



## Report to the Plan Commission

October 15, 2012

**Legistar I.D. #27945**  
**312 N. Hamilton Street**  
**Demolition Permit**

Report Prepared By:  
Timothy M. Parks, Planner  
Planning Division

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**Requested Action:** Approval of a demolition permit to allow demolition of a single-family residence at 312 N. Hamilton Street to allow construction of a new single-family residence.

**Applicable Regulations & Standards:** Section 28.12(12) provides the guidelines and regulations for the approval of demolition permits.

**Summary Recommendation:** The Planning Division recommends that the Plan Commission find the demolition permit standards met and **approve** the demolition of a single-family residence at 312 N. Hamilton Street to allow construction of a new single-family residence, subject to input at the public hearing and the conditions from reviewing agencies beginning on page 4 of this report.

### Background Information

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**Applicant & Property Owner:** Daniel Gobel; 1017 Nichols Drive; Raleigh, North Carolina.

**Proposal & Existing Conditions:** The applicant proposes to demolish an existing single-family residence and construct a new single-family residence. The applicant wishes to commence demolition as soon as all regulatory approvals have been granted, with completion of the new residence anticipated in fall 2013. The site is zoned R6 (General Residence District).

**Parcel Location:** An approximately 1,909 square-foot parcel (0.044 acres) located on the west side of N. Hamilton Street midway between E. Gorham and E. Johnson/ N. Butler streets; Aldermanic District 2 (Maniaci); Madison Metropolitan School District.

**Surrounding Land Use and Zoning:** The subject site is located shares the triangularly shaped 300-block of N. Hamilton, N. Butler and E. Gorham streets with a variety of other one-, two- and multi-family residences in R6 (General Residence District) zoning. McBride Point Apartments, zoned PUD-SIP, are located east of the site across N. Hamilton Street. James Madison Park is located at the northern end of the block.

**Adopted Land Use Plan:** The Downtown Plan includes the subject site and properties located on both sides of the 300-block of N. Hamilton Street in the James Madison Park Neighborhood. The plan identifies the generalized future land use of the subject site and James Madison Park Neighborhood as "predominant residential", with a maximum building height of 5 stories, including a 15-foot setback above four stories for buildings fronting onto N. Hamilton Street.

**Environmental Corridor Status:** This property is not located within a mapped environmental corridor.

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

**Zoning Summary:** Existing R6 (General Residence District) zoning

Requirements	Required	Proposed
Lot Area	6,000 sq. ft.	1,909 sq. ft.
Lot Width	50'	31.55' (existing)
Usable Open Space	70 sq. ft. per bedroom	Adequate
Front Yard	20'	<b>To be determined by Zoning</b>
Side Yards	5' per side	7' in each side yard
Rear Yard	30'	30'
Floor Area Ratio	2.0	Less than 1.0
Building Height	N/A	1 story with loft
No. Parking Stalls	N/A	1
<b>Other Critical Zoning Items</b>		
Yes:	None	
No:	Urban Design District, Historic District, Landmark Building, Adjacent to Park, Floodplain, Waterfront Development, Utility Easements	
<i>Prepared by: Pat Anderson, Asst. Zoning Administrator</i>		

**Previous Approval**

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On August 17, 2009, the Plan Commission approved a demolition permit to allow demolition of a single-family residence located at 312 N. Hamilton Street to provide additional open space for an adjacent single-family residence located at 314 N. Hamilton Street.

**Project Review, Analysis and Conclusion**

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The applicant is requesting approval of a demolition permit to allow a two-story single-family residence located at 312 N. Hamilton Street to be demolished. The residence was constructed in 1885 and contains 4 bedrooms and 2 bathrooms according to City Assessor records. The building is sided with wood and vinyl and includes a small screened front porch and an open rear deck. An asphalt driveway shared with the single-family residence at 310 N. Hamilton straddles the southern property line of the site, which is otherwise characterized by the presence of older-growth canopy trees located along the westerly, rear property.

Following demolition, the applicant proposes to construct a tall one-story single-family residence with loft on the subject property. The first floor of the new residence will contain living, dining and kitchen spaces, with a single bedroom and bathroom to be located on the loft level proposed at the rear of the building. The new residence will have a full basement containing mechanical and storage space. A front porch is proposed at the first floor facing N. Hamilton Street, while a walled patio space is proposed along the rear wall. The design of the new residence will be a distinctly modern, with an exterior comprised of vertical wood panels above a concrete block base, and a flat roof. An off-street parking stall is proposed in the rear yard on a portion of the driveway shared with the property adjacent to the south.

As noted in the previous section, the Plan Commission previously determined that the standards could

be met and approved the demolition of the subject building in 2009. However, the applicant was unable to implement the proposed alternative use of the subject site as open space for the adjacent residence under his ownership following the earlier approval due to financing reasons. Because the proposed use of the property will be different than when the Commission previously approved the demolition of the existing single-family residence, staff felt that it was appropriate to send the demolition request back to the Commission for consideration following a new public hearing.

The condition of the property is essentially the same as it was when the demolition permit was approved in 2009. Then as now, the building suffers from “[severe] structural damage due to the balloon framing shifting off a stone foundation” and rotted wood framing for the structure according to the applicant, and is currently posted “No Occupancy” by the Building Inspection Division as a result of longstanding inspection orders that have existed on this property since before the 2009 approval. An August 2007 inspection report noted that the screened front porch was pulling away from the building and sinking and that the first floor contained “inappropriate” support structures. Those conditions have not been remedied to date. Staff will note, however, that the Building Inspection orders on the property are not meant to serve as justification for demolition but rather items that must be addressed to the satisfaction of the Building Inspection Division in order for the structure to be occupied.

Staff believes that the current demolition proposal can also meet the standards for approval. While the proposed use of the property following the demolition of the existing residence is unique both given past development activities in the downtown area following similar demolitions and the proposal to build a small, contemporary single-family residence, staff does not feel that the demolition will have a negative impact on the normal and orderly development of surrounding properties. The subject site sits on a flatiron/ triangular block comprised of a number of small parcels that do not lend themselves to easy assembly and redevelopment.

Staff also believes that the new single-family residence proposed is generally in keeping with the recommendations for the site and nearby properties in the Downtown Plan, which includes the subject site and properties located on both sides of the 300-block of N. Hamilton Street in the James Madison Park Neighborhood. Fairly intact blocks of two- to three-story houses, many of which have been long-time rental properties, characterize the James Madison Park Neighborhood, including the subject property. The renovation of existing structures, coupled with selective redevelopment that reflects the scale and rhythm of the existing structures was recommended in the plan to ensure the future vibrancy of the area, provide a variety of housing options, and strengthen linkages to the adjacent Tenney-Lapham and Mansion Hill Neighborhoods. The plan identifies the generalized future land use of the subject site and James Madison Park Neighborhood as “predominant residential”, with a maximum building height of 5 stories, including a 15-foot stepback above four stories for buildings fronting onto N. Hamilton Street.

A reuse and recycling plan approved by the Recycling Coordinator is required by ordinance prior to the issuance of wrecking permit and the commencement of demolition activities.

## **Recommendations and Proposed Conditions of Approval**

Major/Non-Standard Conditions are shaded

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

The Planning Division recommends that the Plan Commission find the demolition permit standards met and **approve** a demolition permit to allow a single-family residence located at 312 N. Hamilton Street to

be demolished and a new single-family residence to be constructed, subject to input at the public hearing, the following Planning Division condition(s), and conditions from reviewing agencies:

1. That the northern elevation be revised per Planning Division approval prior to final signoff and issuance of permits for demolition and new construction to include an additional window along that façade. Planning staff recommends that the additional window be located on the first floor in the kitchen area.

The following conditions have been submitted by reviewing agencies:

**City Engineering Division** (Contact Janet Dailey, 261-9688)

2. The applicant shall replace all sidewalk and curb and gutter that abuts the property, which is damaged by the construction or any sidewalk and curb and gutter that the City Engineer determines needs to be replaced because it is not at a desirable grade regardless of whether the condition existed prior to beginning construction.
3. All work in the public right of way shall be performed by a City-licensed contractor.
4. All damage to the pavement on N. Hamilton Street adjacent to this development shall be restored in accordance with the City's Pavement Patching Criteria.
5. The site plans shall be revised to show the location of all rain gutter down spout discharges.
6. The applicant shall submit, prior to plan sign-off, digital CAD files to the Land Records Coordinator in the Engineering Division. (Lori Zenchenko) [zenchenko@cityofmadison.com](mailto:zenchenko@cityofmadison.com). The digital copies shall be drawn to scale and represent final construction including: building footprints, internal walkway areas, internal site parking areas, lot lines/ numbers/ dimensions, street names, and other miscellaneous impervious areas. All other levels (contours, elevations, etc) are not to be included with this file submittal. E-mail file transmissions are preferred. The digital CAD file shall be to scale and represent final construction. Any changes or additions to the location of the building, sidewalks, parking/pavement during construction will require a new CAD file. The single CAD file submittal can be either AutoCAD (dwg) Version 2001 or older, MicroStation (dgn) Version J or older, or Universal (dxf) format. Please include the site address in this transmittal.
7. Prior to final approval of the demolition permit application, the owner shall obtain a permit to plug each existing sanitary and or storm sewer lateral that serves a building that is proposed for demolition. For each lateral to be plugged the owner shall deposit \$1,000 with the City Engineer in two separate checks in the following amounts: (1) \$100 non-refundable deposit for the cost of inspection of the plugging by City staff; and (2) \$900 for the cost of City crews to perform the plugging. If the owner elects to complete the plugging of a lateral by private contractor and the plugging is inspected and approved by the City Engineer, the \$900 fee shall be refunded to the owner.

**Traffic Engineering Division** (Contact Dan McCormick, 267-1969)

This agency did not submit comments for this request.

**Zoning Administrator** (Contact Pat Anderson, 266-5978)

8. Provide a reuse/recycling plan, to be reviewed and approved by the City Recycling Coordinator prior to a demolition permit being issued. Sec 28.12(12)(e) of the Zoning Ordinance requires the submittal of documentation demonstrating compliance with the approved reuse and recycling plan. Please note, the owner must submit documentation of recycling and reuse within 60 days of completion of demolition.

**Parks Division** (Contact Kay Rutledge, 266-4714)

This agency did not submit comments for this request.

**Fire Department** (Contact Bill Sullivan, 261-9658)

Note: Madison Fire Department recommends the installation of a residential fire sprinkler system in accordance with NFPA 13D and SPS 382.40(3)(e). Additional information is available at the Home Fire Sprinkler Coalition website: <http://www.homefiresprinkler.org/Consumer/ConsHome.html>.

**Police Department** (Contact Frank Chandler, 266-4238)

This agency did not submit comments for this request.

**Water Utility** (Contact Dennis Cawley, 261-9243)

9. The Madison Water Utility shall be notified to remove the water meter prior to demolition. All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility.

**Metro Transit** (Contact Tim Sobota, 261-4289)

This agency did not submit comments for this request.