



Dane County Planning & Development Zoning Division

March 3, 2016

DENISE M LEHNER
1475 DILL DR
BROWNTOWN WI 53522

RE: Watercress Park Condominium Unit 10

Ms. Lehner,

Thank you for meeting with Roger Lane and myself yesterday regarding a proposed redevelopment of your unit in the Watercress Park Condo. At your request, the following pages outline the procedure to follow and describe the information necessary in order to accomplish your proposal to tear down the existing residence and replace it with a new residence.

You will need to make a decision between Option 1 and Option 2:

Option 1 requires that the new residence be located in the existing residence's footprint, but is subject to less regulation.

Option 2 outlines the process to construct a new residence outside of the existing residence's footprint, however this option involves increased regulations and it is less feasible that you will be able to obtain the necessary permits.

Please let either of us know if you have any questions.

Hans Hilbert

Assistant Zoning Administrator
County of Dane County

CC:
Town of Dunn
County Board Supervisor- Patrick Miles
Dane County Land and Water Resources Department
Zoning Administrator- Roger Lane

Option 1: Watercress Park Condominium Unit 10 Proposed Teardown/Rebuild

Option one avoids shoreland regulations by rebuilding a residence within the existing residences footprint. All portions of the proposed residence, including, but not limited to, house, garage, decks, entryway, covered porch, steps and landings must be located within the existing footprint. Follow the below steps to obtain the necessary permits.

1. Plat of Survey/Site Plan of existing conditions
 - a. Hire a Registered Land Surveyor to prepare a site plan specific to Unit 10. The survey must show:
 - i. Unit 10 boundaries
 - ii. Ordinary High Water Mark of Lake Waubesa (845.5 ft AMSL)
 - iii. Base Flood Elevation (847 ft AMSL)
 - iv. 1-foot Contours of unit 10
 - v. Footprint of existing residence
 - vi. All other impervious surfaces
 - vii. Dimensions from residences on Units 9 and 11 to Unit 10 boundary
 - viii. Setback of existing residence to ordinary high water mark
2. Hire an architect or builder to prepare floor plans and building elevation plans of a new residence that will fit within the existing building footprint.
3. Site Plan of proposed residence
 - a. Hire a Registered Land Surveyor to prepare a site plan showing location of the new residence. The site plan must show:
 - i. Footprint of proposed residence
 1. The new residence must not exceed the existing building footprint.
 - ii. Ordinary High Water Mark of Lake Waubesa (845.5 ft AMSL)
 - iii. Base Flood Elevation (847 ft AMSL)
 - iv. The proposed first floor elevation
 1. The first floor must be at or above 849 ft AMSL
 - v. 1-foot contours of a 15-foot perimeter around the proposed building footprint
 1. 15-foot perimeter must be at or above 848 ft AMSL
 - vi. If the new residence is designed with a crawl space, the elevation of the crawlspace
 1. Crawlspace must be at or above 847 ft AMSL
 - vii. Dimensions from residences on Units 9 and 11 to proposed building
4. If minimum elevations for the first floor, crawlspace, or 15-foot perimeter listed above are not met:
 - a. Hire an engineer to determine the feasibility of filling in the floodplain and providing for compensatory floodwater storage
 - i. Filling and grading outside of the unit 10 boundary may require permission from other Unit owners and/or the Condominium Association

- ii. If filling is determined to not be feasible it will require an additional variance to be applied for from the Board of Adjustment (see 5 below)
- 5. Apply for a variance from the Dane County Board of Adjustment
 - a. At a minimum you will need to request relief from the minimum required side yard setback, you may also be required to obtain relief from floodplain regulation (see 4.a.ii. above)
 - b. Submit a complete variance application including:
 - i. Existing site plan
 - ii. Proposed site plan
 - iii. Floor Plans
 - iv. Elevation plans
 - v. A letter from the Town of Dunn stating they are aware that you are applying for a variance.
 - vi. Engineering plans if a variance to floodplain regulations is required
 - c. The Board of Adjustment will hold a public hearing
 - i. The applicant will be required to prove to the Board that a variance is required to allow use of the property.
 - ii. The Board will render a decision.
- 6. If the Board of Adjustment denies the variance request you will not be issued a zoning permit.
- 7. If the Board of Adjustment grants the variance(s) needed you may apply the following permits as needed:
 - a. Dane County Zoning Permit
 - b. Dane County Flood Development Permit
 - c. Dane County Shoreland Erosion Control Permit (Issued by Dane County Land and Water Resources Department and will require a plan designed by a licensed engineer)
- 8. After the above permits are issued, you will proceed to the Town of Dunn to obtain a building permit.

Option 2: Watercress Park Condominium Unit 10 Proposed Teardown/Rebuild

Option two is subject to Shoreland Zoning Regulation as it allows for the proposed residence to be located beyond the footprint of the existing residence. If the new residence will exceed the existing footprint it will be required to be setback a minimum of 35 feet from the ordinary high water mark. Follow the below steps to obtain the necessary permits.

1. Plat of Survey/Site Plan of existing conditions
 - a. Hire a Registered Land Surveyor to prepare a site plan specific to Unit 10. The survey must show:
 - i. Unit 10 boundaries
 - ii. Ordinary High Water Mark of Lake Waubesa (845.5 ft AMSL)
 - iii. Base Flood Elevation (847 ft AMSL)
 - iv. 1-foot Contours of unit 10
 - v. Footprint of existing residence
 - vi. All other impervious surfaces
 - vii. Dimensions from residences on Units 9 and 11 to Unit 10 boundary
 - viii. Setback of existing residence to ordinary high water mark
 - ix. Calculation of impervious surface area.

2. Hire an architect or builder to prepare floor plans and building elevation plans of a new residence fit within the boundaries of Unit 10. The new residence must be setback at least 35 feet from the ordinary high water mark of Lake Waubesa. This includes the house, garage, patios, decks, balconies, covered porches or any other structures. *Note: A plan that reduces the distance between neighboring residences beyond what currently exists will likely be challenging to obtain a variance for.

3. Site Plan of proposed residence
 - a. Hire a Registered Land Surveyor to prepare a site plan showing location of the new residence. The site plan must show:
 - i. Footprint of proposed residence
 - ii. Ordinary High Water Mark of Lake Waubesa (845.5 ft AMSL)
 - iii. Base Flood Elevation (847 ft AMSL)
 - iv. The proposed first floor elevation
 1. The first floor must be at or above 849 ft AMSL
 - v. 1-foot contours of a 15-foot perimeter around the proposed building footprint
 1. 15-foot perimeter must be at or above 848 ft AMSL
 - vi. If the new residence is designed with a crawl space, the elevation of the crawlspace
 1. Crawlspace must be at or above 847 ft AMSL
 - vii. Dimensions from residences on Units 9 and 11 to proposed building
 - viii. Calculation of impervious surface area of Unit 10

4. If minimum elevations for the first floor, crawlspace, or 15-foot perimeter listed above are not met:
 - a. Hire an engineer to determine the feasibility of filling in the floodplain and providing for compensatory floodwater storage
 - i. Filling and grading outside of the unit 10 boundary may require permission from other Unit owners and/or the Condominium Association
 - ii. If filling is determined to not be feasible it will require an additional variance to be applied for from the Board of Adjustment (see 5 below)
5. Apply for a variance from the Dane County Board of Adjustment
 - a. At a minimum you will need to request relief from the minimum required side yard setback, you may also be required to obtain relief from floodplain regulation (see 4.a.ii. above)
 - b. Submit a complete variance application including:
 - i. Existing site plan
 - ii. Proposed site plan
 - iii. Floor Plans
 - iv. Elevation plans
 - v. A letter from the Town of Dunn stating they are aware that you are applying for a variance.
 - vi. Engineering plans if a variance to floodplain regulations is required
 - c. The Board of Adjustment will hold a public hearing
 - i. The applicant will be required to prove to the Board that a variance is required to allow use of the property.
 - ii. The Board will render a decision.
6. If the Board of Adjustment denies the variance request you will not be issued a zoning permit.
7. If the Board of Adjustment grants the variance(s) needed you may apply the following permits as needed:
 - a. Dane County Shoreland Zoning Permit
 - b. Dane County Flood Development Permit
 - c. Dane County Shoreland Erosion Control Permit (Issued by Dane County Land and Water Resources Department and will require a plan designed by a licensed engineer)
 - d. Dane County Shoreland Mitigation Permit (Issued by Dane County Land and Water Resources Department)
 - i. This permit will require a shoreland stormwater management plan and will be subject to meeting the performance standards of the County Mitigation requirements. The ability to meet the requirements of this permit will likely require the use of land outside of the boundary of Unit 10 and will likely require permission from other condominium owners and the Condominium Association.

It will also require a deed restriction to be recorded against the property for the maintenance of the plan components. Failure to meet the requirement of a shoreland mitigation permit will prevent a zoning permit from being issued.

- e. Dane County Zoning Permit
8. After the above permits are issued, you will proceed to the Town of Dunn to obtain a building permit.