



PREPARED FOR THE PLAN COMMISSION

Project Address: 5718 - 5722 Lake Mendota Drive (District 19 – Ald. Clear)
Application Type: Conditional Use
Legistar File ID # [44823](#)
Prepared By: Kevin Firchow, AICP, Planning Division
Report Includes Comments from other City Agencies, as noted

Summary

Applicant | Owner | Contact: Ed Tallard; 5718 Lake Mendota Drive; Madison, WI 53705

Requested Action: The applicant requests conditional use approval to construct an accessory building in excess of 576 square feet in TR-C1 Zoning on a lakefront lot.

Proposal Summary: The applicant proposes to construct a detached garage on the subject site. The proposed structure includes an 895-square foot garage and 102-square foot covered porch.

Applicable Regulations & Standards: This proposal is subject to the standards for Conditional Uses [MGO §28.183] and Lakefront Development [MGO §28.138].

Review Required By: Plan Commission

Summary Recommendation: The Planning Division recommends that the Plan Commission find that the standards for conditional uses and lakefront development are met and **approve** the conditional use request to construct an accessory building in excess of 576 square feet in TR-C1 Zoning on a lakefront lot at 5718-5722 Lake Mendota Drive. This recommendation is subject to input at the public hearing and the conditions recommended by the reviewing agencies.

Background Information

Parcel Location: The property is on the north side of Lake Mendota Drive at its intersection with Baker Avenue. The parcel is within Aldermanic District 19 (Ald. Clear) and is within the limits of the Madison Metropolitan School District.

Existing Conditions and Land Use: The subject site is currently an undeveloped property. The Plan Commission approved the demolition of the home on 5722 Lake Mendota Drive in 2009. The site is under common ownership with the adjacent lakefront lot at 5718 Lake Mendota Drive. As such, these sites function together as one zoning lot.

Surrounding Land Use and Zoning: The subject site is surrounded by single-family homes in the TR-C1 District.

Adopted Land Use Plan: Both the Comprehensive Plan (2006) and the Spring Harbor Neighborhood Plan (2006) recommend Low Density Residential land use for the area.

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

Requirements	Required	Proposed
Lot Area (sq. ft.)	6,000 sq. ft.	29,337 sq. ft. Zoning Lot
Lot Width	50'	132' Zoning Lot
Front Yard Setback	20'	Adequate
Side Yard Setback	One-story: 6' Two-story: 7'	5' (See Comment #8)
Rear Yard Setback: Accessory Building	3'	Adequate
Usable Open Space	1,000 sq. ft.	More than 1,000 sq. ft.
Maximum Lot Coverage	50%	Less than 50%
Maximum Building Height: Accessory Building	15'	14' 5"
Number Parking Stalls	Single-family dwelling: Minimum 1 (location only) Maximum 4 outside spaces	Existing attached garage Proposed 2-stall detached garage
Number Bike Parking Stalls	Single-family dwelling: 0	0
Landscaping	No	No
Lighting	No	No
Building Forms	No	Accessory Building
Other Critical Zoning Items	Floodplain	

Table prepared by Jenny Kirchgatter, Assistant Zoning Administrator

Environmental Corridor Status: The subject site is not located within a mapped environmental corridor. A portion of the adjacent property at 5718 Lake Mendota Drive are within the flood fringe and flood storage districts, adjacent to Lake Mendota.

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

Previous Approval

On December 14, 2009, the Plan Commission approved the demolition of a single-family home on the subject site for the purpose of expanding the side yard at 5718 Lake Mendota Drive. As a condition of that approval, the Plan Commission required "That the property owner execute a restrictive covenant prior to issuance of the demolition permit, which requires, at a minimum, Plan Commission approval of the proposed alternative use of the property prior to issuance of building permits for any new construction. The standards for approval of the proposed alternative use shall be those in contained in Section 28.12 (12) of the Zoning Ordinance (unless the future use requires other land use approvals, including conditional uses or planned unit development zoning). The form of the restrictive covenant shall be approved by the Planning Division and City Attorney's Office." Information on that request can be found at the City's Legislative Information Center under [Legislative File #16827](#).

Project Description, Analysis, and Conclusion

The applicant requests approval of a conditional use to construct an accessory building exceeding 576 square feet on a lakefront lot. This request is subject to the approval standards for Conditional Uses and Lakefront Development.

The subject site is an undeveloped property that has been used as additional side yard space for the adjacent residence at 5718 Lake Mendota Drive, which is under common ownership. From a zoning standpoint, these two lots function as one combined zoning lot.¹ As noted above, the Plan Commission approved the demolition of the home on the 5722 Lake Mendota Drive property in 2009, conditioned upon having any change in use or plans requiring permits return to the Plan Commission for approval.

The proposed accessory building has a footprint of 895 square feet. The structure includes a two-car garage, bathroom, covered porch, and concrete "safe-room" area. The safe-room feature is being incorporated into the structure as the aforementioned residence has no basement shelter for inclement weather. The proposed structure is house-like in character and has been designed with materials to match the adjoining home. The accessory building is proposed with a height of 14 feet, five inches, measured to the midway point between the roof peak and eave. The Assistant Zoning Administrator notes that the proposed structure must be set back a minimum 6 feet along the Baker Avenue side, where a five foot setback is currently shown.

The Planning Division believes that the standards for conditional uses and lakefront development can be met. In regards to the "normal and orderly" development standard, the Planning Division believes that the residential character of the proposed building and its location towards the rear of the property will generally be complementary to the surrounding development pattern. In the event that the two subject properties were to be sold off separately and 5722 Lake Mendota Drive developed with a new principal structure, the placement of the proposed building would not preclude the development of a single-family residence closer to the street.

The letter of intent notes several nearby neighbors are in support of this request. At the time of report writing, the Planning Division was not aware of concerns on this proposal.

Recommendation

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

The Planning Division recommends that the Plan Commission find that the standards for conditional uses and lakefront development are met and **approve** the conditional use request to construct an accessory building in excess of 576 square feet in TR-C1 Zoning on a lakefront lot at 5718-5722 Lake Mendota Drive. This recommendation is subject to input at the public hearing and the conditions recommended by the reviewing agencies.

1 A "Zoning Lot" is defined as a planned multi-use site or a lot or lots that comprise a single tract of land located within a single block which, at the time of filing for a building permit, is to be used, developed or built upon as a unit.

Recommended Conditions of Approval

Major/Non-Standard Conditions are Shaded

Planning Division (Contact Kevin Firchow, (608) 267-1150)

1. That upon the Plan Commission approval of this use and the issuance of permits, the restrictive covenant previously required by the Plan Commission after their 2009 demolition approval requiring their approval of the alternative future use shall terminate per the terms of that restriction.

City Engineering Division (Contact Tim Troester, (608) 267-1995)

2. All outstanding Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Mark Moder (608-261-9250) 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))
3. The site plan shall be revised to show all existing public sanitary sewer facilities in the project area as well as the size, invert elevation, and alignment of the proposed service. (POLICY)

City Engineering Division - Mapping (Contact Jeffrey Quamme, (608) 266-4097)

4. The site plan shall identify lot and block numbers of the recorded Plat of Mendota Beach Subdivision. It shall also show and acknowledge correctly that the site shown is actually two separate parcels.
5. The site plan shall include all lot/ownership lines, existing building locations, proposed building additions, demolitions, driveways (existing and proposed), sidewalks (public and/or private), existing and proposed signage, existing and proposed utility locations and landscaping.
6. The site plan shall include a full and complete legal description of the site or property being subjected to this application.
7. Considering the placement of the garage is to be very close to minimum setback requirements, it is strongly advised that a professional land be contracted by the applicant to locate the property lines accurately to assure the building is cited correctly within the setback requirements.

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

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

Fire Department (Contact Bill Sullivan, (608) 261-9658)

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

Zoning Administrator (Contact Jenny Kirchgatter, (608) 266-4429)

8. Relocate the proposed garage to a minimum side yard setback of six (6) feet.

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

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

Water Utility (Contact Adam Wiederhoeft, (608) 266-9121)

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

Metro Transit (Contact Tim Sobota, (608) 261-4289)

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