



COMMONWEALTH of VIRGINIA

Department of Historic Resources

Travis A. Voyles
Acting Secretary of Natural and
Historic Resources

2801 Kensington Avenue, Richmond, Virginia 23221

Julie V. Langan
Director

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www.dhr.virginia.gov

January 23, 2023

Re: Seatack Historic District, City of Virginia Beach

Dear Property Owner:

The Department of Historic Resources (DHR), Virginia's historic preservation office, is considering nomination of the above-referenced Historic District (**boundary enclosed**) to the National Register of Historic Places and the Virginia Landmarks Register. The national and state registers are the official lists of places in Virginia recognized as having architectural, archaeological, or historical significance at the local, state, or national level. Over 500 other districts in the Commonwealth share this honorary status which, used as an educational tool, allow us to better understand our shared history.

The Virginia Landmarks Register and the National Register of Historic Places programs are designed to provide multiple opportunities for public participation, including the right of private property owners to state their support for, or objection to, listing in the registers. On **Monday, February 13, 2023**, staff of DHR will host a **public information hearing** beginning at **6:30 p.m. in the Law Enforcement Training Academy (LETA)** located at **411 Integrity Way, Virginia Beach, VA 23451**. The purpose of the meeting is to present and explain the nomination process and results of historic district designation, to hear public comment, and to answer questions. DHR will forward the comments to the State Review Board, the Board of Historic Resources, and the agency director.

At a meeting to be held on **Thursday, March 16, 2023**, starting at **10:00 a.m. in the Garden Hall at Maymont** located at **1700 Hampton Street, Richmond VA 23220 (map enclosed)**, the Boards will consider the district for recommendation to the National Register of Historic Places and for inclusion in the Virginia Landmarks Register. You are welcome to attend this meeting, but are not required to do so. Results of the joint Board meeting will appear on our website, www.dhr.virginia.gov, within ten business days following the meeting.

Enclosed is additional information explaining the register programs and the process by which owners of private property within the proposed historic district may express support for, comment on, or object to listing in the registers. Please be aware that for an objection to a nomination, you must submit to us a written letter that is attested and notarized by a notary public at least 7 business days prior to the joint Board meeting date listed above, in order for your objection to be considered with the nomination at this meeting.

If you have questions or need additional information before the joint Board meeting, please contact Ms. Joanna McKnight at Joanna.mcknight@dhr.virginia.gov 804-482-6093.

Sincerely,

Amanda S. Terrell
Director, Community Services Division

Enclosures

Western Region Office
962 Kime Lane
Salem, VA 24153
Tel: (540) 387-5443
Fax: (540) 387-5446

Northern Region Office
5357 Main Street
PO Box 519
Stephens City, VA 22655
Tel: (540) 868-7029
Fax: (540) 868-7033

Eastern Region Office
2801 Kensington Avenue
Richmond, VA 23221
Tel: (804) 367-2323
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Department of Historic Resources (DHR), 2801 Kensington Avenue, Richmond, Virginia 23221

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Rights of Private Property Owners to Comment and/or Object to a Nomination for Listing in the Virginia Landmarks Register and/or the National Register of Historic Places

The Department of Historic Resources (DHR) is Virginia's State Historic Preservation Office (SHPO). DHR administers the Virginia Landmarks Register on behalf of the Commonwealth of Virginia and, as the SHPO, administers Virginia's participation in the National Register of Historic Places, which is managed by the National Park Service. DHR is your primary point of contact for all matters related to the Virginia Landmarks Register (VLR) and the National Register of Historic Places (NRHP).

Supporting and/or Commenting on a Nomination

A private property owner who supports a nomination for listing in either or both the VLR and the NRHP is invited to send a letter of support but is not required to do so in order for the nomination to proceed. Private property owners also are welcome to comment on a nomination even if they do not seek to go on record with either a vote of support for or an objection to a nomination. Copies of letters of support and/or comment are provided to the State Review Board (SRB) and the Board of Historic Resources (BHR) for review, along with the nomination to which they refer, and are included with the nomination if the SRB has recommended it to proceed to the NRHP.

Objecting to a Nomination

A private property owner has the right to object to listing in the VLR or the NRHP, or object to listing in both registers. For a private property that is being individually nominated, each owner or partial owner of the property may object to listing regardless of the portion of the property that party owns. For a historic district that is being nominated, each owner of private property in the district is counted as one individual regardless of how many properties that party owns, and regardless of whether the properties contribute to the significance of the district.

The private property owner's objection to listing must be provided to DHR in writing a minimum of 7 business days prior to the Board meeting. When objecting to listing in the VLR, any owner or partial owner of private property shall submit to DHR a written statement of objection that has been attested and notarized by a notary public, that references the subject property by address and/or parcel number, and that certifies that the party is the sole or partial owner of the private property, as appropriate. Only upon such submission shall such objecting owner be counted by DHR in determining whether a majority of private property owners has objected to a nomination of a property to the VLR.

When objecting to listing in the NRHP, the objecting private property owner must provide their objection in writing and include the same content as specified in the paragraph above; however, objection letters concerning NRHP listing, are not required to be notarized. In accordance with Section 1746 of Title 28 of the U.S. Code, a written objection should state "I declare (or certify, verify, or state) under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on (date). (Signature)".

A property owner may submit a single written objection to listing in both the VLR and NRHP, but in order for the objection to be applied to the VLR listing, the letter must be notarized.

For an individually nominated private property or a historic district nomination, if a **majority** of the private property's owners object according to the process described above, the nomination will not proceed. In both types of cases, as the SHPO, DHR shall submit the nomination to the National Park Service's Keeper for a Determination of Eligibility of the property for the NRHP. If the property is then determined eligible, although not formally listed, Federal agencies will be required to allow for the Advisory Council on Historic Preservation to have an opportunity to comment before the agency may fund, license, or assist a project which will affect the property.

Letters of objection must be addressed to the State Historic Preservation Officer at the Department of Historic Resources, 2801 Kensington Avenue, Richmond, Virginia 23221.

Letters of objection received a minimum of 7 business days prior to the Board meeting will be copied to the members of the SRB and BHR for review, along with the nomination to which they refer. If, at the Board meeting, the nomination is approved to proceed to the NRHP, all letters of objection will be forwarded to the National Park Service to consider with their review of the nomination, along with any letters of support or comment that DHR has received. Letters of objection to listing in the NRHP may be submitted to DHR even after the Board meeting at which the nomination is approved. DHR will forward any letters of objection to the National Park Service. The National Park Service continues to accept letters of objection up to the date of listing in the NRHP. The National Park Service typically concludes review and approval of a nomination within approximately 55 days of receipt of the nomination from DHR.

Seatack Historic District, City of Virginia Beach, DHR No. 134-0969

The Seatack Historic District is a residential and commercial neighborhood in northern Virginia Beach, approximately 1.3 miles west of the Atlantic Ocean and approximately a half-mile northeast of the Oceana Naval Air Station. This is a discontinuous district due to the construction of the Virginia Beach-Norfolk Expressway (Interstate 264) which opened in 1967 and divided the neighborhood. The majority of the district is located south of I-264, while a portion is located on the north side of the expressway and includes four contributing residential buildings and one contributing cemetery. The district is largely defined by the north-south main arterial Birdneck Road, with local roads extending out on both east and west sides. The district is bound largely by modern development and infill that has encroached on the historic neighborhood. The boundary of the district specifically excludes the surrounding non-contributing buildings as much as possible. The district is also bound by marsh land to the west and Old Virginia Beach Road to the north, and ends at Beautiful Street and Hughes Avenue to the south, with a few contributing resources situated beyond along South Birdneck Road.

Most of the residential buildings constructed are modest vernacular dwellings of no discernable style, with other popular residential styles including Minimal Traditional, Craftsman, Ranch, and Colonial Revival. There are also singular examples of Tudor Revival and a religious building in the Gothic Revival style. Only one contributing Commercial Style building remains along Birdneck Road, which is associated with automobile architecture. Overall, the district consists of 114 contributing resources and of these, 18 are secondary resources like historic garages and permanent sheds. The district has 164 non-contributing resources, of which 76 are secondary resources. Contributing resources convey their historic associations with the district's period and areas of significance.

The community of Seatack represents a rare intact, longstanding African American community. The roots of the Seatack, and a significant African American presence near the oceanfront, date back to at least the nineteenth century and perhaps earlier. The current Seatack community is focused around Birdneck Road, about a mile west of the oceanfront, where the name originally developed. Today, Seatack is a largely residential community with a few commercial, school, cemetery, and church resources. The street pattern and housing development evolved organically as families sold larger parcels and the makeup of the community moved from largely agricultural to mostly working class. The story of this community and its residents is a vital part of the district's significance. As seen through the historic resources and the statements of current and former residents, the community has been maintained by its members. Since the mid-twentieth century, Seatack has faced numerous challenges, including the construction of I-264 at the northern end of the district, a near-constant threat of demolition and building restrictions due to the proximity of Naval Air Station Oceana, as well as encroachment of new residential redevelopment. The residents of Seatack, through family and church connections, have kept the community and physical core of the neighborhood intact. The Seatack Historic District is locally significant under Criterion A in the areas of Ethnic Heritage – African American and Social History with a period of significance beginning with the oldest extant resource in 1908 and continuing until 1969 when large scale apartment complexes on the edge of the district changed the character and type of residential development on the northern and western edges of the community.

Legend

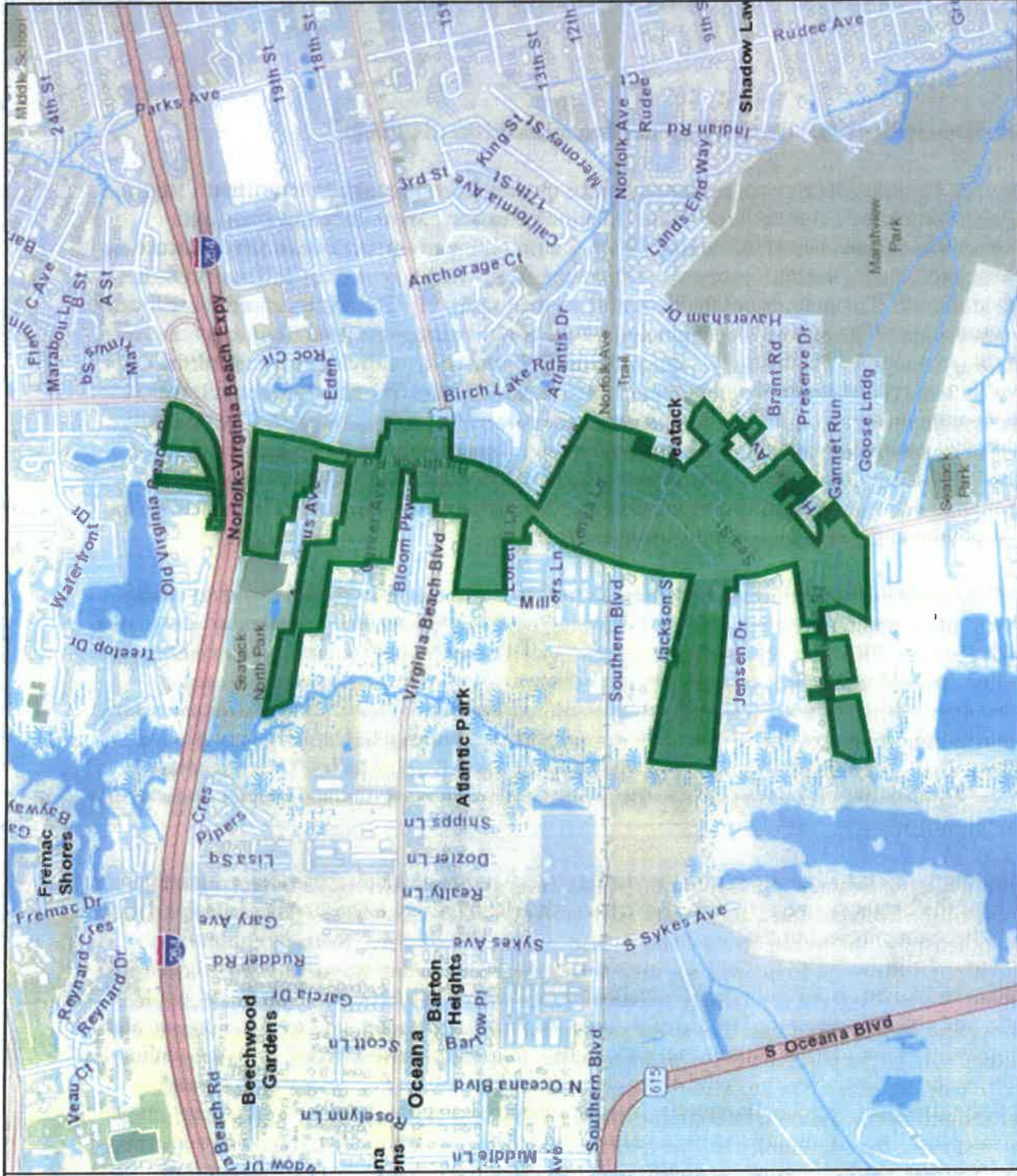
County Boundaries

Seatack Historic District
City of Virginia Beach, VA
DHR No. 134-0969

 Historic Boundary



Feet



Title:

Date: 1/10/2023

DISCLAIMER: Records of the Virginia Department of Historic Resources (DHR) have been gathered over many years from a variety of sources and the representation depicted is a cumulative view of field observations over time and may not reflect current ground conditions. The map is for general information purposes and is not intended for engineering, legal or other site-specific uses. Map may contain errors and is provided "as-is". More information is available in the DHR Archives located at DHR's Richmond office.

Notice if AE sites: Locations of archaeological sites may be sensitive the National Historic Preservation Act (NHPA), and the Archaeological Resources Protection Act (ARPA) and Code of Virginia §2.2-3705.7 (10). Release of precise locations may threaten archaeological sites and historic resources.

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Department of Historic Resources (DHR), 2801 Kensington Avenue, Richmond, Virginia 23221

Key Points about the National and State Register Process for Property Owners

- Listing in the national and state registers is honorary. It recognizes a historic property's importance to its community, the State, and/or the Nation as well as encouraging good stewardship of the historic property.
- National and state register listings do not place restrictions on private property owners. Owners have no obligation to open their properties to the public, to restore them, or even to maintain them to a specific standard, if they choose not to do so.
- Under Federal and State laws, private property owners can do anything they wish with their Register-listed property, provided that no Federal or State license, permit, or funding is involved.
- If a listed property is destroyed or its integrity is greatly altered, it is removed from the registers.
- To ensure public participation in the nomination process, property owners and local officials are notified of proposed nominations to the National Register and Virginia Landmarks Register and are provided the opportunity to comment. In addition, once a nomination is submitted to the National Park Service, another public comment period is published in the *Federal Register*.
- Federal agencies whose projects affect a listed property must give DHR (Virginia's State Historic Preservation Office) an opportunity to comment on the project and its effects on the property. Further details are provided below.
- Federal and State Historic Rehabilitation Tax Credits for rehabilitation and other provisions are available, should a property owner choose to use them. Further details are provided below.
- Owners may also qualify for Federal and State grants for historic preservation when funding is available. Refer to the National Park Service website for Federal grant information (<https://www.nps.gov/orgs/1623/index.htm>). DHR administers several State grant programs (<https://www.dhr.virginia.gov/grants/>).
- Owners of properties that have been determined eligible for or listed in the Virginia Landmarks Register are eligible to consider perpetual legal protection of the property through the donation of a historic preservation easement. For more information, see <https://www.dhr.virginia.gov/easements/>.

National Register of Historic Places (NRHP)

Established under the National Historic Preservation Act of 1966 (NHPA), as amended, the national historic preservation program is a partnership between the Federal, State, Tribal, and local governments; private organizations; and the public. The Act and its provisions establish the framework within which citizens plan, identify, evaluate, register, and protect significant historic and archeological properties throughout the country. Central to this framework is the NRHP--the Nation's official list of historic properties worthy of preservation, administered by the National Park Service (NPS), U.S. Department of the Interior. Properties listed in the NRHP include districts, sites, buildings, structures, and objects that are significant in American history, architecture, archeology, engineering, and culture.

Historic places are nominated to the NRHP by nominating authorities: the State Historic Preservation Officer (SHPO), appointed by the Governor of the State in which the property is located; the Federal Preservation Officer (FPO) for properties under Federal ownership or control; or by the Tribal Historic Preservation Officer (THPO) if the property is on tribal lands. Anyone can prepare a nomination to the NRHP, at which time the SHPO, FPO or THPO reviews the proposed nomination, and notifies property owners and local officials of the intent to nominate. Nominations submitted through the State must first be approved by a State Review Board (SRB) before being reviewed by the NPS. The members of the SRB, who are appointed by the SHPO, use the same criteria as the National Register to evaluate properties and then recommend them to the NPS for listing in the NRHP.

The NRHP continues to reflect the desire of Americans, as expressed in the NHPA, that "the historical and cultural foundation of the nation should be preserved as a living part of our community life and development in order to give a sense of orientation to the American people."

Virginia Landmarks Register (VLR)

In 1966, the Virginia General Assembly established the Virginia Historic Landmarks Commission, now the Department of Historic Resources (DHR). DHR is the State Historic Preservation Office responsible for managing

the VLR, the state's official list of properties important to Virginia's history. The Historic Resources Board (HRB), appointed by the Governor of Virginia, is responsible for listing properties to the VLR. Just as the same evaluation criteria are used for the National and State registers, the same register form is also used for both the VLR and the NRHP. Nearly 2300 historic properties are listed in the VLR. This number does not include the tens of thousands of properties within each listed historic district.

Federal and State Historic Rehabilitation Tax Credits (voluntary program)

The Federal Historic Rehabilitation Tax Credit (HRTC) provides for a 20% Federal tax credit on eligible rehabilitation expenses for comprehensive work done to bring historic commercial, industrial, and rental residential buildings into new or continued use. All work that is completed must meet the Secretary of the Interior's *Standards for Rehabilitation*. This tax credit is governed by the following Federal Regulations: NPS Regulations 36 CFR § 67; Internal Revenue Code Regulations 26 U.S. Code § 47; IRS Regulations 26 CFR § 1.48-12; and Public Law No.: 115-97 (December 22, 2017).

Owners of properties listed in the VLR may be eligible for a 25% HRTC for the certified rehabilitation of income-producing and non-income-producing certified historic buildings such as commercial, industrial, or rental or non-rental residential buildings. Owners who rehabilitate an income-producing building listed in both the National and State registers may use both Federal and State HRTCs. The HRTCs are a voluntary program available if a property owner chooses to use them. Individuals should consult a knowledgeable tax legal/accounting professional and the appropriate local IRS office for assistance in determining the tax consequences of the above provisions. Refer also to the National Park Service website (<https://www.nps.gov/subjects/taxincentives/index.htm>) or to the Historic Rehabilitation Tax Credit Program on DHR's website (<https://www.dhr.virginia.gov/tax-credits/>).

Results of Federal and State Listing

Property owners, historic district sponsoring organizations, and/or local governments may purchase an attractive official plaque noting designation for properties in historic districts and individually listed properties. Owners of recognized historic properties are also eligible for the Virginia Preservation Easement Program, as well as technical assistance from the staff of DHR. Professional architects, architectural historians, and archaeologists are available to provide technical guidance in the care and maintenance of buildings and sites.

Planning for Federal, federally licensed, and federally assisted projects includes consideration of historic properties. Section 106 of the NHPA requires that Federal agencies allow the SHPO an opportunity to comment on all projects affecting historic properties either listed in or determined eligible for listing in the NRHP. The Advisory Council on Historic Preservation (www.achp.gov) oversees and ensures the consideration of historic properties in the Federal planning process. Buildings listed in the VLR may also be considered as part of a state-funded project, such as highway planning. Register listing also requires consideration in issuing a surface coal mining permit. In accordance with the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1201-1328; 91 Stat. 445), there must be consideration of historic values in the decision to issue a surface coal mining permit where coal is located. Staff at DHR are available to provide more information about these requirements.

Local governments may have laws to encourage the preservation of their historic places. Such programs are established at the local level and therefore are entirely separate from the Register process managed by DHR. Some local governments have enacted their own identification procedures; some use listing in the National and State registers as an indicator of historic significance. Local historic preservation programs can provide some protection against the possible harmful effects of State-funded, -licensed, or -assisted projects. Some provide limited financial assistance to owners in the form of grants, loans, or tax benefits. They may establish other protections or reviews for preservation purposes. Your local government's planning department can provide more information.

Websites with Additional Information

www.nps.gov/history - National Park Service's main website for Historic Preservation and History programs
<https://www.nps.gov/subjects/nationalregister/index.htm> - National Register of Historic Places website
<https://ncshpo.org/resources/national-historic-preservation-act-of-1966/> - Provides the full text of the National Historic Preservation Act of 1966

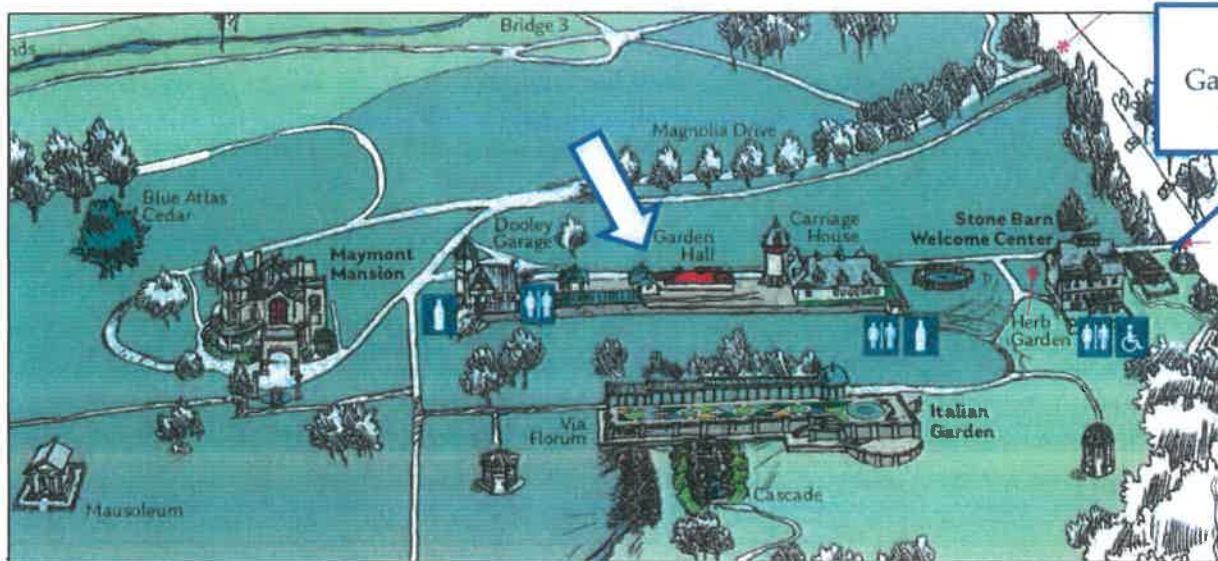
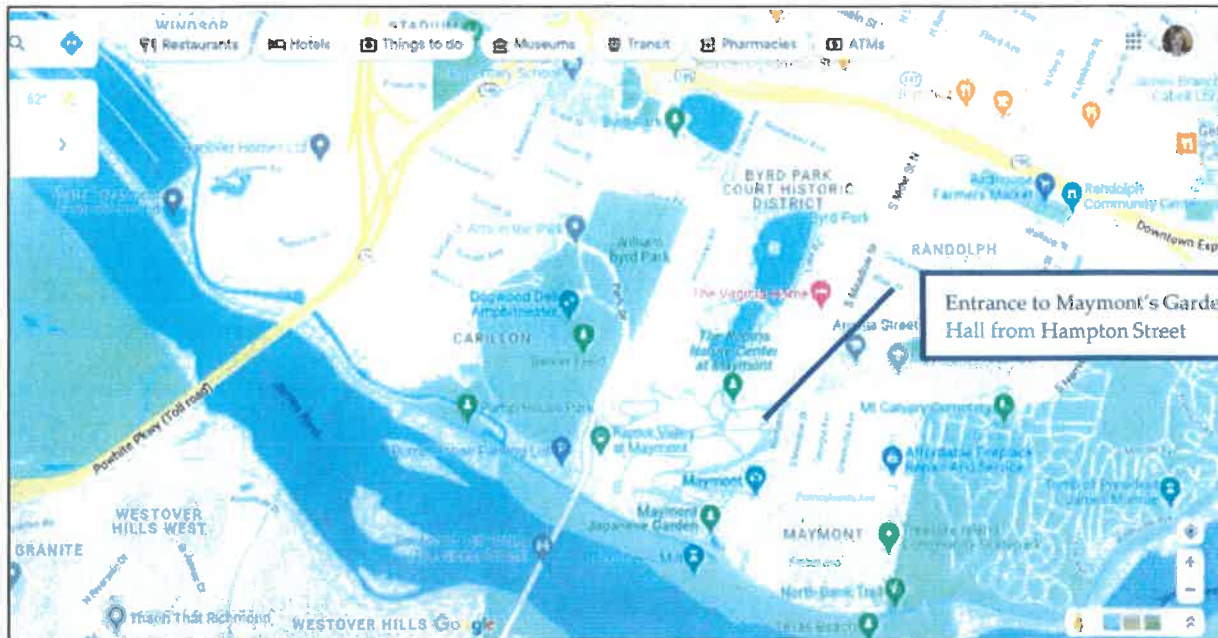
www.dhr.virginia.gov - Department of Historic Resources (DHR) main website

www.dhr.virginia.gov/register/register.htm - Registers Homepage of DHR's website



DHR | Virginia Department of Historic Resources

**Joint Meeting of the Board of Historic Resources and the
State Review Board
March 16, 2023 at the
Garden Hall, Maymont, 1700 Hampton Street, Richmond, VA 23220**



The top map shows the streets around Maymont. GPS navigators, apps such as Google Maps, and online mapping sites should provide accurate directions for reaching the entrance to Maymont from Hampton Street. Detailed directions also are available at <https://maymont.org/visit/directions/>.

The bottom map shows the layout of Maymont's grounds around Garden Hall. Free public parking is available near the building.

