

*The following is a compilation of questions posed at the June 16, 2016 historic designation meeting, June 18, 2016 Burleith picnic, and by email and conversations with Historic Designation Committee members. Similar questions were combined and edited. All answers were reviewed by Kim Williams, an architectural historian and the DC Office of Planning's National Register Coordinator.*

### **HISTORIC DESIGNATION COMMITTEE**

**Q. I am concerned that a Realtor [Lenore Rubino] is heading this project, which to me is a conflict of interest. She should step down from leading this project.**

**A.** In April, the Burleith Citizens Association board authorized the formation of the Historic Designation Committee with the stipulation that membership consist of BCA board *and* non-board members. BCA president Eric Langenbacher (who serves on the committee) approved Lenore Rubino (who no longer serves on the board) as co-chair. After this question was posed, Eric sought legal advice to see if her co-leadership could be construed as a conflict-of-interest. He was advised that it did not.

### **NOMINATION PROCESS**

**Q. Burleith doesn't seem that old. How old does a building or neighborhood have to be to be considered historic?**

**A.** Sites generally have to be 50 years or older and meet at least one other qualification for significance based on its role in a historical or cultural event, architecture, craftsman, archaeology, or settlement patterns/landscape. The oldest house in Burleith was built in 1803; most of the houses were developed by Shannon & Luchs in the 1920s–1940s and represent an architecturally coherent collection of rowhouses that follow established patterns of design. Burleith is highly intact to this period of development, with the exception of just three houses on 39th Street, built in the 1960s, and two houses on R Street, built this century.

More significant than age is that Burleith was designed as high-quality housing of modest size in a planned, harmonious neighborhood. The Burleith concept was emulated in other parts of the country.

**Q. What is the newest/most recent neighborhood historic district designated in DC?**

**A.** The most recent historic district designated in DC is Grant Circle, designated in 2015. This historic district is a small collection of buildings, both residential and ecclesiastical, that front Grant Circle in the Petworth neighborhood. Also in 2015, the Capitol Hill Historic District was expanded to include additional blocks at its northwest boundary, comprising 19th- and early 20th-century buildings that are consistent with those of the previously established historic district.

**Q. Have any communities decided not to go ahead with the historic designation process?**

**A.** In June 2016, following a vote by its members, the Eckington Civic Association decided not to move ahead with the historic designation process as some residents were concerned about gentrification, limitations on individual property owners, and possible increased cost of construction. Lanier Heights, Chevy Chase, and Barney Circle also decided not to move forward with historic designation for similar reasons.

**Q. Have any historic designation nominations been rejected?**

**A.** In the past, DC's Historic Preservation Review Board has made certain revisions to historic district applications, such as reduced boundaries, or periods of significance, or other technical changes. In general, however, nominations that do not have a strong historical and architectural case and lack community support do not make it as far as HPRB.

**Q. Have any historic-designated areas asked to be undesignated?**

**A.** No. However, according to Paul DonVito, who spearheaded Foxhall Village's successful historic designation, "A number of residents living in areas of Foxhall Village that originally asked to be excluded from historic designation have now complained bitterly about the demolitions on their blocks (and spent both money on legal fees and many hours at DCRA challenging building permits in what, in the end, turned out to be a futile attempt to prevent inappropriate development without the protections of historic designation).

**Q. How will the BCA decide whether or not to move forward?**

**A.** After the BCA's Historic Designation Committee completes its community education and outreach process (which includes at least one additional two hall meeting), the BCA will poll residents to assess the "will of the community." If ultimately the community is in favor of pursuing historic designation, the BCA will submit a nomination to the DC Historic Preservation Office. If the office determines that the application meets the criteria, Burleith homeowners will have 60 days to comment. There will also be a final hearing conducted by the Historic Preservation Review Board where opinions can be expressed in person before the HPRB makes its decision.

**Q. What percent of the community has to agree in order to proceed?**

**A.** The Historic Preservation Office does not require a set percentage of home-owner support, but it needs to be assured that the community has been well informed of the implications of historic district designation and that, having that knowledge, it is the "will of the community" to be designated. There are multiple opportunities throughout the process for the community to express its will.

**Q. If alleys are potential contributing factors, is it possible to exclude them from designation?**

**A.** The historic district includes the entire area within its boundaries, so the alleyways will be part of the designation. However, as part of the preservation process, the Historic Preservation Office will prepare historic district guidelines for Burleith that will help direct property owners as they seek to make changes to their properties. Those guidelines may provide flexibility for the type and scale of construction allowed in the alleyways. Still, the overarching guideline that new construction should not be incompatible with the character of the historic district will still hold. So, for instance, certain of the existing rear additions that rise above the two-story residences and drastically alter that character would not be approved if Burleith were a historic district.

### **PERMITS AND APPROVALS**

For additional information, please refer to [DC Historic Preservation Review Process for Property Owners](#), which can be found on the Office of Planning [webpage](#).

**Q. I don't want to spend \$10,000 on architectural drawings only to have them be rejected by the Historic Preservation Office during the permitting process.**

**A.** The District of Columbia's historic preservation review process is intended to give guidance and technical assistance to property owners early in their planning for a rehabilitation or construction project. The process allows property owners to informally discuss their project with a preservation specialist at the Historic Preservation Office, to learn more about their historic property, and to ask questions about products, services, or techniques appropriate for the renovation of older buildings. The Historic Preservation Office will explain the preservation standards and review process, identify any potential preservation or design concerns, and work collaboratively with the property owner to explore mutually agreeable solutions.

Note that compatibility does not necessarily require matching or copying attributes and may involve the relation of dissimilar elements that are juxtaposed to produce an agreeable effect. A licensed architect would be aware of the neighborhood's historic designation and is unlikely to submit an incompatible design

**Q. I'm about to begin a renovation and don't want to put it on hold until historic designation deliberations are completed. Can I be held liable for something that is determined to be not in compliance after we have our permits approved?**

**A.** No. The current discussions do not affect any work going on/approved in the neighborhood. The preservation review process would begin 30 business days *after* the Historic Preservation Review Board approves an historic district application and formally designates it. Also, every existing property would be grandfathered in, so there would be no requirement to "undo" any addition or alteration already in place.

**Q. If, prior to historic designation, a homeowner constructed an unsightly front façade including a poorly made bay window, can the Historic Preservation Review Board request the homeowner to reconstruct to conform to historic designation standards if Burleith is designated a historic district?**

**A.** No. Existing construction is grandfathered in. If the homeowner wishes in the future to make changes to the façade, the Historic Preservation Review Board could require the homeowner to make the renovations compatible with the historic district.

**Q. Can someone paint their brick house (if it was not painted before) after historic designation status is granted? And what if it was painted (not originally) and needed to be re-painted?**

**A.** Except for scaffolding used in the painting process, no permits are required to paint. The Historic Preservation Office does not review painting in historic districts, so homeowners are free to paint their houses without any review from the Historic Preservation Office. The office only reviews painting on designated landmarks, not on contributing buildings in historic districts.

**Q. Would basement entrances be allowed in the front?**

**A.** It depends on the situation. Basement entrances have been successfully added to houses in historic districts. Consideration would consider how the stairs may alter the character of the house and yard. If the stairs could fit tightly next to an existing porch, it could be feasible. If the stairs required excavating an extensive portion of the front of the house exposing the below-grade level, it would not likely be approved.

**Q. What about roofs, doors, and windows subject to Historic Preservation Review Board review?**

**A.** Permits are required for most building activity whether a building is historic or not, including roofs, doors, and windows. In the past, permits were not required for windows, but they are required now as part of the new DC Green Energy Codes, which require certain energy-efficient windows. Good-quality windows are more energy efficient and last longer.

**Q. What kinds of things usually get turned down?**

**A.** Any addition that overwhelms the size and character of the historic building would not be approved. Additions or alterations that remove character-defining features, or that alter the historic building's roofline or massing would not be approved. Additions that are subservient to the historic building, or larger additions that allow the historic building to remain prominent are generally approved. In other words, a larger addition may be appropriate if the historic building remains the visually dominant aspect of the building. The Historic Preservation Office doesn't want a large addition or new construction to dominate the historic building.

**Q. What determines “harmonious” (in reference to “harmonious relationship” slide)?**

**A.** Harmonious relationships refer to how additions and new construction relate to one another in a way that respects the historic building. Harmonious relationships do not dictate size, shape, materials, or style and are very site specific. So, in one instance a harmonious relationship may be one where new construction replicates historic conditions; in another it may completely juxtapose old and new.

**Q. What happens to buildings that are in dire shape?**

**A.** Historic designation does not affect a poorly maintained house unless the structure of the building is threatened. If a building is in dire shape and beyond structural repair, then the property owner may be allowed to demolish the building, but may also be required to re-build the building according to its historic dimensions.

**Q. What is the historic designation impact on front stairs and front walks (size, layout, style)?**

**A.** Front stairs and front walks should generally conform with the existing character of front stairs and walks.

**Q. I fear that historic designation validates a certain NIMBY-ism. Thoughts?**

**A.** Historic designation protects the investments of owners and residents by limiting insensitive or poorly planned development. It also preserves neighborhood history and aesthetics, which may not be a priority to some residents. Historic designation does not prevent additions and expansions, however; they just need to be done in a way that it compatible with the existing architecture.

**Q. Is there any power to prevent a neighbor looking to do a third-floor addition prior to historic designation?**

**A.** No. As long as the construction is properly permitted and meets DC zoning restrictions, there is nothing the neighbor can do prior to historic designation.

### **FINANCIAL CONSIDERATIONS**

**Q. How have you seen historic designation impact home values if size is limited?**

**A.** The Historic Preservation Office does not claim that historic district designation necessarily results in a rise in property values. Studies elsewhere in the U.S. consistently show an increase in property values.

Lenore Rubino, Historic Designation Committee co-chair, Realtor, and Burleith neighbor, adds: “Burleith buyers tend to be in three groups: couples/families, empty nesters, and singles. Most couples/families and singles cannot afford the over \$1M property, so

therefore the expanded properties are not affordable to them. Above \$1M, we tend to see empty nesters and more affluent buyers. There are also more choices for other neighborhoods when the price point is \$1M and above. The larger, more expanded homes have been in the \$1.5M price point and above, so therefore are affordable to a select group of buyers. It is my opinion that the largest buyer pool is the under \$1M group, and in today's market it is a valuable price point given the scarcity of inventory in the District. "

**Q. If historic tax credits are available for income-producing property, would a homeowner in Burleith who rents out their house be able to use the credit since they don't live there and the house is essentially just an income-producing property?**

**A.** The definition of "income producing" property is determined by the IRS in the case of a federal tax credit, but theoretically, yes, the property owner should qualify. There have been many instances in DC where owners of B&Bs have qualified for federal rehabilitation tax credits.