



PREPARED FOR THE PLAN COMMISSION

**Project Address:** 502 Leonard Street  
**Application Type:** Demolition Permit  
**Legistar File ID #** [62609](#)  
**Prepared By:** Tim Parks, Planning Division  
Report includes comments from other City agencies, as noted.

## Summary

**Applicant & Property Owner:** Brian Schneirow, The Eagen Scheirow Trust; 502 Leonard Street; Madison.

**Contact Person:** Michael Anderson, Waterstone, LLC; 2631 University Avenue, Suite 107; Madison.

**Requested Action:** Approval of a demolition permit to demolish a single-family residence at 502 Leonard Street and construct a new single-family residence.

**Proposal Summary:** The applicant and property owners are requesting approval to construct a new two-story single-family residence on the property. Demolition of the existing building occurred in September 2020 without the necessary Plan Commission approval or correct building permits. Construction of the new residence will commence once all regulatory approvals have been granted, with completion anticipated by June 1, 2021.

**Applicable Regulations & Standards:** Section 28.185 provides the process and standards for the approval of demolition and removal permits.

**Review Required By:** Plan Commission

**Summary Recommendation:** The Planning Division recommends that the Plan Commission find the standards met and **approve** a demolition permit to allow a single-family residence at 502 Leonard Street to be demolished and a new residence to be constructed, subject to input at the public hearing and the conditions from reviewing agencies beginning on page 3 of this report.

## Background Information

**Parcel Location:** An approximately 8,127 square-foot (0.19-acre) parcel located at the southeasterly corner of Leonard Street and Commonwealth Avenue; Aldermanic District 13 (Evers); Madison Metropolitan School District.

**Existing Conditions and Land Use:** Single-family residence, zoned TR-C2 (Traditional Residential–Consistent 2 District).

**Surrounding Land Uses and Zoning:** The subject site is surrounded by other single-family residences located along Leonard Street, Commonwealth Avenue, Keyes Avenue, and Fox Avenue in the TR-C2 (Traditional Residential–Consistent 2 District) and TR-C3 (Traditional Residential–Consistent 3 District) zoning districts.

**Adopted Land Use Plans:** The 2018 [Comprehensive Plan](#) recommends the subject site and surrounding properties for Low Residential uses.

**Zoning Summary:** The subject property is zoned TR-C2 (Traditional Residential–Consistent 2 District).

Requirements	Required	Proposed
Lot Area (sq. ft.)	4,000 sq. ft.	8,127 sq. ft.
Lot Width	40'	65'
Minimum Front Yard Setback	20'	(See Zoning conditions)
Maximum Front Yard Setback	30' or up to 20% greater than block average	
Side Yard Setback	Two-story: 6'	
Rear Yard Setback	Lesser of 30% lot depth or 30'(30')	
Usable Open Space	750 sq. ft.	
Maximum Lot Coverage	65%	(See Zoning conditions)
Maximum Building Height	2 stories/ 35'	2 stories/ 34.25'
Number Parking Stalls	1	2
Building Forms	Single-family detached dwelling	Will comply
<b>Other Critical Zoning Items:</b> Utility Easements		
<i>Prepared by Jenny Kirchgatter, Assistant Zoning Administrator</i>		

**Environmental Corridor Status:** The subject site is not located within a mapped environmental corridor.

**Public Utilities and Services:** The subject site is served by a full range of urban services, including weekday Metro Transit service along Commonwealth Avenue.

## Project Description, Analysis and Conclusion

The applicants are seeking Plan Commission approval of a demolition permit to construct a new single-family residence at 502 Leonard Street, which will replace a two-story single-family residence demolished in September without the necessary permits.

According to City records, the property owner obtained a building permit for a substantial remodel of and addition to the former 1,100 square-foot residence, which was built in 1923 and contained three bedrooms, one bathroom, and an attached one-car garage. As part of the approved plans, the contractor received approval for a limited amount of demolition work that did not require Plan Commission review. The razing of the entire structure above the foundation exceeded the approved permit. The contractor was instructed to stop work by the Building Inspection Division pending Plan Commission approval of this demolition permit. Photos of the former house are included in the Plan Commission materials. The Landmarks Commission informally reviewed the demolition of the former house at 502 Leonard Street at its November 2, 2020 meeting and found that it had no known historic value.

Plans for the replacement residence call for a two-story structure that will include four bedrooms, two full baths, a powder room, and an attached two-car tandem garage. The interior room layout of the new residence is depicted on the floorplans included with the application materials. A front porch will extend along most of the north wall facing Leonard Street, while a screened porch is proposed along the southern, rear wall. An unfinished basement is shown on the proposed plans. An attic plan is included in the plans, with a stair leading up from the second floor; however, no demised spaces are shown in the attic. The proposed single-family residence will reflect a traditional architectural motif, with an exterior to consist of stone and composite siding.

Building Inspection staff has indicated to Planning staff that they do not feel that the complete demolition of the former residence at 502 Leonard Street was intentional. The Planning Division believes that the proposed single-family residence can meet the standards of approval for demolition permits. The proposed residence should not have an adverse impact on the normal and orderly development of surrounding properties, which feature single-family homes that vary in size and design and reflect a character similar to the demolished residence and proposed replacement, which while larger than the one razed, reflects a similar character as the previous structure.

## Recommendation

### Planning Division Recommendation (Contact Timothy M. Parks, (608) 261-9632)

The Planning Division recommends that the Plan Commission find the standards met and **approve** a demolition permit to allow a new single-family residence to be constructed at 502 Leonard Street in place of an unapproved demolition subject to input at the public hearing and the following conditions:

Major/Non-Standard Conditions are Shaded

### Planning Division

1. The final plans shall be revised to include a fully dimensioned site plan that eliminates references to the former residence and a floor-by-floor breakdown of the proposed floor area.

### City Engineering Division (Contact Tim Troester, 267-1995)

2. 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 Division signoff.
3. This development appears to have multiple existing laterals extended to the property line. In an effort to reduce inflow and contamination to the City's sanitary system our policy is to plug at the main laterals that are no longer active when associated with a new or redevelopment project. City Engineering will complete a TV inspection of the main to help clarify which laterals are active and which need to be plugged as a condition of approval for this application. The applicant is notified that as a condition of approval a sewer plug permit will be required for one or more laterals associated with this project that will no longer be used at its completion.
4. Current plan shows less than 4,000 square feet of disturbed area. If plans are not revised, no Erosion Control or Storm Water Management Permits will be required.
5. Revise plan to show the location of all rain gutter down spout discharge locations.
6. Revise plan set to show more information on proposed drainage for the site. Use either spot elevations and drainage arrows or proposed contours to show the required drainage information. It is necessary to show the location of drainage leaving the site to the public right of way. It may be necessary to provide information off the site to fully meet this requirement.

7. Submit, prior to plan sign-off but after all revisions have been completed, a digital CAD file (single file) to the Engineering Division that is to scale and represents final construction with any private storm and sanitary sewer utilities.
8. Submit digital PDF files to the City Engineering Division prior to plan sign-off but after all revisions have been completed. Email PDF file transmissions are preferred to: [bstanley@cityofmadison.com](mailto:bstanley@cityofmadison.com) (East) or [tstroester@cityofmadison.com](mailto:tstroester@cityofmadison.com) (West).

**City Engineering Division–Mapping Section** (Contact Jeff Quamme, 266-4097)

9. Provide a signed and sealed pdf copy of the property survey completed by Badger Surveying and Mapping Service. There is not a filed copy at the Dane County Surveyor's Office as required by statute.

**Traffic Engineering Division** (Contact Sean Malloy, 266-5987)

10. The developer shall provide a recorded copy of any joint driveway ingress/egress and crossing easements, which shall be noted on face of plan.

**Zoning Administrator** (Contact Jenny Kirchgatter, 266-4429)

11. Per Section 28.031(3): That portion of the façade that contains the garage door must be recessed at least two feet behind the remainder of the facade. Revise the plan to show the garage recessed at least two feet behind the front wall of the house, not the front porch.
12. Submit a revised scaled site plan labelling all setbacks to the property line.

13. Section 28.185(7)(a)5 requires that if a demolition or removal permit is approved, it shall not be issued until a reuse and recycling plan is approved by the Recycling Coordinator. 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. Per Section 28.185(9)(a), a demolition or removal permit is valid for one (1) year from the date of the Plan Commission.

14. Provide a calculation and plan detail for lot coverage with the final submittal. The lot coverage maximum is 65%. Lot coverage is defined as the total area of all buildings, measured at grade, all accessory structures including pools, patios, etc., and all paved areas as a percentage of the total area of the lot, with the following exceptions: sidewalks or paved paths no wider than five feet, pervious pavement, green roofs and decks.

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

15. Please consider allowing the Madison Fire Department to conduct training sequences prior to demolition. Contact Division Chief Paul Ripp of the MFD Training Division at [pripp@cityofmadison.com](mailto:pripp@cityofmadison.com) or (608) 712-6277 to discuss this possibility.
16. Madison Fire Department recommends the installation of a residential fire sprinkler system in accordance with NFPA 13D. Additional information is available online at the Home Fire Sprinkler Coalition.

17. Third floor habitable rooms may require a second means of egress or a fire sprinkler system protecting the home. Refer to SPS 321.03(3)(c). The MFD would support a variance request to omit the basement egress window in a home protected with fire sprinklers.

**Water Utility** (Contact Adam Wiederhoeft, 266-9121)

18. 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 266-4765 to schedule the meter removal appointment. The Madison Water Utility will be required to sign off as part of the approval review associated with this Land Use Application prior to the issuance of building permits for the proposed development.
19. 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/plumbers-contractors>). Otherwise, they may be obtained from the Water Utility Main Office at 119 E Olin Avenue. 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 266-4646.

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

20. In coordination with any public works improvements, the applicant shall maintain or replace the concrete boarding pad surface and bench seating amenity at the existing Metro bus stop on the east side of Commonwealth Avenue, south of the Leonard Street intersection (Stop #2503).

**Parks Division** (Contact Sarah Lerner, 261-4281)

This agency reviewed this request and has recommended no conditions or approval.

**City Forestry Section** (Contact Brad Hofmann, 267-4908)

21. The contractor shall take precautions during construction to not disfigure, scar, or impair the health of any street tree. Contractor shall operate equipment in a manner as to not damage the branches of the street tree(s). This may require using smaller equipment and loading and unloading materials in a designated space away from trees on the construction site. Any damage or injury to existing street trees (either above or belowground) shall be reported immediately to City Forestry at 266-4816. Penalties and remediation shall be required. Add as a note on the plan set.
22. As defined by the Section 107.13 of *City of Madison Standard Specifications for Public Works Construction*: No excavation is permitted within 5 feet of the trunk of the street tree or when cutting roots over 3 inches in diameter. If excavation is necessary, the Contractor shall contact Madison City Forestry (266-4816) prior to excavation. City of Madison Forestry personnel shall assess the impact to the tree and to its root system prior to work commencing. Tree protection specifications can be found on the following website: <https://www.cityofmadison.com/business/pw/specs.cfm> Add as a note on the plan set.
23. On this project, street tree protection zone fencing is required. The fencing shall be erected before the demolition, grading or construction begins. The fence shall include the entire width of terrace and, extend at

least 5 feet on both sides of the outside edge of the tree trunk. Do not remove the fencing to allow for deliveries or equipment access through the tree protection zone. Add as a note on the plan set.

24. Street tree pruning shall be coordinated with Madison Forestry at a minimum of two weeks prior to the start of construction for this project. All pruning shall follow the American National Standards Institute (ANSI) A300 - Part 1 Standards for pruning. Add as a note on the plan set.
25. Section 107.13(g) of *City of Madison Standard Specifications for Public Works Construction* addresses soil compaction near street trees and shall be followed by the contractor. The storage of parked vehicles, construction equipment, building materials, refuse, excavated spoils or dumping of poisonous materials on or around trees and roots within five (5) feet of the tree or within the protection zone is prohibited. Add as a note on the plan set.
26. All proposed street tree removals within the right of way shall be reviewed by City Forestry before the Plan Commission meeting. Street tree removals require approval and a tree removal permit issued by City Forestry. Any street tree removals requested after the development plan is approved by the Plan Commission or the Board of Public Works and City Forestry will require a minimum of a 72-hour review period which shall include the notification of the Alderperson within whose district is affected by the street tree removal(s) prior to a tree removal permit being issued. Add as a note on the plan set.
27. An existing inventory of street trees located within the right of way shall be included on the landscape, site, demo, and utility plans. The inventory shall include the following: location, size (diameter at 4 1/2 feet), and species of existing street trees. The inventory should also note if a street tree is proposed to be removed and the reason for removal.