

# Bloomington Civic Association Historic Preservation Committee

## Responses to Questions from Public Outreach Meetings

### **Definitions for Acronyms used in the answers that follow:**

HPRB (or simply, the Board) means the Historic Preservation Review Board. Preservation law and regulations establish the Historic Preservation Review Board as appointed by the Mayor to be the primary body for designating historic districts and reviewing new construction and building alterations for compatibility with historic districts. HPRB also adopts design guidelines which advise property owners in advance and enable consistent decisions.

HPO (or simply, the Staff) means the Historic Preservation Office. HPO serves as staff for HPRB and consists of professionals with architectural, preservation, architectural history, and archaeological qualifications. HPO writes guidelines and advises HPRB on the compatibility of new construction and building alterations with historic districts. Through a regulation of delegated authority, HPO processes 90% of building permits in historic districts on behalf of HPRB and in that way most homeowner projects do not need to go to HPRB.

### **Historic District**

1. **(Q)** What is the overall process by which a neighborhood can become a historic district? Expressly, from the point an application is submitted, what happens; how can residents directly engage the city?

**(A)** HPO certifies that the application is complete and acceptable. A case number is assigned to the application and it is placed on the Public Notice of pending HPRB cases for the purposes of soliciting comments from ANCs and the public at large. HPO staff analyzes the applications and writes a staff report advising HPRB whether or not to approve the historic district. The application and staff report are presented to HPRB at a public meeting, including open testimony. HPRB makes a decision on the application. Depending on the complexity of the application, district or public comment the hearing could bridge two meetings of the HPRB. The public can submit testimony in writing in advance or in person at the meeting.

2. **(Q)** Please confirm/explain comment made by Dr. Aprille Erickson regarding if your house has a fire. Would the Historic Preservation Review Board force (require) the homeowner to rebuild the interior and exterior in the historic fashion? Is this true. Please elaborate.

**(A)** No it's not true. HPRB does not review interior finishes. Exterior repairs from a fire would be treated like any other request for alterations: historic materials are encouraged, but if modern materials are requested, do they look enough like the historic material that they fit with the historic district? For example, HPRB approves aluminum and composite windows now because they look very much like historic wood windows. Of course, not all modern materials look enough like

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historic materials, but many do. HPRB has adopted guidelines that cover many of these topics. HPRB guidelines refer to these as “substitute materials.”

3. **(Q)** If the Bloomington Historic Preservation Committee moves forward with an application (or process) please explain how the process works. Is this decided by a DC agency or City Council? What influence does BCA have on this final decision? What other ways can historic preservation be obtained without a historical designation?

**(A)** Municipal regulations define who is allowed to submit a historic district nomination. Nominations for residential neighborhood historic districts are submitted by ANCs or non-profits chartered for historic preservation purposes. HPRB approves historic districts solely; ratification from Council or any other office or agency is not required. Whether from BCA or the community at large, HPRB has little desire to approve a historic district that is not wanted by the residents of that neighborhood. Clear and broad based community support is essential for HPRB approval of a historic district. This is a policy, not a regulation or law. There are no other types of designations for a neighborhood that obtain a preservation result. Some other states have conservation districts, but the legislation necessary for those in the District has not been enacted.

4. **(Q)** Will it cost the homeowners to convert? What is the need for grant money?

**(A)** There are no direct costs (special assessments, taxes, fees, etc.) to homeowners to become a historic district. The reason grant money has been made available is to help low-income home owners in historic districts repair and restore their homes.

5. **(Q)** What is the benefit of changing to a historic district? In my opinion none.

**(A)** The benefits of becoming a historic district can be personal and emotional. Someone who grew up in the neighborhood might have feelings of love and nostalgia for the place. Someone new to the neighborhood might have fallen in love with the place when they were looking for a home for their family. Very often people want to protect what they love.

6. **(Q)** How will historic district designation affect my property value?

**(A)** Minimally. Property value is determined by a complex consumer market mostly based on supply, demand and location. Historic designation is tiny by comparison. Bloomington has seen dramatic increases in property values. A house recently on sale on Bryant Street has an assessed value that's gone up 51% since 2005. It's sale price is 59% over its 2005 purchase price. It is undeniable that the cost of housing has gone up dramatically in most Washington neighborhoods regardless of historic district status.

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7. **(Q)** What years are being considered for the historic designation of Bloomington? If renovations have been made before the designation, do they have to be removed?
- (A)** The years being considered are roughly 1890-1950. This is called the Period of Significance and these official years would be determined by HPRB if/when they approve a historic district. Renovations made in the last 50 years do not have to be removed automatically. For instance vinyl windows on the front of a rowhouse installed last year would be free to live out their 10-15 year life span. Once they fail and the owner wants to be replace them, at that point new windows would have to meet the historic district requirements to be or look like historic materials.
8. **(Q)** Is there a baseline year for historic status? Is what year would it be? Could it include renovations made after that year?
- (A)** See question 7 above for explanation of Period of Significance.
9. **(Q)** If the area becomes historic, how do you baseline it to maintain the character if you have pop-ups, slate not characteristic of late 1800s or early 1900s? How will those new renovations be treated?
- (A)** Already built pop-ups that were built with a permit will effectively remain in place as built. In the future, when they need repair, new materials will be historic or approvable substitute materials just like any other alteration in the historic district. HPO will always encourage removal of pop-ups, but cannot require removal unless the pop-up was built illegally without a permit. The reality is that it is very rare for an owner to voluntarily reduce the size of their house, so pop-ups once built legally are essentially permanent fixtures in the neighborhood.
10. **(Q)** What criteria will the HPRB use to approve or disapprove the historic district request?
- (A)** Standards for approval are listed in the municipal regulations (DCMR 10A, Section 201.1) and follow the standards set by the Federal government. Neighborhoods that reflect importance in the following categories could be historic districts: events, history, individuals, architecture/urbanism, artistry, creative masters, and archaeology.
11. **(Q)** If the historic district is granted, would there be an assessment of my house and mandatory actions required to come up to a standard as defined by DC Office of Planning?
- (A)** No.
12. **(Q)** When is the decision made about whether rear/alley is historic and cannot be added onto? Is it at the time of designation or on a case-by-case basis?
- (A)** The importance of alley architecture and buildings will be determined by HPRB at the time of designation. HPRB can determine that all, none, or some alley

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buildings are important to the historic district. If a historic district is designated, work appropriate for an alley building will be determined case-by-case at the time

an owner files a permit application and be based on HPRB's original determination of importance.

**13. (Q)** Could someone build any pop-up in the front of a house if Bloomington is a historic district?

**(A)** For all intents and purposes, no. All additions in a historic district need to be compatible with the house and the overall historic district. Adding a pop-up on the front of a house would dramatically change the size and character of the house. It is nearly impossible to do that in a compatible fashion.

**14. (Q)** The commercial buildings at First and Rhode Island Avenue, if Bloomington became a historic district and those buildings were built prior, could they be torn down?

**(A)** No, but also maybe. 101 Rhode Island (the corner café) was built in 1906 and in most ways still looks like the day it was built. It would need to be kept. 103 Rhode Island (the Chinese restaurant) was technically built in 1903, but has changed so much it doesn't look like that time anymore. It has changed so much HPRB might consider it a "non-contributing" building and non-contributing buildings in a historic district can be demolished because they are not important to the historic district. Or, research might show that the storefront was installed in the 1930s and that period might also be important to the history of Bloomington, in which case the building and storefront would need to be kept. This question will be settled as part of the architectural survey that would accompany a historic district application and HPRB's decision.

**15. (Q)** How can solar panels/arrays be incorporated into a historic property?

**(A)** HPO approved over 100 permits for solar panels in 2015. Solar panels get more efficient every year. Solar panels today can be installed flat on a flat roof. They do not need to be angled up like solar panels 20 years ago. Flat solar panels on flat roofed rowhouses are routinely approved by HPO staff on a walk-thru basis because they are almost never prominently visible on a rowhouse. Solar panels only visible from an alley are also routinely approved. Crispus Attucks Park is a park unlike any other in DC; it's in an alley, but it's a park. During a historic designation process input from the community will help guide HPRB to determine whether the park should be highly protected (no solar panels visible from the park) or lightly protected (visible solar panels OK).

**16. (Q)** Will your current insurance carrier continue to carry your policy if your home switches to historic district?

**(A)** Some rural states experience this problem because housing is cheaper in general. We have never heard of a DC homeowner having a problem with homeowners insurance because of historic district status. This is because DC housing

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is more expensive in general. Most of the value and replacement costs of an urban house are not related to historic preservation matters. Historic preservation costs are marginal compared to the overall picture on replacement costs of a fire damaged house or other catastrophic loss.

**17. (Q)** Where are other historic districts in DC?

**(A)** There are almost 30 residential neighborhood historic districts in DC. The full list can be found on the historic preservation section of the Office of Planning website. <http://planning.dc.gov/historicpreservation>

**18. (Q)** What is the complexion of the Historical Review Board? Do all of the members live in the District?

**(A)** Yes, like all DC boards and commissions all members live in DC. The professional qualifications for Board members is determined by federal regulation so that the Board must contain architects, architectural historians, historians, community members and an archaeologist.

**19. (Q)** What is the difference between a repair and a restoration? When? Where? Cost?

**(A)** Repair and restoration are commonly used interchangeably, but technically a repair will return a building part to service/use and will be visible, while a restoration will return a building part to service and not be visible.

**20. (Q)** Is there any information on value trends on properties after they become historic?

**(A)** Donovan Rypkema is an economist who has studied this specific question. Several of his papers are available online. Basically, market forces are complex and varied so the answer is almost always, "It depends on..." But there is growing agreement across dozens of studies that designated neighborhoods increase in value at the same rate as, or slightly higher than non-designated neighborhoods. When market prices collapse, designated neighborhoods lose value at a slower rate than non-designated neighborhoods. Investors and home buyers looking to make long term investments and commitments are attracted by the stability offered by a historic district.

**21. (Q)** How does historic classification affect the creation of condos?

**(A)** Not directly or substantially. Historic districts don't restrict against condos, per se. Condos exist in historic districts. But in a historic district the size of an addition could be limited and that might reduce the number of units that could fit in a building otherwise.

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### Permits

1. **(Q)** To submit a permit application, do you have to be a licensed or certified architect?  
**(A)** No. Owners and anyone they designate as their agent (family member, neighbor, permit runner, etc.) can submit a permit application. Many important aspects of construction--like structural framing, plumbing, electrical, etc.--require drawings stamped by a licensed architect, engineer or tradesman. This is for safety. This requirement already exists in Bloomington and all properties in DC regardless of historic status.
2. **(Q)** Does historic district preclude roof decks?  
**(A)** Roof decks are approved in historic districts if they are not prominently visible or cause excessive demolition to a historic building. Roof decks may be unapprovable if they are too big or prominent. Recent changes to the International Building Code/International Residential Code on which the DC building code is based have increased the number and size of safety features required for a roof deck. Decks HPO/HPRB used to be able to approve cannot be approved anymore because of these changes to the building code.
3. **(Q)** In a historic district maximum number of units/tenants that in a rooming house have or density of condo conversions (% to single family homes)?  
**(A)** Unit count is not expressly limited by historic regulations. They are restricted by zoning regulations.
4. **(Q)** How long will it take to receive approval if you want your home painted or pointed up; if it Bloomington becomes a historic district?  
**(A)** You will not need a building permit to paint. Repointing permits are approved in minutes on a walk-in basis. Repointing permits are required to protect the homeowner from contractors who might otherwise destroy the wall by using the wrong type of mortar.
5. **(Q)** What is the average lead time on getting approval for work that would otherwise be routine (like repairing siding)?  
**(A)** You do not and will not need a permit for "ordinary repairs," like simple do-it-yourself repairs like replacing a broken piece of glass, reattaching or tightening loose materials, repairing siding etc. Replacing a wall of siding is different and would need a building permit.

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6. **(Q)** How expensive are the drawings that are required for each application for basic work?

**(A)** DCRA already sets the requirements for when drawings are necessary for a building permit regardless of historic status. The only additional item HPO requests are photographs showing the current exterior of the house where the work is being proposed. Permits for basic work (window replacement, porch repair, roof replacement) are reviewed without drawings; just photos of the existing conditions. For substantial Bloomington projects like decks, solar panels, and additions DCRA already requires drawings for permits. This requirement will not change if made a historic district.

7. **(Q)** For Dr. Ericson's house, what was the preferred alternative material for her slate steps preferred/recommended by the HPRB?

**(A)** The original, historic material like what she and her neighbors already had was preferred: simple concrete (painted or unpainted). Durable for 100 years, subtle and authentic. In the end, Dr. Ericson rejected the authority of the Board and kept what she had built without a permit. HPRB did not pursue the matter further. HPO closed the matter by issuing a permit after the fact. Dr. Ericson's current steps are the materials and workmanship of her choice.

8. **(Q)** With all due respect, Dr. Ericson's experience with the HPRB isn't unique to historic districts. I've had a similar experience in Bloomington.

**(A)** HPRB doesn't have any jurisdiction in Bloomington right now, but Dr. Ericson's testimony to HPRB was so one-of-a-kind that, despite it being ten years ago, the case is still widely remembered by HPO staff even today.

9. **(Q)** My dad is a senior who lives in LeDroit has had numerous projects w/no issues!

**(A)** HPO/HPRB strives for this to be the typical home owner experience. HPO permit review is a blend of protecting what's important and beautiful in the historic district and offering consumer advice to homeowners when it comes to choosing contractors, materials, and what's best for the long-term durability of the house.

10. **(Q)** Are there any special HPO regulations for storefront business?

**(A)** There are regulations for signs and guidelines for commercial buildings located here: <http://planning.dc.gov/page/design-guidelines>

11. **(Q)** Can security bars on the front of houses be removed without a permit? Would the answer be the same if Bloomington became a historic district?

**(A)** Yes and yes.

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**12. (Q)** Can a wheelchair access ramp be allowed in a historic district?

**(A)** Yes. HPO and DC government are subject the federal Fair Housing Act which includes accommodating the disabled so they are not discriminated from housing. HPRB will still review a ramp application to make sure it meets code and is as compatible as possible with the historic district.

**13. (Q)** Does the HPRB control the colors that the owner can paint their houses? For example, can I paint my house neon orange?

**(A)** No. You can paint your house any color you want, or as many colors as you choose. You don't need a permit to paint, but if you call up HPO and ask, HPO will advise you on whether painting is a good idea. Painting a slate roof will accelerate the deterioration of the slates. Painting brick will add a maintenance burden to the upkeep of the house. Not all paint is suitable for historic masonry. Some types of paint will actually damage historic brick. Not all consumers realize this.

**14. (Q)** Will historic district designation over ride "by right" changes? For example, (a) increasing the height of backyard fences, (b) adding a "pad" on the backyard for parking, adding a small storage shed to the backyard?

**(A)** All regulations must be satisfied and adhered to. No code trumps another. Fence height is regulated by building, zoning, and historic codes. Pads are regulated by building, historic and sustainability codes. Sheds are regulated by building, zoning and preservation codes. Rear fences, pads and sheds are routinely approved by HPO because those areas are typically of minimal importance to historic districts.



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### Zoning

1. How is the height of a row house determined? If a 3-story row house is converted to a 2 condos (matter of right), the top 2 floors are one condo and the first floor and basement make up the second condo, what prevents the lower condo from becoming 2 units when both floors have front and back entrances and a kitchen? (one kitchen is missing a stove but there is an electrical outlet provided for a stove at the time of condo sales)
2. Does R4 preclude addition of roof decks? What are the rules?
3. What are the stipulations for maximum number of units/tenants in a rooming house and the density of condo conversions in a historic district neighborhood? What are the parking requirements for a rooming house?
4. The commercial buildings at First and Rhode Island Ave. NW are C2A. How tall could they be if we do not have a historic district? Could they be torn down?
5. What is the regulation to prohibit construction that would obstruct sunlight from your neighbor building pop-ups?
6. 35' is measured from and to what elevations?
7. Re: Section: 336.9© of the June 26 Revisions "The conversion and any associated additions, as viewed from the street, alley and other public way, shall not substantially visually intrude upon the character, scale and pattern of houses along the subject street or alley." Question: What does the latter mean in practice? Who decides? And at what level in the permit process? Are blueprints and drawings all reviewed?