



PREPARED FOR THE PLAN COMMISSION

Project Address: 2213 Lakeland Avenue (District 6 – Ald. Rummel)
Application Type: Conditional Use
Legistar File ID # [49687](#)
Prepared By: Sydney Prusak, Planning Division
Report Includes Comments from other City Agencies, as noted
Reviewed By: Kevin Firchow, AICP, Principal Planner

Summary

Applicant & Contact: Jason Larkins; Larkwood Builders; 455 Muller Road; Columbus, WI 53925
Property Owner: Chris Wood; 2213 Lakeland Avenue; Madison, WI 53704

Requested Action: The applicant requests approval of a conditional use for an addition exceeding 500 square feet for a single-family residence on a lakefront property at 2213 Lakeland Avenue.

Proposal Summary: The applicant proposes to renovate the lakeside facing portion of the home to open up the first floor, reconstruct a new back entry deck, and construct a second story roof deck. The combination of these renovations exceeds 500 square feet and therefore requires conditional use approval.

Applicable Regulations & Standards: This proposal is subject to the standards for Conditional Uses [M.G.O. §28.183] and Lakefront Development [M.G.O. §28.138]. MGO §28.138(2)(a) states that additions to a principal building totaling in excess of five hundred (500) square feet during any ten (10) year period on zoning lots abutting Lake Monona and associated bays shall require conditional use approval.

Review Required By: Plan Commission

Summary Recommendation: The Planning Division recommends that the Plan Commission find that the standards for conditional uses and lakefront development are met and **approve** the conditional use request to construct an addition exceeding 500 square feet to a principal building in the TR-C2 (Traditional Residential – Consistent 2) zoning district on a lakefront property at 2213 Lakeland Avenue. This recommendation is subject to input at the public hearing and the conditions recommended by the reviewing agencies.

Background Information

Parcel Location: The 11,129 square-foot (approximately 0.26-acre) subject property is located on the south side of Lakeland Avenue, between Dunning Street and Schiller Court. The site is within Aldermanic District 6 (Ald. Rummel) and is within the limits of the Madison Metropolitan School District.

Existing Conditions and Land Use: The subject site includes the existing 4,191-square-foot, two-story single-family home. The home was constructed in 1914 and has three bedrooms and one and one half bathrooms.

Surrounding Land Use and Zoning:

North: Across Lakeland Avenue are single-family homes all zoned TR-C2 (Traditional Residential-Consistent 2);

South: Lake Monona;

East: Single-family homes, zoned TR-C2, with Hudson Park, zoned CN (Conservancy District) beyond; and

West: Single-family homes, zoned TR-C2 and TR-C3, and Yahara Place Parked, zoned CN.

Adopted Land Use Plan: The [Comprehensive Plan \(2006\)](#) recommends low-density residential development for the subject site and surrounding properties, and the [Schenk-Atwood-Starkweather-Worthington Park Neighborhood Plan \(2000\)](#) recommends residential development for this area as well.

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

Requirements	Required	Proposed
Lot Area (sq. ft.)	4,000 sq. ft.	11,129 sq. ft.
Lot Width	40'	62'
Front Yard Setback	20'	28.7' existing front setback
Side Yard Setback	Two-story: 6'	3.7' existing east side setback 10.0' east side setback to addition 12.0' existing west site setback
Lakefront Yard Setback	88.95' Section 28.138(4)(a)3.	Adequate (3)(4)
Usable Open Space	750 sq. ft.	Adequate
Maximum Lot Coverage	65%	Less than 65%
Maximum Building Height	2 stories/35'	2 stories existing building/25'

Section 28.138(4)(a)3. Lakefront Yard Setback. The median setback of the principal building on the five (5) developed lots or three hundred (300) feet on either side (whichever is less), or thirty percent (30%) of lot depth, whichever number is greater (see illustration).

Site Design	Required	Proposed
Number Parking Stalls	Single-family detached dwelling: 1 (location only)	Existing driveway and parking space
Landscaping and screening	Inventory of shoreline vegetation	None (6)
Building Forms	Not required	Existing single-family dwelling

Other Critical Zoning Items	Floodplain; Utility Easements
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Tables Prepared by Jenny Kirchgatter, Assistant Zoning Administrator

Environmental Corridor Status: While the property is not located in a mapped environmental corridor, the abutting shoreline is located within a flood storage district and a designated wetland per the DNR Wetlands Map.

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

Project Description

The applicant is seeking conditional use approval to allow an addition in excess of 500 square-feet to a single-family residence on a lakefront property. The remodel includes a reconstruction of the first floor, a renovation of the back entry deck on the lakefront yard, and construction of a new roof deck above. In the letter of intent, the applicant indicated that these renovations will allow for more lake views throughout the home, with minor exterior changes. The existing home does not have a garage, and no garage is proposed in this application.

Analysis and Conclusion

This proposal is subject to the approval standards for Conditional Uses and Lakefront Development.

Conditional Use Standards

The Planning Division believes that the standards for Conditional Uses can be found met. The applicant is proposing to increase the bulk of the home by only 13 square-feet, which does not change the total floor area ratio (FAR) as some of the proposed additions are outdoor deck spaces. This proposal requires conditional use approval because the total renovation exceeds 500 square-feet on a lakefront parcel. While these improvements will not significantly change the overall building footprint, because the applicant is tearing down a wall and rebuilding a new room within its space, it is included in the overall addition calculation for the property.

In regards to the approval 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. Standard 13 relates exclusively to lakefront development which states that "when applying the above standards to lakefront development under Sec. 28.138, the Plan Commission shall consider the height and bulk of principal buildings on the five (5) developed lots or three hundred (300) feet on either side of the lot with the proposed development." As an estimate of total bulk, staff utilized City Assessor's data to estimate principal building size for the homes on the three (3) developed lots on either side of the subject property. Beyond these 3 lots are Hudson Park to the east and Dunning Street to the west and therefore were not included. This calculation for bulk includes living areas, enclosed porches, finished and unfinished basement areas, and estimated attached garage space. Using this analysis, staff found that the principal building sizes range from approximately 3,546 to 5,736 square-feet, compared to roughly 4,204 square-feet for the proposed principal structure (which is 5.71% **above** the median).

The Zoning Code's definition of bulk also includes the FAR, which compares the total building floor area (on all floors) to lot area. For example, a FAR of 1.0 indicates that the total building floor area is equal to the lot area. The calculated FAR for the adjacent lots along Lakeland Avenue range from 0.37 to 0.76. The calculated FAR for the proposed principal structure is 0.38 compared to the 0.46 estimated median for the surrounding homes. The proposed renovation would only result in an additional 13 square-feet for the enclosed lakeside porch, and therefore has a negligible effect on the FAR. In regards to height, the proposed home appears to be under the maximum allowable height of 35 feet, at approximately 25 feet when measured from the first floor line.

Staff believes Conditional Use Standard #4 which states that, "The establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district" can be found met. This home is well within the range of the bulk and FAR in relation to the surrounding properties.

Lakefront Development Standards

The lakefront development standards were established to further the maintenance of safe and healthful conditions by preserving and enhancing water quality, habitats, viewsheds, and other environmental and aesthetic qualities of lakes. This section includes additional regulations including limitations on the clearing of shoreline vegetation, requirements for public sewer, environmental protections, and additional lot coverage standards. This section also includes the methodology to establish the building setback from the lake. In keeping with the Zoning Administrator's findings, Planning Staff believes that the lakefront development standards can be found met.

At the time of report writing, staff was not aware of concerns regarding this proposal.

Given the limited size and scope of this addition (i.e. not resulting in a substantial increase of livable space), the Planning Division believes that both the Conditional Use and Lakefront Development Standards can be found met.

Recommendation

Planning Division Recommendation (Contact Sydney Prusak, 243-0554)

The Planning Division recommends that the Plan Commission find that the standards for conditional uses and lakefront development are met and **approve** the conditional use request to construct an addition exceeding 500 square-feet to an existing residence in the TR-C2 zoning district on a lakefront property at 2213 Lakeland Avenue. 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

Engineering Division (Main Office) (Contact Brenda Stanley, (608) 261-9127)

The agency reviewed this request and has recommended no conditions of approval.

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

1. The Owner shall grant a Public Sanitary Sewer Easement for the access and maintenance to the existing 14" sanitary sewer that lies along the lake shore. The north line of the easement shall be a line parallel with the meander line per the recent survey lying 1' south of the southeast corner of the outbuilding near the shore and the south side of the easement shall be the Ordinary High Water line of Lake Monona. Applicant's surveyor shall provide a map exhibit and legal description to Jeff Quamme (jrquamme@cityofmadison.com) A Real Estate project will then be set up for City Real Estate Staff to administer, obtain signatures and record the easement.

2. The site plan shall show and label the Ordinary High Water Line and Elevation of 845.82.

Traffic Engineering (Contact Sean Malloy, (608) 266-5987)

The agency reviewed this request and has recommended no conditions of approval.

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

3. It appears that the proposed addition will meet the lakefront yard setback. The lakefront yard setback as measured from the Ordinary High Water Mark shall be calculated using the median setback of the principal building on the five (5) developed lots or three hundred (300) feet on either side (whichever is less), or thirty percent (30%) of lot depth, whichever number is greater. On the Plat of Survey site plan and the Shoreland Location Map, verify that measurements were taken from the Ordinary High Water Mark and clearly identify and label the Ordinary High Water Mark on the site plan and Shoreland Location Map.

4. The second story deck is proposed to project over the first story for drainage. Show the lakefront yard setback distance on the site plan as measured from the Ordinary High Water Mark to the proposed second story deck projection.

5. Submit the proposed west building elevation.

6. Verify whether trees or vegetation will be removed to accommodate the proposed addition. The development plan shall show 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.

7. 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.
8. 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.

Fire Department (Contact Bill Sullivan, (608) 261-9658)

9. 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>

Parks/Forestry (Contact Janet Schmidt, (608) 261-9688)

10. An existing inventory of trees (location, species, & DBH) and any tree removal plans (in PDF format) shall be submitted to the plans and Brad Hofmann – bhofmann@cityofmadison.com or 266-4816. All proposed street tree removals within the right of way shall be reviewed by City Forestry. Approval and permitting of street tree removals shall be obtained from the City Forester and/or the Board of Public Works prior to the approval of the site plan. Please add 24" Ash located in the center front terrace to the site plans.
11. Existing street trees shall be protected. Please include the following note on the site plan: Contractor shall install tree protection fencing in the area between the curb and sidewalk and extend it at least 5 feet from both sides of the tree along the length of the terrace. No excavation is permitted within 5 feet of the outside edge of a tree trunk. If excavation within 5 feet of any tree is necessary, contractor shall contact City Forestry (266- 4816) prior to excavation to assess the impact to the tree and root system. Tree pruning shall be coordinated with City Forestry prior to the start of construction. Tree protection specifications can be found in section 107.13 of City of Madison Standard Specifications for Public Works Construction – <http://www.cityofmadison.com/business/pw/documents/StdSpecs/2013/Part1.pdf>. Any tree removals that are required for construction after the development plan is approved will require at least a 72 hour wait period before a tree removal permit can be issued by Forestry, to notify the Alder of the change in the tree plan.

Water Utility (Contact Adam Wiederhoeft, (608) 266-9121)

The agency reviewed this request and has recommended no conditions of approval.