

## **BOARD OF ARCHITECTURAL REVIEW MINUTES**

The Board of Architectural Review held its regularly scheduled meeting on, May 3 2007 at 15 N. Cameron Street, at 4:30 p.m. in Council Chambers, Rouss City Hall.

**PRESENT:** Belkin, Lore, Saunders, Shore, Bandyke

**ABSENT:** Farris

**VISITORS:** Richie Pifer Jr., Court Pifer, Tim Rockland, Stan Corneal, Marc Hardy, Donald Crigler, Keith Johnson

### **MINUTES**

The minutes of the April 19, 2007 meeting were not approved due to lack of members at the current meeting who had attended the April 19 meeting.

### **CONSENT AGENDA**

None

### **NEW BUSINESS**

#### **BAR-07-20-Request of South End Fire Company for Demolition/New Construction at 17 W Monmouth Street**

Vice Chairman Saunders opened the public hearing.

No one was present to speak on behalf of the applicant.

Vice Chairman Saunders closed the public hearing.

Mrs. Shore, seconded by, Mr. Lore moved to table **BAR-07-20-Request of South End Fire Company for Demolition/ New Construction at 17 West Monmouth Street**. The motion passed on a vote of 5-0-0.

#### **BAR-07-25 Request of Richard Pifer Jr. for Demolition/New Construction at 120 E Cecil Street**

Vice Chairman Saunders opened the public hearing.

He asked if anyone was present to speak on this case.

Stan Corneal, as a property owner, preservationist and architect, was present to speak. He stated that he was always in support of preserving historic structures. He said that it takes a lot for him to say something should be torn down. However, in reviewing the

specific property he feels it is in need of demolition and he is pleased with what they have decided to replace the property with because it is of the same fabric as the original structure. He also stated that he felt this was an important piece to the revitalization of downtown. He added that he felt the same about the Kent Street property.

Richie Pifer Jr., was also present at the meeting to answer questions. He stated that this property has been on the blight list. He said that in this instance there are some major structural issues that cannot be feasibly repaired. He provided elevation drawings. The house that will be constructed will be similar to what is there now with hardy plank siding and a similar porch, while creating more functional space because the ceilings right now on the second floor are extremely low. He also included some floor plans for the board. He said that code has been met and the project is in harmony with the spirit of the ordinance. He stated that the structure was of average architectural significance according to the 1976 Architectural Inventory.

Mr. Belkin asked how many bedrooms there were. Mr. Pifer replied that there were three bedrooms and two and a half baths.

Mr. Diem asked the board if they had received a letter dated April 13, 2007 from Mark F.S. Andy from 119 East Clifford Street. He indicated he would not be able to attend the public hearing but wanted his comments heard. The Board had received this letter in their packet.

Vice Chairman Saunders closed the public hearing.

Mr. Saunders asked Mr. Diem to explain what happens if no one purchases the properties for sale. Mr. Diem stated that the Zoning Ordinance calls attention the Code of Virginia which says that in addition to the right of appeal the owner of a building or structure subject to the provisions of this article shall as a matter of right be entitled to demolish such buildings or structures provided that the owner follows the procedures required by Section 15.2-2306 of the Code of Virginia of 1950 as amended. He added that there are other requirements outlined in Section 14-11-1 that goes into more detail and states that before making a bonafide offer to sell provided for in Section 14-10 an owner shall first file a statement with the Zoning Administrator; the statement shall identify the property, state the offering price, the date the offer of sale is to begin and the name of the real estate agent if any. That time period as set forth in the schedule contained in Section 14-10 shall begin to run until the statement has been filed. Within five days of receipt of the statement copies of the statement shall be delivered to the members of the City Council, Planning Commission and the City Manager. The offer to sell a structure or the land pertaining that is at a price reasonably related to fair market value may be questioned. Mr. Diem stated that it goes into many more details in regard to the assessment of market value and how the price of the structure can be justified. He added that the Board should have in their packets that particular code section from the state 15.2-2306 which essentially through the Dillon Rule allows the City to have that ordinance within Winchester's Zoning Ordinance allowing for property owners as a matter of right the entitlement to demolish a structure after a period ,which is outlined by the state code, has

lapsed with no interest from any potential buyers or any other government entity or organizations that are investing in the revitalization efforts of historic structures or buildings and gives them the right of appeal to a BAR Decision. There are a couple different opportunities that a property owner has when faced with this situation. He added that it would be appropriate for the BAR to request a legal opinion regarding that particular section of the state code for how it could be used in the future.

Mr. Saunders asked what was going to be constructed in place of the building. He stated that what he had received was not very detailed drawings. He added that in his opinion it would be best to come back with more specific drawings. Mr. Pifer stated that he brought in drawings that were unacceptable and then brought the same drawings to a different meeting and they were acceptable.

Mr. Belkin asked if the floor plan and size of structure would be the same. Mr. Pifer said that yes, however, the new structure might be taller because of the increase of the six foot ceilings. Mr. Belkin stated that it is obvious that the building is not in good condition and since Mr. Pifer has demonstrated in the past that he was willing to do extensive renovations speaks well of his intentions. But on the other hand, the drawings are insufficient. Mr. Pifer stated that he would be happy to come back because the phasing of the houses have allowed for this. Mr. Belkin stated that when he applied for a building permit he would have to have extensive plans. Mr. Pifer stated that he does have those but he thought it was out of scope for the BAR. Mr. Belkin stated that is exactly what they want. Mr. Belkin agreed with Mr. Saunders. He advised that Mr. Pifer find an architect to do the drawings which will make it easier for the Board to do what they are supposed to do and justify why the demolition results in a better structure.

Mr. Lore added that scale will be extremely important because if what replaces the building is larger the streetscape will be affected. He added that they don't have anything for the record that states the size. In addition, although some houses might not seem to be integral structures they are nevertheless part of the streetscape.

Mr. Pifer stated that he wanted to amend his application for just demolition and not new construction. He stated that he would come in with different drawings and plans for the new construction. Mr. Belkin stated that possibly the existing structure isn't as bad as an empty lot because the building is not in danger of collapse. He didn't see a reason to separate the two.

Mr. Pifer stated that he didn't feel it was necessary to hire an architect and that the sketch that he gave the board although not extremely detailed is sufficient enough to see what the house will look like. Mr. Belkin said that he thought Mr. Pifer would save a lot of money by hiring a professional. Mr. Pifer stated that he had a professional architect that came up with elevation drawings of the house and they were incorrect, not to scale and showed false elevations. The drawings he had provided the Board with are to scale.

Mr. Bandyke asked what the width was going to be. Mr. Pifer stated that the new structure would be 21 x 36 feet deep and he wasn't sure exactly what the existing structure is.

Mr. Saunders stated that he didn't think it would be a horrible idea before a final vote was taken to hear the City Attorney's opinion and that he needs to bring back different drawings.

Mr. Lore, seconded by, Mr. Belkin, moved that the board disapprove **BAR 07-25** Request of Richie Pifer Jr. for demolition/new construction at 120 E Cecil Street on the basis that there is not adequate information about the replacement structure that will replace the building being proposed for demolition.

Mr. Diem stated the applicant has the right to appeal to City Council. Mr. Saunders stated that no one wants this to go to City Council. Mr. Pifer added that it is very frustrating on his behalf because it has taken awhile to get cranking and he doesn't want to keep coming back for the same thing. He said that he would be happy if they could come up with a list of what he needs, so that he doesn't run into a brick wall again. Mr. Bandyke added that there is no reason it shouldn't be demolished, but it is in the historic district and Mr. Pifer needs to give the Board something to work with.

Mr. Belkin stated that the Zoning Ordinance states that if a property is demolished the replacement building should be held to a high standard. He quoted the Zoning Ordinance in relation to demolition. Mr. Belkin asked if standards could be established as far as what should be submitted to the BAR. Mr. Diem said it is not outlined in the Ordinance at this point.

*Mr. Lore left at 5:15pm*

Mr. Belkin withdrew his second to the motion. Mr. Saunders asked Mr. Pifer he was willing to return. Mr. Pifer stated that he wants to make sure that the Board is satisfied with what he brings back because the process can be very frustrating when cases get tabled over and over again. He said he didn't want to bring something back and get tabled again. Mr. Saunders said he thinks that they have made it clear what they are looking for.

Mr. Bandyke, seconded by Mr. Belkin moved that the Board table **BAR-07-25** Request of Richie Pifer Jr. for demolition/new construction at 120 E. Cecil Street. The motion passed on a vote of 5-0-0.

**BAR-07-06 Request of Richard Pifer Jr. for Demolition/New Construction at 314 S Kent Street**

Vice Chairman Saunders opened the public hearing.

Vice Chairman Saunders asked if there was anyone wishing to speak in reference to the request.

Mr. Richard Pifer Jr. was present to answer questions. He stated that he modified the drawings and added details. He added that KSR LLC is in favor of rehabilitation of structures when feasible. However, this structure it is not feasible because there are major problems with the foundation. He stated that this was one of their favorite houses.

Mr. Belkin said some of the wood looks salvageable.

Mr. Marc Andy of 119 E. Clifford Street added that he was in favor of demolition. He has talked with other neighbors and looked at the house. He said that if Mr. Pifer was to rebuild the house it would be a severe challenge. Anything that was salvageable should be incorporated back into the house.

Vice Chairman Saunders closed the public hearing.

Mr. Saunders said that Mr. Pifer should come back with more detail because the demolition part would go smoother.

Mrs. Shore, seconded by, Mr. Belkin moved to table BAR -07-06 Request of Richard Pifer Jr. for Demolition/New Construction at 314 S. Kent Street. The motion passed on a vote of 4-0-0.

**BAR-07-30-Request of Braddock Street United Methodist Church for installation of an awning at 115 Wolfe Street**

Vice Chairman Saunders opened the public hearing.

He asked if anyone wished to speak in reference to the request.

Keith Johnson was present to answer questions. The awning would cover the child care entrance on the south side of the education building. He included photos of the area, a drawing of the area and manufactured guidelines. He said that currently Braddock Street had a full time day care and a half day preschool. The children enter the structure through that entrance and currently the entrance is not protected. The awning will protect parents and children coming into the program and will keep snow off of the sidewalk and will drain the water away from the entrances. He said that the awning could hardly be seen from the street. He also included the specification sheet from the manufacturer.

Vice Chairman Saunders closed the public hearing.

Mr. Saunders said this was one of these cases where there aren't specifications. Mr. Saunders asked Mr. Johnson if the awning could be white. Mr. Johnson stated that it could be any color or the manufacturer can put a fabric on the outside. He said that the fabric might not hold up as long.

Mr. Belkin stated that the picture on the brochure that Mr. Johnson provided for them is probably an awning attached to the church. Mr. Belkin said he feels that it is a shame to put that awning on a brick church because it looks cheap.

Mr. Bandyke said that the side that is facing Braddock is the side they have to make a decision on because that was visible to the public. He added that there are other ways to do things and that the proposed awning is no where close to what should be there.

Mr. Belkin added that the guidelines state that there will be no aluminum awnings.

Mr. Saunders said there has to be a way that isn't too expensive to fix it better. In terms of the size and shape there isn't a lot that can be done. Mr. Saunders advised Mr. Johnson to rethink the awning and come back with different material.

Mr. Diem stated that if they deny the request you can return in 90 days after you have taken into consideration the recommendation and made the amended changes.

Mr. Bandyke, seconded by, Mr. Belkin moved to table BAR-07-30 Request of Braddock Street United Methodist Church for installation of an awning at 115 Wolfe Street. The motion passed on a vote of 4-0-0.

**HP-07-01- Request of Habitat for Humanity of Winchester-Frederick County for a Historic Plaque at the Baker & Co Grocery Warehouse at 145 Baker Street**

No one was present to speak on behalf of the applicant.

Mr. Belkin, seconded by, Mr. Bandyke moved to approve **HP-07-01**-Request of Habitat for Humanity of Winchester-Frederick County for a Historic Plaque at the Baker & Co Grocery Warehouse at 145 Baker Street. The motion passed on a vote of 4-0-0.

Mr. Diem presented correspondence from Jeff Davis, Project Manager at Shenandoah University. He asked what colors would be appropriate on the metal roof on the John Kerr Building for the slate replacement. He said on June 16, 2006 the BAR gave permission to replace the slate with new metal roofing. The metal roofing around the slate is green in color while the slate is gray in color. Shenandoah University will replace the metal roofing with new green metal roofing or will replace the slate with new green metal roofing or gray at the BAR 's direction.

Mr. Belkin said without looking at it, it would be hard to make that determination. Mr. Diem stated that Mr. Davis had already been to BAR and he was confused as to whether the slate had to be the same color as the rest of the roof. Mr. Diem stated that there were no color splotches in the file. Mr. Davis said you really couldn't see the roof. Mr. Saunders said they would talk about it at the next meeting.

Mr. Diem reminded the board that they would need to internally elect a new chairman. Mr. Saunders asked to wait until the next meeting.

Mr. Rockwood who is being considered to fill the empty seat on the BAR attended the meeting. City Council has not yet confirmed Mr. Rockwood.

**ADJOURNMENT**

With no further business to discuss, the meeting was adjourned.