

**Baxter/Lauffer Residence: 5320 Lake Mendota Drive**

Proposed Use: Demolish House (constructed in 1918) and build new single-family home

**Supporting Documents**

Plan Commission: July 9, 2007

1. Recycling Plan with Habitat for Humanity for tear-down of existing cottage
2. Letter of support for the project from neighbor immediately south of the project
3. Signatures from neighbors in support of the project within view of the existing cottage
4. Map of the location and neighbors surveyed.
5. Message including statement of neutrality following presentation to the Spring Harbor Neighborhood Association
6. Message from additional neighbor on the harbor stating non-opposition

# Habitat for Humanity Recycling Agreement

## BUILDING REMOVAL AND SALVAGE AGREEMENT

This BUILDING REMOVAL AND SALVAGE AGREEMENT (this "Agreement") is entered into as of the 7<sup>th</sup> day of July, 2007, by and between DANIEL LAUFFER ("Owner"), and HABITAT FOR HUMANITY OF DANE COUNTY ("Contractor").

### RECITALS

- A. DAN LAUFFER owns certain salvage rights to real estate located in the City of MARLISW, Dane County, Wisconsin, with an address of 5320 LAKE MONDOSA DRIVE and certain improvements located thereon (the "Buildings").
- B. DAN LAUFFER (Owner) desires to demolish or renovate the Buildings and will in the process remove and dispose of building materials incorporated into the Buildings.
- C. The Contractor desires to salvage some or all of the building materials that (Owner) intends to remove from the Buildings.
- D. It is the desire of the parties for Independent Contractors to obtain an exclusive right to salvage material that Habitat Restore does not intend to salvage, remove or reclaim.

NOW, THEREFORE, in consideration of the foregoing, the mutual covenants and obligations contained herein, and other valuable consideration the receipt and sufficiency of which they acknowledge, DAN LAUFFER, (Owner/Contractor) and the Contractor hereby agree as follows:

1. Demolition and Removal. Owner hereby grants to Contractor the right to remove and salvage materials from the Buildings. Contractor shall retain sole authority to select material to be salvaged. All remaining material shall be disposed of by Owner at Owner's expense. Additional details of the project are described on Attachment A.

This Agreement constitutes the entire agreement of the parties respecting the subject matter hereof, and may not be modified or amended except in writing signed by both parties.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date first written above.

July 7, 2007

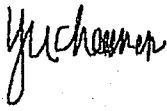
HABITAT FOR HUMANITY OF  
DANE COUNTY, INC.

By: Thomas O. Brand

June 14, 2007

Dear Madison Planning Commission,

As owners of the home next door to the Lauffers, this letter is to inform you that we highly support their plans to demolish the current home and build a new single-family home at 5320 Lake Mendota Drive. We have reviewed the plans that were approved by the Zoning Board and feel that the design they have chosen will fit well in our community on Spring Harbor. Unfortunately, we will not be in a position to attend the planning commission meeting in support of this project. Please accept this letter in our absence.



Cheemen and Chiew Hui Yu  
5316 Lake Mendota Drive  
Madison WI 53705

(our next door neighbor to the south)

our next door neighbor to the north

To Whom It May Concern:

I am a neighbor to the Lauffers in Spring Harbor, and I support their plans to take down and replace their existing house at 5320 Lake Mendota Drive as approved by the Zoning Board of Appeals on March 8, 2007.

Name	Address	Signature / Date
Doug Lee	5324 Lake Mendota Dr.	Doug Lee / 06-13-07
Marcia Jezewski	313 Glen Thistle Ct	Marcia Jezewski 6/13/07
Leslie Arny	5235 Harbor Ct.	Leslie Arny 6/13/07
Jim Harley	5235 Harbor Ct	Jim Harley 6-13-07
Sarah Hagoboom	5152 Spring Court	Sarah Hagoboom 6-13-07
B. Hagoboom	5152 Spring Ct.	B. Hagoboom 6-13-07
Jacques Strahl	5240 Harbor Ct.	Jacques Strahl 07-07-07
Kurt & Heidi	5234 Harbor Ct	Kurt & Heidi 7-8-07
Martin DeYoung	5217 Harbor Ct	Martin DeYoung 7-8-07
Ann DeYoung	5217 Harbor Ct.	Ann DeYoung 7-8-07
Marna Ginderman	1722 NORMAN WAY	Marna Ginderman 7/8/07
Amy Linderman	1722 NORMAN WAY	Amy Linderman 7/8/07
Paul M. Keitt	5210 Harbor Ct	Paul M. Keitt 7/8/07
Marilyn Myers	5214 Harbor Ct	M. Myers

To Whom It May Concern:

I am a neighbor to the Lauffers in Spring Harbor, and I support their plans to take down and replace their existing house at 5320 Lake Mendota Drive as approved by the Zoning Board of Appeals on March 8, 2007.

Name	Address	Signature / Date
Nancy Bayler	5218 Harbor Ct.	Nancy Bayler 7/8/07
Julie Jagemann	5226 Harbor Ct	Jagemann 7/8/07
D. M. L.	5227 HARBOR CT	Doug M. L. 7/8/07
Tom Sch	5158 SPRING CT	Tom Sch
JAMES GERN	5136 Spring Ct	James Gern
DURANE A. Schumacher CINDY Schumacher	5118 SPRING CT	Cindy Schumacher
Barbara OREGON LARRY OREGON	5104 SPRING CT.	Barbara Oregon
JASON SMITH	5116 SPRING CT.	Jason Smith



**From:** Dan Lauffer <dlauffer@wisc.edu>  
**Subject:** Fwd: 5320 Lake Mendota Project  
**Date:** June 20, 2007 6:16:48 PM CDT  
**To:** Peter Rott <rott@is-arch.com>



Hi Peter, FYI - from our neighborhood president  
-Dan

Begin forwarded message:

**From:** [JLoewi@aol.com](mailto:JLoewi@aol.com)  
**Date:** June 20, 2007 4:16:09 PM CDT  
**To:** [dlauffer@wisc.edu](mailto:dlauffer@wisc.edu)  
**Cc:** [hfbaxter@wiscmail.wisc.edu](mailto:hfbaxter@wiscmail.wisc.edu), [mark@markclear.com](mailto:mark@markclear.com), [k2berly2@hotmail.com](mailto:k2berly2@hotmail.com),  
[cdunning@usgs.gov](mailto:cdunning@usgs.gov), [Fitzengr@aol.com](mailto:Fitzengr@aol.com), [sharybisgard@charter.net](mailto:sharybisgard@charter.net), [JLoewi@aol.com](mailto:JLoewi@aol.com),  
[carriedellinger@charter.net](mailto:carriedellinger@charter.net), [jmtierney@wisc.edu](mailto:jmtierney@wisc.edu), [dbally@capital-fire-security.com](mailto:dbally@capital-fire-security.com),  
[jiyanna@att.net](mailto:jiyanna@att.net), [ssmiley1@charter.net](mailto:ssmiley1@charter.net)  
**Subject:** Re: 5320 Lake Mendota Project

Hi Dan,

Unfortunately I can not make a presentation supporting your project any more than I can opposing it, as the general membership has not given direction on the matter. At this point the NA's position is that it's up to individuals in the neighborhood to support or oppose individual projects. SHNA will sometimes act as a conduit for information and/or meetings if it seems appropriate. In your case the group that gathered at Irish Waters was a group of individuals that share common concerns, and was not supported by the NA. Shary can share more information on this group if you have questions.

The January meeting you reference was a Board meeting where you presented information on your preliminary plans, as I recall, and the Board made comments and asked questions. I don't believe any vote was taken. Presenting to the Board hopefully brought to your attention some questions that might come up during the approval process, which I hope you found helpful.

If I decide to make a presentation at the upcoming meeting please be assured that I will make it clear that my comments represent my views as an individual, and that I am not speaking on behalf of SHNA.

Best Regards,  
Janet Loewi  
President  
Spring Harbor Neighborhood Association

In a message dated 6/20/2007 2:02:35 P.M. Central Daylight Time, [dlauffer@wisc.edu](mailto:dlauffer@wisc.edu) writes:

Hi Janet,

Thanks again for reconnecting us with the group who we met with at Irish Waters. I understand now that you are the acting president of the neighborhood association. Congratulations and I hope that it is going well for you.

**From:** Dan Lauffer <dlauffer@wisc.edu>  
**Subject:** Re: Proposed construction 5320 Lake Mendota  
**Date:** June 21, 2007 10:45:04 AM CDT  
**To:** Bill Fitzpatrick <fitzengr@aol.com>  
**Cc:** JLoewi@aol.com, k2berly2@hotmail.com, cdunning@usgs.gov, sharybisgard@charter.net, carriedellinger@charter.net, jmtierney@wisc.edu, dbally@capital-fire-security.com, jiyanna@att.net, ssmiley1@charter.net, district19@cityofmadison.com



Bill,

Thank you for your response and thoughts on this matter. We feel that all of our neighbors are important and we attempting to communicate our intentions the best we can so that there are no surprises and we do not waste peoples time prior to or at a planning commission meeting.

Look forward to seeing you on the bay this summer.

Dan

On Jun 20, 2007, at 3:36 PM, Bill Fitzpatrick wrote:

Dan,

I want to respond to your request for the opinion of SHNA on your project. While the association typically does not take a position on residential construction projects individual board members are free to speak to their own opinion.

I want to express my appreciation for your outreach to your neighbors on this project. I believe that this is an important part of the process that is overlooked much too often. Thank you for your efforts on this.

With respect to the design of the house I have reservations on the scale of the project. While I can't enthusiastically support the project my reservations are not sufficient to warrant an opposition to the project.

Bottom line- I do not oppose the project.

Bill Fitzpatrick  
5156 Spring Ct.

-----Original Message-----

From: Dan Lauffer

To: [JLoewi@aol.com](mailto:JLoewi@aol.com)

Cc: [k2berly2@hotmail.com](mailto:k2berly2@hotmail.com); [cdunning@usgs.gov](mailto:cdunning@usgs.gov); [Fitzengr@aol.com](mailto:Fitzengr@aol.com); [sharybisgard@charter.net](mailto:sharybisgard@charter.net); [carriedellinger@charter.net](mailto:carriedellinger@charter.net); [jmtierney@wisc.edu](mailto:jmtierney@wisc.edu); [dbally@capital-fire-security.com](mailto:dbally@capital-fire-security.com); [jiyanna@att.net](mailto:jiyanna@att.net); [ssmiley1@charter.net](mailto:ssmiley1@charter.net); [district19@cityofmadison.com](mailto:district19@cityofmadison.com)



July 9, 2007

Dear Plan Commission Members:

I'm sorry I could not attend tonight's meeting in person, and appreciate your hearing my views in absentia. I've served on the Spring Harbor Neighborhood Association Board for at least 10 years, and am it's current President. However, I'd like to make it very clear that I'm not expressing views on behalf of the Spring Harbor Neighborhood Association or its Board here, just my own.

For many years I've witnessed many requests for zoning variances and conditional use permits for property owners on Lake Mendota in the Spring Harbor neighborhood. One such zoning variance request was granted recently to tonight's applicants, the Lauffers, for building a home on their property at 5320 Lake Mendota Drive. Unfortunately the notice of that meeting was not received in time for me to attend and express my views, so I'd like to do so tonight. While I understand that the property the Lauffer's purchased has limitations due to it's small size of 5720 square feet with a width of 50 feet, I would like to express concern I have over granting zoning variances and allowing conditional use permits for lake front property that is not within the normal zoning code regarding setbacks, height restrictions, etc., including the Lauffer's proposal. I would like to request that you stop allowing these variances and stop issuing conditional use permits for projects that do not fit current standards unless there is some overwhelming reason to allow a rare exception. One of the things residents of our neighborhood value is proximity to the lake, both for recreational use and for the beauty it provides. Allowing structures to be built outside the restrictions has been taking away from the character of the neighborhood, and severely restricting lake views for other property owners in the neighborhood. I feel that riparian homeowners should stay within zoning regulations based on their lot size when remodeling or building a new home or other structure.

Also, I ask that you consider the opinions of more than just the immediate neighbors on these requests, as immediate neighbors have a vested interest in allowing these variances. Immediate neighbors may be in favor of a request because limiting what's done on one property may mean limiting what can be done on their own lot in the future, potentially decreasing their property value. Also, it's difficult for neighbors that are opposed to a proposal to come to these meetings and speak against a request for fear that doing so will harm neighborhood relations. It's important to listen to concerns from a greater area when considering a request for a zoning variance or conditional use permit on lake front property. I believe one reason for requiring a conditional use permit for riparian projects is because of the unique nature of the lakes and the value they add to the greater neighborhood.

I would like to underscore that the Lauffer's seem to be very nice people, and I can understand their desire for a lake home. I recently moved to the lake myself, and value it greatly. The Lauffers came to the neighborhood association to inform the Board of their plans early in the process, and were given many comments on their proposal. I expressed concern then about the variances required and the mass of the project for the size lot. For that reason, I know they are not surprised by comments I'm making. While I wish them the best, I feel it's time to express to you my views. Please take it upon yourselves to make sure projects you approve meet current zoning restrictions to preserve the lake front for everyone and to improve neighborhood relations so we don't have to continue to come here to oppose our neighbors' plans.

Thank you.

Janet Loewi  
5642 Lake Mendota Drive  
Madison WI 53705