



PREPARED FOR THE PLAN COMMISSION

**Project Address:** 1722 Legacy Lane (District 1 - Ald. Harrington-McKinney)  
**Application Type:** Conditional Use  
**Legistar File ID #** [50986](#)  
**Prepared By:** Sydney Prusak, Planning Division  
Report Includes Comments from other City Agencies, as noted  
**Reviewed By:** Kevin Firchow, AICP, Principal Planner

## Summary

**Applicant:** Dave Robert; Robert Design; 8272 Midtown Road; Madison, WI 53719  
**Contact:** Michelle Hebert; Robert Design; 8272 Midtown Road; Madison, WI 53719  
**Property Owner:** Dennis & Sherry Bartell; 14253 Wild Timber Court; Estero, FL 33928

**Requested Action:** The applicant requests approval of a conditional use to construct a two-family twin home within 300 feet of another two-family twin home.

**Proposal Summary:** The applicant requests approval to construct a two-family twin home within 300 feet of another two-family twin home. The proposed plans include a 1,655-square-foot three-bedroom unit and a smaller 1,450-square-foot three-bedroom unit.

**Applicable Regulations & Standards:** This proposal is subject to the standards for Conditional Uses [M.G.O. §28.183] as M.G.O §28.037(a) states that no two-family twin dwelling shall be constructed or converted within three hundred (300) feet of a zoning lot containing another two-family twin building, as measured from the perimeter of each zoning lot, unless approved by conditional use in SR-C3 (Suburban Residential – Consistent 3) zoning.

**Review Required By:** Plan Commission

**Summary Recommendation:** The Planning Division recommends that the Plan Commission find that the approval standards for conditional uses are met and **approve** the request to construct a two-family twin home within 300 feet of another two-family twin home on a property zoned SR-C3 (Suburban Residential – Consistent 3) at 1722 Legacy Lane. This request is subject to the input at the public hearing and the conditions recommended by the reviewing agencies.

## Background Information

**Parcel Location:** The subject site is an 11,442 square foot property located on Legacy Lane near Sawtooth Lane. The property is within Aldermanic District 1 (Ald. Harrington-McKinney) and the limits of the Madison Metropolitan School District.

**Existing Conditions and Land Use:** The subject site is currently undeveloped.

**Surrounding Land Use and Zoning:**

- North:** Single family homes, zoned TR-C3 (Traditional Residential – Consistent 3) and TR-C1 (Traditional Residential – Consistent 1);
- East:** Two, two-family twin homes, zoned SR-C3; and
- South:** An undeveloped lot with a proposed two-family twin home, zoned SR-C3 (Suburban Residential – Consistent 3), with single family homes zoned TR-C1 and TR-C3 beyond;
- West:** Two, two-family twin homes, zoned SR-C3; and

**Adopted Land Use Plan:** The [Comprehensive Plan \(2006\)](#) recommends low density residential for the subject site.

**Zoning Summary:** The project site is currently zoned SR-C3 (Suburban Residential – Consistent 3).

Requirements	Required	Proposed
Lot Area (sq. ft.)	4,000 sq. ft.	11,442 sq. ft.
Lot Width	25'/d.u.	99.5'
Front Yard Setback	25'	25'3
Side Yard Setback	One story – 5' (One- Side only)	5'6" North 5'7" South
Rear Yard Setback	Lesser of 30% lot depth or 35'	35'4"
Maximum Lot Coverage	60%	Less than 60%
Maximum Building Height	2 stories/35'	1 story
Useable Open Space	750 sq. ft. / d.u. (1,500 sq. ft.)	Adequate
Number Parking Stalls	Two-family twin dwelling: 1 per d.u. (location only)	Attached garage (4)
Building Forms	Yes	Two-family twin building
<b>Other Critical Zoning Items</b>	Utility Easements	

*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**

The applicant requests conditional use approval to construct a two-family twin home within 300 feet of another two-family twin home. As proposed the twin home would have one larger 1,655 square foot three-bedroom unit and one smaller 1,450-square-foot three-bedroom unit. Both units would have their own recessed front facing two-car garage, with a grassed median separating the driveways. In terms of building materials, the home would be constructed of a mix of aluminum, vinyl, and Dutch Quality Stone veneer.

**Project Analysis and Conclusion**

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. Staff believes that the proposed two-family twin home can be found to

meet the conditional use standards. The Planning Division believes that this proposal is consistent with land use recommendations in the [Comprehensive Plan \(2006\)](#), which calls for low density residential for the subject site.

Furthermore, Conditional Use Standard #3 states that, “The uses, values and enjoyment of other property in the neighborhood for purposes already established will not be substantially impaired or diminished in any foreseeable manner.” The subject site is part of the Southern Ridge subdivision, which was approved in 2004 under the 1966 Zoning Code. At that time, the subject property was among six (6) lots zoned R3 (Single and Two-Family District), anticipated for two-family twin (side-by-side duplex) development. Following subdivision approval, three (3) of those sites were developed with two-family twin homes. When the new Zoning Code took effect in 2013, the sites were zoned TR-C4 (Traditional Residential – Consistent 4), which does not allow for two-family twins. In order to allow the remaining lots to be developed in a consistent manner, the Common Council rezoned these six lots to the SR-C3 district in 2014. The SR-C3 district allows two-family twin development under a “dispersion” requirement that two-family twin homes cannot be within 300 feet of another two-family twin home unless approved as a conditional use. In 2014, the Plan Commission approved a conditional use request for a twin-home at 1801 Legacy Lane. In addition to this conditional use request for 1722 Legacy Lane, the applicant is also requesting a separate conditional use to construct a two-family twin home at 1802 Legacy Lane.

Given this history of development, Staff believes that the conditional use standards can be found met. Considering that this six-lot node was originally approved for two-family twin development in 2004 and that the Common Council’s rezoning approval in 2014 re-established the ability to request two-family twin development, there has been acknowledgement that this is generally an acceptable land use for the subject site. Staff believes that the building will be complementary in character to the surrounding twin and single-family homes in the area.

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

## Recommendation

### Planning Division Recommendation (Contact Sydney Prusak, (608) 243-0554)

The Planning Division recommends that the Plan Commission find that the approval standards for conditional uses are met and **approve** the request to construct a two-family twin home within 300 feet of another two-family twin home on a property zoned SR-C3 (Suburban Residential – Consistent 3) at 1722 Legacy Lane. This request is subject to the 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 Tim Troester, (608) 267-1995)

1. The plan set shall be revised to show more information on proposed drainage for the site. This shall be accomplished by using spot elevations and drainage arrows or through the use of proposed contours. It is necessary to show the location of drainage leaving the site to the public right-of-way. It may be necessary to provide information off the site to fully meet this requirement. The drainage plan shall be in compliance with the approved master drainage plan for the Southern Ridge plat on file at City Engineering. (POLICY)

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

2. Remove all references to 1722A, 1722B, Unit A, Unit B. The addresses for the duplex are: North half is 1722 Legacy Ln; South half is 1724 Legacy Ln. The site plan shall reflect a proper street address of the property as reflected by official City of Madison Assessor's and Engineering Division records.

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

3. No driveway shall be constructed that interferes with the orderly operation of the pedestrian walkway. This will require all pedestrian ramps to be constructed separate from driveway entrances; a curb-head of no less than six (6) inches in width shall be constructed between all pedestrian ramps and driveway entrances. This is especially important at 'T' intersections where lot and building layout become critical; to prevent interference with the pedestrian ramp, lots intersecting or adjacent 'T' intersection may require a shared driveway and access.

**Zoning** (Contact Jenny Kirchgatter, (608) 266-4569)

4. Verify the widths of the driveways at the property line. Each driveway may be a maximum of 22 feet wide at the property line. Maximum driveway width is the width of the garage entrance or parking area, up to a maximum of 22 feet.

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

5. 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 Sarah Lerner, (608) 261-4281)

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| <ol style="list-style-type: none"><li>6. Park Impact Fees (comprised of the Park Infrastructure Impact Fee, per MGO Sec. 20.08(2)), and Park-Land Impact Fees, per MGO Sec. 16.23(8)(f) and 20.08(6) will be required for all new residential development associated with this project. This development is within the West Park -Infrastructure Impact Fee district. Please reference ID# 04122.3 when contacting Parks about this project.</li></ol> |
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**Water Utility** (Contact Adam Wiederhoeft, (608) 266-9121)

7. A Water Meter Application Form(s) and fees must be submitted before connecting to the existing water lateral (s). Provide at least two working days notice between the application submittal and the scheduled lateral connection/extension. Application materials are available on the Water Utility's Plumbers & Contractors website (<http://www.cityofmadison.com/water/plumberscontractors>), otherwise they may be obtained from the Water Utility Main Office at 119 E Olin Ave. A licensed plumber signature is required on all water service applications. For new or replacement services, the property owner or authorized agent is also required to sign the application. If you have questions regarding water service applications, please contact Madison Water Utility at (608) 266-4646.