

July 8, 2006

Department of Planning and Development
215 Martin Luther King, Jr. Boulevard
Madison, WI 53701

RE: 5116 Spring Court

Dear Members of the Plan Commission,

My husband and I are the property owners of 5116 Spring Court. We have a 6-week old daughter and I am uncertain as to whether or not I will be able to speak at the July 10th meeting. I hope to convey a few of my thoughts for you here, instead.

We hope that you find the changes that have been made to our original plan to be minor. We never would have done anything to dramatically alter the plan. Not only because we simply would not do that but, also, because we knew that our neighbors would be closely watching our home's construction. We went through several meetings to get where we are and would never, ever jeopardize that. We were thrilled to receive approval and be able to start construction.

When they hit water sooner than expected, we thought the wisest decision to avoid future problems would be to raise the basement. It was not, however, without careful consideration, that we did so. We initially had 10 and nine-foot ceilings in our home. By taking one foot out of each floor's ceiling heights, we were able to raise the basement without raising the height of the house. In fact, the house is now 17 inches lower than the approved height. The overall mass of our home has not changed.

Our architects made an inexcusable error in the line drawings of our home compared to the neighbors' homes. They disappointed us in several ways and, as a result, we are no longer working with them. I am a first grade teacher and, not only would I not have been qualified to catch their error earlier, I also am inclined to trust that people do their jobs well. My husband and I have learned that this is not always the case. Unfortunately, this error has cost us a tremendous amount of emotional and monetary pain.

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The letters of opposition speak primarily to the square footage of our home. The size of our home was discussed, at length, at the previous meetings and has not changed. We took the original plans, with the same square footage, to our neighbors before ever going through our initial approval process. They did not address this concern with us then or throughout the process. They did not, in fact, express any concern to us until the end of the process. At that time, their primary concern was the garage, which received several changes before the final approval. We value our neighbors and were hurt that they hadn't made any effort to contact us directly earlier. Similarly, we were not contacted about any concern as our home was being erected.

Our home is not the beginning of change on Spring Court. We seem to have three types of homes on our street- second-home cottages, primary residents who are retired or whose children are grown, and primary residents with growing families. If you drive down the street, it is peppered with homes that have significantly taller rooflines than their cottage neighbors. The newer homes seem to be built by those of us who have lived on Spring Court for several years and whose families are growing. Other residents with grown children or cottages are currently happy with the sizes of their homes. They also recognize that, if and when they choose to move off of the lake, the new owners will most likely want to make changes to their homes to accommodate their individual needs.

We love our neighborhood and our neighbors and believe that neighborhoods are made up of people, not houses. We feel blessed to have such incredible neighbors. We see each other and talk on a daily basis. We collect each other's mail and watch each other's pets and children. We share our yards and everything in them. We stop by to chat and share stories. Most of our neighbors have shown a tremendous amount of support for our project. They have gone out of their way on several occasions (most recently, our neighborhood meeting), to express their support.

Jason and I have lived on Spring Court for 8 years and hope to live there for many more. Contrary to what one of our opponents stated, our home on Spring Court is our only home and we are looking forward to watching our children grow up there. It is a "charming" street. We are excited to see it continue to change and grow throughout the years to come. We hope that

you find our changes to be minor so that we can continue construction on our home. Thank you for your consideration.

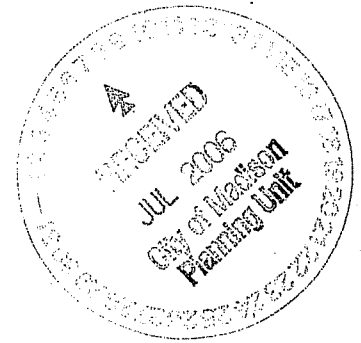
Sincerely,

Lori A. Smith

Chuck Gates & Candy Schrank
5042 Lake Mendota Drive
Madison, WI 53705

July 6, 2006

Mr. Brad Murphy
Department of Planning and Development
215 Martin Luther King, Jr. Boulevard
Madison, WI 53701



Re: 5116 Spring Court

Dear Mr. Murphy:

We oppose the application for conditional use permit for this property. Our opposition is primarily based on Section 28.11(g) 3., which states "That the uses, values and enjoyment of other property in the neighborhood for purposes already established shall be in no foreseeable manner substantially impaired or diminished by the establishment, maintenance or operation of the conditional use."

This is a lakefront neighborhood. The lake is public property, and as such is available for all the public and landowners to enjoy. This proposed house is detrimental to the use, values and enjoyment by virtue of its immense size relative to other structures nearby and available open/green space. It is a most significant and detrimental step toward turning beautiful, charming Spring Court into an alleyway for huge houses on the lake, blocking views for the public and private property owners alike, and closing in space, reducing permeable land area and natural vegetation. And from the lake, the house dwarfs the surrounding houses and seems out of place.

To underscore the point we offer a few dimensions. This is an approximate 6000 ft² house on a 49' wide lot, and requires side yard variances. The 120+ft total length takes up more than half of the total lot length. This house has more than twice the square footage of any nearby house and more than 50% more than the largest house on the street. It just doesn't match the neighborhood and is crammed into the lot. There is not a hint of compromise or consideration for the surroundings in these statistics.

We have reviewed all the documents and find it interesting that the original submittal misrepresented the height of the proposed structure relative to the adjacent houses. We have included a sketch that shows the misrepresentation, and offer it as another graphical indicator that this house is not of appropriate size.

In summary, we urge you to require the applicants to submit plans for a dwelling of reduced size, more in accordance with protecting the neighborhood, the general public and private property owner's use, values and enjoyment. We citizens count on you to represent us all, not just the lakefront property owners trying to squeeze more house onto their lot or attempting to maximize their possible resale value by supporting a "large house" precedent. We are 20+ year lakefront owners ourselves who have remodeled and understand the temptation but again urge you to represent the best interest of the neighborhood, the general public and other private property owners, not just those with lakeside lots.

Sincerely,

Handwritten signature of Chuck Gates in black ink.

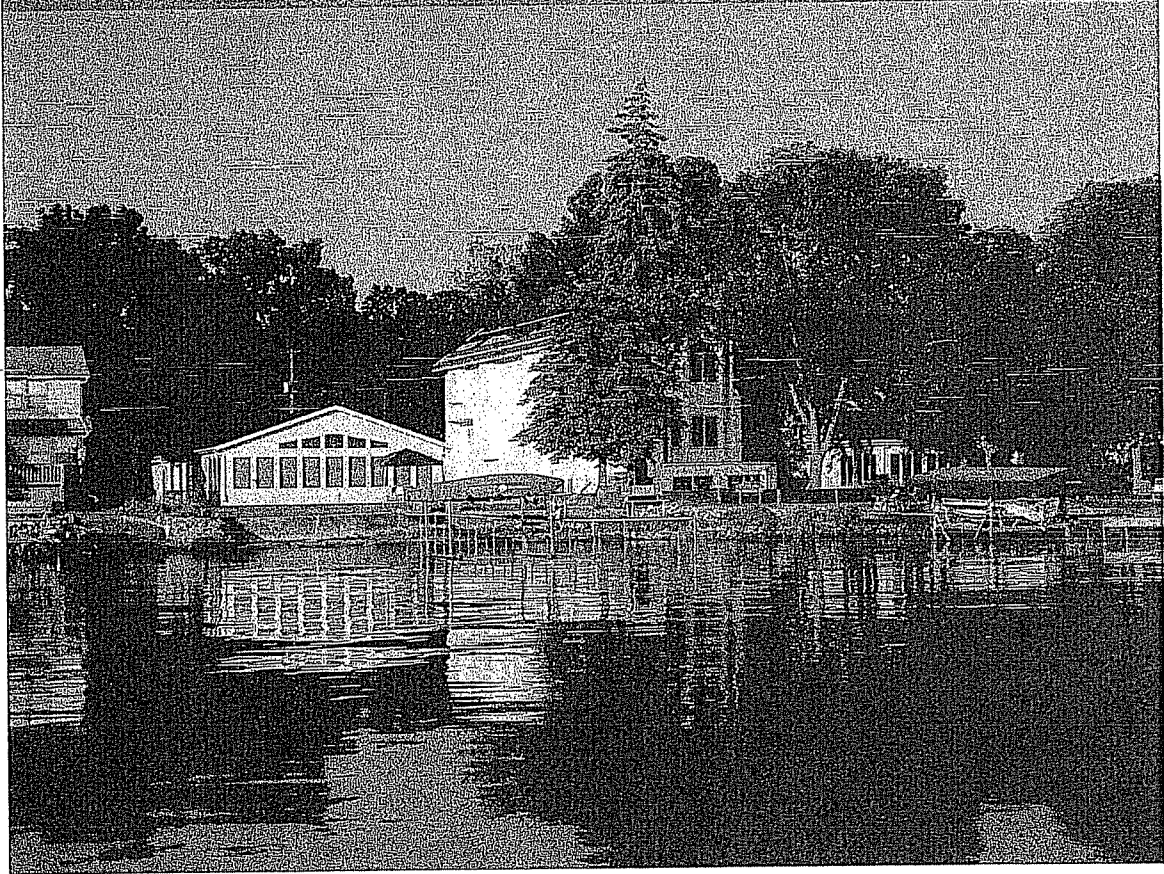
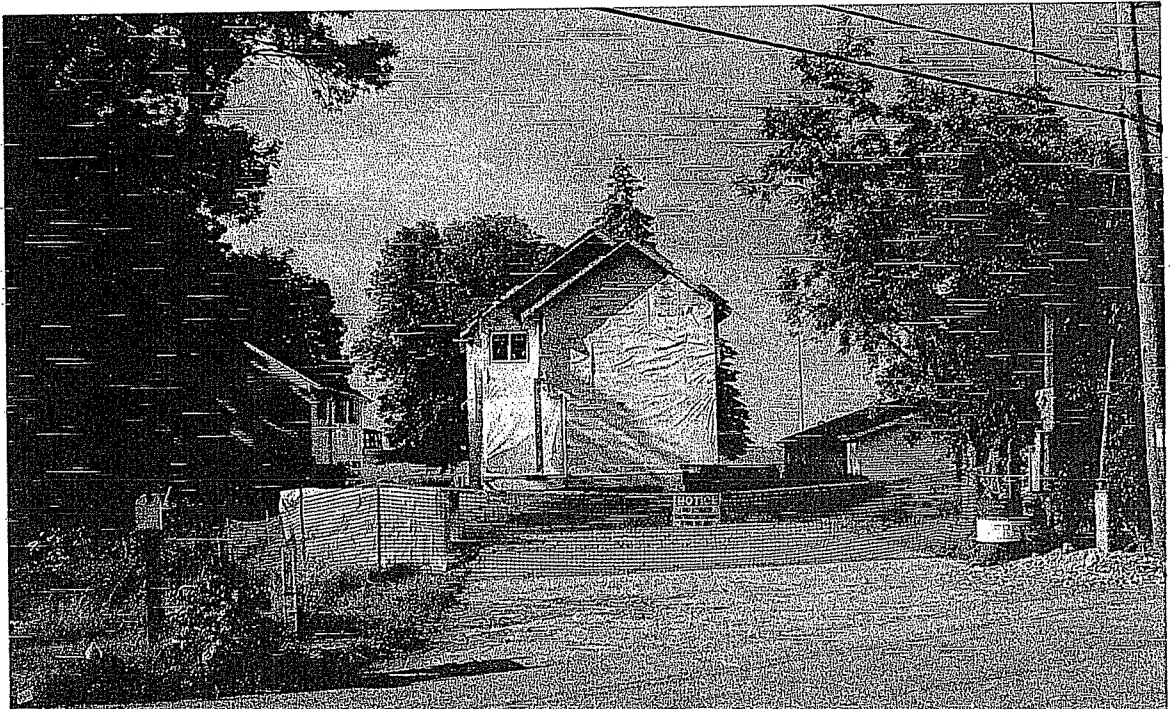
Chuck Gates

Handwritten signature of Candy Schrank in black ink.

Candy Schrank

Attachments: Elevation and photograph

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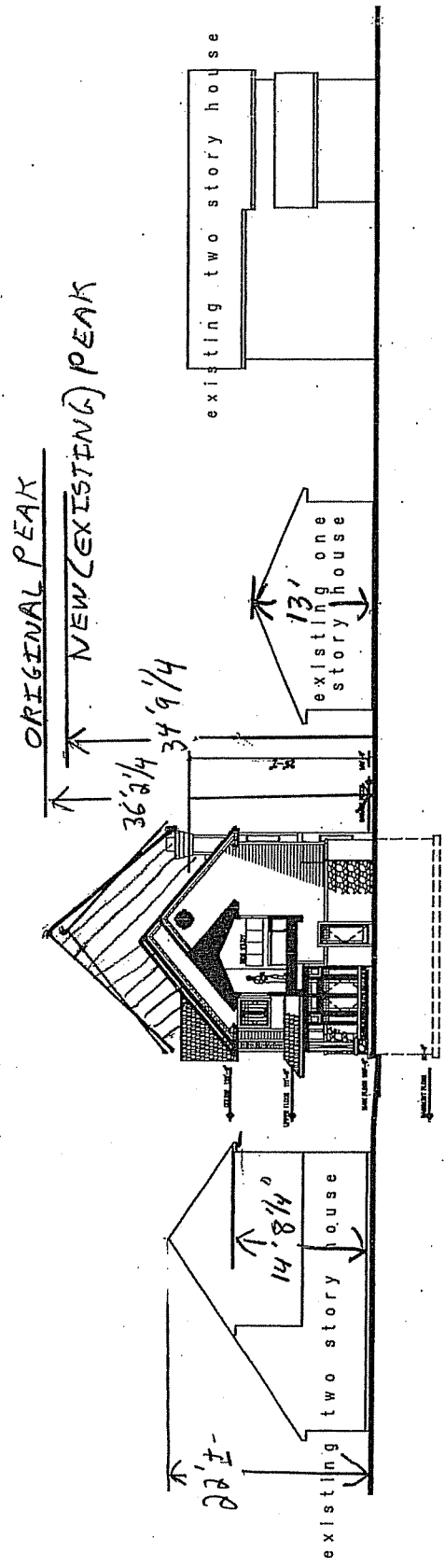
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10/24/10
C90.2c

REVISIONS

ORIGINAL ELEVATION SUBMITTAL

THIS PLAN THAT THE ORIGINAL CONDITIONAL USE VARIANCE AND PERMIT WERE BASED ON GROSSLY MISREPRESENTED THE HEIGHT OF THE HOUSE.



SCALE 1/8" = 10'
VERIFIED AGAINST EXISTING HOUSES

10/24/10

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<p>ZINGG ARCHITECTURE INTERIOR DESIGN PLANNING</p> <p>8001 Market Avenue Jackson, Wyoming 83002 Phone 307-433-8282 Fax 307-433-8488 www.zingg.com</p>		<p>PROJECT</p> <p>PROPOSED LAKE HOUSE GARTH RESIDENCE</p> <p>ONE SPRING COURT JACKSON, WY 83008</p> <p>SHEET TITLE</p>	<p>ELEVATIONS</p> <p>NOTES</p>	<p>DATE 07/12/10</p> <p>DATE</p> <p>FILE NUMBER 0305</p> <p>DRAWN BY MZ/BE</p> <p>SCALE 1/8" = 1'-0"</p> <p>THIS DRAWING IS AN INSTRUMENT OF SERVICE AND IS THE PROPERTY OF ZINGG ARCHITECTURE PLANNING. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON.</p>	<p>SHEET NUMBER</p> <p>A41</p>
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**NEIGHBORHOOD PETITION SUPPORTING COMPLETION OF CONSTRUCTION
OF 5116 SPRING ~~STREET~~ COURT**

We are neighbors of 5116 Spring ^{Court} ~~Street~~. We understand that, in response to a complaint, the City of Madison has stopped construction of Jason and Lori Smith's house at 5116 Spring ^{Court} ~~Street~~. We have seen the house as-built and have had a chance to review the plans and drawings of the house. The house as-built is consistent with what we understood would be built. The Smith house fits into and is an asset to the neighborhood. We support the Smiths' request that the City approve the current plans for the house so that the construction can be completed as promptly as possible.

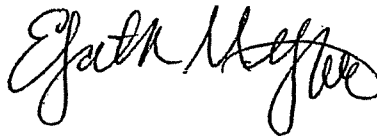
Name	Address	Date
TIM ERDMAN	5120 SPRING CT ^{CELL:} 692-1444	7/6/06
Barbara Oregon	5114 Spring Ct.	7/6/06
Dwain Schumacher	5118 Spring Ct	7/6/06
Jenny Oregon	5114 Spring Ct	7/6/06
DAVID ANDERSON	5132 Spring Ct	7/6/06
CANDI ANDERSON	" " "	7/6/06
Cynthia Schumacher	5118 Spring Ct	"
Richard G. Hays	5128 Spring Ct	7/6/06
Jayne Glad	5128 Spring Ct	7/6/06
Mark Shultz	5106 " "	7/6/06
Janey Leach-Shultz	" " "	7/6/06
Leletha Hernandez	5119 Spring Court 5118 Lake Mendota	7-6-06
Raymond J. Bates	5129 Spring Ct	7-6-06
Audrey M. Bates	5129 Spring Ct	7-6-06

Dear City of Madison Zoning and Planning,

The house that is being constructed for Jason and Lori Smith is similar in appearance to the approved drawing. I am not sure why construction is being stopped at this late date in the building process and would just like to get the construction over as soon as possible with so our neighborhood can get back to normal.



Kyle and Elizabeth Metzloff
5105 Spring Ct.



June 26, 2006

Re: Jason and Laurie Smith Residence, Spring Court, Madison, WI 53705

To Whom It May Concern:

We are aware that deviations from the original house plans have occurred. However, there is no way these changes represent a significant enough change to the original design to stop construction.

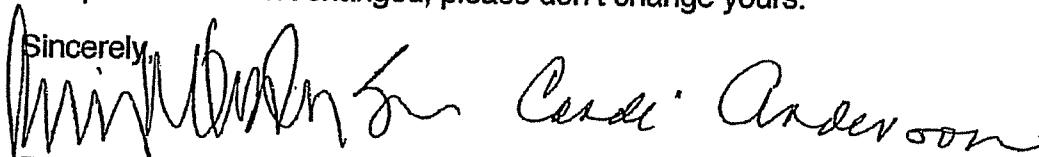
It is my wife's and my opinion the reasons for stopping the construction are minor and without substance.

We were excited to see the construction start and bring a fresh new look to the neighborhood. However, we are **not** happy to see the construction delayed and the disruption to our neighborhood extended.

Please do not let one neighbor influence you into thinking these changes are a bad thing. My wife and I have been **very** supportive of the Smith's new house project from the very beginning and have testified to that support at both the zoning hearings and the planning commission.

Our position has not changed, please don't change yours.

Sincerely,

A handwritten signature in cursive script, appearing to read "David and Candi Anderson".

David and Candi Anderson
5132 Spring Court
Madison, WI 53705

City of Madison
Zoning and Planning Commission
216 Martin Luther King Blvd
Madison, WI 53703

June 23, 2006

Re; Mr. and Mrs. Jason Smith
5116 Spring Court
Madison, WI 543705
New Construction Project

Dear Committee,

As a resident and owner of 5104 Spring Court we have reviewed the plans of Jason and Laurie Smith's new construction on several occasions as it was presented in November of 2005 and again in the spring of 2006. We also have seen the construction in its present form as the outside of the structure is being completed.

We find no objection to the present dimensions and feel that it is reasonable as noted in earlier drawings. We feel that this is a fine addition to the neighborhood and will only affect the values in a positive way.

Sincerely,



David P. and Edyie A. Walther
5104 Spring Court
Madison, WI 53705

Brad Murphy
Department of Planning and Development
City of Madison

Mr. Murphy,

We strongly support the project at 5116 Spring Court. The height of the house is what we expected to see, there are no surprises. Please let Jason and Lori start building again, we do not want this project to be held up any longer. Holding up the house in a half completed state by sending them back through Zoning and Planning is the worst thing you could do to our neighborhood.

Thank You,



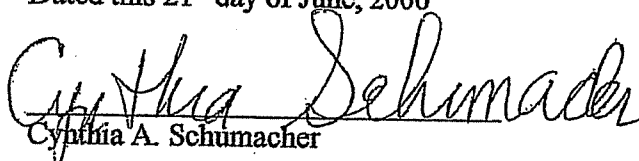
Ed Tallard
5112 Spring Court

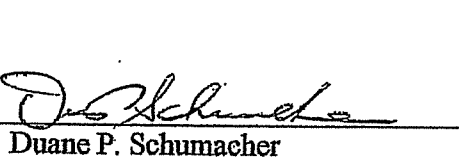
To Whom It May Concern:

The undersigned reside at 5118 Spring Court. We have owned our home for over 38 years and have seen many changes in our neighborhood during this period of time. The proposed house for 5116 Spring Court is a definite improvement to the area. We approved the plans as explained and shown to us. We have no objection to the house as constructed now.

Our main concern is that a disgruntled neighbor can cause a further delay in the completion of this house. Once the house is completed, a beautiful new home will adjoin our home. As we are in the construction cycle now we desire it to be completed as soon as reasonably possible.

Dated this 21st day of June, 2006


Cynthia A. Schumacher


Duane P. Schumacher

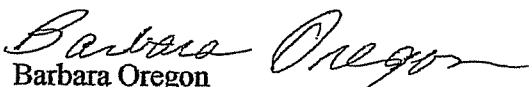
To whom it may concern:

We live at 5114 Spring Court which is adjacent to the east of the property of Jason and Lori Smith; we were approached last fall by them with plans for razing the existing house and building a new house on their lot. Both of us looked the plans over and asked Jason and Lori questions about the plans and we told them that we thought that what they wanted to do was very nice. We continued to follow the progress they had made with the planning commission and were apprised of the changes as they were made to gain approval of the commission. When construction started the contractor stopped at our house and told us what they were going to do and gave us a business card so if we had any complaints we could call them. We have watched as the house has gone up, it looks like the plan that we remember, we think that it looks nice with unique lines that make it look like it fits into the neighborhood.

I understand that the neighbor across the street is complaining about the height of the house and that she took pictures of the front of the house, which she had to trespass on my property to do. I fail to understand how someone that has lost this fight before the planning commission can now stop the progress. We also fail to see how it is any business of hers as to how they trimmed the trees in the front of the house; we certainly don't think that we should have any say when they trim their trees. We DO NOT want to see this tied up in legal hassling and the house sitting there as an unfinished eyesore. When if it could and would be completed it would be a beautiful home and add a lot to the lake front area of Spring Court.

Sincerely


Larry Oregon


Barbara Oregon

POST-CONSTRUCTION CHANGES AT 5116 SPRING COURT:

WATER TABLE CHANGES:

BASEMENT FLOOR RAISED THREE FEET DUE TO WATER TABLE

- **Ceiling heights** revised to remain within approved height
 - Basement, first and second floor ceiling heights each lowered one foot
 - Window heights altered to reflect revised ceiling heights
 - 1st and 2nd floor windows one foot shorter
 - Basement windows 18 inches taller

- **Overall height lowered 17 inches**

- **Eave heights revised**

- House eaves raised 6 inches
- Garage eaves raised 18 inches

DECORATING DETAILS:

- **6-inch exposed siding** used throughout house and garage
- **Window grille pattern** simplified
- **Composite shingles** replace asphalt shingles
- **Single** rather than double entry door
- **Deck rail** changed from cable to traditional