

**Bluemont Civic Association**  
General Membership Meeting  
September 30, 2009, 7:30 p.m.  
Arlington Traditional School  
855 N. Edison Street

**Call to Order and Attendance**

President Judah dal Cais called the meeting of the Bluemont Civic Association (BCA) to order at approximately 7:35 p.m. In attendance were Judah dal Cais, Judy Collins, Carl Drummond, Sam Ferro, Terry Serie, Suzanne Sundburg—who took notes in the absence of Secretary Mary Thorne—and Jim Thorne, plus over 50 attendees. (Note: The crowd was unusually large; not all attendees were able to sign the attendance sheet.)

**June 24, 2009, Minutes**

The minutes recorded at the June 24 Annual Meeting were distributed. However, due to the large crowd waiting to hear the code enforcement presentation and to discuss the D&V Auto Service Center agenda item, dal Cais tabled discussion of the 6/24/09 minutes. He stated that members would discuss and vote on the minutes at a later date.

**Code Enforcement Presentation**

Supervisor Dana Wilson and Inspector Lorenzo Harris of the county's Code Enforcement Office covered a multitude of subjects. In response to members' questions, they defined what is and is not covered by Code Enforcement. Wilson explained that his office enforces a combination of various codes: The Uniform Building Code as well as other state and local codes. The Arlington County code itself can be found on the county's Website.

Wilson noted that his office does handle noise complaints. Construction noise should not begin until 7 am. Wilson also discussed the new limitations imposed after the Virginia Supreme Court overturned most localities' noise ordinances. When noise recurs on a frequent or regular basis, he recommended that residents call Code Enforcement. When the noise is a one-time or temporary event, he recommended that residents call police. [Unfortunately, Officer O'Daniel was not present to provide input.] In answer to a question, Wilson insisted that Code Enforcement personnel are available to investigate complaints on the weekends.

There was a question from the audience regarding a home in the neighborhood that had been condemned due to problems with sanitary issues. Wilson noted that the Code Enforcement Office works in tandem with Adult Protective Services to try to remedy code enforcement problems with elderly residents; however, he also informed the group that elderly residents have the right to refuse help.

Code Enforcement does not handle parking issues (a police matter), nor does it handle trash/recycling toter issues (a Solid Waste Bureau responsibility). The office does, however, investigate reports of large amounts of refuse, junked cars, or other debris

piling up at a property. The rule covering grass is 12 inches: Wilson noted that this a rule based on safety and not beauty. There is no rule mandating property owners/residents to shovel snow from walkways.

Wilson said that residents also can reach the Code Enforcement Office by calling 703-228-3232. He asked that residents be specific and provide full details when reporting a potential code enforcement problem. Wilson promised that the Code Enforcement Office would provide a full presentation at a later date, if requested by the membership.

### **D&V Auto Service Center/Penske Rental Trucks**

Member Suzanne Sundburg, who had attended a meeting with local residents and D&V Auto Service Center (the Texaco station) owner Robbie Guenther, the property owner of 5201 Wilson Boulevard (the Texaco station), and the property owner's attorney, Barnes Lawson, on September 16, gave a brief recap of the Penske (formerly Budget) rental truck issue.

Next, Guenther gave a short presentation on his business and updated members on the status of the zoning dispute. Guenther is not the property owner, so he cannot directly apply for use permits or zoning changes; the owner (Dimitrious Patrianakos) is responsible for those matters. The owner is appealing the county's opinion that automotive repairs cannot be performed on the property, as it has since approximately 1950 when the station first opened.

Continuing the rental truck operation may require the owner to request a zoning change from the current C-1 local commercial zoning to C-2. The rezoning request would be a long shot and would cost approximately \$12,000 to \$15,000 to attempt. Guenther and the owner would need to confirm civic association and neighborhood support before considering a move to request a rezoning of the property.

Guenther told the crowd that he knew the trucks could not continue being parked on residential streets. He explained that parking the trucks on the street was not his preference but was a last-ditch attempt to save his business after a complaint from a N. Edison Street property owner (who was trying to sell the rental house that abuts the Safeway parking lot) prompted Safeway to revoke its agreement to host the trucks in exchange for monthly charitable donations from Guenther. Guenther, along with other BCA members, is still trying to get Safeway to reconsider allowing the rental trucks to be parked in its lot, but Safeway officials have not been particularly quick to respond although they seem open to the possibility. In the meantime, Guenther has moved trucks that are not needed in the short term to a Penske satellite lot in Springfield.

Paul Ducharme, of the Carlisle Park, spoke on behalf of the townhouse owners' association. (Carlisle Park abuts the D&V/Texaco property.) Ducharme noted the extreme unsightliness of the trucks that are parked in the public spaces along both sides of N. Frederick Street, near the townhouses. He also objected to having the trucks turn around in the single driveway that Carlisle Park residents must use to access their own parking lot. Ducharme remarked that the townhouse residents were disturbed in

the early morning hours by the trucks being started and moved. Ducharme reported that he spoken with about 50 residents (approximately 40 of which are residents of Carlisle Park) who strongly object to having the trucks parked on residential streets.

Another resident of Carlisle Park noted the inadequate amount of parking for residents and guests in the Carlisle Park lot and objected to having trucks or other vehicles parking in public spots that could be used by townhouse residents and guests. It was also noted that on one occasion, a person had been locked inside a truck and had to be released by a Carlisle Park resident. Guenther responded by saying that he would place exterior locks first thing on the following morning to secure all the trucks parked on neighborhood streets.

Lisa Byington, a resident of N. Edison Street, said that although she likes Robbie and used his service station for auto repairs, she was fed up with the large trucks that have been parked in the public spots along N. Fairfax Drive (between I-66 and the ATS ball fields). In addition to problems with early-morning noise, she reported that the trucks had torn down limbs and damaged trees that provide the only sound barrier for houses along the north end of Edison Street. She also reported incidents of groups of men gathering around the trucks to drink and litter. Another N. Edison Street resident, Chris Spencer, reported that the trucks speed along N. Edison Street next to the school. Spencer said that she and some other residents would be against having the trucks relocated to the Safeway parking lot, objecting to their unsightliness. Various members expressed safety concerns regarding the trucks.

Many residents spoke out in support of Guenther as a helpful and sympathetic business owner who has provided trusted and reliable auto repair services for the neighborhood for many years. Two residents noted Guenther's flexibility and kindness when they had forgotten to pay their bills. One gentleman noted that in addition to Guenther's other contributions to the community, Guenther also had given jobs to the man's son and other young men in the community, providing them with an opportunity to obtain job skills and the discipline that had enabled them to turn their lives around. In answer to one attendee's question, Guenther replied that he didn't know whether his business would still be viable if he were to lose the rental truck revenue. At a minimum, he said that he would have to fire at least some of his eight employees but countered that he would attempt to continue operating the business.

Another member of the audience remarked that Arlington County does allow certain types of commercial vehicles, including tow trucks, taxicabs and limousines, to be parked on public streets.

Most audience members expressed the hope that some sort of compromise could be reached that would enable Guenther's business to survive while addressing neighbors concerns about the trucks. In that regard, the two motions below were made and passed by the membership for consideration and a vote at the October 28, 2009, general membership meeting:

1) BCA supports the mechanical automobile repair services being performed at the D&V Auto Service Center located at 5201 Wilson Boulevard.

2) BCA supports negotiations between D&V Auto Service Center (located at 5201 Wilson Boulevard) and nearby residents to determine a list of conditions that D&V would have to meet in order for BCA and residents to support the continued operation of the rental truck business.

BCA Civic Federation delegate and Planning Commission member Terry Serie urged the civic association to facilitate discussions of this matter between neighbors and D&V well before the October 28 meeting date. Serie noted his success in working with the owner of Union Jack's pub at Ballston Common Mall in resolving noise-related issues. He advised the membership that from his experience, once matters go before the Board of Zoning Appeals (BZA), anything could happen and the outcome could be both unexpected and unwelcome. The best option for all concerned, in his opinion, was for neighbors to reach an agreement with Guenther prior to the BZA hearing.

### **Closing Remarks and Announcements**

Dal Cais announced that the joint Candidates' Night forum, sponsored by BCA and several other West Arlington civic associations, would be held at 7:30 pm on October 28 (the same night as BCA's next general membership meeting) at the Resurrection Lutheran Church located at 6201 N. Washington Boulevard.

He also announced the Arlington Environmental Collection and Recycling (E-CARE) event would be held on Saturday, October 3, at Thomas Jefferson Middle School.

Dal Cais reminded all present that the Safeway property on Wilson Boulevard would be redeveloped in the future and that life in the neighborhood would be changing. He noted the work of the Bluemont Village Center Working Group and the plans to update the *BCA Neighborhood Conservation Plan*. He urged all attendees to get more involved and to read BCA's newsletter to stay current on important issues facing Bluemont.

### **Adjournment**

Dal Cais adjourned the meeting at approximately 9:30 p.m.