



PREPARED FOR THE PLAN COMMISSION

Project Address: 508 West Lakeside Street (13th Alder District, Alder Evers)

Application Type: Conditional Use

Legistar File ID # [74253](#)

Prepared By: Colin Punt, Planning Division
Report Includes Comments from other City Agencies, as noted

Reviewed By: Kevin Firchow, AICP, Principal Planner

Summary

Applicant: Jay Jurado; 505 South Shore Drive; Madison, WI 53715

Contact: Tim Burke; Sugar Creek Homes, LLC; 237 Ridge View Trail; Verona, WI 53593

Requested Actions: The applicant requests conditional use approval to allow a home occupation in a new accessory building at 508 West Lakeside Street.

Proposal Summary: The applicant seeks to operate a home art occupation in a new detached garage in the TR-C2 (Traditional Residential-Consistent 2) Zoning District. No exterior changes to the existing residence are proposed as part of this application request.

Applicable Regulations & Standards: Home Occupations in an accessory building are identified as a conditional use in the TR-C2 zoning district, as such they are subject to the standards for Conditional Uses pursuant to Section 28.183(6), MGO and the Supplemental Regulations pursuant to Section 28.151, MGO.

Review Required By: Plan Commission

Summary Recommendation: The Planning Division recommends that the Plan Commission find that the approval standards for Conditional Use are met and **approve** the request for a home occupation in a new accessory building at 508 West Lakeside Street. This recommendation is subject to the input at the public hearing and the conditions recommended by the reviewing agencies.

Background Information

Parcel Location: The 4,755-square-foot parcel is located on the north side of West Lakeside Street between Gilson Street and Hickory Street, and is within Alder District 13 (Alder Evers).

Existing Conditions and Land Use: The subject property is zoned TR-C2 contains a one-story 741-square-foot, two-bedroom, one-bathroom single-family house and a detached one-stall garage.

Surrounding Land Use and Zoning:

North: Single-family residences zoned TR-C2;

East: Single-family residences zoned TR-C2;

South: Across West Lakeside Street, Single-family residences zoned TR-C4; and

West: Single-family and two-unit residences zoned TR-C2.

Adopted Land Use Plan: The [Comprehensive Plan](#) (2018) recommends low residential (LR) uses for this area. The [Bay Creek Neighborhood Plan](#) (1991) recommends low-medium density single unit land use. The [South Madison Neighborhood Plan](#) (2005) makes no land use changes to those in the older [Bay Creek Neighborhood Plan](#).

Zoning Summary: The property is zoned Traditional Residential-Consistent 2 (TR-C2)

Requirements	Required	Proposed
Lot Area (sq. ft.)	4,000	4,800
Lot Width	40 ft	40 ft
Front Yard Setback	20 ft	87 ft
Side Yard Setback	3 ft (accessory building)	3.25 ft
Rear Yard Setback	3 ft (accessory building)	3 ft
Usable Open Space	750 sq ft	937 sq ft
Maximum Lot Coverage	65%	59%
Maximum Building Height	15 ft (mean roof height)	21 ft (see zoning comment 1)

Other Critical Zoning Items	Utility Easements
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Table Prepared by Jacob Moskowitz, Assistant Zoning Administrator

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

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

Project Description, Analysis, and Conclusion

The applicant is proposing to demolish a single-stall detached garage and to construct a new two-story single-story garage with a second-floor photography and art studio space. No customers will be on site.

The request is subject to conditional uses as home occupations in accessory buildings required authorization by the Plan Commission as a conditional use per the Supplemental Regulations for Home Occupations in Section 28.151, MGO. Staff does not think that while it appears the proposed accessory building is taller than permitted per the Zoning code, final plans for the accessory building must be compliant with the height requirements. A conditional use to exceed the maximum garage size is not requested and the structure must comply with all applicable zoning regulations for accessory buildings and for the TR-C2 district.

In regards to conditional use approval standards, the Plan Commission shall not approve a conditional use without due consideration of the City’s adopted plan recommendations, design guidelines, supplemental regulations, and finding that all of the conditional use standards of §28.183(6) MGO are met. With regards to the City’s adopted plan recommendations, as mentioned above, the Planning Division believes that the proposal can be found consistent with the recommendations of the [Comprehensive Plan](#) , [Bay Creek Neighborhood Plan](#), and [South Madison Neighborhood Plan](#). Staff advises the Plan Commission that in evaluating the conditional use standards, State law requires that conditional use findings must be based on “substantial evidence” that directly pertains to each standard and not based on personal preference or speculation.

Staff believes that, in consideration of minimal impact of the proposed home occupation and subject to the conditions recommended at the end of this report, the Plan Commission can find that the conditional use approval standards are met. At time of publication, staff are unaware of any public comments regarding this request.

Recommendation

Planning Division Recommendation (Contact Colin Punt, (608) 243-0455)

The Planning Division recommends that the Plan Commission find that the approval standards for Conditional Use are met and **approve** the request for a home occupation in an accessory building at 508 West Lakeside Street. This request is subject to input at the public hearing and the comments and conditions recommended by reviewing agencies.

Recommended Conditions of Approval Major/Non-Standard Conditions are Shaded

Zoning Administrator (Contact Jacob Moskowitz, 266-4560)

1. Show the height of the proposed accessory building on the elevations. The maximum height is fifteen (15) feet. Height is measured from the average elevation of the approved grade at the front of the building to the highest point of the roof in the case of a flat roof, to the deck line of a mansard roof, and to the midpoint of the ridge of a gable, hip, or gambrel roof. The average height shall be calculated by using the highest ridge and its attendant eave. The eave point used shall be where the roof line crosses the side wall.

City Engineering Division (Contact Tim Troester, 267-1995)

2. Sanitary sewer service to the proposed accessory dwelling unit (ADU) can either connect to the plumbing in the primary building or have a separate sanitary sewer serving the building. City utility records show two laterals stubbed into the lot. Applicant shall provide a sanitary lateral plan for the property.
3. This site drains to an enclosed depression not on the subject property. No increase in volume being discharged from the subject site offsite (to non-public property) shall be allowed. If the applicant desires to discharge all roof water to the ROW the above condition could be removed.

4. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to submit a Storm Water Management Permit application, associated permit fee, Stormwater Management Plan, and Storm Water Management Report to City Engineering. The Stormwater Management Permit application can be found on City Engineering's website at <http://www.cityofmadison.com/engineering/Permits.cfm>.

The Storm Water Management Plan & Report shall include compliance with the following:

Report: Submit prior to plan sign-off, a stormwater management report stamped by a P.E. registered in the State of Wisconsin.

Electronic Data Files: Provide electronic copies of any stormwater management modeling or data files including SLAMM, RECARGA, TR-55, HYDROCAD, Sediment loading calculations, or any other electronic modeling or data files. If calculations are done by hand or are not available electronically, the hand copies or printed output shall be scanned to a PDF file and provided to City Engineering. (POLICY and MGO 37.09(2))

Volume Control: Provide onsite volumetric control limiting the post construction volumetric discharge to the predevelopment discharge volume as calculated using the 10-year storm event.

Thermal Control: Provide substantial thermal control to reduce runoff temperature in cold water community or trout stream watersheds.

100-year Overflow: The applicant shall demonstrate that water can leave the site and reach the public ROW without impacting structures during a 100-year event storm. This analysis shall include reviewing overflow elevations and unintended storage occurring on site when the storm system has reached capacity.

Submit a draft Stormwater Management Maintenance Agreement (SWMA) for review and approval that covers inspection and maintenance requirements for any BMP used to meet stormwater management requirements on this project.

City Engineering Division – Mapping Section (Contact Julius Smith, 264-9276)

5. Identify on the plans the lot and block numbers of recorded Certified Survey Map or Plat. Add the name of the plat and block number to the shown lot numbers
6. Provide a full and complete legal description of the site or property being subjected to this application on the site plan.
7. Show the 2'-3" dimension at the very southeast corner of garage to the parcel line.

Fire Department (Contact William Sullivan, 261-9658)

8. Madison Fire Department recommends the installation of a residential fire sprinkler system in accordance with NFPA 13D. Additional information is available at the Home Fire Sprinkler Coalition website: <https://homefiresprinkler.org/building-residential-fire-sprinklers> .

The Planning Division, Traffic Engineering Division, Forestry Section, and Metro Transit have reviewed this request and have recommended no conditions of approval.