

March 3, 2005

Miguel and Donna Garcia  
3906 Jenna Drive  
Madison, Wisconsin 53704

RE: Rezoning a 7,750 square-foot zoning lot located at 101 Morningside Avenue from R2 (Single-Family Residence District) to R4 (General Residence District) to allow an existing two-family dwelling to remain.

Dear Mr. & Mrs. Garcia:

At its March 1, 2005 meeting, the Common Council approved your application for rezoning property located at 101 Morningside Avenue from R2 and District R4. The conditions of approval for the rezoning to take effect are:

**Please contact Kathy Voeck, the Acting Zoning Administrator, at 266-4551 if you have questions regarding the following two items:**

1. Meet all applicable building codes for a two-unit building. A Certificate of Occupancy is required prior to renting out the second dwelling unit.
2. Provide two legal parking stalls or obtain a parking reduction for one parking stall from the Zoning Administrator.

**Please contact Si Widstrand, Parks Division, at (608) 266-4711 if you have questions about the following two items:**

3. Park dedication required for the additional unit is 1100 square feet. The required dedication shall be paid as a fee in lieu of land, based on the actual value of the acreage up to a maximum of \$1.65 per square foot.  
→ Land Fee Value: \$1,815 + Park Development Fee: \$779.50 = Total Park Fees: \$2,594.50.

The park fees shall be paid prior to the enactment of the zoning map amendment. Please present a copy of a receipt for the fees to Planning Unit and Zoning staff to satisfy this item.

**Please contact my office at 261-9632 if you have questions about the following item:**

4. Prior to the zoning map amendment becoming effective, the zoning lot shall be deed restricted to require the property owner of record to submit an application rezoning the

101 Morningside Drive  
March 3, 2005  
Page 2

property back to R2 (or comparable) single-family zoning at such time as Mrs. Mae Hanson ceases to occupy a unit on the lot. The restriction shall require the owner to notify the Zoning Administrator at that time. The deed restriction shall also prohibit any modification of the existing building to accommodate an additional dwelling unit. The Planning Unit and City Attorney's Office shall approve the deed restriction.

Conditions 2-4 shall be accomplished prior to the issuance of the Certificate of Occupancy required in condition #1. If you have any questions or if I may otherwise be of any further assistance, please do not hesitate to contact my office at (608) 261-9632.

Sincerely,

Timothy M. Parks  
Planner

cc: Kathy Voeck, Assistant Zoning Administrator  
Si Widstrand, Parks Division