

AGENDA # 1

City of Madison, Wisconsin

REPORT OF: LANDMARKS COMMISSION

PRESENTED: August 22, 2016

TITLE: 711-719 Jenifer Street, Third Lake
Ridge Historic District – Land
Division of property. 6th Ald. Dist.
Contact: Paul Spetz, Isthmus
Surveying LLC

REFERRED: August 22, 2016

REREFERRED:

REPORTED BACK:

AUTHOR: Amy Scanlon, Secretary

ADOPTED:

POF:

DATED: August 22, 2016

ID NUMBER:

Members present were: Stuart Levitan, Chair; Anna V. Andrzejewski, Lon Hill, Erica Gehrig, Vice Chair; David WJ McLean, and Marsha A. Rummel

SUMMARY:

Dave Johnson, registering in support and available to answer questions. Johnson explained that the property is being divided so that the Elks can sell the residential property and remove underlying plat lines on the lodge property. Johnson explained that the Elks do not have the financial ability to restore the historic house and that in 1998 they were denied the ability to demolish it so the land division and selling the residential property seem to be the best option.

Levitan asked if the Elks had considered providing lake access. Johnson explained that the Elks recently provided the neighbor with land related to an adverse possession and the resulting width of the frontage at the lake does not allow for neighborly programming. Johnson also explained that the property owner could be an Elks member and be afforded use of the lodge and lake front. He explained that there are numerous people interested in purchasing the property.

Dick Wagner, registering neither in support nor opposition and wishing to speak. Wagner explained that he is acting as neighborhood historian and provided a written statement at the meeting. He explained that the residences on the southern side of Jenifer historically had outbuildings near the water. The relationship of the houses and the related outbuildings to the lake was clearly a pattern of development. Until recently, this property had a boathouse and much of the property's history was tied to the lake front. Wagner explained that a simple fence would keep the Elks functions separate from the neighboring residential function.

Levitan asked if Wagner was suggesting an easement or changing the lot lines. Wagner explained that he was not suggesting a solution. He was bringing forward the social history of the area and the connection of the buildings to the lake.

Judith Strand, registering in opposition and wishing to speak. Strand explained that the pattern of the lots is important to maintain as all of the properties on the south side of Jenifer and all along the Third Lake Ridge have narrow lots that continue to the lake. The proposed residential lot does not fit this pattern. She explained that the stewardship of owner occupied houses is better than rental properties and that a property with lake frontage would be more appealing to a buyer. Strand explained that the Elks have made numerous improvements to the east side of their property which are impacting the possibilities for the size of the

residential property. She explained the stair and storage building on the east could have been located away from the neighboring residential property.

Levitan asked if lake access could be gained through an easement or by reconfiguring the proposed lot lines. Strand did not have an opinion on the implementation, but explained that lake access was important.

Levitan asked Johnson to respond to the comments. Johnson explained that the Elks have been at this location since the 1960s and that they are trying to do the right thing to restore the house. He also explained that adverse possession issues also affected the east side of the property.

Andrzejewski asked if there were any zoning concerns related to the proposed land division and any frontage requirements. Johnson explained that the proposed residential lot had to meet the minimum lot size requirement and that the City was interested in having the underlying plat lines removed as part of this Certified Survey Map.

Rummel asked about the use of the stair and storage shed on the east. Johnson explained that the storage shed has been there for some time and that stair was used as outdoor seating and that the fence was recently installed to show the visual definition of the property when it was put on the market.

Levitan asked how the rear lot line of the proposed residential lot was determined. Johnson explained that there was a minimum lot size zoning requirement and that the topography becomes steeper at that point.

Rummel asked what would happen if this request is denied and the lot needed to be reconfigured to go to the lake. Johnson explained that the Elks would like to keep the lake shore.

Gehrig asked if the Elks could get an easement for use of the stairs and storage shed if they were located on the neighboring property.

McLean asked if the lot width could narrow to provide access to the lake instead of simply continuing the western property line to the lake.

There was general discussion about the desired and allowable access width and the remaining lake frontage width. There was general discussion about easement options. Staff explained that a building cannot sit over a property line.

Levitan closed the public hearing.

Levitan stated the ordinance language and asked for the Commission to discuss the intent of the language related to size and pattern. Rummel, Hill and Andrzejewski agreed that it relates to pattern more than size.

There was general discussion and consensus about the need to maintain lake access for the residential property and that the Commission was supportive of the separation of the residential property from the larger Elks property. There was general discussion about the options to deny the request or to refer the request to allow the applicant to revise the proposal to allow the proposed lot to have lake access because the current proposed lot fails to maintain the general lot size pattern of the historic district.

Johnson requested clarification regarding the type of access (property line revision or easement). There was general discussion about possible zoning concerns and that the Commission has consensus on the need for providing access to the lake to maintain the general lot size pattern of the historic district.

ACTION:

A motion was made by Andrzejewski, seconded by Gehrig, to refer the request. The motion passed on a voice vote.