



PREPARED FOR THE PLAN COMMISSION

**Project Address:** 2410 Waunona Way (14<sup>th</sup> District, Alder Carter)  
**Application Type:** Conditional Use  
**Legistar File ID #** [66557](#)  
**Prepared By:** Colin Punt, Planning Division  
Report Includes Comments from other City Agencies, as noted  
**Reviewed By:** Kevin Firchow, AICP, Principal Planner

## Summary

**Applicant:** Marilyn and Doug Olk; 750 Tanglewood Ct; Dubuque, IA 52003

**Requested Action:** The applicant requests a demolition permit and conditional use approval to demolish an existing single-family residence and construct a new single-family residence with a detached garage greater than 576 square feet on a lakefront property at 2410 Waunona Way.

**Proposal Summary:** The applicant proposes to demolish an existing, one-story, single-family residence and construct a one-story single-family residence with a detached garage on the lakefront parcel.

**Applicable Regulations & Standards:** This proposal is subject to the standards for Demolition and Removal Permits [MGO §28.185(7)], Lakefront Development [MGO §28.138], and Conditional Uses [MGO §28.183]. MGO §28.138(2)(a) of the Zoning Code states that all new principal buildings on zoning lots abutting Lake Monona and associated bays require Conditional Use approval.

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

**Summary Recommendation:** The Planning Division recommends that the Plan Commission finds that the standards for demolitions, conditional uses, and lakefront development are met and **approve** the demolition and conditional use requests to demolish an existing single-family residence to construct a new single-family residence with detached garage in the TR-C1 (Traditional Residential – Consistent 1) zoning district on a lakefront property at 2410 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 12,279-square-foot property is located on the north side of Waunona Way on Lake Monona, between Fayette Avenue and Raywood Road. It is located within Aldermanic District 14 (Ald. Carter) as well as the Madison Metropolitan School District.

**Existing Conditions and Land Use:** The subject site is a lakefront parcel zoned TR-C1 (Traditional Residential – Consistent 1). The site includes the existing 1,346-square-foot, one-story, single-family residence. City Assessor’s records indicate the home has three bedrooms and two bathrooms and that it was built in 1954.

### Surrounding Land Use and Zoning:

North: Lake Monona;

**East:** Single-family residences, zoned Traditional Residential – Consistent 1 (TR-C1) district;

**South:** Across Waunona Way, single-family residences, zoned TR-C1; and

**West:** Single-family residences, zoned TR-C1.

**Adopted Land Use Plan:** The [Comprehensive Plan](#) (2018) recommends Low Residential (LR) uses for the subject parcel. The [Broadway/Simpson/Waunona Neighborhood Plan](#) (1986) does not have specific land use recommendations for the site.

**Zoning Summary:** The property is zoned TR-C1 (Traditional Residential-Consistent 1).

Requirements	Required	Proposed
Lot Area (sq. ft.)	6,000	12,279
Lot Width	50 ft	60 ft
Front Yard Setback	20 ft	79 ft
Side Yard Setback	6 ft	10 ft, 11 ft
Lakefront Yard Setback	42.75 ft	45.7 ft
Usable Open Space	1,000 sq ft	4,700 sq ft
Maximum Lot Coverage	50%	36%
Maximum Building Height	2 stories/35 ft	1 story/22 ft

**Section 28.138(4)(a)3.** The median setback of the principal building on the five (5) developed lots or three hundred (300) feet on either side (whichever is less), or thirty percent (30%) of lot depth, whichever number is greater.

<b>Other Critical Zoning Items</b>	Floodplain, Utility Easements, Wetlands
------------------------------------	---

*Tables Prepared by Jacob Moskowitz, Assistant Zoning Administrator*

**Environmental Corridor Status:** While the property is not located in a mapped environmental corridor, a small area near the shoreline is partially located within the flood storage district.

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

## Project Description, Analysis, and Conclusion

The applicant is requesting a demolition permit to remove an existing single-family residence and conditional use approval to construct a new single-family residence with a detached garage greater than 576 square feet on a lakefront property at 2410 Waunona Way. The submitted [building condition report](#) shows that the existing building, originally a Lustron house, has been significantly altered, particularly on the exterior. The building has been clad with vertical wood siding. The original porch facing the lake has been enclosed and included in an expanded living room. An addition was also placed on the front (street side) of the residence, which includes a bedroom, bathroom, and entry. The non-original siding appears to be in poor condition, and the building condition report states that the original Lustron metal panels have likely been damaged as part of the residing. After demolition, the applicant proposes to build a 2,640-square foot, one-story house with an 879-square foot two-stall detached garage. The proposed house has three bedrooms and two bathrooms. The house also features a small patio facing Lake Monona. The detached garage with space for two vehicles and a workshop. As with many lake homes in this area, the garage is placed between the house and the street, approximately 20 feet from the house and 24 feet from the Waunona Way curb. The proposed house and garage each feature a shed roof and the predominant cladding material for both buildings is a gray horizontal siding, with some pale brick portions and wood accents. The house also includes significant glazing on the lake side.

## **Plan Consistency**

The [Comprehensive Plan](#) (2018) recommends Low Residential (LR) for this site, a land use designation predominantly made up of single-family and two-unit structures, but that may include smaller two-, three-, and four-unit apartment buildings and rowhouses. The [Broadway/Simpson/Waunona Neighborhood Plan](#) (1986) does not have specific land use recommendations for the site. In considering the adopted plan recommendations, the Planning Division believes that the proposed use is generally consistent with the [Comprehensive Plan](#) and the [Broadway/Simpson/Waunona Neighborhood Plan](#).

## **Demolition Permit Standards**

In order to approve a demolition request, M.G.O §28.185(7) requires that the Plan Commission must find that the requested demolition and proposed use are compatible with the purpose of the demolition section of the zoning code and the intent and purpose of the TR-C1 District. Furthermore, the proposed use following demolition or removal should be compatible with adopted neighborhood plans and the [Comprehensive Plan](#). Those recommendations are outlined above.

Per §28.185(7)(b) MGO, in order to approve the request the Plan Commission must find that both the requested demolition and the proposed future use are compatible with the purpose of the demolition section and the intent and purpose expressed in the TR-C zoning districts, which states they are established to “stabilize, protect and encourage throughout the City the essential characteristics of the residential areas typically located on the Isthmus, near East and near West portions of the City, and to promote and encourage a suitable environment for family life while accommodating a full range of life-cycle housing.” The districts are also intended to promote the preservation, development and redevelopment of traditional residential neighborhoods in a manner consistent with their distinct form and residential character; ensure that new buildings and additions to existing buildings are designed with sensitivity to their context in terms of building placement, facade width, height and proportions, garage and driveway placement, landscaping, and similar design features; maintain and improve the viability of existing housing of all types, while providing for updating of older housing in a context-sensitive manner; maintain or increase compatibility between residential and other allowed uses, and between different housing types, where permitted, by maintaining consistent building orientation and parking placement and screening; and facilitate the preservation, development or redevelopment goals of the comprehensive plan and of adopted neighborhood, corridor or special area plans.

The demolition standards also state that the Plan Commission shall consider the report of the City’s Historic Preservation Planner regarding the historic value of the property as well as any report submitted by the Landmarks Commission. The Landmarks Commission reviewed the proposed demolition at its July 12, 2021 meeting and found that the building has historic value related to the vernacular context of Madison’s built environment and as a Lustron home, but that the building has lost integrity. The Landmarks Commission also recommended that the applicant explore salvaging parts of the Lustron home for use in other Lustrons.

When considering the adopted plans, the proposed new residence, the surrounding development pattern, and the recommendation of the Landmarks Commission, the Planning Division believes that the standards for Demolition Permits can be met.

## **Conditional Use & Lakefront Development 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. Staff notes that 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.

The lakefront development standards found in §28.138 MGO 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. §28.138(4)(a) includes the methodology to establish the building setback from the lake. The average lakeside setback for the two adjacent properties is 42.75 feet. The minimum setback for the proposed building is 45.7 feet. §28.138(3)(a) MGO states that “the cutting of trees and shrubbery shall be limited in the strip thirty-five (35) feet inland from the normal waterline. On any zoning lot not more than thirty percent (30%) of the frontage shall be cleared of trees and shrubbery. Within the waterfront setback requirements tree and shrub cutting shall be limited by consideration of the effect on water quality, protection and scenic beauty, erosion control and reduction of the effluents and nutrients from the shoreland.” According to the letter of intent, three oak trees near the lakeshore will be preserved. A silver maple had previously been removed in 2019 due to decay. A red oak adjacent to the house (approximately 75 feet from the OHWM) will be removed as part of the demolition. Staff also note that the subject site is not located in a mapped environmental corridor, although a narrow area adjacent to the lakefront falls within the flood storage district.

As the structure is to be constructed in the general location of the existing structure and in compliance with lakeshore setbacks, the new house is generally of the same scale as surrounding development, and the vegetation along the shoreline will remain unchanged, staff believes the standards for conditional use approval and lakefront development can be found met met.

At the time of report writing, staff is unaware of public comment regarding this request.

## Recommendation

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

The Planning Division recommends that the Plan Commission finds that the standards for demolitions, conditional uses, and lakefront development are met and **approve** the demolition and conditional use requests to demolish an existing single-family residence and build a new single-family residence in the TR-C1 (Traditional Residential – Consistent 1) zoning district on a lakefront property at 2410 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 Colin Punt, (608) 243-0455)

1. This property is located within the boundary of the Waunona burial mound group (DA-1403, BDA-0609). Any ground-disturbing activities will need to secure a Request to Disturb from the Wisconsin Historical Society, which will likely require monitoring by an archaeologist. Staff also recommend that the applicant also notify the Ho-Chunk Nation Tribal Historic Preservation Office of their development plans as relates to the burial site.
2. Prior to sign-off of the raze permit, the applicant shall explore and report any efforts regarding the feasibility and subsequent salvage of the building materials, per the recommendation of the Landmarks Commission. If

it is determined by the applicant that the salvage of materials beyond what is included in the required Reuse and Recycling Plan approved by the City Recycling Coordinator is not feasible, this should be noted in the submitted materials for condition verification and final sign-off.

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

3. Provide a complete inventory of shoreline vegetation in any area proposed for building, filling, grading or excavating. In addition, the development plan shall indicate those trees and shrubbery which will be removed as a result of the proposed development. The cutting of trees and shrubbery shall be limited in the strip thirty-five (35) feet inland from the normal waterline. On any zoning lot not more than thirty percent (30%) of the frontage shall be cleared of trees and shrubbery.
4. Section 28.185(7)(a)5. requires that if a demolition or removal permit is approved, it shall not be issued until the reuse and recycling plan is approved by the Recycling Coordinator, Bryan Johnson (608-266-4682).
5. Section 28.185(10) Every person who is required to submit a reuse and recycling plan pursuant to Sec. 28.185(7)(a)5. shall submit documents showing compliance with the plan within sixty (60) days of completion of demolition.
6. Section 28.185(9)(a) A demolition or removal permit is valid for one (1) year from the date of the Plan Commission.
7. Provide a 75-foot protective buffer from the wetlands pursuant to Madison General Ordinances 37.09(3)(h) and the Wisconsin Administrative Code Chapter NR 103.04.
8. Show the designated flood plain area on the site plan. Any construction within a flood plain shall meet floodproofing protection measures and such design shall be certified by a registered professional engineer or architect per 28.121(12) of the Madison General Ordinances.

**Engineering Division (Main Office)** (Contact Tim Troester, (608) 267-1995)

9. No building improvements shall be located within the sanitary sewer easement without City of Madison approval. The sewer easement is located on the lake side of the proposed home.
10. Applicant shall tie the site plan to USGS datum and show the regulatory floodplain on the site plan to confirm the structure is being constructed outside of that area.
11. Obtain a Street Terrace permit for the proposed work (installation of the driveway apron, landscaping, etc.) This permit application is available and must be completed on line at <http://www.cityofmadison.com/engineering/permits.cfm> (MGO 10.08)
12. Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Mark Moder (608-261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff. (MGO 16.23(9)(d)(4))
13. Obtain a permanent sewer plug permit for each existing sanitary sewer lateral serving a property that is not to be reused and a temporary sewer plug permit for each sewer lateral that is to be reused by the

development. The procedures and fee schedule is available online at <http://www.cityofmadison.com/engineering/permits.cfm>. (MGO CH 35.02(14)).

**Engineering Division (Mapping)** (Contact Jeffrey Quamme, (608) 266-4097)

14. The Sanitary Sewer through this lot has been located by City of Madison Survey Staff on the Dane County Coordinate System Datum. The confirmed sewer location shall be shown on the site plan to confirm its position within the easement. Additional easement area may be required based upon the actual location of the pipe. Contact Jeff Quamme for the electronic Data of the pipe location.

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

15. An upgrade to include a fire sprinkler system shall be offered along with a cost estimate for all initial single- or two-family home sales.
16. Madison Fire Department recommends the installation of a residential fire sprinkler system in accordance with NFPA 13D. Additional information is available at the Home Fire Sprinkler Coalition website: <https://homefiresprinkler.org/building-residential-fire-sprinklers>.

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

17. If a new water service is planned, 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.
18. If the existing water service is being reused. 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.
19. The Madison Water Utility shall be notified to remove the water meter at least two working days prior to demolition. Contact the Water Utility Meter Department at (608) 266-4765 to schedule the meter removal appointment.

*The Traffic Engineering Division, Parks Division, Forestry Section, and Metro Transit have reviewed this request and have recommended no conditions of approval.*