



PREPARED FOR THE PLAN COMMISSION

Project Address: 4517 East Buckeye Road (District 16 – Ald. Tierney)

Application Type: Conditional Use

Legistar File ID # [56391](#)

Prepared By: Sydney Prusak and Kevin Firchow, Planning Division
Report Includes Comments from other City Agencies, as noted

Summary

Applicant &

Property Owner: Bradd Draheim; Bradd’s Welding on Wheels; 4517 E Buckeye Road; Madison, WI 53716

Requested Actions: The applicant requests conditional use approval to construct an addition to an accessory building to exceed 800 square-feet and for a home occupation located outside the principal residence at 4517 E Buckeye Road.

Proposal Summary: The applicant seeks to construct a 480 square-foot addition to an existing accessory building to allow for the storage of a recreational vehicle and space for a home occupation in the Suburban Residential – Consistent 1 (SR-C1) Zoning District. The proposed floor area of the accessory building will be 1,272 square feet. No exterior changes to the existing residence are proposed as part of this request.

Applicable Regulations & Standards: This proposal is subject to the standards for Conditional Uses (MGO §28.183(6) and the Supplemental Regulations for home occupations (MGO §21.151). MGO §28.131 states that no individual accessory building shall exceed eight hundred (800) square-feet except by conditional use approval. Furthermore, according to the MGO §28.151, home occupations shall be conducted within a dwelling and not in an accessory building, unless authorized by the Plan Commission as a conditional use.

Review Required By: Plan Commission

Summary Recommendation: The Planning Division recommends that the Plan Commission **refer** this item to a future meeting based on information noted in the report from the Zoning Administrator dated July 24, 2019. While it may be possible that the garage addition may be found to meet the standards, the Zoning Administrator has requested clarifications regarding the proposed home occupation related to the addition. Should the applicant wish to proceed with the request, as proposed, the Planning Division does not believe the request meets Conditional Use Standard 7, based on the current application and the Zoning Administrators findings.

Background Information

Parcel Location: The 29,869-square-foot (0.69-acre) subject site is located on the south side of E Buckeye Road near the Capitol City Bike Path. It is within Aldermanic District 16 (Ald. Tierney) and the Madison Metropolitan School District.

Existing Conditions and Land Use: The subject property contains a one-story, 2,448 square-foot, four-bedroom, two-bathroom single-family residence with a finished basement and attached garage. There is an existing 792 square-foot accessory building (garage) and 144 square-foot shed located in the rear yard.

Surrounding Land Use and Zoning:

North: Single-family residences, zoned SR-C1 (Suburban Residential-Consistent 1 District);

East: Single-family residences, zoned SR-C1

South: Railroad and industrial facility, zoned IL (Industrial Limited); and

West: Railroad and industrial facility, zoned IL.

Adopted Land Use Plan: The [Comprehensive Plan \(2018\)](#) recommends Low Residential for the subject site, which recommends up to 15 dwelling units per acre (du/ac). There is no adopted neighborhood plan for the subject site.

Zoning Summary: The property is zoned Suburban Residential – Consistent 1 (SR-C1). A separate memo from the Zoning Administrator is provided.

Environmental Corridor Status: The subject site is not within a mapped environmental corridor.

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

Project Description, Analysis, and Conclusion

The applicant requests conditional use approval to construct an addition to an accessory building to exceed 800 square-feet and for a home occupation located outside the principal residence at 4517 E Buckeye Road.

The applicant proposes to construct a 480 square foot addition to an existing accessory building in the rear yard of his property. If approved, the total floor area for the accessory building will be 1,272 square feet. The existing 144 square foot shed located behind the garage will remain. As part of this request, the applicant proposes to operate a home business (home occupation) in the accessory building. The applicant already owns and operates his own enterprise and this space will be for equipment and machinery repairs. The applicant is the sole employee. The applicant proposes to limit the hours of operation from 3:00 p.m. to 8:00 p.m. Monday through Friday and from 10:00 a.m. to 6:00 p.m. Saturday and Sunday. According to the letter of intent, loud noise will be limited to the grinders and air compressor in the shop.

Conditional Use Standards

The proposed project is subject to the standards for Conditional Uses [MGO §28.183(6)]. In regards to the Conditional Use Approval Standards, the Plan Commission shall not approve a conditional use without due consideration of the City’s adopted plan recommendations, design guidelines, supplemental regulations, and finding that all of the conditional use standards of MGO §28.183(6) are met.

Based on the attached memo from the Zoning Administrator, the Planning Division does not believe Conditional Use Standard 7 can currently be found met, without further clarifications. That standard states that: “The conditional use conforms to all applicable regulations of the district in which it is located.”

Public Input

At the time of report writing, staff received a letter of support from the Monona East Side Business Alliance. Staff also received comments expressing concern from the neighbor immediately to the east. Both comments are attached.

Conclusion

Based on comments noted in the Zoning Administrator's report of July 24, 2019, the Planning Division believes that this application should be referred to a future meeting. This referral will allow time to confirm details related to the home occupation so that the Plan Commission can determine that the conditional use standards, including Conditional Use Standard 7, can be found met. As noted in the Zoning Administrator's memo, attempts to contact the applicant to discuss this matter in advance of the July 29, 2019 meeting have been unsuccessful as of the writing of this report.

Recommendation

Planning Division Recommendation (Contact Sydney Prusak, (608) 243-0554)

The Planning Division recommends that the Plan Commission **refer** this item to a future meeting based on information noted in the report from the Zoning Administrator dated July 24, 2019. While it may be possible that the garage addition may be found to meet the standards, the Zoning Administrator has requested clarifications regarding the proposed home occupation related to the addition. Should the applicant wish to proceed with the request, as proposed, the Planning Division does not believe the request meets Conditional Use Standard 7, based on the current application information and the Zoning Administrators findings. Should the Plan Commission find the request meets the approval standards and approves the request, it should be subject to input at the public hearing and the comments and conditions recommended by reviewing agencies.

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

Planning Division (Contact Sydney Prusak, (608) 243-0554)

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

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

1. Owner shall understand that Buckeye Road is under construction during the summer/fall of 2019 and the road is closed to through traffic. Owner shall coordinate required access with City Construction Engineer.

City Engineering – Mapping Section (Contact Jeff Quamme, (608) 266-4097)

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

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

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

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

Please see the attached report dated July 24, 2019 from the Zoning Administrator.

Forestry Review (Contact Bradley Hofmann, (608) 267-4908)

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

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

2. The proposed development shall be connected to the existing water supply system downstream the existing water meter, otherwise connected with a new lateral off the public water system. If extending existing water supply plumbing, provide Madison Water Utility with the total water supply fixture Unit count for both the existing structure and proposed development to determine if the existing water meter can accommodate total water supply requirements. Contact Adam Wiederhoeft at awiederhoeft@madisonwater.org or 608-266-9121.
3. Madison Water Utility will be required to sign off as part of the approval review associated with this Land Use Application/Site Plan Review prior to the issuance of building permits for the proposed development.

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

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