

PLANNING DIVISION STAFF REPORT

April 2, 2018



PREPARED FOR THE PLAN COMMISSION

Project Address: 1244 Sherman Avenue (District 2 – Ald. Zellers)
Application Type: Conditional Use
Legistar File ID # [50681](#)
Prepared By: Chris Wells, Planning Division
Report Includes Comments from other City Agencies, as noted
Reviewed By: Kevin Firchow, AICP, Principal Planner

Summary

Applicant & Contact: Emil & Eloisa Sanchez; 1244 Sherman Avenue; Madison, WI 53703
Property Owner: 1244 Sherman Ave, LLC; 1244 Sherman Avenue; Madison, WI 53703

Requested Action: The applicant requests a conditional use to allow an addition to a single-family residence totaling in excess of five hundred (500) square feet on a lakefront property at 1244 Sherman Avenue.

Proposal Summary: The applicant proposes to remove the existing 1-story sunroom and construct a new, larger 1-story sunroom in its place. The applicant also proposes to demolish the existing, detached, 3-car garage and construct an attached 3-car garage on the westerly side of the house connected with a mudroom. The existing boathouse on site will remain.

Applicable Regulations & Standards: This proposal is subject to the standards for Conditional Uses [MGO §28.183], and Lakefront Development [MGO §28.138]. MGO §28.138(2)(a) of the Zoning Code states that additions to a principal building totaling in excess of five hundred (500) square feet during any ten (10) year period on zoning lots abutting Lake Mendota and associated bays, shall require Conditional Use approval.

Review Required By: Plan Commission

Summary Recommendation: The Planning Division recommends that the Plan Commission find that the standards for conditional uses lakefront development are met and **approve** the conditional use requests to allow an addition to a single-family residence totaling in excess of five hundred (500) square feet on a lakefront property at 1244 Sherman Avenue. This recommendation is subject to input at the public hearing and the conditions recommended by the reviewing agencies.

Background Information

Parcel Location: The 27,312-square-foot (0.63-acre) subject property is located on the northwesterly (lake) side of Sherman Avenue, across from the intersection with N. Baldwin Street. The site is within Aldermanic District 2 (Ald. Zellers) as well as the limits of the Madison Metropolitan School District.

Existing Conditions and Land Use: The subject site includes the existing 3,993-square-foot, two-and-a-half-story single-family home. City Assessor's records indicate the home was constructed in 1923 and has four bedrooms and five-and-a-half bathrooms. The site also includes a detached, 3-car garage located to the north of the residence and a boathouse located at the northerly corner of the lot.

Surrounding Land Use and Zoning:

Northwest: Lake Mendota;

Southwest: Single-family homes, zoned TR-C2 (Traditional Residential - Consistent 2 District);

Northeast: Single-family homes, zoned TR-C2; and

Southeast: Across Sherman Avenue are a five-unit condominium building, zoned PD (Planned Development District), and single-family homes, zoned TR-C3 (Traditional Residential - Consistent 3 District).

Adopted Land Use Plan: The [Comprehensive Plan \(2006\)](#) and the [Tenney-Lapham Neighborhood Plan \(2008\)](#) both recommend low-density residential development for the subject site and surrounding properties. The neighborhood plan also states that a plan goal for the neighborhood is to “Restore and preserve the residential character of the Tenney-Lapham neighborhood.”

Zoning Summary: The property is zoned TR-C2 (Traditional Residential-Consistent 2).

Requirements	Required	Proposed
Lot Area (sq. ft.)	4,000 sq. ft.	27,312.50 sq. ft.
Lot Width	40'	115'
Front Yard Setback	20'	45.5' existing setback
Max. Front Yard Setback	30' or up to 20% greater than block average	45.5' existing setback
Side Yard Setback	One-story: 5' Two-story: 6'	8.8' northeast 11' southwest
Lakefront Yard Setback	101.4' Section 28.138(4)(a)3.	Adequate <i>(See Comment #2)</i>
Usable Open Space	750 sq. ft.	Adequate
Maximum Lot Coverage	65%	Less than 65%
Maximum Building Height	2 stories/ 35'	Existing building

Section 28.138(4)(a)3. The median setback of the principal building on the five (5) developed lots or three hundred (300) feet on either side (whichever is less), or thirty percent (30%) of lot depth, whichever number is greater.

Site Design	Required	Proposed
Number Parking Stalls	Single-family detached dwelling: 1 (location only)	Attached garage
Landscaping and Screening	Inventory of shoreline vegetation	Yes
Building Forms	Not required	Existing single-family dwelling

Other Critical Zoning Items	Floodplain; Utility Easements
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Tables 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 storage district. Neither the proposed new construction nor accessory building is proposed in this area.

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

Project Description

The applicant requests a conditional use in order to construct an addition totaling in excess of 500 square feet on a single-family residence on a lakefront parcel.

The existing two-and-a-half-story, single-family home was constructed in 1923, according to City Assessor's records. It includes 3,993 square feet of living area with four bedrooms and five-and-a-half bathrooms. The detached, 3-car garage, slated for demolition, is located to the north of the residence, along the easterly property line. It is served by a driveway, which runs along the westerly side of the house. The existing boathouse, which will remain, is located at the northerly corner of the site.

The proposed changes consist of removing the site's roughly 730-square-foot, detached garage, the asphalt driveway, which serves it, and the roughly 168-square-foot, 1-story sunroom, located on the northerly side of the existing residence. A larger sunroom, roughly 500 square feet in size (i.e. 20 feet by 25.5 feet), is proposed in the same location as its predecessor. A roughly 940-square-foot, 3-car garage will be constructed to the west of the residence and attached to the new sunroom via a roughly 10-foot by 10-foot mudroom. While the majority of the garage will have an unfinished attic above (accessed via a pull-down set of stairs), the northerly portion of the garage, which will be used for storage, will be 1-story in height and have a roof deck with railing. The sunroom addition will also be 1-story in height and have a roof deck with railing. Unlike the roof deck above the garage's storage space, this roof deck will be accessible from the second floor.

The garage will be clad with brick and its roof with asphalt shingles. Both materials will match those of the existing house. The mudroom addition will also be clad with brick. Brick will be used on roughly the bottom 2.5 feet of the garage's northerly storage bump out, while painted stucco will be used on the upper portions of the walls as well as the garage's front and rear dormers. All of the windows, doors, and trim work on the garage as well as the sunroom's doors and windows, will be wood.

Regarding site changes, as mentioned above, the existing driveway will be removed. A much shorter driveway to the new garage will be constructed with flagstone paver block. The front walkway, which will also be removed, will also be reconstructed out of the paver blocks. At the rear (north) side of the house, in the area which was formerly located between the house and the detached garage, a large (roughly 52-foot in diameter) circular patio will be added, with access from the new sunroom. A smaller, circular patio (labeled "outdoor kitchen" on the submitted plans) will also be added to the northwest of the house and accessed from both the larger patio as well as the family room. A low, roughly 1-foot tall and 1-foot wide stone retaining wall will encircle the southerly half of the larger patio while a roughly 3-foot-tall brick wall with granite counter top will encircle the smaller, "outdoor kitchen" patio.

The landscaping on site will be largely unchanged. A 12-inch pine and 20-inch maple located to the southwest of the existing residence will be removed to make room for the new garage. The existing Yew hedges which once lined the top of the driveway will also be removed. While planting beds will also be added along the outside edge of the large patio, the exact species of plant has not been identified. No vegetation will be cleared from within the 25 feet of the Ordinary High Water Mark.

Analysis and Conclusion

These proposals are subject to the approval standards for Conditional Uses and Lakefront Development.

Conditional Use Approval

The Planning Division believes the standards for Conditional Uses can be found met. In regards to the approval standards, the Plan Commission shall not approve a conditional use without due consideration of the City's adopted plan recommendations, design guidelines, and finding that all of the conditional use standards of MGO §28.183(6) are met. These standards include one related exclusively to lakefront development (Standard 13) which 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 the homes on the five (5) developed lots on either side of the subject property. This calculation includes living areas, enclosed porches, basement areas, and estimated attached garage space. Using this analysis, staff found that the principal building sizes range from approximately 3,982 to 6,812 square feet (*see Table 1 below*). The median size of the surrounding homes is approximately 4,887 square feet, compared to the roughly 7,726 square feet for the proposed principal structure (which is 58 percent above the median). At 7,726 square feet, it would rank as the largest of the seven in the study area. While the proposed additions result in the largest residence in the study area, one must keep in mind that it is also located on the largest lot in that area, which at 27,313 square feet in size, is almost 1.5 times the median (11,250-square-foot) lot size. For immediate comparison, the adjacent home to the northeast is approximately 6,554 square feet and sits on a 23,162-square-foot lot, while the adjacent home to the southwest is approximately 4,887 square feet but sits on a 10,500-square-foot lot.

Table 1 – Comparison of Bulk with Closest Seven Lakefront Properties

Address	Height	Living Area	Total Livable Area ¹	Lot Area	Floor Area Ratio
1252 Sherman Ave	2.0	2641	4167	14725	0.28
1250 Sherman Ave	2.5	4050	6554	23162	0.28
1240 Sherman Ave	2.0	3621	4887	10500	0.47
1236 Sherman Ave	2.0	2541	3982	9725	0.41
1234 Sherman Ave	2.5	2816	4332	13088	0.33
1228 Sherman Ave	2.5	4581	6812	11250	0.61
1224 Sherman Ave	2.5	3480	5492	6750	0.81
Median	2.5	3480	4887	11250	0.41
1244 Sherman Ave*	2.5	3993	6437	27313	0.24
1244 Sherman Ave**	2.5	4586	7726	27313	0.28
1244 Sherman Ave***	2.5	4586	7726	11250	0.69

* Existing House

** Proposed House

*** Proposed House (but if on a median-sized lot)

¹ Includes attached garages, basements, and enclosed porches from City of Madison Assessor data

Along the northerly side of Sherman Avenue, there is a large amount of variation, both in the size of the homes as well as in the size of the lots. Therefore, the floor-to-area ratio or FAR, which compares the total building floor area (on all floors) to the lot area, is therefore the better lens through which to compare the proposed development against its neighbors. (A 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 0.28, which is 31 percent *below* the estimated median 0.41 FAR for the surrounding homes (*see Table 1 above*).

Lakefront Development Standards

The lakefront development standards were established to further the maintenance of safe and healthful conditions by preserving and enhancing water quality, habitats, viewsheds, and other environmental and aesthetic qualities of lakes. This section includes additional regulations including limitations on the clearing of shoreline vegetation, requirements for public sewer, environmental protections, and additional lot coverage standards. This section also includes the methodology to establish the building setback from the lake. Staff believe the lakefront development standards are met.

Staff also note that the subject site is not located in a mapped environmental corridor, although roughly the 15-foot strip adjacent to the lakefront falls within the flood storage district. As noted above, no changes are proposed in this area.

Public Input

The Tenney-Lapham Neighborhood Association submitted a letter noting their support for the proposed garage and sunroom additions. It has been included in the Plan Commission's packet of materials.

Conclusion

The Planning Division believes that the standards for Lakefront Development and Conditional Uses can be found met. This proposal is also consistent with the Comprehensive Plan and Tenney-Lapham Neighborhood Plan's recommendation for low-density residential land uses. While the proposed additions would make the principal structure the largest residence in the study area, it is also located on the largest lot in that area, and one that is almost 1.5 times the area median. More importantly, the calculated floor-to-area ratio for the principal structure with the proposed additions is 0.28, which is 31 percent *below* the estimated median 0.41 FAR for the surrounding homes. As such, the new home is believed to be compatible with the varied development pattern along Sherman Avenue.

Recommendation

Planning Division Recommendation (Contact Chris Wells, (608) 261-9135)

The Planning Division recommends that the Plan Commission find that the standards for conditional uses lakefront development are met and **approve** the conditional use requests to allow an addition to a single-family residence totaling in excess of five hundred (500) square feet on a lakefront property at 1244 Sherman Avenue. This recommendation is subject to input at the public hearing and the conditions recommended by the reviewing agencies.

Recommended Conditions of Approval Major/Non-Standard Conditions are Shaded

Planning Division (Contact Chris Wells, (608) 261-9135)

1. Burial Sites Preservation (§ 157.70):

(2r) Site Disturbance Prohibited. Except as provided under subs (4) and (5) and State Statute 157.111 and 157.112, no person may intentionally cause or permit the disturbance of a burial site or catalogued land contiguous to a catalogued burial site.

(3) Report of Disturbed Burial Sites. (a) Except as provided under s. 979.01, a person shall immediately notify the Wisconsin Historical Society (608-264-6502) if the person knows or has reasonable grounds to believe that a burial site or the catalogued land contiguous to a catalogued burial site is being disturbed or may be disturbed contrary to the requirements of subs. (4) and (5).

Many lakefront properties are associated with locations of Native American effigy mounds and archeological sites. This site is known to be associated with archeological and historic resources. The 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 an archaeological or 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.

Engineering Division (Main Office) (Contact Brenda Stanley, (608) 261-9127)

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

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

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

Traffic Engineering (Contact Sean Malloy, (608) 266-5987)

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

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

2. On the proposed site plan, show the lakefront setback distance as measured from the Ordinary High Water Mark to the closest point of the existing house or proposed additions. The lakefront yard setback is a minimum of 101.4' as measured from the Ordinary High Water Mark.
3. Filling, grading and excavation of the zoning lot may be permitted only where protection against erosion, sedimentation and impairment of fish and aquatic life has been assured. Obtain necessary erosion control permits.

4. Per Section 28.186(4)(b), the property owner or operator is required to bring the property into compliance with all elements of the approved site plans by the date established by the Zoning Administrator as part of the site and building plan approval. Work with Zoning staff to establish a final site compliance date.

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

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

Parks/Forestry Review (Contact Kate Kane, (608) 261-9671)

5. Existing street trees shall be protected. Please include the following note on the site plan: Contractor shall install tree protection fencing in the area between the curb and sidewalk and extend it at least 5 feet from both sides of the tree along the length of the terrace. No excavation is permitted within 5 feet of the outside edge of a tree trunk. If excavation within 5 feet of any tree is necessary, contractor shall contact City Forestry (266-4816) prior to excavation to assess the impact to the tree and root system. Tree pruning shall be coordinated with City Forestry prior to the start of construction. Tree protection specifications can be found in section 107.13 of City of Madison Standard Specifications for Public Works Construction - <http://www.cityofmadison.com/business/pw/documents/StdSpecs/2018/Part1.pdf>. Any tree removals that are required for construction after the development plan is approved will require at least a 72 hour wait period before a tree removal permit can be issued by Forestry, to notify the Alder of the change in the tree plan.

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

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

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

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