

ZONING ADMINISTRATOR'S REPORT
VARIANCE APPLICATION
501 N Rosa Road

Zoning: TR-C2

Owner: Edward Diehl

Technical Information:

Applicant Lot Size: 56' wide x 119' long

Minimum Lot Width: 40'

Applicant Lot Area: 6,550 square feet

Minimum Lot Area: 4,000 square feet

Madison General Ordinance Section Requiring Variance: 28.043(2)

Project Description: Applicant requests a side yard setback variance for an open porch addition to a single-family house. The proposed 7.25' x 4.25' porch would be over the existing front door.

Side Yard Setback Variance

Zoning Ordinance Requirement: 6'

Provided Setback: 3'

Requested Variance: 3'

Comments Relative to Standards:

- 1. Conditions unique to the property:** A condition unique to the property is that the existing house is located within the side setback, with a 3' side setback. The house is located at an angle on the lot so that the front of the house is located closer to the northern side lot line than the rear of the house. The existing front door is located near the corner of the house that is closest to the side lot line, and the proposed open porch is intended to provide a covering over that front door.
- 2. Zoning district's purpose and intent:** The *side yard setback* is 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 to afford access to the backyard area around the side of a structure. The proposed open porch appears to be proportional to the front façade and of a reasonable size to provide an adequate covering over the front door, while still providing adequate buffer space and access to the backyard. The project appears to result in a condition that is consistent with the purpose and intent of the TR-C2 district.

- 3. Aspects of the request making compliance with the zoning code burdensome:**
Coverings over a front door are a common feature on residential buildings for both functional and aesthetic reasons. The location of the existing house on the lot and the location of the existing front door are aspects of the request that make compliance with the zoning code burdensome

- 4. Difficulty/hardship:** See #1 and #3 above. The house was built in 1958, and the current owners purchased it in 2019. The difficulty/hardship seems to be driven by the location of the existing house and its existing front door, rather than driven by the personal preference of a person with a present interest in the property.

- 5. The proposed variance shall not create substantial detriment to adjacent property:**
The existing house is within the side setback with no known substantial detriment to adjacent property. Open porches have less bulk and lead to less visual obstruction than enclosed spaces. It appears an open porch will not have substantial impact on access to light and air.

- 6. Characteristics of the neighborhood:** The open porch will add architectural interest to the front of the house, and it appears it will not be uncharacteristic for the surrounding neighborhood. It seems the variance will not result in a condition incompatible with the character of the area.

Other Comments: A building permit for an uncovered deck not elevated over 3' was issued for the property in June 2024. Uncovered, unelevated decks are allowed to encroach into the side setback. However, adding a roof over the deck made it an open porch, and open porches are not an allowed encroachment in the side setback.

Staff Recommendation: It appears standards have been met; therefore, staff recommends **approval** of the variance request, subject to further testimony and new information provided during the public hearing.