

EXHIBIT NO. 1

19
9-15-07

Docket Item #20
ENCROACHMENT #2007-0005

Planning Commission Meeting
September 6, 2007

ISSUE: Consideration of a request for encroachment into the public right-of-way for a brick veneer wall.

APPLICANT: Allen Ramazon

STAFF: Richard W. Bray
Richard.bray@alexandriava.gov

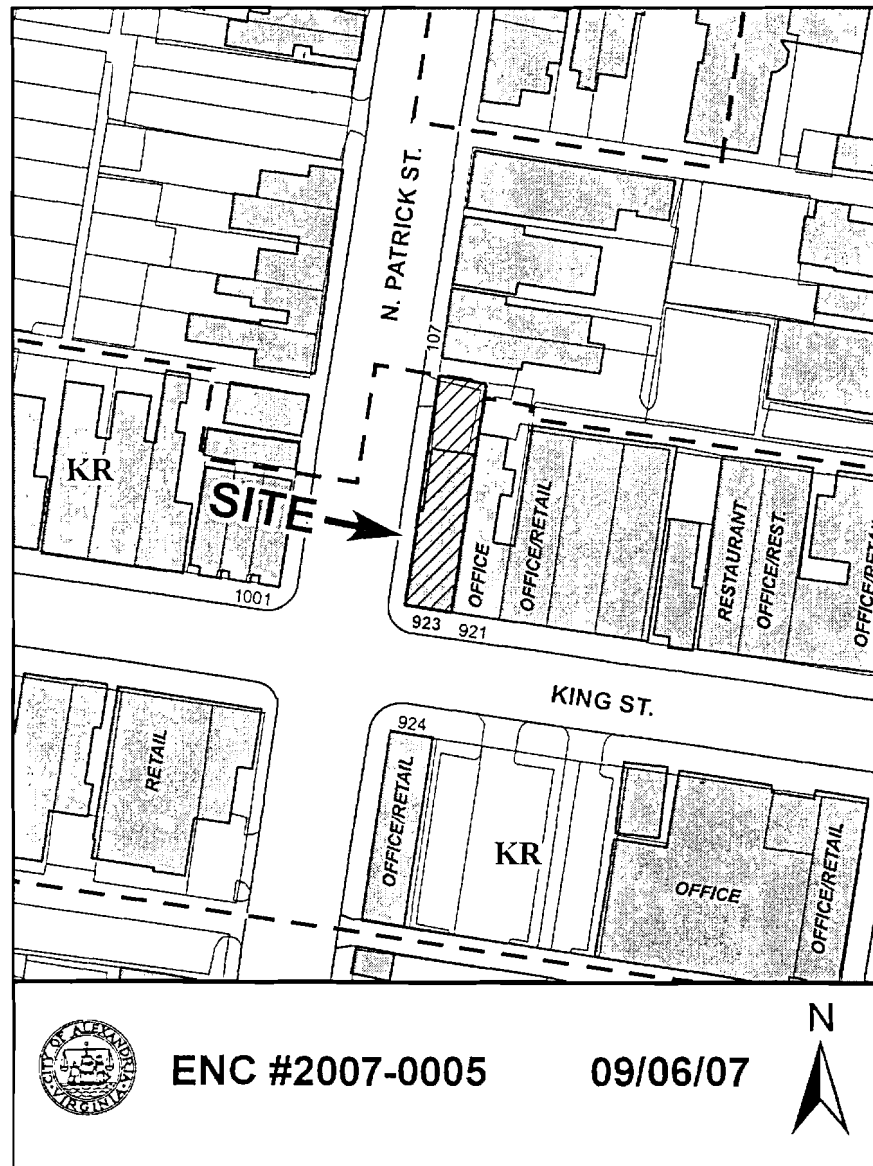
LOCATION: 923 King Street

ZONE: KR/King Street Urban Retail

PLANNING COMMISSION ACTION, SEPTEMBER 6, 2007: On a motion by Mr. Dunn, seconded by Mr. Komoroske, the Planning Commission voted to recommend approval subject to compliance with all applicable codes, ordinances and staff recommendations. The motion carried on a vote of 7 - 0.

Speakers: Ray Lewis, representing the applicant answered questions from Mr. Dunn regarding the distance of encroachment, confirming that the encroachment was 0.41 feet into the public right of way.

STAFF RECOMMENDATION: Staff recommends approval subject to compliance with all applicable codes, ordinances and the recommended conditions found in section III of this report.



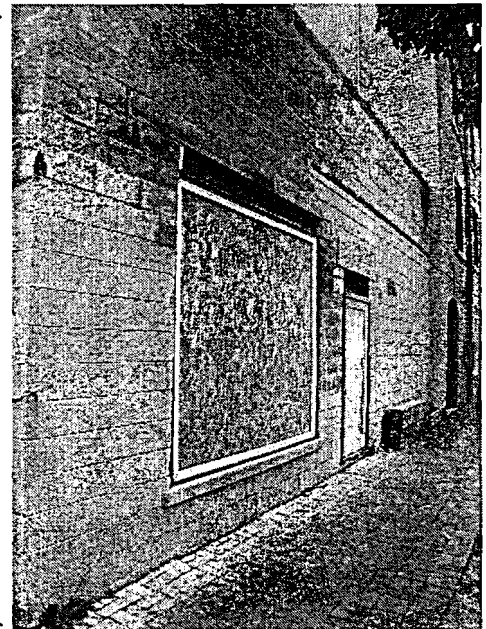
I. DISCUSSION

REQUEST

The applicant, Allen Ramazon, requests approval of an encroachment into the public right-of-way for the addition of a brick veneer to an existing wall at 923 King Street.

SITE DESCRIPTION

The subject property is one lot of record with 25 feet of frontage on King Street, 120 feet of depth and 3,000 square feet of lot area. The building is currently being renovated to accommodate a 1950's era soda fountain style restaurant, approved on October 14, 2006 (SUP#2006-0075). The surrounding area is occupied by a mix of retail, restaurant, residential, personal service, and office uses. Immediately to the north is a residential use. To the south is a dayspa, Bella Cara. To the east and west are Sackville Galleries and O'Keefe and Company's Marketing Offices, respectively.



PROJECT DESCRIPTION

The applicant requests approval of an encroachment to install a brick veneer on the existing block wall that faces west and fronts on North Patrick Street. The proposed veneer will encroach five inches into the right of way for a length of 31.51 feet for a total encroachment of 12.9 square feet. The brick veneer was approved by the Board of Architectural Review in case BAR2007-00016. The veneer will make the rear section of wall flush with the front half of the historic building which currently encroaches upon the right of way.

ZONING/MASTER PLAN

The subject property is zoned KR/King Street Urban Retail zone, and is located in the Old Town Small Area Plan.

II. STAFF ANALYSIS

Staff supports the proposed encroachment. At less than five inches, the encroachment upon the public right of way is negligible and will preserve the historic look of one of Alexandria's oldest buildings. The proposed encroachment, does not interfere with the sidewalk along North Patrick Street.

Staff recommends approval of the encroachment subject to the following conditions.

III. STAFF RECOMMENDATION

Staff recommends **approval** subject to compliance with all applicable codes and ordinances and the following conditions:

1. The applicant (and his or her successors, if any) obtain and maintain a policy of general liability insurance in the amount of \$1,000,000, which will indemnify the applicant (and his or her successors, if any) and the City of Alexandria, as an additional named insured, against all claims, demands, suits, etc., and all costs related thereto, including attorney fees, relating to any bodily injury or property damage which may occur as a result of the granting of this encroachment. (P&Z) (City Atty)
2. In the event the City shall, in the future, have need for the area of the proposed encroachment, the applicant shall remove any structure or projection that encroaches into the public right-of-way, within 60 days, upon notification by the City. (T&ES)
3. Neither the City nor any Private utility company will be held responsible for damage to the private improvements in the public right-of-way during repair, maintenance or replacement of any utilities that may be located within the area of the proposed encroachment. (T&ES)

STAFF: Richard Josephson, Deputy Director, Department of Planning and Zoning;
Richard Bray, Urban Planner.

Staff Note: For commercial properties, the applicant and/or his successors are responsible for payment of an annual charge for such encroachment pursuant to Section 3-2-85 of the City Code.

CITY DEPARTMENT COMMENTS

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

Transportation & Environmental Services:

- R-1 The applicant (and his/her successors, if any) must obtain and maintain a policy of general liability insurance in the amount of \$1,000,000, which will indemnify the applicant (and his/her successors, if any) and the City of Alexandria, as an additional named insured, against all claims, demands, suits, etc., and all costs related thereto, including attorney fees, relating to any bodily injury or property damage which may occur as a result of the granting of this encroachment.
- R-2 Neither the City nor any Private utility company will be held responsible for damage to the private improvements in the public right-of-way during repair, maintenance or replacement of any utilities that may be located within the area of the proposed encroachment.
- R-3 In the event the City shall, in the future, have need for the area of the proposed encroachment, the applicant shall remove any fence or structure that encroached into the public right-of-way, within 60 days, upon notification by the City.
- F-1 The proposed encroachment does not interfere with the sidewalk along North Patrick Street.

Code Enforcement:

- F-1 No comment.

Health Department:

- F-1 No comment.

Police Department:

- F-1 The Police Department has no objections to the encroachment of a brick veneer wall.

Parks & Recreation:

- F-1 No comment.

Real Estate:

- F-1 No comment.



APPLICATION
ENCROACHMENT

ENC# 2007-0005

PROPERTY LOCATION: 923 KING STREET
 TAX MAP REFERENCE: 064.03.06.23 ZONE: KR

APPLICANT

Name: ALLEN RAMAZON
 Address: 923 KING

PROPERTY OWNER

Name: S/R FLOWERS
 Address: 923 KING STREET

PROPOSED USE: ORIG. VENEER OVER EXIST. CONCR
WALL. (5")

INSURANCE CARRIER (copy attached) Mid Atlantic Ins. POLICY # 14 SBAAN2674

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.

[] **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.

[] **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.

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

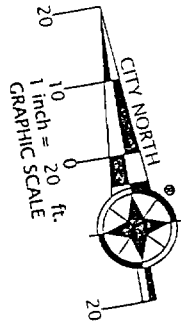
[] **THE UNDERSIGNED** I so attests that all of the information herein provided and specifically including all surveys, drawings, etc., required of the applicant are true, correct and accurate to the best of their knowledge and belief.

ALLEN RAMAZON
 Print Name of Applicant or Agent
923 KING STREET
 Mailing/Street Address
ALEXANDRIA, VA 22314
 City and State Zip Code

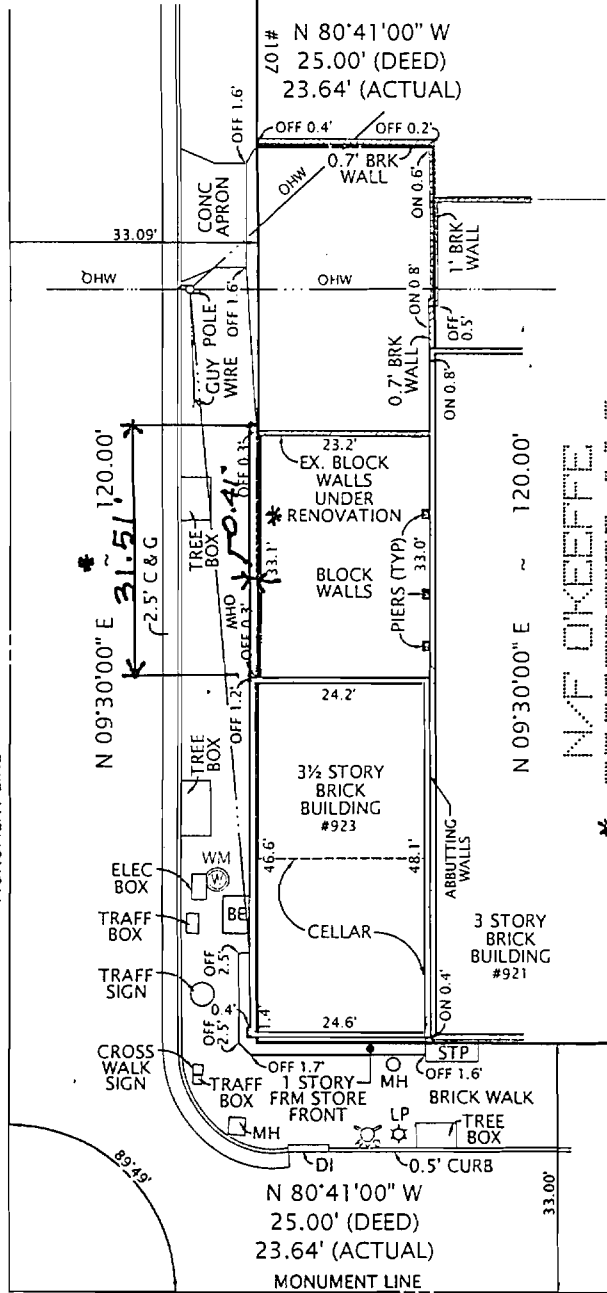
ALLEN RAMAZON BY RAYLENE B
 Signature
703.608.4648 703.836.6846
 Telephone # Fax #
923 KING @ COMCAST.NET
 Email address
6/26/07
 Date

Application Received: 10/28/07 Date and Fee Paid: \$ 612/107 500.00
 ACTION - PLANNING COMMISSION: _____ ACTION - CITY COUNCIL: _____

NOTE: TOTAL AREA = 2,836 SF.



NORTH PATRICK STREET
MONUMENT LINE



N/F CENTILE
N 80°41'00" W
25.00' (DEED)
23.64' (ACTUAL)

* ENCROACHMENT
FOR BRICK VENEER
ADDED BY LEWIS & ASSOC.
6-16-07

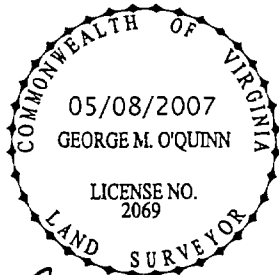
KING STREET

PLAT
SHOWING BUILDING LOCATION ON
THE PROPERTY LOCATED AT
#923 KING STREET
(DEED BOOK 1706, PAGE 96)
CITY OF ALEXANDRIA, VIRGINIA
SCALE: 1" = 20' MAY 8, 2007

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I HEREBY CERTIFY THAT THE POSITIONS OF ALL THE EXISTING IMPROVEMENTS HAVE BEEN CAREFULLY ESTABLISHED BY A CURRENT FIELD SURVEY AND UNLESS SHOWN THERE ARE NO VISIBLE ENCROACHMENTS AS OF THIS DATE:

THIS PLAT IS SUBJECT TO RESTRICTIONS OF RECORD.
A TITLE REPORT WAS NOT FURNISHED.
NO CORNER MARKERS SET.



George M. O'Quinn

CASE NAME:
ALLEN RAMAZON
C/O RAY LEWIS

DOMINION Surveyors Inc.®
8808-H PEAR TREE VILLAGE COURT
ALEXANDRIA, VIRGINIA 22309
703-619-6555
FAX: 703-799-6412

7



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TAX MAP REFERENCE: 064.03.06.23 ZONE: KR

APPLICANT

Name: ALLEN RAMAZON

Address: 923 KING

PROPERTY OWNER

Name: S/R FLOWERS

Address: 923 KING STREET

PROPOSED USE: BRIM VENEER OVER EXIST. CMU WALL. (5")

INSURANCE CARRIER (copy attached) Mid Atlantic Ins. POLICY # 14 SBAAW2674

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ALLEN RAMAZON
Print Name of Applicant or Agent

ALLEN RAMAZON by Raylene B
Signature

923 KING STREET
Mailing/Street Address

703.608.4648 703.836.6846
Telephone # Fax #

ALEXANDRIA, VA 22314
City and State Zip Code

923 KING @ COMCAST.NET
Email address

6/26/07
Date

Application Received: <u>6/28/07</u>	Date and Fee Paid: \$ <u>6/27/07 500.00</u>
ACTION - PLANNING COMMISSION: Recommended approval 7-9-06	ACTION - CITY COUNCIL: 9/15/07 - CC approved PC recommendation 7-0

x 60