



PREPARED FOR THE PLAN COMMISSION

**Project Address:** 5116-5118 Spring Court (19<sup>th</sup> District, Alder Slack)  
**Application Type:** Demolition Permit, Conditional Use, Certified Survey Map  
**Legistar File ID #** [79964](#), [79965](#), [79980](#)  
**Prepared By:** Lisa McNabola, AICP, Planning Division  
Report Includes Comments from other City Agencies, as noted  
**Reviewed By:** Kevin Firchow, AICP, Principal Planner

## Summary

**Applicant & Contact:** Hart DeNoble; Hart DeNoble Builders; 7923 Airport Road, Middleton, WI 53562

**Property Owner:** Karin Peterson; 5116 Sprint Court, Madison, WI 53726

**Requested Action:**

- ID [79964](#) – Consideration of a demolition permit to demolish two single-family residences;
- ID [79965](#) – Consideration of a conditional use to allow construction of a single-family residence on a lakefront property; and consideration of a conditional use in the Traditional Residential-Consistent 2 (TR-C2) District for a building exceeding 10,000 square feet in floor area; and
- ID [79980](#) – Consideration of a Certified Survey Map (CSM) to create one lot.

**Proposal Summary:** The applicant is seeking approval to construct an approximately 12,136 square-foot single family residence on a lakefront parcel.

**Applicable Regulations & Standards:** Standards of approval for demolition permits are found in Section 28.185(6) M.G.O. Standards for conditional use approvals are found in Section 28.183(6) M.G.O. General Regulations for lakefront development are found in Section 28.138 M.G.O. Supplemental Regulations for buildings or structures exceeding 10,000 square feet in floor area are found in Section 28.151 M.G.O

**Review Required By:** Plan Commission & Common Council (CSM only)

**Summary Recommendation:** The Planning Division recommends the following to the Plan Commission regarding the applications for 5116-5118 Spring Court. All recommendations are subject to input at the public hearing and the conditions recommended by the reviewing agencies.

- That the Plan Commission finds the standards for demolition permits are met and approve the demolition of two single family residences at 5116-5118 Spring Court;
- That the Plan Commission find that standards for conditional uses met and approve the requests to construct a building exceeding 10,000 square feet in floor area in the Traditional Residential-Consistent 2 (TR-C2) District on a lakefront parcel; and
- That the Plan Commission find the standards for land divisions met and forward the Certified Survey Map (CSM) to the Common Council with a recommendation of approval.

## Background Information

**Parcel Location:** The subject site includes two existing parcels totaling 25,528 square feet (.58-acre) located on

Spring Court between Minocqua Crescent and its terminus at Merrill Springs Park and a platted extension of Risser Road. It is located within District 19 and the Madison Metropolitan School District.

**Existing Conditions and Land Use:** The property at 5116 Spring Court is occupied by a two-story, approximately 5,441 square-foot single family residence built in 2006. The property at 5118 Spring Court is occupied by a two-story, approximately 2,970 square-foot single family residence built in 1930. It is zoned Traditional Residential-Consistent 2 (TR-C2) District.

**Surrounding Land Use and Zoning:**

North: Lake Mendota;

East: Single family residences, zoned Traditional Residential-Consistent 2 (TR-C2) District, and Merrill Springs Park;

South: Across Spring Court, single family residences, zoned TR-C2 District; and

West: Single family residences, zoned TR-C2 District.

**Adopted Land Use Plan:** The [Comprehensive Plan](#) (2018) recommends Low Residential (LR) for the subject site. The [Spring Harbor Neighborhood Plan](#) (2006) does not include specific land use recommendations for the subject site.

**Zoning Summary:** The property is in the Traditional Residential-Consistent 2 (TR-C2) District.

Requirements	Required	Proposed
Lot Area (sq. ft.)	4,000 sq. ft.	24,234 sq. ft.
Lot Width	40'	>40'
Front Yard Setback	20'	27.68'
Max. Front Yard Setback	30' or up to 20% greater than block average	27.68'
Side Yard Setback	One-story: 5 Two-story: 6 Lot width < 50: 10% lot width	6.24' east side 6.24' west side
Lakefront Yard Setback	38'11" Sec. 28.138(4)(a)1.	38'11"
Usable Open Space	750 sq. ft.	Adequate
Maximum Lot Coverage	65%	48.55%
Maximum Lot Coverage: Within 35' of OHWM	20%	18.85%
Maximum Building Height	2 stories/ 35'	2 stories/ 31'6" (9)

28.138(4)(a) Lakefront Yard Setback. 1. The average setback of the principal building on the two (2) adjoining lots, provided that the setbacks of those buildings are within twenty (20) feet of one another.

Site Design	Required	Proposed
Number Parking Stalls	Single-family detached dwelling: 1 (location only)	Attached garage
Number Bike Parking Stalls	Single-family detached dwelling: None	Attached garage
Landscaping and Screening	Inventory of shoreline vegetation	Yes
Building Form and Design	Yes	Single-family detached dwelling (10)

*Table Prepared by Jenny Kirchgatter, Assistant Zoning Administrator*

**Environmental Corridor Status:** While the property is not located in a mapped environmental corridor, a small area near the shoreline is partially located within the flood storage district.

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

## **Project Description, Analysis, and Conclusion**

The applicant proposes to construct a single family residence on one lakefront parcel to be created by Certified Survey Map (CSM). The CSM would combine two lots into one. The proposed lot size is 24,234 square feet and the lot width is 105 feet.

The applicant is requesting approval to demolish two single family residences at 5116 and 5118 Spring Court. Per data from the Assessor's Office the property at 5116 Spring Court is occupied by a two-story, approximately 5,441 square-foot single family residence built in 2006. The property at 5118 Spring Court is occupied by a two-story, approximately 2,970 square-foot single family residence built in 1930 and a detached garage. The applicant provided [demolition photos](#) but did not provide additional information regarding the condition of the buildings.

The applicant proposes to construct a two-story, 12,136 gross square-foot single family residence. The residence is comprised of a main building with a walkway connecting to a two-story garage. The second floor of the garage is intended to be used as an exercise room. The building also has a 712 square-foot attached garage within the main building. Excluding the walkway, two-story garage, and covered balconies the main building is 9,529 square feet. The building has a flat roof, and the overall building height is approximately 28' measured to the top of the roof. There are two skylights that extend to approximately 29' 6".

A new retaining wall would be constructed to accommodate a pool area in the rear yard, and an existing retaining wall near the shoreline would remain. A portion of the pool area would be located within 35 feet of the ordinary high water mark, as allowed by the zoning code. There is a 44" DBH ash tree in the front yard that would be removed during construction. The applicant provided a tree assessment which noted the extent of decay would warrant removal. There is a 5" DBH evergreen tree that would also be removed. Per the plans, the tree appears to be located just outside the area within 35 feet of the ordinary high water mark. The landscape plan shows a new evergreen tree in the rear yard, as well as a mix of deciduous and evergreen trees and shrubs in the front and side yards. Evergreen plantings are shown around the foundation of the attached garage, which would provide some year round screening.

Building materials would consist of a combination of porcelain slabs/tiles and metal panel. The applicant is pursuing Leadership in Energy and Environmental Design (LEED) certification for a LEED Certified Building.

### **Conformance with Adopted Plans**

The [Comprehensive Plan](#) (2018) recommends Low Residential (LR) for this site, a land use designation predominantly made up of single-family and two-unit structures, but that may include smaller two-, three-, and four-unit apartment buildings and row houses. The [Spring Harbor Neighborhood Plan](#) (2006) does not contain specific recommendations for lakefront residential areas, it does encourage that new and redeveloped homes be of a height and scale that is relative to the neighborhood and is sensitive to its natural character. Given due consideration of the adopted plan recommendations, while the proposed building is larger in scale relative to the neighborhood the Planning Division believes that the proposed use is generally consistent with the [Comprehensive Plan](#).

## **Demolition Permit Standards**

The Plan Commission shall consider the seven approval standards in Section 28.185(9)(c) M.G.O. when making a determination regarding demolition requests. The factors include a finding 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.

Standard one states, "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." Per the applicant, based off of the scale and size of the homes it would not be physically possible to effectively move either home from their current location.

Standard four states, "That 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." At its July 31, 2023 meeting, the Landmarks Commission found that the buildings at 5116 and 5118 Spring Court have no known historic value.

Standard six states, "The Plan Commission shall consider the condition of the building or buildings proposed for demolition or removal..." Per the applicant, the basement of 5116 Spring Court has flooded on multiple occasions, leaving the owners with water damage and mold to remedy.

Staff believe the demolition standards can be found met.

## **Lakefront Development Regulations**

The lakefront development standards were established to further the maintenance of safe and healthful conditions by preserving and enhancing water quality, habitats, viewsheds, and other environmental and aesthetic qualities of lakes. This section includes additional regulations including limitations on the clearing of shoreline vegetation, requirements for public sewer, environmental protections, and additional lot coverage standards.

Staff believe the lakefront development standards can be found met.

## **Conditional Use Standards**

Per Section 28.138(2)(a) buildings on zoning lots abutting Lake Mendota shall require conditional use approval. Additionally, per Table 28C-1 in Section 28.032 a building or structure with floor area exceeding 10,000 sq. ft. in floor area in the Traditional Residential-Consistent 2 (TR-C2) District shall require conditional use approval. Floor area is defined as the sum of all gross horizontal areas under the roof of a building. The floor area of a building includes, but is not limited to: basement floor space, elevator shafts and stairwells at each floor, floor space used for mechanical equipment, penthouses, attic space used for human occupancy, interior balconies and mezzanines, enclosed porches, floor area devoted to accessory uses, and areas used for grade-level parking.

The Plan Commission shall not approve a conditional use without due consideration of the City's adopted plan recommendations, design guidelines, and finding that all of the conditional use standards of MGO §28.183(6) are met. Staff notes that state law requires that conditional use findings must be based on "substantial evidence" that directly pertains to each standard and not based on personal preference or speculation.

The approval standard for lakefront development (standard 13) states that “When applying the above standards to lakefront development under MGO §28.138, the Plan Commission shall consider the height and bulk of principal buildings on the five (5) developed lots or three hundred (300) feet on either side of the lot with the proposed development.”

Staff note that the heights of the surrounding homes are varied with about half of the homes at two stories. As a further estimate of total bulk of the surrounding principal structures, staff utilized data from the Assessor’s Office to estimate principal building size for the homes on the five developed lots to the east and the five developed lots to the west. This calculation includes living areas, enclosed porches, basement areas, and estimated attached garage space. Using this analysis, staff found that the principal building sizes of the applicable homes range from approximately 1,104 to 5,153 square feet. The median size of the homes is 2,688 square feet. The proposed building is more than two times larger than the largest residence in the surrounding area.

Related to other standards, staff note that the prevailing development pattern include garages located towards Spring Court, with the residences behind. The majority of these homes have detached garages. Staff note that a conditional use was approved on July 10, 2023 for a two-story, 1,792 square-foot garage at 5106 Spring Court. The proposed lot size is 24,234 square feet and the lot width is 105 feet. For comparison, the lots in the surrounding area are an average of 9,927 square-feet and 60 feet wide. The proposed building width is 88’ 11” feet. For comparison, the widest home in the surrounding area is approximately 56’ wide.

Regarding standard nine, which states, “When applying the above standards to any new construction of a building or an addition to an existing building the Plan Commission shall find that the project creates an environment of sustained aesthetic desirability compatible with the existing or intended character of the area and the statement of purpose for the zoning district.” The roofline and proposed materials result in a building with a more contemporary design aesthetic. Staff note that the majority of the surrounding buildings have gable roofs and horizontal siding. There are two surrounding buildings with flat rooflines and more varied building materials such as stucco and masonry.

While the Plan Commission shall consider the height and bulk of buildings in the surrounding area when applying the conditional use standards, consideration of the conditional use should not be based solely on the building size. While the resulting home is larger, on-balance staff believe that considering the relatively deep setback, and the compliance with Zoning requirements, the conditional use standards can be found met

Staff believe the conditional use standards can be found met.

### **Supplemental Regulations**

Supplemental Regulations for a building or structure with floor area exceeding 10,000 sq. ft. in floor area:

- (a) In any residential district, building floor area, bulk, height and massing may be limited as part of the conditional use approval in order to ensure compatibility with surrounding uses.
- (b) In any residential district, an appropriate transition area between the use and adjacent property may be required, using landscaping, screening, and other site improvements consistent with the character of the neighborhood.

Staff note that the applicant is proposing to construct a single family residence adjacent to other single family residences. While the building is larger than those in the surrounding area, staff is not recommending modifications to the building size, noting that the building would comply with all setback and height regulations of the Zoning District. Similarly, staff does not believe that further transitions would be necessary

## Land Division

The proposed Certified Survey Map would combine the two lots associated with 5116 and 5118 Spring Court. Staff believe that all applicable standards for land divisions can be found met.

## Public Input

At the time of report writing, staff has received comments from neighboring property owners both in support and opposition to this request. This information is available on Legistar.

## Conclusion

The Planning Division believes that the applicable approval standards can be found met. While the proposed building is larger in scale relative to the surrounding area the Planning Division believes that the proposed use is generally consistent with the Comprehensive Plan (2018) and Spring Harbor Neighborhood Plan (2006). While the Plan Commission shall consider conditional use standard 13 regarding the bulk of the building, consideration of the conditional use should not be based solely on the building size. Staff believe that the proposed single family residence is compatible with the surrounding single family uses.

## Recommendation

### Planning Division Recommendation (Contact Lisa McNabola, 243-0554)

The Planning Division recommends the following to the Plan Commission regarding the applications for 5116-5118 Spring Court. All recommendations are subject to input at the public hearing and the conditions recommended by the reviewing agencies.

- That the Plan Commission finds the standards for demolition permits are met and approve the demolition of two single family residences at 5116-5118 Spring Court;
- That the Plan Commission find that standards for conditional uses met and approve the requests to construct a building exceeding 10,000 square feet in floor area in the Traditional Residential-Consistent 2 (TR-C2) District on a lakefront parcel; and
- That the Plan Commission find the standards for land divisions met and forward the Certified Survey Map (CSM) to the Common Council with a recommendation of approval.

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

#### *Land Use Request*

### Engineering Division (Brenda Stanley, 261-9127)

1. 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. If the existing sewer in Spring Court will work for the proposed home, applicant shall connect to the sanitary sewer Spring Court as a condition of plan approval. If it will not work, applicant can continue to use the sewer located in the easement next to homes. This easement sewer will be taken out of service in the future.

2. The City intends to construct a new sewer in Spring Court at a lower elevation and require all property owners to relocate laterals to connect to the future City sewer in Spring Ct. Applicant is recommended (not required) to build a separate inactive future lateral up to the road right of way (southwest corner) at an invert elevation of 845.00. This elevation will all allow for connection to the future sewer in Spring Court. The lateral will otherwise be rerouted from the easement sewer to the sewer in Spring Court by the property owner with City offering partially reimburse for the sewer lateral rerouting work (plumbing conversion policy reimburses up to \$14,125 (2023 rate)).
  3. Applicant shall maintain a minimum first floor entrance elevation of 854.5. Additionally, the current regulatory floodplain shall be shown on the plan set.
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4. If Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Mark Moder (608-261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff. (MGO 16.23(9)(d)(4))
  5. 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))
  6. 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)
- Zoning** (Jenny Kirchgatter, 266-4429)
7. Section 28.185(9)(b) 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)(b) shall submit documents showing compliance with the plan within sixty (60) days of completion of demolition. A demolition or removal permit is valid for two (2) years from the date of the Plan Commission approval.
  8. Show the designated flood plain area on the site plan. Any construction within a flood plain shall meet floodproofing protection measures and such design shall be certified by a registered professional engineer or architect per Section 28.121(12) of the Madison General Ordinance.
  9. Show the height of the proposed building on the elevations measured to the highest point on the roof or parapet. The chimneys can be excluded from the height measurement. The maximum height is 35 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.
  10. Provide details demonstrating compliance with bird-safe glass requirements Section 28.129. For building façades where the first sixty (60) feet from grade are comprised of greater than or equal to fifty percent (50%) glass, at least eighty-five percent (85%) of the glass must be treated. All glass within fifteen (15) feet of a building corner must be treated when see through or fly through conditions exist. For building façades where

the first sixty (60) feet from grade are comprised of less than fifty percent (50%) glass, at least eighty-five percent (85%) of the glass on glass areas fifty (50) square feet or over must be treated. Of all glass areas over fifty (50) square feet, any glass within fifteen (15) feet of a building corner must be treated. All glass railings and all glass on above-ground bridges must be treated. Identify which glass areas are 50 sq. ft. or greater and which glass areas will be treated. Provide a detail of the specific treatment product that will be used.

11. 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.

**Fire Department** (William Sullivan, 886-4691)

12. Please consider allowing Madison Fire Dept. to conduct training sequences prior to demolition. Contact MFD Training Division to discuss possibilities: Division Chief Jeff Larson at [jtlarson@cityofmadison.com](mailto:jtlarson@cityofmadison.com) or (608) 266- 5946.
13. 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>  
An upgrade to include a fire sprinkler system shall be offered along with a cost estimate for all initial single- or two-family home sales.

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

14. Private wells may have served the parcels associated with this project prior to municipal water service connections. The existing properties will require an internal and external survey for potential unabandoned private wells prior to proceeding with demolition. Any remaining unused/unpermitted private wells existing on this parcel must be properly abandoned according to Wisconsin Administrative Code NR 812 and Madison General Ordinance 13.21 prior to the demolition of the property. Please contact water utility staff at (608) 266- 4654 to schedule an on-site private well survey prior to demolition, otherwise for additional information regarding well abandonment procedures and potential well abandonment reimbursement programs. 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.

15. 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.

**City Engineering Division – Mapping Section** (Jeffrey Quamme, 266-4097)



16. The Additional public sanitary sewer easement areas shall be required to be granted between the home and garage and in the southwestern corner of the site where existing sewer crosses the lot. The east line of that new easement area should be 10' east of the center of the existing pipe.
17. A separate Real Estate Project will be necessary to amend the current easement to include the new easement areas. The easement shall also have the terms updated in paragraph 1 (c) to acknowledge the proposed private improvements that will be permitted within the easement as part of the site plan review.
18. Provide the map exhibit (also provide a map exhibit of the proposed improvements and second story bridge to be permitted within the easement) and legal descriptions to Jeff Quamme (jrquamme@cityofmadison.com) to set up the Real Estate project.

19. Obtain a Street Terrace permit for the proposed work (installation of the driveway apron, landscaping, etc.) This permit application is available and must be completed on line at <http://www.cityofmadison.com/engineering/permits.cfm> (MGO 10.08)
20. The Owner/Applicant/Contractor are collectively responsible to obtain the necessary permissions or easements for the construction and maintenance of the retaining walls that would disturb any adjacent property.
21. 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.
22. The pending Certified Survey Map application for this property shall be completed and recorded with the Dane County Register of Deeds (ROD), the new parcel data created by the Assessor's Office and the parcel data available to zoning and building inspection staff prior to issuance of building permits for new construction or early start permit.

The following agencies reviewed the request and recommended no conditions of approval: Traffic Engineering Division, Forestry Division, Metro Transit, Parks Division and Parking Utility

*Land Division Request*

**Engineering Division** (Brenda Stanley, 261-9127)

23. Show the regulatory FEMA floodplain on the CSM.
24. The new structure shall have a minimum entrance opening of 854.00 USGS datum.

25. Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Mark Moder (608-261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff. (MGO 16.23(9)(d)(4))

**City Engineering Division – Mapping Section** (Jeffrey Quamme, 266-4097)

26. The CSM shall note the proposed new sanitary sewer easement areas as "Public Sanitary Sewer Easement per Document No. " (Amendment to Document No. 4336154)". A separate Real Estate Project will be necessary to amend the current easement to include the new easement areas. It also shall have the terms updated, paragraph 1 (c) to acknowledge the proposed private improvements that will be permitted within the easement as part of the site plan review.
27. Also the amendment shall also include additional Easement area in the southwesterly corner of the lot where public sanitary sewer crosses the lot. The east line of that new easement area should be 10' east of the center of the existing pipe.
28. Provide the map exhibit (also provide a map exhibit of the improvements and second story bridge to be permitted within the easement) and legal descriptions to Jeff Quamme (jrquamme@cityofmadison.com) to set up the Real Estate project.
29. Wisconsin Administrative Code A-E 7.08 identifies when Public Land System (PLS) tie sheets must be filed with the Dane County Surveyor's office. The Developer's Surveyor and/or Applicant must submit copies of required tie sheets or monument condition reports (with current tie sheet attached) for all monuments, including center of sections of record, used in this survey, to Jeff Quamme, City Engineering (jrquamme@cityofmadison.com)
30. Prior to Engineering final sign-off by main office for Plats or Certified Survey Maps (CSM), the final Plat or CSM in pdf format must be submitted by email transmittal to Engineering Land Records Coordinator Jeff Quamme (jrquamme@cityofmadison.com) for final technical review and approval. This submittal must occur a minimum of two working days prior to final Engineering Division sign-off.
31. Provide at tie distance from the southeast corner of the Lot to the existing Public Sanitary Sewer Easement per Doc 4336154.
32. Provide a dimension to the found iron in the middle of the frontage of the new lot. Also provide a 15' dimension from the SE line of Lot 31 to the exterior boundary of the CSM.
33. The Ordinary High Water Mark shall be shown on the CSM. Lake Mendota has an OHWM elev of 850.7. All lot dimensioning shall be to the OHWM and not the existing water's edge. All dimensioning to the OHWM shall also be noted as +/- (more or less).
34. Add a dimension of 124.67 between the two northeastern most iron stakes along the Northwest side of the CSM.
35. Provide a recorded as distance of 269.7 along the Northwest line of the CSM.
36. Place a note on sheet 1 that all existing buildings are to be demolished.
37. Numerous surveys and CSM's indicate the radius of the right of way to be 440 feet. Please revise accordingly or provide justification of current radius.
38. Provide the area of the lot to the OHWM as more or less. Also provide an area to the meander line.

39. Add to the sheet header and legal description that this CSM is also within Government Lot 3 of Section 18.
40. Add text to the legal description under the Surveyor's Certificate that includes the lands lying between the meander line and the OHWM of Lake Mendota between the Northwesterly and Southeasterly lines of the CSM.
41. The Surveyor's Certificate is missing certification text required by statute and a statement that the surveyor has complied with the subdivision ordinance of the City of Madison.
42. Provide a tie to the sanitary easement from the southeast corner of the CSM.
43. The pending Certified Survey Map application for this property shall be completed and recorded with the Dane County Register of Deeds (ROD), the new parcel data created by the Assessor's Office and the parcel data available to zoning and building inspection staff prior to issuance of building permits for new construction.
44. Submit to Jeff Quamme, prior to Engineering sign-off of the subject plat, one (1) digital CADD drawing in a format compatible with AutoCAD. The digital CADD file(s) shall be referenced to the Dane County Coordinate System and shall contain, at minimum, the list of items stated below, each on a separate layer/level name. The line work, preferably closed polylines for lot lines, shall be void of gaps and overlaps and match the final recorded plat:
  - a) Right-of-Way lines (public and private)
  - b) Lot lines
  - c) Lot numbers
  - d) Lot/Plat dimensions
  - e) Street names
  - f) Easement lines (i.e. all shown on the plat including wetland & floodplain boundaries.)

NOTE: This Transmittal is a separate requirement from the required Engineering Streets Section for design purposes. The Developer/Surveyor shall submit new updated final plat, electronic data for any changes subsequent to any submittal.

**Real Estate Office** (Heidi Radlinger, 266-6558)

45. OWNER'S CERTIFICATION

Prior to approval sign-off by the Office of Real Estate Services, the Owner's Certificate shall be executed by all parties of interest having the legal authority to do so, pursuant to Wis. Stats. 236.21(2)(a). The title of each certificate shall be consistent with the ownership interest reported in the most recent title report.

The City and the Register of Deeds are now accepting electronic signatures. A .pdf of the CSM containing electronic signatures shall be provided to ORES to obtain approval sign-off.

46. CERTIFICATE AND CONSENT REQUIREMENTS

- a. If any portion of the lands within the CSM boundary are subject to an Option to Purchase or other Option interest, include a Certificate of Consent for the option holder and have it executed prior to CSM sign-off, if said ownership interest meets the criteria set forth by Wis. Stat. Sec. 236.34 and Sec. 236.21(2)(a).

- b. A Consent of Lessee certificate shall be included on the CSM for all tenant interests in excess of one year, recorded or unrecorded, and executed prior to CSM sign-off.

47. REAL ESTATE TAXES

2022 real estate taxes are paid in full for the subject properties.  
Per 236.21(3) Wis. Stats. and 16.23(5)(g)(1) Madison General Ordinances, the property owner shall pay all real estate taxes that are accrued or delinquent for the subject property prior to CSM recording. This includes property tax bills for the prior year that are distributed at the beginning of the year.

48. SPECIAL ASSESSMENTS

There are no special assessments reported on the subject parcels. If special assessments are levied against the property during the review period prior to CSM approval sign-off they shall be paid in full pursuant to Madison General Ordinance Section 16.23(5)(g)1.

49. TITLE REPORT UPDATE

Pursuant to Madison City Ordinance Section 16.23(5)(g)(4), the owner shall furnish an updated title report to Heidi Radlinger in City's Office of Real Estate Services as well as the survey firm preparing the proposed CSM. The report shall search the period subsequent to the date of the initial title report (9/8/2023) submitted with the CSM application and include all associated documents that have been recorded since the initial title report. A title commitment may be provided, but will be considered only as supplementary information to the title report update. Surveyor shall update the CSM with the most recent information reported in the title update. ORES reserves the right to impose additional conditions of approval in the event the title update contains changes that warrant revisions to the CSM.

50. COPY OF RECORDED CSM

The owner shall email the document number of the recorded CSM to Heidi Radlinger as soon as the recording information is available.

The following agencies reviewed the request and recommended no conditions of approval: Traffic Engineering, Zoning, Fire Department, Forestry Division, Water Utility, Metro Transit, Parks Division and Parking Utility