



PREPARED FOR THE PLAN COMMISSION

**Project Address:** 5706 Lake Mendota Drive (District 19 – Alder Furman)  
**Application Type:** Conditional Use  
**Legistar File ID #:** [74049](#)  
**Prepared By:** Chris Wells, Planning Division  
Report Includes Comments from other City Agencies, as noted

## Summary

**Applicant & Contact:** Karl Beckman; Beckman Builders, LLC; 6343 Blanchars Crossing; Windsor, WI 53598  
**Property Owner:** Mike Jenson; 5706 Lake Mendota Drive; Madison, WI 53705

**Requested Action:** Consideration of a conditional use to construct an accessory building on a lakefront parcel, and consideration of a conditional use for accessory buildings in the Traditional Residential-Consistent 1 (TR-C1) District to exceed 1,000 square feet of total area at 5706 Lake Mendota Drive.

**Proposal Summary:** The applicant proposes to construct an accessory building – a 768-square-foot (32-foot by 24-foot), one-story, two-car garage – roughly 42 feet from the Lake Mendota Drive property line.

**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. MGO Section 28.131(1)(a) states that the total area of accessory buildings measured at ground floor that exceed 1,000 sq. ft. may be allowed by 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 requests in order to construct an accessory building on a lakefront parcel at 5706 Lake Mendota 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 northeast (lake) side of Lake Mendota Drive, in between Baker Avenue and Laurel Crest. The site is located within Alder District 19 (Ald. Furman) and within the limits of the Madison Metropolitan School District.

**Existing Conditions and Land Use:** The subject property is a 19,700-square-foot (0.45-acre) lakefront lot. According to City Assessor’s Office records, the lot contains a two-story, roughly 3,280-square-foot, single-family home which was constructed in 2009. It also contains two 2-car detached garages (one of which will be razed in order to construct the garage proposed as part of this request.) The parcel is zoned Traditional Residential – Consistent 1 (TR-C1).

**Surrounding Land Use and Zoning:**

- Northeast: Lake Mendota;
- Northwest: Lake fronting single-family homes, zoned Traditional Residential – Consistent 1 (TR-C1);
- Southeast: Lake fronting single-family homes, zoned TR-C1; and
- Southwest: Across Lake Mendota Drive are single-family homes, zoned TR-C1.

**Adopted Land Use Plan:** The [2018 Comprehensive Plan](#) recommends Low Residential (LR) uses for the subject site. While the [Spring Harbor Neighborhood Plan](#) (2006) does not provide specific recommendations with regards to the subject site, it states, as one of its land use goals, “The residential character of the neighborhood should be enhanced and preserved.”

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

Requirements	Required	Proposed
Lot Area (sq. ft.)	6,000 sq. ft.	19,701 sq. ft.
Lot Width	50’	66.0’
Front Yard Setback	20’	42’8”
Max. Front Yard Setback	30’ or up to 20% greater than block average	42’8”
Side Yard Setback	One-story: 6’	7’0”
Lakefront Yard Setback: Accessory building	3’ from OHWM	Adequate
Usable Open Space	1,000 sq. ft.	Adequate
Maximum Lot Coverage	50%	<50% (See Comment #5)
Maximum Building Height: Accessory building	15’	<15’ (See Comment #6)

Requirements	Required	Proposed
Number Parking Stalls	Single-family detached dwelling: 1 (location only)	Detached garage
Number Bike Parking Stalls	Not required	Detached garage
Landscaping	Not required	None
Building Forms	Not required	Accessory building

<b>Other Critical Zoning Items:</b>	Yes: Utility Easements; Floodplain No: Urban Design; Wellhead Protection; Landmarks; Waterfront Development; Adjacent to Park; Barrier Free (ILHR 69); Historic District
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*Tables Prepared Jenny Kirchgatter, Assistant Zoning Administrator*

**Environmental Corridor Status:** The subject site is not located in a mapped environmental corridor, though portions of the property adjacent to the lake are within the Flood Storage District. The proposed accessory building is on the street-side of the site, well away from the Flood Storage District.

**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 two conditional use requests – to add an accessory building on a lakefront parcel and for accessory buildings in the Traditional Residential-Consistent 1 (TR-C1) District to exceed 1,000 square feet of total area. 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. Please note, recent changes to state law requires that conditional use findings must be based on “substantial evidence” that directly pertains to each standard and not based on personal preference or speculation.

The applicant proposes to construct a 768-square-foot (32-foot by 24-foot), one-story, two-car garage – roughly 42 feet from the Lake Mendota Drive property line. It will be located in roughly the same location as the garage which it is replacing. The exterior of the structure will be clad in lap siding to match the adjacent residence.

Staff believes the applicable conditional use standards can be found met. Staff does not have concerns with the addition of the 768-square-foot garage as staff do not anticipate it will negatively impact surrounding properties.

At the time of report writing, staff received two letters of support which have been added to the legislative file for these requests.

## 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 requests in order to construct an accessory building on a lakefront parcel at 5706 Lake Mendota 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 property at 5706 Lake Mendota Drive is located within the boundary of the Burton Mortuary Area (DA-0811, BDA-0536). As such, any ground-disturbing work will need to secure a Request to Disturb permit from the Wisconsin Historical Society. <https://www.wisconsinhistory.org/Records/Article/CS15239>. Contact Kim Cook at the Wisconsin Historical Society to secure the Request to Disturb permit. 608-264-6493 \ [kimberly.cook@wisconsinhistory.org](mailto:kimberly.cook@wisconsinhistory.org)
2. 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 catalogued 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 catalogued land contiguous to a catalogued 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 very close to those 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.

3. 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](mailto:bill.quackenbush@ho-chunk.com)

**City Engineering Division** (Contact Timothy Troester, (608) 261-1997)

4. The plan set shall be revised to show that all roof runoff from the new construction shall be directed toward the driveway and into the lot (east) - no drainage from the new construction shall be directed to the rear of the building (west).

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

5. Include the area of the driveway and paved areas with the calculation for lot coverage. 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.
6. Show the height of the proposed accessory building measured to the midpoint of the roof on the elevations. The maximum height is fifteen (15) feet. Height is measured from the average elevation of the approved grade at the front of the building to the midpoint of the ridge of a gable, hip, or gambrel roof. The average height shall be calculated by using the highest ridge and its attendant eave. The eave point used shall be where the roof line crosses the side wall.

**Parks Section** (Contact Ann Freiwald, (608) 243-2848)

7. 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(2) 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 22043 when contacting Parks about this project.

*The City Engineering - Mapping, Traffic Engineering, Fire Department, Forestry Section, Water Utility, and Metro Transit have reviewed this request and have recommended no conditions of approval.*