

Docket Item #s 3 & 4  
BAR CASE#s 2005-00050 & 0051

BAR Meeting  
May 25, 2005

**ISSUE:** After-the-fact approval of a rooftop HVAC unit & Waiver of rooftop HVAC screening

**APPLICANT:** Patrice Smith

**LOCATION:** 1212 Queen Street

**ZONE:** CRMU-M/Commercial

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**BOARD ACTION, April 27, 2005: Portion approved as submitted; portion deferred for restudy, 5-0.**

This docket item was removed from the consent calendar at the request of Dan Koslov. On a motion by Mr. Meick, seconded by Ms. Kelley, the Board approved the door and sign as submitted, but deferred approval of the rooftop HVAC and waiver. The vote on the motion was 5-0.

**REASON:** While the Board agreed that the HVAC unit was minimally visible from the public right-of-way, they sympathized with the neighbors across the street who had a clear view of the unit from their property. The Board asked the applicant to investigate the feasibility of placing the HVAC unit on the ground behind the building.

**SPEAKERS:** Patrice Smith, business owner, in support  
Dan Koslov, 1219 Queen Street in opposition  
Fran Koslov, 1219 Queen Street in opposition  
Jannine Pennell, Code Enforcement explained that the HVAC unit could not be hung off the back of the building

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

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

### **STAFF RECOMMENDATION:**

Staff recommends approval of the application for Certificate of Appropriateness and Waiver of Rooftop Screening with the condition that the PVC pipe on the roof be painted to blend in with the brick wall beyond.

### **I. ISSUE:**

The building, which has been unused for some time, is to be used as a barbershop and beauty salon. At the previous hearing, the Board approved alterations to the doorway and deferred approval of the after-the-fact rooftop HVAC unit to allow the applicant to investigate the feasibility of placing the unit on the ground behind the building. The applicant asked the property owner, Charles Curtis, if he would agree to placing the unit on the ground behind the building. Mr. Curtis responded negatively both in a letter to the applicant and in a phone conversation with Staff. In addition, the applicant obtained a cost estimate of \$1100.00 from HonestAir for moving the unit from the rooftop to the ground. According to the applicant, there would be an additional cost for the electrical work associated with the move but she did not obtain a cost estimate for that job. A copy of the letter and cost estimate is included in the Board packet.

Due to the property owner's opposition and the cost of moving the unit, which would be borne by the applicant and not the property owner, the applicant is again requesting approval of a Certificate of Appropriateness for the after-the-fact rooftop HVAC unit. In addition, the applicant is requesting a waiver of the zoning requirement that rooftop HVAC equipment be screened.

HVAC - Approximately three months ago, a 22 ½" wide, 22 ½" deep, 23 ½" high HVAC unit was installed on the roof of the one story building at 1212 Queen Street toward the back left corner. The unit is minimally visible from the sidewalk on the other side of Queen Street. It is not visible from Payne Street. As part of the HVAC installation, a PVC pipe was installed toward the front of the roof on the left side. The white pipe projects approximately 1' above the roof surface and is visible from the sidewalk on the other side of Queen Street. The other pipes and projections from the roof have been in place for some time and are not part of the present application.

### **II. HISTORY:**

The one story frame warehouse was constructed between 1902 and 1907 according to historic mapping. It most likely was built in 1904 under a building permit issued to William H. Peck for a building on Queen Street between Fayette and Payne Streets (3/30/1904). The building was part of a complex of buildings including the two story commercial building on the southeast corner of Queen and Payne streets, constructed in 1898, and the brick warehouse at 1210 Queen Street, constructed five years later in 1909. The complex operated for a number of years as W.H. Peck Coal & Wood Yard. Peck also constructed many houses in the immediate neighborhood.

The frame building is currently wrapped in aluminum siding. Staff has not located records for other alterations, but believes the openings in the front are likely to have been altered. The

original wood cornice remains intact.

### **III. ANALYSIS:**

The HVAC, alterations and waiver of rooftop screening comply with the zoning ordinance requirements. Section 6-403(B)(3) of the zoning ordinance permits the BAR to waive the rooftop screening requirement if the Board finds screening to be architecturally inappropriate. The personal service use category, which includes barber shop, beauty salon and nail salon, is permitted in this location. Personal Service Use located in the Central Business District (CBD) is not required to provide off-street parking. The subject property is located in the CBD.

Through conversations with Staff and at the last hearing, an interested citizen raised a number of questions regarding whether proper procedures and reviews had been carried out with respect to the licensing of the business and the business owner and whether the ventilation system was adequate for the proposed use. Staff is satisfied that all those reviews and approvals that are necessary prior to the Board of Architectural Review action have been performed and that the project and applicant are in compliance. Further inspections will be undertaken by Code Enforcement and Health Department before the Certificate of Occupancy is issued and the Business Permit obtained.

While Staff finds any after-the-fact application unfortunate, Staff believes the existing rooftop HVAC is not objectionable. The Board and the *Design Guidelines* recognize the need to update buildings with modern conveniences such as air conditioning, but ask that they be located in such a way as to be as unobtrusive as possible (HVAC Equipment, Pages 1-2). The Board's purview is over that which is visible from a public right-of-way. The HVAC unit is barely visible from the public right of way. It is located as far toward the rear of the roof as is allowed by Building Code without requiring the addition of safety railings. Building Code will not permit the unit to be suspended from the roof at the rear, as was suggested at the previous hearing. The property owner is opposed to locating the unit on the ground. Therefore, Staff believes the unit is in the best possible location on the roof to minimize visibility.

Moreover, Staff believes that screening would not be appropriate and recommends approval of the Waiver of Rooftop Screening. Staff believes that screening, typically a wood fence or panels of latticework, would be more obvious than the HVAC unit alone and would appear out of place. Staff notes that the Board recently approved after-the-fact HVAC equipment and a Waiver of Rooftop Screening at 417 North Fayette Street (BAR Case #BAR 2004-002276 & 227, 10/27/2004).

Lastly, Staff believes the vent pipe is a fairly minor addition to the rooftop and will be barely noticed if painted to match the brick of the adjacent building. The applicant has already agreed to do this. To conclude, Staff recommends approval of the Certificate of Appropriateness and Waiver of Rooftop Screening.

### **IV. STAFF RECOMMENDATION:**

Staff recommends approval of the applications with the condition that the PVC pipe on the roof be painted to blend in with the brick wall beyond.

## CITY DEPARTMENT COMMENTS

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

### Code Enforcement:

- C-1 New construction must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-2 Alterations to the existing structure must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-3 Construction permits are required for this project. Plans shall accompany the permit application that fully detail the construction as well as layouts and schematics of the mechanical, electrical, and plumbing systems.
- C-4 Structural calculations are required to verify the ability of the existing roof to support the additional weight of the A/C unit.

### Historic Alexandria:

“Insufficient material provided. No ability to visualize where this will be placed.”