

Docket Item # 5
BAR CASE # 2007-0044

BAR Meeting
March 28, 2007

ISSUE: After-the-fact demolition and capsulation
APPLICANT: Tracy & Rita Winborne
LOCATION: 126 North Patrick Street
ZONE: CD/Commercial

STAFF RECOMMENDATION: Staff recommends approval of the application as submitted.

****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.

(Insert sketch here)

NOTE: This docket item requires a roll call vote.

I. ISSUE:

The applicant is requesting after-the-fact approval for the demolition of a concrete block storage shed at the rear of the house and is requesting approval to capsule a portion of the rear wall of the existing house with the construction of a new storage shed in the same location. The previously approved plans for the renovation of this property retained the existing rear storage shed.

According to a survey plat dated 6/22/2004, the shed was 9.8' long by 5.4' wide. It had a shed roof which sloped from south down to north. The roof is shown on the previously approved drawings as 6' at the lowest point and 6.5' at the highest (Sheet A1.4, 4- Existing rear elevation and 5- New rear elevation). However, there are discrepancies in the drawings and other drawings on the same sheet show the lowest point of the roof being 8' (Sheet A1.4, 1 – Existing side elevation and 2- New side elevation). The outline of the former shed can be seen as a ghost in the paint on the back wall. The shed was appended to the back wall of the brick flounder at the rear of the house and was adjacent to the south property line and north wall of the neighboring property at 124 South Patrick Street, but not attached. The drawings show the shed as having three walls: a rear (west) wall, a south side wall adjacent to 124 South Patrick Street and a north side wall. The long north side had a door (no details available) and the short rear (west) wall had a square two-light window with a single vertical muntin bar. The walls were constructed of concrete block. The shed had wood trim, wood exposed rafters, and a corrugated metal roof.

The shed was minimally visible over the top of the wood fence that surrounds the property at the rear. The storage shed was demolished sometime between April 27, 2005 and November 16, 2005.

II. HISTORY:

The two and a half story, two bay wide brick house was constructed as a pair with 124 North Patrick Street between 1847 and 1858. The matching house at 124 North Patrick Street had an extensive brick addition added to the rear in 1975. The original massing of the house at 126 North Patrick Street can still be seen, although it is somewhat obscured by several later additions, such as the north side sun porch and the recent, BAR-approved raising of the rear flounder. The rear flounder in its former, one-and-a-half story form is thought to date to the original period of construction. The now demolished concrete block shed at the rear of 126 North Patrick Street appears to have been appended to the flounder in the second half of the 20th century.

On April 27, 2005, the Board approved demolition/capsulation and alterations to renovate the existing house, raise the rear flounder to a full 2 stories and add a deck over the existing rear shed (BAR Case #s2005-0048 & 0049). The approval included numerous conditions. Work commenced in the summer of 2005 (Permit #BLD2005-01326, issued 8/9/2005). Made aware of discrepancies between the approved plans and the work completed on the flounder addition, Staff made a site visit on November 16, 2005. Numerous other discrepancies and potential problems were noted at that time, including the demolition of the shed. These matters were discussed with

the contractor, Cornerstone Remodeling and Restoration. Throughout the Fall and Winter of 2005, the project failed to pass code enforcement inspections and accumulated complaints from the adjacent property owner at 124 North Patrick Street, regarding damage along the common wall. Work appears to have stalled in 2006. The owners have been out of the country during this period. However, on January 22, 2007, Mrs. Winborne and a representative of Cornerstone met on site with Staff from Code and BAR to review the status of the project. Mrs. Winborne explained that it is the owners' desire to bring the project into compliance with code enforcement and Board of Architectural Review requirements and to complete it in a timely manner. Cornerstone Remodeling remains the contractor for the project.

III. ANALYSIS:

The proposed alterations comply with the zoning ordinance requirements. The shed was noncomplying with regard to open space and setbacks. Once demolished, the complying structure may be rebuilt within two years per section 12-103(B). The replacement structure must be no larger than the previous. The open deck would not be permitted without the shed. A stand-alone deck would create an open space deficit requiring a variance to correct.

In considering a Permit to Demolish or 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?

Staff does not believe any of the above criteria are met by the demolition of the shed or by its reconstruction. The mid 20th century concrete block shed had no architectural or historic value and represented the most simple and common of building materials and methods. The rear of the flounder, which will be capsulated again with the reconstructed shed, has been capsulated before, has no special architectural features that would be lost by capsulation and is not readily visible.

IV. STAFF RECOMMENDATION:

Staff recommends approval of the application as submitted.

CITY DEPARTMENT COMMENTS

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

Code Enforcement:

- C-1 Alterations to the existing structure must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-2 Additions and alterations to the existing structure and/or installation and/or altering of equipment therein requires a building permit (USBC 108.1). Five sets of plans, bearing the signature and seal of a design professional registered in the Commonwealth of Virginia, must accompany the written application (USBC 109.1).
- C-3 A Construction permit will be required for the proposed project.
- C-4 New construction must comply with the current edition of the Uniform Statewide Building Code (USBC).

Historic Alexandria:

No comments were received.

Alexandria Archaeology:

- F-1 According to Ethelyn Cox's *Historic Alexandria, Street by Street, A Survey of Existing Early Buildings*, the house on this lot was built by Charles Bladen after he purchased the property in 1847. Tax records from 1810, 1830, and 1850 indicate that there were free African American households on this street face, but the exact addresses are unknown. The property therefore has the potential to yield archaeological resources that could provide insight into domestic activities in 19th-century Alexandria, perhaps relating to free African Americans.
- 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 and on all site plan sheets that involve demolition or ground disturbance (including sheeting and shoring and grading) so that on-site contractors are aware of the requirement.