



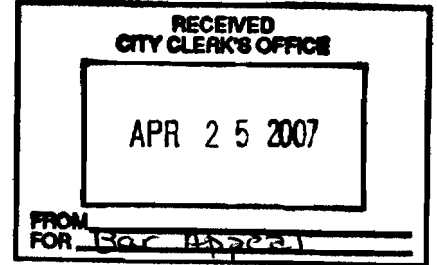
RECORD OF APPEAL

FROM A DECISION OF THE BOARD OF ARCHITECTURAL REVIEW

Date Appeal Filed With City Clerk: _____

B.A.R. Case #: BAR 2006-0060

Address of Project: 219 North Royal Street



Appellant is: (Check One)

B.A.R. Applicant

Other party. State Relationship _____

Address of Appellant: 219 North Royal Street

Alexandria, VA 22314

Telephone Number: 703/548-5485

State Basis of Appeal: The BAR has denied this application despite the facts that
the area proposed for demolition and capsulation is nearly imperceptible
from public view, affects an unremarkable portion of the structure, and
impacts a minimal area of approximately 70 square feet. There is no detriment
to the public interest, and the demolition and capsulation will enable an
appropriate use of the property, enhancing its value. The BAR has (continued)

Attach additional sheets , if necessary

A Board of Architectural Review decision may be appealed to City Council either by the B.A.R. applicant or by 25 or more owners of real estate within the effected district who oppose the decision of the Board of Architectural Review. Sample petition on rear.

All appeals must be filed with the City Clerk on or before 14 days after the decision of the B.A.R.

All appeals require a \$150.00 filing fee.

If an appeal is filed, the decision of the Board of Architectural Review is stayed pending the City Council decision on the matter. The decision of City Council is final subject to the provisions of Sections 10-107, 10-207 or 10-309 of the Zoning Ordinance.

[Handwritten Signature]
Signature of the Appellant

Record of Appeal
From a Decision of the Board of Architectural Review

B.A.R. Case #BAR2006-0060

Basis of Appeal (continued):

inappropriately applied the criteria for requiring preservation of the
portion of the structure proposed to be demolished and capsulated, and
it has taken an unreasonably restrictive approach to modification of the
structure to accommodate a reasonable modern use.

16
6-16-07

Don & Megan Beyer

June 7, 2007

The Honorable William D. Euille
Members of City Council
310 King Street, Suite 2300
Alexandria, Virginia 22314

Attn: Jackie M. Henderson, Clerk of the Council

RE: Appeal from BAR – 219 North Royal Street
Application for Demolition/Encapsulation

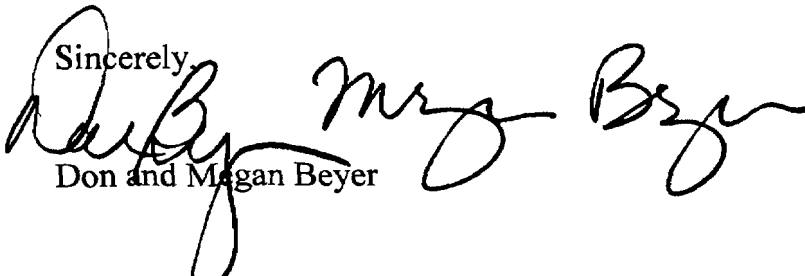
Dear Mayor Euille and Members of Council,

We are the owners of 312 Queen Street, and have reviewed the plans for the alterations that are the subject of the Canfields' appeal of the BAR denial of their application for demolition and encapsulation of a small portion of the second floor rear wall and roof to allow addition of a bathroom in the mid-section of their home.

We believe that the proposed addition is modest and in keeping with the neighborhood, is not a detriment to the historical significance of their residence, and do not think that the requested demolition and encapsulation in any way affect her larger public interest of the Alexandria community. We support the applicant and request that you favorably consider the Canfields' appeal.

Thank you for your attention to this matter and for taking into account the considerations of the residents in this neighborhood.

Sincerely,


Don and Megan Beyer

Thomas D. Crowley
Christena Nielsen

16
6-16-07

◆
214 N. Royal Street
Alexandria, Virginia 22314

June 6, 2007

Honorable William D. Euille
Members of City Council
301 King Street
Suite 2300
Alexandria, Virginia 22314

**RE: Appeal from BAR - 219 North Royal Street
Application for Demolition /Encapsulation**

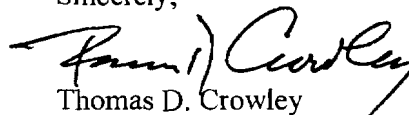
Dear Mayor Euille and Members of Council:

We are the residents at 214 North Royal Street and have reviewed the plans for the alterations that are the subject of the Canfields' appeal of the BAR denial of their application for demolition and encapsulation of a small portion of the second floor rear wall and roof to allow an addition of a bathroom in the mid-section of their home.

We believe that the proposed addition is modest and in keeping with the neighborhood and is not a detriment to the historical significance of their residence. We also do not think that the requested demolition and encapsulation in any way effects the larger public interest of the Alexandria community. We support the application and request that you favorably consider the Canfields' appeal.

Thank you for your attention to this matter and taking into account the considerations of the residents of this neighborhood.

Sincerely,


Thomas D. Crowley


Christena Nielsen

cc: David and Rixey Canfield

16

6-16-07

Nick & Gincy Carosi
215 N. Fairfax Street
Alexandria, VA 22314

June 6, 2007

Hon. William D. Euille
Members of the City Council
301 King Street Suite 2300
Alexandria, Virginia 22314

Attn: Jackie M. Henderson, Clerk of Council
Email: jackie.henderson@alexandriava.gov

RE: Appeal from BAR – 219 N. Royal Street
Application for Demolition/Encapsulation

Dear Mayor Euille and Members of Council:

We are the owners of 215 N. Fairfax Street, which is directly opposite the private alley at the rear of 219 N. Royal, and have reviewed the plans for the alterations that are the subject of the Canfield's appeal of the BAR denial of their application for demolition and encapsulation of a small portion of the second floor rear wall and roof to allow addition of a bathroom in the mid-section of their home.

We believe that the proposed addition is modest and in keeping with the neighborhood, is not a detriment to the historical significance of their residence, and do not think that the requested demolition and encapsulation in any way affect the larger public interest of the Alexandria community. We support the application and request that you favorably consider the Canfield's appeal.

Thank you for your attention to this matter and taking into account the considerations of the residents of this neighborhood.

Sincerely,



16

6-16-07



"Zimmerman, L. Sey"
<lzimmerman@fulbright.com>
06/13/2007 01:40 PM

To <jackie.henderson@alexandriava.gov>
cc
bcc
Subject Appeal From BAR--219 N Royal

Dear Ms. Henderson

I would appreciate it if you could provide the attached letter to the Mayor and the various members of the City Council in advance of the Saturday meeting.

Thank you

Louis Zimmerman



alex.pdf

Louis S. Zimmerman
225 N. Royal Street
Alexandria, Virginia 22314

June 12, 2007

Hon. William D. Euille
Members of City Council
301 King Street, Suite 2300
Alexandria, Virginia 22314

Attn: Jackie M. Henderson, Clerk of Council
e-mail: jackie.henderson@alexandriava.gov

Re: Appeal from BAR – 219 N. Royal Street
Application for Demolition/Encapsulation

Dear Mayor Euille and Members of Council:

I reside at 225 North Royal Street (three doors from the proposed project at 219 North Royal Street). I have reviewed the plans for alterations that are the subject of the Canfields' appeal of the BAR denial of their application for demolition and improvement of their second floor to allow addition of a bathroom in the mid-section of their home.

The Canfields are very sensitive to the appearance of the neighborhood and its historical significance. We believe that the proposed addition is modest and in keeping with the neighborhood. We support the application and request that you favorably consider the Canfields' appeal.

Thank you for your attention to this matter and taking into account the considerations of the residents of this neighborhood.

Sincerely,

Louis S. Zimmerman

16

6-16-07

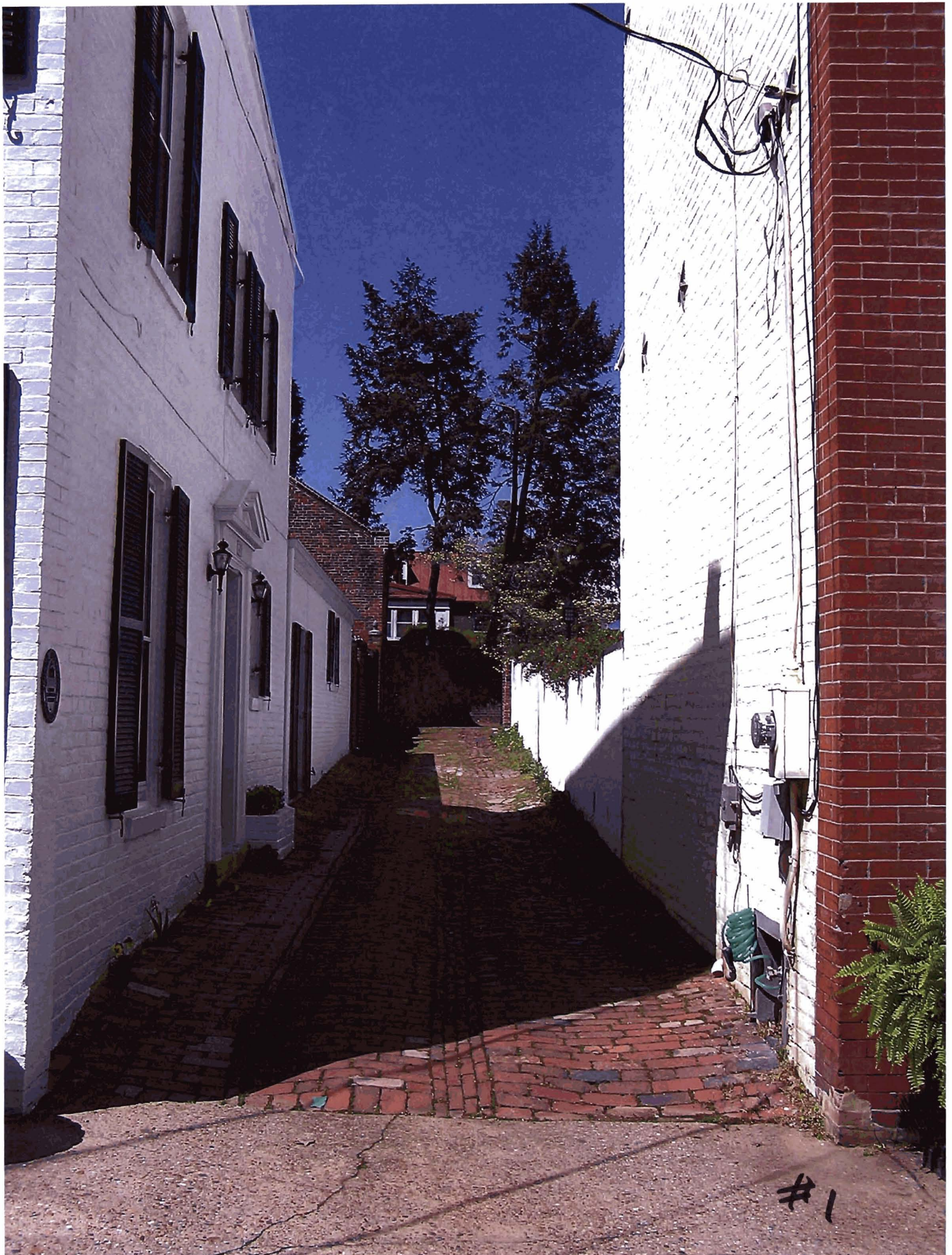
June 16, 2007

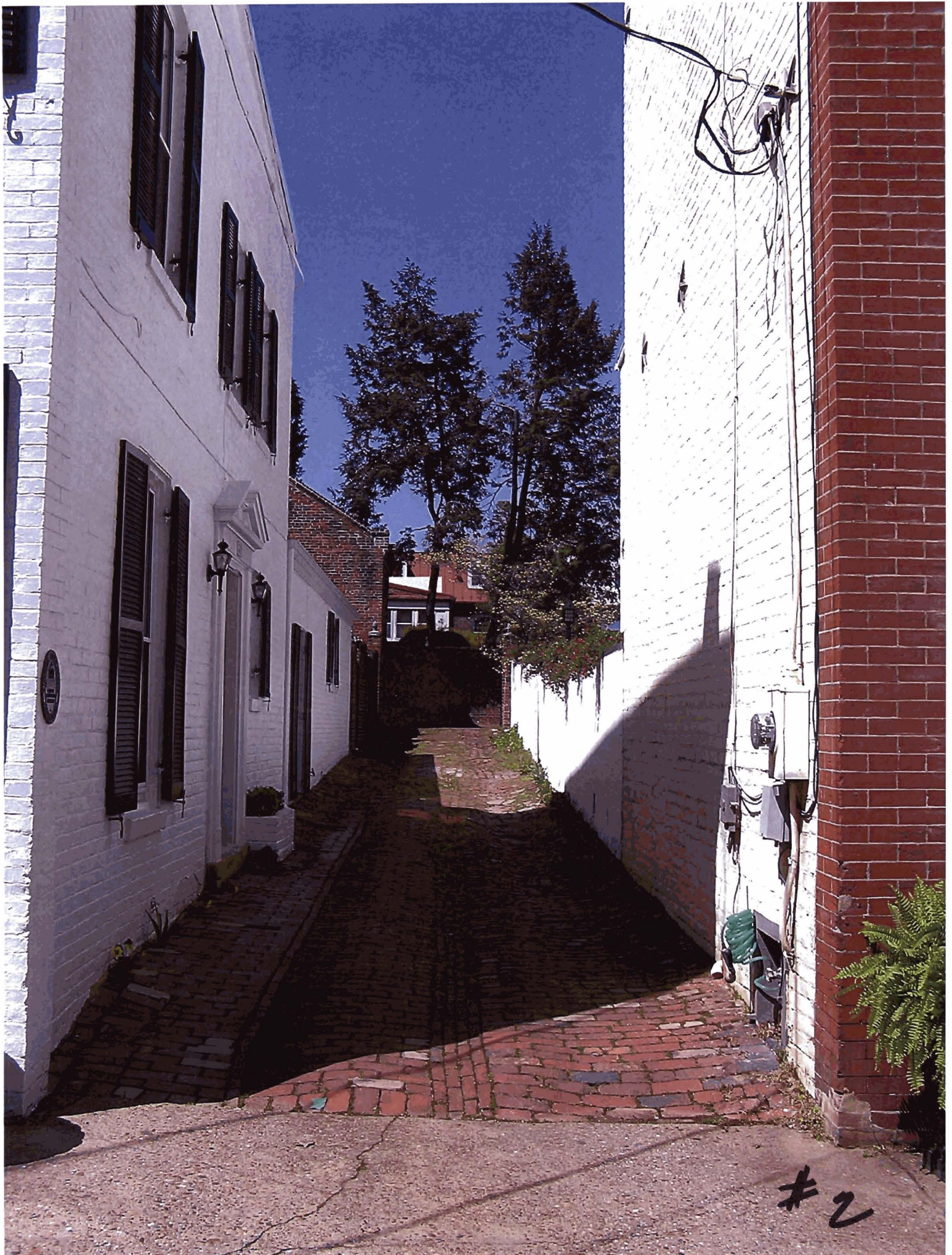
Alexandria City Council Docket Item #16

Appeal of BAR Decision – BAR Case # 2006 – 0060 (219 North Royal Street)

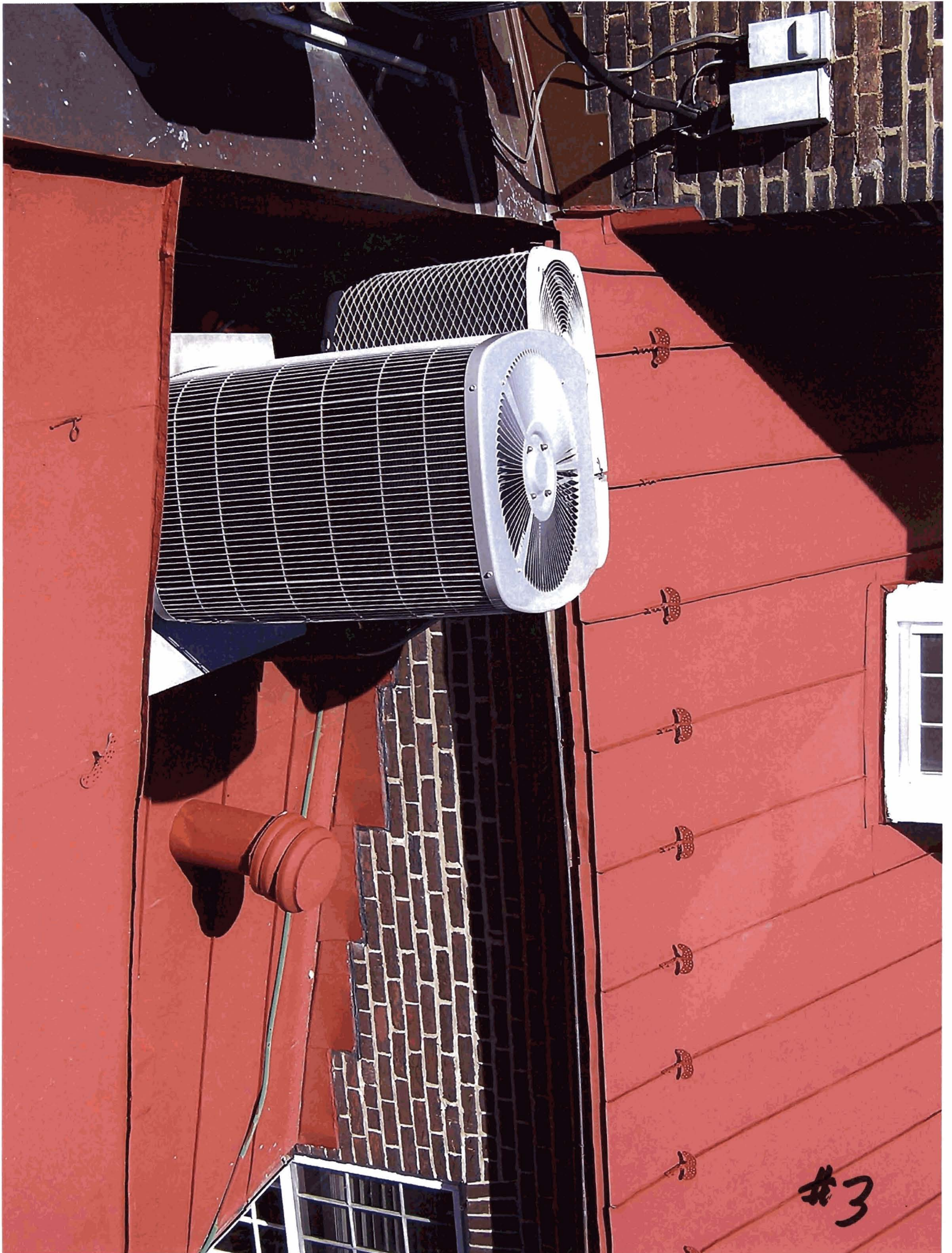
Photographs:

- #1 View from closest point of public access (base of private alley at North Fairfax Street (between 218 and 220 North Fairfax))
- #2 Duplicate of #1, with superimposed overlay of the visible portion of the proposed addition (white block)
- #3 Rooftop view (from east) of proposed addition location
- #4 View (from north) of proposed addition location
- #5 Interior stairwell view above landing at proposed addition location





#2



#3





#5

16

6-16-07



"David Canfield"
<dcanfield@beankinney.com>
06/11/2007 06:47 PM

To <jackie.henderson@alexandriava.gov>
cc
bcc

Subject BAR Appeal, Docket Item #16 6/16/07

History: This message has been replied to.

Jackie –

As we discussed, I have attached a statement to be included with the packet of materials distributed to Council in connection with our appeal of BAR Case # 2006-0060, together with the following items:

- Elevation drawings (2)
- Photographs (5)

Please let me know if the photographs can be printed in color – if not, I would like to supplement the submission with color prints. Also, if digital projection capability is available at the hearing, is it feasible to have these photos made accessible that way as well?

Many thanks for your kind assistance.

Regards,
David

David C. Canfield, Esq.
Bean, Kinney & Korman, P.C.
2300 Wilson Boulevard, 7th Floor
Arlington, Virginia 22201
Direct Tel: 703/284-7281
Main Tel: 703/525-4000
FAX: 703/525-6546

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- City Council ltr 06-11-07.pdf
- canfieldproposedelevations.pdf
- canfieldproposedsideelevation.pdf
- View from sidewalk.JPG
- Alley view with addition.jpg
- View from E.JPG
- View from N.JPG
- Inside view.JPG

**David C. Canfield
Rixey S. Canfield
219 North Royal Street
Alexandria, Virginia 22314**

June 11, 2007

Hon. William D. Euille
Members of City Council
301 King Street, Suite 2300
Alexandria, Virginia 22314
Attn: Jackie M. Henderson, Clerk of Council
e-mail: jackie.henderson@alexandriava.gov

RE: Appeal from BAR – 219 North Royal Street
Application for Demolition/Encapsulation - BAR Case # 2206-0060

Dear Mayor Euille and Members of Council:

In support of our appeal from the adverse decision of the Board of Architectural Review, we offer the following comments:

We have lived in 219 North Royal for 17 years. It is our third historic house in Alexandria, having previously lived at 216 North Fairfax for 10 years and 116 South Fayette for 4 years. We are committed to the preservation of the historic qualities of this community, and are sensitive to how those qualities can be carelessly lost. Nothing is more distressing than to see a new owner of an old home precipitously destroy its character in a misguided effort to upgrade or modernize it. We have been careful in making changes in each of our homes to assure they are appropriate and in keeping with their attributes, and mindful of how they “present” to the larger public.

While old, 219 North Royal is not a remarkably unique structure – it is a fairly typical Federal-style, side hall residence with rear flounder-style “ell” or wing.

The house as currently configured has four bedrooms in the front portion – three on the second floor and one on the third. There is one small bathroom in the front portion of the house, located in the connecting “infill section” directly below where the proposed bathroom addition is to be located.

Most significantly, in the front of the second floor, the small room above the lower hallway remains in use as a bedroom as originally designed. In many houses of similar construction, including each of the McGuire houses to either side of ours, that bedroom has been converted into a bathroom.

Our approach is to preserve the original interior room configuration, and instead create a second bathroom to serve the front of the house by adding outside of the original building shell

Honorable William D. Euille
Members of City Council
June 11, 2007
Page 2

in an unobtrusive location. By doing so, we will accomplish a significant improvement in the livability of the house while doing minimal modification of the original structure.

We invite Council's attention to the photographs submitted in support of our appeal. The photo taken from the foot of the private alley at its entrance onto North Fairfax Street, illustrates what is seen from the closest point of public viewing. It is approximately 300 feet distant from the portion of the house that is affected. The duplicate of this photo shows an approximation location overlay of the proposed addition in stark white. The bulk of the addition will not be visible from any point of public access - the existing rear wing structure blocks the line of sight. Obviously the constructed addition itself, with appropriate roof and exterior cladding, will present an even less conspicuous profile.

Two photographs depict rooftop and closer views of the exterior portion of the structure to be affected, which, as noted, will not be visible to the public except to the extent of the lower portion of the dormer to be reconfigured to allow adequate headroom for access to the addition. The interior photograph depicts the staircase landing between the second and third floors at which the entrance to the addition is proposed. Please note that the ceiling height above that landing varies from approximately 4 feet at the lowest point, to about 5-1/2 feet at the highest point (excluding the dormer well). Anyone taller bends over to ascend the stairs to the third floor. For this reason, it is necessary to remove a small portion of the bottom of the dormer to obtain the required headroom for access.

The present design has reduced the amount of encapsulation and demolition to the maximum extent possible, and still make the project feasible in compliance with building code standards. Approximately 93% of the original roof will be left untouched, and the area to be removed will amount to approximately 70 square feet - 11.5' wide by 6' in length. The proposed roof encapsulation is coextensive with the demolition - any further demolition of the roof would require BAR approval.

The only demolition of the original exterior east wall will be to the extent necessary to cut a doorway through from the landing to the addition area. This will affect approximately 12 square feet of masonry wall area. There will be additional exterior wall area encapsulated, but there is no reason to remove any more than to allow the doorway, and we will not do so.

The City ordinances addressing preservation of structures in the Old and Historic Alexandria District are not absolute prohibitions against any changes to original structural fabric. Were that so, the Board of Architectural Review would have no function. Instead, City Council has vested BAR with discretion to approve changes, consistent with the purposes and policies articulated in the City Code. The BAR's own Design Guidelines state that the purpose of an applicant's consultation with staff "is to develop a proposal that is sensitive to the importance of the historic and architectural resources of the historic districts as possible while trying to achieve the programmatic needs of the applicant." The Design Guidelines profess BAR sympathy "to the needs of building owners to make contemporary 20th century use of a property." Those guideline statements ring hollow in this case.

In our view, in this matter, the BAR has failed to exercise its discretion appropriately and has ended the conversation with its determination that because original structural fabric will be lost, no matter how insignificant or imperceptible the change, it must not be permitted because to do otherwise will inevitably lead to total loss of historic structures in the City. That is manifestly not what City Council has adopted as its policies under the Zoning Ordinance, and is an unreasonable rationale for denial.

Measured against the criteria established by City Council in the ordinance we do not believe there is any reason not to permit the small amount of demolition and encapsulation requested. Those criteria are expressed in Zoning Ordinance § 10-105(B), and as applied to our property, we have the following comments:

(1) – is the ... structure of such architectural or historical interest that its .. capsulating or razing would be to the detriment of the public interest.

While the residence as a whole may be of architectural or historical interest, the proposed demolition and encapsulation has no effect on the public interest – the alteration will be nearly imperceptible visually. The area to be affected is an unremarkable portion of the structure. By proceeding in this manner, we will be serving the public interest by preserving the structural integrity of the interior room configuration – the house will be more pure than if we took the easy route of converting the small front bedroom into a bathroom.

(2) – is the ... structure of such interest that it could be made into a historic shrine?

Mangum and Josephine Weeks were undoubtedly notable figures in the Alexandria historic preservation movement, but their mere residence in the house can hardly be considered a basis for making it a historic shrine. In fact, they themselves made significant changes to the original house structure, adding a bay window to the rear ell, and dividing the house into several interior apartments.

(3) – is the ... structure of such old and unusual or uncommon design, texture and material that it could not be reproduced or be reproduced only with great difficulty?

The staff report states that the builder repeatedly built “essentially the same house.” It’s evident from the pictures that there is nothing unique about the area to be demolished and encapsulated. It is a portion of the structure that cannot be observed from the ground and has no distinguishing architectural features.

(5) – would retention of the ... structure help preserve and protect an historic place or area of historic interest in the city?

Honorable William D. Euille
Members of City Council
June 11, 2007
Page 4

The house is of no greater historic interest than any other early 19th century structure – the design is a common one. If this is the sole criteria to be applied, no changes to any such structure should be permitted. That would run counter to the purpose of the BAR – to exercise its discretion in allowing changes that are appropriate in light of all circumstances.

(6) – would retention of the ... structure promote the general welfare by maintaining and increasing real estate values ... attracting tourists, students, writers, historians, artists and artisans ... encouraging study and interest in American history, stimulating interest and study in architecture and design, educating citizens in American culture and heritage, and making the city a more attractive and desirable place in which to live?

Preserving this section of the residence in its current condition would hardly “maintain and increase real estate values.” There is no general welfare to be served by preserving what we propose to change.

The alteration will make the residence much more attractive as seen by our neighbors immediately to the north.

It will also permit us to make the house more livable without substantially changing the original interior room arrangement. We are proposing to make a modest alteration of original exterior fabric which cannot be seen, in order to allow substantial preservation of the interior integrity of the house in an area which is open to constant view by its residents and visitors.

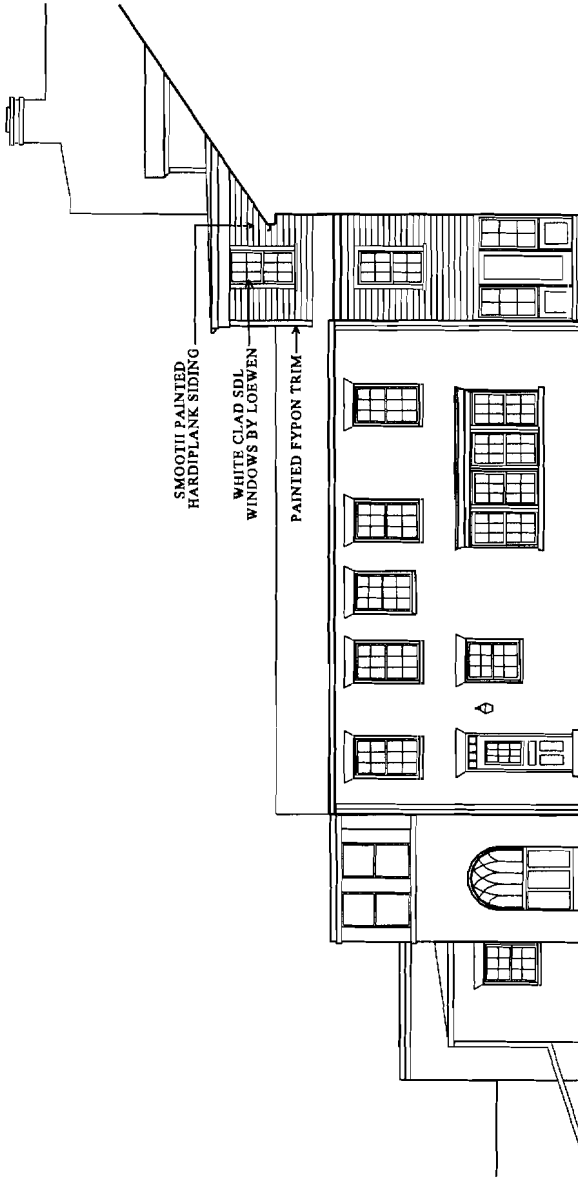
In summary, the proposed demolition and encapsulation is exactly the kind of minor alteration contemplated by the City ordinance to enable this historic residence to become more livable, more attractive and a more valuable asset to the historic Alexandria community. The Board of Architectural Review’s action simply ignores these considerations by fixating on one test – will original structure be demolished. That is not the standard, unless Council wants to amend the ordinance to make it so.

We have no problem with the conditions recommended by staff with respect to photographing and documenting the demolition and salvaging physical design elements for the City.

Thank you for your consideration of this appeal.

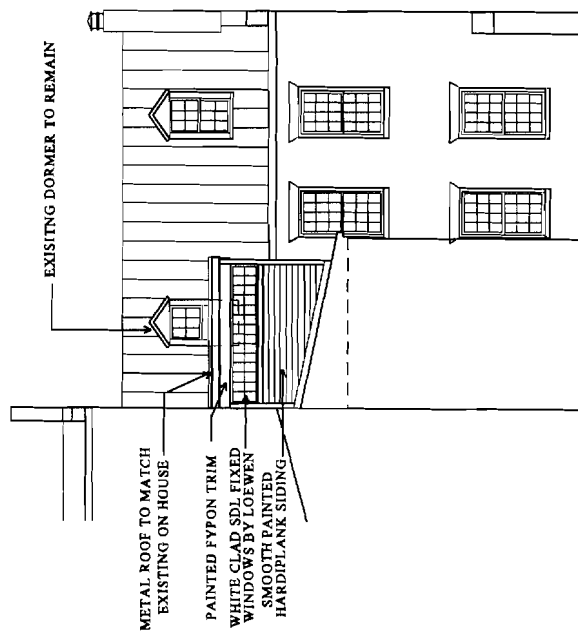
Yours very truly,

David J. Rixey Canfield



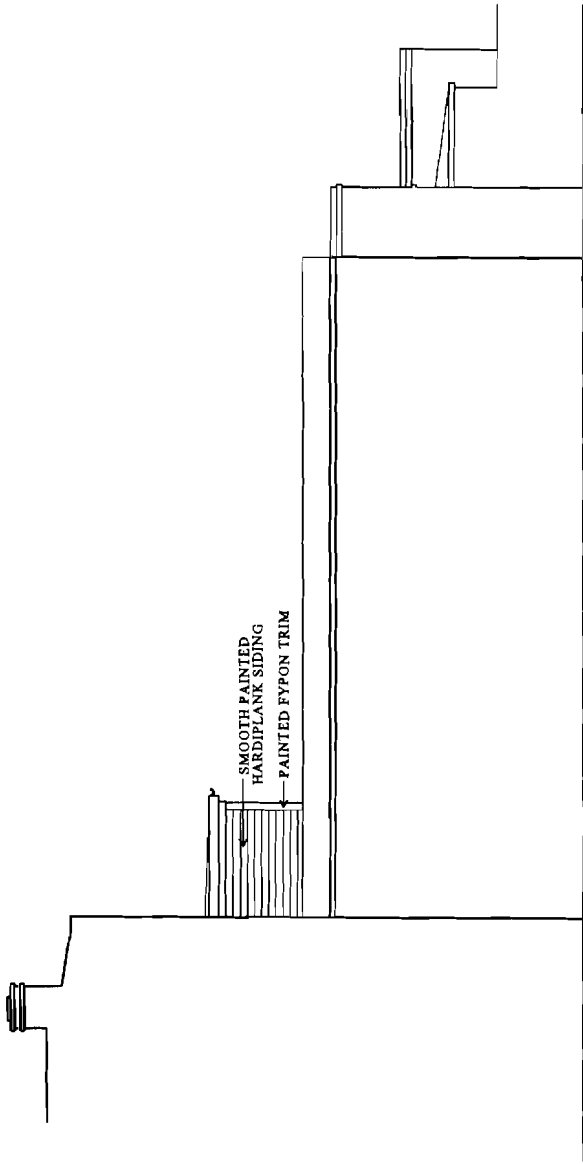
CANFIELD RESIDENCE

PROPOSED ELEVATION 2
 219 NORTH ROYAL STREET ALEXANDRIA, VIRGINIA
 1/8"=1'-0" 15 FEBRUARY 2007



CANFIELD RESIDENCE

PROPOSED ELEVATION 1
 219 NORTH ROYAL STREET ALEXANDRIA, VIRGINIA
 1/8"=1'-0" 15 FEBRUARY 2007



CANFIELD RESIDENCE

PROPOSED ELEVATION 3
219 NORTH ROYAL STREET ALEXANDRIA, VIRGINIA

1/8" = 1'-0" 15 FEBRUARY 2007