



Project Address: 1030 Vilas Avenue
Application Type: Conditional Use
Legistar File ID # [29715](#)
Prepared By: Heather Stouder, AICP, Planning Division
Report Includes Comments from other City Agencies, as noted

Summary

Applicant/Owner: Rodney and Karen Stevenson; 1030 Vilas Avenue; Madison, WI 53715

Contact: David Blecker, PE; Phase Three Energy LLC; 7295 E. Cates Rd.; Belleville, WI 53508

Requested Action: The applicant requests approval of a conditional use for an accessory dwelling unit within an accessory building larger than 576 square feet in the TR-C3 (Traditional Residential – Consistent 3) District.

Proposal Summary: The applicant proposes to construct a detached two-car garage with a second floor accessory dwelling unit on the north side of the property.

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 are met and **approve** the requested accessory building with an accessory dwelling unit for 1030 Vilas Avenue. This recommendation is subject to input at the public hearing and the conditions recommended by reviewing agencies.

Background Information

Parcel Location: The subject property is located at the northeast corner of Vilas Avenue and Mills Street in the TR-C3 District; Aldermanic District 13 (Ellingson); Madison Metropolitan School District

Existing Conditions and Land Use: The subject site is 11,253 square feet, and includes a 3,600 square foot single-family home constructed in 1919, with driveway leading from Mills Street to a single-car attached garage.

Surrounding Land Use and Zoning:

North: Single-family home in the TR-C3 District

South: Across Vilas Avenue, a two-family home in the TR-C3 District

East: Single-family home in the TR-C3 District

West: Across Mills Street, single and two-family homes in the TR-C3 District

Adopted Land Use Plan: The Comprehensive Plan (2006) and the Greenbush Neighborhood Plan (2008) recommend Low-Density Residential uses for this property, with no mention of accessory dwelling units.

Zoning Summary: 1030 Vilas Avenue is in the TR-C3 (Traditional Residential – Consistent 3) District

Dimensional Requirements	Required	Proposed
Lot Area	3,000 sq. ft.	N/A
Lot Width	30'	93' existing
Front Yard Setback	15' – 30'	N/A
Side Yard Setback	3' for Accessory Building	36'
Reversed Corner Side Yard Setback	8' (10' for garage)	22'
Rear Yard	3' for Accessory Building	4'
Maximum Height	2 stories / 25' for Accessory Building	25'
Maximum Lot Coverage	75% Maximum	Less than 75%
Usable Open Space	500 sq. ft.	Adequate

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.

Project Description

The applicant proposes to construct a detached two-car garage with a second floor accessory dwelling unit on the north side of the property. Related to the project is the conversion of the existing attached garage into additional living space for the single-family home.

The proposal requires conditional use review for two reasons: first, the new two-story accessory building, at 1,460 square feet, is larger than the 576 square feet that would be permitted in the district; and second, the construction of an accessory dwelling unit (ADU) on the property.

The proposed detached garage has a 770 square foot footprint, with room for two cars and additional storage space behind them. It is proposed to be placed where an existing paved area for parking existing today, so it will not significantly impact the overall impervious area on the site. With the second story, it is exactly 25 feet tall at the peak of the roof.

The proposed ADU has 690 square feet of conditioned living space on the second floor of the garage building. The main living area is on the west side of the dwelling unit, facing Mills Street. The unit includes a “sleeping loft” area above the small kitchen and bathroom on the east side. A paved walkway leads from Mills Street along the north side of the garage to an entrance area which houses mechanicals and includes a small storage area at the ground level, and stairs leading up to the ADU.

The garage is designed to complement the single-family home, with a brick base and fiber cement siding cladding the upper level. Windows in the second level and the windows in the carriage house garage door are consistent with window patterns in the existing home.

Analysis and Conclusion

The proposed accessory building with the ADU fits very well with the existing single-family home on this property. While the garage is larger than what would be permitted by right in the TR-C3 District, and the ADU itself is nearly the maximum size permissible, its relationship to the 2½ story, 3,600 square foot single family home is appropriate. The proposed exterior materials and openings are high-quality, and will complement the home. Further, the 11,253 square foot property itself is relatively large for this area, which will help the larger

accessory building to more easily fit into its surroundings. The garage meets all general requirements for accessory buildings, and the ADU appears to meet all relevant supplemental design requirements and guidelines in MGO Section 28.151. As noted by Zoning staff in Condition No. 11, the occupancy and ownership of the ADU will need to continue to meet these requirements in perpetuity.

Conclusion

Staff believes that the proposal meets conditional use standards. It is consistent with the recommendations of both the Comprehensive Plan and with the zoning code requirements for the Accessory Dwelling Units. Staff believes that the project can meet all applicable review standards.

Recommendation

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

The Planning Division recommends that the Plan Commission find that the conditional use standards are met and **approve** the requested accessory building with an accessory dwelling unit for 1030 Vilas Avenue. This recommendation is subject to input at the public hearing and the conditions recommended by reviewing agencies.

Recommended Conditions of Approval

Major/Non-Standard Conditions are Shaded

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

1. The proposed structure appears to be in the drainage path. Additional information on proposed method to accommodate drainage shall be provided.
2. The lateral from garage to home will be subject to Department of Commerce approval. The proposed 90-degree bends will require cleanouts unless the bends are reduced to 45-degree bends.
3. The carriage house garage with living quarters upstairs for guests or for rental purposes is assigned an address of 319 S Mills St.
4. The site plan shall reflect a proper street address of the property as reflected by official City of Madison Assessor's and Engineering Division records.
5. *Value of the restoration work less than \$5,000. When computing the value, do not include a cost for driveways. Do not include the restoration required to facilitate a utility lateral installation.* The Applicant's project requires the minor restoration of the street and sidewalk. The Applicant shall obtain a Street Excavation Permit for the street restoration work, which is available from the City Engineering Division. The applicant shall pay all fees associated with the permit including inspection fees (MGO 16.23(9)(d)(6)). This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
6. The Applicant shall replace all sidewalk and curb and gutter which abuts the property which is damaged by the construction or any sidewalk and curb and gutter which the City Engineer determines needs to be replaced because it is not at a desirable grade regardless of whether the condition existed prior to beginning construction (POLICY).
7. 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).

8. All damage to the pavement on Mills Street adjacent to this development shall be restored in accordance with the City of Madison's Pavement Patching Criteria. For additional information please see the following link: <http://www.cityofmadison.com/engineering/patchingCriteria.cfm> (POLICY).
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, 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).

Zoning Administrator (Contact Pat Anderson, 266-5978)

11. Proposed accessory building shall meet all building codes, and accessory dwelling unit shall comply with supplemental regulations of MGO Section 28.151.

Fire Department (Contact Bill Sullivan, 261-9658)

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| 12. The Madison Fire Department recommends the installation of a residential fire sprinkler system in accordance with NFPA 13D and SPS 382.40(3)(e). Additional information is available at the Home Fire Sprinkler Coalition website: http://www.homefiresprinkler.org/Consumer/ConsHome.html . |
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Water Utility (Contact Dennis Cawley, 261-9243)

13. This property is not in a wellhead protection district. All operating private wells shall be identified and permitted by the Water Utility in accordance with MGO 13.21. All unused private wells shall be abandoned in accordance with MGO 13.21.

Parks Division (Contact Kay Rutledge, 266-4714)

14. The developer shall pay \$2,353.40 for park dedication and development fees for the additional 1 MF unit that is being constructed as part of the accessory building.

Fees in lieu of dedication = (1 MF @ \$1,708) = \$1,708.00

Park development fees = (1 MF @ \$645.40) = \$ 645.40

Total fees = \$2,353.40

15. The developer must select a method for payment of park fees before signoff on the conditional use.
16. Approval of plans for this project does not include any approval to prune, remove or plant trees in the public right-of-way. Permission for such activities must be obtained from the City Forester, 266-4816.
17. This development is within the Vilas-Brittingham park impact fee district (SI27). Please reference ID# 13128 when contacting Parks about this project.

Traffic Engineering Division (Contact Eric Halvorson, 266-6572)

This agency submitted a response with no conditions of approval for this request.

Metro Transit (Contact Tim Sobota, 261-4289)

This agency did not submit a response to this request.