



PREPARED FOR THE PLAN COMMISSION

Project Address: 117 N. Ingersoll Street (2nd Aldermanic District, Alder Zellers)

Application Type: Demolition Permit

Legistar File ID #: [46729](#)

Prepared By: Chris Wells, Planning Division
Report Includes Comments from other City Agencies, as noted

Reviewed By: Kevin Firchow, AICP, Principal Planner

Summary

Applicant & Owner: Phil Jackson; HouseSpace; 102 Ferchland Place; Monona, WI 53714

Requested Action: Approval of a demolition of a single-family residence and construction of a new single-family residence at 117 N. Ingersoll Street.

Proposal Summary: The applicant proposes to demolish a single-family residence and construct a new single-family residence.

Applicable Regulations & Standards: This proposal is subject to the standards for demolition permits (MGO §28.185).

Review Required By: Plan Commission (PC)

Summary Recommendation: The Planning Division recommends that the Plan Commission find that the demolition standards are met and **approve** the request to demolish a single-family residence in order to construct a new single-family residence at 117 N. Ingersoll Street. This recommendation is subject to input at the public hearing and the conditions recommended by the Planning Division and other reviewing agencies.

Background Information

Parcel Location: The subject parcel is located on the east side of N. Ingersoll Street, between E. Dayton Street and E. Mifflin Street; Aldermanic District 2 (Zellers); and the Madison Metropolitan School District.

Existing Conditions and Land Use: The 2,500-square-foot (0.06-acre) site is developed with a two-story, two-bedroom, one-and-a-half-bath, single-family home, originally constructed in 1901. The lot also has a detached garage and is zoned Traditional Residential-Varied 1 (TR-V1).

Surrounding Land Use and Zoning:

North: Single Family Residences, zoned Traditional Residential-Varied 1 (TR-C1);

East: Single Family Residences, zoned TR-C1;

South: Single Family Residences, zoned TR-C1;

West: Across N. Ingersoll Street is the Lapham Elementary School, zoned TR-C1.

Adopted Land Use Plan: The [Comprehensive Plan \(2006\)](#) and the [Tenney-Lapham Neighborhood Plan \(2008\)](#) both recommend Medium-Density Residential (16-40 units per acre) uses for this site. The neighborhood plan states that extra care should be given to infill projects within areas of existing housing. Infill sites should be thought of as the “missing teeth” in an otherwise cohesive group of structures that are associated by age, style and purpose. New structures must be consistent with the established architectural context, which includes a height limit of 3- stories. Tear down and rebuilding can be acceptable in this context for structures that themselves are “toothaches” with respect to the plan’s design standards. The Plan includes additional design standards that include:

- Ratio of footprint-to-lot-size of replacement residential structures should be comparable to the surrounding neighborhood.
- Front porches are encouraged.
- Consistency of scale, spacing, and general architectural vernacular of the surrounding neighborhood is required.

Zoning Summary: The property is in the Traditional Residential-Varied 1 (TR-V1) District.

Requirements	Required	Proposed
Lot Area (sq. ft.)	3,000 sq. ft.	2,541 sq. ft.
Lot Width	30'	33'
Front Yard Setback	20' (11.1' front setback average)	Adequate
Max. Front Yard Setback	30' or up to 20% greater than block average	Adequate
Side Yard Setback	One-story: 5' Two-story: 6' Lot width <50': 10% of lot width (3.3')	.7' *Setback complies with approved variance.
Reverse Corner Side Yard Setback	12'	N/A
Rear Yard Setback	Lesser of 25% lot depth or 25'	31'
Usable Open Space	500 sq. ft.	Adequate
Maximum Lot Coverage	70%	Less than 70%
Maximum Building Height	2 stories/ 35'	2 stories
Site Design	Required	Proposed
Number Parking Stalls	1 (location only)	Detached garage
Building Forms	Yes	Single-Family Detached Building
Other Critical Zoning Items	Utility Easements	

Section 28.031(1): Where at least fifty percent (50%) of the front footage of any block is built up with principal structures, the minimum front yard setback for new structures shall be the average setback of the existing principal structures on the block face or the normal setback requirement in the district whichever is less, but no less than ten (10) feet.

Information prepared by Jenny Kirchgatter, Assistant Zoning Administrator

Environmental Corridor Status: The subject site is not located in a mapped environmental corridor.

Public Utilities and Services: This property is served by a range of urban services. All day Metro access is located 0.1-miles to the south at the intersection of Ingersoll Street and E. Washington Avenue.

Project History

The applicant's letter of intent provides information related to the history of the request. City records indicate that the current owner purchased the home from Ray Peterson in May 2016. Based on the provided letter, the home had extensive damage prior to being purchased by the applicant. Specific issues included extensive water damage from a leaking roof and load-bearing walls that had been removed.

Prior to starting renovations, the applicant received variance approval from the Zoning Board of Appeals on August 25, 2016. As noted in the comments from the Zoning Administrator, the approved side-yard variance allowed the applicant to construct a second-story addition as proposed. As originally constructed, the home had less than a one-foot side yard setback.

Upon receiving variance approval, the applicant obtained building permits and proceeded with the renovation. The extent of the structural damage was not known until renovation work began. As noted in the application materials, the applicant indicates that the existing studs on the front and rear walls were so deteriorated that repairing and "sistering" new studs to the damaged ones was not a feasible option to repair the walls. Staff understands that the applicant proceeded with the renovation process, not aware of the threshold that would require Plan Commission Demolition Permit approval.

During a site visit, City Building Inspection noted that portions of the exterior walls had been removed to accommodate the renovations. Upon consultation with the Zoning Administrator, it was determined that activities met the technical definition of "demolition." Note, the Zoning Code defines demolition as an act or process that removes, pulls down, tears down, razes, deconstructs, or destroys an existing building wall facing a public street or, during any ten (10) year period, removes, pulls down, tears down, razes, deconstructs or destroys fifty percent (50%) or more of the area of the exterior walls of a building."

After being notified that a demolition permit would be required prior to proceeding, the applicant immediately filed the necessary application materials and is now before the Plan Commission. Work has been on hold since that time and the building has remained covered in tarps to protect it from the elements.

Project Description, Analysis, and Conclusion

As the proposed renovation work has met the Zoning Code's technical definition of "demolition" the applicant seeks approval to demolish a vacant single-family residence to construct a new single-family residence. This request is subject to the approval standards for demolition permits. Staff notes that a single-family home is a permitted use and no conditional use approval is sought.

Upon completion of the project, the resulting two-story single family residence would include three bedrooms and two-and-a-half-bathrooms. The home includes a front porch and would be primarily clad in horizontal siding. While not labeled on the plans, the applicant has clarified that this will be vinyl siding.

In order to approve a demolition request, the Plan Commission must find that both the requested demolition and the proposed future use are compatible with the purpose of the demolition section and the intent and purpose expressed in the TR-V1 Zoning District. (A copy of the statement of purpose is provided as Attachment 1). The purpose of the Demolition section is to aid in the implementation of adopted City plans, protect neighborhood character, preserve historic buildings, encourage the reuse and/or relocation of existing buildings, discourage buildings falling into a state of severe disrepair from lack of maintenance by the

owner, encourage compliance with building and minimum housing codes, and allow the property owner to have a decision on approval or disapproval of the proposed use of the property before he or she takes the irrevocable step of demolishing or moving the buildings.

The standards state that the Plan Commission shall consider and may give decisive weight to any relevant facts including impacts on the normal and orderly development of surrounding properties and the reasonableness of efforts to relocate the building. The demolition standards also state that the proposed use should be compatible with adopted plans. A summary of Plan Recommendations is included above and the Planning Division believes that the proposal can be found consistent with those recommendations.

Finally, the demolition standards state that the Plan Commission shall consider the report of the City's Historic Preservation Planner regarding the historic value of the property as well as any report submitted by the Landmarks Commission. The Landmarks Commission found that the building had no known historic value.

While it is unfortunate that this proposal came to the Plan Commission after the demolition process had begun, staff nonetheless believes the standards can be found met and believe it is in the public interest to approve this request to allow the renovation work proceed.

At the time of report writing, staff was not aware of any public comments on this item.

Recommendation

Planning Division Recommendation (Contact Chris Wells, 261-9135)

The Planning Division recommends that the Plan Commission find that the demolition standards are met and **approve** the request to demolish a single-family residence in order to construct a new single-family residence at 117 N. Ingersoll Street. This recommendation is subject to input at the public hearing and the conditions recommended by the Planning Division and other reviewing agencies.

Recommended Conditions of Approval

Major/Non-Standard Conditions are Shaded

City Engineering Division (Contact Brenda Stanley, 261-9127)

1. A portion of this property appears to drain to an enclosed depression in the rear of the lot. The applicant shall provide sufficient information to document that the runoff from this property is being discharged to the public ROW. If that cannot happen then no increase in volumetric discharge during a 10 year event may be allowed to discharge offsite into the enclosed depression. Calculations and a maintenance agreement will be required to be provided and recorded with the register of deeds respectively if this option is chosen.
2. The Applicant shall replace all sidewalk and curb and gutter which abuts the property which is damaged by the construction or any sidewalk and curb and gutter which the City Engineer determines needs to be replaced because it is not at a desirable grade regardless of whether the condition existed prior to beginning construction. (POLICY)

3. All work in the public right-of-way shall be performed by a City licensed contractor. (MGO 16.23(9)(c)5 and MGO 23.01)

Zoning Administrator (Contact Jenny Kirchgatter, (608) 266-4429)

4. On August 25, 2016, the Zoning Board of Appeals approved the request for a side yard variance to construct a second-story addition to the single-family residence.
5. Section 28.185(7)(a)5. requires that if a demolition or removal permit is approved, it shall not be issued until the reuse and recycling plan is approved by the Recycling Coordinator, Bryan Johnson (608-266-4682).
6. Section 28.185(10) Every person who is required to submit a reuse and recycling plan pursuant to Section 28.185(7)(a)5. shall submit documents showing compliance with the plan within sixty (60) days of completion of demolition.

Fire Review (Contact William Sullivan, (608) 261-9658)

7. Please consider allowing Madison Fire Dept. to conduct training sequences prior to demolition. Contact MFD Training Division to discuss possibilities: Captain Jerry Buechner at jbuechner@cityofmadison.com or (608) 516-9195.
8. Madison Fire Department recommends the installation of a residential fire sprinkler system in accordance with NFPA 13D and SPS 382.40(3)(e). Additional information is available at the Home Fire Sprinkler Coalition website: <http://www.homefiresprinkler.org/Consumer/ConsHome.html>

28.046 TRADITIONAL RESIDENTIAL - VARIED DISTRICTS.

(1) Statement of Purpose.

The TR-V Districts are established to stabilize, protect and encourage throughout the City the essential characteristics of mature residential areas and to accommodate a full range of life-cycle housing while encouraging a suitable environment for family life. The districts are also intended to:

- (a) Promote the preservation, development and redevelopment of traditional residential neighborhoods in a manner consistent with their distinct form and residential character.
- (b) Ensure that new buildings and additions to existing buildings are designed with sensitivity to their context in terms of building placement, facade width, height and proportions, garage and driveway placement, landscaping, and similar design features.
- (c) Maintain and improve the viability of existing housing of all types, while providing for updating of older housing in a context-sensitive manner.
- (d) Maintain or increase compatibility between residential and other allowed uses, and between different housing types, where permitted, by maintaining consistent building orientation and parking placement and screening.
- (e) Facilitate the preservation, development or redevelopment goals of the comprehensive plan and of adopted neighborhood, corridor or special area plans.