

From: Brian W. Ohm [mailto:bwohm@wisc.edu]

Sent: Wednesday, May 25, 2011 11:32 AM

To: Martin, Al

Subject: 1001 University Avenue, St. Francis Episcopal Student Center Redevelopment, Legistar File ID 21945

Dear Members of the Urban Design Commission:

I testified in opposition to the proposed relocation of the St. Francis House and construction of a twelve-story student apartment building at your last meeting. I am unable to make tonight's meeting but I wanted to provide additional input.

The design of the proposed development will have an adverse impact on the physical structure of Luther Memorial Church and the life of the congregation. One impact that has been noted will be the obstruction of sunlight. The Wisconsin Supreme Court has recognized a common law private nuisance claim when one landowner unreasonably obstructs access to sunlight of an adjoining property owner. *Prah v. Maretti*, 108 Wis. 2d 223, 321 N.W.2d 182 (1982). It is therefore important that the design of any development on the St. Francis House site not obstruct Luther Memorial's access to sunlight.

Thank you.

Brian Ohm, J.D.