



Department of Planning & Community & Economic Development

Planning Division

Heather Stouder, Director

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July 14, 2020

Maura & Michael Crooks
1020 Sherman Avenue
Madison, WI 53703

RE: Legistar #60664; Accela ID: 'LNDUSE-2020-00059' – Approval of a conditional use to construct an accessory building on a lakefront parcel in the Traditional Residential – Consistent 2 (TR-C2) Zoning District at 1020 Sherman Avenue.

Dear Ms. Crooks;

At its July 13, 2020 meeting, the Plan Commission, meeting in regular session, found the standards met and approved your conditional use request to construct an accessory building on a lakefront parcel in the Traditional Residential – Consistent 2 (TR-C2) Zoning District at 1020 Sherman Avenue. 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 my office at sprusak@cityofmadison.com if you have any questions regarding the following item:

1. The following information is provided for the reference of the applicant as many lakefront properties are associated with locations of Native effigy mounds and archaeological sites.

Burial Sites Preservation (§ 157.70):

(2r) Site Disturbance Prohibited. Except as provided under subs (4) and (5) and State Statute 157.111 and 157.112, no person may intentionally cause or permit the disturbance of a burial site or catalogued land contiguous to a catalogued burial site.

(3) Report of Disturbed Burial Sites. (a) Except as provided under s. 979.01, a person shall immediately notify the Wisconsin Historical Society (608-264-6502) if the person knows or has reasonable grounds to believe that a burial site or the catalogued land contiguous to a catalogued burial site is being disturbed or may be disturbed contrary to the requirements of subs. (4) and (5).

Many lakefront properties are associated with locations of Native American effigy mounds and archeological sites. This site is known to be associated with archeological and historic resources. The Burial Sites Preservation statute requires that the property owner contact the Wisconsin

Historical Society to discuss the location of the proposed project and any possible disturbance of an archaeological or historic resource before the work commences. During the construction work, if a burial site disturbance occurs, the work shall stop immediately until the Wisconsin Historical Society is able to assess the site.

Please contact Jenny Kirchgatter, the Assistant Zoning Administrator, at (608) 266-4429 if you have any questions regarding the following two (2) items:

2. Show the height of the proposed accessory building on the elevations. The maximum height is fifteen (15) feet. Height is measured from the average elevation of the approved grade at the front of the building to the midpoint of the ridge of a gable, hip, or gambrel roof. The average height shall be calculated by using the highest ridge and its attendant eave. The eave point used shall be where the roof line crosses the side wall.
3. 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 Brad Hofmann of City Forestry at (608) 266-4816 if you have any questions regarding the following two (2) items:

4. An existing inventory of trees (location, species, & DBH) and any tree removal plans (in PDF format) shall be submitted to the plans and Brad Hofmann – bhofmann#cityofmadison.com or 266-4816. All proposed street tree removals within the right of way shall be reviewed by City Forestry. Approval and permitting of street tree removals shall be obtained from the City Forester prior to the approval of the site plan.
5. Existing street trees shall be protected. Please include the following note on the site plan: Contractor shall install tree protection fencing in the area between the curb and sidewalk and extend it at least 5 feet from both sides of the tree along the length of the terrace. No excavation is permitted within 5 feet of the outside edge of a tree trunk. If excavation within 5 feet of any tree is necessary, contractor shall contact City Forestry (266- 4816) prior to excavation to assess the impact to the tree and root system. Tree pruning shall be coordinated with City Forestry prior to the start of construction. Tree protection specifications can be found in section 107.13 of City of Madison Standard Specifications for Public Works Construction - <http://www.cityofmadison.com/business/pw/documents/StdSpecs/2018/Part1.pdf>. Any tree removals that are required for construction after the development plan is approved will require at least a 72 hour wait period

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

6. Provide for review the amendment or replacement of the Shared Driveway Easement per Doc No 443488 in order to better represent the actual planned driveway and associated uses. The document(s) shall be executed prior to building permit issuance.

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. After the plans have been revised per the above conditions, please resubmit a PDF copy of the complete, fully dimensioned, and to-scale plans, 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 (zoning@cityofmadison.com). Note that the 20MB email limit still applies. Please mail the check, made out to "City Treasurer", for the site plan review fee to the following address: City of Madison Building Inspection P.O. Box 2984 Madison, WI 53701-2984. Include a cover page with the check, which includes the project address, brief description of the project, and contact information.
2. This property is not located within 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. A conditional use approval is valid for two (2) years 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. Where the plans have not been altered from the Plan Commission's approval, and the conditional use has expired, the Director of Planning and Community and Economic Development may, after consultation with the Alderperson of the District, approve an extension for up to twelve (12) months from the expiration date.
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 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 sprusak@cityofmadison.com.

Sincerely,



Sydney Prusak
Planner

cc: Jenny Kirchgatter, Zoning
Brad Hofmann, City Forestry
Jeff Quamme, Engineering-Mapping
Brenda Stanley, City Engineering

I hereby acknowledge that I understand and will comply with the above conditions of approval for the conditional use permit.

Signature of Applicant

Signature of Property Owner (if not the applicant)

For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Div. (Prusak)	<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 type="checkbox"/>	Recycling Coord. (R&R)
<input checked="" type="checkbox"/>	Fire Department	<input type="checkbox"/>	Metro Transit
<input type="checkbox"/>	Water Utility		