

APPLICATION: ENCROACHMENT

ENC # 2010-0003

PROPERTY LOCATION: **277 South Washington Street, Alexandria, Virginia**

TAX MAP REFERENCE: **074.02 13 03**

ZONE: **CD/Commercial Downtown**

APPLICANT'S NAME: **Cathal Armstrong and Meshelle Armstrong**

ADDRESS: **110 South Pitt, Alexandria, Virginia 22314**

PROPERTY OWNER NAME: **Atrium Building LLC, c/o Carr Properties**

ADDRESS: **1776 Eye Street, N.W., Suite 500, Washington, D.C. 20006**

PROPOSED USE: **Request for adoption of an encroachment ordinance to permit the encroachment of**

INSURANCE CARRIER (copy attached) **TO BE PROVIDED** POLICY # _____

A certificate of general liability insurance in the amount of \$1,000,000 which will indemnify the owner and names the city as an additional insured must be attached to this application.

[X] THE UNDERSIGNED hereby applies for an Encroachment Ordinance in accordance with the provisions of Section 8-1-16 and Sections 3-2-82 and 85 of the Code of the City of Alexandria, Virginia.

[X] THE UNDERSIGNED hereby applies for an Administrative Use Permit in accordance with the provisions of Article VI, Section 6-600 of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

[X] 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.

[X] THE UNDERSIGNED also attests that all of the information herein provided and specifically including all surveys, drawings, etc., required of the applicant are true, correct and accurate to the best of their knowledge and belief.

Land, Clark, Carroll, Mendelson & Blair, P.C.
Duncan W. Blair, Esquire



Print Name of Applicant or Agent

Signature

524 King Street, Alexandria, Virginia 22314

703 836-1000

703 549-3335

Mailing Address

Telephone Number

FAX Number

dblair@landclark.com

February 23, 2010

Email Address

date

=====

DO NOT WRITE BELOW THIS LINE - OFFICE USE ONLY

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Application Received: _____

Date and Fee Paid: \$ _____

ACTION - PLANNING COMMISSION: _____

ACTION - CITY COUNCIL: _____

OWNERSHIP AND DISCLOSURE STATEMENT
Use additional sheets if necessary

1. Applicant. 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. The term ownership interest shall include any legal or equitable interest held at the time of the application in the real property which is the subject of the application.

Name	Address	Percent of Ownership
1. Cathal Armstrong	8325 Old Mount Vernon Road Alexandria, VA 22309	50%
2. Meshelle Armstrong	8325 Old Mount Vernon Road Alexandria, VA 22309	50%
3.		

2. Property. State the name, address and percent of ownership of any person or entity owning an interest in the property located at _____ (address), unless the entity is a corporation or partnership, in which case identify each owner of more than ten percent. The term ownership interest shall include any legal or equitable interest held at the time of the application in the real property which is the subject of the application.

Name	Address	Percent of Ownership
1.		
2.		
3.		

3. Business or Financial Relationship. Each person or entity listed above (1 and 2), with an ownership interest in the applicant or in the subject property is required to disclose **any** business or financial relationship, as defined by Section 11-350 of the Zoning Ordinance, existing at the time of this application, or within the 12-month period prior to the submission of this application with any member of the Alexandria City Council, Planning Commission, Board of Zoning Appeals or either Boards of Architectural Review.

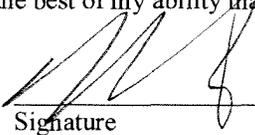
Name of person or entity	Relationship as defined by Section 11-350 of the Zoning Ordinance	Member of the Approving Body (i.e. City Council, Planning Commission, etc.)
1. Cathal Armstrong	None	Planning Commission, City Council, Board of Architectural Review (OHAD)
2. Meshelle Armstrong	None	Planning Commission, City Council, Board of Architectural Review (OHAD)
3.		

NOTE: Business or financial relationships of the type described in Sec. 11-350 that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings.

As the applicant or the applicant's authorized agent, I hereby attest to the best of my ability that the information provided above is true and correct.

February 22, 2010
Date

Cathal Armstrong
Printed Name


Signature

OWNERSHIP AND DISCLOSURE STATEMENT

Use additional sheets if necessary

1. Applicant. 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. The term ownership interest shall include any legal or equitable interest held at the time of the application in the real property which is the subject of the application.

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Name of person or entity	Relationship as defined by Section 11-350 of the Zoning Ordinance	Member of the Approving Body (i.e. City Council, Planning Commission, etc.)
1. Cathal Armstrong	None	Planning Commission, City Council, Board of Architectural Review (OHAD)
2. Meshelle Armstrong	None	Planning Commission, City Council, Board of Architectural Review (OHAD)
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As the applicant or the applicant's authorized agent, I hereby attest to the best of my ability that the information provided above is true and correct.

February 22, 2010
Date

Meshelle Armstrong
Printed Name


Signature

ENC 2010-0003

OWNERSHIP AND DISCLOSURE STATEMENT

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Table with 3 columns: Name, Address, Percent of Ownership. Rows 1, 2, 3 are empty.

2. Property. State the name, address and percent of ownership of any person or entity owning an interest in the property located at 227.5 Washington St (address), unless the entity is a corporation or partnership, in which case identify each owner of more than ten percent. The term ownership interest shall include any legal or equitable interest held at the time of the application in the real property which is the subject of the application.

Table with 3 columns: Name, Address, Percent of Ownership. Row 1: Atrium Building, LLC; 1776 Eye St, NW Ste 500 Washington, DC 20006; 100%. Rows 2, 3 are empty.

3. Business or Financial Relationships. Each person or entity listed above (1 and 2), with an ownership interest in the applicant or in the subject property is required to disclose any business or financial relationship, as defined by Section 11-350 of the Zoning Ordinance, existing at the time of this application, or within the 12-month period prior to the submission of this application with any member of the Alexandria City Council, Planning Commission, Board of Zoning Appeals or either Boards of Architectural Review.

Table with 3 columns: Name of person or entity, Relationship as defined by Section 11-350 of the Zoning Ordinance, Member of the Approving Body (i.e. City Council, Planning Commission, etc.). Row 1: Atrium Building, LLC; None to all; Alexandria City Council, Planning Commission, Board of Architectural Review. Rows 2, 3 are empty.

of Architectural Review

NOTE: Business or financial relationships of the type described in Sec. 11-350 that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings.

As the applicant or the applicant's authorized agent, I hereby attest to the best of my ability that the information provided above is true and correct.

Date

Printed Name

Signature

OWNERSHIP AND DISCLOSURE STATEMENT

Use additional sheets if necessary

1. Applicant. 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. The term ownership interest shall include any legal or equitable interest held at the time of the application in the real property which is the subject of the application.

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Name	Address	Percent of Ownership
1. Atrium Building, LLC	1776 Eye Street, NW Suite 500. Washington DC 20006	100%
2.		
3.		

3. Business or Financial Relationships. Each person or entity listed above (1 and 2), with an ownership interest in the applicant or in the subject property is required to disclose **any** business or financial relationship, as defined by Section 11-350 of the Zoning Ordinance, existing at the time of this application, or within the 12-month period prior to the submission of this application with any member of the Alexandria City Council, Planning Commission, Board of Zoning Appeals or either Boards of Architectural Review.

Name of person or entity	Relationship as defined by Section 11-350 of the Zoning Ordinance	Member of the Approving Body (i.e. City Council, Planning Commission, etc.)
1. The Atrium Building, LLC ownership has no business or financial relationship with any of the people mentioned.		
2.		
3.		

NOTE: Business or financial relationships of the type described in Sec. 11-350 that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings.

As the applicant or the applicant's authorized agent, I hereby attest to the best of my ability that the information provided above is true and correct.

(See Name below)

Matthew T. Maccaroni, CCIM
Vice President
Carr Properties
202-303-3070 (p)
202-303-3088 (f)
mmaccaroni@carrprop.com

See signature in owner's authorization statement.

Date	Printed Name
	<u>Alexandria City Council</u>
	William Euille, Mayor
	Kerry Donnelly, Vice Mayor
	Frank Fannon IV
	Alicia Hughes
	Rob Krupicka
	Redella "Del" Pepper
	Paul Smedberg

Signature
<u>Planning Commission</u>
John Komoroske, Chair
H. Steward Dunn, Vice Chair
Donna Fossum
J. Lawrence Robinson
Mary Lyman
Jesse Jennings
Eric Wagner

Board of Zoning Appeals
 Harold Curry, Chair
 Mark Allen, Vice Chair
 Geoffrey Goodale
 David Lantzy
 Jennifer Lewis
 Eric Zander
 John Keegan

**Board of Architectural Review
 Old and Historic District**
 Thomas Hulfish, Chair
 Oscar Fitzgerald
 Arthur Keleher
 Wayne Neale
 Peter Smeallie
 James Spencer
 John Von Senden

**Board of Architectural Review
 Parker-Gray District**
 Christina Kelley, Chair
 William Conkey
 H. Richard Lloyd, III
 Thomas Marlow
 Douglas Meick
 Philip Moffat
 Deborah Rankin

Definition of business and financial relationship.

Section 11-305 of the Zoning Ordinance defines a business or financial relationship as any of the following:

- (1) a direct one;

- (2) by way of an ownership entity in which the member or a member of his immediate household is a partner, employee, agent or attorney;
- (3) through a partner of the member or a member of his immediate household;
- (4) through a corporation in which any of them is an officer, director, employee, agent or attorney or holds 10 percent or more of the outstanding bonds or shares of stock of a particular class. In the case of a condominium, this threshold shall apply only if the applicant is the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium;
- (5) not as an ordinary customer or depositor relationship with a professional or other service provider, retail establishment, public utility or bank, which relationship shall not be considered a business or financial relationship;
- (6) created by the receipt by the member, or by a person, firm, corporation or committee on behalf of the member, of any gift or donation having a value of more than \$100, singularly or in the aggregate, during the 12-month period prior to the hearing on the application from the applicant.