



Department of Planning & Community & Economic Development
Planning Division

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August 30, 2013

Mark Pynnonen
Birrenkott Surveying, Inc.
PO Box 237
1677 N. Bristol Street
Sun Prairie, Wisconsin 53590

RE: File No. LD 1326 – Certified Survey Map – 723-725 Jenifer Street (Blood/ Tyler)

Dear Mr. Pynnonen;

The two-lot certified survey subdividing your client's property located at 723-725 Jenifer Street, Section 13, Township 7N, Range 9E, City of Madison, Dane County, Wisconsin, is hereby granted **preliminary approval** for the purposes of requesting the necessary zoning variances by the Zoning Board of Appeals for the proposed lots. The site is zoned TR-V2 (Traditional Residential–Varied 2 District).

The conditions of approval from the reviewing agencies to be satisfied following approval of the necessary zoning variances and before final approval and recording of the CSM are:

Please contact Janet Dailey of the City Engineering Division at 261-9688 if you have questions regarding the following twenty-two (22) conditions:

1. The CSM shall identify in the legend the proper type, length, outside diameter and weight of any corners set. The southeast meander corner shall be located no closer than 20 feet to the ordinary high water line of Lake Monona as required.
2. The CSM shall have a north arrow added and north shall be referenced as required by statute.
3. The width of Jenifer Street shall be noted and a dashed or dotted line shown under the name.
4. The location of the CSM shall be indicated by bearing and distance from a quarter section line in which the CSM is located. The monuments at each end of the boundary line shall be described and the bearing and distance between them shown.
5. The Ordinary High Water Mark and elevation of Lake Monona shall be noted on the map.
6. The surveyor's certificate shall indicate that the CSM is also in compliance with the City of Madison Ordinances.

7. All "recorded as" information of the parent parcel shall be noted where different from the boundary dimensions shown on the CSM.
8. The point of beginning for the MG&E Easement Doc No. 1609326 should be revised to be located at the Northwest corner of Lot 5. This may change the location as shown on the CSM.
9. The Joint Driveway and Parking Agreement per Doc. No. 1844373 is described as a paved area. The limits of the easement shall be better noted on the CSM or on a separate detail to better show its limits.
10. The Joint Driveway and Parking Agreement per Doc. No. 1844373 shall be amended to address the fact that one of the benefitting parcels will be split into two lots. After the CSM has been recorded, there will be the need to include three parties to the amended agreement instead of two.
11. There is an outline of an area noted as "Easement" on the CSM. If this is an existing easement, the easement shall be labeled its title and the recording information provided on the face of the CSM. Please provide clarification.
12. The legal description in the Surveyor's Certificate shall have a tie to a quarter section line and a point of commencement at a section corner added as required by statute, the "normal high water line" shall be changed to "Ordinary High Water Mark", the term "Original Plate" shall be revised to "Original Plat of Madison"
13. New appropriate access easements shall be created for commonly used access features between Lots 1 and 2 of this CSM.
14. If sewer and water laterals for each of these structures are not wholly within each Lot on this CSM, an easement agreement shall be created to allow maintenance, repair and replacement of any facilities.
15. The description of record describes part of the property as the Northeast ½ of Lot 4, Block 127. This CSM and other surveys have noted a bend in the southwesterly line while another survey adjacent to the southwest does not acknowledge the bend. The Original Plat of Madison does not note any bends in the Lot lines in Block 127. Surveyor shall provide written confirmation that there is not an overlap or gap between this CSM and the property to the southwest.
16. Surveyor's Certificate is incomplete. There is no commencing information.
17. The City Engineering Division reserves the right to make additional subsequent conditions of approval when a complete CSM is provided for review.
18. The following note shall be placed on the CSM: "No changes in drainage patterns associated with development on any or all lots within this CSM shall be allowed without prior approval of the City Engineer."
19. If the lots within this certified survey map are inter-dependent upon one another for storm water runoff conveyance, and/or a private drainage system exists for the entire site an agreement shall be provided for the rights and responsibilities of all lot owners. Said agreement shall be reviewed and placed on file by the City Engineer, referenced on the Certified Survey Map, and recorded at the Dane County Register of Deeds.

20. A minimum of 2 working days prior to requesting City Engineering Division signoff on the CSM, the applicant shall contact Janet Dailey (261-9688) to obtain the final stormwater utility charges that are due and payable prior to sub-division of the properties. The stormwater utility charges (as all utility charges) are due for the previous months of service. All charges shall be cleared prior to the land division (and subsequent obsolesces of the existing parcel).
21. The property shall either have two separate sanitary sewer laterals or an ownership/maintenance agreement (recorded) shall be in place prior to final CSM approval.
22. Wisconsin Administrative Code A-E 7.08 identifies when Public Land System (PLS) tie sheets must be filed with the Dane County Surveyor's office. The developer's surveyor and/or applicant must submit copies of required tie sheets or condition reports for all monuments, including center of sections of record, used in this survey, to Eric Pederson, City Engineering Division. If a new tie sheet is not required under A-E 7.08, Engineering requests a copy of the latest tie sheet on record with Dane County Surveyor's office. The applicant shall identify monument types on all PLS corners included on the plat or CSM. Note: Land tie to two PLS corners required.

Please contact Dennis Cawley of the Madison Water Utility at 261-9243 if you have any questions regarding the following item:

23. Per MGO Section 13.21, all wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility.

Please contact Jennifer Frese of the Office of Real Estate Services at 267-8719 if you have any questions regarding the following five (5) items:

24. Prior to requesting final approval prior to recording, executed signature block certifications shall be included for all parties of interest, pursuant to MGO Section 16.23(5)(g)4 and Wis. Stats. 236.21(2)(a). The title of each certificate shall be consistent with the ownership interest reported in the most recent title report.
25. A certificate of consent for mortgagee/vendor shall be included following the Owner's Certificate for any mortgagees/vendors of record.
26. Disclose any tenancy in excess of one year and provide the document number or tenancy description as a note on the face of the CSM.
27. As of August 16, 2013, the 2012 real estate taxes are paid for the subject property, but special assessments in the amount of \$1,028.72 are owed for sewer lateral and street improvements. The owner shall provide paid receipts for the full amount of taxes or special assessments owed on or before the time of sign-off of the CSM.
28. Please verify that stormwater management charges are paid in full by contacting Janet Dailey with City Engineering (261-9688) or Sharon Pounders with the Madison Water Utility (266-4641).

29. The following CSM revisions shall be made: Correct the minor typo in the Surveyor's Certificate for the legal description on Sheet 3 ("Plate").

The proposed lots do not meet the requirements of the TR-V2 zoning district and will require that variances be granted by the Zoning Board of Appeals, including but not limited to the lot area and usable open space requirements for Lot 1 and the required front yard for Lot 2. The applicant should meet with Matt Tucker, the Zoning Administrator, to discuss all of the variances required and the process for filing their requests with the Zoning Board of Appeals. Mr. Tucker may be reached by contacting the Building Inspection Division at 266-4551 or mtucker@cityofmadison.com.

A resolution approving the CSM and authorizing the City to sign it and any other documents related to the proposed land division will be sent to the Common Council for approval after the necessary variances for the proposed land division have been approved by the Zoning Board of Appeals. The Secretary of the Plan Commission or his/her designee will not sign this CSM for recording unless all necessary variances have been granted.

Specific questions regarding the comments or conditions contained in this letter should be directed to the commenting agency.

If the variances are granted and as soon as the comments and conditions have been satisfied as verified with a completed affidavit form provided by the Planning Division, the original along with the revised Certified Survey Map, with all signatures and approvals from the reviewing agencies, shall be brought to this office for final signoff. You or your client may then record the certified survey at the Dane County Register of Deeds. For information on recording procedures and fees, contact the Register of Deeds at 266-4141.

Prior to City Engineering final sign-off by the main office of the CSM, the final CSM shall be submitted to the Engineering Division Surveyor/ Land Records Coordinator for final technical review and approval. This submittal must occur a minimum of two working days prior to final Engineering Division signoff. E-mail submittal of the final CSM in PDF form is preferred. Transmit to epederson@cityofmadison.com.

The owner shall furnish to the Office of Real Estate Services and the survey firm preparing the CSM an updated title report covering the period between the date of the initial title report and the date when final signoff is requested. The surveyor shall update the CSM with the most recent information reported in the title update.

Upon acceptance and recording of the Certified Survey Map by the Dane County Register of Deeds, please transfer the recorded volume, document number, and page numbers to the copies and forward a copy to this office for our records. The original survey map with the recording information is permanently kept on file in the Dane County Register of Deeds Office. A copy of the recorded document can be obtained from the Register of Deeds Office, Room 110, City-County Building or the Real Estate Office in the Madison Department of Planning and Development.

Any appeal from this action, including the conditions of approval, must be filed with the Circuit Court within 30 days from the date of this letter. **The approval of this CSM shall be null and void if not recorded within six (6) months of the date of the Common Council resolution approving it.**

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If you have any questions or if may be of any further assistance, please do not hesitate to contact my office at 261-9632.

Sincerely,

Timothy M. Parks
Planner

cc: Janet Dailey, City Engineering Division
Matt Tucker, Zoning Administrator
Dennis Cawley, Madison Water Utility
Jennifer Frese, Office of Real Estate Services
Dan Everson, Dane County Land Records and Regulations