



Department of Planning & Community & Economic Development

Planning Division

Heather Stouder, Director

Madison Municipal Building, Suite 017
215 Martin Luther King Jr. Boulevard
Madison, Wisconsin 53703
Phone: (608) 266-4635
www.cityofmadison.com

July 12, 2023

Chris Adams
Williamson Surveying & Associates, LLC
104 A W Main Street
Waunakee, Wisconsin 53597

RE: LNDCSM-2023-00016; ID 78224– Certified Survey Map – 2218 Westchester Road (John Mather for the Thomas L. and Mary E. Mather Trust)

Dear Chris;

The three-lot Certified Survey Map of property located at 2218 Westchester Road, Section 6, Township 6N, Range 9E, City of Madison, Dane County, Wisconsin, is hereby **conditionally approved**. The property is zoned SR-C1 (Suburban Residential–Consistent 1 District). The conditions of approval from the reviewing agencies to be satisfied prior to final approval and recording of the CSM are:

Please contact my office at (608) 261-9632 if you have questions about the following two (2) items:

- 1. The portion of the subject property shown as being dedicated to the public for Westchester Road is located in the City of Fitchburg, not the City of Madison. Therefore, approval by the City of Fitchburg of the dedication of Westchester Road shall be required prior to final approval of the CSM by the City of Madison for recording.** This CSM may not be used for the dedication of the right of way for zoning purposes; the right of way shall be dedicated or gifted to Fitchburg by separate document and the CSM revised to reflect that prior dedication or gift prior to final approval and recording of the CSM. Please contact Deanna Schmidt, City Planner & Zoning Administrator for Fitchburg, at (608) 270-4255 or deanna.schmidt@fitchburgwi.gov for more information on Fitchburg's acceptance of this right of way.
2. The proposed common lot line between Lots 1-3 shall shift to the west to accommodate the rear yard for the existing house on Lot 3 required in the Zoning conditions that follow below.

Please contact Tim Troester of the City Engineering Division at (608) 267-1995 if you have questions regarding the following three (3) items:

3. Each lot shall have a sanitary sewer lateral as a condition of the CSM approval or the following note shall be added to the CSM: "Lots 1 and 2 of this CSM shall be required to have a separate sewer lateral and water service as part of any building permit for said lots."
4. Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to Engineering Division sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Mark

Moder (261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering Division signoff.

5. A minimum of two (2) working days prior to requesting City Engineering Division sign-off on the CSM contact either Tim Troester (West) at 261-1995 (ttroester@cityofmadison.com) or Brenda Stanley (East) at 261-9127 (bstanley@cityofmadison.com) to obtain the final stormwater utility charges that are due and payable prior to sub-division of the properties. The stormwater utility charges (as all utility charges) are due for the previous months of service and must be cleared prior to the land division (and subsequent obsolesces of the existing parcel).

Please contact Julius Smith of the City Engineering Division–Mapping Section at (608) 264-9276 if you have questions regarding the following eleven (11) items:

6. The area being dedicated for Westchester Road is located in the City of Fitchburg. Contact the City of Fitchburg and submit this CSM for approval and dedication. Provide certifications and acceptance language as needed by the City of Fitchburg.
7. Show and label the municipal limits on the CSM.
8. Show Specht Drive as 27 feet as now located. Note the 30 feet as set forth in Document No. 801467 and 3 feet sold back by Document No. 988325 in Note 5 on Sheet 2 of 4. Show the additional flag lot line along the south side of 27-foot right of way on the south side of Specht belonging to the easterly parcel with a parcel tie.
9. Wisconsin Administrative Code A-E 7.08 identifies when Public Land System (PLS) tie sheets must be filed with the Dane County Surveyor's office. The developer's surveyor and/or applicant must submit copies of required tie sheets or monument condition reports (with current tie sheet attached) for all monuments, including center of sections of record, used in this survey, to Jeff Quamme, City Engineering (jrquamme@cityofmadison.com)
10. Prior to final City Engineering Division sign-off by main office for Certified Survey Maps (CSM), the final CSM in pdf format must be submitted by email transmittal to Engineering Land Records Coordinator Jule Smith (jsmith4@cityofmadison.com) for final technical review and approval. This submittal must occur a minimum of two working days prior to final City Engineering Division sign-off.
11. Remove closed shape lines along Specht Drive at the 30.00' and 43.95' labels R-o-W show continuous to adjacent.
12. The line break along the North line of parcel is not fully understood north the call the 1-inch iron pipe found. The southeast corner of Lot 1 of CSM 7196 is not clearly dimensioned to this line. Also, from title documents provided, it is not clear why such a break would exist.
13. Further show, confirm or support the basis and location of the curve along Westchester Road. Only one existing point along this curve has been found and nothing confirming across the street, and No PC's have been shown/found.

14. Show the recorded-as bearing for the centerline of Harley Drive from Moschkau Subdivision as $S0^{\circ} 27'E$.
15. The applicant shall submit to Julius Smith prior to final Engineering sign-off of the subject CSM, one (1) digital CADD drawing in a format compatible with AutoCAD. The digital CADD file(s) shall be referenced to the Dane County Coordinate System and shall contain, at minimum, the list of items stated below, each on a separate layer/level name. The line work shall be void of gaps and overlaps and match the final recorded CSM: right of way lines (public and private); lot lines; lot numbers; lot/plat dimensions; street names, and; easement lines (including wetland and floodplain boundaries).
16. *This transmittal is a separate requirement than the required submittals to Engineering Streets Section for design purposes. The Developer/Surveyor shall submit new updated final plat, electronic data and a written notification to Engineering Mapping for any changes to the plat which occur subsequent to any submittal.

Please contact Jacob Moskowitz, Assistant Zoning Administrator, at (608) 266-4560 if you have any questions regarding the following two (2) items:

17. Approval of the CSM is conditioned on the prior dedication of the portion of Westchester Road in the City of Fitchburg.
18. For proposed Lot 3: Rear yard setback is 30% of lot depth (96.92 feet) equaling 26.25 feet. This is further reduced per Section 28.035(2)(a) by 25% for a final setback of 21.8 feet. Revise the CSM to provide a rear yard setback of at least 21.8 feet for Lot 3.

Please contact Jeff Belshaw of the Madison Water Utility at (608) 261-9835 if you have any questions regarding the following item:

19. Upon development, a separate water service lateral and water meter will be required to serve each parcel. The water laterals shall be directly connected to the public water main with the shut-off valve located in the public right-of-way (per PSC 185.52 (2)). A water lateral is not required if the parcel remains undeveloped.

Please contact Kathleen Kane of the Parks Division at (608) 261-9671 if you have any questions regarding the following two (2) items:

20. Park Impact Fees (comprised of the Park Infrastructure Impact Fee, per MGO Sec. 20.08(2)), and Park-Land Impact Fees, per MGO Sec. 16.23(8)(f) and 20.08(2) will be required for all new residential development associated with this project. This development is within the West Park-Infrastructure Impact Fee district.
21. The following note should be included on the CSM: "Lots within this subdivision are subject to impact fees that are due and payable at the time building permit(s) are issued." The Parks Division shall be required to sign off on this CSM.

Please contact Heidi Radlinger of the City's Office of Real Estate Services at (608) 266-6558 if you have any questions regarding the following eight (8) items:

22. Prior to approval sign-off by the Office of Real Estate Services ("ORES"), the Owner's Certificate(s) on the CSM shall be executed by all parties of interest having the legal authority to do so, pursuant to Wis. Stats. 236.21(2)(a). Said parties shall provide documentation of legal signing authority to the notary or authentication attorney at the time of execution. The title of each certificate shall be consistent with the ownership interest(s) reported in the most recent title report. When possible, the executed original hard stock recordable CSM shall be presented at the time of ORES approval sign-off. If not, the City and the Register of Deeds are now accepting electronic signatures. A PDF of the CSM containing electronic signatures shall be provided to ORES to obtain final sign-off.
23. Prior to CSM approval sign-off, an executed and notarized or authenticated certificate of consent for all mortgagees/vendors shall be included following the Owner's Certificate(s).
24. If a mortgage or other financial instrument is reported in record title, but has been satisfied or no longer encumbers the lands or ownership within the CSM boundary, a copy of a recorded satisfaction or release document for said instrument shall be provided prior to CSM approval sign-off.
25. All ownership consents and certifications for the subject lands shall conform to Wis. Stats. 236.21(2) and 236.29 by including the language "...surveyed, divided, mapped and dedicated..."
26. If any portion of the lands within the CSM boundary are subject to an Option to Purchase or other Option interest please include a Certificate of Consent for the option holder and have it executed prior to CSM sign-off, if said ownership interest meets the criteria set forth by Wis. Stat. Sec. 236.34 and Sec. 236.21(2)(a).
27. A Consent of Lessee certificate shall be included on the CSM for all tenant interests in excess of one year, recorded or unrecorded, and executed prior to CSM sign-off.
28. Per 236.21(3) Wis. Stats. and MGO Section 16.23(5)(g)(1), the property owner shall pay all real estate taxes and special assessments that may become due prior to CSM recording. Receipts from the City of Madison Treasurer are to be provided before or at the time of sign-off.
29. Pursuant to MGO Section 16.23(5)(g)(4), the owner shall furnish an updated title report to Heidi Radlinger (hradlinger@cityofmadison.com), as well as the survey firm preparing the proposed CSM. The report shall search the period subsequent to the date of the initial title report submitted with the CSM application and include all associated documents that have been recorded since the initial title report. A title commitment may be provided, but will be considered only as supplementary information to the title report update. The surveyor shall update the CSM with the most recent information reported in the title update. ORES reserves the right to impose additional conditions of approval in the event the title update contains changes that warrant revisions to the CSM.

Please note that the City's Office of Real Estate Services is reviewing the report of title provided with this survey and may have additional comments. That office will send any comments separately.

Specific questions regarding the comments or conditions contained in this letter should be directed to the commenting agency.

A resolution approving the CSM and authorizing the City to sign it and any other documents related to the proposed land division will be reviewed by the Common Council at its July 25, 2023 meeting.

In order to commence the process for obtaining the necessary City signatures on the Certified Survey Map, the applicant shall e-mail the revised CSM, updated title report, and any other materials required by reviewing agencies to the reviewing planner. The reviewing planner will share the updated materials with the relevant commenting City agencies for them to verify that their conditions have been satisfied and that the secretary or designee may sign the Plan Commission approval certificate. Once the Plan Commission certificate is executed, the Planning Division will make the City Clerk's Office aware that the Common Council certificate may be executed.

Once all of the necessary City signatures have been affixed to the Certified Survey Map, the instrument may be recording at the Dane County Register of Deeds Office. For information on recording procedures and fees, please contact the Register of Deeds at (608) 266-4141.

Any appeal from this action, including the conditions of approval, must be filed with the Circuit Court within 30 days from the date of this letter. **The approval of this CSM shall be null and void if not recorded in twelve (12) months from the date of the approving resolution or this letter, whichever is later.**

If you have any questions or if may be of any further assistance, please do not hesitate to contact my office at (608) 261-9632 or by e-mail at tparks@cityofmadison.com.

Sincerely,



Timothy M. Parks
Planner

cc: Tim Troester, City Engineering Division
Julius Smith, City Engineering Division—Mapping Section
Jacob Moskowitz, Assistant Zoning Administrator
Kathleen Kane, Parks Division
Jeff Belshaw, Madison Water Utility
Heidi Radlinger, Office of Real Estate Services
Deanna Schmidt, City of Fitchburg (by e-mail)