



Department of Planning & Community & Economic Development

Planning Division

Heather Stouder, Director

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December 6, 2017

Mark Pynonnen
Birrenkott Surveying, Inc.
1677 N. Bristol Street
Sun Prairie, Wisconsin 53590

RE: Approval of a request to rezone property located at 4207 Bellgrove Lane from A (Agricultural District) to SR-C2 (Suburban Residential–Consistent 2 District) and approval of a Certified Survey Map (CSM) creating four single-family lots (Travis and Jackie Davenport) [ID 48618 & 48327 | LNDCSM-2017-00035]

Dear Mr. Pynonnen;

At its December 5, 2017 meeting, the Common Council **approved** the zoning map amendment for 4207 Bellgrove Lane. The Council previously **conditionally approved** the four-lot Certified Survey Map (CSM) of the property at its October 17, 2017 meeting following conditional approval by the Plan Commission on October 2, 2017. The following conditions of the rezoning and land division approval shall be addressed prior recording of the CSM:

Please contact Tim Troester of the City Engineering Division at 267-1995 if you have questions regarding the following ten (10) items:

1. Each lot shall have a separate sanitary sewer lateral.
2. The applicant shall provide a copy of the wetland delineation and label the 75-foot wetland setback line on the CSM.
3. All outstanding Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to City Engineering Division sign-off, unless otherwise collected with a Developer's/ Subdivision Contract. Contact Mark Moder (261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff.
4. Note: A portion of Lot 2 of this CSM has floodplain within its property boundary. The applicant is notified that lenders may require an elevation certificate prior to lending on this property.
5. A minimum of two (2) working days prior to requesting City Engineering Division signoff on the CSM, the applicant shall contact either Tim Troester at 261-1995 (ttroester@cityofmadison.com) or Brenda Stanley at 261-9127 (bstanley@cityofmadison.com) to obtain the final stormwater utility charges that are due and payable prior to sub-division of the properties. The stormwater utility charges (as all utility

charges) are due for the previous months of service. All charges shall be cleared prior to the land division (and subsequent obsolesces of the existing parcel).

6. Arrows shall be added to the Certified Survey Map indicating the direction of drainage for each property line not fronting on a public street. In addition, the CSM shall include lot corner elevations, for all lot corners, to the nearest 0.25-foot. The following notes shall be added to the CSM:

A) Arrows indicate the direction of surface drainage swale at individual property lines. Said drainage swale shall be graded with the construction of each principal structure and maintained by the lot owner unless modified with the approval of the City Engineer. Elevations given are for property corners at ground level and shall be maintained by the lot owner.

B) All lots within this certified survey are subject to public easements for drainage purposes which shall be a minimum of 6-feet in width measured from the property line to the interior of each lot except that the easements shall be 12-feet in width on the perimeter of the certified survey. For purposes of two (2) or more lots combined for a single development site, or where two (2) or more lots have a shared driveway agreement, the public easement for drainage purposes shall be a minimum of six (6) feet in width and shall be measured only from the exterior property lines of the combined lots that create a single development site, or have a shared driveway agreement, except that the easement shall be twelve (12) feet in width along the perimeter of the certified survey. Easements shall not be required on property lines shared with greenways or public streets. No buildings, driveways, or retaining walls shall be placed in any easement for drainage purposes. Fences may be placed in the easement only if they do not impede the anticipated flow of water.

NOTE: In the event of a City of Madison Plan Commission- and/or Common Council-approved re-division of a previously subdivided property, the underlying public easements for drainage purposes are released and replaced by those required and created by the current approved subdivision.

Information to Surveyor's: In addition to notes such as this, Wisconsin State Plat Review now enforces the requirement that easements or other reference lines/areas be graphically shown, dimensioned and tied when they represent fixed locations. They will accept a "typical detail" when the easement or restriction can be effectively described and retraced from the typical detail.

7. The applicant shall replace all sidewalk and curb and gutter that abuts the property that 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.

8. All work in the public right of way shall be performed by a City-licensed contractor.

9. All damage to the pavement on Bellgrove Lane, adjacent to this development shall be restored in accordance with the City of Madison's Pavement Patching Criteria.

10. The applicant shall install public sidewalk along Bellgrove Lane. The applicant shall obtain a Street Excavation Permit for the sidewalk work, which is available from the City Engineering Division. The

applicant shall pay all fees associated with the permit including inspection fees. All work must be completed within six months or the succeeding June 1, whichever is later.

Please contact Jeff Quamme of the City Engineering Division–Mapping Section at 266-4097 if you have questions regarding the following twenty-one (21) items:

11. The City of Madison has a Parkway Reservation per the City's Official Map. The applicant shall coordinate a Public Greenway/ Drainage Easement over the existing drainage feature through the southerly portion of this Certified Survey Map with City Engineering Stormwater staff.
12. Correct the name of Bellgrove Street to Bellgrove Lane. Also label Bellgrove Lane in the portion that shall be dedicated as street right of way. Add a label to that portion, "Dedicated to the Public for Street Purposes" as required by statute. Provide the widths of the dedication as required by statute.
13. Correct bearing directional along the southeast side within the Surveyor's Certificate and on map. The direction should be southwest and not southeast.
14. Engineering-Mapping staff reserves the right to provide additional comments upon the final submittal of the Certified Survey Map fully compliant with Wis Stats. Section 236.34. Additional comments may be required upon the additional data being added to the map.
15. Provide the curve data for the two curves along the south side of Bellgrove Lane. Parcel closures and area checks were not completed due to this missing information.
16. The 75-foot setback areas within any lot shall be dimensioned.
17. The 10-foot wide Perpetual Easement shall have text added that it is for Public Sanitary Sewer. The easement shall also be fully dimensioned within the Certified Survey Map.
18. The north line of Bellgrove Lane along the north line of this Certified Survey Map is dimensioned as 649.91 feet. This is substantially different from the 645.07' dimension per the Churchill Heights Plat and Document No 3563669. The surveyor shall review this for accuracy.
19. Label the Perpetual Easement for Public Street and Sidewalk Purposes per Document No 3563669.
20. The 25-foot wide Sanitary Sewer Easement per Document No. 3563670 shall be dimensioned on the Certified Survey Map.
21. Provide all recorded as data along the Certified Survey Map boundaries.
22. Remove "LYING NORTHWEST OF PORTAGE ROAD" from the page header.
23. The current version of this Certified Survey Map is not granting any Public Utility Easements. Unless some are added prior to sign off, the note on page 3 shall be removed.

24. The applicant shall coordinate and request from the utility companies serving this area the easements required to serve this development. Those easements shall be properly shown, dimensioned and labeled on the final plat.
25. 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 condition reports for all monuments, including center of sections of record, used in this survey, to Eric Pederson, City Engineering. If a new tie sheet is not required under A-E 7.08, Engineering requests a copy of the latest tie sheet on record with Dane County Surveyor's office. The applicant shall identify monument types on all PLS corners included on the Plat. Note: Land tie to two PLS corners required.
26. In accordance with Section s. 236.18(8), Wisconsin Statutes, the applicant shall reference City of Madison WCCS Dane Zone, 1997 Coordinates on all PLS corners on the Plat or Certified Survey Map in areas where this control exists. The surveyor shall identify any deviation from City Master Control with recorded and measured designations. City of Madison has established WCCS, Dane Zone Coordinates on all PLS corners within its corporate boundary. Visit the Dane County Surveyor's Office (web address [https://www.countyofdane.com/ PLANDEV/records/surveyor.aspx](https://www.countyofdane.com/PLANDEV/records/surveyor.aspx)) for current tie sheets and control data that has been provided by the City of Madison. If a surveyor encounters an area without a published WCCS Dane Zone 1997 value, contact City Engineering Division for this information.
27. The applicant shall submit to Jeff Quamme, prior to final Engineering sign-off of the subject plat, one (1) digital CADD drawing and one (1) signed copy of the final plat to the Mapping/GIS Section of the Engineering Division either as hard copy or Adobe PDF format. The digital CADD file shall be submitted in the WisDOT County Coordinate System, Dane County Zone datum in either Auto CAD Version compatible with MicroStation Version V8i, MicroStation Version V8i or older or Universal DXF Formats. The digital CADD file(s) shall contain the minimum of the items stated below, each on a separate layer name/level number. All line work shall be void of gaps and overlaps that would cause any parcel, street or easement to not properly close. All line work orientation and geometrics shall match the dimensioning as labeled on the final recorded plat: right of way lines (public and private); lot lines; lot numbers; lot/plat dimensions; street names, and; easement lines (i.e. street, sanitary, storm (including wetland & floodplain boundaries) water, pedestrian/bike/walkway, or any public and/or private interest easement except local service for Cable TV, gas, electric and fiber optics).

*This transmittal is a separate requirement than the required submittals to Engineering Streets Section for design purposes.

*The developer/surveyor shall submit new updated final plat, electronic data and a written notification to Engineering Mapping for any changes to the plat which occur subsequent to any original submittal of data and prior to final sign off.
28. This pending CSM application shall be completed and recorded with the Dane County Register of Deeds (ROD) prior to issuance of any building permits for new construction. When the recorded CSM image is available from the ROD, the Assessor's Office can then create the new Address-Parcel-Owner (APO) data in the parcel database so that the permitting system can upload this data and permit issuance made available for this new land record.

29. Insert the standard drainage language pre MGO Section 16.23(9)(d)2.a. verbatim.

30. Monument types shall be noted at all section corners as required by Statute.

31. A consent of Mortgagee Certificate shall be added to the Certified Survey Map.

Please contact Eric Halvorson of the Traffic Engineering Division at 266-6527 if you have any questions regarding the following item:

32. The applicant shall construct a standard City sidewalk approved by City Engineering along the entire frontage of Bellgrove Lane for all lots in the CSM.

Please contact Adam Wiederhoeft of the Madison Water Utility at 266-9121 if you have any questions regarding the following item:

33. Upon development, a separate water service lateral and water meter will be required to serve each parcel. The water laterals shall be directly connected to the public water main with the shut-off valve located in the public right-of-way (per PSC 185.52 (2)). A water lateral is not required if the parcel remains undeveloped.

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

34. Provide the following information to the buyer of each individual lot: The Madison Fire Department recommends the installation of a residential fire sprinkler system in accordance with NFPA 13D and SPS 382.40(3)(e).

Please contact Janet Schmidt of the Parks Division at 261-9688 if you have any questions regarding the following two (2) items:

35. Park Impact Fees (comprised of the Park Infrastructure Impact Fee, per MGO Sec. 20.08(2)), and Park-Land Impact Fees, per MGO Sections 16.23(8)(f) and 20.08(6) will be required for all new residential development associated with this project. This development is within the East Park-Infrastructure Impact Fee district. Please reference ID# 17146 when contacting Parks Division staff about this project.

36. The following note should be included on the subdivision: "Lots within this subdivision are subject to impact fees that are due and payable at the time building permit(s) are issued." The Parks Division will be required to sign off on this land division.

Please contact my office at 261-9632 if you have questions about the following three (3) items:

37. The applicant shall provide a copy of the current wetland delineation and label the 75-foot wetland setback line on the CSM.

38. Lot 2 shall have a lowest floor opening elevation a minimum of one foot above than the flood hazard elevation.
39. Show the buildable area (building envelopes) of Lots 2-4 on the final CSM per Planning Division approval.

Please contact Heidi Radlinger of the Office of Real Estate Services at 266-6558 if you have any questions regarding the following seven (7) items:

40. A certificate of consent for all mortgagees/vendors shall be included following the Owner's Certificate(s) and executed prior to CSM approval sign-off. If a mortgage or other financial instrument is reported in record title, but has been satisfied or no longer encumbers the lands or ownership within the CSM boundary, a copy of a recorded satisfaction or release document for said instrument shall be provided prior to CSM approval sign-off.
41. Madison Common Council Certificate: Revise spelling of Clerk's last name – "Witzel-Behl"
42. 2016 real estate taxes are paid for the subject property. 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.
43. As of the date of this letter there are no special assessments reported. If special assessments are levied against the property before CSM signoff, they shall be paid in full pursuant to MGO Section 16.23(5)(g)1.
44. Pursuant to MGO 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 (hradlinger@cityofmadison.com), 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 (March 28, 2017) submitted with the CSM application and include all associated documents that have been recorded since the initial title report. The surveyor shall update the CSM with the most recent information reported in the title update.
45. The owner shall email the document number of the recorded CSM to Heidi Radlinger as soon as the recording information is available.
46. The CSM shall be revised as follows prior to final approval and recording:
 - a.) Number each Note on Sheet 3.
 - b.) Label as sanitary sewer and include the document number on the 10-foot wide perpetual easement.
 - c.) Depict Lot lines in bold.
 - d.) Depict and dimension all existing improvements (buildings, drives, parking lots, etc.), encroachments, wells, and septic systems located within the CSM boundary.

- e.) Depict and dimension public easements for utilities and storm water drainage rights-of-way to be dedicated on the proposed CSM where necessary.

Specific questions regarding the comments or conditions contained in this letter should be directed to the commenting agency.

As soon as the comments and conditions have been satisfied as verified with a completed affidavit form (attached), the original along with the revised Certified Survey Map, with all signatures and approvals from the reviewing agencies, shall be brought to this office for final signoff. You or your client may then record the certified survey at the Dane County Register of Deeds. For information on recording procedures and fees, contact the Register of Deeds at 266-4141.

Prior to City Engineering final sign-off by the main office of the CSM, the final CSM shall be submitted to the Engineering Division Surveyor/ Land Records Coordinator for final technical review and approval. This submittal must occur a minimum of two working days prior to final Engineering Division signoff. E-mail submittal of the final CSM in PDF form is preferred. Transmit to jrquamme@cityofmadison.com.

The owner shall email the document number of the recorded CSM to Jenny Frese at the City's Office of Real Estate Services as soon as the recording information is available.

Any appeal from this action, including the conditions of approval, must be filed with the Circuit Court within 30 days from the date of this letter. **The approval of this CSM shall be null and void if not recorded in twelve (12) months from the date of the approving resolution or this letter, whichever is later.**

If you have any questions or if may be of any further assistance, please do not hesitate to contact my office at 261-9632.

Sincerely,

Timothy M. Parks
Planner

cc: Travis Davenport (by e-mail only)
Tim Troester, City Engineering Division
Jeff Quamme, City Engineering Division—Mapping Section
Eric Halvorson, Traffic Engineering Division
Jenny Kirchgatter, Assistant Zoning Administrator
Bill Sullivan, Madison Fire Department
Janet Schmidt, Parks Division
Adam Wiederhoeft, Madison Water Utility
Heidi Radlinger, Office of Real Estate Services