



Report to the Plan Commission

October 1, 2012

Legistar I.D. #27778
449 Toepfer Avenue
Demolition Permit

Report Prepared By:
Kevin Firchow, AICP
Planning Division

Requested Action: Approval to demolish a single-family residence for the purpose of constructing a new residence.

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 that the standards for demolitions are met and **approve** a demolition permit for 449 Toepfer Avenue, subject to input at the public hearing and the conditions recommended by reviewing agencies.

Background Information

Applicant / Contact: Terry A. Wanta; Home Comfort Company WI, LLC, 2635 Saw Tooth Drive; Fitchburg, WI 53711

Project Contact: Stan and Colete Corwin; 24 Utopia Road; Asheville, NC 28802

Proposal: The applicant proposes to demolish an existing 1,156 square foot single-family residence and build an approximately 2,137 square foot single-family residence in its place. Demolition is proposed as soon as all necessary approvals have been granted with construction estimated to be complete by Spring 2013.

Parcel Location: The subject site is a 7,596 square foot parcel at the intersection of Toepfer and Birch Avenues. This request is located in Aldermanic District 11 and within the limits of the Madison Metropolitan School District.

Existing Conditions: This property includes a relatively modest bungalow-style residence, built in 1941. The applicant has provided descriptions and photos of the building proposed for demolition. Further discussion is included in the *Analysis, Evaluation, and Conclusion* section of this report.

Surrounding Land Use and Zoning: This site is surrounded by single-family homes on similarly sized lots, zoned R2 (Single-Family Residence District)

Adopted Land Use Plan: The Comprehensive Plan recommends low-density residential uses for this area.

Environmental Corridor Status: The subject site is not located in a mapped environmental corridor.

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

Zoning Summary: The property is zoned R1 (Single-Family Residence District)

Bulk Requirements	Required	Proposed
Lot Area	6,000 sq. ft.	7,596 sq. ft. existing
Lot width	50'	60'
Usable open space	1000 sq. ft.	adequate
Front yard	20.3' average	22'
Side yards, as Originally Proposed	7' + depth pent. RS 15'+ depth pent (Birch Ave)	11'0" RS 19' Birch Ave.
Side yards * As shown in revised exhibit	7' + depth pent. RS 15'+ depth pent (Birch Ave)	11'6" RS 15'8" Birch Ave.
Rear yard	35'	37.5'
Building height	2 stories/35 feet	2 story
Site Design	Required	Proposed
Number parking stalls	1	2
Other Critical Zoning Items	None	

**Note, the applicant has worked with zoning staff to adjust the side yard setbacks. The revised setbacks are depicted in the attached exhibit.*

Table Prepared by Patrick Anderson, Assistant Zoning Administrator

Analysis, Evaluation, & Conclusion

The applicant requests approval to demolish an existing single-family residence and construct a larger single-family home in its place. This request is subject to the demolition standards of Section 28.12 (12) of the Zoning Ordinance.

The existing bungalow-style residence was built in 1941, according to City Assessor records. The building is approximately 1,156 feet in area and includes two (2) bedrooms and one (1) bathroom. The applicant purchased this property in May of 2012, with the intent to renovate the structure. The letter of intent notes that after close examination, the applicant concluded that there was limited feasibility in remodeling this structure. According to the applicant, this property had been renter occupied for the past nine years and had received minimal maintenance. Other noted issues include concerns with the construction of building additions, outdated mechanicals, and poor structural integrity. The provided photos depict some of the concerns noted in the applicant's letter of intent. These photos are provided in the packet and are also available for electronic viewing at the following website:

http://www.cityofmadison.com/planning/projects/reports/449ta_photos.pdf

The applicant's plans for the new residence are included in the packets and can also be viewed online at: http://www.cityofmadison.com/planning/projects/reports/449ta_site.pdf The proposed residence is a larger bungalow-style single-family home, measuring approximately 2,137 square feet in area. Plans indicate the new structure includes three (3) bedrooms, two (2) full bathrooms, one (1) half-bathroom, and an attached two-car garage accessed from Birch Avenue. The garage placement is consistent with the standard in the new (and not yet adopted) Zoning Code, recessed two feet from the main wall of the house. Please see plans for further detail.

The site plan also shows that four trees along Birch Avenue would be removed to allow for construction of the foundation and driveway.

The City's Preservation Planner has noted the house is across the street from a landmark (441 Toepfer Street), though this alone does not require approval by the Landmarks Commission. As with all demolition requests she and the Landmarks Commission have reviewed this request and had no comments on this demolition request.

Based on the information provided, the Planning Division believes that the standards for demolitions can be met. This proposal is consistent with the Comprehensive Plan's recommendation for low-density residential development in this area. Staff also believe the proposed residence is generally consistent with the existing neighborhood character. At the time of report writing, staff was not aware of any objections to this proposal. Staff has received a phone call from the Westmorland Neighborhood Association, indicating their board has reviewed this application and is in support.

Recommendations and Proposed Conditions of Approval

Major/Non-Standard Conditions are Shaded

Planning Division Recommendation (Contact Kevin Firchow, 267-1150)

The Planning Division recommends that the Plan Commission find that the standards for demolitions are met and **approve** a demolition permit for 449 Toepfer Avenue, subject to input at the public hearing and the conditions recommended by reviewing agencies.

The following conditions have been submitted by reviewing agencies:

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

1. The applicant shall close all abandoned driveways and restore the terrace with grass. (POLICY)
2. All damage to the pavement on Toepfer Avenue and Birch Avenue 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)
3. 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)
4. Prior to approval of the 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>. (POLICY)

Traffic Engineering Division (Contact Dan McCormick, 267-1969)

This agency submitted a report with no recommended conditions of approval.

Zoning Administrator (Contact Pat Anderson, 266-5978)

5. Setbacks in the original plans do not conform to R2 standards. These have been corrected in the provided supplemental plan. Final sign-off plans shall include the revised setbacks and be consistent with R2 standards.
6. Provide a reuse/recycling plan, to be reviewed and approved by The City's Recycling Coordinator, Mr. George Dreckmann, prior to a demolition permits being issued.
7. Sec 28.12(12)(e) of the Madison 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.
8. Existing driveway to be removed and street entrance closed to Birch Avenue as per City Engineering & Traffic Engineering requirements, the vacated driveway shall be landscaped and seeded to minimize erosion, the new driveway shall have a maximum width of 22 feet at the right of way.

Water Utility (Contact Dennis Cawley, 261-9243)

9. The Madison Water Utility shall be notified to remove the water meter prior to demolition. 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.

Fire Department (Contact Scott Strassburg, 261-9843)

10. 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>
11. Please consider allowing Madison Fire Dept. to conduct training sequences prior to demolition. Contact MFD Training Division to discuss possibilities (608) 246-4587.

Parks Division (Contact Tom Maglio, 266-6518)

This agency did not submit a response to these requests.

Metro Transit (Contact Tim Sobota, 261-4289)

This agency did not submit a response to these requests.