

April 19, 2013

Michael McMahon
332 Clark's Tract
Keswick, VA 22947

Certificate of Appropriateness Application

BAR 13-04-02
301 5th Street SW
Tax Map 29 Parcel 104
City of Charlottesville, Applicant/Michael McMahon, Owner
Remove/replace wall and steps

Dear Applicant,

The above referenced project was discussed before a meeting of the City of Charlottesville Board of Architectural Review (BAR) on April 16, 2013. The following action was taken:

The BAR had a preliminary discussion with the owner present. There was consensus to rebuild a wall across the front and turn the corner slightly. First choice is stone to match original, similar to wall at 303 5th Street SW, or second choice would be a contemporary expression of the old wall (warm-colored concrete with rounded top and same proportions, with stone piers at entrance). The BAR wants the City to have prepared construction drawings showing elevation and section. They have concerns how the footing will be placed under the sidewalk.

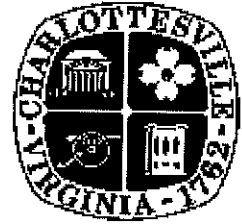
If you have any questions, please contact me at 434-970-3130 or scala@charlottesville.org.

Sincerely yours,

Mary Joy Scala, AICP
Preservation and Design Planner

Mary Joy Scala, AICP
Preservation and Design Planner
City of Charlottesville
Department of Neighborhood Development Services
City Hall - 610 East Market Street
P.O. Box 911
Charlottesville, VA 22902
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**CITY OF CHARLOTTESVILLE
BOARD OF ARCHITECTURAL REVIEW
STAFF REPORT
April 16, 2013**



Certificate of Appropriateness Application

BAR 13-04-02

301 5th Street SW

Tax Map 29 Parcel 104

City of Charlottesville, Applicant/Michael McMahon, Owner

Remove/replace wall and steps

Background

301 5th Street SW (before 1876) is an individually protected property. It is also a contributing structure in the Fifeville and Tonsler Neighborhoods (National and State Register) Historic District. A one-story frame rear wing was added in 1907, with a frame second story added before 1920. It was replaced with a one-story cinderblock wing that was later extended to both sides. The historic surveys are attached.

August 18, 2009 - The BAR approved (8-0) the certificate of appropriateness application (to rehabilitate the front porch, repair or replace deteriorated elements, rebuild the chimneys above the roofline, replace the roof, repair the rear brick wall, and regrade the yards and redesign site walls) with the following conditions: *the detail and resolution for the site retaining wall at the sidewalk*, as well as the restoration of the wall at the areaway and detail for the new front door *shall be brought back to the BAR for approval*. The other work included in the proposal is approved as submitted.

April 20, 2010 – The BAR had a preliminary discussion regarding demolishing a rear addition and sheds; and adding a new rear addition and site work. In general, the BAR applauded the idea of removing the rear sheds and addition; liked the concept of a new addition, but thought the proposal is excessively large and overwhelms the house; suggested a perpendicular bar or another simpler footprint; questioned the commercial-looking window groupings, pergola, and large eaves; details are more Arts & Crafts than Victorian like the house. They like opening the corner, using a contrasting material, and 2/2 windows.

June 15, 2010 - The BAR approved (6-2) demolition of sheds and rear addition, as well as general massing, scale and proportion of the new addition in concept only, with the provision that details related to the building envelope of the addition, precise window placement, and roof configuration, as well as details related to site design, colors, and materials all be submitted back to the BAR for final review.

August 17, 2010 – The BAR approved (6-1) the rear addition as submitted with the following conditions: Hand-crimped galvalume roof to be used on the main portions of the roof [and no commercial ridge vent on either the addition or original structure] , and an alternate material (such as terne metal) considered for the mansard roofs above the porch and bay window; *and a revised site plan that considers an edge (hedge or wall) along Dice & 5th Streets*; and size and configuration of paved areas and confirmation of materiality in that area, to be submitted for administrative review in consultation with appropriate board members.

Application

On March 12 the Preservation and Design Planner was informed that a sidewalk improvement project was underway on 5th Street SW, and that an existing stone wall at 301 5th Street SW had to be removed. The wall, located between the property line to the south and the entry walkway, was broken and leaning to the

point that preservation was not possible. Staff informed the BAR by email; the BAR had concerns that the wall would be removed without BAR approval. The wall was removed, the new sidewalk was poured, and dirt was sloped from the sidewalk to the yard to stabilize the sidewalk.

In later discussions with the Director of Neighborhood Development Services, staff was instructed to ask the BAR what would be an acceptable solution regarding replacement of the wall.

Staff met with the property owner, Michael McMahon, to discuss his preferences. First choice would be a concrete and stone wall dimensioned similarly to the abutting stone wall located at 303 5th Street SW to the south (12" in depth; 13" in height above the sidewalk; 24" to top of two posts to be located at the entry walkway.) Estimates are needed to determine if a concrete and stone wall is feasible.

Second choice would be a raised planter bed level with the sidewalk that would be retained on the back side with timbers or modular stones. A low hedge could be planted level with the sidewalk.

The property owner is also interested in removing the vandalized wood fence from the Dice Street frontage, to be replaced with a low hedge.

Criteria and Guidelines

Review Criteria Generally

Sec. 34-284(b) of the City Code states that,

In considering a particular application the BAR shall approve the application unless it finds:

- (1) That the proposal does not meet specific standards set forth within this division or applicable provisions of the Design Guidelines established by the board pursuant to Sec.34-288(6); and*
- (2) The proposal is incompatible with the historic, cultural or architectural character of the district in which the property is located or the protected property that is the subject of the application.*

Pertinent Standards for Review of Construction and Alterations include:

- (1) Whether the material, texture, color, height, scale, mass and placement of the proposed addition, modification or construction are visually and architecturally compatible with the site and the applicable design control district;*
- (2) The harmony of the proposed change in terms of overall proportion and the size and placement of entrances, windows, awnings, exterior stairs and signs;*
- (3) The Secretary of the Interior Standards for Rehabilitation set forth within the Code of Federal Regulations (36 C.F.R. §67.7(b)), as may be relevant;*
 - 1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.*
 - 2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.*
 - 3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.*
 - 4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.*
 - 5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.*
 - 6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.*

7. *Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.*
8. *Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.*
9. *New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.*
10. *New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.*

(4) The effect of the proposed change on the historic district neighborhood;

(5) The impact of the proposed change on other protected features on the property, such as gardens, landscaping, fences, walls and walks;

(6) Whether the proposed method of construction, renovation or restoration could have an adverse impact on the structure or site, or adjacent buildings or structures;

(8) Any applicable provisions of the City's Design Guidelines.

Pertinent Design Guidelines for Site Design & Elements:

B. PLANTINGS

Plantings are a critical part of the historic appearance of the residential sections of Charlottesville's historic districts. The character of the plantings often changes within each district's sub-areas as well as from district to district. Many properties have extensive plantings in the form of trees, foundation plantings, shrub borders, and flowerbeds. Plantings are limited in commercial areas due to minimal setbacks.

- 1) *Encourage the maintenance and planting of large trees on private property along the streetfronts, which contribute to the "avenue" effect.*
- 2) *Generally, use trees and plants that are compatible with the existing plantings in the neighborhood.*
- 3) *Use trees and plants that are indigenous to the area.*
- 4) *Retain existing trees and plants that help define the character of the district, especially street trees and hedges.*
- 5) *Replace diseased or dead plants with like or similar species if appropriate.*
- 6) *When constructing new buildings, identify and take care to protect significant existing trees and other plantings.*
- 7) *Choose ground cover plantings that are compatible with adjacent sites, existing site conditions, and the character of the building.*
- 8) *Select mulching and edging materials carefully and do not use plastic edgings, lava, crushed rock, unnaturally colored mulch or other historically unsuitable materials.*

C. WALLS AND FENCES

There is a great variety of fences and low retaining walls in Charlottesville's historic districts, particularly the historically residential areas. While most rear yards and many side yards have some combination of fencing and landscaped screening, the use of such features in front yards varies. Materials may relate to materials used on the structures on the site and may include brick, stone, wrought iron, wood pickets, or concrete.

- 1) *Maintain existing materials such as stone walls, hedges, wooden picket fences, and wrought-iron fences.*
- 2) *When a portion of a fence needs replacing, salvage original parts for a prominent location.*

- 3) *Match old fencing in material, height, and detail.*
- 4) *If it is not possible to match old fencing, use a simplified design of similar materials and height.*
- 5) *For new fences, use materials that relate to materials in the neighborhood.*
- 6) *Take design clues from nearby historic fences and walls.*
- 7) *Chain-link fencing, split rail fences, and vinyl plastic fences should not be used.*
- 8) *Traditional concrete block walls may be appropriate.*
- 9) *Modular block wall systems or modular concrete block retaining walls are strongly discouraged but may be appropriate in areas not visible from the public right-of-way.*
- 10) *If street-front fences or walls are necessary or desirable, they should not exceed four (4) feet in height from the sidewalk or public right-of-way and should use traditional materials and design.*
- 11) *Residential privacy fences may be appropriate in side or rear yards where not visible from the primary street.*
- 12) *Fences should not exceed six (6) feet in height in the side and rear yards.*
- 13) *Fence structures should face the inside of the fenced property.*
- 14) *Relate commercial privacy fences to the materials of the building. If the commercial property adjoins a residential neighborhood, use a brick or painted wood fence or heavily planted screen as a buffer.*
- 15) *Avoid the installation of new fences or walls if possible in areas where there are no fences or walls and yards are open.*
- 16) *Retaining walls should respect the scale, materials and context of the site and adjacent properties.*
- 17) *Respect the existing conditions of the majority of the lots on the street in planning new construction or a rehabilitation of an existing site.*

Discussion and Recommendations

Replacement of a concrete and stone wall along 301 5th Street SW, similar to the existing wall at 303 5th Street SW, is a preferred solution. A hedge along the Dice Street frontage would be appropriate.

Suggested Motion

Having considered the standards set forth within the City Code, including City Design Guidelines for Site Design & Elements, I move to find that the proposal satisfies the BAR's criteria and is compatible with this individually protected property and other nearby historic properties, and that the BAR approves the application as submitted.

Architectural And Historic Survey



Identification

STREET ADDRESS: 301 Fifth Street, SW

MAP & PARCEL: 29-104

CENSUS TRACT AND BLOCK:

PRESENT ZONING: R-2

ORIGINAL OWNER: John and Rebecca Shelton

ORIGINAL USE: Residence

PRESENT USE: Residence

PRESENT OWNER: Lonnie Vest, Jr., Bertha M. Vest

ADDRESS: 301 Fifth Street, SW

Charlottesville, Virginia 22901

HISTORIC NAME: Shelton-Fuller House

DATE / PERIOD: Before 1876

STYLE: Victorian Vernacular

HEIGHT (to cornice) OR STORIES: 2 storeys

DIMENSIONS AND LAND AREA: 56' x 130' (7280 sq. ft.)

CONDITION: Good

SURVEYOR: Bibb

DATE OF SURVEY: Spring 1984

SOURCES: City/County Records

1877 Gray Map

Sanborn Map Co. 1907

Bertha Vest

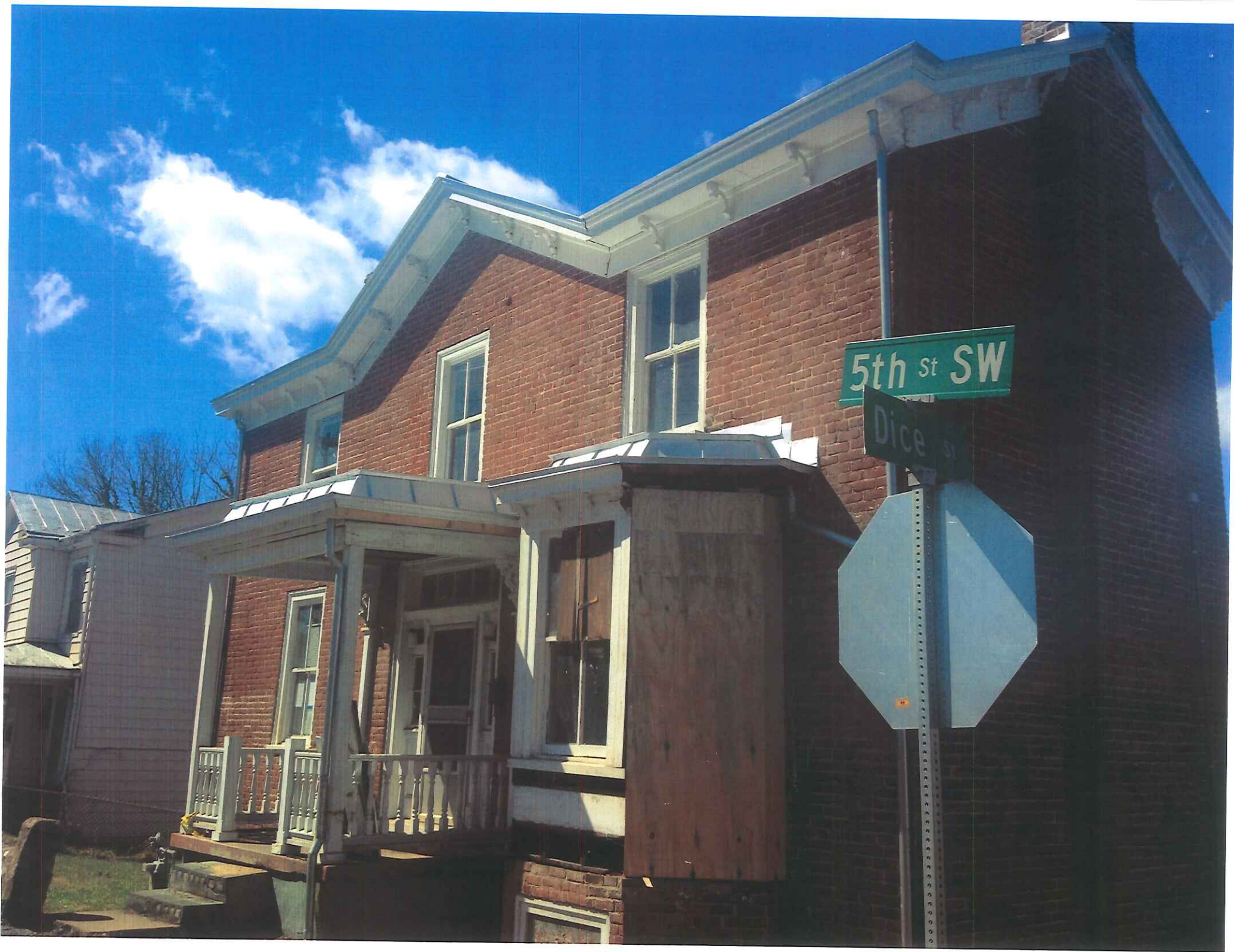
Ch'ville City Directories

ARCHITECTURAL DESCRIPTION

This is a basic 2-storey, 3-bay, single-pile Virginia I-house set on an English basement. The front yard has now been filled in behind a brick retaining wall that curves around the front of the house from each side of the entrance porch. Walls and foundation are constructed of brick laid in 7-course (and some 9-course) American bond. The medium-pitched bellcast gable roof is covered with standing-seam metal and has projecting eaves and verges, a boxed cornice with sawn brackets on the front and side elevations, and a plain frieze. There is a low central gable on the facade. Each of the two exterior end chimneys has a small cap and one set of weatherings at the sides. The south chimney also has two weatherings on the face of the chimney, both between the first and second storey levels. Windows are double-sash, 2-over-2 light, with plain trim at the basement level and architrave trim at the two upper levels. First storey windows are somewhat taller than those at the other two levels. A one-storey, entrance porch covers the central bay of the facade. It has a bellcast truncated hip roof covered with sheet metal with a boxed cornice, paired cornice brackets, and a plain frieze. Two of the original chamfered square posts with large sawn brackets remain attached to the facade, but the other two posts have been replaced with wrought iron, as has the balustrade. There is a concrete floor. The entrance door has also been replaced, but the rectangular transom and 3-light sidelights over panels with moulded rails remain. There is a one-storey semi-octagonal bay window in the northern bay of the facade. Its roof matches that of the entrance porch, except that the cornice brackets are not paired. There are narrow 1-over-1 light windows at the sides and a 2-over-2 light window in the center plane. At the basement level, there is only a 6-over-6 light window in the center plane. A one-storey cinderblock wing with a low-pitched gable roof covers the center bay of the rear elevation, probably replacing an earlier frame wing. It has now been extended to both sides.

HISTORICAL DESCRIPTION

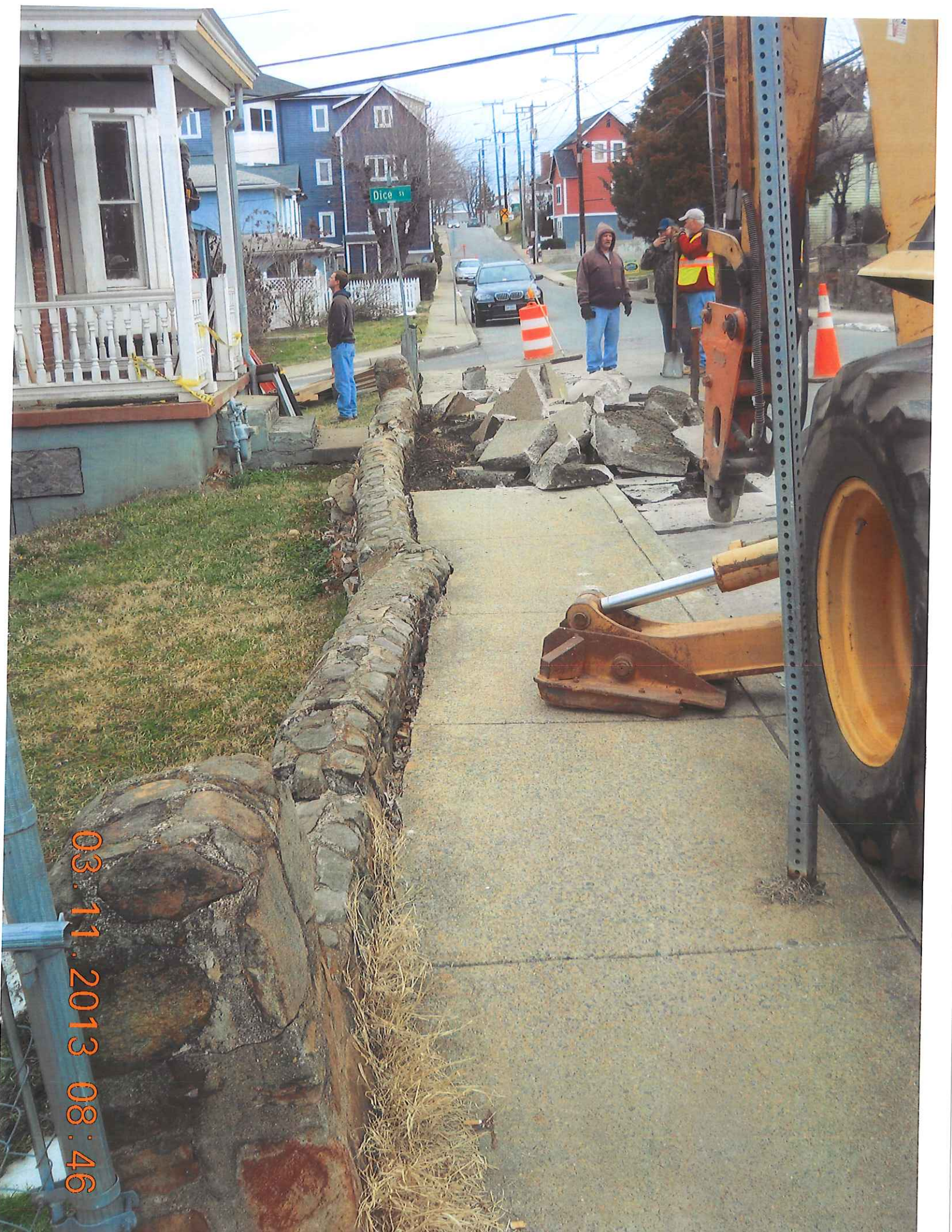
An 1876 deed of trust noted that John N. Fry had contracted to sell to John & Rebecca Shelton "the house and lot where they now reside on the west side of the Old Still House Road..." (ACDB 70-262). This house appears on the 1877 Gray Map. Shelton died before he finished paying for the house, and his son-in-law Charles Fuller paid the rest and received a deed in 1896 (City DB 7-286). A one-storey frame rear wing was added before 1907. After the deaths of Fuller and his wife, their heirs used the house as rental property for many years before finally selling it in 1979 to Lonnie & Bertha Vest (DB 307-217, 404-175).



5th St SW

Dice St





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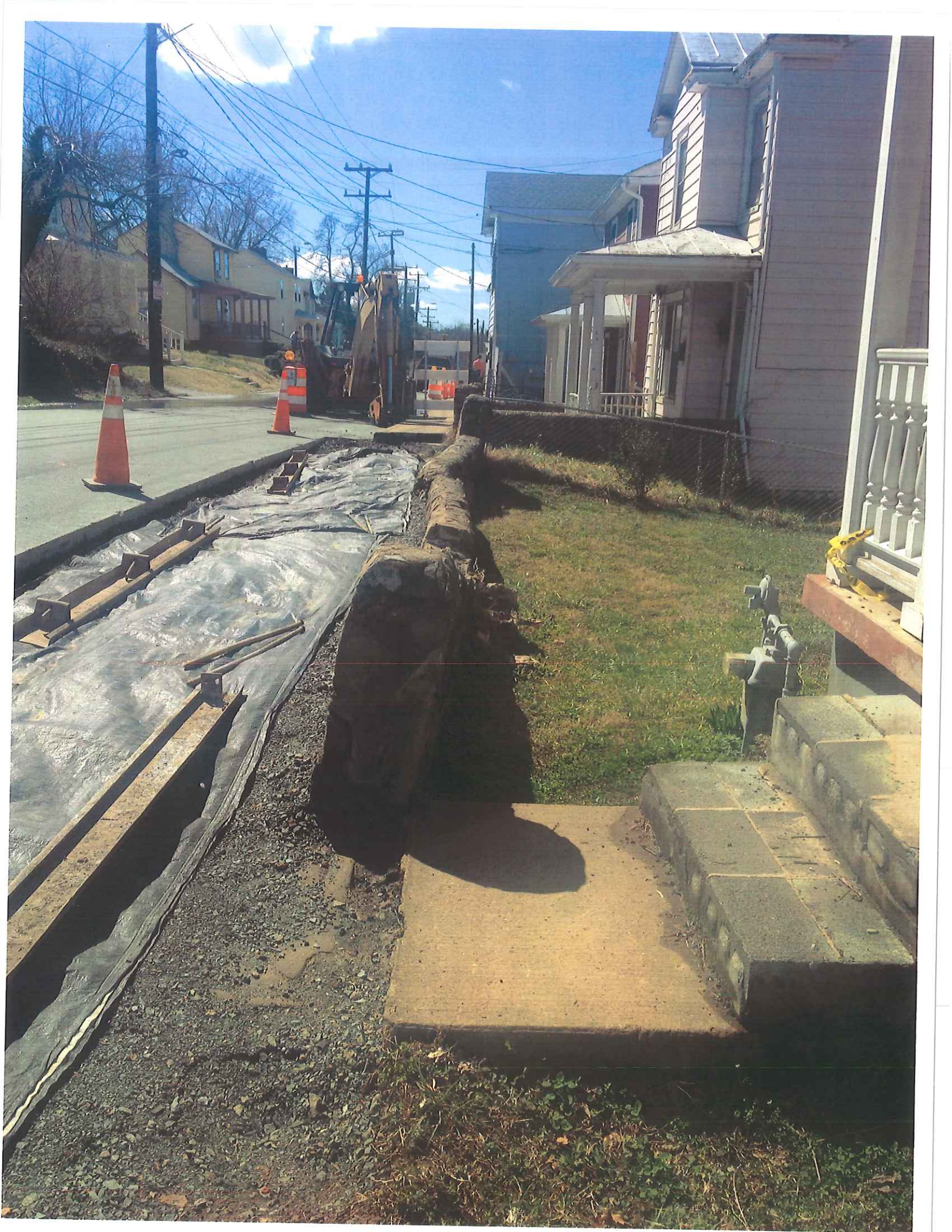
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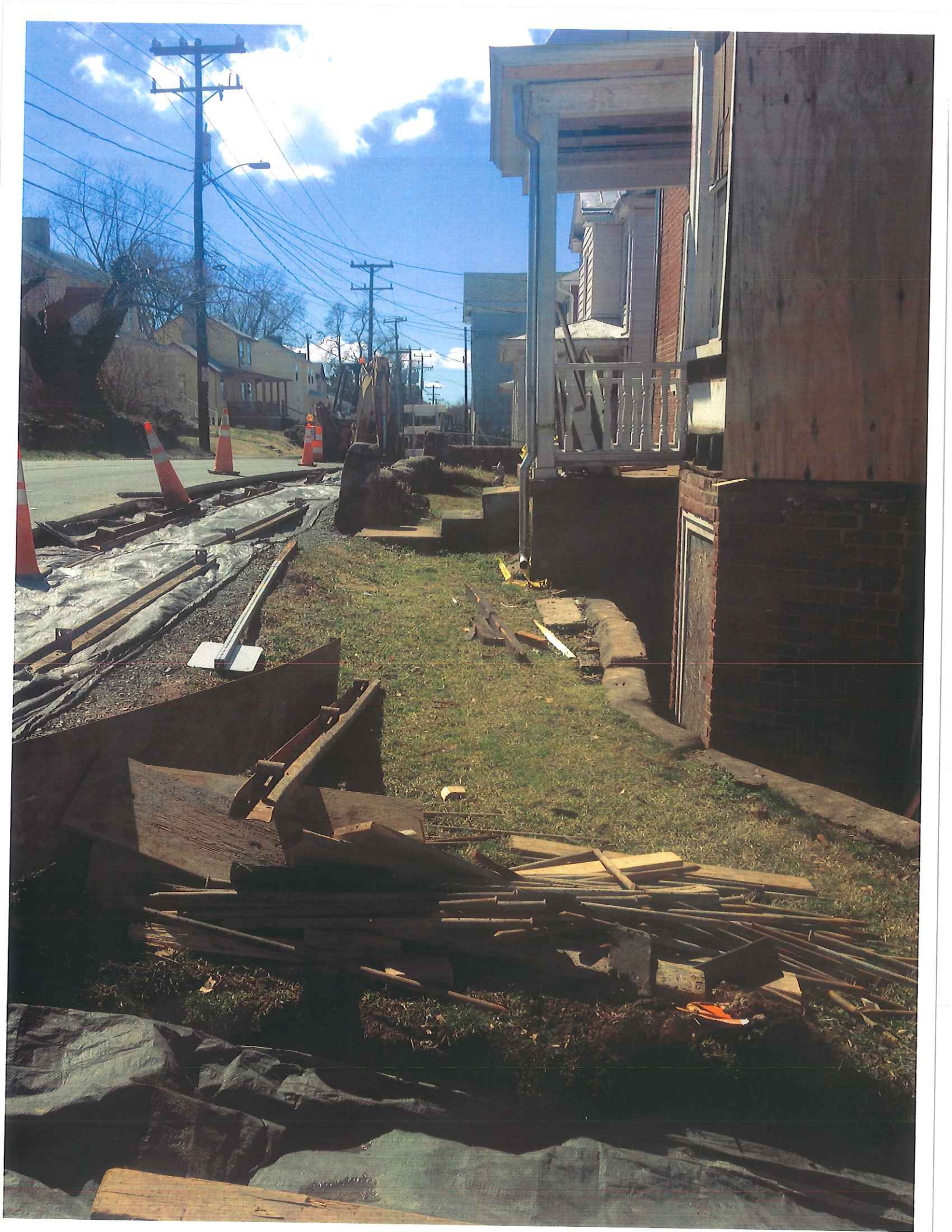


















SIDEWALK
CLOSED

STOP

5th St SW

Dice St. frontage.



"Moat" wall



303 5th St. SW

CITY OF CHARLOTTESVILLE

"A World Class City"

Department of Neighborhood Development Services

City Hall Post Office Box 911
Charlottesville, Virginia 22902
Telephone 434-970-3182
Fax 434-970-3359
www.charlottesville.org




AFFIDAVIT OF MAILING

To File: 301 5th Street SW (BAR 13-04-02)

I, Kristin Rourke, being first duly sworn, hereby certify that I mailed the attached letter, by first class United States Mail, to the addresses shown on this affidavit on April 1, 2013.

Signed:



Kristin Rourke

ADDRESSES

See Attachments

STATE OF VIRGINIA

CITY OF CHARLOTTESVILLE, to-wit:

The foregoing instrument was acknowledged before me this 4th day of April 2013, by Kristin Rourke.

My Commission Expires: AUGUST 31 2015.




Notary Public

CITY OF CHARLOTTESVILLE

"A World Class City"

Department of Neighborhood Development Services

City Hall Post Office Box 911
Charlottesville, Virginia 22902
Telephone 434-970-3182
Fax 434-970-3359
www.charlottesville.org



April 1, 2013

Dear Sir or Madam:

This letter is to notify you that the following application has been submitted for review by the City of Charlottesville Board of Architectural Review on property that is either abutting or immediately across a street from your property, or that has frontage on the same city street block.

Certificate of Appropriateness Application

BAR 13-04-02
301 5th Street SW
Tax Map 29 Parcel 104
City of Charlottesville, Applicant/Michael McMahon, Owner
Remove/replace wall and steps

The Board of Architectural Review (BAR) will consider these applications at a meeting to be held on **Tuesday, April 16, 2013, starting at 5:30 pm in City Council Chambers, City Hall.** Enter City Hall from the Main Street pedestrian mall entrance and go up to 2nd floor.

An agenda with approximate times and additional application information will be available on the BAR's home page accessible through <http://www.charlottesville.org>. If you need more information, please do not hesitate to contact me at 434-970-3130 or scala@charlottesville.org.

Sincerely yours,

A handwritten signature in blue ink, appearing to read 'Mary Joy Scala', is written over a light blue horizontal line.

Mary Joy Scala, AICP
Preservation and Design Planner

513 DICE STREET, LLC
56 WESTMINSTER RD
SCARSDALE NY 10583

COURTNEY, PATRICIA M
1664 STONEY CREEK DRIVE
CHARLOTTESVILLE VA 22902

GIST, DAVID C & STEPHANIE R
307 5TH STREET SW
CHARLOTTESVILLE VA 22903

CAVE, MARK & VICTORIA
302 5TH STREET SW
CHARLOTTESVILLE VA 22903

COLEMAN, JAMES G & WEIWEI YEN
307 KNICKERBOCKER AVE APT 2L
BROOKLYN NY 11237

ROUZER, GARETT M
2805 GLEN GARY DR
HENRICO VA 23233

FIFEVILLE, LLC
332 CLARK'S TRACT
KESWICK VA 22947

JACKSON, STEVEN A
57 OAK TERRACE DRIVE
RUCKERSVILLE VA 22968

WRIGHT, WALTER L, JR
1317 SIMMONS GAP ROAD
DYKE VA 22935

RING, ELIZABETH B
311 5TH ST SW
CHARLOTTESVILLE VA 22902