

ZONING ADMINISTRATOR'S REPORT
VARIANCE APPLICATION
4016 Hiawatha Dr

Zoning: TR-C1

Owner: Brian Fick and Kristina Stadler

Technical Information:

Applicant Lot Size: 47.5' W x 131' D (irregular) **Minimum Lot Width:** 50'

Applicant Lot Area: 6,648 sq. ft. **Minimum Lot Area:** 6,000 sq. ft.

Madison General Ordinance Section Requiring Variance: 28.042(2)

Project Description: Two-story single family home. Project involves:

1. Add deck surface atop existing right side 2nd level roof deck (4" height increase),
2. Reconstruct roof from hip to gable style. Decrease in overall height but increase in side wall height, part of which is located in left side yard setback. The new roof adds an eave/overhang system.

Project also involves the construction of a second-story rear bedroom "bay" addition above the first-story screen porch. This part of the project does not require a zoning variance.

	Left SY	Right SY
Zoning Ordinance Requirement:	7'-0"	7'-0"
Provided Setback:	5'-2"	5'-5"
Requested Variance:	1'-10"	1'-7"

Comments Relative to Standards:

1. Conditions unique to the property: The lot exceeds lot area minimums but provides less width than required and has an irregular shape. The irregular shape results in a narrow lot width as compared to the street frontage (50'). The existing building is constructed generally parallel to the side lot lines and projects into the required side setbacks.
2. Zoning district's purpose and intent: The regulations requested to be varied are the *side yard setbacks*. In consideration of this request, these setbacks are intended to provide minimum buffering between buildings (generally resulting in space in between the building bulk constructed on lots) to mitigate potential adverse impact and also to afford access to the backyard area around the side of a structure. In this case, the existing structure sits partially into the minimum required side yard setbacks so the proposed alterations slightly modify the bulk of the roof and deck in the setback. The basic wall placement remains as-is, resulting in

little discernible impact above or beyond what exists. The project, as proposed, generally appears to result in development consistent with the purpose and intent of the TR-C1 district.

3. Aspects of the request making compliance with the zoning code burdensome: The alteration of the roof and side wall to accommodate the roof shape change is clearly impacted by the existing building placement in proximity to the side lot lines. The placement of the existing building, and what would be an otherwise unreasonable requirement to shift the building/roof walls to comply with the setbacks, is the primary basis for the roof/side wall change request. Also, regarding the roof modifications, the building code requirement for an insulation “energy heel” height increase at the roof explains partly why an increase in the roof height is necessary.

The second-level roof deck could be modified to provide no bulk change in the setback area, but that would establish an uneven floor level (a step) which would be an unusual/odd arrangement. Typically these decks are built at a single level. As an alternative, the deck could be stepped in to meet the setback, but that is not common for the area, as it is typical to find roof decks placed at the side wall or eave/overhang.

4. Difficulty/hardship: See comment #1 and #3.
5. The proposed variance shall not create substantial detriment to adjacent property: It appears as though the variances will introduce little detriment on the neighboring property above or beyond what would be otherwise allowed. Particularly related to the 2nd level deck request, this area could be occupied without any change and not necessitating a zoning variance but would require a code-minimum guardrail be installed. The increase in height to the floor area raises the height of the deck surface about 4” to protect the roof membrane, a common construction practice, resulting in a zoning variance.
6. Characteristics of the neighborhood: The general area is characterized by homes of varying architectural styles on lots of varying sizes. The proposed bulk and design would not be considered uncommon.

Other Comments: Should the left side roof/wall variance be approved, the proposed eave/overhang system will not require a variance.

At its September 24th 2015 meeting, the Madison Zoning Board of Appeals approved similar variances for a similar project. In comparison to the 2015 project, the 2nd level deck is smaller at the front and rear of the home and the bridge/balcony and spiral stair have been eliminated. The railing design at the side, in the setback area, appears to be the same as approved in 2015.

Staff Recommendation:

It appears standards have been met. Noting the suggestion for discussion regarding the guardrail above, staff otherwise recommends **approval** of the variance request, subject to further testimony and new information provided during the public hearing.