

Regarding: **14 South Franklin Street – First Settlement Historic District – Demolition of existing structure and construction of new two unit residence.  
PUBLIC HEARING  
(Legistar #21413)**

Date: February 28, 2011  
Prepared By: Amy Scanlon

General Information:

The existing structure, originally built in 1879, was destroyed by fire on October 6, 2010. Because it was found to be a loss by the insurance company and by City Building Inspectors, the Applicant is requesting a Certificate of Appropriateness for the demolition of the rest of the existing building. On this site, the Applicant proposes to construct a new two unit residential structure.

**Relevant sections of the Landmarks Ordinance for Demolition**

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; (*section included below*)
- 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** (*of the Landmarks Commission Ordinance*) 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.

**Relevant sections of the Landmarks Ordinance for New Primary Buildings**

In the left hand columns, staff has indicated whether they believe the proposal meets each criteria.

<u>Yes</u>	<u>No</u>	
Y		33.19(14)(e) <u>Criteria for the Review of New Primary Buildings.</u>
		1. <u>Building Height, Scale, Proportion and Rhythm.</u> New primary buildings shall be similar in height to the buildings directly adjacent to each side. If the buildings directly adjacent to each side are different in height, the new building shall be of a height compatible with the buildings within the visually related area of the proposed building. New primary buildings shall be compatible with the scale, proportion, and rhythm of masses and spaces of buildings within the visually related area of the proposed building.
Y		2. <u>Siding Materials.</u> Narrow gauge clapboards made of wood, composite wood material, or concrete, and/or brick and stone may be permitted. Stucco and splitfaced concrete block may be permitted only as trim, rather than the primary siding material. Stucco panels and pebble dash are prohibited. If the first two floors of a proposed building are masonry, the Landmarks Commission may permit the use of artificial siding (i.e. vinyl or aluminum) on the upper floor or floors. In such circumstances, the artificial siding must conform to the following requirements: <ul style="list-style-type: none"> <li>a. The material shall be of the highest grade offered by the manufacturer.</li> <li>b. The material shall have a minimum gauge of .042.</li> <li>c. The color and sheen of the siding shall be consistent with those used in the era in which adjacent buildings were constructed.</li> <li>d. The siding shall not have a false wood grain.</li> <li>e. The width of each apparent clapboard shall not exceed four (4) inches.</li> <li>f. The use of visible j-channel trim and other prefabricated elements that differ in appearance from those used on historic buildings in the neighborhood is prohibited.</li> </ul>

- Y 3. Roof Materials. Roofing materials shall be asphalt shingles; fiberglass or other composition shingles similar in appearance to multi-layered architectural shingles or 3-in-1 tab; or Dutch lap, French method or interlock shingles. Sawn wood shingles may also be approved. Thick wood shakes 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.
- Y 4. Roof Shape. If a primary building does not have a flat roof, the pitch of the new roof shall be no less than 4-in-12.
- Y 5. Facade Design. Street facades shall be modulated with setbacks incorporated into the design at the first floor level. The entrance shall either be inset or projecting from the plane of the main facade. Porches on main entrances are encouraged. Street facades shall reflect the rhythm and directional expression of pre-1930 buildings within the visually related area.
- Y 6. Windows and Doors. The proportion of width to height of doors and windows and the proportion of solids to voids in the front and side facade designs shall be similar to pre-1930 buildings within the visually related area. Windows trimmed with bead molds similar in design to other pre-1930 window trim in the district and windows and doors shall be inset at least one (1) inch from the exterior trim. The main entrance to the building shall be on the front facade. Garage doors shall be located on the side or rear facades whenever feasible. If it is not feasible to locate the garage door on the sides or rear facades, one-car garage doors will be permitted on the front facade.

Yes      No      33.19(14)(f) Criteria for the Review of Accessory Buildings, Fences and Retaining Walls.

- Enclosures are not considered accessory buildings by Zoning.
- 1. Accessory Buildings. Accessory buildings, as defined in Section 28.03(2) of these ordinances, shall be compatible with the design of the existing building on the zoning lot, shall not exceed fifteen (15) feet in height and shall be as unobtrusive as possible. Garage doors shall either be entirely flat or shall have approximately square panels. Horizontally paneled doors are prohibited. Windows shall be either double or single-hung units of a similar proportion to the windows on the building or shall be six-paned (three panes across and two panes high) units similar to those seen on 1920s era garages. Siding may either match the siding on the building or be narrow-gauge clapboard, vertical board-and batten, or a smooth stucco or stucco-like applied material. The roof shape shall have a pitch and style similar to the roof shape on the building. The roof material shall match as closely as possible the material on the building. Alteration of existing accessory buildings shall comply with this Subdivision and with Subdivision (d).
  - Y 2. Fences. Chain link and rustic style fences, such as rough sawn wood or split rails, are prohibited in the front yard.

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Staff Comments and Recommendation:

Based on the criteria and visual survey of the buildings within the visually related area, Staff believes that the standards for granting a Certificate of Appropriateness for the demolition of the existing structure are met and recommends approval by the Landmarks Commission and recommends the following conditions:

1. Please consider moving the window on the front elevation in the lower level off of the corner.
2. Please consider using paired double-hung windows on the side and rear elevations.
3. Please consider reducing the 2'-0" overhang at the front porch to 8" or so.
4. The 5'-0" wide storm window in the upper level of the rear stair enclosure should be changed to look like a paired double hung window and the cantilevered corner of the upper stair platform should have a decorative bracket and "beam" expressed in the siding detail.