

PLANNING DIVISION STAFF REPORT

August 28, 2017



PREPARED FOR THE PLAN COMMISSION

Project Address: 2224 Waunona Way (District 14 – Ald. Carter)
Application Type: Conditional Use
Legistar File ID # [48149](#)
Prepared By: Chris Wells, Planning Division
Report Includes Comments from other City Agencies, as noted
Reviewed By: Kevin Firchow, AICP, Principal Planner

Summary

Applicant & Property Owner: Brian & Annette Hellmer; 2224 Waunona Way; Madison, WI 53713
Contact: Tim Sweeney; Sweeney Construction; 1008 Fish hatchery Road; Madison, WI 53715

Requested Action: The applicant requests conditional use approval to construct an accessory building on a lakefront lot.

Proposal Summary: The applicant proposes to remove an existing, 448-square-foot boathouse and construct a new boathouse of approximately the same size.

Applicable Regulations & Standards: MGO §28.138(2)(a) of the Zoning Code states that any accessory building on a zoning lot fronting Lake Monona requires conditional use approval. This proposal is subject to the review standards for Lakefront Development [MGO §28.138] and Conditional Uses [MGO §28.183].

Review Required By: Plan Commission

Summary Recommendation: The Planning Division recommends that the Plan Commission find that the standards for lakefront development and conditional uses are met and **approve** the conditional use to construct an accessory building on a lakefront lot at 2224 Waunona Way. This recommendation is subject to input at the public hearing and the conditions recommended by the reviewing agencies.

Background Information

Parcel Location: The 13,600-square-foot (0.31-acre) property is located on the north side of Waunona Way, just east of the intersection with Fayette Avenue. The site is within Aldermanic District 14 (Ald. Carter) and within the limits of the Madison Metropolitan School District.

Existing Conditions and Land Use: The subject site includes an existing, one-story, roughly 2,000-square-foot, single-family home and a 448-square-foot boathouse.

Surrounding Land Use and Zoning:

North: Lake Monona;

South: Across Waunona Way are single-family residences zoned TR-C1 (Traditional Residential - Consistent 1 District);

East: Single-family residences, zoned TR-C1; and

West: Across a roughly 50-foot wide public right-of way are single-family residences, zoned TR-C1.

Adopted Land Use Plan: The [Comprehensive Plan \(2006\)](#) recommends Low-Density Residential Uses (i.e. 0-15 dwelling units per acre) for the subject site and surrounding properties. The [Broadway-Simpson-Waunona Neighborhood Plan \(1986\)](#) recommends Low-Medium Density, Single-Family Residences (8-15 dwelling units per acre).

Zoning Summary: The property is zoned TR-C1 (Traditional Residential-Consistent 1).

Requirements	Required	Proposed
Lot Area (sq. ft.)	6,000 sq. ft.	13,593.75 sq. ft.
Lot Width	50'	65'
Front Yard Setback	20'	Adequate
Max. Front Yard Setback	30' or up to 20% greater than block average	Adequate
Side Yard Setback: Accessory Building	6'	3' (See Comment #10)
Lakefront Yard Setback: Accessory Building	3' setback from OHWM	9.7' (See Comment #11)
Usable Open Space	1,000 sq. ft.	Adequate
Maximum Lot Coverage	50%	Less than 50% (See Comment #14)
Maximum Building Height: Accessory Building	15'	Less than 15' (See Comment #15)
Other Critical Zoning Items	Floodplain, Utility Easements, Wetlands	

Table Prepared By Jenny Kirchgatter, Assistant Zoning Administrator

Environmental Corridor Status: The subject site is not located in a mapped environmental corridor, though the property is immediately adjacent to the wetlands and flood storage districts.

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

Project Description, Analysis, and Conclusion

The applicant requests approval of a conditional use to build a new accessory structure on a lakefront lot. This request is subject to the approval standards for Lakefront Development and Conditional Uses.

The proposed accessory structure is a 448-square-foot (16 feet by 28 feet) boathouse, proposed to replace an existing boathouse of roughly the same size and located in roughly the same location at the northwest corner of the property). It will be located just north of the Sanitary Sewer Easement which runs east to west across the property's lakefront yard. Building plans show the proposed structure has a height of roughly 8 feet, 8 inches. Staff have requested height dimensions be clearly labeled on plans submitted for final sign-off. The building would be clad in horizontal siding to match the house. The applicant indicates this will either be vinyl, fiber cement, or cement. The roof will be flat and covered with a rubber membrane. The existing concrete apron leading from the boat house to the water's edge will be removed and replaced with one roughly 10 feet by 12 feet in size. The applicant has noted that they have obtained permits from the Wisconsin Department of Natural Resources for such work. Stairs will be added along the eastern side of the apron and connect to a path which will lead to the residence. Landscaping consisting of Spirea, Arborvitae, Boxwoods, and Roses will be planted along the southern and eastern sides of the boathouse.

The Planning Division believes that the approval standards for Lakefront Development and Conditional Uses can be met with the recommended conditions. In regards to the Lakefront Standards for vegetation and removal,

the applicant will need to confirm which, if any, shoreline vegetation is being removed as a result of the proposed redevelopment. A complete inventory of shoreline vegetation in any area proposed for building, filling, grading or excavating within 35 feet inland from the normal waterline will need to be specified on the plans submitted for final staff review and approval. The City's Assistant Zoning Administrator has also requested that all site plan features be clearly labeled on plans submitted for final sign-off.

To comply with Zoning regulations, the proposed structure must be shifted another three feet to the east from the side lot line (for a total of six feet) in order to comply with MGO §28.181(1)(e)(4) which states: *"In the side or rear yard setback of a corner lot, a minimum distance from the street side lot line equal to the setback required for a principal building in the district."* (The side yard setback for principal buildings in the TR-C1 District is 6 feet.) Additionally, the site plan should clearly identify and label all proposed site plan features, including the Ordinary High Water Mark (OHWM) and the elevations will need to be dimensioned, indicating the height of the proposed structure.

At the time of report writing, one neighbor had contacted the Alder expressing concern that if the proposed boat house was going to be taller than the existing structure, it would block his/her views, but no formal correspondence on this proposal had been provided to staff at the time of report writing.

Recommendation

Planning Division Recommendation (Contact Chris Wells, (608) 261-9135)

The Planning Division recommends that the Plan Commission find that the standards for lakefront development and conditional uses are met and **approve** the conditional use to construct an accessory building on a lakefront lot at 2224 Waunona Way. This recommendation is subject to input at the public hearing and the conditions recommended by the reviewing agencies.

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

Planning Division (Contact Chris Wells, (608) 261-9135)

1. That height dimensions and materials are labeled on the elevation drawings for staff approval.

City Engineering Division (Contact Tim Troester, (608) 267-1995)

2. This project proposed riprap replacement along the shoreline. Applicant shall submit WDNR riprap permit or correspondence from WDNR staff that no permit is required. Contact Jeff Benedict.

3. Applicant shall confirm the location of the sanitary sewer on the south side of the boathouse to make sure that there is adequate separation to the proposed boathouse building. City Operations Staff will provide access to applicant to confirm survey location of the sewer: Jay Schlimgen: 266-4087 or Jim Streich: 243-5897

4. Current plan shows less than 4,000 sf disturbed area. If plans are not revised, no Storm Water Management Permit will be required.

5. This site proposes work adjacent to the shoreline. This sensitive site will require an Erosion Control Permit & Erosion Control Plan. Contact Jeff Benedict.

City Engineering Division - Mapping (Contact Jeff Quamme, (608) 266-4097)

6. The 6' wide Sanitary Sewer Easement Doc No. 861689 is shown on the Williamson Surveying survey of July 13, 2017. The easement shall be widened to be 12' wide by the owner granting an additional 6 feet to the south side of the existing easement to provide an adequate width easement. Applicant shall provide a map exhibit and legal description of the 12' easement area for the amendment of the existing easement to Jeff Quamme (jrquamme@cityofmadison.com) to set up the required Real Estate project.

Zoning Administrator (Contact Jenny Kirchgatter, (608) 266-4429)

7. Increase the side yard setback to a minimum of 6 feet. The side yard setback of an accessory building on a corner lot is the minimum distance from the street side lot line equal to the setback required for a principal building in the district.
8. Clearly identify and label all proposed site plan features, including the Ordinary High Water Mark (OHWM).
9. Provide a complete inventory of shoreline vegetation in any area proposed for building, filling, grading or excavating. In addition, the development plan shall indicate those trees and shrubbery which will be removed as a result of the proposed development. The cutting of trees and shrubbery shall be limited in the strip thirty-five (35) feet inland from the normal waterline. On any zoning lot not more than thirty percent (30%) of the frontage shall be cleared of trees and shrubbery.
10. Filling, grading and excavation of the zoning lot may be permitted only where protection against erosion, sedimentation and impairment of fish and aquatic life has been assured. Obtain necessary erosion control permits. Any earth disturbing activity, including the repair of riprap and seawall along the lake shore may require a permit from the Department of Natural Resources. Contact the Department of Natural Resources for more information.
11. Provide lot coverage information for the area within thirty-five (35) feet of the Ordinary High Water Mark (OHWM). Lot coverage within thirty-five (35) feet of the OHWM shall not exceed twenty percent (20%).
12. Show the height of the proposed accessory building on the elevations. The maximum height is fifteen (15) feet. In the case of a flat roof, height is measured from the average elevation of the approved grade at the front of the building to the highest point of the roof.
13. Correct the labels on the building elevations. Identify and label the proposed building materials and colors.
14. Per Section 28.186(4)(b), the property owner or operator is required to bring the property into compliance with all elements of the approved site plans by the date established by the Zoning Administrator as part of the site and building plan approval. Work with Zoning staff to establish a final site compliance date.

Water Utility (Contact Dennis Cawley, 608-261-9243)

- ~~15. All operating private wells shall be identified and permitted by the Water Utility in accordance with MGO 13.21. All unused private wells shall be abandoned in accordance with MGO 13.21.~~