



Department of Planning & Development  
**Planning Unit**

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

Madison Municipal Building  
215 Martin Luther King, Jr. Boulevard  
P.O. Box 2985  
Madison, Wisconsin 53701-2985  
TDD 608 266 4747  
FAX 608 266-8739  
PH 608 266-4635

September 20, 2005

Gary Garten  
"Monday's"  
523 State Street  
Madison, WI 53703

SUBJECT: 523 State Street

Dear Mr. Garten:

The Plan Commission, at its September 19, 2005 meeting, determined that the ordinance standards could be met subject to the conditions below for a conditional use for an outdoor eating area for the existing tavern located at 523 State Street.

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

**PLEASE CONTACT JOHN LIPPITT OF THE MADISON FIRE DEPARTMENT AT 266-4484 IF YOU HAVE QUESTIONS REGARDING THE FOLLOWING TWO ITEMS:**

1. Per the IFC Chapter 10 and MGO 34:
  - a. Applicant shall post the capacity of the outside dining area in accordance with International Fire Code 2003 edition.
  - b. Proposed deck shall not be located at, adjacent, or obstruct the required exits from the building.
  - c. Provide and maintain exits from the deck in accordance with the International Fire Code 2003 edition.
  - d. Submit a seating plan for the proposed deck space.
2. All exiting shall be shown all the way to the public way.
3. There shall be no live or amplified sound or music in the outdoor service area.

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 (including drainage and landscaping plans) to the Zoning Administrator. The final plans are reviewed and approved by Traffic Engineering, Fire Department, 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

-----  
Applicant

cc: Zoning Administrator  
City Engineering  
Traffic Engineering

Zoning