

Docket Item #2
BAR CASE # 2016-0447

BAR Meeting
January 25, 2017

ISSUE: After-the-fact alterations (window replacement)

APPLICANT: Patricia L. Turner

LOCATION: 710 North Patrick Street

ZONE: RB / Residential

STAFF RECOMMENDATION

1. Denial of after-the-fact approval of vinyl windows.
2. Replacement of inappropriate windows within 60 days in accordance with the Parker-Gray BAR's adopted Window policy.

GENERAL NOTES TO THE APPLICANT

1. **ISSUANCE OF CERTIFICATES OF APPROPRIATENESS AND PERMITS TO DEMOLISH:** Applicants must obtain a stamped 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.
2. **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.
3. **COMPLIANCE WITH BAR POLICIES:** All materials must comply with the BAR's adopted policies unless otherwise specifically approved.
4. **BUILDING PERMITS:** Most projects approved by the Board of Architectural Review require the issuance of one or more construction permits by Building and Fire Code Administration (including signs). The applicant is responsible for obtaining all necessary construction permits after receiving Board of Architectural Review approval. Contact Code Administration, Room 4200, City Hall, 703-838-4360 for further information.
5. **EXPIRATION OF APPROVALS NOTE:** In accordance with Sections 10-106(B) and 10-206(B) of the Zoning Ordinance, any official Board of Architectural Review approval will expire 12 months from the date of issuance if the work is not commenced and diligently and substantially pursued by the end of that 12-month period.
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.



BAR2016-00447



I. ISSUE

The applicant is requesting after-the-fact approval of inappropriate windows that were installed on the front elevation of the townhouse at 710 North Patrick Street. The work was brought to BAR staff's attention as a zoning complaint (ZEN2016-00378). All window replacement in the historic districts requires, at a minimum a BAR administrative approval and a building permit from Code Administration. The applicant acquired neither.

The application materials provide specifications for Pella Impervia windows which are described as having a fiberglass composite finish. However, the field inspection of the windows by staff indicates that the finish is vinyl clad and it was confirmed by a Pella representative that this particular window model was in the vinyl line, not the fiberglass.



Figure 1. Detail of windows installed on front elevation without BAR approval.

II. HISTORY

The freestanding two-bay, frame townhouse was first approved by the BAR in 1992, reapproved in 1996 and constructed in **1996** (BAR Case 92-18PG and BAR 96-043PG). Based on the date of construction, the building is considered a “Later” residential building in Parker-Gray.

III. ANALYSIS

In 2012, the Parker-Gray BAR adopted the Parker-Gray Residential Reference Guide as a result of the year-long Parker-Gray Ad-Hoc Design Guideline Work Group discussions that revised the BAR's policies and guidelines. These changes included a differentiation between "Early" (pre 1932) and "Later" (post 1931) buildings when determining the appropriateness of certain materials and also established a hierarchy of elevations (street-facing versus non-street-facing elevations). Based on both the community's and the BAR's input during this process, it was determined that historic buildings (Early) should retain historic materials and if that were not possible, should use historically appropriate materials, particularly on street-facing elevations. The BAR and community found that Later buildings could use a broader range of high-quality, modern materials but that they should be compatible with the historic district. This change provided significant flexibility for property owners of Later buildings in the historic district while ensuring that alterations would be compatible and appropriate. The adopted policy allows for staff to approve a wide range of modern windows that are wood, aluminum-clad wood, or any high quality, paintable material with permanently affixed simulated muntins. They may not be hollow vinyl, have sandwich muntins or have tinted or reflective glass.

In January 2016, the BAR adopted a new design guideline for Windows which further codified the earlier document and provided more clear guidance to property owners, contractors and design professionals, consistent with the approved policies from 2012. The guidelines note that "windows are a principal character defining feature of a building and serve both functional and aesthetic purposes." The BAR denied a similar after-the-fact installations of vinyl windows at 916 Princess and 1015 Princess and the City Council has upheld the BAR on appeal.

Upon being contacted by a Code Administration building inspector regarding the window installation without approval, the property owner and contractor came in to speak with BAR staff. The applicant decided to make an application for after-the-fact approval of inappropriate windows with the understanding that staff would not recommend approval of such a request and that it would be in conflict with the BAR's adopted policies. It is always unfortunate when work is done in the historic district without approval. In this case, staff cannot recommend approval of windows that are not in compliance with the BAR's adopted policies. As this is considered a Later building, the applicant may select from several appropriate replacement windows – aluminum-clad, wood, or fiberglass – as long as the window and framing materials are solid-through-the-core, millable and paintable. The windows that were installed do not meet those criteria. In recent years the Parker-Gray BAR has worked with the community to redefine the policies and guidelines to make them more user-friendly while also maintaining the character of the historic district. The overall integrity of a historic district relies on each property owner generally following the established policies and guidelines when making alterations and improvements.

Therefore, staff recommends denial of the application as submitted and recommends that the BAR require the violation to be corrected within 60 days.

STAFF

Catherine K. Miliaras, Principal Planner, Planning & Zoning
Al Cox, FAIA, Historic Preservation Manager, Planning & Zoning

IV. CITY DEPARTMENT COMMENTS

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

Zoning Comments

C-1 Proposed replacement of existing windows complies with zoning.

Code Administration

C-1 Window replacement requires a building permit.

Transportation and Environmental Services

R1. The building permit must be approved and issued prior to the issuance of any permit for demolition. (T&ES)

R2. Applicant shall be responsible for repairs to the adjacent city right-of-way if damaged during construction activity. (T&ES)

C1. 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)

C2. 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)

C3. Any work within the right-of-way requires a separate permit from T&ES. (Sec. 5-2) (T&ES)

C4. All improvements to the city right-of-way such as curbing, sidewalk, driveway aprons, etc. must be city standard design. (Sec. 5-2-1) (T&ES)

V. ATTACHMENTS

1 – Supplemental Materials

2 – Application for BAR 2016-0447: 710 North Patrick Street



Application & Materials
BAR2016-00447
710 N Patrick Street
12/27/2016



Application & Materials
BAR2016-00447
710 N Patrick Street
12/27/2016



Application & Materials
BAR2016-00447
710 N Patrick Street
12/27/2016



Application & Materials
BAR2016-00447
710 N Patrick Street
12/27/2016

Application & Materials
BAR2016-00447
710 N Patrick Street
12/27/2016



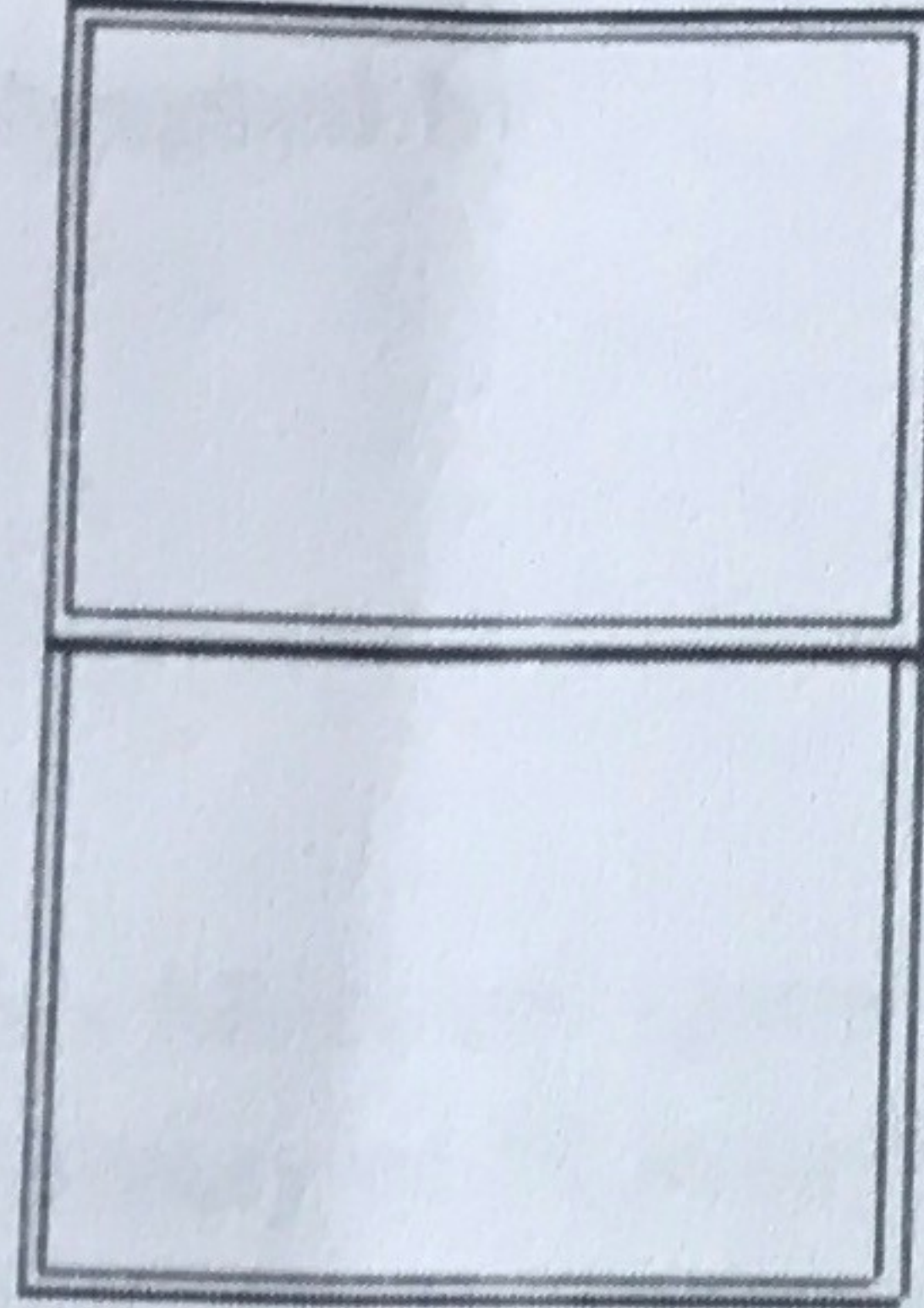
Line Item
Frame Size

Product Code
Description

Unit Price Quantity Total Price

0001

Size = 35 1/2-in W x 53
1/2-in H



Manufacturer: Pella (R) Impervia (R) Windows And Patio
Doors

Division: Millwork
Product: Windows
Type: Double Hungs
Manufacturer: Pella (R) Impervia (R) Windows And Patio
Doors

Energy Star (R) Qualified Products Only: Yes - I would
like to view only the units that are qualified for Energy
Star (R).

Energy Star (R) Zone: North Central

Room Location: Other 1

Configuration: 1 Wide

Operation / Venting: Double Hung

Actual Frame Width: 35 1/2-in

Actual Frame Height: 53 1/2-in

Fits Opening Width: 36-in

Fits Opening Height: 54-in

Venting Height: Equal

Performance Options: Standard

Exterior Material Type: Duracast (R)

Frame Type: Block

Attachment Method: No Fin

Foam Insulated: Foam Insulated

Actual Base Frame Depth: 3-in

Sill Dam: No Sill Dam

Exterior Color: White

Application & Materials
BAR2016-00447
710 N Patrick Street
12/27/2016

\$425.84

4

\$1,703.36

Interior Color: White
Glazing Type: Insulated
Glass Strength: Annealed
Insulated Glass Options: Low E
Low E Glass Style: Advanced
Gas Filled: Argon
High Altitude: Non High Altitude
Insulated Glass Overall Thickness: Standard Per Design
Sash Lock: Standard Lock
Limited Opening Hardware: No Limited Opening
Hardware
Hardware Finish: White
Screen Option: Full Screen
Screen Cloth: Conventional Fiberglass
Grille Type: No Grille
Will This Product Be Installed By Lowe's (R)? : Not
Installed By Lowe's (R)
Is This A Remake? : No
Lead Time: 30 Days
Item Number: 354536

Application & Materials
BAR2016-00447
710 N Patrick Street
12/27/2016

Project Total: \$1,703.36

Salesperson: ROBERT GOODMAN (S0715RG2)

ADDRESS OF PROJECT: 710 N. Patrick St.

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: Patricia L. TurnerAddress: 710 North Patrick StreetCity: Alexandria State: Va. Zip: 22314Phone: 703-945-4295 E-mail: Slimgoodie11@comcast.netAuthorized Agent (if applicable): ☐ Attorney ☐ Architect ☐ _____Name: Lino HernandezPhone: 571-244-5846E-mail: HomeInnovation5@gmail.com

Legal Property Owner:

Name: Patricia L. TurnerAddress: 710 North Patrick StreetCity: Alexandria State: VA Zip: 22312Phone: 571-244-5846 E-mail: HomeInnovation5@gmail.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).*

We will be replacing all windows with
Pella windows

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: _____

Printed Name: _____

Date: _____

Application & Materials
BAR2016-00447
710 N Patrick Street
12/27/2016

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. N/A		
2. N/A		
3. N/A		

2. Property. State the name, address and percent of ownership of any person or entity owning an interest in the property located at _____ (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. Patricia L. Turner	710 N. Patrick 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. Patricia L. Turner	None	N/A
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.

1/28/16 Patricia Turner [Signature]
 Date Printed Name Signature