

Docket Item #1  
BAR CASE # 2012-0109

BAR Meeting  
June 6, 2012

**ISSUE:** Certificate of Appropriateness - Garden Wall

**APPLICANT:** Nicolas Dufour

**LOCATION:** 806 Duke Street

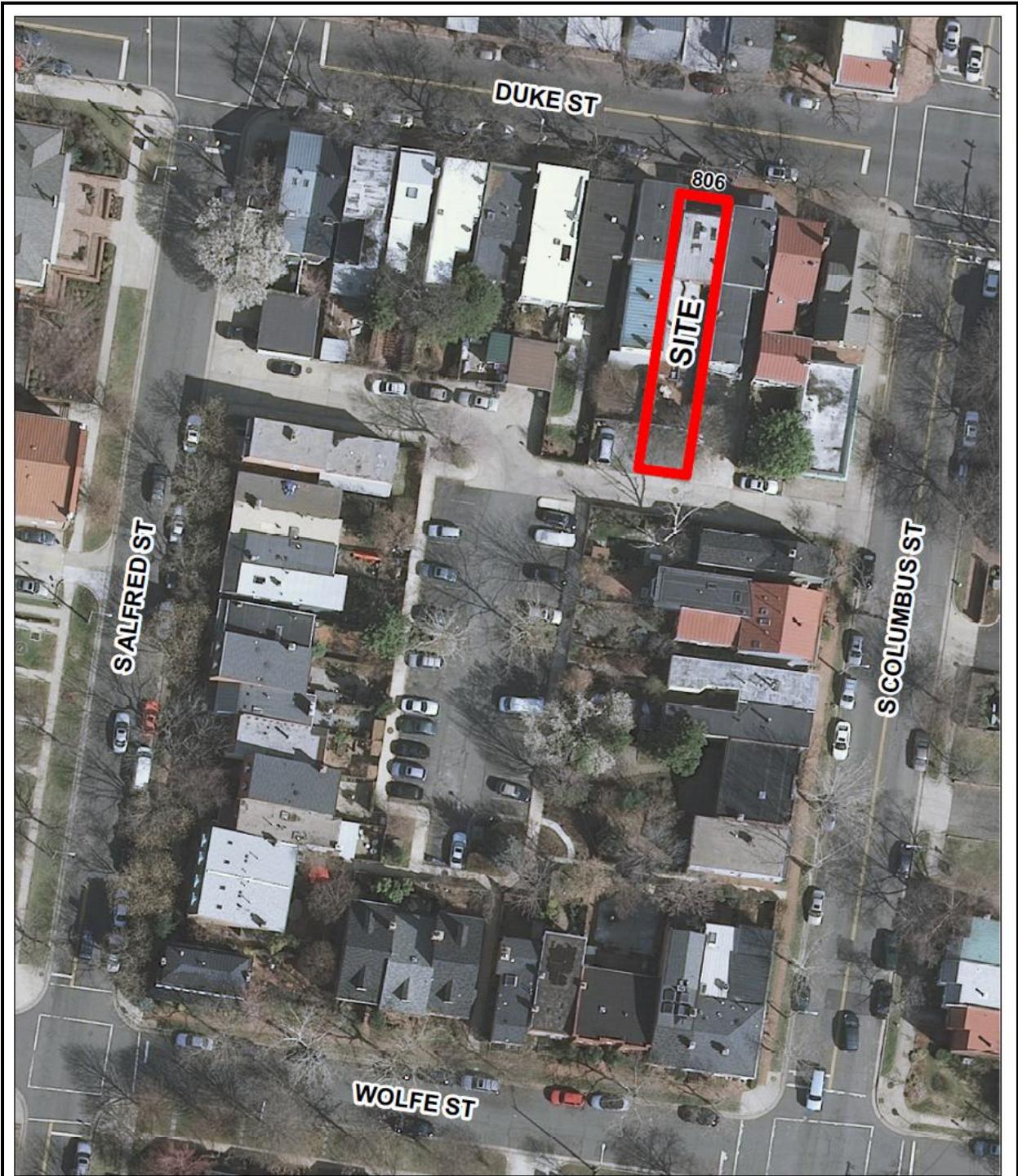
**ZONE:** RM / Residential

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**STAFF RECOMMENDATION:** Staff recommends approval of the Certificate of Appropriateness application with the condition that the new wood gate is painted or stained.

\*EXPIRATION OF APPROVALS NOTE: In accordance with Sections 10-106(B) and 10-206(B) of the Zoning Ordinance, any official Board of Architectural Review approval will expire 12 months from the date of issuance if the work is not commenced and diligently and substantially pursued by the end of that 12-month period.

\*\*BUILDING PERMIT NOTE: Most projects approved by the Board of Architectural Review require the issuance of one or more construction permits by Building and Fire Code Administration (including signs). The applicant is responsible for obtaining all necessary construction permits after receiving Board of Architectural Review approval. Contact Code Administration, Room 4200, City Hall, 703-838-4360 for further information.



**CASE BAR2012-0109**



**I. ISSUE:**

The applicant is requesting approval of a Certificate of Appropriateness for after-the-fact replacement of a 6' high, wood fence surrounding the rear patio with a new, approximately 5'-10" high, brick wall and wood gate at 806 Duke Street. The new brick wall was noted by staff when investigating recent construction at 804 Duke Street by this same contractor which also did not have a building permit or BAR approval. The property owner at 806 Duke Street has diligently worked with Staff to obtain BAR approval since this oversight was brought to his attention.

*Wall:*

The brick garden wall is constructed utilizing a common bond brick pattern capped with a single course of rowlock bricks. The wall is located on the same footprint as the previous wood fence and joins the adjacent neighbor's brick wall at 804 Duke Street and the adjacent neighbor's vinyl fence at 808 Duke Street. The intent was to construct a brick wall which reflects other brick walls currently within the historic district.

The new brick wall has a concrete footing; however, it is detached from any other building or structure on the subject property, and may be disassembled and removed in the future, if desired. Additionally, the proposed height and location for the brick wall maintains the rear alley's established fence height and setbacks.

*Gate:*

The new gate will be a cedar, arch top board gate that is 39" wide and 6' tall and will be installed in the same location as the existing gate.

**II. HISTORY:**

The three-bay dwelling is two stories with a full Mansard roof. Map research and physical appearance suggests that the building was constructed as a two story structure before **1877** and was expanded to two-and-a-half stories with a Mansard roof addition in the latter part of the 19<sup>th</sup> or early 20<sup>th</sup> century. This addition resulted in further architectural embellishment of the modest vernacular structure, adding a bracketed cornice and decorative dormers.

*Previous Approvals:*

In 1966, the Board approved the installation of aluminum siding and shutters and alterations to the front porch and slab and roofing material (9/14/1966).

The following year, the Board approved the installation of a light and standard at 806 Duke Street (6/15/1967).

On March 15, 2006, the Board approved the installation of a 3 foot tall, hoop and spear wrought iron fence along the front property line (BAR2006-0043).

**III. ANALYSIS:**

*Zoning Compliance:*

The subject property is currently deficient in open-space due to the construction of a shed in the rear yard, for which Staff could find no Board of Architectural Review (BAR) approval. A total of 805 square feet of open space is required for a property located in the RM zone. The owner must remove this shed or apply for an after-the-fact BAR approval for its relocation into the

parking area or the along the east side of the property, to be in compliance with Zoning and BAR regulations.

*Fence:*

The *Design Guidelines* state that “garden walls within the district were generally constructed of masonry and provide visual barriers. New walls should be sympathetic to the existing built environment and appropriate in materials, design and scale. The walls of brick are generally appropriate throughout the historic districts. Furthermore, gates are made of a number of different materials including wood and metal”

The Board commonly reviews and approves requests for brick garden walls which are six feet in height or less which surround rear yards within the historic districts. In Staff’s opinion, the garden wall and the wood gate meet the requirements of the *Design Guidelines*. The wall will be completely free-standing, yet maintain the height and setbacks established by the other fences along the alley and will not be affixed to any identified historic resources. Staff believes that this design is appropriate and compatible with the surrounding streetscape and also enables the owner to individualize their property without negatively impacting any the existing house’s remaining historic fabric. Staff recommends supports the construction of the brick garden wall and gate.

**STAFF:**

Michele Oaks, Urban Planner, Historic Preservation Section, Planning & Zoning  
Al Cox, FAIA, Manager, Historic Preservation Section, Planning & Zoning

**IV. CITY DEPARTMENT COMMENTS:**

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

Zoning

C-1 A total of 805 square feet of open space is required. The property is currently deficient. The proposed shed further reduces the required “good” open space. Applicant can construct shed in the non-required open area along the east side of the building. Non required open space is defined as area less than 8 feet in width/depth.

Code Administration

- F- The review by Code Administration is a preliminary review only. Once the applicant has filed for a building permit, code requirements will be based upon the building permit plans. If there are any questions, the applicant may contact Ken Granata, Acting Plan Review Supervisor at [ken.granata@alexandriava.gov](mailto:ken.granata@alexandriava.gov) or 703-746-4193.
- C- No building permits are required for the installation of a brick fence less than or equal to 6’-0” in height per 2009 USBC 108.2 (5).

Transportation and Environmental Services (T&ES)

RECOMMENDATIONS

- R1. If a building permit is required the plans shall comply with requirements of City Code Section 5-6-224 regarding the location of downspouts, foundation drains and sump pumps. (T&ES)
- R2. Applicant shall be responsible for repairs to the adjacent city right-of-way if damaged during construction activity. (T&ES)
- R3. All improvements to the city right-of-way such as curbing, sidewalk, driveway aprons, etc. must be city standard design and must be included on the required Grading Plan. (T&ES)
- R4. No permanent structure may be constructed over any existing private and/or public utility easements. It is the responsibility of the applicant to identify any and all existing easements on all plans submitted for approvals. (T&ES)
- R5. Location of the new fence shall be within the property line. No placement of fencing is supported by T&ES within the public right of way without an approved Encroachment. (T&ES)

FINDINGS

- F1. An approved grading plan is not required for the proposed improvement at this time.
- F2. The alley located at the rear of the building is a Public Alley. It is advised that if any work is to be performed from the alley that the applicant contact T&ES, Construction &

Inspection at (703) 746-4035 to discuss any permits and accommodation requirements that will be required. (T&ES) (T&ES)

**CITY CODE REQUIREMENTS**

- C-1 The applicant shall comply with the City of Alexandria's Solid Waste Control, Title 5, Chapter 1, which sets forth the requirements for the recycling of materials (Sec. 5-1-99). (T&ES)
  
- C-2 The applicant shall comply with the City of Alexandria's Noise Control Code, Title 11, Chapter 5, which sets the maximum permissible noise level as measured at the property line. (T&ES)
  
- C-3 Any work within the right-of-way requires a separate permit from T&ES. (Sec. 5-2) (T&ES)

**V. ATTACHMENTS**

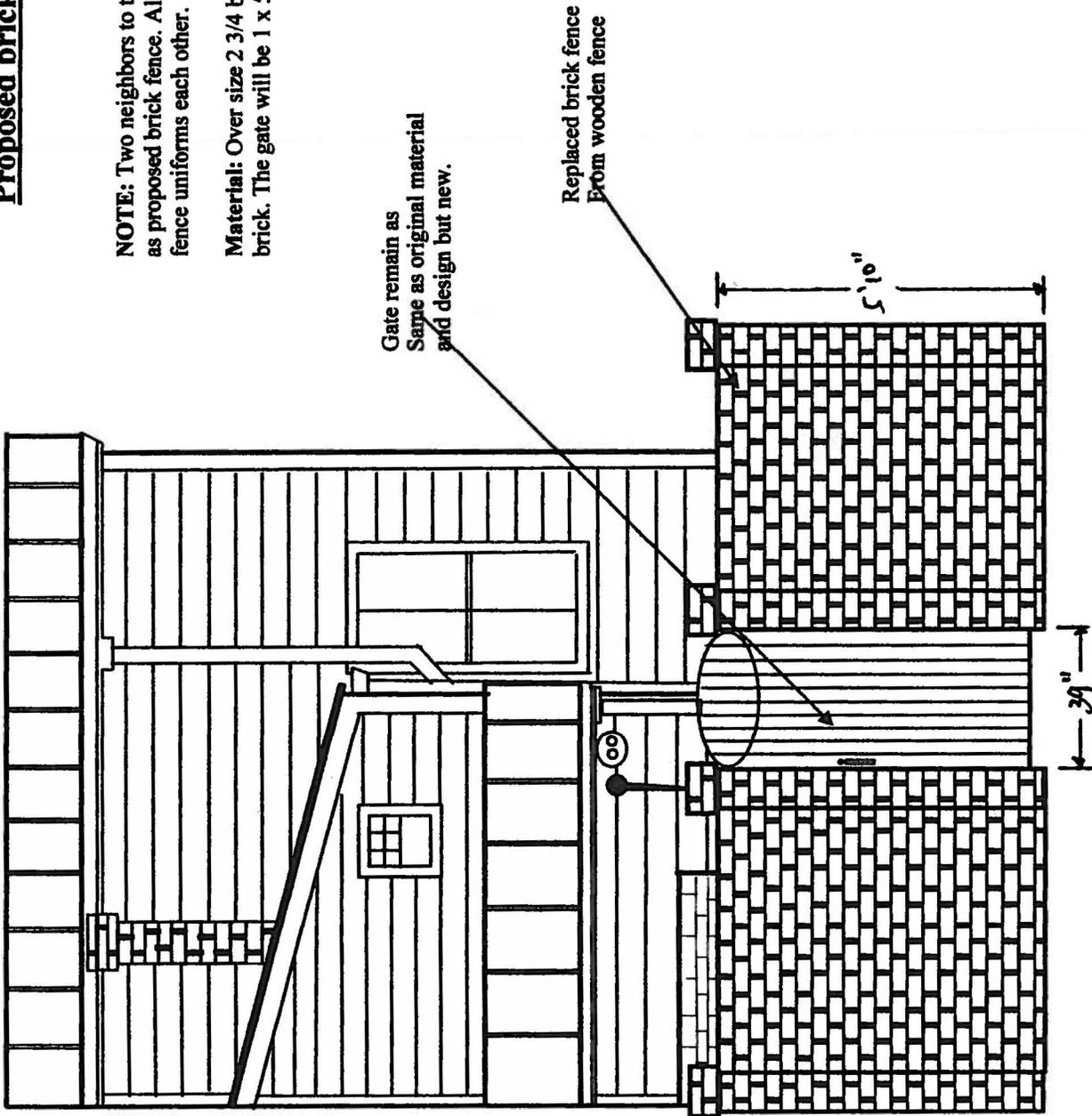
*1 – Supporting Materials*

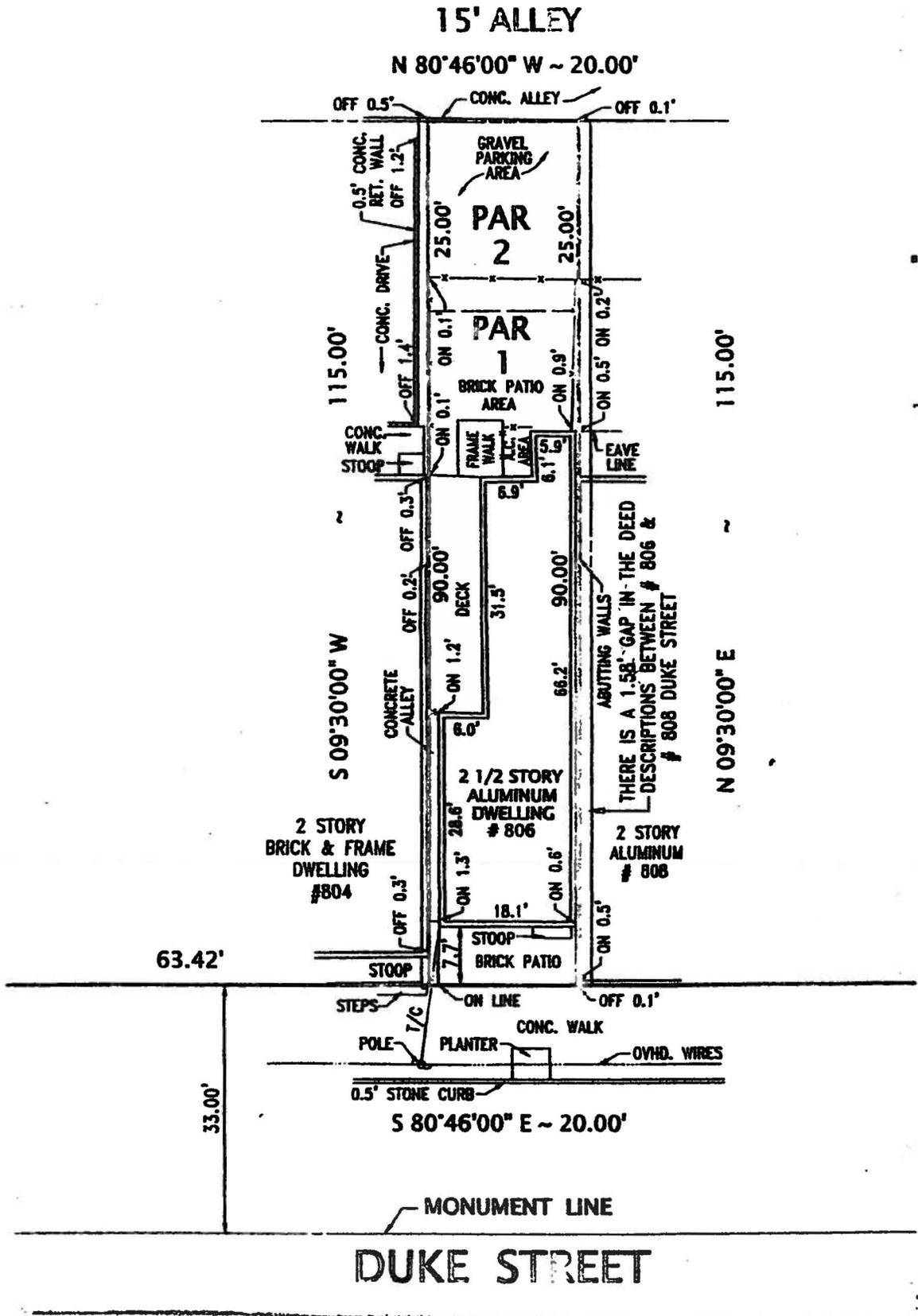
*2 – Application BAR2012-00109 at 806 Duke St*

**Proposed brick fence**

**NOTE:** Two neighbors to the right has same brick fence as proposed brick fence. All three including my brick fence uniforms each other.

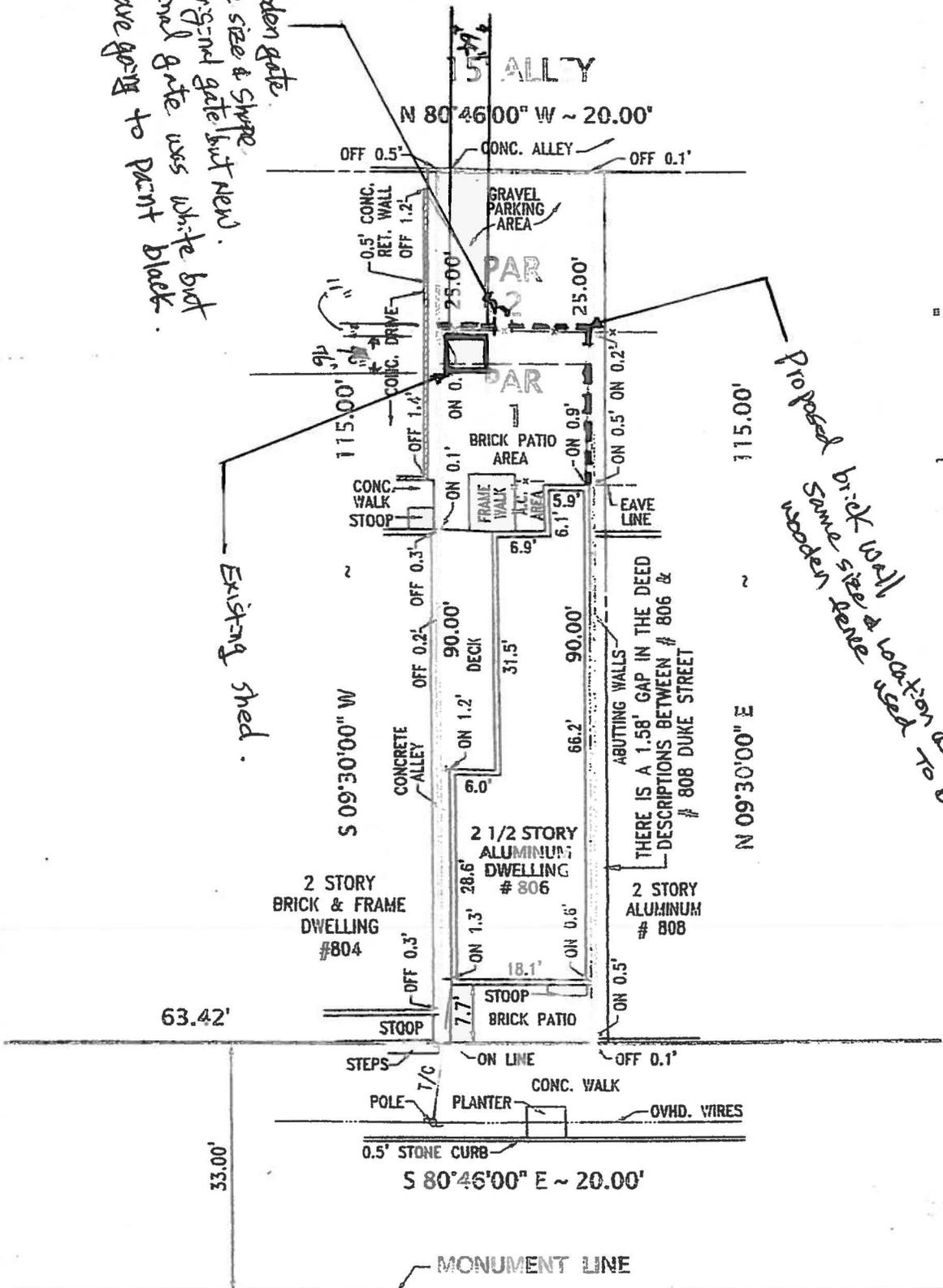
**Material:** Over size 2 3/4 by 7 3/4 inches Old Town brick. The gate will be 1 x 5 plank painted black.





EXISTING SITE PLAN.

*wooden gate.  
Same size & shape  
as original gate but new.  
Original gate was white but  
we are going to paint black.*

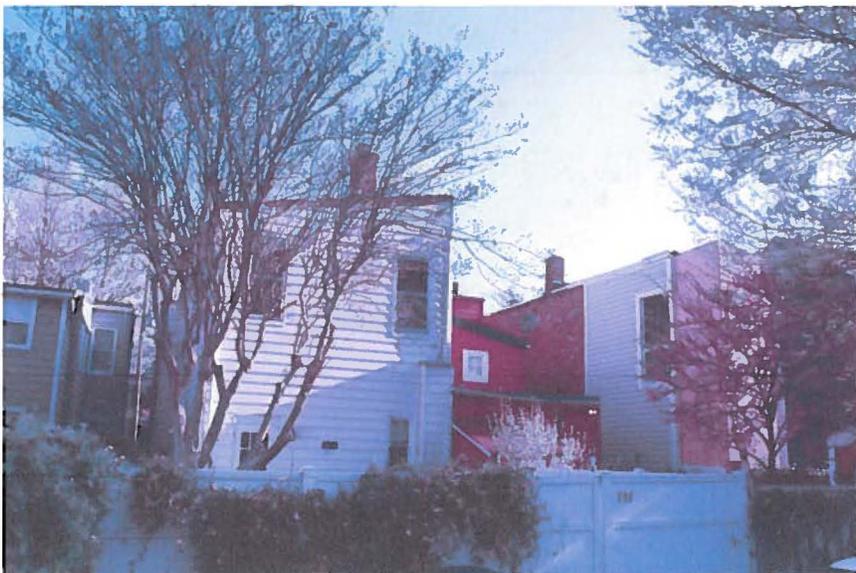
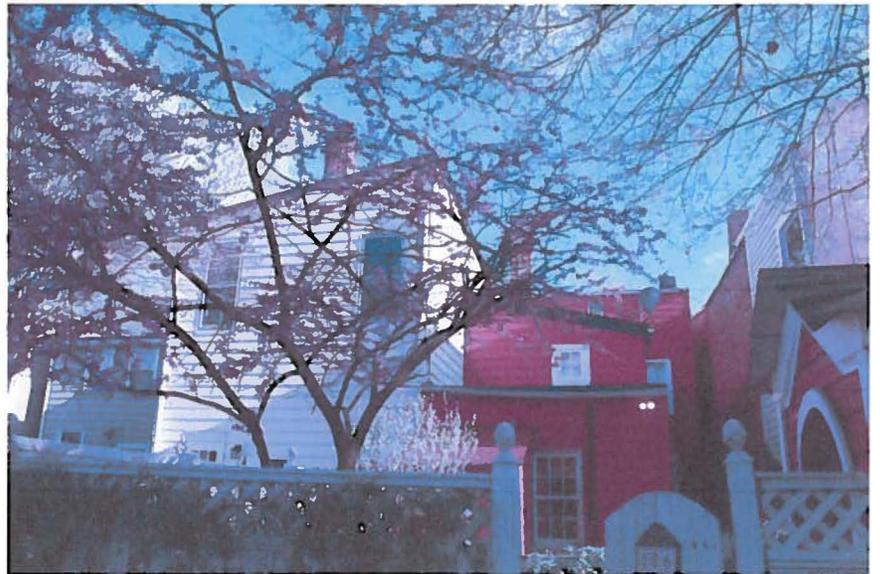
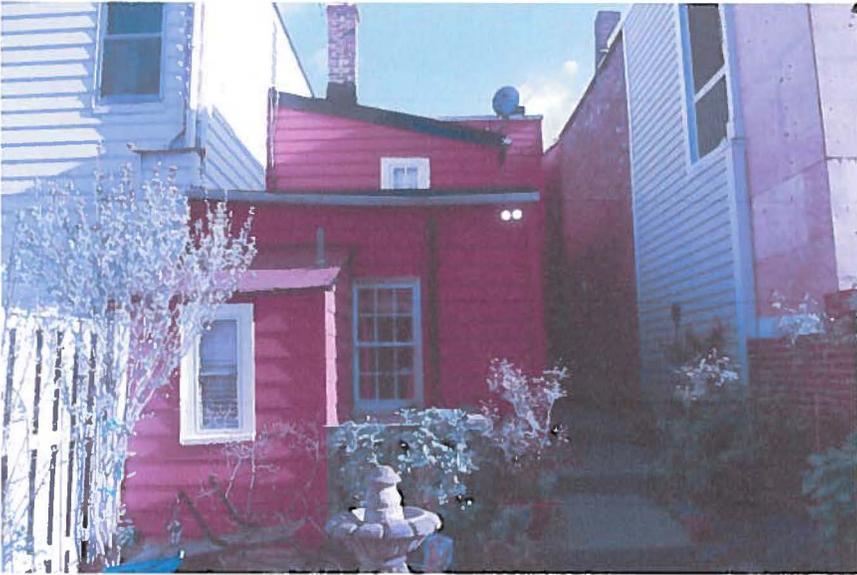


*Existing shed.*

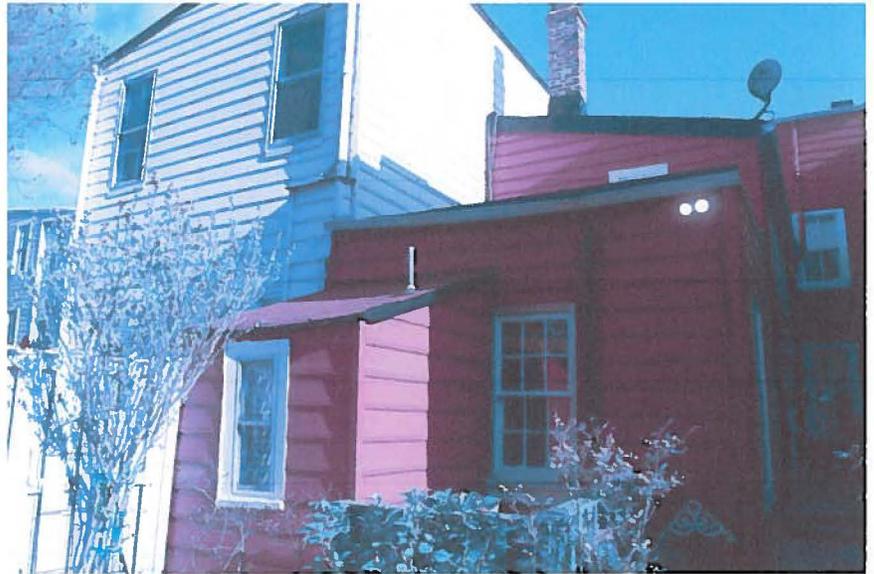
*Proposed brick wall  
Same size & location as here  
wooden fence used to be.*

**PROPOSED SITE PLAN.**

806 Duke Street



806 Duke Street



**ADDENDUM TO BOARD OF ARCHITECTURAL REVIEW APPLICATION FOR 806 DUKE STREET**

Please note 806 Duke Street is indicated by a yellow star. Additionally, the map indicates the locations of properties with brick fences substantially similar to the proposal for 806 Duke Street. The numbers correspond to the addresses and photos on pages 2 through 8.



**ADDENDUM TO BOARD OF ARCHITECTURAL REVIEW APPLICATION FOR 806 DUKE STREET**

(1) 802 Duke Street (Rear)



(2) St John's Square, 300 -314 S. Columbus, 708-710 Duke Street (rear)



**ADDENDUM TO BOARD OF ARCHITECTURAL REVIEW APPLICATION FOR 806 DUKE STREET**

(3) 801 Duke Street (side and rear)



(4) 217 S. Columbus (side and rear)



**ADDENDUM TO BOARD OF ARCHITECTURAL REVIEW APPLICATION FOR 806 DUKE STREET**

(5) 211 S. Columbus (rear) and

(6) 213 S. Columbus (rear)



(7) 809 Duke Street (rear)



**ADDENDUM TO BOARD OF ARCHITECTURAL REVIEW APPLICATION FOR 806 DUKE STREET**

(8) 806 Prince Street (rear)



(9) 808 Prince Street (rear)



**ADDENDUM TO BOARD OF ARCHITECTURAL REVIEW APPLICATION FOR 806 DUKE STREET**

(10)819 Prince Street



(11)817 Prince Street (rear)



**ADDENDUM TO BOARD OF ARCHITECTURAL REVIEW APPLICATION FOR 806 DUKE STREET**

(12) 719 Prince Street



(13) 123 Columbus



**ADDENDUM TO BOARD OF ARCHITECTURAL REVIEW APPLICATION FOR 806 DUKE STREET**

(14)804 Prince Street



BAR Case # 2012-0109

ADDRESS OF PROJECT: 806 Duke St. Alexandria VA 22314  
TAX MAP AND PARCEL: 074.04-01-09 ZONING: RM

APPLICATION FOR: (Please check all that apply)

- CERTIFICATE OF APPROPRIATENESS
- PERMIT TO MOVE, REMOVE, ENCAPSULATE OR DEMOLISH  
(Required if more than 25 square feet of a structure is to be demolished/impacted)
- WAIVER OF VISION CLEARANCE REQUIREMENT and/or YARD REQUIREMENTS IN A VISION CLEARANCE AREA (Section 7-802, Alexandria 1992 Zoning Ordinance)
- WAIVER OF ROOFTOP HVAC SCREENING REQUIREMENT  
(Section 6-403(B)(3), Alexandria 1992 Zoning Ordinance)

Applicant:  Property Owner  Business (Please provide business name & contact person)

Name: Nika & Nicolas Dufour

Address: 806 Duke St.

City: Alexandria State: VA Zip: 22314

Phone: 703 548.4077 E-mail: \_\_\_\_\_

Authorized Agent (if applicable):  Attorney  Architect  Contractor

Name: Jon Han

Phone: 571-502-0664

E-mail: Yann.1222@gmail.com

Legal Property Owner:

Name: Nika & Nicolas Dufour

Address: 806 Duke St.

City: Alexandria State: VA Zip: 22314

Phone: 703 548.4077 E-mail: \_\_\_\_\_

- Yes  No Is there an historic preservation easement on this property?
- Yes  No If yes, has the easement holder agreed to the proposed alterations?
- Yes  No Is there a homeowner's association for this property?
- Yes  No If yes, has the homeowner's association approved the proposed alterations?

If you answered yes to any of the above, please attach a copy of the letter approving the project.

**NATURE OF PROPOSED WORK:** *Please check all that apply*

- NEW CONSTRUCTION
- EXTERIOR ALTERATION: *Please check all that apply.*
  - awning
  - doors
  - lighting
  - other \_\_\_\_\_
  - fence, gate or garden wall
  - windows
  - pergola/trellis
  - HVAC equipment
  - siding
  - painting unpainted masonry
  - shutters
  - shed
- ADDITION
- DEMOLITION/ENCAPSULATION
- SIGNAGE

**DESCRIPTION OF PROPOSED WORK:** *Please describe the proposed work in detail (Additional pages may be attached).*

*Take Down old wooden fence and lay New Brick fence on same location. Same brick to match existing neighbor's brick fence. Gate will be same as original material and size but new.*

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**SUBMITTAL REQUIREMENTS:**

Items listed below comprise the **minimum supporting materials** for BAR applications. Staff may request additional information during application review. Please refer to the relevant section of the *Design Guidelines* for further information on appropriate treatments.

Applicants must use the checklist below to ensure the application is complete. Include all information and material that are necessary to thoroughly describe the project. Incomplete applications will delay the docketing of the application for review. Pre-application meetings are required for all proposed additions. All applicants are encouraged to meet with staff prior to submission of a completed application.

Electronic copies of submission materials should be submitted whenever possible.

**Demolition/Encapsulation :** *All applicants requesting 25 square feet or more of demolition/encapsulation must complete this section. Check N/A if an item in this section does not apply to your project.*

- Survey plat showing the extent of the proposed demolition/encapsulation.
- Existing elevation drawings clearly showing all elements proposed for demolition/encapsulation.
- Clear and labeled photographs of all elevations of the building if the entire structure is proposed to be demolished.
- Description of the reason for demolition/encapsulation.
- Description of the alternatives to demolition/encapsulation and why such alternatives are not considered feasible.

**Additions & New Construction:** *Drawings must be to scale and should not exceed 11" x 17" unless approved by staff. All plans must be folded and collated into 12 complete 8 1/2" x 11" sets. Additional copies may be requested by staff for large-scale development projects or projects fronting Washington Street. Check N/A if an item in this section does not apply to your project.*

- <sup>N/A</sup> Scaled survey plat showing dimensions of lot and location of existing building and other structures on the lot, location of proposed structure or addition, dimensions of existing structure(s), proposed addition or new construction, and all exterior, ground and roof mounted equipment.
- FAR & Open Space calculation form.
- Clear and labeled photographs of the site, surrounding properties and existing structures, if applicable.
- Existing elevations must be scaled and include dimensions.
- Proposed elevations must be scaled and include dimensions. Include the relationship to adjacent structures in plan and elevations.
- Materials and colors to be used must be specified and delineated on the drawings. Actual samples may be provided or required.
- Manufacturer's specifications for materials to include, but not limited to: roofing, siding, windows, doors, lighting, fencing, HVAC equipment and walls.
- For development site plan projects, a model showing mass relationships to adjacent properties and structures.

**Signs & Awnings:** *One sign per building under one square foot does not require BAR approval unless illuminated. All other signs including window signs require BAR approval. Check N/A if an item in this section does not apply to your project.*

- <sup>N/A</sup> Linear feet of building: Front: \_\_\_\_\_ Secondary front (if corner lot): \_\_\_\_\_.
- Square feet of existing signs to remain: \_\_\_\_\_.
- Photograph of building showing existing conditions.
- Dimensioned drawings of proposed sign identifying materials, color, lettering style and text.
- Location of sign (show exact location on building including the height above sidewalk).
- Means of attachment (drawing or manufacturer's cut sheet of bracket if applicable).
- Description of lighting (if applicable). Include manufacturer's cut sheet for any new lighting fixtures and information detailing how it will be attached to the building's facade.

**Alterations:** *Check N/A if an item in this section does not apply to your project.*

- <sup>N/A</sup> Clear and labeled photographs of the site, especially the area being impacted by the alterations, all sides of the building and any pertinent details.
- Manufacturer's specifications for materials to include, but not limited to: roofing, siding, windows, doors, lighting, fencing, HVAC equipment and walls.
- Drawings accurately representing the changes to the proposed structure, including materials and overall dimensions. Drawings must be to scale.
- An official survey plat showing the proposed locations of HVAC units, fences, and sheds.
- Historic elevations or photographs should accompany any request to return a structure to an earlier appearance.

**ALL APPLICATIONS:** *Please read and check that you have read and understand the following items:*

- I have submitted a filing fee with this application. (Checks should be made payable to the City of Alexandria. Please contact staff for assistance in determining the appropriate fee.)
- I understand the notice requirements and will return a copy of the three respective notice forms to BAR staff at least five days prior to the hearing. If I am unsure to whom I should send notice I will contact Planning and Zoning staff for assistance in identifying adjacent parcels.
- I, the applicant, or an authorized representative will be present at the public hearing.
- I understand that any revisions to this initial application submission (including applications deferred for restudy) must be accompanied by the BAR Supplemental form and 12 sets of revised materials.

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The undersigned hereby attests that all of the information herein provided including the site plan, building elevations, prospective drawings of the project, and written descriptive information are true, correct and accurate. The undersigned further understands that, should such information be found incorrect, any action taken by the Board based on such information may be invalidated. The undersigned also hereby grants the City of Alexandria permission to post placard notice as required by Article XI, Division A, Section 11-301(B) of the 1992 Alexandria City Zoning Ordinance, on the property which is the subject of this application. The undersigned also hereby authorizes the City staff and members of the BAR to inspect this site as necessary in the course of research and evaluating the application. The applicant, if other than the property owner, also attests that he/she has obtained permission from the property owner to make this application.

**APPLICANT OR AUTHORIZED AGENT:**

Signature: \_\_\_\_\_  
Printed Name: Jon Ham  
Date: 4/13/12

