



**Project Address:** 4938 Lake Mendota Drive  
**Application Type:** Demolition Permit and Conditional Use  
**Legistar File ID #** [30656](#)  
**Prepared By:** Kevin Firchow, AICP, Planning Division  
Report Includes Comments from other City Agencies, as noted

## Summary

**Applicant:** Linda Layman; 5 Keofferman Road; Old Greenwich, CT; 06870  
**Contact:** Daniel Wanke; Capital Builders Inc; 6400 Gisholt Drive, Suite 105; Madison, WI 53713  
**Property Owner:** Linda Layman; 5 Keofferman Road; Old Greenwich, CT; 06870

**Requested Action:** The applicant requests approval of a demolition permit and a conditional use to demolish a single-family residence to construct a new single-family residence on a lakefront lot.

**Proposal Summary:** The applicant proposes to demolish the existing single-family home, constructed in 2002, to allow the construction of a new home measuring roughly 3,800 square feet in area. The application indicates new construction would commence in August 2013 with completion scheduled in February 2013.

**Applicable Regulations & Standards:** This proposal is subject to the standards for Demolition Permits [M.G.O. Section 28.185(7), Conditional Uses [Section 28.183], and Lakefront Development [Section 28.138].

**Review Required By:** Plan Commission

**Summary Recommendation:** The Planning Division recommends that the Plan Commission find that the standards for demolition permits and conditional uses are met and **approve** the request to demolish a single-family home to construct a new single-family home at 4938 Lake Mendota Drive, subject to input at the public hearing and the conditions recommended by the reviewing agencies.

## Background Information

**Parcel Location:** The 13,662 square foot subject property is located on the north side of Lake Mendota Drive, east of its intersection with Merrill Springs Road. The site is within Aldermanic District 19 and within the limits of the Madison Metropolitan School District.

**Existing Conditions and Land Use:** The subject site includes the existing 836 square foot single-family home and boathouse. City Assessor's records indicate the home was constructed in 2002 and has two bedrooms and two bathrooms. Information provided by the applicant does not suggest there are any structural defects with this structure.

**Surrounding Land Use and Zoning:**

North: Lake Mendota;

**South:** Blackhawk Country Club in the Village of Shorewood Hills;

**East:** Single-Family homes zoned TR-C1 (Traditional Residential-Consistent 1); and

**West:** Single-Family homes zoned TR-C1.

**Adopted Land Use Plan:** Both the Comprehensive Plan (2006) and the Spring Harbor Neighborhood Plan (2006) recommend Low Density Residential land use for the area.

**Zoning Summary:** The property is zoned TR-C2 (Traditional Residential-Consistent 2).

|                                      | Required                      | Proposed                  |
|--------------------------------------|-------------------------------|---------------------------|
| Lot Area (sq. ft.)                   | 6,000                         | 13,662 sq. ft.            |
| Lot Width                            | 50'                           | 66.06'                    |
| Front Yard Setback                   | 20'                           | 58'                       |
| Side Yard Setback                    | One-story: 6<br>Two-story: 7  | 12' RS<br>10' LS          |
| Waterfront Setback                   | Ave. of adjoining properties  | 73.05'                    |
| Maximum height                       | 2 stories/35                  | 2 stories/ 31'            |
| Maximum lot coverage                 | 50%                           | 33%                       |
| Usable open space (sq. ft. per d.u.) | 1,000                         | adequate                  |
| Site Design                          | Required                      | Proposed                  |
| Number parking stalls                | 1                             | 2                         |
| Landscaping                          | Yes                           | Yes                       |
| Lighting                             | No                            | No                        |
| Building forms                       | Yes                           | Meets building forms req. |
| <b>Other Critical Zoning Items</b>   | Utility easements; Floodplain |                           |

Table Prepared by Patrick Anderson, Assistant Zoning Administrator

**Environmental Corridor Status:** The subject site is not located in a mapped environmental corridor, though portions of the property adjacent to the lake are within the flood fringe and flood storage districts. The proposed home will not be constructed within this area.

**Public Utilities and Services:** This property is served by a full range of urban services.

## Project Description

The applicant proposes to demolish the existing 836 square foot single-family home for the purpose of constructing a larger single-family home. The current home was built in 2002. Staff is not aware of any structural deficiencies with the structure. In pre-application meetings, the project architect indicated he believes the existing two-bedroom home is limited in its usefulness as a full-time single family residence, noting that its size and configuration make it most feasible as vacation second home or lake-cottage. Building photos of the existing structure have been provided and can be viewed on line at:

[http://www.cityofmadison.com/planning/projects/reports/4938lmd\\_photos.pdf](http://www.cityofmadison.com/planning/projects/reports/4938lmd_photos.pdf)

Submitted plans show the proposed two-story home has a footprint of about 1,666 square feet and a total area of 3,796 square feet. The home includes four bedrooms, four full bathrooms, and one half bathroom. The home features a partially exposed basement level. The home also includes a side-loaded attached two car garage on the street side of the property.

Some site changes are proposed. The existing asphalt driveway will be removed and a new concrete driveway will be constructed. Two trees will be removed to allow for the relocated drive. The applicant indicates this was necessary to have a side-loaded garage as opposed to a front-loaded garage. A third tree is within the building envelop and would also be removed. Plans also show some regarding around the home with the addition of six retaining walls. City Engineering is requesting some design changes of these walls.

No significant changes are proposed to the existing boathouse, though maintenance of the structure including replacing the existing chain link fence and upgrading of the surface are proposed.

The home appears to comply with all required setbacks. The lake setback is estimated at 73.05 feet, which is the average of the two adjoining properties.

## **Analysis and Conclusion**

The applicant seeks approval of a demolition permit and conditional use. This proposal is subject to the standards for Demolition Permits [M.G.O. Section 28.185(7), Conditional Uses [Section 28.183], and Lakefront Development [Section 28.138].

### **Demolition Approval Standards**

Staff believes the demolition standards can be met. In considering the demolition standards, the Plan Commission must find that the proposed demolition is both 1) consistent with the intent and purpose of the zoning district and 2) that the proposed future use is compatible with the purpose of the demolition section of the ordinance. Regarding the latter, the standards state that the Plan Commission shall consider and may give decisive weight to any relevant facts including impacts on the normal and orderly development of surrounding properties and the reasonableness of efforts to relocate the building. No objections to this demolition request were raised by the City's Preservation Planner or Landmarks Commission.

### **Conditional Use Approval Standards**

Staff also believes the conditional use standards, including those for lakefront development, can be met.

The conditional use standard for lakefront development (Standard 13) states that "When applying the above standards to lakefront development under Sec. 28.138, the Plan Commission shall consider the height and bulk of principal buildings on the five (5) developed lots or three hundred (300) feet on either side of the lot with the proposed development." Based on City Assessor's data for homes within 300 feet, the median home size is approximately 3,027 square feet. The proposed 3,796 square foot residence is about 125% of the median home size. These lakefront homes currently range in size from 2,308 to 4,930 square feet. The adjacent homes are 3,765 and 4,652 square feet in size. When considering floor area ratio (which compares home size to lot area), the proposed structure is about 113% of the median home size for lakefront homes within 300 feet. Considering these statistics, staff believes the home is in keeping with the scale of surrounding lake homes.

## Conclusion

The proposed changes are consistent with the Comprehensive Plan's recommendation for low-density residential land use. The subject property is also within the planning area for the Spring Harbor Neighborhood Plan, adopted to guide redevelopment activities in the Spring Harbor neighborhood. While the neighborhood plan does not contain specific recommendations for lakefront residential areas, it does encourage that new and redeveloped homes be of a height and scale that is relative to the neighborhood and is sensitive to its natural character. Many new buildings have been approved with a variety of building sizes and architectural styles, and staff believes that the proposed changes would not be out of character with the neighborhood or the adjacent residences.

Staff believes that the approval standards can be met. At the time of report writing, staff was not aware of any objections to this request.

## Recommendation

### Planning Division Recommendation (Contact Kevin Firchow, 266-5974)

The Planning Division recommends that the Plan Commission find that the standards for demolition permits and conditional uses are met and **approve** the request to demolish a single-family home to construct a new single-family home at 4938 Lake Mendota Drive, subject to input at the public hearing and the conditions recommended by the reviewing agencies.

### Recommended Conditions of Approval Major/Non-Standard Conditions are Shaded

### City Engineering Division (Contact Janet Dailey, 261-9688)

1. Drainage along the side lot lines shall be maintained and shall not direct water to neighboring properties. Revise the plans to reduce retaining wall intrusions into setbacks.
2. Applicant shall dedicate a 15-foot wide public sanitary sewer easement centered on the existing City sanitary sewer running across the north side of the property. The Applicant shall provide a sketch and legal description of the easement along with a \$500 fee to the City to administer the easement. Contact Eric Pederson, 266-4056, [epederson@cityofmadison.com](mailto:epederson@cityofmadison.com).
3. All damage to the pavement on Lake Mendota Drive, adjacent to this development shall be restored in accordance with the City of Madison's Pavement Patching Criteria. For additional information please see the following link: <http://www.cityofmadison.com/engineering/patchingCriteria.cfm> (POLICY)
4. The applicant shall submit, prior to plan sign-off, digital PDF files to the Engineering Division (Jeff Benedict or Tim Troester). The digital copies shall be to scale, and shall have a scale bar on the plan set. (POLICY and MGO 37.09(2)) PDF submittals shall contain the following information: a) building footprints, b) internal walkway areas, c) internal site parking areas, d) lot lines and right-of-way lines, e) Street names, f) Stormwater Management Facilities, and g) detail drawings associated with stormwater management facilities (including if applicable planting plans).

5. Prior to approval, the owner or owner's representative shall obtain a permit to plug each existing sanitary sewer lateral that serves a building which is proposed for demolition. For each lateral to be plugged the owner shall complete a sewer lateral plugging application and pay the applicable permit fees. NOTE: As of January 1, 2013 new plugging procedures and permit fees go into effect. The new procedures and revised fee schedule is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>. (MGO CH 35.02(14))

**Traffic Engineering Division** (Contact Eric Halvorson, 266-6572)

This agency submitted a report with no recommended conditions of approval.

**Zoning Administrator** (Contact Pat Anderson, 266-5978)

6. Sec. 28.185 (7)(a)5. requires that if a demolition or removal permit is approved, it shall not be issued until the reuse and recycling plan is approved by the Recycling Coordinator, Mr. George Dreckmann. (608-267-2626).
7. Sec. 28.185 (10) Every person who is required to submit a reuse and recycling plan pursuant to Sec. 28.185(7)(a)5. shall submit documents showing compliance with the plan within sixty (60) days of completion of demolition.
8. As per proposed plans, there is no development within 35' of the normal high water mark.

**Fire Department** (Contact Bill Sullivan, 261-9658)

9. Madison Fire Department recommends the installation of a residential fire sprinkler system in accordance with NFPA 13D and SPS 382.40(3)(e). Additional information is available at the Home Fire Sprinkler Coalition website: <http://www.homefiresprinkler.org/Consumer/ConsHome.html>
10. Please consider allowing Madison Fire Dept. to conduct training sequences prior to demolition. Contact MFD Training Division to discuss possibilities (608) 246-4587.

**Water Utility** (Contact Dennis Cawley, 261-9243)

11. The Madison Water Utility shall be notified to remove the water meter prior to demolition. This property is not in a Wellhead Protection District. All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility. The Water Utility will not need to sign off the final plans, and will not need a copy of the approved plans.

**Parks Division** (Contact Kay Rutledge, 266-4714)

This agency did not provide comments for this request.

**Metro Transit** (Contact Tim Sobota, 261-4289)

This agency did not provide comments for this request.