

Docket Item #9
BAR Case #2003-0213

BAR Meeting
November 19, 2003

ISSUE: Permit to Demolish
APPLICANT: Randal H. Beard
LOCATION: 118 & 120 South Fairfax Street
ZONE: CD/Commercial

STAFF RECOMMENDATION:

Staff recommends denial of the Permit to Demolish.

NOTE: This docket item requires a roll call vote.

DISCUSSION:

Applicant s Description of the Undertaking:

1. Modify the existing stair tower at the 118 South Fairfax Street property to accommodate renovations and modifications for both buildings located at 118 & 120 South Fairfax Street.
2. Change a portion of the 120 S. Fairfax Street property from the existing residential occupancy to a business occupancy.

Issue:

The applicant is requesting approval of a Permit to Demolish portions of the roof of the existing building at 118 and 120 South Fairfax in order to construct a new fire stairway.

History and Analysis:

The buildings at 118 & 120 South Fairfax Street are attached rowhouses that are both three bay, three story brick buildings dating from ca. 1827. The following information has been graciously supplied by Burke & Herbert Bank & Trust Company and is based upon a history of the two buildings compiled by Ethelyn A. Cox, John W. Rust and William Seale. In 1805 a brick rear kitchen wing that straddled what is now 118 & 120 South Fairfax Street was constructed and attached to a wide two story frame dwelling facing South Fairfax Street. This dwelling apparently burned in the disastrous fire of 1827 and was replaced shortly thereafter by two new buildings on the south was a house and on the north a warehouse and store. The brick kitchen that had served the wood dwelling was divided into two flounder wings, one for each of the new brick buildings. In about 1838 the warehouse and store was converted to a dwelling and a third floor was added. In ca. 1850 the existing stair tower was built to permanently link the flounder to the house. The properties were acquired by the Burke & Herbert and are currently used as offices for the Trust Department of the Bank.

The area proposed to be demolished and capsulated is on the south side of the roof of the 1805 original kitchen, now a flounder wing of the building at 118 and the exposed wall of the ca.1850 third floor of the connector stair tower on the east side of the building.

In considering a Permit to Demolish, the Board must consider the following criteria set forth in the Zoning Ordinance, Sec. 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 American culture and heritage, and making the city a more attractive and desirable place in which to live?

In the opinion of Staff, Criteria # s1, 2, 3, 5 and 6 are applicable. The proposed demolition will largely destroy the historic roof, replacing it with a 21st century access stairway. While Staff is cognizant of the necessity of providing life safety access for the office use of these converted early 19th century building, Staff believes that consideration should be given to the exploration of other options which do not necessitate such a large compromise of the historic building fabric. Thus, Staff opposes the demolition of portions of the roof to allow the construction of the access stairway. First, the proposed demolition will constitute a substantial loss of extant early 19th century building fabric and second, Staff believes that exploration of additional options that do not require the loss of historic fabric is warranted.

According to the *Design Guidelines*:

The Boards actively seek to retain the existing fabric of the historic districts and strongly discourage the demolition of any portion of an 18th or early 19th century structure.

(Demolition of Existing Structures - Page 2)

Therefore, Staff recommends denial of the Permit to Demolish.

CITY DEPARTMENT COMMENTS

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

Code Enforcement:

- F-1 Proposed project extends beyond the property line (118 & 120 S. Fairfax St). No structure whole or in part shall extend over a property line regardless of ownership. The proposed openings between the fire walls on the property line are not permitted. As an alternative, the applicant may obtain an consolidation of the two parcels into a Parcel and record the consolidation as part of the land records.
- C-1 All exterior walls within 3 feet from an interior property line shall have a fire resistance rating of 1 hour, from both sides, with no openings permitted within the wall. As alternative, a 2 hour fire wall may be provided.
- C-2 New construction must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-3 Alterations to the existing structure must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-4 Construction permits are required for this project. Plans shall accompany the permit application that fully detail the construction as well as layouts and schematics of the mechanical, electrical, and plumbing systems.
- C-5 Permission from adjacent property owners is required if access to the adjacent properties is required to complete the proposed construction. Otherwise, a plan shall be submitted to demonstrate the construction techniques utilized to keep construction solely on the referenced property.
- C-6 Required exits, parking, and accessibility within the building for persons with disabilities must comply with USBC Chapter 11. Handicapped accessible bathrooms shall also be provided.
- C-7 The current use is classified as R; the proposed use is B. Change of use, in whole or in part, will require a certificate of use and occupancy (USBC 115.4) and compliance with USBC 118.2. including but not limited to: limitations of exit travel distance, emergency and exit lighting, a manual fire alarm system, and accessibility for persons with disabilities.
- C-8 The proposed use is a change in use group classification; a new Certificate of Occupancy is required (USBC 115.4).
- C-9 The current construction type for 118 S. Fairfax is 5B (combustible / unprotected). The USBC limits the proposed use in 5B construction to 2 stories only. The current

construction type for 120 S. Fairfax is 2C (noncombustible / unprotected). The USBC limits the proposed use in 2C construction to 3 stories only. The applicant shall address building code and egress issues through a building modification or code modification request in order to achieve the proposed use in compliance with the USBC.