



## Report to the Plan Commission

April 11, 2011

**Legistar I.D. #21978**  
**6202 N. Highlands Avenue**  
**Demolition Permit**

Report Prepared By:  
Timothy M. Parks, Planner  
Planning Division

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**Requested Actions:** Approval of a demolition permit to allow an existing single-family residence to be demolished and a new residence to be constructed at 6202 N. Highlands Avenue.

**Applicable Regulations & Standards:** Section 28.12(12) provides the guidelines and regulations for the approval of demolition permits.

**Summary Recommendation:** The Planning Division recommends that the Plan Commission find the standards met and **approve** a demolition permit to allow a single-family residence at 6202 N. Highlands Avenue to be razed and a new residence constructed, subject to input at the public hearing and the conditions from reviewing agencies beginning on page 4 of this report.

### Background Information

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**Applicant & Property Owner:** Jeff & Sara Wiesner; 848 Lynnewood Drive; Waukesha.

**Agent:** Jason Franzen, Hart DeNoble Builders, Inc.; 7923 Airport Road; Middleton.

**Proposal:** The applicants wish to demolish an existing single-family residence on the property to allow construction of a new single-family residence. Demolition of the existing residence is scheduled to commence in May 2011, with completion of the new residence anticipated in June 2012.

**Existing Conditions:** The subject property is developed with an existing single-family residence, zoned R1-R (Rustic Residence District).

**Parcel Location:** An approximately 1.56-acre parcel located at 6202 N. Highlands Avenue; Aldermanic District 19; Madison Metropolitan School District.

**Surrounding Land Use and Zoning:** The subject site is generally surrounded by other single-family residences located in the Highlands neighborhood, which is zoned R1-R (Rustic Residence District). The site is bordered on the north by a Wisconsin Southern Railroad right of way, with single-family residences in R1 (Single-Family Residence District) zoning located generally north of the rail corridor. Skyline Park is located northwest of the site past two residential properties.

**Adopted Land Use Plan:** The Comprehensive Plan identifies the subject site and surrounding area for Low-Density Residential uses.

**Environmental Corridor Status:** The subject property is not located within a mapped environmental corridor.

**Public Utilities and Services:** This property is served by a full range of urban services.

**Zoning Summary:** Existing R1-R (Rustic Residence District) zoning:

Requirements	Required	Proposed
Lot Area	0.6 acres	1.56 acres existing
Lot Width	N/A	70' (existing)
Usable open space	N/A	6,120 sq. ft. (sufficient)
Front Yard	50'	101'
Side Yards	30'	30' on each side
Rear Yard	40'	140'+
Building Height	3 stories	2 stories
No. Parking Stalls	1	3 (attached garage)
Accessible Stalls	--	N/A
Loading	--	N/A
No. Bike Parking Stalls	--	N/A
<b>There Are No Other Critical Zoning Items</b> (Floodplain, Historic District, Landmark, etc.)		
<i>Prepared by: Pat Anderson, Asst. Zoning Administrator</i>		

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**Previous Request**

On July 6, 2009, the Plan Commission placed on file without prejudice a request by the previous owner of the subject property for a demolition permit to allow the existing single-family residence to be razed with no proposed use. The earlier request was withdrawn by the applicant.

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**Project Review, Analysis & Conclusion**

The applicants are requesting approval of a demolition permit to demolish a one-story, 1,983 square-foot single-family residence with a partially finished basement located at 6202 N. Highlands Avenue on the northern edge of the Highlands neighborhood. The existing residence is a contemporary ranch-style structure constructed in 1959 that features vertical wood siding and flat roofs. The home contains a total of 4 bedrooms, 3 bathrooms and a semi-attached two-car garage. The subject site is a 1.56-acre parcel characterized by a consistent south to north slope and substantial tree cover along the perimeter. The northerly boundary of the subject site abuts a Wisconsin Southern Railroad right of way. Properties located to the south, west and southeast are developed with other single-family residences in the R1-R Rustic Residence-zoned Highlands neighborhood. Lands to the northwest of the site are developed with single-family homes in the Skyview Meadows subdivision and by Skyview Park, while properties to the northeast of the railroad corridor are developed with single-family homes in the Countryside Terrace subdivision.

The applicants propose to construct a new single-family residence just north of the footprint of the existing residence. The new residence will include 4 full bedrooms, 4 full baths and 1 half-bath among a host of other interior spaces located on three levels, including an exposed lower level along the northerly rear wall. The new residence will have 6,845 square feet of finished floor area exclusive of a three-car attached garage. The exterior of the new residence will be clad in stone veneer and stucco and will feature two decks and a three-season room along the rear wall. The residence appears to conform to the yard requirements in R1-R zoning, which requires a minimum 50-foot front yard, 40-foot rear yard and 30-foot side yards. The proposed residence will be constructed over an existing City of

Madison sanitary sewer that runs immediately behind the existing residence, which will require relocation of the sewer main and the dedication of a new sanitary sewer easement at the applicant's expense (see the Major/Non-Standard conditions from the City Engineering Division in the last section of this report).

As noted in the preceding section, the previous owner of the subject property proposed to demolish the existing residence but withdrew their demolition permit application, which was placed on file by the Plan Commission in July 2009. The materials submitted with the 2009 application indicated that the existing structure suffered from water damage caused by leakage into the walls from the flat roofs and windows. The earlier applicant indicated that the "estimated fair market property value has skyrocketed, leaving behind an undervalued, decrepit structure incapable of being renovated for a reasonable financial investment or to meet current energy performance criteria." The prior applicant and property owner allowed the interior of the residence to be salvaged by Habitat for Humanity; staff does not believe that any building permits were issued to allow this salvage work to occur. The current applicants indicate that the residence is uninhabitable, and that it would "not make economic sense" to renovate the existing structure. The applicants have provided photos of the interior and exterior of the house to substantiate their contention about the need to demolish the existing structure.

The Planning Division believes that the proposed demolition and new residence can meet the standards for approval for demolition permits. The existing residence does not have any known historical or architectural significance, and appears to staff to be in poor condition given the information provided by the current and past applicants. Staff believes that the proposed single-family residence will fit well within the diverse housing stock present throughout the Highlands, which features a mix of housing styles and building sizes on large, rustic parcels, and does not believe that the proposed alternative use of the subject site will have an adverse impact on the normal and orderly development of surrounding properties.

### **Staff Recommendations, Conditions of Approval & General Ordinance Requirements**

Major/Non-Standard Conditions are shaded

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#### **Planning Division Recommendation** (Contact Timothy M. Parks, 261-9632)

The Planning Division recommends that the Plan Commission find the standards met and **approve** a demolition permit to allow demolition of an existing single-family residence and construction of a new single-family residence at 6202 N. Highlands Avenue, subject to input at the public hearing and the conditions from reviewing agencies:

#### **City Engineering Division** (Contact Janet Dailey, 261-9688)

1. The plan set shall be revised to show more information on proposed drainage for the site. This shall be accomplished by using spot elevations and drainage arrows or through the use of proposed contours. It is necessary to show the location of drainage leaving the site to assess the impact on the right of way and nearby public park. It may be necessary to provide information off the site to fully meet this requirement
2. The owner/ applicant desires to build where public sanitary sewer exists. This public sanitary sewer shall be relocated, including new public easement conveyance and old easement release recorded, prior to the new home being constructed. Reference City Engineering Division Project No. 53B2274 and Office of Real Estate Services Project No. 9554.

3. The owner/applicant's project surveyor shall prepare metes and bounds legal descriptions and maps depicting the portion of existing public sanitary sewer easement Document No. 1499451 to be released as well as the segment of new 15-foot wide public sanitary sewer easement centered on the new facility alignment. Please coordinate the review of these documents with Engineering Mapping Land Records Coordinator Eric Pederson ([epederson@cityofmadison.com](mailto:epederson@cityofmadison.com)/ 266-4056) prior to formal submittal to the Office of Real Estate Services.
4. Formal submittal of the easement release and new to the City's Office of Real Estate Services will also require \$500 payment of an administrative fee that covers staff time and recording costs associated with the necessary land records documents relating to the public sanitary sewer relocation requested by the owner/ applicant.
5. No trees or landscaping shall be allowed within the proposed sanitary sewer easement. The proposed plans show a patio encroachment within the proposed easement. The City has rights to access and perform work within the proposed easement and any damage done by the City to the encroachments within the easement shall not be compensable by the City.
6. The construction of this building will require removal and replacement of sidewalk, curb and gutter and possibly other parts of the City's infrastructure. The applicant shall enter into a City/ Developer agreement for the improvements required for this project. The applicant shall be required to provide deposits to cover City labor and materials and surety to cover the cost of construction. The applicant shall meet with the City Engineer to schedule the development of the plans and the agreement. The City Engineer will not sign off on this project without the agreement executed by the developer. The developer shall sign the Developer's Acknowledgement prior to the City Engineer signing off on this project.
7. All work in the public right of way shall be performed by a City-licensed contractor.
8. Prior to final approval of the demolition permit 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.

**Traffic Engineering Division** (Contact John Leach, 267-8755)

This agency submitted a response with no conditions of approval for this project.

**Zoning Administrator** (Contact Pat Anderson, 266-5978)

9. Provide a reuse/recycling plan, to be reviewed and approved by the City Recycling Coordinator prior to a demolition permit being issued. Sec 28.12(12)(e) of the Zoning Ordinance 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.

**Parks Division** (Contact Kay Rutledge, 266-4714)  
This agency did not submit comments for this request.

**Fire Department** (Contact Bill Sullivan, 261-9658)  
The Madison Fire Department does not object to this proposal provided the project complies with all applicable fire codes and ordinances.

**Water Utility** (Contact Dennis Cawley, 261-9243)

10. The Madison Water Utility shall be notified to remove the water meter prior to demolition. All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility.

**Metro Transit** (Contact Tim Sobota, 261-4289)  
This agency did not submit comments for this request.

**Police Department** (Contact Frank Chandler, 266-4238)  
This agency did not submit comments for this request.