

**City of Charlottesville  
Board of Architectural Review  
Staff Report  
May 20, 2025**



**Certificate of Appropriateness Application**

BAR # 25-0052

1301 Wertland Street; TMP 040303000

Wertland Street ADC District

Owner: 1301 Wertland LLC and JSB Development LLC

Applicant: Edward Carrington, Seven Development

Project: Demolition of structure

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**Background**

*Year Built:* 1843 (VDHR #44AB0732, Rivanna Archeological Services, August 2023)

*District:* Wertland Street ADC District

*Status:* Contributing structure

Wertenbaker House: A two-story, three-bay, brick house with a rear ell. (William Wertenbaker was UVa's second librarian, serving from 1826 until 1880.) Built in the Greek Revival style, renovations in the late-1800s included the Victorian porch and ornate cornice. In 1842, Wertenbaker acquired 27-acres from James Dinsmore's estate. He sold all but 6.25-acres, on which the house was built. By 1886, the parcel was 1.4-acres. By the 1980s, it had been reduced to 0.4-acres. See maps in Appendix. Historical surveys attached.

**Prior BAR Reviews**

(See Appendix.)

**Application**

- Applicant submittal: Dunbar Structural Condition Assessment of 1301 Wertland Street, dated April 28, 2025. The applicant also made available measured floor plans for the house (attached) and the Phase I Archeological Investigation of the site completed by Rivanna Archeological Services in August 2023, accessible at: [Wertenbaker House Ph I – RAS Aug 2023](#)

Request CoA for demolition of the existing two-story, brick Wertenbaker House. [At this time, the applicant has not determined if the previously approved, multi-story apartment building will be constructed. See BAR CoA #'s 22-09-03 and 24-10-01 for reference.]

## **Discussion**

From the Structural Condition Assessment submitted by the applicant, the house was determined to be in an adequate condition, with repairs recommended (excerpt below). No value is assigned to the proposed repairs.

While the structure overall is considered adequate, we recommend the following repairs should be considered.

- Patch all holes in the soffit and repair areas of rot and insect damage.
- Replace rotted fascia where necessary.
- Reinstall loose bricks in deteriorated piers.
- Replace all inadequately supported posts with new footings extending below frost depth (minimum 18”).
- Permanently patch holes in bathroom floors.

See staff’s notes (below) under *Criteria for Review and Decision per City Code* and *ADC District Design Guidelines for Considering Demolitions*. In summary, staff suggests application of the review criteria and the design guidelines recommends against approving the requested demolition CoA to raze the structure at 1301 Wertland Street.

Should the BAR deny the requested CoA, staff recommends the motion include the reasons for the decision.

Should the BAR approve the requested CoA, staff recommends a condition requiring that prior to approval of a demolition permit, the structure will be documented thoroughly with photographs and measured drawings according to the Historic American Building Standards, with the documentation submitted for the BAR archives.

Finally, per City Code Chapter 34, Section 5.2.7.E., within 10 business days of the date of the BAR decision, that action can be appealed to City Council.

## **Suggested Motions**

*Approval:* Having considered the standards set forth within the City Code, including the ADC District Design Guidelines, I move to find that the proposed demolition of 1301 Wertland Street satisfies the BAR’s criteria and guidelines and is compatible with this property and other properties in the Downtown ADC District, and that the BAR approves the application *as* application with the following condition:

- Prior to approval of a demolition permit, the structure will be documented thoroughly with photographs and measured drawings according to the Historic American Building Standards, with the documentation submitted for the BAR archives.

*Denial:* Having considered the standards set forth within the City Code, including the ADC District Design Guidelines, I move to find that the proposed demolition of 1301 Wertland Street does not satisfy or the BAR’s criteria and guidelines and is not compatible with this property and other properties in the Downtown ADC District, and for the following reasons the BAR denies the application as submitted: ...

### **Criteria, Standards, and Guidelines**

Note re: BAR authority: Per Code, the BAR is charged only with the authority to approve or deny a design review CoA, following an evaluation applying the criteria under Code Sec. 34-5.2.7. Major Historic Review. The BAR does not evaluate a proposed use. Additionally, per Code Sec. 34-5.2.7.E.2., the issuance of a CoA “cannot, in and of itself, authorize any construction, reconstruction, alteration, repair, demolition, or other improvements or activities requiring a building permit. Where a building permit is required, no activity authorized by a [CoA] is lawful unless conducted in accordance with the required building permit and all applicable building code requirements.”

### **Review Criteria Generally**

Per Chapter 34, Div. 5.2.7. C.2:

- a. In considering a particular application the BAR will approve the application unless it finds:
  - i. That the proposal does not meet specific standards set forth within this Section or applicable provisions of the City’s design guidelines; and
  - ii. The proposal is incompatible with the historic, cultural or architectural character of the district in which the property is located or the IPP that is the subject of the application.
- b. The BAR will approve, approve with conditions, or deny applications for Certificates of Appropriateness in accordance with the provisions of this Section.
- c. The BAR, or City Council on appeal, may require conditions of approval as are necessary or desirable to ensure that any new construction or addition is compatible with the scale and character of the Architecture Design Control District, Individually Protected Property, or Historic Conservation District. Prior to attaching conditions to an approval, due consideration will be given to the cost of compliance with the proposed conditions as well as the goals of the Comprehensive Plan. Conditions may require a reduction in height or massing, consistent with the City’s design guidelines and subject to the following limitations: [not germane]
- d. Demolition: The BAR, or City Council on appeal, may make such requirements for, and conditions of approval as are necessary or desirable to protect the safety of adjacent buildings, structures, or properties, and of any persons thereon; and, in case of a partial removal, encapsulation or demolition:
  - i. To protect the structural integrity of the portions of a building or structure which are to remain following the activity that is the subject of a building permit; or
  - ii. To protect historic or architecturally significant features on the portions of a building or structure which are to remain following the activity that is the subject of a building permit.

### **Criteria for Review and Decision per City Code**

Chapter 34, Div. 5.2.7. D.1.b.

Review is limited to following factors in determining whether or not to permit the moving, removing, encapsulation or demolition, in whole or in part, of a contributing structure or IPP:

- i. The historic, architectural, or cultural significance, if any, of the specific structure or property, including, without limitation:
  - a) The age of the structure or property;
    - Staff Note: Recent research by Rivanna Archeological Services determined the two-story, brick house was constructed in 1843.

b) Whether it has been designated a National Historic Landmark, listed on the National Register of Historic Places, or listed on the Virginia Landmarks Register;

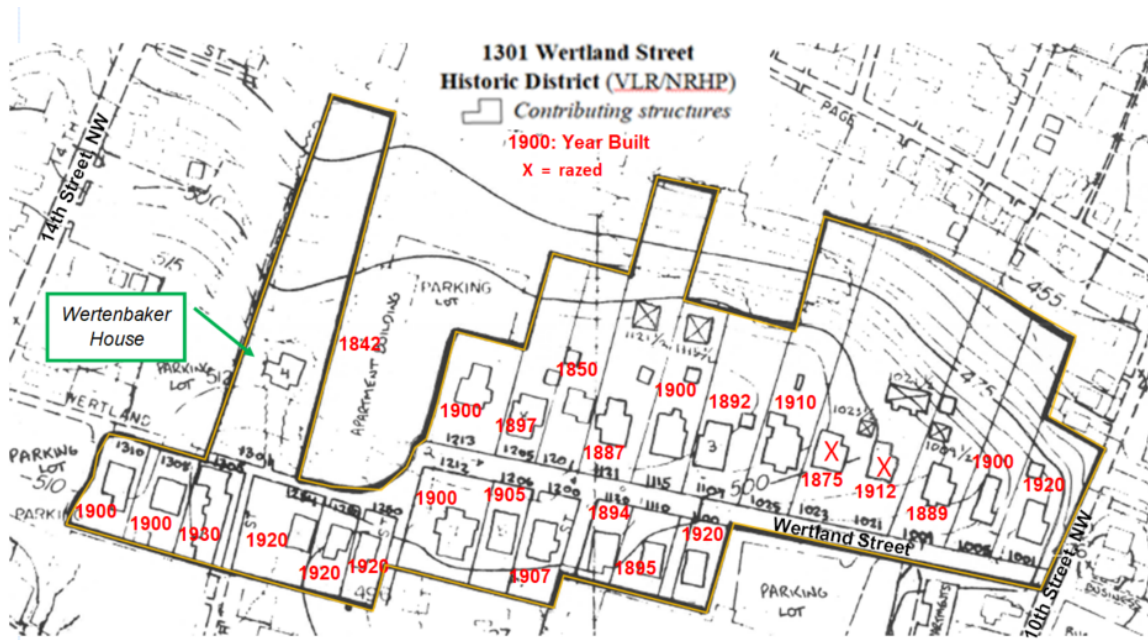
- Staff Note: The Wertenbaker House (VDHR #104-0136-0023 and #104-0047) is a contributing structure in the VLR/NRHP-listed *Wertland Street Historic District* (VDHR #104-136). [www.dhr.virginia.gov/historic-registers/104-0136/](http://www.dhr.virginia.gov/historic-registers/104-0136/)

From the NRHP listing:

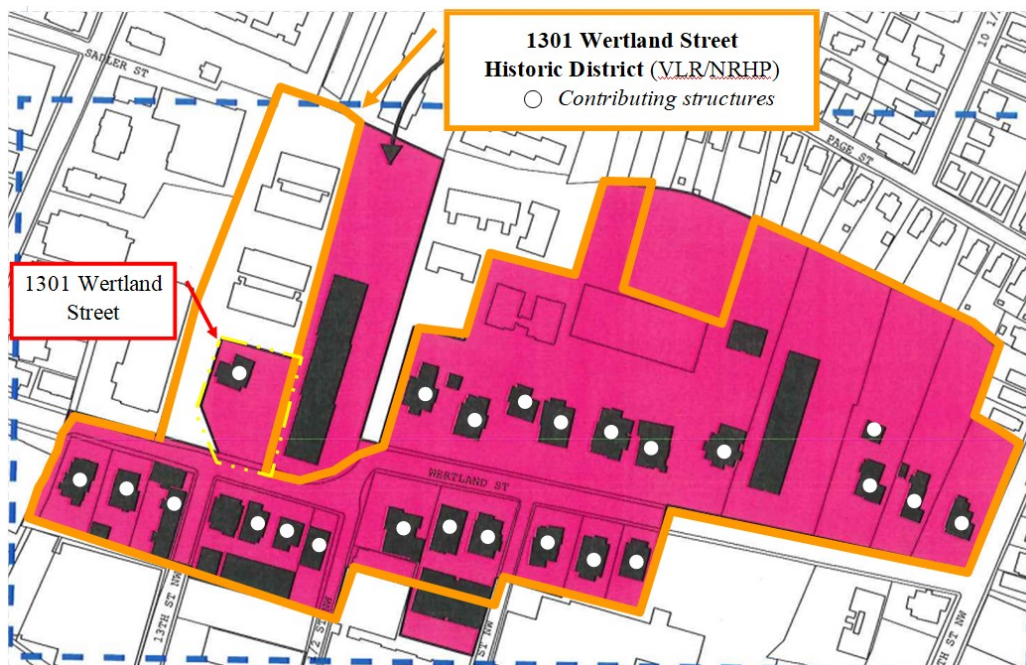
1301 Wertland Street (Wertenbaker House): brick (random bond); 2 story with high basement: standing seam metal gable roof: 3 bay: 3 bay one story front porch: one bay second story porch; central bay entrance; six-over-six double hung sash windows; front door with side lights and transom; doors and windows with architrave frames; 2 interior chimneys; 2 story rear addition. Ca 1830. Federal style. Built by William Wertenbaker, chosen by Thomas Jefferson as librarian for the University of Virginia.

The Wertland Street Historic District is significant because of its historic and architectural associations with both Charlottesville and the University of Virginia. Beginning with the 1830 construction of the Wertenbaker House, home of the University's second librarian, through current times as a residential area for faculty and students, the development of Wertland Street has closely paralleled the growth of the University. Containing the most undisturbed and cohesive collection of Victorian vernacular design houses left in Charlottesville, the district has remained relatively unchanged for seventy years, avoiding the forces of change that have altered the area surrounding it and many of the other neighborhoods surrounding the University of Virginia. While the recently listed Rugby Road-University Corner Historic District includes many significant buildings that reflect the history of the University over more than a 100 year period, nowhere else in Charlottesville is the history and architecture of turn-of-the-century Charlottesville as well preserved and self-contained as in the Wertland Street Historic District.

- Additionally:
  - In 1974, the Charlottesville Landmark Commission identified the Wertenbaker House as one of the City's historically and architecturally significant structures.
  - In 1984, the Wertland Street Historic District was listed on the Virginia Landmarks Register. In 1985, the district was listed on the National Register of Historic Places. (For both, 1301 Wertland Street is listed as a contributing resource.)
  - In 1999, City Council established by ordinance the Wertland Street ADC District. (1301 Wertland Street was designated a contributing structure.)



**Note:** The local district's *contributing structures* are designated (shaded) on the City map. Note that the ADC District boundary and the *contributing structures* do not coincide with the NRHP designations.



- c) Whether, and to what extent, the building or structure is associated with an historic person, architect or master craftsman, or with an historic event;
  - Staff Note: The house was constructed in 1843 by and served as the residence of William Wertebaker (1797-1882) and his family. In 1826, Wertebaker was



chosen by [Thomas] Jefferson as the second Librarian of the University of Virginia, serving until 1880.

- d) Whether the building or structure, or any of its features, represent an infrequent or the first or last remaining example within the City of a particular architectural style or feature;
  - Staff Note: Within the City, the Wertenbaker House is one of approximately 20 extant buildings constructed prior to 1850. The house is significant due to its association with the early University, and it is the oldest structure within the Wertland Street Historic District. (When the VLR/NRHP district was established, 25 primary structures dating from 1843 to 1930 were identified as *contributing*; of these, 23 remain. (Razed: 1023 Wertland, built 1875, and 1021 Wertland, built 1912).
- e) Whether the building or structure is of such old or distinctive design, texture, or material that it could not be reproduced, or could be reproduced only with great difficulty; and
  - Staff Note: 1301 Wertland Street could be reproduced, physically; however, an accurate reproduction would require period materials and construction methods.
- f) The degree to which distinguishing characteristics, qualities, features, or materials remain;
  - Staff Note: The house was constructed (18143) in a Federal/Greek Revival style. In the late-19<sup>th</sup> century, it was remodeled in a Victorian style, with the addition of the front porch and the ornate cornice. Aside from extensive repairs and the encroachment of nearby development—in 1886 the property was 6.25 acres lot; today it is a 0.4-acre parcel—the house generally retains its original and late-19<sup>th</sup> century appearance. In the 1980s the house required significant repairs, with the necessary rehabilitation partially funded by state/federal Rehabilitation Tax Credits administered by the Virginia Department of Historic Resources. From the VDHR documents: The roof was replaced. The cornice, front porch, and windows were in *fair to poor condition*, requiring repair and replacement. The exterior masonry was in *fair to good condition*, requiring cleaning and repointing.
- ii. Whether, and to what extent, a contributing structure is linked, historically or aesthetically, to other buildings or structures within an existing applicable District, or is one of a group of properties within such a district whose concentration or continuity possesses greater significance than many of its component buildings and structures.
  - Staff Note: 1301 Wertland Street is individually unique in its architecture and its association with the early history of the University of Virginia. It is additionally significant as part of a cohesive district of 19<sup>th</sup> century dwellings associated with the University.

- iii. The overall condition and structural integrity of the building or structure, as indicated by studies prepared by a qualified professional engineer and provided by the applicant, or other information provided to the BAR;
  - o Staff Note: The applicant has submitted a structural report prepared by Dunbar, dated April 28, 2025.
- iv. Whether, and to what extent, the applicant proposes means, methods or plans for moving, removing, or demolishing the structure or property that preserves portions, features, or materials that are significant to the property's historic, architectural, or cultural value; and
  - o Staff Note: The applicant intends to raze the building, entirely.
- v. Any applicable provisions of the City's design guidelines.
  - o Staff Note: See below, under *ADC District Design Guidelines for Considering Demolitions*.

### **ADC District Design Guidelines for Considering Demolitions**

Link to guidelines: [Chapter 7 Demolition and Moving](#)

#### **A. Introduction**

Historic buildings are irreplaceable community assets; and once they are gone, they are gone forever. With each successive demolition or removal, the integrity of a historic district is further eroded. Therefore, the demolition or moving of any contributing building in a historic district should be considered carefully.

Charlottesville's Zoning Ordinance contains provisions that require the property owner to obtain approval prior to demolishing a contributing property in a historic district or an Individually Protected Property (IPP).

The following review criteria should be used for IPP's and (contributing) buildings that are proposed for demolition or relocation.

Plans to demolish or remove a protected property must be approved by the BAR or, on appeal, by the City Council after consultation with the BAR. Upon receipt of an application for demolition or removal of a structure, the BAR has 45 days to either approve or deny the request. If the request is denied and the owner appeals to the City Council, the Council can either approve or deny the request. If Council denies the request, the owner may appeal to the City Circuit Court.

In addition to the right to appeal to City Council or the Circuit Court, there is a process that enables the owner to demolish the building or structure if certain conditions have been met. After the owner has appealed to City Council and has been denied, the owner may choose to make a bona fide offer to sell the building or structure and land.

The property must be offered at a price reasonably related to the fair market value of the structure and land and must be made to the city or to any person or firm or agency that gives reasonable assurance that it is willing to preserve and restore the property. City Council must first confirm that the offering price is reasonably related to the fair market value.

The time during which the offer to sell must remain open varies according to the price, as set out in the State Code and the Zoning Ordinance.

If such a bona fide offer to sell is not accepted within the designated time period, the owner may renew the demolition request to City Council and will be entitled [to a CoA that permits demolition].

## B. Demolition of Historic Structures

### Review Criteria for Demolition

1) The standards established by the City Code, Section 34-278 [now Chapter 34, Div. 5.2.7. D.1.b.]

- Staff Note: See above under *Criteria for Review and Decision per City Code*.

2) The public necessity of the proposed demolition.

- Staff Note: There is no public necessity.

3) The public purpose or interest in land or buildings to be protected.

- Staff Note: Per City Code, the establishment of historic districts and through the designation of individually significant properties is intended to *preserve and protect buildings, structures and properties which serve as important visible reminders of the historic, cultural, and architectural or archaeological heritage of the City, the Commonwealth of Virginia, or this nation.* (Chapter 34, Sec. 2.9.2.A.)

4) The existing character of the setting of the structure or area and its surroundings.

- Staff Note: Of the 25 primary structures listed as contributing to the VLR/NRHP historic district, 23 remain.

5) Whether or not a relocation of the structure would be a practical and preferable alternative to demolition.

- Staff Note: Staff is not qualified to comment on the practicability of moving this structure.

6) Whether or not the proposed demolition would affect adversely or positively other historic buildings or the character of the historic district.

- Staff Note: The historic character of a district is the sum of its parts. The incremental loss of historic resources erodes that character.

7) Whether or not there has been a professional economic and structural feasibility study for rehabilitating or reusing the structure and whether or not its findings support the proposed demolition.

- Staff Note: The April 28, 2025 report from Dunbar concluded “the structure overall is considered adequate, we recommend [listed repairs] should be considered.”



### Guidelines for Demolition

- 1) Demolish a historic structure only after all preferable alternatives have been exhausted.
- 2) Document the building thoroughly through photographs and, for especially significant buildings, measured drawings according to Historic American Buildings Survey (HABS) Standards. This information should be retained by the City of Charlottesville Department of Neighborhood Development Services and the Virginia Department of Historic Resources.
- 3) If the site is to remain vacant for any length of time, maintain the empty lot in a manner consistent with other open spaces in the districts.

### **APPENDIX**

Prior BAR Reviews: Related to proposed apartment building at east side of historic house.

February 15, 2022: BAR held a preliminary discussion for this project.

Meeting video (01:22:00): [BAR Meeting Feb 15 2022](#)

Submittal: [1301 Wertland St - BAR Submittal February 2022](#)

March 15, 2022: BAR held a preliminary discussion for proposed multi-story building.

Meeting video (00:08:46): [BAR Meeting March 15 2022](#)

Submittal: [1301 Wertland St - BAR Submittal March 2022](#)

September 20, 2022: BAR discussion of proposed multi-story building; accepted applicant's request for deferral.

Meeting video (01:22:00): [BAR Meeting Sept 20 2022](#)

Submittal: [1301 Wertland St - BAR Submittal September 2022](#)

October 18, 2022: BAR discussion of proposed multi-story building; accepted applicant's request for deferral.

Meeting video (0:55:00): [BAR Meeting October 18 2022](#)

Submittal: [1301 Wertland St - BAR Submittal October 2022](#)

January 18, 2023: #22-09-03. BAR approved CoA (7-0) for the proposed multi-story building and related alterations to the existing house and property, see motion below.

- Meeting Video: (55:54): [BAR Meeting January 18, 2023](#)
- Submittal: [1301 Wertland St - BAR Submittal January 2023](#)
- Motion to approve: Having considered the standards set forth within the City Code, including the ADC District Design Guidelines, I move to find the proposed new building at, and related alterations to, 1301 Wertland Street satisfy the BAR's criteria and are compatible with this property and other properties in the Wertland Street ADC District, and that the BAR approves the application with the following conditions [as amended by the Chair, with references to the BAR's discussion]:
  - [Complete] a Phase I archeological investigation of the site.
  - [Per staff 's proposed language.] Protect the existing structure by consulting with an engineer to develop a preservation and protection plan for the Wertenbaker House and submit the preservation plan for the BAR record.
  - [Per staff 's proposed language.] Lighting will be dimmable, have a Color Temperature not exceeding 3,000K, and a Color Rendering Index not less than 80, preferably not less than

90. And should there be concerns expressed later related to glare, the owner will work with NDS to find a reasonable solution.

- Landscaping:
  - Final location of plantings be adapted to better frame and ensure visibility of the Wertenbaker House from Wertland Street, which may include the moving or removal of serviceberries;
  - include landscape species selection incorporate a large-scale canopy tree where possible as close to Wertland [Street] as possible;
  - the sweetgum variety replaced with a seedless variety, a an approve tree from the City Tree list, or an appropriate native tree of similar scale;
  - [revised landscape plan will be revised and submitted for BAR record].
- Roof top equipment be screened by a method in accordance with BAR guidelines.

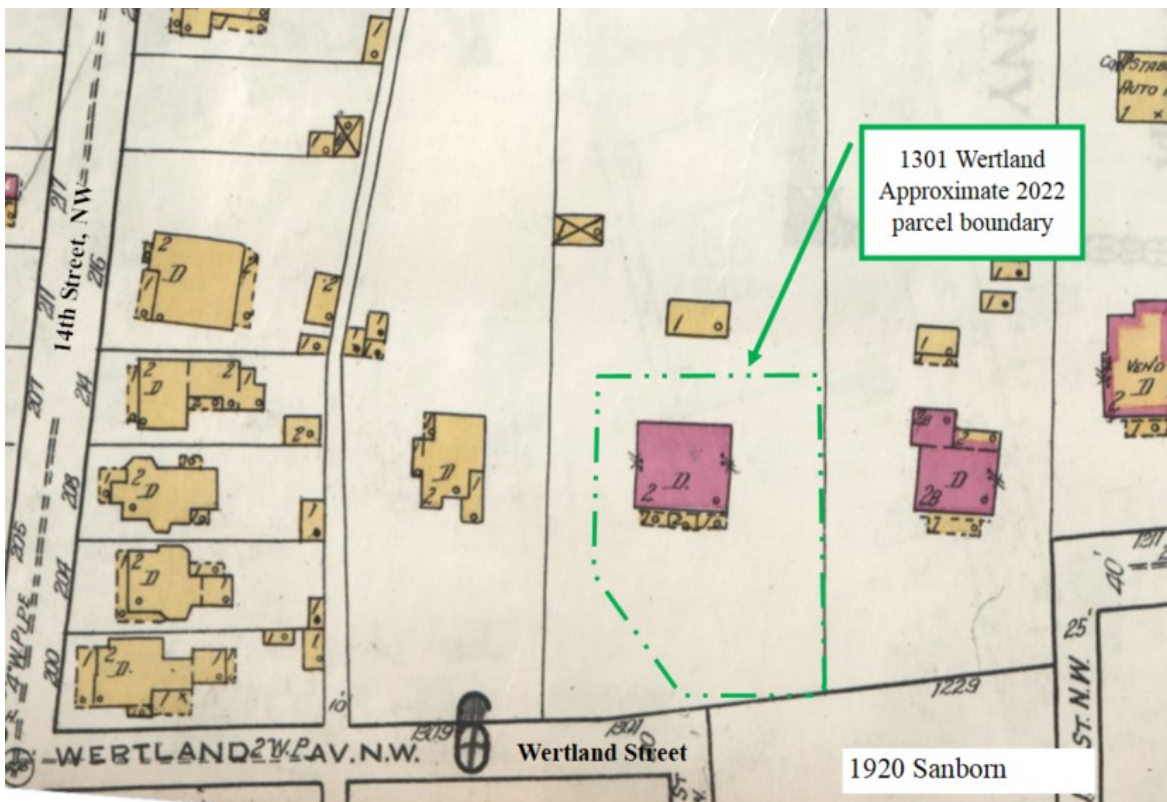
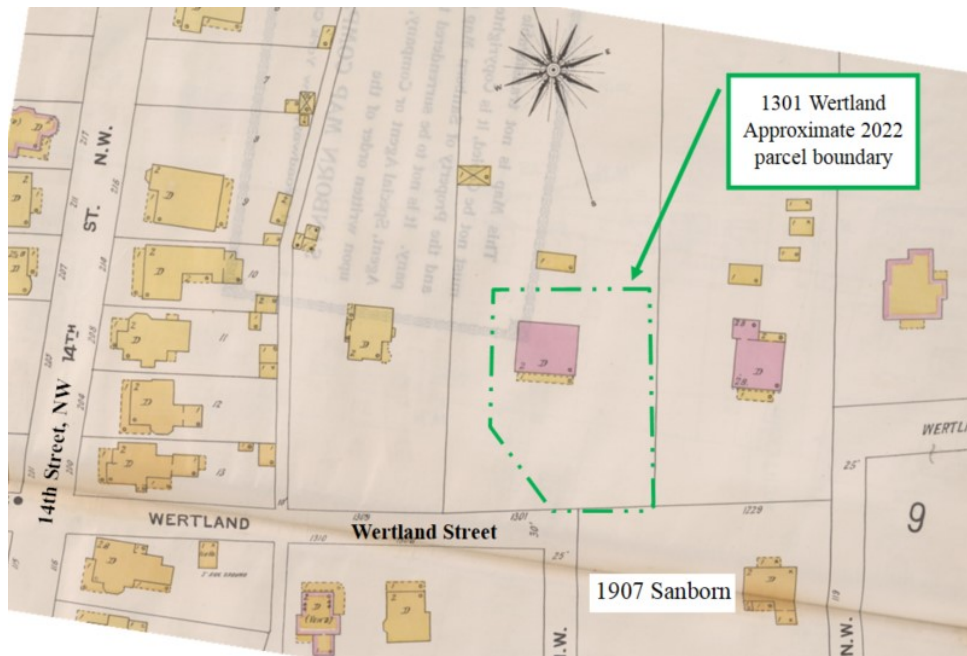
October 15, 2024 – BAR approved (8-0) CoA for modifications to the previous CoA (#22-09-03) related to alternative materials. (Conditions of prior CoA were unchanged.)

- Meeting Video: [BAR Meeting October 15 2024](#)
- Submittal: [1301 Wertland St - BAR Submittal Oct 2024](#)
- Motion to approve: Having considered the standards set forth within the City Code, including the ADC District Design Guidelines, I move to find the proposed modifications to the approved design (ref CoA #22-09-03) for new construction at 1301 Wertland Street satisfy the BAR's criteria and are compatible with this property and other properties in the Wertland Street ADC District, and that the BAR approves the application as submitted.

### Misc. maps and information

City GIS







Wm. Wertenbaker Property  
 Approx. parcel lines, based on historical survey notes





c1920 Hollsinger photos

