

ZONING ADMINISTRATOR'S REPORT  
VARIANCE APPLICATION  
5125 Lake Mendota Drive

**Zoning:** SR-C1

**Owner:** Phillip Simon and Sandra Larson

**Technical Information:**

**Applicant Lot Size:** 118' wide x 128.6' long

**Minimum Lot Width:** 55'

**Applicant Lot Area:** 14,127 square feet

**Minimum Lot Area:** 6,000 square feet

**Madison General Ordinance Section Requiring Variance:** 28.131 (1)(b)

**Project Description:** Applicants request a variance to maximum accessory building height to add a usable and occupiable space above the first story of an existing detached garage for a single-family house.

*Maximum Height Variance for Detached Garage*

Zoning Ordinance Maximum: 15'

Proposed Height: 26.5'

Requested Variance: 11.5'

**Referral Information**

This variance proposal was referred from the December 18, 2025 meeting. The ZBA identified concerns about the following:

- The garage not being compatible with the character of the immediate neighborhood, variance standard number six
- The commercial look of the garage
- The tall lower level
- The large blank wall over the garage door
- The look of the street-facing façade

In response, the roofline of the lower level of the garage was changed and reduced in bulk to match the surrounding grade. The windows and garage door were also modified.

Additionally, the applicant has revised the roof of the upper story, changing it from a gable roof to a shed roof. The height of a garage with a gable roof is measured at the midpoint between where the eave crosses the side wall and the peak of the roof. The height of a garage with a shed roof is measured at the peak of the roof. The revised garage measures taller than the previously

proposed garage, both when measured as the zoning code measures them and when measured to the peak of the previous proposal and to the peak of the revised proposal.

	Previous Proposal	Current Proposal
Zoning Ordinance Maximum	15'	15'
Proposed Height (Zoning Code Measurement)	23.7'	26.5'
Requested Variance	8.7'	11.5'
Height Measurement to Peak	24.9'	26.5'

**Comments Relative to Standards:**

**1. Conditions unique to the property:** The lot meets minimum lot width and lot area requirements and is an otherwise compliant lot in the SR-C1 zoning district. A condition unique to the property is the significant slope on the property. The grade at the house’s front stoop is 15.3’ above the curb level of Lake Mendota Drive. Another unique condition is that the existing detached garage is built into the grade, with three sides fully below grade.

**2. Zoning district’s purpose and intent:**

*Maximum accessory building height* is intended to require a common maximum building height in similar areas. Here is how height is measured for accessory buildings: “...height is measured from the average elevation of the approved grade at the front of the building to the highest point of the roof in the case of a flat roof, to the deck line of a mansard roof, and to the midpoint of the ridge of a gable, hip, or gambrel roof. The average height shall be calculated by using the highest ridge and its attendant eave. The eave point used shall be where the roof line crosses the side wall.” (MGO 28.134 (1)(a)) A shed roof is measured like a flat roof, to the peak of the roof.

Measuring height from grade at only the front of an accessory building provides for some simplicity in our code and is consistent with where height was measured from in our pre-2013 zoning code.

The proposed variance does not seem contrary to the spirit, purpose, and intent of the maximum accessory building height because the bulk of the garage is minimized with much of the first story below grade and the upper addition area pushed back from the street towards the higher slope behind with the peak of the shed roof at the furthest point from the street. Adjacent houses are also located at higher elevations than the street so the garage bulk will appear more minimal from their properties.

**3. Aspects of the request making compliance with the zoning code burdensome:**

Compliance with the strict letter of the ordinance would not allow an occupiable level above the first story to be built on the existing garage or would require that the grade at the upper level be dug out to allow for a door opening. This seems to be unnecessarily burdensome.

However, the new proposal is taller than what was previously proposed, both in the way the zoning code measures height and in measuring both garages to the peak. More information may be needed to determine if the roof could be designed with less pitch to reduce the height.

**4. Difficulty/hardship:** See #1 and #3. The difficulty seems to be driven by how accessory building height is measured from grade only at the front of the building and not from the grade at the midpoint of all sides, like it is measured for a principal building. That combined with the significant slope and the existing garage being built below grade on three sides creates an unnecessary hardship in being able to create occupiable space above the first story of the garage while still meeting the height limit.

**5. The proposed variance shall not create substantial detriment to adjacent property:**

The proposed garage will be mostly below grade and is down slope from adjacent houses. Therefore, it seems that the proposed variance will not have substantial impacts to light and air on adjacent property or cause substantial detriment.

**6. Characteristics of the neighborhood:** The surrounding neighborhood is made up of single-family houses with a mix of architectural styles and ages. An adjacent property also has a garage built into a front yard embankment. The proposed garage is a little more unusual in character due to the tall first floor. Few detached garages in the surrounding area have an occupiable upper level. The revised roof over the lower level seems to improve the architecture of the proposed garage, reducing bulk and better camouflaging the lower level's actual height.

**Staff Recommendation:**

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