

**PLANNING UNIT REPORT  
DEPARTMENT OF PLANNING AND DEVELOPMENT  
of November 28, 2006**

**RE: I.D. #05036, Demolition Permit and Conditional Use – 4922 Lake Mendota Drive**

1. Requested Action: Approval of a demolition permit and conditional use for a single-family residence on a waterfront lot at 4922 Lake Mendota Drive.
2. Applicable Regulations: Section 28.04 (22) provides the guidelines and regulations for the approval of demolition permits; Section 28.04 (19) provides the standards for waterfront development; Section 28.12 (11) provides the guidelines and regulations for the approval of conditional uses.
3. Report Prepared By: Timothy M. Parks, Planner

**GENERAL INFORMATION:**

1. Applicant & Property Owner: James Spahr, Landmark Building Systems; 26 Maple View Court; Madison.  
  
Agent: Richard Smith, Brink, Kolberg & Associates; 4506 Regent Street; Madison  
  
Property Owner: Michael Shapiro; 3620 Lake Mendota Drive; Madison.
2. Development Schedule: The applicant wishes to proceed as soon as all necessary approvals have been granted.
3. Parcel Location: An approximately 0.44-acre parcel located at 4922 Lake Mendota Drive; Aldermanic District 19; Madison Metropolitan School District.
4. Existing Conditions: A former single-family residence on the site has been demolished save for a portion of the western wall at the first floor and a section of a gabled roof frame that has been removed from the house but not wrecked. The site is zoned R1 (Single-Family Residence District).
5. Proposed Use: A new single-family residence.
6. Surrounding Land Use and Zoning: The subject site is located on the southern shores of Lake Mendota and is surrounded to the east and west by other single-family residences in R1 (Single-Family Residence District) zoning. Blackhawk Country Club is located to the south in the Village of Shorewood Hills.
7. Adopted Land Use Plan: The Comprehensive Plan identifies this area for low-density residential uses.

8. Environmental Corridor Status: The subject site is not located in a mapped environmental corridor. A burial mound was recently identified northeast of the foundation of the new residence that will require preventative measures to be installed prior to construction resuming on this site.
9. Public Utilities & Services: This property is served by a full range of urban services

**STANDARDS FOR REVIEW:**

This application is subject to the demolition standards of Section 28.04 (22), the conditional use standards of Section 28.12 (11) and the waterfront development standards of Section 28.04 (19).

**ANALYSIS, EVALUATION AND CONCLUSION:**

The applicant and property owner are requesting approval of a demolition permit for a former single-family residence located at 4922 Lake Mendota Drive as well as conditional use approval to allow a new single-family residence to be constructed. The site is a 0.44-acre tract located on the north side of Lake Mendota Drive opposite the Blackhawk Country Club in Shorewood Hills and is zoned R1. The property is adjoined by other single-family residences to the east and west.

A contemporarily styled partial two-story residence constructed in 1978 formerly occupied the site until earlier this fall when it was razed without proper approvals or permits, save for a one-story section of the western wall, which remains in place on a portion of the former foundation. A section of roof from the former building was removed from the building but not wrecked and at present sits on the site near the driveway. The applicant obtained a building permit from the Inspection Unit for interior renovations and alterations on July 14, 2006. However, the applicant was issued "stop work" orders this fall when it was found that the scope of work for the permit was exceeded by the demolition. At the time the order was issued, the applicant had begun framing for a new residence. Pictures of the exterior of the former residence as well as a picture of the site in its current state are included with the Commission's materials.

Work cannot resume on this site until the applicant receives approval of the demolition and conditional use permits for the new residence from the Plan Commission and has had new building permits issued by the Inspection Unit that reflect the actual scope of work on the site. The issuance of the new permits may be subject to additional fees and penalties above the standard fees as provided in the Building Code and determined by the Inspection Unit Director.

The property owner wishes to construct a two-story residence with partially exposed lower level on the footprint of the demolished residence. A two-story wing will be constructed southeast from the existing footprint that will include a three-car garage on the first floor and living space on the second floor above. A second, smaller 115 square-foot addition will also be constructed along the north wall facing Lake Mendota. In all, the new residence will include approximately 4,500 square feet of space, with four bedrooms, four bathrooms and various other living spaces as described on the attached floorplans. The new residence will feature a modern design that will include an exterior comprised of stone block panels, metal standing seam siding and EIFS. The roof will be a multi-tiered gabled metal standing seam roof.

The nearest portion of the residence will continue to be setback 75 feet from the ordinary high water mark of Lake Mendota, which represents the location of a former three-season porch that projected from the northeastern corner of the house. It appears based on the location of existing vegetation located between the house and an existing 180 square-foot boathouse located directly to the north that no disturbance of that vegetation is proposed with the site improvements, though staff will confirm this with the applicant prior to final signoff should the project be approved. Regardless, the applicant proposes no disturbance within 35 feet of the normal high water mark. A burial mound was also recently discovered northeast of the residence along the eastern property line and adjoining parcel. Kitty Rankin, the City's Preservation Planner, has asked that a construction fence or other similar measures be erected around the perimeter of the mound during construction to prevent any disturbance.

The Zoning Board of Appeals granted the applicant a variance to required eastern side yard on November 9, 2006 as a result of the depth penalty assessed to side building walls that exceed 40 feet in length in R1 zoning, which requires a greater side yard than the seven feet required.

The applicant has submitted pictures of the exterior of the former residence, which appear to show a building in a reasonable state of repair, though staff did not visit the site prior to the demolition. The former building, however, was clad in horizontal wood siding that the project architect suggests did not tolerate lakeside weather conditions well. Pictures of flat sections of the roof also showed areas of wear, though it is arguable that those may have been repairable. Regardless of the conditions of the previous residence, most of it has been demolished and the sections that remain are of such insignificance that staff is resigned to recommend that the demolition be approved.

The proposed lakefront residence appears to meet the standards for waterfront development conditional uses. Though the proposed structure will reflect a more modern architectural style than other single-family residences along this section of Lake Mendota Drive, the new building will be of a similar scale and mass as other buildings elsewhere along the street. The Planning Unit and the Plan Commission have rarely commented on the architectural style of other new lake houses throughout the City, and as a result, many have been approved on both lakes with a variety of building styles reflected including modern designs such as the one proposed.

Though the Plan Commission cannot make a condition of approval that assesses penalties for illegal demolition and construction under the Building Code, the Planning Unit believes it would be appropriate for the Plan Commission to recommend to the Inspection Unit Director that any applicable penalty provisions be applied for any future building permits should the project be approved. Staff would also suggest that the applicant is currently being penalized through the "stop work" order, which has halted work on the site since the early fall. The cessation of work on the site will likely continue through at least the end of December while permits are reviewed and issued, leaving work to resume during the heart of the winter months.

### **RECOMMENDATION**

The Planning Unit believes the proposed residence at 4922 Lake Mendota Drive can meet the demolition, waterfront and conditional use standards. Approval of the demolition and conditional use should be subject to input at the public hearing and the following conditions:

1. Comments from reviewing agencies.
2. That the applicant revise the site plan to show the location of the recently identified burial mound located northeast of the proposed residence, and that the plan include a note indicating that a construction fence will be erected around the perimeter of the mound throughout the construction period to prevent any disturbance. These preventative measures shall also be shown on the plans at the time of submittal for building permits.
3. That the applicant submit a revised site plan that shows the location of existing vegetation between the residence and lakeshore, indicating any disturbance to that vegetation proposed. Note: Any disturbance within 35 feet of the normal high water mark as part of this application will require review and approval by the Zoning Administrator and the Planning Unit.

EXISTING  
CONDITIONS



CITY OF MADISON BUILDING INSPECTION 215 Martin Luther King Jr. Boulevard P.O. Box 2984 Madison, WI 53701-2984		<b>Madison Uniform Building Permit Application</b>			Permit No. <b>B206181069</b>
					Parcel No. <b>0709-173-0107-3</b>
PROJECT LOCATION <b>Construction, HVAC, Electrical, Plumbing</b>					
Building Address <b>4922 Lake Mendota Dr</b>			Phone	Lot No. <b>0</b>	Block No. <b>0</b>
Zoning District <b>R2</b>	Lot Area <b>17,835 sq. ft.</b>	Subdivision <b>MERRILL PARK, BLK 1, E 16 FT OF LOT 6 &amp;</b>			
PERMIT REQUESTED					
Contractor's Name <b>LANDMARK BUILDING SYSTEMS</b>		Mailing Address <b>26 MAPLE VIEW CT MADISON, WI53719</b>	Phone <b>(608)235-6499</b> Fax <b>(608)273-0221</b>	Project Owner	
Owner's Name <b>PANCAKE PROPERTIES LLC</b>		Mailing Address <b>PO BOX 930130 VERONA, WI 53593</b>	Phone  Fax	Building Inspector Assigned <b>SLR (608)266-4598</b>	
PROJECT					
<b>COMB.(ALT/ADDN)</b>					
USE <b>Residential</b>	PROPERTY USE <b>SINGLE FAMILY RESIDENCE</b>			CONST. TYPE <b>Not entered</b>	
CONST. CLASS <b>Not entered</b>	FOUNDATION <b>Not entered</b>	STORIES <b>2</b>	USE (Res.) <b>Permanent</b>	UNITS Added or Deleted <b>Not applicable</b>	
AREA <b>4,500 sq. ft.</b>	ELECTRICAL Entrance Panel Size: <b>Not entered</b> Service: <b>Not entered</b>		SEWER <b>Municipal</b>	WATER <b>Municipal</b>	
HVAC EQUIPMENT LIST					
Make	Model	Type	Fuel	BTU	
BRIEFLY DESCRIBE PROJECT:					
<b>CHANGE INTERIOR LAYOUT FOR NEW STAIRS AND MEZZANINE. LIVING ROOM ADDITION</b>					
NOTE: Mechanical Supplement sheets provided with this application must be completed and returned to the Inspection Unit by the appropriate Plumbing, HVAC, and Electrical contractors prior to start of work. No inspection will be made until received.				ESTIMATED COST: <b>\$180,000.00</b>	
FEES		CONDITIONS OF APPROVAL. This permit is issued to the following conditions. Failure to comply may result in suspension or revocation of this permit or other penalty.			
PLAN REVIEW FEE	\$50.00	<b>DESIGNATED FLOOD PLAIN EXISTING CONDITIONAL USE PERMIT WATERFRONT PROPERTY</b>			
GR1 RESIDENTIA	\$405.00				
ZONING	\$0.00				
HVAC-Permit	\$315.00				
Elec-Permit	\$315.00				
Plmb-Permit	\$315.00	PERMIT ISSUED BY:		DATE:	ZONING APPROVAL:
		<b>FRED M REHBEIN</b>		<b>07/14/06</b>	<b>jlk</b>
TOTAL DUE:		<b>\$1,400.00</b>	STATE SEAL NO.		

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# 4922

## CITY OF MADISON BUILDING PERMIT

<b>NOTICE OF NON-COMPLIANCE</b> This issuing jurisdiction shall notify the applicant in writing of any violations to be corrected. All cited violations shall be corrected within 30 days after notification, unless extension of time is granted.	<b>SITE ADDR.</b>	4922 Lake Mendota Dr
	<b>PROJECT</b>	REFRAME INTERIOR FOR STAIR AND MEZZANINE CHAN
	<b>OWNER</b>	PANCAKE PROPERTIES LLC
<b>This permit card must be displayed in a conspicuous location unobstructed from public view.</b>	<b>ISSUED BY</b>	FRED M REHBEIN
	<b>DATE</b>	07/14/06
	<b>INSPECTOR</b>	SLR
	INSPECTION OFFICE:	266-4551
		(608)266-4598

206181069



Department of Public Works  
City Engineering Division

608 266 4751

Larry D. Nelson, P.E.  
City Engineer

City-County Building, Room 115  
210 Martin Luther King, Jr. Boulevard  
Madison, Wisconsin 53703  
608 264 9275 FAX  
608 267 8677 TDD

**Deputy City Engineer**  
Robert F. Phillips, P.E.

**Principal Engineers**  
Michael R. Dailey, P.E.  
Christina M. Bachmann, P.E.  
John S. Fahrney, P.E.  
David L. Benzschawel, P.E.  
Gregory T. Fries, P.E.

**Operations Supervisor**  
Kathleen M. Cryan

**Hydrogeologist**  
Joseph L. DeMorett, P.G.

**GIS Manager**  
David A. Davis, R.L.S.

DATE: October 9, 2006  
TO: Plan Commission  
FROM: Larry D. Nelson, P.E., City Engineer  
SUBJECT: 4922 Lake Mendota Drive Conditional Use

The City Engineering Division has reviewed the subject development and has the following comments.

**MAJOR OR NON-STANDARD REVIEW COMMENTS** (Comments which are special to the project and/or may require additional work beyond a standard, more routine project.)

No major or non-standard comments.

**GENERAL OR STANDARD REVIEW COMMENTS**

In addition, we offer the following General or Standard Review Comments:

**Engineering Division Review of Planned Community Developments, Planned Unit Developments and Conditional Use Applications.**

Name: 4922 Lake Mendota Drive Conditional Use

**General**

- 1.1 The construction of this building will require removal and replacement of sidewalk, curb and gutter and possibly other parts of the City's infrastructure. The applicant shall enter into a City / Developer agreement for the improvements required for this development. The applicant shall be required to provide deposits to cover City labor and materials and surety to cover the cost of construction. The applicant shall meet with the City Engineer to schedule the development of the plans and the agreement. The City Engineer will not sign off on this project without the agreement executed by the developer. The developer shall sign the Developer's Acknowledgement prior to the City Engineer signing off on this project.
- 1.2 The site plan shall identify lot and block numbers of recorded Certified Survey Map or Plat.
- 1.3 The site plan shall include all lot/ownership lines, existing building locations, proposed building additions, demolitions, parking stalls, driveways, sidewalks (public and/or private), existing and proposed signage, existing and proposed utility locations and landscaping.
- 1.4 The site plan shall identify the difference between existing and proposed impervious areas.
- 1.5 The site plan shall reflect a proper street address of the property as reflected by official City of Madison Assessor's and Engineering Division records.
- 1.6 The site plan shall include a full and complete legal description of the site or property being subjected to this application.

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application.

### Right of Way / Easements

- 2.1 The Applicant shall Dedicate a \_\_\_\_\_ foot wide strip of Right of Way along \_\_\_\_\_.
- 2.2 The Applicant shall Dedicate a \_\_\_\_\_ foot wide strip of Right of Way along \_\_\_\_\_.
- 2.3 The Applicant shall Dedicate a Permanent Limited Easement for grading and sloping \_\_\_\_\_ feet wide along \_\_\_\_\_.
- 2.4 The City Engineer has reviewed the need for pedestrian and bicycle connections through the development and finds that no connections are required.
- 2.5 The Applicant shall Dedicate a Permanent Limited Easement for a pedestrian / bicycle easement \_\_\_\_\_ feet wide from \_\_\_\_\_ to \_\_\_\_\_.
- 2.6 The Developer shall provide a private easement for public pedestrian and bicycle use through the property running from \_\_\_\_\_ to \_\_\_\_\_.
- 2.7 The developer shall be responsible for the ongoing construction and maintenance of a path within the easement. The maintenance responsibilities shall include, but not be limited to, paving, repaving, repairing, marking and plowing. The developer shall work with the City of Madison Real Estate Staff to administer this easement. Applicable fees shall apply.

### Streets and Sidewalks

- 3.1 The Applicant shall execute a waiver of notice and hearing on the assessments for the improvement of [roadway] \_\_\_\_\_ in accordance with Section 66.0703(7)(b) Wisconsin Statutes and Section 4.09 of the MGO.
- 3.2 **Value of sidewalk installation over \$5000.** The Applicant shall Construct Sidewalk to a plan approved by the City Engineer along \_\_\_\_\_.
- 3.3 **Value of sidewalk installation under \$5000.** The Applicant shall install public sidewalk along \_\_\_\_\_. The Applicant shall obtain a Street Excavation Permit for the sidewalk work, which is available from the City Engineering Division. The applicant shall pay all fees associated with the permit including inspection fees. All work must be completed within six months or the succeeding June 1, whichever is later.
- 3.4 The Applicant shall execute a waiver of their right to notice and hearings on the assessments for the installation of sidewalk along [roadway] \_\_\_\_\_ in accordance with Section 66.0703(7)(b) Wisconsin Statutes and Section 4.09 of the MGO.
- 3.5 The Applicant shall grade the property line along \_\_\_\_\_ to a grade established by the City Engineer. The grading shall be suitable to allow the installation of sidewalk in the future without the need to grade beyond the property line. The Applicant shall obtain a Street Excavation permit prior to the City Engineer signing off on this development.
- 3.6 The Applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass.
- 3.7 **Value of the restoration work less than \$5,000. When computing the value, do not include a cost for driveways. Do not include the restoration required to facilitate a utility lateral installation.** The Applicant's project requires the minor restoration of the street and sidewalk. The Applicant shall obtain a Street Excavation Permit for the street restoration work, which is available from the City Engineering Division. The applicant shall pay all fees associated with the permit including inspection fees.
- 3.8 The Applicant shall make improvements to \_\_\_\_\_ in order to facilitate ingress and egress to the development. The improvement shall include a (Describe what the work involves or strike this part of the comment.) \_\_\_\_\_.
- 3.9 The Applicant shall make improvements to \_\_\_\_\_. The improvements shall consist of \_\_\_\_\_.
- 3.10 The approval of this Conditional Use does not include the approval of the changes to roadways, sidewalks or utilities. The applicant shall obtain separate approval by the Board of Public Works and the Common Council for the restoration of the public right of way including any changes requested by developer. The City Engineer shall complete the final plans for the restoration with input from the developer. The curb location, grades, tree locations, tree species, lighting modifications and other items required to facilitate the development or restore the right of way shall be reviewed by the City Engineer, City Traffic Engineer, and City Forester.
- 3.11 The Applicant shall provide the City Engineer with a survey indicating the grade of the existing sidewalk and street. The Applicant shall hire a Professional Engineer to set the grade of the building entrances adjacent to the public right of way. The Applicant shall provide the City Engineer the proposed grade of the building entrances. The City Engineer shall approve the grade of the entrances prior to signing off on this development.
- 3.12 The Applicant shall replace all sidewalk and curb and gutter which abuts the property which is damaged by the

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construction or any sidewalk and curb and gutter which the City Engineer determines needs to be replaced because it is not at a desirable grade regardless of whether the condition existed prior to beginning construction.

- 3.13 The Applicant shall obtain a privilege in streets agreement for any encroachments inside the public right of way. The approval of this development does not constitute or guarantee approval of the encroachments.
- 3.14 The Applicant shall provide the City Engineer with the proposed soil retention system to accommodate the restoration. The soil retention system must be stamped by a Professional Engineer. The City Engineer may reject or require modifications to the retention system.
- 3.15 The Applicant shall complete work on exposed aggregate sidewalk in accordance with specifications provided by the city. The stone used for the exposed aggregate shall be approved by the City. The Construction Engineer shall be notified prior to beginning construction. Any work that does not match the adjacent work or which the City Construction Engineer finds is unacceptable shall be removed and replaced.
- 3.16 All work in the public right-of-way shall be performed by a City licensed contractor.
- 3.17 Installation of "Private" street signage in accordance with 10.34 MGO is required.

#### Storm Water Management

- 4.1 The site plans shall be revised to show the location of all rain gutter down spout discharges.
- 4.2 Storm sewer to serve this development has been designed and constructed. The site plans shall be revised to identify the location of this storm sewer and to show connection of an internal drainage system to the existing public storm sewer.
- 4.3 The plan set shall be revised to show a proposed private internal drainage system on the site. This information shall include the depths and locations of structures and the type of pipe to be used.
- 4.4 The applicant shall show storm water "overflow" paths that will safely route runoff when the storm sewer is at capacity.
- 4.5 The applicant shall demonstrate compliance with Section 37.07 and 37.08 of the Madison General Ordinances 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 7.5-tons per acre per year.
- 4.6 The City of Madison is an approved agent of the Department of Commerce. This proposal contains a commercial building and as such, the City of Madison is authorized to review infiltration, stormwater management, and erosion control on behalf of the Department of Commerce. No separate submittal to Commerce or the WDNR is required.
- 4.7 This development includes multiple building permits within a single lot. The City Engineer and/or the Director of the Inspection Unit may require individual control plans and measures for each building.
- 4.8 If the lots within this site plan are inter-dependent upon one another for stormwater runoff conveyance, and/or a private drainage system exists for the entire site an agreement shall be provided for the rights and responsibilities of all lot owners. Said agreement shall be reviewed and placed on file by the City Engineer, referenced on the site plan and recorded at the Dane Co Register of Deeds.
- 4.9 Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to:
  - Detain the 2 & 10-year storm events.
  - Detain the 2, 10, & 100-year storm events.
  - Control 40% TSS (20 micron particle).
  - Control 80% TSS (5 micron particle).
  - Provide infiltration in accordance with NR-151.
  - Provide substantial thermal control.
  - Provide oil & grease control from the first 1/2" of runoff from parking areas.

Stormwater management plans shall be submitted and approved by City Engineering prior to sign-off.

- 4.10 The plan set shall be revised to show more information on proposed drainage for the site. This shall be accomplished by using spot elevations and drainage arrows or through the use of proposed contours. It is necessary to show the location of drainage leaving the site to the public right-of-way. It may be necessary to provide information off the site to fully meet this requirement.
- 4.11 A portion of this project comes under the jurisdiction of the US Army Corp of Engineers and WDNR for wetland or flood plain issues. A permit for those matters shall be required prior to construction on any of the lots currently within the jurisdictional flood plain.
- 4.12 The Applicant shall submit, prior to plan sign-off, digital CAD files to the Engineering Program Specialist in the Engineering Division (Lori Zenchenko). The digital copies shall be to scale and represent final construction.

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CAD submittals can be either AutoCAD (dwg) Version 2001 or older, MicroStation (dgn) Version J or older, or Universal (dxf) formats and contain the following data, each on a separate layer name/level number:

- a) Building Footprints
- b) Internal Walkway Areas
- c) Internal Site Parking Areas
- d) Other Miscellaneous Impervious Areas (i.e. gravel, crushed stone, bituminous/asphalt, concrete, etc.)
- e) Right-of-Way lines (public and private)
- f) Lot lines
- g) Lot numbers
- h) Lot/Plat dimensions
- i) Street names

NOTE: Email file transmissions preferred [izenchenko@cityofmadison.com](mailto:izenchenko@cityofmadison.com) . Include the site address in this transmittal.

- 4.13 NR-151 of the Wisconsin Administrative Code will be effective on October 1, 2004. Future phases of this project shall comply with NR 151 in effect when work commences. Specifically, any phases not covered by a Notice of Intent (NOI) received from the WDNR under NR-216 prior to October 1, 2004 shall be responsible for compliance with all requirements of NR-151 Subchapter III. As most of the requirements of NR-151 are currently implemented in Chapter 37 of the Madison General Ordinances, the most significant additional requirement shall be that of infiltration.

NR-151 requires infiltration in accord with the following criteria. For the type of development, the site shall comply with one of the three (3) options provided below:

Residential developments shall infiltrate 90% of the predevelopment infiltration amount, 25% of the runoff from the 2-year post development storm or dedicate a maximum of 1% of the site area to active infiltration practices.

Commercial development shall infiltrate 60% of the predevelopment infiltration amount, 10% of the runoff from the 2-year post development storm or dedicate a maximum of 2% of the site area to active infiltration practices.

- 4.14 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.

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.
- g) Detail drawings associated with Stormwater Management Facilities (including if applicable planting plans).

- 4.15 The Applicant shall submit prior to plan sign-off, electronic copies of any Stormwater Management Files including:

- a) SLAMM DAT files.
- b) RECARGA files.
- c) TR-55/HYDROCAD/Etc...
- d) Sediment loading calculations

If calculations are done by hand or are not available electronically the hand copies or printed output shall be scanned to a PDF file and provided.

#### Utilities General

- 5.1 The Applicant shall obtain a Street Excavation permit for the installation of utilities required to serve this project. The Applicant shall pay the permit fee, inspection fee and street degradation fee as applicable and shall comply with all the conditions of the permit.
- 5.2 The applicant shall obtain all necessary sewer connection permits and sewer plugging permits prior to any utility work.
- 5.3 All proposed and existing utilities including gas, electric, phone, steam, chilled water, etc shall be shown on the plan.
- 5.4 The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction.
- 5.5 The site plans shall be revised to show the location of existing utilities, including depth, type, and size in the adjacent right-of-way.
- 5.6 The developer shall provide information on how the Department of Commerce's requirements regarding treatment of storm water runoff, from parking structures, shall satisfied prior to discharge to the public sewer system. Additionally, information shall be provided on which system (storm or sanitary) the pipe shall be connected to.

#### Sanitary Sewer

- 6.1 Prior to approval of the conditional use application, the owner shall obtain a permit to plug each existing sanitary sewer lateral that serves a building that is proposed for demolition. For each lateral to be plugged the owner shall deposit \$1,000 with the City Engineer in two separate checks in the following amounts: (1). \$100 non-refundable deposit for the cost of inspection of the plugging by City staff; and (2). \$900 for the cost of City crews to perform the plugging. If the owner elects to complete the plugging of a lateral by private contractor and the plugging is inspected and approved by the City Engineer, the \$900 fee shall be refunded to the owner.
- 6.2 All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection charges are due and payable prior to connection to the public sewerage system.
- 6.3 Each unit of a duplex building shall be served by a separate and independent sanitary sewer lateral.
- 6.4 The site plan shall be revised to show all existing public sanitary sewer facilities in the project area as well as the size and alignment of the proposed service.

**CITY OF MADISON  
INTERDEPARTMENTAL  
CORRESPONDENCE**

**Date:** October 12, 2006

**To:** Plan Commission  
**From:** Kathy Voeck, Assistant Zoning Administrator  
**Subject:** 4922 Lake Mendota Dr,

**Present Zoning District:** R-2

**Proposed Use:** Garage and living space addition (1,145 sq. ft.) on waterfront property.

**Conditional Use:** 28.08(19)(b) Development on waterfront property is a cond. use

MAJOR OR NON-STANDARD REVIEW COMMENTS (Comments which are special to the project and/or may require additional work beyond a standard, more routine project). **NONE.**

GENERAL OR STANDARD REVIEW COMMENTS

1. Provide a minimum of 11.5' to the right side of the addition. (There is a 4.5' side yard penalty on that side.) Note: There is a 2" side yard penalty for each foot over 40'. When the house is deeper than 40' from front to back within 18' of a side property line, 2" for each foot over 40' is added to that side yard requirement. Show the setback from the proposed structure to the side property line on the site plan.
2. Provide information to substantiate that this proposed addition meets the lake setback average. Lake setback average is the average setback from the closest portion of the principal structure (the house) that is 36" above grade, for the five developed properties to each side of this property, to the high water mark. Meet this average.
3. Delineate any flood plain areas on the site plan. (Note: our special condition screen tells us that a portion of this lot is in a flood plain.)

**ZONING CRITERIA**

<b>Bulk Requirements</b>	<b>Required</b>	<b>Proposed</b>
Lot Area	6,000 sq. ft.	17,835 sq. ft.
Lot width	50'	82.07'
Usable open space	1,000 sq. ft.	adequate
Front yard	30'	adequate
Side yards	7' left side, 11.5' right side	(1)
Lake setback average	(2)	Appears to be adequate
Building height	2 stories/35'	2 stories

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Site Design	Required	Proposed
Number parking stalls	1	3

Other Critical Zoning Items	
Historic District	No
Landmark building	No
Flood plain	Yes
Utility easements	None shown
Water front development	Yes

With the above conditions, the proposed project **does** comply with all of the above requirements.