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# TOWN OF SMITHFIELD

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*"The Ham Capital of the World"*

April 13, 2016

TO: BOARD OF HISTORIC & ARCHITECTURAL REVIEW

FROM: WILLIAM G. SAUNDERS, IV, AICP, CZA  
PLANNING AND ZONING ADMINISTRATOR

RE: MONTHLY MEETING

**\*\*\*If all members are present, a new board photo will be taken following the meeting.\*\*\***

The Board of Historic and Architectural Review will hold its regularly scheduled monthly meeting on **Tuesday, April 19, 2016 at 6:30 pm** in Conference Rooms A & B at the Smithfield Center.

If you have any questions, please contact William Saunders at (757) 365-4266.

cc: Town Council  
William H. Riddick, III, Town Attorney  
The Smithfield Times  
The Daily Press  
File

**DEPT. OF PLANNING, ENGINEERING, AND PUBLIC WORKS**

310 Institute Street, P.O. Box 246 • Smithfield, VA 23431 • (757) 365-4200 • Fax (757) 357-9933  
www.smithfieldva.gov • Local Cable Channel 6

**TOWN OF SMITHFIELD  
BOARD OF HISTORIC & ARCHITECTURAL REVIEW  
AGENDA**

**April 19, 2016**

**1) Planning and Zoning Administrator's Report**

- Preservation Virginia / DHR Training Opportunity – June 1<sup>st</sup>, Virginia Beach, VA
- New Board Photo (If all members are present.)

**2) Upcoming Meetings and Activities**

- April 19<sup>th</sup> - 7:30 p.m. -- Board of Zoning Appeals – Cancelled
- April 25<sup>th</sup> - 4:00 p.m. -- Town Council Committee Meetings
- April 26<sup>th</sup> - 4:00 p.m. -- Town Council Committee Meetings
- May 3<sup>rd</sup> - 7:30 p.m. -- Town Council Meeting
- May 10<sup>th</sup> - 6:30 p.m. -- Planning Commission Meeting
- May 17<sup>th</sup> - 6:30 p.m. -- Board of Historic & Architectural Review Meeting

**3) Public Comments**

**4) Board Member Comments**

**5) Proposed Exterior Renovation – 203 Riverview Avenue – Non-Contributing – Russell Hill,**

**applicant.** (Staff report, BHAR application, site photo and elevations enclosed.)

**6) Maintenance Violation - Demolition by Neglect – 502 Grace Street – Landmark – Mary**

**Delk Crocker, applicant.** (Staff report and site photos enclosed)

**7) Approval of the March 15, 2016 meeting minutes** (Enclosed)

**NOTICE OF INTENT TO COMPLY WITH THE AMERICANS WITH DISABILITIES ACT.**  
Reasonable efforts will be made to provide assistance or special arrangements to qualified individuals with disabilities in order to participate in or attend Board of Historic and Architectural Review Meetings. ADA compliant hearing devices are available for use upon request. Please call (757) 365-4200 at least 24 hours prior to the meeting date so that proper arrangements may be made.

**STAFF REPORT FOR  
BOARD OF HISTORIC AND ARCHITECTURAL REVIEW**

**April 19, 2016**

**Property Owner Name & Address**

Russell Hill  
103 Quillen Point Lane  
Smithfield, VA 23430

**Applicant Name & Address**

Russell Hill  
103 Quillen Point Lane  
Smithfield, VA 23430

**Property Location & Description**

203 Riverview Avenue, 50 ft. west  
of the intersection of First Street and  
Riverview Avenue

**Statistical Data**

Property Classification

Non-Contributing

Current Zoning

DN-R, Downtown Neighborhood  
Residential District

**Surrounding Land Uses/Zoning**

DN-R, Downtown Neighborhood  
Residential District

**Staff Comments**

The applicant wishes to renovate the exterior of the home at 203 Riverview Avenue.

The proposed renovation will have the following characteristics:

Siding – Hardie Board, light green in color.

Trim – PVC (Azek), white in color.

Roof – 35 yr. Architectural Shingles, black in color.

Door – Wood / white in color.

Windows - Vinyl, white in color.

Please contact William Saunders at 365-4266 or [wsaunders@smithfieldva.gov](mailto:wsaunders@smithfieldva.gov) with questions.



# TOWN OF SMITHFIELD

302 Main Street, P. O. Box 246, Smithfield, VA 23431  
(757) 365-4200 - Fax (757) 357-9933

## BOARD OF HISTORIC AND ARCHITECTURAL REVIEW (BHAR) APPLICATION

Date of Application 3/28/16 Date of Meeting 4/19/16

In accordance with Article 3.M of the Zoning Ordinance, this application must be completed and all materials (Ten (10) copies each of completed application and additional materials) as requested below must be submitted to the town at least 21 days before the regularly scheduled BHAR meeting. If any new materials are submitted at the meeting, then the BHAR may table the application. The BHAR meets the 3rd Tuesday of the month (unless otherwise noted) at 6:30 pm in conference rooms A&B at the Smithfield Center, 220 North Church Street.

As of May 4, 2004, all applications approved by the BHAR shall begin construction, installation, etc. within one (1) year from the date of approval and shall be completed within two (2) years from the date of BHAR approval. If these two conditions are not met, then the application becomes null and void, and the applicant shall reapply to the BHAR. The applicant's, or their representative's, presence is requested at the meeting.

I, Russell Hill, am seeking BHAR approval for the following (check all that apply)  
(print name)  
which is located at 203 River view

**New Single Family Residence** (submit roof, siding, brick, and color samples; window details; elevations of the structure; site plan/survey – also see NOTES 1 & 2, below)

**New Commercial Structure** (submit roof, siding, brick, and color samples; window details; elevations of the structure; site plan/ survey – also see NOTES 1 & 2, below)

**Addition to existing building** (submit roof, siding, brick, and color samples; window details; elevations of the structure; site plan/survey) (The addition will be \_\_\_\_\_ sq. ft.)

**Accessory structure** (i.e., shed, detached garage, etc.) Accessory Structure Height \_\_\_\_\_ ft.  
(submit roof, siding, brick, and color samples; window details; elevations of the structure; site plan/survey)

**Siding Change** (submit siding sample)  
existing siding: vinyl - white proposed siding: Hardi-plank Green

**NOTE:** The BHAR strongly encourages cement siding (i.e., "hardi-plank") as a more suitable alternative to vinyl siding.

**Roof Change** (submit shingle sample)  
existing roof: GRAY proposed roof: Black arch.

**NOTE:** The BHAR strongly encourages that if you choose architectural shingles, choose at least 30-year architectural shingles.

**Color Change** (submit color samples)  
existing colors: white proposed colors: GREEN

**Sign** (submit colored drawing (drawn to scale) with dimensions, plat/survey with sign location noted – Also refer to Article 10 of the Zoning Ordinance for sign regulations (i.e., max. height, max. size, etc.)

**Window change** (submit window details)  
existing window type: wood proposed window type: vinyl Double Hung

Applicant/Property Owner Name Russell Hill  
Address: 103 Quilley point Lane Phone: 757-342-1367  
Smithfield VA 23430 Fax: \_\_\_\_\_  
Email Address: hillsenhancements,inc.  
@charter.net

### DECLARATION OF CONSENT:

By signing below, the property owner/applicant/agent consents to entry upon the subject property by public officers, employees, and agents of the Town of Smithfield to view the site for purposes of processing, evaluating or deciding this application.

Name: (signature) Russell Hill Name: (printed) Russell Hill

Google Maps Riverview Ave



Image capture: Sep 2012 © 2016 Google



203 Riverview

SCALE 1/2" = 1' foot  
Front View



24' House

20' Porch

30 year Arch shingles

12" overhang vented

Triple 2x6 Beam

4x4 tapered with PVC 3/4 Board

Hardy board siding

Brick facade  
24" High over existing foundation.

2.0

4.0

63.5

GLASS

GLASS

GLASS

81.52

4"

2.0

4.0

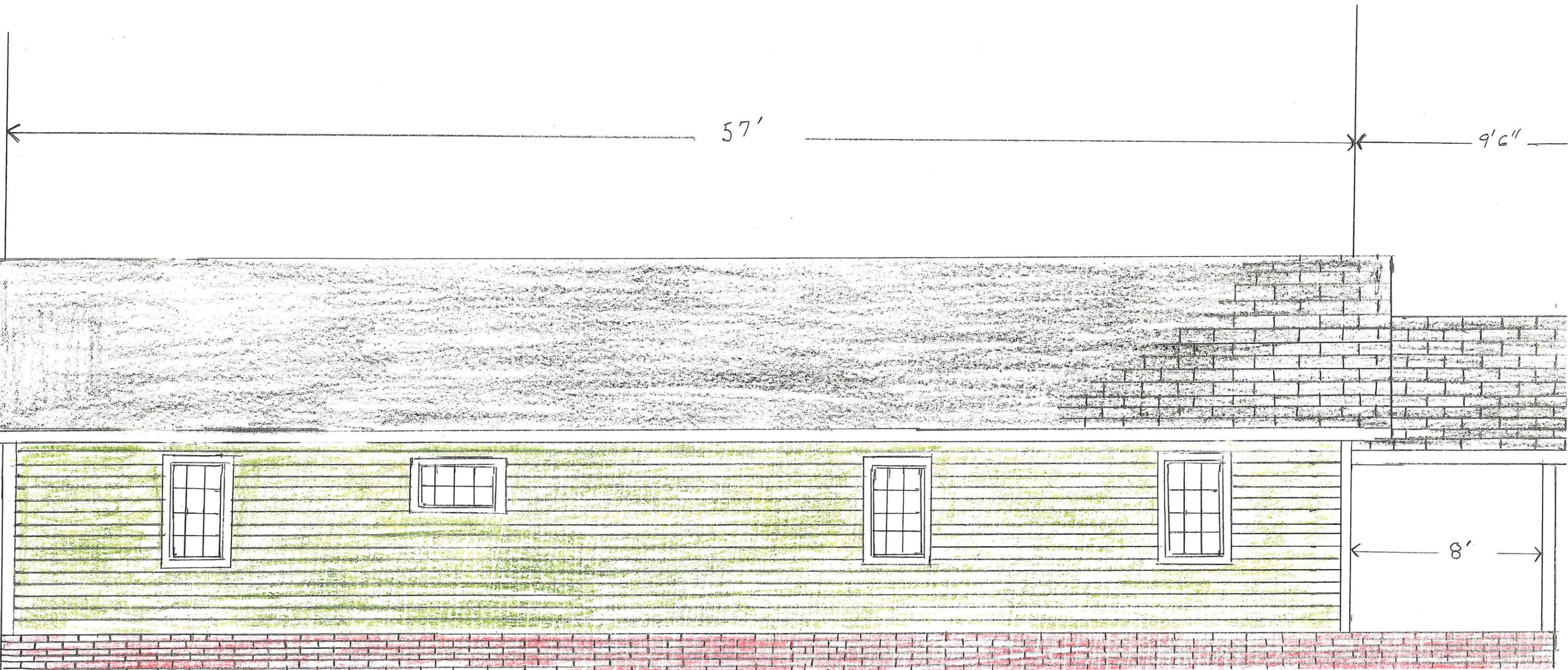
6x6

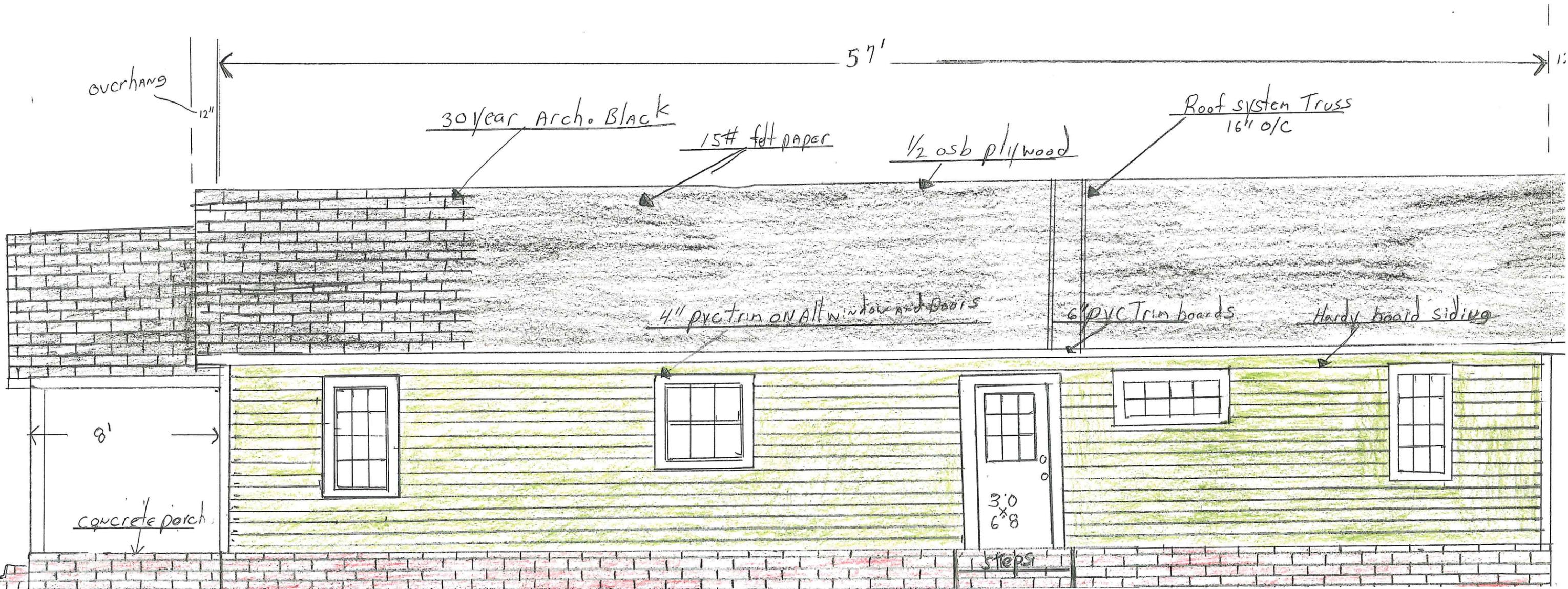
steps



203 River View

$\frac{1}{4}'' = 1'$  Left View





**STAFF REPORT TO  
THE BOARD OF HISTORIC & ARCHITECTURAL REVIEW**

April 19, 2016

**Owner Name & Address**

Mary Delk Crocker  
502 Grace Street  
Smithfield, VA 23430

**Property Location & Description**

502 Grace Street, Across from Cofer  
Automotive, behind IOW Christian  
Outreach

**Statistical Data**

Property Classification

Landmark

Current Zoning

C-C, Community Conservation

**Surrounding Land Uses/Zoning**

D, Downtown District;  
DN-R, Downtown Neighborhood  
Residential

**Overview**

Given the ongoing poor condition of the property known as Pierceville, town staff has determined the property to be in violation of Section 22.2 of the Town Code (Unsafe Structures) and Article 3.M: HP-O, Historic Preservation Overlay District Ordinance, F: 2: G (Maintenance and Repair Required). Below find the items that were determined to be the cause for action:

- The primary residence is in a state of disrepair, including but not limited to the following:
  - Sections of siding that are missing or have been patched in a manner inconsistent with the Historic District regulations
  - Sections of roofing that are missing which expose structures to the elements and create a hazardous situation
  - Deferred maintenance issues inconsistent with the Historic District regulations that could be considered 'demolition by neglect'
  - Vegetation not consistent with Town Code
  
- In addition, there are numerous accessory structures (barns) on the property that are in various states of disrepair, including but not limited to the following:
  - Deferred maintenance issues inconsistent with the Historic District regulations that could be considered 'demolition by neglect'
  - Roofing – paint, missing sections, collapsed sections which expose structures to the elements and create a hazardous situation
  - Siding – paint, missing sections, collapsed sections which expose structures to the elements and create a hazardous situation
  - Doors, Windows – paint, missing sections
  - Vegetation not consistent with Town Code

Before the Board of Historic and Architectural Review is consideration of the conditions at Pierceville in regard to demolition by neglect and/or unsafe or dangerous structures, as per Section F: 2: G (Maintenance and Repair Required) Historic Preservation Overlay District Ordinance; which reads:

*Maintenance and Repair Required*

*All buildings and structures in the HP-O District shall be preserved against decay and deterioration and maintained free from structural defects to the extent that such decay, deterioration or defects may, in the opinion of the Review Board, result in the irreparable deterioration of any exterior appurtenance or architectural feature, or produce a detrimental effect upon the character of the district as a whole or upon the life and character of the structure itself, including but not limited to:*

- (1). *The deterioration of exterior walls or other vertical supports;*
- (2). *The deterioration of roofs or other horizontal members;*
- (3). *The deterioration of exterior chimneys;*
- (4). *The deterioration or crumbling of exterior plaster or mortar;*
- (5). *The ineffective waterproofing of exterior walls, roofs and foundations, including broken windows or doors;*
- (6). *The peeling of paint, rotting, holes, and other forms of decay;*
- (7). *The lack of maintenance of surrounding environment e.g., fences, gates, sidewalks, steps, signs, accessory structures and landscaping and*
- (8). *The deterioration of any feature so as to create or permit the creation of any hazardous or unsafe condition or conditions.*

*After notice by the Review Board by certified or registered mail of specific instances of failure to maintain or repair and of the opportunity to appear before the Review Board, the owner or person in charge of said structure shall have 90 days to remedy such violation. Thereafter, each day during which there exists any violation of this section shall constitute a separate offense and shall be punishable as provided in the Zoning Ordinance. In the alternative, if the owner fails to act, the Review Board may order the Planning and Zoning Administrator, after due notice to the owner, to enter the property and make or cause to be made such repairs as are necessary to preserve the integrity and safety of the structure. The reasonable costs thereof shall be placed as a lien against the property or, in a proper hardship case, paid by the Town from a fund established for such purposes.*

### **Timeline**

- November 10, 2009 – The Town of Smithfield planning department requested of the owner a written course of action within thirty (30) days to resolve the violations on the property.
- December 1, 2009 - The Town of Smithfield Town Council declared the property as having unsafe and dangerous structures as per Section 22.2 of the Town Code.
- December 11, 2009 – The owner’s attorney responded requesting a specific list of corrections, offering the opportunity for town officials to inspect the site and proffering that the overgrowth in vegetation would be removed by January 15, 2010.
- December 18, 2009 – The Town of Smithfield planning department thanked the owner for the show of good faith and notified them that they would be in contact to set a date for the site visit after January 15, 2010, when the vegetation would have been removed.
- January 14, 2010 – The owner’s attorney contacted asking for a meeting to discuss the maintenance issues.
- January 19, 2010 – The maintenance issues were reported to the Board of Historic and Architectural Review; the board voting to declare the situation demolition by neglect and to start the violation process as per Article 3.M: HP-O, Historic Preservation Overlay District Ordinance, F: 2: G 'Maintenance and Repair Required'.
- August 19, 2010 – Town officials visited the site and photo-documented the damage and neglect. Due to the fact that the home was inhabited at the time, the Isle of Wight Building Official’s office undertook action in order to resolve the unsafe structure situation.
- July 21, 2011 – A Warrant for Building Inspection was issued to Isle of Wight County Building Officials for the interior of the primary structure.
- October 14, 2011 – Following an inspection, Isle of Wight County Building Officials determined the home unsafe for habitation and requested a schedule for completing all necessary repairs and to have all violations corrected by October 1, 2013.
- August 22, 2012 - Isle of Wight County Building Officials requested a schedule for completing all necessary repairs within fifteen (15) days and to have all violations corrected by October 1, 2013.
- October 16, 2013 - Isle of Wight County Building Officials requested correction of all violations within thirty (30) days; or, to submit a schedule of repairs to have all necessary work completed within one hundred eighty (180) days.

November 1, 2013 – The property owner applied for an appeal hearing from the Board of Building Code Appeals.

December 5, 2013 - Board of Building Code Appeals hearing was cancelled.

January 10, 2014 - Isle of Wight County Building Officials notified the owner of a new hearing date.

January 29, 2014- Board of Building Code Appeals hearing cancelled.

February 19, 2014 - The Board of Building Code Appeals heard the case, did not vote and determined to re-examine the case in six (6) months.

October 15, 2014 - The Board of Building Code Appeals re-examined the case and found that the Isle of Wight County Building Officials were correct in their interpretation of the condition of the home and the building code violations. Due to this finding, the deadline for all repairs necessary to correct all violations by October 1, 2013 was valid. This deadline passed with no improvements having been made and the home is now in an even more serious state of disrepair.

December 1, 2015 – Smithfield Town Council voted to have the Board of Historic and Architectural Review reconsider the conditions at Pierceville in regard to demolition by neglect and/or unsafe or dangerous structures.

December 15, 2015 – The Town of Smithfield Board of Historic and Architectural Review reviewed the deferred maintenance and demolition by neglect case and acted to have planning staff notify the owner of 502 Grace Street of the violations.

January 21, 2016 – Town planning staff sent a Notice of Violation to the owner of 502 Grace Street regarding deferred maintenance and demolition by neglect.

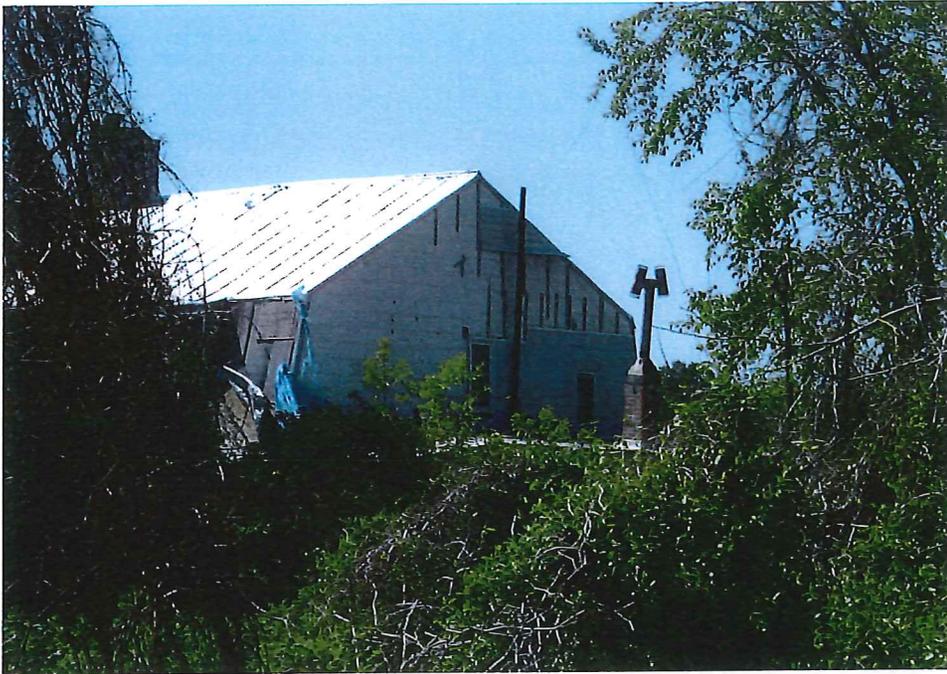
February 19, 2016 – The owner of 502 Grace Street's attorney responded with a letter to appeal the notice of violation.

March 11, 2016 – Following communications with the Town Attorney, the owner of 502 Grace Street's attorney responded with another letter requesting an appearance before the BHAR at their April 19, 2016 meeting.

If you have any questions this item, please contact William Saunders at 365-4266.



AUGUST 19, 2010



APRIL 11, 2016