

INTRODUCED: December 11, 2023

Expedited Consideration

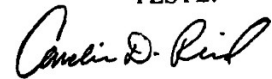
A RESOLUTION No. 2023-R059

To reverse the decision of the Commission of Architectural Review denying an application for a certificate of appropriateness for the property located at 211 North 27th Street in the city of Richmond, regarding the alteration of a front yard concrete curb with thin brick veneer, by fully approving such application.

Patron – Ms. Newbille

Approved as to form and legality
by the City Attorney

**A TRUE COPY:
TESTE:**



City Clerk

PUBLIC HEARING: DEC 11 2023 AT 6 P.M.

WHEREAS, on September 26, 2023, the Commission of Architectural Review denied an application identified as Certificate of Appropriateness Application No. COA-135960-2023 for approval of the alteration of a front yard concrete curb with thin brick veneer on the property located at 211 North 27th Street, which is situated within the St. John’s Church Old and Historic District; and

WHEREAS, on October 10, 2023, pursuant to section 30-930.8 of the Code of the City of Richmond (2020), as amended, the owner of the property located at 211 North 27th Street filed an appeal with the City Clerk asking that the Council reverse the Commission of Architectural

AYES: 8 NOES: 0 ABSTAIN: _____

ADOPTED: DEC 11 2023 REJECTED: _____ STRICKEN: _____

Review's decision denying approval of the application identified as Certificate of Appropriateness Application No. COA-135960-2023 to instead grant approval of Certificate of Appropriateness Application No. COA-135960-2023; and

WHEREAS, pursuant to section 30-930.8 of the Code of the City of Richmond (2020), as amended, the Council may reverse or modify the decision appealed, in whole or in part, by resolution; and

WHEREAS, the Council, in accordance with Chapter 30, Article IX, Division 4 of the Code of the City of Richmond (2020), as amended, is satisfied, in consideration of the evidence before it and contrary to the decision of the Commission of Architectural Review, that the aforementioned alteration on the property located at 211 North 27th Street is architecturally compatible with the historic landmarks, buildings, and structures in the St. John's Church Old and Historic District;

NOW, THEREFORE,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF RICHMOND:

That the Council hereby reverses the decision of the Commission of Architectural Review denying Certificate of Appropriateness Application No. COA-135960-2023 for the alteration of a front yard concrete curb with thin brick veneer at the property located at 211 North 27th Street by fully approving such application as originally submitted by the owner of the property located at 211 North 27th Street.

BE IT FURTHER RESOLVED:

That the Council hereby directs that a Certificate of Appropriateness sufficient to show the Council's full approval of Certificate of Appropriateness Application No. COA-135960-2023 be issued to the owner of the property located at 211 North 27th Street.



Richmond City Council

The Voice of the People

Richmond, Virginia

Office of the Council Chief of Staff

Ordinance/Resolution Request

TO Laura Drewry, City Attorney

Through LaTasha Holmes, Council Chief of Staff
Office of the Council Chief of Staff

FROM Joyce L. Davis, Council Policy Analyst
Office of the Council Chief of Staff

COPY Cynthia Newbille, 7th District Councilmember
Tabrica Rentz, Deputy City Attorney
Sam Patterson, 7th District Liaison

DATE December 7, 2023

PAGE/s 1 of 2

TITLE Resolution to reverse the decision of the Commission of Architectural Review (CAR) relative to Application No. COA-135690-2023.

This is a request for the drafting of an **Ordinance** **Resolution**

REQUESTING COUNCILMEMBER/PATRON

Councilmember Cynthia Newbille

SUGGESTED STANDING COMMITTEE

Expedited Consideration

ORDINANCE/RESOLUTION SUMMARY

Resolution to reverse the decision of the Commission of Architectural Review (CAR) on September 26, 2023 relative to Application No. COA-135690-2023.

BACKGROUND

This O&R is to request a Resolution to reverse the decision of the Commission of Architectural Review (CAR) on September 26, 2023 relative to Application No. COA-135690-2023. The purpose of the reversal of the CAR decision is to approve the alterations/installation of the brick wall located at 211 North 27th Street, Richmond, Virginia.

This request for reversal of the decision of CAR involves completion of an alteration of an existing concrete retaining wall without review and approval by the CAR. Work completed requires prior approval of CAR and to first obtain a Certificate of Appropriateness from the City for any changes or alterations to a permanent structure that are visible from the public right-of-way. The Commission of Architectural Review denied the proposal at their September 26, 2023 meeting. The property owner was requested to stop the work and reverse the unauthorized changes. The modifications constituted a violation of the City of Richmond Zoning Ordinance, Sections 30-930.6 (a)".

This Resolution is requesting to reverse the decision of the Commission of Architectural

Review and approve the work that was completed. The requested introduction and expedited date for consideration is December 11, 2023.

FISCAL IMPACT STATEMENT

Fiscal Impact Yes No

Budget Amendment Required Yes No

Estimated Cost or Revenue Impact \$ 0

Attachment/s Yes No



October 24, 2023

To the Honorable Council of the
City of Richmond, Virginia:

Greetings:

Attached please find a summary of the appeal, the statement of the Commission of Architectural Review, and all pertinent records regarding the appeal of 211 N. 27th Street CAR Application No. COA-135690-2023.

The application was for the review and approval of the following work: Alter a front yard, concrete curb, veneering it in thin brick. This property is located in the St. John's Church City Old and Historic District. The work was completed without first obtaining a Certificate of Appropriateness. The Commission of Architectural Review denied the proposal at their September 24th, 2023 meeting.

Please note that City Code Section 114-930.8. (c) states: "The failure of the city council to modify or reverse the decision of the commission within 75 days from the date the petition is filed shall be deemed to constitute affirmation of the commission's decision, unless all parties to the appeal agree in writing to extend such period of time."

Please call me at 646-6569 or e-mail me at alex.dandridge@rva.gov if you have any questions regarding this appeal.

Sincerely,

Alex Dandridge
Secretary to the Commission of Architectural Review

Introduced
Resolution
Due before

COMMISSION OF ARCHITECTURAL APPEAL RESPONSE
211 N. 27th Street
APPLICATION COA-135960-2023
September 26th, 2023

Introduction

William Shields, owner of 211 N. 27th Street, filed an appeal on the above-referenced application for a Certificate of Appropriateness on October 10th, 2023. **The petition objects to the September 26th, 2023 decision of the Commission of Architectural Review to deny the application for a Certificate of Appropriateness (COA-135960-2023) for the following exterior alteration: Alter a front yard, concrete curb, veneering it in thin brick.**

The scope of work was completed without receiving a Certificate of Appropriate from the Commission of Architectural Review as required by City Code Sec. 30-930.6. The Certificate of Appropriateness reviewed by the Commission on September 26th, 2023 was in response to a Notice of Violation issued to the property on August 30, 2023, and was a request for the Commission to approve the work that had already been completed.

The subject property is a semi-attached, single-family, masonry dwelling in the Italianate style constructed in 1894. The dwelling features many of its original, character-defining architectural elements such as a decorative wooden cornice, brackets, and arched brick lintels, as well as the front yard concrete curb, a common site feature throughout the St. John's Church City Old and Historic District.

The Commission's appeal response addresses the basis for the Commission's decision that the work described in the application is not compatible with the historic design and materials of the St. John's Church City Old and Historic District and was not consistent with the *Old and Historic District Handbook and Design Review Guidelines*.

City Council, under Section 30-930.8 (c) of the City Code, may reverse or modify the decision appealed, in whole or in part, when it is satisfied that the decision of the Commission is in error under Chapter 30, Article IX, Division 4 which is the division of the code that applies to preserving the unique historic and architectural character of the City's Old and Historic Districts through the review of applications for certificates of appropriateness. As the Commission used its adopted *Guidelines* as the basis for its decision regarding this application, the Commission asserts that they did not act in error in their review of this Certificate of Appropriateness.

Response to the Specific Items of the Appeal

Regarding the appeal of Certificate of Appropriateness Application COA-135960-2023 211 N. 27th Street, there are several pertinent aspects for City Council to consider:

- The Commission has reviewed the request by William Shields to alter a front yard, concrete curb, veneering it in thin brick. The Commission denied the request for the following reasons:

- o **The *Old and Historic District Handbook and Design Review Guidelines* state that, "Fence, wall, and gate designs should reflect the scale of the historic structures they surround, as well as the character of nearby fences, walls, and gates. Fence, wall, or gate materials should relate to building materials commonly found in the neighborhood" (pg. 51). The *Guidelines* go on to state that, "Original fences and walls should be retained and maintained whenever possible. Existing Brick or stone walls, boxwood hedges, wooden picket fences and cast or wrought iron fences should not be removed or replaced with contemporary features (pg. 78).**

The subject concrete curb is shared with the neighboring, attached dwelling at 209 N. 27th Street whose section remains concrete. Low concrete curbs between front property lines and the sidewalk are common features throughout the St. John's Church City Old and Historic District. A few have been inappropriately altered overtime, having fences installed on top of them or even stones and/or soldier course brick.

The semi-attached dwellings at 209-211 N. 27th Street are identical, and the concrete curbs out front were identical as well, continuing the motif of visual uniformity between the two units. The alteration of 211's concrete curb with thin brick breaks this visual uniformity.

Brick retaining walls/curbs in front yards do exist within the district; however, concrete curbs and front yard metal or wooden fences are much more common. The original concrete wall was not removed and exists beneath the thin brick veneer.

It appears that the concrete retaining wall was cracked and in need of repair. Per the *Guidelines*, the concrete curb should have been repaired or reconstructed to match the original rather than covering the damaged curb with thin Brick .

The Commission's Responsibility

The Commission of Architectural Review, under Chapter 30, Article IX, Division 4, Section 30-930 of the City Code, is charged with the responsibility of promoting and preserving the historic and architectural resources of the City of Richmond. This is accomplished by a design review process set up to evaluate any exterior changes proposed in City Council-created Old and Historic Districts. The Commission either issues (approves or approves in a modified form) or denies a Certificate of Appropriateness (COA) by this process. In this review process, the Commission must determine whether the proposed new construction is compatible with the Old and Historic District of which it is a part.

The Commission has adopted *The Richmond Old and Historic Handbook and Design Review Guidelines* in accordance with City Code Section 30-930.7 (g) *Adoption of architectural guidelines*, which states: "The commission of architectural review may

adopt architectural guidelines for any old and historic district to assist the public and the commission in planning for and reviewing exterior modifications..."

Application History

- 07/13/2023 – Commission Staff spoke with an individual about the proposal to veneer the concrete curb with thin brick.
- 07/27/2023 – Commission Staff observed the work being completed without a COA and emailed the project contact and explained that a COA would need to be obtained. No response was received.
- 08/30/2023 – Commission Staff issued a Notice of Violation to the property. By this time, the work had been completed.

Conclusion

The Commission's review and denial of the application was consistent with the Standards for Site improvements in Chapter 30, Article IX, Division 4, Section 30-930.7(b) of the City Code and the *Richmond Old and Historic Handbook and Design Review Guidelines* adopted under Section 30-930 (g) of the City Code. As the City Code and the *Guidelines* are clear that new site features such as fences and walls should be a material that is compatible with the district. Furthermore, the *Guidelines* state that existing walls should be repaired rather than replaced as a means to preserve historic materials and the character of City Old and Historic Districts.

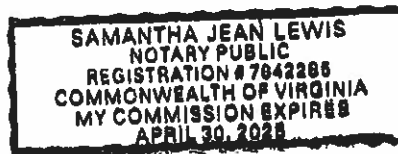
Sean Wheeler
Chair, Commission of Architectural Review
October 24, 2023

Alex Dandridge
Secretary to the Commission of Architectural Review
October 24, 2023

Commonwealth of Virginia
City of Richmond

Sworn and subscribed to before me by Alex Dandridge, whose name is signed above, on this 24 day of October, 2023

Signature of Notary Public
Notary Registration Number: 7942285
My Commission Expires: April 30, 2025





NOTICE OF VIOLATION

TO: William G. Shields
211 N. 27th Street
Richmond, VA 23223

DATE: 8/30/2023

RE: 211 N. 27th Street

It has come to our attention that the following work was performed at the above address:
Alteration of an existing concrete retaining wall without review and approval by the Commission of Architectural Review.

Our staff observed this condition during a site inspection on August 30, 2023. Your property is located within the St. John's Church Old and Historic District. As you may be aware, this designation requires that a Certificate of Appropriateness (COA) be obtained from the City for any changes or alterations to a permanent structure that are visible from the public right-of-way. The Department of Planning and Development Review is the City agency that manages COAs.

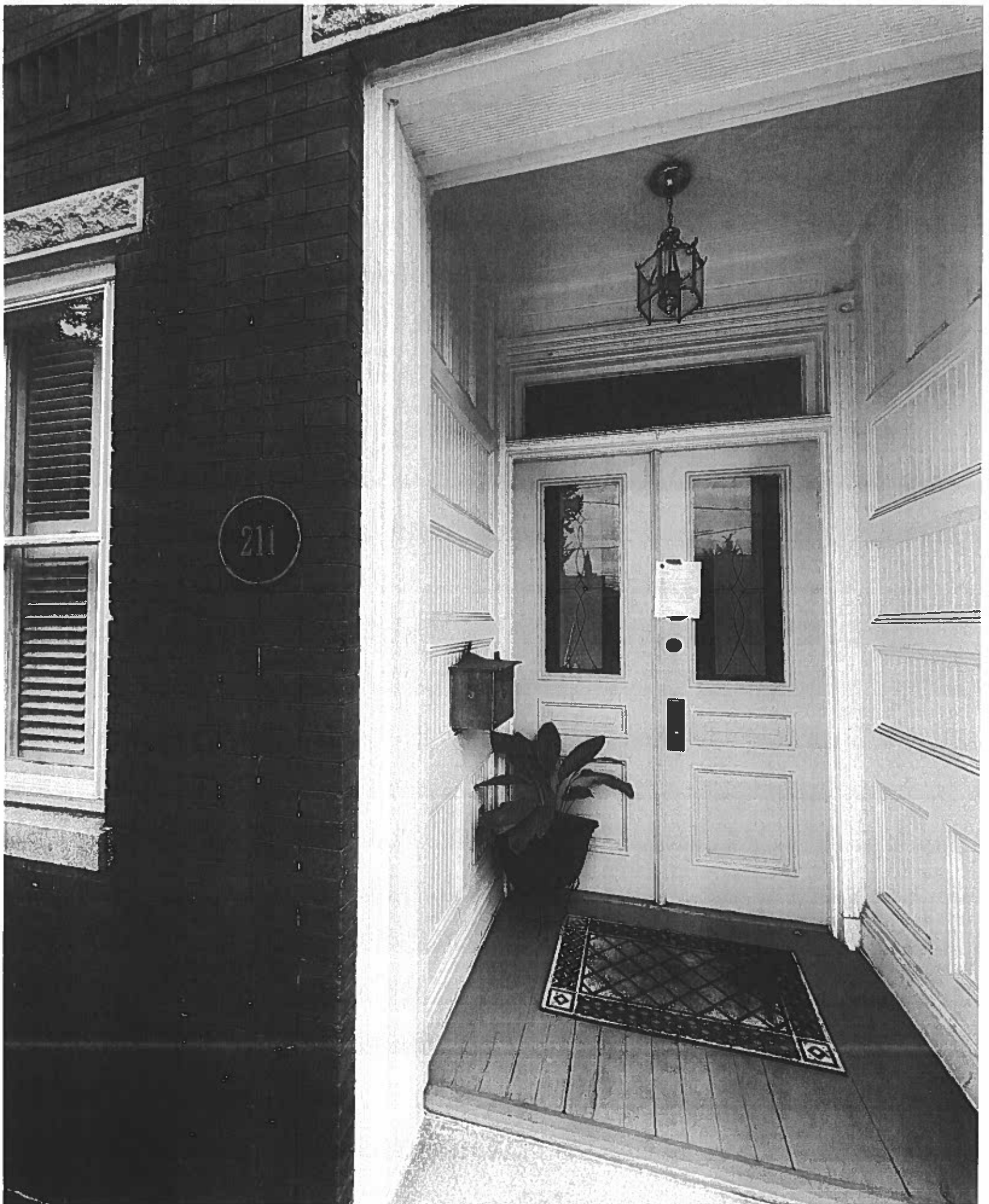
Our records indicate that you have not obtained any or all of the COAs required for this work. The exterior modifications currently under way/completed constitute a violation of the City of Richmond Zoning Ordinance, specifically Sections 30-930.6(a). Therefore, you are ordered to stop work immediately. For your convenience, a copy of this notice will be posted on-site, mailed to the property owner of record and held on file in the Department of Planning and Development Review, Room 510, 900 East Broad Street.

In addition to stopping work immediately, you must reverse the unauthorized changes you have made within thirty (30) calendar days. Prior to commencing work to reverse the violation, you must contact, Alex Dandridge, Secretary to the CAR. He can be reached at (804) 646-6569 or alex.dandridge@rva.gov for more information on the process and what steps you must take to abate the violation and resume work in compliance with the Code. You may also petition this decision by filing an appeal with the Secretary of the Board of Zoning Appeals (BZA). Any appeal must be made in writing and submitted within thirty (30) calendar days to the BZA in accordance with Section 15.2-2311 of the Code of Virginia and Section 17.19 of the Richmond City Charter, or the decision shall be final and not appealable. All unauthorized work must cease during the appeal process.

Failure to take corrective action(s) or to appeal the decision within the specified time period may result in the City taking legal action per Section 30-1080 of the Richmond Zoning Ordinance. Instead, we hope that you will respond to the violation(s) promptly and we look forward to assisting you in any way we can.

William C. Davidson, Zoning Administrator

CODE COMPLIANCE WILL BE VERIFIED ON October 2, 2023.





DEPARTMENT OF
**PLANNING AND
DEVELOPMENT
REVIEW**

Commission of Architectural Review
Certificate of Appropriateness Application
900 E. Broad Street, Room 510
Richmond, VA 23219
804-646-6569

Property (location of work)

Property Address: 211 N. 27th St. Richmond, VA 23223

Current Zoning: residential

Historic District: Church Hill/ St. John's

Application is submitted for: (check one)

- Alteration
 Demolition
 New Construction

Project Description (attach additional sheets if needed):

We had a concrete retaining wall out front, about a foot tall. Rain caused soil to wash over onto the sidewalk. The concrete had a crack and some discoloration. We repaired it with period appropriate brick facing. We used the same contractor and same brick as had been approved by CAR for a stairs repair or rebuilding a block away on ~~26th St.~~ 26th St.

Applicant/Contact Person: William Shields

Company: The Shields Law Firm PLLC

Mailing Address: 11512 Allecingle Parkway

City: Richmond

State: VA

Zip Code: 23235

Telephone: (804) 594-3966

Email: Bill.Shields@TheShieldsFirm.com

Billing Contact? Yes Applicant Type (owner, architect, etc.): owner

Property Owner: William Shields

If Business Entity, name and title of authorized signee:

Mailing Address: 211 N. 27th St.

City: Richmond

State: VA

Zip Code: 23223

Telephone: (804) 216-4497

Email: Shields.Bill15@gmail.com

Billing Contact? Yes

****Owner must sign at the bottom of this page****

Acknowledgement of Responsibility

Compliance: If granted, you agree to comply with all conditions of the certificate of appropriateness (COA). Revisions to approved work require staff review and may require a new application and approval from the Commission of Architectural Review (CAR). Failure to comply with the conditions of 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 and payment of associated fee.

Requirements: A complete application includes all applicable information requested on checklists available on the CAR website to provide a complete and accurate description of existing and proposed conditions, as well as payments of the application fee. Applications proposing major new construction, including additions, should meet with staff to review the application and requirements prior to submitting. Owner contact information and signature is required. Late or incomplete applications will not be considered.

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

Property Owner Signature: 

Date: 9/8/23

Certificate of Appropriateness Application Instructions

Staff Contact: (804)-646-6569 | alex.dandridge@rva.gov

Before You Submit

In advance of the application deadline, please contact staff to discuss your project, application requirements, and if necessary, to make an appointment to meet with staff for a project consultation. The CAR website has additional project guidance and required checklists: www.rva.gov/planning-development-review/commission-architectural-review.

Application deadlines are firm. All materials must be submitted by the deadline to be considered at the following Commission meeting. Designs must be final at the time of application; revisions will not be accepted after the deadline. Incomplete and/or late applications will not be placed on that month's agenda.

Submission Requirements

Please submit applications to staff via email with the project address in the subject line. Submit the following items via email to staff:

- One (1) signed and completed application (PDF) – property owner signature required.
- Supporting documentation, as indicated on the [checklist](#), which can be found under the 'Application Information' tab on the website.
- Payment of application fee, if required. Payment of the fee must be received before the application will be scheduled. An invoice will be sent via the City's Online Permit Portal. Please see [fee schedule](#) available on the CAR website for additional information.

A complete application includes a signed application form, legible plans, drawings, elevations, material specifications, and payment of the required fee as described in the City Code of Ordinances Sec. 30-930.6(b). The Commission will not accept new materials, revisions, or redesigns at the meeting. Deferral until the following month's meeting may be necessary in such cases to allow for adequate review by staff, Commissioners, and public notice, if required.

Meeting Information and Application Due Dates

- The Commission meets on the fourth Tuesday of each month, except for December when it meets on the third Tuesday.
- Application hearings start at 4:00pm. Meetings are held in person at City Hall in the 5th floor conference room. Participation via Microsoft Teams is available. It is strongly recommended that at least one person, either the owner or applicant, attend the meeting in person.
- All applications are due at 12 noon the Friday after the monthly CAR meeting, except in December, when applications are due the following Monday. For a list of meeting dates and submission deadline dates for each meeting please visit www.rva.gov/planning-development-review/commission-architectural-review or contact staff.
- Revisions to applications that have been deferred or conceptually reviewed at a CAR meeting can be submitted nine (9) business days after that meeting in order to be reviewed at the following meeting. Please contact staff to confirm this date.
- New construction will be required to go through a conceptual review. The conceptual review is non-binding.
- Applicants are encouraged to reach out to any relevant civic associations and immediate neighbors for new construction or large-scale projects prior to submitting to the Commission of Architectural Review.



The Shields Law Firm, PLLC

Attorneys at Law

Phone: (804) 594-3966 Fax: (804) 381-4535

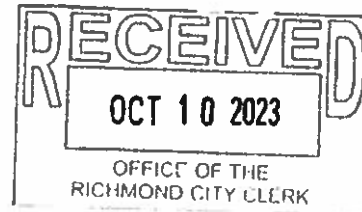
William G. Shields
bill.shields@theshieldsfirm.com

Jennifer R. Wilkie
jennifer.wilkie@theshieldsfirm.com

October 4, 2023

U.S. Mail and Email: CityClerksOffice@rva.gov

Office of the City Clerk
Candice D. Reid, City Clerk
900 E. Broad Street, Suite 200
Richmond, VA 23219



Re: 211 N. 27th Street
Application No.: COA-135960-2023

Dear Ms. Reid:

Please be advised that the purpose of this letter is to note an appeal against the decision of the Committee of Architectural Review rendered on September 26, 2023, at its regular meeting. The case number is COA-135960-2023. The purpose of this appeal is to get approval to leave the low brick retaining wall in front of my property intact, rather than forcing me to tear this wall down and go back to a concrete retaining wall. Attached hereto is Exhibit A, three photographs of the wall as it exists today clearly showing that it is entirely appropriate for the Church Hill historic district, and an improvement over what was there before. Exhibit B, are two photographs of the prior concrete retaining wall. As you can see, the old wall was cracked where the arrow points, and on the step, the southern one-third was different from the northern portion of it. Exhibit C is a photograph showing that the preexisting retaining wall under the porch, on our property was brick, like the brick we installed.

Attached as Exhibit D is the section of the CAR standards for fences and walls. Our wall does not violate those standards.

Exhibit E attached, is for new construction, again, our wall complies with those guidelines.

11512 Allecingie Parkway North Chesterfield, VA 23235
www.theshieldsfirm.com

I note that there was a brick retaining wall on the property, under the porch, all along. The wall we installed simply made our entire wall brick rather than part brick, part concrete, see Exhibit C.

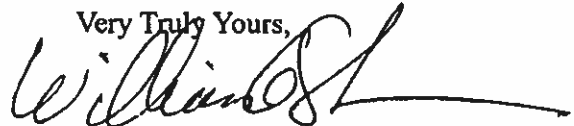
I believe that the brick facing we put on the concrete wall was an improvement and was entirely consistent with the historic nature of Church Hill society.

The decision of CAR is arbitrary and capricious, in particular, it does not seem to be based upon any particular standards, just a sort of an ad hoc determination. There is no requirement in the law, the code, or in the handbooks CAR follows, that two adjoining houses must have exactly matched facades. The reason for denying the permit seems to primarily have been that one of the two houses now has a concrete retaining wall, and the other a brick retaining wall. Both, however, had a brick wall under the porch before, and the steps and walk were different before. Our neighbor's step and walk were concrete, we had a brick step and brick walk. Church Hill is full of row houses where the adjoining properties are not exactly the same, this is not a reason for denial.

I note with some humor, that St. John's historic district is named for a church that has a brick retaining wall all the way around the block on which it sits. Across the street from the Church on Grace Street is a house bearing a Virginia Historical Society plaque which has a retaining wall almost identical to the one we installed. Enclosed are numerous photos of historic brick retaining walls within the district, Exhibit F. I would ask the city council to permit us to leave the wall in place and not tear it down, there is nothing to be gained by removing this structure which is entirely consistent with the historic nature of the area.

Enclosed is my check for \$150.00. Thank you for your consideration.

Very Truly Yours,

A handwritten signature in black ink, appearing to read 'William G. Shields', with a long horizontal flourish extending to the right.

William G. Shields

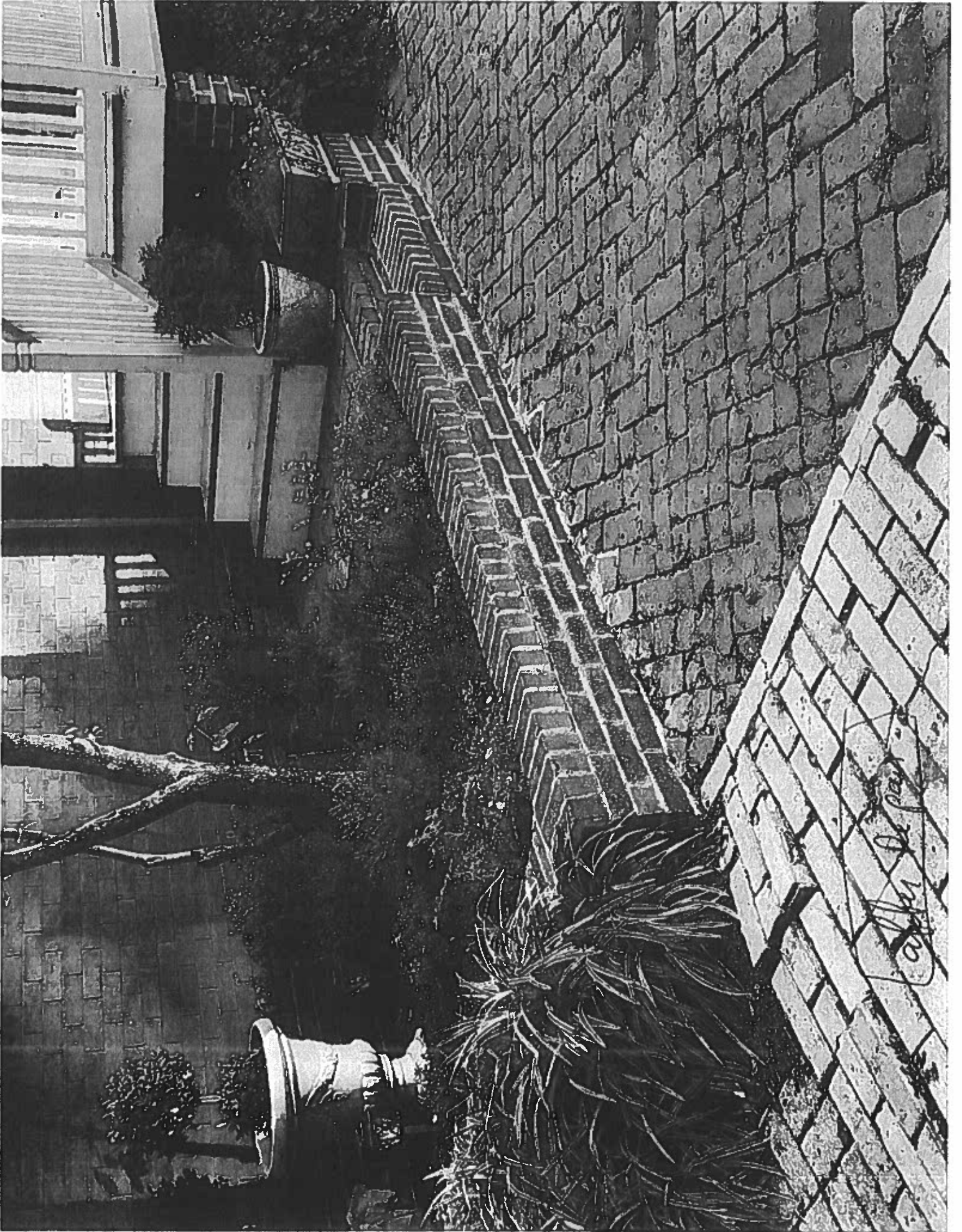
WGS/rac

Encl.

cc: Alex Dandridge (*via email only*)
Laura K. Drewry, City Attorney



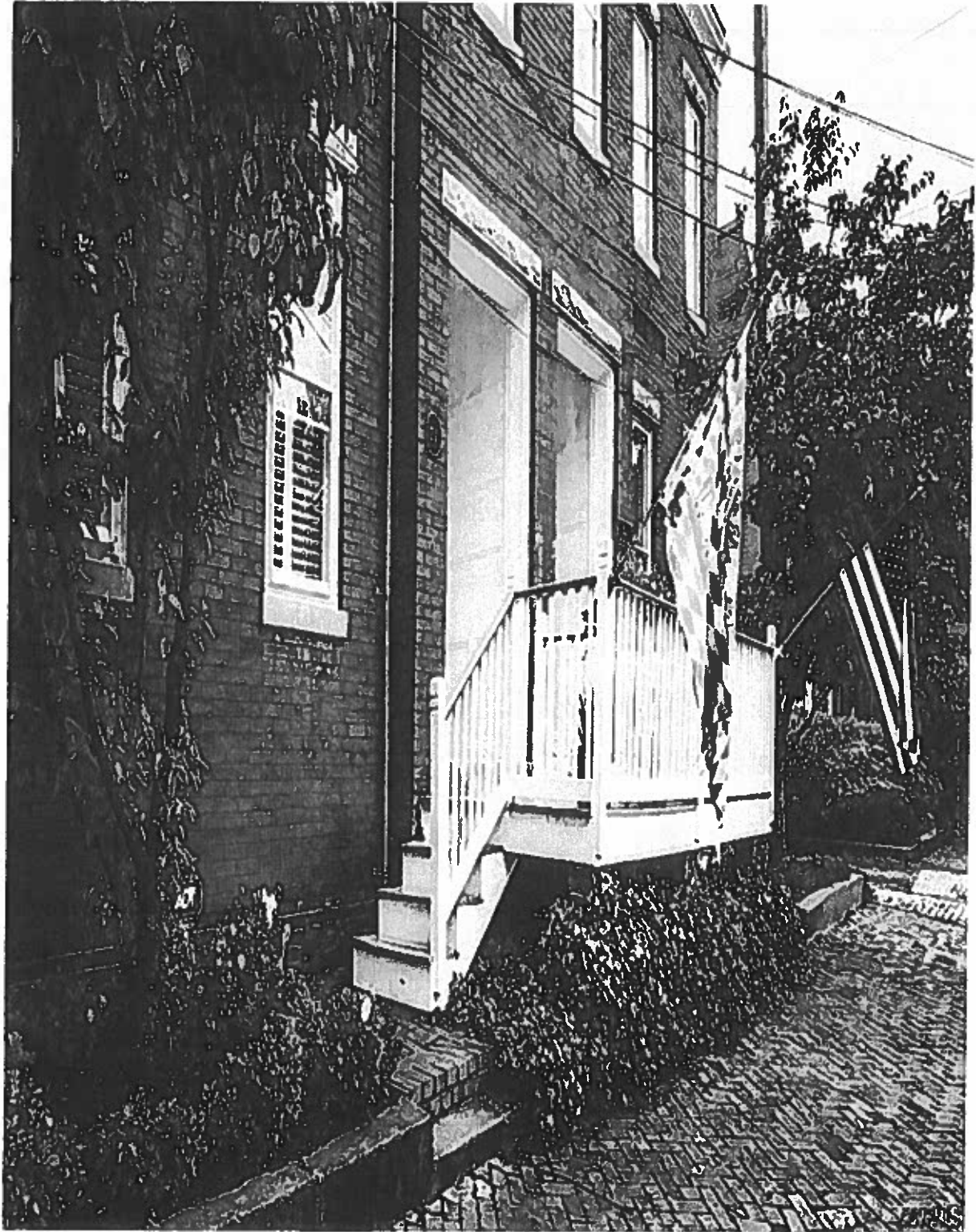
Edna Pope



Ally De Paz







↗ before.



before



Before



Staff Report
City of Richmond, Virginia



Commission of Architectural Review

7. COA-135960-2023.	Final Review Meeting Date: 9/26/2023
Applicant/Petitioner	William Shields
Project Description	Result of a Notice of Violation: Alter a front yard, concrete curb, veneering it in thin brick.
Project Location	
Address: 211 N. 27 th Street	
Historic District: St. Johns Church	
<p>High-Level Details:</p> <p>The Applicant proposes to alter a front yard, concrete curb by veneering it with brick.</p> <p>The concrete curb is located in front of a semi-attached Italianate, brick row house ca. 1894.</p> <p>The concrete curb spans the width of the two dwelling's front yards at 209-211 N. 27th Street.</p> <p>This work has been completed without receiving a Certificate of Appropriateness from the Commission.</p>	
Staff Recommendation	Denial
Previous Reviews	<p>While the Commission has not previously reviewed this application, Staff spoke with one of the dwelling's occupants about the proposal at the beginning of July 2023.</p> <p>Staff observed the work being completed without a COA on July 27, 2023 and explained that a COA would need to be obtained. Not receiving a response, Staff issued a notice of violation to the property on August 30, 2023. By this time, the work had been completed.</p>
Staff Contact	Alex Dandridge, alex.dandridge@rva.gov , (804) 646-6569
Staff Recommendations	<ul style="list-style-type: none"> denial of the application original concrete curb be repaired and retained or reconstructed to match the original in height and dimension.

Staff Analysis

Guideline Reference	Reference Text	Analysis
<p>New Construction, Fences & Walls, pg. 51</p>	<p><i>1. Fence, wall, and gate designs should reflect the scale of the historic structures they surround, as well as the character of nearby fences, walls, and gates.</i></p> <p><i>2. Fence, wall, or gate materials should relate to building materials commonly found in the neighborhood.</i></p>	<p>The applicant has veneered an existing concrete curb with brick. The concrete curb is shared with the neighboring, attached dwelling at 209 N. 27th Street whose section remains concrete.</p> <p>Low concrete curbs between front property lines and the sidewalk are common features throughout the St. John's Church City Old and Historic District. A few have been inappropriately altered overtime, having fences installed on top of them or even stones and/or soldier course brick.</p> <p>The semi-attached dwellings at 209-211 N. 27th Street are identical, and the concrete curbs out front were identical as well, continuing the motif of visual uniformity between the two units.</p> <p>The alteration of 211's concrete curb with brick breaks this visual uniformity.</p> <p>Brick retaining walls/curbs in front yards do exist within the district, however concrete curbs and front yard metal or wooden fences are much more common.</p>
<p>Standards for Site Improvements, Fences & Walls, pg. 78</p>	<p><i>1. Original fences and walls should be retained and maintained whenever possible.</i></p> <p><i>2. Existing brick or stone walls, boxwood hedges, wooden picket fences and cast or wrought iron fences should not be removed or replaced with contemporary features.</i></p>	<p>The original concrete wall was not removed and exists beneath the brick veneer.</p> <p>It appears that the concrete retaining wall was cracked and in need of repair.</p> <p>Per the <i>Guidelines</i>, the concrete curb should have been repaired or reconstructed to match the original rather than covering the damaged curb with brick. <u>Staff recommends denial of the application, and recommends that the original concrete curb be repaired and retained, or reconstructed to match the original in height and dimension.</u></p>

It is the assessment of staff that, with the conditions above, the application is consistent with the Standards for Rehabilitation and New Construction outlined in Section 30-930.7 (b) and (c) of the City Code, as well as with the Richmond Old and Historic Districts Handbook and Design Review Guidelines, specifically the pages cited above, adopted by the Commission for review of Certificates of Appropriateness under the same section of the code.

Figures

Figure 1. Semi-attached dwellings at 209-211 N 27th Street, Valentine Museum Archives



Figure 2. Staff observed work being completed without a COA on July 26, 2023. Staff sent an application page and a courtesy email to the property contact on file, suggesting they stop work and apply for a COA.



Figure 3. Completed work.



Figure 4. VCU Photo Archives - 209-211 N. 27th Street, 1996.



September 26, 2023

DRAFT Minutes - 211 North 27th Street

This project was the result of a violation.

Alex Dandridge, C.A.R. Secretary, had been in contact with the applicant in July. The applicant did not receive a COA prior to completing the work.

The applicant covered a cracked, damaged concrete curb in the front yard with thin brick veneer.

Alex Dandridge recommended denial and that the curb be repaired in-kind with concrete.

The applicant brought before and after pictures of the damaged curb and curb covered with brick veneer. The applicant mentioned that there are many brick walls in the neighborhood, which he referred to and showed pictures of them.

The applicant/ homeowner thinks the brick veneer is an improvement to the site. He mentioned an untouched brick wall below the steps. The owner knew he was in a C.A.R. district and thought he was just making a repair.

Commission's Comments:

Commissioner Wheeler does not think the brick looks bad. However he is concerned about the brick and thinks it could pose issues in bad weather.

Commissioners discussed compatibility of brick cladding.

A motion was made by Commissioner Brewer, seconded by Commissioner Moore, to deny the application for the reason cited in the staff report. The motion carried by the following vote:

Yes: (4) Brewer, Moore, Nutt, Rodriguez

No: (2) Grier, Wheeler

Recused: (0)

Absent: (3) Danese, Morgan, Pearson



City of Richmond Commission of Architectural Review



September 27, 2023

William Shields
211 N 27th Street
Richmond, VA 23223

RE: 211 N 27th Street
Application No. COA-135960-2023

Dear Applicant:

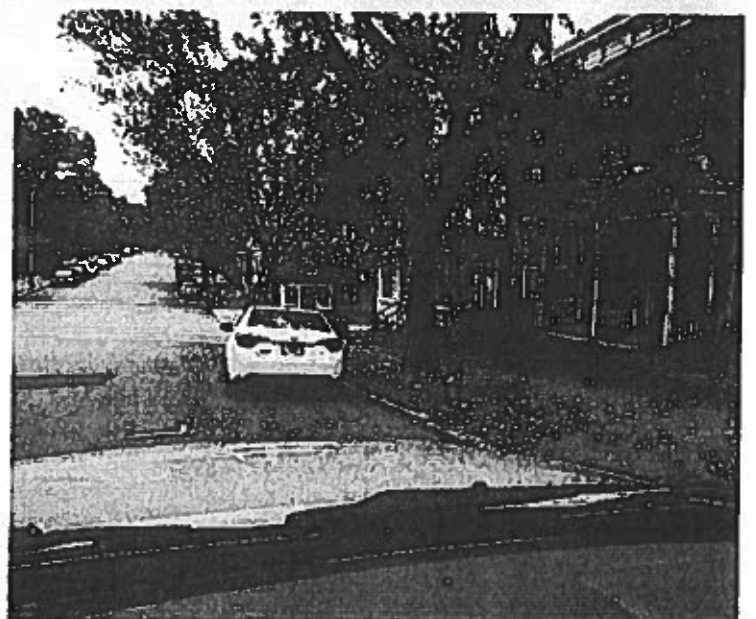
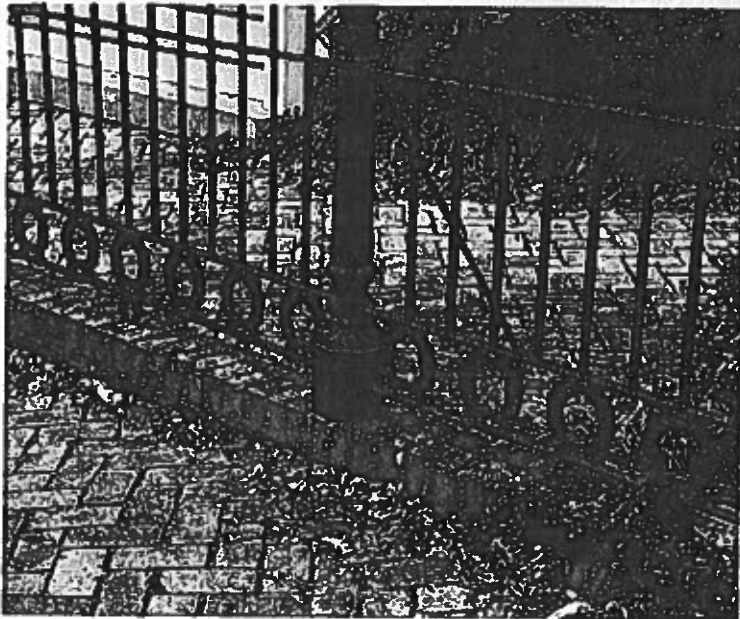
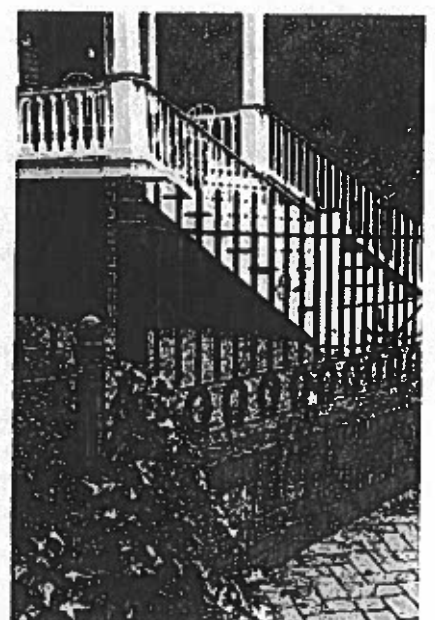
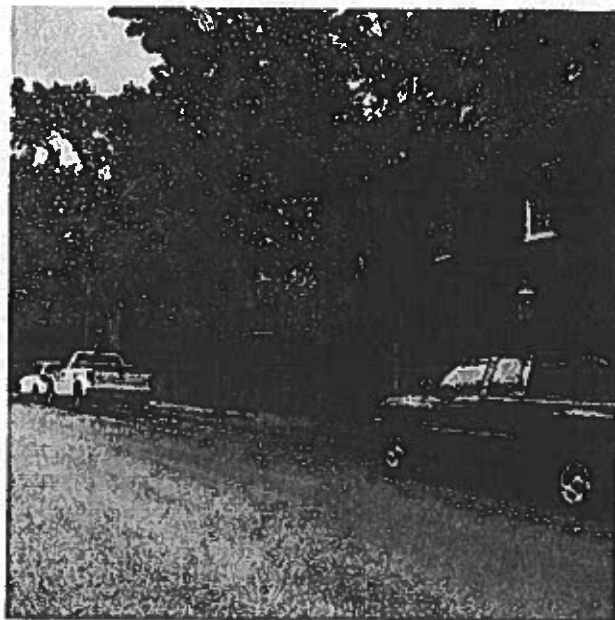
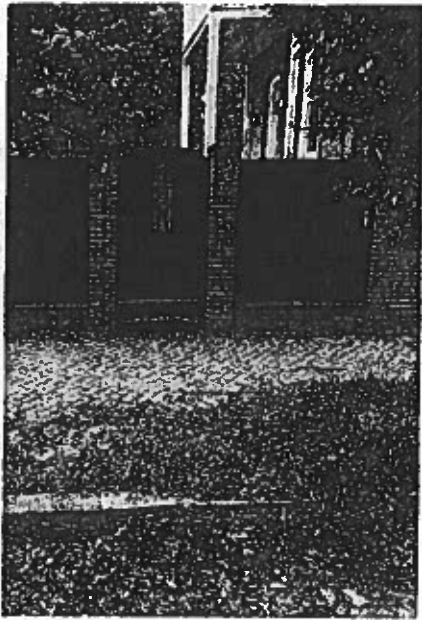
At the September 26, 2023 meeting of the Commission of Architectural Review, the review of your application for a Certificate of Appropriateness resulted in the following action: **Denied**. Specifically, the Commission denied the application for the reasons cited in the staff report.

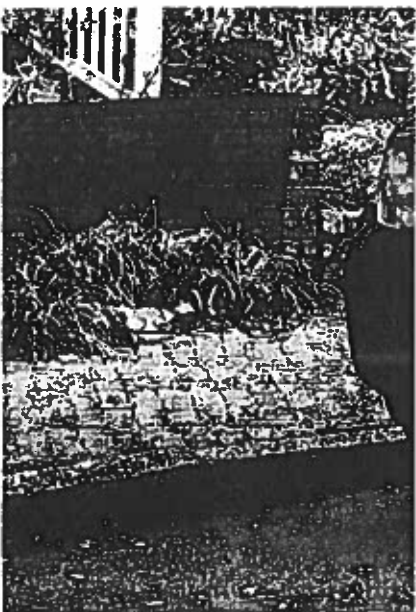
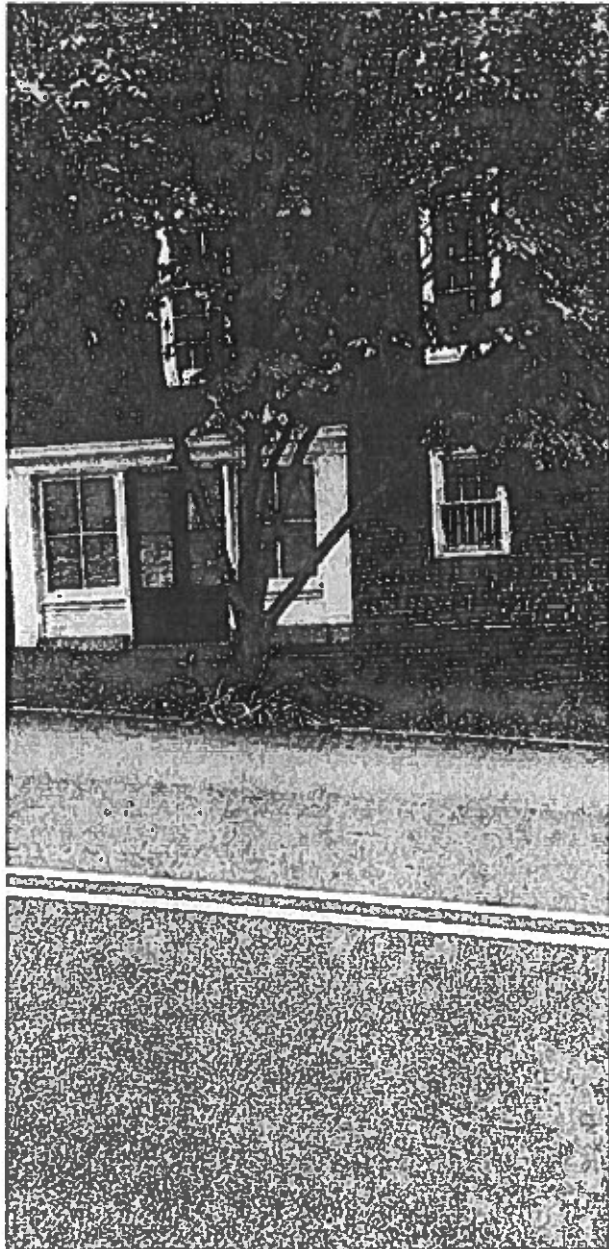
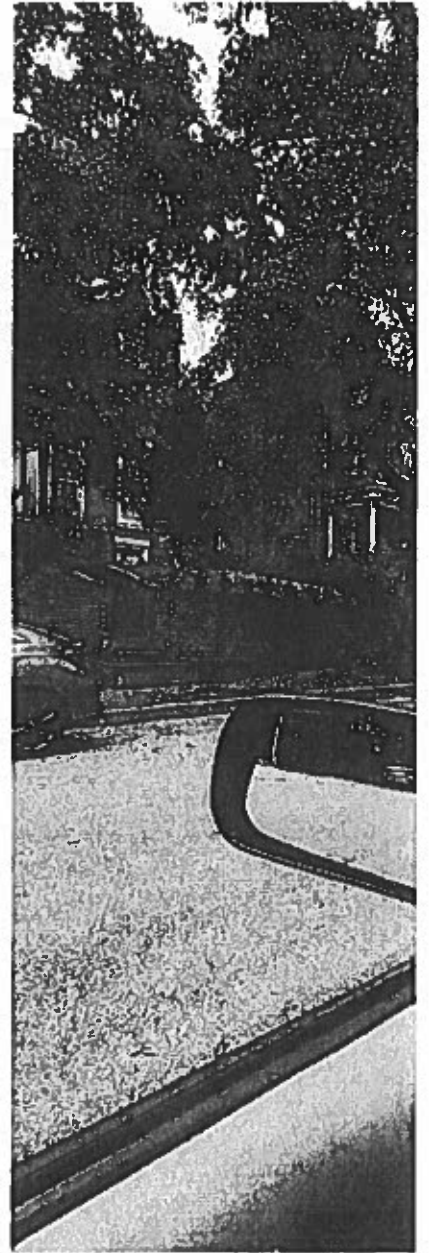
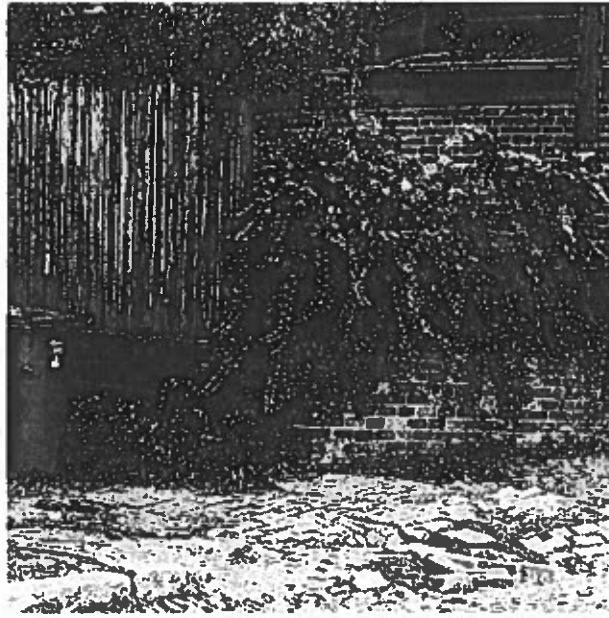
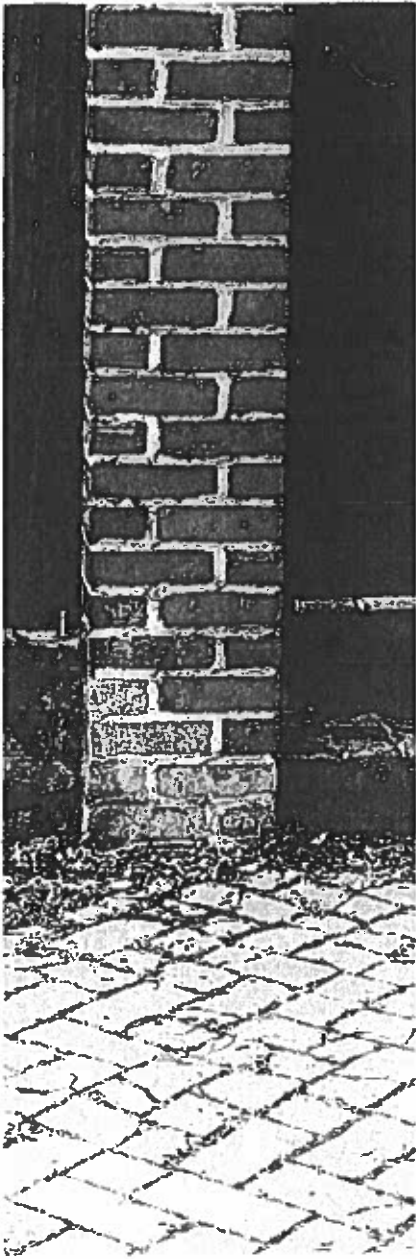
You, or any aggrieved party, have the right to appeal a decision of the Commission of Architectural Review to City Council as specified in Section 30.930 of the Richmond City Code. A petition stating reasons for the appeal must be filed with the City Clerk within 15 days of this meeting.

If you have any questions, please contact Alex Dandridge, CAR Secretary at (804) 646-6569 or by e-mail at alex.dandridge@rva.gov.

Sincerely,

Alex Dandridge
Secretary, Commission of Architectural Review







City Of Richmond, Virginia

Office of the City Clerk

Candice D. Reid
City Clerk

CERTIFIED MAIL

October 10, 2023

William G. Shields
The Shields Law Firm
11512 Allecingie Parkway
Suite G
North Chesterfield, Virginia 23235

Re: Commission of Architectural Review Appeal
(211 N. 27th Street - Application No. COA-135960-2023)

Mr. Shields:

This letter is to acknowledge receipt of your petition, appealing a decision made by the Commission of Architectural Review (CAR) on September 26, 2023, concerning an application for a Certificate of Appropriateness for the property located at 211 N. 27th Street. This letter also acknowledges receipt of your check #1012 on October 10, 2023, for one hundred and fifty dollars (\$150.00) to process the appeal, as required by Section 30-930.8(a) of the *Code of the City of Richmond, Virginia, 2020*.

Pursuant to Section 30-930.8 of the City Code, a copy of your appeal petition has been forwarded to members of City Council and Alex Dandridge, CAR Secretary. The Code requires CAR to file certified or sworn copies of the record of its action and documents considered by CAR in making the decision being appealed to this office within fifteen (15) days. This information, along with any affidavit providing supplemental information, will be forwarded to all members of Council.

Upon receipt of this communication, you are encouraged to contact your Council representative or any City Council member directly to discuss your appeal or share information related to the appeal process. Contact information for all members of the City Council is enclosed with this letter.

Either the mayor or a member of Council may introduce a resolution to modify or reverse CAR's decision in light of your appeal. If the Council has not adopted such a resolution within 75 days, excluding city holidays and days on which the city government is closed due to a local emergency properly declared, from the date on which you filed your petition with my office, CAR's decision will be deemed to have been affirmed, unless both you and CAR agree in writing by **January 2, 2024**, to extend this 75-day period.

If you need additional information, I may be reached at 646-7955.

Sincerely,

RJ Warren
Deputy City Clerk

Encl.

c: The Honorable Richmond City Council
Alex Dandridge, Secretary, Commission of Architectural Review



City Of Richmond, Virginia

City Council

District 7

Cynthia I. Newbille, President
646-5429
cynthia.newbille@rva.gov

District 1

Andreas D. Addison
646-5349
andreas.addison@rva.gov

District 3

Ann-Frances Lambert
646-0070
ann-frances.lambert@rva.gov

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Stephanie A. Lynch
646-6050
stephanie.lynch@rva.gov

District 9

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646-5497
michael.jones@rva.gov

District 6

Ellen F. Robertson, Vice President
646-5348
ellen.robertson@rva.gov

District 2

Katherine L. Jordan
646-6531
katherine.jordan@rva.gov

District 4

Kristen M. Nye
646-6263
kristen.nye@rva.gov

District 8

Reva M. Trammell
646-6592
reva.trammell@rva.gov

Addressing mail to City Council

The Honorable (Councilmember's Name)
Representative, District (Councilmember's
District)
900 East Broad Street, Suite 305
Richmond, Virginia 23219

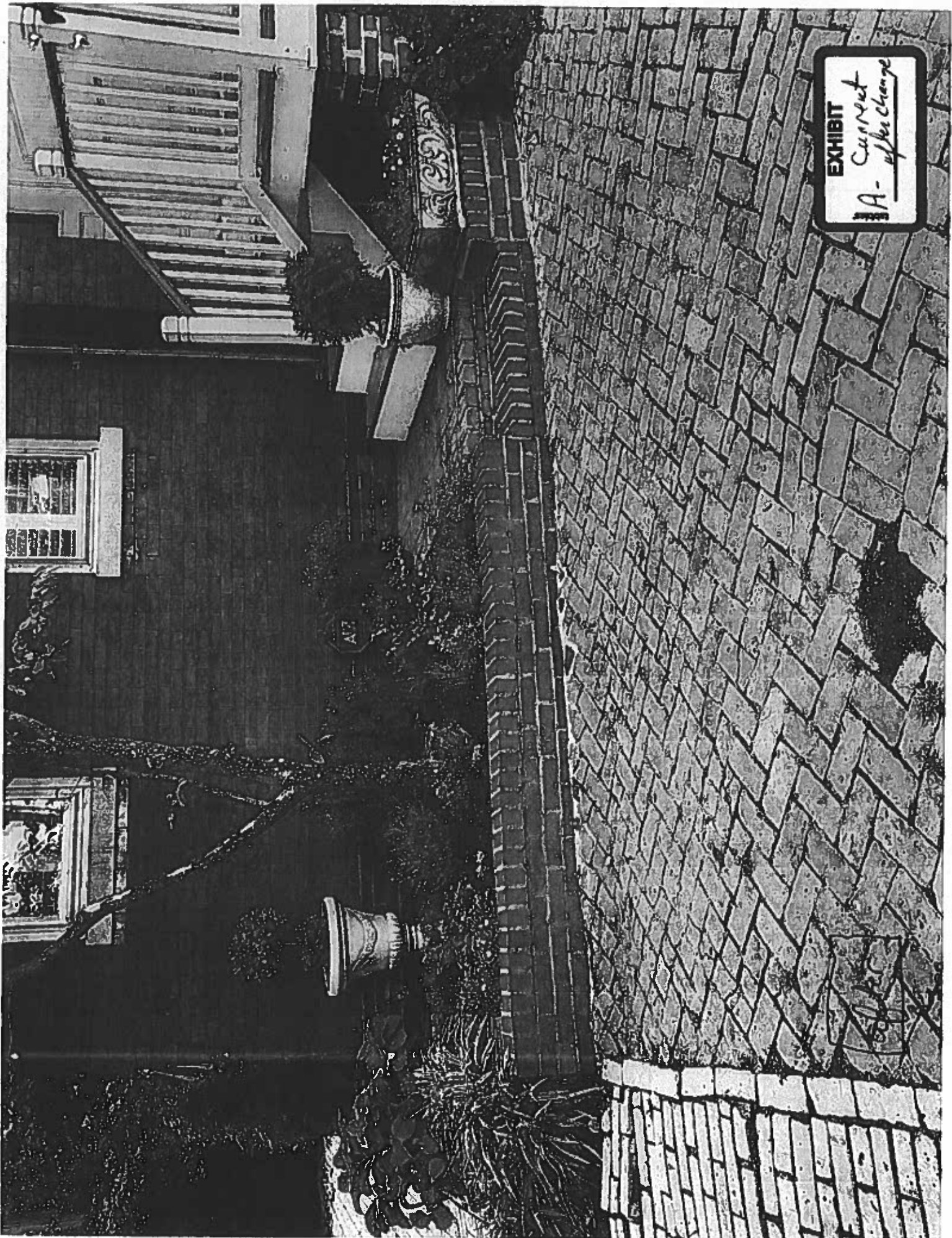
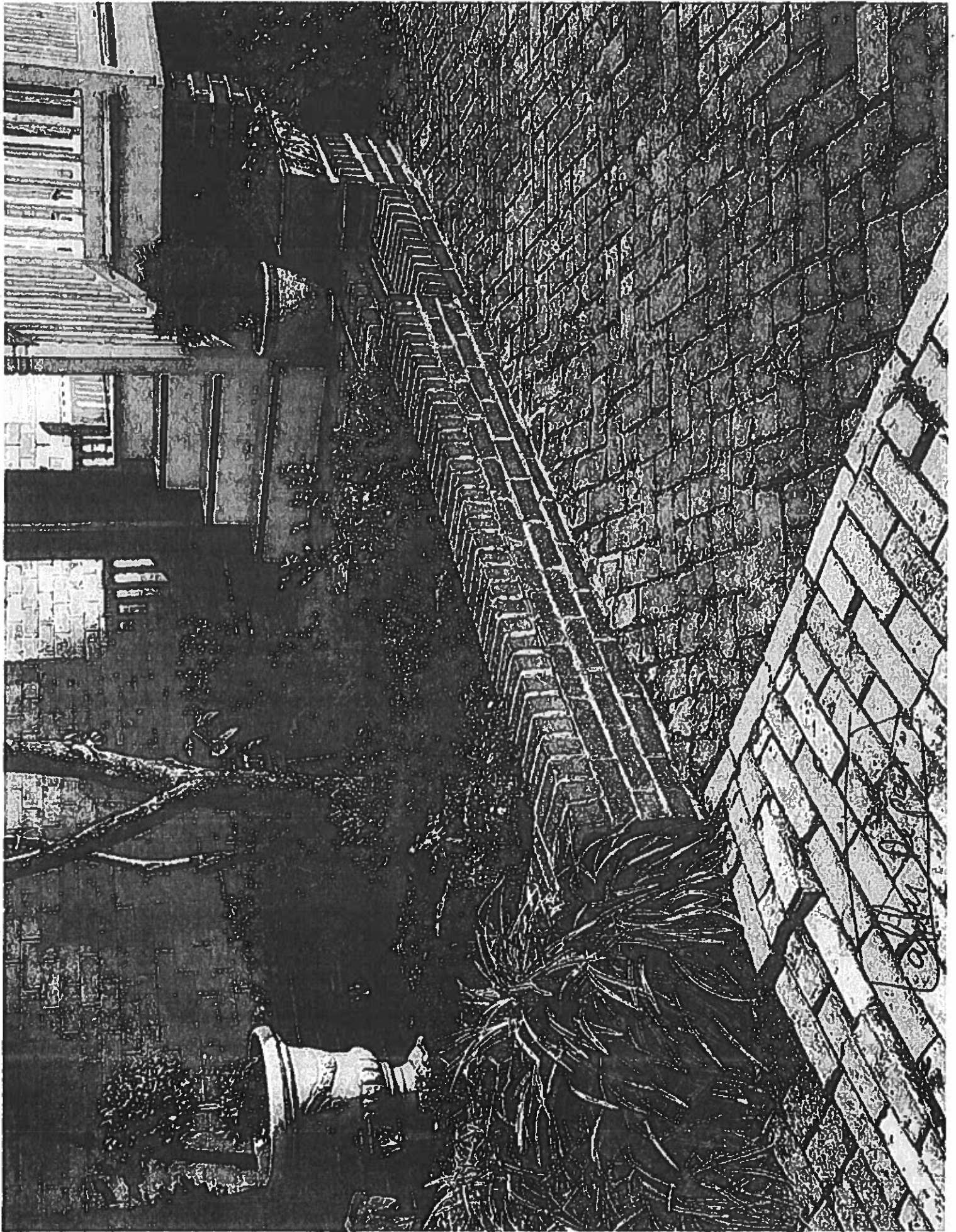
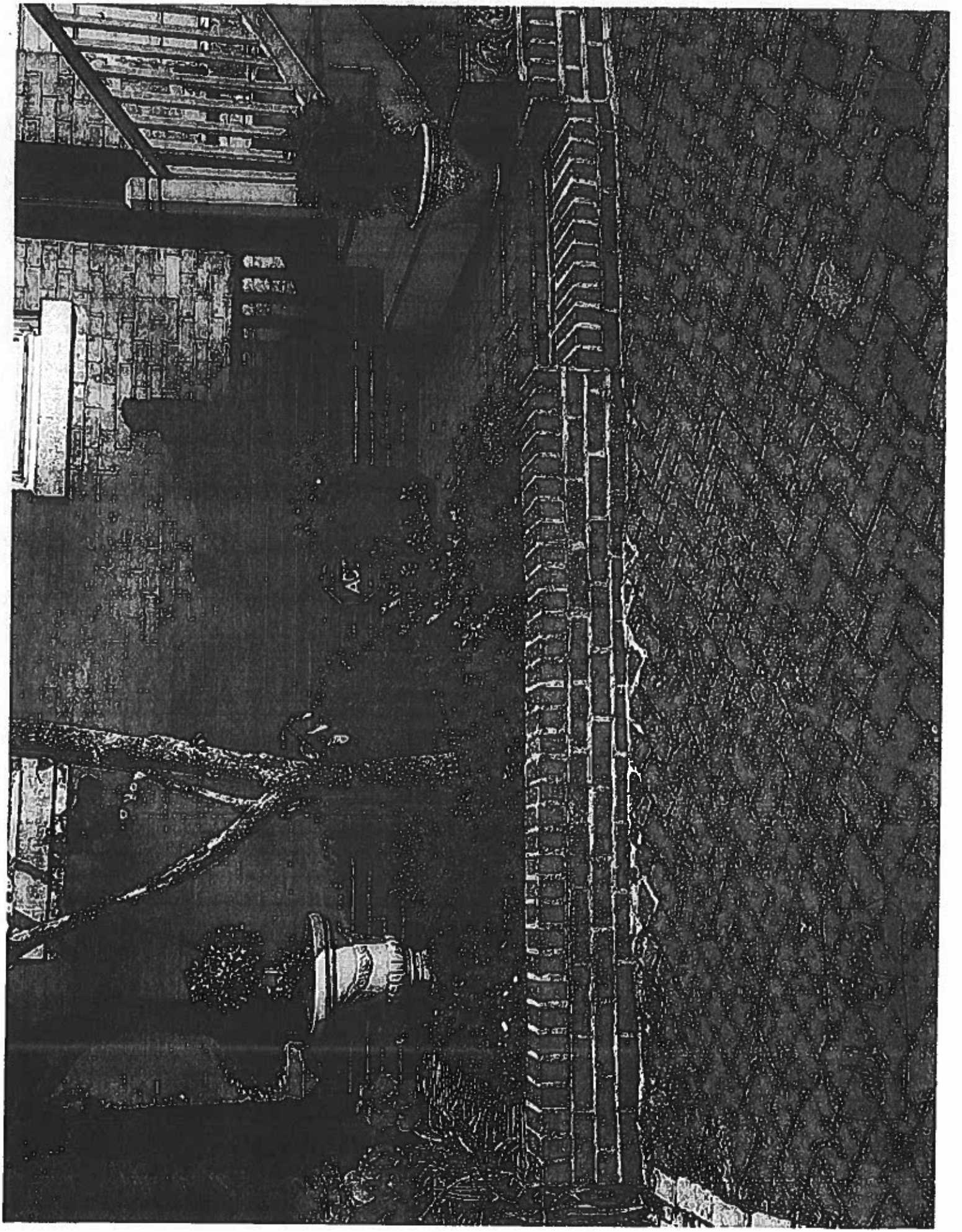


EXHIBIT
A - Current
after change





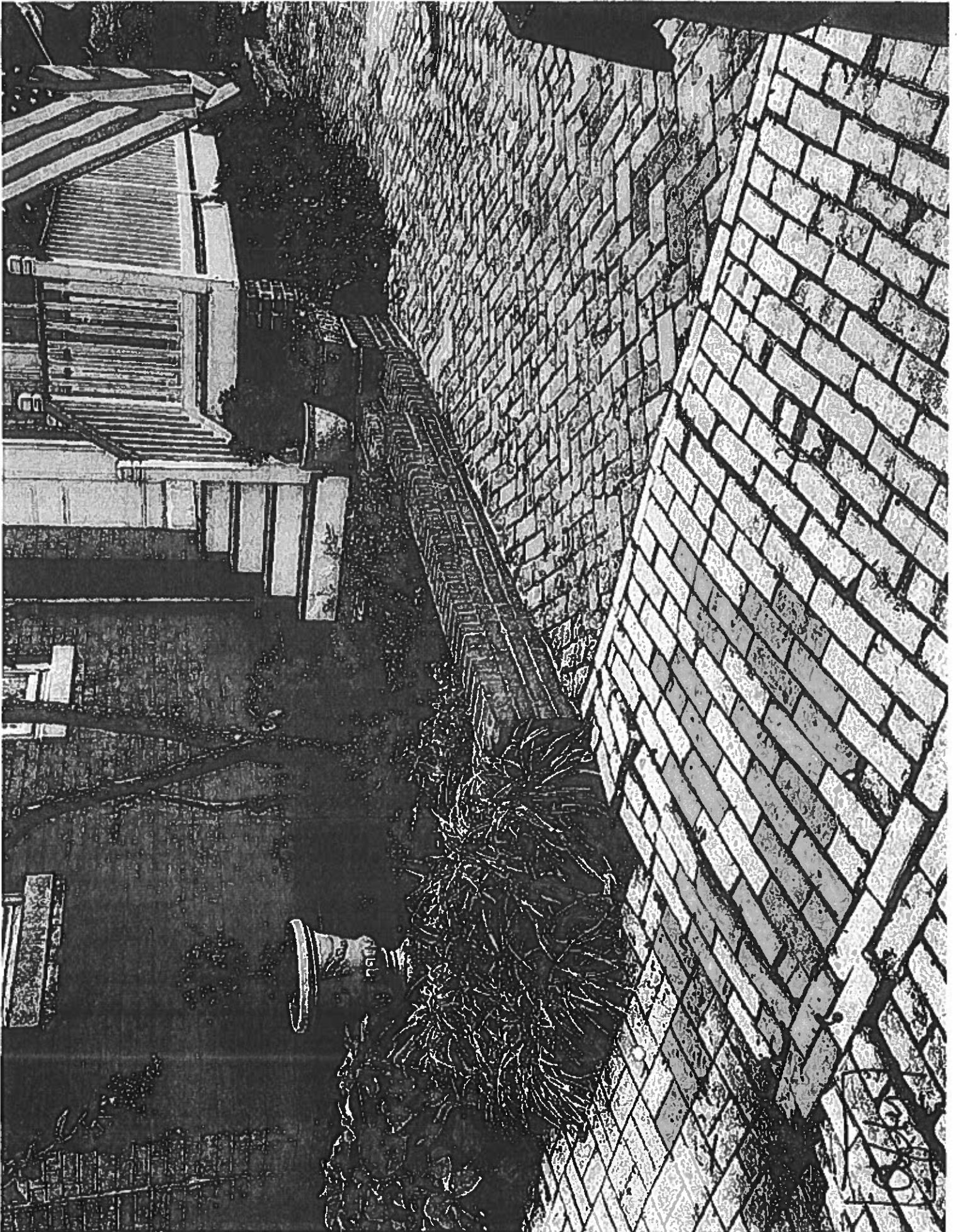
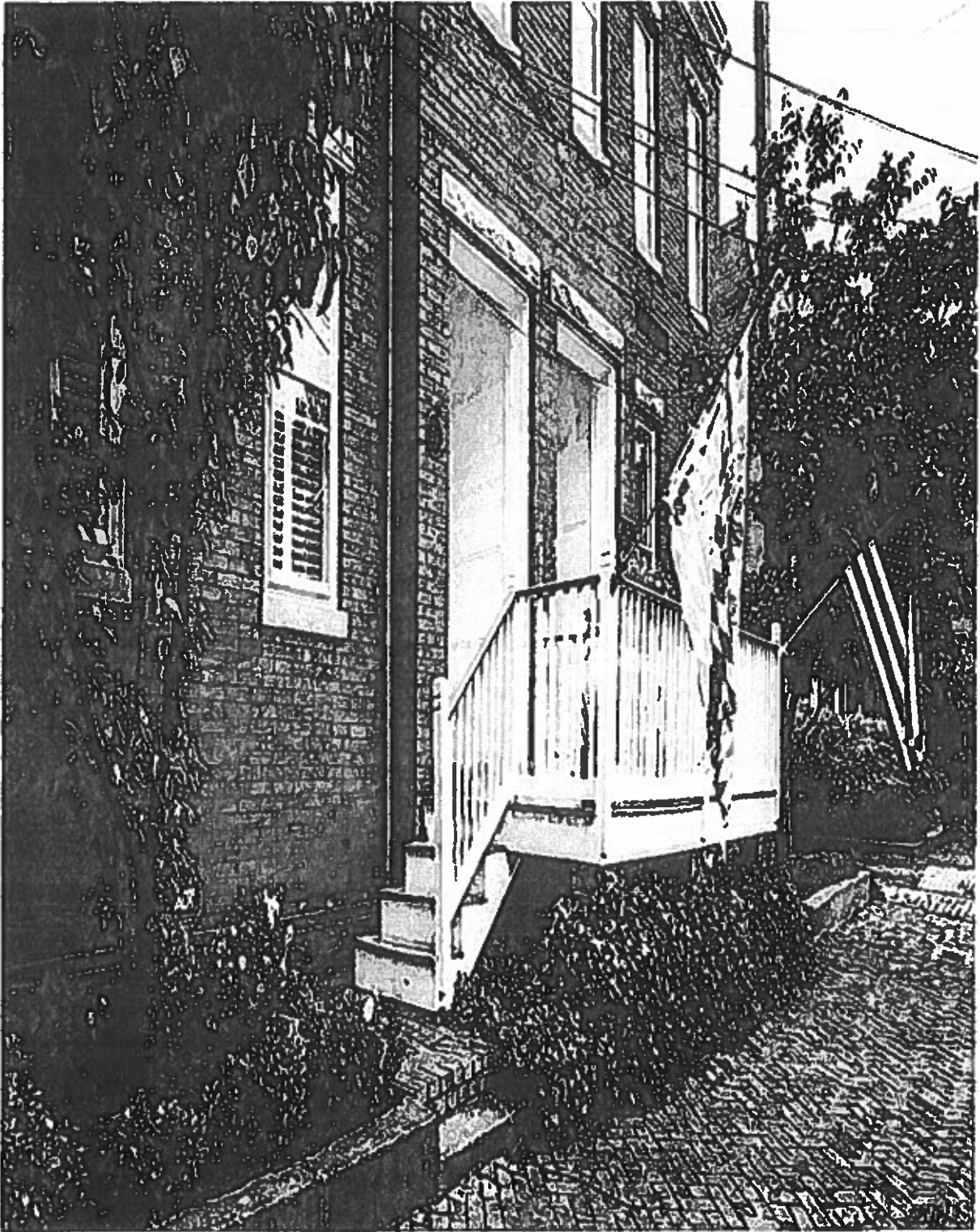




EXHIBIT
B-Beford



↗ before.



before

old bricks
← wall porch
under porch
all along

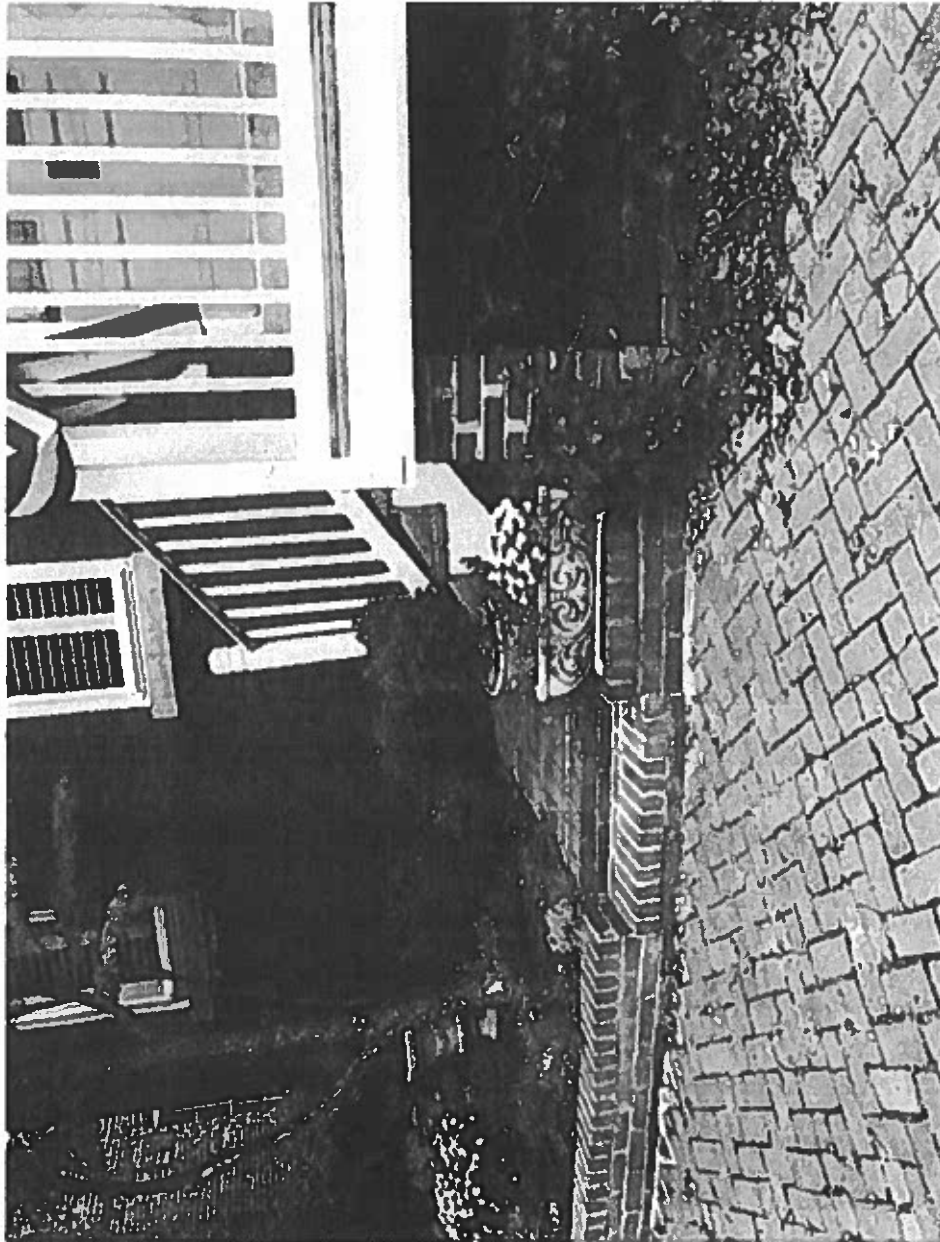
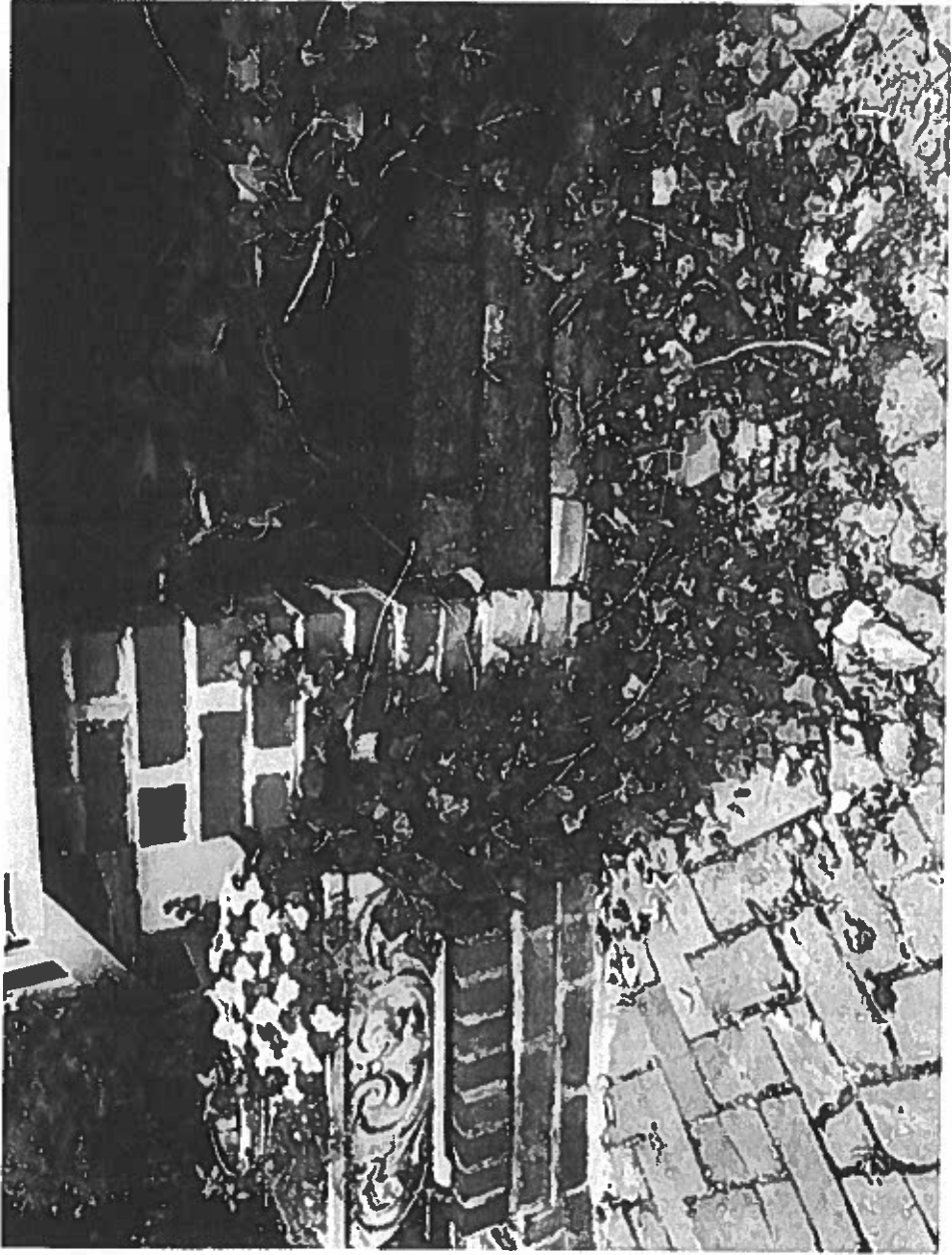


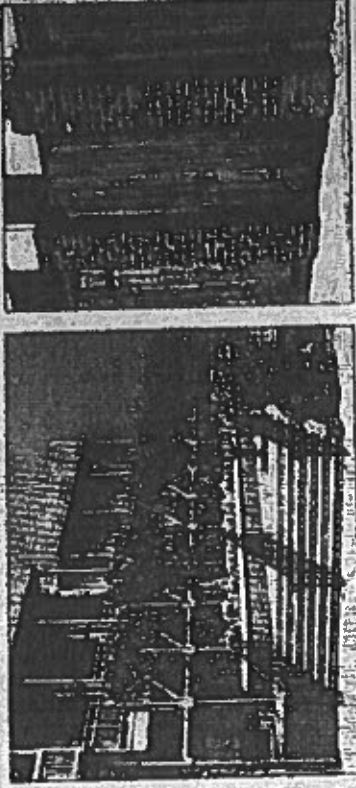
EXHIBIT
C



Standards for Site Improvements

FENCES & WALLS

Fences and walls help define property lines and outdoor spaces. Wood is the most common material for rear yard fencing throughout most Old and Historic Districts, but the City also has an unusually high number of cast iron fences and brick walls.

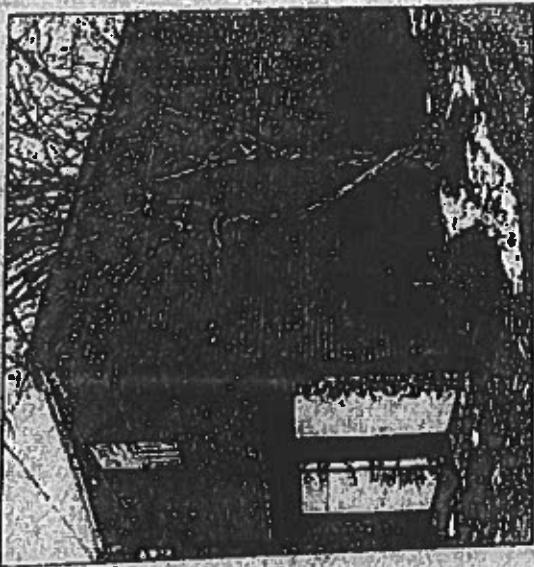


1. Original fences and walls should be retained and maintained whenever possible.
 2. Existing brick or stone walls, boxwood hedges, wooden picket fences and cast or wrought iron fences should not be removed or replaced with contemporary features.
 3. If not original to a site, new street-front fences, walls, and gates should be compatible with the historic structure in design, materials, and location, and should be based on physical or documentary evidence from the site. In instances where physical or documentary evidence does not exist, the proposed fence, wall, or gate should be compatible in design, materials, and location, and should look to precedent on the block face or the block face opposite, or within the district, but not outside the district. By following this guidance, in some circumstances, permission for new fences, walls, or gates may be granted.
 4. In cases of new infill construction, the guidance above for precedent within the district must be followed. Suitable design, materials, and location will vary by district.
 5. When considering the design of new fences, remember that some districts, such as Church Hill North and Union Hill, historically featured modest wooden picket fences, while some districts, such as Monument Avenue and West Grace Street, more rarely had fences, and when they did occur, were rarely wooden picket fences. In the event of a conjectural fence, the design should seek simplicity, rather than elaboration.
 6. A new fence or wall should be constructed using materials and
- thoroughfares shall be painted or opaquely stained a color or colors complementary to the main structure.
8. Chain-link fences, split-rail fences and concrete block walls are not appropriate in any City Old and Historic District. There may be isolated cases where these materials would be allowed for use in rear yards, but Commission approval would be the exception and not the rule.
 9. Rear-yard privacy fences should mimic traditional fence designs.
 10. Wooden fences should be repaired and painted as needed. Existing picket designs should be matched when replacement is necessary.
 11. Iron fences should be repaired and repainted as needed. If portions are missing, new sections that match or blend with the old materials, height and detail should be used if possible. Original fencing sections that are most salvageable should be consolidated

EXHIBIT
D

RESIDENTIAL OUTBUILDINGS

1. Outbuildings, including garages, sheds, gazebos and other auxiliary structures, should be compatible with the design of the primary building on the site, including roof slope and materials selection.
2. Newly constructed outbuildings such as detached garages or tool sheds should respect the siting, massing, roof profiles, materials and colors of existing outbuildings in the neighborhood.
3. New outbuildings should be smaller than the main residence and be located to the rear and/or side of the property to emphasize that they are secondary structures.
4. Prefabricated yard structures are discouraged. Screening will be considered as a mitigating factor for the installation of these structures. However, prefabricated structures will still be reviewed for compatibility using the criteria developed in this section.



FENCES & WALLS (also refer to page 74, Site Improvements)

1. Fence, wall, and gate designs should reflect the scale of the historic structures they surround, as well as the character of nearby fences, walls, and gates.
2. Fence, wall, or gate materials should relate to building materials commonly found in the neighborhood.
3. Privacy fences along the side and rear of a property should be constructed of wood of an appropriate design. Privacy fences are not appropriate in front of a historic building.



DECKS

Exterior decking is a late 20th-century addition to residential architecture. Suburban in origin, decks are an anomaly in many older neighborhoods. Since owners of historic homes may want to enjoy the benefits of outdoor living, guidelines for the design and installation of decks are provided.

1. Decks should not alter, damage or destroy significant site elements of the property.
2. Decks should complement the architectural features of the main structure without emulating a false historical appearance. Decks cannot be constructed in front yards (in accordance with Ordinance 100-10-010).

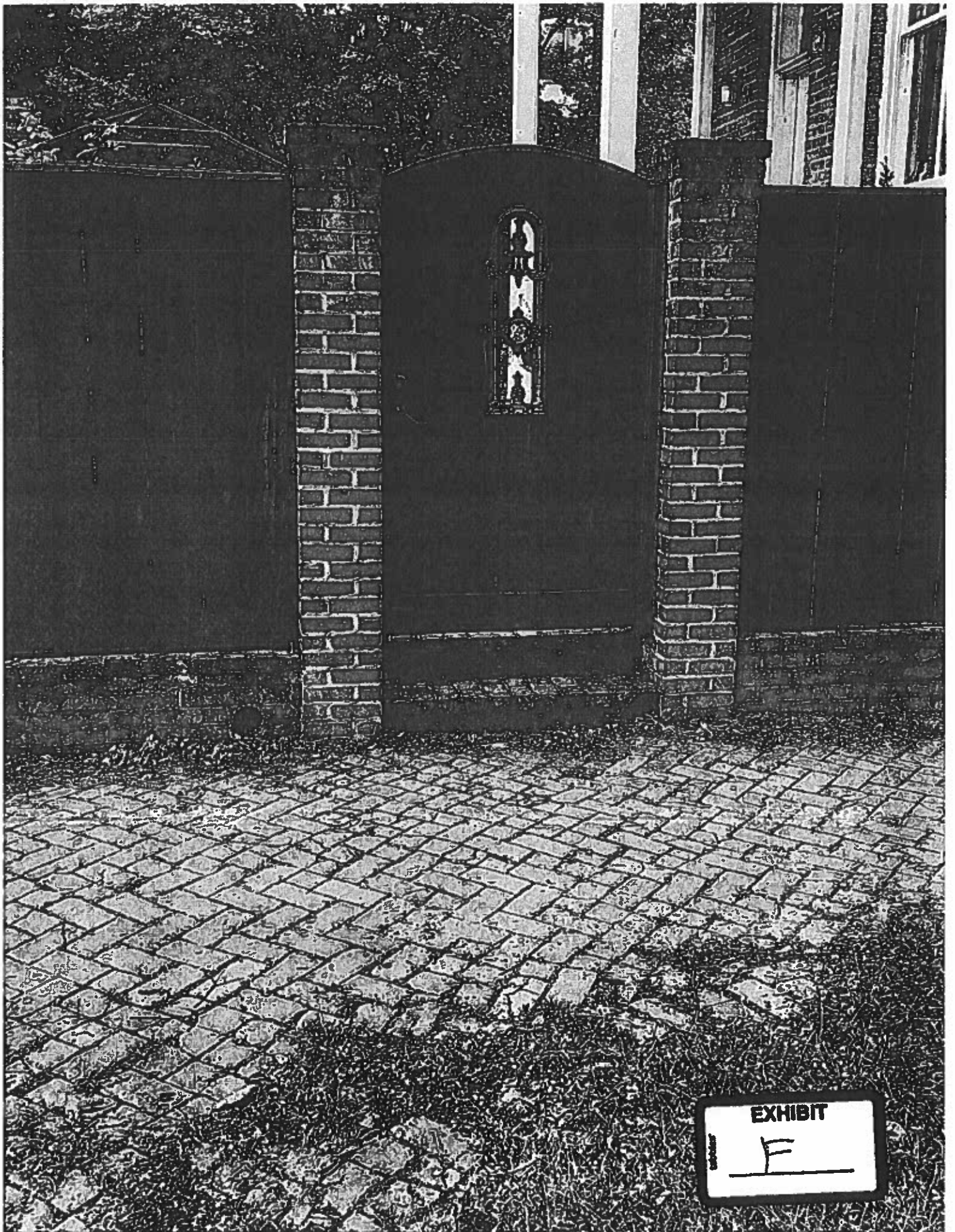
should be painted or stained a neutral color that complements one or more of the colors found on the main structure.

3. Deck design may include vertical picket balustrades or contemporary railing that is in scale with the house and the deck.
4. Deck sub-decking should be screened with wood lattice work or with brick piers.

As is the case with all other auxiliary structures, decks cannot be constructed in front yards (in accordance with Ordinance 100-10-010).

EXHIBIT

13



EXHIBIT

F

