

CITY OF CHARLOTTESVILLE, VIRGINIA  
CITY COUNCIL AGENDA



Agenda Date:	May 2, 2016
Action Required:	Make a determination to either uphold or overturn the decision of the Board of Architectural Review (BAR)
Presenter:	Mary Joy Scala, Preservation & Design Planner, Department of Neighborhood Development Services (NDS) Melanie Miller, Chair, BAR
Staff Contacts:	Mary Joy Scala, Preservation & Design Planner, Department of NDS Alex Ikefuna, Director, NDS
Title:	<b>513 14<sup>th</sup> Street NW - Appeal of Board of Architectural Review (BAR) decision to deny a rear addition</b>

**Background:**

The format for an appeal of a BAR decision is: (1) staff report; (2) applicants' presentation; and (3) the BAR's position presented by the Chair of the BAR, Ms. Miller.

The zoning ordinance requires that an applicant shall set forth, in writing, the grounds for an appeal, including the procedure(s) or standard(s) alleged to have been violated or misapplied by the BAR....In any appeal the city council shall consult with the BAR and consider the written appeal, the criteria [standards for review] set forth within section 34-276 or 34-278, as applicable, and any other information, factors, or opinions it deems relevant to the application. [ATTACHMENT 1. Criteria]

At their March 15, 2016 meeting, the BAR denied (4-2-1 with Keesecker and Graves opposed, and Balut abstaining) an application to add a rear addition to a circa 1925 contributing structure located in the Rugby Road-University Circle-Venable Neighborhood Architectural Design Control (ADC) district, because it does not satisfy the BAR's criteria and guidelines because of its size, and it is not compatible with this property and other properties in the ADC district. [ATTACHMENT 2 BAR Action Letter and Staff Report] [ATTACHMENT 3. Historic Survey and applicant's photos]

**Discussion:**

The ADC district criteria states that the BAR shall approve an application unless it finds:

- (1) That the proposal does not meet specific standards[34-276]... or applicable provisions of the design guidelines...and
- (2) The proposal is incompatible with the ... architectural character of the district....

Certain members of the BAR noted that the proposed design of the addition was appropriately

detailed and resolved but that the maximum zoning envelope allowed by zoning was not compatible with the Rugby Road-University Circle-Venable Neighborhood ADC district. Certain members noted the addition tripled the size of the house, that it set a bad precedent, and that none of the other houses in the area had additions like this, and the neighborhood would be drastically changed if every building would be done like this.

Certain members urged the applicant to reconsider the massing of the addition and to resubmit with a smaller footprint (possibly by reducing the footprint by one-third) so it would be compatible with the other structures within the ADC district. The two dissenting BAR members noted the addition was not impactful from the street; and that the original intent of the University Medium Density (UMD) zoning was to encourage density near the University to protect other low density residential areas.

The applicant indicated they were not interested in considering the suggestion to reduce the size, saying the current design was within their zoning rights. Therefore the BAR denied the proposed addition. The applicant stated they were going to appeal to City Council.

### **Alignment with City Council's Vision and Strategic Plan:**

Upholding the BAR's decision aligns with Council's vision for *Charlottesville Arts and Culture*: Charlottesville cherishes and builds programming around the evolving research and interpretation of our historic heritage and resources. It contributes to Goal 2 of the Strategic Plan, to be a safe, equitable, thriving and beautiful community, and objective 2.5, to provide natural and historic resources stewardship.

### **Community Engagement:**

The abutting owners were required to be notified of the application. No public comment has been received.

### **Budgetary Impact:**

None.

### **Recommendation:**

The dwellings along 14<sup>th</sup> Street NW, many dating to the late 19<sup>th</sup> and early 20<sup>th</sup> century, are moderate size homes, some former boarding houses, and apartment buildings that have served the needs of University students, faculty and others for most of the 20<sup>th</sup> century. A large majority of these residences retain their original design as well as integrity of location and setting.

Staff would note that the UMD zoning was put in place in 2003, at the same time that City Council directed staff to include the 14th and 15th Street area within the area to be surveyed for a historic district to protect the Venable neighborhood. City Council adopted the ADC district in January 2006, despite concerns about possible conflicts with zoning.

The BAR was within their jurisdiction to discuss the overall size and massing of the addition. In staff opinion, the BAR is correct in its finding that the proposed addition does not meet the standards and

guidelines related to size [mass], and that the proposed addition is incompatible with the architectural character of the ADC district. The City Council should uphold the BAR's decision.

**Alternatives:**

1. City Council may uphold the BAR's decision to deny the proposed addition. In that case, the applicant may choose to make a new application to the BAR with a smaller building footprint.
2. City Council may overturn the BAR's decision regarding size. In that case, Council should stipulate that the applicant shall return to the BAR for approval of unresolved items, which may include a landscape plan, specific window specifications, and eave details.

Note that in either case, in addition to obtaining a certificate of appropriateness, the applicant must also apply for site plan approval.

**Attachments:**

1. Criteria [Standards for Review] set forth within Zoning Ordinance Section 34-276 and Section 34-278
2. BAR action letter and staff report from March 15, 2016 BAR meeting
3. Historic survey and applicant's photos of front and rear of existing house
4. Applicant's appeal submittal dated March 28, 2016

## ATTACHMENT 1

### Criteria [Standards for Review] set forth within Zoning Ordinance Section 34-276

#### **Section 34-276. Standards for Review of Construction and Alterations.**

The following features and factors shall be considered in determining the appropriateness of proposed construction, reconstruction, alteration or restoration of buildings or structures pursuant to section 34-275 above:

***(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;***

***(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;***

***(7) When reviewing any proposed sign as part of an application under consideration, the standards set forth within Article IX, sections 34-1020, et seq. shall be applied; and***

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

#### **Pertinent Design Review Guidelines for Additions and New Construction**

##### ***P. ADDITIONS***

*The following factors shall be considered in determining whether or not to permit an addition to a contributing structure or protected property:*

##### ***(1) Function and Size***

***a. Attempt to accommodate needed functions within the existing structure without building an addition.***

***b. Limit the size of the addition so that it does not visually overpower the existing building.***

....

## ATTACHMENT 2

### BAR action letter and staff report from March 15, 2016 BAR meeting

**From:** Scala, Mary Joy  
**Sent:** Friday, March 18, 2016 5:27 PM  
**To:** 'Kurt Wassenaar'  
**Cc:** 'Lane Bonner'  
**Subject:** BAR Action- March 15, 2016 - 513 14th Street NW

March 18, 2016

Greg Winkler  
200 W 12<sup>th</sup> Street  
Waynesboro, VA 22980

**RE: Certificate of Appropriateness Application**

BAR 16-03-03  
513 14<sup>th</sup> Street NW  
Tax Parcel 020087000  
Lane Bonner, Owner/Wassenaar & Wrinkler Architects, Gregory Winkler/Applicant  
Two story plus attic addition

Dear Applicant,

The above referenced project was discussed before a meeting of the City of Charlottesville Board of Architectural Review (BAR) on March 15, 2016. The following action was taken:

**Mohr moved to find that the proposed addition does not satisfy the BAR's criteria and guidelines, because of its size, and is not compatible with this property and other properties in the Rugby Road-University Circle-Venable Neighborhood ADC district, and that the BAR does not approve the application as submitted. Schwarz seconded. Motion passes (4-2-1, with Keesecker and Graves opposed, and Balut abstained)**

In accordance with Charlottesville City Code 34-285(b), this decision may be appealed to the City Council in writing within ten working days of the date of the decision. Written appeals, including the grounds for an appeal, the procedure(s) or standard(s) alleged to have been violated or misapplied by the BAR, and/or any additional information, factors or opinions the applicant deems relevant to the application, should be directed to Paige Barfield, Clerk of the City Council, PO Box 911, Charlottesville, VA 22902.

If you have any questions, please contact me at 434-970-3130 or [scala@charlottesville.org](mailto: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  
Ph 434.970.3130 FAX 434.970.3359  
[scala@charlottesville.org](mailto:scala@charlottesville.org)

**CITY OF CHARLOTTESVILLE  
BOARD OF ARCHITECTURAL REVIEW  
STAFF REPORT  
March 15, 2016**



**Certificate of Appropriateness Application**

BAR 16-03-03

513 14<sup>th</sup> Street NW

Tax Parcel 050087000

Lane Bonner, Owner/Wassenaar & Winkler Architects, Gregory Winkler, Applicant

Two story plus attic addition

---

**Background**

This property is a contributing structure in the Rugby Road-University Circle-Venable Neighborhood ADC district. (However, 14th Street NW has never been added to the National Register District nearby.) The Colonial Revival house was built ca. 1925. The house is nicely detailed and well-maintained. (historic survey attached)

**Application**

The proposal is to add a two-story (plus attic) addition to the rear of the existing two-story house. The house has three bedrooms; the proposed addition has three bedrooms each on the first and second floors, and two bedrooms in the attic.

A partially-enclosed, rear two-story porch will be demolished. The proposed addition will encapsulate the rear wall of the house, and is located entirely to the rear, except for a new handicapped ramp proposed on the north side. Parking will be added off a rear alley.

The proposed materials are:

Brick: General Shale Old English Tudor

Dormer siding: Handiplank Cobblestone

Roofing: Englert Hemlock Green

Trim: Benjamin Moore HC-27 Historic Monterey White

The windows in the addition are proposed to match the light pattern of those in the original house (6/1).

**Criteria, Standards, 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.*

**Standards for Considering Demolitions include:**

*The following factors shall be considered in determining whether or not to permit the moving, removing, encapsulation or demolition, in whole or in part, of a contributing structure or protected property:*

- (a) The historic, architectural or cultural significance, if any, of the specific structure or property, including, without limitation:*

- (1) *The age of the structure or property;*
- (2) *Whether it has been designated a National Historic Landmark, listed on the National Register of Historic Places, or listed on the Virginia Landmarks Register;*
- (3) *Whether, and to what extent, the building or structure is associated with an historic person, architect or master craftsman, or with an historic event;*
- (4) *Whether the building or structure, or any of its features, represent an infrequent or the first or last remaining example within the city of a particular architectural style or feature;*
- (5) *Whether the building or structure is of such old or distinctive design, texture or material that it could not be reproduced, or could be reproduced only with great difficulty; and*
- (6) *The degree to which distinguishing characteristics, qualities, features or materials remain;*
- (b) *Whether, and to what extent, a contributing structure is linked, historically or aesthetically, to other buildings or structures within an existing major design control district, or is one of a group of properties within such a district whose concentration or continuity possesses greater significance than many of its component buildings and structures.*
- (c) *The overall condition and structural integrity of the building or structure, as indicated by studies prepared by a qualified professional engineer and provided by the applicant or other information provided to the board;*
- (d) *Whether, and to what extent, the applicant proposes means, methods or plans for moving, removing or demolishing the structure or property that preserves portions, features or materials that are significant to the property's historic, architectural or cultural value; and*
- (e) *Any applicable provisions of the city's Design Guidelines:*
  - 1) *The standards established by the City Code, Section 34-278.*
  - 2) *The public necessity of the proposed demolition.*
  - 3) *The public purpose or interest in land or buildings to be protected.*
  - 4) *Whether or not a relocation of the structure would be a practical and preferable alternative to demolition.*
  - 5) *Whether or not the proposed demolition would adversely or positively affect other historic buildings or the character of the historic district.*
  - 6) *The reason for demolishing the structure and whether or not alternatives exist.*
  - 7) *Whether or not there has been a professional economic and structural feasibility study for rehabilitating or reusing the structure and whether or not its findings support the proposed demolition.*

**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;*
- (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 Review Guidelines for Additions and New Construction**

**P. ADDITIONS**

*The following factors shall be considered in determining whether or not to permit an addition to a contributing structure or protected property:*

- (1) *Function and Size*

*a. Attempt to accommodate needed functions within the existing structure without building an addition.*

*b. Limit the size of the addition so that it does not visually overpower the existing building.*

*(2) Location*

*a. Attempt to locate the addition on rear or side elevations that are not visible from the street.*

*b. If additional floors are constructed on top of a building, set the addition back from the main façade so that its visual impact is minimized.*

*c. If the addition is located on a primary elevation facing the street or if a rear addition faces a street, parking area, or an important pedestrian route, the façade of the addition should be treated under the new construction guidelines.*

*(3) Design*

*a. New additions should not destroy historic materials that characterize the property.*

*b. The new work should be differentiated from the old and should be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.*

*(4) Replication of Style*

*a. A new addition should not be an exact copy of the design of the existing historic building. The design of new additions can be compatible with and respectful of existing buildings without being a mimicry of their original design.*

*b. If the new addition appears to be part of the existing building, the integrity of the original historic design is compromised and the viewer is confused over what is historic and what is new.*

*(5) Materials and Features*

*a. Use materials, windows, doors, architectural detailing, roofs, and colors that are compatible with historic buildings in the district.*

*(6) Attachment to Existing Building*

*a. Wherever possible, new additions or alterations to existing buildings should be done in such a manner that, if such additions or alterations were to be removed in the future, the essential form and integrity of the buildings would be unimpaired.*

*b. The new design should not use the same wall plane, roof line, or cornice line of the existing structure.*

**Discussion and Recommendations**

Removal of the rear porch would probably not diminish the character of the historic structure.

The proposed addition is larger than the original building, but is well-located to minimize its visual impact. The addition should not share a roof line with the original building. The BAR will want to approve specific type of new windows for the addition. The BAR may want to see a landscape plan.

**Suggested Motions**

Having considered the standards set forth within the City Code, including City Design Guidelines for New Construction and Additions, I move to find that the proposed addition satisfies the BAR's criteria and guidelines and is compatible with this property and other properties in the Rugby Road-University Circle-Venable Neighborhood ADC district, and that the BAR approves the application as submitted (or with the following modifications...).



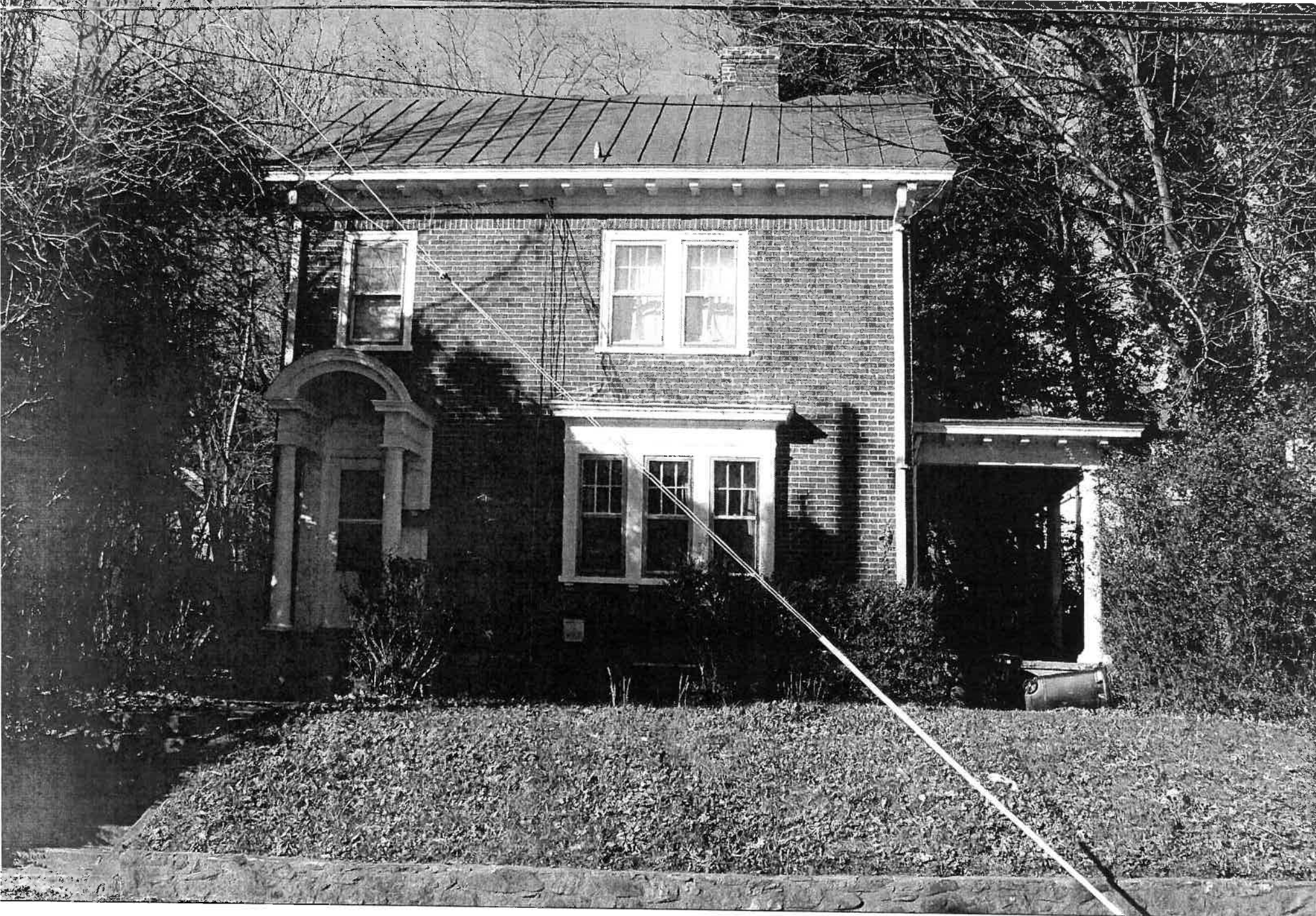
**513 14th Street, NW**



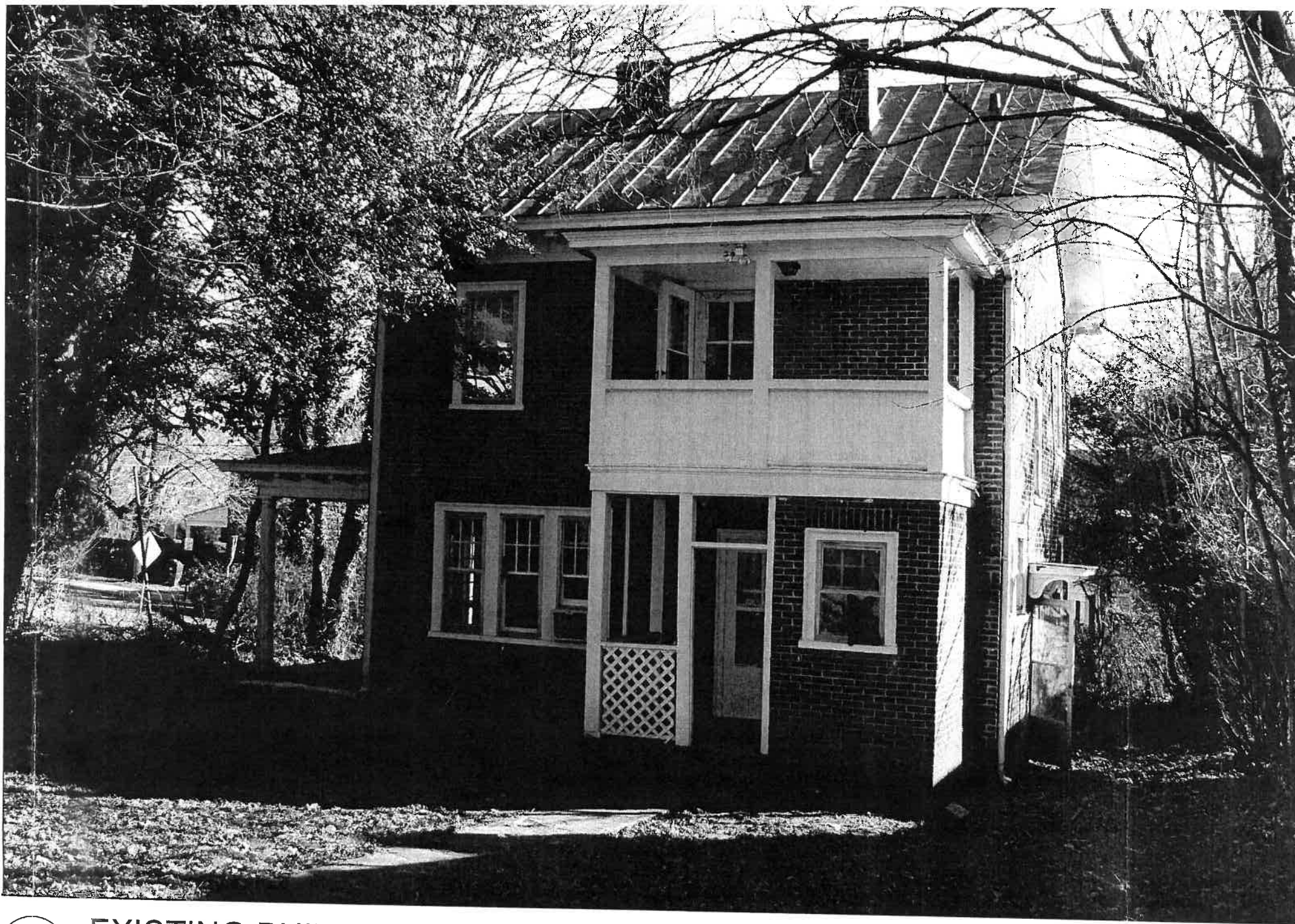
<b>STREET ADDRESS:</b>	513 14th Street, NW
<b>MAP &amp; PARCEL:</b>	5-87
<b>PRESENT ZONING:</b>	UMD
<b>ORIGINAL OWNER:</b>	
<b>ORIGINAL USE:</b>	Residential – single family
<b>PRESENT USE:</b>	Residential – single family
<b>PRESENT OWNER:</b>	Newlen, Charles E.
<b>ADDRESS:22903</b>	910 King Street Charlottesville, Va. 22903
<b>DATE/ PERIOD:</b>	Ca. 1925
<b>STYLE:</b>	Colonial Revival
<b>HEIGHT IN STORIES:</b>	2.0 stories
<b>DIMENSIONS AND LAND AREA:</b>	1,339 sq ft/0.143 acres
<b>SOURCES:</b>	Charlottesville City Records and 2004 Architectural Survey
<b>CONTRIBUTING:</b>	Yes

**ARCHITECTURAL DESCRIPTION**

This 2-story, 2-bay, side-passage-plan, Colonial Revival-style brick dwelling has the following architectural details: single, paired, and triple 6/1 windows (triple ones are a bay window); standing-seam metal gable roof; central brick chimney; gable-end returns; overhanging eaves; bracketed wood cornice; soldier course of brick above second-story windows; side porch; and 1-bay round-arched entrance porch with Tuscan column supports. This well-preserved dwelling, constructed in the mid-1920s, is a contributing resource in the District. It is very similar to the house next door at #519.



3 EXISTING BUILDING PHOTO  
FRONT FROM 14TH ST NW



2

EXISTING BUILDING PHOTO  
REAR FROM ALLEY

March 28, 2016

Members of City Council  
City of Charlottesville, Virginia  
Paige Barfield, Clerk of the City Council  
PO Box 911, Charlottesville, VA 22902.

**RE: Certificate of Appropriateness Application**

BAR 16-03-03

513 14<sup>th</sup> Street NW

Tax Parcel 020087000

Lane Bonner, Owner/Wassenaar & Wrinkler Architects, Gregory Winkler/Applicant  
Two story plus attic addition

Dear Members of City Council,

The above referenced project was discussed before a meeting of the City of Charlottesville Board of Architectural Review (BAR) on March 15, 2016. The following action was taken:

**Mohr moved to find that the proposed addition does not satisfy the BAR's criteria and guidelines, because of its size, and is not compatible with this property and other properties in the Rugby Road-University Circle-Venable Neighborhood ADC district, and that the BAR does not approve the application as submitted. Schwarz seconded. Motion passes (4-2-1, with Keesecker and Graves opposed, and Balut abstained)**

We believe that the BAR acted in error on this matter as outlined in City of Charlottesville Code Sections 34-283, 34-284, and 34-285 and acted outside of the scope of their review jurisdiction on this application.

Accordingly, and as outlined in City Code section 34-286, we request that this matter be appealed to City Council at its earliest possible agenda opening. Our grounds for appeal are outlined below:

As background to council for our appeal we have included the BAR Staff Report to the BAR as Exhibit 'A' and note that Staff identified no issues with our application with respect to its appropriateness other than a roofline adjustment suggestion which we have agreed to make and this is on the record at the BAR meeting and a request to review window types which again we have no issue with and will comply. We have also included some of the renderings and site plan from our submission as Exhibit 'C' to this appeal.

In reviewing the transcript of the BAR discussions we were unable to identify any issues

with respect to the City design guidelines, the standards of the National Trust or any other architectural details of the proposed design with the exception that some of the members felt it was “too big” on the site. The members acknowledged that the building fell within all of the applicable zoning envelope, setbacks, etc, and met the zoning regulations for this site. There were no issues expressed by the board members with respect to the removal of the small later addition back porch and the board agreed for the most part that the addition would be unseen from the street front of the building. We discussed the massing of the building and its detailing to conform with the general standards of the National Trust for Historic Preservation and although these are not indicated or required in this instance, we felt, and the board seemed to agree, that this was an appropriate and sensitive addition to the building architecturally, with the exception of the sentiments of some members on the building’s size.

In its discussion concerning the feeling by some members that it was “too big” members raised the very general issue that this building created a “case challenge” opportunity to protest, contest, and/or resolve a larger issue between the City of Charlottesville Zoning Code and City master plans with respect to density and the legal zoning of these parcels. The sentiments of members of the BAR that there was too much density allowed in these districts and that the BAR should reflect its objection to the zoning code by denying applications, and this application in particular, which otherwise would meet the architectural and zoning requirements and standards for the design districts but from the boards perspective were too dense irrespective of the zoning code. Thus this is more of an argument between the City’s Board of Architectural Review Board and the City’s Zoning code than with this actual project before the BAR.

Accordingly we ask that City Council approve the project as submitted and with the modification to the roof line requested by staff and the BAR for the following reasons:

1. The Application should be approved on the basis that the BAR has no review scope within the bounds of Code Section 34-276 and objections which relate to conflicts between the sentiments of the BAR members and the legally allowed zoning envelope and regulations for the parcel. The BAR failed to identify any architectural or detail issues of this application within its jurisdiction, other than those minor exceptions and changes agreed to by the applicant, which failed to meet the standards or requirements within its review scope. Indeed the transcript of the members comments supported the fact that that the design submitted was well done and appropriate except for its size although within the allowable zoning envelope.
2. The Application should be approved on the basis that the BAR review and approval process is not the appropriate venue for, or should be the subject of, a protest, contest, or any argument between two City of Charlottesville boards or commissions. While the BAR may logically raise valid concerns about zoning density relative to its review and approval of valid BAR applications, the appropriate point of discussion and resolution of these types of matters falls well outside of Section 34-276 standards which

govern the appropriate or normal approval and review process of the BAR. To deny this application as the direct result of a protest by some members of one City Board to another Commission's and Council's prior actions and City zoning laws is inappropriate, potentially unlawful, and subjects this BAR applicant to unfair damages and costs and delays as well as an inappropriate process by the BAR. Matters of disagreement by the BAR and its members with respect to the City's master plans and zoning ordinance should be resolved by the City Council and the legal system and not under Section 34-276 as being within the boards review scope.

3. Notwithstanding the fact that the applicant has no duty to defend the City's zoning ordinance, or the allowable density or building design envelope under the zoning; we believe that the premise by some BAR members that the district within which this property is included is inherently single family residential in character, is fundamentally incorrect. While it is true that this neighborhood area had once been mostly single family residential and still has many single family home structures, occupancy by single families or that residential character is long past. The neighborhood is now almost entirely moderately dense student housing and support buildings adjunct to the University of Virginia. The district is developing consistent with the current zoning as anticipated by that "by right" zoning. In looking at actual occupancies of the adjacent buildings on the subject block, we were unable to identify even one single family residence structure not occupied by a maximum allowable number of student rooms on that block. The predominant character of the neighborhood is a transitional one from earlier single family houses to multi-tenant housing for students. The current zoning supports this transition of building types and the character which results from this density and the allowable design envelopes. Applicants Exhibit 'B' shows some photographs of buildings in the neighborhood and the multi-tenant character of the area including some adjacent structures which are similar or higher impact than that proposed in this application with respect to the character of the neighborhood.

4. In reviewing the staff comments on the project, there were no objections to the architecture or design of the addition except for those which the applicant has already agreed to modify. Staff did not identify any zoning related issues associated with the design which would be within the BAR's review scope.

5. To the extent that the BAR's objections were related to a precedent of building to the design zoning envelope, it should be noted that the ability of an applicant to build to the design envelope is partially limited by the availability of adjacent parking and is therefore somewhat limiting at the site itself. In this case the applicant owns nearby parcels with available extra parking which under the zoning code allows this owner to develop to the full zoning envelope as is intended by the code. This is not likely to be a case enjoyed by all buildings in the neighborhood and therefore the argument that if this project is approved, each parcel would then be developed to its full zoning envelope is neither likely nor feasible. The zoning code anticipated and allowed for the potential that an owner who was able to provide the needed parking under the code would then

be allowed to build to the other provisions, setbacks and limits of the zoning envelope. As such the concerns of the BAR, to the extent they are valid at all, are already addressed in the logic and intent of the zoning code. To deprive the applicant of this development result would be an unfair, damaging and unintended outcome of both the zoning and the BAR enabling code sections.

In summary we believe that the BAR while well intended, over stepped its scope of review provided in the code and inappropriately denied this application. We ask that Council find that the architectural features and design submitted by the applicant which fits within the allowable zoning envelope and other restrictions and for which the BAR found no deficiencies be approved with the modification agreed upon by the applicant.

Submitted on behalf of the applicant Lane Bonner;

A handwritten signature in black ink, appearing to read 'Kurt Wassenaar', written over a horizontal line.

Kurt Wassenaar, Architect  
Wassenaar Winkler Architects and Planners PLLC  
258 Blue Springs Lane  
Charlottesville, Virginia 22903

## APPEAL EXHIBIT 'A'

### CITY OF CHARLOTTESVILLE BOARD OF ARCHITECTURAL REVIEW STAFF REPORT March 15, 2016



#### **Certificate of Appropriateness Application**

BAR 16-03-03

513 14<sup>th</sup> Street NW

Tax Parcel 050087000

Lane Bonner, Owner/Wassenaar & Winkler Architects, Gregory Winkler, Applicant

Two story plus attic addition

---

#### **Background**

This property is a contributing structure in the Rugby Road-University Circle-Venable Neighborhood ADC district. (However, 14th Street NW has never been added to the National Register District nearby.) The Colonial Revival house was built ca. 1925. The house is nicely detailed and well-maintained. (historic survey attached)

#### **Application**

The proposal is to add a two-story (plus attic) addition to the rear of the existing two-story house.

The house has three bedrooms; the proposed addition has three bedrooms each on the first and second floors, and two bedrooms in the attic.

A partially-enclosed, rear two-story porch will be demolished. The proposed addition will encapsulate the rear wall of the house, and is located entirely to the rear, except for a new handicapped ramp proposed on the north side. Parking will be added off a rear alley.

The proposed materials are:

Brick: General Shale Old English Tudor

Dormer siding: Handiplank Cobblestone

Roofing: Englert Hemlock Green

Trim: Benjamin Moore HC-27 Historic Monterey White

The windows in the addition are proposed to match the light pattern of those in the original house (6/1).

#### **Criteria, Standards, 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.*

**Standards for Considering Demolitions include:**

*The following factors shall be considered in determining whether or not to permit the moving, removing, encapsulation or demolition, in whole or in part, of a contributing structure or protected property:*

*(a) The historic, architectural or cultural significance, if any, of the specific structure or property, including, without limitation:*

- (1) The age of the structure or property;*
- (2) Whether it has been designated a National Historic Landmark, listed on the National Register of Historic Places, or listed on the Virginia Landmarks Register;*
- (3) Whether, and to what extent, the building or structure is associated with an historic person, architect or master craftsman, or with an historic event;*
- (4) Whether the building or structure, or any of its features, represent an infrequent or the first or last remaining example within the city of a particular architectural style or feature;*
- 5) Whether the building or structure is of such old or distinctive design, texture or material that it could not be reproduced, or could be reproduced only with great difficulty; and*
- (6) The degree to which distinguishing characteristics, qualities, features or materials*

*remain;*

*(b) Whether, and to what extent, a contributing structure is linked, historically or aesthetically, to other buildings or structures within an existing major design control district, or is one of a group of properties within such a district whose concentration or continuity possesses greater significance than many of its component buildings and structures.*

*(c) The overall condition and structural integrity of the building or structure, as indicated by studies prepared by a qualified professional engineer and provided by the applicant or other information provided to the board;*

*(d) Whether, and to what extent, the applicant proposes means, methods or plans for moving, removing or demolishing the structure or property that preserves portions, features or materials that are significant to the property's historic, architectural or cultural value; and*

*(e) Any applicable provisions of the city's Design Guidelines:*

- 1) The standards established by the City Code, Section 34-278.*
- 2) The public necessity of the proposed demolition.*
- 3) The public purpose or interest in land or buildings to be protected.*
- 4) Whether or not a relocation of the structure would be a practical and preferable alternative to demolition.*
- 5) Whether or not the proposed demolition would adversely or positively affect other historic buildings or the character of the historic district.*
- 6) The reason for demolishing the structure and whether or not alternatives exist.*
- 7) Whether or not there has been a professional economic and structural feasibility study for rehabilitating or reusing the structure and whether or not its findings support the proposed demolition.*

**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;*
- (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 Review Guidelines for Additions and New Construction**

**P. ADDITIONS**

*The following factors shall be considered in determining whether or not to permit an addition to a contributing structure or protected property:*

*(1) Function and Size*

- a. Attempt to accommodate needed functions within the existing structure without building an addition.*
- b. Limit the size of the addition so that it does not visually overpower the existing building.*

*(2) Location*

- a. Attempt to locate the addition on rear or side elevations that are not visible from the street.*
- b. If additional floors are constructed on top of a building, set the addition back from the main façade so that its visual impact is minimized.*
- c. If the addition is located on a primary elevation facing the street or if a rear addition faces a street, parking area, or an important pedestrian route, the façade of the addition should be treated under the new construction guidelines.*

*(3) Design*

- a. New additions should not destroy historic materials that characterize the property.*
- b. The new work should be differentiated from the old and should be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.*

*(4) Replication of Style*

*a. A new addition should not be an exact copy of the design of the existing historic building. The design of new additions can be compatible with and respectful of existing buildings without being a mimicry of their original design.*

*b. If the new addition appears to be part of the existing building, the integrity of the original historic design is compromised and the viewer is confused over what is historic and what is new.*

*(5) Materials and Features*

*a. Use materials, windows, doors, architectural detailing, roofs, and colors that are compatible with historic buildings in the district.*

*(6) Attachment to Existing Building*

*a. Wherever possible, new additions or alterations to existing buildings should be done in such a manner that, if such additions or alterations were to be removed in the future, the essential form and integrity of the buildings would be unimpaired.*

*b. The new design should not use the same wall plane, roof line, or cornice line of the existing structure.*

**Discussion and Recommendations**

Removal of the rear porch would probably not diminish the character of the historic structure.

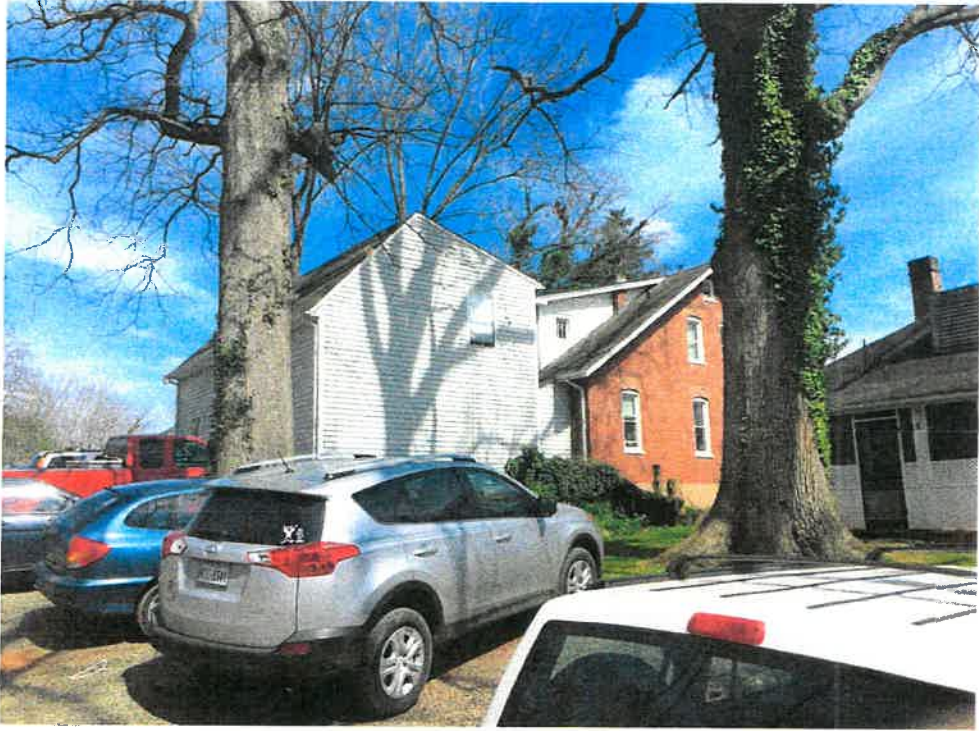
The proposed addition is larger than the original building, but is well-located to minimize its visual impact. The addition should not share a roof line with the original building. The BAR will want to approve specific type of new windows for the addition. The BAR may want to see a landscape plan.

**Suggested Motions**

Having considered the standards set forth within the City Code, including City Design Guidelines for New Construction and Additions, I move to find that the proposed addition satisfies the BAR's criteria and guidelines and is compatible with this property and other properties in the Rugby Road-University Circle-Venable Neighborhood ADC district, and that the BAR approves the application as submitted (or with the following modifications...).

BAR APPEAL EXHBIT 'B'



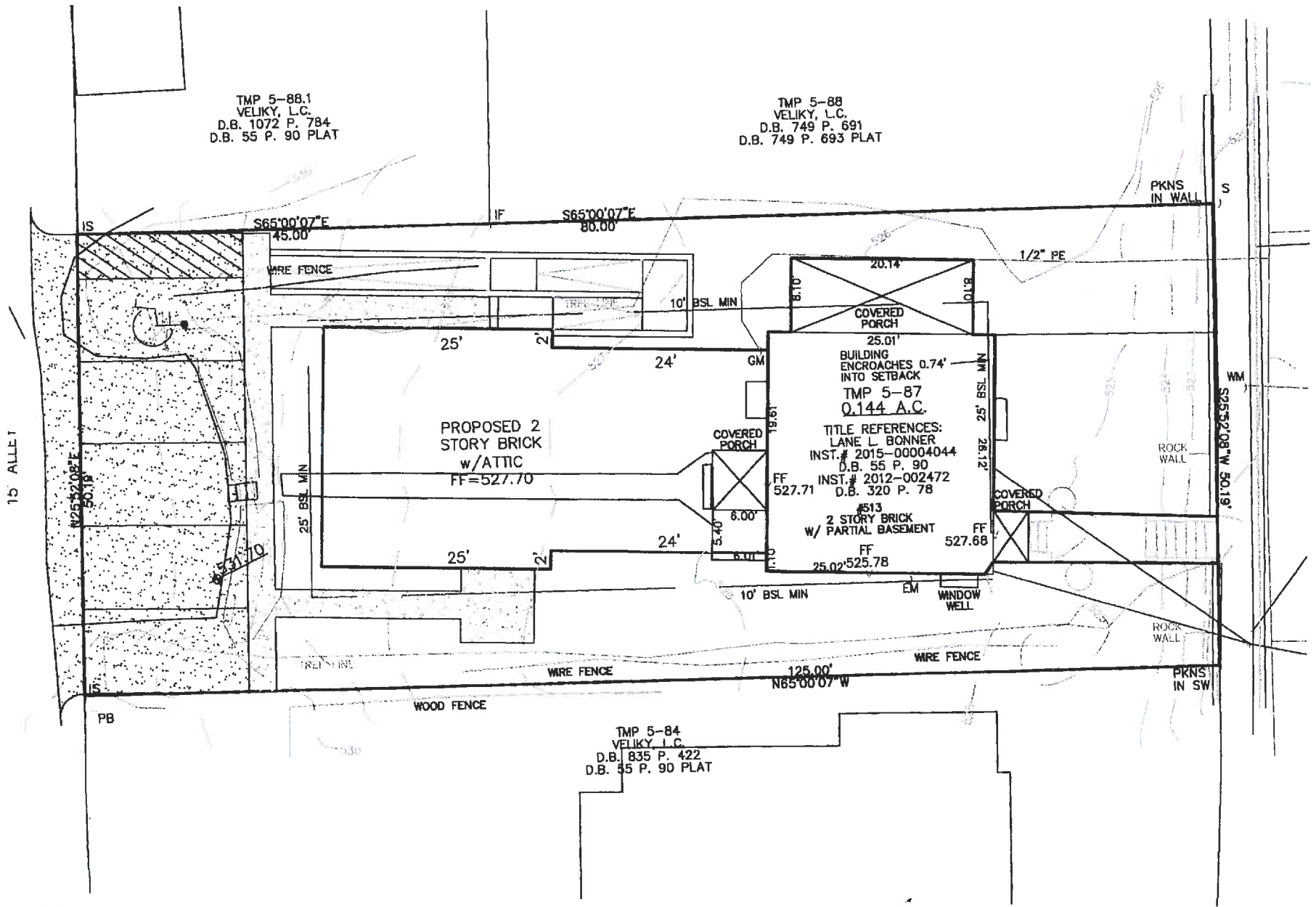


# EXHIBIT 'C'

TMP 5-88.1  
VELIKY, L.C.  
D.B. 1072 P. 784  
D.B. 55 P. 90 PLAT

TMP 5-88  
VELIKY, L.C.  
D.B. 749 P. 691  
D.B. 749 P. 693 PLAT

TMP 5-84  
VELIKY, L.C.  
D.B. 835 P. 422  
D.B. 55 P. 90 PLAT



**WASSENAAR  
+ WINKLER**  
ARCHITECTURE - PLANNING

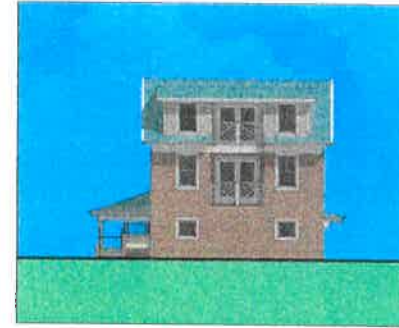
513 14th Street NW  
Charlottesville, VA 22903

**C1**

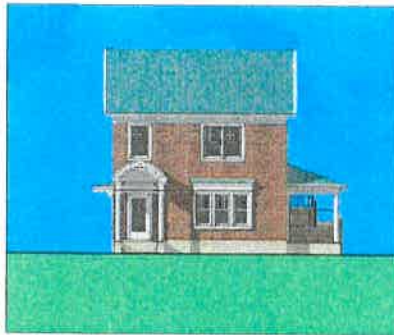
February 23, 2016



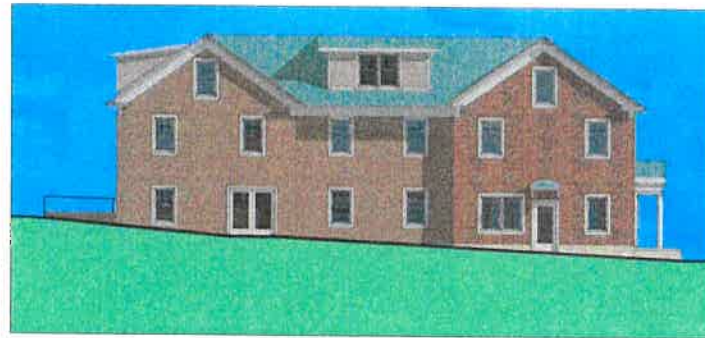
1 SIDE ELEVATION  
scale 1/8" = 1'-0"



2 REAR ELEVATION  
scale 1/8" = 1'-0"



3 FRONT ELEVATION  
scale 3/8" = 1'-0"

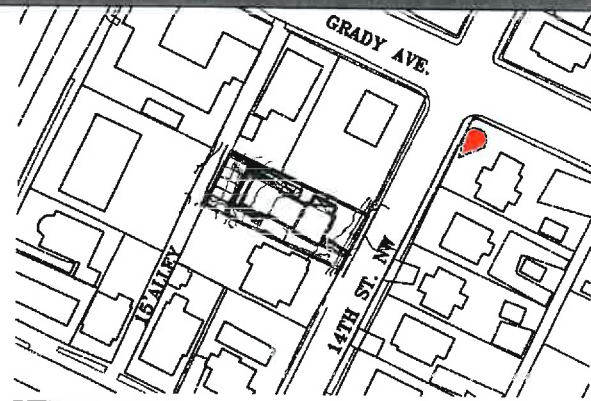


4 SIDE ELEVATION  
scale 1/8" = 1'-0"

513 14TH STREET NW  
CHARLOTTESVILLE, VIRGINIA 22903



PERSPECTIVE - VIEW A



VIEW MAP

1" = 100'

**WASSENAAR  
+ WINKLER**  
ARCHITECTURE - PLANNING

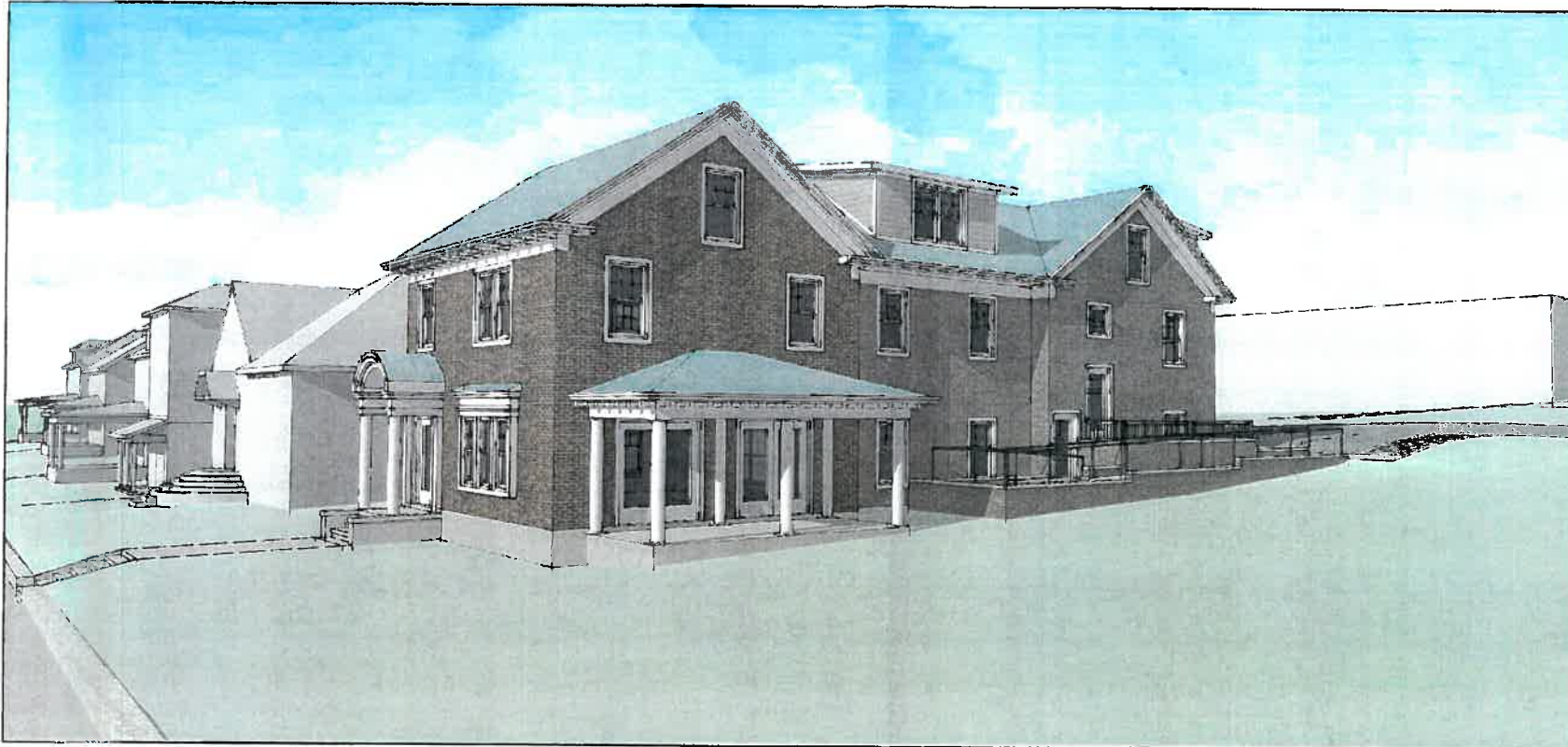
513 14th Street **NW**CEIVED  
Charlottesville, VA 22903 2016

RECEIVED  
ARCHITECTURAL SERVICES

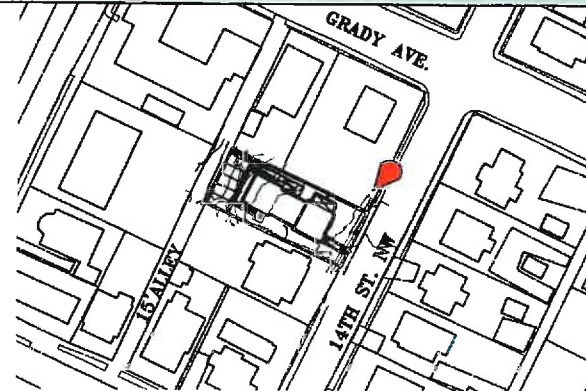
**A4**

February 23, 2016





PERSPECTIVE - VIEW B



VIEW MAP

1" = 100'

WASSENAAR  
+ WINKLER  
ARCHITECTURE - PLANNING

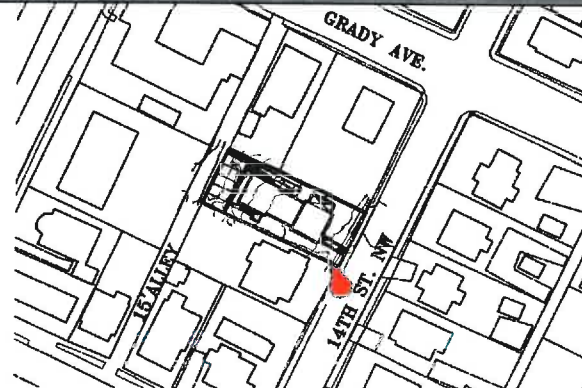
513 14th Street NW  
Charlottesville, VA 22903

A5

February 23, 2016



PERSPECTIVE - VIEW C



VIEW MAP

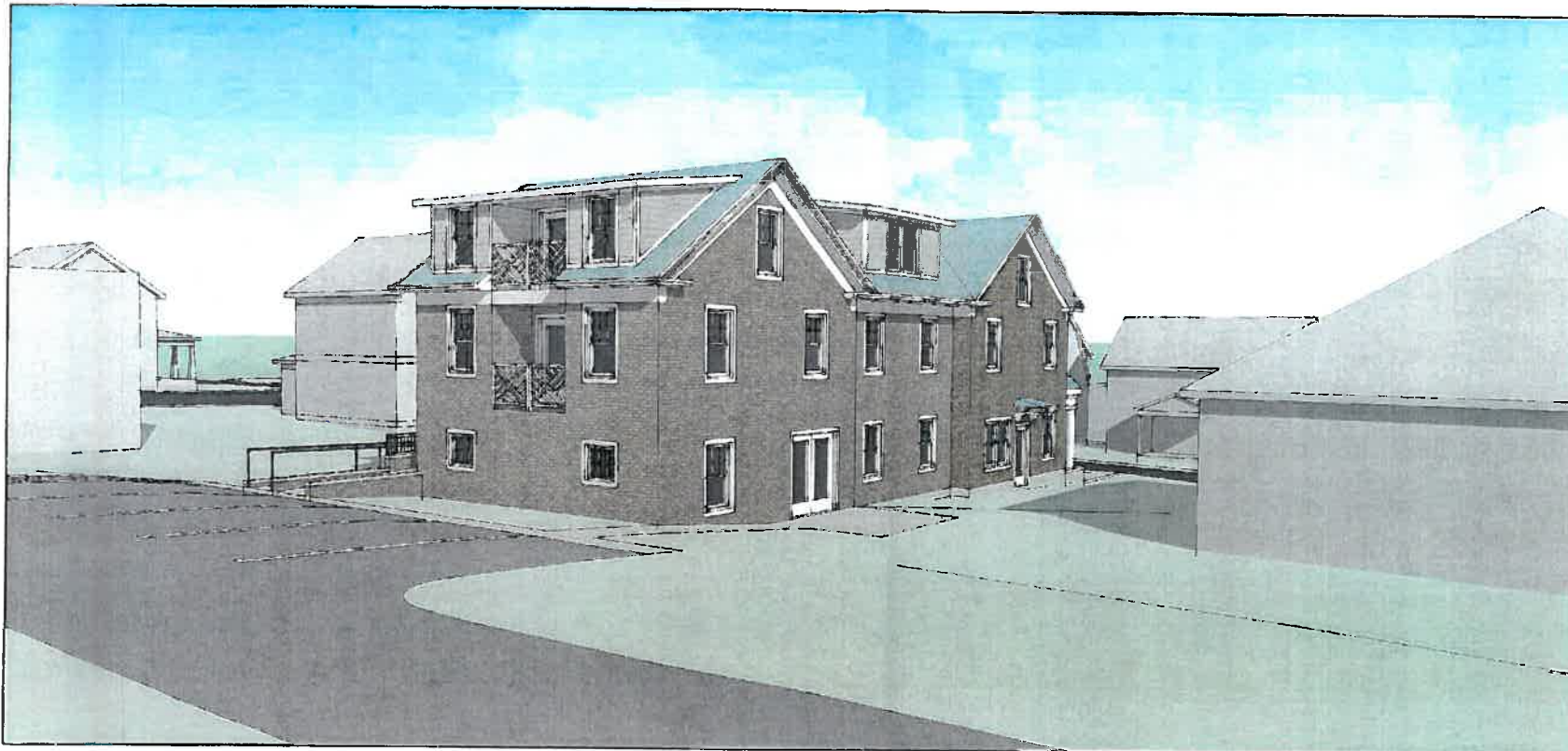
1" = 100'

**WASSENAAR  
+ WINKLER**  
ARCHITECTURE - PLANNING

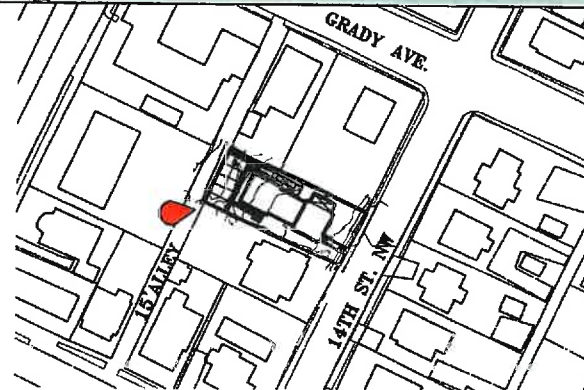
513 14th Street NW  
Charlottesville, VA 22903

**A6**

February 23, 2016



PERSPECTIVE - VIEW D



VIEW MAP

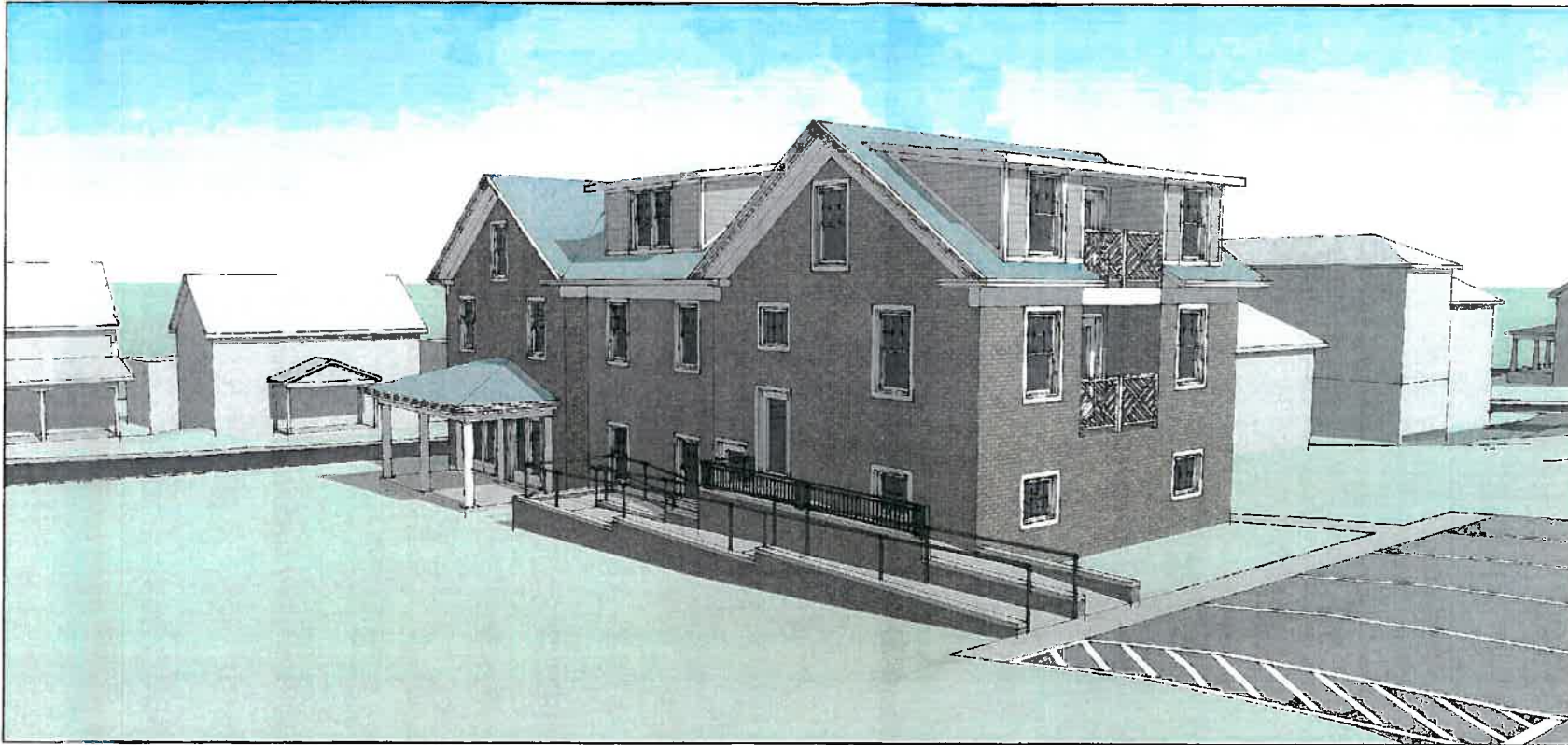
1" = 100'

**WASSENAAR  
+ WINKLER**  
ARCHITECTURE - PLANNING

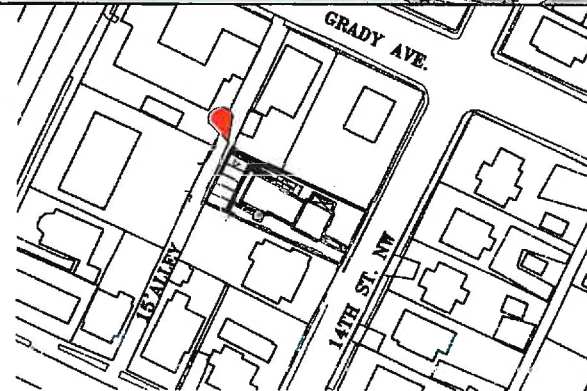
513 14th Street NW  
Charlottesville, VA 22903

**A7**

February 23, 2016



PERSPECTIVE - VIEW E



VIEW MAP

1" = 100'

**WASSENAAR  
+ WINKLER**  
ARCHITECTURE - PLANNING

513 14th Street NW  
Charlottesville, VA 22903

**A8**

February 23, 2016