

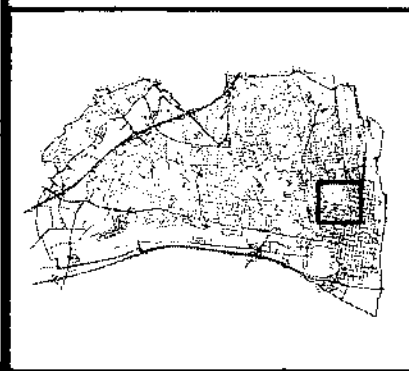
DOCKET ITEM #5
Subdivision #2009-0004
427 North West Street

Application	General Data	
Request: Consideration of a request to subdivide the property into two parcels with a variation.	Planning Commission Hearing:	January 5, 2010
Address: 427 North West Street	Approved Plat must be recorded by:	July 5, 2011
Applicant: Alabama Ave LC by Stephen Kulinski	Zone:	RB/Residential
	Small Area Plan:	Braddock Road Metro

Staff Recommendation: APPROVAL subject to compliance with all applicable codes and ordinances and the recommended permit conditions found in Section III of this report.
Staff Reviewers: Nathan Randall, nathan.randall@alexandriava.gov
<u>PLANNING COMMISSION ACTION:</u>



KEY MAP



SUB #2009-0004

01/05/10



I. DISCUSSION

REQUEST

The applicant, Alabama Ave LC by Stephen Kulinski, requests subdivision approval to divide one parcel into two parcels at 427 North West Street.

SITE DESCRIPTION

The subject property is currently one lot of record with 32 feet of frontage on North West Street, 123.42 feet of depth and a total lot area of approximately 3,949 square feet. The site is developed with a two-story single-family dwelling located on the northern portion of the property. Access to the property is from North West Street.



The surrounding area is occupied by residential uses. Immediately to the north and to the south are single-family residential dwellings. To the east and west are semi-detached, two-family residential dwellings.

BACKGROUND

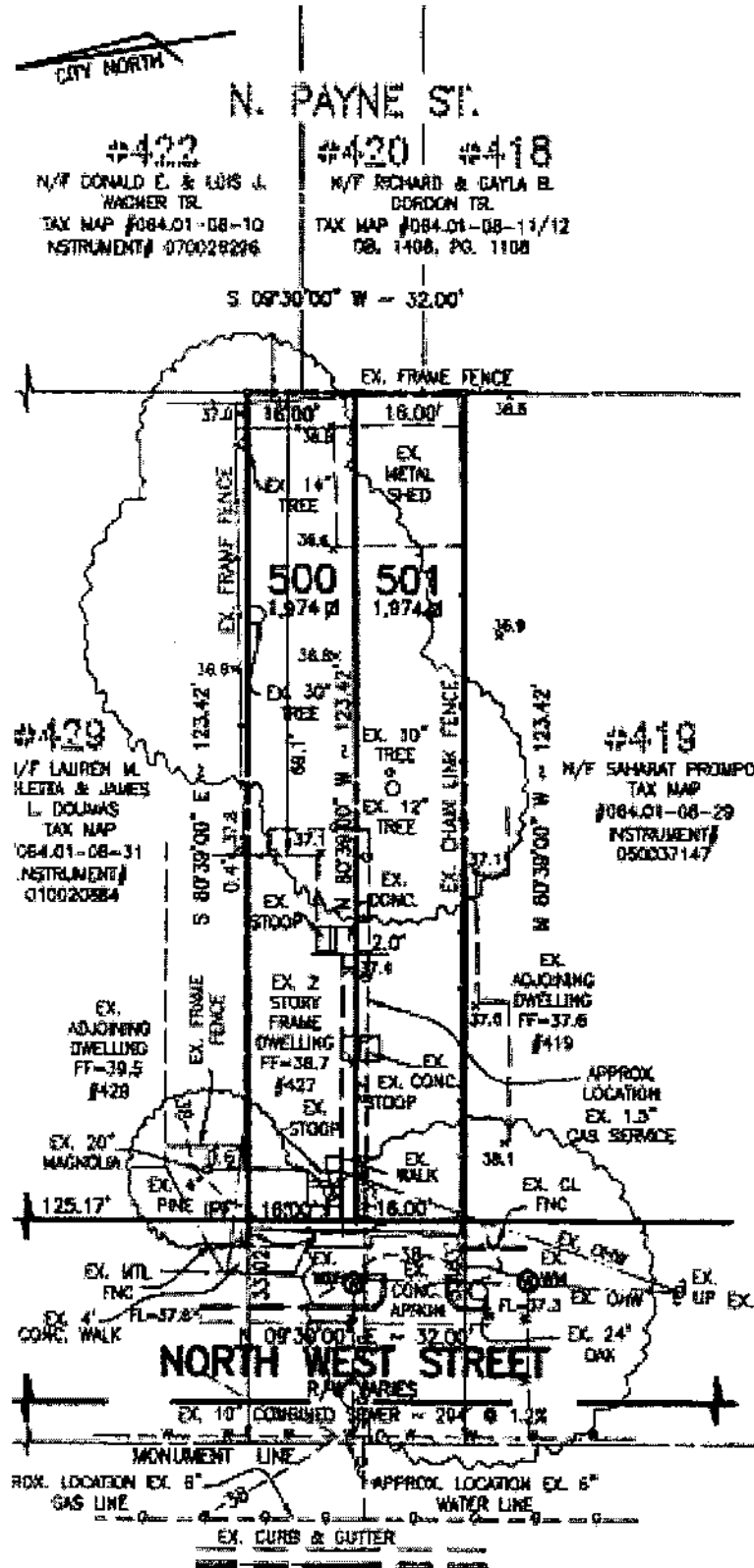
On July 22, 2009, the Parker-Gray Board of Architectural Review approved BAR#2009-0141 and BAR#2009-0142 for the demolition and encapsulation of a portion of the existing structure in order to construct a two-story rear addition.

PROPOSAL

The applicant proposes to divide the existing parcel into two equally-sized parcels in order to construct a new single-family dwelling. Each lot would measure approximately 1,974 square feet in size and have a lot frontage and width of 16 feet. The applicant is requesting a variation from the minimum lot width and frontage requirements pursuant to Section 11-1713(E) of the Zoning Ordinance.

ZONING

The subject property is located in the RB/Residential Townhouse zone and within the boundaries of the Parker-Gray Historic District. The minimum lot area for properties in the RB zone is 1,980 square feet. However, Section 3-707(B) provides grandfathering which allows properties that were zoned to RB prior to February 27, 1973, as this property was, to be developed at a lot size of 1,600 square feet. The minimum lot width and frontage in this zone is 18 feet for townhouses on interior lots, 25 feet for semidetached dwellings, and 50 feet for a single family dwellings.



The front yard requirement for properties in RB in the Parker-Gray District is “the front lot line or other line consistent with the character of the district that the board of architectural review approves” [Section 3-706(A)(1)]. The rear yard requirement is a ratio of 1:1 or a minimum of eight feet, and for residential properties of less than 25’ wide in the historic district, the side yard is zero.

In this case, although the proposed lots will meet the minimum area requirement, neither lot will comply with the lot width or lot frontage requirements for a single-family dwelling. The existing lot does not comply with these elements and the proposed subdivision would increase the extent of noncompliance.

The existing structure on the northern portion of the lot, including with the proposed addition already approved by BAR, meets Zoning Ordinance provisions regarding required yards, FAR, and open space. The table below further illustrates the significant zoning elements associated with the proposed subdivision, but lacks information regarding the new home to be built on Lot 501, which has not been submitted.

	Required	Existing House & Lot	Proposed Lot 500 (incl. new addition)	Proposed Lot 501
Lot Size	1,600 SF	3,949 SF	1,974 SF	1,974 SF
Lot Width / Lot Frontage	50’ for single-family	32’	16’	16’
Front Yard Setback	Front lot line or BAR standard	7’	7’	
Rear Yard Setback	1:1 with min 8’	69.1’	55.3’	
Side Yard Setback (North)	Zero for residential lots < than 25’ wide	Zero	Zero	
Side Yard Setback (South)	Zero for residential lots < than 25’ wide	18’	2’	
FAR	0.75	0.24	0.73	
Open Space	800 SF	3,273 SF	1,053 SF	

With regard to parking, vehicles currently can park on the property using the existing curb cut at the proposed new lot on North West Street. Under the proposed development scheme, the applicant proposes no parking and is subject to Section 8-200 (C)(5)(b) of the Zoning Ordinance which will be handled by staff and the BAR as part of a future BAR application.

GENERAL SUBDIVISION STANDARDS

In addition to a series of technical land and plat requirements (Sections 11-1706 and 11-1709) and a general requirement that all lots meet zoning requirements (11-1710(D)), the Zoning Ordinance requires that every subdivision lot be in “character” with other lots in the subdivision and the area. Section 11-1710(B) of the Zoning Ordinance provides the full standard:

No lot shall be resubdivided in such a manner as to detract from the value of adjacent property. Lots covered by a resubdivision shall be of substantially the same character as to suitability for residential use and structures, lot areas, orientation, street frontage, alignment to streets and restrictions as other land within the subdivision, particularly with respect to similarly situated lots within the adjoining portions of the original subdivision. In determining whether a proposed lot is of substantially the same character for purposes of complying with this provision, the Commission shall consider the established neighborhood created by the original subdivision...

VARIATION SUBDIVISION STANDARDS

Section 11-1713 of the Zoning Ordinance gives the Planning Commission the authority to approve subdivision applications with variations from minimum requirements in the following circumstances

when in its opinion a strict adherence to such provisions would result in substantial injustice and when one of the following circumstances exists; provided, however, that the use or character of the resulting lots or parcels in such a subdivision shall not be inconsistent with the use provisions of the zone in which the property is situated or the existing development in the immediate area: (A)...(E) resubdivision of lots in subdivision of record as of January 1, 1952, where, because of existing structures or gross area of land involved, the substandard lots would not conform to all of the requirements of the zone in which the subdivision is located.

II. STAFF ANALYSIS

Staff supports this subdivision application. Although the proposed lots will not comply with lot width and lot frontage requirements, staff finds that the request meets the standard for granting subdivision variations, especially the standard that requires the new lots to be consistent with the neighborhood character.

Pre 1952 Lot

Section 11-1713 (E) requires the property to have existed as lots of record before January 1, 1952. In this case, the applicant has submitted extensive material showing that the land in this block was generally subdivided in a piecemeal manner over time, with the subject property having been originally created as two 16 foot lots in 1895 and 1896. The lots were later consolidated by deed in 1962. Furthermore, it is the gross area of land, which was originally

meant to include two homes, and the location of the one building on the northern half of the property, anticipating a second home, that necessitates this subdivision. Had it not been for the consolidation in 1962, there would be no need for this subdivision. Under these circumstances, staff finds that the proposal meets the section 11-1713 (E) requirement.

Neighborhood Character

A request for a variation requires analysis of whether the use or character of the new lots is consistent with the use provisions of the zone and with the development in the immediate area. Section 11-1713. In addition, for every subdivided lot, regardless of whether it includes a request for a variation, Section 11-1710(B) requires an analysis for issues of "character." Specifically it requires that no lot be resubdivided in such a manner as to detract from the value of adjacent property and that resubdivided lots must be of substantially the same character as other land within the subdivision with respect to: suitability for residential use and structures; lot area; orientation; street frontage; and alignment.

Here, the requested lot configuration is for two small, 16-foot wide lots, much narrower than they are long, oriented perpendicular to the street with straight lot lines with right angles. They are suitable for residential uses and structures. They existed for approximately 100 years in the exact configuration now requested. The applicant has provided information showing that land in this block was generally subdivided in a piecemeal manner over time and lacks one uniform lot size or width. Therefore staff considered the rest of the block and the rest of the neighborhood for the purposes of comparison with the request.

The applicant has provided several illustrations (see attached) that show lot size and characteristics on the block and in the neighborhood generally. The illustration of this block alone shows primarily small, narrow lots with straight lot lines and right angles. Two properties on the block measure 16' wide and many others measure 18 or 19 feet wide. The applicant has also provided three illustrations of an eight-block neighborhood area within the Parker-Gray Historic District. These illustrations demonstrate that most neighborhood lots contain residential uses and structures, are small in size, are narrow at the street and longer in length and are oriented toward the street with straight lot lines and right angles. The three illustrations also show quite dramatically that the great majority of properties in the neighborhood do not conform to the minimum lot width or lot frontage requirement of the zone (18' wide for townhouses, 25' wide for semi-detached, and 50' wide for single family). There are few lots that do.

Based on this information, staff concludes that the proposed subdivided lots are consistent with the character of other land in the vicinity; consistent with the development in the immediate area; and of substantially the same character with respect to the noted factors so as not to detract from the value of adjacent property.

Substantial Injustice

The strict application of the zone regulations in this instance would preclude the construction of a dwelling unit, which may be considered a substantial injustice, particularly in a neighborhood in which such a dwelling would seem to fit so well as a matter of both size and character. If the

new language of the text amendment were adopted (see TA 2009-004), adding a definition of substantial injustice, staff believes the application of the standard becomes even clearer. Here, the planning considerations of the neighborhood character seem to staff to clearly override the technical zoning requirements for this and for other lots in the area. The harm to the applicant of not being able to build a second house, when that is what the land was designed for historically, again, seems to staff a hardship amounting to injustice. A substantial injustice may also exist to the neighborhood upon consideration of alternative development schemes for this property. For example, if the applicant were to construct an addition to the south of the existing structure, as the zoning permits, the resulting single-family dwelling could be large enough and wide enough to be out of character and rhythm for this neighborhood of relatively small, narrow homes and lots. For these reasons staff finds that the strict application of the zone regulations on this property would create a substantial injustice.

Precedent

Staff has researched the question of variation requests and determined that they are not rare in the City, and in fact are quite common within the Parker-Gray and Old & Historic Alexandria Districts. As shown in the table below, staff research found that some 60% of the subdivisions approved in Parker-Gray in the last 15 years were approved under the variation standard. In the Old & Historic Alexandria District this same figure is 42%. The comparable figure for subdivisions approved using the variation rule in other parts of the City is approximately 7%.

	Parker-Gray	O&HAD	Elsewhere in City	Entire City
Subdivisions Approved	10	31	134	175
Subdivisions Denied	1	0	4	5
Total Subdivisions	11	31	138	180
Subdivisions Approved with Variation	6	13	10	29
Subdivisions Denied with Variation	0	0	0	0
% of Approved Subdivisions using Variation	60%	42%	7%	17%

Note: All figures cover the years 1994-2009 (inclusive) except for subdivision cases currently in process.

Staff also found a series of other subdivisions sharing similar characteristics to the current request that were approved in the last 15 years. The following cases are just a few examples of Parker Gray Historic District subdivisions approved using the Section 11-1713(E) variation rule since they did not comply with the lot frontage or width requirements in the RB zone.

Subdivision #2002-0008 was approved at 334 North Patrick Street and 1000 Princess Street to create a second lot in order to build a new single-family dwelling on the corner. The pre-subdivision lot width and frontage on the North Patrick side of this corner lot was 42 feet. The new lots were approved with lot widths and frontages on North Patrick Street of 14.65 feet and

27.35 feet, respectively. The zone requires 50 feet of frontage and width.

Subdivision #99-0020 was approved at 1312 and 1314 Princess Street, resubdividing two existing lots in order to accommodate an existing fence between the two single family properties. The subdivision was approved with lot widths of 17.81 feet and 19.22 feet, although the zone requires lots that are 50 feet wide.

Subdivision #99-0004 was approved at 311 and 313 North Fayette Street, resubdividing two existing lots in order to make them both equal size to build a semi-detached structure. The existing lots were 15 feet and 20 feet in width prior to the subdivision and the subdivision was approved with a width of 17.5 feet for each lot. The zone requires lots that are 25 feet wide.

Subdivision #96-0010 was approved at 1206-1208 Princess Street to resubdivided two vacant lots in order to build semi-detached dwellings. Neither the existing lots nor the proposed lots complied with the RB lot width or frontage requirements. The new lots are 21 and 22.5 feet wide; the zone requires 25 feet for semi-detached structures.

Subdivision #98-0007 was approved at 534 North Columbus Street and 802 Pendleton Street to divide one lot into two in order to divide two dwelling units sharing a common party wall. The original building dates to 1830; the two units have existed since at least 1908. The property did not comply with zoning for a semi-detached structure prior to the subdivision and will continue its noncompliance (as to lot area, open space, yards and frontage) after approval. The new lots have 17.5 and 18.6 feet of width and frontage; the zone requires 25 feet of width and frontage.

These cases show that there is precedent for the current North West Street case within Parker-Gray.

Conclusion

For these reasons, staff finds ample justification for approving the subdivision with the requested variations and recommends approval.

III. RECOMMENDED CONDITIONS

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

1. The final subdivision plat shall comply with the requirements of Section 11-1700 of the Zoning Ordinance. (P&Z) (T&ES)
2. Locations of all easements and reservations such as the ingress/egress easement for the alley and all other easements and reservations shall be depicted on the final subdivision plan. (P&Z)
3. The final plat shall include the Surveyors Certification and plat title to indicate resubdivision of the existing lots. (P&Z)
4. The applicant shall include an approval block on plat mylar. (T&ES)
5. A GRADING PLAN showing all improvements and alterations to the site must be approved by T&ES prior to issuance of a building permit. (T&ES)
6. The applicant shall be responsible for repairs to the adjacent city right-of-way if damaged during construction activity. (T&ES)
7. All improvements to the city right-of-way such as curbing, sidewalk, driveway aprons, etc. must be city standard design. (T&ES)
8. An erosion and sediment control plan must be approved by T&ES prior to any land disturbing activity greater than 2500 square feet. An erosion and sediment control bond shall be posted prior to release of the grading plan. (T&ES)
9. 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)
10. A Landscape Plan consistent with the Alexandria Landscape Guidelines, must be submitted with the Grading Plan and approved by RP&CA prior to issuance of a building permit. (RP&CA)
11. When development is planned for this property, the following conditions shall apply:
 - 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 or artifact collection to be conducted on the property, unless authorized by Alexandria Archaeology.
- c. Conditions #11a & #11b shall appear in the General Notes of all site or grading plans and on all site or grading 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. (Archeology)

STAFF: Barbara Ross, Deputy Director, Department of Planning and Zoning;
Nathan Randall, Urban Planner.

Staff Note: This plat will expire 18 months from the date of approval (July 5, 2011) unless recorded sooner.

IV. CITY DEPARTMENT COMMENTS

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

Transportation & Environmental Services:

- F-1 OEQ has no objections to this subdivision.
- F-2 Physical structure and underground utility encroachments need to be addressed with the grading plan submission. (T&ES)
- R-1 The final subdivision plat shall comply with the provisions of Section 11-1709 of the City's Zoning Ordinance. (T&ES)
- R-2 Include approval block on plat mylar. (T&ES)
- R-3 A GRADING PLAN showing all improvements and alterations to the site must be approved by T&ES prior to issuance of a building permit. (T&ES)
- R-4 Applicant shall be responsible for repairs to the adjacent city right-of-way if damaged during construction activity. (T&ES)
- R-5 All improvements to the city right-of-way such as curbing, sidewalk, driveway aprons, etc. must be city standard design. (T&ES)
- R-6 An erosion and sediment control plan must be approved by T&ES prior to any land disturbing activity greater than 2500 square feet. An erosion and sediment control bond shall be posted prior to release of the grading plan. (T&ES)
- R-7 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)
- C-1 Roof, surface and sub-surface drains be connected to the public storm sewer system, if available, by continuous underground pipe. Where storm sewer is not available applicant must provide a design to mitigate impact of stormwater drainage onto adjacent properties and to the satisfaction of the Director of Transportation & Environmental Services. (Sec.8-1-22)
- C-2 All secondary utilities serving this site shall be placed underground. (Sec. 5-3-3)
- C-3 Pay sanitary sewer tap fee prior to release of Grading Plan. (Sec. 5-6-25.1)
- C-4 Any work within the right-of-way requires a separate permit from T&ES. (Sec. 5-3-61)

- C-5 For any development or redevelopment as part of a subdivision plan; post-development peak runoff rate from a two-year storm and a ten-year storm, considered individually, must not exceed their respective pre-development rate per the requirements of Article XIII (F) (1) of Alexandria Zoning Ordinance. A single family residence developed as part of a sub division plan is not exempted from the requirements of detention.

However, an exemption from this requirement may be granted by the Director, Transportation and Environmental Services (T&ES) under Article XIII (F) (2) for a development site not exceeding half an acre where all the erosion and sediment controls are otherwise complied with the requirements of City Charter and Code Title 5 Chapter 4: Erosion and Sediment Control and Virginia Regulations §4VAC50-30, Virginia Erosion and Sediment Control Handbook (VESCH).

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 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-7 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-8 A wall location plat prepared by a land surveyor is required to be submitted to this office prior to requesting any framing inspection.

Health Department:

F-1 No Comment

Board of Architectural Review:

F-1 427 North West Street is located in the Parker-Gray Historic District and is under the jurisdiction of the Parker-Gray Board of Architectural Review (BAR). The application is for the subdivision of the lot at 427 North West Street into two equal size lots, both with a frontage of 16 feet and a depth of 123 feet. There is an existing freestanding historic house on the north half of the lot, setback 7.3 feet from the front property line. An existing metal shed is at the rear of the property at the south east corner of the property. BAR Staff has no objection to the proposed subdivision and finds the proposed lots generally to be in keeping with historic development patterns in the district. Furthermore, map research indicates that the lot was originally two separate lots which were consolidated at some point during the mid-20th century.

The Parker-Gray BAR approved a Permit to Demolish/Encapsulate and a Certificate of Appropriateness for alterations and an addition to the existing house at 427 North West Street on July 22, 2009 (BAR Case #2009-0141& 0142). The applicant indicated at that time that if the subdivision was approved they would return to the BAR for approval of a new house on the southern lot.

Historic Alexandria:

F-1. This property is located in a late 19th-century neighborhood and near a Civil War facility. There is a possibility for archaeological resources to be present that could provide insight into military and African American residential activities.

F-2 When development is planned for this property, the following conditions shall apply:

- *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 or artifact collection to be conducted on the property, unless authorized by Alexandria Archaeology.
- c. The statements in archaeology conditions above marked with an asterisk "*" 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.

Parks and Recreation:

R-1 A Landscape Plan consistent with the Alexandria Landscape Guidelines, must be submitted with the Grading Plan and approved by RP&CA prior to issuance of a building permit. (RP&CA)

Real Estate:

F-1 No Comment

Police Department:

F-1 The Police Department has no objections to the subdivision.

REVISED



APPLICATION

SUBDIVISION OF PROPERTY

SUB # 2009-0004

PROPERTY LOCATION: 427 N. WEST STREET

TAX MAP REFERENCE: 064.01-08 ZONE: RB

APPLICANT:

Name: ALABAMA AVE L.C. BY STEPHEN KULINSKI A.I.A.

Address: 1300 LAFAYETTE DRIVE, ALEXANDRIA, VA 22308

PROPERTY OWNER:

Name: ALABAMA AVE. L.C.

Address: 1300 LAFAYETTE DRIVE, ALEXANDRIA, VA 22308

SUBDIVISION DESCRIPTION SUBDIVIDE PROPERTY BACK INTO TWO EQUAL PARCELS MEASURING 16'-0" X 123'-5" EACH PER 8/15/1955 DEED (COPY ATTACHED)

THE UNDERSIGNED hereby applies for Subdivision in accordance with the provisions of Section 11-700 of the 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 also attests that all of the information herein provided and specifically including all surveys, drawings, etc., required of the applicant are true, correct and accurate to the best of his/her knowledge and belief.

STEPHEN KULINSKI A.I.A.

Print Name of Applicant or Agent

104 N. WEST STREET

Mailing/Street Address

ALEXANDRIA VA 22314

City and State

Zip Code

[Signature]

Signature

703 836 7243 703 836 7247

Telephone #

Fax #

SKULINSKI@JLBARCHITECTS.COM

Email address

9.22.09 (REVISED 12-16-09)

Date

DO NOT WRITE IN THIS SPACE - OFFICE USE ONLY	
Application Received: _____	Fee Paid and Date: _____
ACTION - PLANNING COMMISSION: _____	

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Subdivision # 2009-0004

ALL APPLICANTS MUST COMPLETE THIS FORM.

Supplemental forms are required for child care facilities, restaurants, automobile oriented uses and freestanding signs requiring special use permit approval.

1. **The applicant is: (check one)**
 the Owner [] Contract Purchaser [] Lessee or [] Other: _____ of
the subject property.

State the name, address and percent of ownership of any person or entity owning an interest in the applicant, unless the entity is a corporation or partnership in which case identify each owner of more than ten percent.

SCOTT MITCHELL 1300 LAFAYETTE DR ALEX, VA 22308 50%
LARRY HIRSCH 1300 LAFAYETTE DR ALEX VA 22308 50%

If property owner or applicant is being represented by an authorized agent, such as an attorney, realtor, or other person for which there is some form of compensation, does this agent or the business in which the agent is employed have a business license to operate in the City of Alexandria, Virginia?

Yes. Provide proof of current City business license.
[] **No.** The agent shall obtain a business license prior to filing application, if required by the City Code.

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2. Please describe the existing and proposed use of the property(ies). Include a description of any structures, trees and landscaping, or other elements that occupy the property(ies).

We are requesting the consideration of the subdivision be based upon the Zoning section 11-1713 subsection (E) variation based upon resubdivision of lots in subdivisions of record as of January 1, 1952. We are subdividing with the intent to conform with the overall scale, character and development patterns of the historic Parker Gray district city blocks.

The existing property is currently a vacant boarded up house that has been condemned by the Building and Code enforcement department. The house sits on the northern half of the lot, the southern half of the lot is empty with the exception of an abandoned metal shed at its rear. The whole property is surrounded by a waist high metal chain link fence except along the northern building structure. There is an area of uncontrolled weed and shrubbery growth along the rear lot line and surrounding as well as inside the metal shed structure. The chain link fence has an automobile accessible gate at the West (street) side of the property, it aligns with a curb cut to allow access to the yard for parking purposes.

The proposed use of the property is residential, the existing house will be renovated with a modest addition and made livable again. The appropriate certificates of approval will be sought from the Parker Gray board of Architectural review. The southern portion of the lot will be converted to a new single family use. The appropriate certificates of approval have been received from the Parker Gray board of Architectural review. The new building will match the scale and architectural style of the existing house on the property and will conform with the original development pattern of the Parker Gray district. The curb cut will be removed and curb parking will be restored in its place. Access to the rear yards will be maintained by an alley of approximately three feet between the old and new houses.

Copies of the original deeds dating back to 1949 & 1955 are attached. They indicate that the property was two separate parcels. The 1962 deed indicates a single parcel. The two separate parcels have always been under single ownership. It appears as though they were consolidated in the deed from 1962.

Subdivision # _____

WAIVER OF RIGHT TO AUTOMATIC APPROVAL

*SUBMITTED TO
THE DEPARTMENT OF PLANNING AND ZONING
CITY OF ALEXANDRIA, VIRGINIA*

SUBDIVISION # _____

Project Name: _____

Project Address: 427 N. WEST STREET

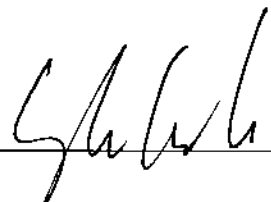
Description of Request: SUBDIVIDE PROPERTY INTO TWO
(2) EQUAL PARCELS

The undersigned hereby waives the right to the 45 day automatic approval provision of Section 11-1708 (B)(2) of the Zoning Ordinance of the City of Alexandria, Virginia, for the application stated above.

Date: 9-22-09

Applicant

Agent

Signature: 

Printed Name: STEPHEN KULIPSKI

427 / 425 North West Street – Subdivision Argument List

Historical Perspective:

- It should be noted that the current footprint of the existing house is limited to one of the two 16.0' x 123.42' parcels as described in the property records listed below. Despite vacating the lot line (and consequently doubling the allowable floor area) the overall footprint and floor area of the existing house has not extended beyond the limitations of the original 16.0' wide parcel. We believe that the current development limited to one of the 16.0' x 123.42' parcels is in keeping with the overall scale and character of the surrounding neighborhood and Parker Gray Historic District. Restoring the former location of the lot line and returning the lot to the original two parcel configuration would limit the size of any further additions to the existing historic structure to an appropriate scale. The alternative of not restoring the lot line would leave the door open for an over scaled addition to the historic structure that would more than double the current floor area. In summary restoring the lot to the original two parcel configuration will ensure that the existing historic structure will remain contextually appropriate while providing a duplicate adjacent parcel for future development.
- Research of historic Sanborn Maps indicates that the property was two separate parcels in the past:
 1. 1921 (First year mapped) 427 was shown as a single parcel south of that address (425 and beyond) is unmapped
 2. 1939 WPA Alexandria Real Property Survey Map shows both parcels zoned as Single Family
 3. 1941 shown as two parcels
 4. 1958 shown as two parcels
- Research of land records also confirms that the property was described and recorded in the deed as two separate parcels:
 1. 1895 Deed shows the purchase of proposed subdivided parcel 425
 2. 1896 Deed shows the purchase of existing parcel 427
 3. 1918 Both parcels (425 and 427) under single ownership
 4. 1936 Deed shows the purchase with both parcels
 5. 1955 Final deed that shows the purchase with both parcels
 6. 1962 Deed shows the purchase as one parcel (the lot line between the two was presumably vacated for this deed but there are no City records found referencing this change aside from the deed description)

- Research of Property Tax Assessment records indicates that no records exist beyond the point where both parcels were under the same ownership and as such have always been a consolidated assessment / payment:
 1. 1955 City of Alexandria Tax Administration form shows a consolidated Assessment but in the Acreage Description for the property it is shown as two equal parcels matching the deed descriptions.

Development / Infrastructure benefits for the City of Alexandria:

- Restoring the property to two parcels will not only maintain and enhance the existing structure (which is in the overall character of the Parker Gray Historic District), but allow for the future development of the adjacent parcel in a similar scale, style and proportion. The second parcel would in essence “fill in the gap” that was unintentionally left with the vacation of the lot line.
- In zone RB the Floor Area Ratio (FAR) of .75 restricts the total floor area of the parcels to the same total square footage as one parcel or as two. With a total lot area of 3,949 sq. ft. the maximum allowable floor area is 2,961.75 sq. ft. In a re-subdivided configuration each lot would have a total lot area of 1,974.5 sq. ft. the maximum allowable floor area would be 1,480.875 sq. ft. –or- 2,961.75 sq. ft. combined. Our proposed designs for each of the two parcels would conform to the Department of Planning and Zoning Floor Area Ratio and Open Space Calculations.
- Restoring the property to two parcels would necessitate the elimination of the current curb cut providing driveway access to the lot off of West Street.
- Restoring the property to two parcels will provide two modestly priced and scaled homes within walking distance to the Metro. Two modest homes would fit the development patterns of the Parker Gray Historic District much better the alternative of one large scale “luxury home”.

Financial Benefits for the City of Alexandria:

- 2009 property tax is calculated at .903 per \$100 of assessed value
- The current assessment without improvements stands at \$553,107
 - $\$553,107 / 100 = 5,531.07 \times .903 = \mathbf{\$4,994.56}$
 - The improvement of the existing parcel as well as the addition of new home on the adjacent parcel will roughly double the tax revenue for the property.

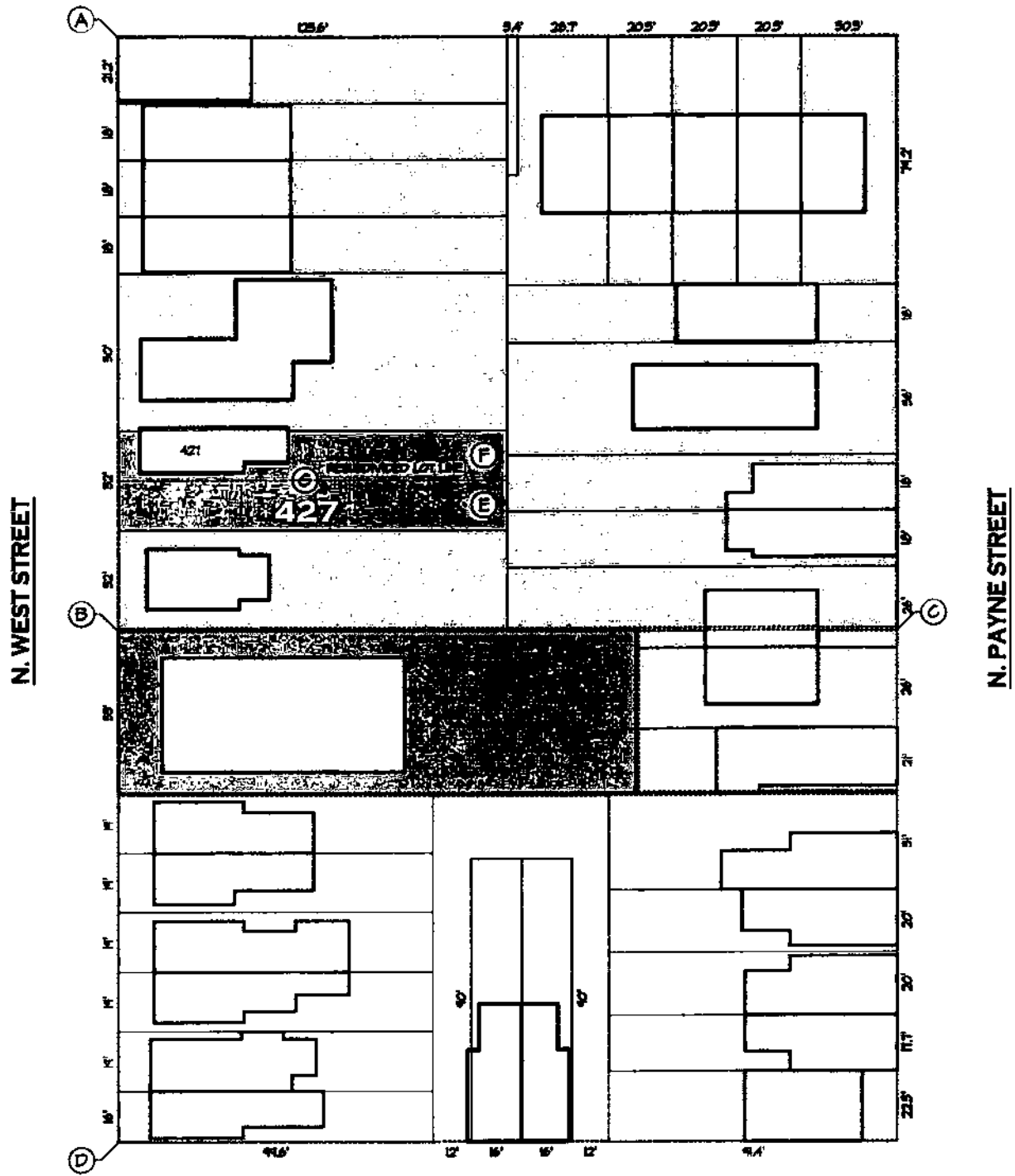
427 / 425 North West Street Deed Research Timeline (see attached map)

- 1880 -
 -
 - October 16, 1882 - Sanner – (larger parcel subdivision *A*)
 -
 - March 25, 1884 – Gaskins from Sanner (*A*)
- 1885 -
 -
 -
 -
- 1890 -
 -
 -
 -
- 1895 -
 - September 27, 1895 – Frazier from Gaskins (smaller parcel *E*)
 - January 17, 1896 – Locket from Gaskins (small parcel *F*)
 -
 -
 - September 1, 1899 – Hammersly from Frazier (*E*)
- 1900 -
 -
 -
 -
- 1905 -
 -
 -
 -
- 1910 -
 -
 -
 -
- 1915 -
 -
 -
 -
 - June 6, 1918 – Locket from Hamersley (*E*)
 -
- 1920 -
 - **Approximate 427 N. West Street Construction Date (*F*)**
 - 1921 Sandborn map shows parcel (*F*) w/ house (parcel (*E*) not mapped)
 -
 -

- 1925 -
-
-
-
- 1930 -
-
-
-
- 1935 -
- September 22, 1936 – Recker from Smith (sole heir of Locket) (*E & F*)
- February 24, 1937 – Scoot / Hall from Recker (*E & F*)
-
- May 1939 - Real Property Survey Map Parcels zoned Single Family (*E & F*)
- 1940 -
- 1941 Sandborn map shows parcel (*F*) w/ house (empty parcel (*E*) mapped)
-
-
- 1945 -
- October 17, 1945 – Hall from Scott / Hall (*E & F*)
-
-
- March 3, 1949 – Head from Hall (*E & F*)
- 1950 -
-
- **January 1, 1953 – Zoning subdivision of record cut-off date**
-
- 1955 -
- August 15, 1955 – Baker from Head (*E & F*)
-
- 1941 Sandborn map shows parcel (*F*) w/ house (empty parcel (*E*) mapped)
-
- 1960 -
-
- **March 1, 1962 – Pitts from Baker (consolidation *G*)**
-
- 1965 -

BLOCK SUBDIVISION HISTORY MAP

ORONOCO STREET



ORIGINAL 6 LARGE PARCEL SUBDIVISION

- (A) 1882 - SANNER
- (B) 1882 - MERCER
- (C) 1882 - MYERS
- (D) 1882 - YEATMAN

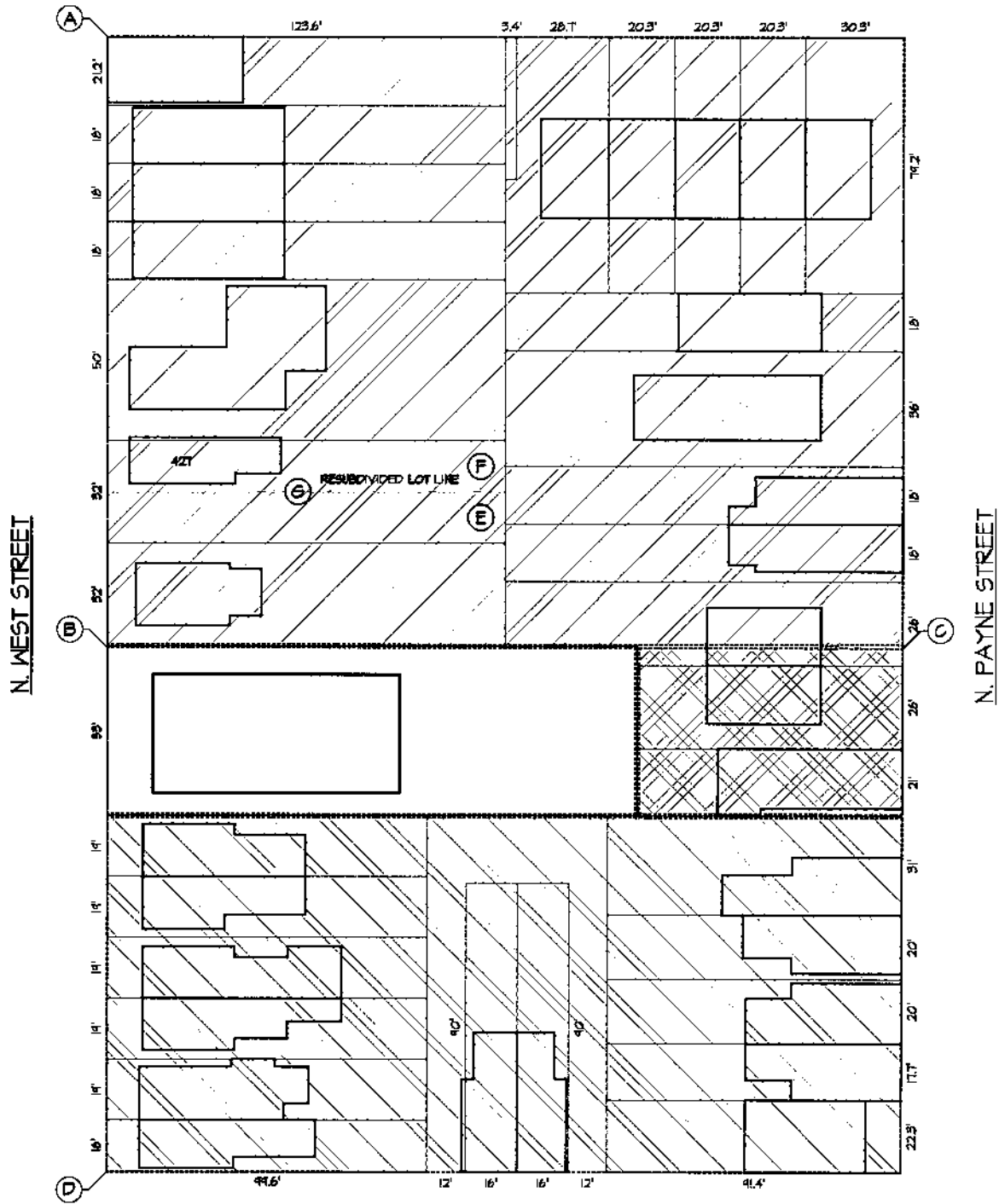
SMALLER PARCEL SUBDIVISION

- (E) 1845 - FRAZIER
- (F) 1846 - LOCKET

PRINCESS STREET

RB ZONE

ORONO CO STREET



ORIGINAL & LARGE PARCEL SUBDIVISION

- (A) 1882 - SANDER
- (B) 1882 - MERCER
- (C) 1882 - MYERS
- (D) 1882 - YEATMAN

SMALLER PARCEL SUBDIVISION

- (E) 1895 - FRAZIER
- (F) 1896 - LOCKET

PRINCESS STREET

RB ZONE

ARTICLE III. RESIDENTIAL ZONE REGULATIONS

Sec. 3-100 RB/Townhouse Zone.

3-705 Density and lot requirements.

(A) Density. Gross density shall not exceed 22 dwelling units an acre.

(B) Lot size.

(1) Each dwelling unit shall be located on a lot with a minimum land area of 1,980 square feet; provided however that in the case of unusual circumstances or exceptional design, a minimum land area of 1,600 square feet for each dwelling unit may be provided if approved pursuant to a special use permit. **See 3-707-B**

(2) Each other principal use shall be located on a lot with no minimum land area requirement except that which occurs as a result of other applicable regulations such as yards, floor area ratio and parking.

(C) Lot width and frontage.

(1) For all buildings other than townhouse dwellings, the minimum lot width at the building line and the minimum lot frontage at the front lot line shall be 50 feet. In the case of two-family semi-detached dwellings, the minimum lot frontage shall be 25 feet for each dwelling unit. **Proposed lot widths of 16'-0"**

(2) For townhouse dwellings, the minimum lot width at the front building line and the minimum lot frontage at the front lot line shall be 18 feet for interior lots, 26 feet for end lots and 38 feet for corner lots. For exterior lots on a cul de sac or curved street which has a radius of less than 100 feet, the width at the front lot line may be reduced by a maximum of three feet if approved by the planning commission but in no event to a width at the front building line of less than 18 feet.

3-706 Bulk and open space regulations.

(A) Yard requirements.

(1) Front yard. Each use shall provide a front yard of at least 20 feet, except within the Old and Historic Alexandria and the Parker-Gray Districts where the

front building line shall be the same as the front lot line or such other line consistent with the character of the district that the board of architectural review approves. **Proposed lots are located in the Parker-Gray Historic District and the lot widths are consistent with the character of the district**

- (2) Side yards-outside historic districts. (Not Applicable)
- (3) Side yards-within historic districts. Within the Old and Historic Alexandria and the Parker-Gray Districts, the following side yard requirements shall apply.
 - (a) Each residential lot which is 35 feet wide or wider shall provide two side yards of at least five feet each.
 - (b) Each residential lot which is at least 25 feet but less than 35 feet wide shall provide one side yard of at least five feet.
 - (c) No side yard is required on a residential lot which is less than 25 feet wide. **Proposed lot widths of 16'-0"**
 - (d) Each nonresidential lot shall provide two side yards of at least five feet each, regardless of the width of the lot.
- (B) Open and usable space. Each lot occupied by a dwelling unit shall provide a minimum of 800 square feet of open and usable space for each dwelling unit; **A minimum of 800 square feet of open and usable square feet will be provided for each dwelling unit** provided however,
 - (1) In the case of multifamily dwellings, improved rooftops and decks are encouraged and the following amount of such space may be offset against the amount of open and usable space which would otherwise be required at ground level: up to 80 square feet of the open space requirement for each dwelling unit may be provided in the form of improved rooftops or decks if an amount of land equal to the amount provided in the rooftops or decks is located between the front lot line and any building or parking area and is appropriately landscaped.
- (C) FAR. The maximum permitted floor area ratio is 0.75. **Both proposed lots will be below the maximum permitted floor area**
- (D) Height. The maximum permitted height of a structure is 45 feet. **Both proposed lots will be below the maximum height of structure requirements**

3-707

Certain structures, lots and uses inconsistent with these provisions. All land within the RB zone must be used and developed in compliance with the RB zone regulations unless

otherwise provided in this ordinance or by the following exceptions:

- (A) Any land which was zoned to RB on or prior to February 27, 1973 may be used for multifamily dwelling provided: (Not applicable)
- (B) Any land zoned to RB prior to February 27, 1973 may be developed at a minimum lot size or 1,600 square feet per dwelling; provided however that if the lot was recorded prior to December 28, 1951, the lot may be developed with a single-family dwelling and accessory structures at the lot size shown on the recorded plat. ***Deed Research shows that proposed lot 425 became a lot of record on September 27, 1895. Existing lot 427 became a lot of record January 17, 1896. WPA Real Property Survey Map dated May 1939 shows both parcels zoned as Single Family.***
- (C) Any land zoned to RB after February 27, 1973 but prior to June 24, 1992 and part of an urban renewal project may be developed at a density of 1,600 square feet per dwelling unit.
- (D) Prior to June 24 19922, professional office uses were permitted in the RB zone subject to a use permit and those specific uses previously approved may continue at the same location and subject to the requirements and conditions of the special use permit approved for such use.

ARTICLE XI. DEVELOPMENT APPROVALS AND PROCEDURES

Sec. 11-1700 Subdivisions.

11-1713 *Variations.* The commission may, by vote of a majority of its members, authorize specific variations from the provisions of this section 11-1700, when in its opinion a strict adherence to such provisions would result in substantial injustice. *The existing structure located on the 427 North West Street parcel is limited to one parcel of the original two parcel configuration. The structure being of historic significance will remain in its current location and be restored. A minor addition with a modern kitchen and bedroom will be added. The "substantial injustice" lies in the fact that the historic house only encompasses 1,154 square feet of the 2,961.75 square feet allowed (in the consolidated parcel configuration). Thus an addition more than 1 ½ times larger than the existing historic structure could be built. The mass, and character of a "by right" addition under the current zoning guidelines would not be appropriate for the existing individual historic home or the overall Parker-Gray Historic District. The vacation of the two parcel lot line in combination with the size and location of the historic home has effectively left a "gap" in the block face which can not be appropriately filled while satisfying historic preservation efforts. The restoration of the lot line and a return to a two parcel configuration will both preserve the historic structure and limit the size of the addition as well as ensure that future development on the adjacent lot will be of appropriate scale and character so as to fill the "gap" and maintain the character of the Parker-Gray Historic District. and when one of the following circumstances exists; provided, however, that the use of character of the resulting lots or parcels in such a subdivision shall not be inconsistent with the use provisions of the zone in which the property is situated or the existing development in the immediate area:*

- (A) Extremely rugged topography.
- (B) Irregularity in shape or parcel preventing conformance with normal lot area or frontage requirements.
- (C) Insufficient frontage on existing street when the interior of the tract can be served only by a street substandard in width when not serving more than five lots, provided the street is not less than 30 feet in width. If only a single lot is served, the width may be less than 30 feet. A turn around area may be required.

- (D) Streets along border of the subdivision where the subdivision borders on unsubdivided land and the remaining street width will be provided from adjacent land.
- (E) Resubdivision of lots in subdivisions of record as of January 1, 1952, where, because of existing structures or gross area of land involved, the subdivided lots would not conform to all of the requirements of the zone in which the subdivision is located. ***Proposed lot 425 became a lot of record on September 27, 1895 Existing lot 427 became a lot of record January 17, 1896***

PARKER-GRAY CONFORMING CHARACTER STUDY

- M1 ILLUSTRATES CORE RESIDENTIAL AREA OF PARKER GRAY HISTORIC DISTRICT AND THE SPECIFIC BLOCKS ANALYZED (OUR BLOCK IS SHOWN IN RED)
- M2 PARCELS 18'0" AND BELOW - MINIMUM LOT WIDTH FOR TOWNHOMES IN ZONE RB (OUR PARCEL LABELED AS *427)
- M3 PARCELS BELOW 25'0" WIDE - MINIMUM LOT WIDTH FOR SEMI-DETACHED HOMES IN ZONE RB (OUR PARCEL LABELED AS *427)
- M4 PARCELS BELOW 50'0" WIDE - MINIMUM LOT WIDTH FOR SINGLE FAMILY HOMES IN ZONE RB (OUR PARCEL LABELED AS *427)
- M5 BLOCK PARCEL DESCRIPTION MAP ZONING CONFORMANCE VS NON-CONFORMANCE ANALYSIS OUR PARCEL LABELED AS *427

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SHEET NUMBER

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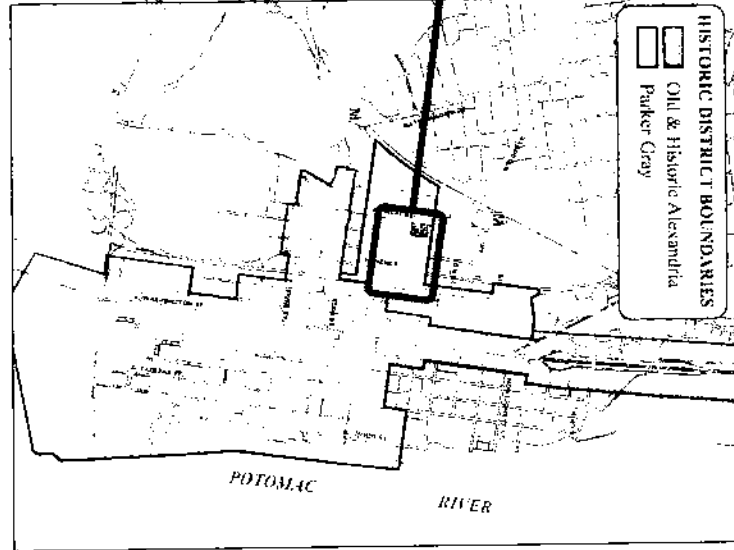
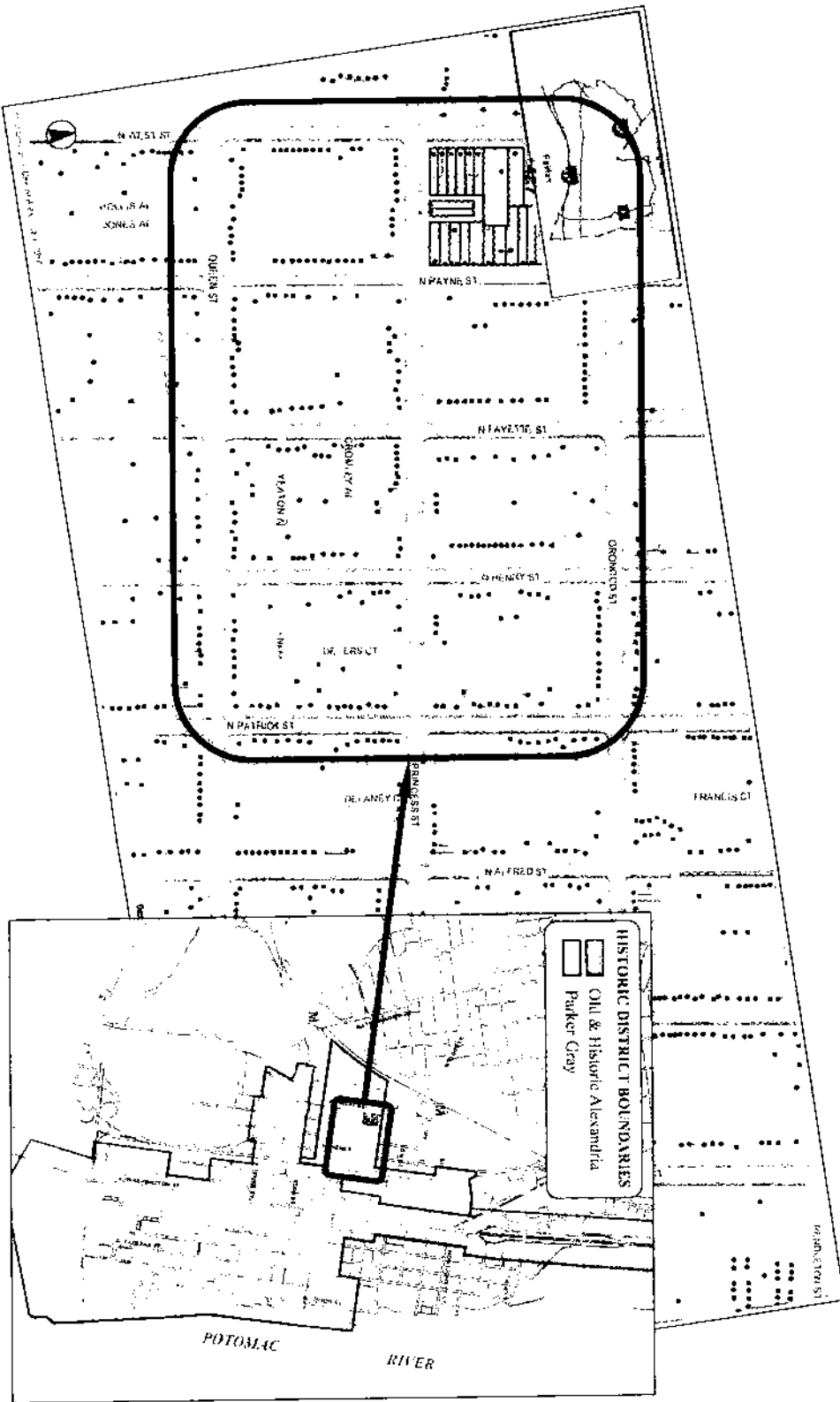
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ZONING MAP - COVER SHEET

PARKER GRAY HISTORIC DISTRICT - ZONING MAP COVER SHEET



ZONING MAP - COVER SHEET

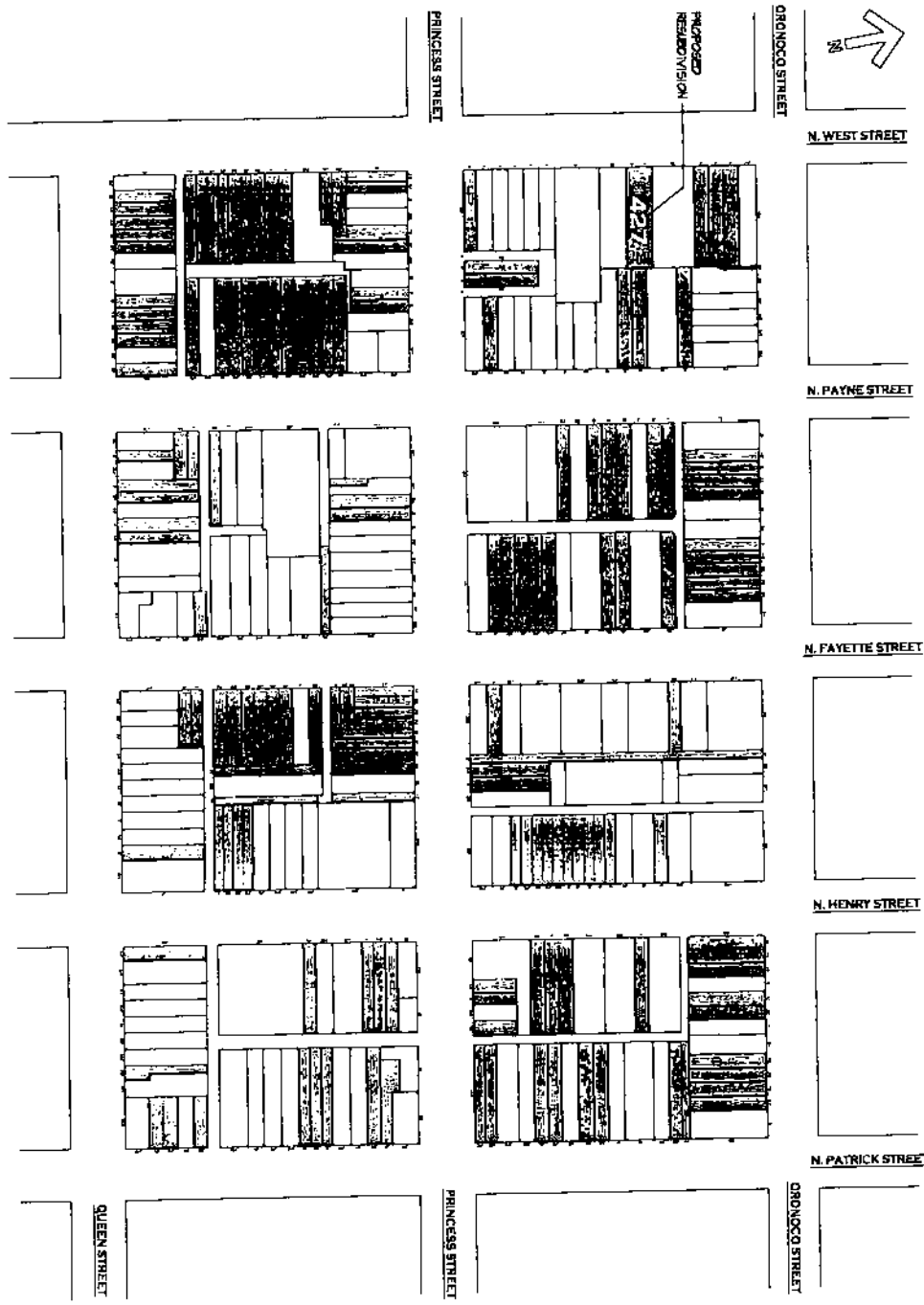
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PARCELS 18'-0" AND BELOW - MINIMUM LOT WIDTH FOR TOWNHOMES IN ZONE RB



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MARKET
 PARCELS 18'-0" AND BELOW
 MINIMUM LOT WIDTH
 FOR TOWNHOMES
 IN ZONE RB

ZONING MAP - PARKER GRAY HISTORIC DISTRICT CORE

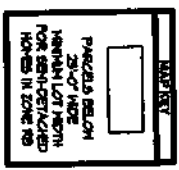
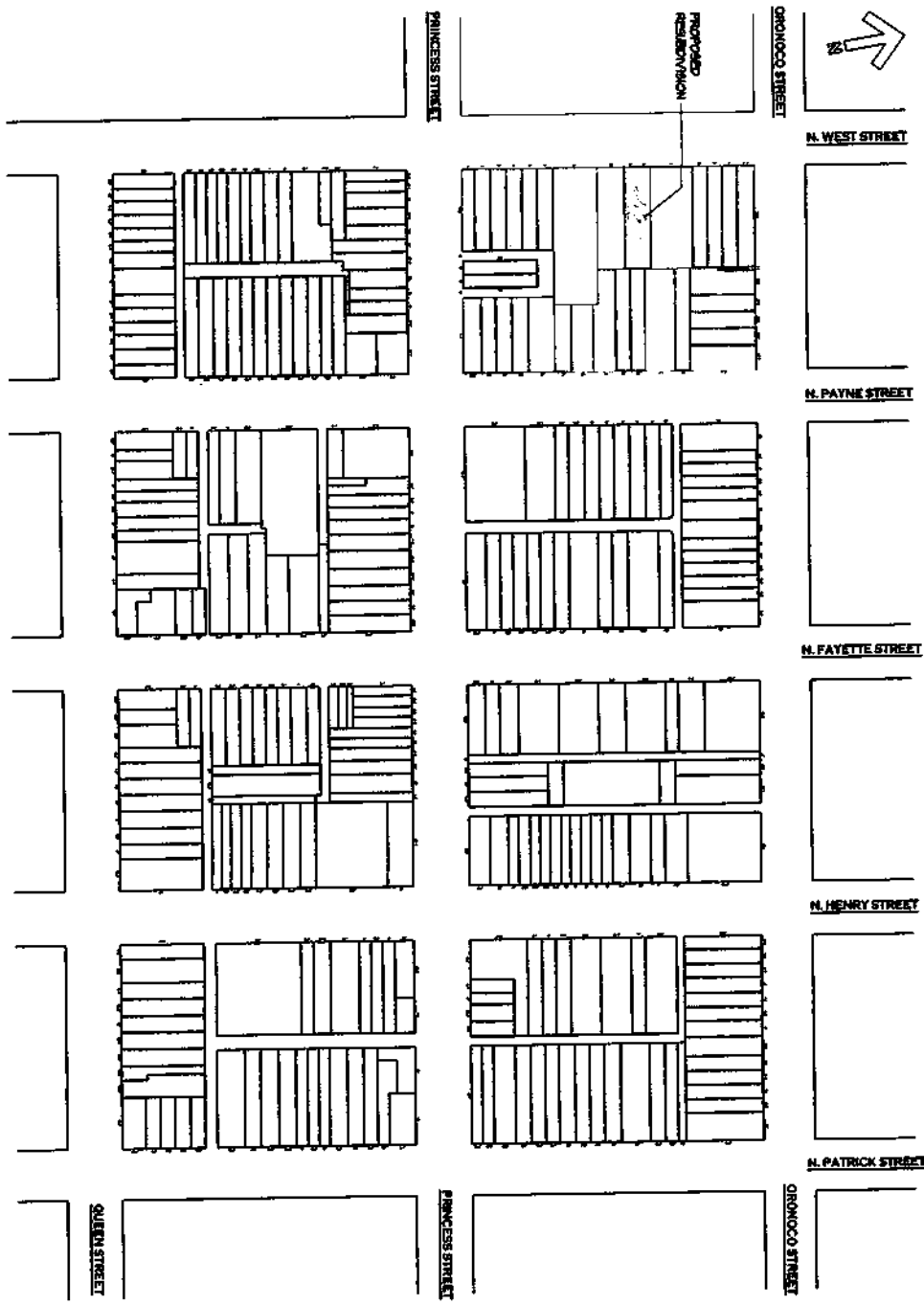
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M2

PARCELS BELOW 25'-0" WIDE - MINIMUM LOT WIDTH FOR SEMI-DETACHED HOMES IN ZONE RB



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ZONING MAP - PARKER GRAY HISTORIC DISTRICT CORE

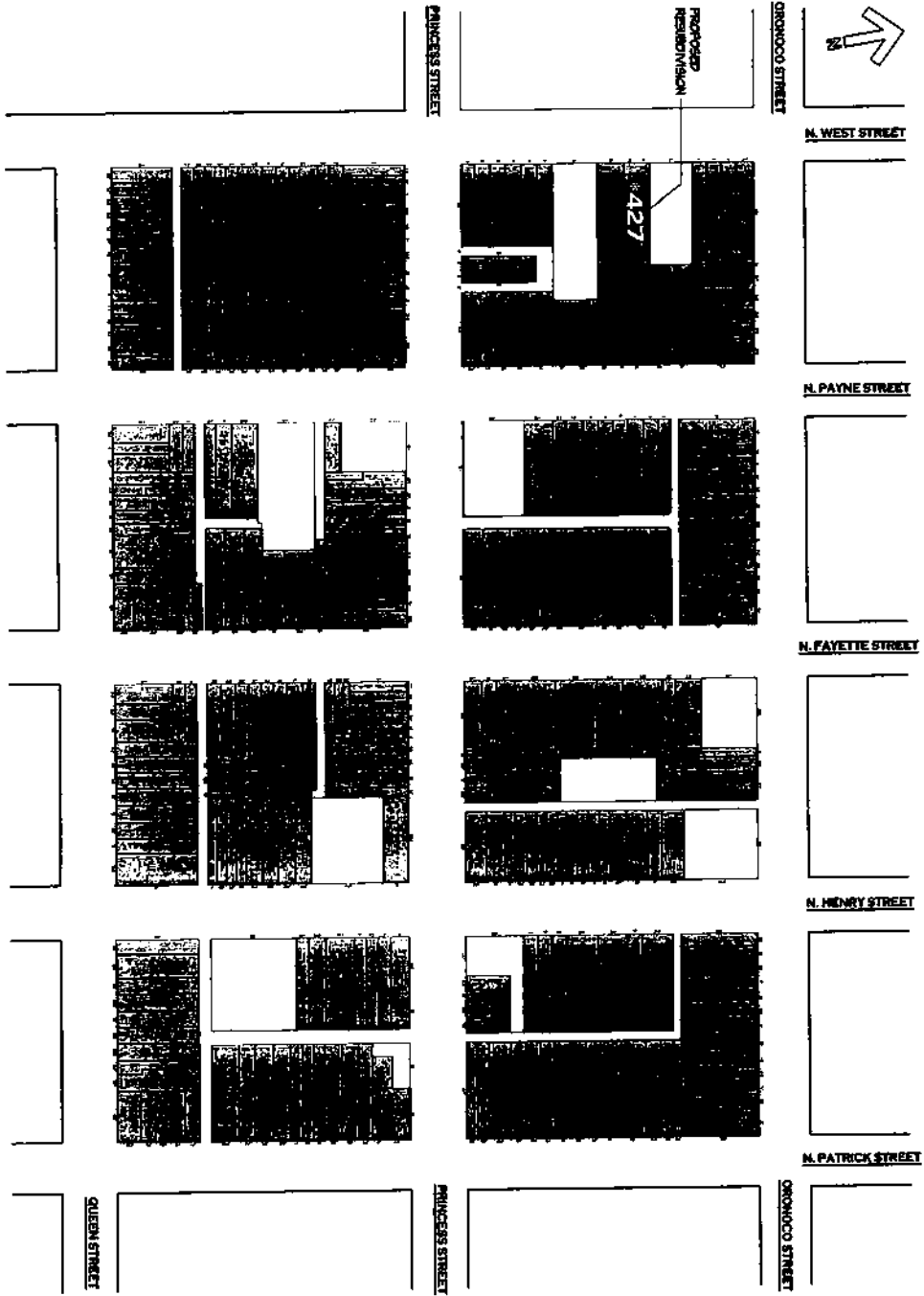
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M3

PARCELS BELOW 50'-0" WIDE - MINIMUM LOT WIDTH FOR SINGLE FAMILY HOMES IN ZONE RB



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MAP KEY
 PARCELS BELOW
 50'-0" WIDE
 MINIMUM LOT WIDTH
 FOR SINGLE FAMILY
 HOMES IN ZONE RB

ZONING MAP - PARKER GRAY HISTORIC DISTRICT CORE

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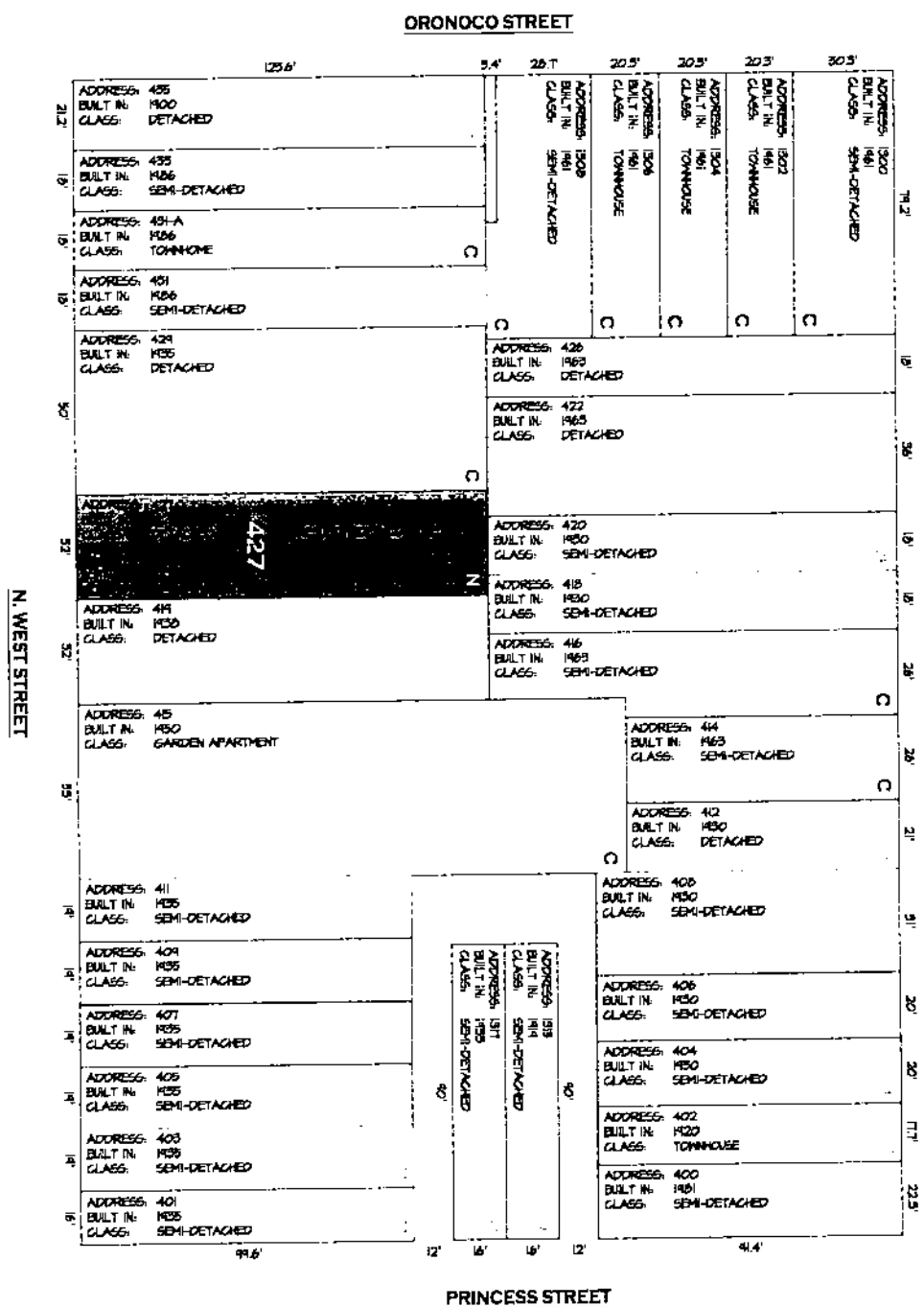
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M4

SCALE 1"=20'



BLOCK PARCEL DESCRIPTION MAP



ZONING CONFORMANCE ANALYSIS

NON-CORPORATE LOT FRONTAGE:	23 LOTS	70%
CORPORATE LOT FRONTAGE:	10 LOTS	30%
TOTAL LOTS:	33 LOTS	100%

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BLOCK PARCEL DESCRIPTION MAP / ANALYSIS

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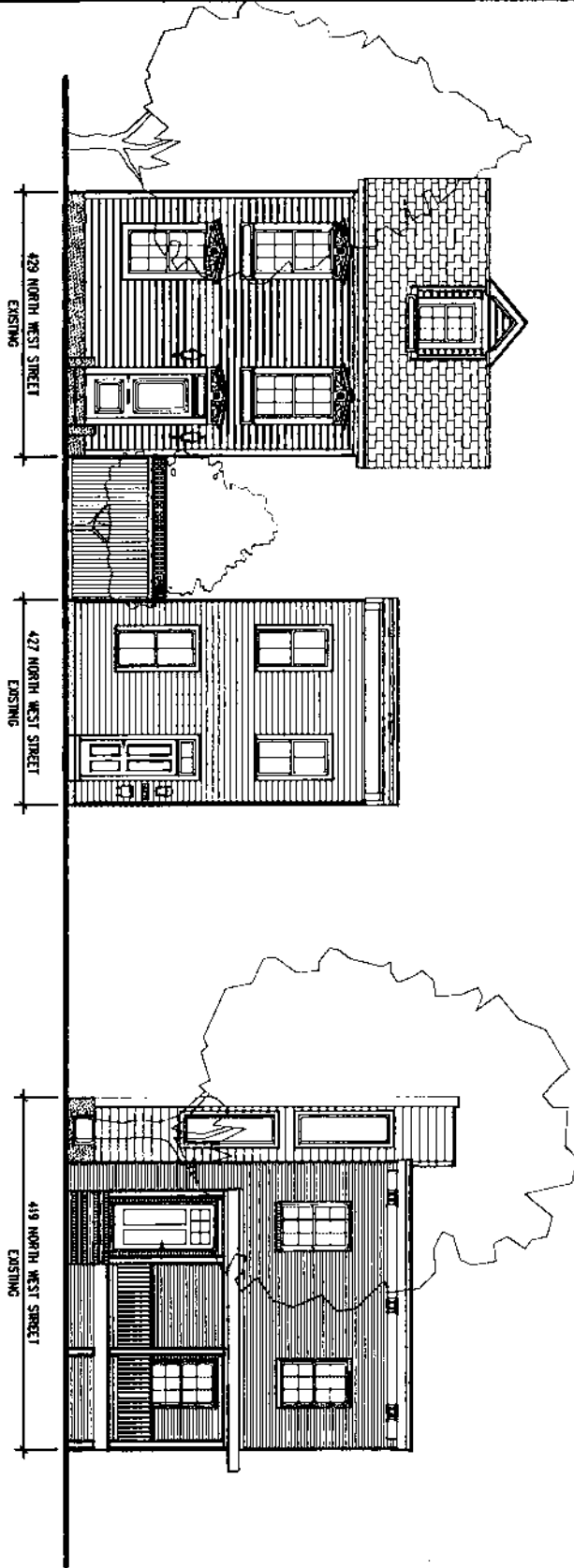
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M5

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A1 EXISTING WEST STREET - STREETScape
SCALE: 1/8" = 1'-0"



A1

EXISTING 427 / 425 WEST STREET - STREETScape

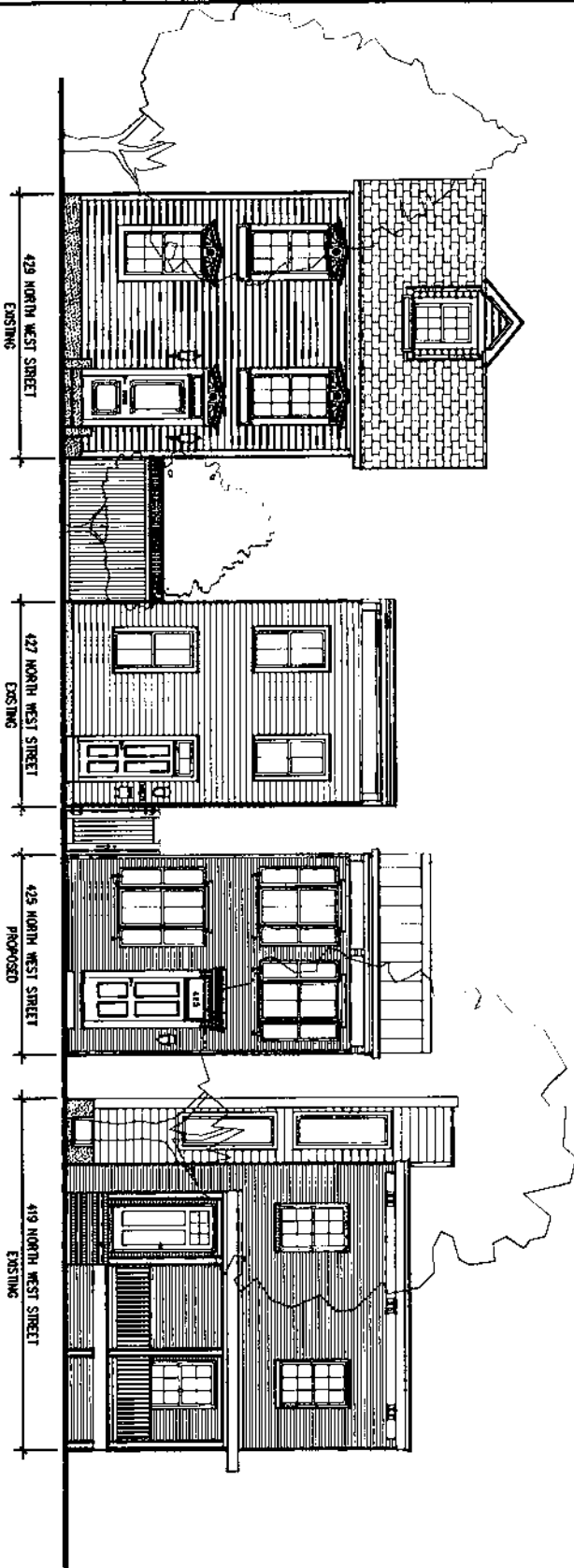
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PROPOSED WEST STREET - STREETSCAPE
AS SHOWN ON SHEET 110



PROPOSED 427 / 425 WEST STREET - STREETSCAPE

427 / 425 WEST STREET ALEXANDRIA, VA 22314

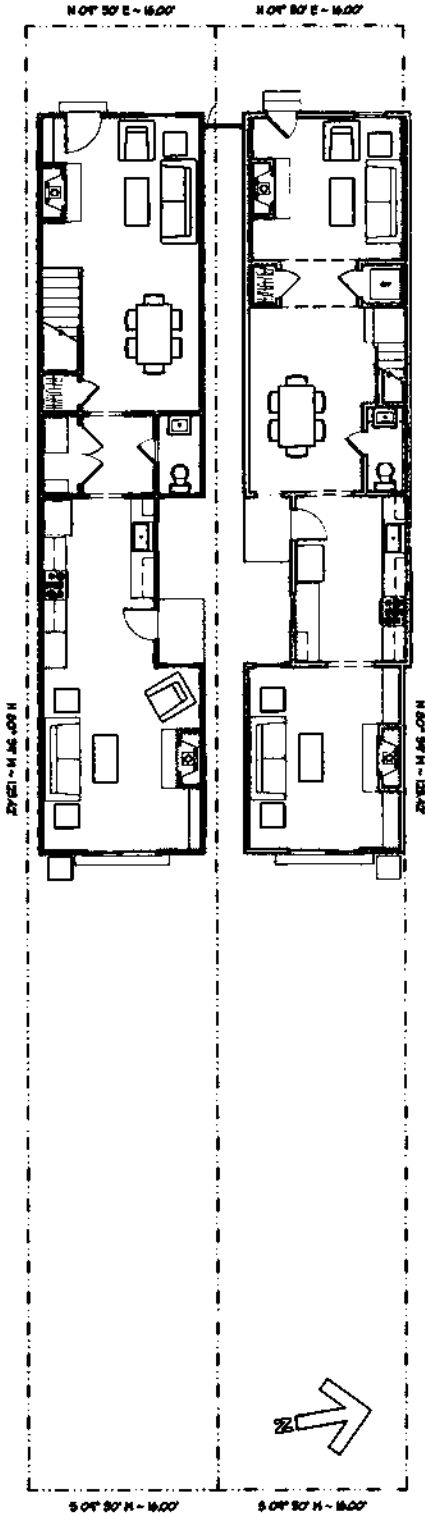
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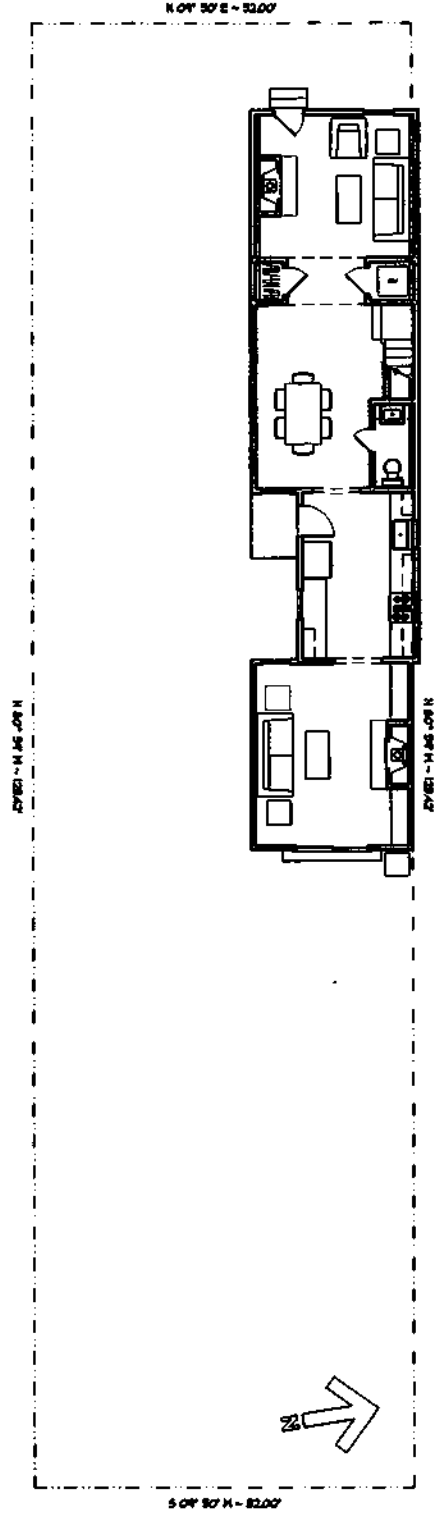
A2

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3 PROPOSED SITE / FIRST FLOOR PLANS
SCALE: 1/8" = 1'-0"



4 EXISTING SITE / FIRST FLOOR PLAN
SCALE: 1/8" = 1'-0"



A3

EXISTING / PROPOSED 427 / 425 WEST STREET - SITE PLANS

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