



Project Name & Address: 946 Spaight Street
Application Type(s): Certificate of Appropriateness for exterior alterations
Legistar File ID # [76445](#)
Prepared By: Heather Bailey, Preservation Planner, Planning Division
Date Prepared: February 28, 2023

Summary

Project Applicant/Contact: Henry Doane
Requested Action: The Applicant is requesting that the Landmarks Commission approve a Certificate of Appropriateness for the replacement of a patio wall.

Background Information

Parcel Location/Information: The subject property is a designated landmark in the Third Lake Ridge Local Historic District.

Relevant Ordinance Sections:

41.18 STANDARDS FOR GRANTING A CERTIFICATE OF APPROPRIATENESS

A certificate of appropriateness shall be granted only if the proposed project complies with this chapter, including all of the following standards that apply.

- (1) New Construction or Exterior Alteration. The Landmarks Commission shall approve a certificate of appropriateness for exterior alteration or construction only if:
 - (a) In the case of exterior alteration to a designated landmark, the proposed work would meet the Secretary of the Interior's Standards for Rehabilitation.
 - (b) In the case of exterior alteration or construction of a structure on a landmark site, the proposed work would meet the Secretary of the Interior's Standards for Rehabilitation.
 - (c) In the case of exterior alteration or construction on any property located in a historic district, the proposed exterior alteration or construction meets the adopted standards and guidelines for that district.
 - (d) In the case of any exterior alteration or construction for which a certificate of appropriateness is required, the proposed work will not frustrate the public interest expressed in this ordinance for protecting, promoting, conserving, and using the City's historic resources.

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.

Analysis and Conclusion

Staff requested that Building Inspection issue a stop work order for unapproved construction happening at 946 Spaight, which happened on November 29, 2022. Staff met onsite with the property owner on December 7, 2022. Staff's recommendation was that we could not administratively approve this work because it added a conjectural feature to the front of a landmark property and the style of feature was out of character with the property. The previously low landscaping wall that had wrapped around the front stoop had been stacked stone that was in line with the limestone foundation, which is low to the ground. Staff advised that we could administratively approve something similar with recommendations to use the foundation materials and design as a reference rather than the purple quartzite composing the new tall wall enclosing the new open porch feature. The applicant requested to appeal staff's determination and take the project to the Landmarks Commission for review and submitted an application for this meeting.

While the applicant has provided pictures of rubble walls on the fronts of stone buildings in Connecticut and evidence of rubble rock walls using similar materials at Wisconsin parks, it is still a conjectural feature for this property with no historic precedent for this site. As an alteration to the front of the site, this conjectural feature is particularly problematic. A stone cladding that does not extend above the cement pad in front of the building could be appropriate if it replicates the appearance of the foundation course. That could be easily reversible, would read as being new, but also be visually unobtrusive.

The Slaughter-Shuttlesworth house was constructed in 1854. The Italianate-style structure has red brick walls and a limestone foundation. Per Sanborn maps, there was once a full length wood porch on the front of the structure and a slightly narrower wood porch as late as 1950. The 1974 landmark nomination says: "Once there was a piazza in the front with four pillars, but now all that remains is the cement floor."



Staff photo of side of structure from 12/7/22. The limestone foundation is constructed of finely tooled, regularly coursed stone blocks, not a randomly coursed, rubble construction with untooled stone.



Staff photo of existing conditions from 12/7/22. The stone cladding on the front of the concrete stoop looks compatible with the limestone foundation. The stone tiles on top of the concrete stoop are also new. Google Streetview shows this previously being topped with brick pavers.

A discussion of relevant standards follows:

Secretary of the Interior's Standards for Rehabilitation

1. No proposed changes in land use for this property. The change is to create a more secluded open porch on the front of the property rather than the concrete stoop that had been in place since at least 1974.
2. No historic materials were removed as part of this project. Creating the more enclosed open porch does change the spatial relationships for the front of the property, however, there was once a covered porch on the front of this property.
3. The introduction of this randomly course rubble wall using a type of rock not found locally does create a false sense of historical development by adding a conjectural feature. The application materials show that this type of wall is located at different types of historic properties and introducing elements from other historic properties is expressly forbidden in this standard. It is not typical for this style of building or site and introducing an element from a different style of property creates a false sense of historic development.
4. The previous conditions of the front stoop had not acquired historic significance in its own right.
5. The distinctive materials of this site are the simple limestone and red brick of the structure. The introduction of the very contemporary tiles on the front stoop and the purple rubble wall out front detract from those distinctive materials and types of craftsmanship.
6. No historic features were removed as part of this work.
7. No chemical or physical treatments were used on historic materials.

8. No archaeological resources were impacted as part of this work.
9. No historic materials were destroyed as part of this new addition to the property. It does change the spatial relationships of the front of the property. The new tile on the stoop and the purple rock wall are very differentiated from the old, but are not compatible with the historic materials. This detracts from the historic integrity of the designated landmark.
10. This new construction is able to be removed in the future and its removal will not impact the essential form or integrity of the historic property.

Recommendation

Staff believes that the standards for granting a Certificate of Appropriateness could be met and recommends the Landmarks Commission refer this item to the April 3 meeting with a request that the property owner submit updated plans that meet the standards.