



# City of Madison

## Proposed Demolition, Rezoning & Land Division

### Location

5426, 5428 & 5430 Lake Mendota Drive

### Applicant

Albert Toon and John Wiencek

From: R1

To: R2

### Existing Use

Single-family residences

### Proposed Use

Demolish single-family residence (5428) to provide open space for adjacent residences and re-divide 3 parcels into 2 lots with conforming zoning

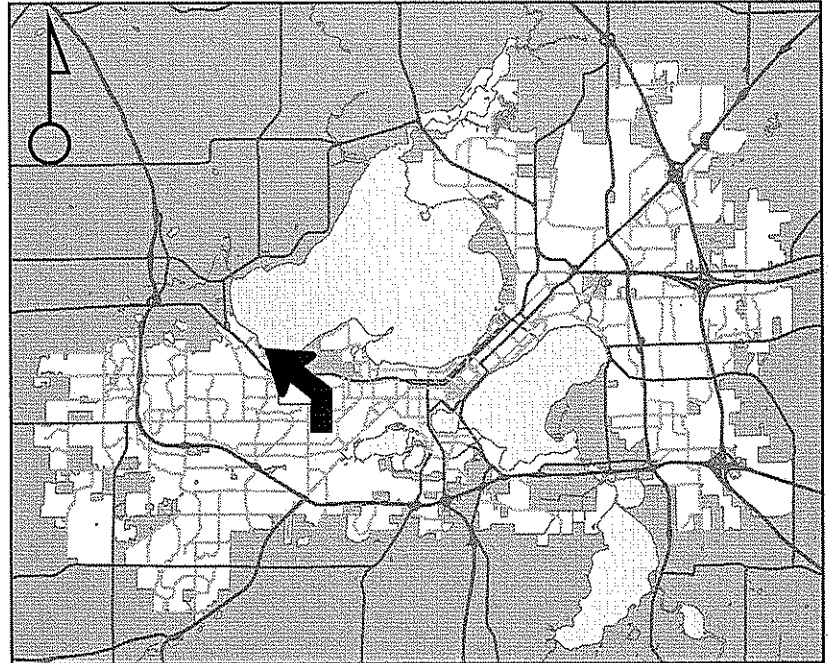
### Public Hearing Date

Plan Commission

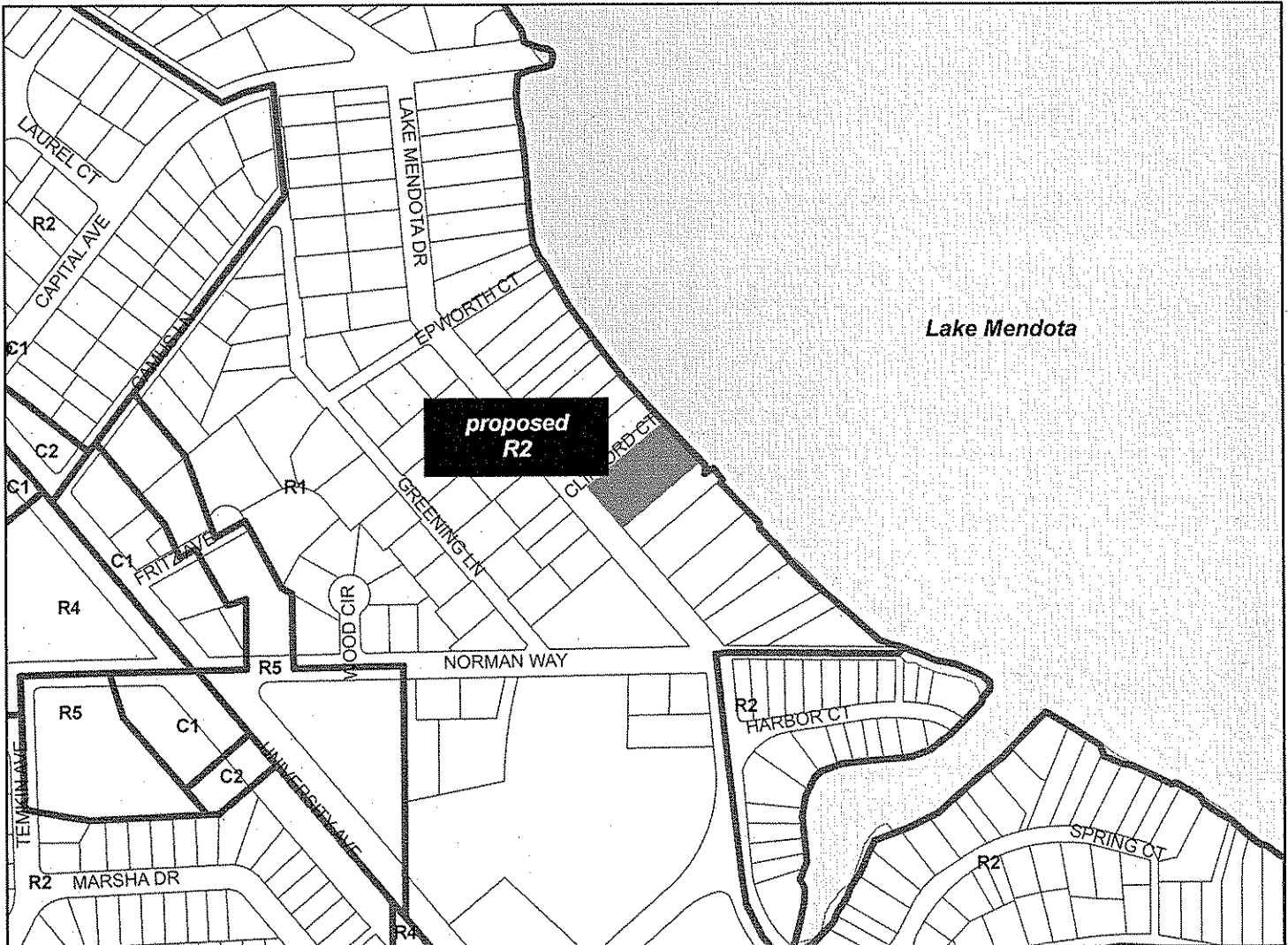
10 January 2011

Common Council

18 January 2011



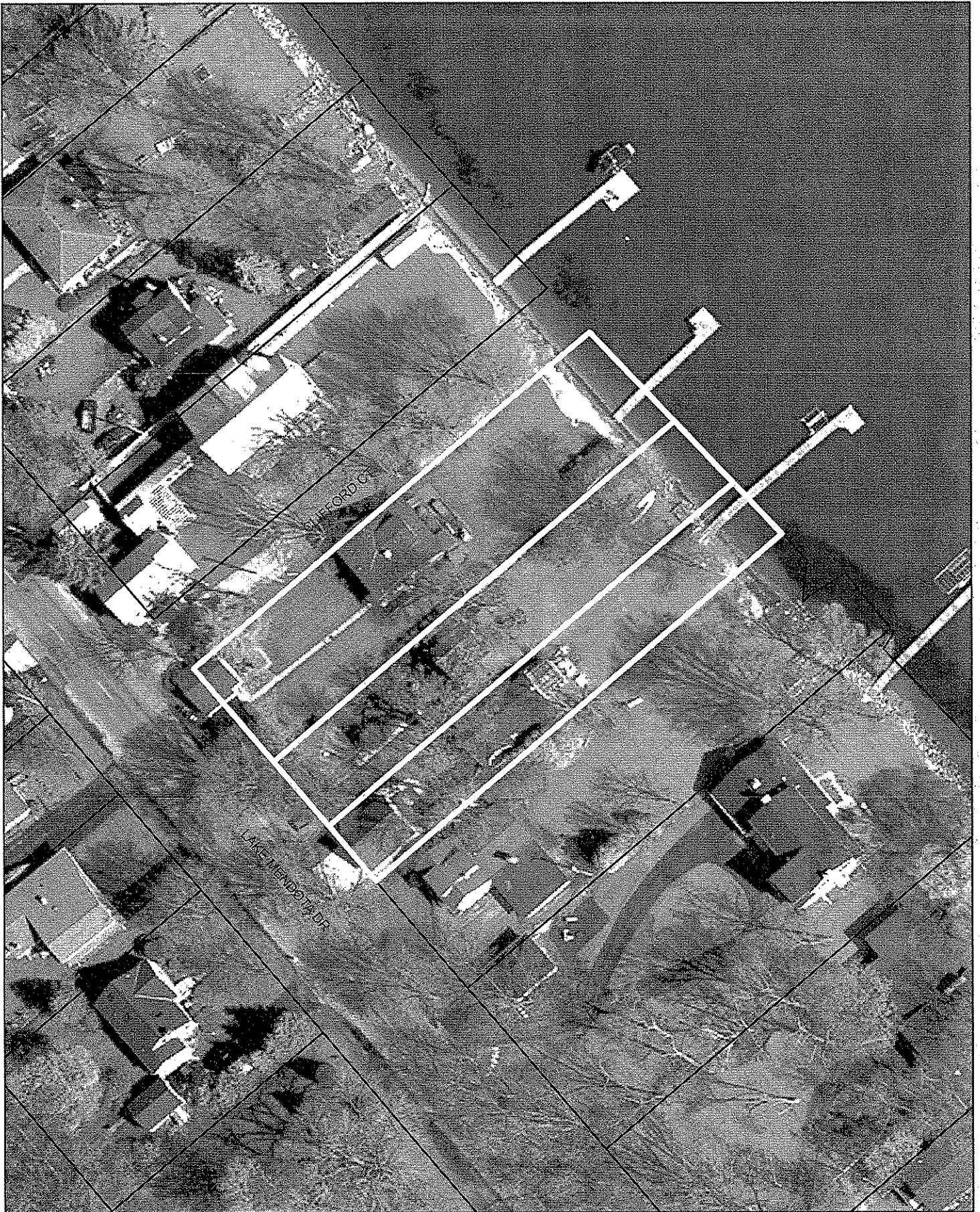
For Questions Contact: Kevin Firchow at: 267-1150 or [kfirchow@cityofmadison.com](mailto:kfirchow@cityofmadison.com) or City Planning at 266-4635



Scale : 1" = 400'

City of Madison, Planning Division : RPJ : Date : 30 December 2010

7-8





# LAND USE APPLICATION Madison Plan Commission

215 Martin Luther King Jr. Blvd; Room LL-100  
PO Box 2985; Madison, Wisconsin 53701-2985  
Phone: 608.266.4635 | Facsimile: 608.267.8739

- The following information is required for all applications for Plan Commission review except subdivisions or land divisions, which should be filed with the Subdivision Application.
- Before filing your application, please review the information regarding the **LOBBYING ORDINANCE** on the first page.
- Please read all pages of the application completely and fill in all required fields.
- This application form may also be completed online at [www.cityofmadison.com/planning/plan.html](http://www.cityofmadison.com/planning/plan.html)
- All zoning applications should be filed directly with the Zoning Administrator.

FOR OFFICE USE ONLY:	
Amt. Paid	300 <sup>00</sup> Receipt No. _____
Date Received	12/11/10
Received By	P.P.A.
Parcel No.	0709-181-0402-0 + 0401-2
Aldermanic District	19 MARK CLEAR
GQ	WATERFRONT
Zoning District	R-1
For Complete Submittal	
Application	Letter of Intent
IDUP	Legal Descript.
Plan Sets	Zoning Text
Alder Notification	Waiver
Nghbrhd. Assn Not.	Waiver
Date Sign Issued	

1. Project Address: 5428 LAKE MENDOTA DRIVE Project Area in Acres: 0.71  
Project Title (if any): \_\_\_\_\_

2. This is an application for: (check at least one)

<input checked="" type="checkbox"/> Zoning Map Amendment (check only ONE box below for rezoning and fill in the blanks accordingly)		
<input checked="" type="checkbox"/> Rezoning from <u>R1</u> to <u>R2</u>	<input type="checkbox"/> Rezoning from _____ to PUD/PCD-SIP	
<input type="checkbox"/> Rezoning from _____ to PUD/PCD-GDP	<input type="checkbox"/> Rezoning from PUD/PCD-GDP to PUD/PCD-SIP	
<input type="checkbox"/> Conditional Use	<input checked="" type="checkbox"/> Demolition Permit	<input type="checkbox"/> Other Requests (Specify): _____

3. Applicant, Agent & Property Owner Information:

Applicant's Name: Albert L. Toon Jr Company: \_\_\_\_\_  
Street Address: 5430 LAKE MENDOTA DR City/State: MADISON, WI Zip: 53705  
Telephone: (608) 4697850 Fax: ( ) Email: altoonjr@yahoo.com

Project Contact Person: Albert L. Toon Jr Company: \_\_\_\_\_  
Street Address: SAME AS ABOVE City/State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Telephone: ( ) Fax: ( ) Email: \_\_\_\_\_

Property Owner (if not applicant): \_\_\_\_\_  
Street Address: \_\_\_\_\_ City/State: \_\_\_\_\_ Zip: \_\_\_\_\_

4. Project Information:

Provide a general description of the project and all proposed uses of the site: 1/2 100 year old CABIN & GARAGE to be demolished for safety and lot expansion for adjacent property owner(S) or fine resale as buildable lot.

Development Schedule: Commencement FEB 2011 / ~~DEC 2010~~ Completion FEB 2011 / ~~DEC 2010~~



**5. Required Submittals:**

- Site Plans** submitted as follows below and depicts all lot lines; existing, altered, demolished or proposed buildings; parking areas and driveways; sidewalks; location of any new signs; existing and proposed utility locations; building elevations and floor plans; landscaping, and a development schedule describing pertinent project details:
  - **Seven (7) copies** of a full-sized plan set drawn to a scale of one inch equals 20 feet (collated and folded)
  - **Seven (7) copies** of the plan set reduced to fit onto 11 inch by 17 inch paper (collated, stapled and folded)
  - **One (1) copy** of the plan set reduced to fit onto 8 1/2 inch by 11 inch paper
- Letter of Intent: Twelve (12) copies** describing this application in detail but not limited to, including: existing conditions and uses of the property; development schedule for the project; names of persons involved (contractor, architect, landscaper, business manager, etc.); types of businesses; number of employees; hours of operation; square footage or acreage of the site; number of dwelling units; sale or rental price range for dwelling units; gross square footage of building(s); number of parking stalls, etc.
- Legal Description of Property:** Lot(s) of record or metes and bounds description prepared by a land surveyor. For any application for rezoning, the description must be submitted as an electronic word document via CD or e-mail.
- Filing Fee:** \$ ~~580~~ 850 See the fee schedule on the application cover page. Make checks payable to: *City Treasurer.*

**IN ADDITION, THE FOLLOWING ITEMS MAY ALSO BE REQUIRED WITH YOUR APPLICATION; SEE BELOW:**

- For any applications proposing demolition of existing buildings, **photos** of the interior and exterior of the structure(s) to be demolished shall be submitted with your application. Be advised that a **Reuse and Recycling Plan** approved by the City's Recycling Coordinator is required prior to issuance of wrecking permits.
- A project proposing **ten (10) or more dwelling units** may be required to comply with the City's Inclusionary Zoning requirements outlined in Section 28.04 (25) of the Zoning Ordinance. A separate INCLUSIONARY DWELLING UNIT PLAN application detailing the project's conformance with these ordinance requirements shall be submitted concurrently with this application form. Note that some IDUP materials will coincide with the above submittal materials.
- A **Zoning Text** must accompany **all** Planned Community or Planned Unit Development (PCD/PUD) submittals.

**FOR ALL APPLICATIONS:** All applicants are required to submit copies of all items submitted in hard copy with their application (including this application form, the letter of intent, complete plan sets and elevations, etc.) as **INDIVIDUAL** Adobe Acrobat PDF files compiled either on a non-returnable CD to be included with their application materials, or in an e-mail sent to [pcapplications@cityofmadison.com](mailto:pcapplications@cityofmadison.com). The e-mail shall include the name of the project and applicant. Applicants who are unable to provide the materials electronically should contact the Planning Unit at (608) 266-4635 for assistance.

**6. Applicant Declarations:**

- Conformance with adopted City plans:** Applications shall be in accordance with all adopted City of Madison plans:
  - The site is located within the limits of the: COMPREHENSIVE PLAN Plan, which recommends: LOW DENSITY RESIDENTIAL for this property.
- Pre-application Notification:** Section 28.12 of the Zoning Ordinance requires that the applicant notify the district alder and any nearby neighborhood or business associations by mail no later than **30** days prior to filing this request:
  - List below the Alderperson, Neighborhood Association(s), Business Association(s) AND dates you sent the notices: SPRING HARBOR / AID CLEAR

NOTE: If the alder has granted a waiver to this requirement, please attach any such correspondence to this form.

- Pre-application Meeting with staff:** Prior to preparation of this application, the applicant is required to discuss the proposed development and review process with Zoning Counter and Planning Unit staff; note staff persons and date.
 

Planner KEVIN FIECHAW Date 12 OCT 2010 Zoning Staff PAT ANDERSON Date 12 OCT 2010

**The signer attests that this form is accurately completed and all required materials are submitted:**

Printed Name Albert L. Toon Jr Date 10-18-10  
 Signature [Signature] Relation to Property Owner N/A

Authorizing Signature of Property Owner [Signature] Date 10/18/10 7-8

Effective June 26, 2006  
 NAME JOHN WIENCEK SIGNATURE [Signature] DATE 12/1/10

10-18-10

Madison Planning Commission  
215 Martin Luther King Blvd  
Madison, WI. 53701

Re: Demolition of improvements at 5428 Lake Mendota Dr.

To Zoning and Staff

We, Albert L. Toon, Jr. and Jane E. Toon (Toon), plan to demolish all the existing structures currently on the property located at 5428 Lake Mendota Dr, Madison. Both the house and the wooden foundation are in very poor condition. We do not intend to remove any trees in this process.

Our intent is to restore the property to vacant land and possibly sell a portion of the property to the adjacent neighbor located at 5426 Lake Mendota Dr, Madison. If satisfactory terms to sell a portion of the existing lot to neighbor are negotiated, the balance of the property would be added to 5430 Lake Mendota Dr, also owned by the Toons. A certified survey is being developed to document the potential lot changes. *and rezoning to allow aforementioned*  
*CHANGES.*

If the neighbor chooses not to buy a portion of 5428 LMDr, The Toons will consider reselling the lot as a buildable lot (as currently zoned) or request to add it in it's entirety to 5430 LMDr.

Regards,

  
Albert L. Toon, Jr.

LETTER OF INTENT

November 16, 2010

Madison Plan Commission  
215 Martin Luther King Blvd.  
Madison, WI 53701

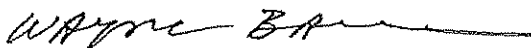
RE: Certified Survey Map 5426, 5428 & 5430  
Lake Mendota Drive

Albert L. and Jane E. Toon own the property located at 5428 and 5430 Lake Mendota Drive. They plan to demolish all the existing structures located on 5428 and restore the property to vacant land.

John Wiencek owns the property located at 5426 Lake Mendota Drive. He intends to purchase a portion of the 5428 Toon parcel.

The purpose of this Certified Survey Map is to combine all three parcels and create a new agreed upon lot division between the Toon and Wiencek parcels.

Sincerely,  
D'Onofrio, Kottke & Associates, Inc.



Wayne D. Barsness, R.L.S.

Y:/admin/sarah/wpfiles/letter temp/1007118 Letter of Intent Madison Plan Commission.doc







5428















