

## PLANNING DIVISION STAFF REPORT

August 17, 2020

PREPARED FOR THE LANDMARKS COMMISSION



**Project Name & Address:** 911-915 Jenifer Street

**Application Type(s):** Certificate of Appropriateness for exterior alterations in the Third Lake Ridge Historic District

**Legistar File ID #** [61543](#)

**Prepared By:** Heather Bailey, Preservation Planner, Planning Division

**Date Prepared:** August 11, 2020

### Summary

**Project Applicant/Contact:** Abby Davidson, RefineJenifer LLC

**Requested Action:** The Applicant is requesting that the Landmarks Commission approve a Certificate of Appropriateness for the replacement of a porch railing.

### Background Information

**Parcel Location/Information:** The subject site is located in the Third Lake Ridge Local Historic District.

#### Relevant State Statute Section:

**Wisc SS 62.23(7)(em)2m.** In the repair or replacement of a property that is designated as a historic landmark or included within a historic district or neighborhood conservation district under this paragraph, a city shall allow an owner to use materials that are similar in design, color, scale, architectural appearance, and other visual qualities.

#### Relevant Ordinance Sections:

- 41.18 STANDARDS FOR GRANTING A CERTIFICATE OF APPROPRIATENESS.** A certificate of appropriateness shall be granted only if the proposed project complies with this chapter, including all of the following standards that apply.
- (1) New construction or exterior alteration. The Landmarks Commission shall approve a certificate of appropriateness for exterior alteration or construction only if:
    - (a) In the case of exterior alteration to a designated landmark, the proposed work would meet the Secretary of the Interior's Standards for Rehabilitation.
    - (b) In the case of exterior alteration or construction of a structure on a landmark site, the proposed work would meet the Secretary of the Interior's Standards for Rehabilitation.
    - (c) In the case of exterior alteration or construction on any property located in a historic district, the proposed exterior alteration or construction meets the adopted standards and guidelines for that district.
    - (d) In the case of any exterior alteration or construction for which a certificate of appropriateness is required, the proposed work will not frustrate the public interest expressed in this ordinance for protecting, promoting, conserving, and using the City's historic resources.

#### **41.23 THIRD LAKE RIDGE HISTORIC DISTRICT.**

- (9) Standards for Exterior Alterations in the Third Lake Ridge Historic District - Parcels Zoned for Residential Use.
- (a) Any exterior alterations on parcels zoned residential use that are located within two hundred (200) feet of other historic resources shall be visually compatible with those historic resources in the following ways:
    - 1. Height.
    - 2. Landscape treatment.
    - 3. Rhythm of mass and spaces.
  - (b) Alterations of the street façade(s) of any existing structure shall retain the original or existing historical proportion and rhythm of solids to voids.
  - (c) Alterations of the street façade(s) of any existing structure shall retain the original or existing historical materials.
  - (d) Alterations of the roof of any existing structure shall retain its existing historical appearance.
  - (e) Alterations of the street facade(s) shall retain the original or existing historical proportional relationships of door sizes to window sizes.

### **Analysis and Conclusion**

The applicant is requesting a Certificate of Appropriateness to approve a railing on the front balcony of the house. The applicant received an administratively-approved Certificate of Appropriateness (CoA) on August 20, 2019, for repair of the existing newel posts and replacement of the nonhistoric metal railing with a simple wood railing (see attached). What the applicant installed was a different design that included a continuous top rail across the balcony, decorative spindles, and posts with spacing that differed from the pattern of the original. Staff's recommendation was that they could install what they had previously been approved for or submit an application to the Landmarks Commission to approve the style of railing they had constructed.

The design in the 2019 CoA reused the existing newel posts, which had details that provided forensic evidence of the increase in the height of the balcony's railing over time. The spacing of the posts also mimicked the placement of the porch columns directly beneath. This is the pattern of front balcony railings on Victorian-era buildings in the vicinity. The applicant has supplied examples of other historic resources where there is no correlation between the porch columns and the balcony railing posts. The ordinance specifies using examples on historic resources within 200 feet. The applicant's examples of 832 and 846 Jenifer are outside of that area of visual compatibility. Given the difference in the style of balusters between the porch and the balcony railings, it appears that the balcony railing at 832 Jenifer was constructed at a later date than porch, but the current configuration appears in the 1982 survey photo. The railing on the porch for 846 Jenifer features newel posts evenly spaces across the balcony, but there are only corner columns on the porch, so there is less of a contrast in the pattern than at 832 Jenifer. Additionally, though, the porch and balcony railings appear to be ca. 1920s-30s (with subsequent pipe railings introduced for safety) on a Victorian-era building.

The applicant's two other examples are within 200 feet of the subject property. The railing at 909 Jenifer was installed in 1990 without a building permit or Certificate of Appropriateness. The Preservation Planner retroactively approved the railing with a condition that it be painted. The current balcony railing at 952 Jenifer was approved by the Landmarks Commission in 2003 and the approval specified that the balcony posts were to align with the porch posts beneath. This does not appear to be what the applicant installed.

There are three resources within 200 feet that have balcony railings that align with the porch posts beneath. Directly across the street, 912 Jenifer has the same pattern of posts for the porch and balcony. Given the very short height of the posts on the porch roof, it seems likely they are historic. The current balcony railing at 925

Jenifer was administratively approved by the Preservation Planner in 2018, but it replicated what had previously installed, only at a height that met current building codes. Finally, the porch and balcony at 515 S Paterson were approved by the Landmarks Commission in 1995.



912 Jenifer St



925 Jenifer St



515 S Paterson

The applicant proposes several possible modifications to the existing balcony railing. However, all of them would maintain the decorative spindles and the current posts, which differ from the placement of porch posts below.

A discussion of the relevant ordinance sections follows:

**41.23 THIRD LAKE RIDGE HISTORIC DISTRICT.**

(9) Standards for Exterior Alterations in the Third Lake Ridge Historic District - Parcels Zoned for Residential Use.

- (a) Any exterior alterations on parcels zoned residential use that are located within two hundred (200) feet of other historic resources shall be visually compatible with those historic resources in the following ways:
  - 1. The height of the new balcony railing is comparable with railings on resources within 200 feet.
  - 2. N/A
  - 3. It is the change in the rhythm of mass and spaces that is the most problematic for the balcony railing. On the other porches with balconies, the posts align. The two exceptions were on balconies constructed either without or contrary to Landmarks Commission approval.
- (b) The original proposal would have maintained the existing proportion of solids and voids in the balcony railing. What was installed does not meet this standard and neither do any of the alternatives.
- (c) It is unclear if the previous newel posts had been historic. The odd collar on the post below the cap suggested the location of the connection to a railing the predated the metal railing that had been there. As those posts are now gone, it is not possible to retain any of those materials.
- (d) N/A
- (e) N/A

## **Recommendation**

Staff believes that the standards for granting a Certificate of Appropriateness are not met and recommends that the Landmarks Commission deny the proposal and the City enforce the 2019 Certificate of Appropriateness for the balcony railing.



Department of Planning & Community & Economic Development

## Planning Division

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August 20, 2019

Abby Davidson, David Drapac, & Paul Schechter  
RefineJenifer LLC  
1231 E Dayton St  
Madison, WI 53703

Re: Certificate of Appropriateness for alterations at 915 Jenifer St.

In accordance with the provisions of the Historic Preservation Ordinance, I have reviewed your plans for alterations at 915 Jenifer Street, located within the Third Lake Ridge Historic District, and am able to provide administrative approval to complete the work as described in your plans.

This letter will serve as the "Certificate of Appropriateness" for the project. When you apply for a building permit, take this letter with you to the Building Inspection Counter, Department of Planning and Development, 215 Martin Luther King Jr Blvd.

Please note that any scope of work or design changes from the alterations approved herein must receive approval by the Landmarks Commission, or staff designee, prior to commencing with the work. This Certificate is valid for 24 months from the date of issuance.

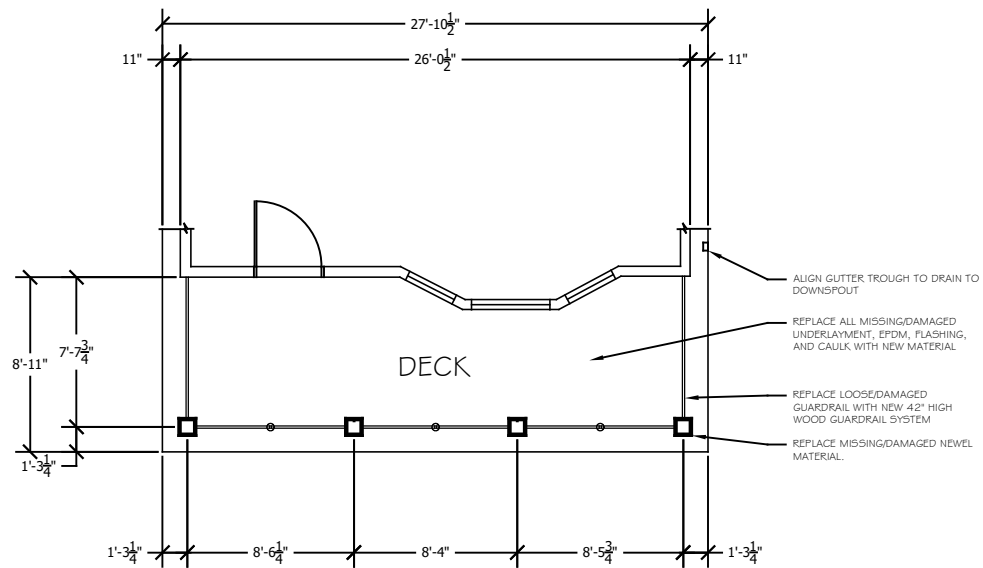
Please also note that failure to comply with the conditions of your approval is subject to a forfeiture of up to \$500 for each day during which a violation of the Landmarks Commission ordinance continues (see Madison General Ordinances Chapter 41, Historic Preservation Ordinance).

Please contact me at 608-266-6552 or [landmarkscommission@cityofmadison.com](mailto:landmarkscommission@cityofmadison.com) with any questions.

Sincerely,

Heather L. Bailey, Ph.D.  
Preservation Planner  
City of Madison Planning Division

cc: City preservation property file



2ND FLOOR DECK PLAN



NORTH ELEVATION