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BOARD OF ZONING APPEALS MEETING

VIRTUAL PUBLIC HEARING

Thursday, February 17, 2022

7:30 p.m.

1. CALL TO ORDER

MR. MISLEH: Mr. Bartlett is not able to attend this evening so I think that puts me in the hot seat.

I'd like to call this meeting of the Board of Zoning Appeals for Thursday, February 17 to order.

Akida, if you wouldn't mind please doing the roll call.

2. ROLL CALL

RECORDING SECRETARY: Mr. Bartlett.

Mr. Bartlett is absent this evening.

Mr. Misleh.

MR. MISLEH: Here.

RECORDING SECRETARY: Mr. Kien. Mr. Kien.

I thought I saw him on the participant list.

Mr. Kien.

Okay. Mr. Kien is absent for now.

RECORDING SECRETARY: Mr. Eppler.

Mr. Eppler.

26 Mr. Eppler was here earlier. Maybe he's  
27 coming right back.

28 RECORDING SECRETARY: Ms. Ward.

29 MS. WARD: Here.

30 RECORDING SECRETARY: Thank you.

31 Before we start I am required to read this  
32 virtual meeting notice.

33 This meeting will be held pursuant to and in  
34 compliance with the Virginia Freedom of Information Act,  
35 Section 2.2-3708.2 and state and local legislation  
36 adopted to allow for continued government operation  
37 during the COVID-19 declared emergency. All  
38 participating members will be present at this meeting  
39 through electronic means. All members of the public may  
40 view the electronic meeting via the meeting link listed  
41 above in the City's website calendar.

42 Thank you.

43 MR. EPPLER: Akida, this is Dale Eppler. I  
44 was present but my microphone was not working so now I'm  
45 back.

46 MS. ROUZI: Got it. Thank you.

47 MR. MISLEH: And, Akida, I think Mr. Kien has  
48 also joined us.

49 MR. KIEN: I have.

50                   MR. BOYLE: Mr. Misleh, if I might, we have a  
51 couple of orders of business I think before the meeting  
52 starts. One is the chair is absent but our vice-chair,  
53 Mr. Calabrese, has unfortunately had to step down from  
54 the Board for demands of work. I'll leave it to the  
55 Board to decide, should they hold an election now or  
56 given the members present, go ahead and conduct this  
57 meeting, I think that's your option.

58                   And then when we get to the calling of the  
59 item, the applicant should be made aware of the lack of  
60 a full Board.

61                   MR. MISLEH: Thank you, John. I believe we  
62 held the election at the last meeting at which time I  
63 believe we elected Mr. Bartlett as chair and myself as  
64 the vice chair.

65                   MR. BOYLE: My apologies. You're correct.

66                   If the Board wishes to proceed, then I'd  
67 suggest swearing everyone in en masse who wishes to  
68 speak and then offering straight up the option to  
69 continue for any of the applicants here.

70                   MR. MISLEH: If you wouldn't mind, Akida,  
71 would you mind swearing in those who choose to speak  
72 this evening.

73                   MR. BOYLE: I can, if you wish.

74                   (Witnesses sworn.)

75 MR. MISLEH: Thank you, John.

76

77 3. PETITIONS

78

79 MR. MISLEH: It appears we have two items, one  
80 Old Business and one New Business.

81 If no one objects, I'd like to tackle them in  
82 order as they're shown on the agenda, Old Business and  
83 then New Business.

84

85 4. OLD BUSINESS

86 a. Variance application V1629 by Karen Stoll and  
87 Scott Hiromoto, applicant and owner, for variance to  
88 Section 48-1102(e)(1)c, to allow:

89 (3) a front porch setback of 18.7 feet instead  
90 of 22 feet for the extension of an existing porch  
91 extension on premises known as 600 Jackson Street, RPC  
92 #52-205-001 of the Falls Church Real Property Records,  
93 zoned R-1A, Low Density Residential.

94

95 MR. MISLEH: If you would, please walk us  
96 through item No. 4, Old Business, variance application  
97 V1629-21.

98 MR. BOYLE: Thank you, Mr. Chair.

99                   This matter was before the Board last month  
100 and I believe all the members present tonight were  
101 there. If I'm incorrect, let us know if you need to  
102 recuse.

103                   If I recall there were two matters before the  
104 Board, one was for a ground level and second story  
105 addition and then a porch addition, a porch extension.

106                   The Board and the applicants essentially came  
107 to agreement on the first item, the ground level and  
108 second story additions, with letters of support from the  
109 neighbors.

110                   The Board showed some concern for the extent  
111 of the variance being requested for the porch and it's  
112 my understanding that the applicants have returned  
113 tonight with a relatively simple revision to that plan  
114 showing a reposition of their porch work to be done  
115 which also complies with the notice that was sent out to  
116 the public.

117                   So their proposed revision to their first  
118 application is properly noticed and available for  
119 discussion tonight.

120                   So with that, I'll defer to the applicants for  
121 their presentation and how they've revised the plan.

122 MR. CRETSINGER: Thank you, John, for the  
123 introduction there and thank you, Board members, for  
124 taking the time tonight.

125 I'd like to just start with the existing plat,  
126 if I could, just so that we can kind of have a reference  
127 back to where we started.

128 And you'll note, this is all familiar from our  
129 last meeting, but you'll note what we are looking at is  
130 essentially taking the porch that is in the northwest  
131 corner there, which is approximately six and a half feet  
132 deep by eight and a half feet wide and moving that to  
133 the center of the house.

134 And this is a direct reduction in size from  
135 our last proposal which was essentially extending that  
136 porch all the way across the front.

137 If we could then go to the next slide.

138 What we are proposing now is essentially takes  
139 it and shifts it over directly on center. What that  
140 does is it allows a nice direct access right from  
141 Jackson Street to the house and to the inside, to the  
142 first floor.

143 It also, if we can go on to the next slide,  
144 you'll see how the centering of the porch, as we  
145 mentioned, it's the same size as the existing porch,  
146 essentially six and a half feet to the front and then

147 eight and a half feet wide. And it's now centered right  
148 on the front door which also happens to be centered in  
149 the building and allows us to have the first floor suite  
150 we discussed last time on the left hand side as you  
151 enter and then it directly comes into the living room,  
152 dining room, and kitchen areas.

153           So that all still works perfectly well. It's  
154 just very modest, it's a much reduced version of what we  
155 were discussing last time.

156           If you go to the next slide, there, the second  
157 floor hasn't really changed much. It just shows the  
158 roof line below.

159           If we go to the final two slides, it's  
160 essentially a metal roof with the two probably like  
161 Chatsworth columns, poly-stone columns, and it's just a  
162 nice intro to the building. It nestles itself directly  
163 into the middle and right between the two dormers and  
164 you can see that both in this slide and even better in  
165 the next slide, where you can see how it fits right  
166 between the two dormers, straight in the middle of the  
167 house.

168           And the dormers and the windows and everything  
169 now are in perfect alignment. So from a front facade,  
170 while actually smaller, it enhances the overall scale

171 and the front elevation of the house that we're  
172 proposing.

173 I would like to note that I know there were  
174 concerns last time, while we had the neighbor  
175 immediately adjacent, they had written in with their  
176 support. The neighbor to the rear, and the owner's here  
177 too and he can attest to this, despite repeated attempts  
178 to try to reach them, he has not. But he did send out a  
179 certified letter, explains what the work is and all the  
180 plans so that they are up to date or as much up to date  
181 as we can get to them. Besides obviously the official  
182 notice that the City sends out.

183 So with that, as I said, this is a fairly  
184 simple revision. It really tries to take the concerns  
185 that the Board expressed last time and essentially keep  
186 what is the existing front porch, rebuilding it  
187 obviously and moving it over into the center of the  
188 house.

189 So with that, Scott, the owner, did you have  
190 any comments you wanted to add?

191 MR. HIROMOTO: I think that's basically it.  
192 We did go to the back neighbor two more times and then  
193 as you said, sent the letter. On-line it is verified  
194 that it was delivered. But we asked them if they had  
195 paperwork that they wanted to return so we gave them the



196 form to sign that they could deliver it right next door  
197 to 600 Jackson and they didn't do that. So that's the  
198 effort we made.

199 MR. CRETSINGER: Thanks, Scott.

200 With that, is there any direct questions about  
201 the size or scope or how we -- we honestly have tried to  
202 take into account all the comments from the last meeting  
203 and address them by keeping it to scale, centering it in  
204 the building so it's still a very attractive front but  
205 making it essentially much more modest in scope and  
206 scale.

207 MR. MISLEH: Thank you for your presentation  
208 and your attempts to reach the neighbor.

209 I'd like to open it up for Board members to  
210 ask any questions.

211 MR. KIEN: Yeah, I have one question.

212 The square footage of this revision versus the  
213 existing front porch, can you tell us what that is.

214 MR. CRETSINGER: It's six and a half, 6.4 by  
215 eight and a half. And the proposal is the exact same.  
216 So if I do my math really quickly, that equals 54 and a  
217 half square feet.

218 MR. KIEN: Thank you.

219 MR. CRETSINGER: And that's what is currently  
220 there and what we're proposing for the new.

221                   And along those same lines, I think there was  
222 a question last time about and I just didn't have -- I  
223 hadn't had the figures in front of me, but just so you  
224 know, the total building coverage on this property,  
225 again, this is a decent size lot and even with this,  
226 it's only at 19.4 percent is the current building  
227 coverage and the impervious surface is only 27 percent.

228                   So both of those are well underneath the Code  
229 of 25 percent and 35 percent. They're both  
230 substantially under.

231                   MR. MISLEH: Thank you very much. Any other  
232 questions from the Board members?

233                   (No response.)

234                   MR. MISLEH: All right. Not hearing any  
235 questions, I'd like to close the presentation and have  
236 discussion amongst the Board.

237                   Mr. Kien, Mr. Eppler, Ms. Ward, would anyone  
238 like to start that off?

239                   MR. EPPLER: This is Mr. Eppler.

240                   So I was just going to say that I like the  
241 proposal. It does seem that there's essentially no  
242 difference from moving it from, all they're doing is  
243 moving it to the center of the building which matches up  
244 with the design but it's in keeping with the concerns  
245 about the rest of the neighborhood and such and it's not

246 setting a precedent such that we're going to have a  
247 flood of other people coming in wanting to have much  
248 larger porches put on.

249           So I think they've done a good job of  
250 presenting a good proposal.

251           MS. WARD: I was going to say a very similar  
252 thing. I think that this addressed our concerns and I  
253 support the modification that has been proposed.

254           MR. MISLEH: I think it's helpful to note that  
255 the door is moving from the existing location on the  
256 left of the existing structure to the center and  
257 therefore the porch is just following. So it's a one  
258 for one porch modification and there's no additional  
259 encroachment into the easement area.

260           And thank you for making efforts to contact  
261 the neighbor and I would agree with the other two Board  
262 members.

263           I think this is the point, John, where I need  
264 to advise the applicant about not having a full Board,  
265 is that correct?

266           MR. BOYLE: Yes. Simply that a full Board  
267 present costs them one vote and they need three to  
268 approve. So, yes, if you would, advise them of their  
269 option to continue.

270 MR. MISLEH: I must advise you, Mr. Hiromoto,  
271 that there's only four members of the Board present and  
272 you require three votes in order for this variance to  
273 pass. You have the ability to, before there's a motion  
274 made and a vote taken, you have the ability to defer  
275 this application.

276 Would you like to defer this evening?

277 MR. HIROMOTO: No, I'd like to continue  
278 please.

279 MR. MISLEH: Okay. Thank you very much.

280 With that said, would a member of the Board  
281 like to make a motion?

282 MR. EPPLER: I will make a motion for approval  
283 of variance application V1629-21.

284 MR. MISLEH: Would somebody like to second?

285 MR. KIEN: I'll second that motion.

286 MR. MISLEH: Thank you, Mr. Eppler and thank  
287 you, Mr. Kien.

288 Akida.

289 RECORDING SECRETARY: Mr. Misleh.

290 MR. MISLEH: Yes.

291 RECORDING SECRETARY: Mr. Kien.

292 MR. KIEN: Yes.

293 RECORDING SECRETARY: Mr. Eppler.

294 MR. EPPLER: Yes.

295                   RECORDING SECRETARY: Ms. Ward.

296                   MS. WARD: Yes.

297                   RECORDING SECRETARY: Thank you.

298                   MR. MISLEH: Congratulations, Mr. Hiromoto,  
299 and good luck with your project.

300                   MR. HIROMOTO: Thank you.

301                   MR. CRETSINGER: Thank you.

302

303       5. NEW BUSINESS

304                   a. Variance application V1630-22 by Priya  
305 Krishnan, applicant and owner, for a variance to  
306 Sections 48-238(3)a to allow a rear setback of 19 feet  
307 instead of 40 feet for the purpose of constructing a new  
308 single family dwelling on premises known as 608 Laura  
309 Drive, RPC #52-605-005 of the Falls Church Real Property  
310 Records, zoned R-1A, Low Density Residential.

311

312                   MR. MISLEH: So we're on to New Business,  
313 variance application V1630-22.

314                   John, if you would, please walk us through  
315 this application.

316                   MR. BOYLE: Yes, sir.

317                   Akida, if you could bring up the plat please.

318                   Actually I was not seeing -- looking at who's  
319 present, would the chair mind taking a poll of the  
320 applicants present. I believe we have one.

321                   Can we confirm that everyone's here from the  
322 applicant's case please.

323                   MS. KRISHNAN: Yes, Anna Krishnan is here.

324                   MS. KRISHNAN: Priya Krishnan.

325                   MR. BOYLE: Okay. Thank you very much.

326                   Mr. Chair, this is an application related to  
327 setbacks on this lot, on Laura Drive.

328                   We see this sometimes with subdivisions that  
329 end in cul-de-sacs as you see here, where the  
330 subdivision just kind of runs out of room.

331                   This Lot 7, the subject lot, has almost  
332 actually 11,250, it has sufficient square footage but  
333 because of the orientation of the subdivision lines it's  
334 an odd building envelope, odd lot size. So it is  
335 possible to take the minimum required square footage and  
336 configure it in a number of ways. It's certainly not  
337 rectangular.

338                   We have an existing structure that was built  
339 to the setbacks and what we have today is an application  
340 seeking relief from the building envelope that the  
341 current code would apply to this lot.

342                   This envelope that you see on the screen was  
343 done by myself and it's not to scale but I'd say it's a  
344 very good representation of what could be built and that  
345 would be within the yellow area there. And it shows 40  
346 foot setbacks from the back property line and 15 from  
347 the two sides with 30 foot at the front.

348                   What is before the Board tonight is a variance  
349 seeking relief to that rear setback and you should have  
350 received both quite a detailed package from the  
351 applicant but also a number of letters from the abutting  
352 neighbors.

353                   I like to characterize in our summary whether  
354 this is something staff has discretion over and rear  
355 yard setback variances we do not. There are some  
356 instances where we can extend existing encroachments but  
357 this would not qualify. So for what the applicant is  
358 hoping to do would require a variance with approval from  
359 the Board.

360                   So with that I'd ask the applicant to proceed  
361 with their presentation.

362                   MS. KRISHNAN: Okay. Thank you.

363                   My name is Anna Krishnan and I'm the owner of  
364 608 Laura Drive. And we are requesting a variance on  
365 just the rear setback and we've reduced it now by  
366 altering the building design. So it's not what was

367 advertised as 19 feet anymore. We would like a 29 foot  
368 setback in the rear. And the amount that will be built  
369 into this setback is only 150 square feet.

370 Is it possible to share the slide that shows  
371 the proposed house structure and the little bit that we  
372 want to build into the rear setback?

373 So the three triangular areas will be the  
374 construction into the rear setback. We'll be conforming  
375 to the front and the side setbacks and it's only this  
376 that we needed the variance for to allow us to build a  
377 house that -- we put a picture of the house that I want  
378 to put up. It's a very cute Craftsman style house.  
379 It's not a huge house.

380 The square footage for the lot coverage with  
381 the building allowance of 25 percent would have been  
382 2831 square feet and we're only building a 1485 square  
383 foot lot coverage and the house size would be 2970  
384 square feet. And that's a picture of the house.

385 I do have a letter of support from the  
386 neighbor directly on one side.

387 MS. PRIYA KRISHNAN: We weren't able to get  
388 letters of support --

389 MS. ANNA KRISHNAN: And I was trying to  
390 introduce this package and explain that I changed what



391 was advertised in the paper because some of the other  
392 neighbors --

393 MS. PRIYA KRISHNAN: Currently we don't have  
394 any other letters of support except from 610 Laura.

395 MS. ANNA KRISHNAN: What else? The lot  
396 doesn't really have any trees. There are going to be no  
397 trees that will be taken down. Instead I want to plant  
398 trees.

399 And I think that's all that I have right now  
400 unless there's any questions.

401 Is there anything else I missed?

402 MS. PRIYA KRISHNAN: No, I think that's it.

403 We tried to find, design a house that could  
404 fit into that triangular shape but it was difficult to  
405 really have the interior flow of the house go along with  
406 that triangle, I mean unless we built some sort of an  
407 ultra modern style home I guess. But this, we thought,  
408 would be the minimum that we could ask for that would  
409 make it a nice house that would look good and fit in  
410 with the neighborhood in the City.

411 I said we did see some of the objections from  
412 the neighbors and we had hoped that we would be able to  
413 minimize any impact on specifically the two neighbors  
414 behind us because that's the only place that we would be  
415 so-called intruding into the current setback.

416                   And I walked the lot and saw that actually the  
417 point where the largest triangle, the first triangle,  
418 which is the one that goes to 29 feet, is sort of almost  
419 in between the two homes and I felt that those two homes  
420 have very deep back yards so perhaps that would not be a  
421 huge burden on them if we were to just ask for that. We  
422 wouldn't be building out the entire setback, just those  
423 three points really.

424                   MR. MISLEH: Thank you.

425                   If that's all with the presentation, I'd like  
426 to ask John, John, what was advertised was 19 feet.  
427 What's being asked for this evening is different than  
428 what was advertised. It also appears that there's a  
429 front -- there may be an encroachment in the front  
430 setback as well, given this plat.

431                   Is this something that we would need to  
432 readvertise?

433                   MR. BOYLE: We discussed that and I don't  
434 believe so. The rear portion is a reduction. It's less  
435 than what was asked for. So traditionally that's  
436 acceptable. We have had a few over the years that after  
437 rethinking the engineering they wanted to ask for more  
438 and we did have to readvertise. In this case they're  
439 pulling it back.

440                   In the front that's actually a by-right use, a  
441 by-right extension of the porch into the front yard  
442 setback. That would not require a variance.

443                   MR. MISLEH: Thank you, John.

444                   So if there's no additional comments from the  
445 applicant, I'd like to open it up for questions from the  
446 Board.

447                   MR. EPPLER: This is Mr. Eppler. Thank you  
448 for the presentation.

449                   As you know we've had some letters of  
450 objection from some of the neighbors and I wondered, I  
451 think you indicated you had made some presentations to  
452 them about the reduced size. What was their reaction,  
453 was there any meeting of the minds, or what feedback did  
454 you get?

455                   MS. ANNA KRISHNAN: So I got a lot of good  
456 feedback because they liked the fact that we weren't  
457 building out for the whole setback. They liked the  
458 reduction. And then just showing the plans for the  
459 construction of the house and what kind of house it was  
460 going to be, it was only positive feedback that I got.

461                   Just a couple of people had asked a couple of  
462 questions and I was able to answer them so personally I  
463 did not hear any negative feedback.

464 MR. EPPLER: Did you by any miracle ask them  
465 to change their letters?

466 MS. ANNA KRISHNAN: Well, I left them the  
467 packet of updated information and I got one letter of  
468 support from the neighbor directly to my left. I didn't  
469 ask anybody to change their objection when I spoke to  
470 them, no. I just figured --

471 MS. PRIYA KRISHNAN: No, but you asked them to  
472 sign a letter of support.

473 MS. ANNA KRISHNAN: Yeah, I also left them  
474 with a letter of support to sign.

475 MR. MISLEH: Did we get the one letter of  
476 support that you referenced submitted by the 4:30  
477 deadline today?

478 MS. PRIYA KRISHNAN: No, we didn't submit it  
479 at the 4:30 deadline.

480 MS. ANNA KRISHNAN: I didn't realize the  
481 deadline. I have it with me. I can send it right now.

482 MR. BOYLE: Or is that party here present  
483 tonight?

484 And I think also, if this is the first that  
485 the neighbors are seeing of the reduction, perhaps  
486 they'd like to comment versus what they saw previously.

487 MS. PRIYA KRISHNAN: We have a neighbor letter  
488 to the neighbors addressing the comment, should we bring  
489 that up?

490 MR. MISLEH: Are there any neighbors present  
491 that would like to comment?

492 MR. REINFURT: Yeah, there's a bunch of us who  
493 would probably like to comment, me, Greg, etcetera.

494 Hi, guys. Look, I don't want to be the turd  
495 in the punchbowl here but we were not in favor of this.  
496 The letter strongly states that.

497 Now, originally it did go from, we talked  
498 about the -- from 40 to 19, so we're like, okay. Wait a  
499 minute, I don't need a house in the middle of my back  
500 yard, etcetera, and I think Greg feels the same way as  
501 well.

502 And then we did meet. Anna said hi at the  
503 front door, gave us a packet and that was it. We didn't  
504 discuss anything. We just took the packet and saw and  
505 realized there was a change but that's all we talked  
506 about so. There was concern, everything from -- you saw  
507 our concerns in the letters there so. That's what I've  
508 got here.

509 Greg, anybody?

510 MR. CRONIN: This is Greg. I have not seen  
511 the packet. This is the first time seeing it. I also

512 see a detached garage somewhere there in the easement.  
513 I haven't had a chance to look at any of this material.  
514 So the only thing I have to go by is what I'm seeing at  
515 the moment and so I would certainly request time to  
516 review any new documents and anything like that proposed  
517 garage that might be in the easement.

518 As it stands now I'm not in favor of the  
519 proposal but once again, I would need time to see it.

520 MR. MISLEH: Gentlemen, for clarification and  
521 for the record can you please state your individual  
522 addresses and where you are in relation to the applicant  
523 property.

524 MR. CRONIN: Yes, my name is Greg Cronin. I  
525 am at 607 Poplar Drive and I'm directly behind this  
526 property.

527 MR. MISLEH: Thank you.

528 MR. REINFURT: Ed Reinfurt, 605. I'm the  
529 other piece of that directly behind.

530 MR. MISLEH: Thank you.

531 MS. REID: I'm Jean Reid. I am 606 Laura  
532 Drive. I'm the house immediately to the right of this  
533 property.

534 And one thing I would like to say, I don't  
535 know if Board members ever go and look at properties but  
536 that is a very small piece of land. It looks different

537 in a plat than it does in person. It's not a very large  
538 piece of land.

539 MR. MISLEH: Thank you.

540 Akida, it looks like there's somebody in the  
541 lobby.

542 MS. ROUZI: Just let them in.

543 MS. MISLEH: So we heard from three neighbors.  
544 Is there anyone else that would like to speak this  
545 evening?

546 (No response.)

547 MR. MISLEH: Hearing none, I'd like to open it  
548 up for the Board to ask any remaining questions.

549 MR. KIEN: Mr. Boyle, the proposed attached  
550 garage, does that fall within a variance or does that  
551 fall within our normal guidelines for being able to  
552 build that structure where it's currently located on  
553 this plan?

554 MR. BOYLE: That's located where they could  
555 build it by right. The setbacks for accessory  
556 structures like sheds and garages are 10 feet from the  
557 house, three feet off of a property line.

558 MR. KIEN: So then under this proposed  
559 structure, the only variance that we would be looking at  
560 currently is the backyard setback variance from 40 feet  
561 down to 29, is that correct?

562 MR. BOYLE: That's correct.

563 MR. KIEN: Thank you.

564 MS. WARD: I just have a couple of questions  
565 for the applicant.

566 When you purchased this property, were you  
567 aware of the irregular shape and the setbacks for the  
568 house? If you can just speak a little bit to the  
569 initial thought for the property when you purchased it  
570 please.

571 MS. PRIYA KRISHNAN: Well, when we bought it  
572 we had really not really considered the setbacks or  
573 anything like that because at that time we didn't really  
574 think we were going to build on it. We just thought it  
575 was a home that we could buy in the City of Falls  
576 Church.

577 So, yes, we knew it was an odd shape but  
578 really we didn't --

579 MS. WARD: It's a great location.

580 MS. PRIYA KRISHNAN: Yeah, sort of a  
581 cul-de-sac and very nice location in the middle of  
582 everything so we just really considered those things and  
583 Laura Drive is a pretty street too.

584 So yes, I didn't think of the setbacks and  
585 neither Anna at that time.



586 MR. EPPLER: When did you purchase the  
587 property?

588 MS. PRIYA KRISHNAN: Four years ago. I'm not  
589 sure.

590 MR. MISLEH: 2016, Mr. Eppler, is what I saw  
591 referenced in the package.

592 MS. PRIYA KRISHNAN: We tried to answer some  
593 of the neighbors' concerns. The main things that we  
594 think that -- we understand the neighbors' concerns,  
595 first of all. And wanted to really work with -- we  
596 certainly want everyone in the neighborhood to be happy.  
597 We don't want to make people unhappy although I'm sure  
598 having construction going on next door to you is not  
599 going to be fun for a while. So we thought if we  
600 flipped the design we'd be able to ask for much less.

601 We also are not building a huge house as might  
602 have been indicated in one of the letters. I think  
603 "monumental construction", or something like that, I  
604 don't remember it off the top of my head. But literally  
605 it is smaller. And I did construct a letter, we put  
606 together a list of some of the recent newer homes built  
607 in the City and this house is actually smaller in living  
608 space than many of the homes, including five that are on  
609 Laura itself.

610                   So it's not a huge house, first of all, and we  
611 just think it would be an improvement even to the  
612 street. Because that house is literally a tiny little  
613 ranch, three bedroom, one bath, in need of updating, not  
614 something that a family can really live in comfortably.

615                   So we just felt like this was something due to  
616 the extreme odd shape of the lot that we would have to  
617 get. We tried to fit it some other way and then we  
618 thought, well, we should ask if it's possible to just  
619 extend just a little bit into the rear setback.

620                   And the lot coverage is actually very much,  
621 probably 50 percent of what we would be allowed, based  
622 on the 25 percent, we would be able to cover 28, 30  
623 square feet. But we're literally covering under 1500.

624                   MR. MISLEH: I think one of the criteria that  
625 we're supposed to evaluate these applications and judge  
626 these applications on is the hardship that it presents  
627 to the applicant.

628                   In this particular case, this home has been a  
629 rental now since you purchased it, is that right?

630                   MS. PRIYA KRISHNAN: After the first year,  
631 yeah.

632                   MR. MISLEH: So the hardship that these  
633 setbacks present, I'm personally having a hard time  
634 understanding and being able to read between the lines.

635 So if you could help us understand as a Board that  
636 hardship and why this variance will help you resolve  
637 that.

638 MS. PRIYA KRISHNAN: So I guess we wanted to  
639 improve the property which would mean building a new  
640 home on the property and the shape of the property  
641 prevents us from putting any average size home on it,  
642 unless we get some relief with a variance. We could go  
643 back to putting the similar size house that was already  
644 there and that's 950 square feet on one level really.

645 So it just seems if we wanted to build a new  
646 home for a family, that just doesn't seem to work as far  
647 as designing -- due to the constraints of the lot being  
648 that odd shape.

649 I mean the neighbors, all the other neighbors,  
650 for example, or most neighbors except the ones who have  
651 been on cul-de-sac, have rectangular lots that are  
652 easier to put a normal, standard, not even size, just  
653 the normal shape of a house on it.

654 And actually we found that a neighbor two  
655 doors down on Laura, 612 Laura, I believe I submitted  
656 that, we put that in the package, they had received a  
657 variance on the rear setback and they have a rectangular  
658 lot actually.

659                   So I didn't think we were out of line in  
660 asking for this because it is a hardship trying to build  
661 a house on a strange triangular lot with these strict  
662 setbacks which we definitely want to abide by, except  
663 we're not going to -- like you could see, I think it's  
664 about 155 square feet that would actually encroach into  
665 the setback.

666                   MS. WARD: From my perspective one of the  
667 things that I'm struggling with is you purchased this  
668 property that I assume was at a bit of a reduced rate  
669 compared to a rectangular lot because it would make a  
670 teardown or a reconstruction more difficult. So I'm  
671 having a hard time seeing the hardship as well.

672                   Have you guys considered building up on the  
673 existing structure?

674                   MS. PRIYA KRISHNAN: Yeah, we looked at that  
675 too. But like I said, building up on the structure, it  
676 has a crawl space under it so you wouldn't have a  
677 basement, for example, and you put -- we'd be literally  
678 having to, if we built up on top of it, we would be  
679 under 2000 square feet for the complete house.

680                   I'm sure you realize today that's not really  
681 an average size home for a family.

682                   MS. ANNA KRISHNAN: And I don't think in 2016  
683 it was at a reduced price.

684 MS. PRIYA KRISHNAN: And actually, yes, we  
685 don't think it was a reduced price. We don't have proof  
686 of that but I'm sure if we looked at other homes at that  
687 year, I don't think we bought it at a reduced price at  
688 all.

689 MR. DOLPH: Are you open to comments from the  
690 public still?

691 MS. PRIYA KRISHNAN: I'm sorry, is that  
692 question for us?

693 MR. DOLPH: It's a question for the Board. Is  
694 the public still able to speak?

695 MR. MISLEH: John, are we still able to take  
696 comment at this point?

697 MR. BOYLE: Yes, I don't believe the chair has  
698 closed the meeting to comment. Usually closing the  
699 meeting is preparatory to making a motion so I think  
700 we're still open.

701 MR. MISLEH: Okay.

702 MR. DOLPH: Yes, my name is Peter. I live two  
703 doors down, 604. I live in basically the exact same  
704 house. We spent probably two years looking at every  
705 single house in Falls Church that cost less than a  
706 million dollars and we looked at that house in  
707 particular. And my recollection is it listed for 630 or  
708 something and then was purchased for about 550.

709                   So it did go for substantially less I think  
710 for exactly the reason that Ms. Ward suggested, that  
711 it's an odd lot and it's hard to build on.

712                   Second comment is we live in basically the  
713 exact same house and somebody popped our top and we live  
714 in a sub-2000 square foot home and we're perfectly  
715 comfortable with a family of four.

716                   Third comment, are you planning on living in  
717 this house because I think what's being asked of the  
718 City is a variance reduction so that you can build a  
719 home to sell at a profit and I think maybe that's --  
720 well, I'm not familiar with this process but maybe  
721 that's asking much.

722                   MR. MISLEH: Thank you.

723                   MS. PRIYA KRISHNAN: I'd like to see what they  
724 say.

725                   MS. ANNA KRISHNAN: Is that a question for us,  
726 for me?

727                   Hello? Yes, I'm building --

728                   MR. MISLEH: That was a comment from one of  
729 the neighbors. You're welcome to speak to it if you  
730 choose.

731                   MS. ANNA KRISHNAN: Well, I understand that  
732 everyone has different expectations and preferences and  
733 it's perfectly reasonable to have a family in a smaller

734 house as well. I have done that. But what I'm asking  
735 for is to build this size house and I would like that  
736 variance so I can extend the kitchen a little bit in the  
737 back.

738                   And, yes, it's to live in.

739                   So that is my request.

740                   MR. MISLEH: Thank you. Any other neighbors  
741 who would like to speak or questions from the Board?

742                   MR. CRONIN: Yeah, this is Greg Cronin again  
743 at 607 Poplar Drive.

744                   Once again I haven't seen any of this or had  
745 any discussion with anybody and I'm certainly directly  
746 affected. I think the Board was going on the right path  
747 here that people have been living in that house since  
748 I've been here since 1993, and it's an odd shaped lot  
749 and I think everybody understood that. And I'm not sure  
750 that the shape of the lot should dictate how much the  
751 house should or should not go into the variance.

752                   So I certainly appreciate what the applicants  
753 are trying to do and I think that the existing house and  
754 the existing footprint have been within the regulations  
755 and I would certainly encourage them to stick to that  
756 footprint.

757                   MR. MISLEH: Thank you. If there are no other  
758 neighbors with new comments I'd like to --

759 MS. REID: I have a comment. This is Jean  
760 Reid again on 606 Laura Drive.

761 I do have one question for them. They did in  
762 September try to sell this property for \$750,000 and I  
763 know that that was unsuccessful. What made you change  
764 from September to now to convert this to your primary  
765 residence?

766 MS. PRIYA KRISHNAN: Because well, my daughter  
767 decided she wanted to --

768 MS. ANNA KRISHNAN: It's my parents' property.  
769 So I bought it from my parents.

770 MR. MISLEH: All right. Thank you to all the  
771 neighbors who have commented.

772 At this point does the Board have any  
773 additional questions?

774 MR. KIEN: I have one. You've referenced  
775 another property that is proximate to this property that  
776 you believe did receive a rear setback variance. Could  
777 you please reference that address again and, John, is  
778 there a way for you to provide us with any type of  
779 clarity on that particular variance and as to why it was  
780 granted.

781 MR. BOYLE: Yeah, bear with me. I can look at  
782 the list of variances we have.



783                   In my experience, Laura Drive, when it comes  
784 out of the cul-de-sac runs back to the access street  
785 there. They're kind of rectangles that are rotated 90  
786 degrees and this Board has seen some setback variances,  
787 some rear setback variances. There was a front setback  
788 variance because there was a tree that needed to be  
789 preserved.

790                   But if you'll bear with me, I'll look at the  
791 applications we've had.

792                   MS. PRIYA KRISHNAN: It's in the package. We  
793 actually attached a copy of the variance to the last  
794 page of the package that was submitted.

795                   Is that it?

796                   MS. REID: That's from 1997.

797                   MR. MISLEH: Akida, I'd like to ask the  
798 members of the public to mute themselves and not comment  
799 at this point.

800                   So, John, please go ahead.

801                   MR. BOYLE: I'm looking at several screens  
802 here so pardon me, but I did a sort on our spread sheet  
803 and there was 616 Laura Drive, received a variance for  
804 front and side setback; 621 Laura Drive, a rear setback;  
805 623 Laura Drive for rear setback; 602 Laura Drive, for a  
806 front yard setback; 619 Laura Drive for a rear yard  
807 setback; 613 Laura Drive for accessory structure,

808 probably into the side setback; 613 for a front yard  
809 setback; 623 Laura Drive for a front yard setback; 617  
810 Laura Drive for a front yard setback; 620 for a rear  
811 setback was denied; 618, all the way back in 1998, rear  
812 yard setback; 612 Laura Drive for a rear yard setback;  
813 and then we're back to the start.

814           So what you have here, if you look at the  
815 larger subdivision of Laura Drive, the houses that  
816 aren't on the cul-de-sac are, if I recall, they're  
817 perfectly conforming rectangles that are rotated 90  
818 degrees because the developer was running out of square  
819 footage in Falls Church. So rather than set them at  
820 narrow street frontage with depth, they rotated them.

821           So fast forward to today when we want to  
822 rebuild our ranches, the front rear setbacks almost  
823 overlap.

824           The cul-de-sacs that you see towards the end  
825 where this application is may have sufficient square  
826 footage but it's an odd pie-shaped lot.

827           So this Board over the years since going back  
828 into the 90s has had considerable activity for rear and  
829 front setback variances. I think this is one of the  
830 first on the cul-de-sac though, if that helps.

831           MR. MISLEH: Thank you, John. I think it's  
832 important to note that this exhibit that was provided by

833 the applicant, it clearly states on here that there's no  
834 objection from the rear neighbor. I think it's  
835 important also to note that it was a three to five vote.  
836 So I'd like the applicant to make sure they take that  
837 into consideration before we close the comments this  
838 evening.

839 Are there any other comments from the Board  
840 members or questions?

841 (No response.)

842 MR. MISLEH: So hearing none, I'd like to just  
843 speak for a moment and before I do I'd like to disclose  
844 that I do live on Laura Drive and I will recuse myself  
845 from the vote this evening. So you're only going to  
846 have three Board members who are able to vote and that's  
847 going to require a majority -- a unanimous vote, sorry,  
848 so you would need all three Board members to support  
849 that.

850 I will tell you that given the comments we've  
851 heard so far from the neighbors and some of the limited  
852 information that we've had to work with, I think the  
853 hardship here has not been fully articulated and I think  
854 it would be hard, at least for myself, to be able to  
855 understand, how to make this request fit inside of the  
856 hardship test that's been given.

857                   So with that said, I'd like to ask the Board  
858 if you'd like to close the comments and if someone would  
859 like to make a motion.

860                   MR. BOYLE: Mr. Chair, if I could I'd like to  
861 ask the applicants if they'd like to continue, given the  
862 two issues: One is the neighbors I think would benefit  
863 from hearing more about the new proposal and obviously  
864 the missing members of the Board.

865                   A continuation in this case I think would  
866 probably result in a full new hearing with an invitation  
867 back to the neighbors but they should be extended that  
868 option to request a continuance I believe.

869                   MR. MISLEH: Absolutely.

870                   MS. ANNA KRISHNAN: Yes, thank you. We'd like  
871 to request a continuance for the neighbors to review the  
872 information and for another hearing.

873                   MR. MISLEH: Thank you for presenting this  
874 evening and if there's nothing else on this application,  
875 we'll look forward to seeing you at a future meeting.

876                   Thank you.

877                   MR. BOYLE: Thank you, Mr. Chair.

878                   And thanks to the applicants and the neighbors  
879 for appearing.

880                   Staff may -- I do not believe it's required  
881 that we notify the neighbors of the next meeting. So

882 please contact staff and we'll make sure you're aware if  
883 we have a quorum for the next meeting, when this case  
884 will actually reappear.

885           As I said, I don't think we're required to  
886 renotify, but with a new date pending, I'll check with  
887 Akida but we probably will renotify the neighbors just  
888 to be safe.

889           MR. MISLEH: Thank you, John.

890

891 6. APPROVAL OF MINUTES

892           a. Approval of the January 14, 2022 Meeting  
893 Minutes

894           MR. MISLEH: So if there are no other New  
895 Business, we'll move on to Approval of the Minutes from  
896 the January 14, 2021 (sic) meeting.

897           (Minutes reviewed.)

898           MR. MISLEH: Once everyone has an opportunity  
899 to review, if someone would like to make a motion,  
900 please do.

901           MR. EPPLER: I will make a motion to approve  
902 the Board minutes, and I'm sorry I don't have the date  
903 here in front of me, but the February 17th I believe.

904           MS. WARD: January 14.

905           MR. EPPLER: January 14th.

906           MR. MISLEH: Thank you, Mr. Eppler.

907 MR. KIEN: I'll second that motion.

908 MR. MISLEH: Thank you.

909 Akida.

910 RECORDING SECRETARY: Mr. Misleh.

911 MR. MISLEH: Yes.

912 RECORDING SECRETARY: Mr. Kien.

913 MR. KIEN: Yes.

914 RECORDING SECRETARY: Mr. Eppler.

915 MR. EPPLER: Yes.

916 RECORDING SECRETARY: Ms. Ward.

917 MS. WARD: Yes.

918 RECORDING SECRETARY: Thank you.

919

920 7. OTHER BUSINESS

921

922 8. ADJOURNMENT

923 MR. MISLEH: So if there's no Other Business,

924 I'd like to move to adjourn the Board of Zoning Appeals

925 meeting from February 17, 2022.

926 MS. ROUZI: Thank you. Have a good night,

927 everyone.

928

929

930

931