

EXHIBIT NO.

1

31¹32
9-14-02

Docket Item #

BAR CASE #2002-0113 & 0114

City Council

September 14, 2002

ISSUE: Appeal of a decision of the Board of Architectural Review, Old and Historic Alexandria District approving a Permit to Demolish a brick wall and a Certificate of Appropriateness for a wood fence

APPLICANT: Jerry L. Chambers

APPELLANT: Susan B. and Bernard K. Kellom on behalf of petitioners

LOCATION: 721 South Fairfax Street

ZONE: RM/Residential

This appeal asks whether the B.A.R. should have approved the demolition of a low brick wall and its replacement with a new six foot high wood fence at 721 South Fairfax Street.

Background:

The applicant, Mr. Chambers, requested approval of a wood fence to replace an existing and deteriorating brick wall running along the north side of his property. The case was initially heard by the Board at the June 5, 2002, public hearing. The immediately adjacent neighbor, Ms. Kellom, opposed the application and the Board deferred it to allow the neighbors additional time to try to resolve the issue. One outstanding issue at the time was Ms. Kellom's assertion that the proposed fence was actually on her property, not Mr. Chambers'. The City Attorney determined that Mr. Chambers has shown sufficient evidence of ownership for the issue of the demolition and design of the fence to be heard.

When the Board heard the application at its next public hearing, on June 19, 2002, it approved both the demolition and the new wood fence. The vote on the motion was 3-2. The Board approved the application because it believed that the brick wall did not have historic or architectural value and because the proposed wood fence matched the fencing at the rear of the property which had been approved by the Board in 1998 when Mr. Chambers' house was constructed.

The brick wall that is proposed to be demolished is approximately three feet in height and was constructed in the mid-twentieth century. The proposed fence is a six foot tall board-on-board fence approximately 30' long at the north property line and parallel to the north wall of the residence.

The Board's approval of the application was appealed to Council by Susan B. and Bernard K. Kellom on behalf of petitioners. The appeal was filed in a timely manner.

B.A.R. Staff Position Before the Board:

B.A.R. Staff supported the proposed demolition because the brick wall was deteriorating and had no historic or architectural importance. Staff also supported the new wood fence because it matched the design of the wood fencing at the rear of the property which had been approved by the Board at the time the design of the house was approved in 1998 and because the fencing was similar to that approved by the Board in other recent cases. (See B.A.R. Staff report, Attachment 1)

City Council Action Alternatives:

Council may uphold or overturn the decision of the B.A.R., using the criteria for approval of a Certificate of Appropriateness in §10-105(A)(2) Zoning Ordinance (Attachment 2). City Council may also remand the project to the Board with instructions to consider alternatives.

Attachments:

Attachment 1: B.A.R. Staff Report, June 19,2002

Attachment 2: §10-105(A)(2): Criteria to be considered for a Certificate of Appropriateness

Attachment 3: Photographs of existing conditions and existing fencing that is proposed to be duplicated at 721 South Fairfax Street

STAFF:

Eileen Fogarty, Director, Department of Planning and Zoning; Peter H. Smith, Principal Staff, Boards of Architectural Review.

REPORT ATTACHMENTS

ATTACHMENT 1

BAR STAFF REPORT, JUNE 19, 2002

Docket Item #'s 20 & 21
BAR CASE #2002-0113
& 2002-0114

BAR Meeting
June 19, 2002

ISSUE: Demolition of a brick wall and fence extension

APPLICANT: Jerry L. Chambers

LOCATION: 721 South Fairfax Street

ZONE: RM/Residential

BOARD ACTION, JUNE 19, 2002: The Board combined the discussion of docket item #'s 20 and 21. On a motion by Mr. Keleher, seconded by Dr. Fitzgerald, the Board voted to approve the Staff recommendation which was: approval of the application as submitted. The roll call vote on the motion was 3-2 (Ms. Neihardt and Mr. Smeallie were opposed).

REASON: The Board agreed with the Staff recommendation and did not believe that approving a fence design that was not requested by the applicant was appropriate.

SPEAKERS: Bernard Fagelson, attorney, representing Bernard and Susan Kellom, 719 South Fairfax Street, spoke in opposition
Susan Kellom, 719 South Fairfax Street, spoke in opposition
Jerry L. Chambers, homeowner, spoke in support
Susan Chambers, homeowner, spoke in support

BOARD ACTION, JUNE 5, 2002: The Board combined the discussion of docket item #'s 28 and 29. On a motion by Mr. Smeallie, seconded by Ms. Quill, the Board voted to defer this application. The vote on the motion was 4-0.

REASON: The Board believed that more time was needed to see if the neighbors could reach a settlement regarding the new fence.

SPEAKERS: Bernard Fagelson, attorney, representing Bernard and Susan Kellom, 719 South Fairfax Street, spoke in opposition
Susan Kellom, 719 South Fairfax Street, spoke in opposition
Jerry L. Chambers, homeowner, spoke in support

There have been no changes in the application and Staff here repeats the Staff report from the public hearing of June 5, 2002.

STAFF RECOMMENDATION:

Staff recommends approval of the application as submitted.

DISCUSSION:

Applicant's Description of the Undertaking:

"Demolish brick wall on property and extend six foot wood stockade fence to front of lot..."

Issue:

The applicant is requesting approval of a permit to demolish a brick wall and a certificate of appropriateness for a fence extension. The existing 3' brick wall proposed to be demolished is to the north of the residence. The applicants propose to demolish this wall to enable an extension of an existing 6' board-on-board fence along the north property line. The applicants propose to extend the existing fence approximately 30' along the property line and parallel to the north wall of the residence.

History and Analysis:

721 South Fairfax Street is a detached frame Colonial Revival dwelling constructed in 1998. The building is two stories in height, is 23' in width, and 60'6" in length. The subject brick wall predates the dwelling and was constructed in the mid-twentieth century.

Demolition

In considering a Permit to Demolish and/or Capsulate, the Board must consider the following criteria set forth in the Zoning Ordinance, Sec. 10-105(B):

- (1) Is the building or structure of such architectural or historical interest that its moving, removing, capsulating or razing would be to the detriment of the public interest?
- (2) Is the building or structure of such interest that it could be made into a historic house?
- (3) Is the building or structure of such old and unusual or uncommon design, texture and material that it could not be reproduced or be reproduced only with great difficulty?
- (4) Would retention of the building or structure help preserve the memorial character of the George Washington Memorial Parkway?
- (5) Would retention of the building or structure help preserve and protect an historic place or area of historic interest in the city?
- (6) Would retention of the building or structure promote the general welfare by maintaining and increasing real estate values, generating business, creating new positions, attracting tourists, students, writers, historians, artists and artisans, attracting new residents, encouraging study and interest in American history, stimulating interest and

study in architecture and design, educating citizens in American culture and heritage, and making the city a more attractive and desirable place in which to live?

In the opinion of Staff none of the criteria are met and the Permit to Demolish should be granted.

Fence

Section 7-202(B)(3) of the zoning ordinance permits open and closed fences which do not exceed 6.00 feet in height in any required side and rear yard.

Section 7-202(C) of the zoning ordinance permits the Board of Architectural Review to waive or modify a fence if the proposed fence is architecturally appropriate and consistent with the district.

Proposed fence will comply with zoning ordinance requirements.

The Board approved a similar fence extension in this block at 707 South Fairfax Street. In this case Staff supported the proposal to extend a 6' board-on-board fence along the front property line (BAR98-0176, 12/2/98). The proposed fence would replace a structurally damaged existing brick wall. Therefore, Staff recommends approval of the application as submitted.

CITY DEPARTMENT COMMENTS

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

Code Enforcement:

C-1 A demolition permit is required for the removal of the wall. A rodent abatement plan shall be submitted with the demolition permit application.

Historic Alexandria:

No comment.

ATTACHMENT 2

10-105 Matters to be considered in approving certificates and permits.

(A) Certificate of appropriateness

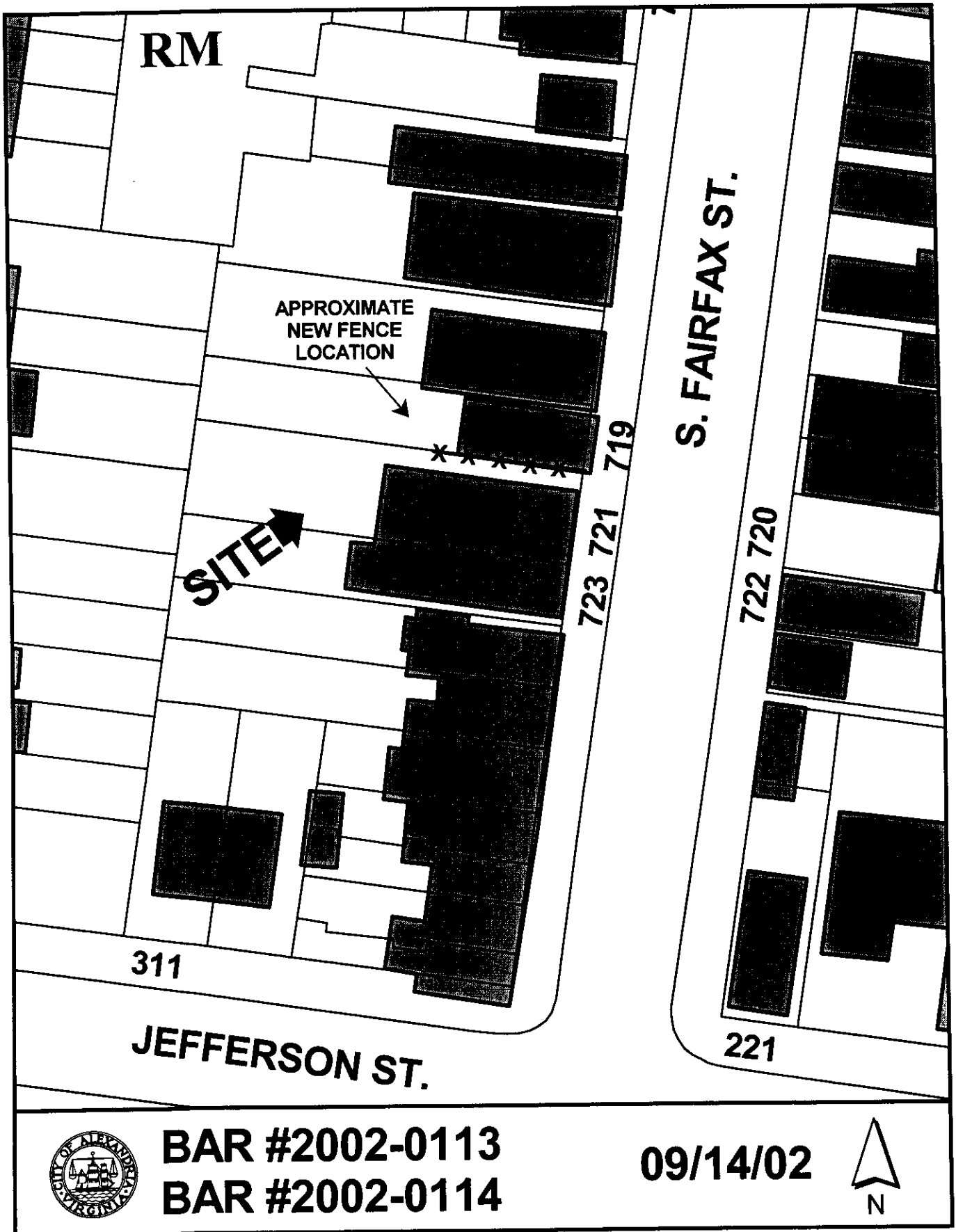
(2) Standards. Subject to the provisions of section 10-105(A)(1) above, the Old and Historic Alexandria district board of architectural review or the city council on appeal shall consider the following features and factors in passing upon the appropriateness of the proposed construction, reconstruction, alteration or restoration of buildings or structures:

- (a) Overall architectural design, form, style and structure including, but not limited to, the height, mass and scale of buildings and structures;
- (b) Architectural details including, but not limited to, original materials and methods of construction, the pattern, design and style of fenestration, ornamentation, lighting, signage and like decorative or functional fixtures of buildings or structures; the degree to which the distinguishing original qualities or character of a building, structure or site (including historic materials) are retained;
- (c) Design and arrangement of buildings and structures on the site; and the impact upon the historic setting, streetscape or environs;
- (d) Texture, material and color, and the extent to which any new architectural features are historically appropriate to the existing structure and adjacent existing structures;
- (e) The relation of the features in sections 10-105(A)(2)(a) through (d) to similar features of the preexisting building or structure, if any, and to buildings and structures in the immediate surroundings;
- (f) The extent to which the building or structure would be harmonious with or incongruous to the old and historic aspect of the George Washington Memorial Parkway;
- (g) The extent to which the building or structure will preserve or protect historic places and areas of historic interest in the city;
- (h) The extent to which the building or structure will preserve the

memorial character of the George Washington Memorial Parkway;

(i) The extent to which the building or structure will promote the general welfare of the city and all citizens by the preservation and protection of historic interest in the city and the memorial character of the George Washington Memorial Parkway; and

(j) The extent to which such preservation and protection will promote the general welfare by maintaining and increasing real estate values, generating business, creating new positions, attracting tourists, students, writers, historians, artists and artisans, attracting new residents, encouraging study and interest in American history, stimulating interest and study in architecture and design, educating citizens in American culture and heritage and making the city a more attractive and desirable place in which to live.



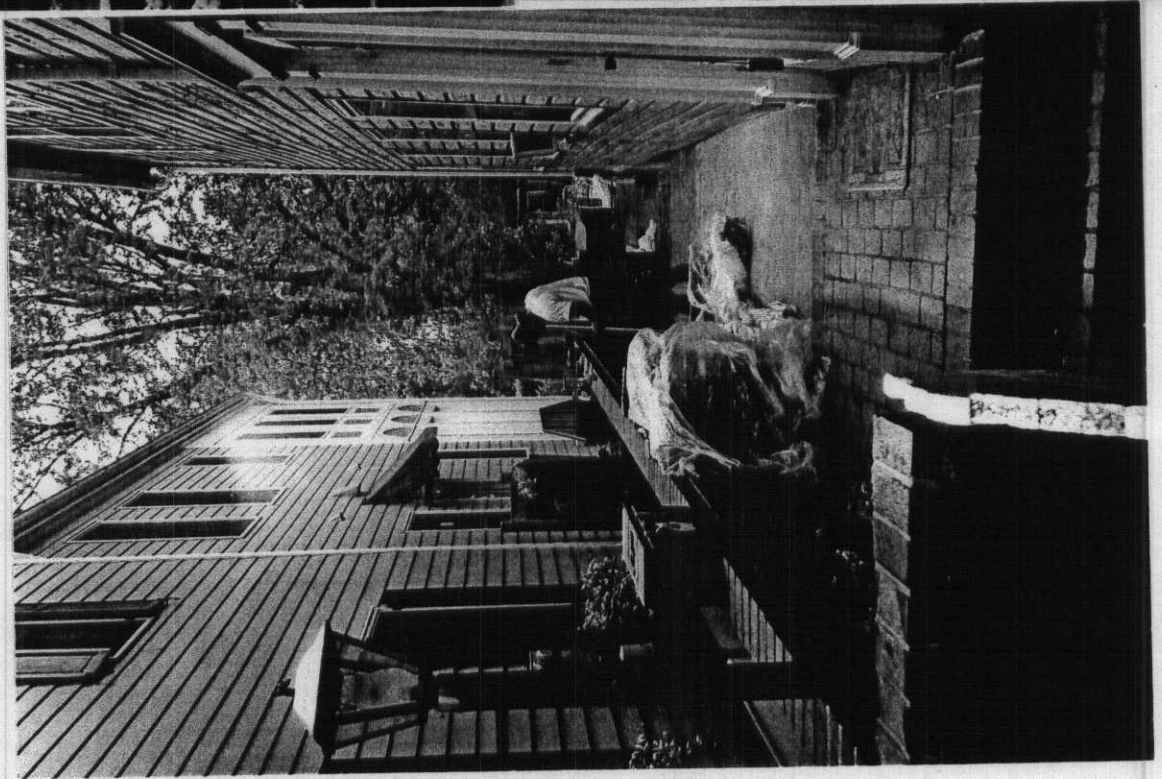
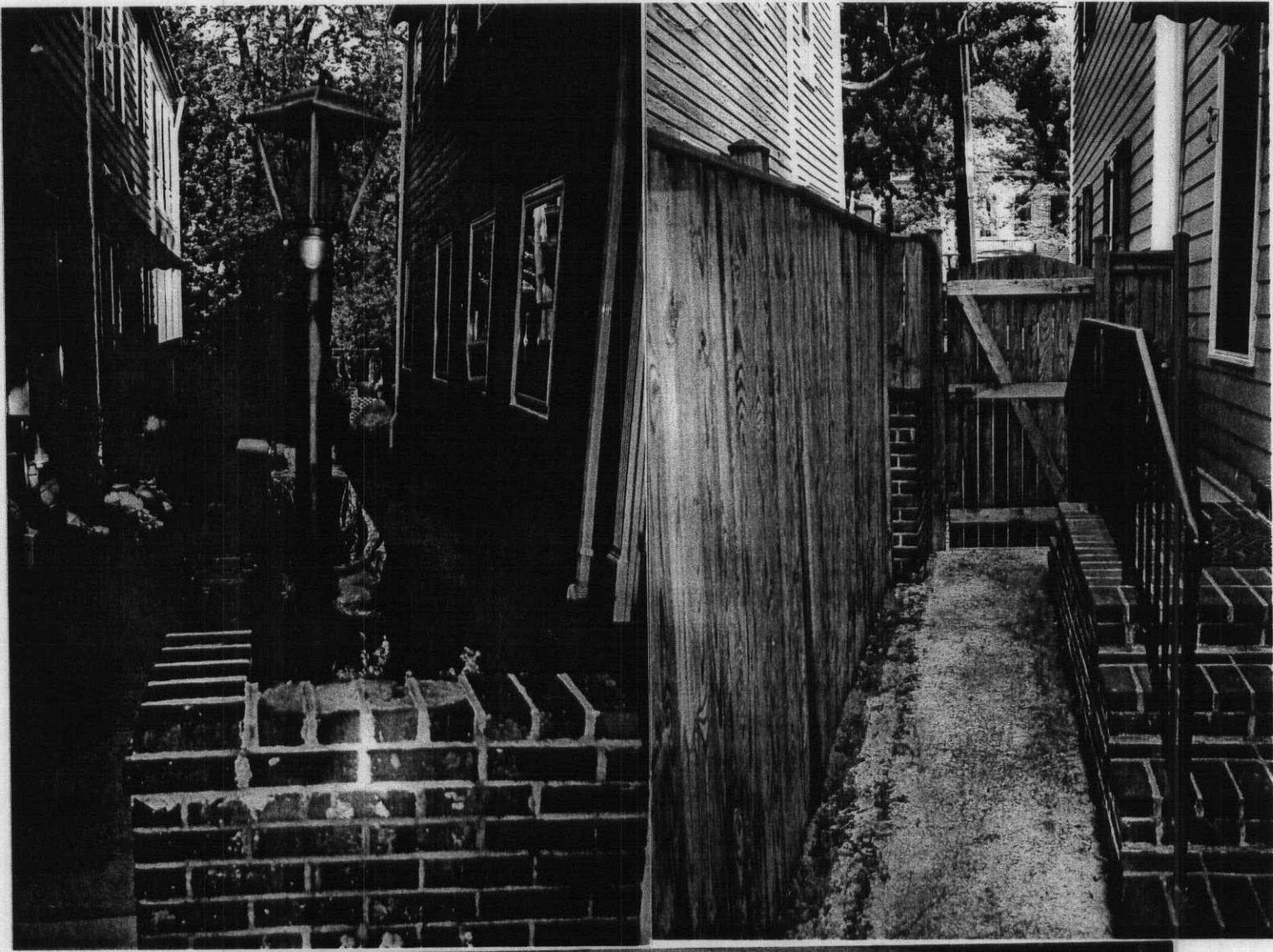


EXHIBIT NO. 2

Bernard K. Kellom, Jr.
Susan B. Kellom
719 South Fairfax Street
Alexandria, VA 22314
703.548.9273

31832
9-14-02

24 June 2002

Ms. Beverly Jett
Alexandria City Clerk
City Hall
301 King Street
Alexandria, VA 22314

Subject: Appeal to Old and Historic District BAR cases 2002-0113 and 2002-0114

Dear Ms. Jett:

Attached please find our appeal to the above BAR cases, which were decided on 19 June 2002.

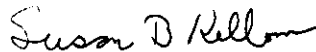
These cases would permit the destruction of a brick wall that is an integral part of our home, 719 South Fairfax Street. We continue to assert that we have possession of the wall by adverse possession and/or prescriptive right.

The wall is U-shaped and encloses our side courtyard and stoop. It is an integral part of a home that was built c. 1848. The wall most definitely contributes to preserving and protecting the historic value of our home. It also contributes to the historic ambience of the streetscape of the 700 block of South Fairfax Street.

The owners of 721 South Fairfax Street have only been granted permission to demolish the portion of the wall that runs from east to west. No provision has been made for the protection of the two ends of the U that run from north to south, or for protection of our stoop and patio.

A Certificate of Appropriateness and a permit to demolish the brick wall have already been issued. We would appreciate any guidance that you can give us on expediting notification of our appeal to the owners of 721 South Fairfax Street. If demolition of the wall were to start, we would suffer irreparable damage.

Thank you very much,



Susan B Kellom



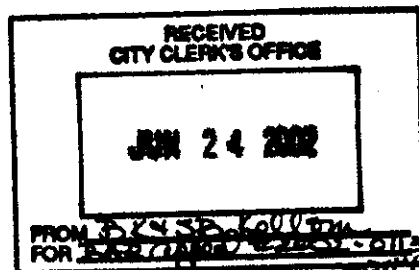
Bernard K. Kellom, Jr.

Sent to CC, CM, Fogarty, P. Smith,
CA, Michele



RECORD OF APPEAL
FROM A DECISION OF THE BOARD OF ARCHITECTURAL REVIEW

Date Appeal Filed With City Clerk: 6/24/02
B.A.R. Case # 2002-0113 + 2002-0114
Address of Project: 721 South Fairfax Street
Appellant is: (Check One)



☐ B.A.R. Applicant

☒ Other Party. State Relationship Abutting Property Owner who
claims ownership of Brick Wall

Address of Appellant: 719 South Fairfax Street
Alexandria, VA 22314

Telephone Number: 703-548-9273

State Basis of Appeal: _____

- 1) The owners of the property at 719 South Fairfax Street have a claim to ownership of the brick wall, which would be demolished under B.A.R. case 2002-0113.
- 2) The fence, which would replace the brick wall in B.A.R. case 2002-0114 (described in the application as "Stockade", but approved by the B.A.R. as a "board on board" fence), would detract from the ambience of our streetscape and would detract from the appearance of an historic house. 719 South Fairfax Street was built c. 1848.

Attach additional sheets, if necessary.

A Board of Architectural Review decision may be appealed to City Council either by the B.A.R. applicant or by 25 or more owners of real estate within the effected district who oppose the decision of the Board of Architectural Review. Sample petition on rear.

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

All appeals require a \$50 filing fee.

If an appeal is filed, the decision of the Board of Architectural Review is stayed pending the City Council decision on the matter. The decision of City Council is final subject to the provisions of Sections 10-107, 10-207 or 10-309 of the Zoning Ordinance.

Signature of the Appellant

B. K. Kellam



We, the undersigned owners of real estate within the Old and Historic Alexandria District, appeal the decisions of the Board of Architectural Review to the Alexandria City Council in B.A.R. cases 2002-0113 and 2002-0114, regarding the property at 721 South Fairfax Street for the following reasons:

- 3) The owners of the property at 719 South Fairfax Street have a claim to ownership of the brick wall, which would be demolished under B.A.R. case 2002-0113.
- 4) The fence, which would replace the brick wall in B.A.R. case 2002-0114 (described in the application as "Stockade", but approved by the B.A.R. as a "board on board" fence), would detract from the ambience of our streetscape and would detract from the appearance of an historic house. 719 South Fairfax Street was built c. 1848.

The owners of 719 South Fairfax Street have offered to the owners of 721 South Fairfax Street that they would pay for installation of a white picket fence on top of the wall and for the maintenance of both the wall and the fence.

NAME	SIGNATURE	OWNER OF REAL PROPERTY AT:
1.	<i>Mary P. Hartzler</i> (Mary P. Hartzler)	1250 S. Washington St., #203
2.		

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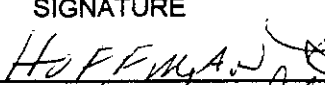
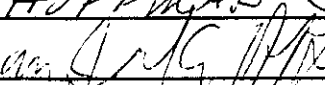
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NAME	SIGNATURE	OWNER OF REAL PROPERTY AT:
1.	<i>Carolyn A. Miller</i>	122 Giblean St, Alex, VA 22314
2.		

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NAME	SIGNATURE	OWNER OF REAL PROPERTY AT:
1. Katherine Hoffman		732 S Lee 22314
2. Joel E. Hoffman		Trustee 732 S Lee St, Alex 22314

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NAME	SIGNATURE	OWNER OF REAL PROPERTY AT:
1. William E. Lang		713 S. Pitt St 22314
2. (William E. Lang)		

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NAME	SIGNATURE	OWNER OF REAL PROPERTY AT:
24. Susan B Kellum	Susan B Kellum	719 S. Fairfax St 22314
25. HENRY S. BROOKS	Henry S. Brooks	122 GIBBON ST. 22314
26. Jo Anne Hong	Jo Anne Hong	413 1/2 Pitt St 11
27. Dorothy Gauthier	Dorothy Gauthier	409 S Fairfax 22314
28. LOIS WAUCER	Lois Waucer	417 SOUTH ROYAL ST 22314
29. Margarette A. Cooper	Margarette A. Cooper	415 So. Royal St 11
30. MARIANNE O'BRIEN	Marianne O'Brien	722 S. ROYAL ST. 22314
31. Mary Clarity	Mary Clarity	730 S. Royal St 22314
32. Chuck Davis	Chuck Davis	710 S. Royal St 22314
33. Brian Chilton	Brian Chilton	716 S. Royal St. 22314
34. LORENE CHILTON	Lorene Chilton	716 S. Royal St 22314
35. Mary O'Brien	Mary O'Brien	724 S. Royal St 22314
36. Nelson E. Green	Nelson E. Green	812, 814, 816, 818, 816, Franklin St
37. Sallie M. Craft	Sallie M. Craft	1250 S. Washington St 22314
38. Hannah Margetich	Hannah Margetich	800 So. St. Asaph St 22314
39. Peter L. Dawson	Peter L. Dawson	22314 ST. Asaph
40. Clarence L. Cooper	Clarence L. Cooper	415 S. Royal St.
41. KAREN LEIDER	Karen Leider	16 Alexander St 22314
42. Ronald K. Rigby	RONALD K. RIGBY	330 N. Pitt St. 22314
43. HAZEL R. RIGBY	Hazel R. Rigby	330 N. Pitt St. 22314
44. JACK HENES	Jack Henes	404 PRINCE ST 22314
45. Eileen Quatman	Eileen Quatman	217 S. Alfred St 22314

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NAME	SIGNATURE	OWNER OF REAL PROPERTY AT:
1. <u>BARRY FORD</u>	<u>[Signature]</u>	<u>400 Gibbon Street, Alex, VA 22314</u>
2. <u>BERNARD K. KELLOM JR</u>	<u>[Signature]</u>	<u>719 S. Fairfax St. Alexandria, VA 22314</u>
3. <u>Elmink R. Campbell</u>	<u>[Signature]</u>	<u>429 S. Fairfax St. Alex, VA 22314</u>
4. <u>Christine Nedumari</u>	<u>[Signature]</u>	<u>400 South Pitt St. Alex, VA 22314</u>
5. <u>DORIS K. MELA</u>	<u>[Signature]</u>	<u>501 SLATERS LANE #722 ALEX, VA 22314</u>
6. <u>Donald F. Mela</u>	<u>[Signature]</u>	<u>501 Slaters Lane #722 Alex, VA 22314</u>
7. <u>Elizabeth Roderick</u>	<u>[Signature]</u>	<u>716 S. Fairfax St. Alex, VA 22314</u>
8. <u>ROBERT W. SEVENEW</u>	<u>[Signature]</u>	<u>426 So. Pitt St. Alex, VA 22314</u>
9. <u>NANCY V. SEVENEW</u>	<u>[Signature]</u>	<u>426 So. Pitt St. Alex, VA 22314</u>
10. <u>Stephen Quatmann</u>	<u>[Signature]</u>	<u>217 S. Albee St. Alex, VA 22314</u>
11. <u>SUSAN HORNE QUATMANN</u>	<u>[Signature]</u>	<u>217 S. Albee St. Alex, VA 22314</u>
12. _____	_____	_____
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BUILDERS

MITCHELL,
HORN &
ASSOCIATES

REMODELERS

EXHIBIT NO. 3

31832

9-14-02

June 14, 2002

Mr. Jerry Chambers
721 S. Fairfax Street
Alexandria, Va. 22314

Re: Brick Landscape Wall Repairs

Dear Mr. Chambers;

As requested, we have looked at the condition of the brick landscape wall on the North side of your property. The wall is significantly compromised and should be removed and replaced rather than repaired. During excavation for your house, we determined that the wall does not have a proper foundation, and what little is there has been cracked by encroaching tree roots. There appears to be no horizontal reinforcing in either the above grade or below grade portions of the wall, which is the apparent cause of the numerous cracks. It is our experience that repointing cracks in a non reinforced, free standing wall is a temporary solution at best. If it is your intention to keep a brick wall in the same general location, we suggest that you retain an engineer familiar with the Marine Clay soils typical of Alexandria to design a footing and wall that can safely be made free standing. We will be happy to recommend an experienced firm that could prepare such a design.

Please feel free to call the undersigned if you have any questions.

Mitchell, Horn & Associates, Inc.

Edward F. Horn
President325 N. HENRY ST
ALEXANDRIA
VIRGINIA 22314
703.636.8251 TEL
703.636.8095 FAX

FACSIMILE

Date:

9-13-02

Number of pages (including cover):

2

To:

BEVERLY JETT

Telephone:

703-838-4550

Fax:

703 838 6433

cc:

From: Jerry Chambers

Department: Washington Government Relations

Telephone: 202/659-8320

Fax: 202/659-2676

☐ Urgent☐ For your review☐ Please reply asap☐ Please comment

Remarks:

Dear Ms JETT:

Per my email to you, attached is
copy of letter from Ed Horn re
Brick wall. (BAR Cases 02-0113 & 0114)

Jerry Chambers

CONFIDENTIALITY NOTE:

The documents accompanying this Fax transmission contain information from the Government Relations Office which is confidential and/or legally privileged. The information is intended only for the use of the individual or entity named on this transmission sheet. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this faxed information is strictly prohibited, and that the documents should be returned to this office immediately. In this regard, if you have received this Fax in error, please notify us immediately by telephone so we can arrange for the return of the original documents to us at no cost to you.



CHAMBEJ@wyeth.com

09/11/02 10:42 AM

To: Beverly I Jett@Alex

Subject: To: Members of City of Alexandria City Council

318'32
9-14-02

Dear Ms Jett:

please enter attached letter for the record for this Saturday's, September 14, 2002, City Council public hearing. can you distribute to Mayor and members of City Council, or do I need to make copies and deliver?

Sincerely,

Jerry Chambers

To: Members of City of Alexandria City Council
Ms Beverly I. Jett, City Clerk and Clerk of Council

From: Jerry L. and Carol S. Chambers
721 S. Fairfax Street, Alexandria, VA 22314

Subject: September 14, 2002 Public Hearing

Re: Board of Architectural Review Appeals, Case BAR 02-0113, Case 02-0114

September 10, 2002

On 6/24/2002 Susan Kellom and Bernard Kellom filed an appeal with Alexandria City Council which objected to decisions of BAR on above referenced cases.

In the Kelloms' Record of Appeal, they claimed:

- 1) "the owners of the property at 719 South Fairfax Street have a claim to ownership of the brick wall, which would be demolished under BAR case 2002-0113". For the record, my wife and I purchased this property in 1999 from Ed Horn of Mitchell-Horn and we have surveys, legally recognized by the City of Alexandria, and a deed, which clearly show and state that the referenced brick wall is part of the property purchased by us. During the BAR hearings, the City Attorney also confirmed that referenced brick wall is on the property known as 721 S. Fairfax St. Furthermore, when I challenged the Kelloms' for encroaching onto our property, I had called the Alexandria Police and the officer responding to the call pointed out to the Kelloms' the property boundary marker placed by RC Fields Surveying Company. The day after the officer brought the property boundary marker to the Kelloms' attention, the Kelloms removed the surveying marker...which is a violation of City Code. If the Kelloms have a claim to the brick wall located on our property, it is encroaching and they should remove it at once (this was also communicated to the Kelloms two years ago by my attorney). If the Kelloms wish to reconstruct a brick wall on their side of the property line, my wife and I have no objection to them doing so.

The property we purchased in 1999, known as 721 South Fairfax Street, is 30 feet wide and the above referenced brick wall sits within our 30 foot wide lot. We respectfully request that the City Clerk check the City tax records, which will show that my wife and I pay Alexandria real estate taxes on a city property that is 30 feet wide. Furthermore, we also request that the City Clerk check City of Alexandria tax records for the Kelloms' property, known as 719 South Fairfax Street. This search should show that the Kelloms' property is 20.5 feet wide, which is the size of the lot which the Kelloms' tax assessment is based. The Kelloms' Record of Appeal states that they have a claim to ownership of the brick wall. If this is the case, their lot would be 22 feet wide and our lot at 721 South Fairfax would be 28.5 feet wide. Does the City of Alexandria base the real estate tax assessment of 719 South Fairfax Street on a 22 foot wide lot? The last time I checked City records, the assessment of real estate taxes on 719 S. Fairfax Street is based on a 20.5 foot lot. My attorney has repeatedly requested from the Kelloms a copy of the survey of their property which shows the exact dimensions of their property. The Kelloms have refused to share a copy of their survey with my attorney. Since the Kelloms removed and destroyed the survey boundary marker placed as a nail in a brick at the northeast corner of our property by RC Fields Surveying Company, they now claim the brick wall as the property line, which conveniently increases the size of their lot (and diminishes the lot size of 721 S. Fairfax). Should the Kelloms wish to order a new survey by RC Fields Surveying Company of Alexandria and have the surveying company replace the property boundary marker for the property line dividing our properties, this should once again reestablish the correct and legally recognized property line between 719 and 721 South Fairfax Street.

- 2) "the fence, which would replace the brick wall in BAR case 2002-0114 (described in the application as 'Stockade', but approved by the BAR as a 'board on board' fence), would detract from the ambiance of our streetscape and would detract from the appearance of an historic house. 719 South Fairfax was built c. 1848." It was understood by the members of the BAR that the wooden fence would be an extension of the existing fence on our property, which was approved by the BAR when our house was built in 1999. Furthermore, there are many wooden fences in Old Town which are attached to, or are adjacent to, historic homes. You should be aware that the 700 block of South Fairfax is unique in that almost every home is wooden clapboard and wooden fences of this type are not only typical, but unify the architecture. The existing brick wall is poorly designed, is deteriorating, built of rubble, and according to Ed Horn the builder of our property, unstable and a waste of money to repair. More importantly, however, the BAR Staff agrees this wall has no historic value since it was built in the mid-20th century and City/BAR provides for the removal of such non-historic structures. The Kelloms maintain that removal of brick wall would detract from the ambiance of our streetscape. If this is a legitimate concern of the Kelloms, please ask them why they removed/demolished the brick planters located in the front of their house. As part of this same home remodeling project the Kelloms removed the existing siding of their home and exposed the original front doorway to their "historic" home. Rather than incorporate the original doorway into their construction project, the Kelloms instead chose to ignore the original entry doorway and jackhammer out the original sidewalk and stoop leading to the original doorway entry of their home. This action of destroying the original doorway, front stoop and sidewalk hardly constitutes a respect for the ambiance of the original streetscape. The destruction of the original stoop and front sidewalk should have been reviewed by the BAR and a demolition permit obtained from the City to do the work. clearly a double standard exists: no BAR hearing nor permit was required of the Kelloms, but my wife and I needed to go to the BAR and obtain a permit to demolish a non-historic wall. From their actions of ignoring the original doorway entry to their home, destruction of brick planters, destruction of original stoop and sidewalk to their historic home, it appears the Kelloms are of the school of "do as I say, and not as I do".

Finally, I believe any decision by the Alexandria City Council which would either reverse or negate the opinion of the Board of Architecture Review would constitute a violation of the Fifth Amendment of the United States Constitution and the "Takings Clause" of the Bill of Rights. Any action by the City Council which would take property from my wife and I and transfer that property, or the enjoyment of our property, to another property owner would not only be Constitutionally wrong, but would be totally contrary to the intent of our Founding Fathers. I sincerely believe that such a seizure of personal property would not only be a violation of our Constitutional rights as property owners, but would be a slap in the face to our Founding Fathers who are so closely linked to our Historic City of Alexandria.

Sincerely,

Jerry and Sue Chambers
721 S. Fairfax Street

Cc: Peter Smith, Board of Architectural Review Staff

Eileen Fogarty, Planning and Zoning Director



CHAMBEJ@wyeth.com

09/13/02 05:03 PM

To: Beverly I Jett@Alex

Subject: Docket Items #31 and #32 for September 14 Council Hearing

Dear Ms Jett:

under separate cover i will fax to you letter from Mr Edward Horn, President of Mitchell Horn & Associates concerning condition of my brick landscape wall which BAR approved(Cases #2002-0113 and 2002-0114) per my application to demolish on June 19, 2002. you will note that Mr. Horn states that the wall is significantly compromised and should be removed rather than repaired. Mr. Horn further states that during the excavation for my house, he determined that the wall does not have the proper foundation, and what little there is has been cracked by encroaching tree roots.

please copy members of City Council on this note and also provide them with a copy of Mr. Horn's letter to me dated June 14, 2002.

Sincerely,

Jerry Chambers
721 South Fairfax Street
Alexandria, VA

**Bernard K. Kellom, Jr.
Susan B. Kellom
719 South Fairfax Street
Alexandria, Virginia 22314
703.548.9273**

31 & 32
9-14-02

13 September 2002

The Honorable Mayor and Members of City Council
Alexandria City Hall
301 King Street
Alexandria, Virginia 22314

SUBJECT: Appeal of Old and Historic District Board of Architectural Cases 2002-0113 and 2002-0114

The above cases are a request by Jerry L. and Carol Sue Chambers to demolish the brick wall between our home, 719 South Fairfax Street, and their property at 721 South Fairfax Street, and to replace it with a fence. Their BAR application states that the fence would be a stockade fence, but in discussion before the BAR it was referred to as a board-on-board fence.

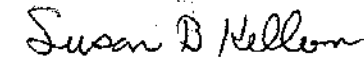
The Chambers have no standing to make this request. The brick wall is on a strip of land that has been claimed by every previous owner of our property since 1968. The wall itself first appears on the recorded plat for our property in 1975. Attached is a copy of the lawsuit that we have filed to establish our clear title to this property. We believe that we will prevail in this suit because Section 8.01-236 of the Code of Virginia of 1950, as amended, only requires that we adversely possess the strip of land for 15 years to establish title. Our predecessors and we have claimed this strip of land for 34 years.

As to the esthetics of the proposed fence, we would oppose it even if it were to be constructed on the Chambers property. Such a fence would be an unattractive intrusion on the streetscape of our block. We understand the Chambers desire for more privacy in their side yard. As an alternative to the proposed fence, whether it be stockade or board-on-board, we propose to construct, at our expense, a picket fence on top of the brick wall. This design is quite common in our neighborhood and in Old Town in general.

We request that you defer the above BAR cases until our lawsuit is settled.

Thank you for your consideration,


Bernard K. Kellom, Jr.


Susan B. Kellom

VIRGINIA:

IN THE CIRCUIT COURT FOR THE CITY OF ALEXANDRIA

BERNARD K. KELLUM, Jr.)

and)

SUSAN B. KELLUM)

Plaintiffs,)

VS.)

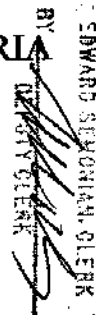
JERRY L. CHAMBERS)

and)

CAROL SUE CHAMBERS)

Defendants)

CHANCERY NO. CH 021434

BY  EDWARD SEMORIAM, CLERK
CITY CLERK

SEP 13 2 08 PM '02

FILED
CLERK OF COURTS
CITY OF ALEXANDRIA

BILL OF COMPLAINT

TO: THE HONORABLE JUDGES OF THE CIRCUIT COURT FOR THE
CITY OF ALEXANDRIA:

Your Plaintiffs, Bernard K. Kellum, Jr. and Susan B. Kellum, file this Bill of
Complaint and respectfully represent unto the Court as follows:

1. Plaintiffs are husband and wife, and are residents of the Commonwealth of
Virginia, residing at 719 South Fairfax Street, Alexandria, Virginia, 22314.
2. Defendants are husband and wife, and are residents of the Commonwealth of
Virginia, residing at 721 South Fairfax Street, Alexandria, Virginia, 22314.

3. Plaintiffs are the owners as tenants by the entirety of a certain parcel of land with improvements in the City of Alexandria Virginia, known as 719 South Fairfax Street, Alexandria, Virginia, being the real property conveyed to your plaintiffs by Deed of John F. Pholeric, Jr. (sic), dated October 17, 1983, and recorded in the Clerk's Office of the Circuit Court of the City of Alexandria in Deed Book 1110 at Page 795. A copy of said Deed is attached hereto as Exhibit 1 and incorporated by reference.
4. That said parcel with improvements is the same real property previously conveyed to the said John J. Pholeric, Jr. (sic) and Janet J. Pholeric by Deed of Earl P. Schubert, Jr. and Mary Lynne Schubert (formerly known as Mary Lynne Mazza) dated July 29, 1975, and recorded in the Clerk's Office of the Circuit Court for the City of Alexandria in Deed Book 804 at Page 171.
5. That said parcel with improvements is the same real property previously conveyed to the said Earl P. Schubert, Jr. and Mary Lynne Mazza by Deed of Joseph B. Davis and Mary K. Davis dated August 9, 1974, and recorded in the Clerk's Office of the Circuit Court for the City of Alexandria in Deed Book 784 at Page 302.
6. That said parcel with improvements is the same real property previously conveyed to the said Joseph B. Davis by Deed of Janet A. Rogers dated

April 28, 1972, and recorded in the Clerk's Office of the Circuit Court for the City of Alexandria in Deed Book 740 at Page 234.

7. That said parcel with improvements is the same real property previously conveyed to the said Janet A. Rogers by a Decree Confirming Partition and Allotment, Chancery Number 15783, dated December 10, 1971, and recorded in the Clerk's Office of the Circuit Court for the City of Alexandria in Deed Book 734 at Page 40. The Defendant in this case was Cheryle Anne Struder.
8. That said parcel with improvements is the same real property previously conveyed to the said Janet A. Rogers by Deed of Orabelle Struder dated November 29, 1968, and recorded in the Clerk's Office of the Circuit Court for the City of Alexandria in Deed Book 692 at Page 347. A copy of said Deed is attached hereto as Exhibit 2 and incorporated by reference.
9. Defendants are the owners as tenants of the entirety of a certain parcel of land with improvements in the City of Alexandria, Virginia, known as 721 South Fairfax Street, Alexandria, Virginia, being the real property conveyed to Defendants by Special Warranty Deed of Sonoma Development, Inc., and recorded in the Clerk's Office of the Circuit Court of Alexandria in Deed Book 1709 at Page 1227. A copy of said Deed is attached hereto as Exhibit 3 and incorporated by reference.

10. That other than the parties herein there are no other persons who have an interest in the subject matter of this suit.
11. That there is a cloud on the title of a strip of land running east to west for approximately 73.75 feet along the southern boundary of Plaintiff's parcel and varying in width from approximately 1.6 feet to 0 feet. A copy of the plat for Plaintiff's property, dated July 11, 1975, is attached hereto as Exhibit 4 and incorporated by reference.
12. That the original portion of Plaintiff's residence was constructed c. 1848, and that at some time between 1941 and 1968 a fence was constructed along the line as described in Deed Book 692 at Page 347, and that said fence encroached on the property now known as 721 South Fairfax Street.
13. That when the property known as 719 South Fairfax Street was conveyed from Orabelle Struder to Janet A. Rogers this strip of land was also conveyed via a quitclaim deed, and that this strip of land has been specifically conveyed in every subsequent Deed for 719 South Fairfax Street.
14. That at some time between 1968 and 1975 said fence was partially replaced by a U-shaped brick wall, which encloses the Plaintiff's side courtyard, and a brick stoop was constructed between the south wall of the Plaintiff's residence and the brick wall.

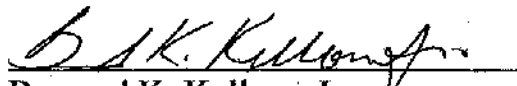
15. That the area of land, which is the subject matter of this suit, lies entirely outside the walls of Defendant's residence, and is convergent with Plaintiff's parcel, and that said area of land contains a portion of the U-shaped brick wall, which is an integral part of the Plaintiff's yard.
16. That the residence belonging to Defendants is one of two residences built in 1998 and 1999 on vacant land that was once the side yard of the property now known as 723 ½ South Fairfax Street,
17. That the Plaintiffs, and their predecessors, have had exclusive possession of their lot, including the strip of land running along the south side, since at least the year 1968, and have used the same and exercised dominion over the same by fencing and walling in the strip, paving, gardening, planting, landscaping and recreating upon it, for a period in excess of 15 years, to wit: 34 years; and that such possession, use and dominion has been actual, exclusive, continuous, hostile, open, visible and notorious and under a claim of right and color of title.
18. That no action has been taken by the Defendants, or their precursors, within the 15 year limitation period prescribed by Section 8.01-236 of the Code of Virginia of 1950, as amended, to make entry upon, or to recover, the land which is the subject of this suit, and that such a claim is effectively barred.

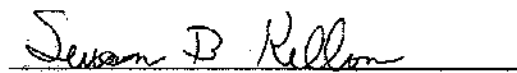
19. That Defendants have applied to the Old and Historic District Board of Architectural Review to demolish the brick wall and have received approval, by a vote of 3 to 2 to do so, and that Plaintiffs have appealed this decision to the Alexandria City Council, which has scheduled a Public Hearing for September 14, 2002.
20. That time is of the essence, to wit: neither the Board of Architectural Review nor the Alexandria City Council have jurisdiction over property line disputes, and will take action without regard to the merits of Plaintiff's claim.
21. This Court has jurisdiction to award relief pursuant to Section 8.01-620 of the Code of Virginia of 1950, as amended.
22. That there is no likelihood of harm to Defendants, to wit: the subject property is not theirs and the subject property has not been utilized by the Defendants or their predecessors for 34 years.
23. That irreparable harm will result to the Plaintiffs if the brick wall is demolished.
24. That Plaintiffs will prevail on the merits and it is in the interests of justice that the brick wall be preserved pending the outcome of this case.
25. That Plaintiffs have provided affidavit hereto and their equity is satisfactory pursuant to Section 8.01-628 of the Code of Virginia of 1950, as amended.

Wherefore, your Plaintiffs pray that injunctive relief be granted prohibiting Defendants from demolishing the brick wall on the strip of land which is the subject matter of this litigation pending a final adjudication; that the cloud on Plaintiffs' title to the land which is the subject matter of this suit be removed by finding and adjudging that any persons who may have any interest in said land have lost said interest by adverse possession for the prescribed period and the title is perfected in the Plaintiffs; and that your Plaintiffs may have such other further and general relief as the nature of their case may require and to equity may seem meet.

Respectfully submitted,

Bernard K. Kellom, Jr.
Susan B. Kellom


Bernard K. Kellom, Jr.
719 South Fairfax Street
Alexandria, VA 22314
Phone: 703-548-9273
Plaintiff, *Pro Se*


Susan B. Kellom
719 South Fairfax Street
Alexandria, VA 22314
Phone: 703-548-9273
Plaintiff, *Pro Se*

The foregoing Bill of Complaint has been reviewed by me and is true and accurate to the best of my knowledge.

B. K. Kellom, Jr.

BERNARD K. KELLOM, JR.

COMMONWEALTH OF VIRGINIA)

COUNTY OF ROCKINGHAM) to wit:

Before me, the undersigned Notary Public in and for the jurisdiction aforesaid, appeared this day BERNARD K. KELLOM, JR., and signed to the foregoing this 12th day of September, 2002, and has acknowledged his signature thereto.

SUBSCRIBED AND SWORN to before me this 12th day of September, 2002.

Janie M. Lane
NOTARY PUBLIC

My Commission expires: 1/31/06

The foregoing Bill of Complaint has been reviewed by me and is true and accurate to the best of my knowledge.

Susan B Kellom

SUSAN B. KELLOM

COMMONWEALTH OF VIRGINIA)

COUNTY OF ROCKINGHAM) to wit:

Before me, the undersigned Notary Public in and for the jurisdiction aforesaid, appeared this day SUSAN B. KELLOM, and signed to the foregoing this 12th day of September, 2002, and has acknowledged her signature thereto.

SUBSCRIBED AND SWORN to before me this 12th day of September, 2002.

Anna M. Lam
NOTARY PUBLIC

My Commission expires: 1/31/06

4/28/83 795 Exhibit 1

THIS DEED, made this 17th day of October, 1983, by and between

JOHN F. PHOLEPIC, JR., unmarried

parties of the first part; and BERNARD K. KELLOM, JR. and SUSAN B. KELLOM, his wife

his wife, tenants by the entirety, with the common law right of survivorship, parties of the second part.

WITNESSETH, that for and in consideration of the sum of Ten Dollars, the said parties of the first part do hereby grant and convey with general warranty, unto the said parties of the second part, as tenants by the entirety, with the common law right of survivorship, it being intended that the fee simple title to said property shall be vested in said parties of the second part during their joint lives and thereafter fee simple title shall be vested in

the survivor of them, all that certain land situate in City of Alexandria, County, Virginia, and particularly described as follows:

Parcel 1: BEGINNING at a point on the West side of Fairfax Street, 169 feet 3 inches South of the South side of Franklin Street, and running thence South along the line of Fairfax Street 20 feet 6 inches; thence West parallel with Franklin Street 123 feet, 5 inches; thence North parallel with Fairfax Street 20 feet, 6 inches; and thence East parallel with Franklin Street 123 feet 5 inches, to the place of beginning.

Parcel 2: Those parcels of ground adjoining the above parcel consisting of that strip of ground lying between the South property line and the fence erected outside of same; and that strip of ground lying between the North property line and the fence and improvements appurtenant to Parcel One located outside of same, all as shown on plat accompanying deed recorded in Deed Book 692, page 347 of the land records of said City.

Subject to the Deed of Trust recorded as Instrument No. 01/3149 among the land records of the City of Alexandria, Virginia, the balance of which the parties of the second part agree to assume and to pay, as is evidenced by their acceptance on this Deed.

For derivation of title see Instrument No. 01/3148

Subject to restrictive covenants, easements and rights of way of record.

The said parties of the first part covenant that they have the right to convey the said land to the said parties of the second part; that they have done so act to encumber the same; that the said parties of the second part shall have quiet possession of the said land, free from all encumbrances, except as aforementioned, and that they, the said parties of the first part, will execute such further assurances of the said land as may be requisite.

VIRGINIA.
In the Clerk's Office of the Court
of the City of Alexandria for the following signature and seal:
witness and the taxes imposed
1. to be paid in the amount of \$
have been paid & with the interest
calculated according to record on

10-18-83 226 Pm
Edward J. Semmons

John F. Pholepic, Jr. (SEAL)
(SEAL)

STATE OF VIRGINIA

City of Alexandria, to-wit:

I, H. William Braun, Jr., a Notary Public, for the County or City aforesaid in the State of Virginia, whose

commission expires on the 15th day of March, 1987, do hereby certify that

John F. Pholepic, Jr. whose names are signed on

the foregoing deed, bearing date on the 17th day of October, 1983, have acknowledged the same before me in my State and County or City aforesaid.

GIVEN under my hand this 17th day of October, 1983

Notary Public
H. William Braun, Jr.

Tax #080.040225

719 South Fairfax Street
Alexandria, Virginia 22314
H. WILLIAM BRAUN
201 N. Washington Street
Notary Public
Alexandria, Virginia 22314

11

Exhibit 2

Daniel G. Smith
2-4-69

MAILED DANIEL J. SMITH, ESQ.
5000 Columbia Pike
Baltimore-Crossroads, Va. 22041

DEED OF BARGAIN AND SALE—VIRGINIA

135

BOOK 692 PAGE 347

Washington Law Reporter Form 504
1625 Eye St. N.W., Washington, D.C. 20004

This Deed

Made this 29th day of November in the year one thousand nine hundred and Sixty-eight between Orabelle C. Struder, being the devisee of Hubert M. Struder, who died May 5, 1954, being a widow and unmarried,

part y of the first part, and Janet A. Rogers, femme sole

part y of the second part:

Witnesseth: That in consideration of the sum of Ten and no/100 Dollars,

the said party of the first part

do es grant unto the said party of the second part

with General Warranty, all All that lot of ground in the City of Alexandria, Virginia, bounded and described as follows, to wit: 169 feet, 3 inches South of the South Side of Franklin Street and running thence South along the line of Fairfax Street, twenty feet six inches, thence West parallel with Franklin Street, One Hundred Twenty-three feet five inches, thence South parallel with Fairfax Street, Twenty Feet Six inches, and thence East parallel with Franklin Street, One Hundred Twenty-three Feet Five inches to the place of beginning, it being the same property of which John Lawrence died seized, and it was conveyed to him by deed dated April 27, 1801 and recorded in Liber D at page 85, it being also the property obtained by Special Commissioners Deed from H. Noel Garner dated September 30, 1920 and recorded in Deed Book 71 at pages 358 and 359, and by Special Commissioners Deed from Park E. Ticer dated September 19, 1941 and recorded in Deed Book 190 at page 478. Being known as premises 719 South Fairfax Street, Alexandria, Virginia, as per current plat of survey made by R. E. Jackson, Certified Land Surveyor, dated December 16, 1968, attached herewith, said property being known as Lot Seven (7).

The said party of the first part also conveying and quitclaiming all that strip of land, shown on said survey attached, lying between the fence line of the adjacent property to the South, being Lot Eight (8), and the southerly boundary line of said lot Seven (7); and further conveying and quitclaiming all that strip of land, including the building mostly on Lot Seven (7), which is

See D.G. Smith
page 93
5-2-69

See D.E. 712
Page 24
8-13-7

12

BOOK 692 PAGE 348

shown by said plat to be partly upon Lot Six (6) A to the north, and lying between the fence line shown on Lot Six-A (6-A) and the structure shown on said plat in the rear of Lot Six-A (6-A), and the northerly line of said Lot Seven (7).

Further, said party of the first part conveys and quitclaims all that part of Lot Seven (7) lying south of the southerly fence line of the southerly boundary of Lot Seven (7) to the rear of Lot Seven (7).

covenants that she has the right to convey the said land to the grantee; that she has done no act to encumber the said land; except

duly recorded; that the grantee shall have quiet possession of the land free from all encumbrances, and that the said party of the first part, will execute such further assurance of the said land as may be requisite.

Witness the following signature and seal:

Orabelle C. Struder [SEAL]
Orabelle C. Struder

State of Virginia

County of Arlington

to wit:

I,

for the County aforesaid, in the State of Virginia, do certify that

Orabelle C. Struder

whose name signed to the foregoing writing

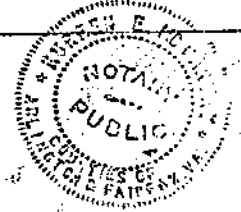
bearing date on the 29th day of November, 1968, has acknowledged the same before me in my County aforesaid.

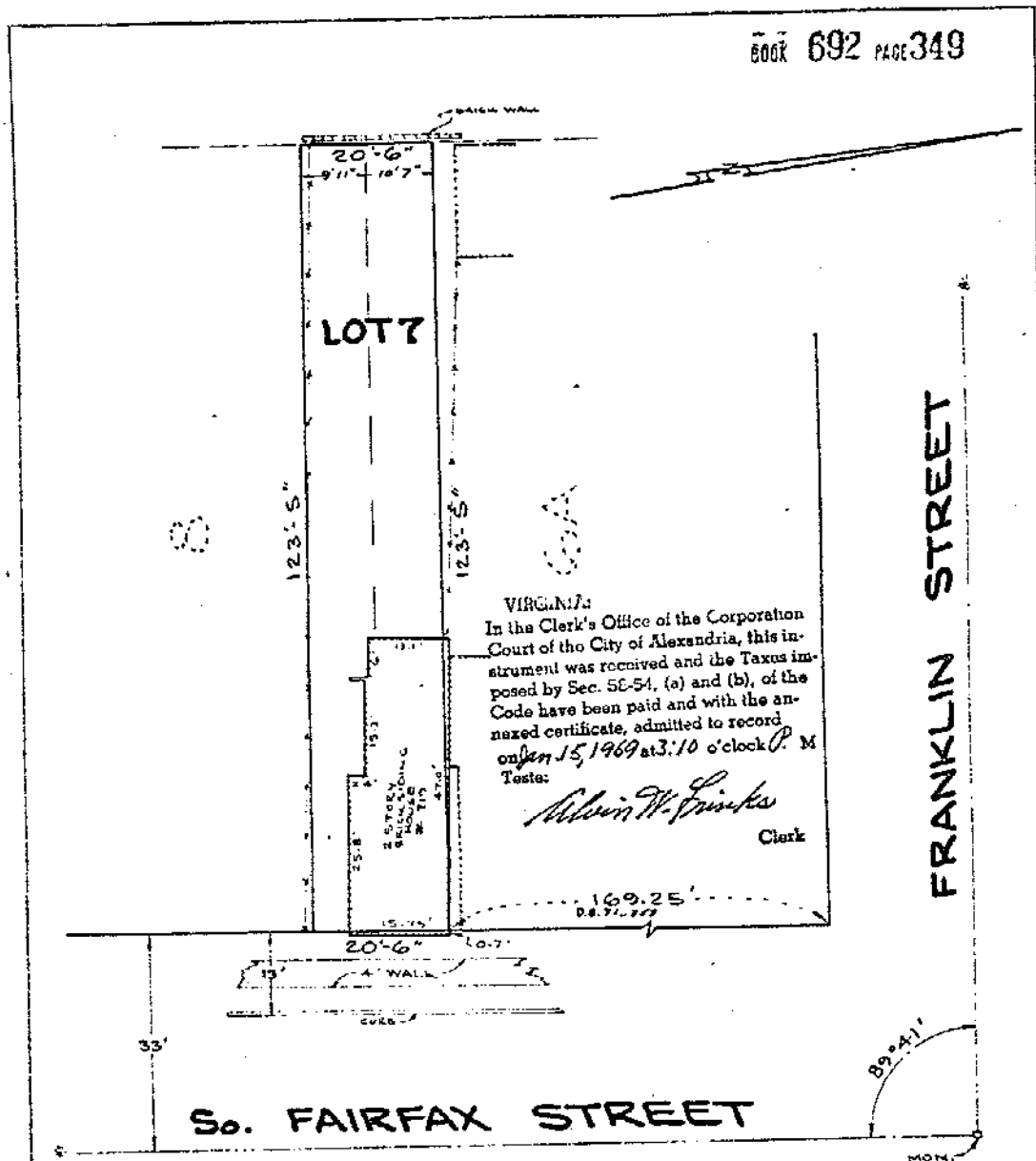
Given under my hand this 29th day of November, 1968

My Commission Expires October 30, 1972

Kenneth E. McClary
Notary Public

MEMO.—To be acknowledged before an officer authorized to take acknowledgments. If acknowledged before a Notary Public the certificate should contain the date of expiration of commission of the Notary.





PLAT

SHOWING HOUSE LOCATION ON BUILDING
719 S. FAIRFAX STREET
ALEXANDRIA, VIRGINIA
SCALE: 1" = 20' DEC. 16, 1968


CASE NAME: DANIEL J. SMITH	ALEXANDRIA SURVEYS 618 WYTHE ST. ALEXANDRIA, VA.	R. C. JACKSON CERTIFIED SURVEYOR 
D.B. 71 @ PAGE 358 D.B. 71 @ PAGE 359		

Exhibit 3

BK1709PG1227

File No: 9928
Construction: \$800,000.00
Tax Map #: 000.04-02-24
Location Address:
721 S. Fairfax Street
Alexandria, VA 22314

Prepared by: A. Nathan Inc.
1401 Anderson, Inc.
Robert, Boykin & Stewart, L.L.P.
310 King Street, Suite 201
Alexandria, VA 22314
(703) 836-2000

16280

Special Warranty Deed

This Deed made and entered into the 9th day of July, 1999, by and between Sonoma Development, Inc., a Virginia Corporation, Grantor and Jerry L. Chambers and Carol Sue Chambers, husband and wife, as tenants by the entirety with the common law right of survivorship, Grantees.

Witnesseth:

That for and in consideration of the sum of Ten Dollars (\$10.00) cash in hand paid, and other good and valuable consideration, receipt of which is hereby acknowledged, the Grantor does hereby grant, bargain, sell and convey with **SPECIAL WARRANTY AND ENGLISH COVENANTS OF TITLE**, unto the Grantees as tenants by the entirety with the common law right of survivorship; all of that certain lot or parcel of land together with improvements thereon ("the Property") situate and being in the City of Alexandria, Virginia and more particularly described as follows:

Beginning at a point on the West side of Fairfax Street 189 feet 9 inches South of Franklin Street and running thence West parallel with Franklin Street 123 feet 5 inches; thence South parallel with Fairfax Street 30 feet 1 inch; thence East parallel with Franklin Street 123 feet 5 inches to Fairfax Street and thence North therewith 30 feet 1 inch to the point of beginning.

AND BEING a part of the same property conveyed to Sonoma Development Inc., by deed from Mary C. Vassalo Saunders, as Executrix of the Estate of Samuel J. Vassalo (also known of record as Samuel Joseph Vassalo) (who died on April 18, 1992) and as devisee under the Will of Samuel J. Vassalo dated January 13, 1989 and Rex W. Saunders, her husband and Flora Ann Hall, unmarried, Administratrix, C.T.A. of the Estate of Samuel J. Vassalo and as devisee under the Will of Samuel J. Vassalo, dated June 30, 1997 and recorded July 18, 1997 in Deed Book 1608, page 749, and corrected and re-recorded January 6, 1999 in Deed Book 1678, page 868 among the land records of the City of Alexandria, Virginia.

with an address of 721 S. Fairfax Street, Alexandria, Virginia 22314.

56010-9733-01035

BK 1709PG 1228

Together with all improvements and appurtenances thereto belonging and subject to restrictions, rights-of-way, easements and conditions of record, if any.

Witness the following signature and seal.


Sonoma Development, Inc.

(Seal)

By: Edward F. Horn
Its President

COMMONWEALTH OF VIRGINIA
CITY OF ALEXANDRIA

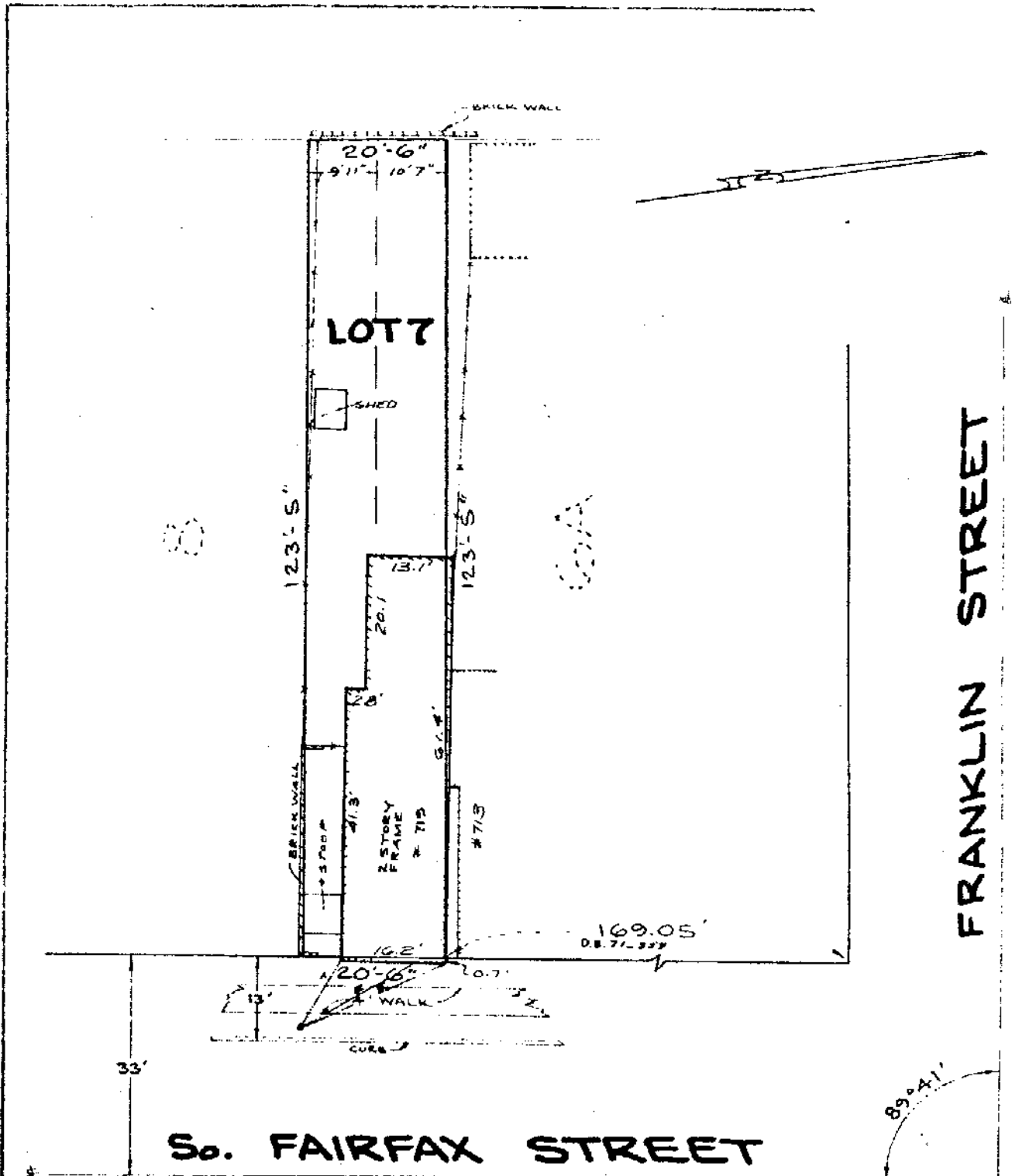
The foregoing was acknowledged before me this 9th day of July, 1999, by Edward F. Horn, as President of Sonoma Development, Inc., on behalf of the Corporation.


Notary Public

My Commission Expires: 10/31/00

INSTRUMENT #990016230
RECORDED IN THE CLERK'S OFFICE OF
ALEXANDRIA ON
JULY 13, 1999 AT 12:03PM
\$680.00 GRANTOR TAX WAS PAID AS
REQUIRED BY SEC 58.1-802 OF THE VA. CODE
STATE: \$340.00 LOCAL: \$340.00
EDWARD SEMONIAN, CLERK

BY:  (DC)



PLAT
 SHOWING HOUSE LOCATION ON BUILDING
719 So. FAIRFAX STREET
ALEXANDRIA, VIRGINIA
 SCALE: 1" = 20' JULY 11, 1975

31832
9-14-02

- CITY SEAL -

NOTICE OF PUBLIC HEARING ON AN APPEAL OF A DECISION OF THE BOARD OF ARCHITECTURAL REVIEW, OLD AND HISTORIC ALEXANDRIA DISTRICT, GRANTING A REQUEST FOR APPROVAL OF A PERMIT TO DEMOLISH A BRICK WALL LOCATED AT 721 SOUTH FAIRFAX STREET, ZONED RM RESIDENTIAL. [CASE BAR-2002-0113]

A Public Hearing will be held by the City Council of the City of Alexandria, Virginia, in the Council Chamber of the City of Alexandria, on Saturday, September 14, 2002, at 9:30 a.m., or an adjournment thereof, at which time an appeal of a decision of the Board of Architectural Review, Old and Historic Alexandria District, on June 19, 2002, granting a request for approval of a permit to demolish a brick wall located at 721 South Fairfax Street, Zoned RM Residential, will be heard. APPLICANT: Jerry L. Chambers. APPELLANTS: Susan B. and Bernard K. Kellom on behalf of petitioners.

This appeal is being heard pursuant to Section 10-107(A) (2) of the Zoning Ordinance for the Old and Historic Alexandria District of the City of Alexandria.

Beverly I. Jett, CMC, City Clerk

To be published in the:

Northern Virginia Journal on Thursday, August 29, 2002; and
Alexandria Gazette-Packet on Thursday, August 29, 2002

- CITY SEAL -

NOTICE OF PUBLIC HEARING ON AN APPEAL OF A DECISION OF THE BOARD OF ARCHITECTURAL REVIEW, OLD AND HISTORIC ALEXANDRIA DISTRICT, GRANTING A REQUEST FOR APPROVAL OF A FENCE TO BE LOCATED AT 721 SOUTH FAIRFAX STREET, ZONED RM RESIDENTIAL. [CASE BAR-2002-0114]

A Public Hearing will be held by the City Council of the City of Alexandria, Virginia, in the Council Chamber of the City of Alexandria, on Saturday, September 14, 2002, at 9:30 a.m., or an adjournment thereof, at which time an appeal of a decision of the Board of Architectural Review, Old and Historic Alexandria District, on June 19, 2002, granting a request for approval of a fence to be located at 721 South Fairfax Street, Zoned RM Residential, will be heard. APPLICANT: Jerry L. Chambers. APPELLANTS: Susan B. and Bernard K. Kellom on behalf of petitioners.

This appeal is being heard pursuant to Section 10-107(A)(2) of the Zoning Ordinance for the Old and Historic Alexandria District of the City of Alexandria.

Beverly I. Jett, CMC, City Clerk

To be published in the:

Northern Virginia Journal on Thursday, August 29, 2002; and
Alexandria Gazette-Packet on Thursday, August 29, 2002



City of Alexandria, Virginia
301 King Street, Suite 2300
Alexandria, Virginia 22314



Kerry J. Donley
Mayor

William C. Cleveland
Vice Mayor

Members of Council
Claire M. Eberwein
William D. Euille
Redella S. Pepper
David G. Speck
Joyce Woodson

Beverly I. Jett, CMC
City Clerk and
Clerk of Council
beverly.jett@ci.alexandria.va.us

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August 16, 2002

Ms. Susan B. Kellom, et al.
719 South Fairfax Street
Alexandria, VA 22314

RE: BOARD OF ARCHITECTURAL REVIEW APPEALS, CASE BAR 02-0113, CASE
BAR 02-0114

Dear Ms. Kellom:

The above appeals will be scheduled for public hearing before City Council at its Public Hearing Meeting to be held on Saturday, September 14, 2002, at 9:30 a.m. in Room 2400, Council Chamber, City Hall, 301 King Street, Alexandria, Virginia.

You may call my office on Tuesday, September 10, 2002, to see where they are placed on the docket.

If you have any questions or if I can be of any further assistance, please feel free to contact me.

Sincerely,

Beverly I. Jett, CMC
City Clerk and Clerk of Council

cc: Jerry L. Chambers, 721 South Fairfax Street, Alexandria, VA
Eileen Fogarty, Planning and Zoning Director
Peter Smith, Boards of Architectural Review Staff