



Date of Council Meeting: April 9, 2013

**TOWN OF LEESBURG
TOWN COUNCIL MEETING**

Subject: **TLAP-2013-0002** Appeal of the Board of Architectural Review decision in case TLHP-2012-0127 (Request to make exterior changes including adding a door and surround to the west side of 6 W. Market Street) (**Attachment 1**)

Staff Contact: Kim K. Del Rance, Preservation Planner

Staff Recommendation: Staff recommends that the Town Council dismiss the appeal for failure by the Appellant to cite any grounds as a basis for the appeal as required by Zoning Ordinance **§3.10.14.B. Appeals to the Town Council.**

In the alternative, if Council determines sufficient grounds are present to hear the appeal, Staff recommends that the Town Council uphold the Board of Architectural Review's decision to approve with conditions the exterior changes for TLHP-2012-0127 based on the facts that were established at the time the decision was made.

Date Filed: 12 February 2013 (timely filed within the 30 day appeal period)

Hearing Date: 9 April 2013

Action Required by: 28 April 2013

Appellant: Michael J. O'Connor
President
FSG Facilities Solutions Group
703-234-6555

Owner of Record: Kingdom Enterprises

Original Applicant: Michael J. O'Connor
Kingdom Enterprises
38683 Mt. Gilead Road
Leesburg, VA 20176
202-359-6888

Location: 6 W Market Street

Zoning: B-1, Community (Downtown) Commercial District
H-1 Old and Historic Overlay District

Appeal Summary: In accordance with Zoning Ordinance §3.10.14.B **Appeals to the Town Council (Attachment 2)** the Appellant, Michael J. O'Connor, has appealed the December 17, 2013 decision of the Board of Architectural Review (BAR), to approve with conditions exterior changes at 6 W Market Street. The appellant desires to maintain the exterior changes installed in contravention to the approval conditions.

Basis for Appeal: In the appeal petition (**Attachment 1**), the Appellant, Michael J. O'Connor, has raised no issues as a basis for the appeal and stated in the petition "We will provide the particulars at the meeting." An email to the Preservation Planner the week before the appeal was filed indicated Mr. O'Connor would appeal to Town Council to allow the door installed without approval to remain as it is.

Appeal Regulations: **Zoning Ordinance Section 3.10.14.B. Appeals to Town Council (Attachment 2).** Appeals to the Town Council from any final decision of the BAR may be made by any resident, property or business owner, or applicant by filing a petition with the Clerk of Council, setting forth the basis of the appeal, within thirty (30) days after the final decision of the BAR is rendered.

- Upon receipt of the appeal, the Clerk of the Council shall promptly schedule a public hearing as soon as reasonably practicable and comply with all applicable notice requirements.
- The BAR shall file certified or sworn copies of the record of its action, which includes the minutes and documents it considered when rendering its decision and the Clerk shall forthwith transmit to the Town Council all the papers constituting the record upon which the action was taken.
- If the applicant wishes the Town Council to consider the transcript of the hearing as part of the record, the applicant shall pay all costs of the transcription of the hearing.
- Pursuant to Code of Virginia Sec. 15.2-2306, the filing of the petition shall stay the decision of the BAR pending the outcome of the appeal to the Town Council, except that the filing of such petition shall not stay the decision of the BAR if such decision denies the right to raze, demolish or move any structure or building subject to the provisions of this section.
- In any appeal, the Town Council shall review the BAR record, consider the written appeal and the criteria set forth in the Old and Historic District Guidelines and to that end shall have all the powers of the BAR.
- The Town Council may reverse or affirm, wholly or partly, or may modify, any order, requirement, decision or determination appealed from and make such order, requirement, decision or determination as ought to be made.
- The Council review shall be limited to the issues raised on appeal.
- The failure of the Town Council to affirm, modify, or reverse the decision of the BAR within 75 days from the date of the petition is filed shall be deemed to constitute an affirmation of the BAR's decision, unless all parties to the appeal agree in writing to extend such time period.

Council Options: If Council finds that there is a basis for an appeal it may:

- Council should dismiss the appeal if it finds that the Appellant did not raise any issues as a basis for the appeal. Section 3.10.14.B specifically states “Council review shall be limited to the issues raised on appeal”; or
- reverse the decision of the BAR, or
- affirm, wholly or partly, the decision of the BAR, or
- modify any order, requirement, decision or determination appealed from and make such order, requirement, decision or determination as ought to be made. The Council review shall be limited to the issues raised on appeal. The failure of the Town Council to affirm, modify, or reverse the decision of the BAR within 75 days from the date of the petition is filed shall be deemed to constitute an affirmation of the BAR’s decision, unless all parties to the appeal agree in writing to extend such time period.

Chronology
Summary:

In 2009 FSG Facilities Group proposed exterior changes to 6 W. Market Street, a late 19th century commercial storefront building. The changes included revisions to the building’s secondary elevation facing the Sona Bank building. These consisted of replacement of an existing window with an entry door and the addition of windows to balance the façade. The changes were approved by the BAR but were not installed.

A new application was made in 2012 with changes to the originally approved proposal. In June, 2012 the BAR approved the new proposal with the condition that staff was to approve the door and door surround before they were installed because the Applicant intended to install a salvaged door that he had not yet purchased.

In October 2012 a half-glass wood door and a white wood surround were installed before they were shown to staff for approval. After the installation, Staff subsequently approved the door as consistent with the BAR approval, but could not approve the surround because it did not match the approved drawings nor did it comply with the Old and Historic District Guidelines.

The Preservation Planner based her decision on the approved drawings and the following guidelines:

- Storefront Guideline #4 which states “Conform to the configuration, proportion, and materials of traditional storefront design when designing new elements”; and
- “Inappropriate Treatments for Storefronts: Do not create false historical appearances . . .”

The addition of the large ornate 19th century Greek Temple door surround is not historically accurate to the style of the 20th century commercial storefront building because it does not represent traditional storefront design in Leesburg, and it creates the false sense of history the guidelines seek to avoid.

After a courtesy notice that the installation constituted a zoning violation was

given to the owner, Michael J. O'Connor, he filed an application for an amended Certificate of Appropriateness. Mr. O'Connor requested that the white door surround be permitted as installed.

At a work session meeting on December 3, 2012, when asked what he was willing to do to make the surround more appropriate, Mr. O'Connor replied that if removing the dentil molding and the capitals (i.e., the tops of the columns) from the surround would satisfy the BAR, he would be happy to do that. When asked in the guidelines where he found support for the installed door surround. Mr. O'Connor stated he had no guidance, only that the surround could not project more than 18 inches off the building. At a BAR meeting on November 19, 2012, in response to queries about the door surround, he stated "I will do whatever you want me to do . . ."

After meeting with the BAR on November 19, 2012 and December 3, 2012, the application was approved on December 17, 2012 subject to Elevation 4 submitted by the Applicant which showed a door surround that has no capitals and a flat lintel trim over the doorway. During these meetings BAR members identified reasons per the guidelines for approving a less ornate door surround, including the following:

- The installed door surround though attractive does not relate architecturally to this particular building.
- When the building was originally renovated in the early 20th century, the Market Street elevation had simpler details for the doors and windows and those details should be used to influence the choice of the door surround.
- The installed surround was too large and too ornate, which tends to reorient the primary building façade from the front (W. Market Street) because the front of the building is very simple architecturally.

The owner subsequently appealed that approval to Town Council but specified no basis for the appeal other than his request to "petition the Town Council to allow the door to remain as it is".

Below is a detailed chronology of the events related to this appeal petition.

August 19, 2009
 Public Hearing

A Certificate of Appropriateness (COA) for TLHP-2009-0096 was approved with conditions for exterior changes on the west side of the building at 6 W. Market Street, but the door and lintel surround were to return to staff for final approval regarding materials and details. (see **Figure 1** below and **Attachment 3**)

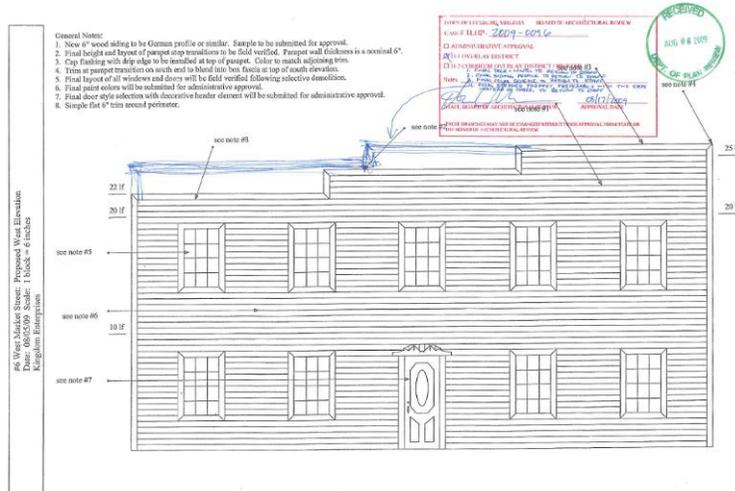


Figure 1. Elevation approved August 19, 2009

April 23, 2012

Michael J. O'Connor submitted an application to amend the previous COA regarding exterior changes on the west side of the building at 6 W. Market Street. The new COA designated TLHP-2012-0039 included a door and door surround with a lintel and sidelights as shown in **Figure 2** below.

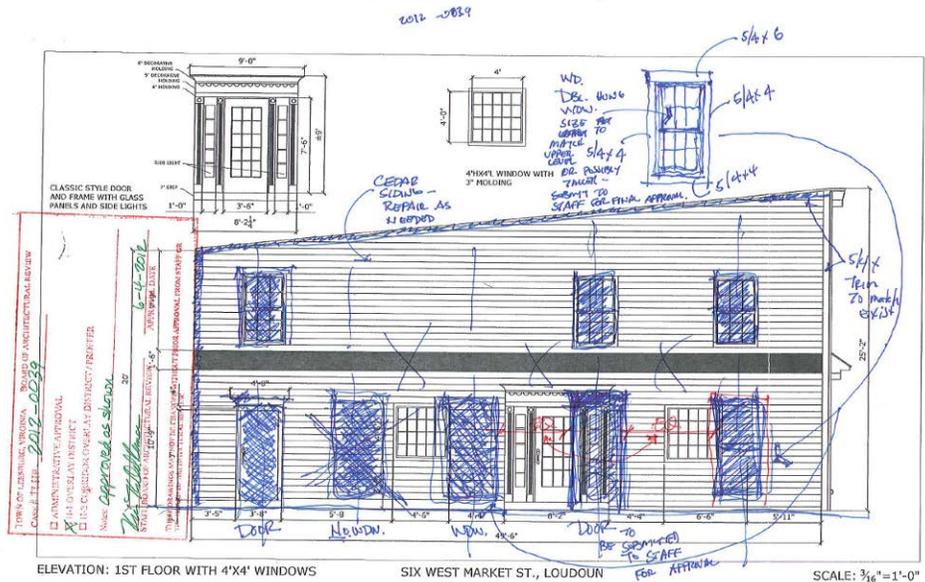


Figure 2 Elevation approved June 4, 2012

May 21, 2012
 Public Hearing

TLHP-2012-0039 was placed on the agenda for the Work Session of the BAR (**Attachment 4**) and Ms. Del Rance presented the staff report (**Attachment 5**). Regarding the proposed new doorway, the report stated on page 3:

The new side door as shown is more decorative than the original storefront entry and could be considered as re-orienting the building to the side street, which is not appropriate. The adding of conjectural architectural features not on the existing storefront façade is not appropriate unless it can be shown these are historically accurate for this building. Simplifying the door, eliminating sidelites and pediment for a much simpler entry is more appropriate so as not to re-orient the building to the side street. It is appropriate for the storefront entry to remain the main entrance.

The BAR continued the case to the June 4 work session for additional discussion regarding the proposed changes.

June 4, 2012
Work Session

TLHP-2012-0039 was placed on the agenda for the Work Session of the BAR (**Attachment 6**) and Ms. Del Rance presented the staff report (**Attachment 7**). Page 3 of the report notes that this is a secondary elevation (the primary elevation faces W. Market Street), and cites Secretary of the Interior's Standards for Rehabilitation, Appendix A of the Old and Historic District Guidelines (p. 119), which states, "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. (emphasis added) The report also noted that, "Building orientation should not be changed with new additions and conjectural architectural features should not be added that create a false sense of historical development." The report found that a new entrance on the secondary façade was appropriate so long as two conditions were met:

- The all wood new or salvaged side door would be appropriate to have a single lite or a 2/3 full glass door.
- There should be no large pediment or sidelites on the new side entry door.

Ms. Del Rance stated that these recommendations were necessary so that the original orientation of the building towards Market Street would not be changed.

Mr. O'Connor stated that he agreed fundamentally with what was said in Ms. Del Rance's presentation and that "The door on the side of the building will be a door that is appropriate". Mr. O'Connor said that he was not proposing to build the exact door shown on the submitted elevation (**Figure 2**) but presented several examples of door styles to indicate to the BAR what he was considering.

Board Member Dieter Meyer stated that the door is something that could be approved administratively once Mr. O'Connor found a door he desired. Board Member Tracy Coffing stated that when the building was originally renovated in the early 20th century, the Market Street elevation had simpler details for the doors and windows rather than something that was too formal as proposed for the west [secondary] façade, so those details should be used to influence the choice of the door. (**Figure 2** and **Attachment 3**) The Board indicated that Mr. O'Connor should talk to the Preservation Planner about the door before he purchased it, and that the Preservation Planner should have the ability to bring

the door back to the BAR if she felt the door did not meet the BAR's intent. By a vote of 7-0 the BAR approved the amended elevation with the following Condition:

“New decorative entry door to be submitted to staff for administrative approval” as shown on the sketch that was modified during the meeting (see **Figure 2 and attachment 8**).

July 26, 2012

Mr. O'Connor emailed to Ms. Del Rance a photograph of an 8-foot tall door from a church in Pittsburgh he proposed for the side of 6 W. Market Street (**Figure 3 and attachment 9**). Ms. Del Rance noted that because the door could not be altered to fit the proportions for the doorway approved by the BAR it could not be approved administratively. Ms. Del Rance offered to bring it before the BAR at the next work session on August 6, 2012. Mr. O'Connor did not request that it go before the BAR. (**Attachment 10**) The surround was not discussed at this time.



Figure 3. Proposed 8' Door

Mid-October, 2012

Mr. O'Connor submitted a new COA application for additional exterior changes (in addition to those approved under TLHP-2012-0039) involving paint color, a brick water table and brick sidewalk. This new case was designated as TLHP-2012-0127.

October 25, 2012

After receiving a telephone call from a citizen that a new door surround was being installed at W. Market Street, Ms. Del Rance, made a site visit and documented exterior changes that were being made without prior approval in contravention to the conditions of TLHP-2012-0039. Besides the door and door surround, old lighting fixtures had been removed and new fixtures installed in different locations on the building. (**Figure 4 and attachment 11**) The carpenters installing the door surround gave the cell phone number of Mr. O'Connor.



Figure 4. Photo taken October 25, 2012

A voicemail was left for Mr. O'Connor asking him to contact staff and informing him that the installation was being done without approval.

October 26, 2012 Mr. O'Connor called the Preservation Planner about the door surround and lighting changes. Ms. Del Rance confirmed in an email (**attachment 12**) that the door itself was appropriate, but he would need to bring the door surround to the BAR for review.

November 1, 2012 Mr. O'Connor requested to add the door surround for approval to his application TLHP-2012-0127 by email (**Attachment 12**)

November 19, 2012 TLHP-2012-0127 was placed on the agenda for the Business Meeting of the BAR (**Attachment 13**) and the Preservation Planner presented the staff report (**Attachment 14**). The public hearing was deferred until the December 3, 2012 BAR Work Session due to insufficient time to post the properties for a public hearing. Page 2 of the report concerned the door surround and stated:

The owner has installed a Greek Revival door surround with pilasters with Corinthian capitals and a large pediment above a side entry door. The previous approved certificates of appropriateness, TLHP-2009-0096 granted in 2009 and TLHP-2012-0039 granted earlier this year showed a much simpler entry door and added windows all the same size to make the elevation more symmetrical and balanced.

The report cited the same guidelines and Secretary of the Interior Standards noted in the review of TLHP-2012-0039 above when the door surround was previously considered. Ms. Del Rance stated staff's position that the installed surround was too large and too ornate, which tends to reorient the primary building façade from the front (W. Market Street) because the front of the building is very simple architecturally. As a result, the report recommended the following condition:

The door surround is removed and the pediment is replaced with a smaller pediment that is only above the door as is shown in the applicant's most recent drawing and siding is to be patched where it was removed for this door surround.

Mr. O'Connor acknowledged that the "portico is bigger than the line drawing/stick drawing that we submitted the first time . . ." and that "I will do whatever you want me to do . . ." Referring to the size, he indicated that it was bigger than he anticipated and said, "I threw a curve ball to myself because that is what came off of the truck". He stated that the portico came from Pennsylvania, and that "When it came in . . . it was bigger than you would anticipate. However, having put it up, it looks pretty nice.

Board Member Tracy Coffing stated that she believed the door surround was attractive but it did not relate architecturally to this particular building. She further stated that based on the elevation he submitted that was approved which depicted a door surround with a flat top, she was anticipating a surround that

would have a flat top instead of a pediment. The Board then deferred the case to the December 3, 2012 BAR Work Session for further discussion and the public hearing. (**Minutes Attachment 15**)

December 3, 2012 TLHP-2012-0127 was placed on the agenda (**Attachment 16**), the public hearing was opened and the staff report was presented by the Preservation Planner (**Attachment 17**).

Ms. Del Rance stated in the presentation and staff report that it is appropriate to consider the Secretary of the Interior's Standards which indicate a replacement feature should complement the existing character and architectural style of the building.

Mr. O'Connor stated the door surround was larger than he wanted, but it was built in 1880 and that there are "plenty of buildings in Leesburg with the exact same surround". Mr. O'Connor further stated "Thomas Jefferson's house has the same design on it".

Board Member Teresa Minchew stated she found no support in the guidelines for the door surround style or size. She further stated that the way the door fits within the surround is not quite correct and the surround is not sized appropriately for the door way. Board Chair Richard Koochagian stated the door surround details and workmanship are beautiful but he had issues with it being applied to this building both in its total character and in its location.

Mr. Koochagian stated that when they first approved the door surround they took the time to sketch out what they thought was appropriate where they removed the divided lights and they talked about the size of it, and that the entry needed to be a much smaller scale on a secondary elevation (see **Figure 2** above). Mr. Koochagian stated it was made clear that any photographs or pictures of what was going to be installed should be run by staff. While he agreed the surround was beautiful he agreed with Board member Ned Kiley who stated that this is not Monticello and we cannot just stick anything that looks good on Monticello here.

Mr. Koochagian went on to detail that the dentil moulding, the gable and the detail in the capitals does not fit the architecture of the building, but it competes and changes the front elevation which is in direct contradiction with what the guidelines say.

Board Member Paul Reimers suggested alterations to the surround by removing the capitals and the moulding it make it more appropriate for a secondary elevation.

Board Member Teresa Minchew drew attention to the door surround on the drawing Mr. O'Connor had initially submitted for TLHP-2013-0127 which had no pilasters, columns, or sidelights and was much smaller than what had been installed. Ms. Del Rance stated that doorway was the proper scale.(see **Figure 5**)

Ms. Minchew asked Mr. O'Connor if he was willing to go back to what he agreed to. Mr. O'Connor replied he "never agreed to that". Mr. O'Connor asked "what difference does it make if we do suggest that this be the front of the building?" Mr. O'Connor expressed

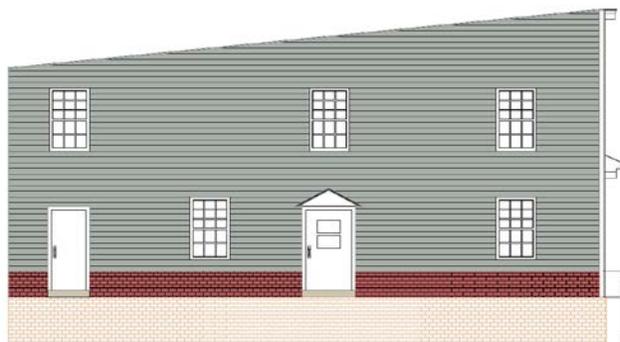


Figure 5. Elevation 4 submitted by Mr. O'Connor

that the surround was much bigger than he would have liked, but it was what he sourced and he believes it to be acceptable.

Mr. Koochagian confirmed that the door was acceptable so that wheelchair and accessible access was not an issue, only the door surround. Mr. O'Connor stated "Frankly, I'm with you" and "I'm willing to do something to a point".

Board Member Jim Sisely asked if Mr. O'Connor was willing to take the surround down to put something up of a smaller scale. Mr. O'Connor replied "Negative." Mr. Sisely said that in trying to move to a solution, it was a shame, but the alternative is to alter the pediment. Mr. Sisely said the style of the pediment runs contrary to the style of the building. Mr. Sisely stated that the BAR was not in the business of design, but only of reviewing and approving or denying design so this would be one of those times that another design needs to be presented that would allow this elevation to remain what has been called relatively utilitarian and that the removal of siding around the door can be fixed by putting the siding back up.

When asked what he was willing to do, Mr. O'Connor replied that if removing the dentils and the capitals would satisfy the BAR, he will be happy to do that.

Mr. Koochagian stated the applicant needed to return with a different design, which Mr. O'Connor acknowledged.

Ms. Minchew asked Mr. O'Connor where in the guidelines he found support for this door surround. Mr. O'Connor stated he had no guidance, only that it could not project more than 18 inches off the building.

Ms. Del Rance confirmed that the 18 inches was a limit, but that she had asked Mr. O'Connor to email her a photo of the door and surround before he purchased it, that he could send an I-Phone image and she would be able to review it immediately, trying to make the process as simple and easy as possible for him.

Mr. Kiley asked Ms. Del Rance if the door surround was ever submitted to her for approval. Ms. Del Rance replied "no". Ms. Minchew asked if Ms. Del Rance ever saw a picture of the surround before it was installed. Ms. Del Rance replied "That's correct, the first time I saw it the carpenters had halfway installed it".

Decision of the BAR: The BAR requested the applicant return with a cohesive design plan for the exterior changes including the door surround. The board recessed the case until the December 17, 2012 BAR Business Meeting. (Minutes Attachment 18)

December 6, 2012

In response to a citizen call about the door surround being painted blue, Ms. Del Rance made a site visit to photograph the new changes (**Figure 6** and **Attachment 19**) to compare to the original installation photo. (**Attachment 11**).



Figure 6. Photo taken December 6, 2012

December 11, 2012

Mr. O'Connor submitted revisions to COA application TLHP-2012-0127 that included all exterior changes done and proposed for the December 17, 2012 BAR Business Meeting. Specifically, the revisions included a photo-mock up of four elevations, including two possible door surrounds marked as Elevation 3 and Elevation 4 (see Figures 7 and 8 below). (**Attachment 20**)



Figure 7. Elevation 3

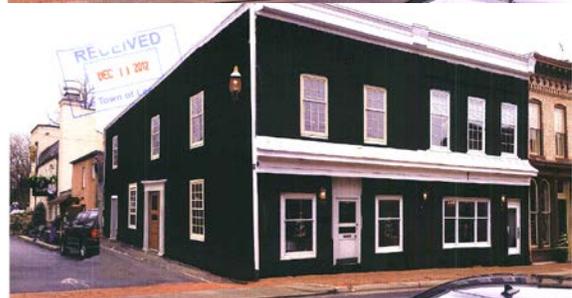


Figure 8. Elevation 4

December 17, 2012 TLHP-2012-0127 was placed on the agenda (**Attachment 21**) and the staff report was presented by the Preservation Planner (**Attachment 22**) Staff recommended denial due to insufficient information on the submitted elevation including the door surround or in the alternative to recess it until that information could be provided. The staff report repeated specific guidelines cited in earlier reports regarding the door surround, including the Secretary of the Interior's Standards for Rehabilitation as stated on p. 6 of the guidelines.

Mr. O' Connor submitted photographs of the "Black Shutter Antiques" building, (**Figure 9**) which is a corner building at a prominent intersection with decorative entries on both facades as an example of an ornate door surround in Leesburg. The Board noted that the building is of a decorative style with decorative windows and doors and is not a commercial storefront building from the early 20th century similar to the building at 6 W. Market Street (**Figure 10**).

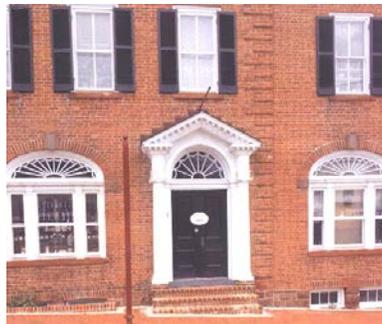


Figure 9. Black Shutter Antiques



Figure 10. 6 W. Market Street June 2012

Mr. O'Connor requested that the BAR vote on the application. The BAR discussed the new door and door surround elevations (**Attachment 20**). Mr. Sisley cited Elevation 4 and asked if the dimensions of the surround are the same as what is on the building and Mr. O'Connor responded that they are the same except the capitals would be removed and it was noted that the triangle pediment was removed and replaced with a flat top. Mr. Sisley asked Ms. Del Rance her opinion of the surround in Elevation 4 and she responded that it was more appropriate because the scale was much better and the flat top was more in line with the earlier approvals. Mr. Sisley noted that the pediment was an issue in earlier discussions and that it was found if it were removed it would make the elevation more symmetrical and therefore more approvable. Mr. O'Connor stated that he preferred to leave the pediment as he had installed it but that he would remove the pediment if directed to do so.

Council Liaison Mr. Marty Martinez stated that he was taking an open minded view and did not want to stifle creativity that could bring beauty to the Town.

Mr. Koochagian stated the based on the guidelines the BAR is supposed to apply the installed door surround is inappropriate. The door surround is of a different time and symmetry and is too formal, and is not consistent with that façade. He stated the door surround in Elevation 4 was the most appropriate of those presented even though it would be a unfortunate to cut up the door surround.

Ms. Coffing stated that the door that was installed is significantly different from

what was initially proposed and approved. She asked Mr. O'Connor if the BAR was not able to support the door surround as it currently stands would Mr. O'Connor be willing to, rather than take it apart, to salvage it and build a new surround out of new materials? Mr. O'Connor stated he bought it from a salvage yard in Pennsylvania but he's not in the salvage business. Cutting up the door surround was something that went against everything he believes in. Ms. Coffing stated that she agreed and it was disturbing because on its own it was a beautiful door surround and she wondered if there was an option available to salvage it rather than cutting it apart to get to option [Elevation] 4.

After a brief discussion on where individual BAR members stood on the matter, Board Member Paul Reimers said that after considering all the discussion of the past month, he was comfortable with leaving the door as it was installed by Mr. O'Connor.

Ms. Minchew stated that this building was a contributing resource to the historic district and therefore requires a higher level of attention to added elements. She said while the door surround is beautiful it would be a crime to tear apart the current door surround; however, the door surround as shown in Elevation 4 is more appropriate.

Ms. Coffing suggested that a motion would be made to approve a new surround and to remove the current surround. Ms. Minchew confirmed with Mr. O'Connor that the elevations submitted depict the capitals being removed from Elevation 4 because the elevation was not clear enough to discern.

Several Board members stated the finished look of the side elevation of the building should match the Elevation 4 (as shown without the capitals) that Mr. O'Connor supplied on December 11, 2012 (**Figure 8** and **Attachment 20**) as an alternate view.

The BAR approved a Certificate of Appropriateness (COA) for the door surround as depicted in Elevation 4 (**Figure 8**.) submitted by the applicant by a vote of 4-3, with Koochagian, Kiley, Sisley and Meyer in favor and Minchew, Reimers and Coffing opposed. (**Minutes Attachment 23**)

- | | |
|-------------------|---|
| December 20, 2012 | A Certificate of Appropriateness approval letter was sent for TLHP-2012-0127. (Attachment 24) |
| January 23, 2013 | Mr. O'Connor emailed the Preservation Planner with his intention to ask the Town Council to allow the door to remain as is. (Attachment 25) The Preservation Planner directed Mr. O'Connor to the Town Clerk for an appeal. |
| January 28, 2013 | A new approval letter was issued to Mr. O'Connor (Attachment 26) with the appeal procedure stated in the letter. Since the appeal procedure was not on the original letter, it was deemed necessary to ensure no misunderstandings about the appeal process. |
| February 12, 2013 | Mr. O'Connor emailed his appeal to the Town Clerk. (Attachment 1). |

Alternate Motions

- Motion to dismiss I move to DISMISS the appeal of the decision of the BAR in case TLHP-2012-0127, rendered on December 17, 2012 due to the lack of any issue having been raised as a basis for the appeal as required by Zoning Ordinance Section 3.10.14.B.
- Motion to affirm I move to AFFIRM the decision of the BAR in case TLHP-2012-0127, rendered on December 17, 2012.
- Motion to reverse I move to REVERSE the decision of the BAR in case TLHP-2012-0127, rendered on January 23, 2013.
- Motion to modify I move to MODIFY the decision of the BAR in case TLHP-2012-0127, rendered on December 17, 2012 by:
- _____
 - _____
 - _____

Attachments:

- (1) Appeal Petition, filed on February 12, 2013
- (2) Zoning Ordinance §3.10.14.B Appeals to Town Council
- (3) Certificate of Appropriateness for TLHP-2009-0096
- (4) May 21, 2012 BAR Business Meeting Agenda
- (5) May 21, 2012 Staff Report TLHP-2012-0039
- (6) June 4, 2012 Work Session Agenda
- (7) June 4, 2012 Staff Report TLHP-2012-0039
- (8) Certificate of Appropriateness for TLHP-2012-0039
- (9) Photograph of 8 foot tall door proposal
- (10) August 6, 2012 Work Session Agenda
- (11) October 25, 2012 Site Photos taken by the Preservation Planner of installed door and surround
- (12) October 26, 2012 email from Preservation Planner to Mr. O'Connor and November 1, 2012 email from Mr. O'Connor to Preservation Planner
- (13) November 19, 2012 BAR Business Meeting Agenda
- (14) November 19, 2012 Staff Report TLHP-2012-0127
- (15) November 19, 2012 BAR Minutes
- (16) December 3, 2012 BAR Work Session Agenda
- (17) December 3, 2012 Staff Report TLHP-2012-0127
- (18) December 3, 2012 BAR Minutes
- (19) December 6, 2012 Site Photos taken by the Preservation Planner of installed door and surround
- (20) December 20, 2012 Certificate of Appropriateness approval letter sent for TLHP-2012-0127
- (21) December 17, 2012 BAR Business Meeting Agenda
- (22) December 17, 2012 Staff Report TLHP-2012-0127
- (23) December 17, 2012 BAR Minutes

- (24) Certificate of Appropriateness application for TLHP-2012-0127
- (25) January 23, 2013 email from Mr. O'Connor to the Preservation Planner
- (26) January 28, 2013 Certificate of Appropriateness approval letter with the appeal process information sent for TLHP-2012-0127.

Kim Del Rance

From: Lee Ann Green
Sent: Tuesday, February 12, 2013 3:36 PM
To: Susan BerryHill; Kim Del Rance
Subject: FW: Bar case TLHP-2012-0127

See appeal to the Town Council below - from Mike O'Connor.

If you get ads to me by Feb. 22, I can schedule this one and the Saeidi appeal for March 12. Otherwise, will have to wait until April (no second meeting in March).

Lee Ann Green, CMC
Clerk of Council
Town of Leesburg
25 West Market Street
Leesburg, VA 20176
703-771-2733
703-771-2727 (fax)

PLEASE BE AWARE THAT CORRESPONDENCE SENT BY OR TO THE LEESBURG TOWN COUNCIL AND LEESBURG TOWN STAFF IS SUBJECT TO VIRGINIA'S FREEDOM OF INFORMATION ACT

From: Mike O'Connor [mailto:Mike.O'Connor@fsg-llc.com]
Sent: Tuesday, February 12, 2013 3:30 PM
To: Lee Ann Green
Subject: Bar case TLHP-2012-0127

Hello Ms. Green, Please be aware that Kingdom Enterprises wishes to file an Appeal of the conditions of Approval on the referenced BAR case and asks to be scheduled at the next available Town Council meeting that will be able to address the issue. We will provide the particulars at the meeting. Thank you very much.

Respectfully,

Michael J. O'Connor
President
FSG Facilities Solutions Group
(703)234-6555
www.fsg-llc.com

3.10.11 Conformance with Permit Required

All work performed pursuant to issuance of a Certificate of Appropriateness shall conform to the approved plans and specifications and to any modifications required by the permit. In the event work is performed not in conformance with the permit, the Zoning Administrator shall notify the responsible person or firm in writing of the violation and shall take the necessary legal steps to ensure that the work is performed in conformance with the permit.

3.10.12 Lapse of Approval

A Certificate of Appropriateness (COA) shall lapse and become void unless:

- A.** Construction is commenced within twenty-four (24) months from the date the COA was issued.
- B.** Prior to the sunset of twenty-four month period in (A.) above, the applicant has obtained a six-month extension from the Zoning Administrator by clearly demonstrating to the Zoning Administrator diligent pursuit of other necessary land development approvals. The Zoning Administrator shall include notification of the request for an administrative extension to adjacent property owners. There is no limit to the number of six-month extensions that an applicant may obtain.

3.10.13 Change of Plans after Issuance of Permit

Any change in the work plan subsequent to the issuance of a Certificate of Appropriateness shall require submittal of a new application and issuance of a new permit except that modifications to approved projects may be administratively approved by the Preservation Planner in accordance with Section 7.5.6.D of the Zoning Ordinance.

3.10.14 Appeals

- A. Reconsideration by the Board of Architectural Review.** The Board of Architectural Review shall not reconsider any application that has been denied except in cases where an applicant submits an application that has been amended to substantially address the Board of Architectural Review's reasons for denial of the original application.
- B. Appeals to Town Council.** Appeals to the Town Council from any final decision of the Board of Architectural Review may be made by any resident, property or business owner, or applicant by filing a petition with the Clerk of Council, setting forth the basis of the appeal, within thirty (30) days after the final decision of the Board of Architectural Review is rendered. Upon receipt of the appeal, the Clerk of the Council shall promptly schedule a public hearing as soon as reasonably practicable and comply with all applicable notice requirements. The Board of Architectural Review shall file certified or sworn copies of the record of its action, which includes the minutes and documents it considered when rendering its decision and the Clerk shall forthwith transmit to the Town Council all the papers constituting the record upon which the action was taken. If the applicant wishes the Town Council to consider the transcript of the hearing as part of the record, the applicant shall pay all costs of the transcription of the hearing. Pursuant to Code of Virginia Sec. 15.2-2306, the filing of the petition shall stay the decision of the Board of Architectural Review pending the outcome of the appeal to the Town Council, except that the filing of such petition shall not stay the decision of the Board of Architectural Review if such decision denies the right to raze, demolish or move any structure or building subject to the provisions of this section. In any appeal, the Town Council shall

review the Board of Architectural Review record, consider the written appeal and the criteria set forth in the Old and Historic District Guidelines and to that end shall have all the powers of the Board of Architectural Review. The Town Council may reverse or affirm, wholly or partly, or may modify, any order, requirement, decision or determination appealed from and make such order, requirement, decision or determination as ought to be made. The Council review shall be limited to the issues raised on appeal. The failure of the Town Council to affirm, modify, or reverse the decision of the Board of Architectural Review within 75 days from the date of the petition is filed shall be deemed to constitute an affirmation of the Board of Architectural Review’s decision, unless all parties to the appeal agree in writing to extend such time period.

C. Appeals to the Circuit Court of Loudoun County. Appeals to the Circuit Court of Loudoun County from any decision of the Town Council may be made by any person by filing a petition at law, setting forth the alleged illegality of the action of the Town Council within thirty (30) days from the final decision rendered by the Town Council. The filing of the said petition shall stay the decision of the Town Council pending the outcome of the appeal to the Court, except that the filing of such petition shall not stay the decision of the Town Council if such decision denies the right to raze or demolish a historic landmark, building or structure. The court may reverse or modify the decision of the Town Council in whole or in part, if it finds upon review that the decision of the Town Council is contrary to law or that its decision is arbitrary and constitutes an abuse or discretion or it may affirm the decision of the Town Council.

Sec. 3.11 Architectural Control Certificates of Appropriateness (H-2 Corridor Overlay District)

3.11.1 Applicability

Unless otherwise expressly exempted, no structure, building, or sign located on land shall be erected, reconstructed, altered or restored on property subject to the H-2 Overlay District standards of Sec. 7.6 until the plans for such shall have been approved by the Board of Architectural Review in accordance with the Architectural Control Certificate of Appropriateness procedures of Sec. 3.11.

3.11.2 Exemptions

The provisions of this section shall not apply to any of the following:

- A. Regular maintenance of structures, buildings, or signs (as opposed to the reconstruction, alteration or restoration).
- B. Single-family detached dwellings;
- C. Attached dwellings (including townhouses and duplexes); and
- D. Construction within approved Planned Development Districts.



*Appeals of BAR’s decisions are heard by the Town Council. Appeals must be filed within 30 days.



TOWN OF LETSBURG, VIRGINIA BOARD OF ARCHITECTURAL REVIEW

CASE # TLHP - 2009-0096

ADMINISTRATIVE APPROVAL

II-1 OVERLAY DISTRICT

II-2 CORRIDOR OVERLAY DISTRICT / FRONTIER

Notes:
1. FINAL DOOR + LINTEL TO RETURN TO STAFF
2. FINAL SIDING PROFILE TO RETURN TO STAFF
3. FINAL COLOR SCHEME TO RETURN TO STAFF
4. FINAL STEPPED PARAPET, PREFERABLY WITH TWO STEPS INSTEAD OF THREE, TO RETURN TO STAFF

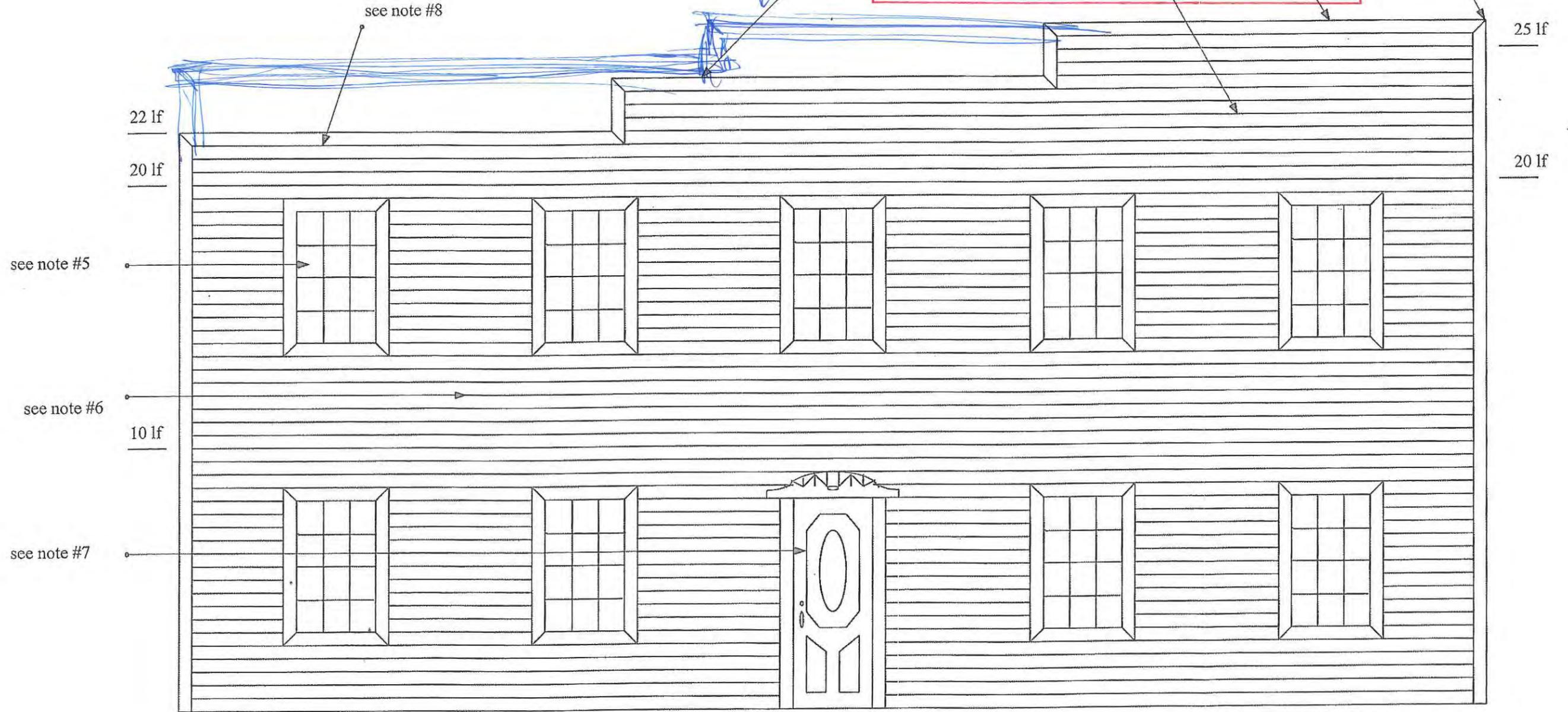
[Signature]
STAFF, BOARD OF ARCHITECTURAL REVIEW APPROVAL DATE 08/17/2009

THESE DRAWINGS MAY NOT BE CHANGED WITHOUT PRIOR APPROVAL FROM STAFF OR THE BOARD OF ARCHITECTURAL REVIEW.

General Notes:

1. New 6" wood siding to be German profile or similar. Sample to be submitted for approval.
2. Final height and layout of parapet step transitions to be field verified. Parapet wall thickness is a nominal 6".
3. Cap flashing with drip edge to be installed at top of parapet. Color to match adjoining trim.
4. Trim at parapet transition on south end to blend into box fascia at top of south elevation.
5. Final layout of all windows and doors will be field verified following selective demolition.
6. Final paint colors will be submitted for administrative approval.
7. Final door style selection with decorative header element will be submitted for administrative approval.
8. Simple flat 6" trim around perimeter.

#6 West Market Street: Proposed West Elevation
Date: 08/05/09 Scale: 1 block = 6 inches
Kingdom Enterprises





The Town of
**Leesburg,
Virginia**

Attachment 3

25 West Market Street ■ P.O. Box 88 ■ 20178 ■ 703-777-2420 ■ Metro: 703-478-1821 ■ FAX: 703-771-2727 ■ www.leesburgva.gov

19 August 2009

Philip W. Foltman
Facilities Solutions Group
1900 Oracle Way
Suite 400
Reston, Virginia 20190

Re: BAR Case TLHP-2009-0096; Conditional Approval, 6 West Market Street, H-1 Overlay District

Dear Mr. Foltman,

This letter serves as your official notification of the action taken by the Leesburg Board of Architectural Review (BAR) at the 17 August 2009 public hearing on BAR Case TLHP-2009-0096 for alterations to the west elevation of the existing structure at 6 West Market Street.

Based on the facts that:

- The building was constructed between 1899 and 1903; and
- The brick veneer was added to the façade after 1946; and
- The siding and the windows on the west elevation was replaced after 1975; and
- The proposed alterations will occur on the west elevation, which is a secondary elevation on the structure; and
- The current window configuration on the west elevation is not a character-defining feature of the building; and
- The replacement double-hung 6/6 windows will be wood, with exterior muntins and a factory-applied finish; and
- No information on the final color or profile of the siding has yet been provided; and
- The profile of the shed roof will be preserved, and the stepped parapet wall will convey the feeling associated with a shed roof;

The BAR approved case TLHP-2009-0096 with the following conditions:

1. The final lintel design over the door will be reviewed and approved by staff.
2. The final siding profile will be administratively approved by staff so long as it does not exceed 6 inches.
3. The final exterior color scheme will be reviewed and approved by staff.
4. The final stepped parapet configuration, preferably with two steps instead of three, will be submitted to staff for final review and approval.

Philip Foltman, Conditional Approval Letter
THLP-2009-0096 (6 West Market Street)
19 August 2009

page 2 of 2

Enclosed is a copy of the approved plans with the final conditions noted. Please keep this document for your records on this project. If it is necessary to make field modifications to your project, please contact me to determine what action, if any, is required to gain approval of those changes. Note that this project also requires a Zoning Permit from the Town of Leesburg and a Building Permit from Loudoun County. I may be reached at 703.771.2773 or amcdonald@leesburgva.gov if you have any questions or need any additional assistance.

Sincerely,



Annie McDonald
Preservation Planner

enclosures: approved plans

(SQDAM006986D)

Shenandoah Sash and Door (281080)

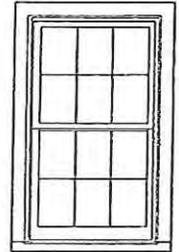
Printed: Tuesday, July 07, 2009

Item Details

001

001

Traditional Double Hung Window (3026-1)



Scale: 1/4" = 1' (Outside View)

Rough Opening: 36" x 61"
 Box / Frame Size: 35-1/2" x 60-7/16"
 Unit Dimension: 42-1/2" x 65-35/64"

Construction - Family	Wood
Model of Unit	Traditional
Performance	Standard
Number of Units Wide	Single
Window Shape	Rectangle
Size	36" X 61" R.O. - 3026-1

CASING-JAMBS-TRIM

Exterior Casing/Accessories	3-1/2" Flat Casing
Back Band	Yes
Back Bevel	No
Sill Nosing	2" x 2" Sill Nosing
Extended Sill Homs	No
Apply Exterior Casing/Accessories	Yes
Jamb Size	6-9/16
Jamb Size Exact	No
Jambs Applied	Yes

GLASS

Glass	H-K LoE 270 Insulated
Glass Spacer	Standard Stainless Steel
Glass Options - Top Sash	Clear
Glass Options - Bottom Sash	Clear
Glass Preserve	No
Glazing Bead	Beveled

LITE DIVISIONS

Lite Divisions	Performance Divided Lites
Bar Size	5/8"
Internal Spacers	Champagne
Grid Pattern	Colonial
Number of Lites - Top	3 Wide x 2 High
Number of Lites - Bottom	3 Wide x 2 High

HARDWARE-ACCESSORIES

Window Hardware Color	Rustic Umber
Jambliner Color	Beige
Sash Plough	No Sash Plough
Bottom Sash Lift Handle(s)	No
Sash Limit Clips	None
Window Screen	No Screen - No Prep
Storm Window Combination	No
Stool Prep	Yes
Installation Clips	10-1/16" Clips

2" x 2" SILL NOSING
 IS HEAVIER AND MORE
 PERIOD CORRECT

8 EVENLY SPACED
 WINDOWS

LOWN OF LEESBURG, VIRGINIA BOARD OF ARCHITECTURAL REVIEW
 CASE # ~~2009-0096~~ ²⁰⁰⁹⁻⁰⁰⁹⁶ FINAL LAYOUT T.B.D.
 ADMINISTRATIVE APPROVAL
 II-1 OVERLAY DISTRICT
 II-2 CORRIDOR OVERLAY DISTRICT / PROFFER for a
 Notes:
 1. FINAL DOOR + LINTEL TO RETURN TO STAFF
 2. FINAL SIDING PROFILE TO RETURN TO STAFF
 3. FINAL COLOR SCHEME TO RETURN TO STAFF
 4. FINAL STEPPED PARAPET, PREFERABLY W/ 2 STEPS TO RETURN TO STAFF
 STATE BOARD OF ARCHITECTURAL REVIEW APPROVAL DATE 08/17/2009
 THESE DRAWINGS MAY NOT BE CHANGED WITHOUT PRIOR APPROVAL FROM STAFF OR THE BOARD OF ARCHITECTURAL REVIEW.



***LEESBURG BOARD OF ARCHITECTURAL REVIEW
BUSINESS MEETING AGENDA***

Monday, May 21, 2012 at 7:00pm
Town Hall, 25 West Market Street
Council Chamber

1. ADOPTION OF MEETING AGENDA
2. APPROVAL OF MEETING MINUTES for May 7, 2012
3. BAR MEMBER DISCLOSURE
4. PETITIONERS
5. CONSENT AGENDA

Items placed on the Consent Calendar are deemed, at the discretion of the Chair, to be approvable without discussion. However, anyone in attendance at the meeting has the right to ask that any item proposed for the Consent Calendar be placed back in the regular order of business.

Procedure: The Chair and Staff will first identify the proposed case number(s) along with any clarifications and/or conditions to be included in the approval. The Chair will then provide an opportunity for anyone attending the meeting to ask that any given case be removed from the Consent Calendar and placed back in the regular order of business. Following that, a motion will be made for approval of the Consent Calendar and the cases included in the motion will be approved without discussion by the BAR. ***If you wish to have an item proposed for the Consent Agenda placed back in the regular order of business for any reason, you must tell the Chair before the BAR votes on the motion so that the item may be removed from the Consent Agenda and placed on the Regular Agenda.***

6. DISCUSSION AGENDA (Public Hearing Items)

Unless otherwise stated, all deferred items will be placed on the agenda of the next monthly meeting of the Board of Architectural Review. ***The deadline for submitting any new information for the June 18, 2012 agenda is Monday May 21 at 5:00 pm.***

 - a. TLHP-2012-0032 1605 Village Market Blvd, Suite 100 (H-2 Overlay)
Project Description: Construct new brick patio with railing enclosure at Faang Restaurant
 - b. TLHP-2012-0036 1 Catocin Circle, SE (H-2 Overlay)
Project Description: Replace existing drive-through ATM kiosk at Sandy Spring Bank
 - c. TLHP-20112-0037 110 Loudoun Street, SW (H-1 Overlay)
Project Description: Enclose existing screened porch with windows, door and wall panels
 - d. TLHP-2012-0039 6 West Market Street, NW (H-1 Overlay)
Project Description: Install period correct windows and door and continuation of beltline fascia
 - e. TLHP-2012-0041 225 West Market Street, SW (H-1 Overlay)
Project Description: Replace entry steps with new steps and landing
 - f. TLHP-2012-0040 and TLHP-2012-0042 Courthouse Square (H-1 Overlay)

Project Description: Partial demolition of 9 E. Market Street, SE and construction of new 104,000 sq ft. mixed use office, retail and restaurant building with parking structure

7. DEFERRED CASES

- a. ~~TLAP-2012-0001 (APPEAL OF TLHP-2011-0051)~~ 1-3 Cardinal Park Drive Toyota – continuation of application remanded by Town Council for further consideration by the BAR. – Postponed to the June 4, 2012 worksession at Appellant's request.
- b. TLHP-2012-0007 521 E. Market Street, Brent Bederka, Capitol Graphics
Project Description: Application to remove cover and graphics from existing awning frame and refurbish with new orange covers for the Dunkin Donuts at Bellewood Commons Shopping Center

8. ADMINISTRATIVE AGENDA

- a. Administrative Approvals of COAs (For Information Only)
 - TLHP-2012-0035 (22 W. Market St) wall sign revision
 - TLHP-2012-0038 (18 S. King Street) two projecting signs
 - TLHP-2012-0044 (26 S King Street) projecting sign
 - TLHP-2012-0045 (14 Cornwall Street, NW) exterior paint
 - TLHP-2012-0046 (8 Cornwall Street NW) repair front steps
 - TLHP-2012-0047 (3 W. Market Street) signs – Events in the City

9. ADJOURNMENT



***LEESBURG BOARD OF ARCHITECTURAL REVIEW
STAFF REPORT***

PUBLIC HEARING: 21 MAY 2012
AGENDA ITEM 6D

BAR Case No. THLP-2012-0039

Owner requests to add a door with sidelites and pediment, replacing two windows with larger windows and adding beltline fascia to the side of an existing late 19th century commercial building.

Reviewer: Kim K. Del Rance, LEED AP

Address: **6 W Market Street**

Zoning: B-1, H-1 Overlay District

Applicant/Owner: Michael J. O'Connor

Site Description: This commercial building faces Market Street on the lot lines for Market Street and a side alley that acts as the driveway and dead end entry to other small businesses, including a bank and the rear of the Lightfoot Restaurant. There is a party wall to the commercial building to the east and according to the 1998 survey the facades of both buildings have previously been altered before the survey in the 1970's to appear as one building. Both buildings front Market Street and the side of 6 W Market Street has a secondary entrance toward the rear of the building on the west side which has street parking up against the building.

Context: The building is a contributing structure in the National Register District and contributes to the pedestrian streetscape and the rhythm of the street with its lack of setback and large glazing areas facing the street. The building footprints appear on a Sanborn map of 1886 and the side of the building along the driveway/alley is a secondary elevation with wood siding and a front façade of painted and unpainted brick. The beltline fascia was added to the front before 1998 when the two buildings were meant to look like one giving a more unified appearance. The first story of each façade is unpainted brick and the second story of both buildings is painted the same blue as the wood siding on the west elevation side toward the driveway/alley. Nearby buildings have varying window patterns, amounts of glazing and material choices, but all face Market Street with their building sides much less decorated and detailed than their facades.

Description of Proposal:

The owner is requesting to replace an existing wood one-over-one window with a new entry door with side lights and pediment, to add a small pediment above the existing side entry door and replace two one-over-one windows with two multi-lite windows giving the board three possible widths of 4'6, 5'6 or 6'6 to select from. These are the following requests:

1. Replace existing one-over-one wood windows with multi-lite wood windows.
2. Replace existing wood side entry door with new wood door and a small pediment above entry.
3. Replace one existing one-over-one wood window with a new wood multiple lite door with divided sidelites on either side. A new large and decorative pediment will be added above the new door and sidelights.
4. Simplify and wrap the front beltline fascia from the front façade of the building facing Market Street to extend along the side of the building above the new windows and doors.

STAFF ASSESSMENT

Modifications to Existing Buildings - Old and Historic District Design Guidelines (2009) Chapter V

Windows

Page 55 states "Replace historic windows in kind only when they are missing or beyond repair. Replacement units must replicate materials, operation, and pane configuration. If replacement, due to deterioration, is approved, replace the unit in-kind by matching the:

- a. Design, dimension, and operation of the original sash
 - i. Maintain the original dimensions and shape of the window.
 - ii. Match the height and width of the original opening.
 - iii. Match the width and depth of the historic meeting rail.
 - iv. Maintain the existing glazed surface area.
 - v. Retain associated details such as arched tops, hoods, and decorative elements.
- b. Pane configuration
 - i. Maintain the original or historic number and arrangement of panes
- c. Materials
 - i. For existing contributing buildings in the OHD, replace windows with the same historic or traditional materials.

Inappropriate Treatments for Windows from page 56

- Do not install replacement windows or sash that do not fit opening or that change the amount of glazed area.
- Do not use materials or finishes that change the sash, depth of reveal, muntin configuration, reflective quality and color of glazing or the appearance of frame.
- Do not change the number, location, size, or glazing pattern of original or historic windows.

Windows on the second floor have already been replaced with what appears to be simulated divided lites in a pattern of six-over-nine as the elevation drawings in the application packet show. However, the photographs submitted show the existing windows on the west side of the building were all one-over-one windows. According to the guidelines listed above all of the windows should remain in the same one-over-one pattern as the originals unless it can be shown that the six-over-nine configuration is historically accurate.

- The new windows should remain in their original locations and configuration if they cannot be repaired, replacement as guided by statements above is appropriate.

Porches and Doors

Regarding doors, page 62 states the following:

5. Retain and repair existing historic or original door(s) on all elevations.
6. Replace historic doors that are beyond repair with a new door(s) of the same size, design, material and type as used originally, or sympathetic to the building style.

Orientation

Page 86 also adds the following:

b. Maintain the original orientation of the structure. If the primary entrance is located on the street facade it should remain in that location.

Secretary of the Interior's Standards for Rehabilitation - Appendix A

2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
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.**
6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
 - The existing side door is now boarded over and it is unclear if the original door is still available for repair. Repairing the original is the preferred method, but if replacement is necessary then replacing it with the same material and style is appropriate according to the guidelines quoted above.
 - The new side door as shown is more decorative than the original storefront entry and could be considered as re-orienting the building to the side street, which is not appropriate. The adding of conjectural architectural features not on the existing storefront façade is not appropriate unless it can be shown these are historically accurate for this building. Simplifying the door, eliminating sidelites and pediment for a much simpler entry is more appropriate so as not to re-orient the building to the side street. It is appropriate for the storefront entry to remain the main entrance.
 - It may be appropriate for the new door to have full glass or 2/3 glass to allow more natural light without detracting from the original storefront entry. Single lites are preferable to multiple lites to be in character with the existing storefront treatments.
 - The new side entry door location would be more appropriate by replacing an existing window location instead of creating a new opening.
 - Adding a beltline fascia may be appropriate if simple and not detracting from the original beltline cornice on the main storefront façade.

Materials- Old and Historic District Design Guidelines (2009) Chapter VII

Page 109 states "Duplication of historic finishes to the point where new construction is not distinguishable from old is not recommended." Also the following:

- b. Doors should be constructed of wood (which may be metal-clad) or metal and should match the style of the building. On storefronts, use painted wood or painted metal doors with large areas of glass.
 - c. Windows should be constructed of wood, a wood composite or metal and should be appropriate to the style of the building.
- The wood doors and windows submitted are appropriate in their materials. As stated above the single lites are appropriate as opposed to multiple lites, unless it can be shown multiple lites were used originally on this building. At the time of this building using single lite windows was an improvement over multiple lites as the manufacturing processes of glass had improved to allow for larger panes of glass.

Site Development/Zoning Issues: Ownership or access to land directly in front of the new proposed side entrance must be addressed before an entrance can be placed in this location.

STAFF RECOMMENDATION/DRAFT MOTION

(Based on the BAR's discussion at the meeting, any changes to the language of either part of the motion should be incorporated as necessary.)

Based on the findings that:

- **Ownership or access privilege to the land serving the new side entrance must be clarified**
- **One-over-one double hung wood windows are more appropriate in proportion and configuration than divided lite windows on this building since the existing windows are also one-over-ones**
- **A simple beltline fascia on the side of the building is not specifically addressed in the guidelines and is subordinate to the front façade cornice and PVC is not an appropriate material for trim and exterior decoration and wood is appropriate**
- **Building orientation should not be changed with new additions and conjectural architectural features should not be added that create a false sense of historical development**

Staff recommends approval of TLHP-2012-0039 subject to the unsigned and undated plans submitted as part of this application material set and subject to the following conditions:

- **Ownership or access privilege to the land serving the new side entrance must be clarified**
- **The replaced windows are appropriate as one-over-one windows and the location of the existing windows should not be altered. Their size can be expanded to match the existing windows on the second floor if necessary for the use of the building.**
- **The all wood new side door would be appropriate to have a single lite or a 2/3 full glass door with no divided lites.**
- **There should be no pediment or sidelites on the new side entry door which should be located in place of an existing window instead of cutting a new opening.**
- **A wood beltline fascia should be simple, painted to match existing trim and not decorative to ensure the original orientation remains facing Market Street. There shall be no PVC used in exterior use in the project.**
- **The existing side door should be repaired, but replaced only if repair is impossible.**
- **It is encouraged that the owner restore the original storefronts of these two buildings removing the materials and configuration that makes them appear as one.**

DRAFT MOTION

I move that TLHP-2012-0039 be approved subject to the plans submitted by Michael S. O'Connor on April 23, 2012 and subject to the findings and conditions of approval as stated in the May 21, 2012 Staff Report (or as amended by the BAR on May 21, 2012).



LEESBURG BOARD OF ARCHITECTURAL REVIEW

WORK SESSION AGENDA

Monday June 4, 2012 at 7:00pm
Town Hall, 25 West Market Street
Council Chamber

1. BAR MEMBER DISCLOSURE

2. PUBLIC HEARINGS

3. DEFERRED CASES

- a. ~~TLAP-2012-0001 (APPEAL OF TLHP-2011-0051)~~ 1-3 Cardinal Park Drive Toyota — continuation of application remanded by Town Council for further consideration by the BAR.
- b. **TLHP-2012-0007** 521 E. Market Street, Brent Bederka, Capitol Graphics
Project Description: continuation of discussion of application to remove cover and graphics from existing awning frame and refurbish with new orange covers for the Dunkin Donuts at Bellewood Commons Shopping Center.
- c. **TLHP-2012-0039** 6 W. Market Street, Michael J. O'Connor, property owner
Project Description: Replace windows and add door with pediment and side lites to side of building
- d. **TLHP-2012-0043** 209 Church Street, Kevin Ash, Ellisdale Construction LLC,
Project Description: Proposal to demolish and rebuild 209 Church Street SE
- e. **TLHP-2012-0040 (New Construction) and TLHP-2012-0042 (Demolition)** Courthouse Square (H-1 Overlay)
Applicant: DBI Architects for property owner
Project Description: Partial demolition of 9 E. Market Street, SE and construction of new 104,000 sq ft. mixed use office, retail and restaurant building with parking structure; Deferred until June 4, 2012 work session to have architect's presentation televised for the public.

4. OTHER BUSINESS

5. ADJOURNMENT



***LEESBURG BOARD OF ARCHITECTURAL REVIEW
STAFF REPORT***

PUBLIC HEARING AND WORK SESSION: 4 JUNE 2012
AGENDA ITEM 3C

BAR Case No. THLP-2012-0039: Modifications to existing building at 6 W. Market St.

Owner requests to add a salvaged historic door with sidelites and pediment, enlarging two windows and adding beltline fascia to the side of an existing late 19th century commercial building.

Reviewer: Kim K. Del Rance, LEED AP

Address: **6 W Market Street**

Zoning: B-1, H-1 Overlay District

Applicant/Owner: Michael J. O'Connor

Site Description: This commercial building faces Market Street on the lot lines for Market Street and a side alley that acts as the driveway and dead end entry to other small businesses, including a bank and the rear of the Lightfoot Restaurant. There is a party wall to the commercial building to the east and according to the 1998 survey the facades of both buildings have previously been altered before the survey in the 1970's to appear as one building. Both buildings front Market Street and the side of 6 W Market Street has a secondary entrance toward the rear of the building on the west side which has street parking up against the building.

Context: This commercial storefront building is a contributing structure in the Old and Historic District and contributes to the pedestrian streetscape and the rhythm of the street with its lack of setback and large glazing areas facing the street. The building footprints appear on a Sanborn map of 1886 and the side of the building along the driveway/alley is a secondary elevation with wood siding and a front façade of painted and unpainted brick. The beltline fascia was added to the front before 1998 when the two buildings were meant to look like one giving a more unified appearance. The first story of each façade is unpainted brick and the second story of both buildings is painted the same blue as the wood siding on the west elevation side toward the driveway/alley. Nearby buildings have varying window patterns, amounts of glazing and material choices, but all face Market Street with their building sides much less decorated and detailed than their facades.

Description of Proposal:

The previous approved certificate of appropriateness, TLHP-2009-0096 was granted in 2009 that showed a much simpler entry door and added windows all the same size to make the elevation more symmetrical and balanced.

The changes to the approved certificate of appropriateness being requested are to

- a. add sidelights and large pediment to the entry door
- b. add a small pediment above the existing rear side entry door
- c. leave the existing number of windows, but to widen the windows on the first floor
- d. wrap a simple beltline fascia from the front around to the side
- e. leave the existing roofline with no added parapet
- f. use a salvaged historic door as the new side entry door, no example has been submitted as of the writing of this report

Site Development/Zoning Issues: The ownership of the adjacent alley has not been definitively determined, therefore the applicant needs to be mindful of making improvements that could encroach onto property he may not own or have the rights to use.

APPLICABLE GUIDELINES

Modifications to Existing Buildings - Old and Historic District Design Guidelines (2009) Chapter V

Windows

Page 55 states "Replace historic windows in kind only when they are missing or beyond repair. Replacement units must replicate materials, operation, and pane configuration. If replacement, due to deterioration, is approved, replace the unit in-kind by matching the:

- a. Design, dimension, and operation of the original sash
 - i. Maintain the original dimensions and shape of the window.
 - ii. Match the height and width of the original opening.
 - iv. Maintain the existing glazed surface area.
- b. Pane configuration
 - i. Maintain the original or historic number and arrangement of panes

Inappropriate Treatments for Windows from page 56

- Do not install replacement windows or sash that do not fit opening or that change the amount of glazed area.
- Do not change the number, location, size, or glazing pattern of original or historic windows.

Porches and Doors

Regarding doors, page 62 states the following:

5. Retain and repair existing historic or original door(s) on all elevations.
6. Replace historic doors that are beyond repair with a new door(s) of the same size, design, material and type as used originally, **or sympathetic to the building style.**

Orientation

Page 86 also adds the following:

- b. Maintain the original orientation of the structure. If the primary entrance is located on the street facade it should remain in that location.

Secretary of the Interior's Standards for Rehabilitation - Appendix A

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

Staff Assessment:

Windows on the second floor have already been replaced with simulated divided lites in a pattern of six-over-six as the elevation drawings in the application packet show. However, the photographs submitted

show the existing windows on the west side of the building were all one-over-one windows, but they were replaced in 1975 so it is unclear what the pane configuration was original to the building.

Since this is a secondary elevation it is appropriate to alter the window sizes to bring them into balance as shown in the approved TLHP-2009-0096, but the new proposal calls for wider windows on the first floor, with a different pane configuration bringing the total on the building to three different pane configurations and a larger door and entry treatment.

- These changes will alter the appearance of the building orientation and add conjectural historic features of a wider window that did not previously exist anywhere on the building, which is not appropriate.
- The applicant stated that more light was desired into the building, staff suggests returning to the previously approved certificate which allowed an additional window on the second floor and to allow the applicant to use one-over-one windows like those on the front of the building which have no muntins to block light.
- Using a half glass simple door as on the previously approved certificate will also allow more light. Muntins are not necessary as the front façade of the building makes use of large plate glass whose use became a sign of prosperity near the end of the 19th century when this building was built.

STAFF RECOMMENDATION/DRAFT MOTION

(Based on the BAR's discussion at the meeting, any changes to the language of either part of the motion should be incorporated as necessary.)

Based on the findings that:

- **One-over-one double hung wood windows are also appropriate on this building since the existing front windows are one-over-ones**
- **A simple beltline fascia on the side of the is subordinate to the front façade and PVC is not an appropriate material for trim and exterior decoration, but wood is appropriate**
- **Building orientation should not be changed with new additions and conjectural architectural features should not be added that a create a false sense of historical development**

Staff recommends approval of TLHP-2012-0039 subject to the plans submitted April 19, 2012 as part of this application material set and subject to the following conditions:

- **Maintaining the current shed roof line is appropriate and preferred over changes.**
- **The windows on the first floor are appropriate as approved or as one-over-one windows, but they should not be enlarged.**
- **The all wood new or salvaged side door would be appropriate to have a single lite or a 2/3 full glass door.**
- **There should be no large pediment or sidelites on the new side entry door.**
- **A wood beltline fascia should be simple and painted to match existing trim. There shall be no PVC used in exterior use in the project.**
- **It is encouraged that the owner restore the original storefronts of these two buildings removing the materials and configuration that makes them appear as one.**

DRAFT MOTION

I move that TLHP-2012-0039 be approved subject to the plans submitted by Michael S. O'Connor on April 19, 2012 as changes to the approved certificate of appropriateness dated August 20, 2009 and subject to the findings and conditions of approval as stated in the May 21, 2012 Staff Report (or as amended by the BAR on May 21, 2012).

June 5, 2012

Michael J. O'Connor
Facilities Solution Group, LLC
1900 Oracle Way, suite 400
Reston, VA 20190

Re: BAR Case TLHP-2012-0039; 6 West Market Street, H-1 Overlay District

Dear Mr. O'Connor:

This letter serves as your official notification of the action taken by the Leesburg Board of Architectural Review (BAR) at the June 4, 2012 Work Session to approve a Certificate of Appropriateness (COA) with conditions for BAR Case TLHP-2012-0039; 6 West Market Street.

Based on the findings that:

- **One-over-one double hung wood windows are also appropriate on this building since the existing front windows are one-over-ones**
- **A simple beltline fascia on the side of the is subordinate to the front façade and PVC is not an appropriate material for trim and exterior decoration, but wood is appropriate**
- **Building orientation should not be changed with new additions and conjectural architectural features should not be added that a create a false sense of historical development**

The BAR approved a COA to amend COA for TLHP-2009-0096 subject to the documents submitted as part of the application package date stamped April 19, 2012 including:

- **Photograph of the existing conditions on the west elevation**
- **Rendering showing proposed location of new doors and windows**
- **Product sheets for wood doors and windows with divided lites**
- **Sketch made during work session which is enclosed and stamped with approval**

This approval came with the following condition:

1. **Cedar siding is to remain with repairs as needed**
2. **New double hung windows as located on sketch to match the size of the upper story windows or may be slightly taller than upper story windows**

BAR Action Letter
TLHP-2012-0039
June 4, 2012
Page 2 of 2

3. Trim to be wood with 5/4" x 6" at top of windows, 5/4" x 4" at side of windows and 5/4" x 4" for corner boards to match existing trim
4. New access door on far left of elevation to be a utility door which can be steel
5. New decorative entry door to be submitted to staff for administrative approval

Lapse of Approval

Please note that in accordance with Leesburg Zoning Ordinance Section 3.10.12 this COA shall lapse and become void unless:

1. Construction is commenced within twenty-four (24) months from the date the COA was issued.
2. Prior to the sunset of the twenty-four month period in 1 above, the applicant has obtained a six-month extension from the Zoning Administrator in accordance with Zoning Ordinance Section 3.10.12.B.

Please contact me if you have any questions or need any further assistance in regard to this application. I may be reached by telephone at 703-771-2773, or by email at kdelrance@leesburgva.gov.

Sincerely,

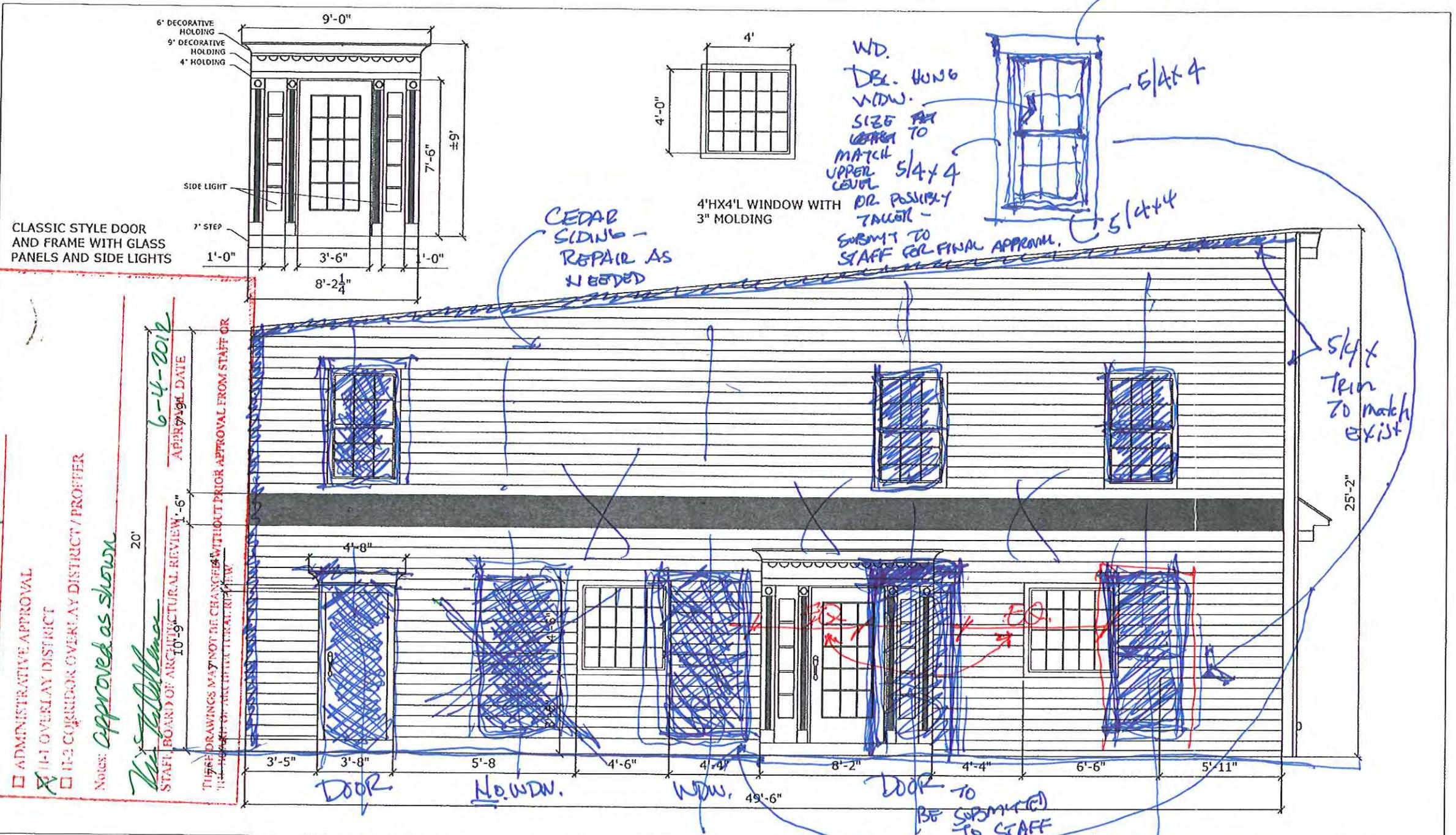


Kim K. Del Rance, LEED AP
Preservation Planner

ATTACHMENT: Certificate of Appropriateness TLHP-2012-0039
Sketch stamped and dated June 4, 2012 made during work session

File: THLP-2012-0039

2012-0039



ELEVATION: 1ST FLOOR WITH 4'X4' WINDOWS

SIX WEST MARKET ST., LOUDOUN

SCALE: 3/16" = 1'-0"





**LEESBURG BOARD OF ARCHITECTURAL REVIEW
WORK SESSION AGENDA**

**Monday, 06 August 2012 at 7:00pm
Town Hall, 25 West Market Street
Council Chamber**

1. **6:30pm SITE VISIT:** to 521 E Market Street for TLHP-2012-0057 new asphalt shingle roof to replace cedar shakes – meet at vacant storefront by Coldwell Banker

7pm at Council Chambers

2. **ADOPTION OF MEETING AGENDA**
3. **BAR MEMBER DISCLOSURE**
4. **PETITIONERS**

5. **DISCUSSION OF SITE VISIT - RECESSED CASE**

- a. **TLHP-2012-0057** 521 through 545 E Market Street (B-2/H-2), Andrew Neumann, Neumann Bellewood LLC,
Project Description: Replace cedar shake roof with asphalt architectural shingles on Bellewood Commons Shopping Center

6. **DISCUSSION OF CASES RECESSED OR DEFERRED**

H-1 Overlay

- a. **TLHP-2012-0062** 107 N King Street (B-1/H-1), John Voigt, Sign-A-Rama
Project Description: Wall sign for McEneaney Real Estate
- b. **TLHP-2012-0061** (Deferred) 209 North Street NE (R-HD/H-1), Paul Reimers, PR Construction
Project Description: New house construction
- c. **TLHP-2011-0080** 207 North Street NE (R-HD/H-1), Paul Reimers, PR Construction
Project Description: Corrected elevations
Applicant will have new information for August 20, 2012 BAR Business Meeting

H-2 Overlay

- d. **TLHP-2012-0056** 540 E Market Street (B-2/H-2), Gary Fennell, Plamondon Enterprises
Project Description: Exterior alterations to Roy Rogers, including paint colors
Applicant requests to recess until August 20, 2012 BAR Business Meeting
- e. **TLHP-2012-0064** 707 E. Market Street (B-2/H-2), Carolyn Thaemert, AutoZone
Project Description: Exterior alterations to storefront
- f. **TLHP-2012-0074** 707 E. Market Street (B-2/H-2), Carolyn Thaemert, AutoZone
Project Description: Comprehensive sign change to shopping center

7. **OLD BUSINESS**
8. **NEW BUSINESS**
9. **ADJOURNMENT**

October 25, 2012 – 6 W. Market Street – west side of building



Kim Del Rance

From: Mike O'Connor <Mike.O'Connor@fsg-llc.com>
Sent: Thursday, November 01, 2012 12:17 PM
To: Kim Del Rance
Subject: RE: 6 W. Market St side entrance door surround

Hello Kim, I hope you made it through the storm in good form. We were very lucky.

I too always enjoy talking to you and know that I know you are doing a great job here in Leesburg. I am sorry for the status on the surround. If I had more pictures we could have discussed it earlier. That being said, it does look awfully nice... I would like to request that the design and be included in the Nov. 19th BAR meeting. I have suspended any further outside work except for weatherproofing necessities. I will forward pictures and locations to you sometime next week. Thank you Kim. I enjoy working with you. Michael

Michael J. O'Connor
President
FSG Facilities Solutions Group
(703)234-6555
www.fsg-llc.com

From: Kim Del Rance [<mailto:KDelRance@LEESBURGVA.GOV>]
Sent: Friday, October 26, 2012 11:56 AM
To: Mike O'Connor
Cc: Chris Murphy
Subject: 6 W. Market St side entrance door surround

Hello Mike,

It is always a pleasure talking with you, but I do wish today's call had been under different circumstances. As we agreed on, please send me an email, letter or something indicating that you will be adding approval for the entry pediment and pilasters with Corinthian capitals you had carpenters install yesterday and today on the side of the building at 6 W. market Street into your application for the BAR for the November 19, 2012 meeting.

The written notice (or email) needs to be received by Wednesday, October 31, 2012 so we can avoid having to move on a notice of violation, which neither of us want.

I do appreciate your cooperation and your good intentions, but please, in the future please send me a photo or something of what you will change before you make the change so we can avoid damage to the historic fabric of Leesburg and keep it for future generations intact.

Sincerely,
Kim

*Kim K. Del Rance, LEED AP
Preservation Planner, Town of Leesburg, VA
703-771-2773, FAX 703-771-2727
kdelrance@leesburgva.gov*



**LEESBURG BOARD OF ARCHITECTURAL REVIEW
BUSINESS MEETING AGENDA**

**Monday, November 19, 2012 at 7:00pm
Town Hall, 25 West Market Street
Council Chamber**

1. ADOPTION OF MEETING AGENDA

2. APPROVAL OF MEETING MINUTES for November 5, 2012

3. BAR MEMBER DISCLOSURE AND PETITIONERS

4. REFERRALS AND OTHER BUSINESS

- a. **TLZM-2012-0005** Oaklawn Land Bay C, Miller Drive and Trimble Plaza

Project Description: Second submission for zoning modification for service station with car wash.

- b. **TLHP-2012-0127** 6 W. Market St (B-1/H-1) Michael O'Connor, Kingdom Enterprise, LLC

Project Description: Approve side door and pediment already installed and lighting on front façade already installed, add brick to lower side façade, brick sidewalk along side of building and paint building black with gold trim.

5. CONSENT AGENDA

Items placed on the Consent Calendar are deemed, at the discretion of the Chair, to be approvable without discussion. However, anyone in attendance at the meeting has the right to ask that any item proposed for the Consent Calendar is placed back in the regular order of business.

Procedure: The Chair and Staff will first identify the proposed case number(s) along with any clarifications and/or conditions to be included in the approval. The Chair will then provide an opportunity for anyone attending the meeting to ask that any given case be removed from the Consent Calendar and placed back in the regular order of business. Following that, a motion will be made for approval of the Consent Calendar and the cases included in the motion will be approved without discussion by the BAR. ***If you wish to have an item proposed for the Consent Agenda placed back in the regular order of business for any reason, you must tell the Chair before the BAR votes on the motion so that the item may be removed from the Consent Agenda and placed on the Regular Agenda.***

6. PUBLIC HEARINGS on New Cases in the H-1 Overlay District

- a. **TLHP-2012-0103** 207 S. King St (8B South Street SW)(B-1/H-1), Andy Johnston, Loudoun Cares

Project Description: Adding a brick façade, landscaping and parking lot alterations.

- b. **TLHP-2012-0105** 212 Edwards Ferry Rd NE (R-HD/H-1), Paul Reimers, PR Construction & Dev.

Project Description: Remove window, patch siding and exterior trim.

- c. **TLHP-2012-0106** 209 North St NE (R-HD/H-1), Paul Reimers, PR Construction & Dev

Project Description: Replace two doors on rear of home with 4 door sliders.

- d. **TLHP-2012-0107** 107 W. Market Street (B-1/H-1), Dwight Stonerook, Trustees of the Leesburg United Methodist Church

Project Description: Replace existing pair of 28" doors with a single 42" wide door and 14" sidelight to allow for handicap accessibility.

- e. **TLHP-2012-0108** 218 Cornwall St NW (R-HD/H-1), Mark Salser, homeowner

Project Description: Replace windows and doors on existing barn structure to make into pool cabana.

- f. **TLHP-2012-0122** 222 S King St (B-1/H-1), Steve Makranczy, business owner

Project Description: Replace front doors

- g. **TLHP-2012-0114, TLHP-2012-0115, TLHP-2012-0116 & TLHP-2012-0117** 19 S. King St (B-1/H-1), Fabian Saeidi, Kings Tavern & Wine Bar

Project Description: Review already constructed porch roof and gazebo on existing rear patio, installation of two signs and exterior painting already completed.

- h. **TLHP-2012-0118, TLHP-2012-0119 & TLHP-2012-0120** 15 S. King St (B-1/H-1), Fabian Saeidi, Old Town Grill

Project Description: Review two signs and exterior painting already completed.

7. PUBLIC HEARINGS on New Cases in the H-2 Overlay District

- a. **TLHP-2012-0098 and 0099** 448 S. King St Rite Aid (B-2/H-2) and 720 S. King St Food Lion B-2/H-2) Gary Finiff, Virginia Regional Transit

Project Description: Construction of a prototype bus shelter in front of Rite Aid and Food Lion.

8. ADMINISTRATIVE AGENDA

Administrative Approvals of COAs (For Information Only)

- a. TLHP-2012-0104 218 Cornwall St NW– Fence
- b. TLHP-2012-0110 505 E. Market St – Ramps & Handrail Upgrades
- c. TLHP-2012-0111 401 E. Market St – Capital One Bank ATM Surround Replacements
- d. TLHP-2012-0112 607 Potomac Station Dr NE– Capital One Bank ATM Surround Replacements
- e. TLHP-2012-0113 201 Loudoun St SE “McCandlish & Lillard” – Sign

9. OLD BUSINESS

10. NEW BUSINESS

11. ADJOURNMENT



**LEESBURG BOARD OF ARCHITECTURAL REVIEW
STAFF REPORT**

**CONCEPT REVIEW: 19 NOVEMBER 2012
AGENDA ITEM 4b**

- Due to public hearing notice requirements a decision cannot be made on this application on November 19, 2012. Staff had advised the applicant to be at this meeting due to project work being completed, however, regular public hearing notices do still apply to this case. However, the BAR may review the project and make the final determination and decision in the public hearing to be held December 3, 2012.

BAR Case No. THLP-2012-0127: Modifications to existing building at 6 W. Market St. differing from approved Certificate of Appropriateness TLHP-2012-0039.

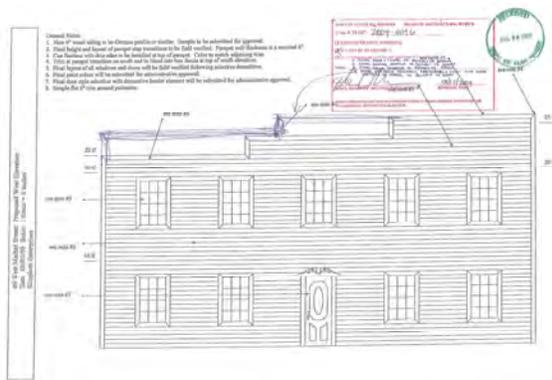
Reviewer: Kim K. Del Rance, LEED AP
Address: 6 W Market Street
Zoning: B-1, H-1 Overlay District
Applicant/Owner: Michael J. O'Connor



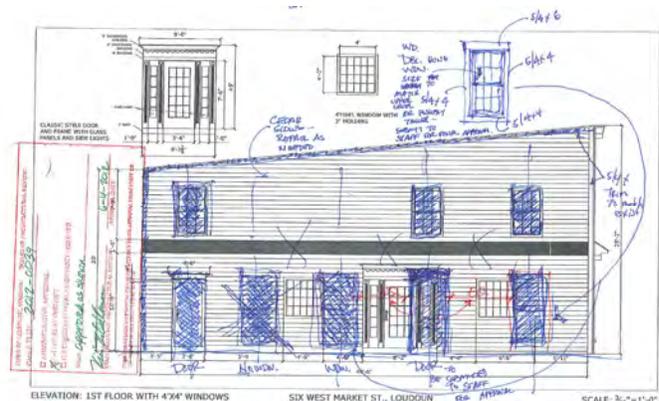
Site Description: This commercial building faces Market Street on the lot lines for Market Street and a side alley that acts as the driveway and dead end entry to other small businesses, including a bank and the rear of the Lightfoot Restaurant. There is a party wall to the commercial building to the east and according the 1998 survey the facades of both buildings have previously been altered before the survey in the 1970's to appear as one building. Both buildings front Market Street and the side of 6 W Market Street has a secondary entrance toward the rear of the building on the west side which has street parking up against the building.

Context: This commercial storefront building is a contributing structure in the Old and Historic District and contributes to the pedestrian streetscape and the rhythm of the street with its lack of setback and large glazing areas facing the street. The building footprints appear on a Sanborn map of 1886 and the side of the building along the driveway/alley is a secondary elevation with wood siding and a front façade of painted and unpainted brick. The beltline fascia was added to the front before 1998 when the two buildings were meant to look like one giving a more unified appearance. The first story of each façade is unpainted brick and the second story of both buildings is painted the same blue as the wood siding on the west elevation side toward the driveway/alley. Nearby buildings have varying window patterns, amounts of glazing and material choices, but all face Market Street with their building sides much less decorated and detailed than their facades.

Description of Proposal: This report covers several aspects of this property that will be numbered for easy reference:



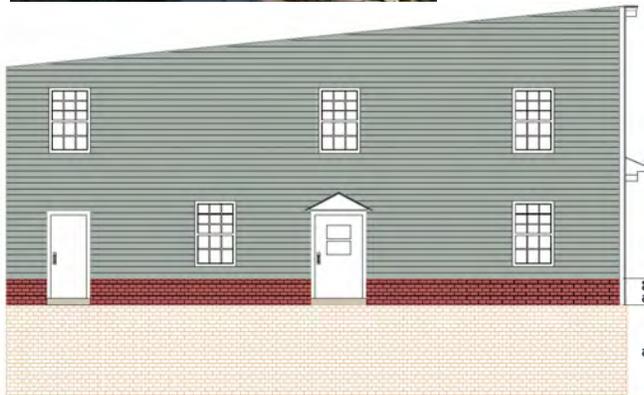
2009



2012



- (1) The owner has installed a Greek Revival door surround with pilasters with Corinthian capitals and a large pediment above a side entry door. The previous approved certificates of appropriateness, TLHP-2009-0096 granted in 2009 and TLHP-2012-0039 granted earlier this year showed a much simpler entry door and added windows all the same size to make the elevation more symmetrical and balanced.
- (2) The owner has installed lighting fixtures on the front elevation without approval
- (3) The owner requests to add brick to the lower edge of the side elevation and a brick sidewalk and to paint the building black with a gold painted trim, samples are in staff's office and will be brought to the meeting



Site Development/Zoning Issues: No zoning permit or county building permit was issued for the new exterior side door where an existing window had been.

APPLICABLE GUIDELINES - OHD DESIGN GUIDELINES:

CH. V GUIDELINES FOR THE PRESERVATION AND MODIFICATION OF EXISTING STRUCTURES: STYLE AND DESIGN

G. PORCHES AND DOORS

*Replace historic doors that are beyond repair with a new door(s) of the same size, design, material and type as used originally, or **sympathetic to the building style.***

- (1) The COA granted in 2012 stated that the door, surround and trim was to be approved by staff as the owner was looking for a salvaged door and did not have an example to be approved at that time. The owner installed the present door and staff approved it in place as appropriate, however, staff advised the owner that the surround should be simple, small enough to only cover the door and have no sidelights as this was a side entry and not to change the orientation of the building as is stated below in the guidelines:

Orientation, Page 86:

- b. Maintain the original orientation of the structure. If the **primary entrance is located on the street facade it should remain in that location.**

Secretary of the Interior's Standards for Rehabilitation - Appendix A

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

When it was discovered the work in progress was not in compliance with the approved COA, staff visited the site and contacted Mr. O'Conner, from the site, to advise him of the fact that the door surround being built was not approved and not appropriate. The owner advised he would not have his carpenters stop the work but would rather have the BAR to decide the appropriateness of the finished product

CH.IV SITE DESIGN GUIDELINES C. LIGHTING P. 42

New Lighting

Use fixtures that are compatible with the character of the surrounding area and the new or historic building and provide subdued illumination.

- (2) The new period light fixtures may be compatible in general with the facade, but the large light fixture is out of scale with the other light fixtures and should be the same size as the smaller fixtures.

CH.IV SITE DESIGN GUIDELINES A. DRIVEWAYS, WALKWAYS AND PARKING P. 35

6. Improvement of the existing paving materials of driveways, walkways, and parking areas is appropriate when the new material respects and retains the historic character of the property.

- (3) Changing the sidewalk to brick respects the historic character of the town and the building and is appropriate.

CH. VI GUIDELINES FOR THE PRESERVATION AND MODIFICATION OF EXISTING STRUCTURES: MATERIALS

The materials that make up the elements of a historic building are important character-defining features that make a statement about the building's style and age. The natural patina that these materials exhibit is an irreplaceable attribute which often cannot be replicated with modern materials. Therefore, it is

important to retain and repair historic materials whenever possible and to replace them only when necessary with materials which match the characteristics of the originals as closely as possible.

- A. *Wood 4.c. If the applicant sufficiently demonstrates that it is impracticable to match the original in material, texture, dimensions and design, then the BAR may consider an alternate material if the new material **does not create a different historic appearance** and the new replacement materials are consistent with the original in finish, quality, and appearance.*
- d. *Do not use cement fiberboard or other synthetic or alternative materials if it is architecturally incompatible with the historic structure.*

- (3) Using brick on the lower façade will create the illusion that there is a brick foundation will give the brick façade on the front of the building more importance, is not historically accurate and will change the historic appearance of the building. The applicant stated the wood rots at the bottom edges of the building on the side due to the traffic and exposure. Staff suggested cement fiber board to match the wood siding on the bottom row or two in the same color which would be far less noticeable than a materials change to brick.

F. Paint and Paint Color

Guidelines for Paint and Paint Color

1. *Select a color scheme appropriate to the time period in which your building was constructed and that is compatible with adjacent structures.*
4. *Consider professional paint analysis to determine the original and later colors.*

Inappropriate Treatments for Paint and Paint Color

- *Do not use overly bright and obtrusive colors.*
- *Do not use spray-on siding or coatings such as liquid vinyls or liquid ceramics.*
 - a. *Installation: Many of these coatings require that the substrate be pressure-washed prior to installation. Pressure washing forces water into the structural system of a wood frame building, and, even if it appears upon visual inspection to be dry related problems such as rot and mold may result.*
 - b. *Permeability: These coatings do not allow historic structures to properly disperse moisture and may cause an accelerated rate of structural decay hidden by the coating.*
 - c. *Diminishment of Details: The thickness of these coatings may obscure character-defining details of historic woodwork and masonry.*
 - d. *Reversibility: This product has not been shown to be easily removable, therefore, causing a negative impact to the historic fabric.*

Inappropriate Colors

- *Overly intense or primary colors not compatible with the subdued colors of the natural materials typical of traditional construction are not appropriate.*
- **Gold, silver, and gold- or silver-flecked paint is not appropriate.**
- *The use of color schemes that reflect other regions are historically incorrect, therefore are not appropriate.*
- *The use of an overabundance of colors and the use of colors on details so that the details overwhelm the building are not appropriate.*

Gold is specifically mentioned as not appropriate for buildings and the use of gold for all trim would constitute an overabundance of colors on details that would overwhelm the building. The use of black as a main body color is obtrusive given the context of the building along Market Street. Unless a historical precedent can be provided that black had been a main body paint color on this building or another on

Market or King Streets in downtown Leesburg it is not appropriate. A dark color may be appropriate instead with a light color contrast if the palette is considered with the existing brick and neighboring buildings

STAFF RECOMMENDATION

Based on the findings that:

- The door surround is large, ornate and of an architectural style that is foreign to this building it adds conjectural architectural features which the guidelines and the Secretary of the Interior states should not be done
- The brick sidewalk is appropriate
- The brick on the lower edge of the west side elevation changes the architectural character of the building and competes with the front façade
- The paint color of black for the main body is inappropriate for this building in this context
- Gold paint shall not be used in the Old and Historic District

Staff recommends the following changes or conditions:

1. The large light fixture be replaced with a smaller version of the same fixture
2. The door surround is removed and the pediment is replaced with a smaller pediment that is only above the door as is shown in the applicant's most recent drawing and siding is to be patched where it was removed for this door surround
3. The lower edge of the side elevation may have the bottom two rows of wood siding replaced with a closely matching fiber cement siding painted to match the existing siding
4. A dark traditional color, such as green, brown or blue is chosen for the main body of the building that is compatible with the brick
5. A contrasting traditional trim color is chosen that is compatible with both the new main body color and the existing brick

applicant's feeling that certain allowances could be made as to the configuration of the site. Further, she asked that the use being requested be taken into account by the Board as this type of use inherently has a difficult time meeting some aspects of the guidelines.

Mr. Reimers stated he can understand the need for employees of the station to be able to see the pumps at all times; however, the siting and landscaping could be improved.

Ms. Coffing and Chairman Koochagian stated they had comments pertaining to the architecture of the building that could be addressed at the appropriate time.

- b. TLHP-2012-0127, 6 W. Market St (B-1/H-1 Overlay District), Applicant: Michael O'Connor, Kingdom Enterprise, LLC. Project: Approve side door and pediment already installed and lighting on front façade already installed, add brick to lower side façade, brick sidewalk along side of building and paint building black with gold trim.**

Ms. Del Rance stated the side door being installed by Mr. O'Connor is appropriate and has already been approved; however, the door surround and pediment with the columns is too large, ornate and it tends to reorient the building from the front. She stated the lighting fixtures on the front of the building were replaced and the center fixture is out of scale with the other two. She stated the applicant is also requesting to add brick to the lower side façade to improve water issues; however, staff recommends that a hardy board or similar material be installed on the lower portion of the side façade to address the water rot issue in keeping with the guidelines. She stated staff has no concerns with the applicants request to install a brick sidewalk along the side of the building to the new door. Further, she stated the applicant has requested to paint the building black with gold trim; however, based on the guidelines the colors would be considered "overly intense" and not compatible.

The applicant, Michael O'Connor, concurred that the door surround is large as is the center light fixture on the front façade; however, he stated he is concerned about preservation as well as attracting customers to the downtown. He provided pictures of other buildings in the downtown with similar ornate door surrounds. He stated the brick on the side façade would match the brick on the front of the building and would provide a waterproofing solution. He stated the brick sidewalk along the side façade would delineate the area as a walk way and would prevent cars from parking there. Further, he stated he would be amenable to other paint colors for the building.

Ms. Coffing verified the side door is not intended to be a main entrance, the applicant is not intending to paint the existing brick on the lower front façade and the paint color scheme chosen for this building is intended to be different than what is found on the adjoining 2 W. Market Street Palio building.

There was further discussion regarding the door surround and how it relates to this particular building, the scale of the lighting fixtures on the front façade and more appropriate paint colors such as a dark green with a lighter trim. The board concurred that the brick on the lower side façade and brick walkway would be appropriate as long as the brick color matches the brick on the front façade.

Ms. Del Rance stated the public hearing would be scheduled for the December 3rd BAR work session.

Consent Agenda

There were no consent agenda items.

Public Hearings on New Cases in the H-1 Overlay District

- a. THLP-2012-0103, 207 S. King St. (8B South St. SW)(B-1/H-1 Overlay District), Applicant: Andy Johnston, Loudoun Cares, Project: Adding a brick façade, landscaping and parking lot alterations.**

Chairman Koochagian opened the public hearing at 8:27 pm.



**LEESBURG BOARD OF ARCHITECTURAL REVIEW
WORK SESSION AGENDA**

**Monday, 3 December 2012 at 7:00pm
Town Hall, 25 West Market Street
Council Chamber**

*Unless otherwise stated, all recessed and deferred items will be placed on the agenda of the next monthly business meeting of the Board of Architectural Review. **The deadline for submitting any new information for the January 23, 2013 agenda is Monday December 17, 2012 at 5:00 pm.***

- 1. ADOPTION OF MEETING AGENDA**
- 2. BAR MEMBER DISCLOSURE**
- 3. APPROVAL OF MEETING MINUTES for November 5, 2012**
- 4. DISCUSSION OF New Cases in the H-1 Overlay District**
 - a. **TLHP-2012-0127** 6 W Market ST (B-1/H-1), Michael O'Connor, Kingdom Enterprise, LLC
Project Description: Approve side door and pediment already installed and lighting on front façade already installed, add brick to lower side façade, brick sidewalk along side of building and paint building black with gold trim.
- 5. DISCUSSION OF Recessed Cases in the H-2 Overlay District**
 - a. **TLHP-2012-0093** 1 Catocin Circle NE (B-2/H-2), Sandy Spring Bank
Project Description: Remove free standing ATM structure and place new ATM on building side facing Market Street, no new notices required, public hearing closed. Applicant requests recess until further notice.
 - b. **TLHP-2012-0098 and 0099** 448 S. King St Rite Aid (B-2/H-2) and 720 S. King St Food Lion B-2/H-2) Gary Finiff, Virginia Regional Transit
Project Description: Construction of a prototype bus shelter in front of Rite Aid and Food Lion, no new notices required, public hearing closed.
- 6. DISCUSSION OF Recessed Cases in the H-1 Overlay District**
 - a. **TLHP-2012-0107** 107 W. Market Street (B-1/H-1), Dwight Stonerook, Trustees of the Leesburg United Methodist Church
Project Description: Replace existing pair of 28" doors with a single 42" wide door and 14" sidelight for safety and accessibility, no new notices required, public hearing closed.
 - b. **TLHP-2012-0114, TLHP-2012-0115, TLHP-2012-0116 & TLHP-2012-0117** 19 S. King St (B-1/H-1), Fabian Saeidi, Kings Tavern & Wine Bar
Project Description: Review already constructed porch roof and gazebo on existing rear patio, installation of two signs and exterior painting already completed. Public hearing closed.
 - c. **TLHP-2012-0118, TLHP-2012-0119 & TLHP-2012-0120** 15 S. King St (B-1/H-1), Fabian Saeidi, Old Town Grill
Project Description: Review two signs and exterior painting already completed. Public hearing closed.
- 7. OLD BUSINESS**
- 8. NEW BUSINESS**
- 9. ADJOURNMENT**



**LEESBURG BOARD OF ARCHITECTURAL REVIEW
STAFF REPORT**

**WORK SESSION: 3 DECEMBER 2012
AGENDA ITEM 4A**

BAR Case No. THLP-2012-0127: Modifications to existing building at 6 W. Market St. differing from approved Certificate of Appropriateness TLHP-2012-0039.

Reviewer: Kim K. Del Rance, LEED AP
Address: 6 W Market Street
Zoning: B-1, H-1 Overlay District
Applicant/Owner: Michael J. O'Connor



Additional information since November 19, 2012 discussion:

Below are photos of the front façade of 6 W. market Street showing the previously existing lighting fixtures which have been replaced and a third fixture added. This was under item (2) in the previous report:

- (2) The owner has installed lighting fixtures on the front elevation without approval



Site Development/Zoning Issues: No zoning permit or county building permit was issued for the new exterior side door where an existing window had been.



**APPLICABLE GUIDELINES - OHD DESIGN GUIDELINES:
CH.IV SITE DESIGN GUIDELINES C. LIGHTING P. 41**

Existing Lighting

1. **Retain and repair** historic light fixtures when possible. Parts may be located through salvage companies or the internet.
2. Replace a historic light fixture only when parts for the existing fixture can no longer be found or replicated.
3. **Replace a historic light fixture with one designed to complement the character of the building.** See the following section on New Lighting for more information on appropriate replacement solutions.

New Lighting

Use fixtures that are compatible with the character of the surrounding area and the new or historic building and provide subdued illumination.

The new period light fixtures are replications of Riverton Gas Lamps which were common in the Baltimore and Philadelphia area and became America's favorite street lamps in the early 1900's. This was one of the first successful transitions from square street lamps to a round style (McCormick, http://rivertonhistory.com/wp-content/uploads/2011/03/Welsbach_Notes.pdf). The company was eventually sued in 1915 for a pricing conspiracy to put other lighting companies out of business. Due to the history of this lamp style it is very possible that this same street lamp could have been used in Leesburg or nearby. However, these lamps are on the façade of a commercial building and would not have been the size of the center lamp, likely it would have been for a street lamp.

However, the placement of a third lighting fixture on the building between windows and where no doorway is located is not historically accurate and unless needed for safety should be removed. The two lighting fixtures by the doorways are appropriate in size and scale, while the center fixture is too large to be fixed to a building of this size and scale this close to the street.

CH.VI GUIDELINES FOR THE PRESERVATION AND MODIFICATION OF EXISTING STRUCTURES: MATERIALS

F. PAINT AND PAINT COLOR P. 41

Guidelines for Paint and Paint Color

1. Select a color scheme appropriate to the time period in which your building was constructed and that is compatible with adjacent structures.
4. Consider professional paint analysis to determine the original and later colors.

Inappropriate Treatments for Paint and Paint Color

- Do not use overly bright and obtrusive colors.

Inappropriate Colors

- Overly intense or primary colors not compatible with the subdued colors of the natural materials typical of traditional construction are not appropriate.
- **Gold, silver, and gold- or silver-flecked paint is not appropriate.**
- The use of color schemes that reflect other regions are historically incorrect, therefore are not appropriate.

BASED ON THIS REPORT AND THE REPORT OF NOVEMBER 19, 2012:

STAFF RECOMMENDATION/DRAFT MOTION

(Based on the BAR's discussion at the meeting, any changes to the language of either part of the motion should be incorporated as necessary.)

Based on the findings that:

- The door surround is too large, too ornate and of an architectural style that is foreign to this building it adds conjectural architectural features
- The lighting fixture style is appropriate, however, the center fixture is too large and should be reduced in
- The brick sidewalk is appropriate
- The brick on the lower edge of the west side elevation may be appropriate
- The paint color of black for the main body is inappropriate for this building in this context
- Gold paint shall not be used in the Old and Historic District

Staff recommends the following changes or conditions:

1. The large light fixture be removed
2. The door surround is removed and the pediment is replaced with a smaller pediment that is only above the door as is shown in the applicant's most recent drawing and siding is to be patched where it was removed for this door surround
3. Brick matching the front elevation may be used on the side elevation no higher than twelve inches above the sidewalk or the bottom two rows of wood siding may be replaced with closely matching fiber cement siding painted to match the existing siding.
4. A dark traditional color of green, brown or blue is chosen for the main body of the building that is compatible with the unpainted brick
5. A contrasting traditional trim color is chosen that is compatible with both the new main body color and the existing unpainted brick

Staff recommends approval of TLHP-2012-0127 subject to the plans, photographs and materials submitted as part of this application dated October 16, 2012 and photographs submitted by Town of Leesburg staff October 31, 2012.

DRAFT MOTION

I move that TLHP-2012-0127 be approved subject to the application submitted by Michael O' Connor on October 16, 2012 and subject to the findings and conditions of approval as stated in the November 19, 2012 and December 3, 2012 Staff Report (or as amended by the BAR on December 3, 2012).

APPLICABLE GUIDELINES - OHD DESIGN GUIDELINES:

CH. V GUIDELINES FOR THE PRESERVATION AND MODIFICATION OF EXISTING STRUCTURES: STYLE AND DESIGN

G. PORCHES AND DOORS

*Replace historic doors that are beyond repair with a new door(s) of the same size, design, material and type as used originally, or **sympathetic to the building style.***

- (1) The COA granted in 2012 stated that the door, surround and trim was to be approved by staff as the owner was looking for a salvaged door and did not have an example to be approved at that time. The owner installed the present door and staff approved it in place as appropriate, however, staff advised the owner that the surround should be simple, small enough to only cover the door and have no sidelights as this was a side entry and not to change the orientation of the building as is stated below in the guidelines:

Orientation, Page 86:

b. Maintain the original orientation of the structure. If the **primary entrance is located on the street facade it should remain in that location.**

Secretary of the Interior's Standards for Rehabilitation - Appendix A

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

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.**

When it was discovered the work in progress was not in compliance with the approved COA, staff visited the site and contacted Mr. O'Conner, from the site, to advise him of the fact that the door surround being built was not approved and not appropriate. The owner advised he would not have his carpenters stop the work but would rather have the BAR to decide the appropriateness of the finished product

CH.IV SITE DESIGN GUIDELINES C. LIGHTING P. 42

New Lighting

Use fixtures that are compatible with the character of the surrounding area and the new or historic building and provide subdued illumination.

- (2) The new period light fixtures may be compatible in general with the facade, but the large light fixture is out of scale with the other light fixtures and should be the same size as the smaller fixtures.

CH.IV SITE DESIGN GUIDELINES A. DRIVEWAYS, WALKWAYS AND PARKING P. 35

6. Improvement of the existing paving materials of driveways, walkways, and parking areas is appropriate when the new material respects and retains the historic character of the property.

- (3) Changing the sidewalk to brick respects the historic character of the town and the building and is appropriate.

CH. VI GUIDELINES FOR THE PRESERVATION AND MODIFICATION OF EXISTING STRUCTURES: MATERIALS

The materials that make up the elements of a historic building are important character-defining features that make a statement about the building's style and age. The natural patina that these materials exhibit is an irreplaceable attribute which often cannot be replicated with modern materials. Therefore, it is

important to retain and repair historic materials whenever possible and to replace them only when necessary with materials which match the characteristics of the originals as closely as possible.

- A. *Wood 4.c. If the applicant sufficiently demonstrates that it is impracticable to match the original in material, texture, dimensions and design, then the BAR may consider an alternate material if the new material **does not create a different historic appearance** and the new replacement materials are consistent with the original in finish, quality, and appearance.*
- d. *Do not use cement fiberboard or other synthetic or alternative materials if it is architecturally incompatible with the historic structure.*

- (3) Using brick on the lower façade will create the illusion that there is a brick foundation will give the brick façade on the front of the building more importance, is not historically accurate and will change the historic appearance of the building. The applicant stated the wood rots at the bottom edges of the building on the side due to the traffic and exposure. Staff suggested cement fiber board to match the wood siding on the bottom row or two in the same color which would be far less noticeable than a materials change to brick.

F. Paint and Paint Color

Guidelines for Paint and Paint Color

1. *Select a color scheme appropriate to the time period in which your building was constructed and that is compatible with adjacent structures.*
4. *Consider professional paint analysis to determine the original and later colors.*

Inappropriate Treatments for Paint and Paint Color

- *Do not use overly bright and obtrusive colors.*
- *Do not use spray-on siding or coatings such as liquid vinyls or liquid ceramics.*
 - a. *Installation: Many of these coatings require that the substrate be pressure-washed prior to installation. Pressure washing forces water into the structural system of a wood frame building, and, even if it appears upon visual inspection to be dry related problems such as rot and mold may result.*
 - b. *Permeability: These coatings do not allow historic structures to properly disperse moisture and may cause an accelerated rate of structural decay hidden by the coating.*
 - c. *Diminishment of Details: The thickness of these coatings may obscure character-defining details of historic woodwork and masonry.*
 - d. *Reversibility: This product has not been shown to be easily removable, therefore, causing a negative impact to the historic fabric.*

Inappropriate Colors

- *Overly intense or primary colors not compatible with the subdued colors of the natural materials typical of traditional construction are not appropriate.*
- **Gold, silver, and gold- or silver-flecked paint is not appropriate.**
- *The use of color schemes that reflect other regions are historically incorrect, therefore are not appropriate.*
- *The use of an overabundance of colors and the use of colors on details so that the details overwhelm the building are not appropriate.*

Gold is specifically mentioned as not appropriate for buildings and the use of gold for all trim would constitute an overabundance of colors on details that would overwhelm the building. The use of black as a main body color is obtrusive given the context of the building along Market Street. Unless a historical precedent can be provided that black had been a main body paint color on this building or another on

Market or King Streets in downtown Leesburg it is not appropriate. A dark color may be appropriate instead with a light color contrast if the palette is considered with the existing brick and neighboring buildings

STAFF RECOMMENDATION

Based on the findings that:

- The door surround is large, ornate and of an architectural style that is foreign to this building it adds conjectural architectural features which the guidelines and the Secretary of the Interior states should not be done
- The brick sidewalk is appropriate
- The brick on the lower edge of the west side elevation changes the architectural character of the building and competes with the front façade
- The paint color of black for the main body is inappropriate for this building in this context
- Gold paint shall not be used in the Old and Historic District

Staff recommends the following changes or conditions:

1. The large light fixture be replaced with a smaller version of the same fixture
2. The door surround is removed and the pediment is replaced with a smaller pediment that is only above the door as is shown in the applicant's most recent drawing and siding is to be patched where it was removed for this door surround
3. The lower edge of the side elevation may have the bottom two rows of wood siding replaced with a closely matching fiber cement siding painted to match the existing siding
4. A dark traditional color, such as green, brown or blue is chosen for the main body of the building that is compatible with the brick
5. A contrasting traditional trim color is chosen that is compatible with both the new main body color and the existing brick

applicant's feeling that certain allowances could be made as to the configuration of the site. Further, she asked that the use being requested be taken into account by the Board as this type of use inherently has a difficult time meeting some aspects of the guidelines.

Mr. Reimers stated he can understand the need for employees of the station to be able to see the pumps at all times; however, the siting and landscaping could be improved.

Ms. Coffing and Chairman Koochagian stated they had comments pertaining to the architecture of the building that could be addressed at the appropriate time.

- b. TLHP-2012-0127, 6 W. Market St (B-1/H-1 Overlay District), Applicant: Michael O'Connor, Kingdom Enterprise, LLC. Project: Approve side door and pediment already installed and lighting on front façade already installed, add brick to lower side façade, brick sidewalk along side of building and paint building black with gold trim.**

Ms. Del Rance stated the side door being installed by Mr. O'Connor is appropriate and has already been approved; however, the door surround and pediment with the columns is too large, ornate and it tends to reorient the building from the front. She stated the lighting fixtures on the front of the building were replaced and the center fixture is out of scale with the other two. She stated the applicant is also requesting to add brick to the lower side façade to improve water issues; however, staff recommends that a hardy board or similar material be installed on the lower portion of the side façade to address the water rot issue in keeping with the guidelines. She stated staff has no concerns with the applicants request to install a brick sidewalk along the side of the building to the new door. Further, she stated the applicant has requested to paint the building black with gold trim; however, based on the guidelines the colors would be considered "overly intense" and not compatible.

The applicant, Michael O'Connor, concurred that the door surround is large as is the center light fixture on the front façade; however, he stated he is concerned about preservation as well as attracting customers to the downtown. He provided pictures of other buildings in the downtown with similar ornate door surrounds. He stated the brick on the side façade would match the brick on the front of the building and would provide a waterproofing solution. He stated the brick sidewalk along the side façade would delineate the area as a walk way and would prevent cars from parking there. Further, he stated he would be amenable to other paint colors for the building.

Ms. Coffing verified the side door is not intended to be a main entrance, the applicant is not intending to paint the existing brick on the lower front façade and the paint color scheme chosen for this building is intended to be different than what is found on the adjoining 2 W. Market Street Palio building.

There was further discussion regarding the door surround and how it relates to this particular building, the scale of the lighting fixtures on the front façade and more appropriate paint colors such as a dark green with a lighter trim. The board concurred that the brick on the lower side façade and brick walkway would be appropriate as long as the brick color matches the brick on the front façade.

Ms. Del Rance stated the public hearing would be scheduled for the December 3rd BAR work session.

Consent Agenda

There were no consent agenda items.

Public Hearings on New Cases in the H-1 Overlay District

- a. THLP-2012-0103, 207 S. King St. (8B South St. SW)(B-1/H-1 Overlay District), Applicant: Andy Johnston, Loudoun Cares, Project: Adding a brick façade, landscaping and parking lot alterations.**

Chairman Koochagian opened the public hearing at 8:27 pm.



**LEESBURG BOARD OF ARCHITECTURAL REVIEW
WORK SESSION AGENDA**

**Monday, 3 December 2012 at 7:00pm
Town Hall, 25 West Market Street
Council Chamber**

Unless otherwise stated, all recessed and deferred items will be placed on the agenda of the next monthly business meeting of the Board of Architectural Review. The deadline for submitting any new information for the January 23, 2013 agenda is Monday December 17, 2012 at 5:00 pm.

- 1. ADOPTION OF MEETING AGENDA**
- 2. BAR MEMBER DISCLOSURE**
- 3. APPROVAL OF MEETING MINUTES for November 5, 2012**
- 4. DISCUSSION OF New Cases in the H-1 Overlay District**
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Project Description: Approve side door and pediment already installed and lighting on front façade already installed, add brick to lower side façade, brick sidewalk along side of building and paint building black with gold trim.
- 5. DISCUSSION OF Recessed Cases in the H-2 Overlay District**
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Project Description: Remove free standing ATM structure and place new ATM on building side facing Market Street, no new notices required, public hearing closed. Applicant requests recess until further notice.
 - b. **TLHP-2012-0098 and 0099** 448 S. King St Rite Aid (B-2/H-2) and 720 S. King St Food Lion B-2/H-2) Gary Finiff, Virginia Regional Transit
Project Description: Construction of a prototype bus shelter in front of Rite Aid and Food Lion, no new notices required, public hearing closed.
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Project Description: Replace existing pair of 28" doors with a single 42" wide door and 14" sidelight for safety and accessibility, no new notices required, public hearing closed.
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 - c. **TLHP-2012-0118, TLHP-2012-0119 & TLHP-2012-0120** 15 S. King St (B-1/H-1), Fabian Saeidi, Old Town Grill
Project Description: Review two signs and exterior painting already completed. Public hearing closed.
- 7. OLD BUSINESS**
- 8. NEW BUSINESS**
- 9. ADJOURNMENT**

Existing Lighting

1. **Retain and repair** historic light fixtures when possible. Parts may be located through salvage companies or the internet.
2. Replace a historic light fixture only when parts for the existing fixture can no longer be found or replicated.
3. **Replace a historic light fixture with one designed to complement the character of the building.** See the following section on New Lighting for more information on appropriate replacement solutions.

New Lighting

Use fixtures that are compatible with the character of the surrounding area and the new or historic building and provide subdued illumination.

The new period light fixtures are replications of Riverton Gas Lamps which were common in the Baltimore and Philadelphia area and became America's favorite street lamps in the early 1900's. This was one of the first successful transitions from square street lamps to a round style (McCormick, http://rivertonhistory.com/wp-content/uploads/2011/03/Welsbach_Notes.pdf). The company was eventually sued in 1915 for a pricing conspiracy to put other lighting companies out of business. Due to the history of this lamp style it is very possible that this same street lamp could have been used in Leesburg or nearby. However, these lamps are on the façade of a commercial building and would not have been the size of the center lamp, likely it would have been for a street lamp.

However, the placement of a third lighting fixture on the building between windows and where no doorway is located is not historically accurate and unless needed for safety should be removed. The two lighting fixtures by the doorways are appropriate in size and scale, while the center fixture is too large to be fixed to a building of this size and scale this close to the street.

CH.VI GUIDELINES FOR THE PRESERVATION AND MODIFICATION OF EXISTING STRUCTURES: MATERIALS

F. PAINT AND PAINT COLOR P. 41

Guidelines for Paint and Paint Color

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Inappropriate Treatments for Paint and Paint Color

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Inappropriate Colors

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- **Gold, silver, and gold- or silver-flecked paint is not appropriate.**
- The use of color schemes that reflect other regions are historically incorrect, therefore are not appropriate.

BASED ON THIS REPORT AND THE REPORT OF NOVEMBER 19, 2012:

STAFF RECOMMENDATION/DRAFT MOTION

(Based on the BAR's discussion at the meeting, any changes to the language of either part of the motion should be incorporated as necessary.)

Based on the findings that:

- The door surround is too large, too ornate and of an architectural style that is foreign to this building it adds conjectural architectural features
- The lighting fixture style is appropriate, however, the center fixture is too large and should be reduced in
- The brick sidewalk is appropriate
- The brick on the lower edge of the west side elevation may be appropriate
- The paint color of black for the main body is inappropriate for this building in this context
- Gold paint shall not be used in the Old and Historic District

Staff recommends the following changes or conditions:

1. The large light fixture be removed
2. The door surround is removed and the pediment is replaced with a smaller pediment that is only above the door as is shown in the applicant's most recent drawing and siding is to be patched where it was removed for this door surround
3. Brick matching the front elevation may be used on the side elevation no higher than twelve inches above the sidewalk or the bottom two rows of wood siding may be replaced with closely matching fiber cement siding painted to match the existing siding.
4. A dark traditional color of green, brown or blue is chosen for the main body of the building that is compatible with the unpainted brick
5. A contrasting traditional trim color is chosen that is compatible with both the new main body color and the existing unpainted brick

Staff recommends approval of TLHP-2012-0127 subject to the plans, photographs and materials submitted as part of this application dated October 16, 2012 and photographs submitted by Town of Leesburg staff October 31, 2012.

DRAFT MOTION

I move that TLHP-2012-0127 be approved subject to the application submitted by Michael O' Connor on October 16, 2012 and subject to the findings and conditions of approval as stated in the November 19, 2012 and December 3, 2012 Staff Report (or as amended by the BAR on December 3, 2012).



**LEESBURG BOARD OF ARCHITECTURAL REVIEW
WORK SESSION MINUTES**

**Monday, 03 December 2012
Town Hall, 25 West Market Street
Council Chamber**

MEMBERS PRESENT: Chairman Richard Koochagian, Vice Chairman Jim Sisley, Parliamentarian Edward Kiley, Dieter Meyer (arrived at 7:46pm), Teresa Minchew and Paul Reimers

MEMBERS ABSENT: Tracy Coffing, Town Council Representative Marty Martinez and Planning Commission Representative Mary Harper

STAFF: Director of Planning & Zoning Susan Berry Hill, Deputy Town Attorney Barbara Notar, Preservation Planner Kim K. Del Rance and Planning & Zoning Assistant Debi Parry

Call to Order and Roll Call

Mr. Koochagian called the meeting to order at 7:00pm, noted attendance and determined that a quorum was present.

Adoption of Meeting Agenda

The meeting agenda was adopted on a motion by Vice Chairman Sisley, seconded by Mr. Kiley, and approved by a 5-0-2 vote (Coffing and Meyer absent).

BAR Member Disclosure

There were no disclosures.

Approval of Meeting Minutes

The minutes of the November 5, 2012 BAR Work Session were approved on a motion by Ms. Minchew, seconded by Mr. Kiley and approved by a 4-0-2-1 vote (Coffing and Meyer absent. Sisley abstained).

New cases in the H-1 Overlay District

- a. **TLHP -2012-0127, 6 W Market St (B-1/H-1 Overlay District), Applicant: Michael O'Connor, Kingdom Enterprise, LLC. Project: Approve side door and pediment already installed and lighting on front façade already installed, add brick to lower side façade, brick sidewalk along side of building and paint building black with gold trim.**

Chairman Koochagian opened the public hearing at 7:03 pm.

Ms. Del Rance stated the majority of the application was discussed at the previous meeting. She stated she has not researched the lighting on the front façade; however, the center light fixture currently installed is street lamp sized and should be replaced with a more proportionately sized fixture. Further, she stated the applicant has brought paint samples for the building.

The applicant, Michael O'Connor, presented the "black forest green" and "gold finch" color samples proposed for the building and the trim. Further, he provided photos of buildings in the Historic District with similarly sized light fixtures to the center fixture currently installed on this building.

The Board asked Ms. Del Rance to provide an overall report for the application given the presentation at the last meeting was a preview and not the official public hearing.

Ms. Del Rance outlined the application to replace the asphalt along the side of the building with a brick sidewalk, the addition of brick to the lower west side façade to match up with the front, the door surround with large triangular pediment and decorative columns with decorative capitals already installed on the side of the building and painting the building.

Ms. Del Rance stated staff's recommendation is that the brick sidewalk is appropriate; a non-rotting material should be use on the lower west side façade rather than the brick; the previously installed door surround is too large and decorative for this building; the proposed colors for the building are not appropriate and; the larger light fixture installed on the front façade is not in keeping with the building's character and should be replaced with a smaller fixture.

Vice Chairman Sisley verified Mr. O'Connor's willingness to replace the larger light fixture with a smaller fixture to match the previously installed fixtures on either side.

There was further discussion regarding the size of the light fixtures and whether it is appropriate for the fixtures to be in their current location on the building.

Mr. O'Connor stated these proposed changes to the building are to attract visitors to his business and the downtown; however, he is willing to replace the center fixture. He sated the door surround was constructed in 1890 and is similar to surrounds found on other buildings in the historic district. He stated he would be willing to discuss alterations to the surround to make it less ornate.

Chairman Koochagian verified the door itself is not part of the door surround.

Ms. Minchew verified a zoning permit was not issued for installation of the door surround.

Vice Chairman Sisley stated there is little guidance in the guidelines regarding new doorways; rather, the guidelines address repairing and retaining existing doorways. He suggested instances such as this be noted and addressed by the BAR when the guidelines are reviewed in the future.

Ms. Del Rance stated it is appropriate to consider the Secretary of the Interior's Standards which indicate a replacement feature should compliment the existing character and architectural style.

There was further discussion regarding the simple style of this building in contrast to the ornate door surround and alterations that could be made to the surround such as removing the capitals and columns, painting the trim to match the siding and having a simple pediment roof.

The petitioner's section was opened at 7:43pm.

Darius Saeidi, 19 S. King St, expressed support for the changes Mr. O'Connor has made to his building. He discussed the need for buildings and downtowns to evolve and for business owners to find ways to bring more visitors to the downtown area. Further, he asked how the guidelines can be used for business owners to draw in more business.

Mr. Koochagian stated the purpose of the guidelines is to provide guidance for alterations, additions or other physical changes are made to the current built environment in the Historic District. He stated they are not written to enhance business; however, they also do not preclude business.

The petitioner's section closed at 7:45pm.

Ms. Minchew stated the surround depicted on the drawing submitted by Mr. O'Connor in support of the brick sidewalk is of appropriate scale and would meet the guidelines. She asked Mr. O'Connor if he would be willing to go back to a simpler door surround as was verbally agreed upon earlier.

Mr. O'Connor stated the drawing was submitted in support of the brick sidewalk and is not pertinent to the door surround proposal. He asked if the doorway could be considered a second entrance to the restaurant, similar to the Lightfoot's second entrance in the same alleyway.

There was further discussion regarding potential alterations to the surround and pediment to remove the decorative elements.

Ms. Del Rance stated Ms. Coffing could not be in attendance tonight; however, she had suggested removal of the capitals and installing a flat overhead.

Mr. Koochagian stated a new design should be submitted for consideration depicting a simplified surround and detailing the proposed brick courses on the lower façade.

Ms. Minchew asked Mr. O'Connor if he has found support for this surround in the guidelines.

Mr. O'Connor stated the guidelines do not adequately address this situation He stated the only guidance he received was that the door surround should come out 18 inches.

Ms. Del Rance stated she asked Mr. O'Connor to send her a picture of the door surround to review before it was installed.

Mr. Kiley verified that the applicant did not submit a photograph to staff prior to installation.

Ms. Minchew verified the brick courses would closely match the brick found on the front façade. She further clarified that staff would need to see a sample of the brick before it is installed.

Mr. O'Connor stated his desire to paint the roof trim "gold finch" and the west and front façades "black forest green" to where it meets the brick.

Ms. Minchew asked if staff feels the guidelines would support the proposed color.

Ms. Del Rance stated the proposed color would typically be found on shutters, not the main body.

Mr. Meyer discussed the possibility of unifying the paint colors on 2 W. Loudoun and 6 W. Loudoun to read as one building. Further, he stated the western façade of the building could be made to look like a second front façade in which case the current door surround may fit.

After further discussion, the Board expressed general support for the brick sidewalk and brick courses along the lower west side. The Board indicated the need to replace the center light fixture on the front façade with a properly sized fixture. Further, the Board asked that the applicant return with a cohesive design plan for the building detailing plans for the painting proposal door surround.

Vice Chairman Sisley proposed a motion to recess application TLHP-2013-0127 to the December 17, 2012 BAR Meeting. The motion was seconded by Mr. Reimers and approved on a 6-0-1 vote (Coffing absent).

Recessed cases in the H-2 Overlay District

- a. TLHP -2012-0093, 1 Catocin Circle NE (B-2/H-2 Overlay District), Applicant: Sandy Spring Bank. Project: Remove free standing ATM structure and place new ATM on building side facing Market Street.**

Chairman Koochagian noted the public hearing has been closed.

Ms. Del Rance stated the applicant has requested an extension of the 75 day time period and recommended the case be recessed to the January 17, 2013 meeting.

Mr. Kiley proposed a motion to recess TLHP-2012-0093 to the January 17, 2013 meeting at the applicant's request. The motion was seconded by Ms. Minchew and approved on a 6-0-1 vote (Coffing absent).

- b. TLHP-2012-0098 and TLHP-2012-0099, 448 S. King St Ride Aid (B2-H-2) and 720 S. King St Food Lion B-2/H-2) Gary Finiff, Virginia Regional Transit. Project: Construction of a prototype bus shelter in front of Rite Aid and Food Lion, no new notices required, public hearing closed.**

Chairman Koochagian noted the applicant was not present.

Ms. Minchew proposed a motion to recess TLHP-2012-0098 and TLHP-2012-0099 to the December 17, 2012 BAR Meeting due to the absence of the applicant. The motion was seconded by Mr. Meyer and approved on a 6-0-1 vote (Coffing absent).

Recessed cases in the H-1 Overlay District

- a. TLHP-2012-0107, 107 W. Market Street (B-1/H-1), Dwight Stonerook, Trustees of the Leesburg United Methodist Church. Project: Replace existing pair of 28" doors with a single 42" wide door and 14" sidelight for safety and accessibility, no new notices required, public hearing closed.**

Chairman Koochagian noted the public hearing has been closed.

Ms. Del Rance stated she has worked with the applicant to determine that a glazed door similar to the one found on the Wirt Street side could be appropriate for this proposal. She stated the



No fee received w/ application -
Copied for description



The Town of Leesburg
Department of Planning and Zoning
25 West Market Street
Leesburg, Virginia • 20176
703-771-2765 • fax 703-771-2724
www.leesburgva.gov

Leesburg

the hometown of the 21st century



CERTIFICATE OF APPROPRIATENESS APPLICATION FORM

For Board of Architectural Review and Administrative Approval of projects in the H-1 and H-2 Overlays pursuant to Code of Virginia §15.2-2306 and Leesburg Zoning Ordinance §7.5.5 and §7.6.4

For staff use only

TLHP

2012 0127

H-1 or H-2 Overlay
 Not an Overlay District

BAR approved
 Admin. Approved by

12/17/12

Fee \$ _____ Receipt No. _____ Issued by _____

APPLICANT NAME MICHAEL J. O'CONNOR

(the PERSON to whom written communication should be addressed; NOT the name of a business or organization)

BUSINESS/ORGANIZATION KINGDOM ENTERPRISES

ADDRESS 38683 MT. GILEAD ROAD

CITY LEESBURG STATE VA ZIP 20176

PHONE 202-359-6888 (cell / home / work) eMAIL MJOCONNOR@MSN.COM
circle one

As the above-named applicant, I do hereby make an application for a Certificate of Appropriateness as required by the Leesburg Zoning Ordinance for the property located at # 6 WEST MARKET STREET, MCPI/PIN (parcel identification no.) B-1, H-1 OVERLAY DISTRICT to permit the following, checking all that apply:

Application Fee (Highest fee will apply if more than one fee applies):

Please mark accompanying checklist with relevant and required items, noting there is a 3-day acceptance period upon receipt of application and materials.

- Alterations to an existing (primary / accessory) structure — \$25
- Addition to an existing (primary / accessory) structure — \$100 / \$25
- New construction of a (primary / accessory) structure — \$500 / \$50
- Demolition or relocation of an existing (primary / accessory) structure — \$50
- Installation of a sign — \$10 (sign permit fees are additional-see zoning dept.)
- Comprehensive Sign Plan — \$25 (sign permit fees are additional-see zoning dept.)
- Other (fencing, paving, color, etc.)

Briefly describe the project overall in the lines below with supplemental information required from the checklist as attachments:

REMOVE LARGE MIDDLE CARRIAGE LAMP, REPLACE WITH SAME CARRIAGE LAMP AS THE LEFT AND RIGHT ON MARKET STREET. RELOCATE EXISTING LARGE CARRIAGE LAMP ON WEST MARKET STREET TO WEST SIDE OF BUILDING OFF OF THE CORNER ON SECOND STORY. REMOVE CAPITALS ON EXISTING DOORWAY SURROUND ON WEST SIDE. PAINT EXISTING PAINTED SURFACES, TRIM, AND WINDOWS TO COLORS SHOWN ON SUPPLEMENTAL SKETCHES.

Please check one of the following:

Written permission from the owner of the property is attached hereto (application WILL NOT be accepted without documentation of property owner approval); or

I hereby certify that I am the owner of the property involved.

Applicant's Signature

Date

12/11/12

COPY - 2nd app for same case



1900 Oracle Way, Suite 400
Reston, VA 20190
Telephone (703) 234-6555
Telefax (703) 234-4150

December 11, 2012

Ms. Kim K. Del Rance, LEED AP
Preservation Planner
Town of Leesburg
25 West Market Street
Leesburg, VA 20176



Re: #6 West Market Street
Exterior Elevation Modifications

Dear Ms. Del Rance,

This letter is being sent on behalf of Kingdom Enterprises (Michael O'Connor), the owner of #6 West Market Street, to summarize their proposed modifications to the existing façade at #6 West Market Street.

Attached to this letter are five (5) different renderings of the South (facing West Market Street), and West elevations of #6 West Market Street.

1. The original elevation is included to present the façade in its current construction.
2. Elevation #1 is showing the upper story of the Market Street façade in a proposed "Black Forest Green", an historic color (HC) from Benjamin Moore's Exterior Classic Colors. The large, middle carriage lamp at street level has been replaced with the same carriage lamp shown to the left and right. The large carriage lamp has been relocated to just off the corner of the second story on the West façade. The West façade is also painted in the same green color.
3. Elevation #2 is the same as Elevation #1, but the proposed final colors have been noted for the various door, trim, and window elements. In addition, "Bryant Gold" is proposed for the indicated trim. Bryant Gold is also an historic color (HC-7) from Benjamin Moore's Historical Colors.
4. Elevation #3 shows the addition of Black Forest Green to the Market Street façade at the street level.
5. Elevation #4 is the same as Elevation #3, but includes the proposed modification to the column capitals and roof line over the West entrance. The column capitals have been removed and the doorway canopy squared off.

We believe this clearly shows the proposed final elevations to be discussed at the next meeting of the BAR. Please contact Michael O'Connor directly for any additional clarifications. Thank you.

Sincerely,



Philip W. Foltman, LEED AP
Manager

Enclosure





Elevation 2



RECEIVED
DEC 11 2012
The Town of Lees

} Gold

Windows
& Doors
Gold

Gold

} Green

Green

Elevation 3







**LEESBURG BOARD OF ARCHITECTURAL REVIEW
BUSINESS MEETING AGENDA**

**Monday, December 17, 2012 at 7:00pm
Town Hall, 25 West Market Street
Council Chamber**

1. **ADOPTION OF MEETING AGENDA**
2. **APPROVAL OF MEETING MINUTES for November 19, 2012**
3. **BAR MEMBER DISCLOSURE**
4. **PETITIONERS**
5. **CONSENT AGENDA**

Items placed on the Consent Calendar are deemed, at the discretion of the Chair, to be approvable without discussion. However, anyone in attendance at the meeting has the right to ask that any item proposed for the Consent Calendar is placed back in the regular order of business.

Procedure: The Chair and Staff will first identify the proposed case number(s) along with any clarifications and/or conditions to be included in the approval. The Chair will then provide an opportunity for anyone attending the meeting to ask that any given case be removed from the Consent Calendar and placed back in the regular order of business. Following that, a motion will be made for approval of the Consent Calendar and the cases included in the motion will be approved without discussion by the BAR. *If you wish to have an item proposed for the Consent Agenda placed back in the regular order of business for any reason, you must tell the Chair before the BAR votes on the motion so that the item may be removed from the Consent Agenda and placed on the Regular Agenda.*

6. **PUBLIC HEARINGS on Deferred and Recessed Cases in the H-1 Overlay District**
 - a. **TLHP-2012-0098 and 0099** 448 S. King St Rite Aid (B-2/H-2) and 720 S. King St Food Lion B-2/H-2
Gary Finiff, Virginia Regional Transit
Project Description: Construction of a prototype bus shelter in front of Rite Aid and Food Lion.
Public hearing remains open.
 - b. **TLHP-2012-0127** 6 W Market ST (B-1/H-1), Michael O'Connor, Kingdom Enterprise, LLC
Project Description: Approve side door and pediment already installed and lighting on front façade already installed, add brick to lower side façade, brick sidewalk along side of building and paint building dark green with golden color paint trim. Public hearing remains open.
7. **PUBLIC HEARINGS on New Cases in the H-1 Overlay District**
 - a. **TLHP-2012-0128** 9 E Market St (B-1/H-1), Bob White, Leesburg Value Fund I
Project Description: Approval of new siding material for approved addition to Loudoun Times Mirror building on COA TLHP-2012-0040.
 - b. **TLHP-2012-0132** 303 S. King St (B-1/H-1), Paul Reimers, PR Construction & Dev.
Project Description: Partial demolition of addition and alterations to existing house.
8. **PUBLIC HEARINGS on New Cases in the H-2 Overlay District**
 - a. **TLHP-2012-0121** 15 Catocin Cir SE (B-2/H-2), Tommy D'Aquino, AlphaGraphics
Project Description: Change comprehensive sign plan for multiple tenant building.

- b. **TLHP-2012-0131** 80 Prosperity Ave SE (B-2/H-2), Bharat Patel, Comfort Suites
Project Description: Construction of an assembly building next to existing hotel.
- c. **TLHP-2012-0133** 201B Harrison St SE (B2/H-2), Gene Weissman, Architecture, Inc.
Project Description: replacing old COA TLHP-2011-0046 with new expansion plans for Los Tios and a small walk bridge addition connecting to Market Station.

9. ADMINISTRATIVE AGENDA

Administrative Approvals of COAs (For Information Only)

- a. TLHP-2012-0123 206 Royal St SE – Retaining Wall (Leesburg Central)
- b. TLHP-2012-0124 206 Royal St SE – Bishop House rear exterior stair extension onto Leesburg Central property
- c. TLHP-2012-0125 209 North St NE – Exterior paint colors
- d. TLHP-2012-0126 8-B South St SW – Landscaping and parking lot (Loudoun Cares)
- e. TLHP-2012-0129 207 North St NE – Exterior lighting on residential garage
- f. TLHP-2012-0130 305 S King St – Curb cut for future driveway
- g. TLHP-2012-0134 15 Union St NW – New roof replacement (in kind) due to storm “Sandy” damage
- h. TLHP-2012-0139 109 Liberty St NW – Storm door

9. OLD BUSINESS

10. NEW BUSINESS

11. ADJOURNMENT



**LEESBURG BOARD OF ARCHITECTURAL REVIEW
STAFF REPORT**

**PUBLIC HEARING AND REGULAR MEETING: 17 DECEMBER 2012
AGENDA ITEM 6b**

BAR Case No. TLHP-2012-0127: Modifications to existing building at 6 W. Market St. differing from approved Certificate of Appropriateness TLHP-2012-0039.

Reviewer: Kim K. Del Rance, LEED AP
Address: 6 W Market Street
Zoning: B-1, H-1 Overlay District
Applicant/Owner: Michael J. O'Connor



Additional information since December 17, 2012 discussion:

Four (4) elevations (options) to the present door surround, light fixture placement and paint colors were submitted and are attached. This report will discuss each option.

- The photo submitted also shows a new door attached to the far right entrance which was not submitted for review.

Site Development/Zoning Issues: No zoning permit or county building permit was issued for the new exterior side door door where an existing window had been.

APPLICABLE GUIDELINES - OHD DESIGN GUIDELINES:

Ch.VI GUIDELINES FOR THE PRESERVATION AND MODIFICATION OF EXISTING STRUCTURES: MATERIALS

IV. SITE DESIGN GUIDELINES - C. Lighting, continued - New Lighting p. 42



Appropriate commercial building lighting includes historically sympathetic designs such as lanterns and gooseneck fixtures.

4. Use fixtures that are compatible with the character of the surrounding area and the new or historic building and provide subdued illumination.

*5. Choose a light intensity that provides for adequate safety but does not overly emphasize the site or building or create a glare. Often, existing porch lights may be sufficient. Other options may include low, below eye-level, lighting for paths and walkways and pole- or **surface-mounted fixtures at a height of six to eight feet.***

*9. Provide appropriate treatments for lighting in parking lots, including shielded parking lights that focus light on the road surface **and historically appropriate pedestrian-scaled walkway lighting.***

F. PAINT AND PAINT COLOR P. 41

Guidelines for Paint and Paint Color

1. Select a color scheme appropriate to the time period in which your building was constructed and that is compatible with adjacent structures.
4. Consider professional paint analysis to determine the original and later colors.

Inappropriate Treatments for Paint and Paint Color

- Do not use overly bright and obtrusive colors.

Inappropriate Colors

- Overly intense or primary colors not compatible with the subdued colors of the natural materials typical of traditional construction are not appropriate.



Elevation 1



Elevation 2



Elevation 3



Elevation 4

The elevations above are scanned images of a photo edited by the applicant to show the various options. The door surround on Elevation 4 has a more appropriate scale as seen from this sharp angle than the current surround, however, a closer view taken straight on and more details would be needed to make a complete recommendation as to its appropriateness.

The large lighting fixture placed high on the building as shown in all elevations is higher than the guidelines which say six (6) to eight (8) feet high. It is staff's interpretation of the guidelines that there is no placement on this particular building where this fixture would be appropriate. The example in the guidelines on p. 42 as shown on the previous page, shows a larger scale entrance than anywhere on this building even though the fixtures are much smaller than what is proposed high on this building. An

appropriate lighting fixture placement would be one or two small fixtures to the side of the new door on the side of the building or one small overhead downward fixture.

The Black Forest Green paint color shown in all four elevations appears too dark. While this color has been used in other parts of Leesburg, it has been used as a shutter, door or trim color, not a main body color. A dark green that has been used successfully and with proper approval as a body color would be appropriate.

The Bryant Gold trim color would be appropriate as trim with a dark color, however, on elevations 1 and 2 the trim against the light brick would blend with the bricks. If the building remains as two different colors, with one being unpainted brick, then a trim color that is a contrast for both would be appropriate. The small roof feature below the second floor windows on the front façade can be used to differentiate floors and accent in either the trim or body color; this would need to be delineated on a paint plan before a recommendation can be made as to its appropriateness.

BASED ON THIS REPORT, THE DECEMBER 3, 2012 WORK SESSION AND THE REPORT OF NOVEMBER 19, 2012:

STAFF RECOMMENDATION/DRAFT MOTION

(Based on the BAR's discussion at the meeting, any changes to the language of either part of the motion should be incorporated as necessary.)

Based on the findings that:

- The door surround on elevations 1, 2 and 3 is too large, too ornate and of an architectural style that is foreign to this building
- The door surround on elevation 4 appears to be a proper scale, but enough detail or a straight on view is given which is necessary for a recommendation on approval.
- The two small front façade lighting fixtures may be appropriate
- The center large light fixture is out of scale with the building and is not appropriate on this site
- The brick sidewalk is appropriate
- The brick on the lower edge of the west side elevation may be appropriate
- The paint color of Black Forest Green for the main body is too dark for this building in this context, however, a lighter dark green may be appropriate
- The Bryant Gold may be appropriate if the board finds the option of painting the entire building a dark color is appropriate, then the Bryant Gold would be a proper contrasting trim.

STAFF RECOMMENDS THE FOLLOWING CHANGES OR CONDITIONS:

1. The large light fixture is removed.
2. The door surround on elevation 4 is shown in greater detail and a view straight on so its proportions can be understood in relation to the façade.
3. If brick is to be added on the side elevation, it may be placed at the same height as the rowlock on the front façade.
4. A dark traditional color of green, brown or blue is chosen for the main body of the building that is compatible with the unpainted brick that is lighter than the proposed dark green.
5. A contrasting traditional trim color is chosen that is compatible with both the new main body color and the existing unpainted brick.
6. A paint plan/diagram be submitted showing where each color is to be placed on the building.

Staff recommends denial or recess of TLHP-2012-0127 subject to the plans, photographs and materials submitted as part of this application dated October 16, 2012 and December 11, 2012 and photographs submitted by Town of Leesburg staff October 31, 2012 and December 6, 2012.

DRAFT MOTION

I move that TLHP-2012-0127 be denied based on the application submitted by Michael O' Connor on October 16, 2012 and subject to the findings and conditions of approval as stated in the November 19, 2012, December 3, 2012 and December 17, 2012 Staff Report (or as amended by the BAR on December 17, 2012).

-or-

I move that TLHP-2012-0127 be recessed until January 23, 2013 and all conditions be met as stated in the December 17, 2012 Staff Report (or as amended by the BAR on December 17, 2012).

BOARD OF ARCHITECTURAL REVIEW
 BUSINESS MEETING MINUTES
 17 December 2012

The applicant, John Feisel, a representative for VRT said they were looking for guidance and any recommendation the BAR could give.

Ms. Minchew asked if they were to approve one option for each site, or something as a prototype for the entire H-2. Ms. Del Rance responded that this application was only for these two sites, however, the motion could be made to use them throughout the H-2.

Mr. Reimers stated that it would be a good thing if VRT didn't have to come before them every time they want to add a bus shelter. We should make it so they can use this style at will with an administrative approval within the H-2. Ms. Sisley agreed.

Mr. Meyers went historically back to the original bus shelter and what was considered compatible for certain areas. This could preclude the practice of approving a district wide design.

Ms. Coffing asked if the form would be acceptable with color being the only change. Mr. Meyer said yes, that was the case. Ms. Minchew said this should be analyzed on whether it is suitable for use in the H-2. Ms. Coffing went on to say that color can be varied based on the site. For these two locations either color would be compatible and she feels that staff could determine that.

There was some further commentary on the district wide use or case by case review.

There was no comment from the public and the public hearing was closed at this time.

Based on the findings that the originally proposed shelter is not compatible with the Existing buildings along the H-2 district street frontage and does not create a Transition from or balance with the intrinsic characteristics of the Old and Historic District, an alternate shelter from the same manufacturer with white painted structure and a brownish gray metal hip roof designed to coordinate with the approved H-1 shelter is appropriate. That being said, Mr. Meyer moved that TLHP-2012-0098 and 0099 be approved subject to the application submitted by Gary Finiff on September 26, 2012 and November 27, 2012, and subject to the findings and conditions of approval as stated in the staff report and as discussed tonight. The motion was seconded by Mr. Kiley and passed 7-0.

- b. TLHP-2012-0127, 6 W. Market Street, Michael O'Connor, Kingdom Enterprise, LLC**
 Kim Del Rance pointed out the most up to date changes that have been made to the said property pointing out through some illustratives the options that could bring this property up to the standard. Basically the building color and the door overhang were the two issues at the center of discussion here. She went on to point out the placement of the light in a high position, which creates some question. The lighting should be near the door to be more effective, staff is recommending the dark color be lighter, the light be removed, details of the door surround be provided. Staff either recommends denial or recessing this until the details are provided.

Michael O'Connor came forward to provide some more detail regarding the door and stated that he would like to get a vote tonight.

Ms. Minchew asked how the door fits into the surround, and if there was any building in the OH&D that is as dark in color as this is. Mr. O'Connor said they are looking to do something different. Ms. Minchew went on to ask about the street light plans for this area.

BOARD OF ARCHITECTURAL REVIEW
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Mr. Sisley questioned the pediment above the door and stated that they had recommended removal of it.

Mr. Meyer asked if the applicant intended to keep the brick on the front of the building and running along the sides.

Ms. Harper brought up the style and placement that was discussed at one time for the street lights in this area, pointing out some areas including alleyways that were to be lit.

Councilman Martinez stated that he did not see any harm in the door design. Changes have been made that reflect different period styles and we should not be stifling creativity.

There were no comments from the public; however the applicant stated that he would like to leave the peak on the door. If need be he will take it off, however that would be destroying a historic piece of carved wood.

The public hearing was closed at this point.

Discussion

Mr. Reimers said he was not opposed to the light being located where it is. He also likes the brick.

Mr. Meyer agreed with the location of the light. He also stated that he had no problem with the dark color of the building. With regard to the pediment over the door, he sees no issue with either the peak or the flat effect.

Ms. Coffing said the door surround is very attractive but feels it is not appropriate for this particular building. She feels that the flat door surround is more in keeping with the style of other existing doors. The existing door is significantly different from the door that was submitted in the application.

Ms. Harper commented that the door is attractive and she would hate to see the wood cut off for the flat effect.

Mr. Koochagian said they approved a door with specific instructions on appearance; however the door installed was significantly different. While it is attractive, it does not fall within guidelines. He made some more comments regarding color and the door pediment suggesting that the peak be removed to make it a flat overhead above the door.

Mr. Sisley summarized the discussion as follows: elevation four is the preferred design; the color and the placement of the lights, along with the brick are to stay.

Ms. Minchew agrees there are many elements that can be supported; she reiterated that they are trying to hold the applicant to what was approved. This property is a contributing resource to the Old and Historic District and this requires the BAR's attention to the detail. She does have some concern about the color.

Mr. Kiley moved that the portion of TLHP-2012-0127 regarding the installed light fixture on the upper west façade be approved. Mr. Sisley seconded and it passed 7-0.

In the matter of BAR Case TLHP-2012-0127 Mr. Sisley moved that the brick water table on the west elevation be approved. Mr. Kiley seconded the motion and it carried 7-0.

BOARD OF ARCHITECTURAL REVIEW
 BUSINESS MEETING MINUTES
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In the matter of BAR case TLHP-2012-0127, Mr. Sisley moved to approve the three small light fixtures on the south elevation facing West Market Street. The motion was seconded by Mr. Kiley. The motion carried 7-0

In the matter of BAR case TLHP-2012-0127 Mr. Sisley moved to approve the black forest green and trim color of Goldfinch as depicted in elevation 2. The motion was seconded by Mr. Kiley and carried 6-1 (Coffing opposed).

Ms. Coffing brought up that it was suggested that the door surround be sized to the now existing door.

In the matter of TLHP-2012-0127 Mr. Sisley moved to approve the door surround as depicted in elevation four.

Mr. Kiley said there was discussion on the removal of the capitals. Mr. Sisley responded that is depicted in elevation four. Mr. Kiley seconded the motion.

Mr. Sisley restated the motion as follows: Move to approve the door surround without the capitals as depicted in elevation four in the application and review. The motion was seconded by Mr. Kiley.

Mr. Meyer asked whether another motion was needed to approve either elevation 1 or 2 as an alternative. Mr. Kiley responded that the decision of the motion on the floor would stand.

The motion carried 4-3 (Minchew, Coffing and Reimers opposed).

Public Hearing on New Cases in the H-1 District

- a. **TLHP-2012-0128, 9 East Market Street.** Approval of new siding material for addition to Loudoun Times Mirror building on COA TLHP-2012-0040. Kim Del Rance brought the Board up to the status of the application stating that the applicant has selected new siding material that is required to be reviewed by the BAR. The new siding is terra cotta which is considered a substantial and historic material whose color will not compete with or dominate the existing brick on the Loudoun Times Mirror building. The scale of the siding was also at issue,

Bob White, applicant, came forward and said they agreed with the staff comments.

Geoff Lewis, representative for the applicant, elaborated on the size of the siding which is 8" x 10', stating that this size is most compatible with the neighboring buildings.

Mr. Kiley asked if staff was comfortable with the dimensions of the siding. Ms. Del Rance replied that yes, she was.

There were no comments from the public and the hearing was closed at this time.

Based on the findings that the proposed terra cotta siding is made of a substantial and historic material, the scale of the 8" x 10' long panels is appropriate and the planned inset windows are appropriate, Mr. Meyer moved that TLHP-2012-0128 be approved in accordance with the application submitted. The motion was seconded by Ms. Coffing and passed 6-0-1 (Minchew recused).



December 19, 2012 25 West Market Street 20176 ■ 703-771-2763 ■ Fax: 703-771-2724 ■ www.leesburgva.gov

Michael J. O'Connor
Kingdom Enterprises
38683 Mt. Gilead Road
Leesburg, VA 20176

Re: BAR Case TLHP-2012-0127; 6 W. Market St, H-1 Overlay District

Dear Mr. O'Connor:

This letter serves as your official notification of the action taken by the Leesburg Board of Architectural Review (BAR) at the December 17, 2012 BAR Meeting to approve a Certificate of Appropriateness (COA) for the large light fixture on the upper west façade, 3 small light fixtures on the south elevation facing W. Market St, Black Forest Green and trim color of Goldfinch as depicted on elevation 2, door surround without the capitals as depicted in elevation 4 submitted by the applicant.

The BAR approved the COA at the December 17, 2012 Business Meeting further subject to the application submitted by Michael J. O'Connor on December 11, 2012 and subject to the findings and conditions of approval as stated in the December 17, 2012 Staff Report and as discussed by the BAR on December 17, 2012:

1. The brick sidewalk is appropriate
2. If brick is to be added on the side elevation, it may be placed at the same height as the rowlock on the front façade.

All applicable Town and County Zoning and Building Permits must be obtained prior to proceeding with work

Lapse of Approval

Please note that in accordance with Leesburg Zoning Ordinance Section 3.10.12 this COA shall lapse and become void unless:

1. Construction is commenced within twenty-four (24) months from the date the COA was issued.
2. Prior to the sunset of the twenty-four month period in 1 above, the applicant has obtained a six-month extension from the Zoning Administrator in accordance with Zoning Ordinance Section 3.10.12.B.

Please contact me if you have any questions or need any further assistance in regard to this application. I may be reached by telephone at 703-771-2773, or by email at kdelrance@leesburgva.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Kim K. Del Rance".

Kim K. Del Rance, LEED AP
Preservation Planner

Attached: elevation 2 and elevation 4 guides

File: THLP-2012-0099

Elevation 2



Elevation 4



Kim Del Rance

From: Mike O'Connor <Mike.O'Connor@fsg-llc.com>
Sent: Wednesday, January 23, 2013 1:40 PM
To: Kim Del Rance
Subject: 6 W Market / Kingdom Enterprise

Good afternoon, Kim, Thank you for approving the permit for the outstanding/remaining work on the exterior of 6 W Market St. We have ordered the exterior lighting and will proceed with the brickwork and painting as the weather will allow. I know this has been a complicated effort and I want you to know that it was never my intention to make things difficult for you and your office. The portico on the west end of the building is bigger than the original line drawing that was originally submitted for approval. The unit we sourced was just bigger than I thought. Not by much but bigger no doubt. Kingdom has been approved, by the BAR, to keep the portico, as is, if we cut the peak off of the unit and remove the capitals. This door unit was built and signed in 1880 – most of the construction is carved out of a single piece of wood. I have an innate problem with destroying a piece of history for any reason – let alone to turn a peaked portico into a flat one. Therefore I would like to petition the Town Council to allow the door to remain as it is. I appreciate all of the work that has been done on this issue and I will continue to strive to bring quality, appropriate progress to the Town of Leesburg. I also want you to know that I appreciate all of the fine work that you do and I will look forward to working with you in the future.

I would request that you make the appropriate arrangements to allow me to discuss this issue with the Council.

Michael J. O'Connor
President
FSG Facilities Solutions Group
(703)234-6555
www.fsg-llc.com



Department of Planning & Zoning
BAR Case TLHP-2012-0127

January 28, 2013

25 West Market Street 20176 ■ 703-771-2763 ■ Fax: 703-771-2724 ■ www.leesburgva.gov

Michael J. O'Connor
Kingdom Enterprises
38683 Mt. Gilead Road
Leesburg, VA 20176

Re: BAR Case TLHP-2012-0127; 6 W. Market St, H-1 Overlay District

Dear Mr. O'Connor:

This letter serves as your official notification of the action taken by the Leesburg Board of Architectural Review (BAR) at the December 17, 2012 BAR Meeting to approve a Certificate of Appropriateness (COA) for the large light fixture on the upper west façade, 3 small light fixtures on the south elevation facing W. Market St, Black Forest Green and trim color of Goldfinch as depicted on elevation 2, door surround without the capitals as depicted in elevation 4 submitted by the applicant.

The BAR approved the COA at the December 17, 2012 Business Meeting further subject to the application submitted by Michael J. O'Connor on December 11, 2012 and subject to the findings and conditions of approval as stated in the December 17, 2012 Staff Report and as discussed by the BAR on December 17, 2012:

1. **All applicable Town and County Zoning and Building Permits must be obtained prior to proceeding with work**
2. The brick sidewalk is appropriate
3. If brick is to be added on the side elevation, it may be placed at the same height as the rowlock on the front façade.

Lapse of Approval Please note that in accordance with Leesburg Zoning Ordinance Section 3.10.12 this COA shall lapse and become void unless:

1. Construction is commenced within twenty-four (24) months from the date the COA was issued.
2. Prior to the sunset of the twenty-four month period in 1 above, the applicant has obtained a six-month extension from the Zoning Administrator in accordance with Zoning Ordinance Section 3.10.12.B.

Appeals to Town Council

In accordance with Leesburg Zoning Ordinance Section 3.10.14.B: Appeals to the Town Council from any final decision of the Board of Architectural Review may be made by any resident, property or business owner, or applicant by filing a petition with the Clerk of Council, setting forth the basis of the appeal, within thirty (30) days after the final decision of the Board of Architectural Review is rendered. After 30 days the decision of the Board of Architectural Review will be final and cannot be appealed.

Please contact me if you have any questions or need any further assistance in regard to this application. I may be reached by telephone at 703-771-2773, or by email at kdelrance@leesburgva.gov.

Sincerely,

Kim K. Del Rance, LEED AP
Preservation Planner

Attached: elevation 2 and elevation 4 guides
File: THLP-2012-0127

Elevation 2



Elevation 4

