

PLANNING DIVISION STAFF REPORT

June 13, 2022

PREPARED FOR THE PLAN COMMISSION



Project Address: 705 Woodward Drive
Application Type: Conditional Use
Legistar File ID #: [71241](#)
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: Maruti Dey; 705 Woodward Drive; Madison, WI 53704

Contact: Steven Swenson; The Bruce Company; 2830 Parmenter Street; Middleton, WI 53562

Requested Action: Consideration of a conditional use to construct an accessory building on a lakefront parcel at 705 Woodward Drive.

Proposal Summary: The applicant proposes to construct an accessory building – a 240-square-foot (12 foot by 20 foot) boathouse at the southwest corner of the site, along the lakefront. Landscaping changes are also proposed along the lakefront.

Applicable Regulations & Standards: This proposal is subject to the standards for Conditional Uses [MGO §28.183] and Lakefront Development [MGO §28.138]. MGO §28.138(2)(a) states that any accessory buildings on zoning lots abutting Lake Mendota shall require conditional use approval.

Review Required By: Plan Commission

Summary Recommendation: The Planning Division recommends that the Plan Commission find that the conditional use standards are met and **approve** the conditional use request to construct an accessory building on a lakefront parcel at 705 Woodward Drive. 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 subject property is located on the south side of Woodward Drive, between Little Fleur Lane and Marcy Road. The site is located within Alder District 18 (Ald. Myadze) and within the limits of the Madison Metropolitan School District.

Existing Conditions and Land Use: The subject property is a 13,530-square-foot (0.31-acre) lakefront lot. According to City Assessor's Office records, the lot contains a 1½-story, 3,792-square-foot single-family home which was constructed in 1910.

Surrounding Land Use and Zoning:

North: Single-Family homes, zoned SR-C1 (Suburban Residential-Consistent 1);

South: Lake Mendota;

East: Lake fronting single-family homes, zoned SR-C1; and

West: Lake fronting single-family homes, zoned SR-C1; and

Adopted Land Use Plan: The [2018 Comprehensive Plan](#) recommends Low Residential (LR) uses for the subject site. The [Northport-Warner Park-Sherman Neighborhood Plan](#) does not provide specific recommendations with regards to the subject site.

Zoning Summary: The property is zoned SR-C1 (Suburban Residential-Consistent 1).

Requirements	Required	Proposed
Lot Area (sq. ft.)	8,000 sq. ft.	13,530 sq. ft.
Lot Width	60'	66.0'
Front Yard Setback	30'	Adequate
Side Yard Setback: Accessory Building	3'	3.3'
Lakefront Yard Setback: Accessory Building	3' measured to OHWM	9.9'
Usable Open Space	1,300 sq. ft.	Adequate
Maximum Lot Coverage	50%	42.4%
Maximum Lot Coverage: Within 35' of OHWM	20%	22.6%

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

Environmental Corridor Status: The subject site is not located in a mapped environmental corridor, though the portion of the property adjacent to the lake where the accessory building is proposed, is within the Flood Fringe 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 consideration of a request for a conditional use in order to add an accessory building on a zoning lot abutting Lake Mendota at 705 Woodward Drive.

The applicant proposes to construct a 240-square-foot (12 foot by 20 foot), one-story boathouse with an occupiable roof deck at the southwest corner of the site, along the lakefront. The exterior of the structure will be clad in lap siding to match the adjacent residence.

In addition to the boathouse, site changes are also proposed to the lakefront yard. According to submitted materials, the following site changes note the following:

- Removal of existing impervious and failing paver patio and steps. Patio will be replaced with attached wooden deck (less than 3' above grade);
- Removal of existing overgrown shrubs and reduction of turf grass lawn; to be replaced by new shrubs and perennials in expanded planting beds;
- New permeable paver walkway providing safe and stable walkway surface connection between house and boathouse/lake edge;
- Removal of impervious brick paver sitting area located on top of failing stone wall. Sitting area will be replaced by circular wooden deck platform;
- Removal of failing dry-laid stone walls near lake edge; Walls to be replaced with Waupun Limestone walls; and

- Removal of failing and unstable stone and wooden steps leading to edge of lake. Steps to be replaced with new sawn Waupun Limestone stairway located adjacent to new boathouse, and providing safe access to lake edge.

Staff believes the applicable standards can be met. Staff does not have concerns with the addition of the 240-square-foot boathouse as staff do not anticipate it will negatively impact surrounding properties. In terms of lot coverage, Staff note that the proposed building will occupy just 1.7 percent of the lot. At the time of report writing, staff was not aware of any neighborhood concerns on this proposal.

Recommendation

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

The Planning Division recommends that the Plan Commission find that the conditional use standards are met and **approve** the conditional use request to construct an accessory building on a lakefront parcel at 705 Woodward Drive. 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

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

1. The following information is provided for the reference of the applicant as many lakefront properties are associated with locations of Native effigy mounds and archaeological sites.

Burial Sites Preservation (§ 157.70):

(2r) Site Disturbance Prohibited. Except as provided under subs (4) and (5) and State Statute 157.111 and 157.112, no person may intentionally cause or permit the disturbance of a burial site or catalogued land contiguous to a cataloged burial site.

(3) Report of Disturbed Burial Sites. (a) Except as provided under s. 979.01, a person shall immediately notify the Wisconsin Historical Society (608-264-6502) if the person knows or has reasonable grounds to believe that a burial site or the cataloged land contiguous to a cataloged burial site is being disturbed or may be disturbed contrary to the requirements of subs. (4) and (5).

Many lakefront properties are associated with locations of Native American effigy mounds and archeological sites. This site is known to be associated with archeological and historic resources. The Burial Sites Preservation statute requires that the property owner contact the Wisconsin Historical Society to discuss the location of the proposed project and any possible disturbance of an archaeological or historic resource before the work commences. During the construction work, if a burial site disturbance occurs, the work shall stop immediately until the Wisconsin Historical Society is able to assess the site.

2. As part of securing the required Request to Disturb from the Wisconsin Historical Society, also copy the submittal to the Ho-Chunk National Tribal Historic Preservation Office. Contact at The Ho-Chunk Nation's National Tribal Historic Preservation Office: William Quackenbush. P. O. Box 667, Black River Falls, WI 54615. Phone: 715-284-7181 ext. 1121. Email: bill.quackenbush@ho-chunk.com

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

3. Applicant shall survey confirm the location of the City sewer that is located across the lot between house and the proposed boat house and update the plans with this location.

City Engineering Division - Mapping (Contact Julius Smith, (608) 264-9276)

4. Applicant shall confirm the location of the City sanitary sewer that is located across the lot between house and the proposed deck and boat house improvement and update the plans with this location. The exact position of the easement shall be shown on a survey provided by a Wisconsin Professional Land Surveyor. If actual location of the sanitary sewer differs significantly from the centerline of the given easement. A new Public Sanitary Sewer Easement of width as approved by City Engineering will be required. If a new easement is required coordinate with Julius Smith with Engineering Mapping to setup a Real Estate Project with the necessary requirements and exhibits. (jsmith4@cityofmadison.com)
5. Confirm Proposed Deck is outside of the limits of the Sanitary Sewer Easement. Note: all other improvement shown within the limits of the sanitary sewer easement such as the drain tile lines, Treo pavers, bluestone steppers and wooden planters proposed within the easement limits may be subject to disturbance or removal in the course of exercising easement.

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

6. Reduce the amount of impervious surfaces within 35 feet of the OHWM. Lot coverage within 35 feet of the OHWM shall not exceed 20%.
7. Show the designated flood plain area on the site plan. Any construction within a flood plain shall meet floodproofing protection measures and such design shall be certified by a registered professional engineer or architect per Section 28.121(12) of the Madison General Ordinance.
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.

The following agencies reviewed the request and recommended no conditions or approval:

Traffic Engineering, Fire, Parks, Water Utility, Forestry, and Metro.