



# COMMONWEALTH of VIRGINIA

## Department of Historic Resources

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August 5, 2014

Michael Harrington  
Vowell LLC  
311 Cameron Street  
Alexandria, Virginia 22314

Re: Vowell Snowden Black House (Justice Black House)  
619 S. Lee Street, City of Alexandria  
DHR #2014-115 and 100-0111\_ep

Dear Mr. Harrington,

Thank you for submitting the State Rehabilitation Tax Credit Application, Part 2, "Description of Rehabilitation," for the Justice Black House located at 619 S. Lee Street in Alexandria. As you know, the property is also protected by a historic preservation easement held by the Virginia Board of Historic Resources. This letter responds to the proposed scope of work on behalf of both the historic rehabilitation tax credit and easement programs.

The deed of easement requires that changes, alterations, additions or improvements should not alter the historic character of the house. So too, regulations for the state tax credit program stipulate that all aspects of a project must be consistent with the Secretary of the Interior's *Standards for Rehabilitation (Standards)*. This set of nationally accepted and applied standards require retention of historic fabric and character. Unfortunately, the majority of the work proposed for the Justice Black House is inconsistent with the terms of the easement and the *Standards*, specifically *Standards 2, 3 and 9*:

*Standard 2 ~ The historic character of a property shall be retained and preserved. The removal of historic materials or alterations of features and spaces that characterize a property shall be avoided*

*Standard 3~ Each property shall be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.*

*Standard 9 ~ New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the*

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*old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.*

In our review, we have determined that the proposed work is not consistent with the *Standards* for the following reasons and therefore cannot be approved.

**The Proposed Addition** ~ The new additions to the historic property are not sufficiently subordinate in size, scale, massing and design. The increase in total square footage from 5194 square feet to 9836 square feet nearly doubles that of the historic resource. The cumulative effect of the proposed additions would significantly compromise the historic character and integrity of the property. In addition, the individual elements are too similar to the existing characteristics and must be clearly differentiated as modern alterations. (*Standards 2, 3 and 9*) Specific items that require modification include:

- The kitchen addition cannot be two stories without documentation to substantiate this precedent.
- The flounder addition should not attach to the historic main portion of the house, and must be shifted west to avoid this condition.
- The turret element is not compatible with the character of this historic property and cannot be approved.
- The secondary glass bay at the kitchen is overly formal and not consistent with the character of this historic property and cannot be approved.
- The pergola and glass office on the east elevation detract from the historic façade and are not consistent with the character of the historic property and cannot be approved.
- The design of the porch columns must be simplified.
- New window designs cannot include stone sills and brick jack arches.
- The entablature surround on the flounder entry door must be simplified.
- All new woodwork, including trim, must be clearly differentiated from the existing historic woodwork.

**Flounder Roof** ~ The roof material on the addition must be differentiated from that of the historic flounder. (*Standard 9*)

**McVeigh Curve** ~ This element cannot be removed without documentation to substantiate it as a non-historic feature. (*Standard 4*)

**Doors** ~ The existing historic doors and door openings (interior and exterior) are character-defining features of the house and thus cannot be altered or removed. (*Standard 2*) In addition, all new doors should be clearly differentiated from the historic doors. (*Standards 3 and 9*)

**Windows** ~ The existing windows and window openings are character-defining features of the house and thus cannot be altered or removed. Similarly, no new openings are permitted on the historic house. All new windows must be clearly differentiated from the historic windows. (*Standards 2, 3 and 9*) Specifically:

- The addition of keystones and sills to the two historic windows on the north elevation is not approved.
- No new windows may be added on the south elevation of the main historic block of the house.
- A tripartite window may not be added at the second floor of the north elevation.
- The third floor window on the north elevation may not be modified.

- The existing openings on the flounder may not be realigned or widened.
- A window may not be added at the rear of the existing flounder.
- The divided light pattern in all new windows should be simplified to clearly differentiate these windows from the historic windows.
- The southeast window in the dining room cannot be modified into a second kitchen door.

**Basement** ~ The existing basement and foundation cannot be irreversibly altered. (*Standard 10*) Thus, neither lowering the floor under the historic main block of the house nor expanding the existing basement under the existing flounder can be approved. Basements are allowed only under newly constructed additions.

**Floor Plan** ~ The interior arrangement of spaces is indicative of the historic purpose and use of the building. (*Standards 2 and 3*) Significant modifications to this arrangement are not consistent with the *Standards*. This includes:

- The existing door opening between the dining room and living room cannot be widened.
- New openings are not permitted in the north wall of the existing flounder.
- A new opening cannot be created between the master bedroom and adjacent master bathroom. Further, all existing finishes in the existing second floor southwest bedroom must remain in its conversion to the master bathroom.
- Revision is necessary to simplify the design of the vestibule space immediately west of the main stair hall in order to avoid a false sense of historicism.

**Flooring** ~ All floors in the new additions must be clearly differentiated from the historic floors. (*Standards 3 and 9*)

**Carriage House** ~ This structure is also an historically significant; thus, all proposed work must meet the *Standards*. As presented, several aspects of the scope of work are inconsistent with these guidelines, specifically *Standards 1, 2 and 3*:

- New window openings are not permitted on the façade (south elevation) of the structure.
- Alteration of the roofing material from wood shingle to slate is not approved without supporting documentation that this material is historically accurate.
- Reconfiguration of the roof from a shed roof to a gable substantially impacts the overall historic character of the structure and cannot be approved.

**Proposed Garage** ~ This new structure is an allowed structure under the provisions of the easement agreement. However, modifications to the proposed design are necessary to ensure the building is consistent with the *Standards*. This includes:

- The placement of the building shall not substantially impact the existing brick perimeter wall on the property. Therefore, the proposed cutting of the wall along S. Lee Street is not approved. (*Standard 1 and 2*)
- The proposed roofing material must be clearly differentiated from the existing historic roofing on the main resources. Traditional slate roofing cannot be approved. (*Standard 3*)
- The design of the overhead garage doors must be simplified. (*Standard 3*)
- The window design and light pattern cannot match the existing historic windows and must be modified such that they are clearly differentiated. (*Standard 9*)

It is unfortunate that the work described in the Part 2 application, “Description of Rehabilitation,” is not consistent with the guidance provided by DHR staff on the appropriate treatment of the property. However, as proposed, the work would not be consistent with the terms of the easement and

*Standards* and therefore cannot be approved for the purposes of the rehabilitation tax credit or easement program. In order to proceed with rehabilitation work on this property, please substantially revise the proposed work as noted and resubmit at your convenience.

You have the right to an appeal of this decision for the purposes of the rehabilitation tax credit program under the Virginia Administrative Code (17 VAC 10-30-70). A request for an appeal shall be made in writing to the Director of the Department of Historic Resources, 2801 Kensington Avenue, Richmond, Virginia 23221, within 60 days of the receipt of the decision which is the subject of the appeal. For your information, the regulations for the appeal are as follows:

***17 VAC 10-30-70. Appeals.***

*A. A project applicant may appeal any denial of certification. A request for an appeal shall be made in writing to the Director of the Department of Historic Resources, 2801 Kensington Avenue, Richmond, Virginia 23221, within 60 days of receipt of the decision that is the subject of the appeal. It is not necessary for the applicant to present arguments for overturning a decision within this 60-day period. The applicant may request an opportunity to meet with the director, but all information that the applicant wishes the director to consider shall be in writing. The director shall consider the record of the decision in question, any further written submissions by the applicant, and other available information, and may consult with experts or others as appropriate. The director shall provide the applicant a written decision as promptly as circumstances permit. The appeal process is an administrative review of decisions made by the department; it is not an adjudicative proceeding.*

*B. In considering appeals, the director may take into account new information not previously available or submitted; alleged errors in professional judgment; or alleged prejudicial procedural errors. The director's decision may:*

- 1. Reverse the appealed decision;*
- 2. Affirm the appealed decision; or*
- 3. Resubmit the matter to the department program staff for further consideration.*

*C. The decision of the director shall be the final administrative decision on the appeal. No person shall be considered to have exhausted his administrative remedies with respect to the certifications or decisions described in this part until the director has issued a final administrative decision in response to this section.*

If you have any questions please feel free to contact me at [megan.melinat@dhr.virginia.gov](mailto:megan.melinat@dhr.virginia.gov).

Sincerely,



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Elizabeth Tune  
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