

5428 FILLMORE

Application No. 1523

- Special Use Permit
- Board of Zoning Appeals
- Encroachment
- Subdivision
- Other

Action of City Council: Granted Granted Subject to Conditions Granted in Part Denied Deferred

Recommendation of Planning Commission: Granted Granted Subject to Conditions Granted in Part Denied Withdrawn

Action of Board of Zoning Appeals: Granted Granted Subject to Conditions Granted in Part Denied Withdrawn

Location 5428 Fillmore

Assessment Map 10.00 Parcel Block 5 Lot 5 Zone

Applicant:

Proposed Use of Property Owner

Application Filed Advertise in Newspaper Property Owners Notified

Public Hearing Before Planning Committee Jan. 4, 83 City Council Jan 22, 83 Board of Zoning Appeals

REMARKS:



23
-22-83

APPLICATION: SPECIAL USE PERMIT No. 1523

The undersigned hereby applies for a Special Use Permit, in accordance with the provisions of Article J, Chapter 6, Title 7 of the Code of the City of Alexandria, Virginia, 1981 as amended.

Applicant CHARLES THOMAS LINHOSS

Premises Located 5428 FILLMORE AVE.

Assessment Map 010.00 Block 05 Lot 05

Property Owner CHARLES THOMAS LINHOSS 256-4056
NAME TELEPHONE NO.
132 N. EARLY ST. ALEXANDRIA VA. 22304
ADDRESS

Use Requested SINGLE FAMILY RESIDENTIAL Zone R-20
(LOT WIDTH 500.42-25 (6')) BUILD ON SUBSTANDARD LOT

The undersigned, having obtained permission from the owner, hereby grants permission to the City of Alexandria, to post placard notice as required by Sec. 7-6-302 of the Alexandria City Code, 1981 as amended, on the property for which this special use permit is being requested. The undersigned also attests that all of the information herein provided and specifically including all surveys, drawings, etc. required to be furnished by the applicant are true, correct and accurate to the best of his [their] knowledge and belief.

Charles Thomas Linhoss 256-4056
SIGNATURE OF APPLICANT OR AUTHORIZED AGENT TELEPHONE NUMBER

132 N. EARLY ST. ALEXANDRIA VA. 22304
ADDRESS

[DO NOT WRITE BELOW THIS LINE ... OFFICE USE ONLY]

S.U.P. Application Received 12-1-82 \$ 50.00 12-1-82
DATE FEE DATE PAID

Section and Provision of Chapter 6 Title 7 of the Alexandria City Code, 1981 as amended under which this special use permit is being requested _____

Date[s] of Planning Commission Hearing [3] _____

Date[s] of City Council Hearing [s] _____

Special Use Permit Advertised in Newspaper _____

Subject Property Placarded _____

ACTIONS

Planning Commission 1/4/83 Recommend approval, 7-C.

City Council RPH 1/22/83 Granted, subject to compliance with all applicable codes, ordinances and staff recommendations



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Date(s) of Planning Commission Hearing [s] _____

Date(s) of City Council Hearing [s] _____

Special Use Permit Advertised in Newspaper _____

Subject Property Placarded _____

ACTIONS

Planning Commission 1/4/83 Recommend approval, 7-0.

City Council RPII 1/22/83 Granted, subject to compliance with all applicable codes, ordinances and staff recommendations

SPECIAL USE PERMIT

Special Use Permit No. 1523 was approved by City Council on 1/22/83
Permission is hereby granted to Charles Thomas Linhoss
to use premises located at 5428 Fillmore Avenue
for the following purpose to construct a single family dwelling on substandard lot
and under the following conditions see attached

February 10, 1983
Date

Douglas [Signature]
City Manager

DOCKET ITEM # 10
SPECIAL USE PERMIT #1523

PLANNING COMMISSION MEETING
TUESDAY, JANUARY 4, 1983
7:30 P.M., COJNCIL CHAMBERS

ISSUE: Request permit to construct a single family dwelling on a substandard lot on the property located at 5428 Fillmore Avenue, and zoned R-20, Residential. APPLICANT: CHARLES THOMAS LINHOSS.

STAFF RECOMMENDATION:

Recommend approval subject to all applicable codes and ordinances.

PLANNING COMMISSION MEETING OF JANUARY 4, 1983:

Mr. Linhoss represented the application.

No one appeared in opposition.

COMMISSION ACTION:

On a motion of Mr. Cockrell, seconded by Mr. Hoben, the Planning Commission voted to recommend approval of the request, subject to compliance with all applicable codes, ordinances and staff recommendations.

The motion carried on a vote of 7 to 0.

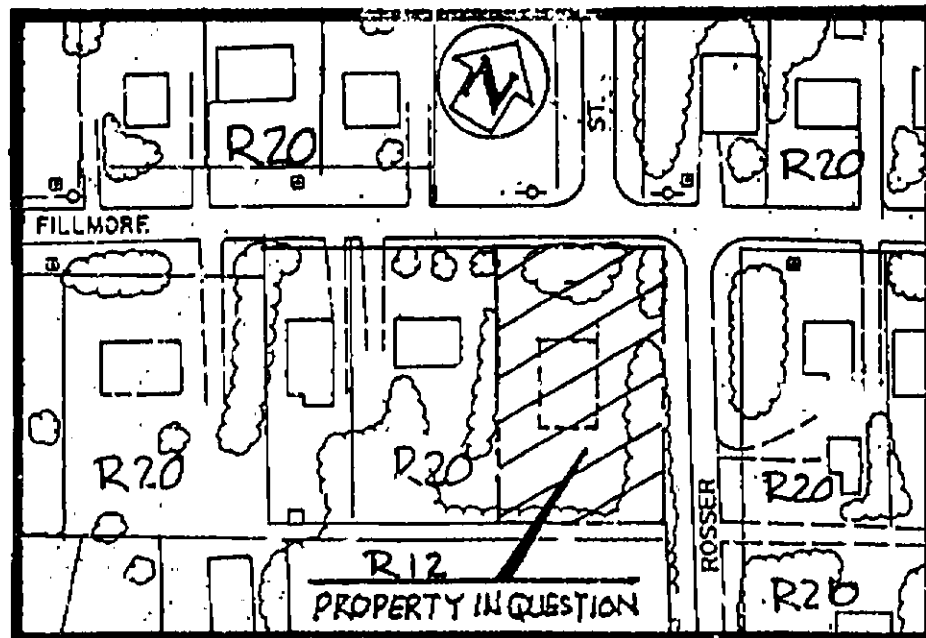
REASON:

The Planning Commission agreed with the staff analysis.

CITY COUNCIL MEETING OF JANUARY 22, 1983:

Granted, subject to compliance with all applicable codes, ordinances and staff recommendations.

The subject property and surrounding land uses are shown on the sketch below:



DISCUSSION:

The subject property is one (1) lot of record having 164 feet of frontage on North Rosser Street, 100 feet of frontage on Fillmore Avenue and a lot area of 16,392 square feet.

The area surrounding the property in question is zoned R-12 and R-20, residential and developed by single family detached residences.

The applicant proposes to construct a split foyer type single-family dwelling approximately fifty (50) feet wide by twenty-eight (28) feet deep on an existing lot of record located on the southwest corner of North Rosser Street and Fillmore Avenue. The lot is substandard in frontage (100 feet existing, 120 feet required) and in lot area (16,392 square feet existing, 20,000 square feet required).

The applicant proposes to construct a split foyer dwelling with a basement. The proposed dwelling will contain four (4) bedrooms, a living area, dining area, kitchen, recreation room and garage. (See attached plans and elevations)

Section 7-6-44 (a) of the City Zoning Code allows the construction of a single family dwelling on lots that are substandard in area or width provided that the following conditions are met:

- (1) as of May 14, 1974, and continuously thereafter, the said lot is not owned by any person having any interest whatsoever in any contiguous land, and
- (2) a special use permit is granted under the provisions of Section 7-6-191 to 7-6-195 of this Code, and
- (3) City Council, upon consideration of the special use permit, finds that the proposed use shall not unreasonably impair an adequate supply of light and air to adjacent property and shall not diminish or impair the established property values in surrounding areas.

The subject property is basically flat and has several mature trees at the periphery of the property. Staff believes that the majority of the trees can be retained based on the proposed location of the dwelling.

On June 27, 1978 City Council approved Special Use Permit #1177 for the construction of an almost identical single family dwelling on this property. The dwelling was never constructed and the property was thereafter sold to the present applicant.

The applicant is advised that in accordance with Section 7-6-194 of the City Zoning Code, construction or operation of approved special use permit shall be commenced within one year of date of issuance or the special use permit shall become void.

LAND USE AND MAJOR THOROUGHFARE PLAN:

The subject property is shown for low density residential land use on the Land Use Plan Map of the Consolidated Master Plan.

Fillmore Avenue is shown as a residential collector street on the Major Thoroughfare Plan Map.

ZONING HISTORY:

Both the Fourth Revised Zoning Map of 1954 and the current Fifth Revised Zoning Map of 1963 indicate the property as R-20, residential.

DEPARTMENTAL COMMENTS:

Transportation & Environmental Services:

- C-1 Owner will have to dedicate right-of-way along Fillmore and install curb and gutter and sidewalks before obtaining building permit.
- F-1 No objections to proposed construction.

Fire:

No objections.

Building & Mechanical Inspections:

No objections.

Health:

If SUP is granted, the house will have to comply with the electrical requirements of the 1981 National Electric Code and Title 8 of the City Code.

STAFF ANALYSIS:

Since the proposed dwelling will comply with the required setbacks in the front, side and rear yards, an adequate supply of light and air will be available to any structures that are erected after the subject dwelling is erected. The staff also feels that the proposed dwelling will be in keeping with the size and style of residences in the Dowden Terrace area.

SPECIAL USE PERMIT 1523

INFORMATION AS REQUIRED UNDER ORDINANCE NO. 2495

All applications for special use permits must include the following information, supplied in writing by the applicant for such special use permit:

- (1) A map showing the location of all properties (in whole or in part) within three hundred (300) feet of the boundaries of the property for which a special use permit is sought which:
 - a. contain uses substantially similar to those for which an application for a special use permit is made, or
 - b. contain residential uses.

- (2) Plans of the applicant to control any potential impacts of the proposed use on the nearby community, including:
 - a. Noise. The noise levels anticipated from all mechanical equipment and a statement as to whether such anticipated noise complies with the levels permitted by chapter 22A of the city code. Plans of the applicant to control these noise levels, as well as those emanating from patrons.

N/A

- b. Odors. The methods to be used to control odors emanating from the use.

N/A

- c. Trash and litter. The type and volume of trash and garbage the proposed use will generate. The planned frequency of trash and garbage collection. The planned methods to prevent littering on the property, the streets and nearby properties.

NORMAL VOLUME OF TRASH FROM SINGLE FAMILY DWELLING, TO BE COLLECTED BY CITY TRASH SERVICE.

- d. Loading/unloading. The availability and adequacy of off-street loading facilities to serve the proposed use. The hours and frequency of off-street loading, if used or needed.

N/A

- e. Parking. The location of parking either on-site or within three hundred (300) feet of the site, and the number of spaces available to serve the employees and patrons during hours of operation.

~~N/A~~ PARKING SPACE PROVIDED ON PROPERTY FOR RESIDENCE (2 SPACES IN DRIVE PLUS GARAGE)

f. Streets. The design capacity of all streets upon which the use shall have frontage.

TWO LANE RESIDENTIAL STREETS ~~FOR~~ TO SERVICE
SURROUNDING NEIGHBORHOOD.

g. Use capacity. The estimated number of patrons, clients, pupils and other such users. The proposed number of employees, staff and other personnel.

N/A.

h. Hours. The proposed hours and days of operation of the use.

N/A

i. Loitering. The methods to control any loitering outside or near the proposed use.

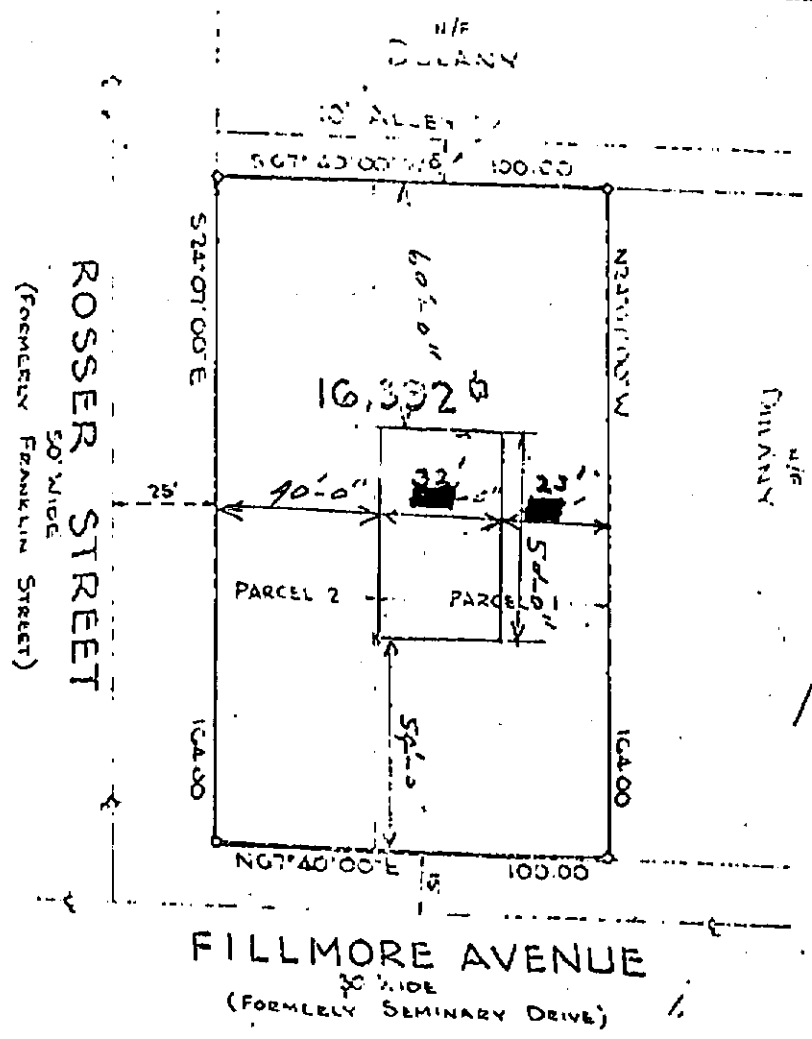
N/A

(3) Each application shall contain a clear and concise statement identifying the applicant, including the name and address of each person owning an interest in the applicant and the extent of such ownership interest. If the applicant itself, or one of such persons holding an ownership interest in the applicant is a corporation, each person owning an interest in excess of ten percent (10%) in the corporation and the extent of the interest shall be identified by name and address. For the purpose of this section, the term "ownership interest" shall include any legal or equitable interest held in the subject real estate at the time of the application.

CHARLES THOMAS LINHOSS 132 N. EARLY ST.
ALEXANDRIA VA. 22304 100% OWNERSHIP

830-1379

SUP 1523

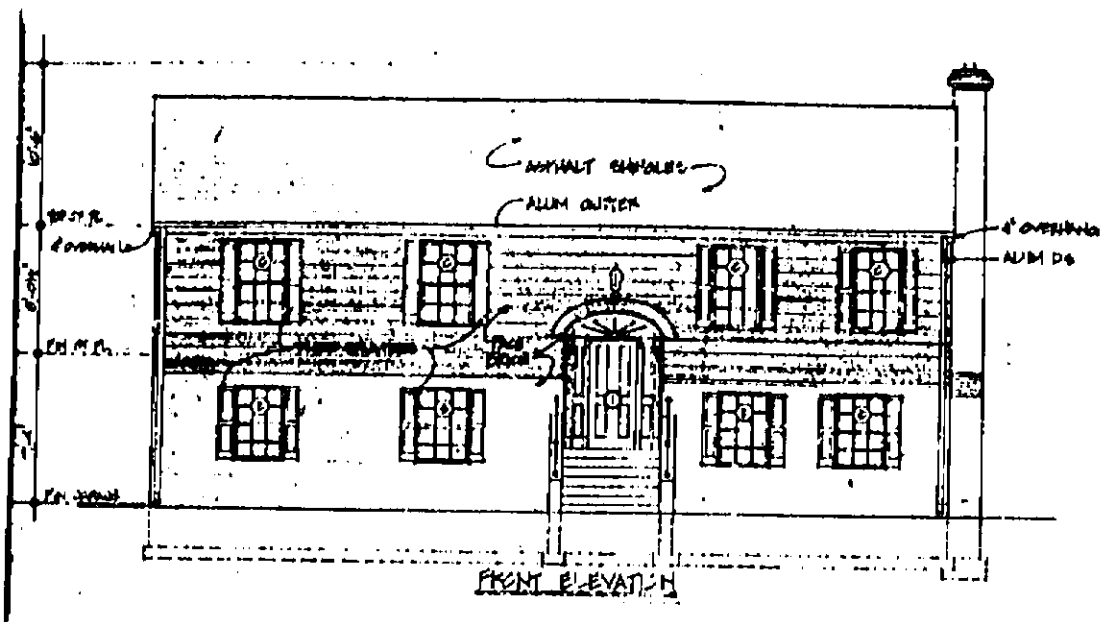


PLAT
 SHOWING A SURVEY OF THE PROPERTY OF
IRVIN PAYNE, JR. & CLARENCE R. PAYNE
 CITY OF ALEXANDRIA, VIRGINIA
 SCALE: 1" = 40'
 OCTOBER 9, 1969

WALTER L. PHILLIPS
 CERTIFIED CIVIL ENGINEER & LAND SURVEYOR
 FALLS CHURCH, VA.
 LEESBURG, VA.

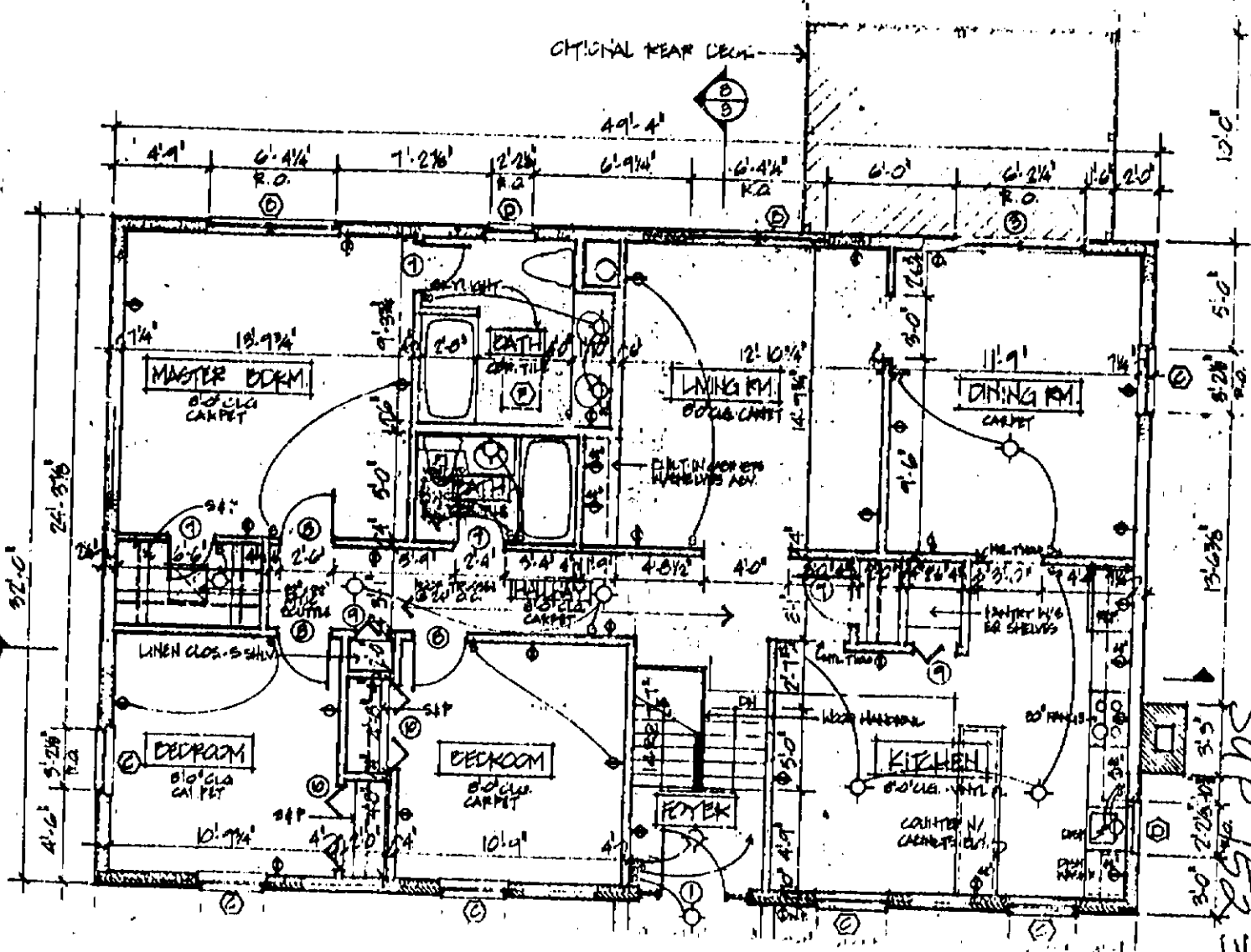
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[Signature]
[Signature]

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SUP 1523

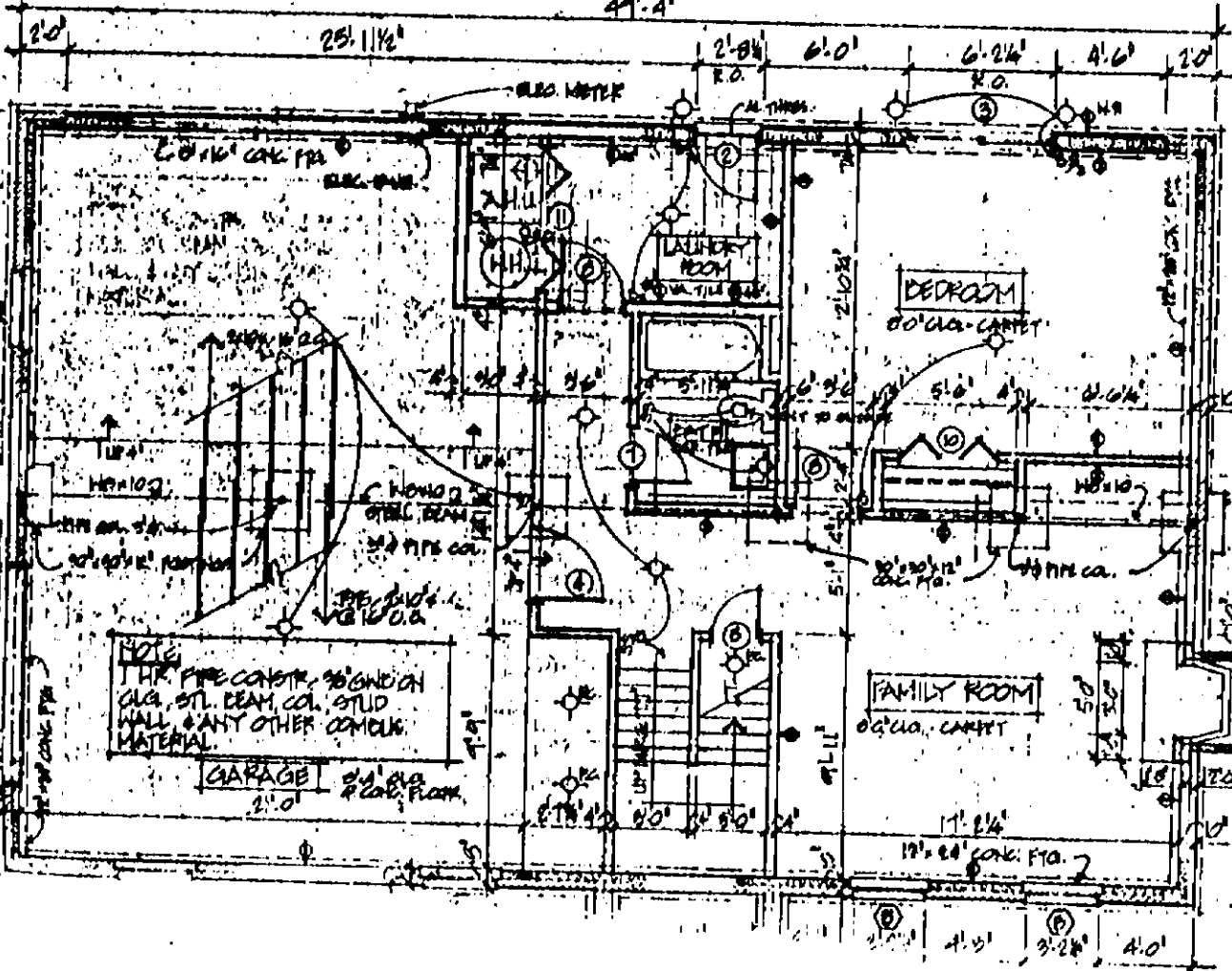


SUP 1523
 30' 2 2/8" 3' 5"

SITE PLAN
 SCALE: 1"=40'-0"
 CERTIFIED TO BE CORRECT
 BY: WALTER L. PHILLIPS
 LAND SURVEYOR 10-9-64



47'-4"



SUP 1523

JANUARY 4, 1983

TO: CHAIRMAN AND MEMBERS, ALEXANDRIA PLANNING COMMISSION
FROM: OWEN P. AND LOLA L. CURTIS
5465 FILLMORE AVENUE
ALEXANDRIA, VA 22311
RE: REQUEST FOR SPECIAL USE PERMIT NO. 1523, CONSTRUCTION
OF SINGLE FAMILY DWELLING ON SUBSTANDARD LOT AT
5428 FILLMORE AVE.; CHARLES THOMAS LINHOSS, APPLICANT

AS I AM UNABLE TO ATTEND TONITE'S PUBLIC HEARING DUE TO A CONFLICT WITH MY TRANSPORTATION PLANNING BOARD MEETING, I WOULD LIKE THIS MEMO TO SERVE AS A MEANS FOR REGISTERING OUR SUPPORT IN FAVOR OF APPROVAL FOR THE ABOVE CITED SPECIAL USE PERMIT. THE PARCEL IN QUESTION IS VACANT; MR. LINHOSS'S CONSTRUCTION WOULD BE THE FIRST NEW HOME ON THE BLOCK IN 10-15 YEARS. MOST OF OUR HOMES IN THE NEIGHBORHOOD WOULD FAIL TO MEET THE FRONTAGE AND TOTAL LOT AREA STANDARDS THAT THE APPLICANT'S LOT DOES NOT MEET, BUT WE HAVE BEEN THAT WAY SINCE BEFORE ZONING (AND EVEN BEFORE WE BECAME ANNEXED TO THE CITY).

IN SHORT, IT SEEMS THE APPLICANT'S REQUEST WOULD FIT RIGHT INTO THE NEIGHBORHOOD. A NICE HOME ON THE CORNER OF ROSSER / FILLMORE WOULD BE ANOTHER STEP TOWARDS BEAUTIFYING THE FILLMORE APPROACH TO OUR NEIGHBORHOOD. SINGLE FAMILY DWELLINGS, PRIVATELY OWNED, ARE THE BACKBONE OF OUR AREA'S LIFESTYLE. SOME IN OUR NEIGHBORHOOD ARE CONCERNED LEST THE

(2)

TOWNHOUSES CURRENTLY EAST OF ECHOLS AVENUE INFILTRATE AN OTHERWISE SOLID AREA OF DETACHED HOMES. IF THIS LOT CANNOT BE USED FOR A SINGLE FAMILY DWELLING, I SUSPECT THE NEXT REQUEST YOU WILL SEE IS FOR A REZONING TO A MUCH DENSER TOWNHOUSE SITUATION ON THIS AND SEVERAL ADJACENT PROPERTIES. SUCH A MOVE WOULD CAUSE CONSIDERABLE CONSTERNATION IN OUR NEIGHBORHOOD; YOUR APPROVAL OF THIS REQUEST WILL STRENGTHEN OUR NEIGHBORHOOD STRUCTURE AND AVOID THIS.

FINALLY, THE PROPERTY IN QUESTION IS ADJACENT TO A RAMSHACKLE, VACANT HOUSE WHICH HAS BEEN AN EYESORE FOR MANY YEARS. NOT ONLY WOULD A HOME ON THIS LOT SHIELD (TEMPORARILY) THIS EYESORE, IT WOULD LIKELY PROVIDE MARKET INCENTIVES FOR RESTORATION OF THE ABANDONED SHACK, OR ITS REPLACEMENT WITH A HOME MORE FITTING WITH THE AMBIANCE OF THE NEIGHBORHOOD.

THANK YOU FOR YOUR CONSIDERATION.

Don P Curtis

SUBDIVISION

DATE: 10 DEC 82

ENCROACHMENT

ENCLOSURES

VACATION

~~Subdivision Plat~~
Floor Plan
Letter of Intent
Elevations
Ordinance 2495

SPECIAL USE PERMIT #1523

Department Report

FROM: Planning and Community Development

TO: Transportation and Environmental Services
 Fire Prevention
 Building and Mechanical Inspections
Electrical Division
Plumbing Division
 Health Department
Police Department

The following request has been submitted for public hearing before the Planning Commission on 4 JANUARY 83

Applicant: CHARLES THOMAS LINHOSS Phone: 756-4056

Location: 5428 FILLMORE AVE Zone: R-20

Use Requested: CONSTRUCT SINGLE FAMILY DWELLING ON SUBSTANDARD LOT.

It is requested that you return one copy of this report with your comments concerning this request to the Department of Planning and Community Development by 23 DEC 82

DEPARTMENTAL REPORT

If S.U.P. is granted the house will have to comply with the electrical requirements of the 1981 National Electric Code and Title 8 of the City Code.

Martin E. Kemp CEI
12/10/82

Date

Signature of Department Head

- SUBDIVISION
- ENCROACHMENT
- VACATION
- SPECIAL USE PERMIT #1523

T. & E. S.
RECEIVED
DEC 10 1982
ADMINISTRATIVE
DIVISION

DATE: 10 DEC 82

- ENCLOSURES
- ~~Subdivision Plat~~
 - Floor Plan
 - Letter of Intent
 - Elevations
 - Ordinance 2495

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F-1 No objection to proposed construction.

12/10/82
Date

[Signature]
Signature of Department Head

SUBDIVISION

DATE: 10 Dec 82

ENCROACHMENT

ENCLOSURES

VACATION

Site Map
Floor Plan
Letter of Intent
Elevations
Ordinance 2495

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DEPARTMENTAL REPORT

No objections.

12/13/82

Date

R. E. Kirby

Signature of Department Head

SUBDIVISION

DATE: 10 DEC 82

ENCROACHMENT

ENCLOSURES

VACATION

Subdivision Plat
Letter of Intent
Elevations
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DEPARTMENTAL REPORT

No Objections

12/13/82
Date

Oliver K. Henry
Signature of Department Head