

# CITY OF MADISON

# Proposed Rezoning

Location: 101 Morningside Avenue

Applicant: Miguel Garcia

From R2 District(s)

To R4 District(s)

Existing Use: Single Family

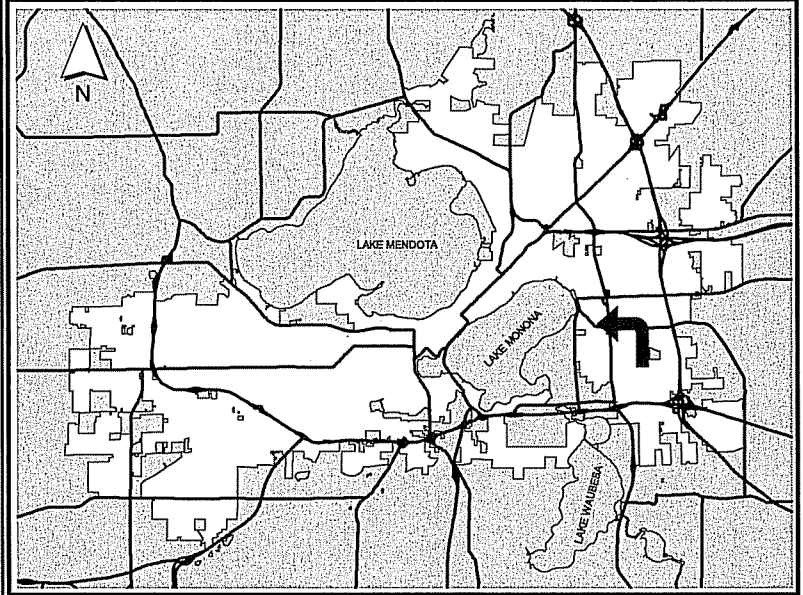
Proposed Use: Convert Dependency Living Arrangement into 2-Unit Dwelling

File No. \_\_\_\_\_

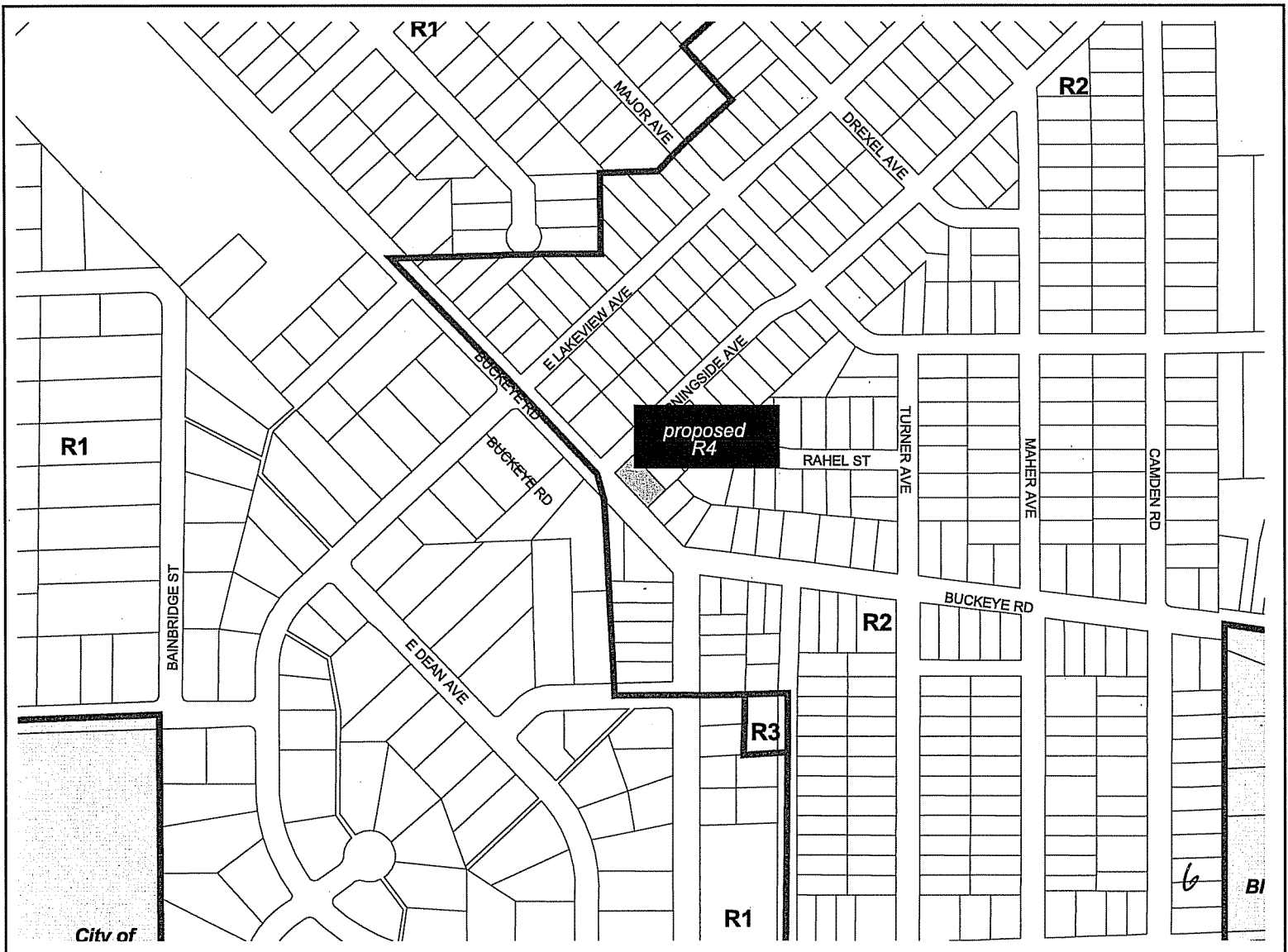
Public Hearing Dates:

Plan Commission 21 February 2005

Common Council 01 March 2005



For Questions contact: Tim Parks at: 261-9632 or polson@cityofmadison.com or City Planning at 266-4635



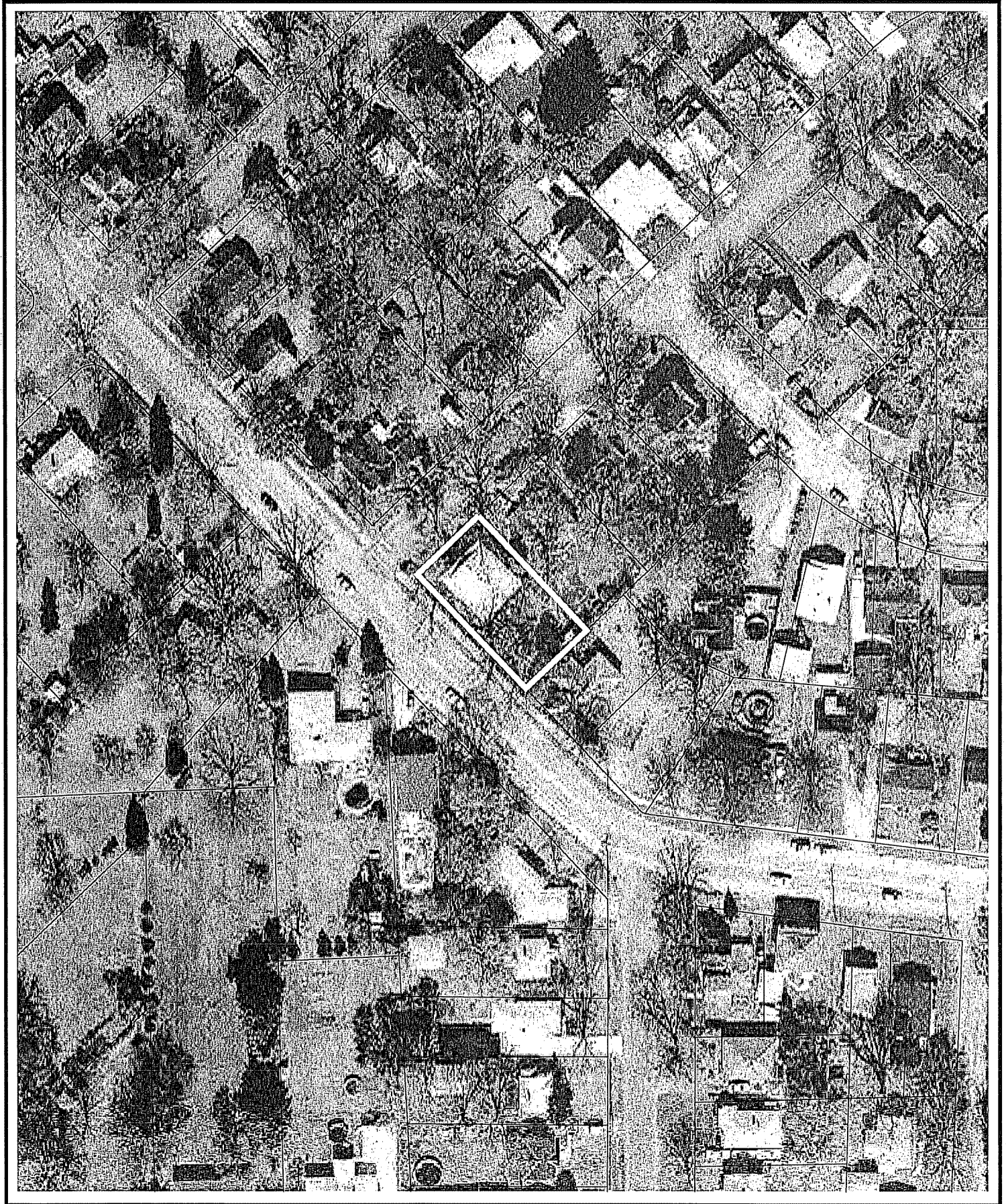
# 101 Morningside Avenue

0

400 Feet



*Date of Aerial Photography - April 2000*



December 22, 2004

Dear Members of the Plan Commission,

My name is Miguel Garcia, and I own a home at 101 Morning Side Ave. in the city of Madison, 53704. Parcel number 071016110042, lot number 1, block number 3, Morning Side Heights. My reason for writing this letter is to explain to you my plan for this property. I would like to ask for a re-zoning from an R2 to and R4 to correspond with its present use as a two-unit and make it permanent. The square footage of the lot is as follows: 120 feet of frontage on Buckeye Rd. by 65.3 feet of frontage on Morning Side Ave.; giving it an approximate lot size of 7800 square feet. The home has sat on this lot for the last 30 years, and it is approximately 42.8 feet by 36 feet, giving it a total square footage of 1540.8. The upstairs unit consists of 2 bedrooms, 1 full bathroom, 1 formal dining room, 1 living room, and 1 eat-in kitchen, as well as a small laundry room. The square footage for unit number 1, minus the foyer (which is shared by both units), is approximately 1500 square feet. Unit number 2 (downstairs), consists of: 2 smaller bedrooms, 1 eat-in kitchen, 1 full bathroom, 1 living room, 1 utility room area, and a 1 car garage. This unit is approximately 1200 square feet (I have made a deduction of the garage, the utility room and the foyer). No changes to the interior or exterior are planned at this time or in the future, keeping in mind that this building has been used as a single family home with a temporary accessory apartment down below. For further explanation as to why I am taking this action, please see attached letter. Your support in this endeavor is greatly appreciated ahead of time.

Sincerely Yours,

  
Miguel Garcia

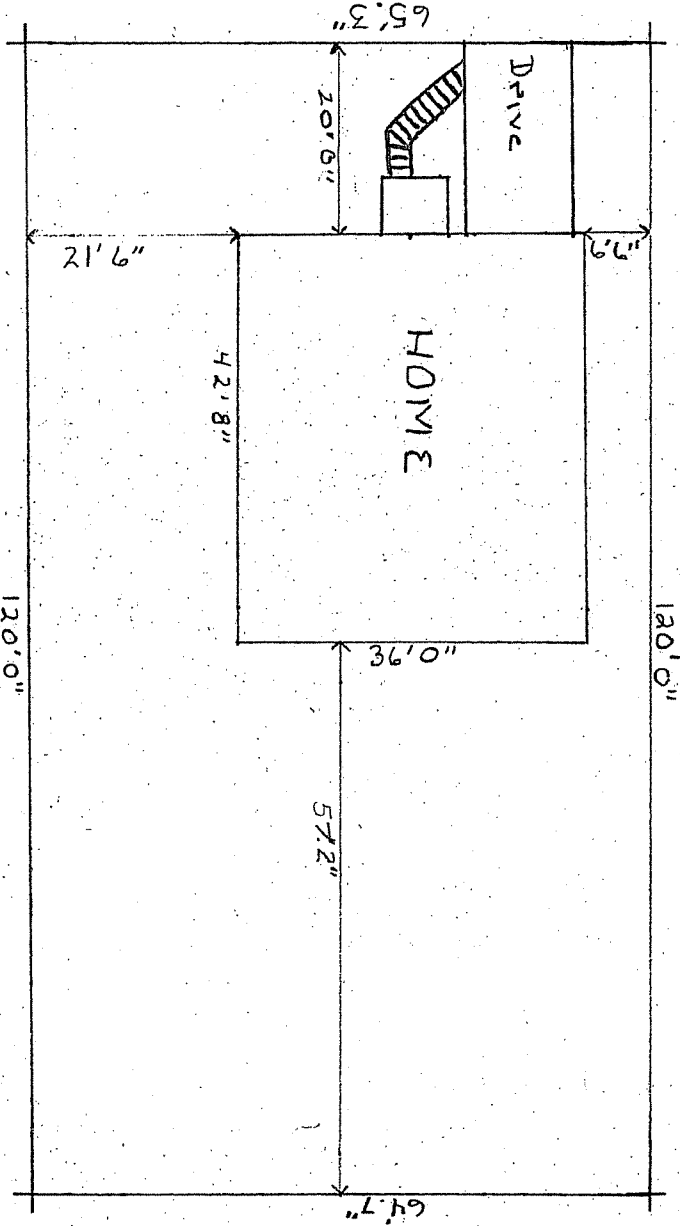
December 22, 2004

Dear Sir or Madam,

Forgive me if I bore you with the details, but I believe a chronology of the events leading to my decision to apply for a conversion from an R2 to an R4 is very important. Back in June 2004 I was contacted by Judy Compton, my realtor and friend, regarding a very special property that she wanted me to take a look at. She explained to me that the owner had lived on this property for the last 57 years and in this house for the last 30+ years, and that knowing me I would most likely buy the property as income only and not to occupy it. Upon learning of the circumstances and predicament that Mrs. Mae Hanson was in, to just have lost her home due to her own son, Roger Hanson having sold it from under her, I decided to purchase it on the spot and therefore assure that her stability would unjeopardized. If I may add, when the "for sale" sign was posted on the property, Mrs. Hanson's sister had died and I believe it was a direct connection to that sign out front. I also learned at that time that there was a conditional use attached to the property where a relative or caregiver was allowed to reside downstairs, but not an unrelated. Early in October, I was advised by CDA that the rent was too high, at that point I asked them where I had to be to make sure Mrs. Hanson remained, and I was told that I had to bring my rent down \$140.00, which I promptly agreed to. I was then told that I had to get all of the utilities in my name, which I also did. Today I am confronted with yet another hurdle that I must jump through. The father of the tenant downstairs has just passed away, and I am afraid that he will be moving on me, making it impossible to afford the mortgage on this property. At this point, I am running out of options to keep Mrs. Hanson in the only home she has known for the last 57 years. I am now willing to pay \$750.00 more to convert this property from an R2 to an R4, allowing anyone to move in downstairs and help pay for the mortgage. As an addition, I have no intentions in converting this home in any way, shape, or form. I have no intentions of adding or subtracting from the interior or exterior. Thank you for your consideration.

Yours Truly,  
Miguel Garcia

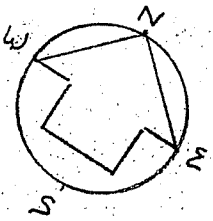
MORNING SIDE AVE.



BUCKEYE RD.

PLOT PLAN

1" = 20'0"



# PART A

Occupant Notification Fee: \$50  
 Rezoning and Conditional Use application fees see attached.

The following information is **REQUIRED** for ALL applications for Plan Commission review:

**FOR OFFICE USE ONLY:**

Amt. Paid \$ 0.00 Receipt # 57150  
 Date Received 12-22-04  
 Parcel No. 070-161-1004-2  
 Aldermanic District 15, Greg Markle  
 GQ OK!  
 Zoning District R2

**For complete submittal:**

Application ✓  
 Legal Description ✓  
 Letter of Intent ✓  
 Plans ✓  
 Zoning Text N/A From R2 to R4  
 Received By RJT  
 Alder Notif. ✓ Waiver ✓  
 Nbr. Assn. Notif. ✓ Waiver ✓  
 Issued Sign \_\_\_\_\_

1. Address of Site: 101 Morningside Ave. Madison, WI. 53704  
 Name of Project: \_\_\_\_\_  
 Acreage of Site: 7750 sq. Ft.

2. This is an application for (check at least one):  
 Rezoning from R2 to R4  
 Conditional Use  
 Demolition Permit (Please provide age, City assessment, and the condition of the building(s) to be demolished. Provide photos.)  
 Other (Describe) \_\_\_\_\_

3. You must include or attach a **legal description**—Lot and block number of recorded certified survey map or plat, or metes and bounds by surveyor, engineer, title company, etc., (Note: A "Plat of Survey" or "Site Plan" is NOT a legal description). Any extra costs to the City, because of legal description problems, are to be paid by the applicant. **(Any application, without a proper, complete and appropriate legal description, will NOT be processed).** See attached instruction sheet regarding submittal of legal descriptions on computer diskette.  
Parcel # 07016110042 Address 101 Morningside Ave.  
Lot # 1 Block # 3 Morningside Heights.

4. General description of the project or intended use(s) of this property.  
I would like to change the zoning of above property from R2 to R4 to correspond with its present use as a two unit, and to keep the tenants on site on a permanent basis. No changes will be made to the interior or exterior at any time.

5. Are there existing buildings on this site? Yes.  
 What is the present zoning of this site? R2  
 What are the present uses of this site? Single family

6. Do you intend to use the existing building(s)? No. Property will be used as income only.





7. What exterior changes are proposed to the existing building(s)? No exterior  
Changes will be made at all.

8. What interior changes are proposed to the existing building(s)? No interior  
Changes will be made at all.

9. Are you proposing to add or build new dwelling units? No  
How many units? 2  
Owner occupied \_\_\_\_\_ selling price, from \$ \_\_\_\_\_ to \$ \_\_\_\_\_  
Rental \_\_\_\_\_ rent levels, from \$ \_\_\_\_\_ to \$ \_\_\_\_\_

10. For rental housing will you be accepting Section 8 housing vouchers? Yes.

11. When do you wish to occupy this site or building? Presently occupied.

12. Does this proposal involve any development in the public right-of-way? \_\_\_\_\_  
No  Yes \_\_\_\_\_ Explain: \_\_\_\_\_

13. Please print (or type) name and mailing address of the **property owner**. (Please include all owners involved in partnerships) Nigel and Donna Garcia.  
3906 Jenna Dr.  
Madison, WI. 53704  
Phone: (608) 242-0270 Fax: (608) 222-4164

Please print (or type) name and mailing address of **contact person** for this project [the person that can answer any questions regarding this application or project plans and will appear at the public hearing(s)]. Nigel A. Garcia.  
3906 Jenna Dr.  
Madison, WI. 53704  
Phone: (608) 242-0270 Fax: (608) 222-4164

14. **Property owner's authorization signature:** Nigel A. Garcia.  
[If offer to purchase or contract owner, please indicate below (check one). Architect's, real estate agent's, contractor's or tenant's signature is NOT adequate].  
 Owner \_\_\_\_\_ Offer to Purchase \_\_\_\_\_ Other (Explain \_\_\_\_\_)

15. It is extremely important that you inform the ALDERPERSON and NEIGHBORHOOD ASSOCIATION of this district about your proposal as soon as possible. As required by Section 28.12(10)(c) and (d), I have notified Alderperson Gregory Markle and \_\_\_\_\_ of the \_\_\_\_\_ Neighborhood Association in writing by mail no less than thirty (30) days prior to this submittal.  
Yes  No \_\_\_\_\_  
Date that the alderperson was notified: 30 days waived by Ald. Markle  
Date that the Neighborhood Association was notified: \_\_\_\_\_

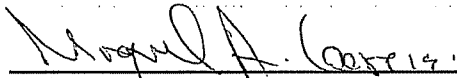
**From:** Miguel Garcia <imiga7@yahoo.com>  
**To:** <gcarran@cityofmadison.com>  
**Date:** 12/22/2004 9:34:38 AM  
**Subject:** 101 Morning Side

Greetings Mr.Carran,

I have notified alderman Markle regarding a waving of the thirty(30) day pre-application notification and he has agreed to grant it to me. i am now in the final stages of gathering the last of the information that is requested by the application. I will be hopefully submitting my application tonight. I thank you for all of you and your staff for your understanding.

Sincerely,

Miguel Garcia



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Do You Yahoo!?

Tired of spam? Yahoo! Mail has the best spam protection around  
<http://mail.yahoo.com>