

CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	May 5, 2025
Action Required:	Resolution Adoption
Presenter:	Jeffrey Werner, Historic Preservation and Design Planner
Staff Contacts:	Jeffrey Werner, Historic Preservation and Design Planner Kellie Brown, Director of NDS
Title:	Board of Architectural Review Appeal: Denial of Demolition Certificate of Appropriateness for 144 Chancellor Street Contributing Structure

Background

The property owner of 144 Chancellor Street ("Appellant") has appealed the Board of Architectural Review's ("BAR") January 22, 2025, denial of a Certificate of Appropriateness ("CoA") to allow demolition of an approximately 20-ft x 56-ft, single-story, wood-framed structure, constructed circa 1905 as schoolhouse ("Structure"), within the 10-day period proscribed by City Code Chapter 34, Section 5.2.7.E. This structure was designated by City Council a "contributing structure" within The Corner Architectural Design Control District. Per City Code Chapter 34, Section 5.2.7.A.1.c., the demolition of a "contributing" structure requires approval of a CoA.

Discussion

On January 22, 2025, the BAR, via a 6-0 vote, denied a CoA to allow demolition of the Structure. The Structure was reportedly vacant by 1920, after which it served as a residential rental. In 1979, it was acquired by its current owner, and most recently used for storage.

Relevant links and attachments from the January 22, 2025, BAR Meeting are as follows:

- CoA application, Staff Report (including background and the historical survey), and BAR action: [144 Chancellor St Demo CoA - BAR review Jan 22, 2025](#);
- January 22, 2025, BAR Meeting video: [Board of Architectural Review, 1/22/2025 \(144 Chancellor Street begins at approximately 00:40:00\)](#); and
- January 22, 2025, BAR Meeting Minutes, including motion (Attachment 6).

The BAR's review criteria for demolitions are specifically limited to the City Code provisions under Chapter 34, Section 5.2.7. D.1.b. However, on an appeal, City Council may consider "any other information, factors, or opinions it deems relevant to the application."

In appealing the BAR's action, the Appellant states the structure is not architecturally unique or tied to notable individuals, and it has outlived its purpose. In reviewing the CoA request, the BAR relied

on the 1983 state designation, the 1984 federal designation, and 2003 City designation of this property. All established that this vernacular structure is valued for its contribution to the surrounding historic district.

In appealing the BAR's action, the Appellant also asserts that demolition is considered the most practical path forward, citing expert analysis showing the Structure is unsafe and would be costly to repair. The Appellant asserts that, despite maintenance efforts, structural issues make rehabilitation unfeasible, and, even if feasible, the Structure has limited value as a useable structure. In reviewing the CoA request, BAR did not refute that the analysis support demolition. Instead, BAR noted the analysis presented options to repair the Structure. Additionally, BAR concluded the owner bears responsibility for the deteriorated condition of the Structure, given that it is a "contributing structure" within a Design Control District. BAR did not refute that the repairs could be costly. Instead, applying the review criteria and following BAR's primary charge to preserve historic buildings, BAR concluded repairing the Structure is the preferred remedy. The Appellant's appeal letter is attached as Attachment 1. City Staff's full response is attached as Attachment 2.

City Council actions to deny a CoA for demolition may be appealed to the Charlottesville Circuit Court (Ch. 34, Section 5.2.7.E.1.e.). In addition to the right of further appeal, following a denial by City Council, the owner will, as a matter of right, be entitled to demolish the structure if, for a period of 12-months, the property is offered for sale at a fair market price to a party that will preserve and restore it, *and* no *bona fide* contract is executed within that 12-month sale period (Ch. 34, Section 5.2.7.E.1.f.). The full text of the relevant City Code provisions is found attached in the Appendix of Attachment 3.

It is also important to note that, on October 21, 2013, City Council reviewed an appeal of the BAR's July 16, 2013, denial of a requested CoA to raze the Structure at 144 Chancellor Street. City Council approved (5-0) a Motion to uphold the BAR's denial. Please see the following related linked information:

- Link to July 2013 BAR review: [144 Chancellor St Demo CoA - BAR July 2013](#); and
- Link to October 2013 appeal: [144 Chancellor St Demo CoA - Appeal Oct 2013](#).

Alignment with City Council's Vision and Strategic Plan

Upholding the BAR's decision aligns with Goal 11 of the City's 2021 Comprehensive Plan, to *provide effective protection of Charlottesville's historic resources, including through recognition and incentives*.

Community Engagement

City Code, Chapter 34, Division 5.2.1.D, requires Public Notice prior to the BAR's review of a CoA request. The January 22, 2025, BAR Meeting was publicly posted. During said Meeting, comments were offered by Kevin Blair, the CoA applicant, and Robert Krumpfen, the consulting engineer with Dunbar Structural. There were no public comments prior to or during the Meeting.

Budgetary Impact

None.

Recommendation

City Staff recommends City Council render a final decision, by Resolution, to deny a CoA to allow demolition of the Structure, as provided in Attachment 4: Resolution of Denial of a Certificate of Appropriateness for Demolition of the structure at 144 Chancellor Street.

Alternatives

If City Council agrees with the Appellant, then City Council should approve, by Resolution, a CoA to allow demolition of the Structure, as provided in Attachment 5: Resolution of Approval of a Certificate of Appropriateness for Demolition of the structure at 144 Chancellor Street.

Attachments

1. Attachment 1 - 144 Chancellor St CoA Appeal – Applicant Letter - Feb 5 2025
2. Attachment 2 - 144 Chancellor St CoA Appeal - Staff Response
3. Attachment 3 - 144 Chancellor St CoA Appeal - Legal Supplement to Staff Memo
4. Attachment 4 - 144 Chancellor St CoA Appeal - Draft resolution - DENY CoA
5. Attachment 5 - 144 Chancellor St CoA Appeal - Draft resolution - APPROVE CoA
6. Attachment 6 - 144 Chancellor St CoA Appeal – BAR Mtg Minutes Jan 22-2025
7. Attachment 7 - 144 Chancellor St CoA Appeal - Photographs