



# Commission of Architectural Review SUBMISSION APPLICATION

City of Richmond, Room 510 – City Hall  
900 East Broad Street, Richmond, Virginia 23219  
PHONE: (804) 646-6335 FAX: (804) 646-5789

12 COPIES OF SUPPORTING DOCUMENTATION ARE REQUIRED FOR PROCESSING YOUR SUBMISSION

LOCATION OF WORK: 21 W Clay St. DATE: 9/23/14

OWNER'S NAME: Jayan Som + Jessica Selway TEL NO.: 540-435-1557

AND ADDRESS: 21 W. Clay St. Selway EMAIL: jessicadselway@gmail.com

CITY, STATE AND ZIPCODE Richmond, VA 23220 jayansom@gmail.com

ARCHITECT/CONTRACTOR'S NAME: Bobby Wyne TEL. NO. 804-477-4969

AND ADDRESS: Wyne Construction Services EMAIL: \_\_\_\_\_

CITY, STATE AND ZIPCODE \_\_\_\_\_

Would you like to receive your staff report via email? Yes  No

### REQUEST FOR CONCEPTUAL REVIEW

I hereby request Conceptual Review under the provisions of Chapter 114, Article IX, Division 4, Section 114-930.6(d) of the Richmond City Code for the proposal outlined below in accordance with materials accompanying this application. I understand that conceptual review is advisory only.


### APPLICATION FOR CERTIFICATE OF APPROPRIATENESS

I hereby make application for the issuance of a certificate under the provisions of Chapter 114, Article IX, Division 4 (Old and Historic Districts) of the Richmond City Code for the proposal outlined below in accordance with plans and specifications accompanying this application.

### DETAILED DESCRIPTION OF PROPOSED WORK (Required):

**STATE HOW THE DESIGN REVIEW GUIDELINES INFORM THE DESIGN OF THE WORK PROPOSED.** (Include additional sheets of description if necessary, and 12 copies of artwork helpful in describing the project. The 12 copies are not required if the project is being reviewed for an administrative approval. See instruction sheet for requirements.)

Window Replacement - 13 of the 37 windows in the home. Please see attached explanation of we are adhering to Design Guidelines, and accompanying photos

Signature of Owner or Authorized Agent: X   
Name of Owner or Authorized Agent (please print legibly): Jessica Selway Jayan Som

(Space below for staff use only)

Received by Commission **RECEIVED** APPLICATION NO. \_\_\_\_\_

DATE SEP 26 2014 2:00 pm SCHEDULED FOR \_\_\_\_\_

Note: CAR reviews all applications on a case-by-case basis.

# Submission Application Addendum 1

## Detailed Description of Proposed Work:

1. Applicant intends to replace thirteen windows at 21 W. Clay St. (hereinafter “the residence”) in Jackson Ward. These windows are located on the second level above grade (hereinafter the second floor) and those on the third level above grade (hereinafter the third floor). On the second floor, three windows face North to Clay St. and three Windows face West to N. Adams St. three additional windows do not face any public thoroughfare such as a street or alley.

On the third floor, two windows face North to Clay St. and two windows face West to N. Adams Street. Additionally, two windows do not face any public thoroughfare. The windows are made of wood and configured in 6x6 grills.

2. Applicants purchased the residence in April 2014. Due to ongoing leases by tenants Applicants were unable to move into the residence until August 1<sup>st</sup>. Applicants discovered that there was a general lack of maintenance to the property as a whole. Pertaining to the exterior, the previous owner had failed to maintain the patio (overgrown by shrubbery), brick (unsealed and leaking) and windows (rotting and unable to open). Applicants began a process of renewal and cleaned the patio, sealed the brick and painted the interior. During the painting process, the applicant’s painters discovered that the windows were unable to be opened. In addition, the windows had significant rot, broken muntins and sashes and broken glass. Finally the windows were very inefficient and permitted the transmission of sound from the street. The Applicant’s bedroom window is on the corner of an intersection which is very loud. Applicant seeks to live in harmony with their surroundings and the easiest way to do so would be to limit external noise.

The applicants desire is to have functional, aesthetically pleasing and efficient windows of the same size and character as their current damaged windows. The applicants interviewed three window manufacturers and one independent contractor. In addition, the applicants canvassed their neighborhood to see what type of replacement windows were installed in the neighborhood. In addition, the applicants reviewed the Design guidelines.

Applicants determined that the best option would be to select Pella 350 premium windows in vinyl. These windows have the exact same shape (sash), color, grid pattern and muntins as the current windows. In addition, as a premium product, the vinyl has a texture similar to painted wood and the flashing has been removed on the exterior.

At all times, the Applicants believed that vinyl was an appropriate window material. Applicants looked to the following language in the Old and Historic Districts Handbook and Design Review Guidelines and analyzed the windows as follows: WINDOWS, page 59, #6

“Windows should only be replaced when they are missing or beyond repair. Any reconstruction should be based on physical evidence or photo documentation.”

The windows we are proposing to replace are beyond repair as demonstrated by the attached photo evidence. The windows are also not operational, as noted by our contractor. Applicants will proffer an affidavit executed by our contractor. In addition, our contractor will be present at the hearing. The wood is rotted as defined by the guidelines:

*The presence of rotted or decayed wood can be determined by jabbing an ice pick into wet wood at an angle and prying up a small section of the wood or by inserting the ice pick perpendicular to the wood. Sound wood will separate in long splinters, decayed wood in short irregular pieces, and penetration of less than one-eighth of an inch means the wood is solid.*

“The number, location, size or glazing pattern of windows should not be changed by cutting new openings, blocking out windows or by installing replacement sash that do not fit the original window. Changes to existing windows or the addition of new windows along a secondary elevation will be considered by the Commission on a case-by-case basis.”

We are not proposing to change the number, location, size or glazing pattern of windows.

“The architectural character of windows should not be altered by inappropriate materials or finishes that radically change the sash, depth of reveal, muntin configuration, the reflective quality or color of the glazing or the appearance of the frame.”

The proposed replacement windows were custom designed to mirror the character of the existing windows. As demonstrated by a comparison of the existing windows with the proposed windows (sample windows will be brought), there is not a radical change in the sash or depth of reveal. The muntin configuration remains the same. Finally, the proposed window does not radically change the reflective quality or color of the glazing, nor the appearance of the frame. The framing of the proposed windows was chosen primarily because the framing appeared substantially similar to the existing framing on the existing windows. In addition the muntins will be replicated by simulated divided light grills.

“Inappropriate materials.”

While the guidelines make mention of the phrase “inappropriate materials,” there is no specification on material. As such, our primary goal when shopping for replacement windows was to choose a window that offered an appearance which was most similar to the current windows, while also offering energy efficient benefits and a significant noise reduction. After purchasing the proposed windows, we have since learned that vinyl is typically not an acceptable replacement material. Applicant was initially

informed by various contractors and vendors that vinyl windows have been permitted in Historic areas. We ask that the Board consider our situation an exception due to the fact that the appearance of the window will remain very similar to the existing windows. Additionally, we are not proposing a vinyl window for all of the windows, only a portion of the windows, none of which are street level along a public right of way. We also ask the Board to consider the fact that we have already purchased the windows.

Due to the above considerations and the fact that there is no explicit prohibition against vinyl as a construction material, Applicants believed that the windows purchased by Applicant would be permitted. In addition, Applicants believes that any ill effects would be mitigated by the fact that the windows to be replaced are between twenty and thirty feet above grade. Due to the height and location a passerby would have to crane their neck to view the windows. Other observers would have to be across the street and at such a distance will not be able to distinguish the windows from the originals.

3. Due to the above considerations, regarding the likelihood Pella 350 windows would fit into the architectural scheme of their neighborhood, and the impending turn of weather Applicant purchased 13 replacement windows at significant cost. Applicants will be greatly harmed financially from the inability to use their purchased windows. Applicants will be harmed in two ways. As replacement windows are custom ordered, there is no resale market and applicant will likely lose their entire up-front investment. Second, applicant will not be able to decrease their utility bills due to the inefficiency of the current windows. The windows are slated to be emplaced in the bedrooms and living areas of Applicants. Applicants have no desire to act as scofflaws and sought to bring this issue to the consideration of the ARC as soon as they determined it necessary and feasible.

Request:

Applicant respectfully requests that the Architectural Review Committee approve this Application.

# Clay St. Second Floor



Clay St. Window 1



Clay St. Window 2



Clay St. Window 3



w Clay St 00

DO NOT ENTER



Clay St. Second Floor Window 1.



Rotted and Broken jams.

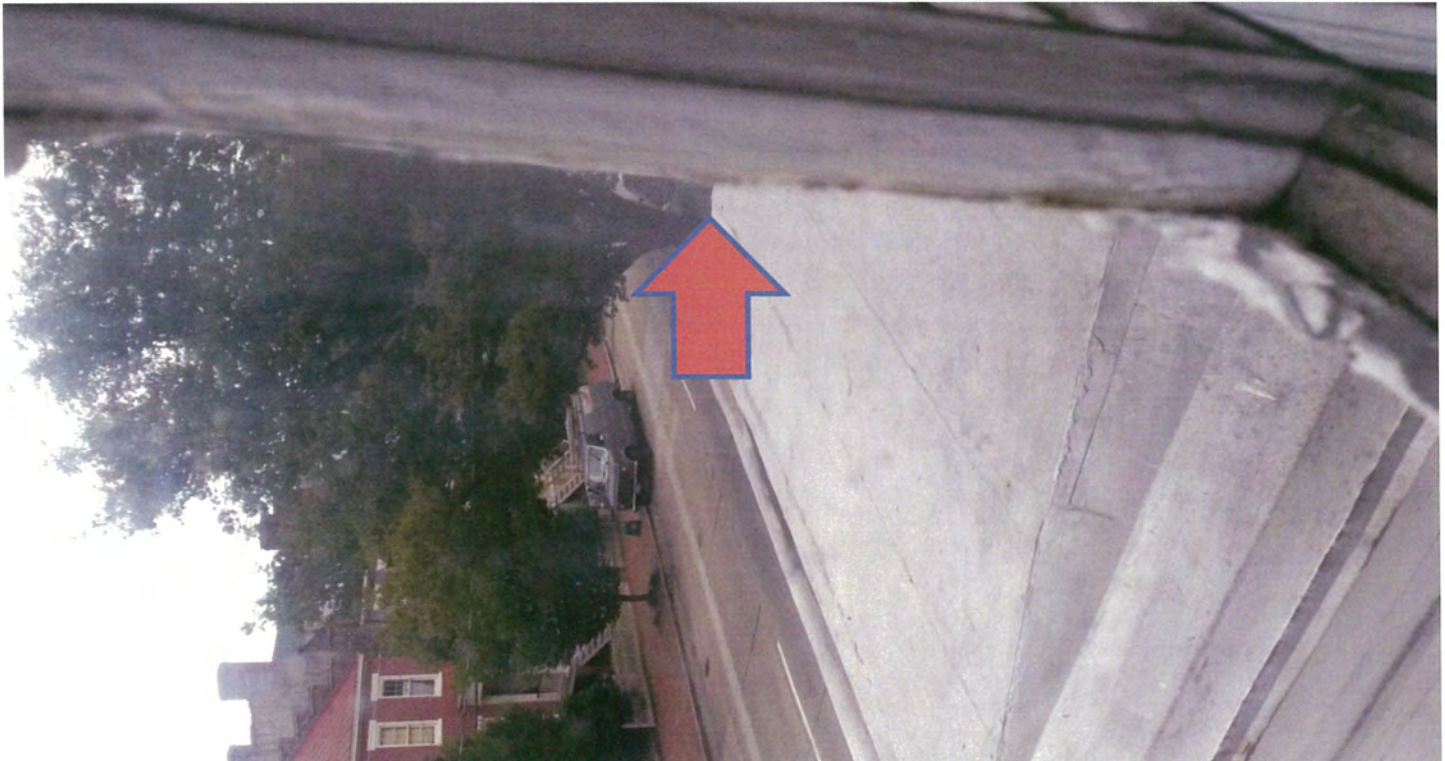


Window glazing broken and detached from muntin.

Clay St. Second Floor Window 2



Broken Muntin.



Exterior Muntin broken off due to rot





Interior dry rot.



Exterior window sash rotted.

Clay St. Second Floor Window 3



Wood rot



Sill wood rot.



Weather-guard wood rot.

# Clay St. Third Floor

Clay St. Window 1



Clay St. Window 2



w Clay St 00



Clay Street Third Floor Window 1.



Dry rot and muntin no longer connects to sash.

Clay Street Third Floor Window 2

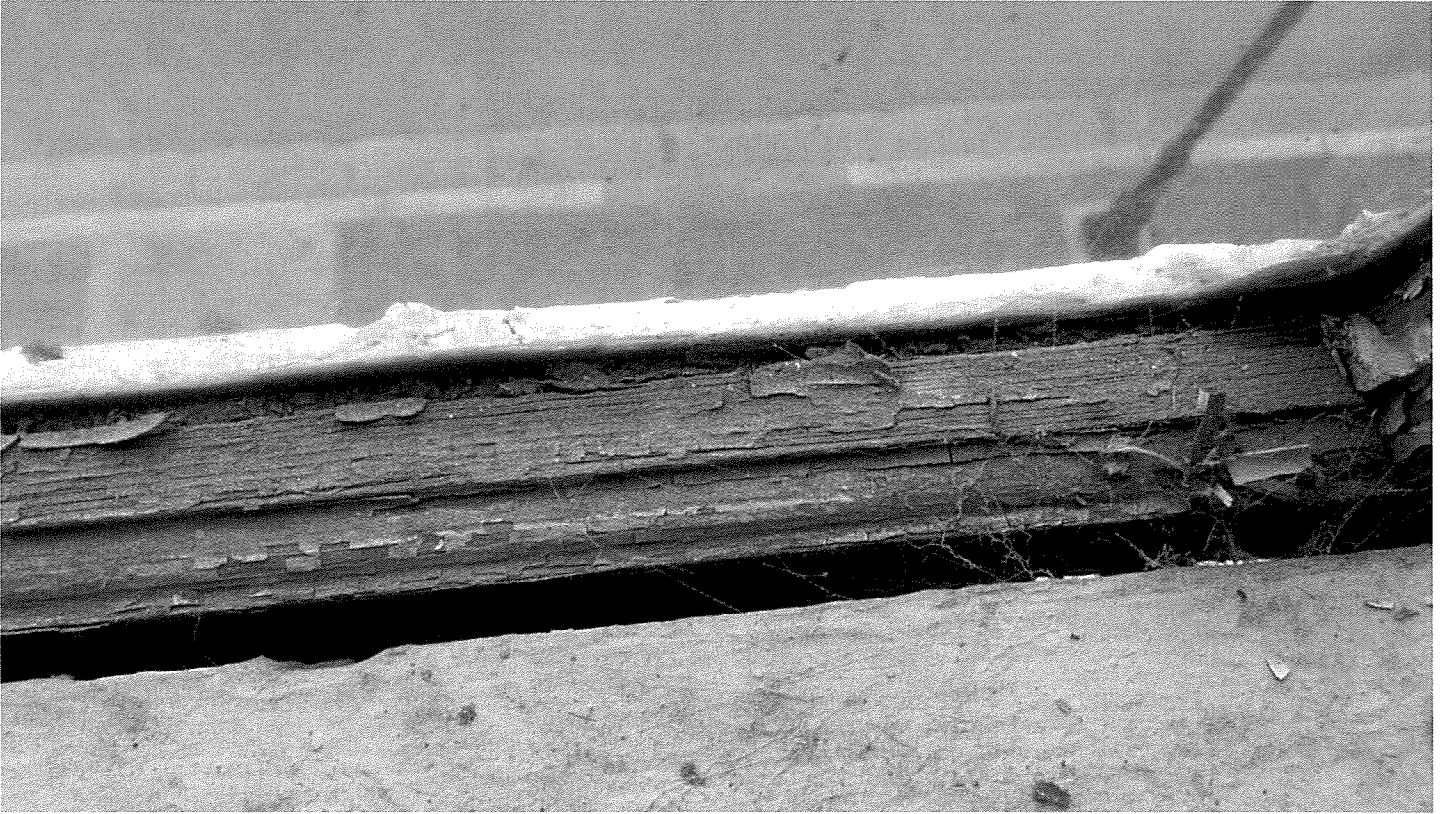


Wood rot and what appears to be mold or fungus.

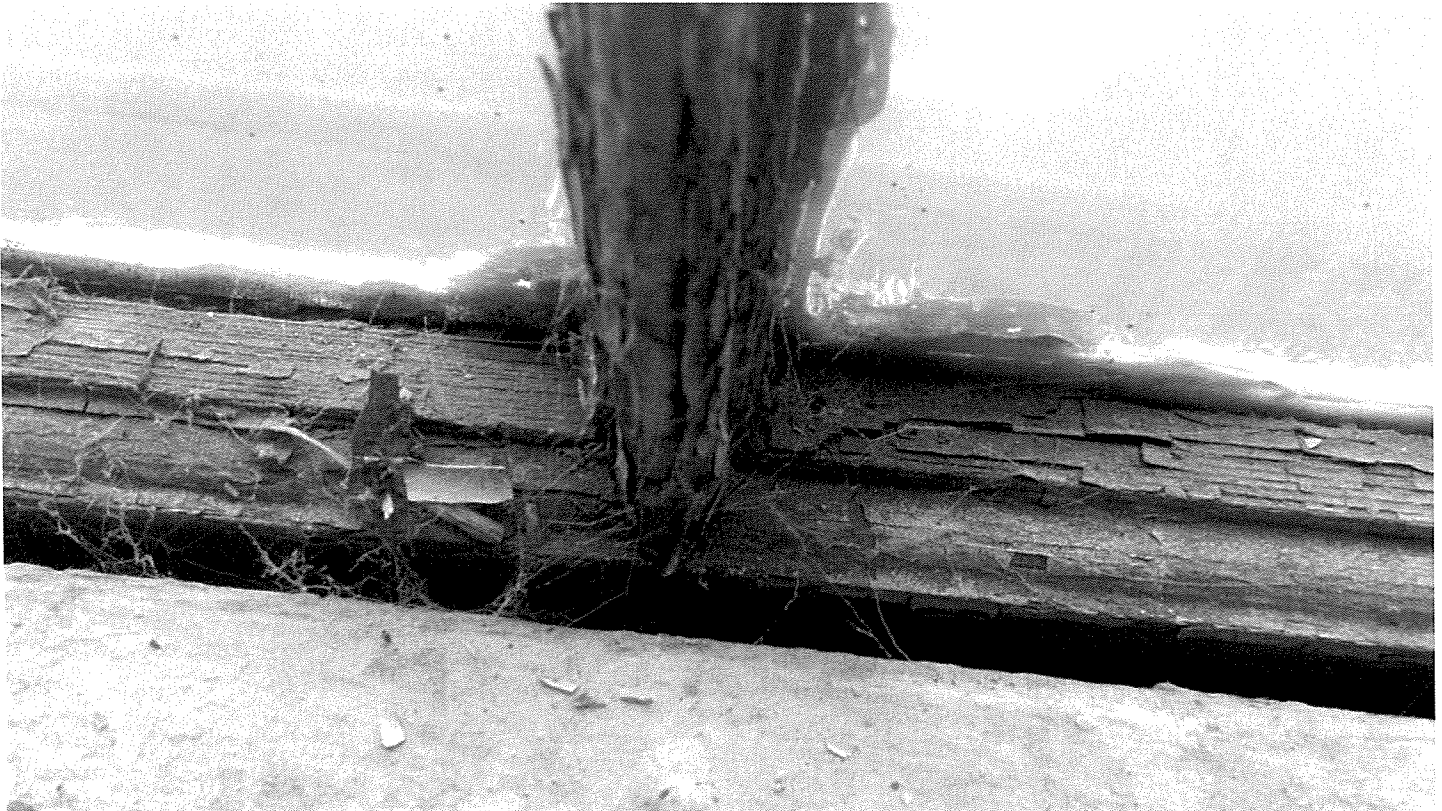
# N. Adams St. Second Floor



N. Adams St. Second Floor Window 1.



Wood in poor condition. Large gap between sashes.



Wood in poor condition.



# N. Adams St Third Floor



N. Adams Third Floor Window 1



Glazing no longer connects.



Muntin no longer connects to sash. Evidence of rot to sill.

N. Adams Third Floor Window 2



Glazing cracked.



Peeling paint.

## Exterior Photos

Picture 1: View from sidewalk closest to 21 W. Clay on N. Adams. Note that only the two windows at the top are slated for replacement. The observer must tilt their neck significantly to see the windows on the 3<sup>rd</sup> floor.

Picture 2: View look north on N. Adams St.

Picture 3: Local residence with replacement windows facing a main thoroughfare.





