



VII. GUIDELINES FOR DEMOLITION AND MOVING





A. Introduction

Historic buildings are irreplaceable community assets. Once they are gone, they are gone forever. With each successive demolition, the integrity of the district is further eroded. Because of Olde Towne's dense layout, the loss of even one building creates a noticeable gap in the historic fabric of the neighborhood. Therefore, the demolition or moving of any historic house in the Olde Towne Historic District should be considered very carefully before approval is given.

Section 40-22 of Portsmouth's Zoning Ordinance defines demolition as the *"dismantling or tearing down of all or part of any building and all operations incidental thereto."* The Historic Preservation Commission will consider most applications for Certificates of Appropriateness for partial demolition as exterior alterations rather than demolition.



As with many cities across the country, Portsmouth witnessed the destruction of historic resources during urban renewal in the 1950s.



B. Demolition

A property owner has a right to appeal any decision of the Historic Preservation Commission (HPC) to City Council and then to the Circuit Court if there are grounds that an error was made in the findings of the HPC. In addition, the Zoning Ordinance allows demolition if the owner has offered the building for sale at a reasonable price related to its fair market value and has waited the required period based on that value as stipulated in the *Code of Virginia, Subsection (7)(a)(v)*.

The criteria listed below will be used by the Historic Preservation Commission in evaluating the appropriateness of requests for demolition of historic structures, sites, and objects.

1. Zoning Ordinance Criteria

Section 40-54.3.5 of the City of Portsmouth Zoning Ordinance establishes the Demolition Criteria for structures within the city's historic districts. A decision by the Commission approving or denying a Certificate of Appropriateness for the demolition of historic structures, sites, or objects shall be guided by:

- i. The historic, scenic, cultural, aesthetic or architectural significance of the building, structure, site, or object.

- ii. The importance of the historic structure, site, or object to the ambiance of a district.
- iii. The difficulty or the impossibility of reproducing such a building, structure, site, or object because of its design, texture, material, detail, or unique location.
- iv. Whether the historic structure, site, or object is one of the last remaining examples of its kind in the neighborhood or the city.
- v. Whether there are definite plans for reuse of the property if the proposed demolition is carried out, and what the effect of those plans on the character of the surrounding area would be.
- vi. Whether reasonable measures can be taken to save the historic structure, site, or object from collapse.
- vii. Whether the historic structure, site, or object is capable of earning reasonable economic return on its value.

2. Other Criteria

These additional criteria may be used by the HPC when considering an application for demolition.

- a. The condition of the structure and its probable life expectancy.
- b. Whether or not the proposed demolition could potentially affect adversely other historic buildings or the character of the historic district.
- c. The reason for demolishing the structure and whether or not alternatives exist.
- d. Whether or not relocation of the structure would be a practical and preferable alternative to demolition.
- e. The public necessity of the proposed demolition.
- f. The public purpose or interest in the land or building(s) to be protected.



An application for demolition will be approved if the preservation of a structure, site, or object is found to be either physically or economically unfeasible. If preservation is found to be physically and economically feasible, then the Historic Preservation Commission is authorized under the Zoning Ordinance (Section 40-52.1) to act or promote either public or private action to preserve the structure, site or object on its original site or through relocation.

✓ Guidelines

- 1 Demolish a historic structure only after all preferable alternatives have been exhausted.
- 2 Document the building thoroughly through photographs and measured drawings. File this information with the City of Portsmouth Planning Department and the Virginia Department of Historic Resources.
- 3 Maintain the empty lot appropriately so that it is free of hazards and trash and is well-tended if the site is to remain vacant for any length of time.

C. Moving

The moving of any building from its original site should be avoided if at all possible. Once a building has been moved from its original site, it loses its association with the site, and thus loses its place in time. Olde Towne is a unique neighborhood, with a variety of architectural styles that represent the long history of development in the city.

Moving a building should be considered only after it is determined that, should it remain at its original site, it would meet sure demolition. All other avenues should be explored if the purpose is the preservation of the structure. If there is no other option to save a building from demolition, careful plans should be undertaken to find a suitable site for the structure.

The first choice for relocation should be a vacant site in the historic district. Such a site will allow the building to continue to contribute to the character of the neighborhood and ensure compatibility with existing structures. If the building must be moved outside of the historic district, a suitable site should be chosen after consulting *Chapter VI: Guidelines for New Construction*.

Since the relocation of a historic structure is a rare occurrence in a historic district, the following *Zoning Ordinance Criteria* and *Other Criteria* may serve as a guide for both the property owner and the HPC in a discussion of the relocation request.

1. Zoning Ordinance Criteria

Section 40-54.3.4 of the City of Portsmouth Zoning Ordinance establishes the Relocation Criteria for structures within the city's historic districts. A decision by the Commission approving or denying a Certificate of Appropriateness for the relocation of a historic structure, or object shall, be guided by:

- i. The historic, scenic, cultural, aesthetic or architectural significance of the building, structure, site, or object.
- ii. The importance of the historic structure, site, or object to the ambiance of a district.
- iii. Whether there are definite plans for the property to be vacated and what the effect of those plans on the character of the surrounding area will be.



C. Moving *continued*

- iv. Whether the historic structure or object can be moved without significant damage to its physical integrity.
- v. Whether the proposed relocation area is compatible with the scenic, cultural, aesthetic, historical, and architectural character of the building, structure, site, or object.

2. Other Criteria

These additional criteria may be used by the HPC when considering an application for demolition.

- a. The public necessity of the proposed move.
- b. The public purpose or interest in the land or building(s) to be protected.
- c. The effect of the vacant lot on the continuity of the district and its character.
- d. The condition of the structure and its probable life expectancy.
- e. The view of the structure from a public street.
- f. Whether relocation the only practical means of saving the structure from demolition.

✓ Guidelines

- 1 Move buildings only after all alternatives to retention have been examined.
- 2 Seek guidance from the Department of Planning for information about moving buildings and documenting the building on its original site before undertaking the move.
- 3 Contact the Virginia Department of Historic Resources for assistance prior to moving the building if there is a desire for it and the district to remain listed on the Virginia Landmarks Register and the National Register of Historic Places.
- 4 Photograph the building and the site thoroughly and also measure the building if the move will require substantial reconstruction.
- 5 Assess the building's structural condition in order to minimize any damage that might occur during the move.
- 6 Select a contractor who has experience in moving buildings and check references with other building owners who have used this contractor.
- 7 Secure the building from vandalism and potential weather damage before and after its move.
- 8 Improve the empty lot in a manner consistent with other open space in the historic district if the site is to remain vacant for any length of time.