

# LETTER OF INTENT FOR DEMOLITION PERMIT APPLICATION

## I. Applicant and Property Address:

A. Edgewood Property LLC (Sami and Brittany Kawas)

B. 2121 Jefferson Street (Half Parcel) and 1007 Edgewood Avenue (Half Parcel)

## II. Introduction:

This letter accompanies the updated demolition permit application for 2121 Jefferson Street and 1007 Edgewood Avenue. The Kawas seeks to remove two single-family residences from the property and construct a new single-family residence. The new construction is not just in compliance with all applicable regulations but will also align with the character of the Wingra Park neighborhood.

The Kawas originally applied for a Demolition Permit for the improvements located on the property. See *City of Madison - File #: 84825*. The Plan Commission denied their application. The Kawas appealed the Plan Commission's action to the City Council. As part of the appeal, they discovered that the Inspection Reports for the structures that the Kawas submitted with their application were not reviewed by City Staff, not included in the City Staff Report, and not provided to the Plan Commission Members. These reports contained crucial information about the condition of the houses on the property. Since the Plan Commission had never reviewed the Inspection Reports as part of its determination, the Kawas withdrew the appeal. They resubmitted their demolition permit application to the Plan Commission so that the Plan Commission Members could review and benefit from the Inspection Reports before deciding.

While both houses were identified as contributing resources to the Wingra Park Historic District, they lack individual architectural or historical significance, as outlined in the Wingra Park Historic District Registration Form. Both buildings have undergone extensive unsympathetic alterations, including cheap replacement siding and windows and significant interior modifications that diminish their historic integrity. Detailed inspections have confirmed the properties' poor condition, which presents considerable safety risks.

This property includes two two-story single-family homes on one legal parcel, which has never been split into two lots. The fact that two houses were built on a single residential lot renders them nonconforming under the City's zoning ordinance and is inconsistent with the Wingra Park Plat.

This application incorporates findings from the previous application, addresses City Staff comments, and highlights the poor condition of the properties as demonstrated by detailed inspections.

## III. Vilas Neighborhood Association:

The Vilas Neighborhood Association Board voted to support the Demolition Permit application.

#### **IV. Proposal Summary:**

The applicant requests a demolition permit to remove houses located at 2121 Jefferson Street (Half Parcel) and 1007 Edgewood Avenue (Half Parcel). Upon approval of this demolition permit, the applicant intends to construct a single-family, energy-efficient residence that aligns with the original lot configuration from the Wingra Park plat, maintaining neighborhood harmony and incorporating modern design elements that honor the area's aesthetic while respecting its historical significance. The proposed house will be designed to be accessible for older people as the owners expect to have one set of their parents living with them in the not-too-distant future.

#### **V. Lack of Historical Significance:**

##### **A. Lack of Specific Notability:**

2121 Jefferson Street and 1007 Edgewood Avenue are included in the Wingra Park Historic District, along with 295 other houses, in the list of “contributing resources” without further explanation.<sup>1</sup> The Wingra Park Registration Form provides specific details for the homes within the Historic District that have notable architectural, cultural, or historic value.<sup>2</sup> It does not mention 2121 Jefferson Street or 1007 Edgewood Avenue as having any specific notable architectural, cultural, or historic value.<sup>3</sup> Their designation arises solely from their construction dates within the District's identified period of significance (1891-1940).<sup>4</sup>

The Wingra Park Historic District covers 28 blocks.<sup>5</sup> It is a federal designation. When this neighborhood became a historic district, 297 houses were cited as contributing resources.<sup>6</sup> Another 23 houses were considered non-contributing because they were built after 1940 or had “unsympathetic alterations.”<sup>7</sup> The Wingra Park Registration Form notes that the 23 non-contributing houses did not detract from the sense of time and place conveyed by the 297 contributing resources.<sup>8</sup>

The city has not landmarked either 2121 Jefferson Street or 1007 Edgewood under its Historic Preservation Ordinance, and neither house has been deemed worthy of individual historic preservation protections by any other state or federal governmental unit. In fact, the National Register of Historic Places guidelines state that “[u]nder Federal Law, the listing of a property in the National Register places no restrictions on what a non-federal owner may do with their property up to and including destruction, unless the property is involved in a project that receives Federal assistance, usually funding or licensing/permitting.”<sup>9</sup>

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<sup>1</sup>United States Department of the Interior, National Park Service, *Wingra Park Historic District Registration Form*, NPS Form 10-900, Section 7, Pages 17 and 20 (Oct. 1990).

<sup>2</sup> *Id.* at Section 7, Pages 2-14.

<sup>3</sup> *Id.*

<sup>4</sup> *Id.* at Section 7, Page 1

<sup>5</sup> *Id.*

<sup>6</sup> *Id.* at Section 7, Page 15.

<sup>7</sup> *Id.*

<sup>8</sup> *Id.*

<sup>9</sup> United States Department of the Interior, National Park Service, *National Register of Historic Places*

(Emphasis added.)

**B. Lack of Architectural Integrity:**

Both houses have undergone extensive alterations, as cited by the Kawas licensed architect:<sup>10</sup>

1. The two subject houses have since had the original siding and windows replaced with cheap vinyl material.
2. The two subject houses have missing interior components and finishes typical of the early 20th century.
3. two subject houses suffered decades of deferred maintenance and neglect before being sold to the Kawas, leading to structural and systemic damage.

The alterations are shown in the photos submitted with the application.

The Wingra Park Registration Form includes two older houses as noncontributing due to "unsympathetic alterations," including siding changes.<sup>11</sup> First, the Millward House at 1714 Adams Street, originally built in 1897, is noted as having its front porch enclosed and clad with asbestos shingles, which contributed to its noncontributing status.<sup>12</sup> Second, the Shearer House at 2103 Madison Street (1907) had a large, boxy two-story addition that obscured the house's Queen Anne character, and the whole house was clad with red brick veneer.<sup>13</sup>

Based on the determination that 1714 Adams Street and 2103 Madison Street were non-contributing, the Kawas' architect believes that 2121 Jefferson Street and 1007 Edgewood would be considered non-contributing today based on their condition, using the original metrics submitted in 1990.<sup>14</sup>

**C. Context within the Wingra Park Historic District:**

The inclusion of these houses as contributing resources is due solely to their age.<sup>15</sup> There are 295 other homes deemed contributing resources in the 28-block Historical District. Demolition of the houses would restore the property to conformity with the original Wingra Park plat, which intended one single-family home per lot. Razing 2121 Jefferson Street and 1007 Edgewood, two homes with unsympathetic alterations, and replacing them with a single-family home will not detract from the 295 remaining contributing resources in

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*Program: Frequently Asked Questions*, at 3 (updated 2023), available at <https://www.nps.gov/subjects/nationalregister/faqs.htm>

<sup>10</sup> Bruns Architecture, *Letter of Intent Regarding 2121 Jefferson Street and 1007 Edgewood Avenue*, August 12, 2024 (Legistar #84825).

<sup>11</sup> *Wingra Park Historic District Registration Form*, supra, Section 7, Pages 14-15.

<sup>12</sup> *Id.* at 14.

<sup>13</sup> *Id.* at 15.

<sup>14</sup> *Letter of Intent Regarding 2121 Jefferson Street and 1007 Edgewood Avenue*, supra.

<sup>15</sup> *Wingra Park Historic District Registration Form*, supra, Section 7, Pages 1.

the 28-block district no more than the other 23 non-contributing houses do not detract.<sup>16</sup>

**VI. Inspection Findings Highlighting Poor Condition:**

The applicant had AmeriSpec Inspection Service conduct home inspections for both properties. These Home Inspection Reports were originally included with Kawas’ original application but were not included in the Staff Report or sent to the Plan Commission. The reports show that these houses, including critical structural problems, are significantly compromised. The applicant’s architect specifically determined:

[W]e are talking about two houses that have been evaluated by an independent inspection company and found to have unsafe electrical issues, leaking plumbing systems, leaking roofs, and cracked, broken, and failing structural components. Further, our firm has noted substandard structure, non-original siding and windows, missing interior components and finishes. In essence, we observe two dilapidated and unhealthy buildings.<sup>17</sup>

**A. 2121 Jefferson Street Inspection:<sup>18</sup>**

1. Basement:
  - a) Improperly bored holes and notched joists compromising strength.
  - b) Joists improperly supported on window frames.
  - c) Split beams inadequately supported at posts.
  - d) Splices not aligned with posts.
  - e) Water stains observed near the electric panel.
  - f) Evidence of past leaks.
2. Exterior:
  - a) Misaligned roof support posts and joists not properly seated.
  - b) Improperly flashed fireplace vent and loose siding.
  - c) Flashing issues between flat roofs and siding.
  - d) Rear Porch lacks guardrails.
  - e) Inadequate grading near foundation areas.
3. Roof:

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<sup>16</sup> *Id.* at Section 7, Page 15.

<sup>17</sup> Bruns Architecture, *Letter to the Madison Common Council Regarding Agenda Item 8, Legistar File #85527*, October 26, 2024.

<sup>18</sup> AmeriSpec Inspection Service, *Home Inspection Report for 2121 Jefferson Street, Madison, WI*, Doc. #202401-42774, prepared for Sami Kawas, January 4, 2024.

- a) Improper asphalt shingles on flat roof.
- b) Curling, granule erosion, and uneven shingles.
- 4. Attic: Gable vents potentially short-circuiting soffit ventilation.
- 5. Heating: Possible asbestos material observed on damaged ducting.

**B. 1007 Edgewood Avenue Inspection:<sup>19</sup>**

- 1. Basement:
  - a) Cracked/split joists and improperly supported beams.
  - b) Joists have moved from nailers/beams.
  - c) Beams inadequate for supporting joists.
  - d) Observed level issues and improper supports.
  - e) Basement Moisture and Mold.
  - f) Stains, discoloration, and growth on framing, suggesting potential mold or fungus.
  - g) Water stains suggest past moisture issues.
- 2. Porch Defects:
  - a) Added support posts lack proper footings.
  - b) Guardrail height is insufficient for safety.
  - c) Framing of the rear porch slopes and window frames are out of plumb.
  - d) Gaps in the ceiling suggest water entry.
- 3. Stairs/Steps:
  - a) Uneven risers and sloped treads on rear stairs.
  - b) Non-graspable handrails and a front storm door that opens over the steps.
- 4. Attic:
  - a) Hooded roof vents installed on opposite sides may short-circuit soffit ventilation.
  - b) Improper openings under roof vents.
- 5. Rodent Evidence. Rodent droppings observed in the insulation.
- 6. Roof: Rubber Membrane--Bridging observed at slope changes,

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<sup>19</sup> AmeriSpec Inspection Service, *Home Inspection Report for 1007 Edgewood Avenue, Madison, WI*, Doc #202401-42775, prepared for Sami Kawas, January 4, 2024.

requiring repairs.

**VII. Applicable Demolition Permit Standards**

**A. Efforts to Relocate Buildings (Standard 1):**

The applicant's architect conducted a study to determine whether the two houses could be relocated.<sup>20</sup> The houses' structural deficiencies make relocating them infeasible.<sup>21</sup> Additional logistical challenges posed by tree canopies and utility lines also render relocation infeasible and make the costs associated with it prohibitive.<sup>22</sup>

In addition, there do not appear to be any affordable, vacant lots that the applicant could buy within this district suitable for these houses. Moreover, purchasing vacant lots, if there are any, and relocating the houses to those lots would be extremely expensive. Relocating the houses outside this district would defeat their claimed contribution to its historical character.

**B. Historic Value and Preservation Considerations (Standard 4):**

As shown by the inspections, both properties lack architectural and historical integrity, and their contribution to the Historic District is minimal. Demolition aligns with adopted City plans and will enhance neighborhood safety and utility.

It was previously argued that these houses could be maintained as naturally occurring affordable housing. The extensive structural deficiencies and required repairs for 1007 Edgewood Avenue and 2121 Jefferson Street make them financially unviable as affordable homes or rental properties. The high investment required for repairs would result in substantially increased sale prices or rental rates, making the properties inaccessible to low- and middle-income households. The economics of restoring these houses align poorly with the goal of creating affordable housing, reinforcing the challenge of using aging or structurally compromised properties in the affordable housing market.

The City's Preservation Planner's statement that the two houses may be eligible for preservation tax credits and retain adequate historical integrity is overstated. Their only contribution to the district is that they are single-family houses and are old. The appearance of the houses has significantly changed and is not consistent with similar houses built during that period.

The rehabilitation costs to restore the two houses would easily exceed \$500,000 and could be much more. Existing inappropriate alterations may disqualify the homes from such tax credits. Moreover, tax credits would only offset a limited amount of the costs. The process itself is time-consuming and costly. It is patently unfair to hold the applicant to the standard of seeking difficult-to-get tax credits to possibly subsidize a small portion of the significant rehabilitation costs to restore two compromised houses in a historical district comprising 295 other contributing homes in 28 blocks. Removing these two houses will not

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<sup>20</sup> *Letter of Intent Regarding 2121 Jefferson Street and 1007 Edgewood Avenue*, supra.

<sup>21</sup> *Id.*

<sup>22</sup> *Id.*

compromise the district's historic character.

**C. Statement of Purpose (Standard 7):**

The proposed demolition is consistent with the permit section's purpose, which includes protecting public safety and facilitating development in alignment with adopted City plans.

**D. Health and Safety Considerations (Standard 6):**

Both properties' significant structural, electrical, and environmental deficiencies create safety hazards that the Kawases cannot address through reasonable maintenance or repair efforts. Repairs such as replacing cracked and split joists, fixing inadequate beams, addressing water and mold damage, and upgrading outdated electrical and plumbing systems would involve substantial costs. Additionally, bringing the properties up to modern building codes—such as installing GFCI outlets, upgrading HVAC systems, and replacing lead-based paint and asbestos—further increases expenses.

**VIII. Conclusion:**

The Kawas family is committed to ensuring this project respects the historic character of the Wingra Park neighborhood while addressing contemporary housing needs. The inspections establish that both properties are in advanced stages of deterioration, making them unsuitable for rehabilitation. The proposed new home will reflect design elements harmonious with the neighborhood's aesthetic and improve the property's utility and safety. We respectfully request approval for this demolition permit.