

City of Alexandria, Virginia

MEMORANDUM

DATE: MARCH 22, 2006  
TO: THE HONORABLE MAYOR AND MEMBERS OF COUNCIL  
FROM: JAMES K. HARTMAN, CITY MANAGER *J*  
SUBJECT: 2005 ANNUAL REPORT, OF THE BOARD OF ZONING APPEALS

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**ISSUE:** Acceptance of the Annual Report of the Board of Zoning Appeals, January 1, 2005, to December 31, 2005.

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

**DISCUSSION:** The Board of Zoning Appeals Annual Report was submitted by Mary Lyman, Chairman. Statistical highlights of the report are as follows:

- During 2005, the Board decided 35 variances and 21 special exceptions; 74% of the variances and 95% of the special exceptions were approved.
- The Board approved:
  - 26 yard variances
  - 3 open space variances
  - 1 vision clearance variance
  - 3 variances for fences
  - 19 yard special exceptions
  - 2 special exceptions for fences.

**ATTACHMENTS:**

Attachment 1: 2005 Annual Report of the Board of Zoning Appeals  
Attachment 2: List of BZA Members for 2006

**STAFF:**

Hal Phipps, Division Chief/Planning, Department of Planning and Zoning  
Peter Leiberg, Supervisory Urban Planner, Department of Planning and Zoning  
Mary Christesen, Urban Planner, Department of Planning and Zoning

*City of Alexandria, Virginia*

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MEMORANDUM

DATE: MARCH 9, 2006

TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

FROM: MARY LYMAN, CHAIRMAN, BOARD OF ZONING APPEALS *MSL*

SUBJECT: BOARD OF ZONING APPEALS 2005 ANNUAL REPORT

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The Board of Zoning Appeals convened monthly for 11 public hearings during 2005; there was no public hearing in August. The Board held three workshops during 2005 on February 10, July 14, and December 8. The Board's sub-committee on legislation held three workshops on April 14, May 12 and June 9.

Docketed Cases

A total of 84 cases were docketed in 2005. The number of cases docketed in 2005 increased by 29% from the 60 docketed cases in 2004. Disposition of the cases docketed is as follows:

Withdrawals	8
Deferrals	21*
Variance cases approved	28
Variance cases denied	4
Special Exception cases approved	22
Special Exception cases denied	0
Appeals	1
<b>TOTAL CASES</b>	<b>84</b>

\* Many cases were deferred more than once. Of those cases that were deferred (sometimes multiple times), 5 cases were approved, 3 cases were denied, and 8 cases were withdrawn by applicants.

Many cases contained multiple variances. The Board reviewed 43 variances, 22 special exceptions and 1 appeal. A breakdown of the types of variances/special exceptions decided by the Board and the actions taken are listed as follows:

Variances

Approved	32	74%
Denied	3	7%
Withdrawn	8	19%
Total Heard	43	100%

Variance Approvals	# Approved
Front Yard Setbacks	11
Side Yard Setbacks	13
Rear Yard Setbacks	2
Vision Clearance	1
Fences	3
Open Space	3
Total Approvals	32

Variance Denials	# Denied
Side Yard Setbacks	2
Rear Yard Setbacks	1
Total Denied	3

A total of 35 variances were decided by the Board last year. A total of 8 variances were withdrawn by the applicant at the hearing. Of the variances decided by the Board 74% (32) were approved and 7% (3) were denied. Staff recommended denial 56% of the time.

Special Exceptions

Approved	21	95%
Denied	0	0%
Withdrawn	1	5%
Total Heard	22	100%

Special Exception Approvals	# Approved
Front Yard Setbacks	5
Side Yard Setbacks	14
Fences	2
Total Approvals	21

Special Exception Denials	# Denied
Total Denied	0

A total of 21 special exceptions were decided by the Board last year. One special exception was withdrawn by the applicant at the hearing. Of the special exceptions decided by the Board 95% (21) were approved and 0% (0) were denied. Staff recommended approval 91% of the time.

Appeals

Ace Temporaries, Inc. appealed the Director's determination that Ace Temporaries, Inc. is a day labor agency subject to the non-conforming use provisions contained in Section 12-215 of the Zoning Ordinance. The Board denied the appeal and affirmed the director's determination.

Board Members

During 2005, Mary Lyman served as Chairman of the Board of Zoning Appeals, Stephen Koenig served as Vice Chairman and Michael Curry served as Secretary. Mark Allen, David Lantzy, Jennifer Lewis continued to serve as Board members. Warren Almquist served as a Board member until February, 2005. Stephen Hubbard was appointed to the Board in March, 2005.

cc: James K. Hartmann, City Manager  
Eileen P. Fogarty, Director, Planning and Zoning

**Board of Zoning Appeals 2006**

Mary Lyman, Chairman  
Stephen Koenig, Vice Chairman  
Michael Curry, Secretary  
Mark Allen  
Stephen Hubbard  
David Lantzy  
Jennifer Lewis