

## ARCHITECTURAL REVIEW BOARD MEETING MINUTES

The Board of Architectural Review held its regularly scheduled meeting on Thursday, October 18, 2012 at 4:00 p.m. in Council Chambers at Rouss City Hall, 15 North Cameron Street.

### POINTS OF ORDER

**PRESENT:** Tom Rockwood, Tim Bandyke, Don Crigler, Bob Pinner, Patricia Jackson, Peter Serafin, and Kevin Walker.

**ABSENT:** None

**STAFF:** Aaron Grisdale and Paula Le Duigou

### CONSENT AGENDA

Approval of Minutes – September 20, 2012

Chairman Rockwood noted a correction needed.

Mr. Pinner moved to approve the minutes.  
Mr. Bandyke made a second to that motion.

Minutes with correction are approved by voice vote with Mr. Crigler abstaining.

### Public Hearing

**BAR-12-436** Request of James Lockard of Lockard Properties, subject property owner, for approval of demolition of an existing structure at 110 West Boscawen Street (*Map Number 173-01-E-19*), pursuant to Section 14-3-2 of the Winchester Zoning Ordinance.

Chairman Rockwood asked for the staff report and recommendations, and said the Board may ask the staff any questions they have.

Mr. Grisdale addressed the Board. He stated the subject property is located within the B-1 central business district with historic Winchester overlay and that the surrounding properties are similarly zoned. He stated the property owner wants to commercially redevelop this parcel, which is in the Winchester Historic District. He said the property has been identified in the most recent historic district survey as a contributing structure within the district. The applicant intends to remove the existing structure and replace it with high-end apartments or townhomes.

Mr. Grisdale stated that the provisions which pertain to this demolition request are in Winchester Ordinance, Article 14, and this information was included with the staff report.

In the most recent architectural survey, Mr. Grisdale noted that the principle structure was built in 1825, and in the rear of the structure is a 2-story full-width porch which was added post-1947.

He stated that the original building was log construction which is representative of the domestic architecture in the City of Winchester in the first quarter of the nineteenth century. He stated that under the Secretary of the Interior's criteria A and C, the structure has been determined to be contributing to the Winchester Historic District. According to that source, it was determined, first, that the building is associated with events which have significance to the broad patterns of history, and second, that the building embodies the distinctive characteristics of a type, period, or method of construction, or that represents the work of a master who possesses high artistic values or that represents a significant or distinguishable entity whose components may lack individual distinction.

Mr. Grisdale stated that the applicant has said the building has structural problems which prohibit economic rehabilitation. Mr. Grisdale said the applicant states in his application letter that the building lacks a foundation, and that the east wall is nonexistent above the ceiling. Mr. Grisdale stated that the structure is presently being used as commercial space on the ground floor and as separate residential use on the second floor.

The Director of Zoning and Inspections, Mr. Grisdale, recommended that the BAR deny the Certificate of Appropriateness for demolition of the structure at 110 Boscawen Street. He stated the BAR may approve, deny, or modify the request for demolition based upon the evidence and testimony presented at this public hearing in accordance with Section 14-4-5 of the zoning ordinance. He stated that if the BAR decides to deny the request for demolition, it must clearly state its reasons for denial. He closed by saying that in both situations, whether approval or denial of the application by the Board, the reasons for the Board's decision must be included either within the staff report or a couple of potential motions at the hearing.

Chairman Rockwood asked for any comments from the Board in response to the staff report.

Mr. Pinner asked how a structure is defined as being a contributing structure within the Historic District, other than according to the structure's age.

Mr. Grisdale stated that according to the Secretary of the Interior's guidelines, there are four different criteria identified as A and C that can be used.

Chairman Rockwood asked for clarification regarding criterion A, that the building is associated with events that have made a significant contribution to the broad patterns of history. He stated that unless the staff has knowledge of a specific event in history which relates to this structure, the assumption is that this structure is a relatively intact example of the vernacular log building in Winchester of that period.

Mr. Grisdale stated that the guidance on criterion A does not come from staff but instead comes from the Commonwealth of Virginia's most recent architectural survey and their consultant's opinion.

Chairman Rockwood acknowledged that, and asked if staff had any further understanding of the language of criterion A, based on the City of Winchester's Planning Departmental work.

Mr. Grisdale stated that the structure is in fitting with the general historic nature of the District. Due to its age, its present condition, and the fact that it's lasted this long is what criterion A describes. It fits with the broad historic nature of the city.

Mr. Bandyke asked if there is physical evidence that this is a log structure and how did they determine that. Mr. Grisdale stated that's based on the architectural survey taken and the staff report is based on that information. Ms. Jackson asked if the staff report is implying that someone has already looked at some point to see if it is log. Mr. Grisdale again stated that the staff report is derived from the architectural survey. Chairman Rockwood stated he has seen the inside of the building and he believes it is log. There is log exposed, not necessarily intentionally. Mr. Grisdale stated the applicant present would be best able to speak about that.

Chairman Rockwood opened the hearing and asked the applicant to come forward and asked him to present his case for approval of demolition.

Mr. Lockard stated he's owned the building for six years and that as far as he knows there are only a few logs on the west side of the structure. He stated that he believes the building started out as a one-story building, later became a two-story building and yet later the addition was put on the back. He stated that on the east side, that wall of the building had been chopped off. He also stated that the structure leans to the west. He stated that it has never had a foundation and that the show windows which had been cut into the front wall further weakened the structure. He said the logs are not chestnut. He stated that it would be easier to demolish and start over. He said there is a mud slab under the sidewalk on Boscawen Street which is topped by pavers and that allows more drain water to seep in.

Chairman Rockwood asked for appraisal value, and Mr. Lockard presented the value of the property from three different appraisals. The City of Winchester valued it at \$ 200,000. BB&T valued it at \$ 175,000. Another appraisal from BB&T valued it at \$ 171,000. First Bank valued it at \$ 100,000. Mr. Lockard stated the land is valued higher than the building.

Mr. Pinner asked how much it would cost to renovate the building. Mr. Lockard stated he did not know.

Mr. Bandyke asked what the 1947 addition includes. Mr. Lockard stated a kitchen and a bedroom, and that there is also a room downstairs which contains a sink. He said both stories of the addition make up one apartment. He stated that commercial space is 600 square feet at the street level.

Mr. Bandyke asked how deep the lot is from the back of the addition. Mr. Lockard stated eighty (80) feet. Mr. Bandyke asked if Mr. Lockard had considered doing something to the back of the building, while keeping the front façade. Mr. Bandyke proposed removing the 1947 addition and then building back from there. Mr. Lockard confirmed that he's heard that proposal previously. He stated he doesn't see any reason to save the building, and that it's been added onto four or five times in its history.

Chairman Rockwood suggested that Mr. Lockard could remove the additions and restore the building to its original dimensions to make it more historically correct. He stated that those plans would need to be submitted for approval also.

Chairman Rockwood asked Mr. Lockard to confirm his 700 square foot residential rental space at \$500 per month, and 600 square foot commercial rental space at \$800 per month. Mr. Lockard confirmed that. Chairman Rockwood stated that would equal about \$15,600 per year, and that Mr. Lockard had already itemized his cost at \$3,100 per year. Chairman Rockwood asked for clarification. Mr. Lockard mentioned monthly taxes, and Chairman Rockwood noted that those expenses would put it financially "under water".

Mr. Pinner asked how long Mr. Lockard has had the property listed for sale and asked for the price. Mr. Lockard stated once for eighteen (18) months for \$199,000, and other similar attempts to sell the property. Mr. Walker asked if Mr. Lockard had had the property inspected by a structural engineer for possible cost and remediation. Mr. Lockard stated he didn't think that was necessary.

Mr. Serafin asked if Mr. Lockard has pursued any tax credits. Mr. Lockard said there was talk about it but he didn't know enough about it. Mr. Serafin stated that many people pursue tax credits and that there is also a blight tax credit.

Mr. Grisdale pointed out that there are derelict building incentives but the property must be vacant and disconnected from utilities.

Mr. Lockard said he had talked it over a bit with Mr. Deskins. Mr. Lockard concluded that he didn't want to take on any more expenses.

Ms. Jackson asked if Mr. Lockard had done any architectural planning on the structure. Mr. Lockard stated he had explored that a little, considering working on the front view of the building to match the other buildings on the street. He stated he didn't want to go too far on that until the BAR was done.

Ms. Jackson asked if there are any existing City photos of the structure that show its earlier appearance before the show windows were cut in. Mr. Grisdale stated he would have to check the 1970s architectural survey to see if any exist. He stated he did not know if there might be other sources. Discussion about the current photo presented to the Board dated it to 2010.

Chairman Rockwood asked if there was anyone who wanted to speak in opposition to the request for demolition.

Ms. Sandra Bosley from PHW introduced herself. She stated that the PHW sees no compelling reason to demolish the structure. She stated PHW would want to see the option of pursuing tax credits considered, and she questioned the assumption that the structure might be unsalvageable. She stated the possibility of demolition would have to be determined to be the only last remaining option. Ms. Bosley reminded the Board that the structure is a historic landmark according to City code because the Beamer family was active in the Revolutionary War and the Civil War, and the son, John Beamer, who was the last Beamer to own the property had been the sheriff of Berryville and helped with reconstruction efforts after the Civil War. Ms. Bosley stated that this is one of the few remaining log structures in the City.

Mr. Bandyke asked if the PHW is still using the revolving fund.

Ms. Bosley said yes, and added that PHW extends an offer to Mr. Lockard to sell his property to PHW.

Mr. Bill Wiley from Christ Church introduced himself as the Junior Warden, the person in charge of the upkeep of the church property, and he stated he represents the vestry and the congregation. He expressed concerns regarding the proposed demolition of the neighboring historic property. He stated that if the demolition were approved by the Board, the new construction should be carried out in a timely manner. He cited the example of the Triangle Diner as a construction project which has not been completed in a timely manner. He asked if there are existing

covenants on the Lockard property which restrict it from demolition, and if so he wanted the Board to review that.

Mr. Wiley stated he believes there's an economically feasible way to restore the structure because new construction would cost more than restoration. He said he wanted the historic character of the property to be maintained and as a good neighbor, he cited how the church properly maintains and repairs their own historic property.

Mr. Lockard stated that if any new construction were to happen, it would be speedy.

Chairman Rockwood closed the public hearing.

Mr. Crigler proposed that the Board visit the structure to evaluate it before taking any action. The Board has no existing report on the structure's condition.

Chairman Rockwood agreed that the Board does not have enough information to approve the request for demolition at this time.

Mr. Bandyke asked Mr. Lockard for the reason that the photo of the attic side facing east is presented to the Board.

Mr. Lockard stated that the east wall in the attic is missing. The wall had been removed.

Mr. Crigler moved to table action on the request for demolition until a visit to the site can be made by at least two representatives for the purpose of evaluation. Following that, the Board could then take up action on the request.

Ms. Jackson seconded the motion.

The motion carried by voice vote.

The Board decided to send Mr. Bandyke and Mr. Walker to evaluate the structure.

Mr. Bandyke asked Mr. Lockard for permission to take photos of the structure.  
Mr. Lockard agreed.

## **NEW BUSINESS**

**BAR-12-525** Request of Bell Building LLC for a replacement door at 10 West Boscawen Street.

Chairman Rockwood stated that a wooden door which has divided lights is proposed to replace the existing metal frame door.

Nancy Eisele introduced herself and stated that the firefighters on a false alarm call broke the lock on the door and that the lock is irreplaceable.

Mr. Crigler asked if the door frame would be replaced at the same time.

Ms. Eisele said yes, and that the door and frame would be moved forward to the street to deter loitering. The door would still be in a recessed area, but not as deeply recessed as it is now. She

stated it would also have some side lights. She confirmed that it would be six (6) feet of glass to replace overall.

Mr. Crigler asked for a drawing of the proposed door.

Ms. Eiesele offered the photo of the door to the adjacent property as the example of style and material she would use. She stated that she wants the new door to match the door of the Florist's door in the photo.

Mr. Serafin asked Ms. Eiesele to bring an elevation which shows finishes, natural wood or painted wood, and a plan sketch for the Board. He stated that photos can only depict an idea, not the final proposal.

Ms. Eiesele explained that the situation is somewhat urgent because with a broken lock, the door is not secured. Two weeks until the next BAR meeting would be a risk.

The Board recommended that Ms. Eiesele use a padlock to secure the door, submit drawings as soon as possible, and the Board would be prepared to make a decision at the next meeting in two weeks time.

Ms. Eiesele agreed to drop off the drawings.

Mr. Crigler made a motion to table action until the next meeting.

Mr. Walker seconded that motion.

It carried by voice vote.

## **OLD BUSINESS**

None.

## **OTHER DISCUSSION**

Notification Item - Demolition of unsafe structures at 116 & 118 West Leicester Street.

Mr. Grisdale stated that the Building Official had visited the two properties and there are some severe stability issues inside the buildings. The Building Official has ordered demolition of these two structures due to them being unsafe and unfit for human occupancy.

## **ADJOURN**

Motion to adjourn made by Mr. Crigler.

Second made by Ms. Jackson.

Motion passed by voice vote.