



Project Address: 1634 Baker Avenue
Application Type: Conditional Use
Legistar File ID # [31017](#)
Prepared By: Heather Stouder, AICP, Planning Division
Report Includes Comments from other City Agencies, as noted

Summary

Applicant/Owner: Michael Krakora; 1634 Baker Avenue; Madison, WI 53705

Project Contact: Randy Ziebarth; JG Development; 4070 East Brigham Road; Blue Mounds, WI 53517

Requested Action: The applicant requests approval of a conditional use for an accessory building exceeding 800 square feet and for use as a home occupation in the SR-C2 (Suburban Residential – Consistent 2) District.

Proposal Summary: The applicant proposes a new accessory building in the rear of the property for use as a photography studio.

Applicable Regulations & Standards: This proposal is subject to the standards for conditional uses (MGO Section 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 can be met and **approve** the request at 1634 Baker Avenue. 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 west side of Baker Avenue, north of Julia Street and near the terminus of Baker Avenue in a cul de sac just south of University Avenue; Suburban Residential – Consistent 2 (SR-C2) District; Aldermanic District 19 (Clear); Madison Metropolitan School District.

Existing Conditions and Land Use: The 40,675 square foot property has a single-family home, constructed in 2011, according to Assessor’s records.

Surrounding Land Use and Zoning:

The property is surrounded on the north, east, and south by other single-family homes on large lots in the SR-C2 District, and a large stormwater management parcel lies immediately adjacent to the west

Adopted Land Use Plan: The Comprehensive Plan (2006) recommends Low Density Residential uses for this property. The Spring Harbor Neighborhood Plan (2006) does not have a more specific recommendation.

Zoning Summary: 1634 Baker Avenue is in the SR-C2 (Suburban Residential – Consistent 2) District.

Dimensional Requirements	Required	Proposed
Lot Area	6,000 sq. ft.	40,675 sq. ft.
Lot Width	50'	156.35'
Front Yard Setback	30' or setback average	N/A
Side Yard Setback	3'	10'+
Rear Yard	3' for accessory building	10'
Maximum Lot Coverage	15' for accessory building	To be shown on final plans
Maximum Height	50%	Less than 50%
Usable Open Space	1,000 sq. ft.	Adequate

Site Design		
Number parking stalls	0	N/A
Other Critical Zoning Items: None		

Table Prepared by Patrick Anderson, 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, including Metro Transit Routes along nearby University Avenue.

Project Description

The applicant proposes to build a 994 square foot accessory building in the rear southwestern corner of the property for use as a photography studio, a home occupation. No parking is proposed for the building, and no paved connections between the two buildings are shown on the site plan. The site plan shows utilities (water, electricity, and gas) lines running underground between the house and the proposed building and will also need to have a separate sanitary sewer lateral as per Engineering comments.

The proposed building has a shooting area, a viewing area for meetings with clients, a small office space, and an accessible restroom. Its exterior is comprised of cedar, metal and fiber cement paneling, and a standing seam metal roof. According to the letter of intent, most of the photography work is done off premises. The hours of operation on the site will generally be limited to 9:00 am to 5:00 pm, Monday through Friday, although once per week, the owners may need to meet with a client outside of these hours. They anticipate occasional Fed Ex or UPS deliveries, not unlike a typical residence.

Analysis and Conclusion

The conditional use is requested to allow for an accessory building over 800 square feet in size in the SR-C2 Zoning District, and for the accessory building to be utilized as a home occupation. Staff believes that the use of an accessory building as a photography studio for occasional appointments with clients is appropriate in most residential settings. Since the subject site is a very large residential lot, the size of the proposed accessory building seems to be appropriate in this case. Staff believes that the conditional use standards can be met as follows:

1. *The establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, or general welfare.*

Staff believes that this standard is met.

2. *The City is able to provide municipal services to the property where the conditional use is proposed, given due consideration of the cost of providing these services.*

Staff believes that this standard can be met, noting that the applicant will need to pay for the new sanitary sewer lateral and other utilities serving the building.

3. *The uses, values, and enjoyment of other property in the neighborhood for purposes already established will not be substantially impaired or diminished in any foreseeable manner.*

Staff believes that this standard is met. This property is very large, and the placement of the accessory structure is optimal to minimize impacts on surrounding properties. Traffic associated with the business should be minimal.

4. *The establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.*

Staff believes that this standard is met.

5. *Adequate utilities, access roads, drainage, parking supply, internal circulation improvements, including but not limited to vehicular, pedestrian, bicycle, public transit, and other necessary site improvements have been or are being provided.*

Staff believes that this standard can be met. On final plans, the applicant should show the location of the new sanitary sewer lateral, and any and all paved areas for circulation or parking on the site. In addition, further information on the proposed drainage plan for the site must be submitted to Engineering for review.

7. *The conditional use conforms to all applicable regulations of the district in which it is located.*

Staff believes that this standard can be met, so long as the conditional use is approved.

9. *When applying the above standards to any new construction of a building or an addition to an existing building, the Plan Commission:*
 - a. *Shall bear in mind the statement of purpose for the zoning district, and*
 - b. *May require the applicant to submit plans to the Urban Design Commission for comment and recommendation*

Staff believes that this standard is met.

[Standards 6, 8 and 10-15 do not apply to this request]

Conclusion

Staff believes that the conditional use standards can be met, and recommends that the Plan Commission approve the request, subject to input at the public hearing and comments from reviewing agencies.

Recommendation

Planning Division Recommendation (Contact Heather Stouder, 266-5974)

The Planning Division recommends that the Plan Commission find that the conditional use standards can be met and **approve** the requested garage addition at 1634 Baker Avenue. 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 Heather Stouder, 266-5974)

1. The use of the accessory structure as a home-based business shall be limited to use as a photography studio unless further reviewed by the Plan Commission.

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

2. The address of the new stand-alone studio building is 1632 Baker Ave.
3. There shall be no private site improvements or landscaping placed within the public sanitary sewer easement that interfere with the ability for public maintenance of the sanitary facilities in any way.
4. Applicant is advised that the public lands adjacent to the proposed studio are heavily wooded and unmaintained. Applicant may need to trim overhanging trees to build within 10-feet of the public lands.
5. Each building shall have a separate sanitary sewer lateral.
6. The site plan shall include all lot/ownership lines, existing building locations, proposed building additions, demolitions, parking stalls, driveways, sidewalks (public and/or private), existing and proposed signage, existing and proposed utility locations and landscaping.
7. The site plan shall identify the difference between existing and proposed impervious areas.
8. The site plan shall include a full and complete legal description of the site or property being subjected to this application.
9. 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).
10. The Applicant shall submit, prior to plan sign-off, a digital CAD file (single file) to the Engineering Program Specialist in the Engineering Division (Lori Zenchenko). The digital CAD file shall be to scale and represent final construction. The single CAD file submittal can be either AutoCAD (dwg) Version 2001 or older, MicroStation (dgn) Version J or older, or Universal (dxf) format and contain only the following data, each on a separate layer name/level number:
 - a) Building Footprints
 - b) Internal Walkway Areas
 - c) Internal Site Parking Areas
 - d) Other Miscellaneous Impervious Areas (i.e. gravel, crushed stone, bituminous/asphalt, concrete, etc.)
 - e) Right-of-Way lines (public and private)

- f) All Underlying Lot lines or parcel lines if unplatted
- g) Lot numbers or the words "unplatted"
- h) Lot/Plat dimensions
- i) Street names

All other levels (contours, elevations, etc) are not to be included with this file submittal.

NOTE: Email file transmissions preferred lzenchenko@cityofmadison.com . Include the site address in the subject line of this transmittal. Any changes or additions to the location of the building, sidewalks, parking/pavement during construction will require a new CAD file. (POLICY and MGO 37.09(2) & 37.05(4))

11. The applicant shall submit, prior to plan sign-off, digital PDF files to the Engineering Division (Jeff Benedict or Tim Troester). The digital copies shall be to scale, and shall have a scale bar on the plan set. (POLICY and MGO 37.09(2)).

PDF submittals shall contain the following information:

- a) Building footprints
 - b) Internal walkway areas
 - c) Internal site parking areas
 - d) Lot lines and right-of-way lines
 - e) Street names
 - f) Stormwater Management Facilities
 - g) Detail drawings associated with Stormwater Management Facilities (including if applicable planting plans)
12. All outstanding Madison Metropolitan Sewerage District (MMSD) are due and payable prior Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Janet Dailey (608-261-9688) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff (MGO 16.23(9)(d)(4)).

Zoning Administrator (Contact Pat Anderson, 266-5978)

13. Proposed accessory building shall meet all building codes. Provide building elevations on final plans.
14. All supplemental regulations for Home Occupations apply to this development subject to 28.151.

Fire Department (Contact Bill Sullivan, 261-9658)

15. The Madison Fire Department does not object to this proposal provided the project complies with all applicable fire codes and ordinances.

No other agencies submitted comments for this request.