

Docket Item # 2
BAR CASE # 2009-0197

BAR Meeting
September 23, 2009

ISSUE: After-the-fact approval of alterations to previously approved plans
APPLICANT: James and DeShuna Spencer
LOCATION: 229 North West Street
ZONE: RB/Residential

STAFF RECOMMENDATION: Staff recommends approval of the application for after-the-fact alterations to previously approved plans as submitted.

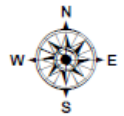
****EXPIRATION OF APPROVALS NOTE:** In accordance with Sections 10-106(B) and 10-206(B) of the Zoning Ordinance, any official Board of Architectural Review approval will expire 12 months from the date of issuance if the work is not commenced and diligently and substantially pursued by the end of that 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 Building and Fire Code Administration (including signs). The applicant is responsible for obtaining all necessary construction permits after receiving Board of Architectural Review approval. Contact Code Administration, Room 4200, City Hall, 703-838-4360 for further information.



BAR CASE #2009-0197

9/23/2009



I. ISSUE:

The applicant is requesting after-the-fact approval for alterations to previously approved plans related to an addition and alterations at 229 North West Street. In September 2008, the Board approved a Permit to Demolish/Encapsulate and a Certificate of Appropriateness for a rear addition and other alterations (BAR Case # 2008-0148 and BAR Case # 2008-0149).

During the course of construction, the applicant made several changes to items that the Board had approved. The applicant is requesting after-the-fact approval for the following items:

- Installation of six inch exposed face fiber cement siding on the rear (east) elevation instead of the approved fiber cement panels;
- Installation of 18 inch by 72 inch fiber cement panels on the rear (east) elevation instead of the approved stucco;
- Installation of a wood slat railing at the rear second story instead of the approved metal railing;
- Installation of new wood slat door (eight feet) at the horse alley on the rear (east) elevation;
- Installation of a wood rear deck at first story of rear (east) elevation; and,
- Removal of approximately 120 square feet of historic siding on the front (west) elevation without Staff approval as approved by the BAR approved conditions.

II. HISTORY:

According to the Sanborn Fire Insurance maps, the two bay, two story frame house at 229 North West Street was constructed between 1891 and 1896 as one of five modest townhouses (227-235 North West Street). When constructed, the houses each had a one story rear ell.

In September 2008, the Board approved a Permit to Demolish/Encapsulate and a Certificate of Appropriateness for a rear addition and other alterations (BAR Case # 2008-0148 and BAR Case # 2008-0149). In 1999 and 2000 BAR staff approved replacement wood siding and wood windows on the rear addition (BLD#1999-0788 and BLD#2000-02163 respectively).

III. ANALYSIS:

The alterations in this application comply with zoning ordinance requirements.

In general, Staff supports the after-the-fact alterations submitted as part of this application. Staff has no objection to the change in materials on the addition and notes that it continues the spirit of a contemporary approach to a new addition. The *Design Guidelines* specifically state that: “New and untried approaches to common design problems are encouraged and should not be rejected out of hand simply because they appear to be outside the common practices outlined in the guidelines.”

The Board has adopted the following policy with respect to the fiber cement siding, and Staff believes the same standards should apply to the proposed panels:

1. That fiber cement siding not be installed on an historic structure;
2. That historic materials should not be removed to install fiber cement siding;
3. That fiber cement siding replace other artificial or composite siding;
4. That the nails not show in the installation of the siding; and,
5. That smooth siding be installed.
6. That BAR Staff may administratively approve the installation of fiber cement siding on *non-historic* buildings (those constructed in 1975 or later).

Thus, Staff finds the use of fiber cement on the new addition is in conformance with the Board's policy. As the Board had previously approved stucco and fiber cement siding and panels on the addition, Staff finds the changes to different forms and sizes of fiber cement to be acceptable.

The choice of a wood railing in place of metal on the second story rear elevation is appropriate and consistent with the *Design Guidelines*. The proposed wood deck is an appropriate design and material and will not be visible from the public right-of-way once the rear yard fence is installed.

While the proposed rear gate with horizontal wood slats has a contemporary style, Staff finds that it is consistent with the approved contemporary addition and makes use of a traditional building material. Furthermore, the gate will be minimally visible from the public right-of-way.

The alteration that most concerns Staff is the removal of historic wood siding on the front (west) elevation. As part of the approval process, the Board made the following conditions:

- That the applicant work with Staff to evaluate any historic wood siding underneath the aluminum siding on the front elevation and determine whether it can be retained and repaired; and,
- That if the condition of the siding is poor, the applicant should install the same type of wood siding that was originally on the house.

The applicant contacted Staff to evaluate the condition of the wood siding underneath the aluminum siding. While a small portion of the siding was in poor condition and in need of an in-kind replacement, Staff determined that the majority of the siding was in sufficient condition that it should be repaired and retained, rather than replaced. Despite Staff's determination, the applicant proceeded to remove and replace all of the historic wood siding. Obviously, this is of grave concern to Staff as the removal of historic fabric compromises the historic integrity of the building and the district, as well as undermines the Board's efforts and intentions in the review and approval process. Further, the zoning ordinance and *Design Guidelines* explicitly state that historic materials should be retained and repaired rather than replaced. In addition, the zoning ordinance levies fines for civil violations of the zoning ordinance related to historic districts. In this circumstance,

according to Section 11-207(B)(2), the construction, alteration or repair of a building or structure for which no building permit is required is a class three civil violation. According to the zoning ordinance, the applicant will be required to pay the penalty outlined in the zoning ordinance.

IV. STAFF RECOMMENDATION: Staff recommends approval of the application for after-the-fact alterations to previously approved plans as submitted.

STAFF:

Catherine Miliaras, Historic Preservation Planner, Planning & Zoning

Lee Webb, Historic Preservation Manager, Planning & Zoning

Stephen Milone, Division Chief, Zoning and Land Use Services, Planning and Zoning

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 Alterations to the existing structure must comply with the 2006 edition of the Uniform Statewide Building Code (USBC).
- C-6 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-7 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-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:
No comments received.

VI. IMAGES

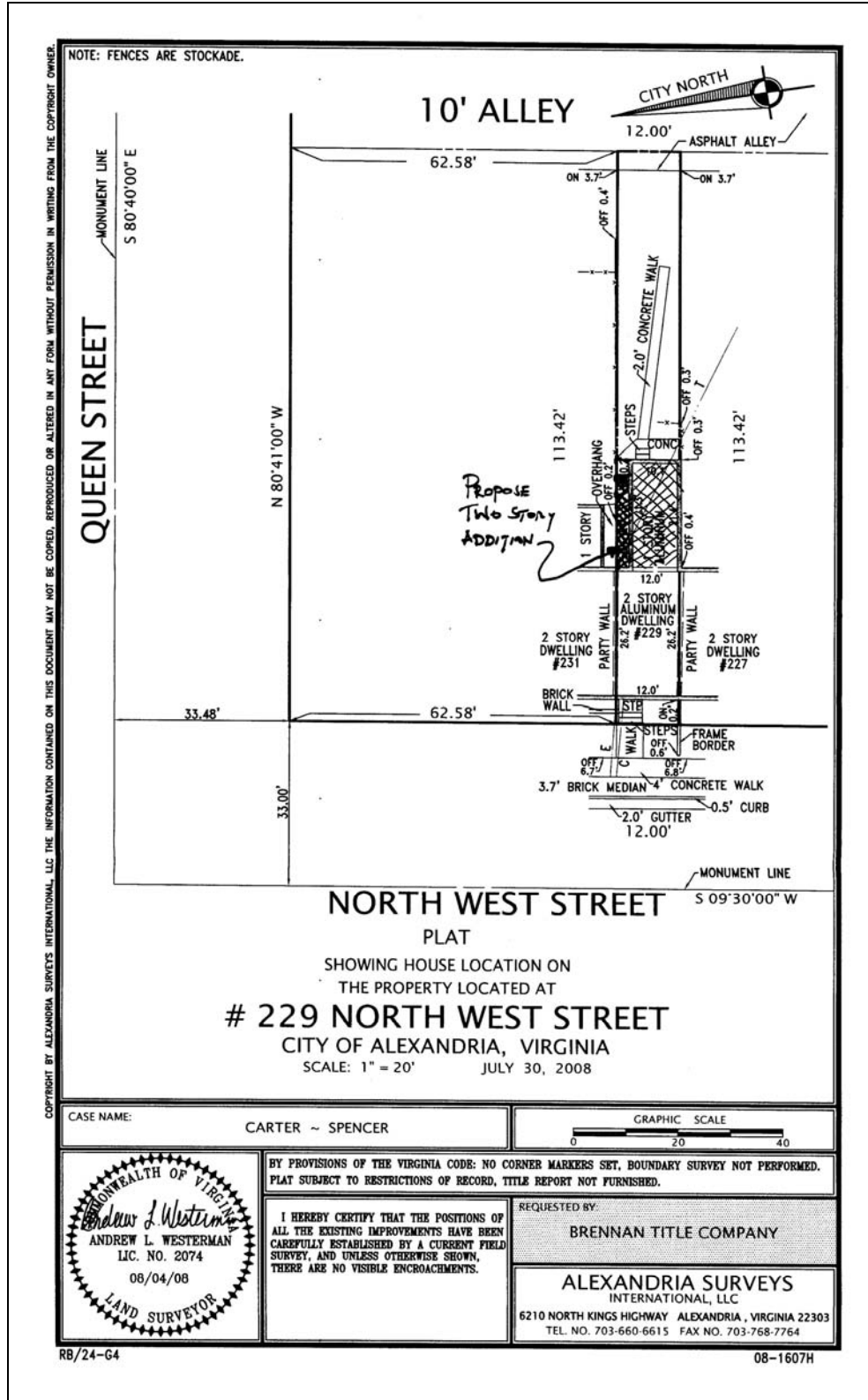


Figure 1. Plat.

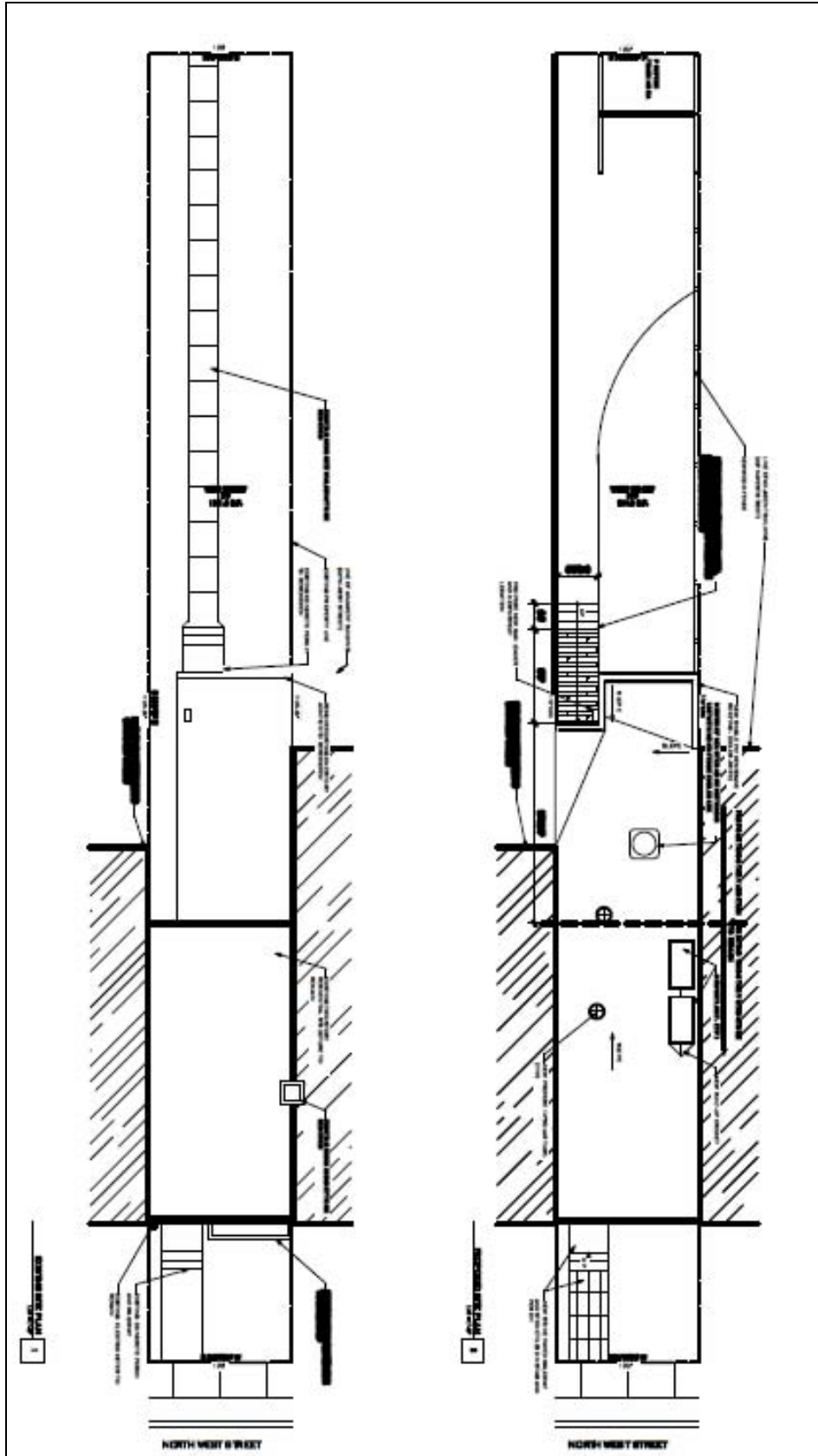


Figure 2. Original and approved site plan.

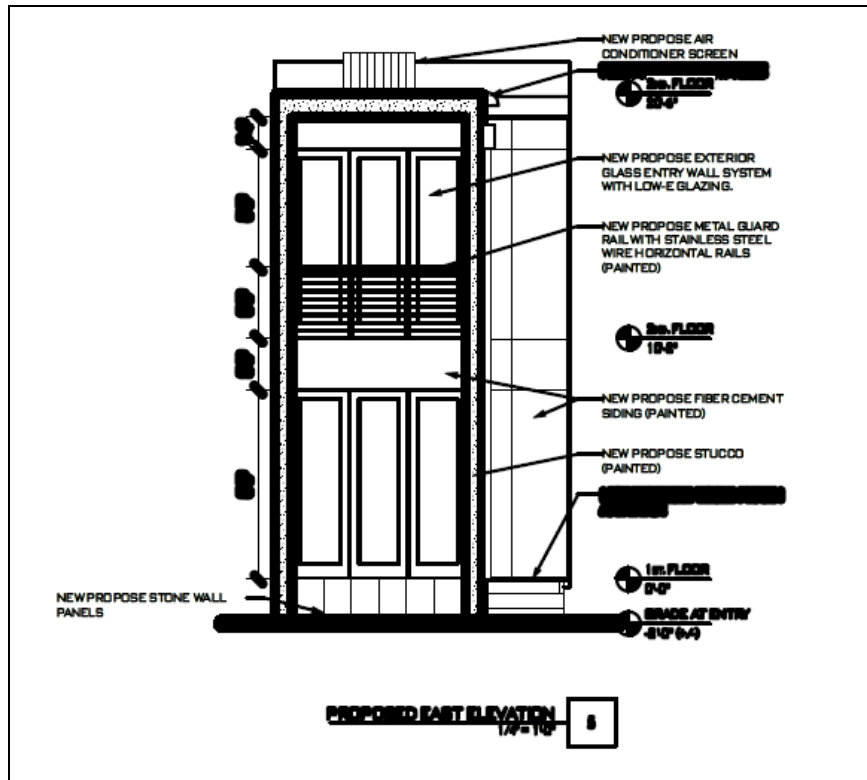


Figure 3. Previously approved east elevation.

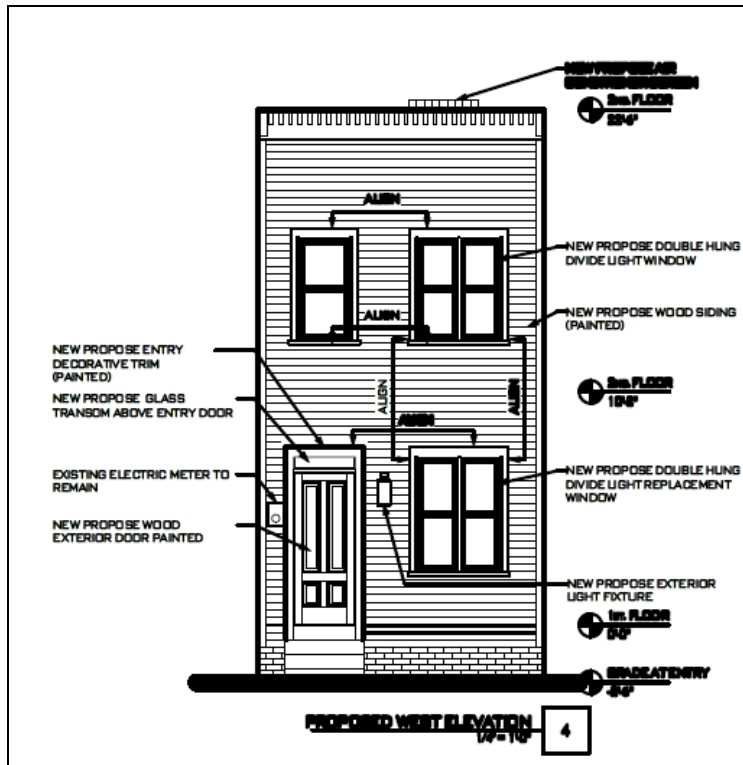


Figure 4. Previously proposed west elevation for BAR Case # 2008-0149 (Paired window on second floor not approved).

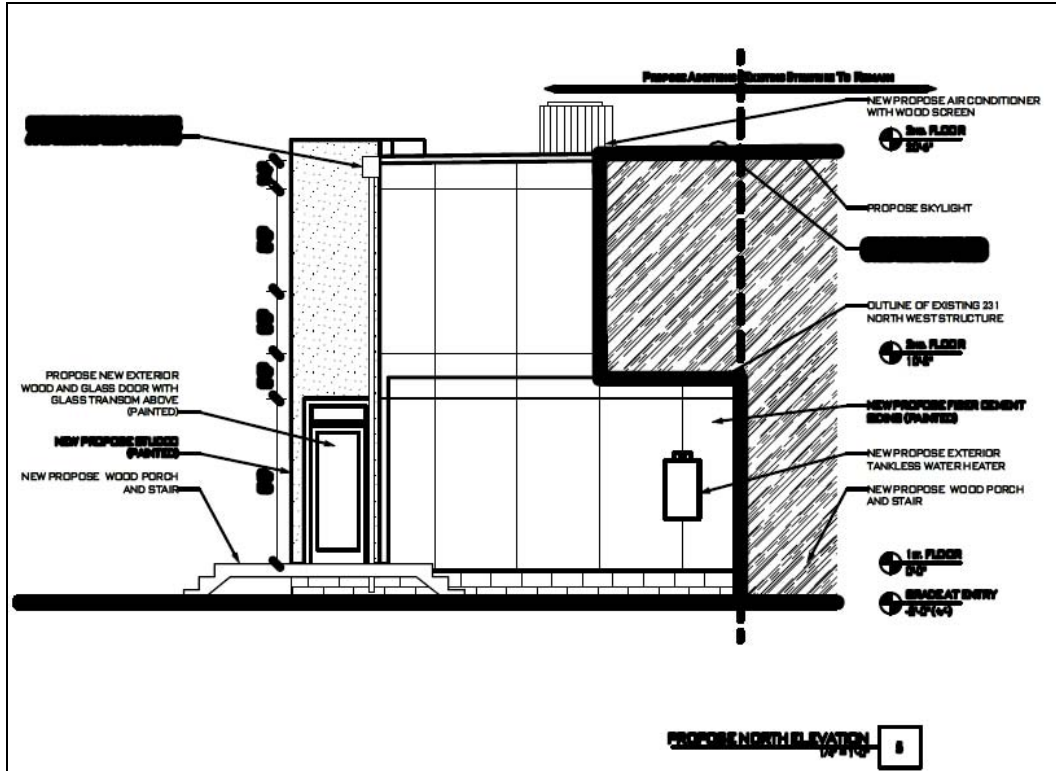


Figure 5. Previously approved north elevation.

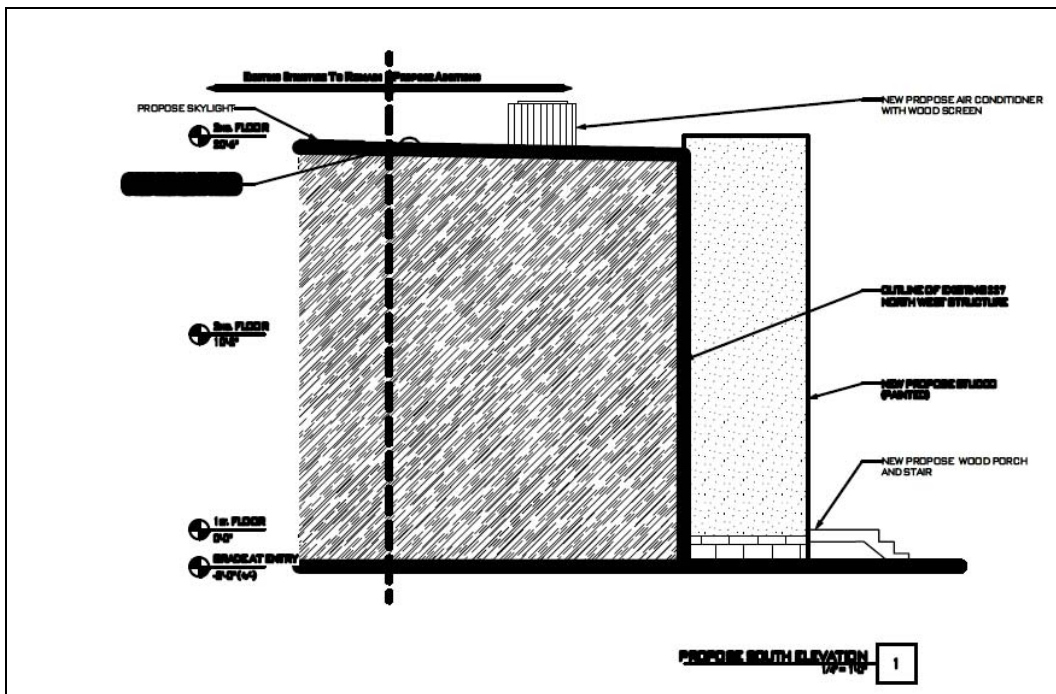


Figure 6. Previously approved south elevation.

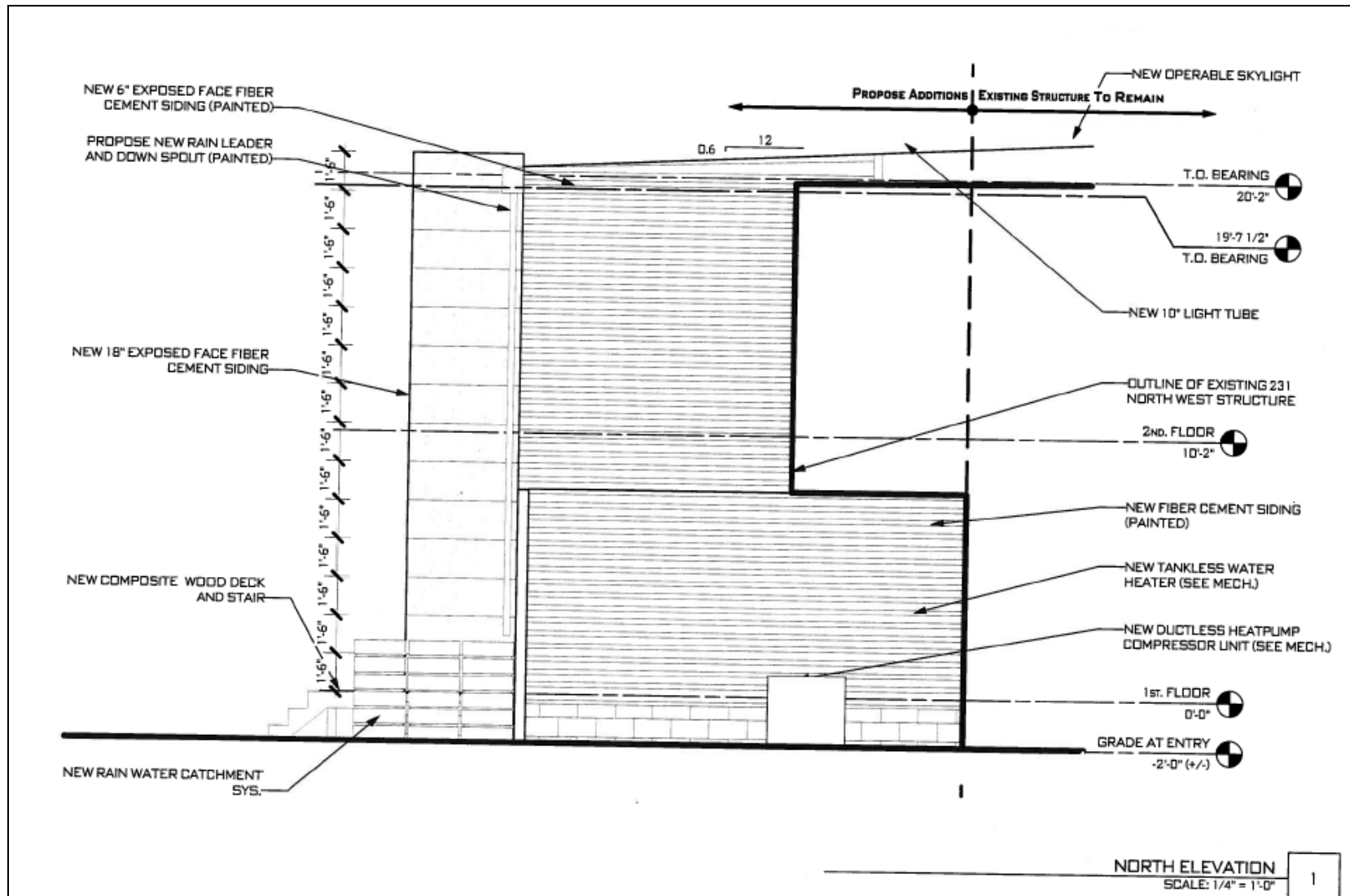


Figure 8. Revised north elevation.

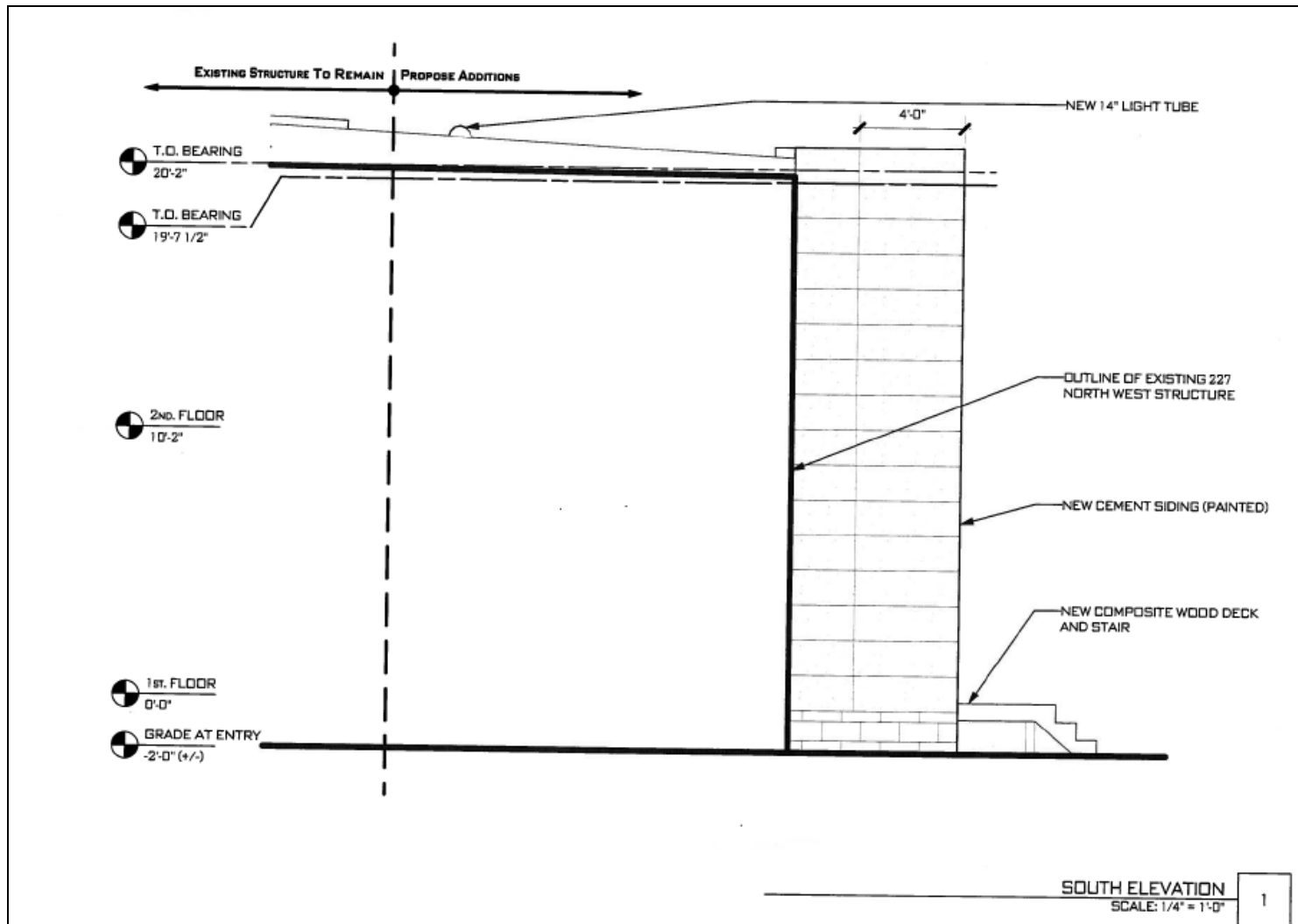


Figure 9. Revised south elevation.



Figure 2. Current front (west) elevation.



Figure 3. Current rear (east) elevation.