

Docket Item #3  
BAR CASE #2004-0128

BAR Meeting  
December 15, 2004

**ISSUE:** Permit to Demolish

**APPLICANT:** George Viteri

**LOCATION:** 101 King Street

**ZONE:** CL/Commercial

---

**BOARD ACTION, NOVEMBER 17, 2004:** On a motion by Ms. Quill, seconded by Mr. Wheeler the Board took the following action:

1. Denial of the proposal to demolish a section of the King Street facing roof to allow the installation of a dormer;
2. Deferral of the demolition of portions of the east slope of the rear roof to allow installation of skylights;
3. Approval of the demolition of the west wall at the rear for the installation of a new window; and,
4. Approval of the demolition of a portion of South Union Street wall for the installation of a new window.

The roll call vote on the motion was 7-0.

**REASON:** The Board agreed with the Staff analysis and believed that other alternatives were available in order to provide light to the upper level bedroom.

**SPEAKERS:** Wayne Neale, project architect, spoke in support  
George Viteria, building owner, spoke in support  
Charles Ablard, representing the Historic Alexandria Foundation, spoke in opposition

**BOARD ACTION, NOVEMBER 3, 2004:** Deferred prior to the public hearing for lack of public notice.

Update: Since the public hearing of November 17<sup>th</sup>, the applicant has revised the proposal for a dormer or skylights for the third floor bedroom at the building at 103 King Street. The proposal now calls for the dormer or skylights to be placed on the east facing slope of the roof of the building at the rear along the alley. Two separate alternatives have been presented.

**STAFF RECOMMENDATION:**

Staff recommends approval of the Permit to Demolish.

Note: This docket item requires a roll call vote.

**I. ISSUE:**

The applicant is requesting approval of a Permit to Demolish portions of the commercial building at 101 King Street. The portions to be demolished include a portion of the east slope of the roof of 103 King Street at rear of the building. Two separate alternatives have been presented – one for a shed dormer and the other for a pair of skylights. The installation of the dormer will involve the demolition of approximately 40 square feet of the roof area. The skylights are each 2' x 4' and, thus, would involve the demolition of approximately 16 square feet of roof area.

**II. HISTORY:**

101 King Street is a three and a half story brick building that is one of a row of ten buildings that were originally constructed in the late 18<sup>th</sup> and early 19<sup>th</sup> centuries as waterfront warehouses according to Ethelyn Cox in *Alexandria Street by Street* (pp.64-65). The north side of the 100 block of King Street is a row of largely intact buildings that provide a direct physical link to the founding of the city as a commercial waterfront port. While all of the buildings have been adaptively reused for retail and restaurant uses in the late 20<sup>th</sup> century, they have retained an exterior cohesiveness that readily exhibits their industrial origins. For example, second and third floor haul ways are extant on several of the warehouses. All have roof pitches that have been unaltered by penetrations thus exhibiting the utilitarian functions of the upper floor areas as storage space for goods that were to be shipped from and to the waterfront port. As such this group of buildings is among the most important in the historic district because it fully exhibits the commercial origins of the city without undue layering of later architectural modifications.

The rear two story addition of 101 King Street is a later addition, likely dating from the late 19<sup>th</sup> century. As explained to members at the November 3, 2004 public hearing, this section of the building is failing and has been declared unsafe and is currently being rebuilt re-using the existing bricks.

**III. ANALYSIS:**

In considering a Permit to Demolish/Capsulate, 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 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?

Staff is concerned about any demolition request concerning an 18<sup>th</sup> or early 19<sup>th</sup> century building. Such proposals undermine the architectural patrimony that is the hallmark of the Old and Historic Alexandria District. It is the opinion of Staff that Criterion #'s 1, 3, 5 & 6 are met with respect to the area proposed to be demolished for the new dormer or skylights. However, in this instance, either proposal will be minimally visible from the public right-of-way and, since the front of the building is not being altered, will not materially affect the overall public impression of the building form. Thus, in this instance, Staff is willing to recommend approval of the Permit to Demolish. While Staff finds either scheme acceptable, it is the preference of Staff that the skylights be approved since they represent a less invasive alteration of the historic building fabric than the proposed shed dormers.

**V. STAFF RECOMMENDATION:**

Thus, Staff recommends approval of the Permit to Demolish.

## CITY DEPARTMENT COMMENTS

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

### Code Enforcement:

- C-1 The current use is classified as A - Assembly; the proposed use is a mixed use of M - Mercantile and R- Residential. Change of use, in whole or in part, will require a certificate of use and occupancy (USBC 119.4) and compliance with USBC 119.2. 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-2 This structure contains mixed use groups [M, Mercantile; R, Residential], and is subject to the mixed use and occupancy requirements of USBC.
- C-3 Several Code issues pertaining to stairwell use, means of egress for the proposed residential unit and compliance with mixed use / fire separation provisions of the USBC have been identified. The applicant shall meet with Code Enforcement to address / resolve these issues.
- C-4 An automatic fire suppression system and manual fire alarm system are required to be installed.
- C-5 A Certificate of occupancy shall be obtained prior to any occupancy of the building or portion thereof, in accordance with USBC 119.0.
- C-6 All exterior walls within 5 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. This condition is also applicable to porches with roofs and skylights within setback distance.
- C-7 New construction must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-8 Alterations to the existing structure must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-9 Before a building permit can be issued on any proposed future alterations, a certification is required from the owner or owner's agent that the building has been inspected by a licensed asbestos inspector for the presence of asbestos (USBC 112.1.4).
- C-10 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-11 Required exits, parking, and facilities shall be accessible for persons with disabilities.

Historic Alexandria:

Prefer Plan A for dormer (from 11/17/04 public hearing).