



Project Address: 627 E Gorham Street
Application Type: Voluntary Restrictive Covenant
Legistar File ID # [30448](#)
Prepared By: Amy L. Scanlon, Preservation Planner, Planning Division

Summary

Applicant/Property Owner: Joe Lusso & Aleen Tierney

Requested Action/Proposal Summary: The applicants request that the Landmarks Commission consider a voluntary restrictive covenant for numerous windows and the front door at the landmark located at 627 E Gorham.

Applicable Regulations & Standards: Section 33.19 of the Madison General Ordinances (see below)

Review Required By: Landmarks Commission

Background Information

Parcel Location: The subject site is a designated landmark site located in the Fourth Lake Ridge National Register Historic District.

Relevant Landmarks Ordinance Sections:

33.19(6)(c) Voluntary Restrictive Covenants. The owner of any landmark or landmark site may, at any time following such designation of his property, enter into a restrictive covenant on the subject property after negotiation with the commission. The commission may assist the owner in preparing such covenant in the interest of preserving the landmark or landmark site and the owner shall record such covenant in the Dane County Register of Deeds office, and shall notify the City Assessor of such covenant and the conditions thereof. (Subdiv. (b) R. and (c) Renumbered to (b) by Ord. 11,070, 12-6-94)
(d) Creation of Historic Districts.

Analysis and Conclusion

The applicants are interested in understanding and potentially entering into a voluntary restrictive covenant with the City for the preservation of the original front door, the original windows and the preservation of the appearance of the original storm windows as described below:

On original 1877 portion of house the following items would be included in the covenant:

1. Double-hung wood sash windows must be retained and preserved
2. Complete-window storms and screens (single frame for whole window with one horizontal and one vertical cross bar) must be retained or replaced with complete window storms and screens of like appearance*

* these should be wood or a durable material looking like wood such as cement/fiber board, but not vinyl or aluminum

3. Arched living room window must be retained and preserved
4. Bathroom window can be replaced

5. Front door (featuring double-arched-window) must be retained and preserved.

On additions (garage, kitchen, bedroom):

1. No restrictions

It is understood that the City does not currently hold any restrictive covenants with any landmark properties. Staff solicited advice from the Office of the City Attorney. The draft language of such covenant and photos of the windows should be reviewed with the context of the discussion.

Recommendation

Staff recommends that the Landmarks Commission discuss the voluntary restrictive covenants with Assistant City Attorney Maureen O'Brien, who will be in attendance at the meeting, to understand the issues. Staff has encouraged the applicants to pursue a deed restriction for the property in lieu of the covenant at this time.