



PREPARED FOR THE PLAN COMMISSION

**Project Address:** 138 Rodney Court (13<sup>th</sup> Aldermanic District, Alder Eskrich)  
**Application Type:** Demolition  
**Legistar File ID #:** [40398](#)  
**Prepared By:** Heather Stouder, AICP, Planning Division  
Report Includes Comments from other City Agencies, as noted

## Summary

**Applicant/Property Owner:** Tim Miller; 511 W Johnson St., Apt 20, Madison, WI 53703

**Project Contact:** Mike Yeager, MYTY Construction; 3222 Spring Valley Rd., Dodgeville, WI 53533

**Requested Action:** Approval of a demolition of a single-family home. There is no proposed future use at this time.

**Proposal Summary:** The applicant proposes to demolish a single-family home constructed in 1923 and in very poor condition. As proposed, the site would be regraded and seeded for greenspace, with no proposed use at this time.

**Applicable Regulations & Standards:** This proposal is subject to the standards for demolition (MGO Section 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 at 138 Rodney Court. This recommendation is subject to input at the public hearing and the conditions recommended by the Planning Division and other reviewing agencies.

## Background Information

**Parcel Location:** 138 Rodney Court is located on the southwest side of Rodney Court between Clark Court and Brittingham Place; Aldermanic District 13 (Eskrich); Madison Metropolitan School District.

**Existing Conditions and Land Use:** The 4,000 square foot property is developed with a one-story, 830 square foot single-family home constructed in 1923. The home is in very poor and unsafe condition, and has long been vacant.

**Surrounding Land Use and Zoning:** Single and two-family homes in the Traditional Residential – Consistent 4 (TR-C4) District.

**Adopted Land Use Plan:** The Comprehensive Plan (2006) recommends low-density residential uses for this area.

**Zoning Summary:** The property is in the Traditional Residential – Consistent 4 (TR-C4) District.

**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, Analysis, and Conclusion

The applicant proposes to demolish a single-family home in a very poor, unsafe condition, and to replace it for the time being with greenspace. The existing basement would be filled, and the site would be regraded and seeded for the foreseeable future. At some point, a new home meeting all zoning requirements may be proposed for this small, 4,043 square foot property.

The roof of the structure has partially collapsed, and many other elements of the building are structurally unsound. In a memorandum included in the Plan Commission packet of materials, Building Inspection Director George Hank indicates that the home in its current condition is a public nuisance, and supports its removal as soon as possible.

Staff believes that the tough standards for approval of the demolition of a residential building with no proposed use can be met in this case, given the written evidence and support from the Director of Building Inspection.

## Recommendation

### Planning Division Recommendation (Contact Heather Stouder, 266-5974)

The Planning Division recommends that the Plan Commission find that the demolition standards are met and **approve** the request at 138 Rodney Court. This recommendation is subject to input at the public hearing and the conditions recommended by the Planning Division and other reviewing agencies.

### Recommended Conditions of Approval

Major/Non-Standard Conditions are Shaded

### City Engineering Division (Contact Brenda Stanley, 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. 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)).
2. The applicant shall demonstrate compliance with MGO Section 37.07 and 37.08 regarding permissible soil loss rates. The erosion control plan shall include Universal Soil Loss Equation (USLE) computations for the construction period. Measures shall be implemented in order to maintain a soil loss rate below 5.0 tons per acre per year.
3. The Applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass (POLICY).
4. All work in the public right-of-way shall be performed by a City licensed contractor (MGO 16.23(9)(c)5 and MGO 23.01).
5. The joint driveway to remain is subject to a Joint Driveway Agreement per Doc. No. 2089713.

**Water Utility** (Contact Dennis Cawley, 266-4651)

6. All operating private wells shall be identified and permitted by the Water Utility in accordance with MGO 13.21. All unused private wells shall be abandoned in accordance with MGO 13.21.

**Zoning Administrator** (Contact Jenny Kirchgatter, 266-4429)

7. 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, Mr. George Dreckmann (608-267-2626).
8. 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.
9. Section 28.185(9)(a) A demolition or removal permit is valid for one (1) year from the date of the Plan Commission approval.

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

This agency reviewed the request and has recommended no conditions of approval.

**Parks Division** (Contact Janet Schmidt, 261-9658)

This agency reviewed the request and has recommended no conditions of approval.

**Traffic Engineering** (Contact Eric Halvorson, 266-6527)

This agency reviewed the request and has recommended no conditions of approval.