
Regarding: **40 North Roby Road – University Heights Historic District – Public Hearing – Consideration of Issuance of Certificate of Appropriateness for addition and other exterior alterations including variance request to alter building height. (Legistar #19275)**

Date: September 24, 2010
Prepared By: Amy Scanlon

General Information

The Applicant is proposing to construct an addition (over 100 square feet) and complete exterior alterations including increasing the building height at the residence located at 40 North Roby Road in the University Heights Historic District. The addition proposed for the side of the residence will include a garage at the lower level, family room and porch at the first floor and master bedroom at the second floor. The proposed addition wraps to the back of the residence to include a workshop at the lower level and three season porch at the first floor. The Landmarks Commission discussed this proposal on an informal basis on July 26, 2010.

The Applicant is also proposing to raise the height of the existing roof by 3” at the ridge to provide additional slope in an effort to remedy ongoing water damage (in the area of the flat roof).

Relevant sections of the Landmarks Ordinance

33.19(12)(d)1. Height. All additions shall be no higher than the existing building; however, if the existing building is already a nonconforming one, no addition shall be made thereto except in accordance with Section 28.05(3)(c) of the Madison General Ordinances. Roof additions resulting in an increased building volume are prohibited unless they meet the standards in Section 33.19(12)(d)6. and are permitted under Chapter 28 of the Madison General Ordinances, or approved as a variance pursuant to Section 28.08(2)(e) and 28.12(8)(d) or approved as a conditional use or as part of a planned residential development in accordance with Section 28.085(e).

Please note:

Chapter 28 is the Zoning Code.

Section 28.05(3)(c) relates to Non-conforming Buildings and Uses, Additions and Enlargements.

Section 28.08 (2)(e) Height Regulations. In the R1 district, no building or structure shall exceed two (2) stories nor thirty-five (35) feet in height (Am. by Ord. 12,381, 6-3-99; Ord. 12,599, 3-3- 00; Ord. 13,040, 4-9-02)

28.12(8)(d) relates to Administration and Enforcement, Area Exceptions, Application for Area Exceptions.

33.19(12)(d)6. Additions Visible from the Street and Alterations to Street Facades.

Additions visible from the street, including additions to the top of buildings or structures, and alterations to street facades shall be compatible with the existing building in architectural design, scale, color, texture, proportion of solids to voids and proportion of widths to heights of doors and windows. Materials used in such alterations and additions shall duplicate in texture and appearance, and architectural details used therein shall duplicate in design, the materials and details used in the original construction of the existing building or of other buildings in University Heights of similar materials, age and architectural style, unless the Landmarks Commission approves duplication of the texture and appearance of materials and the design of architectural details used in the existing building where the existing building materials and architectural details differ from the original. Additions and exterior alterations that exactly duplicate the original materials in composition are encouraged. Additions or exterior alterations that destroy significant architectural features are prohibited. Side additions shall not detract from the design composition of the original facade. (Renum. by ORD-08-00122, 11-22-08)

33.19(12)(d)8. Roof Shape. The roof shape of the front of a building or structure shall not be altered except to restore it to the original documentable appearance or to add a dormer or dormers in a location and shape compatible with the architectural design of the building and similar in location and shape to original dormers on buildings of the same vintage and style within the district. Alterations of the roof shape of the sides or back of a building or structure shall be visually compatible with the architectural design of the existing building. (Renum. By ORD-08-00122, 11-22-08)

33.19(12)(d)9. Roof Material.

- b. If the existing roofing material is asphalt shingles, sawn wood shingles or a nonhistoric material such as fiberglass, all repairs shall match in appearance the existing roof material; however, if any such roof is covered or replaced, re-roofing must be done using rectangular sawn wood shingles or rectangular shingles that are similar in width, thickness and apparent length to sawn wood shingles, for example, 3-in-1 tab asphalt shingles. Modern style shingles, such as thick wood shakes, dutch lap, french method and interlock shingles, that are incompatible with the historic character of the district are prohibited.
- c. Rolled roofing, tar and gravel and other similar roofing materials are prohibited except that such materials may be used on flat or slightly sloped roofs which are not visible from the ground.
(Renum. by ORD-08-00122, 11-22-08)

33.19 (15)(c) Standards. The Landmarks Commission shall not vary the regulations of this ordinance unless it makes findings of fact based upon the evidence presented to it in each specific case that one or more of the following conditions is present:

1. The particular physical characteristics of the specific building or site involved would result in a substantial hardship upon the owner as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out,

- provided that the alleged difficulty or hardship is created by this ordinance and has not been created by any person presently having an interest in the property.
2. In the case of the alteration of an existing building, the proposed design would incorporate materials, details, or other elements not permitted by the ordinance but which can be documented by photographs, architectural or archaeological research or other suitable evidence to have been used on other buildings of a similar vintage and style in the Historic District in which the building is located, provided that the project will not destroy significant architectural features on the building.
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Staff Recommendations

Staff believes that the standards for granting a Certificate of Appropriateness for the construction of the addition and the exterior alterations are met as are the variance standards of the increase in building height can be met and recommends approval by the Landmarks Commission with the following suggestions (which have been discussed with the Architect):

1. Remove the modillions and the leader box from the additions as a way to simplify the additions and make them secondary to the original residence.
2. Ensure that the relationship of the column to the entablature is based on the classical orders and matches the existing detail at the front porch. The submitted elevation drawings show two different column to entablature relationships.
3. Remove the pergola elements from the covered porch off of the Family Room to retain the traditional interpretation of the classical orders.
4. Describe the roof material on the new first floor porch, on the new roof on the existing kitchen bump, and on the new portion of the main roof.
5. Describe the location of downspouts at the addition. Staff suggests that the downspouts are located so that they do not obscure the profile of the classical orders or run along the face of a column (unless the column is near an inside corner).
6. Describe the materials proposed for use on the porch floor.