



Department of Planning & Community & Economic Development

## Planning Division

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**Date:** June 29, 2026

**To:** Plan Commission

**From:** Timothy M. Parks, Planning Division

**Re:** Resolution ID 93600 – Authorizing the execution of a partial release of a platted “Building Construction Envelope” on Lot 29 of the Stonefield Ridge subdivision located at 5 Hodgson Court (District 19).

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The parcel at 5 Hodgson Court is Lot 29 of the plat of Stonefield Ridge, which was recorded at the Dane County Register of Deeds on July 20, 1988 to create 68 single-family residential lots from approximately 31.2 acres of land located on the north side of Old Sauk Road on both sides of present-day Sauk Ridge Trail. The final plat was approved by the Common Council on June 21, 1988 by Resolution 44,677 (ID 3273) following review by the Plan Commission on May 16, 1988.

The approval of the Stonefield Ridge subdivision was subject to a number of conditions intended to preserve existing trees located along the northern and eastern edges of the subdivision. Tree preservation was a significant concern raised during the review and approval of the preliminary plat of Stonefield Ridge that preceded the final plat approval and recording. The preliminary plat was approved by the Common Council on March 1, 1988 by Resolution 44,346 (ID 2617) following by the Plan Commission on February 2, 1988.

The conditions of approval on the preliminary plat were compiled into a March 4, 1988 letter from George E. Austin, Director of the Department of Planning and Development (as it was then known) to Stephen D. Schlough, owner of the land and proposed subdivider. The conditions related to tree preservation for the Stonefield Ridge development in the letter included:

- The need to establish a 40-foot rear yard building setback line along the entire eastern edge of the subdivision to preserve the tree line present along that boundary. The 40-foot setback line is more restrictive than the rear yard setback required, which is 30 feet now and was 35 feet at the time that the plat was approved;
- The need to establish a triangular “Tree Management Zone” restricted against development in the northeastern corner of the subdivision, which was intended to preserve a large, heavily wooded kettle (depression) located in that corner. The Tree Management Zone established with the final plat measures approximately 180 feet in length along the northern boundary of the plat and 280 feet along the eastern boundary to “preserve the wooded kettle hole and steep topography in this area as a private conservation zone” according to language in the March 4 preliminary plat approval letter. The Tree Management Zone impacts portions of Lots 27, 28, and 29 of the final plat; and

- Creation of “Building Construction Envelopes” on Lots 28 and 29, which were identified as the areas on those lots where residences could be built. It is implied in the preliminary plat materials for Stonefield Ridge that construction outside those envelopes was not allowed to limit impacts on the mature trees present on those lots.

All of the tree-related conditions were established following an extensive investigation of the site by staff from the Parks Division, who walked the site with the then-property owners and measured and assessed the conditions of the trees to be protected. The March 4, 1988 approval letter and some of the materials provided by Parks staff to substantiate the tree protection measures on the plat are attached to this legislative file for reference. The conditions of the preliminary plat approval were satisfied on the final plat approved by the Council on July 20, 1988.

The current owners of Lot 29 at 5 Hodgson Court, David C. and Robin R. Jelinek, are hoping to relax the building construction envelope on their lot to allow construction of an addition to the east side of their residence. A written request from the owners that includes photos of the property where the addition would be built is attached to the legislative file. The owners are requesting for the envelope to be moved to be 20 feet from the northern wall of the residence and 15 feet from the western wall. The resulting envelope would be 33.5 feet south of and parallel to the northern lot line and 44.15 feet from the western side lot line at its furthest point. An exhibit provided by the owners shows that the proposed building construction envelope is also attached.

Upon recording of the final plat of Stonefield Ridge with the setback lines, tree management zone, and building construction envelopes required to satisfy the conditions of the preliminary plat approval, those elements became restrictions for public benefit, which are governed by Section 236.293 of Wisconsin Statutes. A restriction for public benefit may be released or waived in writing by the public body or public utility having the right of enforcement. If approved, the proposed resolution will allow the existing envelope to be enlarged to accommodate the owner’s proposed addition. No changes are proposed to the tree management zone that also affects Lot 29.

As part of the due diligence for this request, Ald. John Guequierre, in whose district the subject site is located, and Planning staff joined Dave Jelinek on site to observe the current conditions on the property. During the visit, the owner acknowledged that a tree had been removed from the area where the addition would be built within the last few years. Otherwise, staff observed that the enlarged envelope was otherwise devoid of mature trees. Meanwhile, a substantial amount of trees and vegetation remained in the rest of the side and rear yards of the property, including in the triangular tree management zone in the northeastern corner of the site, as well as a significant oak tree near the northwestern corner of the house.

In closing, the tree-related conditions placed on the Stonefield Ridge subdivision were designed to preserve and protect significant mature tree cover present along the northern and eastern edges of that development. The Planning Division does not object to the owner’s request to relax the building construction envelope on Lot 29 to allow an addition to the existing residence to be constructed. While the partial release will allow more construction to occur on the property than was envisioned in 1988 when the subdivision was approved, the additional development on Lot 29 should not significantly impact the remaining mature trees present on the property. In staff’s opinion, the partial release requested by the property owners represents the evolution of the tree protection conditions applied nearly 40 years ago to reflect the maturation of the subdivision. Staff believes that the

conditions will continue to perform as originally intended despite applying to slightly less area on Lot 29 than they currently do.

If approved, a partial release document and exhibit(s) shall be drafted in a format reviewed and approved by the City Attorney's Office and Planning Division prior to final execution and recording with the Dane County Register of Deeds.