

PLANNING DIVISION STAFF REPORT

July 30, 2018



PREPARED FOR THE PLAN COMMISSION

Project Address: 5380 Shaw Court (District 11 – Ald. Martin)
Application Type: Demolition Permit
Legistar File ID #: [52211](#)
Prepared By: Sydney Prusak, Planning Division
Report Includes Comments from other City Agencies, as noted
Reviewed By: Kevin Firchow, AICP, Principal Planner

Summary

Applicant & Property Owner: James Shapiro; 7857 Cobblestone LLC; 1202 Regent Street; Madison, WI 53715

Contact: David Fercit; Fercit Architecture; 2704 Gregory Street; Madison, WI 53711

Requested Action: Approval of a demolition permit to raze a one-story single-family residence and construct a new single-family residence at 5380 Shaw Court.

Proposal Summary: The applicant proposes to demolish a single-family residence and construct a new one-story 3,924 square-foot, single-family residence with an attached garage and finished basement.

Applicable Regulations & Standards: This proposal is subject to the standards for Demolition and Removal Permits (MGO §28.185).

Review Required By: Plan Commission (PC)

Summary Recommendation: The Planning Division recommends that the Plan Commission find that the demolition standards are met and **approve** the request for a Demolition Permit to raze the single-family residence and construct a new single-family residence at 5380 Shaw Court. This recommendation is subject to input at the public hearing and the conditions recommended by other reviewing agencies.

Background Information

Parcel Location: The subject parcel is located on the north side of Shaw Court, between Hilldale Court and Oak Crest Avenue. It is within Aldermanic District 11 (Alder Martin), as well as the Madison Metropolitan School District.

Existing Conditions and Land Use: The 8,690-square-foot (approximately 0.19-acre) site is developed with a one-story single-family residence originally constructed in 1953. The property is zoned Suburban Residential – Consistent 2 (SR-C2).

Surrounding Land Use and Zoning:

North: Single-family residences, zoned SR-C2;

East: Single-family residences, zoned SR-C2;

South: Single-family residences, zoned SR-C2; and

West: Single-family residences, zoned Traditional Residential – Consistent 2 (TR-C2).

Adopted Land Use Plan: The [Comprehensive Plan \(2006\)](#) recommends Low-Density Residential (0-15 units per acre) for the subject site. The subject site is located within the general Spring Harbor Neighborhood Assets Map in the [Spring Harbor Neighborhood Plan \(2006\)](#). However, it is outside the Spring Harbor Neighborhood Planning Boundary, and the plan makes no specific recommendations for the subject site.

Zoning Summary: The property is zoned Suburban Residential – Consistent 2 (SR-C2).

Requirements	Required	Proposed
Lot Area (sq. ft.)	6,000 sq. ft.	8,690 sq. ft.
Lot Width	50'	79'
Front Yard Setback	30'	30'
Side Yard Setback	6'	9'4", 7'6"
Rear Yard Setback	35'	41'3"
Usable Open Space	1,000 sq. ft.	1,494 sq. ft.
Maximum Lot Coverage	50%	35.4%
Maximum Building Height	2 stories/ 35'	
Other Critical Zoning Items	None	

Site Design	Required	Proposed
Number Parking Stalls	1 (location only)	Attached garage
Building Forms	Yes	Single-family detached dwelling

Table Prepared by Jacob Moskowitz, Assistant Zoning Administrator

Environmental Corridor Status: The subject site is not located in a mapped environmental corridor.

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

Project Description

The applicant proposes to demolish a single-family residence and construct a new single-family residence in its place. This proposal is subject to the approval standards for demolition and removal permits (MGO §28.185).

The 8,690-square-foot (roughly 0.19-acre) site is developed with a one-story, single-family residence, originally constructed in 1953. Photos of the existing home's exterior and interior are included in the meeting packet and are available online at: <https://madison.legistar.com/View.ashx?M=F&ID=6331781&GUID=01EFA53D-CF6B-4529-BD0A-0F7A48927C96>. The parcel is zoned Suburban Residential – Consistent District 2 (SR-C2). According to the City Assessor's information, the existing 672-square-foot house has two bedrooms and one bathroom. According to the letter of intent, the applicant indicated that the windows, siding, appliances, and gas furnace are in need of repair and/or replacement. Furthermore, the applicant stated that due to the small size of the house and room, lack of garage space, poor quality prefabricated construction, difficulty in providing adequate

insulation and repairing the vapor barrier problems, and the cost to remodel the kitchen and bathroom, that it would be a better use for the property to demolish the house and a build a new single-family house.

The proposed 3,924-square-foot one-story single-family residence will include three bedrooms and two bathrooms. Included in this area will be an exposed basement and an attached two car garage. The proposed residence will be 14 feet tall.

Regarding exterior materials, the applicant is proposing SmartSide composite siding, an asphalt shingled roof, and a cultured stoned entryway. According to the applicant, one tree is proposed for removal because it is located in the path of the proposed driveway. A grading plan has been provided, and the applicant does not intend to make any significant grading changes to the site.

Project Analysis and Conclusion

In order to approve a demolition request, the Plan Commission must find that both the requested demolition and the proposed future use are compatible with the purpose of the demolition section and the intent and purpose expressed in the SR-C2 (Suburban Residential – Consistent 2) Zoning District. A copy of the statement of purpose is provided as Attachment 2. The purpose of the Demolition Section is to aid in the implementation of adopted City plans, protect neighborhood character, preserve historic buildings, encourage the reuse and/or relocation of existing buildings, discourage buildings falling into a state of severe disrepair from lack of maintenance by the owner, encourage compliance with building and minimum housing codes, and allow the property owner to have a decision on approval or disapproval of the proposed use of the property before he or she takes the irrevocable step of demolishing or moving the buildings.

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. The Demolition Standards also state that the proposed use should be compatible with adopted plans. A summary of Plan recommendations is included in the previous section of this report, and the Planning Division believes that the proposal can be found to be consistent with the low density residential recommendations.

The new residence is slightly larger than the existing home, but follows the same general footprint. Even with this expansion, the proposed home is still within the Zoning setback requirements for the SR-C2 district. The proposed home is one-story in height and has a pitched roof, which fits in with the architecture of the surrounding homes and neighborhood context. Furthermore, the proposed building can be found to be consistent with the [Comprehensive Plan \(2006\)](#) which recommends Low-Density Residential (0-15 units per acre).

Lastly, the demolition standards state that the Plan Commission shall consider the report of the City's Historic Preservation Planner regarding the historic value of the property as well as any report submitted by the Landmarks Commission. The Landmarks Commission, at their January 4th meeting, found that the building itself have no known historic value.

Staff believes that the demolition standards are met with this proposal for 5380 Shaw Court. The Planning Division believes that demolishing the existing structure and building a new single-family home will improve the overall site.

At the time of report writing, staff has not received any public comment on this proposal. The Planning Division believes that the applicable standards can be met with the recommended conditions.

Recommendation

Planning Division Recommendation (Contact Sydney Prusak, (608) 243-0554)

The Planning Division recommends that the Plan Commission find that the demolition standards are met and **approve** the request for a Demolition Permit to raze a single-family residence and construct a new single-family residence at 5380 Shaw Court. This recommendation is subject to input at the public hearing and the conditions recommended by other reviewing agencies.

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

Engineering Division Main Office (Contact Brenda Stanley, (608) 261-9127)

1. 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. The permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>. (MGO CH 35.02(14))
2. The site plans shall be revised to show the location of all rain gutter down spout discharges. (POLICY)

Engineering Division – Mapping (Contact Jeff Quamme, (608) 266-4097)

3. Correct the dimensions of the lot. The front width per the plat of Oak Crest is 79.4 feet, the rear width is 79.5 feet and the depth of the lot is 110 feet.
4. It is recommended a survey of the lot be completed by a Professional Surveyor to accurately locate the new house on the lot.

Zoning (Contact Jenny Kirchgatter, (608) 566-4429)

5. Section 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, Bryan Johnson (608-266-4682).
6. Section 28.185(10) Every person who is required to submit a reuse and recycling plan pursuant to Section 28.185 (7)(a)5. shall submit documents showing compliance with the plan within sixty (60) days of completion of demolition.
7. Section 28.185(9)(a) A demolition or removal permit is valid for one (1) year from the date of the Plan Commission.
8. Approval of the demolition permit will require the removal of all structures including the single-family dwelling and driveway. The driveway apron shall be removed as per City of Madison Engineering and

Traffic Engineering requirements. Disturbed areas shall be filled, graded and seeded or sod planted to minimize erosion.

Fire Department (Contact William Sullivan, (608) 261-9658)

9. 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/building-residential-fire-sprinklers>
10. Please consider allowing Madison Fire Dept. to conduct training sequences prior to demolition. Contact MFD Training Division to discuss possibilities: Division Chief Tracy Burrus at tburrus@cityofmadison.com or (608)266- 5959.

Water Utility (Contact Adam Wiederhoeft, (608) 266-9121)

11. The Madison Water Utility shall be notified to remove the water meter at least two working days prior to demolition. Contact the Water Utility Meter Department at (608) 266-4765 to schedule the meter removal appointment.

* Attachment #1 *

ORD-14-00028, 2-18-14; ORD-14-00115, 7-11-14; ORD-15-00008 & ORD-15-0015, 1-28-15; ORD-15-00079 & ORD-15-00081, 8-12-15; ORD-16-00049, 5-25-16; ORD-16-00069, 8-13-16; ORD-16-00092, 11-9-16; ORD-17-00127, 12-18-17)

28.033 RESIDENTIAL DISTRICT BUILDING FORMS.

Building Form	SR-C1	SR-C2	SR-C3	SR-V1	SR-V2	TR-C1	TR-C2	TR-C3	TR-C4	TR-V1	TR-V2	TR-U1	TR-U2	TR-R	TR-P
Single-Family Detached Building	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Civic/Institutional Building	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Two-Family, Two-Unit			✓	✓	✓				✓	✓	✓	✓	✓		✓
Two-Family - Twin			✓	✓	✓				✓	✓	✓	✓	✓		✓
Three-Unit Building				✓	✓				✓	✓	✓				
Single-Family Attached				✓	✓						✓	✓	✓		✓
Small Multi-Family Building				✓	✓						✓	✓	✓		✓
Large Multi-family Building					✓						✓	✓	✓		✓
Courtyard Multi-Family Building					✓						✓	✓	✓		✓
Podium Building												✓	✓		✓

(Am. by ORD-14-00028, 2-18-14)

28.034 SUBURBAN RESIDENTIAL - CONSISTENT DISTRICTS.

(1) Statement of Purpose.

The SR-C Districts are established to stabilize and protect the essential characteristics of low- to moderate-density residential areas typically located in the outlying parts of the City, and to promote and encourage a suitable environment for family life while accommodating a full range of life cycle housing. The districts are also intended to:

- (a) Ensure that new buildings and additions to existing buildings are designed with sensitivity to their context in terms of building placement, facade width, height and proportions, garage and driveway placement, landscaping, and similar design features.
- (b) Maintain and improve the viability of existing housing of all types, while providing for updating of older housing in a context-sensitive manner.
- (c) Maintain or increase compatibility between residential and other allowed uses, and between different housing types, where permitted, by maintaining consistent building orientation and parking placement and screening.
- (d) Facilitate the preservation, development or redevelopment goals of the Comprehensive Plan and of adopted neighborhood, corridor or special area plans.
- (e) In new development, use of the SR-C1 District, in conjunction with other residential districts, should be limited to insuring a mix of housing types, or for reasons related to topography, stormwater management, or other environmental considerations.

28.035 SR-C1 DISTRICT.

(1) Permitted and Conditional Uses.

See Table 28C-1 for a complete list of allowed uses within the residential districts.

(2) Dimensional Requirements, Permitted and Conditional Uses.

Requirements represent minimums unless otherwise noted. Dimensions are in feet unless otherwise noted.

15