



PREPARED FOR THE PLAN COMMISSION

Project Address: 166 South Marquette Street (6th Aldermanic District, Ald. Rummel)
Application Type: Conditional Use
Legistar File ID #: [64092](#)
Prepared By: Colin Punt, Planning Division
Report Includes Comments from other City Agencies, as noted
Reviewed By: Kevin Firchow, AICP, Principal Planner

Summary

Applicant/Owner: Huyer Crass; F&R Investments, LLC; 7817 Falling Leaf Place; Melbourne, FL 32940

Contact: Travis Leeser; Cleary Building Corp.; PO Box 930220; Verona, WI 53593

Requested Action: Approval of a Conditional Use to allow construction of an accessory building exceeding ten percent of the lot area at 166 South Marquette Street.

Proposal Summary: The applicant seeks approval of a 574-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)(a) of the Zoning Code requires the total area of accessory buildings measured at ground floor be no greater than ten percent (10%) of the lot area unless allowed by conditional use approval.

Review Required By: Plan Commission

Summary Recommendation: The Planning Division recommends that the Plan Commission find that the conditional use standards are met and **approve** the requests to allow an accessory building greater than ten percent of the lot area at 166 South Marquette Street. 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 4,800-square-foot property is located on the west side of South Marquette Street at its intersection with Fairview Street. It is located within Aldermanic District 6 (Ald. Rummel) as well as the Madison Metropolitan School District.

Existing Conditions and Land Use: According to assessor data, the one- and one-half story house was built in in 1940. The 1000-square foot house has two bedrooms and one bathroom. The property is zoned Traditional Residential – Varied 1 (TR-V1) District.

Surrounding Land Use and Zoning:

North: Single-family residences zoned Traditional Residential – Varied 1 (TR-V1) District.;

East: Across South Marquette Street, single-family residences, zoned TR-V1;

South: Single-family residences, zoned TR-V1; and

West: Madison Kipp manufacturing plant, zoned Traditional Employment (TE) District.

Adopted Land Use Plan: The [Comprehensive Plan](#) (2018) recommends Low Residential (LR) uses for the subject parcel. The [Schenk-Atwood-Starkweather-Worthington Park Neighborhood Plan](#) (2000) recommends preserving the existing land use pattern in the neighborhood.

Zoning Summary: The property is in the Traditional Residential – Varied 1 (TR-V1) District

Requirements	Required	Proposed
Lot Area (sq. ft.)	3,000	4,800
Lot Width	30 ft	40 ft
Front Yard Setback	20 ft	78 ft
Side Yard Setback	3 ft (accessory building)	4 ft, 14 ft
Rear Yard Setback	3 ft (accessory building)	17 ft
Usable Open Space	500 sq ft	1900 sq ft
Maximum Lot Coverage	70%	40%
Maximum Building Height	15 ft (mean roof height)	13 ft

Other Critical Zoning Items:	Utility Easements
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Table 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: This property is served by a full range of urban services.

Project Description, Analysis, and Conclusion

The applicant proposes approval of an existing detached garage in the rear yard of the property located at 166 South Marquette Street. The building, constructed by Cleary Building Corporation, which is representing the owner, was completed in February 2020. The building and site plans were approved by zoning and building permitting reviewers in July 2019, but the approved plans did not show the 21' x 6' covered porch attached to the 28' x 16' garage that is counted as building footprint in the Zoning Code. As such, the accessory building's size should be considered to be 574 square feet rather than 448 square feet, thus requiring conditional use approval for an accessory building greater than 10% of lot area. During the summer of 2020, Zoning staff determined that this error was made when the permits were issued. The garage is a pre-fabricated metal building with an overhead garage door on street-facing facade. Building colors are predominantly tan, with green trim and a green metal roof. A two-panel sliding door is located on side facade under covered porch. The building has no windows.

The applicant requests approval of a conditional use to allow the construction of an accessory building greater than 10% of the lot area (greater than 480 square feet), a request that is subject to the Conditional Use 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 Plan Commission shall not approve a conditional use without due consideration of the recommendations in the City of Madison Comprehensive Plan and any applicable, neighborhood, neighborhood development, or special area plan. The [Comprehensive Plan](#) (2018) recommends Low Residential (LR) uses for the subject parcel.

Low Residential (LR) areas are predominantly made up of single-family and two-unit structures. The [Schenk-Atwood-Starkweather-Worthington Park Neighborhood Plan](#) (2000) recommends preserving the existing land use pattern in the neighborhood. The neighborhood plan also recommends retaining and maintaining existing single and two-family housing and encouraging minor and major upgrades in owner- and renter-occupied housing. Staff believes that the request is consistent with the applicable adopted plans.

In considering the surrounding context, the residences to the north and south both include detached garages in the rear yard, accessed by a driveway along the edge of the lot. The proposed garage does not appear to be out of scale with the surrounding uses. Further, there is no residential use to the rear of the site; the Madison Kipp manufacturing plant dominates the area to the west of the neighborhood.

Due to the design of the garage on the site, the similarity with surrounding similar uses and location adjacent to a non-residential use, the Planning Division believes the conditional use standards can be found met. At the time of report writing, staff is unaware of any comments from the public.

Recommendation

Planning Division Recommendation (Contact Colin Punt, (608) 243-0455)

The Planning Division recommends that the Plan Commission find that the conditional use standards are met and **approve** the requests to allow an accessory building greater than ten percent of the lot area at 166 South Marquette Street. 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 Colin Punt, (608) 243-0455)

1. That the applicant submit an accurate site plan that shows the location and size of the accessory building, including any canopies counted as building area.

Fire Department (Contact William Sullivan, (608) 886-4691)

2. Ensure the garage is set back from the property line or the exterior walls are properly fire rated as required to meet fire separation requirements.

The Office of the Zoning Administrator, Traffic Engineering Division, City Engineering-Mapping Office, Parks Division, Forestry Section, Water Utility, and Metro Transit have reviewed this request and have recommended no conditions of approval.