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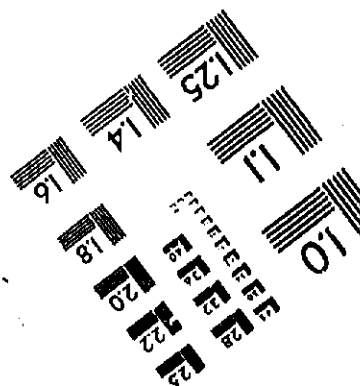
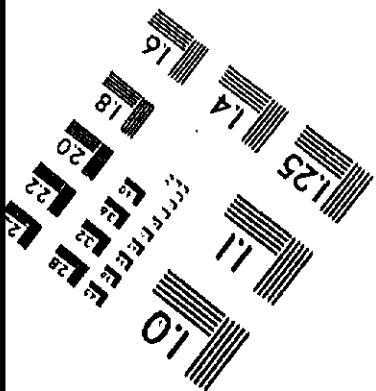
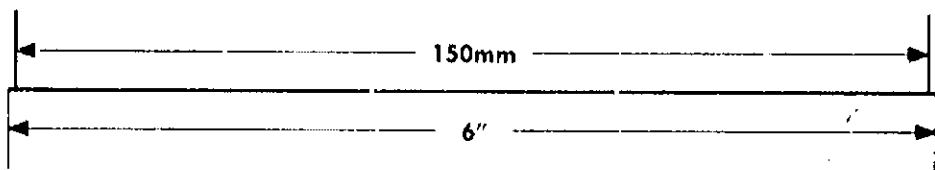
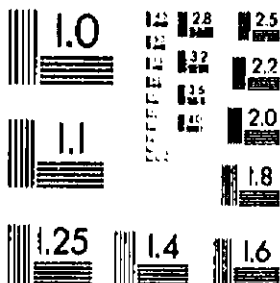
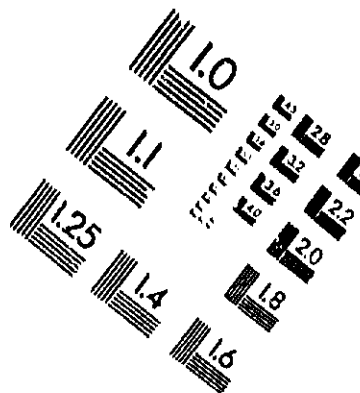
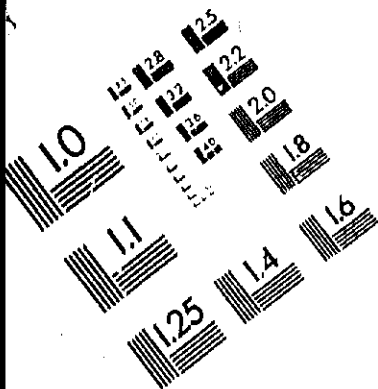
Camera Operator

Sharon A. Jackson

Supervisor

REMAC

Information Corporation
544 N. Frederick Avenue
Gaithersburg, MD 20877
(301) 948-4550



✓
2405 DAVIS AVE.
SUBSTANDARD LOT

Application No 2323

- Special Use Permit M
- 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Recommendation of Planning Commission:	Granted	Granted Subject to Conditions	Granted in Part	Denied	Withdrawn
Action of Board of Zoning Appeals:	Granted	Granted Subject to Conditions	Granted in Part	Denied	Withdrawn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
Assessment Map 33.00 Parcel Block 03 Lot 19 Zone R-8

Applicant:

Proposed Use of Property Owner

Application Filed Advertiser in Newspaper Property Owners Notified

Public Hearing Before Planning Committee Commission DEC. 5 '89 City Council Board of Zoning Appeals

REMARKS: JAN. 5, '90



SPECIAL USE PERMIT

Special Use Permit No. 2323 was approved by City Council on Jan. 20, 1990
Permission is hereby granted to C. A. Edwards and R. D. Daniero
to use premises located at 2405 Davis Avenue
for the following purpose to construct a residence on a substandard lot
and under the following conditions see attached

March 13, 1990
Date

Yale Lawson
City Manager
YLR



APPLICATION: SPECIAL USE PERMIT No. 2323

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 C. A. EDWARDS and R. D. DANIELO by ATTORNEY

Premises Located 2405 DAVIS AVENUE (Lot only)

Assessment Map 33 Block 04 Lot 27

Property Owner CHARLES A. EDWARDS et ux and ROGER D. DANIELO

Name ET UX Telephone No. 3705 FT. WORTH AVE ALEX., 22304
Address

USE REQUESTED DEVELOPMENT OF SUBSTANDARD LOT

LOT AREA 5750 sq. Ft. ZONE R-8

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.

FAGELSON, SCHONBERGER, PAYNE & ARTHUR Telephone Number 5488100
Applicant or Authorized Agent (Please Print)

William C Thomas Jr Address 121 W. 1st ST 22313
Signature WILLIAM C THOMAS JR

(DO NOT WRITE BELOW THIS LINE ... OFFICE USE ONLY)

S.U.P. Application Received _____
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(s) _____

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

Special Use Permit Advertised In Newspaper _____

Subject Property placarded _____

ACTIONS

Planning Commission 1/20/90 Recommend Approval 6-0

City Council 1/20/90 - Granted, subject to compliance with all applicable codes and staff recommendations and the 18 conditions.

DOCKET ITEM # 12
SPECIAL USE PERMIT # 2323

PLANNING COMMISSION MEETING
TUESDAY, JANUARY 2, 1990
7:30 P.M., COUNCIL CHAMBERS

ISSUE: Consideration of a request for Special Use Permit
to construct a residence on a substandard lot.

APPLICANT: C. A. Edwards and R. D. Daniero
by William C. Thomas, Jr., Attorney

LOCATION: 2405 Davis Avenue

ZONE: R-8, Residential

=====

PLANNING COMMISSION MEETING OF DECEMBER 5, 1989:

Mr. Bernard Fagelson, attorney, presented the application.
No one spoke in opposition to the request.

COMMISSION ACTION:

On a motion by Mr. Hurd, seconded by Mr. Hoben, the Planning
Commission voted to recommend deferral of the request to the
January 1990 hearing, as requested by the applicant. The motion
carried on a vote of 7 to 0.

PLANNING COMMISSION MEETING OF JANUARY 2, 1990:

Bernard Fagelson, attorney, and Howard Maginnis, architect,
presented the application.

John Komoroske, President of North Ridge Citizens Association,
spoke opposing the request.

The following residents also spoke opposing the request:

Richard Maynard, 2403 Davis Avenue
Steve Kellej, 2402 Cameron Mills Road
Fred Hohlweg, 2406 Cameron Mills Road

COMMISSION ACTION:

On a motion by Mr. Kamerow, seconded by Mr. Hurd, 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 6 to 0. Mr. Hoben absent.

REASON: The Planning Commission agreed with the staff analysis and that the proposal meets the following criteria:

- A. That a proposed house on the substandard lot meets all code requirements and that no variances will be required to construct the building.
- B. That the proposed house is in scale with nearby properties.
- C. That the project is not incompatible with nearby properties.
- D. That the application meets the objective criteria of the substandard lot ordinance.
- E. That the block face selected by the staff for their analysis was an appropriate one.

CITY COUNCIL MEETING OF JANUARY 20, 1990:

Granted, subject to compliance with all applicable codes, ordinances and staff recommendations and the 18 conditions as shown below.

1. The house will be in substantial conformance with the site plan submitted with the special use permit application and shall not exceed 30 feet in width, exclusive of roof overhang of less than 1 foot and steps and/or small cover over side entrance way on south side.
2. The south wall of the house shall be located at least 11 feet from the south property line shared with 2403 Davis Avenue.
3. The south side of the house will be designed and constructed with windows, doors or other variations to the facade so as to break up the regularity of the appearance of the side of the house.

4. The immediate neighbors will be afforded a reasonable opportunity to review and comment on the plans for the house before they are submitted for a building permit to insure that the design of the house conforms with the conditions of the special use permit.
5. The builder shall strictly adhere to a plan approved by the City Arborist for the protection of the two large maples to the rear of the property.
6. The developer and all subsequent owners of the property shall use their best efforts to preserve and maintain the two large maple trees to the rear of the property. These trees may not be removed without approval of the City Arborist.
7. The developer shall remove the large decayed mulberry tree from the front of the property.
8. A heavy duty storm water drainage system approved by the Department of Transportation and Environmental Services shall be provided to carry all surface water from 2405 Davis Avenue to the street, so that the surface water shall not flow onto adjoining properties. The developer and subsequent owners of the property will use best efforts to maintain the drainage system.
9. An unbroken sidewalk shall be provided across the front of the house in accordance with normal city standards.
10. No additions may be made to the house and no porches, garages, car ports, outbuildings or structures of any kind, other than those shown on the plat submitted with the special use permit application, may be added to the house at any time in the future without obtaining a new special use permit.
11. The developer shall provide an easement to the owners of the property at 2403 Davis Avenue to gain occasional access to 2405 Davis Avenue to perform necessary maintenance and repairs to the north side of the house on 2403 Davis Avenue.
12. No fence shall be constructed in the front yard or within 48 feet of the front lot line.
13. The developer shall use best efforts to complete construction of the house within one year of the date of initiating construction.
14. No overhead wiring shall be brought to 2405 Davis Avenue over the property at 2403 Davis Avenue.

15. The house shall be designed with a location for the storage of trash and trash containers which will be shielded from view by the adjoining properties.
16. In event that the developer elects to build the house with a basement, he will eliminate the proposed outbuilding.
17. Notwithstanding the yard requirement in 7-6-14(d)(3) of the City Code, the front building line of the house may and shall be set back 25 feet from the front lot line.
18. The driveway will extend no further than 48 feet from the front lot line.

SUP 2323

STAFF RECOMMENDATION:

Recommend approval subject to all applicable codes and ordinances and the following condition:

1. That the applicant install a sidewalk in front of the property. (T&ES)

DISCUSSION:

1. The applicants, C. A. Edwards and R. D. Daniero of the property at 2405 Davis Avenue, are requesting a special use permit to construct a new two-story single family detached dwelling on the subject lot.
2. The subject property is one lot of record having 50 feet of frontage on Davis Avenue, a depth of 115 feet and containing 5,750 square feet. The lot is vacant.
3. The subject property is part of Section 2, Braddock Heights, which was platted and recorded in the late 1930's or early 1940's.
4. On September 16, 1989, City Council amended the Zoning Regulations pertaining to the development of substandard lots in the R-20, R-12, R-8, R-5, R-2-5 and R-A zones. This amendment provided regulations for determining the number of and location of other lots in the immediate area to be included in determining a "block face" in determining whether or not the substandard lot contains at least the lot width and lot area as exhibited by more than 50 percent of the developed lots within the block face.
5. The "block face" as determined on this application is inclusive of the three (3) developed lots on the west side of Davis Avenue between West Braddock Road and Circle Terrace and seven (7) developed lots on the east side of Davis Avenue, from Woodland Terrace to 2415 Davis Avenue for a total of ten (10) lots.
6. The lot areas and lot widths of the ten (10) developed lots within this block face, is as follows:

<u>ADDRESS</u>	<u>LOT AREA</u>	<u>LOT WIDTH</u>
2401 Davis Av	6,900 Sq Ft	60 Ft (Davis Av) 115 Ft (Woodland Tr)
2403 Davis Av	5,750 Sq Ft	50 Ft
2407 Davis Av	5,750 Sq Ft	50 Ft
2409 Davis Av	5,750 Sq Ft	50 Ft
2411 Davis Av	5,750 Sq Ft	50 Ft

2413 Davis	5,750 Sq Ft	50 Ft
2415 Davis Av	5,750 Sq Ft	50 Ft
2419 Davis Av	5,750 Sq Ft	50 Ft
801 W Braddock Rd	9,348 Sq Ft	80 Ft (Davis Av) 120 Ft (Braddock Rd)
2404 Davis Av	5,364 Sq Ft	103 Ft
2408 Davis Av	5,474 Sq Ft	58 Ft

7. The applicants' lot at 2405 Davis Avenue has 50 feet of frontage on Davis Avenue and contains 5,750 square feet and is the same or greater in lot area as eight (8) of the developed lots and has the same lot width as six (6) of the developed lots within the designated block face in this application.
8. The proposed single family detached dwelling is to be located 30 feet from Davis Avenue and 9 feet from the south side yard property line and 9 feet from the north side yard property line.
9. There are two very large mature trees at the rear of the subject property located approximately 21 feet from the rear lot line. One of the trees is approximately 36 inches in diameter and the other tree is approximately 40 inches in diameter.
10. It is possible to construct a single family dwelling on the subject lot in compliance with all of the applicable zoning regulations without requesting variances from the City Council or the Board of Zoning Appeals.
11. The existing one-story frame dwelling at 2407 Davis Avenue is presently undergoing extensive renovation. This building is located 7.80 feet from the applicants' lot.
12. The existing two-story frame dwelling at 2403 Davis Avenue is located 5.70 feet from the applicants' lot.
13. Ordinance #3407 permits the development of a substandard lot with a special use permit.
14. The applicant is advised that in accordance with Section 7-6-194 of the City Zoning Code, construction or operation shall be commenced and diligently and substantially pursued within one (1) year of the date of the granting of a special use permit by City Council or the use permit shall become void.

15. ZONING HISTORY: The subject property has been zoned R-8, Residential since adoption of the Third Revised Zoning Map of 1951.

STAFF ANALYSIS:

The subject property is part of Section Two, Braddock Heights, which was developed over 45 years ago. Most all of the developed lots in this area of Braddock Heights are close to or the same size as the applicants' lot.

The proposal clearly meets the requirements of the ordinance, and the proposal can be considered on its merits.

The staff believes that this request is reasonable and in keeping with the character of other lots in the area. The possible construction of a single family detached dwelling on the subject lot will be in compliance with all the applicable zoning regulations without requiring variances from the City Council or Board of Zoning Appeals. Therefore, staff supports this request for a special use permit.

CITY DEPARTMENT COMMENTS

Transportation & Environmental Services:

R-1 Install sidewalk in front of property.

Public Safety (Code Enforcement Division):

C-1 All construction must conform to current edition of Virginia Uniform Statewide Building Code.

Historic Alexandria (Archaeology):

Evaluation of this property indicates that the potential is low for archaeological resources to be present. No action required.

Recreation Department (Arborist):

F-1 Large silver maple trees located at rear of property.
One triple trunk mulberry located at front of property.

S-1 Any development of property should seek to maintain existing crown cover, or re-establish crown cover with superior specimens.

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DR.

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AVE.

DAVIS

WOODLAND TER. (40')

RD.

MILLS

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SUP 2323

REPORT ATTACHMENT LIST

- Previous Special Use Permit Report
- Floor Plans
- Plat
- Statement of Intent
- Section 7-6-192 Form
- Application Form
- Correspondence
- Other:

SPECIAL USE PERMIT # 2323

STATEMENT OF INTENT

DATE: 12/26/89
 PROPERTY ADDRESS: 2405 DAVIS AVE (LOT ONLY)
 MAP(S) 33 BLOCK(S) 04 LOT(S) 27

Describe in detail the nature of the intended use for this Special Use Permit request, with particular reference to the activities to be conducted on the premises:

RESIDENTIAL DEVELOPMENT OF THIS SINGLE LOT WHICH IS OF SUBSTANDARD DIMENSIONS/ AREA AS NOW DEFINED FOR THE R-8 ZONE BUT WHICH IS OF COMPARABLE SIZE WITH THE NEIGHBORING PROPERTIES AS SHOWN BELOW:

<u>Block Face Properties:</u>	<u>Lot Area:</u>
<u>33.00-03-19</u>	<u>5474 sq ft</u>
<u>33.00-03-20</u>	<u>5634 " "</u>
<u>33.00-03-21</u>	<u>9348 " "</u>
<u>33.00-04-25</u>	<u>5250 " "</u>
<u>33.00-04-26, 27, 28, 29</u>	<u>5750 " "</u>
<u>30, 31, 32</u>	

9 PROPERTIES ARE THE SAME SIZE OR SMALLER
1 PROPERTY IS LARGER. RESPECTFULLY SUBMITTED,
FAEGLSON, SCHONBERGER, PAYNE
& ARTHUR

William C Thomas
 SIGNATURE APPLICANT/AGENT
WILLIAM C THOMAS SR

SPECIAL USE PERMIT # 2323

INFORMATION AS REQUIRED UNDER SECTION 7-6-192

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 Title 11, Chapter 5 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.

RESIDENTIAL PICKUP

- 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.

RESIDENTIAL DEVELOPMENT

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

DAVIS AVE

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

j. Hazardous materials. Identification, monthly quantity and specific disposal method of any state or federally defined hazardous materials or waste to be handled, stored, processed or generated on the property.

N/A

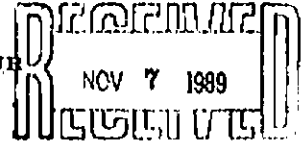
k. Organic compounds. Identification, monthly quantity and specific disposal method of any paint, ink or lacquer thinner, cleaning or degreasing solvent to be handled, stored, processed or generated on the property.

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. If a nonprofit corporation, the name of the registered agent must be provided.

OWNERS: CHARLES A EDWARDS ET UX &
ROGER D DAQUIERO ET UX
3705 FT WORTH AVE
ALEX., VA 22304

P & CD-ZONING



FAGELSON, SCHONBERGER, PAYNE AND ARTHUR
ATTORNEYS AND COUNSELLORS AT LAW

401 WYTHE STREET
(CORNER WYTHE AND N. ROYAL STREETS)
POST OFFICE BOX 287
ALEXANDRIA, VIRGINIA 22304-0287

BERNARD H. FAGELSON
ROY C. BRAGG (900-1882)
HERBERT S. BILLOWITZ (90-01987)
EUGENE SCHONBERGER
ROBERT A. PAYNE
JAMES G. ARTHUR
ROBERT L. DEICHMEISTER*
PETER A. OINGMAN*
JOHN L. FAGELSON*
KENNETH E. LABOWITZ*

COLIN W. UCHERT*
JOAN E. SPIELBERGER
WILLIAM C. THOMAS, JR.
LAWRENCE M. SCHONBERGER
SUSAN BRADFORD FARLEY
D. MINIQUEL V. SINESI
LEE TIMMERMAN CHAUP

CARTON OFFICE
321 JERMANTOWN ROAD, SUITE 210
FAIRFAX, VIRGINIA 22030
(703) 285 8282

OF COUNSEL
VICTOR G. TRAPASSO

FAX: (703) 845 0660

*VA AND D.C. BARS
*VA, D.C., TX AND CA BARS

November 7, 1989

Mr. Charles B. Moore, Jr.
Zoning Administrator
City of Alexandria
301 King Street
Alexandria, Virginia 22314

Re: Special Use Permit Application
C. A. Edwards and R. D. Daniero
Lot at 2405 Davis Avenue

Dear Mr. Moore:

Please find below and enclosed the additional information requested regarding this application.

Block Face Calculations According to Tax Map Records:

<u>Tax Map Number</u>	<u>Lot Width</u>
33.00-03-19	58.6 feet (Davis Avenue)
33.00-03-20	103.8 feet (Davis Avenue)
33.00-03-21	80.8 feet (Davis Avenue)
33.00-04-25	60 feet
33.00-04-26,	50 feet
" " 27,	
" " 28,	
" " 29,	
" " 30,	
" " 31,	
" " 32	

Mr. Charles B. Moore, Jr.
November 7, 1989
Page 2

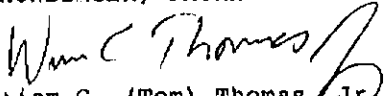
Enclosures:

1. Proposed elevation for two-story house at 2405 Davis Avenue.
2. Proposed Site Plan showing house location, setbacks, side yard, etc.

Thank you for your kind consideration of this request.

Respectfully submitted,

FAGELSON, SCHONBERGER, PAYNE AND ARTHUR


William C. (Tom) Thomas, Jr.

WCT:ih

Enclosures:

LISTING ADVISORY

CLASS 1 RESIDENTIAL
COMMON PROPERTY
DATA FORM



Directions from 395 Exit King St East on N127150
Braddock Rd. #1 on Davis Ave. to new construction on
right on Russell Rd. #1 West Braddock #Right on Davis
Rem: GREAT OPPORTUNITY! New home in Braddock Heights.
Center hall Colonial w/lot #1 Family Rm Hardwood in
LR, DR & stairs, ceramic foyer, kitchen & baths Upgrade
carpet & padding FR & BR's Gas cooking, heat & water
(Memoranda for Broker's convenience only from sources believed reliable but not guaranteed.)

OPTIONAL FINISHED BASEMENT, SFF LISTERS OR OWNERS.
Large covered patio. Mature trees. CALL ANYTIME ---

Address 2405 Davis Avenue, Alexandria VA 22302-539,000 N127150

Lot 334 S. 2, Braddock Heights Alexandria VA 24011 N127150

Model Name	Age	Basement	Level	Side	Level	Side	Stove/Gnz	SC	Intercom
Custom	New	Full	H LR	13x12.3	H MBR	15.5x12	Range	IN	Cent Vac
Yncant		Water City	H DR	12.3x12	H BR	13x10.9	Disposal	X	Comod'rs
Locke/Hill	h	Heat Gns J.A.	H BR	15.8x7.9	H BR	13x10.9	Disposal	X	Comod'rs
Detached		CAC (Type) Floor	H BR	14.3x13	H BR	13x10	Disposal	X	Comod'rs
Colonial		AC Units n/a	H BR	14.3x13	H BR	13x10	Disposal	X	Comod'rs
Colonial		Hot Water Gas	L RR	Space	BR	Space	Washer	III	Deer
Constrick/Siding		Fireplace F.R.	L UR	Space	BR	Space	Washer	III	Deer
Lot Dms 115x50		Parking Driveway	L Den	Space	Level	Type	Washer	III	Deer
Lot 50 #1/Ac 5750		Tax \$ TBA	L BR	Space	H BA	Half	Washer	III	Deer
Use Dms 30x24		HQAR No \$ n/a	L BR	Space	H BA	Full	Washer	III	Deer
Main Ent Foyer		Aval Date Dec. 1	L BR	Space	H BA	Full	Washer	III	Deer
Other Ent FR & Kit		OR SODDER	L BR	Space	H BA	Full	Washer	III	Deer
Trust	Type	Interest Rate	Balance Due	PI	MTI	Lender	Loan No		
1st		% 5	\$ 160,000	\$	\$	Construction Loan			
2nd		% 5		\$	\$				
Cash to Assume \$		QWTB \$		VA		FHA		CONV	Ync
Loan Assumption Terms		n/a							
ES George Mason		MS Gen. Washington	MS IC Williams						
Owner Roger D. & Janet M. Daniero and Charles A. & Patricia L. Edwards									
Occupant Yncant (Owners Licensed R.E. Agents Phone #960-0480)									
Lister Jay Daniero & LaNell Edwards									
REALTOR® RE/MAX Central, Inc.									
Address 2405 Davis Ave., Alexandria									

CRB-1284 1087

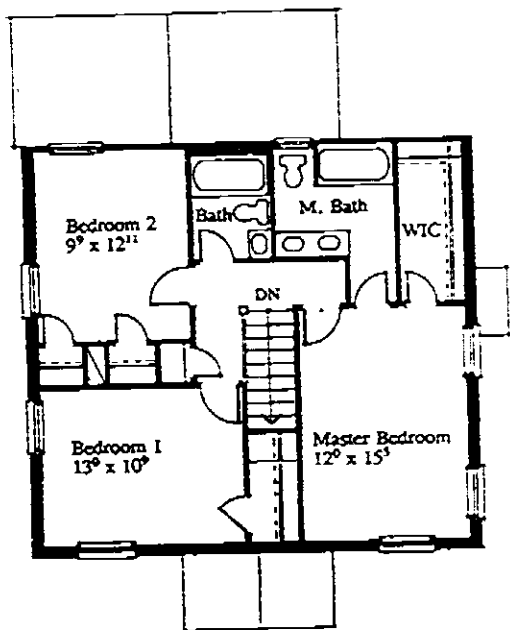
Jay Daniero, G.R.I.
Associate Broker
Member NAR/NAR/International Franchise Ass'n

8922 c little river turnpike
annandale, virginia 22003
office: (703) 354-9200
residence: (703) 370-5784

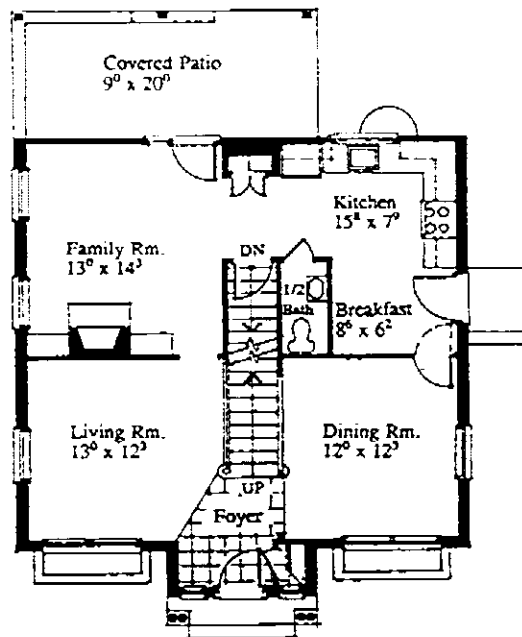
LaNELL EDWARDS
broker, G.R.I., life top producer NVBR
life member, million dollar sales club

6922c little river turnpike
annandale, virginia 22003
office: (703) 354-9200
residence: 960-0480

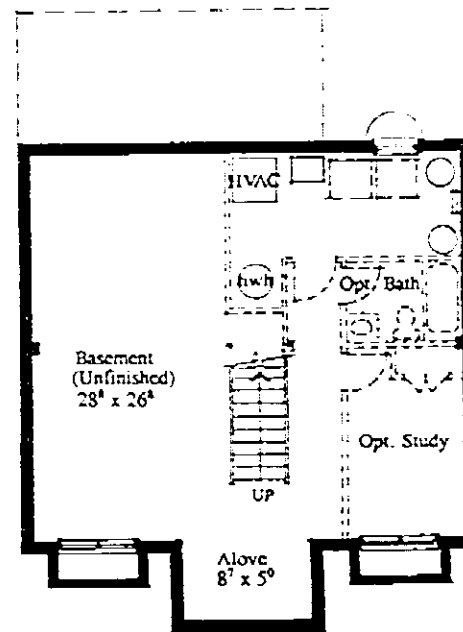




SECOND FLOOR PLAN



FIRST FLOOR PLAN



BASEMENT FLOOR PLAN



111 94

EASEMENT AGREEMENT

This Agreement, made and entered into this 16th day of February, 1991, by and between CHARLES A. EDWARDS and PATRICIA L. EDWARDS, husband and wife, and ROGER D. DANIERO and JANET M. DANIERO, husband and wife, ("Grantors") and RICHARD ^{G. GAY} HAYNARD and SUSAN ^{H. 9170} DOVELL, husband and wife, ("Grantees").

WITNESSETH:

That for and in consideration of the sum of One Dollar (\$1.00), cash in hand paid, and other good and valuable consideration, the receipt of all of which is hereby acknowledged by the Grantors, the said Grantors do hereby grant and convey unto Richard ^{G. GAY} HAYNARD and Susan ^{H. 9170} DOVELL, the following described easement, to-wit:

The exclusive right of access on the following described tract or parcel of land owned by the Grantors, to-wit:

All that certain lot or parcel of land being situate in the City of Alexandria, Virginia, and being more particularly described as follows:

Lot Three Hundred Thirty Four (334), Section Two (2), Braddock Heights Subdivision, as the same appears duly dedicated, platted and recorded in Deed Book 217, at Page 548, of the Arlington County, Virginia land records.

AND BEING the same property acquired by Grantors by virtue of a deed recorded among the City of Alexandria, Virginia land records in Deed Book 1273, at Page 350.

please return to: 401 Wythe Street Alexandria, Virginia 22314

12:00
13:00
13:00

The right of access herein conveyed is limited to approximately five (5') feet to the north beyond the south property line separating Lot 334, also known as 2405 Davis Avenue, and Lot 335, also known as 2403 Davis Avenue, for use by Grantees to perform repair or maintenance on the dwelling located at 2403 Davis Avenue that could not otherwise be reasonably performed without said access. This easement is intended to allow for the placement of light weight equipment, such as ladders, but is not intended to allow access for heavy or powered equipment or other such use. This easement shall not extend to any other purpose, including but not limited to, the laying of utilities, drainage systems or the like, plantings of any kind, fences or any other type of encroachment.

Grantees hereby indemnify and agree to hold Grantors harmless from and against all liabilities, losses, damages, costs, expenses (including reasonable attorneys' fees and expenses), causes of action, suits, claims, demands or judgments (collectively, "Claims") of any nature arising from the use of the easement granted herein or any activities of the Grantees in the easement area, unless the Claims arise from the negligence or intentional misconduct of Grantors or their agents or employees.

WITNESS the following signatures and seals:

GRANTORS:

Charles A. Edwards (SEAL)
CHARLES A. EDWARDS

Patricia L. Edwards (SEAL)
PATRICIA L. EDWARDS

Roger D. Daniero (SEAL)
ROGER D. DANIERO

Janet M. Daniero (SEAL)
JANET M. DANIERO

GRANTEES:

Richard E. Maynard (SEAL)
RICHARD E. MAYNARD


Susan H. Dovell (SEAL)
SUSAN H. DOVELL

COMMONWEALTH OF VIRGINIA)
ARLINGTON COUNTY)
XXXXXXXXXXXXXXXXXXXX)
XXXXXXXXXXXXXXXXXXXX)
XXXXXXXXXXXXXXXXXXXX)

To-Wit:

The foregoing instrument was acknowledged before me this
15th day of February, 1991, by ROGER D. DANIERO
and JANET M. DANIERO, husband and wife.

My Commission Expires:
November 30, 1994

[Signature]


STATE OF TEXAS

)
)
)

To-Wit:

COUNTY OF

The foregoing instrument was acknowledged before me this
12 day of February, 1991, by CHARLES A. EDWARDS
and ~~PATRICIA B. EDWARDS~~ husband and wife.



Ann Reeves
Notary Public

My Commission Expires:

COMMONWEALTH OF VIRGINIA

)
)
)

To-Wit:

CITY OF ALEXANDRIA

The foregoing instrument was acknowledged before me this
23rd day of February, 1991, by RICHARD E. MAYNARD
and SUSAN E. DOVELL, husband and wife.

Thomas J. Lewley
Notary Public

My Commission Expires:

8-31-1994

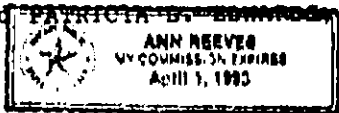
RECORDED ALEX. VA.
STATE TAX-
CITY TAX-
FEE-
FEB 23 1 30 PM '91

011104

STATE OF TEXAS)
COUNTY OF)

To-Wit:

The foregoing instrument was acknowledged before me this
12 day of February, 1991, by CHARLES A. EDWARDS
and PATRICIA B. EDWARDS husband and wife.



Ann Reeves
Notary Public

My Commission Expires:

COMMONWEALTH OF VIRGINIA)
CITY OF ALEXANDRIA)

To-Wit:

The foregoing instrument was acknowledged before me this
23rd day of February, 1991, by RICHARD E. MAYNARD
and SUSAN E. DOVELL, husband and wife.

James J. Lewley
Notary Public

My Commission Expires:

8 31 1994

FILED
FEB 23 1991
ALEXANDRIA, VA
011104

Notes :

copy to Bill McCulla :
letter for Mr. Hayward
cite need to check damage
when find CO license to
check damage.



City of Alexandria, Virginia

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
301 King Street
Alexandria, Virginia 22314
838-4666



November 16, 1990

Mr. Charles A. Edwards
Mr. Roger D. Daniero
3705 Ft. Worth Avenue
Alexandria, Virginia 22304

Re: Special Use Permit #2323
2405 Davis Avenue
Substandard Lot

Dear Messrs. Edwards and Daniero:

It has come to the attention of the Zoning Office that a number of conditions are in violation for development of the substandard lot at 2405 Davis Avenue. On January 20, 1990, City Council granted Special Use Permit #2323 with 18 conditions agreed upon between the applicants and the community. I have attached a copy of the conditions for your review.

A site inspection of the property was undertaken on November 14, 1990 at 3:30 P.M. Upon completion of the inspection, it was disclosed that two (2) conditions were not in compliance. A number of other conditions seem to be in compliance, but we do understand that these conditions cannot be verified in their entirety until a wall check survey of the single family home is submitted for issuance of a certificate of occupancy (CO). I have notified the Code Enforcement Office that your contractor must file a CO so we can verify all conditions and close out the project. Bill McCulla, Chief of Construction with the Department of Transportation and Environmental Services, has informed Zoning that a drainage system to control water runoff is installed to their satisfaction.

You or your designee must immediately address the following conditions required to be in compliance with SUP #2323:

Condition #5: That the building shall strictly adhere to a plan approved by the City Arborist for the protection of the two (2) large maples at the rear.

Observation: Zoning staff at the time of the inspection did not observe any tree protection measures in place (e.g., fencing around the base of the trees). We

Page 2
November 16, 1990
Messrs. Edwards and Daniero
Re: SUP #2323

cannot determine if outside work has been completed, halted, or has just commenced. If outside work is underway, you must protect the two maples from damage to their roots. May we suggest that you consult with the City Arborist, John Noelle, for advice on tree protection measures.

Condition #18: The driveway will extend no further than 48.00 feet from the front lot line.

Observation: Zoning staff measured in the field that the driveway extends 53.00 feet. Please inform your contractor to reduce the driveway pad by five (5) feet. By reducing the driveway we mean that the asphalt and/or concrete must be removed. If Zoning's measurement is in error, please advise us accordingly.

Your immediate attention to resolve these issues by November 26, 1990 would be appreciated. I will have the Zoning Inspector reinspect the property on that date to determine compliance with this directive. If you have any questions pertaining to this matter, please call me at 838-4688.

Sincerely,



Peter Leiberg
Senior Planner

cc: Sheldon Lynn, Director
Planning & Community Development

Charles B. Moore, Jr.
Zoning Administrator

William Thomas, Jr., Esq.

Richard Maynard

Errol Newsome
Zoning Inspector

File: A:SUP2323 (Misc6/ES)

2403 Davis Avenue
Alexandria, Virginia 22302

November 12, 1990

Mr. Charles R. Moore Jr., Director
Zon100
Department of Planning and Community Development
301 King Street #2100
Alexandria, Virginia 22314

Dear Mr. Moore:

Thank you for discussing the Special Use Permit No. 2323 for 2403 Davis Avenue with me. As we discussed per the Special Use Permit signed on March 19, 1990 by Viola Larson, the owners are encumbered beyond the usual ordinances with 18 conditions.

The 18 conditions provide for preservation of the large maples to the rear of the property (5 & 6), the construction of a heavy duty storm water drainage to control runoff (8) and a driveway which "will extend no further than 48 feet from the front lot line" (18).

My discussions over the last week have surfaced the difficulty the City has with its several departments in monitoring the developer. This has been clarified further by talking with the arborist's office. In response to backhoe activity around the maples today, I contacted the arborist. John Noelle came out and asked the contractor to stop digging up the roots of the trees to the rear of the porch. It seems that the owner had taken down the fencing denoting the protected area and then proceeded to dig behind what once was the protected area - first for the porch and then for the drainage ditch.

Though the builder was required to adhere to a plan approved by the City Arborist for the protection of the two large maples to the rear of the property, I can find no such plan. And if there was a plan, my understanding from discussions with John Noelle that it would not have provided for circumventing the trees with a drainage ditch much more extensive than that needed to prevent surface water from running on adjoining property.

In that there is a drainage ditch along much of the south side of the property, has the city inspected to see that it drains directly onto Davis Avenue? My wife and I have monitored the progress daily but did not detect the completion of the drainage system along the south side of the property onto Davis Ave. We have noted that provision has been made for the Sump Pump and the gutters.

Maynard
November 12, 1990
Page 2

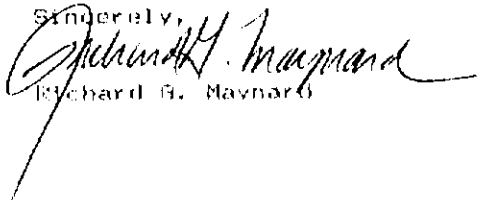
Condition 10 limits the driveway to 40 feet from the front lot line. It appears that the driveway exceeds this by as much as five feet depending on the front lot line.

We understand that the monitoring of this Special Use Permit is difficult for the City. But we paid a heavy price for the 10 conditions and the owners were quick to claim bragging rights on how generous they were. The conditions of the Special Use Permit represent an agreement between owners and the community. We feel even at this late hour that the City should communicate to the owners that the City wants the owners to show good faith with respect to the trees (fertilizing or whatever recommended by the Arborist and the cessation of digging), allow the City to inspect the storm water drainage system noted in condition 10, to remove that portion of the driveway which extends beyond 40 feet and meet the other conditions.

The current issues make it even more important that ~~these~~ aspects of the SUP be promulgated to the future owners which bear responsibilities under the SUP. What does the developer include in the deed? If any, who insures that conditions are included? We can see a scenario where an unsuspecting buyer is unaware of the SUP and then is angry with neighbors for insisting on its conditions.

Thank you for your assistance.

Sincerely,



Richard B. Maynard

DEPARTMENT REPORT

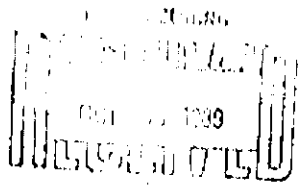
SUBDIVISION VACATION ENCROACHMENT SPECIAL USE PERMIT

#2323

DATE: 10-20-89

FROM: PLANNING AND COMMUNITY DEVELOPMENT - ZONING ADMINISTRATION

TO: Transportation & Environmental Services - Raoul #66 PL
 Public Safety - Code Enforcement
 Sanitation Authority
 Health Department
 Police Department
 Human Services - Social Services
 Historic Alexandria - Archaeology
 Real Estate Assessments
 Recreation - Arborist



The following request is scheduled for consideration by the Alexandria Planning Commission on DEC. 5.

APPLICANT: G.A. EDWARDS AND R.D. DANIELO

By William C. Thomas, Sr. Attorney PHONE: 548-8100

LOCATION: 2405 DAVIS AVENUE (LOT ONLY)

ZONE: R-8

PROPOSAL: DEVELOP SUBSTANDARD LOT

Please return this report with your comments by: NOV-8

DEPARTMENT COMMENT

Preface comments with: C - code requirement R - recommendation
S - suggestion F - finding

R-1 install sidewalk in front of property.

- Enclosures
- Floor Plans
- Plat
- Letter of Intent
- Form 7-6-193
- Application
-

PLEASE RETURN PLANS
NOT NEEDED FOR
YOUR FILE

R. Campos-Kreutzger
signature
10/31/89
date

DEPARTMENT REPORT

SUBDIVISION VACATION ENCROACHMENT SPECIAL USE PERMIT

DATE: 10-20-89

#2323

FROM: PLANNING AND COMMUNITY DEVELOPMENT - ZONING ADMINISTRATION

PLANNING
NOV 2 1989

- Transportation & Environmental Services
- Public Safety - Code Enforcement - Joel Webb
- Sanitation Authority
- Health Department
- Police Department
- Human Services - Social Services
- Historic Alexandria - Archaeology
- Real Estate Assessments
- Recreation - Arborist

CODE ENFORCEMENT
OCT 30 1989
ALEXANDRIA, VIRGINIA

#9

The following request is scheduled for consideration by the Alexandria Planning Commission on DEC. 5

APPLICANT: C.A. EDWARDS AND R.D. DANIEL

By William C. Thomas, IV, Attorney PHONE: 548-8100

LOCATION: 2405 DAVIS AVENUE (LOT ONLY)

ZONE: R-8

PROPOSAL: DEVELOP SUBSTANDARD LOT

Please return this report with your comments by: NOV-8TH

DEPARTMENT COMMENT

Preface comments with: C - code requirement R - recommendation
S - suggestion F - finding

Site/Code Enforcement
11/2/89: All construction must conform to current edition of Virginia Uniform Statewide Building Code 7th.

- Enclosures:
- 0 Floor Plans
 - 0 Plat
 - 0 Letter of Intent
 - 0 Form 7-6-192
 - 0 Application
 - 0

PLEASE RETURN PLANS
NOT NEEDED FOR
YOUR FILES

[Signature]
signature
10-31-89
date

DEPARTMENT REPORT

SUBDIVISION VACATION ENCROACHMENT SPECIAL USE PERMIT

DATE: 10-20-89

#2323

FROM: PLANNING AND COMMUNITY DEVELOPMENT - ZONING ADMINISTRATION

TO: Transportation & Environmental Services
 Public Safety - Code Enforcement
 Sanitation Authority
 Health Department
 Police Department
 Human Services - Social Services
 Historic Alexandria - Archaeology
 Real Estate Assessments
 Recreation - Arborist

PTS483

received
10/31/89

#33

P & C-30-1111
NOV 1 1989

The following request is scheduled for consideration by the Alexandria Planning Commission on DEC. 5.

APPLICANT: C.A. EDWARDS AND R.D. DANIELO

By William C. Thomas, Jr. Attorney PHONE: 548-8100

LOCATION: 2405 DAVIS AVENUE (LOT ONLY)

ZONE: R-B

PROPOSAL: DEVELOP SUBSTANDARD LOT

Please return this report with your comments by: NOV-8

DEPARTMENT COMMENT

Preface comments with: C - code requirement R - recommendation
S - suggestion F - finding

Evaluation of this property indicates that the potential is low for archaeological resources to be present. No action required.

P & C-ADMINISTRATION

RECEIVED
NOV 1 1989
RECEIVED

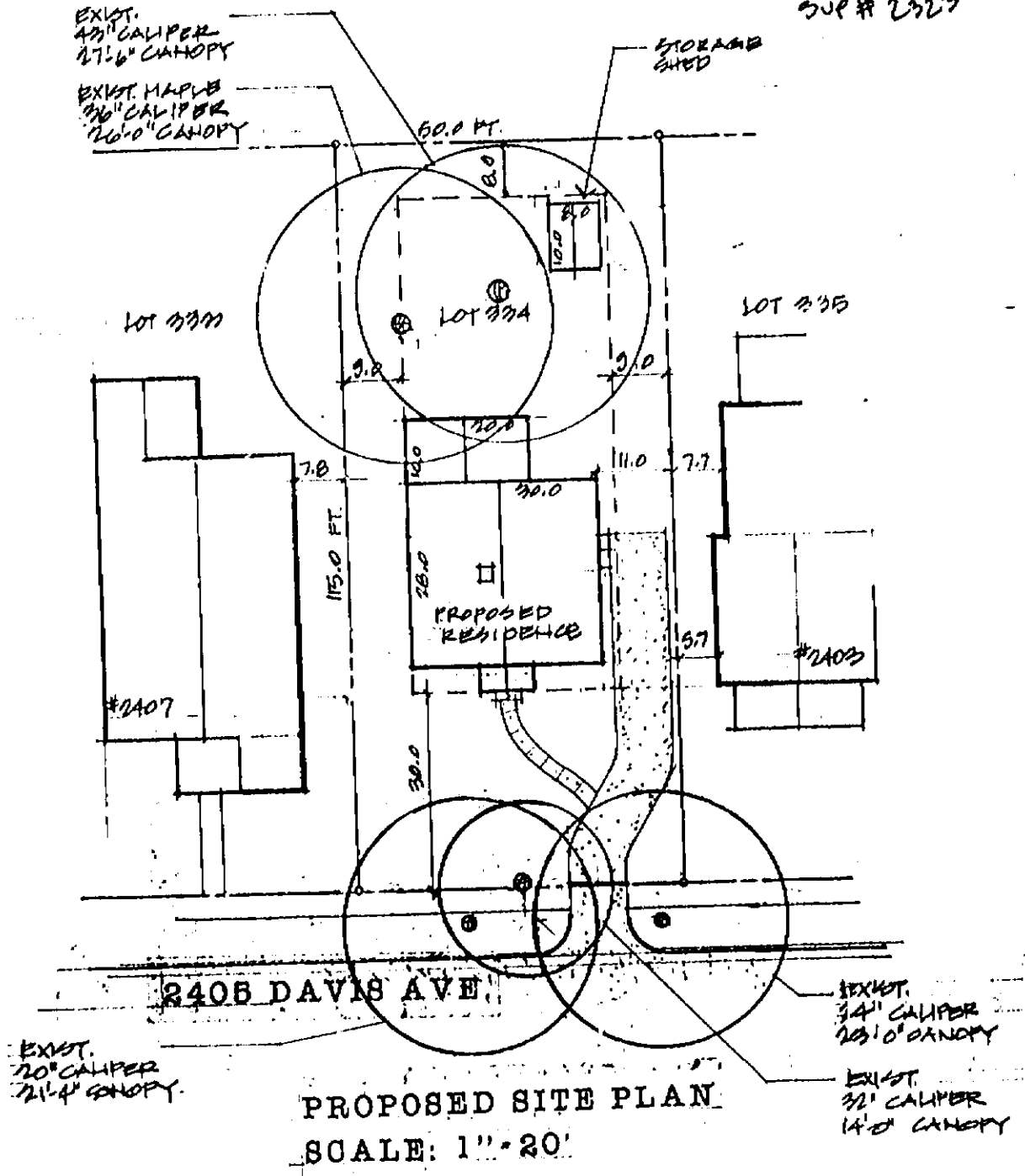
Steven D. Shephard
Archaeologist 838-4399

William H. Vallon for JTF
Signature Department Head
11-1-89
Date

- Enclosures:
- o Floor Plans
- o Plat
- o Letter of Intent
- o Form 7-8-192
- o Application
- o

PLEASE RETURN PLANS
NOT NEEDED FOR
YOUR FILES

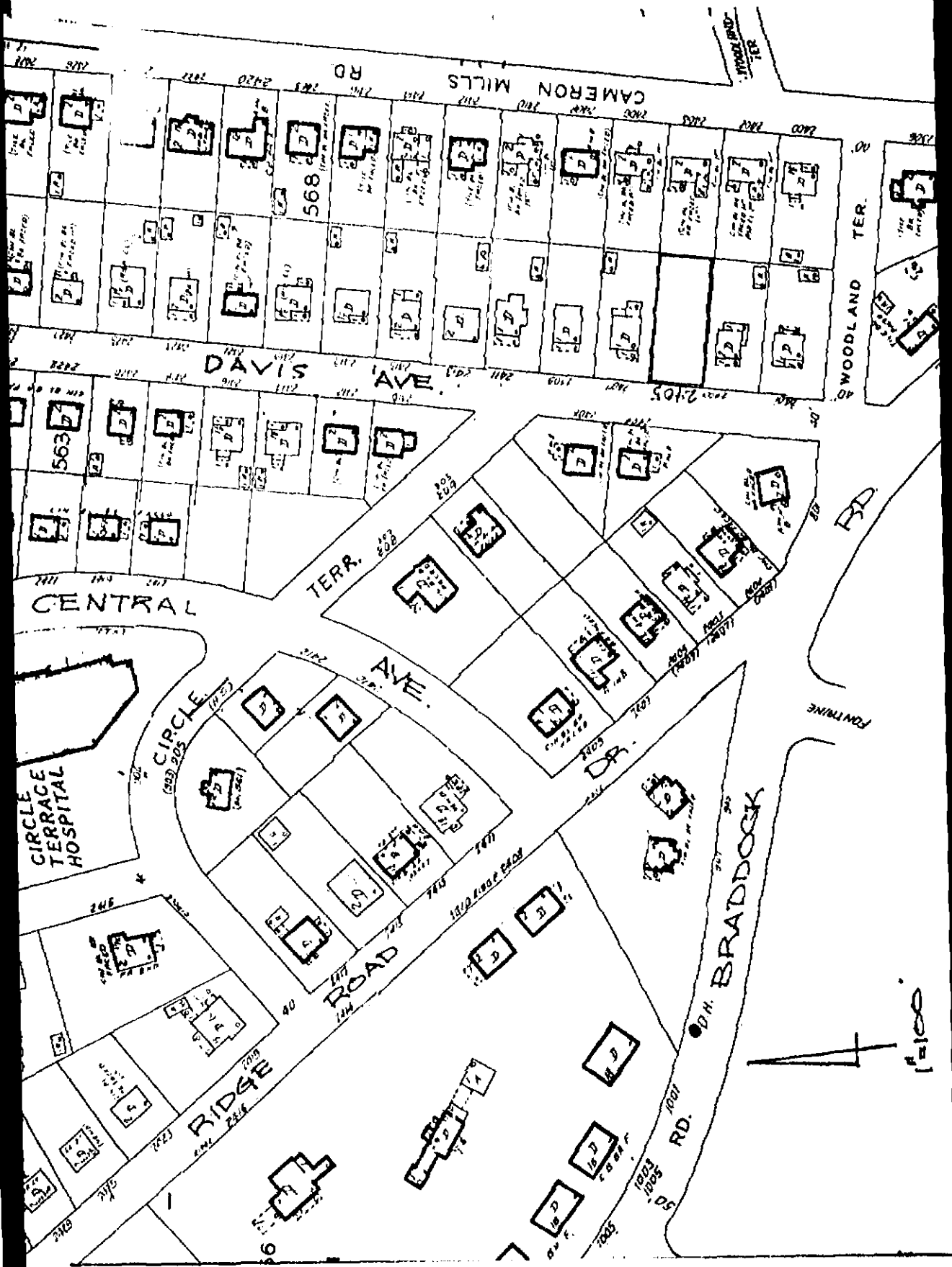
FILE COPY
SUP # 2323



PROPOSED SITE PLAN
SCALE: 1" = 20'

OWNERS
DANIERO/EDWARDS, ET AL.
BAIRLEY, MAGINNIS & KING, PC
ARCHITECTS
DEC. 19, 1989

11. The developer shall provide an easement to the owners of the property at 2403 Davis Avenue to gain ^{occasional} access to 2405 Davis to maintain the north side of the house on 2403 Davis Avenue. *perform necessary maintenance and repairs to*
12. No fence shall be constructed in the front yard or within 48 feet of the front lot line.
13. The developer shall use best efforts to complete construction of the house within one year of the date of initiating construction.
14. No overhead wiring shall be brought to 2405 Davis Avenue over the property at 2403 Davis.
15. The house shall be designed with a location for the storage of trash and trash containers which will be shielded from view by the adjoining properties.
16. In the event that the developer elects to build the house with a basement, he will eliminate the proposed outbuilding.
17. Notwithstanding the yard requirement in 7-6-14 (d)(3) of the City Code, the front building line of the house may and shall, be set back 25 feet from the front lot line.
18. The driveway will extend no further than 48 feet from the front lot line.



CENTRAL

CIRCLE TERRACE HOSPITAL

CIRCLE

TERR.

AVE.

RD

RIDGE

BRADDOCK

FOUNTAIN

CAMERON MILLS RD

WOODLAND TER.

DAVIS AVE

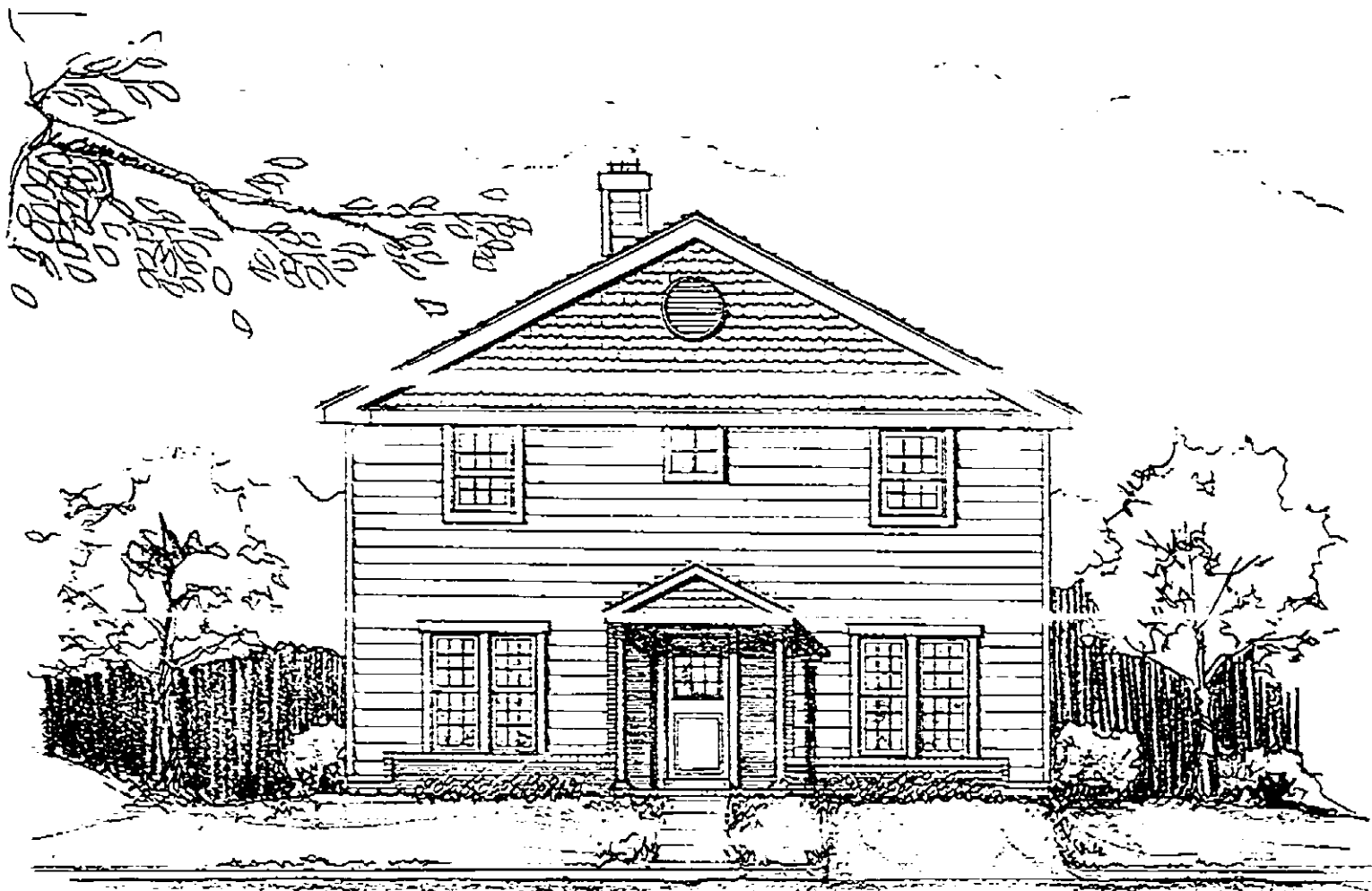
568

563

D.H. BRADDOCK

RD.

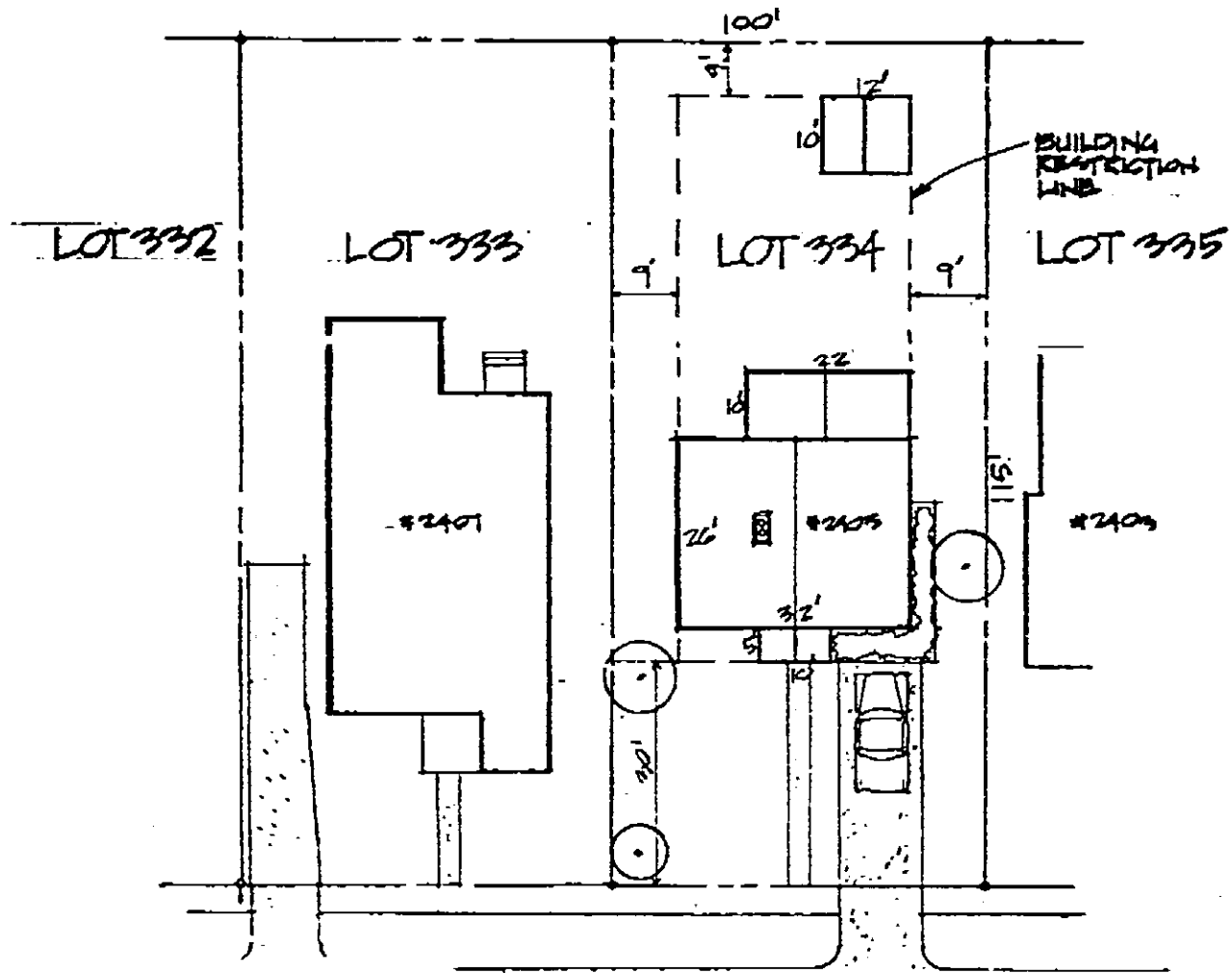
1" = 100'



17

PROPOSED ELEVATION

2405 DAVIS AVE.



18

PROPOSED SITE PLAN
SCALE: 1" = 20'

2405 DAVIS AVE.

Item #12

The North Ridge Citizens' Association

A Non-Profit Organization
PO BOX 3242 ALEXANDRIA, VA 22302

December 28, 1989



Serving:

Beverly Hills
Monticello Estates
Braddock Heights
Jefferson Park



Planning Commission
City of Alexandria
301 King Street
Alexandria, VA 22314

RE: Davis Avenue Substandard Lot Application,
Item 12 - January 2, 1990 Planning
Commission Meeting

Dear Planning Commission:

At an extremely rare Special Meeting held on December 19 to consider the substandard lot ordinance, the North Ridge Citizens Association Executive Board passed a resolution opposing the Davis Avenue Substandard Lot Application for a Special Use Permit on the grounds that: 1) the block face designated by the City was not appropriate and, under an appropriate block face would not meet the criteria under the substandard lot ordinance; and 2) the proposed house does not appear to meet the average distance between adjoining houses in the appropriate block face.

This decision was based largely on application of the criteria (attached) -- also approved at that special meeting -- for determining whether applications under the substandard lot ordinance should be granted. These criteria are not complete yet (additional discussion of the critical determination of how a "block face" should be designated is now being drafted), but the Board commends the criteria to you in your future decisions on substandard lot applications.

Thank you for your consideration.

Sincerely,

John H. Komoroske
President

attachment

NORTH RIDGE CITIZENS ASSOCIATION
Draft Policy Statement
December 19, 1989

Guidelines for Responding to Special Use Permit Applications for Residential Development of Substandard Lots under Ordinance No. 3407

[Note: This draft does not include a new section on definition of "block face" that the North Ridge Executive Board authorized the Land Use Committee to draft on December 19, 1989]

Alexandria City Ordinance No. 3407 (September 18, 1989) provides for the right to apply for a special use permit under certain circumstances to build on substandard lots in the residential zones that cover the North Ridge Area. The ordinance contains a provision requiring a finding by the City Council that the proposal be compatible with the existing neighborhood, that it not adversely impact light, air and open space and that it not adversely impact property values.

This policy statement is intended to provide uniform criteria that the North Ridge Citizens Association will apply in responding to individual applications under this Ordinance. North Ridge Citizens Association believes that it is important that each site be evaluated on its own merits, but at the same time, there should be some consistency in the factors considered. This will provide a uniformity in the application of the law and will also provide guidance to existing neighbors and potential developers.

The Association will respond to applications according to its evaluation of the criteria listed below and any other factors peculiar to a given application. We will encourage the applicant to work closely with the Association and neighbors to minimize or eliminate concerns. This process includes, at a minimum, an opportunity for citizens review and input at a regularly scheduled Association meeting before any city hearings. Afterwards, the Association's Land Use Committee will implement whatever action the Association's Executive Board votes to take on the application.

In addition to responding to individual applications, the Association will promote consistent and strict interpretation of the Ordinance among city officials so as to minimize the impact of new construction on existing residences. Because special use permits deal with the exception rather than the rule, any permissive interpretations of the remainder of the City Zoning Code made in other contexts are inappropriate for the infill development contemplated by this ordinance, as the following criteria make clear:

1. **Lot Size.** The ordinance provides that the lot size must meet certain minimums before a special use permit may be applied for. This should not be the end of the analysis on lot size. Lots which barely meet the minimums will require more severe restrictions and limitations on development and will more frequently be found inappropriate for any development. Conversely, lots which approach the requirements of the zone should have fewer restrictions and limitations. Generally speaking, lots which are smaller than the lots immediately adjoining them are poor candidates for development.

2. Compatibility. The proposed house must be compatible with existing houses in both style and size. Considerations of style should take into account design (Contemporary, Colonial, Tudor, Victorian, etc.), materials (brick, frame, etc.), and quality. Our neighborhoods can tolerate considerable variety, but extremes, be they Georgian colonials with huge columns or redwood California contemporaries, would be out of place. A more difficult element to capture is compatibility of size. Living habits and design parameters have changed significantly over the past thirty to fifty years. People require more space; new houses contain more rooms and larger rooms, which explains why so many of the older houses in our neighborhood have additions. However, large modern homes of the type found in Fairfax County or even Seminary Ridge are not appropriate for our 5,000 square foot substandard lots. Anyone proposing to build on the small lots in our neighborhood must downscale their plans to fit in with the existing neighborhood or find a lot that meets current zoning standards. Developers must be asked to do more than merely satisfy minimum code requirements on Floor Area Ratio (F.A.R., a measure of density) and setbacks. Generally, the F.A.R. should be no greater than the average F.A.R. on single lots on the block face under the ordinance. On the other hand, the existing neighbors must recognize that new houses will be somewhat larger than existing neighborhood houses and the base design of the new house will frequently incorporate the space most of us add to our houses with additions.

3. Open Space. The concept of open space must be evaluated on a "neighborhood" or "block" basis. There are substandard lots interspersed throughout our neighborhoods; the lots combine to give our neighborhoods a sense of spaciousness. Where several lots interact in this way, building on one may not have a significant impact on the open space of the neighborhood, but building on all of them likely will. Developers therefore cannot expect to build on every single available lot. In each application for a special use permit, City Council should take account of other open space in the area. If the Council finds that open space is not adversely impacted because of other undeveloped lots in the neighborhood, this should be expressed in the findings. This finding should be taken into consideration in subsequent applications from the same neighborhood or block.

4. Definiteness of Plan. No permit should be granted without a specific plan for construction. The plan must include a site plan showing all garages, porches, outbuildings and parking and must also include a drawing of the actual house to be built showing design and size and specifying materials. The Council should take the position that it cannot make a finding of "compatibility" without having a definite plan. In addition, the plan must bind not only the builder/developer, but also subsequent owners of the property. For example, if a key issue is the size of the house to be built or the preservation of trees on the property, the conditions of the special use permit must make clear that these limitations were the bases on which the permit was granted so that subsequent owners cannot come in and modify those conditions absent a significant change in circumstances.

5. Variations. No building plan should be approved which requires variations unless it is supported unanimously by the adjacent neighbors. Generally, variations should be avoided. However, design considerations which are beneficial to existing neighbors sometimes necessitate minor variations. In those instances, variations should be allowed, but only where strongly supported by the neighbors.

6. Setbacks. Many of the existing houses in our neighborhoods are non-conforming on their side setback lines. However, many of our existing neighbors either bought their houses or chose to remain and add on to them under the assumption that the vacant lot next door could not be built upon. Consequently, now that there has been a change in the law allowing building under certain circumstances, it should be recognized that merely building to code on the new lot may not provide sufficient space between the two houses. The proposed new house location must take into account the location of existing adjacent housing. As a general rule, the distance between the proposed house and the existing house should be equal to or exceed the average distances between existing adjoining houses in the immediate neighborhood. This will frequently require a larger side setback than the minimum the code would require in the proposed house.

7. Trees. A primary North Ridge goal is to protect and maintain as many trees as possible. No permit should be granted without a requirement that best efforts be used to maintain and preserve trees during construction, and thereafter by subsequent owners. Design plans must maximize the preservation of existing trees and developers must use best efforts to place construction on the lots to avoid the unnecessary destruction of existing trees. In those instances where significant trees will be destroyed by the construction, even if those trees do not fall into the category of specimen trees, the construction should not be allowed. All trees of 8 inch diameter trunk at breast height should be identified by size and specimen and located on site plans drawn to scale. The city arborist or a professional arborist must approve the developer's tree maintenance plans.

8. Floor Area. The amount of lot covered by house, porches, decks, driveway, garage and accessory buildings must be examined carefully. Developers/builders will be developing lots which are currently all greenspace. They must be required to preserve as much greenspace as possible. This will make it less likely that large driveways, large detached garages or other outbuildings will be allowed. This is an example of the need for strict construction of ordinance terms: "Floor area" includes "all gross horizontal areas under a roof or roofs." Zoning Ordinance Sec. 7-6-1(33). There should be no exclusions of garages or outbuildings or internal parts of the house (except basements) for F.A.R. computations.

9. Adjacent Neighbors. Substantial deference must be given to the opinion of those neighbors immediately adjacent to the substandard lot. However, they should not be allowed to "veto" a proposal which would otherwise be acceptable simply because they do not want a house next door. Whenever possible, adjacent neighbors should be encouraged to purchase lots which would otherwise be appropriate for development when those neighbors want to preserve the lot as undeveloped. Little sympathy should be shown for developers who refuse an offer by adjoining neighbors to purchase the lot at fair market value.

NRSUBSTN.2

2323

FAGELSON, SCHONBERGER, PAYNE AND ARTHUR
ATTORNEYS AND COUNSELLORS AT LAW

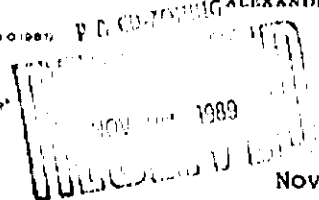
401 WYTHE STREET
(CORNER WYTHE AND H. ROYAL STREETS)
POST OFFICE BOX 997

BERNARD M. FAGELSON
ROY C. BRAGG (900) 1992
HERBERT B. BILLOWITZ (900) 1987
EUGENE SCHONBERGER
ROBERT A. PAYNE
JAMES G. ARTHUR
ROBERT L. DEICHMEISTER
PETER A. DINGMAN
JOHN L. FAGELSON
KENNETH E. LABOWITZ
ALEXANDRIA, VIRGINIA 22304-0997
1703) 548-8100

DAKOTON OFFICE:
321 JERMANTON ROAD, SUITE 210
FAIRFAX, VIRGINIA 22030
(703) 388-8282

OF COUNSEL
VICTOR G. TRAPASSO
FAX (703) 848-0668

*VA AND D.C. BARS
VA, D.C., TX AND CA. BARS



November 22, 1989

COLIN W. UCHERT
JOANE SPIELBERGER
WILLIAM C. THOMAS, JR.
LAWRENCE M. SCHONBERGER
SUSAN BRADFORD TARKLEY
DOMINIQUE V. SINES
LEE TIMMERMAN PHAUPT

BY HAND

Mr. Charles Moore, Zoning Administrator
Planning and Community Development
City of Alexandria
301 King Street
Alexandria, Virginia 22314

Re: Special Use Permit Application
2405 Davis Avenue
Alexandria, Virginia

Dear Mr. Moore:

In regard to the captioned Application, please find the following documentation enclosed:

1. Notice of Public Hearings to property owners which went out on November 21, 1989.
2. List of property owners who received notices.
3. Certification of Notice by the undersigned.

Your kind attention to this matter is greatly appreciated.

Respectfully submitted,

FAGELSON, SCHONBERGER, PAYNE & ARTHUR
Attorneys for Applicant

William C. Thomas, Jr.
William C. (Tom) Thomas, Jr.

WCT/lh
Enclosures:

CERTIFICATION OF NOTICE

Date: November 21, 1989

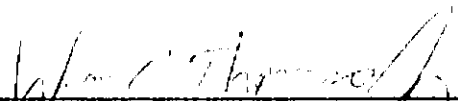
TO: Planning & Community Development
Zoning Administrator
City of Alexandria, Virginia

Section 7-6-301, Article P, Subsection (e), of the Code of the City of Alexandria, Virginia, 1981 as amended, states:

The Applicant shall supply the names and certify that notice has been sent to those to whom notice is required to be sent and shall furnish such Certification of Notice and a listing of the persons to whom notice has been sent to the Zoning Administrator at least five (5) days prior to the first hearing. The Applicant shall use the records and maps maintained by the City's Office of Real Estate Assessments and reliance upon such records shall constitute sufficient compliance with the requirements of this article.

The undersigned hereby certifies that the property owner notice, (copy attached), as required pursuant to Section 7-6-301, Article P, Chapter 6 of the Code of the City of Alexandria, Virginia, 1981 as amended, was sent to the attached list of property owners on November 21, 1989 on the following issue:

REQUEST: Applicant is requesting a Special Use Permit to develop the vacant lot at 2405 Davis Avenue which conforms in size and shape to nearby adjacent properties but is substandard under present zoning requirements.



William C. Thomas, Jr.
Attorney for Applicant
FAGELSON, SCHONBERGER, PAYNE & ARTHUR
401 Wythe Street
Alexandria, Virginia 22314
(703) 548-8100

November 21, 1989

NOTICE OF PUBLIC HEARINGS

You are hereby notified of the following public hearings to be held by the Alexandria Planning Commission and the Alexandria City Council on the following request:

ALEXANDRIA PLANNING COMMISSION
Tuesday, December 5, 1989
7:30 P.M., City Hall
Council Chambers
301 King Street
Alexandria, Virginia

ALEXANDRIA CITY COUNCIL
Saturday, December 16, 1989
9:30 A.M., City Hall
Council Chambers
301 King Street
Alexandria, Virginia

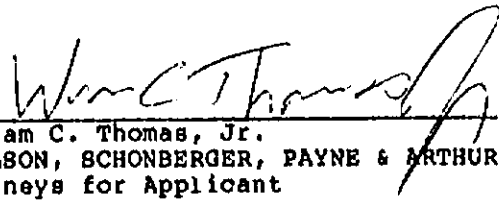
DESCRIPTION OF REQUEST: Applicant is requesting a Special Use Permit to develop the vacant lot at 2405 Davis Avenue which conforms in size and shape to nearby adjacent properties but is substandard under present zoning requirements.

PROPERTY ADDRESS: 2405 Davis Avenue
Alexandria, Virginia

TAX MAP REFERENCE: 33.00-04-27,28

As a citizen and party in interest, you are invited to attend these meetings and express your views concerning the above request.

If you have any questions regarding the request, please feel free to call at (703) 548-8100.



William C. Thomas, Jr.
FAGELSON, SCHONBERGER, PAYNE & ARTHUR
Attorneys for Applicant
401 Wythe Street
Alexandria, Virginia 22314

PROPERTY OWNERS LIST

RE: Special Use Permit Application
Development of Substandard Lot
2405 Davis Avenue
Alexandria, Virginia

<u>Subject Property</u> <u>Owner's Name & Address</u>	<u>Map/Block/Lot</u>
Charles A. Edwards, et ux Roger D. Daniero, et ux 3705 Ft. Worth Avenue Alexandria, Virginia 22304	33.00-04-27,28

<u>Owner's Name & Address</u>	<u>Map/Block/Lot</u>
Virginia Colangelo 609 North Windsor Avenue Alexandria, Virginia 22302	33.00-04-29
Richard E. Maynard or Susan H. Dovell 2403 Davis Avenue Alexandria, Virginia 22302	33.00-04-26
Frederick W. Hohlweg or Linda J. Hohlweg 2406 Cameron Mills Road Alexandria, Virginia 22302	33.00-04-18
Michael F. Hepple or Celeste M. Webb 2404 Cameron Mills Road Alexandria, Virginia 22302	33.00-04-19
Stephen R. or Jane D. Kelly 2402 Cameron Mills Road Alexandria, Virginia 22302	33.00-04-20
William H. Bell, et ux 2408 Davis Avenue Alexandria, Virginia 22302	33.00-03-19
Betty Mills Van 2404 Davis Avenue Alexandria, Virginia 22302	33.00-03-20
Irwin E. Buck 801 West Braddock Road Alexandria, Virginia 22302	33.00-03-21

SUP # 2323

FAGELSON, SCHONBERGER, PAYNE AND ARTHUR
ATTORNEYS AND COUNSELLORS AT LAW

401 WYTHE STREET
(CORNER WYTHE AND N. ROYAL STREETS)
POST OFFICE BOX 297

ALEXANDRIA, VIRGINIA 22304-0297

(703) 548-8100

BERNARD M. FAGELSON
ROY C. BRAGG (800) 982
HERBERT S. BILLOWITZ (800) 982
EUGENE SCHONBERGER
ROBERT A. PAYNE
JAMES O. ARTHUR
ROBERT L. DEICHMEISTER
PETER A. DONOHAN
JOHN L. FAGELSON
KENNETH E. LABOWITZ

COLIN W. UCHERT
JOAN E. BRIELBERGER
WILLIAM C. THOMAS, JR.
LAWRENCE M. SCHONBERGER
SUSAN BRADFORD FARLEY
DOMINIQUE V. SINESI
LEE TIMMERMAN PHAUP

DARTON OFFICE
321 JERMANTOWN ROAD, SUITE 210
FAIRFAX, VIRGINIA 22030
(703) 288-8282

OF COUNSEL
VICTOR G. TRAPASSO
FAX: (703) 948-0668

VA. AND D.C. BARS
VA., D.C., TX. AND CA BARS

December 1, 1989

BY HAND

The Honorable Chairman and Members
of the Planning Commission
City of Alexandria
301 King Street
Alexandria, Virginia 22314

Attention: Charles B. Moore, Jr.
Zoning Administrator

Re: Special Use Permit Application
Development of Substandard Lot
2405 Davis Avenue, Alexandria, VA

Dear Mr. Chairman and Planning Commission Members:

On behalf of the Applicant in the captioned case, we request deferral of this application from the public hearings scheduled for December 5, 1989 and December 16, 1989, respectively, before the Planning Commission and the City Council, to be heard before the Planning Commission and City Council in the January, 1990 hearings.

Thank you for your kind consideration of this request.

Respectfully submitted,

FAGELSON, SCHONBERGER, PAYNE AND ARTHUR
Attorneys for Applicant



Bernard M. Fagelson

BMF:lh

cc: Stephen M. Colangelo, Esquire

F.T.&G.

FILE COPY

LOT 341
SUP # 2323

LOT 344

LOT 343

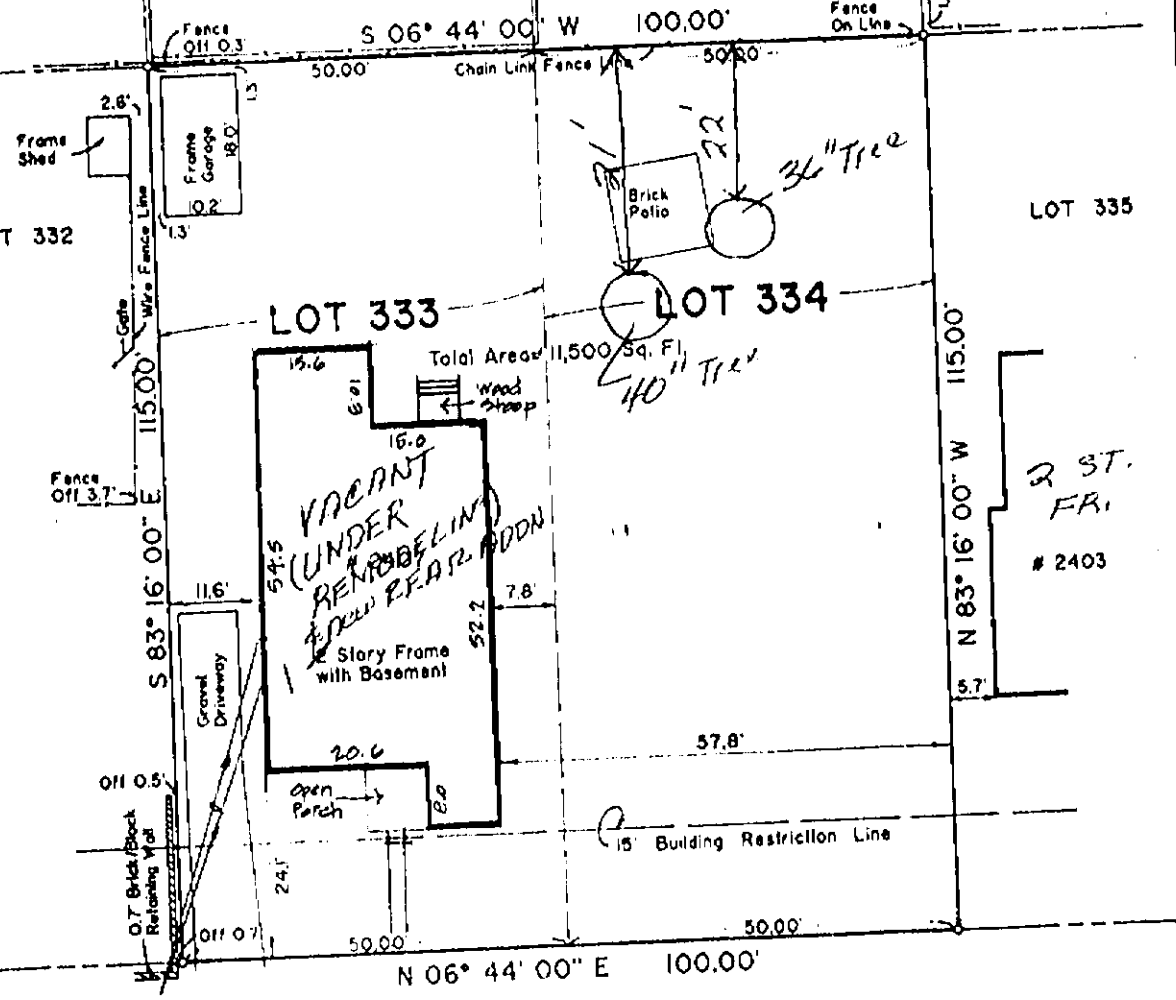
LOT 342

LOT 332

LOT 335

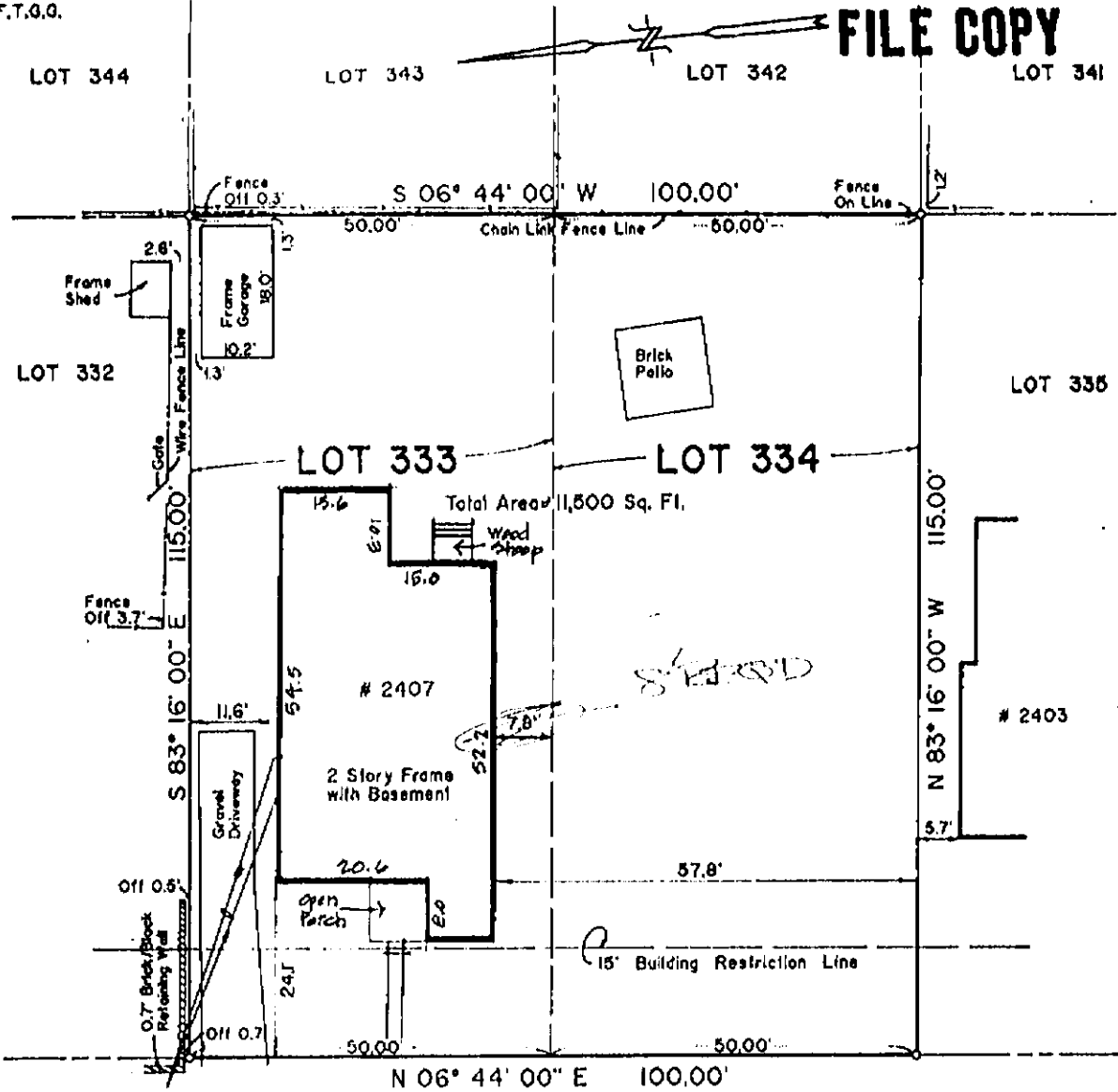
LOT 333

LOT 334



DAVIS AVENUE
 (Formerly known as Seminary View)
 40' R/W

House Location
 LOTS 333 and 334
 SECTION TWO
**BRADDOCK
 HEIGHTS**
 City of Alexandria, Virginia
 Scale: 1" = 20' Date: November 9, 1999



DAVIS AVENUE
 (Formerly known as Seminary View)
 40' R/W

House Location
 LOTS 333 and 334
 SECTION TWO
BRADDOCK HEIGHTS

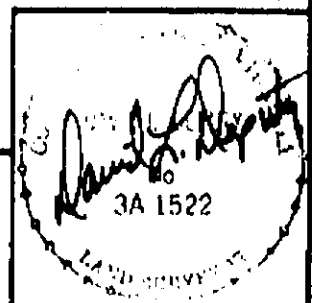
City of Alexandria, Virginia
 Scale: 1" = 20' Date: November 9, 1988
 Revised: October, 1989
 Per variance granted
 September 14, 1989 by
 Bailey, Maginnis & King.

NOTE:

1. THE PROPERTY SHOWN HEREON IS NOT IN A DESIGNATED H.U.D. FLOOD HAZARD AREA.
2. THIS PLAT IS NOT TO BE USED FOR THE CONSTRUCTION OF FENCES.
3. THE POSITION OF ALL EXISTING IMPROVEMENTS HAS BEEN ESTABLISHED BY A TRANSIT TAPE SURVEY.
4. THIS PLAT HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND DOES NOT THEREFORE NECESSARILY INDICATE ALL ENCUMBRANCES ON THE PROPERTY.
5. THE PROPERTY TAX MAP REF NO. IS 33.00-04-27 AND IS PRESENTLY ZONED R-8.

SURVEY FOR: LMG Builders
 JOB NO. K-88-24
 DRAWN BY: DMK
 CHECKED BY: DLD

DEPUTY LAND SURVEYING
 LAND SURVEYING - VIRGINIA - MARYLAND
 FAIRFAX, VIRGINIA
 TEL. (703) 591-9155



NOTE UTILITIES UNDER

343

342

341

S 6° 44' W 50.00'

CHAIN LINK FENCE

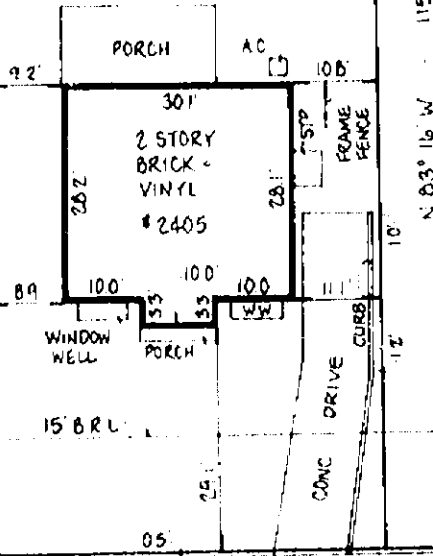
333



334

335

S 83° 16' E 115.00'



N 83° 16' W 115.00'

110.00' TO P1 WOODLAND TERRACE

N 16° 44' E 50.00'

DAVIS AVENUE
40' R/W

PLAT

SHOWING HOUSE LOCATION ON
LOT 334, SECT 2

BRADDOCK HEIGHTS CITY OF ALEXANDRIA, VIRGINIA

SCALE 1" = 20'

JAN 23, 1991 (WALL CHECK)

THIS PROPERTY IS NOT LOCATED IN A
F.U.D. DESIGNATED FLOOD HAZARD
ZONE.

PLAT SUBJECT TO RESTRICTIONS OF
RECORD.

TITLE REPORT NOT FURNISHED.

I HEREBY CERTIFY THAT THE POSITIONS OF
ALL THE EXISTING IMPROVEMENTS HAVE BEEN
CAREFULLY ESTABLISHED BY A TRANSIT TAPE
SURVEY AND UNLESS OTHERWISE SHOWN,
THERE ARE NO VISIBLE ENCROACHMENTS

Kenneth W. White
KENNETH W. WHITE L.S.



CASE NAME:

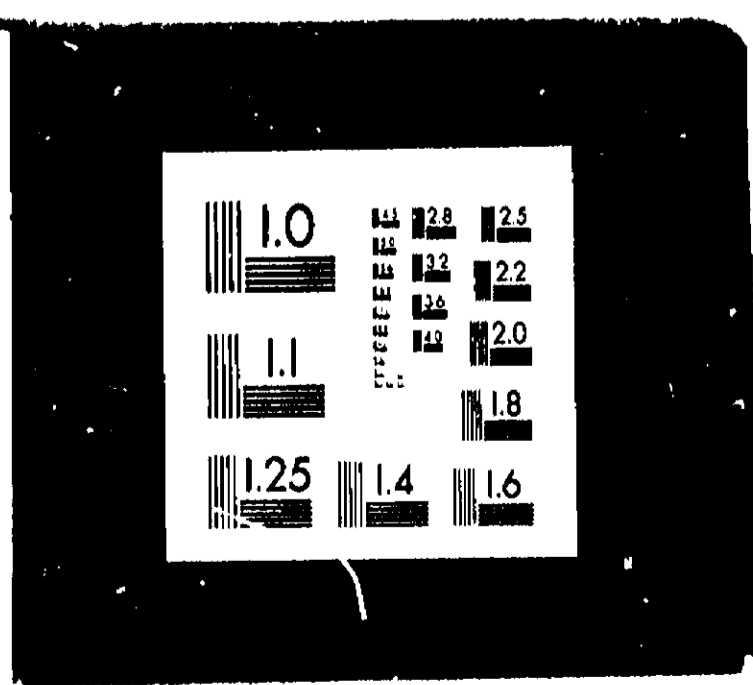
DANIERO

ALEXANDRIA SURVEYS, INC.
6343 SOUTH KINGS HIGHWAY
ALEXANDRIA, VIRGINIA 22306
703-660-6616
FAX 703-766-7784



D A V I S A V E N U E

24:1



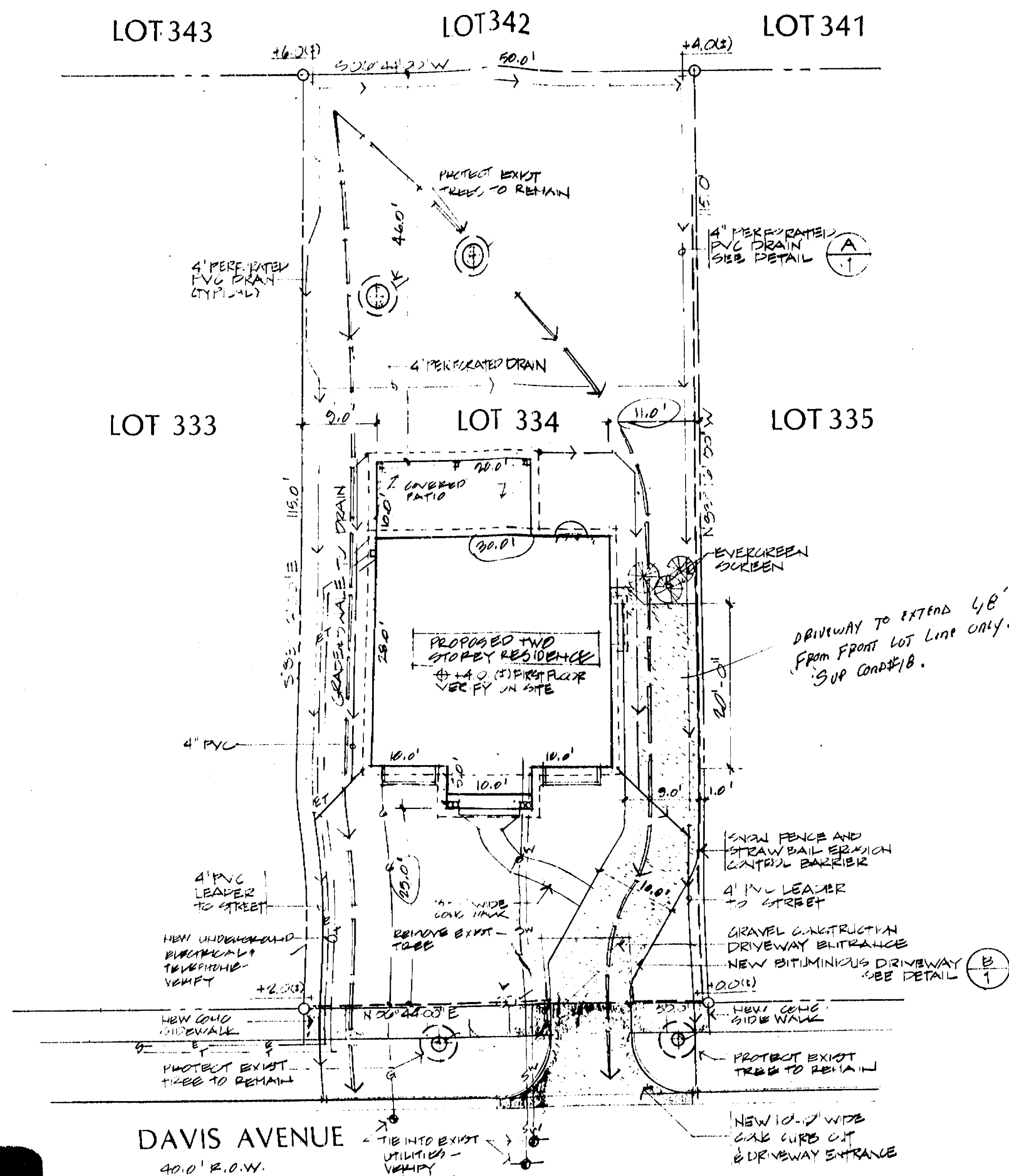
BAIRLEY, MAGINNISS & KING
 JANUARY 2, 1990

DANIERO / EDWARDS, ET. AL.
2405 DAVIS AVENUE

**Bairley
Maginniss
King**
PC

1514 King Street
Alexandria, VA 22314
703/548-0460

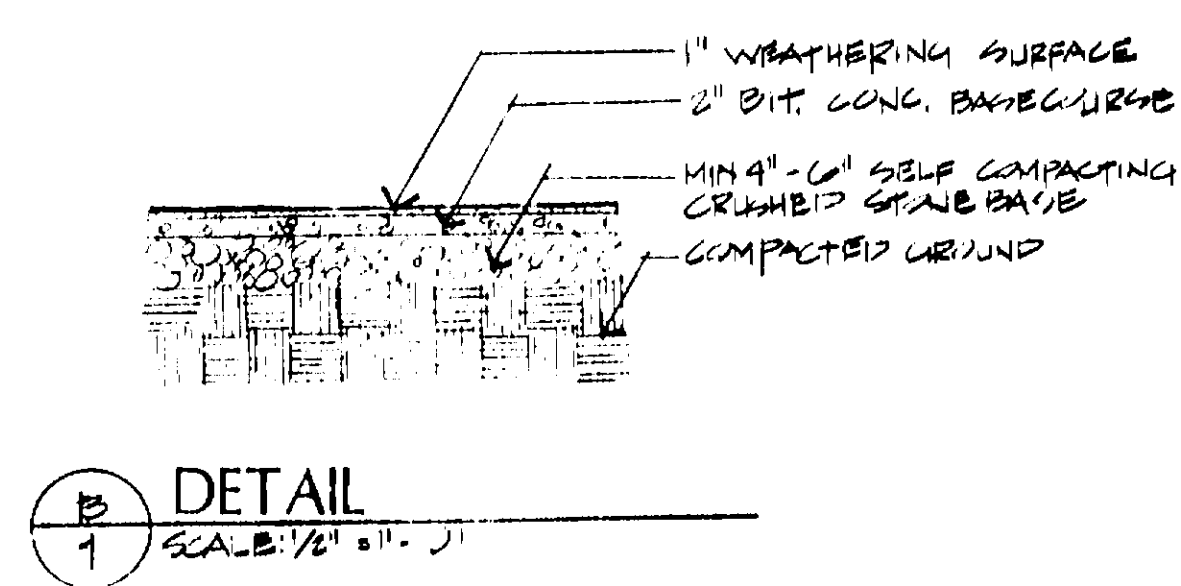
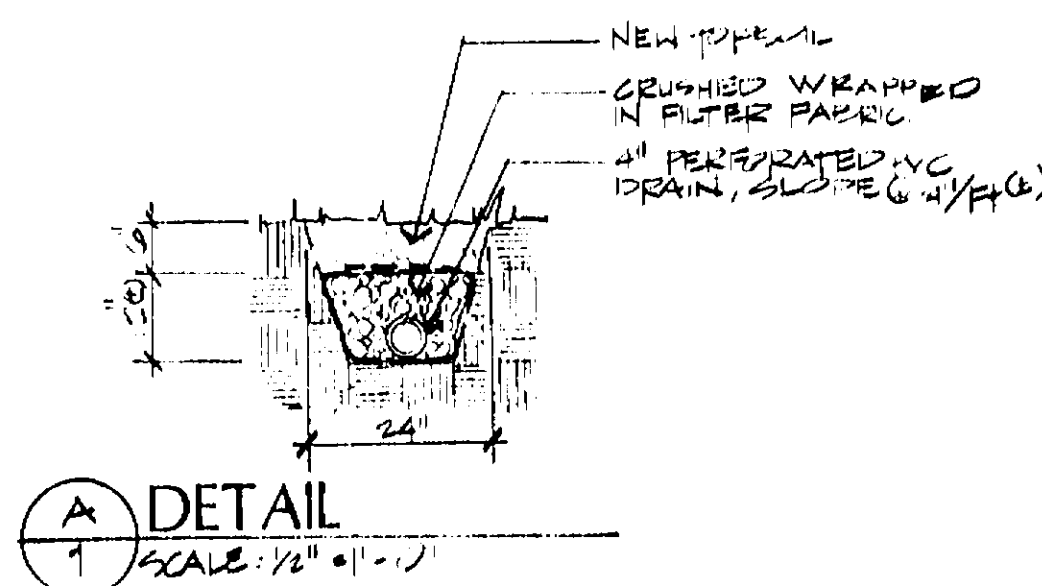
6 East Street, Suite 300
Frederick, MD 21701
301/662-8611



DAVIS AVENUE
400' R.O.W.

PROPOSED SITE PLAN
SCALE: 1"=10'

SITE INFORMATION TAKEN FROM SURVEY OF LOTS 333 AND 334,
SECTION TWO, BRADY & CO HEIGHTS NOVEMBER 9, 1988, PREPARED
BY DEPUTY LAND SURVEYING PATRICK VA.



LIST OF DRAWINGS

- A-1 COVER SHEET & PROJECT INFORMATION
- A-2 FLOOR PLANS
- A-3 ELEVATIONS
- A-4 SECTIONS/DETAILS
- A-5 SCHEDULES
- MPE MECHANICAL, PLUMBING, ELECTRICAL

DRAWING SYMBOLS

	SECTION DESIGNATION DRAWING WHERE SHOWN		NEW PARTITION OR WALL
	ELEVATION DESIGNATION DRAWING WHERE SHOWN		LIGHT FIXTURE LOCATION
	DETAIL DESIGNATION DRAWING WHERE SHOWN		SUPPLY REGISTER
	ELEVATION REFERENCE		RETURN 'GRILLE'
	FINISH AND/OR RM. NUMBER		DUPLEX OUTLET
	DOOR NUMBER		WATERPROOF AND/OR GROUND FAULT PROTECTED OUTLET
	PARTITION TYPE		DUPLEX OUTLET, ONE SWITCHED
	WINDOW TYPE		DEDICATED CIRCUIT
	WORK ABOVE OR BELOW PLAN OR SECTION		JUNCTION BOX
			SWITCH LOCATION
			THREE-WAY SWITCH
			TELEPHONE LOCATION

ZONING INFORMATION

JURISDICTION:	REQUIRED	EXISTING	PROPOSED
LOT SIZE:	6000 SF	5,750 SF	NO CHANGE
FRONTAGE:	65 FT	50 FT	NO CHANGE (SEE NOTE NO. 1)
F.A.R.:	0.55 200 FT	NONE	0.55 190 FT (SEE NOTE NO. 2 & 4)
COVERAGE:	N/A	N/A	N/A
OPEN SPACE:	N/A	N/A	N/A
FRONT YARD:	20 FT	NONE	25 FT (SEE NOTE NO. 2)
SIDE YARD (WIDTH):	1:2 RATIO, 0 FT MIN.	NONE	9.0 FT
SIDE YARD (DEPTH):	1:2 RATIO, 0 FT MIN.	NONE	11.0 FT (SEE NOTE NO. 4)
REAR YARD:	1:1 RATIO, 0 FT MIN.	NONE	40.0 FT (SEE NOTE NO. 4)
BLDG HEIGHT:	3 STORES OR 35 FT MAX.	NONE	2 STORES, 19.0' MAX.

- ZONING NOTES:**
1. SPECIAL USE PERMIT # 2223 APPROVED BY CITY ON JANUARY 20, 1993 GRANT PERMIT TO CONSTRUCT SINGLE FAMILY RESIDENCE ON SUBSTANDARD LOT
 2. FRONT YARD SETBACK OF 25'-0" GRANTED AS PART OF SPECIAL USE PERMIT
 3. FAR INCLUDES AREA OF COVERED PATIO
 4. STORAGE SHED NOT INCLUDED.

APPROVED
Complies with Zoning requirements
5.3.90
date
Director of Planning
PHI 510 2323

All yard distances shall be measured from the furthest projecting point of the building including roof overhang to the nearest lot line.

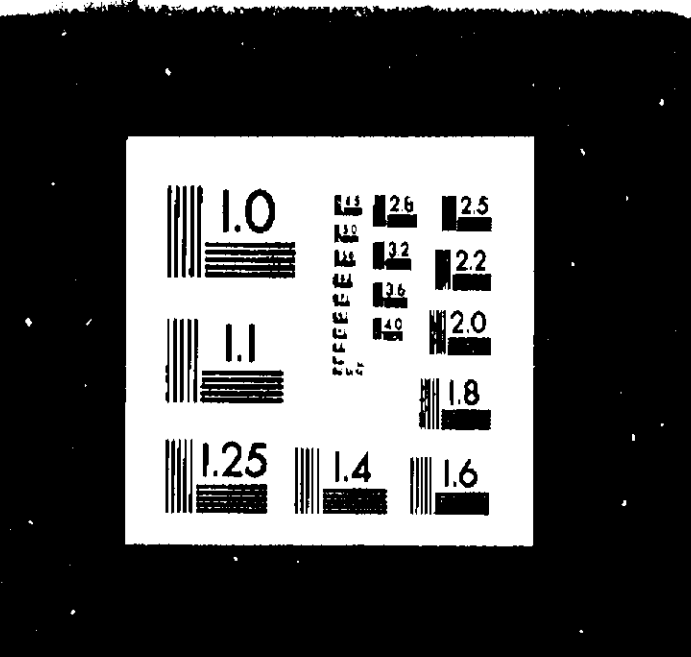
REVIEWED BY:
NORTH RIDGE
CIVIC ASSOCIATION

NO.	DATE	DESCRIPTION

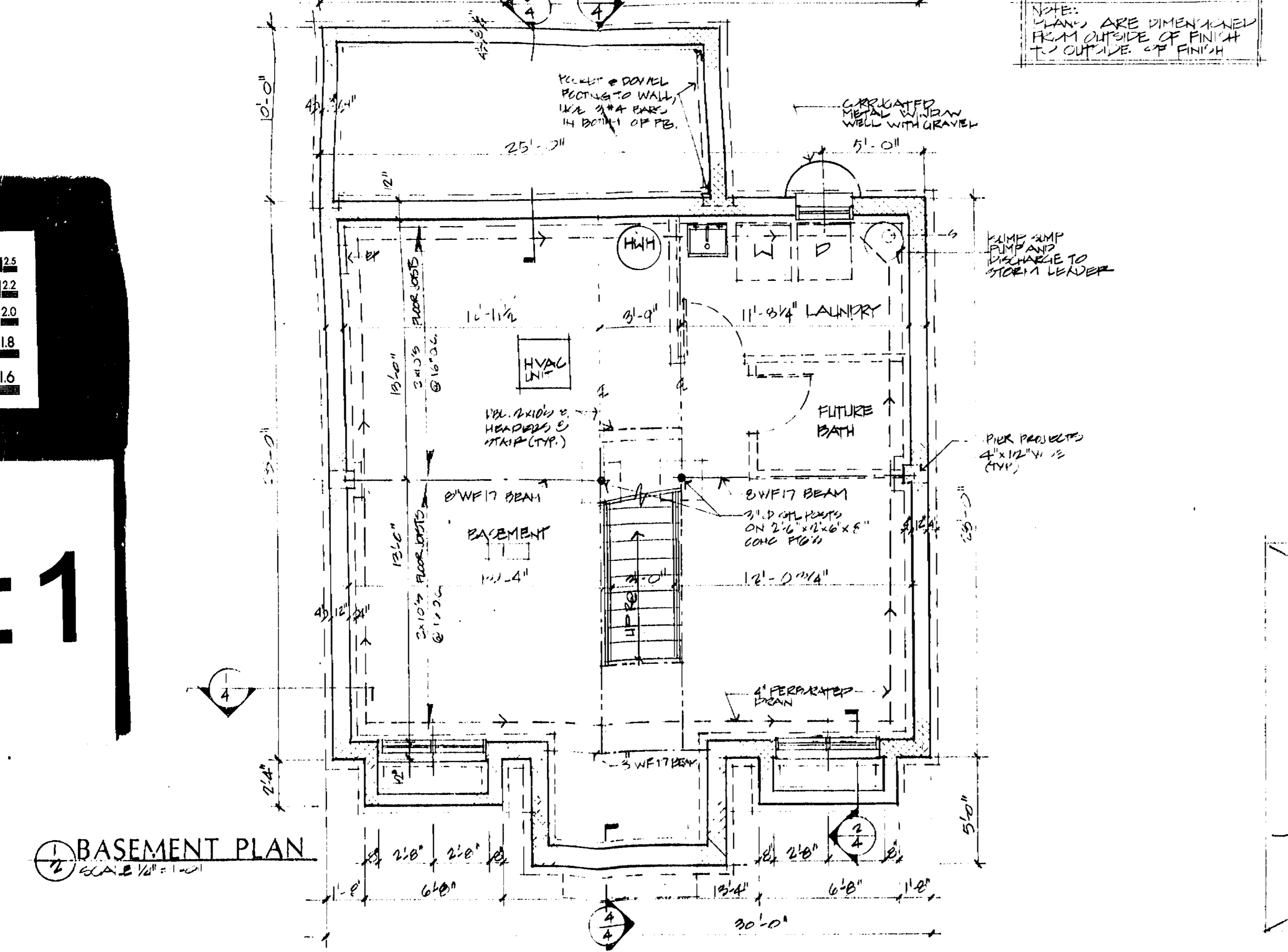
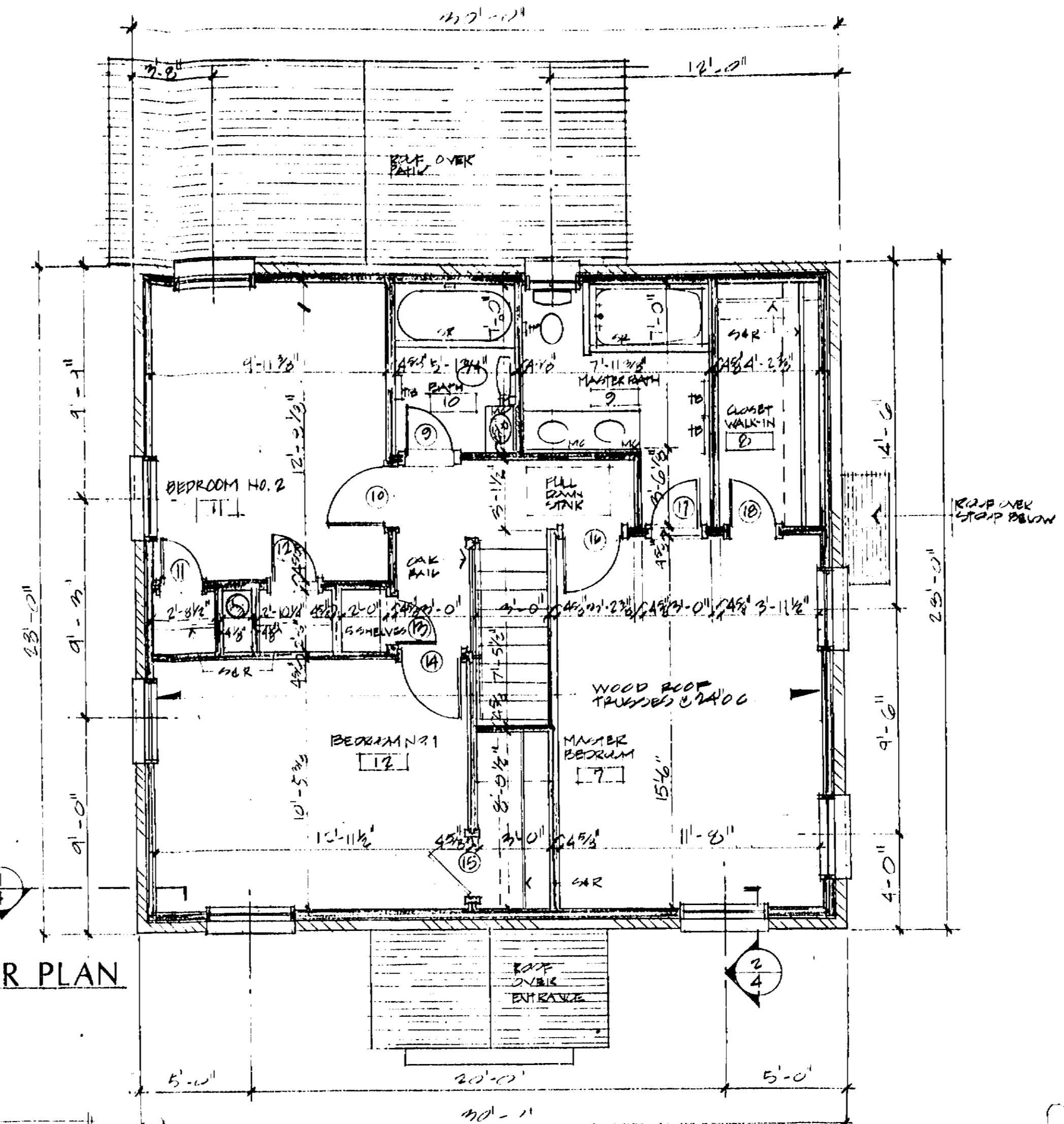
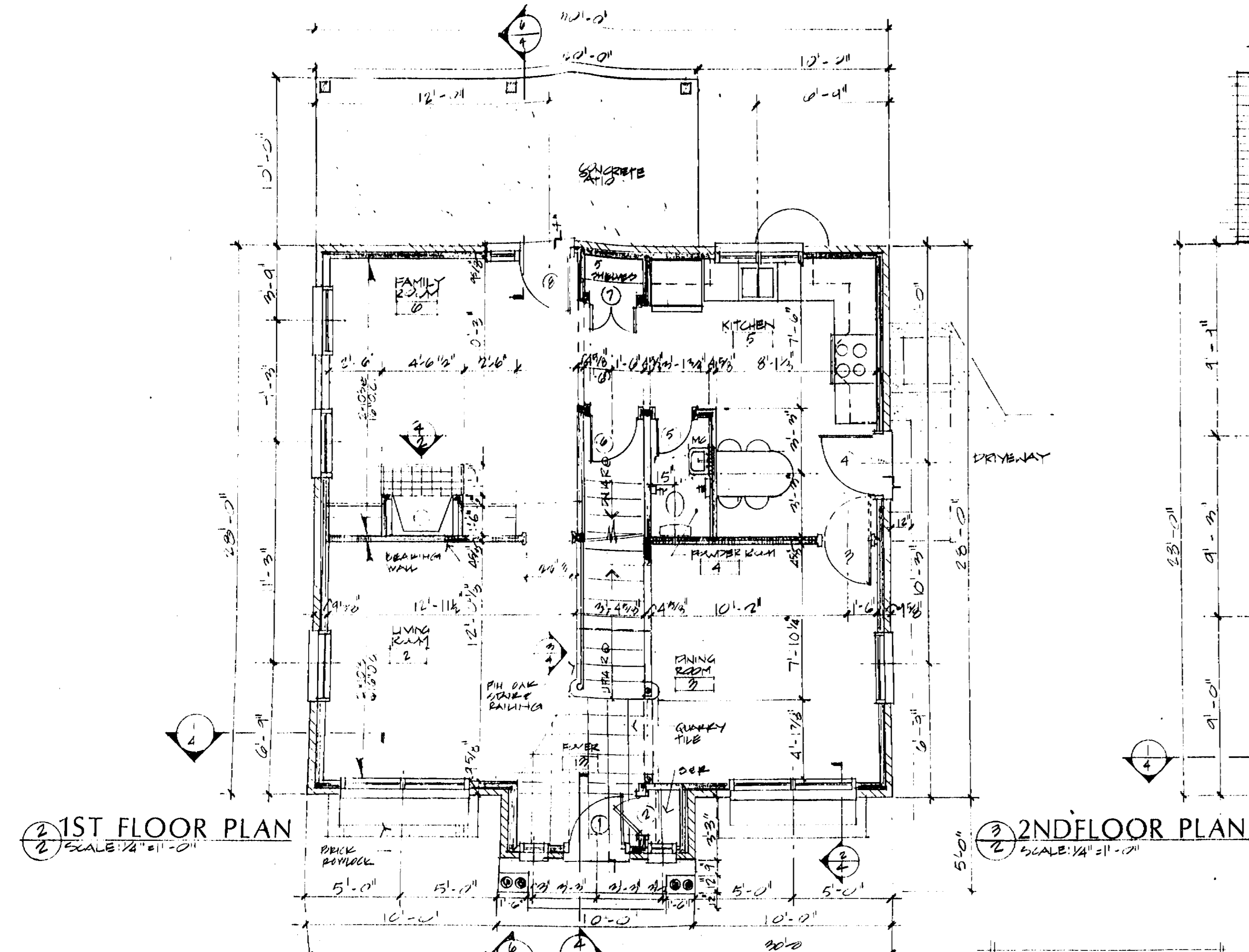
DANIERO/EDWARDS, ET. AL.
2405 DAVIS AVE.
ALEXANDRIA, VA.

DRAWING TITLE:
COVER SHEET

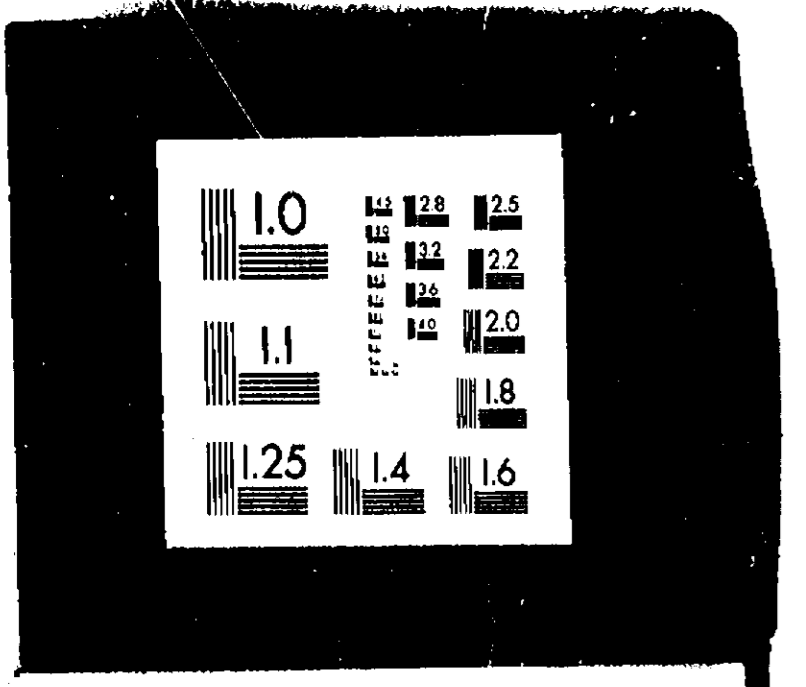
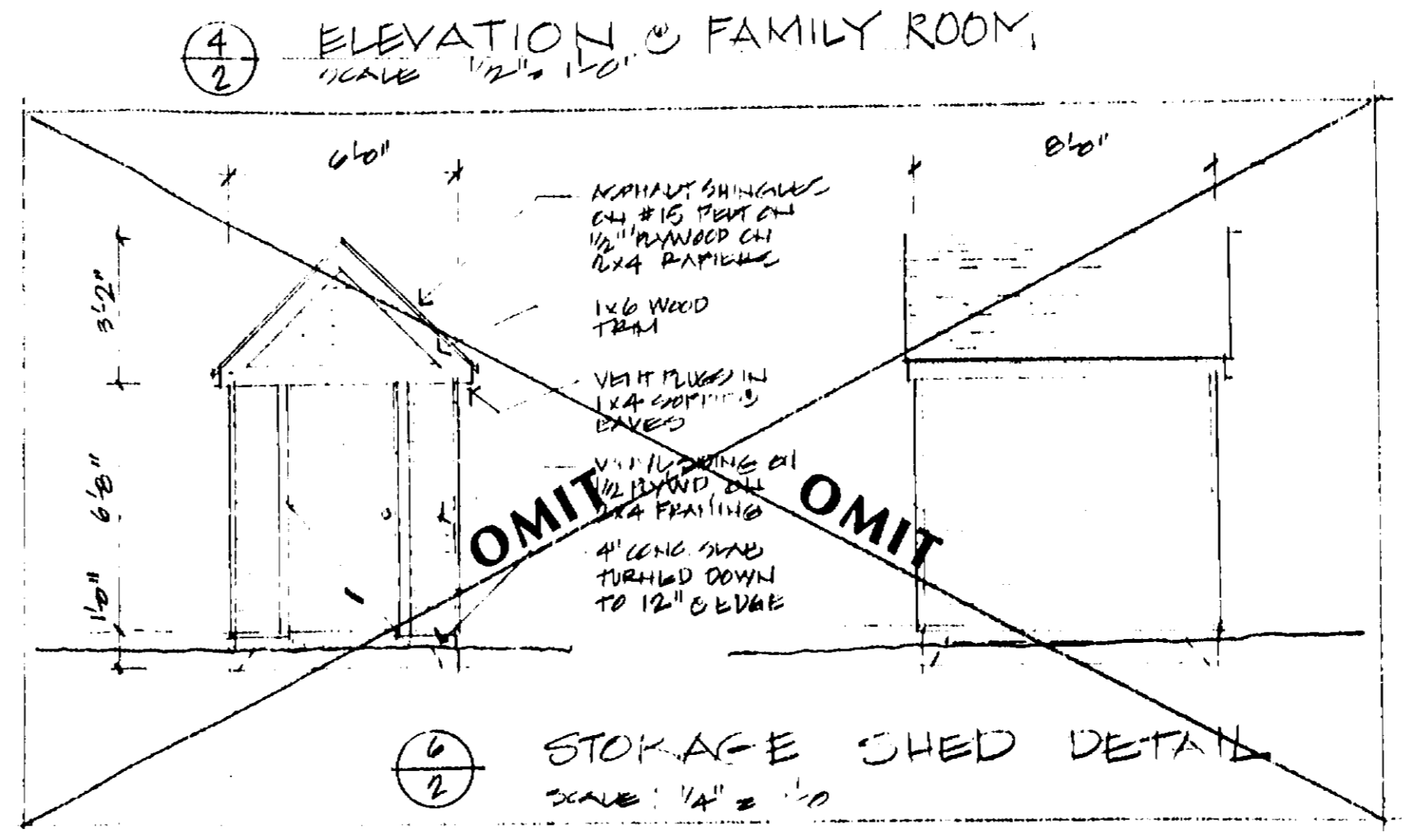
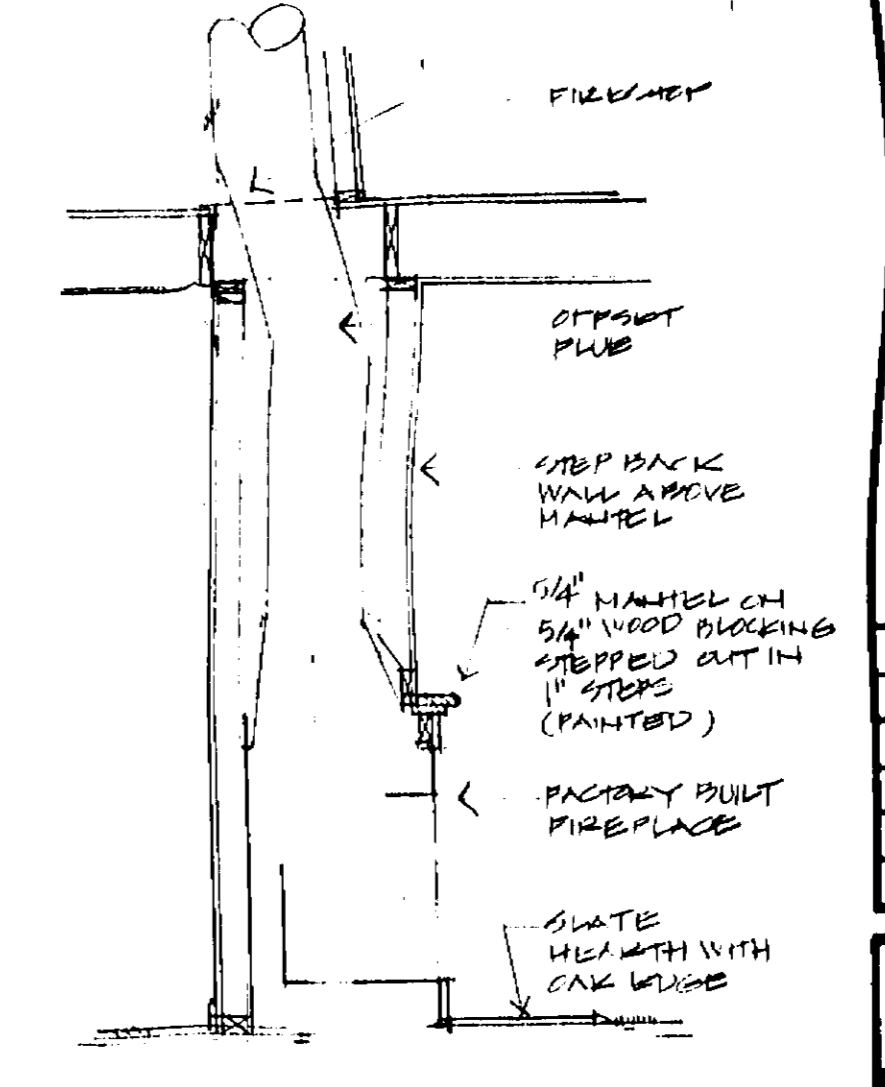
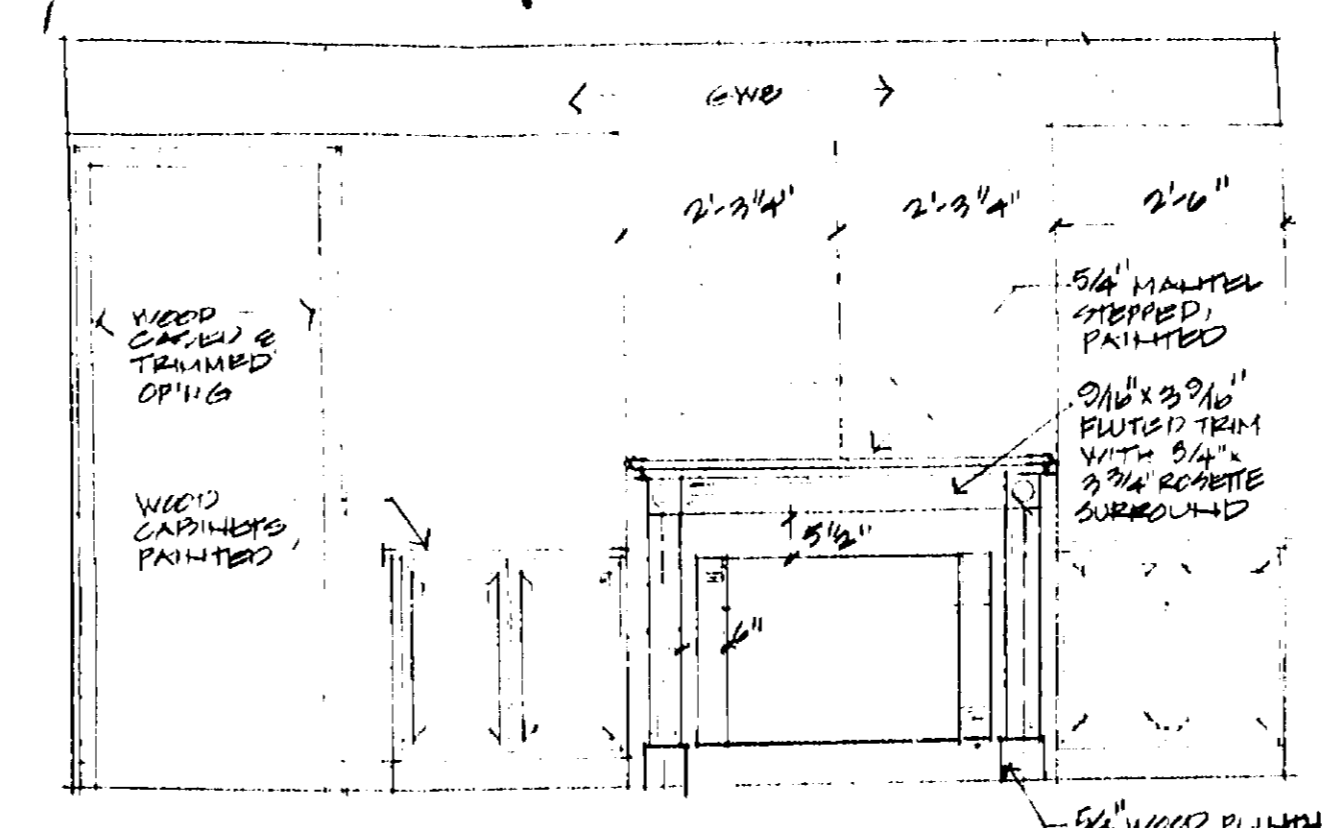
COMM. NO. 810541	DRAWING NUMBER: A-1
DRAWN:	
CHECKED:	
SCALE: As Noted	
DATE: MARCH 12, 1990	



24:1



NOTE: DIMENSIONS ARE DIMENSIONED FROM OUTSIDE OF FINISH TO OUTSIDE OF FINISH



24:1

NO.	DATE	DESCRIPTION
1	MARCH 20	FOR REVIEW OF DESIGN

DANIERO/EDWARDS, ET AL.
2405 DAVIS AVE.
ALEXANDRIA, VA.

DRAWING TITLE:
FLOOR PLANS

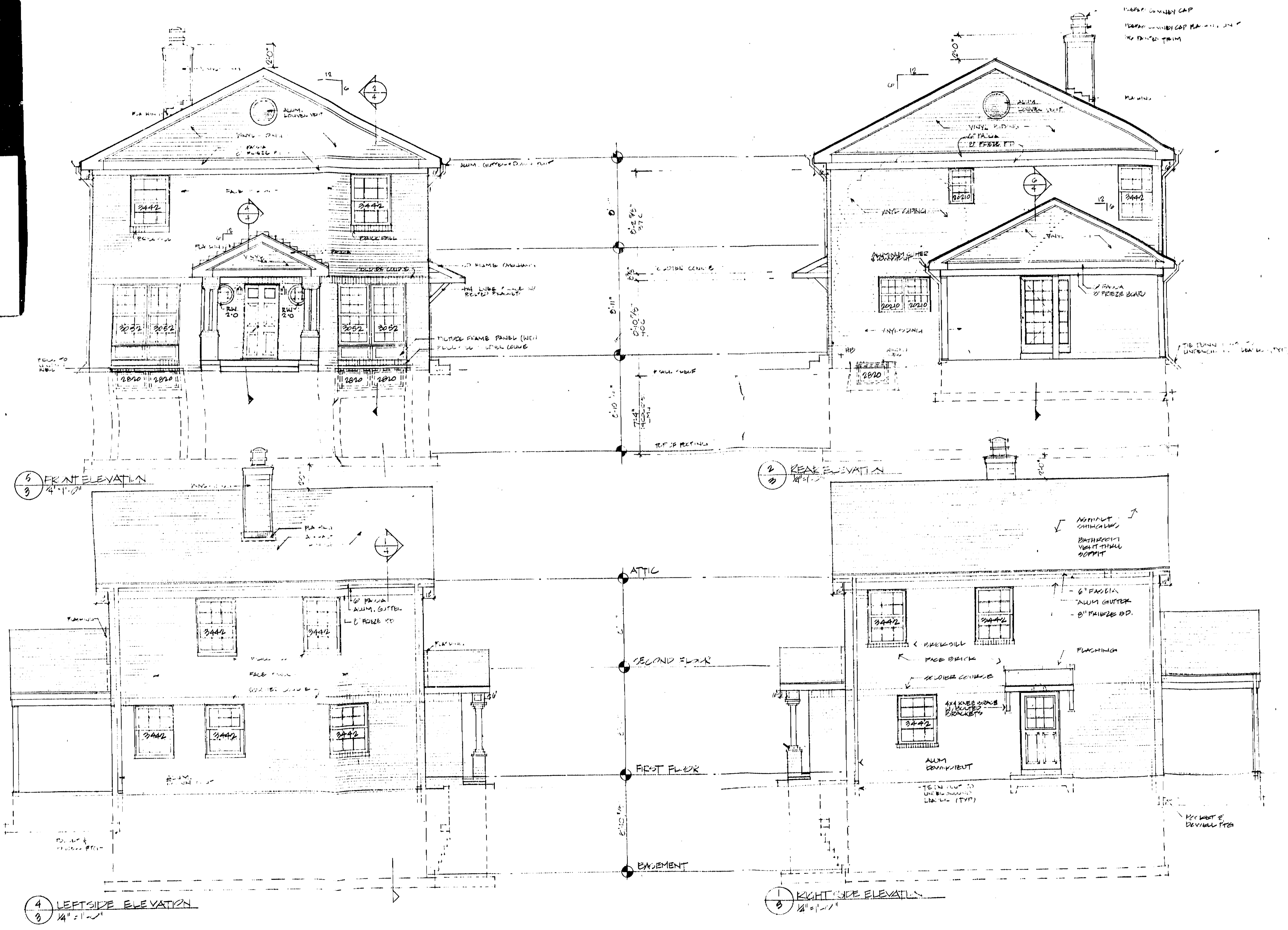
COMM. NO. 310-4	DRAWING NUMBER: A-2
DRAWN: EMJ	
CHECKED: HPM	
SCALE: AS NOTED	
DATE: MARCH 12, 1992	

Bairley Maginniss King PC

1514 King Street
Alexandria, VA 22314
703/548-0460

6 East Street, Suite 300
Frederick, MD 21701
301/662-8611

24:1



APPROVED
Complies with zoning requirements
date _____ Director of Planning

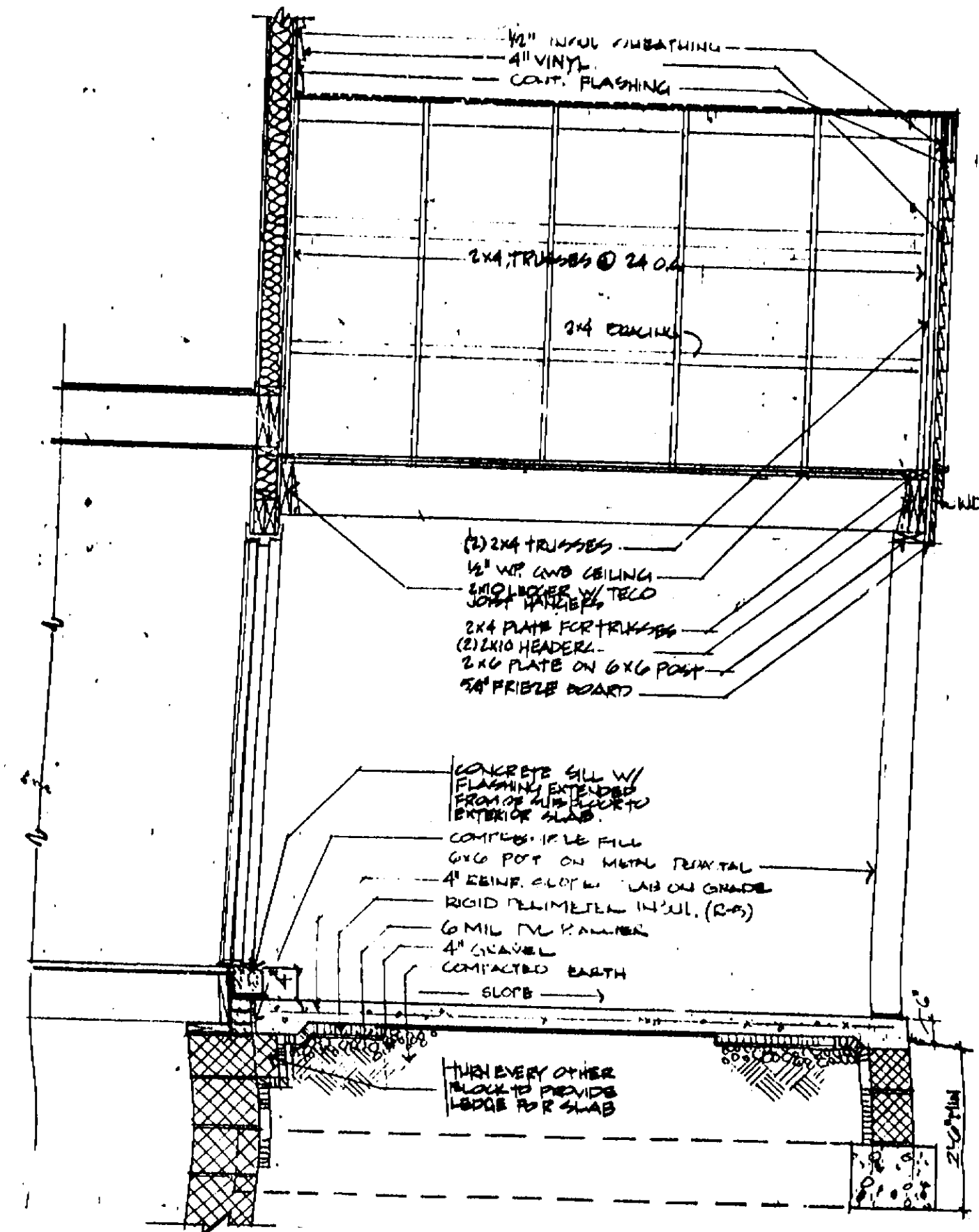
All yard distances shall be measured from the furthest projecting point of the building including roof overhangs to the nearest lot line.

NO.	DATE	DESCRIPTION
1	2/24/11	FOR REVIEW
2	3/24/11	FOR REVIEW

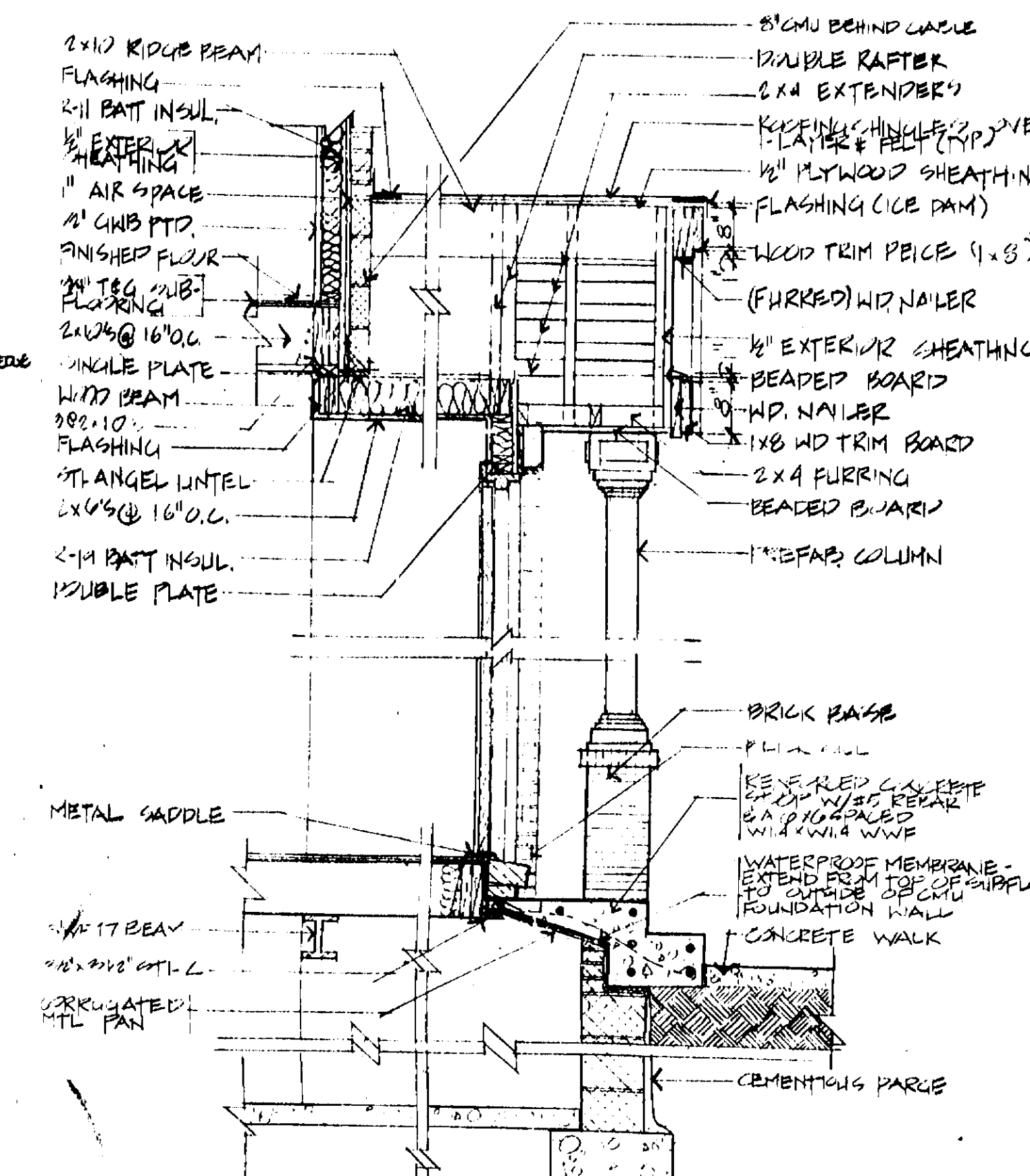
DANIERO/EDWARDS, ET AL.
2405 DAVIS AVE.
ALEXANDRIA, VA.

DRAWING TITLE:
ELEVATIONS

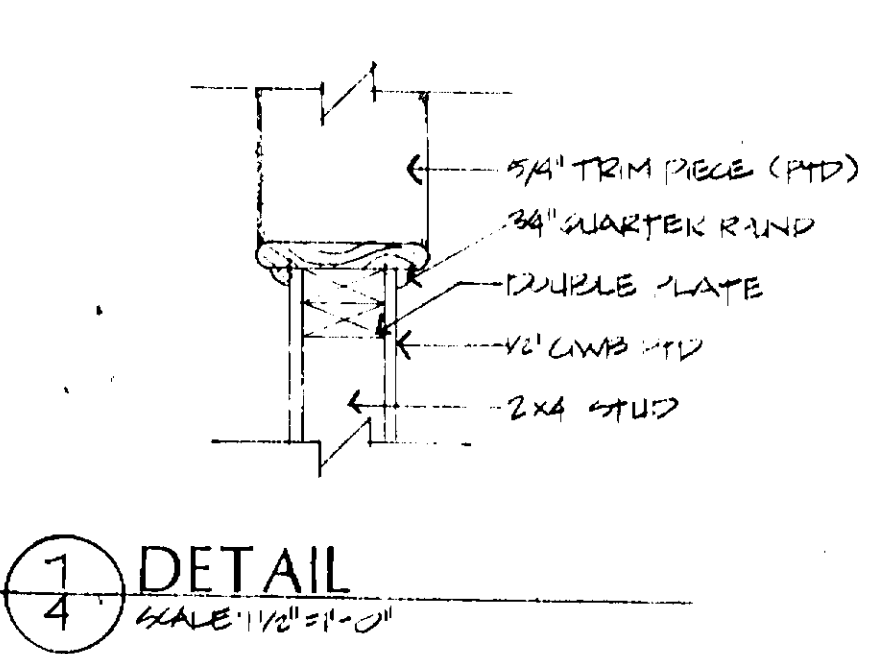
COMM NO: 01-111	DRAWING NUMBER: A-3
DRAWN: EMJ	
CHECKED: HPM	
SCALE: 1/4" = 1'-0"	
DATE: March 2011	



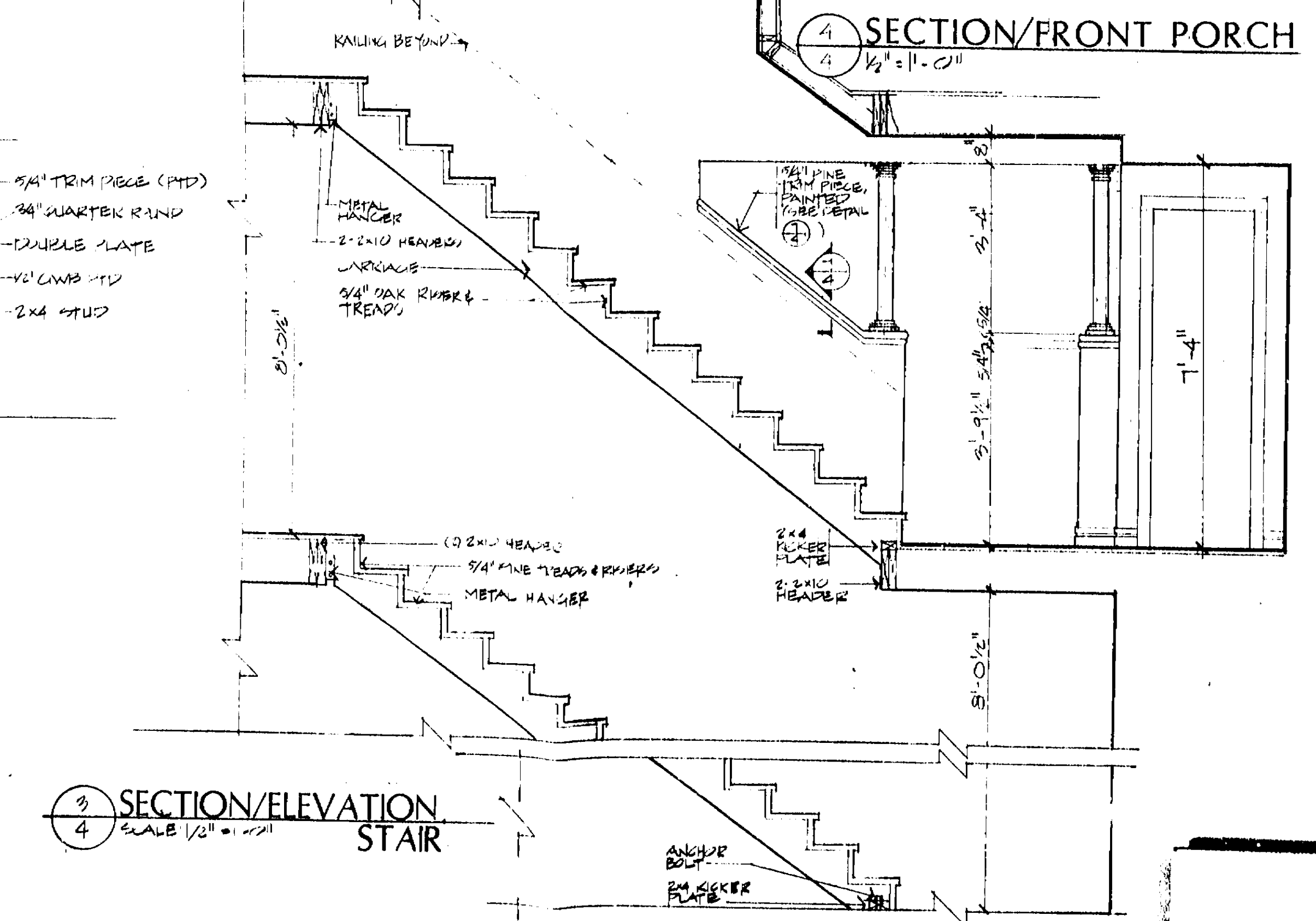
6 SECTION - BACK PORCH
SCALE 1/2"=1'-0"



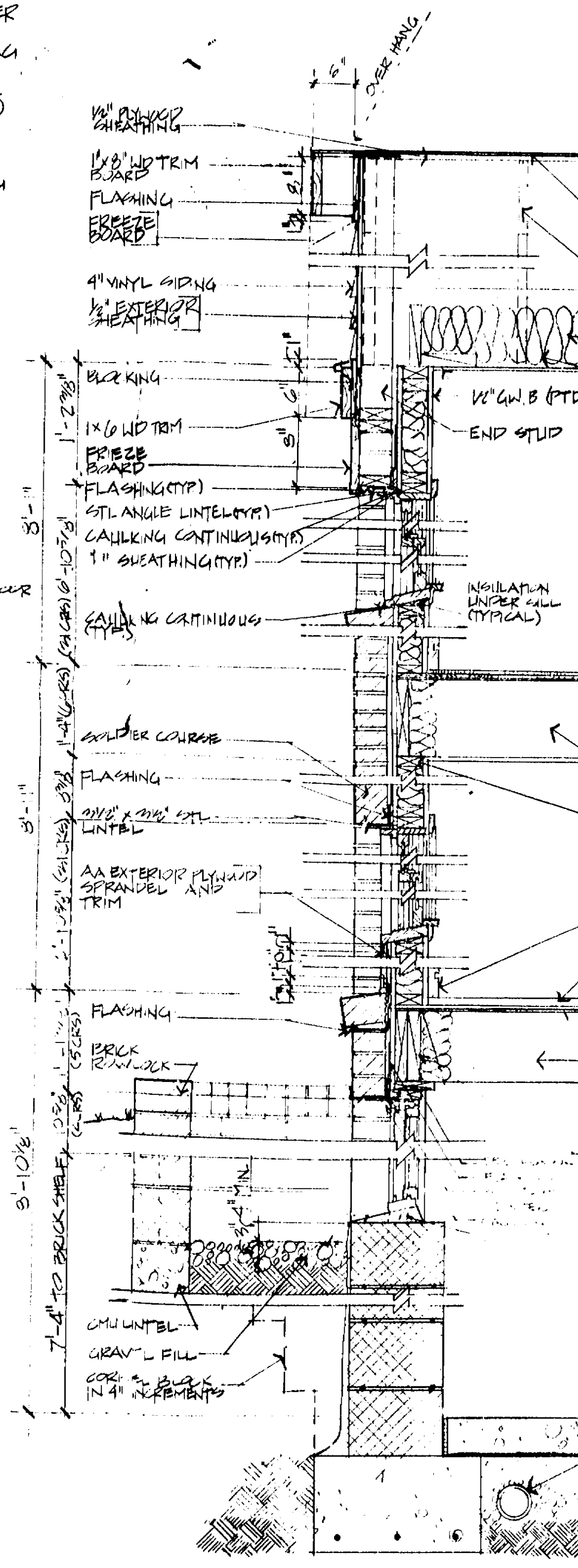
4 SECTION/FRONT PORCH
SCALE 1/2"=1'-0"



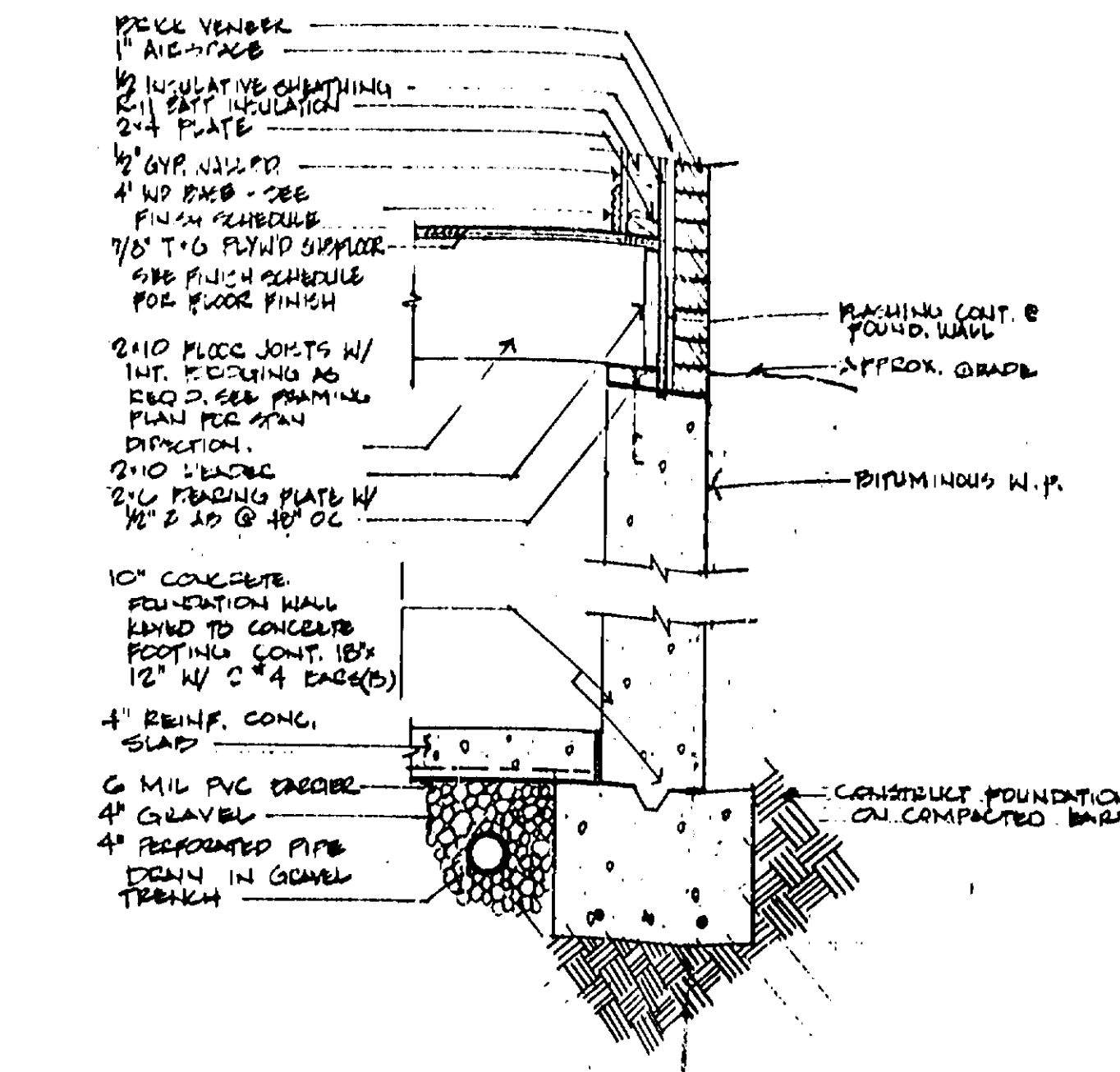
7 DETAIL
SCALE 1/2"=1'-0"



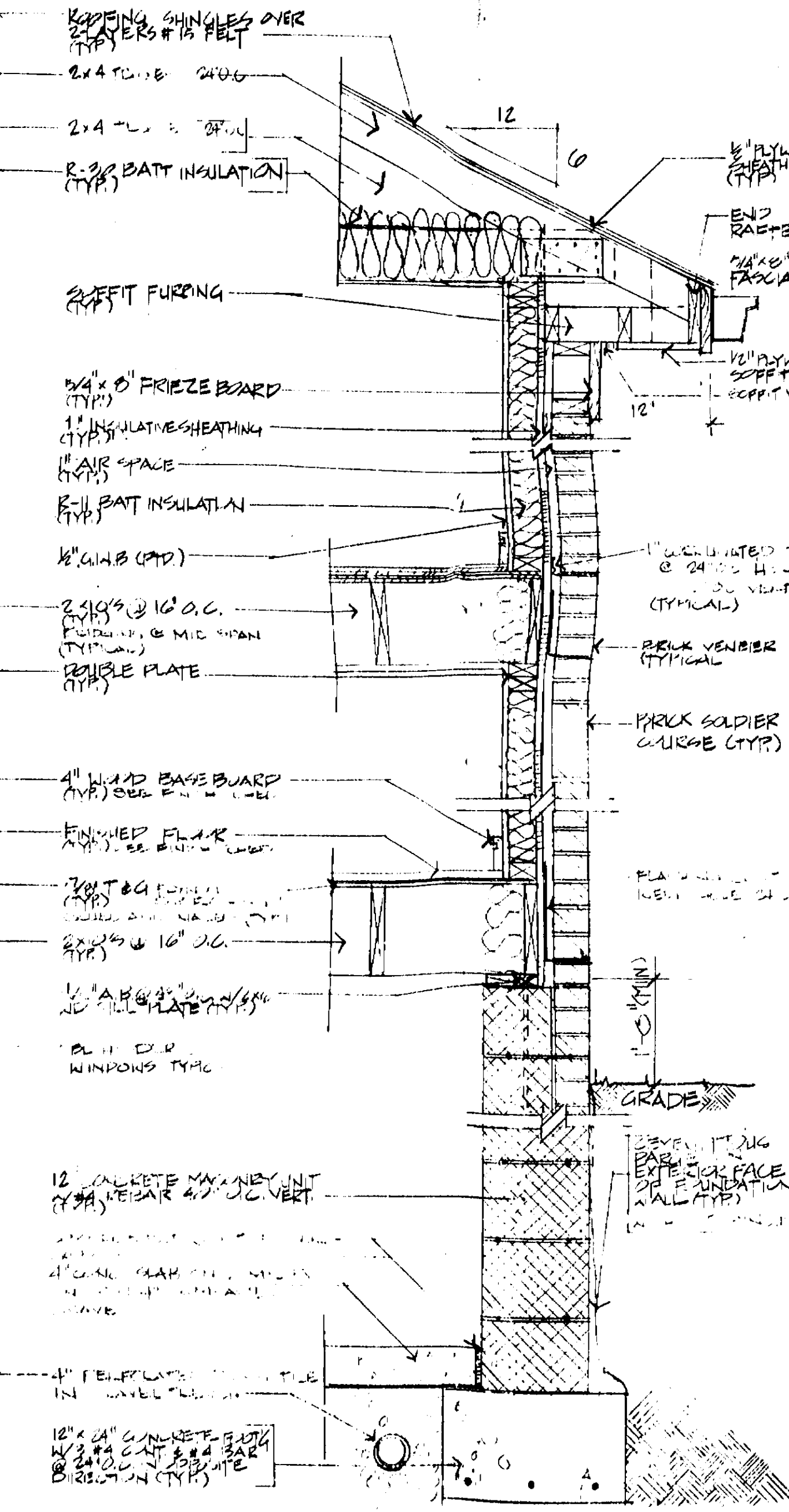
3 SECTION/ELEVATION STAIR
SCALE 1/2"=1'-0"



2 SECTION
SCALE 1/2"=1'-0"



5 ALT. FOUNDATION DETAIL
SCALE 1/2"=1'-0"



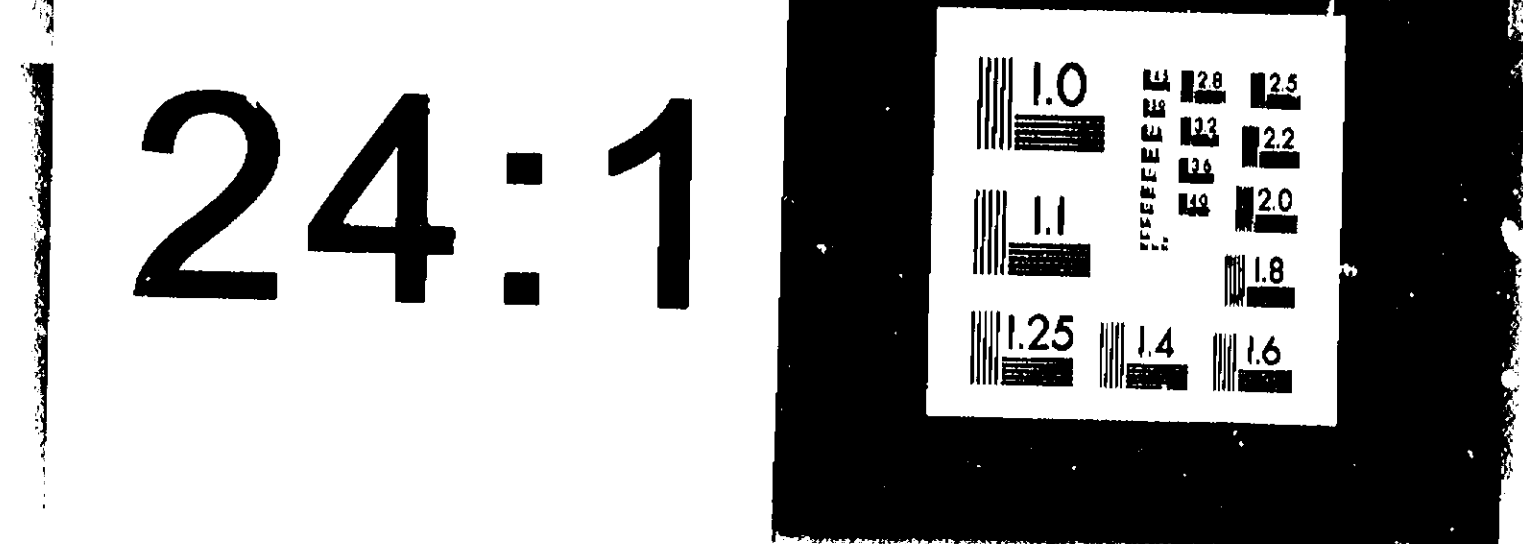
1 SECTION
SCALE 1/2"=1'-0"

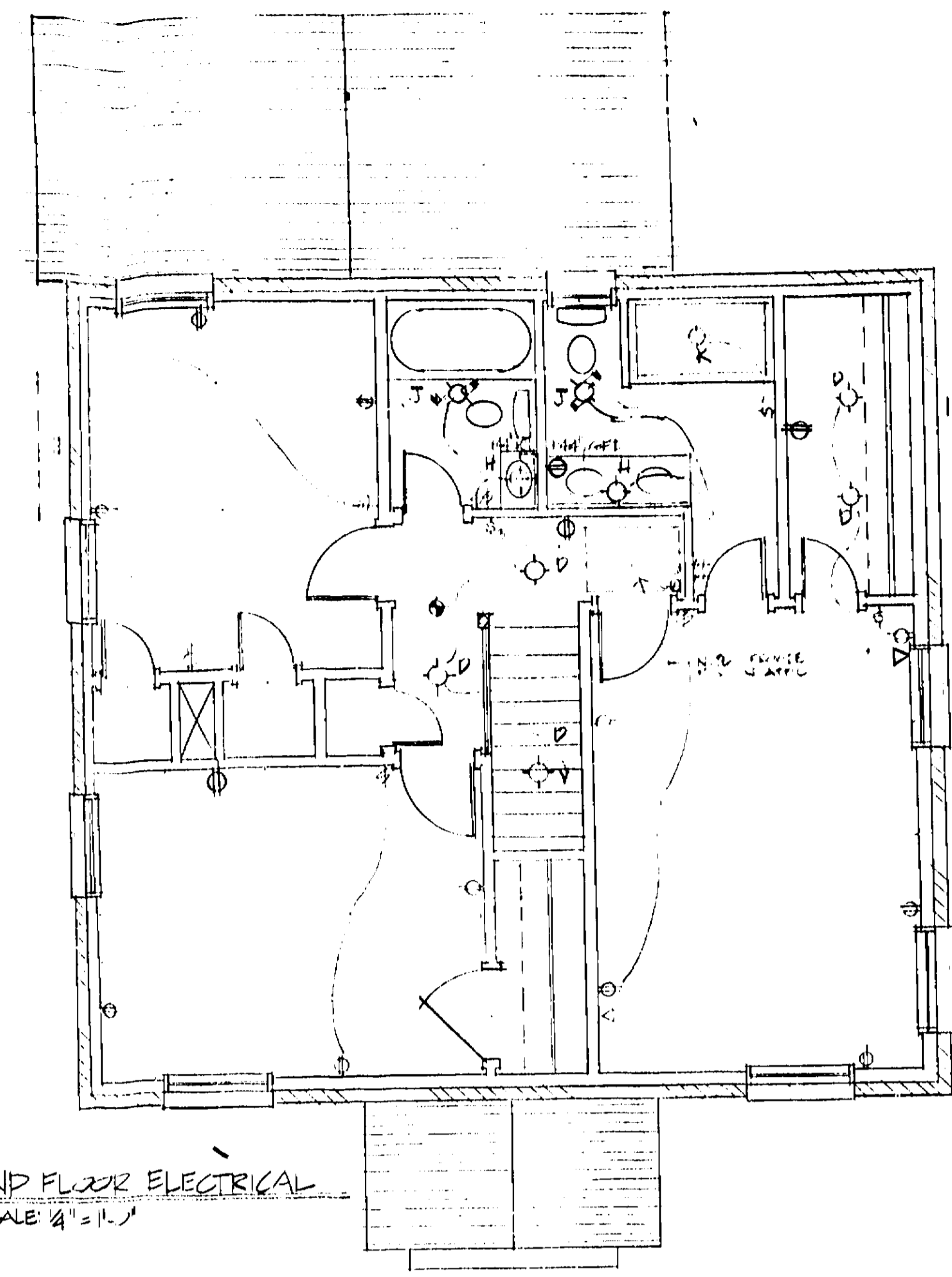
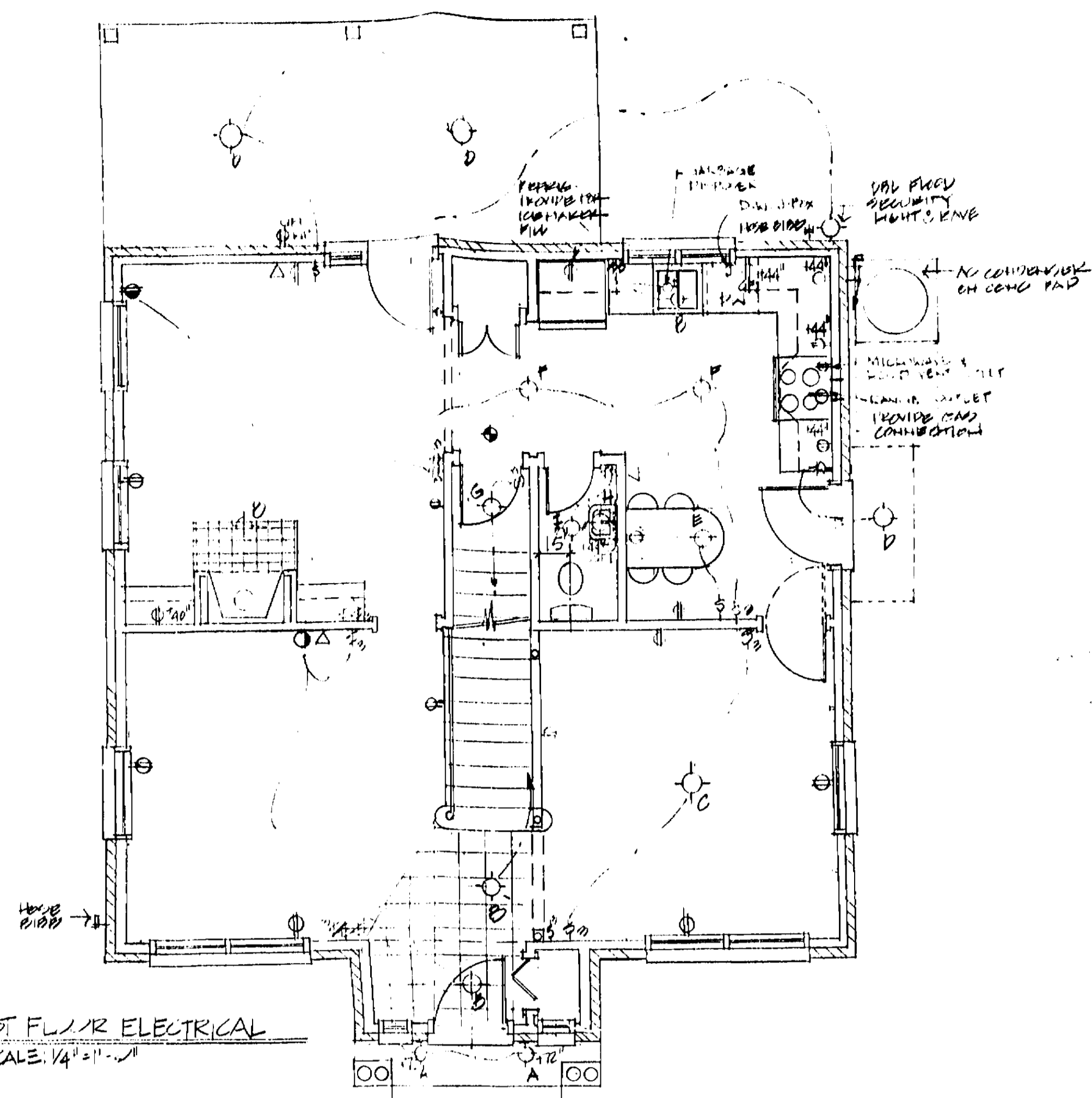
NO.	DATE	DESCRIPTION
1	02/28/12	FOR REVIEW
2	03/01/12	FOR REVIEW & PRINTING

DANIERO/EDWARDS, ET AL.
2405 DAVIS AVE.
ALEXANDRIA, VA.

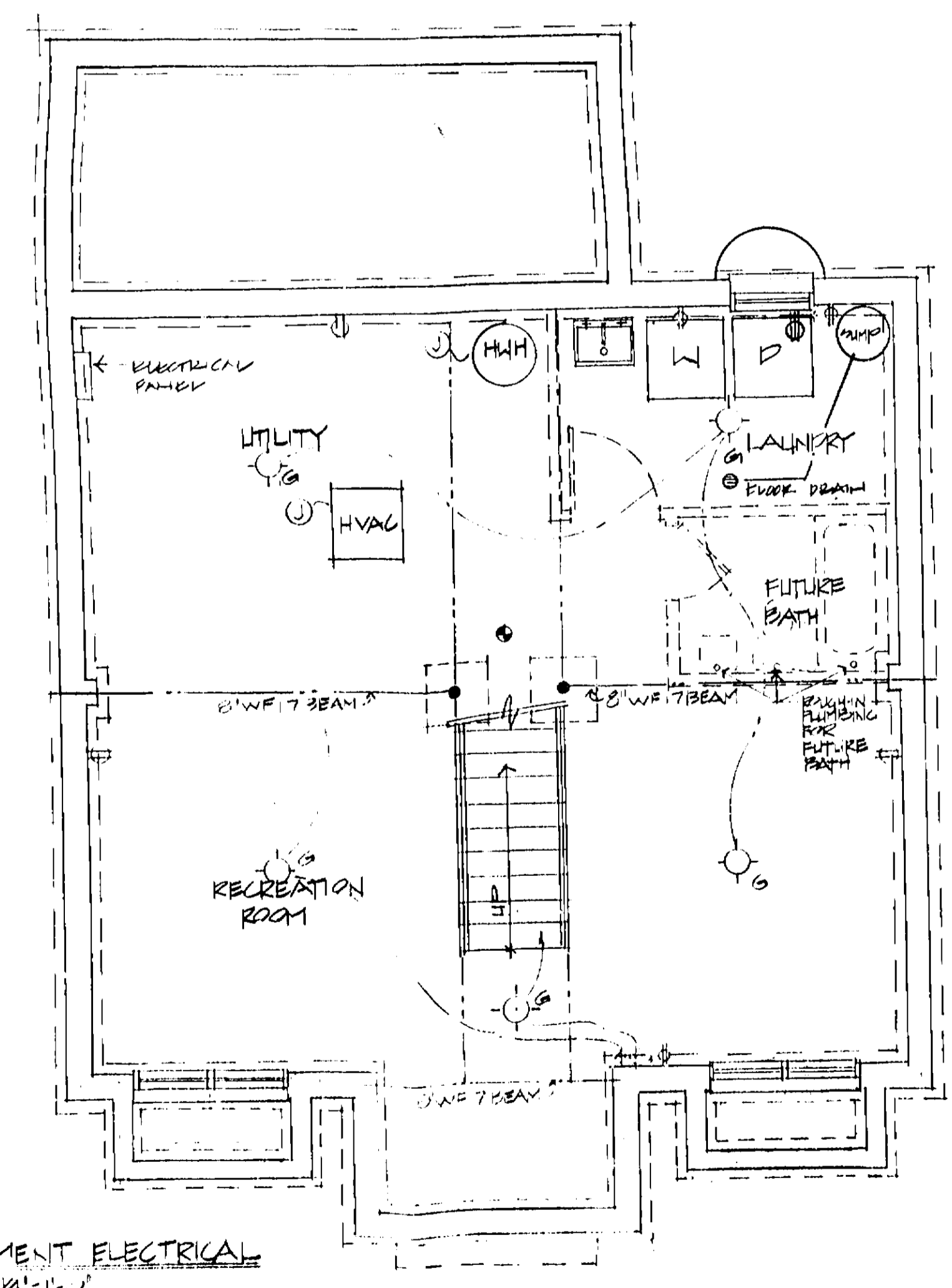
DRAWING TITLE:
SECTIONS/DETAILS

COMM. NO. 810541	DRAWING NUMBER. A-4
DRAWN: EIAJ	CHECKED: HIPM
SCALE: AS SHOWN	DATE: MARCH 12, 2012



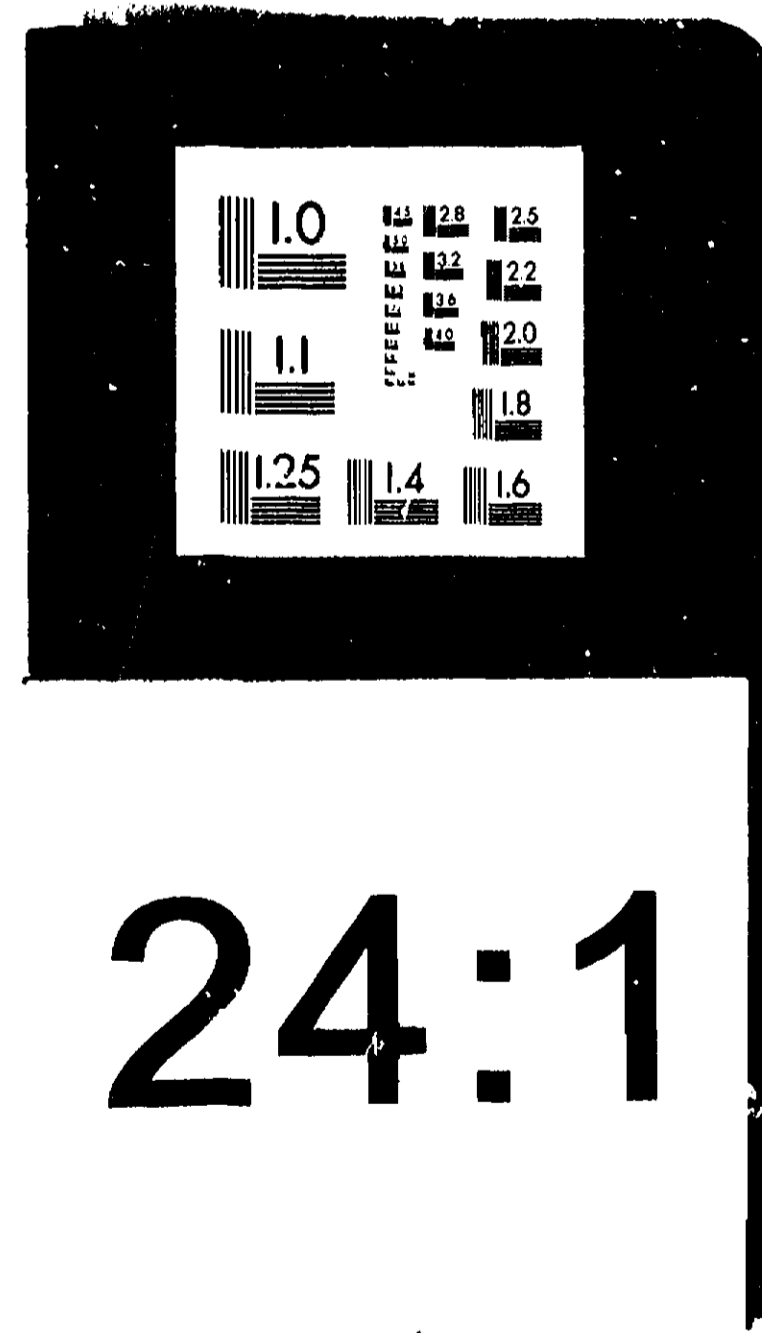
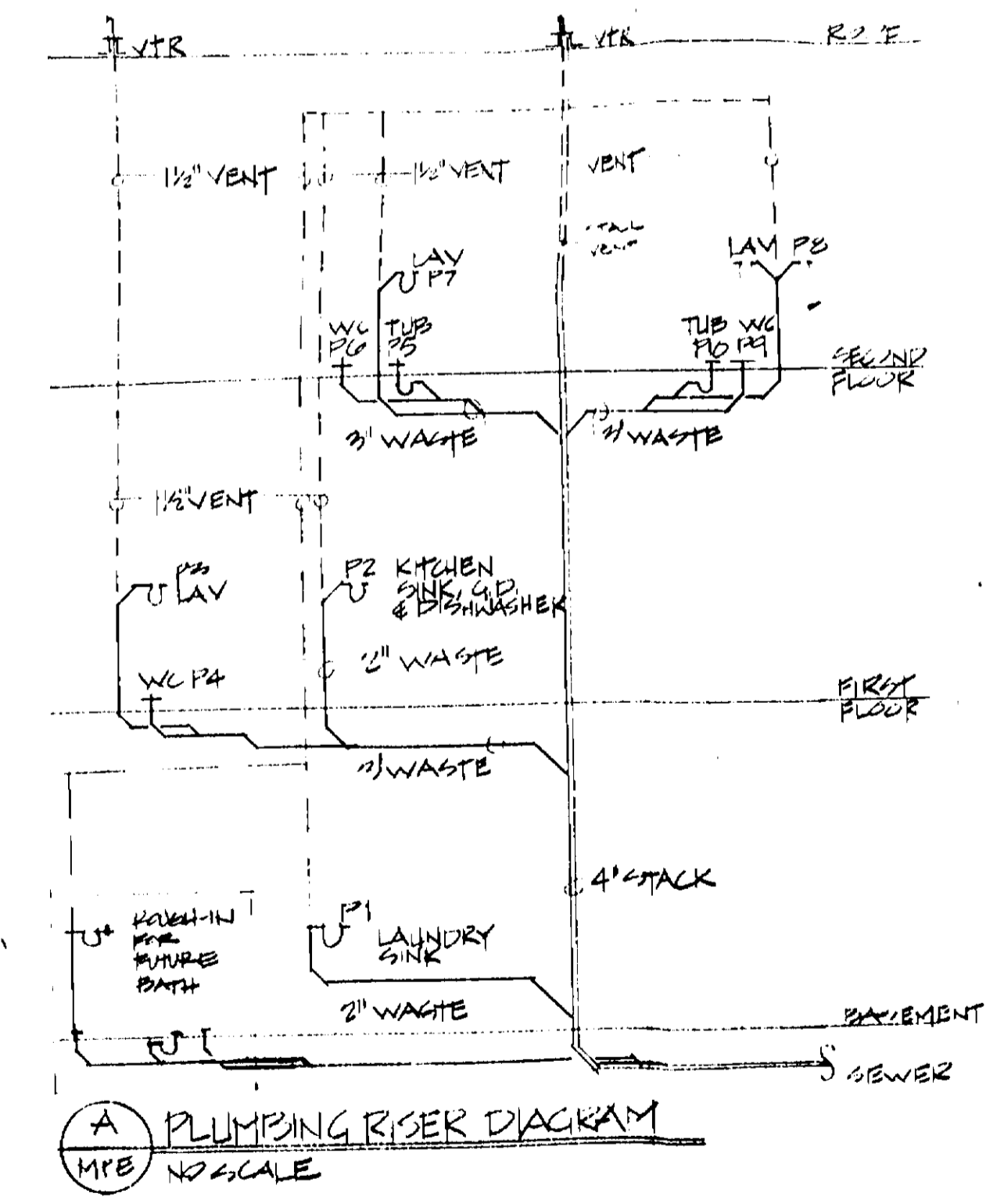


- ELECTRICAL SYMBOLS**
- ⊕ MULTIPLE OUTLET
 - ⊖ SPECIAL OUTLET, CONFIRM REQ SERVICE
 - ⊙ LIGHT LOCATION
 - ⊗ FAN OR MOTOR LOCATION
 - ⊕ MESSAGE DISPENSAL
 - ⊖ MOUNTAIN BOX
 - ⊙ SMOKE DETECTOR
 - ⊗ FIRE WIRELESS TELEPHONE LOCATION
 - ⊕ SWITCH
 - ⊖ THREE WAY (2/1/1) SWITCH
 - ⊙ GROUND FAULT INTERRUPTER
 - ⊖ WATER PROOF



LIGHTING FIXTURE SCHEDULE

A.	PROGRESS P15795-31 60W, A19	
B.	HUTONE 0010 + 70 TWIN, 10W R30	
C.	CHANDLIER PROVIDED BY OWNER	
D.	PROGRESS P3514 60W A19	
E.	PIRTON 015-20, 60W G40	
F.	PROGRESS P3528, 2 x 60W A19	
G.	RECLINCH SOCKET, 70W A19	
H.	PROGRESS P3300, CHROME, 3 x 25 LAMP	PROVIDE 40" LONG IN HALLWAY BATH, 24" LONG IN OTHER BATH
I.	HUTONE 671	
J.	HUTONE 668 FL, 100W A19	PAN/LIGHT, INCLUDE DUCT & VENT TO EXTERIOR
K.	HUTONE P265TD 60W, A-10	



24:1

NO.	DATE	DESCRIPTION
REVISIONS:		

DANIERO/EDWARDS, ET AL.
2405 DAVIS AVE.
ALEXANDRIA, VA.

DRAWING TITLE:
MECHANICAL PUMPING
ELECTRICAL

COMM. NO. 870041	DRAWING NUMBER: MPE
DRAWN: BT	
CHECKED: H11	
SCALE: AS NOTED	
DATE: MARCH 12 1990	