



Project Address: Lots 1-53 and 83-226 of Door Creek subdivision
[The application was submitted with the address 10 Whitefish Court.]

Application Type: Planned Development Alteration

Legistar File ID # [29725](#)

Prepared By: Timothy M. Parks, Planning Division
Matt Tucker, Zoning Administrator

Summary

Applicant: Edward Pazdziora, 10 Whitefish Court; Madison, on behalf of the Door Creek Homeowners Association.

Requested Action: The applicant is requesting approval of an amendment to the zoning text for Lots 1-53 and 83-226 of the Door Creek subdivision to allow and establish the bulk requirements for accessory buildings on those single-family lots.

Proposal Summary: The proposed alteration to the Door Creek Planned Development District will allow accessory buildings up to 144 square feet to be placed on the affected lots. The PD zoning text governing these lots does not currently allow for accessory buildings.

Applicable Regulations & Standards: Section 28.098(6) states that “No alteration of a Planned Development District shall be permitted unless approved by the Plan Commission, provided however, the Zoning Administrator may issue permits for minor alterations that are approved by the Director of Planning and Community and Economic Development and are consistent with the concept approved by the Common Council.”

Review Required By: Plan Commission.

Summary Recommendation: The Planning Division recommends that the Plan Commission find the proposed alteration consistent with the Planned Development approved by the Common Council and **approve** an alteration to the Planned Development-Specific Implementation Plan for Lots 1-53 and 83-226 of Door Creek, inclusive, to allow accessory buildings to be erected on those lots subject to input at the public hearing.

Background Information

Parcel Location: The area affected by the proposed PD zoning text alteration is approximately 50 acres roughly bounded by Wyalusing Drive on the west, Bluff Point Drive on the north, Door Creek Park on the east and Cottage Grove Road on the south; Aldermanic District 3 (Cnare); Madison Metropolitan School District.

Existing Conditions and Land Use: The 196 lots are zoned PD and are developed with 195 single-family residences located on Amnicon Trail, Whitefish Court, Harrington Court, Highcliff Trail, Highcliff Court, Aztalan Drive, Mill Bluff Drive, Buckhorn Drive, Dominion Drive, and the east side of Wyalusing Drive (2 houses occupy 3 lots on Highcliff Trail).

Land Use and Zoning Surrounding Subject Properties:

North: Single-family residences in the Reston Heights subdivision, zoned PD;

South: Harrington Place Condominiums, zoned SR-V1 (Suburban Residential–Varied 1 District); Door Creek Condominium, zoned SR-V2 (Suburban Residential–Varied 2 District); Cottage Grove Road;

East: Door Creek Park, zoned CN (Conservancy District);

West: Door Creek Church, zoned PD; Dominion Park, zoned CN; single-family residences in the First Addition to Reston Heights, zoned SR-C2 (Suburban Residential–Consistent 2 District).

Adopted Land Use Plan: The Sprecher Neighborhood Development Plan recommends that the affected properties be developed with low-density residential uses.

Zoning Summary: The properties are zoned PD; the changes to the zoning text will be described in the following sections.

Environmental Corridor Status: The subject properties are not located within a mapped environmental corridor (Map G7).

Public Utilities and Services: The sites are served by a full range of urban services.

Previous Approvals

On October 20, 1998, the Common Council approved a request to rezone approximately 75.3 acres generally addressed as 6902 Cottage Grove Road from A (Agriculture District) to R4 (General Residence District) and PUD-SIP (Planned Unit Development-Specific Implementation Plan) for the Door Creek development, which included 196 single-family residential lots (Lots 1-53 and 83-226) and a variety of two-family and multi-family residential uses developed on 28 lots (Lots 54-82). The Council approved the final plat of Door Creek on August 3, 1999, and the plat was recorded on August 6, 1999.

Project Description

The applicant, Edward Pazdziora, is the president of the Door Creek Homeowners Association, who filed the request on behalf of the affected properties. The proposed zoning text alteration follows a change to the private subdivision covenants for properties within the homeowners association, which was approved late last year to allow for the construction of accessory buildings. The Planned Development zoning is independent from the private covenants, but both needed to be changed to allow a homeowner to construct an accessory building.

The proposed change to the original zoning text for the 196 single-family lots would allow for a property owner to construct one accessory building up to 144 square feet in area per lot. The height of the accessory building would be limited to the height of the principal residence or 15 feet, whichever is less. The zoning text alteration specifies the placement requirements for the future accessory buildings and requires that the homeowners association’s architectural control committee provide written approval of the site plan prior to issuance of building permits for the accessory building. The remainder of the original zoning text is not proposed to change and would remain in effect.

Analysis and Conclusion

The alteration has been submitted on behalf of the homeowners of the PD-zoned portion of the Door Creek subdivision. The homeowners association governs both the PD-zoned single-family lots as well as single-family lots in conventional zoning beyond the boundaries of the PD zoning district. The construction of accessory buildings on the conventionally zoned lots is governed by the regulations for accessory buildings in Section 28.131(2) of the Zoning Code, which applies to Residential Districts in Section 28C of the Zoning Code. However, Planned Development zoning is a Special District in Section 28G, and a PD zoning district is regulated in part by its zoning text. In order for accessory buildings to be permitted in the PD zoning district that governs these Door Creek single-family lots, the zoning text must be modified as proposed.

According to Section 28.098(6), the Plan Commission is authorized to approve alterations to a Planned Development zoning district using the review standards in Section 28.098(2). The Zoning Administrator and City Attorney's Office have reviewed the application, and have determined the request to be complete. The Planning Division believes that the request to amend the zoning text to allow for the construction of small accessory buildings is reasonable, and that the alteration can meet the standards and criteria applicable to Planned Development zoning districts.

Recommendation

The Planning Division and Zoning Administrator recommend that the Plan Commission find the proposed alteration consistent with the Planned Development approved by the Common Council and standards of approval for Planned Developments and **approve** an alteration to the Planned Development-Specific Implementation Plan for Lots 1-53 and 83-226 of Door Creek, inclusive, to allow an accessory building to be erected on those lots, subject to input at the public hearing and recording of the proposed alteration as an addendum to the original zoning text.