

**PLANNING DIVISION REPORT
DEPARTMENT OF PLANNING AND COMMUNITY
AND ECONOMIC DEVELOPMENT
Of September 10, 2008**

RE: I.D. #11928, Conditional Use – 4922 Lake Mendota Drive

1. Requested Action: Approval of a conditional use to allow demolition and rebuilding of a boathouse at 4922 Lake Mendota Drive.
2. Applicable Regulations: Section 28.12 (11) provides the guidelines and regulations for the approval of conditional uses; Section 28.04 (19) provides the standards for waterfront development.
3. Report Prepared By: Timothy M. Parks, Planner

GENERAL INFORMATION:

1. Applicant: Gabriel Achten, Solid State Construction; 1802 Winchester Street; Madison.

Property Owner: Pancake Properties, LLC; PO Box 930130; Verona.
2. Development Schedule: The applicant wishes to proceed as soon as all necessary approvals have been granted.
3. Parcel Location: An approximately 0.44-acre parcel located at 4922 Lake Mendota Drive; Aldermanic District 19; Madison Metropolitan School District.
4. Existing Conditions: A single-family residence and detached boathouse, zoned R1 (Single-Family Residence District).
5. Proposed Use: The applicant wishes to demolish the existing boathouse and construct a new boathouse in the same location.
6. Surrounding Land Use and Zoning: The subject site is located on the southern shores of Lake Mendota and is surrounded to the east and west by other single-family residences in R1 (Single-Family Residence District) zoning. Blackhawk Country Club is located to the south in the Village of Shorewood Hills.
7. Adopted Land Use Plan: The Comprehensive Plan identifies this area for low-density residential uses.
8. Environmental Corridor Status: The subject site is not located in a mapped environmental corridor. A burial mound was identified northeast of the single-family residence at the time of its construction in 2007. The construction of the new boathouse should not impact this site feature.

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

STANDARDS FOR REVIEW:

This application is subject to the waterfront development standards of Section 28.04 (19) and the conditional use standards of Section 28.12 (11).

PREVIOUS APPROVAL

On December 4, 2006, the Plan Commission approved a demolition permit and conditional use to allow a single-family residence on a waterfront lot to be demolished and a new residence to be constructed.

ANALYSIS, EVALUATION AND CONCLUSION:

The applicant is requesting approval of a conditional use to allow an existing boathouse at 4922 Lake Mendota Drive to be demolished and a new boathouse with similar dimensions to be built at the same location. The 0.44-acre site is zoned R1 and is developed with a recently constructed two-story, 4,500 square-foot single-family residence with attached three-car garage. The existing boathouse to be replaced contains two levels and is located approximately 65 feet north of the new residence down a steep embankment that characterizes the northernmost 40 feet of the subject site adjacent to Lake Mendota. The northern wall of the existing boathouse is located approximately 10 feet from the water's edge.

The new boathouse proposed to replace the existing will be 9.5 feet wide parallel to the lake and will be 18 feet in depth. The new boathouse will include a lower level at lake elevation that will be partially built into the slope of the property with a 6-foot wide double door along the northern façade. The second level will be built entirely above ground and will have access from an entry along the western wall adjacent to the landing of a staircase leading down from the house to the lake. The applicant also proposes a rooftop deck that will extend beyond the dimensioned wall depth of the boathouse to connect to the northerly slope of the property. The overall design of the boathouse will reflect the modern architecture of the principal residence and will be clad in fiber cement siding with windows on three facades. The rooftop deck will be enclosed with vertical steel rails and horizontal aircraft cable. Although the proposed boathouse will be located at approximately the same location as the existing, the applicant will be constructing a new foundation that appears to be slightly taller and deeper than the existing foundation. The new boathouse will stand 13.65 feet in height along the northern façade and will be setback 8.5 from the normal high water mark of Lake Mendota.

Accessory buildings on waterfront lots, including boathouses, are conditional uses requiring Plan Commission approval. The Planning Division believes that the proposed boathouse can meet the standards for waterfront development and conditional uses. The proposed boathouse should have little if any impact on nearby properties and will be located in the same location as an existing boathouse of similar dimension and mass and in a line of boathouses located along this section of Lake Mendota Drive west of Shorewood Hills. The applicant indicates that the interior of the

new boathouse will be used primarily for recreational storage. Staff is not aware of any concerns about the use of the roof of the new boathouse as a deck.

RECOMMENDATION

The Planning Division recommends that the Plan Commission find the standards met and **approve** a conditional use to allow demolition and reconstruction of a boathouse at 4922 Lake Mendota Drive, subject to input at the public hearing and the following conditions:

1. Comments from reviewing agencies.
2. That the applicant revise the plans to identify all vegetation within 35 feet of the normal high water mark of Lake Mendota. The revised plans shall identify any vegetation within this area that will be disturbed as part of the construction of the new boathouse, with no more than 30% of the lake frontage to be cleared of vegetation. The Planning Division and Zoning Administrator shall approve any new landscaping and the removal or changes to vegetation within the 35 feet adjacent to the high water mark.



Department of Public Works
City Engineering Division

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Financial Officer
Steven B. Danner-Rivers

DATE: September 8, 2008

TO: Plan Commission

FROM: Larry D. Nelson, P.E., City Engineer

SUBJECT: 4922 Lake Mendota Dr Conditional Use, Major Alteration to

The City Engineering Division has reviewed the subject development and has the following comments.

MAJOR OR NON-STANDARD REVIEW COMMENTS (Comments which are special to the project and/or may require additional work beyond a standard, more routine project.)

1. The Plat of Survey prepared by Walker Surveying, attached and made part of this application shall be revised to include reference to the additional existing sanitary sewer easement recorded June 29, 1978 as Document No. 1579502. The revised survey must be filed with the County Surveyor's Office. Engineering Mapping has communicated this with Walker Surveying, and provided the Surveyor a copy of the revised easement document via email.
2. FOR THE INFORMATION OF THE PLAN COMMISSION

No WDNR permit needed for a "dry" boathouse and Dane County has not updated their Shoreland Zoning Regulations yet, so boathouses are still permitted.

GENERAL OR STANDARD REVIEW COMMENTS

In addition, we offer the following General or Standard Review Comments: NO COMMENTS



**CITY OF MADISON
INTERDEPARTMENTAL
CORRESPONDENCE**

Date: September 15, 2008

To: Plan Commission

From: Patrick Anderson, Assistant Zoning Administrator

Subject: 4922 Lake Mendota Dr.

Present Zoning District: R-2

Proposed Use: Construct a 9.5' x 18' boathouse (171 sq. ft.) on a waterfront property.

Conditional Use: 28.04 (19) Accessory Structures on waterfront lots are a conditional use.

MAJOR OR NON-STANDARD REVIEW COMMENTS (Comments which are special to the project and/or may require additional work beyond a standard, more routine project).

1. The submitted plans show an elevated steel deck on the lakeside of the dwelling that appears to project into the waterfront setback area. This deck was not shown on the plans for the new house that received variances in 2006. No permit for demolition or building will be issued for the new boathouse until the issues surrounding the elevated steel deck have been resolved.

GENERAL OR STANDARD REVIEW COMMENTS

1. The final site plan shall show dimensions of the building and setbacks from the property line. The boathouse shall be a minimum of 3' from a property line.
2. The cutting of trees and shrubbery shall be limited in the strip of land 35' inland from the normal waterline. **Provide a landscape plan to show any landscape elements to be removed within 35' of the high water mark** and show a detailed plan showing sizes and number of landscape elements to be added to the site. In addition, not more than 30% of the frontage of the lot shall be cleared of trees and shrubbery. (Note: Within the waterfront setback requirements tree and shrub cutting shall be limited to consideration of the effect on water quality, protection and scenic beauty, erosion control and reduction of the effluents and nutrients from the shoreland.)
3. Show designated flood plain area on the site plan. Any construction within a flood plain shall meet flood proofing protection measures and such design shall be certified by a

registered professional engineer or architect per 28.04(20)(b) of the Madison General Ordinances.

4. The boat house shall meet all building code requirements and shall not be used for human habitation.

ZONING CRITERIA

Bulk Requirements	Required	Proposed
Lot Area	6,000 sq. ft.	17,835 sq. ft.
Lot width	50'	82.07'
Usable open space	1,000 sq. ft.	adequate
Front yard	30'	adequate
Side yards	3' accessory bldg. setback	adequate (1)
Rear yard/waterfront	3'	8.5 (1)
Building height	15' to av. mean of acc. bldg.	12' av. mean of acc. bldg.

Site Design	Required	Proposed
Number parking stalls	1	1
Landscaping		(2)

Other Critical Zoning Items	
Urban Design	No
Historic District	No
Landmark building	No
Flood plain	Yes (3)
Utility easements	Sewer
Water front development	Yes

With the above conditions, the proposed project **does** comply with all of the above requirements.