



Department of Planning & Community & Economic Development

Planning Division

Heather Stouder, Director

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September 20, 2017

Scott Johnson
XDEA Architects
2 Horatio Street, 11L
New York, NY 10014

RE: Legistar #48336; Accela 'LNDUSE-2017-00079' -- Approval of a demolition permit and conditional use to allow a single-family residence to be demolished and a new single-family residence to be constructed on a lakefront property at **5114 Spring Court**.

Dear Mr. Johnson:

At its September 18, 2017 meeting, the Plan Commission, meeting in regular session, found the standards met and approved your client's demolition permit and conditional use requests to allow a single-family residence to be demolished and a new single-family residence to be constructed on a lakefront property at **5114 Spring Court**, subject to the conditions below. In order to receive final approval of the conditional use, and for any permits to be issued for your project, the following conditions shall be met:

Please contact Timothy Troester of the City Engineering Division at (608) 267-1995 if you have any questions regarding the following six (6) items:

1. The property owner shall be responsible for any damages caused to the public sanitary that is located in the easement between the proposed house and garage that is a result of the private construction activities. The City televised this public sanitary line in March 2017. The property owner shall televise this public sanitary line upon completion of the private construction activities and submit it to City Engineering for review and determination if repairs are required. Alternately, the property owner can request the City to re-televise the sanitary sewer upon completion of construction and reimburse the City for the televising costs.
2. Consent to occupy easement agreement shall be completed per Engineering Mapping comment of the same. The agreement shall contain language specific to the private improvements being constructed in the easement and that if the City requires access to the public sanitary sewer in the future that said private improvements must be removed and replaced at the sole cost of the property owner.
3. Prior to approval, the owner or owner's representative shall obtain a permit to plug each existing sanitary sewer lateral that serves a building which is proposed for demolition. For each lateral to be plugged the owner shall complete a sewer lateral plugging application and pay the applicable permit fees. The permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>. (MGO CH 35.02(14))

4. The Applicant shall replace all sidewalk and curb and gutter which abuts the property which is damaged by the construction or any sidewalk and curb and gutter which 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. (POLICY)
5. All work in the public right-of-way shall be performed by a City licensed contractor. (MGO 16.23(9)(c)5) and MGO 23.01)
6. All damage to the pavement on Spring Ct, adjacent to this development shall be restored in accordance with the City of Madison's Pavement Patching Criteria. For additional information please see the following link: <http://www.cityofmadison.com/engineering/patchingCriteria.cfm> (POLICY)

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

7. A Consent to Occupy Easement document shall be drafted and recorded to define responsibilities, restrictions and requirements in conjunction with the proposed building foundation, stone deck, metal trellis and balcony that will lie within or over the existing Public Sanitary Sewer Easement per Doc. No. 3111465. A City of Madison Real Estate project will be required along with a \$500 for administrative fee to create the document, obtain required approval(s) and record with the Register of Deeds. Coordinate with and provide legal descriptions and map exhibits along with the \$500 for administrative fees to Jeff Quamme at jrquamme@cityofmadison.com or 1600 Emil Street, Madison, WI 53703 (Ph. 608-266-4097).

Please contact Jenny Kirchgatter of the Zoning Division at (608) 266-4429 if you have any questions regarding the following nine (9) items:

8. Section 28.185(7)(a)5. requires that if a demolition or removal permit is approved, it shall not be issued until the reuse and recycling plan is approved by the Recycling Coordinator, Bryan Johnson (608-266-4682).
9. Section 28.185(10) Every person who is required to submit a reuse and recycling plan pursuant to Section 28.185(7)(a)5. shall submit documents showing compliance with the plan within sixty (60) days of completion of demolition.
10. Section 28.185(9)(a) A demolition or removal permit is valid for one (1) year from the date of the Plan Commission.
11. The Zoning Board of Appeals, at its meeting of May 11, 2017, approved the request for a lakefront setback variance.
12. Include a copy of the topographic survey dated April 4, 2017 with the final plan set.
13. Provide lot coverage information for the area within thirty-five (35) feet of the Ordinary High Water Mark (OHWM). Lot coverage within thirty-five (35) feet of the OHWM shall not exceed twenty percent (20%). Public paths within this area shall not be included in the lot coverage limit.

14. Submit details of the trellis covered walkway extending between the house and the detached garage. The trellis must maintain a 3-foot minimum separation distance from the garage.
15. Submit details of the proposed landscape features such as the freestanding limestone wall and wood wall.
16. Filling, grading and excavation of the zoning lot may be permitted only where protection against erosion, sedimentation and impairment of fish and aquatic life has been assured. Obtain necessary erosion control permits.

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

17. 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: <https://homefiresprinkler.org/fire-sprinkler-guide/>

Please contact Adam Wiederhoeft of the Madison Water Utility at (608) 266-9121 if you have any questions regarding the following three (3) items:

18. All operating private wells shall be identified and permitted by the Water Utility in accordance with MGO 13.21. All unused private wells shall be abandoned in accordance with MGO 13.21.
19. 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.
20. 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/plumberscontractors>), 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. Please revise your plans per the above conditions and submit **seven (7) copies** of a complete, fully dimensioned and scaled plan set to the Zoning Administrator for final review and comment. Also be sure to include any additional materials requested by these departments for their approval prior to sign off. The final site plan shall be accompanied by the appropriate site plan review application and fee pursuant to Section 28.206 of the Zoning Code, and any other documentation requested herein with the Zoning Administrator, 126 S. Hamilton Street. **This submittal shall all also include one complete digital plan set in PDF format.** The sets of final revised plans or documents will be circulated by the Zoning staff to the City department staff listed above for their final approval.
2. This property is not in a wellhead protection district. All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility.
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 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, demolition or building permits, please contact the Zoning Administrator at (608) 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 (608) 261-9135.

Sincerely,



Chris Wells
Planner

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| I hereby acknowledge that I understand and will comply with the above conditions of approval for these demolition and conditional use permits. |
| _____ |
| <i>Signature of Applicant</i> |
| _____ |
| <i>Signature of Property Owner (if not the applicant)</i> |

- cc: Timothy Troester, City Engineering
Jeff Quamme, Engineering Mapping
Jenny Kirchgatter, Zoning
Bill Sullivan, Fire Department
Adam Wiederhoeft, Water Utility
Bryan Johnson, Recycling Coordinator
John Sapp, City Engineering

| For Official Use Only, Re: Final Plan Routing | | | |
|---|-----------------------|-------------------------------------|--------------------------|
| <input checked="" type="checkbox"/> | Planning Div. (Wells) | <input checked="" type="checkbox"/> | Engineering Mapping Sec. |
| <input checked="" type="checkbox"/> | Zoning Administrator | <input type="checkbox"/> | Parks Division |
| <input checked="" type="checkbox"/> | City Engineering | <input type="checkbox"/> | Urban Design Commission |
| <input type="checkbox"/> | Traffic Engineering | <input checked="" type="checkbox"/> | Recycling Coord. (R&R) |
| <input checked="" type="checkbox"/> | Fire Department | <input type="checkbox"/> | Metro Transit |
| <input type="checkbox"/> | Water Utility | | |