

Docket Item # 10  
BAR CASE # 2008-0215

BAR Meeting  
December 3, 2008

**ISSUE:** Demolition/Encapsulation

**APPLICANT:** Rust Orling Architecture

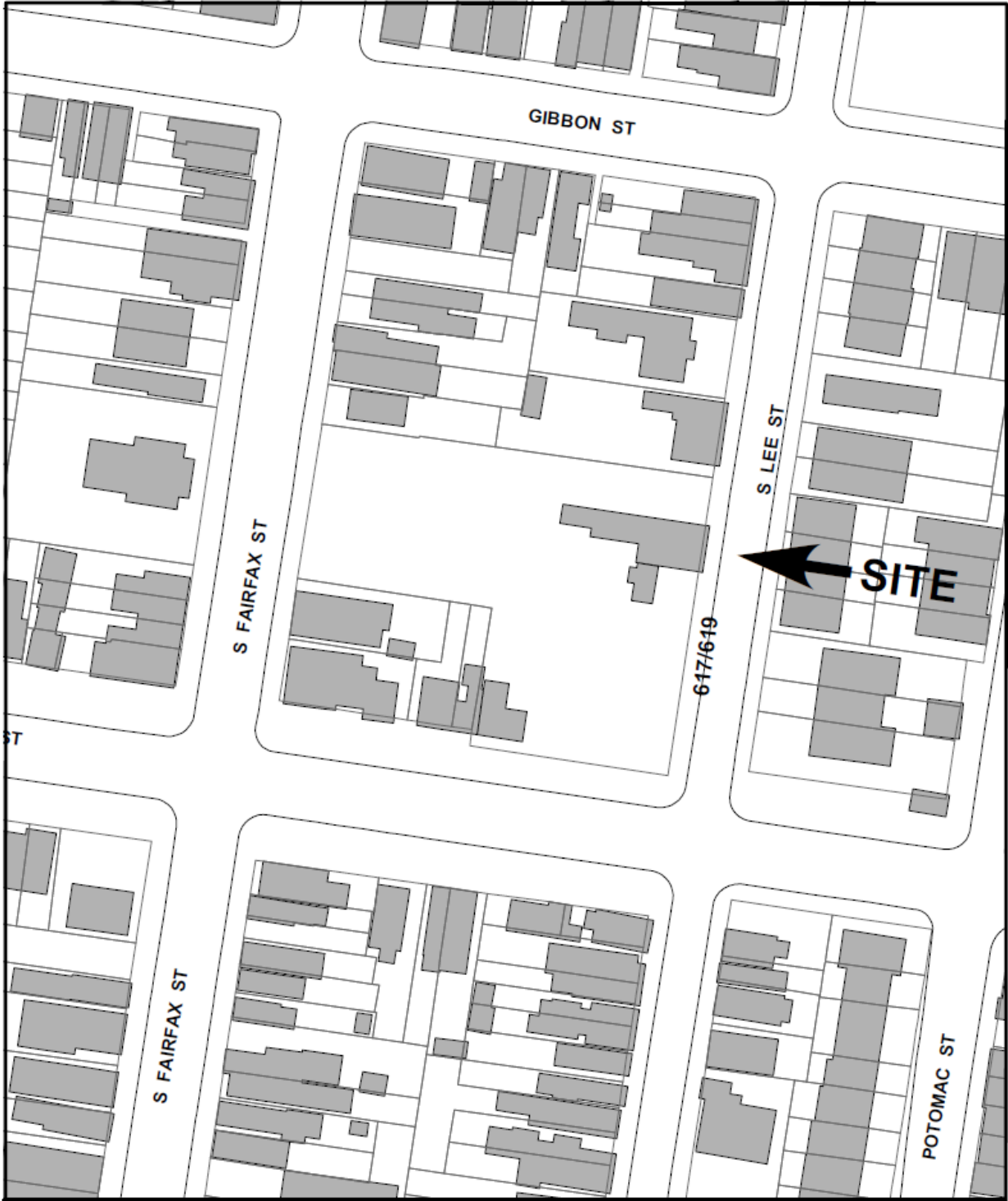
**LOCATION:** 617/619 South Lee Street

**ZONE:** RM/Residential

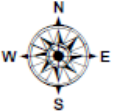
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**STAFF RECOMMENDATION:** Staff recommends approval of the Permit to Demolish/Encapsulate with the following conditions:

1. The statements in the archaeology conditions listed below shall appear in the General Notes of all site plans and on all site plan sheets that involve demolition or ground disturbance (including Basement/Foundation Plans, Demolition, Erosion and Sediment Control, Grading, Landscaping, Utilities, and Sheeting and Shoring) so that on-site contractors are aware of the requirements:
  - a. The applicant/developer shall call Alexandria Archaeology (703/838-4399) two weeks before the starting date of any ground disturbance so that an inspection schedule for city archaeologists can be arranged.
  - b. The applicant/developer shall call Alexandria Archaeology immediately (703-838-4399) if any buried structural remains (wall foundations, wells, privies, cisterns, etc.) or concentrations of artifacts are discovered during development. Work must cease in the area of the discovery until a City archaeologist comes to the site and records the finds.
  - c. The applicant/developer shall not allow any metal detection to be conducted on the property, unless authorized by Alexandria Archaeology.



**BAR CASE #2008-0215, 0218 12/3/2008**



**Note:** This docket item must be approved by roll call vote.

**I. ISSUE:**

The applicant is requesting approval of a Permit to Demolish/Encapsulate in order to construct a small mudroom addition along a portion of the north elevation of the Justice Hugo Black house at 617/619 South Lee Street. Approximately 33' of the north wall will be encapsulated for the 335 square foot addition, and two 3' wide sections of the wall will be demolished in order to construct one entrance to the house and another entrance to an existing bedroom and bathroom which are currently accessible only from the exterior of the house. In addition, a 9' section of the brick garden wall to the north of the house will be demolished in order to extend the driveway into the side yard. A sliding gate will be added where the new opening is created.

**II. HISTORY:**

According to Ethelyn Cox in Historic Alexandria, Street by Street, the house at 617/619 South Lee Street was built around 1800 for Thomas Vowell, Jr., a prominent Alexandria merchant. The Historic American Building Survey report (HABS No. VA-709) clarifies that construction apparently began in 1798 and was completed in 1800. Vowell was forced to sell the property in 1817 when he suffered business losses. It was purchased in 1842 by Edgar Snowden, editor and owner of the *Alexandria Gazette* and remained in the Snowden family for 70 years. In 1939, the property was purchased by Hugo Black, who served as senator from Alabama (1927-1937) and was appointed Justice of the Supreme Court of the United States by Franklin Delano Roosevelt, serving more than 30 years. Justice Black resided in the house until his death in 1971.

According to the HABS report, "the late Federal town house [is] designed in the indigenous manner with particular attention to proportions and refinements of detail" (page 5). The property has a fairly high degree of integrity, perhaps due to the fact that it has had relatively few owners. The alterations, mostly confined to the wings, were each relatively minor but have had a cumulative effect. The integrity of the house is enhanced by its setting; it has extensive grounds that extend through the block to South Fairfax Street and include a pool, gardens, tennis courts and a carriage house.

Staff was unable to locate any BAR records for the house prior to 1971 when the Board approved the garden wall and parking space on the north side of the house (August 5, 1970). A cluster of BAR cases from 1974 appear to relate to alterations to window and door openings on the rear ell. According to the BAR minutes, the architect for these alterations was Hugh Newell Jacobson. Another cluster of Board approvals from 1981 relate to the reworking of the existing kitchen wing with an addition and change to the roof. According to the BAR minutes dated August 5, 1981, the architect was Chris Lethbridge.

On September 19, 2007, the previous owner of the property obtained BAR approval for a Permit to Demolish/Encapsulate and a Certificate of Appropriateness for two additions and a breezeway, as well as other alterations to the house and grounds (BAR Case #2007-0157 & 158). That project was never undertaken and the property has since been sold to the current owners.

### **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?

In the opinion of Staff, none of the criteria are met. Although the late 18<sup>th</sup> century house is of considerable architectural and historical significance, only approximately 15' of the 1798 portion of the house will be encapsulated – not demolished – thereby preserving historic fabric, which includes an existing window. The majority of the north wall of the 1950s addition will also be encapsulated, with the exception of the two areas which will be demolished for entrances. Staff also supports the demolition of a portion of the brick wall, as this too is a later 1971 addition to the property. Staff commends the applicant for undertaking a significantly smaller project, with less impact to the historic property, than what was approved by the Board 2007. Staff believes the proposed demolition and encapsulation will have minimal impact on the historic Justice Black house and recommends approval of the Permit to Demolish/Encapsulate.

The Virginia Department of Historic Resources holds an easement on the property and has approved the proposed demolition and encapsulation elements of the project, per a letter dated October 28, 2008.

Staff notes the comments of the Alexandria Archaeology and recommends that they be included as conditions of the approval.

### **IV. STAFF RECOMMENDATION:**

Staff recommends approval of the Permit to Demolish/Encapsulate with the following conditions:

1. The statements in the archaeology conditions listed below shall appear in the General Notes of all site plans and on all site plan sheets that involve demolition or ground disturbance (including Basement/Foundation Plans, Demolition, Erosion and Sediment

Control, Grading, Landscaping, Utilities, and Sheeting and Shoring) so that on-site contractors are aware of the requirements:

- a. The applicant/developer shall call Alexandria Archaeology (703/838-4399) two weeks before the starting date of any ground disturbance so that an inspection schedule for city archaeologists can be arranged.
- b. The applicant/developer shall call Alexandria Archaeology immediately (703-838-4399) if any buried structural remains (wall foundations, wells, privies, cisterns, etc.) or concentrations of artifacts are discovered during development. Work must cease in the area of the discovery until a City archaeologist comes to the site and records the finds.
- c. The applicant/developer shall not allow any metal detection to be conducted on the property, unless authorized by Alexandria Archaeology.

## **V. CITY DEPARTMENT COMMENTS**

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

### **Code Enforcement:**

- C-1 All exterior walls within 5 feet from an interior property line shall have a fire resistance rating of 1 hour, from both sides of the wall. As alternative, a 2 hour fire wall may be provided. This condition is also applicable to skylights within setback distance. Openings in exterior walls between 3 and 5 feet shall not exceed 25% of the area of the entire wall surface (This shall include bay windows). Openings shall not be permitted in exterior walls within 3 feet of an interior lot line.
- C-2 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.
- C-3 Roof drainage systems must be installed so as neither to impact upon, nor cause erosion/damage to adjacent property.
- C-4 A soils report must be submitted with the building permit application.
- C-5 New construction must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-6 Alterations to the existing structure must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-7 Alterations to the existing structure and/or installation and/or altering of equipment therein requires a building permit. Five sets of plans, bearing the signature and seal of a design professional registered in the Commonwealth of Virginia, must accompany the written application. The plans must include all dimensions, construction alterations details, kitchen equipment, electrical, plumbing, and mechanical layouts and schematics.
- C-8 Construction permits are required for this project. Plans shall accompany the permit application that fully details the construction as well as layouts and schematics of the mechanical, electrical, and plumbing systems.
- C-9 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-10 A wall location plat prepared by a land surveyor is required to be submitted to this office prior to requesting any framing inspection.

Historic Alexandria:

R-1 Approve, subject to VDHR letter of October 29, 2008 requesting submission of detailed design plans for proposed access gate for review.

Alexandria Archaeology:

F-1 According to *Historic Alexandria, Virginia, Street by Street* by Ethelyn Cox, the house on this lot was constructed around 1800 by Thomas Vowell, Jr., a prominent merchant. When it was advertised for sale in 1817, the lot included a covered way, pantry, large kitchen, smoke house, brick stable and carriage house. Edgar Snowden, editor and owner of the *Alexandria Gazette*, purchased the property in 1842. In the 20<sup>th</sup> century, it served as the residence of Hugo Black, Justice of the U.S. Supreme Court. The property has the potential to yield archaeological resources into residential life in Alexandria during the late 18<sup>th</sup> and 19<sup>th</sup> centuries.

R-1 The applicant/developer shall call Alexandria Archaeology immediately (703-838-4399) if any buried structural remains (wall foundations, wells, privies, cisterns, etc.) or concentrations of artifacts are discovered during development. Work must cease in the area of the discovery until a City archaeologist comes to the site and records the finds.

R-2 The applicant/developer shall call Alexandria Archaeology (703/838-4399) two weeks before the starting date of any ground disturbance so that an inspection schedule for city archaeologists can be arranged.

R-3 The applicant/developer shall not allow any metal detection to be conducted on the property, unless authorized by Alexandria Archaeology.

R-4 The statements in archaeology conditions above marked with an asterisk "\*" shall appear in the General Notes of all site plans and on all site plan sheets that involve demolition or ground disturbance (including Demolition, Basement/Foundation Plans, Landscaping, Erosion and Sediment Control, Grading, Utilities and Sheeting and Shoring) so that on-site contractors are aware of the requirements:

VI. IMAGES

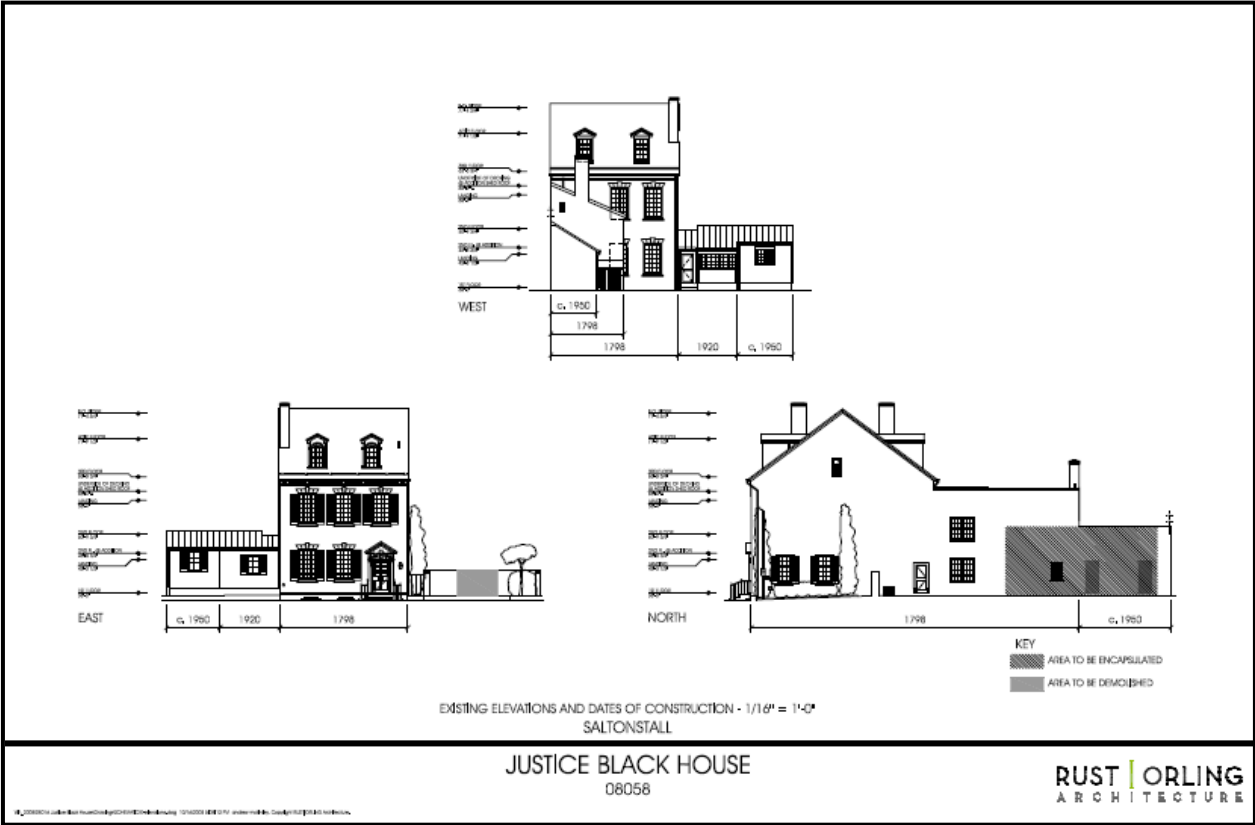


Figure 1: Existing Elevations and Proposed Demolition/Encapsulation





Figure 2: Site Photos