



Legistar I.D. #24535  
1112 Spaight Street  
Demolition Request

Report Prepared By:  
Heather Stouder, AICP  
Planning Division Staff

**Requested Action:** Approval of the demolition of a single-family home for the construction of a new single-family home in the R4A (Limited General Residence) District.

**Applicable Regulations & Standards:** Section 28.12(12) provides the guidelines and regulations for the approval of demolition permits.

**Summary Recommendation:** The Planning Division recommends that the Plan Commission find that the proposal can meet applicable demolition standards and **approve** the request for demolition at 1112 Spaight Street, subject to the recommended conditions and input provided at the public hearing.

**Background Information**

**Applicant/ Property Owner:** Connor and Abigail Sabatino; 508 S. Ingersoll St.; Madison, WI 53703

**Project Contact:** Amy Hasselman; Architecture Network, Inc.; 116 E. Dayton St.; Madison, WI 53703

**Proposal:** The applicant proposes the demolition of an existing 1,367 square-foot single-family home constructed in 1889 to construct a new two-story, single-family home. The applicant intends to initiate demolition after all approvals are obtained.

**Parcel Location:** 1112 Spaight Street is located on the north side of Spaight Street between Ingersoll Street and Few Street, facing Orton Park; Third Lake Ridge Local Historic District; Aldermanic District 6 (Rummel); Madison Metropolitan School District.

**Existing Conditions:** The 6,500 square foot lot has a single family home constructed in 1889, according to the City Assessor’s records. The two-story home is 1,367 square feet in size, and has three bedrooms and one bathroom. A narrow gravel driveway on the east side of the property provides an off-street parking space, but there is no garage on the property.

**Surrounding Land Use and Zoning:** The area surrounding the property on all sides is in the R4A (Limited General Residence) District, and also lies within the Third Lake Ridge Local Historic District. Orton Park is across Spaight Street to the south. A group home is in a Landmark Building immediately to the west, on the corner of Spaight and Ingersoll Streets. A single-family home is adjacent to this property to the east, and a two-family home on Jenifer Street is adjacent to the north.

**Adopted Land Use Plan:** The Comprehensive Plan (2006) recommends Medium-Density Residential land use.

**Environmental Corridor Status:** This property is not located within a mapped environmental corridor.

**Public Utilities and Services:** The property is served by basic urban services, including several Metro Transit Routes running along Jenifer Street.

**Zoning Summary:** The property is in the R4A (Limited General Residence) District

Requirements	Required	Proposed
Lot Area	6,000 sq. ft.	6,600 sq. ft. existing
Lot width	50'	50'
Usable open space	18.95' reduced average	19'
Front yard	6' L/S, 8' R/S with depth penalty	6' L/S, 10'10" R/S
Side yards	35'	67.92'
Rear yard	500 sq. ft.	Adequate
Building height	2 stories	2 stories / 27.75' +/-

**Site Design**

No. Parking stalls	1	Adequate
Landscaping	No	N/A/

**Other Critical Zoning Items**

Historic District	Yes (Third Lake Ridge)
Landmark Building	Yes, adjacent to Landmark Building
Flood Plain	No
Utility Easements	No
Adjacent to park	No

*Prepared by: Pat Anderson, Asst. Zoning Administrator*

**Project Description**

---

The applicant requests approval for the demolition of a two-story single-family home, originally constructed in 1889, and replacement with a new single-family home. The existing 1,367 square foot structure is of a simple vernacular architecture, and has multiple additions, most of which were constructed in the early 20<sup>th</sup> century.

In a conditions assessment dated October 5, the applicant outlined several concerns with the existing structure, the most significant of which seem to be insufficient floor framing on both floors, a crumbling and leaky foundation, a basement trench drain, and unsafe stairwells not meeting current building codes. It appears that other issues mentioned could be expected to be addressed in a typical remodel.

The proposed three-bedroom, 2,328 square foot home is larger than the existing home, but meets all of the zoning requirements for the R4A zoning district. The proposed architecture fits in well with the Third Lake Ridge Historic District and the other homes facing Orton Park. The home would sit about eight feet closer to the adjacent Landmark Building than the existing structure, but is otherwise complementary to it. Exterior materials proposed include fiber-cement siding with composite trim, wood porch posts and railings, and wood clad windows.

**Public Input** - The Marquette Neighborhood Association does not support demolition of the existing home, as evident in their September 6 letter to the Landmarks Commission. Several individuals submitted comments and/or testimony to the Landmarks Commission in support of or in opposition to the demolition, and all written comments have been included in this packet for reference.

**Related Approvals**

---

On October 17, 2011, the Landmarks Commission reviewed the proposal at a public hearing due to its location within the Third Lake Ridge Local Historic District and its adjacency to a landmark building, the Curtis-Kittleson House. Following public testimony and discussion, the Landmarks Commission approved with conditions a Certificate of Appropriateness for the demolition by a vote of 4–1. Following this, they unanimously approved with conditions a Certificate of Appropriateness for the design of the proposed home. Finally, they reported to the Plan Commission their finding that the proposed structure does not negatively impact the adjacent landmark building.

Conditions of approval were as follows:

*For the Demolition:*

1. The following elements shall be salvaged for re-use and possibly donated if not desired for use in the new residence: Wood floors, pre-1930 window sash including glass and related hardware, wood doors of panel construction including related hardware, wide sheathing boards, and miscellaneous parts that another home restoration project may find useful. The Preservation Planner shall review the demolition recycling plan to verify compliance with conditions.

2. The building shall be photo documented. At a minimum, this documentation shall include views of each primary building elevation and a view of the residence in context with neighboring buildings. Additional views (for example original siding detail at building corner, front porch decorative details, front door design, etc.) are encouraged. The Applicant or Applicant's representative shall send high quality digital images to staff before the Certificate of Appropriateness is sent to the Applicant.

*For the Proposed Structure:*

1. The window proportions shall be unified. The paired window proportions seem most appropriate. The wider single double-hungs on front and rear elevations and the casements in the Living Room and Kitchen shall be revised to more closely match the paired window proportion.
2. The Applicant shall explain the materials proposed to be used for the brackets, fascia, and soffits, apron boards, porch deck, foundation, and decorative window adjacent to the front door and staff suggests that the soffit material be selected so that the final product is installed in a historically appropriate way (so that beads run perpendicular to the rafter).

The report of the Preservation Planner prepared for the Landmarks Commission recommended that the Landmarks Commission not approve the Certificate of Appropriateness for the demolition. The report, dated October 17, is provided for review following this report.

## **Evaluation and Conclusion**

---

**Demolition-** The existing home is in fair to poor condition due to decades of deferred maintenance. It is difficult to argue that it would be quite an expensive undertaking to restore and make changes to the home with a result similar to the contemporary structure proposed for the site. That said, it should be noted that according to Assessor's records, this is the oldest home on this block of Spaight Street, and one of a handful facing Orton Park that were built before 1900. It would be the first to be demolished.

Notably, although the Landmarks Commission approved a Certificate of Appropriateness for demolition, the Preservation Planner's report to the Landmarks Commission recommended that the demolition of the home not be approved. Among other points, the staff report (attached) noted that while some landmarks standards could be met, the building is not in such a deteriorated condition that it is not structurally or economically feasible to preserve and restore it.

**Proposed Home** - The proposed home is consistent with adopted plans, which recommend Medium-Density Residential uses in this area. The home will likely be a great addition to the block. The new open porch proposed along the entire front of the home would be a welcome improvement from the existing small porch, which is coming loose from the existing structure. As mentioned above, the Landmarks Commission, following the recommendation of the Preservation Planner, unanimously voted to approve a Certificate of Appropriateness for the proposed structure.

**Standards for Approval** - The Plan Commission decision regarding demolition is based on a different set of standards than that of the Landmarks Commission. The specific standards are written in italicized text below, with staff comments dispersed to respond to each clause:

***MGO 28.12(12)(c)1.***

***b. The Plan Commission finds that both the requested demolition or removal and the proposed use are compatible with the purpose of this section and the intent and purpose expressed in the Zoning Code for the zoning district in which the property is located.***

Staff believes that the purpose of the R4A Zoning District and the Approval of Demolition and Removal are met with this proposal.

For reference, the statement of purpose for the demolition section declares that maintenance and rehabilitation of existing buildings, preservation of safe and sanitary housing available at reasonable prices, and careful consideration and planning of changes in the urban landscape are a public necessity and are required in the interest of the health, prosperity, safety, and welfare of the people.

Further, the purpose of the section is to aid in the implementation of adopted City plans, protect neighborhood character, preserve historic buildings, encourage the reuse and/or relocation of existing buildings, discourage buildings falling into a state of severe disrepair from lack of maintenance by the owner, encourage compliance with building and minimum housing codes, and allow the property owner to have a decision on approval or disapproval of the proposed use of the property before he or she takes the irrevocable step of demolishing or moving his or her existing building or buildings.

***Furthermore, the proposed use should be consistent with adopted neighborhood plans, the Comprehensive Plan, or with any applicable neighborhood conservation district requirements.***

Staff believes that this clause of the standards is met.

***When making this finding the Commission shall consider and may give decisive weight to any relevant facts including but not limited to the effects the proposed demolition or removal and proposed use of the subject property would have on the normal and orderly development and improvement of surrounding properties,***

Staff believes that this clause is met. The removal of the home and the replacement with the proposed home will not have a significant impact on normal and orderly development, and may lead to improvement of surrounding properties.

***The reasonableness of efforts to relocate the building, including but not limited to the costs of relocation, the structural soundness of the building, and the limits that the location of the building should place on efforts to relocate it, and the availability of affordable housing.***

Staff believes that relocation of the building is not feasible, due to insufficiencies in the floor framing and the presence of multiple additions to the original structure. Further, its location on this property is a significant part of its historic significance, which would be lost upon moving the structure.

Staff believes that the availability of affordable housing is not applicable in this case, as neither the restoration of the existing structure nor the construction of the new home can qualify as affordable housing.

***c. In the case of landmarks or improvements located in a local Historic District, consideration and approval of demolition or removal permits by the Plan Commission shall be contingent upon the prior issuance of a certificate of appropriateness by the Landmarks Commission pursuant to Section 33.01(5)(c) of the Madison General Ordinances.***

As mentioned, the Landmarks Commission on October 17, 2011 conditionally approved a certificate of appropriateness for the proposed demolition on a vote of 4-1.

***d. The Plan Commission shall consider the report of the City's historic preservation planner regarding the historic value of the property as well as any report submitted by the Landmarks Commission.***

The Landmarks Commission voted to approve the demolition, despite a recommendation by the historic preservation planner to not approve it. Staff believes that the Plan Commission should take both the staff report and the Landmarks Commission decision into account, recognizing that the Landmarks Commission based their decision regarding demolition on a more rigorous set of standards than those in MGO Section 28.12(12).

***e. If a demolition or removal permit is approved, it shall not be issued until the reuse and recycling plan is approved by the Recycling Coordinator.***

This standard is covered in the Zoning conditions of approval.

After careful consideration, the Planning Division believes that the demolition standards in MGO Section 28.12(12) can be met with this proposal, and recommends that the Plan Commission **approve** the request subject to input at the public hearing and comments and conditions from reviewing agencies.

**Recommendations and Proposed Conditions of Approval**

Major/Non-Standard Conditions are shaded

**Planning Division Recommendation** (Contact Heather Stouder, 266-5974)

The Planning Division recommends that the Plan Commission find that the demolition standards can be met and **approve** the request subject to input at the public hearing and the following conditions:

1. Final plans submitted to staff for review and approval shall reflect all conditions of approval from the Landmarks Commission meeting of October 17, 2011.

***The following conditions have been submitted by reviewing agencies:***

**City Engineering Division** (Contact Janet Dailey, 261-9688)

2. Any damage to the sidewalk or existing driveway as a result of the demolition and related construction shall be the responsibility of the applicant to replace.
3. All work in the public right-of-way shall be performed by a City licensed contractor (MGO 16.23(9)(c)5 and MGO 23.01).
4. All damage to the pavement on Spaight Street, adjacent to this development shall be restored in accordance with the City of Madison's Pavement Patching Criteria. For additional information, please see the following link: <http://www.cityofmadison.com/engineering/patchingCriteria.cfm> (POLICY).
5. The plan set shall be revised to show more information on proposed drainage for the site. This shall be accomplished by using spot elevations and drainage arrows or through the use of proposed contours. It is necessary to show the location of drainage leaving the site to the public right-of-way. It may be necessary to provide information off the site to fully meet this requirement (POLICY).
6. Prior to approval of the conditional use application, the owner shall obtain a permit to plug each existing sanitary sewer lateral that serves a building that is proposed for demolition. For each lateral to be plugged the owner shall deposit \$1,000 with the City Engineer in two separate checks in the following amounts: (1). \$100 non-refundable deposit for the cost of inspection of the plugging by City staff; and (2). \$900 for the cost of City crews to perform the plugging. If the owner elects to

complete the plugging of a lateral by private contractor and the plugging is inspected and approved by the City Engineer, the \$900 fee shall be refunded to the owner (POLICY). This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.

**Zoning Administrator** (Contact Pat Anderson, 266-5978)

7. Provide a reuse and recycling plan, to be reviewed and approved by the City's Recycling Coordinator, Mr. George Dreckmann, prior to a demolition permit being issued.
8. MGO Sec. 28.12(12)(e) requires the submittal of documentation demonstrating compliance with the approved reuse and recycling plan. Please note, the owner must submit documentation of recycling and reuse within 60 days of completion of demolition.

**Fire Department** (Contact Bill Sullivan, 266-4420)

9. Note: A residential fire sprinkler system may be installed in accordance with NFPA 13D and Comm 82.40(3)(e). Additional information is available at the Home Fire Sprinkler Coalition website: <http://www.homefiresprinkler.org/Consumer/ConsHome.html>

**Water Utility** (Contact Dennis Cawley, 261-9243)

10. The Madison Water Utility shall be notified to remove the water meter prior to demolition.
11. This property is not in a wellhead protection district.
12. All wells on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility.

**Traffic Engineering** (Contact Bryan Walker, 267-8754)

This agency submitted a report with no conditions of approval for this proposal.

**Metro Transit** (Contact Tim Sobota, 261-4289)

This agency did not submit a response for this request.

**Parks Division** (Contact Kay Rutledge, 266-4714)

This agency did not submit a response for this request.