



Report to the Plan Commission

November 2, 2009

Legistar I.D. #16409

908 Lawrence St.

Conditional Use

Report Prepared By:
Heather Stouder, AICP
Planning Division Staff

Requested Action: Approval of a conditional use for a detached garage exceeding 576 square feet in the R2 (Single-family Residence) District.

Applicable Regulations & Standards: Section 28.12 (11) provides the guidelines and regulations for the approval of conditional uses. Accessory buildings exceeding 576 square feet are a conditional use in the R2 District per Sec. 28.08(3)(c)5.

Summary Recommendation: The Planning Division recommends that the Plan Commission find that the conditional use standards can be met and **approve** the conditional use request subject to input at the public hearing and conditions from reviewing agencies.

Background Information

Applicant/Project Contact: Maynard Schmudlach; 908 Lawrence St.; Madison

Proposal: The applicant proposes to build a rear addition to an existing 576 square foot detached garage, resulting in an 876 square foot garage.

Parcel Location: 908 Lawrence Street is a, 8,700 square foot parcel located on the west side of Lawrence Street between West Lakeside Street and O'Sheridan Street; Aldermanic District 13 (Kerr); Madison Metropolitan School District.

Existing Conditions: The site is currently developed with a single-family home and a 576 square foot detached garage, zoned R2 (Single-family Residential) District.

Surrounding Land Use and Zoning: The site is surrounded by single-family homes in the R2 District, with Monona Bay approximately 200 feet to the north.

Adopted Land Use Plan: The Comprehensive Plan recommends Low Density Residential for this area, and the Bay Creek Neighborhood Plan (1991) has no specific recommendation.

Environmental Corridor Status: This property is not located within a mapped environmental corridor.

Public Utilities and Services: This property is served by a range of urban services, including all basic utilities and Metro Transit.

Zoning Summary:

| Bulk Requirements | Required | Proposed |
|-------------------|---------------------------|---------------|
| Lot Area | 6,000 sq. ft. | 8,712 sq. ft. |
| Lot width | 50' | 66' |
| Usable Open Space | 1,000 sq. ft. | Adequate |
| Front yard | 80' to accessory building | 92' |
| Side yards | 3' to accessory building | 3' 6" |
| Rear yard | 3' to accessory building | 3' 6" |
| Floor area ratio | N/A | N/A |
| Building height | 1 story / 15' to average | <15' |

| Site Design | Required | Proposed |
|-----------------------|----------|------------|
| Number Parking Stalls | 1 | 2 Existing |

| Other Critical Zoning Items | |
|-----------------------------|----|
| Flood Plain | No |

Prepared by: Pat Anderson, Asst. Zoning Administrator

Project Review

The applicant is seeking a conditional use for a rear addition to an existing attached garage which would result in an 876 square foot accessory structure.

Existing Conditions and Proposed Expansion:

The 8,700 square foot (0.2-acre) property has an existing ranch-style single-family home constructed in 1971. An existing 576 square foot detached garage sits in the southwestern corner of the property, and open space and trees fill out the remaining area behind the home. The applicant would like to expand the existing garage by 12 ½ feet toward the rear of the property.

Evaluation:

The proposed expansion would maintain the existing 3'6" side yard to the south, and extend to within 3'6" of the rear property line. The width and appearance of the garage from Lawrence Street would remain the same, and effects on adjacent property owners would be minimal. The proximity of the proposed garage to the rear property line is similar to that of the garage in the rear yard of the property immediately to the west. Since the garage lies on the southern part of the lot, its expansion would not affect solar access to adjacent properties.

With the expansion, the impervious surface on the lot would increase by 300 square feet, although this increase would be less significant than if the owner were to erect a second accessory structure on the lot. (Construction of a second accessory structure up to 576 square feet would indeed be feasible within the open space requirements for this lot).

There is no known opposition to the conditional use request at this time. The Alder has indicated support for the proposal, *so long as the space is not used for business or commercial purposes*. This type of use is precluded in the ordinance standards for accessory buildings in residential districts. In the letter of intent, the applicant explained that he would like to utilize space in the garage for storage of equipment. In further discussion, the applicant clarified that the garage would not be used for business purposes, although it may be utilized for hobby crafts. Planning and Zoning staff are meeting with the applicant on October 29 to clarify the ordinance standards for the R2 District and the Plan Commission's continuing jurisdiction for conditional uses.

So long as the applicant agrees with the conditions placed on the approval, the Planning Division recommends that the Plan Commission find that the conditional use standards can be met and **approve** the conditional use request for the garage expansion subject to input at the public hearing and comments from reviewing agencies.

Recommendations and Proposed Conditions of Approval

Major/Non-Standard Conditions are shaded

Planning Division Recommendation (Contact Heather Stouder, 266-5974)

The Planning Division recommends that the Plan Commission find that the conditional use standards can be met and **approve** the conditional use request subject to input at the public hearing and the following condition submitted by reviewing agencies:

Planning Division (Contact Heather Stouder, 266-5874)

1. Pursuant to MGO Section 28.12(11)(h) 4, the Plan Commission retains continuing jurisdiction over all conditional uses for the purpose of resolving complaints against all previously approved conditional uses.

Zoning Administrator (Contact Pat Anderson, 266-5978)

2. Pursuant to MGO Section 28.03(2): Accessory building use shall be customary and clearly incidental to the principal building or principal use, serves exclusively the principal building or principal use, and shall not be used for the storage of equipment used in the maintenance of rental properties as the letter of intent indicates.

Traffic Engineering Division (Contact John Leach, 267-8755)

This agency submitted a response with no comments or conditions for this request.

Fire Department (Contact Scott Strassburg, 261-9843)

This agency submitted a response with no comments or conditions for this request.

City Engineering Division (Contact Janet Dailey, 261-9688)

This agency submitted a response with no comments or conditions for this request.

Water Utility (Contact Dennis Cawley, 261-9243)

This agency submitted a response with no comments or conditions for this request.

Metro Transit (Contact Tim Sobota, 261-4289)

This agency did not submit a response for this request.