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City Clerk/Clerk of Council, Jackie M. Henderson Room 2300, City Hall 301 King Street Alexandria, Virginia 22314

May 6, 2009

RE: Letter of Transmittal, Appeal of the Board of Architectural Review (BAR) Cases # 2008-0158 and # 2008-0159, 113 Princess Street, Alexandria, Virginia

Dear Ms Henderson,

The accompanying package provides a broader perspective of the BAR's approval of cases in question; to include counterpoint and factors to consider.

Numerous signatories to the undersigned's "filing of appeal" agree the project's character and scope is "out of place" for the community block.

Council with its broader mandate of authority for our neighborhoods can better provide analysis, perspective and comprehensive review as certain cases impact the physical and social harmony of a particular community within the City.

We, and our neighbors, represent a body of constituents having a considerable build-up of equity in involved community time and monies within the Old and Historic District. It is the collective opinion of our residents, adjacent impacted neighbor and other concerned citizens that the approval by the Alexandria BAR should be overturned and the project's alterations be denied, as currently presented, for 113 Princess Street.

Respectfully yours,

Allan L. Gruer, Resident 111 Princess Street

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Rose M. Gruer, Resident 111 Princess Street

Attachment: Package with Various Documents/Exhibits

City of Alexandria, Virginia 301 King Street, Suite 2300

Alexandria, Virginia 22314

William D. Euille Mayor

Redella S. Pepper Vice Mayor

Members of Council Ludwig P. Gaines Rob Krupicka Timothy B. Lovain Paul C. Smedberg Justin M. Wilson Jackie M. Henderson, CMC City Clerk and Clerk of Council Jackie henderson@alexandriava.gov

> (703) 838-4550 Fax: (703) 838-6433

March 19, 2009

Mr. and Mrs. Allan L. Gruer 111 Princess Street Alexandria, Virginia 22314

Re: Board of Architectural Review Appeal, Case #2008-0158 and 2008-0159

Dear Mr. and Mrs. Gruer:

The above appeal will be scheduled for public hearing before City Council at its public hearing meeting to be held on Saturday, May 16, 2009, in Room 2400, Council Chambers, City Hall, 301 King Street, Alexandria, Virginia. The meeting will begin at 9:30 a.m.

You may call my office on Tuesday, May 12, 2009 to see where it is placed on the docket, or you may view the docket on the City's website at <u>www.alexandriava.gov</u>.

If you have any questions, please feel free to contact me.

Sincerely,

Ellie K Hendewon

Jackie M. Henderson City Clerk and Clerk of Council

cc: Faroll Hamer, Planning and Zoning Richard Josephson, Planning and Zoning Lee Webb, Planning and Zoning Stephen Milone, Planning and Zoning Christopher Spera, Acting City Attorney

" Home Town of George Washington and Robert E. Lee"

RECEIVED

MAR 1 7 2009

RECORD OF APPEAL

FROM A DECISION OF THE BOARD OF ARCHITECTURAL REVIEW

Date Appeal Filed With C	ity Clerk: MARCH 17, 2009	
B.A.R. Case #:Z	-008-0158,-0159	
Address of Project:	113 PRINCESS STREET ALEXANDRIVA, VA 223AF	
Appellant is: (Check One)		
M B.A	A.R. Applicant	
Oth	er party. State Relationship	
Address of Appellant:	111 PRWCESS STREET	
	ALEXANDRIA, VA 22-314-2341	
Telephone Number:	703 - 548 - 4555	
State Basis of Appeal:	SEE ATTACHMENT	

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 \$150.00 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.

 $M_{0\mu} \sim$ Auer,

Signature of the Appellant

BASIS FOR APPEAL

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The aggressive proposals for alteration, encapsulation, demolition and excavation at 113 Princess Street are deemed unsuitable by all the impacted neighbors, as well as many old town residents.

The proposed addition to the rear façade of 113 princess is not only massive, but totally destroys the original footprint shared by the entire block of adjoining homes.

About 1968, this charming Colonial Revival block joined old town. The residents of this infant old town community have called this block home ever since. Being literally connected to one's neighbors has resulted in a mutual respect for and sharing of our treasured open-space.

The proposed addition will not only affect this "harmony" but will also have the ability to increase the flooding potential.

We ask that you please consider the residents of this community. We feel we are as much a part of old town as any 200-year old homes.

We the undersigned owners of real estate within the Old and Historic Alexandria District/ Parker-Gray District [strike out as appropriate] appeal the decision of the Board of Architectural Review to the Alexandria City Council in B.A.R. Case# 2008-0158 113 PRINCESS STREET (street address)

Name Owner of Real Property At: Siganture ALLAN L. GRUER 111 PRINCESS STREET 1. n. GRUCK Rose III TRINCESS 51 2 L. Horsy he In the FINERS 3. BARRERA MORAN incuss St FRED MECKLENTURG PRINCESS 57. 117 6. DANIEl BERNSTEIN Princess ST. 121 7. Christine BERNSTEIN 121 MCODO 8. DONALD C. DEMPLEA 119 PRIVEITSS HVNAN aba J. FAX ST R. JAMES HUBER 413 N. LEEST. a NACDS 10. URKE 11. "ICTOR 114 PRINCERS STreet RIT 12. Zimmerman HASOld 108 Princess St. 13. JAMES W. LLOYD 109 PRINCESS 55 14 15. KAREN D. LLOYD 109 Princess St 409 Nord Lea JONARSO CONTARDO 16. 411 North رحما 17. 02 N. Unian 18. 402 N. 19. 404 N. UNION 20. GEORGE A. JAWYER 404 N. drin 21. Martha w 2 ster 22. ODIÉ Or CURTIS 410 N. Imm 23. Cynthia Kiersch 120 Princess St. uscht 24.

We the undersigned owners of real estate within the Old and Historic Alexandria District/-Parker-Gray --District [strike out as appropriate] appeal the decision of the Board of Architectural Review to the Alexandria City Council in B.A.R. Case # 2008-0159 regarding the property at

113 PRWLESS STREET (street address) ALEXANDAIA, VA 22314 Owner of Real Property At: Siganture o Name 1. Maurice R. Lw. Te 110 Trincess ST. Jamp.). 110 Princips ST. they E Lavite 2. Biller Schaeff e Schaeffer 327 N. St. ASAPH 3 73 321 N. St. ASAPH 4. N. LIGE S LITHAEL 5. TNGI 6. MARY ANN PAturis 431 N. Lee St. in 7. MARK KIRWAN KINGST 112 8. JAMES A. DORSCH ((< H. Imre Quay ST. her 111 Quar St 9. Virginia er nincess ST. Mer IDION. AREN 10. ANGER . UND ADIDIN 11. 116 Pre 12. 529 ORONOCO St. TIAS 13. 14. . 15. 16. 17. 18._____ 19._____ 20. 21. 22. 23. 24. . 25.

We the undersigned owners of real estate within the Old and Historic Alexandria District/Parker-Gray District [strike out as appropriate] appeal the decision of the Board of Architectural Review to the Alexandria City Council in B.A.R. Case₃# $2\infty 8-0158;-0159$ regarding the property at

113 PRINCESS STREET ALEXANDRIA, VA 22314 (street address) Owner of Real Property At: Jaime Siganture Stere 325 N. Saint Araph St AUKANNIIS UM Stern 1. 325 N. St. Asaph St. Alexandria, VA 2. Whitney A Steve A Store Whitney ALAX 307 N ST ASAPH J 3.0 232 NSt Asaph Alon Alex Va 313 N. Sait Asuph St Kenter 5. 311 N Saint Asaak S 11/11/4 2 6. Righ RONALD K. RIGBY 7. 330 やいてて 330 N. Pitt St. HAZEL RICBU 8. (00)T, TENNU? 9. MICHALL 734 N.ST. ASBAHST 10. KYRIACOS CHARLES EURIPIDES A ALEXAN. VA. 22314 11. 12. 13. _____ 14. _____ ____ . 15. 16. 17. 18._____ . 19._____ 20. 21.____ 22. _____ 23. 24.

25._____

CHRONOLOGY 113 Princess Street

Fall of 2007	New owner queries former owner for elevation drawings.		
Nov 2007 – 2009	Property rented.		
Late summer 2008	Impacted neighbors learn of proposed Alteration to Property via Old Town resident. -No city notification to immediately impacted neighbors. (Posting of Notice only at site.) -Mr. John Hynan calls neighbor, Don Templeman -informs of major alteration at 113 Princess.		
Oct 2008	1 st BAR.	Project deferred for further modification.	
Oct 30 th , 2008	1 st Meeting between applicant and neighbors.		
Nov 2008	2 nd BAR	Project deferred for further modification.	
Dec 2008	neighbors. it's conducte	Aleeting between applicant's legal counsel and -Planning and Zoning calls the meeting but ed by legal counsel of applicant. - New set of drawings (but incomplete) presented and legal counsel.	
Jan 2009	 Structural End data/site spe 	ngineering report received by impacted neighbors. -Pertinent to threatened dwellings only. Privileged cific.	
Mar 2009	Revised drawings shown at P & Z meeting approved by BAR. -But without input from impacted neighbors. -BAR had minimal quorum. Approved without questions.		
Mar 2009	Impacted ne	ighbor at 111 Princess files appeal to City Council.	
Appeal dock	eted with City	Council. Scheduled -	

May 16th, 2009

Note: Project, as proposed, opposed by impacted neighbors, many Founders Park members and other Old and Historic District residents, such as neighboring National Association of Chain Drugstores (NACDS)..

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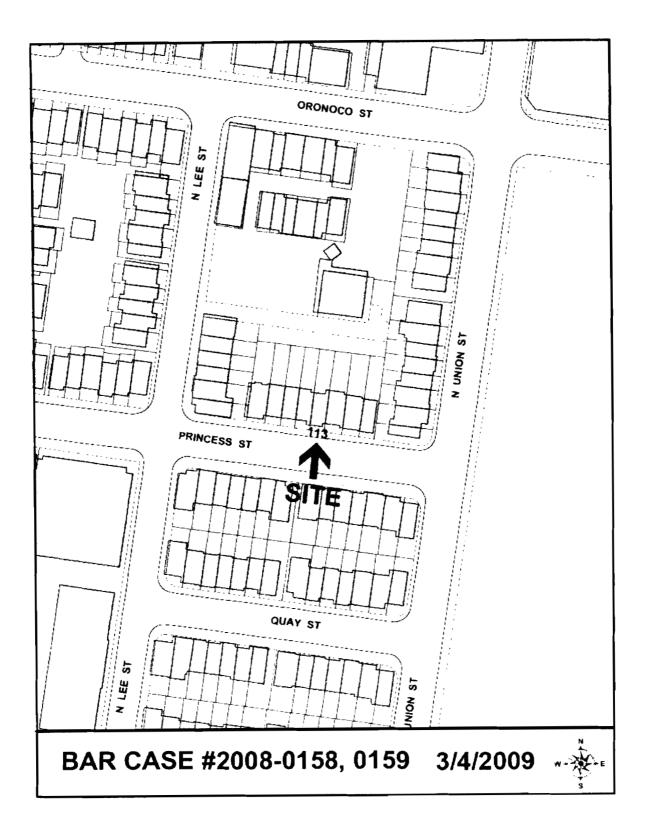
Docket Item # 5 BAR CASE # 2008-0158

BAR Meeting March 4, 2009

ISSUE:Demolition/EncapsulationAPPLICANT:Karl and Lydia SvobodaLOCATION:113 Princess StreetZONE:RM/Residential

<u>STAFF</u><u>RECOMMENDATION</u>: Staff recommends approval of the Permit to Demolish/Encapsulate with the following conditions:

- 1. The statements in archaeology conditions below shall appear in the General Notes of all site plans and on all site plan sheets that involve demolition or ground disturbance (including Basement/Foundation Plans, Demolition, Erosion and Sediment Control, Grading, Landscaping, Utilities, and Sheeting and Shoring) so that on-site contractors are aware of the requirements:
- a. The applicant/developer shall call Alexandria Archaeology immediately (703-838-4399) if any buried structural remains (wall foundations, wells, privies, cisterns, etc.) or concentrations of artifacts are discovered during development. Work must cease in the area of the discovery until a City archaeologist comes to the site and records the finds.
- b. The applicant/developer shall not allow any metal detection to be conducted on the property, unless authorized by Alexandria Archaeology.



UPDATE:

At the public hearing on November 5, 2008, the Board voted to defer the application. Since that deferral, the applicant's architect, Christine Leonard, has met with Staff to review the Board's comments. In addition, Staff coordinated a meeting on December 18, 2008 between the applicant's architect and attorney and the neighbors who have expressed concern during this process. The applicant shared a revised scheme with the neighbors and requested additional feedback or comments from the neighbors. The current scheme represents revised plans to accommodate concerns expressed by both the Board and the neighbors.

Previously, the Board deferred the application for restudy at the October 1, 2008 hearing. After the first deferral, the applicant's architect, Christine Leonard, met with BAR Staff twice to review and address comments made by the Board and the neighbors. The revisions at this time included alterations to the front dormer, a reduction in size, and changes to the proposed rear addition, and relocation of the elevator shaft. In addition, the applicant hosted an open house on October 30, 2008.

Note: This item requires a roll call vote.

I. <u>ISSUE</u>:

The applicant is requesting approval of a Permit to Demolish/Encapsulate in order to construct a two-story rear addition at 113 Princess Street. The proposed addition will require the demolition/encapsulation of the first story and second story on the rear elevation. The applicant is also proposing to demolish/encapsulate portions of the roof to accommodate a new dormer on the rear elevation.

II. HISTORY:

The residential structure at 113 Princess Street is a three-story, three-bay brick townhouse with a front-loading garage. City records date the townhouse to 1970.

Staff could locate no prior Board approvals for this address.

III. ANALYSIS:

In considering a Permit to Demolish/Encapsulate, the Board must consider the following criteria set forth in the Zoning Ordinance, §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 above criteria are met. The building is a non-historic structure, constructed in 1970, therefore no historic material will be lost as a result of the request. Furthermore, the area of encapsulation is limited to an area of the house with the least visibility, the rear.

Staff notes the comments and recommendations from Alexandria Archaeology.

IV. STAFF RECOMMENDATION:

Staff recommends approval of the Permit to Demolish/Encapsulate with the following conditions:

- 1. The statements in archaeology conditions below shall appear in the General Notes of all site plans and on all site plan sheets that involve demolition or ground disturbance (including Basement/Foundation Plans, Demolition, Erosion and Sediment Control, Grading, Landscaping, Utilities, and Sheeting and Shoring) so that on-site contractors are aware of the requirements:
- a. The applicant/developer shall call Alexandria Archaeology immediately (703-838-4399) if any buried structural remains (wall foundations, wells, privies, cisterns, etc.) or concentrations of artifacts are discovered during development. Work must cease in the area of the discovery until a City archaeologist comes to the site and records the finds.
- b. The applicant/developer shall not allow any metal detection to be conducted on the property, unless authorized by Alexandria Archaeology.

V. <u>CITY DEPARTMENT COMMENTS</u>

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

Code Enforcement:

- C-1 All exterior walls within 5 feet from an interior property line shall have a fire resistance rating of 1 hour, from both sides of the wall. As alternative, a 2 hour fire wall may be provided. This condition is also applicable to skylights within setback distance. Openings in exterior walls between 3 and 5 feet shall not exceed 25% of the area of the entire wall surface (This shall include bay windows). Openings shall not be permitted in exterior walls within 3 feet of an interior lot line.
- C-2 Prior to the issuance of a demolition permit or land disturbance permit, a rodent abatement plan shall be submitted to Code Enforcement that will outline the steps that will taken to prevent the spread of rodents from the construction site to the surrounding community and sewers.
- C-3 Roof drainage systems must be installed so as neither to impact upon, nor cause erosion/damage to adjacent property.
- C-4 A soils report must be submitted with the building permit application.
- C-5 New construction must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-6 Additions and Alterations to the existing structure must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-7 Additions and Alterations to the existing structure and/or installation and/or altering of equipment therein requires a building permit. Five sets of plans, bearing the signature and seal of a design professional registered in the Commonwealth of Virginia, must accompany the written application. The plans must include all dimensions, construction alterations details, kitchen equipment, electrical, plumbing, and mechanical layouts and schematics.
- C-8 Construction permits are required for this project. Plans shall accompany the permit application that fully details the construction as well as layouts and schematics of the mechanical, electrical, and plumbing systems.
- C-9 Permission from adjacent property owners is required if access to the adjacent properties is required to complete the proposed construction. Otherwise, a plan shall be submitted to demonstrate the construction techniques utilized to keep construction solely on the referenced property.
- C-10 A wall location plat prepared by a land surveyor is required to be submitted to this office prior to requesting any framing inspection.

Historic Alexandria: Approve.

Alexandria Archaeology: Archaeology Recommendations

1. The statements in archaeology conditions below shall appear in the General Notes of all site plans and on all site plan sheets that involve demolition or ground disturbance (including Basement/Foundation Plans, Demolition, Erosion and Sediment Control, Grading, Landscaping, Utilities, and Sheeting and Shoring) so that on-site contractors are aware of the requirements:

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b. The applicant/developer shall not allow any metal detection to be conducted on the property, unless authorized by Alexandria Archaeology.

Archaeology Finding

F-1 Tax records indicate that houses were present on this street face by 1810. The Sanborn Insurance map depicts a cooper's shop, whiskey distillery, and African American residences on or adjacent to the lot by 1885. The property therefore has the potential to yield archaeological resources that could provide insight into residential, commercial, and industrial activities in 19^{th} -century Alexandria. While the construction of the existing house on the lot undoubtedly caused disturbance to evidence of earlier occupation, there is a possibility that remnants of the past activities remain buried on the property.

Transportation and Environmental Services:

RECOMMENDATIONS

R1. The building permit must be approved and issued prior to the issuance of any demolition permit. (T&ES)

VI. IMAGES

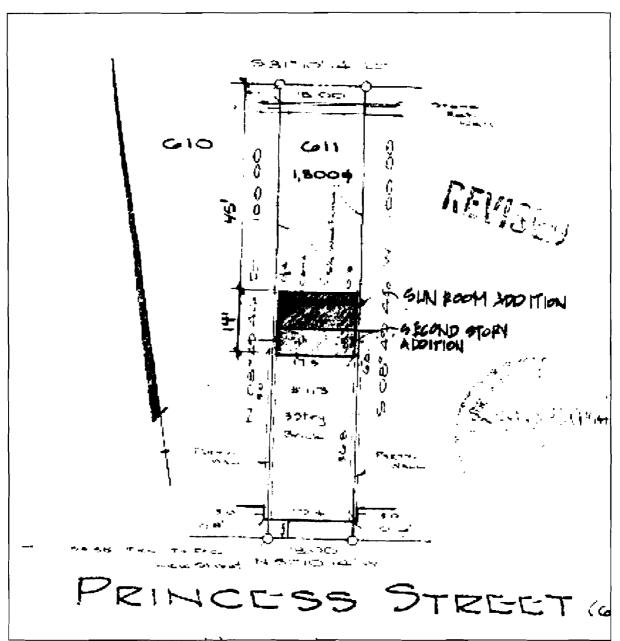


Figure 1. Plat of 113 Princess Street showing location of proposed rear addition.



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Figure 2. Front (south) elevation.

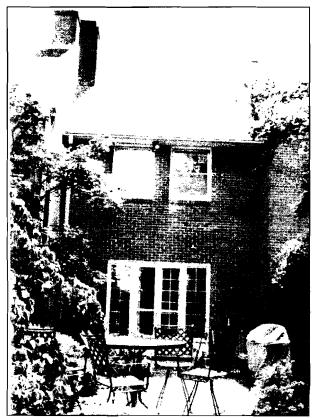


Figure 3. Rear (north) elevation.

Docket Item # 6 BAR CASE # 2008-0159

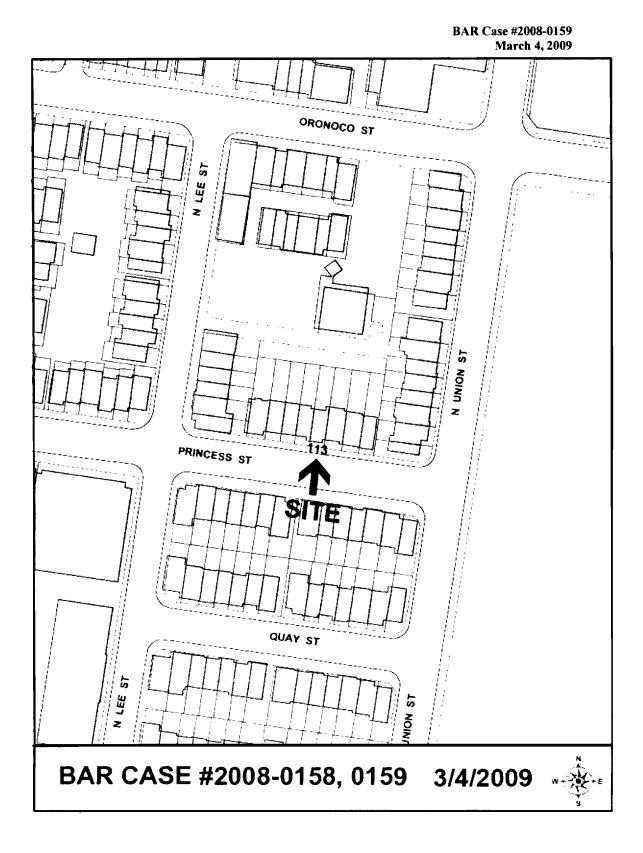
BAR Meeting March 4, 2009

ISSUE:	Addition/Alterations
APPLICANT:	Karl and Lydia Svoboda
LOCATION:	113 Princess Street
ZONE:	RM/Residential

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<u>STAFF RECOMMENDATION</u>: Staff recommends approval of the application with the following conditions:

- 1. That the applicant install nightshades on the glass roof of the rear addition to control light spillage;
- 2. That all the proposed simulated divided light windows have exterior-applied muntins with interior spacer bars and match the muntin width of the existing windows;
- 3. That the windows and doors be all wood and not aluminum clad; and,
- 4. The statements in archaeology conditions below shall appear in the General Notes of all site plans and on all site plan sheets that involve demolition or ground disturbance (including Basement/Foundation Plans, Demolition, Erosion and Sediment Control, Grading, Landscaping, Utilities, and Sheeting and Shoring) so that on-site contractors are aware of the requirements:
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 - b. The applicant/developer shall not allow any metal detection to be conducted on the property, unless authorized by Alexandria Archaeology.
 - b. The applicant/developer shall not allow any metal detection to be conducted on the property, unless authorized by Alexandria Archaeology.



Note: BAR Case # 2008-0158, for a Permit to Demolish/Capsulate, must be approved before this item may be considered.

<u>UPDATE:</u> At the public hearing on November 5, 2008, the Board voted to defer the application. Since that deferral, the applicant's architect, Christine Leonard, has met with Staff to review the Board's comments. In addition, Staff coordinated a meeting on December 18, 2008 between the applicant's architect and attorney and the neighbors who have expressed concern during this process. The applicant shared a revised scheme with the neighbors and requested additional feedback or comments from the neighbors. The current scheme represents revised plans to accommodate concerns expressed by both the Board and the neighbors.

Previously, the Board deferred the application for restudy at the October 1, 2008 hearing. After the first deferral, the applicant's architect, Christine Leonard, met with BAR Staff twice to review and address comments made by the Board and the neighbors. The revisions at this time included alterations to the front dormer, a reduction in size and changes to the proposed rear addition, and relocation of the elevator shaft. In addition, the applicant hosted an open house on October 30, 2008.

I. ISSUE:

The applicant is requesting approval of a Certificate of Appropriateness for an addition and alterations at 113 Princess Street.

Front Alterations and Addition

In the revised scheme, the applicant no longer proposes any alterations to the front elevation with the exception of window replacement. The applicant proposes to replace all the existing windows with six-over-six, simulated divided light, wood windows.

Rear Addition and Alterations

The applicant proposes to construct a two-story with basement addition measuring approximately 14' by 18' at the first story and 6' by 18' at the second story on the rear (north) elevation of the existing house. The existing house currently measures approximately 37' by 18'. Originally, the depth of the addition was proposed to be 16.5' but was reduced to 12' in the second revision. Also, the two previous proposals featured a one-story addition with an elevator shaft at the second story. The addition will be a sun room and will have double multi-light doors flanked by pairs of twelve-over-twelve, double-hung windows on the north elevation. The doors and windows are proposed to be aluminum clad and simulated divided light. The applicant proposes a glass shed roof on the first floor addition. The glass roof will have commercial grade structural aluminum with low-E insulated panel glass. The side elevations (east and west) will be all brick to match the existing house. The second-story of the addition is proposed to be smaller, extending 6' from the existing rear wall. The second story will have a pair of eight-over-eight, simulated divided light, double-hung wood windows. The exterior will be clad in a brick veneer to match the existing.

On the roof of the rear (north) elevation the applicant proposes a shed dormer. The dormer addition will extend approximately 13.5'. The dormer will have three eight-over-eight, double-hung, simulated divided light, wood windows. The shed dormer will have a standing seam metal

roof to match the existing roof. The wood trim will be painted to match the existing trim on the house.

The applicant proposes to replace all the existing windows with simulated divided light wood windows, to match the existing light patterns, with the exception of the windows on the addition which are proposed to be aluminum clad rather than all wood.

II. HISTORY:

The residential structure at 113 Princess Street is a three-story, three-bay brick townhouse with a front-loading garage. City records date the townhouse to 1970.

Staff could locate no prior Board approvals for this address.

III. ANALYSIS:

The proposed addition and alterations comply with the zoning ordinance requirements.

During the past several years the Board has reviewed a number of substantial alterations and additions to the properties within this development that include the addition of bay windows at the second story and the addition of dormers at the roof on front elevations as well as rear additions and alterations. Staff finds that historic fabric is not lost to accommodate the alterations and that the proposed alterations are generally in keeping with the Colonial Revival style of these townhouses.

Staff finds the proposed revised addition alterations are appropriate and compatible. The *Design Guidelines* state that "the design of an addition should respect the heritage of the historic building to which it is attached as well as adjacent buildings....or which echo the design elements of the existing structure." Staff finds that the proposed rear addition is compatible with the architectural style, scale, mass and form of this townhouse and the surrounding area. While the proposed glass roof on the addition is not a traditional roof material in the historic district, Staff finds that it is acceptable in this circumstance as it will not be visible from the public right-of-way due to the 6' fence raised above the alley level at the rear of the property. To mitigate light spillage from the glass roof, Staff recommends that nightshades be installed. The second-story portion of the addition will be visible but Staff finds that the choice of material, brick to match the existing, contributes to its compatibility. Staff finds the proposed shed dormer on the rear elevation to be compatible with the character of the historic district.

Staff notes that, in previous submissions, the applicant proposed removing the existing chimney. The applicant has revised the application to retain the chimney.

The *Design Guidelines* recommend that: "...replacement windows should be appropriate to the historic period of the architectural style of the building." In this particular case, given the age of the townhouse and the fact that the existing six-over-six light configuration and 7/8" muntin profile will be retained, Staff does not object to the installation of double-insulated replacement windows with simulated divided lights and spacer bars. However, Staff recommends that all the replacement windows and doors be all wood.

IV. <u>STAFF RECOMMENDATION</u>: Staff recommends approval of the application with the following conditions:</u>

- 1. That the applicant install nightshades on the glass roof of the rear addition to control light spillage;
- 2. That all the proposed simulated divided light windows have exterior-applied muntins with interior spacer bars and match the muntin width of the existing windows;
- 3. That the windows and doors be all wood and not aluminum clad; and,
- 4. The statements in archaeology conditions below shall appear in the General Notes of all site plans and on all site plan sheets that involve demolition or ground disturbance (including Basement/Foundation Plans, Demolition, Erosion and Sediment Control, Grading, Landscaping, Utilities, and Sheeting and Shoring) so that on-site contractors are aware of the requirements:
 - a. The applicant/developer shall call Alexandria Archaeology immediately (703-838-4399) if any puried structural remains (wall foundations, wells, privies, cisterns, etc.) or concentrations of antifacts are discovered during development. Work must cease in the area of the discovery until a City archaeologist comes to the site and records the finds.
 - b. The applicant/developer shall not allow any metal detection to be conducted on the property, unless authorized by Alexandria Archaeology.
 - b. The applicant/developer shall not allow any metal detection to be conducted on the property, unless authorized by Alexandria Archaeology.

V. CITY DEPARTMENT COMMENTS

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

Code Enforcement

- C-1 All exterior walls within 5 feet from an interior property line shall have a fire resistance rating of 1 hour, from both sides of the wall. As alternative, a 2 hour fire wall may be provided. This condition is also applicable to skylights within setback distance. Openings in exterior walls between 3 and 5 feet shall not exceed 25% of the area of the entire wall surface (This shall include bay windows). Openings shall not be permitted in exterior walls within 3 feet of an interior lot line.
- C-2 Prior to the issuance of a demolition permit or land disturbance permit, a rodent abatement plan shall be submitted to Code Enforcement that will outline the steps that will taken to prevent the spread of rodents from the construction site to the surrounding community and sewers.
- C-3 Roof drainage systems must be installed so as neither to impact upon, nor cause erosion/damage to adjacent property.
- C-4 A soils report must be submitted with the building permit application.
- C-5 New construction must comply with the current edition ρf the Uniform Statewide Building Code (USBC),
- C-6 Additions and Alterations to the existing structure must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-7 Additions and Alterations to the existing structure and/or installation and/or altering of equipment therein requires a building permit. Five sets of plans, bearing the signature and seal of a design professional registered in the Commonwealth of Virginia, must accompany the written application. The plans must include all dimensions, construction alterations details, kitchen equipment, electrical, plumbing, and mechanical layouts and schematics.
- C-8 Construction permits are required for this project. Plans shall accompany the permit application that fully details the construction as well as layouts and schematics of the mechanical, electrical, and plumbing systems.
- C-9 Permission from adjacent property owners is required if access to the adjacent properties is required to complete the proposed construction. Otherwise, a plan shall be submitted to demonstrate the construction techniques utilized to keep construction solely on the referenced property.
- C-10 A wall location plat prepared by a land surveyor is required to be submitted to this office prior to requesting any framing inspection.

F1. An approved grading plan may be required at the time of building permit application. Insufficient information has been provided to make that determination at this time,

In summary, City Code Section 8-1-22(d) requires that a grading plan be submitted to and approved by T&ES prior to the issuance of building permits for improvements involving;

- the construction of a new home;
 - construction of an addition to an existing home where either
 - the addition exceeds the area of the existing building footprint by 100% or more; or
 - the construction of the addition results in less that 50% of the existing first floor exterior walls, in their entirety, remaining;
 - changes to existing grade elevation of 1-foot or greater;
- changes to existing drainage patterns;
- land disturbance of 2,500 square feet or greater.

Questions regarding the processing of grading plans should be directed to the T&ES Site Plan Coordinator at (703) 838-43 8. Memorandum to Industry No. 02-08 was issued on April 28, 2008 and can be viewed online via the following link.

http://alexandriava.gov/uploadedFiles/tes/info/gradingPlanRequirements.pdf

RECOMMENDATIONS

- R1. The building permit plans shall comply with requirements of City Code Section 8-1-22 regarding the location of downspouts, foundation drains and sump pumps. Refer to Memorandum to Industry dated June 18, 2004. [Memorandum is available online at the City web site under Transportation Engineering and Design Memos to Industry.]. (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 approns, etc. must be city standard design. (TreES)
- 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 the plan. [T&ES]
- R5. An erosion and sediment control plan must be approved by T&ES prior to any land disturbing activity greater than 2,100 square feet. (T&ES)
- R5. Compliance with the provisions of Article XIII of the City's zoning ordinance for stormwater quality control is required for any land disturbing activity greater than 2,500 square feet. (T&ES)

<u>Historic Alexandria:</u> Approve.

<u>Alexandria Archaeology:</u>

Archaeology Recommendations

1. The statements in archaeology conditions below shall appear in the General Notes of all site plans and on all site plan sheets that involve demolition or ground disturbance (including Basement/Foundation Plans, Demolition, Erosion and Sediment Control, Grading, Landscaping, Utilities, and Sheeting and Shoring) so that on-site contractors are aware of the requirements:

a. The applicant/developer shall call Alexandria Archaeology immediately (703-838-4399) if any buried structural remains (wall foundations, wells, privies, cisterns, etc.) or concentrations of artifacts are discovered during development. Work must cease in the area of the discovery until a City archaeologist comes to the site and records the finds.

b. The applicant/developer shall not allow any metal detection to be conducted on the property, unless authorized by Alexandria Archaeology.

Archaeology Finding

Tax records indicate that houses were present on this street face by 1810. The Sanborn Insurance map depicts a cooper's shop, whiskey distillery, and African American residences on or adjacent to the lot by 1885. The property therefore has the potential to yield archaeological resources that could provide insight into residential, commercial, and industrial activities in 19^{u} opptury Alexandria. While the construction of the existing house on the lot undoubtedly caused disturbance to evidence of earlier occupation, there is a possibility that remnants of the past activities remain puried on the property.

Transportation and Environmental Services:

VI. IMAGES

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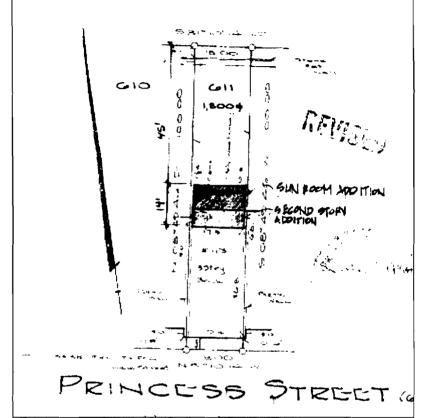


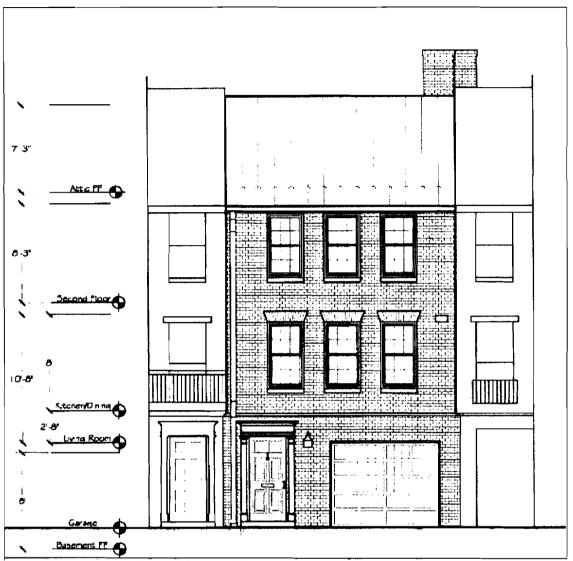
Figure 1. Plat of 113 Princess Street showing location of proposed rear addition.



Figure 2. Front (south) elevation.



Figure 3. Rear (north) elevation.



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Figure 4. Proposed front (south) elevation no alterations.



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Figure 5. Proposed rear (north) elevation.

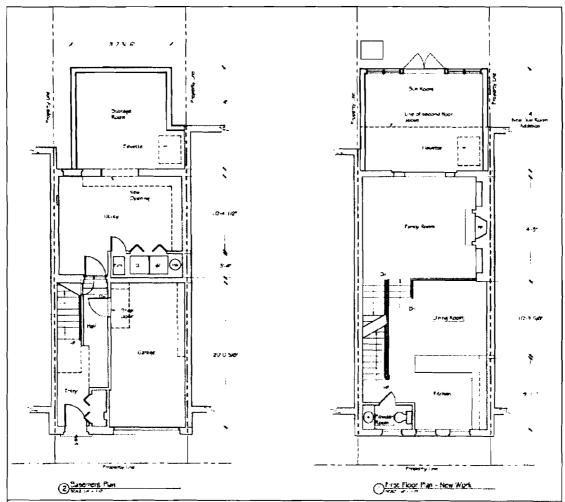


Figure 6. Proposed floor plans at basement and first floor.

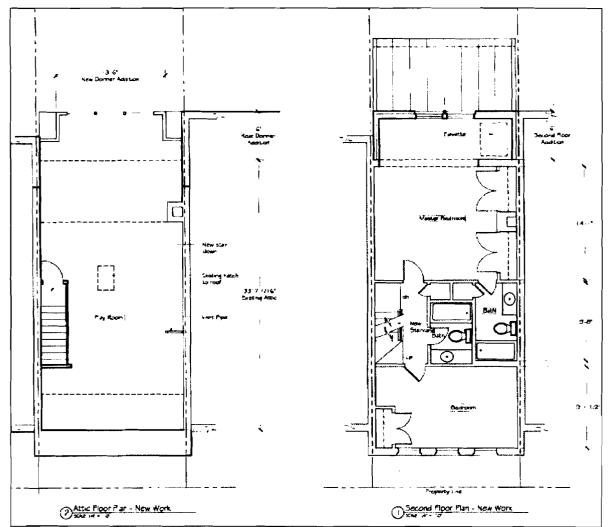
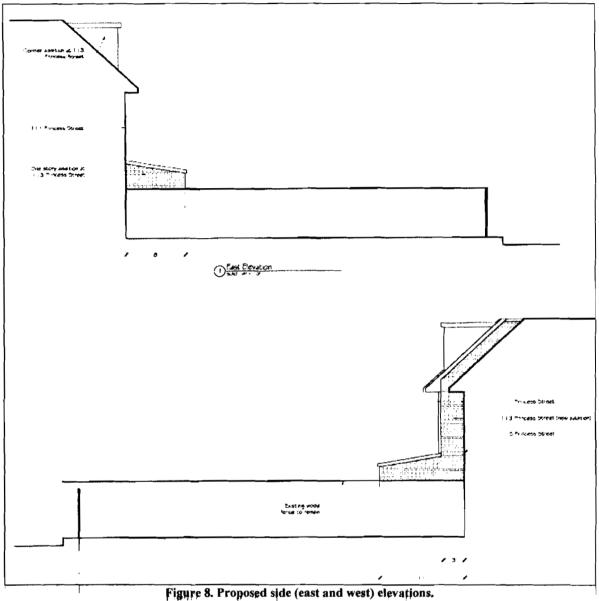


Figure 7. Proposed floor plans at second floor and attic.



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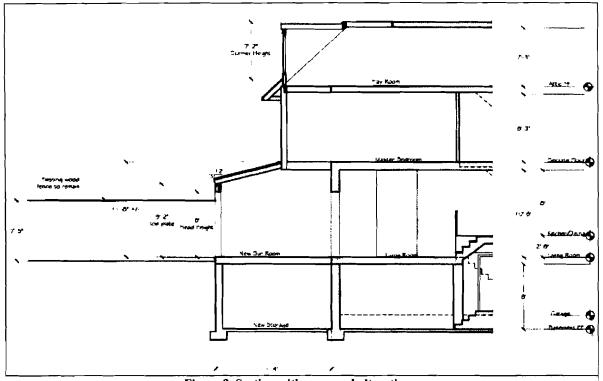


Figure 9. Section with proposed alterations.

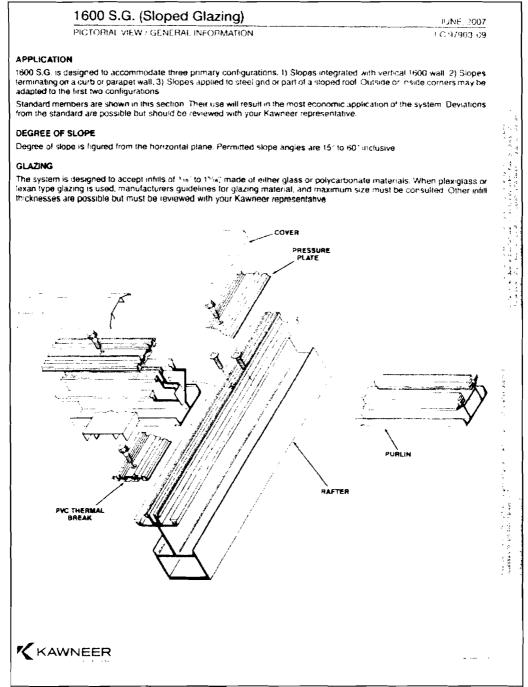
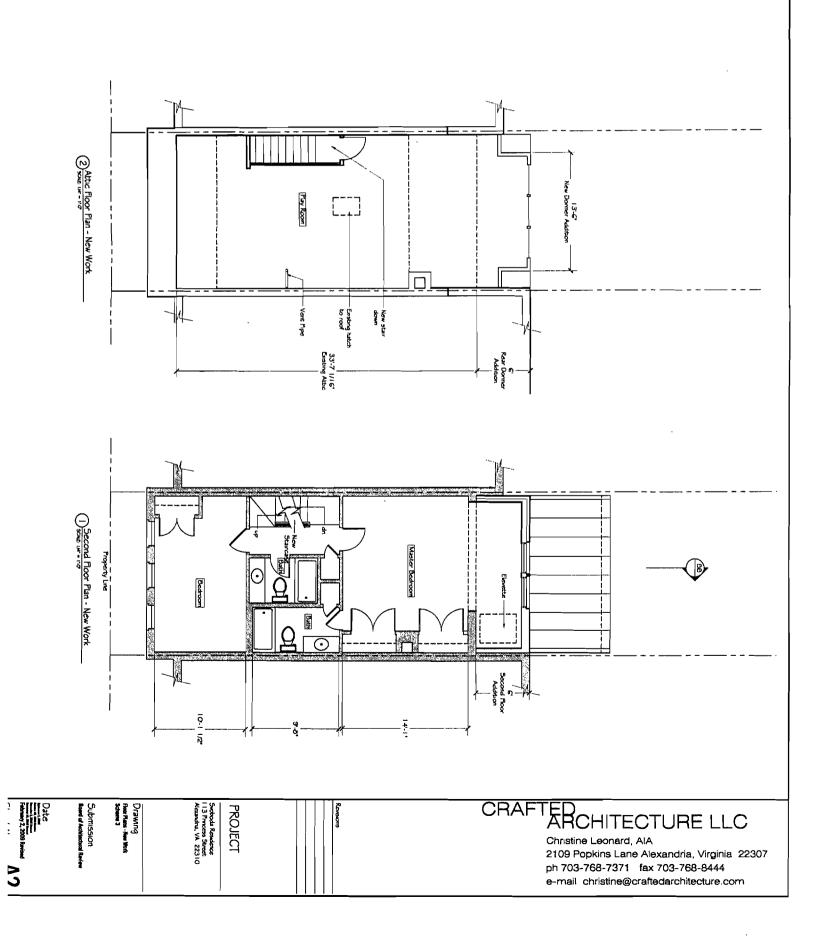
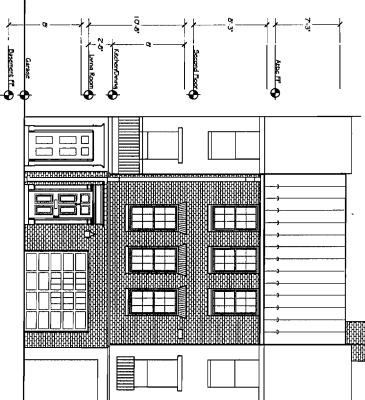


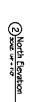
Figure 10. Specification for proposed glass roof.



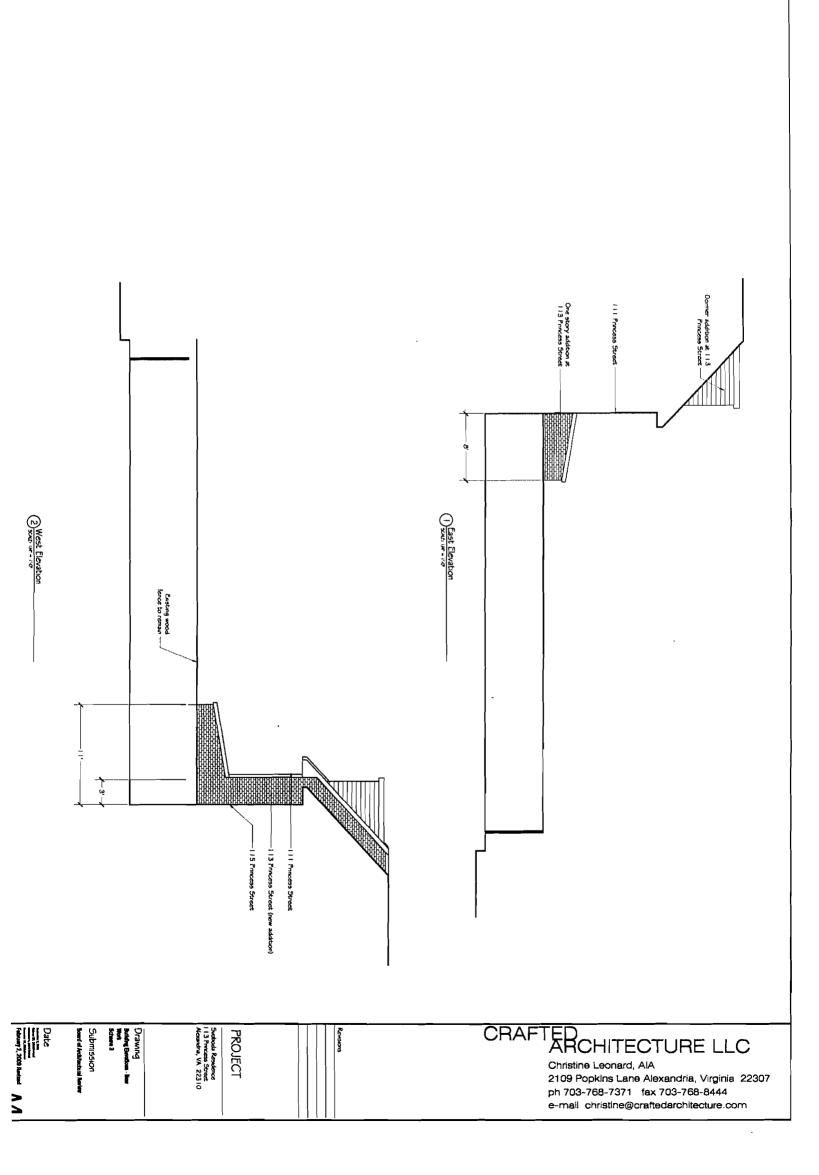
Douth Elevation								
Date Date Sheet No. A3	Submission Bard of Architectual Review	Drawing Educar Download - New West Schware 3	S-ochoda Residence 1/13 Frances Street Aleaandha, VA 22310	PROJECT	Romana	 CRAF	TED ARCHITECTURE LLC Christine Leonard, AIA 2109 Popkins Lane Alexandria, Virginia 22307 ph 703-768-7371 fax 703-768-8444 e-mail christine@craftedarchitecture.com	

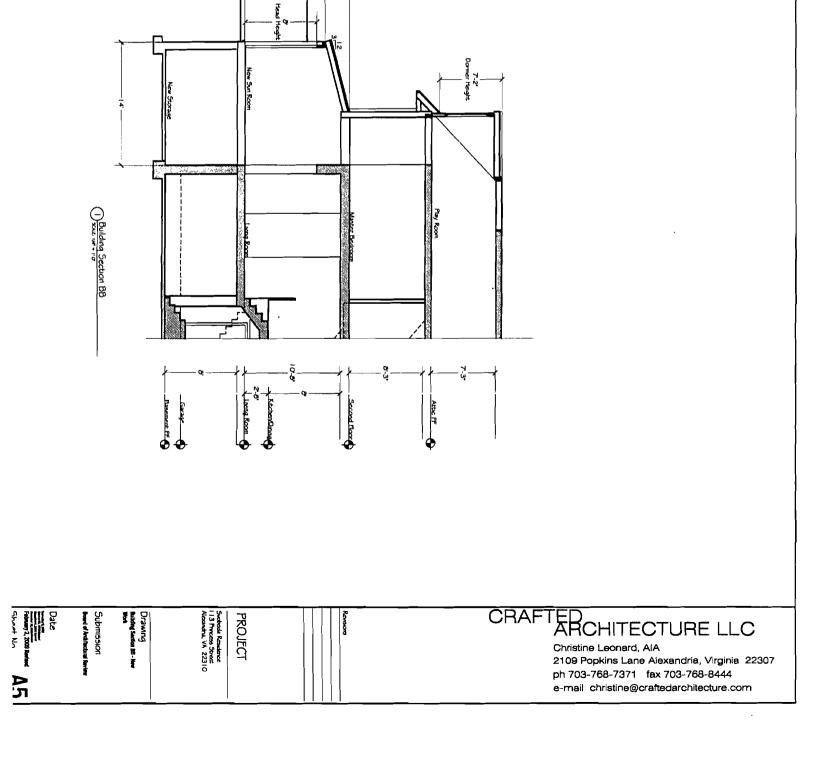
- Flat noof dommer standing seam metal roof - Painted wood trim - New wood double hung simulated divided light windows. New wood double hung samula dwided light windo -- Commercial grade structural aluminum with low E msulated panel glass roof with built - in electronic blinds. -- Brick veneer to New bwo - story match casting addition -- New alumnum clad simulated divided light doors and double hung windows on new Sun Room 7-2 Attac Dormer Addition





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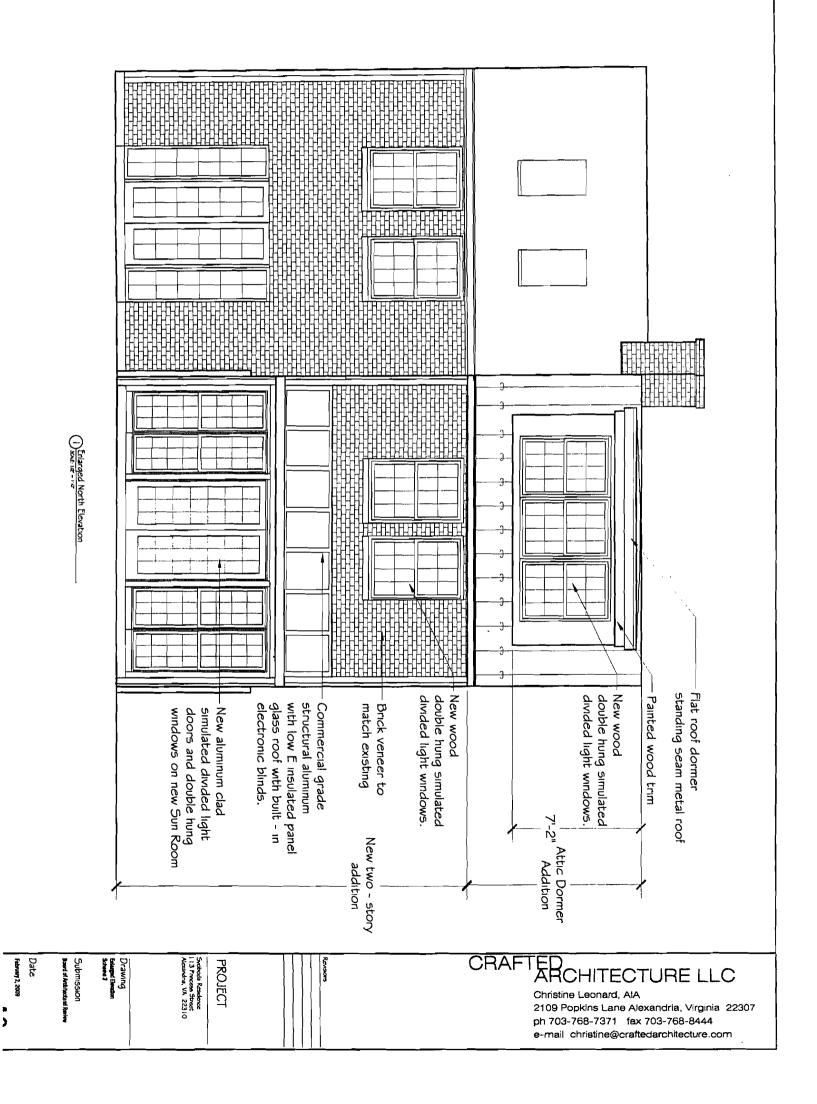


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Easting wood feace to remain

11'8" +/-

9'-2" top plate



January 16, 2009

Allan L. Gruer 111 Princess Street Alexandria, VA 22314

> Re: Gruer/111 Princess Street TSG No. VA08196.FOR

Dear Mr. Gruer:

With your authorization, we performed a cursory structural review of the townhouse located at 111 Princess Street within the City of Alexandria, Virginia. The purpose of our review was to determine the nature and extent of distress within the townhouse.

Our site visit was conducted on Wednesday morning, December 17, 2008, in your presence. During our site visit, we reviewed the exterior and interior of the townhouse, cataloging areas of distress noted. For the purpose of clarity, we have included photographs of the representative observations noted during our site visit. We have also included photograph and distress location plans in an effort to both clarify the location of the photographs and catalog the distress.

The townhouse is a two (2) story timber framed structure with a partial below grade basement. The basement is constructed with cast-in-place concrete exterior below grade walls with a CMU wall along the front elevation. The above grade party walls separating the adjacent townhouses consist of CMU. The exterior of the timber framed townhouse is covered with a brick veneer. The roof consists of a flat section of roof between two (2) sloped roof sections at the front and rear elevations of the townhouse. The sloped sections of the roof are covered with slate shingles, while the flat portion is covered with a roof membrane. The exterior finish grade along the front and rear elevations slopes slightly away from the townhouse.

From our conversation with you at the site, we also understand the adjacent townhouse to the left elevation is proposing to construct several additions to their townhouse unit, including a rear elevation basement extension. Of additional concern is the potential for the proposed adjacent renovations and additions to cause distress in the residence.

EXTERIOR OBSERVATIONS

We have separated our exterior observations into the exterior elevations of the townhouse. Please refer to the photograph numbers and the photograph location plan.

Front Elevation

Our review of the front elevation of the townhouse revealed the following:

• The front elevation of the townhouse faces in a southerly direction. (See Photo No. 1.)

Allan L. Gruer TSG No. VA08196.FOR January 16, 2009 Page 22

Proposed Adjacent Construction

We have also reviewed the proposed additions/alterations for the adjacent townhouse located at 113 Princess Street. The purpose of our review was to determine what effects this proposed construction may have on your townhouse. Based on our review of the architectural drawings, we feel that the construction of the basement, sun room, elevator, and chimney will present the biggest possible impact to your residence.

The demolition of the adjacent chimney will require flashing of the adjoining parapet and parapet wall. This may require work to be performed on your roof, including possible repairs to the existing flat roof membrane.

The sun room addition will be attached to the left elevation party wall of your residence. Construction of this room will require the removal of a section of your privacy fence.

To facilitate the proposed basement expansion and construction of the elevator, excavation and removal of earth to a depth of approximately 8'-0" below grade will be required to install the footings, walls, gravel base, and concrete slab on grade. Due to the proximity of the property lines, excavation will require, as a minimum, shoring on the left and right elevations to prevent collapse of the adjacent soils. This will also require the removal of the privacy fencing on each side, as well as the rear.

To facilitate such construction, it seems that a construction easement will be required along the left, right, and rear property lines of 113 Princess Street. Most often, the owners of adjacent properties require a purchase of such construction easements.

We have also included a remedial repair plan, to further clarify the location of our repair recommendations.

We appreciate the opportunity to be of service in this matter. If you have any questions, please feel free to contact our office.

Sincerely, The Structures Group, Inc.

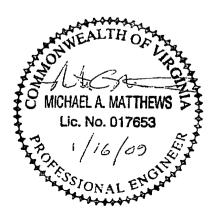
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Andrew J. Augustin, E.I.T. Staff Engineer

Michael A. Matthews, P.E. President

AJA/mmr

attachments





January 22, 2009

The Structures Group, Inc.

Consulting Engineers

Janice I. Forsythe 115 Princess Street Alexandria, VA 22314

> Re: Forsythe/115 Princess Street TSG No. VA08195.FOR

Dear Ms. Forsythe:

With your authorization, we performed a cursory structural review of the townhouse located at 115 Princess Street within the City of Alexandria, Virginia. The purpose of our review was to determine the nature and extent of distress within the townhouse.

Our site visit was conducted on Wednesday morning, December 17, 2008, in your presence. During our site visit, we reviewed the exterior and interior of the townhouse, cataloging areas of distress noted. For the purpose of clarity, we have included photographs of the representative observations noted during our site visit. We have also included photograph and distress location plans in an effort to both clarify the location of the photographs and catalog the distress.

The townhouse is a two (2) story timber framed structure with a partial below grade basement. The basement is constructed with cast-in-place concrete exterior below grade walls with a CMU wall along the front elevation. The above grade party walls separating the adjacent townhouses consist of CMU. The exterior of the timber framed townhouse is covered with a brick veneer. The roof consists of a flat section of roof between two (2) sloped roof sections at the front and rear elevations of the townhouse. The sloped sections of the roof are covered with metal roofing while the flat potion is covered with a roof membrane. The exterior finish grade along the front and rear elevations slopes slightly away from the townhouse.

From our conversation, we understand the adjacent townhouse to the right is proposing to construct several additions, including a rear elevation basement extension. Of concern is the potential for the proposed adjacent renovations and additions to cause distress in the residence. Our report will also address your concerns for the proposed additions to the adjacent townhouse.

EXTERIOR OBSERVATIONS

We have separated our exterior observations into the exterior elevations of the townhouse. Please refer to the photograph numbers and the photograph location plan.

Front Elevation

Our review of the front elevation of the townhouse revealed the following:

• The front elevation of the townhouse faces in a southerly direction. (See Photo No. 1.)

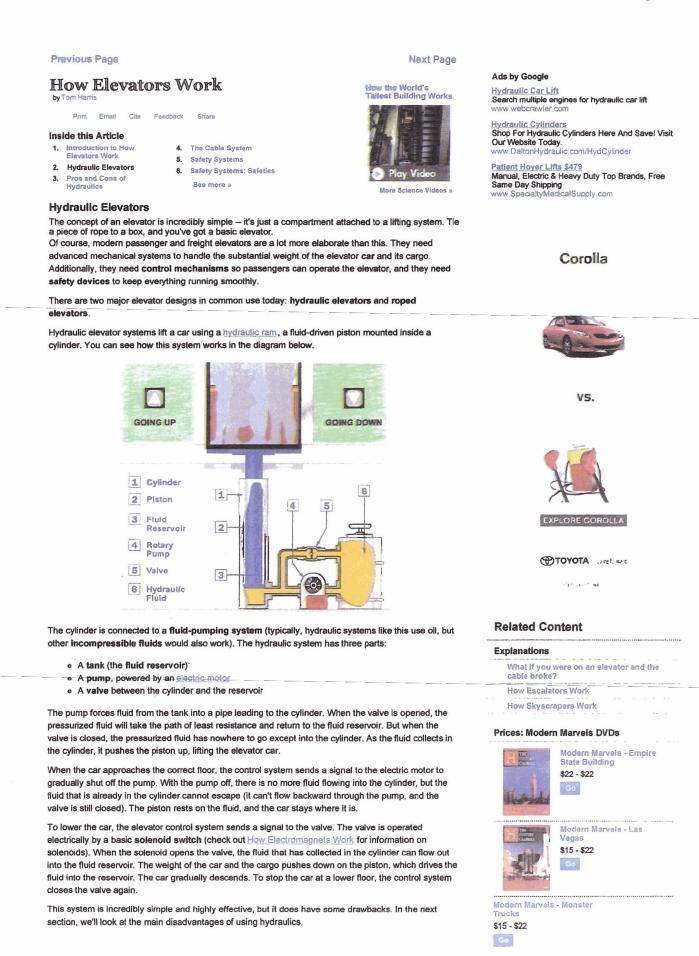
Janice I. Forsythe TSG No. VA08195.FOR January 22, 2009 Page 22

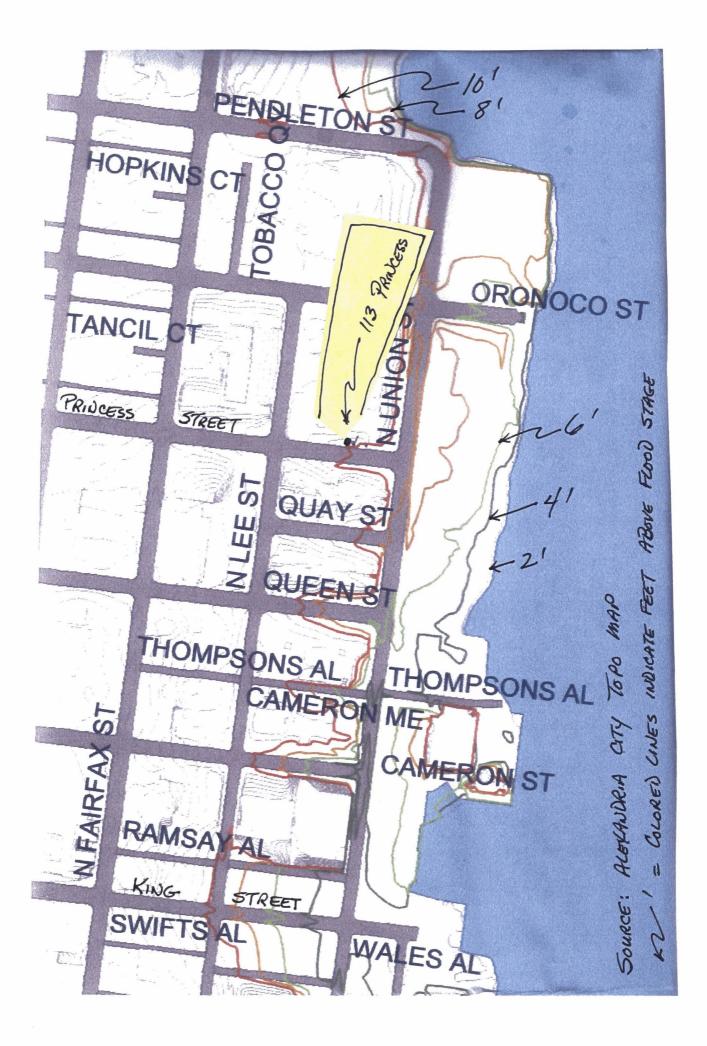
PROPOSED ADJACENT CONSTRUCTION

We have also reviewed the proposed additions/alterations for the adjacent townhouse to the right located at 113 Princess Street. The purpose of our review was to determine what effects this proposed construction may have on your townhouse. Based on our review of the architectural drawings, we feel that the construction of the basement and sun room will present the biggest possible impact to your residence.

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A Landlord's Revenge **Divides the Neighbors**

By THEQ EMERY

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ALEXANDRIA, Va in the ALEXANDRIA, va - In the Old Town historic district here, tourists and shoppers stroll brick sidewalks along King Street and peer into a wide range of bou-tiques — rug shops, antiques dealers, a cheese shop, even a comic book store. Old Town's latest offering,

though, has been stopping visi-tors in their tracks since it opened in January. It is called Le Tache, a "couples boutique," more commonly known as a sex shop, which is sandwiched between art galleries whose offer-ings are more common in Old Town than colorful vibrators and steamy DVDs. The boutique's owner leased the building after a dispute between the property owner and the city.

Near a busy visitors' center and numerous historic sites, Le Tache — which the owner intended to mean "the spot" in



Michael Zarlenga: landlord and proud ruffler of feathers.

A sex shop opens in a historic neighborhood once populated by the nation's founders.

French but which also means "the stain" — has been a source of dismay for many, curiosity for some and glee for others.

some and give tor others. "It's created a lot of dialogue in town," said Robert Lee King, 61, who owns and lives in an abut-ting building. "It seems from my , perspective to be out of place for what this section of Old Town is all about all about "

La Tasca restaurant nearby of-fers Spanish tapas; Le Tache has

Michael Zarlenga, his new tenant is a satisfying tweak to city offi-cials who rejected Mr. Zarlenga's plan to expand his own success-ful hunting and fishing business, the Trophy Room, which had been in the basement of the three-story brick building that dates to around 1800.

"They got what they de-served," Mr. Zarlenga, 41, said. "Their karma brought this busi-ness to Old Town."

Some other Old Town property owners said that Mr. Zarlenga's plans were flawed from the start, and that he spitefully allowed in an undesirable neighbor. Others, like Carl Gudenius, say that pres-ervation decisions, which are made by the city's Board of Ar-chitectural Review, are arbitrary, and that Alexandria has only itself to blame. "There is a certain amount of

"Inere is a certain amount of comeuppance, of getting what you deserve, when you behave this way toward your own good corporate citizens," said Mr. Gudenius, whose home-expan-sion plan was rejected by the board lett upp board last year.

The principal planner for the city's historic preservation sec-tion, Lee Webb, denied that the city was arbitrary but did say it was making more of an effort to explain upfront what kinds of property modifications would be allowed.

The controversy has clearly wearied some in Old Town. The president of the Historic Alexandria Foundation, Morgan Delanev, said in an e-mail message that commenting "would serve no useful purpose."

Beth Temple, the aide to Mayor William Euile, who has called the shop "inappropriate" for Old Town, said he now had nothing more to say about it.

The store's arrival was a coda to Mr. Zarlenga's failed negotia-tions over his expansion plans. He opened the Trophy Room in 2001, then bought the building in 2006, planning to expand. He hired architects and a law-

ver who had been chairman of the Board of Architectural Revieu

After working with a board staff member on plans to raise the roof of a small building attached to the back of the prop-erty, he thought he had the pan-el's support. But in 2007, the board denied his permit request, and the City Council rejected his appeal.

Furious and out of money, Mr. Zarlenga closed the Trophy Room and sought a tenant that would be a poke in the eye for Al-



ws of Le Tache suggest that its wares may not be wholly in keeping with those sold elsewhere in the historic district.



barring adult businesses. Le Tache opened in January. (The city is now considering restrictions on new adult businesses in Old Town.)

Mr. Zarlenga is glad to have a rent-paying tenant, but perhaps more to the point: "I'm happy they're there from the standpoint of the ruffled feathers that it gives to the neighbors."

Mr. Kenney said business had been brisk. "As far as my neighto me and civil, " he said. "What we've tried to do is blend into the community."

But a glance in the windows reveals buxom mannequins in bust-iers, thigh-high stockings and garters. Some people walk past in a hurry. Others stop, startled, and survey the displays. Some go in. On spring break from college

in Wisconsin, Melissa Broad-drick, 19, and her boyfriend, Andy Moore, 21, who call themselves

conservative Christians, said conservative christians, sau they found the shop out of place, but were not offended by it. Told of its recent history, Mr. Moore said he appreciated Mr. Zarlen-ga's spirit of protest. "I think it's a good way to stick it to the man or wholewor" he

it to the man, or whatever," he said, adding, "There could prob-ably be a better way to do it."

Visitors who make their way inside the store will find much racy merchandise. (That's only a mannequin at the top of the stairs.) Mr. Kenney insists that a stor encouraging sexual liberty i right at home on a street when the nation's forefathers walked

"I think that they still wan their freedom" in Old Town, h said. "I know people say, 'Wel George Washington slept acros the street.' Well, George and Martha had sex."

EXTRACT NY TIMES NATIONAL 3/22/09 (FRIEND SENT FROM NY) Ath

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I have just read the March 1 frontpage story "In Old Town, the Sex Shop Is a Kiss-Off," which contained Michael Zarlenga's sad tale of failing to win approval for major architectural changes to his old commercial building on the main shopping street in Old Town Alexandria and then taking revenge on our community by installing a purveyor of pornography in his building. This story was unworthy of the coverage The Post gave it.

Anyone doing business in Old Town who expects to make major changes to a historic building should follow the public hearings of the Board of Architectural Review for the Old and Historic District (the BAR). These hearings are televised on our local public access station. If Mr. Zarlenga had done so, he would have known that his plan to change the

> roofline of a flounder house, a design ancient and rare in the United States, would not be approved, regardless of what city staff may have told him. Staff members don't make decisions on these matters; the BAR does at the conclusion of a public hearing. Everyone in Alexandria who follows local government affairs knows this. Mr. Zarlenga made a stupendously

Ye Olde Sex Shop

stupid business decision. He has only himself to blame.

KATY CANNADY

Alexandria

I applaud Michael Zarlenga, and to the extent that my patronage keeps his tenant Le Tache in business, I will be a regular customer.

About two years ago, I had a similar experience with the city of Alexandria over a request for a zoning variance. In

> my case, the city ultimately denied a 63-square-foot variance to thwart the construction of a "McMansion." The denial resulted in the construction of an addition that was 45 percent larger than what was originally proposed. Not only was the larger addition permitted by city regulation, it did not require any design oversight by the city. In both my and Mr. Zarlenga's cases, city officials opted for quick, minor political wins at the expense of the larger social goal of preserving the historic character of Old Town Alexandria.

Instead of letting his second property become an eyesore for the city, maybe Mr. Zarlenga could entice the Republican National Committee to relocate its headquarters to the heart of Old Town.

JOHN SCALIA JR.

Alexandria

Overturning the Staff

Zoning disputes can get personal, with technical considerations clashing with business concerns and bruised egos. Take, for example, the recent dispute between businessman T.J. Fannon and Planning Director Faroll Hamer. Although former Planning Director Eileen Fogarty had approved a transfer of Fannon's businesses operation along Duke Street, Hamer revoked that transfer of use in part because of the company's failure to submit landscaping designs. Fortunately for Fannon and other disgruntled applicants, the city's planning staff does not have the final say. In many cases, zoning determinations are overturned by the Board of Zoning Appeals. According to the board's annual report, which was issued to the City Council this week, 100 percent of the variance requests were approved by the board in 2008. In 80 percent of those cases, the board overturned the recommendations of the city's planning staff. When asked about these statistics Tuesday night, Hamer explained how planning officials take a different perspective from board members. "The staff is looking at a very technical and limited wording in the zoning ordinance," said Hamer. "But the board takes a more global point of view. They want to know if the neighbors are offended, if it's really a problem — does it improve the appearance, does it make sense? They take a more holistic approach."

- MICHAEL LEE POPE

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