



Project Name/Address: 137 N Prospect, Elliott House

Application Type: PUBLIC HEARING

Certificate of Appropriateness for demolition and construction of garage on a landmark site and in a historic district

Legistar File ID # [37954](#)

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Summary

Project Applicant/Contact: Eric Donovan, TDS Construction

Requested Action: The Applicant is requesting a Certificate of Appropriateness for the demolition of an existing garage structure and the construction of a new garage and trash receptacle pad and walkway on a landmark site and in the University Heights Historic District.

Background Information

Parcel Location: The subject site is a landmark site located in the University Heights Historic District.

Relevant Landmarks Ordinance Sections:

Related to the demolition of the existing garage

33.19(5)(c)3. Standards. (for Demolition)

In determining whether to issue a Certificate of Appropriateness for any demolition, the Landmarks Commission shall consider and may give decisive weight to any or all of the following:

- a. Whether the building or structure is of such architectural or historic significance that its demolition would be detrimental to the public interest and contrary to the general welfare of the people of the City and the State;
- b. Whether the building or structure, although not itself a landmark building, contributes to the distinctive architectural or historic character of the District as a whole and therefore should be preserved for the benefit of the people of the City and the State;
- c. Whether demolition of the subject property would be contrary to the purpose and intent of this chapter as set forth in Sec. 33.19 and to the objectives of the historic preservation plan for the applicable district as duly adopted by the Common Council;
- d. Whether the building or structure is of such old and unusual or uncommon design, texture and/or material that it could not be reproduced or be reproduced only with great difficulty and/or expense;
- e. Whether retention of the building or structure would promote the general welfare of the people of the City and the State by encouraging study of American history, architecture and design or by developing an understanding of American culture and heritage;
- f. Whether the building or structure is in such a deteriorated condition that it is not structurally or economically feasible to preserve or restore it, provided that any hardship or difficulty claimed by the

owner which is self-created or which is the result of any failure to maintain the property in good repair cannot qualify as a basis for the issuance of a Certificate of Appropriateness;

- g. Whether any new structure proposed to be constructed or change in use proposed to be made is compatible with the buildings and environment of the district in which the subject property is located.

33.19(1) Purpose and Intent It is hereby declared a matter of public policy that the protection, enhancement, perpetuation and use of improvements of special character or special historical interest or value is a public necessity and is required in the interest of health, prosperity, safety and welfare of the people. The purpose of this section is to:

- (a) Effect and accomplish the protection, enhancement and perpetuation of such improvements and of districts which represent or reflect elements of the City's cultural, social, economic, political and architectural history.
- (b) Safeguard the City's historic and cultural heritage, as embodied and reflected in such landmarks and historic districts.
- (c) Stabilize and improve property values.
- (d) Foster civic pride in the beauty and noble accomplishments of the past.
- (e) Protect and enhance the City's attractions to residents, tourists and visitors, and serve as a support and stimulus to business and industry.
- (f) Strengthen the economy of the City.
- (g) Promote the use of historic districts and landmarks for the education, pleasure and welfare of the people of the City.

Related to the construction of a new garage

33.19 (12)(f)2. Accessory Buildings. Accessory buildings, as defined in Section 28.211 of the Madison General Ordinances, shall be compatible with the design of the existing buildings on the zoning lot, shall not exceed fifteen (15) feet in height and shall be as unobtrusive as possible. No accessory building shall be erected in any yard except a rear yard. Exterior wall materials shall be the same as those for construction of new principal buildings as set forth in Section 33.01(12)(f)1.c.*

*Section 33.01(12)(f)1.c is not correct. The correct section is 33.19(12)(f)1.b.

33.19(12)(f)1.b. Materials. Materials for the exterior walls of new buildings and structures shall be the same as or similar to materials prevalent in the University Heights Historic District. Permitted materials include brick, narrow gauge horizontal clapboards four or less inches in exposed width, stone, stucco, smooth shingles or combinations of the above provided the combinations occur in a manner and location similar to the materials on existing buildings in University Heights (e.g., brick on first floor with clapboard on second floor). Other materials, such as aluminum or vinyl must be visually compatible with buildings in the visually related area. The following materials are prohibited: concrete block, asbestos, wide clapboards over four inches in exposed width, diagonal boards, vertical boards, rough sawn wood, rough split shingles, shakes.

Related to all requests

33.19(5)(b)4 Regulation of Construction, Reconstruction and Exterior Alteration

- a. Whether in the case of a designated landmark or landmark site, the proposed work would detrimentally change, destroy or adversely affect any exterior architectural feature of the improvement upon which said work is to be done; and
- b. Whether in the case of the construction of a new improvement upon a landmark site, the exterior of such improvement would adversely affect or not harmonize with the external appearance of other neighboring improvements on such site;

Analysis and Conclusion

According to building permits, the existing garage was constructed in 1946 which proves it was a later improvement on the site of the landmark residence. The garage was extant when the site was designated.

The Applicant is requesting three Certificates of Appropriateness from the Landmarks Commission as follows:

- Demolition of existing garage
- Construction of new garage
- Installation of walkway and pad for trash receptacles

Each action will be discussed separately below.

Certificate of Appropriateness for the demolition of the existing garage

A discussion of the demolition standards 33.19(5)(c)3. follows:

- a. The architectural design of the existing garage is compatible with the landmark residence, but is not of any architectural or historic significance and its demolition would not be detrimental to the public interest and not contrary to the general welfare of the people of the City and the State;
- b. The existing garage does not contribute to the distinctive architectural or historic character of the District as a whole; however, the rhythm of residence and garage is fairly consistent in this area and a garage structure should be retained in this location as part of the character.
- c. The existing garage is not a cultural resource. The demolition of the existing garage would allow for the construction of a new garage which would be more functional for the property owner;
- d. While the existing garage was constructed in 1946, its age is not related to its character as a cultural resource which is what the language of this standard is referencing.
- e. The retention of the existing garage would not promote the general welfare of the people of the City and the State by encouraging study of American history, architecture and design or by developing an understanding of American culture and heritage;
- f. The applicant stated in the letter of intent that the garage is in fair condition, but the main reason for replacement is to provide function for the current owners.
- g. The new garage proposed to be constructed in this location is compatible with the buildings and environment of the district.

Certificate of Appropriateness for the construction of a new garage

As described in the submission materials, the proposed garage design is compatible with the architectural style of the house due to the roof form, the stucco base and beveled siding on the upper wall. The proposed colors of the garage will match the colors of the existing residence. The building does not exceed 15 feet in height as measured by Zoning Code definitions. The three car garage is large, but may be as unobtrusive as a three car garage can be.

The exterior of the proposed garage harmonizes with the external appearance of other neighboring improvements on the site.

Certificate of Appropriateness for the installation of walkway and pad for trash receptacles

The installation of a walkway on the west side of the landmark site will not detrimentally change, destroy or adversely affect any exterior architectural feature of the landmark site. The walkway, stairs and pad will harmonize with the external appearance of other neighboring improvements on the site.

Recommendation

Certificate of Appropriateness for the demolition of the existing garage

Staff believes that the standards for granting a Certificate of Appropriateness for the demolition of the existing garage are met and recommends approval by the Landmarks Commission.

Certificate of Appropriateness for the construction of a new garage

If the Commission finds that the garage is as unobtrusive as possible, Staff believes that the standards for granting a Certificate of Appropriateness for the construction of the new garage are met and recommends approval by the Landmarks Commission with the following conditions of approval:

1. The Applicant shall provide window and door manufacturer information for review.
2. The Applicant shall provide a show sill at the person door.

Certificate of Appropriateness for the installation of path and pad for trash receptacles

Staff believes that the standards for granting a Certificate of Appropriateness for the installation of the walkway, stairs and pad for the trash receptacles are met and recommends approval by the Landmarks Commission.