



PREPARED FOR THE PLAN COMMISSION

**Project Address:** 2406 Waunona Way (District 14 – Ald. Carter)  
**Application Type:** Conditional Use  
**Legistar File ID #** [40407](#)  
**Prepared By:** Kevin Firchow, AICP, Planning Division  
**Reviewed By:** Jay Wendt, Principal Planner  
Report Includes Comments from other City Agencies, as noted

## Summary

**Applicant and Owner:** Wolfgang Killer; 2406 Waunona Way; Madison, WI 53713

**Contact:** Jesus Abreu; Bouril Design Studio; 6425 Odana Road #2; Madison, WI 53719

**Requested Action:** The applicant requests conditional use approval to 1) construct additions to an existing single-family residence and 2) construct a new detached accessory building exceeding 576 square feet in floor area in TR-C1-zoning on a lakefront lot at 2406 Waunona Way.

**Proposal Summary:** The applicant proposes alterations requiring conditional use approval. The first alteration is to add approximately 1,700 square feet of living area to an existing home. The second request is to construct a new three-car garage with an approximate size of 800 square feet.

**Applicable Regulations & Standards:** Section 28.138(2)(a) of the Zoning Code states that additions to a principal building on a lakefront lot in excess of five hundred (500) square feet is a Conditional Use. Section 28.138(2)(a) of the code states that a new accessory building on a lakefront lot is a Conditional Use and Section 28.131(1)(b) states that an individual accessory building exceeding 576 sq. ft. in a Traditional Residence district is a Conditional Use. Thus, this proposal is subject to the review standards for Lakefront Development [Section 28.138] and Conditional Uses [Section 28.183].

**Review Required By:** Plan Commission

**Summary Recommendation:** The Planning Division recommends that the Plan Commission find that the standards for lakefront development and conditional uses are met and **approve** the conditional use requests to construct additions to an existing single-family residence and a to construct a new detached accessory building exceeding 576 square feet in floor area in TR-C1-zoning on a lakefront lot at 2406 Waunona Way. This recommendation is subject to input at the public hearing and the conditions recommended by the reviewing agencies.

## Background Information

**Parcel Location:** The 12,675 square foot subject property is located on the north (lake) side of Waunona Way, between Raywood Road and Fayette Avenue. The site is within Aldermanic District 14 (Ald. Carter) and within the limits of the Madison Metropolitan School District.

**Existing Conditions and Land Use:** The subject site includes the existing 1,155 square foot single-family home. City Assessor's records indicate the home was constructed in 1942 and has two bedrooms and two bathrooms.

The existing home also has a one-car attached garage, located on the structure’s lowest level. The home has a partially shared driveway with the adjacent home at 2400 Waunona Way.

**Surrounding Land Use and Zoning:**

North: Lake Monona;

South: Single-family homes zoned TR-C1 (Traditional Residential - Consistent 1 District);

East: Single-family homes, zoned TR-C1; and

West: Single-family homes, zoned TR-C1.

**Adopted Land Use Plan:** The Comprehensive Plan (2006) recommends low density residential development for the subject site and surrounding properties.

**Zoning Summary:** The property is zoned TR-C1 (Traditional Residential-Consistent 1).

Requirements	Required	Proposed
Lot Area (sq. ft.)	6,000 sq. ft.	12,675 sq. ft.
Lot Width	50'	60'
Front Yard Setback	20'	46.39
Max. Front Yard Setback	30' or up to 20% greater than block average	Adequate
Side Yard Setback	One-story: 6' Two-story: 7'	Garage: 6.19' - West  SF Residence: 10' - West 11.10' - East
Lakefront Setback	TBD	61.7'
Usable Open Space	1,000 sq. ft.	Adequate
Maximum Lot Coverage	50%	30.33%
Maximum Building Height: SF Residence	2 stories/ 35'	2 stories
Maximum Building Height: Accessory Building	15'	Less than 15'
Number Parking Stalls	1	3 garage stalls
Landscaping (Shoreline Vegetation Inventory)	Yes	Yes
Lighting	No	No
Building Forms	Yes	Yes (Single-Family Detached Residence)
Other Critical Zoning Items	Floodplain and Utility Easements	

Table Prepared by Jenny Kirchgatter, Assistant Zoning Administrator

**Environmental Corridor Status:** The subject site is not located in a mapped environmental corridor, though a small portion of the property adjacent to the lake is within the flood fringe and flood storage districts. The proposed addition or accessory building is not proposed in this area.

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

## Project Description, Analysis, and Conclusion

The applicant proposes alterations to a lakefront property that require conditional use approval. The first request is for additions and renovations to a single-family home. The second request is to construct an approximately 800 square foot detached garage. These requests are subject to the approval standards for Lakefront Development and Conditional Uses.

The existing split-level home was constructed in 1942 according to City Assessor's records. It includes 1,155 square feet of living area with two bedrooms and two bathrooms. The home also includes an existing one-car attached garage on its lowest level. As part of the proposed alterations, the applicant will convert the lower-level attached garage into additional living space and construct building additions. The resulting home will have an area of approximately 2,883 square feet. The addition will be clad in a combination of EIFS, brick and metal. Portions of the existing driveway that now lead to the garage will be removed and graded to fill in the driveway and submerge a portion of the lower level.

The conditional use standard for lakefront development (Standard 13) states that "When applying the above standards to lakefront development under Sec. 28.138, the Plan Commission shall consider the height and bulk of principal buildings on the five (5) developed lots or three hundred (300) feet on either side of the lot with the proposed development." As an estimate of total bulk, staff utilized City Assessor's data to estimate principal building size for homes within 300 feet of the subject property. This measurement includes living areas, enclosed porches, basement areas, and estimated attached garage space. Using this analysis, staff found that the principal structures within 300 feet range in size from approximately 1,300 to 6,200 square feet. The median size is approximately 3,200 square feet, similar in size to the subject 2,883 square foot home with the proposed additions. The adjacent homes measure approximately 3,900 and 1,300 square feet.

The Zoning Code's definition of bulk also includes FAR, or floor area ratio, which compares the total building floor area (on all floors) to lot area. (An FAR of 1.0 would indicate that the total building floor area is equal to the lot area.) The calculated FAR for the proposed principal structure is 0.23, nearly identical to the estimated median 0.22 FAR for the surrounding homes. In regards to height, the Assistant Zoning Administrator's report states that this is considered a two-story structure provided that the front exterior wall of the basement level is exposed less than fifty percent, as generally depicted. The building appears to be under the maximum allowable height of 35 feet, with a depicted height of 29.5 feet. Further clarifications on height dimensions are recommended by Zoning as a condition of final sign-off. Staff notes that the heights of the surrounding homes are varied, consisting of one and two-story structures. From the street, the views to many homes are somewhat obscured due to detached garages, vegetation, or site topography.

The other change to the subject property is the development of a new three-car garage, measuring approximately 800 square feet in area. The garage will be side-loaded and located where uncovered surface parking stalls exist today. The height of the garage is under 15 feet to the roof peak and is between 11 and 12 feet to a measured point midway between the peak and eave, utilized as part of the zoning height measurement. The Assistant Zoning Administrator's report indicates that the accessory building appears to comply with zoning regulations for height, though additional information is requested as a condition of final sign-off. The building materials are proposed to match the home and include a combination of brick and EIFS. The side-loaded street-facing elevation includes two windows.

The City's Preservation Planner notes that many of the lakefront properties along Waunona Way are associated with locations of Native American effigy mounds and archeological sites. The State of Wisconsin's Burial Sites Preservation statute requires that the property owner contact the Wisconsin Historical Society to discuss the location of the proposed project and any possible disturbance of a historic resource before the work commences. During the construction work, if a burial site disturbance occurs, the work shall stop immediately

until the Wisconsin Historical Society is able to assess the site. A condition noting this requirement has been included.

The Planning Division believes that the standards for Lakefront Development and Conditional Uses can be met. The expanded home and new accessory building are believed to be compatible with the varied development pattern along Waunona Way. Plans do not show the removal of any vegetation and this proposal does not include modifications within 35 feet of the shoreline. At the time of report writing, staff was not aware of concerns regarding this proposal.

## **Recommendation**

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

The Planning Division recommends that the Plan Commission find that the standards for lakefront development and conditional uses are met and **approve** the conditional use requests to construct additions to an existing single-family residence and a to construct a new detached accessory building exceeding 576 square feet in floor area in TR-C1-zoning on a lakefront lot at 2406 Waunona Way. This recommendation is subject to input at the public hearing and the conditions recommended by the reviewing agencies.

**- Recommended Agency Comments are included in the Attached Report –**



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**Contact:** Jesus Abreu; Bouril Design Studio, 6425 Odana Rd Madison, WI 53719

**Property Owner:** Gabarra, Patricia; Wolfgang J Koller, 2406 Waunona Way, Madison, WI 53713-1624

**-Please See the PLANNING DIVISION STAFF REPORT for More Information on this Request -**

## Recommended Agency Comments and Conditions

Major/Non-Standard Conditions are Shaded

### Planning Review (Contact Kevin Firchow, 608-267-1150)

1. Prior to sign-off of this conditional use and the issuance of permits, the applicant shall provide evidence that the Wisconsin Historical Society has provided their required approvals. The property owner shall contact Chip Brown at [chip.brown@wisconsinhistory.org](mailto:chip.brown@wisconsinhistory.org).

### Engineering Review Main Office (Contact Timothy Troester, 608-267-1995)

2. Applicant shall revise plan to show City sanitary sewer location on plan as well as the City's sanitary sewer easement(DOC. 0861679). If sanitary sewer is not located in the easement, applicant shall dedicate a 15' sanitary sewer easement with the City sewer centered in the easement.
3. 6.1 Prior to approval, the owner or owner's representative shall obtain a permit to plug each existing sanitary sewer lateral that serves a building which is proposed for demolition. For each lateral to be plugged the owner shall complete a sewer lateral plugging application and pay the applicable permit fees. NOTE: As of January 1, 2013 new plugging procedures and permit fees go into effect. The new procedures and revised fee schedule is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>. (MGO CH 35.02(14))

4. Proposed drainage shall not be altered in any manor that would adversely affect adjacent properties. The proposed contours on the grading plan would indicate berms are being graded in such that drainage is prevent to flow between the properties in a common swale. Depending on the location and improvements this grading could also be pushing drainage from this property onto the neighboring properties. Revise grading plan sufficient to convey drainage without impacting the neighboring properties.
5. 3.12 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)
6. 3.16 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. 3.19 All damage to the pavement on Waunona Way, 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)

**Traffic Engineering Review (Contact Eric Halvorson, 608-266-6527)**

8. No Comment

**Zoning Review (Contact Jenny Kirchgatter, 608-266-4429)**

9. Submit the survey information per Section 28.138(4)(a) establishing the lakefront yard setback from the Ordinary High Water Mark. For this project, the minimum depth of the lakefront yard setback from the Ordinary High Water Mark shall be the average setback of the principal building on the two (2) adjoining lots, provided that the setbacks of those buildings are within twenty (20) feet of one another.
10. Show the regulatory floodplain location on the final site plan.
11. Lake front development shall comply with City of Madison General Ordinances Section 28.138(3)(a) 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. (Note: Within the waterfront setback requirements tree and shrub cutting shall be limited to consideration of the effect on water quality, protection and scenic beauty, erosion control and reduction of the effluents and nutrients from the shoreland.)
12. Show the height of the detached garage on the building elevations as measured per Section 28.134(1)(a). For accessory buildings and structures, height is measured from the average elevation of the approved grade at the front of the building to the highest point of the roof in the case of a flat roof, to the deck line of a mansard roof, and to the midpoint of the ridge of a gable, hip, or gambrel roof. The average height shall be calculated by using the highest ridge and its attendant eave. The eave point used shall be where the roof line crosses the side wall.
13. Show the proposed height of the house on the building elevations as measured per Section 28.134(1)(b). For principal buildings and structures, height is the average of the height of all building facades. For each facade, height is measured from the midpoint of the existing grade to the highest point on the roof of the building or structure. No individual facade shall be more than fifteen percent (15%) higher than the maximum height of the zoning district.

14. Submit a cross section of the house verifying that the basement level (utility/ laundry room) is not more than 50% exposed so that it is not counted as a story. There shall be only one basement which shall be counted as a story when the front exterior wall of the basement level is exposed more than fifty percent (50%).

**Fire Review (Contact William Sullivan, 608-261-9658)**

15. 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>

**Parks/Forestry Review (Contact Janet Schmidt, 608-261-9688)**

16. The agency reviewed this request and has recommended no conditions or approval.

**Water Utility Review (Contact Dennis Cawley, 608-261-9243)**

17. 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.

**Metro Review (Contact Timothy Sobota, 608-261-4289)**

18. The agency reviewed this request and has recommended no conditions or approval.

**City Eng. Review Mapping (Contact Jeffrey Quamme, (608) 266-4097)**

20. The site plan shall be revised to show the location of the public sanitary sewer in its current location and the Public Sanitary Sewer Easement as per Document No. 861679.

21. The site plan shall be revised to show and note the Shared Driveway Agreement per Document No. 5088151.