



Department of Planning & Community & Economic Development

Planning Division

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February 10, 2015

Chris Adams
Williamson Surveying & Associates, LLC
104A W. Main Street
Waunakee, Wisconsin 53597

RE: File No. LD 1449 – Certified Survey Map – 1801 Legacy Lane (Jeanette Acker)

Dear Mr. Adams;

Your two-lot certified survey of property located at 1801 Legacy Lane, Section 35, Township 7N, Range 8E, City of Madison, Dane County, Wisconsin, is **rejected** and has been **referred to the Plan Commission**. The property is zoned SR-C3 (Suburban Residential–Consistent 3 District). The following comments about the land division have been submitted by City agencies, which shall be addressed in order for your application to proceed to the Plan Commission for further consideration:

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

1. The Madison Fire Department does not support the proposed lot division because it would create a code violation: non-rated building walls and windows with zero set back from a property line. Additionally, the eave of one unit will cross the property line and overhang the adjacent deck.

Please contact Matt Tucker, Zoning Administrator or Jenny Kirchgatter, Zoning Inspector at 266-4551 if you have questions regarding the following two (2) items:

2. Please note that the residential building permit issued for the subject property (BLDNRC-2014-12272) on January 27, 2015 contained the following note: "CONDO DUPLEX; THIS IS A PERMIT FOR A DUPLEX ON A SINGLE LOT ONLY." Prior to further consideration of the proposed land division, the applicant shall work with Zoning staff and the permit issuance staff in the Building Inspection Division to modify their building permits to address the code requirements related to creating 2 lots along the common wall of the building.
3. The CSM shall comply with the requirements for two-family dwellings-twin in Section 28.151 of the Zoning Code.

Please contact Janet Schmidt of the City Engineering Division at 261-9688 if you have questions regarding the following twelve (12) items:

4. Add notes 1, 2 and 10 from the plat of Southern Ridge. Also show and dimension the locations of the existing non-exclusive drainage easements set forth by Note 1 of Southern Ridge on the map.
5. Add language to the notes for the 10-foot Public Stormwater Drainage Easement and the Public Utility Easement that they are existing easements as set forth by the plat of Southern Ridge.
6. Remove Note 1 on sheet 1. Title work has been provided and all pertinent data shall be noted and shown on the Certified Survey Map.
7. Show the total width of all right of ways.
8. Change "Sawtooth Avenue" to "Sawtooth Lane".
9. Add a note that this CSM is subject to Declaration of Conditions, Covenants and Restrictions per Document No. 4003076.
10. Add a note that this CSM is subject to Declaration of Conditions and Covenants per Document Nos. 4043726 and 4043727.
11. Remove Note 3; if a floodplain exists, it shall be shown on the CSM.
12. A minimum of 2 working days prior to requesting City Engineering signoff on the CSM, the applicant shall contact Janet Schmidt (261-9688) to obtain the final stormwater utility charges that are due and payable prior to subdivision 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).
13. Each unit of a duplex building shall be served by a separate and independent sanitary sewer lateral.
14. 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. 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. Note: Land tie to two PLS corners required.
15. In accordance with Section s.236.34(1m)(c), which states a CSM shall be prepared in accordance with the plat requirements stated per s.236.20(2)(c)&(f), Wisconsin Statutes, the applicant must show the type, location and width of any and all easements on the CSM. Clearly identify the difference between existing easements (cite Register of Deeds recording data) and easements which are being conveyed by the CSM. Identify the owner and/or benefiting interest of all easements. Include any and all language required to properly and legally create any easement by the CSM

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

16. Note: All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility per MGO Sec. 13.21.

Please contact my office at 261-9632 if you have any questions regarding the following item:

17. The applicant shall demonstrate compliance with the supplemental regulations in Section 28.151 of the Zoning Code for a two-family dwelling-twin located in the SR-C3 zoning district:
- a.) Each unit shall be separated from the abutting unit by a minimum fire separation complying with Wis. Admin. Code § SPS 321.08, providing a vertical separation of all areas from the lowest level to flush against the underside of the roof.
 - b.) The common wall between dwellings shall be approximately perpendicular to the street right-of-way line. [Note: The proposed “jog” in the common lot line does not comply with this provision.]
 - c.) Dwellings shall have separate water services, curb stops, lines and meters. The water service may be split in the terrace, with separate curb stops, lines and meters.
 - d.) Dwellings shall have separate sanitary sewer service laterals and lines, subject to including a provision in a joint access and maintenance agreement that addresses emergency access to, and the responsibility for, sanitary sewer building blockage.
 - e.) Dwellings shall have separate gas and electric meters.
 - f.) Dwellings shall have a joint cross access and maintenance agreement that has been submitted with the land division application and which shall be recorded with the land division.

Please contact Heidi Radlinger of the Office of Real Estate Services at 266-6558 if you have any questions regarding the following six (6) items:

18. Prior to requesting final sign-off, executed signature block certifications shall be included for all parties of interest, pursuant to Wis. Stats. 236.21(2)(a). All signatory parties shall provide documentation that proves said signatories have legal authority to sign the Owner's Certificate. The title of each certificate shall be consistent with the ownership interest reported in the most recent title report. Per Document No. 5099068, the signatories are Thomas C. Schorr and Margo A. Schorr (a married couple) and Karen K. Schorr as joint tenants.
19. The certificate of consent for all mortgagees/vendors shall be included following the Owner's Certificate(s) and executed prior to CSM final sign-off.
20. Include the following Plan Commission certificate on the final CSM:

Approved for recording per the Secretary of the City of Madison Plan Commission.

By: _____
Natalie Erdman, Interim Secretary Plan Commission

Date: _____

21. Under 236.21(3) Wis. Stats. and MGO Section 16.23(5)(g)(1), the property owner shall pay all real estate taxes and special assessments that are accrued or delinquent for the subject property prior to CSM recording. The 2014 real estate taxes are paid for the subject property and there are no special assessments owed.
22. Prior to final CSM sign-off, please verify with Janet Schmidt of the City Engineering Division (261-9688) or Sharon Pounders at the Water Utility (266-4641) that stormwater management fees are paid in full.
23. Please revise the CSM prior to final sign-off as follows: Identify by document number on the proposed CSM all existing easements cited in record title and the updated interim report.

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

As noted at the outset of this letter, this application has been referred to the Plan Commission for approval, at which time a second letter outlining the Commission's decision and any conditions will be sent. In order for the matter to be scheduled for Plan Commission review, you are required to address the above comments and resubmit your request to the Planning Division for further review by the agencies noted above. Your resubmittal shall include eight copies of the revised Certified Survey Map and any other information noted above; no new application fee is required.

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

Sincerely,

Timothy M. Parks
Planner

cc: Janet Schmidt, City Engineering Division
Dennis Cawley, Madison Water Utility
Eric Halvorson, Traffic Engineering Division
Bill Sullivan, Madison Fire Department
Jenny Kirchgatter, Zoning Inspector
Matt Tucker, Zoning Administrator
Fred Rehbein, Building Inspection Division
Heidi Radlinger, Office of Real Estate Services
Dan Everson, Dane County Land Records and Regulations