

# CHARLOTTESVILLE

ARCHITECTURAL DESIGN CONTROL DISTRICTS

# DESIGN GUIDELINES

Approved by City Council, September 17, 2012



## VII

### DEMOLITION & MOVING

- A. INTRODUCTION.....5
- B. DEMOLITION OF HISTORIC STRUCTURES.....6
- C. MOVING HISTORIC STRUCTURES.....7



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# VII DEMOLITION & MOVING

## A. INTRODUCTION

Historic buildings are irreplaceable community assets; and once they are gone, they are gone forever. With each successive demolition or removal, the integrity of a historic district is further eroded. Therefore, the demolition or moving of any contributing building in a historic district should be considered carefully.

Charlottesville's Zoning Ordinance contains provisions that require the property owner to obtain approval prior to demolishing a contributing property in a historic district or an Individually Protected Property (IPP).

The following review criteria should be used for IPP's and contributing buildings that are proposed for demolition or relocation.

Plans to demolish or remove a protected property must be approved by the BAR or, on appeal, by the City Council after consultation with the BAR. Upon receipt of an application for demolition or removal of a structure, the BAR has 45 days to either approve or deny the request. If the request is denied and the owner appeals to the City Council, the Council can either approve or deny the request. If Council denies the request, the owner may appeal to the City Circuit Court.

In addition to the right to appeal to City Council or the Circuit Court, there is a process that enables the owner to demolish the building or structure if certain conditions have been met. After the owner has appealed to City Council and has been denied, the owner may choose to make a bona fide offer to sell the building or structure and land.

The property must be offered at a price reasonably related to the fair market value of the structure and land and must be made to the city or to any person or firm or agency that gives reasonable assurance that it is willing to preserve and restore the property. City Council must first confirm that the offering price is reasonably related to the fair market value.

The time during which the offer to sell must remain open varies according to the price, as set out in the State Code and the Zoning Ordinance.

If such a bona fide offer to sell is not accepted within the designated time period, the owner may renew the demolition request to City Council and will be entitled to a Certificate of Appropriateness that permits the demolition of the structure.

## PARTIAL DEMOLITION

According to Section 34-277(a)(2) of Charlottesville's Zoning Ordinance:

Where the moving, removing, encapsulation or demolition of any contributing structure or property will disturb or affect fewer than twenty-five (25) square feet total, of exterior wall, roof or other exterior surfaces, such activity shall be deemed an alteration subject to the review processes set forth within Section 34-275.

Cover photos of the former Monticello Bank at the northwest corner of Main and 4th streets courtesy of the Albemarle Charlottesville Historical Society.

## B. DEMOLITION OF HISTORIC STRUCTURES

### *Review Criteria for Demolition*

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.

### *Guidelines for Demolition*

1. Demolish a historic structure only after all preferable alternatives have been exhausted.
2. Document the building thoroughly through photographs and, for especially significant buildings, measured drawings according to Historic American Buildings Survey (HABS) Standards. This information should be retained by the City of Charlottesville Department of Neighborhood Development Services and the Virginia Department of Historic Resources.
3. If the site is to remain vacant for any length of time, maintain the empty lot in a manner consistent with other open spaces in the districts.

### STANDARDS FOR CONSIDERING DEMOLITIONS AND MOVINGS

According to City Code Section 34-278 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 of 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 of 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 a historic person, architect or master craftsmen, or with a 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.
- (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.

# VII DEMOLITION & MOVING

## C. MOVING HISTORIC STRUCTURES

### *Review Criteria for Moving Historic Buildings*

1. The standards established by City Code, Section 34-278.
2. The public necessity of the proposed move.
3. The public purpose of interest in land or buildings to be protected.
4. The effect upon the existing character of the setting of the structure or area and its surroundings.
5. Whether or not the proposed relocation site would have a detrimental effect on the structural soundness of the building.
6. Whether or not the proposed relocation would have a negative or positive effect on other sites or structures within the historic district.
7. Whether or not the proposed relocation site would be compatible with the architectural aspects of the structure.
8. Whether or not the proposed relocation is the only practical means of saving the structure from demolition.
9. Whether or not the structure would remain protected.

### *Guidelines for Moving Historic Buildings*

1. Move buildings only after all alternatives to retention have been exhausted.
2. Contact the Virginia Department of Historic Resources first if the building is to remain listed on the Virginia Landmarks Register and the National Register of Historic Places.
3. Seek assistance in documenting the building in its original site before undertaking the move.
  - a. Photograph the building and the site thoroughly.
  - b. Measure and document the existing conditions and building if the move will require substantial reconstruction.
4. Thoroughly assess the building's structural condition in order to minimize any damage that might occur during the move.
5. Select a contractor who has experience in moving buildings and check references.
6. Secure the structure from vandalism and potential weather damage before and after its move.
7. If the site is to remain vacant for any length of time, maintain the empty lot in a manner consistent with other open space in the district.
8. Whenever possible, move buildings intact.

## AVAILABLE GUIDELINES SECTIONS

These entrance corridor design guidelines have been divided into the following sections so that you need only read those pertinent to your project.

- I. Introduction
- II. Site Design & Elements
- III. New Construction & Additions
- IV. Rehabilitation
- V. Signs, Awnings, Vending & Cafes
- VI. Public Improvements
- VII. Demolition & Moving

Guideline sections are available from the Charlottesville Department of Neighborhood Services. Online they may be accessed through <http://www.charlottesville.org> at the Board of Architectural Review home page.

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