



Project Name & Address: 109 Lathrop Street

Application Type(s): PUBLIC HEARING
Certificate of Appropriateness for demolition and exterior alterations in a historic district

Legistar File ID # [51731](#)

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Summary

Project Applicant/Contact: Curtis Satter

Requested Action: The Applicant is requesting that the Landmarks Commission approve a Certificate of Appropriateness for the demolition of an existing garage structure and the installation of egress windows in the University Heights Historic District.

Background Information

Parcel Location/Information: The subject site is located in the University Heights Historic District.

Relevant Ordinance Sections:

- 41.18 STANDARDS FOR GRANTING A CERTIFICATE OF APPROPRIATENESS.** A certificate of appropriateness shall be granted only if the proposed project complies with this chapter, including all of the following standards that apply.
- (1) New construction or exterior alteration. The Landmarks Commission shall approve a certificate of appropriateness for exterior alteration or construction only if:
 - (a) NA
 - (b) NA
 - (c) In the case of exterior alteration or construction on any property located in a historic district, the proposed exterior alteration or construction meets the adopted standards and guidelines for that district.
 - (d) In the case of any exterior alteration or construction for which a certificate of appropriateness is required, the proposed work will not frustrate the public interest expressed in this ordinance for protecting, promoting, conserving, and using the City's historic resources.
 - (2) Demolition or Removal. In determining whether to approve a certificate of appropriateness for any demolition or removal of any landmark or structure within a historic district, the Landmarks Commission shall consider all of the following, and may give decisive weight to any or all of the following:
 - (a) Whether the structure is of such architectural or historic significance that its demolition or removal would be detrimental to the public interest and contrary to the general welfare of the people of the City and the State.
 - (b) Whether a landmark's designation has been rescinded.

- (c) Whether the structure, although not itself a landmark structure, contributes to the distinctive architectural or historic character of the historic district as a whole and therefore should be preserved for the benefit of the people of the City and the State.
- (d) Whether demolition or removal of the subject property would be contrary to the policy and purpose of this ordinance and/or to the objectives of the historic preservation plan for the applicable historic district as duly adopted by the Common Council.
- (e) Whether the structure is of such old and unusual or uncommon design, method of construction, or material that it could not be reproduced or be reproduced only with great difficulty and/or expense.
- (f) Whether retention of the 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.
- (g) The condition of the property, provided that any deterioration of the property which is self-created or which is the result of a failure to maintain the property as required by this chapter cannot qualify as a basis for the issuance of a certificate of appropriateness for demolition or removal.
- (h) Whether any new structure proposed to be constructed or change in use proposed to be made is compatible with the historic resources of the historic district in which the subject property is located, or if outside a historic district, compatible with the mass and scale of buildings within two hundred (200) feet of the boundary of the landmark site.

Prior to approving a certificate of appropriateness for demolition, the Landmarks Commission may require the applicant to provide documentation of the structure. Documentation shall be in the form required by the Commission.

41.24 UNIVERSITY HEIGHTS HISTORIC DISTRICT

- (4) Standards for the Review of New Structures in the TR-V1, TR-V2, TR-U1, TR-U2, TR-C2, TR-C3, TR-C4, MNX, TSS, and LMX Zoning Districts.
 - (a) Principal Structures.
 - 2. Materials. Materials for the exterior walls 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 structures 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 structures within two hundred (200) feet of the subject property. 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.

Analysis and Conclusion

Egress windows and areaways were installed without permits or approvals. Because the egress windows and areaways were constructed without permits, it was not reviewed by Building Inspection and those reviews may require changes to the size and appearance. If changes are required by Building Inspection, the egress windows/areaways may be brought back before the Commission. The property owner is requesting a retroactive Certificate of Appropriateness for the installation of egress windows and another Certificate of Appropriateness to demolish the existing garage.

41.18(1)(d) instructs the Landmarks Commission to determine if the demolition and alteration requests frustrate the public interest expressed in this ordinance for protecting, promoting, conserving, and using the City's historic resources. The demolition of structures and alterations made to structures in historic districts should be carefully evaluated to ensure retention of historic significance and character in the district. The house-driveway-garage pattern in University Heights is part of its distinctive historic character. The installation of egress windows in the basement does not frustrate the public interest in a way that negatively impacts the district and is a minor integrity issue for the house itself.

Egress windows

One egress window is located on the side elevation and the other is located on the rear elevation. The previously installed egress windows are double hungs and seem to match other double hungs in the house, but the installed egress windows do not have muntins to exactly replicate the existing windows. The windows also do not have wide head and jamb trim to match the existing windows of the upper floors, but the trim is similar to other existing basement windows except that it is proud of the surrounding wall surface instead of being held behind the wall to match the existing basement windows. The egress windows do not fill the entire masonry opening. Infill material is painted to match the adjacent wall in the masonry opening.

Demolition of Garage

The garage structure could be contemporary to the main residence which was constructed in 1915 or was built soon thereafter, but it could be a replacement structure from the 1950s. This house was owned for a long period (1936 - circa 1977) by one family who seems to have obtained permits for all work and a garage permit was not one of the permits obtained which leads staff to believe the structure dates to before their ownership.

41.18(2) instructs the Landmarks Commission to give decisive weight to any or all of the following demolition standards when determining the appropriateness of demolition:

- (a) This standard relates to the discussions above. While the garage structure is likely contemporary to the construction of the house or very soon after, this information is not known. The garage is an accessory structure and is part of the historic district, but is not the most significant structure on the property.
- (b) Not applicable.
- (c) The house-garage-driveway pattern in the University Heights neighborhood is a strong historic district characteristic.
- (d) The policy and purpose of the ordinance is to protect, promote and preserve the City's historic resources and to safeguard the resources by establishing an obligation to maintain them.
- (e) The structure is old, but not of uncommon design and could be reproduced without difficulty.
- (f) The existing garage is located in a historic district. Retention of the garage building does not rise to the level of promoting the general welfare of the people like the retention of the house.
- (g) The property owner is claiming condition issues resulting from the growth of a nearby tree are the reason for demolition. The property owner would like demolish the garage instead of remove the tree or repair the garage.
- (h) The property owner proposes to remove the garage and leave the area open space. It is unclear if the space will be used for grass or parking.

Prior to approving a certificate of appropriateness for demolition, the Landmarks Commission may require the applicant to provide documentation of the structure. Documentation shall be in the form required by the Commission.

Recommendation

Egress windows

Staff believes that the standards for granting the Certificate of Appropriateness for the exterior alterations (egress windows) are met and recommends approval of the Certificate of Appropriateness as submitted.

Demolition of Garage

Staff would prefer that the property owner repair the garage, but believes that the standards for granting the Certificate of Appropriateness for the demolition of the garage may be met and recommends approval of the Certificate of Appropriateness as submitted.