

CITY OF BELOIT

REPORT TO THE BELOIT LANDMARKS COMMISSION

Meeting Date: April 21, 2009

Agenda Item: 5

File Number: COA-2009-08

Applicant: Eliazar Martinez

Owner: Eliazar Gaspar & Maria Torres

Location: 961 Bluff Street

Existing Zoning: R-1B, Single-Family Residential District

Existing Land Use: Single-Family Dwelling

Parcel Size: .12 Acres

Request Overview/Background Information:

Eliazar Martinez has submitted a Certificate of Appropriateness (COA) Application to retain unauthorized windows and an unauthorized second story alteration on the house located at 961 Bluff Street. On March 12, 2009, the Planning Division received a complaint about unauthorized changes to this historic house. An inspection of the property confirmed that the structure had been altered without a COA and without a building permit. On March 13, 2009, Planning staff notified the property owner of the violation and ordered the property owner to restore the structure to its prior appearance by May 1, 2009. In accordance with Section 32.20(1) of the Historic Preservation Ordinance, the applicant is seeking a COA to retain the unauthorized alterations.

Consistency with the Historic Preservation Ordinance and Strategic Plan:

Consideration of this request is consistent with the intent and purpose of the Historic Preservation Ordinance. Consideration of this request supports City of Beloit Strategic Goal #4.

Key Issues:

- The applicant has acknowledged that the windows were replaced and the structure was altered without a COA and without a building permit.
- On April 7, 2009, the property owner received a citation and a \$172 fine for working without a building permit.
- Several “before” and “after” photographs are attached to this report. As shown in the photographs, the applicant essentially enclosed the second story balcony. The applicant has stated that this was done to prevent water intrusion.
- The applicant also replaced approximately 20-25 windows with vinyl windows that are white in color. The original windows were hauled away by the contractor and were (presumably) thrown away.
- The application and a letter from the applicant are attached to this report.
- While the exact sequence of events is unclear, the applicant received Orders from the Housing Services Division dated June 24, 2008 to remove a tarp that was covering the roof and to complete any outstanding repairs.
- The applicant has stated that City inspectors informed him that he would not need a building permit for the projects that are the subject of this COA application. The City’s building inspectors vehemently deny this assertion. It’s possible that the applicant inquired about making minor repairs to the house that did not require a permit, but the replacement of 20-25 windows and the enclosure of a porch definitely require a building permit.
- During the Beloit Intensive Survey, the house was classified as a ‘contributing’ structure within the Bluff Street Historic District. A copy of the Intensive Survey Form is attached to this report.
- Section 32.06(5) of the Historic Preservation Ordinance includes general review criteria to be used when evaluating COA applications. The attached COA Checklist evaluates this application against the general review criteria included in the Ordinance.
 - In general, the unauthorized balcony enclosure is an inappropriate alteration that diminishes the distinguishing original qualities and character of the structure.
- Section 32.06(5) of the Historic Preservation Ordinance establishes *Specific Review Criteria* to be used in evaluating COA applications. The following criteria are relevant to this application:

- (1) *Proportions of Windows and Doors:* The proportions and relationship between doors and windows should be compatible with the architectural style and character of the landmark, or in the case of new construction, with surrounding structures within the historic district.

It does not appear that the applicant altered the size of any existing window openings. The window that was added to the balcony enclosure is incompatible with the remainder of the windows.

- (2) Architectural Details: Architectural details, including materials, colors and textures, should be treated so as to make a landmark compatible with the original architectural style or character of the landmark in the historic district.

The vinyl replacement windows (excluding the one in the balcony enclosure) are compatible with the style of the structure and the character of the historic district. However, the balcony enclosure is incompatible with the style of this house, with its emphasis on recessed windows.

- Section 32.06(6) of the Historic Preservation Ordinance states that the Landmarks Commission may grant a COA if it determines:
 - (a) In the case of a landmark or landmark site, the proposed work would not detrimentally change, destroy, or adversely affect any exterior architectural feature of the improvement upon which the work is to be done.
 - (b) In the case of the construction of a new improvement upon a landmark site, the exterior of such improvement would not adversely affect or would harmonize with the external appearance of other improvements on such site.
 - (c) In the case of any property located in an historic district, the proposed construction, reconstruction, or exterior alteration conforms to the objectives and design criteria of the historic preservation plan for the City and district.
- Staff believes that the replacement windows (excluding the one in the balcony enclosure) satisfy the standards of Section 32.06(6)(c).
- Staff believes that the unauthorized balcony enclosure does not satisfy the standards of Section 32.06(6)(c).

Sustainability: (Briefly comment on the sustainable long term impact of this policy or program related to how it will impact both the built and natural environment utilizing the four following eco-municipality guidelines)

- **Reduce dependence upon fossil fuels** – The preservation and enhancement of historic structures reduces dependence upon fossil fuels by capitalizing on the embodied energy that is present in these structures. Our historic districts are compact, walkable neighborhoods that were developed when walking was a primary mode of travel.
- **Reduce dependence on chemicals and other manufacturing substances that accumulate in nature** – N/A
- **Reduce dependence on activities that harm life sustaining eco-systems** – N/A
- **Meet the hierarchy of present and future human needs fairly and efficiently** – N/A

Staff Recommendation:

The Neighborhood Planning Division recommends denial of a Certificate of Appropriateness to retain an unauthorized second story alteration on the house located at 961 Bluff Street, based on the standards and criteria contained in the Historic Preservation Ordinance. The Neighborhood Planning Division recommends a compliance date of June 1, 2009.

The Neighborhood Planning Division recommends approval of a Certificate of Appropriateness to retain unauthorized windows on the house located at 961 Bluff Street, subject to the following conditions:

1. Any additional replacement windows shall be authorized by a Certificate of Appropriateness.
2. Any changes or additions to this Certificate of Appropriateness must be reviewed and approved by staff prior to the start of any work. Work done without prior approval will be subject to the issuance of correction orders or citations.

Fiscal Note/Budget Impact:

N/A

Attachments:

Location & Zoning Map, Photos, Application, Letter of Explanation, Intensive Survey Form, and COA Checklist.

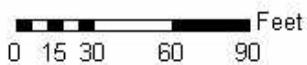
Location & Zoning Map

961 Bluff Street

COA-2009-08



1 inch = 68 feet



Legend

- Parcels
- Zoning District

Map prepared by: Drew Pennington

Date: April 2009

For: City of Beloit, Neighborhood Planning

Date of Aerial Photography: April 2008

NEIGHBORHOOD PLANNING DIVISION



Before



After



CITY of BELOIT

NEIGHBORHOOD PLANNING DIVISION

100 State Street, Beloit, WI 53511

Phone: (608) 364-6700

Fax: (608) 364-6609

CERTIFICATE of APPROPRIATENESS APPLICATION

(Please Type or Print)

File Number: COA-2009-08

1. Address of property: 961 Bluff St.
2. Parcel #: 1351-0085
3. Owner of record: Eliazar Martinez Phone: (608) 295-0709
961 Bluff St Beloit WI 53511
(Address) (City) (State) (Zip)
4. Applicant's Name: Eliazar Martinez
961 Bluff St Beloit WI 53511
(Address) (City) (State) (Zip)

(Office Phone #) (Cell Phone #) (E-mail Address)

5. Present use of property: HOME

6. The following action is requested:

- Approval of COA by Landmarks Commission (projects not listed below)
- Approval of COA by staff: (Check all that apply)
 - Roof repair/replacement
 - Gutter repair/replacement with historically appropriate materials and in historically appropriate styles
 - Private sidewalk and driveway repair/replacement with historically appropriate materials in the same dimensions, placement and orientation
 - Installation of historic plaques (residential properties only)
 - Chimney repair and tuckpointing according to the Secretary of the Interior standards and in historically appropriate color and design
 - Installation of fences
 - Storm window/storm door repair or replacement
 - Installation of glass blocks in basement window openings

Please continue to #7 (Over)

CERTIFICATE of APPROPRIATENESS APPLICATION (continued)

7. Description of Project: Describe each item of the project separately.

Project item: Include existing condition(s) when describing item. Also describe the proposed work, material(s) to be used, and the impact the item would have on existing historic or architectural features of the property. (Attach additional sheets if necessary.)

The upper balcony was leaking and staining water from the rain. In order to prevent more damage than already existing, I placed a window and walls to enclose the area.

8. Attachments:

- Site Plan of the lot (Please indicate direction of north, dimensions, structures, etc.)
- Sketches, drawings, building and streetscape elevations, and/or annotated photos
- Exterior photos
- Specifications (materials) for the project
- Phased development plan for the project (if proposed in phases)
- Inspection report (required for demolition requests only)
- Cost estimates for all the proposed work
- Other (please explain): Information I received from Town Hall.

9. Source of Funds: Please indicate if funds for the project are being secured from any of the following sources:

- NHS City of Beloit SHSW Federal

NOTE:

The Beloit Landmarks Commission meets at 7:00 PM on the third Tuesday of the month. Meetings are held in The Forum of Beloit City Hall, 100 State Street. Applications must be filed with the Neighborhood Planning Division by the filing deadline date prior to the next Landmarks Commission meeting.

If you have questions or need assistance in completing this form, contact the City of Beloit Neighborhood Planning Division (364-6700).

X [Signature] / Eliazar Martinez / 3-30-09
 (Signature of applicant) (Print name) (Date)

Review fee: \$45.00 / \$25.00 if staff approved	Amount paid: \$ <u>45.⁰⁰</u>
Scheduled meeting date: <u>April 21, 2009</u>	
Application accepted by: <u>Drew Partridge</u>	Date: <u>4/2/2009</u>

To whom it may concern:


The reason for my project was because it was raining severely.

During this time I received a letter from city hall that I needed to take off the plastic I had used to cover the area to prevent the rain from getting in. They also stated that I had to do the adequate repairs to the area.

I then went to city town hall to see if I needed a permit for the project, but they indicated I didn't, and I could go on with my project as planned.

As to the window replacements, I changed them because the prior windows were too old and all the cold air was coming through the house increasing my electric bill.

Thank you for your time in advance. Any questions please call me at (608) 295-0709. Eliazar Martinez

1 City, Village or Town: BELOIT	County: ROCK	Surveyor: Richard P. Hartung	Date: July, 1981	Bluff Street Number 961
Street Address: 961 Bluff		Legal Description:	Acreage:	
Current Name & Use: Residence		Current Owner: Gertrude Hilgendorf		
Film Roll No. RO-93 *RO-107	Current Owner's Address: Same		Special Features Not Visible In Photographs:	
Negative No. 4 *6			Interior visited? <input type="radio"/> Yes <input checked="" type="radio"/> No	Town Range Section Map Name Bluff Street Historic District
Facade Orient. W	Original Name & Use:		Source	
2	Dates of Construction / Alteration c. 1900--left	Source A	Previous Owners Dates Uses Source	
Architect and/or Builder:		Source	Architectural Significance <input type="radio"/> Represents work of a master <input type="radio"/> Possesses high artistic values <input type="radio"/> Represents a type, period, or method of construction <input type="radio"/> Is a visual landmark in the area <input checked="" type="radio"/> Other: None	
3		4		Historical Significance <input type="radio"/> Assoc. with lives of significant persons <input type="radio"/> Assoc. with significant historical events <input type="radio"/> Assoc. with development of a locality <input type="radio"/> Other: <input checked="" type="radio"/> None
Architectural Statement: Late Picturesque two story plus attic residence of rectangular plan topped by cross gable roof. Front gable includes recessed Palladian windows bordered with large scroll detail. Porch roof has added front and side pediment character. Entire facade covered with aluminum siding.		Historical Statement:		Map Code BS 93/4
5 Sources of Information (Reference to Above) A Visual estimate of surveyor		6 Representation in Previous Surveys <input type="radio"/> HABS <input type="radio"/> NAER <input checked="" type="radio"/> WIHP <input type="radio"/> NRHP <input type="radio"/> landmark <input type="radio"/> other:		Condition <input type="radio"/> excellent <input checked="" type="radio"/> good <input type="radio"/> fair <input type="radio"/> poor <input type="radio"/> ruins
B		8 District: Bluff Street Historic District <input type="radio"/> pivotal <input checked="" type="radio"/> contributing <input type="radio"/> non-contributing initials: R date: 2/1/81		Opinion of National Register Eligibility <input checked="" type="radio"/> eligible <input type="radio"/> not eligible <input type="radio"/> unknown <input type="radio"/> national <input type="radio"/> state <input type="radio"/> local initials: R
C		9		BS 93/4
D		BS 93/4		BS 93/4
E		BS 93/4		BS 93/4
F		BS 93/4		BS 93/4

CITY of BELOIT

Neighborhood Planning Division

100 State Street, Beloit, WI 53511 Phone: (608) 364-6700 Fax: (608) 364-6609

CERTIFICATE OF APPROPRIATENESS CHECKLIST

For property located at: 961 Bluff Street

GENERAL REVIEW CRITERIA	YES	NO	N/A
Has every reasonable effort been made to provide a compatible use for a property that requires alteration for use other than for its originally intended purpose?			X
Will the applicant retain distinguishing original qualities or character of a building, structure or site? The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.		X	
Is the applicant proposing alterations that have a historical basis, rather than trying to create an earlier or later appearance?		X	
Has the applicant recognized and respected changes in the development of a building over time that may have acquired significance in their own right?			X
Has the applicant treated with sensitivity distinctive stylistic features, or examples of skilled craftsmanship that characterize a building, structure or site?		X	
Has the applicant repaired, rather than replaced, deteriorated architectural features, wherever possible? If replacement is necessary, the new material should match the material being replaced in composition, design color, texture and other visual qualities.		X	
Has the applicant avoided sandblasting and other cleaning methods that will damage the surface of the historic building?			X
Has the applicant made every possible effort to protect and preserve archeological resources affected by or adjacent to any project?			X
If a contemporary design for alterations and additions is proposed, does this design retain significant historical, architectural or cultural material and is the design compatible with the size, scale, color, material and character of the property and neighborhood?		X	
Are new additions or alterations to buildings done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the building would be unimpaired?	X		