



Department of Planning & Community & Economic Development

Planning Division

Heather Stouder, Director

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****BY E-MAIL ONLY****

November 28, 2023

James Coons
Coons Construction of Verona, LLC
1827 Locust Drive
Madison, WI 53593

RE: – Consideration of a demolition permit to demolish a single family building; and consideration of a conditional use to allow construction of a single family building on a lakefront property. (ID [80428](#), [80429](#) LNDUSE-2023-00082)

On November 27, 2023, the Plan Commission found the standards met and **conditionally approved** your demolition permit and conditional use for 5632 Lake Mendota Drive. In order to receive final approval of the demolition permit, conditional use and for any other permits that may need to be issued for your project, the following conditions shall be met:

Please contact Lisa McNabola of the Planning Division at (608) 243-0554 if you have any questions regarding the following two (2) items:

1. The property at 5632 Lake Mendota Drive is located within the boundary of the Uncatalogued Burial Sites 47-DA-0129/47-BDA0384 (Mendota Beach Mound Group) and 47-DA-0821/47-BDA-0536 (Burton Mortuary Area). As such, any ground-disturbing work will need to secure a Request to Disturb permit from the Wisconsin Historical Society. <https://www.wisconsinhistory.org/Records/Article/CS15239>. Contact Kim Cook at the Wisconsin Historical Society to secure the Request to Disturb permit. 608-264-6493 \ kimberly.cook@wisconsinhistory.org

The following information is provided for the reference of the applicant as many lakefront properties are associated with locations of Native effigy mounds and archaeological sites. Burial Sites Preservation (§ 157.70): (2r) Site Disturbance Prohibited. Except as provided under subs (4) and (5) and State Statute 157.111 and 157.112, no person may intentionally cause or permit the disturbance of a burial site or catalogued land contiguous to a cataloged burial site. (3) Report of Disturbed Burial Sites. (a) Except as provided under s. 979.01, a person shall immediately notify the Wisconsin Historical Society (608-264-6502) if the person knows or has reasonable grounds to believe that a burial site or the cataloged land contiguous to a cataloged burial site is being disturbed or may be disturbed contrary to the requirements of subs. (4) and (5).

Many lakefront properties are associated with locations of Native American effigy mounds and archeological sites. This site is known to be very close to those associated with archeological and historic resources. The Burial Sites Preservation statute requires that the property owner contact the Wisconsin Historical Society to discuss the location of the proposed project and any possible disturbance of an archaeological or historic resource before the work commences. During the construction work, if a burial site disturbance occurs, the work shall stop immediately until the Wisconsin Historical Society is able to assess the site.

2. As part of securing the required Request to Disturb from the Wisconsin Historical Society, also copy the submittal to the Ho-Chunk National Tribal Historic Preservation Office. Contact at The Ho-Chunk Nation's National Tribal Historic Preservation Office: William Quackenbush. P. O. Box 667, Black River Falls, WI 54615. Phone: 715-284-7181 ext. 1121. Email: bill.quackenbush@ho-chunk.com

Please contact Tim Troester of the Engineering Division at (608) 267-1995 if you have any questions regarding the following five (5) items:

3. The proposed garage appears to be located on top of the sanitary sewer lateral serving property west of the lot improvement being improved, 5632 Lake Mendota Drive. Applicant shall relocate the lateral so that it is no longer in conflict with the proposed garage and dedicate a private sanitary sewer easement to the neighboring property. Installation of a cleanout at west property line on lateral is recommended for both cleaning and for future verification of the location of sewer lateral.
4. Applicant shall denote the regulatory floodplain elevation on the plan set. Additionally the minimum entrance elevation shall be 856.0 USGS datum.

5. Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Mark Moder (608-261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff. (MGO 16.23(9)(d)(4))
6. Obtain a permanent sewer plug permit for each existing sanitary sewer lateral serving a property that is not to be reused and a temporary sewer plug permit for each sewer lateral that is to be reused by the development. The procedures and fee schedule is available online at <http://www.cityofmadison.com/engineering/permits.cfm>. (MGO CH 35.02(14))
7. Revise the site plan to show all existing public sanitary sewer facilities in the project area as well as the size, invert elevation, and alignment of the proposed service. (POLICY)

Please contact Jenny Kirchgatter, Assistant Zoning Administrator at (608) 266-4429 if you have any questions regarding the following five (5) items:

8. The submitted plans show that the attached garage door will face the street. The Plan Commission may reduce or eliminate the requirement for attached garage setback as part of the conditional use process in the case of lakefront lots where physical constraints make compliance infeasible.
9. Section 28.185(9)(b) requires that every applicant for a demolition or removal approval that requires approval by the Plan Commission is required to get a Reuse and Recycling Plan approved by the City Recycling Coordinator, Bryan Johnson at streets@cityofmadison.com prior to receiving a raze permit. Every person who is required to submit a reuse and recycling plan pursuant to Section 28.185(9)(b) shall submit documents showing compliance with the plan within sixty (60) days of completion of demolition. A demolition or removal permit is valid for two (2) years from the date of the Plan Commission approval.
10. Provide a calculation for lot coverage with the final submittal. The lot coverage maximum is 50%. Lot coverage is defined as the total area of all buildings, measured at grade, all accessory structures including pools, patios, etc., and all paved areas as a percentage of the total area of the lot, with the following exceptions: sidewalks or paved paths no wider than five (5) feet, pervious pavement, green roofs and decks.
11. Show the height of the proposed house on the elevations. The maximum height is 35 feet. Height is the average of the height of all building facades. For each facade, height is measured from the midpoint of the existing grade to the highest point on the roof of the building or structure. No individual facade shall be more than fifteen percent (15%) higher than the maximum height of the zoning district.
12. Per Section 28.186(4)(b), the property owner or operator is required to bring the property into compliance with all elements of the approved site plans by the date established by the Zoning Administrator as part of the site and building plan approval. Work with Zoning staff to establish a final site compliance date.

Please contact Matt Hamilton of the Fire Department at (608) 266-4457 if you have any questions regarding the following two (2) items:

13. Madison Fire Department recommends the installation of a residential fire sprinkler system in accordance with NFPA 13D. Additional information is available at the Home Fire Sprinkler Coalition website: <https://homefiresprinkler.org/>
14. Please consider allowing Madison Fire Dept. to conduct training sequences prior to demolition. Contact MFD Training Division to discuss possibilities: Division Chief Jeff Larson at jtlarson@cityofmadison.com or (608) 266- 5946.

Please contact Jeff Belshaw of the Water Utility at (608) 261-9835 if you have any questions regarding the following two (2) items

15. Upon construction, a separate water service lateral and water meter will be required to serve each parcel. The water laterals shall be directly connected to the public water main in the ROW or Easement with the shut-off valve located in the public right-of-way or Easement (per PSC 185.52 (2)). A water lateral is not required if the parcel remains undeveloped.

Contact Jeff Belshaw of Madison Water Utility (jbelshaw@madisonwater.org or 608-261-9835) to discuss options on how to address the water services for 5632 & 5630 Lake Mendota Dr.

16. A Water Service Application Form and fees must be submitted before connecting to the existing water system. Provide at least two working days notice between the application submittal and the requested installation or inspection appointment. Application materials are available on the Water Utility's Plumbers & Contractors website (<http://www.cityofmadison.com/water/plumbers-contractors>), otherwise they may be obtained from the Water Utility Main Office at 119 E Olin Ave. A licensed plumber signature is required on all water service applications. For new or replacement services, the property owner or authorized agent is also required to sign the application. A Water Meter Application Form will subsequently be required to size & obtain a water meter establish a Water Utility customer account and/or establish a Water Utility fire service account. If you have questions regarding water service applications, please contact Madison Water Utility at (608) 266-4646.

Please contact Julius Smith of the City Engineering Division – Mapping Section at (608) 264-9276 if you have any questions regarding the following two (2) items:

17. Provide for review, comprehensive reciprocal easements and agreements including, but not limited to utilities, that are necessary to accomplish the site development as proposed prior to final sign off. The document(s) shall be executed prior to building permit issuance.
18. The proposed garage is displacing the sewer lateral leading to the adjacent Lot 2 (5642 Lake Mendota Dr) from the Manhole located in the Public Easement in Document no. 2689287 located within the subject parcel. Provide an easement agreement to the adjacent parcel for this lateral at the new location to access the public sewer.

Specific questions regarding the comments or conditions contained in this letter should be directed to the commenting agency.

Please now follow the procedures listed below for obtaining your conditional use:

1. After the plans have been revised per the above conditions, please submit one (1) complete digital plan set in PDF format and any other supporting materials that are necessary, as specified in this letter to sprapplications@cityofmadison.com (note: A 20MB email limit applies and multiple transmittals may be required). The sets of final revised plans or documents will be circulated by Zoning staff to the City department staff listed above for their final approval.

2. A check for the site plan review fee (\$100) shall be mailed to the City of Madison Building Inspection Division; PO Box 2984; Madison, WI 53701-2984.
3. This letter shall be signed by the applicant to acknowledge the conditions of approval and returned to the Zoning Administrator when requesting conditional use approval.
4. The conditional use approval is valid for two (2) years from the date of the Plan Commission approval. During this time, the applicant must either lawfully commence the use or obtain a building permit and begin erecting the building. If the applicant obtains a valid building permit, construction must commence within six (6) months of the date of issuance. The building permit shall not be renewed unless construction has commenced as is being diligently prosecuted.
5. Any alteration in plans for a proposed alternative use shall require Plan Commission approval, except for minor alterations. The Zoning Administrator may issue permits for minor alterations or additions which are approved by the Director of Planning and Community and Economic Development and are compatible with the concept approved by the City Plan Commission and the conditional use approval standards.
6. The Plan Commission retains continuing jurisdiction over all conditional uses for the purpose of resolving complaints against all previously approved conditional uses.

Please now follow the procedures listed below for obtaining your demolition permit:

1. After the plans have been revised per the above conditions, please submit one (1) complete digital plan set in PDF format and any other supporting materials that are necessary, as specified in this letter to sprapplications@cityofmadison.com (note: A 20MB email limit applies and multiple transmittals may be required). The sets of final revised plans or documents will be circulated by Zoning staff to the City department staff listed above for their final approval.
2. A check for the site plan review fee shall be mailed to the City of Madison Building Inspection Division; PO Box 2984; Madison, WI 53701-2984.
3. City Agencies who submitted conditions of approval will review your revised plans to verify that their conditions, along with any applicable requirements, have been satisfied. When the revised plans are submitted, the applicant will be emailed a hyperlink to a website to follow, in real time, which agencies have reviewed the revised documents, and signed off or need additional information.
4. A demolition or removal permit is valid for two (2) years from the date of the Plan Commission. Where the plans have not been altered since issuance of the demolition or removal permit and the permit has expired, the Director of Planning and Community and Economic Development may, after consultation with the Alderperson of the District, approve an extension for up to 12 months from the expiration date.

If you have any questions regarding obtaining your conditional use or building permits, please contact the Zoning Administrator at 266-4551. If you have any questions or if I may be of any further assistance, please do not hesitate to contact my office at 243-0554 or lmcnabola@cityofmadison.com.

Sincerely,



Lisa McNabola
Planner

cc: Jenny Kirchgatter, Asst. Zoning Administrator
Tim Troester, Engineering Division
Julius Smith, Mapping Section
Matt Hamilton, Fire Department
Jeff Belshaw, Water Utility

I hereby acknowledge that I understand and will comply with the above conditions of approval for conditional uses.

Signature of Applicant

Signature of Property Owner (if not the applicant)

LNDUSE-2023-00082			
For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Div.	<input checked="" type="checkbox"/>	Engineering Mapping Sec.
<input checked="" type="checkbox"/>	Zoning Administrator	<input type="checkbox"/>	Parks Division
<input checked="" type="checkbox"/>	City Engineering	<input type="checkbox"/>	Urban Design Commission
<input type="checkbox"/>	Traffic Engineering	<input type="checkbox"/>	Recycling Coord. (R&R)
<input checked="" type="checkbox"/>	Fire Department	<input checked="" type="checkbox"/>	Water Utility
<input type="checkbox"/>	Metro Transit	<input type="checkbox"/>	Other: