



Project Name/Address: 138 S Franklin
Application Type: Certificate of Appropriateness for exterior alteration and addition in historic district
Legistar File ID # [51428](#)
Prepared By: Amy L. Scanlon, Preservation Planner, Planning Division
Date Prepared: April 24, 2018

Summary

Project Applicant/Contact: Daniel Gorman
Requested Action: The Applicant is requesting that the Landmarks Commission approve a Certificate of Appropriateness for the proposed exterior alteration in the First Settlement Historic District.

Background Information

Parcel Location: The subject site is located in the First Settlement Historic District.

Relevant Landmarks Ordinance Section:

41.26 FIRST SETTLEMENT HISTORIC DISTRICT.

(5) Standards for the Review of Exterior Alterations and Repairs. All additions, exterior alterations and repairs must be compatible with the historic character of the structure and the First Settlement Historic District. The standards listed below are intended to maintain a historically accurate appearance. Modern materials that do not meet the exact requirements of the standards but which duplicate the historic appearance may be considered on an individual basis for a variance as listed in sec. 41.19 of this chapter.

(a) Porches. Porches that are original to the structure, or that pre-date 1930 and blend with the historic character of the structure, shall be retained, rehabilitated or rebuilt to match the original in all details. Porches on street facades may be enclosed with wood-framed screens, on the condition that the railing must be retained or restored in a design compatible with the historic character of the structure. Porches on street facades shall not be enclosed as a heated space. If a porch is on a street facade and the owner can demonstrate to the Landmarks Commission that it is beyond repair, then a new porch must be constructed in its place. Construction of new porches to approximate the dimensions of original porches is encouraged.

All porches shall present a finished appearance, e.g., all floor joists shall be hidden from view and all porches shall be finished with ceilings and frieze boards. Porch ceilings shall have the appearance of narrow beaded boards, unless another original material is approved by the Landmarks Commission. First floor porch flooring shall be tongue-in-groove boards; carpeting and two-by-four (2 x 4) decking are prohibited. All wood on exterior porches, except flooring and stair treads, shall be painted or opaque stained.

All railings on porches shall be constructed of wood, or another material that duplicates the appearance of wood, with top and bottom rails. Bottom rails shall be raised above the floor level and shall be no higher than three and one-half (3 1/2) inches from the floor. All balusters on porch railings shall be square posts, unless the owner can demonstrate to the Landmarks Commission that a different design is original to the structure. If the building code requires a forty-two (42) inch high railing, the lower portion of the railing may be solid framed panels. Railings on stairways may be either wood to match the railings on the porch or wrought iron with one-by-one (1 x 1) plain vertical balusters. Twisted or other decorative wrought iron is prohibited. All balusters shall be constructed such that a four (4) inch ball may not pass through the railing at any point. All balusters shall be located in between the top and bottom rail and shall not extend across the face of either. Siding on porch rails is prohibited unless the existing rail is sided. Porch posts shall be trimmed with decorative molding at the top and bottom of the posts.

All porches and stairways shall be enclosed between the frieze under the first floor and the ground with a framed lattice of crisscross design, narrow vertical boards or other openwork design. The lattice shall be designed such that a three-(3) inch ball could not pass through any portion of the lattice. All stairways shall have solid wood risers.

Porches on street facades may be enclosed by storm windows. Storm windows on porches shall have the appearance of double-hung windows, with or without a transom, and shall fill the space between the top of the railing and the upper frieze board. When porches are enclosed, the railing area underneath may be filled in with solid framed panels. Porches on street facades shall not be enclosed as a four-season heated space.

- (b) Decks. Decks in rear yards will be approved by the Landmarks Commission provided that the design complies with par. 1., except that tongue-in-groove flooring is not required. Decks in front and side yards may be permitted if they are not replacing an entrance porch, do not detract from the historic character of the structure and neighborhood, and if they comply with par.1.
- (c) Accessibility Ramps. Not applicable
- (d) Windows. On the front facade and on side facades within ten (10) feet of the front facade, all original windows or pre-1930 windows that are compatible with the historic character of the structure shall retain their existing historic size, appearance, and trim detail. If any of the original windows or pre-1930 windows that are compatible with the historic character of the structure have true divided lights (i.e., with small panes of glass between muntin bars), replacement sash shall duplicate the existing appearance and have true divided lights. If windows have been altered in the past, restoration to the original appearance is encouraged. On side facades not within ten (10) feet of the front facade and on rear facades of the structure, the sills of original windows or pre-1930 windows that are compatible with the historic character of the structure may be raised to serve bathrooms and kitchens. In other respects, the design shall duplicate the original appearance of the existing window. On side facades more than ten (10) feet from the front facade and on rear facades, new windows in locations where no window previously existed may be approved, provided they retain a similar ratio of height to width as original windows on the structure, are the same type of window as others on the structure (e.g., double-hung or casement), and are trimmed and finished to match the appearance of the other windows.
- (e) Entrance Doors. If the entrance door is original or is pre-1930 and blends with the historic character of the structure, it should be retained unless the owner can demonstrate to the Landmarks Commission that it is beyond repair. Metal doors may be

approved, provided they blend with the historic appearance of the structure. Unpaneled, modern-style doors, and doors with a fake wood grain are prohibited. All doors shall be painted or varnished.

- (f) Double or Multiple Doors. Not applicable
- (g) Storm Windows and Doors. Storm windows and doors shall be enameled, painted or otherwise coated with a colored surface to resemble a painted surface. Raw aluminum or other metallic finishes on storm windows and doors are prohibited. Painted or varnished storm doors of wood and glass to match the original design on the structure or on similar structures in the district are encouraged. Storm doors of simple design with no stylistic references may be used. Full view storm doors will be permitted. Storm doors with metal grills are prohibited.
- (h) Skylights. Not applicable.
- (i) Roof Materials. Reroofing shall be done with asphalt. Fiberglass or other rectangular composition shingles similar in appearance to 3-in-1- tab asphalt shingles. Sawn wood shingles also may be approved. Modern style shingles such as thick wood shakes, Dutch lap, French method, and interlock shingles are prohibited. Vents shall be located as inconspicuously as possible and shall be similar in color to the color of the roof. Rolled roofing, tar-and-gravel, rubberized membranes, and other similar roofing materials are prohibited, except that such materials may be used on flat or slightly sloped roofs that are not visible from the ground.
- (j). Dormers and Other Roof Alterations. New dormers shall match the appearance of original dormers on the structure in roof shape and material, width of overhang, siding, window design, and trim details whenever feasible. If the original roof shape is not practical, another shape may be approved, provided that it does not detract from the historic character of the structure or the neighborhood. New dormers shall be no less than twelve (12) feet from the front edge of the roof. The ridge line of a new dormer shall not extend above the ridge line of the main roof of the structure unless such higher roof line is not visible from the ground. Shed dormers behind existing dormers or gables on non-street sides of the structure may be approved, provided that the roof material, siding, window design and trim details match the original features of the structure. Other roof alterations shall be compatible with the roof shape and other historic features of the structure, such as siding and trim details, and shall not extend above the ridge line of the structure unless such extension is not visible from the ground.
- (k) Chimneys. The exterior appearance of original or pre-1930 chimneys visible from the street shall be maintained in good repair. The removal of the exterior portions of such chimneys is prohibited. Chimneys not visible from the street may be removed. New chimneys shall be constructed of brick, stone, stucco, or other compatible material. Metal chimneys are prohibited.
- (l) Siding. Original wood siding or pre-1930 siding that blends with the historic character of the structure shall be retained and restored as necessary, except that if the owner can demonstrate to the Landmarks Commission that the original siding is beyond repair, it may be replaced with wood, composite wood, or concrete clapboard siding to match the original or existing pre-1930 appearance. Restoration of original wood decorative details is encouraged. Soffits may be replaced or sided with wood or artificial materials, provided the appearance of the proposed material matches as closely as possible the original appearance.

Original brick, stone and stucco siding shall be retained. Installation of artificial siding on such structures is prohibited. Painting of unpainted brick is prohibited. Mortar and other materials used in brick repair shall match the original in color, hardness, and appearance.

- (m) Foundations. All original foundation masonry, such as brick, stone, or rusticated concrete block, shall be retained unless the owner can demonstrate to the Commission that significant repairs are required, in which case replacement with materials to duplicate the original appearance is encouraged. If duplicating the original appearance is not practical, other materials may be approved, provided they blend with the historic character of the structure and the district.
- (n) Additions. Additions on the front of the structure are prohibited, except for open porches. Additions on the sides or rear shall be permitted if they are compatible with the structure in architectural design, scale, color, texture, proportion and rhythm of solids to voids, and proportion of widths to heights of doors and windows. Additions that exactly duplicate the original materials in composition are encouraged. Additions that destroy significant architectural features are prohibited. Side additions shall not detract from the design composition of the main facade. Siding on new additions shall be the same as the structure, unless the structure is masonry, in which case narrow-gauge clapboards will be permitted. Foundation material on additions shall duplicate the original foundation material whenever practical. Other foundation materials may also be permitted, provided they do not detract from the historic character of the structure.
- (o) Fire Escapes and Rescue Platforms. Fire escapes and rescue platforms shall be located such that they are as unobtrusive from the street as possible. No fire escapes or rescue platforms shall be permitted on the front facade of a structure unless the owner can demonstrate to the Landmarks Commission that no other location is practical. The design of fire escapes and rescue platforms shall comply with the requirements of par. 1., except that balusters on fire escapes and second exit platforms may be metal with one-by-one plain vertical balusters, painted to blend with the colors of the structure. Twisted or other decorative wrought iron is prohibited.
- (p) Lighting Fixtures. Lighting fixtures that are visible from the street shall be of a design that is compatible with the historic appearance of the structure.
- (q) Permanently Installed Air Conditioners. Permanently installed air conditioners shall be as inconspicuous as possible. Ground air conditioners shall be screened with landscaping where possible.
- (r) Shutters. Not applicable
- (s) Repairs. Repairs to structures shall either match the existing or the original appearance. Restoration to the original appearance is encouraged.
- (t) Alterations to Post-1930 Structures. Not applicable

Analysis and Conclusion

The applicant appeared before the Landmarks Commission in 2016 and received a Certificate of Appropriateness with many conditions of approval. The Applicant worked through the conditions of approval with staff as requested by the Commission. Construction began and Building Inspection noticed that the work on site did not match the work approved by the Landmarks Commission. A stop work order was issued and the applicant was instructed to return to the Commission to request the appropriate approvals for the project being constructed.

The issues that require discussion include:

1. The removal of the chimney.
2. The change to the roof form which has resulted in a taller building.
3. The relocation and resizing of windows.
4. The muntins are placed between the glass.
5. The original front door location has been infilled.

The other aspects of the project that have already been approved are not being discussed below.

A brief discussion of the issues related to the standards of 41.26(5) follows:

- (a) Porches. As approved.
- (b) Decks. As approved.
- (c) Accessibility Ramps. Not applicable.
- (d) Windows. The submission materials have never indicated that the windows will have muntins in between the panes of glass. In addition, the window that was installed on the second floor of the north elevation is not similar in type or ratio to other windows. The window that has been installed at the first floor near the original door location is installed with a very different head height than other adjacent first floor windows. The ordinance language explains that the design of new windows "...may be approved, provided they retain a similar ratio of height to width as original windows on the structure, are the same type of window as others on the structure, and are trimmed and finished to match the appearance of the other windows."
- (e) Entrance Doors. The drawings that were approved by the Commission show the original entry door (from the side porch) being changed to a window. The current request is to infill the original door location and move the window opening toward the middle of the wall. See window comments at (d).
- (f) Double or Multiple Doors. Not applicable.
- (g) Storm Windows and Doors. Storm windows and storm doors are not specified in the submission materials and are therefore not approved.
- (h) Skylights. Not applicable.
- (i) Roof Materials. The submission materials do not indicate the material of the roof shingle. Staff assumes it will be an asphalt shingle.
- (j) Dormers and Other Roof Alterations. The drawings that were approved by the Commission show a different roof form than what is being built on site. The current roof form is simplified, but results in a taller building than what was originally approved.
- (k) Chimneys. The non-original, but possible pre-1930 existing chimney was removed without approval.
- (l) Siding. Fiber cement siding was approved by the Landmarks Commission and the drawings show siding that appears to be approximately 5" exposure. The exposure dimension has never been communicated, but a 5" exposure seems consistent with the siding that was present under the transite.
- (m) Foundations. As approved.
- (n) Additions. As approved except for the differences noted herein.
- (o) Fire Escapes and Rescue Platforms. Not applicable.
- (p) Lighting Fixtures. As approved.
- (q) Permanently Installed Air Conditioners. As approved.
- (r) Shutters. Not applicable.
- (s) Repairs. As approved.
- (t) Alterations to Post-1930 Structures. Not applicable

Recommendation

Staff believes that the standards for granting a Certificate of Appropriateness may be met if more information is provided by the Applicant at the meeting. Staff would prefer to have the Commission finalize any outstanding details. Staff recommends that the Landmarks Commission approve the Certificate of Appropriateness once the following issues have been addressed:

1. The Commission shall address the appropriateness of having window muntins in between the panes of glass. Staff does not believe the muntins in between the glass results in a similar appearance to a muntin on the exterior of the glass and believes the windows should be replaced with muntins on the exterior.
2. Install a window in the second floor north elevation that is similar in type and ratio to other windows.
3. The window that has been installed at the first floor near the original door location is installed with a very different head height than other adjacent first floor windows and should be relocated to the original door location as originally approved by the Commission.

4. The Commission shall address the relocation of windows from the locations originally approved by the Commission.
5. The Applicant shall confirm the material of the roof shingle.
6. The Commission shall address the appropriateness of the changed roof form and the resulting height of the building. Because the drawings do not accurately indicate the height of the building, staff has measured crudely and believes the building is at least 4' taller than the building originally approved by the Commission.
7. The Applicant shall provide information about the removal of the chimney without approval.
8. The Applicant shall provide information about the proposed siding exposure.