

TOWN OF ABINGDON
BOARD OF ARCHITECTURAL REVIEW
REGULAR MEETING
APRIL 3, 2013 - 5:15 P.M.

The regular meeting for the Board of Architectural Review was held on Wednesday, April 3, 2013, at 5:15 P.M. The meeting was held in the Municipal Building, downstairs meeting room.

Mrs. Betsy White, Chairperson, called the meeting to order and explained the purpose of the Board of Architectural Review. Mr. Jackson called the roll.

Mr. Boyd made a motion that Mrs. Betsy White serve as Acting Chair for this meeting, in the absence of Dr. Charles M. Owens, Chairman. The motion was seconded by Mr. Jason Berry, with unanimous approval.

ROLL CALL

Members Present: Mr. Jason Berry
Mrs. Betsy White
Mr. Peyton Boyd
Mr. Byrum Geisler

Comprising a quorum of the Board

Members Absent: Dr. Charles M. Owens

Administrative Staff: Mr. W. Garrett Jackson, Assistant Town Manager
Director of Planning/Zoning
Mr. Sean Taylor, Assistant Director Planning/Zoning
Mrs. Deborah Icenhour, Town Attorney
Ms. Rebecca Moody, Environmental Planner/
Sustainability Coordinator (Absent)

Visitors: Mr. Thomas Rakoczy, 139 West Valley Street
Mrs. Penelope Rakoczy, 139 West Valley Street
Mr. Steve Smith, K-VA-T (Food City)
Mr. Charlie Fugate, K-VA-T (Food City)
Mrs. Jan Hurt, 247 East Valley Street
Others

(2) Approval of Minutes Regular Meeting, March 6, 2013

Mr. Geisler made a motion that the minutes of the regular meeting, March 6, 2013 be approved as presented. Mr. Berry seconded the motion, with unanimous approval.

(3) CERTIFICATE OF APPROPRIATENESS - **Thomas and Penelope Rakoczy, Owner,** 254 Bradley Street, Abingdon, VA 24210; application for Certificate of Appropriateness for approval to replace existing door on driveway side of structure **located at 139 West Valley Street. Tax Map No. 12 (1) 9.**

This is a request for approval to replace the existing White metal door on driveway side of structure located at 139 West Valley Street. The proposed replacement door will be White, constructed of fiberglass.

The existing White, metal door is a thin gauge, poor quality door with rust and dents. The proposed replacement door will be constructed of fiberglass, White in color, will be energy efficient and will have an “old looking” appearance.

After discussion Mr. Berry made a motion to approve the Certificate of Appropriateness, according to Article 30 of the Guidelines, to replace the existing door with the White, fiberglass, replacement door as presented. After further discussion, Mr. Boyd proposed that the motion be amended to specify that the replacement door have a rectangular window as discussed. Mr. Geisler seconded the motion, with unanimous approval.

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Application 1 of 2

(4) **CERTIFICATE OF APPROPRIATENESS - K-VA-T Food Stores, Inc., Charlie Fugate, Representative, P. O. Box 1158, Abingdon, VA 24212; application for Certificate of Appropriateness for demolition of existing structure located at 217 N. Court Street. Tax Map No. 13 (1) 8.**

This is a request for approval to demolish the existing structure located at 217 N. Court Street.

Mr. Steve Smith explained that the subject property is the third house north from Valley Street and is located in very close proximity to the main entrance of the redeveloped K-VA-T site. K-VA-T and its architects worked to achieve a design for its new offices that is complimentary to the neighborhood in which it is located. However, the structure located on the subject property interferes with the design aspects of the redevelopment.

He further explained that K-VA-T is redeveloping the old Johnston Memorial Hospital campus which is adjacent to the subject property. The old buildings that made up the main hospital facility have been demolished and removed, and a new building is nearing completion. The front of the new office building, closest to Valley Street, was designed to be farther back from the property line in order to fit more proportionally on the property than the old hospital structures. The spacing has created a more visually appealing area for the main entrance on Court Street.

Additionally, K-VA-T is willing to allow for the permanent placement of a monument or marker describing any historical information about the subject site.

Hurt

Mrs. Jan Howard, a Town resident, stated that she has two concerns:

1. one being the present; if this is allowed to happen, she feels that something will have been established that will possibly have to be honored in the future if a similar situation arises and she feels that a great number of buildings in the Historic District have been lost through errors.
2. if you move something you change its history; it's not where it was built and that is what the Historic District is about. She does see the problems with the building in terms of its utilization. She further suggested that it be donated for non-profit.

After a lengthy discussion Mr. Geisler made a motion to deny the Certificate of Appropriateness requesting to demolish the existing structure located at 217 N. Court Street. Mr. Boyd seconded motion.

Comments regarding this motion were as follows:

As an explanation to this motion, Mr. Geisler explained that as a Board of Architectural Review it is their responsibility to protect historic structures and he felt that it would be setting a horrible precedent to allow destruction of this structure.

Mr. Boyd continued by stating that with preservation practice, the Board of Architectural Review is charged with observing the Secretary of the Interior's Standards for rehabilitation of historic buildings. He continued by referring to the Secretary of the Interior's Standards giving reasons why this structure should not be destroyed. He further stated that he was in agreement with Mrs. Jan Hurt; by allowing the demolition of this structure would set an unfortunate precedent for future requests.

Mr. Berry stated that as a member of this Board for five (5) years, the Board has always maintained the Historic District and its integrity; during which time one other request, similar in nature, was denied and he did not want to see any structure with significant value destroyed.

Mrs. White explained that the Board members all feel the pain in this request however, the Board is charged with upholding the Town's Ordinance and demolishing a building is something that is never allowed. She applauded Food City for being such a good neighbor, particularly for the many contributions they have given to the community. She further asked if consideration might be given to removing the structure's siding, repainting the structure and using it as an office of community contributions or giving it to another non-profit organization.

Discussion continued with several suggestions being made for the possibilities of this structure.

At that time there was a call to vote on this request.

Mrs. White stated that she has a conflict of interest in this matter, due to her family business doing business with Food City; therefore she would not be allowed to vote in the matter.

A motion was on the floor to deny the Certificate of Appropriateness requesting to demolish the existing structure located at 217 N. Court Street. Mrs. White called for a vote.

VOTE:

Mr. Geisler	Aye
Mr. Boyd	Aye
Mr. Berry	Aye
Mrs. White	Abstained

The motion passed and this request was denied.

Application 2 of 2

(5) **CERTIFICATE OF APPROPRIATENESS - K-VA-T Food Stores, Inc., Charlie Fugate, Representative, P. O. Box 1158, Abingdon, VA 24212; application for Certificate of Appropriateness for approval to relocate existing structure located at 217 N. Court Street. Tax Map No. 13 (1) 8.**

Mr. Steve Smith and Mr. Charlie Fugate explained that due to the previous Certificate of Appropriateness requesting the demolition of the structure located at 217 N. Court Street being denied, K-VA-T Food Stores, Inc. is now requesting a Certificate of Appropriateness for approval to relocate the structure, further stating that K-VA-T has secured an option to purchase the

property located directly across Court Street, Tax Map No. 13-03-1, as a proposed site for the relocation of the structure.

Mr. Fugate explained that K-VA-T believes the proposed relocation promotes the general welfare of the Town. Specifically, the relocation, in combination with the redevelopment of the adjacent property, should increase real estate values in the immediate area. It will also create new business and positions within the Town due to the increased number of K-VA-T employees that will be located in its new office. The relocation of the structure on the subject property will also enhance the immediate area by creating more open space in the neighborhood and placing the structure on a lot that is in need of development. All of this will contribute to making the Town a more attractive and desirable place in which to live.

Mr. Smith further stated that if the Board desires the structure to be a candidate for renovation and preservation, it is believed that the following information should also be considered.

- there is no vehicle access to the subject property except by rights-of-way across two adjacent properties. This limits the usefulness of the property and diminished the prospects for investment in renovation for residential or commercial use.
- the lot on the east side of Court Street that is the proposed relocation site has much growth on it that is not consistent with the character of the immediate area or the Town's ambitions for the general Valley Street area. The Board's approval of the Certificate of Appropriateness would allow K-VA-T to proceed to purchase, clean and develop the lot in an appropriate manner to place the relocated house upon it.
- the subject lot is approximately 0.2 acres. In comparison, the relocation site is approximately 0.5 acres which will promote the use of the structure for residential or commercial use.
- the properties surrounding the subject property are primarily commercial (K-VA-T offices/garage, Scyphers & Austin Law Firm, Saratoga Technologies). The relocation of the structure would place it in a more residential setting making it more harmonious with the surrounding properties and desirable as a renovation prospect.

Mr. Geisler asked if this request is approved would the structure would be relocated and renovated, or just relocated. Mr. Smith replied that present plans include relocation of the structure on an appropriate location, place on market for sale, with condition that the structure would be restored to original state and functional condition.

Discussion continued with Mr. Jackson explaining tax credits that could be used in restoring this structure.

After a lengthy discussion Mr. Boyd made a motion, in accordance with the Old & Historic District Guidelines, Article 6, regarding the demolition and moving structures outside of the Old & Historic District and the Town of Abingdon Zoning Ordinance, Section 8-13, to deny the Certificate of Appropriateness requesting to relocate the existing structure located at 217 N. Court Street. Mr. Geisler seconded motion.

Comments regarding this matter were as follows:

As an explanation to the motion Mr. Boyd stated the following comments:

- moving the structure, aside from the fact that it began as a preservation practice, its sets an unfortunate precedent for the district,
- the site across the street would require considerable earthwork to accommodate this structure and would alter the existing topography of the district, possibly damaging the structure,

- diminishes the value of the structure,
- not sure off street parking is an issue as long as an agreement could be made between the organization and potential buyer,
- regarding Valley Street, the Board has worked diligently toward the character of this area, there are law offices and medical offices are located in former houses and there is no clear definition between buildings that are commercial and buildings that are residential,
- regarding open space, a continuous row of structures helps maintain urban character that this district has, therefore more gaps would be undesirable.

Mr. Geisler stated that there are several issues to consider, both pro and con. The primary goal is to follow a course of action that will lead to a restoration of the structure; a tax credit is a significant issue to be considered, however moving the structure would adversely affect tax credits.

Mr. Berry asked if it had been made known what the original structure consisted of, if it might be possible there was a smaller building within the structure and, if so, could the corporation compromise with a smaller building. Mr. Jackson stated that it appears that the original building was an I-Plan I-Frame structure, with wrap-around porch, built in approximately 1929, with the addition being built around original structure in 1933.

Discussion continued with several suggestions being made for the possibilities of this structure.

At that time there was a call to vote on this request.

Mrs. White stated that she has a conflict of interest in this matter; due to her family business doing business with Food City therefore she would not be allowed to vote in the matter.

A motion was on the floor to deny the Certificate of Appropriateness requesting to relocate the existing structure located at 217 N. Court Street. Mrs. White called for a vote.

VOTE:

Mr. Geisler	Nay
Mr. Boyd	Aye
Mr. Berry	Nay
Mrs. White	Abstained

The motion passed and this request was denied.

Mr. Berry continued by making a motion to approve the relocation of this structure, subject to K-VA-T submitting a detailed plan, that would include infrastructure and how the property would be restored, that would be in agreement with the Town Staff.

Discussion continued and after discussion, Mr. Berry withdrew this motion.

Mr. Geisler made a motion to table this discussion and recess this meeting until Wednesday, April 17, 2013 at 5:15 P.M. Mr. Boyd seconded the motion, with unanimous approval.

Mrs. Betsy White, Chairperson

W. Garrett Jackson, Secretary