

**PLANNING DIVISION REPORT
DEPARTMENT OF PLANNING AND COMMUNITY
AND ECONOMIC DEVELOPMENT
of December 17, 2007**

RE: I.D. #08432, Conditional Use – 5132 Spring Court

1. Requested Action: Approval of a conditional use to allow the construction of a detached garage on a waterfront lot at 5132 Spring Court.
2. Applicable Regulations: Section 28.04 (19) provides the standards for waterfront development; Section 28.12 (11) provides the guidelines and regulations for the approval of conditional uses.
3. Report Prepared By: Kevin Firchow, AICP, Planner

GENERAL INFORMATION

1. Applicant, Owner, and Contact: David R. Anderson; 5132 Spring Court, Madison, WI 53705
2. Development Schedule: The applicant wishes to proceed in Spring 2008 with project completion scheduled for late Spring 2008.
3. Parcel Location: An approximately 5,696 square foot parcel located at 5132 Spring Court; Aldermanic District 5; Madison Metropolitan School District.
4. Existing Conditions: The site includes an existing two-story house with no garage.
5. The property is zoned R1- Single Family Residence District.
6. Proposed Use: The applicant proposes to build a 576 square foot detached garage.
7. Surrounding Land Use and Zoning: The subject site is located on the southwestern shores of Lake Mendota surrounded to the east and west by other single-family residences zoned R1 (Single-Family Residence District).
8. Adopted Land Use Plan: The Comprehensive Plan recommends low-density residential uses for this area.
9. Environmental Corridor Status: Portions of the subject property are located within a mapped environmental corridor, though the location of the proposed garage appears to be outside of this boundary.
10. Public Utilities & Services: This property is served by a full range of urban services.

STANDARDS FOR REVIEW

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

ANALYSIS, EVALUATION AND CONCLUSION

The applicant requests approval to construct a 576 square foot detached garage on a waterfront lot. Accessory structures on a waterfront lot, such as the proposed, require Plan Commission approval. This application is subject to the conditional use standards of Section 28.12 (11) and the waterfront development standards of Section 28.04 (19).

This lakefront property is approximately 40 feet in width. A two-story single-family residence is located at the rear, lakeside of the property. A City sanitary sewer easement crosses the front yard of the property, on the street-side of the home. This easement prevents the garage from being placed close to the residence. A wide driveway, approximately the width of the parcel, is located adjacent to Spring Court and provides the only off-street parking for the property. There is currently no garage on site.

The proposed detached garage would be constructed in the location of the current driveway. Plans show the one-story structure measures 24 by 24 feet with a total area of 576 square feet. As proposed, the garage would have a front setback between four and ten feet. A zoning variance allowing this placement was approved in November 2007, recognizing the hardship created with the City sewer easement. Plans show that the garage would be placed three feet from the adjacent western property line and twelve feet from the eastern property line, meeting applicable side yard setbacks.

The garage features a hip roof, which may somewhat reduce the mass of the garage when viewed from the street, as compared to a conventional gabled roof form. The garage would be clad in vinyl siding matching that of the residence. The western (side) elevation includes a service door and window. The eastern elevation includes a slightly larger window centered on the facade. The applicant also notes that with construction of the garage, existing overhead wires at the street side of the property will be placed underground.

The applicant's site plan also depicts several landscape improvements. This includes the installation of multiple planters including one lining the front corner and eastern side of the garage. Other planters are located on the side and rear of the structure. A concrete paver walk is proposed to line the side of the garage, connecting the street and garage service door to the existing residence.

The City Preservation Planner has reviewed the proposal and wishes to advise the applicants and their contractor(s) that this is a site of frequent Native American habitation. When excavations are done, care should be taken to watch for evidence of human burials.

The Planning Division does not object to the construction of the new garage and believes that the waterfront development and conditional use standards are met.

RECOMMENDATION

The Planning Division recommends that the Plan Commission find that the project meets all applicable waterfront and conditional use standards and **approve** the proposed request for new construction of a detached garage on a waterfront lot. This recommendation is subject to input at the public hearing and the conditions stated below.

1. Comments from reviewing agencies.
2. That the builder take care when doing any excavating and that that they keep an eye out for human remains, as the area around this house was once commonly used by Native Americans. If any remains are found, construction should stop immediately and the burial sites coordinator at the Wisconsin Historical Society should be notified.