



Department of Planning & Community & Economic Development

## Planning Division

Katherine Cornwell, Director

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August 12, 2014

Chad Kavon  
CJ Kavon Company, LLC  
PO Box 930013  
Verona, WI 53593

RE: Approval of a conditional use to construct a two-family twin home within 300 feet of another two-family twin home at **1801 Legacy Lane**

Dear Mr. Kavon:

At its August 11, 2014 meeting, the Plan Commission, meeting in regular session, approved your request for a conditional use at 1801 Legacy Lane to construct a two-family twin home within 300 feet of another two-family twin home. In order to receive final approval of the conditional use and for permits to be issued, the following conditions must be met:

**Please contact Janet Schmidt of the City Engineering Division at 261-9688 if you have questions regarding the following seven (7) conditions.**

1. The application has indicated this site is intended to be a zero lot line twin duplex. A Certified Survey Map and required supporting information along with a cross access and maintenance agreement would be required to be submitted to the City of Madison Planning Department in order to permit separate ownership of each individual twin duplex unit. The CSM would be approved by the City, recorded with the Dane County Register of Deeds and all new parcel land records information completed in appropriate City databases prior to any conveyance of any individual unit.
2. The site plan shall show the proposed dividing line for the zero lot line lots to be created.
3. Provide a site plan showing proposed grading and proposed utilities – subject to approval of the City Engineer.
4. The site plan shall identify lot and block numbers of recorded Certified Survey Map or Plat.
5. The applicant shall replace all sidewalk and curb and gutter which abuts the property which is damaged by the construction or any sidewalk and curb and gutter which the City Engineer determines needs to be replaced because it is not at a desirable grade regardless of whether the condition existed prior to beginning construction. (POLICY)

6. All damage to the pavement on Legacy Lane adjacent to this development shall be restored in accordance with the City of Madison's Pavement Patching Criteria. For additional information please see the following link: <http://www.cityofmadison.com/engineering/patchingCriteria.cfm> (POLICY)
7. The applicant shall submit, prior to plan sign-off, digital PDF files to the Engineering Division (Jeff Benedict or Tim Troester). The digital copies shall be to scale, and shall have a scale bar on the plan set. (POLICY and MGO 37.09(2)) PDF submittals shall contain the following information: a) building footprints, b) internal walkway areas, c) internal site parking areas, d) lot lines and right-of-way lines, e) Street names, f) Stormwater Management Facilities, and g) detail drawings associated with stormwater management facilities (including if applicable planting plans).

**Please contact Bill Sullivan, Madison Fire Department at 261-9658 if you have questions regarding the following item:**

8. Madison Fire Department recommends the installation of a residential fire sprinkler system in accordance with NFPA 13D and SPS 382.40(3)(e). Additional information is available at the Home Fire Sprinkler Coalition website: <http://www.homefiresprinkler.org/Consumer/ConsHome.html>

**Please contact Patrick Anderson, Assistant Zoning Administrator at 266-5978 if you have questions regarding the following three (3) items:**

9. Final site plan shall show proposed walk ways, driveways and driveway widths at the property line. Pursuant to section 28.141(9)(c) the maximum driveway width at the right-of-way line shall be equal to the width of the garage entrance or legal off-street parking area, not to exceed twenty-two (22) feet.
10. Provide details of lot coverage as defined in section 28.211 on final plan sets. NOTE: maximum lot coverage is 60%.
11. The garage door facing Legacy Lane does not comply with Section 28.03(3). Any street facing wall that contains an attached garage door must be recessed at least (2) feet behind the remainder of the façade. NOTE: With revised plans submitted 7/28/2014 the proposed development meets the 28.03(3) provisions.

**Please contact Kay Rutledge, Parks Division at 266-4714 if you have questions regarding the following two (2) items:**

12. Park impact fees (comprised of the Park Development Impact Fee per MGO Sec. 20.08(2) and the Parkland Impact Fee in lieu of land dedication per MGO Sec. 16.23(8)(f) and 20.08(6)) will be required for all new residential development. The developer must select a method for payment of park fees before signoff on the conditional use. This development is within the Elver park impact fee district (SI31). Please reference ID# 04122.1 when contacting Parks about this project.
13. Approval of plans for this project 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.

**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. Please revise your plans per the above conditions and submit eight (8) copies of a complete, fully dimensioned and scaled plan set to the Zoning Administrator for final review and comment. Also be sure to include any additional materials requested by these departments for their approval prior to sign off. The final site plan shall be accompanied by 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, Room LL-100, Madison Municipal Building, 215 Martin Luther King, Jr. Boulevard. The sets of final revised plans or documents will be circulated by the Zoning staff to the City department staff listed above for their final approval.
2. This property is not in 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. The Water Utility will not need to sign off the final plans, and will not need a copy of the approved plans.
4. 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.
5. The approval is valid for one (1) year 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.
6. 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.
7. 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, demolition or building permits, please contact the Zoning Administrator at 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 267-1150.

Sincerely,

Kevin Firchow, AICP  
Planner

cc: Janet Schmidt, City Engineering Division  
Bill Sullivan, Fire Department  
Patrick Anderson, Zoning

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

\_\_\_\_\_  
*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. (Firchow)	<input checked="" type="checkbox"/>	Engineering Mapping Sec.
<input checked="" type="checkbox"/>	Zoning Administrator	<input checked="" 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"/>	Other: