



PREPARED FOR THE PLAN COMMISSION

**Project Address:** 2406 Waunona Way (District 14 – Ald. Carter)  
**Application Type:** Conditional Use  
**Legistar File ID #** [61816](#)  
**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, &**

**Property Owner:** Wolfgang Koller; 2406 Waunona Way; Madison, WI 53713

**Requested Action:** The applicant requests approval of a conditional use to construct an accessory building on a lakefront property in the Traditional Residential – Consistent 1 (TR-C1) Zoning District at 2406 Waunona Way.

**Proposal Summary:** The applicant proposes to construct a 128-square-foot garden shed (accessory building). No changes to the existing structures are proposed with this development.

**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) states that any accessory building on zoning lots abutting Lake Monona 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 and lakefront development are met and **approve** the conditional use request to construct an accessory building on a lakefront property in the Traditional Residential – Consistent 1 (TR-C1) Zoning District 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 (approximately 0.29-acre) subject property is located on the north side of Waunona Way, near the Fayette Avenue Intersection. The site is within Aldermanic District 14 (Ald. Carter), as well as the Madison Metropolitan School District.

**Existing Conditions and Land Use:** The subject site includes a 3,251 square-foot, two and one-half story, single-family home and an 880-square-foot detached three-car garage (accessory building). The primary structure was constructed in 1942 and underwent a significant remodel in 2018 ([Legistar #52204](#)). The residence contains four bedrooms and four bathrooms.

### **Surrounding Land Use and Zoning:**

North: Lake Monona;

South: Single-family homes zoned TR-C1;

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

**West:** Single-family homes, zoned TR-C1, with Waunona Park beyond.

**Adopted Land Use Plan:** Both the [Comprehensive Plan \(2018\)](#) and the [Broadway-Simpson-Waunona Neighborhood Plan \(1986\)](#) recommend 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'	75'
Side Yard Setback	6'	3' (5)
Lakefront Yard Setback	3' (accessory building)	121'
Usable Open Space	1,000 sq. ft.	Adequate
Maximum Lot Coverage	50%	35%
Maximum Building Height	15' (mean roof height)	10.5'

<b>Other Critical Zoning Items</b>	Floodplain; Utility Easements; Wetlands
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*Tables Prepared by Jacob Moskowitz, Assistant Zoning Administrator*

**Environmental Corridor Status:** The property is not located in an environmental corridor.

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

## Previous Approvals and Project Description

In 2015, the Plan Commission approved a conditional use to construct an addition to the existing single-family residence exceeding 500-square-feet on a lakefront property and a new detached accessory building exceeding 576 square-feet in a Traditional Residential Zoning District ([Legistar #52204](#)). That addition and accessory building were never constructed.

In 2018, the Plan Commission approved a demolition permit to demolish at least fifty percent (50%) of the existing structure and a conditional use to construct an addition exceeding 500-square-feet on a lakefront property and an accessory building exceeding 576-square-feet in a Traditional Residential Zoning District ([Legistar #52204](#)). Those renovations and improvements were completed in the spring of 2019.

Now, the applicant proposes to construct a new 128-square-foot garden shed (accessory building) on the lakefront parcel. The proposed building will be eight (8) by sixteen (16) feet and will be located between the existing detached garage and primary residence. According to the letter of intent, the garden shed will be used as a storage space for outdoor and recreational equipment.

In terms of building materials, the accessory building will match the existing house and garage, with neutral colored LP Smart Side siding. Standing at approximately 10 feet, the proposed accessory building will be shorter than both the detached garage and principal residential building.

## Project Analysis and Conclusion

This proposal is subject to the standards for Conditional Uses [MGO §28.183] and Lakefront Development [MGO §28.138]. MGO §28.138(2)(a) states that any accessory building on zoning lots abutting Lake Monona and associated bays shall require conditional Use approval.

### Conditional Use Standards

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. The Planning Division believes that the Conditional Use Approval Standards can be found met and provides further discussion on Standards #3 and #13. Staff advises the Plan Commission that in evaluating the conditional use standards, State law requires that conditional use findings must be based on "substantial evidence" that directly pertains to each standard and not based on personal preference or speculation.

In regards to the adopted plan recommendations, the Planning Division believes that this proposal conforms to the Low Density recommendations in both the [Comprehensive Plan \(2018\)](#) and the [Broadway-Simpson-Waunona Neighborhood Plan \(1986\)](#).

Conditional Use Standard #3 states, "The uses, values and enjoyment of other property in the neighborhood for purposes already established will not be substantially impaired or diminished in any foreseeable manner." The Planning Division believes that this standard can be found met. While this property will contain two accessory buildings, staff notes that most of the proposed 128-square-foot accessory structure will be located behind the existing detached garage and does not believe that the new structure will have significant visual impacts from Waunona Way.

Furthermore, Conditional Use Standard #13 states, "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." It is important to note that this standard relates to principal buildings. Given that no changes to the principal structure are proposed with this application, the Zoning Administrator determined that this standard does not apply. The Planning Division recommends that the Plan Commission consider the other Conditional Use Standards when making their motion and subsequent action.

### 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. Given the fact that the new accessory structure is located in front of the existing residence, staff believes the lakefront development standards are met.

### Public Input

At the time of report writing, staff did not receive any public comment regarding this proposal.

## Recommendation

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

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 on a lakefront property in the Traditional Residential – Consistent 1 (TR-C1) Zoning District at 2406 Waunona Way. 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 Sydney Prusak, (608) 243-0554)

1. The following information is provided for the reference of the applicant as many lakefront properties are 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 cataloged land contiguous to a cataloged 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 cataloged land contiguous to a cataloged 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 Tim Troester, (608) 267-1995)

2. Submit, prior to plan sign-off but after all revisions have been completed, a digital CAD file (single file) to the Engineering Division that is to scale and represents final construction with any private storm and sanitary sewer utilities.
3. Submit, prior to plan sign-off but after all revisions have been completed, digital PDF files to the Engineering Division. Email PDF file transmissions are preferred to: bstanley@cityofmadison.com (East) or ttroester@cityofmadison.com (West).
4. The placement of the shed shall not impede drainage down the common lot line between 2406 and 2410 Waunona Way.

**Zoning** (Contact Jacob Moskowitz, (608) 266-4560)

5. An accessory building located in front of the rear plane of the house cannot be located in the required 6' side yard setback. Submit a revised site plan showing the accessory building located outside the required setback.