



## PLANNING DIVISION STAFF REPORT

March 10, 2026

PREPARED FOR THE COMMON COUNCIL

**Topic:** Appeal of Madison Landmarks Commission Decision  
1123 Jenifer Street

**Legistar File ID #** [91958](#)

**Prepared By:** Heather Bailey, Preservation Planner, Planning Division

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### Landmarks Commission Denial of Application

Staff had been working with the applicant since August 2025 to meet the historic district standards of approval for replacing the existing roofing material on 1123 Jenifer Street. The ordinance allows for alternative materials as long as they replicate the appearance of the historic materials being replaced ([MGO 41.25\(1\) and \(4\)](#)).

The late-Victorian house had a shingle roof that the applicant wanted to replace with a metal standing-seam roof without evidence that this was a roofing style found on this building or a material found historically on similar buildings in the district. Staff informed the applicant that in addition to a new asphalt roof, a metal roof that replicated shingles or architectural/fiberglass shingles would meet the standards of approval and staff has approved elsewhere (see correspondence in [Legistar 91099](#)). If the applicant's wish is to have a more durable roofing material, the Landmarks Commission has approved non-asphalt options that have the same appearance as a shingled roof. However, the applicant preferred to pursue the metal standing-seam roof against staff's guidance.

Per [MGO 41.22](#), smaller projects that fall into the "alteration" category are typically administrative approvals by staff, whereas only large projects such as additions, new construction, and demolitions typically go to the full Landmarks Commission for their review and approval. As a matter of due process, when staff cannot approve an alteration because they do not believe that the proposal meets the standards of approval in the ordinance, the applicant can file an application with the Landmarks Commission for a determination on if the proposal meets the standards of approval.

As such, the applicant applied to the Landmarks Commission. On January 12, 2026, the Commission reviewed and denied the request to change the roofing material for the house at 1123 Jenifer Street in the Third Lake Ridge local historic district. For comparables, the applicant included other roofs within the historic district, which were presented to the Landmarks Commission and addressed in the staff report. The comparables included examples of approvals under the old historic preservation ordinance, non-residential examples, and recent new construction or buildings that are not a historic resource. No comparables exist for other residential buildings within the historic district where they historically had standing seam roofs.

Landmarks Commission found that the proposal did not meet the standards of approval because a standing seam roof was not a compatible roofing material for a late-Victorian house in Third Lake Ridge, there was no precedent for that roofing material found historically on these types of buildings in the district, and that the applicant had alternatives that did meet the standards of approval.

### Appeal of Landmarks Commission Decision Submitted

The property owner/applicant filed an appeal on January 26, 2026, stating that the Landmarks Commission did not follow its standards and that the burden of proof was on the Commission to prove that his proposed material was not used historically on his style of house. The appeal also introduces a new comparable property, 943 Williamson. This property historically had a shingle roof and in 2011 they installed the metal roof on top of

the shingles without approvals or required permits. They presented their case to the Landmarks Commission at the time and pled that they had already paid for the roof. The Commission approved it at the time, but that was also under a different ordinance. These types of cases where conjectural details were introduced to historic resources without evidence or historic design precedent in the historic district were a driving factor in the 2017-2022 historic district ordinance process.

### **Standards of Approval for Alterations in the Historic Districts**

#### **Excerpt of [41.18 STANDARDS FOR GRANTING A CERTIFICATE OF APPROVAL](#)**

A Certificate of Approval 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 Approval for exterior alteration or construction only if:
  - (a) In the case of exterior alteration to a designated landmark, the proposed work would meet the Secretary of the Interior's Standards for Rehabilitation.
  - (b) In the case of exterior alteration or construction of a structure on a landmark site, the proposed work would meet the Secretary of the Interior's Standards for Rehabilitation.
  - (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 Approval 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.

#### **Excerpt of [41.25 STANDARDS FOR ALTERATIONS](#).**

- (1) General.
  - (a) Alterations are defined as any change to any portion of the exterior of a building or site that replaces existing materials or changes its appearance. This section provides standards for building alterations.
  - (b) Materials and Features.
    1. Alterations shall be in keeping with the original design and character of the building or site.
    3. The introduction of conjectural architectural features without historic precedent on the building or site is prohibited.
  - (c) Replacement.
    1. Existing features shall be replaced in-kind if they are too deteriorated to repair.
- (4) Roofs.
  - (b) Materials.
    2. Replacement materials shall replicate the appearance of historic roofing materials found on the structure or be compatible with roofing found on historic resources in the district.

## **Possible Common Council Actions**

Per [MGO 41.20\(4\)](#), “after a public hearing, the Common Council may, by favorable vote of a majority of its members, reverse or modify the decision of the Landmarks Commission with or without conditions, or refer the matter back to the Commission with or without instructions, ***if it finds that the Commission's decision is contrary to the applicable standards under Secs. 41.18, 41.19, or any district-specific standards contained in Subchapter G.***”

The Common Council may take any of the following actions and state its findings:

1. Deny the Appeal  
Possible findings may include: The Landmarks Commission's decision complied with the standards of approval.
2. Approve the Appeal and Reverse or Modify the Decision of the Landmarks Commission  
Possible findings may include: The Landmarks Commission's decision was contrary to the applicable standards, citing the specific standard(s) that Landmarks Commission interpreted incorrectly.
3. Refer Back to the Landmarks Commission  
In such case, the Common Council should specify how the Commission should reevaluate the project.