

# PLANNING DIVISION STAFF REPORT

October 15, 2018



PREPARED FOR THE PLAN COMMISSION

**Project Address:** 329 East Sunset Court (11<sup>th</sup> Aldermanic District, Ald. Martin)  
**Application Type:** Conditional Use  
**Legistar File ID #:** [53122](#)  
**Prepared By:** Colin Punt, Planning Division  
Report Includes Comments from other City Agencies, as noted  
**Reviewed By:** Kevin Firchow, AICP, Principal Planner

## Summary

**Applicant & Contact:** Gary Karls; Quality West Construction, Inc.; PO Box 12; Mt. Horeb, WI 53572

**Owner:** James Hamilton; 329 E. Sunset Ct.; Madison, WI 53705

**Requested Action:** Approval of a Conditional Use to allow construction of an accessory building exceeding 576 square feet at 329 East Sunset Court.

**Proposal Summary:** The applicant proposes to expand an existing detached garage to 750 square feet.

**Applicable Regulations & Standards:** This proposal is subject to the standards for conditional uses, MGO §28.183(6)), as §28.131(1)(b) requires conditional use approval for any individual accessory building exceeding 576 square feet at ground level in a TR zoning district.

**Review Required By:** Plan Commission (PC)

**Summary Recommendation:** The Planning Division recommends that the Plan Commission find that the conditional use standards are met and **approve** the requests to allow construction of an accessory building exceeding 576 square feet at 329 East Sunset Court. This recommendation is subject to input at the public hearing and the conditions recommended by the Planning Division and other reviewing agencies.

## Background Information

**Parcel Location:** The 7,800-square-foot property is located on the east side of East Sunset Court between South Sunset Court to the north and Mineral Point Road to the south. It is located within Aldermanic District 11 (Ald. Martin) as well as the Madison Metropolitan School District.

**Existing Conditions and Land Use:** According to assessor data, the property is currently developed with a 1-story, 3-bedroom, 2-bathroom, 1,295-square-foot single-family residence. It was originally constructed in 1940. There is a 400-square foot detached garage in the rear yard near the south property line. The property is zoned Traditional Residential – Consistent 1 (TR-C1) District.

### Surrounding Land Use and Zoning:

North: Single-family residences, zoned Traditional Residential – Consistent 1 (TR-C1);

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

**South:** Single-family residences, zoned TR-C1; and

**West:** Across East Sunset Court, single-family residences, zoned TR-C1.

**Adopted Land Use Plan:** The [Comprehensive Plan](#) (2018) recommends low residential (LR) uses for the subject parcel, defined as one- and two-story house-like buildings with densities less than 16 dwelling units per acre. The [Hoyt Park Area Joint Neighborhood Plan](#) (2014) recommends a low-density residential designation. The neighborhood plan also recommends that detached garages be located behind the front façade of the house.

**Zoning Summary:** The property is in the Traditional Residential – Consistent 1 (TR-C1) District

Requirements	Required	Proposed
Lot Area (sq. ft.)	6,000 sq. ft.	7,800 sq. ft.
Lot Width	50'	59.68'
Front Yard Setback	20'	Adequate
Max. Front Yard Setback	30' or up to 20% greater than block average	Adequate
Side Yard Setback: Accessory Building	3'	3.1'
Rear Yard Setback: Accessory Building	3'	14.9'
Usable Open Space	1,000 sq. ft.	Adequate
Maximum Lot Coverage	50%	TBD (See Zoning Condition 1)
Maximum Building Height: Accessory Building	15'	Less than 15'

Site Design	Required	Proposed
Number Parking Stalls	Single-family detached dwelling: 1 (location only)	Detached garage
Building Forms	Not required	Accessory building

<b>Other Critical Zoning Items:</b>	Utility easements
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*Table Prepared by Jenny Kirchgatter, Assistant Zoning Administrator*

**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.

## Project Description, Analysis, and Conclusion

The applicant requests approval of a conditional use to allow the construction of an accessory building greater 576 square feet in floor area in a Traditional Residential zoning district at 329 East Sunset Court. The applicant proposes to expand an existing detached garage located in the subject lot's rear yard, near the south (side) property line. The existing 20-foot by 20-foot two-stall garage has a gable roof, side door, small windows, and tan siding. The applicant's proposal is to extend the garage 15 feet toward the rear. The rear wall and window will be removed and the structure will be expanded to the east with the same gabled roofline and the rear window reused on the new portion. The garage will continue be connected to East Sunset Court by an existing driveway.

This request is subject to the Conditional Use standards. The Plan Commission shall not approve a Conditional Use without due consideration of the City’s adopted plan recommendations, design guidelines, and finding that all of the conditional use standards of MGO §28.183(6) are met.

In considering the adopted plan recommendation, the Planning Division believes that the proposed use is generally consistent with the Comprehensive Plan as well as the Hoyt Park Area Joint Neighborhood Plan. The Comprehensive Plan recommends low residential (LDR) uses for the subject parcel, defined as house-like development with densities less than 16 dwelling units per acre. There is no proposed addition of density or change of use. The Hoyt Park Area Joint Neighborhood Plan recommends a similar low density residential land use as well as a recommendation that detached garages be placed behind the front façade of the house.

In considering the surrounding context, the nearby houses on East Sunset Court, South Sunset Court (across the street from the subject site), and Westmorland Boulevard (immediately behind the subject site) have a combination of garage designs and locations. Nearby houses have one- and two-stall attached garages and detached garages, and even two garages in one case. Because of the wide variety of garage sizes and locations, the proposed garage is not believed to be significantly out of character with the other garages on the block. Additionally, while the proposed garage is larger than most nearby garages, its location at the back of the lot and fact that its additional bulk is due to an extension to the rear, with no additional bulk from width or height visible from the street, is believed to be appropriate for its surroundings. The design of the building, colors, and materials are consistent with the existing garage and house on the lot.

Due to the design of the garage on the site and its integration in the character of the neighborhood, the Planning Division believes the conditional use standards can be found met.

The Sunset Village Neighborhood Association has provided a comment supporting the proposal. At the time of report writing, staff is unaware of any additional comments from the public.

## Recommendation

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

The Planning Division recommends that the Plan Commission find that the conditional use standards are met and **approve** the requests to allow construction of an accessory building larger than 576 square feet at ground level at 329 East Sunset Court. This recommendation is subject to input at the public hearing and the conditions recommended by the Planning Division and other reviewing agencies.

### Recommended Conditions of Approval

Major/Non-Standard Conditions are Shaded

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

1. Provide a calculation and plan detail for lot coverage with the final submittal. Include photos or details of the paver patio to determine whether the patio will be considered impervious or not. The lot coverage maximum is 50%. Lot coverage is defined as the total area of all buildings, measured at grade, all accessory structures including pools, patios, etc., and all paved areas as a percentage of the total area of the lot, with the following exceptions: sidewalks or paved paths no wider than five (5) feet, pervious pavement, green roofs and decks.

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

2. This property discharges to an enclosed depression on private property. It is required that runoff from additional impervious areas be directed to the public ROW or that a volume matching stormwater treatment system be installed to reduce volumetric discharges from the site.