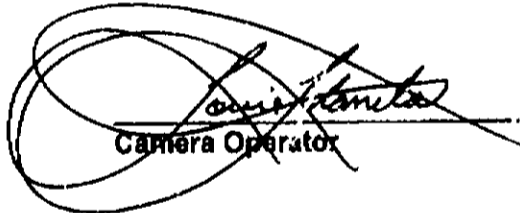


CERTIFICATE OF AUTHENTICITY

This certifies that the microfilm images appearing on this record are accurate reproductions of the records of the City of Alexandria, Virginia, Department of Planning & Zoning, and were microphotographed in accordance with established government and industry standards, ensuring that all documents, notes, and attachments have been included herein.

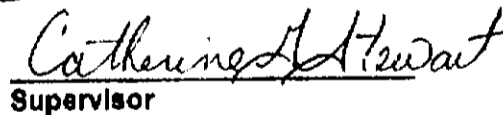
9-8-00

Date of Microfilming


Camera Operator

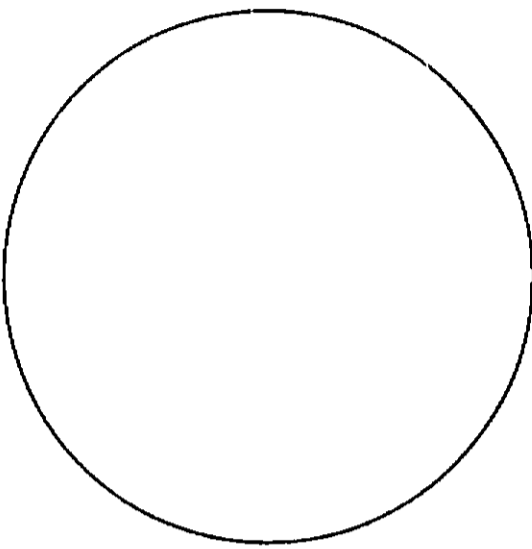
163

Camera Number


Supervisor



PM-PLN 11"x14"
PLANETARY PHOTOGRAPHIC



150mm

6"

POINT SIZE

4
6
8

2xbiy Gmn0c
Y5a5o E1t9g
7n34a K2b8t
D6fmh 9ss9d
Wcuzl L1cdg
6Y3sl Okjdg

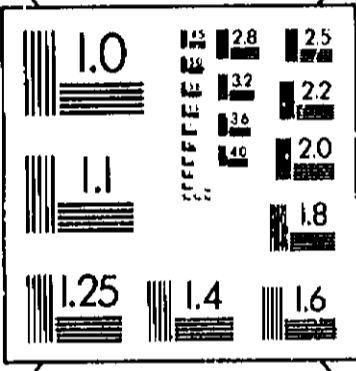
FUTURA

NEWS GOTHIC

14 K2b8t Okjdg
4ef8k Gmn0c
12 Zlo6x Ge92
7n34a 6Y3sl

10 Y0r8j A7o7q
Oelvf 2xbiy
8 9ss9d L1cdg
6 33q7n E1t9g
4 Z35lg Hq47j Sulxi Y5a5

POINT SIZE



4
6
8
10
12
14

IZC68 USYTP PH6SS 2XKOG
XMBBO HWEKH XYAHQ SIDDS
VILNU MZHSF XMBBO HWEKH
EB7AU FUDWM BOONF
Z7QYI OKJDG
B18AJ C9E83

SERIF (BASKERVILLE) SIZE SANS SERIF (MICROFONT) POINT

PRECISION^{MS} RESOLUTION TARGETS



MICROMEDIA
CORPORATION, INCORPORATED

3703 42nd Avenue
College City, MD 20722-1959
Telephone: (301) 277-8700
www.mkromedia.com

*Special
Use
Permit*

JW

SITE:
plan

2708 MOSBY ST.

97-0143

REMARKS: Construct dwelling on substandard lot

- Special Use Permit
- Board of Zoning Appeals
- Encroachment
- Vacation
- Subdivision
- Site Plan
- B. A. R.
-

- P*P Act.
- P*P Doc.
- O:

APPLICANT: _____ Map # _____ Zone _____ Notices: _____

ACTION: Approved Approved Subject to Conditions Approved in Part Denied Withdrawn

PUBLIC HEARING:

~~Committee~~
Planning Commission

City Council

B. A. R.

B. Z. A.

Nov. 6, 1997
DEC. 2, 1997

Special Use Permit Application # 97-0143

177 ✓

2710

~~2708~~ Mosby Street, Alexandria, Virginia

Property Location

24.01 02 16

Tax Map Reference

R-8

Zone

W.D.C. Construction Company, Inc., a Virginia corporation
Applicant's Name

Peggy Jean Richter Gray
Property Owner's Name

5831 Oak Grove Street

2708 Mosby Street

Mason Neck, VA 22079 (703) 550-9397
Address

Alexandria, VA 22305
Address

Special Use Permit to construct a single family dwelling on a substandard lot pursuant to §12-400 of the Alexandria Zoning Ordinance.
Proposed Use

THE UNDERSIGNED hereby applies for a Special Use Permit in accordance with the provisions of Article XI, Section 11-500 of the 1992 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 hereby 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 their knowledge and belief. The applicant is hereby notified that any written materials, drawings or illustrations submitted in support of this application and any specific oral representations made to the Planning Commission or City Council in the course of public hearings on this application will be binding on the applicant unless those materials or representations are clearly stated to be non-binding or illustrative of general plans and intentions, subject to substantial revision, pursuant to Article XI, Section 11-207(A)(10), of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

Law Offices of Henry A. Thomas
By Duncan W. Blair, Esquire
Print Name of Applicant or Agent

Duncan W. Blair
Signature

P. O. Box 820

(703) 838-5109

Telephone Number

Alexandria, Virginia 22313
Mailing Address

September 25, 1997
Date

DO NOT WRITE BELOW THIS LINE - OFFICE USE ONLY

Application Filing: _____ \$ _____
date received fee paid date paid

Legal Advertisement: _____ Property Placard: _____

Planning Commission Action: 12-02-97 Recommend denial 7-0

City Council Action: 12/13/97 PH--Upheld the Planning Commission recommendation on this item and denied the special use permit.

Docket Item # 17
SPECIAL USE PERMIT #97-0143

Planning Commission Meeting
December 2, 1997

ISSUE: Consideration of a request for a special use permit to construct a single family dwelling on a substandard lot.

APPLICANT: W.D.C. Construction Company Inc.
By Duncan W. Blair, attorney

LOCATION: 2710 Mosby Street

ZONE: R-8/Residential

CITY COUNCIL ACTION, DECEMBER 13, 1997: Upheld the Planning Commission recommendation on this item and denied the special use permit.

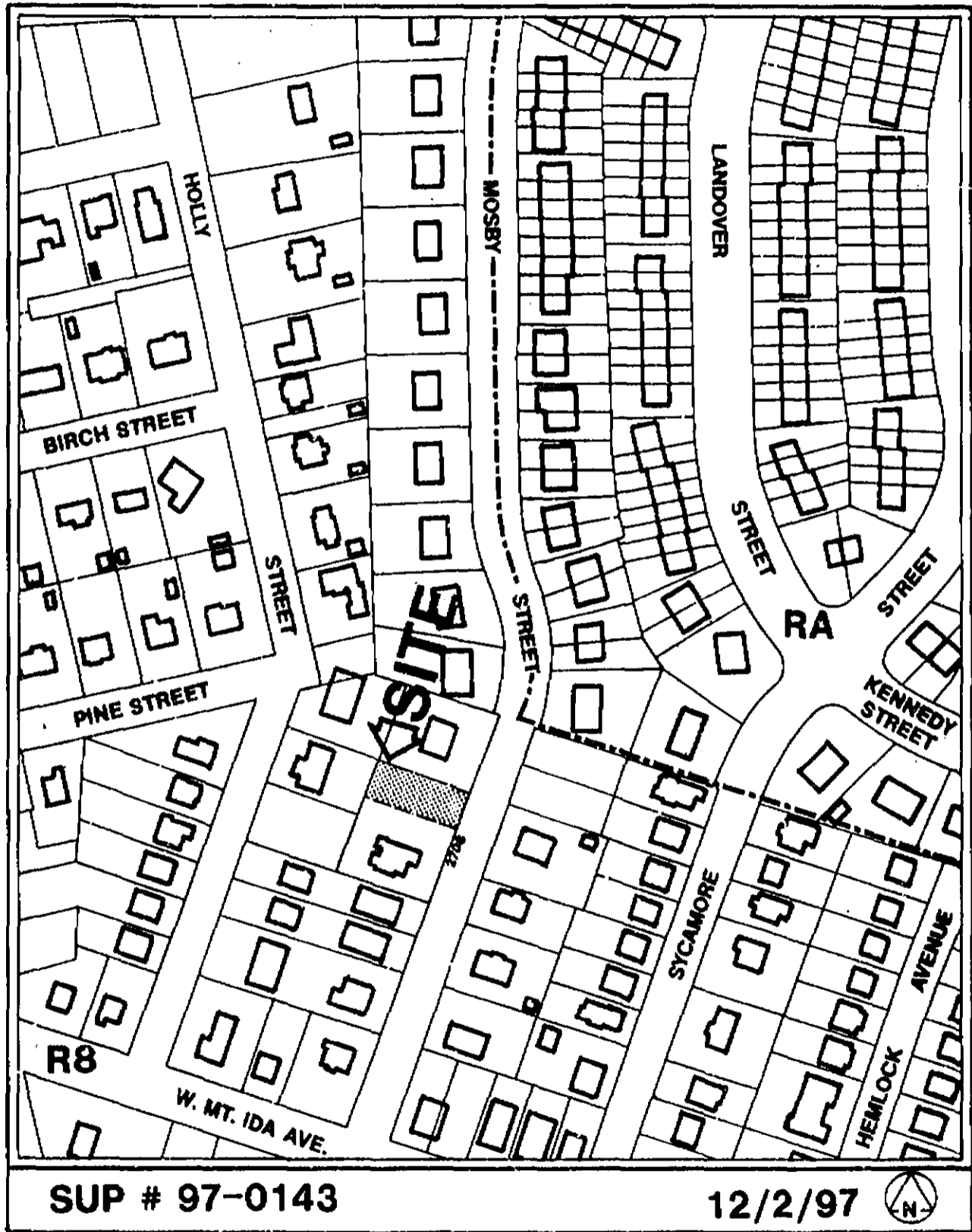
PLANNING COMMISSION ACTION, DECEMBER 2, 1997: On a motion by Mr. Komoroske, seconded by Ms. Fossum, the Planning Commission voted to recommend denial of the request. The motion carried on a vote of 7 to 0.

Reason: The Planning Commission disagreed with the staff analysis and believes the addition of a house on such a small lot will lead to too great a density for the neighborhood. The Commission also asked staff to draft a text amendment which would delete from consideration any portion of a block in a zone different from the one applicable to the substandard lot.

Speakers:

Duncan Blair, attorney, spoke for the applicant.
Cindy Anderson and Bill Curley of WDC Construction were present.
Amy Slack, DelRay Citizens Association, spoke in opposition.
Allison White, on behalf of her mother, 2713 Holly Street, spoke in opposition.
Curtis B. Brooks, 2718 Sycamore Street, spoke in opposition.
Pam Nelson, 2801 Mosby Street, spoke in opposition.
Steve Kaveat, 2706A Mosby Street, spoke in opposition.
Arnold Winkelman, 2707 Mosby Street, spoke in opposition.

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



SUP # 97-0143

12/2/97



(Not to Scale)

STAFF RECOMMENDATION:

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

1. The applicant shall provide a minimum of two parking spaces, which may be tandem and compact-sized, on the lot, which spaces have continual access to and from Mosby Street. (P&Z)
2. The special use permit approval is limited to construction of the house and development of the lot as depicted in the application materials. (P&Z)
3. A plot plan showing all improvements/alterations to the site must be approved by the Department of Transportation and Environmental Services before a building permit can be issued. (T&ES)
4. The applicant shall consult the Crime Prevention Unit of Alexandria Police regarding locking hardware and alarms for home. (Police)

Staff Note: In accordance with section 11-506(c) of the zoning ordinance, construction or operation shall be commenced and diligently and substantially pursued within 18 months of the date of granting of a special use permit by City Council or the special use permit shall become void.

DISCUSSION:

1. The applicant, W.D. C. Construction Co., Inc., by Duncan Blair, attorney, requests special use permit approval to build a single family house on a substandard lot at 2710 Mosby Street. The application includes a request for a modification of both side yards and for a reduction in required parking to allow tandem spaces.
2. The subject property is one lot of record. The lot has 40 feet of frontage on Mosby Street, a depth of 100 feet and a total lot area of 4,000 square feet. The subject property is part of a three lot parcel which was originally developed with one single family house straddling the two other lots. A small garage is located at the rear of the lot with the house on it. The subject lot appears to be part of and has been in common ownership with that single family house development. However, it technically exists as a separate lot, originally platted as part of the Mt. Ida subdivision in the 1930s.
3. The applicant is the contract purchaser of the subject property. The purchase contract is contingent upon the right to build a new single family home.
4. The subject lot was created prior to the enactment of zoning regulations for the R-8 zone in the City. At that time, the lot was part of Arlington County. Because it is smaller than the lot requirements of the R-8 zone, it is a substandard lot. The following is a comparison of the requirements of the R-8 zone and the lot dimensions:

	<u>R-8 Requirements</u>	<u>Existing lot Dimensions</u>
Lot area	8,000 sq. ft.	4,000 sq. ft.
Frontage width	40 feet	40 feet
Width at building line	65 feet	40 feet

5. Pursuant to section 12-402(A)(1) of the zoning ordinance, a substandard lot may be developed with a single family detached dwelling if: (a) it contains at least the lot area, and has at least the width at both the front lot line and building line as at least 50% of the developed lots on the block face where the lot is located; and (b) a special use permit is approved.
6. The subject lot meets the threshold requirements of section 12-402(A)(1). Including the subject property, the block face contains a total of 45 lots, 42 of which are developed with residences. The subject lot contains at least the lot width, at both the property line and the building line, of approximately 53 % of the developed lots in the block face (24 of 45). It is the same size or larger than 55% of the lots (25 of 45). It may therefore seek a special use permit for development.

Section 12-404(D) provides that, in the case of a blockface that includes more than 30 lots on any one side of a street, the Director is required to reduce the number of lots on that side of the street to "the closest and most appropriate 30 lots." In this case, there are 34 lots on the east side of Mosby Street between the intersecting streets of Gentry and Mt. Ida. Therefore, the Director chose to eliminate the four lots at the far north end of the east side of Mosby Street because those lots are farthest away from the subject property. If those lots had been included in the calculation to determine if the lot were eligible to proceed with a special use permit, the result would have been the same: Of a total of 49 undeveloped lots, 53% have at least the lot width and lot area as the subject property. Under section 12-404(D), City Council's approval of the special use permit includes its approval of the new block face design.

7. Under section 12-402(C), City Council may approve a special use permit for a single family dwelling on a substandard lot if the lot meets the above threshold and if Council finds that the proposed development:
 - (a) will not unreasonably impair an adequate supply of light and air to adjacent property,
 - (b) will not diminish or impair established property values in the surrounding neighborhood, and
 - (c) will be compatible with the surrounding neighborhood.
8. The house proposed for the subject lot is 26 feet wide and 54 feet long; it is 22'6" to the tallest point of the roof, 18' to the midpoint of the gable, and 13'9" to the eave line. It will be located on the lot so as to allow a 30' front yard, a 16' rear yard and two 7' side yards. The proposal includes two parking spaces on the lot.
9. The following is a comparison of the bulk and open space requirements of the R-8 zone and the proposed dwelling:

	<u>R-8 zone Requirements</u>	<u>Proposed</u>
Front yard	30 ft.	30 ft.
Side yard (north)	8 ft.	7 ft. (requires modification)
Side yard (south)	8 ft.	7 ft. (requires modification)
Rear yard	16 ft.	16 ft.
FAR	max .35	.33

10. Pursuant to section 12-404 of the zoning ordinance, the applicant is seeking a modification for both side yards. Under the applicable setback ratio, a yard of eight feet is required on both the north and south sides of the house. The applicant proposes that each of those yards will be seven instead of eight feet. The front and rear yards meet the zone requirements. Under a recent text amendment, a separate SUP is not required for the tandem or compact parking, provided it is approved as part of the substandard lot SUP.
11. The surrounding neighborhood consists of a wide variety of 1½ to 2½ story single family dwellings generally constructed during the first half of this century. Architectural styles include frame Bungalow and Craftsman and brick Colonial Revival. There are varying front yard setbacks, from 15 feet to 30 feet, and a wide variety in the side yards. The houses immediately adjacent to the proposed development are each much wider than it will be (92' and 80' compared to 40') and have more generous side yards (26', 22', and 12' compared to 7'). However, one house away to the south are smaller structures with side yards that are even smaller than the ones proposed here (6' compared to 7'). The attached elevations submitted by the applicant illustrate the type of building to be constructed in comparison with adjacent houses (see attached elevations).
12. Section 8-200(A)(1) of the zoning ordinance requires that a single family home provide two parking spaces. The applicant indicates that two parking spaces will be provided at the rear of the lot and the parking area will be covered with gravel or brick pavers. The parking pad at the rear of the subject property will be 18' x 18'. The spaces will be accessed from a shared driveway already located at 2708 Mosby Street, the adjacent property.
13. Zoning: The subject property is zoned R-8/Residential. The proposed dwelling is not consistent with R-8 side yard and minimum lot size requirements.
14. Master Plan: The proposed single family home is consistent with the Potomac West Small Area Plan chapter of the Master Plan which designates the property for residential use.

STAFF ANALYSIS:

The proposed lot meets the threshold criteria of the substandard lot provisions and may be considered for the development of a single family dwelling. City Council, therefore, must determine whether the proposed house will unreasonably impair light and air, will diminish property values in the area or is incompatible with the existing neighborhood character.

The dwellings on this blockface are of varying sizes and styles. The lots and houses on the northern part of the blockface are more regular: on the northern end of the west side of the street, the lots have a width of about 75 feet and a lot size of approximately 8,000 square feet. Across the street, on the northern end of the east side of the blockface, there are very narrow attached and semi-

detached dwellings. Those lots are between 18 and 30 feet wide and between 1,600 and 3,000 square feet in size. The development pattern in the southern half of the blockface, and especially on this side of the street, is much more varied, such that there is no consistent pattern at all.

It is significant that within the context of the blockface the existing three lot parcel is overly large, with more extra land than any other lot along the street. In addition, side yard setbacks vary along the street from less than six feet to 30 feet and, while the reduced side yards requested here will be smaller than most at the northern end of the west side of Mosby Street, the yards proposed for the subject property will not be inconsistent with other side yards along the entire street. Finally, the mass, height and architecture (Craftsman style) of the proposed home will be compatible with the existing dwellings in the R-8 section of Mosby Street. Therefore, staff believes that this development request is reasonable and not incompatible with other development in the immediate area.

While another substandard lot application was rejected recently by the Planning Commission for a lot of the identical size across the street, staff believes this to be a superior proposal. Specifically, staff notes that the design of the proposed house is less jarring and contains a smaller mass and height than the prior request as viewed from the street. In addition, the applicant has made an effort to accommodate the required two off-street parking spaces, and has done so without the necessity of a new curb cut or a new driveway. While the new parking arrangement requires extended backing-out and relies on an agreement with the neighboring property, at least the required parking is provided on the lot so new residents will not have to compete with neighbors for on-street parking. Staff believes the proposal as a whole is more successful than the one across the street and recommends approval of the special use permit.

Note: In determining the eligibility of the lot for approval under Section 12-404(D), the Director selected 30 lots as required by the ordinance. Had the ordinance not required selection of 30 lots, the Director would not have included in the calculation the semi-detached dwellings on the block face within the RA zone because they are of an entirely different character than the remainder of buildings on the block face. Had he excluded those lots, the lot in question (and the lot on the other side of Mosby Street that was considered several months ago) would not have qualified for development. The Director believes that it was Council's intention in determining eligibility for development that the substandard lot under consideration be compared to similar development on the block face; that comparison with lots in a different zone, for which there are different density and lot requirements, has little rationale. The Planning Commission (and Council) may wish to consider whether to refer to staff a study of a possible text amendment to eliminate from the calculation buildings which lie within a different zone.

STAFF: Sheldon Lynn, Director, Department of Planning and Zoning; Barbara Ross, Deputy Director.

CITY DEPARTMENT COMMENTS

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

Transportation & Environmental Services:

- C-1 Utilities serving this site shall be placed underground (Sec 5-5-3).
- C-2 Pay sewer tap fee (Sec 5-6-25).
- C-3 Post bond to insure the installation of the required public improvements (Sec 8-1-17).
- C-4 City Ordinance No. 3176 requires the approval of the adjacent property owners for installation of a new d/w apron.
- C-5 Any work in the right-of-way requires a separate permit from T&ES, Room 4130 (Sec 5-3-61).
- C-6 Roof drains and sub-surface drains shall be connected to the city storm sewer system, if available (8-1-22).
- C-7 A design for the control of erosion and sedimentation must be approved by the Director of T&ES, installed and maintained during construction activity (Sec 5-4-1).
- R-1 A plot plan showing all improvements/alterations to the site must be approved by the department of T&ES before a building permit can be issued.

Code Enforcement:

- C-1 New construction must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-2 A soils report must be submitted with the building permit application.
- C-3 This construction requires a building permit (USBC 105.1). Four sets of plans must accompany the written application (USBC 105.5 & Addendum 9). The plans must include all dimensions, construction details, kitchen equipment, electrical, plumbing, and mechanical layouts and schematics.

SUP 97-0143

- C-4 The applicant must obtain a Certificate of Occupancy prior to occupancy (use) of the structure (USBC 115.1).

Police Department:

- R-1 Security survey for the house.

Historic Alexandria (Archaeology):

- F-1 No archaeological action - no known sites and low potential.

SUP 97-0143

REPORT ATTACHMENTS

Special Use Permit Application # 97-0143

2710

2708 Mosby Street, Alexandria, Virginia
Property Location

24.01.02.16
Tax Map Reference

R-8
Zone

W.D.C. Construction Company, Inc., a Virginia corporation
Applicant's Name

Peggy Jean Richter Gray
Property Owner's Name

5831 Oak Grove Street

2708 Mosby Street

Mason Neck, VA 22079 (703) 550-9397
Address

Alexandria, VA 22305
Address

Special Use Permit to construct a single family dwelling on a substandard lot pursuant to §12-400 of the Alexandria Zoning Ordinance, with modification of side yard setback requirement and reduction of required parking to permit stacked parking.
Proposed Use

THE UNDERSIGNED hereby applies for a Special Use Permit in accordance with the provisions of Article XI, Section 11-500 of the 1992 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 11-501(B) of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

THE UNDERSIGNED hereby 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 their knowledge and belief. The applicant is hereby notified that any written materials, drawings or illustrations submitted in support of this application and any special representations made to the Planning Commission or City Council in the course of public hearings on this application will be binding on the applicant unless those materials or representations are clearly stated to be non-binding or illustrative of general plans and intentions, subject to substantial revision, pursuant to Article XI, Section 11-207(A)(10), of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

Law Offices of Henry A. Thomas
By Duncan W. Blair, Esquire
Print Name of Applicant or Agent

[Signature]
Signature

P. O. Box 820

(703) 838-5109
Telephone Number

Alexandria, Virginia 22313
Mailing Address

September 25, 1997
Date

REVISED
OCT - 1 1997

DO NOT WRITE BELOW THIS LINE - OFFICE USE ONLY

Application Filing: _____ \$ _____
date received fee paid date paid

Legal Advertisement: _____ Property Placard: _____

Planning Commission Action: _____

City Council Action: _____

Special Use Permit # 97-0143

All applicants must complete this form. Supplemental forms are required for child care facilities, restaurants, auto 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.

W.D.C. Construction Company, Inc. is a Virginia corporation. William David Carley, Jr. is the only person owning more than a ten (10%) percent interest in the corporation.

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.

2. Submit a map showing the location of the property in question as well as all property within 300 feet of the boundaries of the property for which this special use permit is sought, including us to all property identified, the following information:

A. existing uses Waived by staff

B. existing zoning Waived by staff

C. land use designation contained in the master plan Waived by staff

Staff may waive this requirement if the information is easily obtainable.

3. Submit a floor plan and a plot plan with parking layout of the proposed use. One copy of the plan is required for plans that are 8 1/2" x 14" or smaller. Twenty-four copies are required for larger plans or if the plans cannot be easily reproduced. The planning director may waive requirements for plan submission upon receipt of a written request which adequately justifies a waiver. This requirement does not apply if a Site Plan Package is required.

NARRATIVE DESCRIPTION

4. The applicant shall describe below the nature of the request in detail so that the Planning Commission and City Council can understand the nature of the operation and the use, including such items as the nature of the activity, the number and type of patrons, the number of employees, the hours, how parking is to be provided for employees and patrons, and whether the use will generate any noise. (Attach additional sheets if necessary)

The applicant, W.D.C. Construction Company, Inc., a Virginia corporation, is the contract purchaser of the unimproved lot located on the west side of Mosby Street between West Mount Ida Avenue and Mosby Street/Gentry Avenue known as 2708 Mosby Street (the "Property").

The Property is defined as a substandard lot under the provisions of §12-400 of the Alexandria Zoning Ordinance, 1992, as amended (the "Ordinance"), by virtue of its noncompliance with the lot width and lot area requirements of the R-8/Single Family zone regulations. Pursuant to §3-305 of the Ordinance, the required lot width at the building line is sixty-five feet (65'). The lot width of the Property at the front of the building line is forty feet (40'), and the required lot area is eight thousand (8,000) square feet. The recorded lot size of the Property is four thousand (4,000) square feet. The Property is a record lot having been dedicated as part of the Mt. Ida Subdivision in the 1930s. When dedicated, the Property was located in Arlington, Virginia. Subsequent to being annexed to the City of Alexandria, zoning regulations were imposed rendering the lot substandard.

The applicant is requesting a Special Use Permit pursuant to the provisions of §12-402 of the Ordinance to develop the Property by constructing a single family dwelling. The Property qualifies for a special use permit under the provisions of §12-402(A)(1) of the Ordinance in that it contains at least the lot area and lot width at the front building line of at least 50% of the developed lots on the blockface on which the Property is located.

The Applicant is requesting a modification of the side yard setback requirements of the R-8 zone regulations from eight (8') feet to seven (7') feet from the building wall to the property line. With the exception of the requested reduction in the side yard setback requirement, the proposed single family dwelling complies with the R-8 front yard setback requirement, rear yard setback, height requirement and floor area ratio limitations.

The required two (2) off street parking spaces are provided on site at the rear of the Property. The Applicants are requesting a technical reduction of required parking to permit stacked parking spaces on the rear parking pad as shown on the plans.

The proposed development of the Property as a single family residence would not unreasonably impair the adequate supply of air and light to adjacent properties, will not diminish or impair the established property values in the surrounding area and will be compatible with the existing neighborhood character.

USE CHARACTERISTICS

5. The proposed special use permit request is for: (check one)

- a new use requiring a special use permit,
- a development special use permit,
- an expansion or change to an existing use without a special use permit,
- an expansion or change to an existing use with a special use permit,
- other. Please describe: Permit to construct a single family dwelling on a substandard lot.

6. Please describe the capacity of the proposed use:

A. How many patrons, clients, pupils and other such users do you expect? Specify time period (i.e., day, hour, or shift).

RESPONSE: Not applicable.

B. How many employees, staff and other personnel do you expect? Specify time period (i.e., day, hour, or shift).

RESPONSE: Not applicable.

7. Please describe the proposed hours and days of operation of the proposed use:

Day:

Hours:

RESPONSE: Not applicable.

8. Please describe any potential noise emanating from the proposed use:

A. Describe the noise levels anticipated from all mechanical equipment and patrons.

RESPONSE: All mechanical equipment will be selected and located on the Property to comply with the noise levels permitted under applicable City of Alexandria Ordinances and regulations.

B. How will the noise from patrons be controlled?

RESPONSE: Not applicable.

9. Describe any potential odors emanating from the proposed use and plans to control them:

RESPONSE: It is not anticipated that offensive odors will emanate from the use of the Property as a single family residence.

10. Please provide information regarding trash and litter generated by the use:

A. What type of trash and garbage will be generated by the use?

RESPONSE: The type and volume of trash and garbage will be that of a typical single family dwelling.

B. How much trash and garbage will be generated by the use?

RESPONSE: The type and volume of trash and garbage will be that of a typical single family dwelling.

Special Use Permit # 97-0143

C. How often will trash be collected?

RESPONSE: Weekly - City trash and recycling.

D. How will you prevent littering on the property, streets and nearby properties?

RESPONSE: Not applicable.

11. Will any hazardous materials, as defined by the state or federal government, be handled, stored, or generated on the property?

Yes. No. If yes, provide the name, monthly quantity, and specific disposal method below:

RESPONSE: Not applicable.

12. Will any organic compounds, for example paint, ink, lacquer thinner, or cleaning or degreasing solvent, be handled, stored, or generated on the property?

Yes. No. If yes, provide the name, monthly quantity, and specific disposal method below:

RESPONSE: Not applicable.

13. What methods are proposed to ensure the safety of residents, employees and patrons?

RESPONSE: Not applicable.

ALCOHOL SALES

14. Will the proposed use include the sale of beer, wine, or mixed drinks?

Yes. No. If yes, describe alcohol sales below, including if the ABC license will include on-premises and/or off-premises sales. Existing uses must describe their

Special Use Permit # 97-0143

existing alcohol sales and/or service and identify any proposed changes in that aspect of the operation.

PARKING AND ACCESS REQUIREMENTS

15. Please provide information regarding the availability of off-street parking:

A. How many parking spaces are required for the proposed use pursuant to section 8-200(a) of the zoning ordinance?

Two (2) off street parking spaces.

B. How many parking spaces of each type are provided for the proposed use:

2 Standard spaces (8 feet x 20 feet). **Stacked on rear parking pad.**

_____ Compact spaces (7 feet x 16 feet).

_____ Handicapped accessible spaces.

_____ Other.

C. Where is required parking located? on-site off-site. (Check one)
If the required parking will be located off-site, where will it be located:

Pursuant to section 8-200 (c) of the zoning ordinance, commercial and industrial uses may provide off-site parking within 500 feet of the proposed use, provided that the off-site parking is located on land zoned for commercial or industrial uses. All other uses must provide parking on-site, except that off-street parking may be provided within 300 feet of the use with a special use permit.

Special Use Permit # 97-0143

- D. If a reduction in the required parking is requested, pursuant to section 8-100(a)(4) or (5) of the zoning ordinance, complete the PARKING REDUCTION SUPPLEMENTAL APPLICATION.
16. Please provide information regarding loading and unloading facilities for the use:
- A. How many loading spaces are required for the use, per section 8-200(b) of the zoning ordinance? **None**
- B. How many loading spaces are available for the use?
Not applicable.
- C. Where are off-street loading facilities located?
Not applicable.
- D. During what hours of the day do you expect loading/unloading operations to occur?
Not applicable.
- E. How frequently are loading/unloading operations expected to occur, per day or per week, as appropriate?
Not applicable.
17. Is street access to the subject property adequate or are any street improvements, such as a new turning lane, necessary to minimize impacts on traffic flow?
Yes.

SITE CHARACTERISTICS

18. Will the proposed uses be located in an existing building? Yes. No.

Do you propose to construct an addition to the building? Yes. No.

How large will the addition be? Not applicable.

19. What will the total area occupied by the proposed use be?

_____ sq. ft. (existing) + _____ sq. ft. (addition if any) = 1292 sq. ft. (total)

NOTE: The proposed single family dwelling will have approximately _____ square feet of living space.

20. The proposed use is located in (check one):

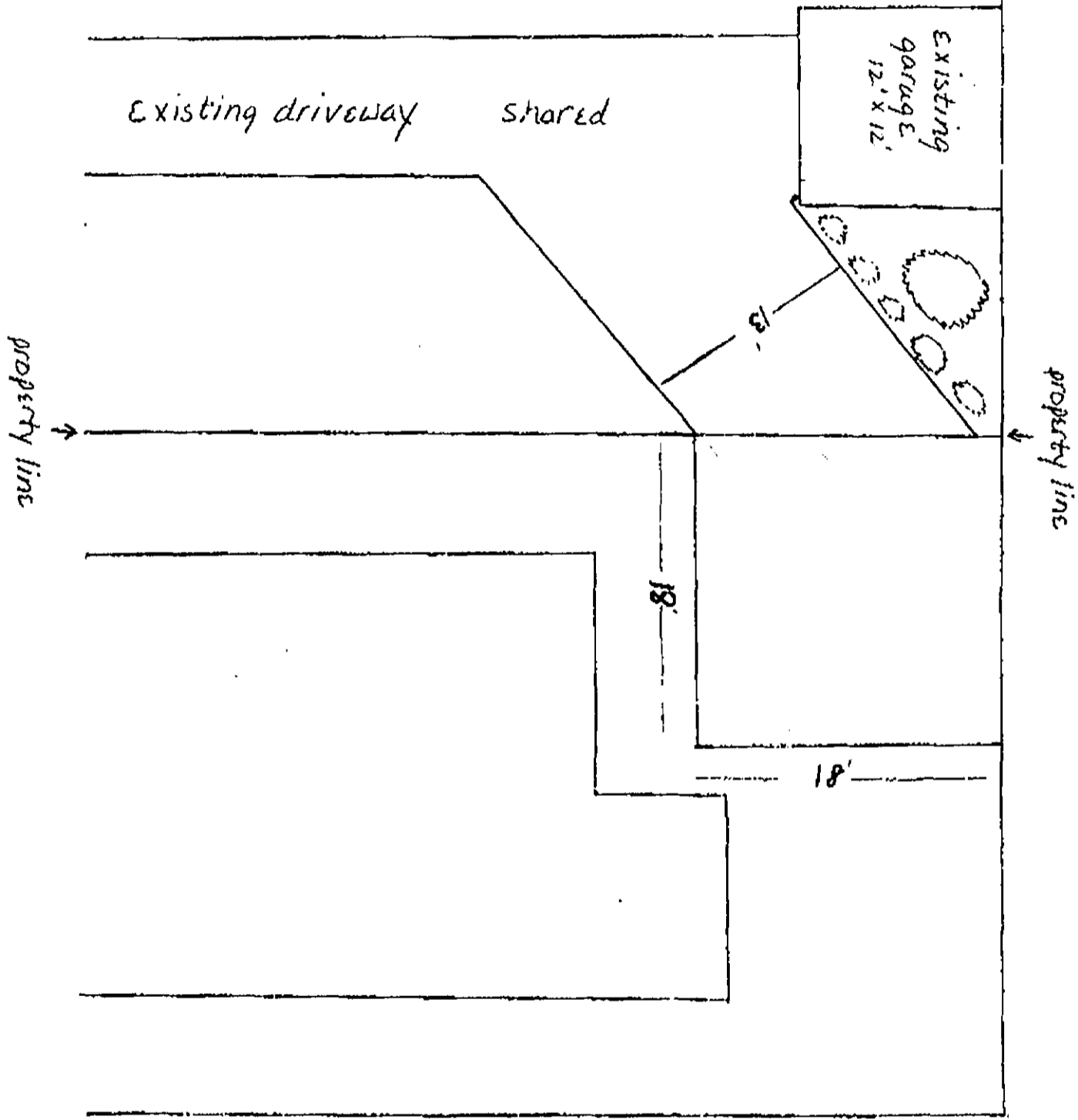
a stand alone building a house located in a residential zone a warehouse

a shopping center. Please provide name of the center: _____

an office building. Please provide name of the building: _____

other, please describe: _____

SUP 97-0143



SUP 97-0143

LAW OFFICES OF HENRY A. THOMAS

510 KING STREET
P.O. BOX 820
ALEXANDRIA, VIRGINIA 22313
(703) 838-5106
FAX: (703) 836-8062

HENRY A. THOMAS

DUNCAN W. BLAIR

October 10, 1997

Barbara Ross
Deputy Director
Planning & Zoning
301 King Street
City Hall, Room 2100
Alexandria, Virginia 22314

OCT 10 1997

DELIVERED BY HAND

In re: Special Use Permit
2710 Mosby Street, Alexandria, Virginia

Dear Barbara:

I am writing to confirm the information I conveyed to you during our telephone conversation earlier this week in connection with the above referenced Special Use Permit Application. Specifically, I advised you that the parking pad located at the rear of the property is dimensioned twelve (12') feet by twenty-four (24') feet.

Additionally, the absolute height, to the tip of the gable, of the rear porch is sixteen (16') feet; therefore, the required rear yard setback, a one to one ratio, is sixteen (16') feet. The rear yard as shown on the plot plan submitted with the application is sixteen (16') feet. The lot is one hundred (100') feet deep, the front yard setback is thirty (30') feet and the building is fifty-four (54') feet deep, for a total of eighty-four (84') feet leaving sixteen (16') feet.

If you have any further questions, or require any additional information, please do not hesitate to call.

Very truly yours,



Duncan W. Blair

OWB:KL/Ross.010

cc: W.D.C. Construction Company, Inc.

#17 SUP 97-0143

2718 Sycamore Street
Alexandria, VA 22305
25 November 1997

NOV 26 1997

Alexandria Planning Commission
301 King Street
Alexandria, VA 22314

Dear Sirs:

We are writing in connection with the application for a Special Use Permit, No. 97-0143, to build a residence on a substandard lot at 2708 Mosby Street. While there are some differences, the problems with this application are similar to those raised in connection with an earlier Special Use Permit application, No. 97-0061, on a substandard lot at 2713 Mosby Street, almost directly across the street from the lot now under consideration.

The 2700 block of Mosby Street, all of it, is in the R-8 zone. The present application is for the construction of a residence on a lot only half that size. The lot in question is not only smaller than practically all the lots in the 2700 block, it is a great deal smaller. It is true that there are now two existing homes built on 4,000 square-foot lots in the block. That's enough.

The Special Use Permit application for construction on a substandard lot is based on §12-400 of the zoning ordinances. This provides that a substandard lot may be developed under certain conditions, one of the primary being that the building line and lot line be equivalent to those of at least 50% of the developed lots on the *block face*. As we noted earlier, in our objection to SUP 97-0061, the block face is defined as including not only the 2700 block of Mosby but the 2800 block and 2900 blocks as well. The east side of these blocks are zoned RA, not R-8. Lumped together into the same block face are not only properties in two quite different residential zones, but with different block street numbers and different parking regulations. Parking is allowed on both sides of the street in the 2800 and 2900 blocks and there is a service road in addition for the townhouses in the 2900 block as well. In the 2700 block, there is parking on one side of the street only.

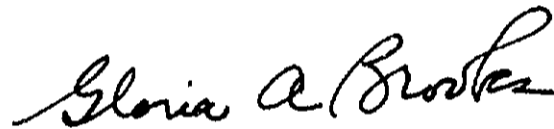
In applying this exaggerated, almost quixotic definition of a block face, the city determined that two lots in the 2700 block of Mosby Street, 2713 and 2715 met the criteria of the definition. 2713 is the back yard for 2716 Sycamore Street; 2715 is our back yard. (No mention is made of a 2710 Mosby lot in this original list, and city maps as late as 1995 do not show a 2710, only 2708). By making this determination, if development had followed, not just two substandard developed lots would have resulted, but four, since the separation of the properties instantly makes the lots on Sycamore substandard as well. And developing these two lots has the effect of removing forever the possibility for on-site parking for the Sycamore street homes. This additional substandard lot consideration would raise to five the number of such possible lots to be found in an area less than 50 yards from our back gate, where none existed prior to this determination in 1993. We

took steps to have our back lot pulled out of this cauldron, but this is a *defacto* arrangement only, as I understand it.

Paragraph 12-400, together with its peculiar interpretation by the city in its definitions of a block face, is being used by those who do not live in the neighbor for their own profitable purposes. They will make money off the arrangement but leave the neighborhood to deal with the increased density, crowding, parking hassel and traffic problems. I cannot believe it was the intent of the drafters of that ordnance that it should be used at the expense of and to the detriment of the residents, and for the benefit only of outsiders. This increased density of residences will subvert even further the R-8 zoning of the neighborhood and could easily lead to a reduction in the attractiveness of the neighborhood to buyers and hence to lower property values. We strongly urge that you deny the application for SUP 97-0143.

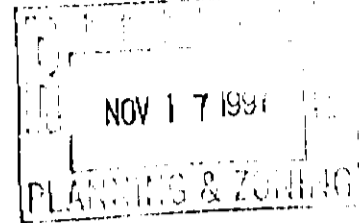
Sincerely,


Curtis B. Brooks



Gloria A. Brooks

#17 SUP 97-0143



November 13, 1997

Barbara Ross
Deputy Director
Planning & Zoning
301 King St.
City Hall, Room 2100
Alexandria, Va. 22314

DELIVERED BY HAND

In re: Special Use Permit 97-014
2710 Mosby St., Alexandria, Va.

Ms. Ross,

Thank you for meeting with Duncan Blair and I on Wednesday. The meeting was positive and we will continue to try and refine the driveway layout to address your reservations. This letter is to confirm the minor changes to our plans we discussed on Wednesday, Nov. 12th.

1. To delete the rear porch in order to retain more open space.
2. We will internally create more space in the attic, thus keeping within the limitations of the FAR restrictions. We will not alter the exterior proportions of the house, but we are making internal changes that may change the square footage and FAR calculations for the various areas of the house but will not increase the actual square footage or FAR of the house nor, alter the exterior design or dimensions. I am meeting with the Del Ray Land Use Committee to present our project, and to seek their input on the driveway configuration. Thank you for your continued help and guidance.

Sincerely,

Cindy Anderson
Cindy Anderson

#17 SUP 97-0143

THE DEL RAY CITIZENS ASSOCIATION

F.C. BOX 2233

ALEXANDRIA, VIRGINIA 22301

ESTABLISHED 1991

To: Honorable Members of City Council
Members of Alexandria Planning Commission
Sheldon Lynn, Director, Office of Planning and Zoning

From: Dennis L. Jones, 2nd VP and Land Use Committee Chair
Regina Oliver, President

Date: 27 November 1997

Subject: SUP 97-0143, Request to build on a substandard lot at **2710 Mosby Street**

At our Land Use and Executive Committee meetings on 19 and 24 November, we addressed the subject SUP requesting to build a residence on a 4000-ft² lot in a R-8 zone.

We mentioned the upcoming SUP in two Del Ray Citizens Association newsletters and discussed the matter with nearby residents. Our Land Use and Executive Committees **unanimously rejected** the request.

With only half of the square footage of that required for the zone, we believe that the lot is too substandard for construction of any residence. In light of this, we ask the City to designate the lot as non-buildable and tax it accordingly.

We request your support for this position. We welcome your questions and comments. Please feel free to contact Regina Oliver at 703-683-6621 or Dennis Jones at 703-329-7181 (day), 703-684-2032 (evenings)

CC: Duncan Blair, Attorney for W.D.C Construction Company, Inc.

RECEIVED FROM 703 329 7197

11.29.1997 13:14

P. 3

#17 SUP 97-0143

2718 Sycamore Street
Alexandria, VA 22305
1 December 1997

DEC - 1 1997

Alexandria Planning Commission
301 King Street
Alexandria VA 22314

Re: SUP 97-0143

Dear Sir or Madam:

Enclosed is a petition signed by those living in the immediate neighborhood of the proposed construction of a residence at 2710 Mosby Street, which is the subject of Special Use Permit Application cited. As noted, the petition has been signed by those who oppose approval of the Special Use Permit.

Also enclosed is a copy of the site map that accompanied the Staff Report on the SUP. Colored in red are the households that oppose the approval of the SUP. Green shows the household that supports the approval of the SUP. Houses not colored indicate that either the residents were unavailable or were not contacted.

The petition is forwarded for use by the Planning Commission in its consideration of the application for the Special Use Permit.

Sincerely,


Curtis B. Brooks

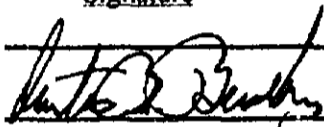
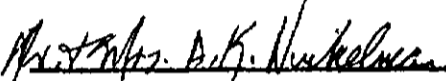
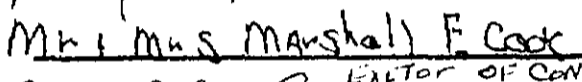
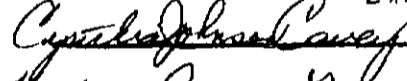
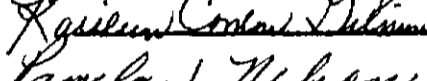
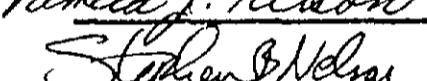
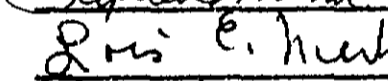
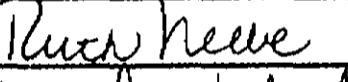
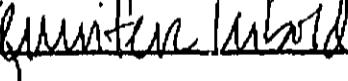

Petition to Oppose Approval of Special Use Permit

WE, THE UNDERSIGNED RESIDENTS OF ALEXANDRIA, OPPOSE THE APPROVAL OF SPECIAL USE PERMIT APPLICATION #97-0143 MADE BY W.D.C. CONSTRUCTION COMPANY, INC. ON SEPTEMBER 25, 1997 TO BUILD A HOUSE A ON SUBSTANDARD LOT 4000 SQUARE FEET IN SIZE IN AN R-8 ZONE AT 2710 MOSBY STREET.

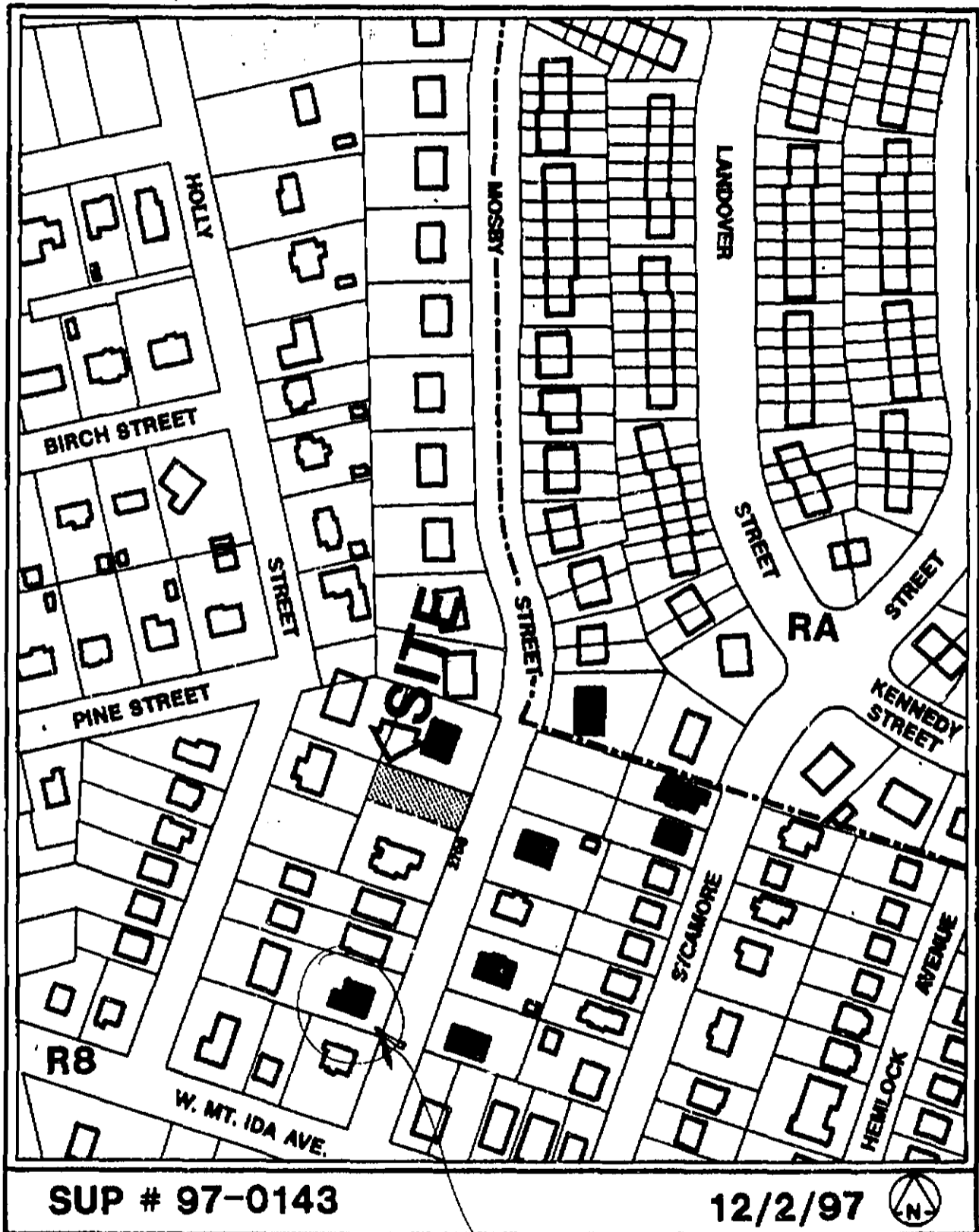
Signature


Printed Name


Address

	CURTIS BROOKS MR. & MRS.	2719 SYCAMORE
	ARNOLD K. WINKELMAN	2707 MOSBY ST.
	Marshall F. Cook FACULTY OF CONTCN	2705 Mosby St.
	Cynthia Johnson	2712 Mosby St.
	Kathleen Gordon Gilmore Heir	2712 Mosby St.
	Pamela J. Nelson	2801 Mosby St.
	Stephen B. Nelson	2801 Mosby St.
	Lois Neebe	2711 Mosby St.
	Ruth Neebe	2711 Mosby St.
	Jennifer Wbold	2716 Sycamore St.

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



 red is opposed

 green is in favor (Not to Scale)

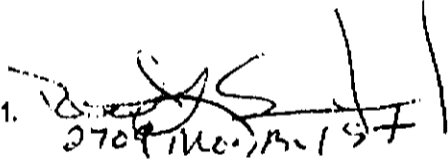
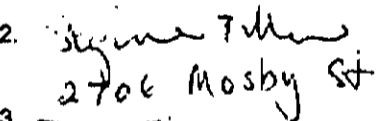
28

#17 SUP 97-0143

SUBMITTED ON BEHALF OF THE APPLICANT.

OCTOBER 10, 1997

BILL CURLEY AND/OR CINDY ANDERSON HAVE DISCUSSED THEIR PLANS AND INTENT WITH THE NEIGHBORS IN CLOSE PROXIMITY TO 2708 MOSBY STREET. WE ARE NOT OPPOSED TO THEIR PROJECT OF BUILDING A HOUSE ON THE ADJOINING LOT OF 2708 MOSBY STREET. WE AS NEIGHBORS ARE IN SUPPORT OF GRANTING THE APPLICANTS A SPECIAL USE PERMIT TO BUILD A HOME ON A SUBSTANDARD BUILDING LOT IN OUR NEIGHBORHOOD.

1. 
2709 Mosby St
2. 
2706 Mosby St
3. JOHN JENKINS
2707 MASON ST
4. Kameelah Akiri
2702 Mosby St
5. John Sullivan 7641350
2713 Mosby Alley VA
6. Peggy Jean Gray
2708 Mosby St
- 7.
- 8.

1111 866 77 0143



DEAR NEIGHBOR,

WE ARE CONSIDERING BUILDING A HOUSE SIMILAR TO THIS ON THE SIDE LOT OF 2708 MOSBY STREET. WE ALSO WILL BE UPDATING 2708 MOSBY STREET. WE ARE AWARE OF PROBLEMS ACROSS THE STREET AND WANT TO INFORM OUR NEIGHBORS AND LISTEN TO QUESTIONS AND CONCERNS YOU MAY HAVE ABOUT OUR PROJECT. FEEL FREE TO CONTACT ME, CINDY ANDERSON AT 550-9397. WE WANT THIS HOME TO BLEND IN AND BE AN ASSET TO THE NEIGHBORHOOD. WE FEEL THIS STYLE OF HOUSE CAN ACCOMPLISH THESE GOALS.

THANK YOU.

Cindy Anderson

CINDY ANDERSON

30

November 20, 1997

NOTICE OF PUBLIC HEARINGS

You are hereby notified of the following public hearings to be held by the Alexandria Planning Commission and City Council on the application of W.D.C. Construction Company, Inc.

DATE, TIME AND PLACE OF
PUBLIC HEARINGS:

PLANNING COMMISSION
Tuesday, December 2, 1997
7:30 p.m., City Council Chambers
City Hall
301 King Street
Alexandria, Virginia

CITY COUNCIL
Saturday, December 13, 1997
9:30 a.m., City Council
Chambers
City Hall
301 King Street
Alexandria, Virginia

DESCRIPTION OF REQUEST:

SUP 97-0143 - Consideration
of a request for a Special
Use Permit to construct a
single family dwelling on
a substandard lot.

PROPERTY ADDRESS:

2710 Mosby Street
Alexandria, Virginia

TAX MAP REFERENCE:

24.01 02 16

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

If you have any questions regarding this request, please feel free to call the undersigned at (703) 838-5109.

Duncan W. Blair
Attorney for Applicant

X

17
12-13-97

Docket Item # 17
SPECIAL USE PERMIT #97-0143

Planning Commission Meeting
December 2, 1997

ISSUE: Consideration of a request for a special use permit to construct a single family dwelling on a substandard lot.

APPLICANT: W.D.C. Construction Company Inc.
By Duncan W. Blair, attorney

LOCATION: 2710 Mosby Street

ZONE: R-8/Residential

PLANNING COMMISSION ACTION, DECEMBER 2, 1997: On a motion by Mr. Komoroske, seconded by Ms. Fossum, the Planning Commission voted to recommend denial of the request. The motion carried on a vote of 7 to 0.

Reason: The Planning Commission disagreed with the staff analysis and believes the addition of a house on such a small lot will lead to too great a density for the neighborhood. The Commission also asked staff to draft a text amendment which would delete from consideration any portion of a block in a zone different from the one applicable to the substandard lot..

Speakers:

Duncan Blair, attorney, spoke for the applicant.

Cindy Anderson and Bill Curley of WDC Construction were present.

Amy Stack, DelRay Citizens Association, spoke in opposition.

Allison White, on behalf of her mother, 2713 Holly Street, spoke in opposition.

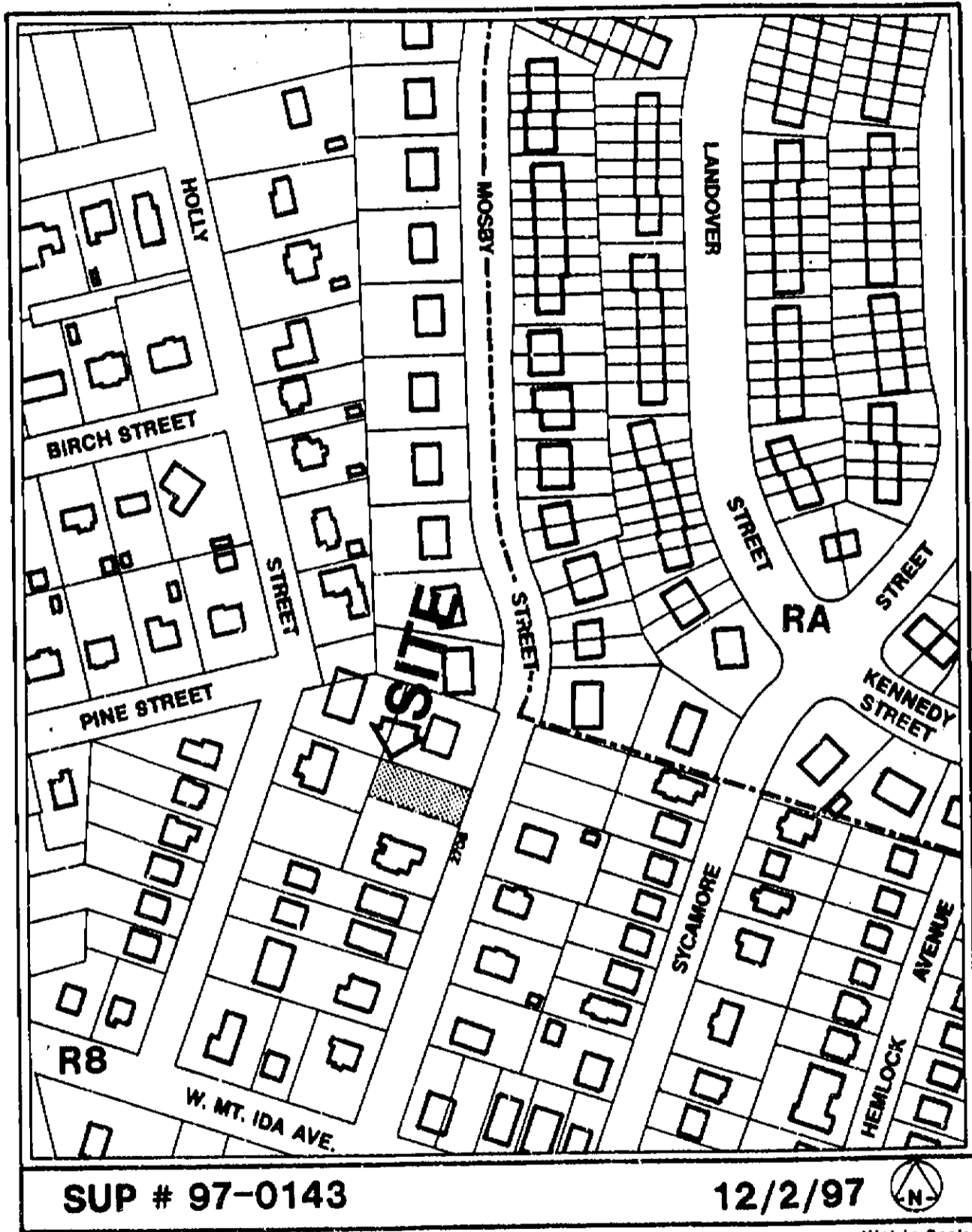
Curtis B. Brooks, 2718 Sycamore Street, spoke in opposition.

Pam Nelson, 2801 Mosby Street, spoke in opposition.

Steve Kaveat, 2706A Mosby Street, spoke in opposition.

Arnold Winkelman, 2707 Mosby Street, spoke in opposition.

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



STAFF RECOMMENDATION:

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

1. The applicant shall provide a minimum of two parking spaces, which may be tandem and compact-sized, on the lot, which spaces have continual access to and from Mosby Street. (P&Z)
2. The special use permit approval is limited to construction of the house and development of the lot as depicted in the application materials. (P&Z)
3. A plot plan showing all improvements/alterations to the site must be approved by the Department of Transportation and Environmental Services before a building permit can be issued. (T&ES)
4. The applicant shall consult the Crime Prevention Unit of Alexandria Police regarding locking hardware and alarms for home. (Police)

Staff Note: In accordance with section 11-506(c) of the zoning ordinance, construction or operation shall be commenced and diligently and substantially pursued within 18 months of the date of granting of a special use permit by City Council or the special use permit shall become void.

DISCUSSION:

1. The applicant, W.D. C. Construction Co., Inc., by Duncan Blair, attorney, requests special use permit approval to build a single family house on a substandard lot at 2710 Mosby Street. The application includes a request for a modification of both side yards and for a reduction in required parking to allow tandem spaces.
2. The subject property is one lot of record. The lot has 40 feet of frontage on Mosby Street, a depth of 100 feet and a total lot area of 4,000 square feet. The subject property is part of a three lot parcel which was originally developed with one single family house straddling the two other lots. A small garage is located at the rear of the lot with the house on it. The subject lot appears to be part of and has been in common ownership with that single family house development. However, it technically exists as a separate lot, originally platted as part of the Mt. Ida subdivision in the 1930s.
3. The applicant is the contract purchaser of the subject property. The purchase contract is contingent upon the right to build a new single family home.
4. The subject lot was created prior to the enactment of zoning regulations for the R-8 zone in the City. At that time, the lot was part of Arlington County. Because it is smaller than the lot requirements of the R-8 zone, it is a substandard lot. The following is a comparison of the requirements of the R-8 zone and the lot dimensions:

	<u>R-8</u> <u>Requirements</u>	<u>Existing lot</u> <u>Dimensions</u>
Lot area	8,000 sq. ft.	4,000 sq. ft.
Frontage width	40 feet	40 feet
Width at building line	65 feet	40 feet

5. Pursuant to section 12-402(A)(1) of the zoning ordinance, a substandard lot may be developed with a single family detached dwelling if: (a) it contains at least the lot area, and has at least the width at both the front lot line and building line as at least 50% of the developed lots on the block face where the lot is located; and (b) a special use permit is approved.
6. The subject lot meets the threshold requirements of section 12-402(A)(1). Including the subject property, the block face contains a total of 45 lots, 42 of which are developed with residences. The subject lot contains at least the lot width, at both the property line and the building line, of approximately 53 % of the developed lots in the block face (24 of 45). It is the same size or larger than 55% of the lots (25 of 45). It may therefore seek a special use permit for development.

Section 12-404(D) provides that, in the case of a blockface that includes more than 30 lots on any one side of a street, the Director is required to reduce the number of lots on that side of the street to "the closest and most appropriate 30 lots." In this case, there are 34 lots on the east side of Mosby Street between the intersecting streets of Gentry and Mt. Ida. Therefore, the Director chose to eliminate the four lots at the far north end of the east side of Mosby Street because those lots are farthest away from the subject property. If those lots had been included in the calculation to determine if the lot were eligible to proceed with a special use permit, the result would have been the same: Of a total of 49 undeveloped lots, 53% have at least the lot width and lot area as the subject property. Under section 12-404(D), City Council's approval of the special use permit includes its approval of the new block face design.

7. Under section 12-402(C), City Council may approve a special use permit for a single family dwelling on a substandard lot if the lot meets the above threshold and if Council finds that the proposed development:
 - (a) will not unreasonably impair an adequate supply of light and air to adjacent property,
 - (b) will not diminish or impair established property values in the surrounding neighborhood, and
 - (c) will be compatible with the surrounding neighborhood.
8. The house proposed for the subject lot is 26 feet wide and 54 feet long; it is 22'6" to the tallest point of the roof, 18' to the midpoint of the gable, and 13'9" to the eave line. It will be located on the lot so as to allow a 30' front yard, a 16' rear yard and two 7' side yards. The proposal includes two parking spaces on the lot.
9. The following is a comparison of the bulk and open space requirements of the R-8 zone and the proposed dwelling:

	<u>R-8 zone Requirements</u>	<u>Proposed</u>
Front yard	30 ft.	30 ft.
Side yard (north)	8 ft.	7 ft. (requires modification)
Side yard (south)	8 ft.	7 ft. (requires modification)
Rear yard	16 ft.	16 ft.
FAR	max .35	.33

10. Pursuant to section 12-404 of the zoning ordinance, the applicant is seeking a modification for both side yards. Under the applicable setback ratio, a yard of eight feet is required on both the north and south sides of the house. The applicant proposes that each of those yards will be seven instead of eight feet. The front and rear yards meet the zone requirements. Under a recent text amendment, a separate SUP is not required for the tandem or compact parking, provided it is approved as part of the substandard lot SUP.
11. The surrounding neighborhood consists of a wide variety of 1½ to 2½ story single family dwellings generally constructed during the first half of this century. Architectural styles include frame Bungalow and Craftsman and brick Colonial Revival. There are varying front yard setbacks, from 15 feet to 30 feet, and a wide variety in the side yards. The houses immediately adjacent to the proposed development are each much wider than it will be (92' and 80' compared to 40') and have more generous side yards (26', 22', and 12' compared to 7'). However, one house away to the south are smaller structures with side yards that are even smaller than the ones proposed here (6' compared to 7'). The attached elevations submitted by the applicant illustrate the type of building to be constructed in comparison with adjacent houses (see attached elevations).
12. Section 8-200(A)(1) of the zoning ordinance requires that a single family home provide two parking spaces. The applicant indicates that two parking spaces will be provided at the rear of the lot and the parking area will be covered with gravel or brick pavers. The parking pad at the rear of the subject property will be 18' x 18'. The spaces will be accessed from a shared driveway already located at 2708 Mosby Street, the adjacent property.
13. **Zoning:** The subject property is zoned R-8/Residential. The proposed dwelling is not consistent with R-8 side yard and minimum lot size requirements.
14. **Master Plan:** The proposed single family home is consistent with the Potomac West Small Area Plan chapter of the Master Plan which designates the property for residential use.

STAFF ANALYSIS:

The proposed lot meets the threshold criteria of the substandard lot provisions and may be considered for the development of a single family dwelling. City Council, therefore, must determine whether the proposed house will unreasonably impair light and air, will diminish property values in the area or is incompatible with the existing neighborhood character.

The dwellings on this blockface are of varying sizes and styles. The lots and houses on the northern part of the blockface are more regular: on the northern end of the west side of the street, the lots have a width of about 75 feet and a lot size of approximately 8,000 square feet. Across the street, on the northern end of the east side of the blockface, there are very narrow attached and semi-

detached dwellings. Those lots are between 18 and 30 feet wide and between 1,600 and 3,000 square feet in size. The development pattern in the southern half of the blockface, and especially on this side of the street, is much more varied, such that there is no consistent pattern at all.

It is significant that within the context of the blockface the existing three lot parcel is overly large, with more extra land than any other lot along the street. In addition, side yard setbacks vary along the street from less than six feet to 30 feet and, while the reduced side yards requested here will be smaller than most at the northern end of the west side of Mosby Street, the yards proposed for the subject property will not be inconsistent with other side yards along the entire street. Finally, the mass, height and architecture (Craftsman style) of the proposed home will be compatible with the existing dwellings in the R-8 section of Mosby Street. Therefore, staff believes that this development request is reasonable and not incompatible with other development in the immediate area.

While another substandard lot application was rejected recently by the Planning Commission for a lot of the identical size across the street, staff believes this to be a superior proposal. Specifically, staff notes that the design of the proposed house is less jarring and contains a smaller mass and height than the prior request as viewed from the street. In addition, the applicant has made an effort to accommodate the required two off-street parking spaces, and has done so without the necessity of a new curb cut or a new driveway. While the new parking arrangement requires extended backing-out and relies on an agreement with the neighboring property, at least the required parking is provided on the lot so new residents will not have to compete with neighbors for on-street parking. Staff believes the proposal as a whole is more successful than the one across the street and recommends approval of the special use permit.

Note: In determining the eligibility of the lot for approval under Section 12-404(D), the Director selected 30 lots as required by the ordinance. Had the ordinance not required selection of 30 lots, the Director would not have included in the calculation the semi-detached dwellings on the block face within the RA zone because they are of an entirely different character than the remainder of buildings on the block face. Had he excluded those lots, the lot in question (and the lot on the other side of Mosby Street that was considered several months ago) would not have qualified for development. The Director believes that it was Council's intention in determining eligibility for development that the substandard lot under consideration be compared to similar development on the block face; that comparison with lots in a different zone, for which there are different density and lot requirements, has little rationale. The Planning Commission (and Council) may wish to consider whether to refer to staff a study of a possible text amendment to eliminate from the calculation buildings which lie within a different zone.

STAFF: Sheldon Lynn, Director, Department of Planning and Zoning; Barbara Ross, Deputy Director.

CITY DEPARTMENT COMMENTS

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

Transportation & Environmental Services:

- C-1 Utilities serving this site shall be placed underground (Sec 5-5-3).
- C-2 Pay sewer tap fee (Sec 5-6-25).
- C-3 Post bond to insure the installation of the required public improvements (Sec 8-1-17).
- C-4 City Ordinance No. 3176 requires the approval of the adjacent property owners for installation of a new d/w apron.
- C-5 Any work in the right-of-way requires a separate permit from T&ES, Room 4130 (Sec 5-3-61).
- C-6 Roof drains and sub-surface drains shall be connected to the city storm sewer system, if available (8-1-22).
- C-7 A design for the control of erosion and sedimentation must be approved by the Director of T&ES, installed and maintained during construction activity (Sec 5-4-1).
- R-1 A plot plan showing all improvements/alterations to the site must be approved by the department of T&ES before a building permit can be issued.

Code Enforcement:

- C-1 New construction must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-2 A soils report must be submitted with the building permit application.
- C-3 This construction requires a building permit (USBC 105.1). Four sets of plans must accompany the written application (USBC 105.5 & Addendum 9). The plans must include all dimensions, construction details, kitchen equipment, electrical, plumbing, and mechanical layouts and schematics.

SUP 97-0143

C-4 The applicant ,must obtain a Certificate of Occupancy prior to occupancy (use) of the structure (USBC 115.1).

Police Department:

R-1 Security survey for the house.

Historic Alexandria (Archaeology):

F-1 No archaeological action - no known sites and low potential.

SUP 97-0143

REPORT ATTACHMENTS

Special Use Permit Application # 97-0143

2710

2708 Mosby Street, Alexandria, Virginia
Property Location

24.01 02 16
Tax Map Reference

R-8
Zone

W.D.C. Construction Company, Inc., a Virginia corporation
Applicant's Name

Peggy Jean Richter Gray
Property Owner's Name

5831 Oak Grove Street

2708 Mosby Street

Mason Neck, VA 22079 (703) 550-9397
Address

Alexandria, VA 22305
Address

Special Use Permit to construct a single family dwelling on a substandard lot pursuant to §12-400 of the Alexandria Zoning Ordinance, with modification of side yard setback requirement and reduction of required parking to permit stacked parking.

Proposed Use

THE UNDERSIGNED hereby applies for a Special Use Permit in accordance with the provisions of Article XI, Section 11-500 of the 1992 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 hereby 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 their knowledge and belief. The applicant is hereby notified that any written materials, drawings or illustrations submitted in support of this application and any specific oral representations made to the Planning Commission or City Council in the course of public hearings on this application will be binding on the applicant unless those materials or representations are clearly stated to be non-binding or illustrative of general plans and intentions, subject to substantial revision, pursuant to Article XI, Section 11-207(A)(10), of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

Law Offices of Henry A. Thomas
By Duncan W. Blair, Esquire
Print Name of Applicant or Agent

[Signature]
Signature

P. O. Box 820

(703) 838-5119
Telephone Number

Alexandria, Virginia 22313
Mailing Address

September 25, 1997
Date

REVISED
OCT - 1 1997

DO NOT WRITE BELOW THIS LINE - OFFICE USE ONLY

Application Filing: _____ \$ _____
date received fee paid date paid

Legal Advertisement: _____ Property Placard: _____

Planning Commission Action: _____

City Council Action: _____

Special Use Permit # 97-0143

All applicants must complete this form. Supplemental forms are required for child care facilities, restaurants, auto 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.

W.D.C. Construction Company, Inc. is a Virginia corporation. William David Curley, Jr. is the only person owning more than a ten (10%) percent interest in the corporation.

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.

2. Submit a map showing the location of the property in question as well as all property within 300 feet of the boundaries of the property for which this special use permit is sought, including as to all property identified, the following information:

A. existing uses **Waived by staff**

B. existing zoning **Waived by staff**

C. land use designation contained in the master plan **Waived by staff**

Staff may waive this requirement if the information is easily obtainable.

3. Submit a floor plan and a plot plan with parking layout of the proposed use. One copy of the plan is required for plans that are 8½" x 14" or smaller. Twenty-four copies are required for larger plans or if the plans cannot be easily reproduced. The planning director may waive requirements for plan submission upon receipt of a written request which adequately justifies a waiver. This requirement does not apply if a Site Plan Package is required.

NARRATIVE DESCRIPTION

4. The applicant shall describe below the nature of the request in detail so that the Planning Commission and City Council can understand the nature of the operation and the use, including such items as the nature of the activity, the number and type of patrons, the number of employees, the hours, how parking is to be provided for employees and patrons, and whether the use will generate any noise. (Attach additional sheets if necessary)

The applicant, W.D.C. Construction Company, Inc., a Virginia corporation, is the contract purchaser of the unimproved lot located on the west side of Mosby Street between West Mount Ida Avenue and Mosby Street/Gentry Avenue known as 2708 Mosby Street (the "Property").

The Property is defined as a substandard lot under the provisions of §12-400 of the Alexandria Zoning Ordinance, 1992, as amended (the "Ordinance"), by virtue of its noncompliance with the lot width and lot area requirements of the R-8/Single Family zone regulations. Pursuant to §3-305 of the Ordinance, the required lot width at the building line is sixty-five feet (65'). The lot width of the Property at the front of the building line is forty feet (40'), and the required lot area is eight thousand (8,000) square feet. The recorded lot size of the Property is four thousand (4,000) square feet. The Property is a record lot having been dedicated as part of the Mt. Ida Subdivision in the 1930s. When dedicated, the Property was located in Arlington, Virginia. Subsequent to being annexed to the City of Alexandria, zoning regulations were imposed rendering the lot substandard.

The applicant is requesting a Special Use Permit pursuant to the provisions of §12-402 of the Ordinance to develop the Property by constructing a single family dwelling. The Property qualifies for a special use permit under the provisions of §12-402(A)(1) of the Ordinance in that it contains at least the lot area and lot width at the front building line of at least 50% of the developed lots on the blockface on which the Property is located.

The Applicant is requesting a modification of the side yard setback requirements of the R-8 zone regulations from eight (8') feet to seven (7') feet from the building wall to the property line. With the exception of the requested reduction in the side yard setback requirement, the proposed single family dwelling complies with the R-8 front yard setback requirement, rear yard setback, height requirement and floor area ratio limitations.

The required two (2) off street parking spaces are provided on site at the rear of the Property. The Applicants are requesting a technical reduction of required parking to permit stacked parking spaces on the rear parking pad as shown on the plans.

The proposed development of the Property as a single family residence would not unreasonably impair the adequate supply of air and light to adjacent properties, will not diminish or impair the established property values in the surrounding area and will be compatible with the existing neighborhood character.

USE CHARACTERISTICS

5. The proposed special use permit request is for: (check one)

- a new use requiring a special use permit,
- a development special use permit.
- an expansion or change to an existing use without a special use permit,
- an expansion or change to an existing use with a special use permit,
- other. Please describe: Permit to construct a single family dwelling on a substandard lot.

6. Please describe the capacity of the proposed use:

A. How many patrons, clients, pupils and other such users do you expect? Specify time period (i.e., day, hour, or shift).

RESPONSE: Not applicable.

B. How many employees, staff and other personnel do you expect? Specify time period (i.e., day, hour, or shift).

RESPONSE: Not applicable.

Special Use Permit # 97-0143

7. Please describe the proposed hours and days of operation of the proposed use:

Day:

Hours:

RESPONSE: Not applicable.

8. Please describe any potential noise emanating from the proposed use:

A. Describe the noise levels anticipated from all mechanical equipment and patrons.

RESPONSE: All mechanical equipment will be selected and located on the Property to comply with the noise levels permitted under applicable City of Alexandria Ordinances and regulations.

B. How will the noise from patrons be controlled?

RESPONSE: Not applicable.

9. Describe any potential odors emanating from the proposed use and plans to control them:

RESPONSE: It is not anticipated that offensive odors will emanate from the use of the Property as a single family residence.

10. Please provide information regarding trash and litter generated by the use:

A. What type of trash and garbage will be generated by the use?

RESPONSE: The type and volume of trash and garbage will be that of a typical single family dwelling.

B. How much trash and garbage will be generated by the use?

RESPONSE: The type and volume of trash and garbage will be that of a typical single family dwelling.

C. How often will trash be collected?

RESPONSE: Weekly - City trash and recycling.

D. How will you prevent littering on the property, streets and nearby properties?

RESPONSE: Not applicable.

11. Will any hazardous materials, as defined by the state or federal government, be handled, stored, or generated on the property?

Yes. No. If yes, provide the name, monthly quantity, and specific disposal method below:

RESPONSE: Not applicable.

12. Will any organic compounds, for example paint, ink, lacquer thinner, or cleaning or degreasing solvent, be handled, stored, or generated on the property?

Yes. No. If yes, provide the name, monthly quantity, and specific disposal method below:

RESPONSE: Not applicable.

13. What methods are proposed to ensure the safety of residents, employees and patrons?

RESPONSE: Not applicable.

ALCOHOL SALES

14. Will the proposed use include the sale of beer, wine, or mixed drinks?

Yes. No. If yes, describe alcohol sales below, including if the ABC license will include on-premises and/or off-premises sales. Existing uses must describe their

Special Use Permit # 97-0143

existing alcohol sales and/or service and identify any proposed changes in that aspect of the operation.

PARKING AND ACCESS REQUIREMENTS

15. Please provide information regarding the availability of off-street parking:

A. How many parking spaces are required for the proposed use pursuant to section 8-200(a) of the zoning ordinance?

Two (2) off street parking spaces.

B. How many parking spaces of each type are provided for the proposed use:

2 Standard spaces (8 feet x 20 feet). **Stacked on rear parking pad.**

_____ Compact spaces (7 feet x 16 feet).

_____ Handicapped accessible spaces.

_____ Other.

C. Where is required parking located? on-site off-site. (Check one)
If the required parking will be located off-site, where will it be located:

Pursuant to section 8-200 (c) of the zoning ordinance, commercial and industrial uses may provide off-site parking within 500 feet of the proposed use, provided that the off-site parking is located on land zoned for commercial or industrial uses. All other uses must provide parking on-site, except that off-street parking may be provided within 300 feet of the use with a special use permit.

Special Use Permit # 97-0143

D. If a reduction in the required parking is requested, pursuant to section 8-100(a)(4) or (5) of the zoning ordinance, complete the PARKING REDUCTION SUPPLEMENTAL APPLICATION.

16. Please provide information regarding loading and unloading facilities for the use:

A. How many loading spaces are required for the use, per section 8-200(b) of the zoning ordinance? **None**

B. How many loading spaces are available for the use?

Not applicable.

C. Where are off-street loading facilities located?

Not applicable.

D. During what hours of the day do you expect loading/unloading operations to occur?

Not applicable.

E. How frequently are loading/unloading operations expected to occur, per day or per week, as appropriate?

Not applicable.

17. Is street access to the subject property adequate or are any street improvements, such as a new turning lane, necessary to minimize impacts on traffic flow?

Yes.

Special Use Permit # 97-0143

SITE CHARACTERISTICS

18. Will the proposed uses be located in an existing building? Yes. No.

Do you propose to construct an addition to the building? Yes. No.

How large will the addition be? Not applicable.

19. What will the total area occupied by the proposed use be?

_____ sq. ft. (existing) + _____ sq. ft. (addition if any) = 1292 sq. ft. (total)

NOTE: The proposed single family dwelling will have approximately _____ square feet of living space.

20. The proposed use is located in (check one):

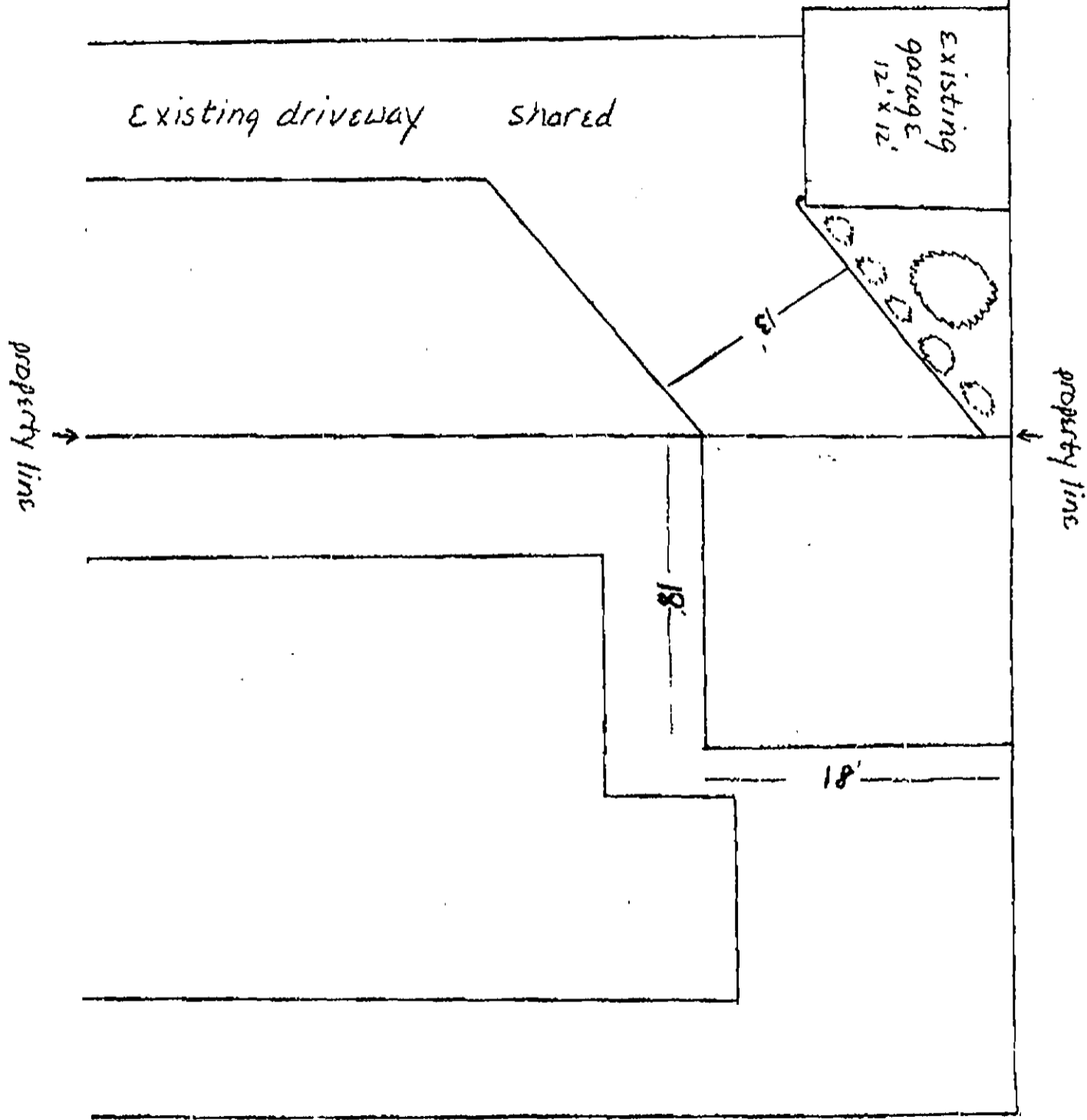
a stand alone building a house located in a residential zone a warehouse

a shopping center. Please provide name of the center: _____

an office building. Please provide name of the building: _____

other, please describe: _____

SKP 97-0143



SUP 97-0143

LAW OFFICES OF HENRY A. THOMAS

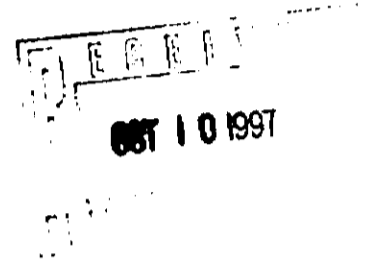
510 KING STREET
P.O. BOX 820
ALEXANDRIA, VIRGINIA 22319
(703) 838-5106
FAX: (703) 836-8062

HENRY A. THOMAS

October 10, 1997

DUNCAN W. BLAIR

Barbara Ross
Deputy Director
Planning & Zoning
301 King Street
City Hall, Room 2100
Alexandria, Virginia 22314



DELIVERED BY HAND

In re: Special Use Permit
2710 Mosby Street, Alexandria, Virginia


Dear Barbara:

I am writing to confirm the information I conveyed to you during our telephone conversation earlier this week in connection with the above referenced Special Use Permit Application. Specifically, I advised you that the parking pad located at the rear of the property is dimensioned twelve (12') feet by twenty-four (24') feet.

Additionally, the absolute height, to the tip of the gable, of the rear porch is sixteen (16') feet; therefore, the required rear yard setback, a one to one ratio, is sixteen (16') feet. The rear yard as shown on the plot plan submitted with the application is sixteen (16') feet. The lot is one hundred (100') feet deep, the front yard setback is thirty (30') feet and the building is fifty-four (54') feet deep, for a total of eighty-four (84') feet leaving sixteen (16') feet.

If you have any further questions, or require any additional information, please do not hesitate to call.

Very truly yours,

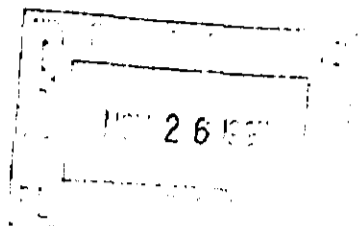

Duncan W. Blair

DWB:kl/Ross.010

cc: W.D.C. Construction Company, Inc.

#17 SUP 97-0143

2718 Sycamore Street
Alexandria, VA 22305
25 November 1997



Alexandria Planning Commission
301 King Street
Alexandria, VA 22314

Dear Sirs:

We are writing in connection with the application for a Special Use Permit, No. 97-0143, to build a residence on a substandard lot at 2708 Mosby Street. While there are some differences, the problems with this application are similar to those raised in connection with an earlier Special Use Permit application, No. 97-0061, on a substandard lot at 2713 Mosby Street, almost directly across the street from the lot now under consideration.

The 2700 block of Mosby Street, all of it, is in the R-8 zone. The present application is for the construction of a residence on a lot only half that size. The lot in question is not only smaller than practically all the lots in the 2700 block, it is a great deal smaller. It is true that there are now two existing homes built on 4,000 square-foot lots in the block. That's enough.

The Special Use Permit application for construction on a substandard lot is based on §12-400 of the zoning ordinances. This provides that a substandard lot may be developed under certain conditions, one of the primary being that the building line and lot line be equivalent to those of at least 50% of the developed lots on the *block face*. As we noted earlier, in our objection to SUP 97-0061, the block face is defined as including not only the 2700 block of Mosby but the 2800 block and 2900 blocks as well. The east side of these blocks are zoned RA, not R-8. Lumped together into the same block face are not only properties in two quite different residential zones, but with different block street numbers and different parking regulations. Parking is allowed on both sides of the street in the 2800 and 2900 blocks and there is a service road in addition for the townhouses in the 2900 block as well. In the 2700 block, there is parking on one side of the street only.

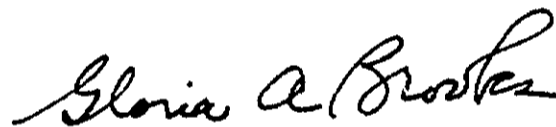
In applying this exaggerated, almost quixotic definition of a block face, the city determined that two lots in the 2700 block of Mosby Street, 2713 and 2715 met the criteria of the definition. 2713 is the back yard for 2716 Sycamore Street; 2715 is our back yard. (No mention is made of a 2710 Mosby lot in this original list, and city maps as late as 1995 do not show a 2710, only 2708). By making this determination, if development had followed, not just two substandard developed lots would have resulted, but four, since the separation of the properties instantly makes the lots on Sycamore substandard as well. And developing these two lots has the effect of removing forever the possibility for on-site parking for the Sycamore street homes. This additional substandard lot consideration would raise to five the number of such possible lots to be found in an area less than 50 yards from our back gate, where none existed prior to this determination in 1993. We

took steps to have our back lot pulled out of this cauldron, but this is a *defacto* arrangement only, as I understand it.

Paragraph 12-400, together with its peculiar interpretation by the city in its definitions of a block face, is being used by those who do not live in the neighbor for their own profitable purposes. They will make money off the arrangement but leave the neighborhood to deal with the increased density, crowding, parking hassle and traffic problems. I cannot believe it was the intent of the drafters of that ordinance that it should be used at the expense of and to the detriment of the residents, and for the benefit only of outsiders. This increased density of residences will subvert even further the R-8 zoning of the neighborhood and could easily lead to a reduction in the attractiveness of the neighborhood to buyers and hence to lower property values. We strongly urge that you deny the application for SUP 97-0143.

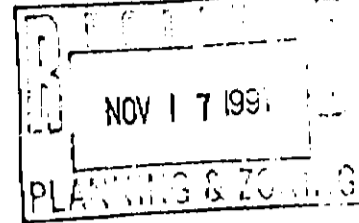
Sincerely,


Curtis B. Brooks



Gloria A. Brooks

#17 SUP 97-0143



November 13, 1997

Barbara Ross
Deputy Director
Planning & Zoning
301 King St.
City Hall, Room 2100
Alexandria, Va. 22314

DELIVERED BY HAND

In re: Special Use Permit 97-014
2710 Mosby St., Alexandria, Va.

Ms. Ross,

Thank you for meeting with Duncan Blair and I on Wednesday. The meeting was positive and we will continue to try and refine the driveway layout to address your reservations. This letter is to confirm the minor changes to our plans we discussed on Wednesday, Nov. 12th.

1. To delete the rear porch in order to retain more open space.
2. We will internally create more space in the attic, thus keeping within the limitations of the FAR restrictions. We will not alter the exterior proportions of the house, but we are making internal changes that may change the square footage and FAR calculations for the various areas of the house but will not increase the actual square footage or FAR of the house nor, alter the exterior design or dimensions. I am meeting with the Del Ray Land Use Committee to present our project, and to seek their input on the driveway configuration. Thank you for your continued help and guidance.

Sincerely,

Cindy Anderson

Cindy Anderson

#17 SUP 97-0143

THE DEL RAY CITIZENS
ASSOCIATION

P.O. BOX 2233

ALEXANDRIA VIRGINIA 22301

ESTABLISHED 1954

To: Honorable Members of City Council
Members of Alexandria Planning Commission
Sheldon Lynn, Director, Office of Planning and Zoning

From: Dennis L. Jones, 2nd VP and Land Use Committee Chair
Regina Oliver, President

Date: 27 November 1997

Subject: SUP 97-0143, Request to build on a substandard lot at **2710 Mosby Street**

At our Land Use and Executive Committee meetings on 19 and 24 November, we addressed the subject SUP requesting to build a residence on a 4000-ft² lot in a R-6 zone.

We mentioned the upcoming SUP in two Del Ray Citizens Association newsletters and discussed the matter with nearby residents. Our Land Use and Executive Committees **unanimously rejected** the request

With only half of the square footage of that required for the zone, we believe that the lot is too substandard for construction of any residence. In light of this, we ask the City to designate the lot as non-buildable and tax it accordingly.

We request your support for this position. We welcome your questions and comments. Please feel free to contact Regina Oliver at 703-683-6621 or Dennis Jones at 703-329-7181 (day), 703-684-2032 (evenings)

CC. Duncan Blair, Attorney for W.D.C Construction Company, Inc.

RECEIVED FROM 703 329 7197

11.29.1997 13:14

P. 3

#17 SUP 97-0143

2718 Sycamore Street
Alexandria, VA 22305
1 December 1997

1997

Alexandria Planning Commission
301 King Street
Alexandria VA 22314

Re: SUP 97-0143

Dear Sir or Madam:

Enclosed is a petition signed by those living in the immediate neighborhood of the proposed construction of a residence at 2710 Mosby Street, which is the subject of Special Use Permit Application cited. As noted, the petition has been signed by those who oppose approval of the Special Use Permit.

Also enclosed is a copy of the site map that accompanied the Staff Report on the SUP. Colored in red are the households that oppose the approval of the SUP. Green shows the household that supports the approval of the SUP. Houses not colored indicate that either the residents were unavailable or were not contacted.

The petition is forwarded for use by the Planning Commission in its consideration of the application for the Special Use Permit.

Sincerely,

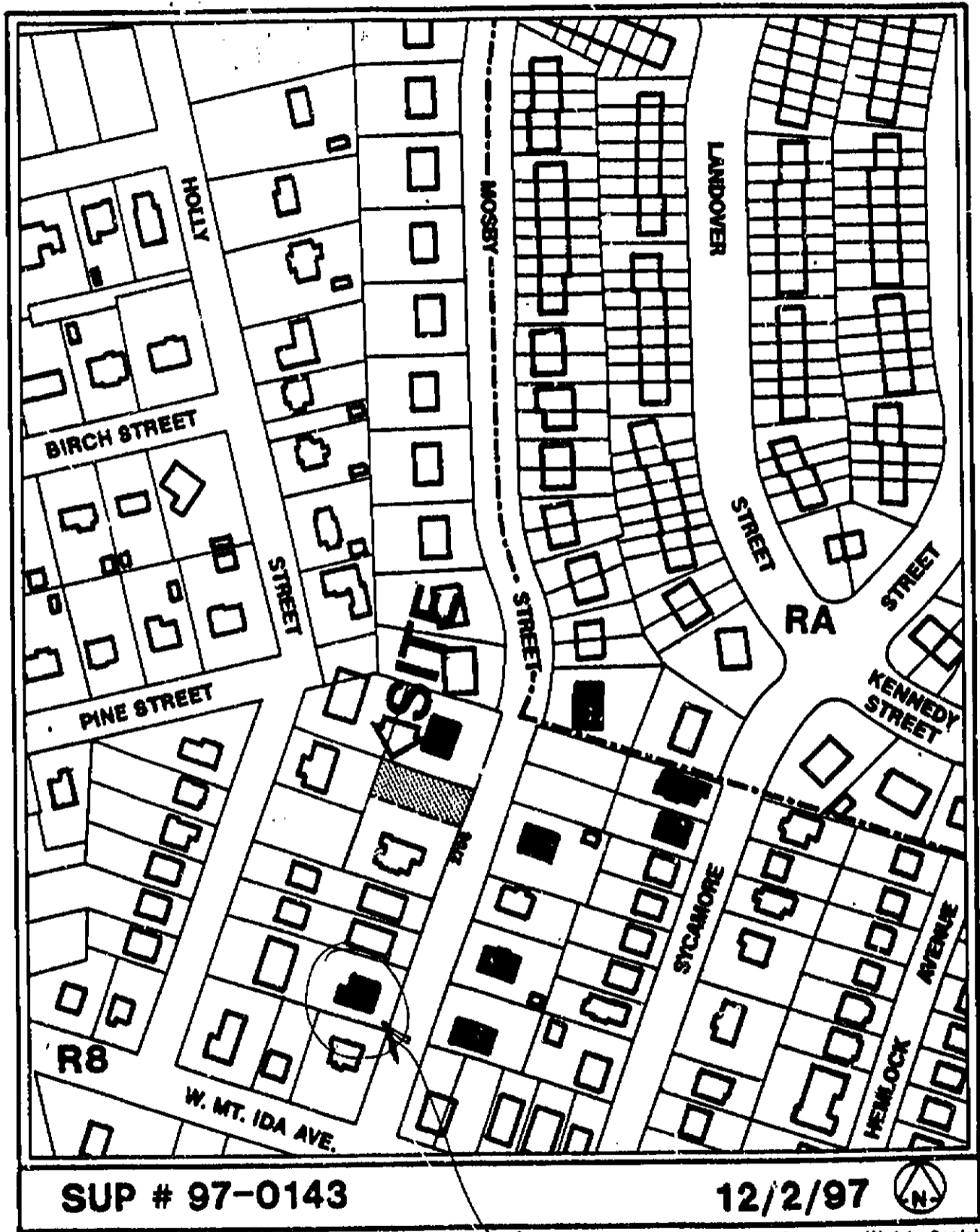

Curtis B. Brooks


Petition to Oppose Approval of Special Use Permit


WE, THE UNDERSIGNED RESIDENTS OF ALEXANDRIA, OPPOSE THE APPROVAL OF SPECIAL USE PERMIT APPLICATION #97-0143 MADE BY W.D.C. CONSTRUCTION COMPANY, INC. ON SEPTEMBER 25, 1997 TO BUILD A HOUSE A ON SUBSTANDARD LOT 4000 SQUARE FEET IN SIZE IN AN R-8 ZONE AT 2710 MOSBY STREET.

<u>Signature</u>	<u>Printed Name</u>	<u>Address</u>
<i>[Handwritten Signature]</i>	CURTIS BROOKS	2719 SYCAMORE
<i>[Handwritten Signature]</i>	MR. & MRS. ARNOLD K. WINKELMAN	2707 MOSBY ST.
<i>[Handwritten Signature]</i>	MR. & MRS. MARSHALL F. COOK	2705 MOSBY ST.
<i>[Handwritten Signature]</i>	EXHIBITOR OF CONTENT CYNTHIA JOHNSON CAVEY	2712 MOSBY ST.
<i>[Handwritten Signature]</i>	HEIR KATHLEEN COON GILMORE	2712 MOSBY ST.
<i>[Handwritten Signature]</i>	Pamela J. Nelson	2801 Mosby St.
<i>[Handwritten Signature]</i>	Stephen B. Nelson	2801 Mosby St.
<i>[Handwritten Signature]</i>	Lois E. Neebe	2711 Mosby St.
<i>[Handwritten Signature]</i>	Ruth Neebe	2711 Mosby St.
<i>[Handwritten Signature]</i>	Jennifer Wold	2716 sycamore st.

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



 red is opposed

 green is in favor

(Not to Scale)

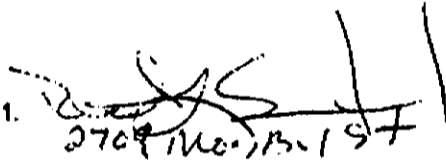
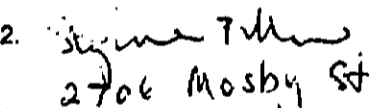
28

#17 SUP 97-0143

SUBMITTED ON BEHALF OF THE APPLICANT.

OCTOBER 10, 1997

BILL CURLEY AND/OR CINDY ANDERSON HAVE DISCUSSED THEIR PLANS AND INTENT WITH THE NEIGHBORS IN CLOSE PROXIMITY TO 2708 MOSBY STREET. WE ARE NOT OPPOSED TO THEIR PROJECT OF BUILDING A HOUSE ON THE ADJOINING LOT OF 2708 MOSBY STREET. WE AS NEIGHBORS ARE IN SUPPORT OF GRANTING THE APPLICANTS A SPECIAL USE PERMIT TO BUILD A HOME ON A SUBSTANDARD BUILDING LOT IN OUR NEIGHBORHOOD.

1. 
2709 Mosby St
2. 
2706 Mosby St
3. JOHN JENKINS
2707 MOSBY ST
4. Kamelina Afrin
2702 Mosby St
5. JOHN SULLIVAN 7641350
2713 MOSBY ALEYS VA
6. Peggy Jean Gray
2708 Mosby St
- 7.
- 8.

#17 SUP 97-0143



DEAR NEIGHBOR:

WE ARE CONSIDERING BUILDING A HOUSE SIMILAR TO THIS ON THE SIDE LOT OF 2708 MOSBY STREET, WE ALSO WILL BE UPDATING 2708 MOSBY STREET. WE ARE AWARE OF PROBLEMS ACROSS THE STREET AND WANT TO INFORM OUR NEIGHBORS AND LISTEN TO QUESTIONS AND CONCERNS YOU MAY HAVE ABOUT OUR PROJECT. FEEL FREE TO CONTACT ME, CINDY ANDERSON AT 550-9397. WE WANT THIS HOME TO BLEND IN AND BE AN ASSET TO THE NEIGHBORHOOD. WE FEEL THIS STYLE OF HOUSE CAN ACCOMPLISH THESE GOALS.

THANK YOU.

Cindy Anderson

CINDY ANDERSON

Docket Item # **17**
SPECIAL USE PERMIT #97-0143

Planning Commission Meeting
December 2, 1997

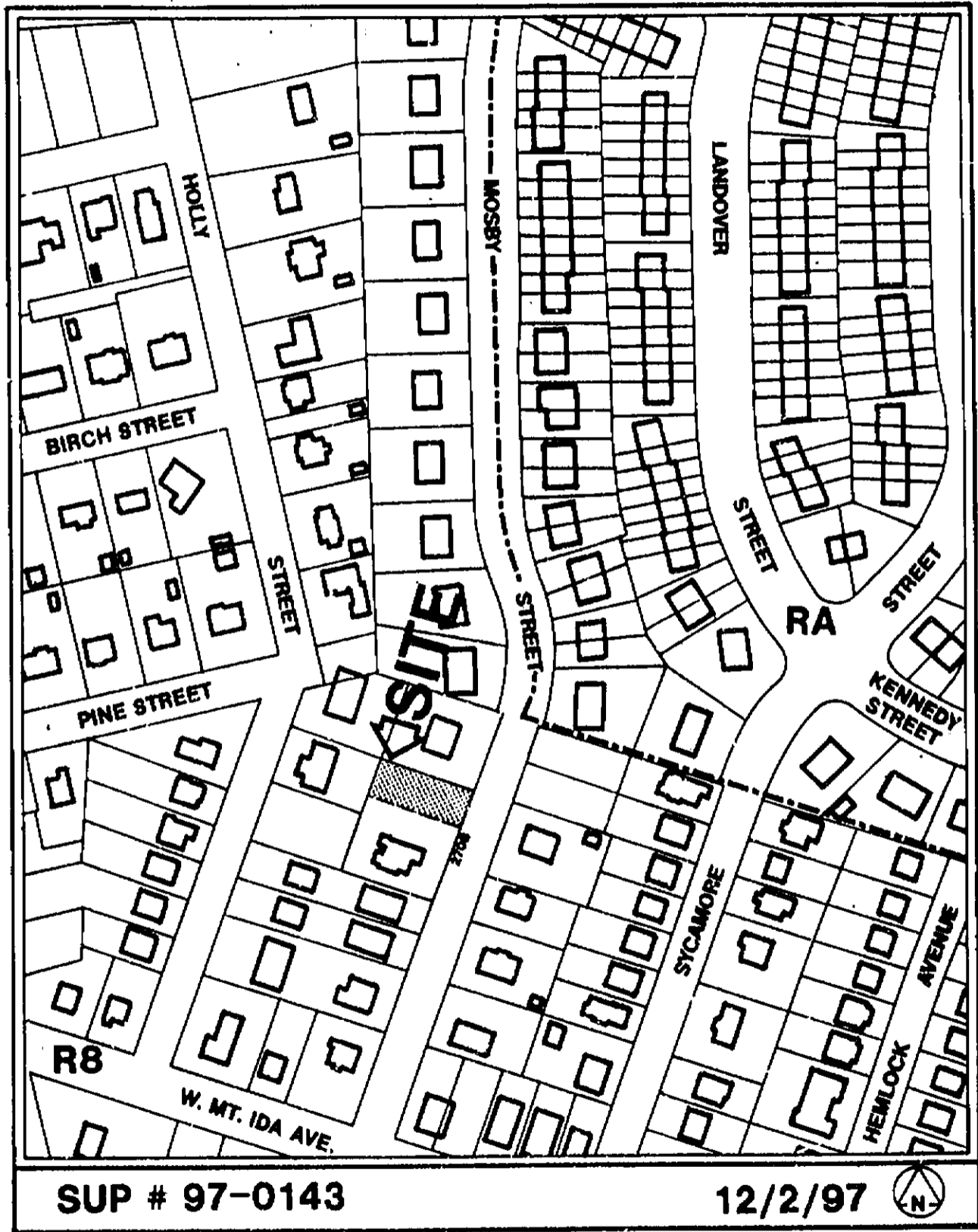
ISSUE: Consideration of a request for a special use permit to construct a single family dwelling on a substandard lot.

APPLICANT: W.D.C. Construction Company Inc.
By Duncan W. Blair, attorney

LOCATION: 2710 Mosby Street

ZONE: R-8/Residential

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



(Not to Scale)

STAFF RECOMMENDATION:

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

1. The applicant shall provide a minimum of two parking spaces, which may be tandem and compact-sized, on the lot, which spaces have continual access to and from Mosby Street. (P&Z)
2. The special use permit approval is limited to construction of the house and development of the lot as depicted in the application materials. (P&Z)
3. A plot plan showing all improvements/alterations to the site must be approved by the Department of Transportation and Environmental Services before a building permit can be issued. (T&ES)
4. The applicant shall consult the Crime Prevention Unit of Alexandria Police regarding locking hardware and alarms for home. (Police)

Staff Note: In accordance with section 11-506(c) of the zoning ordinance, construction or operation shall be commenced and diligently and substantially pursued within 18 months of the date of granting of a special use permit by City Council or the special use permit shall become void.

DISCUSSION:

1. The applicant, W.D. C. Construction Co., Inc., by Duncan Blair, attorney, requests special use permit approval to build a single family house on a substandard lot at 2710 Mosby Street. The application includes a request for a modification of both side yards and for a reduction in required parking to allow tandem spaces.
2. The subject property is one lot of record. The lot has 40 feet of frontage on Mosby Street, a depth of 100 feet and a total lot area of 4,000 square feet. The subject property is part of a three lot parcel which was originally developed with one single family house straddling the two other lots. A small garage is located at the rear of the lot with the house on it. The subject lot appears to be part of and has been in common ownership with that single family house development. However, it technically exists as a separate lot, originally platted as part of the Mt. Ida subdivision in the 1930s.
3. The applicant is the contract purchaser of the subject property. The purchase contract is contingent upon the right to build a new single family home.
4. The subject lot was created prior to the enactment of zoning regulations for the R-8 zone in the City. At that time, the lot was part of Arlington County. Because it is smaller than the lot requirements of the R-8 zone, it is a substandard lot. The following is a comparison of the requirements of the R-8 zone and the lot dimensions:

	<u>R-8 Requirements</u>	<u>Existing lot Dimensions</u>
Lot area	8,000 sq. ft.	4,000 sq. ft.
Frontage width	40 feet	40 feet
Width at building line	65 feet	40 feet
5. Pursuant to section 12-402(A)(1) of the zoning ordinance, a substandard lot may be developed with a single family detached dwelling if: (a) it contains at least the lot area, and has at least the width at both the front lot line and building line as at least 50% of the developed lots on the block face where the lot is located; and (b) a special use permit is approved.
6. The subject lot meets the threshold requirements of section 12-402(A)(1). Including the subject property, the block face contains a total of 45 lots, 42 of which are developed with residences. The subject lot contains at least the lot width, at both the property line and the building line, of approximately 53 % of the developed lots in the block face (24 of 45). It is the same size or larger than 55% of the lots (25 of 45). It may therefore seek a special use permit for development.

Section 12-404(D) provides that, in the case of a blockface that includes more than 30 lots on any one side of a street, the Director is required to reduce the number of lots on that side of the street to "the closest and most appropriate 30 lots." In this case, there are 34 lots on the east side of Mosby Street between the intersecting streets of Gentry and Mt. Ida. Therefore, the Director chose to eliminate the four lots at the far north end of the east side of Mosby Street because those lots are farthest away from the subject property. If those lots had been included in the calculation to determine if the lot were eligible to proceed with a special use permit, the result would have been the same: Of a total of 49 undeveloped lots, 53% have at least the lot width and lot area as the subject property. Under section 12-404(D), City Council's approval of the special use permit includes its approval of the new block face design.

7. Under section 12-402(C), City Council may approve a special use permit for a single family dwelling on a substandard lot if the lot meets the above threshold and if Council finds that the proposed development:
 - (a) will not unreasonably impair an adequate supply of light and air to adjacent property,
 - (b) will not diminish or impair established property values in the surrounding neighborhood, and
 - (c) will be compatible with the surrounding neighborhood.
8. The house proposed for the subject lot is 26 feet wide and 54 feet long; it is 22'6" to the tallest point of the roof, 18' to the midpoint of the gable, and 13'9" to the eave line. It will be located on the lot so as to allow a 30' front yard, a 16' rear yard and two 7' side yards. The proposal includes two tandem parking spaces on the lot.
9. The following is a comparison of the bulk and open space requirements of the R-8 zone and the proposed dwelling:

	R-8 zone Requirements	Proposed
Front yard	30 ft.	30 ft.
Side yard (north)	8 ft.	7 ft. (requires modification)
Side yard (south)	8 ft.	7 ft. (requires modification)
Rear yard	16 ft.	16 ft.
FAR	max .35	.33

10. Pursuant to section 12-404 of the zoning ordinance, the applicant is seeking a modification for both side yards. Under the applicable setback ratio, a yard of eight feet is required on both the north and south sides of the house. The applicant proposes that each of those yards will be seven instead of eight feet. The front and rear yards meet the zone requirements. Under a recent text amendment, a separate SUP is not required for the tandem parking, provided it is approved as part of the substandard lot SUP.
11. The surrounding neighborhood consists of a wide variety of 1½ to 2½ story single family dwellings generally constructed during the first half of this century. Architectural styles include frame Bungalow and Craftsman and brick Colonial Revival. There are varying front yard setbacks, from 15 feet to 30 feet, and a wide variety in the side yards. The houses immediately adjacent to the proposed development are each much wider than it will be (92' and 80' compared to 40') and have more generous side yards (26', 22', and 12' compared to 7'). However, one house away to the south are smaller structures with side yards that are even smaller than the ones proposed here (6' compared to 7'). The attached elevations submitted by the applicant illustrate the type of building to be constructed in comparison with adjacent houses (see attached elevations).
12. Section 8-200(A)(1) of the zoning ordinance requires that a single family home provide two parking spaces. The applicant indicates that two parking spaces will be provided at the rear of the lot. The spaces will be tandem, one in front of the other, and the parking area will be covered with gravel or brick pavers. The parking pad at the rear of the subject property will be 18' x 18'. The spaces will be accessed from a shared driveway already located at 2708 Mosby Street, the adjacent property.
13. Zoning: The subject property is zoned R-8/Residential. The proposed dwelling is not consistent with R-8 side yard and minimum lot size requirements.
14. Master Plan: The proposed single family home is consistent with the Potomac West Small Area Plan chapter of the Master Plan which designates the property for residential use.

STAFF ANALYSIS:

The proposed lot meets the threshold criteria of the substandard lot provisions and may be considered for the development of a single family dwelling. City Council, therefore, must determine whether the proposed house will unreasonably impair light and air, will diminish property values in the area or is incompatible with the existing neighborhood character.

The dwellings on this blockface are of varying sizes and styles. The lots and houses on the northern part of the blockface are more regular: on the northern end of the west side of the street, the lots have a width of about 75 feet and a lot size of approximately 8,000 square feet. Across the street,

on the northern end of the east side of the blockface, there are very narrow attached and semi-detached dwellings. Those lots are between 18 and 30 feet wide and between 1,600 and 3,000 square feet in size. The development pattern in the southern half of the blockface, and especially on this side of the street, is much more varied, such that there is no consistent pattern at all.

It is significant that within the context of the blockface the existing three lot parcel is overly large, with more extra land than any other lot along the street. In addition, side yard setbacks vary along the street from less than six feet to 30 feet and, while the reduced side yards requested here will be smaller than most at the northern end of the west side of Mosby Street, the yards proposed for the subject property will not be inconsistent with other side yards along the entire street. Finally, the mass, height and architecture (Craftsman style) of the proposed home will be compatible with the existing dwellings in the R-8 section of Mosby Street. Therefore, staff believes that this development request is reasonable and not incompatible with other development in the immediate area.

While another substandard lot application was rejected recently by the Planning Commission for a lot of the identical size across the street, staff believes this to be a superior proposal. Specifically, staff notes that the design of the proposed house is less jarring and contains a smaller mass and height than the prior request as viewed from the street. In addition, the applicant has made an effort to accommodate the required two off-street parking spaces, and has done so without the necessity of a new curb cut or a new driveway. While the new parking arrangement requires extended backing-out and relies on an agreement with the neighboring property, at least the required parking is provided on the lot so new residents will not have to compete with neighbors for on-street parking. Staff believes the proposal as a whole is more successful than the one across the street and recommends approval of the special use permit.

Note: In determining the eligibility of the lot for approval under Section 12-404(D), the Director selected 30 lots as required by the ordinance. Had the ordinance not required selection of 30 lots, the Director would not have included in the calculation the semi-detached dwellings on the block face within the RA zone because they are of an entirely different character than the remainder of buildings on the block face. Had he excluded those lots, the lot in question (and the lot on the other side of Mosby Street that was considered several months ago) would not have qualified for development. The Director believes that it was Council's intention in determining eligibility for development that the substandard lot under consideration be compared to similar development on the block face; that comparison with lots in a different zone, for which there are different density and lot requirements, has little rationale. The Planning Commission (and Council) may wish to consider whether to refer to staff a study of a possible text amendment to eliminate from the calculation buildings which lie within a different zone.

STAFF: Sheldon Lynn, Director, Department of Planning and Zoning; Barbara Ross, Deputy Director.

CITY DEPARTMENT COMMENTS

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

Transportation & Environmental Services:

- C-1 Utilities serving this site shall be placed underground (Sec 5-5-3).
- C-2 Pay sewer tap fee (Sec 5-6-25).
- C-3 Post bond to insure the installation of the required public improvements (Sec 8-1-17).
- C-4 City Ordinance No. 3176 requires the approval of the adjacent property owners for installation of a new d/w apron.
- C-5 Any work in the right-of-way requires a separate permit from T&ES, Room 4130 (Sec 5-3-61).
- C-6 Roof drains and sub-surface drains shall be connected to the city storm sewer system, if available (8-1-22).
- C-7 A design for the control of erosion and sedimentation must be approved by the Director of T&ES, installed and maintained during construction activity (Sec 5-4-1).
- R-1 A plot plan showing all improvements/alterations to the site must be approved by the department of T&ES before a building permit can be issued.

Code Enforcement:

- C-1 New construction must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-2 A soils report must be submitted with the building permit application.
- C-3 This construction requires a building permit (USBC 105.1). Four sets of plans must accompany the written application (USBC 105.5 & Addendum 9). The plans must include all dimensions, construction details, kitchen equipment, electrical, plumbing, and mechanical layouts and schematics.

SUP 97-0143

- C-4 The applicant must obtain a Certificate of Occupancy prior to occupancy (use) of the structure (USBC 115.1).

Police Department:

- R-1 Security survey for the house.

Historic Alexandria (Archaeology):

- F-1 No archaeological action - no known sites and low potential.

SUP 97-0143

REPORT ATTACHMENTS

Special Use Permit Application # 97-0143

2710

2708 Mosby Street, Alexandria, Virginia
Property Location

24.01 02 16 R-8
Tax Map Reference Zone

W.D.C. Construction Company, Inc., a Virginia corporation Peggy Jean Richter Gray
Applicant's Name Property Owner's Name

5831 Oak Grove Street 2708 Mosby Street

Mason Neck, VA 22079 (703) 540-9397 Alexandria, VA 22305
Address Address

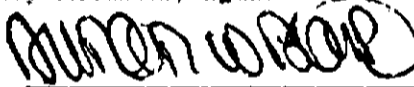
Special Use Permit to construct a single family dwelling on a substandard lot pursuant to §12-400 of the Alexandria Zoning Ordinance, with modification of side yard setback requirement and reduction of required parking to permit stacked parking.
Proposed Use

THE UNDERSIGNED hereby applies for a Special Use Permit in accordance with the provisions of Article XI, Section 11-500 of the 1992 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 11-501(B) of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

THE UNDERSIGNED hereby 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 their knowledge and belief. The applicant is hereby notified that any written materials, drawings or illustrations submitted in support of this application and any specific oral representations made to the Planning Commission or City Council in the course of public hearings on this application will be binding on the applicant unless those materials or representations are clearly stated to be non-binding or illustrative of general plans and intentions, subject to substantial revision, pursuant to Article XI, Section 11-207(A)(10), of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

Law Offices of Henry A. Thomas
By Duncan W. Blair, Esquire
Print Name of Applicant or Agent


Signature

P. O. Box 820

(703) 838-5109
Telephone Number

Alexandria, Virginia 22313
Mailing Address

September 25, 1997
Date

REVISED
OCT - 1 1997

DO NOT WRITE BELOW THIS LINE - OFFICE USE ONLY

Application Filing: _____ \$ _____
date received fee paid date paid

Legal Advertisement: _____ Property Placard: _____

Planning Commission Action: _____

City Council Action: _____

Special Use Permit # 97-0143

All applicants must complete this form. Supplemental forms are required for child care facilities, restaurants, auto 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.

W.D.C. Construction Company, Inc. is a Virginia corporation. William David Curley, Jr. is the only person owning more than a ten (10%) percent interest in the corporation.

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.

2. Submit a map showing the location of the property in question as well as all property within 300 feet of the boundaries of the property for which this special use permit is sought, including as to all property identified, the following information:

- A. existing uses **Waived by staff**
B. existing zoning **Waived by staff**
C. land use designation contained in the master plan **Waived by staff**

Staff may waive this requirement if the information is easily obtainable.

3. Submit a floor plan and a plot plan with parking layout of the proposed use. One copy of the plan is required for plans that are 8½" x 14" or smaller. Twenty-four copies are required for larger plans or if the plans cannot be easily reproduced. The planning director may waive requirements for plan submission upon receipt of a written request which adequately justifies a waiver. This requirement does not apply if a Site Plan Package is required.

NARRATIVE DESCRIPTION

4. The applicant shall describe below the nature of the request in detail so that the Planning Commission and City Council can understand the nature of the operation and the use, including such items as the nature of the activity, the number and type of patrons, the number of employees, the hours, how parking is to be provided for employees and patrons, and whether the use will generate any noise. (Attach additional sheets if necessary)

The applicant, W.D.C. Construction Company, Inc., a Virginia corporation, is the contract purchaser of the unimproved lot located on the west side of Mosby Street between West Mount Ida Avenue and Mosby Street/Gentry Avenue known as 2708 Mosby Street (the "Property").

The Property is defined as a substandard lot under the provisions of §12-400 of the Alexandria Zoning Ordinance, 1992, as amended (the "Ordinance"), by virtue of its noncompliance with the lot width and lot area requirements of the R-8/Single Family zone regulations. Pursuant to §3-305 of the Ordinance, the required lot width at the building line is sixty-five feet (65'). The lot width of the Property at the front of the building line is forty feet (40'), and the required lot area is eight thousand (8,000) square feet. The recorded lot size of the Property is four thousand (4,000) square feet. The Property is a record lot having been dedicated as part of the Mt. Ida Subdivision in the 1930s. When dedicated, the Property was located in Arlington, Virginia. Subsequent to being annexed to the City of Alexandria, zoning regulations were imposed rendering the lot substandard.

The applicant is requesting a Special Use Permit pursuant to the provisions of §12-402 of the Ordinance to develop the Property by constructing a single family dwelling. The Property qualifies for a special use permit under the provisions of §12-402(A)(1) of the Ordinance in that it contains at least the lot area and lot width at the front building line of at least 50% of the developed lots on the blockface on which the Property is located.

The Applicant is requesting a modification of the side yard setback requirements of the R-8 zone regulations from eight (8') feet to seven (7') feet from the building wall to the property line. With the exception of the requested reduction in the side yard setback requirement, the proposed single family dwelling complies with the R-8 front yard setback requirement, rear yard setback, height requirement and floor area ratio limitations.

The required two (2) off street parking spaces are provided on site at the rear of the Property. The Applicants are requesting a technical reduction of required parking to permit stacked parking spaces on the rear parking pad as shown on the plans.

The proposed development of the Property as a single family residence would not unreasonably impair the adequate supply of air and light to adjacent properties, will not diminish or impair the established property values in the surrounding area and will be compatible with the existing neighborhood character.

USE CHARACTERISTICS

5. The proposed special use permit request is for: (check one)
- a new use requiring a special use permit,
 - a development special use permit,
 - an expansion or change to an existing use without a special use permit,
 - an expansion or change to an existing use with a special use permit,
 - other. Please describe: **Permit to construct a single family dwelling on a substandard lot.**
6. Please describe the capacity of the proposed use:
- A. How many patrons, clients, pupils and other such users do you expect? Specify time period (i.e., day, hour, or shift).
- RESPONSE: Not applicable.**
- B. How many employees, staff and other personnel do you expect? Specify time period (i.e., day, hour, or shift).
- RESPONSE: Not applicable.**

7. Please describe the proposed hours and days of operation of the proposed use:

Day:

Hours:

RESPONSE: Not applicable.

8. Please describe any potential noise emanating from the proposed use:

A. Describe the noise levels anticipated from all mechanical equipment and patrons.

RESPONSE: All mechanical equipment will be selected and located on the Property to comply with the noise levels permitted under applicable City of Alexandria Ordinances and regulations.

B. How will the noise from patrons be controlled?

RESPONSE: Not applicable.

9. Describe any potential odors emanating from the proposed use and plans to control them:

RESPONSE: It is not anticipated that offensive odors will emanate from the use of the Property as a single family residence.

10. Please provide information regarding trash and litter generated by the use:

A. What type of trash and garbage will be generated by the use?

RESPONSE: The type and volume of trash and garbage will be that of a typical single family dwelling.

B. How much trash and garbage will be generated by the use?

RESPONSE: The type and volume of trash and garbage will be that of a typical single family dwelling.

C. How often will trash be collected?

RESPONSE: Weekly - City trash and recycling.

D. How will you prevent littering on the property, streets and nearby properties?

RESPONSE: Not applicable.

11. Will any hazardous materials, as defined by the state or federal government, be handled, stored, or generated on the property?

Yes. No. If yes, provide the name, monthly quantity, and specific disposal method below:

RESPONSE: Not applicable.

12. Will any organic compounds, for example paint, ink, lacquer thinner, or cleaning or degreasing solvent, be handled, stored, or generated on the property?

Yes. No. If yes, provide the name, monthly quantity, and specific disposal method below:

RESPONSE: Not applicable.

13. What methods are proposed to ensure the safety of residents, employees and patrons?

RESPONSE: Not applicable.

ALCOHOL SALES

14. Will the proposed use include the sale of beer, wine, or mixed drinks?

Yes. No. If yes, describe alcohol sales below, including if the ABC license will include on-premises and/or off-premises sales. Existing uses must describe their

existing alcohol sales and/or service and identify any proposed changes in that aspect of the operation.

PARKING AND ACCESS REQUIREMENTS

15. Please provide information regarding the availability of off-street parking:

A. How many parking spaces are required for the proposed use pursuant to section 8-200(a) of the zoning ordinance?

Two (2) off street parking spaces.

B. How many parking spaces of each type are provided for the proposed use:

2 Standard spaces (8 feet x 20 feet). **Stacked on rear parking pad.**

 Compact spaces (7 feet x 16 feet).

 Handicapped accessible spaces.

 Other.

C. Where is required parking located? on-site off-site. (Check one)
If the required parking will be located off-site, where will it be located:

Pursuant to section 8-200 (c) of the zoning ordinance, commercial and industrial uses may provide off-site parking within 500 feet of the proposed use, provided that the off-site parking is located on land zoned for commercial or industrial uses. All other uses must provide parking on-site, except that off-street parking may be provided within 300 feet of the use with a special use permit.

Special Use Permit # 97-0143

D. If a reduction in the required parking is requested, pursuant to section 8-100(a)(4) or (5) of the zoning ordinance, complete the PARKING REDUCTION SUPPLEMENTAL APPLICATION.

16. Please provide information regarding loading and unloading facilities for the use:

A. How many loading spaces are required for the use, per section 8-200(b) of the zoning ordinance? None

B. How many loading spaces are available for the use?

Not applicable.

C. Where are off-street loading facilities located?

Not applicable.

D. During what hours of the day do you expect loading/unloading operations to occur?

Not applicable.

E. How frequently are loading/unloading operations expected to occur, per day or per week, as appropriate?

Not applicable.

17. Is street access to the subject property adequate or are any street improvements, such as a new turning lane, necessary to minimize impacts on traffic flow?

Yes.

Special Use Permit # 97-0143

SITE CHARACTERISTICS

18. Will the proposed uses be located in an existing building? Yes. No.

Do you propose to construct an addition to the building? Yes. No.

How large will the addition be? **Not applicable.**

19. What will the total area occupied by the proposed use be?

_____ sq. ft. (existing) + _____ sq. ft. (addition if any) = 1292 sq. ft. (total)

NOTE: The proposed single family dwelling will have approximately _____ square feet of living space.

20. The proposed use is located in (check one):

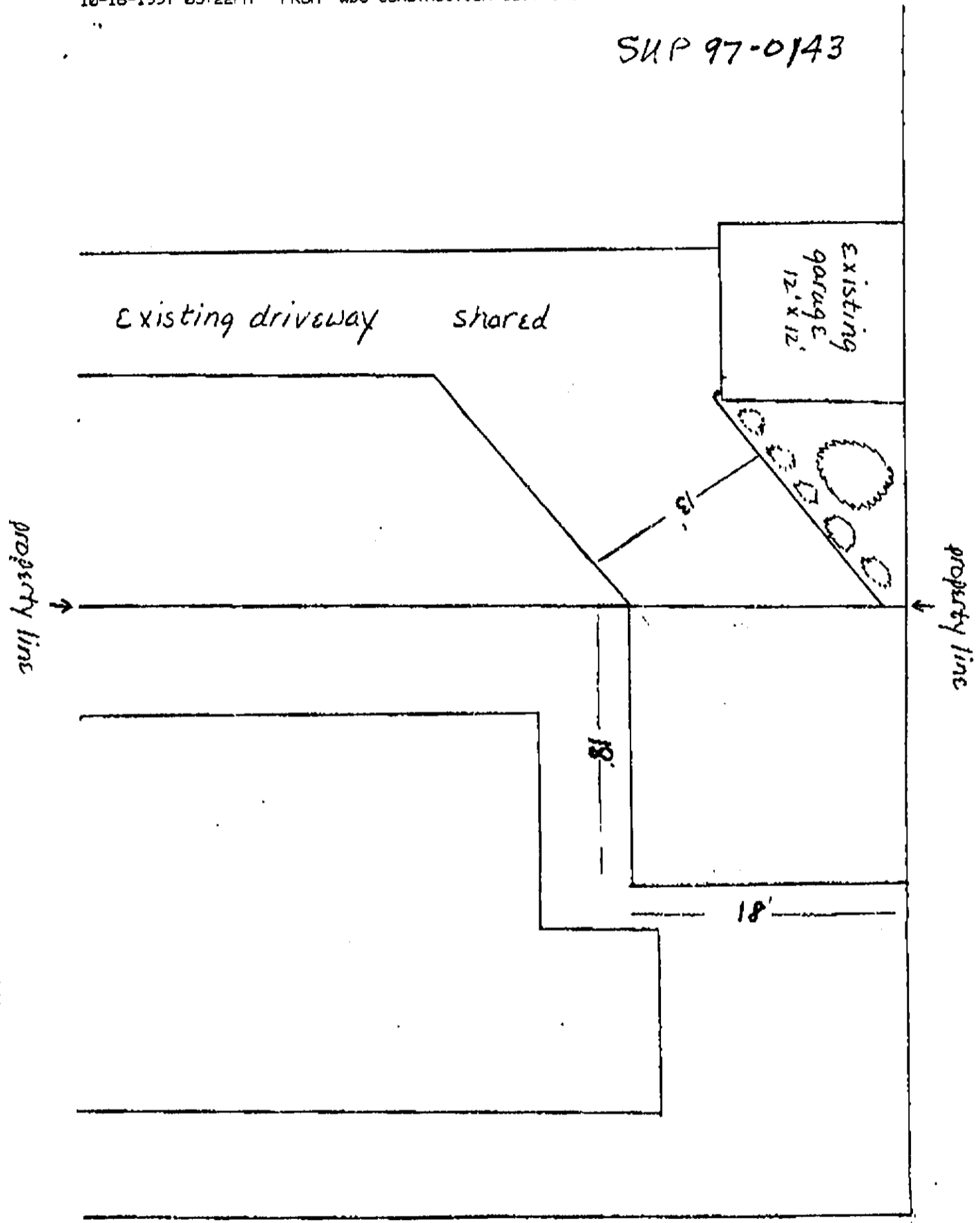
a stand alone building a house located in a residential zone a warehouse

a shopping center. Please provide name of the center: _____

an office building. Please provide name of the building: _____

other, please describe: _____

SUP 97-0143



SUP 97-0143

LAW OFFICES OF HENRY A. THOMAS

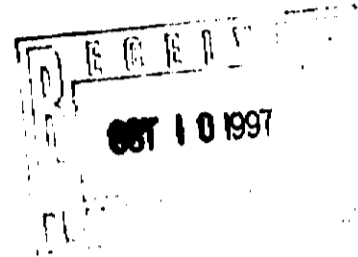
510 KING STREET
P.O. BOX 820
ALEXANDRIA, VIRGINIA 22313
(703) 838-5106
FAX: (703) 836-8062

HENRY A. THOMAS

DUNCAN W. BLAIR

October 10, 1997

Barbara Ross
Deputy Director
Planning & Zoning
301 King Street
City Hall, Room 2100
Alexandria, Virginia 22314



DELIVERED BY HAND

In re: Special Use Permit
2710 Mosby Street, Alexandria, Virginia

Dear Barbara:

I am writing to confirm the information I conveyed to you during our telephone conversation earlier this week in connection with the above referenced Special Use Permit Application. Specifically, I advised you that the parking pad located at the rear of the property is dimensioned twelve (12') feet by twenty-four (24') feet.

Additionally, the absolute height, to the tip of the gable, of the rear porch is sixteen (16') feet; therefore, the required rear yard setback, a one to one ratio, is sixteen (16') feet. The rear yard as shown on the plot plan submitted with the application is sixteen (16') feet. The lot is one hundred (100') feet deep, the front yard setback is thirty (30') feet and the building is fifty-four (54') feet deep, for a total of eighty-four (84') feet leaving sixteen (16') feet.

If you have any further questions, or require any additional information, please do not hesitate to call.

Very truly yours,

Duncan W. Blair

DWB:kl/Ross.010

cc: W.D.C. Construction Company, Inc.

Special Use Permit Application # 97-0143

2710

2708 Mosby Street, Alexandria, Virginia

Property Location

24.01 02 16

Tax Map Reference

R-8

Zone

W.D.C. Construction Company, Inc., a Virginia corporation

Applicant's Name

Peggy Jean Richter Gray

Property Owner's Name

5831 Oak Grove Street

Mason Neck, VA 22079 (703) 550-9397

Address

2708 Mosby Street

Alexandria, VA 22305

Address

Special Use Permit to construct a single family dwelling on a substandard lot pursuant to §12-400 of the Alexandria Zoning Ordinance, with modification of side yard setback requirement and reduction of required parking to permit stacked parking.

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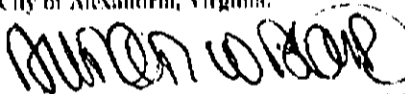
THE UNDERSIGNED, having obtained permission from the property owner, hereby grants permission to the City of Alexandria to post placard notice on the property for which this application is requested, pursuant to Article XI, Section 11-301(B) of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

THE UNDERSIGNED hereby 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 their knowledge and belief. The applicant is hereby notified that any written materials, drawings or illustrations submitted in support of this application and any specific oral representations made to the Planning Commission or City Council in the course of public hearings on this application will be binding on the applicant unless those materials or representations are clearly stated to be non-binding or illustrative of general plans and intentions, subject to substantial revision, pursuant to Article XI, Section 11-207(A)(10), of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

Law Offices of Henry A. Thomas

By Duncan W. Blair, Esquire

Print Name of Applicant or Agent



Signature

P. O. Box 820

Alexandria, Virginia 22313

Mailing Address

(703) 838-5109

Telephone Number

September 25, 1997

Date

REVISED

OCT - 1 1997

DO NOT WRITE BELOW THIS LINE - OFFICE USE ONLY

Application Filing: _____ \$ _____
date received fee paid date paid

Legal Advertisement: _____ Property Placard: _____

Planning Commission Action: _____

City Council Action: _____

Special Use Permit # 97-0143

All applicants must complete this form. Supplemental forms are required for child care facilities, restaurants, auto oriented uses and freestanding signs requiring special use permit approval.

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 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.

W.D.C. Construction Company, Inc. is a Virginia corporation. William David Curley, Jr. is the only person owning more than a ten (10%) percent interest in the corporation.

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.

2. Submit a map showing the location of the property in question as well as all property within 300 feet of the boundaries of the property for which this special use permit is sought, including as to all property identified, the following information:

A. existing uses Waived by staff

B. existing zoning Waived by staff

C. land use designation contained in the master plan Waived by staff

Staff may waive this requirement if the information is easily obtainable.

3. Submit a floor plan and a plot plan with parking layout of the proposed use. One copy of the plan is required for plans that are 8 1/2" x 14" or smaller. Twenty-four copies are required for larger plans or if the plans cannot be easily reproduced. The planning director may waive requirements for plan submission upon receipt of a written request which adequately justifies a waiver. This requirement does not apply if a Site Plan Package is required.

NARRATIVE DESCRIPTION

4. The applicant shall describe below the nature of the request in detail so that the Planning Commission and City Council can understand the nature of the operation and the use, including such items as the nature of the activity, the number and type of patrons, the number of employees, the hours, how parking is to be provided for employees and patrons, and whether the use will generate any noise. (Attach additional sheets if necessary)

The applicant, W.D.C. Construction Company, Inc., a Virginia corporation, is the contract purchaser of the unimproved lot located on the west side of Mosby Street between West Mount Ida Avenue and Mosby Street/Gentry Avenue known as 2708 Mosby Street (the "Property").

The Property is defined as a substandard lot under the provisions of §12-400 of the Alexandria Zoning Ordinance, 1992, as amended (the "Ordinance"), by virtue of its noncompliance with the lot width and lot area requirements of the R-8/Single Family zone regulations. Pursuant to §3-305 of the Ordinance, the required lot width at the building line is sixty-five feet (65'). The lot width of the Property at the front of the building line is forty feet (40'), and the required lot area is eight thousand (8,000) square feet. The recorded lot size of the Property is four thousand (4,000) square feet. The Property is a record lot having been dedicated as part of the Mt. Ida Subdivision in the 1930s. When dedicated, the Property was located in Arlington, Virginia. Subsequent to being annexed to the City of Alexandria, zoning regulations were imposed rendering the lot substandard.

The applicant is requesting a Special Use Permit pursuant to the provisions of §12-402 of the Ordinance to develop the Property by constructing a single family dwelling. The Property qualifies for a special use permit under the provisions of §12-402(A)(1) of the Ordinance in that it contains at least the lot area and lot width at the front building line of at least 50% of the developed lots on the blockface on which the Property is located.

Special Use Permit # 97-0143

The proposed single family dwelling shown on the attached plan complies with the requirements of the R-8/Single Family zone regulations. No modifications are requested.

The proposed development of the Property as a single family residence would not unreasonably impair the adequate supply of air and light to adjacent properties, will not diminish or impair the established property values in the surrounding area and will be compatible with the existing neighborhood character.

USE CHARACTERISTICS

5. The proposed special use permit request is for: (check one)

- a new use requiring a special use permit,
- a development special use permit,
- an expansion or change to an existing use without a special use permit,
- an expansion or change to an existing use with a special use permit,
- other. Please describe: **Permit to construct a single family dwelling on a substandard lot.**

6. Please describe the capacity of the proposed use:

A. How many patrons, clients, pupils and other such users do you expect? Specify time period (i.e., day, hour, or shift).

RESPONSE: Not applicable.

B. How many employees, staff and other personnel do you expect? Specify time period (i.e., day, hour, or shift).

RESPONSE: Not applicable.

7. Please describe the proposed hours and days of operation of the proposed use:

Day:

Hours:

RESPONSE: Not applicable.

8. Please describe any potential noise emanating from the proposed use:

A. Describe the noise levels anticipated from all mechanical equipment and patrons.

RESPONSE: All mechanical equipment will be selected and located on the Property to comply with the noise levels permitted under applicable City of Alexandria Ordinances and regulations.

B. How will the noise from patrons be controlled?

RESPONSE: Not applicable.

9. Describe any potential odors emanating from the proposed use and plans to control them:

RESPONSE: It is not anticipated that offensive odors will emanate from the use of the Property as a single family residence.

10. Please provide information regarding trash and litter generated by the use:

A. What type of trash and garbage will be generated by the use?

RESPONSE: The type and volume of trash and garbage will be that of a typical single family dwelling.

B. How much trash and garbage will be generated by the use?

RESPONSE: The type and volume of trash and garbage will be that of a typical single family dwelling.

C. How often will trash be collected?

RESPONSE: Weekly - City trash and recycling.

D. How will you prevent littering on the property, streets and nearby properties?

RESPONSE: Not applicable.

11. Will any hazardous materials, as defined by the state or federal government, be handled, stored, or generated on the property?

Yes. No. If yes, provide the name, monthly quantity, and specific disposal method below:

RESPONSE: Not applicable.

12. Will any organic compounds, for example paint, ink, lacquer thinner, or cleaning or degreasing solvent, be handled, stored, or generated on the property?

Yes. No. If yes, provide the name, monthly quantity, and specific disposal method below:

RESPONSE: Not applicable.

13. What methods are proposed to ensure the safety of residents, employees and patrons?

RESPONSE: Not applicable.

ALCOHOL SALES

14. Will the proposed use include the sale of beer, wine, or mixed drinks?

Yes. No. If yes, describe alcohol sales below, including if the ABC license will include on-premises and/or off-premises sales. Existing uses must describe their existing alcohol sales and/or service and identify any proposed changes in that aspect of the operation.

PARKING AND ACCESS REQUIREMENTS

15. Please provide information regarding the availability of off-street parking:

A. How many parking spaces are required for the proposed use pursuant to section 8-200(a) of the zoning ordinance?

Two (2) off street parking spaces.

B. How many parking spaces of each type are provided for the proposed use:

2 Standard spaces (8 feet x 20 feet).

_____ Compact spaces (7 feet x 16 feet).

_____ Handicapped accessible spaces.

_____ Other.

C. Where is required parking located? on-site off-site. (Check one)
If the required parking will be located off-site, where will it be located:

Pursuant to section 8-200 (c) of the zoning ordinance, commercial and industrial uses may provide off-site parking within 500 feet of the proposed use, provided that the off-site parking is located on land zoned for commercial or industrial uses. All other uses must provide parking on-site, except that off-street parking may be provided within 300 feet of the use with a special use permit.

D. If a reduction in the required parking is requested, pursuant to section 8-100(a)(4) or (5) of the zoning ordinance, complete the PARKING REDUCTION SUPPLEMENTAL APPLICATION.

Special Use Permit #97-0143

16. Please provide information regarding loading and unloading facilities for the use:

A. How many loading spaces are required for the use, per section 8-200(b) of the zoning ordinance? None

B. How many loading spaces are available for the use?

Not applicable.

C. Where are off-street loading facilities located?

Not applicable.

D. During what hours of the day do you expect loading/unloading operations to occur?

Not applicable.

E. How frequently are loading/unloading operations expected to occur, per day or per week, as appropriate?

Not applicable.

17. Is street access to the subject property adequate or are any street improvements, such as a new turning lane, necessary to minimize impacts on traffic flow?

Yes.

SITE CHARACTERISTICS

18. Will the proposed uses be located in an existing building? [] Yes. [XX] No.

Do you propose to construct an addition to the building? [] Yes. [XX] No.

How large will the addition be? Not applicable.

Special Use Permit # 97-0143

19. What will the total area occupied by the proposed use be?

_____ sq. ft. (existing) + _____ sq. ft. (addition if any) = _____ sq. ft. (total)

NOTE: The proposed single family dwelling will have approximately _____ square feet of living space and a _____ square foot garage.

20. The proposed use is located in (check one):

a stand alone building a house located in a residential zone a warehouse

a shopping center. Please provide name of the center: _____

an office building. Please provide name of the building: _____

other, please describe: _____

THE DEE RAY CITIZENS ASSOCIATION

P.O. BOX 2233 ALEXANDRIA, VIRGINIA 22303

From:

Dennis L. Jones
Chairman, Land Use Committee

To: Barbara Ross & Sheldon Lynn
Company: City of Alexandria
Fax number: +1 (703) 838-6393
Business phone: 703-838-4666

From: Dennis L. Jones
Fax number: jones-alex1@kaman.com@+1 (703) 329-7197
Business phone: 703-329-7181
Home phone: 703-684-2032

Date & Time: 11/29/97 12:06:30 PM
Pages: 3
Re: DRCA Positions on Land Use Issues

Follows are DRCA positions on the MAACO and 2710 Mosby projects.

I hope to forward a position on the Rt. 1 Exxon project momentarily.

Dennis Jones

Brock Face

lots

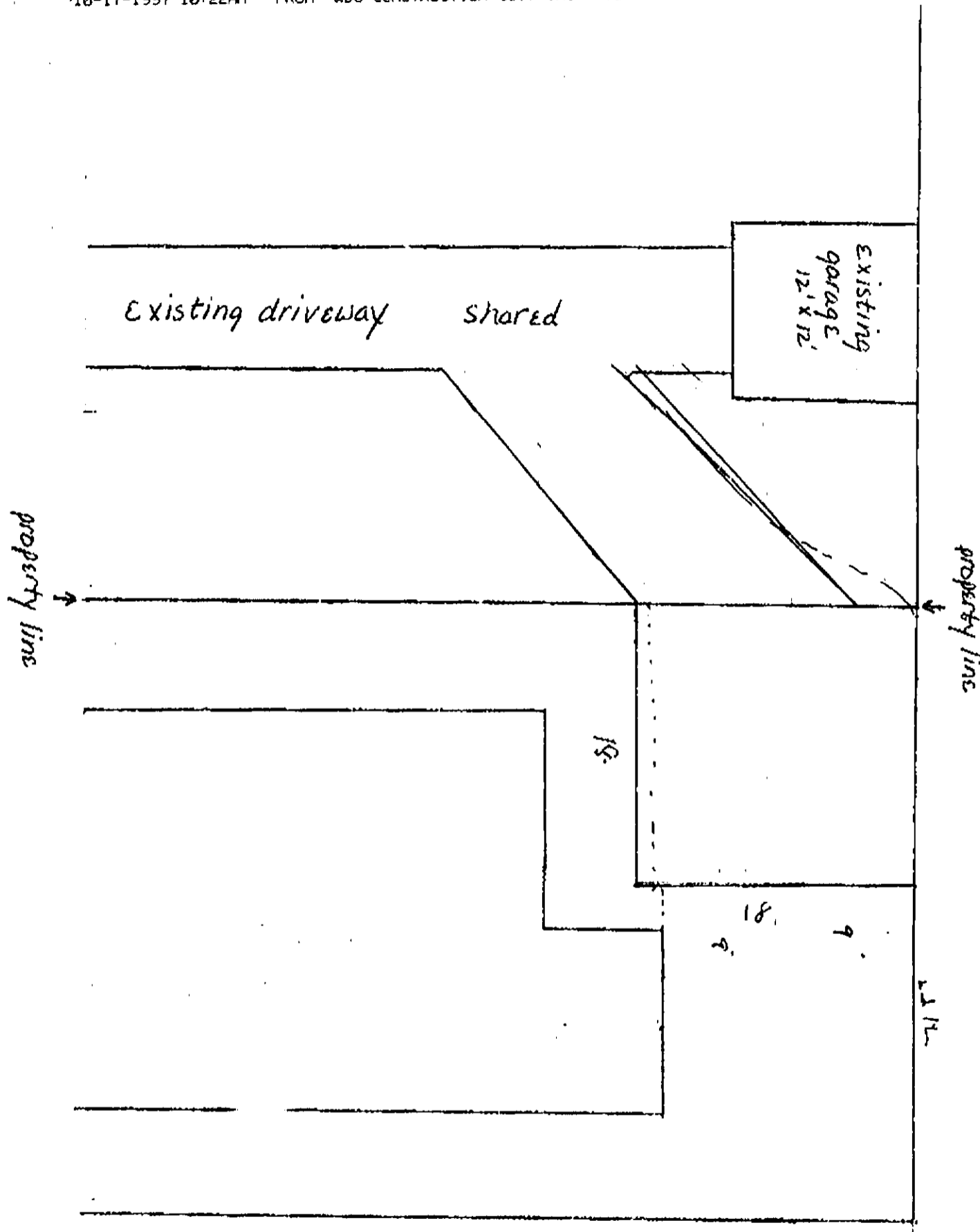
W Moseby - 19

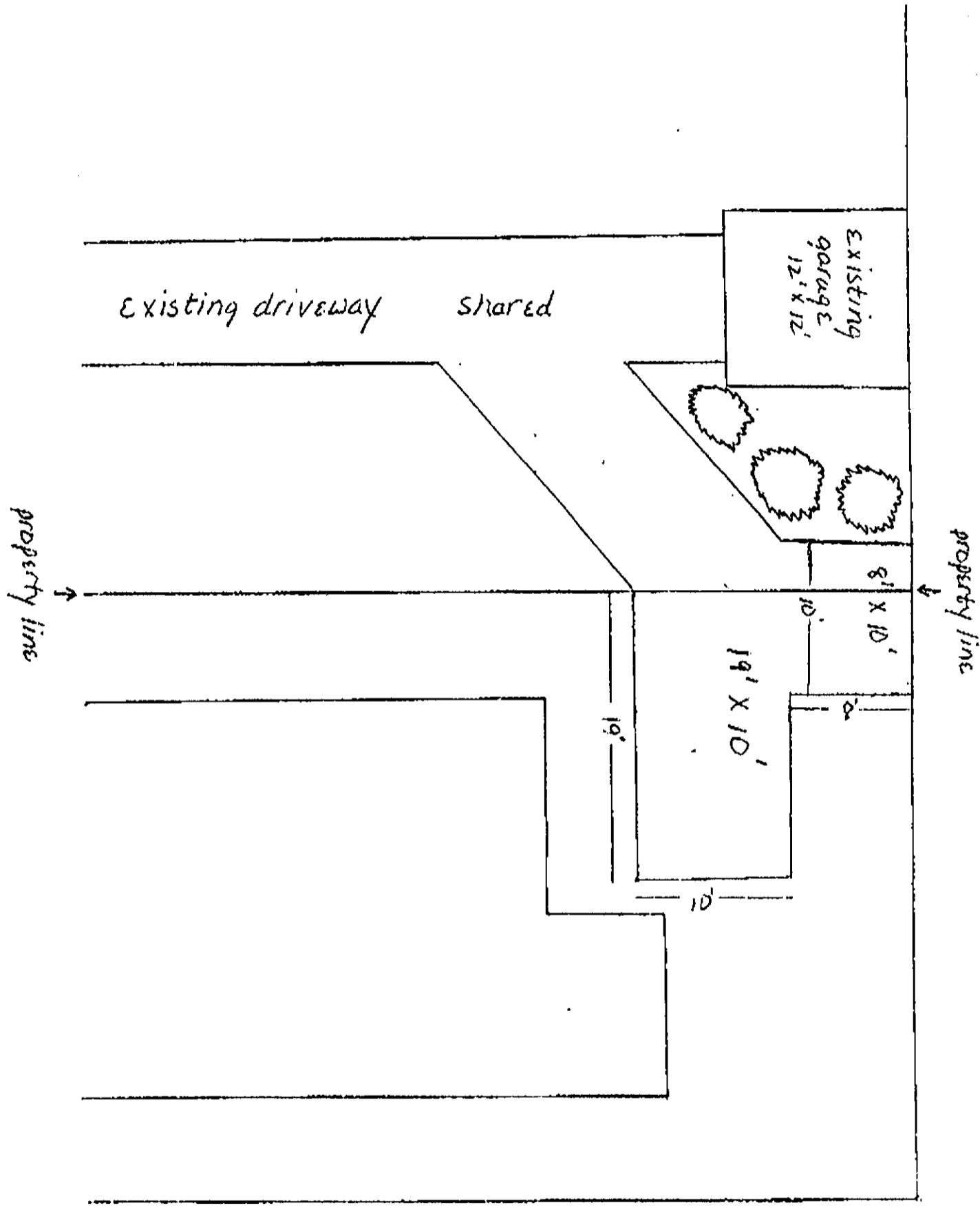
E Moseby - 34

12-402 (D) says where either side of street w/in blockface contains more than 30 lots (or 1200' length), then Director designate most appropriate 30 lots on each side & Council has to approve it.

Here - 4 more than permitted on E side of Moseby. Director believes that eliminating the 4 farthest north on E side of Moseby is fairest - because they are farthest away from sublot.

As a test, removed 4 different ones - the smallest, part of RA, & result is -







**CITY OF ALEXANDRIA
DEPARTMENT OF PLANNING AND ZONING
RECEIPT**

Applicant's Name WBE Washwood Telephone Number 838-5109
 Mailing Address 4010 1st St
 Property Location 2408 Monkey St.

Account	Description	Amount Due	Amount Paid
105106-9133 97-0143	APPLICATIONS/LISTS <input checked="" type="checkbox"/> Special Use Permits <input type="checkbox"/> TMP SUP* <input type="checkbox"/> Transitional SUP* <input type="checkbox"/> Cluster/Co SUP <input type="checkbox"/> Rezoning* <input type="checkbox"/> Subdivisions <input type="checkbox"/> Board of Zoning Appeals* <input type="checkbox"/> Board of Architectural Review* <input type="checkbox"/> Docket Mailing Lists <input type="checkbox"/> Advance Docket Mailing List	100 ⁰⁰	100 ⁰⁰
105106-9135	APPLICATIONS <input type="checkbox"/> Vacations <input type="checkbox"/> Encroachments		
105106-2200-000008	<input type="checkbox"/> Political Sign Bond		
105106-9056	FINES		
105106-9131	SALES <input type="checkbox"/> Tax Maps* <input type="checkbox"/> Copying Charges* <input type="checkbox"/> Documents*		
010009-208-02	Sales Tax*		
	TOTAL		

*Requires Computation by Department of Planning

Date Received Sept. 25, 1997 **For Use by Treasury Division Only** Cashier Initials PGM
 Cash Check Number 2079 Date 9-25
 Payer William Curley



City of Alexandria
Department of Planning and Zoning
100 North Washington Street, Alexandria, VA 22304

**CITY OF ALEXANDRIA
DEPARTMENT OF PLANNING AND ZONING
RECEIPT**

Applicant's Name WDC Corporation Telephone Number 938-5109
Mailing Address c/o WDC
Property Location 2408 McKinley St.

Account	Description	Amount Due	Amount Paid
105106-9133 97-0143	APPLICATIONS/LISTS <input checked="" type="checkbox"/> Special Use Permits <input type="checkbox"/> TMP SUP* <input type="checkbox"/> Transitional SUP* <input type="checkbox"/> Cluster/Co SUP <input type="checkbox"/> Rezoning* <input type="checkbox"/> Subdivisions <input type="checkbox"/> Board of Zoning Appeals* <input type="checkbox"/> Board of Architectural Review* <input type="checkbox"/> Docket Mailing Lists <input type="checkbox"/> Advance Docket Mailing List	100.00	100.00
105106-9135	APPLICATIONS <input type="checkbox"/> Vacations <input type="checkbox"/> Encroachments		
105106-2200-000008	<input type="checkbox"/> Political Sign Bond		
105106-9056	FINES		
105106-9131	SALES <input type="checkbox"/> Tax Maps* <input type="checkbox"/> Copying Charges* <input type="checkbox"/> Documents*		
010009-208-02	Sales Tax*		
	TOTAL		

*Requires Computation by Department of Planning

For Use by Treasury Division Only

Date Received Sept. 25 Cashier Initials JCM
 Cash Check Number 2029 Date 9-25
Payer WDC Corporation



OFFICE OF THE CITY CLERK
CITY OF ALEXANDRIA, VIRGINIA
1000 MARKET STREET, SUITE 1000
ALEXANDRIA, VIRGINIA 22304-4100

CITY OF ALEXANDRIA
DEPARTMENT OF PLANNING AND ZONING
RECEIPT

Applicant's Name WAC CONSULTANTS Telephone Number 571-261-1111
Mailing Address 916 WOODRIDGE
Property Location 2705 MOUNTAIN ST

Account	Description	Amount Due	Amount Paid
105106-9133 <i>17 APR 02</i>	APPLICATIONS/LISTS <input checked="" type="checkbox"/> Special Use Permits <input type="checkbox"/> TMP SUP* <input type="checkbox"/> Transitional SUP* <input type="checkbox"/> Cluster/Co SUP <input type="checkbox"/> Rezoning* <input type="checkbox"/> Subdivisions <input type="checkbox"/> Board of Zoning Appeals* <input type="checkbox"/> Board of Architectural Review* <input type="checkbox"/> Docket Mailing Lists <input type="checkbox"/> Advance Docket Mailing List	<u>100.00</u>	<u>100.00</u>
105106-9135	APPLICATIONS <input type="checkbox"/> Vacations <input type="checkbox"/> Encroachments		
105106-2200-000008	<input type="checkbox"/> Political Sign Bond		
105106-9056	FINES		
105106-9131	SALES <input type="checkbox"/> Tax Maps* <input type="checkbox"/> Copying Charges* <input type="checkbox"/> Documents*		
010009-208-02	Sales Tax*		
TOTAL			

*Requires Computation by Department of Planning

For Use by Treasury Division Only

Date Received 5/1/02 Cashier Initials W.M.
 Cash Check Number 1339 Date 5/2/02
Payer WAC CONSULTANTS

SUP 97-0143

LICENSE NO. 18261-01

POST IN CONVENIENT AND CONSPICUOUS PLACE (SEC. 9-1-26)

**1997
BUSINESS LICENSE**

THIS LICENSE EXPIRES
DECEMBER 31, 1997 AND
MUST BE RENEWED BY
JANUARY 31, 1998 TO AVOID
PENALTIES AND INTEREST.

DEPARTMENT OF FINANCE
BUSINESS TAX BRANCH
CITY HALL - ROOM 1500
ALEXANDRIA, VA 22312
(703) 838-4680

TRADE NAME HENRY A THOMAS/LAW OFFICES OF
BUSINESS ADDRESS 510 KING ST 200
BUSINESS DESCRIPTION 9-071-007 PROF'L OCCUPATIONS/BUSIN
Attorney-At-Law

LICENSEE AND MAILING ADDRESS
HENRY A THOMAS & D BLAIR
P O Box 820
Alexandria, VA 22313

NOT VALID WITHOUT CURRENT YEAR LICENSE NUMBER.

SUP 97-0143

OK 1255PG0504

5448

DEED OF GIFT

This Deed of Gift, made on this 6th day of October, 1988 by and between Vera G. Richter, by her Attorney in Fact and Daughter and sole heir at law, Peggy Jean Richter Gray, party of the second part, trading as to her sole and separate, equitable estate, party of the second part:

WITNESSETH: That the said party of the first part, for and in consideration of the sum of Ten Dollars (\$10.00), and of other good and valuable and sufficient consideration in law, including love and affection, do hereby give, grant and convey, in fee simple as a Gift, with General Warranty of title, unto said party of the second part, trading as to her sole and separate, equitable estate, as a feme sole, free from the curtesy rights of any husband, past, present or future, with the right to convey or encumber or deal with the real property in any way without any requirement of joinder by any husband, all of those lots or parcels of ground, together with their improvements and appurtenances, located within the extended limits of the City of Alexandria, Virginia, known and designated as:

Lots Numbered SIXTEEN (16), SEVENTEEN (17) and EIGHTEEN (18), Block Numbered ELEVEN (11), of the SUBDIVISION OF MT. IDA, as the same appears duly dedicated, platted and recorded among the land records of Arlington County, Virginia, in Deed Book 180, page 202 and Deed Book 183, page 179, said property having a frontage on the West side of Myrtle Street of 120 feet and a depth, running between parallel lines, parallel with Mt. Ida Avenue of 100 feet.

Derivation of Title: Deed recorded in Deed Book 115, at page 444, recorded dated December 23, 1933, by which Deed the property was conveyed to Paul K. Richter and Vera G. Richter, husband and wife, as joint tenants with the common law right and attribute of survivorship; these Grantees in that Deed are the parents of party of the second part, the only child of said Grantees or of either of the Grantees: Paul K. Richter died in March of 1959, leaving Vera G. Richter as the sole and fee simple owner of the property conveyed in this Deed.

Witness the following signature and seal:

100
1002
1100

Vera G. Richter (SEAL)
Vera G. Richter

By Peggy Jean Richter Gray (SEAL)
Peggy Jean Richter Gray, her Daughter, and
Sole Heir at Law, and Attorney in Fact

Commonwealth of Virginia, City of Alexandria, to-wit:

I, the undersigned Notary Public for the State of Virginia at large, do hereby certify that Vera G. Richter, by Peggy Jean Richter Gray, her Daughter, and Sole Heir at Law, and Attorney in Fact, whose name is signed

SUP 97-0143

BK 1255PG0505

to the foregoing Deed, did appear before me in person in Alexandria, Virginia, on the 6th day of October, 1988, and did sign and acknowledge the foregoing Deed as the act and Deed of Vera O. Richter, by her Attorney in Fact, Peggy Jean Richter Gray.

Given under my hand and seal on this 6th day of October, 1988.
My Commission expires January 22nd, 1992.

Norman Bernheim
Notary Public

Notary Seal

Any provision contained herein which purports to restrict or affect the holding, occupancy, ownership, rental, lease or transfer of any interest on the basis of race, color, sex, religion, ancestry, national origin, familial status, age, sexual orientation or disability is invalid and unenforceable.

Notary Seal
Notary Public

005448
RECORDED IN VA.
STATE TAX
CITY TAX
TRANSFER FEE
Oct 6 11 00 AM '88

W.D.C. CONSTRUCTION CO., INC.
5831 OAK GROVE ST.
MASON NECK, VA., 22079

FAX TO: Barbara Ross

NUMBER: 838-6393

PAGES: 2

Ms. Ross,

Will this parking
plan work. Please call me
at work 360-5881

Thank you,

Cindy Anderson

SUP 97-0143

LAW OFFICES OF HENRY A. THOMAS

510 KING STREET
P.O. BOX 820
ALEXANDRIA, VIRGINIA 22313
(703) 838-5106
FAX: (703) 836-8062

HENRY A. THOMAS

October 22, 1997

DUNCAN W. BLAIR

OCT 22 1997

Mr. William B. Hurd, Sr.
Chairman
Alexandria Planning Commission
City Hall, Room 2100
301 King Street
Alexandria, Virginia 22314

DELIVERED BY HAND

In re: SPECIAL USE PERMIT 97-0143
2710 Mosby Street, Alexandria, Virginia.

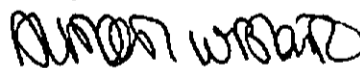
Dear Mr. Hurd:

I am writing on behalf of our client, W.D.C. Construction Company, Inc., to request that consideration of the application of the above referenced Special Use Permit be deferred from the November 6, 1997 Planning Commission public hearing to the Planning Commission's December 2, 1997 public hearing.

The purpose of the request is to provide additional time to continue dialogue with the City of Alexandria Planning staff on issues pertaining to the applicant's proposal to construct a single family house.

If you have any questions or require any further information, please do not hesitate to call.

Very truly yours,



Duncan W. Blair

OWB:k1\Hurd.022

cc: Mr. William Curley, Jr.
Ms. Cindy Anderson

DEPARTMENTAL REPORT

#97-0143
(XX)S.U.P () VACATION () ENCROACHMENT () SUBDIVISION () REZONE

TITLE: W.D.C. CONSTRUCTION CO. LOCATION: 2708 MOSBY STREET

PROPOSAL: STAFF REVIEW (TO CONSTRUCT A SINGLE FAMILY DWELLING ON SUBSTANDARD LOT)

Preface each condition with the following code: F=Finding/Info
C=Code/Ordinance
R=Requirement
S=Suggestion

P&CD Due Date: October 10, 1997

PLEASE LIST ALL COMMENTS AND SIGN AND DATE THE FORM; IF YOU HAVE NO COMMENT,
PLEASE INITIAL AND DATE IN THE SPACE PERTAINING TO YOUR DIVISION.

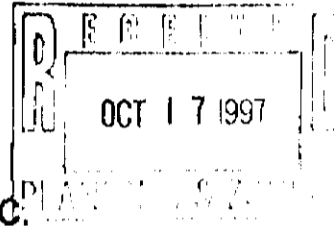
ROUTING ORDER:

(1) SITE PLAN _____ TO (4) TRANSP. _____
TO (2) SURVEY _____ TO (5) TRANSIT _____
TO (3) C&I _____

- C-1 Utilities serving this site shall be placed underground (Sec 5-5-3).
- C-2 Pay sewer tap fee (Sec 5-6-25).
- C-3 Post bond to insure the installation of the required public improvements (Sec 8-1-17).
- C-4 City Ordinance No.3176 requires the approval of the adjacent property owners for installation of a new d/w apron.
- C-5 Any work in the right-of-way requires a separate permit from T&ES, room 4130 (Sec 5-3-61).
- C-6 Roof drains and sub-surface drains shall be connected to the city storm sewer system, if available (8-1-22).
- C-7 A design for the control of erosion and sedimentation must be approved by the director of T&ES, installed and maintained during construction activity (Sec 5-4-1).
- R-1 A PLOT PLAN showing all improvements/alterations to the site must be approved by the department of T&ES before a building permit can be issued.

DATE: _____ SIGNATURE: _____

SUP 97-0143



W.D.C. CONSTRUCTION CO., INC.
5831 OAK GROVE ST.
MASON NECK, VA., 22079

FAX TO: Barbara Ross

NUMBER: 838-6393

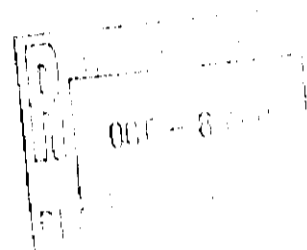
PAGES: 2

Do you think either of
these parking plans would
work?

Cindy Anderson
550 9397

Special Use Permit # 97-0143

1. R. Security survey for the house.



DEPARTMENT COMMENTS REPORT

[] COMPLETENESS DETERMINATION PRELIMINARY REVIEW [] FINAL PLAN # _____

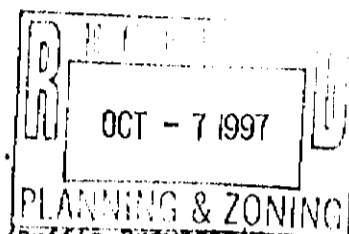
97-0143 SPECIAL USE PERMIT
 _____ VACATION
 _____ ENCROACHMENT

_____ SUBDIVISION
 _____ MASTER PLAN AMENDMENT
 _____ REZONING

DATE: 9-26-97

FROM: DEPARTMENT OF PLANNING & ZONING (Box 53) Contact: Jan Weidmeyer X4566

- TO:
- Box 67 TRANSPORTATION/ENVIRONMENTAL SERVICES - Geoff Byrd
 - Box 67 () T & E S (SANITATION AUTHORITY) - Frank Soloducha
 - Box 67 () T & E S (VA AMERICAN WATER CO) - Bill Walsh
 - Box 9 CODE ENFORCEMENT - Art Dahlberg
 - Box 26 () HEALTH DEPARTMENT - Rob Pritchett/Bill Skrabak
 - Box 26 () HEALTH DEPARTMENT (ENVIRONMENTAL POLICY COMM) - Chair.
 - Box 54 POLICE DEPARTMENT - Mike Keegan/Ron Ware
 - Box 33 HISTORIC ALEXANDRIA (ARCHAEOLOGY) - Steve Shepherd
 - Box 61 PARKS & RECREATION (ARBORIST/LANDSCAPE) - John Noelle/Buffie Brownstein
 - Box 42 () HUMAN SERVICES (SOCIAL SERVICES) - Carol Farrell
 - Box 37 () HUMAN SERVICES (COMMUNITY SERVICES) - Ron King
 - Box 34 () OFFICE OF HOUSING - Judy Hansen
 - Box 59 () REAL ESTATE ASSESSMENTS - Cindy Smith-Page
 - Box 4 () CITIZENS ASSISTANCE - Rose Boyd
 - Box 5 () CITY ATTORNEY - Ignacio Pessoa
 - Box 2 () ARHA - Michael McNamara
 - Box 70 () T & E S (TRANSIT SERV.) - Valerie Sikora
 - Box 69 () TRANSIT/DASH - Sandy Modell
 - () PLANNING DEPARTMENT (DEVELOP) - Kimberley Johnson
 - PLANNING DEPARTMENT (ZONING) - Peter Leiberg
 - () PLANNING DEPARTMENT (DESIGN) - Ron Kagawa
 - () PLANNING DEPARTMENT (BAR-OHD) - Peter Smith
 - () PLANNING DEPARTMENT (BAR-PGD) - Stephanie Sechrist
 - () PLANNING DEPARTMENT (ADMIN) - Sheldon Lynn, Director
 - () NATIONAL PARK SERVICE - G W Memorial Py, Lou Delorme
 - () ALEXANDRIA WATERFRONT COMMITTEE - Robert Roland
 - () ALEXANDRIA WATERFRONT COMMITTEE - Janet Barnett
 - () URBAN DESIGN ADVISORY COMMITTEE, OLD TOWN NORTH - Lee Quill
 - () EISENHOWER PARTNERSHIP - Agnes Palmer-Artemel
 - () WMATA - Royce Drake, Jr.
 - () PUBLIC UTILITIES: () Washington Gas () VA Power () Bell Atlantic
 () VA American Water () Jones Intercable



Return this report with your comments no later than: Oct. 10
 This request is scheduled for Planning Commission on: NOV. 16

APPLICANT: W. D. C. Construction Co., Inc. a VA Corp.
 LOCATION: 2708 Mosby Street

DEPARTMENT COMMENTS: Preface comments with C = code requirement R = recommendation S = suggestion F = finding
 REPORT ANY COMPLAINTS THAT HAVE BEEN FILED WITH YOUR DEPARTMENT.

- [] NO COMMENTS.
 SEE ATTACHED FOR COMMENTS

SIGNATURE: Art Dahlberg
 DATE: 10-6-97 PHONE: 4644 X110

Comments may be sent to P&Z FAX at 654 6393. Please return plans not required for your files.

CODE ENFORCEMENT COMMENTS

SUP97-0143

OCTOBER 6, 1997

- C-1 New construction must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-2 A soils report must be submitted with the building permit application.
- C-3 This construction requires a building permit (USBC ^[105.1). Four sets of plans must accompany the written application (USBC ^[105.5 & Addendum 9). The plans must include all dimensions, construction details, kitchen equipment, electrical, plumbing, and mechanical layouts and schematics.
- C-4 The applicant must obtain a Certificate of Occupancy prior to occupancy (use) of the structure (USBC ^115.1).

X





X





SUP 97-0143

LAW OFFICES OF HENRY A. THOMAS

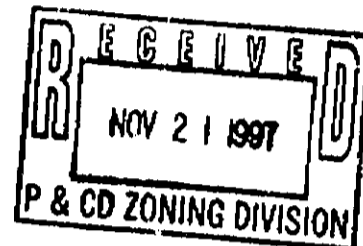
510 KING STREET
P.O. BOX 820
ALEXANDRIA, VIRGINIA 22313
(703) 838-5106
FAX: (703) 836-8062

HENRY A. THOMAS

November 20, 1997

DUNCAN W. BLAIR

Mr. Sheldon Lynn
Director
Planning & Zoning
City of Alexandria
301 King Street
Alexandria, Virginia 22314
DELIVERED BY HAND



In re: W.D.C. Construction Company, Inc.

Dear Mr. Lynn:

The undersigned hereby certifies that the property owner notice, a copy of which is enclosed, as required pursuant to Article XI, Section 301(A) of the 1992 Zoning Ordinance of the City of Alexandria, Virginia, was sent certified mail to the attached list of property owners on November 20, 1997, on the application of W.D.C. Construction Company, Inc. on the following issue:

DATE, TIME AND PLACE OF
PUBLIC HEARINGS:

PLANNING COMMISSION
Tuesday, December 2, 1997
7:30 p.m., City Council Chambers
City Hall
301 King Street
Alexandria, Virginia

CITY COUNCIL
Saturday, December 13, 1997
9:30 a.m., City Council
Chambers
City Hall
301 King Street
Alexandria, Virginia

DESCRIPTION OF REQUEST:

SUP 97-0143 - Consideration
of a request for a Special
Use Permit to construct a
single family dwelling on
a substandard lot.

PROPERTY ADDRESS:

2710 Mosby Street
Alexandria, Virginia

TAX MAP REFERENCE:

24.01 02 16

Very truly yours,


Duncan W. Blair

DWR:kl/MOC2.No1

Enclosure

cc: Mr. David Curley, Jr.
Ms. Cindy Anderson

November 20, 1997

NOTICE OF PUBLIC HEARINGS

You are hereby notified of the following public hearings to be held by the Alexandria Planning Commission and City Council on the application of W.D.C. Construction Company, Inc.

**DATE, TIME AND PLACE OF
PUBLIC HEARINGS:**

PLANNING COMMISSION
Tuesday, December 2, 1997
7:30 p.m., City Council Chambers
City Hall
301 King Street
Alexandria, Virginia

CITY COUNCIL
Saturday, December 13, 1997
9:30 a.m., City Council
Chambers
City Hall
301 King Street
Alexandria, Virginia

DESCRIPTION OF REQUEST:

SUP 97-0143 - Consideration
of a request for a Special
Use Permit to construct a
single family dwelling on
a substandard lot.

PROPERTY ADDRESS:

2710 Mosby Street
Alexandria, Virginia

TAX MAP REFERENCE:

24.01 02 16

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

If you have any questions regarding this request, please feel free to call the undersigned at (703) 838-5109.

Duncan W. Blair
Attorney for Applicant

ADJOINING PROPERTY OWNERS

Virginia C. Rhedmon C. C. Johnson-Covey, Co-Executors 6204 Gentle Lane Alexandria, VA 22310	24.01 02 15 2712 Mosby Street
Peggy Jean Richter Gray 5618 Ashfield Road Alexandria, VA 22315	24.01 02 16 2708 Mosby Street
Geo L. White, et ux c/o A. Lattu 216 Guthrie Avenue Alexandria, VA 22305-1817	24.01 02 17 2711 Holly Street
Genevieve Johnson White c/o A. Lattu 216 Guthrie Avenue Alexandria, VA 22305-1817	24.01 02 18 2713 Holly Street
Herman W. Brackens, Jr. Eileen Marie Brackens 2715 Holly Street Alexandria, VA 22305	24.01 02 19 2715 Holly Street
Charles B. Sullivan, Jr., et al P. O. Box 348 Arlington, VA 22210-0348	24.01 03 38 2713 Mosby Street
Curtis B. Brooks Gloria A. Brooks 2718 Sycamore Street Alexandria, VA 22305	24.01 03 39 2715 Mosby Street
Robert W. Morrow Stephanie F. Morrow 2706 Mosby Street Alexandria, VA 22305	24.03 02 14 2706 Mosby Street
Steven Kiviat Sharon B. Soloway 2706-A Mosby Street Alexandria, VA 22305	24.03 02 15 2706-A Mosby Street
David J. Neebe Lois C. Neebe P. O. Box 2472 Alexandria, VA 22301	24.03 03 01 2711 Mosby Street

Melinda C. Burrows
Robert Sandoval
2709 Mosby Street
Alexandria, VA 22305

24.03 03 02
2709 Mosby Street

Arnold K. Winkelman
Florence R. Winkelman
2707 Mosby Street
Alexandria, VA 22305

24.03 03 03
2707 Mosby Street

P 079 784 941

US Postal Service
Receipt for Certified Mail

No Insurance Coverage Provided.
Do not use for International Mail (See reverse)

Sent to Virginia C. Rhedmon C.C. Soknos-Covey, Co-Executors	
Street & Number 6207 Gentle Lane	
Post Office, State, & ZIP Code Alexandria, VA 22310	
Postage	\$.32
Certified Fee	1.35
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$ 1.67
Postmark or Date	

PS Form 3800, April 1995

P 079 784 942

US Postal Service
Receipt for Certified Mail

No Insurance Coverage Provided.
Do not use for International Mail (See reverse)

Sent to Peggy Jean Richter Gray	
Street & Number 5618 Ashfield Road	
Post Office, State, & ZIP Code Alexandria, VA 22315	
Postage	\$.32
Certified Fee	1.35
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$ 1.67
Postmark or Date	

PS Form 3800, April 1995

P 079 784 943

US Postal Service
Receipt for Certified Mail

No Insurance Coverage Provided.
Do not use for International Mail (See reverse)

Sent to Geo L. White et ux Cliff A. Latta	
Street & Number 216 Guthrie Avenue	
Post Office, State, & ZIP Code Alexandria, VA 22305-1817	
Postage	\$.32
Certified Fee	1.35
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$ 1.67
Postmark or Date	

PS Form 3800, April 1995

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US Postal Service
Receipt for Certified Mail

No Insurance Coverage Provided.
Do not use for International Mail (See reverse)

Sent to Genevieve Johnson White Cliff A. Latta	
Street & Number 216 Guthrie Avenue	
Post Office, State, & ZIP Code Alexandria, VA 22305-1817	
Postage	\$.32
Certified Fee	1.35
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$ 1.67
Postmark or Date	

PS Form 3800, April 1995

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US Postal Service
Receipt for Certified Mail
 No Insurance Coverage Provided.
 Do not use for International Mail (See reverse)

Sent to <u>Herman W. Brackens, Jr.</u> <u>Eileen Marie Brackens</u>	
Street & Number <u>2715 Holly Street</u>	
Post Office, State, & ZIP Code <u>Alexandria, VA 22305</u>	
Postage	\$.32
Certified Fee	1.35
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$ 1.67
Postmark or Date	

PS Form 3800, April 1995

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US Postal Service
Receipt for Certified Mail
 No Insurance Coverage Provided.
 Do not use for International Mail (See reverse)

Sent to <u>Charles B. Sullivan Jr, et al</u>	
Street & Number <u>P.O. Box 348</u>	
Post Office, State, & ZIP Code <u>Arlington, VA 22210-0348</u>	
Postage	\$.32
Certified Fee	1.35
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$ 1.67
Postmark or Date	

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P 079 784 547

US Postal Service
Receipt for Certified Mail
 No Insurance Coverage Provided.
 Do not use for International Mail (See reverse)

Sent to <u>Curtis B. Brooks</u> <u>Gloria A. Brooks</u>	
Street & Number <u>2718 Sycamore Street</u>	
Post Office, State, & ZIP Code <u>Alexandria, VA 22305</u>	
Postage	\$.32
Certified Fee	1.35
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
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Postmark or Date	

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US Postal Service
Receipt for Certified Mail
 No Insurance Coverage Provided.
 Do not use for International Mail (See reverse)

Sent to <u>Robert W. Morrow</u> <u>Stephanie F. Morrow</u>	
Street & Number <u>2706 Masby Street</u>	
Post Office, State, & ZIP Code <u>Alexandria, VA 22305</u>	
Postage	\$.32
Certified Fee	1.35
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
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Postmark or Date	

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US Postal Service
Receipt for Certified Mail
No Insurance Coverage Provided.
Do not use for International Mail (See reverse)

Sent to Steven Kiviat Sharon B. Soloway	
Street & Number 2706-A Mosby Street	
Post Office, State, & ZIP Code Alexandria, VA 22305	
Postage	\$.32
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Special Delivery Fee	
Restricted Delivery Fee	
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Return Receipt Showing to Whom, Date, & Addressee's Address	
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Postmark or Date	

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US Postal Service
Receipt for Certified Mail
No Insurance Coverage Provided.
Do not use for International Mail (See reverse)

Sent to David S. Neebe Lois C. Neebe	
Street & Number P.O. Box 2472	
Post Office, State, & ZIP Code Alexandria, VA 22301	
Postage	\$.32
Certified Fee	1.35
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$ 1.67
Postmark or Date	

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US Postal Service
Receipt for Certified Mail
No Insurance Coverage Provided.
Do not use for International Mail (See reverse)

Sent to Melinda C. Burrows Robert Sandoval	
Street & Number 2707 Mosby Street	
Post Office, State, & ZIP Code Alexandria, VA 22305	
Postage	\$.32
Certified Fee	1.35
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing Whom & Date Delivered	
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Postmark or Date	

PS Form 3800, April 1995

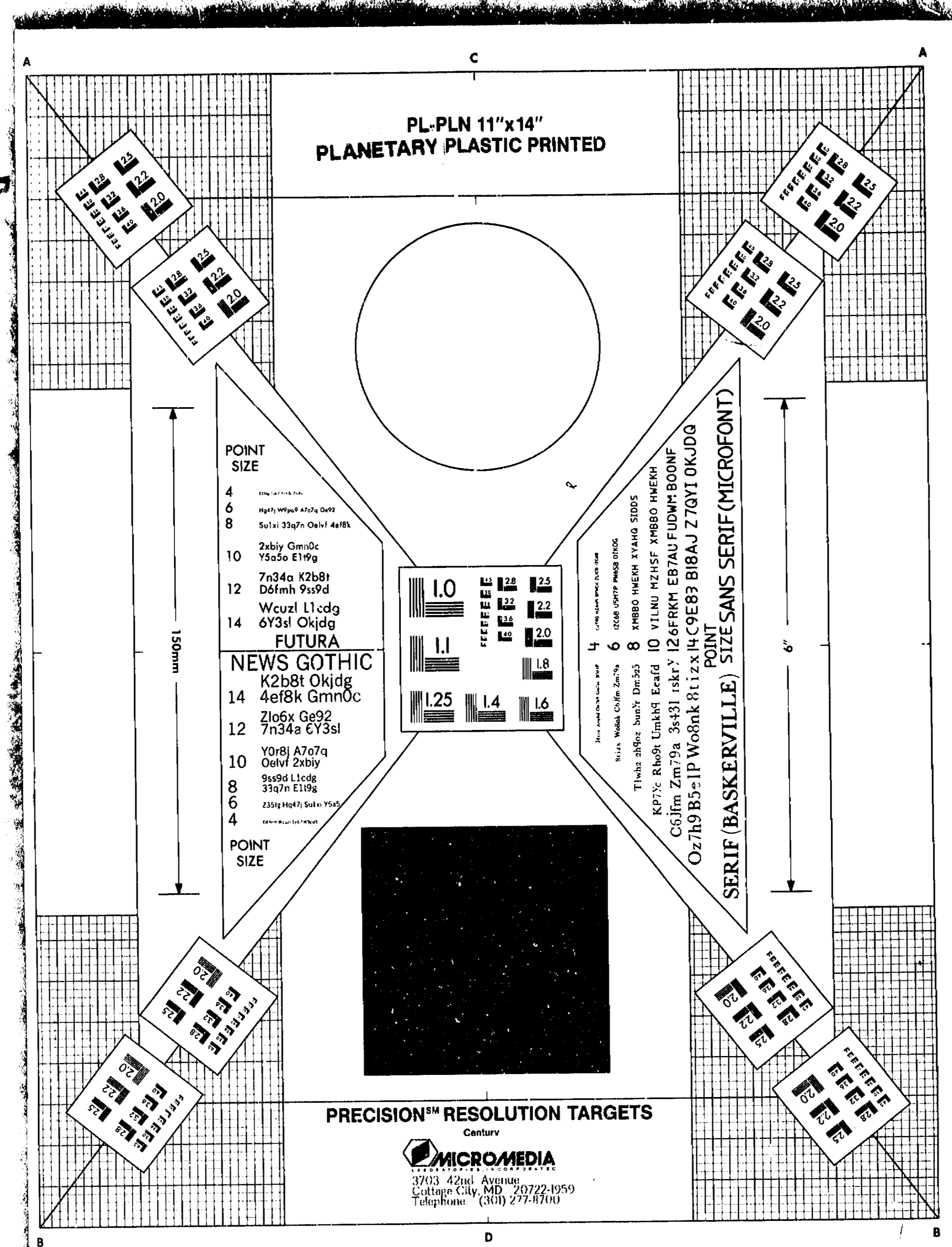
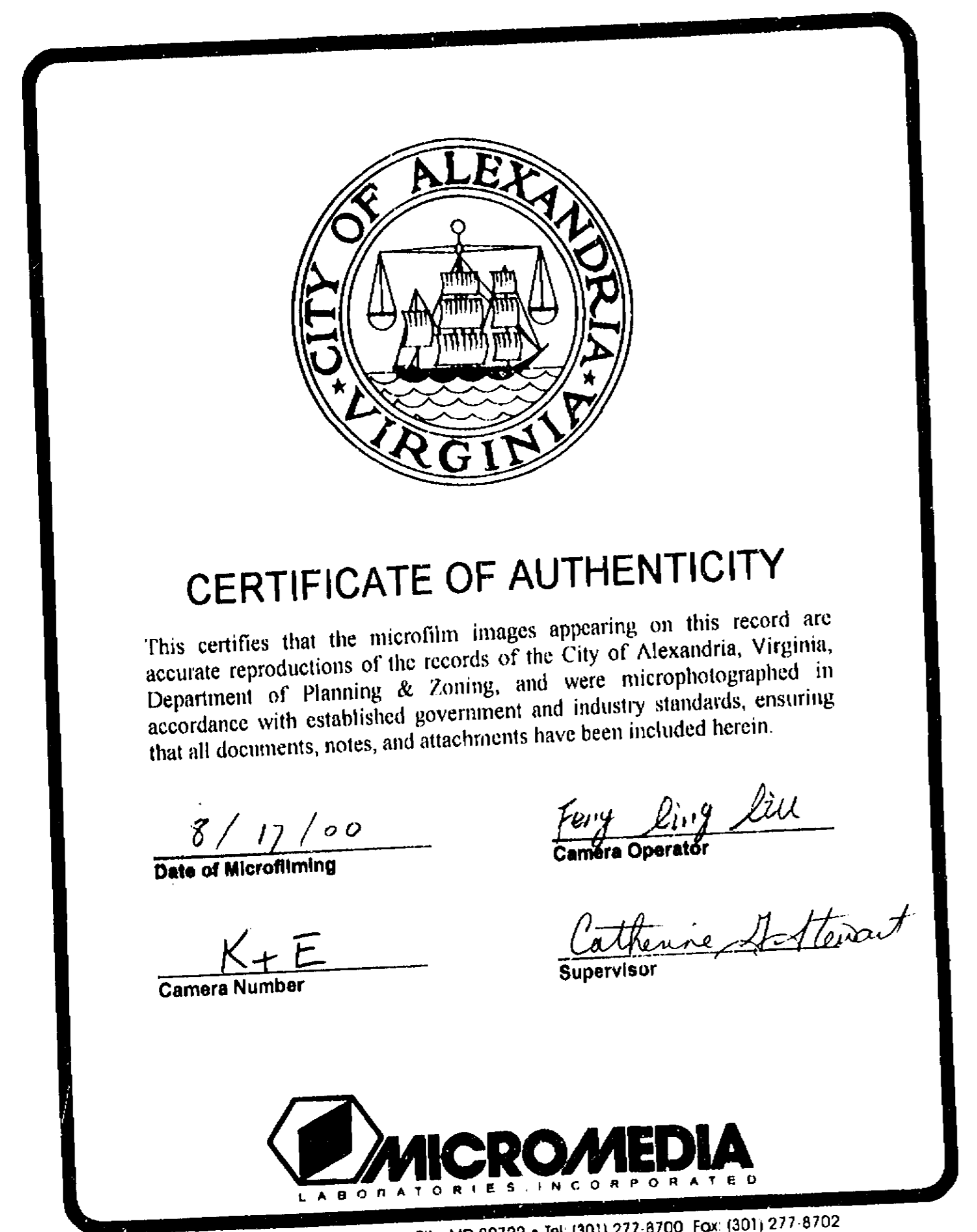
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Do not use for International Mail (See reverse)

Sent to Arnold R. Winkelman Florence R. Winkelman	
Street & Number 2707 Mosby Street	
Post Office, State, & ZIP Code Alexandria, VA 22305	
Postage	\$.32
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Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$ 1.67
Postmark or Date	

PS Form 3800, April 1995

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of
Folder*



*Special
Use
Permit*

SW SITE: 2708 MOSBY ST. .97-0143

REMARKS: Construct dwelling on substandard lot

Special Use Permit
 Board of Zoning Appeals
 Encroachment
 Vacation
 Subdivision
 Site Plan
 B. A. R.

APPLICANT: _____ Map # _____ Zone _____ Notices: _____
 ACTION: Approved Approved Subject to Conditions Approved in Part Denied Withdrawn

PUBLIC HEARING:

Committee: _____ City Council _____ B. A. R. _____ B. Z. A. _____
 Planning Commission

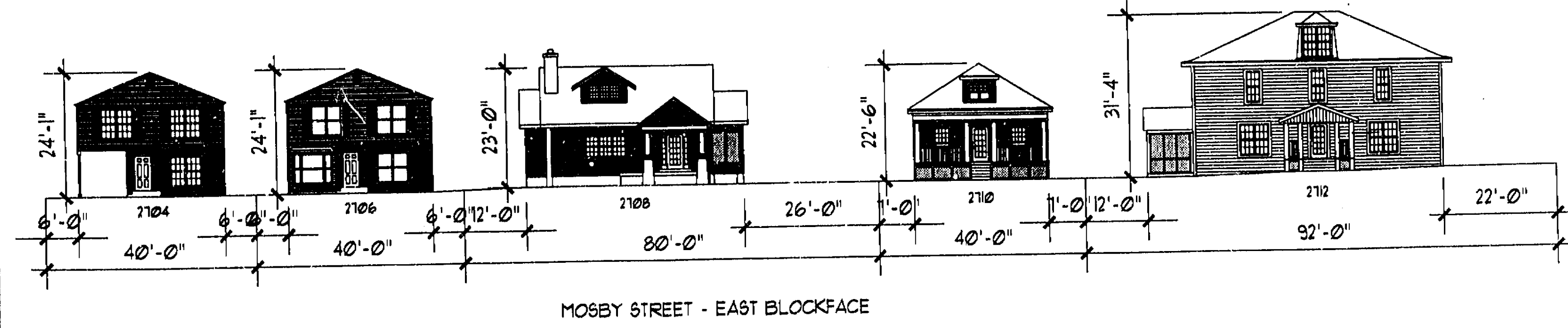
Nov. 6, 1997
 Dec. 2, 1997

W.D.C. CONSTRUCTION
PRESENTS:
2710 MOSBY STREET

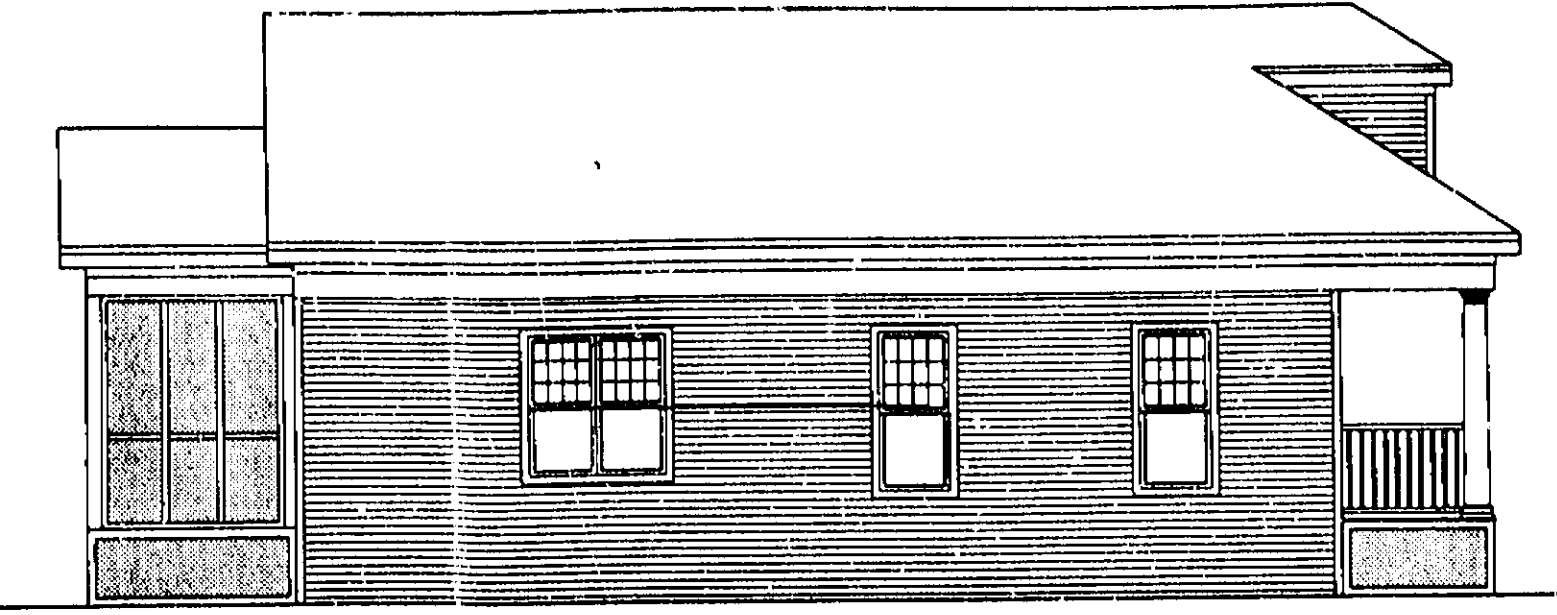
SUP 97-0143

RECEIVED
SEP 30 1997

REVISED
FILE COPY



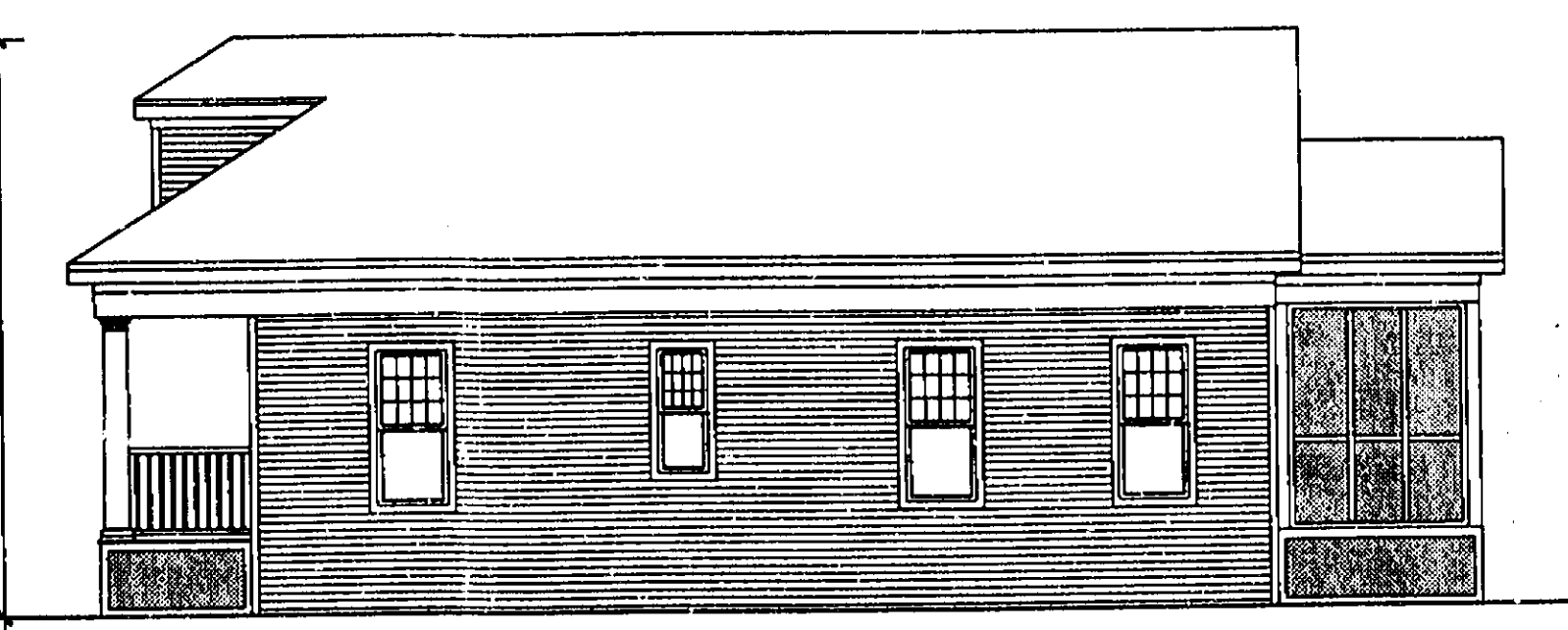
WEST ELEVATION



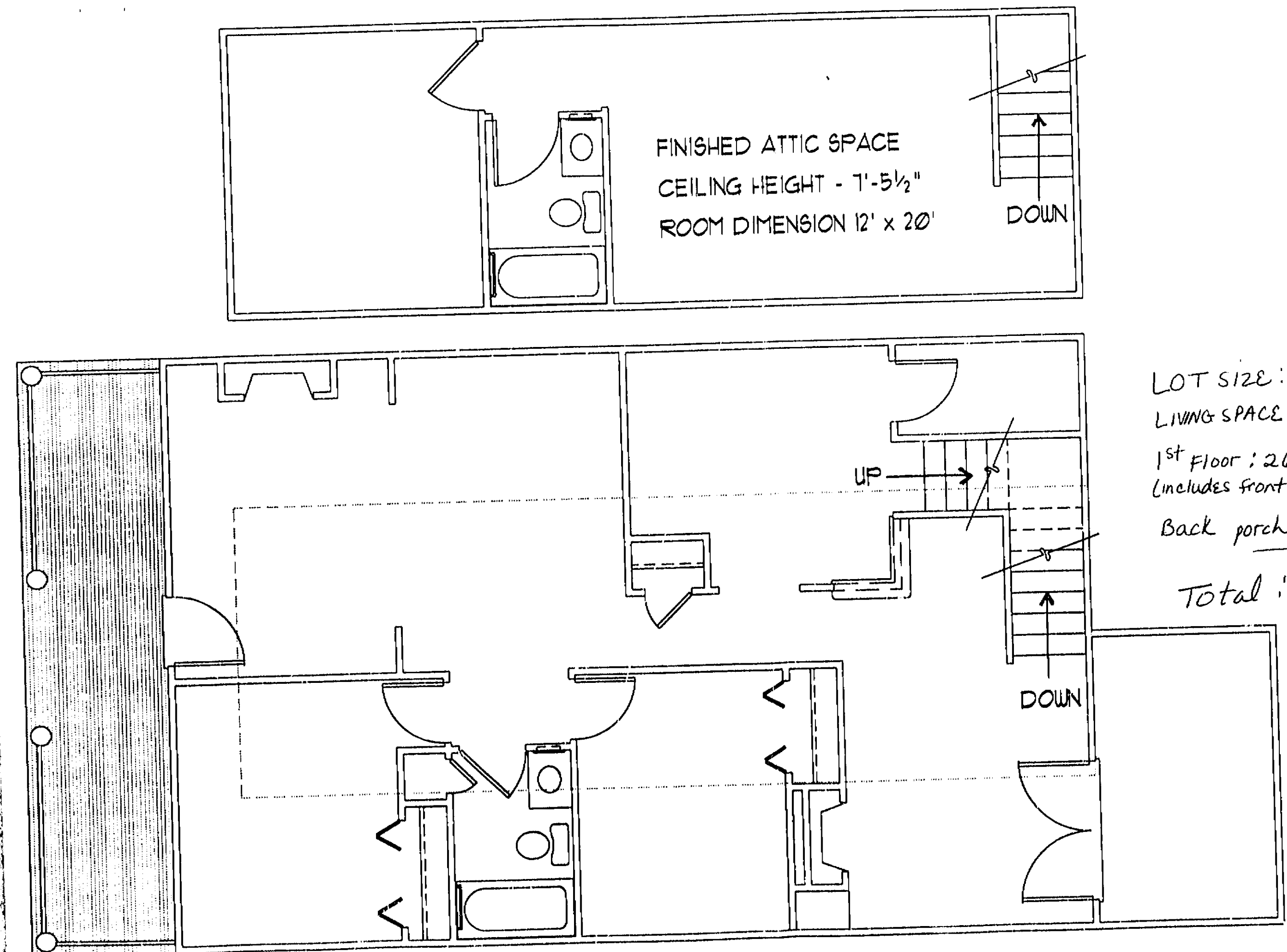
SOUTH ELEVATION



EAST ELEVATION

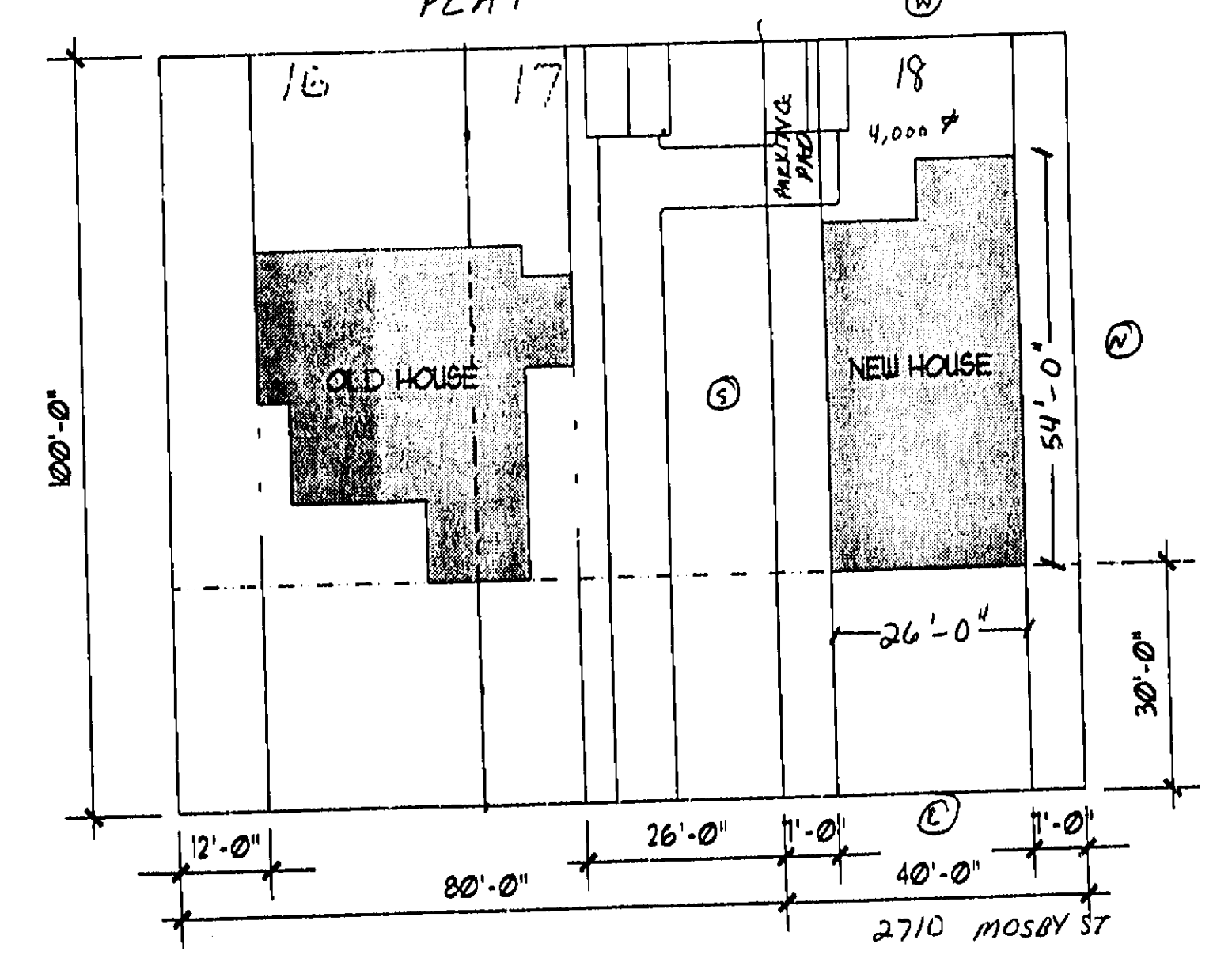


NORTH ELEVATION

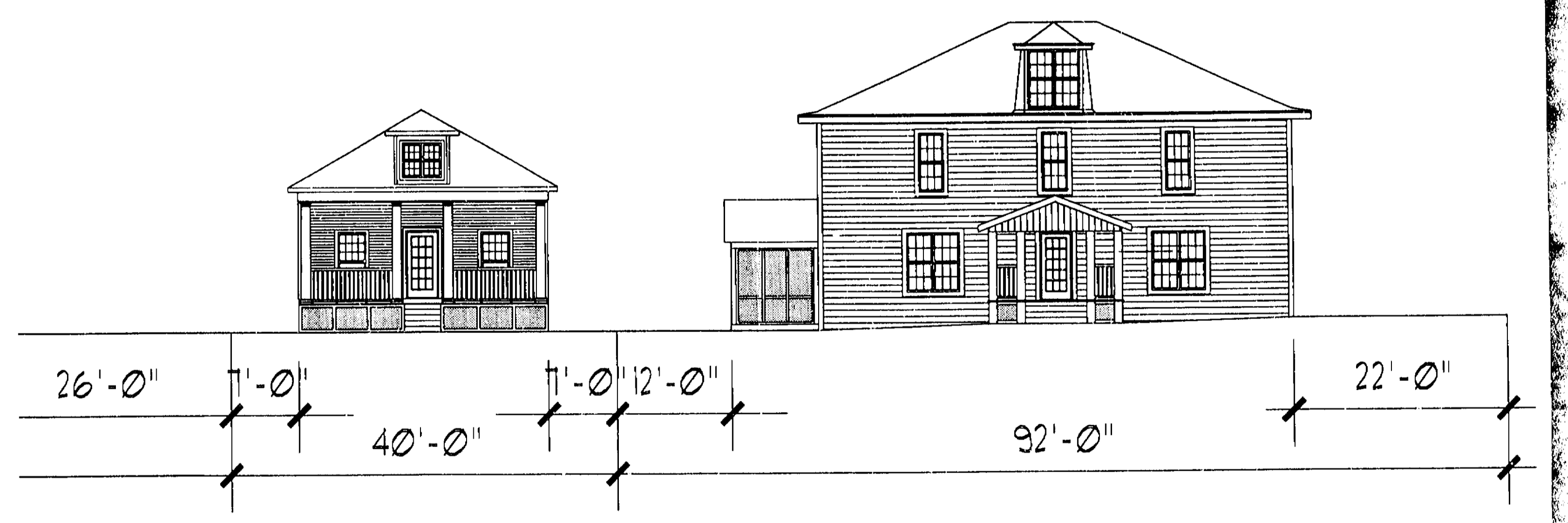
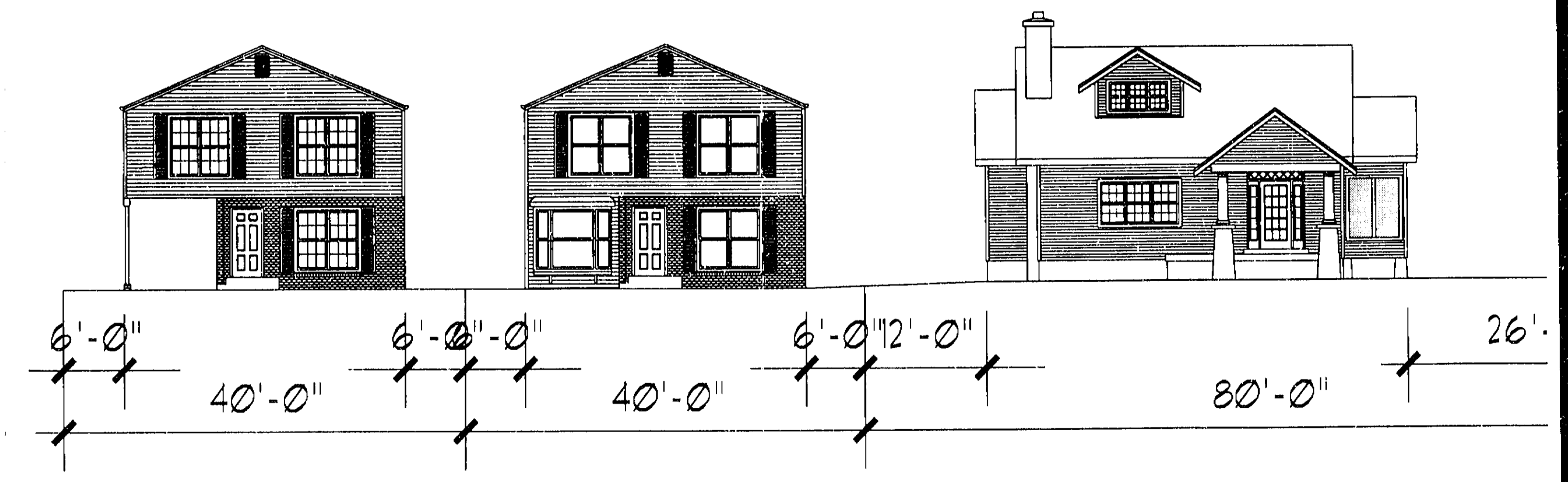


LOT SIZE: 4,000 S.F.
LIVING SPACE: 1292 S.F.
1st Floor: 26' x 46' = 1196
(includes front porch)
Back porch: 8' x 12' = 96
Total: 1292 S.F.

GROVES SUBDIVISION OF MT. IDA
PLAT

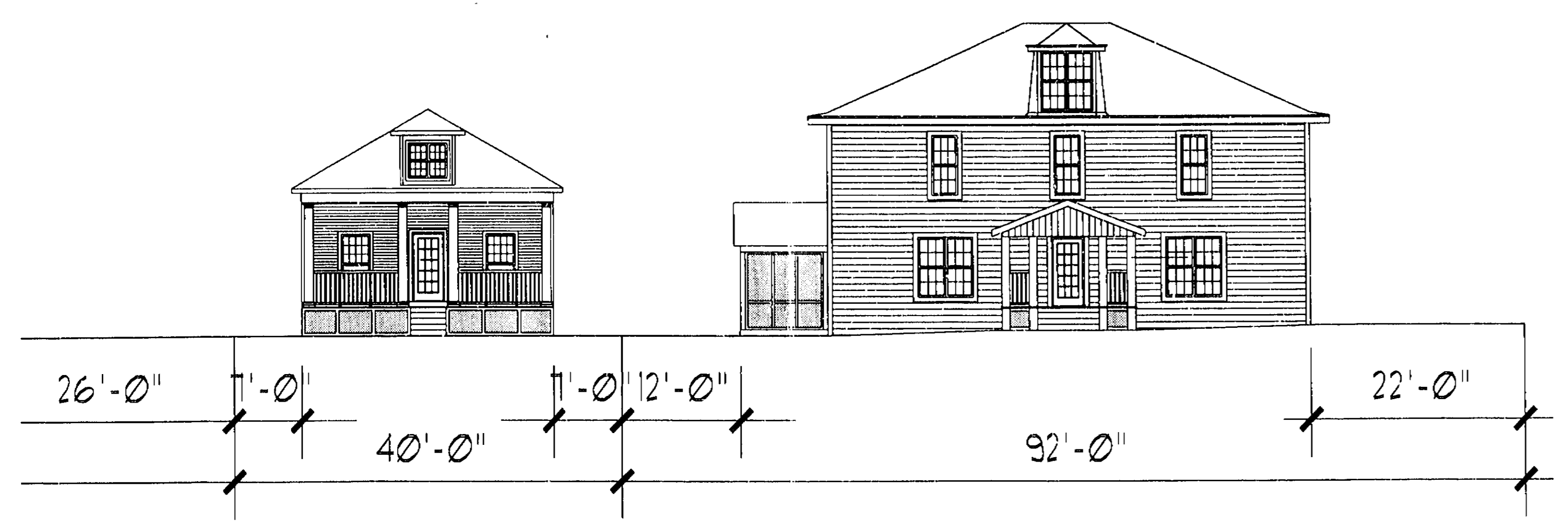


1" = 20'-0"

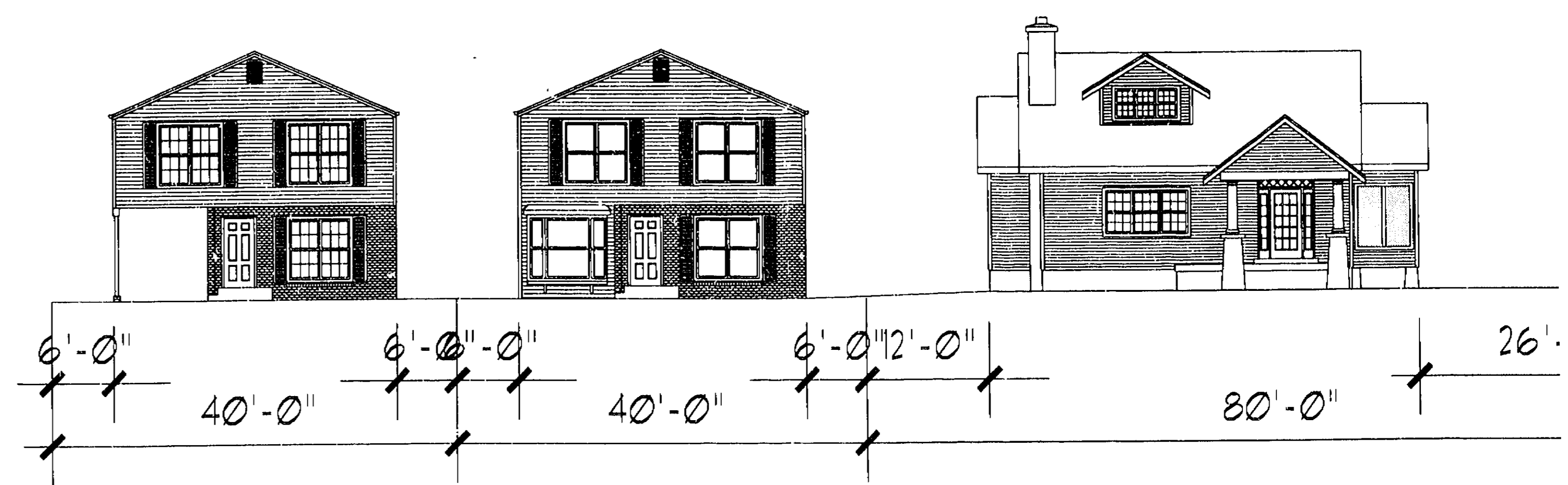


SUP 97-0143

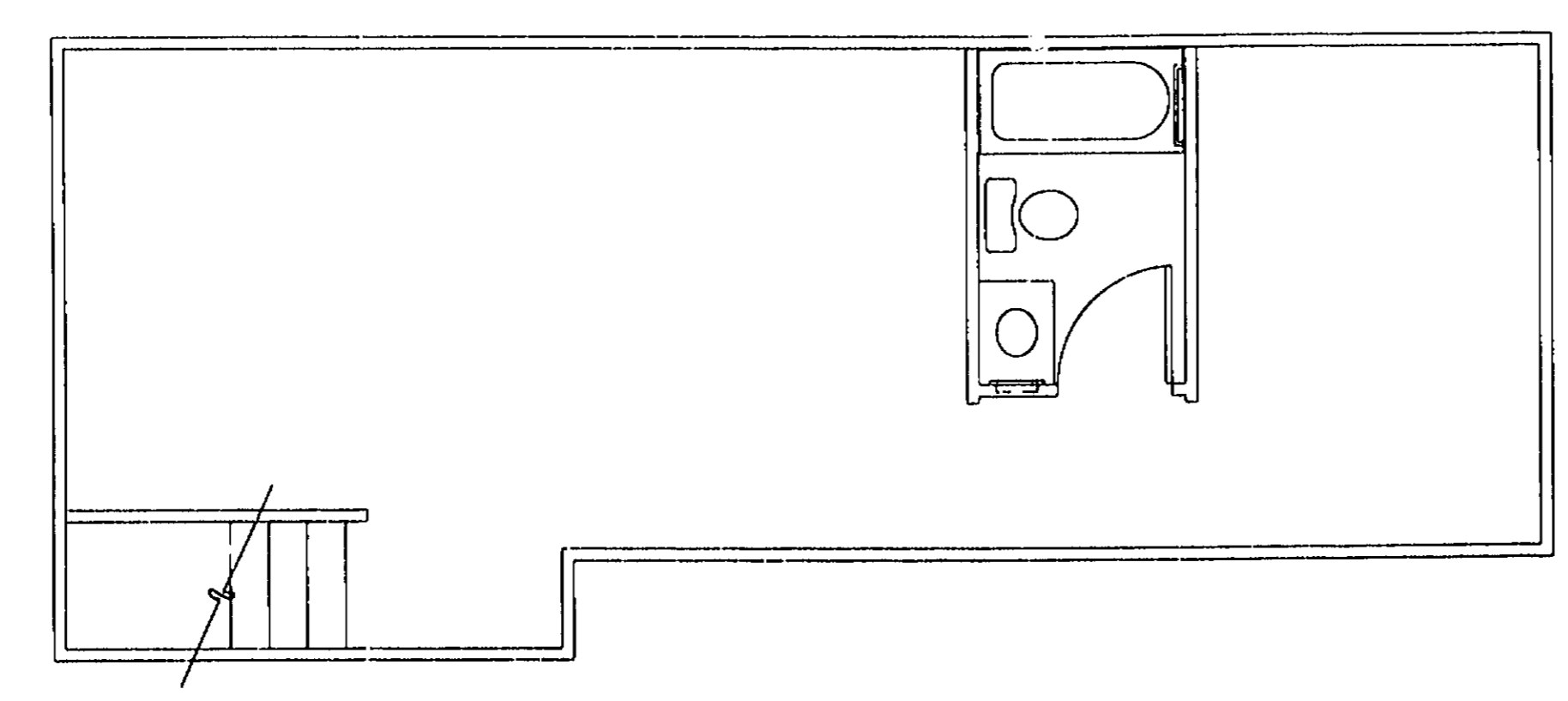
VOID
See revised plans



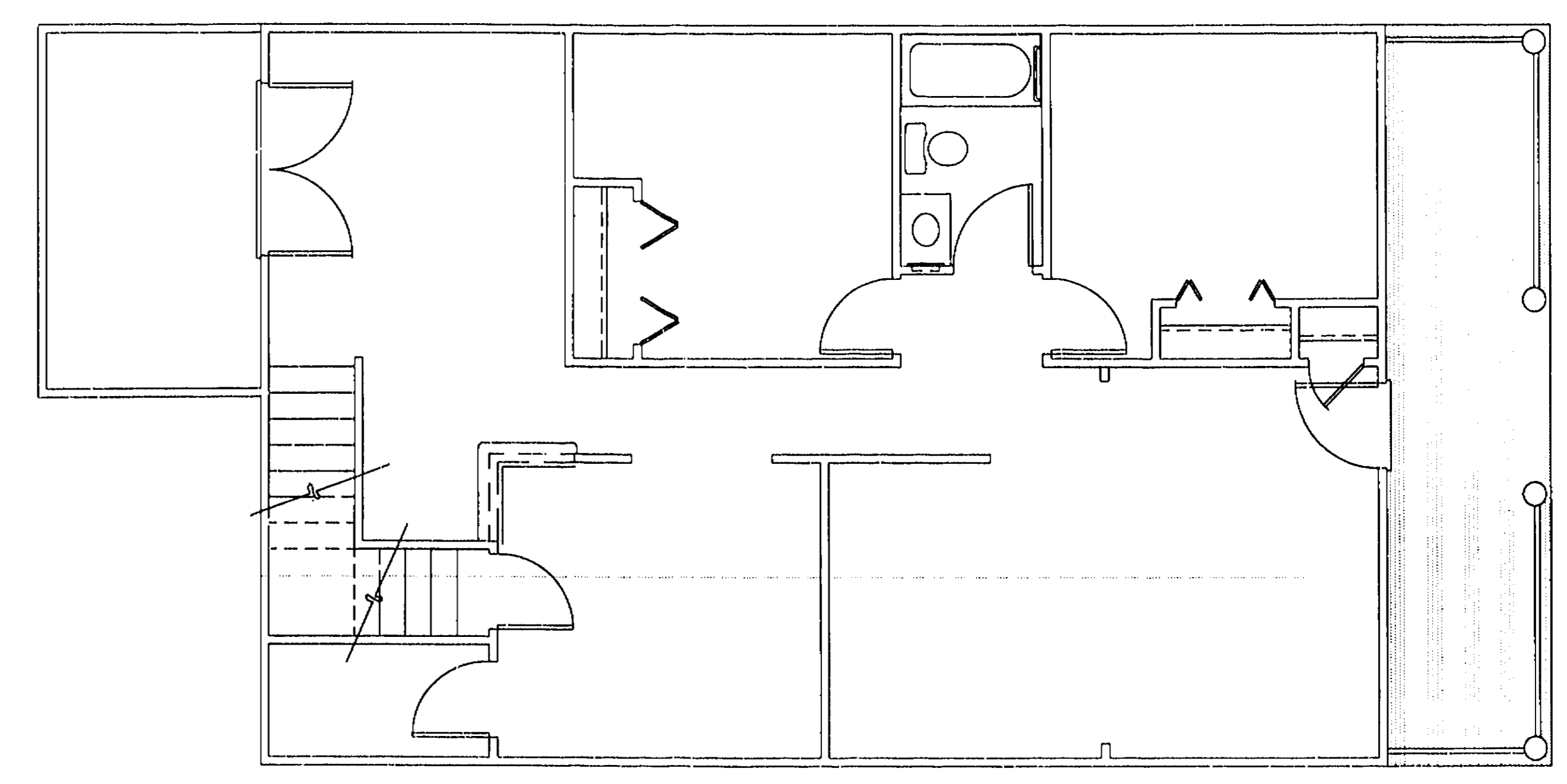
SUP 97-0143



SUP 97-0143

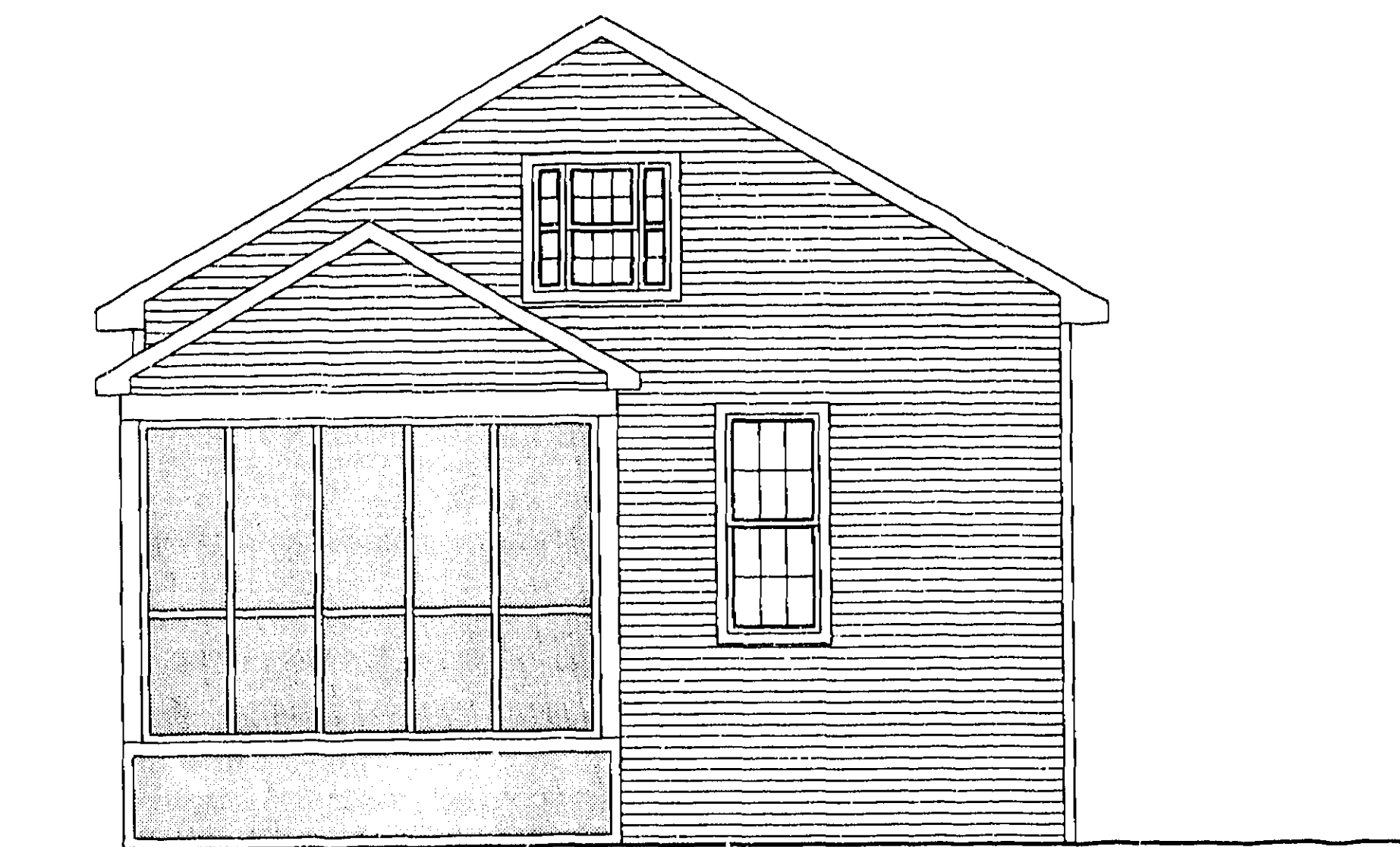


SUP 97-0143

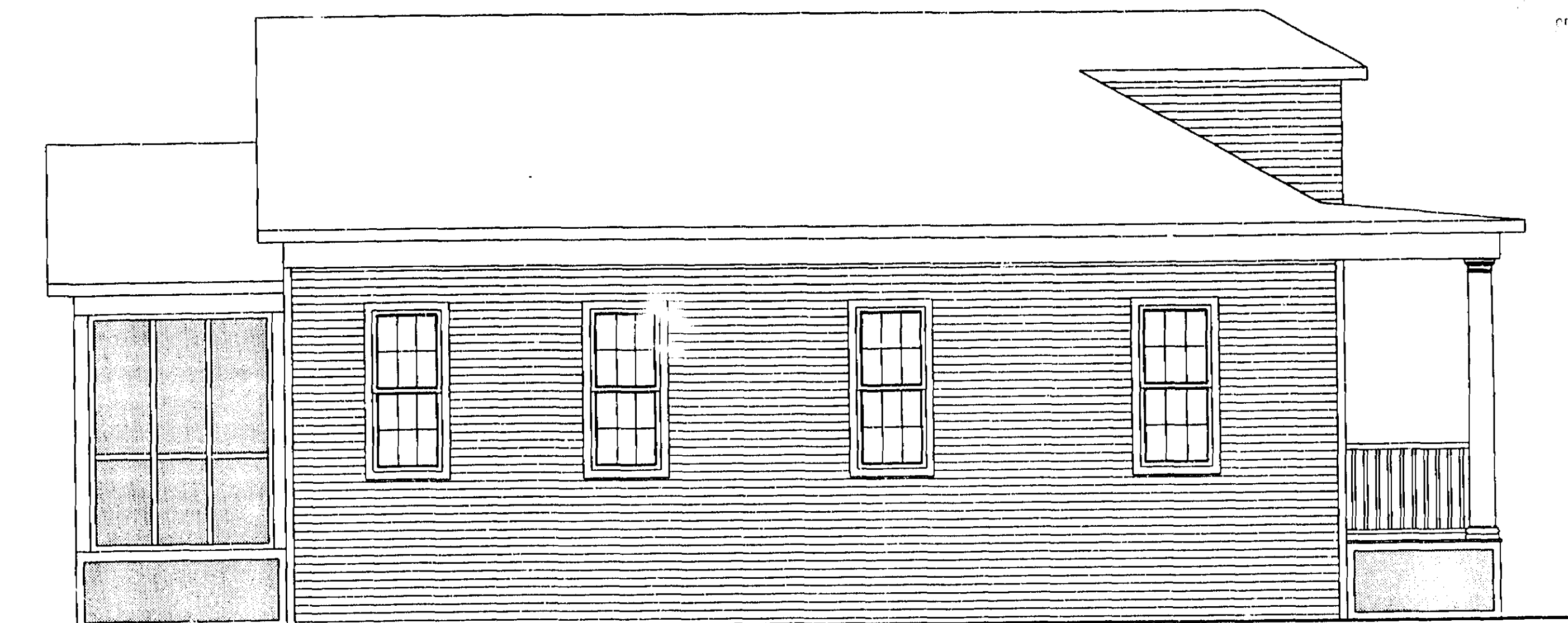


SEP 25

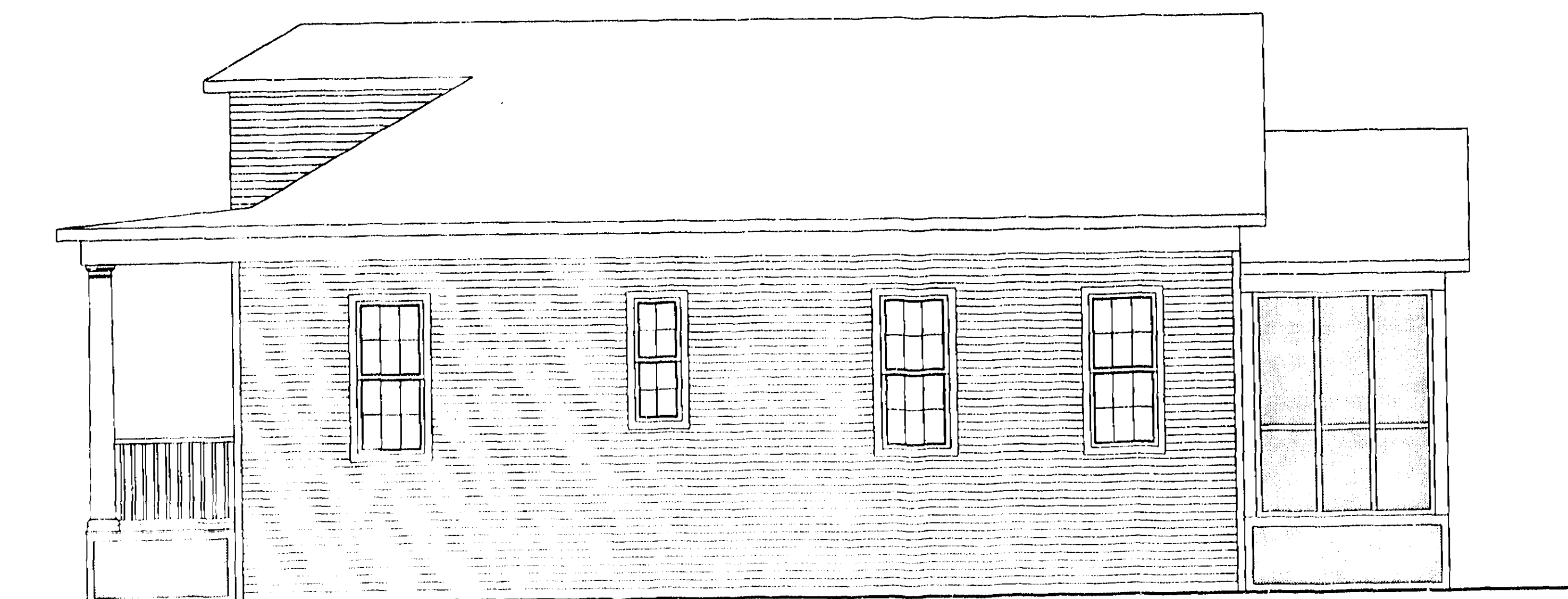
SUP 97-0143



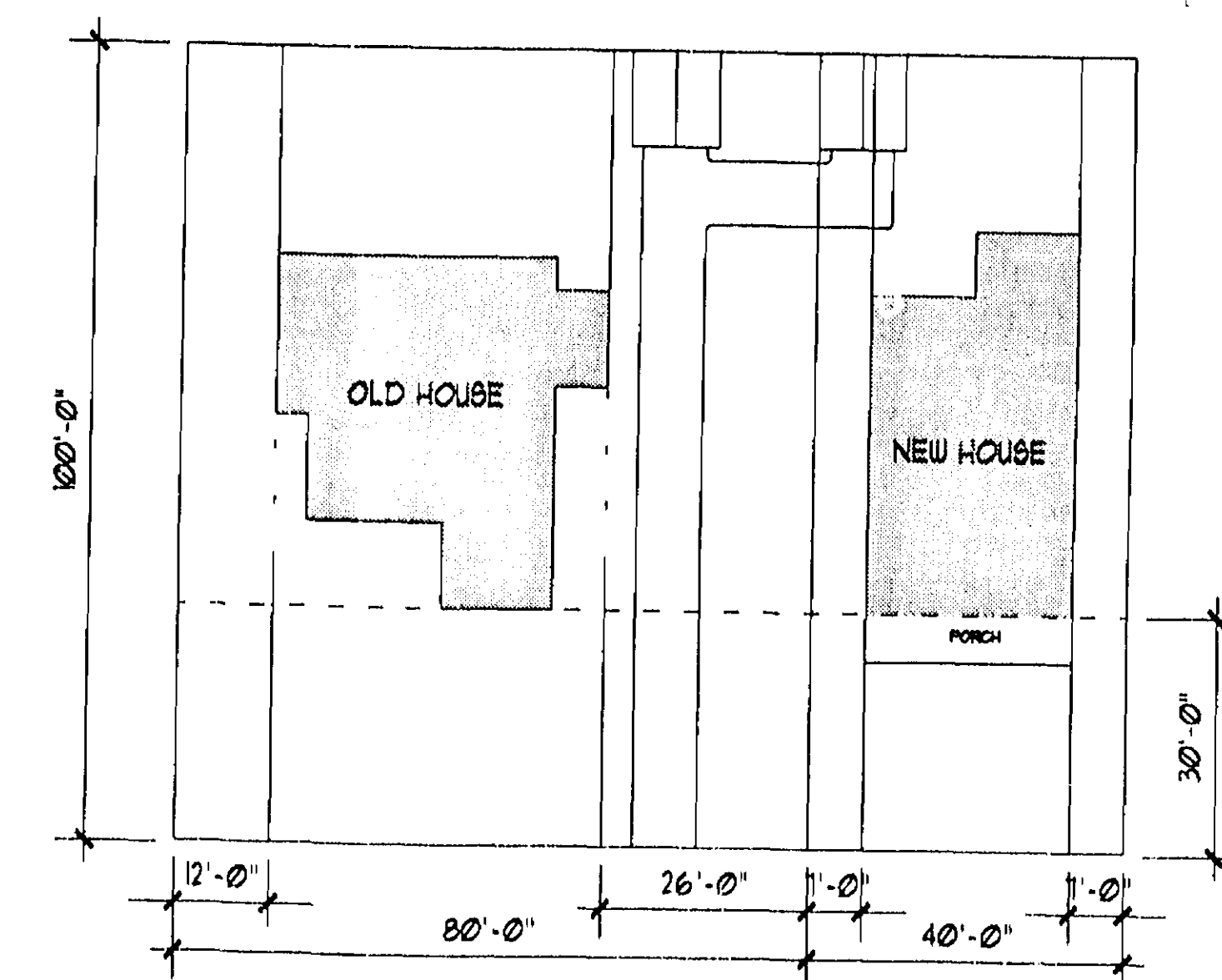
SUP 97-0143



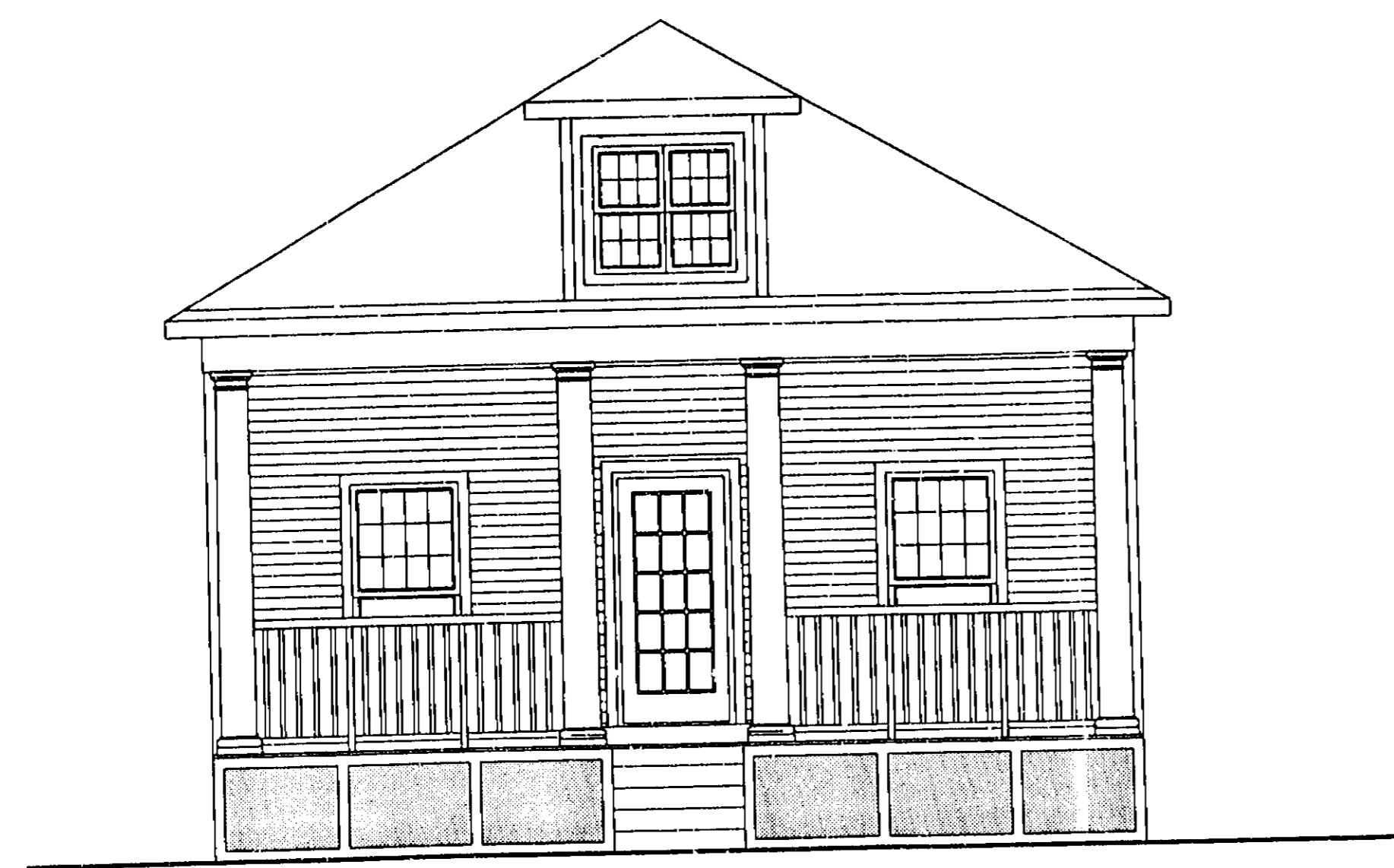
SUP 97-0143



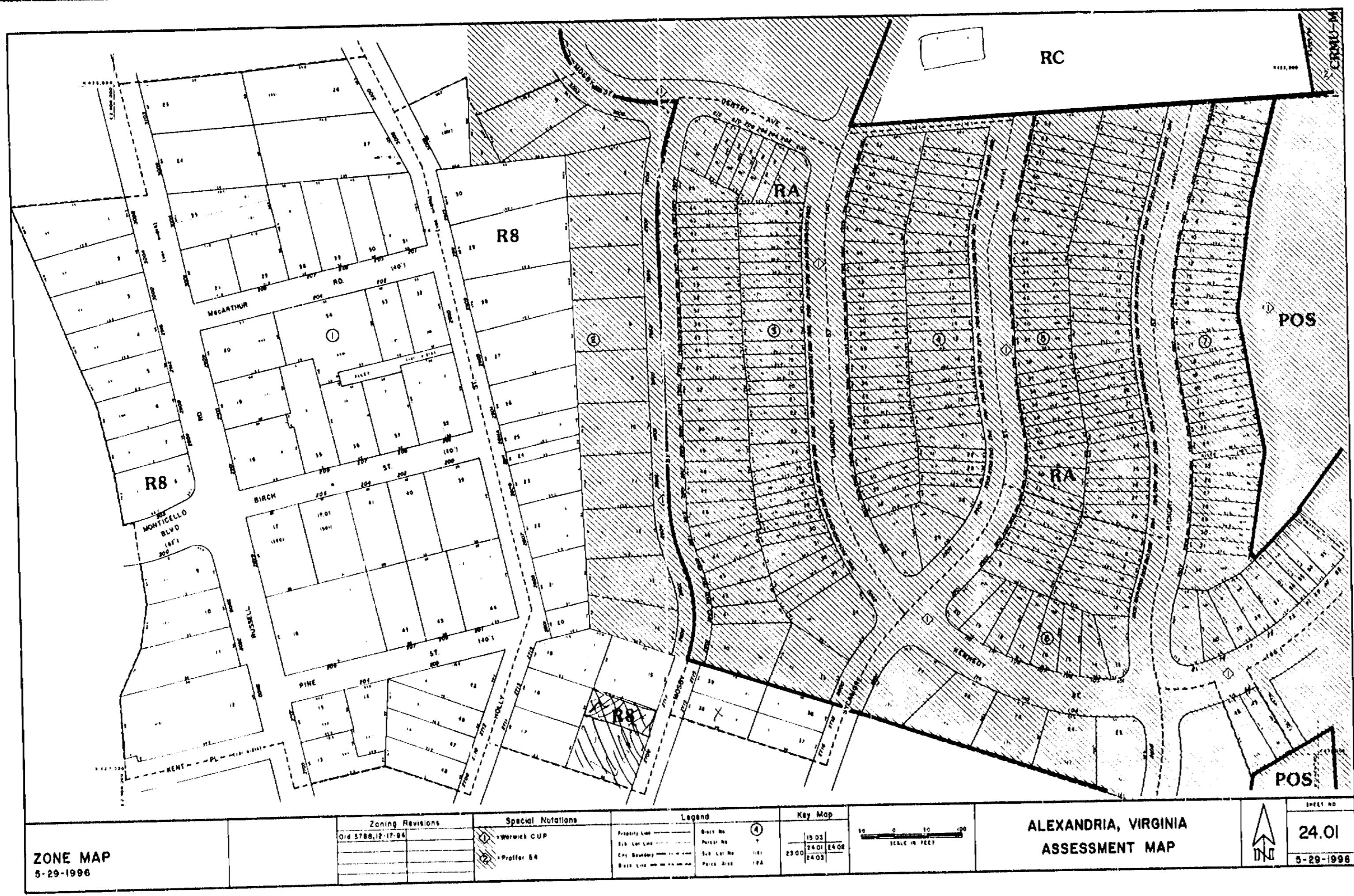
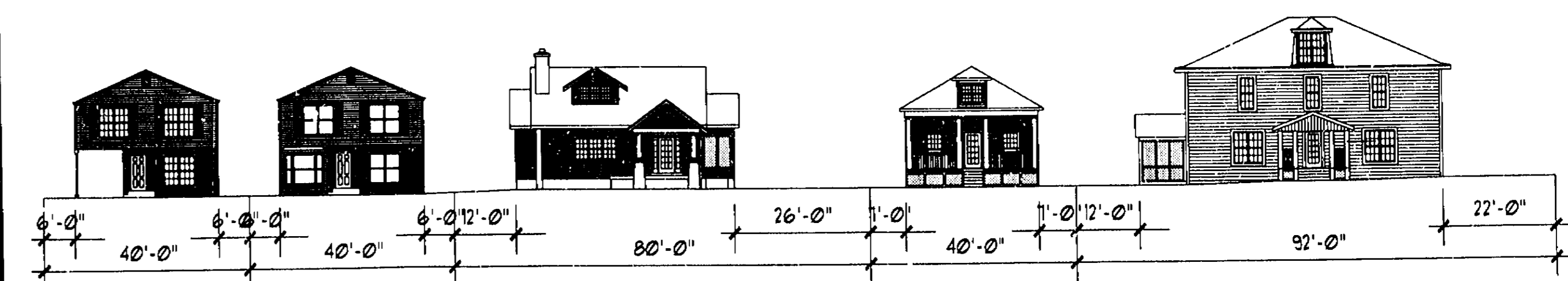
SUP 97-0143



SUP 97-0143



SUP 97-0143



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