

BAR # 2024-00017
Old and Historic Alexandria District
City Council
April 13, 2024

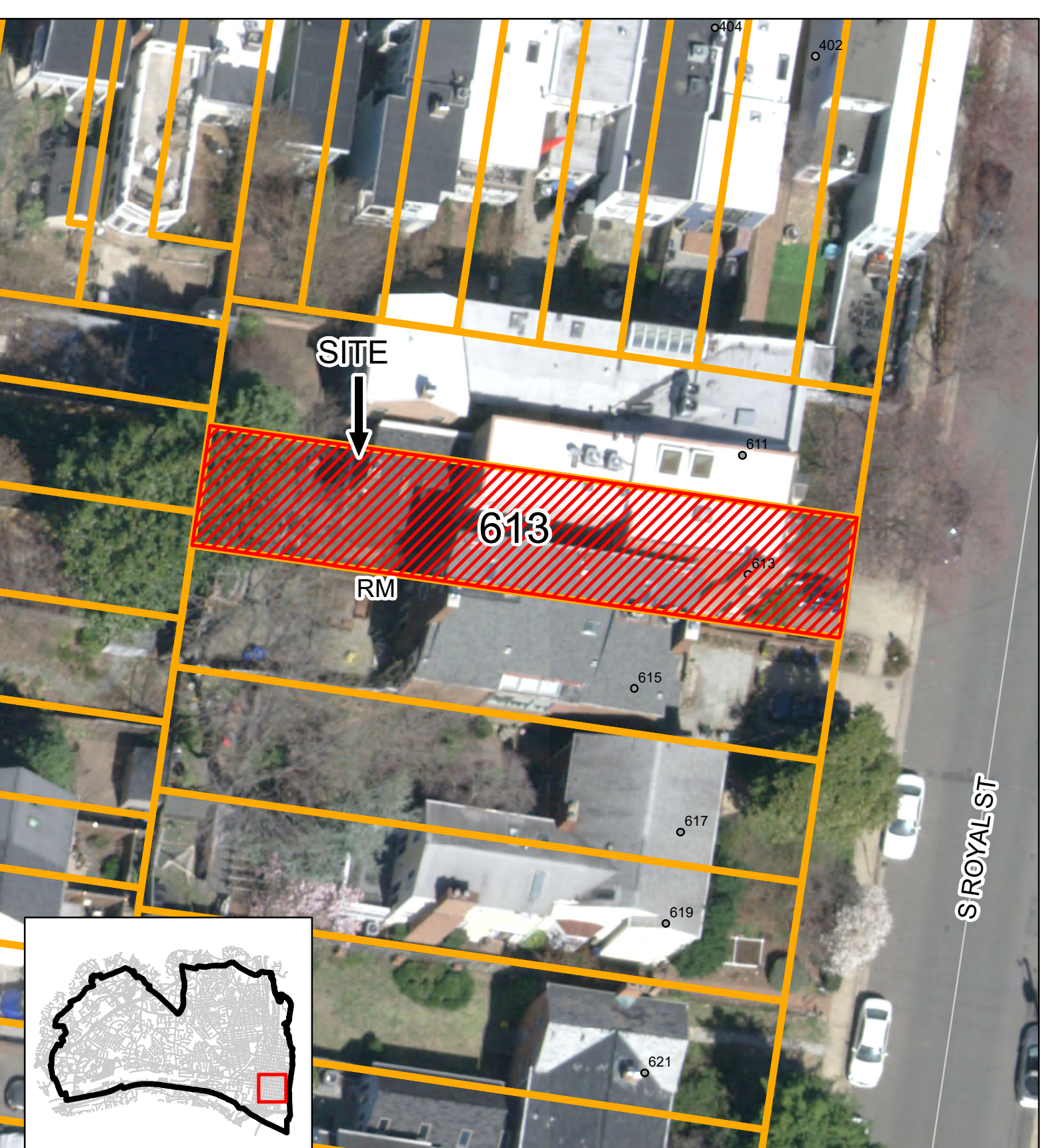
ISSUE: Appeal of a decision of the Board of Architectural Review (BAR) to deny the modification of a condition of approval for the previously approved Certificate of Appropriateness for after-the-fact painting of previously unpainted masonry in the Old and Historic Alexandria District (OHAD).

APPLICANT: Elizabeth Blaise Hazelwood

APPELLANT: Elizabeth Blaise Hazelwood

LOCATION: 613 South Royal Street

ZONE: RM / Townhouse Zone



SITE



613

RM

S ROYAL ST



BAR#2024-00017
613 S Royal Street



I. ISSUE

The Board of Architectural Review approved a Certificate of Appropriateness allowing after-the-fact painting of previously unpainted masonry at 613 South Royal Street, with one of the conditions being that all sides of the building visible from a public right-of-way must be painted. The applicant and appellant, Elizabeth Blaise Hazelwood, intending to leave the north-facing wall unpainted, subsequently applied for a new Certificate of Appropriateness to specifically remove this condition; the BAR denied the case.

The after-the-fact work (completed without BAR approval) was originally brought to staff's attention through an email on July 23, 2023. After confirming the violation, a stop work order was posted by a Zoning inspector on July 26, 2023 and a letter of violation was sent to the property owners (Attachment A). The painting was partially completed at the time the stop work order was posted. A Certificate of Appropriateness application for the after-the-fact work was submitted on August 23, 2023, by the applicant.

The Board of Architectural Review heard the case on October 4, 2023. Staff had recommended approval of the Certificate of Appropriateness (BAR2023-00360A), with the conditions that the applicant use different paint colors to distinguish the primary masonry façade from the window/door heads and trim, and that the shutters be replaced after the painting is completed. Staff did not believe that the painting would have an adverse effect on the building at 613 South Royal Street (Figure 1a/b) nor would it diminish the historic character of the historic district. According to the minutes from this hearing, one of the property owners, Dan Hazelwood, "stated that he thought the intention was not to leave any portions of the building unpainted." Several Board members remarked that they would support the painting of the entire building, but that it looked strange in a partially painted state. The BAR voted 7-0 to accept the applicant's request for deferral so that the applicant could provide more details on the scope of the painting to be done, particularly how far back the painting would extend on the south wall and whether there would be any contrast between the window lintels and door head. The north wall was not specifically addressed by the applicant during this hearing.



*Figure 1a (left): 613 South Royal unpainted; Google Street View photo from July 2022.
Figure 1b (right): 613 South Royal partially painted; photo taken by staff in September 2023.*

The Board of Architectural Review heard the case for the second time on November 2, 2023. Staff had recommend approval of the Certificate of Appropriateness (BAR2023-00360B), with the following conditions:

1. *Paint all sides of the house that are visible from a public right of way.*
2. *Use different paint colors so that the primary masonry façade is distinguished from the window/door heads and trim.*
3. *Replace the black shutters after the painting is completed.*

Staff recommendation #1 was newly added since the first hearing in response to the discussion, while staff recommendations #2 and #3 were the same as the previous hearing. The BAR voted 3-1 to APPROVE the application on November 2, 2023 because the Board agreed with staff recommendations. The Board added an amendment that the applicant work with staff on choosing appropriate colors to show differentiation in the wall color and window heads.

After the applicant received BAR approval to finish painting their house, staff met with the property owners on-site at 613 South Royal Street to remove the stop work order and confirm that the entirety of the south wall would be painted. The north wall was not specifically addressed during this meeting because the then-partially painted south wall had been the primary point of discussion during the two BAR hearings. On January 8, 2024, staff checked on the status of the painting in order to update the status of the active violation, as the violation could not be closed out until the BAR’s conditions of approval were satisfied. Staff found that the applicant had finished painting the front (east) façade and the south elevation in a way that satisfies the Board’s conditions of approval (Figure 2a). However, the applicant did not paint the north elevation, which was also required to be painted because it is visible from a public right-of-way (Figure 2b). In an email exchange with staff, the applicant expressed the desire to leave the north elevation unpainted, and was informed by staff that this would not satisfy the conditions of the Certificate of Appropriateness that was approved on November 2, 2023 because the north elevation is visible from a public right-of-way.



Figure 2a (left): The front and south elevations of 613 South Royal were painted after receiving BAR approval. Photo taken by staff in January 2024.

Figure 2b (right): The north elevation of 613 South Royal was left unpainted. Photo taken by staff in January 2024.

On January 22, 2024, the applicant submitted an application for a Certificate of Appropriateness (BAR2024-00017) to modify the conditions of the Certificate of Appropriateness that was previously approved on November 2, 2023 (BAR2023-00360B). The Board of Architectural Review heard the case on February 21, 2024. Staff had recommended denial of the Certificate of Appropriateness, because staff believed that leaving the north elevation unpainted would create a sense of visual asymmetry, and that there was not a convincing reason to modify the Board’s previous conditions of approval. The BAR voted 4-1 to DENY the application on February 21, 2024 because the Board agreed with staff recommendation and did not find an appropriate reason to change the previously approved condition.

The appeal, filed by one of the property owners, Elizabeth Blaise Hazelwood, states that “the appeal is to not paint the north wall because the narrow walkway between our house and the neighbor’s house to the north is on the neighbor’s property and a portion of the wall is behind their gate in their backyard” (Attachment B). Figure 3 below shows an up-close photo of the narrow walkway between the two properties. The width of the walkway in front of the gate is approximately 28.5 inches, as measured by staff during a site visit. Staff notes that the area of the north wall located behind (west of) the gate, in the neighbor’s backyard, is functionally not visible from a public right-of-way, so the condition to paint the north wall only applies to the area of the wall in front (east) of the gate, which is highly visible from South Royal Street.

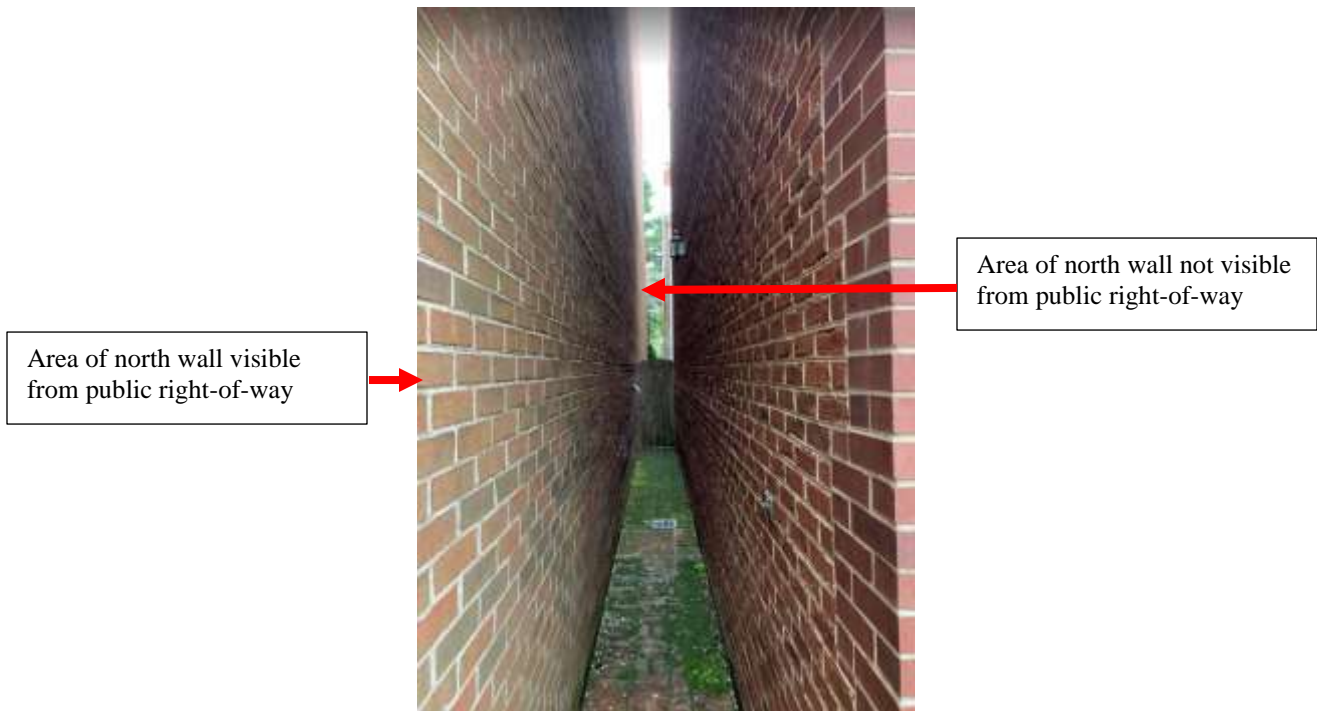


Figure 3: The space between 613 South Royal Street and 611 South Royal Street measures 28.5 inches.

Staff conducted historical research and found that in June 1995, a Declaration of Easement (Attachment C) was recorded as part of a real estate transaction between the previous owners of 613 South Royal Street (lot 38) and the buyers of lot 39, which was then a vacant lot and is now the property at 611 South Royal Street. According to the easement, “...the north wall of the house improving lot 38 encroaches upon the southern lot line of lot 39 by 0.1 foot at the northeast corner

of the house and by 0.2 foot at the northwest corner of the house...” The agreement declared an easement on lot 39 “...for the benefit of lot 38...to permit ingress and egress unto lot 39 as reasonably necessary to repair and maintain the northern wall of the house.”

II. HISTORY

The three-story, partially detached, brick clad house at 613 South Royal Street was constructed in **1985**, according to plans by Gilbert and Foster, a Washington, D.C. based architectural firm. The plans were approved by the Board of Architectural Review on July 18, 1985 (BAR Case #85-45). It is considered a **Late** building (built after 1931) within the Old and Historic Alexandria District. The building has not undergone any significant alterations since its construction, aside from the painting.

III. DISCUSSION:

Certificate of Appropriateness

A Certificate of Appropriateness is required in the Old and Historic Alexandria District (OHAD) under Section 10-103(A) of the Zoning Ordinance which states that: “No building or structure shall be erected, reconstructed, altered or restored within the Old and Historic Alexandria District unless and until an application for a certificate of appropriateness shall have been approved by the Board of Architectural Review or the city council on appeal as to exterior architectural features, including signs (see Article IX), which are subject to public view from a public street, way or place. Evidence of such required approval shall be a certificate of appropriateness issued by the Board of Architectural Review or the city council on appeal.”

To make a decision related to a Certificate of Appropriateness, Zoning Ordinance Section 10-105(A)(1) requires that the City Council “limit its review of the proposed construction, reconstruction, alteration or restoration of a building or structure to the building's or structure's exterior architectural features specified in section 10-105(A)(2)(a) through (2)(d) below which are subject to view from a public street, way, place, pathway, easement or waterway and to the factors specified in section 10-105(A)(2)(e) through (2)(j) below; shall review such features and factors for the purpose of determining the compatibility of the proposed construction, reconstruction, alteration or restoration with the existing building or structure itself, if any, and with the Old and Historic Alexandria District area surroundings and, when appropriate, with the memorial character of the George Washington Memorial Parkway, including the Washington Street portion thereof, if the building or structure faces such highway; and may make such requirements for, and conditions of, approval as are necessary or desirable to prevent any construction, reconstruction, alteration or restoration incongruous to such existing building or structure, area surroundings or memorial character, as the case may be.”

Staff analysis of each the Zoning Ordinance criteria follows below:

(a) Overall architectural design, form, style and structure, including, but not limited to, the height, mass and scale of buildings or structures.

The work performed did not alter the building's height, mass and scale, and the paint color applied to the building's façade does not modify the building's architectural style. However, leaving the north elevation unpainted does impact the building's architectural design and style by creating a sense of visual asymmetry between the painted south elevation and the unpainted north elevation. Additionally, the configuration of leaving side elevations unpainted is an appropriate design only for Early buildings.

(b) Architectural details including, but not limited to, original materials and methods of construction, the pattern, design and style of fenestration, ornamentation, lighting, signage and like decorative or functional fixtures of buildings or structures; the degree to which the distinguishing original qualities or character of a building, structure or site (including historic materials) are retained.

As required by the Board's conditions of approval of the Certificate of Appropriateness that was issued on November 2, 2023, the applicant used different paint colors to distinguish the primary masonry façade from architectural details such as the window heads. Additionally, the shutters that were removed during painting were replaced. The work performed did not have a significant impact on the original materials, fenestration, ornamentation, lighting, signage and like decorative or functional features.

(c) Design and arrangement of buildings and structures on the site; and the impact upon the historic setting, streetscape or environs.

The work performed did not alter the building's arrangement on site. However, leaving the north elevation unpainted impacts the streetscape by presenting a paint configuration that is not standard in the historic district. It is common to see buildings with all masonry elevations painted, or, on Early (historic) buildings, with the front façade painted and sides unpainted. The work performed on 613 South Royal, which is a Late building, does not fall into any of these categories and may have a negative impact upon the streetscape and environs by setting a precedent.

(d) Texture, material and color, and the extent to which any new architectural features are historically appropriate to the existing structure and adjacent existing structures.

The Zoning Ordinance specifically prohibits painting previously unpainted masonry surfaces without BAR approval. The BAR also has purview over color on new construction elements, which includes new paint on previously unpainted masonry. The chosen colors of white/cream applied on the building (without BAR approval) do not detract from or diminish the character of the building and/or the adjacent existing structures. The architectural features are appropriately differentiated by the use of different colors. Furthermore, the color white has been historically appropriate to both Early and Late buildings within the historic districts.

(e) The relation of the features in section 10-105(A)(2)(a) through (d) to similar features of the preexisting building or structure, if any, and to buildings and structures in the immediate surroundings.

There are already several painted masonry buildings on South Royal Street. Staff found that five of the 26 buildings (~19%) on the block, not including 613 South Royal, were painted various colors. The painting work itself does not detract from the overall harmony of structures in the immediate surroundings nor is it inappropriate for the building's architectural style. However, no other buildings on the block share the existing configuration where only the front and one side of the building are painted. Therefore, the work done at 613 South Royal Street would set a precedent on the block and is not compatible with the immediate surroundings. Additionally, the use of a paint configuration that is inappropriate for a Late building may detract from the historic integrity of Early buildings in the surrounding area.

(f) The extent to which the building or structure would be harmonious with or incongruous to the old and historic aspect of the George Washington Memorial Parkway.

Not applicable, the subject building is not on George Washington Memorial Parkway.

(g) The extent to which the building or structure will preserve or protect historic places and areas of historic interest in the city.

The subject building is a Late (modern) building in the Old and Historic Alexandria District. Furthermore, the application of the paint color on the building's facade does not significantly compromise the historic integrity of the surrounding blocks. However, leaving the north elevation unpainted on a Late building would impact the general historic character of painted masonry in the historic district by setting a precedent which does not harmonize with painting styles found in the surrounding area on other Late buildings.

(h) The extent to which the building or structure will preserve the memorial character of the George Washington Memorial Parkway.

Not applicable, the subject building is not on George Washington Memorial Parkway.

(i) The extent to which the building or structure will promote the general welfare of the city and all citizens by the preservation and protection of historic interest in the city and the memorial character of the George Washington Memorial Parkway.

The work performed on the subject building sets an inappropriate design precedent and therefore detracts from the historic integrity of Early buildings. This precedent may discourage the preservation and protection of historic interest in the city.

(j) The extent to which such preservation and protection will 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.

The work performed on the subject building, which sets an inappropriate design precedent, generally detracts from the integrity of the historic district as a whole, and thus may have a negative effect on some of the criteria listed above.

The Zoning Ordinance specifically prohibits painting previously unpainted masonry surfaces without BAR approval. Section 10-109(B)(4) of the Zoning Ordinance states: “The painting of a masonry building which was unpainted prior to such painting shall be considered to be the removal of an exterior feature having historic and/or architectural significance requiring a certificate of appropriateness.” The *Design Guidelines* (Attachment D) further state that “Unpainted masonry should be left unpainted. If unpainted masonry is proposed to be painted a certificate of appropriateness is required.” However, the *Design Guidelines* have been designed in a way to distinguish what is appropriate in one part of the district or at one building from what may not be appropriate in other areas or on other buildings so each request is reviewed on a case-by-case.

The issue of whether painting previously unpainted masonry is appropriate has been discussed in several BAR cases and City Council appeals, but is not directly relevant to the arguments for this appeal because the painting of the previously unpainted masonry at 613 South Royal Street has already been approved by the BAR. The specific issue discussed here is whether it is appropriate to paint the front façade and one side elevation of a Late (modern) building while leaving the other side unpainted.

At the February 21, 2024 hearing of the Board of Architectural Review, The main BAR argument to deny the application was that there was not an appropriate reason to modify the conditions of the previously approved Certification of Appropriateness. During the discussion at the hearing, one Board member remarked that the paint job as it exists today looks “half done.” Several of the Board members remarked that they support staff’s recommendation to uphold the condition to paint all sides of the building that are visible from a public right-of-way. A member of the public also spoke in opposition, claiming that allowing the applicant to leave one side of the building unpainted would “set a precedent” for the historic district.

Historically, the front façades of historic buildings were often considered more “high-style” than the side elevations. For this reason, it was not uncommon for the front masonry façade to be painted while leaving the sides unpainted (Figure 4). However, this type of paint configuration is only appropriate on historic buildings. On modern buildings such as 613 South Royal Street, there is typically no such differentiation in style or ornamentation between the front façade and side elevations. Additionally, all of the other painted masonry buildings on the 600 block of South Royal Street are painted on all visible sides, so the current paint configuration on 613 South Royal Street is unique for the block (Figure 5).



Figure 4: 502 Duke Street (left) and 220 North Royal Street (right) are examples of Early (historic) buildings that are painted on the front façade but unpainted on the side elevations.



Figure 5: Examples of other painted masonry buildings on the 600 block of South Royal Street, which are all painted on all sides visible from a public right-of-way.

Staff could not support the applicant’s request to modify a condition of the previously approved Certificate of Appropriateness, based on the criteria outlined in the Zoning Ordinance. The applicant has stated in the appeal application that they would need to access 611 South Royal Street’s property in order to paint the north wall; however, staff cannot interpret a private legal

agreement between the property owners, and the issue of accessing the neighbor's property does not fall under the criteria for consideration listed in the Zoning Ordinance.

Staff notes that, as previously discussed, the area of the north wall located behind (west of) the neighbor's gate is not visible from a public right-of-way and does not need to be painted, per the BAR conditions of approval. Furthermore, staff recognizes that painting in such a narrow space may present some challenges for painting and maintaining the wall. The space between the north wall of 613 South Royal Street and the south wall of 611 South Royal Street, in front of the gate, is approximately 28.5 inches. This measurement was physically verified by staff through a site visit. According to Section 1926.451(b)(2) of the Occupational Health and Safety Administration's (OSHA) Safety and Health Regulations for Construction, scaffold platforms should be at least 18 inches (46 cm) wide. Scaffolding is commonly available with frame sizes as narrow as 24 inches; alternatively, an extension ladder could be used. Staff also notes that there are several examples of masonry buildings in the historic district that have been painted on side elevations adjacent to even narrower spaces than that of 613 South Royal. For example, figure 6 below shows the painted north masonry wall of 213 South Columbus Street, which is located adjacent to a 20-inch wide alley shared with the neighboring property (measured by staff in the field).



Figure 6: The north wall of 213 South Columbus Street is painted and lies adjacent to a 20-inch wide alley.

Overall, leaving the north elevation unpainted on 613 South Royal Street would set a precedent for the surrounding block by introducing an uncommon paint configuration; additionally, the style

of painting only the front façade of a building and not the sides is associated with Early (historic) buildings and is thus not appropriate for this Late (modern) building.

Staff notes that this is the second BAR case that has been appealed within the past year that is related to the issue of painting previously unpainted masonry in the historic districts. During the last BAR appeal to City Council on September 23, 2023, City Council requested that the BAR consider creating a specific policy for painting previously unpainted masonry in order to provide a reference for future cases and to facilitate consistent decisions. At the December 6, 2023 BAR hearing, staff proposed a policy to the Board that would have allowed staff to administratively approve the painting of previously unpainted masonry in certain cases and only if certain conditions are met, such as if the building was constructed after a certain date and if the percentage of buildings on the surrounding blockface that are currently painted is within a certain range (Attachment E). The Board chose not to adopt this policy because the Board members were generally not comfortable with staff making the decision to approve requests to paint previously painted masonry, preferring that all such requests come before the Board for discussion on a case-by-case basis.

However, staff believes that the creation of a new policy for painting previously unpainted masonry would help to provide guidance and reference for future related cases. This policy could contain recommendations for not only *whether* it is appropriate to paint a previously unpainted masonry building, but also which conditions should be met regarding historically appropriate paint styles, colors, and configurations.

V. BOARD ACTION February 21, 2024

BOARD ACTION:

On a motion by Ms. Miller, and seconded by Mr. Lyons, the Board of Architectural Review voted to deny BAR#2024-00017 following staff recommendations. The motion carried on a vote of 4-1.

REASON

The Board agreed with Staff's recommendation to deny the application, and did not find an appropriate reason to change the previously approved condition.

SPEAKERS

Blaise Hazelwood, the property owner, was present to answer questions.
Yvonne Callahan, a neighbor, spoke in opposition to the application.

DISCUSSION

Ms. Miller agrees with the Staff recommendation to deny.

Mr. Scott thinks this case was difficult and that the BAR already made a condition, but that he is undecided.

Mr. Lyons believes the intent was always to paint all sides of the house and that the BAR already approved the original request. He supports the Staff recommendation to deny.

Ms. Zandian said the current paint job looks half-done, and supports the Staff recommendation to deny.

VI. STANDARD OF REVIEW ON APPEAL TO CITY COUNCIL

Upon appeal, City Council must determine whether to affirm, reverse or modify, in whole or in part, the unanimous decision of the BAR. The City Council's review is not a determination regarding whether the BAR's decision was correct or incorrect but whether the Certificate of Appropriateness should be granted based upon City Council's review of the standards in Zoning Ordinance Section 10-105(A)(2). While City Council may review and consider the BAR's previous actions, City Council must make its own decision based on its evaluation of the material presented. Section 10-107(A)(3) of the Zoning Ordinance requires that the City Council apply the same criteria and standards as are established for the Board of Architectural Review.

VII. RECOMMENDATION

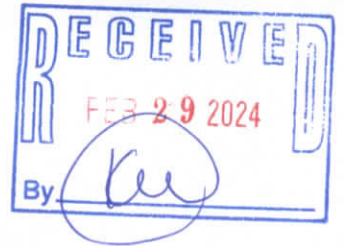
For the reasons indicated in this staff report and the previous BAR staff report, staff believes that leaving the north elevation of the building at 613 South Royal Street unpainted would have an adverse effect on the surrounding block and set an inappropriate precedent for the historic district. Therefore, staff recommends that City Council **uphold** the decision of the Board of Architectural Review and deny the Certificate of Appropriateness.

VIII. STAFF

Karl Moritz, Director, Department of Planning & Zoning
Tony LaColla, AICP, Land Use Services Division Chief
Susan Hellman, Principal Planner, Planning & Zoning
Brendan Harris, Historic Preservation Planner, Planning & Zoning

IX. ATTACHMENTS

Attachment A: BAR Appeal Application, submitted February 29, 2024
Attachment B: July 26, 2023 letter of violation
Attachment C: Declaration of Easement, recorded June 30, 1995
Attachment D: Board of Architectural Review Design Guidelines
Attachment E Proposed Masonry Treatment Administrative Policy
Attachment F: BAR staff report from the February 21, 2024 hearing
Attachment G: BAR staff report from the November 2, 2023 hearing
Attachment H: BAR staff report from the October 4, 2024 hearing



RECORD OF APPEAL

FROM A DECISION OF THE BOARD OF ARCHITECTURAL REVIEW

Date Appeal Filed With City Clerk: 02/29/2024

B.A.R. Case #: 2024-00017

Address of Project: 613 S. Royal St. Alexandria, VA 22314

Appellant is: (Check One)

[checked] B.A.R. Applicant

[] Other party. State Relationship _____

Address of Appellant: 613 S. Royal St. Alexandria, VA 22314

Telephone Number: (202) 494-3412

State Basis of Appeal: The appeal is to not paint the North Wall because the narrow walkway between our house and the neighbors house to the north is on the neighbors property and a portion of the wall is behind their gate in their backyard.

Attach additional sheets, if necessary

A Board of Architectural Review decision may be appealed to City Council either by the B.A.R. applicant or by 25 or more owners of real estate within the affected district who oppose the decision of the Board of Architectural Review. Sample petition on rear.

All appeals must be filed with the City Clerk on or before 14 days after the decision of the B.A.R.

All appeals require a \$200.00 filing fee.

If an appeal is filed, the decision of the Board of Architectural Review is stayed pending the City Council decision on the matter. The decision of City Council is final subject to the provisions of Sections 10-107, 10-207 or 10-309 of the Zoning Ordinance.

Elizabeth Rose Hazelwood
Signature of the Appellant

July 25, 2023

ELIZABETH HAZELWOOD
613 S ROYAL ST
ALEXANDRIA VA 22314

Dear MS. HAZELWOOD,

We received notification that the following alterations have occurred at **613 S ROYAL ST** without Board of Architectural Review (BAR) or BAR staff approval: painting of unpainted masonry. These alterations violate the zoning ordinance, which requires a Certificate of Appropriateness be issued for alterations that are visible from the public way. Section 10-103 of the zoning ordinance states:

“No building or structure shall be erected, reconstructed, altered or restored within the Old and Historic Alexandria District unless and until an application for a certificate of appropriateness shall have been approved ...”

In addition, there are \$100 in civil penalties for which you are accountable in accordance with Section 11-207 of the zoning ordinance.

You have two choices to remedy the violation. You may (1) correct the violation by removing the paint or (2) apply for an after-the-fact approval for a Certificate of Appropriateness from the BAR at public hearing; this requires a \$135 filing fee. Please note that the Board discourages painting unpainted masonry and Staff would not support your application. Full information can be found at www.alexandriava.gov/preservation.

Please submit the application and filing fee online:

<https://www.alexandriava.gov/Permits>

Select “Get started with Apex”

Select “Log in or register.” If you don’t have an account, create one.

Select “Apply.”

Select “Plans.”

Select Board of Architectural Review (BAR) Certificate of Appropriateness Application

Follow those instructions and upload the completed application and the requested documents.

In accordance with City policy, this letter constitutes written notification of a zoning violation. Within 10 days of the date of this letter you must remedy the violations or apply for a Certificate of Appropriateness. You should note that each day a civil violation exists shall constitute a

separate individual offense. Failure to comply will result in the issuance of additional escalating penalties. Both the homeowner and contractor are subject to this citation.

Please be advised that this notice of violation, written order, requirement, decision or determination of the Director may be appealed to the Board of Zoning Appeals by any person aggrieved by the decision of the Director or any officer, department, board, commission or agency of the City affected by the decision of the Director within thirty (30) days from the date of the decision. The decision is final and unappealable if not appealed within thirty (30) days. Additional information regarding how to file the appeal may be found in Zoning Ordinance Section 11-1200. The applicable appeal fee is \$385 and additional information regarding the filing of an appeal, including the application, can be obtained www.alexandriava.gov/planning.

Thank you for your cooperation in complying with this request. If you have any questions, please email me at brendan.harris@alexandriava.gov or call me at 703.746.4164.

Sincerely,

Brendan Harris

Brendan Harris
Preservation Planner, Board of Architectural Review

8600

DECLARATION OF EASEMENT

THIS DECLARATION OF EASEMENT, made this 30th day of June, 1995, by Alfred E. Schaer and Mary Schaer, husband and wife, as Grantors.

WITNESSETH:

WHEREAS, Alfred E. Schaer and Mary Schaer, as husband and wife, are owners of adjoining parcels of property known as lot 38 and lot 39 situate in the City of Alexandria, Virginia, having acquired said property by Deed of Bargain and Sale recorded in Deed book 1255, at page 0858 among the land records of the City of Alexandria and particularly described as follows:

PARCEL ONE (Lot 39):

BEGINNING at a point of intersection of the westerly right-of-way line of South Royal street (66' wide) and the southerly right-of-way line of Gibbon Street and running with the westerly right-of-way line of South Royal Street, South 09 deg. 30' 00" West, 80.58 feet to a drill hole marking the TRUE POINT OF BEGINNING;

thence running with the westerly right-of-way line of South Royal Street, south 090 deg. 30' 00" west, 24.00 feet to an iron pin set;

thence North 80 deg. 49' 00" West, 128.21 feet to a point;

thence North 09 deg. 30' 00" East, 24.00 feet to an iron pin;

thence South 80 deg. 49' 00" East, 128.21 feet to the TRUE POINT OF BEGINNING.

Containing 3,077 Square Feet.

PETERSON & RASHA, PC
TYSONS SQUARE OFFICE PARK
8214 C. OLD COURTHOUSE ROAD
VIENNA, VIRGINIA 22182

95074

c:\work\miller\easeement\6\jm-pls

13253

PARCEL TWO:

Lot 38, of the square bounded by Gibbon, Franklin, Royal and Pitt Streets, as the same appears duly dedicated, platted and recorded in Deed Book 15, at Page 319, among the land records of the City of Alexandria, Virginia.

AND BEING the same property acquired by the Grantors by deed dated October 7, 1988, and recorded in Deed Book 1255 at Page 0858, among the aforesaid land records.

WHEREAS, by inadvertence the north wall of the house improving lot 38 encroaches upon the southern lot line of lot 39 by 0.1 foot at the northeast corner of the house and by 0.2 foot at the northwest corner of the house as is shown by the plat prepared by surveyor Kenneth W. White on June 13, 1995 attached hereto as Exhibit "A" and incorporated herein by reference.

WHEREAS, it is the desire and intent of Alfred E. Schaer and Mary Schaer to hereby declare an easement on lot 39 for the benefit of lot 38 to permit the house to remain in its present position, as reflected in Exhibit A attached hereto, and to permit ingress and egress unto lot 39 as reasonably necessary to repair and maintain the northern wall of the house.

WHEREAS, the owners Alfred E. Schaer and Mary Schaer have entered into an agreement to sell lot 38 to Girard C. Miller and Lynn E. Miller, husband and wife, for valuable consideration.

c:\work\miller\lease\6\jn-pls

NOW THEREFORE, Alfred E. Schaer and Mary Schaer do hereby create and declare for the benefit of the owners of Parcel Two, described above, an easement upon, over, under, through and across so much of Parcel One, above described as is occupied by the residence presently erected on said Parcel Two, together with an easement to enter upon said Parcel One for the purpose of repairing and maintaining said residence, said easement to continue so long as said residence shall continue in existence; but upon the destruction of the north wall of said residence by any cause, said wall shall not be rebuilt in its present location.

WITNESS the following signatures and seals:

Alfred E. Schaer by his Attorney-in-Fact, Christine Holloran

(SEAL)

Alfred E. Schaer by his Attorney-in-Fact, Christine Holloran

Mary Schaer by her Attorney-in-Fact, Christine Holloran

(SEAL)

Mary Schaer by her Attorney-in-Fact, Christine Holloran

STATE OF VIRGINIA,
COUNTY OF FAIRFAX, TO-WIT:

I, the undersigned Notary Public, in and for the State and County aforesaid, do hereby certify that Alfred E. Schaer and Mary Schaer, by their Attorney-in-Fact, Christine Holloran, whose name is signed to the foregoing Declaration of Easement, has acknowledged the same before me in my State and County aforesaid.

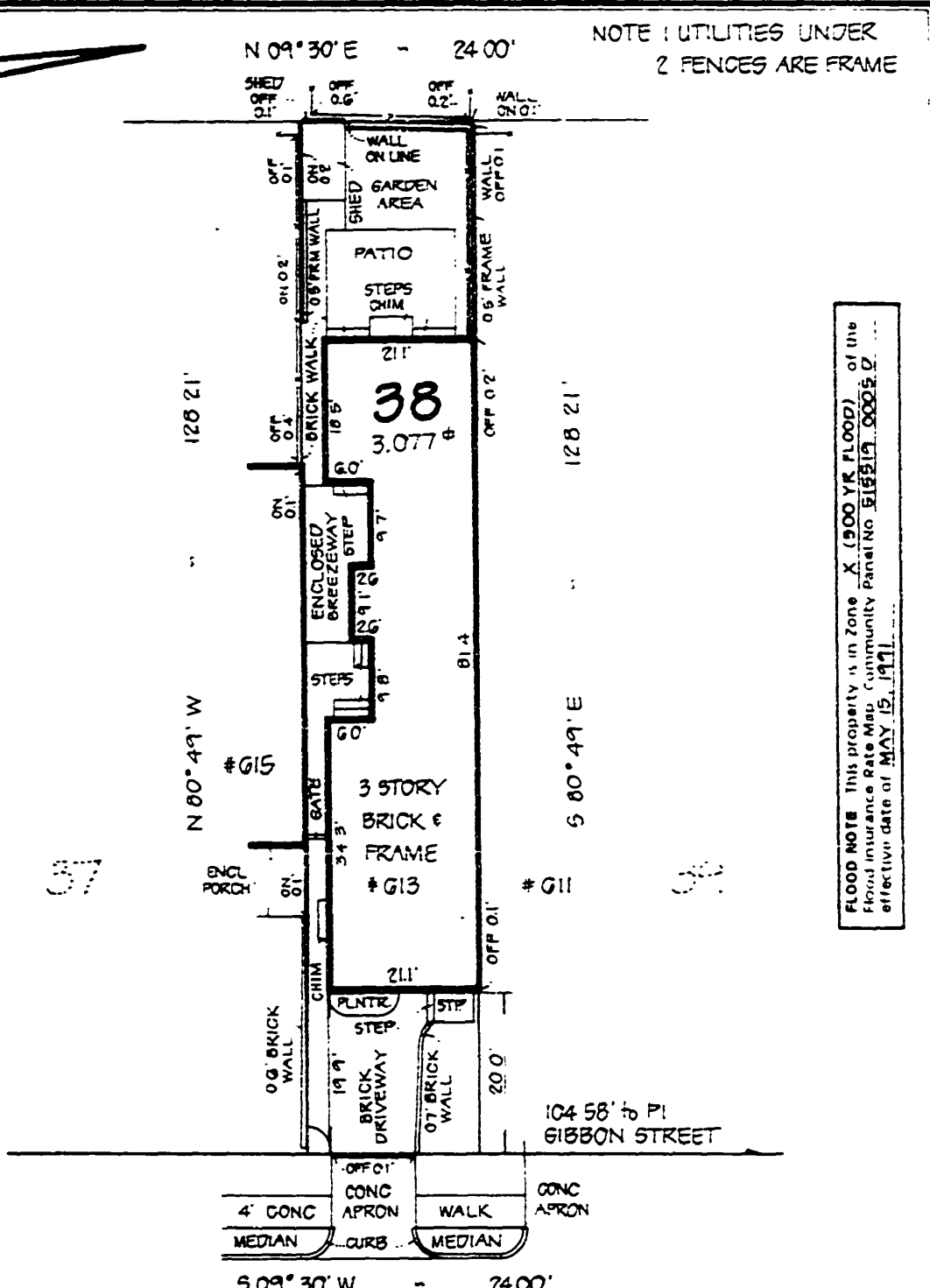
Given under my hand and seal this 30th day of June, 1995.

My Commission Expires: 12/31/96

Alvin Bural

Notary Public

COPYRIGHT 1995 BY ALEXANDRIA SURVEYS, INC. THE INFORMATION CONTAINED ON THIS DOCUMENT MAY NOT BE COPIED, REPRODUCED OR ALTERED IN ANY FORM WITHOUT PERMISSION IN WRITING FROM THE COPYRIGHT OWNER.



FLOOD NOTE: This property is in Zone X (500 YR FLOOD) of the Flood Insurance Rate Map, Community Panel No. 515519-0005-D, effective date of MAY 15, 1971.

SO. ROYAL STREET
33.00' to MON. LINE

PLAT

SHOWING HOUSE LOCATION ON
LOT 38 OF THE SQUARE BOUNDED BY
**GIBBON, FRANKLIN, ROYAL &
PITT STREETS**

CITY OF ALEXANDRIA, VIRGINIA

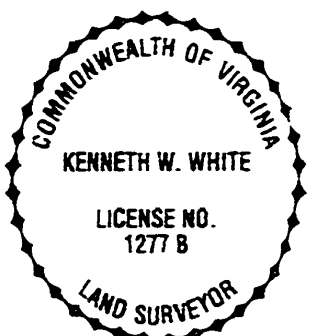
SCALE: 1" = 20' JUNE 13, 1995

PLAT SUBJECT TO RESTRICTIONS OF RECORD.

TITLE REPORT NOT FURNISHED

I HEREBY CERTIFY THAT THE POSITIONS OF ALL THE EXISTING IMPROVEMENTS HAVE BEEN CAREFULLY ESTABLISHED BY A TRANSIT TAPE SURVEY AND UNLESS OTHERWISE SHOWN, THERE ARE NO VISIBLE ENCROACHMENTS

Kenneth W. White
KENNETH W. WHITE LS



CASE NAME
SCHAER - MILLER

PETERSON & BASHA

ALEXANDRIA SURVEYS INC
6343 SOUTH KINGS HIGHWAY
ALEXANDRIA, VIRGINIA 22306
703-660-6615
FAX 703 758 7764

VIRGINIA: IN THE CLERK'S OFFICE OF THE
CIRCUIT COURT OF THE CITY OF ALEXANDRIA

This deed was presented and with the
certificate annexed, admitted to record.

CONSIDERATION \$ _____

ASSUMPTION \$ _____

STATE GRANTEE'S TAX _____

CITY GRANTEE'S TAX _____

TRANSFER FEE _____

CLERK'S FEE 12.00

1.00

STATE GRANTOR'S TAX _____

CITY GRANTOR'S TAX _____

TOTAL 13.00

TESTE: *Edy Semman*, CLERK

by: *Ann Swell*, DEPUTY CLERK

F-CCT-0006

RECORDED ALEX. VA.
STATE TAX.
CITY TAX.
TRANSFER FEE
Jul 3 3 06 PM '95

008600

GUIDELINES

Wood Siding

- Existing historic wood siding should be repaired rather than replaced.
 - If wood siding is replaced, it should be replaced with the same type, width and profile as the existing, unless there is evidence of an earlier type of wood siding. If an earlier example of wood siding is uncovered, the size and profile should be matched in the replacement siding.
 - Knotty pine siding, rough sawn or unfinished wood siding is inappropriate in the historic districts.
 - Wood siding must be painted. Unpainted siding is generally not appropriate in an urban setting.
 - The paint color should be appropriate to the period of the structure. Appropriate colors are set forth in the section on Paint Colors.
 - Wood siding should not be installed over existing brick. Similarly, brick should not be installed over existing wood siding.
 - Shingles or shakes applied over existing clapboards are strongly discouraged.
- ### **Masonry (Brick, Stone & Stucco)**
- Existing historic masonry siding and walls including brick, stone and stucco should be repaired rather than replaced.
 - Replacement brickwork should match the existing in color, size, texture and pattern or bond. In addition, the mortar joints for the replacement brickwork should match the existing in size, material and color.
 - Full size brick veneer is an appropriate wall material for use on new construction and additions in the historic districts.
 - Unpainted masonry should be left unpainted. If unpainted masonry is proposed to be painted approval of a certificate of appropriateness is required.

- Repointing of masonry walls is extremely important. The type of joint and mortar should match the existing. For example, large masonry joints are inappropriate on early-19th century buildings. If repointing is not properly done, the face brick can be permanently damaged and contribute to overall building deterioration.

Synthetic Siding

- Synthetic siding materials such as aluminum or vinyl are strongly discouraged. In the Parker-Gray District, synthetic siding may be approved on a case-by-case basis if there is minimum visibility of the building facade from a public way.
- Composition board siding may be approved in certain instances where there is minimal visibility from the public way.
- Whenever possible synthetic materials should be removed and the original type of siding re-applied.

APPLICATION REQUIREMENTS

All applications for approval of siding must contain the following information:

Alexandria Business License

Proof of a valid Alexandria Business License is required at the time of application for contractors, subcontractors, architects and designers.

Photograph of Existing Building

A clear photograph of the existing building is required for reference.

Materials

The siding material, size and spacing to be used must be indicated. In some instances, it may be appropriate to supply an actual sample of the material.

Color

The color the siding is proposed to be painted or stained must be indicated and an actual color sample provided.

<p>Masonry Treatment</p>	<p>Staining or limewashing unpainted masonry on buildings or portions of buildings constructed after 1931 (Late buildings).</p> <ol style="list-style-type: none"> 1. Opacity level 40% maximum 2. Character-defining architectural features may not be obscured. <p>Painting unpainted masonry on buildings or portions of buildings constructed after 1931 (Late buildings):</p> <ol style="list-style-type: none"> 1. The building must be on a blockface where at least 40% of the masonry buildings are already painted. 2. Use a high-quality, porous, mineral-based paint. Acrylic latex paints are not permitted. 3. Character-defining architectural features may not be obscured.
---------------------------------	--

ISSUE: Certificate of Appropriateness for modification of conditions of a previous BAR approval

APPLICANT: Elizabeth Blaise

LOCATION: Old and Historic Alexandria District
613 South Royal Street

ZONE: RM/Residential

STAFF RECOMMENDATION

Staff recommends **denial** of the applicant’s request for a Certificate of Appropriateness for modification of conditions of a previous BAR approval.

GENERAL NOTES TO THE APPLICANT

1. **APPEAL OF DECISION:** In accordance with the Zoning Ordinance, if the Board of Architectural Review denies or approves an application in whole or in part, the applicant or opponent may appeal the Board’s decision to City Council on or before 14 days after the decision of the Board.
2. **COMPLIANCE WITH BAR POLICIES:** All materials must comply with the BAR’s adopted policies unless otherwise specifically approved.
3. **BUILDING PERMITS:** Most projects approved by the Board of Architectural Review require the issuance of one or more construction permits by Department of 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, 703-746-4200 for further information.
4. **ISSUANCE OF CERTIFICATES OF APPROPRIATENESS AND PERMITS TO DEMOLISH:** Applicants must obtain a copy of the Certificate of Appropriateness or Permit to Demolish **PRIOR** to applying for a building permit. Contact BAR Staff, Room 2100, City Hall, 703-746-3833, or preservation@alexandriava.gov for further information.
5. **EXPIRATION OF APPROVALS NOTE:** In accordance with Sections 10-106(B), 10-206(B) and 10-307 of the Zoning Ordinance, any 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.
6. **HISTORIC PROPERTY TAX CREDITS:** Applicants performing extensive, certified rehabilitations of historic properties may separately be eligible for state and/or federal tax credits. Consult with the Virginia Department of Historic Resources (VDHR) prior to initiating any work to determine whether the proposed project may qualify for such credits.

Minutes from the November 2, 2023 BAR Hearing:

BOARD ACTION: On a motion by Mr. Scott, and seconded by Ms. Zandian, the Board of Architectural Review voted to approve BAR#2023-00360 as amended. The motion carried on a vote of 3-1.

REASON

The Board agreed with Staff recommendations and added an amendment that the applicant work with Staff on choosing appropriate colors to show differentiation in the wall color and window heads.

SPEAKERS

None. The applicant was not present.

DISCUSSION

Mr. Scott asked Staff some clarifications about the paint colors. He believed that Staff should work with the applicant to address the color differentiation.

Minutes from the October 4, 2023 BAR Hearing:

BOARD ACTION: On a motion by Ms. Miller, and seconded by Mr. Scott, the Board of Architectural Review accepted the request for the deferral of BAR #2023-00360. The motion carried on a vote of 7-0.

REASON

The Board wanted more details on the scope of the painting to be done and whether there would be any contrast between the window lintels and door head.

SPEAKERS

Adolfo Maradiaga, the contractor, represented the owner and was available to answer questions.

Dan Hazelwood, the owner, was also available for clarification of some questions. He stated that he thought the intention was not to leave any portions of the building unpainted.

Yvonne Callahan expressed concern about the partial painting and possible detriments to painting new brick.

DISCUSSION

Ms. Miller said she would support painting the whole building and agrees with Staff recommendations.

Mr. Adams said this house is the most high-style on the block but painting is appropriate on the blockface. He does not like the partial painting.

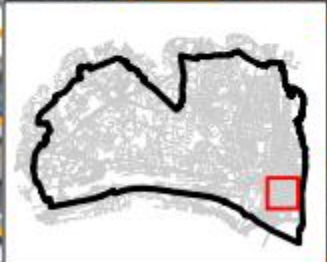
Ms. Del Ninno said she cannot support painting masonry because our guidelines discourage it.


Ms. Zandian said it looks strange partially painted and recommends approval of painting the entire building, with Staff recommendations.

Mr. Scott said this is modern brick so we are less focused on historic preservation, and he wants to see more context of the blockface. He recommends approval of painting the entire building, with Staff recommendations.

Mr. Lyons said it looks strange partially painted.

Mr. Spencer said this building is not historic but he does not want to support painting of any masonry.



 **BAR#2024-00017**
613 S Royal Street

0 12.5 25 50 Feet

N

Update

The case to approve previously painted masonry was originally deferred at the October 4, 2023, hearing (BAR#2023-00357) to allow the applicant to address comments from the Board regarding the scope of the painting and how the architectural details will be contrasted. The applicant clarified to Staff that all sides of the building that are visible from a public right of way will be painted, and that the painting will extend past the line of the side gate on the south elevation. Additionally, the applicant clarified that the primary masonry façade would be painted a different color from the window heads and trim. Lastly, the applicant stated that the removed shutters will be replaced after the painting is finished.

The case was heard again by the Board at the November 2, 2023, hearing (BAR#2023-00360). On this date, the Board approved the application with Staff recommendations, adding a condition that the applicant work with Staff to choose appropriate colors to show differentiation in the wall color and the window heads. After the hearing, the applicant finished painting the front (east) elevation and south elevation of the house in a way that meets the Board's conditions of approval. However, the applicant did not paint the north elevation of the house, which does not satisfy Staff's first recommendation, which was:

1. *Paint all sides of the house that are visible from a public right of way.*

I. APPLICANT'S PROPOSAL

The applicant currently requests to modify one of the conditions of approval of their original application for an after-the-fact Certificate of Appropriateness to paint previously unpainted masonry at 613 South Royal Street. Specifically, the applicant requests to remove the following condition, which was Staff's first recommendation:

1. *Paint all sides of the house that are visible from a public right of way.*

While a large part of the north elevation faces a narrow space between 613 South Royal Street and the neighboring building, is still visible from the public right of way, particularly the easternmost part. The applicant requests that the Board remove this condition so that he may leave the north elevation of the house unpainted.

Site context

The subject property sits on the west side of the 600 block of South Royal Street. There are no alleys abutting this property. The block consists entirely of residential buildings that were constructed at various times from the 1950s to the 1990s, resulting in a variety of architectural styles. None of the buildings on this block are considered Early buildings (built before 1932). Of the 26 masonry buildings on the block, 5 of them (~19%) are currently painted, not including the subject property.

II. HISTORY

The three-story, partially detached, brick clad house at 613 South Royal Street was constructed in **1985**, according to plans by Gilbert and Foster, a Washington, D.C. based architectural firm. The plans were approved by the Board of Architectural Review on July 18, 1985 (BAR Case #85-45).

Previous BAR Approvals

On May 3, 2006, the Board approved replacement windows on this property (BAR2006-0076).

III. ANALYSIS

The photos below (Figure 1) show the house in its original unpainted state (left), its current painted state after the work was approved by the Board (center), and the north elevation today (right), which is currently unpainted.



Figure 1. Photos of 613 S Royal Street before and after painting.

In the opinion of Staff, the applicant has painted the front (east) and south elevations in a way that satisfies the Board’s conditions of approval. The new painted style of the house is not out of character with the blockface and does not detract from any historic architectural features. However, Staff is concerned that leaving the north elevation unpainted, as only painting one side of the house but not the other, would create a sense of visual asymmetry.

Staff is cognizant of the fact that the north elevation of 613 South Royal Street shares a narrow space with the neighboring building, which may make painting difficult. However, Staff notes that painting has been done in previous cases on buildings in the district that also had similarly narrow spaces.

Staff therefore does not believe that there is a convincing reason to modify the Board’s conditions of approval and recommends *denial* of the applicant’s request.

STAFF

Brendan Harris, Historic Preservation Planner, Planning & Zoning

Tony LaColla, AICP, Land Use Services Division Chief, Planning & Zoning

CITY DEPARTMENT COMMENTS

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

Zoning

C-1 Proposed painting of unpainted masonry will comply with zoning.

Code Administration

No comments received.

Transportation and Environmental Services

R-1 The building permit must be approved and issued prior to the issuance of any permit for demolition, if a separate demolition permit is required. (T&ES)

R-2 Applicant shall be responsible for repairs to the adjacent city right-of-way if damaged during construction activity. (T&ES)

R-3 No permanent structure may be constructed over any existing private and/or public utility easements. It is the responsibility of the applicant to identify any and all existing easements on the plan. (T&ES)

F-1 After review of the information provided, an approved grading plan is not required at this time. Please note that if any changes are made to the plan it is suggested that T&ES be included in the review. (T&ES)

C-1 The applicant shall comply with the City of Alexandria's Solid Waste Control, Title 5, Chapter 1, which sets forth the requirements for the recycling of materials (Sec. 5-1-99). (T&ES)

C-2 The applicant shall comply with the City of Alexandria's Noise Control Code, Title 11, Chapter 5, which sets the maximum permissible noise level as measured at the property line. (T&ES)

C-3 Roof, surface and sub-surface drains be connected to the public storm sewer system, if available, by continuous underground pipe. Where storm sewer is not available applicant must provide a design to mitigate impact of stormwater drainage onto adjacent properties and to the satisfaction of the Director of Transportation & Environmental Services. (Sec.5-6-224) (T&ES)

C-4 All secondary utilities serving this site shall be placed underground. (Sec. 5-3-3) (T&ES)

C-5 Any work within the right-of-way requires a separate permit from T&ES. (Sec. 5-2) (T&ES)

Alexandria Archaeology

F-1 No archaeology comments.

V. ATTACHMENTS

1 – Application Materials

2 – Supplemental Materials

BAR Case # 2024-00017

ADDRESS OF PROJECT: 613 S. Royal St.

DISTRICT: Old & Historic Alexandria Parker – Gray 100 Year Old Building

TAX MAP AND PARCEL: _____ ZONING: _____

APPLICATION FOR: *(Please check all that apply)*

CERTIFICATE OF APPROPRIATENESS

PERMIT TO MOVE, REMOVE, ENCAPSULATE OR DEMOLISH
(Required if more than 25 square feet of a structure is to be demolished/impacted)

WAIVER OF VISION CLEARANCE REQUIREMENT and/or YARD REQUIREMENTS IN A VISION
CLEARANCE AREA (Section 7-802, Alexandria 1992 Zoning Ordinance)

WAIVER OF ROOFTOP HVAC SCREENING REQUIREMENT
(Section 6-403(B)(3), Alexandria 1992 Zoning Ordinance)

Applicant: Property Owner Business *(Please provide business name & contact person)*

Name: Elizabeth Blaise Hazelwood

Address: 613 S. Royal St.

City: Alexandria State: VA Zip: 22314

Phone: 202-494-3412 E-mail: blaise@grassrootstargeting.com

Authorized Agent *(if applicable)*: Attorney Architect _____

Name: _____ Phone: _____

E-mail: _____

Legal Property Owner:

Name: Elizabeth Blaise Hazelwood

Address: 613 S. Royal St.

City: Alexandria State: VA Zip: 22314

Phone: 202-494-3412 E-mail: blaise@grassrootstargeting.com

- Yes No Is there an historic preservation easement on this property?
 Yes No If yes, has the easement holder agreed to the proposed alterations?
 Yes No Is there a homeowner's association for this property?
 Yes No If yes, has the homeowner's association approved the proposed alterations?

If you answered yes to any of the above, please attach a copy of the letter approving the project.

NATURE OF PROPOSED WORK: *Please check all that apply*

- NEW CONSTRUCTION
- EXTERIOR ALTERATION: *Please check all that apply.*
 - awning fence, gate or garden wall HVAC equipment shutters
 - doors windows siding shed
 - lighting pergola/trellis painting unpainted masonry
 - other _____
- ADDITION
- DEMOLITION/ENCAPSULATION
- SIGNAGE

DESCRIPTION OF PROPOSED WORK: *Please describe the proposed work in detail (Additional pages may be attached).*

I am looking to modify the conditions of BAR2023-00360 to allow me to leave the south wall of the house unpainted. Thank you!

SUBMITTAL REQUIREMENTS:

Items listed below comprise the minimum supporting materials for BAR applications. Staff may request additional information during application review. Please refer to the relevant section of the *Design Guidelines* for further information on appropriate treatments.

Applicants must use the checklist below to ensure the application is complete. Include all information and material that are necessary to thoroughly describe the project. Incomplete applications will delay the docketing of the application for review. Pre-application meetings are required for all proposed additions. All applicants are encouraged to meet with staff prior to submission of a completed application.

Electronic copies of submission materials should be submitted whenever possible.

Demolition/Encapsulation : *All applicants requesting 25 square feet or more of demolition/encapsulation must complete this section. Check N/A if an item in this section does not apply to your project.*

- N/A
- Survey plat showing the extent of the proposed demolition/encapsulation.
- Existing elevation drawings clearly showing all elements proposed for demolition/encapsulation.
- Clear and labeled photographs of all elevations of the building if the entire structure is proposed to be demolished.
- Description of the reason for demolition/encapsulation.
- Description of the alternatives to demolition/encapsulation and why such alternatives are not considered feasible.

Additions & New Construction: Drawings must be to scale and should not exceed 11" x 17" unless approved by staff. All plans must be folded and collated into 3 complete 8 1/2" x 11" sets. Additional copies may be requested by staff for large-scale development projects or projects fronting Washington Street. Check N/A if an item in this section does not apply to your project.

- ^{N/A} Scaled survey plat showing dimensions of lot and location of existing building and other structures on the lot, location of proposed structure or addition, dimensions of existing structure(s), proposed addition or new construction, and all exterior, ground and roof mounted equipment.
- FAR & Open Space calculation form.
- Clear and labeled photographs of the site, surrounding properties and existing structures, if applicable.
- Existing elevations must be scaled and include dimensions.
- Proposed elevations must be scaled and include dimensions. Include the relationship to adjacent structures in plan and elevations.
- Materials and colors to be used must be specified and delineated on the drawings. Actual samples may be provided or required.
- Manufacturer's specifications for materials to include, but not limited to: roofing, siding, windows, doors, lighting, fencing, HVAC equipment and walls.
- For development site plan projects, a model showing mass relationships to adjacent properties and structures.

Signs & Awnings: One sign per building under one square foot does not require BAR approval unless illuminated. All other signs including window signs require BAR approval. Check N/A if an item in this section does not apply to your project.

- ^{N/A} Linear feet of building: Front: _____ Secondary front (if corner lot): _____
- Square feet of existing signs to remain: _____
- Photograph of building showing existing conditions.
- Dimensioned drawings of proposed sign identifying materials, color, lettering style and text.
- Location of sign (show exact location on building including the height above sidewalk).
- Means of attachment (drawing or manufacturer's cut sheet of bracket if applicable).
- Description of lighting (if applicable). Include manufacturer's cut sheet for any new lighting fixtures and information detailing how it will be attached to the building's facade.

Alterations: Check N/A if an item in this section does not apply to your project.

- ^{N/A} Clear and labeled photographs of the site, especially the area being impacted by the alterations, all sides of the building and any pertinent details.
- Manufacturer's specifications for materials to include, but not limited to: roofing, siding, windows, doors, lighting, fencing, HVAC equipment and walls.
- Drawings accurately representing the changes to the proposed structure, including materials and overall dimensions. Drawings must be to scale.
- An official survey plat showing the proposed locations of HVAC units, fences, and sheds.
- Historic elevations or photographs should accompany any request to return a structure to an earlier appearance.

ALL APPLICATIONS: *Please read and check that you have read and understand the following items:*

- I have submitted a filing fee with this application. (Checks should be made payable to the City of Alexandria. Please contact staff for assistance in determining the appropriate fee.)
- I understand the notice requirements and will return a copy of the three respective notice forms to BAR staff at least five days prior to the hearing. If I am unsure to whom I should send notice I will contact Planning and Zoning staff for assistance in identifying adjacent parcels.
- I, the applicant, or an authorized representative will be present at the public hearing.
- I understand that any revisions to this initial application submission (including applications deferred for restudy) must be accompanied by the BAR Supplemental form and 3 sets of revised materials.

The undersigned hereby attests that all of the information herein provided including the site plan, building elevations, prospective drawings of the project, and written descriptive information are true, correct and accurate. The undersigned further understands that, should such information be found incorrect, any action taken by the Board based on such information may be invalidated. The undersigned also hereby grants the City of Alexandria permission to post placard notice as required by Article XI, Division A, Section 11-301(B) of the 1992 Alexandria City Zoning Ordinance, on the property which is the subject of this application. The undersigned also hereby authorizes the City staff and members of the BAR to inspect this site as necessary in the course of research and evaluating the application. The applicant, if other than the property owner, also attests that he/she has obtained permission from the property owner to make this application.

APPLICANT OR AUTHORIZED AGENT:

Signature: Blaise Hazelwood

Printed Name: Elizabeth Blaise Hazelwood

Date: 1/21/2024

OWNERSHIP AND DISCLOSURE STATEMENT

Use additional sheets if necessary

1. Applicant. State the name, address and percent of ownership of any person or entity owning an interest in the applicant, unless the entity is a corporation or partnership, in which case identify each owner of more than three percent. The term ownership interest shall include any legal or equitable interest held at the time of the application in the real property which is the subject of the application.

Name	Address	Percent of Ownership
1. Elizabeth Blaise Hazelwood	613 S. Royal St.	100%
2.		
3.		

2. Property. State the name, address and percent of ownership of any person or entity owning an interest in the property located at 613 S. Royal St. (address), unless the entity is a corporation or partnership, in which case identify each owner of more than three percent. The term ownership interest shall include any legal or equitable interest held at the time of the application in the real property which is the subject of the application.

Name	Address	Percent of Ownership
1. Elizabeth Blaise Hazelwood	613 S. Royal St.	100%
2.		
3.		

3. Business or Financial Relationships. Each person or entity listed above (1 and 2), with an ownership interest in the applicant or in the subject property is required to disclose any business or financial relationship, as defined by Section 11-350 of the Zoning Ordinance, existing at the time of this application, or within the 12-month period prior to the submission of this application with any member of the Alexandria City Council, Planning Commission, Board of Zoning Appeals or either Boards of Architectural Review.

Name of person or entity	Relationship as defined by Section 11-350 of the Zoning Ordinance	Member of the Approving Body (i.e. City Council, Planning Commission, etc.)
1.		
2.		
3.		

NOTE: Business or financial relationships of the type described in Sec. 11-350 that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings.

As the applicant or the applicant's authorized agent, I hereby attest to the best of my ability that the information provided above is true and correct.

1/21/2024

Date

Elizabeth Blaise Hazelwood

Printed Name

Blaise Hazelwood

Signature

ISSUE: Certificate of Appropriateness for after-the-fact alterations

APPLICANT: Elizabeth Blaise

LOCATION: Old and Historic Alexandria District
613 South Royal Street

ZONE: RM/Residential

STAFF RECOMMENDATION

Staff recommends **approval** of the Certificate of Appropriateness for the after-the-fact painting of unpainted masonry, with the following conditions:

1. Paint all sides of the house that are visible from a public right of way.
2. Use different paint colors so that the primary masonry façade is distinguished from the window/door heads and trim.
3. Replace the black shutters after the painting is completed.

GENERAL NOTES TO THE APPLICANT

1. **APPEAL OF DECISION:** In accordance with the Zoning Ordinance, if the Board of Architectural Review denies or approves an application in whole or in part, the applicant or opponent may appeal the Board’s decision to City Council on or before 14 days after the decision of the Board.
2. **COMPLIANCE WITH BAR POLICIES:** All materials must comply with the BAR’s adopted policies unless otherwise specifically approved.
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4. **ISSUANCE OF CERTIFICATES OF APPROPRIATENESS AND PERMITS TO DEMOLISH:** Applicants must obtain a copy of the Certificate of Appropriateness or Permit to Demolish PRIOR to applying for a building permit. Contact BAR Staff, Room 2100, City Hall, 703-746-3833, or preservation@alexandriava.gov for further information.
5. **EXPIRATION OF APPROVALS NOTE:** In accordance with Sections 10-106(B), 10-206(B) and 10-307 of the Zoning Ordinance, any 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.
6. **HISTORIC PROPERTY TAX CREDITS:** Applicants performing extensive, certified rehabilitations of historic properties may separately be eligible for state and/or federal tax credits. Consult with the Virginia Department of Historic Resources (VDHR) prior to initiating any work to determine whether the proposed project may qualify for such credits.

7

BAR#2023-00360 OHAD

Request for alterations at 613 S Royal Street

Applicant: E and R General Contractor (Adolfo Maradiaea)

BOARD ACTION: On a motion by Mr. Scott, and seconded by Ms. Zandian, the Board of Architectural Review voted to approve BAR#2023-00360 as amended. The motion carried on a vote of 3-1.

REASON

The Board agreed with Staff recommendations and added an amendment that the applicant work with Staff on choosing appropriate colors to show differentiation in the wall color and window heads.

SPEAKERS

None. The applicant was not present.

DISCUSSION

Mr. Scott asked Staff some clarifying questions about the paint colors. He believed that Staff should work with the applicant to address the color differentiation.

Minutes from the October 4, 2023 BAR Hearing:

BOARD ACTION: On a motion by Ms. Miller, and seconded by Mr. Scott, the Board of Architectural Review accepted the request for the deferral of BAR #2023-00360. The motion carried on a vote of 7-0.

REASON

The Board wanted more details on the scope of the painting to be done and whether there would be any contrast between the window lintels and door head.

SPEAKERS

Adolfo Maradiaga, the contractor, represented the owner and was available to answer questions.

Dan Hazelwood, the owner, was also available for clarification of some questions. He stated that he thought the intention was not to leave any portions of the building unpainted.

Yvonne Callahan expressed concern about the partial painting and possible detriments to painting new brick.

DISCUSSION

Ms. Miller said she would support painting the whole building and agrees with Staff recommendations.

Mr. Adams said this house is the most high-style on the block but painting is appropriate on the blockface. He does not like the partial painting.

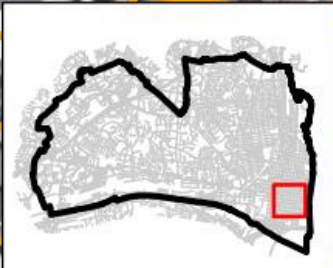
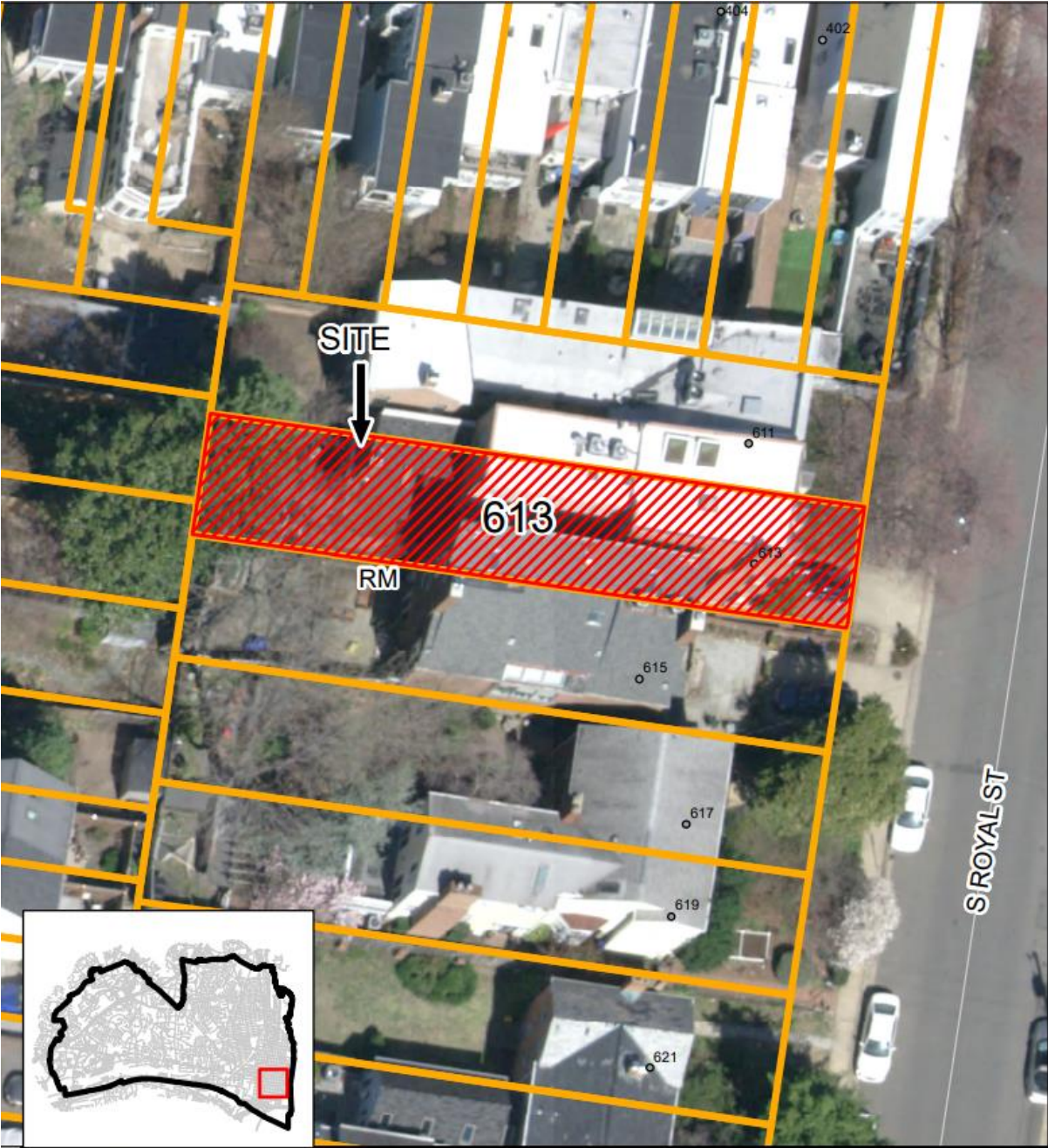
Ms. Del Ninno said she cannot support painting masonry because our guidelines discourage it.

Ms. Zandian said it looks strange partially painted and recommends approval of painting the entire building, with Staff recommendations.

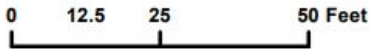
Mr. Scott said this is modern brick so we are less focused on historic preservation, and he wants to see more context of the blockface. He recommends approval of painting the entire building, with Staff recommendations.

Mr. Lyons said it looks strange partially painted.

Mr. Spencer said this building is not historic but he does not want to support painting of any masonry.



BAR#2023-00360
613 S Royal Street



Update

The case was deferred at the October 4, 2023, hearing to allow the applicant to address comments from the Board regarding the scope of the painting and how the architectural details will be contrasted. The applicant clarified to Staff that all visible sides of the building that are visible from a public right of way will be painted, and that the painting will extend past the line of the side gate. Additionally, the applicant clarified that the primary masonry façade will be painted a different color from the window heads and trim. Lastly, the applicant stated that the removed shutters will be replaced after the painting is finished.

I. APPLICANT'S PROPOSAL

The applicant requests an after-the-fact Certificate of Appropriateness to paint previously unpainted masonry at 613 South Royal Street. On July 23, 2023, Staff was notified that the subject property was being painted without BAR approval. After confirming the violation, Staff sent a violation letter, and a Zoning inspector posted a stop work order on July 26. The painting was almost complete at the time the stop work order was posted, but a portion of unpainted masonry remains toward the rear of the property, and some paint work remains to be done on the front elevation as well. Staff also notes that the black shutters were removed for the painting.

Site context

The subject property sits on the west side of the 600 block of South Royal Street. There are no alleys abutting this property. The block consists entirely of residential buildings that were constructed at various times from the 1950s to the 1990s, resulting in a variety of architectural styles. None of the buildings on this block are considered Early buildings (built before 1932). Of the 26 masonry buildings on the block, 5 of them (~19%) are currently painted, not including the subject property.

II. HISTORY

The three-story, partially detached, brick clad house at 613 South Royal Street was constructed in **1985**, according to plans by Gilbert and Foster, a Washington, D.C. based architectural firm. The plans were approved by the Board of Architectural Review on July 18, 1985 (BAR Case #85-45).

Previous BAR Approvals

On May 3, 2006, the Board approved replacement windows on this property (BAR2006-0076).

III. ANALYSIS

The zoning ordinance specifically prohibits painting previously unpainted masonry surfaces without BAR approval. Section 10-109(B)(4) of the zoning ordinance states: "The painting of a masonry building which was unpainted prior to such painting shall be considered to be the removal of an exterior feature having historic and/or architectural significance requiring a certificate of appropriateness." The *Design Guidelines* further state that "painting a previously unpainted masonry surface, no matter what color, requires review and approval of a certificate of appropriateness by the Board. Additionally, the Boards strongly discourage the painting of a

previously unpainted masonry surface.” However, the Standards and *Design Guidelines* have been designed in a way to distinguish what is appropriate in one part of the district or at one building from what may not be appropriate in other areas or on other buildings so each request is reviewed on a case-by-case.

The Board has approved numerous cases of painting, staining, or limewashing previously unpainted masonry, all on Later buildings (built after 1931): painting on 100 Princess Street (BAR2013-00036) and 819 South Lee Street (BAR2023-00276); limewashing on 107 Princess Street (BAR2023-00160), 605 Franklin Street (BAR2013-00124 & BAR2013-00141), and 726 King Street (BAR2016-00361); and staining on 625 First Street (BAR2021-00470) and 515 King Street (BAR2022-00257). Most recently, the Board denied after-the-fact painting of unpainted masonry on 720 King Street (BAR2023-00235), which is an Early building that is clad in modern brick from 1967. This denial was appealed by the applicant and overturned by the City Council on September 23, 2023.

Furthermore, the BAR objection to painting unpainted masonry is typically regarding a concern that historic brick is a porous material that when painted cannot breathe, which means that moisture gets trapped inside the soft clay causing its decay. That is not true for modern materials. Nowadays, buildings are not usually built with clay bricks but clad with brick veneers instead for aesthetic reasons.

The existing brick on 613 South Royal Street was approved by the Board in 1985, and is modern, hard-fired brick, not an example of historic porous brick. Staff is less concerned that painting will physically harm the structure. Aesthetically, several houses within the 600 block of South Royal Street are painted. Painting masonry buildings was also common in mid to late 20th-century developments such as Yates Gardens and Ford’s Landing.



Figure 1. Photos of 613 South Royal Street before and after (partial) painting.



Figure 2. Photo of 613 South Royal Street after (partial) painting.

Staff finds that recent BAR approvals for painting, staining, or limewashing previously unpainted masonry on Later buildings, as well as the decision by City Council on September 23, 2023, set a precedent for the subject case. Additionally, due to the modern materials used and the eclectic architectural character of the blockface, Staff does not believe that painting this building detracts from any historic integrity of either the block or this structure.

At the previous BAR hearing, there was a discussion regarding the scope of the painting, as the current paint on the sides of the house ends at the point where the gate is. The applicant has since clarified that they are willing to paint beyond this line so that all sides visible from a public right of way will be painted. Additionally, Staff had a concern about the paint covering architectural features such as the window heads and door arch/trim. The applicant has since clarified to Staff that the current paint job is unfinished, and that once completed, the window heads and trim will be painted a different color from the rest of the house. Lastly, the applicant clarified to Staff that the removed shutters will be returned to the windows after the painting is completed.

After meeting with the applicant regarding the comments raised by the Board at the last hearing, Staff believes that the concerns have been adequately addressed. Therefore, Staff has no objection to the painting of the masonry on this building and recommends approval of the application for after-the-fact alterations, with the following conditions:

1. Paint all sides of the house that are visible from a public right of way.
2. Use different paint colors so that the primary masonry façade is distinguished from the window/door heads and trim.
3. Replace the black shutters after the painting is completed.

STAFF

Brendan Harris, Historic Preservation Planner, Planning & Zoning
Tony LaColla, AICP, Land Use Services Division Chief, Planning & Zoning

III. CITY DEPARTMENT COMMENTS

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

Zoning

C-1 Proposed painting of unpainted masonry will comply with zoning.

Code Administration

No comments received.

Transportation and Environmental Services

- R-1 The building permit must be approved and issued prior to the issuance of any permit for demolition, if a separate demolition permit is required. (T&ES)
- R-2 Applicant shall be responsible for repairs to the adjacent city right-of-way if damaged during construction activity. (T&ES)
- R-3 No permanent structure may be constructed over any existing private and/or public utility easements. It is the responsibility of the applicant to identify any and all existing easements on the plan. (T&ES)
- F-1 After review of the information provided, an approved grading plan is not required at this time. Please note that if any changes are made to the plan it is suggested that T&ES be included in the review. (T&ES)
- C-1 The applicant shall comply with the City of Alexandria's Solid Waste Control, Title 5, Chapter 1, which sets forth the requirements for the recycling of materials (Sec. 5-1-99). (T&ES)
- C-2 The applicant shall comply with the City of Alexandria's Noise Control Code, Title 11, Chapter 5, which sets the maximum permissible noise level as measured at the property line. (T&ES)
- C-3 Roof, surface and sub-surface drains be connected to the public storm sewer system, if

available, by continuous underground pipe. Where storm sewer is not available applicant must provide a design to mitigate impact of stormwater drainage onto adjacent properties and to the satisfaction of the Director of Transportation & Environmental Services. (Sec.5-6-224) (T&ES)

- C-4 All secondary utilities serving this site shall be placed underground. (Sec. 5-3-3) (T&ES)
- C-5 Any work within the right-of-way requires a separate permit from T&ES. (Sec. 5-2) (T&ES)

Alexandria Archaeology

- F-1 No archaeology comments.

V. ATTACHMENTS

- 1 – Application Materials*
- 2 – Supplemental Materials*

BAR CASE# _____
(OFFICE USE ONLY)

ADDRESS OF PROJECT: 613 S Royal St

DISTRICT: Old & Historic Alexandria Parker - Gray 100 Year Old Building

TAX MAP AND PARCEL: _____ ZONING: _____

APPLICATION FOR: (Please check all that apply)

CERTIFICATE OF APPROPRIATENESS

PERMIT TO MOVE, REMOVE, ENCAPSULATE OR DEMOLISH
(Required if more than 25 square feet of a structure is to be demolished/impacted)

WAIVER OF VISION CLEARANCE REQUIREMENT and/or YARD REQUIREMENTS IN A VISION
CLEARANCE AREA (Section 7-802, Alexandria 1992 Zoning Ordinance)

WAIVER OF ROOFTOP HVAC SCREENING REQUIREMENT
(Section 6-403(B)(3), Alexandria 1992 Zoning Ordinance)

Applicant: Property Owner Business (Please provide business name & contact person)

Name: E AND R GENERAL CONTRACTOR (ADOLFO MARADIA BA)

Address: 1706 FLORIDA AVE

City: WOODBRI DGE State: VA Zip: 22191

Phone: 571-471-6481 E-mail: ADOLFOAM1@EMAIL.COM

Authorized Agent (if applicable): Attorney Architect _____

Name: _____ Phone: _____

E-mail: _____

Legal Property Owner:

Name: Elizabeth Blaise

Address: 613 S Royal St

City: Alexandria State: VA Zip: 22314

Phone: 703 608 5643 E-mail: ADOLFOAM1@EMAIL.COM

NATURE OF PROPOSED WORK: *Please check all that apply*

- NEW CONSTRUCTION
- EXTERIOR ALTERATION: *Please check all that apply.*
 - awning
 - doors
 - lighting
 - other _____
 - fence, gate or garden wall
 - windows
 - pergola/trellis
 - HVAC equipment
 - siding
 - painting unpainted masonry
 - shutters
 - shed
- ADDITION
- DEMOLITION/ENCAPSULATION
- SIGNAGE

DESCRIPTION OF PROPOSED WORK: *Please describe the proposed work in detail (Additional pages may be attached).*

Painting unpainted masonry at front and left side of the house.

SUBMITTAL REQUIREMENTS:

- Check this box if there is a homeowner's association for this property. If so, you must attach a copy of the letter approving the project.

Items listed below comprise the **minimum supporting materials** for BAR applications. Staff may request additional information during application review. Please refer to the relevant section of the *Design Guidelines* for further information on appropriate treatments.

Applicants must use the checklist below to ensure the application is complete. Include all information and material that are necessary to thoroughly describe the project. Incomplete applications will delay the docketing of the application for review. Pre-application meetings are required for all proposed additions. All applicants are encouraged to meet with staff prior to submission of a completed application.

Demolition/Encapsulation : *All applicants requesting 25 square feet or more of demolition/encapsulation must complete this section. Check N/A if an item in this section does not apply to your project.*

- ^{N/A} Survey plat showing the extent of the proposed demolition/encapsulation.
- Existing elevation drawings clearly showing all elements proposed for demolition/encapsulation.
- Clear and labeled photographs of all elevations of the building if the entire structure is proposed to be demolished.
- Description of the reason for demolition/encapsulation.
- Description of the alternatives to demolition/encapsulation and why such alternatives are not considered feasible.

Additions & New Construction: Drawings must be to scale and should not exceed 11" x 17" unless approved by staff. Check N/A if an item in this section does not apply to your project.

- ^{N/A} Scaled survey plat showing dimensions of lot and location of existing building and other structures on the lot, location of proposed structure or addition, dimensions of existing structure(s), proposed addition or new construction, and all exterior, ground and roof mounted equipment.
- FAR & Open Space calculation form.
- Clear and labeled photographs of the site, surrounding properties and existing structures, if applicable.
- Existing elevations must be scaled and include dimensions.
- Proposed elevations must be scaled and include dimensions. Include the relationship to adjacent structures in plan and elevations.
- Materials and colors to be used must be specified and delineated on the drawings. Actual samples may be provided or required.
- Manufacturer's specifications for materials to include, but not limited to: roofing, siding, windows, doors, lighting, fencing, HVAC equipment and walls.
- For development site plan projects, a model showing mass relationships to adjacent properties and structures.

Signs & Awnings: One sign per building under one square foot does not require BAR approval unless illuminated. All other signs including window signs require BAR approval. Check N/A if an item in this section does not apply to your project.

- ^{N/A} Linear feet of building: Front: _____ Secondary front (if corner lot): _____.
- Square feet of existing signs to remain: _____.
- Photograph of building showing existing conditions.
- Dimensioned drawings of proposed sign identifying materials, color, lettering style and text.
- Location of sign (show exact location on building including the height above sidewalk).
- Means of attachment (drawing or manufacturer's cut sheet of bracket if applicable).
- Description of lighting (if applicable). Include manufacturer's cut sheet for any new lighting fixtures and information detailing how it will be attached to the building's facade.

Alterations: Check N/A if an item in this section does not apply to your project.

- ^{N/A} Clear and labeled photographs of the site, especially the area being impacted by the alterations, all sides of the building and any pertinent details.
- Manufacturer's specifications for materials to include, but not limited to: roofing, siding, windows, doors, lighting, fencing, HVAC equipment and walls.
- Drawings accurately representing the changes to the proposed structure, including materials and overall dimensions. Drawings must be to scale.
- An official survey plat showing the proposed locations of HVAC units, fences, and sheds.
- Historic elevations or photographs should accompany any request to return a structure to an earlier appearance.

ALL APPLICATIONS: Please read and check that you have read and understand the following items:

- I understand that after reviewing the proposed alterations, BAR staff will invoice the appropriate filing fee in APEX. The application will not be processed until the fee is paid online.
- I understand the notice requirements and will return a copy of the three respective notice forms to BAR staff at least five days prior to the hearing. If I am unsure to whom I should send notice I will contact Planning and Zoning staff for assistance in identifying adjacent parcels.
- I, the applicant, or an authorized representative will be present at the public hearing.
- I understand that any revisions to this initial application submission (including applications deferred for restudy) must be accompanied by the BAR Supplemental form and revised materials.

The undersigned hereby attests that all of the information herein provided including the site plan, building elevations, prospective drawings of the project, and written descriptive information are true, correct and accurate. The undersigned further understands that, should such information be found incorrect, any action taken by the Board based on such information may be invalidated. The undersigned also hereby grants the City of Alexandria permission to post placard notice as required by Article XI, Division A, Section 11-301(B) of the 1992 Alexandria City Zoning Ordinance, on the property which is the subject of this application. The undersigned also hereby authorizes the City staff and members of the BAR to inspect this site as necessary in the course of research and evaluating the application. The applicant, if other than the property owner, also attests that he/she has obtained permission from the property owner to make this application.

APPLICANT OR AUTHORIZED AGENT:

Signature: Blaise Hazelwood

Printed Name: Elizabeth Blaise Hazelwood

Date: 8/8/2023

07 Adolfo Maradiaga
ADOLFO MARADIAGA
8/8/2023

OWNERSHIP AND DISCLOSURE STATEMENT
Use additional sheets if necessary

1. Applicant. State the name, address and percent of ownership of any person or entity owning an interest in the applicant, unless the entity is a corporation or partnership, in which case identify each owner of more than three percent. The term ownership interest shall include any legal or equitable interest held at the time of the application in the real property which is the subject of the application.

Name	Address	Percent of Ownership
1. Elizabeth Blaise Hazelwood	613 S. Royal, Alexandria, VA 22314	100%
2.		
3.		

2. Property. State the name, address and percent of ownership of any person or entity owning an interest in the property located at 613 S. Royal, Alexandria, VA 22314 (address), unless the entity is a corporation or partnership, in which case identify each owner of more than three percent. The term ownership interest shall include any legal or equitable interest held at the time of the application in the real property which is the subject of the application.

Name	Address	Percent of Ownership
1. Elizabeth Blaise Hazelwood	613 S. Royal, Alexandria, VA 22314	100%
2.		
3.		

3. Business or Financial Relationships. Each person or entity listed above (1 and 2), with an ownership interest in the applicant or in the subject property is required to disclose any business or financial relationship, as defined by Section 11-350 of the Zoning Ordinance, existing at the time of this application, or within the 12-month period prior to the submission of this application with any member of the Alexandria City Council, Planning Commission, Board of Zoning Appeals or either Boards of Architectural Review.

Name of person or entity	Relationship as defined by Section 11-350 of the Zoning Ordinance	Member of the Approving Body (i.e. City Council, Planning Commission, etc.)
1.		
2.		
3.		

NOTE: Business or financial relationships of the type described in Sec. 11-350 that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings.

As the applicant or the applicant's authorized agent, I hereby attest to the best of my ability that the information provided above is true and correct.

8/24/2023
Date

ELIZABETH BLAISE
Printed Name

Blaise Hazelwood
Signature



ISSUE: Certificate of Appropriateness for after-the-fact alterations

APPLICANT: Elizabeth Blaise

LOCATION: Old and Historic Alexandria District
613 South Royal Street

ZONE: RM/Residential

STAFF RECOMMENDATION

Staff recommends **approval** of the Certificate of Appropriateness for the after-the-fact painting of unpainted masonry, with the following conditions:

1. Work with Staff to ensure that any architectural details, such as the window heads and keystone arch above the front door be differentiated from the painted brick and not obscured.
2. Replace the black shutters after the painting is completed.

GENERAL NOTES TO THE APPLICANT

1. **APPEAL OF DECISION:** In accordance with the Zoning Ordinance, if the Board of Architectural Review denies or approves an application in whole or in part, the applicant or opponent may appeal the Board's decision to City Council on or before 14 days after the decision of the Board.
2. **COMPLIANCE WITH BAR POLICIES:** All materials must comply with the BAR's adopted policies unless otherwise specifically approved.
3. **BUILDING PERMITS:** Most projects approved by the Board of Architectural Review require the issuance of one or more construction permits by Department of 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, 703-746-4200 for further information.
4. **ISSUANCE OF CERTIFICATES OF APPROPRIATENESS AND PERMITS TO DEMOLISH:** Applicants must obtain a copy of the Certificate of Appropriateness or Permit to Demolish PRIOR to applying for a building permit. Contact BAR Staff, Room 2100, City Hall, 703-746-3833, or preservation@alexandriava.gov for further information.
5. **EXPIRATION OF APPROVALS NOTE:** In accordance with Sections 10-106(B), 10-206(B) and 10-307 of the Zoning Ordinance, any 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.
6. **HISTORIC PROPERTY TAX CREDITS:** Applicants performing extensive, certified rehabilitations of historic properties may separately be eligible for state and/or federal tax credits. Consult with the Virginia Department of Historic Resources (VDHR) prior to initiating any work to determine whether the proposed project may qualify for such credits.

Board Action:

BAR#2023-00360 OHAD

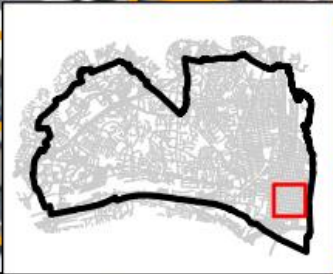
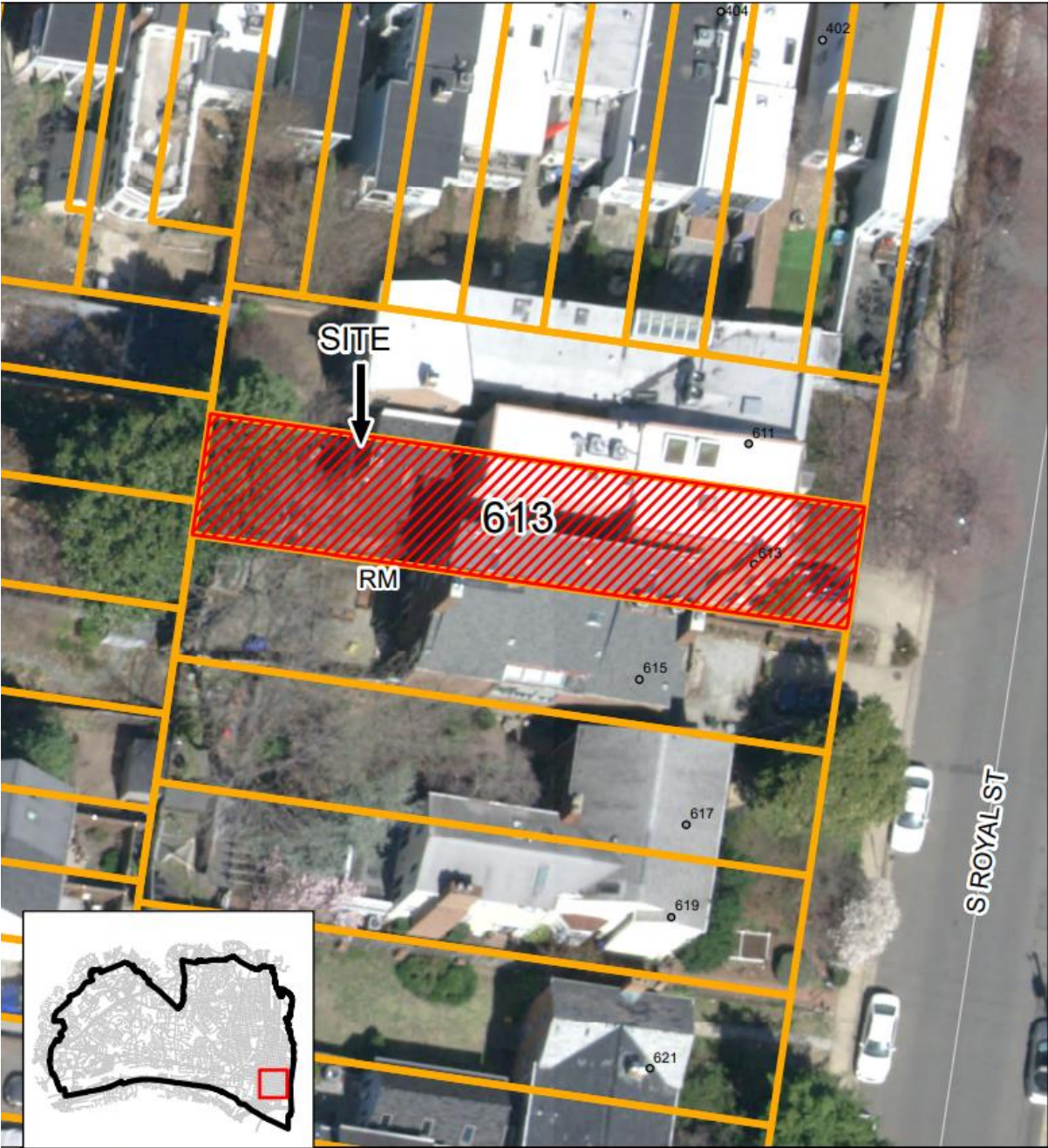
Request for alterations at 613 S Royal Street

Applicant: E and R General Contractor (Adolfo Maradiaea)

On a motion by Mr. Scott, and seconded by Ms. Zandian, the Board of Architectural Review voted to approve BAR #2023-00360 as submitted. The motion failed on a vote of 3-4.

On a motion by Mr. Lyons, and seconded by Ms. del Ninno, the Board of Architectural Review voted to deny BAR #2023-00360 as submitted. The motion failed on a vote of 3-4.

On a motion by Ms. Miller, and seconded by Mr. Scott, the Board of Architectural Review accepted the request for the deferral of BAR #2023-00360. The motion carried on a vote of 7-0.



BAR#2023-00360
613 S Royal Street



0 12.5 25 50 Feet

I. APPLICANT'S PROPOSAL

The applicant requests an after-the-fact Certificate of Appropriateness to paint previously unpainted masonry at 613 South Royal Street. On July 23, 2023, Staff was notified that the subject property was being painted without BAR approval. After confirming the violation, Staff sent a violation letter, and a Zoning inspector posted a stop work order on July 26. The painting was almost complete at the time the stop work order was posted, but a portion of unpainted masonry remains toward the rear of the property, and some paint work remains to be done on the front elevation as well. Staff also notes that the black shutters were removed for the painting.

Site context

The subject property sits on the west side of the 600 block of South Royal Street. There are no alleys abutting this property. The block consists entirely of residential buildings that were constructed at various times from the 1950s to the 1990s, resulting in a variety of architectural styles. None of the buildings on this block are considered Early buildings (built before 1932). Of the 26 masonry buildings on the block, 5 of them (~19%) are currently painted, not including the subject property.

II. HISTORY

The three-story, partially detached, brick clad house at 613 South Royal Street was constructed in **1985**, according to plans by Gilbert and Foster, a Washington, D.C. based architectural firm. The plans were approved by the Board of Architectural Review on July 18, 1985 (BAR Case #85-45).

Previous BAR Approvals

On May 3, 2006, the Board approved replacement windows on this property (BAR2006-0076).

III. ANALYSIS

The zoning ordinance specifically prohibits painting previously unpainted masonry surfaces without BAR approval. Section 10-109(B)(4) of the zoning ordinance states: "The painting of a masonry building which was unpainted prior to such painting shall be considered to be the removal of an exterior feature having historic and/or architectural significance requiring a certificate of appropriateness." The *Design Guidelines* further state that "painting a previously unpainted masonry surface, no matter what color, requires review and approval of a certificate of appropriateness by the Board. Additionally, the Boards strongly discourage the painting of a previously unpainted masonry surface." However, the Standards and *Design Guidelines* have been designed in a way to distinguish what is appropriate in one part of the district or at one building from what may not be appropriate in other areas or on other buildings so each request is reviewed on a case-by-case.

The Board has approved numerous cases of painting, staining, or limewashing previously unpainted masonry, all on Later buildings (built after 1931): painting on 100 Princess Street (BAR2013-00036) and 819 South Lee Street (BAR2023-00276); limewashing on 107 Princess Street (BAR2023-00160), 605 Franklin Street (BAR2013-00124 & BAR2013-00141), and 726

King Street (BAR2016-00361); and staining on 625 First Street (BAR2021-00470) and 515 King Street (BAR2022-00257). Most recently, the Board denied after-the-fact painting of unpainted masonry on 720 King Street (BAR2023-00235), which is an Early building that is clad in modern brick from 1967. This denial was appealed by the applicant and overturned by the City Council on September 23, 2023.

Furthermore, the BAR objection to painting unpainted masonry is typically regarding a concern that historic brick is a porous material that when painted cannot breathe, which means that moisture gets trapped inside the soft clay causing its decay. That is not true for modern materials. Nowadays, buildings are not usually built with clay bricks but clad with brick veneers instead for aesthetic reasons.

The existing brick on 613 South Royal Street was approved by the Board in 1985, and is modern, hard-fired brick, not an example of historic porous brick. Staff is less concerned that painting will physically harm the structure. Aesthetically, several houses within the 600 block of South Royal Street are painted. Painting masonry buildings was also common in mid to late 20th-century developments such as Yates Gardens and Ford's Landing.



Figure 1. Photos of 613 South Royal Street before and after painting.



Figure 2. Photo of 613 South Royal Street after painting.

Staff finds that recent BAR approvals for painting, staining, or limewashing previously unpainted masonry on Later buildings, as well as the decision by City Council on September 23, 2023, set a precedent for the subject case. Additionally, due to the modern materials used and the eclectic architectural character of the blockface, Staff does not believe that painting this building detracts from any historic integrity of either the block or this structure.

However, Staff does have a concern about the paint covering architectural features such as the window heads and the keystone arch above the front door. It should be noted that the painting is not complete, so Staff does not have a complete image of what the finished painting will look like. According to the *Design Guidelines*, “The color of a building can enhance or detract from its own architectural characteristics as well as neighboring structures.” While the Board does not typically review paint colors, Staff suggests that the applicant apply the painting in such a way that these features are visually distinguished from the rest of the brick, perhaps by color. Additionally, the black shutters were removed, presumably for the purposes of painting; the shutters should be reinstalled once the painting is completed.

Therefore, Staff has no objection to the painting of the masonry on this building and recommends approval of the application for after-the-fact alterations, with the following conditions:

1. Work with Staff to ensure that any architectural details, such as the window heads and keystone arch above the front door be differentiated from the painted brick and not obscured.
2. Replace the black shutters after the painting is completed.

STAFF

Brendan Harris, Historic Preservation Planner, Planning & Zoning
Tony LaColla, AICP, Land Use Services Division Chief, Planning & Zoning

III. CITY DEPARTMENT COMMENTS

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

Zoning

C-1 Proposed painting of unpainted masonry will comply with zoning.

Code Administration

No comments received.

Transportation and Environmental Services

- R-1 The building permit must be approved and issued prior to the issuance of any permit for demolition, if a separate demolition permit is required. (T&ES)
- R-2 Applicant shall be responsible for repairs to the adjacent city right-of-way if damaged during construction activity. (T&ES)
- R-3 No permanent structure may be constructed over any existing private and/or public utility easements. It is the responsibility of the applicant to identify any and all existing easements on the plan. (T&ES)
- F-1 After review of the information provided, an approved grading plan is not required at this time. Please note that if any changes are made to the plan it is suggested that T&ES be included in the review. (T&ES)
- C-1 The applicant shall comply with the City of Alexandria's Solid Waste Control, Title 5, Chapter 1, which sets forth the requirements for the recycling of materials (Sec. 5-1-99). (T&ES)
- C-2 The applicant shall comply with the City of Alexandria's Noise Control Code, Title 11, Chapter 5, which sets the maximum permissible noise level as measured at the property line. (T&ES)
- C-3 Roof, surface and sub-surface drains be connected to the public storm sewer system, if

available, by continuous underground pipe. Where storm sewer is not available applicant must provide a design to mitigate impact of stormwater drainage onto adjacent properties and to the satisfaction of the Director of Transportation & Environmental Services. (Sec.5-6-224) (T&ES)

- C-4 All secondary utilities serving this site shall be placed underground. (Sec. 5-3-3) (T&ES)
- C-5 Any work within the right-of-way requires a separate permit from T&ES. (Sec. 5-2) (T&ES)

Alexandria Archaeology

- F-1 No archaeology comments.

V. ATTACHMENTS

- 1 – Application Materials*
- 2 – Supplemental Materials*

BAR CASE# _____
(OFFICE USE ONLY)

ADDRESS OF PROJECT: 613 S Royal St

DISTRICT: Old & Historic Alexandria Parker - Gray 100 Year Old Building

TAX MAP AND PARCEL: _____ ZONING: _____

APPLICATION FOR: (Please check all that apply)

CERTIFICATE OF APPROPRIATENESS

PERMIT TO MOVE, REMOVE, ENCAPSULATE OR DEMOLISH
(Required if more than 25 square feet of a structure is to be demolished/impacted)

WAIVER OF VISION CLEARANCE REQUIREMENT and/or YARD REQUIREMENTS IN A VISION CLEARANCE AREA (Section 7-802, Alexandria 1992 Zoning Ordinance)

WAIVER OF ROOFTOP HVAC SCREENING REQUIREMENT
(Section 6-403(B)(3), Alexandria 1992 Zoning Ordinance)

Applicant: Property Owner Business (Please provide business name & contact person)

Name: E AND R GENERAL CONTRACTOR (ADOLFO MARADIA BA)

Address: 1706 FLORIDA AVE

City: WOODBRI DGE State: VA Zip: 22191

Phone: 571-471-6481 E-mail: ADOLFOAM1@EMAIL.COM

Authorized Agent (if applicable): Attorney Architect _____

Name: _____ Phone: _____

E-mail: _____

Legal Property Owner:

Name: Elizabeth Blaise

Address: 613 S Royal St

City: Alexandria State: VA Zip: 22314

Phone: 703 608 5643 E-mail: ADOLFOAM1@EMAIL.COM

NATURE OF PROPOSED WORK: *Please check all that apply*

- NEW CONSTRUCTION
- EXTERIOR ALTERATION: *Please check all that apply.*
 - awning
 - doors
 - lighting
 - other
 - fence, gate or garden wall
 - windows
 - pergola/trellis
 - HVAC equipment
 - siding
 - painting unpainted masonry
 - shutters
 - shed
- ADDITION
- DEMOLITION/ENCAPSULATION
- SIGNAGE

DESCRIPTION OF PROPOSED WORK: *Please describe the proposed work in detail (Additional pages may be attached).*

Painting unpainted masonry at front and left side of the house.

SUBMITTAL REQUIREMENTS:

- Check this box if there is a homeowner's association for this property. If so, you must attach a copy of the letter approving the project.

Items listed below comprise the **minimum supporting materials** for BAR applications. Staff may request additional information during application review. Please refer to the relevant section of the *Design Guidelines* for further information on appropriate treatments.

Applicants must use the checklist below to ensure the application is complete. Include all information and material that are necessary to thoroughly describe the project. Incomplete applications will delay the docketing of the application for review. Pre-application meetings are required for all proposed additions. All applicants are encouraged to meet with staff prior to submission of a completed application.

Demolition/Encapsulation : *All applicants requesting 25 square feet or more of demolition/encapsulation must complete this section. Check N/A if an item in this section does not apply to your project.*

- ^{N/A} Survey plat showing the extent of the proposed demolition/encapsulation.
- Existing elevation drawings clearly showing all elements proposed for demolition/encapsulation.
- Clear and labeled photographs of all elevations of the building if the entire structure is proposed to be demolished.
- Description of the reason for demolition/encapsulation.
- Description of the alternatives to demolition/encapsulation and why such alternatives are not considered feasible.

Additions & New Construction: Drawings must be to scale and should not exceed 11" x 17" unless approved by staff. Check N/A if an item in this section does not apply to your project.

- ^{N/A} Scaled survey plat showing dimensions of lot and location of existing building and other structures on the lot, location of proposed structure or addition, dimensions of existing structure(s), proposed addition or new construction, and all exterior, ground and roof mounted equipment.
- FAR & Open Space calculation form.
- Clear and labeled photographs of the site, surrounding properties and existing structures, if applicable.
- Existing elevations must be scaled and include dimensions.
- Proposed elevations must be scaled and include dimensions. Include the relationship to adjacent structures in plan and elevations.
- Materials and colors to be used must be specified and delineated on the drawings. Actual samples may be provided or required.
- Manufacturer's specifications for materials to include, but not limited to: roofing, siding, windows, doors, lighting, fencing, HVAC equipment and walls.
- For development site plan projects, a model showing mass relationships to adjacent properties and structures.

Signs & Awnings: One sign per building under one square foot does not require BAR approval unless illuminated. All other signs including window signs require BAR approval. Check N/A if an item in this section does not apply to your project.

- ^{N/A} Linear feet of building: Front: _____ Secondary front (if corner lot): _____.
- Square feet of existing signs to remain: _____.
- Photograph of building showing existing conditions.
- Dimensioned drawings of proposed sign identifying materials, color, lettering style and text.
- Location of sign (show exact location on building including the height above sidewalk).
- Means of attachment (drawing or manufacturer's cut sheet of bracket if applicable).
- Description of lighting (if applicable). Include manufacturer's cut sheet for any new lighting fixtures and information detailing how it will be attached to the building's facade.

Alterations: Check N/A if an item in this section does not apply to your project.

- ^{N/A} Clear and labeled photographs of the site, especially the area being impacted by the alterations, all sides of the building and any pertinent details.
- Manufacturer's specifications for materials to include, but not limited to: roofing, siding, windows, doors, lighting, fencing, HVAC equipment and walls.
- Drawings accurately representing the changes to the proposed structure, including materials and overall dimensions. Drawings must be to scale.
- An official survey plat showing the proposed locations of HVAC units, fences, and sheds.
- Historic elevations or photographs should accompany any request to return a structure to an earlier appearance.

ALL APPLICATIONS: Please read and check that you have read and understand the following items:

- I understand that after reviewing the proposed alterations, BAR staff will invoice the appropriate filing fee in APEX. The application will not be processed until the fee is paid online.
- I understand the notice requirements and will return a copy of the three respective notice forms to BAR staff at least five days prior to the hearing. If I am unsure to whom I should send notice I will contact Planning and Zoning staff for assistance in identifying adjacent parcels.
- I, the applicant, or an authorized representative will be present at the public hearing.
- I understand that any revisions to this initial application submission (including applications deferred for restudy) must be accompanied by the BAR Supplemental form and revised materials.

The undersigned hereby attests that all of the information herein provided including the site plan, building elevations, prospective drawings of the project, and written descriptive information are true, correct and accurate. The undersigned further understands that, should such information be found incorrect, any action taken by the Board based on such information may be invalidated. The undersigned also hereby grants the City of Alexandria permission to post placard notice as required by Article XI, Division A, Section 11-301(B) of the 1992 Alexandria City Zoning Ordinance, on the property which is the subject of this application. The undersigned also hereby authorizes the City staff and members of the BAR to inspect this site as necessary in the course of research and evaluating the application. The applicant, if other than the property owner, also attests that he/she has obtained permission from the property owner to make this application.

APPLICANT OR AUTHORIZED AGENT:

Signature: Blaise Hazelwood

Printed Name: Elizabeth Blaise Hazelwood

Date: 8/8/2023

07 Adolfo Maradiaga
ADOLFO MARADIAGA
8/8/2023

OWNERSHIP AND DISCLOSURE STATEMENT
Use additional sheets if necessary

1. Applicant. State the name, address and percent of ownership of any person or entity owning an interest in the applicant, unless the entity is a corporation or partnership, in which case identify each owner of more than three percent. The term ownership interest shall include any legal or equitable interest held at the time of the application in the real property which is the subject of the application.

Name	Address	Percent of Ownership
1. Elizabeth Blaise Hazelwood	613 S. Royal, Alexandria, VA 22314	100%
2.		
3.		

2. Property. State the name, address and percent of ownership of any person or entity owning an interest in the property located at 613 S. Royal, Alexandria, VA 22314 (address), unless the entity is a corporation or partnership, in which case identify each owner of more than three percent. The term ownership interest shall include any legal or equitable interest held at the time of the application in the real property which is the subject of the application.

Name	Address	Percent of Ownership
1. Elizabeth Blaise Hazelwood	613 S. Royal, Alexandria, VA 22314	100%
2.		
3.		

3. Business or Financial Relationships. Each person or entity listed above (1 and 2), with an ownership interest in the applicant or in the subject property is required to disclose any business or financial relationship, as defined by Section 11-350 of the Zoning Ordinance, existing at the time of this application, or within the 12-month period prior to the submission of this application with any member of the Alexandria City Council, Planning Commission, Board of Zoning Appeals or either Boards of Architectural Review.

Name of person or entity	Relationship as defined by Section 11-350 of the Zoning Ordinance	Member of the Approving Body (i.e. City Council, Planning Commission, etc.)
1.		
2.		
3.		

NOTE: Business or financial relationships of the type described in Sec. 11-350 that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings.

As the applicant or the applicant's authorized agent, I hereby attest to the best of my ability that the information provided above is true and correct.

8/24/2023
Date

ELIZABETH BLAISE
Printed Name

Blaise Hazelwood
Signature



From: Seth Riegle <sethriegle96@gmail.com>
Sent: Saturday, September 23, 2023 11:40 AM
To: Historic Alexandria <HistoricAlexandria@alexandriava.gov>
Subject: re: Historic Preservation

You don't often get email from sethriegle96@gmail.com. [Learn why this is important](#)

I don't know if you are sending notifications of the Board Hearing for the painting of 613 S Royal St or not, but I as a neighbor directly across the street have one comment. I saw the home as it was being built and considered it to be one of the best attempts to reproduce the appearance of a upscale Colonial Town Home.

The current owner with one coat of white paint has destroyed the appearance of the home. All the architectural details are no longer visible.