

**PLANNING DIVISION REPORT
DEPARTMENT OF PLANNING AND COMMUNITY
AND ECONOMIC DEVELOPMENT
December 1, 2008**

RE: LD #12778 Conditional Use Application – 2002 Waunona Way

1. Requested Action: Approval of a conditional use for a major alteration to an existing single-family residence on a waterfront parcel.
2. Applicable Regulations: Section 28.04 (19) requires that new principal buildings or additions to buildings on a waterfront parcel must obtain a conditional use permit. Section 28.12 (11) provides the guidelines and regulations for the approval of conditional uses.
3. Report Prepared By: Kevin Firchow, AICP, Planner

GENERAL INFORMATION

1. Applicant and Contact: Steven Connor; Bouril Design Studio; 6602 Grand Teton Plaza #150; Madison, WI 53719
Property Owner: George and Sandy Kohn; 2002 Waunona Way; Madison, WI 53713
2. Development Schedule: The applicant wishes to proceed as soon as possible and estimates project completion by April 2009.
3. Location: An approximately 0.25 acre waterfront parcel located along the southern shores of Lake Monona, east of its intersection with Hoboken Road. Aldermanic District 14; Madison Metropolitan School District.
4. Existing Conditions: City records indicate this property includes a 1,762 square foot two-level home with attached garage, constructed in 1963.
5. The property is zoned R1 (Single-Family Residence District).
6. Proposed Land Use: No change in land use is proposed.
7. Surrounding Land Use and Zoning: The subject site is located on the southern shores of Lake Monona surrounded to the east and west by other single-family residences zoned R1 (Single-Family Residence District).
8. Adopted Land Use Plan: The Comprehensive Plan recommends Low Density Residential (LDR) uses for this site.
9. Environmental Corridor Status: The property is not within an environmental corridor; however a small portion of the property nearest to the lake is in the floodplain. The proposed renovation would not occur within the floodplain.

10. Public Utilities & Services: The property is served by a full range of urban services.

STANDARDS FOR REVIEW

This application is subject to the conditional use standards of Section 28.12 (11) and the waterfront development standards of Section 28.04 (19).

ANALYSIS, EVALUATION & CONCLUSION

The applicant requests conditional use approval for a major alteration to an existing single-family residence on a waterfront parcel. The alteration includes demolishing portions of the existing structure, removing and replacing several interior walls, and constructing additions on all sides of the structure. The largest addition is proposed along the street-side of the residence. While partial demolition is involved, the Zoning Administrator has determined that the project does not qualify as a full demolition, and therefore, the demolition standards of 28.12(12) do not apply.

The Zoning Board of Appeals approved a variance for the proposed additions on October 9, 2008 and the Assistant Zoning Administrator notes that the proposed plans comply with the recently approved setbacks. Two variances were included in that approval: 1) a four-foot, nine-inch (4'9") eastern-side yard variance and 2) a five-foot, three-inch (5'3") waterfront variance. The latter approval is conditioned that the proposed porch remains "screened and open." A previous request for a western-side yard variance was eliminated by the applicant and is not a part of this submittal.

The subject residence is currently closer to the lake than the adjacent home to the east (1910 Waunona Way). With the approved variance, the lakefront setback would be approximately 62 feet for the subject home compared to 77 feet for the adjacent home. The home to the west is considerably closer to the lake, with a lakefront setback of approximately 15 feet. Further information can be found in the applicant's setback drawings and in the aerial photography provided by the Planning Division.

The proposed renovation would add a total of 337 square feet of area to the first floor and another 545 square feet to the upper floor. The renovated residence would include a combined 3,726 square feet of finished area on these two floors. These figures have been supplied by the applicant and include the attached garage in this calculation.

Building plans show that the general arrangement of the first floor will be similar to the current floor plan. The applicant notes that the home does not include a basement and that the first level essentially acts as a basement. Notable changes include a new foyer, expanded recreation room, and larger attached garage. The renovated upper floor would include an expanded living room kitchen, office area, a relocated sunroom, guest bedroom, and enlarged master suite. Portions of this floor include a cantilever extending beyond the plane of the first floor. Finally, an elevator is proposed along the eastern side of the home, near the front of the residence.

Elevation drawings are included with the applicant's submittal. The exterior materials include a stone veneer base, fiber cement or cedar siding, and EIFS. Some of the existing brick will remain as shown in the attached plan set.

At its peak, the new roofline is taller than the current structure and staff notes the roof design includes different peak heights for the lake and street sides of the residence. When compared to the existing structure, the proposed lakeside roof ridge is roughly two feet taller while the street-facing roof is approximately one foot taller than the current height. The overall height as measured to halfway between the roof peak and eave is approximately 21 feet, 9.5 inches on the lakeside and 21 feet 2.5 inches on the street-side.

The applicant has included a landscape inventory showing the general location of vegetation near the shoreline. No other notations regarding tree or shrub removal are included on this plan. Staff recommend that the applicant confirm that no more than 30% of the lake frontage will be cleared of trees and shrubbery, per the waterfront development standards.

The proposed home is consistent with the Comprehensive Plan's general recommendation for low-density residential land use. Staff note that new residences and additions to existing residences have been approved with a variety of building sizes and architectural styles.

The applicant has included several letters of support from surrounding residences. However, the Waunona Way Neighborhood Association has provided a letter indicating that they are not in support of this application. This letter is included in the Plan Commission materials. Further, staff is aware that the adjacent neighbor to the east (1910 Waunona Way) is opposed to the project, although staff is not certain if formal correspondence from the adjacent property owner will be provided prior to the public hearing. Issues shared by the neighborhood association include concerns over the rear cantilever, the disturbing of lake and Capitol views (from the east), and stormwater runoff. Other concerns regarding the variance approval were also raised.

The Plan Commission will need to carefully consider the waterfront development and conditional use standards in evaluating the proposal to determine if these standards are met.

RECOMMENDATION

The Planning Division recommends that the Plan Commission review the application materials, comments of reviewing agencies, neighborhood correspondence, and testimony provided at the public hearing. If upon completion of that review, the Commission can find conditional use and waterfront development standards are met for the proposed major alteration to an existing-single family residence on a waterfront parcel, the Commission should approve this conditional use, subject to input at the public hearing and the conditions included below.

1. Comments from reviewing agencies.

2. That the applicant's final plans confirm that the screen porch is screened and open, per the conditions established for variance approval.
3. That the applicant confirms on final site or landscape plans that no more than 30% of the lake frontage will be cleared of trees and shrubbery.



Department of Public Works
City Engineering Division

608 266 4751

Larry D. Nelson, P.E.
City Engineer

City-County Building, Room 115
210 Martin Luther King, Jr. Boulevard
Madison, Wisconsin 53703
608 264 9275 FAX
1 866 704 2315 Textnet

Deputy City Engineer
Robert F. Phillips, P.E.

Principal Engineers
Michael R. Dailey, P.E.
Christina M. Bachmann, P.E.
John S. Fahrney, P.E.
Gregory T. Fries, P.E.

Facilities & Sustainability
Jeanne E. Hoffman, Manager
James C. Whitney, A.I.A.

Operations Manager
Kathleen M. Cryan

GIS Manager
David A. Davis, R.L.S.

Financial Officer
Steven B. Danner-Rivers

DATE: November 18, 2008
TO: Plan Commission
FROM: Larry D. Nelson, P.E., City Engineer
SUBJECT: 2002 Waunona Way Conditional Use

The City Engineering Division has reviewed the subject development and has the following comments.

MAJOR OR NON-STANDARD REVIEW COMMENTS (Comments which are special to the project and/or may require additional work beyond a standard, more routine project.)

1. There is not an easement of record for the circa 1952 constructed existing sanitary sewer installed by the Town of Blooming Grove Sanitary Sewer District prior to this property being annexed to the City of Madison. Coordinate with City Engineering Division staff (Mike Dailey 266-4058 mndailey@cityofmadison.com and Eric Pederson 266-4056 epederson@cityofmadison.com) whom will work with the City Real Estate Unit on the formalization and recording of a public sanitary sewer easement grant to the City of Madison. The easement shall be on the owners property over appropriate portions of the existing main. The easement shall be recorded, and include access rights to the City of Madison for proposed maintenance to the sewer (installation of a liner), prior to issuance of a building permit for this site. The proposed sewer liner work is scheduled for 2009. Owner/applicant shall provide a Registered Land Surveyor prepared map and legal description, together with a check payable to City of Madison Treasurer in the amount of \$500 to cover administrative costs and recording fees associated with administration of this easement by the Real Estate Unit. **Reference City Real Estate Project No. 9071.**
2. City to televise the City sewer before and after construction to verify no damage is done to the City sanitary sewer main. Any damage done to the City sewer will be the responsibility of the applicant.

GENERAL OR STANDARD REVIEW COMMENTS

In addition, we offer the following General or Standard Review Comments: NONE

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**CITY OF MADISON
INTERDEPARTMENTAL
CORRESPONDENCE**

Date: December 1, 2008

To: Plan Commission
From: Patrick Anderson, Assistant Zoning Administrator
Subject: 2002 Waunona Way

Present Zoning District: R-1

Proposed Use: Expansion and remodel of single-family dwelling.

Conditional Use: 28.04(19): Waterfront development/ additions or alterations to principal buildings in excess of 500 sq. ft. is a conditional use.

MAJOR OR NON-STANDARD REVIEW COMMENTS (Comments which are special to the project and/or may require additional work beyond a standard, more routine project). **NONE.**

GENERAL OR STANDARD REVIEW COMMENTS:

1. Zoning Board of Appeals on 10/09/2008 approved sideyard and Waterfront variances as per the plans submitted [with the condition that the Waterfront porch shall remain screened and open.]
2. Within the waterfront setback requirements tree and shrub cutting shall be limited to consideration of the effect on water quality, protection and scenic beauty, erosion control and reduction of the effluents and nutrients from the shoreland.

ZONING CRITERIA

Bulk Requirements	Required	Proposed
Lot Area	8,000 sq. ft.	12,006 sq. ft.
Lot width	65'	60'
Usable open space	1,300 sq. ft.	Adequate
Front yard	30'	approximately 84'
Side yards	9' 10" (L) 10' 2" (R)	2' 7" (L) 4' 4" (R) (1)
Lake Setback Average	67' 11"	62' 8" to addition. (1)
Building height	2 stories/35'	2 story, less than 35'

Site Design	Required	Proposed
Number parking stalls	1	2
Landscaping	As shown	Lands. w/in 35' of lake not changing.

Other Critical Zoning Items	
Flood plain	Yes
Utility easements	Yes
Water front development	Yes

With the above conditions, the proposed project **does** comply with all of the above requirements.

November 18, 2008

Kevin J. Firchow
Planning Division
Dept. of Planning & Community
& Economic Development
Room LL100 MMB
215 Martin Luther King JR. Blvd
Madison, WI 53701- 2985



Re: 2002 Waunona Way, Major Alteration to Conditional Use to Allow Addition to Single Family Home

Dear Mr. Firchow:

The Waunona Neighborhood Association Board does not support the land use application made for 2002 Waunona Way encompassing addition and renovation to the existing home.

The Board does not support the application for the following reasons.

1. The Zoning Administrator's Report, Variance Application, ZBA Case No. 071008-1, noted that the staff recommendation was to initially deny the 5'3" waterfront variance. The Waunona Neighborhood Association(WNA) Board agrees with the original staff recommendation, to not grant the variance by the Zoning Board of Appeals. The staff report contained the following statement which the board agrees with. "Since the existing second story addition will be significantly modified and the solarium will be completely removed, nothing precludes the new addition from being stepped back to meet the plane of the first wall if not stepped back further to meet setback requirement."
2. The Zoning Administrators Report, Variance Application, ZBA Case No. 100908-2, noted "Specifically, on the lake side, the projects shows a 1'-2' 5/8th" cantilever for the new addition...nothing precludes the new addition from being stepped back to meet the plane of the first wall if not stepped back, further to meet setback requirement." The board is of the view that the second floor wall, facing the waterfront, should match the existing first

floor wall. The second floor wall should not be cantilevered past the first floor wall.

3. The erection of a pillar on the Eastside toward the lake, serves to obstruct the view, looking west toward the capitol, of the neighbors to the East. Their westward view is further obstructed by the overhang of the second floor. The board objects to the obstruction of the Capitol view of the neighbors to the East.
4. The proposed roofline to the east directs roof run off toward the adjacent lower lying property. Rainwater will be directed unto the neighboring property on the East side of the structure.

The Waunona Neighborhood Association does not support the current application, as it is presented, for approval by the Plan Commission.

Sincerely,



Phyllis Tschumper

President

Waunona Neighborhood Association

Cc: Tim Bruer, 14th District
George & Sandy Kohn
Steven Connor

To Whom it May Concern

I have reviewed the plans presented to me by Sandy and George Kohn for 2002
Waunona Way. Those plans meet my approval.

<u>Claudia J. Schipper</u>	<u>5302 Hoboken Rd</u>	<u>8/31/08</u>
Name	Address	Date

To Whom it May Concern

I have reviewed the plans presented to me by Sandy and George Kohn for 2002 Waunona Way. Those plans meet my approval.

Travis Gaudier 1519 Waunona Way 8/31/08

Name

Address

Date

To Whom it May Concern

I have reviewed the plans presented to me by Sandy and George Kohn for 2002 Waunona Way. Those plans meet my approval.

<u>Carla J. Kohn</u>	<u>5306 HOBOKEN RD</u>	<u>8/30/08</u>
Name	Address	Date

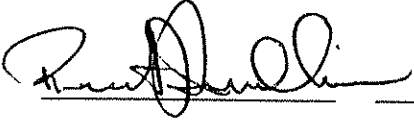
To Whom it May Concern

I have reviewed the plans presented to me by Sandy and George Kohn for 2002 Waunona Way. Those plans meet my approval.

Name	Address	Date
<u>Brad Pommerening</u>	<u>1816 Waunona Way</u>	<u>8-3-08</u>

To Whom it May Concern

I have reviewed the plans presented to me by Sandy and George Kohn for 2002 Waunona Way. Those plans meet my approval.

	2100 WAUNONA WAY	8/2/08
Name	Address	Date

To Whom it May Concern

I have reviewed the plans presented to me by Sandy and George Kohn for 2002 Waunona Way. Those plans meet my approval.

Gary F. Leatherberry

GARY F. LEATHERBERRY 1821 WAUNONA WAY 8/02/08

Name

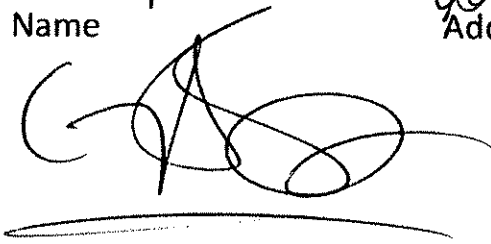
Address

Date

To Whom it May Concern

I have reviewed the plans presented to me by Sandy and George Kohn for 2002 Waunona Way. Those plans meet my approval.

Craig Sayers 1814 Waunona Way 8/2/8
Name Address Date
Wadeson, WI
53713



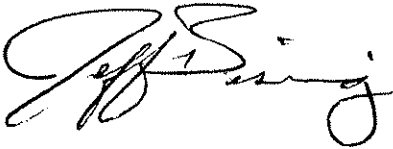
To Whom it May Concern

I have reviewed the plans presented to me by Sandy and George Kohn for 2002
Waunona Way. Those plans meet my approval. *Look fine to us.*

<u><i>Mike McLain</i></u>	<u><i>1906 Waunona Way</i></u>	<u><i>7/31/08</i></u>
Name	Address	Date

To Whom it May Concern

I have reviewed the plans presented to me by Sandy and George Kohn for 2002 Waunona Way. Those plans meet my approval.

<u>Jeff Bissing</u>	<u>1823 Waunona Way</u>	<u>7/30/08</u>	
Name	Address	Date	

To Whom it May Concern

I have reviewed the plans presented to me by Sandy and George Kohn for 2002
Waunona Way. Those plans meet my approval.

Alan Penn 1904 Waunona Way July 30, 2008

Name

Address

Date

Joan Hayes 7/30/08

To Whom it May Concern

I have reviewed the plans presented to me by Sandy and George Kohn for 2002 Waunona Way. Those plans meet my approval.

<u>Seymour & Shirley Abrahamson</u>	<u>2012 Waunona Way</u>	<u>8/3/08</u>
Name	Address	Date

CITY OF MADISON
INTER-DEPARTMENTAL
CORRESPONDENCE

DATE: November 25, 2008

TO: Plan Commission

FROM: Kevin Firchow, Planning Division

SUBJECT: Agenda Item 10: #12778: 2002 Waunona Way, Clarification on Neighbor Comments

I noted in the Planning Division Staff Report (December 1, 2008) that the adjacent neighbor at 1910 Waunona Way was opposed to the project. The neighbor has contacted me and indicated that she has informed the applicant she would not oppose the plan, although she does have concerns.