

**PLANNING DIVISION REPORT
DEPARTMENT OF PLANNING AND COMMUNITY
AND ECONOMIC DEVELOPMENT
Of November 14, 2007**

RE: ID # 08148 & 08149, Demolition Permit & Land Division – 1015 Hillside Avenue

1. Requested Action: Approval of a demolition permit for a single-family residence at 1015 Hillside Avenue.
2. Applicable Regulations: Section 28.04 (22) provides the guidelines and regulations for the approval of demolition permits. Related to the demolition, the applicant proposes a lot line adjustment between the subject property and his property by Certified Survey Map. Section 16.23, Subdivision Regulations, provides the requirements for land divisions.
3. Report Prepared By: Timothy M. Parks, Planner

GENERAL INFORMATION

1. Applicant: James Bakke, 6001 N. Highlands Avenue; Madison.

Agent: Harvey L. Temkin, Reinhart, Boerner & Van Deuren, SC; 22 E. Mifflin Street, Suite 600; Madison.

Property Owner: Estate of Mary Ellen Stafford, Margaret Stafford, personal representative; 8119 Old Sauk Pass Road; Cross Plains.
2. Development Schedule: The applicant wishes to begin demolition as soon as all regulatory approvals have been granted, with completion anticipated by May 31, 2008.
3. Location: The residence to be demolished is located on an approximately 1.46-acre parcel located at 1015 Hillside Avenue on the easterly side of Hillside between Park Place and S. Highlands Avenue. A second parcel addressed 6001 N. Highlands Avenue, is located at the southwesterly corner of N. Highlands Avenue, Park Place and Old Middleton Road and shares a common property line with the Hillside Avenue property. Both properties are located in Aldermanic District 19; Madison Metropolitan School District.
4. Existing Conditions: The 1015 Hillside Avenue residence is a two-story, 2,200 square-foot building. This site and the surrounding Highlands neighborhood are zoned R1-R (Rustic Residence District).
5. Proposed Land Use: The applicant wishes to use the related Certified Survey Map to shift the common property line between 1015 Hillside Avenue and 6001 N. Highlands Avenue to enlarge the southern yard of the N. Highlands Avenue property. The applicant wishes

to demolish the house and offer the remaining Hillside Avenue property for construction of a new residence.

6. **Surrounding Land Use and Zoning:** The subject site is surrounded by other single-family residences on a variety of differently sized and shaped lots located in R1R and R1 (Single-Family Residence District) zoning.
7. **Adopted Land Use Plan:** The Comprehensive Plan identifies the subject site and surrounding neighborhood for low-density residential uses.
8. **Environmental Corridor Status:** The subject site is not located in a mapped environmental corridor.
9. **Public Utilities & Services:** The property is served by a full range of urban services.

STANDARDS FOR REVIEW

This application is subject to the demolition standards of Section 28.04 (22).

ANALYSIS, EVALUATION & CONCLUSION

The applicant is requesting approval of a demolition permit to demolish a single-family residence located on a 1.46-acre parcel at 1015 Hillside Avenue. The residence to be demolished is a two-story, 2,200 square-foot Swiss Chalet-style building constructed in 1910 for former University of Wisconsin professor James Pyre. The residence sits on an unusually shaped 1.33-acre parcel that is connected to Hillside Avenue by an approximately 20-foot wide peninsula of land. A gravel driveway extends into the site from the street through this peninsula, continuing along a portion of the southern property line before ending in a turnaround southeast of the residence, which sits near the center of the lot. The subject site is located near the easterly edge of the Highlands single-family neighborhood, which is generally characterized by large single-family residences on large, unusually shaped and heavily forested lots in the R1-R Rustic Residence zoning district.

The applicant, James Bakke, currently resides on a 2.4-acre parcel located generally due north of the Hillside Avenue property and has a contract to purchase the subject site. Mr. Bakke intends to shift the common property line between his property, 6001 N. Highland Avenue, and the subject site to settle a property dispute related to the maintenance of rear yard space, which will result in his property obtaining an additional 5,038 square feet of area. A Certified Survey Map has been filed with the City to accomplish the proposed lot line adjustment, which will result in the Bakke residence property at 6001 N. Highland Avenue increasing slightly to 2.5 acres, while the 1015 Hillside Avenue property would be reduced to approximately 1.34 acres. Both lots

proposed can meet the lot design requirements in R1-R zoning, which calls for a minimum of six-tenths of an acre of lot area for each lot.

The letter of intent submitted with the demolition request indicates that the former Pyre residence will be demolished to accommodate a new residence. A property inspection submitted with the application indicates that the structure is in poor condition and in need of substantial renovation and modernization in order to be brought into a state of good repair. While the report suggests that the house is structurally sound, it also indicates that the structure requires replacement or renovation of the roof, siding, windows, heating, mechanicals, plumbing, electrical, etc., as well as modernization of some interior rooms. Mr. Bakke feels that the condition of the house is a liability in his efforts to resell the property following the lot line adjustment and is seeking the ability to raze it as soon as possible. A building envelope is proposed on the Hillside lot (Lot 2) in the same location as the existing structure to limit the location of any future residence on the property, and a note is proposed on the Certified Survey Map that would make any new residence on Lot 2 subject to Plan Commission approval under the demolition standards. The letter of intent also indicates that most of the existing mature vegetation on the site will be preserved.

Plan Commission staff has reviewed the materials submitted with the demolition permit request and would concur that the existing residence at 1015 Hillside Avenue is in a severely deteriorated state that would make it a candidate for demolition permit approval in most cases. However, in addition to there having been no plans for an alternative use of the property submitted for Plan Commission review, the existing structure is considered as a candidate for local landmark status. In a report (attached), the City's preservation planner, Kitty Rankin, indicates that the former Pyre residence is "clearly eligible" to be a local landmark due to its rare Swiss Chalet style. Staff has also asked the Landmarks Commission to review the proposed demolition permit. The Landmarks Commission will complete its review of the demolition request at its November 19, 2007 meeting and its actions communicated to the Commission during your public hearing the same night.

If the demolition permit is approved, a reuse and recycling plan approved by the Recycling Coordinator will be required prior to the issuance of the wrecking permit.

RECOMMENDATIONS

The Planning Division recommends that the Plan Commission consider the condition of the residence, the advisory recommendation of the Landmarks Commission and input during the public hearing in determining whether to approve, reject or refer the demolition of the residence at 1015 Hillside Avenue. If the demolition permit is approved, the approval shall be subject to the following conditions:

1. Comments from reviewing agencies.
2. That the applicant close the driveway to Hillside Avenue at the property line as required by the Zoning Administrator.

Regardless of the Plan Commission's action on the proposed demolition at 1015 Hillside Avenue, Planning Division staff believes that the standards can be met for the proposed Certified Survey Map, which is not dependent upon the demolition in order to proceed. Staff recommends that the land division request to move the common lot line between the subject site and 6001 N. Highlands Avenue be approved subject to the following conditions:

1. Comments from reviewing agencies.
2. In the event that the Plan Commission refers or rejects the demolition permit application, that the Certified Survey Map be revised to show the location of the existing residence on Lot 2 in lieu of the building envelope now shown. The note regarding the review of a new residence on Lot 2 by the Plan Commission shall be removed. The building envelope and Plan Commission note shall remain on the CSM if the demolition permit is approved prior to the recording of the CSM.
3. In the event that the demolition is approved after the CSM is recorded, the Plan Commission shall require a restrictive covenant to be recorded against proposed Lot 2 requiring that the Plan Commission approve any new principal structure to be constructed on that lot.