

PLANNING DIVISION STAFF REPORT

May 6, 2024



PREPARED FOR THE PLAN COMMISSION

Project Address: 105 E Lakeview Avenue (15th Alder District - Alder Martinez-Rutherford)
Application Type: Demolition Permit
Legistar File ID # [82731](#)
Prepared By: Chris Wells, Planning Division
Report Includes Comments from other City Agencies, as noted
Reviewed By: Kevin Firchow, AICP, Principal Planner

Summary

Applicant & Contact & Property Owner: Matt Plummer; Titan Fire and Security; 6351 Loftus Road, Suite D; Deforest, WI 53532

Requested Action: Consideration of a demolition permit to demolish a single-family residence at 105 E Lakeview Avenue.

Proposal Summary: The applicant proposes to demolish a one-story, 596-square-foot, two-bedroom, single-family residence. Afterward, the applicant plans to fill the hole and seed it with grass.

Applicable Regulations & Standards: This proposal is subject to the standards for demolition permits [MGO Section 28.185(7)].

Review Required By: Plan Commission

Summary Recommendation: The Planning Division recommends that the Plan Commission find that the demolition standards are met and **approve** the request to demolish a single-family residence at 105 E Lakeview Avenue. This recommendation is subject to input at the public hearing and the conditions recommended by the reviewing agencies.

Background Information

Parcel Location: The 7,200-square-foot property is located on the south side of E Lakeview Avenue, between Buckeye Road and Major Avenue. It is located within Alder District 15 (Alder Martinez-Rutherford) and the Madison Metropolitan School District.

Existing Conditions and Land Use: The property is zoned Suburban Residential – Consistent 2 (SR-C2) District and is developed with a one-story, 596-square-foot, two-bedroom, single-family residence. The City's Assessor's Office records note the residence was constructed in 1926.

Surrounding Land Use and Zoning:

Northeast: Single-family residences, zoned Suburban Residential – Consistent 2 (SR-C2) District;

Northwest: Across E Lakeview Avenue are single-family residences, zoned SR-C2;

Southeast: Single-family residences, zoned SR-C2; and

Southwest: Single-family residences, zoned SR-C2.

Adopted Land Use Plan: The [Comprehensive Plan](#) (2018) recommends Low Residential (LR) uses for the subject site. There is not a neighborhood plan which encompasses the subject site.

Zoning Summary: The property is in the Suburban Residential – Consistent 2 (SR-C2) District

Other Critical Zoning Items	Yes: Utility Easements No: Urban Design; Historic District; Floodplain; Adjacent to a Park; Barrier Free (ILHR 69); Wetlands; Wellhead Protection District; TOD Overlay
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Prepared by Jacob Moskowitz, Assistant Zoning Administrator

Environmental Corridor Status: The subject site is not located in a mapped environmental corridor.

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

Project Description, Project Analysis, and Conclusion

The owner/applicant is requesting approval to demolish a one-story, 596-square-foot, two-bedroom, single-family residence. The City’s Assessor’s Office records note the residence was constructed in 1926. Regarding the condition of the structure, the applicant notes that it is *“in poor condition”* and is *“not livable on the inside in its current condition.”* They have submitted [photos](#) of the existing structure. Planning Division Staff has not inspected the building. Afterward, the applicant plans to fill the hole and seed it with grass.

Compliance with Adopted Plans

The [Comprehensive Plan](#) (2018) recommends Low Residential (LR) uses for the subject site. There is not a neighborhood plan which encompasses the subject site.

Demolition Permit Standards

At its October 5, 2021 meeting, the Common Council adopted Ordinance 21-00065 (ID [67074](#)) to revise the standards and process for demolition and removal permits in Section 28.185 of the Zoning Code to remove consideration of proposed future use as a factor in approving demolition requests. In order to approve a demolition request under the revised standards, the Plan Commission shall consider the seven approval standards in §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.

The Planning Division believes that the standards for Demolition Permits can be met and provides the following comments regarding standards 1 and 4.

Standard 1 states that *“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.”* The applicant has noted in submitted materials that relocating the house was considered but ultimately deemed *“not economically feasible.”*

Staff also makes note of Standard 4, *“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 February 12, 2024 meeting, the Landmarks Commission found that the existing building at 105 E Lakeview Avenue has no known historic value.

Planning Division staff believe all other standards of approval can be found met or are not applicable to this request.

At the time of report writing, staff is not aware of public comment regarding this proposal.

Recommendation

Planning Division Recommendation (Contact Chris Wells, (608) 261-9135)

The Planning Division recommends that the Plan Commission find that the demolition standards are met and **approve** the request to demolish a single-family residence at 105 E Lakeview Avenue. This recommendation is subject to input at the public hearing and the conditions recommended by the reviewing agencies.

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

Engineering Division (Main Office) (Contact Timothy Troester, 608-267-1995)

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. The procedures and fee schedule is available online at <http://www.cityofmadison.com/engineering/permits.cfm> . (MGO CH 35.02(14))

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

2. 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 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.

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

3. A private well may have served this parcel prior to the municipal water service connection. 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

The following agencies have reviewed this request and have recommended no conditions of approval:

The Planning Division; Fire Department; Traffic Engineering; City Engineering – Mapping; Parks Division; Forestry; Parking; and Metro