

**City of Charlottesville  
Board of Architectural Review  
January 21, 2003**

**Minutes**

**Present:**

Joan Fenton, Chair  
Lynne Heetderks, Vice Chair  
Wade Tremblay  
Preston Coiner  
Joseph Atkins  
Linda Winner  
Sydney Knight  
Cheri Lewis

**Also Present:**

Mary Joy Scala

The Chair called the meeting to order at 5:00 p.m.

Staff informed the Chair that Lisa Kelley was present from the City Attorney's office. She informed the Bar that, regarding item E. BAR 02-08-28, 416 West Main Street, the BAR has no jurisdiction to allow demolition of a structure that has not been constructed yet. The applicant, Gabe Silverman, accepted this information and left the meeting.

1. Items from the public

The Chair called for items from the public.

There were none.

2. Certificate of Appropriateness Application

**BAR 01-09-25**

**Tax Map 28 Parcel 28**

**Second Street SE and Water Street**

**Discussion of Marquee and Signage**

Charlottesville Contemporary Arts, Applicant/ Bushman Dreyfuss, Architects

The Chair recognized Jeff Bushman. He explained there are three tenants (Lighthouse, Live Arts, Second Street Gallery); each will have its own sign. He showed approved elevations. He said Inova offered to donate an LED messaging system. He wondered if a scrolling message is

permitted. He needs help interpreting the City sign ordinance with City staff. He said they prefer white or blue lights; amber, red, and green are also available.

Responding to his specific question of scrolling text, a Bar member said they need more information about the quality of light and appearance.

Mr. Knight said he would like to see ingenuity applied so it does not look like an airport or ballpark. Animation could add to the Water Street streetscape, so he would permit leeway on this rather than rigid adherence to the historic district. Technology is outstripping the ordinance.

Mr. Tremblay agreed that a contemporary building will add life to Water Street.

Ms. Heetderks said she does not think the building is appropriate, but LED lights would be appropriate for this building.

The Chair summarized by saying that approval would be based on quality and actual design. There is not overwhelming reservation against it.

Mr. Bushman said he would try to get the right framework for the technology.

Mr. Coiner asked staff to send Bar members a copy of the current sign regulations, since there was some confusion about what is actually permitted regarding a marquee.

### **C. Certificate of Appropriateness Application**

**BAR 02-11-33**

**Tax Map 26 Parcel 10**

**114 Lankford Avenue**

**Revision of Deferred Plan to Renovate Existing Building  
and Construct New Apartment Building**

**Dale Ludwig, Applicant/ Ron Keeney, Architect**

Ms. Scala gave the staff report. She recommended approval subject to staff approval of shingles and paint/trim colors. It was determined that no one was present to represent the applicant.

The Chair suggested that the item be considered at the end of the meeting to give the applicant time to arrive.

### **D. Certificate of Appropriateness Application**

**BAR 02-08-27**

**Tax Map 53 Parcels 68 and 69**

**512-520 East Main Street/East End Apartments**

**Revision of Previously Approved Plan to  
Construct Additional Floor for Residential Use**

**Chuck Lewis, Applicant/Jerry Dixon, Architect**

Ms. Scala gave the staff report. The item was approved with conditions at the 10 September meeting. The revised drawings reflect concerns expressed at that meeting. The building would be seven feet shorter than approved. Staff felt that the applicant had met the previously expressed concerns. Staff recommends approval.

Ms. Fenton recognized the applicant. Mr. Lewis stated that by dropping the height, they were able to save the front.

Ms. Fenton asked for questions from the general public and the BAR.

Ms. Heetderks asked if the reason behind punching in new window openings was to accommodate the number of units in the addition. The applicant explained the existing openings were in bad condition. A member of the public who failed to identify himself asked what would happen to the commemorative plaque which had been removed from 512. Mr. Lewis stated it would be replaced.

Mr. Knight sought clarification whether the Board had requested the fascia be saved. The applicant stated that the decision had been made based on comments by Board members.

Ms. Fenton called for comments from the public. There being none, she closed that portion of the meeting. She then called for comments from Board members.

Mr. Atkins expressed concern about the guidelines for awnings regarding over use of color and pattern.

Mr. Knight felt that the concern for the fascia had negatively affected the overall building.

Mr. Atkins expressed his comfort with the maintenance of the cornice.

Ms. Heetderks, while happy with the cornice, expressed concern about the windows. She expressed appreciation to the applicant for his effort to preserve the cornice. The applicant stated that he had changed the window openings from four to three based on BAR members' comments.

Ms. Heetderks stated she would be happier if the existing window openings would be reused.

Ms. Lewis agreed with Ms. Heetderks regarding the guidelines, but she realized that maintaining the current set of windows would not work. She felt the architect had created openings in the building more appropriate to the façade.

Mr. Tremblay made a motion for acceptance of the details as provided by the applicant. Ms. Winner seconded the motion. Mr. Knight expressed his discomfort with the proposed squat and truncated tower. Ms. Lewis stated she had liked the shed roof from the earlier drawing. The motion carried seven to one with Ms. Heetderks voting against.

## **F. Certificate of Appropriateness Application**

**BAR 01-02-02**  
**Tax Map 33 Parcel 263**  
**121 Second Street, NW/Fellini's Restaurant**  
**Second Story Addition to East Market Street**  
**Elevation (An addition to previously approved**  
**renovations)**  
**R. E. Lee and Son, Inc., Applicant**

Dave Ackerman, Architect

Ms. Scala gave the staff report. Renovations were approved for restaurant use 21 February 2001.

Modifications of the 2001 design were approved in February, 2002. The applicant proposes a modification of the original design to add a new second story over part of the building which will add needed interior space. The existing one story portion has a shed roof and is set back slightly from the existing two story portion. The set back will be maintained on the proposal. Staff recommends approval as proposed.

Ms. Fenton called upon Mr. Ackerman. He stated that a door on the Second Street elevation would be changed to a window which matches the other mahogany casement windows.

Ms. Fenton called for questions from the public and the Board.

Mr. Knight asked for the depth of the Market Street offset. The architect stated it was six inches.

Ms. Fenton called for comments from the public and the Board. Mr. Knight made a motion to approve as submitted. Mr. Atkins seconded the motion. The motion carried unanimously. Ms. Lewis left the meeting at 5:46 p.m.

**G. Certificate of Appropriateness Application**

**BAR 03-01-01**  
**Tax Map 53 Parcel 36**  
**413 Park Street**  
**Replace Existing Metal Roof with Architect**

Shingles

R. Franklin and Hay L. Hardy, Applicants

Ms. Scala gave the staff report. 413 Park Street is a two story house built around 1921. The applicants wish to replace the metal roof with architectural shingles. The guidelines for rehabilitation for roofs state: When replacing a roof, match original material as closely as possible. Avoid, for example, replacing standing seam metal with asphalt shingles as this would dramatically alter the building's appearance. Ms. Scala stated there were a variety of roof types

and materials on that block of Park Street. Staff recommends maintaining the standing metal roof; if the BAR approves the change to shingles, staff recommends the dark grey.

Ms. Fenton called upon the applicant to address the Board. The applicant stated there were problems with water leaking through the roof causing damage to plaster inside and the woodwork outside. The proposed shingle roof would not impact the appearance of the area and would allow the applicants to keep the house from deterioration.

Ms. Fenton called for questions.

Mr. Coiner asked if shingles were being considered as an economic issue. The applicant concurred and stated there was also a time issue so that additional deterioration could be prevented. Mr. Coiner wanted to know the difference in price. The applicant stated the metal was almost twice the cost of the shingles. Mr. Atkins followed up

Mr. Coiner's questions by stating that it would be possible to put metal on. Mr. Atkins then sought clarification that the only reason for shingles was an economic one. The applicant stated bluntly that they could not afford metal. Ms. Winner asked if the applicants knew of low interest loans available through the City for these projects. The applicant stated she was but it was not something they could consider.

Ms. Fenton called for comments.

Mr. Atkins stated that the guidelines are clear – a metal roof must be replaced with metal. He further stated that exceptions or extenuating circumstances would have to be fairly severe. He would have to deny the request.

Mr. Coiner stated he also could not support replacing the metal roof with shingles. He further stated that the guidelines did deal with economic hardships which would place the matter within the Board's purview.

Mr. Tremblay stated that the roof pitch was so shallow, shingles might not be effective. He stated that the roof was designed for metal, not slate.

Ms. Heetderks made a motion to deny the application.

Mr. Knight seconded the motion. The motion carried unanimously. Ms. Fenton informed the applicant that she could appeal to City Council within ten days.

## **H. Certificate of Appropriateness Application**

**BAR 03-01-02**

**Tax Map 29 Parcel 268**

**530 Ridge Street**

**Erect Privacy Fence Around Front Yard**

**Kenneth Horst, Applicant**

Ms. Scala gave the staff report. The one and-a-half story house at 530 Ridge Street was built in 1923. Its site, the northeast corner of Ridge Street and Elliot Avenue, is important. This is a busy intersection with lighted tennis courts on the opposite corner. The applicant seeks to erect a six foot high privacy fence of treated lumber.

The fence would border Ridge Street and Elliot Avenue. The fence posts have been installed without a permit. The corner of the fence must be truncated to increase visibility along the rights-of-way lines. Design guidelines for walls and fences state existing material must be maintained, new fences should use materials that relate to materials in the neighborhood. Street front fences or walls must be kept below four feet in height and traditional materials and designs should be used. Staff found that nearby properties have low, decorative brick walls; low concrete walls; or hedges. Staff recommends a four foot high brick wall or painted wood or iron fence or a combination of materials.

Ms. Fenton called for statements from the applicant.

Mr. Horst stated that Ridge Street was a major entrance corridor which caused a feeling of being onstage all the time. The applicant is seeking privacy. A previous hedge was hard to maintain which was why he is seeking the treated lumber fence. Without a privacy fence, the yard is littered by passersby and the residents are bothered by traffic noises.

Ms. Fenton called for questions.

Mr. Atkins asked the applicant how he would react to the staff recommendation. Mr. Horst stated they weren't insisting on an exact design, they just want a privacy fence.

Mr. Coiner asked if the fence needed to be six feet high. Mr. Horst stated that would be necessary to provide privacy. Mr. Coiner stated he would like to find a solution to the problem since he could not support a six-foot flat-top fence.

Mr. Knight sought clarification that the original privet hedge was still there but only cut down.

Mr. Horst confirmed the hedge still existed.

Ms. Fenton asked the applicants if they could accept a combination of a low fence and greenery which could provide additional height. Mr. Knight sought clarification that the hedge had kept people out of the yard. The applicant explained that the hedge had only been at the front of the property.

Mr. Knight stated that the proposed fence was inappropriate. He felt the Horst's would be better off going back to the hedge. He suggested a low fence or wall designed in coordination with the home or a different type of hedge which would be easier to maintain. Ms. Winner asked if there was a plant which would be a better soundproofing material. Mr. Knight did not think so.

Mr. Atkins left the meeting at 6:17 p.m.

Mr. Knight stated that the Board's charge was to uphold the guidelines for that corridor.

Mr. Coiner felt the Board should defer the matter to allow the applicant to come back with a different plan. Ms. Fenton thought the BAR should provide some guidance as to a direction the BAR would go.

Mr. Coiner stated he would like to see a four to five foot fence on the south and west sides of the property made of a combination of materials.

Ms. Winner made a motion to defer. Mr. Coiner seconded the motion which carried unanimously.

Ms. Fenton recalled the second item on the agenda.

The applicant was not present. Mr. Coiner stated a desire to defer the item since the two architects of the BAR were not present.

Discussion followed regarding the number of deferrals allowed before denial was required. Ms. Fenton asked for a motion that since the applicant was not present and because the Board was required to take an action, the Board was denying the application but would invite the applicant to come back again with the application as a new submittal. Ms. Fenton then so moved. Ms. Heetderks seconded the motion. The motion carried unanimously.

Ms. Fenton stated that when a matter was deferred, action was required at the next meeting or approval was automatic. She stated she would like all deferrals to state that should they not act at the meeting, it will be deemed that the motion is denied. Ms. Fenton sought opinion as to making that a blanket motion. Mr. Coiner stated they should do that with each deferral. Mr. Tremblay was not certain it could be done. Mr. Knight asked if the City Attorney should be sought for a ruling on this proposal.

Ms. Fenton stated her discomfort with stopping someone's presentation when they begin to describe the interior. She sought approval from the Board to specifically tell the applicants that she would request they not tell the BAR anything about the interior unless the BAR asks questions about why something is happening; then they could explain the relevance of the interior.

## **I. Approval of Minutes:**

**October 15, 2002 (approval deferred on November 19)**

**November 19, 2002**

**No meeting in December 2002**

Ms. Heetderks stated the October and November minutes had listed her as Co-Chair and she was the Vice Chair. Mr. Coiner stated the October minutes had a misspelling of Hurt as Hart. Ms. Winner stated the November minutes had not shown her as present although she had been. Ms.

Heetderks made a motion to approve the minutes as amended. Mr. Knight seconded the minutes. The motion was passed unanimously.

### **J. Other Business**

Ms. Fenton called for further business. Mr. Coiner asked if anything was going on with zoning as it related to the BAR. Ms. Fenton did not know.

Ms. Fenton informed the BAR of a meeting on 29 January at 5 p.m. in Council Chambers there would be a meeting about the Downtown Mall regarding vendors and a redesign of the Mall.

Ms. Fenton liked the staff presentation in which Ms. Scala suggested the BAR not approve the application and then gave options if approved. Ms. Heetderks also liked the options but had concerns that it may cause the applicant to presume that those options are equally suitable when the Board may not feel they are. Ms. Fenton asked if it could be part of the discussion rather than part of the oral staff report. Mr. Coiner expressed gratitude to Mr. Knight for volunteering to go speak with the Horsts.

### **K. Adjournment**

Ms. Heetderks made a motion to adjourn. Mr. Knight seconded the motion which passed unanimously.

Whereupon, the meeting stood adjourned at 6:35p.m.