



PREPARED FOR THE PLAN COMMISSION

Project Address: 1921 E Mifflin Street (District 12 - Ald. Abbas)
Application Type: Conditional Use
Legistar File ID #: [64902](#)
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 & Property Owner: Sam Lundsten & Kaitlin Sherman; 1921 E Mifflin Street; Madison, WI 53704
Contact: Roger Smith; Design Coalition Architects; 2088 Atwood Avenue; Madison, WI 53726

Requested Action: Approval of a conditional use to allow an accessory dwelling unit (ADU) within an existing accessory building in the Traditional Residential – Consistent 4 (TR-C4) Zoning District at 1921 E Mifflin Street.

Proposal Summary: The applicants propose to incorporate an accessory dwelling unit (ADU) within an existing accessory building. A workshop/garage space will remain on a portion of the first floor, and the ADU will occupy the remaining first floor space, as well as the entire second floor. The accessory building is located in the rear yard of the property, southeast of the primary single-family residence.

Applicable Regulations & Standards: This proposal is subject to the standards for conditional uses [MGO §28.183(6)], as MGO §28.032(1) lists an *Accessory Dwelling Unit* (ADU) as a conditional use in all residential districts. Supplemental Regulations [MGO §28.151] contain further regulations for ADUs.

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 establish an accessory dwelling unit (ADU) within an existing accessory building in the Traditional Residential – Consistent 4 (TR-C4) Zoning District at 1921 E Mifflin 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 6,600 square-foot (approximately 0.15-acre) property is located on the south side of E Mifflin Street near the intersection with N First Street. It is located within Aldermanic District 12 (Ald. Abbas) and the Madison Metropolitan School District.

Existing Conditions and Land Use: The parcel is developed with a one-and-one-half-story, 1,498 square-foot, three-bedroom, one-bathroom single-family home. The lot also includes a 560 square-foot accessory building.

Surrounding Land Use and Zoning:

North: Single-family and two-family residences, zoned Traditional Residential – Consistent 4 (TR-C4);

- East:** Single-family residences, zoned TR-C4;
- South:** Single-family, two-family, and three-unit residences, zoned Traditional Residential – Varied 1 (TR-V1); and
- West:** Single-family and two-family residences, zoned TR-C4.

Adopted Land Use Plan: The [Comprehensive Plan \(2018\)](#) recommends Low Residential (LR) for the subject parcel, defined as less than 15 dwelling units per acre (du/ac). The [Emerson East-Eken Park-Yahara-Neighborhood Plan \(2015\)](#) makes no specific recommendations for the subject site.

Zoning Summary: The property zoned Traditional Residential – Consistent 4 (TR-C4) District.

Requirements	Required	Proposed
Lot Area (sq. ft.)	4,000 sq. ft.	6,600 sq. ft.
Lot Width	40'	40'
Front Yard Setback	20'	140'
Side Yard Setback	3' (accessory building)	6'
Rear Yard Setback	3' (accessory building)	5'
Usable Open Space	750 sq. ft.	1,750 sq. ft.
Maximum Lot Coverage	65%	46%
Maximum Building Height: Accessory Dwelling Unit	25'	21'

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

The applicants propose to convert a portion of an existing two-story accessory building into an accessory dwelling unit (ADU). As proposed, the first floor of the ADU will be 248 square-feet and will contain a kitchen area and bathroom. The internal stairway will lead to a 338 square-foot second floor space, which will contain a bedroom and living area. A separate workshop will remain on the other portion of the first floor.

The applicants are proposing minimal changes to the exterior of the existing accessory building, including a new window on the rear of the building, as well as new swinging entrance doors to the workshop space. The existing structure has dark grey stained cedar siding and is 21 feet in height. As part of this proposal, the applicants are proposing a new hardscaped walkway from the E Mifflin Street driveway for access to the ADU.

Project Analysis and Conclusion

This request is subject to the Conditional Use Standards as well as the Supplemental Regulations for accessory dwelling units (ADUs). 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.

In considering the adopted plans, the Planning Division believes that the proposed use is generally consistent with the [Comprehensive Plan](#) (2018) Low Residential (LR) recommendation for the subject site. Furthermore, staff believes that all the Conditional Use Approval Standards can be found met. The Planning Division does not believe that establishing an ADU within an existing accessory building will diminish the uses, values, and enjoyment of other property in the neighborhood, nor will it impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

Supplemental Regulations for Accessory Dwelling Units

Accessory dwelling units (ADUs) are also subject to the Supplemental Regulations of MGO §28.151, and the Planning Division believes these additional requirements can be found met. Generally, the Supplemental Regulations speak to consistency and compatibility of the proposed accessory dwelling unit with the principal residence, including overall size, design/appearance and placement. Given that the ADU will occupy an existing accessory building for a single-family home, staff believes that the structure is complementary to the primary residence.

Supplemental Regulation #7 for ADUs states, "the maximum size of an accessory unit shall be seventy-five (75%) of the principal dwelling's floor area, up to a maximum of seven hundred (700) square feet." While the gross floor area of the entire accessory building is 898-square feet, the ADU portion of the building, excluding the workshop space, is only 586 square-feet.

Lastly, the standards also outline occupancy requirements of the accessory dwelling unit and accompanying single-family residence. In this case, the existing single-family residence will remain owner-occupied and therefore meets this standard. As a recommended Condition of Approval, Zoning staff have added a restrictive covenant to ensure that this property remains owner-occupied if there is any transfer of ownership at any point in the future.

Conclusion

The Planning Division believes the Conditional Use Standards of Approval can be found met. As described above, staff believes that the proposed accessory dwelling unit (ADU) is consistent with the [Comprehensive Plan](#) (2018) land use and housing recommendations. Furthermore, Staff believes the proposal is compliant with the Zoning Code's supplemental regulations for ADUS. Staff does not anticipate that the proposed ADU will result in negative impacts on the surrounding properties.

At the time of report writing, Staff was not aware of any concerns related to the request.

Recommendation

Planning Division Recommendation (Contact Sydney Prusak, sprusak@cityofmadison.com)

The Planning Division recommends that the Plan Commission find that the conditional use standards are met and **approve** the request to establish an accessory dwelling unit (ADU) within an existing accessory building in the Traditional Residential – Consistent 4 (TR-C4) Zoning District at 1921 E Mifflin 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

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

1. Applicant shall state or show on plan set how the Accessory dwelling will be provided sewer service: separate lateral or connect to plumbing for primary residence. Both are options.

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

2. The Accessory Dwelling Unit shall comply with the supplemental regulations Section 28.151. Prior to issuance of a building permit for the Accessory Dwelling Unit, the property owner shall execute a restrictive covenant providing that the Accessory Dwelling Unit may only be used when the property is owner-occupied. The form of the restrictive covenant shall be approved by the Zoning Administrator and City Attorney's Office and shall be recorded with the Dane County Register of Deeds.

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

3. MFD recommends the installation of a multi-purpose sprinkler/domestic piping system.
4. Obtain official address for the ADU from the City Engineering Dept.

Parks Division (Contact Kate Kane, (608) 261-9671)

5. Park Impact Fees (comprised of the Park Infrastructure Impact Fee, per MGO Sec. 20.08(2)), and Park-Land Impact Fees, per MGO Sec. 16.23(8)(f) and 20.08(2) will be required for all new residential development associated with this project. This development is within the North Park-Infrastructure Impact Fee district. Pleasereference ID# 21008 when contacting Parks about this project.

Water Utility Review (Contact Jeff Belshaw, (608) 261-9835)

6. Applicant shall update the site plan to indicate how the ADU will be provided with water service. Either using the existing or a new service is acceptable.

7. If proposing to use the existing water service a Water Meter Application Form and fees must be submitted before connecting to the existing water lateral. Provide at least two working days notice between the application submittal and the scheduled lateral connection/extension. Application materials are available on the Water Utility's Plumbers & Contractors website (<http://www.cityofmadison.com/water/plumbers-contractors>), otherwise they may be obtained from the Water Utility Main Office at 119 E Olin Ave. A licensed plumber signature is required on all water service applications. For new or replacement services, the property owner or authorized agent is also required to sign the application. If you have questions regarding water service applications, please contact Madison Water Utility at (608) 266-4646.
8. If a new water service is proposed a Water Service Application Form and fees must be submitted before

connecting to the existing water system. Provide at least two working days notice between the application submittal and the requested installation or inspection appointment. Application materials are available on the Water Utility's Plumbers & Contractors website (<http://www.cityofmadison.com/water/plumbers-contractors>), otherwise they may be obtained from the Water Utility Main Office at 119 E Olin Ave. A licensed plumber signature is required on all water service applications. For new or replacement services, the property owner or authorized agent is also required to sign the application. A Water Meter Application Form will subsequently be required to size & obtain a water meter establish a Water Utility customer account and/or establish a Water Utility fire service account. If you have questions regarding water service applications, please contact Madison Water Utility at (608) 266-4646.

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

9. Identify on the plans the lot and block numbers of recorded Certified Survey Map or Plat.
10. Provide a full and complete legal description of the site or property being subjected to this application on the site plan.
11. The adjacent house to the south has an address of 1917 E Mifflin St. Update site plan accordingly. The site plan shall reflect a proper street address of the property as reflected by official City of Madison Assessor's and Engineering Division records.
12. The address of the ADU is 1919 E Mifflin St. The site plan shall reflect a proper street address of the property as reflected by official City of Madison Assessor's and Engineering Division records.