

**From:** Scala, Mary Joy  
**Sent:** Monday, August 29, 2016 10:40 AM  
**To:** jacqueshomes@comcast.net  
**Subject:** BAR Actions\_801 Rugby Rd\_August 16, 2016

August 29, 2016

Diane Jacques  
920 Rugby Road  
Charlottesville, VA 22903

**RE: Certificate of Appropriateness Application (Historic Conservation District)**

BAR 16-08-03  
801 Rugby Road  
Tax Parcel 050015100  
Diane Jacques, Owner/Applicant  
New Fence along Rugby Road and Fendall Avenue

Dear Applicant,

The above referenced project was discussed before a meeting of the City of Charlottesville Board of Architectural Review (BAR) on August 16, 2016. The following action was taken:

**Graves moved and Balut seconded a motion to approve the proposed fence as submitted [given the Guidelines and the fact that the historic district is not an ADC district]. Approved 6-2 with Miller and Knott opposed.**

This certificate of appropriateness shall expire in 18 months (February 16, 2018), unless within that time period you have either: been issued a building permit for construction of the improvements if one is required, or if no building permit is required, commenced the project. The expiration date may differ if the COA is associated with a valid site plan. You may request an extension of the certificate of appropriateness *before this approval expires* for one additional year for reasonable cause.

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  
August 16, 2016**



**Certificate of Appropriateness Application (Historic Conservation District)**  
BAR 16-08-03  
801 Rugby Road  
Tax Parcel 050015100  
Diane Jacques, Owner/Applicant  
New Fence along Rugby Road and Fendall Avenue

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**Background**

801 Rugby Road is a non-contributing (2014) structure in the Rugby Road Historic Conservation District. (Historic survey for parent parcel- 803 Rugby- is attached, and also the as-built site plan for 801 Rugby).

**Application**

The applicant is seeking BAR approval after the fact for a solid wood board fence located along the two road frontages intended to create privacy and to mitigate road noise.

This new house (currently for sale) has a high hedge of Nelly Stevens hollies located behind the City sidewalks on Rugby Road and Fendall Avenue. The fence is located behind the plantings. There are additional plantings in a landscaping strip between the Rugby Road sidewalk and the street curb.

Along Rugby Road the fence is approximately 3.5-4.0 feet high with picket tops; along Fendall Avenue it becomes 8 feet high with a flat top. The fence is painted dark Charleston Green.

**Criteria, Standards and Guidelines**

**Conservation District Review Criteria Generally**

*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 conservation district design guidelines; and*
- (2) The proposal is incompatible with the historic, cultural or architectural character of the conservation district in which the property is located.*

**Conservation District Standards for review of new construction and additions**

The following features and factors shall be considered in determining the appropriateness of proposed new construction and additions to buildings or structures. Review shall be limited to these factors:

- (1) Whether the form, height, scale, mass and placement of the proposed construction are visually and architecturally compatible with the site and the applicable conservation district;
- (2) The harmony of the proposed changes in terms of overall proportion and the size and placement of entrances and windows;

- (3) The impact of the proposed change on the essential architectural form and integrity of the existing building;
- (4) The effect, with respect to architectural considerations, of the proposed change on the conservation district neighborhood;
- (5) Any applicable provisions of the city's conservation district design guidelines.

### **Conservation District Guidelines**

#### **NEW CONSTRUCTION AND ADDITIONS**

##### Building Location – setback and orientation

1. *Align a new building close to the average building setback line on the same street, if established, or consistent with the surrounding area.*
2. *Maintain existing consistency in spacing between buildings on the same street.*
3. *The front elevation should be respectful of the neighborhood characteristics and features of adjacent buildings.*

##### Building Scale – height and massing

1. *Keep the footprint, and massing of new buildings consistent with the neighborhood characteristics and compatible with the character of buildings on the same street.*
2. *Keep the height and width of new buildings within 200% of the prevailing height and width in the surrounding neighborhood.*
3. *An addition should not visually overpower the existing building.*
4. *Multi-lot buildings (commercial or multi-family) should be designed and articulated to be compatible with the scale of the majority of adjacent buildings on the same street or block.*

##### Building Form – roofs and porches

1. *Roof forms should be respectful of contributing buildings on the same street or surrounding area.*
2. *If many of the contributing buildings on the same street have porches, then including a porch or similar form in the design of a new residence is strongly recommended.*

##### Building Openings - doors and windows

1. *A single entrance door (or both doors, if a two-family dwelling, or main entrance if a multifamily dwelling) facing the street is recommended.*
2. *Window and door patterns and the ratio of solids (wall area) to voids (window and door area) of new buildings should be compatible with contributing buildings in the surrounding area.*
3. *Windows should be simple shapes compatible with those on contributing buildings, and should be oriented vertically (taller than they are wide).*

##### Building Materials and Textures

1. *The selection of materials and textures for a new building should relate architecturally to the Charlottesville locality, and should be compatible with and complementary to neighboring buildings.*
2. *Sustainable materials are preferred, including brick, wood, stucco, and cementitious siding and trim, and standing seam metal roofs. Clear glass windows are preferred.*

##### Building Colors

1. *The selection and use of colors for a new building should be coordinated and compatible with adjacent buildings, not intrusive.*
2. *More lively color schemes may be appropriate in certain sub-areas dependent on the context of the sub-areas and the design of the building.*

##### Site

***1. Fences or walls in front yards (including fences in the side yards between the street and the front of the house) should not exceed three and one-half feet in height.***

### **Discussion and Recommendations**

The rules of a Historic Conservation District are intended to be much different than an ADC District. This type of district was meant to prevent demolitions and inappropriate new buildings, while minimally imposing on current residents who may want to upgrade their homes. Because the two Historic Conservation Districts in place contain buildings that would certainly qualify for an ADC District, the BAR must remember that this application is being reviewed under a different set of standards and guidelines than if it were located in an ADC district.

The proposed fence requires BAR review because it is considered an addition, and there is a pertinent guideline.

The applicant contacted staff to inquire about a proposed fence that would be 6 feet tall along Rugby, and 8 feet tall along Fendall. Staff contacted the BAR on April 29 and determined they would not approve a fence exceeding the 3.5 foot guideline administratively. Staff sent the applicant on May 2, 2016 the (attached) sketch where a 3.5 ft high fence should be located, and the intersection sight triangle zoning regulations and told her that her choices were to install a fence that complied with the guidelines, or go to the BAR for a 6 foot high fence request. Staff agrees this statement was not clear that an application was still needed for administrative approval:

(May 2, 2016) I have heard from four BAR members and none are willing to allow me to approve 6 ft fence administratively.

Your choices are to install a 3.5 ft fence in front and side yards or make application to go to BAR meeting. No guarantee they would approve it at a meeting after discussion, but perhaps with modifications – straight top, brown stain to match house trim etc.

It's up to you but I need your application with \$125 fee ASAP if you want to get on May agenda. We must send notices tomorrow. Thank you.

The applicant responded the same day, Ok Thank you. That clears it up.

Next, staff received a May 13 email complaint from a neighbor that a fence had been installed that was 4 feet high on Rugby and 8 feet high on Fendall. Zoning checked the site, and determined that the sight triangle was not at issue, but it appeared the fence when installed was over 3.5 feet, but it appeared mulch had been added to make it now measure 3.5 feet from the ground.

Staff then contacted the applicant by May 17 email and told her she needed to make application and get approval even if it may comply with the Guidelines, and that due to the complaint received, staff was unable to approve the fence administratively. Zoning followed up with a May 24 notice of violation (attached).

The applicant sent a May 30 letter to the City Attorney's office asking to eliminate the requirement for a COA (attached) and Lisa Robertson responded on July 1 (attached).

Lisa's letter notes that:

- Staff's communications were confusing;
- The historic conservation district ordinance does not provide for any administrative approval;

- The applicant complied with staff's direction to either install a 3.5 ft tall fence or make application to go to a BAR meeting;
- Lisa recommends that the zoning violation should be withdrawn upon the applicant's submittal of an application to go to the BAR for approval of the fence, but staff should waive the fee.

In staff opinion, the fence generally complies with the 3.5 feet guideline. Probably in an ADC district, the guideline would also be applied to the side street, but because this is a non-contributing structure in a historic conservation district, staff believes the district intent is met.

### **Suggested Motion**

Having considered the standards set forth within the City Code, including City Design Guidelines for New Construction and Additions in Historic Conservation Districts, I move to find that the proposed fence satisfies the BAR's criteria and is compatible with this property and other properties in the Rugby Road Historic Conservation District, and that the BAR approves the application as submitted (or with the following modifications...).



**Pre-fence conditions**

803 Rugby Road

*Located adjacent to  
near of  
801 Rugby.*



**Date:** circa 1917 (On 1920 Sanborn map)

**District Status:** Contributing

**Resources:** 1 Single Dwelling "U(nity)-House"

**Style:** Colonial Revival/Craftsman transitional

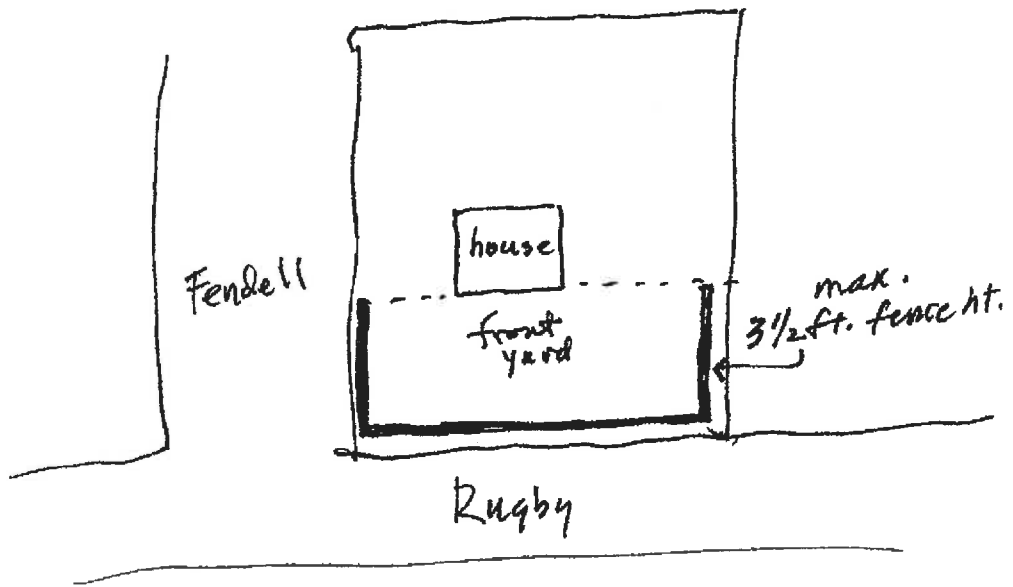
**Architectural Description:** Set on a solid, six-course American bond, brick foundation, the two-and-a-half story dwelling features a three-bay-wide facade and is two bays deep. This structure is clad in wide weatherboard siding, and has a side-gabled slate roof with wide overhanging eaves, exposed scroll-sawn rafters, and a central Colonial Revival style one-story porch set on brick piers. Under renovation, the dwelling is currently without porch steps. The gabled porch features a molded cornice with a closed pediment, modillions, and Tuscan column and pilaster supports. The porch also features square balusters and shelters the central single-leaf wood-paneled door with 4-light transom and 3-light-and-panel sidelights. Flanking the porch, the symmetrically fenestrated facade features 6/6 wood windows. Three similar windows pierce the second story, each window detailed with a square-edged wood surround and sill. A shed dormer with three 6/6 windows centrally caps the roof, while the basement is pierced with both 3-light and 6/6 windows due to the sloping ground level. The side elevations are bisected with exterior-end brick chimneys (one shouldered) and flanking first- and second-story 6/6 windows. The northeast elevation is irregular with an off-center, shallow gable projection and one-story porch with Colonial Revival detailing similar to the facade. The rear elevation is defined by a larger Colonial Revival porch with roof balustrade, Tuscan columns, modillions, central steps, and a brick pier foundation. There is a central entry with transom and sidelights and flanking 6/6 windows. The elevation also features an exposed basement entry and central shed dormer with three 6/6 windows and exposed rafter tails.

**Site Description:** Set on a 0.296-acre lot at the corner of Rugby Road and Fendall Avenue, the dwelling occupies a large open lot with a grassy lawn and several mature trees. The small parking lot for the Thomas Jefferson Memorial Church is located to the rear of the property. A gravel driveway accesses the property along the northeast side. Slightly sloping, the property features ground level brick terracing to the rear. A wooden fence runs along the northeast property line.

This property was recently subdivided into three parcels. The church retained ownership of the rear parcel containing the parking lot, and the “U” house parcel and the parcel in front of it were conveyed to a different owner. A new house is currently under construction on the front lot, which will obscure the “U” house from Rugby Road.

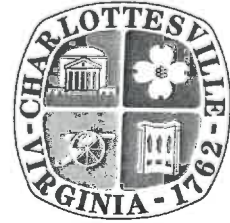


Aerial View of 803 Rugby Road [Source: screen shot from Google Earth]





CITY OF CHARLOTTESVILLE  
"A World Class City"



Department of Neighborhood Development Services

City Hall • P.O. Box 911  
Charlottesville, Virginia 22902  
Telephone 434-970-3182  
Fax 434-970-3359  
www.charlottesville.org

May 24, 2016

Jeffersonian, LLC  
920 Rugby Road  
Charlottesville, VA 22903

RE: 801 Rugby Road, TMP 050015100

To whom it may concern;

The City of Charlottesville Zoning Department has recently been made aware of a new fence erected on your property, located at 801 Rugby Road. This property is located within an Historic Conservation District, which requires a Certificate of Appropriateness (COA) from the City of Charlottesville Board of Architectural Review (BAR), prior to construction of a fence. Additionally, fences in the Historic Conservation District are limited to three and one half feet tall, when located in front yards. Your new fence was constructed without a COA and is taller than the allowance. Please be aware that this is considered a Zoning Violation. In order to bring your property into compliance you will need to receive approval from the BAR and make any required changes to the fence. Failure to correct this issue will result in an official Notice of Violation and applicable fines. Please feel free to contact our office with questions or concerns.

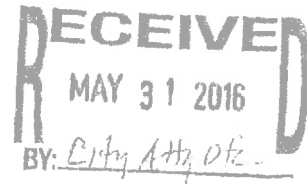
Sincerely,

Craig A. Fabio

Asst. Zoning Administrator  
City of Charlottesville

On behalf of Read Brodhead, Zoning Administrator  
CC: Mary Joy Scala, Preservation and Design Planner

May 30, 2016



Dear City Attorney,

We are in receipt of a Zoning violation letter for a fence at 801 Rugby Rd.

On 4/29, we contacted Ms. Scala on our desire to install a 6 ft front Rugby Rd fence and 8 ft Fendall side fence for sound buffering, asking if this needs approval. We emailed pictures of front yard and possible fence type, stating fence would be stained and would be 'behind row of hollies which are about 6 ft now.' We emailed and spoke numerous times to understand the city requirements and were told there is no regulation on the Fendall side except the 'side yard' portion from the street corner to the front house corner, which needs to be a max of 3 ½ ft. We emailed twice to request Ms. Scala meet for a site visit to ensure we understood but instead she emailed a hand sketch showing the demarcation of the fence showing the 3.5 ft demarcation for the front and side yard, up to house corner.

Ms. Scala reached out to the BAR members about our proposal and emailed May 2nd, "I have heard from 4 members and none are willing to approve 6 ft fence administratively. Your choices are to install a 3.5 ft fence in front and side yards OR make application to go to BAR meeting. We told Mary Joy we would not make application and would just proceed per her diagram. We installed the fence about May 5<sup>th</sup> with every reason to believe we were in full compliance. We were NOT told we were required to put in an application and relied on her instruction and drawing. Ms. Scala's May 17<sup>th</sup> email then said, 'I understand you have put up a fence. You need to make application and get approval... Since we have received a complaint, I cannot approve administratively.'

We request that you contact Zoning to eliminate this new requirement for a COA. Pictures attached show the fence, which, due to landscaping, is only slightly visible from the street but provides a noise buffer for the future homeowner. With a highly-trafficked corner lot, our selling feedback has been 'too noisy, not enough privacy.' The landscaping will grow to fully conceal the fence. We have made every effort to keep the Rugby Rd travelers' interests preserved and don't see any negative impact from this barely visible fence. After installing, we purchased an additional 5 hollies for \$1200+ to fill in some street visible gaps to again preserve a manicured site for street traffic. We are highly sensitive to the interests of the community and also need to address the sales concerns.

Our 2<sup>nd</sup> question regards the applicability of the Rugby historic district rules. The document states 33 properties are in the district and identifies each by address and picture. Section 34-336 allows city council to designate properties for inclusion or removal... This new home, completed in 2016, has not been added to our knowledge.

Thank you for your review. Please contact us as we would like to meet with you on the above.

A handwritten signature in cursive script that reads "Diane Jacques".

Diane Jacques 434 270 2241

From: jacquesdevelopment@comcast.net  
Subject: Re: 801 Rugby Road New Fence Installation  
Date: April 29, 2016 at 1:12 PM  
To: scala@charlottesville.org  
Cc: jacques, Diane jacqueshomes@comcast.net

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**From:** jacquesdevelopment@comcast.net  
**To:** scala@charlottesville.org  
**Cc:** "STEPHEN JACQUES" <jacquesdevelopment@comcast.net>, "diane jacques" <jacqueshomes@comcast.net>  
**Sent:** Wednesday, April 27, 2016 10:16:26 AM  
**Subject:** 801 Rugby Road New Fence Installation

Hi there,

Attached is front of home at corner of Fendall.

A fence sample is 3rd Photo, which will be stained/painted a dark gray or dark green -our Designer will choose color that does not draw attention.

Fence would be placed Behind the row of "Nelly Steven" Hollies which are behind sidewalk and are about 6 feet tall now.

Fence height would be 6 foot max. in front.

The goal is sound proofing from the excessive traffic as the 2 layers of landscaping shown in Photos was initial attempt to sound-proof, which is not working.

Like the City, our goal is to "blend" and for this to be appropriate and beautiful for this street. With our designer, our intention is to choose a style and color such that both the buyer and the Rugby travelers wont notice the fence buffer at all. The tall bushes and trees on each side of the fence should hide the fence from view.

Best,

Diane

# CITY OF CHARLOTTESVILLE

"A World Class City"

Office of the City Attorney  
City Hall  
P.O. Box 911-605 East Main Street  
Charlottesville, Virginia 22902  
Telephone: (434) 970-3131  
Fax: (434) 970-3022  
www.charlottesville.org



July 1, 2016

BY E-MAIL TO: [jacqueshomes@comcast.net](mailto:jacqueshomes@comcast.net)

Ms. Diane Jacques  
801 Rugby Road  
Charlottesville, Virginia 22902

Re: New Fence Constructed at property having an address of 801 Rugby Road, City Tax Parcel Identification No. 050015100 ("Property")

Dear Ms. Jacques,

Craig Brown asked me to respond to your letter dated May 30, 2016. After reviewing your correspondence, and after speaking with City staff, I offer the following information and response.

The Rugby Road Conservation District was established in April 2014. The map of this conservation district, as adopted by City Council, clearly shows this Property as being within the Conservation District. The City's tax records indicate that the house addressed as 801 Rugby Road was constructed in 2015; therefore, the house has not yet been classified as a "contributing" or "non-contributing" structure (reference Charlottesville City Code §34-339). In response to your question regarding the applicability of the Rugby Conservation District requirements: to the extent that any particular regulations apply specifically to a "contributing structure" those regulations would not apply to the *house*; otherwise, however, new construction, alterations, demolitions, etc. at the Property are subject to the regulations of the Conservation District and require advance approval of the BAR.

We agree with you that staff's communications were very confusing as to what procedures you were required to follow prior to constructing this fence. You should have been clearly advised that all new construction within the Conservation District, including your proposed fence construction, must be reviewed and approved in advance by the Board of Architectural Review (BAR) itself. The process by which this is accomplished is an application seeking approval of a certificate of appropriateness ("COA"). The City's ordinance does not allow for any administrative approval of COAs within a conservation district, *see* City Code § 34-340(a).

In this case, because you complied with staff's direction (i.e.: "install a 3.5 foot fence *or* make application to go to BAR meeting") (*emphasis added*), it is my recommendation that staff should withdraw the zoning violation letter that you received, upon your submission of an application asking the

BAR to approve a COA for the fence. It is also my recommendation that NDS should waive the fee associated with making the application to the BAR.

City Code §34-340(a) and (b) are clear:


*“Within a conservation district no building, structure or addition shall be constructed...unless and until an application for a certificate of appropriateness has been approved by the board of architectural review (BAR), or by city council on appeal” and*

*“All proposed new construction requires approval of a COA by the BAR.”*

For your convenience, a copy of City Code §34-340 is attached to this letter.

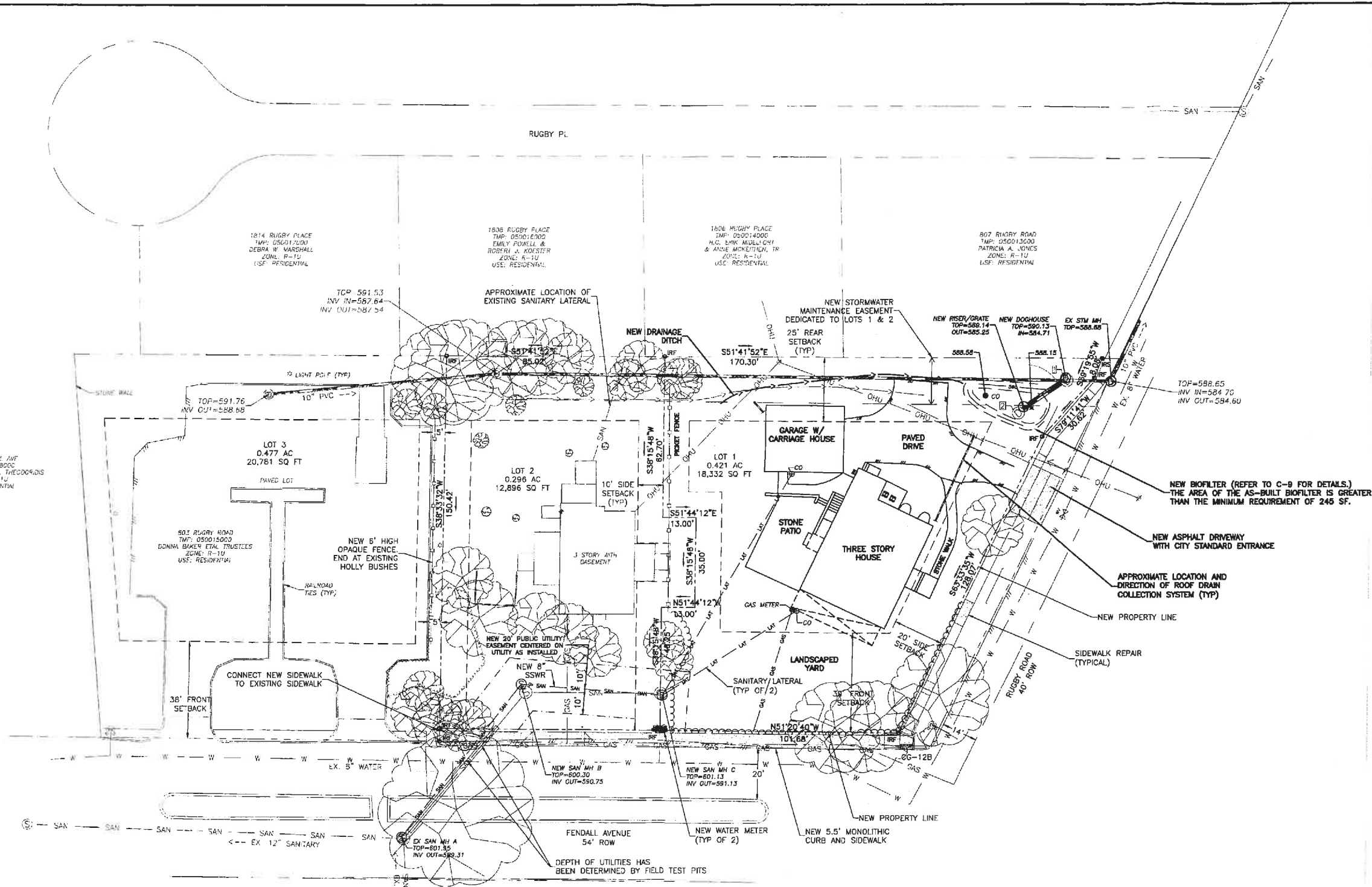
We regret that this process has been such a confusing one for you.

Sincerely,



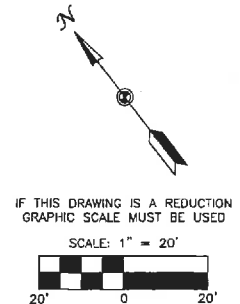
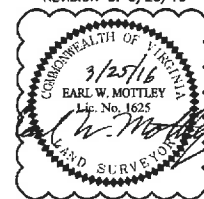
Lisa A. Robertson  
Chief Deputy City Attorney

Cc: Mary Joy Scala  
Secretary, Board of Zoning Appeals



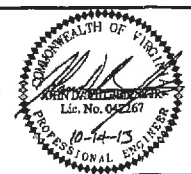
**NOTE:**  
 A TEMPORARY STREET CLOSURE PERMIT IS REQUIRED FOR CLOSURE OF SIDEWALKS, PARKING SPACES, AND ROADWAYS, AND IS SUBJECT TO APPROVAL BY THE CITY TRAFFIC ENGINEER.

ORIGINAL AS-BUILT SURVEY DATED 3/12/15  
 REVISION 1: 2/05/16  
 REVISION 2: 2/18/16  
 REVISION 3: 3/25/16

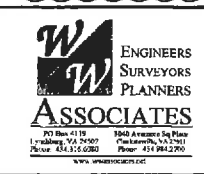


MA\212088 Jacques Homes\214025.03 As-Built\208803C\_ASB\_SP.dwg

1	ADDRESSED CITY COMMENTS DATED MARCH 7, 2013	RU	9/4/13				
2	ADDRESSED CITY COMMENTS DATED SEPTEMBER 20, 2013	RU	9/27/13				
3	UPDATED SETBACK LINES	RU	10/14/13				
NO.	SHEET REVISION	BY	DATE	NO.	SHEET REVISION	BY	DATE



**AS-BUILT PLAN**  
**2 OF 3**



DESIGNED BY: RU	PROJECT: <b>RUGBY ROAD SUBDIVISION PLAN FINAL SITE PLAN CHARLOTTESVILLE, VA</b>	SHEET REV. NO. <b>3</b>
DRAWN BY: REG (DSB)	TITLE: <b>SITE GRADING, UTILITY AND LAYOUT PLAN</b>	DRAWING NUMBER: <b>C-5</b>
DWR BY: JB	FILE NAME: 208803C_ASB_SP.dwg	SHEET NUMBER: <b>5 of 15</b>
WVA NUMBER: 212088.03	DISCIPLINE: CML	DATE: 2-15-13
	SCALE: H: 1"=20' V: N/A	











9703359  
Fax



# Board of Architectural Review (BAR) Conservation District - Certificate of Appropriateness

Please Return To: City of Charlottesville  
Department of Neighborhood Development Services  
P.O. Box 911, City Hall  
Charlottesville, Virginia 22902  
Telephone (434) 970-3130 Email [scala@charlottesville.org](mailto:scala@charlottesville.org)

**RECEIVED**  
JUL 07 2016  
NEIGHBORHOOD DEVELOPMENT SERVICES  
7/30/16

Please submit ten (10) hard copies and one (1) digital copy of application form and all attachments.  
Please include application fee as follows: New construction project \$375; Demolition of a contributing structure \$375;  
Appeal of BAR decision \$125; Additions and other projects requiring BAR approval \$125; Administrative approval \$100.  
Make checks payable to the City of Charlottesville.  
The BAR meets the third Tuesday of the month.  
Deadline for submittals is Tuesday 3 weeks prior to next BAR meeting by 3:30 p.m.

Project Name/Description Fence Parcel Number 050015100  
 Project Address/Location 801 Rugby Rd  
 Owner Name Jeffersonville LLC Applicant Name Diane Jacques

### Applicant Information

Address: 920 Rugby Rd  
CV 22903  
Email: Jacques homes e Comcast  
Phone: (W) 434 270 2241 (H) \_\_\_\_\_

### Signature of Applicant

I hereby attest that the information I have provided is, to the best of my knowledge, correct.

Diane Jacques 7.1.15  
Signature Date

### Property Owner Information (if not applicant)

Address: \_\_\_\_\_  
Email: \_\_\_\_\_  
Phone: (W) \_\_\_\_\_ (H) \_\_\_\_\_

Print Name \_\_\_\_\_ Date \_\_\_\_\_

### Property Owner Permission (if not applicant)

I have read this application and hereby give my consent to its submission.

Signature \_\_\_\_\_ Date \_\_\_\_\_

Print Name \_\_\_\_\_ Date \_\_\_\_\_

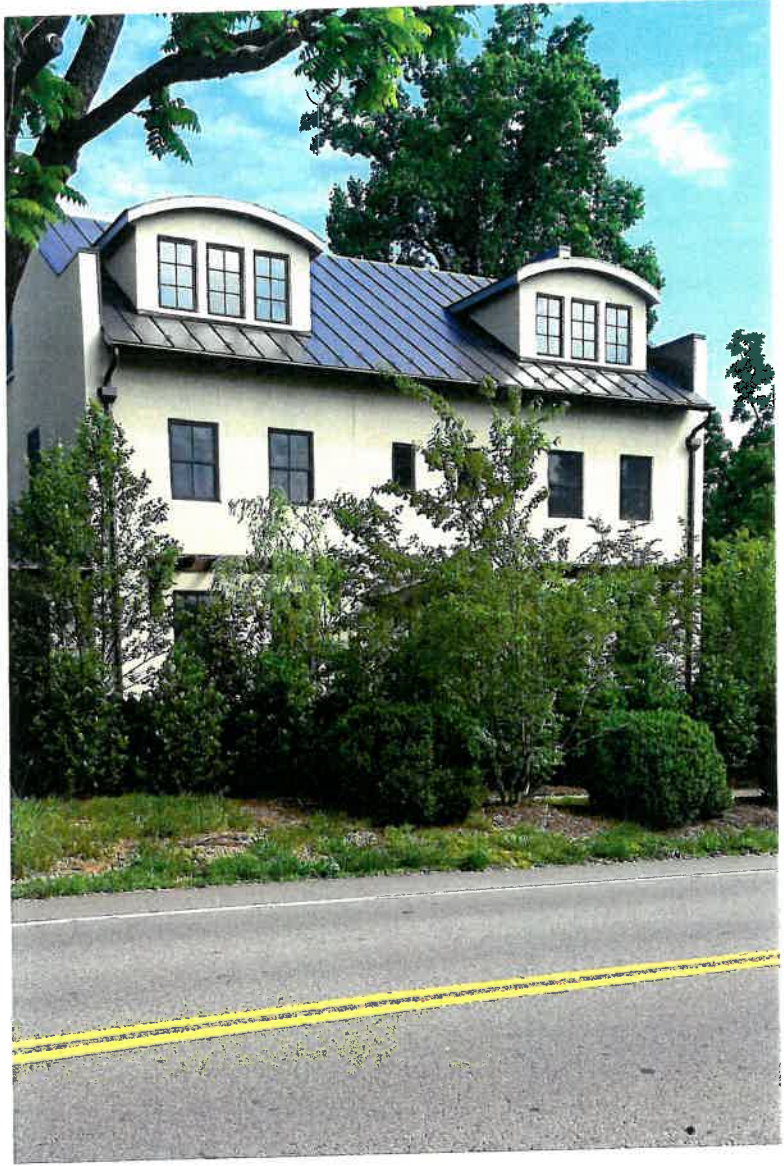
### Description of Proposed Work (attach separate narrative if necessary):

Fence as installed last month, per pictures sent to City Attorney

### List All Attachments (see reverse side for submittal requirements):

see Atty Lisa Robertson's letter dated 7/1/16

<b>For Office Use Only</b>	Approved/Disapproved by: _____
Received by: _____	Date: _____
Fee paid: _____ Cash/Ck. # _____	Conditions of approval: _____
Date Received: _____	_____
Revised 2016	<u>no fee per City Attorney's office</u>





## Scala, Mary Joy

---

**From:** Fabio, Craig  
**Sent:** Friday, May 20, 2016 1:53 PM  
**To:** Scala, Mary Joy; Brodhead, Read  
**Subject:** RE: Rugby Road Historic Conservation District

Sight triangle is good. Corner pin is gone, but the high part of the fence is twenty feet back from the corner (of the fence).

---

**From:** Scala, Mary Joy  
**Sent:** Monday, May 16, 2016 8:34 AM  
**To:** Fabio, Craig; Brodhead, Read  
**Subject:** FW: Rugby Road Historic Conservation District

I need someone to check sight triangle at corner of Fendell and Rugby.  
I emailed Diane at Jacquehomes and told her to make application for June BAR meeting.

### **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)

**From:** Steve Campbell [mailto:steve.campbell1821@gmail.com]  
**Sent:** Friday, May 13, 2016 4:18 PM  
**To:** Scala, Mary Joy  
**Cc:** Venable Neighborhood Association  
**Subject:** Rugby Road Historic Conservation District

### *Rugby Road HCD Ordinance*

*"Fences or walls in front yards (including fences in the side yards between the street and the front of the house) should not exceed three and one-half feet in height."*

Dear Mary Joy,

A fence installed this week by the Developer at 801 Rugby Road is in violation of the HCD ordinance cited above. The treated lumber fence is four feet tall for the length of the property along Rugby Road and eight feet in height for the property running the property length of Fendall Avenue.

In addition, the significant number of bushes and trees added by the developer in the median between the sidewalk and Rugby Road are overgrown (and poorly maintained) impairing traffic sight lines for traffic entering Rugby Road from Fendall Avenue. This is particularly hazardous for the high volume of TJUU church traffic and Charlottesville City School buses.

While we applaud the developer's efforts to obscure his building from view, we respectfully request compliance with Charlottesville ordinances.

**Stephen C. Campbell**  
(434) 296-3505