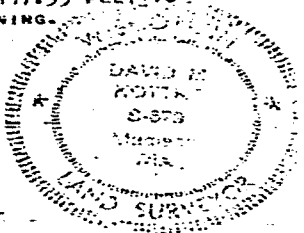
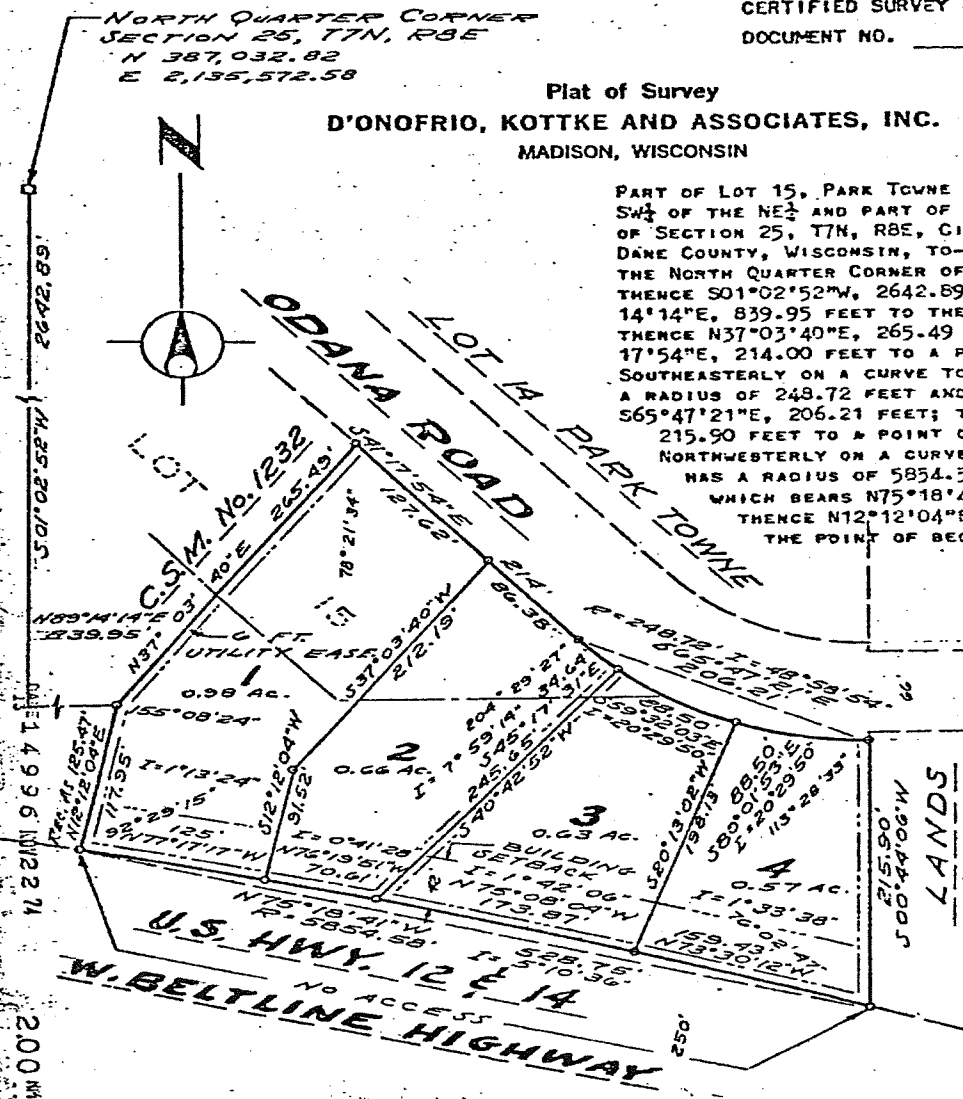


see attached email from DOT. Building setback line is not enforceable by the DOT

CERTIFIED SURVEY NO. 1578
DOCUMENT NO. 1414996

Plat of Survey
D'ONOFRIO, KOTTKE AND ASSOCIATES, INC.
MADISON, WISCONSIN

PART OF LOT 15, PARK TOWNE AND PART OF THE SW 1/4 OF THE NE 1/4 AND PART OF THE NW 1/4 OF THE SE 1/4 OF SECTION 25, T7N, R8E, CITY OF MADISON, DANE COUNTY, WISCONSIN, TO-WIT: COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 25; THENCE S01°02'52"W, 2642.89 FEET; THENCE N89°14'14"E, 839.95 FEET TO THE POINT OF BEGINNING; THENCE N37°03'40"E, 265.49 FEET; THENCE S41°17'54"E, 214.00 FEET TO A POINT OF CURVE; THENCE SOUTHEASTERLY ON A CURVE TO THE LEFT WHICH HAS A RADIUS OF 248.72 FEET AND A CHORD WHICH BEARS S65°47'21"E, 206.21 FEET; THENCE S00°44'06"W, 215.90 FEET TO A POINT ON A CURVE; THENCE NORTHWESTERLY ON A CURVE TO THE LEFT WHICH HAS A RADIUS OF 5854.58 FEET AND A CHORD WHICH BEARS N75°18'41"W, 528.75 FEET; THENCE N12°12'04"E, 117.95 FEET TO THE POINT OF BEGINNING.



NOTE: ALL LOTS SHALL CONFORM TO THE REQUIREMENTS SET FORTH IN THE "DECLARATION OF COVENANTS, CONDITIONS & RESTRICTIONS OF PARK TOWNE" AS RECORDED IN DOCUMENT NO. 1373565, ON AUG. 1, 1973, DANE COUNTY REGISTRY.

RECEIVED FOR RECORDING THIS 22
DAY OF Nov., 1974, AT 10:10
O'CLOCK A.M. AND RECORDED IN
VOLUME 6 ON PAGE 317 AS
DOCUMENT NO. 1414996 IN
CERTIFIED SURVEYS.

APPROVED BY THE SECRETARY OF THE CITY
PLAN COMMISSION ACTION OF 11-22-74
Charles R. Dinauer
CHARLES R. DINAUER, SECRETARY
MADISON CITY PLAN COMMISSION

Harold K. Hill
HAROLD K. HILL, DANE CO. REGISTER OF DEEDS
By: *Marian Jordan*, Deputy
PARK TOWNE DEVELOPMENT CORP.

IRON STAKES PLACED ARE
1 1/2" x 30" SOLID ROUND, 4.3 LBS/FT.
• Iron Stake Found

I HEREBY CERTIFY THAT I HAVE COMPLIED WITH
CHAPTER 236.34 OF THE WISCONSIN STATUTES.
I hereby certify that I have made a survey
according to the description furnished to me
and that the plat drawn above is a true
representation of that survey.

• Iron Stake Placed
Scale: 1 INCH = 100 FEET
Date: NOVEMBER 6, 1974
No. 74 * 7 - 147

David M. Kottke

Quamme, Jeff

From: Mancheski, Jean - DOT [jean.mancheski@dot.wi.gov]
Sent: Thursday, February 13, 2014 10:09 AM
To: Quamme, Jeff; Anderson, Patrick
Cc: Tucker, Matthew; Pederson, Eric
Subject: RE: 6301 Odana/CSM 1578

Jeff,

Based upon the documents that WisDOT reviewed, I am unable to verify that WisDOT imposed the setback on the plat of survey.

That being said...the Beltline is a major highway and it is quite likely that the r/w will be expanded at some point in time. Therefore in an effort to protect all parties involved, WisDOT would like to respectfully caution the City as to what you choose to allow in the setback area.

Thank you for allowing us the opportunity to review and comment. If you have any questions, please let me know.
Jean

-----Original Message-----

From: Quamme, Jeff [mailto:JRQuamme@cityofmadison.com]
Sent: Thursday, February 13, 2014 7:50 AM
To: Quamme, Jeff; Mancheski, Jean - DOT; Anderson, Patrick
Cc: Tucker, Matthew; Pederson, Eric
Subject: RE: 6301 Odana/CSM 1578

All,

Jean said that she will get an answer to us today.

Jeff Quamme
Land Records Coordinator
City of Madison Engineering Division
1600 Emil Street
Madison, WI 53713
(608) 266-4097 PH
jrquamme@cityofmadison.com
<http://www.cityofmadison.com/engineering/>

-----Original Message-----

From: Quamme, Jeff
Sent: Wednesday, February 12, 2014 8:48 AM
To: 'Mancheski, Jean - DOT'; Anderson, Patrick
Cc: Tucker, Matthew; Pederson, Eric
Subject: RE: 6301 Odana/CSM 1578

Hi Jean,

Any update on this?

Thanks for all your help.

Jeff Quamme
Land Records Coordinator

City of Madison Engineering Division
1600 Emil Street
Madison, WI 53713
(608) 266-4097 PH
jrquamme@cityofmadison.com
<http://www.cityofmadison.com/engineering/>

-----Original Message-----

From: Mancheski, Jean - DOT [mailto:jean.mancheski@dot.wi.gov]
Sent: Monday, February 10, 2014 4:28 PM
To: Anderson, Patrick; Quamme, Jeff
Cc: Tucker, Matthew; Pederson, Eric
Subject: RE: 6301 Odana/CSM 1578

Can one of you obtain the following document and send it to me:

Declaration of Covenants, Conditions & Restrictons of Park Towne Recorded as Document #
1373566 on August 1, 1973 Dane County _____

From: Anderson, Patrick [PAnderson@cityofmadison.com]
Sent: Friday, February 07, 2014 2:10 PM
To: Quamme, Jeff
Cc: Mancheski, Jean - DOT; Tucker, Matthew; Pederson, Eric
Subject: RE: 6301 Odana/CSM 1578

The meeting is from 10am-11am Monday morning.

-----Original Message-----

From: Quamme, Jeff
Sent: Friday, February 07, 2014 2:06 PM
To: Anderson, Patrick
Cc: 'Mancheski, Jean - DOT'; Tucker, Matthew; Pederson, Eric
Subject: RE: 6301 Odana/CSM 1578

Pat,

See Jean's email below. I have already contacted Jean regarding this. She was already gone for the day, but when I called and she graciously picked up.

There are portions of the CSM that were not part of the plat of the recorded Park Towne Plat. All of the setbacks defined are not within any part of Lot 15 of Park Towne. When I pointed this out, Jean felt she needed to run this up the ladder on Monday to get a better answer if these are setbacks enforceable by the DOT. She is not sure if she will have a definitive answer by your meeting time on Monday. Can you respond with the time of your meeting so she knows?

Does planning have any of the approval information for the CSM that might clarify if this setback was a City requirement?

Below is the process for a variance if the setback is determined to have been required by the DOT.

Jeff Quamme
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1600 Emil Street

Madison, WI 53713
(608) 266-4097 PH
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<http://www.cityofmadison.com/engineering/>

-----Original Message-----

From: Mancheski, Jean - DOT [mailto:jean.mancheski@dot.wi.gov]
Sent: Friday, February 07, 2014 1:27 PM
To: Quamme, Jeff
Subject: FW: 6301 Odana/CSM 1578

Jeff,

Jennifer Queram forwarded your inquiry to me for review. It's my understanding that you have a meeting on Monday that you would like some information to share.

This is a brief summary for you to share of what is needed in order to assist with the process of requesting a variance to the recorded plat.

This parcel is part of a recorded subdivision plat called Park Towne which has a 42 ft setback imposed by WisDOT. The property owner must make a request to the SW Region Madison Office Planning Unit (please make this request to me) for the variance by submitting a copy of the proposed plans and justifications for the variance request. Send me a copy of the current site along with the proposed changes being requested. In addition, documentation from the local unit of government should be included. If the request is supported by the SW Region it is then forwarded to our Central Office Access Committee for their review/approval to grant a variance. Please keep in mind this is a brief overview however it should enable you to get started with the process by submitting additional information to me.

Would you please forward this to Matthew Tucker, Eric Pederson and Patrick Anderson.

If you have additional questions please let me know.

Jean Mancheski
WisDOT SW Region Planning - Access Unit
2101 Wright Street
Madison, WI 53704
608-246-3807

From: Quamme, Jeff [mailto:JRQuamme@cityofmadison.com]
Sent: Tuesday, February 04, 2014 6:49 AM
To: Queram, Jennifer - DOT
Cc: Tucker, Matthew; Pederson, Eric; Anderson, Patrick
Subject: RE: 6301 Odana/CSM 1578

Hello again Jennifer,

Attached is an older Certified Survey Map (1578) in the City of Madison. CSM's at the time of recording were not submitted to the DOT for review. But there is a 42' building setback line (not denoted a highway setback line) shown on the Certified Survey Map.

Proposed development on the property(s) would require the release of the 42' setback line.

Before the discussion goes much further, we would like to confirm whether this is a setback enforced by the DOT or not. My inclination is it is not, but would prefer to make sure before moving ahead.

If you should need any additional information or have any questions, please contact me.

Jeff Quamme
Land Records Coordinator
City of Madison Engineering Division
1600 Emil Street
Madison, WI 53713
(608) 266-4097 PH
jrquamme@cityofmadison.com
<http://www.cityofmadison.com/engineering/>
From: Anderson, Patrick
Sent: Friday, January 31, 2014 2:34 PM
To: Quamme, Jeff; Pederson, Eric
Cc: Tucker, Matthew
Subject: RE: 6301 Odana/CSM 1578

Will the 42' setback be eliminated as a result of a new CSM? The existing lot lines will go thru the new building addition, CSM will combine lots 3 & 4. If lot 2 is required to be rezoned, then they will include it in the 1 lot CSM. Will they need the cross access agreement if lot 2 is not included?

From: Quamme, Jeff
Sent: Friday, January 31, 2014 1:27 PM
To: Anderson, Patrick; Pederson, Eric
Subject: RE: 6301 Odana/CSM 1578

Pat,

The platting statute in 1974 did not require CSM's to be submitted to the Department of Transportation when abutting.

There is not any indication of this being a setback line required specifically by the DOT in any certificate or in the notes for the setback itself. HY 33 (now TRANS 233) did have setback requirements, see section 33.08, but again it would have applied to platted areas only and not CSM's.

The modification to the setback would have to be accomplished with a Resolution approved by the Common Council.

As for how common this is, I will defer to Eric. My experience is it is not that common.

You might want to ask some of the planners what the plan for the area might say about setbacks to the beltline.

Jeff Quamme
Land Records Coordinator
City of Madison Engineering Division
1600 Emil Street
Madison, WI 53713
(608) 266-4097 PH
jrquamme@cityofmadison.com
<http://www.cityofmadison.com/engineering/>

From: Anderson, Patrick
Sent: Friday, January 31, 2014 12:06 PM
To: Quamme, Jeff; Pederson, Eric
Subject: 6301 Odana/CSM 1578

Gentleman;

The 42' setback from the beltline the CSM? If St. Vinneys would like to do an addition to their building showing a setback of less than 42'. Is this something that is commonly done? Will this require a Counsel resolution action to amend the existing CSM or a new CSM? Do you have a contact at District 1? We will likely see them at DAT as the addition will include the demo of The Leather Furniture Place for parking?

Pat