



Alexandria, Virginia

# Historic Alexandria Resources Commission

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March 31, 2019

Dear Mayor Wilson and Council Members:

The future of the Vowell-Snowden-Black House at 619 South Lee Street is in jeopardy. Not only will proposed plans for additions and modifications nearly double the building footprint and dramatically change the historic character of the property, the preservation and protective easement efforts of Supreme Court Justice Hugo Black, a prior owner of the property, would be dramatically undercut. Both threats set dangerous precedents for other properties in Alexandria, many of which have easements based on what Justice Black drew up.

The house was built in 1800 by Thomas Vowell and remains one of the largest single family residential properties in the Old and Historic Alexandria District. The National Park Service's Historic American Buildings Survey celebrates the house and its protected open space, stating "The Vowell-Snowden-Black House, certainly one of the outstanding examples of the Federal 'row' type buildings in Alexandria, has fortunately been spared the fate of suffocation. By precept and example it stands flush with the street, but with its extensive grounds and breathing space preserved to this day." In addition, the Virginia Historic Landmarks Commission certified the Hugo Black House and Gardens as a "principal historical site...of State-wide and national significance" in large part because it was for decades the home of one of the most renowned justices of all time.

Justice Black specifically sought to protect the house and the open space around it as a whole. In fact, he executed an easement on the property to preserve in perpetuity the open space (including both house and grounds) as provided under the Virginia Open Space Land Act of 1966. His easement was among the first written specifically under that statute, and provided the foundation for many subsequent easements in the city. The act prohibits the diversion of open space acquired for that purpose unless five specific conditions are met. None of those conditions have been satisfied, and there is apparently no intention to do so.

The existing easement provides that no outbuilding may be constructed unless it is in keeping with the historic character of the house. The Alexandria historic preservation community has scrutinized the proposed buildings and asserts that they are not in keeping with the historic character of the house. The holder of the easement, the Virginia Department of Historic Resources, has indicated its preliminary approval of the changes. However, the VDHR has been asked to reconsider that preliminary decision based on new information that has been brought to its attention.

The property also is subject to the Alexandria Historic Preservation Ordinance. At two hearings (12/19/18 and 2/6/19), the historic preservation community provided to the Alexandria Board of

Architectural Review compelling testimony opposing the proposed changes based on the provisions of our city ordinance. Also presented to the BAR were substantive arguments regarding the prior misguided decision of the VDHR. A graduated suite of options was presented to offer the BAR and the applicant a range of compromise positions in the event that the BAR did not fully agree with the arguments of the preservation community.

On February 6, 2019, the BAR by a narrow 4 to 2 margin rejected all of the suggestions offered by the historic preservation community and approved all of the modifications proposed by the applicant. Although the City of Alexandria is not charged with the enforcement of the easement on the Justice Black House, the city definitely is obliged by ordinance (as well as common sense) to consider it as another important factor. Nonetheless, the BAR Chair explicitly stated that the BAR would not consider the easement and furthermore insisted that historic preservation community speakers refrain even from mentioning the easement. (The BAR was subsequently reconstituted, and four of the seven prior members are no longer on the BAR.) The historic preservation community is now appealing the decision of the BAR to the City Council, asking you to reject the proposed modifications to this historic property so it will not become another victim of the "death by a thousand cuts" deterioration of the historic fabric of our storied city.

The City of Alexandria, events that occurred here, and its citizens have played a pivotal role in the history of our nation. Too much of the historic fabric of our town has been lost. We must, as a community, resist the omnipresent temptation to allow ill-advised modifications and additions that would further erode the historic character of the City and also enforce our critical preservation easements.

Respectfully,

Danny Smith and Elizabeth McCall, Co-Chairs  
Historic Alexandria Resources Commission