



**Project Addresses:** 6105 S Highlands Avenue  
**Application Type:** Demolition Permit  
**Legistar File ID #** [88202](#)  
**Prepared By:** Timothy M. Parks, Planning Division  
Report includes comments from other City agencies, as noted

### Summary

**Applicant:** Lisa Kasin, Hart DeNoble Builders, Inc.; 7923 Airport Road; Middleton.

**Property Owners:** Patrick and Kristen Flesch; 6105 S Highlands Avenue; Madison.

**Requested Action:** Consideration of a demolition permit to demolish of a single-family dwelling at 6105 S Highlands Avenue.

**Proposal Summary:** The applicant and property owners are requesting to raze a two-story single-family residence at 6105 S Highlands Avenue. Demolition activities will commence as soon as all regulatory approvals have been granted, with completion anticipated 60-90 days following commencement.

**Applicable Regulations & Standards:** Section 28.185 provides the process and standards for the approval of demolition and removal permits. Note: Due to the timing of this application, the Plan Commission will use the standards for approval that predated recent code amendments adopted on February 25, 2025, which may be found in Appendix A beginning on page 4 of this report.

**Review Required By:** Plan Commission.

**Summary Recommendation:** The Planning Division recommends that the Plan Commission find the standards are met and **approve** a demolition permit to demolish a single-family residence at 6105 S Highlands Avenue subject to input at the public hearing and the conditions from reviewing agencies beginning on **page 3**.

### Background Information

**Parcel Location:** The subject site is a 2.2-acre (96,237 square-foot) parcel located at the south side of S Highlands Avenue at the Cooper Lane Path; Alder District 19 (Guequierre); Madison Metropolitan School District.

**Existing Conditions and Land Use:** The subject parcel is developed with a two-story single-family dwelling constructed in 1975 per City records, zoned TR-R (Traditional Residential–Rustic District).

**Surrounding Land Uses and Zoning:** The subject site is generally surrounded by other single-family residences in TR-R (Traditional Residential–Rustic District) and SR-C1 (Suburban Residential–Consistent 1 District) zoning. Cooper Lane Path forms the western boundary of the subject site.

**Adopted Land Use Plan:** The 2024 [West Area Plan](#) recommends the subject site and surrounding properties for Low Residential (LR).

**Environmental Corridor Status:** The property is not located in a mapped environmental corridor.

**Public Utilities and Services:** The site is served by a full range of urban services.

## Project Description

The applicant and property owners are requesting approval of a demolition permit to allow a two-story single-family residence located at 6105 S Highlands Avenue to be demolished. The 4,628 square-foot residence was constructed in 1975 according to City records and contains six bedrooms, three full and two partial bathrooms, and a three-car attached garage. Photos of the interior and exterior of the building are attached to the legislative file. The letter of intent indicates that the residence was damaged by a water leak. Following demolition, all site improvements will be removed, and the site will be graded and seeded until new construction occurs in the future.

## Analysis & Conclusion

In order to approve a demolition request, the Plan Commission shall consider the factors and information specified in Section 28.185(9)(c) and find that the proposed demolition or removal is consistent with the statement of purpose of the demolition permits section and with the health, prosperity, safety, and welfare of the City of Madison. The standards for demolition approval state that the Plan Commission shall consider the report of the City's historic preservation planner regarding the historic value of the property as well as any report that may be submitted by the Landmarks Commission. The demolition of the single-family residence was reviewed at the March 10, 2025 Landmarks Commission. The Landmarks Commission voted to recommend to the Plan Commission that the residence has no known historic value.

The Planning Division has no information otherwise to suggest that the proposed demolition would not meet the standards of approval in Section 28.185(9)(c) and recommends that the demolition be approved. In approving a demolition permit, the Plan Commission may stipulate conditions and restrictions on the proposed building demolition as deemed necessary to promote the public health, safety and general welfare of the community, and to secure compliance with the standards of approval. The proposed conditions for related to these demolitions may be found in the 'Recommendation' section of the report.

The proposed demolition request was submitted for review contemporaneously with recent amendments to the Zoning Code (Chapter 28) and Historic Preservation Code (Chapter 41) to revise the demolition permit process, which were reviewed by the Plan Commission on February 17, 2025, approved by the Common Council on February 25 as Ordinance 25-00010 (ID [86649](#)), and took effect on March 9. Given that this demolition request was commenced during the ordinance amendment process, the applicant was given the option to proceed under the "old" ordinance process and standards for approval or to restart their demolition permit and return to the Landmarks Commission under the process and standards in the amended ordinance. The applicant chose to pursue the approval using the process and standards as they existed before March 9, 2025. The full standards and process applicable to this application may be found in Appendix A at the end of the report.

However, staff will note that given the Landmarks Commission's finding of no known historic value for the existing building, the request would not have come to the Plan Commission under the recently enacted code changes and would instead have been approved administratively.

## Recommendation

### Planning Division Recommendation (Contact Timothy M. Parks, (608) 261-9632)

The Planning Division recommends that the Plan Commission find the standards are met and **approve** a demolition permit to demolish a single-family residence at 6105 S Highlands Avenue subject to input at the public hearing and the conditions from reviewing agencies that follow.

### **Recommended Conditions of Approval** Major/Non-Standard Conditions are Shaded

#### City Engineering Division (Contact Kathleen Kane, (608) 266-4098)

1. Obtain a permanent sewer plug permit for each existing sanitary sewer lateral serving a property that is not to be reused and a temporary sewer plug permit for each sewer lateral that is to be reused by the development.

#### City Engineering Division – Mapping Section (Contact Julius Smith, (608) 264-9276)

2. Identify on the demolition and restoration plans the lot and block numbers of recorded plat or Certified Survey Map.
3. Label the two different lots of the two different land divisions on the site plan
4. A Demolition Site Plan showing the existing conditions and clearly indicating what improvements are to be demolished, including buildings, existing private trees 8 inches or more in diameter, existing public trees, including size and locations, sidewalks, driveways, streets, alleys, curb and gutter, etc. If there is no future use proposed, show how the site will be left in the interim. Per the site plan requirements for demolitions, note if any trees 8 inches or larger will be removed.
5. Provide a full and complete legal description of the site or property being subjected to this application on the site plan. This site is composed of two different platted lots; show the dividing line of the lots. A CSM has been provided for only one of the lots.

#### Traffic Engineering Division (Contact Sean Malloy, (608) 266-5987)

This agency has reviewed this request and recommended no conditions of approval.

#### Zoning Administrator (Contact Jacob Moskowitz, (608) 266-4560)

6. Section 28.185(9) requires that every applicant for a demolition or removal approval that requires approval by the Plan Commission is required to get a Reuse and Recycling Plan approved by the City Recycling Coordinator, Bryan Johnson at [streets@cityofmadison.com](mailto:streets@cityofmadison.com) prior to receiving a raze permit. Every person who is required to submit a reuse and recycling plan pursuant to Section 28.185(9) shall submit documents showing compliance with the plan within 60 days of completion of demolition. A demolition or removal permit is valid for two (2) years from the date of the Plan Commission.

#### Fire Department (Contact Matt Hamilton, (608) 266-4457)

This agency has reviewed this request and recommended no conditions of approval.

**Parks Division** (Contact Morgan Matthews, (608) 266-6517)

This agency has reviewed this request and recommended no conditions of approval.

**Water Utility** (Contact Jeff Belshaw, (608) 261-9835)

7. The Madison Water Utility shall be notified to remove the water meter at least two working days prior to demolition. Contact the Water Utility Meter Department at (608) 266-4765 to schedule the meter removal appointment.

**Forestry Section** (Contact Zachary Eckberg, [zeckberg@cityofmadison.com](mailto:zeckberg@cityofmadison.com))

This agency has reviewed this request and recommended no conditions of approval.

**Parking Division** (Contact Trent W. Schultz, (608) 246-5806)

This agency has reviewed this request and recommended no conditions of approval.

**Metro Review** (Contact Timothy Sobota, (608) 261-4289)

This agency has reviewed this request and recommended no conditions of approval.

## **Appendix A – Demolition Permit Standards Prior to March 9, 2025**

The following ordinance section was in effect at the time the applicant commenced their demolition permit application and shall be the standards and process used by the Plan Commission when reviewing this request:

**“28.185 APPROVAL OF DEMOLITION (RAZING, WRECKING) AND REMOVAL.**

- (1) Statement of Purpose. It is hereby declared as a matter of public policy that the careful consideration of requests to demolish or remove existing principal buildings is a public necessity and required in the interest of the health, prosperity, safety, and welfare of the people. The purpose of this section is therefore to ensure the preservation of historic buildings, encourage applicants to strongly consider relocating rather than demolishing existing buildings, aid in the implementation of adopted City plans, maximize the reuse or recycling of materials resulting from a demolition, protect the public from potentially unsafe structures and public nuisances, and require the use of safe and orderly demolition or removal methods.
- (2) Definitions.
  - Demolition. An act or process that removes, pulls down, tears down, razes, deconstructs, or destroys an existing building wall facing a public street or, during any ten (10) year period, removes, pulls down, tears down, razes, deconstructs or destroys fifty percent (50%) or more of the area of the exterior walls of a building. This definition does not include the repair or replacement of windows, doors, or siding.
- (3) Requirement. No building, as defined in MGO Sec. 29.04, shall be demolished or removed without a permit from the Building Inspection Division of the Department of Planning and Community and Economic Development.

- (4) Application. Any Eligible Applicant (See MGO Sec. 28.181(2)) may submit an application for a demolition or removal permit for a principal building to the Director of the Building Inspection Division. Every application for demolition or removal of a principal building shall contain the following:
- (a) A clear, detailed and completed statement and description of the principal building or structure proposed for demolition or removal and the reason for requesting the demolition or removal.
  - (b) If known to the applicant, the date the building or structure proposed for demolition or removal was constructed.
  - (c) A description of the proposed method and timeline of the demolition or removal.
  - (d) A statement whether the applicant is also seeking a zoning map amendment pursuant to MGO Sec. 28.182(10), or conditional use pursuant to MGO Sec. 28.183, in conjunction with the requested demolition.
  - (e) If applicable, a description of the efforts that the applicant has taken or will take to relocate the building to another site rather than demolish it.
  - (f) Photos of the interior and exterior of each principal building to be demolished or removed sufficient to indicate its character and condition.
- (5) Completeness Review. See MGO Sec. 28.181(4).
- (6) Notice. A demolition request, except for applications approved administratively under sub. (8) below, requires notice as provided in MGO Sec. 28.181(5):
- (a) Preapplication. Failure to provide notice does not invalidate any action taken on the application by the Plan Commission or Common Council. The notice requirement may be waived, if approved by the Alderperson and Director of Planning and Community and Economic Development.
  - (b) Mail. Notice of the required public hearing shall be sent at least ten (10) days before the public hearing.
  - (c) Publication.
    - 1. A demolition or removal permit application considered with a zoning map amendment shall meet the public hearing requirements for zoning map amendments (See MGO Sec. 28.181(5)).
    - 2. A demolition or removal permit considered with a conditional use permit shall meet the public hearing requirements for conditional uses (See MGO Sec. 28.181(5)).
- (7) Review for Historic Value. Every application for demolition or removal of a principal structure shall be reviewed by the Landmarks Commission, which shall provide input to the Building Inspection Division regarding the historic value of the property with the building or structure proposed for demolition or removal.
- (a) If the Landmarks Commission determines that the property with the proposed demolition or the structure proposed for removal has no known historic value, the demolition or removal may be approved administratively under sub. (8)(b) below, provided that at least one of the standards for administrative approval have been met.
  - (b) If the Landmarks Commission determines that the property with the proposed demolition or the structure proposed for removal has historic value, then the Plan Commission shall consider

the demolition or removal under sub. (9) below, after reviewing input from the Landmarks Commission.

- (c) Nothing in this subsection eliminates the requirement in MGO Secs. 41.09(1)(c) and 41.12(3) that the demolition of landmark structures or structures in historic districts must also be approved by the Landmarks Commission through the issuance of a Certificate of Appropriateness.
- (d) Administrative Approval. Accessory Buildings: If the Director of Building Inspection determines the building proposed to be demolished or removed is an accessory building, as defined in MGO Sec. 28.211, then the approval shall be administratively reviewed.
- (e) Demolition or removal permits may be issued administratively by the Director of the Building Inspection Division whenever the Landmarks Commission has determined that the property with the proposed demolition or the structure proposed for removal has no known historic value and at least one of the following conditions is present:
  - 1. The Director of the Building Inspection Division finds that the building proposed to be demolished or removed is structurally unsound, subject to an appeal as provided in MGO Sec. 29.18. The applicant may support the request with the report of a licensed architect or engineer certifying and providing reasons that the building is structurally unsound.
  - 2. The building or buildings proposed for demolition are being demolished due to damage by fire or other natural disaster.
  - 3. The building or buildings proposed for demolition are identified for demolition in a Campus Institutional Master Plan approved by the Common Council pursuant to MGO Sec. 28.097(6).
  - 4. The building or buildings proposed for demolition are proposed to be replaced with residential or mixed-use buildings containing affordable (income-restricted) housing units subsidized by the City of Madison.

(8) Plan Commission Approval.

- (a) Public Hearing Required. The Plan Commission shall hold a public hearing on any demolition or removal application that is not approved administratively under sec. (8) above. If the applicant for a demolition or removal permit requests an amendment to the Zoning Map pursuant to MGO Sec. 28.182(10) or a conditional use approval pursuant to Sec. MGO 28.183, the demolition or removal permit application may be considered at the same time the Plan Commission considers the amendment to the zoning map or conditional use. The public hearing for a demolition or removal application shall meet the requirements of MGO Sec. 28.183(5)(a)1., except that a demolition or removal application considered with a zoning map amendment shall also meet the public hearing requirements in MGO Sec. 28.182(4).
- (b) Reuse and Recycling Plan. Every applicant for demolition or removal approval that requires approval by the Plan Commission is required to get an approved Reuse and Recycling Plan approved by the City Recycling Coordinator prior to receiving a raze permit.
- (c) Standards of Approval. The Plan Commission shall not approve an application for demolition or removal unless it finds that each of the following standards are met:

1. The applicant has included information related to any efforts to relocate the building, including but not limited to assessing the costs of relocation, the impact of relocation on city terrace trees, and the structural soundness of the building.
  2. The applicant has received a Certificate of Appropriateness from the Landmarks Commission under MGO Secs. 41.09(1)(c) and 41.12(3), if applicable.
  3. The applicant has received an approved reuse and recycling plan from the City Recycling Coordinator.
  4. The Plan Commission has received and considered the report of the City's historic preservation planner regarding the historic value of the property as well as any report that may be submitted by the Landmarks Commission.
    - a. For properties determined by the Landmarks Commission to have any historic value or significance, the Plan Commission may consider how demolition and redevelopment of the property relates to the implementation of the City's adopted plans.
  5. The Plan Commission has received and considered the report of the City Forester regarding the impact a proposed building relocation could have on City terrace trees, if applicable.
  6. The Plan Commission shall consider the condition of the building or buildings proposed for demolition or removal. In order to find this standard met, the Plan Commission may consider a report of the Madison Fire Department, Police Department, and/or Building Inspection Division regarding the proposed demolition, including whether any evidence of a potential fire hazard, unlawful use of the property, public nuisance, or other public health and safety concern supports demolition or removal.
  7. The Plan Commission shall consider the factors and information specified in items 1—6 and find that the proposed demolition or removal is consistent with the statement of purpose of this section and with the health, prosperity, safety, and welfare of the City of Madison.
- (d) Conditions. Before granting a demolition or removal permit, the Plan Commission may stipulate conditions and restrictions on the proposed demolition as deemed necessary to promote the public health, safety and general welfare of the community, and to secure compliance with the standards and requirements specified above.
- (e) Decision. At the conclusion of the public hearing, the Plan Commission shall approve, approve with conditions, or deny a demolition or removal permit.
- (9) Appeal of Plan Commission Decision.
- (a) The Plan Commission's decision to grant or deny a demolition or removal permit may be appealed to the Common Council by:
    1. The applicant, or
    2. The Alderperson of the district in which the building proposed for demolition or removal is located.
  - (b) The appeal shall specify the grounds, with specific reference to the findings of the Plan Commission.
  - (c) The appeal shall be filed with the Zoning Administrator within ten (10) days of the final action of the Plan Commission.

- (d) The Zoning Administrator shall transmit the appeal to the City Clerk, who shall file the appeal with the Common Council.
  - (e) After receiving the appeal from the City Clerk, the Common Council shall introduce the appeal at one Common Council meeting and set the appeal for a public hearing at the next Common Council meeting. In addition to setting the appeal for a public hearing, the City shall also provide email notice to anyone whose name appears on the list of persons wishing to receive information about demolitions. The Common Council shall make a decision on the appeal within a reasonable period of time.
  - (f) The action of the Plan Commission shall be upheld unless it is reversed or modified by a favorable vote of two-thirds ( $\frac{2}{3}$ ) of the members of the Common Council.
  - (g) If the applicant for a demolition or removal permit also has requested a zoning map amendment pursuant to MGO Sec. 28.182 or a conditional use permit pursuant to MGO Sec. 28.183, the determination shall be appealed with the appeal of the conditional use or map amendment.
- (10) Scope of Approval.
- (a) A demolition or removal permit approved under sub. (8) or (9) is valid for two (2) years from the date of approval.
  - (b) Where the plans have not been altered since issuance of the demolition or removal permit and the permit has expired, the Director of Planning and Community and Economic Development may, after consultation with the Alderperson of the District, approve an extension for up to one (1) year from the expiration date.
- (11) Demolition by Fire. Demolition by Fire is prohibited unless the burn is conducted by the Madison Fire Department (MFD) in conjunction with an MFD training event and limited to no more than three (3) demolitions by fire events per year. For any permit approved for demolition by fire, the applicant shall provide written notice of the date of the proposed demolition to the alderperson of the district where the demolition is proposed and to all owners and residents of properties within one thousand (1,000) feet of the boundaries of the property on which the demolition will occur. Such notice shall be provided at least five (5) days prior to the date of the proposed demolition.
- (12) Penalty.
- (a) Any person who fails to submit documentation of compliance with an approved reuse and recycling plan shall, upon conviction thereof, be subject to a forfeiture of not less than five hundred dollars (\$500) and not more than one thousand dollars (\$1,000). Each day or portion thereof such violation continues shall be considered a separate offense.
  - (b) Any person who fails to obtain a demolition or removal permit prior to the demolition or removal shall, upon conviction thereof, be subject to a forfeiture of not less than one thousand dollars (\$1,000) and not more than two thousand dollars (\$2,000). Each day or portion thereof such violation continues shall be considered a separate offense."