



Department of Planning & Community & Economic Development

Planning Division

Heather Stouder, Director

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www.cityofmadison.com

October 21, 2020

Curt Roeming & Brenda Levin
429 N Paterson St
Madison, WI 53703

RE: Legistar #61672; Accela 'LNDUSE-2020-00084' -- Approval of conditional use for an accessory dwelling unit in an accessory buildings exceeding 10% of lot area and exceeding 576 square feet measured at the ground floor in a TR District at **429 North Paterson Street**.

Dear Mr. Roeming & Ms. Levin:

At its October 19, 2020 meeting, the Plan Commission, meeting in regular session, found the standards met and approved your conditional use request to construct an oversized accessory building with an accessory dwelling unit in the second story at **429 North Paterson Street**. In order to receive final approval of the conditional use and for any permits that may need to be issued for your project, the following conditions shall be met:

Please contact my office at 243-0455 if you have any questions regarding the following three (3) items, including item 1, which was added by the Plan Commission:

1. That the accessory building be reduced in width by three feet (to 25 feet) to facilitate a reduction in the size of the proposed retaining wall and aid in terracing the rear yard for purposes of useable open space.
2. The property owner shall execute a restrictive covenant providing that the Accessory Dwelling Unit may only be used when the property is owner-occupied. The form of the restrictive covenant shall be approved by the Planning Division, Zoning Administrator, and City Attorney's Office and shall be recorded with the Dane County Register of Deeds.
3. Material and paint colors shall be shown on the building elevations.

Please contact Jacob Moskowitz, Assistant Zoning Administrator, at 266-4560 if you have any questions regarding the following three (3) items:

4. Clearly show the useable open space areas on the final plans. A minimum of 750 square feet of usable open space is required. Usable open space at ground level shall be in a compact area of not less than two hundred (200) square feet, with no dimension less than eight (8) feet and no slope grade greater than ten percent (10%). Usable open space cannot include the required front yard setback of 20 feet.
5. Provide a calculation and plan detail for lot coverage with the final submittal. The lot coverage

maximum is 65%. Lot coverage is defined as the total area of all buildings, measured at grade, all accessory structures including pools, patios, etc., and all paved areas as a percentage of the total area of the lot, with the following exceptions: sidewalks or paved paths no wider than five (5) feet, pervious pavement, green roofs and decks.

6. The Accessory Dwelling Unit shall comply with the supplemental regulations Section 28.151. Prior to issuance of a building permit for the Accessory Dwelling Unit, the property owner shall execute a restrictive covenant providing that the Accessory Dwelling Unit may only be used when the property is owner-occupied. The form of the restrictive covenant shall be approved by the Zoning Administrator and City Attorney's Office and shall be recorded with the Dane County Register of Deeds.

Please contact Brenda Stanley of the Engineering Division, at 261-9127 if you have any questions regarding the following seven (7) items:

7. Current plan shows less than 4,000 sf disturbed area. If plans are not revised, no Erosion Control or Storm Water Management Permits will be required.
8. The proposed Accessory Dwelling Unit can either have a separate sewer lateral or connect into the plumbing of the existing building. Applicant shall revise plan to 1) show separate sewer lateral connecting to sewer in Paterson St. or 2) note on plan that the sewer lateral for Accessory Dwelling Unit will connect to the plumbing for the existing building.
9. Provide a grading plan that allows for water to drain along the shared property line to N. Patterson Street. Provide elevations of the proposed building, drive and swale(s).
10. Revise plan to show the location of all rain gutter down spout discharge locations and all drain tile discharge locations. (POLICY)
11. Revise plan set to show more information on proposed drainage for the site. Use either spot elevations and drainage arrows or proposed contours to show the required drainage information. It is necessary to show the location of drainage leaving the site to the public right-of-way. It may be necessary to provide information off the site to fully meet this requirement. (POLICY)
12. Submit, prior to plan sign-off but after all revisions have been completed, a digital CAD file (single file) to the Engineering Division that is to scale and represents final construction with any private storm and sanitary sewer utilities.
13. Submit, prior to plan sign-off but after all revisions have been completed, digital PDF files to the Engineering Division. Email PDF file transmissions are preferred to: bstanley@cityofmadison.com (East) or ttroester@cityofmadison.com (West).

Please contact Jeff Quamme of the Engineering Division – Mapping Section, at 266-4097 if you have any questions regarding the following five (5) items:

14. The driveway, as proposed, is to have the southeast edge along the southeast property line. This appears it will require a cut excavation. Also, the foundation of the ADU is proposed within 3.2 feet of the rear and side property lines. That will require approximately a 13 foot deep excavation in

order to construct footings and foundation walls. The Applicant shall provide on the final plans for construction, details of how soil retention will be addressed and all proposed grades planned for construction. Any disturbance of any adjacent lands required for excavation of the foundation, grading for the driveway or an earth retaining system extending beyond the property boundaries of this parcel shall require recorded easements and/or agreements with adjacent lands as necessary for the construction as proposed and for future maintenance of the driveway and ADU entry is necessary over adjacent lands.

15. Identify on the plans the lot and block numbers of recorded Plat.
16. Provide a full and complete legal description of the site or property being subjected to this application on the site plan.
17. Considering the location of the proposed improvements planned abutting property lines, the Applicant is advised to have a professional land surveyor locate the parcel boundaries in conformance with the minimum standards of property surveys in the State of Wisconsin.
18. The address of the ADU/garage is 427 N Paterson Street. The site plan shall reflect a proper street address of the property as reflected by official City of Madison Assessor's and Engineering Division records.

Please contact Anne Freiwald of the Parks Division at 243-2848 if you have any questions regarding the following one (1) item:

19. Park Impact Fees (comprised of the Park Infrastructure Impact Fee, per MGO Sec. 20.08(2)), and Park-Land Impact Fees, per MGO Sec. 16.23(8)(f) and 20.08(2) will be required for all new residential development associated with this project. This development is within the North Park-Infrastructure Impact Fee district. Please reference ID# 20034 when contacting Parks about this project.

Please contact Bill Sullivan of the Fire Department, at 261-9658 if you have any questions regarding the following one (1) item:

20. Madison Fire Department recommends the installation of a residential fire sprinkler system in accordance with NFPA 13D. Additional information is available at the Home Fire Sprinkler Coalition website: <https://homefiresprinkler.org/building-residential-fire-sprinklers>.

Please contact Jeff Belshaw of the Water Utility, at 261-9835 if you have any questions regarding the following three (3) item:

21. The proposed Accessory Dwelling Unit can either have a separate water service or connect into the existing water service that serves the existing building. Update the site plan to indicate which option is going to be used to serve the new Accessory Dwelling Unit.
22. If a new service option is chosen then below applies. A Water Service Application Form and fees must be submitted before connecting to the existing water system. Provide at least two working days notice between the application submittal and the requested installation or inspection appointment. Application materials are available on the Water Utility's Plumbers & Contractors website (<http://www.cityofmadison.com/water/plumbers-contractors>), otherwise they may be

obtained from the Water Utility Main Office at 119 E Olin Ave. A licensed plumber signature is required on all water service applications. For new or replacement services, the property owner or authorized agent is also required to sign the application. A Water Meter Application Form will subsequently be required to size & obtain a water meter establish a Water Utility customer account and/or establish a Water Utility fire service account. If you have questions regarding water service applications, please contact Madison Water Utility at (608) 266-4646.

23. If connecting into the existing service option is chosen then below applies. A Water Meter Application Form and fees must be submitted before connecting to the existing water lateral. Provide at least two working days notice between the application submittal and the scheduled lateral connection/extension. Application materials are available on the Water Utility's Plumbers & Contractors website (<http://www.cityofmadison.com/water/plumbers-contractors>), otherwise they may be obtained from the Water Utility Main Office at 119 E Olin Ave. A licensed plumber signature is required on all water service applications. For new or replacement services, the property owner or authorized agent is also required to sign the application. If you have questions regarding water service applications, please contact Madison Water Utility at (608) 266-4646.

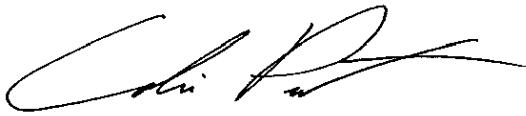
Specific questions regarding the comments or conditions contained in this letter should be directed to the commenting agency.

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

1. After the plans have been revised per the above conditions, please **one (1) complete digital plan set in PDF format** of complete, fully dimensioned, and to-scale plans; the appropriate site plan review application and fee pursuant to Section 28.206 of the Zoning Code; and any other documentation requested herein to the Zoning Administrator at zoning@cityofmadison.com. (Note that that an individual email cannot exceed 20MB and it is the responsibility of the applicant to present files in a manner that can be accepted. Please email zoning@cityofmadison.com regarding questions or if you need alternative filing options) The sets of final revised plans or documents will be circulated by Zoning staff to the City department staff listed above for their final approval.
2. This letter shall be signed by the applicant to acknowledge the conditions of approval and returned to the Zoning Administrator.
3. The conditional use approval is valid for one (1) year from the date of the Plan Commission approval. During this time, the applicant must either lawfully commence the use or obtain a building permit and begin erecting the building. If the applicant obtains a valid building permit, construction must commence within six (6) months of the date of issuance. The building permit shall not be renewed unless construction has commenced as is being diligently prosecuted.
4. Any alteration in plans for a proposed alternative use shall require Plan Commission approval, except for minor alterations. The Zoning Administrator may issue permits for minor alterations or additions which are approved by the Director of Planning and Community and Economic Development and are compatible with the concept approved by the City Plan Commission and the conditional use approval standards.
5. The Plan Commission retains continuing jurisdiction over all conditional uses for the purpose of resolving complaints against all previously approved conditional uses.

If you have any questions regarding obtaining your conditional use or building permits, 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 243-0455.

Sincerely,



Colin Punt
 Planner

- cc: Jacob Moskowitz, Asst. Zoning Administrator
 Tim Troester, Engineering Division
 Jeff Quamme, Engineering Division – Mapping
 Bill Sullivan, Fire Department
 Ann Freiwald, Parks Division
 Jeff Belshaw, Water Utility

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

Signature of Applicant

Signature of Property Owner (if not the applicant)

LNDUSE-2020-00084			
For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Div. (Punt)	<input checked="" type="checkbox"/>	Engineering Mapping Sec.
<input checked="" type="checkbox"/>	Zoning Administrator	<input checked="" 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 checked="" type="checkbox"/>	Water Utility
<input type="checkbox"/>	Metro Transit	<input type="checkbox"/>	Other: