

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

Monday, 19 March 2012  
Town Hall, 25 West Market Street  
Council Chamber

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MEMBERS PRESENT: Richard Koochagian, Chairman; Jim Sisley, Vice Chairman; Dieter Meyer; Teresa Minchew; Tracy Coffing; Marty Martinez, Town Council Representative; Mary Harper, Planning Commission Representative

MEMBERS ABSENT: Paul Reimers, Edward Kiley

STAFF: Christopher Murphy, Zoning Administrator; Wade Burkholder, Deputy Zoning Administrator; Barbara Notar, Deputy Town Attorney

**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.

Mr. Meyer requested that discussion of the JARB Awards be added to the Administrative Agenda and moved to adopt the agenda with this addition. The motion was seconded by Ms. Coffing and it passed 5-0-2 (Reimers and Kiley absent).

**Approval of Minutes**

Mr. Meyer noted that on page 3, last paragraph the statement was not made by him. It was also noted that on page 5 there was a blank that needed to be filled in. Mr. Sisley moved to defer approval of the minutes. The motion was seconded by Ms. Coffing. The motion carried 5-0-2 (Reimers and Kiley absent)

**BAR Member Disclosure**

Mr. Meyer recused himself from TLHP 2012-0013 because he has a contractual relationship with the applicant. Mr. Sisley also recused himself because of a prior contract. There was question whether there would be a quorum for this case, however, Barbara Notar, Deputy Town Attorney noted that the quorum would exist under the Conflict of Interest Act.

**Petitioners**

None

**Consent Agenda**

**TLHP 2012-0006, 326 East Market Street, Robert Rivera, new dumpster enclosure at Star Buick GMC.** Mr. Koochagian stated that the clarification was that the dumpster or any equipment within the enclosure will not be visible from outside the enclosure and he asked if the applicant had any issues with that. Robert Rivera said there were no issues with that statement. The height of the enclosure will be eight feet and the dumpster six feet. Mr. Sisley moved to pass the consent agenda with the condition that the dumpster not exceed the height of the enclosure. The motion was seconded by Ms. Coffing. The motion carried 5-0-2 (Reimers and Kiley absent).

**Discussion Agenda - Public Hearing**

**TLHP 2012-0007, 521 E. Market St., Brent Bederka, remove cover and graphics from awning frame and refurbish with new orange covers.** Wade Burkholder stated that this case currently had a zoning violation which is why it is before the BAR, to rectify this violation. Last

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year they went through a remodel part of which was replacement of the awnings. They removed the dark blue, faded ones with a bright orange vinyl material. They also installed a light diffuser which lights the awnings. Staff has found that the selection of fabric and the awnings do not compliment the building or the character of the H-2 corridor and particularly the illuminated light design that is not compatible with other store front awnings and previous BAR approvals in the H-2 district.

Brent Bederka, representative for the applicant, wanted the Board to know that the awnings were approved ten years ago or so. They took the awnings down, replaced the colors, and put them back up.

Ms. Minchew asked Mr. Burkholder when he was researching this, if he find the original approval? He responded no, he did not.

Mr. Meyer asked if the original approval was found, would the date the center was built outdate the H-2 guidelines? It was determined that the center was built in 1988, and the question was asked since the construction predates the H-2 guidelines, does that affect the review of maintenance on something that fell under different guidelines? Barbara Notar said yes, they can argue that they are grandfathered. Mr. Murphy said the burden of proof would lie on the applicant to prove that they did have an approval that predates the H-2 guidelines.

Mr. Roberson, the contractor, said they remodeled the same facility ten years ago and he has proof that the awning was there at that time and they had zoning approval from the Town of Leesburg. Also, one of the awnings had lettering because it was considered a sign back then. The awnings were backlit, even though one did not work. The only thing done at this time was a change in fabric and the elimination of the lettering.

**Discussion**

Ms. Minchew said she would like to see support of the old approvals. She is concerned with the see through nature of the orange awning when it is illuminated.

Mr. Roberson said they looked at other awnings and said McDonalds are bright yellow and project out also. They are similar colors. Why can other national brands project their image and suddenly this project cannot.

Ms. Minchew said there has been a comprehensive sign plan for this plaza for some time now. If you look at red hot and blue's awnings, there was much discussion on the color of their awnings.

Mr. Sisley said his issue is the translucent quality of the material rather than an opaque. He agreed there is a comprehensive sign plan and it should remain. He is curious as to whether the awnings are in compliance with the sign plan.

Mr. Meyer said the Board does not give special dispensation for national brands. If projects are in compliance with the guidelines they are approved. Regarding Red, Hot and Blue, the building was trimmed in red and the awnings were allowed to coordinate with the building. He went on to say that they follow the guidelines for opaque materials for awnings. If the translucent material had been in place since the beginning, then there could be a potential for grandfathering. He felt it might be wise to defer this until further research can be done.

Ms. Coffing said she agreed with staff and reiterated previously made comments. She would support a deferral.

Mr. Koochagian also agreed and asked for a motion

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Mr. Sisley moved to defer TLHP 2012-0007 pending further information from the applicant and research by staff regarding the existence of pre-existing approval for the location. The motion was seconded by Ms. Minchew. The motion passed 5-0-2 (Reimers and Kiley absent)

**TLHP 2012-0013, PR Construction, to construct a 5 unit residential/business mixed use building on a vacant lot (PIN 231 37 7042).** Mr. Meyer and Mr. Sisley recused themselves from this hearing. Chairman Koochagian opened the public hearing on this application. Christopher Murphy, Zoning Administrator, gave the staff presentation on this application. The lot has been addressed as 104 Loudoun Street SW. The floorplan that was submitted indicated that this is a residential layout. This is a 3,507 s.f. lot, 49' wide and 77' long. The garage at 106 Loudoun Street encroaches on this property and will be altered. Mr. Murphy went on to describe the building and how it would be setback from the property lines. The building will be three stories, will include six over six windows, balconies from the second and third floors and a patio off the first floor. The main entrance setback is inconsistent with the other homes on the street. The proposed building will have no main entrance on the street façade and is inconsistent with typical Georgian style and is inconsistent with the character of the block. The design defeats the attempt to replicate the appearance of an addition to an older building. Staff recommends that the BAR defer the case so that they can work with the applicant to amend the application, specifically the location of the single parking space in front, the location of the primary entrance and lack of a door in the front façade, the lack of a raised foundation, the shutters and windows on the side elevations, the massing of the building, seeing an elevation of the proposed building in relation to the adjoining buildings and any other issues that the BAR identifies this evening.

Tom Gilbride architect, came forward and stated that he had a rendering he could leave with the Board that would show some variation. He said they are still "struggling" with some of the other issues mentioned.

**Questions**

Ms. Minchew asked Mr. Murphy about the demolition proposed for the garage. She wants more information on the structure such as age, etc. Mr. Murphy said this is not a demolition, but an alteration because of the size of the change. This applies to 40% of the wall and/or roof area or less. Ms. Minchew said this is a significant alteration and wants the information so they don't vary from their process. She would also like to confirm the height of the midpoint of the gable, and the actual height of the building compared to those around it.

Mr. Koochagian asked about colors and lighting fixtures. Mr. Gilbride said they had not gotten to that point yet. He asked Christopher Murphy if there was any information on the adjoining buildings that would have information on roof heights? Mr. Murphy replied that he was not certain, but he stated that they requested elevation drawings from the applicant to be able to see the building in relation to the other surrounding buildings.

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

**Discussion**

Ms. Minchew asked if there should be a work session on this. Mr. Gilbride commented that this would be helpful.

Ms. Coffing said there should be a work session and it is important to get the height relationships established.

Mr. Koochagian agreed to the work session. He asked about having a stoop in the public right of way. Did staff say this was possible, yet the applicant said he was told it wasn't? Mr. Murphy said that every building on the block does have it. It would have to be researched with Public Works to see if they would allow a stoop in the public right of way. The placement of the door also needs to be addressed with regard to floor plan design and architectural integrity.

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Ms. Coffing asked if you were to put a door where the central window is on the first floor, does it have to be an active door. Mr. Murphy said if it looks like a door when closed then it is your choice. There is nothing on the books that it must be functioning.

Ms. Minchew moved that TLHP 2011-0013 be deferred to a work session convenient to the applicant and the Board to allow time to work with the applicant to bring the proposal into compliance with the H-1 Design Guidelines. Among the issues to be discussed are the location of the single parking place in front of the building, location of the primary entrance and the lack of a door in the front façade, installing shutters on windows on the side elevations, and examination of the massing of the building, and the applicant has requested to provide an elevation drawing showing proposed building compared to adjoining buildings, and the issue of the possible front stoop. The motion was seconded by Ms. Coffing. The motion passed 3-0-2-2 (Reimers and Kiley absent, Meyer and Sisley recused)

**TLHP 2012-0014 214 N, King Street, Squarrella Brothers Construction, remove existing porch, install new rear porch with stairs and patio.** Christopher Murphy presented the staff report on this application stating that the property was circa 1900 gothic revival cottage style dwelling. He went on to explain the alterations that the residents were planning. Staff has recommended approval with the condition that all vinyl materials be replaced with wood or suitable alternative to vinyl, or to approve the application as submitted.

**Discussion**

Ms. Minchew said that she needs more information on the building since there will be partial demolition (or alteration). Mr. Murphy said the latest addition to the house was in 1977.

Mr. Meyer asked the applicant since he had no issue with switching to wood, is he talking about everything? The applicant responded that they had referred to the lattice, the door, and the trim. The door will be aluminum, he prefers vinyl lattice, but will conform to what the town wants.

Ms. Coffing asked what the siding was on the back of the house and whether it had a grain. It does have a grain.

Since there were no comments from the public, the hearing was closed at this time.

**Commentary**

Ms. Minchew wanted the motion to include the demolition of the porch, and making sure the siding is grained.

Ms. Coffing said she asked about the siding since the grained fiberboard is being used. She does support this.

Ms. Minchew moved, based on the fact that the proposed demolition of the rear porch would not damage the historic integrity of the building, that the proposed porch addition is in appropriate mass and scale for the structure and that the porch addition is located in the rear and not visible to the public right of way, and that the patios and walkways meet the O&HD guidelines and that the applicant will replace proposed vinyl with wood in all cases except for the door which will be replaced with an aluminum door, to approve TLHP 2012-0014.

Mr. Sisley offered a friendly amendment to correct the application number from 2011-0014 to 2012-0014. The motion, along with the amendment were approved 5-0-2 (Reimers and Kiley absent)

**Administrative Agenda**

- a. There was no discussion on the administrative approvals of COA's.
- b. JARB Awards – Dieter Meyer said they are open for suggestions of any noteworthy projects. Staff also provided suggestions. The date this is voted on is April 10. It was

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- noted that the work session would ordinarily be on April 2, but since that is Spring break it would be in the best interest to reschedule to April 9. Mr. Meyer said that would leave no time to get the applications in. It was determined that they could recommend applications via email. There was some discussion on a few possible candidates with one being Norman Myers house where the stucco was removed, The BAR asked staff to let them know when this house, along with another on S. King Street were put in front of the BAR. They also asked staff to pull out the previous years' information.
- c. Mr. Koochagian asked what the status of the Annual Report was.

Ms. Coffing asked if staff would please alert them when an email is sent. They also asked if it could be synched to the phone.

**Adjourn**

The meeting was adjourned at 8:29pm.

**NEXT REGULAR BUSINESS MEETING:**

Monday, April 16, 2012  
25 West Market Street  
Leesburg, Virginia

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Richard Koochagian, Chairman

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Christopher Murphy, Zoning Administrator