



## Report to the Plan Commission

January 11, 2010

**Legistar I.D. #16995**

**1234 Sherman Avenue**

**Conditional Use (Additions to Waterfront Residence)**

Report Prepared By:

Kevin Firchow, AICP

Planning Division

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**Requested Action:** Approval to construct additions to a single-family residence on a waterfront parcel.

**Applicable Regulations & Standards:** 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.

**Summary Recommendation:** Subject to input at the public hearing, the Planning Division recommends that the Plan Commission finds the project meets all applicable waterfront, and conditional use standards and **approve** the proposed request for additions to a single-family residence on a waterfront lot at 1234 Sherman Avenue, subject to the conditions recommended by the Planning Division and other reviewing agencies.

### **Background Information**

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**Applicant / Owner:** Robert and Christina Holz; 1234 Sherman Avenue, Madison, WI 53703

**Agent / Contact:** Todd Barnett; Barnett Architecture, LLC; 118N. Breese Terrace Suite I; Madison, WI 53726

**Proposal:** The applicant proposes to construct two additions to a waterfront parcel. These include a new attached garage and a rear (lakeside) addition. The total square footage for the additions exceeds 500 square feet and therefore, conditional use approval is required. Construction is anticipated to begin in April 2010, with completion scheduled for October 2010.

**Parcel Location:** The parcel is an approximately 13,087.5 square foot waterfront parcel located along Sherman Avenue, just west of its intersection with Sidney Street. This parcel is located within Aldermanic District 2, the Madison Metropolitan School District, and the Sherman Avenue National Historic District.

**Existing Conditions:** This lot includes a two-story, 2,463 square foot residence built in 1916. The property also includes a boat house/

**Surrounding Land Use and Zoning:** This site is primarily surrounded by single-family homes on relatively large lots, zoned R2 (Single-Family Residence District). A seven-unit apartment building, zoned PUD-SIP (Planned Unit Development-Specific Implementation Plan) is located on the opposite side of Sherman Avenue, roughly 150 feet from the subject property.

**Adopted Land Use Plan:** The Comprehensive Plan and Tenney Lapham Neighborhood Plan recommend low-density residential uses for this area.

**Environmental Corridor Status:** The subject site is not located in a mapped environmental corridor. A small portion of the property nearest to the lake is in the flood fringe. The proposed additions would not be constructed within this area.

**Public Utilities and Services:** This property is served by a full range of urban services.

**Zoning Summary:** The property is zoned R2 (Single-Family Residence District)

Bulk Requirements	Required	Proposed
Lot Area	6,000 sq ft	13,087.5 sq ft
Lot width	50'	75'
Usable open space	1,000 sq ft	Adequate
Front yard	30'	30' +
Side yards	7'0" (L) 8'10" (R)	7'0" (L) 9.9" ± (R)
Lake Setback Average	87' 8.5"	87' *
Building height	2 stories/ 35'	2 story plus habitable attic, OK
Number parking stalls	1	1
Landscaping	Cutting/Clearing approvals	Lands within 35' of lake not changing
Other Critical Items	Flood Plain, National Historic District, Waterfront Development.	
	<i>Table Prepared by Matt Tucker, Zoning Administrator</i>	

\* At its November 19th 2009 meeting, the City of Madison Zoning Board of Appeals approved a 0'-8½" variance to allow for the construction of a rear addition with an 87'-0" waterfront setback.

### **Analysis, Evaluation, & Conclusion**

The applicant requests conditional use approval to construct additions to a single-family residence on a waterfront parcel. These include a new attached garage and a rear (lakeside) addition. An enlarged rear deck on the second story is also proposed. This request is subject to the conditional use and waterfront development standards of the Zoning Ordinance.

Prior to submitting this request, the applicant received variance approval for an existing lakefront setback encroachment. A small corner of the existing building encroached into the lakefront setback by 8.5 inches. (This is labeled as "C" on the applicant's Drawing 1-P). This approval was granted by the Zoning Board of Appeals in November 2009. The proposed additions do not encroach within the original lakefront setback with the exception of a roof overhang (labeled as "A" on the applicant's Drawing 1-P). The Zoning Administrator has determined this proposal is consistent with the approved variance.

The existing residence was built in 1916, according to City Assessor records. This two-story home is 2,463 square feet in area and includes three (3) bedrooms, three (3) bathrooms, and a finished basement. The property includes a boathouse but has no other garage.

The proposed one-car garage addition would be sited on the western side of the existing residence and would have an approximate area of 286 square feet. Elevation drawings show that the garage would feature overhead doors on both the street and lakeside facades. The garage's front setback would be in-line with the existing covered front porch, eight (8) feet in front of the house itself. The garage is one-story and is approximately 12 feet in height (measured to midway between the roof peak and eave). This addition also includes a new 80 square foot breezeway connecting the garage to the existing structure.

The second addition adds new living space to the rear (lakeside) of the residence and provides a new screened porch. The original screen porch, measuring roughly 400 square feet, will be removed. This addition appears to be over 500 square feet in area, though the net area increase is smaller due to the removal of the existing porch. This is also a one story addition, with an approximate height of 14 feet. The addition brings the building about seven (7) feet closer to the lake, but is within the existing building envelop (except for the aforementioned roof overhang.) Staff note that portions of this addition could be constructed closer to the lake than proposed and still be within this envelop.

The proposed plans also include an addition to the upper-story deck. This deck is on the rear (lakeside of the residence and would be enlarged to have an area of 136 square feet.

Along with the aforementioned additions, the interior of the first floor will be substantially remodeled and reconfigured. New dining and living room spaces are planned for the area now occupied by the screen porch. Other modifications can be seen in the applicant's materials (Drawing 1-P). Aside from the enlarged deck, the second floor appears to be unchanged.

As a clarification, staff requests that if approved, final sign-off plans shall include dimensioned elevation drawings for all sides of the building that label the finished-grade elevations at the building corners for approval by Planning Division staff. Also, consistent with other lakefront development approvals, staff recommend the applicant label the primary exterior materials on the elevation drawings, for approval by Planning Division staff.

Staff is aware of some objections to this proposal from surrounding neighbors. Regarding the garage addition, one comment had been submitted by the time of report writing, objecting to the loss of lake views across the 1234 Sherman property, particularly for pedestrians and some residents of nearby Sidney Street. Staff also understands that similar concerns were raised at a recent neighborhood meeting. Staff note that the large side yard providing this view is unusual in this portion of Sherman Avenue, as most nearby lakefront residences have much smaller side yards. Staff also note that this view could also be blocked by future tree plantings by the owners, if they so choose.

Regarding the rear porch addition, the neighbors immediately to the east (1236 Sherman Avenue) have provided a letter of opposition. Their primary concern is the partial blocking of lake views from their eastern facing windows across the 1234 property. They request that any modifications occur within the current footprint. Exhibits are included in the Plan Commission packets noting the views that would be impacted. A response from the applicant is also provided. These documents were provided in color and are located at the back of the Plan Commission packet.

These objections and provided materials should be carefully reviewed by the Plan Commission as they relate to the conditional use approval standards. Staff believe that Standard 3 ("uses, values, and enjoyment" likely warrants the closest consideration. Staff also notes that letters of support from surrounding neighbors are also included in the Plan Commission materials.

Staff is sympathetic to the concerns over the loss of lake views that would result from the construction of the new garage. And while the one-car garage is believed to be modest in its size, scale, and height, its construction will likely result in reduced lake views across this property. However, such an addition would not be inconsistent with the established development pattern along this part of Sherman Avenue. As noted above, most adjoining properties already have much smaller side yards. Staff would prefer the garage to be further setback from the front of the home, though based on conversations with the applicant, understand the current placement has been proposed to not block existing bay windows. Staff also note that if the other additions were not proposed, this garage addition itself is of a size that would not require conditional use approval from the Plan Commission.

Staff also appreciates the issues raised by the adjoining home owners regarding the rear porch addition. Staff had met with the adjoining neighbors and discussed their concerns regarding the rear addition. These concerns were also shared with the applicant. The provided correspondence indicates that the concerns are ongoing.

In considering other applicable standards, staff note the proposal is consistent with the recommendations in the Comprehensive Plan and Tenney Lapham Neighborhood Plan. In regards to the Waterfront Development standards, zoning staff has requested the applicant provide a detailed landscape plan indicating any vegetation that will be removed.

Staff believe it may be possible for the Plan Commission to find the applicable standards are met and grant this conditional use. Staff believe the additions are modest in their scale and the resulting home would largely be consistent with the established development pattern. The Plan Commission will need to carefully consider the submitted materials along with testimony provided at the public hearing. Should the Plan Commission not be able to find the standards are met, than a referral may be necessary in order for the applicant to make the modifications the Plan Commission desires.

## **Recommendations and Proposed Conditions of Approval**

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Major/Non-Standard Conditions are Shaded

### **Planning Division Recommendation** (Contact Kevin Firchow, 267-1150)

Subject to input at the public hearing, the Planning Division recommends that the Plan Commission finds the project meets all applicable waterfront, and conditional use standards and **approve** the proposed request for additions to a single-family residence on a waterfront lot at 1234 Sherman Avenue, subject to the conditions recommended by the Planning Division and other reviewing agencies.

1. That the applicant submits a plan showing existing grades on the site. The applicant's final sign-off plans shall include dimensioned elevation drawings for all sides of the building that label the height of the new additions and finished-grade elevations at the building corners for approval by Planning Division staff.
2. That the applicant labels the building exterior materials on the elevation drawings, for approval by Planning Division staff.
3. That the applicant provides a landscape plan and inventory, as required by the Zoning Ordinance for approval by Planning Division staff.

***The following conditions have been submitted by reviewing agencies:***

### **City Engineering Division** (Contact Janet Dailey, 261-9688)

4. NOTE: It is preferred that plan sheet SITE-P be revised to include the location and dimensions of the existing boathouse relative to the proposed overall plan, that is, unless complementing supplemental sheets will be memorialized with the plan set.

5. The Applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass. (POLICY)
6. All work in the public right-of-way shall be performed by a City licensed contractor. (MGO 16.23(9)(c)5) and MGO 23.01)
7. 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. (POLICY)

**Traffic Engineering Division** (Contact John Leach, 267-8755)

This agency submitted a report with no recommended conditions of approval.

**Zoning Administrator** (Contact Pat Anderson, 266-5978)

8. Show designated flood plain area on the final site plan. Project is being reviewed although no construction within floodplain area is proposed.
9. The cutting of trees and shrubbery shall be limited in the strip of land 35' inland from the normal waterline. Provide a landscape plan to show landscape elements to be removed and show a detailed plan showing sizes and number of landscape elements to be added to the site. In addition, not more than 30% of the frontage of the lot shall be cleared of trees and shrubbery.

**Water Utility** (Contact Dennis Cawley, 261-9243)

10. This property is not in a Wellhead Protection District. All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility. The Water Utility will not need to sign off the final plans, nor need a copy of the approved plans.

**Parks Division** (Contact Tom Maglio, 266-6518)

This agency did not submit a response to these requests.

**Fire Department** (Contact Scott Strassburg, 261-9843)

This agency did not submit a response to these requests.

**Metro Transit** (Contact Tim Sobota, 261-4289)

This agency did not submit a response to these requests.