

CITY OF CHARLOTTEVILLE
BOARD OF ARCHITECTURAL REVIEW DOCKET
February 25, 1981 -- 5:00 p.m.
Basement Conference Room

A. Minutes

1. January 27, 1981 - Regular Meeting

B. Deferred Applications

1. BAR 81-121

Blue Ridge House
409 3rd Street, NE
New sign and railing for steps
Region Ten Community Services

C. New Applications for Certificate of Appropriateness

1. BAR 81-123

Levy Opera House, Jessup's House and Jessup's Property
350 Park Street to 614 East High Street
Renovations and additions to existing buildings with new construction on
vacant lot - Concept Approval

D. Other Items

1. Maintenance in the Historic District - progress report
2. Legal aspects of the BAR

E. Other Matters Brought by the Public Not on the Agenda

F. Chairman's Report

G. Board Members' Reports

H. Department of Community Development Report

PLEASE NOTE EARLIER TIME!!

MINUTES OF THE CHARLOTTESVILLE
BOARD OF ARCHITECTURAL REVIEW
February 25, 1981
Basement Conference Room

Members Present

Ashlin Smith
James Herndon
Virginia Schatz
Ted Oakey

Members Absent

John Farmer
Ed Lay
Elizabeth Booker

City Officials Present

Satyendra Huja
Ron Higgins
Roger Wiley

Ashlin Smith called the meeting to order at 5:00 p.m. and called for consideration of the minutes of the January 27, 1981 meeting.

A. Minutes

The following corrections were made:

- P. 1, A., line four, first word should be "which".
- P. 1, B. 1, line one ..."for roof and siding by..."
- P. 2, B. 2, line one ...agreed that John Farmer...
- P. 2, D., bottom line, ...houses that are not in very...

B. Old Applications

1. BAR 81-121

Mr. Shelton requested approval for sign and railing for the Blue Ridge Home at 409 3rd Street, NE. There was some confusion as to the type of railing desired by applicants, and it was suggested by the board that he give this addition thought. It was further suggested that the applicant see what types of railing others had on the street. Mr. Shelton presented the sign proposal as per drawing in February 18, 1981 Planning and Community Development memorandum. The post and background of the sign are to be cream color and the lettering style and color the same as the High Street Region Ten sign.

Jim Herndon moved that we accept the sign and post as presented in the memorandum with the addition of the post painted cream (same color as sign background). Ted Oakey seconded. The motion passed unanimously.

C. New Applications

1. BAR 81-123 -- Office complex at Levy Opera House and Jessups' House -- concept approval.

Mr. Henderson Heyward presented a sketch of facade and view from High Street and 7th Street, as well as a floor plan of the proposed project. He stated that the roof of the Levy Opera House was hipped and not a pediment as originally thought. Thus, he planned to use the hipped roof in the new buildings. Parking would be between the buildings as well as the south side of property on Jefferson Street. This parking meets the City's requirements for new buildings in the off-street parking exempt zone.

John Farmer and Ed Lay, in abstentia, expressed concern about the additions

and connections to the Levy Opera House and the Jessup's House. Mr. Heyward said adjustments could be made to the connection between the Jessup's House and the proposed new building. However, he stated that the proposed tenant did need the space in the Levy addition for a computer center on the third floor, and that this was the only place on the property that the computer center would fit in. Mr. Heyward did say that he could change the roof line somewhat the project would not be economically feasible without the computer addition onto the Opera House. He also noted that an addition was to have been added to other proposed uses for the site.

moved Virginia Schatz motioned that we accept in principle Mr. Heyward's plans. Jim Herndon seconded, and the motion passed unanimously.

D. Other Items

1. Maintenance in the Historic District - progress report.

Ted Oakey handed in John Farmers' team report, and stated that things generally were in good condition with a few exceptions.

Roger Wiley, the City Attorney, responded briefly to questions in the memo. In regard to applicants option if demolition request is denied, he has the following options:

- a. abide by BAR decision.
- b. appeal to City Council and if not overturned
- c. Place on the market for a specified length of time as in City statutes at a fair market value (somewhere around 10% above city appraised for tax purposes). He must accept a bona fide offer and cannot tie one property to other property, as was the case in the Levy/Jessup properties.

appraisal Mr. Wiley also stated that the board had no authority outside the ADC District in answer to question 1 in memo. In answer to question 5, the BAR cannot permit the approval of any demolition request with conditions. It must either accept or deny the demolition request.

E. Other Matters Brought by the Public Not on the Agenda

1. Fowler House

if → W. Cropp recently purchased this house at the corner of Ridge and Garrett Streets and asked what he could and could not do to the house without BAR *those colors* approval. He wanted to paint grey with white trim and requested it be accepted in principle. Virginia Schatz *moved* that we accept the grey and white colors in principle subject to the approval of board and to permit galvanized or tin roof of owner so desired. Jim Herndon seconded. The motion passed unanimously.

F. Chairman's Report

There was none.

G. Board Members' Reports

There was none.

H. Department of Community Development Report

There was none.

The meeting was adjourned at 6:50 p.m.

Respectfully Submitted,

R. S. Oakey, Jr. Secretary

CITY OF
CHARLOTTESVILLE
VIRGINIA

MEMO

TO: Roger Wiley, City Attorney

FROM: Satyendra Singh Huja, Director of Planning and Community Development *S.S.H.*

DATE: February 20, 1981

RE: BOARD OF ARCHITECTURAL REVIEW MEETING - FEBRUARY 25, 1981

As Ron Higgins has discussed with you, the BAR would like for you to attend their February regular meeting to answer some of their questions concerning legal limits of the BAR and specifics of laws governing demolitions (agenda for that meeting attached). The following questions are provided for your consideration before the meeting.

- 1* **NONE!**
1. What is the authority of the BAR on a property outside the ADC once the "prior to 1870 structure(s)" have been demolished?
- 2*
2. When disapproving an application for Certificate of Appropriateness to demolish a structure within their purview, is the BAR only requiring the applicant to sell his property or are they allowing the applicant the option to sell if he wishes to demolish?
- 3* **No!**
3. When considering a "structure and it's environment" or a "structure...and the property upon which such structure is located" for demolition, and the applicant is denied, then must the applicant accept any "bona fide offer...reasonably related to fair market value" for the parcel and building in question to comply with State law, or can he sell as a package with other properties and refuse offers for anything less?
4. Who determines "fair market value" and if this is not considered reasonable than what definition is used for this? Also, who would ultimately enforce the provisions of a BAR action in such a case? *Start w/ city - call independent if you have to -- Append to C.C. for about.*
- 5* **No!**
5. Does Section 31-145 of the City Code permit the approval of any demolition request with conditions?

The BAR members may have some other questions related to these. Please note on the attached docket that the time of this meeting is set at 5:00 p.m. in order not to conflict with the 7:00 television game of Virginia vs. Wake Forest that same evening.

If you have any questions, please feel free to contact me or Ron Higgins. Thank you.

RH/jw

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CHARLOTTESVILLE
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