

**PLANNING DIVISION REPORT
DEPARTMENT OF PLANNING AND COMMUNITY
AND ECONOMIC DEVELOPMENT
May 5, 2008**

RE: LD # 10177 Demolition Permit – 5412 Lake Mendota Drive

1. Requested Action: This application is to approve a demolition permit for a single-family residence to allow the construction of a new single-family residence on a lakefront property.

The Plan Commission recently approved plans for a partial demolition, addition, and remodeling of the existing residence. A full demolition of the structure has since occurred and Plan Commission approval of the demolition must occur prior to building permits being issued. Building plans for the new residence have not changed and are consistent with those previously approved by the Plan Commission.
2. Applicable Regulations: Section 28.04 (22) provides the guidelines and regulations for the approval of demolition permits.
3. Report Prepared By: Kevin Firchow, AICP, Planner

GENERAL INFORMATION

1. Applicant and Property Owner: Dianne C. Christensen; 1711 Kendall Avenue; Madison, WI 53726

Project Contact: John Meyer, Architect; 1615 Cypress Trail; Middleton, WI 53562
2. Development Schedule: The applicant wishes to complete the project by September 2008.
3. Location: An approximately 0.5 acre waterfront parcel located along the southwestern shores of Lake Mendota, north of Lake Mendota Drive's intersection with Norman Way. Aldermanic District 19; Madison Metropolitan School District.
4. Existing Conditions: The property previously included a 1,986 square foot split-level home with attached garage, constructed in 1958. The property also includes a boathouse.
5. The property is zoned R1 (Single-Family Residence District).
6. Proposed Land Use: No change in land use is proposed.
7. Surrounding Land Use and Zoning: The subject site is located on the southwestern shores of Lake Mendota surrounded to the east and west by other single-family residences zoned R1 (Single-Family Residence District).
8. Adopted Land Use Plan: The Comprehensive Plan identifies the subject site as LDR- Low Density Residential.

9. Environmental Corridor Status: The property is not within an environmental corridor, however a small portion of the property nearest to the lake is in the floodplain. The proposed project would not occur within the floodplain.
10. Public Utilities & Services: The 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).

ANALYSIS, EVALUATION & CONCLUSION

The applicant requests Plan Commission approval of a demolition permit for a single-family residence to allow the construction of a new single-family residence on a lakefront property. A demolition on this property has recently occurred without the required Plan Commission approval.

The Plan Commission approved a conditional use for a partial demolition, addition, and remodeling of the existing residence on February 25, 2008. The project included converting the existing split-level residence into a full two-story structure. The applicant proposed to remove the entire existing two-story portion of the home as well as portions of the first story and most of the roof to complete the project. In initial discussions with zoning staff, the applicant indicated the project would be completed without demolishing the entire structure. The applicant has submitted a graphic showing the portions of the home that were originally planned to remain.

Upon starting the approved project, the applicant and construction manager determined it was more feasible to demolish and rebuild some of the remaining walls. Several reasons were cited including the low energy efficiency of the existing walls and the structural soundness of the sun porch. Before razing the structure, the applicant obtained a demolition permit. A permit was issued in error, as it did not note that only a portion of the building was to be taken down. The Plan Commission's previous approval did not include full demolition of the existing home.

Building plans for the new residence have not changed and are consistent with those previously approved by the Plan Commission. The dimensioned drawings submitted by the applicant show the proposed building will be approximately 23 feet in height (measured from the top of the foundation wall to the midpoint between the roof peak and eave). Building permits have not yet been issued, pending this demolition approval. The applicant has resubmitted these drawings. Please see the Planning Division staff report of February 25, 2008 for staff's previous analysis of the new residence.

Staff asked the architect to clarify a note on the resubmitted site plan (due to difficult legibility on reduced-sized plans). The note shows the location of a "new 6' diameter steel post filled with concrete set 2' above grade." In clarifying this note, the architect confirms this note relates only to the installation of a small bollard-like structure to buffer the gas meter, and does not include any changes to the foundation height of the building or garage.

The applicant notes that building materials from the former residence including cabinets, fixtures, doors, flooring, and siding have been donated to Habitat for Humanity. The City Recycling coordinator will be reviewing these activities for compliance with Reuse and Recycling Plan standards.

Staff has met with the applicant, alder person, and representatives from the neighborhood to discuss ways to proceed. The recommended option was to have the Plan Commission formally consider the applicant's demolition request. Staff believe that while this situation is extremely unfortunate, the standards for approval of a full demolition permit have been met and that a full demolition could have been issued by the Plan Commission originally, had it been applied for. Looking forward, the Plan Commission will be considering a new definition of "demolition" that would provide less subjectivity in determining which projects require a demolition permit. In considering these factors and that the Plan Commission has previously approved the plans for the new residence; staff recommend the request be approved.

RECOMMENDATION

The Planning Division believes that the Plan Commission can find that the project meets the applicable demolition standards and recommends that the Plan Commission **approve** the proposed request for a demolition permit at 5412 Lake Mendota Drive, subject to input at the public hearing and the following conditions:

1. Comments from reviewing agencies.
2. That the applicant's final sign-off plans include dimensioned elevation drawings for all sides of the building that label the finished-grade elevations at the building corners.
3. That the applicant's final plans eliminate labels / references to the existing house, except for existing conditions drawings.
4. That the conditions previously approved by the Plan Commission on the conditional use for this property (as noted in the attached approval letter of February 26, 2008) remain in effect, unless specifically removed or altered by the Commission.



Department of Planning & Community & Economic Development
Planning Division

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February 26, 2008

John Meyer, Architect
1615 Cypress Trail
Middleton, WI 53562

RE: Approval of a conditional use for a major alteration to an existing single-family residence on a waterfront parcel at 2412 Lake Mendota Drive.

Dear Mr. Meyer:

The Plan Commission, meeting in regular session on February 25, 2008 determined that the ordinance standards could be met and **approved** your client's conditional use request subject to the conditions below. In order to receive final approval of the conditional use and for the conditional use to be in effect, the following conditions must be met and this letter signed and returned to the Zoning Administrator:

Please contact Janet Dailey, City Engineering, at 261-9688 if you have questions regarding the following two (2) items:

1. The applicant shall submit, prior to plan sign-off, digital CAD files to the Land Records Coordinator in the Engineering Division (Lori Zenchenko) lzenchenko@cityofmadison.com. The digital copies shall be drawn to scale and represent final construction including: building footprints, internal walkway areas, internal site parking areas, lot lines/ numbers/ dimensions, street names, and other miscellaneous impervious areas. Email file transmissions preferred. The digital CAD file shall be to scale and represent final construction. The single CAD file submittal can be either AutoCAD (dwg) Version 2001 or older, MicroStation (dgn) Version J or older, or Universal (dxf) format. Please include the site address in this transmittal.
2. The site plan shall be revised 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.

Please contact Scott Strassburg, Madison Fire Department, at 261-9843 if you have questions about the following item:

3. As required by MGO 10.34 and IFC 505.1, all residential and commercial buildings must have the approved address posted. The address numbers shall be 4 inches in height, numbers shall be in contrast to the background and visible from the street.

Please contact Patrick Anderson, Assistant Zoning Administrator, at 266-5978 if you have questions regarding the following item.


4. Show designated flood plain area on the site plan. Any construction within a flood plain shall meet flood proofing protection measures and such design shall be certified by a registered professional engineer or architect per 28.04(20)(b) of the Madison General Ordinances.

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

1. Please revise your plans per the above and submit *six (6) copies* of a complete plan set to the Zoning Administrator for final review and comment. Also be sure to include any additional materials requested by these departments for their approval prior to sign off.
2. This letter shall be signed by the applicant to acknowledge the conditions of approval and returned to the Zoning Administrator when requesting demolition and/or building permit approval.
3. No alteration of this proposal shall be permitted unless approved by the Plan Commission, provided, however, the Zoning Administrator may issue permits for minor alterations. This approval shall become null and void one year after the date of the Plan Commission unless the use is commenced, construction is under way, or a valid building permit is issued and construction commenced within six months of the issuance of said building permit. The Plan Commission shall retain jurisdiction over this matter for the purpose of resolving complaints against the approved demolition permit.

If you have any questions regarding obtaining the conditional use approval, please contact the Zoning Administrator at 266-4551. If you have any questions or if may be of any further assistance, please do not hesitate to contact my office at 267-1150.

Sincerely,



Kevin Firchow, AICP
Planner

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

Signature of Applicant

cc: Matt Tucker, Zoning Administrator
Scott Strassburg, Madison Fire Department
Janet Dailey, Engineering Division

For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Division (Firchow)	<input type="checkbox"/>	Recycling Coordinator (R & R)
<input checked="" type="checkbox"/>	Zoning Administrator	<input checked="" type="checkbox"/>	Fire Department
<input checked="" type="checkbox"/>	City Engineering	<input type="checkbox"/>	Urban Design Commission
<input type="checkbox"/>	Traffic Engineering	<input type="checkbox"/>	Other: