

Watkins, Robert

From: Watkins, Robert
Sent: Wednesday, November 17, 2021 5:33 PM
To: patrick@patrickfarley.net
Cc: Werner, Jeffrey B
Subject: November 2021 BAR Decision

Certificate of Appropriateness

BAR 21-11-02

106 Oakhurst Circle, Tax Map Parcel 110005000

Oakhurst-Gildersleeve ADC District

Owner: 106 Oakhurst Circle LLC

Applicant: Patrick Farley

Project: Landscaping plan

Dear Patrick,

Thanks for your participation in the Board of Architectural Review meeting yesterday. The BAR reviewed the above-referenced project and made the following motion for your project:

Cheri Lewis moves: Having considered the standards set forth within the City Code, including City's ADC District Design Guidelines, I move to find that the proposed landscaping plan for 106 Oakhurst Circle satisfies the BAR's criteria and is compatible with this property and other properties in the Oakhurst Gildersleeve ADC District, and that the BAR approves the application as submitted with the following modifications:

- *that the existing parking spot be removed and that the area be landscaped consistent with the landscaping plan for the adjoining front yard area*
- *that the granite curbstones being removed for the new driveway be reused to enclose the existing driveway curb cut.*
- *Additionally, the BAR recommends the city traffic engineer allow flexibility relative to the required driveway entrance width.*
-

Breck Gastinger seconds motion. Motion approved (7-0).

Please let me know if you have any further questions.

All the best,

Robert

Robert Watkins
Assistant Historic Preservation and Design Planner
Neighborhood Development Services
PO Box 911
Charlottesville, VA 22902



Certificate of Appropriateness Application

BAR 21-09-02
106 Oakhurst Circle, Tax Map Parcel 110005000
Oakhurst-Gildersleeve ADC District
Owner: 106 Oakhurst Circle LLC
Applicant: Patrick Farley
Project: Landscaping plan



Background

Year Built: 1922
District: Oakhurst-Gildersleeve ADC District
Status: Contributing

Designed as a combination of Colonial Revival and Craftsman styles, this two-story dwelling has a gabled roof, stucco siding, overhanging eaves with exposed rafter ends, a pent roof between the first and second floor, an interior stuccoed chimney, a concrete stoop, and a central door sheltered by a gabled hood supported by brackets. Triple eight-by-eight casement windows are found on the first floor, while eight-over-eight-sash double-hung windows are used on the second floor and flank a central triple eight-by-eight casement bay window. French doors on the east side lead out to a patio. The house also includes a rear deck and a projecting rectangular one-story bay window supported by wooden brackets on the west end. (Oakhurst-Gildersleeve Neighborhood Historic District.)

Prior BAR Reviews

- September 15, 2020 – BAR held a Primary Discussion on the materials submitted.
- October 20, 2020 - BAR held a Primary Discussion.
- December 15, 2020 – BAR approved CoA for alterations to existing house and a rear addition.
- September 21, 2021 - BAR approved CoA for alterations to existing house and a rear addition (rev. to December 2021 approval); however, the landscaping plan was omitted.

Application

- Submittal: Patrick Farley Architect drawings 106 Oakhurst Circle, Sheet A, dated September 28, 2021.

CoA request for proposed landscaping plan.

Landscaping:

- Remove: 6” Crepe Myrtle (front), 6” Dogwood (front), 4” Holly (rear), 40” Oak (rear)*.
- New: See Plant Schedule on Sheet A. (*Rain Garden, Ferns, Oak Garden, Living Fence/Green Screen, Pollinator Garden.*)
- Hardwood mulch within planting areas.

Paving:

- Walking Path (front): Cut slate/flagstone in aggregate with steel edging
- Driveway (front): Concrete, permeable pavers
- Driveway (rear and existing): Crushed Buckingham slate with steel edging
- Entry Porch: Slate pavers.*

Exterior Lighting:

- ~~Pathway lights: AQ Lighting, 3 Tier Pagoda Pathway Light, LED, CCT 2,700K or 5,000K~~

Parking:

- Rear: Pres-cast retaining wall*

* Added to or omitted from prior submittal.

Discussion

Previously, the existing driveway (along the north parcel line) was eliminated and a new constructed (along the north parcel line). The project will now retain the existing and use the new ~~to create a loop~~ for access to and egress from the parking area behind the house.

To allow flexibility in the required placement and width of the new driveway—for ex., to minimize removal of the existing stone curbing--City Code Section 34-972(a)(5) allows for the BAR to make recommendations to the city traffic engineer. The suggested motion for approval includes that recommendation.

Suggested Motions

Approval: Having considered the standards set forth within the City Code, including City’s ADC District Design Guidelines, I move to find that the proposed landscaping plan for 106 Oakhurst Circle satisfies the BAR’s criteria and is compatible with this property and other properties in the Oakhurst-Gildersleeve ADC District, and that the BAR approves the application [as submitted]. Additionally, the BAR recommends the city traffic engineer allow flexibility relative to the required driveway entrance width. Of particular concern, to extent possible, is preservation of the existing granite curb stones.

[...as submitted with the following conditions: ...]

Denial: Having considered the standards set forth within the City Code, including City’s ADC District Design Guidelines, I move to find that the proposed landscaping plan for 106 Oakhurst Circle does not satisfy the BAR’s criteria and is not compatible with this property and other properties in the Oakhurst-Gildersleeve ADC District, and that for the following reasons the BAR denies the application as submitted:

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.

Pertinent 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;
- (7) Any applicable provisions of the City’s Design Guidelines.

Pertinent ADC District Design Guidelines

Chapter II – *Site Design and Elements*

(Link: [III: Site Design and Elements](#))

- Plantings
- Walls and Fences
- Lighting
- Walkways and Driveways
- Parking Areas and Lots
- Utilities and Other Site Appurtenances

Appendix:

City Code Section 34-972. - Location, yard areas, and driveways.

- (a) For lots containing a single-family detached dwelling or a two-family dwelling, parking may be located within any yard. Driveways and off-street parking spaces, regardless of zoning district, shall be subject to the following location and dimensional requirements, with such requirements applying to the portion of the driveway and off-street parking spaces located between the right-of-way and the building line.
 - (1) No driveway entrance or exit shall intersect with a street at a location closer than fifteen (15) feet to any street intersection;
 - (2) No driveway within a residential district, or used for residential purposes, shall be located within three (3) feet from the line of an adjacent property;
 - (3) For driveways and off-street parking spaces, except those off-street parking spaces provided in a garage or carport, the portion of the driveway and off-street parking area located between the right-of-way and the building setback line shall not exceed a maximum of twenty-five (25) percent of the lot area between the right-of-way and building line. This does not prohibit a lot from having one (1) one-way driveway entrance of a maximum width of twenty (20) feet;

- (4) The above language notwithstanding, all driveway entrances shall meet a minimum width requirement of twenty (20) feet and shall not exceed a maximum width of thirty (30) feet, except as allowed by subsection (5) of this section.
- (5) For off-street parking areas in Architectural Design Control Districts and Historic Conservation Districts, as defined in Article II of this chapter, the city traffic engineer may approve a modification in the required driveway entrance width on properties zoned for multi-family residential, commercial, industrial or mixed-use development following a recommendation from the Board of Architectural Review for such modification. Specific factors to be considered by the city traffic engineer include, but are not limited to, expected traffic volumes, internal site circulation, volume of truck traffic, speed limit of the adjacent roadway, and the presence of turn lanes.**
- (b) Driveways and common parking areas, except for single-family detached or two-family dwellings, shall also be subject to the following location and dimensional requirements, with such requirements applying to the portion of the driveway located between the right-of-way and the building line:
- (1) No driveway entrance or exit shall intersect with a public street at a location closer than fifteen (15) feet to any street intersection, or less than five (5) feet from the end of a curb radius;
 - (2) The total width of driveway entrances (curb cuts) shall not exceed thirty-three (33) percent of the lot frontage. This does not prohibit a lot from having one (1) two-way driveway entrance of a maximum width of thirty (30) feet;
 - (3) Parking shall be located in side or rear yards, except that: (i) Parking may not be located within any yard that faces a public street; and (ii) Parking may be located within any yard in the following districts: Urban Corridor, Highway Corridor, and Industrial Corridor. If a lot faces more than one (1) public street, parking shall be prohibited in the yard that fronts on the public street with the highest functional classification rating. If all roads abutting the yard have the same functional classification, parking shall be prohibited in the yard serving as front yard for the parcel.
 - (4) [...]
 - (5) [...]
 - (6) No off-street parking area shall be located closer than three (3) feet to any side or rear property line. No driveway within a residential district, or used for residential purposes, shall be located within three (3) feet from the line of an adjacent property.
 - (7) Any parking established in yards that face any public street(s) shall be subject to the street buffer provisions of [section 34-873\(b\)](#), and, in addition must include a masonry or similar type wall between the parking area and the public street(s). The wall shall be no less than thirty-two (32) inches in height.
- (c) For lots containing a single-family attached dwelling, parking may be located within any yard. Driveways and off-street parking spaces, except those off-street parking spaces provided in a garage or carport, shall not exceed a maximum of twenty-five (25) percent of the lot area between the right-of-way and building setback line. This does not prohibit a lot from having one (1) one-way driveway entrance of a maximum width of twenty (20) feet.
- (d) When more than one (1) driveway is provided along a frontage in a single ownership, there shall be a separation of at least twenty (20) feet at the curb line between each driveway, and a six-inch raised protective curb parallel to the street extending not less than two-thirds (2/3) the length of the island shall be placed inside the property line between the driveways.

- (e) Parking spaces must be designed and used in such a manner as to prevent cars parked in a driveway from encroaching into the public right-of-way.
- (f) For zoning purposes, driveways begin at the boundary separating a property from the right-of-way. Driveways may only be constructed using materials permitted by [section 34-982](#). Entrances must conform to designs listed in the most recent version of the City of Charlottesville Standards and Design Manual.
- (g) The location and design of entrance and exit driveways shall be approved by the director of neighborhood development services to ensure a safe and convenient means of ingress and egress, using current access management principles.



Board of Architectural Review (BAR) 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

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.

Owner Name 106 Oakhurst Circle LLC c/o C. diPierro Applicant Name Patrick Farley Architect, PLLC
Project Name/Description 106 Oakhurst Circ/Renovations & Additions Parcel Number 110005000
Project Property Address 106 Oakhurst Circle, Charlottesville, Va. 22903

Applicant Information

Address: 5836 Taylor Creek Rd.
Afton, Va. 22920
Email: patrick@patrickfarley.net
Phone: (W) 434-205-0225 (C) 804-306-4927

Property Owner Information (if not applicant)

Address: 106 Oakhurst Circle LLC c/o C. diPierro
65 W Meadow Rd., Setauket, NY 11733
Email: oakhurstcircle@icloud.com
Phone: (W) _____ (C) 434-882-4426
-

Do you intend to apply for Federal or State Tax Credits
for this project? No.

Signature of Applicant

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

J.P. Farley 09/28/21
Signature Date

J. Patrick Farley 09/28/21
Print Name Date

Property Owner Permission (if not applicant)

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

Charles G diPierro 09/28/2021
Signature Date

Charles G diPierro for 106 Oakhurst Circle LLC 09/28/2021
Print Name Date

Description of Proposed Work (attach separate narrative if necessary): Small addition with new driveway cut to
access small off-street parking area in rear yard + new landscaping at front yard.

List all attachments: Existing and Proposed Site Plans

For Office Use Only

Received by: _____
Fee paid: _____ Cash/Ck. # _____
Date Received: _____

Revised 2016

Approved/Disapproved by: _____
Date: _____
Conditions of approval: _____

**Special Note: This submission comprises a scaled-down approach to previously approved design.

List all attachments: t all attachments:

HISTORIC DISTRICT ORDINANCE: You can review the *Historical Preservation and Architectural Design Control Overlay Districts* regulations in the City of Charlottesville Zoning Ordinance starting with Section 34-271 online at www.charlottesville.org or at Municode.com for the City of Charlottesville.

DESIGN REVIEW GUIDELINES: Please refer to the current *ADC Districts Design Guidelines* online at www.charlottesville.org.

SUBMITTAL REQUIREMENTS: The following information and exhibits shall be submitted along with each application for Certificate of Appropriateness, per Sec. 34-282 (d) in the City of Charlottesville Zoning Ordinance:

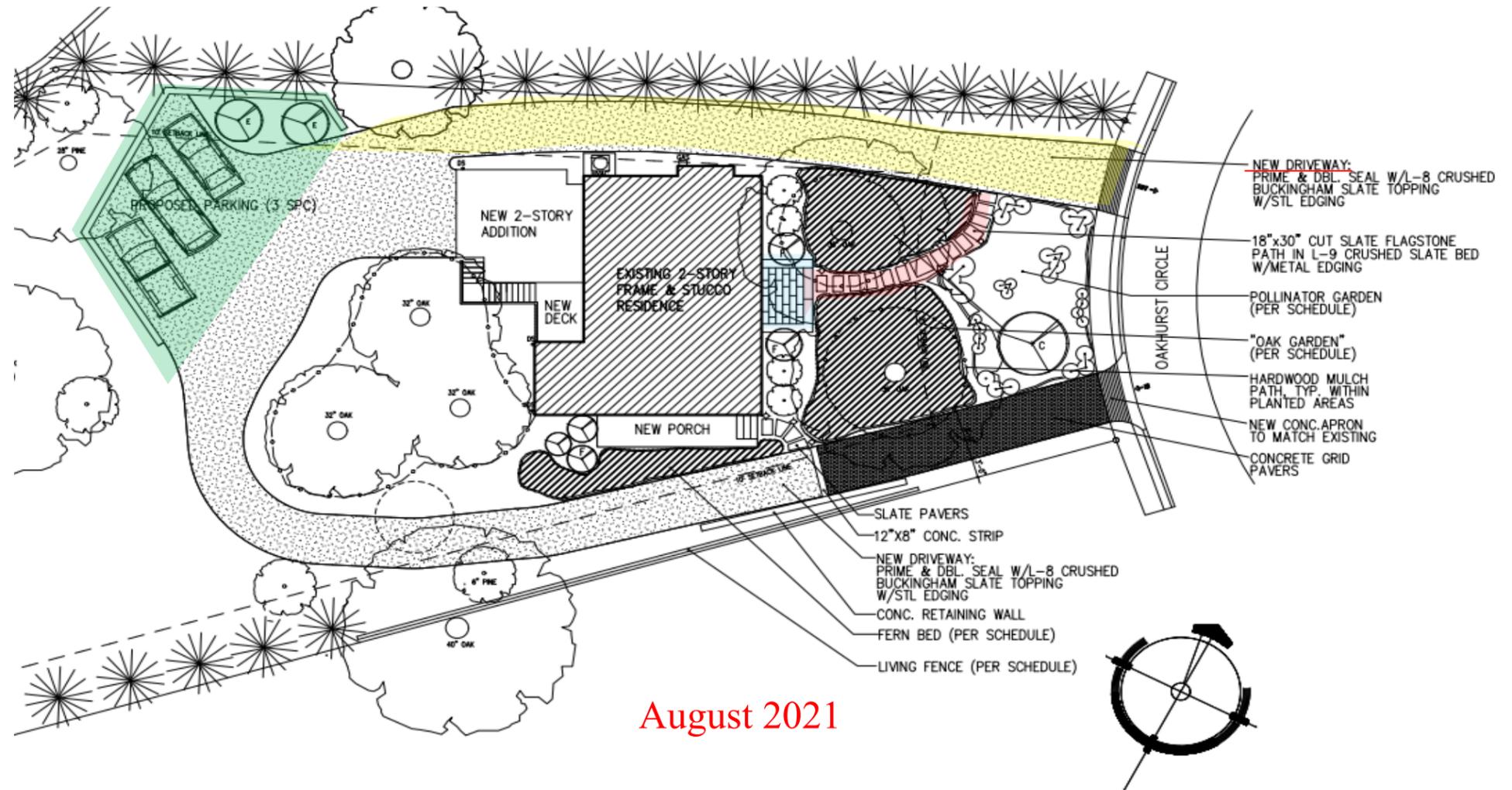
- (1) Detailed and clear depictions of any proposed changes in the exterior features of the subject property;
- (2) Photographs of the subject property and photographs of the buildings on contiguous properties;
- (3) One set of samples to show the nature, texture and color of materials proposed;
- (4) The history of an existing building or structure, if requested;
- (5) For new construction and projects proposing expansion of the footprint of an existing building: a three-dimensional model (in physical or digital form);
- (6) In the case of a demolition request where structural integrity is at issue, the applicant shall provide a structural evaluation and cost estimates for rehabilitation, prepared by a professional engineer, unless waived by the BAR.

APPEALS: Following a denial the applicant, the director of neighborhood development services, or any aggrieved person may appeal the decision to the city council, by filing a written notice of appeal within ten (10) working days of the date of the decision. Per Sec. 34-286. - City council appeals, 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, and/or any additional information, factors or opinions he or she deems relevant to the application.

106 Oakhurst Circle

Revised Landscape Plan — staff notations

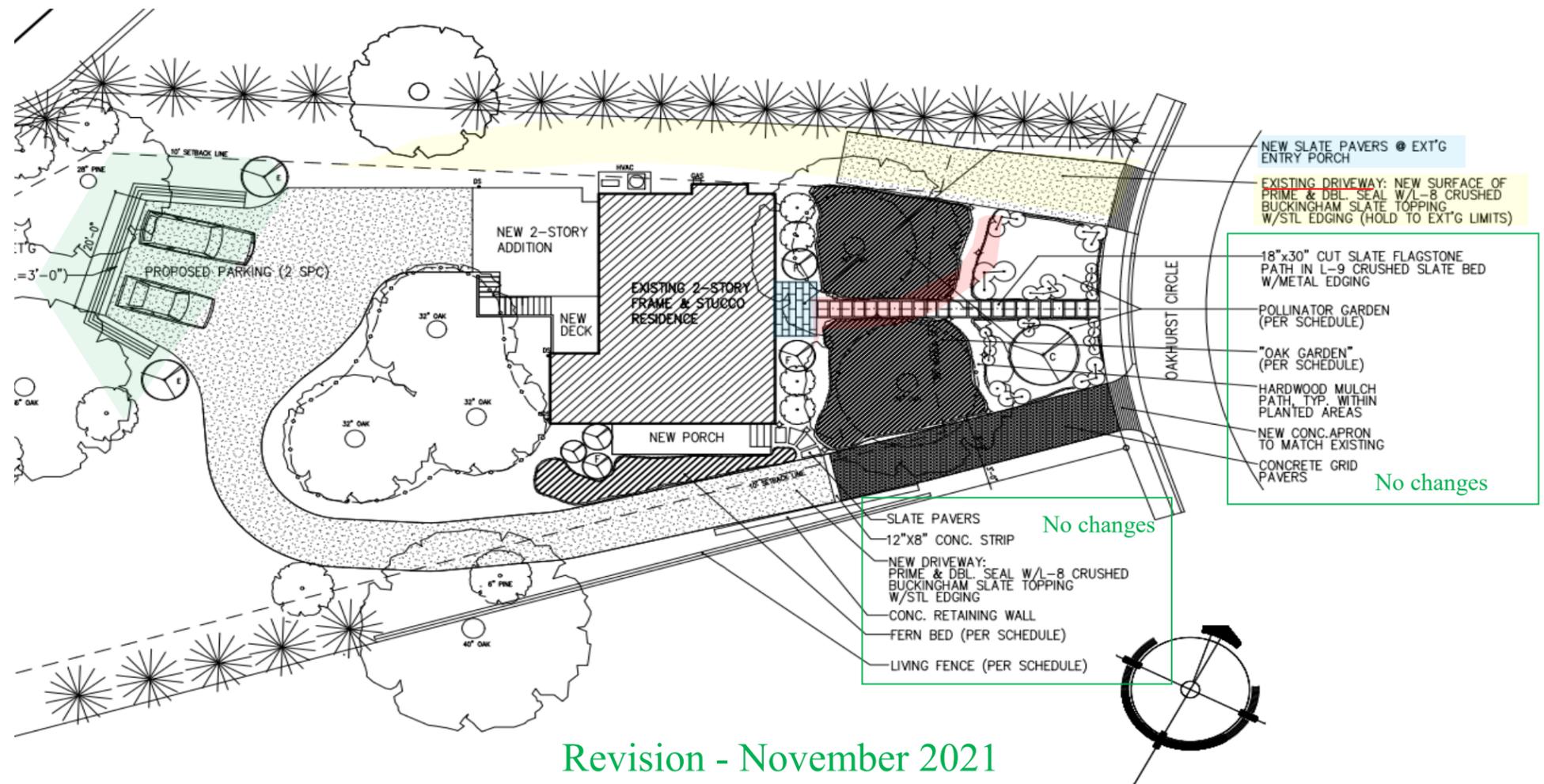
BAR review November 16, 2021



August 2021

SITE/LANDSCAPE PLAN

SC: 1"=16'-0"



Revision - November 2021

SITE/LANDSCAPE PLAN

SC: 1"=16'-0"

(Revised plan dated Sept 28, 2021)