

Date: September 19, 2016
To: Members of the Landmarks Commission and Amy Scanlon
From: David and Leigh Mollenhoff
Subject: Conditions of sale for the historic Vogel home, 719 Jenifer Street

The Elks Club decision to sell 719 Jenifer Street requires the Landmarks Commission to determine whether the proposed sale conditions satisfy criteria in the historic preservation ordinance, namely, MGO 41.18(4). This section reads as follows:

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.

The Elks Club propose to sell this property with either no lake frontage or a maximum of 5 feet of lake frontage. In fact, both of these conditions violate all three ordinance-imposed criteria.

1. The proposed lot configuration will “adversely impact the historic character or significance of the landmark.”

Historically, the Vogel property was a 33 foot wide lot from street to lake. To remove all lake frontage would transform the property into a conventional street-fronting lot. To reduce the lot’s lake frontage to just five feet would prevent the use of a pier, thereby significantly reducing the property’s utility and historic lake access. Therefore, providing either no lake frontage or denying the use of a pier would “adversely impact the historic character (and) significance of the landmark.”

2. The proposed lot configuration is “incompatible with adjacent lot sizes.”

Any reasonable examination of lake-fronting lots on this block shows that providing no lake access or a five-foot sliver would make the property “incompatible with adjacent lot sizes.”

3. The proposed lot configuration “fail(s) to maintain the general lot size pattern in the historic district.”

Any reasonable examination of lake-fronting lots on this block clearly shows that granting no lake frontage or granting just five feet of frontage would “fail to maintain the general lot size pattern” required by the ordinance.

The failure of the Elks Club sale conditions to satisfy *any* of the three ordinance criteria, means that the Landmarks Commission must reject both the no-lake frontage and the five feet of lake frontage proposals.

The only way the three ordinance criteria can be satisfied is to maintain the lot’s existing frontage.

cc: Dick Wagner
Gary Tipler