



COMMONWEALTH of VIRGINIA

Department of Historic Resources

2801 Kensington Avenue, Richmond, Virginia 23221

Molly Joseph Ward
Secretary of Natural Resources

Julie V. Langan
Director

Mary Joy Scala
Preservation and Design Planner
City of Charlottesville
P. O. Box 911
Charlottesville, VA 22902

August 9, 2016

Tel: (804) 367-2323
Fax: (804) 367-2391
www.dhr.virginia.gov

Re: **Rose Cottage/Peyton House, City of Charlottesville**

Dear Ms. Scala:

According to our records, in 1991, the Department of Historic Resources received information about the **Rose Cottage/Peyton House** property from its then owner, stating the building had been damaged by a fire and subsequently was demolished. Local land records indicate that the land where this house once stood is now within the common area of a condominium development. The property technically was delisted from the Virginia Landmarks Register and the National Register of Historic Places at the time of its demolition; however, it recently came to our attention that the administrative process for its delisting was not completed. Therefore, the Department of Historic Resources is notifying you that, at a meeting on **Thursday, September 15, 2016, in the Academy Center of the Arts, Joy and Lynch Christian Warehouse Theatre** located at **609 Commerce Street, Lynchburg, VA 24504 (map enclosed)**, the Virginia State Review Board and the Virginia Board of Historic Resources will consider the **Rose Cottage/Peyton House** property for delisting from the National Register of Historic Places and the Virginia Landmarks Register.

Delisting a demolished property is not a punitive action. It is an administrative action that is taken when a property no longer meets the criteria for which it originally was listed in the Registers. Demolition is such a circumstance that warrants delisting.

The National Register's Federal program regulations, available at Title 36, Chapter 1, Part 60, Section 15, entitled "Removing properties from the National Register," specify that

(a) Grounds for removing properties from the National Register are as follows:

(1) The property has ceased to meet the criteria for listing in the National Register because the qualities which caused it to be originally listed have been lost or destroyed, or such qualities were lost subsequent to nomination and prior to listing.

The Virginia Administrative Code contains a similar provision at Title 17, Agency 5, Chapter 30, Section 90, entitled "Removing properties from the Virginia Landmarks Register," which states:

Administrative Services
10 Courthouse Ave.
Petersburg, VA 23803
Tel: (804) 862-6408
Fax: (804) 862-6196

Eastern Region Office
2801 Kensington Avenue
Richmond, VA 23221
Tel: (804) 367-2323
Fax: (804) 367-2391

Western Region Office
962 Kime Lane
Salem, VA 24153
Tel: (540) 387-5443
Fax: (540) 387-5446

Northern Region Office
5357 Main Street
PO Box 519
Stephens City, VA 22655
Tel: (540) 868-7029
Fax: (540) 868-7033

Grounds for removing properties from the Virginia Landmarks Register are as follows:

1. The property has ceased to meet the criteria for listing in the Virginia Landmarks Register because the qualities which caused it to be originally listed have been lost or destroyed, or such qualities were lost subsequent to nomination and prior to listing;

Statutory Authority

§ 10.1-2205 of the Code of Virginia.

Historical Notes

Derived from VR390-01-03 § 3.6, eff. February 9, 1994.

At Title 17, Agency 5, Chapter 30, Section 180, entitled "Removal of property from the Virginia Landmarks Register," the state regulations explain that

The director [of the Department of Historic Resources] or the [B]oard [of Historic Resources] may initiate the process for removing property from the Virginia Landmarks Register upon concluding that one or more of the conditions set out in 17VAC5-30-90 have been met. Where the director or the board initiates the process, the director shall notify the property owner or owners and the chief elected local official and give them at least 30 days to comment prior to formal action by the board. In addition, any person or organization may petition in writing for removal of a property from the Virginia Landmarks Register by setting forth the reasons the property should be removed on the grounds established in 17VAC5-30-90.

Statutory Authority

§ 10.1-2205 of the Code of Virginia.

Historical Notes

Derived from VR390-01-03 § 5.5, eff. February 9, 1994.

Because **Rose Cottage/Peyton House** has been demolished, the property no longer retains the qualities for which it was listed. Please be aware, however, that the Department of Historic Resources and the National Park Service (which administers the National Register) will retain the property's nomination materials in our respective permanent archives. Information about this vanished historic resource will remain available for future generations.

Please send any comments or objections to us prior to the Boards' meeting date on September 15, 2016, and we will forward them to all Board members. We are particularly interested in knowing whether we have accurate data that confirms loss or survival of any of the historic features of the property. You are also welcome to attend the meeting, which will begin at 9:00 a.m. If you have any questions or need additional information prior to the meeting please contact me at 804-482-6445.

Sincerely,



James Hare

Director, Survey and Register Division

Administrative Services
10 Courthouse Ave.
Petersburg, VA 23803
Tel: (804) 862-6408
Fax: (804) 862-6196

Eastern Region Office
2801 Kensington Avenue
Richmond, VA 23221
Tel: (804) 367-2323
Fax: (804) 367-2391

Western Region Office
962 Kime Lane
Salem, VA 24153
Tel: (540) 387-5443
Fax: (540) 387-5446

Northern Region Office
5357 Main Street
PO Box 519
Stephens City, VA 22655
Tel: (540) 868-7029
Fax: (540) 868-7033