

# PLANNING DIVISION STAFF REPORT

August 23, 2021



PREPARED FOR THE PLAN COMMISSION

**Project Address:** 1123 Merrill Springs Road (19<sup>th</sup> Aldermanic District, Ald. Furman)

**Application Type:** Conditional Use

**Legistar File ID #:** [66555](#)

**Prepared By:** Colin Punt, Planning Division  
Report Includes Comments from other City Agencies, as noted

**Reviewed By:** Heather Stouder, AICP, Planning Division Director

## Summary

**Applicant:** Aaron Monroe; Architectural Building Arts; 720 Hill St; Madison, WI 53705

**Owner:** Bill & Cathy Simon; 1123 Merrill Spring Rd; Madison, WI 53705

**Requested Action:** The applicant is requesting approval of a Conditional Use for an accessory building exceeding 800 square feet [MGO §28.131(1)(b)] at 1123 Merrill Springs Road.

**Proposal Summary:** The applicant proposes construct a 925-square-foot detached garage with an upstairs studio on the subject property.

**Applicable Regulations & Standards:** This proposal is subject to the standards for conditional uses [MGO §28.183(6)].

**Review Required By:** Plan Commission (PC)

**Summary Recommendation:** The Planning Division recommends that the Plan Commission find that the conditional use standards are met and **approve** the request to construct an accessory building greater than 800 square feet at 1123 Merrill Springs Road. 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 15,413-square-foot property is located on the east side of Merrill Springs Road, approximately 300 feet south of Lake Mendota Drive. It is located within Aldermanic District 19 (Ald. Furman) as well as the Madison Metropolitan School District.

**Existing Conditions and Land Use:** The property is zoned Suburban Residential – Consistent 1 (SR-C1) District and is developed with a two-story, three-bedroom, one-and-one-half-bathroom, 1,790-square-foot single-family residence built in 1936.

### Surrounding Land Use and Zoning:

**North:** Single-family residences zoned Suburban Residential – Consistent 1 (SR-C1) District;

**East:** Blackhawk Country Club and Golf Course, located in the Village of Shorewood Hills;

**South:** Single-family residences, zoned SR-C1; and

**West:** Across Merrill Springs Road, single-family residences, zoned SR-C1.

**Adopted Land Use Plan:** The [Comprehensive Plan](#) (2018) recommends Low Residential (LR) uses for the subject parcel. The [Spring Harbor Neighborhood Plan](#) (2006) does not have specific land use recommendations for the site, but includes a goal to “maintain the existing residential character within the neighborhood.”

**Zoning Summary:** The property is in the Suburban Residential – Consistent 1 (SR-C1) District

Requirements	Required	Proposed
Lot Area (sq. ft.)	8,000 sq. ft.	15,413 sq. ft.
Lot Width	60'	Existing lot width
Front Yard Setback	30'	51' 4"
Side Yard Setback	One-story: 6'	6' south side 23' north side
Rear Yard Setback: Accessory Building	3'	Adequate
Usable Open Space	1,300 sq. ft.	Adequate
Maximum Lot Coverage	50%	Less than 50%
Maximum Building Height: Accessory Building	15'	14' 5"

Site Design	Required	Proposed
Number Parking Stalls	Single-family detached dwelling: 1 (location only)	Proposed detached garage
Building Forms	Not required	Accessory building

<b>Other Critical Zoning Items</b>	Utility Easements
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*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, Analysis, and Conclusion

The applicant is requesting conditional use approval for a detached two-stall 925-square-foot garage. In addition to the vehicle parking stalls, the lower level of the proposed building includes a mudroom and storage space. The second story includes a studio and workout space, with a bathroom. The proposed accessory building is designed with a hipped roof to imitate the primary residence. Materials include limestone cladding and painted cedar, again imitating the primary residence. The building is oriented so the two garage doors face north, while the shorter western facade will face the street. A concrete driveway will connect the garage doors and vehicle parking stalls to Merrill Springs Road. The primary residence is set back nearly 100 feet from the property's Merrill Springs Road frontage. The proposed garage is placed in front of the house, slightly more than 50 feet from the front lot line at its closest point. Placed somewhat further south of the house, the garage is 6 feet from the southern lot line, while the house is set approximately 25 feet from the lot line. The garage will be approximately 7 feet from the house at its closest point.

The [Comprehensive Plan](#) (2018) recommends Low Residential (LR) uses for the subject parcel. The [Spring Harbor Neighborhood Plan](#) (2006) does not have specific land use recommendations for the site, but includes a goal to “maintain the existing residential character within the neighborhood.” In considering the adopted plan

recommendations, the Planning Division believes that the proposed use is generally consistent with the Comprehensive Plan and the Spring Harbor Neighborhood Plan.

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 notes that 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. While most residences in the immediate area have attached garages, several of the nearby houses have detached garages or other accessory buildings. Due to the surrounding structures and similar land uses, as well as the plan recommendations, staff believes the Plan Commission can find the applicable conditional use approval standards met.

At the time of report writing, staff is unaware of public comment regarding this request.

## Recommendation

### Planning Division Recommendation

The Planning Division recommends that the Plan Commission find that the conditional use standards are met and **approve** the request to construct an accessory building greater than 800 square feet at 1123 Merrill Springs Road. 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

### **City Engineering Division - Main Office** (Contact Tim Troester, (608) 267-1995)

1. Sanitary sewer service to the proposed accessory building can either connect to the plumbing in the primary building or have a separate sanitary sewer lateral extended to the lot. Applicant shall provide a sanitary sewer lateral plan for the property. This property is currently provided sanitary sewer service through a lateral extending through the adjacent lot (1125 Merrill Springs Road, Private Sanitary Easement DOC. 5369302)
2. Volume Control: Provide onsite volumetric control limiting the post construction volumetric discharge to the predevelopment discharge volume as calculated using the 10-year storm event. Submit a draft Stormwater Management Maintenance Agreement (SWMA) for review and approval that covers inspection and maintenance requirements for any BMP used to meet stormwater management requirements on this project.

### **Water Utility** (Contact Jeff Belshaw, (608) 261-9835)

3. Indicate on site plans how the proposed garage/studio will have water service. By either using the existing water service or installing a new one.

*The Planning Division, Office of the Zoning Administrator, Traffic Engineering Division, Parks Division, Forestry Section, Metro Transit, and City Engineering Mapping Section have reviewed this request and have recommended no conditions or approval.*