

Regarding: **2109 Chamberlain Avenue – University Heights Historic District – Public Hearing – Consideration of Issuance of Certificate of Appropriateness for demolition of existing garage building and construction of new garage building. (Legistar #19994)**

Date: September 27, 2010  
Prepared By: Amy Scanlon

General Information

The Applicant is proposing to demolish the existing one car garage and to construct a new two car garage at the property at 2109 Chamberlain Avenue in the University Heights Historic District. The proposed garage will have a single wide door on the front elevation and side door and window on the backyard side elevation. The ridge of the gable roof will run from front to back. The garage will have vinyl siding and fiberglass 3 tab roof to match the residence.

Relevant sections of the Landmarks Ordinance

**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; *(staff note: this section is 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.

**33.19(12)(f)2. Accessory Buildings.** Accessory buildings, as defined in Section 28.03(2) 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 33.19(12)(f) 1.c.

Please note: Chapter 28 is the Zoning Code.

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#### Staff Comments

Staff believes that the standards for granting a Certificate of Appropriateness for the demolition of the existing garage and the construction of a new two car garage can be met and recommends approval by the Landmarks Commission with the following conditions:

- 1. Additional stiles must be added on the garage door to relate to the panels of glass above.
- 2. Trim width at the garage door, side door and window shall match the trim width of the residence.
- 3. The window head shall be lowered so that the meeting rail is at 5'-0" above the garage floor.