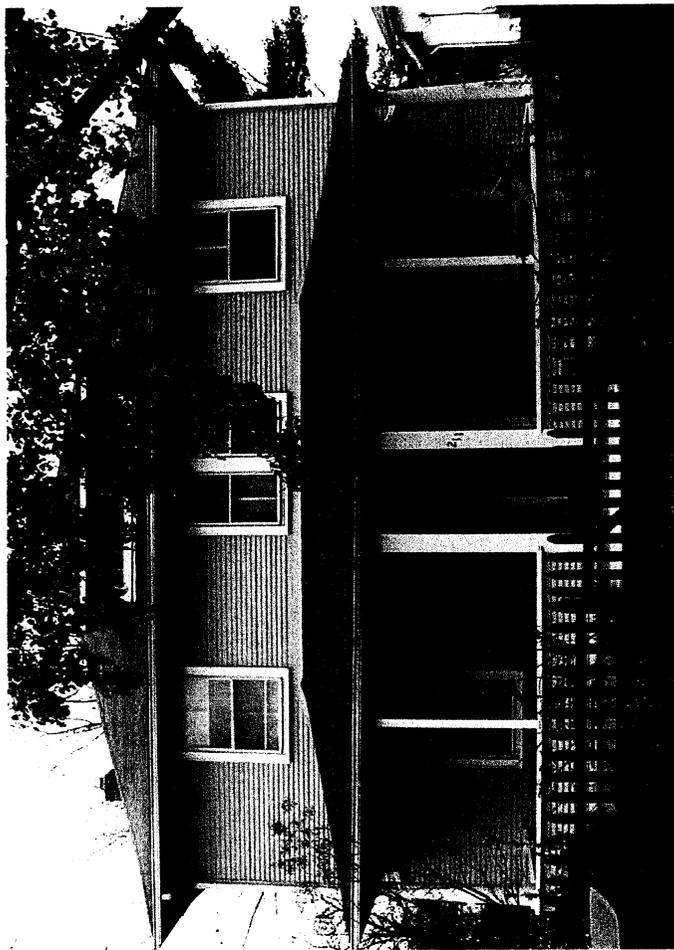
**208 SW corner of Hume and Turner
2ft side yard 28ft height**



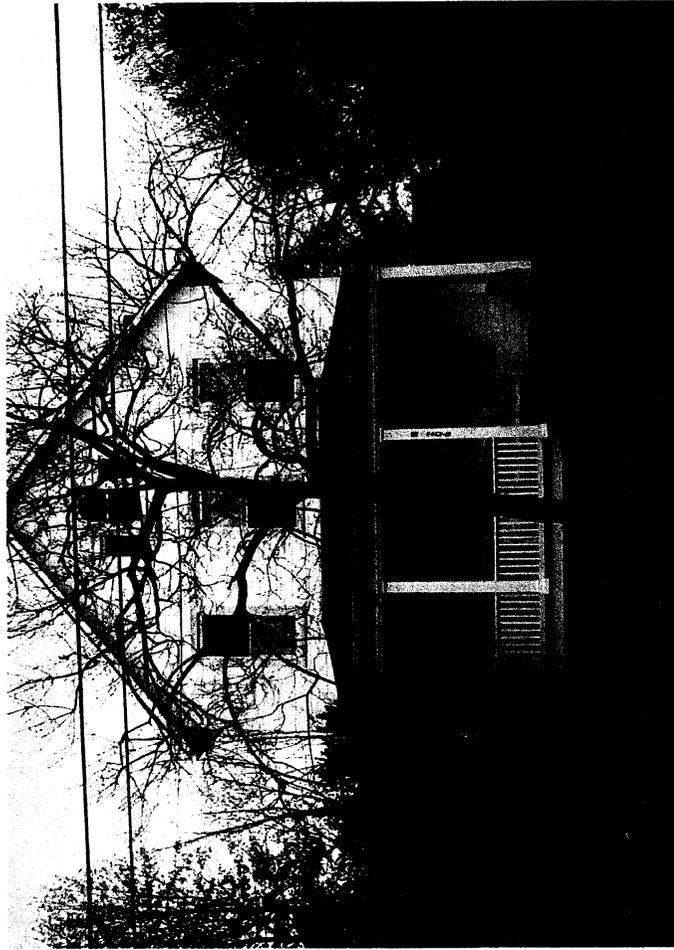
**400 NE corner of Raymond and Montrose
14ft side yard 27ft height**

187

SUP 2003-0115



211 LAVERNE AVE



206 LAVERNE AVE

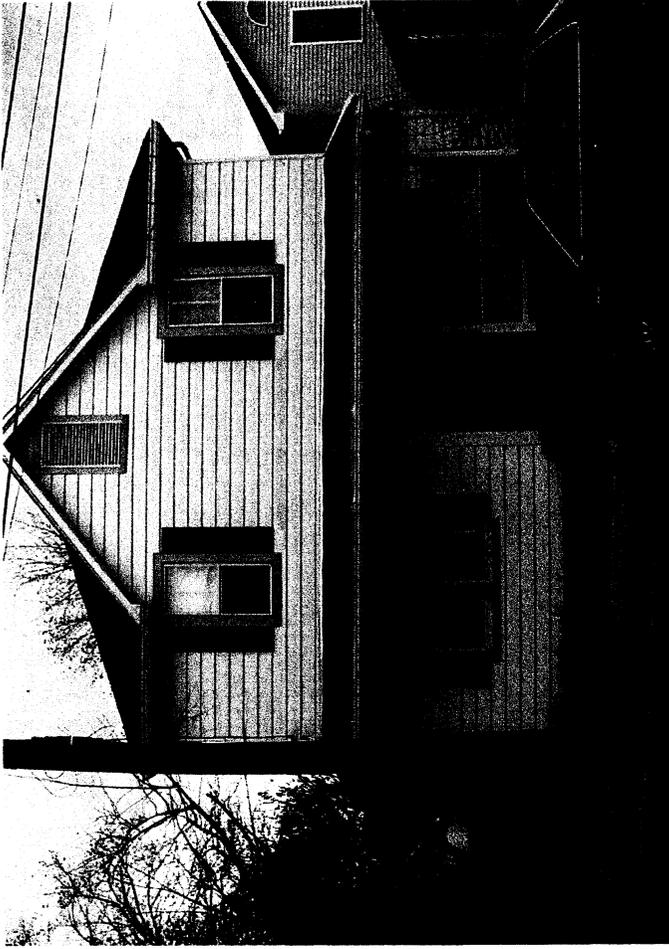


VIEW OF LOT (301 LAVERNE) FROM LAVERNE + TURNER

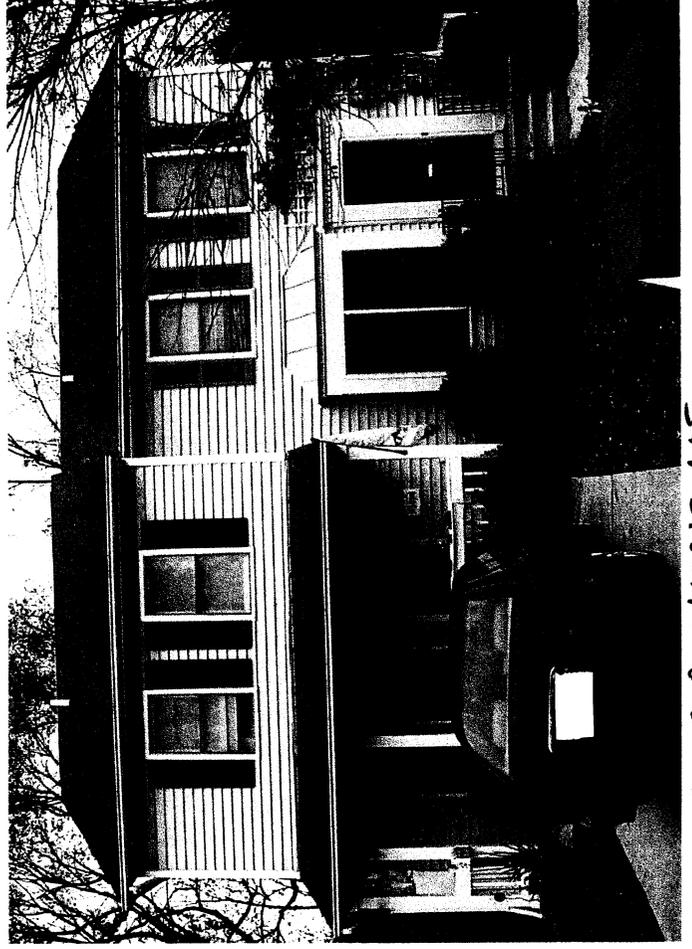


300 LAVERNE AVE (DIRECTLY ACROSS FROM PROPOSED HOME)

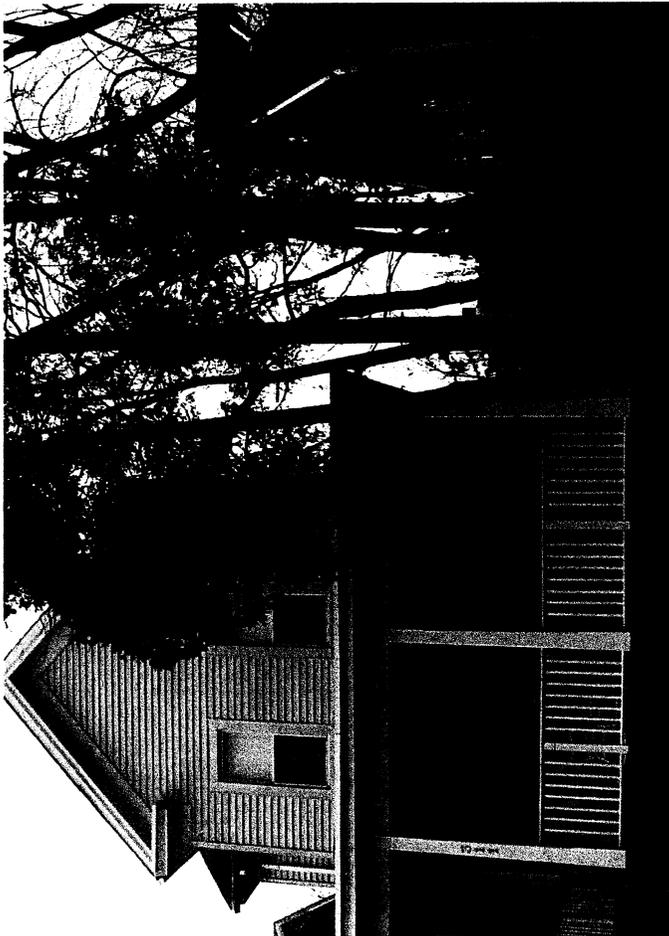
Sup 2003-0115



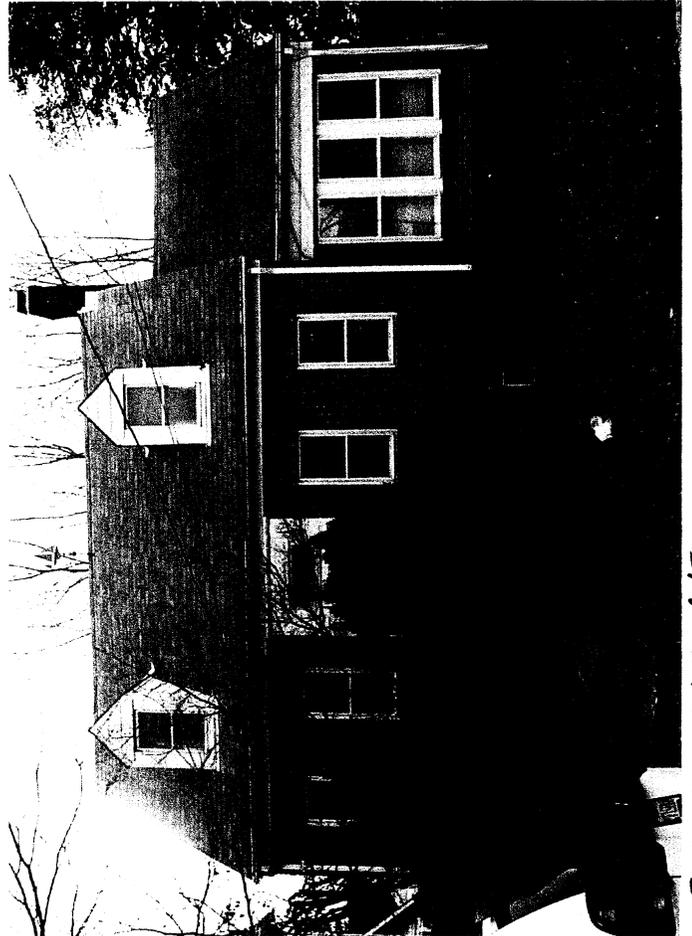
312 LAVERNE AVE



308 + 310 LAVERNE AVE
2 NEWER DUPLEX'S



NEWER HOME 311 LAVERNE AVE (SAME SIDE 3 HOMES AHEAD)



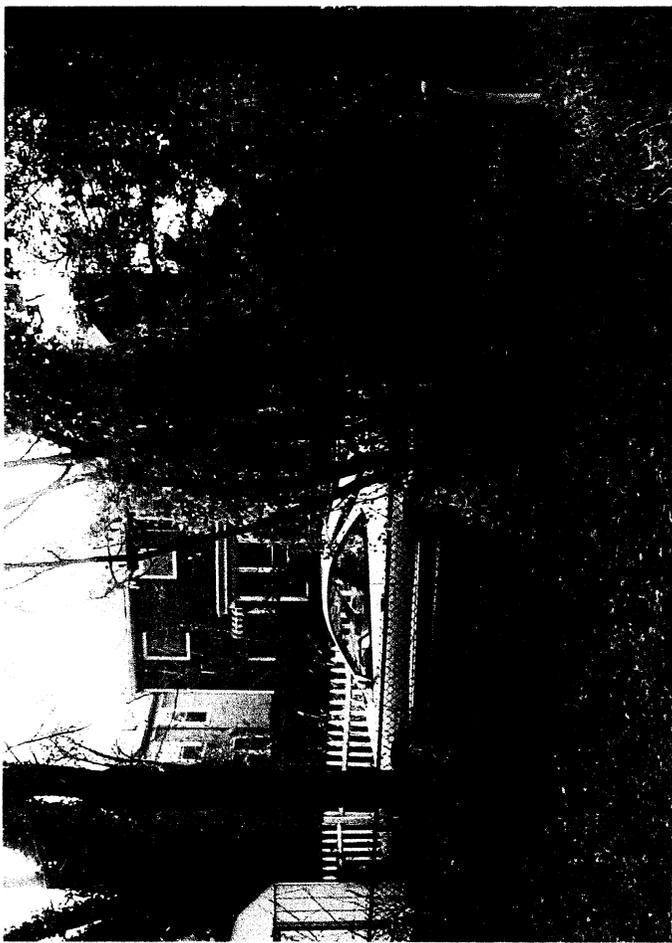
309 LAVERNE AVE



TURNER RD VIEW OF 208 CLIFFORD AVE
TAKEN FROM SIDE OF 301 CAVERNE (PROMISED SITE OF NEWHOME)



208 CLIFFORD AVE



VIEW FROM REAR OF 301 CAVERNE SHOWING EXISTING TREES
+ 301 CLIFFORD AVE AND 1 CAR PARKING AT 301 CLIFFORD



EXISTING TREES ON 301 CAVERNE TAKE
FROM TURNER CO

50p 2003-0115



VIEW OF 208 CLIFFORD AVE * HOME IS CATERCORNER FROM PROPOSED HOME TO BE BUILT. SHOWS A 1 CAR SPACE AT REAR OF PROPERTY



SECOND VIEW OF 208 CLIFFORD AVE 1 CAR PARKING AT REAR



VIEW FROM REAR OF LOT (PICTURES OF HOME DIRECTLY BEHIND W/ 1 CAR PARKING SPACE AT REAR OF 301 CLIFFORD AVE



SIDE VIEW OF LOT (301 AVENUE) SHOWING EXISTING TREES (TAKEN FROM TURNER RD SIDE)

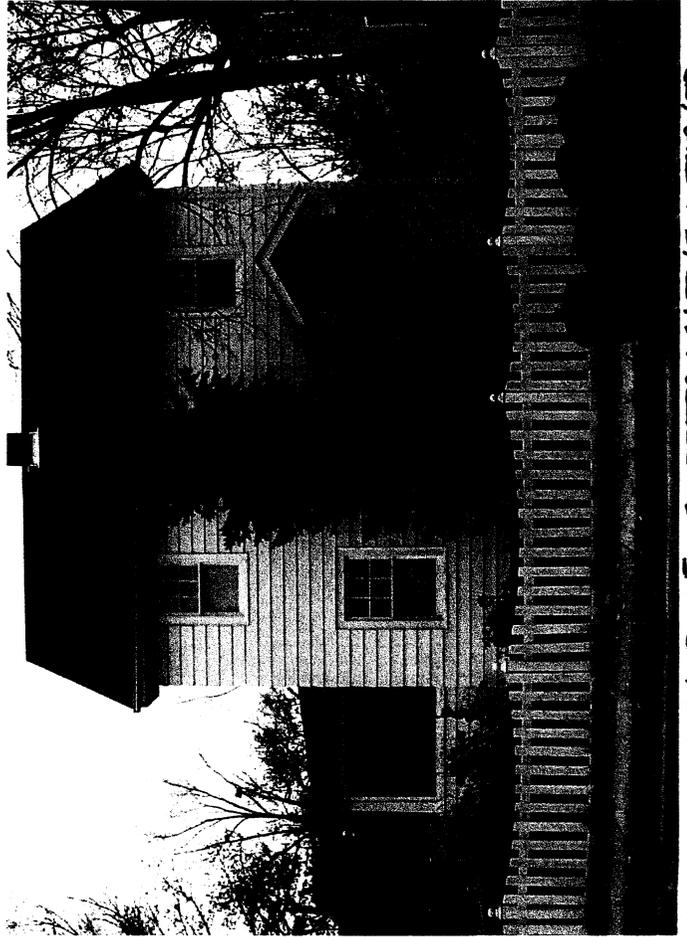
Sup 2003-0115



SIDE VIEW OF 301 LAVERNE FROM TURNER



VIEW OF DUPLEX ON ~~303~~ LAVERNE (303 + 305 LAVERNE)



HOME ON CORNER OF ~~301~~ LAVERNE + TURNER
DIRECTLY ACROSS FROM PROPOSED HOME
M (213 LAVERNE AVE) ^{SB}

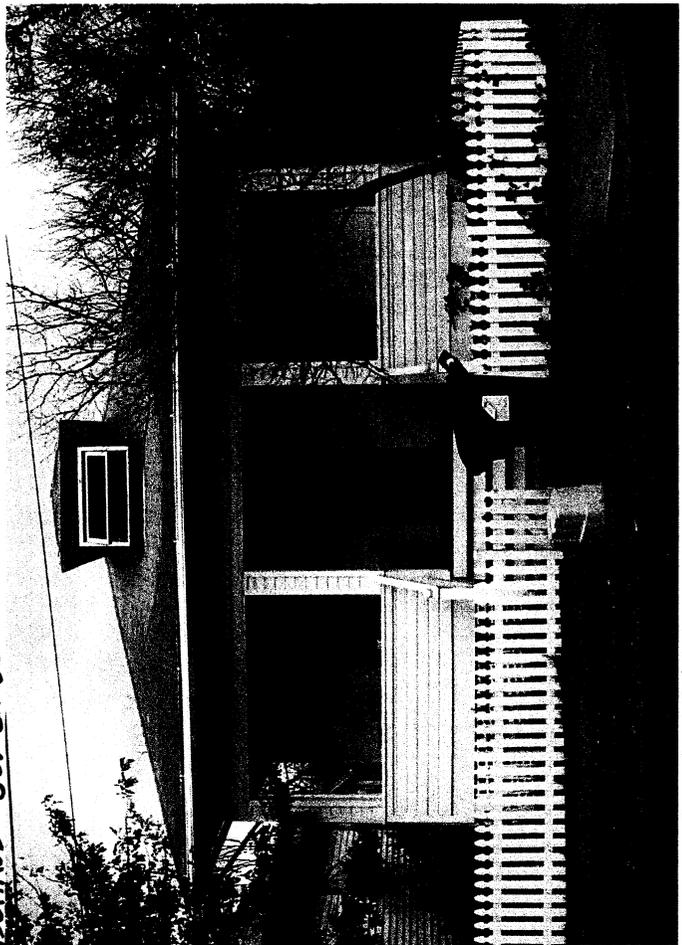


FRONT VIEW OF LOT (301 LAVERNE)
WITH 303 + 305 LAVERNE AVE ON LEFT

Sup 2003-0115



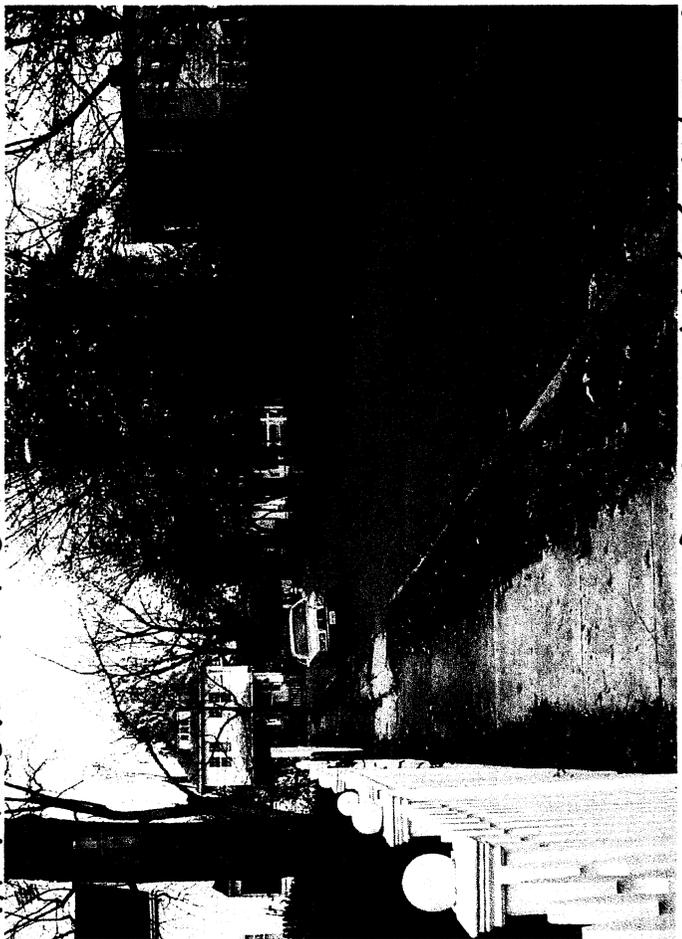
301 CLIFFORD AVE (FROM CLIFFORD SIDE) TAKEN FROM CORNER OF TURNER TO CLIFFORD BEHIND 301 LAVERNE



208 CLIFFORD (CAT CORNER TO 301 LAVERNE AVE)



301 LAVERNE (FROM CORNER OF CLIFFORD TO LAVENE) AT FAR END ON RIGHT



PANORAMIC VIEW OF 301 LAVERNE (TURNER SIDE) TAKEN FROM 208 CLIFFORD AVE



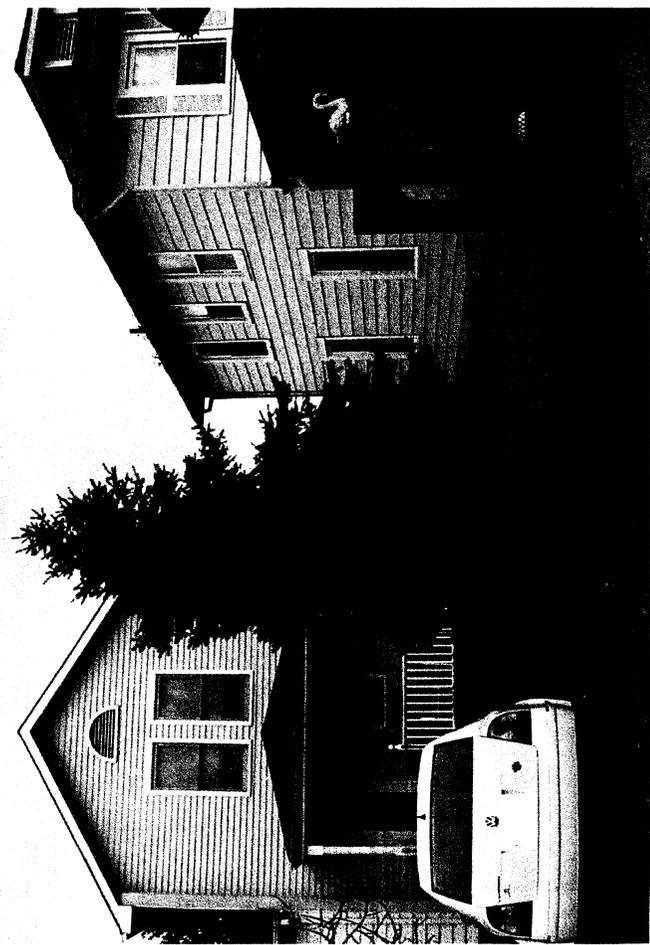
VIEW OF CORNER OF TURNER LANE AND 301 LAVIGNE AVE. VIEW OF 301 LAVIGNE TAKEN FROM TURNER RD. SHOWS EXISTING TREES



VIEW OF BUILDING LOT FROM REAR ON TURNER SIDE OF PROPOSED HOME. AVE BELONGS TO 301 CLIFFORD AVE. RED FENCE BELONGS TO 301 CLIFFORD AVE. DRIVEWAY SPARE AT BOTTOM OF PICTURE



REAR VIEW OF 301 LAVIGNE SHOWING 300 LAVIGNE AT FAR END OF PICTURE



314 LAVIGNE AVE (NEWER HOME)

ASPECT TREE SERVICE

*7205 Barry Road Alexandria, Virginia 22315
Phone 703.922.5547 Fax 703.922.5547*

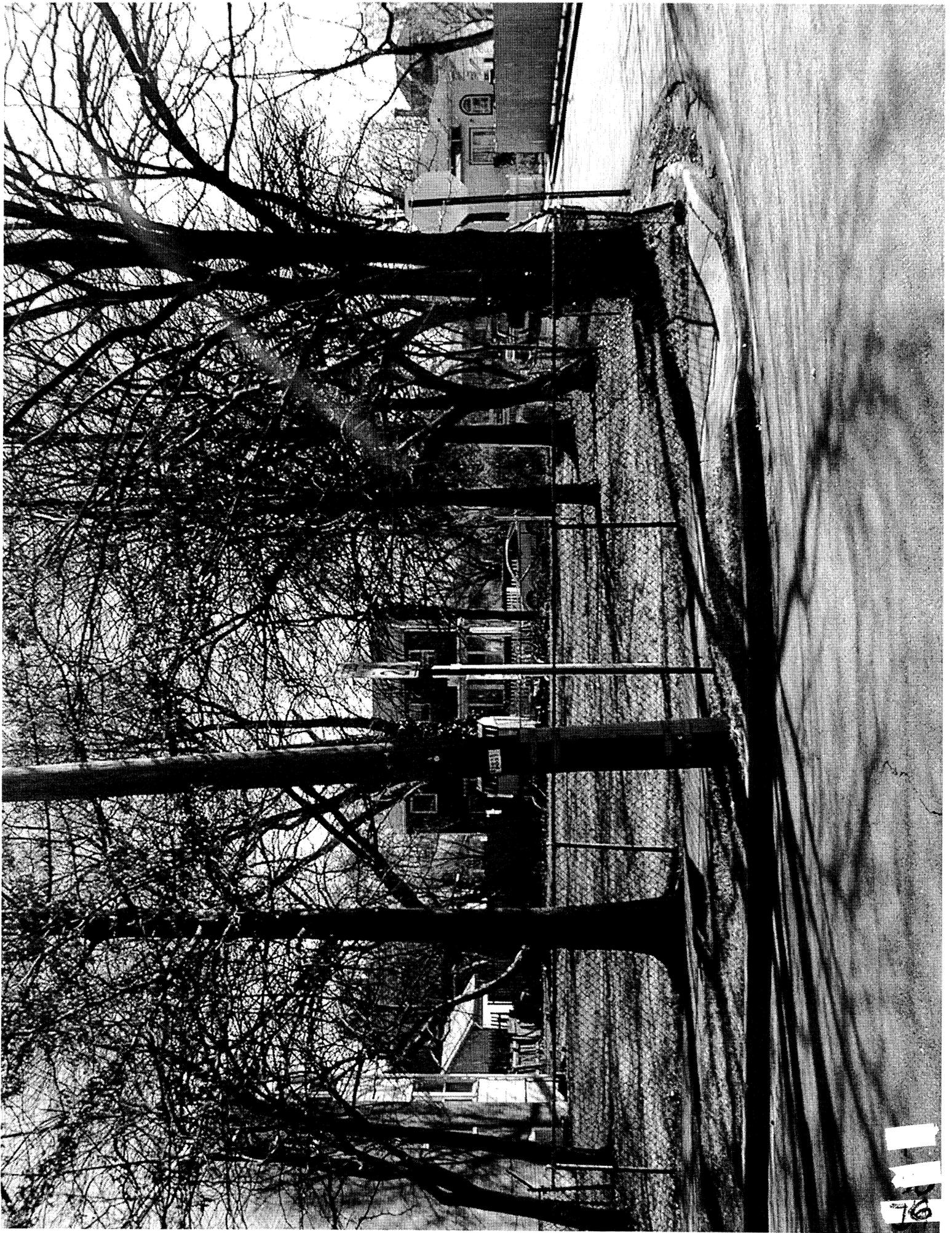
Date: 3.28.04

**Subject: 301 LaVerne Avenue
Alexandria, VA 22305**

To Whom It May Concern:

It is our opinion that the trees in question, located on Turner, although healthy would not pose any environmental or historical issue if removed. There are 3 Mulberry trees and 2 Pin Oak trees. Both of these species are indigenous to this region and are growing in large numbers. The Mulberry is commonly found to cause structurally damage in residential areas and is difficult to maintain do to poor confirmation caused by genetic growth structure. We recommend installing a variety of trees in this location that is better suited for this surrounding.

**Aspect Tree Service
703.929.0890**

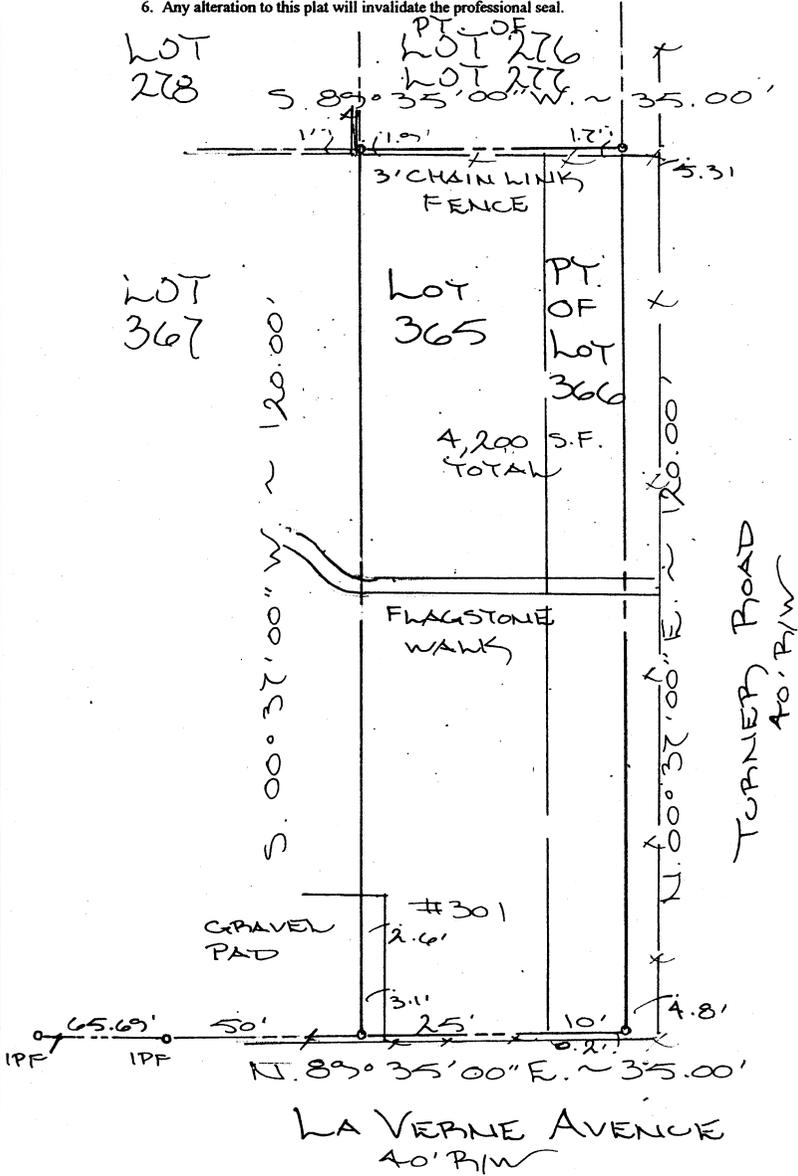




↑
Subject Lot

77

- NOTES: 1. The boundary and area of the property shown hereon is from existing records. PF denotes pipe found.
 2. No title report was furnished consequently all easements, rights-of-way, and other restrictions of record may not be shown.
 3. This survey is intended for location of physical improvements, not the construction of fences.
 4. The property shown hereon is within zone _____ as shown on FIRM Flood Hazard Boundary Map, Community # _____ Panel # _____ Dated _____
 5. Underground utilities, if any exist, are not shown.
 6. Any alteration to this plat will invalidate the professional seal.



SURVEY OF
 LOT 365 AND PART OF LOT 366
 ST. ELMO

CITY OF ALEXANDRIA,
 VIRGINIA
 TAX MAP NO. 02A.02-04-09



Atty: _____ Scale: 1"=20' Drawn By: LLS
 Case Name: BRETT RICE Date: 4/20/04 Job No.: BR 5463
LAURA LEE SCOTT SURVEYS, INC.

12326 Beechnut Court, Lake Ridge, Virginia 22192 (703) 494-6261 FAX (703) 494-7225



DEPARTMENT OF PLANNING AND ZONING

301 King Street, Room 2100

P. O. Box 178

Alexandria, Virginia 22313

ci.alexandria.va.us

Phone (703) 838-4666

Fax (703) 838-6393

December 29, 2003

Mr. Brett Rice
Re/Max Allegiance
6084A Franconia Road
Alexandria, VA 22310

Regarding: 301 Laverne Avenue

Dear Mr. Rice,

I have not heard from you since my last letter dated December 5, 2003, that requested additional information in order to continue processing your application. Your case was deferred to the March hearings for this reason. As stated in the last letter, we found that many of the plans and elevations you submitted are not drawn to scale, are not consistent with each other, or do not clearly and accurately present the proposal. In order for us to continue to process your application, you will need to submit the following items:

- 1) Site Plan: The site plan should be to scale, with dimensions, and include the footprint of the proposed house, lot lines, proposed curb cut and driveway (with proposed paving materials), and location of any sidewalks or proposed sidewalks.
- 2) Landscaping Plan: The plan should include both the existing trees, and proposed landscaping and trees. The drawing should be to scale and include species and tree radii.
- 3) Elevations: The elevations should be accurate and to scale and be consistent with what is represented in the interior layout plans. I can share with you several examples of where the elevations are not consistent with the interior layout, including in size and location of windows and doors.
- 4) Interior Layout: The interior layout should be accurate and to scale and consistent with what is represented in the elevations. I would also like to discuss with you ways to improve this design.
- 5) Panoramic Picture: The picture should include the proposed house to scale next to the adjacent houses on the block.

79

All of the above plans and drawings should be done by a professional, or someone who is capable of presenting this information in an accurate and detailed way. The information we are requesting is consistent with what has been expected in other substandard lot applications, as I shared with you some time ago, and is critical for us to conduct an analysis of your application.

In addition, it is not clear on your drawings if you plan on installing curb and gutter, and what your plans are for sidewalks on the property. Please clarify these elements in the above plans.

We will need all of the above information by January 9, 2004, or will have defer your case to the April Planning Commission and City Council hearings. Please contact me once you receive this letter as there are some additional comments regarding architectural details I would like to discuss with you before you finalize your plans. I can be reached at 703-838-4666.

Sincerely,



Valerie Peterson
Urban Planner

cc: Barbara Ross
Thomas Luebke



DEPARTMENT OF PLANNING AND ZONING

301 King Street, Room 2100

P. O. Box 178

Alexandria, Virginia 22313

ci.alexandria.va.us

Phone (703) 838-4666

Fax (703) 838-6393

December 5, 2003

Mr. Brett Rice
Re/Max Allegiance
6084A Franconia Road
Alexandria, VA 22310

Regarding: 301 Laverne Avenue

Dear Mr. Rice,

In reviewing your application, we found that many of the plans and elevations you submitted are not drawn to scale, are not consistent with each other, or do not clearly and accurately present the proposal. In order for us to continue to process your application, you will need to submit the following items:

- 1) Site Plan: The site plan should be to scale, with dimensions, and include the footprint of the proposed house, lot lines, proposed curb cut and driveway (with proposed paving materials), and location of any sidewalks or proposed sidewalks.
- 2) Landscaping Plan: The plan should include both the existing trees, and proposed landscaping and trees. The drawing should be to scale and include species and tree radii.
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All of the above plans and drawings should be done by a professional, or someone who is capable of presenting this information in an accurate and detailed way. The information we are

requesting is consistent with what has been expected in other substandard lot applications, as I shared with you some time ago, and is critical for us to conduct an analysis of your application.

In addition, it is not clear on your drawings if you plan on installing curb and gutter, and what your plans are for sidewalks on the property. Please clarify these elements in the above plans.

We will need all of the above information by December 12 or will have defer your case to the March Planning Commission and City Council hearings. Please contact me once you receive this letter as there are some additional comments regarding architectural details I would like to discuss with you before you finalize your plans. I can be reached at 703-838-4666.

Sincerely,



Valerie Peterson
Urban Planner

cc: Barbara Ross
Thomas Luebke

Del Ray Citizens Association

PO Box 2233

ALEXANDRIA VA 22301

ESTABLISHED 1954

To: Members of Alexandria Planning Commission
Eileen Fogarty, Director, Office of Planning and Zoning

From: Amy Slack, Land Use Committee Co-Chair
Sarah Haut, Land Use Committee Co-Chair
Justin Wilson, President

Date: April 30, 2004

Subject: SUP#2003-0115, 301 La Verne Ave.
Consideration of a request for construct a single family residence on a
sub-standard lot and a reduction in require parking.
Zoned: R2-5 Applicant: Brett Rice

*DC Docket Item # 26
SUP 2003-0115*

The applicant, Mr. Brett Rice, attended the Land Use committee meeting on April 15, 2004 to present the proposal. We had distributed flyers to eight adjacent homes and the item was announced in the Association newsletter. Neighbors, representing 6 households, attended the meeting or contacted us; none were in favor of the request.¹ Valerie Peterson, Urban Planner for the city was in attendance.

Mr. Rice presented drawings depicting a 2 1/2 story dwelling 16ft wide by approximately 56ft long with a shallow front porch, oriented toward La Verne Avenue. He believes it is of a similar mass and scale as several semi-detached homes with additions, found in the neighborhood. The architectural design is meant to be reflective of the Arts & Crafts style.

One off-street parking place will be located close to the rear property line. No curb cut is necessary since there is no curb, gutter, or sidewalk on this block face of Turner Avenue.

The lot size is 4200sqft and the FAR is calculated at .447.

Staff has required the applicant to preserve several significant trees along the property line. This requirement has altered the location, width, and length of the originally proposed structure.

The discussion touched on several issues.

We asked the applicant if he had considered constructing a dwelling that would have been appropriate for handicapped or elderly owners, using available tax incentives.

This was not something he had thought of.

We asked if he would be willing to install a curb, gutter, and sidewalk. He responded 'No' for two reasons. First the adjacent property to the rear had none and second, staff had recommended against installation of these public amenities in order to preserve trees.

¹ 303 La Verne, a rental property, was vacant at the time of the meeting.

Staff insistence that all the trees be saved has helped drive the overall size and scale of the proposed structure to be greater than average adjacent homes. We believe the outcome of increased length will adversely impact the air and light of 303 La Verne Avenue.

The committee finds the proposed parking and paving arrangement to be unacceptable. We agree with staff analysis of the lot size development pattern. We feel that the lot size is in gross disparity with the required lot size. Nor does the proposed architectural style, mass, scale, and location of the house on the lot merit greater consideration.

We are willing to consider a smaller structure, or one suitable for specialized needs, that provides public amenities. We encourage the neighbors to propose that the site be considered for acquisition as open space.

The committee recommended to *deny the application as proposed and to work with staff and the neighborhood to find an suitable solution.*

At their April 29, 2004 meeting, the Executive Board voted in favor of the Land Use committee recommendation.

We request your support for this position and welcome your questions and comments. Please feel free to contact Co-chairs Amy Slack at 703-549-3412 or Sarah Haut at 703-838-9060 and President Justin Wilson at 703-299 1576.

Laverne Avenue Neighborhood (200-300 blocks), Alexandria, VA 22305

April 20, 2004

*PC Docket Item # 26
SUP 2003-0115*

Eileen Fogarty
Director
Planning and Zoning
City of Alexandria
301 King Street
Alexandria, VA 22314

Dear Eileen,

This letter is sent to you in reference to the application for special use permit #2003-0115, property location: 301 Laverne Avenue, Alexandria, VA 22305, tax map reference: 024.02 04 09, zone R-2-5.

We want to thank Amy Slack of the Del Ray Citizens Association (DRCA) for notification of the Del Ray Citizens Association Land Use Committee meeting last week that allowed us to learn about applicant Brett Rice's plans for building a single family home on a small corner lot of 4200 square feet on our block. Our properties are in direct view and contact with this lot. Until this meeting, we were under the impression that it was a small side yard of the adjacent duplex. We were surprised to learn that plans were being made to build a single family home on what most lay people would consider a lot too small for that kind of development. During the Land Use Committee meeting, five of us were present and listened to the applicant's presentation, questions from the DRCA, and comments from Valerie Peterson, urban planner, who reported that the lot was indeed smaller than what zoning requires of a corner lot for a single family home in this neighborhood. We were then allowed time to raised our concerns.

After a friendly and in-depth discussion with Mr. Rice, outside of the Committee meeting, we still believe that the size of the house will impair an adequate supply of light and air to adjacent property and is not compatible with the character of the neighborhood. Furthermore, we feel that the proposed building will jeopardize not just the "ugly" trees that exist on the lot, but the straight and established Oaks that provide shade and beauty to surrounding homes, and a home to the wildlife that has returned over the years to this neighborhood. To build a single family home on such a small lot will add undo congestion to an established neighborhood and hints of an unharmonious and opportunistic greed unwelcome in this community.

As an alternative suggestion, **we would like to propose a neighborhood sponsored park** which addresses an initiative recently reported by the City of Alexandria, The Open Space Plan. As the report reveals, the City of Alexandria is "one of the most densely populated cities in the nation" with a "continuous struggle to provide enough open space for all its residents." As long term residents of this community, we agree with the report's findings: "a growing and increasingly diverse population clamoring for open space options in the context of a dwindling supply of potential open spaces areas, the city must develop a strategy to respond to these conflicting pressures." Our proposal meets a number of goals in the City's initiative:

- Goal 2. Develop innovative opportunities for creating additional open space
- Goal 6. Protect and preserve institutional open space
- Goal 9. Create public open space from vacant land

We encourage the City to take up the discussion of purchasing this small lot from the owner, who deserves to enjoy gain through the sale, and rezone it for a small neighborhood park. We are all fulltime owners and residents of the neighborhood (many of us have lived here for decades) and we have

continuously demonstrated a high level of responsibility in watching over our own property and those of our neighbors. We welcome an opportunity to show our neighborhood pride through maintenance of the lot's existing trees, lawn and, perhaps, add additional flowers or trees. We understand the responsibility of the upkeep of this open green space and feel it will be to the benefit and pleasure of all neighbors and visitors to enjoy for years to come.

We are interested in your thoughts on this and invite any questions you may have of us concerning our issues with the special use permit or our proposal for saving this open space for a neighborhood park. You can reach Sarah Pearson at work 202-775-9731; Nick Colling or Susan Mader at 703-684-7042, Kathy Henry, 703-549-2530; Jack Williams, 703-549-7088; Monica or Victoria Dade, 571-275-5505; Tara Hardiman, 703-684-3297; Alan Flanigan, 703- , Barry Culpepper and Melinda Douglas, 703-549-8465, or Ed McDermott, 703-535-5522.

Sincerely,

Sarah S. Pearson, 210 Laverne Ave.

Tara Hardiman, 207 Laverne Ave.

Nick Colling, 208 Laverne Ave.

Kathy Henry, 213 Laverne Ave.

Susan S. Mader, 208 Laverne Ave.

Jack R. Williams, 211 Laverne Ave.

Monica J. Dade, 302 Laverne Ave.

Victoria R. Dade, 302 Laverne Ave.

Barry B. Culpepper, 204 Laverne Ave.

Alan Flanigan, 309 Laverne Ave.

Jenny Flanigan, 309 Laverne Ave.

Melinda Douglas, 201 Laverne Ave.

Karen Swanson, 205 Laverne Ave.

LAW OFFICES

THOMAS, BALLENGER, VOGELMAN AND TURNER, P.C.

124 SOUTH ROYAL STREET
ALEXANDRIA, VIRGINIA 22314

(703) 836-3400
FAX: (703) 836-3549

EARL G. THOMAS (RET.)
JOHN M. BALLENGER*
JEFFREY A. VOGELMAN*
JAMES D. TURNER*

CIARA A. MILLER

* VA. GA BARS
* VA. NY, DC BARS
* VA. DC, GA, TX BARS

*PC Docket Item # 26
SUP # 2003-0115*

May 4, 2004

Planning Commission
City of Alexandria

HAND DELIVERED

RE: SUP APPLICATION- 301 Laverne Avenue (Applicant: Brett Rice)
REQUEST FOR DEFERRAL

Dear Sir/Madam:

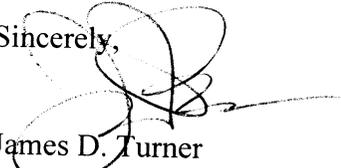
I was retained this date to assist the applicant in responding to the staff report and recommendations in this SUP hearing for the construction of a single family residence on a substandard lot and parking reduction request. I understand my client just received a copy of the report on the 28th of ~~May~~ ^{April}. The report raises many issues that need to be responded to on behalf of my client.

I hereby request, on behalf of applicant, that this matter be deferred. My understanding it will be put back on the docket for the first available date in June, 2004. My conversations with staff indicate they have no objection to this deferral.

My client also plans to hire Mr. R.C. Fields, Jr. and Associates, Inc. to help address the staff concerns raised in the report.

I thank you in advance for your assistance in this matter. Please feel free to contact me with any questions.

Sincerely,


James D. Turner

Cc: R.C. Fields, Jr.
Brett Rice

87

302 Name MARGARET ANNE DADÉ
Laverne Avenue
Alexandria, Virginia 22305

September 1, 2004

City of Alexandria
Department of Planning and Zoning
301 King Street, Room 2100
P.O. Box 178
Alexandria, Virginia 22313

PC Docket Item #11
SUP 2003-0115

RE: Proposed site plan for 301 Laverne Ave. Alexandria, VA 22305

Dear City Council Members:

I have met with Mr. Rice regarding the proposed site plan for 301 Laverne Ave. I have spoken with him on occasion, and reviewed the details of the plans together. I feel that the proposed home is a nice design and will fit in well with the current homes in the neighborhood. I have lived in my current home for over 40 years. I look forward to looking at this pretty new house when I relax on my front porch. I support Mr. Rice's request. I think this home will be nice addition to our neighborhood.

Sincerely, 

[Click [here](#) and type your name]

*Rose M. Deck
328 Laverne Avenue
Alexandria, VA 22305*

28 August 2004

City of Alexandria Planning Commission
City of Alexandria City Council

*PC Docket Item #11
SUP2003-0115*

Ladies and Gentlemen:

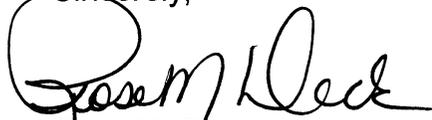
I am writing to request your support for the special use permit request on the property located at 301 Laverne Avenue, St. Elmo Subdivision, Alexandria, VA 22305.

I have reviewed the most recent proposed home design for 301 Laverne Avenue and believe that it is appropriate to the size of the lot. Additionally, the faux Victorian style of the home compliments the other home styles both existing and currently under construction in the St. Elmo neighborhood.

Since moving to the neighborhood in June 2003, the lot has not been maintained. The tall grass, broken branches, dead tress, and litter have been an eyesore. A nice home would be a welcome addition to our neighborhood and particularly Laverne Avenue.

I appreciate your attention and favorable support in this matter.

Sincerely,



Rose M. Deck
Owner
328 Laverne Avenue

Jean Lubinsky
300A Clifford Avenue
Alexandria, VA 22305

September 3, 2004

*PC Docket Item # 11
SUP 2003-0115*

Planning and Zoning Commission
City Council, City of Alexandria
Alexandria, Virginia 22314

RE: Proposed Construction, Laverne Avenue

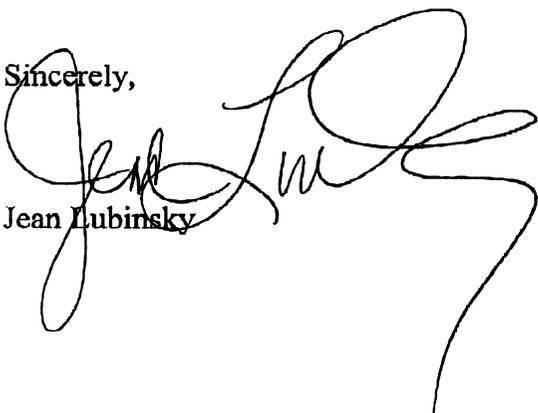
Commission and Council Members:

I am the owner of a semi-detached home located behind the lot on Laverne Avenue where plans have been submitted to build a single-family home. The purpose of this letter is to register my support for the construction of this home. I have reviewed the proposed plans for the home, and it appears to be a thoughtfully designed, tasteful home. The lot in its current condition is an eyesore, and many of the trees are dying and/or dead, the limbs of which regularly fall into my yard and are a hazard. I welcome the addition of this home to our neighborhood, as its presence will only serve to enhance the value of existing properties and the aesthetics of the neighborhood as a whole.

If have any questions, please do not hesitate to contact me at 703-566-8366 (home) and 202-565-1353 (work).

Sincerely,

Jean Lubinsky

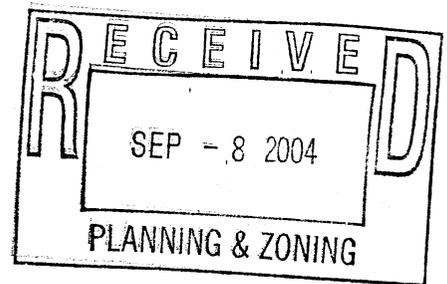


Sarah S. Pearson
210 Laverne Avenue
Alexandria, VA 22305

September 3, 2004

Eileen Fogarty
Director
Planning and Zoning
City of Alexandria
301 King Street
Alexandria, VA 22314

*PC Docket
Item # 11
SUP2003-0115*



Dear Eileen,

On behalf of the neighbors of the 200-300 block of Laverne Avenue, I am sending this second letter to you. Our first letter, sent a few months ago, included the signatures of 12 homeowners on Laverne Avenue. We are writing regarding SUP#2003-0115 which is currently before the Planning Commission.

We have watched the development of this case and have seen the changes in the house plans in question. We remain unconvinced that the new house plan warrants a variance in zoning. Maintaining the look and feel of the Del Ray community is important to us and is part of the reason we live here. To offer a variance on this case would begin an unfortunate precedence. It is our collective view, as neighbors who would have to live with the outcome of the proposed zoning variance, that the lot is just too small even for the newly revised house plan. The neighborhood would also stand to lose a number of mature trees with the proposed construction. It would be far better for the community, if development is indeed the goal, to transition the lot to a small community park to be enjoyed by all. Otherwise, we would hope that the lot stays intact as the side yard of the duplex it frames—its obvious original purpose.

Thank you for listening to our concerns. Although many of us cannot be present for the September 9 hearing, we will do our best to have a representative or two there.

Sincerely,

A handwritten signature in cursive script, appearing to read "Sarah S. Pearson".

Sarah S. Pearson

Boyd Tree Expert Company

105 Candlestick Drive
Stafford Va. 22554
Phone & Fax (540) 288-3891



PC Docket Item # 11
SUP 2003-0115

Mr. Brett Rice
6084 -A Franconia Rd.
Alexandria Va. 22310

To whom it may concern,

This correspondence is in regard to your request that Boyd Tree Expert Co. inspect the tree resource on the vacant lot located at 301 Laverne Ave. in Alexandria Virginia. There are 14 trees on the property, all trees have been neglected and most are in a state of decline.

I have performed a visual inspection of all of the trees and noted species, size, condition, location and approximate canopy coverage. I have also provided specific recommendations as to the potential preservation of individual trees where preserving the tree is possible and practical.

If you have any comments or questions regarding this inspection, evaluation or my recommendations and conclusions please feel free to call on me at my office (540) 288-3891 or directly on my cell phone at (571) 259-2575.

Sincerely,

Timothy Boyd
Certified Arborist MA 315
Lic. Md. Tree Expert #862

Boyd Tree Expert Company

105 Candlestick Drive
Stafford Va. 22554
Phone & Fax (540) 288-3891



Mr. Brett Rice
6084 -A Franconia Rd.
Alexandria Va. 22310

PC Docket Item #11
SUP2003-0115

September 2, 2004

To whom it may concern,

This report the result of my visual inspection of the tree resource on the vacant lot located at 301 Laverne Ave. in Alexandria Virginia. All of the trees have been neglected and many are in a state of decline. I looked at the potentially viable trees with an emphasis on the proposed construction and considered the impact the construction is likely to have on these trees. Where it will be helpful I made recommendations for remedial treatments to help minimize the negative impact of construction on the trees.

1- 6" Pin Oak- Quercus palustris

This tree is located at the Northeast corner of the property; it is in good to fair condition. The tree is subordinate to a larger Honey locust (tree #2) located approximately 1' away; because of this conflict you may consider removal of one of these trees. If this tree is chosen for preservation the low limbs should be removed to provide a minimum of 15' of ground clearance. This tree provides approx. 150 square feet of canopy coverage. If the tree is to be preserved on the site I recommend fencing (orange construction) be installed at the edge of the dripline, all roots that are damaged by excavation be cleanly pruned, the area inside the fence should be mulched with woodchips or a similar material and you may consider fertilizing the tree as well as inoculating the soil with mycorrhizae.

2- 10" Honeylocust- Gleditsia triacanthos

This tree is located approx. 1' Southwest of tree #1, it is in good to fair condition. The tree is the dominant tree to #1 has developed a well-shaped growth habit. This species is well known to have formidable thorns, this tree possesses these thorns, and due to this feature you may consider removing this tree instead of #1. This tree provides approx. 200 Sq. Ft of canopy coverage. If the tree is to be preserved on the site I recommend fencing (orange construction) be installed at the edge of the dripline, all roots that are damaged by excavation be cleanly pruned, the area inside the fence should be mulched with woodchips or a similar material and you may consider fertilizing the tree as well as inoculating the soil with mycorrhizae.

Boyd Tree Expert Company

105 Candlestick Drive
Stafford Va. 22554
Phone & Fax (540) 288-3891



3- 14" Pin Oak- Quercus palustris

This tree is located on the north side of the property and is in good to fair condition. The root flares are encroaching on the sidewalk this will no doubt cause damage and require correction in the near future, there is a segment of metal fence embedded in the lower trunk and base of the tree this will make removal of this section of the tree difficult and expensive. This tree provides approx. 350 sq. ft. of canopy coverage. If the tree is to be left on the property low limbs should be removed to provide a minimum of 15' of ground clearance. If the tree is to be preserved on the site I recommend fencing (orange construction) be installed at the edge of the dripline, all roots that are damaged by excavation be cleanly pruned, the area inside the fence should be mulched with woodchips or a similar material and you may consider fertilizing the tree as well as inoculating the soil with mycorrhizae.

4- 14" Honeylocust- Gleditsia triacanthos

This tree is located at the Northwest corner of the property it is in good to fair condition. I recommend removing the small approx. 3' diameter lead from the tree. This species is well known to have formidable thorns, this tree possesses these thorns, due to this feature you may consider removing this tree. This tree provides approx. 400 sq. ft. of canopy coverage. If the tree is to be preserved on the site I recommend fencing (orange construction) be installed at the edge of the dripline, all roots that are damaged by excavation be cleanly pruned, the area inside the fence should be mulched with woodchips or a similar material and you may consider fertilizing the tree as well as inoculating the soil with mycorrhizae.

5- 13" Mulberry- Morus alba

This tree is located approximately 2' South of tree #4 it is in good to fair condition. This tree provides approx. 200 sq. ft. of canopy coverage. If the tree is to be left on site you may consider removing the low limbs to provide a minimum of 18' of clearance over the road. If the tree is to be preserved on the site I recommend fencing (orange construction) be installed at the edge of the dripline, all roots that are damaged by excavation be cleanly pruned, the area inside the fence should be mulched with woodchips or a similar material and you may consider fertilizing the tree as well as inoculating the soil with mycorrhizae.

Boyd Tree Expert Company

105 Candlestick Drive
Stafford Va. 22554
Phone & Fax (540) 288-3891



6- 8" Mulberry- Morus alba

This tree is located approx. 2' South of tree #5 the tree is dead and should be removed.

7- 8" Mulberry- Morus alba

This tree is located at the Northeast corner of the proposed structure; the tree is in poor condition and should be removed. This tree provides approx. 200 sq. ft. of canopy coverage.

8- 8" Black Cherry- Prunus serotina

This tree is located at the front left corner of the proposed structure and is in fair condition. The tree displays a substantial lean and is growing only a few feet from the proposed foundation. This tree should be removed. This tree provides approx. 200 sq. ft. of canopy coverage.

9- 10" Pin Oak- Quercus palustris

This tree is located at the right side of the proposed structure on the west side of the lot; the tree is in fair condition. This tree is growing only about 5' from the proposed foundation; the growth habit is sparse and spindly. When considering all of the data I recommend removal of this tree. This tree provides approx. 320 sq. ft. of canopy coverage.

Boyd Tree Expert Company

105 Candlestick Drive
Stafford Va. 22554
Phone & Fax (540) 288-3891



10- 3" Silver Maple- Acer saccharinum

This tree is located on the right side of the property near the road, it is in poor condition has a poor growth habit and there is an old chainlink fence embedded in the base of the tree. This tree should be removed. This tree provides approx. 32 sq. ft. of canopy coverage.

11- 20" Mulberry- Morus alba

This tree is located on the right side of the property it is in poor condition. The tree has a poor growth habit and is in an irreversible state of decline. This tree should be removed.

12- 20" Pin Oak- Quercus palustris

This tree is located on the right side of the property it is in good condition. This tree is the best tree on the property, you should consider pruning the tree by removing dead limbs and removing low limbs to provide a minimum of 18' of ground clearance. This tree provides approx. 900 sq. ft. of canopy coverage. If the tree is to be preserved on the site I recommend fencing (orange construction) be installed at the edge of the dripline, all roots that are damaged by excavation be cleanly pruned, the area inside the fence should be mulched with woodchips or a similar material and you may consider fertilizing the tree as well as inoculating the soil with mycorrhizae.

13- Apple- Malus spp.

This tree is located on the left toward the rear of the proposed structure, it is leaning into the existing structure next door and has a substantial decay column this tree is a hazard and should be removed.

Boyd Tree Expert Company

105 Candlestick Drive
Stafford Va. 22554
Phone & Fax (540) 288-3891



14- 22" Pin Oak- Quercus palustris

This tree is located on the right rear of the property it is in poor condition. Approx. 50% of the crown is dead and the tree is in an irreversible state of decline. This tree should be removed, there is little urgency connected with this recommendation. This tree provides approx. 450 sq. ft. of canopy coverage.

15- 8" Pin Oak- Quercus palustris

This tree is located at the right rear of the property it is in fair condition but has a significant lean and only has growth on one side. The tree is in the footprint of the proposed parking area it should be removed. This tree provides approx. 280 sq. ft. of canopy coverage.

16- 30" Red Maple- Acer rubrum

This tree is on the adjacent property and is located to the rear of the structure it is in fair condition. There are several large limbs located out over the proposed structure, these limbs should be properly pruned or removed. This tree provides approx. 3600 sq. ft. of canopy coverage.

DATE: November 3, 2004

TO: Valerie Peterson
Department of Planning and Zoning
301 King Street, City Hall, Room 2100
Alexandria, Virginia 22314

FROM: Ed McDermott
210 Laverne Avenue
Alexandria, VA 22305

RE: Follow-up on Community Meeting Regarding the "Special Use Permit" for 301 Laverne Avenue

Hello Ms. Peterson:

Thank you and the City Alexandria Planning Commission for putting together the community meeting last night to discuss the issues surrounding Mr. Brett Rice's request for a "special use permit" to build on the lot at 301 Laverne Avenue. I do, however, have a couple of nagging issues to pose to you.

My first concern, as I stated last evening, is that the request for "special use permit" was not required to be restarted when the applicant made substantial changes from the last submission to the City Alexandria Planning Commission. Having seen both sets of drawings, I am wary that the Planning Commission's decision to not subject these revisions to a thorough substantive review before forwarding this to the City Council. I fear that by not subjecting these revisions to the full Planning Commission process, the Council may assume that these revisions have substantially ameliorated and addressed the Commission's concerns, which lead to the proposal being rejected. From the meeting last night, I believe I heard quite clearly that this is not the case.

This decision seems highly questionable to me, as only token changes to the footprint have been made while the primary issue of side setback has been ignored. Additionally, the changes to the facade and appearance ignore the fact that they propose doubling the road space allotted to parking spaces. These are substantive issues that will not be adequately addressed prior to their submission to the Council.

My second issue is that the attorney for Mr. Rice stated that they would constitute the city's commitment to not allow building on the lot to be a "taking." I wanted to be sure that you know under legal guidelines that this would not be the case. The definition of a taking is when the government acquires private property and fails to compensate an owner fairly -- takings can occur even without the actual physical seizure of property, such as when a government regulation has substantially devalued a property.

This is most obviously not the case for 301 Laverne Avenue. Mr. Rice purchased the lot a little more than a year ago, and at the time the lot was deemed unbuildable and taxed as such. Therefore, there existed no intrinsic or implied right to build on this property or that any right to do so would be deeded. Mr. Rice acted as a speculator, and as such took a chance that he may or may not be allowed to build on the purchased land. All speculation is subject to risk, Mr. Rice knowingly entered into a risk agreement, and being fully aware that existing regulations prohibited building he is not due compensation as there is no devaluation or change in status of the property from when he initially purchased it.

I would like the City Alexandria Planning Commission's report to fully state that a determination that lot at 301 Laverne Avenue cannot meet the setback and building requirements for Mr. Rice's proposal does in no way constitute nor meet the legal definition of a taking.

Also, I would like to strongly reiterate that City of Alexandria zoning, land use and building guidelines were not determined arbitrarily. As a person who writes and enforces regulations and guidelines daily, I know that the purpose for each zoning, land use and building regulation was designed to serve as a remedy to known or perceived problems existing regulations. Such a requirement is that all new houses by regulation are built with sprinkler systems; this was done as a remedy to house fires. However, this regulation does not apply to older existing homes, as there did not exist sufficient need at the time for the city to mandate this requirement.

Mr. Rice's asserts that because two homes on Montrose are single family on 4,200 sq. ft. or smaller exist, he should have this right as well. In my mind he may as well say that because my house does not have a sprinkler system neither should his. I do not feel that this is the case, those homes on Montrose may have served as the catalyst for the development of "setback" and "square footage" requirements that Mr. Rice's proposal is now required to meet.

Whether this is the case or not, at some point City Planners and Officials sought a remedy to building on "substandard" lots. Regulations were put in place to accomplish this; these are the zoning, land use and building regulations that the City Alexandria Planning Commission is charged with enforcing.

Mr. Rice's request for a "special use permit" or as I will call it a "variance" clearly is incapable of meeting these regulations, or even almost meeting the regulations. However, he contends that they wish to ignore these regulations, simply because they wish to build something on a lot that Mr. Rice (a Real Estate agent by profession) purchased knowing that it was already classified by City of Alexandria as unbuildable. I do not feel that this is appropriate justification for subverting the existing land use and building regulations for the City of Alexandria. I feel that any deference to Mr. Rice in this regard will only reward dubious speculation on Alexandria properties, and set a new building/land use precedent that will open the door for future requests.

Finally and more plainly, the case for ignoring the rules on the books has not been made, and I contend that Mr. Rice's request should be rejected as a result.

Please let me know if you have any questions regarding my stance. I look forward to seeing you at the City Council meeting, and thank you again for keeping the discussion between Mr. Rice and the community open.

ED

19
11-13-04

City of Alexandria, Virginia

MEMORANDUM

DATE: NOVEMBER 12, 2004

TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

THROUGH: PHILIP SUNDERLAND, CITY MANAGER *S*

FROM: CINDY SMITH-PAGE, DIRECTOR, REAL ESTATE ASSESSMENTS *Cindy Page*

SUBJECT: SUP#2003-0115, SUBSTANDARD LOT DEVELOPMENT
301 LAVERNE AVENUE, VALUATION FOR ASSESSMENT PURPOSES
(DOCKET ITEM #19)

In response to the assessment history inquiry from Councilman Krupicka (attached), the following information is provided.

The assessed value for the property at 301 Laverne Avenue has been below the fair market value of what a developable lot would be due to the nondevelopable nature of the lot. The assessments have ranged from a total of \$11,600 in 1991 to \$27,300 in 2004. The assessed values are typically approximately 20 to 25 percent of the value of the property if the property were developable (i.e., an 80 to 75 percent reduction in assessed value).

In CY 2004 the land values of similarly sized developable properties in the same neighborhood have land assessments ranging from \$130,000 to \$152,000 depending on the exact size and location of the parcel. Lots in the same area that are not developable have current assessed values of \$27,000 to \$45,000 again depending on location and size.

cc: Mark Jinks, Assistant City Manager
Dan Neckel, Director, Finance

"Rob Krupicka"
<Rob@Krupicka.com>
11/11/2004 04:00 PM

To <Eileen.Fogarty@alexandriava.gov>,
<Michele.Evans@alexandriava.gov>
cc
Subject for Sat

For the Laverne Ave. Property – can we have information on how it has been taxed -- full market rate, adjusted due to its ability to be built on, etc.

Rob Krupicka
Rob@Krupicka.com
www.krupicka.com
703-838-0280

19
11-13-04



<nisuco@juno.com>

11/10/2004 10:57 PM

Please respond to
<nisuco@juno.com>

To <alexvamayor@aol.com>, <delpepper@aol.com>,
<council@joycewoodson.net>, <councilmangaines@aol.com>,
<rob@krupicka.com>, <macdonaldcouncil@msn.com>

cc

bcc

Subject City of Alexandria Website Contact Us - EMail for Mayor,
Vice-Mayor and Council Members (alexvamayor@aol.com,
delpepper@aol.com, council@joycewoodson.net,
councilmangaines@aol.com, rob@krupicka.com,
macdonaldcouncil@msn.com, paulcsmedberg@aol.com,
rose.boyd@ci.alexandria.va.us,
jackie.henderson@ci.alexandria.va.us,
tom.raycroft@ci.alexandria.va.us)

**City of Alexandria Website Contact Us - EMail for Mayor,
Vice-Mayor and Council Members (alexvamayor@aol.com,
delpepper@aol.com, council@joycewoodson.net,
councilmangaines@aol.com, rob@krupicka.com,
macdonaldcouncil@msn.com, paulcsmedberg@aol.com,
rose.boyd@ci.alexandria.va.us,
jackie.henderson@ci.alexandria.va.us,
tom.raycroft@ci.alexandria.va.us)**

Time: [Wed Nov 10, 2004 22:57:13] IP Address: [4.249.18.237]

Response requested:

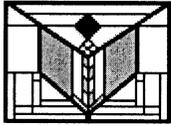
First Name: susan
Last Name: mader
Street Address: 208 Laverne Avenue
City: Alexandria
State: VA
Zip: 22305
Phone: 703 684-7042
Email Address: nisuco@juno.com

Comments: You have recently recieved letters from Ed
McDermott and Sarah Pearson, addressing the
development of property at 301 Laverne Avenue.
I believe that the points raised by both Sarah and
Ed are valid, and deserve your consideration and
support. The lot in question is too small for a
properly scaled single-family home, and to select
301 Laverne as one of Alexandria's "Pocket
Parks" would be a suitable resolution to the
protracted debate over the site's use.
I would like to add my name, to what I am sure is
a list of others, in support of denying any Special

Use Permit for building on 301 Laverne Avenue.
Thank you for your attention to this matter.

Susan Mader

19
11-13-04



Valerie Peterson/Alex
11/11/2004 10:42 AM

To Jackie Henderson/Alex@Alex
cc
bcc
Subject 301 Laverne Avenue

Jackie,
Here is a letter from a neighbor on the LaVerne case for Saturday.
Thanks,
Valerie

----- Forwarded by Valerie Peterson/Alex on 11/11/2004 10:42 AM -----



susan mader
<nisuco@juno.com>
11/10/2004 11:17 PM

To: Valerie.Peterson@alexandriava.gov
cc:
Subject: 301 Laverne Avenue

Dear Ms. Peterson:

I want to add my name to those in agreement with the issues raised by Ed McDermott in his letter to you, about the property at 301 Laverne Avenue. I support the previous denials of Special Use Permits both for Mr. Rice, and the previous owners who sought to build on the property. I think that any new plan should be subjected to the same scrutiny, with, I hope, the same result.

I join my neighbors in proposing that the lot be selected as a "Pocket Park", and I feel it will contribute nicely to the idea of keeping Alexandria "green". Having our little corner officially designated as a park would be a wonderful addition to the neighborhood and its residents. By contrast, squeezing a house into the tiny lot would contribute nothing, and would add to parking and other density-related problems.

I hope to attend the meeting on Saturday, Nov. 13. In any event, I will continue to participate in efforts to bring this to the only satisfactory conclusion - that no house be built on the property at 301 Laverne Avenue.

Sincerely,

Susan S. Mader
208 Laverne Avenue
Alexandria, VA 22305



<aflanigan@comcast.net>

11/10/2004 07:54 PM

Please respond to
<aflanigan@comcast.net>

19
11-13-04

To <alexvamayor@aol.com>, <delpepper@aol.com>, <council@joycewoodson.net>, <councilmangaines@aol.com>, <rob@krupicka.com>, <macdonaldcouncil@msn.com>

cc

bcc

Subject City of Alexandria Website Contact Us - EMail for Mayor, Vice-Mayor and Council Members (alexvamayor@aol.com, delpepper@aol.com, council@joycewoodson.net, councilmangaines@aol.com, rob@krupicka.com, macdonaldcouncil@msn.com, paulcsmedberg@aol.com, rose.boyd@ci.alexandria.va.us, jackie.henderson@ci.alexandria.va.us, tom.raycroft@ci.alexandria.va.us)

City of Alexandria Website Contact Us - EMail for Mayor, Vice-Mayor and Council Members (alexvamayor@aol.com, delpepper@aol.com, council@joycewoodson.net, councilmangaines@aol.com, rob@krupicka.com, macdonaldcouncil@msn.com, paulcsmedberg@aol.com, rose.boyd@ci.alexandria.va.us, jackie.henderson@ci.alexandria.va.us, tom.raycroft@ci.alexandria.va.us)

Time: [Wed Nov 10, 2004 19:54:38] IP Address: [68.83.223.176]

Response requested: []

First Name: Allen
Last Name: Flanigan
Street Address: 309 Laverne Ave.
City: Alexandria
State: VA
Zip: 22305
Phone: 7036847136
Email Address: aflanigan@comcast.net

Dear Mayor/Vice Mayor and City Council Members:

I am emailing you these comments because I will unfortunately be unable to attend This Saturday's meeting (November 13, 2004). I am writing regarding docket item #19, a special use permit application for 301 Laverne Ave.

I have been an Alexandria resident for over 20 years and have lived at 309 Laverne Ave. for over 12 years. I have been following this application

from its inception; I spoke in favor of denial of the application at the Sept. 9 Planning commission meeting; I also spoke before the council several years ago concerning the previous owner (Herrick's) proposed house on the same lot. I must say that I agree with the findings and opinions expressed in the recent memo prepared by the Planning commission staff.

Comments:

As noted in Staff's memo outlining the history of this proposal, the planning commission voted unanimously on Sept. 9 to recommend denial of the proposed house before them at the time. They noted not only the concerns raised by staff in their report, but also the fact that the proposed house was larger than Phillip Herrick's proposed house, which was denied by the City Council. In my opinion, staff's concerns regarding density, parking, and tree removal are well founded.

I am also supportive of my neighbor's concerns as expressed in the Nov. 2 meeting. These are the people who are going to have to put up with the consequences of the proposed structure "up close" for the foreseeable future. As a council member you are no doubt aware of the need for infill development in vibrant neighborhoods like Del Ray to be sensitive to concerns about density and the appropriateness of scale of the proposed house.

As noted, the proposed structure is still larger than the rejected plan put forth by the previous owner Herrick, and since the Planning Commission's vote was premised on this as well as Planning Staff's concerns, which remain, it seems proper to recommend denial of this application, or at least, as suggested in the Staff memo, to return it for consideration by the planning commission.

Thank you for considering my opinion,

Allen Flanigan

19
11-13-04



<thardiman@prodigy.net>

11/11/2004 09:48 AM

Please respond to
<thardiman@prodigy.net>

To <alexvamayor@aol.com>, <delpepper@aol.com>, <council@joycewoodson.net>, <councilmangaines@aol.com>, <rob@krupicka.com>, <macdonaldcouncil@msn.com>

cc

bcc

Subject City of Alexandria Website Contact Us - EMail for Mayor, Vice-Mayor and Council Members (alexvamayor@aol.com, delpepper@aol.com, council@joycewoodson.net, councilmangaines@aol.com, rob@krupicka.com, macdonaldcouncil@msn.com, paulcsmedberg@aol.com, rose.boyd@ci.alexandria.va.us, jackie.henderson@ci.alexandria.va.us, tom.raycroft@ci.alexandria.va.us)

City of Alexandria Website Contact Us - EMail for Mayor, Vice-Mayor and Council Members (alexvamayor@aol.com, delpepper@aol.com, council@joycewoodson.net, councilmangaines@aol.com, rob@krupicka.com, macdonaldcouncil@msn.com, paulcsmedberg@aol.com, rose.boyd@ci.alexandria.va.us, jackie.henderson@ci.alexandria.va.us, tom.raycroft@ci.alexandria.va.us)

Time: [Thu Nov 11, 2004 09:48:33] IP Address: [4.249.15.51]

Response requested: []

First Name: tara
Last Name: hardiman
Street Address: 207 laverne ave.
City: alexandria
State: va
Zip: 22305
Phone: 703-684-3297
Email Address: thardiman@prodigy.net

Dear Mayor Euille, Vice Mayor Pepper, and City Council Members,

This e-mail concerns Docket Item 19 that will come before you on Saturday 13 November. Neighbors immediately adjacent to the 301 Laverne property are opposed to a special use permit for construction on this "unbuildable" lot, as noted in the e-mail below.

Instead, I would like to suggest that you consider this small property for the new open space/park

program the city has adopted. The investment would be small, and the benefits large. The property already has several mature trees that will provide the backbone of the park. Immediate neighbors, myself included, are avid gardeners and would volunteer to do and maintain plantings. A park bench or two, the raw materials for landscaping, and any other recommendations the parks department would have are all that would be required. Neighbors would definitely use this space, and you could further your goal of increasing usable open space in Alexandria.

My immediate neighbors and I would be happy to discuss this option with you and would appreciate your raising it at the meeting on Saturday when we hope you will reject the special use permit.

Thank you for your consideration.

Tara Hardiman

(For those of you who don't know me, I have been an active Alexandria resident for many years, including service: chairing the Commission for Women; serving on the Human Rights Commission, Budget and Fiscal Affairs, and the Arts Commission; currently serving on the Mt. Vernon Avenue Development committee; and active involvement with organizations such as the Del Ray Artisans.)

From: "McDermott, Ed"

To:

Cc: , "Jack Williams" ,
"susan mader"

Date: Wed, 3 Nov 2004 13:25:06 -0500

Subject: RE: Meeting on 301 Laverne

Message-ID:

DATE: November 3, 2004

TO: Valerie Peterson
Department of Planning and Zoning
301 King Street, City Hall, Room 2100
Alexandria, Virginia 22314

FROM: Ed McDermott
210 Laverne Avenue
Alexandria, VA 22305

RE: Follow-up on Community Meeting Regarding
the "Special Use
Permit" for 301 Laverne Avenue

Hello Ms. Peterson:

Thank you and the City Alexandria Planning Commission for putting together the community meeting last night to discuss the issues surrounding Mr. Brett Rice's request for a "special use permit" to build on the lot at 301 Laverne Avenue. I do, however, have a couple of nagging issues to pose to you.

My first concern, as I stated last evening, is that the request for "special use permit" was not required to be restarted when the applicant made substantial changes from the last submission to the City Alexandria Planning Commission. Having seen both sets of drawings, I am wary that the Planning Commission's decision to not subject these revisions to a thorough substantive review before forwarding this to the City Council. I fear that by not subjecting these revisions to the full Planning Commission process, the Council may assume that these revisions have substantially ameliorated and addressed the Commission's concerns, which lead to the proposal being rejected. From the meeting last night, I believe I heard quite clearly that this is not the case.

This decision seems highly questionable to me, as only token changes to the footprint have been made while the primary issue of side setback has been ignored. Additionally, the changes to the facade and appearance ignore the fact that they propose doubling the road space allotted to parking spaces. These are substantive issues that will not be adequately addressed prior to their submission to the Council.

My second issue is that the attorney for Mr. Rice stated that they would constitute the city's commitment to not allow building on the lot to be a "taking." I wanted to be sure that you know under legal guidelines that this would not be the case. The definition of a taking is when the government acquires private property and fails to compensate an owner fairly -- takings can occur even without the actual physical seizure of property, such as when a government regulation has substantially devalued a property.

Comments:

This is most obviously not the case for 301 Laverne Avenue. Mr. Rice purchased the lot a little more than a year ago, and at the time the lot was deemed unbuildable and taxed as such. Therefore, there existed no intrinsic or implied right to build on this property or that any right to do so would be deeded. Mr. Rice acted as a speculator, and as such took a chance that he may or may not be allowed to build on the purchased land. All speculation is subject to risk, Mr. Rice knowingly entered into a risk agreement, and being fully aware that existing regulations prohibited building he is not due compensation as there is no devaluation or change in status of the property from when he initially purchased it.

I would like the City Alexandria Planning Commission's report to fully state that a determination that lot at 301 Laverne Avenue cannot meet the setback and building requirements for Mr. Rice's proposal does in no way constitute nor meet the legal definition of a taking.

Also, I would like to strongly reiterate that City of Alexandria zoning, land use and building guidelines were not determined arbitrarily. As a person who writes and enforces regulations and guidelines daily, I know that the purpose for each zoning, land use and building regulation was designed to serve as a remedy to known or perceived problems existing regulations. Such a requirement is that all new houses by regulation are built with sprinkler systems; this was done as a remedy to house fires. However, this regulation does not apply to older existing homes, as there did not exist sufficient need at the time for the city to mandate this requirement.

Mr. Rice's asserts that because two homes on Montrose are single family on 4,200 sq. ft. or smaller exist, he should have this right as well. In my mind he may as well say that because my house does not have a sprinkler system neither should his. I do not feel that this is the case, those homes on Montrose may have served as the catalyst for the development of "setback" and "square footage" requirements that Mr. Rice's proposal is now required to meet.

Whether this is the case or not, at some point City Planners and Officials sought a remedy to building on "substandard" lots. Regulations were put in place to accomplish this; these are the zoning, land use and building regulations that the City Alexandria Planning Commission is charged with enforcing.

Mr. Rice's request for a "special use permit" or as I will call it a "variance" clearly is incapable of meeting these regulations, or even almost meeting the regulations. However, he contends that they wish to

ignore these regulations, simply because they wish to build something on a lot that Mr. Rice (a Real Estate agent by profession) purchased knowing that it was already classified by City of Alexandria as unbuildable. I do not feel that this is appropriate justification for subverting the existing land use and building regulations for the City of Alexandria.

I feel that any deference to Mr. Rice in this regard will only reward dubious speculation on Alexandria properties, and set a new building/land use precedent that will open the door for future requests.

Finally and more plainly, the case for ignoring the rules on the books has not been made, and I contend that Mr. Rice's request should be rejected as a result.

Please let me know if you have any questions regarding my stance. I look forward to seeing you at the City Council meeting, and thank you again for keeping the discussion between Mr. Rice and the community open.

Valerie - I have attached a Word Document version of this letter, should you wish to forward it to others, or add it to the file being submitted to the City Council.

ED

**

Ed McDermott
NRC/FLAS Senior Program Officer
for Inner Asia, Middle East and Western
Europe/Europe
LRC Senior Program Officer
IEPS, U.S. Department of Education
6th Floor
1990 K Street, NW
Washington, DC 20006-8521
202.502.7636
202.502.7859 Fax

ed.mcdermott@ed.gov

Website:

<http://www.ed.gov/about/offices/list/ope/iegps/index.html>

19
11-13-04



"Allen Flanigan"
<aflanigan@comcast.net>
t>

11/10/2004 08:41 PM

To: "McDermott, Ed" <Ed.McDermott@ed.gov>,
<Valerie.Peterson@alexandriava.gov>, "Jack Williams"
<jackwilliams1@earthlink.net>, "susan mader" <nisuco@juno.com>,
<spearson@aypf.org>
cc: <Kendra.Jacobs@alexandriava.gov>
Subject: Re: 301 Laverne Avenue

Folks,

I won't be in town this weekend, so I emailed the following comments to City Council members:

I am emailing you these comments because I will unfortunately be unable to attend This Saturday's meeting (November 13, 2004). I am writing regarding docket item #19, a special use permit application for 301 Laverne Ave.

I have been an Alexandria resident for over 20 years and have lived at 309 Laverne Ave. for over 12 years. I have been following this application from its inception; I spoke in favor of denial of the application at the Sept. 9 Planning commission meeting; I also spoke before the council several years ago concerning the previous owner (Herrick's) proposed house on the same lot. I must say that I agree with the findings and opinions expressed in the recent memo prepared by the Planning commission staff.

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As noted, the proposed structure is still larger than the rejected plan put forth by the previous owner Herrick, and since the Planning Commission's vote was premised on this as well as Planning Staff's concerns, which remain, it seems proper to recommend denial of this application, or at least, as suggested in the Staff memo, to return it for consideration by the planning commission.

Thank you for considering my opinion,

Allen Flanigan

19
11-13-04

November 11, 2004

Attention: City of Alexandria Planning & Zoning Office, and City Council:

I have met with Mr. Rice regarding the building proposal for the property located at 301 Laverne Ave. I have reviewed the design for the proposed single family home. I am pleased with the proposal, and find it to be compatible with the surrounding homes. I feel it will be an attribute to the neighborhood. I lend my full support to the project, and I am eager to see it when it's completed.

Regarding proposed structure for property located at 301 Laverne Ave.

I DO SUPPORT THE PROJECT

I DO NOT SUPPORT THE PROJECT

Name: BERNIC SIMMONS
Address: 305 LAVERNE AVE
Signature: Bernic Simmons

Name: _____
Address: _____
Signature: _____

Name: Michele MARQUIS
Address: 308 LAVERNE AVE
Signature: Michele Marquis

Name: _____
Address: _____
Signature: _____

Name: Mel Meadows
Address: 311 Laverne
Signature: Mel Meadows

Name: _____
Address: _____
Signature: _____

Name: Linda Meadows
Address: 311 Laverne Ave
Signature: Linda Meadows

Name: _____
Address: _____
Signature: _____

November 11, 2004

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Regarding proposed structure for property located at 301 Laverne Ave.

I DO SUPPORT THE PROJECT

I DO NOT SUPPORT THE PROJECT

Name: Shelly Shuler

Name: _____

Address: 310 Laverne Ave

Address: _____

Signature: Shelly Shuler

Signature: _____

Name: JENNY VOELKER

Name: _____

Address: 208 E. RUFFORD AVE

Address: _____

Signature: [Signature]

Signature: _____

Name: Susan Kelly

Name: _____

Address: 321 Laverne Ave

Address: _____

Signature: [Signature]

Signature: _____

Name: [Signature]

Name: _____

Address: 314 Laverne Ave

Address: _____

Signature: ANDREW TRANTMAN

Signature: _____

November 11, 2004

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Regarding proposed structure for property located at 301 Laverne Ave.

I DO SUPPORT THE PROJECT

I DO NOT SUPPORT THE PROJECT

Name: Roosevelt, Fatsy Battle
Address: 316 Laverne Ave
Signature: Mrs. Fatsy Battle
Residence of 37 yrs.

Name: _____
Address: _____
Signature: _____

Name: Andy Marks
Rachel Marks
Address: 324 Laverne Avenue
Signature: [Signature]

Name: _____
Address: _____
Signature: _____

Name: Seth Donnelly
Address: 317A Laverne Ave
Signature: Seth Donnelly

Name: _____
Address: _____
Signature: _____

Name: A. E. WILLIAMS, JR
Address: 317 LAVERNE AVE
Signature: [Signature]
11/12/04

Name: _____
Address: _____
Signature: _____

November 11, 2004

Attention: City of Alexandria Planning & Zoning Office, and City Council:

I have met with Mr. Rice regarding the building proposal for the property located at 301 Laverne Ave. I have reviewed the design for the proposed single family home. I am pleased with the proposal, and find it to be compatible with the surrounding homes. I feel it will be an attribute to the neighborhood. I lend my full support to the project, and I am eager to see it when it's completed.

Regarding proposed structure for property located at 301 Laverne Ave.

I DO SUPPORT THE PROJECT

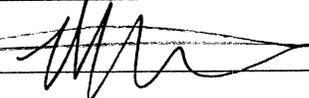
I DO NOT SUPPORT THE PROJECT

Name: Victor Bonomi

Name: _____

Address: 303 Laverne Ave

Address: _____

Signature: 

Signature: _____

Name: _____

Name: _____

Address: _____

Address: _____

Signature: _____

Signature: _____

Name: _____

Name: _____

Address: _____

Address: _____

Signature: _____

Signature: _____

Name: _____

Name: _____

Address: _____

Address: _____

Signature: _____

Signature: _____

Listing Summary

Date: 11/13/04

Time: 07:43

Address	Leg Sub/Neigh	Living Area	Model/Unit Type
• 200 LAVERNE AVE	EMMA P HUME	1,744	STANDARD UNIT
• 201 A LAVERNE AVE		1,156	ROW HOUSE-END UNIT
• 201 LAVERNE AVE		1,156	ROW HOUSE-END UNIT
• 202 LAVERNE AVE	EMMA P HUME	0	
• 203 LAVERNE AVE	EMMA P HUME	1,336	STANDARD UNIT
• 204 LAVERNE AVE	EMMA P HUME	1,834	STANDARD UNIT
• 205 A LAVERNE AVE		1,296	ROW HOUSE-END UNIT
• 205 LAVERNE AVE		1,296	ROW HOUSE-END UNIT
• 206 LAVERNE AVE	EMMA P HUME	2,000	STANDARD UNIT
• 207 LAVERNE AVE	EMMA P HUME	1,550	STANDARD UNIT
• 208 LAVERNE AVE	EMMA P HUME	2,040	STANDARD UNIT
• 209 LAVERNE AVE	EMMA P HUME	816	STANDARD UNIT
• 210 LAVERNE AVE	EMMA P HUME	1,685	STANDARD UNIT
• 211 LAVERNE AVE	EMMA P HUME	1,840	STANDARD UNIT
• 213 LAVERNE AVE	EMMA P HUME	2,106	STANDARD UNIT
• 302 LAVERNE AVE	EMMA P HUME	2,318	STANDARD UNIT
• 303 LAVERNE AVE		2,009	ROW HOUSE-END UNIT
• 305 LAVERNE AVE		1,711	ROW HOUSE-END UNIT
• 306 LAVERNE AVE	EMMA P HUME	1,337	STANDARD UNIT
• 308 LAVERNE AVE		1,152	ROW HOUSE-END UNIT
• 309 LAVERNE AVE	EMMA P HUME	2,195	STANDARD UNIT
• 310 LAVERNE AVE		1,152	ROW HOUSE-END UNIT
• 311 LAVERNE AVE	EMMA P HUME	2,108	STANDARD UNIT
• 312 LAVERNE AVE	EMMA P HUME	1,928	STANDARD UNIT
• 313 LAVERNE AVE		1,190	ROW HOUSE-END UNIT
• 313 A LAVERNE AVE		1,190	ROW HOUSE-END UNIT
• 314 LAVERNE AVE	EMMA P HUME	1,224	ROW HOUSE-END UNIT
• 315 LAVERNE AVE		1,190	ROW HOUSE-END UNIT
• 315 A LAVERNE AVE		1,190	ROW HOUSE-END UNIT
• 316 LAVERNE AVE	WILMAR PARK	1,672	STANDARD UNIT
• 317 LAVERNE AVE	ST ELMO	1,361	ROW HOUSE-END UNIT
• 317 A LAVERNE AVE	ST ELMO	1,361	ROW HOUSE-END UNIT
• 318 LAVERNE AVE	WILMAR PARK	2,386	STANDARD UNIT
• 319 LAVERNE AVE	WILMAR PARK	1,134	STANDARD UNIT
• 320 LAVERNE AVE	WILMAR PARK	1,770	STANDARD UNIT

Listing Summary

Date: 11/13/04

Time: 07:43

<u>Address</u>	<u>Leg Sub/Neigh</u>	<u>Living Area</u>	<u>Model/Unit Type</u>
• 321 LAVERNE AVE	ST ELMO	2,134	STANDARD UNIT
• 322 LAVERNE AVE	WILMAR PARK	1,276	STANDARD UNIT
• 323 LAVERNE AVE	ST ELMO	1,008	ROW HOUSE-END UNIT
• 323 A LAVERNE AVE	ST ELMO	1,008	ROW HOUSE-END UNIT
• 324 A LAVERNE AVE	ST ELMO	1,064	ROW HOUSE-END UNIT
• 324 LAVERNE AVE	ST ELMO	1,064	ROW HOUSE-END UNIT
• 325 LAVERNE AVE	ST ELMO	1,008	ROW HOUSE-END UNIT
• 325 A LAVERNE AVE	ST ELMO	1,008	ROW HOUSE-END UNIT
• 326 A LAVERNE AVE	WILMAR PARK	1,813	STANDARD UNIT
• 327 LAVERNE AVE	ST ELMO	1,129	ROW HOUSE-END UNIT
• 329 LAVERNE AVE	ST ELMO	1,129	ROW HOUSE-END UNIT
• 330 LAVERNE AVE	ST ELMO	1,480	ROW HOUSE-END UNIT
• 331 LAVERNE AVE	ST ELMO	1,200	STANDARD UNIT
• 332 LAVERNE AVE	ST ELMO	1,480	ROW HOUSE-END UNIT
• 333 LAVERNE AVE	ST ELMO	1,129	ROW HOUSE-END UNIT
• 335 LAVERNE AVE	ST ELMO	1,300	ROW HOUSE-END UNIT
• 400 LAVERNE AVE	WILMAR PARK	2,040	STANDARD UNIT

Listing Summary

<u>Address</u>	<u>Leg Sub/Neigh</u>	<u>Legal Description</u>	<u>Lot SF</u>	<u>Living Area</u>	<u>Model/Unit Type</u>
• 331 LAVERNE AVE	ST ELMO	LOT 342 ST ELMO	3,000	1,200	STANDARD UNIT
• 213 RAYMOND AVE E	ABINGDON	LOT 1 BLK 3 EMMA P HUME	3,030	858	STANDARD UNIT
• 201 CLIFFORD AVE	EMMA P HUME	LOT 01 -1 RESUB LOTS 261 26	3,406	1,322	STANDARD UNIT
• 117 CLIFFORD AVE	EMMA P HUME	LOT 5 BLK 2 EMMA P HUME	3,675	1,134	STANDARD UNIT
• 119 CLIFFORD AVE	EMMA P HUME	LOT 4 BLK 2 EMMA P HUME	3,675	1,134	STANDARD UNIT
• 121 CLIFFORD AVE	EMMA P HUME	LOT 3 BLK 2 EMMA P HUME	3,675	1,276	STANDARD UNIT
• 118 HUME AVE	EMMA P HUME	LOT 6 BLK 1 EMMA P HUME	3,675	1,474	STANDARD UNIT
• 120 HUME AVE	EMMA P HUME	LOT 5 BLK 1 EMMA P HUME	3,675	1,152	STANDARD UNIT
• 122 HUME AVE	EMMA P HUME	LOT 4 BLK 1 EMMA P HUME	3,675	1,238	STANDARD UNIT
• 327 HUME AVE	WILMAR PARK	LOT 122 E 10 FT LOT 123 ST I	3,675	1,600	STANDARD UNIT
• 326 RAYMOND AVE E	WILMAR PARK	LOT 69 E 10 FT LOT 68 ST EL	3,675	1,335	STANDARD UNIT
• 405 RAYMOND AVE E	WILMAR PARK	LOT 22 W 1/2 LOT 21 ST ELM	3,750	2,030	STANDARD UNIT
• 407 RAYMOND AVE E	WILMAR PARK	LOT 20 E 1/2 LOT 21 ST ELMC	3,750	1,408	STANDARD UNIT
• 331 ASHBY ST	WILMAR PARK	LOTS 501 R/S LOTS 442 443 4	3,757	1,365	STANDARD UNIT
• 329 ASHBY ST	WILMAR PARK	LOT 500 R/S LOTS 442 443 44	3,835	1,365	STANDARD UNIT
• 413 CLIFFORD AVE	WILMAR PARK	LOT 219 E 1/2 LOT 220 ST ELI	3,938	1,685	STANDARD UNIT
• 415 HUME AVE	WILMAR PARK	LOT 106 E 1/2 LOT 107 ST ELI	3,938	1,385	STANDARD UNIT
• 312 RAYMOND AVE E	WILMAR PARK	LOT 57 W 1/2 LOT 58 ST ELM	3,938	1,022	STANDARD UNIT
• 319 RAYMOND AVE E	WILMAR PARK	LOT 29 W 16 FT LOT 28 ST EL	4,100	1,499	STANDARD UNIT
• 401 RAYMOND AVE E	WILMAR PARK	LOT 25 E 16 FT LOT 26 ST EL	4,100	1,344	STANDARD UNIT
• 408 HUME AVE	WILMAR PARK	LOT 187 W 1/2 LOT 188 ST EL	4,148	1,266	STANDARD UNIT
• 410 HUME AVE	WILMAR PARK	LOTS 189 1/2 LOT 188 ST ELA	4,148	1,232	STANDARD UNIT
• 325 HUME AVE	WILMAR PARK	LOT 124 W 15 FT LOT 123 ST	4,200	1,200	STANDARD UNIT
• 301 LAVERNE AVE	EMMA P HUME	LOT 365 PT LOT 366 ST ELMO	4,200	0	
• 311 LAVERNE AVE	EMMA P HUME	LOT 559 ST ELMO	4,200	2,108	STANDARD UNIT
• 324 RAYMOND AVE E	WILMAR PARK	LOT 67 W 15 FT LOT 68 ST EL	4,200	1,200	STANDARD UNIT
• 321 RAYMOND AVE E	WILMAR PARK	LOT 27 W 9 FT LOT 26 E 9 F	4,300	1,276	STANDARD UNIT
• 206 CLIFFORD AVE	EMMA P HUME	LOT B RESUB LOTS 272 273 2	4,500	888	STANDARD UNIT
• 328 CLIFFORD AVE	WILMAR PARK	LOT A ST ELMO	4,500	1,135	STANDARD UNIT
• 208 CLIFFORD AVE	EMMA P HUME	LOT A RESUB LOTS 272 273 2	4,536	1,539	STANDARD UNIT

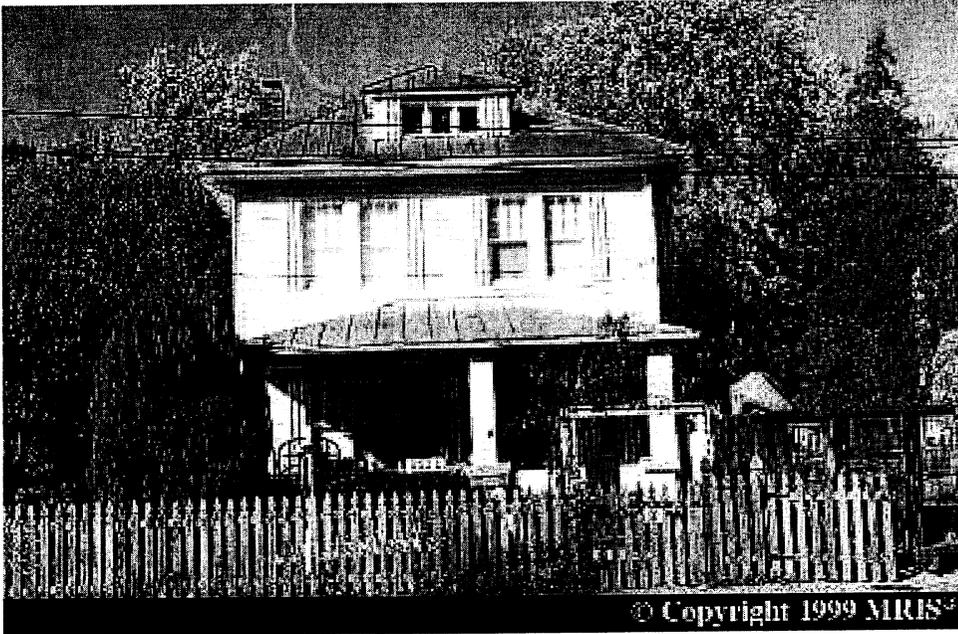


Photo : 210 LAVERNE AVE



Photo : 204 LAVERNE AVE

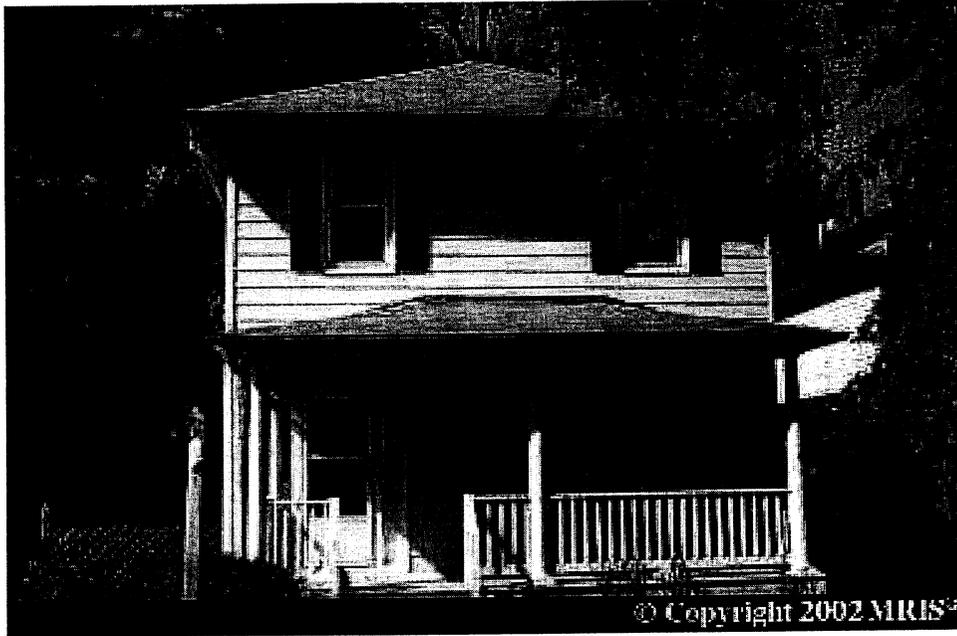


Photo : 322 LAVERNE AVE



Photo : 415 HUME AVE

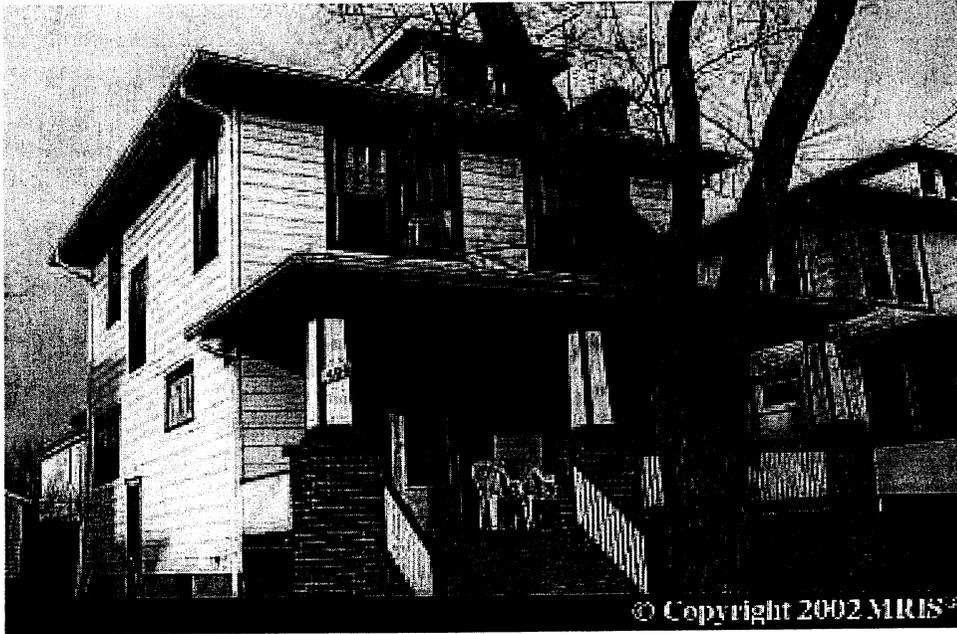


Photo : 408 HUME AVE



Photo : 324 HUME AVE



Photo : 324 RAYMOND AVE E



Photo : 121 CLIFFORD AVE



Photo : 119 CLIFFORD AVE

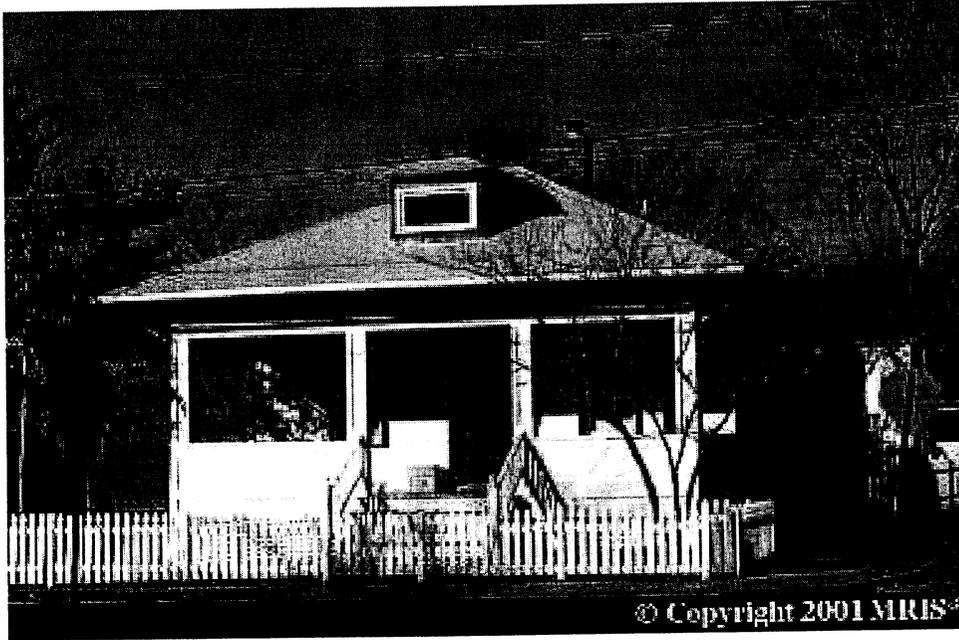


Photo : 208 CLIFFORD AVE

Mr Chairman and Members of the Council.

19

11-13-04

My name is James Repler. I am the owner of the property at 400 Clifford Avenue.

I support approval of this proposal for 3 reasons.

1. The plan is clearly compatible with the Neighborhood. The size, scale and facade are practically carbon copies of the houses directly across the street. The style clearly reflects the 1920's origins of the Neighborhood.
2. I have attended presentations that Mr Rice has given to the Neighborhood and watched as his Plan has evolved. It is my opinion that he has made every effort to accommodate the Neighbors Concerns.
3. I believe that Mr Rice has the right to make reasonable use of his property. His proposal certainly falls within any definition of a reasonable use within the ~~constraints~~ CONSTRAINTS of the site.

I ask that you approve this proposal.

James Repler
11/13/04

APPLICATION for SPECIAL USE PERMIT # 2003-0115

[must use black ink or type]

PROPERTY LOCATION: 301 Laverne Ave. Alexandria VA 22305-2721

TAX MAP REFERENCE: 024.02 04 09 ZONE: R-2-5

APPLICANT Name: Brett D. Rice

Address: 6084 A Franconia Rd Alexandria VA 22310

PROPERTY OWNER Name: James^S Jeanette Puryear

Address: PO Box 4278 Alexandria VA 22303

PROPOSED USE: Single Family House on Sub-standard Lot

THE UNDERSIGNED hereby applies for a Special Use Permit in accordance with the provisions of Article XI, Section 11-500 of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

THE UNDERSIGNED, having obtained permission from the property owner, hereby grants permission to the City of Alexandria to post placard notice on the property for which this application is requested, pursuant to Article XI, Section 11-301(B) of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

THE UNDERSIGNED hereby attests that all of the information herein provided and specifically including all surveys, drawings, etc., required to be furnished by the applicant are true, correct and accurate to the best of their knowledge and belief. The applicant is hereby notified that any written materials, drawings or illustrations submitted in support of this application and any specific oral representations made to the Planning Commission or City Council in the course of public hearings on this application will be binding on the applicant unless those materials or representations are clearly stated to be non-binding or illustrative of general plans and intentions, subject to substantial revision, pursuant to Article XI, Section 11-207(A)(10), of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

Brett D. Rice

Print Name of Applicant or Agent

Re/Max Allegiance

6084 A Franconia Rd.

Mailing/Street Address

Alexandria VA 22310

City and State Zip Code

Brett D. Rice
Signature

703-929-3040

Telephone #

703-971-8566

Fax #

24 Nov 03

Date

DO NOT WRITE BELOW THIS LINE - OFFICE USE ONLY

Application Received: _____ Date & Fee Paid: _____ \$ _____

ACTION - PLANNING COMMISSION: 9/9/04 RECOMMEND DENIAL 7-0

9/21/04 Item was deferred

ACTION - CITY COUNCIL: 11/13/04 CC approved Planning Commission recommendation 5-2