

**PLANNING DIVISION REPORT
DEPARTMENT OF PLANNING AND COMMUNITY
AND ECONOMIC DEVELOPMENT
Of September 26, 2007**

**RE: I.D. #07600 & 7601, Demolition Permit – 4216 Jerome Street and Approval of the
preliminary plat of “Edge of Madison”**

1. Requested Action: Approval of a demolition permit for a single-family residence at 4216 Jerome Street and a preliminary plat to allow the same property to be divided into five single-family lots.
2. Applicable Regulations: Section 28.04 (22) provides the guidelines and regulations for the approval of demolition permits. The proposed use of the property post demolition will be five single-family lots to be created by subdivision plat. Section 16.23, Subdivision Regulations, provides the requirements for land divisions.
3. Report Prepared By: Timothy M. Parks, Planner

GENERAL INFORMATION:

1. Applicant & Property Owner: Martin Wingrove; 3609 Tura Road; McFarland.
Agent: Roger Rognrud; 1617 Laurel Crest; Madison.
Surveyor: Ron Williamson; 104A W. Main Street; Waunakee.
2. Development Schedule: The applicant wishes to proceed as soon as all necessary approvals have been obtained.
3. Parcel Location: An approximately 1.22-acre parcel located at the northeast corner of Jerome Street and E. Coldspring Avenue; Aldermanic District 15; Madison Metropolitan School District.
4. Existing Conditions: The site is developed with an existing single-family residence, zoned R1 (Single-Family Residence District).
5. Proposed Use: The applicant wishes to demolish the residence to allow division of the property into five lots by approval of a plat. It is anticipated that the proposed lots will each be developed with single-family residences.
6. Surrounding Land Use and Zoning: North of E. Coldspring Avenue, the subject site is surrounded by other single-family residences in R1 (Single-Family Residence District) zoning in the City of Madison with the exception of Monona Grove High School's tennis facility, which is located west of the site on the north side of E. Coldspring. The property is located across E. Coldspring Avenue from the main high school campus in the City of Monona.

7. Adopted Land Use Plan: The Comprehensive Plan identifies this area for low-density residential uses.
8. Environmental Corridor Status: This property is not located within a mapped environmental corridor.
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) of the Zoning Ordinance and the standards for preliminary plats contained in the Subdivision Regulations.

PREVIOUS APPROVAL

The applicant received administrative approval by the Planning Division of a four-lot Certified Survey Map of the subject property on September 6, 2006.

ANALYSIS

The applicant is requesting approval of a preliminary plat to subdivide a 1.22-acre (53,285 square-foot) parcel located at the northeast corner of E. Coldspring Avenue and Jerome Street into five single-family lots following the demolition of an existing single-family residence on the property. The subject site and surrounding area are zoned R1 (Single-Family Residence District). The surrounding area is primarily comprised of single-family residences on large lots, though some smaller lots are also present nearby. Monona Grove High School is located south of the subject site on the south side of E. Coldspring Avenue in the City of Monona. The high school's tennis facility is located just west of the subject site on the north side of Coldspring between Monona Drive and Jerome Street in the City of Madison.

The single-family residence to be demolished is a 1.5-story colonial-style structure with four bedrooms, two baths and 1,975 square feet of floor area according to City Assessor records. The house was built in 1949 and includes both an attached two-car garage and a detached two-car garage with access to both from a single driveway E. Coldspring Avenue. The property is generally characterized by a gradual slope from east to west and approximately a dozen mature shade and coniferous trees scattered throughout. The site has approximately 173 feet of frontage along Jerome Street and 306 feet of frontage along E. Coldspring Avenue.

Two of the five lots proposed will front onto Jerome Street. The northern of the two lots will have 78.9 feet of lot frontage and 8,092 square feet of lot area, while the southern lot will occupy the corner and contain 9,679 square feet of lot area. The remaining three lots will front onto E. Coldspring Avenue and will have approximately 68 feet of street frontage and 11,822 square feet of lot area. The five lots appear to comply with the 65-foot minimum lot width and 8,000 square-

foot minimum lot area of the underlying R1 zoning district. In addition, all five lots provide the minimum 100 feet of lot depth required in the Subdivision Regulations.

The letter of intent provided with this application suggests that the existing residence is in need of significant structural, heating, plumbing and electrical repairs or replacement. Photos included with the materials depict water damage in the basement, broken windows, damaged roof shingles and damaged or outmoded interior fixtures.

EVALUATION AND CONCLUSION

The proposed demolition permit for this single-family residence is fairly unique from the vast majority of demolition permits reviewed by the Plan Commission in recent years. Typically, the request to demolish a building is accompanied by specific plans for the building(s) that will replace the demolished building. The demolition standards grant the Plan Commission the ability to review the proposed use of a property when considering a demolition permit, which in this case is the subdivision of the site into five lots by the accompanying plat. While unique from most demolition permit reviews, a similar request was reviewed by the Commission in May 2006 at 5402 Whitcomb Drive. In that case, the Commission approved a request to demolish a single-family residence and a land division creating two lots (approval of three lots had been requested).

As noted above, the lots comply with the minimum lot dimensions required in R1 zoning. In general, the lots also comply with the minimum design criteria in the Subdivision Regulations. A passage in those criteria requires that "the size, shape and orientation of the lots shall be appropriate for the location of the subdivision and for the type of development and use contemplated." In addition, the Subdivision Regulations generally require that a subdivision conform to the master plan for the City. In this case, the Comprehensive Plan identifies the site and surrounding area for low-density residential uses, and encourages infill development to be "compatible with established neighborhood character" and to be consistent with an adopted neighborhood plan for the area, for which one does not exist for this established area of the City.

The five-lot subdivision follows the administrative approval of a four-lot land division request in September 2006. In reviewing the four-lot proposal, which called for the existing residence on the property to remain, the Planning Division and City Attorney's Office determined that the four-lot request met the provisions for approval of a land division. The Certified Survey Map called for three new 70-foot wide lots east of the residence and an approximately 97-foot wide lot for the residence. The detached garage was proposed to be removed. The lots in the 2006 land division were similar in character to three lots adjacent to the east, which front E. Coldspring Avenue east to Bainbridge Street. Those three lots, which were created by a Certified Survey Map approved by the City in 1973, ranged in width from 79 feet for two vacant lots to 118 feet for a lot containing an existing residence. (The CSM also dedicated 30 feet of right of way for a potential mid-block street extending between Jerome and Bainbridge streets, which was never built and was subsequently vacated and joined with the westernmost of the three lots.) The three lots facing E. Coldspring Avenue on the proposed preliminary plat generally follow the pattern created by the 1973 CSM to the east, though the proposed lots are each 11 feet narrower than the two new lots on the adjacent CSM (68 versus 79).

The two lots proposed to face Jerome Street on the preliminary plat also reflect a pre-existing lot pattern created in 1976 through the approval of a two-lot Certified Survey Map of property at 4217-4221 Jerome Street at the northwest corner of E. Coldspring Avenue. In that case, lots of 65 and 108.8 feet of width were created facing Jerome Street, with the larger of the two lots designed to accommodate an existing residence. In the case of both the 1973 CSM to the east and the 1976 CSM to the west, larger lots like the subject site were divided into smaller lots, though single-family residences on both of the adjoining subdivision sites were preserved as part of those requests.

In reviewing the current request against the demolition standards, staff is unable to determine the condition of the existing residence from the photos provided by the applicant. A windshield survey of the approximately 58-year old house and property found a house that appeared to be in average condition for its age and possibly capable of being renovated. While staff does not typically make formal recommendations on the structural soundness of buildings to be demolished, it may be necessary for the applicant to provide additional information on the condition of the house in order for the Commission to determine if it merits razing, or instead if the condition of the house represents correctable deferred maintenance.

In the event the Plan Commission approves the demolition permit, a reuse and recycling plan approved by the Recycling Coordinator will be required prior to the issuance of wrecking permit. In the event that the Commission should find that the demolition standards are not met by this request, the preliminary plat should also not be approved, as the design of the subdivision is dependent upon the demolition of the residence. The applicant, however, may still proceed under the September 2006 approval to create a total of four lots from the site by Certified Survey Map with the residence on the site to remain.

RECOMMENDATION

The Planning Division cannot recommend at this time that this demolition request meets the standards for approval for demolition permits and therefore recommends that the Plan Commission **reject** the demolition request for 4216 Jerome Street. If the demolition permit is rejected, the Plan Commission should also find that the subdivision standards are not met and forward the preliminary plat of "Edge of Madison," subdividing the subject property into five lots, to the Common Council with a recommendation of **rejection**.

Should the Plan Commission find the demolition permit and subdivision standards met with this request, approval should be conditioned upon the comments from reviewing agencies.

CERTIFIED SURVEY MAP

WILLIAMSON SURVEYING CO., INC.

104 A WEST MAIN STREET WAUNAKEE WISCONSIN 53597

NW 1/4, NW 1/4, SECTION 16, T 7 N, R 10 E,

CITY OF MADISON, DANE COUNTY, WISCONSIN.

NW COR.
SEC. 16
T7N, R10E
Y= 393070.09
X=2180119.89

LEGEND

© ЕГУИДР 1^о ТРПМ РТР

► FIGURE 244. REPAR.

○ SET 3/4" X 24" REBAR
MIN. WT. OF 1.5 LBS./FT.

RECORDED AS

DRAINAGE ARRAYS

PREPARED FOR:

BUKI RUHIDS
4216 JEROME STREET
MADISON, WI, 53704

GRID NORTH
(NAD 1927)

APPROVED 2006 CSM

W 1/4 COR.
SEC. 16
T7N, R10E
Y= 390428. 00
X=2180107. 66

DOCUMENT NUMBER _____

CERTIFIED SURVEY MAP NO. _____

SURVEYORS CERTIFICATE
STATE OF WISCONSIN
COUNTY OF DANE

CERTIFIED SURVEY PLAT

GEORGE A. WEIR
DANE COUNTY SURVEYOR
City-County Building
Madison, Wisc. 53709
Phone office 266-4251
home 238-2852

WEST OFFICE
5610 Medical Circle
Madison, Wisc. 53719
Phone 274-0500

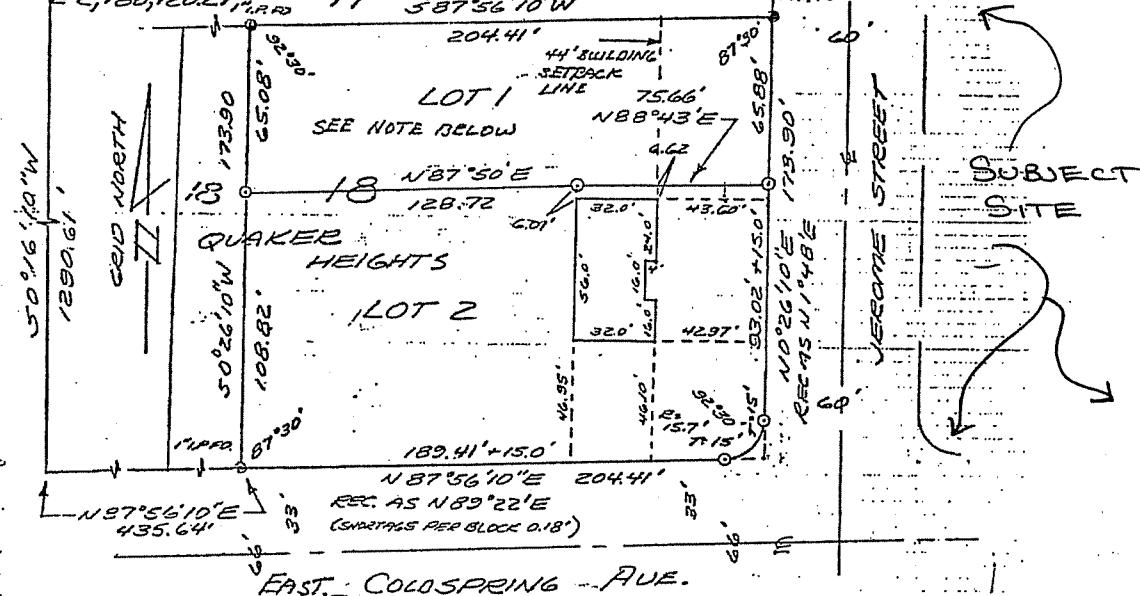
I hereby certify that this survey is in compliance
with Chapter 236.34 of the Wisconsin Statutes.

I hereby certify that I have surveyed and mapped
the lands described hereon and that the map is a correct
representation in accordance with the information
furnished

George A. Weir, Professional Land Surveyor, S 0843.

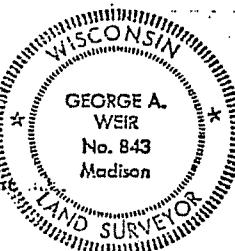
CITY OF MADISON BRONZE CAP LONG MONUMENT
REPRESENTING THE NW CORNER SEC 16, T7N-R10E
STATE PLANE CO-00, WIS SOUTH ZONE
N 333,069.35
E 2,180,120.27 M.R.D.

17 (SHORTEAGE PER BLOCK 0.18')
587'56"10" W



DESCRIPTION: Part of Lot 18 Block 2 Quaker Heights, City of Madison Dane County, Wisconsin, more fully described as follows: Commencing $\frac{1}{4}$ at the NW corner of Section 16, T7N, R10E; Thence S0°16'10"W, 1290.61 feet; Thence N87°56'10"E, 435.64 feet to the point of beginning; Thence N87°56'10"E, 189.41 feet; Thence on a curve to the left of radius 15.7 feet and tangents of 15 feet and central angle of 87°30'; Thence N0°26'10"E, 158.90 feet; Thence S87°56'10"W, 204.41 feet; Thence S0°26'10"W, 173.90 feet to the point of beginning.

Note: Prior to a building permit being issued for lot 1, the applicant shall obtain the advice of the Madison Urban Design Commission to provide an aesthetically pleasing building in this setting.



LEGEND

Scale: 1 inch = 50 FEET
• iron stakes found
o 1" x 24" iron pipe driven
min. wt. = 1.13 #/ln ft

SURVEYED D.A.H
DRAWN D.A.H
CHECKED G.A.W
APPROVED G.A.W
Field Book 551 Page 3-4
Date of Survey MAY 5 1976

SURVEYED FOR: Harold Busse

4217 JEROME STREET MADISON, WISCONSIN
DESCRIPTION - LOCATION: THE EAST $\frac{2}{3}$ OF LOT
18, PLAT OF QUAKER HEIGHTS, CITY OF
MADISON, DANE COUNTY, WISCONSIN
APPROVED FOR RECORDING PER SECRETARY MADISON
PLANNING COMMISSION action of 6-21-1976
Plan Comm OK'd 6-21-76 Charles D. Johnson

REGISTER OF DEED'S CERTIFICATE

Received for record this 25 day of June, 1976 at
10:05 o'clock, A.M. and recorded in Volume 8 of
CERTIFIED SURVEY MAPS of Dane County, on Page 255.

Register of Deeds

Office Map No. 9319

DOCUMENT NO.

CERTIFIED SURVEY MAP NO 2069, VOLUME 8 PAGE 255



4216 Jerome Street

Proposed for demolition for preliminary plat of 5 lots.

A frame 1-1/2 story house built ca. 1949 (assessor's records). Of no architectural or historical interest.

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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
1 866 704 2315 Textnet

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.
Gregory T. Fries, P.E.

Facilities & Sustainability
Jeanne E. Hoffman, Manager
James C. Whitney, A.I.A.

Operations Supervisor
Kathleen M. Cryan

Hydrogeologist
Joseph L. DeMorett, P.G.

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

DATE: September 18, 2007

TO: Plan Commission

FROM: *for* Larry D. Nelson, P.E., City Engineer

SUBJECT: Edge of Madison Plat (4216 Jerome Street) and Demolition

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.)

1. Include the following at the end of Note No. 1:

NOTE: IN THE EVENT OF A CITY OF MADISON PLAN COMMISSION AND/OR COMMON COUNCIL APPROVED REDIVISION OF A PREVIOUSLY SUBDIVIDED PROPERTY, THE UNDERLYING PUBLIC EASEMENTS FOR DRAINAGE PURPOSES ARE RELEASED AND REPLACED BY THOSE REQUIRED AND CREATED BY THE CURRENT APPROVED SUBDIVISION.

2. The public drainage easement shown on the plat boundary perimeter along the east line of Lot 1 shall be twelve (12) feet in width consistent with the typical drainage easement detail.
3. The public drainage easement dimension arrows shall be revised to coincide with actual easement lines and typical drainage easement detail.
4. Clearly label and identify adjoining lands to the east of this plat. Reference vacated unnamed street per Document No. 1481906 and existing Lot 3, CSM 1140.
5. Prior to Plat recordation, install sanitary sewer lateral to serve proposed Lot 1.
6. Prior to recording of the plat, 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. This permit application is available on-line at <http://www.cityofmadison.com/engineering/permits.cfm>.

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GENERAL OR STANDARD REVIEW COMMENTS

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

Engineering Division Review of Plats (Pre-Preliminary, Preliminary, Final) and Certified Survey Maps

Name: Edge of Madison Plat (4216 Jerome Street) and Demolition

General

- 1.1 The Developer shall enter into a City / Developer agreement for the installation of public improvements required to serve this plat/csm. The developer shall be required to provide deposits to cover City labor and materials and surety to cover the cost of construction. The developer shall meet with the City Engineer to schedule preparation of the plans and the agreement. The City Engineer will not sign off on this plat/csm without the agreement executed by the developer.
- 1.2 Two weeks prior to recording the final plat, a soil boring report prepared by a Professional Engineer, shall be submitted to the City Engineering Division indicating a ground water table and rock conditions in the area. If the report indicates a ground water table or rock condition less than 9' below proposed street grades, a restriction shall be added to the final plat, as determined necessary by the City Engineer.
- 1.3 The Developer is required to pay Impact Fees for the _____ Impact Fee District for Lot(s) _____ of the _____ Plat/CSM. The current rate is \$ _____ /1000SF for a total of \$ _____. The Developer shall select one of the following two options for payment of these fees:
 - 1) Impact Fees shall be paid in full prior to Engineering sign-off of the plat/csm.
 - 2) The Developer has elected to defer the payments until such time as the building permits are applied for, in which case the owner(s) shall have fourteen (14) days after receiving the invoices to pay the outstanding impact fees. The following shall be required prior to plat sign off:
 - a) The Developer shall supply an Excel spreadsheet with lot numbers, lot areas, and number of dwelling units per lot. The Developer shall supply a CADD file of the proposed FINAL plat, in a format compatible with Microstation J. This information shall be required to calculate the Impact Fees, which will then be recorded at the Register of Deeds against each lot in the subdivision..
 - b) All information shall transmitted to Janet Dailey by e-mail at Jdailey@cityofmadison.com, or on a CD to:

Janet Dailey
City of Madison Engineering Division
210 Martin Luther King Jr. Blvd
Room 115
Madison, WI 53703

- c) A minimum of three (3) weeks shall be required for staff to calculate the Impact Fees and record the documents prior to plat sign-off.

The Developer shall put the following note on the face of the plat:

ALL THE LOTS WITHIN THIS SUBDIVISION ARE SUBJECT TO IMPACT FEES THAT ARE DUE AND PAYABLE WITHIN FOURTEEN DAYS OF THE ISSUANCE OF BUILDING PERMIT(S).

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 Permanent Limited Easement for grading and sloping _____ feet wide along _____.
- 2.3 It is anticipated that the improvements on [roadway name] _____ required to facilitate ingress and egress to the plat/csm will require additional right of way and/or grading easements located outside the plat/csm boundary. The developer shall acquire the right of way and/or sloping easements as required by the City at the developer's expense. In the event that the developer is unable to acquire the right of way and/or sloping easements required, the City shall assist the developer in acquiring the property and the developer shall pay the City for all costs associated with the acquisition.
- 2.4 The Developer shall petition for the street vacation of (roadway name) _____ and provide a legal description and sketch of the right of way to be vacated after consultation with the City Engineer.

Are the following requirements met?

- * Streets Intersect at right angles.
- * A 15 foot minimum tangent at intersections from PC of curve to property line.
- * Arterial intersection spacing generally greater than 1200 feet.

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- * Jogs are avoided at intersections. Arterial streets shall be adjusted to align if spacing less than 300 feet.
- * Spacing of intersections on local streets shall be greater than 300 feet.
- * Cul-de-sacs shall be less than 1000 feet long.
- * 100 foot tangents between curves.

2.5 _____

2.6 Property lines at intersections shall be rounded with a 15 foot radius on _____

2.7 Property lines at intersections shall be rounded with a 25 foot radius on _____

2.8 The right of way width on _____ shall be _____ feet, on _____ shall be _____ feet and on _____ shall be _____ feet.

2.9 _____ shall have a minimum centerline radius of _____ feet and _____ shall have a minimum centerline radius of _____ feet and _____ shall have a minimum centerline radius of _____ feet.

2.10 The cul-de-sac on _____ shall have a minimum radius of _____ feet with a minimum reverse curve radius of _____ feet.

2.11 The plat/csm shall show a temporary limited easement for a temporary cul-de-sac on _____ having a radius of _____ feet and a reverse curve radius of _____ feet. The easement(s) shall expire when the streets are extended.

2.12 The developer shall show on the plat/csm a 40 foot utility easement adjacent to [roadway name] _____. The easement wording shall be approved by the City Engineer. The intent of the easement is to allow for the relocation of a major transmission line. The actual poles would remain on the right of way however major transmission lines require an easement beyond the space occupied by the poles for safety.

2.13 The City Engineer has reviewed the need for pedestrian and bicycle connections through the development and finds that no connections are required.

2.14 The Developer shall Dedicate a Permanent Limited Easement for a pedestrian / bicycle easement _____ feet wide from _____ to _____.

2.15 The Developer shall provide a private easement for public pedestrian and bicycle use through the property running from _____ to _____. 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.

2.16 Public Sanitary Sewer Easement(s) dedicated to the City of Madison ("City") on the face of this Certified Survey Map or Subdivision Plat is/are subject to the following conditions:

- a. The property owner reserves the right to use and occupy the Public Sanitary Sewer Easement Area(s) in a manner consistent with the rights herein conveyed, provided that such use and occupancy shall not interfere with or disturb the installation, operation, maintenance, repair, replacement and/or modification of the public sanitary sewer facilities.
- b. No above-ground improvements shall be located in the Public Sanitary Sewer Easement Area(s) by the City or the property owner, with the exception that grates, sewer access structure (SAS) covers, and other access points to the public sanitary sewer facilities shall be permitted at grade level. (Optional: and with the exception that pavement and/or concrete for driveway purposes shall be permitted.)
- c. Plantings and landscaping within the Public Sanitary Sewer Easement Area(s) shall not obstruct routine maintenance by the City. In the event of repair or reconstruction, plantings and landscaping may be removed by the City without replacement or compensation to the property owner.
- d. The property owner shall not change the grade of the Public Sanitary Sewer Easement Area(s) without the prior written approval of the City's Engineering Division.
- e. The Public Sanitary Sewer Easement(s) may not be amended, modified, terminated, or released without the written consent of all the parties hereto, or their respective successors-in-interest.

2.17 The Public Sidewalk Easement(s) dedicated to the City of Madison ("City") on the face of this Certified Survey Map or Subdivision Plat is/are subject to the following conditions:

- a. The property owner reserves the right to use and occupy the Public Sidewalk Easement Area(s) in a manner consistent

- with the rights herein conveyed, provided that such use and occupancy shall not interfere with or disturb the installation, operation, maintenance, repair, replacement and/or modification of the public sidewalk improvements.
- b. No above-ground improvements will be allowed in the Public Sidewalk Easement Area(s) by the property owner. (Optional: with the exception that pavement and/or concrete for driveway purposes shall be permitted.)
- c. Plantings and landscaping within the Public Sidewalk Easement Area(s) shall not obstruct routine maintenance by the City. In the event of repair or reconstruction, plantings and landscaping may be removed by the City without replacement or compensation to the property owner.
- d. The property owner shall not change the grade of the Public Sidewalk Easement Area(s) without the prior written approval of the City's Engineering Division.
- e. The Public Sidewalk Easement(s) may not be amended, modified, terminated, or released without the written consent of all the parties hereto, or their respective successors-in-interest.

2.18 The Public Storm Sewer Easement(s) dedicated to the City of Madison ("City") on the face of this Certified Survey Map or Subdivision Plat is/are subject to the following conditions:

- a. The property owner reserves the right to use and occupy the Public Storm Sewer Easement Area(s) in a manner consistent with the rights herein conveyed, provided that such use and occupancy shall not interfere with or disturb the installation, operation, maintenance, repair, replacement and/or modification of the public storm sewer facilities.
- b. No above-ground improvements shall be located in the Public Storm Sewer Easement Area(s) by the City or the property owner, with the exception that grates, sewer access structure (SAS) covers, and other access points to the public storm sewer facilities shall be permitted at grade level. (Optional: and with the exception that pavement and/or concrete for driveway purposes shall be permitted.)
- c. Plantings and landscaping within the Public Storm Sewer Easement Area(s) shall not obstruct routine maintenance by the City. In the event of repair or reconstruction, plantings and landscaping may be removed by the City without replacement or compensation to the property owner.
- d. The property owner shall not change the grade of the Public Storm Sewer Easement Area(s) without the prior written approval of the City's Engineering Division.

The Public Storm Sewer Easement(s) may not be amended, modified, terminated, or released without the written consent of all the parties hereto, or their respective successors-in-interest.

2.19 The Public Water Main Easement(s) dedicated to the City of Madison ("City") on the face of this Certified Survey Map or Subdivision Plat is/are subject to the following conditions:

- a. The property owner reserves the right to use and occupy the Public Water Main Easement Area(s) in a manner consistent with the rights herein conveyed, provided that such use and occupancy shall not interfere with or disturb the installation, operation, maintenance, repair, replacement and/or modification of the public water main facilities.
- b. No above-ground improvements will be allowed in the Public Water Main Easement Area(s) by the property owner. (Optional: with the exception that pavement and/or concrete for driveway purposes shall be permitted.)
- c. Plantings and landscaping within the Public Water Main Easement Area(s) shall not obstruct routine maintenance by the City. In the event of repair or reconstruction, plantings and landscaping may be removed by the City without replacement or compensation to the property owner.
- d. The property owner shall not change the grade of the Public Water Main Easement Area(s) without the prior written approval of the City's Engineering Division.
- e. The Public Water Main Easement(s) may not be amended, modified, terminated, or released without the written consent of all the parties hereto, or their respective successors-in-interest.

Streets and Sidewalks

3.1 The Developer shall construct Madison Standard street improvements for all streets within the plat/csm.

3.2 The developer shall show a 30 40 (*Strike one, 30 collector, 40 Arterial*) foot building setback line on the plat/csm adjacent to [Roadway Name] _____ for all lots in the plat/csm adjacent to said roadway.

Note: No buffer strip shall be dedicated to the City as the City does not want the maintenance.

3.3 Extensive grading may be required due to steep roadway grades.

3.4 The developer shall note that City funds for park frontage are limited and will be determined at the sole discretion of the City.

3.5 The developer shall construct sidewalk and record a waiver of their right to notice and hearings for the assessments for the improvement of [roadway] _____ in accordance with Section 66.0703(7)(b) Wisconsin Statutes and Section 4.09 of the MGO. Said sidewalk constructed in front of and waiver recorded to Lot(s) _____.

3.6 The Developer shall make the following improvement to [Roadway Name] _____. The Developer shall construct sidewalk and _____ feet of a future _____ foot roadway including curb and gutter on the _____ side of the roadway.

3.7 The Developer shall construct sidewalk to a plan approved by the City Engineer and complete ditching as required by the City Engineer along [Roadway Name] _____.

- 3.8 The Developer shall grade the right of way line to a grade established by the City Engineer and complete ditching along the roadway as specified by the city engineer along [Roadway Name] _____.
- 3.9 **Value of sidewalk installation over \$5000.** The Applicant shall Construct Sidewalk to a plan approved by the City Engineer along _____. (Also require the City / Developer agreement line 1.1)
- 3.10 **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. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
- 3.11 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.
- 3.12 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. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
- 3.13 Developer shall make improvements to [Roadway Name] _____ considered temporary to facilitate ingress and egress to the plat/csm until such time as the ultimate improvement of the roadway is undertaken by the city.
- 3.14 The Developer shall make improvements to [Roadway Name] _____ to facilitate ingress and egress to the plat/csm.

[Select one of the below comments for either of the above or leave general]

- The above improvement will consist of acceleration and deceleration tapers.
- The above improvement consists of rights turn lanes.
- The above improvement will consist of passing lanes.
- The above improvement will consist of median openings.
- Caution – The improvements indicated above may require right of way outside of the plat/csm. See comment 2.3 to require additional right of way for this purpose.*

- 3.15 The developer shall note the AASHTO design standards for intersection sight distance will be applied during the design of the streets within this plat/csm.
- 3.16 The developer shall confirm that adequate sight distance exists on _____ where public streets intersect. If adequate sight distance does not exist, the developer shall change the location of the street intersection or agree to make improvements to the roadways such that the sight distance is achieved or make other mitigating improvements as required by the City.
- 3.17 All proposed street names shall be approved by the City Engineer. Applicant shall contact Lori Zenchenko (608-266-5952) with street name requests.
- 3.18 Installation of "Private" street signage in accordance with 10.34 MGO is required.
- 3.19 Coordinate all necessary new interior addresses associated with this proposed development with City Engineering Program Specialist Lori Zenchenko zenchenko@cityofmadison.com or (608) 266-5952

Storm Water Management

- 4.1 An erosion control plan and land disturbing activity permit shall be submitted to the Engineering Division for review and approval prior to grading or any other construction activities. The Preconstruction Meeting for Public Improvements shall not be scheduled prior to issuance of this permit. 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.
- 4.2 The following notes shall be included on the final plat:
 - a. All lots within this plat are subject to public easements for drainage purposes which shall be a minimum of 6-feet in width measured from the property line to the interior of each lot except that the easements shall be 12-feet in width on the perimeter of the plat. For purposes of two (2) or more lots combined for a single development site, or where two (2) or more lots have a shared driveway agreement, the public easement for drainage purposes shall be a minimum of six (6) feet in width and shall be measured only from the exterior property lines of the combined lots that create a single development site, or have a shared driveway agreement, except that the easement shall be twelve (12) feet in width along the perimeter of the plat. Easements shall not be required on property lines shared with greenways or public streets. No buildings, driveways, or retaining walls shall be placed in any easement for drainage purposes. Fences may be placed in the easement only if they do not impede the anticipated flow of water.

NOTE: IN THE EVENT OF A CITY OF MADISON PLAN COMMISSION AND/OR COMMON COUNCIL APPROVED REDIVISION OF A PREVIOUSLY SUBDIVIDED PROPERTY, THE UNDERLYING PUBLIC EASEMENTS FOR DRAINAGE PURPOSES ARE RELEASED AND REPLACED BY THOSE REQUIRED AND CREATED BY THE CURRENT APPROVED SUBDIVISION.

- b. The intra-block drainage easements shall be graded with the construction of each principle structure in accordance with the approved storm water drainage plan on file with the City Engineer and the Zoning Administrator, as amended in accordance with the Madison General Ordinances.

Information to Surveyor's: In addition to notes such as this, WI State Plat Review now enforces the requirement that easements or other reference lines/areas be graphically shown, dimensioned and tied when they represent fixed locations. They will accept a "typical detail" when the easement or restriction can be effectively described and retraced from the typical detail.

- 4.3 Arrows shall be added to the certified survey map indicating the direction of drainage for each property line not fronting on a public street. In addition, the certified survey map shall include lot corner elevations, for all lot corners, to the nearest 0.25-foot. The following notes shall be added to the certified survey map.
 - a. Arrows indicate the direction of surface drainage swale at individual property lines. Said drainage swale shall be graded with the construction of each principal structure and maintained by the lot owner unless modified with the approval of the City Engineer. Elevations given are for property corners at ground level and shall be maintained by the lot owner.
 - b. All lots within this certified survey are subject to public easements for drainage purposes which shall be a minimum of 6-feet in width measured from the property line to the interior of each lot except that the easements shall be 12-feet in width on the perimeter of the certified survey. For purposes of two (2) or more lots combined for a single development site, or where two (2) or more lots have a shared driveway agreement, the public easement for drainage purposes shall be a minimum of six (6) feet in width and shall be measured only from the exterior property lines of the combined lots that create a single development site, or have a shared driveway agreement, except that the easement shall be twelve (12) feet in width along the perimeter of the certified survey. Easements shall not be required on property lines shared with greenways or public streets. No buildings, driveways, or retaining walls shall be placed in any easement for drainage purposes. Fences may be placed in the easement only if they do not impede the anticipated flow of water.

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- 4.4 Prior to the issuance of building permits, the Developer shall submit a master stormwater drainage plan to the City Engineering Division for review and approval which shows lot corner elevations to the nearest 0.25-foot. For purposes of the plan, it shall be assumed that grading shall be done on a straight line grade between points unless other information is provided. The proposed slope between points shall always be greater than or equal to .0075 ft/ft. If a break in grade is required between lot corners a shot shall be taken at that break in grade to provide the Engineer with enough information to interpret the plan. The Developer shall also show proposed drainage arrows on the plan to indicate the proposed direction of drainage.

The master storm water drainage plan shall be submitted to City Engineering in digital format with elevations/grades/contours shown on the recorded plat map of the development. The digital record shall be provided using the state plane coordinate system – NAD 27.

The following note shall accompany the master storm water drainage plan:

- a. For purposes of this plan, it is assumed that grading shall be a straight line grade between points unless otherwise indicated. All slopes shall be 0.75% or steeper. Grade breaks between lot corners are shown by elevation or through the use of drainage arrows.

No building permits shall be issued prior to City Engineering's approval of this plan.

- 4.5 If the lots within this certified survey map are inter-dependent upon one another for storm water 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 certified survey map and recorded at the Dane Co Register of Deeds.
- 4.6 The following note shall be added to the certified survey map. "All lots created by this certified survey map are individually responsible for compliance with Chapter 37 of the Madison General Ordinances in regard to storm water management at the time they develop."
- 4.7 This plat/csm could affect a flood plain, wetland or other sensitive areas. As such, it shall be reviewed by the Commission on the Environment. Contact Mike Dailey at 266-4058 for further details. The proposed plat/csm may be considered a major change to the environmental corridor and be subject to a public hearing and approval of the Dane County Regional Plan Commission.
- 4.8 A portion of this plat/csm may come under the jurisdiction of the US Army Corp of Engineers and Wisconsin Department of Natural Resources.

Resources for wetland or flood plain issues or navigable waterway. A permit for those matters may be required prior to construction on any of the lots currently within the plat/csm. Contact the WDNR & USACOE for a jurisdictional determination.

4.9 Prior to recording the plat/csm, the applicant 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 signoff.

4.10 This site is greater than one (1) acre and the applicant is required by State Statute to obtain a Notice of Intent Permit (NOI) from the Wisconsin Department of Natural Resources. Contact Jim Bertolacini of the WDNR at 275-3201 to discuss this requirement. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.

4.11 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.

4.12 A minimum of two (2) working days prior to requesting City Engineering signoff on the plat/csm the applicant shall contact Janet Dailey (608-261-9688) 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. All charges shall be cleared prior to the land division (and subsequent obsolesces of the existing parcel).

Sanitary Sewer

5.1 All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection charges are due and payable prior to Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Janet Dailey (608-261-9688) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff.

5.2 Each unit of a duplex building shall be served by a separate and independent sanitary sewer lateral.

5.3 This land division contains or is adjacent to facilities of MMSD. Prior to approval, applicant shall provide evidence that MMSD has reviewed and approved the proposed land division.

Mapping / Land Records

6.1 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 condition reports for all monuments, including center of sections of record, used in this survey, to Eric Pederson, City Engineering. If a new tie sheet is not required under A-E 7.08, Engineering requests a copy of the latest tie sheet on record with Dane County Surveyor's office. The Applicant shall identify monument types on all PLS corners included on the Plat or CSM. Note: Land tie to two PLS corners required.

6.2 In accordance with Section s. 236.18(8), Wisconsin Statutes, the Applicant shall reference **City of Madison WCCS Dane Zone, 1997 Coordinates** on all PLS corners on the Plat or Certified Survey Map in areas where this control exists. The Surveyor shall identify any deviation from City Master Control with recorded and measured designations. City of Madison has established WCCS, Dane Zone Coordinates on all PLS corners within its corporate boundary. Visit the City of Madison Engineering Division web address http://gis.ci.madison.wi.us/Madison_PLSS/PLSS_TieSheets.html for current tie sheets and control data. If a surveyor encounters an area without a published WCCS Dane Zone 1997 value, contact Engineering Division for this information.

6.3. The Applicant shall submit to Eric Pederson, prior to Engineering sign-off of the subject plat, two (2) digital and one (1) hard copy of the final plat/CSM to the Mapping/GIS Section of the Engineering Division. The digital copies shall be submitted in

both NAD27 & WIDOT County Coordinate System, Dane County Zone datums in either Auto CAD Version 2001 or older, MicroStation Version J or older or Universal DXF Formats and contain the minimum of the following, each on a separate layer name/level number:

- a. Right-of-Way lines (public and private)
- b. Lot lines
- c. Lot numbers
- d. Lot/Plat dimensions
- e. Street names
- f. Easement lines (i.e. street, sanitary, storm (including wetland & floodplain boundaries) water, pedestrian/bike/walkway, or any public and/or private interest easement except local service for Cable TV, gas, electric and fiber optics).

NOTE: This transmittal is a separate requirement than the required submittals to Engineering Streets Section for design purposes.

NOTE: New electronic final plat transmittals and notification of changes which occur to the final plat during the time the Engineering Division signs off and receives the digital copies of said plat and the recording thereof, are the responsibility of the Developer/Surveyor.

- 6.4 In accordance with Section s.236.34(1) (c) which says a CSM shall be prepared in accordance with s.236.20(2) (c) & (f), Wisconsin Statutes, the Applicant must show type, location and width of any and all easements. Clearly identify the difference between existing easements (cite Register of Deeds recording data) and easements which are being conveyed by the Plat/CSM. Identify the owner and/or benefiting interest of all easements.
- 6.5 Prior to Engineering final sign-off by main office for Certified Survey Maps (CSM), final CSM must be submitted to Engineering Division Surveyor / Land Records Coordinator for final technical review and approval. This submittal must occur a minimum of two working days prior to final Engineering Division sign-off. Electronic mail submittal of the FINAL CSM in PDF form is preferred. Transmit to epederson@cityofmadison.com



Traffic Engineering and Parking Divisions

David C. Dryer, P.E., City Traffic Engineer and Parking Manager

Suite 100
215 Martin Luther King, Jr. Boulevard
P.O. Box 2986
Madison, Wisconsin 53701-2986
PH 608 266 4761
TTY 866-704-2315
FAX 608 267 1158

September 9, 2007

TO: Plan Commission
FROM: David C. Dryer, P.E., City Traffic Engineer and Parking Manager
SUBJECT: **4216 Jerome Street – Preliminary Plat – Edge of Madison – Blooming Grove Sec. 16**

The City Traffic 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.)

1. The Developer shall put the following note on the face of the plat: "**ALL THE LOTS WITHIN THIS SUBDIVISION ARE SUBJECT TO IMPACT FEES THAT ARE DUE AND PAYABLE WITHIN FOURTEEN DAYS OF THE ISSUANCE OF BUILDING PERMIT (S).**"
Note: The development may be delayed until the transportation impacts fees are approved by the Council.

PEDESTRIAN AND BICYCLE TRANSPORTATION REVIEW COMMENTS

2. None

GENERAL OR STANDARD REVIEW COMMENTS

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

3. The applicant shall execute and return the attached declaration of conditions and covenants for streetlights & traffic signals prior to sign off. The applicant will need to provide a deposit for their reasonable and proportionate share of traffic signal costs.
4. Utility easements shall be provided as follows:

Between Lots	Between Lots	Between Lots

5. The applicant shall show a detail drawing of the 12 ft. utility easement dimensions and lot lines on the face of the plat.

6. Public signing and marking related to the development may be required by the City Traffic Engineer for which the developer shall be financially responsible.

Please contact Dan J. McCormick, P.E., City Traffic Engineering at 266-4761 if you have questions regarding the above items.

Contact Person: Roger Rognrud
Fax: 608-268-0315
Email: health.teams@yahoo.com

DCD:DJM:dm

**CITY OF MADISON
INTERDEPARTMENTAL
CORRESPONDENCE**

Date: September 20th 2007

To: Plan Commission
From: Matt Tucker, Zoning Administrator
Subject: 4216 Jerome St., Edge of Madison Preliminary Plat

Present Zoning District: R-1

Proposed Use: Demolish single family home and detached garage, Subdivide lot into five single family lots.

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 reuse/recycling plan, to be reviewed and approved by The City's Recycling Coordinator, Mr. George Dreckmann, prior to a demolition permit being issued.
2. As part of the demolition approval, all improvements, including building, driveway and apron areas must be removed and the lot, and the lot must be seeded or sodded until permits are issued for future development. The existing driveway opening to Coldspring Avenue must be closed, and curbing reinstalled in compliance with City Engineering standards.

ZONING CRITERIA

Bulk Requirements	Required	Proposed
Lot Area	8,000 sq. ft.	8,092 – 11,823 sq. ft.
Lot width	65'	68.06 – 94.93' (corner lot)
Usable open space	1,300 sq. ft.	TBD, at time of permit for home
Front yard	30'	30'
Side yards	1 story 6', 2 story 7'	TBD, at time of permit for home
Rear yard	40'	TBD, at time of permit for home
Building height	2 stories/35'	TBD, at time of permit for home

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

Cynthia Higgins et al.
4205 Bainbridge Street
Madison WI 53716

City of Madison Plan Commission Attn: Tim Parks
Suite LL 100
Municipal Building
Madison, WI 53703

September, 19 2007

Re: Application for proposed Wingrove demolition of 4216 Jerome Street, Madison WI

Dear Mr. Parks:

We, the undersigned, are neighbors of the proposed demolition site. This letter is a compilation of responses gathered at a recent neighborhood meeting, drafted by a few of us, and is being sent on behalf of the undersigned neighbors, in regard to the proposed demolition and 5-way lot split at 4216 Jerome Street.

We oppose the request for four reasons.

1. The City of Madison's goal of maintaining affordable housing for City residents would be given short shrift if our neighborhood became a tear-down magnet for land speculators.
2. Granting the proposal would jeopardize the unique character of the Lake Edge neighborhood.
3. Permitting demolition would permit the developer to profit by his own ignorance or malfeasance, setting a poor precedent and encouraging other land speculators to allow their properties to deteriorate.
4. The City Council recently set precedent in very similar circumstances when it refused to allow a larger number of splits in the Orchard Ridge area over neighborhood objection. We ask that this precedent is followed here.

The balance of this letter sets out our position in greater detail.

* * *

BACKGROUND

Now pending before the City of Madison Planning Commission is a request by Martin Wingrove to demolish the existing house located at 4216 Jerome Street (on the corner of Jerome Street and Coldspring Avenue, directly opposite Monona Grove high school). The Wingrove proposal for demolition is coupled with a request to split what was originally one residential lot into 5 residential lots. Wingrove supports his proposal for the demolition by citing the poor condition and the advanced age of the house.

On August 30, 2007, 24 neighbors of the proposed demolition met at a private home to discuss this proposed demolition and split. These 24 neighbors represented 19 different addresses, none further than one block from 4216 Jerome, with most on the same actual block or directly across Jerome Street. At this meeting, a strong consensus developed opposing Wingrove's request for demolition. Specifically, of 24 neighbors, only one did not oppose the demolition and 5-way split, although even this neighbor did state that she would prefer to see a minimum number of splits.

WHY WE OPPOSE THE DEMOLITION

Our reasons for opposing the requested demolition are four-fold.

1. Affordable housing would be jeopardized
by allowing our neighborhood to become a tear-down magnet
for land speculators

The proposed split jeopardizes the City of Madison's stated goal of maintaining affordable housing for city residents. Martin Wingrove, who is not a resident of Madison, purchased the lot in question in 2006. At that time, the property conformed to neighborhood standards—it was a modest house in good repair, on a well-kept lot.

Wingrove paid nearly \$130,000.00 over the assessed value for the house and lot. The existing property was surveyed and split into 4 lots, and 3 vacant lots were immediately (and unsuccessfully) offered for sale. Wingrove never lived in the house. Instead, a bewildering variety of tenants moved in who did not care for the property, which quickly deteriorated (further details about this deterioration appear in section 3, below). In short, Wingrove allowed conditions to overtake a house that formerly conformed to the existing neighborhood standards. As this chain of events makes evident, Wingrove's plan from the beginning was to speculate on the land values of our neighborhood.

Since this speculation scheme was hatched, the land values have, in fact, shot up, while the values of the improvements have been reduced. Specifically, data on the City Assessor's website shows that in the last round of assessments, of homes in the immediate area, 70 saw an increase in their land assessment, while at the same time 57 saw a decrease in their improvements. The average land assessment went up by \$5,301. Of those 57 who saw a decrease in their improvements, the average loss was \$5,189.

A swing like this between the value of the improvements and the value of the land demonstrates that Wingrove's speculation has single-handedly begun a trend—a trend towards valuations based on the potential value of our neighborhood as a tear down magnet for speculators and developers with land increasingly valuable, and existing housing stock increasingly less valuable. Allowing the requested demolition and attendant increased split of the lot would not only confirm this trend but provide official blessing and encourage more speculation and neighborhood deterioration.

2. Requested number of splits jeopardizes the character of the neighborhood.

One of Madison's strengths is the very different kinds of neighborhoods within the city boundaries. For those wanting 24 hour action and world-class entertainment, our downtown is tops. For those wanting a quiet condo or apartment with easy access to shopping, the Hilldale area is ideal. For those wanting one-family homes on small lots and lots of contact with their neighbors, densely platted areas like the Marquette neighborhood await. Those wanting to garden, pick apples, and see foxes and birds daily have chosen our unique Lake Edge neighborhood.

According to data compiled from the City Assessor's website regarding 70 residential lots on Monona Dr between E. Coldspring and Buckeye and all of Jerome, Winnequah, Bainbridge and E. Coldspring Streets, the average assessed value is \$227,637, the average frontage for lots in this area is 127 feet, and the average lot size is 27,137 sq feet. By contrast, the proposed demolition and 5-way split will result in lots with an average size of 10,657 square feet—only about one third the size of an average Lake-Edge lot, and a full 3000 square feet smaller than the next smallest lot (and 7000 square feet smaller than the second smallest lot).

In other words, these 5 lots would be in a category of their own—approximately 60% smaller than the average size of the lots in this neighborhood, and 30% smaller than even the next smallest lot. Such small lots jeopardize the character of our neighborhood.

Another way of conceptualizing the problem is this: imagine that a land speculator came to the Planning Commission with a request for a 5-house tear-down to create one big new lot for a single spec house in a densely platted area—the Marquette neighborhood for example. We cannot imagine that the Planning Commission would approve such a request. Land speculation based on tear-downs would jeopardize the value of the existing housing stock, and rapidly spoil the neighborhood's character.

In other words, in a neighborhood where large lots are not typical, allowing tear-downs to achieve them would be unthinkable. Similarly, we would ask that the Planning Commission reject this speculator's request to demolish an existing house in our neighborhood to facilitate one lot being split up into 5 lots—and on the same grounds. Just as tear-downs to create large sized lots would spoil the character of a denser neighborhood, so a tear-down to create lots far smaller than any now existing would spoil the character of our Lake Edge neighborhood.

3. The age of the house and its condition do not warrant demolition

Wingrove's application cites the poor condition of the property and its advanced age in support of his request to demolish the existing house at 4216 Jerome Street. A letter to "neighbors" distributed to some Lake Edge neighborhood homes on Saturday September 8th says that tax assessments for long-planned street improvements are the reason for the demolition and lot splitting. Data compiled from the City Assessor's website shows that the proposed demolition site fits squarely in the average age range for houses in this neighborhood, having been constructed in 1949. There has never been any evidence that the aged condition of the housing stock in this neighborhood needs to be improved by sending in the bulldozers. To the contrary, this neighborhood features well-built and well-maintained homes, many times still inhabited by the original owners who built these houses in the late 1940's and early 1950's. Far from being flimsy, the Lake Edge homes typically feature hardwood floors, lath-and-plaster construction and diagonally-braced board sub floors. Further, neighborhoods all over Madison feature much older houses.

Before Wingrove purchased this property, it was typical of the rest of the housing stock in the neighborhood: a modest house, maintained in good shape, with an attractive yard. As stated above, when Wingrove purchased the property, he immediately let the property run down. A parade of tenants and their guests appeared. We now learn from the letter distributed on Saturday, "tenants" were Wingrove's adult children. Cars were parked on the grass. Large and aggressive dogs from that house were allowed to roam free through the neighborhood (and were promptly captured and taken to the pound). The grass remained uncut. Trash was left in the yard. Bramble bushes (raspberries) in the back escaped cultivation and overtook the yard. In sum, Wingrove allowed the condition of the house to deteriorate substantially in a short time.

The current tenants are a great improvement in this situation, and to outward appearance at least, the house has been restored to something like community standards. We are concerned, however, that the deterioration which the house suffered in the immediate past not be accepted as a basis for demolition. If a person buys a decent house, but then abdicates all responsibility for maintenance, if a person allows unsuitable and careless tenants to ruin the property's appearance and neglect the yard—then that person should not then be allowed to claim that the house is in poor shape and should be demolished. A person should not be allowed to profit from their own bad actions. Rewarding this sort of neighborhood-busting by speculators and developers sets a bad precedent, with implications reaching beyond demolition of the property in question here.

Alternatively, Wingrove is arguing to the neighbors that city action; specifically the assessment is the reason for the demolition of the house and the split of the property to 5 lots. He says the "house needs to be totally rebuilt and cannot be repaired economically." A number of the neighbors who have lived and worked with the housing stock in the neighborhood report that they have maintained and repaired their homes. The photos submitted with his application for demolition suggest the need for paint and a new roof are among the reasons for demolition. Surely that cannot be the case. In any event,

fixing a broken windows or even the replacement of window casing, leaking basement walls and fixtures, a coat of paint and new roofing can not economically validate the destruction of a \$200,000+ home.

4. Previously established precedent favors rejecting Wingrove's demolition request.

There is recent precedent for not allowing the number of splits Martin Wingrove requests. Specifically, in the Orchard Ridge neighborhood, a real estate speculator from out of the neighborhood bought a house with a large lot, with the intention of demolishing the house and splitting the one lot into a number of smaller lots. The arguments the neighbors put forth were similar to ours. The following is an article was written by Mike Ivey in the May 16, 2006 Capital Times:

Downgraded a subdivision in the Orchard Ridge neighborhood. A real estate speculator from Oconomowoc purchased a home and large lot at 5402 Whitcomb Drive with the intention of tearing down the existing home and creating three new housing lots. But after hearing objections from neighbors, the commission only allowed two lots to be created.

Listed below are the City's links that address this request and the results of this request:

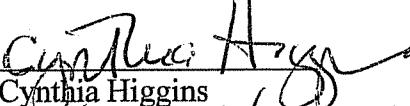
<http://www.ci.madison.wi.us/planning/projects/planning/pl5402wd.pdf>
http://legistar.cityofmadison.com/meetings/2006/5/2661_M_PLAN_COMMISSION_06-05-15_Meeting_Minutes.pdf

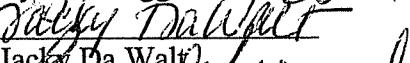
We urge the Planning Commission to follow this precedent set by the City Council, and come to a similar ruling in this matter.

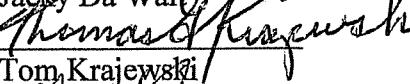
CONCLUSION

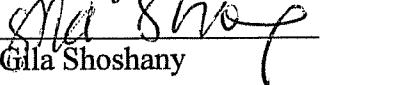
We the undersigned neighbors of 4216 Jerome Street ask the Planning Commission to reject Martin Wingrove's pending petition for demolition of the existing house, and his requested 5 way lot split.

Sincerely,


Cynthia Higgins


Jackey Da Walt


Tom Krajewski


Gila Shoshany

On behalf of ourselves and the following additional signatories:

Cynthia Aceredo, 4126 Jerome St
Jane Ahlstrom, 4204 Bainbridge St
Pat & David Chamberlain, 4207 Jerome St
Tim & Shirley Diedrich, 4210 Jerome St
Helene Dwyer, 4114 Jerome St
Sue Ela, 308 Lance Ln
Nancy & Ken Gusner, 4204 Jerome St
Julie Hood, 4123 Jerome St
Juna Krajewski, 4208 Jerome St
Steve & Nancy Lendborg, 4211 Jerome St
Patty & Jeff Marks, 4124 Jerome St
Michael & Michele Martinsen, 210 Winnequah Rd
Steven & Susan McCarthy, 4203 Jerome St
Susan Oshman & Tamara Seeker, 108 W Lakeview Ave
Lyle & Darlene Reynolds, 4206 Bainbridge St
Laura & Mike Saunders, 4202 Jerome St
Michael & Sarah Simon, 4212 Jerome St
Suzan Van Beaver, 208 Winnequah Rd

Cc:

Martin Wingrove
City Alder Larry Palm
Lake Edge Neighborhood Association President Tim Satterfield



overhead view of Lake Edge Park area

Parks, Timothy

From: Andrea Selbig [selbigs@hotmail.com]
Sent: Thursday, September 27, 2007 9:59 AM
To: Parks, Timothy
Subject: Lake Edge Plan meeting

To Whom it May Concern,

This message is to voice our opposition to the demolition request by Martin Wingrove of the Buhler Property at 4216 Jerome Street, Madison. We will be unable to attend the October 1st meeting about the Lake Edge Plan.

We live at 4211 Bainbridge St. and we oppose the demolition request and the lot division proposed by Martin Wingrove. The demolition and lot division into 5 lots will diminish the character of the neighborhood which is known for its large lots and well-constructed mid-20th century homes.

Sincerely,

Andrea and Bill Selbig
4211 Bainbridge St.
Madison

Get news, entertainment and everything you care about at Live.com. Check it out!

14-15