



Department of Planning & Development  
**Planning Unit**

Website: [www.cityofmadison.com](http://www.cityofmadison.com)

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August 23, 2006

Robert Fillingame  
5046 Lake Mendota Drive  
Madison, WI 53705

SUBJECT: 5046 Lake Mendota Drive – New Boathouse

Dear Mr. Fillingame:

The Plan Commission, at its August 21, 2006 meeting, determined that the ordinance standards could be met subject to the conditions below for a conditional use for a new boathouse located at 5046 Lake Mendota Drive.

In order to receive final approval of your proposal, the following conditions must be met:

**PLEASE CONTACT JANET GEBERT, CITY ENGINEERING, AT 261-9668 IF YOU HAVE QUESTIONS REGARDING THE FOLLOWING FOUR ITEMS:**

1. The site plan must accurately show the existing public sanitary sewer easement as recorded in Document No. 3377664. Sewer facilities were field surveyed for basis of this public sewer easement as required by previous conditional use application in 2001.
2. As stated in the recorded public sewer easement document cited above, no buildings or structures of any kind shall be built over the easement area without written (and suggested recorded) permission by the City of Madison Engineering Division.
3. The boathouse needs to be relocated so that it is not located on the top of the City sanitary sewer.
4. Informational purposes only: "Dry" boathouses built upward of the Observed High Water Mark (OHWM) do not require a DNR permit. ("Wet" boathouses are generally prohibited.)

**PLEASE CONTACT KATHY VOECK, THE ASSISTANT ZONING ADMINISTRATOR, AT 266-4551 IF YOU HAVE QUESTIONS REGARDING THE FOLLOWING THREE ITEMS:**

5. The final site plan shall show dimensions of the building and setbacks from the property line. The boathouse shall be a minimum of 3' from the property line.
6. The cutting of trees and shrubbery shall be limited in the strip of land 35' inland from the normal waterline. Provide a landscape plan to show any landscape elements to be removed within 35' of the high water mark and show a detailed plan showing sizes and number of landscape elements to be added to the site. In addition, not more than 30% of the frontage of the lot shall be cleared of trees and shrubbery. (Note: Within the waterfront setback requirements tree and shrub cutting shall be

limited to consideration of the effect on water quality, protection and scenic beauty, erosion control and reduction of the effluents and nutrients from the shoreland.)

7. Show designated flood plain area on the site plan. Any construction within a flood plain shall meet flood proofing protection measures and such design shall be certified by a registered professional engineer or architect per 28.04(20)(b) of the Madison General Ordinance.

Approval of this proposal does not include any approval to prune, remove or plant trees in the public right-of-way. Permission for such activities must be obtained from the City Forester, 266-4816. The trees shown in the street rights-of-way shall not be shown on the sign-off plan or construction plans unless they have previously been approved by the City Forester. If these are existing trees or species and locations that have been approved by the Forester, they shall be so labeled on plans.

Please follow the procedures listed below to receive your conditional use approval.

1. Please revise plans per the above conditions and submit twelve (12) sets of the final site plans to the Zoning Administrator. The final plans are reviewed and approved by City Engineering and Zoning. Any of these agencies may call you to request additional information or to resolve problems.
2. This letter shall be signed by the applicant to acknowledge the conditions of approval and returned to the Zoning Administrator when requesting cover sheet approval.
3. No alteration of this proposal shall be permitted unless approved by the City Plan Commission provided, however, the Zoning Administrator may issue permits for minor alterations. This approval shall become null and void one year after the date of Plan Commission approval unless the use is commenced, construction is under way, or a valid building permit is issued and construction commenced within six months of the date of issuance of the building permit. See Section 28.12(11)(h)(3), Madison General Ordinances. The Plan Commission shall retain jurisdiction over this matter for the purpose of resolving complaints against this approved conditional use.

**IF YOU HAVE ANY QUESTIONS REGARDING OBTAINING YOUR BUILDING PERMIT OR OCCUPANCY PERMIT, PLEASE CALL KATHY VOECK OF THE CITY ZONING STAFF AT 266-4551.**

Sincerely,

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

**Bill Roberts**  
Planning & Development

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Applicant

cc: Zoning Administrator  
City Engineering  
Traffic Engineering

Zoning City Engineering Traffic Engineering
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