

EXHIBIT NO. 1

16
6-16-07

Docket Item #
BAR CASE # 2006-0060

City Council
June 16, 2007

ISSUE: Appeal of a decision of the Board of Architectural Review, Old and Historic Alexandria, denying a Permit to Demolish and Capsulate

**APPLICANT
AND APPELLANT:** David Canfield

LOCATION: 219 North Royal Street

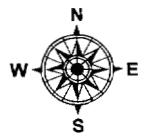
ZONE: RM/Residential



BAR CASE #2006-0060

2

6/16/07



I. EXECUTIVE SUMMARY

Issue:

- The applicant is appealing a Board of Architectural Review decision to deny a Permit to Demolish and Capsulate portions of the residential house at 219 North Street. The decision of the Old & Historic Alexandria District Board of Architectural Review was appealed on April 25, 2007 by the applicant, in accordance with Section 10-107 of the Zoning Ordinance. The applicant believes that the Permit to Demolish should be granted so that an addition can be constructed at the rear of the house.
- The decision before the Council is whether the denial of the proposed demolition meets the Criteria for Demolition as set forth in the Zoning Ordinance.
- The Old and Historic Alexandria Board of Architectural Review denied the application on April 18, 2007 by a roll call vote of 4-2.
- The Board of Architectural Review found the proposed demolition of portions of this house represented a loss of portions of a historic building that was significant in the historic district.

Recommendation: Council should support the decision of the BAR and deny the Permit to Demolish.

II. BACKGROUND

The Board initially considered the proposal to demolish portions of this residence to construct an addition last year on June 7, 2006. At that time, the Board voted to defer the application for restudy and asked the applicant to consider an approach that involved less demolition of the historic house in order to built an addition. The applicant finally returned to the Board with a revised proposal in April of this year. While the revised proposal did propose less demolition than the original proposal, the Board still believed that the amount of demolition presented was still large and an unacceptable loss of historic fabric of an important house in the historic district. It was the conclusion of the Board that the demolition of portions of important historic buildings should be avoided.

Because the Board denied the Permit to Demolish, it did not consider the companion application for a Certificate of Appropriateness to construct an addition because the addition could not be constructed without the requisite demolition of the rear of the house.

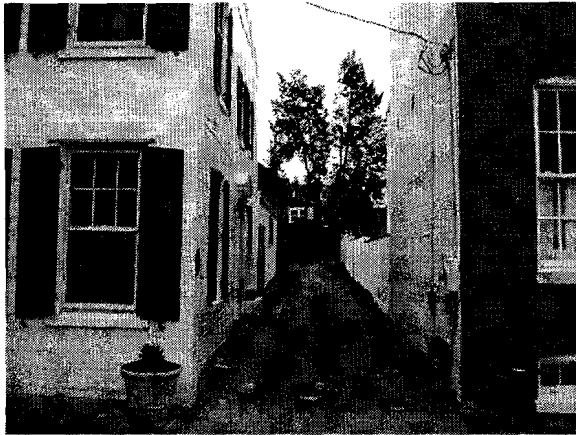


Figure 1 - View from N Fairfax Street



Figure 2 - Rear elevation

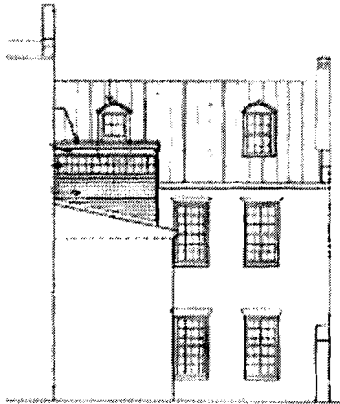


Figure 3 - Proposed rear elevation showing area of demolition



Figure 4 - Proposed north elevation showing area of demolition within circle

At the April 18th public hearing, the Board denied the Permit to Demolish and Capsulate on a roll call vote of 4-2.

III. DISCUSSION AND ANALYSIS

The Decision on the Permit to Demolish/Capsulate

In considering a Permit to Demolish/Encapsulate, the Council must consider the following criteria set forth in the Zoning Ordinance, 10-105(B):

- (1) Is the building or structure of such architectural or historical interest that its moving, removing, capsulating or razing would be to the detriment of the public interest?

- (2) Is the building or structure of such interest that it could be made into a historic house?
- (3) Is the building or 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?
- (4) Would retention of the building or structure help preserve the memorial character of the George Washington Memorial Parkway?
- (5) Would retention of the building or structure help preserve and protect an historic place or area of historic interest in the city?
- (6) Would retention of the building or structure promote the general welfare by maintaining and increasing real estate values, generating business, creating new positions, attracting tourists, students, writers, historians, artists and artisans, attracting new residents, encouraging study and interest in American history, stimulating interest and study in architecture and design, educating citizens in America culture and heritage, and making the city a more attractive and desirable place in which to live?

The decision of the Board and the City Council must be based on a finding that these criteria have been met. It was the conclusion of the Board of Architectural Review that Criteria 1, 2, 3, 5 and 6 applied to this request and that, therefore, the Permit to Demolish and Capsulate should be denied.

The Board found that the house at 219 North Royal Street was an early 19th century house that was constructed by one of the most well known "house joiners" working in Alexandria in the late 18th and early 19th centuries. The Board further noted that this house was the home of a prominent 20th century preservationist and that the house has been featured in publications on historic houses of Alexandria.

IV. RECOMMENDATION

Staff recommends that the Council support the decision of the Board of Architectural Review and deny the Permit to Demolish and Capsulate.

In the alternative, if the Council votes to overturn the decision of the Board of Architectural Review, because of the importance of the house to Alexandria historic architecture, staff recommends the following conditions:

1. Large scale 4" x 5" negative black and white record photographs to Historic American Building Survey Standards are to be made of the facade and rear of building as well as interior and exterior of the area to be demolished. These photographs are to be approved by staff prior to the issuance of a building permit. Two sets of these photographs together with the one set of negatives are deposited at both the Special Collections, Alexandria Public Library as well as the Alexandria Archives and Record;

2. Measured drawings prepared to Historic American Building Survey Standards of the interior and exterior of the area to be demolished are to be made and approved by staff prior to the issuance of a building permit. The drawings are to be deposited at both the Special Collections, Alexandria Public Library as well as the Alexandria Archives and Record; and,
3. Physical design detail elements that are to be removed may be retained by the City of Alexandria to be determined at the discretion of the Director of the Lyceum and deposited in the collections of the Lyceum in consultation with Staff of the Department of Planning & Zoning.

Attachment 1: BAR Staff Reports, April 18, 2007

STAFF: Faroll Hamer, Director, Department of Planning and Zoning
Stephen Milone, Division Chief, Zoning and Land Use Services
Peter H. Smith, Ph.D., Preservation Planner, Boards of Architectural Review

BAR Meeting
April 18, 2007

ISSUE: Demolition and Capsulation
APPLICANT: David Canfield by Linda Serabian
LOCATION: 219 North Royal Street
ZONE: RM/Residential

BOARD ACTION, APRIL 18, 2007: The Chairman called the question on the staff recommendation which was: denial of the Permit to Demolish and Capsulate. The motion passed on a vote of 4-2 (Chairman Hulfish and Mr. Keleher were opposed).

REASON: The Board agreed with the staff analysis.

SPEAKER: David Canfield, homeowner, spoke in support

STAFF RECOMMENDATION, APRIL 18, 2007: Staff recommends denial of the Permit to Demolish and Capsulate.

In the alternative, if the Board recommends approval of the Permit to Demolish and Capsulate, staff recommends the following conditions:

1. Large scale 4" x 5" negative black and white record photographs to Historic American Building Survey Standards are to be made of the facade and rear of building as well as interior and exterior of the area to be demolished. These photographs are to be approved by staff prior to the issuance of a building permit. Two sets of these photographs together with the one set of negatives are deposited at both the Special Collections, Alexandria Pubic Library as well as the Alexandria Archives and Record;
2. Measured drawings prepared to Historic American Building Survey Standards of the interior and exterior of the area to be demolished are to be made and approved by staff prior to the issuance of a building permit. The drawings are to be deposited at both the Special Collections, Alexandria Pubic Library as well as the Alexandria Archives and Record; and,
3. Physical design detail elements that are to be removed may be retained by the City of Alexandria to be determined at the discretion of the Director of the Lyceum and deposited in the collections of the Lyceum in consultation with Staff of the Department of Planning & Zoning.

BOARD ACTION, MARCH 21, 2007: Deferred prior to the hearing at the request of the applicant.

STAFF RECOMMENDATION, MARCH 21, 2007: Staff recommends denial of the Permit to Demolish and Capsulate.

In the alternative, if the Board recommends approval of the Permit to Demolish and Capsulate, staff recommends the following conditions:

3. Large scale 4" x 5" negative black and white record photographs to Historic American Building Survey Standards are to be made of the facade and rear of building as well as interior and exterior of the area to be demolished. These photographs are to be approved by staff prior to the issuance of a building permit. Two sets of these photographs together with the one set of negatives are deposited at both the Special Collections, Alexandria Pubic Library as well as the Alexandria Archives and Record;
4. Measured drawings prepared to Historic American Building Survey Standards of the interior and exterior of the area to be demolished are to be made and approved by staff prior to the issuance of a building permit. The drawings are to be deposited at both the Special Collections, Alexandria Pubic Library as well as the Alexandria Archives and Record; and,
4. Physical design detail elements that are to be removed may be retained by the City of Alexandria to be determined at the discretion of the Director of the Lyceum and deposited in the collections of the Lyceum in consultation with Staff of the Department of Planning & Zoning.

BOARD ACTION, JUNE 7, 2006: The Board combined discussion of docket item #'s 10 and 11. On a motion by Ms. Neihardt, seconded by Ms. Quill, the Board voted to defer the application for restudy. The vote was 4-0.

REASON: The Board requested the applicant look at designs for the rear addition that resulted in less demolition of the historic roof on the rear slope.

SPEAKERS: David Canfield, applicant, spoke in support
Linda Serabian, project architect, spoke in support
Lawrence O'Connor, representing Historic Alexandria Foundation, spoke in support

STAFF RECOMMENDATION, JUNE 7, 2006: Staff recommends denial of the Permit to Demolish and Capsulate. In the alternative, if the Board recommends approval of the Permit to Demolish and Capsulate, staff recommends the following conditions:

1. Large scale 4" x 5" negative black and white record photographs to Historic American

Building Survey Standards are to be made of the facade and rear of building as well as interior and exterior of the area to be demolished. These photographs are to be approved by staff prior to the issuance of a building permit. Two sets of these photographs together with the one set of negatives are deposited at both the Special Collections, Alexandria Public Library as well as the Alexandria Archives and Record;

5. Measured drawings prepared to Historic American Building Survey Standards of the interior and exterior of the area to be demolished are to be made and approved by staff prior to the issuance of a building permit. The drawings are to be deposited at both the Special Collections, Alexandria Public Library as well as the Alexandria Archives and Record; and,
3. Physical design detail elements that are to be removed may be retained by the City of Alexandria to be determined at the discretion of the Director of the Lyceum and deposited in the collections of the Lyceum in consultation with Staff of the Department of Planning & Zoning.

Update: Since the public hearing of June 7, 2006, the applicant has revised the design of the rear rooftop addition to reduce its size in an effort to meet the objections expressed by the Board at that public hearing to reduce the extent of the demolition of the roof. Despite this reduction in the extent of the proposed demolition the opinion of staff has not changed and staff continues to believe that demolition of extant 18th century building fabric should be avoided.

NOTE: This docket item requires a roll call vote.

I. ISSUE:

The applicant is requesting approval of a Permit to Demolish and Capsulate portions of the residential rowhouse at 219 North Royal Street. Those portions to be demolished and capsulated include: the southern portion of the rear roof, measuring approximately 11'6" in width. This section of the roof would be demolished while the existing dormer would be retained. Portions of the rear flounder, its roof and a portion of the rear (west) wall of the existing house will also be demolished. The demolition will permit construction of a new third floor addition at the rear.

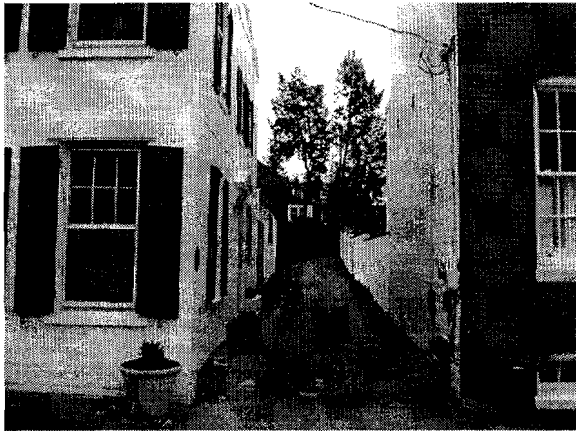


Figure 1 - View from N Fairfax Street



Figure 2 - Rear elevation

II. HISTORY:

219 North Royal Street is a two-story, three bay residential rowhouse that was constructed between 1811 and 1814 by James McGuire according to Ethelyn Cox's *Historic Alexandria, Virginia: Street* (pp.150-151). The house was fully completed by 1814 because tax records show that Noblett Herbert was the tenant of 219 North Royal Street at that time.

McGuire (1772-1850) was a well known "House Joiner" in the late 18th and early 19th centuries who built numerous houses in Alexandria including 217 North Royal Street (ca. 1796, restyled in the late 1850s) which was his residence; 221 North Royal Street (ca. 1832); 1117 and 1119 Prince Street (1816-1818); 312 Queen Street (1796, see, Marilyn Burke, *312 Queen Street: A History of an 18th Century Alexandria House*, 1987) and 319, 3221, 323 and 325 Queen Street

(1818). Over his long career, McGuire continued to build essentially the same house even though architectural styles and fashions changed considerably over his lifetime. Maguire was one of Alexandria's most prominent citizens according to Penny Morrill (*Who Built Alexandria? Architects in Alexandria 1750-1900*, 1979, p.30). McGuire was the first commander of the Friendship Fire Company represented the Booke Masonic Lodge at the banquet honoring the Marquis de Lafayette in Alexandria in 1825 and appointed Superintendent of Police. In 1830 he was appointed by President Andrew Jackson as Surveyor of the District of Columbia and Inspector of Revenue for the Port of Alexandria.

219 North Royal Street was the home of Mangum and Josephine Weeks in the late 1930s and 1940s. Mangum Weeks was one of the band of prominent early 20th century historic preservation advocates and was responsible for the re-discovery of the copper plate of the 1798 Gilpin Map of Alexandria which he published in a limited edition in 1944. The map was drawn by Col. George Gilpin, engraved by Thomas Clarke of New York in 1798 and published by John V. Thomas at Alexandria in 1799. The Gilpin map is the classic rendition of the expanded 18th century town plan of Alexandria. Weeks was active in the Alexandria Association and was one of the principal organizers of the "Our Town" exhibition in 1956 and arranged the section "Streets of Alexandria" which used the Gilpin map as a point of departure to expound on the etymology of Alexandria street names.

The exterior and interior of 219 North Royal Street when it was the Weeks home was published in Derring Davis, Stephen Dorsey and Ralph Cole Hall, *Alexandria Houses, 1750-1830* (New York, Bonanza Books, 1946), pp.76-77, although these authors mis-characterize the house as "well illustrat[ing] pre-Revolutionary masonry." However, they do note that the house has a "characteristic...long 'flounder' ell...."

While Staff has no specific information regarding the date of construction of the rear ell, the western section is likely contemporaneous with the construction of the main historic block. The easternmost portion has been extensively re-worked and is essentially a 20th century addition.

III. ANALYSIS:

In considering a Permit to Demolish, the Board must consider the following criteria set forth in the Zoning Ordinance, §10-105(B):

- (1) Is the building or structure of such architectural or historical interest that its moving, removing, capsulating or razing would be to the detriment of the public interest?
- (2) Is the building or structure of such interest that it could be made into a historic shrine?
- (3) Is the building or 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?
- (4) Would retention of the building or structure help preserve the memorial character of the George Washington Memorial Parkway?
- (5) Would retention of the building or structure help preserve and protect an historic place or area of historic interest in the city?
- (6) Would retention of the building or structure promote the general welfare by

maintaining and increasing real estate values, generating business, creating new positions, attracting tourists, students, writers, historians, artists and artisans, attracting new residents, 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?

In the opinion of Staff, this is an important early 19th residential structure that is significant for its architecture, builder and associational values and meets criterion #'s 1, 2, 3, 5 & 6. Staff believes that the proposed demolition represents a significant loss of the early architectural patrimony of the historic district. The *Design Guidelines* state: "The Boards actively seek to retain the existing historic fabric of the historic districts and strongly discourage the demolition of any portion of an 18th or early 19th century structure." Therefore, staff recommends that the Permit to Demolish and Capsulate be denied.

In the alternative, if the Board approves the proposed demolition, staff believes that this is such an important structure that the section to be demolished should be recorded both by photographs and measured drawings to the standards of the Historic American Building Survey. The recordation must be approved by staff prior to the issuance of a demolition or building permit. Two copies of such recordation must be approved and deposited at the Local History Collections of the Alexandria Public Library and at the City of Alexandria Archives.

IV. STAFF RECOMMENDATION:

Staff recommends denial of the Permit to Demolish and Capsulate.

In the alternative, if the Board recommends approval of the Permit to Demolish and Capsulate staff recommends the following conditions:

1. Large scale 4" x 5" negative black and white record photographs to Historic American Building Survey Standards are to be made of the facade and rear of building as well as interior and exterior of the area to be demolished. These photographs are to be approved by staff prior to the issuance of a building permit. Two sets of these photographs together with the one set of negatives are deposited at both the Special Collections, Alexandria Public Library as well as the Alexandria Archives and Record;
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CITY DEPARTMENT COMMENTS

Legend: C - code requirement R - recommendation S - suggestion F - finding

Code Enforcement:

C-1 Prior to the issuance of a demolition permit or land disturbance permit, a rodent abatement plan shall be submitted to Code Enforcement that will outline the steps that will taken to prevent the spread of rodents from the construction site to the surrounding community and sewers.

Historic Alexandria:

The windows should be wood clad, not aluminum. The proposed window designs should be reconsidered. In proposed elevation 1, removing the dormer window and installing the indicated fixed windows would not be appropriate for this early 19th century house.