

ORDINANCE NO. 2305

AN ORDINANCE to amend and reordain Sections 42-88 and 42-91 of Article XIV, all of Chapter 42 of The Code of the City of Alexandria, Virginia, 1963, as amended; which Chapter 42 relates to ZONING, which Article XIV relates to OLD AND HISTORIC ALEXANDRIA DISTRICT, which Section 42-88 relates to APPLICATIONS FOR CERTIFICATES OF APPROPRIATENESS AND PERMITS and which Section 42-91 relates to BOARD OF ARCHITECTURAL REVIEW--PROCEDURE FOR MEETINGS.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Section 42-88, Article XIV, Chapter 42 of The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is amended and reordained to read as follows:

Sec. 42-88. Applications for certificates of appropriateness and permits.

Applications for certificates of appropriateness required by section 42-86 of this Code or permits required by section 42-87 of this Code shall be made by the owner or authorized agent of the owner of the subject property to the building inspector of the city.

Section 2. That Section 42-91, Article XIV, Chapter 42 of The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is amended and reordained to read as follows:

Sec. 42-91. Same--Procedure for meetings.

The chairman shall conduct the meetings of the board of architectural review. The secretary shall keep the minutes of the meetings and a permanent record of all resolutions, motions, transactions and determinations. All members of the board shall be entitled to vote, and the decisions of the board shall be determined by a majority vote. A quorum of five members present is required before the board may take any official action. The board shall meet within thirty days after an application for a certificate of appropriateness or permit requiring action by the board has been received by the building inspector. The meetings of the board shall be open to the public, and a full and impartial hearing shall be granted. When voting on any question, the determination may be made by secret ballot, but no proxy shall be allowed at any time. The board shall vote and announce its decision on any matter properly before it not later than fourteen days after the conclusion of the public hearing on the matter unless the time is extended by mutual agreement between the board and the applicant.

No application for a certificate of appropriateness required by section 42-86 of this Code which has been denied by the board shall be heard again by the board within one year of the date of its denial of the application, except under such terms and conditions as shall be established by the board, within the scope of section 42-93 of this Code, for rehearing the application at the time of its denial of same.

In case of disapproval of the razing of a building over one hundred years old in the Old and Historic Alexandria District, the board shall state its reasons therefor in writing in some detail. No application for a permit required by section 42-87 of this Code which has been denied shall be heard again within one year from the date of the denial of the application.

If there is an appeal taken to the city council from any denial of a certificate of appropriateness or a permit to raze, the board shall forward its reasons in writing to the council.

In matters covering the procedure for meetings not covered by this article, the board may establish its own rules; provided, they are not contrary to the spirit of this article.

Section 3. That the title of and an informal memorandum explaining this ordinance shall be published in a newspaper of general circulation published in the city not later than five days following its introduction together with a notice containing the time and place for a public hearing. The city clerk shall have the full text of this ordinance printed in sufficient numbers to supply copies to meet request. The city clerk shall note the date of introduction and first reading, the date of publication, the date of the public hearing, and the date of the second reading and final passage in the minutes of the meeting. This ordinance shall become effective the date of its final passage.

FRANK E. MANN  
Mayor

NOVEMBER 28, 1978