

ZONING ADMINISTRATOR'S REPORT
VARIANCE APPLICATION
2802-2804 Monroe Street

Zoning: TR-V1

Owner: Robert and Margaret Foulks

Technical Information:

Applicant Lot Size: 40' x 120'

Minimum Lot Width: 40 ft.

Applicant Lot Area: 4,800 sq. ft.

Minimum Lot Area: 4,000 sq. ft.

Madison General Ordinance Section Requiring Variance: 28.047(2)

Project Description: Single-story two-family twin. Construct rear-facing 12'w x 10'd open porch from owner's dwelling unit. Useable Open Space (UOS) variance.

Zoning Ordinance Requirement: 1,000 sq. ft.**

Provided UOS: 770± sq. ft.

Requested Variance: **230± sq. ft.**

** Existing site provided about 970 sq. ft. UOS

Comments Relative to Standards:

1. Conditions unique to the property: The lot meets or exceeds lot area and width minimums and is a corner lot. The home is a two-family twin, where most of the homes in the area are multi-story single family homes or apartment buildings.
2. Zoning district's purpose and intent: The regulations being requested to be varied are the *Useable Open Space (UOS)*. In consideration of this request, the UOS requirement is intended to provide on-site areas for outdoor recreation of the occupants of the building. The proposed porch replaces existing qualifying UOS on the lot. Although the UOS requirement is not being met as prescribed by the ordinance, the provided combination of screen porches for each unit and the existing qualifying open space on-site (located past the head of the parking area at the rear of the dwelling) create useable, functional and quality balance of recreation spaces on the lot.
3. Aspects of the request making compliance with the zoning code burdensome: The requirement for UOS is one of several that must be met for a development site to be zoning compliant. In this case, the parking area is the only area that could be sacrificed to create more qualifying UOS. This would have to be removed for the open space to be provided, which would result in a parking-provision hardship for the owners.

4. Difficulty/hardship: See Comments #1 and #3. The property was originally developed in 1962 and purchased by the current owner in October 2015. The dwellings are undergoing complete renovation to accommodate future owner-occupancy. Most properties on the north side of Monroe Street have an abundance of UOS because of the house orientation on the lots. There are few one-story homes remaining, and this appears to be the only two-family twin in the general area. Two-family twin homes tend to have larger footprints, and this being a one-story two-family twin, the existing footprint is fairly large, which results in little area available for parking and UOS.
5. The proposed variance shall not create substantial detriment to adjacent property: The proposed screen porch and associated UOS reduction will result in little impact above/beyond what would otherwise be permitted.
6. Characteristics of the neighborhood: The general area is characterized by mostly multi-level residential dwellings, where porches, both open and enclosed, are common.

Other Comments: As noted above, the subject property is currently under complete remodel/renovation. The new porch for the eastern-side tenant meets zoning code requirements and does not eliminate or deduct any qualifying UOS on the property, and is being provided as an amenity for that tenant dwelling unit.

The property contains a legal-nonconforming parking condition that creates a potential safety hazard between pedestrians and vehicles, and also makes the driveway more difficult to enter/exit from Monroe Street. The existing surface parking area does not meet setback requirements (the parking area sits 4' into the required street-side setback area). Although not directly part of this request, the presence of this parking area and its impact on the required UOS is relevant. The ZBA may want to consider a further reduction of the UOS requirement, to modify this parking area to a compliant condition. The compliant condition would be to extend the parking area 4' deeper into the lot (to the north), resulting in two 9' x 18' stalls (an 18' x 18' square) with a 4' driveway. This would require an additional 72 sq. ft. UOS reduction. The ZBA should consider expanding this variance request and conditioning the approval on the parking/driveway modification, as the safety benefit of modifying the parking area outweighs the practical reduction of a small amount of UOS.

Staff Recommendation: It appears standards have been met, therefore staff recommends **approval** of the variance request, noting the suggested driveway/parking modification above, and subject to further testimony and new information provided during the public hearing.