



APPLICATION

ENCROACHMENT INTO RIGHT-OF-WAY

_____ Filing Fee

_____ Filing Deadline

_____ Planning Commission Hearing

_____ City Concil Hearing

The applicant must send written notice of public hearings by certified or registered mail to all adjoining and facing property owners at least 10 days prior to the Planning Commission hearing, and not more than 30 days prior to the hearing. See detailed instructions on “Notice Requirements.”

Mail certified or registered notice of hearings between _____ and _____.

Return notice materials to Department of Planning and Zoning by _____.



APPLICATION

ENCROACHMENT

ENC# _____

PROPERTY LOCATION: _____

TAX MAP REFERENCE: _____ ZONE: _____

APPLICANT

Name: _____

Address: _____

PROPERTY OWNER

Name: _____

Address: _____

PROPOSED USE: _____

INSURANCE CARRIER (copy attached) _____ POLICY # _____

A certificate of general liability insurance in the amount of \$1,000,000 which will indemnify the owner and names the city as an additional insured must be attached to this application.

[] THE UNDERSIGNED hereby applies for an Encroachment Ordinance in accordance with the provisions of Section 8-1-16 and Sections 3-2-82 and 85 of the Code of the City of Alexandria, Virginia.

[] THE UNDERSIGNED hereby applies for an Administrative Use Permit in accordance with the provisions of Article VI, Section 6-600 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 Iso attests that all of the information herein provided and specifically including all surveys, drawings, etc., required of the applicant are true, correct and accurate to the best of their knowledge and belief.

Print Name of Applicant or Agent

Signature

Mailing/Street Address

Telephone # Fax #

City and State Zip Code

Email address

Date

Application Received: _____ Date and Fee Paid: \$ _____
ACTION - PLANNING COMMISSION: _____ ACTION - CITY COUNCIL: _____

OWNERSHIP AND DISCLOSURE STATEMENT

Use additional sheets if necessary

1. Applicant. 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. The term ownership interest shall include any legal or equitable interest held at the time of the application in the real property which is the subject of the application.

Name	Address	Percent of Ownership
1.		
2.		
3.		

2. Property. State the name, address and percent of ownership of any person or entity owning an interest in the property located at _____ (address), unless the entity is a corporation or partnership, in which case identify each owner of more than ten percent. The term ownership interest shall include any legal or equitable interest held at the time of the application in the real property which is the subject of the application.

Name	Address	Percent of Ownership
1.		
2.		
3.		

3. Business or Financial Relationships. Each person or entity indicated above in sections 1 and 2, with an ownership interest in the applicant or in the subject property are require to disclose **any** business or financial relationship, as defined by Section 11-350 of the Zoning Ordinance, existing at the time of this application, or within the 12-month period prior to the submission of this application with any member of the Alexandria City Council, Planning Commission, Board of Zoning Appeals or either Boards of Architectural Review. **All fields must be filled out completely. Do not leave blank. (If there are no relationships please indicated each person or entity below and "None" in the corresponding fields)**

Name of person or entity	Relationship as defined by Section 11-350 of the Zoning Ordinance	Member of the Approving Body (i.e. City Council, Planning Commission, etc.)
1.		
2.		
3.		

NOTE: Business or financial relationships of the type described in Sec. 11-350 that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings.

As the applicant or the applicant's authorized agent, I hereby attest to the best of my ability that the information provided above is true and correct.

Date
Printed Name
Signature

Alexandria City Council

William Euille
Kerry Donley
Frank Fannon IV
Alicia Hughes
Redella "Del" Pepper
Paul Smedberg
Rob Krupicka

Planning Commission

John Komoroske
H. Stewart Dunn, Jr.
Jesse Jennings
Mary Lyman
J. Lawrence Robinson
Eric Wagner
Donna Fossum

Board of Zoning Appeals

Mark Allen
Geoffrey Goodale
John Keegan
Stephen Koenig
David Lantzy
Jennifer Lewis
Eric Zander

**Board of Architectural Review
Old and Historic District**

Chip Carlin
Oscar Fitzgerald
Thomas Hulfish
Arthur Keleher
Wayne Neale
Peter Smeallie
John Von Senden

**Board of Architectural Review
Parker-Gray District**

William Conkey
Theresa del Ninno
Robert Duffy
Christina Kelley
Douglas Meick
Philip Moffat

Updated 8/2/2011

Definition of business and financial relationship.

Section 11-351(A) of the Zoning Ordinance defines a business or financial relationship as any of the following:

- (1) a direct one;
- (2) by way of an ownership entity in which the member or a member of his immediate household is a partner, employee, agent or attorney;
- (3) through a partner of the member or a member of his immediate household;
- (4) through a corporation in which any of them is an officer, director, employee, agent or attorney or holds 10 percent or more of the outstanding bonds or shares of stock of a particular class. In the case of a condominium, this threshold shall apply only if the applicant is the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium;
- (5) not as an ordinary customer or depositor relationship with a professional or other service provider, retail establishment, public utility or bank, which relationship shall not be considered a business or financial relationship;
- (6) created by the receipt by the member, or by a person, firm, corporation or committee on behalf of the member, of any gift or donation having a value of more than \$100, singularly or in the aggregate, during the 12-month period prior to the hearing on the application from the applicant.

INSTRUCTIONS ENCROACHMENT INTO RIGHT-OF-WAY APPLICATION

An encroachment is the projection of a building, structure, stoop, step, or other improvement beyond a property line into a public right-of-way such as a sidewalk, street or alley. The encroachment must be approved by the Alexandria City Council through public hearings.

FILING DEADLINE. Encroachment applications must be submitted to the Department of Planning and Zoning at least 49 calendar days prior to the scheduled Planning Commission hearing date. Call the Planning Department (838-4666) or visit alexandriava.gov/planning and zoning to obtain the proper filing deadline date. Failure to submit all required information and plans by the filing deadline will result in the application being deferred to a later hearing date.

APPLICATION FORMS. Encroachment applications must contain a certificate of insurance indicating a \$1,000,000 policy and naming the City as an additional insured. Complete the application form using black ink or type. Sign the form, and include a daytime telephone number.

PLANS. Applicants must submit 28 copies of a survey and/or other plans showing the proposed area of encroachment with the application. Plans must be individually folded to a maximum size of 9" x 14" showing the proposed area of encroachment and in such manner that the lower right corner of the plan is on top with the plan title in view. Rolled plans will not be accepted.

FILING FEE. See current fee schedule.

PROPERTY OWNER NOTIFICATION. Applicants must send written notice to all adjoining and facing property owners; notices must be sent by certified or registered mail at least 10 days prior to the Planning Commission public hearing and not more than 30 days prior to the City Council public hearing. Applicants may use the notice form supplied with the application forms. In the event the application is deferred, notification must be given again.

The following must be submitted to the Planning Department no later than five calendar days prior to the public hearing:

- a copy of the notice letter sent,
- a copy of the list of the names and addresses of those persons to whom notice was sent,
- a copy of the post office receipts for the certified or registered mail,
- a certification of notice statement that notice was sent by certified or registered mail to those to whom notice is required to be given.

Failure to send accurate or correct notices will result in deferral of the application to a later hearing date. Property ownership information may be obtained from the City Real Estate Assessment Office, Room 2600, City Hall, 301 King Street or on the City's website at alexandriava.gov.

STAFF REPORT. A staff report and recommendation will be prepared and made available in the Department of Planning and Zoning office. The report is typically available 11 days prior to the Planning Commission hearing.

FOR ASSISTANCE WITH ANY OF THESE PROCEDURES,
CALL THE DEPARTMENT OF PLANNING & ZONING AT (703) 838-4666