



Department of Planning & Community & Economic Development

Planning Division

Heather Stouder, Director

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

****BY E-MAIL ONLY****

August 12, 2022

Octavio Galvez
5075 Rocky Lane
Loves Park, IL 61111

RE: Consideration of a conditional use to construct an accessory building on a lakefront parcel at 5158 Spring Court. (LNDUSE-2022-00033; ID [70928](#))

Dear Octavio,

At its August 8, 2022 meeting, the Plan Commission found the standards met and **approved** your client's conditional use request for 5158 Spring Court. Prior to issuance of permits for the project, the conditions of approval in the following sections shall be satisfied:

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

1. Provided a proposed site plan, this shall include all lot/ownership lines, existing building locations, the proposed building locations, demolitions, driveways, and sidewalks. The old plot plan for the previous work on the parcel does not show the location for the proposed, larger garage. Additionally two surveys of record were found for this parcel on file with the Dane County Land Records office specifically showing the location of the existing garage encroaching the public right-of-way by 2 feet. These are records Survey 4-25183 and Survey 79 02 139. Please provide the location of the proposed garage and ensure it will be located outside of the public right-of- way. It would be advised to consult a Wisconsin Professional Land Surveyor for assistance in determining the location of the right-of-way for the planning and construction of your project.

Please contact Bill Sullivan of the Madison Fire Department at (608) 261-9658 if you have any questions regarding the following item:

2. The building shall be a minimum of 3-ft from the adjacent property line or otherwise fire rated per the applicable building code.

Please contact my office at cwells@cityofmadison.com or (608) 261-9135 if you have questions regarding the following two (2) items:

3. The following information is provided for the reference of the applicant as many lakefront properties are associated with locations of Native effigy mounds and archaeological sites.

Burial Sites Preservation (§ 157.70):

(2r) Site Disturbance Prohibited. Except as provided under subs (4) and (5) and State Statute 157.111 and 157.112, no person may intentionally cause or permit the disturbance of a burial site or catalogued land contiguous to a catalogued burial site.

(3) Report of Disturbed Burial Sites. (a) Except as provided under s. 979.01, a person shall immediately notify the Wisconsin Historical Society (608-264-6502) if the person knows or has reasonable grounds to believe that a burial site or the catalogued land contiguous to a catalogued burial site is being disturbed or may be disturbed contrary to the requirements of subs. (4) and (5).

Many lakefront properties are associated with locations of Native American effigy mounds and archeological sites. This site is known to be very close to those associated with archeological and historic resources. The Burial Sites Preservation statute requires that the property owner contact the Wisconsin Historical Society to discuss the location of the proposed project and any possible disturbance of an archaeological or historic resource before the work commences. During the construction work, if a burial site disturbance occurs, the work shall stop immediately until the Wisconsin Historical Society is able to assess the site.

4. As part of securing the required Request to Disturb from the Wisconsin Historical Society, also copy the submittal to the Ho-Chunk National Tribal Historic Preservation Office. Contact at The Ho-Chunk Nation's National Tribal Historic Preservation Office: William Quackenbush. P. O. Box 667, Black River Falls, WI 54615. Phone: 715-284-7181 ext. 1121. Email: bill.quackenbush@ho-chunk.com

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

Please now follow the procedures listed below for obtaining permits for your project:

1. After the plans have been revised per the above conditions, please **one (1) complete digital plan set in PDF format** of complete, fully dimensioned, and to-scale plans; the appropriate site plan review application and [site plan review fee \(pursuant to Section 28.206 of the Zoning Code\)](#); and any other documentation requested herein to the Zoning Administrator at SPRApplications@cityofmadison.com. (Note that that an individual email cannot exceed 20MB and it is the responsibility of the applicant to present files in a manner that can be accepted. Please email SPRApplications@cityofmadison.com regarding questions or if you need alternative filing options. The sets of final revised plans or documents will be circulated by Zoning staff to the City department staff listed above for their final approval.

2. The [site plan review fee pursuant to Section 28.206](#) can be mailed in, dropped in the drop box at the Madison Municipal Building, or you can make an appointment at the Zoning counter to pay the fee. Checks should be made out to "City Treasurer." If you mail in the check or use the drop box, please include the application form with the project address and contact information. Zoning staff typically suggest using the drop box or making an appointment with the Zoning counter to pay the fee as they are the quickest.

Mailing Address: City of Madison Building Inspection. P.O. Box 2984. Madison, WI 53701-2984

Drop Box Location: Madison Municipal Building, Doty Street Entrance. 215 Martin Luther King Jr Blvd. Madison, WI 53701-2984

Zoning Counter Appointment: <https://www.cityofmadison.com/dpced/bi/schedule-a-counter-appointment/3423/>

3. City Agencies who submitted conditions of approval will review your revised plans to verify that their conditions, along with any applicable requirements, have been satisfied. When the revised plans are submitted, the applicant will be emailed a hyperlink to a website to follow, in real time, which agencies have reviewed the revised documents, and signed off or need additional information.
4. This letter shall be signed by the applicant and property owner (if not the applicant) to acknowledge the conditions of approval and returned to the Zoning Administrator when requesting building permit approval. [Signature block on last page]
5. No alteration of this proposal shall be permitted unless approved by the Plan Commission, provided, however, the Zoning Administrator may issue permits for minor alterations. No alteration of a conditional use shall be permitted unless approved by the Plan Commission provided, however, the Zoning Administrator following consideration by the alderperson of the district, may approve minor alterations or additions which are approved by the Director of Planning and Community and Economic Development and are compatible with the concept approved by the Plan Commission and the conditional use standards. This approval shall become null and void one (1) year after the date of the Plan Commission unless the use is commenced, construction is under way, or a valid building permit is issued and construction commenced within 6 months of the issuance of said building permit. Where the plans have not been altered from the Plan Commission's approval, and the conditional use has expired, the Director of Planning and Community and Economic Development may, after consultation with the Alderperson of the District, approve an extension for up to 24 months from the expiration date. The Plan Commission shall retain jurisdiction over this matter for the purpose of resolving complaints against the approved conditional use permit.

If you have any questions regarding obtaining your building permits, please contact the Zoning Administrator at (608) 266-4551. If you have any other questions or if you may be of any further assistance, please do not hesitate to contact my office at cwells@cityofmadison.com or (608) 261-9135.

Sincerely,



Chris Wells
Planner

I hereby acknowledge that I understand and will comply with the above conditions of approval for this project.

Signature of Applicant

Signature of Property Owner (if not the applicant)

cc: Julius Smith, Engineering - Mapping
Bill Sullivan, Fire Department

LNDUSE-2022-00033			
For Official Use Only, Re: Final Plan Routing			
☒	Planning Div. (Wells)	☒	Engineering Mapping Sec.
☒	Zoning Administrator	☐	Parks Division
☒	City Engineering	☐	Urban Design Commission
☒	Traffic Engineering	☐	Recycling Coord. (R&R)
☒	Fire Department	☐	Water Utility
☐	Metro Transit	☐	Other: Forestry