



Department of Planning & Community & Economic Development

Planning Division

Heather Stouder, Director

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****BY E-MAIL ONLY****

July 12, 2023

Catherine Sullivan and James Twesme
5106 Sprint Court
Madison, WI 53705

RE: Consideration of a conditional use to construct an accessory building on a lakefront parcel at 5106 Spring Court. (ID [77935](#), LNDUSE-2023-00031)

Dear Cathy and Jim:

On July 10, 2023, the Plan Commission found the standards met and **conditionally approved** the conditional use to construct an accessory building on a lakefront parcel at 5106 Spring Court. In order to receive final approval of the conditional use and for any other permits that may need to be issued for your project, the following conditions shall be met:

Please contact Tim Troester of the Engineering Division at (608) 267-1995 if you have any questions regarding the following eight (8) items:

1. There is an existing Public sanitary sewer located below the building being demolished and replaced with an Accessory Dwelling Unit. Applicant shall revise plan show the surveyed location the sewer and the sanitary sewer easement.
2. Applicant shall provide survey of sewer located in Spring Court (RIM/Invert elevation, horizontal location) to confirm whether property can be provided sanitary sewer service off of Spring Court. Due to the City sewer being located below homes, the City intends to build a new sewer in Spring Court and require all property owners to relocate laterals to connect to the City sewer in Spring Ct. The City cannot repair a sewer located below a home. If sewer in Spring Court will work, it is recommended (not required) to connect to that sanitary sewer located in Spring Court or set up the property for future connection to Spring Court. The lateral will otherwise be rerouted in the future with the City offering partially reimburse for the sewer lateral rerouting work (plumbing conversion policy reimburses up to \$14,125(2023 rate))
3. No proposed foundation work will be permitted within the sanitary sewer easement without making improvements to the City sewer in the easement with a developer agreement with the City.

4. Applicant may build 10' tall bridge (walkway over limits of the easement between ADU and house) or Build detached ADU building.
 5. If applicant determines that foundation for ADU garage needs to occupy the easement, if lateral to Spring Court by gravity is feasible, installation of lateral connecting to the sewer in Spring Court will be required and applicant will be required to enter into a developer agreement to replace the sewer below the foundation inside of a steel casing pipe.
 6. If applicant determines that foundation for ADU garage needs to occupy the easement and if lateral to Spring Court by gravity is not feasible, applicant will be required to enter into a developer agreement to replace the sewer below the foundation with a AWWA C900 sewer pipe. It is also recommended to install a future lateral up to the property line if applicant does not want reroute lateral in the future when the City builds sewer lower in Spring Court.
7. If lateral is rerouted to Spring Court, applicant shall 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. The procedures and fee schedule is available online at <http://www.cityofmadison.com/engineering/permits.cfm>. (MGO CH 35.02(14))
 8. Revise the site plan to show all existing public sanitary sewer facilities in the project area as well as the size, invert elevation, and alignment of the proposed service. (POLICY)

Please contact Jeffrey Quamme of the City Engineering Division – Mapping Section at (608) 266-4097 if you have any questions regarding the following five (5) items:

9. The applicant shall have a property survey by a Professional Surveyor completed to accurately locate show the boundary and easements relative to the existing and proposed site improvements.
10. Identify on the plans the lot and block numbers of recorded Plat.
 11. The site plan shall include all lot/ownership lines, existing building locations, proposed building additions, demolitions, driveways, sidewalks and proposed utility locations (sewer and water connections for the ADU) and landscaping.
 12. Provide a full and complete legal description of the site or property being subjected to this application on the site plan.
 13. Due limited availability of addressing numbers, the address of the ADU is 5106 Spring Ct # 2. 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 Jenny Kirchgatter, Assistant Zoning Administrator at (608) 266-4429 if you have any questions regarding the following four (4) items:

14. Provide a calculation 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.
15. Show the height of the proposed detached garage and accessory dwelling unit on the elevations. The maximum height is 25 feet. Height is the average of the height of all building facades. For each facade, height is measured from the midpoint of the existing grade to the highest point on the roof of the building or structure. No individual facade shall be more than fifteen percent (15%) higher than the maximum height of the zoning district.
16. The Accessory Dwelling Unit shall comply with the supplemental regulations Section 28.151. The property owner shall execute a restrictive covenant providing that the principal dwelling or the accessory dwelling unit must be owner-occupied, except that a temporary absence of up to six (6) months is allowed. The form of the restrictive covenant shall be approved by the Zoning Administrator and shall be recorded with the Dane County Register of Deeds.
17. Per Section 28.186(4)(b), the property owner or operator is required to bring the property into compliance with all elements of the approved site plans by the date established by the Zoning Administrator as part of the site and building plan approval. Work with Zoning staff to establish a final site compliance date.

Please contact William Sullivan of the Fire Department at (608) 261-9658 if you have any questions regarding the following one (1) item:

18. 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 Ann Freiwald of the Parks Division at (608) 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 Park-Infrastructure Impact Fee district. Please reference ID# 23021 when contacting Parks about this project.

Please contact Jeff Belshaw of the Water Utility at (608) 261-9835 if you have any questions regarding the following two (2) items:

20. The proposed development shall be connected to the existing water supply system downstream of the existing water meter, otherwise connected with a new lateral off the public water system. If extending existing water supply plumbing, provide Madison Water Utility with the total water supply fixture Unit count for both the existing structure and proposed development to determine if the existing water meter can accommodate total water supply requirements. Update plan to indicate which option will be used to supply the proposed development with water service. Contact Jeff

Belshaw at Jbelshaw@madisonwater.org or 608-261-9835 for verification, otherwise a Water Service Application and a Water Meter Application will be required for a new lateral connection.

21. 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 submit one (1) complete digital plan set in PDF format and any other supporting materials that are necessary, as specified in this letter to sprapplications@cityofmadison.com (note: A 20MB email limit applies and multiple transmittals may be required). 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. A check for the site plan review fee shall be mailed to the City of Madison Building Inspection Division; PO Box 2984; Madison, WI 53701-2984.
3. This letter shall be signed by the applicant to acknowledge the conditions of approval and returned to the Zoning Administrator when requesting conditional use approval.
4. 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.
5. 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.
6. 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 243-0554 or lmcnabola@cityofmadison.com.

Sincerely,



Lisa McNabola
Planner

cc: Jenny Kirchgatter, Zoning
William Sullivan, Fire Department
Jeffrey Quamme, Mapping Section
Jeff Belshaw, Water Utility
Ann Freiwald, Parks Division
Tim Troester, Engineering Division

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

Signature of Applicant

Signature of Property Owner (if not the applicant)

LNDUSE-2023-00031			
For Official Use Only, Re: Final Plan Routing			
<input type="checkbox"/>	Planning Div.	<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: Forestry