



COMMISSION OF ARCHITECTURAL REVIEW

APPLICATION FOR CERTIFICATE OF APPROPRIATENESS

PROPERTY (location of work)

Address 815 N. 24th St. Richmond, VA 23223

Historic district Union Hill

Date/time rec'd: 1/26/2018 @ 10:30
Rec'd by: M. [Signature]
Application #: COA-029598-208
Hearing date: 2/27/18

APPLICANT INFORMATION

Name Mayme Donohue

Phone (804)928-5454

Company _____

Email mdonohue@unston.com

Mailing Address 815 N. 24th St. Richmond, VA 23223

Applicant Type: Owner Agent

Lessee Architect Contractor

Other (please specify): _____

OWNER INFORMATION (if different from above)

Name _____

Company _____

Mailing Address _____

Phone _____

Email _____

PROJECT INFORMATION

Review Type: Conceptual Review Final Review

Project Type: Alteration Demolition

New Construction
(Conceptual Review Required)

Project Description: (attach additional sheets if needed)

Front yard fence.

ACKNOWLEDGEMENT OF RESPONSIBILITY

Compliance: If granted, you agree to comply with all conditions of the COA. Revisions to approved work require staff review and may require a new application and CAR approval. Failure to comply with the COA may result in project delays or legal action. The COA is valid for one (1) year and may be extended for an additional year, upon written request.

Requirements: A complete application includes all applicable information requested on checklists to provide a complete and accurate description of existing and proposed conditions. Preliminary review meeting or site visit with staff may be necessary to process the application. Owner contact information and signature is required. Late or incomplete applications will not be considered.

Zoning Requirements: Prior to CAR review, it is the responsibility of the applicant to determine if zoning approval is required and application materials should be prepared in compliance with zoning.

Signature of Owner [Signature]

Date 1/25/18

Property: 815 N. 24th Street

Property Owner: Mayme Beth F. Donohue

Date: January 26, 2018

Request Variance for Vinyl Fence

The property owner is requesting a variance to allow for a vinyl fence at 815 N. 24th Street. The property owner acknowledges that the fence is not of wood or composite wood material (which the front of the house is made of), but puts forth the mitigating factor of the City of Richmond having incorrect information on its website (FAQs that linked to an out of date handbook) that showed the property owner did not live in an Old and Historic District. If the Commission of Architectural Review will not allow the fence to remain indefinitely, the property owner requests a variance for the next five (5) years to protect young boxwoods and provide a barrier from infill construction next door.

Fence Construction

Construction on the front yard fence began on November 21, 2017 and concluded on November 26, 2017. The fence was built by hand by the property owner, Mayme Donohue, and her fiancée, Phoebe Willis. Ms. Donohue spent approximately \$750 on materials and tools to build the fence. The motivation behind the fence was the property owner's desire to protect young boxwoods that had just been planted and to provide a barrier from the construction occurring at 811 N. 24th St. and the infill construction to begin in the spring of 2018 at 813 N. 24th St. (Exhibit A) The fence is 36.5 inches high and runs approximately 8 feet in the front and 16 feet in the side yard. (Exhibit B)

Misinformation

During construction, a neighbor mentioned that they thought the houses might be in a historic district which can't have vinyl windows, but wasn't sure about fences. In response to this new information, Ms. Donohue checked online that evening. Unfortunately, she went to the City of Richmond's Land and Development Review page and while reading the FAQs, clicked on the "Handbook" link, which the city has failed to update since adding Union Hill to the map. (Exhibit C) Looking through the handbook, Ms. Donohue saw the ban on "Chain-link fences, split-rail fences and concrete block walls" on pg. 66, but did not see anything regarding vinyl fences. She then noted that this did not apply to her house based on the district lines. When she saw how close the line for North Church Hill was to her property she figured the neighbor was just confused about the boundaries. As of the date of this request, the incorrect handbook still appears on the website.

Ms. Donohue did not conduct further research on the topic as there are numerous other vinyl fences nearby, including one part of a newer home on the 800 block of 25th street. (Exhibit D) Ms. Donohue was further comforted in the fact that Ms. Willis said she waved and said hello to a couple city inspectors during the week that came to check out the properties adjacent to their

home while she was working on the fence in front of the property. None of these inspectors asked any questions about the fence.

Historic Evidence

Historically, there has been a wooden fence located on the property. The property owner found photographic evidence of this in the years 1965 and 2007 – 2015. (Exhibit E) In 1965, it appears the entire neighborhood had chain link or picket fences. (Exhibit F)

Conclusion

In lieu of the foregoing, the property owner respectfully requests a variance to allow her fence to remain in place. She did proper due diligence upon learning that she may be in an Old and Historic District, however the City of Richmond website contained out-of-date information upon which she relied in constructing the vinyl fence. The property owner spent \$750 dollars and a great deal of time constructing the fence, which she would not have done had the City of Richmond website not provided her with incorrect information. Additionally, the purpose of the fence is to protect young boxwoods that she just planted and protect her home from the construction occurring in the adjacent lots. Given the underlying purpose for the fence, the property owner requests, at the very least, a variance for the next five (5) years to protect her property. While this secondary outcome is not desirable or justified based on the property owner's reliance on the misinformation on the City of Richmond website, it will at least allow the fence to serve its underlying purpose without causing the property owner any additional expense.

Please feel free to contact Ms. Donohue directly if you have any questions.

mdonohue@hunton.com

804-787-8021

Exhibit A: Protection from Construction & New Boxwoods



Exhibit B: Fence

Photo taken November 27, 2017



Exhibit C: Public Link to Old Handbook

www.richmond.gov | Plan, Engage and Development Review Documents

Where can I obtain a copy of my survey or plat?

Surveys of properties, if they exist, are typically recorded with the deed to your property. Deeds can be viewed and copied at the Circuit Court Record Room located in the basement of the John Marshall Courts Building located at 801 East Clay Street (East Clay Street between North 8th & North 9th Streets) in downtown Richmond. [View It.](#)

How do I find out if my property is in a historic district?

Richmond has more than 4,000 properties that are either historically significant or are located within the City Old & Historic District. These properties are subject to an additional approval process through the [Commission of Architectural Review \(CAR\)](#).

What does being in a historic district mean?

Properties in the City Old & Historic District require, depending on the scope of the work, CAR approval for any exterior change to the building or property that is visible from a public street or alley. Regulated changes might include additions, the replacement of windows or doors, roof materials, fences or walls and paint color. It is advised that you contact the [Historic Preservation Division](#) at (804)646-6335 to speak with a staff member about any proposed exterior change(s) to a building, structure or property located within the City Old & Historic District. An [informational brochure](#) on Old & Historic Districts and the Commission of Architectural Review, a [Handbook](#) with Design Review Guidelines and the Certificate of Appropriateness Application and Instructions [may all be found on the Historic Preservation website.](#)

What is a Certificate of Zoning Compliance and when is it required?

A [Certificate of Zoning Compliance \(CZC\)](#) is a permit issued by the Zoning Administration Office that certifies conformance with the City&C's Zoning Ordinance. A CZC is required for any use of land, building or structures, or portion thereof, other than an existing single-family dwelling or an individual residential unit (apartment) within multifamily buildings.

A CZC is not transferable and any new owner or tenant must obtain an updated CZC for the use of the premises. An inspection is required to determine if the property complies with zoning requirements.

Type here to search

www.richmond.gov | Plan, Engage and Development Review Documents | Old_Historic_Dist.pdf

For more information, click on the map on the right of this page. The following chapter is dedicated to these areas, and you'll find them listed in chronological order beginning with St. John's Church. You'll also find a brief history of each District, as well as photographs of a few of the most prominent structures.

Type here to search

www.richmondgov.com/planninganddevelopment/review/documents/Old_Historic_Dist.pdf

Church Hill North

Year of Designation	Year of Expansion	Total No. of Properties	Total Acreage	District Boundaries
2007	-	187	88.2	Marshall to Cedar Sts. & Jefferson Ave. to N 29th St

Type here to search

11:44 AM 1/22/2019

Exhibit D: Vinyl Fences in Neighborhood



Exhibit E: Historic Photos of 815 N. 24th St.

Joyner Listing – December 18, 2015



Google Street View - August 2015



Google Street View – September 2007



Richmond Esthetic Survey and Historic Building Survey – 1965

817 - 819 N. 24th St. [shows the fence in front of 815]



[/RES/access/up/D0207-01.jpg](#)

Exhibit F: Historic Neighborhood Photos

Richmond Esthetic Survey and Historic Building Survey – 1965

814 - 816 and 818 - 820 N. 24th St.



/RES/access/up/D0208-01.jpg

Richmond Esthetic Survey and Historic Building Survey – 1965

812 N. 24th St.



/RES/access/up/D0209-01.jpg

Richmond Esthetic Survey and Historic Building Survey – 1965

805 N. 24th St.



/RES/access/up/D0206-01.jpg

Richmond Esthetic Survey and Historic Building Survey – 1965

801 & 803 N. 24th St.



/RES/access/up/D0205-01.jpg