



Department of Planning & Community & Economic Development  
**Planning Division**

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

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June 21, 2011

Michael DesBarres  
MdB Design  
5800 Auburn Dr.  
Madison, WI 53711

RE: Approval of the demolition of a single-family home and a conditional use for the construction of a new single-family home on a waterfront property at 2528 Waunona Way in the R1 (Single-Family Residence) District.

Dear Mr. DesBarres:

The Plan Commission, meeting in regular session on June 20, 2011 determined that the ordinance standards could be met and **approved** your client's request for a demolition permit and conditional use at 2528 Waunona Way. In order to receive final approval for the demolition permit and conditional use, the following conditions must be met:

**Please contact my office at 266-5974 with questions about the following two (2) items:**

1. Final plans submitted for staff review and approval shall include a detailed landscape plan which includes a delineation of permeable pavers, rooftop gardens, and rain gardens.
2. Final plans submitted for staff review and approval shall include elevations labeled with the intended exterior materials. The applicant is encouraged to avoid the use of EIFS or stucco along the base of the building.

**Please contact Janet Dailey, City Engineering, at 261-9688 with questions about the following eleven (11) items:**

3. Williamson Surveying & Associates, LLC prepared a Plat of Survey for this site. This Plat of Survey appears to be the basis for the site boundary shown in this plan set. Inclusion of a copy of the final revised Plat of Survey within the final plan set would be beneficial.
4. The Plat of Survey prepared by Williamson did not contain a bearing reference. This firm has been asked to add the bearing reference and file a revised Plat of Survey with the Dane County Surveyor's Office.
5. It has been determined by the City of Madison Zoning Administrator that the Ordinary High Water Mark (OHWM) cannot be moved based on the DNR Permit # GP-SC-2011-13-00922 issued to allow rip-rap to be added along the existing shoreline. Williamson Surveying will revise the Plat of Survey to identify the original OHWM on the Plat of Survey.

6. The Williamson Plat of Survey made reference to a "Revised Shoreline Per DNR Approval". City Engineering has asked that the actual DNR Permit # GP-SC-2011-13-00922 that was issued to the owner/applicant be added to the revised Plat of Survey as well.
7. Additional information shall be provided on the 4-inch gutter drain below the pavement and the inlets to that system and the points of discharge for the system.
8. Drainage shall not discharge on adjacent properties.
9. 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.
10. All work in the public right-of-way shall be performed by a City licensed contractor.
11. All damage to the pavement on Waunona Way 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>.
12. Prior to approval of the conditional use application, the owner shall obtain a permit to plug each existing sanitary sewer lateral that serves a building that is proposed for demolition. For each lateral to be plugged the owner shall deposit \$1,000 with the City Engineer in two separate checks in the following amounts: (1). \$100 non-refundable deposit for the cost of inspection of the plugging by City staff; and (2). \$900 for the cost of City crews to perform the plugging. If the owner elects to complete the plugging of a lateral by private contractor and the plugging is inspected and approved by the City Engineer, the \$900 fee shall be refunded to the owner. This permit application is available on line at: <http://www.cityofmadison.com/engineering/permits.cfm>.
13. The site plan shall be revised to show all existing public sanitary sewer facilities in the project area as well as the size, invert elevation, and alignment of the proposed service.

**Please contact Matt Tucker, Zoning Administrator at 266-4569 with questions about the following nine (9) items:**

14. The submitted site survey reflects a building setback that utilizes the placement of riprap materials (erosion control) by DNR permit to extend the Ordinary High Water Mark (OHWM) into Lake Monona. Per determination from Wisconsin DNR officials, a shoreline erosion control permit under Chapter 30 of state statutes does not allow a landowner to create more upland. The intent of the permit is to protect the shoreline from erosion, not extend or modify the OHWM. A revised survey has since been submitted showing a compliant building location, and final plans must reflect compliance with the required setback for the new home.
15. The submitted plans do not include the proposed side yard setbacks. It appears as though the proposed home may project into the right side setback (including depth penalty), but there appears to be room to shift the home to the west to make it fit the building envelope. On final submitted plans, provide side yard setback information and shift the home accordingly to fit the building envelope, if necessary.
16. Submitted elevations do not clearly show the grade coverage for the lower level, which may result in the basement level counting as an additional story. If the basement area qualifies as a "story" the proposed building is a three-story building, where a maximum of two stories is allowed in the R1 District. Final plans must be modified to establish the basement/lower level facing the street as a not a "story" or bedroom level must be removed or modified.

17. The final site plan should show designated flood plain area on the site plan. Given the topography of the site, constructing in the floodplain does not appear likely. Please note, any construction within a flood plain shall meet flood proofing protection measures and such design shall comply with requirements of MGO 28.04(20)(b).
18. 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 landscape elements to be removed 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 affect on water quality, protection and scenic beauty, erosion control and reduction of the effluents and nutrients from the shoreland.)
19. Provide surveyors verification pursuant to MGO Section 28.04(19)(b)1: establishing the existing development pattern, setback from the normal high water mark. Please be advised that the normal high water mark is an elevation of 845.82 above mean sea level. For purposes of this section, the existing development pattern shall mean the average setback of the five (5) developed zoning lots to each side of the proposed development lot. NOTE: riprap placement shall not be used to establish the OHWM elevation on subject or five adjacent properties to each side.  
  
For all zoning lots, the principal building setback shall be not less than the existing development pattern. Please work with zoning staff to establish said setback, which is measured to the principal building on the lot which includes all decks three feet or more above the normal grade. The survey shall be submitted with plans for final sign off, showing an accurate existing development pattern prior to a building permit being issued. Provide proposed setbacks of improvements proposed for the subject property.
20. Provide a reuse/recycling plan, to be reviewed and approved by The City's Recycling Coordinator, Mr. George Dreckmann, prior to a demolition permit being issued.
21. MGO Sec 28.12(12)(e) requires the submittal of documentation demonstrating compliance with the approved reuse and recycling plan. Please note, the owner must submit documentation of recycling and reuse within 60 days of completion of demolition.
22. The legal description for the site includes parts of platted lots and some metes-and bounds lands. Per MGO Sec 28.12(5)(b) a "plat" must be submitted to verify compliance with zoning requirements. To approve the final site plan, a Certified Survey Map must be prepared prior to final sign-off and issuance of building permits.

**Please now follow the procedures listed below for obtaining your demolition permit and conditional use permit:**

1. Please revise your plans per the above and submit **seven (7) copies** of a complete plan set to the Zoning Administrator for final staff review and comment.
2. This letter shall be signed by the applicant to acknowledge the conditions of approval and returned to the Zoning Administrator when requesting the demolition permit and conditional use permit.
3. No alteration of this proposal shall be permitted unless approved by the 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 the Plan Commission unless the use is commenced, construction is under way, or a valid building permit is issued and construction commenced within six months of the issuance of said building permit.

If you have any questions regarding obtaining your demolition permit or conditional use permit, 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 266-5974.

Sincerely,

Heather Stouder, AICP  
Planner

cc: Matt Tucker, Zoning Administrator  
Janet Dailey, City Engineering  
Eric Pederson, Engineering Mapping  
George Dreckmann, Recycling Coordinator

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

\_\_\_\_\_  
*Signature of Applicant*

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*Signature of Property Owner (if not applicant)*

For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Division (H. Stouder)	<input checked="" type="checkbox"/>	Recycling Coordinator (R & R)
<input checked="" type="checkbox"/>	Zoning Administrator	<input type="checkbox"/>	Fire Department
<input checked="" type="checkbox"/>	City Engineering	<input type="checkbox"/>	Urban Design Commission
<input type="checkbox"/>	Traffic Engineering	<input type="checkbox"/>	Other:
<input checked="" type="checkbox"/>	Engineering Mapping	<input type="checkbox"/>	Other: