



PLANNING DIVISION STAFF REPORT

August 23, 2021

PREPARED FOR THE PLAN COMMISSION

Project Address: 2737 Myrtle Street (12th Alder District - Ald. Abbas)
Application Type: Conditional Use
Legistar File ID #: [66558](#)
Prepared By: Chris Wells, Planning Division
Report Includes Comments from other City Agencies, as noted
Reviewed By: Heather Stouder, AICP, Planning Division Director

Summary

Applicant, Contact & Property Owner: Amy Fuller; 2737 Myrtle Street; Madison, WI 53704

Requested Action: Consideration of a conditional use in the Traditional Residential-Consistent 4 (TR-C4) District to construct an accessory building (garage) exceeding 10% of lot area at 2737 Myrtle Street.

Proposal Summary: The applicant proposes to construct a 576-square-foot, two-stall garage at the rear (south) of the subject property.

Applicable Regulations & Standards: This proposal is subject to the Conditional Use Approval Standards, MGO §28.183(6)), as MGO §28.131(1)(a) requires the total area of accessory buildings measured at ground floor be no greater than ten percent (10%) of the lot area unless allowed by conditional use approval in a Traditional Residential Zoning District.

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 allow construction of an accessory building (garage) exceeding ten percent (10%) of the lot area in the Traditional Residential-Consistent 4 (TR-C4) District at 2737 Myrtle Street. This recommendation is subject to input at the public hearing and the conditions recommended by the reviewing agencies.

Background Information

Parcel Location: The 4,950-square-foot property is located on the south side of Myrtle Street, to the east of the intersection with Kedzie Street. It is located within Alder District 12 (Ald. Abbas) as well as the Madison Metropolitan School District.

Existing Conditions and Land Use: According to City Assessor records, the property is currently developed with a one-and-a-half-story, three-bedroom, two-bathroom, roughly 1,000-square-foot, single-family residence, originally constructed in 1948. The property is zoned Traditional Residential – Consistent 4 (TR-C4) District.

Surrounding Land Use and Zoning:

In all directions: Single-family residences, zoned Traditional Residential – Consistent 4 (TR-C4);

Adopted Land Use Plan: The [Comprehensive Plan](#) (2018) recommends low residential (LR) uses for the subject parcel, which calls for up to 15 dwelling units per acre (du/ac). The [Emerson East-Eken Park-Yahara Neighborhood Plan](#) (2015) does not provide specific recommendations for the subject property.

Zoning Summary: The property is in the Traditional Residential – Consistent 3 (TR-C3) District

Requirements	Required	Proposed
Lot Area (sq. ft.)	4,000	4,950
Lot Width	40 ft	45 ft
Front Yard Setback	20 ft	84 ft
Side Yard Setback	3 ft (accessory building)	4 ft
Rear Yard Setback	3 ft (accessory building)	7 ft
Usable Open Space	750 sq ft	1,500 sq ft
Maximum Lot Coverage	65%	50%
Maximum Building Height	15 ft (mean roof height)	11 ft
Other Critical Zoning Items	Utility Easements;	

Table Prepared Jacob Moskowitz, 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 proposes to construct a 576-square-foot accessory building (detached garage). Currently, the subject property contains a one-car garage. The proposed garage will be 24 feet by 24 feet, accommodate two cars (and additional storage), and be located in the rear yard. As with its predecessor, it will be accessed via the existing driveway located on the east side of the house. The garage will have a shingled roof and vinyl siding to match the single-family home on site.

The applicant requests approval of a conditional use to allow the construction of an accessory building greater than 10% of the lot area (i.e. greater than 495 square feet). As proposed, the garage will occupy 11.6-percent of the lot area, and therefore this request is subject to the Conditional Use 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 that recent changes to state law require that conditional use findings must be based on “substantial evidence” that directly pertains to each standard and are not based on personal preference or speculation.

The Planning Division believes that the proposed use is generally consistent with the [Comprehensive Plan](#) (2018) which recommends low residential (LR) uses for the subject parcel. Low Residential areas are predominantly composed of single-family and two-unit structures, and include fewer than 15 dwelling units per acre. The [Emerson East-Eken Park-Yahara Neighborhood Plan](#) (2015) does not provide specific recommendations for the subject property.

In considering the surrounding context, at least six other residences located along the south side of this block of Myrtle Street have two-car garages located in their rear yard. With the consistency with the adopted plans and the Zoning Code, and compatible with its surroundings, the Planning Division believes the conditional use standards can be found met.

At the time of report writing, staff did receive one public comment from the next door neighbor who is supportive of the proposal. A copy of this letter is included in the Legistar file for this item.

Recommendation

Planning Division Recommendation (Contact Chris Wells, cwells@cityofmadison.com)

The Planning Division recommends that the Plan Commission find that the Conditional Use Standards are met and **approve** the request to allow construction of an accessory building (garage) exceeding ten percent (10%) of the lot area in the Traditional Residential-Consistent 4 (TR-C4) District at 2737 Myrtle Street. This recommendation is subject to 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 Brenda Stanley, (608) 261-9127)

1. Volume Control: The applicant shall either get all the roof and pavement runoff from the proposed improvements to the public ROW or 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.

Forestry Review (Contact Jeffrey Heinecke, (608) 266-4890)

2. On this project, street tree protection zone fencing is required. The fencing shall be erected before the demolition, grading or construction begins. The fence shall include the entire width of terrace and, extend at least 5 feet on both sides of the outside edge of the tree trunk. Do not remove the fencing to allow for deliveries or equipment access through the tree protection zone. Add as a note on the plan set.

The Planning Division, Engineering Division – Mapping Section, Traffic Engineering, Zoning, Parks Division, Water Utility, and Metro Transit have reviewed this request and have recommended no conditions of approval.