

Landmarks Commission
Meeting of July 18, 2016
Agenda Item #3, Legistar #43525
711-719 Jenifer Street - Third Lake Ridge Historic District - Land Division of property

The Madison Elks Lodge #410 is proposing to take the 3 ½ lots it owns, combine 3 ¼ lots into one lot, and have the other ¼ lot as a separate property.

The Commission may wish to review this application as two separate requests:

- (1) Subdivision of the SW ½ of Lot 4.
- (2) Combination of Lots 1, 2, 3 and the southern half of the SW ½ of Lot 4.

Subdivision of the SW ½ of Lot 4 (719 Jenifer)

This is a land division of Original Plat, Block 127, SW 1/2 of Lot 4 (tax parcel # 070913416040). There are a number of original lots that have been subdivided into comparably sized, or smaller, lots. However, no lot on the lake side of the 700 block of Jenifer has been divided such that lake access is lost.

The Marquette Neighborhood Association Board of Directors approved the division of 719 Jenifer at its July 17, 2015 Board meeting: "support the Elk's club plan to divide the lot at 719 Jenifer Street with provision of an easement to Lake Monona." The application does not appear to contain any easement.

Combination of Lots 1, 2, 3 and the southern half of the SW ½ of Lot 4 (701/711 and 719 Jenifer)

Tax parcel 070913416016 (701/711 Jenifer) currently consists of Lots 1, 2 and 3 (excluding the City's portion).

Prior to September, 2011, the Landmarks Commission did not have any input regarding land combinations or divisions in historic districts. At that time the Commission's review became advisory to the Plan Commission. In October, 2015 the Landmarks Commission was given the duty to approve land divisions or combinations.

MGO 41.18(4)

Land Divisions and Combinations. The commission shall approve a certificate of appropriateness for land divisions, combinations, and subdivision plats of landmark sites and properties in historic districts, unless it finds that the proposed lot sizes adversely impact the historic character or significance of a landmark, are incompatible with adjacent lot sizes, or fail to maintain the general lot size pattern of the historic district.

MGO 16.23(3)(a)4.

... For land divisions and subdivision plats of landmark sites and properties in Historic Districts, no land shall be divided or combined without the approval of the Landmarks Commission under Sec. 41.18(4).

Pursuant to this authority, the Commission approved the combination of 1½ lots for 315 S Paterson/906-910 Williamson, Legistar 40355, creating a lot size of 13,177 square feet.

Other lots have been combined on the north side of Williamson, but lots on the south side of Williamson have not been combined. Some of these combinations occurred prior to September 2011. The following combinations took place since September 2011.

706 Williamson/301 S Blount: Combined lots 1 and 2 of Block 129 into one parcel of 17,430 square feet, combined lots 17 and 18 of Block 129 into another parcel of 15,848 square feet.

CSM 14111 (7/22/2015)

Landmarks Commission does not appear to have made an advisory recommendation.

722 Williamson/302 S Livingston:

Combined Lots 3, 4, 5, 6, and ½ of 7, 14, 15, 16 into Lot 1 (722 Williamson, 64,689 square feet), and ½ of 7, 8, and 9 into Lot 2 (302 S. Livingston, 22,450 square feet).

CSM 13306 (4/12/2012)

Landmarks Commission does not appear to have made an advisory recommendation.

722 Williamson

Subdivide into 2 lots (12/3/2014), roughly the Olds Building (17,550 square feet) and the parking lot (47,139 square feet).

Apparently, this Certified Survey Map was never filed since Access Dane retains the 2012 CSM number.

Landmarks Staff Report:

"Staff recommends that the Landmarks Commission advise the Plan Commission that while the proposed lot is larger than generally found in the district, the Landmarks Commission previously approved a development on this site which included a building that was visually broken into smaller volumes which resulted in the appearance of smaller underlying lots. This proposal would also result in two smaller lots which would each be more in keeping with the typical lot sizes and patterns in the area."

Landmarks Motion:

"Landmarks Commission finds that the land division results in smaller lot sizes which are more compatible with the lot sizes of the historic district."

There has been one land division in recent years, at 740 Jenifer.

CSM 14100 (9/5/2014)

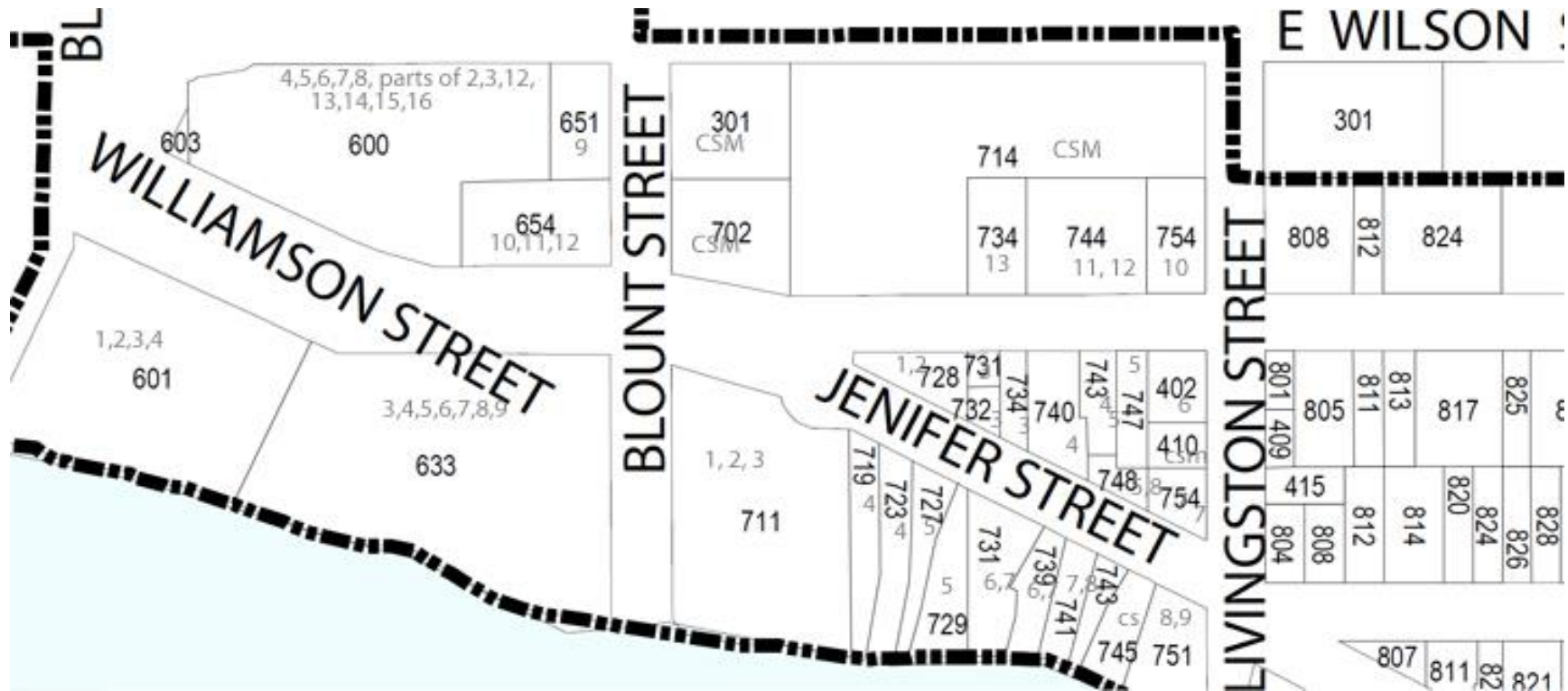
Divided Original Plat Block #128, lot 4, into 2 lots.

Landmarks Commission does not appear to have made an advisory recommendation.

I respectfully submit that the Commission should deny the applicant's request to combine the 3 ¼ lots for the following reasons.

1. The applicant's submission has not defined any reason for the lot combination.
2. The combination has not been reviewed, or approved, by the MNA Board.
3. The combined lot would be "incompatible with adjacent lot sizes" per MGO 41.18(4).
Please see the attached map for adjacent lot sizes. This map is the southwestern end of the Third Lake Ridge Historic District (per the City's map of the historic district).
4. The Elk's proposed combination would result in a lot of 61,542 square feet. Such a lot size would "fail to maintain the general lot size pattern of the historic district."
 - a. The Commission, and staff, found that the division of 722 Williamson into two parcels would result in smaller lots that are "more compatible"/"more in keeping" with typical lot sizes. This language, at a minimum, suggests that, although a lot size of 47,139 square feet (the larger of the two proposed lots) is better than a lot size of 64,689 square feet (the current undivided lot), a lot size of 47,139 square feet does not maintain the general lot size pattern.
 - b. If 47,139 square feet is only "more compatible" with typical lot sizes, then the proposed Lot 1 of the applicant's submission - at 61, 542 square feet - certainly cannot maintain the general lot size pattern.

Respectfully Submitted,
Linda Lehnertz



In the 600 and 700 blocks of Williamson and the 700 block of Jenifer, the maximum lot size is the original platted lot size with the following exceptions.

301 S Blount

17,430 square feet

702 Williamson (now 309 S Blount)

15,848 square feet

714 Williamson (now 302 S Livingston and 722 Williamson)

302 S Livingston: 22,450 square feet

722 Williamson: 64,689 square feet

The proposed Lot 1, consisting of original lots 1, 2, 3 and ¼ of lot 4: 61,542 square feet. Lot 2: 4,019 sq ft. (The total square feet of the proposed 2 lots is 65,561 sq ft. Yet City Assessor records show the two tax parcels as having a combined total of 52,184 sq ft -- 44,099 sq feet for 701/711 Jenifer and 8,085 sq ft for 719 Jenifer.)