



## DEMOLITION BY NEGLECT REPORT

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PREPARED FOR THE COMMON COUNCIL, CITY ATTORNEY, BUILDING INSPECTION

**Project Name/Address:** 121 Langdon St. (Suhr House)

**Application Type:** Demolition by Neglect

**Legistar File ID #** [53000](#)

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

**Date Prepared:** July 10, 2019

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### Background

On June 24, 2019, the Landmarks Commission made a finding that demolition by neglect was occurring at 121 Langdon. The commission had been working with the property owner since September 2018 to allow him to address the deterioration of the property, regularly referring their finding in the hopes that the property owner would complete the necessary work as promised. At the June 24, 2019, Landmarks Commission meeting, the property owner had still not complied with all of the conditions of the December 6, 2018, Certificate of Appropriateness to complete the work, had not secured a building permit, and had not initiated a site plan review process with Zoning. At that meeting, Kyle Bunnow, representing Building Inspection, provided an updated memo with his estimation that it was not possible for the property owner to complete the Building Inspection work order by the court-approved agreement deadline of August 1, 2019, and that the building was still in a state of demolition by neglect. Because the building was in a condition of demolition by neglect and because the property owner was still noncompliant with City processes to address the deterioration of the property, the Landmarks Commission made a unanimous finding that demolition by neglect was occurring.

Below is a summary of each Landmarks Commission meeting:

#### August 29, 2018

Landmarks Commission received a report from Kyle Bunnow, representing Building Inspection, with his determination that the building at 121 Langdon was undergoing demolition by neglect. After two years (first notice issued in November 2016) of no response from the property owner, Building Inspection was initiating the demolition by neglect process to preserve the landmark property.

#### September 17, 2018

Landmarks Commission held a public hearing to consider a finding of demolition by neglect. The property owner requested that he be given the opportunity to address the work order from Building Inspection. The Landmarks Commission referred their finding to December 3, 2018, for the applicant to prepare a complete submission for a Certificate of Appropriateness (COA), which would be necessary to complete exterior work to the structure.

#### December 3, 2018

Landmarks Commission approved a COA for work at the property with the following conditions: repair the front, side, and rear porches and stairways with the condition that all final details must be approved by staff; tuckpoint damaged masonry, with the extents of the work and the mortar mix and mortar color to be approved by staff; replace the arched storm window on the lower level of the front façade, with specifications for the window to be approved by staff. The applicant supplied a timeline to show how all required work would be completed prior to the work order deadline. The commission referred their finding of demolition by neglect to the April 22, 2019, meeting with the stipulation that they wanted to see signed contracts from the hired tradespeople in order to assess if the work could be completed by the deadline between the property owner and the City Attorney's Office.

April 22, 2019

None of the conditions of the COA had been met, the property owner had not hired any contractors to complete the physical work, and none of the items on the applicant's timeline from the December meeting had been completed. The property owner assured the commission that the work would be completed on time and submitted a new timeline. The Landmarks Commission referred their finding to the next commission meeting to check on progress.

May 6, 2019

Applicant submissions were incomplete and noncompliant with preservation standards, therefore none of the terms of the COA had been met. Staff assured the commission that staff would continue to work with the applicant and contractors to meet the necessary requirements. Commission referred their finding to the next commission meeting.

May 22, 2019

The applicant had submitted construction drawings addressing the front porch of the house, but did not address the rear and side porches or the arched window. On May 19, staff had recommended that the applicant submit for a building permit to complete work on the front porch due to meeting that part of the condition of the COA. On May 20, staff met with the project mason and cleared them to initiate work as their scope was now compliant with preservation standards. The commission referred their finding to the June 24, 2019, meeting as there was some progress and to give the applicant time to meet the rest of the conditions of the COA.

June 24, 2019

The property owner had fired the previous mason and brought the new project mason to the meeting. The property owner assured the commission that he was in discussions with other contractors to complete the necessary work on the building. Kyle Bunnaw, representing Building Inspection, spoke to his new memo supplied to the commission, which stated that no substantive work had been completed on the work order and it was not possible to complete the necessary work by the deadline. While the City would work with the applicant to expedite building permit and site plan reviews, the City had not received any submissions. The applicant assured the commission that onsite investigations were underway and work would begin shortly, and made a case that therefore the building was no longer undergoing demolition by neglect. The preservation planner advised that the current condition of the building was due to a cumulative effect of unaddressed maintenance and that the totality of the work order must be completed in order for demolition by neglect to no longer be occurring. As none of the associated work or City processes had been completed to date, the commission determined that the building was undergoing demolition by neglect and advised the applicant that he could appeal the ruling once work was complete or appeal their finding. The Landmarks Commission made a unanimous finding of demolition by neglect.



Department of Planning & Community & Economic Development

## Building Inspection Division

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126 S. Hamilton St.  
P.O. Box 2984  
Madison, Wisconsin 53701-2984  
Phone: (608) 266-4551  
Fax (608) 266-6377  
[www.cityofmadison.com](http://www.cityofmadison.com)

August 15, 2018

121 LANGDON STREET GROUP  
% SHAKESPEARE'S BOOKS  
513 N LAKE ST  
MADISON WI 53703

### **Subject: Notice of Demolition by Neglect – 121 Langdon St**

Dear Property Owner:

The City of Madison puts a lot of effort into keeping its neighborhoods and housing stock in good repair. An important part of this effort is effective, consistent and efficient code enforcement. This includes oversight of the general maintenance of buildings located within local historic districts and designated landmark buildings as outlined in Madison General Ordinances Chapter 41.

Your property located at 121 Langdon Street is a designated local landmark and as such is subject to the requirements of MGO 41. This includes MGO 41.14(1) requiring building owners to protect the improvement against exterior decay and deterioration, keep the improvement free from structural defects, and maintain interior portions of the improvement, the deterioration of which may cause the exterior portions of such improvement to fall into a state of disrepair.

A review of the property and past actions taken at the site lead Building Inspection to conclude are you are not in compliance with MGO 41.14(1). Evidence of non-compliance include but is not limited to the following:

- Failure to respond to Official Notice CB2016-333-13997 requiring corrections be made to the exterior building maintenance and its subsequent referral to the City Attorney for prosecution.
- Failure to communicate with Building Inspection or respond to multiple inquiries regarding the maintenance of the building.
- Failure to appear in Municipal Court for legal proceedings pertaining to Official Notice CB2016-333-13997.

Based on this information and no clearly defined plan for compliance, it is Building Inspections belief that your property at 121 Langdon Street is currently undergoing demolition by neglect as outlined in MGO 41.15. This letter shall serve as written notice of Building Inspections belief of demolition by neglect as required in MGO 41.15(1). The Landmarks Commission shall now issue a public hearing notice under Sec. 41.06 and hold a public hearing to determine whether the landmark or improvement is undergoing demolition by neglect.

Sincerely,

A handwritten signature in black ink, appearing to read 'KB', with a long horizontal line extending to the right.

Kyle Bunnow  
Housing Inspection Supervisor

cc: Harold Langhammer, 513 N Lake St Madison WI 53703  
Rebecca Cnare, Interim Historic Preservation Planner  
Heather Stouder, Planning Division Director  
Landmarks Commission  
John Strange, Assistant City Attorney  
George Hank, Director of Building Inspection  
Ledell Zellers, Adler District 2



From: [PLCApplications](#)  
To: [info1](#); [David Ferch](#)  
Cc: [Bunnow, Kyle](#); [Hank, George](#); [Stouder, Heather](#); [Strange, John](#); [Mades, Lana](#); [Scott Herrick](#); [Zellers, Ledell](#); [Fruhling, William](#)  
Subject: RE: 121 Langdon Street  
Date: Wednesday, August 22, 2018 11:05:14 AM

---

Hello Harold and David,

It would be best if we can set up an appointment with a few of our staff to determine how to move forward.

Our staff team could have some availability on the following dates:

- Monday August 27, from 1-2pm
- Wednesday Aug 29 from 10-11am
- Thursday Aug 30 for an hour sometime between 1-3:30pm
- Friday Aug 31 for an hour sometime between 8:30-11:00 am

Please let me know which of these times and dates work best for you.

To answer your second question, the tax credit program is not run through the City. In order to apply for Historic Tax credits, it is necessary for you to get in contact with the State Historical Preservation Office. Ms. Jen Davel from the Historic Society may be able to help you figure out its eligibility. I have included the links below to help you figure out what you need to do for the state tax program (if it is indeed eligible).

Please let me know when you are available to meet,

Rebecca Cnare

**Historic Tax Credit information:**

**Davel, Jennifer**

**Historic Preservation Architect**

**Historic Preservation - Public History**

**Phone: 608-264-6490**

**Email: [Jennifer.Davel@wisconsinhistory.org](mailto:Jennifer.Davel@wisconsinhistory.org)**

**Address: 816 State St. Madison, WI 53706-1482**

**Tax Credit for Historic Building Rehabilitation website:**

**<https://www.wisconsinhistory.org/Records/Article/CS15322>**



**Rebecca S Cnare, PLA**

Interim Preservation Planner

Urban Design Planner

Planning Division

Department of Planning & Community & Economic

Development

126 South Hamilton Street

PO Box 2985

Madison WI 53701-2985

[landmarkscommisison@cityofmadison.com](mailto:landmarkscommisison@cityofmadison.com)

608.266-6552

**From:** info1

**Sent:** Monday, August 20, 2018 4:26 PM

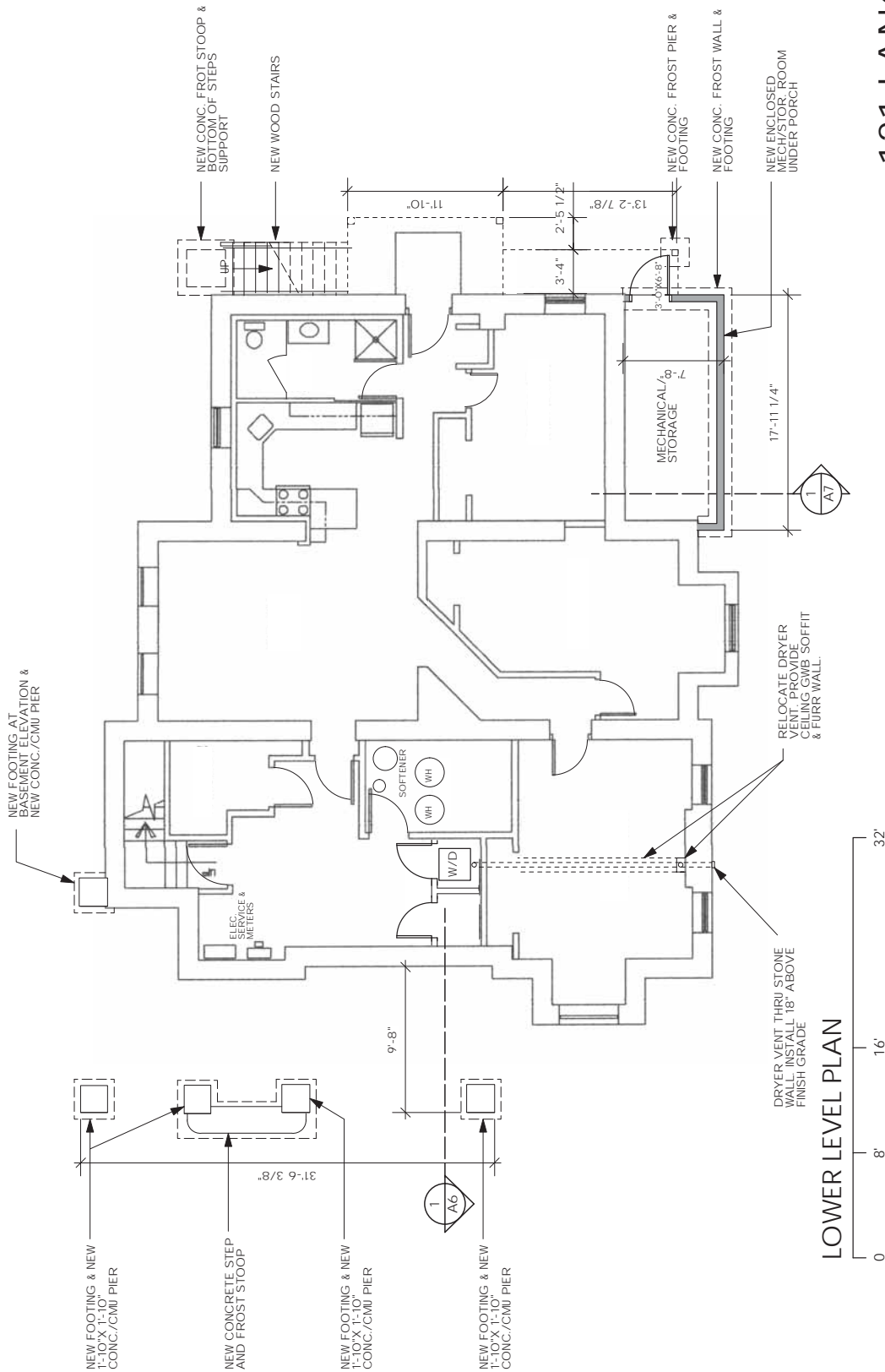
**To:** PLLCAplications <landmarkscommission@cityofmadison.com>

**Cc:** Bunnnow, Kyle <KBunnnow@cityofmadison.com>; Hank, George <GHank@cityofmadison.com>; Stouder, Heather <HStouder@cityofmadison.com>; Strange, John <JStrange@cityofmadison.com>; Mades, Lana <LMades@cityofmadison.com>; Scott Herrick <snh@herricklaw.net>; Zellers, Ledell <district2@cityofmadison.com>; David Ferch <david@fercharchitecture.com>

**Subject:** 121 Langdon Street

Hi Rebecca. I am responding to the Notice of Demolition dated August 15th. I would appreciate having an appointment with you asap. We have spent the past several months meeting with contractors etc to determine the scope and cost of the repair work. I have two construction companies prepared to do the repairs contained in the work orders. Our architect David Ferch has completed preliminary drawings showing the details and complexity of the repairs. I attach these preliminary drawings. I would like to meet with you and David to be sure that you approve of the specifics of the work set out in the drawings and that the work will bring us in compliance with the orders. I would also appreciate guidance from you as to the procedure for requesting historic tax credits for the work. Thank you. Harold Langhammer 255-1767

# EXTERIOR REPAIR



REV. 8/13/18

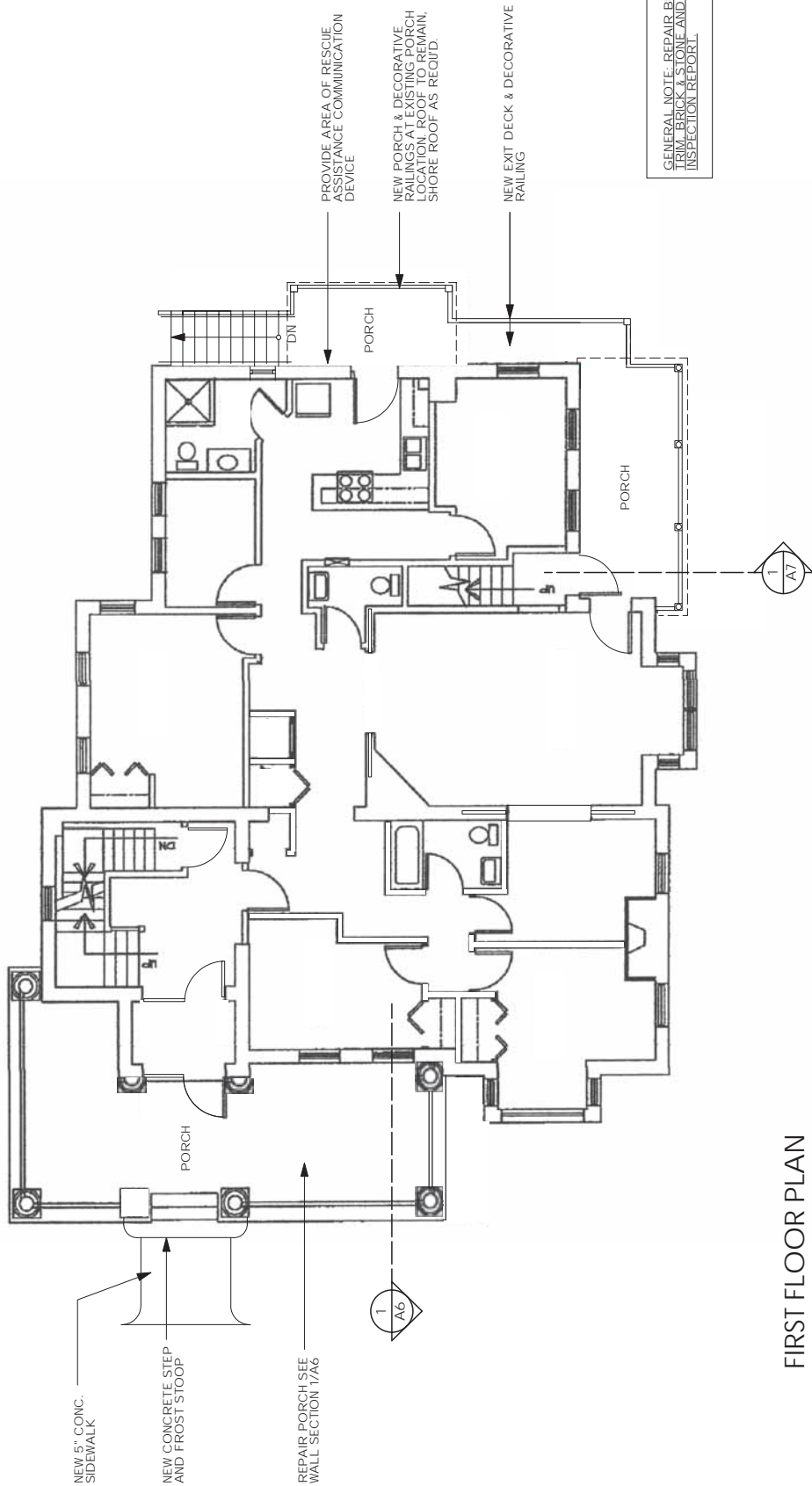
7/30/18

121 LANGDON

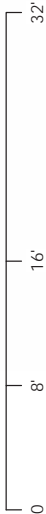
FERCH ARCHITECTURE  
2704 GREGORY STREET, MADISON, WI 53711  
608-238-6900 david@fercharchitecture.com

E-A1

# EXTERIOR REPAIR



FIRST FLOOR PLAN



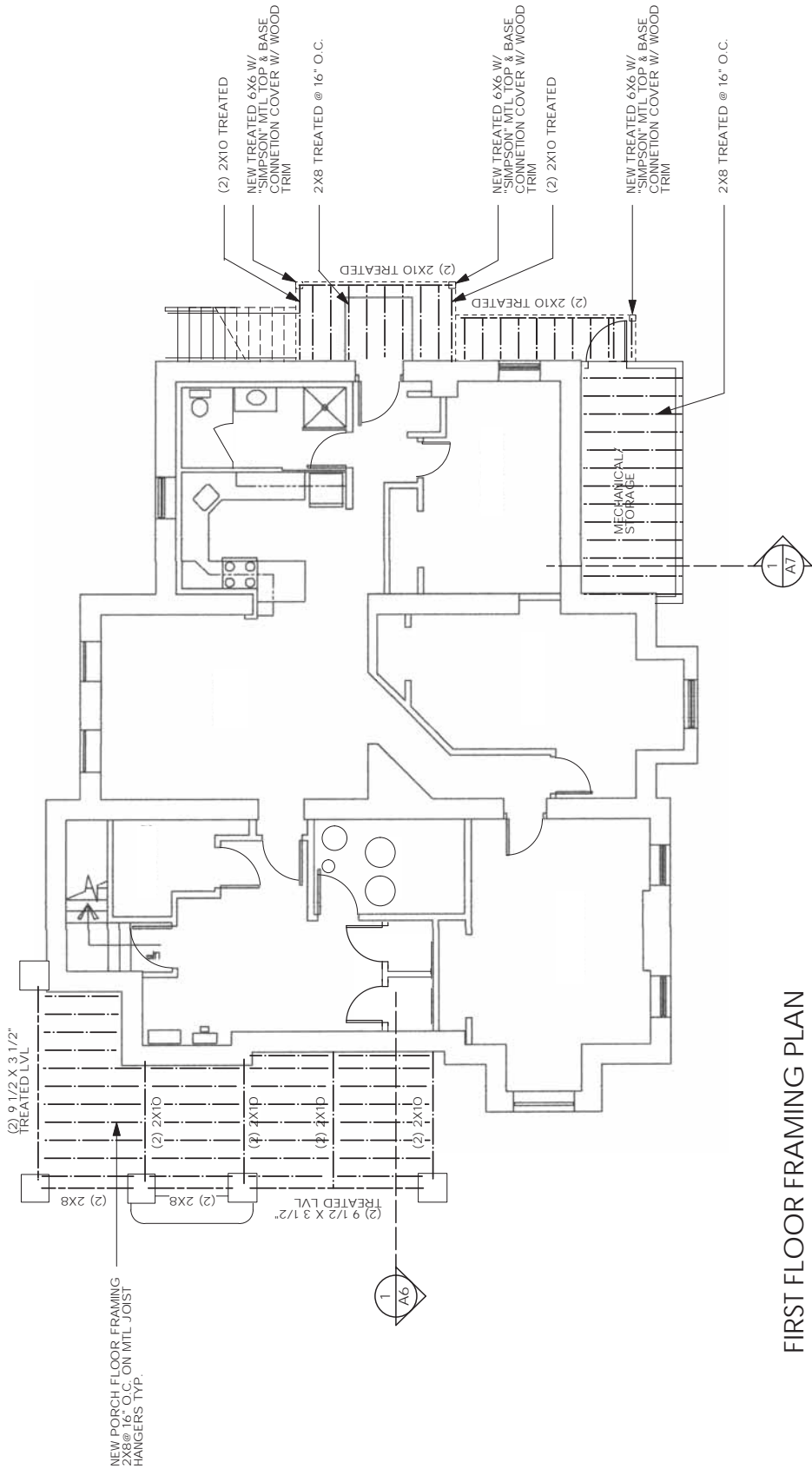
121 LANGDON

7/30/18

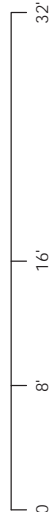
FERCH ARCHITECTURE  
2704 GREGORY STREET, MADISON, WI 53711  
608-238-6900 david@fercharchitecture.com

E-A2

# EXTERIOR REPAIR



FIRST FLOOR FRAMING PLAN



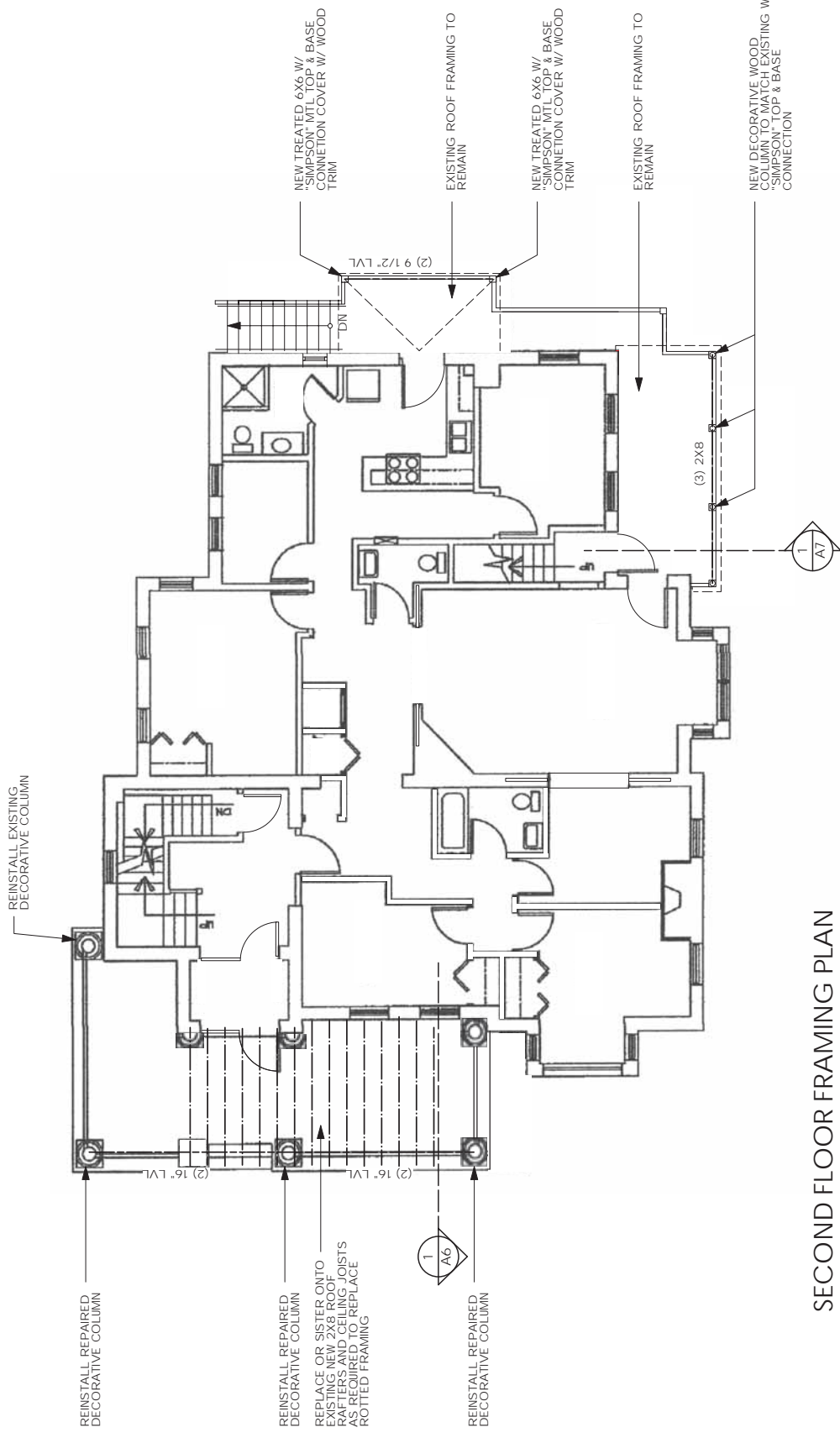
121 LANGDON

7/30/18

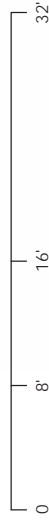
FERCH ARCHITECTURE  
2704 GREGORY STREET, MADISON, WI 53711  
608-238-6900 david@fercharchitecture.com

E-A3





SECOND FLOOR FRAMING PLAN



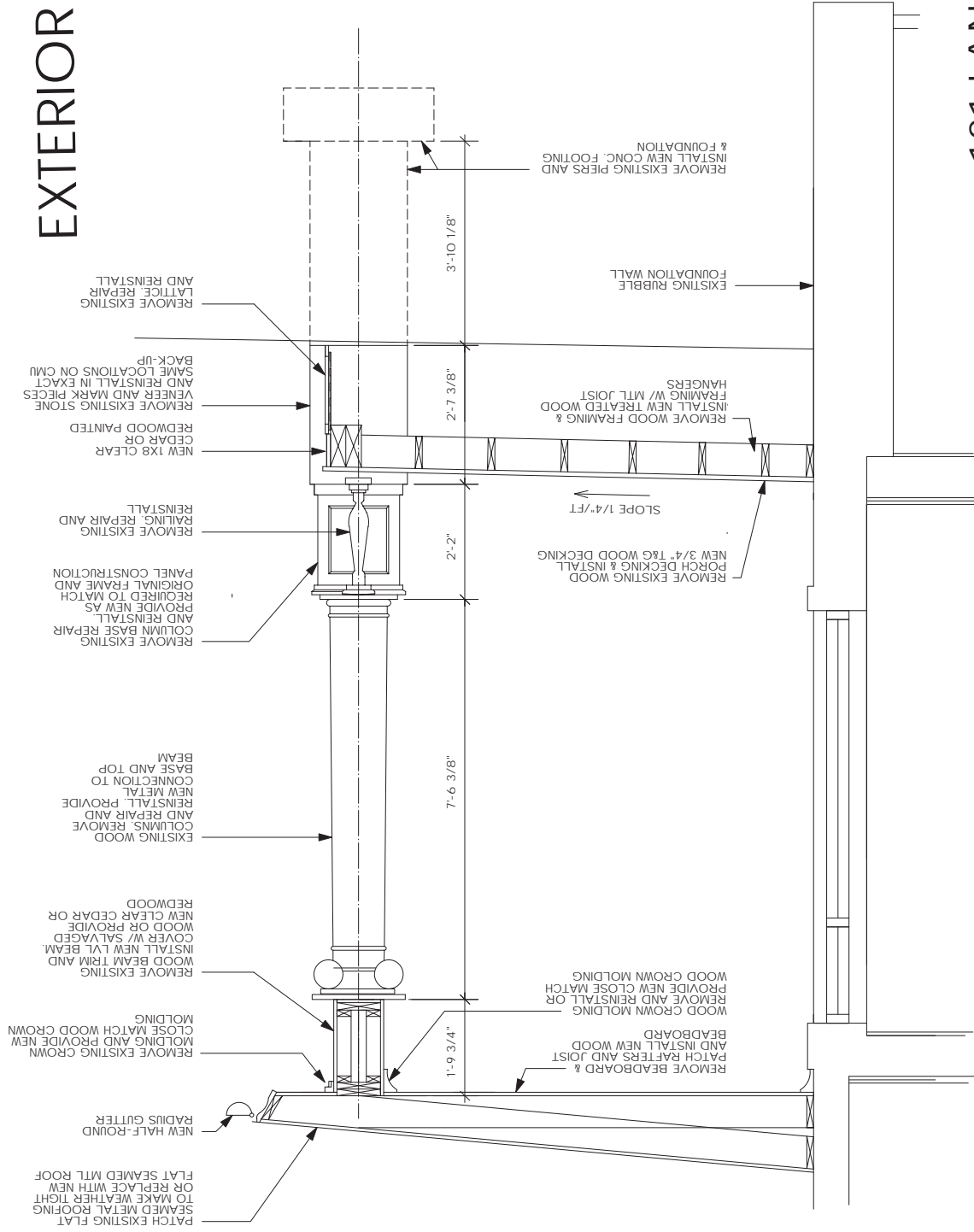
121 LANGDON

7/30/18

FERCH ARCHITECTURE  
 2704 GREGORY STREET, MADISON, WI 53711  
 608-238-6900 david@fercharchitecture.com

E-A4

# EXTERIOR REPAIR



FRONT PORCH

SCALE: 1/2" = 1'-0"

121 LANGDON

7/30/18

FERCH ARCHITECTURE

2704 GREGORY STREET, MADISON, WI 53711

608-238-6900 david@fercharchitecture.com

E-A5

SIDE PORCH

7/30/18

FERCH ARCHITECTURE  
2704 GREGORY STREET, MADISON, WI 53711  
608-238-6900 david@fercharchitecture.com



FRONT PORCH PHOTO

121 LANGDON 7/30/18

FERCH ARCHITECTURE  
2704 GREGORY STREET, MADISON, WI 53711  
608-238-6900 david@fercharchitecture.com

E-A7





SIDE PORCH PHOTO

121 LANGDON 7/30/18

FERCH ARCHITECTURE  
2704 GREGORY STREET, MADISON, WI 53711  
608-238-6900 david@fercharchitecture.com

E-A8





Photo: Wisconsin Historical Society, WHS-39049

HISTORIC PHOTO: John Suhr Residence

121 LANGDON 7/30/18

FERCH ARCHITECTURE  
2704 GREGORY STREET, MADISON, WI 53711  
608-238-6900 david@fercharchitecture.com

E-A9

**From:** [PLLCApplications](#)  
**To:** [info1](#); [PLLCApplications](#); "David Ferch"  
**Cc:** [Bunnow, Kyle](#); [Hank, George](#); [Stouder, Heather](#); [Strange, John](#); [Mades, Lana](#); "Scott Herrick"; [Zellers, Ledell](#); [Fruhling, William](#)  
**Subject:** RE: 121 Langdon Street  
**Date:** Monday, August 27, 2018 11:50:45 AM

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Harold, et.al.,  
The meeting is confirmed for Thursday, August 30, 1 pm  
Room 300 at 126 Hamilton Street.

-Rebecca



**Rebecca S Cnare, PLA**  
Interim Preservation Planner  
Urban Design Planner  
Planning Division  
Department of Planning & Community & Economic  
Development  
126 South Hamilton Street  
PO Box 2985  
Madison WI 53701-2985  
[landmarkscommission@cityofmadison.com](mailto:landmarkscommission@cityofmadison.com)  
608.266-6552

---

**From:** info1  
**Sent:** Monday, August 27, 2018 9:24 AM  
**To:** PLLCApplications <[landmarkscommission@cityofmadison.com](mailto:landmarkscommission@cityofmadison.com)>; 'David Ferch' <[david@fercharchitecture.com](mailto:david@fercharchitecture.com)>  
**Cc:** Bunnow, Kyle <[KBunnow@cityofmadison.com](mailto:KBunnow@cityofmadison.com)>; Hank, George <[GHank@cityofmadison.com](mailto:GHank@cityofmadison.com)>; Stouder, Heather <[HStouder@cityofmadison.com](mailto:HStouder@cityofmadison.com)>; Strange, John <[JStrange@cityofmadison.com](mailto:JStrange@cityofmadison.com)>; Mades, Lana <[LMades@cityofmadison.com](mailto:LMades@cityofmadison.com)>; 'Scott Herrick' <[snh@herricklaw.net](mailto:snh@herricklaw.net)>; Zellers, Ledell <[district2@cityofmadison.com](mailto:district2@cityofmadison.com)>; Fruhling, William <[WFruhling@cityofmadison.com](mailto:WFruhling@cityofmadison.com)>  
**Subject:** RE: 121 Langdon Street

Hi Rebecca. David and I would like to meet with you Thursday, August 30 at 1pm. Would we meet at 126 S. Hamilton St.? I am attaching documents relative to the side porch and stairs showing approvals for their construction in 2008. I also attach a revised drawing for the exterior repairs showing the side porch and stairs in place, but replacing the vertical supports and providing in-ground footings. Thank you for your referral to Jennifer Davel regarding historic tax credits. We have an appointment with her September 4<sup>th</sup>. Harold Langhammer

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**From:** PLLCApplications [<mailto:landmarkscommission@cityofmadison.com>]  
**Sent:** Wednesday, August 22, 2018 11:05 AM  
**To:** info1 <[info@centralapts.com](mailto:info@centralapts.com)>; David Ferch <[david@fercharchitecture.com](mailto:david@fercharchitecture.com)>  
**Cc:** Bunnow, Kyle <[KBunnow@cityofmadison.com](mailto:KBunnow@cityofmadison.com)>; Hank, George <[GHank@cityofmadison.com](mailto:GHank@cityofmadison.com)>;

Stouder, Heather <[HStouder@cityofmadison.com](mailto:HStouder@cityofmadison.com)>; Strange, John <[JStrange@cityofmadison.com](mailto:JStrange@cityofmadison.com)>;  
Mades, Lana <[LMades@cityofmadison.com](mailto:LMades@cityofmadison.com)>; Scott Herrick <[snh@herricklaw.net](mailto:snh@herricklaw.net)>; Zellers, Ledell  
<[district2@cityofmadison.com](mailto:district2@cityofmadison.com)>; Fruhling, William <[WFruhling@cityofmadison.com](mailto:WFruhling@cityofmadison.com)>

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**Historic Tax Credit information:**

**Davel, Jennifer**

**Historic Preservation Architect**

**Historic Preservation - Public History**

**Phone: 608-264-6490**

**Email: [Jennifer.Davel@wisconsinhistory.org](mailto:Jennifer.Davel@wisconsinhistory.org)**

**Address: 816 State St. Madison, WI 53706-1482**

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**<https://www.wisconsinhistory.org/Records/Article/CS15322>**



**Rebecca S Cnare, PLA**

Interim Preservation Planner

Urban Design Planner

Planning Division

Department of Planning & Community & Economic  
Development

126 South Hamilton Street

PO Box 2985

Madison WI 53701-2985

[landmarkscommisison@cityofmadison.com](mailto:landmarkscommisison@cityofmadison.com)

608.266-6552

**From:** info1

**Sent:** Monday, August 20, 2018 4:26 PM

**To:** PLLCApplications <[landmarkscommission@cityofmadison.com](mailto:landmarkscommission@cityofmadison.com)>

**Cc:** Bunnow, Kyle <[KBunnow@cityofmadison.com](mailto:KBunnow@cityofmadison.com)>; Hank, George <[GHank@cityofmadison.com](mailto:GHank@cityofmadison.com)>; Stouder, Heather <[HStouder@cityofmadison.com](mailto:HStouder@cityofmadison.com)>; Strange, John <[JStrange@cityofmadison.com](mailto:JStrange@cityofmadison.com)>; Mades, Lana <[LMades@cityofmadison.com](mailto:LMades@cityofmadison.com)>; Scott Herrick <[snh@herricklaw.net](mailto:snh@herricklaw.net)>; Zellers, Ledell <[district2@cityofmadison.com](mailto:district2@cityofmadison.com)>; David Ferch <[david@fercharchitecture.com](mailto:david@fercharchitecture.com)>

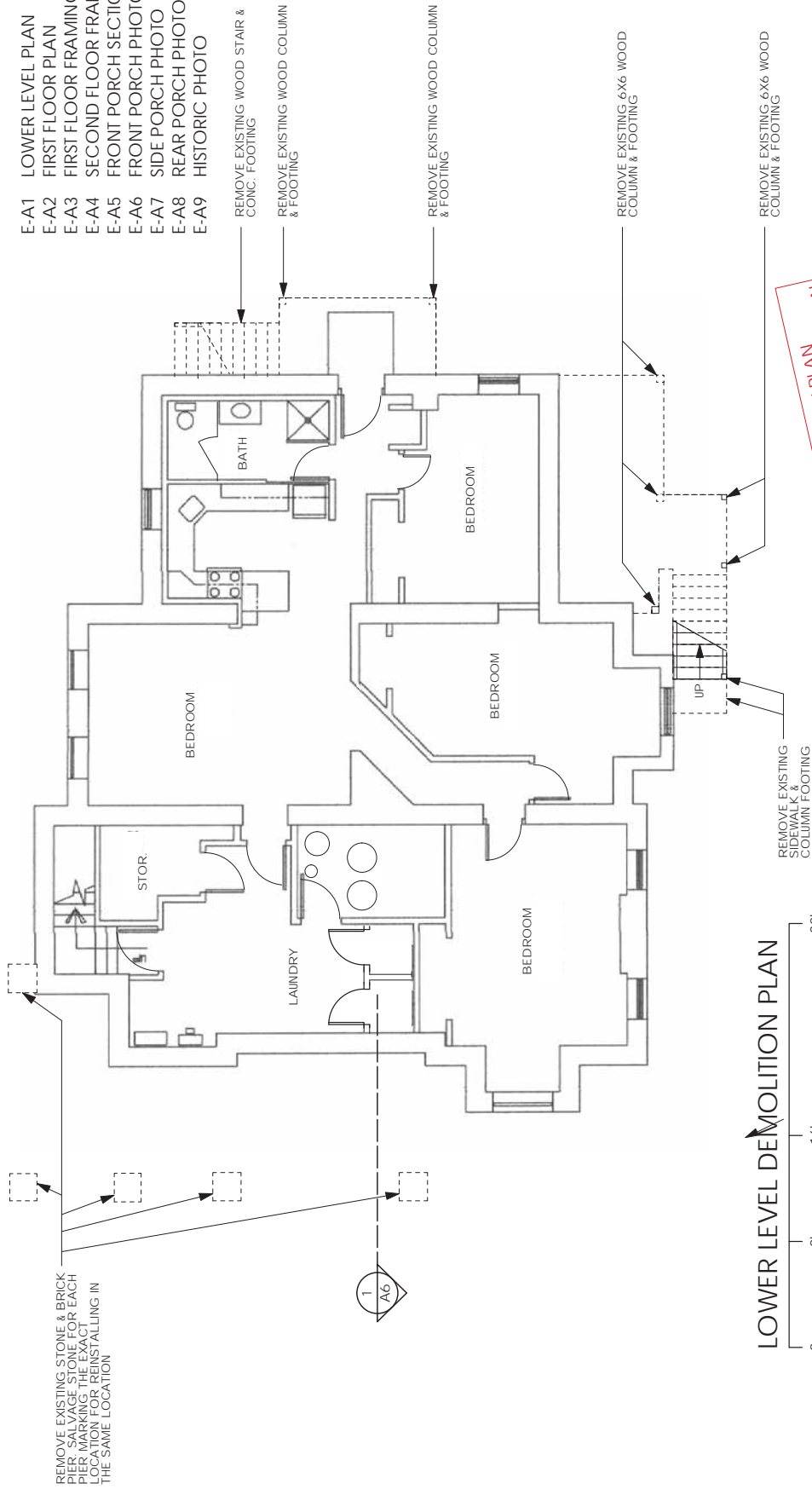
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# EXTERIOR REPAIR

## SHEET INDEX

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- E-A4 SECOND FLOOR FRAMING PLAN
- E-A5 FRONT PORCH SECTION
- E-A6 FRONT PORCH PHOTO
- E-A7 SIDE PORCH PHOTO
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LOWER LEVEL DEMOLITION PLAN

REV. 8/23/18

121 LANGDON

7/30/18

PRELIMINARY PLAN  
NOT FOR CONSTRUCTION



REMOVE EXISTING WOOD STAIR

REMOVE EXISTING WOOD COLUMN (EXISTING PORCH ROOF TO REMAIN)

REMOVE EXISTING WOOD 1ST FLOOR DECK AND ROOF

REMOVE EXISTING WOOD COLUMN (EXISTING PORCH ROOF TO REMAIN)

REMOVE EXISTING WOOD COLUMN (EXISTING PORCH ROOF TO REMAIN, SHORE AS REQUIRED)

REMOVE EXISTING WOOD COLUMN, CEILING, SHAPING, GUARDRAIL TO BE REINSTALLED

REMOVE EXISTING WOOD COLUMN BASE SHOWN DASHED AND SALVAGE FOR REUSE

REMOVE CONC. SIDEWALK & STEP

SHORE ROOF AND REMOVE ROTTED FRONT BOX BEAM

REMOVE EXISTING WOOD PORCH FRAMING & DECKING

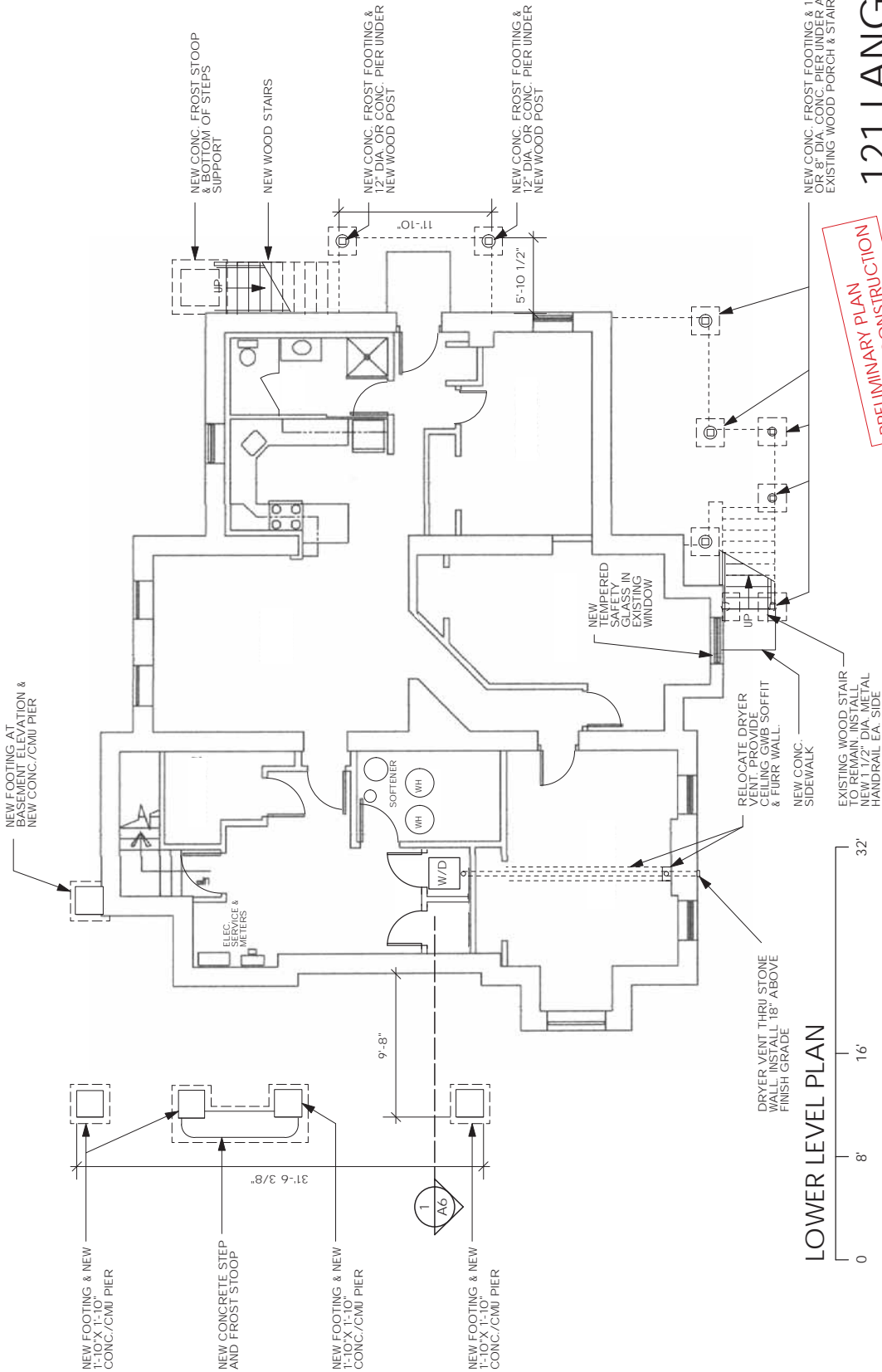
1-A6

FIRST FLOOR DEMOLITION PLAN

A vertical number line with tick marks at 0, 8, 16, and 32.

FERCH ARCHITECTURE  
2704 GREGORY STREET, MADISON, WI 53711  
608-238-6900 david@fercharchitecture.com

# EXTERIOR REPAIR



REV. 8/23/18

7/30/18

121 LANGDON

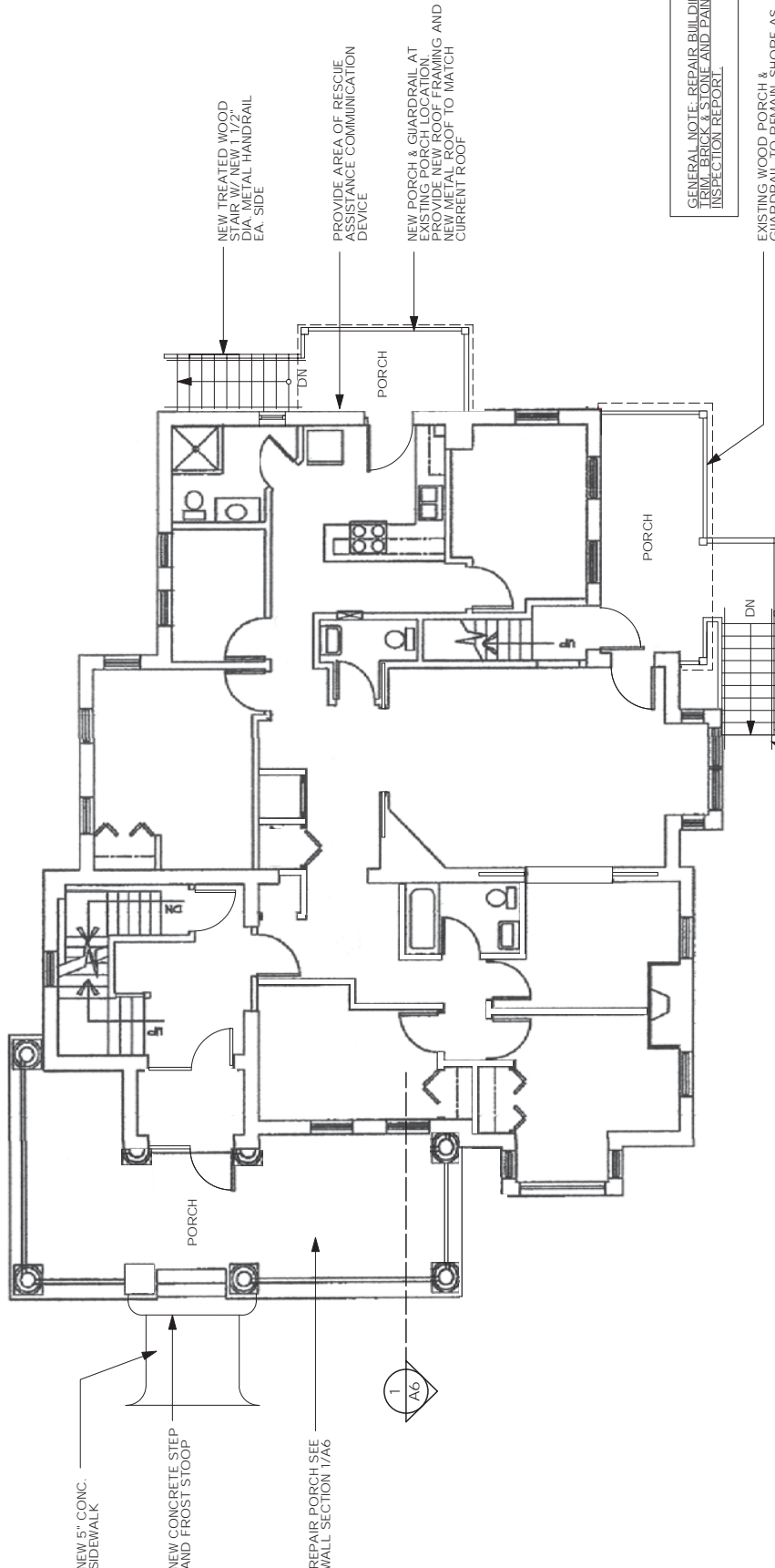
FERCH ARCHITECTURE

2704 GREGORY STREET, MADISON, WI 53711

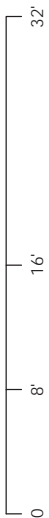
608-238-6900 david@fercharchitecture.com

E-A1

# EXTERIOR REPAIR



FIRST FLOOR PLAN



PRELIMINARY PLAN  
NOT FOR CONSTRUCTION

GENERAL NOTE: REPAIR BUILDING WOOD TRIM, BRICK & STONE AND PAINT PER CITY INSPECTION REPORT

EXISTING WOOD PORCH & GUARDRAIL TO REMAIN. SHORE AS REQUIRED FOR THE INSTALLATION OF NEW WOOD SUPPORT COLUMNS

EXISTING WOOD STAIR TO REMAIN. INSTALL NEW 1 1/2\"/>

NEW TREATED WOOD STAIR W/ NEW 1 1/2\"/>

PROVIDE AREA OF RESCUE ASSISTANCE COMMUNICATION DEVICE

NEW PORCH & GUARDRAIL AT EXISTING PORCH LOCATION. PROVIDE NEW ROOF FRAMING AND NEW METAL ROOF TO MATCH CURRENT ROOF

REV. 8/23/18

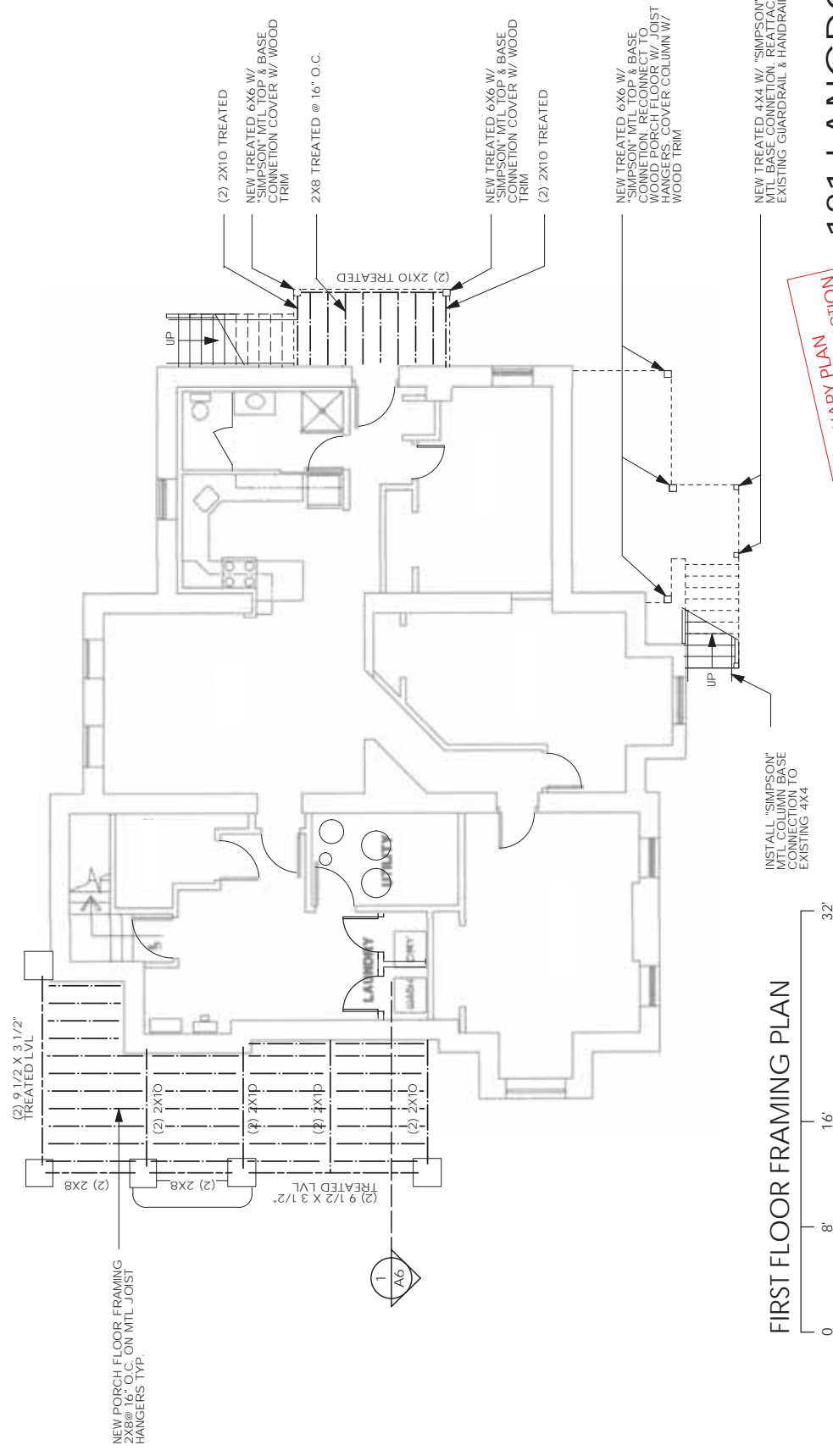
7/30/18

121 LANGDON

FERCH ARCHITECTURE  
2704 GREGORY STREET, MADISON, WI 53711  
608-238-6900 david@fercharchitecture.com

E-A2

## EXTERIOR REPAIR



## FIRST FLOOR FRAMING PLAN

A vertical number line with tick marks at 0, 8, 16, and 32. The numbers are placed to the right of the line.

REV. 8/23/18

7/30/18

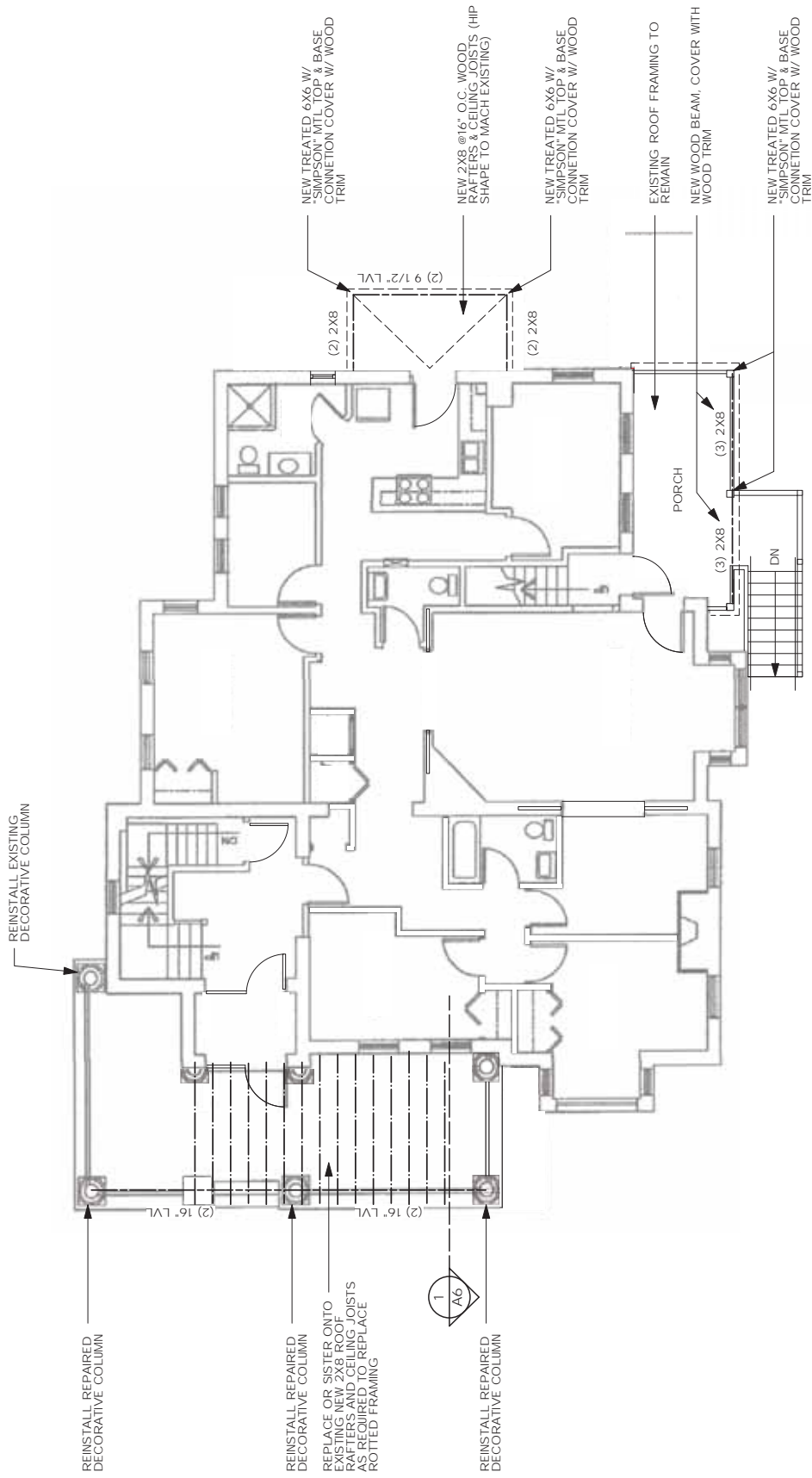
PRELIMINARY PLAN  
NOT FOR CONSTRUCTION

121 LANGDON

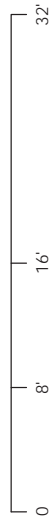
## FERCH ARCHITECTURE

2704 GREGORY STREET, MADISON, WI 53711  
608-238-6900 david@fercharchitecture.com

# E-A3



SECOND FLOOR FRAMING PLAN



PRELIMINARY PLAN  
NOT FOR CONSTRUCTION

[illegible]

SCALE: 1/2" = 1'-0"

**FERCH ARCHITECTURE**  
2704 GREGORY STREET, MADISON, WI 53711  
608-238-6900 david@fercharchitecture.com





FRONT PORCH PHOTO

PRELIMINARY PLAN  
NOT FOR CONSTRUCTION



SIDE PORCH PHOTO

PRELIMINARY PLAN  
NOT FOR CONSTRUCTION

REV. 8/23/18  
7/30/18

121 LANGDON

FERCH ARCHITECTURE  
2704 GREGORY STREET, MADISON, WI 53711  
608-238-6900 david@fercharchitecture.com

E-A7





REAR PORCH PHOTO

121 LANGDON

8/23/18

FERCH ARCHITECTURE  
2704 GREGORY STREET, MADISON, WI 53711  
608-238-6900 david@fercharchitecture.com

E-A8

PRELIMINARY PLAN  
NOT FOR CONSTRUCTION



Photo: Wisconsin Historical Society, WHS-39049

HISTORIC PHOTO: John Suhr Residence

REV. 8/23/18

## 121 LANGDON

7/30/18

FERCH ARCHITECTURE

2704 GREGORY STREET, MADISON, WI 53711  
608-238-6900 david@fercharchitecture.com

E-A9

PRELIMINARY PLAN  
NOT FOR CONSTRUCTION





## CENTRAL PROPERTIES

513 North Lake Street  
Madison, WI 53703  
Telephone: 608-255-1767

August 11, 2008

TO: Alderman Verveer  
FROM: Harold Langhammer  
RE: 121 Langdon Street

Hi Mike. Please sign the application for existing conditional use, and give a call to our office and we will pick it up.

The picture shows the existing garage, stairs and porch. The garage hasn't been used in years and we have it propped up with jacks because the steel beams holding the concrete deck are rusting through. We think it is a hazard as well as unsightly. We want to remove everything that is there and replace it with a simple entry stairs, as shown on the attached drawing.

Kitty Rankin has approved the demolition and building the stairs.  
Call me with any questions. Thanks..

Project detail

Page 1 of 1



## City of Madison Site Plan Verification

Admin Pick up Review All Projects User Info Logout

### PROJECT 1178: 121 Langdon St

Submitted by: Central Properties  
Contact: Harold Langhammer: (608) 255-1767  
Project type: Minor Alteration to CU  
Description: restore existing carport and deck & replace with parking stalls and entry stairs  
Status: completed on 9/19/2008

Project has been completed.

Agency	Status	Requirements	Remarks	Checklist Date	Contact	Permitted
Dwelling	Approved			10/22/2008	608-255-1767	608-255-1767
Traffic Engineering	Approved			10/22/2008	608-255-1767	608-255-1767
Fire	Approved			10/22/2008	608-255-1767	608-255-1767
Engineering	Approved			10/22/2008	608-255-1767	608-255-1767
Planning	Approved			10/22/2008	608-255-1767	608-255-1767
Landmarks Commission	Approved			10/22/2008	608-255-1767	608-255-1767
Engineering Mapping	Approved			10/22/2008	608-255-1767	608-255-1767



### Engineering

Note: Supplementary Condition Completed (was Submit revised site plan that clearly identifies existing features vs. new or revised features. The plan submitted was originally submitted in 1997 and it is unclear with the notation of what all exactly is currently proposed as "new" and what was "new" in 1997.)

Note: Supplementary Condition Completed (was If after review of the revised site plan it is determined that 4,000 sq ft or more of area is being disturbed an Erosion Control & Storm Water Management Permit may be required.)

Top

### Landmarks Commission

Note: Supplementary Condition Completed (was 1) Submit a revised site plan detail showing the exact location and dimensions of the parking spaces to be retained in conjunction with the location of the new stairs/deck-- it appears that this new structure will make one of the parking spaces non functional. 2) Provide a revised landscaping plan that provides some screening for the parking spaces that will now be exposed to the street-- recommend removing pavement from the parking space mentioned in item one and landscaping the area. 3) Kitty Rankin must approve the design of the new stairs/deck-- especially concerned about the underside and the spindly appearance of the 4" x 4" posts that will sit 6+ feet from the ground. 4) Provide information about the appearance and condition of the walls of the house once the porch and carport are removed.)

Top

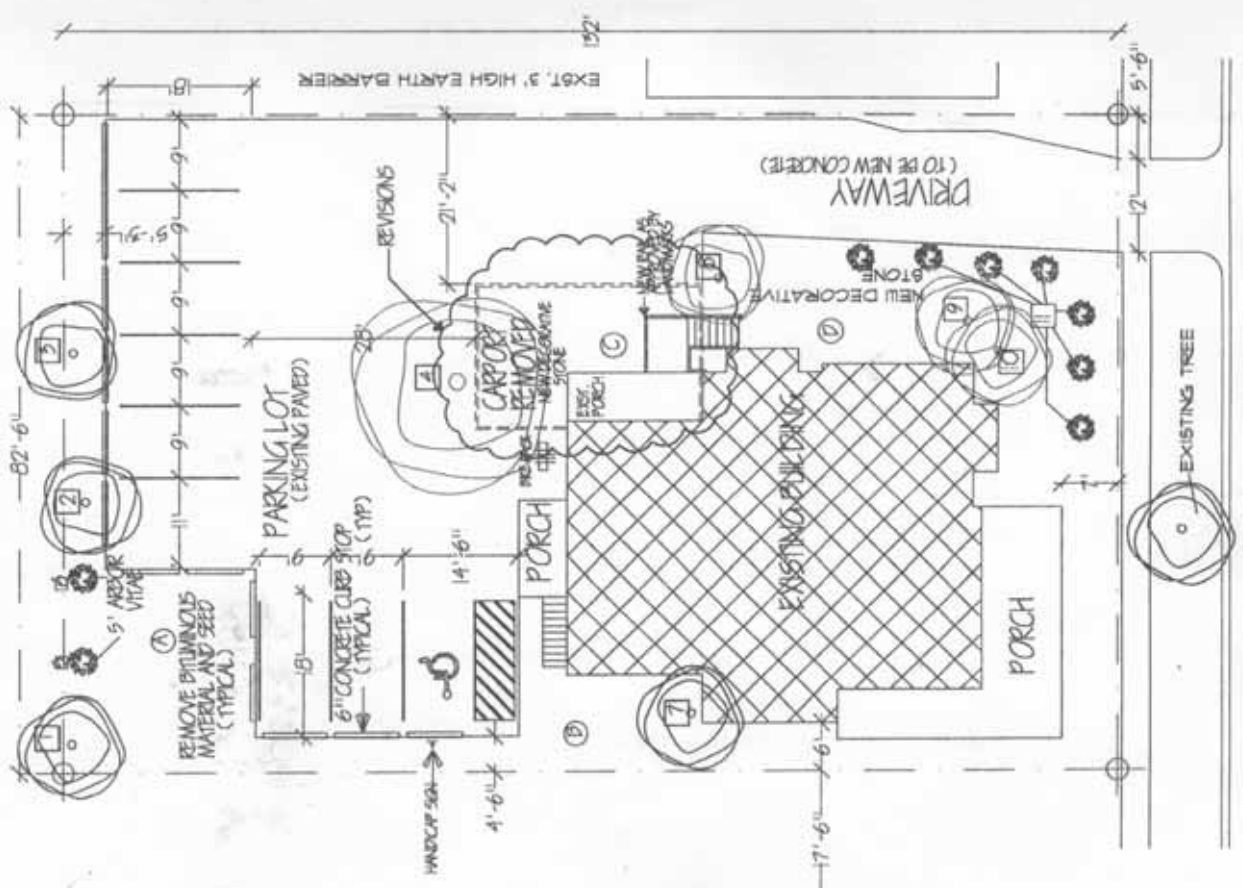
### Zoning

Note: Supplementary Condition Completed (was Provide zoning with a copy of the revised site and landscaping plans per Landmark's Commission comments.)

Top

[http://citypermits.cityofmadison.com/PL\\_2/projects/1178,0](http://citypermits.cityofmadison.com/PL_2/projects/1178,0)

9/19/2008



DATE OF PLAN

APR 12 1995

REVISIONS

JUNE 13 1995

AUG 13 2002B

121 LANGDON STREET GROUP APARTMENTS

121 LANGDON ST., MADISON, W. 53705

DRAWN BY: *John Vincent*

SHEET NUMBER

1

PARKING LOT PLAN SITE INFORMATION BLOCK

SITE ADDRESS 121 LANGDON ST.

SITE SQUARE FOOTAGE 10,800

NUMBER OF BUILDING STORES (ABOVE GROUND) 3

BUILDING HEIGHT 54'

TOTAL SQUARE FOOTAGE OF BUILDING 7,000

USE OF PROPERTY APARTMENTS

NUMBER OF SINGLE SOILS SHOWN 4

NUMBER OF PARKING SOILS SHOWN

STALLS ACCESSIBLE TOTAL 9

NUMBER OF TREES SHOWN

LANDSCAPING SCHEDULE

NO.	ITEM	SIZE	NEW
1	OAK	20"	
2	BASSWOOD	18"	
3	BASSWOOD	10"	
4	OAK	24"	
5	ARBOR VITAE	(5' HIGH)	
6	ARBOR VITAE	(5' HIGH)	
7	MAPLE	12"	
8	OAK	14"	
9	MAPLE	10"	
10	MAPLE	10"	
11	ALPINE BUSH		

LOT AREA REQUIRED

LANDSCAPING 10,800 sq ft

10' X 10' X 10' X 10' = 2,400 sq ft

10' X 10' X 10' X 10' = 2,400 sq ft

TOTAL REQUIRED - 3,900 sq ft

LOT AREA PROVIDED

10,800 sq ft

OPEN SPACE BY AREA

A - 670 sq ft

B - 345 sq ft

C - 452 sq ft

D - 501 sq ft

TOTAL - 1,968 sq ft

OPEN SPACE REQUIRED

18' X 10' X 10' X 10' = 1,260 sq ft

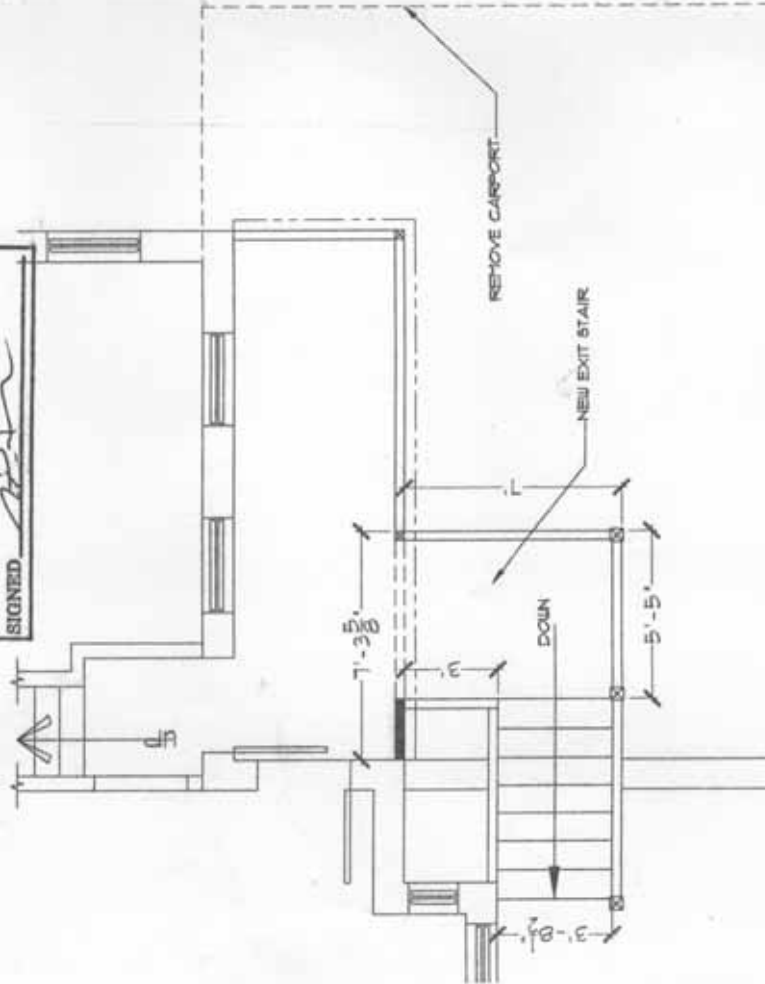
TOTAL PROVIDED - 1,968 sq ft

SCALE 1" = 20'-0"

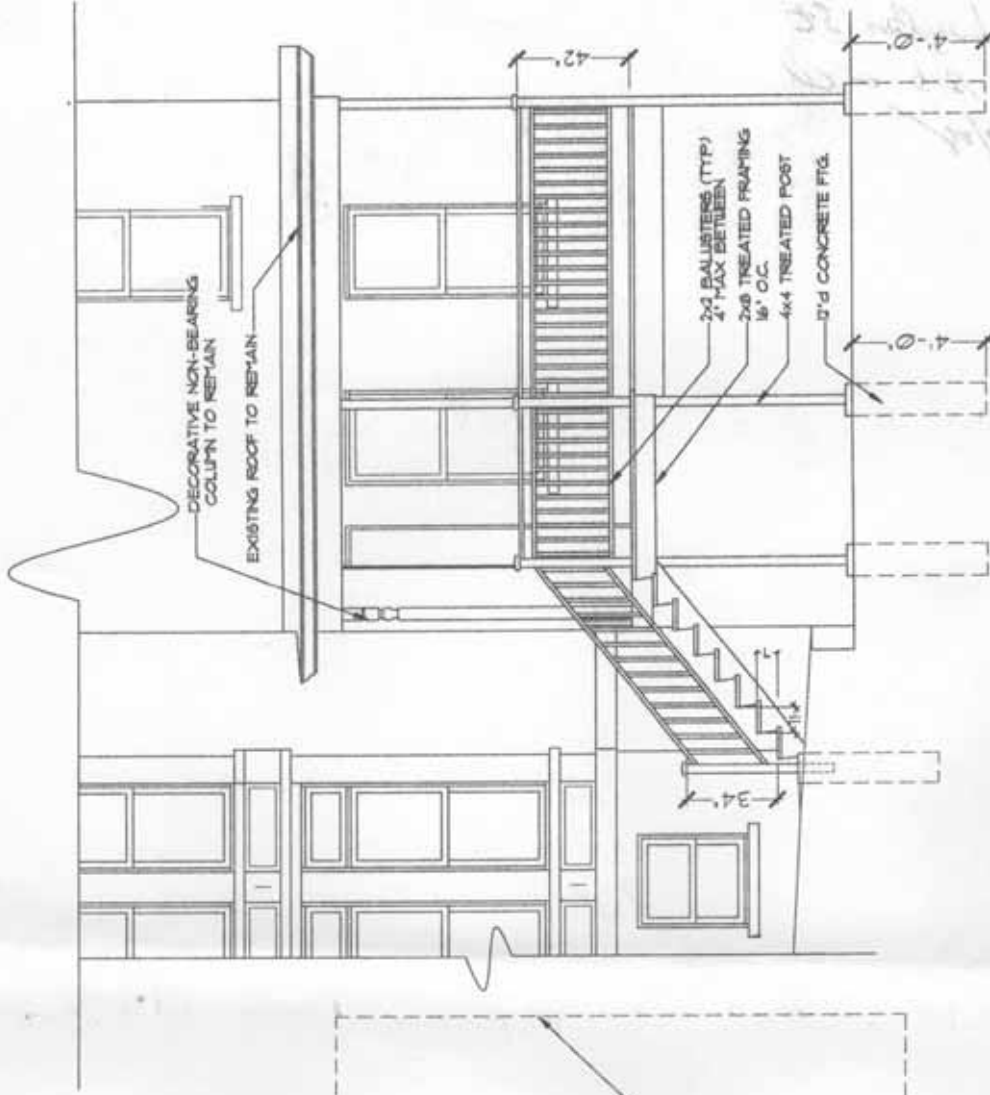
ring



PLAN/PARKING FACILITY APPROVAL	
ADDRESS <u>1211 Langdon St.</u>	
ID# <u>178</u> DATE SUBMITTED <u>8/14/08</u>	
ORIGINAL <u>✓</u> REVISION# <u>      </u>	
FINAL SIGN OFF DATE <u>9/3/08</u>	
SIGNED <u>[Signature]</u>	



**STAIR PLAN**



**ELEVATION**



Department of Planning & Community & Economic Development

## Planning Division

Heather Stouder, Director

126 S Hamilton Street  
P.O. Box 2985  
Madison, Wisconsin 53701-2985  
Phone: (608) 266-4635  
Fax (608) 267-8739  
[www.cityofmadison.com](http://www.cityofmadison.com)

August 29, 2018

121 Langdon Street Group  
c/o Shakespeare's Books  
513 N Lake St  
Madison WI 53703

Re: 121 Langdon Street – Demolition by Neglect public hearing

The City of Madison Landmarks Commission has received notice from the Building Inspection Division that the landmark site located at 121 Langdon Street in the Mansion Hill Historic District is undergoing Demolition by Neglect. This letter is to inform you that, pursuant to the Historic Preservation Ordinance Section 41.15(2), the Landmarks Commission will schedule the public hearing for this item on **Monday, September 17, 2018 at 5:00 pm in room 103A of the City-County Building (210 Martin Luther King Jr Blvd)**. A representative of this property should be in attendance at the public hearing.

You are strongly encouraged to make any necessary repairs to bring your property into compliance before the public hearing of this date. Should you have any questions about the hearing or conducting the necessary repairs to bring your property into compliance, please contact me at [bfruhling@cityofmadison.com](mailto:bfruhling@cityofmadison.com) or 608-267-8736.

Sincerely,

William Fruhling, Acting Preservation Planner  
City of Madison Planning Division

cc: Harold Langhammer, 513 N Lake St, Madison WI 53703  
Rebecca Cnare, Urban Design Planner  
Heather Stouder, Planning Division Director  
Natalie Erdman, Department of Planning and Community and Economic Development Director  
Stuart Levitan, Landmarks Commission Chairperson  
Ledell Zellers, District 2 Alderperson  
Anne Monks, Deputy Mayor  
John Strange, Assistant City Attorney  
George Hank, Building Inspection Director  
Kyle Bunnaw, Housing Inspection Supervisor

# LANDMARKS COMMISSION APPLICATION

LC

Complete all sections of this application, making sure to note the requirements on the accompanying checklist (reverse).

If you need an interpreter, translator, materials in alternate formats or other accommodations to access these forms, please call (608) 266-4635

City of Madison  
Planning Division  
126 S Hamilton St  
PO Box 2985  
Madison, WI 53701-2985  
(608) 266-4635



## 1. LOCATION

Project Address: 121 LANGDON STREET Aldermanic District: 2

## 2. PROJECT

Project Title/Description: EXTERIOR REPAIR - 121 LANGDON

This is an application for: (check all that apply)

- ☐ Alteration/Addition to a building in a Local Historic District or Designated Landmark (specify)\*\*:
- ☐ Mansion Hill ☐ Third Lake Ridge ☐ First Settlement  
☐ University Heights ☐ Marquette Bungalows ☒ Landmark
- ☐ Land Division/Combination in a Local Historic District or to Designated Landmark Site (specify)\*\*:
- ☐ Mansion Hill ☐ Third Lake Ridge ☐ First Settlement  
☐ University Heights ☐ Marquette Bungalows ☐ Landmark
- ☐ Demolition
- ☐ Alteration/Addition to a building adjacent to a Designated Landmark
- ☐ Variance from the Historic Preservation Ordinance (Chapter 41)
- ☐ Landmark Nomination/Rescission of Historic District Nomination/Amendment  
(Please contact the Historic Preservation Planner for specific Submission Requirements.)
- ☐ Other (specify):

DPCED USE ONLY	Legistar #: <u>53000</u>
	DATE STAMP <b>CITY OF MADISON</b>  <b>SEP - 4 2018</b> <u>11:10 AM</u> <b>Planning &amp; Community &amp; Economic Development</b>
	Preliminary Zoning Review  Zoning Staff Initial:  Date: <u>  </u> / <u>  </u> / <u>  </u>

## 3. APPLICANT

Applicant's Name: DAVID FERCH Company: FERCH ARCHITECTURE

Address: 2704 GREGORY ST MADISON, WI 53711  
Street City State Zip

Telephone: 608-886-3394 Email: david@fercharchitecture.com

Property Owner (if not applicant): 121 LANGDON STREET GROUP LLC, HAROLD LANGHAMMER  
Partner

Address: 513 N. LAKE STREET MADISON, WI 53703  
Street City State Zip

Property Owner's Signature: Harold Langhammer Date: 9-4-18

NOTICE REGARDING LOBBYING ORDINANCE: If you are seeking approval of a development that has over 40,000 square feet of non-residential space, or a residential development of over 10 dwelling units, or if you are seeking assistance from the City with a value of \$10,000 (including grants, loans, TIF or similar assistance), then you likely are subject to Madison's lobbying ordinance (Sec. 2.40, MGO). You are required to register and report your lobbying. Please consult the City Clerk's Office for more information. Failure to comply with the lobbying ordinance may result in fines.

## 4. APPLICATION SUBMISSION REQUIREMENTS (see checklist on reverse)

All applications must be filed by 12:00 pm on the submission date with the Preservation Planner, the Department of Planning & Community & Economic Development, Planning Division, located at 126 S Hamilton Street. Applications submitted after the submission date or incomplete applications will be postponed to the next scheduled filing time. Submission deadlines can be viewed here: [www.cityofmadison.com/dpced/planning/documents/2018LCMeetingScheduleDates.pdf](http://www.cityofmadison.com/dpced/planning/documents/2018LCMeetingScheduleDates.pdf)

# FERCH ARCHITECTURE

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2704 Gregory Street, Madison, WI 53711 (608) 238-6900

September 3, 2018

Project: 01815

Madison Landmarks Commission  
126 S. Hamilton St.  
Madison, WI 53701

RE: Letter of Intent – 121 Langdon Street

Dear Madison Landmarks Commission Members:

The owner of the registered landmarks building (John Suhr Residence) at 121 Langdon was issued a notice for needed repair work on the building. Attached is that repair notice and drawings addressing the repairs.

The attached drawings are not quite finished, but I am requesting review at this time to receive input on the design and detail work on the front, south side and porches. The south side porch could be repaired to meet the design of the approved plans in 2008 (last 3 sheets of the drawings), but the owner is willing to make additional design improvements to that porch to be in more conforming to the original building design.

Thank you for your time in reviewing this proposal.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "DAVID FERCH", with a stylized flourish at the end.

David Ferch

---



**From:** Building Inspection Division  
126 S. Hamilton St.  
P.O. Box 2984  
Madison, Wisconsin 53701-2984

**City of Madison**  
**OFFICIAL NOTICE**

**Notice:** An inspection discloses that certain sections of the City Ordinances are being violated.

**Property Located At:**  
121 LANGDON STREET

**OWNER:**  
121 LANGDON STREET GROUP  
% SHAKESPEARE'S BOOKS  
513 N LAKE ST  
MADISON WI 53703

Item No.	Violating Section No.	CORRECTIONS REQUIRED
----------	-----------------------	----------------------

**121 LANGDON STREET**

**REISSUE**

**FIELD OBSERVATION**

**Exterior of house**

**NOTE:**

THIS IS A **REISSUE** OF THE PREVIOUSLY ISSUED NOTICE CB2016-040-01121 DUE TO ITEMS HAVING NOT BEEN PROPERLY IDENTIFIED AND INCLUDED ON THE ORIGINAL NOTICE THAT WAS ISSUED. YOU MAY DISREGARD THE ORIGINAL NOTICE AND NOTE THAT THE DUE DATE FOR THIS CASE HAS BEEN EXTENDED TO JULY 16, 2017.

ALL HISTORIC DISTRICT AND LANDMARK REGULATIONS APPLY.

ALL DIRECTIONS ARE VIEWED LOOKING AT THE FRONT OF THE HOUSE FROM LANGDON ST.

1. 41.09(2)
- 41.16
- 41.21(2)

Obtain a Certificate of Appropriateness from the Landmarks Commission *before proceeding with any exterior repairs or alterations to this property*. Because this property is a designated Landmark, any exterior work must be reviewed and approved by the Landmarks Commission, or staff designee, and a Certificate of Appropriateness granted before a Building Permit may be issued and/or before any exterior work may begin. Contact Amy Scanlon, Preservation Planner, to discuss this project and to discuss the approval process. Please also note that failure to comply with any provision of the Landmarks Commission Ordinance, including failure to comply with any conditions of your approval, are subject to a minimum forfeiture of

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Madison, Wisconsin 53701-2984

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\$250 a day and a maximum forfeiture of \$500 a day for each separate violation. [See  
Madison General Ordinances Sec 41.14(3).]

Compliance with any of the exterior-related items listed in this Official Notice shall be  
contingent upon these repairs being completed in such a manner that meets all of the  
criteria and expectations set forth by the Landmarks Commission, by Preservation  
Planner, Amy Scanlon, and by Madison Building Inspection.

You may contact the Preservation Planner by phone at (608)266-6552 or by email at:  
[ascanlon@cityofmadison.com](mailto:ascanlon@cityofmadison.com)

2. 29.05(1)  
29.08(1)  
27.05(2)i

Obtain the required building permit and inspections and repair or rebuild the front  
porch and roof assembly to a safe and substantial condition. This includes, but is not  
limited to:

- Repair or replace the damaged and out of plumb masonry piers supporting the  
front porch roof columns, tuck point the columns as needed, and replace any  
missing material. Ensure all piers are returned to plumb condition and can  
support all loads applied to them
- Repair or replace the porch columns - the columns are deteriorating and out of  
plumb - ensure all columns are returned to plumb condition and can support  
all loads applied to them
- Repair or replace any deteriorated beams and framing in the front porch roof  
assembly and return them to a level condition.
- Replace any rotted, missing, or damaged fascia, soffit, trim, or decorative  
members on the front porch assembly



From: Building Inspection Division

126 S. Hamilton St.

P.O. Box 2984

Madison, Wisconsin 53701-2984

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**OWNER:**

121 LANGDON STREET GROUP

% SHAKESPEARE'S BOOKS

513 N LAKE ST

MADISON WI 53703

Item No.	Violating Section No.	CORRECTIONS REQUIRED
-------------	--------------------------	----------------------

- Eliminate all holes, gaps, and cracks, and repair the crushed areas where the support columns meet the beams
- Ensure that the roof system is weatherproof, rodent proof, and in proper repair

3. 29.05(1)  
29.08(1)  
27.05(2)(i)

Obtain the required building permit and inspections for the right side porch stairway that was installed without approvals or return the area to its original condition. An inspection found that a non-code complaint right side porch stairway was installed without a building permit or approvals. Some items observed that do not comply with the building code are as follows:

- Use of a 2x4 as top of handrail
- Handrail does not extend to the bottom landing
- Unknown construction of support post footings
- Stair stringers not properly attached to the top beam
- Existing box beam supporting roof system crushed/rotted
- Beam connections not resting on top of support posts
- Drywall screws used in post to footing connection
- Foundation window not safety glass at base of stairs

From: Building Inspection Division

126 S. Hamilton St.

P.O. Box 2984

Madison, Wisconsin 53701-2984

# City of Madison

## OFFICIAL NOTICE

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121 LANGDON STREET

**OWNER:**

121 LANGDON STREET GROUP  
% SHAKESPEARE'S BOOKS  
513 N LAKE ST  
MADISON WI 53703

Item No.	Violating Section No.	CORRECTIONS REQUIRED
----------	-----------------------	----------------------

4. 29.05(1)

29.08(1)

27.05(2)(i)

Obtain the required building permit and inspections for the work done to repair the rear porch assembly and return the rear porch assembly to a safe and code compliant condition. An inspection found that incorrect rear porch repairs were made without a building permit or approvals. Some items observed that do not comply with the building code are as follows:

- Open stair risers
- Over span of deck support beams
- Unknown construction and use of "cookie" support post footings
- Missing beam/support post connections
- Loose, rotted, and/or missing balusters
- Rotted wood in the roof support columns
- Rotted/animal damaged wood roof fascias/soffits/trim

5. 27.05(2)(g)2

Tuck point and repair the masonry throughout the building wherever the existing mortar and blocks or bricks are loose, damaged, cracked, or missing. Remove any spray foam that has been installed between bricks. Repairs shall be completed in a workmanlike manner using accepted masonry construction methods and materials. Ensure that the foundation is waterproof, rodent proof, and can support all loads applied to it. Areas to be repaired shall include, but are not limited to:

- The building block foundation walls
- The masonry brick walls, window, and door openings
- The rear chimney
- The right side chimney



From: Building Inspection Division  
126 S. Hamilton St.  
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MADISON WI 53703

Item No.	Violating Section No.	CORRECTIONS REQUIRED
6.	27.05(2)(e)	<p>Scrape and repaint the building wherever paint is peeling, chipping, cracking, or missing. All newly painted areas shall closely match the surrounding areas in color and appearance. Areas to be painted include, but are not limited to:</p> <ul style="list-style-type: none"><li>• The first floor front stair risers</li><li>• Exterior of the common front entry doors</li><li>• Front porch ceiling</li><li>• All new wood installation or repairs</li><li>• Wherever the existing finish is missing or damaged</li></ul>
7.	27.05(2)(i)	<p>Repair the broken sections of wood lattice decorative skirting, and remove and properly relocate the non-conforming metal duct through the front skirt.</p>
8.	27.05(2)(g)2	<p>Replace the missing, rotted, or deteriorated wood fascias, trim, gable end trim, siding, and metal sheeting throughout the building. Ensure that all repairs are weatherproof and rodent proof and painted to match the surrounding areas. Areas needing repair include, but are not limited to:</p> <ul style="list-style-type: none"><li>• The second floor front balconet</li><li>• The storm window assemblies in the first floor front bay window system below the balconet</li><li>• The framing in the two story bay window system on the right side of the house</li><li>• The framing in the third floor mansard roof and rear roof systems</li></ul>

From: Building Inspection Division

126 S. Hamilton St.

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121 LANGDON STREET

**OWNER:**121 LANGDON STREET GROUP  
% SHAKESPEARE'S BOOKS  
513 N LAKE ST  
MADISON WI 53703

Item No.	Violating Section No.	CORRECTIONS REQUIRED
9.	27.05(2)(h)	Remove the plastic cover in the half-moon foundation window on the front of the house, and replace the missing window glass and rotted wood trim and framing, and repair any holes. Ensure that the window system is weatherproof and rodent proof.
10.	27.04(2)(g)	Properly secure and install the loose orange communication wires and open/loose gray communication junction box on the front porch next to the gas meters.
11.	27.05(2)(d)	Repair or rebuild the masonry retaining wall under the right side porch; the wall is leaning and out of plumb.
12.	27.05(2)a 27.05(2)(g)2	Properly re-grade the ground around the perimeter of the foundation so that the rigid insulation is no longer exposed. If the insulation cannot be properly covered via grading, ensure the rigid insulation is properly covered with an approved material and not exposed to ultraviolet light sources.
13.	27.05(2)(a)	Remove the plastic down spout extension assemblies and replace them with a downspout system that conforms with the Landmark requirements for this property.
14.	27.05(2)(h)	Remove the cracked plastic from the foundation window opening toward the front and replace the rotted wood in the middle foundation window assembly next to it on the left side of the house.



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SHAKESPEARE'S BOOKS

513 N LAKE ST

MADISON, WI 53703

**OWNER:**

121 LANGDON STREET GROUP

% SHAKESPEARE'S BOOKS

513 N LAKE ST

MADISON WI 53703

Item No.	Violating Section No.	CORRECTIONS REQUIRED
----------	-----------------------	----------------------

This notice does not start any legal action. However, if the violations are not corrected by the due date listed below, the Building Inspection Division may issue citation(s), and/or refer the situation to the City Attorney's Office.

The Building Inspection Division is willing to answer questions pertaining to this official notice in order to assist you in correcting the violations. If you have questions or problems, it is important to contact me before the due date at the number listed below. You should also contact me on or before the due date if you wish to attend the follow-up inspection.

\*\*\*\*\*  
**THE MADISON GENERAL ORDINANCES REQUIRE THAT A FEE OF \$75.00 BE CHARGED FOR REINSPECTIONS THAT DO NOT RESULT IN FULL COMPLIANCE, INCLUDING REINSPECTIONS RESULTING IN AN EXTENDED DUE DATE. ATTEMPTED REINSPECTIONS (NO ENTRY) ARE BILLED AT \$35.00 EACH.**  
\*\*\*\*\*

The inspector can be reached by phone at 608-266-4495 or by email at [rales@cityofmadison.com](mailto:rales@cityofmadison.com)

Inspected by: Robert Ales

On: 11-21-2016

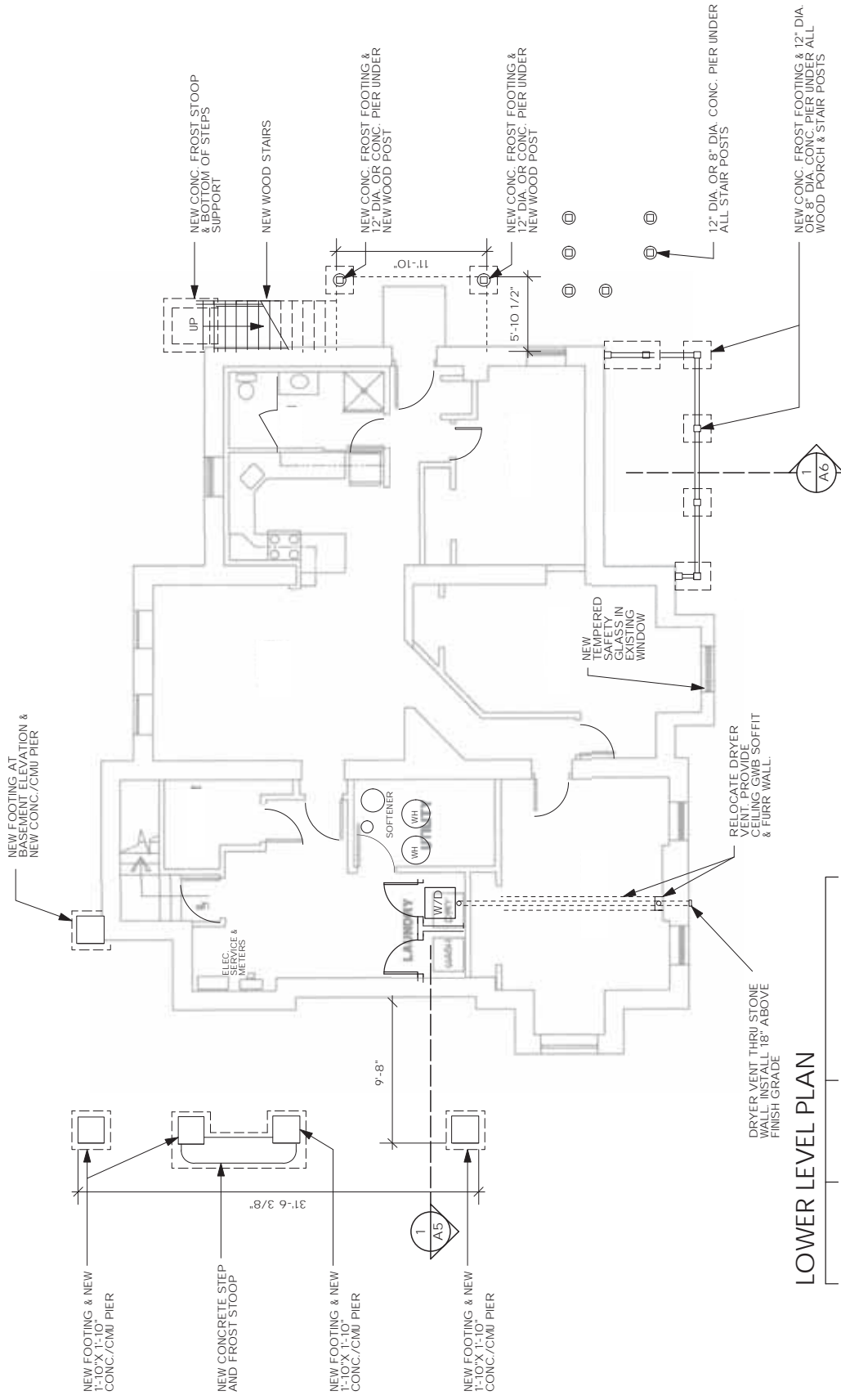
Date Issued: 4-21-2017

The violations shall be corrected on or before:

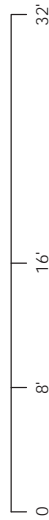
July 16, 2017

Code Enforcement Officer: \_\_\_\_\_

Any person violating any provision of the City Ordinances enforced by the Building Inspection Division is subject to the penalties provided by the appropriate Ordinance violated. ALL APPLICATIONS FOR APPEAL OF CHAPTERS 17, 18, 19, 27, 28, 29, 30 and 31 SHALL BE SUBMITTED TO THE BUILDING INSPECTION DIRECTOR IN WRITING WITHIN FIFTEEN (15) DAYS OF POSTMARK ON OFFICIAL NOTICE ENVELOPE. Appeal information may be obtained by calling 266-4551.



LOWER LEVEL PLAN



121 LANGDON

9/3/18

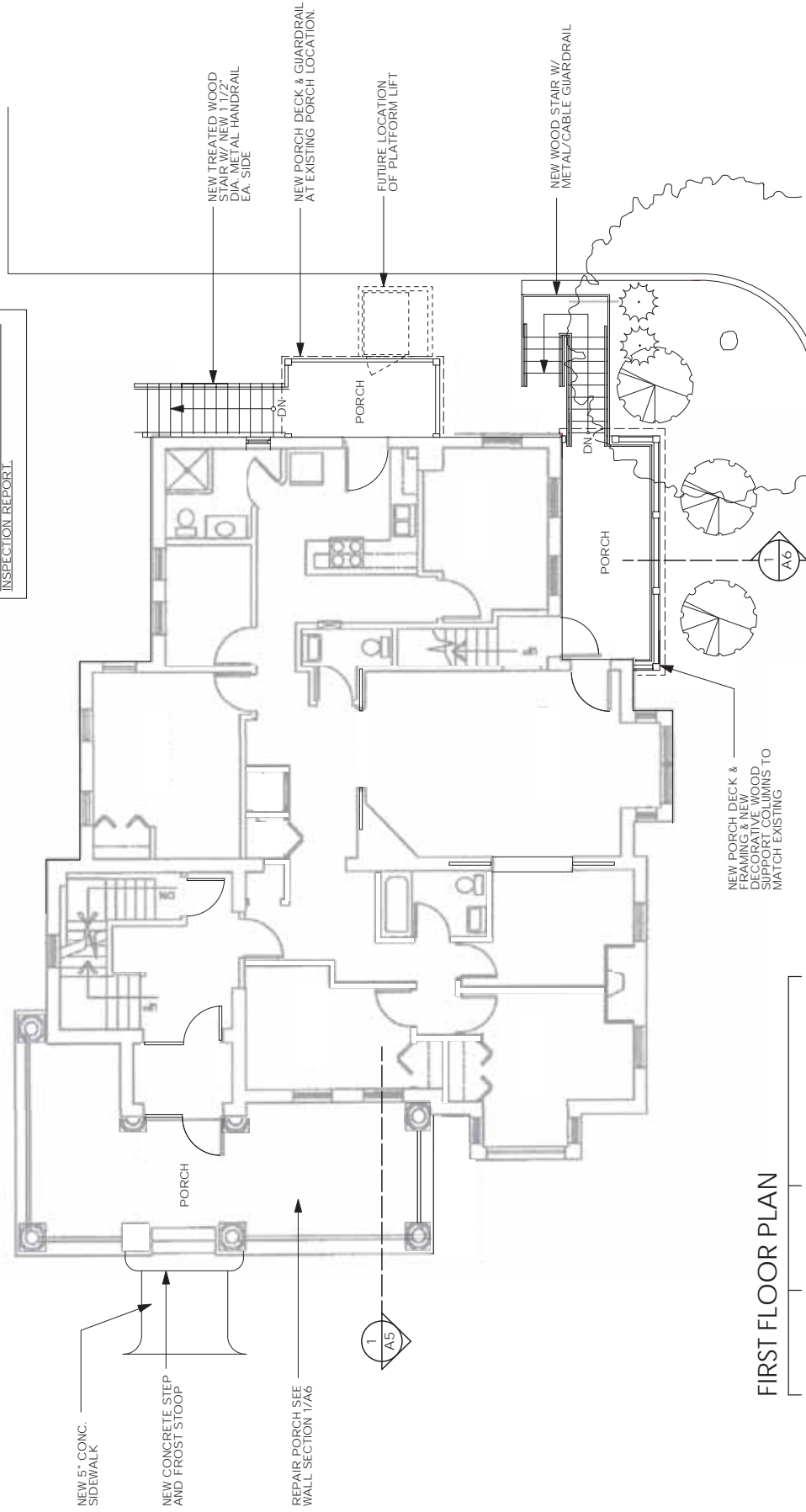
FERCH ARCHITECTURE

2704 GREGORY STREET, MADISON, WI 53711  
608-238-6900 david@fercharchitecture.com

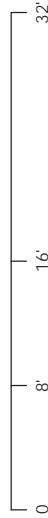
A1



GENERAL NOTE: REPAIR BUILDING WOOD TRIM, BRICK & STONE AND PAINT PER CITY INSPECTION REPORT.



FIRST FLOOR PLAN



121 LANGDON

9/3/18

FERCH ARCHITECTURE  
2704 GREGORY STREET, MADISON, WI 53711  
608-238-6900 david@fercharchitecture.com

A2

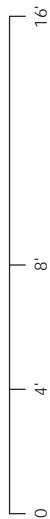


EXISTING 2ND FLOOR FRONT  
ELEVATION SQUARE STOCK  
RAILING



ORIGINAL PORCH RAILING

SIDE PORCH ELEVATION



121 LANGDON

9/3/18

FERCH ARCHITECTURE

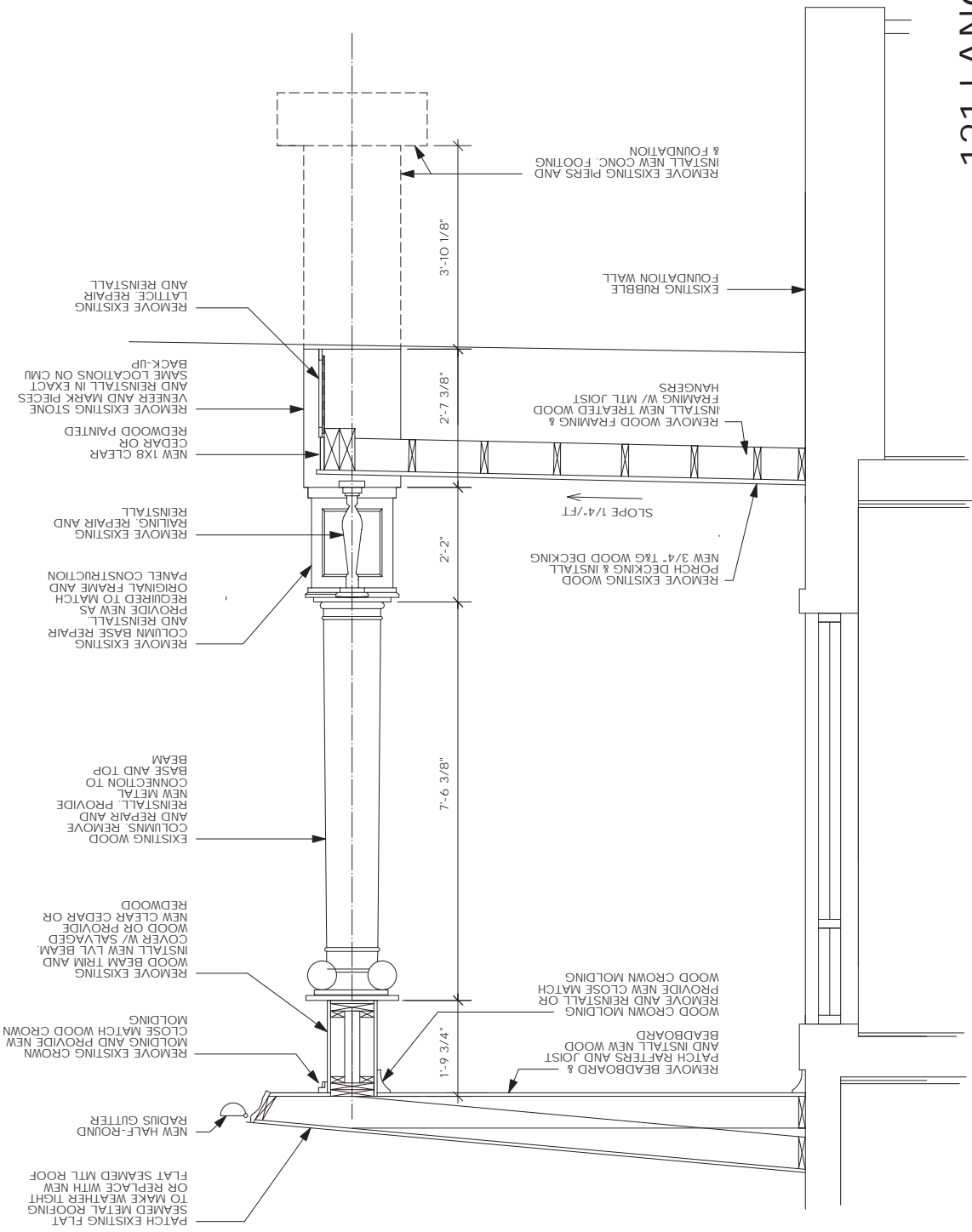
2704 GREGORY STREET, MADISON, WI 53711  
608-238-6900 david@fercharchitecture.com

A3



2704 GREGORY STREET, MADISON, WI 53711  
608-238-6900 david@fercharchitecture.com

A4



FRONT PORCH

SCALE: 1/2" = 1'-0"

121 LANGDON

9/3/18

FERCH ARCHITECTURE  
2704 GREGORY STREET, MADISON, WI 53711  
608-238-6900 david@ferchararchitecture.com

A5

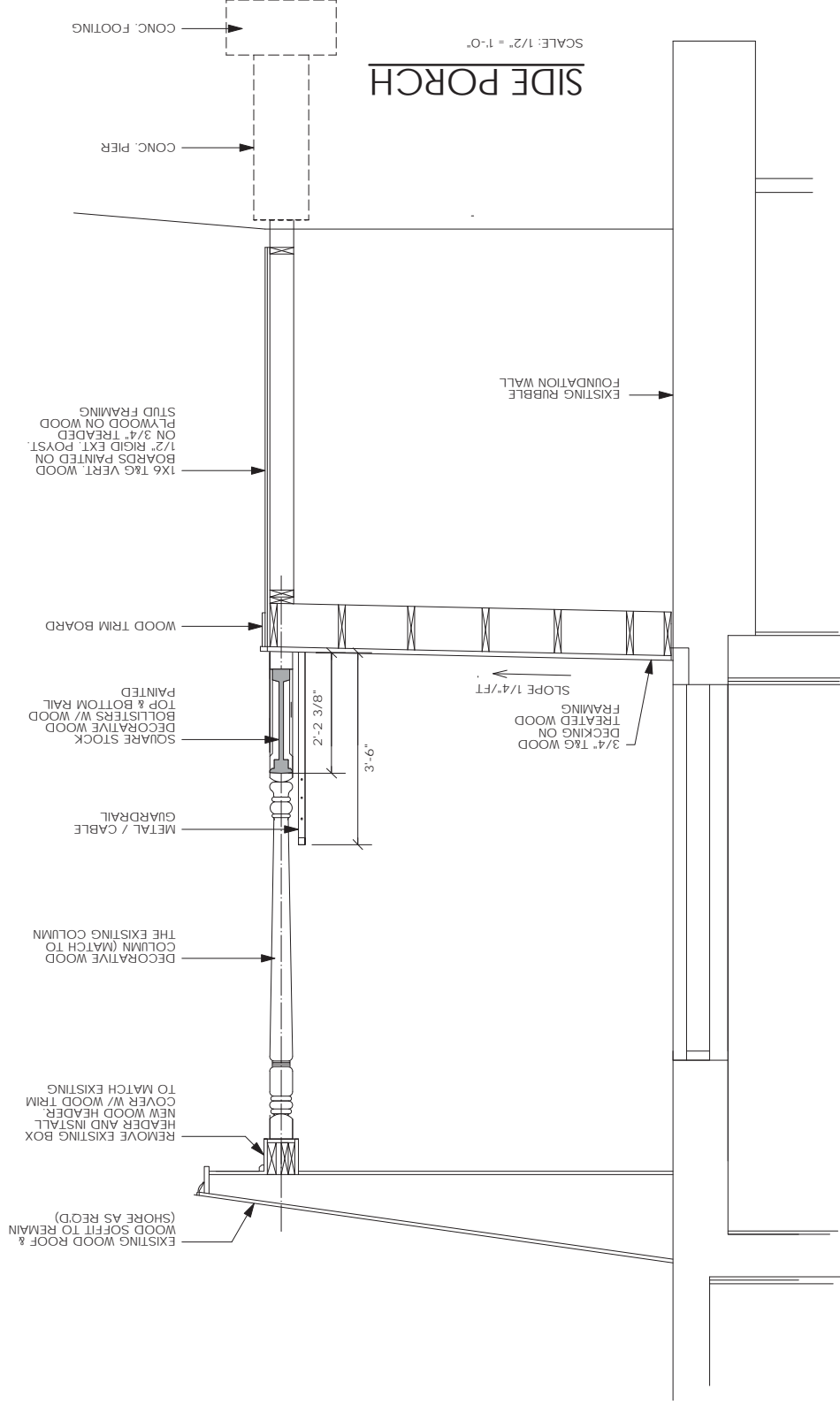


# 121 LANGDON

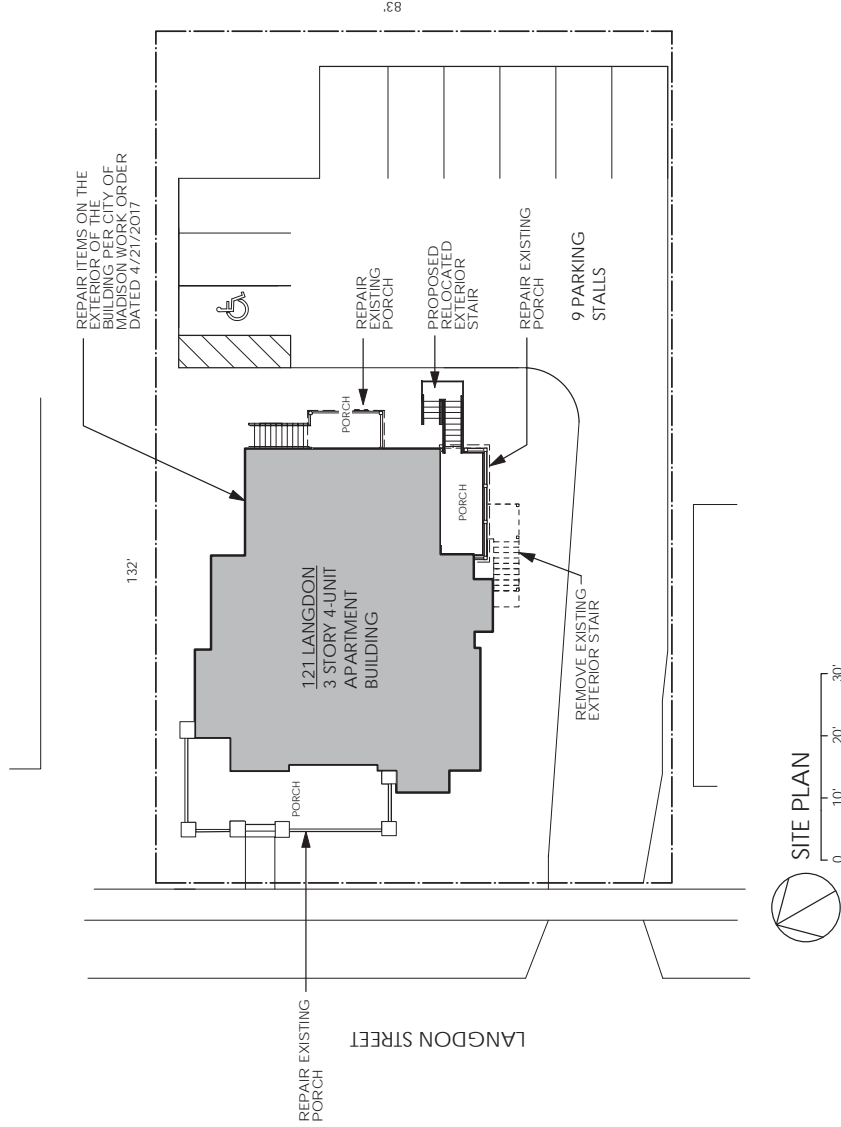
9/3/18

FERCH ARCHITECTURE  
2704 GREGORY STREET, MADISON, WI 53711  
608-238-6900 david@fercharchitecture.com

A6

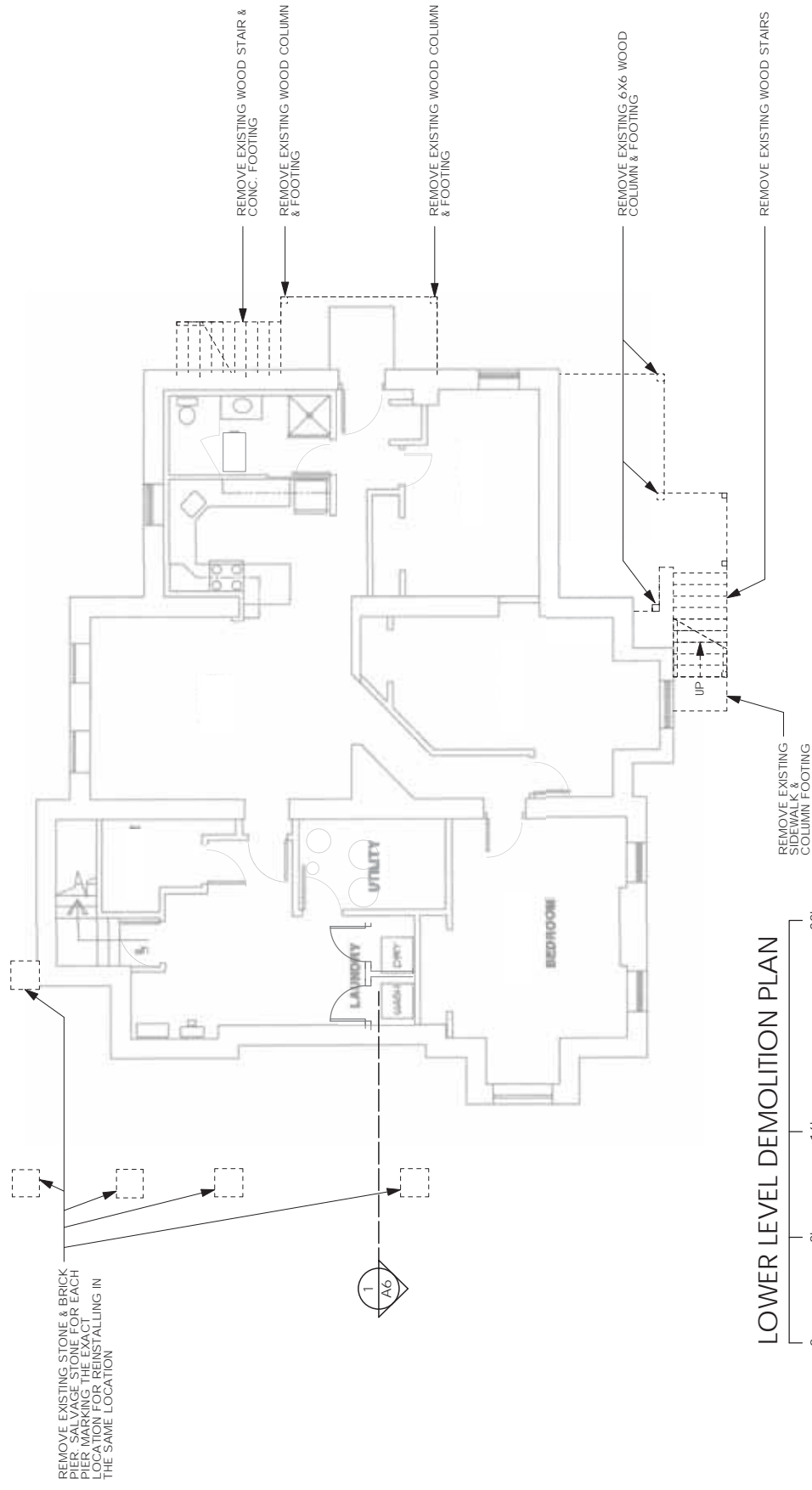


# EXTERIOR REPAIR

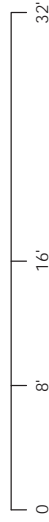


## SHEET INDEX

C1	SITE PLAN, COVER
P1	EXTERIOR PHOTOS
P2	FRONT PORCH PHOTO
P3	SIDE PORCH PHOTO
P4	REAR PORCH PHOTO
P5	HISTORIC PHOTO
P6	HISTORIC PHOTO
D1	LOWER LEVEL DEMOLITION PLAN
D2	FIRST FLOOR DEMOLITION PLAN
A1	LOWER LEVEL PLAN
A2	FIRST FLOOR PLAN
A3	SIDE PORCH ELEVATION
A4	REAR PORCH ELEVATION
A5	FRONT PORCH SECTION
A6	SIDE PORCH SECTION
S1	FIRST FLOOR FRAMING PLAN
S2	SECOND FLOOR FRAMING PLAN
	SIDE PORCH SITE PLAN APPROVAL
	9/19/2008 (3 PAGES)



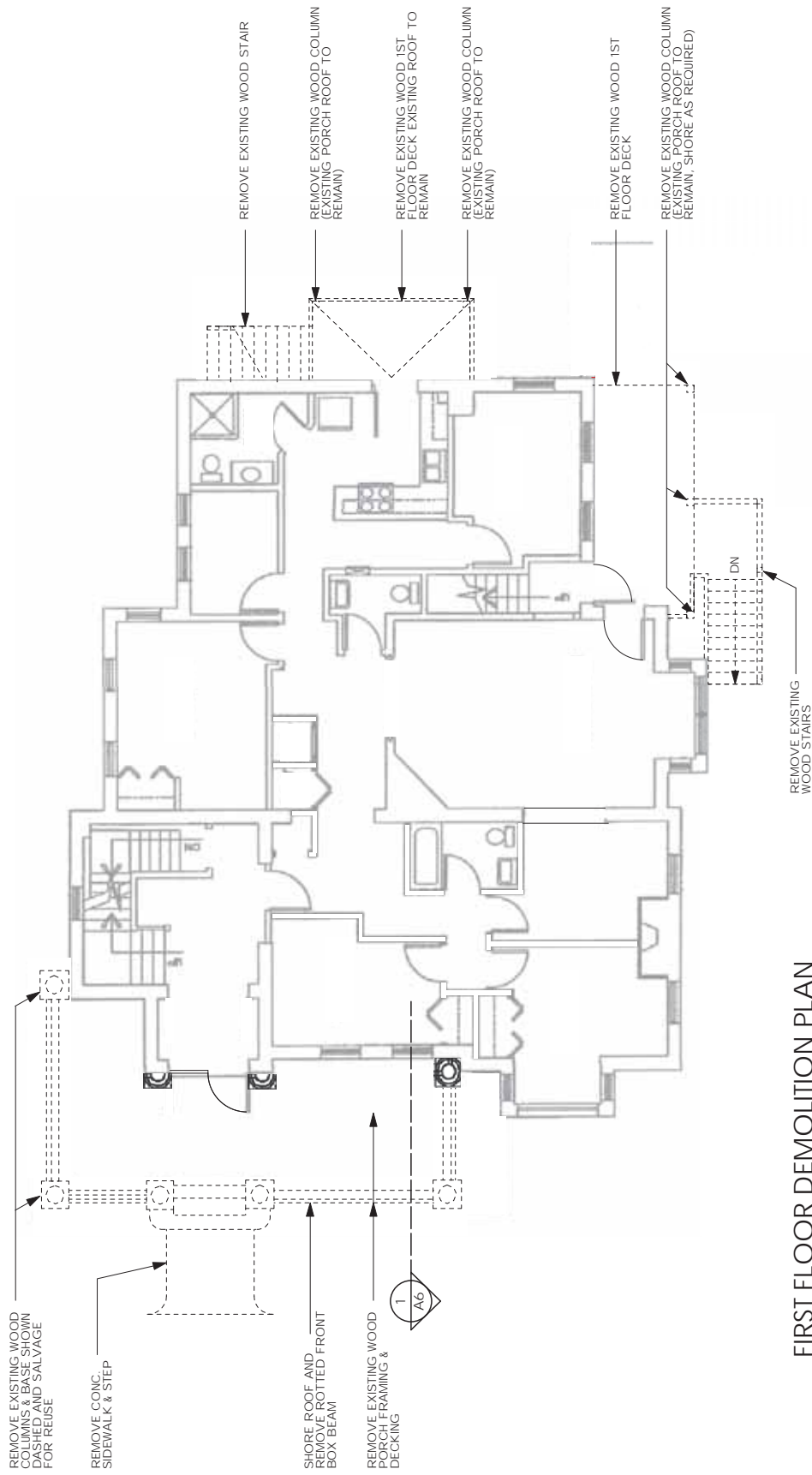
LOWER LEVEL DEMOLITION PLAN



121 LANGDON 9/3/18

FERCH ARCHITECTURE  
2704 GREGORY STREET, MADISON, WI 53711  
608-238-6900 david@fercharchitecture.com

D1



FIRST FLOOR DEMOLITION PLAN

REV. 8/23/18

121 LANGDON

9/3/18

FERCH ARCHITECTURE  
2704 GREGORY STREET, MADISON, WI 53711  
608-238-6900 david@fercharchitecture.com

D2





121 LANGDON

9/3/18

FERCH ARCHITECTURE

2704 GREGORY STREET, MADISON, WI 53711  
608-238-6900 david@fercharchitecture.com

P1



FRONT PORCH PHOTO

REV. 8/23/18

121 LANGDON

9/3/18

FERCH ARCHITECTURE  
2704 GREGORY STREET, MADISON, WI 53711  
608-238-6900 david@fercharchitecture.com

P2





SIDE PORCH PHOTO

REV. 8/23/18

121 LANGDON

9/3/18

FERCH ARCHITECTURE  
2704 GREGORY STREET, MADISON, WI 53711  
608-238-6900 david@fercharchitecture.com

P3



REAR PORCH PHOTO

121 LANGDON

8/23/18  
FERCH ARCHITECTURE  
2704 GREGORY STREET, MADISON, WI 53711  
608-238-6900 david@fercharchitecture.com

P4





Photo: Wisconsin Historical Society, WHS-3280

HISTORIC PHOTO: John Suhr Residence

121 LANGDON

9/3/18

FERCH ARCHITECTURE

2704 GREGORY STREET, MADISON, WI 53711  
608-238-6900 david@fercharchitecture.com

P5



Photo: Wisconsin Historical Society, WHS-39049

HISTORIC PHOTO: John Suhr Residence

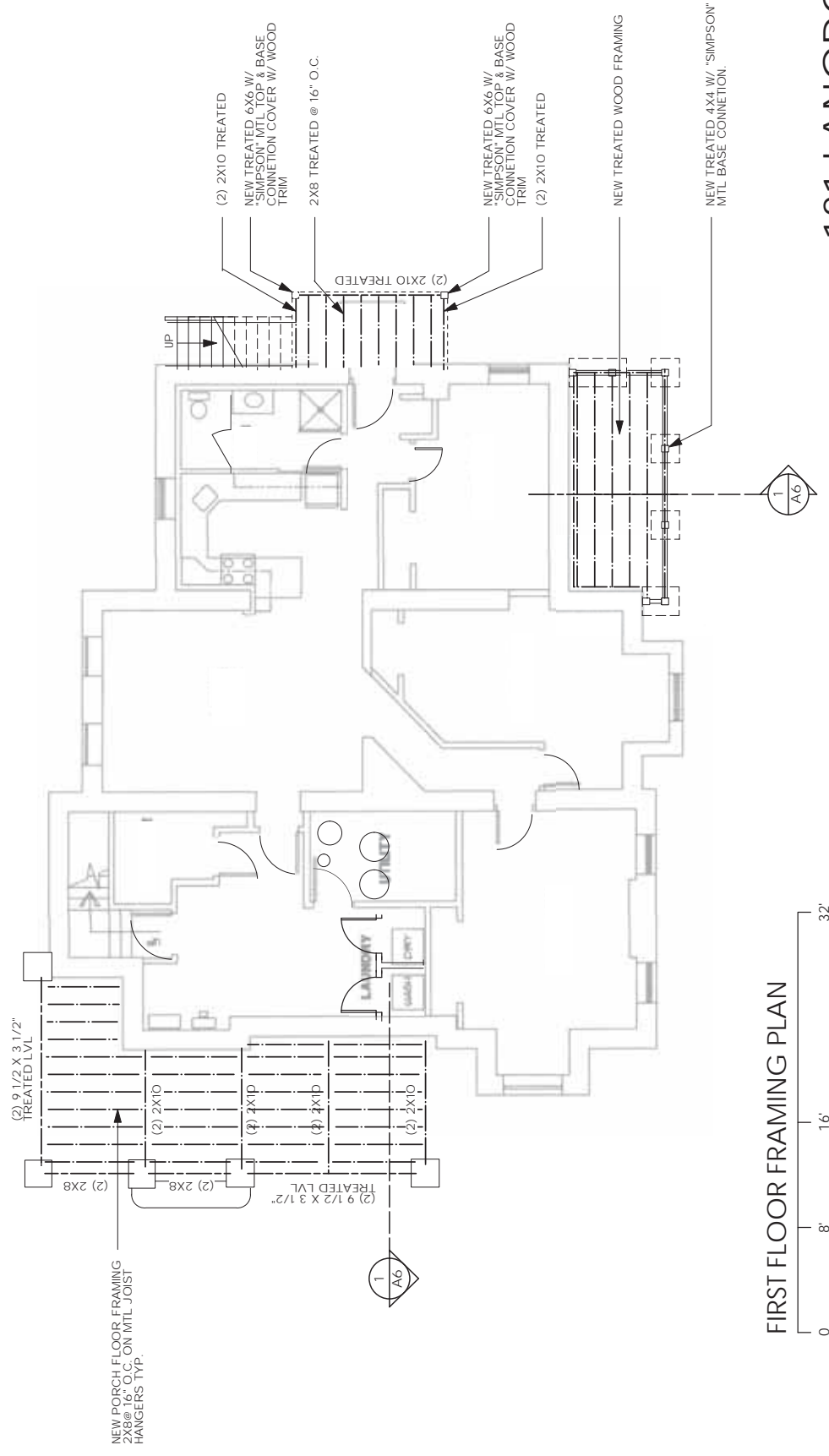
121 LANGDON

9/3/18

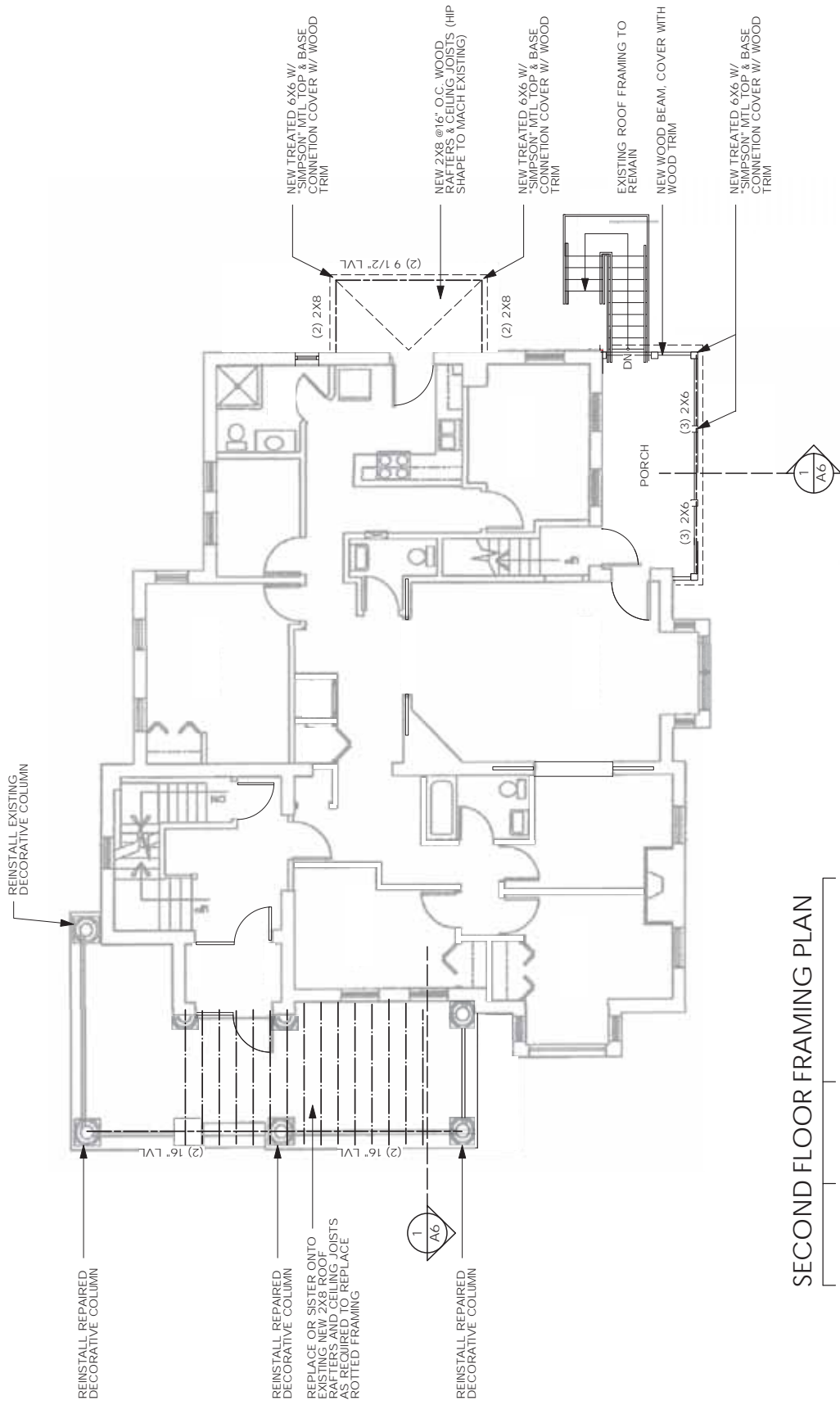
FERCH ARCHITECTURE

2704 GREGORY STREET, MADISON, WI 53711  
608-238-6900 david@fercharchitecture.com

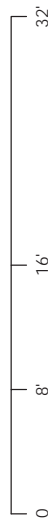
P6







SECOND FLOOR FRAMING PLAN



121 LANGDON

9/3/18

FERCH ARCHITECTURE

2704 GREGORY STREET, MADISON, WI 53711  
608-238-6900 david@fercharchitecture.com

S2





## CENTRAL PROPERTIES

513 North Lake Street  
Madison, WI 53703  
Telephone: 608-255-1767

August 11, 2008

TO: Alderman Verveer  
FROM: Harold Langhammer  
RE: 121 Langdon Street

Hi Mike. Please sign the application for existing conditional use, and give a call to our office and we will pick it up.

The picture shows the existing garage, stairs and porch. The garage hasn't been used in years and we have it propped up with jacks because the steel beams holding the concrete deck are rusting through. We think it is a hazard as well as unsightly. We want to remove everything that is there and replace it with a simple entry stairs, as shown on the attached drawing.

Kitty Rankin has approved the demolition and building the stairs.  
Call me with any questions. Thanks..

Project detail

Page 1 of 1



## City of Madison Site Plan Verification

Admin Pick up Review All Projects User Info Logout

### PROJECT 1178: 121 Langdon St

Submitted by: Central Properties  
Contact: Harold Langhammer: (608) 255-1767  
Project type: Minor Alteration to CU  
Description: restore existing carport and deck & replace with parking stalls and entry stairs  
Status: completed on 9/19/2008

Project has been completed.

Agency	Status	Requirements	Remarks	Checklist Date	Contact	Permitted
Dwelling	Approved			10/22/2008	608-255-1767, 608-4420	608-255-1767
Traffic Engineering	Approved			10/22/2008	608-255-1767, 608-4420	608-255-1767
Fire	Approved			10/22/2008	608-255-1767, 608-4420	608-255-1767
Engineering	Approved			10/22/2008	608-255-1767, 608-4420	608-255-1767
Planning	Approved			10/22/2008	608-255-1767, 608-4420	608-255-1767
Landmarks Commission	Approved			10/22/2008	608-255-1767, 608-4420	608-255-1767
Engineering Mapping	Approved			10/22/2008	608-255-1767, 608-4420	608-255-1767



### Engineering

Note: Supplementary Condition Completed (was Submit revised site plan that clearly identifies existing features vs. new or revised features. The plan submitted was originally submitted in 1997 and it is unclear with the notation of what all exactly is currently proposed as "new" and what was "new" in 1997.)

Note: Supplementary Condition Completed (was If after review of the revised site plan it is determined that 4,000 sq ft or more of area is being disturbed an Erosion Control & Storm Water Management Permit may be required.)

Top

### Landmarks Commission

Note: Supplementary Condition Completed (was 1) Submit a revised site plan detail showing the exact location and dimensions of the parking spaces to be retained in conjunction with the location of the new stairs/deck-- it appears that this new structure will make one of the parking spaces non functional. 2) Provide a revised landscaping plan that provides some screening for the parking spaces that will now be exposed to the street-- recommend removing pavement from the parking space mentioned in item one and landscaping the area. 3) Kitty Rankin must approve the design of the new stairs/deck-- especially concerned about the underside and the spindly appearance of the 4" x 4" posts that will sit 6+ feet from the ground. 4) Provide information about the appearance and condition of the walls of the house once the porch and carport are removed.)

Top

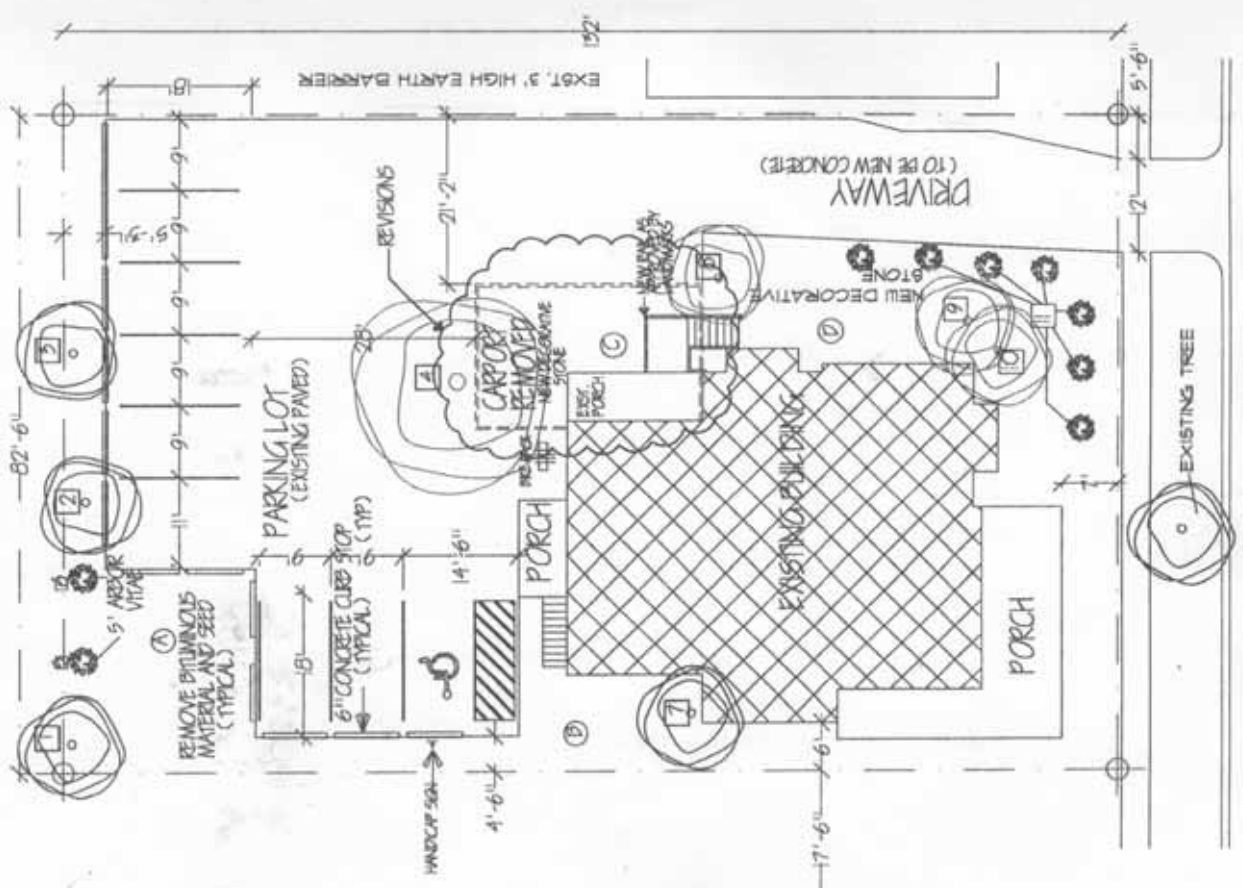
### Zoning

Note: Supplementary Condition Completed (was Provide zoning with a copy of the revised site and landscaping plans per Landmark's Commission comments.)

Top

[http://citypermits.cityofmadison.com/PL\\_2/projects/1178,0](http://citypermits.cityofmadison.com/PL_2/projects/1178,0)

9/19/2008



DATE OF PLANS	
APR 12 1995	REVISIONS
JUNE 13 1995	
AUG 13 2002B	

121 LANGDON STREET GROUP APARTMENTS  
121 LANGDON ST., MADISON, WI 53705

DRAWN BY: *John Winkler*

SHEET NUMBER  
**1**

**PARKING LOT PLAN SITE INFORMATION BLOCK**

SITE ADDRESS: 121 LANGDON ST.  
SQUARE FOOTAGE: 10,800

NUMBER OF BUILDING STORES (ABOVE GROUND): 3  
BUILDING HEIGHT: 54'  
TOTAL SQUARE FOOTAGE OF BUILDING: 7000  
USE OF PROPERTY: APARTMENTS

NUMBER OF POCKET SOILS SHOWN: 4  
NUMBER OF PARKING SOILS: SHOWN

STALLS ACCESSIBLE	9
TOTAL	9

NUMBER OF TREES SHOWN

**LANDSCAPING SCHEDULE**

NO.	ITEM	SIZE	NEW
1	OAK	20"	
2	BASSWOOD	18"	
3	BASSWOOD	10"	
4	OAK	24"	
5	ARBER VITAE	(5' HIGH)	
6	ARBER VITAE	(5' HIGH)	
7	MAPLE	12"	
8	OAK	14"	
9	MAPLE	10"	
10	MAPLE	10"	
11	ALPINE BUSH		

**LOT AREA REQUIRED**  
LANDSCAPING: 2400 sq ft  
TOTAL REQUIRED: 2400 sq ft

**LOT AREA PROVIDED**  
10800 sq ft

**OPEN SPACE BY AREA**

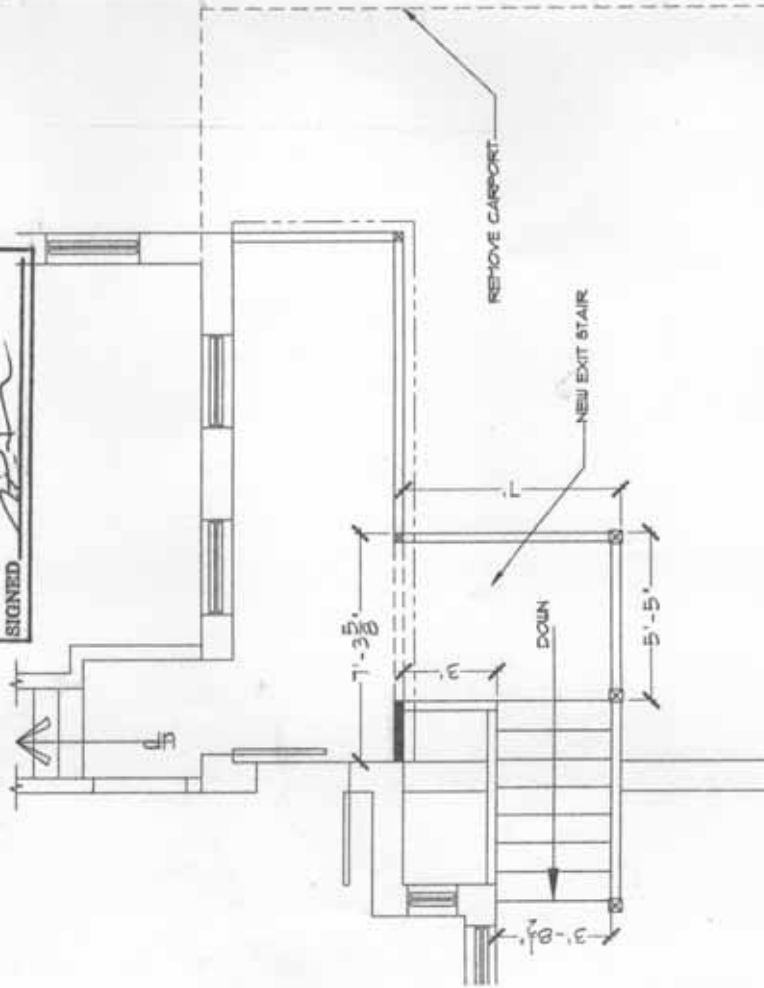
A - 670 sq ft  
B - 345 sq ft  
C - 452 sq ft  
D - 501 sq ft  
TOTAL - 1968 sq ft

**OPEN SPACE REQUIRED**  
18 BEDROOMS @ 70 sq ft = 1260 sq ft  
TOTAL PROVIDED - 1968 sq ft

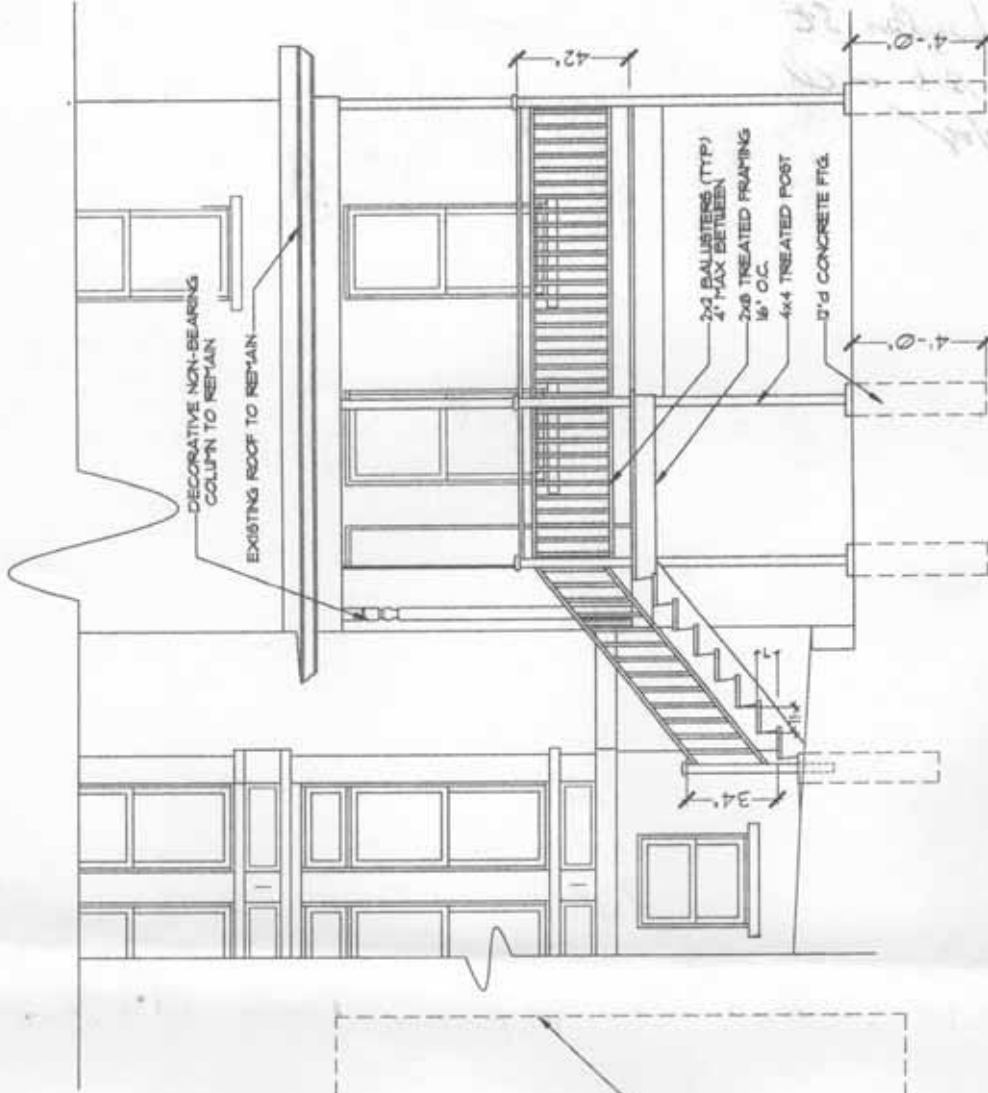
SCALE 1" = 20' - 0"

ring

PLAN/PARKING FACILITY APPROVAL	
ADDRESS <u>1211 Langdon St.</u>	
ID# <u>178</u> DATE SUBMITTED <u>8/14/08</u>	
ORIGINAL <input checked="" type="checkbox"/> REVISION#	
FINAL SIGN OFF DATE <u>9/3/08</u>	
SIGNED <u>[Signature]</u>	



**STAIR PLAN**



**ELEVATION**

# PLANNING DIVISION STAFF REPORT

September 17, 2018

(corrected address version)

PREPARED FOR THE LANDMARKS COMMISSION



Project Name/Address: 121 Langdon (Suhr House)  
Application Type: PUBLIC HEARING, Demolition By Neglect  
Legistar File ID # [53000](#)  
Prepared By: William Fruhling, Acting Preservation Planner, Planning Division

## Background Information

**Parcel Location:** The subject site is designated landmark (Suhr House) located in the Mansion Hill District. It was designated as a landmark in 1974 and placed on the National Register of Historic Places in 1982.

### Relevant Historic Preservation Ordinance Sections:

#### 41.02 DEFINITIONS.

Demolition by Neglect means the process of allowing landmarks, landmark sites or improvements in historic districts to decay, deteriorate, become structurally defective, or otherwise fall into disrepair.

#### 41.14 MAINTENANCE OBLIGATION; ENFORCEMENT; PENALTIES

- (1) Maintenance obligation. Every owner of a landmark, improvement on a landmark site, or improvement in a historic district shall do all of the following:
  - (a) Protect the improvement against exterior decay and deterioration.
  - (b) Keep the improvement free from structural defects.
  - (c) Maintain interior portions of the improvement, the deterioration of which may cause the exterior portions of such improvement to fall into a state of disrepair.
- (2) Enforcement.
  - (a) The Building Inspector or designee is authorized to enforce the provisions of this chapter.
  - (b) The Building Inspector may issue an official written notice to a property owner, requiring the property owner to correct a violation of sec. 41.14(1) above by a date specified in the notice.
  - (c) The Building Inspector shall notify the Preservation Planner of all official compliance notices issued to owners of landmarks or improvements in historic districts. The Building Inspector shall further notify the Preservation Planner whenever a property owner fails to correct a violations by the compliance date specified in an official notice.
  - (d) City agencies or commissions responsible for enforcing chapters 18, 27, 29, 30 and 31 of the Madison general ordinances, or, in the absence of such city agency or commission, the Building Inspector, may grant individual variances from those chapters to facilitate historic preservation and maintenance under this chapter, provided that such variance does not endanger public health or safety or vary any provisions of this chapter.

**41.15 DEMOLITION BY NEGLECT.** The owner of a landmark, improvement on a landmark site, or improvement in a historic district, may not allow the landmark or improvement to undergo demolition by neglect.

- (1) Notice of demolition by neglect. If the Building Inspector believes that a landmark or improvement is undergoing demolition by neglect, the Building Inspector shall give written



- notice of that belief to the owner of the landmark or improvement. The Building Inspector shall give a copy of the notice to the Preservation Planner and the Landmarks Commission.
- (2) Public Hearing. Upon receiving a notice under sec. 41.15(1), the Landmarks Commission shall issue a hearing notice under sec. 41.06 and hold a public hearing to determine whether the landmark or improvement is undergoing demolition by neglect. The Commission shall hold the public hearing within 90 days of receiving the notice under sec. 41.15(1).
- (3) Landmarks Commission Finding. If, after a public hearing, the Landmarks Commission finds that a landmark or improvement is undergoing demolition by neglect, it shall report its finding to the Common Council, the Building Inspector and the Office of the City Attorney. A Landmarks Commission finding of demolition by neglect is prima facie evidence of demolition by neglect for purposes of any administrative or civil court action, and also constitutes a determination that a public nuisance exists under sec. 27.05(3) of the Madison general ordinances.
- (4) Appeal of Landmarks Commission finding.
- (a) An appeal from a Landmarks Commission finding under sec. 41.15(3) may be taken to the Common Council by the owner of the affected landmark or improvement, the Alder of the district in which the subject property is located, or by the owners of 20% of the number of parcels of property within 200 feet of the subject property, measured according to sec. 41.03(5).
- (b) An appeal under par. (a) shall be filed with the City Clerk within 10 days after the Landmarks Commission makes its finding. The appeal shall include the name and address of each petitioner, and shall specify the grounds for appeal. The City Clerk shall forward the petition to the Common Council.
- (c) The Common Council shall hold a public hearing regarding any appeal it receives under par. (b).
- (d) Following a public hearing, the Common Council may, by favorable vote of two-thirds (2/3) of its members, reverse or modify the Landmarks Commission finding, with or without conditions, or may refer the matter back to the Commission with or without instructions, if it finds that the Commission's decision is contrary to applicable standards under this subchapter.
- (5) Abatement by the City. If the Landmarks Commission finds under sec. 41.15(3) that a landmark or improvement is undergoing demolition by neglect, the Building Inspector may proceed under the non-summary abatement procedures set forth in sec. 27.05(3)(e) of the Madison general ordinances to repair the landmark or improvement to abate the nuisance. The cost of the required repairs shall be paid by the property owner, or shall be imposed as a special charge against the property and collected pursuant to the provisions of sec. 4.09(13) of the Madison general ordinances and Wis. Stat. § 66.0627.
- (6) Acquisition by City. If the Landmarks Commission finds under sec. 41.15(3) that a landmark or improvement is undergoing demolition by neglect, the Common Council may authorize the City to acquire the property under Wis. Stat. § 66.1111(2), if necessary through the initiation of condemnation proceedings under Wis. Stat. § 32.06.

## Analysis and Conclusion

The Historic Preservation Ordinance (Chapter 41) establishes a process to allow the Commission to find that a property is undergoing demolition by neglect (see Relevant Historic Preservation Ordinance section above). Based on the report and information provided by Inspector Robert Ales issued on April 21, 2017 (CB2016-333-13997), the continued deterioration since that time, and the testimony of the public hearing, the Landmarks Commission shall determine if the property is undergoing demolition by neglect. If the Commission finds that demolition by



neglect is occurring, the action report of the Landmarks Commission will be provided to the Common Council, the Building Inspector, and the Office of the City Attorney.

As stated in the notice sent to the property owner from Kyle Bunnaw, Housing Inspection Supervisor, on August 15, 2018, staff believe that the property is currently undergoing demolition by neglect. This communication cites failure to correct violations specified in case CB2016-333-13997, failure to communicate with Building Inspection or respond to multiple inquiries regarding the maintenance of the building, and failure to appear in Municipal Court for legal proceedings pertaining to that case. A copy of this letter was provided to the Landmarks Commission at its August 27 meeting, at which time a public hearing on the matter of Demolition by Neglect was scheduled for this meeting.

Since the Notice of Demolition was received by the property owner, staff have met with the owner and his architect to review the violations, preliminary drawings and a plan for making the necessary repairs, and the demolition by neglect process. This work will require a Certificate of Appropriateness to be issued by the Landmarks Commission at a meeting in the near future. The preliminary drawings in the packet are not for consideration of a Certificate of Appropriateness at this time, but rather to demonstrate progress towards resolving this matter.

## Recommendation

Staff recommends that the Landmarks Commission find that the property at 121 Langdon is undergoing demolition by neglect as defined in Chapter 41. However, if based on the testimony and discussion at the public hearing, the Landmarks Commission is highly confident that the property owner will seek a Certificate of Appropriateness and make the necessary repairs in an expedited timeframe, the Landmarks Commission could refer this matter to a future meeting.

## Scott Herrick

---

**From:** Mades, Lana <LMades@cityofmadison.com>  
**Sent:** Thursday, August 09, 2018 4:46 PM  
**To:** Scott Herrick  
**Subject:** RE: 121 Langdon Street

Ok, I'll ask for it to be set for another sentencing.  
Lana

---

**From:** Scott Herrick <snh@herricklaw.net>  
**Sent:** Thursday, August 09, 2018 4:39 PM  
**To:** Mades, Lana <LMades@cityofmadison.com>  
**Subject:** RE: 121 Langdon Street

Thank you very much, Lana. I did not have this on my calendar; and in fact in my file I find no court notice for yesterday, just the notices for 1/8 and 4/11. Could be my mistake, like many things in life, but I had no notice, merely that vague general sense that I was waiting to hear about something for this case. I think that default would be a bit harsh.

I happen to know that my client has not achieved much on the ground but that his contractor is finally developing a bid or bids for the work. But I can make no representation about future prospects due to lack of funds. Under the circumstances I don't know if you prefer to move to sentencing with the work undone or continue the matter pending future work, intending to reflect delays eventually in sentencing terms.

If you agree not to default me, and if you want to reschedule please feel free to do so on a very short calendar. Perhaps you want to make a sentencing offer.

-SH  
Scott Herrick  
Herrick & Kasdorf, L.L.P.  
16 North Carroll Street, Suite 500  
Madison WI 53703  
608/257-1369, fax 608/250-4370  
[snh@herricklaw.net](mailto:snh@herricklaw.net)

---

**From:** Mades, Lana [<mailto:LMades@cityofmadison.com>]  
**Sent:** Thursday, August 09, 2018 4:20 PM  
**To:** Scott Herrick <[snh@herricklaw.net](mailto:snh@herricklaw.net)>  
**Subject:** 121 Langdon Street

Hi Scott,  
This was set for a sentencing yesterday, but nobody appeared. I typically default in those circumstances, but you are usually pretty good about communicating ahead of time, so I thought I'd touch base about the no-show before filing something with the court. Please let me know what's up.

Thanks,

Lana



## AGENDA # 1

City of Madison, Wisconsin

---

REPORT OF: LANDMARKS COMMISSION

PRESENTED: 9/17/18

TITLE: 121 Langdon St - Demolition by Neglect  
of a Designated Madison Landmark  
in the Mansion Hill Hist. Dist. (Suhr  
House); 2nd Ald. Dist.

REFERRED:

REREFERRED:

REPORTED BACK:

AUTHOR: William Fruhling, Acting Preservation  
Planner

ADOPTED:

POF:

DATED: 9/26/18

ID NUMBER: 53000

---

Members present were: Stuart Levitan, Anna Andrzejewski, Katie Kaliszewski, David McLean, and Marsha Rummel. Excused was Richard Arnesen.

### **SUMMARY:**

*Scott Herrick, registering in opposition and wishing to speak.*

*David Ferch, registering in opposition and wishing to speak.*

*James Rapacz, registering in opposition and not wishing to speak.*

*Gene Devitt, registering in support and wishing to speak.*

*Harold Langhammer, registering in opposition and wishing to speak.*

Levitan opened the public hearing.

Fruhling explained that demolition by neglect is a rare occurrence, and was a new provision added to the ordinance when it was last updated. He said that when properties are deteriorating and not being repaired in a timely manner, the Landmarks Commission can then determine whether demolition by neglect is occurring early enough that repairs can be made and the property can be saved. He noted that there are other more severe ramifications that can occur in extreme cases, but this case has not reached that level.

Fruhling said that the demolition by neglect process began when a notice was sent by Kyle Bunnaw, Housing Inspection Supervisor, stating that the Building Inspection Division believes the property is undergoing demolition by neglect. By ordinance, the Landmarks Commission then holds a public hearing to determine whether demolition by neglect is occurring.

Fruhling stated that he and other City staff have met with the property owner and his architect. The preliminary plans were included for informational purposes in order to show that progress is being made, though the applicant will need to return before the Commission and request a Certificate of Appropriateness to complete the repairs.

Herrick, the attorney representing the property owner, said that he is also representing his client for the Building Inspection prosecution in Municipal Court. Herrick stated that he failed to appear for a sentencing hearing, which was part of the reasoning why the demolition by neglect notice was issued. He handed out a copy of an email exchange with an Assistant City Attorney regarding his failure to appear and requested that his client not be blamed for his mistake.



Levitan asked about the resolution of the court case. Herrick said that the violations must be resolved by August 15, 2019. If the repairs are completed, there is a certain fine, and if they are not completed, a much higher fine will be ordered. Levitan asked what the status of the property is supposed to be in August, and Herrick said that all of the work must be completed by then. Herrick explained that the Assistant City Attorney provided them with an amount of time that should be sufficient to complete the work, and they are planning to do more work than repairing the violations.

Ferch, the architect for this project, described the preliminary plans for the building. He said that they need to complete tuckpointing, painting, repair of rotted wood, and address the three porches. He pointed out that the roof on the front porch has water damage and the crown molding needs to be replaced. He mentioned that he would also like to change the side porch so that it looks more like it did in historic photos; there is one remaining original column on the side porch that he plans to replicate and use to replace the other columns. He said that he would also like to move the side porch stairwell to the rear of that porch so that it is not visible from the street. He mentioned that he would appreciate the Commission's feedback on the design.

Levitan explained that this is not the meeting in which staff and Commissioners are prepared to provide meaningful guidance on the design, and instead they will be determining if there is substantial effort toward fixing the violations such that they could hold off on finding that demolition by neglect is occurring. Fruhling agreed and said that staff would need to look at the new plans and do some research before they can provide feedback.

Levitan asked about the level of violations that Building Inspection found and the timeframe in which they need to be addressed in order to stop deterioration of the building. Bunnow said that there is currently a slow deterioration and while nothing needs to be completed urgently, the issues do need to be addressed in a meaningful way. He pointed out that the majority of the work is exterior, and the August 2019 deadline was created to give the property owner time to get the proper approvals and line up contractors to complete the work in spring and summer. He said that there is a threat of significant penalties if the work is not completed, and extra time was built in to the deadline; they should be able to finish the work sooner, so the understanding is that when the deadline arrives, the work needs to be done.

Levitan said that based on Bunnow's statements, his impression is that nothing needs to be completed immediately, and the overall timeframe of finishing the work by next summer is adequate for the preservation of the building.

Rummel asked when the Building Inspection case for this property began. Bunnow said that it was on their radar in 2015, when they constructed a notice but did not issue it. The subsequent notice issued in November 2016 had a due date of spring 2017; the due date passed, nothing had been done to the property, and they had no contact from the property owner. Bunnow noted that the case was then referred to the City Attorney for prosecution in an attempt to compel the owner into compliance. During prosecution, hearings were set over, which delayed the process, and the defendant also failed to appear at a sentencing hearing. The Building Inspection Division had received no contact from the owner saying that he intended to complete the work, so they decided to move forward with the demolition by neglect letter. He said that the letter was successful in getting the owner's attention.

Devitt said that he has known Langhammer a long time and admires him because of his previous work with historic properties. He said that he does not like to see properties become deteriorated or neglected in Mansion Hill, and does not want to see any buildings torn down. He mentioned that while the timeframe to complete the work seems excessive, it does take a long time to order special materials and parts for historic buildings. He ended by saying that as long as the work is completed and the City is happy with it, that would be a good resolution.

Langhammer said that he does not have a good excuse for the neglect of the building, and has learned his lesson from this. He pointed out that he has owned the property for over 30 years and has never been involved in Municipal Court for any violation like this, and the fine being levied is very substantial. Because of the



potential financial burden of that penalty, he said that he does not need further encouragement to complete the work. He stated that he is not proud of how he has handled the repairs in this situation, but he is proud of the house and its history. He said that it is going to be restored and will be the jewel on Langdon when they are finished. He mentioned that they are applying for historic tax credits, and that process will take a couple of months, but they do intend to get started on the work as soon as they can.

Levitan closed the public hearing.

Fruhling summarized the three actions that the Commission could take on this item: find that demolition by neglect is occurring, find that demolition by neglect is not occurring, or refer the item to a later date to give the property owner a chance to make progress on the repairs before coming to a decision.

Levitan asked Ferch when he would have a submission ready to apply for the Certificate of Appropriateness to complete the work. Ferch said that he would need a month to complete the plans.

Levitan said that the Commission needs to determine whether demolition by neglect is underway or if it has now been arrested and the necessary work is going to be done. McLean said that the property owner has taken the correct turn to keep demolition by neglect from occurring; they just started, but have shown the direction they intend to take. Rummel said that the neglect is occurring, and while the owner has taken a turn by working with his attorney and architect, it doesn't mean that the neglect is no longer happening. She said that she hopes this provides an opportunity to stop the neglect and fix the house. She then asked what happens if they find that demolition by neglect is occurring.

Levitan read from the staff report and said that the finding would be reported to the Common Council, City Attorney's Office, and Building Inspection. Fruhling confirmed that if they were to make the finding that demolition by neglect is occurring, it must be reported to those City agencies and is then out of the Commission's hands and cannot be referred to a future meeting.

Andrzejewski stated that demolition by neglect may be occurring, but steps are being taken to halt the process. She said that if they were to refer the item to a future meeting, she would like a shorter timeline than a year to check in on the project and see that steps are being taken toward completing the plans that meet the standards.

McLean pointed out that the Commission will also review the plans for the approval of the Certificate of Appropriateness, so they will continue to be involved in the process if they refer this decision. Levitan suggested referring the item for 6-8 weeks to monitor the progress and ensure the plans are moving forward, and pointed out that the finding of demolition by neglect has a lot of ramifications. Rummel proposed referring for 60 days. Kaliszewski echoed the suggestion and McLean said he would be comfortable with that timeframe. Fruhling suggested referral to the December 3 meeting, which has a submission deadline of November 12, approximately two months away.

Rummel mentioned that Langhammer said he wanted to begin some repairs now, and asked how he could move ahead without having to wait until the December 3 meeting for a Certificate of Appropriateness. McLean suggested that he start with items that can be administratively approved by staff in the meantime, and mentioned that tuckpointing would be good to complete before winter. Bunnow agreed and said that the removal of expanded foam that was used in lieu of mortar and painting both need to be done soon as well. Levitan asked Langhammer if the tuckpointing could be done in a timely manner. Langhammer said that tuckpointing will be a significant cost, so he would like to include that in the historic tax credit application. He said that he would like to start on the less expensive repairs that don't need to be included in the tax credit application.

Bunnow stated that Building Inspection is now waiting until the August deadline to go out and check the work, unless the owner calls sooner to request the inspection. He said that at that point, they will assess the property for all items and make a determination on what is and what is not complete. He said that aside from assisting

the property owner as requested, that is the extent of their involvement at this point; they have given the orders of what needs to be done.

Rummel asked that Langhammer provide a list of all of the work to complete along with a timeline that indicates which work can be done sooner and for which items he hopes to get tax credits.

Andrzejewski encouraged Ferch to reference the Secretary of the Interior's Standards and work closely with staff to go over the relevant Historic Preservation Ordinances.

**ACTION:**

**A motion was made by Rummel, seconded by Kaliszewski, to refer the item to a future Landmarks Commission meeting no later than December 3 with the stipulation that the applicant work closely with the Preservation Planner and other City staff to itemize work which can be done with and without tax credits and provide a timeline for addressing the work orders in a timely manner. The motion passed by voice vote.**

# LANDMARKS COMMISSION APPLICATION

LC

Complete all sections of this application, making sure to note the requirements on the accompanying checklist (reverse).

If you need an interpreter, translator, materials in alternate formats or other accommodations to access these forms, please call (608) 266-4635.

City of Madison  
Planning Division  
126 S Hamilton St  
PO Box 2985  
Madison, WI 53701-2985  
(608) 266-4635



## 1. LOCATION

Project Address: 121 LANGDON STREET Aldermanic District: 2

## 2. PROJECT

Project Title/Description: EXTERIOR REPAIR - 121 LANGDON

This is an application for: (check all that apply)

- ☐ Alteration/Addition to a building in a Local Historic District or Designated Landmark (specify)\*\*:
- |   |  |  |
|---|--|--|
| <input type="checkbox"/> Mansion Hill       | <input type="checkbox"/> Third Lake Ridge    | <input type="checkbox"/> First Settlement    |
| <input type="checkbox"/> University Heights | <input type="checkbox"/> Marquette Bungalows | <input checked="" type="checkbox"/> Landmark |
- ☐ Land Division/Combination in a Local Historic District or to Designated Landmark Site (specify)\*\*:
- |   |  |   |
|---|--|---|
| <input type="checkbox"/> Mansion Hill       | <input type="checkbox"/> Third Lake Ridge    | <input type="checkbox"/> First Settlement |
| <input type="checkbox"/> University Heights | <input type="checkbox"/> Marquette Bungalows | <input type="checkbox"/> Landmark         |
- ☐ Demolition
- ☐ Alteration/Addition to a building adjacent to a Designated Landmark
- ☐ Variance from the Historic Preservation Ordinance (Chapter 41)
- ☐ Landmark Nomination/Rescission of Historic District Nomination/Amendment  
(Please contact the Historic Preservation Planner for specific Submission Requirements.)
- ☐ Other (specify):

RECEIVED ONLY	Registrar #:
	DATE STAMP
	Preliminary Zoning Review Zoning Staff Initial: Date: / /

## 3. APPLICANT

Applicant's Name: DAVID FERCH Company: FERCH ARCHITECTURE

Address: 2704 GREGORY ST MADISON, WI 53711  
Street City State Zip

Telephone: 608-886-3394 Email: david@fercharchitecture.com

Property Owner (if not applicant): 121 LANGDON STREET GROUP, HAROLD LANGHAMMER  
Address: 513 N. LAKE STREET MADISON, WI 53703  
Street City State Zip

Property Owner's Signature: Harold Langhammer Date: 11-11-18

NOTICE REGARDING LOBBYING ORDINANCE: If you are seeking approval of a development that has over 40,000 square feet of non-residential space, or a residential development of over 10 dwelling units, or if you are seeking assistance from the City with a value of \$10,000 (including grants, loans, TIF or similar assistance), then you likely are subject to Madison's lobbying ordinance (Sec. 2.40, MGO). You are required to register and report your lobbying. Please consult the City Clerk's Office for more information. Failure to comply with the lobbying ordinance may result in fines.

## 4. APPLICATION SUBMISSION REQUIREMENTS (see checklist on reverse)

All applications must be filed by 12:00 pm on the submission date with the Preservation Planner, the Department of Planning & Community & Economic Development, Planning Division, located at 126 S Hamilton Street. Applications submitted after the submission date or incomplete applications will be postponed to the next scheduled filing time. Submission deadlines can be viewed here: [www.cityofmadison.com/dpcd/planning/documents/2018LCMeetingScheduleDates.pdf](http://www.cityofmadison.com/dpcd/planning/documents/2018LCMeetingScheduleDates.pdf)

# FERCH ARCHITECTURE

---

2704 Gregory Street, Madison, WI 53711 (608) 238-6900

November 12, 2018

Project: 01815

Madison Landmarks Commission  
126 S. Hamilton St.  
Madison, WI 53701

RE: Letter of Intent – 121 Langdon Street

Dear Madison Landmarks Commission Members:

The owner of the registered landmarks building (John Suhr Residence) at 121 Langdon was issued a notice for needed repair work on the building. Attached is that repair notice and drawings addressing the repairs.

I would appreciate feedback on the specific items or areas listed below:

1. The site plan includes a new refuse/recycling enclosure and bike parking. The city will also require a minimum amount of landscaping. The site plan shows the preliminary location of plantings. A final plan will be reviewed by the in the building plan approval process.
2. I have proposed replacing the metal roof on the front porch with a rubber roof membrane.
3. South side porch will be restored to the original building design. I have relocated the required exit stair to the rear of the building and have proposed using the same baluster design of the south porch on the stair guardrails.
4. I have raised the rear porch deck to be level with the first floor, eliminating the step at the rear door. If the deck is level with the floor in the future this area could be used as an accessible area of refuse, and the rear porch is also a good location for a future platform lift for the 1<sup>st</sup> floor building accessibility.

Thank you for your time in reviewing this proposal.

Respectfully Submitted,



David Ferch

---



**From:** Building Inspection Division  
126 S. Hamilton St.  
P.O. Box 2984  
Madison, Wisconsin 53701-2984

**City of Madison**  
**OFFICIAL NOTICE**

**Notice:** An inspection discloses that certain sections of the City Ordinances are being violated.

**Property Located At:**  
121 LANGDON STREET

**OWNER:**  
121 LANGDON STREET GROUP  
% SHAKESPEARE'S BOOKS  
513 N LAKE ST  
MADISON WI 53703

Item No.	Violating Section No.	CORRECTIONS REQUIRED
----------	-----------------------	----------------------

**121 LANGDON STREET**

**REISSUE**

**FIELD OBSERVATION**

**Exterior of house**

**NOTE:** THIS IS A **REISSUE** OF THE PREVIOUSLY ISSUED NOTICE CB2016-040-01121 DUE TO ITEMS HAVING NOT BEEN PROPERLY IDENTIFIED AND INCLUDED ON THE ORIGINAL NOTICE THAT WAS ISSUED. YOU MAY DISREGARD THE ORIGINAL NOTICE AND NOTE THAT THE DUE DATE FOR THIS CASE HAS BEEN EXTENDED TO JULY 16, 2017.

ALL HISTORIC DISTRICT AND LANDMARK REGULATIONS APPLY.

ALL DIRECTIONS ARE VIEWED LOOKING AT THE FRONT OF THE HOUSE FROM LANGDON ST.

1. 41.09(2)  
41.16  
41.21(2) Obtain a Certificate of Appropriateness from the Landmarks Commission *before proceeding with any exterior repairs or alterations to this property*. Because this property is a designated Landmark, any exterior work must be reviewed and approved by the Landmarks Commission, or staff designee, and a Certificate of Appropriateness granted before a Building Permit may be issued and/or before any exterior work may begin. Contact Amy Scanlon, Preservation Planner, to discuss this project and to discuss the approval process. Please also note that failure to comply with any provision of the Landmarks Commission Ordinance, including failure to comply with any conditions of your approval, are subject to a minimum forfeiture of

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126 S. Hamilton St.  
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\$250 a day and a maximum forfeiture of \$500 a day for each separate violation. [See  
Madison General Ordinances Sec 41.14(3).]

Compliance with any of the exterior-related items listed in this Official Notice shall be  
contingent upon these repairs being completed in such a manner that meets all of the  
criteria and expectations set forth by the Landmarks Commission, by Preservation  
Planner, Amy Scanlon, and by Madison Building Inspection.

You may contact the Preservation Planner by phone at (608)266-6552 or by email at:  
[ascanlon@cityofmadison.com](mailto:ascanlon@cityofmadison.com)

2. 29.05(1)  
29.08(1)  
27.05(2)i

Obtain the required building permit and inspections and repair or rebuild the front  
porch and roof assembly to a safe and substantial condition. This includes, but is not  
limited to:

- Repair or replace the damaged and out of plumb masonry piers supporting the  
front porch roof columns, tuck point the columns as needed, and replace any  
missing material. Ensure all piers are returned to plumb condition and can  
support all loads applied to them
- Repair or replace the porch columns - the columns are deteriorating and out of  
plumb - ensure all columns are returned to plumb condition and can support  
all loads applied to them
- Repair or replace any deteriorated beams and framing in the front porch roof  
assembly and return them to a level condition.
- Replace any rotted, missing, or damaged fascia, soffit, trim, or decorative  
members on the front porch assembly



From: Building Inspection Division

126 S. Hamilton St.

P.O. Box 2984

Madison, Wisconsin 53701-2984

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513 N LAKE ST

MADISON WI 53703

Item No.	Violating Section No.	CORRECTIONS REQUIRED
-------------	--------------------------	----------------------

- Eliminate all holes, gaps, and cracks, and repair the crushed areas where the support columns meet the beams
- Ensure that the roof system is weatherproof, rodent proof, and in proper repair

3. 29.05(1)  
29.08(1)  
27.05(2)(i)

Obtain the required building permit and inspections for the right side porch stairway that was installed without approvals or return the area to its original condition. An inspection found that a non-code complaint right side porch stairway was installed without a building permit or approvals. Some items observed that do not comply with the building code are as follows:

- Use of a 2x4 as top of handrail
- Handrail does not extend to the bottom landing
- Unknown construction of support post footings
- Stair stringers not properly attached to the top beam
- Existing box beam supporting roof system crushed/rotted
- Beam connections not resting on top of support posts
- Drywall screws used in post to footing connection
- Foundation window not safety glass at base of stairs

From: Building Inspection Division

126 S. Hamilton St.

P.O. Box 2984

Madison, Wisconsin 53701-2984

# City of Madison

## OFFICIAL NOTICE

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MADISON WI 53703

Item No.	Violating Section No.	CORRECTIONS REQUIRED
----------	-----------------------	----------------------

4. 29.05(1)

29.08(1)

27.05(2)(i)

Obtain the required building permit and inspections for the work done to repair the rear porch assembly and return the rear porch assembly to a safe and code compliant condition. An inspection found that incorrect rear porch repairs were made without a building permit or approvals. Some items observed that do not comply with the building code are as follows:

- Open stair risers
- Over span of deck support beams
- Unknown construction and use of "cookie" support post footings
- Missing beam/support post connections
- Loose, rotted, and/or missing balusters
- Rotted wood in the roof support columns
- Rotted/animal damaged wood roof fascias/soffits/trim

5. 27.05(2)(g)2

Tuck point and repair the masonry throughout the building wherever the existing mortar and blocks or bricks are loose, damaged, cracked, or missing. Remove any spray foam that has been installed between bricks. Repairs shall be completed in a workmanlike manner using accepted masonry construction methods and materials. Ensure that the foundation is waterproof, rodent proof, and can support all loads applied to it. Areas to be repaired shall include, but are not limited to:

- The building block foundation walls
- The masonry brick walls, window, and door openings
- The rear chimney
- The right side chimney



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126 S. Hamilton St.  
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Item No.	Violating Section No.	CORRECTIONS REQUIRED
6.	27.05(2)(e)	<p>Scrape and repaint the building wherever paint is peeling, chipping, cracking, or missing. All newly painted areas shall closely match the surrounding areas in color and appearance. Areas to be painted include, but are not limited to:</p> <ul style="list-style-type: none"><li>• The first floor front stair risers</li><li>• Exterior of the common front entry doors</li><li>• Front porch ceiling</li><li>• All new wood installation or repairs</li><li>• Wherever the existing finish is missing or damaged</li></ul>
7.	27.05(2)(i)	<p>Repair the broken sections of wood lattice decorative skirting, and remove and properly relocate the non-conforming metal duct through the front skirt.</p>
8.	27.05(2)(g)2	<p>Replace the missing, rotted, or deteriorated wood fascias, trim, gable end trim, siding, and metal sheeting throughout the building. Ensure that all repairs are weatherproof and rodent proof and painted to match the surrounding areas. Areas needing repair include, but are not limited to:</p> <ul style="list-style-type: none"><li>• The second floor front balconet</li><li>• The storm window assemblies in the first floor front bay window system below the balconet</li><li>• The framing in the two story bay window system on the right side of the house</li><li>• The framing in the third floor mansard roof and rear roof systems</li></ul>

From: Building Inspection Division

126 S. Hamilton St.

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Madison, Wisconsin 53701-2984

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MADISON WI 53703

Item No.	Violating Section No.	CORRECTIONS REQUIRED
9.	27.05(2)(h)	Remove the plastic cover in the half-moon foundation window on the front of the house, and replace the missing window glass and rotted wood trim and framing, and repair any holes. Ensure that the window system is weatherproof and rodent proof.
10.	27.04(2)(g)	Properly secure and install the loose orange communication wires and open/loose gray communication junction box on the front porch next to the gas meters.
11.	27.05(2)(d)	Repair or rebuild the masonry retaining wall under the right side porch; the wall is leaning and out of plumb.
12.	27.05(2)a 27.05(2)(g)2	Properly re-grade the ground around the perimeter of the foundation so that the rigid insulation is no longer exposed. If the insulation cannot be properly covered via grading, ensure the rigid insulation is properly covered with an approved material and not exposed to ultraviolet light sources.
13.	27.05(2)(a)	Remove the plastic down spout extension assemblies and replace them with a downspout system that conforms with the Landmark requirements for this property.
14.	27.05(2)(h)	Remove the cracked plastic from the foundation window opening toward the front and replace the rotted wood in the middle foundation window assembly next to it on the left side of the house.



From: Building Inspection Division

126 S. Hamilton St.

P.O. Box 2984

Madison, Wisconsin 53701-2984

**City of Madison  
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121 LANGDON STREET

SHAKESPEARE'S BOOKS

513 N LAKE ST

MADISON, WI 53703

**OWNER:**

121 LANGDON STREET GROUP

% SHAKESPEARE'S BOOKS

513 N LAKE ST

MADISON WI 53703

Item No.	Violating Section No.	CORRECTIONS REQUIRED
----------	-----------------------	----------------------

This notice does not start any legal action. However, if the violations are not corrected by the due date listed below, the Building Inspection Division may issue citation(s), and/or refer the situation to the City Attorney's Office.

The Building Inspection Division is willing to answer questions pertaining to this official notice in order to assist you in correcting the violations. If you have questions or problems, it is important to contact me before the due date at the number listed below. You should also contact me on or before the due date if you wish to attend the follow-up inspection.

\*\*\*\*\*  
**THE MADISON GENERAL ORDINANCES REQUIRE THAT A FEE OF \$75.00 BE CHARGED FOR REINSPECTIONS THAT DO NOT RESULT IN FULL COMPLIANCE, INCLUDING REINSPECTIONS RESULTING IN AN EXTENDED DUE DATE. ATTEMPTED REINSPECTIONS (NO ENTRY) ARE BILLED AT \$35.00 EACH.**  
\*\*\*\*\*

The inspector can be reached by phone at 608-266-4495 or by email at [rales@cityofmadison.com](mailto:rales@cityofmadison.com)

Inspected by: Robert Ales

On: 11-21-2016

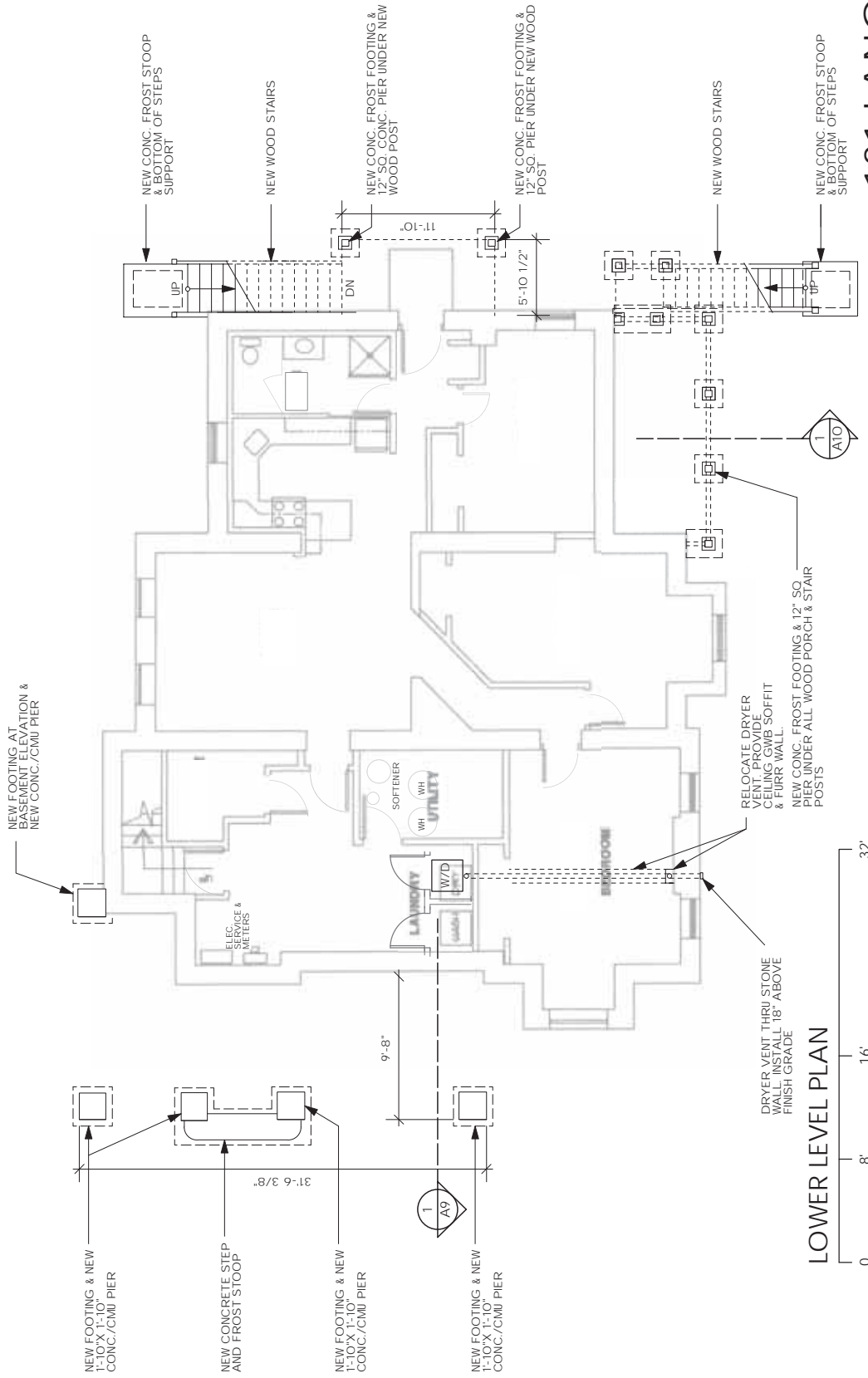
Date Issued: 4-21-2017

The violations shall be corrected on or before:

July 16, 2017

Code Enforcement Officer: \_\_\_\_\_

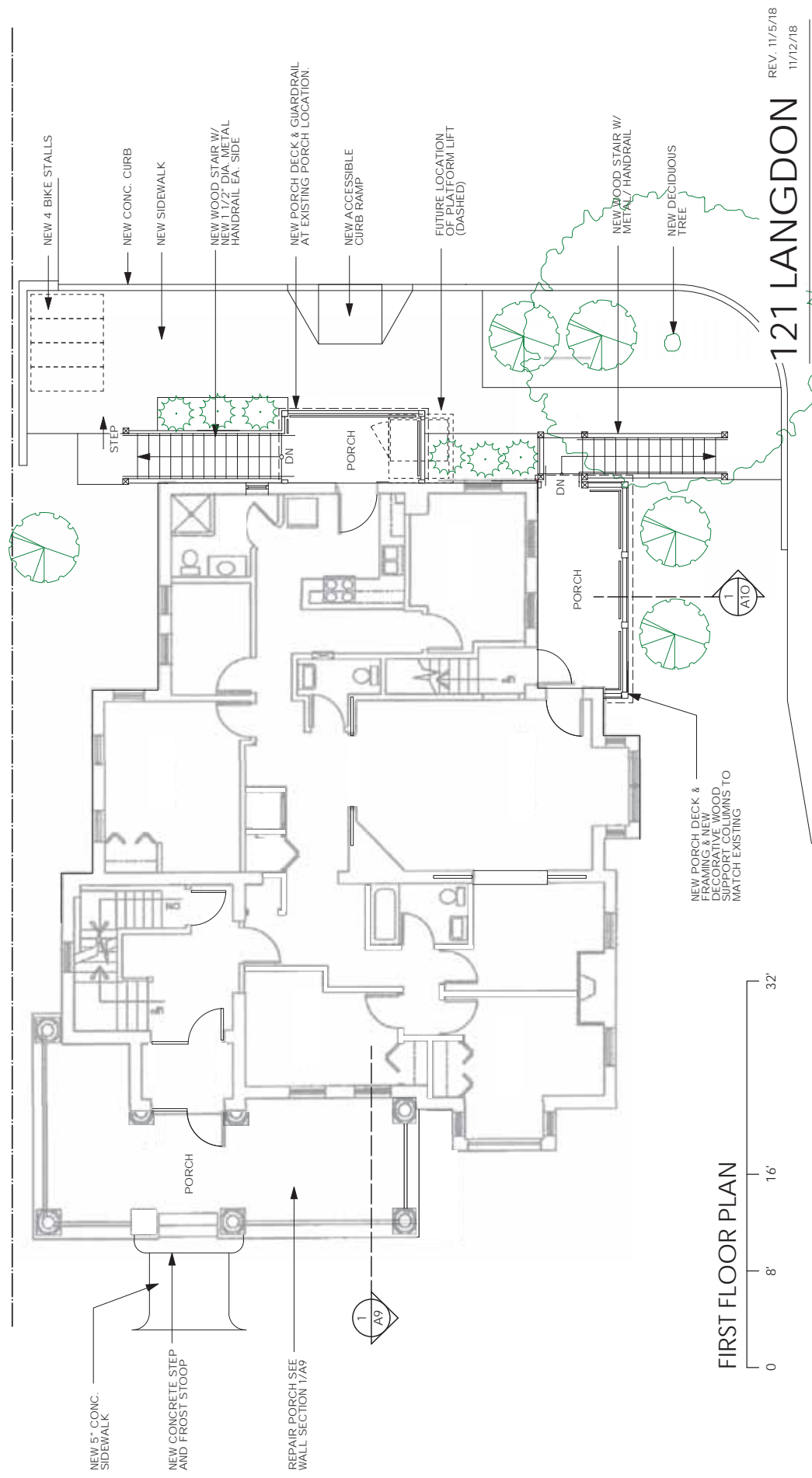
Any person violating any provision of the City Ordinances enforced by the Building Inspection Division is subject to the penalties provided by the appropriate Ordinance violated. ALL APPLICATIONS FOR APPEAL OF CHAPTERS 17, 18, 19, 27, 28, 29, 30 and 31 SHALL BE SUBMITTED TO THE BUILDING INSPECTION DIRECTOR IN WRITING WITHIN FIFTEEN (15) DAYS OF POSTMARK ON OFFICIAL NOTICE ENVELOPE. Appeal information may be obtained by calling 266-4551.

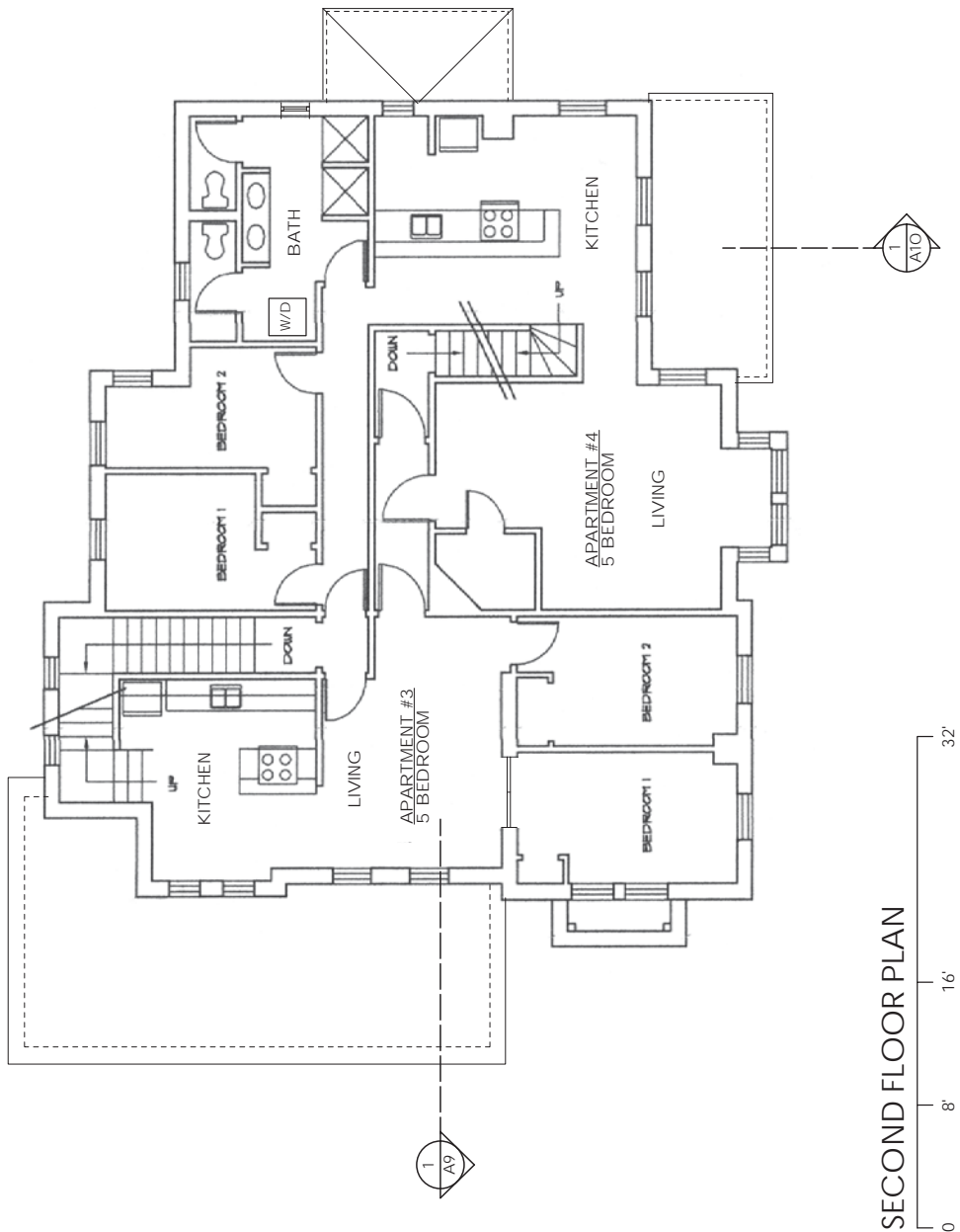


LOWER LEVEL PLAN

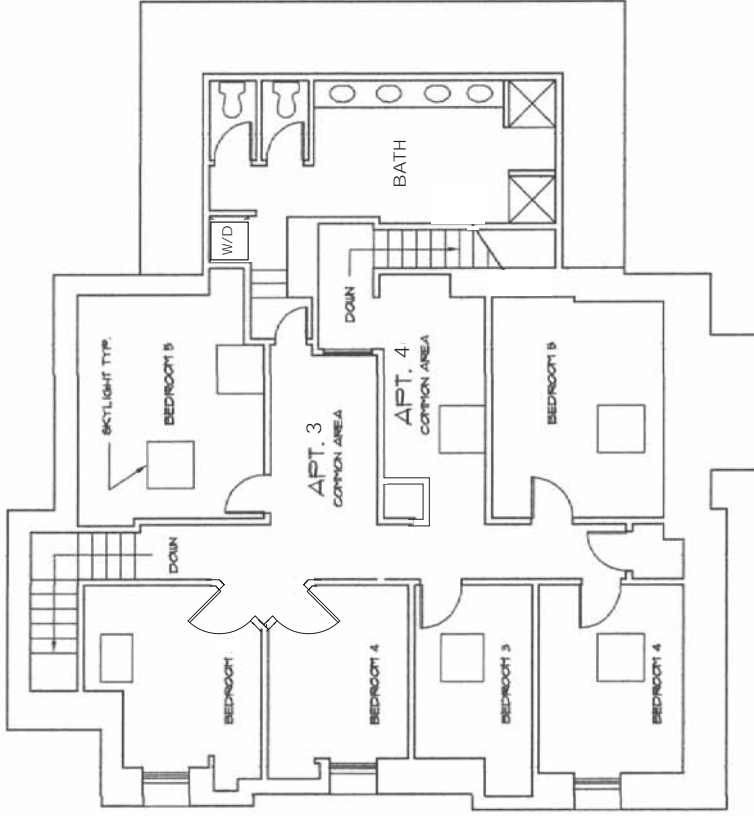


GENERAL NOTE: REPAIR BUILDING WOOD TRIM, BRICK & STONE AND PAINT PER CITY INSPECTION REPORT.

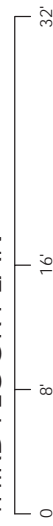




SECOND FLOOR PLAN

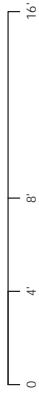


THIRD FLOOR PLAN





FRONT ELEVATION



121 LANGDON 11/12/18

FERCH ARCHITECTURE  
2704 GREGORY STREET, MADISON, WI 53711  
608-238-6900 david@fercharchitecture.com

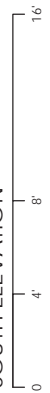
A5





ORIGINAL PORCH RAILING

SOUTH ELEVATION

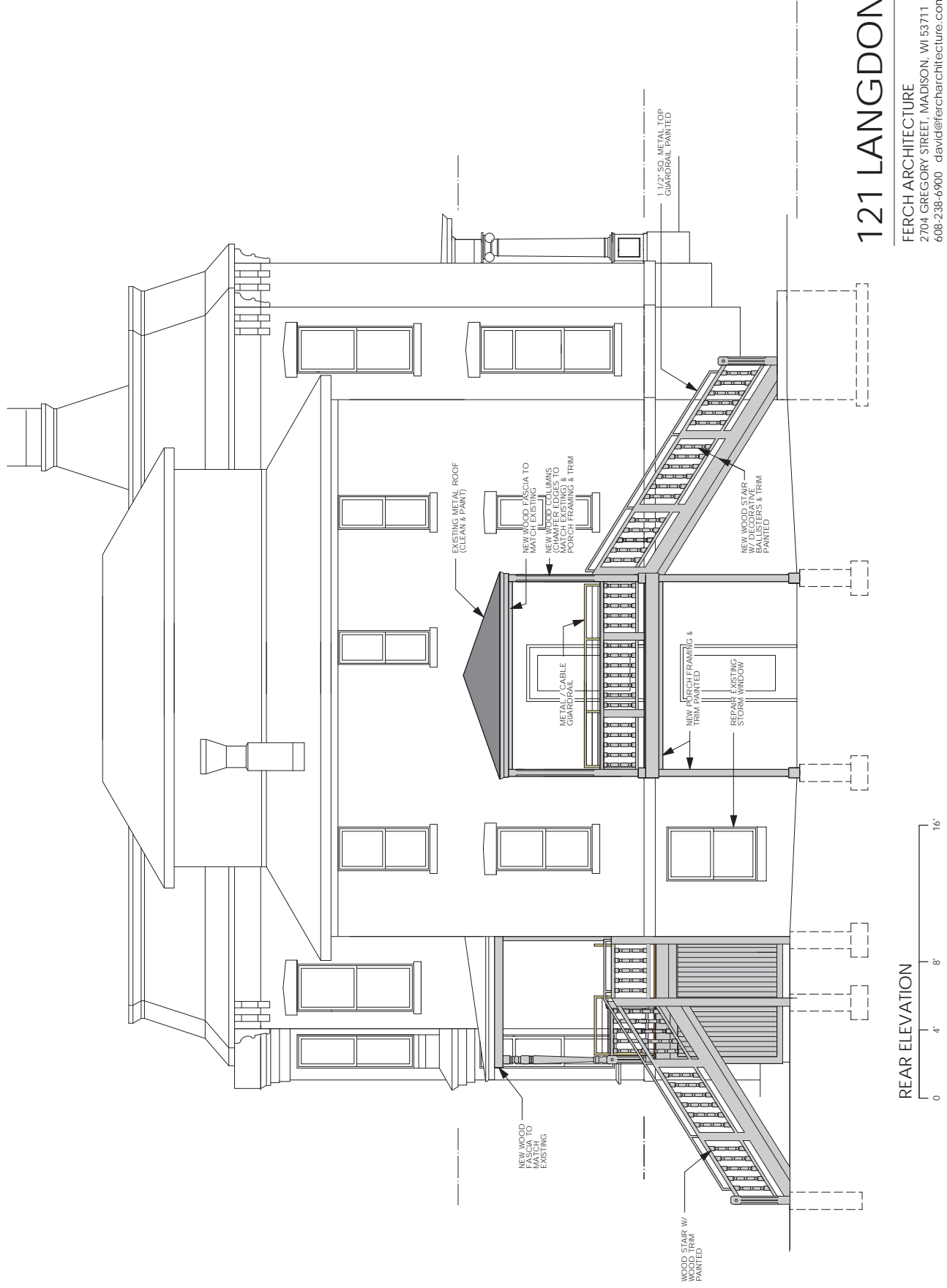


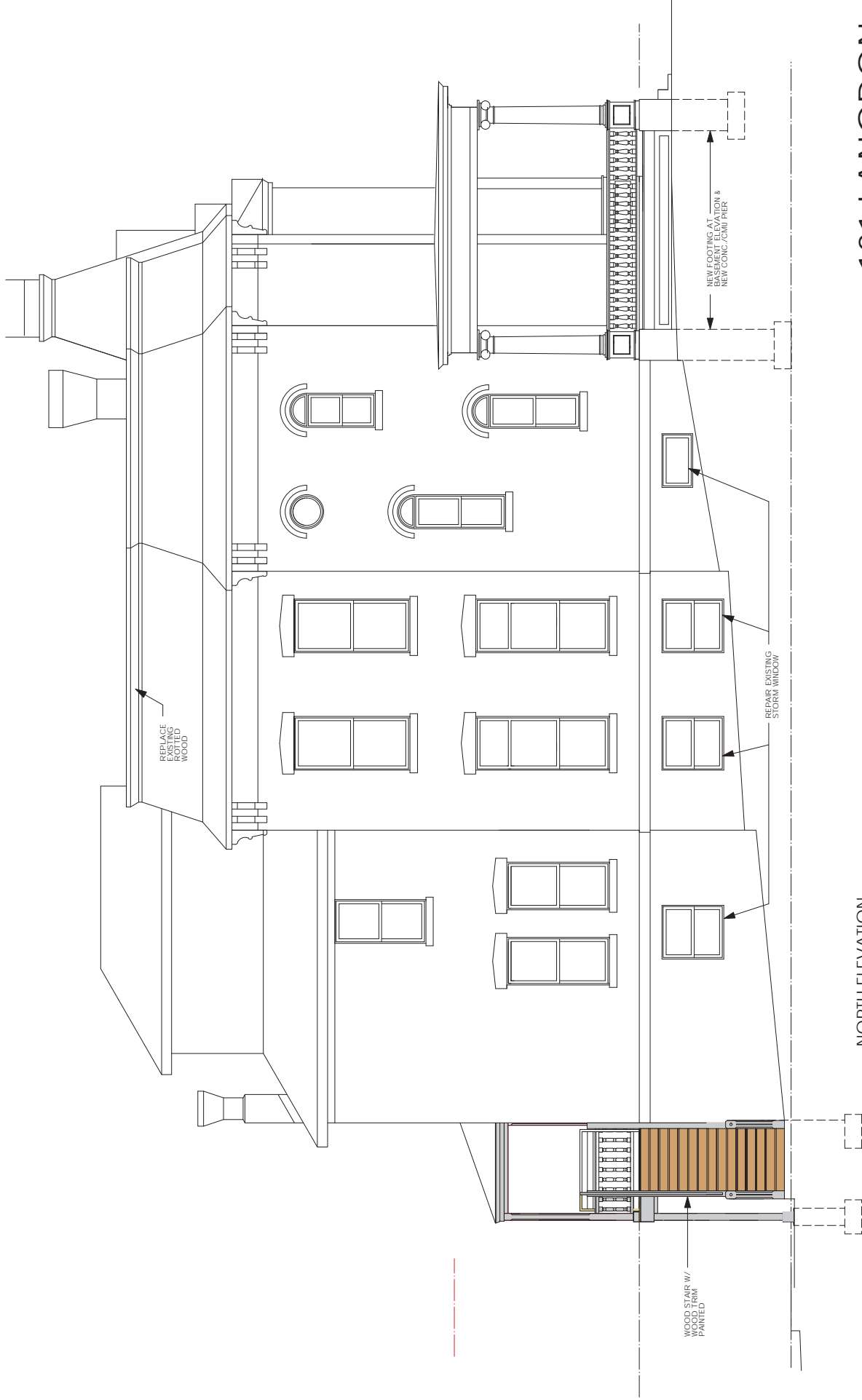
121 LANGDON

11/12/18

FERCH ARCHITECTURE  
2704 GREGORY STREET, MADISON, WI 53711  
608-238-6900 david@fercharchitecture.com

A6





NORTH ELEVATION

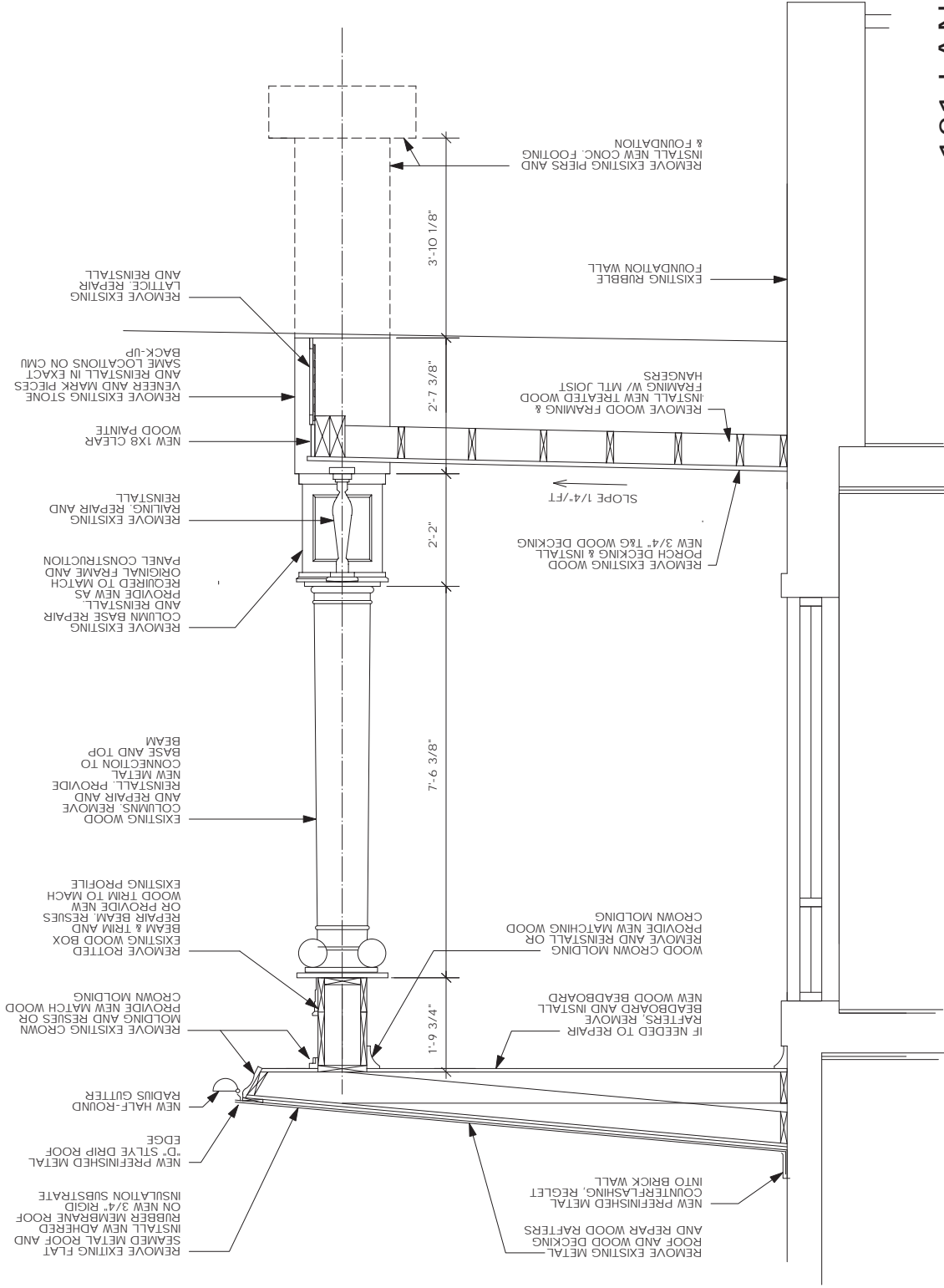
0 4' 8' 16'

121 LANGDON

11/12/18

FERCH ARCHITECTURE  
2704 GREGORY STREET, MADISON, WI 53711  
608-238-6900 david@fercharchitecture.com

A8



# 1 FRONT PORCH

SCALE: 1/2" = 1'-0"

121 LANGDON

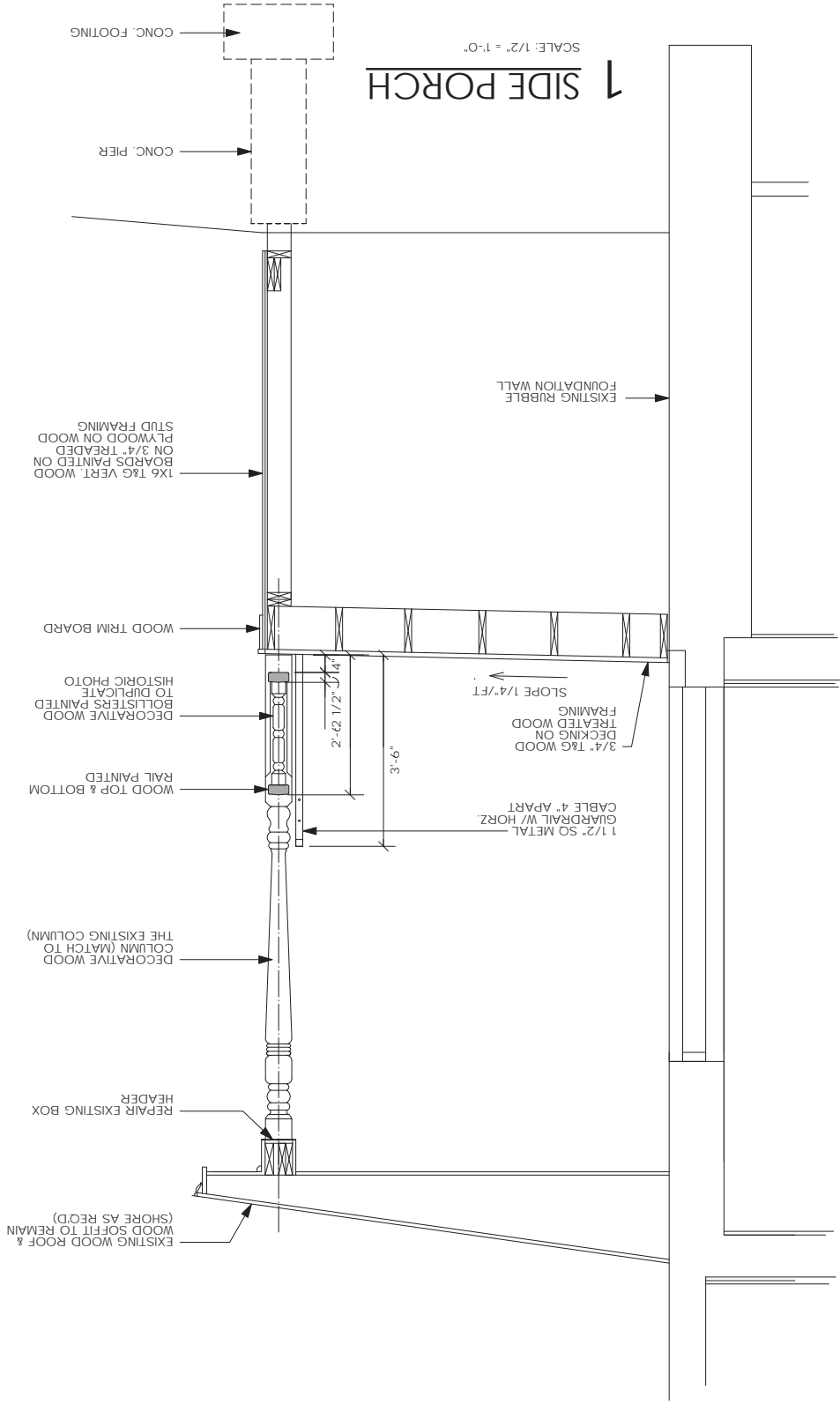
9/3/18

FERCH ARCHITECTURE

2704 GREGORY STREET, MADISON, WI 53711  
608-238-6900 david@fercharchitecture.com

A9





121 LANGDON

9/3/18

FERCH ARCHITECTURE

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608-238-6900 david@fercharchitecture.com

A10











# EXTERIOR REPAIR

MADISON  
LANDMARKS  
COMMISSION  
SUBMITTAL

## SHEET INDEX

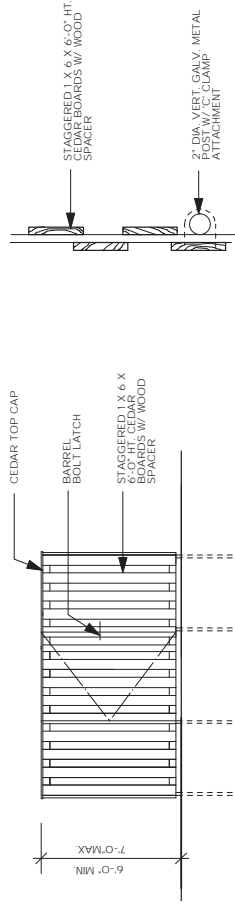
C1	SITE PLAN, COVER
P1	EXTERIOR PHOTOS
P2	FRONT PORCH PHOTO
P3	SIDE PORCH PHOTO
P4	REAR PHOTO
P5	HISTORIC PHOTO
P6	HISTORIC PHOTO
A1	LOWER LEVEL PLAN
A2	FIRST FLOOR PLAN
A3	SECOND FLOOR PLAN
A4	THIRD FLOOR PLAN
A5	FRONT ELEVATION
A6	SOUTH ELEVATION
A7	REAR ELEVATION
A8	NORTH ELEVATION
A9	FRONT PORCH SECTION
A10	SOUTH SIDE PORCH SECTION
A11	IMAGE SKETCH
A12	IMAGE SKETCH
A13	IMAGE SKETCH

121 LANGDON

11/12/18

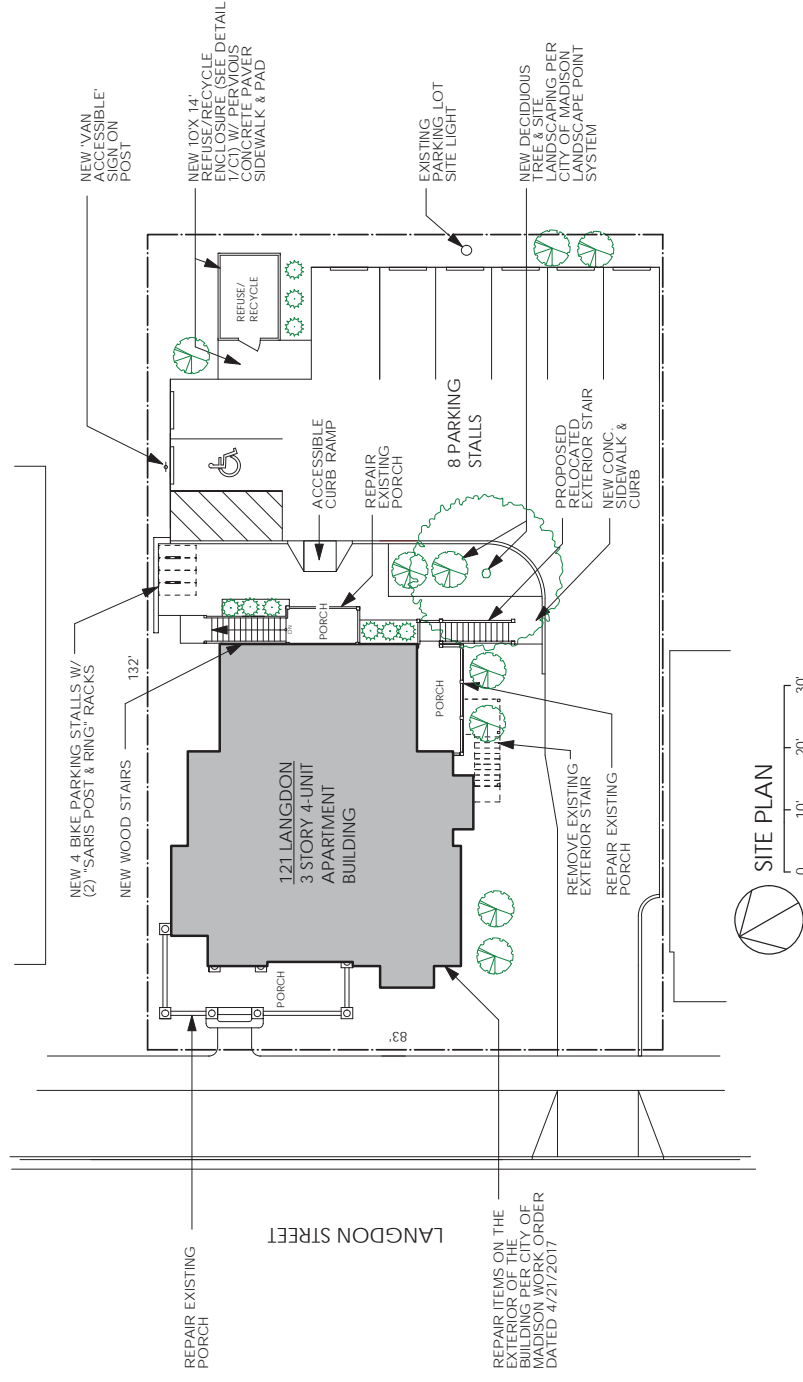
C1

FERCH ARCHITECTURE  
2704 GREGORY STREET, MADISON, WI 53711  
608-238-6900 david@fercharchitecture.com



**A** SCREEN FENCE DETAIL  
SCALE: 1" = 1'-0"

**1** GATE SIDE ELEVATION - REFUSE ENCLOSURE  
SCALE: 1/4" = 1'-0"





121 LANGDON

9/3/18

FERCH ARCHITECTURE  
2704 GREGORY STREET, MADISON, WI 53711  
608-238-6900 david@fercharchitecture.com

P1



FRONT PORCH PHOTO

REV. 8/23/18

121 LANGDON

9/3/18

FERCH ARCHITECTURE  
2704 GREGORY STREET, MADISON, WI 53711  
608-238-6900 david@fercharchitecture.com

P2





SIDE PORCH PHOTO

REV. 8/23/18

121 LANGDON

9/3/18

FERCH ARCHITECTURE  
2704 GREGORY STREET, MADISON, WI 53711  
608-238-6900 david@fercharchitecture.com

P3





REAR PORCH PHOTO

121 LANGDON

8/23/18  
FERCH ARCHITECTURE  
2704 GREGORY STREET, MADISON, WI 53711  
608-238-6900 david@fercharchitecture.com

P4



Photo: Wisconsin Historical Society, WHS-3280

HISTORIC PHOTO: John Suhr Residence

121 LANGDON

9/3/18

FERCH ARCHITECTURE

2704 GREGORY STREET, MADISON, WI 53711  
608-238-6900 david@fercharchitecture.com

P5





Photo: Wisconsin Historical Society, WHS-39049

HISTORIC PHOTO: John Suhr Residence

121 LANGDON

9/3/18

FERCH ARCHITECTURE

2704 GREGORY STREET, MADISON, WI 53711  
608-238-6900 david@fercharchitecture.com

P6



**Project Name/Address:** 121 Langdon (Suhr House)

**Application Type:** Certificate of Appropriateness for exterior alterations on a landmark site and demolition by neglect

**Legistar File ID #** [53824 – Certificate of Appropriateness](#); and [53000 – Demolition by Neglect](#)

**Prepared By:** William Fruhling, Acting Preservation Planner, Planning Division

**Date Prepared:** November 28, 2018

## Summary

**Project Applicant/Contact:** David Ferch, Ferch Architecture

**Requested Action:** The Applicant is requesting a Certificate of Appropriateness for exterior alterations on a landmark site. The Landmarks Commission is also considering whether demolition by neglect is occurring on the landmark site.

## Background Information

**Parcel Location:** The subject site is a designated landmark (Suhr House) located in the Mansion Hill District. It was designated as a landmark in 1974 and placed on the National Register of Historic Places in 1982.

On September 17, 2018, the Landmarks Commission held a public hearing on a notice of demolition by neglect. At that meeting, the Commission referred that matter "to a future Landmarks Commission meeting no later than December 3 with the stipulation that the applicant work closely with the Preservation Planner and other City staff to itemize work which can be done with and without tax credits and provide a timeline for addressing the work orders in a timely manner."

Subsequently, the Applicant has submitted an application for a Certificate of Appropriateness to undertake the necessary work to be considered at the December 3 meeting. Staff has not been contacted about the tax credit work or the timeline for addressing the work orders. However, as stated at the September 17 meeting, there is a court-approved agreement to complete the items in the work order by August 15, 2019.

The Certificate of Appropriateness and the demolition by neglect are separate actionable items and are both addressed in this staff report. Since the Commission should first consider the Certificate of Appropriateness, those standards are addressed first, followed by the demolition by neglect discussion.

### Relevant Ordinance Sections - Certificate of Appropriateness:

**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.

#### **Secretary of the Interior's Standards for Rehabilitation**

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.
3. Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.
4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.
5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.
9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

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#### **Relevant Ordinance Sections – Demolition by Neglect:**

##### **41.02 DEFINITIONS.**

Demolition by Neglect means the process of allowing landmarks, landmark sites or improvements in historic districts to decay, deteriorate, become structurally defective, or otherwise fall into disrepair.

##### **41.14 MAINTENANCE OBLIGATION; ENFORCEMENT; PENALTIES**

- (1) Maintenance obligation. Every owner of a landmark, improvement on a landmark site, or improvement in a historic district shall do all of the following:
  - (a) Protect the improvement against exterior decay and deterioration.

- (b) Keep the improvement free from structural defects.
  - (c) Maintain interior portions of the improvement, the deterioration of which may cause the exterior portions of such improvement to fall into a state of disrepair.
- (2) Enforcement.
- (a) The Building Inspector or designee is authorized to enforce the provisions of this chapter.
  - (b) The Building Inspector may issue an official written notice to a property owner, requiring the property owner to correct a violation of sec. 41.14(1) above by a date specified in the notice.
  - (c) The Building Inspector shall notify the Preservation Planner of all official compliance notices issued to owners of landmarks or improvements in historic districts. The Building Inspector shall further notify the Preservation Planner whenever a property owner fails to correct a violations by the compliance date specified in an official notice.
  - (d) City agencies or commissions responsible for enforcing chapters 18, 27, 29, 30 and 31 of the Madison general ordinances, or, in the absence of such city agency or commission, the Building Inspector, may grant individual variances from those chapters to facilitate historic preservation and maintenance under this chapter, provided that such variance does not endanger public health or safety or vary any provisions of this chapter.

**41.15 DEMOLITION BY NEGLECT.** The owner of a landmark, improvement on a landmark site, or improvement in a historic district, may not allow the landmark or improvement to undergo demolition by neglect.

- (1) Notice of demolition by neglect. If the Building Inspector believes that a landmark or improvement is undergoing demolition by neglect, the Building Inspector shall give written notice of that belief to the owner of the landmark or improvement. The Building Inspector shall give a copy of the notice to the Preservation Planner and the Landmarks Commission.
- (2) Public Hearing. Upon receiving a notice under sec. 41.15(1), the Landmarks Commission shall issue a hearing notice under sec. 41.06 and hold a public hearing to determine whether the landmark or improvement is undergoing demolition by neglect. The Commission shall hold the public hearing within 90 days of receiving the notice under sec. 41.15(1).
- (3) Landmarks Commission Finding. If, after a public hearing, the Landmarks Commission finds that a landmark or improvement is undergoing demolition by neglect, it shall report its finding to the Common Council, the Building Inspector and the Office of the City Attorney. A Landmarks Commission finding of demolition by neglect is prima facie evidence of demolition by neglect for purposes of any administrative or civil court action, and also constitutes a determination that a public nuisance exists under sec. 27.05(3) of the Madison general ordinances.
- (4) Appeal of Landmarks Commission finding.
  - (a) An appeal from a Landmarks Commission finding under sec. 41.15(3) may be taken to the Common Council by the owner of the affected landmark or improvement, the Alder of the district in which the subject property is located, or by the owners of 20% of the number of parcels of property within 200 feet of the subject property, measured according to sec. 41.03(5).
  - (b) An appeal under par. (a) shall be filed with the City Clerk within 10 days after the Landmarks Commission makes its finding. The appeal shall include the name and address of each petitioner, and shall specify the grounds for appeal. The City Clerk shall forward the petition to the Common Council.
  - (c) The Common Council shall hold a public hearing regarding any appeal it receives under par. (b).
  - (d) Following a public hearing, the Common Council may, by favorable vote of two-thirds (2/3) of its members, reverse or modify the Landmarks Commission finding, with or without conditions, or may refer the matter back to the Commission with or without

instructions, if it finds that the Commission's decision is contrary to applicable standards under this subchapter.

- (5) Abatement by the City. If the Landmarks Commission finds under sec. 41.15(3) that a landmark or improvement is undergoing demolition by neglect, the Building Inspector may proceed under the non-summary abatement procedures set forth in sec. 27.05(3)(e) of the Madison general ordinances to repair the landmark or improvement to abate the nuisance. The cost of the required repairs shall be paid by the property owner, or shall be imposed as a special charge against the property and collected pursuant to the provisions of sec. 4.09(13) of the Madison general ordinances and Wis. Stat. § 66.0627.
- (6) Acquisition by City. If the Landmarks Commission finds under sec. 41.15(3) that a landmark or improvement is undergoing demolition by neglect, the Common Council may authorize the City to acquire the property under Wis. Stat. § 66.1111(2), if necessary through the initiation of condemnation proceedings under Wis. Stat. § 32.06.

## Analysis and Conclusion

The Applicant has submitted a comprehensive set of plans addressing the exterior alterations. A discussion of the relevant ordinance standards for the Certificate of Appropriateness is below, followed by a finding on the issue of Demolition by Neglect.

### Certificate of Appropriateness

Section 41.18(1)(a) instructs the Landmarks Commission to review the alteration request using the Secretary of the Interior's Standards for Rehabilitation. A discussion of the SOI standards follows:

#### **Secretary of the Interior's Standards for Rehabilitation**

1. The property will continue its use as a residential structure.
2. The proposed alterations seek to preserve the historic character of a property. Based on the submittal, most of the distinctive historic features such as the front porch columns, bases and capitals, railings and decorative trim and woodwork will be retained and preserved to the extent possible. When this is not possible because the elements are missing or too deteriorated to preserve, they will be recreated. No such features are proposed to be removed.
3. The alterations seek to preserve the property as a physical record of its time, place, and use. No changes are proposed that would create a false sense of historical development.
4. N/A
5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved if possible, or duplicated using the same materials and replicating the original design.
6. It is proposed that any deteriorated historic features will be repaired where possible. Where these elements are too deteriorated to repair, they will be replicated to match the old in design, color, texture, and, where possible, materials. Photographs taken by the Building Inspection Division document elements that need to be replaced.
7. It is not clear if any chemical or physical treatments are being proposed.
8. N/A
9. The orientation of the current, non-original, stairs for the side porch is proposed to be rotated 90 degrees. From the historic photograph submitted, this alteration appears to be more consistent with the original design, but it is difficult to tell. Regardless, the design of the new stairs will not destroy historic materials, features, and spatial relationships that characterize the property and will be

compatible with the historic materials, features, size, scale and proportion to protect the integrity of the property and its environment.

10. N/A

41.18(1)(d) Although the majority of this work is to address long deferred maintenance on this landmark building, Staff believe that the proposed alterations are being undertaken with the intent of stabilizing the building and restoring important architectural features, hence will not frustrate the public interest expressed in this ordinance for protecting, promoting, conserving, and using the City's historic resources.

#### Demolition by Neglect

The Historic Preservation Ordinance (Chapter 41) establishes a process to allow the Commission to find that a property is undergoing demolition by neglect (see Relevant Historic Preservation Ordinance section above). Based on the report and information provided by Inspector Robert Ales issued on April 21, 2017 (CB2016-333-13997), the notice sent to the property owner from Kyle Bunnaw, Housing Inspection Supervisor, on August 15, 2018, and the continued deterioration since that time, staff believe that the property is currently undergoing demolition by neglect.

## **Recommendation**

#### Certificate of Appropriateness

Staff recommends that the Landmarks Commission find that the standards for granting a Certificate of Appropriateness for the proposed alterations are met and recommends that the Landmarks Commission approve the request subject to the following conditions:

- 1) The extents of tuckpointing, mortar mix, and mortar color shall be approved by the Preservation Planner prior to any work being done. Note that this may involve a one or more test areas.
- 2) Clarify that the only portions of the building to be painted are wood or metal- not brick or stone.
- 3) The specifications for the arched storm window on the lower level of the front façade shall be approved by the Preservation Planner.
- 4) Any cleaning or chemical treatment of the building shall be approved by the Preservation Planner.
- 5) The metal framing for the new metal/cable guardrail on the rear and side porches and stairs shall be painted a color complimentary to the overall brick color and be approved by the Preservation Planner.
- 6) Additional detail, including precise dimensions, for the original columns, bases, and capitals, and balusters and railing for each of the porches shall be provided to ensure they are replicated in a historically accurate manner. The specifications of the replacement components shall be approved by the Preservation Planner prior to their fabrication.

#### Demolition by Neglect

Staff recommends that the Landmarks Commission refer the finding that demolition by neglect is occurring until the April 8, 2019 meeting to ensure that adequate progress is being made on making the required repairs by the court stipulated deadline of August 15, 2019.





## Central Properties

513 North Lake St.

Madison, WI 53703

Telephone: (608) 255-1767 Email: [info@centralapts.com](mailto:info@centralapts.com)

December 3, 2018

TO: City of Madison Landmarks Commission

FROM: 121 Langdon Street Group, LLP by Harold Langhammer

I am submitting a proposed construction schedule for the project. I have received construction estimates from one general contractor and am awaiting the information from the second contractor.

12/15/18 - Pre-select general contractor(s).

1/15/19 - Complete Construction Drawings.

1/16/19 - Bid final Construction Drawings.

1/16/19 - Submit Site Plan Drawings for City of Madison Site Plan Review.

2/16/19 - City of Madison Site Plan Review sign-off.

2/16/19 - Submit Drawings For City of Madison Building inspection Review.

2/17/19 - Select General Contractor

2/18/19 - Work on templates for side porch columns and balusters.

3/1/19 - Start Construction

3/1/19 - Tuckpointing Test Patch (or date as weather permits).

3/15/19 - Start Tuckpointing.

3/15/19 - Start demoliiton and excavate for new foundations.

4/15/19 - Start work on framing porches

6/15/19 - Finish work on framing porches and stairs.

7/15/19 - Painting & other finish carpentry.

8/1/18 - Complete Construction

## AGENDA # 1

City of Madison, Wisconsin

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REPORT OF: LANDMARKS COMMISSION

PRESENTED: 12/3/18

TITLE: 121 Langdon St - Exterior Alteration to a  
Designated Madison Landmark in  
the Mansion Hill Hist. Dist. (Suhr  
House); 2nd Ald. Dist.

REFERRED:

REREFERRED:

REPORTED BACK:

AUTHOR: William Fruhling, Acting Preservation  
Planner

ADOPTED:

POF:

DATED: 12/11/18

ID NUMBER: 53824

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Members present were: Stuart Levitan, Anna Andrzejewski, Richard Arnesen, Katie Kaliszewski, and David McLean. Excused was Marsha Rummel.

### **SUMMARY:**

*David Ferch, registering in support and wishing to speak.*

*Harold Langhammer, registering in support and wishing to speak.*

Ferch described the work to be completed on the front, side, and rear porches. He said that the front porch repairs are extensive and go beyond cosmetic repairs. They will complete work on the box beam, columns, and will reframe the porch. He said that they will take the stone piers down, add new footings, and then rebuild the piers. There is rot in the porch roof that the contractors recommend approaching from above rather than disturbing the beadboard on the porch ceiling. Ferch said that there is currently a flat seam metal roof that he hopes to replace with rubber membrane.

Ferch showed historic photos of the side of the house, and said that he hopes to make the side porch look similar to the original. He explained that he has one original column that he intends to duplicate, and hopes to get porch rails made to match the original design as shown in the photo. He said that to meet code, they need a 42" railing, so he is proposing that a metal rail with cables be placed behind the wood rails. He mentioned that they are also reframing the side and rear porches because the footings need to be replaced.

Ferch said that it was difficult to find historic images of the back of the house, so he is not sure what the rear porch originally looked like. For continuity, he proposed using the same rails and columns as the side porch. He said that he would also like to raise the porch so that it is at the same floor level as the rear door; this will make it easier to provide accessibility to the building in the future.

Fruhling said that because of the flat profile of the front porch roof, it is not very visible, so he has no problem with a new rubber membrane roof in place of the metal. In terms of the side and rear porches, Fruhling emphasized the importance of documenting the dimensions of the single original post so that it is accurately replicated. He also discussed conditions 2 and 5 from the staff report, confirming that the applicant understood that the only portions of the building to be painted are wood or metal, not brick or stone, and that any new metal framing for the rear and side porch guardrails will be painted to match the brick. Ferch confirmed that he understood these conditions.

Andrzejewski voiced concern over the rear porch and stairways for which Ferch is proposing to replicate original post and railing elements. She said that she would rather he not try to replicate something that wasn't there because it creates a false sense of historical development, which conflicts with the Secretary of the Interior's Standard #3. Kaliszewski said that these concerns had crossed her mind as well, but it might not look right if the side and rear porches have different railings.

Arnesen asked Andrzejewski what she thinks about the historic railing on the side porch, which is also not original, and she said that the side porch has acquired historic significance due to its age, so she is okay with that. She said that matching materials and color would be a good approach for the side and rear porches, but not replicating the original posts for the rear porch. Kaliszewski agreed, and suggested that the new railings on the stairs and rear porch be built at the height required by the building code rather than adding the metal guardrails. McLean said that it is difficult because there will be an oddity of proportions from a similar viewing angle; he said that he understands trying to separate the new from the old, but there will be a noticeable difference in heights. Kaliszewski said that she would be okay with it on the back of the house. Levitan said that if the railings and stairs on the two porches don't match, most people would say that it looks wrong.

McLean suggested slightly changing the design of the new elements so they match with each other, but are distinguishable from the original elements while still maintaining a similar scale. Andrzejewski and Kaliszewski agreed. Andrzejewski said that the new elements don't need to be dramatically different from the original elements. She pointed out that there will be a lot of replacement occurring on the porches, and she was concerned about it looking so new; she wants to ensure that the historic aspects speak to the historic character and are distinguished from what is new.

McLean said that a rubber roof on the front porch may not withstand potential chair legs on it, and suggested they may need additional reinforcement under the rubber so that it does not get holes in it. Levitan asked if the Commission was okay with a rubber membrane roof, and there was general consensus that it was acceptable.

### **ACTION:**

**A motion was made by McLean, seconded by Kaliszewski, to approve the request for the Certificate of Appropriateness to repair the front, side, and rear porches and stairways with the condition that all final details must be approved by staff; to tuckpoint damaged masonry, with the extents of the work and the mortar mix and mortar color to be approved by staff; and to replace the arched storm window on the lower level of the front façade, with specifications for the window to be approved by staff. The motion passed by voice vote/other.**

## AGENDA # 2

City of Madison, Wisconsin

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REPORT OF: LANDMARKS COMMISSION

**PRESENTED:** 12/3/18

TITLE: 121 Langdon St - Demolition by Neglect  
of a Designated Madison Landmark  
in the Mansion Hill Hist. Dist. (Suhr  
House); 2nd Ald. Dist.

**REFERRED:**

**REREFERRED:**

**REPORTED BACK:**

AUTHOR: William Fruhling, Acting Preservation  
Planner

**ADOPTED:**

**POF:**

DATED: 12/11/18

**ID NUMBER:** 53000

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Members present were: Stuart Levitan, Anna Andrzejewski, Richard Arnesen, Katie Kaliszewski, and David McLean. Excused was Marsha Rummel.

### **SUMMARY:**

Fruhling explained that when this item was reviewed at the September 17, 2018 meeting, the Commission asked that the applicant itemize the work to be completed and provide a timeline for completion. He pointed out that the applicant's agreement with the Municipal Court states that the repairs must be completed by August 15, 2019. He said that his recommendation is to refer the item to a future meeting in April in order to do a check-in and ensure that the work is moving forward and will be completed by the August 15 deadline.

Levitan referenced the Building Inspection Division official notice issued in April 2017, and asked the applicant about the number of times he saw that non-code compliant work was done without permits and approvals. There was brief discussion about previous work that had been completed on the property.

Langhammer requested that the item be referred to a meeting in May rather than April because of the tax credit process. Levitan suggested the April 22 meeting so that the existing Commissioners can continue reviewing this case prior to some Commissioners' terms ending on April 30, 2019.

Arnesen referenced the schedule of work provided by the applicant, and said that he would like to see a signed contract for the work at the April 22 meeting.

### **ACTION:**

**A motion was made by McLean, seconded by Arnesen, to refer the item to the April 22, 2019 Landmarks Commission meeting. The motion passed by voice vote/other.**





Department of Planning & Community & Economic Development

## Planning Division

**Heather Stouder, Director**

215 Martin Luther King Jr Blvd, Suite 017

P.O. Box 2985

Madison, Wisconsin 53701-2985

Phone: (608) 266-4635

Fax (608) 267-8739

[www.cityofmadison.com](http://www.cityofmadison.com)

December 6, 2018

Harold Langhammer  
513 N Lake St  
Madison, WI 53703

Re: Certificate of Appropriateness for 121 Langdon Street

At its meeting on December 3, 2018, the Landmarks Commission reviewed, in accordance with the provisions of the Historic Preservation Ordinance, your plans to alter the landmark building located at 121 Langdon Street in the Mansion Hill Historic District. The Commission approved a Certificate of Appropriateness to repair the front, side, and rear porches and stairways with the condition that all final details must be approved by staff. The Commission also approved tuckpointing of damaged masonry, with the extents of the work and the mortar mix and mortar color to be approved by staff. Specifications for the arched storm window on the lower level of the front façade also must be approved by staff.

This letter will serve as the "Certificate of Appropriateness" for the project described above. 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, Suite 017.

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 [bfruhling@cityofmadison.com](mailto:bfruhling@cityofmadison.com) with any questions.

Sincerely,

William Fruhling, Acting Preservation Planner  
City of Madison Planning Division

cc: City preservation property file



## Central Properties

513 North Lake St.

Madison, WI 53703

Telephone: (608) 255-1767 Email: [info@centralapts.com](mailto:info@centralapts.com)

TO: Heather Bailey  
Department of Planning + Community + Economic Development  
Planning Division  
215 Martin Luther King, Jr. Blvd.; Suite 017  
PO Box 2985  
Madison WI 53701-2985

FROM: 121 Langdon Street Group LLP, Harold Langhammer

Dear Heather,

Thank you for your letter of March 26<sup>th</sup>.

I attach a revised construction schedule from architect David Ferch, together with construction documents. I also attach the application for the next meeting of the Landmarks Commission.

Sincerely,

  
Harold Langhammer

# LANDMARKS COMMISSION APPLICATION

LC

Complete all sections of this application, making sure to note the requirements on the accompanying checklist (reverse).

If you need an interpreter, translator, materials in alternate formats or other accommodations to access these forms, please call (608) 266-4635

City of Madison  
Planning Division  
126 S Hamilton St  
PO Box 2985  
Madison, WI 53701-2985  
(608) 266-4635



## 1. LOCATION

Project Address: 121 Langdon Street Aldermanic District: 2

## 2. PROJECT

Project Title/Description: Exterior Repairs - 121 Langdon Street

This is an application for: (check all that apply)

- ☒ Alteration/Addition to a building in a Local Historic District or Designated Landmark (specify)\*\*:
- ☐ Mansion Hill ☐ Third Lake Ridge ☐ First Settlement  
☐ University Heights ☐ Marquette Bungalows ☒ Landmark
- ☐ Land Division/Combination in a Local Historic District or to Designated Landmark Site (specify)\*\*:
- ☐ Mansion Hill ☐ Third Lake Ridge ☐ First Settlement  
☐ University Heights ☐ Marquette Bungalows ☐ Landmark
- ☐ Demolition
- ☐ Alteration/Addition to a building adjacent to a Designated Landmark
- ☐ Variance from the Historic Preservation Ordinance (Chapter 41)
- ☐ Landmark Nomination/Rescission of Historic District Nomination/Amendment  
(Please contact the Historic Preservation Planner for specific Submission Requirements.)
- ☐ Other (specify):

Legistar #:

DATE STAMP

Preliminary Zoning Review

Zoning Staff Initial:

Date: / /

## 3. APPLICANT

Applicant's Name: 121 Langdon Street Group LP Company:

Address: 513 N. Lake St Madison WI 53703  
Street City State Zip

Telephone: 608 255 1767 Email: info@centralapts.com

Property Owner (if not applicant): n/a

Address:      
Street City State Zip

Property Owner's Signature: Harold Langdon, Partner Date: 4-1-19

NOTICE REGARDING LOBBYING ORDINANCE: If you are seeking approval of a development that has over 40,000 square feet of non-residential space, or a residential development of over 10 dwelling units, or if you are seeking assistance from the City with a value of \$10,000 (including grants, loans, TIF or similar assistance), then you likely are subject to Madison's lobbying ordinance (Sec. 2.40, MGO). You are required to register and report your lobbying. Please consult the City Clerk's Office for more information. Failure to comply with the lobbying ordinance may result in fines.

## 4. APPLICATION SUBMISSION REQUIREMENTS (see checklist on reverse)

All applications must be filed by 12:00pm on the submission date with the Preservation Planner, the Department of Planning & Community & Economic Development, Planning Division, located at 126 S Hamilton Street. Applications submitted after the submission date or incomplete applications will be postponed to the next scheduled filing time. Submission deadlines can be viewed here: [https://www.cityofmadison.com/dpced/planning/documents/LC\\_Meeting\\_Schedule\\_Dates.pdf](https://www.cityofmadison.com/dpced/planning/documents/LC_Meeting_Schedule_Dates.pdf)

**APPLICATION SUBMISSION REQUIREMENTS CHECKLIST:**

In order to be considered complete, every application submission shall include at least the following information unless otherwise waived by the Preservation Planner.

- ☒ Landmarks Commission Application w/signature of the property owner (1 copy only).
- ☒ Twelve (12) collated paper copies 11" x 17" or smaller (via mail or drop-off) of submission materials (see below).
- ☐ Electronic files (via email) of submission materials (see below).
- ☐ Narrative Description/Letter of Intent addressed to the Landmarks Commission, describing the location of the property and the scope of the proposed project.
  - ☐ Photographs of existing conditions;
  - ☐ Photographs of existing context;
- ☐ Architectural drawings reduced to 11" x 17" or smaller pages which may include:
  - ☐ Dimensioned site plans showing siting of structures, grading, landscaping, pedestrian and vehicular access, lighting, signage, and other features;
  - ☐ Elevations of all sides showing exterior features and finishes, subsurface construction, floor and roof;
  - ☐ Floor Plan views of levels and roof;
  - ☐ For proposals of more than two (2) commercial or residential or combination thereof units, a minimum of two (2) accurate street-view normal perspectives shown from a viewpoint of no more than five (5) feet above existing grade.
- ☐ \*\*Landmarks Commission staff will preliminarily review projects related to the construction of additions and/or new construction with Zoning staff in order to determine the completeness of the submission materials. Applicants are encouraged to contact Zoning staff to discuss projects early in the process;
- ☐ Any other information requested by the Preservation Planner to convey the aspects of the project which may include:
  - ☐ Perspective drawing
  - ☐ Photographs of examples on another historic resource
  - ☐ Manufacturer's product information showing dimensions and materials;
  - ☐ Other \_\_\_\_\_

**CONTACT THE PRESERVATION PLANNER:**

Please contact the Preservation Planner with any questions.

Amy Scanlon, Registered Architect  
City of Madison Planning Division  
126 S Hamilton St  
P.O. Box 2985 (mailing address)  
Madison, WI 53701-2985  
[ascanlon@cityofmadison.com](mailto:ascanlon@cityofmadison.com)  
(608) 266-6552



# FERCH ARCHITECTURE

2704 Gregory Street, Madison, WI 53711 (608) 238-6900

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April 1, 2019

Project: 01412

Harold Langhammer  
Central Properties  
515 Lake Street  
Madison, WI 53703

RE: Exterior Repairs at 121 Langdon Street

Dear Harold:

I understand that you are ready to proceed with the construction drawings for the exterior repairs at 121 Langdon Street. I could make time in my schedule in two weeks to start work on the final architectural drawings for the project. Below is a timeline that I could probably meet for you to have a building permit to start construction.

Please note that since this project will need the site plans approved by the city before a building permit can be issued, I have scheduled completing and submitting the site plan drawings first since the city review process takes about 30 days to complete.

4/15/19 – Start work on the Construction Drawings.

5/15/19 – Finish Site plan drawings and submit for the City of Madison Site Plan Review.

6/1/19 – Complete the construction drawings and submit to Building Inspection for Plan Review.

6/17/19 – City of Madison Site Plan Review sign-off complete.

6/17/19 – City of Madison Building Inspection Review complete.

6/18/19 – Obtain a building permit.

Although this is the earliest that I think it is possible to obtain a building permit, since you have selected a general contractor, there are some things that could be organize and fabricated, such as the decorative columns, that could speed up construction.

Sincerely,



David Ferch

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# Restoration Proposal Form

## General Contractor INFORMATION

Name Central Properties  
Address 121 Langdon St.  
City, State ZIP Madison, WI 53711  
Phone (608)-255-1767  
Email

Project name Historic Suhr Residence

## SCOPE OF WORK

Cut all cracked and deteriorated mortar joints. Pressure wash building using a turbo spin nozzle. Tuckpoint all mortar joints with color matching mortar using Western Type S Mortar. Inspect and caulk all failing caulk joints with Polyurethane Sealant. Remove any failing and deteriorated bricks from chimney and re-lay with matching brick. Apply Waterproofing Sealer to all brick and block work using product Seal Krete.

Repair and Relay masonry piers as per notice below

All Masonry Completed will be to Requirements of City of Madisons Official Notice CB2016-333-13997

### Item

5. 27.05(2)(g)2

11. 27.05(2)(g)

## NOT INCLUDED

N/A

## CONTRACTOR INFORMATION

Company Knock Out Building Restoration LLC.  
Name Ryan Jones  
Address 161 Bischoff St.  
City, State ZIP Fond du Lac, WI 54935  
Phone (920)-296-7427  
Email [ryantaiones@gmail.com](mailto:ryantaiones@gmail.com)

## COMPANY PROPOSAL

Scope of Work to be completed at a cost of \$24,800. 1<sup>st</sup> payment of \$8200 due upon signing contract.  
2<sup>nd</sup> payment of \$8200 due upon starting project. 3<sup>rd</sup> and final payment of \$8400 due upon finishing project.  
Check can be made payable to Knockout Building Restoration.  
If there are any unforeseen circumstances that will be more then total cost of \$26,800, Written permission will be required.  
Items that could change total cost could be but not limited to, complete rebuild of chimneys and replacement of upper  
Flues and/or replacement of any of the front pier stones. If anything shall fail or any shrink cracks appear, repair work will  
be done at no charge. A 30 day check of the work done will be conducted. Work guaranteed for 5 years.

Ryan Jones - Owner

Submitted by (Company Representative)

12-02-2018

Date

## OWNER ACCEPTANCE

121 Langdon Street Group LLP by:

Harold Langdon

Submitted by (home owner or authorized representative)

1-25-19

Date

# WALSH'S CONTRACTING

Residential- New Construction- Commercial

Wednesday, February 20, 2019

CB22016-333-13997

Policy#

Type:

Title: Proposal

WALSH'S CONTRACTING

Name: Langdon Street Group

Phone: (608)

Address: 121 N Langdon ST  
Madison, WI 53703

76 S. Macy St. Sut#1

Fond du lac WI 54935

Phone# (920)238-9605

Adam (608)617-6382

Cordelle (920)602-6472

**PROJECTS:**

**PRICE:**

THIS PROPOSAL IS TO ADDRESS ALL LISTED VIOLATIONS AS WELL AS MEET ALL REQUIREMENTS THAT HAVE BEEN SET BY THE BUILDING INSPECTORS DIVISION OF MADISON WISCONSIN AND AS WELL AS MEET ALL CRITERIA AND EXPECTATIONS SET FORTH BY THE LANDMARKS COMMISSION.

THE FOLLOWING VIOLATIONS ARE:

- 1) 41.09- 41.16-41.21
- 2) 29.05-29.08-27.05
- 3) 29.05-29.08- 27.05
- 4) 29.05(1)-29.08(1)-27.05(1)
- 5) 27.05(2)(G)2
- 6) 27.05(2)(E)
- 7) 27.05(2)(I)
- 8) 27.05(2)(G)2
- 9) 27.05(2)(H)
- 10) 27.04(2)(G)
- 11) 27.04(2)(D)
- 12) 27.05(2)A-27.05(2)(G)2
- 13) 27.05(2)(H)
- 14) 27.05(2)(H)

ALL OF THE ABOVE STATED VIOLATIONS AND FULL DETAILS WILL BE OUT LINED IN CONTRACT, START AND COMPLETION DATES WILL ALSO BE INCLUDED AS WELL AS PAYMENT STRUCTURE FOR PHASE COMPLETION IN PROJECTS PROGRESS.

TOTAL= \$76,850.00

Summary/Recommendations



Currently there are none.

If you have any further questions please feel free to contact us.

Thank you.

Thank YOU for Choosing WALSH'S CONTRACTING Thank You!

**From:** [Bailey, Heather](#)  
**To:** [info1](#)  
**Cc:** [Fruhling, William](#)  
**Subject:** RE: follow up on 121 Langdon  
**Date:** Monday, April 08, 2019 10:58:05 AM  
**Attachments:** [53824- 121 Langdon STAFF REPORT 12-3-18.pdf](#)  
[53824 - 121 Langdon COA 12-6-18.pdf](#)

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Harold,

I have reviewed your submission for the upcoming meeting and there are still some items outstanding and some details I would like to clarify.

At the December 3, 2018, Landmarks Commission meeting they specified that for the April 22 meeting, they wanted you to submit a copy of the contract with your general contractor as that would detail the scope of work. In your current submission there are two bids, but no signed contract. The Walsh Contract has a disclaimer at the bottom that the details of how the code violations will be resolved will be outlined in the signed contract, and it is those details that the Landmarks Commission needs.

For the scope of work from Knockout Building Restoration, the work described does not meet our preservation standards in several ways.

- To remove the mortar, it must be hand raked, not mechanically cut out
- You can clean the masonry through low pressure or hand scrubbing with a soft bristle brush, but not high pressure
- You must test the historic mortar to determine the appropriate type, but Type S mortar is only appropriate for new construction. Most likely the mortar used on the building will be Type O, but possibly Type N.
- Replacement bricks must be of the same materials as the historic. New/modern brick is not appropriate.
- Repairing and relaying the masonry piers needs to be completed in a preservation appropriate manner. We need details of how that work will be completed.
- No sealants of historic masonry are appropriate or allowed.

Per the December staff report (attached), we asked for the following items and have not received them to date:

- 1) The extents of tuckpointing, mortar mix, and mortar color shall be approved by the Preservation Planner prior to any work being done. Note that this may involve a one or more test areas.
- 2) Clarify that the only portions of the building to be painted are wood or metal- not brick or stone.
- 3) The specifications for the arched storm window on the lower level of the front façade shall be approved by the Preservation Planner.
- 4) Any cleaning or chemical treatment of the building shall be approved by the Preservation Planner.
- 5) The metal framing for the new metal/cable guardrail on the rear and side porches and stairs shall be painted a color complimentary to the overall brick color and be approved by the

Preservation Planner.

- 6) Additional detail, including precise dimensions, for the original columns, bases, and capitals, and balusters and railing for each of the porches shall be provided to ensure they are replicated in a historically accurate manner. The specifications of the replacement components shall be approved by the Preservation Planner prior to their fabrication.

Your Certificate of Appropriateness (also attached) reiterated those items. I currently do not have the details necessary to approve the work required for the property.

Your previous timeline included templates for the porch columns and balusters and test patches for the tuck pointing. Your new timeline does not. In order to ensure the work you're proposing to complete meets the City's requirements, I would recommend including those items back in the timeline.

Are you able to submit a signed contract with a detailed scope of work? Are you able to supply the specifications for the work as described in the numbered points above?



**Heather L. Bailey, Ph.D.**

Preservation Planner  
Neighborhood Planning, Preservation + Design Section

-----  
Department of Planning + Community + Economic Development  
Planning Division  
215 Martin Luther King, Jr. Blvd.; Suite 017  
PO Box 2985  
Madison WI 53701-2985  
Email: [hbailey@cityofmadison.com](mailto:hbailey@cityofmadison.com) Phone: 608.266.6552

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**From:** info1

**Sent:** Monday, April 01, 2019 10:40 AM

**To:** Bailey, Heather <[HBailey@cityofmadison.com](mailto:HBailey@cityofmadison.com)>

**Subject:** RE: follow up on 121 Langdon

Hi Heather,  
Please see attached.  
Harold

---

**From:** Bailey, Heather [<mailto:HBailey@cityofmadison.com>]

**Sent:** Tuesday, March 26, 2019 9:09 AM

**To:** info1 <[info@centralapts.com](mailto:info@centralapts.com)>; 'david@fercharchitecture.com' <[david@fercharchitecture.com](mailto:david@fercharchitecture.com)>; 'snh@herricklaw.net' <[snh@herricklaw.net](mailto:snh@herricklaw.net)>

**Cc:** Stouder, Heather <[HStouder@cityofmadison.com](mailto:HStouder@cityofmadison.com)>; Bunnnow, Kyle <[KBunnnow@cityofmadison.com](mailto:KBunnnow@cityofmadison.com)>; Hank, George <[GHank@cityofmadison.com](mailto:GHank@cityofmadison.com)>; Strange, John <[JStrange@cityofmadison.com](mailto:JStrange@cityofmadison.com)>; Zellers, Ledell <[district2@cityofmadison.com](mailto:district2@cityofmadison.com)>; Fruhling, William <[WFruhling@cityofmadison.com](mailto:WFruhling@cityofmadison.com)>

**Subject:** RE: follow up on 121 Langdon

Mr. Langhammer,

At the December 3, 2018, Landmarks Commission meeting the commission referred the demolition by neglect case for 121 Langdon to their April 22, 2019, meeting. They specifically requested that the property owner supply evidence that work is being completed on schedule in order to meet the August 15, 2019, court-mandated deadline. I am attaching the timeline you supplied for the December 2018 meeting and the action report from that meeting. One of the items the commission would like to see is a signed contract for the work to be completed.

In order to have a complete submission for the April 22 meeting, I need materials submitted by April 1 so we can notice this for a public hearing. I recommend submitting a narrative and any supporting materials that demonstrate progress on this case. Let me know if you have questions as you proceed.

## Landmarks Commission Application Information

[Submittal Dates](#)

[Application](#)



**Heather L. Bailey, Ph.D.**

Preservation Planner  
Neighborhood Planning, Preservation + Design Section

Department of Planning + Community + Economic Development  
Planning Division

215 Martin Luther King, Jr. Blvd.; Suite 017

PO Box 2985

Madison WI 53701-2985

Email: [hbailey@cityofmadison.com](mailto:hbailey@cityofmadison.com)

Phone: 608.266.6552



# PLANNING DIVISION STAFF REPORT

April 22, 2019

PREPARED FOR THE LANDMARKS COMMISSION



**Project Name/Address:** 121 Langdon St. (Suhr House)  
**Application Type:** Demolition by Neglect  
**Legistar File ID #** [53000](#)  
**Prepared By:** Heather Bailey, Preservation Planner, Planning Division  
**Date Prepared:** April 15, 2019

## Summary

**Project Applicant/Contact:** Harold Langhammer; David Ferch, Ferch Architecture  
**Requested Action:** The Landmarks Commission is considering whether demolition by neglect is occurring on the landmark site.

## Background Information

**Parcel Location:** The subject site is a designated landmark (Suhr House) located in the Mansion Hill District. It was designated as a landmark in 1974 and placed on the National Register of Historic Places in 1982.

On September 17, 2018, the Landmarks Commission held a public hearing on a notice of demolition by neglect. At that meeting, the Commission referred that matter "to a future Landmarks Commission meeting no later than December 3 with the stipulation that the applicant work closely with the Preservation Planner and other City staff to itemize work which can be done with and without tax credits and provide a timeline for addressing the work orders in a timely manner."

On December 3, 2018, the Landmarks Commission approved a COA to complete the necessary work to stabilize and repair the building. The Landmarks Commission referred the Demolition by Neglect case to the April 22, 2019, meeting to have an update from the property owner regarding progress towards completing necessary work in order to meet the terms and deadline of the court-approved agreement to complete the items in the work order by August 15, 2019. The Landmarks Commission has not made a final findings on the Demolition by Neglect case.

### Relevant Ordinance Sections – Demolition by Neglect:

#### 41.02 DEFINITIONS.

Demolition by Neglect means the process of allowing landmarks, landmark sites or improvements in historic districts to decay, deteriorate, become structurally defective, or otherwise fall into disrepair.

#### 41.14 MAINTENANCE OBLIGATION; ENFORCEMENT; PENALTIES

- (1) Maintenance obligation. Every owner of a landmark, improvement on a landmark site, or improvement in a historic district shall do all of the following:
  - (a) Protect the improvement against exterior decay and deterioration.
  - (b) Keep the improvement free from structural defects.
  - (c) Maintain interior portions of the improvement, the deterioration of which may cause the exterior portions of such improvement to fall into a state of disrepair.
- (2) Enforcement.

- (a) The Building Inspector or designee is authorized to enforce the provisions of this chapter.
- (b) The Building Inspector may issue an official written notice to a property owner, requiring the property owner to correct a violation of sec. 41.14(1) above by a date specified in the notice.
- (c) The Building Inspector shall notify the Preservation Planner of all official compliance notices issued to owners of landmarks or improvements in historic districts. The Building Inspector shall further notify the Preservation Planner whenever a property owner fails to correct a violations by the compliance date specified in an official notice.
- (d) City agencies or commissions responsible for enforcing chapters 18, 27, 29, 30 and 31 of the Madison general ordinances, or, in the absence of such city agency or commission, the Building Inspector, may grant individual variances from those chapters to facilitate historic preservation and maintenance under this chapter, provided that such variance does not endanger public health or safety or vary any provisions of this chapter.

**41.15 DEMOLITION BY NEGLECT.** The owner of a landmark, improvement on a landmark site, or improvement in a historic district, may not allow the landmark or improvement to undergo demolition by neglect.

- (1) Notice of demolition by neglect. If the Building Inspector believes that a landmark or improvement is undergoing demolition by neglect, the Building Inspector shall give written notice of that belief to the owner of the landmark or improvement. The Building Inspector shall give a copy of the notice to the Preservation Planner and the Landmarks Commission.
- (2) Public Hearing. Upon receiving a notice under sec. 41.15(1), the Landmarks Commission shall issue a hearing notice under sec. 41.06 and hold a public hearing to determine whether the landmark or improvement is undergoing demolition by neglect. The Commission shall hold the public hearing within 90 days of receiving the notice under sec. 41.15(1).
- (3) Landmarks Commission Finding. If, after a public hearing, the Landmarks Commission finds that a landmark or improvement is undergoing demolition by neglect, it shall report its finding to the Common Council, the Building Inspector and the Office of the City Attorney. A Landmarks Commission finding of demolition by neglect is prima facie evidence of demolition by neglect for purposes of any administrative or civil court action, and also constitutes a determination that a public nuisance exists under sec. 27.05(3) of the Madison general ordinances.
- (4) Appeal of Landmarks Commission finding.
  - (a) An appeal from a Landmarks Commission finding under sec. 41.15(3) may be taken to the Common Council by the owner of the affected landmark or improvement, the Alder of the district in which the subject property is located, or by the owners of 20% of the number of parcels of property within 200 feet of the subject property, measured according to sec. 41.03(5).
  - (b) An appeal under par. (a) shall be filed with the City Clerk within 10 days after the Landmarks Commission makes its finding. The appeal shall include the name and address of each petitioner, and shall specify the grounds for appeal. The City Clerk shall forward the petition to the Common Council.
  - (c) The Common Council shall hold a public hearing regarding any appeal it receives under par. (b).
  - (d) Following a public hearing, the Common Council may, by favorable vote of two-thirds (2/3) of its members, reverse or modify the Landmarks Commission finding, with or without conditions, or may refer the matter back to the Commission with or without instructions, if it finds that the Commission's decision is contrary to applicable standards under this subchapter.
- (5) Abatement by the City. If the Landmarks Commission finds under sec. 41.15(3) that a landmark or improvement is undergoing demolition by neglect, the Building Inspector may proceed under

the non-summary abatement procedures set forth in sec. 27.05(3)(e) of the Madison general ordinances to repair the landmark or improvement to abate the nuisance. The cost of the required repairs shall be paid by the property owner, or shall be imposed as a special charge against the property and collected pursuant to the provisions of sec. 4.09(13) of the Madison general ordinances and Wis. Stat. § 66.0627.

- (6) Acquisition by City. If the Landmarks Commission finds under sec. 41.15(3) that a landmark or improvement is undergoing demolition by neglect, the Common Council may authorize the City to acquire the property under Wis. Stat. § 66.1111(2), if necessary through the initiation of condemnation proceedings under Wis. Stat. § 32.06.

## Analysis and Conclusion

At the December 3, 2018, meeting, the Landmarks Commission approved the COA with the following conditions: **repair the front, side, and rear porches and stairways with the condition that all final details must be approved by staff; to tuckpoint damaged masonry, with the extents of the work and the mortar mix and mortar color to be approved by staff; and to replace the arched storm window on the lower level of the front façade, with specifications for the window to be approved by staff.**

The Landmarks Commission referred the Demolition by Neglect case to the April 22, 2019, meeting. The commission asked to see a signed contract for the work in order at the April 22 meeting to assess if the work could be completed by the schedule the applicant presented on December 3. The Applicant has submitted quotes for the work, but the details in the scopes of work were minimal in detail and some of the methods described do not meet the Secretary of the Interior's Standards. This includes pressure washing the building, mechanically cutting out mortar joints, sealing the masonry, etc. Staff provided feedback on the submission regarding our concerns for the proposed methods and lack of detail (correspondence is attached), but has not heard anything further. None of the conditions of the COA have been met at this time and staff has not approved any work. Based upon the level of detail provided, the abbreviated revised timeline, and lack of response from the property owner when staff asked for additional detail, staff is concerned about the progress of this project.

A discussion of the pertinent code section follows:

**41.15 DEMOLITION BY NEGLECT.** The owner of a landmark, improvement on a landmark site, or improvement in a historic district, may not allow the landmark or improvement to undergo demolition by neglect.

- (1) Notice of demolition by neglect. The notice was issued on August 15, 2018, by Kyle Bunnaw, City of Madison Housing Inspection Supervisor.
- (2) Public Hearing. The Landmarks Commission received this notice at its August 27, 2018, meeting and held a public hearing on September 17, 2018.
- (3) Landmarks Commission Finding. The Landmarks Commission referred the case to its December 3, 2018, meeting where it granted a Certificate of Appropriateness for work that would address the maintenance deficiencies of the property. The commission referred the Demolition by Neglect case to April 22, 2019, to check on the progress of the applicant in meeting the timeline the applicant submitted at the December 3, 2018, meeting. The commission has not made a finding in the case at this point.
- (4) Appeal of Landmarks Commission finding. The process has not reached this stage.
- (5) Abatement by the City. The process has not reached this stage.
- (6) Acquisition by City. The process has not reached this stage.

## Recommendation

### Demolition by Neglect

Staff recommends that the Landmarks Commission refer the finding that demolition by neglect is occurring until the May 6, 2019, meeting to review the signed contract for work and ensure that adequate progress is being made on making the required repairs by the court stipulated deadline of August 15, 2019.



## Bailey, Heather

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**From:** Bailey, Heather  
**Sent:** Monday, April 22, 2019 9:14 AM  
**To:** info1; Fruhling, William  
**Cc:** Heiser-Ertel, Lauren  
**Subject:** RE:

Harold,

Thank you for this information. I will try to review it all before the meeting tonight, but will get detailed comments back to you this week.



**Heather L. Bailey, Ph.D.**

Preservation Planner  
Neighborhood Planning, Preservation + Design Section

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Department of Planning + Community + Economic Development  
Planning Division  
215 Martin Luther King, Jr. Blvd.; Suite 017  
PO Box 2985  
Madison WI 53701-2985  
Email: [hbailey@cityofmadison.com](mailto:hbailey@cityofmadison.com) Phone: 608.266.6552

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**From:** info1  
**Sent:** Friday, April 19, 2019 11:38 AM  
**To:** Bailey, Heather <[HBailey@cityofmadison.com](mailto:HBailey@cityofmadison.com)>; Fruhling, William <[WFruhling@cityofmadison.com](mailto:WFruhling@cityofmadison.com)>  
**Subject:**

Hi Heather. Thanks for your recent email. Regarding your comments about the masonry, I attach a response from Knockout Building Restoration. I also attach two photos showing additional shoring that we have done to assure the integrity of the front porch roof. I have arranged for the replacement of the stone base for the leaning column on the front porch with B&B Building Restoration. I am awaiting Dan Forler's scheduling of that work. I attach completed construction drawings for this work from architect David Ferch. I am also attaching the proposed contract with Walsh's Construction. I have not yet signed the contract because I am waiting to find out about the potential sale of the property. Michael Fruchtman met with you and other department members last week seeking information about the building, repair orders, etc. If he purchases the building, he wants to have contractors of his own choosing. I should know next week whether or not he will be making the purchase. Once this is resolved, I will try to provide the specifications for the work described in your email. Harold

## Central Properties

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**From:** Ryan Jones <ryantajones@gmail.com>  
**Sent:** Wednesday, April 17, 2019 3:09 PM  
**To:** Central Properties  
**Subject:** Re:

In Response to Landmarks Commissions questions we will comply to all requests on how they would like the project done. Below you will find my answers to specific questions.

To remove mortar we can hand rake and hand chisel the mortar. This will be slightly more costly, as it takes more time.

We can have the mortar tested, and comply to the type used.

All Replacement brick will be reclaimed Cream City brick.

Repairing and relaying masonry piers will be as such. The mortar joints must be sawed in order to preserve the integrity of the stone. Footings will comply with City of Madisons guidelines. Piers Stones will then be layed like any other brick or stone, in a bed of mortar. If there are any suggestions and or specifics we must follow outside this please let me know, as we will comply to all guidelines requested.

Ryan Jones  
Knockout Building Restoration.

## Proposed/ Contract

### WORK DESCRIPTION'S PROCEDURE'S

# WALSH'S CONTRACTING

Residential- New Construction- Commercial

76 S Macy

Fond du lac, WI 54935

Office (920) 238-9605

Adam (608) 617-6382 Cordelle (920) 602-6172

Dwelling Contractor Certification

ID:1446274 ID:1446278



Licensed & Insured



## WALSH'S CONTRACTING

# 2019-2020

- Name: Langdon Street Group
- Address: 121 Langdon St. Madison, WI 53703
- Phone: (608) 467-2204



## Description Of Work Procedures

The full scope of work described below is priced to use a standard material quality for all Applications. All historical regulations apply. All directions and descriptions are to be from a point of view located in the front of the house on Langdon St. Illustrations and Prints are included with contract.

### FRONT POARCH

- REMOVE AND/OR REPAIR NEEDED DAMAGED PIERS TO BRING THEM TO A CONDITION THAT IS PLUM AND ADAQUET FOR ROOF STRUCTURE ON FRONT OF HOUSE.
- TO REPLACE NEEDED COLUMNS AND REPAIR NEEDED COLUMNS TO A STATE THAT IS RATED TO CARRY THE STRUCTURES LOAD. TO HAVE AN ASTHETIC THAT IS UNIFORM AND APPROVED BY PRESERVATION PLANNER. (P.P)
- REPAIR AND REPLACE ANY DECROTIVE BEAMS AND FRAMING ASSOCIATED WITH FRONT POARCH TO A LEVEL, UNIFORM AND COMPLET STATUS THAT IS APPROVED BY P.P.
- REPAIR AND REPLACE NEEDED SOFFIT, FASCIA AND TRIM ASSOCIATED WITH TH DECORATIONS USED ON THE POARCH TO MEET A STANDARD APPROVED BY P.P.
- TO USE ANY NEEDED DEMOLITIONS AND REPAIRS FOR PORACH LOCATED ON RRIGHT SIDE OF BIULDING.

### RIGHT SIDE POARCH & STAIRS

- TO USE 2X4 AS TOP HANDRAIL, HANDRAIL TO EXTEND TO BOTTOM OF LANDING.
- TO APPROPRIATELY ATTACH STRINGERS TO THE PORACHES EXISTING STRUCTUR.
- REPLACE CRUSHED BOX BEAM AND APPROPEIATE CARRIED BEAMS TO A SAFE STANDARD APPROVED BYCODE AND P.P.
- REPLACE AND REPAIR ROOF SYSTEM AND FLASHING SYSTEM AS NEEDED TO ENSURE WEATHER PROOF

### COMPLETE EXTERIOR ENVELOPE

- ELIMINATE ANY HOLES GAPS AND INCONSISTANCES IN THE UNIFORMITY OF HISTORICAL PRESERVATION.
- TO REPAIR AND RESTORE ALL NEEDED AREAS ON EINTIRE EXTERIOR ENVELOPE.
- TO PAINT AND SCRAPE ALL NEEDED AREAS LEAVING THE STRUCTURE IN A UNIFORM AND CONSISTENT LOOK.REPLACE ALL NEEDED WOOD LATICE AND DECROTIVE TRIMS.



WALSH'S CONTRACTING

- TO WEATHER PROOF ENTIRE EXTERIOR OF STRUCTURE IN A MANNER THAT IS ASTHETICALLY UNIFORM IN APPEARANCE FOR THE SOFFITS FASCIAS, TRIMS, WINDOWS AND SIDINGS.
- TO APPROPRIATE WINDOW WELLS AND SECURE LOOSE WIRES.
- APPROPRIATE RIGID FOAM WITH GRADING.
- REPLACE AND UPGRADE DOWN SPOUTS TO LANDMARK REQUIREMENTS.
- REMOVE CRACKED PLASTIC FROM FOUNDATION WINDOW OPENING NEAR FRONT AND REPLACE ROTTED WOOD IN FOUNDATION WINDOW ASSEMBLY.
- RESTORE HALF-MOON FOUNDATION WINDOW TO A WEATHERTIGHT CONDITION.

Start

date:

COMPLETION date:

Clean-up will be performed daily. The site shall be kept in a clean and professional manner until date of completion. Upon acceptance a start and completion date will be decided.

All work performed by Walsh's shall carry a  
15yr Workmanship Warranty.

Walsh's contracting terms and conditions

- 1) **Time for acceptance of agreement:** This agreement and general terms must be signed and returned to the contractor within 10 days of the date (unless stated otherwise) or contract will be deemed null and void. Acceptance by contractor of this agreement depends upon approval of customer by the credit department. The Agreement consists of both the contract and these general terms and conditions.
- 2) **Payment:** Deposit is required upon submission of this agreement, and/or upon receiving the first Insurance check. All progress payments shall be due within 3- days from invoice date, and/or upon receipt of the same from Insurance Company. Final payment shall be upon substantial completion and submittal of the final invoice (pay per trade- roof, siding, gutters, etc.). Any amount not paid when due shall bear interest

## WALSH'S CONTRACTING

of full contract from the due date until paid in full at the maximum amount allowed by Wisconsin state law. All payments through promotional programs must be presented prior to contract. Payment to be made in full upon completion. Deposit required for following contract.

- 3) **Change orders:** Any extra work which is requested or required due to the condition of the building or building code changes shall be performed only after a written change order, "Addendum", is signed by the customer upon a contractors change order form, and delivered to contractor accompanied by full payment for the change order if applicable. A change order may increase or decrease the price, provided for more or less time to complete work, for more or less materials or labor and other clauses.
- 4) **Excess Materials:** In order to insure there are enough materials to do the work(s), contractor may order more materials than may be necessary to complete said work(s). Any excess materials will not result in a change of the agreed upon contract price. All materials remaining after completion of the work shall belong to Walsh's Contracting.
- 5) **Warranties and limitation on liability:** Contractor grants the customer a 15-year warranty on workmanship. In the event of a claim of defective workmanship, the notice of the warranty claim must be submitted in writing and must describe the claim in sufficient detail to determine the nature of the problem(s), and must be signed by the customer. Removal of the roofing system lifts a great weight from the building. This causes uplift in the building, sometimes resulting in interior cracking of walls, ceilings, and floors. Such cracking may disappear upon roof replacement, however, uplift is unavoidable. Therefore, contractor shall not be liable should interior cracks occur. Any re-roofing requires removal of the membrane protecting the building from rainwater. Contractor shall use best efforts to cover the roof if rain occurs during re-roofing. However, if rain occurs during re-roofing, rain infusion and even mold infestation are inevitable. Therefore, should mold occur, contractor shall not be liable. Should fire, casualty, vandalism, storm(s) resulting in whole, or partial destruction of the building should occur during the work due it shall not be deemed the fault of the contractor, customer shall look solely to the homeowners insurance for recourse for any damage, and contractor shall not be liable. Contractor is not a dealer in roofing materials, and does not warrant materials supplied or installed. It is agreed that shingles and tiles shall vary in color and texture from time to time, and that sure variation does not constitute a default under this agreement. Warranties will be terminated if any repairs or modifications are done to any of the systems or products installed other than by an written order and by an active member of Walsh's Contracting.
- 6) **Work funded by insurance payments:** In the event the work is to be funded from insurance proceeds, the insurance company and the contractor shall agree upon



## WALSH'S CONTRACTING

the total price. Customer authorizes the contractor to negotiate directly with the insurance company. Customer authorizes the insurance company to pay contractor directly for all work performed/provided for herein. If the insurer refuses to fund necessary work, contractor may terminate the agreement. Homeowner is responsible for paying claim deductible to contractor.

- 7) **Customers required insurance:** Customer shall carry homeowners insurance in the full replacement value of all improvements on the property and public liability insurance.
- 8) **Contractors required insurance:** Contractor shall carry insurance required by law per, Wisconsin state statute.
- 9) **Removal of structures and other obstructions:** If structures or other objects obstruct access to direct project or other areas declared as work zones or surfaced being worked on, customer shall remove and replace any such obstructions at sole expense of customer. Contractor is not responsible for this work, unless agreed to by contractor in writing. Obstructions will make aware of to customer in writing.
- 10) **Notices:** Any notice shall be sufficient to be delivered to the address of the party given in the agreement, by hand or U.S. mail.
- 11) **Default:** In the event that either party defaults in performing any covenant hereof, the non-defaulting party shall deliver to the defaulting party a dated "notice of default," specifying the default and requesting the correction thereof. In the event it is not corrected within ten (10) days after receipt of said notice, the non-defaulting party shall have all remedies at law and in equity for said default. In addition to any other remedy for default provided for herein or at Wisconsin law. Contractor shall have the right, but not the obligation to suspend or terminate its work(s), to retain all deposits then held and to peacefully repossess all materials previously delivered or installed, for which payment has not been made in full, to remove its equipment from the job site and terminate this agreement.
- 12) **Act of God and delays:** In the event the completion of work is prevented or delayed due to damage or destruction of the building, fire, accident, vandalism, earth movement, hurricane, tornado, windstorm, theft, labor strikes, warfare, material shortage, delay of any governmental agency in issuing any required permit or certificate, or in performing inspections, litigation, or any act of God, then the completion of work shall be delayed until a later date and contractor and customer shall sign a change order reflecting the same. If customer declines to sign the change order then this agreement may be terminated by contractor where upon all sums then due to contractor for work(s) completed shall be immediately due and payable to contractor.

WALSH'S CONTRACTING

- 13) **Time is of the essence for this agreement:** Upon the receiving of the first check the work specified in this contract will be put in to production as fast as possible, Or on agreed start date.
- 14) **Customers covenant noninterference:** Customer shall not attempt to direct workers on the site, exclude them from the site, demand work from them, remove the permit from the site, or interfere in any way with the contractors work.
- 15) **Effective date of this agreement:** This agreement becomes effective when signed and applicable terms such as insurance company approval and/or deposit are met.
- 16) **Governing law, venue, waiver of the jury trial and attorney fees:** This agreement is to be governed by the law of Wisconsin. Venue for any action other than a lien foreclosure may at contractor's option lie in its home county. The parties intentionally waive the right of a jury trial, in any litigation arising under this agreement; the prevailing party shall recover its attorney fees and costs.
- 17) **Entire agreement: No prior representation: Amendment:** This is the entire agreement upon the contractor and customer. There is no representation past or present, by contractor or any person acting for contractor, which does not appear herein. This agreement may not be amended except by a written change order or amendment executed and paid for as provided herein.
- 18) **Severability:** Any remaining provisions hereof shall remain in full force and effect.
- 19) **Lien Law:** Required by Wisconsin state law contractor hereby notifies owner that persons or companies performing, finishing, or procuring labor, services, material, plans or specification's for the construction on owners land have lien rights on owners land and buildings if not paid. Those entitled to lien rights in addition to the under signed contractor are those who contract directly with the owner or those who give the owner notice within 60 days after they perform, furnish, or procure labor, services, materials, plans or specification's for the construction accordingly Owner will probably receive notices from those who perform, furnish, or procure labor, services, materials, plans or specification's for the construction and should give a copy of each notice received to mortgage lender if any. Contractor agrees to cooperate with the owner and owners lenders if any to see that all potential lien claimants are duly paid.
- 20) **Non-completion Penalties:** There will be a fee of \$250.00 per day for every day that passes beyond the agreed completion date that is without valid reason. If projects completion date will pass the agreed date the home owner will receive a written letter stating why this date is now projected.



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**We** hereby propose to meet all conditions outlined in the document stated and to provide all means necessary to complete the Proposed Contract/ Description of work stated above for the sum of :**\$76,850.00** Seventy six thousand eight hundred and fifty Dollars 00/100

A payment of \$15,370.00 shall be made as a down payment to schedule said project.

A payment of \$15,370.00 shall be made as a payment at start of project.

A payment of \$15,370.00 shall be made as a progressive payment at end of 2<sup>nd</sup> week of construction

A payment of \$15,370.00 shall be made as a progressive payment upon completion of %75 of the project.

.And a payment of \$15,370.00 shall be made as a final payment upon completion.

WALSH'S CONTRACTING

**Any** alterations or deviation from above specifications involving extra cost will be executed only upon written order, and will become an extra charge over and above the estimate. All agreements are contingent upon strikes, accidents, or delays beyond our control.

**Note**-This proposal/Contract may be withdrawn by us if not accepted within 5-days

**Acceptance of Proposed Contract**

The above prices and conditions are satisfactory and are hereby accepted. You are authorized to do work as specified. Payments to be made as outlined. Contractor has the rights to request Overhead and profit upon completion of contract.

Interest shall be applied to any unpaid balance that is over 1/days past due from the date of completion at the rate of 1% monthly reoccurring.

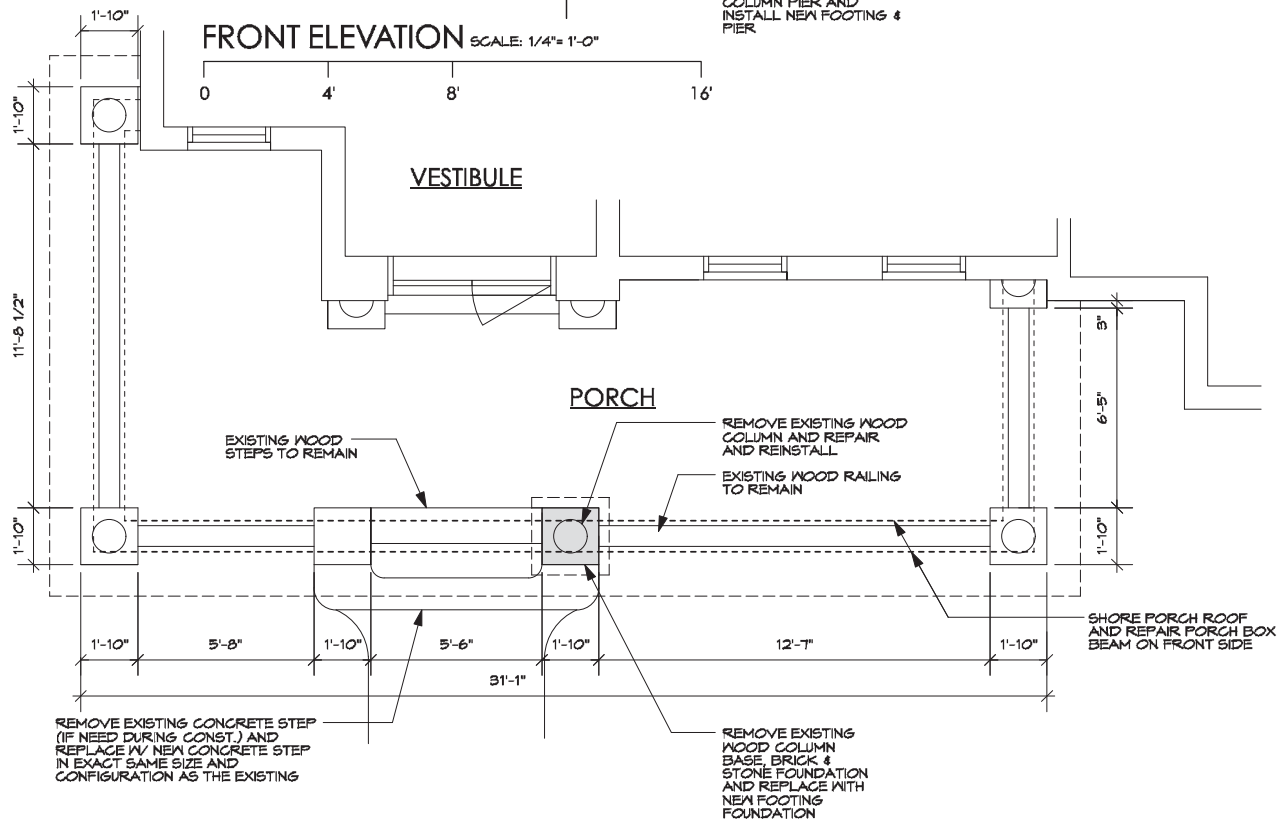
**RESPECTFULLY SUBMITTED**

Signature: \_\_\_\_\_ Date \_\_\_\_\_

Signature: \_\_\_\_\_ Date \_\_\_\_\_

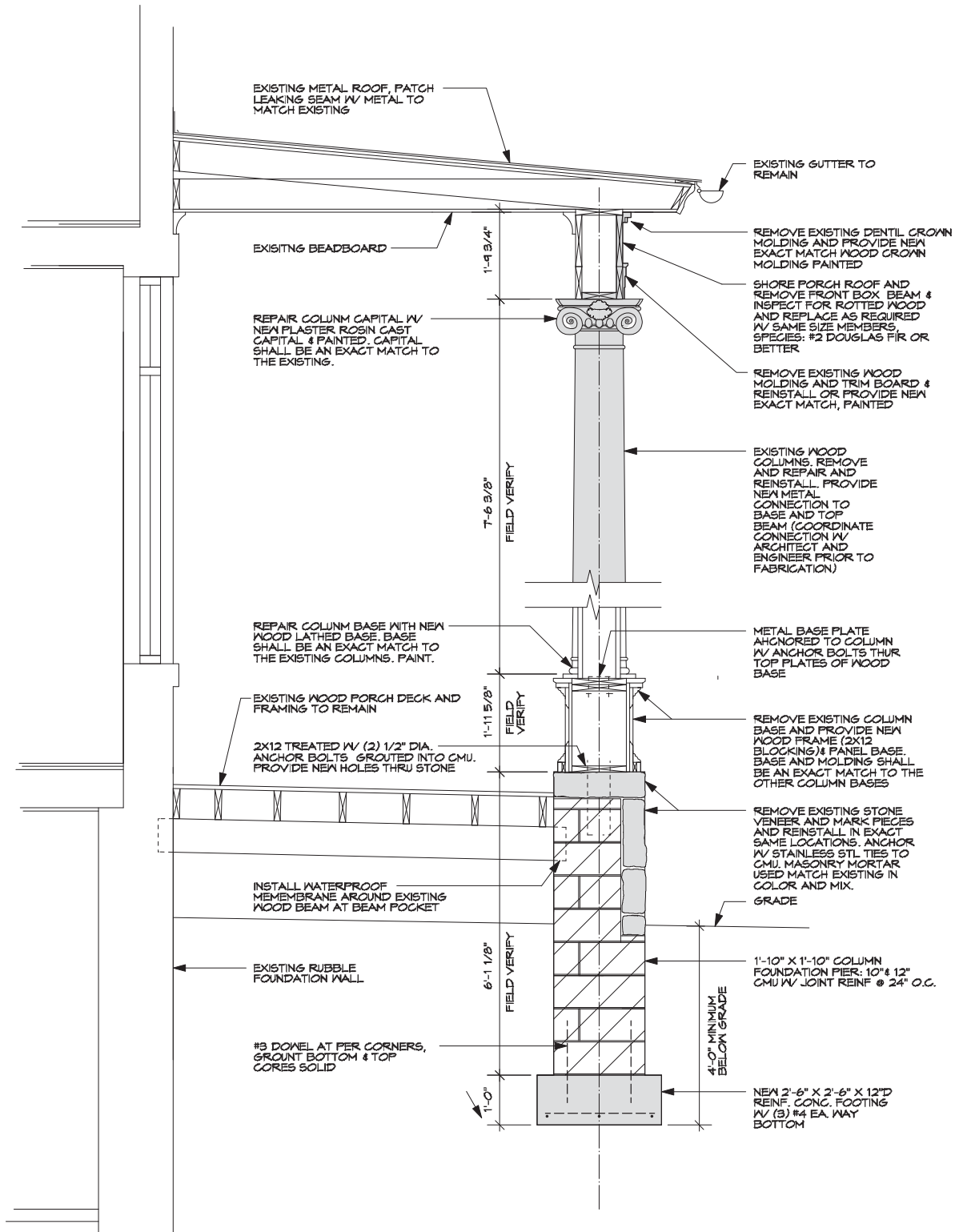


FRONT ELEVATION SCALE: 1/4" = 1'-0"



1ST FLOOR PLAN SCALE: 1/4" = 1'-0"

4/19/19



## A FRONT PORCH COLUMN

SCALE: 1/2" = 1'-0"

GENERAL NOTE: ALL NEW MOLDINGS SHALL BE EXACT MATCH TO THE EXISTING. IF NEEDED NEW CUSTOM ROUTER BITS SHALL BE MADE TO PRODUCE MATERIALS.

4/19/19





**FOR SALE**  
dwalk Investments  
**8-256-9500**  
rentmadison.com





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121

## AGENDA # 2

City of Madison, Wisconsin

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REPORT OF: LANDMARKS COMMISSION

PRESENTED: 4/22/19

TITLE: 121 Langdon St - Demolition by Neglect  
of a Designated Madison Landmark  
in the Mansion Hill Hist. Dist. (Suhr  
House); 2nd Ald. Dist.

REFERRED:

REREFERRED:

REPORTED BACK:

AUTHOR: Heather Bailey, Preservation Planner

ADOPTED:

POF:

DATED: 4/26/19

ID NUMBER: 53000

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Members present were: Stuart Levitan, Anna Andrzejewski, Richard Arnesen, Katie Kaliszewski, and Arvina Martin. Excused was David McLean.

### **SUMMARY:**

*Harold Langhammer, registering in support and wishing to speak*

*Scott Herrick, registering in support and available to answer questions*

Bailey explained that the determination of whether demolition by neglect is occurring at 121 Langdon Street had been referred from previous meetings on September 17, 2018 and December 3, 2018. She noted that on December 3, 2018, the Commission approved a Certificate of Appropriateness to complete the necessary work on the property, and she outlined the specific conditions of that approval. She said that the property owner also has an agreement with the Municipal Court that all items on the Building Inspection work orders must be completed by August 15, 2019. At the December 3, 2018 meeting, the Commission requested that signed contracts be provided by the property owner in order to assess whether the work could be completed on schedule.

Bailey said that the applicant recently provided additional materials after the staff report was written, but she has not yet reviewed that information and cannot provide a recommendation on whether it meets the conditions of the Certificate of Appropriateness at this time. She said that she recommends the demolition by neglect determination be referred to the May 6, 2019 Landmarks Commission meeting in order to review the signed contract for the work and ensure that adequate progress is being made on the required repairs.

In looking at the construction schedule the applicant submitted at the December 3, 2018 meeting, Bailey said that none of the points in the timeline seem to have been met, and information submitted about the work to be completed does not meet the Secretary of the Interior's Standards or Guidelines. Given these factors, she said that staff has concerns that the demolition by neglect is ongoing.

Levitan asked the property owner if he would be able to meet the timeline and if he had any updates to provide. Langhammer said that he doesn't think meeting the August 15 deadline will be an issue. Levitan asked staff which work was determined not to be in compliance with the Secretary of the Interior's Standards. Bailey said that the description for how to address the tuckpointing was to grind the joints and use type S mortar, as well as to pressure wash the building and seal all of the masonry with water-repellent sealant. She said that none of those methods meet the Standards or Guidelines. She said that it appears the contractor has responded to staff's concerns regarding those items as part of the recent submission, but she has not had a chance to review it yet.

Andrzejewski asked for clarification on what they would like the property owner to provide at the next meeting. Bailey said that the Commission had previously requested signed contracts with detailed scopes of work, and the descriptions of the work they have received to date do not meet the Secretary of the Interior's Standards and need to be revised. Andrzejewski requested that the applicants provide any additional materials well in advance of the next meeting so that Commissioners have time to give it most serious consideration. She pointed out that if they continue to refer their determination, it could put everyone in a bind as the August 15 deadline approaches. Langhammer said that he agreed, and is not intentionally delaying the process.

**ACTION:**

**A motion was made by Andrzejewski, seconded by Kaliszewski, to refer the item to the May 6, 2019 Landmarks Commission meeting. The motion passed by voice vote/other.**



From: [Bailey, Heather](#)  
To: [info1: Fruhling, William](#)  
Subject: RE:  
Date: Friday, April 26, 2019 3:36:38 PM  
Attachments: [02Preserve-Brief-MortarJoints.pdf](#)  
[SOI Guidelines masonry.pdf](#)

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Harold,

I have reviewed your submission. As a general note, I would recommend that the scopes of work from the contractors and the construction documents align. Currently the construction documents address elements on the front porch, but the work described by the contractors discuss work on the building beyond the porch. Some of that work (such as using a 2x4 as the handrail) do not meet building code or the preservation ordinance. Of the work associated with the CDs, the scopes of work need to address what they are doing and how they are doing it. The Walsh scope of work needs to be updated to align with the CDs.

As a response to the additional information from Knockout Building Restoration:

Staff will need a material sample for the source of replacement brick. The current brick on the building is not Cream City brick.

For repairing the masonry piers, please utilize the description from the CDs. Mortar should be removed with the gentlest means first and mechanical tools used in a limited fashion only as necessary. All stones must have their configuration documented prior to disassembly, and numbered for accurate reassembly (which is noted on the CDs). The new mortar needs to be the same type and color, and the dimension needs to accurately replicate the original (width and depth of the joint).

They said that they welcomed suggestions and guidelines. I am attaching a the section from the Secretary of the Interior's Standards for Rehabilitation regarding masonry and the NPS Preservation Brief on Repointing Masonry. Of note, please see page 9 of the preservation brief:

"The most common method of removing mortar, however, is through the use of power saws or grinders. The use of power tools by unskilled masons can be disastrous for historic masonry, particularly soft brick. **Using power saws on walls with thin joints, such as most brick walls, almost always will result in damage to the masonry units by breaking the edges and by overcutting on the head, or vertical joints** (Fig. 11).

However, small pneumatically-powered chisels generally can be used safely and effectively to remove mortar on historic buildings as long as the masons maintain appropriate control over the equipment.

Under certain circumstances, thin diamond-bladed grinders may be used to cut out *horizontal* joints only on hard portland cement mortar common to most early-20<sup>th</sup> century masonry buildings (Fig. 12). Usually, automatic tools most successfully remove old mortar without damaging the masonry units when they are used in combination with hand tools in preparation for repainting. Where horizontal joints are uniform and fairly wide, it may be possible to use a power masonry saw to assist the removal of mortar, such as by cutting along the middle of the joint; **final mortar removal from the sides of the joints still should be done with a hand chisel and hammer.**"

I look forward to receiving the full construction drawings and updated scopes of work from the contractors that align with those CDs.



**Heather L. Bailey, Ph.D.**

Preservation Planner  
Neighborhood Planning, Preservation + Design Section

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Department of Planning + Community + Economic Development  
Planning Division

215 Martin Luther King, Jr. Blvd.; Suite 017  
PO Box 2985  
Madison WI 53701-2985

Email: [hbailey@cityofmadison.com](mailto:hbailey@cityofmadison.com)

Phone: 608.266.6552

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**From:** info1

**Sent:** Friday, April 19, 2019 11:38 AM

**To:** Bailey, Heather <[HBailey@cityofmadison.com](mailto:HBailey@cityofmadison.com)>; Fruhling, William  
<[WFruhling@cityofmadison.com](mailto:WFruhling@cityofmadison.com)>

**Subject:**

Hi Heather. Thanks for your recent email. Regarding your comments about the masonry, I attach a response from Knockout Building Restoration. I also attach two photos showing additional shoring that we have done to assure the integrity of the front porch roof. I have arranged for the replacement of the stone base for the leaning column on the front porch with B&B Building Restoration. I am awaiting Dan Forler's scheduling of that work. I attach completed construction drawings for this work from architect David Ferch. I am also attaching the proposed contract with Walsh's Construction. I have not yet signed the contract because I am waiting to find out about the potential sale of the property. Michael Fruchtman met with you and other department members last week seeking information about the building, repair orders, etc. If he purchases the building, he wants to have contractors of his own choosing. I should know next week whether or not he will be making the purchase. Once this is resolved, I will try to provide the specifications for the work described in your email. Harold

# 2 PRESERVATION BRIEFS

## Repointing Mortar Joints in Historic Masonry Buildings

Robert C. Mack, FAIA  
John P. Speweik



U.S. Department of the Interior  
National Park Service  
Cultural Resources  
Heritage Preservation Services



Figure 1. After removing deteriorated mortar, an experienced mason repoints a portion of this early-20th century limestone building. Photo: Robert C. Mack, FAIA.

Masonry — brick, stone, terra-cotta, and concrete block — is found on nearly every historic building. Structures with all-masonry exteriors come to mind immediately, but most other buildings at least have masonry foundations or chimneys. Although generally considered “permanent,” masonry is subject to deterioration, especially at the mortar joints. Repointing, also known simply as “pointing” or—somewhat inaccurately—“tuck pointing”\*, is the process of removing deteriorated mortar from the joints of a masonry wall and replacing it with new mortar (Fig. 1). Properly done, repointing restores the visual and physical integrity of the masonry. Improperly done, repointing not only detracts from the appearance of the building, but may also cause physical damage to the masonry units themselves.

The purpose of this Brief is to provide general guidance on appropriate materials and methods for repointing historic masonry buildings and it is intended to benefit building owners, architects, and contractors. The Brief should serve as a guide to prepare specifications for repointing historic masonry buildings. It should also help develop sensitivity to the particular needs of historic masonry, and to assist historic building owners in working cooperatively with architects, architectural conservators and historic preservation consultants, and contractors. Although specifically intended for historic buildings, the guidance is appropriate for other masonry buildings as well. This publication updates *Preservation Briefs 2: Repointing Mortar Joints in Historic Brick Buildings* to include all types of historic unit masonry. The scope of the earlier Brief has also been expanded to acknowledge that the many buildings constructed in the first half of the 20th century are now historic and eligible for listing in the National Register of Historic Places, and that they may have been originally constructed with portland cement mortar.

\*Tuckpointing technically describes a primarily decorative application of a raised mortar joint or lime putty joint on top of flush mortar joints.



## Historical Background

Mortar consisting primarily of lime and sand has been used as an integral part of masonry structures for thousands of years. Up until about the mid-19th century, lime or quicklime (sometimes called lump lime) was delivered to construction sites, where it had to be slaked, or combined with water. Mixing with water caused it to boil and resulted in a wet lime putty that was left to mature in a pit or wooden box for several weeks, up to a year. Traditional mortar was made from lime putty, or slaked lime, combined with local sand, generally in a ratio of 1 part lime putty to 3 parts sand by volume. Often other ingredients, such as crushed marine shells (another source of lime), brick dust, clay, natural cements, pigments, and even animal hair were also added to mortar, but the basic formulation for lime putty and sand mortar remained unchanged for centuries until the advent of portland cement or its forerunner, Roman cement, a natural, hydraulic cement.

**Portland cement** was patented in Great Britain in 1824. It was named after the stone from Portland in Dorset which it resembled when hard. This is a fast-curing, hydraulic cement which hardens under water. Portland cement was first manufactured in the United States in 1872, although it was imported before this date. But it was not in common use throughout the country until the early 20th century. Up until the turn of the century portland cement was considered primarily an additive, or "minor ingredient" to help accelerate mortar set time. By the 1930s, however, most masons used a mix of equal parts portland cement and lime putty. Thus, the mortar found in masonry structures built between 1873 and 1930 can range from pure lime and sand mixes to a wide variety of lime, portland cement, and sand combinations.

In the 1930s more new mortar products intended to hasten and simplify masons' work were introduced in the U.S. These included **masonry cement**, a premixed, bagged mortar which is a combination of portland cement and ground limestone, and **hydrated lime**, machine-slaked lime that eliminated the necessity of slaking quicklime into putty at the site.

## Identifying the Problem Before Repointing

The decision to repoint is most often related to some obvious sign of deterioration, such as disintegrating mortar, cracks in mortar joints, loose bricks or stones, damp walls, or damaged plasterwork. It is, however, erroneous to assume that repointing alone will solve deficiencies that result from other problems (Fig. 2). The root cause of the deterioration—leaking roofs or gutters, differential settlement of the building, capillary action causing rising damp, or extreme weather exposure—should always be dealt with prior to beginning work. Without appropriate repairs to eliminate the source of the problem, mortar deterioration will continue and any repointing will have been a waste of time and money.

**Use of Consultants.** Because there are so many possible causes for deterioration in historic buildings, it may be desirable to retain a consultant, such as a historic architect or architectural conservator, to analyze the building. In addition to determining the most appropriate solutions to the problems, a consultant can



*Figure 2. Much of the mortar on this building has been leached away by water from a leaking downspout. The downspout must be replaced and any other drainage problems repaired before repointing. Photo: Robert C. Mack, FAIA.*

prepare specifications which reflect the particular requirements of each job and can provide oversight of the work in progress. Referrals to preservation consultants frequently can be obtained from State Historic Preservation Offices, the American Institute for Conservation of Historic and Artistic Works (AIC), the Association for Preservation Technology (APT), and local chapters of the American Institute of Architects (AIA).

## Finding an Appropriate Mortar Match

Preliminary research is necessary to ensure that the proposed repointing work is both physically and visually appropriate to the building. Analysis of unweathered portions of the historic mortar to which the new mortar will be matched can suggest appropriate mixes for the repointing mortar so that it will not damage the building because it is excessively strong or vapor impermeable. Examination and analysis of the masonry units—brick, stone or terra cotta—and the techniques used in the original construction will assist in maintaining the building's historic appearance (Figs. 3-4). A simple, non-technical, evaluation of the masonry units and mortar can provide information concerning the relative strength and permeability of each—critical factors in selecting the repointing mortar—while a visual analysis of the historic mortar can provide the information necessary for developing the new mortar mix and application techniques.

Although not crucial to a successful repointing project, for projects involving properties of special historic significance, a mortar analysis by a qualified laboratory can be useful by providing information on the original ingredients. However, there are limitations with such an analysis, and replacement mortar specifications should not be based solely on laboratory analysis. Analysis requires interpretation, and there are important factors which affect the condition and performance of the mortar that cannot be established through laboratory analysis. These may include: the original water content, rate of curing, weather conditions during original construction, the method of mixing and placing the mortar, and the cleanliness and condition of the sand. *The most useful information that can come out of laboratory analysis is the identification of sand by*



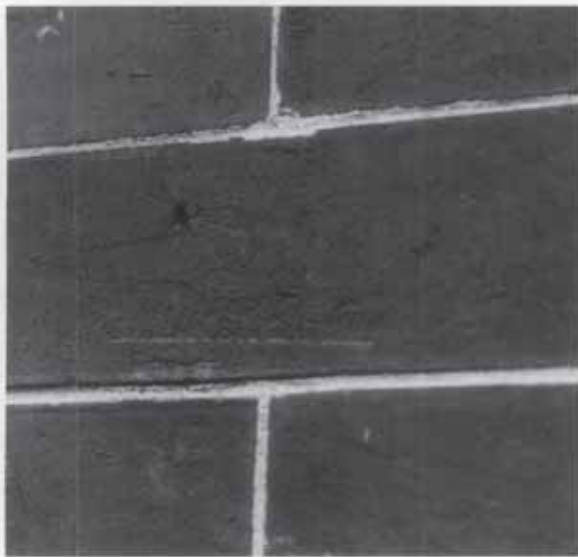


Figure 3. Good-quality repointing closely replicates the original in composition, texture, joint type and profile on this 19th century brick building (left), and on this late-19th century granite on H.H. Richardson's Glessner House in Chicago (right). Photos: Charles E. Fisher; Sharon C. Park, FAIA.

*gradation and color.* This allows the color and the texture of the mortar to be matched with some accuracy because sand is the largest ingredient by volume.

In creating a repointing mortar that is compatible with the masonry units, the objective is to achieve one that matches the historic mortar as closely as possible, so that the new material can coexist with the old in a sympathetic, supportive and, if necessary, sacrificial capacity. The exact physical and chemical properties of the historic mortar are not of major significance as long as the new mortar conforms to the following criteria:

- The new mortar must match the historic mortar in color, texture and tooling. (If a laboratory analysis is undertaken, it may be possible to match the binder components and their proportions with the historic mortar, if those materials are available.)
- The sand must match the sand in the historic mortar. (The color and texture of the new mortar will usually fall into place if the sand is matched successfully.)

- The new mortar must have **greater vapor permeability** and be **softer** (measured in compressive strength) than the masonry units.
- The new mortar must be **as vapor permeable** and **as soft or softer** (measured in compressive strength) than the historic mortar. (Softness or hardness is not necessarily an indication of permeability; old, hard lime mortars can still retain high permeability.)

### Properties of Mortar

Mortars for repointing should be softer or more permeable than the masonry units and no harder or more impermeable than the historic mortar to prevent damage to the masonry units. It is a common error to assume that hardness or high strength is a measure of appropriateness, particularly for lime-based historic mortars. Stresses within a wall caused by expansion, contraction, moisture migration, or settlement must be accommodated in some manner; in a masonry wall these



Figure 4. (left) The poor quality of this repointing—it appears to have been “tooled” with the mason’s finger—does not match the delicacy of the original beaded joint on this 19th-century brick wall. (right) It is obvious that the repointing on this “test patch” is not an appropriate replacement mortar joint for this early-19th century stone foundation. Photos: Lee H. Nelson, FAIA.



stresses should be relieved by the mortar rather than by the masonry units. A mortar that is stronger in compressive strength than the masonry units, will not "give," thus causing the stresses to be relieved through the masonry units—resulting in permanent damage to the masonry, such as cracking and spalling, that cannot be repaired easily (Fig. 5). While stresses can also break the bond between the mortar and the masonry units, permitting water to penetrate the resulting hairline cracks, this is easier to correct in the joint through repointing than if the break occurs in the masonry units.

Permeability, or rate of vapor transmission, is also critical. High lime mortars are more permeable than denser cement mortars. Historically, mortar acted as a bedding material—not unlike an expansion joint—rather than a "glue" for the masonry units, and moisture was able to migrate through the mortar joints rather than the masonry units. When moisture evaporates from the masonry it deposits any soluble salts either on the surface as *efflorescence* or below the surface as *subflorescence*. While salts deposited on the surface of masonry units are usually relatively harmless, salt crystallization within a masonry unit creates pressure that can cause parts of the outer surface to spall off or delaminate. If the mortar does not permit moisture or moisture vapor to migrate out of the wall and evaporate, the result will be damage to the masonry units.

## Components of Mortar

**Sand.** Sand is the largest component of mortar and the material that gives mortar its distinctive color, texture and cohesiveness. Sand must be free of impurities, such as salts or clay. The three key characteristics of sand are: particle shape, gradation and void ratios.



Figure 5. The use of hard, portland-cement mortar that is less permeable than the soft bricks has resulted in severe damage to this brick wall. Moisture trapped in the wall was unable to evaporate through the mortar which is intended to be sacrificial, and thus protect the bricks. As a result the moisture remained in the walls until water pressure eventually popped the surface off the bricks. Photo: National Park Service Files.

When viewed under a magnifying glass or low-power microscope, particles of sand generally have either rounded edges, such as found in beach and river sand, or sharp, angular edges, found in crushed or manufactured sand. For repointing mortar, rounded or natural sand is preferred for two reasons. It is usually similar to the sand in the historic mortar and provides a better visual match. It also has better working qualities or plasticity and can thus be forced into the joint more easily, forming a good contact with the remaining historic mortar and the surface of the adjacent masonry units. Although manufactured sand is frequently more readily available, it is usually possible to locate a supply of rounded sand.

The gradation of the sand (particle size distribution) plays a very important role in the durability and cohesive properties of a mortar. Mortar must have a certain percentage of large to small particle sizes in order to deliver the optimum performance. Acceptable guidelines on particle size distribution may be found in ASTM C 144 (American Society for Testing and Materials). However, in actuality, since neither historic nor modern sands are always in compliance with ASTM C 144, matching the same particle appearance and gradation usually requires sieving the sand.

A scoop of sand contains many small voids between the individual grains. A mortar that performs well fills all these small voids with binder (cement/lime combination or mix) in a balanced manner. Well-graded sand generally has a 30 per cent void ratio by volume. Thus, 30 per cent binder by volume generally should be used, unless the historic mortar had a different binder: aggregate ratio. This represents the 1:3 binder to sand ratios often seen in mortar specifications.

For repointing, sand generally should conform to ASTM C 144 to assure proper gradation and freedom from impurities; some variation may be necessary to match the original size and gradation. Sand color and texture also should match the original as closely as possible to provide the proper color match without other additives.

**Lime.** Mortar formulations prior to the late-19th century used lime as the primary binding material. Lime is derived from heating limestone at high temperatures which burns off the carbon dioxide, and turns the limestone into quicklime. There are three types of limestone—calcium, magnesium, and dolomitic—differentiated by the different levels of magnesium carbonate they contain which impart specific qualities to mortar. Historically, calcium lime was used for mortar rather than the dolomitic lime (calcium magnesium carbonate) most often used today. But it is also important to keep in mind the fact that the historic limes, and other components of mortar, varied a great deal because they were natural, as opposed to modern lime which is manufactured and, therefore, standardized. Because some of the kinds of lime, as well as other components of mortar, that were used historically are no longer readily available, even when a conscious effort is made to replicate a "historic" mix, this may not be achievable due to the differences between modern and historic materials.



Lime, itself, when mixed with water into a paste is very plastic and creamy. It will remain workable and soft indefinitely, if stored in a sealed container. Lime (calcium hydroxide) hardens by carbonation absorbing carbon dioxide primarily from the air, converting itself to calcium carbonate. Once a lime and sand mortar is mixed and placed in a wall, it begins the process of carbonation. If lime mortar is left to dry too rapidly, carbonation of the mortar will be reduced, resulting in poor adhesion and poor durability. In addition, lime mortar is slightly water soluble and thus is able to re-seal any hairline cracks that may develop during the life of the mortar. Lime mortar is soft, porous, and changes little in volume during temperature fluctuations, thus making it a good choice for historic buildings. *Because of these qualities, high calcium lime mortar may be considered for many repointing projects, not just those involving historic buildings.*

For repointing, lime should conform to ASTM C 207, Type S, or Type SA, Hydrated Lime for Masonry Purposes. This machine-slaked lime is designed to assure high plasticity and water retention. The use of quicklime which must be slaked and soaked by hand may have advantages over hydrated lime in some restoration projects if time and money allow.

**Lime putty.** Lime putty is slaked lime that has a putty or paste-like consistency. It should conform to ASTM C 5. Mortar can be mixed using lime putty according to ASTM C 270 property or proportion specification.

**Portland cement.** More recent, 20th-century mortar has used portland cement as a primary binding material. A straight portland cement and sand mortar is extremely hard, resists the movement of water, shrinks upon setting, and undergoes relatively large thermal movements. When mixed with water, portland cement forms a harsh, stiff paste that is quite unworkable, becoming hard very quickly. (Unlike lime, portland cement will harden regardless of weather conditions and does not require wetting and drying cycles.) Some portland cement assists the workability and plasticity of the mortar without adversely affecting the finished project; it also provides early strength to the mortar and speeds setting. Thus, it may be appropriate to add some portland cement to an essentially lime-based mortar even when repointing relatively soft 18th or 19th century brick under some circumstances when a slightly harder mortar is required. The more portland cement that is added to a mortar formulation the harder it becomes—and the faster the initial set.

For repointing, portland cement should conform to ASTM C 150. White, non-staining portland cement may provide a better color match for some historic mortars than the more commonly available grey portland cement. But, it should not be assumed, however, that white portland cement is always appropriate for all historic buildings, since the original mortar may have been mixed with grey cement. The cement should not have more than 0.60 per cent alkali to help avoid efflorescence.

**Masonry cement.** Masonry cement is a preblended mortar mix commonly found at hardware and home repair stores. It is designed to produce mortars with a compressive strength of 750 psi or higher when mixed

## MORTAR ANALYSIS

Methods for analyzing mortars can be divided into two broad categories: **wet chemical** and **instrumental**. Many laboratories that analyze historic mortars use a simple **wet-chemical** method called *acid digestion*, whereby a sample of the mortar is crushed and then mixed with a dilute acid. The acid dissolves all the carbonate-containing minerals not only in the binder, but also in the aggregate (such as oyster shells, coral sands, or other carbonate-based materials), as well as any other acid-soluble materials. The sand and fine-grained acid-insoluble material is left behind. There are several variations on the simple acid digestion test. One involves collecting the carbon dioxide gas given off as the carbonate is digested by the acid; based on the gas volume the carbonate content of the mortar can be accurately determined (Jedrzejewska, 1960). Simple acid digestion methods are rapid, inexpensive, and easy to perform, but the information they provide about the original composition of a mortar is limited to the color and texture of the sand. The gas collection method provides more information about the binder than a simple acid digestion test.

**Instrumental** analysis methods that have been used to evaluate mortars include polarized light or thin-section microscopy, scanning electron microscopy, atomic absorption spectroscopy, X-ray diffraction, and differential thermal analysis. All instrumental methods require not only expensive, specialized equipment, but also highly-trained experienced analysts. However, instrumental methods can provide much more information about a mortar. Thin-section microscopy is probably the most commonly used instrumental method. Examination of thin slices of a mortar in transmitted light is often used to supplement acid digestion methods, particularly to look for carbonate-based aggregate. For example, the new ASTM test method, ASTM C 1324-96 "Test Method for Examination and Analysis of Hardened Mortars" which was designed specifically for the analysis of modern lime-cement and masonry cement mortars, combines a complex series of wet chemical analyses with thin-section microscopy.

The drawback of most mortar analysis methods is that mortar samples of known composition have not been analyzed in order to evaluate the method. Historic mortars were not prepared to narrowly defined specifications from materials of uniform quality; they contain a wide array of locally derived materials combined at the discretion of the mason. While a particular method might be able to accurately determine the original proportions of a lime-cement-sand mortar prepared from modern materials, the usefulness of that method for evaluating historic mortars is questionable unless it has been tested against mortars prepared from materials more commonly used in the past.

Lorraine Schnabel.



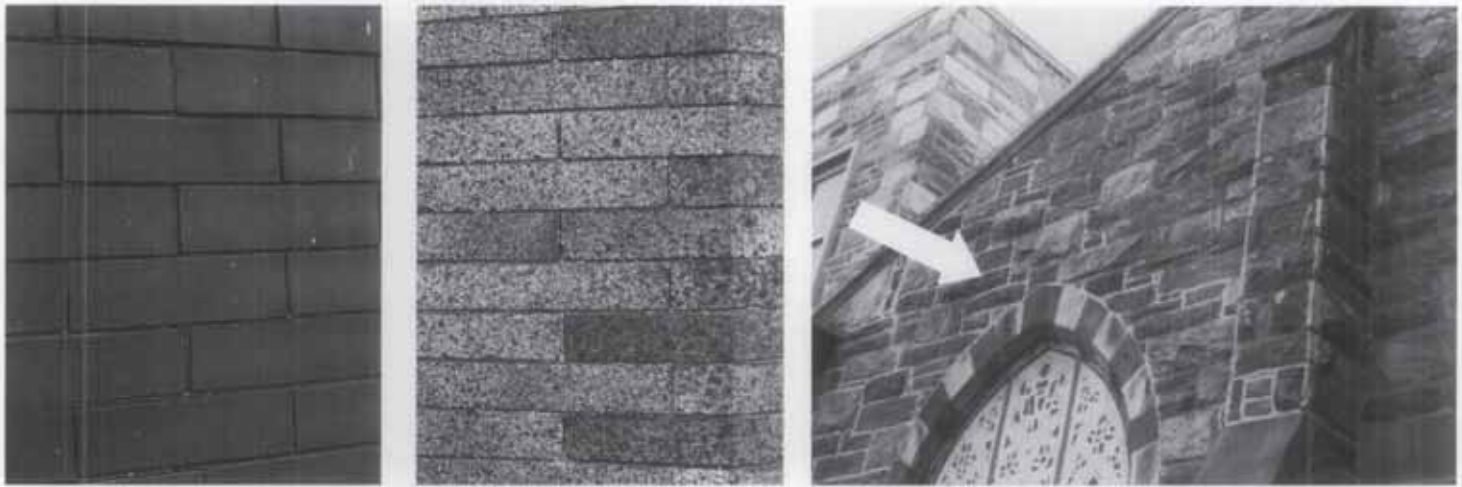


Figure 6. Tinted mortar. (left) Black mortar with a beaded joint was used here on this late-19th century hard pressed red brick and, (center) a dark brown tinted mortar with an almost flush joint was used on this early-20th century Roman brick. (right) When constructed at the turn-of-the-century, this building was pointed with a dark gray mortar to blend with the color of the stone, but the light-colored mortar used in spot repointing has destroyed this harmony and adversely impacts the building's historic character. Photos: Anne Grimmer.

with sand and water at the job site. It may contain hydrated lime, but it always contains a large amount of portland cement, as well as ground limestone and other workability agents, including air-entraining agents. Because masonry cements are not required to contain hydrated lime, and generally do not contain lime, they produce high strength mortars that can damage historic masonry. *For this reason, they generally are not recommended for use on historic masonry buildings.*

**Lime mortar (pre-blended).** Hydrated lime mortars, and pre-blended lime putty mortars with or without a matched sand are commercially available. Custom mortars are also available with color. In most instances, pre-blended lime mortars containing sand may not provide an exact match; however, if the project calls for total repointing, a pre-blended lime mortar may be worth considering as long as the mortar is compatible in strength with the masonry. If the project involves only selected, "spot" repointing, then it may be better to carry out a mortar analysis which can provide a custom pre-blended lime mortar with a matching sand. In either case, if a preblended lime mortar is to be used, it should contain Type S or SA hydrated lime conforming to ASTM C 207.

**Water.** Water should be potable—clean and free from acids, alkalis, or other dissolved organic materials.

### Other Components

**Historic components.** In addition to the color of the sand, the texture of the mortar is of critical importance in duplicating historic mortar. Most mortars dating from the mid-19th century on—with some exceptions—have a fairly homogeneous texture and color. Some earlier mortars are not as uniformly textured and may contain lumps of partially burned lime or "dirty lime", shell (which often provided a source of lime, particularly in coastal areas), natural cements, pieces of clay, lampblack or other pigments, or even animal hair. The visual characteristics of these mortars can be duplicated through the use of similar materials in the repointing mortar.

Replicating such unique or individual mortars will require writing new specifications for each project. If possible, suggested sources for special materials should

be included. For example, crushed oyster shells can be obtained in a variety of sizes from poultry supply dealers.

**Pigments.** Some historic mortars, particularly in the late 19th century, were tinted to match or contrast with the brick or stone (Fig. 6). Red pigments, sometimes in the form of brick dust, as well as brown, and black pigments were commonly used. Modern pigments are available which can be added to the mortar at the job site, but they should not exceed 10 per cent by weight of the portland cement in the mix, and carbon black should be limited to 2 per cent. Only synthetic mineral oxides, which are alkali-proof and sun-fast, should be used to prevent bleaching and fading.

**Modern components.** Admixtures are used to create specific characteristics in mortar, and whether they should be used will depend upon the individual project. *Air-entraining agents*, for example, help the mortar to resist freeze-thaw damage in northern climates. *Accelerators* are used to reduce mortar freezing prior to setting while *retarders* help to extend the mortar life in hot climates. Selection of admixtures should be made by the architect or architectural conservator as part of the specifications, not something routinely added by the masons.

Generally, modern chemical additives are unnecessary and may, in fact, have detrimental effects in historic masonry projects. The use of antifreeze compounds is not recommended. They are not very effective with high lime mortars and may introduce salts, which may cause efflorescence later. A better practice is to warm the sand and water, and to protect the completed work from freezing. No definitive study has determined whether air-entraining additives should be used to resist frost action and enhance plasticity, but in areas of extreme exposure requiring high-strength mortars with lower permeability, air-entrainment of 10-16 percent may be desirable (see formula for "severe weather exposure" in **Mortar Type and Mix**). Bonding agents are not a substitute for proper joint preparation, and they should generally be avoided. If the joint is properly prepared, there will be a good bond between the new mortar and the adjacent surfaces. In addition, a bonding agent is difficult to remove if smeared on a masonry surface (Fig. 7).



## Mortar Type and Mix

Mortars for repointing projects, especially those involving historic buildings, typically are custom mixed in order to ensure the proper physical and visual qualities. These materials can be combined in varying proportions to create a mortar with the desired performance and durability. The actual specification of a particular mortar type should take into consideration all of the factors affecting the life of the building including: current site conditions, present condition of the masonry, function of the new mortar, degree of weather exposure, and skill of the mason. Thus, no two repointing projects are exactly the same. Modern materials specified for use in repointing mortar should conform to specifications of the American Society for Testing and Materials (ASTM) or comparable federal specifications, and the resulting mortar should conform to ASTM C 270, Mortar for Unit Masonry.

Specifying the proportions for the repointing mortar for a specific job is not as difficult as it might seem. Five mortar types, each with a corresponding recommended mix, have been established by ASTM to distinguish high strength mortar from soft flexible mortars. The ASTM designated them in decreasing order of approximate general strength as Type M (2,500 psi), Type S (1,800 psi), Type N (750 psi), Type O (350 psi) and Type K (75 psi). (The letters identifying the types are from the words MASON WORK using every other letter.) Type K has the highest lime content of the mixes that contain portland cement, although it is seldom used today, except for some historic preservation projects. The designation "L" in the accompanying chart identifies a straight lime and sand mix. Specifying the appropriate ASTM mortar by proportion of ingredients, will ensure the desired physical properties. Unless specified otherwise, measurements or proportions for mortar mixes are always given in the following order: cement-lime-sand. Thus, a Type K mix, for example, would be referred to as 1-3-10, or 1 part cement to 3 parts lime to 10 parts sand. Other requirements to create the desired visual qualities should be included in the specifications.

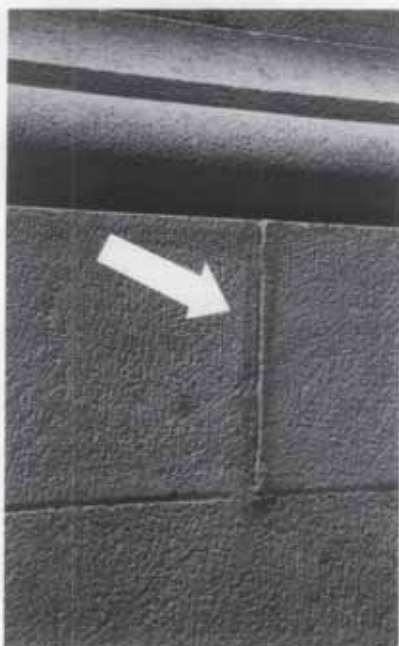


Figure 7. The dark stain on either side of the vertical joint on this sandstone watertable probably resulted from the use of a bonding agent that was not properly cleaned off the masonry after repointing. Photo: Anne Grimmer.



Figure 8. Due to inadequate joint preparation, the repointing mortar has not adhered properly and is falling out of the joint. Photo: Robert C. Mack, FAIA.

The strength of a mortar can vary. If mixed with higher amounts of portland cement, a harder mortar is obtained. The more lime that is added, the softer and more plastic the mortar becomes, increasing its workability. A mortar strong in compressive strength might be desirable for a hard stone (such as granite) pier holding up a bridge deck, whereas a softer, more permeable lime mortar would be preferable for a historic wall of soft brick. Masonry deterioration caused by salt deposition results when the mortar is less permeable than the masonry unit. A strong mortar is still more permeable than hard dense stone. However, in a wall constructed of soft bricks where the masonry unit itself has a relatively high permeability or vapor transmission rate, a soft, high lime mortar is necessary to retain sufficient permeability.

## Budgeting and Scheduling

Repointing is both expensive and time consuming due to the extent of handwork and special materials required. It is preferable to repoint only those areas that require work rather than an entire wall, as is often specified. But, if 25 to 50 per cent or more of a wall needs to be repointed, repointing the entire wall may be more cost effective than spot repointing. Total repointing may also be more sensible when access is difficult, requiring the erection of expensive scaffolding (unless the majority of the mortar is sound and unlikely to require replacement in the foreseeable future). Each project requires judgement based on a variety of factors. Recognizing this at the outset will help to prevent many jobs from becoming prohibitively expensive.

In scheduling, seasonal aspects need to be considered first. Generally speaking, wall temperatures between 40 and 95 degrees F (8 and 38 degrees C) will prevent freezing or excessive evaporation of the water in the mortar. Ideally, repointing should be done in shade, away from strong sunlight in order to slow the drying process, especially during hot weather. If necessary, shade can be provided for large-scale projects with appropriate modifications to scaffolding.

The relationship of repointing to other work proposed on the building must also be recognized. For example, if paint removal or cleaning is anticipated, and if the mortar joints are basically sound and need only selective repointing, it is generally better to postpone repointing



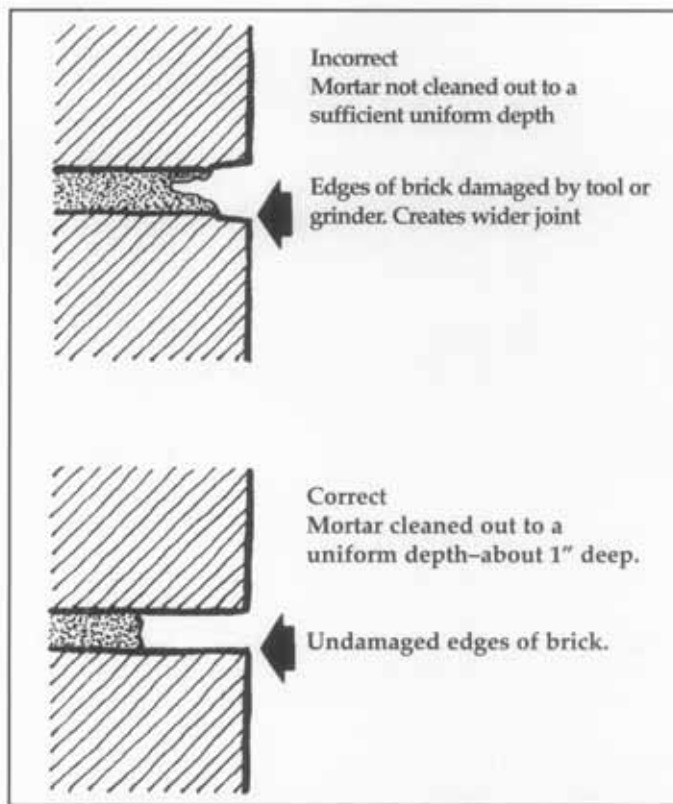


Figure 9. Comparison of incorrect and correct preparation of mortar joints for repointing. Drawing: Robert C. Mack, FAIA, and David W. Look, AIA.

until after completion of these activities. However, if the mortar has eroded badly, allowing moisture to penetrate deeply into the wall, repointing should be accomplished before cleaning. Related work, such as structural or roof repairs, should be scheduled so that they do not interfere with repointing and so that all work can take maximum advantage of erected scaffolding.

Building managers also must recognize the difficulties that a repointing project can create. The process is time consuming, and scaffolding may need to remain in place for an extended period of time. The joint preparation process can be quite noisy and can generate large quantities of dust which must be controlled, especially at air intakes to protect human health, and also where it might damage operating machinery. Entrances may be blocked from time to time making access difficult for both building tenants and visitors. Clearly, building managers will need to coordinate the repointing work with other events at the site.

## Contractor Selection

The ideal way to select a contractor is to ask knowledgeable owners of recently repointed historic buildings for recommendations. Qualified contractors then can provide lists of other repointing projects for inspection. More commonly, however, the contractor for a repointing project is selected through a competitive bidding process over which the client or consultant has only limited control. In this situation it is important to ensure that the specifications stipulate that masons must have a minimum of five years' experience with repointing historic masonry buildings to be eligible to bid on the project. Contracts are awarded to the lowest *responsible*

bidder, and bidders who have performed poorly on other projects usually can be eliminated from consideration on this basis, even if they have the lowest prices.

The contract documents should call for unit prices as well as a base bid. Unit pricing forces the contractor to determine in advance what the cost addition or reduction will be for work which varies from the scope of the base bid. If, for example, the contractor has fifty linear feet less of stone repointing than indicated on the contract documents but thirty linear feet more of brick repointing, it will be easy to determine the final price for the work. Note that each type of work—brick repointing, stone repointing, or similar items—will have its own unit price. The unit price also should reflect quantities; one linear foot of pointing in five different spots will be more expensive than five contiguous linear feet.

## Execution of the Work

**Test Panels.** These panels are prepared by the contractor using the same techniques that will be used on the remainder of the project. Several panel locations—preferably not on the front or other highly visible location of the building—may be necessary to include all types of masonry, joint styles, mortar colors, and other problems likely to be encountered on the job. If cleaning tests, for



Figure 10. Using a hammer and masonry chisel is the least damaging and, thus, generally the preferred method of removing old mortar in preparation for repointing historic masonry. Photo: John P. Speweik.





Figure 11. The damage to the edges and corners of these historic bricks was caused by using a mechanical grinder to rake out the joints. Note the overcutting of the head joint and the damage to the arises (corners) of the bricks. Photo: Lee H. Nelson, FAIA.



Figure 12.. A power grinder, operated correctly by a skilled mason may be used in preparation for repointing to cut wide, horizontal mortar joints, typical of many early-20th century brick structures without causing damage to the brick. Note the use of protective safety equipment. Photo: Robert C. Mack, FAIA.

example, are also to be undertaken, they should be carried out in the same location. Usually a 3 foot by 3 foot area is sufficient for brickwork, while a somewhat larger area may be required for stonework. These panels establish an acceptable standard of work and serve as a benchmark for evaluating and accepting subsequent work on the building.

**Joint Preparation.** Old mortar should be removed to a minimum depth of 2 to 2-1/2 times the width of the joint to ensure an adequate bond and to prevent mortar "popouts" (Fig. 8). For most brick joints, this will require removal of the mortar to a depth of approximately 1/2 to 1 inch; for stone masonry with wide joints, mortar may need to be removed to a depth of several inches. Any loose or disintegrated mortar beyond this minimum depth also should be removed (Fig. 9).

Although some damage may be inevitable, careful joint preparation can help limit damage to masonry units. The traditional manner of removing old mortar is through the use of hand chisels and mash hammers (Fig. 10). Though labor-intensive, in most instances this method poses the least threat for damage to historic masonry units and produces the best final product.

The most common method of removing mortar, however, is through the use of power saws or grinders. The use of power tools by unskilled masons can be disastrous for historic masonry, particularly soft brick. Using power saws on walls with thin joints, such as most brick walls, almost always will result in damage to the masonry units by breaking the edges and by overcutting on the head, or vertical joints (Fig. 11).

However, small pneumatically-powered chisels generally can be used safely and effectively to remove mortar on historic buildings as long as the masons maintain appropriate control over the equipment.

Under certain circumstances, thin diamond-bladed grinders may be used to cut out *horizontal* joints only on hard portland cement mortar common to most early-20th century masonry buildings (Fig. 12). Usually, automatic tools most successfully remove old mortar without damaging the masonry units when they are used in combination with hand tools in preparation for repointing. Where horizontal joints are uniform and fairly wide, it may be possible to use a power masonry saw to assist the removal of mortar, such as by cutting along the middle of the joint; final mortar removal from the sides of the joints still should be done with a hand chisel and hammer. Caulking cutters with diamond blades can sometimes be used successfully to cut out joints without damaging the masonry. Caulking cutters are slow; they do not rotate, but vibrate at very high speeds, thus minimizing the possibility of damage to masonry units (Fig. 13). Although mechanical tools may be used safely in limited circumstances to cut out horizontal joints in preparation for repointing, they should never be used on vertical joints because of the danger of slipping and cutting into the brick above or below the vertical joint. Using power tools to remove mortar without damaging the surrounding masonry units also necessitates highly skilled masons experienced in working on historic masonry buildings. Contractors





Figure 13. (left) In preparation for repointing, the mortar joints on these granite steps are first cut out mechanically (note the vacuum attached to the cutting tool in foreground to cut down on dust). (right) Final removal of the old mortar is done by hand to avoid damage to the edges of the joints. Mechanical preparation of horizontal joints by an experienced mason may sometimes be acceptable, especially where the joints are quite wide and the masonry is a very hard stone. Photos: Anne Grimmer.

should demonstrate proficiency with power tools before their use is approved.

Using any of these power tools may also be more acceptable on hard stone, such as quartzite or granite, than on terra cotta with its glass-like glaze, or on soft brick or stone. The test panel should determine the acceptability of power tools. If power tools are to be permitted, the contractor should establish a quality control program to account for worker fatigue and similar variables.

Mortar should be removed cleanly from the masonry units, leaving square corners at the back of the cut. Before filling, the joints should be rinsed with a jet of water to remove all loose particles and dust. At the time of filling, the joints should be damp, but with no standing water present. For masonry walls—limestone, sandstone and common brick—that are extremely absorbent, it is recommended that a continual mist of water be applied for a few hours before repointing begins.

**Mortar Preparation.** Mortar components should be measured and mixed carefully to assure the uniformity of visual and physical characteristics. Dry ingredients are measured by volume and thoroughly mixed before the addition of any water. Sand must be added in a damp, loose condition to avoid over sanding. Repointing mortar is typically pre-hydrated by adding water so it will just hold together, thus allowing it to stand for a period of time before the final water is added. Half the water should be added, followed by mixing for approximately 5 minutes. The remaining water should then be added in small portions until a mortar of the desired consistency is reached. The total volume of water necessary may vary from batch to batch, depending on weather conditions. It is important

to keep the water to a minimum for two reasons: first, a drier mortar is cleaner to work with, and it can be compacted tightly into the joints; second, with no excess water to evaporate, the mortar cures without shrinkage cracks. Mortar should be used within approximately 30 minutes of final mixing, and "retempering," or adding more water, should not be permitted.

**Using Lime Putty to Make Mortar.** Mortar made with lime putty and sand, sometimes referred to as roughage or course stuff, should be measured by volume, and may require slightly different proportions from those used with hydrated lime (Fig. 14). No additional water is usually needed to achieve a workable consistency because enough water is already contained in the putty. Sand is proportioned first, followed by the lime putty, then mixed for five minutes or until all the sand is thoroughly coated with the lime putty. But mixing, in the familiar sense of turning over with a hoe, sometimes may not be sufficient if the best possible performance is to be obtained from a lime putty mortar. Although the old practice of chopping, beating and ramming the mortar has largely been forgotten, recent field work has confirmed that lime putty and sand rammed and beaten with a wooden mallet or ax handle, interspersed by chopping with a hoe, can significantly improve workability and performance. The intensity of this action increases the overall lime/sand contact and removes any surplus water by compacting the other ingredients. It may also be advantageous for larger projects to use a mortar pan mill for mixing. Mortar pan mills which have a long tradition in Europe produce a superior lime putty mortar not attainable with today's modern paddle and drum type mixers.

For larger repointing projects the lime putty and sand can be mixed together ahead of time and stored indefinitely, on or off site, which eliminates the need for piles of sand on the job site. This mixture, which resembles damp brown sugar, must be protected from the air in sealed containers with a wet piece of burlap over the top or sealed in a large plastic bag to prevent evaporation and premature carbonation. The lime putty and sand mixture can be recombined into a workable plastic state months later with no additional water.

If portland cement is specified in a lime putty and sand mortar—Type O (1:2:9) or Type K (1:3:11)—the portland cement should first be mixed into a slurry paste before adding it to the lime putty and sand. Not only will this ensure that the portland cement is evenly distributed throughout the mixture, but if dry portland cement is added to wet ingredients it tends to "ball up," jeopardizing dispersion. (Usually water must be added to the lime putty and sand anyway once the portland cement is introduced.) Any color pigments should be added at this stage and mixed for a full five minutes. The mortar should be used within 30 minutes to 1 1/2 hours and it should not be retempered. Once portland cement has been added the mortar can no longer be stored.

**Filling the Joint.** Where existing mortar has been removed to a depth of greater than 1 inch, these deeper areas should be filled first, compacting the new mortar in several layers. The back of the entire joint should be filled successively by applying approximately 1/4 inch of mortar, packing it well into the back corners. This



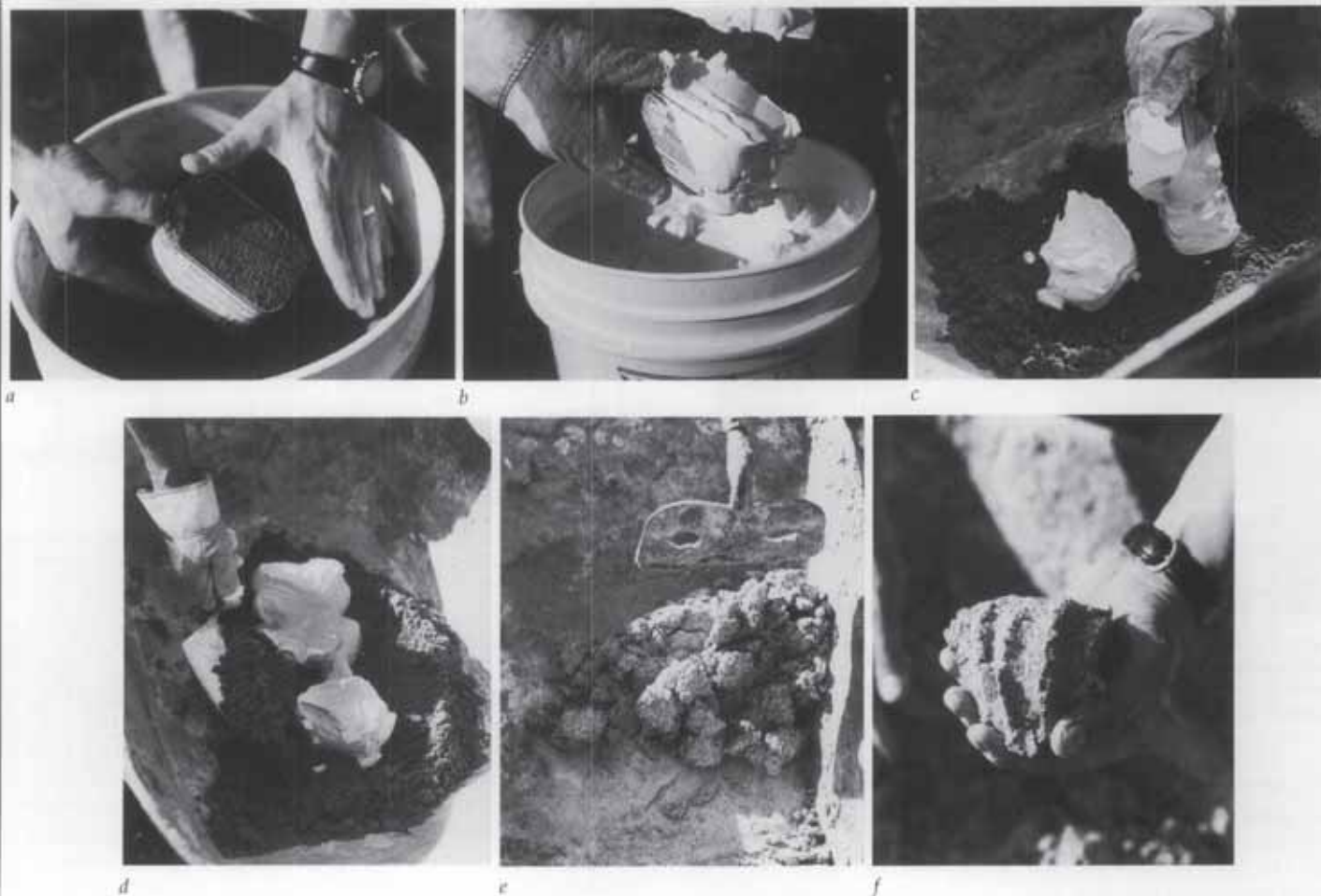


Figure 14. Mixing mortar using lime putty: (a) proportioning sand; (b) proportioning lime putty; (c) placing lime putty on top of sand; (d) mixing sand over lime putty; (e) hand mixing mortar; and, (f) sample of mortar after mixing. Photos: John P. Speweik.

application may extend along the wall for several feet. As soon as the mortar has reached thumb-print hardness, another  $\frac{1}{4}$  inch layer of mortar—approximately the same thickness—may be applied. Several layers will be needed to fill the joint flush with the outer surface of the masonry. It is important to allow each layer time to harden before the next layer is applied; most of the mortar shrinkage occurs during the hardening process and layering thus minimizes overall shrinkage.

When the final layer of mortar is thumb-print hard, the joint should be tooled to match the historic joint (Fig. 15). Proper timing of the tooling is important for uniform color and appearance. If tooled when too soft, the color will be lighter than expected, and hairline cracks may occur; if tooled when too hard, there may be dark streaks called “tool burning,” and good closure of the mortar against the masonry units will not be achieved.

If the old bricks or stones have worn, rounded edges, it is best to recess the final mortar slightly from the face of the masonry. This treatment will help avoid a joint which is visually wider than the actual joint; it also will avoid creation of a large, thin featheredge which is easily damaged, thus admitting water (Fig. 16). After tooling, excess mortar can be removed from the edge of the joint by brushing with a natural bristle or nylon brush. Metal bristle brushes should never be used on historic masonry.

**Curing Conditions.** The preliminary hardening of high-lime content mortars—those mortars that contain more lime by volume than portland cement, i.e., Type O (1:2:9), Type K (1:3:11), and straight lime/sand, Type “L” (0:1:3)—takes place fairly rapidly as water in the mix is lost to the porous surface of the masonry and through evaporation. A high lime mortar (especially Type “L”) left to dry out too rapidly can result in chalking, poor adhesion, and poor durability. Periodic wetting of the repointed area after the mortar joints are thumb-print hard and have been finish tooled may significantly accelerate the carbonation process. When feasible, misting using a hand sprayer with a fine nozzle can be simple to do for a day or two after repointing. Local conditions will dictate the frequency of wetting, but initially it may be as often as every hour and gradually reduced to every three or four hours. Walls should be covered with burlap for the first three days after repointing. (Plastic may be used, but it should be tented out and not placed directly against the wall.) This helps keep the walls damp and protects them from direct sunlight. Once carbonation of the lime has begun, it will continue for many years and the lime will gain strength as it reverts back to calcium carbonate within the wall.

**Aging the Mortar.** Even with the best efforts at matching the existing mortar color, texture, and materials, there will usually be a visible difference between the old and



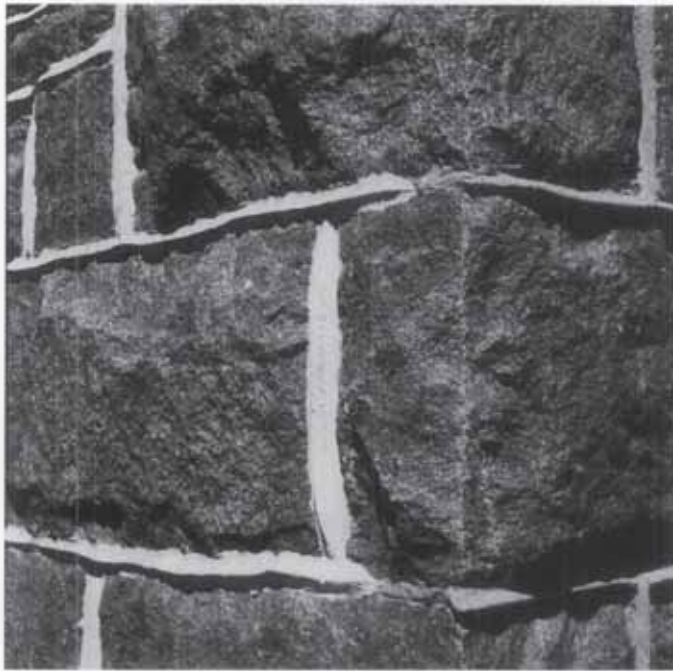


Figure 15. The profile of the repointed joints on the left replicate the historic joints around the corner to the right on the front of this stone building in Leesburg, VA. The contractor's pride in the repointing work is evident by the signature in the vertical joint. Photo: Anne Grimmer.

new work, partly because the new mortar has been matched to the unweathered portions of the historic mortar. Another reason for a slight mismatch may be that the sand is more exposed in old mortar due to the slight erosion of the lime or cement. Although spot repointing is generally preferable and some color difference should be acceptable, if the difference between old and new mortar is too extreme, it may be advisable in some instances to repoint an entire area of a wall, or an entire feature such as a bay, to minimize the difference between the old and the new mortar. If the mortars have been properly matched, usually the best way to deal with surface color differences is to let the mortars age naturally. Other treatments to overcome these differences, including cleaning the non-repointed areas or staining the new mortar, should be carefully tested prior to implementation.

Staining the new mortar to achieve a better color match is generally not recommended, but it may be appropriate in some instances. Although staining may provide an initial match, the old and new mortars may weather at different rates, leading to visual differences after a few seasons. In addition, the mixtures used to stain the mortar may be harmful to the masonry; for example, they may introduce salts into the masonry which can lead to efflorescence.

**Cleaning the Repointed Masonry.** If repointing work is carefully executed, there will be little need for cleaning other than to remove the small amount of mortar from the edge of the joint following tooling. This can be done with a stiff natural bristle or nylon brush after the mortar has dried, but before it is initially set (1-2 hours). Mortar that has hardened can usually be removed with a wooden paddle or, if necessary, a chisel.

Further cleaning is best accomplished with plain water and natural bristle or nylon brushes. If chemicals must

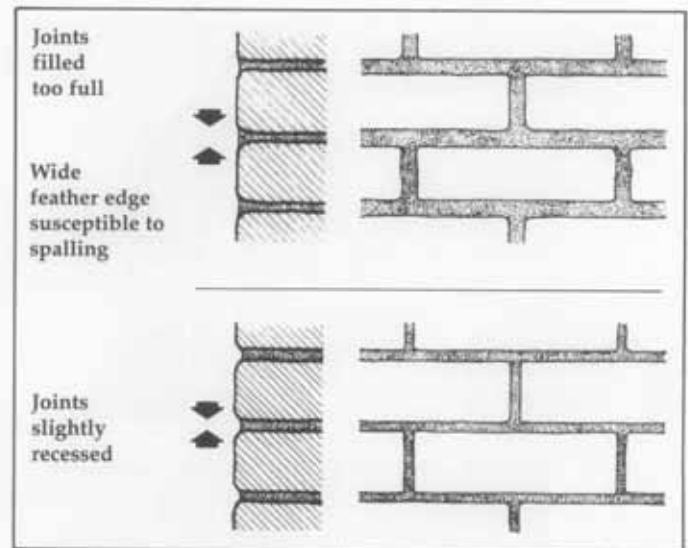


Figure 16. Comparison of visual effect of full mortar joints vs. slightly recessed joints. Filling joints too full hides the actual joint thickness and changes the character of the original brickwork. Drawing: Robert C. Muck, FAIA.

be used, they should be selected with extreme caution. Improper cleaning can lead to deterioration of the masonry units, deterioration of the mortar, mortar smear, and efflorescence. New mortar joints are especially susceptible to damage because they do not become fully cured for several months. Chemical cleaners, particularly acids, should never be used on dry masonry. The masonry should always be completely soaked once with water before chemicals are applied. After cleaning, the walls should be flushed again with plain water to remove all traces of the chemicals.

Several precautions should be taken if a freshly repointed masonry wall is to be cleaned. First, the mortar should be fully hardened before cleaning. Thirty days is usually sufficient, depending on weather and exposure; as mentioned previously, the mortar will continue to cure even after it has hardened. Test panels should be prepared to evaluate the effects of different cleaning



Figure 17. This photograph shows the significant visual change to the character of this historic brick building that has resulted from improper repointing procedures and a noticeably increased thickness of the mortar joints. Photo: Lee H. Nelson, FAIA.

Mortar Types				Suggested Mortar Types for Different Exposures			
(Measured by volume)				Exposure			
Designation	Cement	Hydrated Lime or Lime Putty	Sand	Masonry Material	Sheltered	Moderate	Severe
M	1	1/4	3 - 3 3/4	Very Durable: granite, hard-cored brick, etc.	O	N	S
S	1	1/2	4 - 4 1/2	Moderately Durable: limestone, durable stone, molded brick	K	O	N
N	1	1	5 - 6	Minimally Durable: soft hand-made brick	"L"	K	O
O	1	2	8 - 9				
K	1	3	10 - 12				
"L"	0	1	2 1/4 - 3				

methods. Generally, on newly repointed masonry walls, only very low pressure (100 psi) water washing supplemented by stiff natural bristle or nylon brushes should be used, except on glazed or polished surfaces, where only soft cloths should be used.\*\*

New construction "bloom" or efflorescence occasionally appears within the first few months of repointing and usually disappears through the normal process of weathering. If the efflorescence is not removed by natural processes, the safest way to remove it is by dry brushing with stiff natural or nylon bristle brushes followed by wet brushing. Hydrochloric (muriatic) acid, is generally ineffective, and it should not be used to remove efflorescence. It may liberate additional salts, which, in turn, can lead to more efflorescence.

**Surface Grouting** is sometimes suggested as an alternative to repointing brick buildings, in particular. This process involves the application of a thin coat of cement-based grout to the mortar joints and the mortar/brick interface. To be effective the grout must extend slightly onto the face of the masonry units, thus widening the joint visually. The change in the joint appearance can alter the historic character of the structure to an unacceptable degree. In addition, although masking of the bricks is intended to keep the grout off the remainder of the face of the bricks, some level of residue, called "veiling," will inevitably remain. Surface grouting cannot substitute for the more extensive work of repointing, and it is not a recommended treatment for historic masonry.

## Summary

**For the Owner/Administrator.** The owner or administrator of a historic building should remember that repointing is likely to be a lengthy and expensive process. First, there must be adequate time for evaluation of the building and investigation into the cause of problems. Then, there will be time needed for preparation of the contract documents. The work itself is precise, time-consuming and noisy, and scaffolding may cover the face of the building for some time. Therefore, the owner must carefully plan the work to avoid problems. Schedules for both repointing and other activities will thus require careful coordination to avoid unanticipated conflicts. The owner must avoid the tendency to rush the work or cut corners if the historic building is to retain its visual integrity and the job is to be durable.

**For the Architect/Consultant.** Because the primary role of the consultant is to ensure the life of the building, a knowledge of historic construction techniques and the special problems found in older buildings is essential. The consultant must assist the owner in planning for logistical problems relating to research and construction. It is the consultant's responsibility to determine the cause of the mortar deterioration and ensure that it is corrected before the masonry is repointed. The consultant must also be prepared to spend more time in project inspections than is customary in modern construction.

**For the Masons.** Successful repointing depends on the masons themselves. Experienced masons understand the special requirements for work on historic buildings and the added time and expense they require. The entire masonry crew must be willing and able to perform the work in conformance with the specifications, even when the specifications may not be in conformance with standard practice. At the same time, the masons should not hesitate to question the specifications if it appears that the work specified would damage the building.

\*\*Additional information on masonry cleaning is presented in *Preservation Briefs 1: The Cleaning and Waterproof Coating of Masonry Buildings*, Robert C. Mack, AIA, Washington, D.C.: Technical Preservation Services, National Park Service, U.S. Department of the Interior, 1975; and *Keeping it Clean: Removing Exterior Dirt, Paint, Stains & Graffiti from Historic Masonry Buildings*, Anne E. Grimmer, Washington, D.C.: Technical Preservation Services, National Park Service, U.S. Department of the Interior, 1988.



## Visually Examining the Mortar and the Masonry Units

A simple in-situ comparison will help determine the hardness and condition of the mortar and the masonry units. Begin by scraping the mortar with a screwdriver, and gradually tapping harder with a cold chisel and mason's hammer. Masonry units can be tested in the same way beginning, even more gently, by scraping with a fingernail. This relative analysis which is derived from the 10-point hardness scale used to describe minerals, provides a good starting point for selection of an appropriate mortar. It is described more fully in "The Russack System for Brick & Mortar Description" referenced in **Selected Reading** at the end of this Brief.

Mortar samples should be chosen carefully, and picked from a variety of locations on the building to find unweathered mortar, if possible. Portions of the building may have been repointed in the past while other areas may be subject to conditions causing unusual deterioration. There may be several colors of mortar dating from different construction periods or sand used from different sources during the initial construction. Any of these situations can give false readings to the visual or physical characteristics required for the new mortar. Variations should be noted which may require developing more than one mix.

- 1) Remove with a chisel and hammer three or four unweathered samples of the mortar to be matched from several locations on the building. (Set the largest sample aside—this will be used later for comparison with the repointing mortar). Removing a full representation of samples will allow selection of a "mean" or average mortar sample.
- 2) Mash the remaining samples with a wooden mallet, or hammer if necessary, until they are separated into their constituent parts. There should be a good handful of the material.
- 3) Examine the powdered portion—the lime and/or cement matrix of the mortar. Most particularly, note the color. There is a tendency to think of historic mortars as having white binders, but grey portland cement was available by the last quarter of the 19th century, and traditional limes were also sometimes grey. Thus, in some instances, the natural color of the historic binder may be grey, rather than white. The mortar may also have been tinted to create a colored mortar, and this color should be identified at this point.
- 4) Carefully blow away the powdery material (the lime and/or cement matrix which bound the mortar together).
- 5) With a low power (10 power) magnifying glass, examine the remaining sand and other materials such as lumps of lime or shell.
- 6) Note and record the wide range of color as well as the varying sizes of the individual grains of sand, impurities, or other materials.

### Other Factors to Consider

**Color.** Regardless of the color of the binder or colored additives, the sand is the primary material that gives mortar



Figure 19. Mortar joints of 18th century brick buildings were often as much as 1/2 inch wide, cut flush and struck with a grapevine joint, but for window and door surrounds where a finer quality rubbed brick was used, mortar joints were very thin. Photo: National Park Service Files.

its color. A surprising variety of colors of sand may be found in a single sample of historic mortar, and the different sizes of the grains of sand or other materials, such as incompletely ground lime or cement, play an important role in the texture of the repointing mortar. Therefore, when specifying sand for repointing mortar, it may be necessary to obtain sand from several sources and to combine or screen them in order to approximate the range of sand colors and grain sizes in the historic mortar sample.

**Pointing Style.** Close examination of the historic masonry wall and the techniques used in the original construction will assist in maintaining the visual qualities of the building (Fig. 18). Pointing styles and the methods of producing them should be examined. It is important to look at both the horizontal and the vertical joints to determine the order in which they were tooled and whether they were the same style. Some late-19th and early-20th century buildings, for example, have horizontal joints that were raked back while the vertical joints were finished flush and stained to match the bricks, thus creating the illusion of horizontal bands. Pointing styles may also differ from one facade to another; front walls often received greater attention to mortar detailing than side and rear walls (Fig. 19).

**Tuckpointing** is not true repointing but the



Figure 20. This stone garden wall was tuckpointed to match the tuckpointing on the c. 1920s house on the property. Photo: Anne Grimmer.

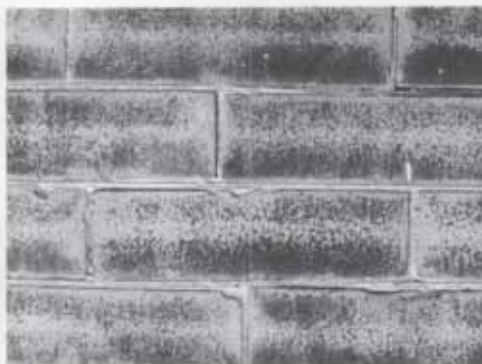




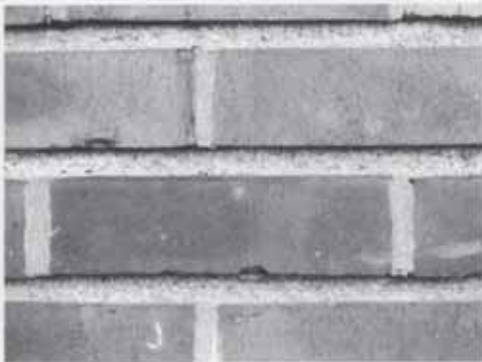
a



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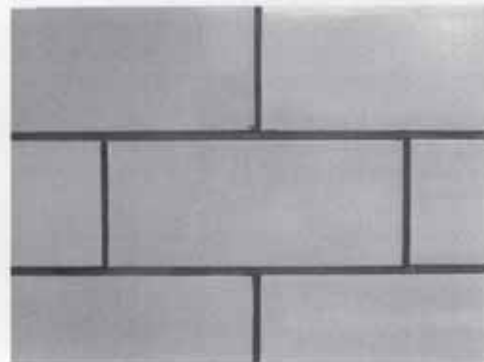
Figure 18. A cross-section of mortar joint types. (a) Grapevine joints on a mid-18th century brick building; (b) flush joints on a mid-to-late 19th century brick building; (c) beaded joints on a late-19th century brick building; (d) early-20th century beaded joints on rough-cut limestone where the vertical joints were struck prior to the horizontal joints; (e) raked joints on 1920s wire brick; (f) horizontal joints on a 1934 building designed by Frank Lloyd Wright were raked back from the face of the bricks, and the vertical joints were filled with a red-tinted mortar to emphasize the horizontality of the narrow bricks, and struck flush with the face of the bricks; (g) the joints on this 20th century glazed terracotta tile building are raked slightly, emphasizing the glazed block face. Photos: National Park Service Files (a,b,e); Robert C. Mack, FAIA (c,d,f,g).



e



f



g

application of a raised joint or lime putty joint on top of flush mortar joints (Fig. 20). **Penciling** is a purely decorative, painted surface treatment over a mortar joint, often in a contrasting color.

**Masonry Units.** The masonry units should also be examined so that any replacement units will match the historic masonry. Within a wall there may be a wide range of colors, textures, and sizes, particularly with hand-made brick or rough-cut, locally-quarried stone. Replacement units should blend in with the full range of masonry units rather than a single brick or stone.

#### Matching Color and Texture of the Repointing Mortar

New mortar should match the unweathered interior portions of the historic mortar. The simplest way to check the match is to make a small sample of the proposed mix and allow it to cure at a temperature of approximately 70 degrees F for about a week, or it can be baked in an oven to speed up the curing; this sample is then broken open and the surface is compared

with the surface of the largest "saved" sample of historic mortar.

If a proper color match cannot be achieved through the use of natural sand or colored aggregates like crushed marble or brick dust, it may be necessary to use a modern mortar pigment.

During the early stages of the project, it should be determined how closely the new mortar should match the historic mortar. Will "quite close" be sufficient, or is "exactly" expected? The specifications should state this clearly so that the contractor has a reasonable idea how much time and expense will be required to develop an acceptable match.

The same judgment will be necessary in matching replacement terra cotta, stone or brick. If there is a known source for replacements, this should be included in the specifications. If a source cannot be determined prior to the bidding process, the specifications should include an estimated price for the replacement materials with the final price based on the actual cost to the contractor.

## Conclusion

A good repointing job is meant to last, at least 30 years, and preferably 50-100 years. Shortcuts and poor craftsmanship result not only in diminishing the historic character of a building, but also in a job that looks bad, and will require future repointing sooner than if the work had been done correctly (Fig. 17). The mortar joint in a historic masonry building has often been called a wall's "first line of defense." Good repointing practices guarantee the long life of the mortar joint, the wall, and the historic structure. Although careful maintenance will help preserve the freshly repointed mortar joints, it is important to remember that mortar joints are intended to be sacrificial and will probably require repointing some time in the future. Nevertheless, if the historic mortar joints proved durable for many years, then careful repointing should have an equally long life, ultimately contributing to the preservation of the entire building.

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"Mortar for Brick Masonry-Selection and Controls." 8B Reissued. September 1988. (July/August 1976).

"Guide Specifications for Brick Masonry, Part V Mortar and Grout." 11E Revised. September 1991.

"Bonds and Patterns in Brickwork." 30 Reissued. September 1988.

## Useful Addresses

Brick Institute of America  
11490 Commerce Park Drive  
Reston, VA 22091

National Lime Association  
200 N. Glebe Road, Suite 800  
Arlington, VA 22203

Portland Cement Association  
5420 Old Orchard Road  
Skokie, IL 60077

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**Robert C. Mack, FAIA**, is a principal in the firm of MacDonald & Mack, Architects, Ltd., an architectural firm that specializes in historic buildings in Minneapolis, Minnesota. **John P. Speweik, CSI**, Toledo, Ohio, is a 5th-generation stonemason, and principal in U.S. Heritage Group, Inc., Chicago, Illinois, which does custom historic mortar matching. **Anne Grimmer**, Senior Architectural Historian, Heritage Preservation Services Program, National Park Service, was responsible for developing and coordinating the revision of this Preservation Brief, incorporating professional comments, and the technical editing.

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This publication has been prepared pursuant to the National Historic Preservation Act of 1966, as amended, which directs the Secretary of the Interior to develop and make available information concerning historic properties. Comments about this publication should be directed to de Teel Patterson Tiller, Chief, Heritage Preservation Services Program, National Park Service, 1849 C Street, N.W. Suite NC200, Washington, D.C. 20240. This publication is not copyrighted and can be reproduced without penalty. Normal procedures for credit to the authors and the National Park Service are appreciated.

*Front Cover: Repointing a historic brick building using a lime-based mortar. Traditional lime mortars have a consistency that enables the mortar to cling to a repointing tool while in a vertical position. Photo: John P. Speweik.*



THE SECRETARY  
OF THE INTERIOR'S  
**STANDARDS FOR**  
THE TREATMENT  
OF HISTORIC  
PROPERTIES  
WITH  
**GUIDELINES FOR**  
PRESERVING,  
REHABILITATING,  
RESTORING &  
RECONSTRUCTING  
HISTORIC  
BUILDINGS



U.S. Department of the Interior  
National Park Service  
Technical Preservation Services





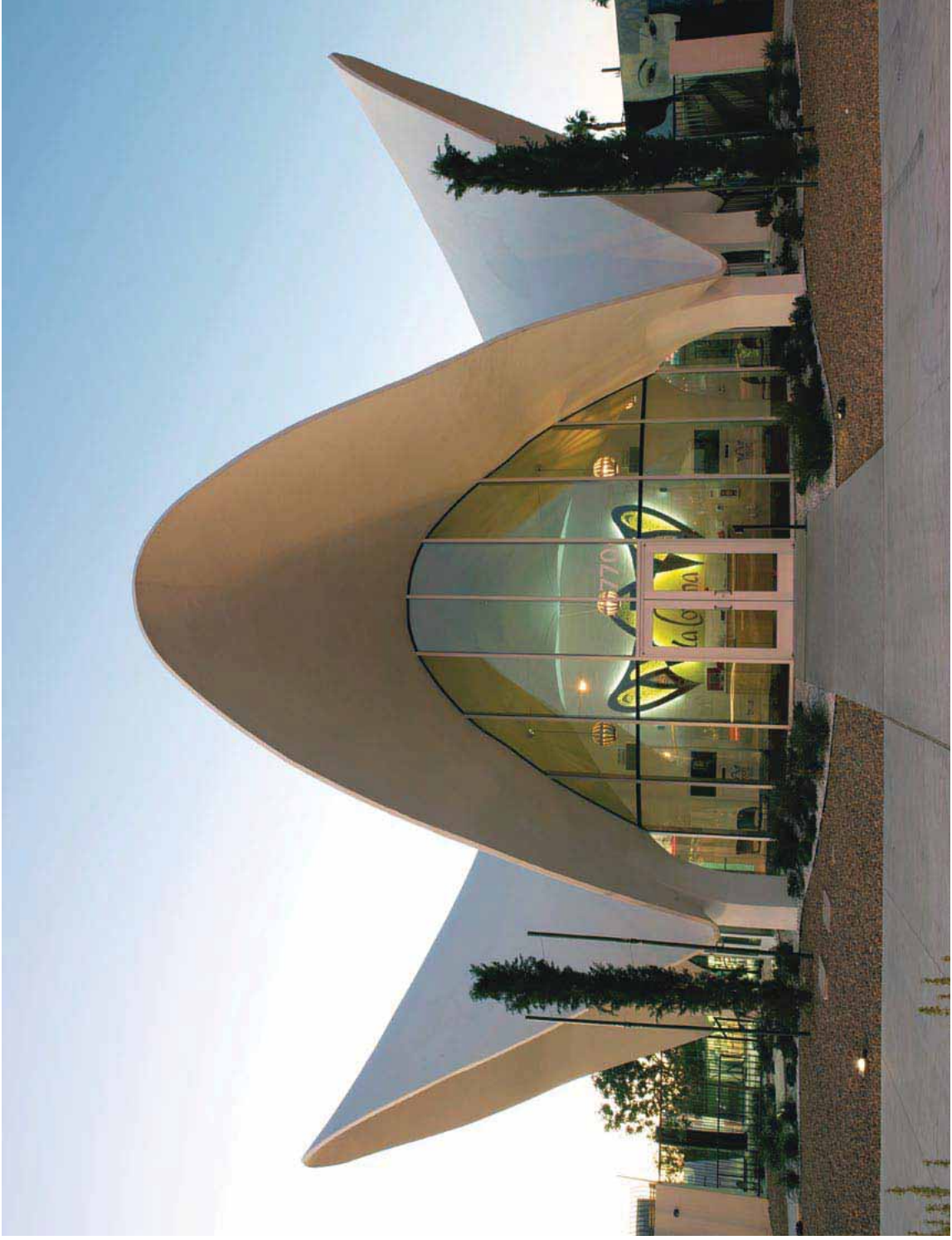
MASONRY: STONE, BRICK, TERRA COTTA, CONCRETE, ADOBE, STUCCO, AND MORTAR

RECOMMENDED	NOT RECOMMENDED
<p><b>Identifying, retaining and preserving</b> masonry features that are important in defining the overall historic character of the building (such as walls, brackets, railings, cornices, window and door surrounds, steps, and columns) and decorative ornament and other details, such as tooling and bonding patterns, coatings, and color.</p>	<p>Removing or substantially changing masonry features which are important in defining the overall historic character of the building so that, as a result, the character is diminished.</p> <p>Replacing or rebuilding a major portion of exterior masonry walls that could be repaired, thereby destroying the historic integrity of the building.</p> <p>Applying paint or other coatings (such as stucco) to masonry that has been historically unpainted or uncoated to create a new appearance.</p> <p>Removing paint from historically-painted masonry.</p>
<p><b>Protecting and maintaining</b> masonry by ensuring that historic drainage features and systems that divert rainwater from masonry surfaces (such as roof overhangs, gutters, and downspouts) are intact and functioning properly.</p> <p>Cleaning masonry only when necessary to halt deterioration or remove heavy soiling.</p>	<p>Failing to identify and treat the causes of masonry deterioration, such as leaking roofs and gutters or rising damp.</p>
<p>Carrying out masonry cleaning tests when it has been determined that cleaning is appropriate. Test areas should be examined to ensure that no damage has resulted and, ideally, monitored over a sufficient period of time to allow long-range effects to be predicted.</p>	<p>Cleaning masonry surfaces when they are not heavily soiled to create a “like-new” appearance, thereby needlessly introducing chemicals or moisture into historic materials.</p> <p>Cleaning masonry surfaces without testing or without sufficient time for the testing results to be evaluated.</p>



[1] An alkaline-based product is appropriate to use to clean historic marble because it will not damage the marble, which is acid sensitive.





[2] Mid-century modern building technology made possible the form of this parabolic-shaped structure and its thin concrete shell construction. Built in 1961 as the lobby of the La Concha Motel in Las Vegas, it was designed by Paul Revere Williams, one of the first prominent African-American architects. It was moved to a new location and rehabilitated to serve as the Neon Museum, and is often cited as an example of Google architecture. Credit: Photographed with permission at The Neon Museum, Las Vegas, Nevada.

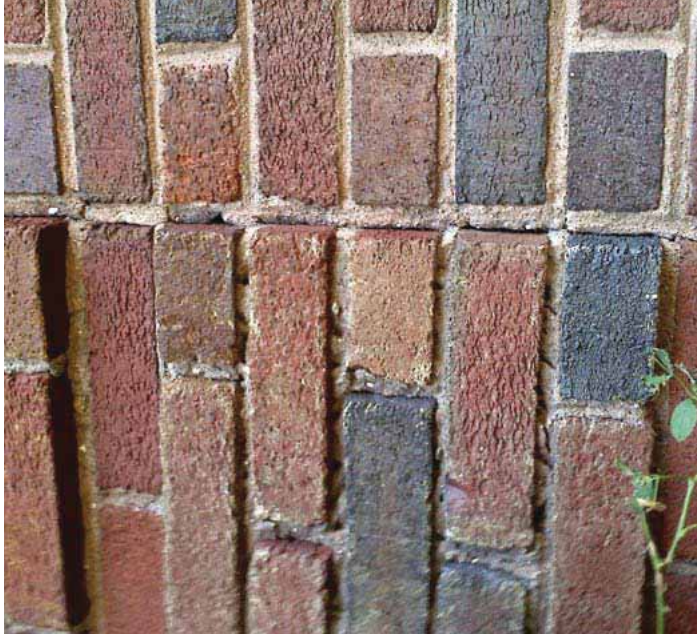
MASONRY: STONE, BRICK, TERRA COTTA, CONCRETE, ADOBE, STUCCO, AND MORTAR

RECOMMENDED	NOT RECOMMENDED
Cleaning soiled masonry surfaces with the gentlest method possible, such as using low-pressure water and detergent and natural bristle or other soft-bristle brushes.	<p>Cleaning or removing paint from masonry surfaces using most abrasive methods (including sandblasting, other media blasting, or high-pressure water) which can damage the surface of the masonry and mortar joints.</p> <p>Using a cleaning or paint-removal method that involves water or liquid chemical solutions when there is any possibility of freezing temperatures.</p> <p>Cleaning with chemical products that will damage some types of masonry (such as using acid on limestone or marble), or failing to neutralize or rinse off chemical cleaners from masonry surfaces.</p>



**[3] Not Recommended:**  
The white film on the upper corner of this historic brick row house is the result of using a scrub or slurry coating, rather than traditional repointing by hand, which is the recommended method.

**[4] Not Recommended:**  
The quoins on the left side of the photo show that high-pressure abrasive blasting used to remove paint can damage even early 20th-century, hard-baked, textured brick and erode the mortar, whereas the same brick on the right, which was not abrasively cleaned, is undamaged.



## MASONRY: STONE, BRICK, TERRA COTTA, CONCRETE, ADOBE, STUCCO, AND MORTAR

RECOMMENDED	NOT RECOMMENDED
Using biodegradable or environmentally-safe cleaning or paint-removal products.	
Using paint-removal methods that employ a poultice to which paint adheres, when possible, to neatly and safely remove old lead paint.	
Using coatings that encapsulate lead paint, when possible, where the paint is not required to be removed to meet environmental regulations.	
Allowing only trained conservators to use abrasive or laser-cleaning methods, when necessary, to clean hard-to-reach, highly-carved, or detailed decorative stone features.	
Removing damaged or deteriorated paint only to the next sound layer using the gentlest method possible (e.g., hand scraping) prior to repainting.	Removing paint that is firmly adhered to masonry surfaces, unless the building was unpainted historically and the paint can be removed without damaging the surface.
Applying compatible paint coating systems to historically-painted masonry following proper surface preparation.	Failing to follow manufacturers' product and application instructions when repainting masonry features.
Repainting historically-painted masonry features with colors that are appropriate to the historic character of the building and district.	Using paint colors on historically-painted masonry features that are not appropriate to the historic character of the building and district.
Protecting adjacent materials when cleaning or removing paint from masonry features.	Failing to protect adjacent materials when cleaning or removing paint from masonry features.
Evaluating the overall condition of the masonry to determine whether more than protection and maintenance, such as repairs to masonry features, will be necessary.	Failing to undertake adequate measures to ensure the protection of masonry features.
<b>Repairing</b> masonry by patching, splicing, consolidating, or otherwise reinforcing the masonry using recognized preservation methods. Repair may include the limited replacement in kind or with a compatible substitute material of those extensively deteriorated or missing parts of masonry features when there are surviving prototypes, such as terra-cotta brackets or stone balusters.	Removing masonry that could be stabilized, repaired, and conserved, or using untested consolidants and unskilled personnel, potentially causing further damage to historic materials.  Replacing an entire masonry feature, such as a cornice or balustrade, when repair of the masonry and limited replacement of deteriorated or missing components are feasible.



# MASONRY: STONE, BRICK, TERRA COTTA, CONCRETE, ADOBE, STUCCO, AND MORTAR

RECOMMENDED	NOT RECOMMENDED
Repairing masonry walls and other masonry features by repointing the mortar joints where there is evidence of deterioration, such as disintegrating mortar, cracks in mortar joints, loose bricks, or damaged plaster on the interior.	Removing non-deteriorated mortar from sound joints and then repointing the entire building to achieve a more uniform appearance.
Removing deteriorated lime mortar carefully by hand raking the joints to avoid damaging the masonry.	
Using power tools only on horizontal joints on brick masonry in conjunction with hand chiseling to remove hard mortar that is deteriorated or that is a non-historic material which is causing damage to the masonry units. Mechanical tools should be used only by skilled masons in limited circumstances and generally not on short, vertical joints in brick masonry.	Allowing unskilled workers to use masonry saws or mechanical tools to remove deteriorated mortar from joints prior to repointing.
Duplicating historic mortar joints in strength, composition, color, and texture when repointing is necessary. In some cases, a lime-based mortar may also be considered when repointing Portland cement mortar because it is more flexible.	Repointing masonry units with mortar of high Portland cement content (unless it is the content of the historic mortar).  Using “surface grouting” or a “scrub” coating technique, such as a “sack rub” or “mortar washing,” to repoint exterior masonry units instead of traditional repointing methods.  Repointing masonry units (other than concrete) with a synthetic caulking compound instead of mortar.
Duplicating historic mortar joints in width and joint profile when repointing is necessary.	Changing the width or joint profile when repointing.
Repairing stucco by removing the damaged material and patching with new stucco that duplicates the old in strength, composition, color, and texture.	Removing sound stucco or repairing with new stucco that is different in composition from the historic stucco.  Patching stucco or concrete without removing the source of deterioration.
	Replacing deteriorated stucco with synthetic stucco, an exterior finish and insulation system (EFIS), or other non-traditional materials.

MASONRY: STONE, BRICK, TERRA COTTA, CONCRETE, ADOBE, STUCCO, AND MORTAR

RECOMMENDED		NOT RECOMMENDED
Using mud plaster or a compatible lime-plaster adobe render, when appropriate, to repair adobe.		Applying cement stucco, unless it already exists, to adobe.
Sealing joints in concrete with appropriate flexible sealants and backer rods, when necessary.		
Cutting damaged concrete back to remove the source of deterioration, such as corrosion on metal reinforcement bars. The new patch must be applied carefully so that it will bond satisfactorily with and match the historic concrete.		Patching damaged concrete without removing the source of deterioration.



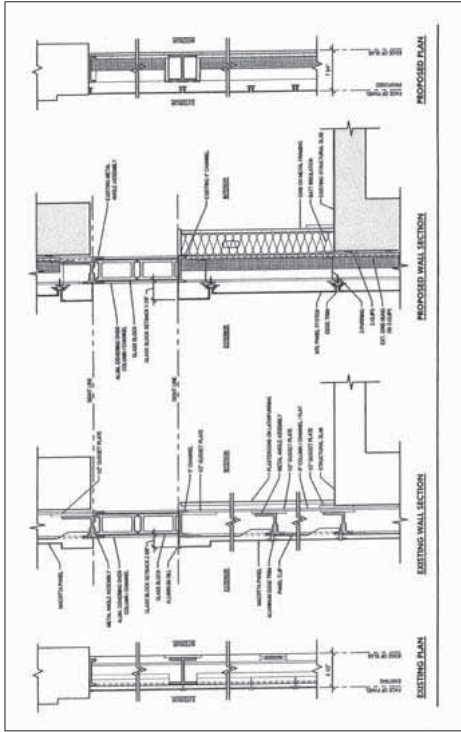
[5] Rebars in the reinforced concrete ceiling have rusted, causing the concrete to spall. The rebars must be cleaned of rust before the concrete can be patched.  
[6] Some areas of the concrete brise soleil screen on this building constructed in 1967 are badly deteriorated. If the screen cannot be repaired, it may be replaced in kind or with a composite substitute material with the same appearance as the concrete.







[7] (a) J.W. Knapp's Department Store, built 1937-38, in Lansing, MI, was constructed with a proprietary material named "Maul Macotta", made of enameled steel and cast-in-place concrete panels. Prior to its rehabilitation, a building inspection revealed that, due to a flaw in the original design and construction, the material was deteriorated beyond repair. The architects for the rehabilitation project devised a replacement system (b) consisting of enameled aluminum panels that matched the original colors (c). Photos and drawing (a-b): Quinn Evans Architects; Photo (c): James Haefner Photography.





MASONRY: STONE, BRICK, TERRA COTTA, CONCRETE, ADOBE, STUCCO, AND MORTAR

RECOMMENDED		NOT RECOMMENDED
Using a non-corrosive, stainless-steel anchoring system when replacing damaged stone, concrete, or terra-cotta units that have failed.		
Applying non-historic surface treatments, such as water-repellent coatings, to masonry only after repointing and only if masonry repairs have failed to arrest water penetration problems.		Applying waterproof, water-repellent, or non-original historic coatings (such as stucco) to masonry as a substitute for repointing and masonry repairs.
Applying permeable, anti-graffiti coatings to masonry when appropriate.		Applying water-repellent or anti-graffiti coatings that change the historic appearance of the masonry or that may trap moisture if the coating is not sufficiently permeable.
<b>Replacing</b> in kind an entire masonry feature that is too deteriorated to repair (if the overall form and detailing are still evident) using the physical evidence as a model to reproduce the feature or when the replacement can be based on historic documentation. Examples can include large sections of a wall, a cornice, pier, or parapet. If using the same kind of material is not feasible, then a compatible substitute material may be considered.		Removing a masonry feature that is unrepairable and not replacing it, or replacing it with a new feature that does not match.  Using substitute material for the replacement that does not convey the same appearance of the surviving components of the masonry feature.
<i>The following work is highlighted to indicate that it is specific to Rehabilitation projects and should only be considered after the preservation concerns have been addressed.</i>		
Designing the Replacement for Missing Historic Features		
Designing and installing a replacement masonry feature, such as a step or door pediment, when the historic feature is completely missing. It may be an accurate restoration based on documentary and physical evidence, but only when the historic feature to be replaced coexisted with the features currently on the building. Or, it may be a new design that is compatible with the size, scale, material, and color of the historic building.		Creating an inaccurate appearance because the replacement for the missing masonry feature is based upon insufficient physical or historic documentation, is not a compatible design, or because the feature to be replaced did not coexist with the features currently on the building.  Introducing a new masonry feature that is incompatible in size, scale, material, or color.

# PLANNING DIVISION STAFF REPORT

May 6, 2019

PREPARED FOR THE LANDMARKS COMMISSION



Project Name/Address: 121 Langdon St. (Suhr House)  
Application Type: Demolition by Neglect  
Legistar File ID # [53000](#)  
Prepared By: Heather Bailey, Preservation Planner, Planning Division  
Date Prepared: April 30, 2019

## Summary

**Project Applicant/Contact:** Harold Langhammer; David Ferch, Ferch Architecture  
**Requested Action:** The Landmarks Commission is considering whether demolition by neglect is occurring on the landmark site.

## Background Information

**Parcel Location:** The subject site is a designated landmark (Suhr House) located in the Mansion Hill District. It was designated as a landmark in 1974 and placed on the National Register of Historic Places in 1982.

On September 17, 2018, the Landmarks Commission held a public hearing on a notice of demolition by neglect. At that meeting, the Commission referred that matter "to a future Landmarks Commission meeting no later than December 3 with the stipulation that the applicant work closely with the Preservation Planner and other City staff to itemize work which can be done with and without tax credits and provide a timeline for addressing the work orders in a timely manner."

On December 3, 2018, the Landmarks Commission approved a COA to complete the necessary work to stabilize and repair the building. The Landmarks Commission referred the Demolition by Neglect case to the April 22, 2019, meeting to have an update from the property owner regarding progress towards completing necessary work in order to meet the terms and deadline of the court-approved agreement to complete the items in the work order by August 15, 2019. The submissions for the April 22 meeting did not meet the requirements for completing the work, so the commission referred the project to the next available meeting. The Landmarks Commission has not made a final findings on the Demolition by Neglect case.

### Relevant Ordinance Sections – Demolition by Neglect:

#### 41.02 DEFINITIONS.

Demolition by Neglect means the process of allowing landmarks, landmark sites or improvements in historic districts to decay, deteriorate, become structurally defective, or otherwise fall into disrepair.

#### 41.14 MAINTENANCE OBLIGATION; ENFORCEMENT; PENALTIES

- (1) Maintenance obligation. Every owner of a landmark, improvement on a landmark site, or improvement in a historic district shall do all of the following:
  - (a) Protect the improvement against exterior decay and deterioration.
  - (b) Keep the improvement free from structural defects.
  - (c) Maintain interior portions of the improvement, the deterioration of which may cause the exterior portions of such improvement to fall into a state of disrepair.

(2) Enforcement.

- (a) The Building Inspector or designee is authorized to enforce the provisions of this chapter.
- (b) The Building Inspector may issue an official written notice to a property owner, requiring the property owner to correct a violation of sec. 41.14(1) above by a date specified in the notice.
- (c) The Building Inspector shall notify the Preservation Planner of all official compliance notices issued to owners of landmarks or improvements in historic districts. The Building Inspector shall further notify the Preservation Planner whenever a property owner fails to correct a violations by the compliance date specified in an official notice.
- (d) City agencies or commissions responsible for enforcing chapters 18, 27, 29, 30 and 31 of the Madison general ordinances, or, in the absence of such city agency or commission, the Building Inspector, may grant individual variances from those chapters to facilitate historic preservation and maintenance under this chapter, provided that such variance does not endanger public health or safety or vary any provisions of this chapter.

**41.15 DEMOLITION BY NEGLECT.** The owner of a landmark, improvement on a landmark site, or improvement in a historic district, may not allow the landmark or improvement to undergo demolition by neglect.

- (1) Notice of demolition by neglect. If the Building Inspector believes that a landmark or improvement is undergoing demolition by neglect, the Building Inspector shall give written notice of that belief to the owner of the landmark or improvement. The Building Inspector shall give a copy of the notice to the Preservation Planner and the Landmarks Commission.
- (2) Public Hearing. Upon receiving a notice under sec. 41.15(1), the Landmarks Commission shall issue a hearing notice under sec. 41.06 and hold a public hearing to determine whether the landmark or improvement is undergoing demolition by neglect. The Commission shall hold the public hearing within 90 days of receiving the notice under sec. 41.15(1).
- (3) Landmarks Commission Finding. If, after a public hearing, the Landmarks Commission finds that a landmark or improvement is undergoing demolition by neglect, it shall report its finding to the Common Council, the Building Inspector and the Office of the City Attorney. A Landmarks Commission finding of demolition by neglect is prima facie evidence of demolition by neglect for purposes of any administrative or civil court action, and also constitutes a determination that a public nuisance exists under sec. 27.05(3) of the Madison general ordinances.
- (4) Appeal of Landmarks Commission finding.
  - (a) An appeal from a Landmarks Commission finding under sec. 41.15(3) may be taken to the Common Council by the owner of the affected landmark or improvement, the Alder of the district in which the subject property is located, or by the owners of 20% of the number of parcels of property within 200 feet of the subject property, measured according to sec. 41.03(5).
  - (b) An appeal under par. (a) shall be filed with the City Clerk within 10 days after the Landmarks Commission makes its finding. The appeal shall include the name and address of each petitioner, and shall specify the grounds for appeal. The City Clerk shall forward the petition to the Common Council.
  - (c) The Common Council shall hold a public hearing regarding any appeal it receives under par. (b).
  - (d) Following a public hearing, the Common Council may, by favorable vote of two-thirds (2/3) of its members, reverse or modify the Landmarks Commission finding, with or without conditions, or may refer the matter back to the Commission with or without instructions, if it finds that the Commission's decision is contrary to applicable standards under this subchapter.



- (5) Abatement by the City. If the Landmarks Commission finds under sec. 41.15(3) that a landmark or improvement is undergoing demolition by neglect, the Building Inspector may proceed under the non-summary abatement procedures set forth in sec. 27.05(3)(e) of the Madison general ordinances to repair the landmark or improvement to abate the nuisance. The cost of the required repairs shall be paid by the property owner, or shall be imposed as a special charge against the property and collected pursuant to the provisions of sec. 4.09(13) of the Madison general ordinances and Wis. Stat. § 66.0627.
- (6) Acquisition by City. If the Landmarks Commission finds under sec. 41.15(3) that a landmark or improvement is undergoing demolition by neglect, the Common Council may authorize the City to acquire the property under Wis. Stat. § 66.1111(2), if necessary through the initiation of condemnation proceedings under Wis. Stat. § 32.06.

## Analysis and Conclusion

At the December 3, 2018, meeting, the Landmarks Commission approved the COA with the following conditions: **repair the front, side, and rear porches and stairways with the condition that all final details must be approved by staff; to tuckpoint damaged masonry, with the extents of the work and the mortar mix and mortar color to be approved by staff; and to replace the arched storm window on the lower level of the front façade, with specifications for the window to be approved by staff.**

At the December 3 meeting, the commission asked to see a signed contract for the work to assess if the work could be completed by the schedule the applicant presented on December 3. The applicants submission from April 19, 2019, is what staff is reviewing for this Landmarks Commission meeting. In reviewing the construction documents, they do not address all of the work required for the property. The contractor scopes of work do not correlate to the construction documents and some of the items are not compliant with the Secretary of the Interior's Standards (see attached email).

A discussion of the pertinent code section follows:

**41.15 DEMOLITION BY NEGLECT.** The owner of a landmark, improvement on a landmark site, or improvement in a historic district, may not allow the landmark or improvement to undergo demolition by neglect.

- (1) Notice of demolition by neglect. The notice was issued on August 15, 2018, by Kyle Bunnaw, City of Madison Housing Inspection Supervisor.
- (2) Public Hearing. The Landmarks Commission received this notice at its August 27, 2018, meeting and held a public hearing on September 17, 2018.
- (3) Landmarks Commission Finding. The Landmarks Commission referred the case to its December 3, 2018, meeting where it granted a Certificate of Appropriateness for work that would address the maintenance deficiencies of the property. The commission referred the Demolition by Neglect case to April 22, 2019, to check on the progress of the applicant in meeting the timeline the applicant submitted at the December 3, 2018, meeting. The commission has not made a finding in the case at this point.
- (4) Appeal of Landmarks Commission finding. The process has not reached this stage.
- (5) Abatement by the City. The process has not reached this stage.
- (6) Acquisition by City. The process has not reached this stage.

## Recommendation

### Demolition by Neglect

Staff recommends that the Landmarks Commission refer the finding that demolition by neglect is occurring until the May 20, 2019, meeting. At that meeting the commission would review the construction documents, and signed contract for work to ensure that adequate progress is being made on making the required repairs by the court-stipulated deadline of August 15, 2019.

## AGENDA # 2

City of Madison, Wisconsin

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REPORT OF: LANDMARKS COMMISSION

PRESENTED: 5/6/19

TITLE: 121 Langdon St - Demolition by Neglect  
of a Designated Madison Landmark  
in the Mansion Hill Hist. Dist. (Suhr  
House); 2nd Ald. Dist.

REFERRED:

REREFERRED:

REPORTED BACK:

AUTHOR: Heather Bailey, Preservation Planner

ADOPTED:

POF:

DATED: 5/10/19

ID NUMBER: 53000

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Members present were: Stuart Levitan, Richard Arnesen, Katie Kaliszewski, and David McLean. Excused were Anna Andrzejewski and Arvina Martin.

### **SUMMARY:**

*Harold Langhammer, registering neither in support nor in opposition and available to answer questions*

Bailey explained that the determination of whether demolition by neglect is occurring at 121 Langdon Street had been referred from previous meetings on September 17, 2018, December 3, 2018, and April 22, 2019. She said that the property owner also has an agreement with the Municipal Court that all items on the Building Inspection work orders must be completed by August 15, 2019. The items requested of the applicant that are still outstanding include meeting the conditions of the Certificate of Appropriateness approved on December 3, 2018 and providing signed contracts for the work in order to assess whether it can be completed on schedule. Regarding the submittal for this meeting, she said that the construction documents do not cover all of the work to be completed and the scopes of work from the two contractors do not align with the construction documents. She said that the work as described by the contractors does not meet the Secretary of the Interior's Standards and therefore does not meet the Landmarks Commission's standards for review either.

Langhammer said that he sent Bailey's comments to the contractors with the request that they update the contracts to meet the standards of approval, and hopes to receive the revised contracts within 2-3 days. He said that he will then submit the revised contracts to Bailey for review and have them signed prior to the next Landmarks Commission meeting.

Arnesen asked if the contractors have done restoration work like this before. Langhammer said that he was told they have. McLean asked if staff's primary concerns are regarding the treatment of masonry, and Bailey said that she does have significant concerns about that. McLean told the applicant that it is important to clean the brick prior to matching it for color. Langhammer said that he understood.

### **ACTION:**

**A motion was made by McLean, seconded by Kaliszewski, to refer the item to the May 20, 2019 Landmarks Commission meeting. The motion passed by voice vote/other.**



## Bailey, Heather

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**From:** Bailey, Heather  
**Sent:** Monday, May 13, 2019 1:30 PM  
**To:** info1  
**Subject:** RE:

Harold,

Thank you. I've added it to the file for the next meeting and will give you feedback on it soon. In addition to the scope from the general contractor, we do not have a complete set of construction drawings yet.



**Heather L. Bailey, Ph.D.**

Preservation Planner  
Neighborhood Planning, Preservation + Design Section

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Department of Planning + Community + Economic Development  
Planning Division  
215 Martin Luther King, Jr. Blvd.; Suite 017  
PO Box 2985  
Madison WI 53701-2985  
Email: [hbailey@cityofmadison.com](mailto:hbailey@cityofmadison.com) Phone: 608.266.6552

---

**From:** info1  
**Sent:** Monday, May 13, 2019 10:30 AM  
**To:** Bailey, Heather <[HBailey@cityofmadison.com](mailto:HBailey@cityofmadison.com)>  
**Subject:**

Hi Heather,  
Here is the revised masonry contract. I will forward the general contract as soon as I receive it.  
Harold



# Restoration Proposal Form

## OWNER INFORMATION

Name	Central Properties
Address	121 Langdon St.
City, State ZIP	Madison, WI 53711
Phone	(608)-255-1767
Email	
Project name	Historic Suhr Residence

## SCOPE OF WORK

Using Aerial Lift- Remove brick samples to be submitted to closest match for approval from Madison Landmarks Commission. Hand Chisel all cracked and deteriorated mortar joints. Lightly wash building to remove any dust and debris in mortar joints. Tuckpoint all mortar joints with color matching mortar. Mortar will be tested to determine Type as per Landmarks Commission. Inspect and caulk all failing caulk joints with Polyurethane Sealant. Remove any failing and deteriorated bricks from chimney and re-lay with matching brick up to 100 bricks. Apply Waterproofing Sealer to all brick and block work using product Seal Krete.

Repair and Relay masonry piers as per notice below. Masonry piers will be measured and documented. Before removal. The utmost care will be conducted to preserve the stones. Most likely to separate the stones a company that specializes in exact and precision masonry cutting will be brought in to separate the stones.

All Masonry Completed will be to Requirements of City of Madisons Official Notice CB2016-333-13997

### *Item*

5. 27.05(2)(g)2

11. 27.05(2)(g)

## CONTRACTOR INFORMATION

Company	Knock Out Building Restoration LLC.
Name	Ryan Jones
Address	161 Bischoff St.
City, State ZIP	Fond du Lac, WI 54935
Phone	(920)-296-7427
Email	<a href="mailto:ryantajones@gmail.com">ryantajones@gmail.com</a>

## NOT INCLUDED

N/A

## COMPANY PROPOSAL

Scope of Work to be completed at a cost of \$34,680. 1<sup>st</sup> payment of \$11,560 due upon signing contract. 2<sup>nd</sup> payment of \$11,560 due upon starting project. 3<sup>rd</sup> and final payment of \$11,560 due upon finishing project. Check can be made payable to Knockout Building Restoration. Upon receiving 1<sup>st</sup> payment and signed contract I will retrieve brick samples for Landmark Commission Approval and mortar testing. If there are any unforeseen circumstances that will be more then total cost of \$34,680, Written permission will be required. Items that could change total cost could be but not limited to, complete rebuild of chimneys and replacement of upper Flues and/or replacement of any of the front pier stones or bringing in a company that specializes in precision cutting. If anything shall fail or any shrink cracks appear, repair work will be done at no charge. A 30 day check of the work done will be conducted. Work guaranteed for 5 years.

Ryan Jones - Owner

Submitted by (Company Representative)

05-12-2019

Date

## OWNER ACCEPTANCE

Submitted by (home owner or authorized representative)

Date



## Bailey, Heather

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**From:** Bailey, Heather  
**Sent:** Thursday, May 16, 2019 10:39 AM  
**To:** info1  
**Subject:** RE: 121 Langdon\_Porch Columns and Beam Repair\_Revised

Harold,

Thank you for the update. The CDs currently only address the front porch. The COA is for work on the front, side, and rear porches. Will the masonry work include areas elsewhere on the building (the scope of work from the contractor suggests that it will). For the masonry, the scope of work still includes applying a sealer to the historic masonry, which is not allowed per the Secretary of the Interior's Standards (and staff has previously commented that it was not compliant).



**Heather L. Bailey, Ph.D.**  
Preservation Planner  
Neighborhood Planning, Preservation + Design Section  
-----  
Department of Planning + Community + Economic Development  
Planning Division  
215 Martin Luther King, Jr. Blvd.; Suite 017  
PO Box 2985  
Madison WI 53701-2985  
*Email: [hbailey@cityofmadison.com](mailto:hbailey@cityofmadison.com) Phone: 608.266.6552*

**From:** info1  
**Sent:** Wednesday, May 15, 2019 1:16 PM  
**To:** Bailey, Heather <[HBailey@cityofmadison.com](mailto:HBailey@cityofmadison.com)>  
**Subject:** Fwd: 121 Langdon\_Porch Columns and Beam Repair\_Revised

Hi Heather. Here are revised construction drawings for the masonry work. I have requested an updated contract to send to you for the general work from Walsh Construction, but have not yet received it. Harold

----- Forwarded message -----

**From:** **David Ferch** <[david@fercharchitecture.com](mailto:david@fercharchitecture.com)>  
**Date:** Wed, May 15, 2019 at 12:16 PM  
**Subject:** 121 Langdon\_Porch Columns and Beam Repair\_Revised  
**To:** Harlod Langhammer <[info@centralapts.com](mailto:info@centralapts.com)>

Hi Harold,

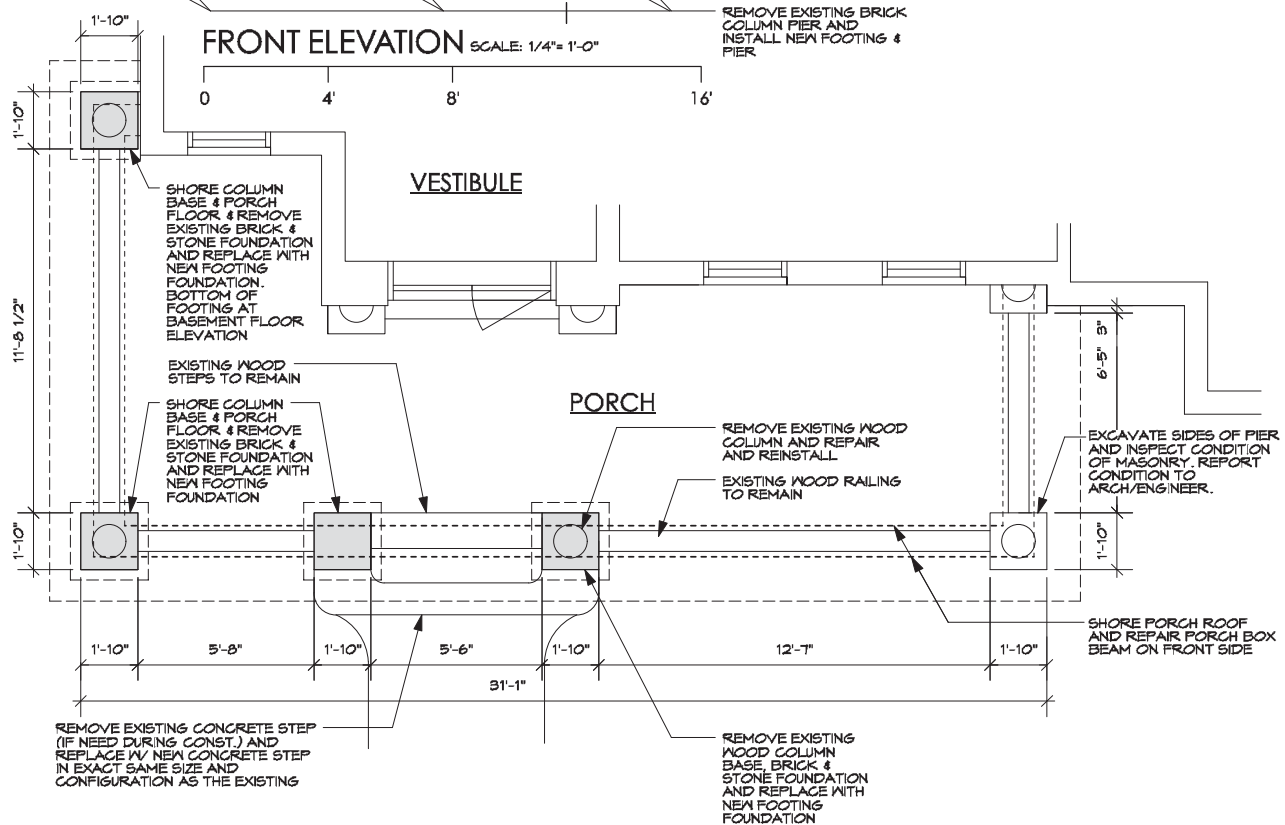
Attached are the revised front porch construction drawings. These drawings have been revised to include repairing all the masonry piers and foundations for the front porch.

Regards,  
Dave

## FERCH ARCHITECTURE

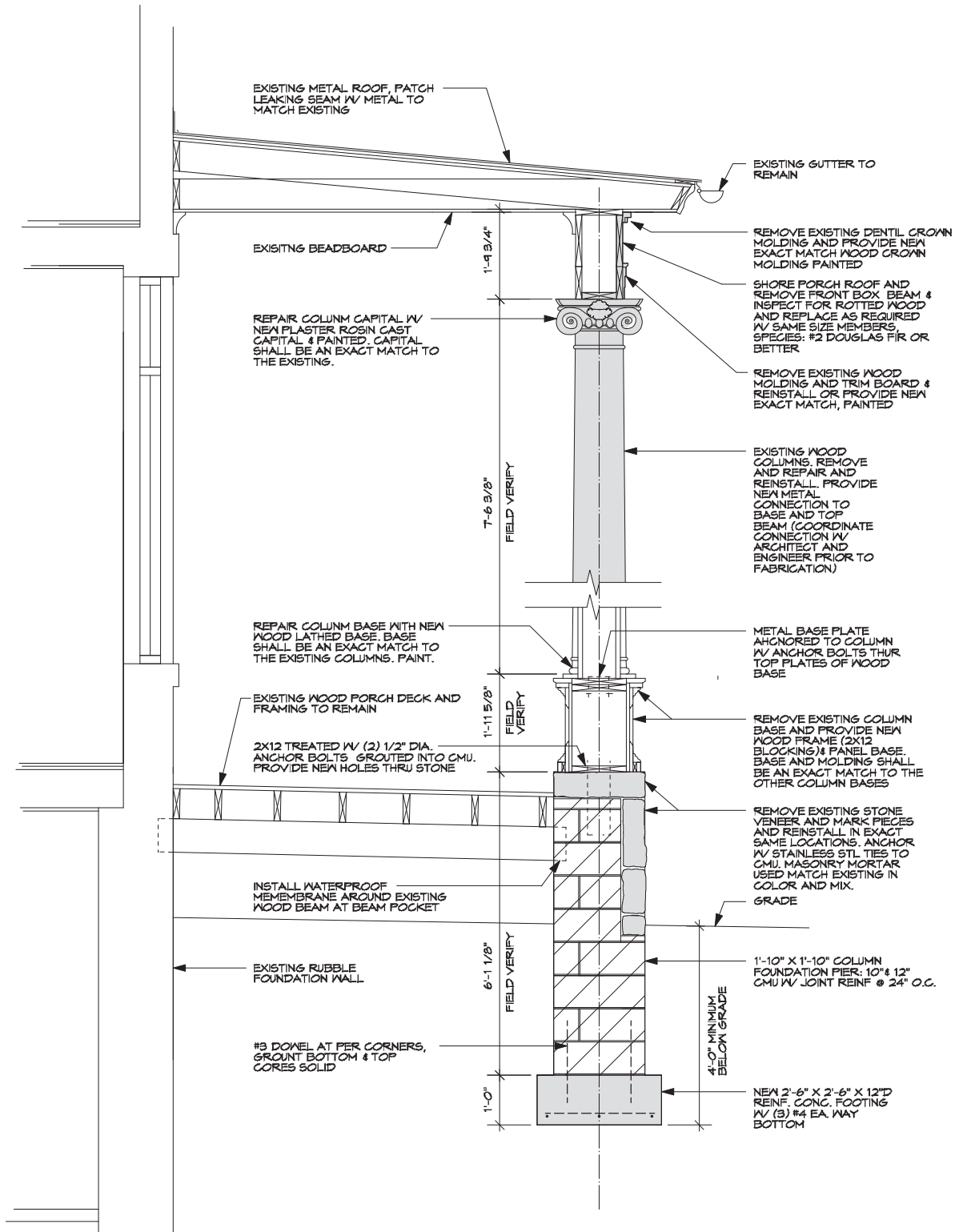
2704 Gregory Street, Madison, WI 53711

608-238-6900 [david@fercharchitecture.com](mailto:david@fercharchitecture.com)



A horizontal number line with tick marks at 0, 4, 8, and 16. The labels are placed below the tick marks.

1 OF 2



## A FRONT PORCH COLUMN

SCALE: 1/2" = 1'-0"

GENERAL NOTE: ALL NEW MOLDINGS SHALL BE EXACT MATCH TO THE EXISTING. IF NEEDED NEW CUSTOM ROUTER BITS SHALL BE MADE TO PRODUCE MATERIALS.

REV. 5/15/19  
4/19/19



## PLANNING DIVISION STAFF REPORT

May 20, 2019

PREPARED FOR THE LANDMARKS COMMISSION



**Project Name/Address:** 121 Langdon St. (Suhr House)  
**Application Type:** Demolition by Neglect  
**Legistar File ID #** [53000](#)  
**Prepared By:** Heather Bailey, Preservation Planner, Planning Division  
**Date Prepared:** May 16, 2019

### Summary

**Project Applicant/Contact:** Harold Langhammer; David Ferch, Ferch Architecture  
**Requested Action:** The Landmarks Commission is considering whether demolition by neglect is occurring on the landmark site.

### Background Information

**Parcel Location:** The subject site is a designated landmark (Suhr House) located in the Mansion Hill District. It was designated as a landmark in 1974 and placed on the National Register of Historic Places in 1982.

On September 17, 2018, the Landmarks Commission held a public hearing on a notice of demolition by neglect. At that meeting, the Commission referred that matter "to a future Landmarks Commission meeting no later than December 3 with the stipulation that the applicant work closely with the Preservation Planner and other City staff to itemize work which can be done with and without tax credits and provide a timeline for addressing the work orders in a timely manner."

On December 3, 2018, the Landmarks Commission approved a COA to complete the necessary work to stabilize and repair the building. The Landmarks Commission referred the Demolition by Neglect case to the April 22, 2019, meeting to have an update from the property owner regarding progress towards completing necessary work in order to meet the terms and deadline of the court-approved agreement to complete the items in the work order by August 15, 2019. The submissions for the April 22 meeting did not meet the requirements for completing the work, so the commission referred the project to the next available meeting. The submissions for the May 6 meeting also did not meet the requirements, so the commission referred the project to the next available meeting. The Landmarks Commission has not made a final findings on the Demolition by Neglect case.

### Relevant Ordinance Sections – Demolition by Neglect:

#### 41.02 DEFINITIONS.

Demolition by Neglect means the process of allowing landmarks, landmark sites or improvements in historic districts to decay, deteriorate, become structurally defective, or otherwise fall into disrepair.

#### 41.14 MAINTENANCE OBLIGATION; ENFORCEMENT; PENALTIES

- (1) Maintenance obligation. Every owner of a landmark, improvement on a landmark site, or improvement in a historic district shall do all of the following:
  - (a) Protect the improvement against exterior decay and deterioration.
  - (b) Keep the improvement free from structural defects.

- (c) Maintain interior portions of the improvement, the deterioration of which may cause the exterior portions of such improvement to fall into a state of disrepair.
- (2) Enforcement.
  - (a) The Building Inspector or designee is authorized to enforce the provisions of this chapter.
  - (b) The Building Inspector may issue an official written notice to a property owner, requiring the property owner to correct a violation of sec. 41.14(1) above by a date specified in the notice.
  - (c) The Building Inspector shall notify the Preservation Planner of all official compliance notices issued to owners of landmarks or improvements in historic districts. The Building Inspector shall further notify the Preservation Planner whenever a property owner fails to correct a violations by the compliance date specified in an official notice.
  - (d) City agencies or commissions responsible for enforcing chapters 18, 27, 29, 30 and 31 of the Madison general ordinances, or, in the absence of such city agency or commission, the Building Inspector, may grant individual variances from those chapters to facilitate historic preservation and maintenance under this chapter, provided that such variance does not endanger public health or safety or vary any provisions of this chapter.

**41.15 DEMOLITION BY NEGLECT.** The owner of a landmark, improvement on a landmark site, or improvement in a historic district, may not allow the landmark or improvement to undergo demolition by neglect.

- (1) Notice of demolition by neglect. If the Building Inspector believes that a landmark or improvement is undergoing demolition by neglect, the Building Inspector shall give written notice of that belief to the owner of the landmark or improvement. The Building Inspector shall give a copy of the notice to the Preservation Planner and the Landmarks Commission.
- (2) Public Hearing. Upon receiving a notice under sec. 41.15(1), the Landmarks Commission shall issue a hearing notice under sec. 41.06 and hold a public hearing to determine whether the landmark or improvement is undergoing demolition by neglect. The Commission shall hold the public hearing within 90 days of receiving the notice under sec. 41.15(1).
- (3) Landmarks Commission Finding. If, after a public hearing, the Landmarks Commission finds that a landmark or improvement is undergoing demolition by neglect, it shall report its finding to the Common Council, the Building Inspector and the Office of the City Attorney. A Landmarks Commission finding of demolition by neglect is prima facie evidence of demolition by neglect for purposes of any administrative or civil court action, and also constitutes a determination that a public nuisance exists under sec. 27.05(3) of the Madison general ordinances.
- (4) Appeal of Landmarks Commission finding.
  - (a) An appeal from a Landmarks Commission finding under sec. 41.15(3) may be taken to the Common Council by the owner of the affected landmark or improvement, the Alder of the district in which the subject property is located, or by the owners of 20% of the number of parcels of property within 200 feet of the subject property, measured according to sec. 41.03(5).
  - (b) An appeal under par. (a) shall be filed with the City Clerk within 10 days after the Landmarks Commission makes its finding. The appeal shall include the name and address of each petitioner, and shall specify the grounds for appeal. The City Clerk shall forward the petition to the Common Council.
  - (c) The Common Council shall hold a public hearing regarding any appeal it receives under par. (b).
  - (d) Following a public hearing, the Common Council may, by favorable vote of two-thirds (2/3) of its members, reverse or modify the Landmarks Commission finding, with or without conditions, or may refer the matter back to the Commission with or without

instructions, if it finds that the Commission's decision is contrary to applicable standards under this subchapter.

- (5) Abatement by the City. If the Landmarks Commission finds under sec. 41.15(3) that a landmark or improvement is undergoing demolition by neglect, the Building Inspector may proceed under the non-summary abatement procedures set forth in sec. 27.05(3)(e) of the Madison general ordinances to repair the landmark or improvement to abate the nuisance. The cost of the required repairs shall be paid by the property owner, or shall be imposed as a special charge against the property and collected pursuant to the provisions of sec. 4.09(13) of the Madison general ordinances and Wis. Stat. § 66.0627.
- (6) Acquisition by City. If the Landmarks Commission finds under sec. 41.15(3) that a landmark or improvement is undergoing demolition by neglect, the Common Council may authorize the City to acquire the property under Wis. Stat. § 66.1111(2), if necessary through the initiation of condemnation proceedings under Wis. Stat. § 32.06.

## Analysis and Conclusion

At the December 3, 2018, meeting, the Landmarks Commission approved the COA with the following conditions:

- **repair the front, side, and rear porches and stairways with the condition that all final details must be approved by staff**
- **tuckpoint damaged masonry, with the extents of the work and the mortar mix and mortar color to be approved by staff;**
- **replace the arched storm window on the lower level of the front façade, with specifications for the window to be approved by staff.**

At the December 3 meeting, the commission asked to see a signed contract for the work to assess if the work could be completed by the schedule the applicant presented on December 3. The latest submissions from the applicant include a set of construction documents that only address the front porch. The construction documents need to address the front, side, and rear porches and stairways. The updated scope of work from the mason is largely compliant with the Secretary of the Interior's Standards and aligns with the construction documents.

A discussion of the pertinent code section follows:

**41.15 DEMOLITION BY NEGLECT.** The owner of a landmark, improvement on a landmark site, or improvement in a historic district, may not allow the landmark or improvement to undergo demolition by neglect.

- (1) Notice of demolition by neglect. The notice was issued on August 15, 2018, by Kyle Bunnaw, City of Madison Housing Inspection Supervisor.
- (2) Public Hearing. The Landmarks Commission received this notice at its August 27, 2018, meeting and held a public hearing on September 17, 2018.
- (3) Landmarks Commission Finding. The Landmarks Commission referred the case to its December 3, 2018, meeting where it granted a Certificate of Appropriateness for work that would address the maintenance deficiencies of the property. The commission referred the Demolition by Neglect case to April 22, 2019, to check on the progress of the applicant in meeting the timeline the applicant submitted at the December 3, 2018, meeting. The commission has not made a finding in the case at this point.
- (4) Appeal of Landmarks Commission finding. The process has not reached this stage.
- (5) Abatement by the City. The process has not reached this stage.
- (6) Acquisition by City. The process has not reached this stage.

## Recommendation

### Demolition by Neglect

Staff will approve the work to proceed on the front porch and the tuckpointing per the Landmarks Commission's previously approved Certificate of Appropriateness with the following conditions:

1. The masonry work not include sealants
2. All work for the porch comply with the construction documents

Staff recommends that the Landmarks Commission continue referring this item to future meetings while staff awaits construction documents for the side porch, rear porch, and stairs; and a product sheet for the replacement arched storm window.



**From:** [Bailey, Heather](#)  
**To:** [Heck, Patrick](#)  
**Cc:** [Heiser-Ertel, Lauren](#)  
**Subject:** RE: 5/20 Landmarks Commission  
**Date:** Friday, May 17, 2019 8:09:28 AM  
**Attachments:** [image003.png](#)

---

I don't need anything formal from you. This email will serve that purpose.



**Heather L. Bailey, Ph.D.**

Preservation Planner  
Neighborhood Planning, Preservation + Design Section

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Department of Planning + Community + Economic Development  
Planning Division  
215 Martin Luther King, Jr. Blvd.; Suite 017  
PO Box 2985  
Madison WI 53701-2985  
Email: [hbailey@cityofmadison.com](mailto:hbailey@cityofmadison.com) Phone: 608.266.6552

---

**From:** Heck, Patrick  
**Sent:** Friday, May 17, 2019 8:00 AM  
**To:** Bailey, Heather <[HBailey@cityofmadison.com](mailto:HBailey@cityofmadison.com)>  
**Subject:** Re: 5/20 Landmarks Commission

Hi Heather,

Do you need anything formal from me related to this matter or the 121 Langdon agenda item? I support what staff is recommending, per earlier email when 121 Langdon was on Landmarks' agenda, and support staff recommendations for 15 E. Gilman too.

Thanks,  
Patrick

Alder Patrick Heck  
608-286-2260

To subscribe to District 2 updates go to:  
<http://www.cityofmadison.com/council/district2/>

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**From:** Heiser-Ertel, Lauren  
**Sent:** Thursday, May 16, 2019 3:55 PM  
**To:** 'jaynemariemiller@gmail.com'; 'Kurt Hartjes'  
**Cc:** Heck, Patrick  
**Subject:** 5/20 Landmarks Commission

Hi Jayne,

Attached please find the staff report for the item that will be reviewed by the Landmarks Commission on May 20.

The agenda for the meeting can be found here:

<https://madison.legistar.com/View.ashx?M=A&ID=640635&GUID=25E59F1E-F20D-4C4F-AD15-31BE158C811A>

A project representative should be in attendance at the meeting to answer any questions.

Best,  
Lauren



**Lauren Heiser-Ertel**

Administrative Clerk  
Department of Planning & Community & Economic Development  
215 Martin Luther King Jr Blvd  
PO Box 2985  
Madison, WI 53701-2985  
608-266-4807  
[lheiser-ertel@cityofmadison.com](mailto:lheiser-ertel@cityofmadison.com)

## Bailey, Heather

---

**From:** Bailey, Heather  
**Sent:** Sunday, May 19, 2019 9:11 AM  
**To:** info1  
**Subject:** RE: 121 Langdon

Thank you, Harold. I'll review it and get back to you if I have comments. You'll see in the staff report that I'm recommending work can proceed with the front porch. Once you get me construction documents for the other porches and the extent of masonry work on the rest of the building, I can administratively give you the go-ahead to do the rest of the work.

I heard from Rebecca that you want to refer your item on Monday. I'm still giving you approval to begin work on the front porch as long as it is in conformance with the specifications in the construction documents.



**Heather L. Bailey, Ph.D.**  
Preservation Planner  
Neighborhood Planning, Preservation + Design Section  
-----  
Department of Planning + Community + Economic Development  
Planning Division  
215 Martin Luther King, Jr. Blvd.; Suite 017  
PO Box 2985  
Madison WI 53701-2985  
Email: [hbailey@cityofmadison.com](mailto:hbailey@cityofmadison.com) Phone: 608.266.6552

**From:** info1  
**Sent:** Friday, May 17, 2019 4:16 PM  
**To:** Bailey, Heather <[HBailey@cityofmadison.com](mailto:HBailey@cityofmadison.com)>  
**Subject:** Fwd: 121 Langdon

Hi Heather. I am forwarding to you another revised contract with Knockout Masonry that eliminates the prohibited sealing treatment. I still have not received the revised contract document from Walsh Contracting. Harold

----- Forwarded message -----

**From:** **Ryan Jones** <[ryantajones@gmail.com](mailto:ryantajones@gmail.com)>  
**Date:** Fri, May 17, 2019 at 5:05 AM  
**Subject:** Re: 121 Langdon  
**To:** Central Properties <[info@centralapts.com](mailto:info@centralapts.com)>

New Revised Proposal attached



# Restoration Proposal Form

## OWNER INFORMATION

Name	Central Properties
Address	121 Langdon St.
City, State ZIP	Madison, WI 53711
Phone	(608)-255-1767
Email	
Project name	Historic Suhr Residence

## CONTRACTOR INFORMATION

Company	Knock Out Building Restoration LLC.
Name	Ryan Jones
Address	161 Bischoff St.
City, State ZIP	Fond du Lac, WI 54935
Phone	(920)-296-7427
Email	<a href="mailto:ryantajones@gmail.com">ryantajones@gmail.com</a>

## SCOPE OF WORK

Using Aerial Lift- Remove brick samples to be submitted to closest match for approval from Madison Landmarks Commission. Hand Chisel all cracked and deteriorated mortar joints. Lightly wash building to remove any dust and debris in mortar joints. Tuckpoint all mortar joints with color matching mortar. Mortar will be tested to determine Type as per Landmarks Commission. Inspect and caulk all failing caulk joints with Polyurethane Sealant. Remove any failing and deteriorated bricks from chimney and re-lay with matching brick up to 100 bricks.

Repair and Relay masonry piers as per notice below. Masonry piers will be measured and documented. Before removal. The utmost care will be conducted to preserve the stones. Most likely to separate the stones a company that specializes in exact and precision masonry cutting will be brought in to separate the stones.

All Masonry Completed will be to Requirements of City of Madisons Official Notice CB2016-333-13997

### *Item*

**5. 27.05(2)(g)2**

**11. 27.05(2)(g)**



## NOT INCLUDED

N/A

## COMPANY PROPOSAL

Scope of Work to be completed at a cost of \$34,680. 1<sup>st</sup> payment of \$11,560 due upon signing contract.

2<sup>nd</sup> payment of \$11,560 due upon starting project. 3<sup>rd</sup> and final payment of \$11,560 due upon finishing project.

Check can be made payable to Knockout Building Restoration. Upon receiving 1<sup>st</sup> payment and signed contract I will retrieve brick samples for Landmark Commission Approval and mortar testing.

If there are any unforeseen circumstances that will be more then total cost of \$34,680, Written permission will be required.

Items that could change total cost could be but not limited to, complete rebuild of chimneys and replacement of upper

Flues and/or replacement of any of the front pier stones or bringing in a company that specializes in precision cutting.

If anything shall fail or any shrink cracks appear, repair work will

be done at no charge. A 30 day check of the work done will be conducted. Work guaranteed for 5 years.

Ryan Jones - Owner

Submitted by (Company Representative)

05-12-2019

Date

## OWNER ACCEPTANCE

Submitted by (home owner or authorized representative)

Date

## AGENDA # 1

City of Madison, Wisconsin

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REPORT OF: LANDMARKS COMMISSION

**PRESENTED:** 5/20/19

TITLE: 121 Langdon St - Demolition by Neglect  
of a Designated Madison Landmark  
in the Mansion Hill Hist. Dist. (Suhr  
House); 2nd Ald. Dist.

**REFERRED:**

**REREFERRED:**

**REPORTED BACK:**

AUTHOR: Heather Bailey, Preservation Planner

**ADOPTED:**

**POF:**

DATED: 5/21/19

**ID NUMBER:** 53000

---

Members present were: Stuart Levitan, Anna Andrzejewski, Richard Arnesen, and Katie Kaliszewski. Excused were Arvina Martin and David McLean.

### **SUMMARY:**

Bailey explained that the property owner was unable to be at the meeting, but she wanted to move forward with discussing the project. She provided background information on the previous referrals of the item because the conditions of the Certificate of Appropriateness have not been met, nor has the project timeline submitted in December 2018. She said that the property owner also has an agreement with the Municipal Court that all items on the Building Inspection work orders must be completed by August 15, 2019.

She said that staff will approve the work on the front porch because the construction documents and specifications are detailed enough to proceed. She has reviewed the contractor's scope of work, which now aligns with the construction documents, so there is some work that can take place. She said that she is still waiting for other items to address the conditions of the Certificate of Appropriateness, and recommends they refer the item to a meeting one month away in order to give the property owner more time to secure additional construction documents and scopes of work that align with those documents.

Andrzejewski pointed out that the property owner is running up against a hard deadline. Levitan asked what will happen if it proves unfeasible to meet the August 15 deadline. Bailey said that the property owner would have substantial fines to pay and a new deadline would then be set. She explained that at that time, the Landmarks Commission could make a determination that Demolition by Neglect is occurring and the item would proceed to Common Council.

### **ACTION:**

**A motion was made by Andrzejewski, seconded by Arnesen, to refer the item to the June 24, 2019 Landmarks Commission meeting. The motion passed by voice vote/other.**

## Bailey, Heather

---

**From:** info1  
**Sent:** Friday, May 24, 2019 6:49 AM  
**To:** Bailey, Heather  
**Subject:** Re: 121 Langdon

Thank you VERY much. Harold

On Thu, May 23, 2019 at 4:54 PM Bailey, Heather <[HBailey@cityofmadison.com](mailto:HBailey@cityofmadison.com)> wrote:

Harold,

To let you know, the Landmarks Commission agreed with staff's recommendation that you proceed with work on the front porch and continue to work on the additional documentation for the construction documents for the other exterior work. They referred your project to the June 24 Landmarks Commission meeting for a progress update. Let me know if you need additional information.



**Heather L. Bailey, Ph.D.**

Preservation Planner

Neighborhood Planning, Preservation + Design Section

-----  
Department of Planning + Community + Economic Development

Planning Division

215 Martin Luther King, Jr. Blvd.; Suite 017

PO Box 2985

Madison WI 53701-2985

Email: [hbailey@cityofmadison.com](mailto:hbailey@cityofmadison.com) Phone: 608.266.6552



Department of Planning & Community & Economic Development

## **Building Inspection Division**

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Madison Municipal Building, Suite 017  
215 Martin Luther King Jr. Blvd.  
P.O. Box 2984  
Madison, Wisconsin 53701-2984  
Phone: (608) 266-4551  
Fax (608) 266-6377  
[www.cityofmadison.com](http://www.cityofmadison.com)

### **MEMORANDUM**

**DATE:** June 3, 2019

**TO:** Heather Bailey, Preservation Planner

**FROM:** Kyle Bunnaw, Plan Review and Inspection Supervisor

**SUBJECT:** 121 Langdon Street – Demolition Via Neglect

In a notification dated August 15, 2018 sent to the property owner of 121 Langdon Street, Landmarks Commission, City Staff, and Building Inspection determined it is our conclusion 121 Langdon Street is currently undergoing demolition by neglect as outlined in MGO 41.15. I am now writing to provide you with an update regarding the status of 121 Langdon Street.

As of May 29, 2019 the property owner has not made any meaningful progress in resolving the outstanding issues and has not maintained consistent contact with Building Inspection or Landmarks. The required permits and approvals have not been obtained, and Building Inspection does not have any indication that the owner has retained the necessary contractors to complete the work.

It is the opinion of Building Inspection that the owner's inaction to retain contractors and gain approvals to complete the required work makes compliance in 2019 highly unlikely. Furthermore, it is the opinion of Building Inspection that 121 Langdon Street continues to undergo demolition via neglect and that the building is likely to further deteriorate before meaningful repairs can be made.



## PLANNING DIVISION STAFF REPORT

June 24, 2019

PREPARED FOR THE LANDMARKS COMMISSION



**Project Name/Address:** 121 Langdon St. (Suhr House)  
**Application Type:** Demolition by Neglect  
**Legistar File ID #** [53000](#)  
**Prepared By:** Heather Bailey, Preservation Planner, Planning Division  
**Date Prepared:** June 14, 2019

### Summary

**Project Applicant/Contact:** Harold Langhammer; David Ferch, Ferch Architecture  
**Requested Action:** The Landmarks Commission is considering whether demolition by neglect is occurring on the landmark site.

### Background Information

**Parcel Location:** The subject site is a designated landmark (Suhr House) located in the Mansion Hill District. It was designated as a landmark in 1974 and placed on the National Register of Historic Places in 1982.

On September 17, 2018, the Landmarks Commission held a public hearing on a notice of demolition by neglect. At that meeting, the Commission referred that matter "to a future Landmarks Commission meeting no later than December 3 with the stipulation that the applicant work closely with the Preservation Planner and other City staff to itemize work which can be done with and without tax credits and provide a timeline for addressing the work orders in a timely manner."

On December 3, 2018, the Landmarks Commission approved a COA to complete the necessary work to stabilize and repair the building. The Landmarks Commission referred the Demolition by Neglect case to the April 22, 2019, meeting to have an update from the property owner regarding progress towards completing necessary work in order to meet the terms and deadline of the court-approved agreement to complete the items in the work order by August 15, 2019. The submissions for the April 22 meeting did not meet the requirements for completing the work, so the commission referred the project to the next available meeting. The submissions for the May 6 meeting also did not meet the requirements, so the commission referred the project to the next available meeting. At the May 20 meeting, staff notified the commission that part of the conditions of the Certificate of Appropriateness had been met and that the property owner would have time to begin work on the front porch and prepare additional materials prior to a June 24, 2019, meeting. The commission referred the case to that date. The Landmarks Commission has not made a final findings on the Demolition by Neglect case.

### Relevant Ordinance Sections – Demolition by Neglect:

#### 41.02 DEFINITIONS.

Demolition by Neglect means the process of allowing landmarks, landmark sites or improvements in historic districts to decay, deteriorate, become structurally defective, or otherwise fall into disrepair.

**41.14 MAINTENANCE OBLIGATION; ENFORCEMENT; PENALTIES**

- (1) Maintenance obligation. Every owner of a landmark, improvement on a landmark site, or improvement in a historic district shall do all of the following:
  - (a) Protect the improvement against exterior decay and deterioration.
  - (b) Keep the improvement free from structural defects.
  - (c) Maintain interior portions of the improvement, the deterioration of which may cause the exterior portions of such improvement to fall into a state of disrepair.
- (2) Enforcement.
  - (a) The Building Inspector or designee is authorized to enforce the provisions of this chapter.
  - (b) The Building Inspector may issue an official written notice to a property owner, requiring the property owner to correct a violation of sec. 41.14(1) above by a date specified in the notice.
  - (c) The Building Inspector shall notify the Preservation Planner of all official compliance notices issued to owners of landmarks or improvements in historic districts. The Building Inspector shall further notify the Preservation Planner whenever a property owner fails to correct a violations by the compliance date specified in an official notice.
  - (d) City agencies or commissions responsible for enforcing chapters 18, 27, 29, 30 and 31 of the Madison general ordinances, or, in the absence of such city agency or commission, the Building Inspector, may grant individual variances from those chapters to facilitate historic preservation and maintenance under this chapter, provided that such variance does not endanger public health or safety or vary any provisions of this chapter.

**41.15 DEMOLITION BY NEGLECT.** The owner of a landmark, improvement on a landmark site, or improvement in a historic district, may not allow the landmark or improvement to undergo demolition by neglect.

- (1) Notice of demolition by neglect. If the Building Inspector believes that a landmark or improvement is undergoing demolition by neglect, the Building Inspector shall give written notice of that belief to the owner of the landmark or improvement. The Building Inspector shall give a copy of the notice to the Preservation Planner and the Landmarks Commission.
- (2) Public Hearing. Upon receiving a notice under sec. 41.15(1), the Landmarks Commission shall issue a hearing notice under sec. 41.06 and hold a public hearing to determine whether the landmark or improvement is undergoing demolition by neglect. The Commission shall hold the public hearing within 90 days of receiving the notice under sec. 41.15(1).
- (3) Landmarks Commission Finding. If, after a public hearing, the Landmarks Commission finds that a landmark or improvement is undergoing demolition by neglect, it shall report its finding to the Common Council, the Building Inspector and the Office of the City Attorney. A Landmarks Commission finding of demolition by neglect is prima facie evidence of demolition by neglect for purposes of any administrative or civil court action, and also constitutes a determination that a public nuisance exists under sec. 27.05(3) of the Madison general ordinances.
- (4) Appeal of Landmarks Commission finding.
  - (a) An appeal from a Landmarks Commission finding under sec. 41.15(3) may be taken to the Common Council by the owner of the affected landmark or improvement, the Alder of the district in which the subject property is located, or by the owners of 20% of the number of parcels of property within 200 feet of the subject property, measured according to sec. 41.03(5).
  - (b) An appeal under par. (a) shall be filed with the City Clerk within 10 days after the Landmarks Commission makes its finding. The appeal shall include the name and address of each petitioner, and shall specify the grounds for appeal. The City Clerk shall forward the petition to the Common Council.

- (c) The Common Council shall hold a public hearing regarding any appeal it receives under par. (b).
- (d) Following a public hearing, the Common Council may, by favorable vote of two-thirds (2/3) of its members, reverse or modify the Landmarks Commission finding, with or without conditions, or may refer the matter back to the Commission with or without instructions, if it finds that the Commission's decision is contrary to applicable standards under this subchapter.
- (5) Abatement by the City. If the Landmarks Commission finds under sec. 41.15(3) that a landmark or improvement is undergoing demolition by neglect, the Building Inspector may proceed under the non-summary abatement procedures set forth in sec. 27.05(3)(e) of the Madison general ordinances to repair the landmark or improvement to abate the nuisance. The cost of the required repairs shall be paid by the property owner, or shall be imposed as a special charge against the property and collected pursuant to the provisions of sec. 4.09(13) of the Madison general ordinances and Wis. Stat. § 66.0627.
- (6) Acquisition by City. If the Landmarks Commission finds under sec. 41.15(3) that a landmark or improvement is undergoing demolition by neglect, the Common Council may authorize the City to acquire the property under Wis. Stat. § 66.1111(2), if necessary through the initiation of condemnation proceedings under Wis. Stat. § 32.06.

## Analysis and Conclusion

At the December 3, 2018, meeting, the Landmarks Commission approved the COA with the following conditions:

- **repair the front, side, and rear porches and stairways with the condition that all final details must be approved by staff**
- **tuckpoint damaged masonry, with the extents of the work and the mortar mix and mortar color to be approved by staff;**
- **replace the arched storm window on the lower level of the front façade, with specifications for the window to be approved by staff.**

Staff has approved the work for the masonry and the front porch. We are still awaiting finalized construction drawings for the other porches and the window. Staff has met with the property owner and contractors who would potentially be working on this project. Given their schedule and the fact that not all of the necessary contractors have been retained, staff does not believe it is possible to complete the work by the court-approved deadline. Included in the packet is an update from Kyle Bunnow stating that it is not possible for the property owner to complete the work by the August deadline.

A discussion of the pertinent code section follows:

- 41.15 DEMOLITION BY NEGLECT.** The owner of a landmark, improvement on a landmark site, or improvement in a historic district, may not allow the landmark or improvement to undergo demolition by neglect.
- (1) Notice of demolition by neglect. The notice was issued on August 15, 2018, by Kyle Bunnow, City of Madison Housing Inspection Supervisor.
  - (2) Public Hearing. The Landmarks Commission received this notice at its August 27, 2018, meeting and held a public hearing on September 17, 2018.
  - (3) Landmarks Commission Finding. The property owner has not completed the work of any of the previous timelines he submitted to the Landmarks Commission. Per the most recent notice from the Building Inspection Division, it is not possible for the required work to be completed by the court-approved deadline.
  - (4) Appeal of Landmarks Commission finding. The process has not reached this stage.

- (5) Abatement by the City. The Building Inspector and/or the Office of the City Attorney will have to determine if the City will take abatement steps or pursue other legal remedies.
- (6) Acquisition by City. The process has not reached this stage.

## Recommendation

Staff recommends that the Landmarks Commission makes a finding of demolition by neglect, per the recommendation of the Building Inspection Division. The commission should make a report of this finding to Common Council, the Building Inspector, and the Office of the City Attorney, with the recommendation that the Landmarks Commission's finding serve to support actions taken through the Building Inspection Division and the City Attorney's Office to remediate the physical condition of 121 Langdon Street.



## Bailey, Heather

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**From:** Heck, Patrick  
**Sent:** Thursday, June 20, 2019 3:02 PM  
**To:** Bailey, Heather  
**Subject:** Re: 121 Langdon

Thanks Heather. I read the report and support the findings of Preservation Planning and Building Inspection. It is past time that this historic home get the care that it deserves. I hope that a finding of demolition by neglect will provide sufficient impetus for the owner to move forward with repairs as previously promised.

You are welcome to mention those comments at Landmarks if it will be helpful. If not, no problem.

Patrick

Alder Patrick Heck  
608-286-2260

To subscribe to District 2 updates go to: <http://www.cityofmadison.com/council/district2/>

---

**From:** Bailey, Heather  
**Sent:** Thursday, June 20, 2019 2:50 PM  
**To:** Heck, Patrick  
**Subject:** 121 Langdon

Patrick,

I am attaching the staff report for 121 Langdon. At the upcoming Landmarks Commission meeting, I am recommending that the commission make a finding of demolition by neglect. Building Inspection is making the same recommendation as there has not been any work completed onsite. It is not possible for the property owner to complete the work by the court-approved deadline. Let me know if you would like to talk about staff recommendations and if you have any comments for the commission to consider at the meeting.



**Heather L. Bailey, Ph.D.**

Preservation Planner  
Neighborhood Planning, Preservation + Design Section

---

Department of Planning + Community + Economic Development  
Planning Division  
215 Martin Luther King, Jr. Blvd.; Suite 017  
PO Box 2985  
Madison WI 53701-2985  
Email: [hbailey@cityofmadison.com](mailto:hbailey@cityofmadison.com) Phone: 608.266.6552

## Bailey, Heather

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**From:** Bailey, Heather  
**Sent:** Monday, June 24, 2019 10:06 AM  
**To:** info1  
**Cc:** Bunnow, Kyle; sundoogie151@gmail.com  
**Subject:** RE: 121 Langdon

I'll add the drawing to the file. It has the information needed for that portion of the work.



**Heather L. Bailey, Ph.D.**

Preservation Planner  
Neighborhood Planning, Preservation + Design Section

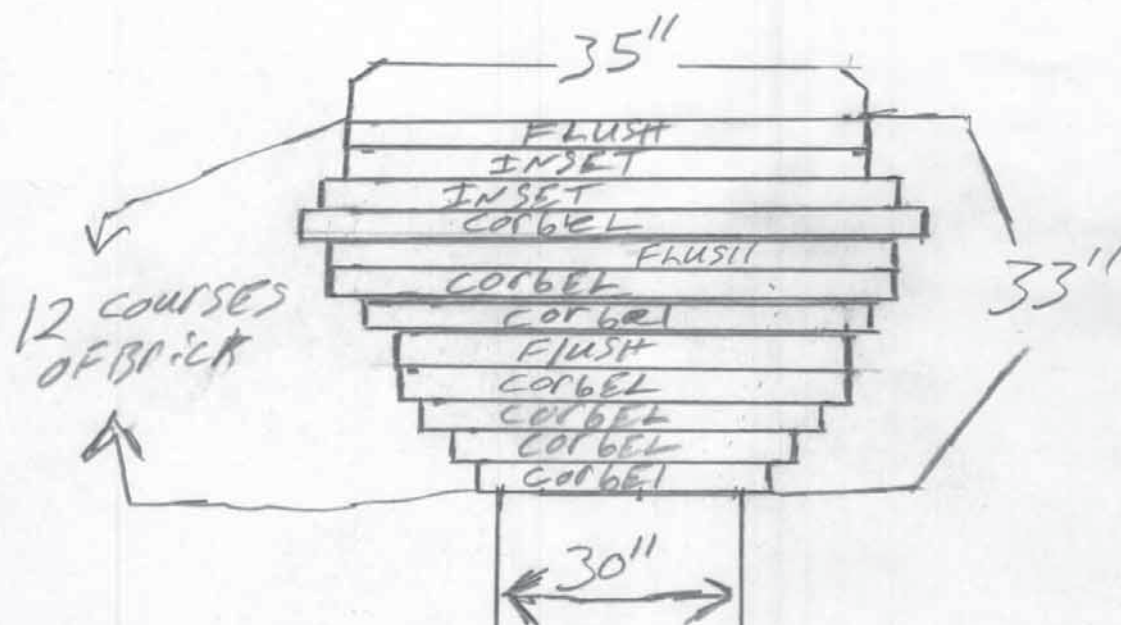
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Department of Planning + Community + Economic Development  
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PO Box 2985  
Madison WI 53701-2985  
Email: [hbailey@cityofmadison.com](mailto:hbailey@cityofmadison.com) Phone: 608.266.6552

**From:** info1  
**Sent:** Monday, June 24, 2019 9:28 AM  
**To:** Bailey, Heather <[HBailey@cityofmadison.com](mailto:HBailey@cityofmadison.com)>  
**Cc:** Bunnow, Kyle <[KBunnow@cityofmadison.com](mailto:KBunnow@cityofmadison.com)>; sundoogie151@gmail.com  
**Subject:** 121 Langdon

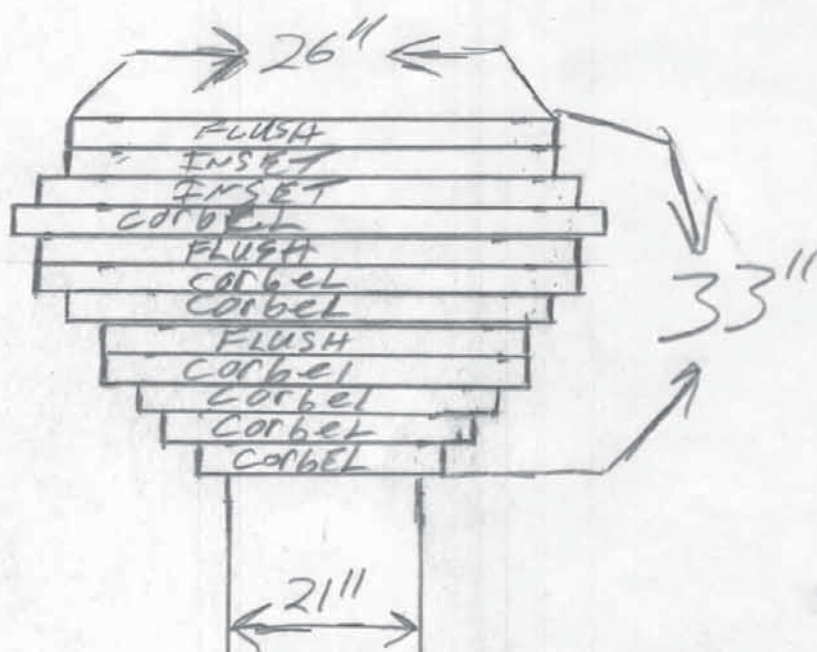
Hi Heather. I attach two chimney drawing that Nick Morgan, the mason, asked me to send to you. He said he would be calling you in an hour or so for your comments. He is sourcing for matching bricks. Do you have any suggestions to call? Also, Nick has moved into an apartment at 121 Langdon. He will be working seven days a week for as many hours as needed until the job is done. Thanks. Harold

EACH CORBEL IS OFFSET  $\frac{1}{2}$ " ON EACH SIDE  
 EACH INSET IS INSET  $\frac{1}{2}$ " ON EACH SIDE



FACE VIEW

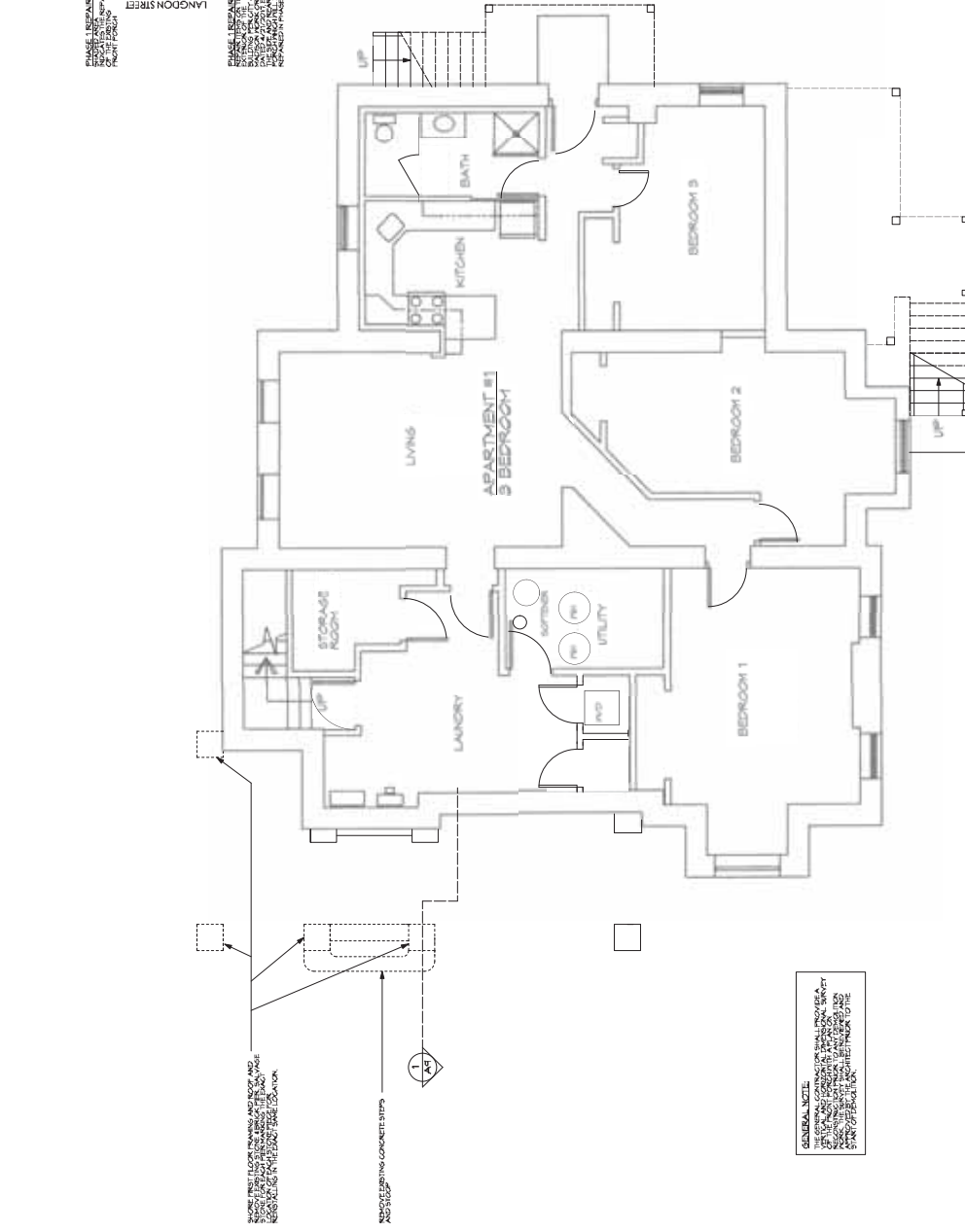
SOUTH ELEVATION



SIDE VIEW







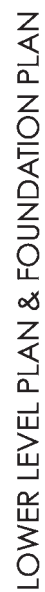
A vertical number line with tick marks at 0, 8, 16, and 32.

[illegible]

D1 LOWER LEVEL DEMOLITION PLAN  
D2 FIRST FLOOR DEMOLITION PLAN

- A1 LOWER LEVEL PLAN  
A2 FIRST FLOOR PLAN  
A3 SECOND FLOOR PLAN  
A4 THIRD FLOOR PLAN  
A5 FRONT BUILDING ELEVATION  
A6 SOUTH BUILDING ELEVATION  
A7 REAR BUILDING ELEVATION  
A8 NORTH BUILDING ELEVATION  
A9 FRONT PORCH SECTION & DETAILS  
S3 SECOND FLOOR ROOF FRAMING

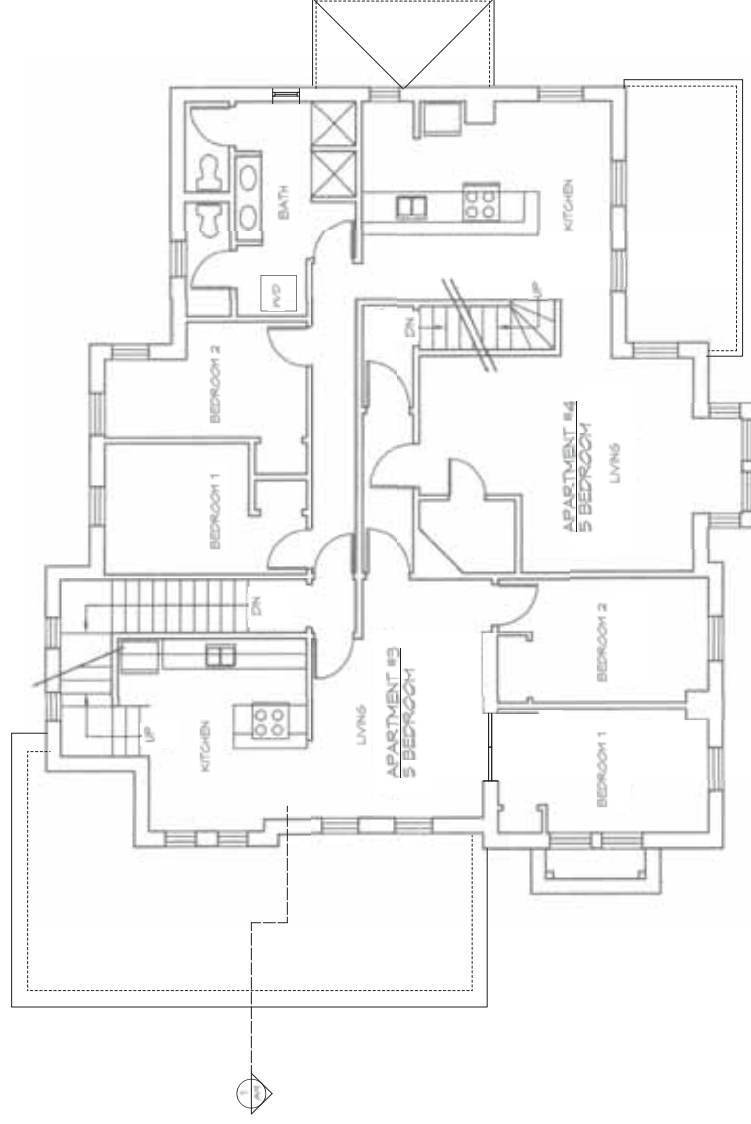




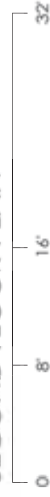


**FERCH ARCHITECTURE**  
2704 GREGORY STREET, MADISON, WI 53711  
608-238-6900 david@fercharchitecture.com





SECOND FLOOR PLAN

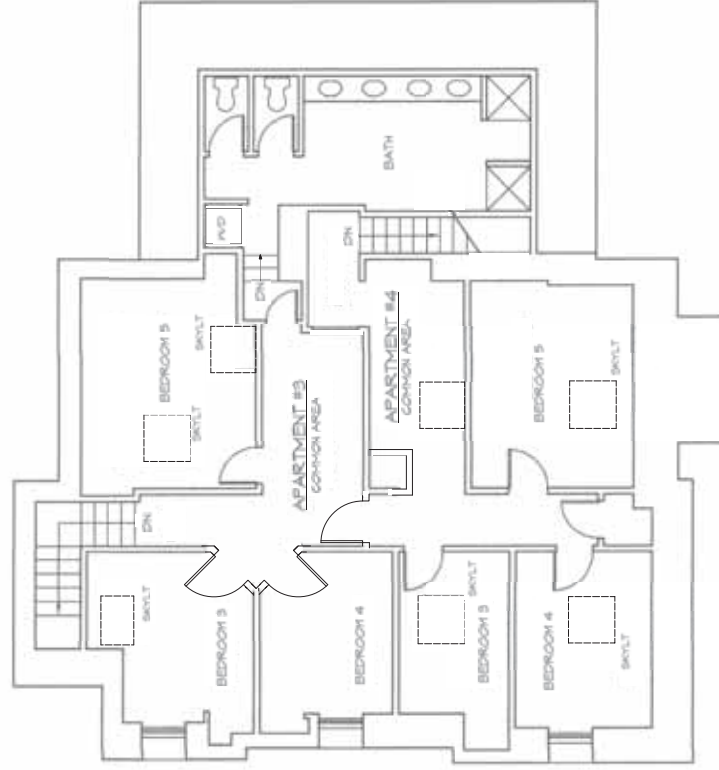


6/20/19

John Suhr Residence - EXTERIOR REPAIRS  
121 LANGDON STREET, MADISON, WI 53703

FERCH ARCHITECTURE  
225 PARKWAY DRIVE, MADISON, WI 53711  
608-238-6900 daniel@fercharchitecture.com

A3



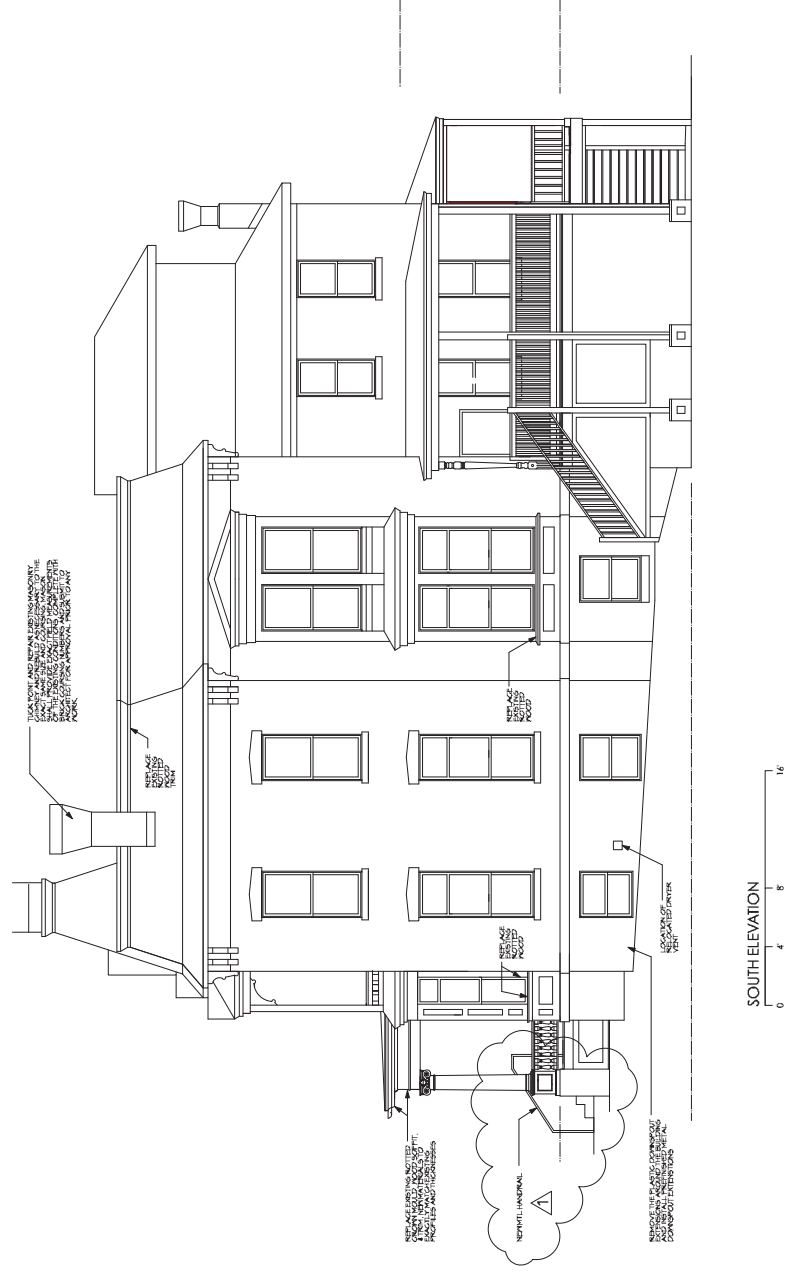
6/20/19

John Suhr Residence - EXTERIOR REPAIRS  
121 LANGDON STREET, MADISON, WI 53703

FERCH ARCHITECTURE  
200 PARKWAY DRIVE, SUITE 200, MADISON, WI 53711  
608.238.6700 coud@fercharchitecture.com

A4





SOUTH ELEVATION  
0 4 8 16

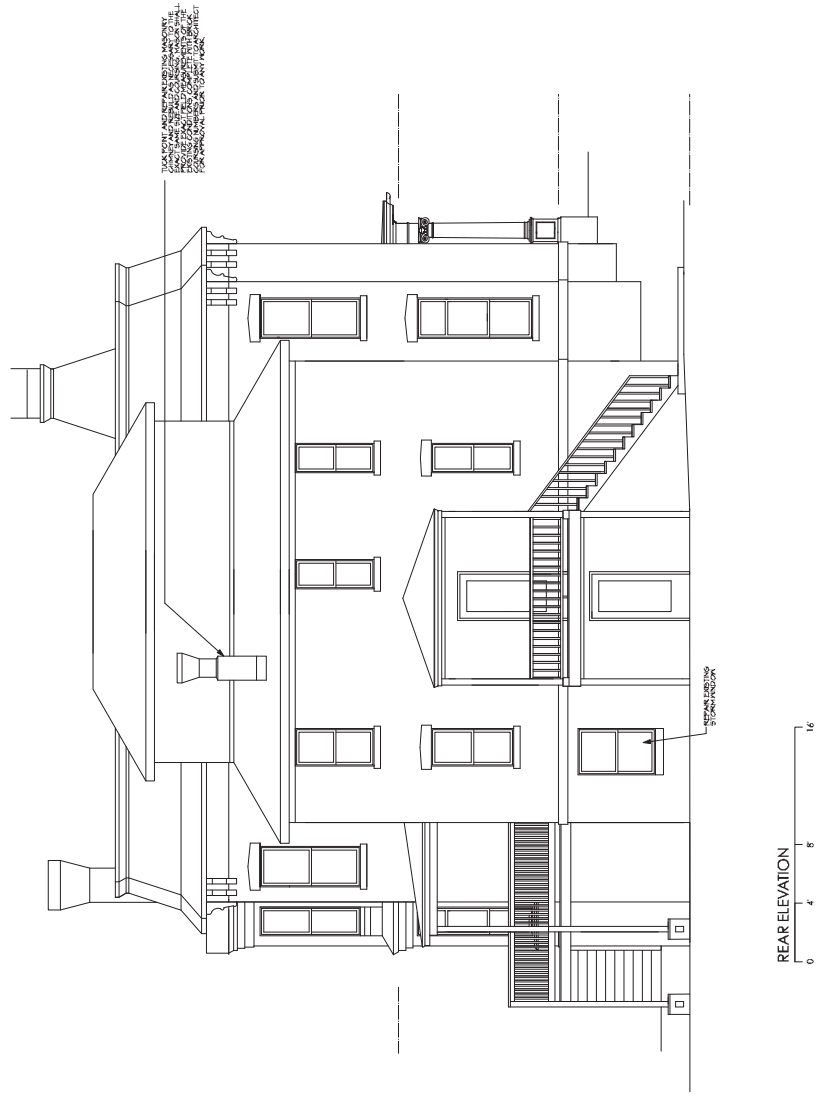
REV. 6/24/19  
6/20/19

John Suhr Residence - EXTERIOR REPAIRS  
121 LANGDON STREET, MADISON, WI 53703

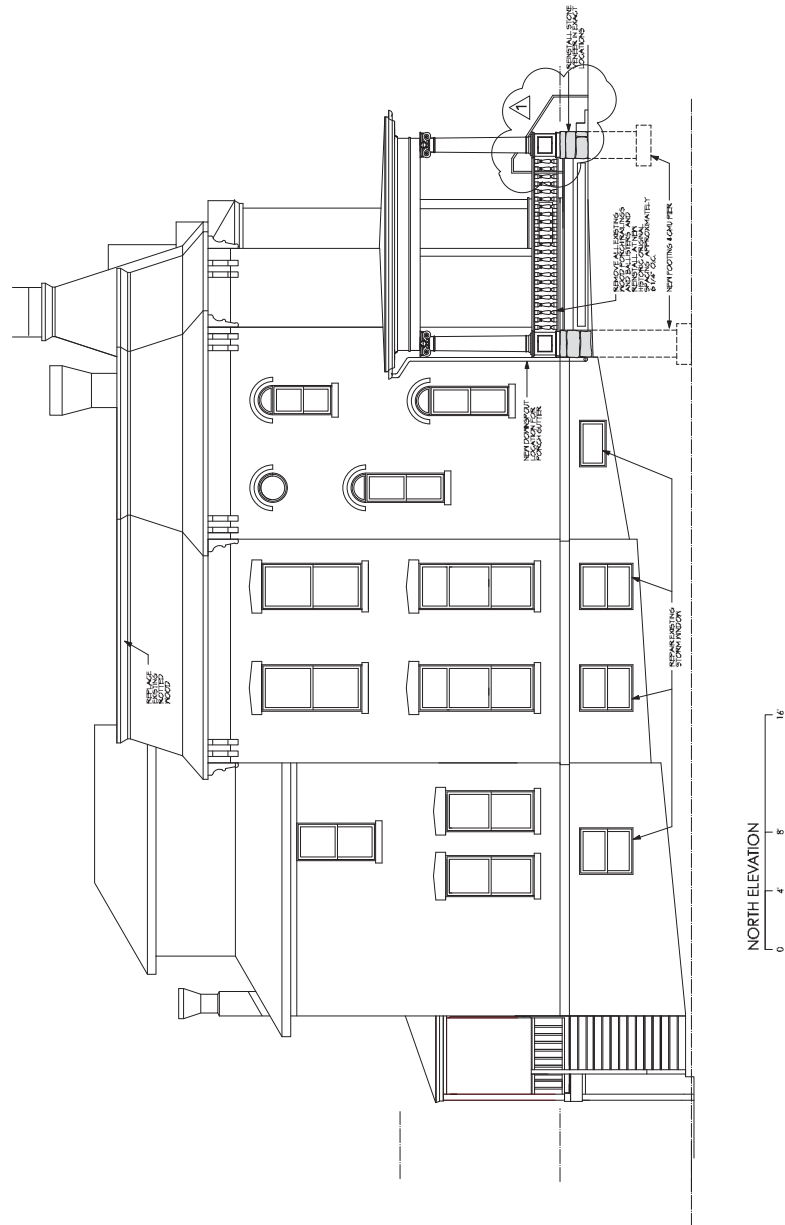
FERCH ARCHITECTURE  
2000 UNIVERSITY AVENUE, SUITE 200, MADISON, WI 53711  
608-238-6700 daniel@fercharchitecture.com

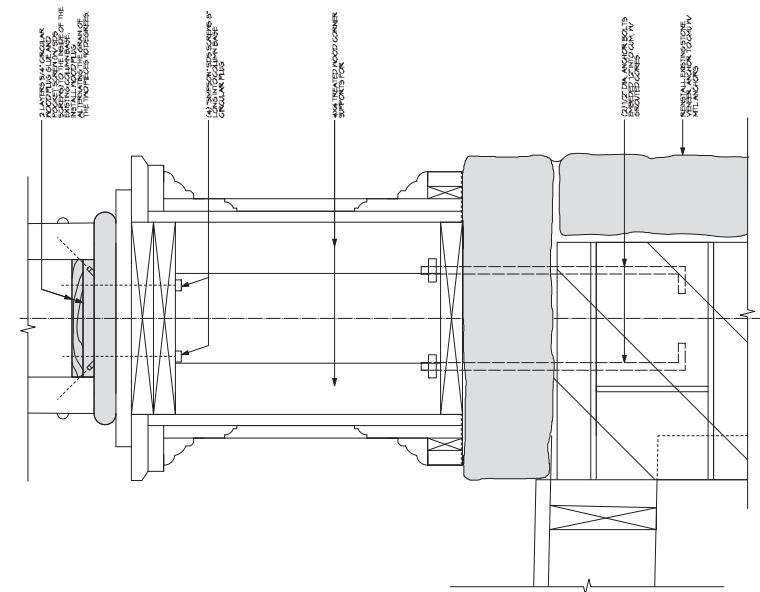
A6



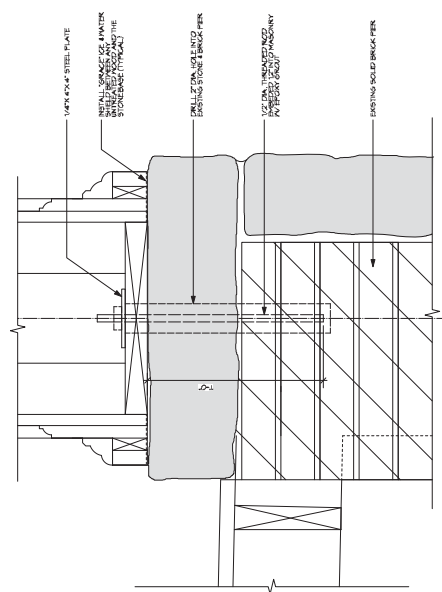


REAR ELEVATION  
0 4 8 16

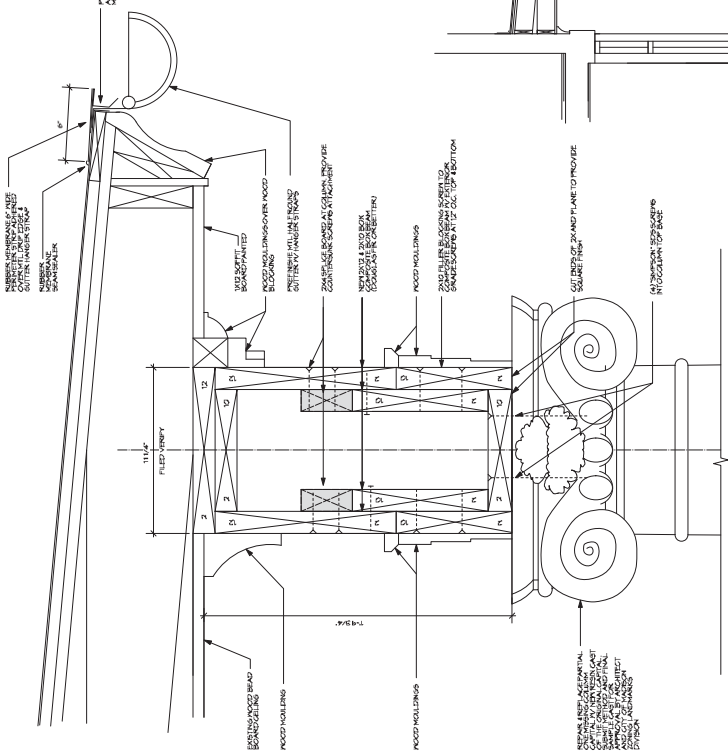




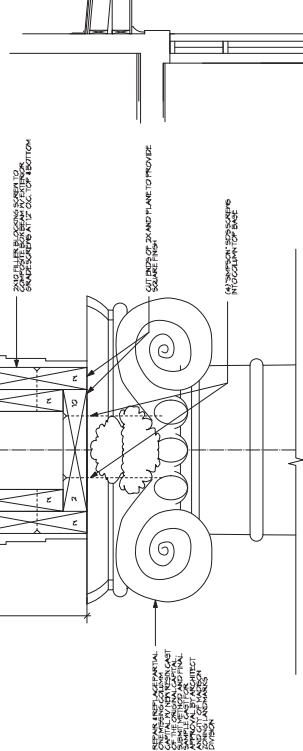
**(D) WOOD PIER COLUMN BASE**  
SCALE 3/4" = 1'-0"



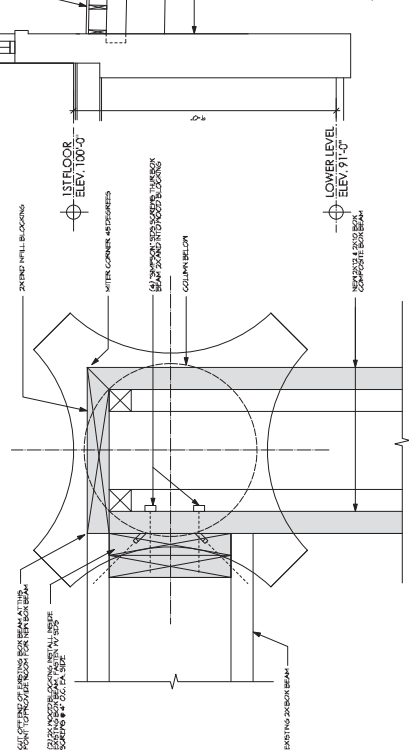
**(E) WOOD PIER COLUMN BASE @ EXISTING PIER**  
SCALE 3/4" = 1'-0"



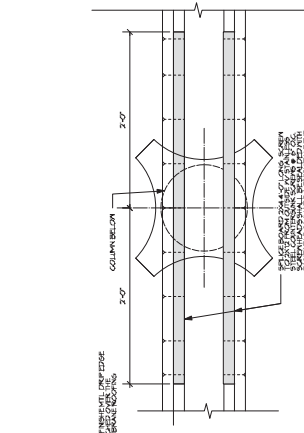
**(A) BOX BEAM SPLICE DETAIL @ COLUMN**  
SCALE 1/2\"/>



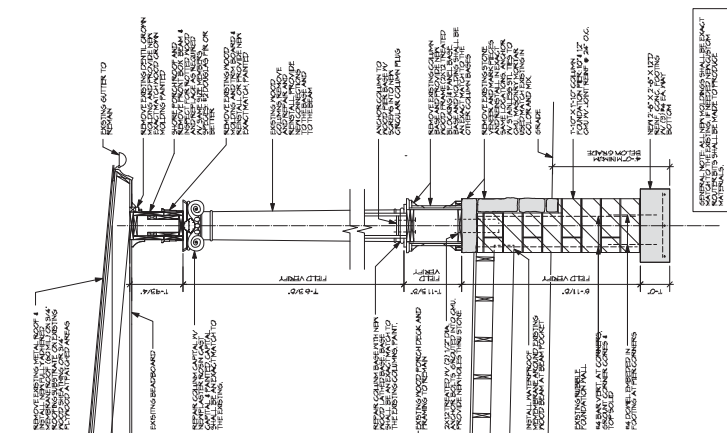
**(B) BOX BEAM DETAIL**  
SCALE 3/4" = 1'-0"



**(C) SPLICE @ CORNER COLUMN CONNECTION**  
SCALE 3/4" = 1'-0"



**(A) BOX BEAM SPLICE DETAIL @ COLUMN**  
SCALE 1/2\"/>



**1 FRONT PORCH COLUMN**  
SCALE 1/2\"/>

6/20/19

John Suhr Residence - EXTERIOR REPAIRS  
121 LANGDON STREET, MADISON, WI 53703  
FERCH ARCHITECTURE  
270 GREGORY STREET, MADISON, WI 53711  
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A9





## AGENDA # 1

City of Madison, Wisconsin

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REPORT OF: LANDMARKS COMMISSION

PRESENTED: 6/24/19

TITLE: 121 Langdon St - Demolition by Neglect  
of a Designated Madison Landmark  
in the Mansion Hill Hist. Dist. (Suhr  
House); 2nd Ald. Dist.

REFERRED:

REREFERRED:

REPORTED BACK:

AUTHOR: Heather Bailey, Preservation Planner

ADOPTED:

POF:

DATED: 6/28/19

ID NUMBER: 53000

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Members present were: Stuart Levitan, Richard Arnesen, Katie Kaliszewski, Arvina Martin, and David McLean. Excused was Anna Andrzejewski.

Other City staff present: Kyle Bunnaw, Plan Review and Inspection Supervisor, Building Inspection Division

### **SUMMARY:**

*Harold Langhammer, registering in opposition and wishing to speak*

*Nick Morgan, registering in opposition and wishing to speak*

*David Ferch, registering neither in support nor in opposition and available to answer questions*

*Fred Mohs, registering neither in support nor in opposition and wishing to speak*

*Kurt Stege, registering neither in support nor in opposition and wishing to speak*

Bailey provided a timeline of the previous dates on which the Landmarks Commission has reviewed the potential demolition by neglect of the property at 121 Langdon Street. She said that a public hearing was held on September 17, 2018 in response to the notice of demolition by neglect that the Landmarks Commission received from the Building Inspection Division. On December 3, 2018 a Certificate of Appropriateness was issued with conditions and the decision regarding the demolition by neglect was referred to April 22, 2019 in order to give the property owner time to comply with the court-approved agreement. The item was then referred to meetings on May 6 and May 22, 2019 as the Landmarks Commission and staff worked with the applicant to meet the conditions of the Certificate of Appropriateness. She noted that the date of the court-approved agreement by which the owner must complete the items on the Building Inspection work orders is August 1, 2019, which had previously been reported incorrectly as August 15, 2019.

Bailey said that there are outstanding conditions to be met per the Certificate of Appropriateness; staff has approved construction documents for the majority of the work, but are still lacking information regarding two porches and an arched window that is being replaced. She said that she and Building Inspection staff visited the site on Friday, June 21, 2019 to meet with the mason, and the masonry work will begin soon.

Bailey said that staff's recommendation is that the Landmarks Commission make a finding of demolition by neglect, per the recommendation of the Building Inspection Division as outlined in a memo from Plan Review and Inspection Supervisor Kyle Bunnaw on June 3, 2019. She said that she and Building Inspection believe that the work cannot be completed by the August 1, 2019 deadline. She explained that if the Landmarks Commission were to make a finding of demolition by neglect, they are obligated to submit a report to the Common Council, Building Inspection, and the City Attorney's Office with a recommendation on how to proceed. She said that she suggests they recommend that the finding of demolition by neglect serve to support

actions taken through the Building Inspection Division and the City Attorney's Office to remediate the physical condition of 121 Langdon Street.

Bunnow explained that Building Inspection has exhausted all of the tools at their disposal, and he believes that the property continues to undergo demolition by neglect. He said that a finding of demolition by neglect is an opportunity to put something on file that will prevent anyone from claiming the building is beyond repair in the future. He stated that Building Inspection is the entity that will give an approval or denial for the work orders that are completed, and while they have not reached the court-approved deadline for the completion of that work, he does not think it is reasonable to expect that the work will be completed by the August 1 deadline. He explained that a finding of demolition by neglect creates a point whereby the property cannot be redeveloped in the future with a claim that it is in such poor shape that it cannot be salvaged. He said they will continue to use tools such as fines, City Attorney prosecution, and liens in order to gain compliance and hold the property owner responsible. He explained that in a situation of demolition by neglect, the City can seek control of the property and have the work completed at their discretion; however, the City does not want that to happen. Levitan asked what will happen if the work is not completed by the August 1 deadline. Bunnow said that two potential penalties were negotiated. If the work is completed, there is a lower fine amount, and if the work is not completed, the City Attorney's Office will seek to have the Municipal Court impose a higher fine amount. Building Inspection will also assess the condition of the building and ask for the case to be re-filed and prosecuted with more penalties.

Arnesen asked if a finding of demolition by neglect might have the potential to scare away a potential purchaser of the property, or if it allows for a good faith purchaser to restore the house. Bunnow said that any fines incurred during the time in which the current owner has owned the property are the responsibility of the current property owner. He said that there is also a policy that when a new person purchases a property, they are given a reasonable amount of time from the date purchased to complete the repairs. The purchaser is not penalized for the property's current condition, but will need to make arrangements to complete the work orders or will face penalties.

Arnesen asked if there is removal of a finding of demolition by neglect, and Bunnow said that the ordinance does not address that. Bunnow said that Building Inspection would take the position that if the code violations are corrected, the property would no longer be undergoing demolition by neglect.

Morgan introduced himself as the mason for this project, and said he has already begun his prep work. He said that he was able to track down the specific type of mortar required and has brick samples for Bailey to review for the chimney repairs. He explained that he will refurbish the chimney, complete tuckpointing, and reconstruct the columns. He said that he is willing to put in a lot of hours and will bring in additional workers in order to complete the masonry portion of the repairs.

Langhammer said that he is not pleased with the situation and if he could have done this differently, he would have, though he thinks that a finding of demolition by neglect is inappropriate. He said that the building is structurally sound and any problems will be corrected. He said that it wouldn't have made a difference if the work were completed a year ago because it is a 140-year-old house. He said that he will use whatever resources are necessary to get the work done, and the carpenter he has hired has the same attitude as Morgan. He said that he does not dispute the comments in Bunnow's June 3, 2019 memo that he did not have the required permits and approvals at that time, but said that he did have a signed contract from a different mason. After weeks of delay by that mason, Langhammer sought out different help and said that he now has contracts, permits, and approvals. He said that the property has already improved, and would appreciate if he was given the opportunity to complete the work before a decision is made regarding the demolition by neglect.

Ferch said that there are plans in for review that Building Inspection will likely approve tomorrow for work on the front porch, tuckpointing, and painting. He said that the plans for the rear and side porches have not been approved yet because they also require site plan review. He said that the front porch should be mostly complete in a month aside from a few moldings that have not been made yet.

Kaliszewski asked why it has taken so long to go through this process, and Langhammer said that it was a delay on his part. He pointed out that the existing rear and side porches are not appropriate for the era or the house, and he intends to rebuild the porches to look authentic and complementary to the house. He said that he decided to do this extra work beyond the work orders so that it will end up a handsome building. He said that he had considered selling the property, but now that he is engaged in completing the work, he does not intend to sell at this point.

Levitan asked if there are contractors in place to comply with all existing work orders, and Langhammer responded that he does have contractors. Levitan requested confirmation that the plans are not all approved, and Ferch stated that he was correct. Ferch said that the site plan work has not been submitted yet, and he is still working on plans for the side and rear porches based on previous feedback from the Landmarks Commission. Arnesen asked if the contractor who had previously signed a contract for the work was still involved. Langhammer explained that he previously had a signed contract and paid 1/3 of the fee up front, but the contractor stopped showing up and now the project is behind.

Bunnow said that at the time the memo was written on June 3, he had not had any contact with Langhammer and had expected that at that point, plans would be submitted and going through the review process. He said that after 2 ½ years of pursuing this case and the lack of communication from the property owner, he decided to write the memo. He said that construction plans were submitted last week, and given the situation, staff has chosen to expedite the review, which they do not do lightly. He pointed out that this has been challenging because work done under pressure is often work not done to the highest level of quality, so they need to find a balance to ensure things are getting done and are done well. He said that no matter the finding that the Landmarks Commission makes, Building Inspection will continue to monitor the property, and mentioned that he does believe that Langhammer wants to complete the work.

Arnesen asked what the practical repercussions are if they were to make a finding of demolition by neglect versus referring to see if the deadline is met. Bunnow pointed out that the timelines for penalties and the Landmarks Commission finding are independent. He said that Building Inspection will inspect the property a day or two after August 1 per the City Attorney Office to assess whether the work is completely done or not. He explained that if the work is not complete, the City Attorney's Office may choose to seek a higher penalty. If the Landmarks Commission were to make a finding of demolition by neglect, that would be further information for the City Attorney's Office to use in the prosecution of the case.

Levitan asked for the opinion of District 2 Alder Heck, who said that he defers to staff and the work they have done over the last several months. Heck said that he believes the cumulative impact of the many postponements of this project is such that it is questionable whether this work can be completed on time.

Kaliszewski asked if all of the work that the Landmarks Commission had approved is finished. Bailey said that she is still missing items related to the conditions of the Certificate of Appropriateness. Bailey said that if the Landmarks Commission makes a finding of demolition by neglect, she will still work with the property owner to complete the work orders. Kaliszewski asked if they could pull a finding of demolition by neglect if the work ends up being completed. Bailey said that the ordinance does not specify that process.

Levitan asked Bunnow if we have now gotten the property owner's attention. Bunnow said that he thought they had gotten the owner's attention last December, but as of today, the property is effectively in the same condition as it was when this case began 2 ½ years ago. He said that many steps in the right direction have occurred over the last few weeks in lining up the mason and submitting plans, but he is not going to say that the work will be completed on time or be done well until we get to the final completion.

Levitan asked Bunnow if his recommendation on a finding of demolition by neglect would be the same had there been a mason on duty and plans submitted as of June 3. Bunnow said that he does not believe the work will be done by August 1, pointing out that there is still a significant amount of work to complete and factors outside of our control like the weather and the arrival time of materials that could easily make this not occur. He

said that the August 1 deadline is only relevant to the Landmarks Commission as a date they had also tagged as significant, but that he would still probably have written the memo.

Langhammer said that the deadline of August 1 is of great cost to him. He encouraged the Commission to refer their decision on the demolition by neglect for four weeks because the building will be in better condition at that time. He said that if the work isn't 100% done, it will be close to it, which should satisfy their concerns. He said that a finding of demolition by neglect would only impose unnecessary conditions on him.

Levitan asked Bunnaw which of the three conditions of the Certificate of Appropriateness, porch repair, tuckpointing, and window replacement, are more relevant to a finding of demolition by neglect. Bunnaw said that masonry is at the top of the list because water is one of the main causes of deterioration to a structure. He said that because the porches are exterior in nature, they may look poor but may not impact the structure. He pointed out that he has not examined the structure of the building, but would put porches second in priority because of their volume. He said that the replacement window would be lowest in priority because we don't know that the existing window has lost the ability to keep the elements out.

Bailey said that it is important to look at the cumulative effect of all of these elements coming together to create a situation for demolition by neglect. McLean said that if they make a finding of demolition by neglect tonight versus closer to the August 1 deadline, they may be preempting history and could potentially make a more accurate assessment based on what ends up happening to the property closer to the deadline.

Mohs said that in his experience of doing building rehab, it is important to have help from experts in the field because a homeowner simply can't know enough about the specific work to be completed. He said that this is especially true for tuckpointing because the work is being done in a place that one cannot see. He recommended that Langhammer seek an engineer supervisor to oversee the work and produce a report that would be beneficial to have if he were to ever sell the property. Levitan asked Mohs to speak to the demolition by neglect, and Mohs said that it exists for sure, so he doesn't know why the Commission wouldn't make that finding. He said that the property owner needs to watch the work being done to see that it is being done well, and he hopes that Building Inspection will watch what is happening as well. He said that this is a wonderful house, and completing this work is not throwing money away because if the job is done right, the house will be worth more.

Stege, representing the Madison Trust for Historic Preservation, said that there is a benefit to having the demolition by neglect ordinance in the books. He commended the work of the building inspectors who have been monitoring the structure and taking action. He said that the Trust is concerned about the substantial ongoing damage to the property and encourages acting as promptly as possible to stabilize the structure. He said that a step in that direction has to be making a finding of demolition by neglect. He mentioned that the rehab of Garver Feed Mill could be instructive in that the estimated repair cost increased substantially between the time bids were submitted and when the work commenced, despite interim steps to mitigate the damage. He said that the speed of deterioration will increase, and pointed out the many rotted, unprotected areas on the structure at 121 Langdon. He said that the community is also interested to see how the demolition by neglect ordinance will be applied by the City. He said that Building Inspection and the Landmarks Commission will determine that, but the many referrals indicate that the City will allow delays when it comes to deteriorating local landmarks and structures in historic districts. He pointed out that this property is in an area of the city under strong developmental pressure, and he personally believes that the house has clearly been neglected much longer than 2 ½ years.

Levitan asked Bunnaw to speak to the unprotected deteriorated wood to which Stege referred. Bunnaw said that deterioration happens slowly until it happens fast because it slowly accumulates over time, but once wood rot sets in, it can spread more rapidly and lead to failures in structural integrity. He said that wood preservation is important, and there are several areas on the building that need to be preserved, as well as many areas of masonry that need to be treated. He expressed that Building Inspection is not the project manager, they are the enforcers of the building code and it is up to the property owner to direct the work. He said that Building Inspection will dedicate a tremendous amount of staff resources for this project and will make people available



to visit the site frequently in order to determine whether the work is done appropriately. He said that this project is getting to the point where it really needs to move forward because the construction season is getting shorter and contractors are booked far in advance.

Levitan asked Bunnow what a finding of demolition by neglect would do to expedite the necessary work. Bunnow said that it does little today, but will be very significant if the work is not completed by the negotiated deadline and the City seeks additional penalties. Bailey said that if the Landmarks Commission makes a finding of demolition by neglect, there are additional steps in the process. She said that staff's recommendation is phrased in a way that other entities could use the finding in order to move forward with the property expeditiously. She said that the decay on the structure is such that they need to do that, and pointed out that the Landmarks Commission is supposed to be a steward of landmark properties. In response to Langhammer's earlier comments about the amount of work that may be completed, Bailey said that all of the work needs to be done; there is an obligation for maintenance, and the entire work order must be completed. Langhammer said that 100% of the work will be done.

Levitan asked if the Commission feels that the first masonry contractor failing to show up is a reason to excuse the delay. Arnesen and Kaliszewski said no. Kaliszewski pointed out that it is June 24 and the property owner doesn't have everything lined up yet; when he appeared in front of the Commission almost a year ago, he said he would take care of it quickly, but still doesn't have plans approved. She said that the history of this property has shown that any pressure from Building Inspection did not work because they were ignored for 2 years. She asked if making a finding of demolition by neglect would matter because none of the previous actions by the City have sped anything up. Arnesen said that the property owner had plenty of time to get the work lined up and start earlier, but he didn't submit any contracts to the Landmarks Commission until recently. He said that he agrees with Mohs and does not think they should refer because it puts artificial pressure on the contractors to rush to finish in order to avoid the finding of demolition by neglect. He said that if they were to make a finding of demolition by neglect today, it doesn't seem to put the property owner in a worse position as long as he follows through. He explained his understanding that if the work is completed, the finding will not cause the property owner any other issues, but if he fails to complete the work, it will. He said that the Landmarks Commission has been patient and referred the item many times, but it wouldn't do any good to refer another month. Martin said that she agreed.

Levitan said that with a finding of demolition by neglect, it is then reported to Common Council, Building Inspection, and the City Attorney's Office.

Arnesen said that if the property owner gets the work done, he would like to rescind the finding of demolition by neglect. Kaliszewski agreed.

Kaliszewski pointed out that the property owner can file an appeal within 10 days with the City Clerk. Levitan asked for confirmation that the District 2 Alder would not appeal the finding, and Heck said that was correct.

### **ACTION:**

**A motion was made by Arnesen, seconded by Kaliszewski, to make a finding of demolition by neglect. The motion passed by voice vote/other.**

Herrick & Kasdorf, L.L.P.

Carousel Andrea Bayrd  
Patricia K. Hammel  
Scott N. Herrick  
David R. Sparer

Law Offices  
16 N. Carroll, Suite 500  
Madison WI 53703

Robert L. Reynolds, Jr. (1930-1994)  
Robert T. Kasdorf (1952-2018)

July 3, 2019

TO: City of Madison Clerk  
On behalf of Landmarks Commission

RE: APPEAL OF FINDING UNDER Sec. 41.15(3) MGO BY THE COMMISSION

**NOTICE OF APPEAL**

Please take this as a formal NOTICE OF APPEAL of the finding by the Landmarks Commission, which was made pursuant to Sec. 41.15(3) MGO, of demolition by neglect regarding the property located at 121 Langdon Street. This finding was made in the evening of Monday June 24, 2018 by the Commission. Pursuant to the Ordinance, an appeal of that finding may be taken to the Common Council, so long as the appeal is filed within 10 days of the finding. This appeal is thus timely.

The owner of the property at issue is 121 Langdon Street Group LLP. I am the attorney for the owner. Pursuant to Sec. 41.15(4)(a) the owner of the affected landmark property is authorized to take this appeal. Thus, this appeal is taken by an authorized owner.

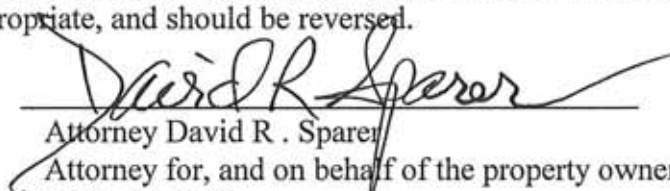
The address for the appellant is 513 N. Lake St, Madison, WI 53703, Att: Harold Langhammer. With copy please to Attorney David R. Sparer, 16 N. Carroll st, suite 500, Madison, WI 53703.

The grounds for the appeal are that the information presented to the Commission, by the City, on the night they considered whether to make this finding, was not up to date. The then current, and now today current information, is that the owner is indeed actively engaged in correcting all the code violations. Workers are on site addressing every issue. It does appear, given their progress, that they will complete all the required repairs by the July 31, 2019 deadline set by the City. Therefore the finding of demolition by neglect should not have been made, and also at this time is unnecessary and inappropriate, and should be reversed.

Dated: 7/3/19



MMM

  
Attorney David R. Sparer  
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