



Project Address: 123 West Gilman Street and 113 West Gorham Street

Application Type: Certificates of Appropriateness for the relocation (technical demolition) and placement of the relocated structure (technical new development) in the Mansion Hill historic district

Legistar File ID # [32076](#)

Prepared By: Amy L. Scanlon, Preservation Planner, Planning Division

Summary

Applicant/Property Owner: Dan Seeley

Requested Action/Proposal Summary: This development proposal requires multiple actions from the Landmarks Commission. The Landmarks Commission reviewed this proposal on November 25, 2013 and numerous items were referred at that time.

The Landmarks Commission shall act on the request for a Certificate of Appropriateness for the following items related to Legistar #32076 as discussed in this staff report:

- Removal/relocation (demolition) of structure located at 123 West Gilman
- New development in historic district at 113 West Gorham (relocation site)(Certificate of Appropriateness approved 11/25/13)

The Landmarks Commission shall also act on the request for a Certificate of Appropriateness for the following items related to Legistar #32027 as discussed in a separate staff report:

- Demolition of structure located at 121 West Gilman (see Legistar #32027) (Certificate of Appropriateness approved 11/25/13)
- Demolition of structure located at 127 West Gilman (see Legistar #32027)
- New development in historic district on West Gilman (see Legistar #32027)

The Landmarks Commission shall also provide the Plan Commission with an advisory recommendation on the following items related to Legistar #32027 as discussed in a separate staff report:

- Land division/combination in a historic district (see Legistar #32027)
- New development adjacent to landmark site 120 West Gorham (see Legistar #32027) (favorable recommendation approved 11/25/13)

Applicable Regulations & Standards: Section 33.19 and Chapter 28 of the Madison General Ordinances (see below)

Review Required By: Landmarks Commission, Plan Commission

Background Information

Parcel Location: The subject sites are located in the Mansion Hill (local) historic district and in the Mansion Hill National Register Historic District.

Relevant Ordinance Sections:

The definition of demolition is being included so the Commissioners understand the standards for review.

28.211 Definitions

Demolition. Demolition is an act or process that removes, pulls down, tears down, razes, deconstructs or destroys an existing building wall facing a public street or, during any ten (10) year period, removes, pulls down, tears down, razes, deconstructs or destroys fifty percent (50%) or more of the area of the exterior walls of a building. This provision does not apply to the repair or replacement of windows, doors, or siding.

33.19(5)(c)3. Standards. (for Demolition)*

In determining whether to issue a Certificate of Appropriateness for any demolition (*or relocation*), 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 (*or relocation*) 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 (*or relocation*) 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;
- 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.

** Emphasis added to Ordinance language for clarification of interpretation.*

33.19 (1) Purpose and Intent 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(10)(e) Guideline Criteria for new Development in the Mansion Hill Historic District.

1. The gross volume of any new structure shall be visually compatible with the buildings and environment with which it is visually related (visually related area).
2. In the street elevation(s) of a new building, the proportion between the width and the height in the facade(s) shall be visually compatible with the buildings and the environment with which it is visually related (visually related area).
3. The proportions and relationships between width and height of the doors and windows in new street facade(s) shall be visually compatible with the buildings and environment with which it is visually related (visually related area).
4. The rhythm of solids to voids created by openings in the facade of the new structure should be visually compatible with the buildings and environment with which it is visually related (visually related area).
5. All new street facades should blend with other buildings via directional expression. When adjacent buildings have a dominant vertical or horizontal expression, this expression should be carried over and reflected.

Analysis and Conclusion

Each Certificate of Appropriateness and advisory recommendation will be discussed separately in this section. The items that were previously approved have been removed from this report.

Certificate of Appropriateness for Demolition (relocation) of structure at 123 W Gilman

The building at 123 W Gilman was constructed in 1886 as the Benajah Warnes House in a vernacular Queen Anne style. According to the preservation file, Benajah Warnes was a carpenter who built many houses in Madison. It is unclear if he was the builder of this residence. Because the relocation is technically a demolition, the Landmarks Commission shall use the demolition standards to determine the appropriateness of relocation.

A brief discussion of the demolition standards (33.19(5)(c)3) follows:

- a. The building is of architectural and historic significance. The building is a vernacular structure that was built in an early development period of Madison. The architecture is consistent with the period of development significance. The loss of this structure would adversely affect the overall character and integrity of the historic district. The relocation of the structure to an appropriate site in the Mansion Hill historic district is being proposed.
- b. The building does contribute to the architectural and historic character of the district. As described above, the architecture is consistent with the period of development significance and is compatible with other buildings of the same period of development which creates an architectural and historic character. The loss of this structure will adversely affect the overall character and integrity of the historic district.
- c. The demolition would be contrary to the purpose and intent of this Ordinance and the objectives of the preservation plan for the district; however, the current proposal is to relocate the building and relocation is not contrary to the purpose and intent of the Ordinance or the preservation plan for the district. The Preservation Plan is provided in Legistar.
- d. The building is not of such old and unusual or uncommon design, but it is an original vernacular structure.
- e. Retention of the building will promote the general welfare of the public. The general welfare of the public is promoted by the retention of the City's cultural resources and historic identity.
- f. The building is not in deteriorated condition and a hardship is not being claimed.
- g. The new structures proposed for this site from which the building is being removed may meet zoning code requirements, but do not meet the Landmarks Ordinance. Further analysis of the new development proposal is found in the staff report related to Legistar # 32027.

As a general rule, historic buildings in historic districts should remain on their original site to reinforce the context, authenticity, and integrity of the district. The option for removal/relocation is considered to be only slightly better than the option of demolition and is located accordingly in the same Landmarks Ordinance section.

The relocation of historic buildings in historic districts is not a common practice and should not be considered as such. While it is preferable to leave historic buildings where they were constructed, there may be instances where a case for relocation can be made. In this case, Staff believes the proposed site for relocation provides an appropriate context within the Mansion Hill Historic District. Please refer to the discussion related to the new development at 113 West Gorham Street in this staff report.

Recommendation

Certificate of Appropriateness for Demolition of structure at 123 W Gilman

Staff believes that the standards for granting the Certificate of Appropriateness for the relocation (technical demolition) of the building at 123 W Gilman are met and recommends approval by the Landmarks Commission with the condition that the demolition permit cannot be obtained until the entire redevelopment project on West Gilman and West Gorham Streets has obtained all other necessary approvals.