## CITY OF MADISON Proposed Demolition & Conditional Use

Location: 5235 Harbor Court

Project Name: Hurley/Dierauf House

Applicant: <u>James W Hurley & Leslie A Dierauf/</u>

Ed Linville & Steve Gallo - Linville Architects

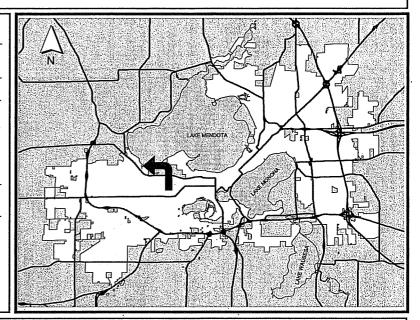
Existing Use: Vacant House

Proposed Use: <u>Demolish House & Build</u>

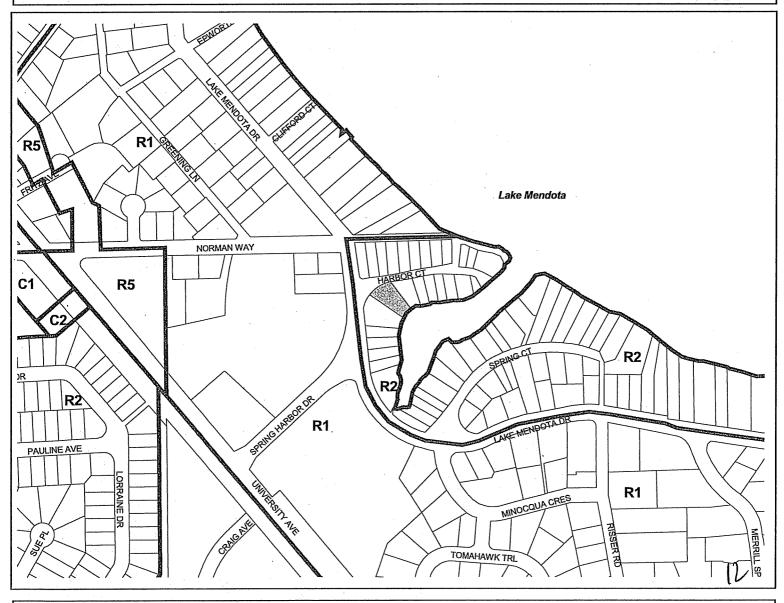
**New Waterfront Home** 

**Public Hearing Date:** 

Plan Commission 07 March 2005



For Questions contact: Bill Roberts at: 266-5974 or broberts@cityofmadison.com or City Planning at 266-4635



Scale: 1" = 400' Planning Unit, Department of Planning & Development: rpj

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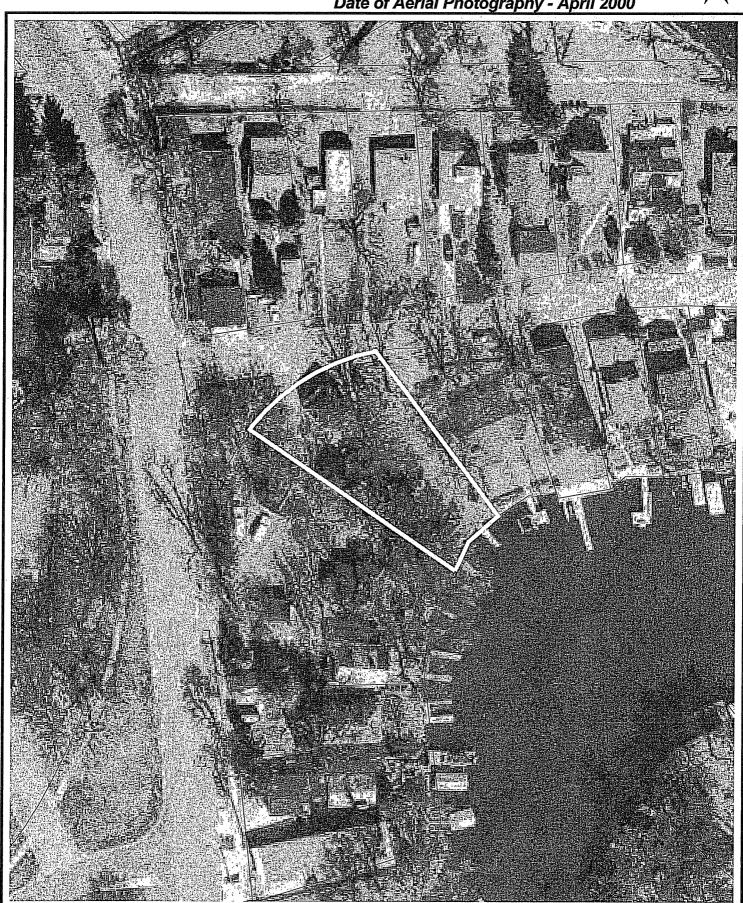
Date: 22 February 2005

# 5235 Harbor Court

100 Feet

Date of Aerial Photography - April 2000





•		FOR OFFICE E ONLY:
		Amt. Paid 550 Receipt # 57839  Date Received 1-26-05
	ARTA	Parcel No. 0709-184-0309-2
	ANIA	Aldermanic District 19, Steve Holtzu
		GQ Waterfrout
eri (1995) de oriente de		Zoning District R2
	eant Notification Fee: \$50	For complete submittal:
Rezon	ning and Conditional Use application fees see	Application
attach		Legal Description
		Letter of Intent
The fe	ollowing information is REQUIRED for ALL	Plans
1116 10	onowing information is regional for ALL	Zoning Text
аррис	eations for Plan Commission every	Received By RT
		Alder Notif. Oct 12,04 Waiver Waiver Waiver
•	758	
	W. Sandar	Issued Sign Oct. 12, 04
	Address of Site: 5235 Harbor Coul	- Madición IUT 53705
1.	Address of Site. Jego 1700000	11 -1 -1 -1 - 2 - 2 - 2 - 2 - 2 - 2 - 2
	Name of Project: Two-story SFR & a	attached garage (122) Warner W. Ha
	Acreage of Site: 0,24 acrés (10,30	
		Dre Dre
2.	This is an application for (check at least one):	
	Rezoning fromto	
	Conditional Use	
	Demolition Permit (Please provide age, C	ity assessment, and the condition of the
•	building(s) to be demolished. Provide pho	otos.)
	Other (Describe)	
3.	You must include or attach a legal description—	
	survey map or plat, or metes and bounds by surve	eyor, engineer, title company, etc., (Note: A
	"Plat of Survey" or "Site Plan" is NOT a legal de	
	because of legal description problems, are to be p	
	without a proper, complete and appropriate le	agal description will NOT be processed)
	Williout a proper, complete and appropriate it	1 of local descriptions on computer diskette
	See attached instruction sheet regarding submitta	
	Block 1, Lot 14, Spring Ha	VIDAY BUDAIVISTAL
	306247, Vol. 3, Page 51	A
	, , ,	
		•
4.	General description of the project or intended	use(s) of this property.
	deconstruction of house and o	
	construction of home (prima	
	and workspace (attached	); 2 story home
		0
5.	Are there existing buildings on this site?	<u>.</u>
	What is the present zoning of this site?	2
	What are the present uses of this site?	occupied hause and garage
		dentral neighborhood
	1911	mery our recognition record
_	D	ecycle and reuse as much
6.	Do you intend to use the existing building(s)?	in it is it is in it
		as possible of existing structures
		SMichines
	MACAUZONING Port A Application doc 1	

7.	What exterior changes are proposed to the existing building(s)?
	n/a existing 2 structures
	na existing 2 structures will be removed
8.	What interior changes are proposed to the existing building(s)?
	nla
9.	Are you proposing to add or build new dwelling units?
	TT
	Owner occupied selling price, from \$ to\$
	Rental n/a no, primary rent levels, from \$ to\$
	yer property anners to live in
10.	For rental housing will you be accepting Section 8 housing vouchers?
	/1 10
11.	When do you wish to occupy this site or building? 50mmer/hall 2005
11.	When do you wish to occupy this site or building? <u>summer/fall 2005</u>
12.	Does this proposal involve any development in the public right-of-way?
12.	No Yes Explain: WAS CUT ONY
13.	Please print (or type) name and mailing address of the property owner. (Please include all
15.	owners involved in partnerships) Dames W. Hurley and Leslie A Dieraud
	Mass 917 Harbor House brive #3
	Madison WI 53719
	Phone: 271-2610 Fax:
	1 Hone
	Please print (or type) name and mailing address of contact person for this project [the person
	that can answer any questions regarding this application or project plans and will appear at the
	public hearing(s)]. Ed Linville Steve Callo
	251 - 669h 251 - 8580
	251-6696 251-8580 or homeowners lesue and Jim 271-2610
	Phone: (co above) Fax: 251-3836 (angula and above)
1 /	Property owner's authorization signature:
14.	[If offer to purchase or contract owner, please indicate below (check one) Architect's, real
	estate agent's, contractor's or tenant's signature is <b>NOT</b> adequate].
	O.1 /T 1 '
	Owner Offer to Purchase Other (Explain
	A A DEDDEDSON and NEICHRORHOOD
15. I	t is extremely important that you inform the ALDERPERSON and NEIGHBORHOOD
A	ASSOCIATION of this district about your proposal as soon as possible. As required by
S	Aprilli 20.12(10)(C) and (U), I have notified Alder person 5100 - 1101(10)
<u>د</u>	shary Bisgard of the Spring Harbor Neighborhood Association in
W	vriting by mail no less than thirty (30) days prior to this submittal. Oct 12, 2004.
Y	$les \sqrt{No}$
. <b>D</b>	No
$\mathbf{D}$	ate that the Neighborhood Association was notified: 64. 12, 2004

- 9. That when applying the above standards to any new construction of a building or an addition to an existing building the City Plan Commission:
  - a. Shall bear in mind the statement of purpose for the zoning district such that the proposed building or addition at its location does not defeat the purposes and objective of the zoning district, and
  - b. May require the applicant to submit plans to the Urban Design Commission for comments and recommendations, and
  - c. May consider the use of the proposed building as it relates to the City's Land Use Plan. When a conditional use application is denied, the Plan Commission shall furnish the applicant in writing those standards that are not met and enumerate reasons the Commission has used in determining that each standard was not met. [Sec. 28.12(10)(g)8., Cr. by Ord. 5869, 6-1-77]

The undersigned applicant or authorized agent of the applicant hereby certifies that he or she has read all of the information contained in this application and that the same is true and correct.

The undersigned further understands and agrees that any review, recommendation, approval, or permit, based upon any statement, drawings, plans, evidence or information furnished by the applicant or any agent of the applicant to the Plan Commission or Common Council with respect to the project which is the subject of this application and which at the time made is misleading, inaccurate, untrue or incorrect in any material respect, shall be declared null and void by the Commission, issuing written notice thereof to the applicant or designated agent without further public hearing.

Cestie AMI	homeauners	1-25-05						
Applicant Signature	Relationship to Owner	Date						
Please print (or type) name and mailing address of above applicant: Jim Hurley and Usive Dierauf, 917 Harbar House Baire #3, Madison WI								
<u> </u>	· · · · · · · · · · · · · · · · · · ·							

#### The following material is REQUIRED for all applications:

- a. Twelve (12) copies of a <u>Letter of Intent</u> describing this application in detail, including: Construction schedules, names of people involved (contractor, architect, landscaper, business manager, etc.), types of businesses, hours of operation, square footage or acreage of the site, number of dwelling units, number of employees, gross square footage of building, number of parking stalls, etc.
- b. Seven (7) copies of "Full Size" scaled site plans and seven (7) copies of reduced site plans on 11 inch by 17-inch paper. Scaled site plans to be drawn at a scale of one-inch equals 20 feet. All plan sets must include: A site plan showing all lot lines, building locations, building additions, demolitions, or changes, parking areas, driveways, sidewalks, location of any new signs, existing and proposed utility locations, and landscaping. Also include building elevations and floor plans. Plans must be drawn to scale and include all dimensions.

16. NOTE: The Alderperson and/or Neighborhood Association notice requirement may be waived if approved by the Alderperson, President of the Neighborhood Association, and Director of the Department of Planning and Development prior to submitting your application.

#### For Conditional Use Applications, the Zoning Ordinance states:

"Section 28.12(11)(g), <u>Standards</u>. The City Plan Commission shall grant no application for a conditional use unless such commission shall find all of the following conditions are present:

- (g) Standards. The City Plan Commission shall grant no application for a conditional use unless such commission shall find all of the following conditions are present:
  - 1. That the establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort or general welfare.
  - 2. That the City be able to provide municipal services to the property where the conditional use is proposed, given due consideration of the cost of providing such services. (Cr. by Ord. 13,012, 2-26-02)
  - 3. 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.
  - 4. That the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
  - 5. That adequate utilities, access roads, drainage, parking supply, internal circulation improvements, including but not limited to vehicular, pedestrian, bicycle, public transit and other necessary site improvements have been or are being provided.
  - 6. That measures have been or will be taken to provide adequate ingress and egress, including all off-site improvements, so designed as to minimize traffic congestion and to ensure public safety and adequate traffic flow, both on-site and on the public streets.
  - 7. That the conditional use shall conform to all applicable regulations of the district in which it is located.
  - 8. That when applying the above standards to an application by a community living arrangement the City Plan Commission shall:
    - a. Bear in mind the City's general intent to accommodate community living arrangements.
    - b. Exercise care to avoid an over-concentration of community living arrangements, which could create an institutional setting and seriously strain the existing social structure of a community. Considerations relevant for this determination are:
      - i. The distance separating the proposed community living arrangement from other such facilities
      - ii. The capacity of the community living arrangement and the percent the facility will increase the population of the community.
      - iii. The total capacity of all the community living arrangements in the community.
      - iv. The impact on the community of other community living arrangements.
      - v. The success or failure of integration into communities of other community living arrangements operated by the individual or group seeking the conditional use permit.
      - vi. The ability of the community to meet the special needs, if any, of the applicant facility.

- c. A full and complete <u>legal description</u> of the site or property being subjected to this application. See attached instruction sheet regarding submittal of legal descriptions on computer diskette.
- d. A proper <u>street address</u> for this project as reflected by official City records or as officially assigned by the City Engineering Division.

5235 Harbor Court, Madison, WI 53705

Failure to submit any of the above-required items will result in the delay of scheduling your application for Plan Commission and/or Common Council review.

# LETTER OF INTENT CONDITIONAL USE PERMIT APPLICATION

For Demolition of a House and Detached Garage and Construction of a Single Family Residence with Attached Garages

in an R2-Zone

5235 Harbor Court, Madison, WI 53705 James W. Hurley and Leslie A. Dierauf, husband and wife

January 25, 2005

LETTER OF INTENT

Mr. Peter Conrad Zoning Administrator Planning and Development Office Madison Municipal Building 215 Martin Luther King, Jr. Blvd



Dear Mr. Conrad:

Property owners, James W. Hurley and Leslie A. Dierauf with this letter announce their intent to apply for a conditional use permit for demolition of a single family residence and detached garage and construction of a new single family 2-story residence with attached garage (zoned R2) at 5235 Harbor Court, Madison, WI 53705. The attached application, deconstruction/recycle/reuse, and construction plan detail this.

**PROJECT NAME:** Two-story single family residence with attached two-car garage and workspace at 5235 Harbor Court, Madison 53705 (James W. Hurley and Leslie A. Dierauf, husband and wife, property owners).

FULL AND COMPLETE LEGAL DESCRIPTION OF THE PROPERTY: Block 1, Lot 14, Spring Harbor Subdivision, Book 306247, Vol. 3, Page 51A

**CONSTRUCTION SCHEDULE:** Deconstruction will occur by June, 2005, and Construction will begin by July, 2005, weather permitting.

<u>NAMES OF PEOPLE INVOLVED</u> (See Attachment 2 for complete contact info): *Architect*:

Ed Linville, Principal – Linville Architects

Builder/Contractor:

**Steve Gallo - Creative Structures** 

Zoning Attorney:

Mike Lawton - Lathrop & Clark LLP

Surveyor:

David R. Sampson - Birrenkott Surveying, Inc.

Inspection:

John Freiburger - Freiburger Construction Consulting

Asbestos Inspection and Abatement:

Kim Sopha - A & A Environmental, Inc.

Geotechnical Exploration:

Craig Bower - Soils & Engineering Services, Inc.

Engineer:

To Be Determined

Tree Service:

To Be Determined

Landscaping:

Leslie Dierauf and Nancy Bruins

Project Coordinators:

Ed Linville Steve Gallo

Deconstruction/Reuse/Recycle: (See Attachment 2)

**Steve Gallo - Creative Structures** 

Frank Byrne - Habitat for Humanity ReStore

Public Outreach, Alderman, Home Owners Association and Neighbors – The owners spoke with Alderman Steve Holtzman concerning this conditional use permit application. The owners also spoke with both the Spring Harbor Neighborhood Association, DougMcLean, our neighbor at 5227 Harbor Court, and Bill and Faith Fitzpatrick, who live across the harbor from this property at 5156 Spring Court. On October 12, 2004, Alderman Holtzman and the Spring Harbor Neighborhood Association were informed with a letter of our intent to construct a primary residence at 5235 Harbor Court. Some neighbors on Harbor Court, Lake Mendota Drive, and Spring Court have already seen plans for deconstruction and construction on the property. An Open House was held January 22, 2005 on Harbor Court for neighbors to view the plans and discuss them with us and our architect. To the best of our knowledge at this time, there is no opposition to this project. Attached is a petition already signed by some of the neighbors noting their approval of the plans for deconstruction/construction.

<u>USE OF ALL AREAS</u>: Two-story, owner-occupied, primary residence, single family home, attached 2-car garage and workspace, zoned R2

<u>TOTAL GROSS SQUARE FOOTAGE</u>: 2564, including second floor square footage, + 96 (screened porch) + 792 (garage) = 3452 square feet (house, garage, workspace).

<u>TOTAL LIVING SPACE SQUARE FOOTAGE</u>: 2564 square feet (house) includes second floor square footage.

SQUARE FOOTAGE (Acreage) OF THE PROPERTY: 10,303 sq. ft. (0.24 acres). The lot is an irregularly shaped rectangular lot of 10,303 square feet (0.24 acres). Lot coverage is as follows:

2832 sq. ft. = First floor footprint including garage and screened porch.

1830 sq. ft. = Walks, patios and drives

4662 sq. ft. = Total coverage

10,303 sq. ft. = Total lot footage

4,662 sq. ft. = Total lot coverage

5,641 sq. ft. = Usable open space including set backs at front, rear and side yards

The construction plan allows for more than 5,641 feet of usable open space on the lot, including set-backs at front, rear and sides of the home. As allowed by zoning ordinance, our front and rear setbacks are determined by averaging 10 adjacent structures (5 on each side).

#### **NUMBER OF DWELLING UNITS PER BUILDING: 1**

#### NUMBER OF BEDROOMS PER DWELLING: 3

**AESTHETICS:** This R2 Single-Family Residence development plan by its design recreates the essential characteristics of the Spring Harbor neighborhood. The home is designed as a residence utilizing green principles, being energy-efficient, aesthetically pleasing, and continuing to afford views of Spring Harbor to neighbors/guests visiting Harbor Court and for those seeking to view the natural beauty of Spring Harbor's waterfront.

With regard to landscaping, invasive plant species are being removed by hand, bagged and taken off-site. There are already many native trees on the property. All but a few dead and/or declining trees will remain on the property. Native iris and daylily bulbs, a blue spruce, and native prairie grass and flower seeds have been collected. We have taken historic lilac shoots from dark-purple lilacs on the property and are propagating them. These landscaping materials are being stored off-site awaiting planting after home construction.

We have attached our plans as required and would appreciate, and look forward to presenting this to the City of Madison. We ask you, at your earliest convenience, to reach a positive decision granting a conditional use permit for construction. If you need further information or need to contact us, we can be reached by phone at 608/271-2610 or 608/270-2401 and by mail at 917 Harbor House Drive #3, Madison, WI 53719. Additionally, our architect, Ed Linville can be reached at 608/251-6696 or email, elinville@linvillearchitects.com.

We thank you for your time and attention to this application.

Most Sincerel

James W. Hurley

Leslie A. Dierauf

#### ATTACHMENT 1 - Names and Contact Information for People Involved

#### Architect:

Ed Linville, Principal Linville Architects 408 East Wilson Street Madison, WI 53703 608/251-6696

#### **Builder/Contractor:**

Steve Gallo Creative Structures 408 East Wilson Street Madison, WI 53703 608/251-8580

#### **Zoning Attorney:**

Mike Lawton Lathrop & Clark LLP 740 Regent Street Madison, WI 53715 608/257-7766

#### Surveyor:

David R. Sampson Birrenkott Surveying, Inc. 167 North Bristol Street Sun Prairie, WI 53590

#### Inspection:

John Freiburger Freiburger Construction Consulting 5438 County Highway M Fitchburg, WI 53575 608/835-0001

#### **Asbestos Inspection and Abatement**

Kim Sopha A & A Environmental, Inc. N4381 US Highway 51 Poynette, WI 53955 608/576-4960

#### Geotechnical Exploration:

Craig Bower Soils & Engineering Services, Inc. 1102 Stewart Street Madison, WI 53713 608/274-7600

#### Engineer:

To Be Determined

#### Tree Service:

To Be Determined

#### Landscaper:

Leslie Dierauf, Nancy Bruins
Native prairie bunch grass, iris and daylily bulbs, and flower seeds are
collected and awaiting planting, as is a blue spruce; historic lilac suckers on
the property have been cut and are being propagated, awaiting house
construction. Non-native, exotic/invasive plant species will be removed,
bagged and taken from the property prior to construction.

#### **Project Coordinators:**

Ed Linville Steve Gallo

#### Deconstruction/Reuse/Recycle:

Steve Gallo Creative Structures 408 East Wilson Street Madison, WI 53703 608/251-8580

Frank Byrne Habitat for Humanity ReStore 208 Cottage Grove Road Madison, WI 53716 608/712-0737

#### **ATTACHMENT 2 - Deconstruction/Reuse/Recycle**

James Hurley and Leslie Dierauf propose the reuse and recycling of products and building materials at 5235 Harbor Court, Madison WI 57705.

**Project Managers:** 

James Hurley and Leslie Dierauf in conjunction with Creative Structures and Linville Architects.

Scope of Work:

Develop an inventory of reusable or recyclable materials. This was accomplished by contacting Frank Byrne, co-manager of the ReStore on Cottage Grove Road. Mr. Byrne toured the house and garage in October of 2004. He noted that items of importance to the ReStore would be:

- 1) Wood stove
- 2) Claw foot tub
- 3) Doors

Frank later informed us that due to the size and scope of the house and limited manpower resources of the ReStore they would not be able to provide help with the field salvage of these items.

Leslie Dierauf and Linville Architects decided that with the help of Creative Structures, the doors could be removed and transported to the ReStore. The wood stove and the tub will be listed on the Dane Count/City of Madison web site, <a href="https://www.madisonstuffexchange.com">www.madisonstuffexchange.com</a> and we will also place an ad in the local newspaper. The items will be at no charge to anyone willing to remove them from the premises.

A Petition Signed by Neighbors on Harbor Court and Spring Court, Madison, WI To Be Occupied by Jim Hurley and Leslie Dierauf, husband and wife Regarding Approval of Plans for Demolition and Construction of A Single-Family R2 Zoned Two-Story Primary Residence At 5235 Harbor Court, Madison, WI

PHONE	238-0343	238 3636	238-1516	233-7080	233-1879	231-3867	233,3584	238-1899
ADDRESS	5240 Harbor Ot.	5214 Huben Ct	5218 Harlo Ct	5223 Harbor CH	) San Lane Mondad	5229 Hanbar Ct	5156 Spring Ct	5349 LK. Apodota Dr.
PRINT NAME SIGN NAME	Tacquelyn Strabl ( page thet	2. Marilyno Myers	Namy Baylor Hang Eggel	Man Julie Han Juli	5 Robart A. STEFFEN ( ) out a. Hygen	lang DAUS	Faith Flegamet Jan a. De	Marsha Staffer Mounta M. Steffer

9. 45.11 Fitzpetrick Willedge 5156 Spring Ct 2333584	2 Mart-Hardun 5221 Homerson CT. 218-0364	Julie Jagemann 5226 Harbor Ct	Tiemmy 5438 Lake Mundola Or. 238-90 By					
	12 South Hould conan	13. Julie Jagemann	14. Mehr & Jeanette The	15.	16.	17	18.	

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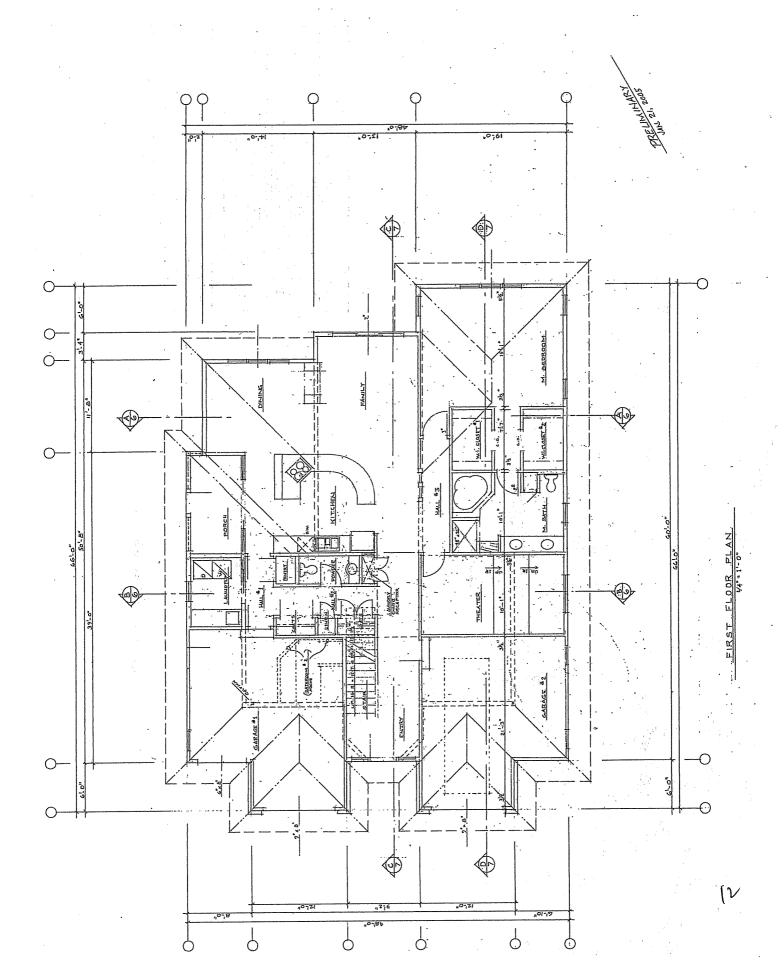


EXTERIOR: ELEVATIONS. (SOUTH EAST, HARTH WEST, 'SOUTHWEST) NDEX EXTERIOR ELEVATION (NORTHEAST) SHEET INDEX SECOND FLOOR PLAN SHEET EDUNDATION PLAN Member 431.9 341.9 331.3. 321.7 <u> 2917</u> 35!5. 34.2 3.4. SITE 34,9 COURT 47.82

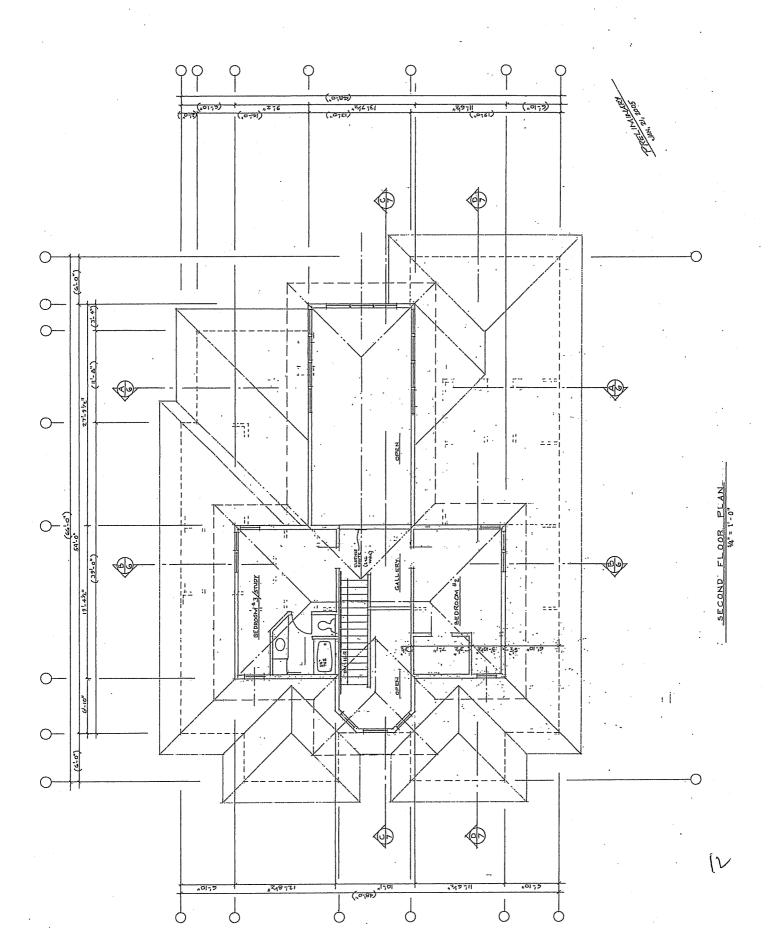
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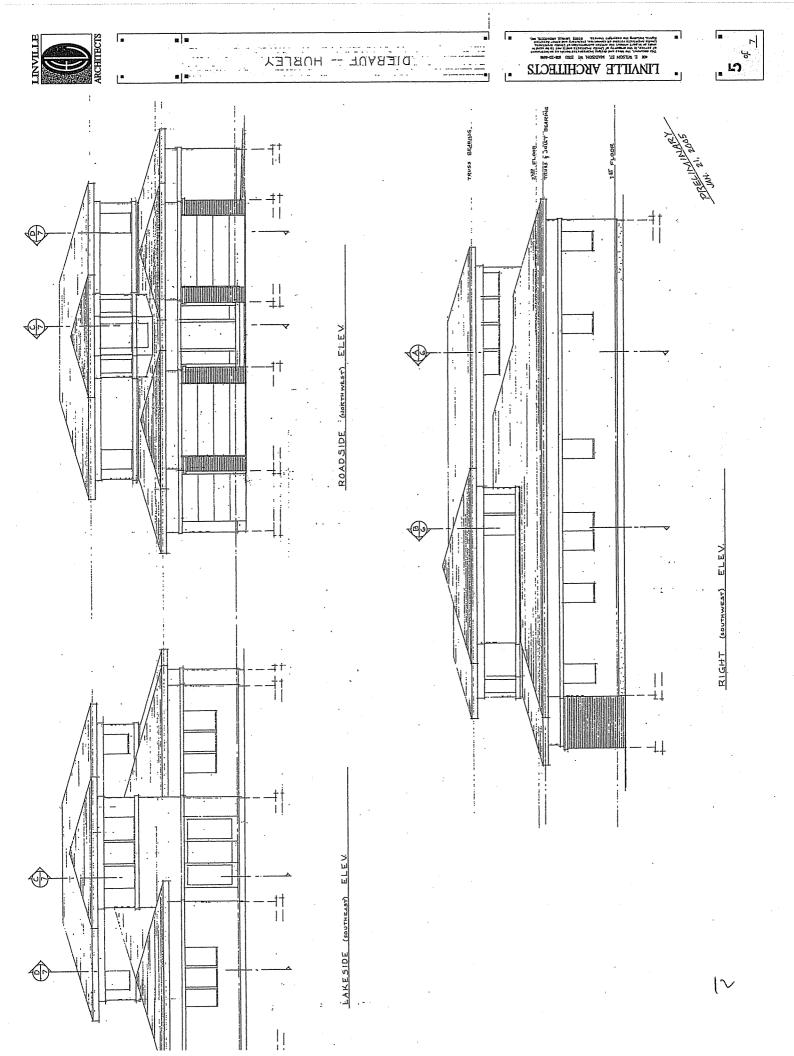


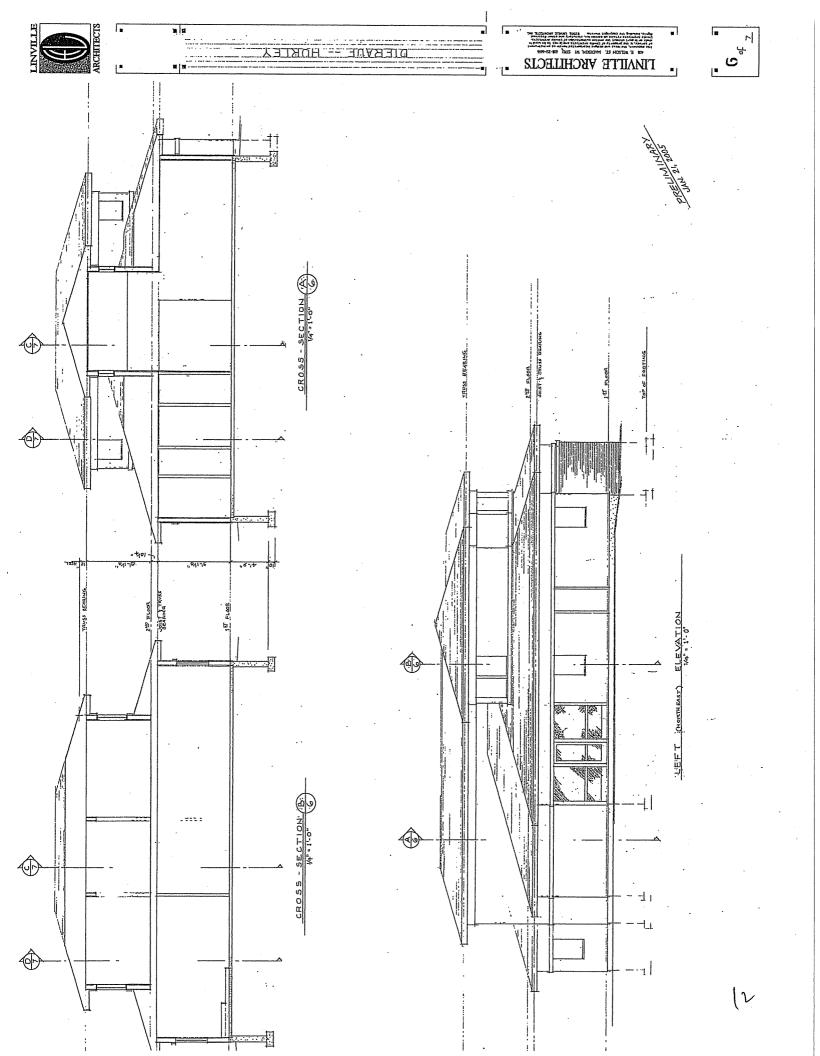


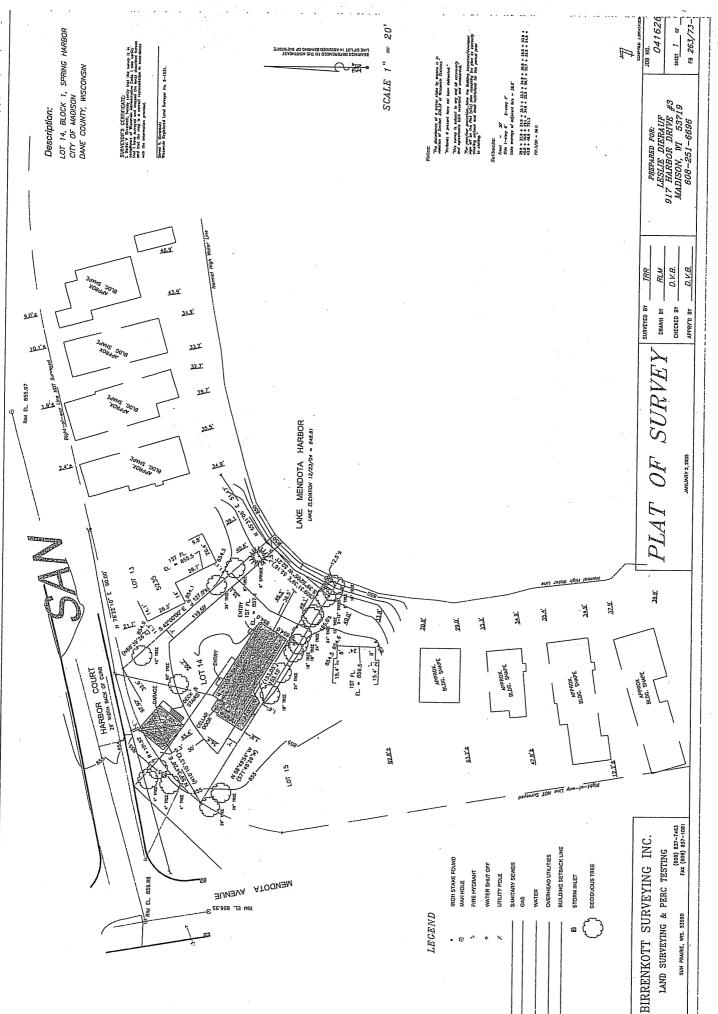




. DIEGAUF -- HURLEY







7. ST.

## Photos (1-15)

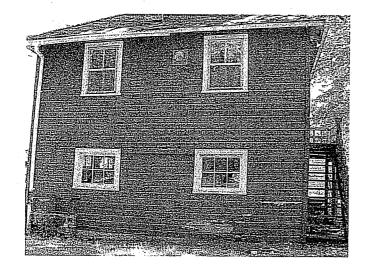


Photo 1: Note distinct lean to garage

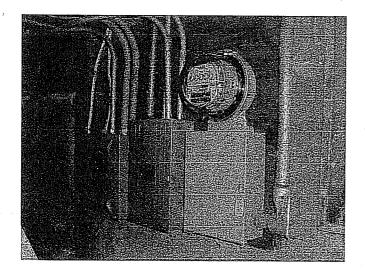


Photo 2: Note corrosive and stripped pipes to meters

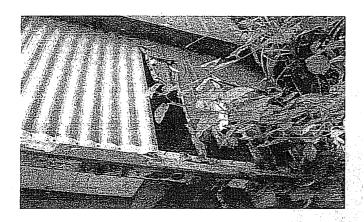






Photo 3:
Rotting slats and floor boards at entrance to apartment above garage

Photo 4:
Note degree of wood rot and supporting vertical posts that are propped up and non-weight-bearing

Photo 5: Again from another angle, note lean of the garage

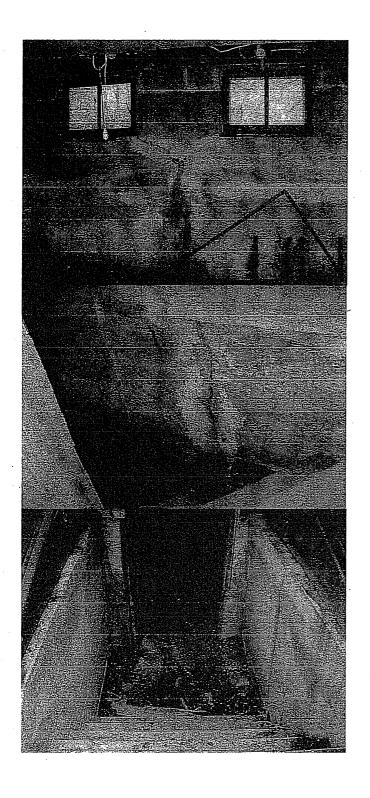


Photo 6: Large structural cracks in the foundation of the house's basement

Photo 7: Additional cracks elsewhere in basement of house foundation

#### Photo 8:

Location at entrance to basement where structural cracks and evidence of mudflow exists

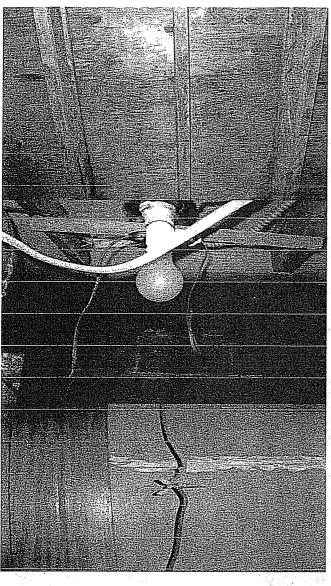




Photo 9: Evidence of water leak in roof following a rainstorm

## Photo 10:

Gerry-rigged electrical circuitry

### Photo 11:

Spliced, exposed wires next to wall between dining room and basement stairs

### Photo 12:

Extension component to hook one electrical system to another



Photo 13:
Overgrown vegetation, all around the house



Photo 14: Large tree limbs rest on roof of house



Photo 15: Another view of vegetation overgrowth