



CHRS News Release

October 26, 2012

City Takes Stand Against Demolition By Neglect Preservation Victory on Capitol Hill

Preservationists are applauding a District of Columbia decision to save a 104-year old carriage house near Lincoln Park which had been neglected by the owners for many years. On October 22, 2012, the DC Historic Preservation Office (HPO) released a Mayor's Agent Decision to deny a permit to demolish a contributing alley structure at 1310 East Capitol Street, NE. This affirmed 2010 and 2011 decisions on the matter by the City's Historic Preservation Review Board (HPRB).

The decision is a big preservation victory for Capitol Hill, the Capitol Hill Restoration Society (CHRS), the Advisory Neighborhood Commissions, and others who value the historic fabric of our community. Janet Quigley, CHRS President, said, "It's wonderful that the DC Historic Preservation Review Board and Mayor's Agent for Historic Preservation are taking a firm and decisive stand against demolition by neglect. This sends a strong message to property owners in Washington's historic districts that neglect of historic buildings will not be rewarded. "

CHRS, ANC 6A, the North Lincoln Park Neighborhood Association, HPO staff and others opposed the application at the Mayor's Agent hearing in February 2012. CHRS testified that the carriage house conveys significant aspects of local history and that the church's choice to allow the building to deteriorate constituted demolition by neglect, which should not be rewarded by a demolition permit.

The Decision and Order (HPA No. 11-48) states that "The Church has not explored any adaptive reuse or conveyance of the carriage house through sale or lease. Indeed the Church expressed unwillingness to even consider leasing the carriage house." Accordingly, the Mayor's Agent urged the church and local community groups to cooperate together to identify and explore alternatives for restoring the structure, since a "...renovated carriage house could generate additional income for the church through rental of space." In concluding, the Mayor's Agent affirmed that "Our preservation law prohibits unwarranted demolition but seeks constructive solutions."

Background

The decision by the Mayor's Agent for Historic Preservation concerns a carriage house owned by the House of God at 1310 East Capitol Street, NE. The carriage house, in the public alley behind the row house in which the congregation worships, was built around the time the row house was constructed in 1908. The church purchased the property in 1986, by which time the house and carriage house were known to be contributing historic structures in the historic district. The carriage house has greatly deteriorated over the years, during which the church did little to repair it, and during a snowstorm in 2010 the roof collapsed.

In May 2010 the church applied to the city for a permit to demolish the carriage house and install a parking pad in its place. The DC Historic Preservation Review Board (HPRB) unanimously recommended against the application as inconsistent with the purposes of the Historic Landmark and Historic District Protection Act and urged the church to seek other solutions for the carriage house.

Subsequently, DC's Department of Consumer and Regulatory Affairs ordered the church to make the dilapidated carriage house safe through stabilization or removal. In mid-2011 the church reapplied for a demolition permit, and though HPO allowed the church to remove an unsafe north wall, it recommended against approval of the demolition permit for the entire structure, stating that the building still maintained its integrity, conveyed its historic origins as a stable, and contributed to the historic character of the public alley and neighborhood. Again, in October 2011, HPRB unanimously recommended denying the demolition permit, and the church appealed the decision, claiming that stabilizing the structure would be an unreasonable economic hardship.

In February 2012 the application was heard before the Mayor's Agent for Historic Preservation, with the pastor of the church testifying that stabilizing the carriage house was too economically burdensome for the small congregation. CHRS was among several neighborhood groups who appeared at the hearing to oppose the application, testifying that the carriage house conveys significant aspects of local history and that the church's choice to allow the building to deteriorate constituted demolition by neglect, which should not be rewarded by a demolition permit. CHRS and others – including ANC 6A, North Lincoln Park Neighborhood Association, HPO staff, and a neighbor who values the alley's historic character – testified that granting the permit after decades of neglect by the church would set a bad precedent for other property owners in the Capitol Hill Historic District and in other historic districts in the city.

In brief, the church argued only for a finding of unreasonable economic hardship, and DC law limits such a finding to circumstances where “failure to issue a permit would amount to a taking of the owner's property without just compensation.” The Mayor's Agent found that “The evidence does not establish that the Church could not afford to stabilize the carriage house walls” and that such an effort “...hardly imposes costs amounting to a taking.”

The Mayor's Agent also found that the church "...purchased a building complex already under historic district protection and allowed the carriage house to deteriorate to the point where significant stabilization expenditures are required for safety. The record supports a finding that the increased costs for stabilization or rehabilitation are attributable to the Church's failure to maintain the building. Granting a demolition permit under these circumstances would reward poor stewardship and provide an incentive to others to do likewise."

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