



Project Address: 1218 Artisan Drive
Application Type: Demolition Permit
Legistar File ID # [30026](#)
Prepared By: Timothy M. Parks, Planning Division
Report includes comments from other City agencies, as noted.

Summary

Applicant & Property Owner: Stasia I. Hargis; 716 N. Thompson Drive; Madison.

Contact Person: George Hank and James Sjolander, City of Madison Building Inspection Division

Requested Action: Approval of a demolition permit to allow a fire-damaged single-family residence to be razed with no proposed use.

Proposal Summary: The applicant and City wish to demolish the existing two-story, 1,914 square-foot single-family residence, which was severely damaged by fire in June 2012. No proposed use of the property is currently proposed, though it is anticipated that a new single-family residence will be constructed on the property in the future. The demolition will proceed as soon as all regulatory approvals have been granted, with completion anticipated in 30-60 days.

Applicable Regulations & Standards: Section 28.185 of the Zoning Code provides the process and standards for the approval of demolition and removal permits.

Review Required By: Plan Commission.

Summary Recommendation: The Planning Division recommends that the Plan Commission find the standards met and **approve** a demolition permit to allow the existing single-family residence at 1218 Artisan Drive to be demolished with no proposed use, subject to input at the public hearing and the conditions from reviewing agencies beginning on page 3 of this report.

Background Information

Parcel Location: The subject property is an approximately 10,881 square-foot (0.25-acre) parcel located approximately 200 feet west of N. Thompson Drive on the northerly side of Artisan Drive; Aldermanic District 17 (Clausius); Madison Metropolitan School District.

Existing Conditions and Land Use: The single-family residence was constructed in 1992 and contains 3 bedrooms, 2.5 baths and a two-car attached garage. The site is zoned SR-C1 (Suburban Residential—Consistent 1 District).

Surrounding Land Use and Zoning: The property is surrounded by other single-family residences in SR-C1 zoning.

Adopted Land Use Plan: The Comprehensive Plan and East Towne-Burke Heights Neighborhood Development Plan recommend that the subject site and surrounding residential properties be developed with Low-Density Residential uses.

Zoning Summary: The property is zoned SR-C1 (Suburban Residential–Consistent 1 District):

Requirements		Required	Proposed
Lot Area		8,000 sq. ft.	10,881 sq. ft., existing
Lot Width		60'	73'
Front Yard		30'	To be determined w/ future house
Side Yards		7' for two-story buildings	To be determined w/ future house
Rear Yard		Lesser of 30% of lot depth or 35'	To be determined w/ future house
Floor Area Ratio		N/A	---
Building Height		2 stories and 35 feet	To be determined w/ future house
No. of Parking Stalls		1 per unit, minimum	To be determined w/ future house
Maximum Lot Coverage		50%	To be determined w/ future house
Usable Open Space		1,300 sq. ft.	To be determined w/ future house
No. Bike Parking Stalls		0	---
Building Form		Note: Only Single-family detached and Civic/ Institutional buildings allowed.	
Other Critical Zoning Items			
Yes:	Utility Easements		
No:	Barrier Free, Urban Design, Wellhead Protection, Floodplain, Landmarks, Waterfront Development		
Prepared by: Pat Anderson, Asst. Zoning Administrator			

Environmental Corridor Status: The property is not located within a mapped environmental corridor (Map G5).

Public Utilities and Services: The site is served by a full range of urban services.

Project Description

The City's Building Inspection Division is requesting approval of a demolition permit to allow the single-family residence on the subject site to be razed by the City. The residence was severely damaged by fire on June 16, 2012, and the property owner has been unable to repair or raze the structure herself due to an ongoing dispute with her home insurer. The City issued a raze order to the property owner on November 12, 2012 (attached) requiring that the residence be demolished due to its condition, which was described in the order as "dangerous, unsafe and unfit for human habitation".

As noted in the attached April 30, 2013 letter from George Hank, Director of the Building Inspection Division, MGO Section 29.11(1) of Building Code, entitled "Unsafe Buildings" allows the Director of the Building Inspection Division to order the removal of any building or part thereof in the City "...which in his or her judgment is so old, dilapidated, or has become so out of repair as to be dangerous, unsafe, unsanitary or otherwise unfit for human habitation, occupancy, or use, and so that it would be unreasonable to repair the same." If the property owner fails to comply with such an order, Section 29.11(2) states that the City may raze the offending structure and assess the costs of the demolition to the subject property.

The property owner signed the application requesting this demolition permit and is cooperating with the Building Inspection Division on this request.

No new use of the property is proposed following demolition of the existing residence. The site is zoned SR-C1, and the bulk and use provisions of that district would be used to permit any future use of the property by the current owner of the property or a successor.

Analysis and Conclusion

Photos of the residence depict significant structural damage due to the fire and subsequent exposure to the elements. Building Inspection staff indicates that trash and debris from the property has become a problem in the neighborhood, and that it has become urgent that the home be demolished and the property restored to correct this situation. The April 30 letter from Mr. Hank indicates that the City will remove the structure, tip in the foundation, backfill and seed the site, close the driveway, and plug the sanitary sewer.

Without exception, Section 28.185(6) of the Zoning Code requires the Plan Commission to approve a demolition permit whenever a building to be demolished has been used in whole or in part at any time as a single-family or multi-family dwelling, or if the building is a landmark or is located in a historic district or neighborhood conservation district. For demolition permits with no proposed use, Section 28.185(7) allows the Plan Commission to find based on evidence from the Fire Department, Police Department, and/or Building Inspection Division that a potential fire hazard, potential unlawful use of the property, potential public nuisance, or other public health and safety concern supports demolition or removal before a future use is proposed.

Planning staff believes that the existing SR-C1 zoning of the property and the low-density residential land use recommended for the site and surrounding neighborhood in the East Towne-Burke Heights Neighborhood Development Plan and Comprehensive Plan should provide adequate assurances that any future use of the property following removal of the fire-damaged residence will be consistent with the surrounding land use and development pattern. Staff does not believe that Plan Commission approval of the future use of the property is necessary given the restrictive nature of the zoning of the property.

Recommendation

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 the existing single-family residence to be demolished at 1218 Artisan Drive with no proposed use, subject to input at the public hearing and approval of a reuse and recycling plan by the City's Recycling Coordinator as required by the Zoning Code.