



Department of Planning & Community & Economic Development  
**Planning Division**

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Website: [www.cityofmadison.com](http://www.cityofmadison.com)

Madison Municipal Building  
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P.O. Box 2985  
Madison, Wisconsin 53701-2985  
TDD 608 266-4747  
FAX 608 266-8739  
PH 608 266-4635

March 8, 2011

Michael Theisen  
1020 Sherman Avenue  
Madison, WI 53703

RE: Conditional Use approval to allow construction of a replacement accessory building on a lakefront lot at 1020 Sherman Avenue

Dear Mr. Theisen:

At its March 7, 2011 meeting, the Plan Commission, meeting in regular session, found the standards were met and approved your conditional use application to construct a replacement accessory building on a lakefront lot at 1020 Sherman Avenue. To receive final approval of the conditional use, the following conditions must be met:

**Please contact Janet Dailey, City Engineering, at 261-9688 if you have any questions regarding the following item:**

1. City Engineering contacted Paul Spetz, RLS-2525 who prepared the site plan suggesting some minor edits to be made that would clarify the title accuracy of the property represented in this plan. These changes were simply suggestive for final site plan submittal clarification and are not necessary for final approvals.

**Please contact Patrick Anderson, Assistant Zoning Administrator, at 266-5978 if you have any questions regarding the following three (3) items:**

2. Accessory buildings shall meet all building code requirements and shall not be used for human habitation pursuant to City of Madison General Ordinances Section 28.04(19)(b)7.
3. Lake front development shall comply with City of Madison General Ordinances Section 28.04 (19). The cutting of trees and shrubbery shall be limited in the strip of land 35' inland from the normal waterline. In addition, not more than 30% of the frontage of the lot shall be cleared of trees and shrubbery. (Note: Within the waterfront setback requirements tree and shrub cutting shall be limited to consideration of the effect on water quality, protection and scenic beauty, erosion control and reduction of the effluents and nutrients from the shoreland.) Note – Any earth disturbing activity along the lake shore (rip rap, seawalls) may require a permit from the Department of Natural Resources. For more information contact the DNR at 266-2621.
4. Provide surveyors verification pursuant to section 28.04(19)(b)1. establishing the existing development pattern, setback from the normal high water mark. For purposes of this section, the existing development pattern shall mean the average setback of the five (5) developed zoning lots to each side of the proposed development lot. For all zoning lots, the principal building setback shall be not less than the existing development pattern.

**Please contact Bill Sullivan, Madison Fire Department, at 266-4420 if you have any questions regarding the following item:**

- 5. The Madison Fire Department does not object to this proposal provided the project complies with all applicable fire codes and ordinances.

**Please now follow the procedures listed below for obtaining your conditional use:**

- 1. Please submit seven (7) copies of a complete plan set to the Zoning Administrator for final review and comment.
- 2. This property is not in a Wellhead Protection District. All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility. The Water Utility will not need to sign off the final plans, and not need a copy of the approved plans.
- 3. This letter shall be signed by the applicant to acknowledge the conditions of approval and returned to the Zoning Administrator when requesting demolition and/or building permit approval.
- 4. 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. This approval shall become null and void one 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 six months of the issuance of said building permit. The Plan Commission shall retain jurisdiction over this matter for the purpose of resolving complaints against the approved conditional use.

If you have any questions regarding obtaining the conditional use approval, please contact the Zoning Administrator at 266-4551. If you have any questions or if I may be of any further assistance, please do not hesitate to contact my office at 267-1150.

Sincerely,

Kevin Firchow, AICP  
Planner

cc: Janet Dailey, City Engineering  
Patrick Anderson, Zoning  
Bill Sullivan, Madison Fire Department

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

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*Signature of Applicant / Property Owner*

For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Div. (Firchow)	<input checked="" type="checkbox"/>	Engineering Mapping Sec.
<input checked="" type="checkbox"/>	Zoning Administrator	<input type="checkbox"/>	Parks Division
<input checked="" type="checkbox"/>	City Engineering	<input type="checkbox"/>	Urban Design Commission
<input type="checkbox"/>	Traffic Engineering	<input type="checkbox"/>	Recycling Coord. (R&R)
<input checked="" type="checkbox"/>	Fire Department	<input type="checkbox"/>	Other: