

# PLANNING DIVISION STAFF REPORT

August 10, 2020



PREPARED FOR THE PLAN COMMISSION

**Project Address:** 2020 Vilas Avenue (District 13 – Ald. Evers)  
**Application Type:** Conditional Use  
**Legistar File ID #:** [61062](#)  
**Prepared By:** Sydney Prusak, AICP, Planning Division  
Report Includes Comments from other City Agencies, as noted  
**Reviewed By:** Kevin Firchow, AICP, Principal Planner

## Summary

### Applicant &

**Contact:** Chad Genschaw; Flare Haven Design & Construction; 3 Judy Circle; Madison, WI 53704

**Property Owner:** Stuart & Susanna Herro; 2020 Vilas Avenue; Madison, WI 53711

**Requested Action:** Approval of a Conditional Use to allow an accessory building exceeding 576-square-feet on a property zoned Traditional Residential – Consistent 2 (TR-C2) District at 2020 Vilas Avenue.

**Proposal Summary:** The applicant proposes to remodel an existing accessory building (detached garage) and construct a covered trellis along the east side of the garage. The trellis addition will result in a 745 square-foot accessory building.

**Applicable Regulations & Standards:** This proposal is subject to the standards for conditional uses, MGO §28.183(6)), as §28.131(1)(b) requires conditional use approval for any individual accessory building exceeding 576 square feet at ground level in a TR zoning district.

**Review Required By:** Plan Commission (PC)

**Summary Recommendation:** The Planning Division recommends that the Plan Commission find that the conditional use standards are met and **approve** the request to allow an accessory building that exceeds 576-square-foot in the TR-C2 (Traditional Residential – Consistent 2 Zoning District at 2020 Vilas Avenue. This recommendation is subject to input at the public hearing and the conditions recommended by the Planning Division and other reviewing agencies.

## Background Information

**Parcel Location:** The 10,800-square-foot (approximately 0.25-acre) property is located on the north side of Vilas Avenue near the Lincoln Street intersection. The subject site is located within Aldermanic District 13 (Ald. Evers) and the Madison Metropolitan School District.

**Existing Conditions and Land Use:** The subject site contains a single-family home and detached garage.

**Surrounding Land Use and Zoning:**

North: An alleyway, with single-family family residences along Adams Street, zoned Traditional Residential – Consistent 2 (TR-C2) District beyond;

South: Henry Vilas Beach and Zoo, zoned Parks and Recreation (PR) District;

East: Single-family residences, zoned TR-C2 and Traditional Residential – Consistent 3 (TR-C3); and

West: Single-family residences, zoned TR-C2.

**Adopted Land Use Plan:** The [Comprehensive Plan \(2018\)](#) recommends Low Residential (LR) uses, defined as one to two stories and up to 15 dwelling units per acre (du/ac) for the subject site. The [Brittingham-Vilas Neighborhood Plan \(1989\)](#) does not make any specific land use recommendations for the subject site, but a primary goal is “to improve and maintain the residential housing stock of the neighborhood, to encourage more owner-occupancy and non-transient housing, and to promote the neighborhood as a good place to live.” Lastly, the [Monroe Street Commercial District Plan \(2007\)](#) makes no specific land use recommendations for the subject site, but does call to “preserve and enhance the residential character of the neighborhoods around the commercial districts.”

**Zoning Summary:** The property is zoned Traditional Residential – District 2 (TR-C2)

Requirements	Required	Proposed
Lot Area (sq. ft.)	4,000 sq. ft.	10,800 sq. ft.
Lot Width	40'	90'
Front Yard Setback	20'	84'
Side Yard Setback: Accessory Building	3'	3' & 59'
Rear Yard Setback: Accessory Building	3'	9'
Usable Open Space	750 sq. ft.	5,000 sq. ft.
Maximum Lot Coverage	65%	21%
Maximum Building Height: Accessory Building	15' (mean roof height)	14'

<b>Other Critical Zoning Items:</b>	Utility Easements
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*Prepared by: Jacob Moskowitz, Assistant Zoning Administrator*

**Environmental Corridor Status:** The subject site is not located in a mapped environmental corridor.

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

**Project Description, Analysis, and Conclusion**

The applicant requests conditional use approval to allow an accessory building (detached garage) greater than 576-square-feet in floor area within a Traditional Residential Zoning District at 2020 Vilas Avenue. Currently, the property contains a 535-square-foot alley facing detached garage. The applicant proposes to remodel the existing garage and construct a trellis addition on the east side of the accessory building, as well as an eyebrow pergola on

the south side of the accessory building. The proposed trellis will be primarily cedar wood, with decorative wrought iron accents throughout.

In total, the additions will result in a 745-square-foot accessory building. According to the letter of intent, the proposed trellis will protect the sloped walkway that extends from the alley to the backyard from snow, ice, and other natural elements.

In regards to the building placement, the existing accessory building is located at the northwest corner of the property. Given the slope of the lot, the accessory building appears as a single-story structure from the alleyway, but has an exposed lower level on the southern elevation.

This request is subject 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, and finding that all of the conditional use standards of MGO §28.183(6) are met. In considering the adopted plans, the Planning Division believes that the proposed use is consistent with the [Comprehensive Plan \(2018\)](#) recommendation for Low Residential (LR) uses. Staff also believes that this proposal conforms to the recommendations in the [Brittingham-Vilas Neighborhood Plan \(1989\)](#) and the [Monroe Street Commercial District Plan \(2007\)](#).

In considering the surrounding neighborhood context, many of the adjacent properties on Vilas Avenue and Adams Street have alley-oriented detached garages. Therefore, based on the information provided, the Planning Division does not anticipate that a 210-square-foot addition to an existing 535-square-foot accessory building will impact the normal and orderly development nor will it diminish the uses values and enjoyment of other properties in the area. Staff notes that while the addition will technically add bulk to the structure, the trellis area will not be enclosed.

At the time of report writing, staff was unaware of any comments from the public.

## Recommendation

### Planning Division Recommendation (Sydney Prusak, 243-0554)

The Planning Division recommends that the Plan Commission find that the conditional use standards are met and **approve** the request to allow an accessory building that exceeds 576-square-foot in the Traditional Residential – Consistent 2 (TR-C2) Zoning District at 2020 Vilas Avenue. This recommendation is subject to input at the public hearing and the conditions recommended by the Planning Division and other reviewing agencies.

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

**Planning Division** (Contact Sydney Prusak, [sprusak@cityofmadison.com](mailto:sprusak@cityofmadison.com))

1. The following information is provided for the reference of the applicant for properties associated with locations of Native effigy mounds and archaeological sites.

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).

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.