

Docket Item #3
BAR CASE# 2005-00238

BAR Meeting
October 26, 2005

ISSUE: After-the-fact demolition

APPLICANT: Darrell Jones

LOCATION: 1018 Queen Street

ZONE: CL/Commercial

****EXPIRATION OF APPROVALS NOTE:** In accordance with Sections 10-106(B) and 10-206(B) of the Zoning Ordinance, any official Board of Architectural Review approval will expire 12 months from the date of issuance if the work is not commenced and diligently and substantially pursued by the end of that 12-month period.

****BUILDING PERMIT NOTE:** Most projects approved by the Board of Architectural Review require the issuance of one or more construction permits by the Code Enforcement Bureau (including signs). The applicant is responsible for obtaining all necessary construction permits after receiving Board of Architectural Review approval. Contact Code Enforcement, Room 4200, City Hall, 703-838-4360 for further information.

STAFF RECOMMENDATION:

Staff recommends approval of the after-the-fact Permit to Demolish with the following conditions:

1. The remaining historic north wall (front facade) must be retained;
2. The north wall must be properly braced from the interior and exterior; and,
3. The applicant must obtain the written approval of BAR and Code Enforcement once the bracing is in place and prior to the commencement of any further demolition or construction.

NOTE: This docket item requires a roll call vote.

I. ISSUE:

On March 23, 2005, the Board approved a Permit to Demolish to allow for the removal of the roof and sections of the side and rear walls at 1018 Queen Street as part of the renovation of the historic dwelling (BAR Case #2005-0052, 3/23/2005). The approved renovation called for the retention and rehabilitation of the front facade, retention and rehabilitation of the side and rear walls with some changes in the locations of windows and doors and raising the side and rear walls approximately 1' to allow more headroom. A new west wall was to be constructed adjacent to the original west wall as the original wall encroached on the property to the west and therefore could not be raised. The other walls were to be retained and reinforced as necessary (BAR Case #2005-0053, 3/23/2005). A building permit was issued on May 26, 2005 (BLD #2005-00180).

The applicant is now requesting after-the-fact approval of a Permit to Demolish for the removal of the rear and side walls of the entire main block and rear ell. At this time, all of the structure beyond the historic front wall is new construction, erected in the Summer of 2005. According to the applicant, as the work proceeded, it became evident that the existing structure would not support the approved alterations and was too rotten to preserve in place. The applicant did not contact BAR Staff or Code Enforcement regarding the decision to remove the side and rear walls.

Staff became aware of the unapproved demolition in early August 2005 and issued a stop work order on August 4, 2005. Since that time, Staff has been working with the applicant to determine how to proceed with the case and to obtain the necessary materials to return to the Board. The unapproved demolition constitutes a class one violation of section 10-203(B) of the zoning ordinance which carries a civil penalty of \$1,500 (section 11-6 (C)1)). Each day that the violation exists may constitute a separate individual offense (section 11-207 (C)6). Staff has determined to apply a penalty in the amount of \$7,500, to be used exclusively for the purpose of promoting historic preservation within the city, and to require that the front facade be carefully restored.

At the request of Staff, the applicant obtained a wall check survey for the new construction. That survey, dated September 20, 2005, shows that the new structure, like the historic structure before it, is encroaching on the adjacent property to the west and, to a lesser extent, on the property to the east. The city is unable to approve new construction that encroaches on a neighboring property unless the appropriate legal agreements have been executed. As there are no such

agreements in place, the existing west wall must be removed and rebuilt to be entirely on the subject property. Similarly, the east wall must be moved or rebuilt. In addition, the applicant must meet with Code Enforcement to determine what work Code may require to bring the construction into compliance. Staff understands that at least in some areas, the foundation is inadequate.



Figure 1 North elevation



Figure 2 Former south elevation



Figure 3 Existing south elevation

The property is visible from the public alley at the rear as well as from Queen Street.

II. HISTORY:

The date of construction for the two story, detached frame house is somewhat uncertain, although it almost certainly predates 1901. There appears to have been a building in the vicinity of 1018 Queen Street as early as 1877. However the building shown on the 1877 Hopkins Atlas and subsequent 1891 and 1896 Sanborn maps has a somewhat different footprint from the existing building. Not until 1901 does the Sanborn map show a building with the same footprint as the existing, including the rear ell and one story front porch. The flat roofed house with Italianate cornice is typical of houses built in Alexandria from the 1870s through the 1910s.

On November 10, 2004, the Board approved the demolition of the one story front porch at the front of the house and the one story cinderblock shed in the rear yard (BAR Case #2005-0238). On March 23, 2005, the Board approved a Permit to Demolish and Certificate of Appropriateness for the proposed renovation, as described above (BAR Case #s 2005-0052 & 0053).

III. ANALYSIS:

In considering a Permit to Demolish/Capsulate, the Board must consider the following criteria set forth in the Zoning Ordinance, Sec. 10-205(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 and protect an historic place or area of historic interest in the city?
- (5) 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?
- (6) Would retention of the building or structure help maintain the scale and character of the neighborhood

In the opinion of Staff, criteria #s 4 & 6 are applicable. The historic house was a contributing element in the historic district and representative of the vernacular dwellings constructed for the working class and middle class residents of Alexandria in the latter part of the 19th century. The demolition represents a significant loss of the original historic fabric. Only the original front facade remains. The *Design Guidelines* state that “[t]he Boards are extremely conscious of the need to preserve the existing building resources of the historic districts” and that “generally speaking, there must be a compelling reason for the demolition, either in whole or in part” (Demolition of Existing Structures - Page 2). In its prior decision on March 23, 2005, the Board made clear its desire to retain the side and rear walls as well as the front facade.

Staff is left with no option but to recommend approval of the after-the-fact demolition. Staff does believe the demolition can be somewhat mitigated by the proposed conditions for the Permit to Demolish and Certificate of Appropriateness which should ensure that the front facade is not only retained, but carefully restored to its original appearance.

IV. STAFF RECOMMENDATION:

Therefore, Staff recommends approval of the after-the-fact Permit to Demolish with the following conditions:

1. The remaining historic north wall (front facade) must be retained;
2. The north wall must be properly braced from the interior and exterior; and,
3. The applicant must obtain the written approval of BAR and Code Enforcement Staff once the bracing is in place and prior to the commencement of any further demolition or construction.

CITY DEPARTMENT COMMENTS

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

Code Enforcement:

- F-1 Plans show the existing property line running through the existing structure. A proposed new property line is realigned with the physical interior lot line walls of the structure. The proposed lot lines should be adopted or the building shall conform to fire separation requirements of the USBC for structures extending over interior lot lines.
- 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, with no openings permitted within the wall. As alternative, a 2 hour fire wall may be provided. This condition is also applicable to skylights within setback distance.
- 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 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-8 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-9 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:

“It appears that nearly everything has been gutted and is in the process of being rebuilt from the foundation up leaving the front facade.”

Alexandria Archeology:

- F-1 Tax records indicate that free African American households were located on this street face in 1810, 1830 and 1850; the block was part of the African American neighborhood known as Uptown. During the Civil War, the area at the corner of Patrick and Queen Streets on this block contained stables for the Mounted Provost Guards. The G.M. Hopkins insurance map indicates that a structure was present on this lot by 1877. The property therefore has the potential to yield archaeological resources that could provide insight into military activities and residential life, perhaps relating to African Americans, in 19th-century Alexandria.
- R-1 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 above statement must appear in the General Notes of all site plans so that on-site contractors are aware of the requirement.