

COMMISSION OF ARCHITECTURAL REVIEW

APPLICATION FOR CERTIFICATE OF APPROPRIATENESS

PROPERTY (location of work) Address & 15 N. 24th St. Richmond, VA 23223 Historic district United HTU		Date/time rec'd: 2008() Rec'd by: Application #: COA - 0.29598 - 208 Hearing date: 2/27/18	
APPLICANT INFORMATION	П		
Name Mayne Dononue		Phone (804) 928 - 5454	
Company		Email Manohue Quenton, com	
Mailing Address 815 N. 24th St. Richmond, VA 23223		Applicant Type: ☑ Owner	☐ Agent
		☐ Lessee ☐ Architect Other (please specify):	
OWNER INFORMATION (if different from above)			EHGCDE
Name		Company	
Mailing Address		Phone	
	3	<u>Email</u>	
PROJECT INFORMATION	III		
Review Type: Conceptual Review	Final Review	,	
		□ New Construction	
Project Type: Alteration	☐ Demolition	(Conceptual Review Required)	
Project Description: (attach additional sheets if needed)			
Front yard fe	ince.		

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

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forth the mitigating factor of the City of Richmond having incorrect information on its website (FAQs that linked to an out of date handbook) that showed the property owner did not live in an Old and Historic District.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

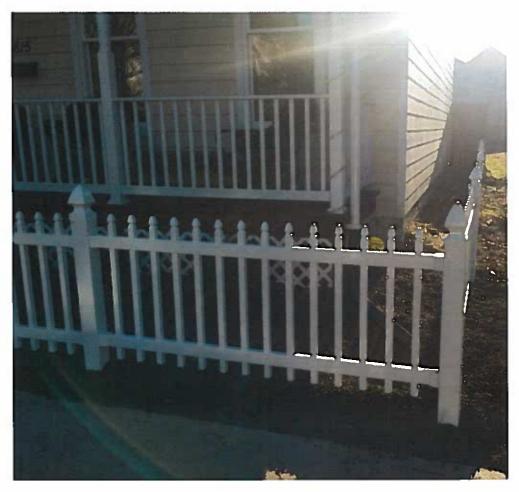
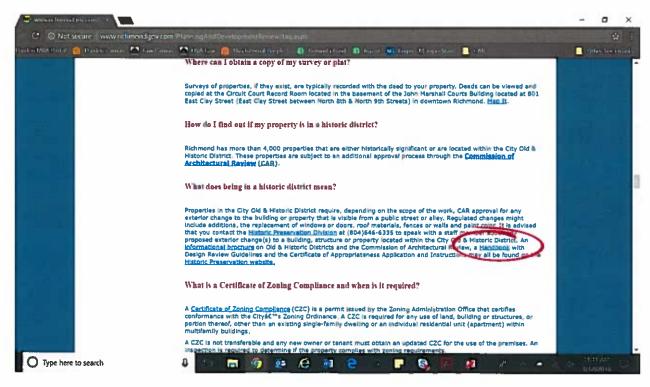
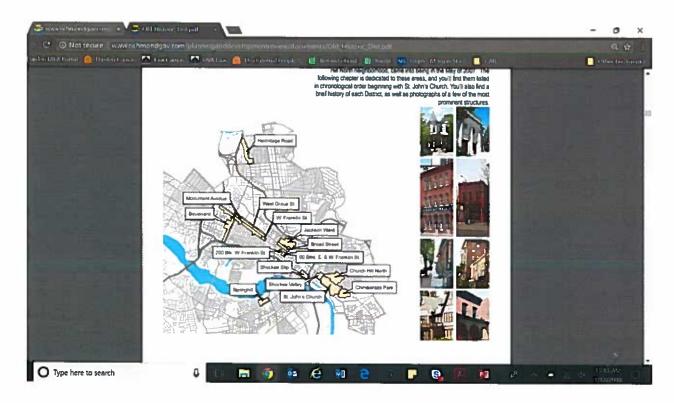


Exhibit C: Public Link to Old Handbook





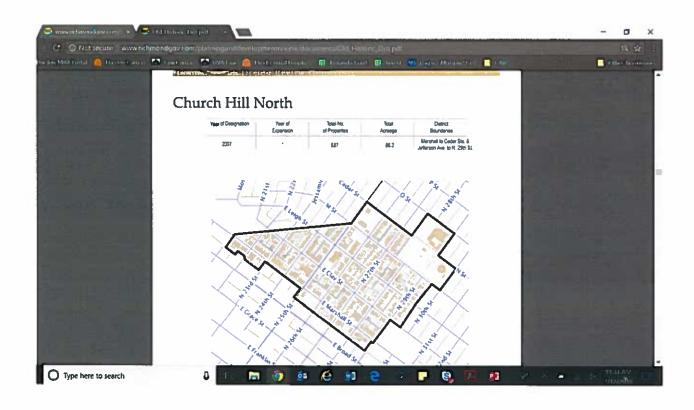


Exhibit D: Vinyl Fences in Neighborhood







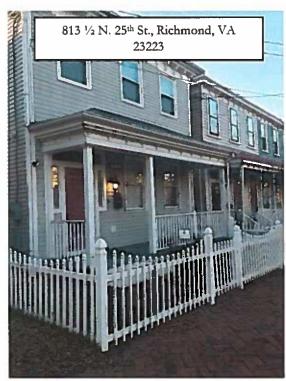


Exhibit E: Historic Photos of 815 N. 24th St.

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