

**AGENDA # 1**

City of Madison, Wisconsin

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<b>REPORT OF:</b> LANDMARKS COMMISSION	<b>PRESENTED:</b> September 19 <sup>th</sup> , 2016
<b>TITLE:</b> 711-719 Jenifer St Third Lake Ridge Historic District Land Division of Property 6 <sup>th</sup> Ald. Dist. Contact: Pault Spetz, Isthmus Surveying LLC	<b>REFERRED:</b> <b>REREFERRED:</b>  <b>REPORTED BACK:</b>
<b>AUTHOR:</b> Amy Scanlon, Secretary	<b>ADOPTED:</b> <b>POF:</b>
<b>DATED:</b> September 19 <sup>th</sup> , 2016	<b>ID NUMBER:</b> 43525

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Members present were: Stuart Levitan, Chair; Anna V. Andrzejewski, Lon Hill, Erica Gehrig, Vice Chair; David WJ McLean, and Marsha A. Rummel. There is currently one vacant seat on the Commission.

**SUMMARY:**

Levitan opened the public hearing.

Dave Johnson, registering in support and available to answer questions. Johnson explained that the proposed land division has been revised to accommodate the request of the Landmarks Commission and that the Elks would prefer to divide the property as previously proposed. Johnson explained that the current proposal was suggested by Planning.

Levitan asked how the current proposal came to be this configuration. Johnson explained that Planning would not allow a panhandle and that the property line is set back 5 feet from the existing stair. Levitan asked if the proposed property line could be parallel with the northern lot line.

Tim Parks, Planning Division was in attendance and available to answer questions.

Levitan asked Parks to describe the subdivision regulations. Parks explained that the subdivision regulations are not nuanced or considered interpretable. He explained that the subdivision regulations allow the creation of rectangular lots or require special conditions when being reviewed by the Plan Commission. Parks explained that the proposed property line placement is one way to address the issues. He explained that the proposed property lines seem to address building codes and zoning set back requirements. Levitan asked for clarification on the placement of the lot line around the stair. Parks drew on the whiteboard to illustrate the 5 foot set back around the stair and the options that could be proposed. Parks explained that lake frontage is not a Plan Commission concern.

Rummel asked Parks for clarification on the creation of two lots and how this will affect the future development of this site. Parks explained that there are three underlying platted lot lines that the Elks

Lodge is currently built over. He explained that while the Elks are dividing the lot for the residential structure, it makes sense to create a Certified Survey Map (CSM) to create two lots. One lot will be for the residential building and the other lot will be comprised of underlying lots 1, 2, 3 and part of 4.

Parks explained that recording utility easements on CSMs is easier when the lots are rectangular.

He also explained that obtaining a Certificate of Appropriateness from the Landmarks Commission is one requirement of many toward approval of this land division and recording of the CSM.

Dick Wagner, registering in support and wishing to speak. Wagner explained that this is an example where a modern zoning code requirement to create a rectangular lot does not fit a historic context of oddly shaped narrow lots. He explained that the current proposal allows lake access and that a 5 foot wide lake access is better than no lake access. Wagner explained that the proposed lot maintains the historic pattern.

Lindsey Lee, registering in support and wishing to speak. Lee explained that he is a neighbor and a member of the Elks. He explained that the smaller lot will cost less to purchase and will allow a smaller historic building form to remain on the site. He explained that providing lake access will create a more expensive site and the taxes will be high. The small footprint of the existing house will not justify the large tax bill and may cause the property owner to want to create a larger building on the site. Lee explained that the larger lot will change the historic character of the house. Lee also explained that if the originally proposed rectangular lot were approved, nothing would be developed behind the house at 719 Jenifer which would block the view of the lake.

Gehrig asked Lee if he felt an addition to the existing house would be appropriate. Lee explained that he would not be supportive of addition an addition to this house since an addition would negatively affect its simple modest form.

Levitan explained that there are written statements from the Mollenhoffs and MNA at each Commissioner's seat for their review.

Levitan closed the public hearing.

Rummel explained that she appreciates the compromise of the current proposal.

Hill explained that he thinks the Elks did their part to show adequate historic pattern.

There was general discussion about the shape of the lot and the review by the Plan Commission. Parks explained that the unique lot configuration will require Plan Commission review. Levitan explained that numerous agencies have independent review standards that must be met and that one agency does not trump another. Parks explained that the current proposal shows one way to divide the lot.

McLean explained that the 5 foot lake access is a minimum and that a wider frontage would be approved by the Landmarks Commission. There was general discussion about more lake frontage being better and that the current proposal of five feet is a minimum.

**ACTION:**

**A motion was made by Rummel, seconded by Andrzejewski, to approve the Certificate of Appropriateness for the land division as currently proposed because it maintains the historic lot pattern of the historic district and to note that the proposed 5 foot width of lake access is a minimum width that the Commission would consider. The motion passed on a voice vote.**